

CITY OF SANFORD PLANNING BOARD

REGULAR MEETING

Tuesday, November 15th, 2022, 6:00 PM
Sanford Municipal Center, 225 E. Weatherspoon Street, Sanford, NC 27330

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

Introduction by Chairman: The Sanford Planning Board is an advisory council on matters relating to land development and long-range planning and provides recommendations to the Sanford City Council. All information relevant to each case should have been presented during the public hearing. The Planning Board may ask for clarification of information received during the public hearing, but may not receive new information. Recommendations made this evening will be presented to the City Council for consideration on December 6, 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 - October 11th and October 18th

B. DISCLOSURE OF CONFLICT OF INTEREST – Policy included for reference

C. OLD BUSINESS

D. NEW BUSINESS

PUBLIC HEARINGS WITH THE CITY COUNCIL TO CONSIDER ITEMS 1-7:

1. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1101

Application by Brian Richards of Urban Design Partners to rezone two (2) adjoining tracts of land totaling 6.01 +/- acres, owned by CPW Development Partners, LLC, with frontage on Tramway Road and Marketplace Drive, identified as Lee County Tax Parcels 9631-63-6351-00 and 9631-63-3536-00, as depicted on Tax Maps 9631.04, from Residential Agricultural (RA) to the Tramway South Apartments Conditional Zoning District.

This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on November 15th, 2022.

2. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1102

Application by Mark Lyczkowski to rezone seven (7) tracts of land totaling 140.8 +/- acres, owned by Curtis Dale Kelly Trustee, Curtis Dale Kelly, Hazel Bullard, Luck Stone Corporation, and Star 87, LLC, with frontage on NC Hwy 87 S, identified as Lee County Tax Parcels 9660-35-9486-00 (portion of), 9660-34-1873-00, 9660-23-7417-00, 9660-44-4258-00 (portion of), 9660-13-8685-00, 9660-33-6802-00, and 9660-53-0622-00, as depicted on Tax Maps 9660.04 and 9660.03, from Residential Agricultural (RA), Residential Restricted (RR), and Office and Institutional (O&I) to Light Industrial (LI) and General Commercial (C-2).

This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on November 15th, 2022.

3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1103

Application by Pinnacle Partners, LLC to amend the existing Brookshire Conditional Zoning District, which was approved in November of 2021, composed of three (3) tracts of land totaling 168 +/- acres, owned by Pinnacle Partners, LLC, with frontage on Valley Road, Forestwood Park Road, and US Hwy 421 / Boone Trail Road, identified as Lee County Tax Parcels 9624-96-0209-00, 9634-04-4681-00, and

4. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1104

Application by Josh Chenery to rezone one (1) tract of land totaling 14.95 +/- acres, owned by Megan & Allyson, LLC, with frontage on Lemon Springs Road and Glendale Circle, identified as Lee County Tax Parcel 9651-16-7869-00, as depicted on Tax Map 9651.01, from Residential Single-Family (R-20) to Residential Mixed (R-6).

5. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1105

Application by Selva Mohan of 2mm LLC to rezone four (4) tracts of land totaling 2.27 acres, owned by Stewart Thomas, located at 816 A N. Gulf Street and 701 and 707 N. Horner Boulevard, identified as Lee County Tax Parcels 9643-32-8883-00, 9643-32-9743-00, 9643-32-8941-00, and 9643-32-7649-00, as depicted on Tax Maps 9643.03, from Residential Mixed (R-12) to the Vista Townhomes Conditional Zoning District.

6. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1106

Application by D.R. Horton, Inc to rezone four (4) tracts of land totaling 110.41 +/- acres, owned by D.R. Horton, Inc, with frontage on Colon Road and US Hwy 1, identified as Lee County Tax Parcels 9656-61-6971-00, 9655-59-2618-00, 9656-50-9252-00, and 9655-58-7870-00, as depicted on Tax Map 9655.02, from Residential Agricultural (RA) and Central Carolina Enterprise Park (CCEP)—Triassic Conditional Zoning District to Gum Fork Conditional Zoning District.

7. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1002

Application by Ascend Leadership Academy Holdings Inc to amend the Ascend Leadership Academy Conditional Zoning District, comprising one (1) tract of land totaling 23.1 +/- acres, owned by Ascend Leadership Academy Holdings Inc, located at 283 Harvey Faulk Road, identified as Lee County Tax Parcel 9661-22-8224-00, as depicted on Tax Map 9661.03.

8. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-1108 (**No public hearing required**)

Application by LGI Homes-NC, LLC and Timmons Group, for preliminary plat approval for Deep River East, a proposed major residential subdivision consisting of 567 lots intended for single-family detached homes. The project originally began as Village of Cumnock, and has since undergone a name change, and the developers are now platting the project as two separate neighborhoods—Deep River East and Deep River West. The proposed subdivision plat complies with the Village of Cumnock Conditional Zoning District, to which the site was rezoned in May of 2021. The proposed development features curb & gutter, public sidewalks along all internal streets, and sidewalks to be installed along portions of Cotten and Cumnock Roads. All proposed lots are intended to be served by public water, public sewer, and public streets, all to be maintained by the City of Sanford.

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

3. **REPORTS**

1. Actions by the Sanford City Council

4. **ADJOURNMENT**

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

The City of Sanford Planning Board met for a special called meeting in the West End Conference Room of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. 27330 on Tuesday, October 11, 2022. The meeting was called to order at 6:00 P.M.

ROLL CALL

Members Present: Ken Britton, Chair
Richard Oldham, Vice-Chair
Giraldo Santiago
Jeff Foster
Gina Bycura
Bill Murphy
Gloria Perez, Alternate

Members Absent: None

Staff Present: Eric Nance, Clerk;
Amy McNeill, Zoning Administrator
Thomas Mierisch, Planner II
Curtis Lee, Planner I
David Montgomery, Long Range – Transportation Planner
Marshall Downey, Community Development Director

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.

AMENDMENT TO AGENDA

Chair Britton entertained a motion to remove item #1 (Carbonton Road Rezoning) and move item #8 (UDO text amendment for churches in the CBD) to item #1, to ensure that this item may be placed on the October 18th Sanford City Council agenda for a vote. Vice-Chair Oldham made the motion to approve the amendment, Board Member Murphy seconded. The motion was approved.

APPROVAL OF MINUTES

Chair Britton entertained a motion to approve the minutes of the August 16th, 2022 meeting. Vice-Chair Oldham made the motion to approve the minutes, seconded by Board Member Foster and carried unanimously.

CONFLICT OF INTEREST

Chair Britton stated that he would be recusing himself from item #5 zoning map amendment regarding the Hawkins Village Apartments due to his relationship with Chris and Susan Britton who are adjacent property owners. With that, there were no further conflicts of interest

NEW BUSINESS

1. 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.

DISCUSSION

Staff Person Downey gave an overview of the information provided at the public hearing in July stating that this would be a revision to the current ordinance, since it was discovered that we currently have churches in the CBD district and the revision would not prohibit churches from being there and being excluded.

Chair Britton asked, have there been any changes since this item was tabled in July, to which Staff Person Downey stated there have been no changes.

There were concerns that churches in the CBD district could negatively effect businesses there as far as parking is concerned as well as taxes that businesses pay that churches do not, however, excluding churches from CBD could open the city to lawsuits.

Board Member Foster asked, is it correct that this is not limited to religious organizations it could relate to fraternal organizations as well? Staff Person Downey stated that what we are saying is that we prohibit churches but we allow other similar uses, fraternal organizations, theaters and things like that and places of assembly and we are treating that differently than we treat other uses, so what we indicated to council is that you can either limit all of those uses or treat them all the same way.

Board Member Santiago asked, were there other reasons, traffic or was it just religious? Staff Person Downey stated that churches had been prohibited for a long time, even before 1999 and softened the rules in other zoning districts so that the churches would move to other zoning districts and out of downtown.

Vice-Chair Oldham asked, why has it taken since 1999? Staff Person Downey stated that pace of development dictated that and we haven’t been as diligent on that.

Board Member Murphy expressed concern that churches would deter businesses from wanting to

be downtown.

Board Member Foster stated that he doesn't think churches downtown would affect businesses downtown, and asked how many churches do we have now? Staff Person Downey stated that we know of at least 2 in Downtown Sanford.

Board Member Bycura asked if we leave this as it is what is the liability? Staff Person Downey stated that they could file a lawsuit.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Board Member Foster made the motion to recommend that City Council Approve the UDO Text Amendment as submitted. The motion was seconded by Board member Santiago and was approved with a 5-member vote of yay and 1 abstain by Board Member Murphy.

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

Application by Micah Jones of Criteria Development to rezone two adjoining tracts of land totaling 48.94 +/-acres addressed as 1039/1040/1041 Carthage Street 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 submitted as part of the application. The subject property is owned by Reeves Farm Landco, LLC and is identified as Lee County Tax Parcels 9642-26-3017-00 & 9642-25-6727-00, as depicted on Tax Maps 9642.01 and 9642.03.

DISCUSSION

Chair Britton gave introduction to the rezoning application and opened the floor for discussion.

Board Member Foster asked would the bridge on the property remain and would it be used? Mr. Young stated that the bridge would remain but there would be a barrier blocking access to the bridge because it is not structurally sound.

Chair Britton asked, where the easement to would go, to which Mr. Young said that it would be to the bridge.

Board Member Santiago asked, are the grading plans, and the study in compliance, to which Mr. Young said that they were.

Vice-Chair Oldham asked for verification of the buffer, to which Mr. Young said there was a 40' buffer of planted and reserve trees. Board Member Foster stated that the buffer was drawn at 40'. Mr. Young said at the west there will be a 20' min but they are going for 30' and at the South is a fence.

DECISION

With no further discussion Chair Britton called for a motion to a statement of consistency with the Plan San-Lee as it relates to this rezoning request. Vice-Chair Oldham made the motion that the proposed zoning map amendment is consistent with the Plan San-Lee long range plan designation of Urban Neighborhood because it does allow attached and detached single-family dwellings as proposed land uses. Board member Foster gave the second and the motion was approved unanimously. Chair Britton called for a motion to recommend approval or denial of the rezoning request. Board member Oldham made the motion that the Planning Board recommend the City Council approve the proposed zoning map amendment because the adopted long-range plan is supportive of the land uses and the design submitted as a part of the conditional rezoning request and it is reasonable and in the public interest since it has access to / utilizes public water and sewer with the conditions of a minimum 20' buffer to the West property line and a 40' buffer to the South property line. Board Member Foster Seconded and the motion was passed unanimously.

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.

DISCUSSION

Chair Britton gave overview to the rezoning application and opened the floor for discussion. Staff Person McNeill said that the applicant stated that a turn lane would be required along the Southern entrance and along the Northern entrance may be a right in and right out. The applicant stated that the main entrance would probably be the Southern entrance.

Vice-Chair Oldham asked, at the neighborhood meeting how many people came, to which Staff Person Mierisch said 3.

Vice-Chair Oldham said, there was talk of a dog park and play-ground area, to which Rob Redloff said, yes this is in the plans. Staff Person McNeill said, he is committed to this but there is no need to incorporate this into the plans. Chair Britton asked, are these in the conditions? Staff Person McNeill said, no but we can add them.

Board Member Foster asked, is the retention pond a dry pond or wet pond to which Mr. Redloff stated it would be a wet pond.

Chair Britton expressed concern with visibility at the entrance at Carthage St being 55 mph will there be a turn lane to which Mr. Redloff stated there will.

DECISION

With no further discussion Chair Britton called for a motion to a statement of consistency with the Plan SanLee long range plan. Vice-Chair Oldham made the motion that the proposed zoning map amendment is consistent with the Plan SanLee long range plan designation of Suburban Neighborhood because it allows low density single-family detached dwellings as a secondary future land use. Board Member Santiago gave the second and the motion was approved unanimously. Chair Britton called for a motion to recommend approval or disapproval of the rezoning application to City Council. Board Member Santiago made the motion that the Planning Board recommend to City Council approve the proposed zoning map amendment because the site is appropriate for the desired land uses and densities with the conditions that the dog park and play-ground be added, the location will be determined on the preliminary plat. Board Member Murphy gave the second and the motion was passed unanimously.

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.

DISCUSSION

Chair Britton gave an overview to the rezoning application case and opened the floor for discussion.

Staff Person McNeill stated that there are some typical building exteriors within the package and the design will have to be substantially the same. Chair Britton asked is that already noted in the conditions? Staff person McNeill said, with all conditional zoning projects the plans presented before you whether site-plan or architectural are conceptual in nature but they must be substantially the same and that is ultimately up to the zoning admin and planning department and we will make sure that they are substantially the same, we have to justify any deviations.

Vice-Chair Oldham asked with the parcel in the front, not being part of the development, would there be any affect later that could have on the development? We would have to make sure that it is a part of the technical review process that proper legal easements are in place. There is also a secondary access off of True Love Street which is city maintained so we do feel good about it, but we need to make sure that it is going to work.

Board Member Murphy asked, where will the stormwater go? Brian Richards said that the water would go toward 421, there is a large ditch and huge culvert there that is existing.

Chair Britton asked, the commercial parcel is owned is that correct? Roy Mashburn, Project Engineer said yes, it is and the easement is in place.

DECISION

With no further discussion Chair Britton called for a motion to approve consistency with the Plan San-Lee Long Range Plan. Board Member Santiago made the motion that the proposed zoning map amendment is consistent with the Plan San-Lee long range plan designation of Commercial Corridor because it does allow for multifamily dwellings as a proposed land use. Board Member Foster seconded and the motion was approved unanimously. Chair Britton called for a motion to approve or deny the zoning map amendment. Board Member Santiago made the motion that the Planning Board recommend that 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. Board Member Foster seconded the motion and it was approved unanimously.

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.

DISCUSSION

Chair Britton gave the overview to the rezoning application case and recused himself from this item based on conflict of interest, turning the meeting over to Vice-Chair Oldham.

Board Member Santiago stated that we need to make sure that we address the berm as well as other conditions. Staff Person McNeill said it probably needs to be addressed if you are going to recommend that the sidewalk pedestrian connection be required to Cape Jasmine Drive, the landscape berm that is being proposed, whether you are comfortable with it ending 100’ from the property line adjoining the Jehova’s Witness site.

Vice-Chair Oldham said, will they be moving the dumpster? Staff person McNeill said they will be moving the dumpster so that it is not on the Hawkins Run side but it will be on the 421 side. Board Member Foster asked, we have said that future connectivity will have to go all of the way to the property line, is Staff ok with this as it is presented? Staff person McNeill said no, we would want it to go all of the way to the property line. Shawn Hine stated that due to grading it may not be possible to go all of the way to the property line but they would definitely dedicate the easements for future connectivity.

Mark Lyczkowski stated that we will allow at the end of the pavement a 50' wide easement to the buffer, and we will pave as close as we possibly can, usually within 5'. Staff Person McNeill asked, would 55' make more sense? Mark Lyczkowski stated that would be fine.

Vice-Chair Oldham expressed concern about the sidewalks stating, that it could pose a risk to the residents going from no sidewalks to installed sidewalks. Board Member Bycura stated that there are people that park in the road and there is the potential for children to walk out from behind cars that would pose potential risk.

Board Member Murphy asked, does Cape Jasmine Drive connect into Old Town Drive or does it connect to the service road? Board Member Bycura stated that it connects to Old Town Drive.

DECISION

With no further discussion Vice-Chair Oldham called for a motion of consistency with the Plan San-Lee. Board Member Santiago made the motion that the proposed zoning map amendment is consistent with the Plan San-Lee long range plan designation of Neighborhood Center because it allows multifamily dwellings with 10 to 16 units per acre as a future land use. Board Member Murphy seconded and the motion was approved unanimously. Vice-Chair Oldham called for a motion to recommend that City Council approve or deny the zoning map amendment. Board Member Murphy made the motion that the Planning Board recommend that City Council approve the proposed zoning map amendment because the site is appropriate for the desired land uses and densities with the conditions from exhibit A.

- A. Along the common property line within the 20' setback there will be a minimum of a 5' to 6' berm with a 4' minimum green giant arborvitae every 6' apart.
- B. Remove sidewalk from project parking lot to Cape Jasmine Drive.
- C. Relocate trash dumpster to be along the Hwy 421 side and not near Cape Jasmine Drive.
- D. Extend private drive and at the end of the pavement there will be a 55' wide easement.

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.

DISCUSSION

Chair Britton gave the overview to the rezoning application case and opened the floor for discussion. Vice-Chair Oldham said it was a little confusing because his understanding was that curb and gutter was not planned but, on the plans, it shows valley curb. Jeremy Thomas stated

that they are prepared to provide valley curb on the new alleyway and sidewalk on both sides and then we will have a parameter sidewalk that is on Cooper and Barnes Street.

Board Member Foster asked, is the intent of the parameter sidewalk for it to be public because as it is presented unless it is in an easement its not in the right-of-way so there's no way to access it unless you enter the property and get on the sidewalk. Jeremy Thomas stated that we are going to look at the topography and determine where it needs to be but if it is not in the right-of-way, we will put an easement on it like on the Bragg St property. If we can move it closer to the road and be safe then we will move it closer to the right-of-way. Board Members expressed that they liked how the project looks.

DECISION

With no further discussion Chair Britton called for a motion of consistency with the Plan San-Lee long range plan as it relates to this zoning map amendment. Board Member Murphy made the motion that the proposed zoning map amendment is consistent with the Plan San-Lee long range plan designation of Urban Neighborhood because it does allow attached single-family dwellings as a proposed land use. Vice-Chair Oldham seconded and the motion was approved unanimously. Chair Britton called for a motion to approve or deny recommendation of approval to City Council regarding the proposed rezoning application case. Board Member Santiago made the motion that the Planning Board recommend approval of 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. Board Member Murphy seconded the motion and it was approved unanimously.

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.

DISCUSSION

Sanford Planning Board Minutes

UDO Text Amendment

Micah Jones of Criteria Development Rezoning Application

Randy King of Pulte Home Company LLC Rezoning Application

Brian Richards of Urban Design Partners Rezoning Application

Mark Lyczkowski Rezoning Application

Brandon Harrington of Harrington Properties Rezoning Application

Tony Toro of Lamco Custom Builders LLC Preliminary Plat

10.11.2022

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Staff Person Mierisch gave the overview to the preliminary plat and Chair Britton opened the floor for discussion and asked each board member if they had questions, there were none.

DECISION

With no further discussion Chair Britton called for a motion to recommend approval or disapproval of the preliminary plat. Vice-Chair Oldham made the motion to recommend approval of the preliminary plat to City Council. Board Member Murphy seconded the motion and the motion was approved unanimously.

REPORTS

Staff person McNeill gave the staff report found in the Planning Board agenda.

ADJOURNMENT

With no further business to come before the board, the motion to adjourn was made by Vice-Chair Oldham, seconded by Board Member Foster, and carried unanimously. The meeting was adjourned at 9:23 P.M.

Adopted this _____ day of _____, 2022.

BY: _____
Ken Britton, Chair

ATTEST: _____
Eric Nance, Clerk

**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 at the Sanford Municipal Center at 225 E. Weatherspoon Street in the West End Conference Room on Tuesday, October 18, 2021. The meeting was called to order at 6:00 PM.

ROLL CALL

Members Present: Ken Britton, Chair
Gina Bycura
Jeff Foster
Santiago Giraldo
Bill Murphy

Members Absent: Richard Oldham, Vice-Chair
Gloria Perez

Staff Present: Tanner O'quin, serving as Clerk to the Board for this meeting
Curtis Lee, Planner I
Thomas Mierisch, Planner II
Amy McNeill, Zoning Administrator
Marshall Downey, Community Development Director

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.

APPROVAL/DISAPPROVAL OF AGENDA

Chair Britton stated that the rezoning application by Ascend Leadership Academy needs to be removed from the agenda since the public hearing was not able to be held this evening and he entertained a motion to approve the amended agenda. Board Member Murphy made a motion to approve the agenda, seconded by Board member Foster and carried unanimously.

APPROVAL OF MINUTES

Chair Britton stated that there are no minutes included within the agenda packet and that both the October 11th and October 18th minutes will be included in the November agenda.

DISCLOSURE OF CONFLICTS OF INTEREST

Chair Britton asked each board member to disclose any conflicts of interest in the matters to be

considered by the Board this evening.

Gina Bycura stated that she has a conflict of interest with the Keller Investments, LLC rezoning request because she is a family member and works for the company. The board agreed that she should recuse herself from participating in this recommendation.

Santiago Giraldo stated that he has a conflict of interest with the Lee County rezoning request because he works for Lee County and is serving as the applicant representative for this request. The board agreed that he should recuse himself from participating in this recommendation.

Jeff Foster stated that he works for CE Group, but is not associated with The Station Project. The board concluded that Board Member Foster did not need to recuse himself from participating in this recommendation.

OLD BUSINESS

None

NEW BUSINESS

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

Application by Glenn Godfrey to rezone five vacant adjoining tracts of land totaling 196.87 +/- acres with frontage on Carbonton Rd and Creek Trail, abutting the Hearthfield Lakes subdivision, from Residential Restricted (RR) and Residential Single-family (R-14) to Residential Mixed (R-10). The subject property is owned by Southern Properties of Sanford, LLC and Pinnacle, Inc. and is identified as Lee County Tax Parcels 9623-70-2817-00, 9623-61-1527-00, 9623-73-6095-00, 9623-82-1343-00 and 9623-82-4721-00, as depicted on Tax Maps 9623.04 and 9622.02.

This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on October 18th, 2022.

DISCUSSION

After an overview of the rezoning application and the information provided at the public hearing, Chair Britton opened the floor for discussion.

Board member Murphy stated concerns about the traffic on Creek Trail Rd. and the effect this size development would have on the traffic impact. Amy McNeill clarified to the board that the Technical Review Committee will address traffic impact and any roadway improvements that may be required.

Board Member Britton asked why the applicant did not submit a site plan with their submittal. The Board Attorney clarified that this was a general rezoning request, and that general rezoning requests do not require a site plan submittal. He further pointed out that the Board should keep in mind the totality of land uses that would be permitted in this general rezoning when making a recommendation.

Board Member Giraldo stated that one concern he had was that the proposed zoning designation does not comply with the long-range plan. Curtis Lee clarified the “Countryside” designation from the long-range plan and that it is designed to maintain a rural feel.

Board Member Britton stated that there are other neighborhoods nearby with higher density than what is being proposed.

Board Member Giraldo asked if the deed restrictions mentioned in the public hearing are also reviewed by the Technical Review Committee. Amy McNeill clarified that the deed restrictions are a private matter and are not reviewed by the Technical Review Committee.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Board member Murphy made the motion that the proposed zoning map amendment is consistent with the Plan SanLee long range plan designation of Countryside (which encompasses the majority of the site) and Suburban Neighborhood because the parcel is within the Suburban Neighborhood land use area which has similar residential intensity as the residential mixed (R-10) zoning district allows.

Board member Giraldo made the motion that the 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.

The motion was seconded by Board member Murphy and was unanimous.

2. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1001

Application by the City of Sanford to rezone 4.67 acres consisting of one (1) parcel of vacant land at Colon Rd & US Hwy 1 from Highway Commercial (HC-County) to Highway Commercial (HC-City) to allow the subject property to host a new fire station. The subject property is identified as Lee County Tax Parcel 9655-48-4471-00, as depicted on Lee County Tax Map 9655.01.

This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on October 18th, 2022.

DISCUSSION

After an overview of the rezoning application and the information provided at the public hearing, Chair Britton opened the floor for discussion.

There was no further discussion regarding the proposal.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Board member Giraldo made the motion that the proposed zoning map amendment is consistent with the Plan SanLee long range plan designation Mixed-Use Activity Center because Highway Commercial (HC) zoning is listed as a proposed primary district and civic uses are allowed.

Board member Giraldo made the motion that the Planning Board recommend the City Council approve the proposed zoning map amendment because the site is appropriate for a highway commercial land use.

The motion was seconded by Board member Foster and was unanimous.

4. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1003

Application by Keller Investments LLC (W. Carter Keller) to rezone three (3) adjoining tracts of land comprising 22.39 +/- acres between Charleston Drive and Hawkins Ave from General Commercial (C-2) and Residential Single-Family (R-20) to The Station Apartments Conditional Zoning District to allow the development of apartments as illustrated on the “The Station Construction Plans” submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9644-63-1661-00, 9644-53-6465-00, and 9644-53-0423-00, as depicted on Lee County Tax Map 9644.04.

DISCUSSION

After an overview of the rezoning application and the information provided at the public hearing, Chair Britton opened the floor for discussion.

Board Member Giraldo asked if the proposed fence had been added to the conditions. Amy McNeill said no, the fence would need to be added in the motion.

Board Member Britton asked if a berm will be required. The applicant responded not at this time.

Board Member Britton asked if the brick façade was on all four sides. The applicant responded yes.

Board Member Foster asked what is the proposed roof pitch on the garages. The applicant responded that it is not decided at this time.

Board Member Britton asked if the applicant also purchased the lot next to Dollar General. The applicant responded no.

Board Member Foster asked what building marked “4” is. The applicant responded that it is a proposed maintenance building.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Board member Murphy made the motion that the proposed zoning map amendment is consistent with the Plan SanLee long range plan designation of Mixed-Use Activity Center because it allows multi-family dwellings as a primary future land use.

Board member Giraldo made a motion that the Planning Board recommend the City Council approve the proposed zoning map amendment with the added amendments of the addition of a fence along the southern boundary and the continuation of the landscape buffer around the northern wetlands area.

The motion was seconded by Board member Murphy and was unanimous.

5. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1004

Application by Lee County to rezone 10.96 acres consisting of portions of two parcels of land addressed as 1418 Bragg Street from Residential-Mixed (R-12) to Office & Institutional (O&I) to allow the subject property to host a new Lee County Library facility and other associated improvements. The subject property is identified as Lee County Tax Parcel 9652-35-6448-00, as depicted on Lee County Tax Maps 9652.10 and 9652.14.

DISCUSSION

After an overview of the rezoning application and the information provided at the public hearing,

Chair Britton opened the floor for discussion.

Board Member Foster asked if the library was traditional. Mr. Giraldo responded that it is a traditional space with modern amenities. There will be a mix of various spaces for several types of uses with abundant outdoor space. Mr. Giraldo also mentioned that the same design team as the downtown Durham Library are being utilized to design this space.

Board member Britton asked if there are sidewalks? Mr. Giraldo stated that the reason this spot was selected was for the potential for inter-connectivity, including connections with the high school and community college.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Board member Bycura made the motion that the proposed zoning map amendment is consistent with the Plan SanLee long range plan designation of Professional and Institutional Campus because Office & Institutional (O&I) zoning is listed as a proposed primary district and civic uses are allowed.

Board member Murphy made the motion that the Planning Board recommend the City Council approve/deny the proposed zoning map amendment because the site is appropriate for an office and institutional land use.

The motion was seconded by Board member Foster and was unanimous.

6. ZONING MAP AMENDMENT APPLICATION CASE 2022-1005

Application by Steve Malloy to rezone 2.14 acres consisting of three (3) parcels at the corner of Wilson Rd and NC Hwy 87 from Residential Single-Family (R-20) to General Commercial (C-2) to allow for future commercial development and to match existing zoning patterns surrounding the subject property. The subject property is identified as Lee County Tax Parcels 9661-07-7557-00, 9661-07-7713-00, and 9661-07-6603-00, as depicted on Lee County Tax Map 9661.01.

DISCUSSION

After an overview of the rezoning application and the information provided at the public hearing, Chair Britton opened the floor for discussion.

Board Member Giraldo stated a reminder that the public hearing indicated that the space may be used for as an overflow parking lot.

Board Member Britton stated that the board must take into account all permitted land uses in the proposed zoning designation into account.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Board member Foster made the motion that the proposed zoning map amendment is consistent with the Plan SanLee long range plan designation of Commercial Corridor because the proposed General Commercial (C-2) zoning district is listed as a primary district for this future land use area.

Board member Murphy made the motion that the Planning Board recommend the City Council approve the proposed zoning map amendment because the site is appropriate for a General Commercial (C-2) land use.

The motion was seconded by Board member Foster and was unanimous.

7. ZONING TEXT AMENDMENT APPLICATION CASE 2022-1006

Consideration of a text amendment to the Unified Development Ordinance, Article 5 Supplemental Development Regulations to add supplemental development regulations pertaining to the definition, location, and standards for mobile food vendors under “5.45 Mobile Food Vendors.”

DISCUSSION

After an overview of the rezoning application and the information provided at the public hearing, Chair Britton opened the floor for discussion.

Board Member Murphy said it is difficult to define new policies and commends staff.

Board Member Murphy asked what defines a food truck. Thomas Mierisch responded that the Unified Development Ordinance defines concessionaires and will add a definition of food trucks to differentiate.

Board Member Foster said to be mindful of “food cart” language.

Board Member Giraldo said that he admires the addition of the regulations for food trucks in public parks.

Board Member Foster asked if there is any language protecting the city from alcohol separation laws. Thomas Mierisch responded that this would be regulated with the state ABC commission.

Board Member Foster asked if there are minimum parking requirements? Thomas Mierisch responded that no such requirements are in ordinances from neighboring municipalities ordinances.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Board member Giraldo made the motion to recommend that the City Council approve the proposed zoning text amendment.

The motion was seconded by Board member Foster and was unanimous.

OTHER BUSINESS

None

STAFF REPORTS

None

ADJOURNMENT

With no further business to come before the Board, the motion to adjourn was made by Board member Foster, seconded by Board member Murphy, and carried unanimously. The meeting was adjourned at 8:28 P.M.

Adopted this 18th day of October, 2022.

BY: _____
Ken Britton, Chair

ATTEST: _____
Tanner O'quin, Clerk to the Board for this meeting

This is general information provided by the Lee County Attorney for inclusion in the Lee County Planning Board agenda packet as a reference for board members as of 2022-04-18. Staff has added this information to the agenda packets for the Planning Board and Board of Adjustment for Sanford and Broadway also.

Conflict of Interest Policy Related to Land Use Decisions

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

For Governing Board Members – Sanford City Council

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

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

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

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

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

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

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

\$500 FEE

Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Brian Richards - Urban Design Partners
2. Applicant Address: 555 Fayetteville Street, 3rd floor Raleigh, NC 27601
3. Applicant Telephone: (919)-275-5002
4. Name and Address of Property Owner(s) if different than applicant:
CPW Development Partners, LLC
2075 Juniper Lake Road West End, NC 27376
5. Location of Subject Property: Tramway Road and Jefferson Davis Highway
Lee Co. P.I.N. 9631-63-6351-00 & 9631-63-3536-00
6. Total Area included in Rezoning Request: 5.87 Acres
7. Zoning Classification: Current: General Commercial (C-2) Requested: CZ type 1
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): To allow for the development of apartments with a maximum density of 16 units/acre
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

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

Brian Richards

7/28/2022

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.: _____

\$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:



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): Proposed stormwater management plat for associated multi-family development

3. Describe in detail any additional conditions of development proposed as part of the Conditional Zoning District. Such conditions should include (as applicable):

- The location on the property of the proposed use(s);
- The number of dwelling units;
- The location and extent of supporting facilities such as parking lots, driveways, and access streets;
- The location and extent of all landscaping areas, buffer areas and other special purpose areas
- The timing of development;
- The location and extent of rights-of-way and other areas to be dedicated for public purposes;
- Details on architectural features and scale of proposed structures; and
- The location and extent of any pedestrian elements (sidewalks, trails, etc.).

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

Max. density of 16 units per acre, sidewalks adjacent to all parking areas facing buildings and connected for navigation through the site. Parking ratio +/- 1.5 spaces / unit. Construction to take place in one phase and begin in late 2022 to early 2023.

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

Jamie Encinosa
Signature (Sign & Print)

7/28/2022

7/28/2022

Date

REZONING MAP

TRAINWAY SOUTH MIXED USE





SITE DATA

ACRES: ± 24.7 AC

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

EXISTING ZONING: C-2, RA

PROPOSED ZONING: MF-16

DEVELOPMENT SUMMARY

PROPOSED APARTMENTS

ELEVEN (11) 3-STORY BUILDINGS

TOTAL DU: ± 330 DU TOTAL

1 BEDROOM: ± 165 DU

2 BEDROOM: ± 165 DU

PARKING: ± 1.5 SPACES/DU

PARKING SPACES: 9' x 18' TYP.

OPEN SPACE

REQUIRED: 10% MIN.

PROPOSED: ± 50 %

495 spaces
required
503 spaces
provided

AMENITIES

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

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

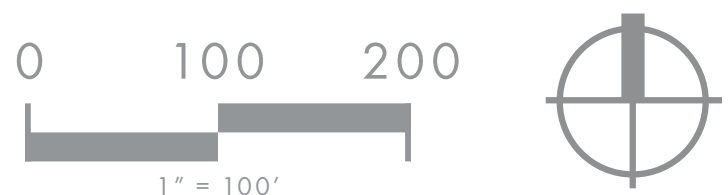
NOTES

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



TRAMWAY SOUTH APARTMENTS | CONCEPT PLAN

SANFORD, NC



APRIL 15, 2021

22-RDU-028

555 Fayetteville St. 3rd Floor Raleigh, NC 27601 | urbandesignpartners.com | 919.275.5002



SITE DATA

ACRES: $\pm$ 24.7 AC

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

EXISTING ZONING: C-2, RA

PROPOSED ZONING: MF-16

DEVELOPMENT SUMMARY

PROPOSED APARTMENTS

ELEVEN (11) 3-STORY BUILDINGS

TOTAL DU: $\pm$ 330 DU TOTAL
1 BEDROOM: $\pm$ 165 DU
2 BEDROOM: $\pm$ 165 DU

PARKING: $\pm$ 1.5 SPACES/DU

PARKING SPACES: 9' x 18' TYP.

OPEN SPACE
REQUIRED: 10% MIN.
PROPOSED: $\pm$ 50 %

AMENITIES

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

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

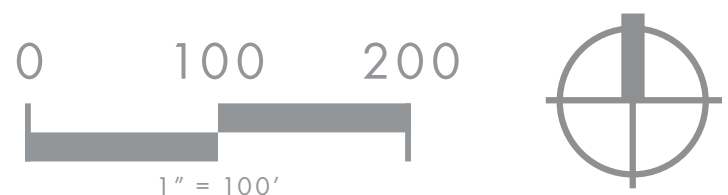
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TRAMWAY SOUTH APARTMENTS | CONCEPT PLAN

SANFORD, NC



APRIL 15, 2021

22-RDU-028

555 Fayetteville St. 3rd Floor Raleigh, NC 27601 | urbandesignpartners.com | 919.275.5002



SITE DATA

ACRES: ± 44.0 AC TOTAL

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

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

DEVELOPMENT SUMMARY

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

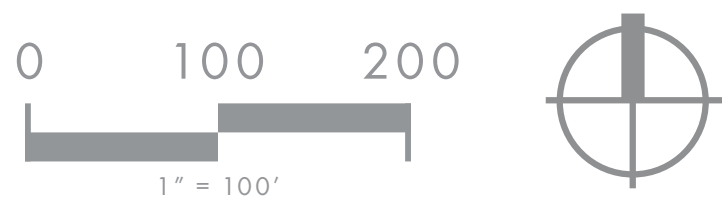
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TRAMWAY SOUTH | MASTER PLAN

SANFORD, NC



APRIL 15, 2021

22-RDU-028

CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
November 15th, 2022

This rezoning is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on November 15th, 2022.

REQUEST

Brian Richards of Urban Design Partners is requesting to rezone two adjoining tracts of land comprising 6.01 +/- acres adjoining The Marketplace at Tramway Shopping Center from Residential Agricultural (RA) to the Tramway South Apartments Conditional Zoning District. The majority of the Tramway South Apartments site was rezoned in July of 2022; however, this adjoining property (which currently houses the sewer lift station for the existing development within The Marketplace at Tramway Shopping Center, a stormwater control measure, and pond) needed to be annexed into the corporate City limits and rezoned in order to be included as part of the apartment community. 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:	CPW Development Partners, LLC
Request:	Rezone from Residential Agricultural (RA) to Tramway South Apartments CZ District
Location:	The Marketplace at Tramway Shopping Center
Acreage:	6.01 +/-
Tax Parcels:	9631-63-6351-00, 9631-63-3536-00
Tax Map:	9631.04
Township:	Pocket
Council Ward:	Unassigned
Fire District:	Tramway Fire Department
Schools:	Greenwood Elementary SanLee Middle School Southern Lee High School

SITE DESCRIPTION

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

ZONING DISTRICT INFORMATION

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

Minimum lot size:	40,000sf or 0.92 of an acre
Minimum lot width:	100ft
Minimum lot depth:	125ft
Minimum building setback, front:	30ft, measured from the right-of-way 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 line
Maximum building height:	40ft
Maximum impervious surface:	N/A, not taking into consideration watershed regulations

Examples of uses permitted by right within the RA zoning district include residential single-family detached dwellings (site built and modular houses, both of which are constructed in compliance with the North Carolina Residential Building Code AND mobile/manufactured houses, which are constructed in compliance with the Manufactured Home Construction and Safety Standards administered by U.S. Housing and Urban Development or HUD Code), duplex dwellings, pottery manufacturing & sales, parks/playgrounds/athletic fields operated on a noncommercial basis, church/religious complex (new site with less than 350 seats), church/religious complex (any size, if an addition to an existing complex), Schools (addition to existing site), animal production & support services (unincorporated Lee County), crop production & support services (unincorporated Lee County), and forestry/logging & support services (unincorporated Lee County). There is a list of all of the permitted uses for this zoning district, 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 Tramway South Apartments Conditional Zoning District is an existent 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. This site is an extension of the neighboring Tramway South Apartments project, which was rezoned to the aforementioned zoning district at the July 19th meeting of the Sanford City Council and was included in the original site plan for that conditional rezoning, which is now seeking further rezoning for the adjoining parcels featured in this rezoning request.

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 Tramway South Apartments Conditional Zoning District:

- Max density of 16 units per acre
- Sidewalks adjacent to all parking areas facing buildings and connected for navigation through the site
- Parking ratio of +/- 1.5 spaces per unit.
- The applicant has stated that construction is to take place in one phase and begin in late 2022 to early 2023; however, please note that the timing of construction is market driven and should not be included as a condition of rezoning.

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. Note

that this site was included in the prior “Tramway South Master Plan” submitted with the Tramway South Apartments Conditional Zoning District rezoning application which was adopted by ordinance by the Sanford City Council on July 19th, 2022.

Adjacent Zoning

North:	Residential Agricultural (RA)
South:	Residential Restricted (RR)
East:	Residential Agricultural (RA)
West:	Tramway South Apartments Conditional Zoning District

Adjacent Land Use

North:	Single-family homes
South:	Single-family homes in the Cheshire Farms subdivision
East:	Single-family homes
West:	Tramway South Mixed-Use Project

PLAN SANLEE

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

LOCAL OVERLAY DISTRICTS

This site is not located within a local overlay district.

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

TRANSPORTATION

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

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

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

DEVELOPMENT STANDARDS

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

STAFF RECOMMENDATION

The rezoning request complies with the *Plan SanLee* long-range plan designation of Mixed-Use Activity Center which lists multi-family dwellings as land uses with a density of 16 + units per acre, which is what is proposed in the information submitted by the applicant. The proposed rezoning is an extension of the previously accepted Tramway South Apartments rezoning which was approved by the Sanford City Council on July 19th. Thus, an expansion of the rezoned area to accommodate a neighboring parcel appears to be in-line with the recently accepted development pattern applied to this area along with what is provided in the future land-use plan. Based on this rationale, staff is supportive of this rezoning request.

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 Mixed Use Activity Center because it allows multi-family dwellings with a density of 16+ units per acre.”*

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Mixed Use Activity Center because it includes only one of the encouraged land use components and the associated design is not contextually integrated into the surrounding development pattern.”*

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

VOTE #2: TO APPROVE OR DENY THE 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 land uses and densities desired.”*

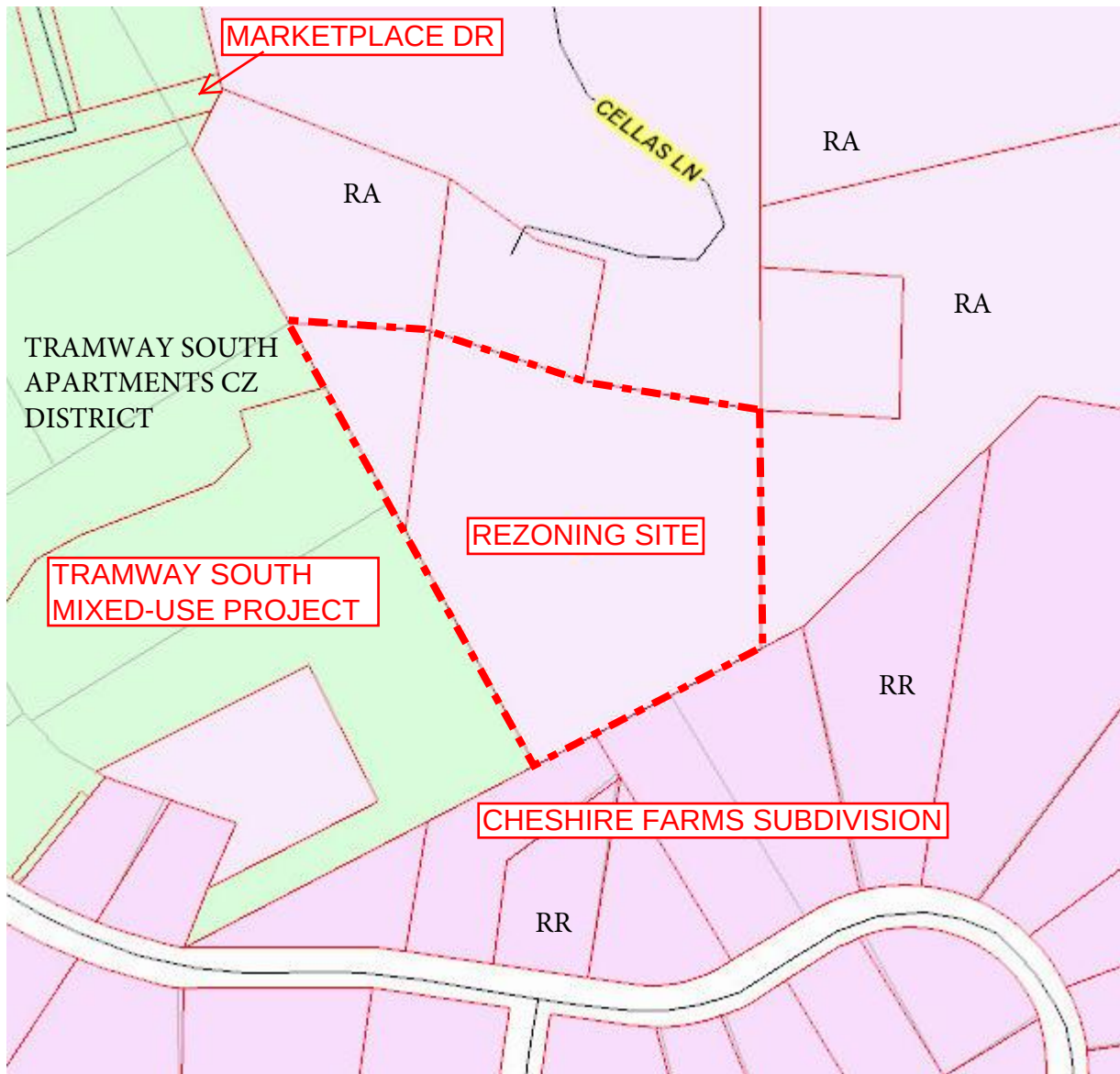
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



ZONING MAP AMENDMENT

Request to rezone 5.87 acres at Tramway Rd & Marketplace Dr
from RA to Tramway South 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.

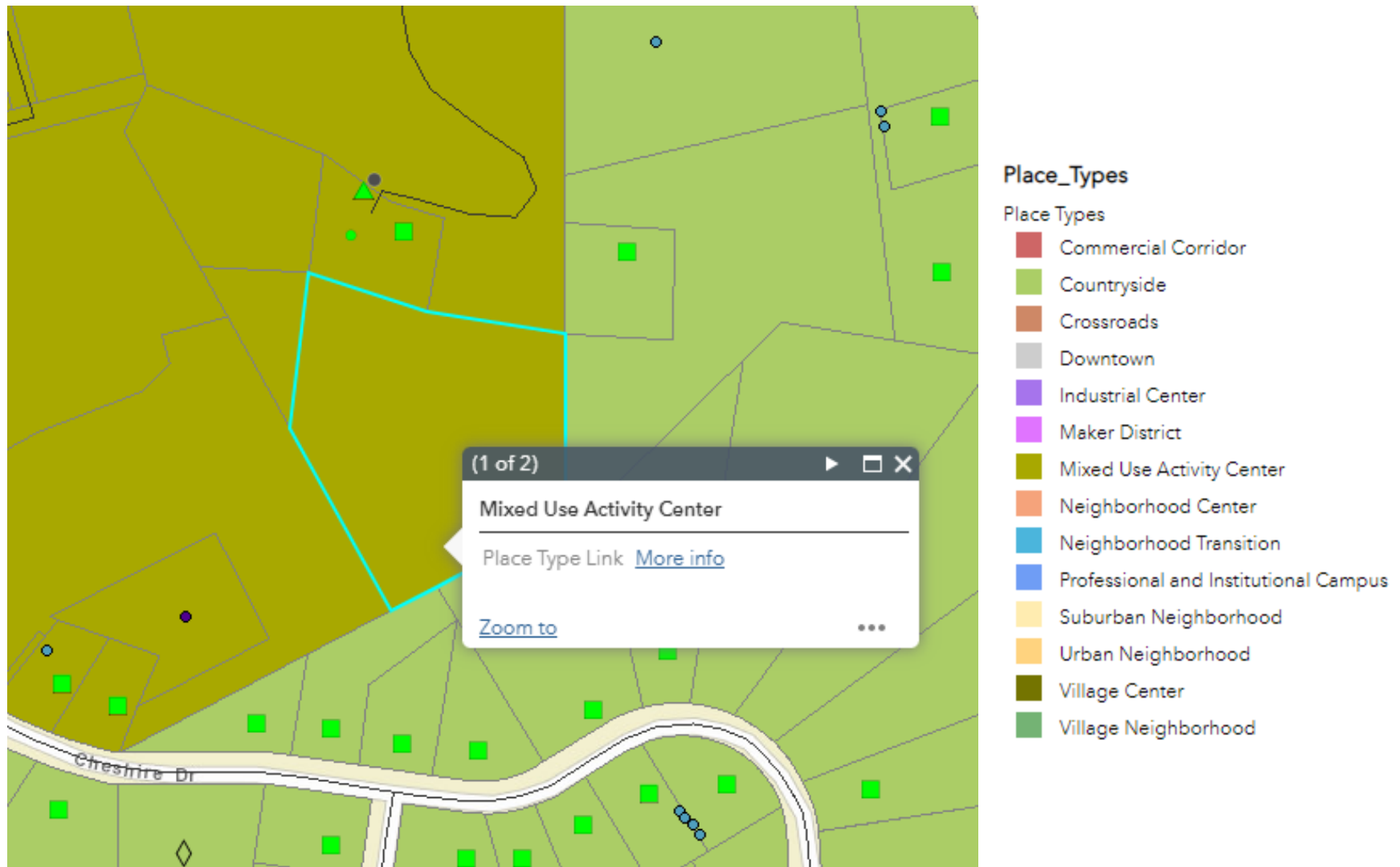


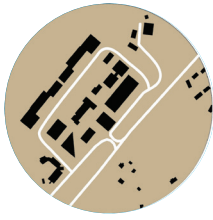
ZONING MAP AMENDMENT

Request to rezone 5.87 acres at Tramway Rd & Marketplace Dr
from RA to Tramway South 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

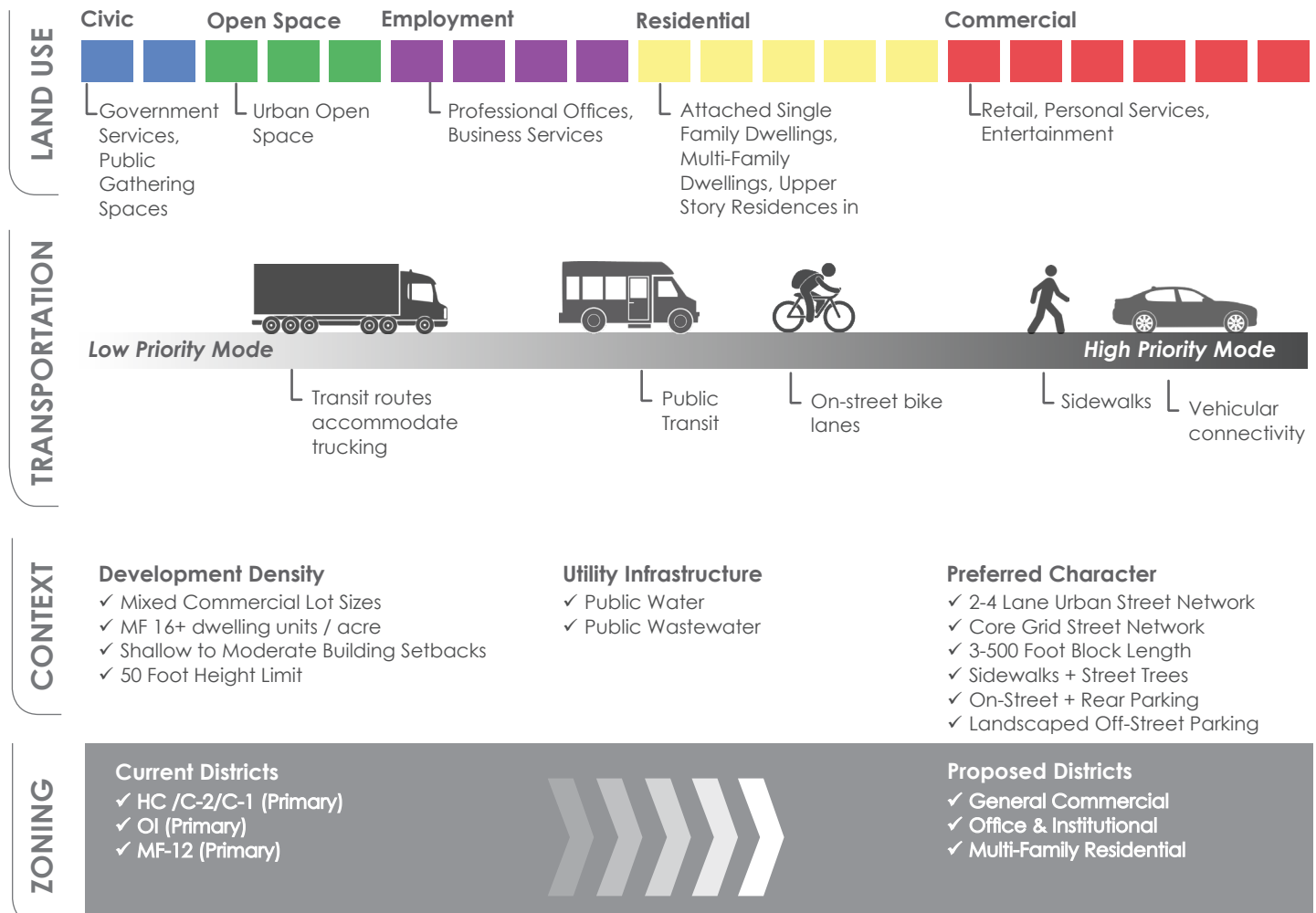




MIXED USE ACTIVITY CENTER

- ✓ Facilitate development of large scale integrated mix of uses
- ✓ Single master-planned unit, but contextually integrated into surrounding development pattern including strong mobility linkages
- ✓ Within close proximity to highway interchanges and major arterials

Local Example - US 1 / Spring Lane Interchange Area in Sanford



RA, RESIDENTIAL AGRICULTURAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

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

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Brian Richards (Urban Design Partners)

REQUEST: Rezone from Residential Agricultural (RA) to the Tramway South Apartments Conditional Zoning District

LOCATION: Tramway Road and Marketplace Drive

PIN: 9631-63-6351-00 and 9631-63-3536-00

DATE: 2022-09-15

PIN	Parcel Address	Owner	Owner2	Mail Address	Mail City	Mail State	Mail Zip
9631-73-2628-00	0 TRAMWAY RD	PERRELL, DONALD LYNN		151 CELLAS LN	SANFORD	NC	27332
9631-53-6433-00	0 TRAMWAY RD	CPW DEVELOPMENT PARTNERS LLC		2075 JUNIPER LAKE RD	WEST END	NC	27376
9631-62-4896-00	2905 CHESHIRE DR	TAYLOR, MELINDA BOWEN	TAYLOR, JEFFREY PAUL	2905 CHESHIRE DR	SANFORD	NC	27330
9631-62-6812-00	2909 CHESHIRE DR	BLANCO, ROBERTO	BLANCO, TERESA	2909 CHESHIRE DR	SANFORD	NC	27332
9631-62-7850-00	2913 CHESHIRE DR	BOLEN, THOMAS MONROE	BOLEN, ANITA D PERLEY	2913 CHESHIRE DR	SANFORD	NC	27330
9631-73-1009-00	2921 CHESHIRE DR	GILBERT, THOMAS L	GILBERT, PATRICIA C	2921 CHESHIRE DR	SANFORD	NC	27332
9631-63-5740-00	209 CELLAS LN	SLATER, WILLIAM S	SLATER, DEBORAH G	209 CELLARS LN	SANFORD	NC	27332
9631-73-0623-00	151 CELLAS LN	PERRELL, DONALD LYNN	PERRELL, WENDY CLARK	151 CELLAS LN	SANFORD	NC	27332
9631-64-4094-00	0 CELLAS LN	GITTINS, MARY MARCELLA C		PO BOX 302	SANFORD	NC	27331
9631-62-8988-00	2917 CHESHIRE DR	MASON, SCOTT D		2917 CHESHIRE DR	SANFORD	NC	27332
9631-63-2870-00	0 CELLAS LN	BLACK, TIFFANY LAUREN	BLACK, CHRISTOPHER T	209 CELLAS LA	SANFORD	NC	27332
9631-63-3536-00	0 CELLAS LN	CPW DEVELOPMENT PARTNERS LLC		2075 JUNIPER LAKE RD	WEST END	NC	27376
9631-63-6351-00	0 CELLAS LN	CPW DEVELOPMENT PARTNERS LLC		2075 JUNIPER LAKE RD	WEST END	NC	27376
9631-62-1820-00	0 TRAMWAY RD	CPW DEVELOPMENT PARTNERS LLC		2075 JUNIPER LAKE RD	WEST END	NC	27376
N/A	N/A	BRIAN RICHARDS (URBAN DESIGN PARTNERS)		150 FAYETTEVILLE STREET, SUITE 1310	RALEIGH	NC	27601

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



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Mark Lyczkowski
2. Applicant Address: Forge Investment Group, LLC
3. Applicant Telephone: 919-774-5464
4. Name and Address of Property Owner(s) if different than applicant:
See attached
5. Location of Subject Property: NC 87 Hwy
Lee Co. P.I.N. See attached
6. Total Area included in Rezoning Request: 140.8 Acres
7. Zoning Classification: Current: RA, RR, & OI Requested: LI & C2
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning):
To improve the Highway corridor with added industrial and some commercial up front
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

8-2-2022

Mark Lyczkowski
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.: _____

South Carter Industrial Park Property Owners

Portion of PIN: 9660-35-9486
 Existing Zoning: RA
 Proposed Zoning: LI
 Curtis Dale Kelly Trustee
 NC 27 W
 Sanford, NC 27332

PIN: 9660-13-8685
 Existing Zoning: RA
 Proposed Zoning: LI
 Luck Stone Corporation
 PO Box 29682
 Richmond, VA 23242

PIN: 9660-34-1873
 Existing Zoning: RA
 Proposed Zoning: LI
 Curtis Dale Kelly
 NC 27 W
 Sanford, NC 27332

PIN: 9660-33-6802
 Existing Zoning: RR & RA
 Proposed Zoning: LI
 Luck Stone Corporation
 PO Box 29682
 Richmond, VA 23242

PIN: 9660-23-7417
 Existing Zoning: RA
 Proposed Zoning: LI
 Hazel Carter Bullard
 NC 87 S
 Sanford, NC 27332

PIN: 9660-53-0622
 Existing Zoning: OI & RR
 Proposed Zoning: C2
 Star 87, LLC
 709 Croswell St
 Whitsett, NC 27377

Portion of PIN: 9660-44-4258
 Existing Zoning: RA
 Proposed Zoning: LI
 Hazel Carter Bullard
 NC 87 S
 Sanford, NC 27332

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.

Hazel Carter Bullard
HAZEL CARTER BULLARD

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

5-30-2022

Date

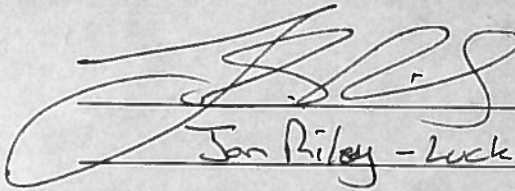
Signature Addendum

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.



Jan Riley - Luck Stone - Land Use Director

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

4/11/2022

~~2021~~

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.

James Mygell - JAMES LEE
STAR 87 - MEMBER MANAGER

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

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.

Joy Kelly Trustee
Joy Kelly

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

Joy B Kelly
Joy Kelly as Successor Trustee of the
Frances Carter Brown Testamentary Trust
For the benefit of Logan Marie Kelly

5-23-22
9/22/9/19/22

Date

11-1-22
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.

Joy Kelly - Executor
Joy Kelly

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

5-23-229/19/22

Date

Joy B Kelly

Joy Kelly, Executor of the Estate of
Curtis Dale Kelly

11-1-22

Date

Description of C2 Zoning, PIN: 9660-53-0622-00

All that certain parcel of land situated in the Township of Jonesboro, County of Lee, State of North Carolina, being more particularly bounded and described as follows:

Beginning at a found iron rod on the westerly margin of NC 87 Highway, having a North Carolina Grid Coordinate value of North 603,927.37 Feet, East 1,965,429.24 Feet ;Thence along the westerly margin of NC 87 Highway, South 13 Degrees 12 Minutes 54 Seconds East, 374.92 Feet to a found iron rod; Thence South 84 Degrees 16 Minutes 37 Seconds West, 820.28 Feet to a point; Thence North 29 Degrees 13 Minutes 42 Seconds West, 409.20 Feet to a found iron rod; Thence North 84 Degrees 31 Minutes 03 Seconds East, 714.66 Feet to a found iron rod; Thence North 84 Degrees 24 Minutes 50 Seconds East, 219.95 Feet to a found iron rod being the **Point of Beginning**.

Containing: 327,380 square feet or 7.52 acres of land, more or less.

Deed Reference: Deed Book 1571 Page 897

Plat Reference: Plat Cabinet 2020 Slide 46

Subject to all covenants and agreements of record.

Description of LI Zoning

All that certain parcel of land situated in the Township of Jonesboro, County of Lee, State of North Carolina, being more particularly bounded and described as follows:

Beginning at a found iron rod on the westerly margin of NC 87 Highway having a North Carolina Grid Coordinate value of North 603,927.37 Feet, East 1,965,429.24 Feet; Thence South 84 Degrees 24 Minutes 50 Seconds West, 219.95 Feet to a point; Thence South 84 Degrees 31 Minutes 03 Seconds West, 714.66 Feet to a point; Thence South 84 Degrees 31 Minutes 22 Seconds West, 932.72 Feet to a found iron pipe; Thence passing through an iron pipe at 655.27 Feet and an iron rod at 2510.21 Feet, South 40 Degrees 14 Minutes 22 Seconds West, 2585.21 Feet (total distance) to a point in the centerline of creek; Thence along the centerline of the creek as it meanders the following Thirty-Seven (37) courses and distances:

1. North 40 Degrees 31 Minutes 49 Seconds West, 2.95 Feet to a point;
2. North 16 Degrees 53 Minutes 53 Seconds West, 131.02 Feet to a point;
3. North 30 Degrees 44 Minutes 38 Seconds West, 130.25 Feet to a point;
4. North 01 Degrees 37 Minutes 12 Seconds East, 81.37 Feet to a point;
5. North 24 Degrees 28 Minutes 22 Seconds West, 48.36 Feet to a point;
6. North 21 Degrees 13 Minutes 49 Seconds West, 27.41 Feet to a point;
7. North 32 Degrees 35 Minutes 35 Seconds West, 30.69 Feet to a point;
8. North 18 Degrees 27 Minutes 24 Seconds West, 61.19 Feet to a point;
9. North 25 Degrees 53 Minutes 10 Seconds West, 54.95 Feet to a point;
10. North 81 Degrees 31 Minutes 42 Seconds West, 51.05 Feet to a point;
11. North 88 Degrees 36 Minutes 39 Seconds West, 114.06 Feet to a point;
12. North 64 Degrees 18 Minutes 12 Seconds West, 31.35 Feet to a point;
13. North 50 Degrees 21 Minutes 54 Seconds West, 69.49 Feet to a point;
14. North 67 Degrees 46 Minutes 20 Seconds West, 59.29 Feet to a point;
15. North 63 Degrees 34 Minutes 38 Seconds West, 83.18 Feet to a point;
16. North 51 Degrees 33 Minutes 00 Seconds West, 39.75 Feet to a point;
17. North 18 Degrees 40 Minutes 31 Seconds West, 32.17 Feet to a point;
18. North 35 Degrees 27 Minutes 32 Seconds East, 39.75 Feet to a point;
19. South 84 Degrees 35 Minutes 03 Seconds East, 39.74 Feet to a point;
20. North 47 Degrees 37 Minutes 55 Seconds East, 33.02 Feet to a point;
21. North 07 Degrees 06 Minutes 06 Seconds East, 107.19 Feet to a point;
22. North 57 Degrees 23 Minutes 59 Seconds West, 65.61 Feet to a point;
23. South 49 Degrees 21 Minutes 36 Seconds West, 80.34 Feet to a point;
24. North 86 Degrees 10 Minutes 22 Seconds West, 38.08 Feet to a point;
25. North 34 Degrees 25 Minutes 22 Seconds West, 27.50 Feet to a point;
26. North 14 Degrees 12 Minutes 53 Seconds West, 82.54 Feet to a point;
27. North 31 Degrees 42 Minutes 37 Seconds West, 97.48 Feet to a point;
28. North 35 Degrees 45 Minutes 12 Seconds West, 116.46 Feet to a point;
29. North 41 Degrees 18 Minutes 10 Seconds West, 80.58 Feet to a point;
30. North 47 Degrees 27 Minutes 15 Seconds West, 78.63 Feet to a point;
31. North 57 Degrees 01 Minutes 09 Seconds West, 77.73 Feet to a point;
32. North 81 Degrees 47 Minutes 23 Seconds West, 55.02 Feet to a point;
33. South 81 Degrees 48 Minutes 52 Seconds West, 59.63 Feet to a point;
34. South 81 Degrees 48 Minutes 52 Seconds West, 17.37 Feet to a point;
35. North 15 Degrees 43 Minutes 51 Seconds West, 22.66 Feet to a point;
36. North 19 Degrees 24 Minutes 48 Seconds East, 26.14 Feet to a point;

37. North 13 Degrees 29 Minutes 42 Seconds East, 34.38 Feet to a point; Thence along land of Broadwell LLC, passing through an iron rod at 1083.34 feet, an iron pipe at 1177.98 Feet, an iron pipe at 1742.20 Feet, an iron pipe at 2513.90 Feet, an iron rod at 2700.24 Feet and an iron rod at 3103.36 Feet, North 46 Degrees 32 Minutes 37 Seconds East, 3700.51 Feet (total distance) to a found iron pipe; Thence along lands of Buddy Rodgers Carter and Muriel F. Carter, South 29 Degrees 07 Minutes 33 Seconds East, 348.41 Feet to a found iron pipe; Thence along lands of Curtis Dale Kelly, South 29 Degrees 05 Minutes 29 Seconds East, 300.36 Feet to a found iron rod; Thence along lands of Sherry Lou Carter, South 29 Degrees 06 Minutes 26 Seconds East, 200.21 Feet to a found iron rod; Thence continuing along lands of Sherry Lou Carter, South 29 Degrees 05 Minutes 31 Seconds East, 511.49 Feet to a found iron pipe; Thence along lands of Hazel Carter Bullard the following Five (5) courses and distances:

1. South 29 Degrees 12 Minutes 07 Seconds East, 108.75 Feet to a point;
2. South 65 Degrees 28 Minutes 24 Seconds West, 227.57 Feet to a point;
3. South 29 Degrees 12 Minutes 07 Seconds East, 409.41 Feet to a point;
4. North 84 Degrees 31 Minutes 09 Seconds East, 247.74 Feet to a found iron rod;
5. North 81 Degrees 29 Minutes 20 Seconds East, 828.06 Feet to a found iron pipe;

Thence along lands of Daniel and Connie Dinkins, North 72 Degrees 49 Minutes 07 Seconds East, 144.21 Feet to a found iron rod at the westerly margin of NC 87 Highway; Thence along the westerly margin of NC 87 Highway South 13 Degrees 04 Minutes 15 Seconds East, 214.36 Feet to a found iron rod; being the **Point of Beginning**.

Containing: 5,807,907 square feet or 133.3 acres of land, more or less.

Subject to all covenants and agreements of record.

CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
November 15th, 2022

This rezoning is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on November 15th, 2022.

REQUEST

Mark Lyczkowski (Forge Investment Group LLC) is requesting to rezone 140.8 acres consisting of seven (7) tracts of land with frontage along NC Hwy 87 from Residential Agricultural (RA), Residential Restricted (RR), and Office & Institutional (O&I) to Light Industrial (LI) and General Commercial (C-2) to “improve the highway corridor with added industrial and some commercial up front.” Therefore, Mark Lyczkowski 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:	Mark Lyczkowski (Forge Investment Group LLC)
Property Owner:	Curtis Dale Kelly Trustee, Curtis Dale Kelly, Hazel Bullard, Luck Stone Corporation, and Star 87, LLC
Request:	Residential Agricultural (RA), Residential Restricted (RR), & Office & Institutional (O&I) to Light Industrial (LI) & General Commercial (C-2)
Location:	5120 NC Hwy 87, Sanford, NC 27330
Acreage:	140.8 +/-
Tax Parcels:	9660-35-9486-00 (portion of), 9660-44-4258-00 (portion of), 9660-34-1873-00, 9660-23-7417-00, 9660-13-8685-00, 9660-33-6802-00, and 9660-53-0622-00
Tax Map:	9660.04, 9660.03
Township:	Greenwood & Jonesboro
Council Ward:	Unassigned
Fire District:	Carolina Trace Fire Department
Schools:	J Glenn Elementary East Lee Middle School Lee Senior High School

SITE DESCRIPTION

The site is located at 5120 NC Hwy 87 across from the existing Carolina Trace subdivision. The site is primarily vacant; however, the parcel with ParID 9660-35-9486-00 currently contains a single-family dwelling.

ZONING DISTRICT INFORMATION

Existing Zoning: The subject property is comprised of seven (7) tracts of land with three different existing zoning classifications, which are illustrated on the GIS zoning map included with the staff report.

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

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

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

Residential Restricted: The 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.

Office & Institutional District (O&I): The O&I is established to provide for agencies and offices rendering specialized services and traditional institutional functions (both public and private) including, but not limited to, governmental facilities, cultural and recreational facilities, educational facilities and charitable institutions.

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:	60ft
Maximum impervious surface:	70%, not taking into consideration watershed regulations

Examples of uses permitted by right within the O&I zoning district include antique shops, office buildings, personal services, real estate sales/rental leasing, restaurants with no drive-in or drive-through facilities, hospitals, governmental functions, schools, and parking lots/structures for commercial or government. There is a list of all of the 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 subject property is comprised of seven (7) tracts of land with two different proposed zoning classifications, which are illustrated on the GIS zoning map included with the staff report.

General Commercial (C-2): The 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
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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 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.

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

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

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

metal manufacturing (including or excluding smelting operations), pharmaceutical manufacturing, textile mills & apparel manufacturing, and warehouses. There is a list of 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:	South Park Multi-Family CZ District, Residential Restricted (RR), Residential Agricultural (RA-CU)
South:	Residential Agricultural (RA)
East:	Residential Restricted (RR)
West:	Residential Agricultural (RA)

Adjacent Land Use:

North:	General commercial uses; South Park Village Apartments
South:	Vacant & wooded land
East:	Single-family dwellings (Carolina Trace subdivision); vacant land
West:	Vacant & wooded land

PLAN SANLEE

The long-range use plan identifies the site as Countryside which conserves agricultural and undeveloped lands outside the Urban Service Areas, encourages the preservation of the county's agricultural heritage, supports the conservation and maintenance of rural lifestyles, and allows limited residential density. The local example is Avents Ferry Road Corridor in northeast Lee County. Information from the land use plan is provided as attachments to this report for your reference.

LOCAL OVERLAY DISTRICTS

Per Lee County GIS, the subject property does not appear to be located within a local historic district nor a Watershed Conservation Overlay District. The site does appear to contain an established Flood Hazard Area (floodplain) running through the rear of the property along the Upper Little River; therefore, any/all plans for the development of this site now or in the future must comply with the design standards of the Flood Hazard Area Regulations of the UDO.

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 does not appear to have access to public water with the closest existing main lines following St Andrews Church Rd significantly behind the site or along NC Hwy 87 at Commerce Dr. Similarly, the site does not appear to have access to public sanitary sewer with the closest existing main lines along Commerce Drive to the north. 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 Department and/or the appropriate State agency, whichever is applicable.

TRANSPORTATION

The site has frontage on NC Hwy 87 (NC-87), which is a NCDOT maintained public road with a 150ft right-of-way. This information is per our GIS mapping system and NCDOT must approve any proposed driveways via the site plan review/approval process to verify compliance with all applicable regulations, including – but not limited to - traffic studies and roadway improvements/turn lanes.

2011 Lee County Comprehensive Transportation Plan: The 2011 Lee County Comprehensive Transportation Plan has designated NC Hwy 87 as an expressway in need of improvement with planned widening and a recommended interchange to connect with a planned 4-lane, 2-way boulevard to be named Southeastern Sanford Boulevard which will connect Hickory House Rd, Liberty Rd, and Paint Horse Ln to create an east-west connection to reduce congestion on NC 78.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT count of 28,500 vehicles per day on NC Hwy 87 in the general area of the subject property.

DEVELOPMENT STANDARDS

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

STAFF RECOMMENDATION

The rezoning request does **NOT** comply with the *Plan SanLee* long-range plan designation of Countryside, which does not provide for industrial nor commercial uses. The intent of the Countryside future land use area is to maintain agricultural and low-density residential land uses while also maintaining natural areas and remaining forests. The Countryside future land use area calls for a maximum density of 1 dwelling unit per 2 acres, well water and on-site wastewater disposal, and a dispersed development pattern. Based on the criteria provided in the *Plan SanLee*, staff is **NOT** supportive of this rezoning request as it does NOT appear to align with the future land-use plan for this area. The boards will need to take into consideration *Plan SanLee*, existing development patterns and zoning designations, and the uses allowed in the desired zoning districts when deciding whether the rezoning, and accompanying *Plan SanLee* amendment, is desirable and appropriate.

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 because the Countryside designation should be amended to allow commercial and industrial 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 Countryside because the Countryside future land use area does not allow for commercial nor industrial land uses."*

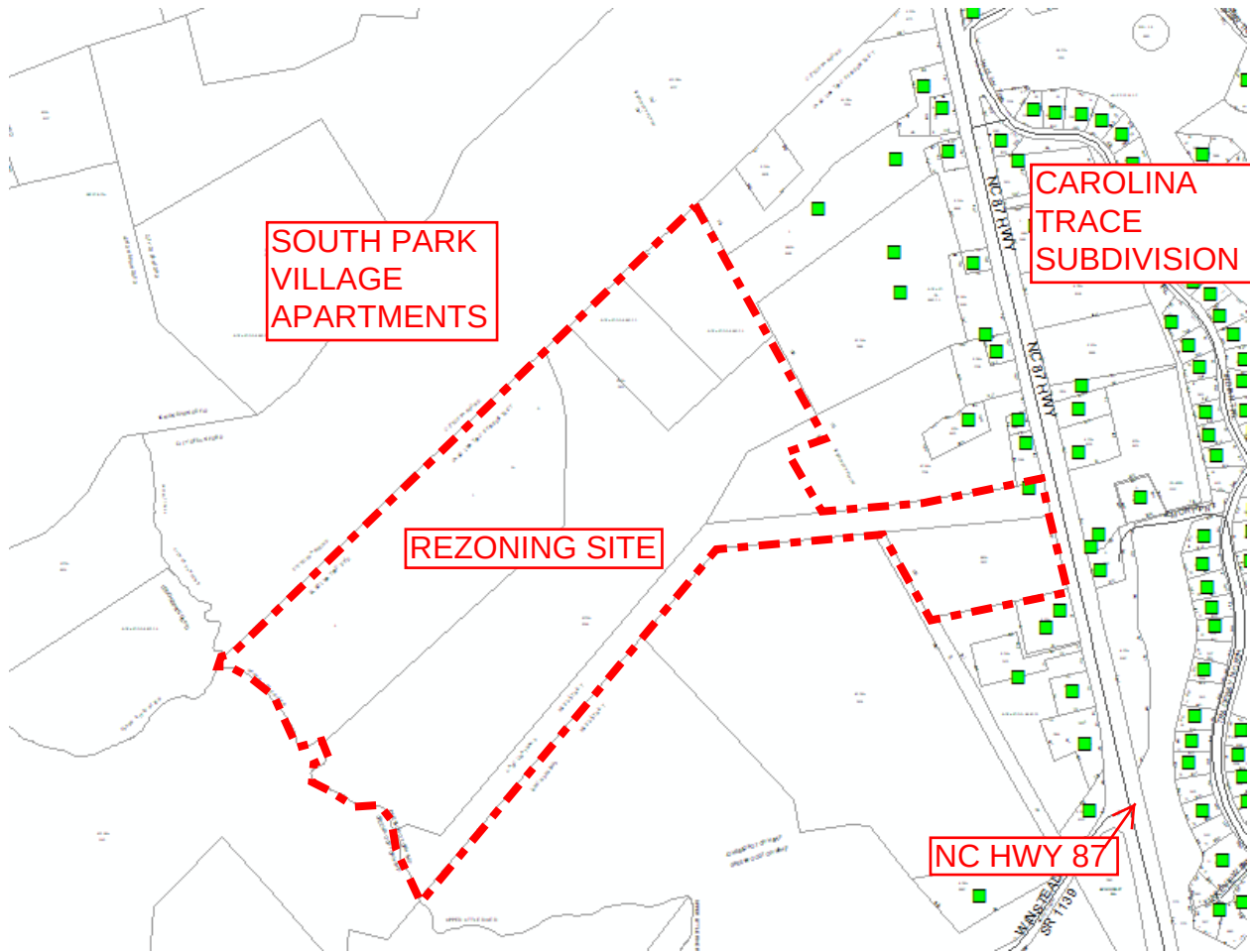
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

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 general commercial and light industrial land uses."*

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 general commercial and light industrial land uses."*

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.

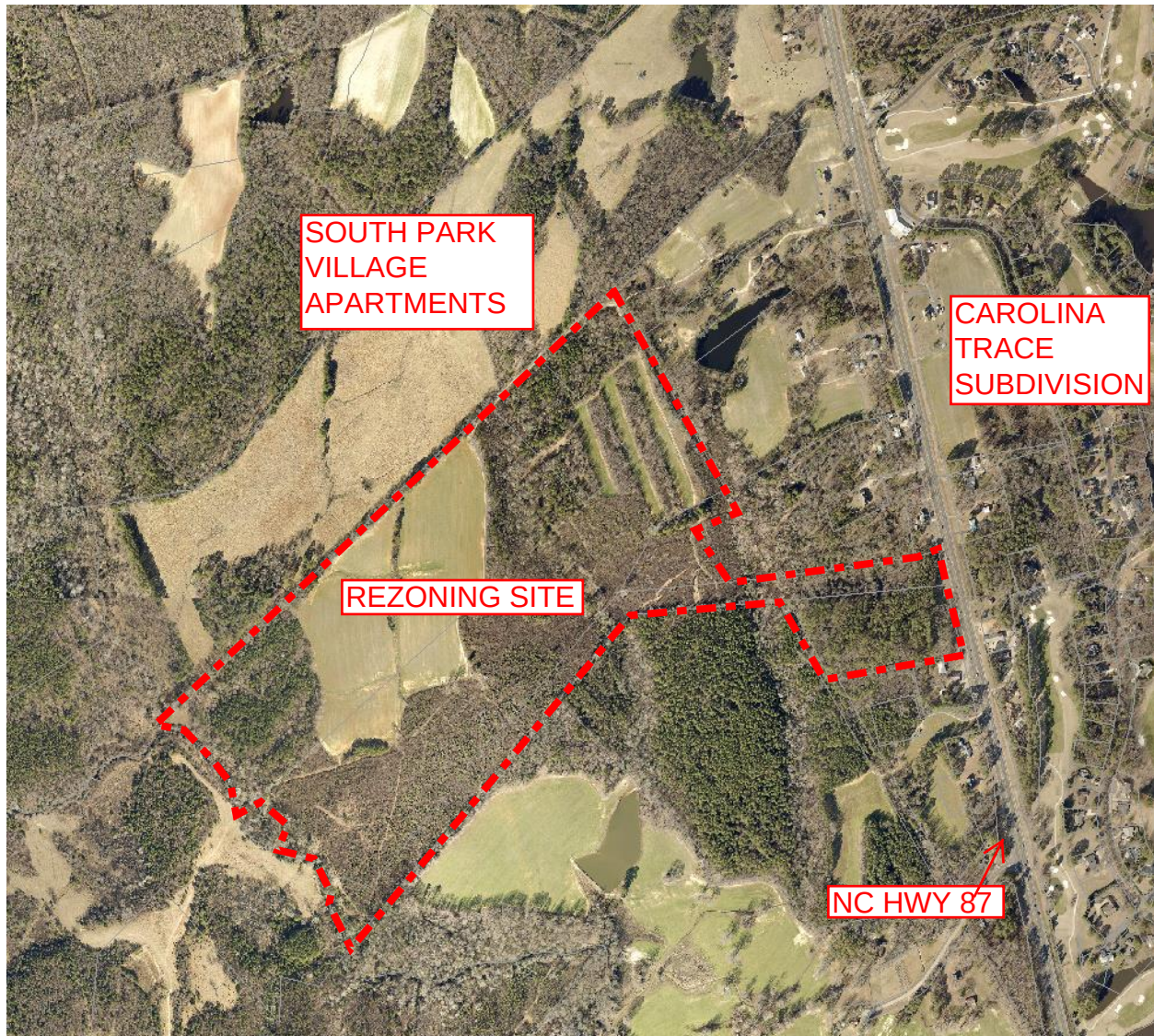


ZONING MAP AMENDMENT

Request to rezone 140.8 acres at 5120 NC Hwy 87 S

from RA, RR, and O&I to C-2 and LI

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

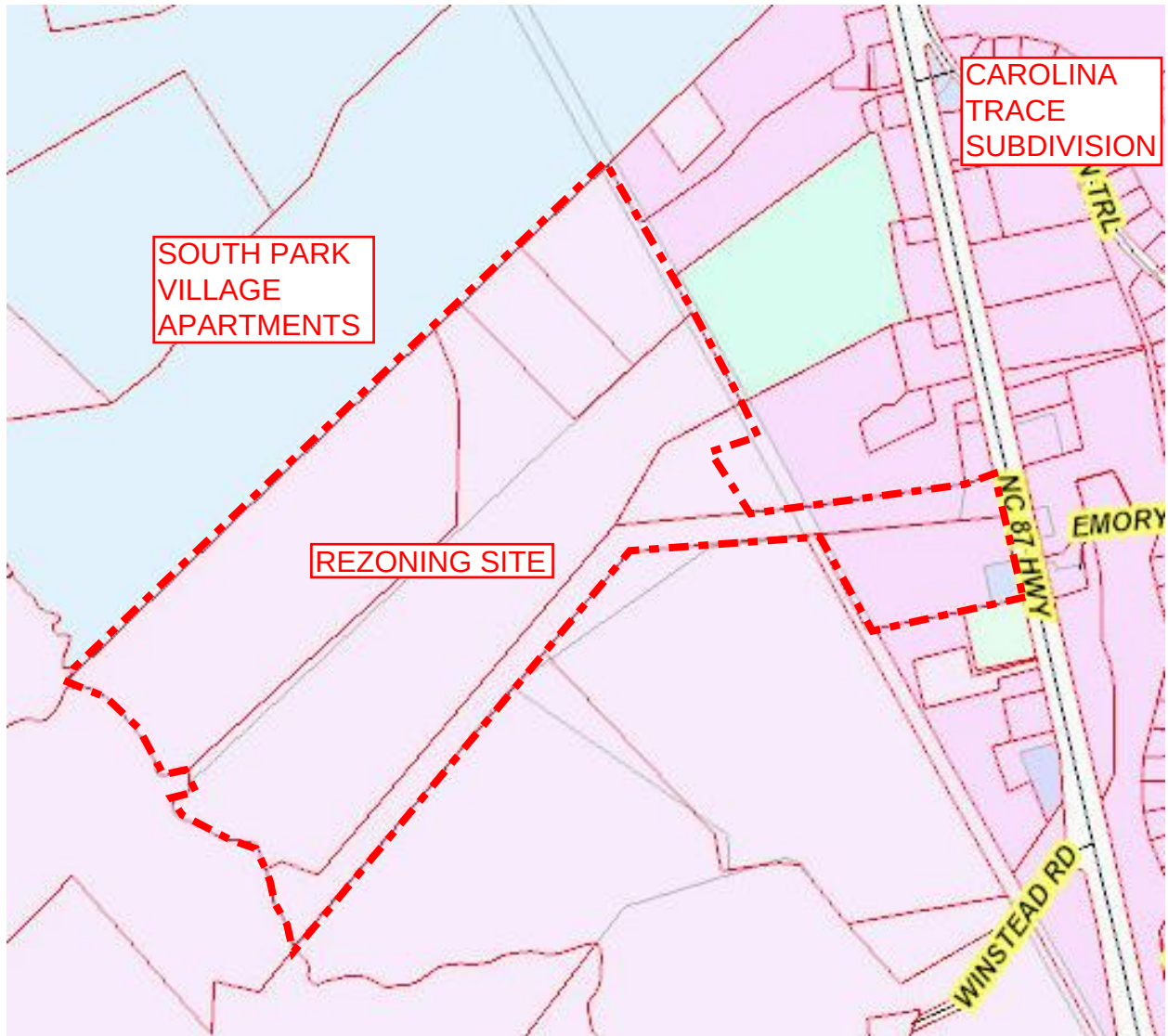


ZONING MAP AMENDMENT

Request to rezone 140.8 acres at 5120 NC Hwy 87 S

from RA, RR, and O&I to C-2 and LI

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



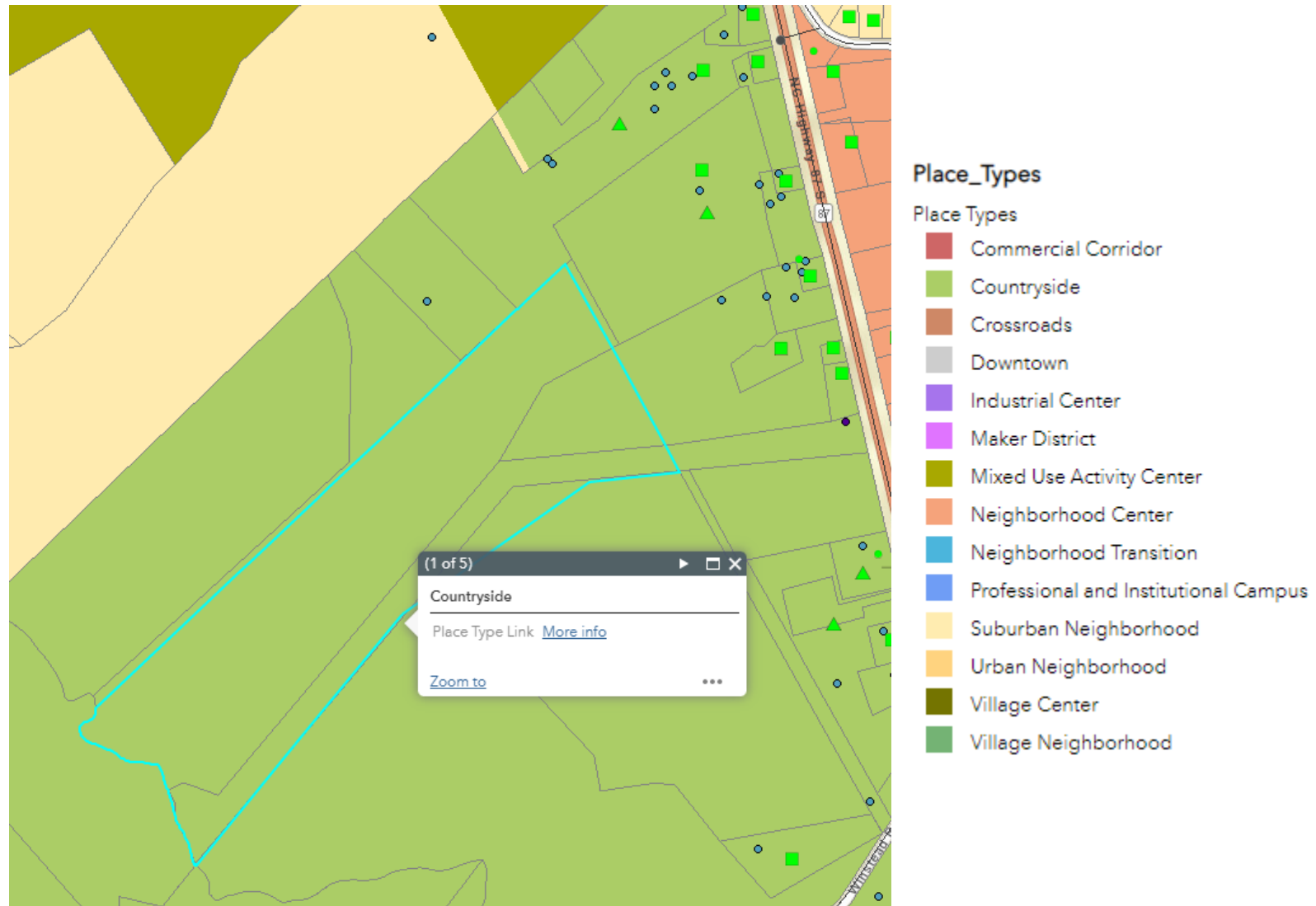
ZONING MAP AMENDMENT

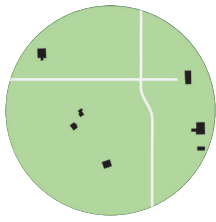
Request to rezone 140.8 acres at 5120 NC Hwy 87 S

from RA, RR, and O&I to C-2 and LI

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

Plan SanLee – Long Range Plan – Interactive Map of Site

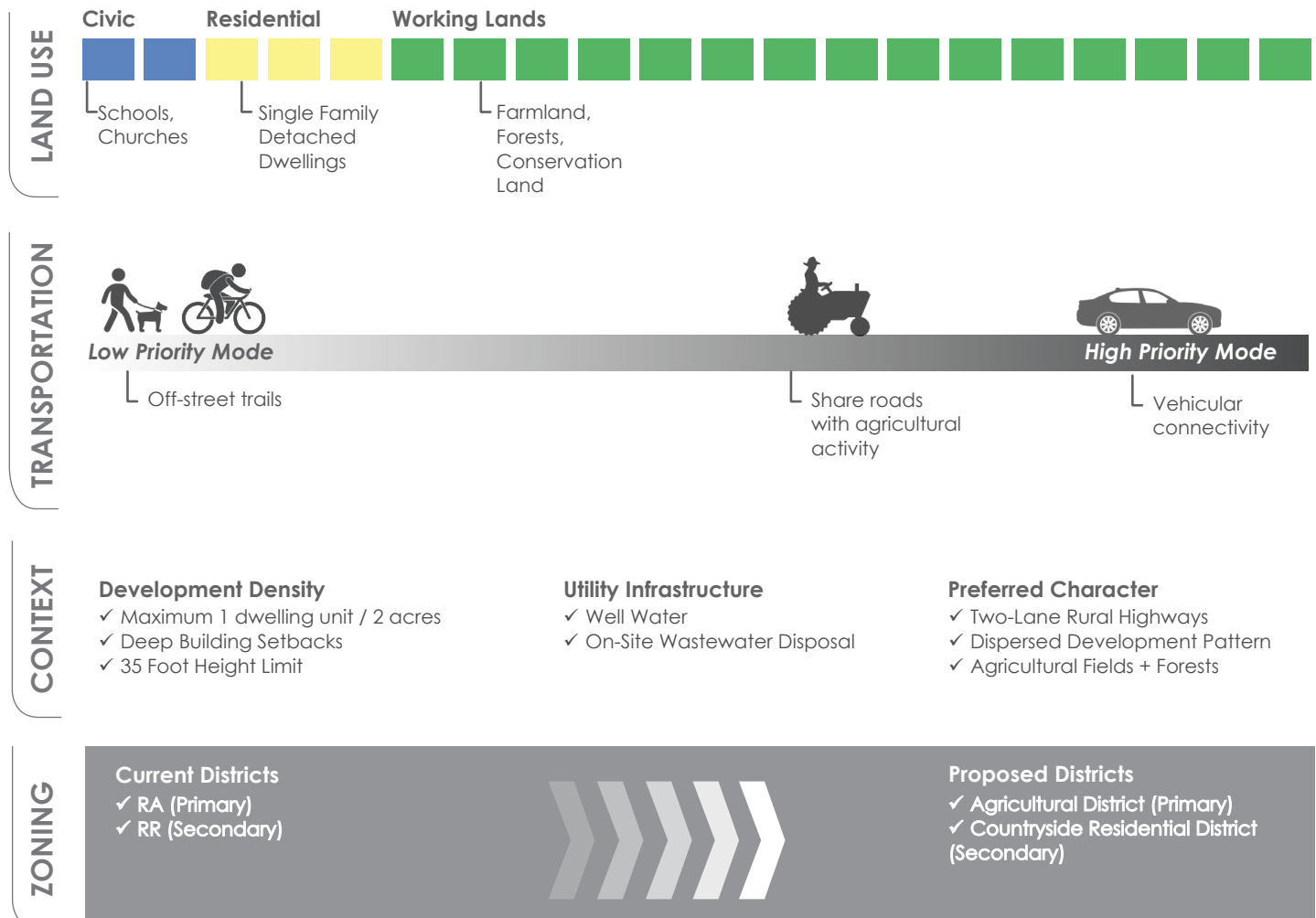




COUNTRYSIDE

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

Local Example - Avents Ferry Road Corridor in northeast Lee County



RA, RESIDENTIAL AGRICULTURAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

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

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).

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

<u>Residential Uses</u>
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)
<u>Accommodations and Group Living</u>
Bed & breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Art, Recreation & Entertainment</u>
Stables/Riding Academies
Stable, Accessory to Dwelling
<u>Education, Public Administration, Health Care, and Institutional</u>
Day Care facility, Home Child Care (See Section 5.10)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Residential (See Section 5.40)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

<u>Transportation, Communication, and Utilities</u>
Sewage treatment and Water treatment plants
<u>Agriculture</u>
Crop Production and Support Functions, (Sanford and Broadway)

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

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

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

O&I, OFFICE & INSTITUTIONAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

<u>Accessory Uses</u>
Accessory uses (See Section 5.1)
<u>Accommodations and Group Living</u>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Group Home/Residential Care Facility, Level I
Group Home/Residential Care Facility, Level II
Child and Youth Services
Nursing, Supervision, Adult Care Homes, Group Care Facilities, and other rehabilitative services
<u>General Sales or Service</u>
Administrative Services, Travel Arrangement and Reservation Services, Investigation and Security Services (locksmiths)
Antique Shops
Electronic equipment (small), sales and service
Finance and Insurance Services (Bank, Credit and Finance, Insurance-related)
Florist
Mail order or direct selling establishments/Electronic Shopping and Mail-Order Houses
Medical equipment sales, rental or leasing
Office building (general)
Personal Services (e.g., nail salons, barbers, shoe repair, and similar establishments not otherwise listed)
Pharmacy or Drugstore, without 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, no drive-in or drive-through facilities
Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), no outside storage

<u>Industrial & Manufacturing Use</u>
Contractors' offices/shop without outdoor storage areas
<u>Arts, Recreation, & Entertainment</u>
Aquarium or Planetarium
Amphitheater
Art galleries
Exhibition, convention, or conference structure
Fitness and recreational sports, gym, health, spa, reducing salon, swimming pool/auditorium, racquet club, or athletic club not otherwise listed
Golf courses, public and private
Golf driving ranges
Museums and art galleries
Parks, playgrounds, and athletic fields operated on a noncommercial basis
<u>Education, Public Administration, Health Care, and Institutional</u>
Civic, Social and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
Crematorium & Embalming
Day Care facility, Adult
Fire, sheriff, and emergency services
Funeral homes
Governmental Functions, not otherwise listed
Hospitals
Libraries
Medical and dental clinics or offices, ambulatory or outpatient care, family planning and care, and blood or organ banks
Post office
Religious Complex (less than 350 seats), new site
Religious Complex (more than 350 seats), new site
Religious Complex (any size), addition to existing complex site
Schools Continuing Education (alternative, adult colleges and universities and technical, trade, and other specialty schools)
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle and high school), addition to existing site
Schools, Fine and Performing Arts
Social assistance, welfare and charitable services
<u>Transportation, Communication, and Utilities</u>
Parking lots, parking structures or underground parking areas (commercial or governmental)
Radio and TV stations and studios (excluding transmission tower)
Utility lines (including electric lines, phone/cable lines distribution circuits, gas/fuel lines, water lines, steam/air conditioning lines, irrigation channels, and sewer/waste water lines)
<u>Agriculture</u>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)

Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (unincorporated Lee County)

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

<u>Residential Uses</u>
Home Occupations (See Section 5.16)
<u>Accommodations and Group Living</u>
Bed and breakfast inn (See Section 5.4)
Hotel, Motel, and tourist court (See Section 5.17)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID, 2 acres or less in size (See Section 5.19)
<u>Education, Public Administration, Health Care, and Institutional</u>
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, Home Child Care (See Section 5.10)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

<u>Residential Uses</u>
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached
<u>Accommodations & Group Living</u>
Group Home/Residential Care Facility, Level III
Group Home/Residential Care Facility, Level IV
<u>Art, Recreation & Entertainment</u>
Sports stadiums or arenas
<u>Transportation, Communication, and Utilities</u>
Sewage treatment and Water treatment plants

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

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

<u>Residential Uses</u>
Dwelling, Multifamily (three or more units) (See Section 10.3)
Dwelling, Single-family attached (See Section 10.3)
<u>Industrial & Manufacturing Uses</u>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining & Quarries (Unincorporated Lee County and City of Sanford Only) (See Section 5.23)
<u>Transportation, Communication, and Utilities</u>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

LI, LIGHT INDUSTRIAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

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

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

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

C-2, GENERAL COMMERCIAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

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

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Mark Lyczkowski (Forge Investment Group LLC)

REQUEST: Rezone from Residential Agricultural (RA), Residential Restricted (RR) & Office & Institutional (O&I) to General Commercial (C-2) & Light Industrial (LI) LOCATION: Charleston Drive & Hawkins Avenue

PIN: 9660-35-9486-00, 9660-34-1873-00, 9660-23-7417-00, 9660-44-4258-00, 9660-13-8685-00, 9660-33-6802-00 & 9660-53-0622-00

DATE: 2022-08-02

PIN	Parcel Address	Owner	Owner2	Mail Address	Mail City	Mail State	Mail Zip
9660-54-5634-00	5423 NC 87 HWY	LESLIE, JOHN J	LESLIE, BEVERLY M	5441 NC 87 S	SANFORD	NC	27332
9660-56-1063-00	3805 NC 87 HWY	CAROLINA TRACE VOLUNTEER FIRE DEPT		37 INDIAN TR	SANFORD	NC	27330
9660-45-9181-00	5356 NC 87 HWY	CARTER, ARNOLD LYNN SR (LIFE ESTATE)		5264 NC HWY 87 S	SANFORD	NC	27332
9660-54-0748-00	0 NC 87 HWY	BULLARD, HAZEL C		5360 NC 87 S	SANFORD	NC	27332
9660-45-8995-00	5146 NC 87 HWY	PHILLIPS, JOYCE G		4699 NC 87 S	SANFORD	NC	27332
9660-45-9646-00	0 NC 87 HWY	CARTER, ARNOLD LYNN SR (LIFE ESTATE)		5264 NC HWY 87 S	SANFORD	NC	27332
9660-54-6896-00	0 NC 87 HWY	BULLARD, HAZEL CARTER		5360 NC 87 S	SANFORD	NC	27332
9660-54-6513-00	5441 NC 87 HWY	LESLIE, JOHN J	LESLIE, BEVERLY M	5441 NC 87 S	SANFORD	NC	27332
9660-54-2464-00	5438 NC 87 HWY	PATTEN, ELBERT E	PATTEN, ROSETTA J	5438 NC 87 S	SANFORD	NC	27332
9660-53-8165-00	0 NC 87 HWY	ESCALANTE CAROLINA TRACE LLC		PO BOX 56607	ATLANTA	GA	30343
9660-53-4332-00	5636 NC 87 HWY	STILLWELL, MARIE B		6406 CABIN BRANCH DR	DURHAM	NC	27712
9660-46-7226-00	5054 NC 87 HWY	GOMEZ, FELIX		3227 ARGYLL DR	SANFORD	NC	27332
9660-11-6185-00	0 FRED STONE RD	LUCK STONE CORPORATION		PO BOX 29682	RICHMOND	VA	23242
9660-54-6354-00	5485 NC 87 HWY	MCNEILL, MONA B		5485 NC 87 S	SANFORD	NC	27332
9660-44-9400-00	5368 NC 87 HWY	SMITH, MARK	SMITH, SUSAN	5368 NC 87 S	SANFORD	NC	27332
9660-54-9401-00	HWY 87 S	CLARK, ALYCE M		10 EMORY PT	SANFORD	NC	27332
9660-53-7655-00	5615 NC 87 HWY	ESCALANTE CAROLINA TRACE LLC		PO BOX 56607	ATLANTA	GA	30343
9660-54-2296-00	5466 NC 87 HWY	DINKINS, DANIEL R	DINKINS, CONNIE S	5466 NC 87 S	SANFORD	NC	27332

9660-46-3204-00	0 NC 87 HWY	CARTER, JIMMY R		5171 HWY 87 SOUTH	SANFORD	NC	27332
9660-35-8856-00	0 NC 87 HWY	CARTER, JIMMY ROGERS		5171 NC 87 S	SANFORD	NC	27332
9650-82-9777-00	0 ST ANDREWS CHURCH RD	HARRINGTON, TOM H II		3165 SAINT ANDREWS CHURCH RD	SANFORD	NC	27332
9660-36-8707-00	4870 NC 87 HWY	FIG BROADWELL LLC		7858 CLINARD FARMS RD	HIGH POINT	NC	27265
9660-46-8137-00	5096 NC 87 HWY	BENITEZ, RODOLFO ERNESTO ZELAYA		15 BASSETT HALL LA	SANFORD	NC	27330
9660-35-9486-00	5120 NC 87 HWY	KELLY, CURTIS DALE (TRUSTEE)	KELLY, LOGAN MARIE (TRUST)	15223 NC 27 W	SANFORD	NC	27332
9660-44-3899-00	5300 NC 87 HWY	CARTER, SHERRY LOU		5304 NC 87 HWY	SANFORD	NC	27332
9660-53-0622-00	0 NC 87 HWY	STAR 87 LLC		709 CROSWELL ST	WHITSETT	NC	27377
9660-42-2929-00	0 WINSTEAD RD	THOMAS, QUINTON KELLY		5740 S NC 87 HWY	SANFORD	NC	27332
9660-41-1100-00	0 WINSTEAD RD	WINSTEAD, CARSON COOPER		125 WINSTEAD RD	SANFORD	NC	27332
9660-13-8685-00	0 NC 87 HWY	LUCK STONE CORPORATION		PO BOX 29682	RICHMOND	VA	23242
9660-44-4258-00	0 NC 87 HWY	BULLARD, HAZEL CARTER		5360 NC 87 S	SANFORD	NC	27332
9660-34-1873-00	0 NC 87 HWY	KELLY, CURTIS DALE		15223 NC 27 W	SANFORD	NC	27332
9660-23-7417-00	0 NC 87 HWY	BULLARD, HAZEL CARTER		5360 NC 87 S	SANFORD	NC	27332
9660-01-2744-00	0 NC 87 HWY	LUCK STONE CORPORATION		PO BOX 29682	RICHMOND	VA	23242
9660-33-6802-00	0 NC 87 HWY	LUCK STONE CORPORATION		PO BOX 29682	RICHMOND	VA	23242
N/A	N/A	MARK LYCZKOWSKI		PO BOX 487	SANFORD	NC	27330

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

\$500 FEE

Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Pinnacle Partners, LLC
2. Applicant Address: 2431 Schieffelin Road, Apex, NC
3. Applicant Telephone: 919-586-8006
4. Name and Address of Property Owner(s) if different than applicant:
same as above
5. Location of Subject Property: South of Boone Trail Rd & Forestwood Park Rd.
Lee Co. P.I.N. 9624-96-0209-00, 0934-04-4681-00, 0934-14-7642-00
6. Total Area included in Rezoning Request: +/- 168 Acres
7. Zoning Classification: Current: Brookshire Conditional Zoning District Requested: Brookshire Conditional Zoning District
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Submission of additional information related to stormwater management plan and architectural treatment of housing stock as required by approved zoning condition.
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.

Terry J. Slake
[Signature]

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

August 31, 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 2
2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): The use proposed within Brookshire is primarily single-family detached residential. The project includes a parcel designated for attached residential (apartments), and a parcel designated for non-residential (commercial and/or office uses).

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.

The information submitted with this Type 2 rezoning application includes information describing the proposed stormwater management plan for Brookshire, and information describing the proposed architectural treatment of the proposed single family detached homes within Brookshire. (See attached materials)

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.

Terry K. Plate
Terry K. Plate
 Signature (Sign & Print)

August 31, 2022

Date

**CURRENTLY APPROVED ZONING CONDITIONS
BROOKSHIRE CONDITIONAL ZONING DISTRICT**

NC (AREA #5)

1. Vehicular access points on US-421 will be limited to 1 in number--the location and characteristics of which will be specified in a driveway/encroachment permit to be obtained from NCDOT.
2. Driveways internal to the project shall be located such that the minimum distance from the R/W of US-421 to the nearest travel lane of the driveway will be 150'
3. A variable width streetscape along the R/W of US-421 shall be implemented along the frontage of the property. The streetscape shall average 30 feet in width and shall at no point be less than 15' wide and no more than 50' wide. Such streetscape shall include the following elements:
 - a. Deciduous canopy trees at a maximum spacing of 30' (2.5" min. cal at installation). Canopy trees shall consist of at least three (3) species and no single species shall comprise more than 40% of the total number of trees.
 - b. Understory ornamental trees at a maximum spacing of 30' (2" cal. at installation)
 - c. Shrubbery consisting of a minimum of 40 plants/100 l.f. of frontage, with a minimum size of 3 gal. containers, and a minimum of 50% of the plants being evergreen
4. Along any public street that is routed through the property, a variable width streetscape shall be implemented. The streetscape shall average 20 feet in width and shall at no point be less than 10' wide and no more than 30' wide. The streetscape shall be located within a private streetscape easement established outside of the public R/W. Such streetscape shall include the following elements:
 - a. Deciduous canopy trees at a maximum spacing of 50' (2.5" min. cal at installation) on each side of the street (located within R/W). Canopy trees shall consist of at least three (3) species and no single species shall comprise more than 40% of the total number of trees.
 - b. Understory ornamental trees at a maximum spacing of 50' (2" cal. at installation)
 - c. Shrubbery consisting of a minimum of 20 plants/100 l.f. of frontage, with a minimum size of 3 gal. containers, and a minimum of 50% of the plants being evergreen
5. Along any public streets routed through the property, sidewalks shall be installed on each side of the street.
6. All development shall conform to all local development standards and ordinance requirements in effect at time of submission of Site Plan or Subdivision Plans subsequent to rezoning.

MF-12 (AREA #4)

1. Vehicular access points on US-421 will be limited to 1 in number--the location and characteristics of which will be specified in a driveway/encroachment permit to be obtained from NCDOT.
2. No direct connection of driveways for individual units shall be allowed on public streets routed through the property

3. Driveways internal to the project shall be located such that the minimum distance from the R/W of US-421 to the nearest travel lane of the driveway will be 150'
4. A variable width streetscape along the R/W of US-421 shall be implemented along the frontage of the property. The streetscape shall average 30 feet in width and shall at no point be less than 15' wide and no more than 50' wide. Such streetscape shall include the following elements:
 - a. Deciduous canopy trees at a maximum spacing of 30' (2.5" min. cal at installation). Canopy trees shall consist of at least three (3) species and no single species shall comprise more than 40% of the total number of trees.
 - b. Understory ornamental trees at a maximum spacing of 30' (2" cal. at installation)
 - c. Shrubbery consisting of a minimum of 40 plants/100 l.f. of frontage, with a minimum size of 3 gal. containers, and a minimum of 50% of the plants being evergreen
5. Along any public street that is routed through the property, a variable width streetscape shall be implemented. The streetscape shall average 20 feet in width and shall at no point be less than 10' wide and no more than 30' wide. The streetscape shall be located within a private streetscape easement established outside of the public R/W. Such streetscape shall include the following elements:
 - a. Deciduous canopy trees at a maximum spacing of 50' (2.5" min. cal at installation) on each side of the street (located within R/W). Canopy trees shall consist of at least three (3) species and no single species shall comprise more than 40% of the total number of trees.
 - b. Understory ornamental trees at a maximum spacing of 50' (2" cal. at installation)
 - c. Shrubbery consisting of a minimum of 20 plants/100 l.f. of frontage, with a minimum size of 3 gal. containers, and a minimum of 50% of the plants being evergreen
6. Along any public streets routed through the property, sidewalks shall be installed on each side of the street.
7. All development shall conform to all local development standards and ordinance requirements in effect at time of submission of Site Plan or Subdivision Plans subsequent to rezoning.

R-12 S.F. (AREA #3)

1. Along any public streets routed through the property, sidewalks shall be installed on each side of the street.
2. Along any public street that is routed through the property, street trees shall be planted in accordance with the following criteria:
 - a. Deciduous canopy trees located within a planting strip inside the street R/W at a maximum spacing of 50' (2.5" min. cal at installation) on each side of the street. Canopy trees shall consist of at least three (3) species and no single species shall comprise more than 40% of the total number of trees.
3. In addition to the trees within the street R/W, each lot created within the development shall contain at least 1 canopy tree within 10' of the street R/W.
4. All development shall conform to all local development standards and ordinance requirements in effect at time of submission of Site Plan or Subdivision Plans subsequent to rezoning.

5. Density shall be limited to a maximum of 2.0 units/ac.

R-10 S.F. (AREA #1)

1. Along any public streets routed through the property, sidewalks shall be installed on each side of the street.
2. Along any public street that is routed through the property, street trees shall be planted in accordance with the following criteria:
 - a. Deciduous canopy trees located within a planting strip inside the street R/W at a maximum spacing of 50' (2.5" min. cal at installation) on each side of the street. Canopy trees shall consist of at least three (3) species and no single species shall comprise more than 40% of the total number of trees.
3. In addition to the trees within the street R/W, each lot created within the development shall contain at least 1 canopy tree within 10' of the street R/W.
4. All development shall conform to the lot setbacks specified on Brookshire site plan and all applicable local development standards and ordinance requirements in effect at time of submission of Site Plan or Subdivision Plans subsequent to rezoning to all local development standards and ordinance requirements in effect at time of submission of Site Plan or Subdivision Plans subsequent to rezoning.
5. Density shall be limited to a maximum of 3.0 units/ac.

R-6 S.F. (AREA #2)

1. All lots shall conform to the minimum dimensional standards of Table 4.7-1 of the LDO for R-6 Mixed Use
2. Along any public streets routed through the property, sidewalks shall be installed on each side of the street.
3. Along any public street that is routed through the property, street trees shall be planted in accordance with the following criteria:
 - a. Deciduous canopy trees located within a planting strip inside the street R/W at a maximum spacing of 50' (2.5" min. cal at installation) on each side of the street. Canopy trees shall consist of at least three (3) species and no single species shall comprise more than 40% of the total number of trees.
 - b. In addition to the trees within the street R/W, each lot created within the development shall contain at least 1 canopy tree within 10' of the street R/W.
4. All development shall conform to the lot setbacks specified on Brookshire site plan and all applicable local development standards and ordinance requirements in effect at time of submission of Site Plan or Subdivision Plans subsequent to rezoning.
5. Density shall be limited to a maximum of 3.5 units/ac.

Additional Zoning Conditions:

1. Prior to the development of the site, the applicant shall submit a detailed subdivision design, architectural plans to ensure a commitment to appropriate housing stock, and a stormwater management plan with information regarding how the stormwater is to be managed for this site to the Planning Board and City Council for review/approval as an amendment to the conditional zoning district prior to the development of the site. At a

minimum the stormwater management plan shall demonstrate measures to control the peak rate of runoff to pre-development conditions for the 2-year and 10-year return interval rainfall events.

Brookshire Subdivision

Architectural Zoning Conditions

1. To promote variety in the community, no home on either side or directly across the street shall have the same elevation or color scheme.
2. All homes will include a two-car garage with a carriage style garage door with windows and decorative hardware.
3. All homes will have a gable on the front roof line or front porch with a roof line that varies from the main roof line.
4. All homes will have a front porch or covered entryway.
5. All homes will feature of a minimum of two architectural façade elements.
6. All yards (front, side, and rear) will be sodded.
7. All driveways must be concrete.
8. All homes must have concrete sidewalks to the front door.
9. All homes will have a minimum 6:12 pitch on the main roof.



Engineering • Planning • Landscape Architecture

Brookshire Subdivision

Stormwater Management Overview

Background:

In the course of public input and regulatory review of the rezoning for the Brookshire Subdivision Zoning District, concerns were expressed by the public related to potential downstream storm drainage and flooding problems due to increased rates of stormwater discharge that could result from the development of Brookshire. One specific issue of concern that was mentioned in the public hearings was the potential impact upon the existing culverts within Forestwood Park Road at its crossing of Purgatory Creek.

The contributory area at this stream crossing is 774 acres in size. The properties comprising Brookshire Subdivision are almost totally contained within this contributory area. Of the total of 167.91 acres of Brookshire, 162.56 acres, or almost 97% of the project acreage, is within the referenced contributory area. The properties of Brookshire make up 21% of the total contributory area above Forestwood Park Road.

To address the concerns related to the potential; for exacerbating existing flooding and storm drainage problems downstream of Brookshire, a zoning condition was offered by the developer and approved as part of the Zoning District provisions. This condition states that the peak rates of stormwater runoff from the 2-year and 10-year return-interval rainfall events would be controlled to ensure that post development discharge rates would not exceed the corresponding pre-development rates.

Stormwater Management Plan Description

Appended to this summary are exhibits for reference, depicting the topography of the area and delineating the contributory drainage areas of the tributaries that traverse the properties of Brookshire.

Four points of analysis, as identified on the attached exhibits, were selected for evaluation and analysis in designing measures to achieve the goals of the Stormwater Management Plan. Three of these points (Points 1 through 3) are on Purgatory Creek downstream of Brookshire. Point 1 is at the upstream end of the culvert under Forestwood Park Road. Points 2 & 3 are at the confluences of the two major tributaries to Purgatory Creek upstream of Point 1. The fourth analysis point (Point 4) is that point to which the 5.35 acres of Brookshire that is not part of the Purgatory Creek basin is contributory.

Measures to achieve the desired control of peak rates of runoff include dry detention measures upstream of proposed roadway and pedestrian system crossings within the single-family detached portions of Brookshire, and on-site stormwater detention measures within the multi-family and non-residential portions of the project.

Methodology

For analysis and design, storm duration and time of concentration parameters for Points 1 through 3 (in the Purgatory Creek basin) were selected based on the downstreammost point—that being Point 1 which is at the upstream end of the existing culvert under Forestwood Park Road. For the portion of Brookshire not contributory to Purgatory Creek (analysis Point 4) the storm duration and time of concentration was calculated for this specific drainage area.

The SCS methodology was employed to calculate the peak rates of runoff for the 2 and 10-year return interval events at each of the analysis points based on existing conditions. To determine the feasibility and efficacy of the envisioned measures, runoff rates were calculated for developed conditions based on the proposed configuration of lots and streets. Routings were conducted based on preliminary designs of stream crossings and the resultant aggregate flow rates were compared to those of the pre-development conditions.

Specific Stormwater Control Measures

Within Brookshire, and as depicted on the attached exhibits, two stormwater control measures are proposed within the single family detached portions of Brookshire Subdivision.

One of these is located just upstream of the street crossing of the tributary that separates Phases 1 & 2 of the development. The detention measure will be achieved by constructing flow control device upstream of the primary culverts under the roadway. Whereas the primary culvert under the road will be designed to pass the 50-year return interval storm event, the upstream flow control measures will employ smaller culverts or weirs to control the rates of discharge for the 2 and 10 year return interval events to rates below those associated with pre-development conditions.

The second dry detention measure is located immediately upstream of the proposed pedestrian crossing of the tributary that separates Phases 2 & 7 of the development. Similar to the first detention measure, the primary conveyance measure crossing the tributary will be designed to pass the 50-year return interval storm event, and the upstream flow control measures will employ smaller culverts or weirs to control the rates of discharge for the 2 and 10 year return interval events to rates below those associated with pre-development conditions.

A third stormwater control measure will be located within the multi-family portion of Brookshire. This will be an off-line stormwater control measure to which the runoff from the multi-family parcel will be contributory. This SCM will be designed and incorporated into the site plan and site design of the multi-family development. The performance parameters imposed on the development shall be such that the

peak rates of stormwater discharge for the 2 and 10 year return interval stormwater events will not exceed those associated with pre-development conditions.

Analysis Point 4 is that point to which the portion of the Brookshire project outside of the Purgatory Creek basin is contributory. The stormwater control measure or measures within this portion of the project will be designed and incorporated into the site plan and site design of the non-residential parcel such that the rates of discharge for the 2 and 10 year return interval events will be controlled to rates not exceeding those associated with pre-development conditions.

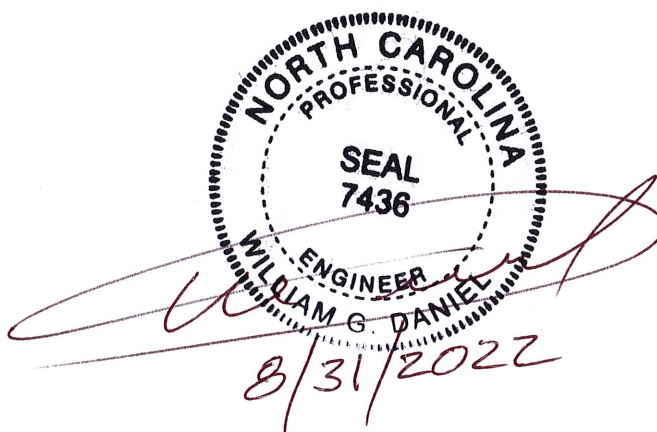
Detailed design of the two stormwater control measures within the single family detached residential portion of Brookshire described in this summary shall be incorporated into the construction drawings for the infrastructure serving that development. The stormwater control measures within the attached residential and non-residential portions of the project shall be included in the detailed site plan designs for those parcels.

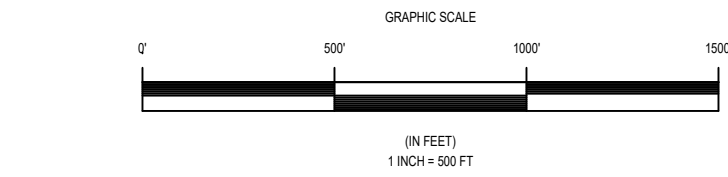
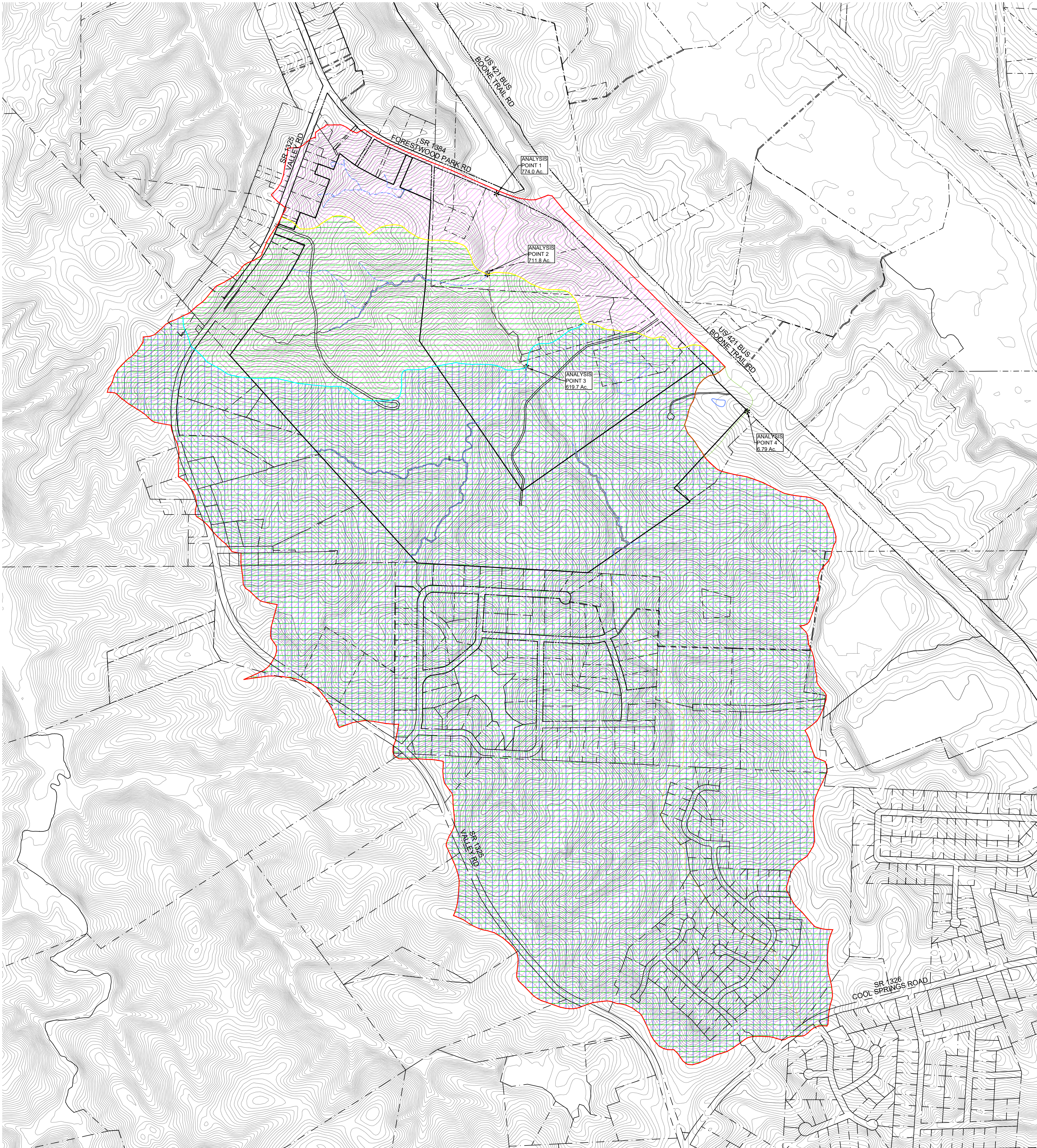
Results

The analysis reveals that for Analysis Points 1 through 3—those being within the Purgatory Creek drainage basin, the proposed stormwater control measures will result in a reduction of the peak rates of stormwater discharge at each of the 3 analysis points for the 2 and 10 year return interval events. In fact, and notably, the peak rates of stormwater runoff at the existing roadway crossing of Purgatory Creek at Forestwood Park Road will be reduced for even the 100-year return interval event.

In addition to the measures located within the Purgatory Creek drainage basin, the stormwater management plan imposes performance criteria to be incorporated into the design and development of the properties contributory to Analysis Point 4 to ensure conformity to the spirit and letter of the current zoning condition addressing stormwater management.

End of Overview





- = ANALYSIS POINT #1 DRAINAGE AREA
- = ANALYSIS POINT #2 DRAINAGE AREA
- = ANALYSIS POINT #3 DRAINAGE AREA
- = ANALYSIS POINT #4 DRAINAGE AREA

Brookshire Subdivision					
Boone Trail Road					
Sanford, North Carolina					
Stormwater Run-Off Point Data					
Pre-Development Conditions :					
Point #	Total (Ac)				
1	774.00				
2	711.80				
3	619.70				
4	6.79				
Point #	CN	See spreadsheet this report for CN calculation			
1	66				
2	66				
3	66				
4	67				
50.0 Min	Time of Concentration same for both pre & post for Analysis Points 1, 2, and 3.				
5.0 Min	Time of Concentration same for both pre & post for Analysis Point 4.				
Pre-Development Conditions					
Point #	2 Year	10 year	25 year	50 year	100 year
	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)
1	360.71	906.85	1282.90	1595.78	1927.30
2	331.72	833.97	1179.80	1467.54	1772.42
3	288.80	726.06	1027.15	1277.65	1543.08
4	10.45	23.19	31.63	38.58	46.08
Note:					
Peak rate of runoff has been calculated using the SCS method.					

Brookshire Subdivision		Dated: 08/18/2022	
Sanford, North Carolina		Revised:	
<u>Pre-Development Hydrograph Calculations</u>			
Time of Concentration			
9520 = Length			
114 = Height			
49.7 = Tc			

101

Wm. G. Daniel & Assoc.

Engineering Planning
Landscape Architecture

1150 SE MAYNARD ROAD
SUITE 260
CARY, NC 27511
(919) 467-9708
C-0329

NORTH CAROLINA
PROFESSIONAL
SEAL
21417
Barry M. McClain
ENGINEER
BARRY J. MCCLAIN
08/19/2022

Revisions

OWNER:
Pinnacle Partners LLC
2431 Schieffelin Road
Apex, NC 27502
919-868-1298

Project
Brookshire Subdivision
Boone Trail Road (US 421 Bus)

Pre-Development
Stormwater Peak
Runoff Exhibit

Date
August 16, 2022

Scale
1" = 500'

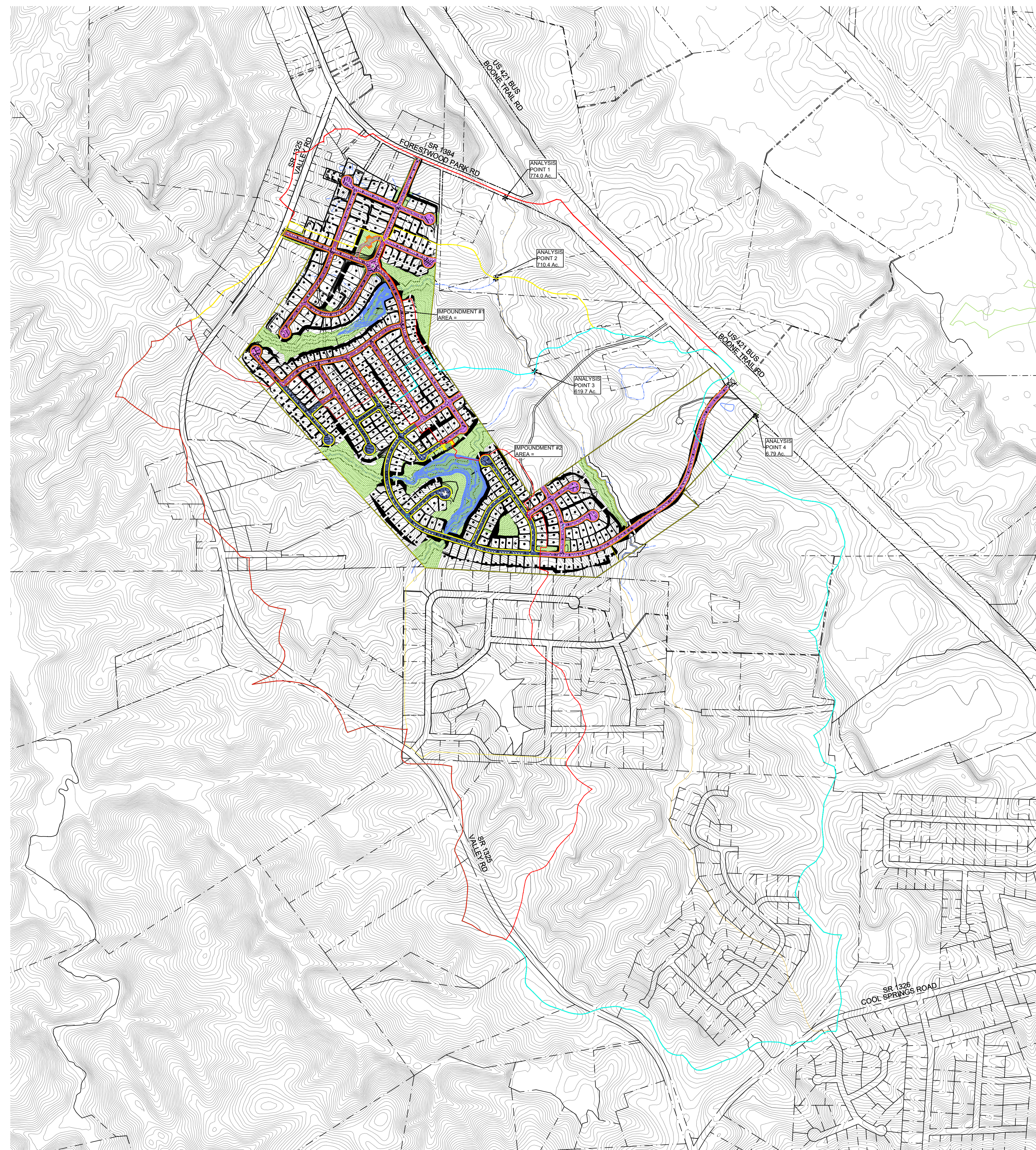
Sheet



GRAPHIC SCALE

0' 500' 1000'

(IN FEET)
1 INCH = 500 FT



 = ANALYSIS POINT #4 DRAINAGE AREA

Analysis Point #1 Post-Development Conditions					
Point #	2 Year (cfs)	10 year (cfs)	25 year (cfs)	50 year (cfs)	100 year (cfs)
Remaining	240.27	585.00	851.94	1049.42	1257.65
Impoundment #1	22.70	36.86	73.53	102.10	131.09
Impoundment #2	70.59	116.86	289.80	412.13	533.48
Total	333.56	738.72	1215.27	1563.65	1922.22

Analysis Point #2 Post-Development Conditions						
Point #	2 Year	10 year	25 year	50 year	100 year	
	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)
Remaining	208.13	506.75	737.98	909.04	1089.42	
Impoundment #1	22.70	36.86	73.53	102.10	131.09	
Impoundment #2	70.59	116.86	289.80	412.13	533.48	
Total	301.42	660.47	1101.31	1423.27	1753.90	

Analysis Point #3 Post-Development Conditions						
Point	2 Year	10 year	25 year	50 year	100 year	
#	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)
Remaining	190.66	464.20	676.02	832.72	997.96	
Impoundment #1	22.70	36.86	73.53	102.10	131.09	
Impoundment #2	70.59	116.86	289.80	412.13	533.48	
Total	283.95	617.92	1039.35	1346.95	1662.52	

Analysis Point #4 Post-Development Conditions					
Point	2 Year	10 year	25 year	50 year	100 year
#	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)
4	10.45	22.10	21.62	38.58	46.08

Note:
Peak rate of runoff has been calculated using the SCS method.

<u>Post-Development Hydrograph Calculations</u>			
Time of Concentration			
9520 = Length			
114 = Height			
49.7 = T_{TC}			

OWNER:
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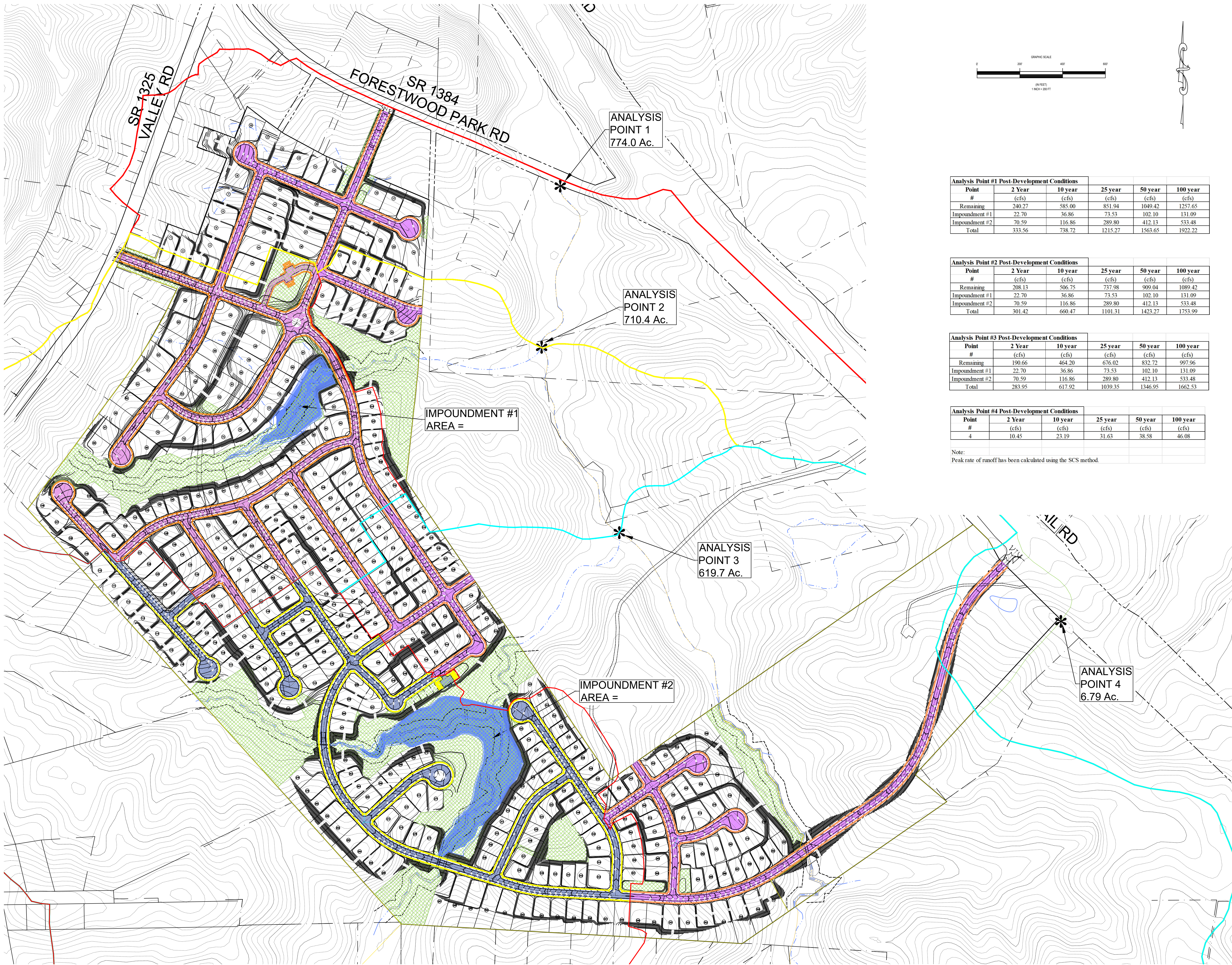
Project
Brookshire Subdivision
Boone Trail Road (US 421 Bus)

Post-Development
Stormwater Peak
Runoff Exhibit

Date
August 30, 2022

Scale
1" = 500'

Sheet



Analysis Point #1 Post-Development Conditions					
Point #	2 Year (cfs)	10 year (cfs)	25 year (cfs)	50 year (cfs)	100 year (cfs)
Remaining	240.27	585.00	851.94	1049.42	1257.65
Impoundment #1	22.70	36.86	73.53	102.10	131.09
Impoundment #2	70.59	116.86	289.80	412.13	533.48
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Impoundment #2	70.59	116.86	289.80	412.13	533.48
Total	301.42	660.47	1101.31	1423.27	1753.99

Analysis Point #3 Post-Development Conditions					
Point #	2 Year (cfs)	10 year (cfs)	25 year (cfs)	50 year (cfs)	100 year (cfs)
Remaining	190.66	464.20	676.02	832.72	997.96
Impoundment #1	22.70	36.86	73.53	102.10	131.09
Impoundment #2	70.59	116.86	289.80	412.13	533.48
Total	283.95	617.92	1039.35	1346.95	1662.53

Analysis Point #4 Post-Development Conditions					
Point #	2 Year (cfs)	10 year (cfs)	25 year (cfs)	50 year (cfs)	100 year (cfs)
4	10.45	23.19	31.63	38.58	46.08

Note:
Peak rate of runoff has been calculated using the SCS method.



Revisions

OWNER:
Pinnacle Partners LLC
2431 Schieffelin Road
Apex, NC 27502
919-868-1298

Project
Brookshire Subdivision
Boone Trail Road (US 421 Bus)

Post-Development
Stormwater Peak
Runoff Exhibit

Date
August 30, 2022

Scale
1" = 200'

Sheet

CITY OF SANFORD

CITY COUNCIL AND PLANNING BOARD

PUBLIC HEARING INFORMATION

November 15th, 2022

REQUEST

Pinnacle Partners, LLC is requesting to amend the Brookshire Conditional Zoning District, which was approved in November of 2021, and further amended in August of 2022, to allow the development of a residential subdivision with a multi-family area and a commercial area. This amendment is intended to provide architectural zoning conditions and a stormwater management plan with information regarding how storm water is to be managed for this site. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the Conceptual Development Plan and proposed conditions are required as part of the rezoning request.

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

GENERAL INFORMATION

Applicant:	Pinnacle Partners, LLC Terry E. Slate Registered Agent
Property Owner:	Pinnacle Partners, LLC Terry E. Slate Registered Agent
Request:	Amendment to the Brookshire Conditional Zoning District
Location:	Frontage on Valley Road (SR 1325), Forestwood Park Road (SR 1384), and Boone Trail Road/US 421 Hwy
Acreage:	168 ± acres
Tax Parcels:	9624-96-0209-00, 9634-04-4681-00, and 9634-14-7642-00
Tax Maps:	9642.02, 9642.04, 9634.01 and 9634.03
Township:	West Sanford
Council Ward:	2
Fire District:	Central Fire Station
Schools:	BT Bullock Elementary West Lee Middle School Lee Senior High School

SITE DESCRIPTION

The site has limited frontage on Valley Road and Forestwood Park Road, with most of the road frontage being on Boone Trail Road/US Hwy 421. It is north of Wildwood Subdivision, west of Boone Trail Road, east of Valley Road, and south of Forestwood Park Road.

ZONING DISTRICT INFORMATION

Existing Zoning – Proposed to be Amended to Provide Additional Details Regarding the Development of the Site: The Brookshire Conditional Zoning District is a Type 1 Conditional Zoning District that is created as a stand-alone district with its own unique conditions. Under a Conditional Zoning District Type 1, an owner would have the freedom to develop his/her own unique list of permitted uses and design standards. It is also understood that such a district would need to be designed so as to maintain the integrity and characteristics of the surrounding community as well as conform to the spirit and intent

of the Zoning Ordinance. A Conditional Zoning District Type 1 would be most suitable in situations where none of the current conventional Zoning Districts accommodate the desired use(s), such as a large mixed-use planned development in which the owner/developer has a clear vision as to how the property is to be developed.

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

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

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

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

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

The following information is applicable for the Brookshire Conditional Zoning District:

Brookshire Subdivision Architectural Zoning Conditions

- To promote variety in the community, no home on either side or directly across the street shall have the same elevation or color scheme.
- All homes will include a two-car garage with a carriage style garage door with windows and decorative hardware.

- All homes will have a gable on the front roof line or front porch with a roof line that varies from the main roof line.
- All homes will have a front porch or covered entryway.
- All homes will feature a minimum of two architectural façade elements.
- All yards (front, side, and rear) will be sodded.
- All driveways must be concrete.
- All homes must have concrete sidewalks to the front door.
- All homes will have a minimum 6:12 pitch on the main roof.

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 Restricted (RR)
 South: Residential Restricted (RR) and Residential Agricultural (RA)
 East: Residential Restricted (RR) and Light Industrial (LI)
 West: Residential Restricted (RR) and Residential Agricultural (RA)

Adjacent Land Use

North: Along Forrestwood Park Road (both adjoining & opposite) are single-family homes
 South: Along Valley Road (both adjoining & opposite) are single-family homes, including within the Wildwood Subdivision
 East: Adjoining is vacant land and industrial businesses fronting Boone Trail Road
 Opposite Boone Trail Road are businesses and vacant land
 West: Along Valley Road (both adjoining & opposite) are single-family homes

PLAN SANLEE

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

LOCAL OVERLAY DISTRICTS

Per GIS, the subject property is not located within a local historic district or a Watershed Conservation Overlay. There is established Flood Hazard Area (floodplain) adjoining Purgatory Branch, which bisects the site between Area 2 and Area 4. All development within the Flood Hazard Area (floodplain) must comply with the UDO Flood Hazard Area design standards.

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

UTILITIES

There is a public water main line along Valley Road and a public water main line along Boone Trail Road. There is a public sewer main line that bisects the site. This information is per our GIS mapping system and, if the rezoning is approved, all new development and/or water and sewer connections must be approved by the City of Sanford Public Works Dept./Engineering Dept. to verify compliance with all policies and regulations, including – but not limited to – off site improvements or upgrades.

TRANSPORTATION

The project has frontage on Valley Road (SR 1325), Forestwood Park Road (SR 1384), and Boone Trail Road/US 421 Hwy, all of which are NCDOT maintained public roads. This information is per our GIS mapping system and NCDOT must approve any proposed roadway connections 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. The proposed roads within the interior of the project would be City maintained public roads.

2011 Lee County Comprehensive Transportation Plan: The portion of Valley Road in the area of the proposed roadway connection is illustrated as an existing boulevard that needs improvement. No information is provided for Forestwood Park Road. Boone Trail Road / US Hwy 421 is illustrated as an existing boulevard.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2016 AADT of 190 vehicles on Valley Road near the intersection of Valley Road and Forestwood Park Road. There is a 2019 AADT of 400 vehicles on Forestwood Park Road between the Valley Road intersection and Boone Trail Road. There is a 2019 AADT of 5,700 vehicles on Boone Trail Road between the Valley Road intersection and Boone Trail Road at the intersection with Animal Avenue, which is located near the proposed roadway connection off of Boone Trail Road/US Hwy 421.

DEVELOPMENT STANDARDS

If rezoned, the information noted and illustrated on the Brookshire Conditional Zoning District Conceptual Development Plan, Rezoning Plan, along with the written information /conditions submitted as part of the rezoning application, 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 item not specifically addressed in the rezoning process must comply with the UDO standards.

PUBLIC INFORMATION MEETING

A Public Information meeting will be held by the applicant prior to the public hearing and information regarding questions and concerns expressed will be presented during the public hearing.

Concerns from a prior public information meeting held in 2021 included no buffer around the perimeter of the subdivision (back yard to back yard design), no detailed information regarding the NCDOT requirements for the roadways that would access the project (road widening, required turn lanes, right-in/right-out only, etc.), traffic concerns along Valley Road and Forestwood Park Road regarding increase in volume, the multi-family area backs up to residentially zoned & developed property, the multi-family density seems overwhelming, concern regarding people walking along the sewer easement

onto adjoining private property and the potential for trespassing in general, four wheelers riding along the sewer line is an existing problems for the neighbors, the design does not seem to be integrated into the existing site conditions and topography, the existing zoning allows 30,000sf lots so asking for much smaller lots (such as 10,000sf and 6,000sf lots) seems extreme, concern regarding what the future homes and other structures would look like since there is no information provided regarding appearance, concern regarding not having more detail regarding the proposed commercial development, concern about run-off and impervious surface (concrete, asphalt, rooftops, etc.) especially for the multi0family and commercial areas, there are existing flooding issues in the area, no information regarding any environmental studies that have been done or may be required, no stormwater information provided, and some neighbors moved to Sanford to get away from this type of high density development and now it is proposed on the land next door or down the road from them.

STAFF RECOMMENDATION

The proposed architectural conditions offer clarification for previous concerns expressed by staff in the prior rezonings. While elevations are preferred, staff is supportive of the architectural conditions as expressed by the applicant.

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 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 because it includes residential single-family dwellings as the largest overall land use designation.”*

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the adopted long-range plan designation of Countryside because it includes multi-family and commercial land use designations.”*

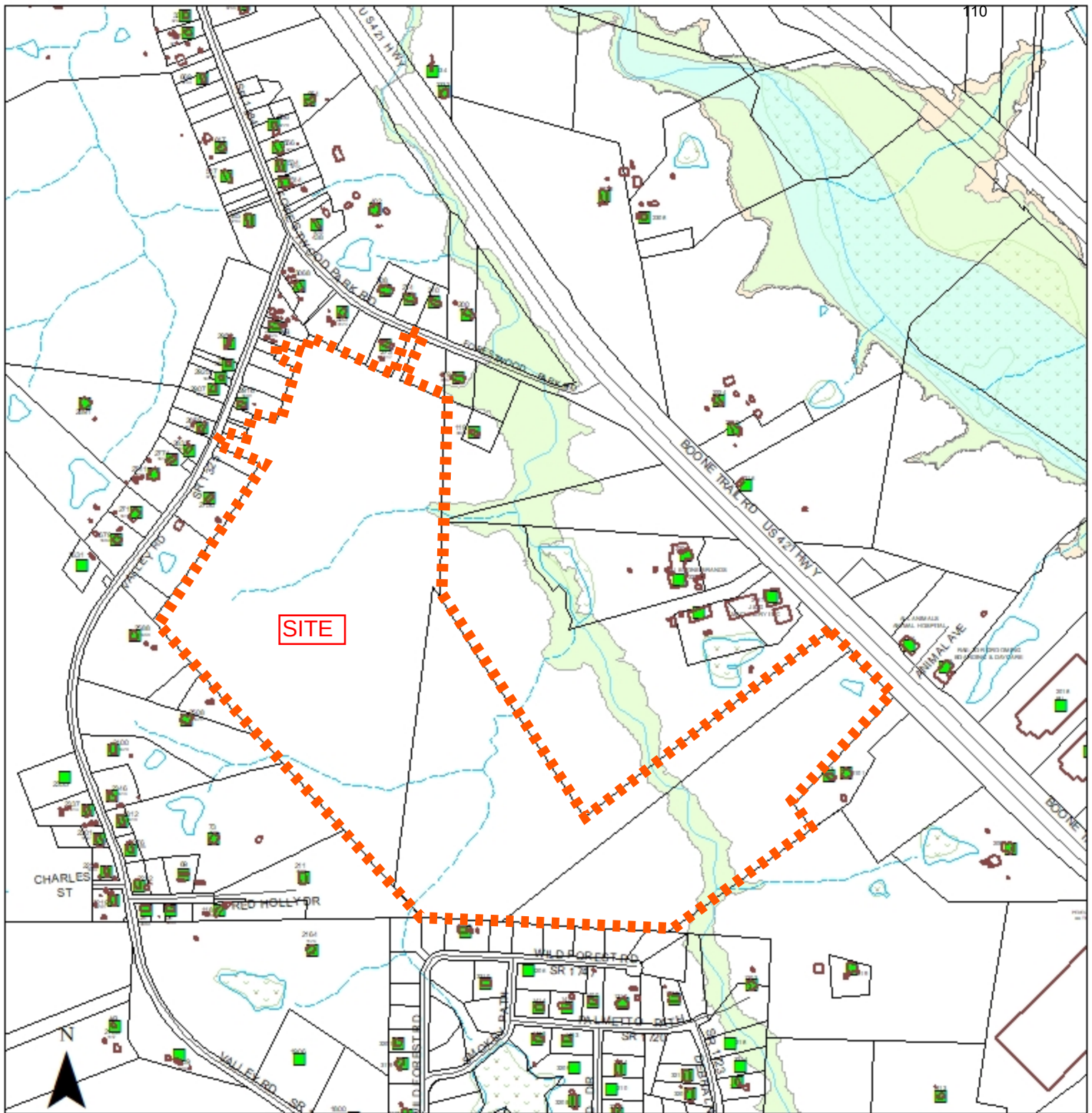
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

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 submitted architectural conditions are congruent with existing conditions and will be beneficial to the area.”*

Motion Option 2: *“I make a motion that Planning Board recommend the City Council **DENY** the proposed zoning map amendment because the architectural conditions are not sufficient to establish the design of the proposed single-family dwellings to be constructed on the site.”*

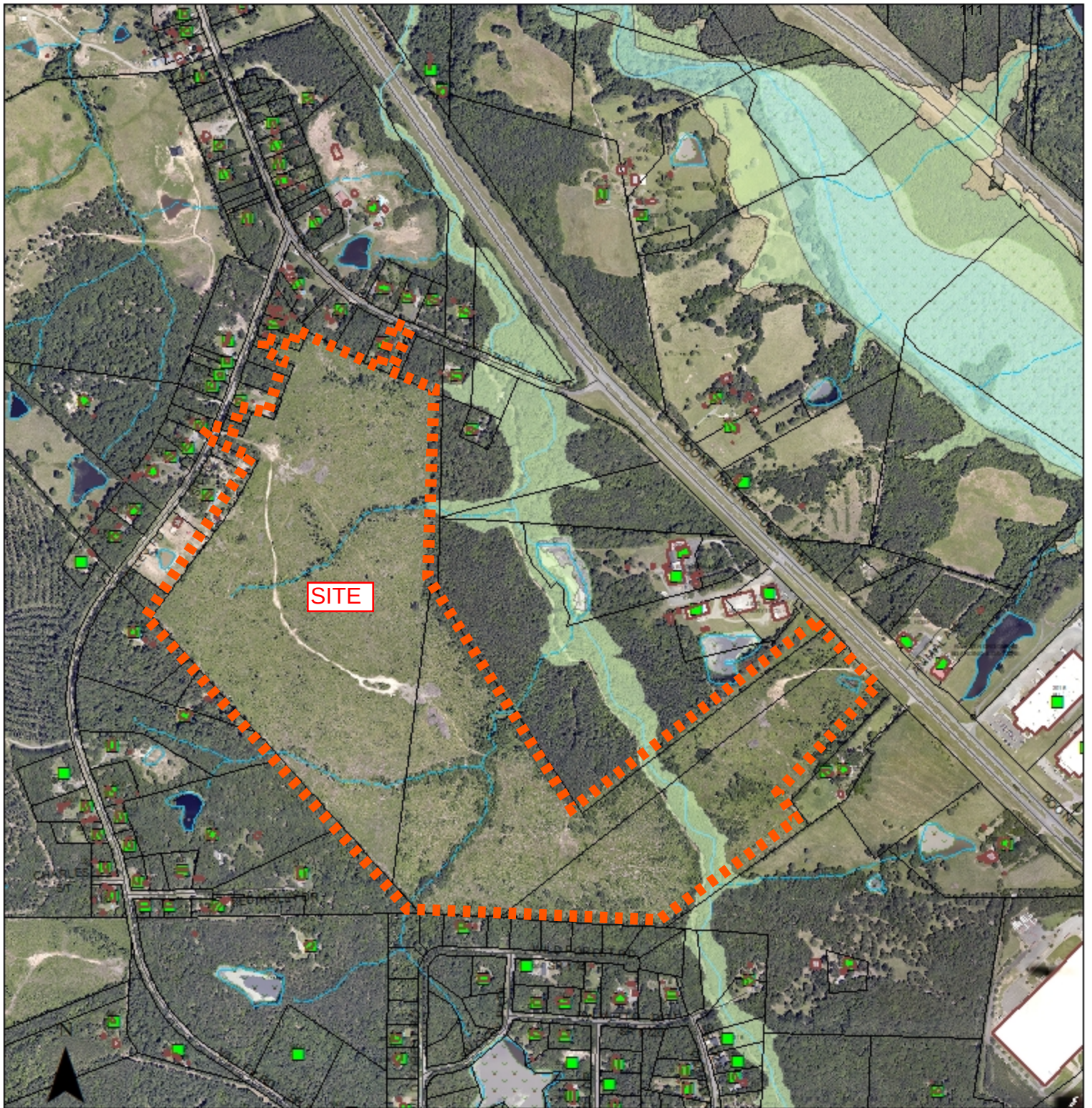
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



ZONING MAP AMENDMENT PETITION (REZONING REQUEST)
Application by Pinnacle Partners, LLC

amend the Brookshire Conditional Zoning District

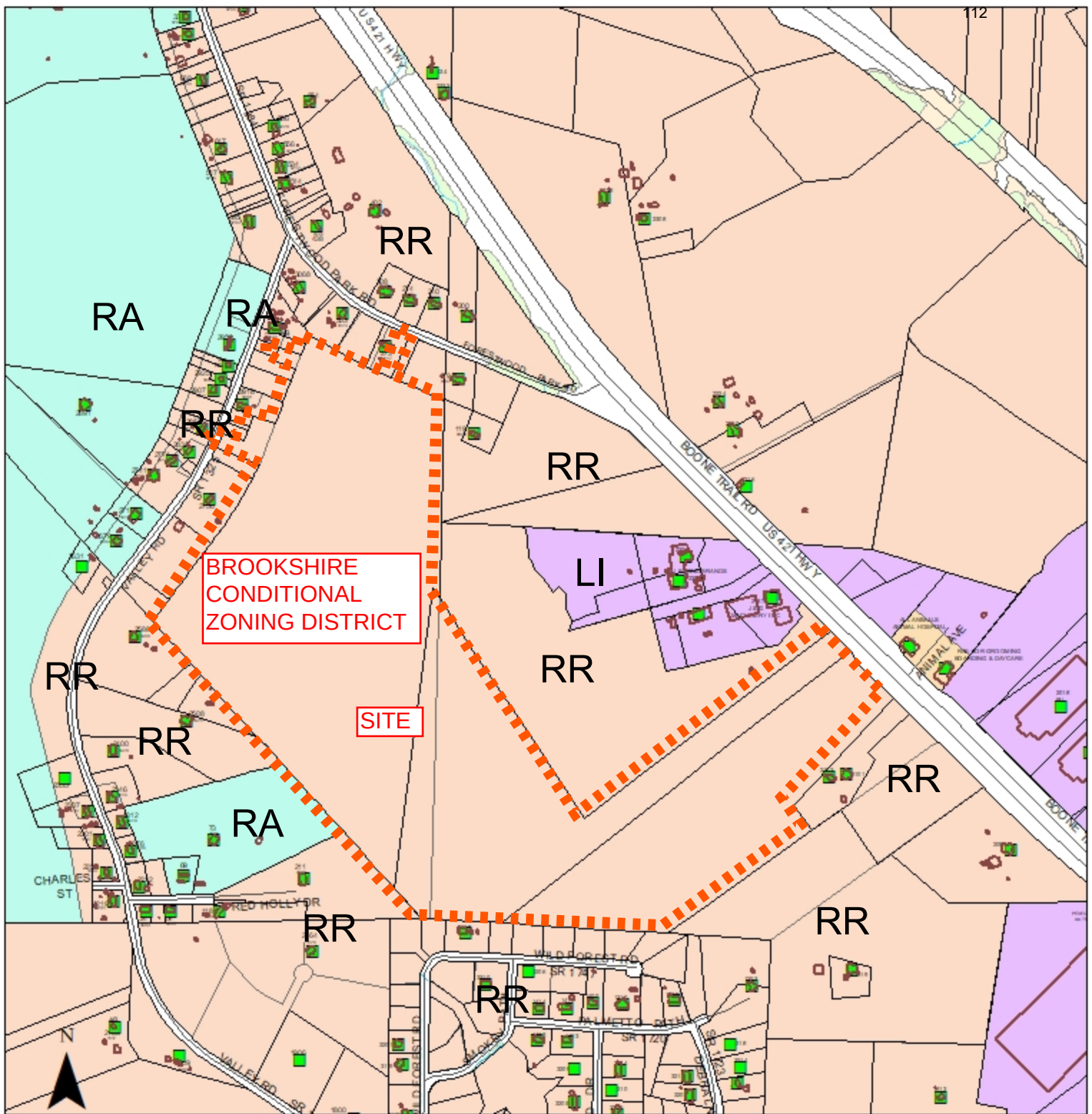
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All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT PETITION (REZONING REQUEST)
Application by Pinnacle Partners, LLC

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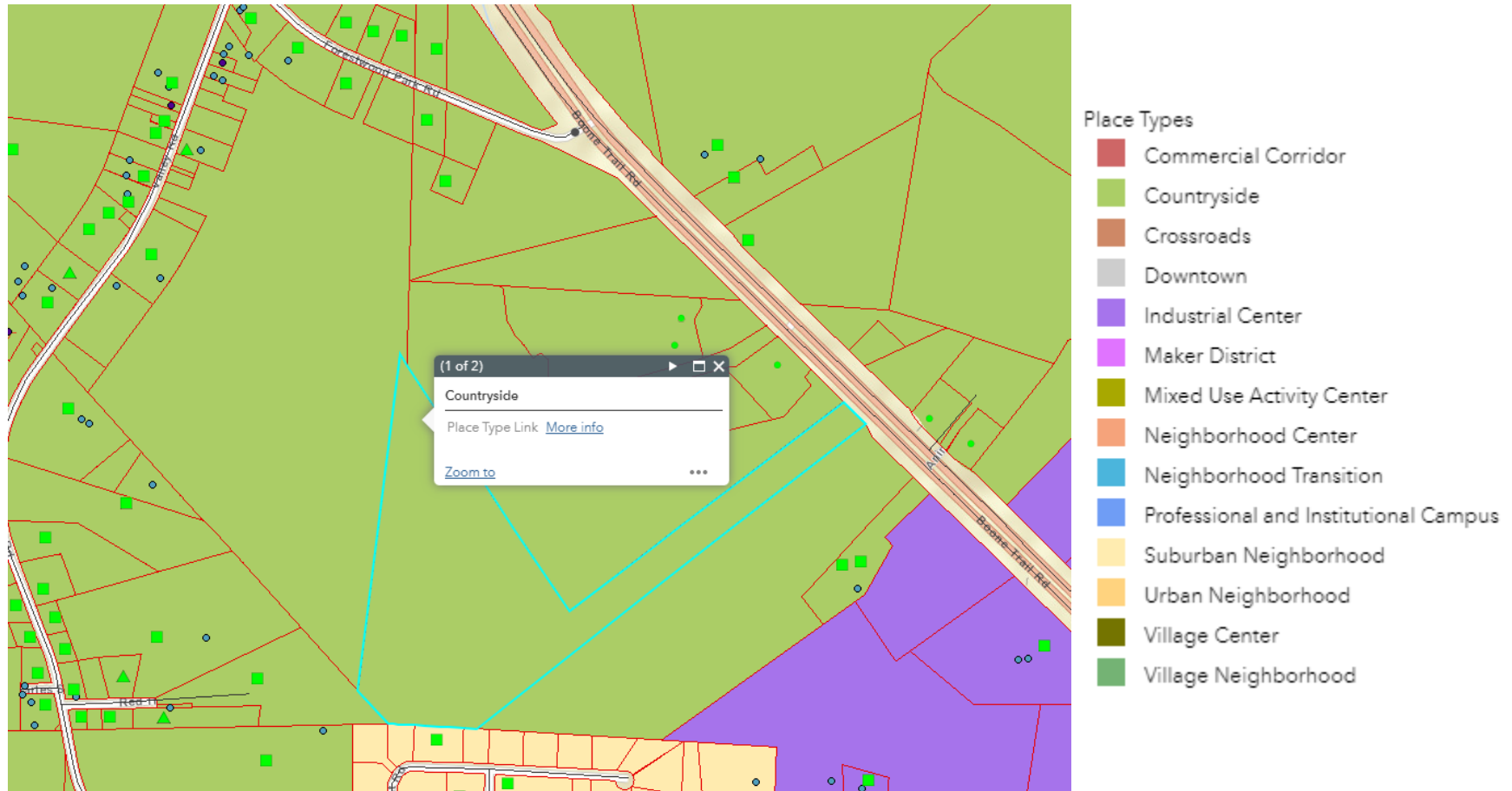
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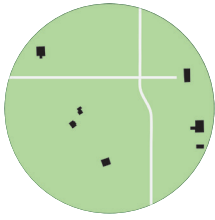
Application by Pinnacle Partners, LLC

amend the Brookshire Conditional Zoning District

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Plan SanLee – Long Range Plan – Interactive Map of Site

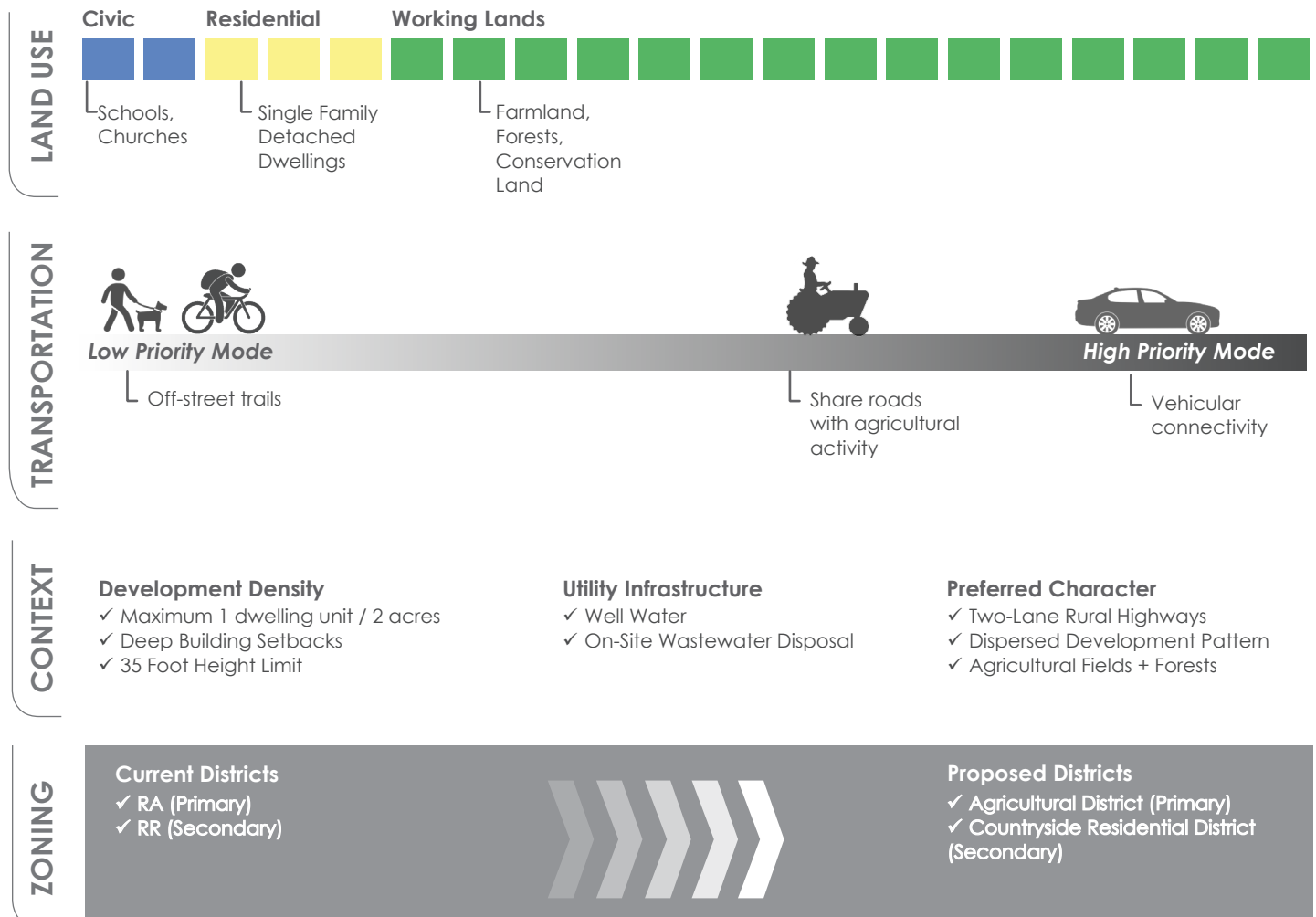




COUNTRYSIDE

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

Local Example - Avents Ferry Road Corridor in northeast Lee County



ADJOINING PROPERTY OWNERS LIST

PETITION BY: Pinnacle Partners, LLC
 REQUEST: Amendment to the Brookshire Conditional Zoning District
 LOCATION: Frontage on Valley Road, Forestwood Park Road, and Boone Trail Road / US Hwy 421
 PIN: 9624-96-0209-00, 9634-04-4681-00, and 9634-14-7642-00
 DATE: 2022-10-27

PIN	Property Address	Owner1	Owner2	Mailing Address
9624-98-0125-00	3068 VALLEY RD	BAKER, FAYE O'QUINN		3068 VALLEY RD SANFORD NC 27330
9634-07-0541-00	179 FORESTWOOD PARK RD	WADDELL, MILTON HUGH		1530 VENICE AVE FORT WALTON BEACH FL 32547
9634-07-1196-00	119 FORESTWOOD PARK RD	MCIVER, PILGRIM M JR	MCIVER, SAMELIA M	119 FORESTWOOD PARK RD SANFORD NC 27330
9624-75-8793-00	2588 VALLEY RD	GRIFFIN, ROBERT LEWIS	GRIFFIN, MARY T	2588 VALLEY RD SANFORD NC 27330
9624-85-1235-00	2508 VALLEY RD	OSBORNE, SCOTT		2508 VALLEY RD SANFORD NC 27330
9634-24-5921-00	2101 BOONE TRAIL RD	PITTMAN, THOMAS G	PITTMAN, ROXZANE	2101 BOONE TRAIL RD SANFORD NC 27330
9624-94-1314-00	211 RED HOLLY DR	PRISTELL, CLYDE W	PRISTELL, SYVILLA R	PO BOX 706 SANFORD NC 27331
9634-03-0940-00	3309 WILD FOREST RD	MULLINS, JOSEPH DARRELL JR	MULLINS, AMANDA LEIGH	3309 WILD FOREST RD SANFORD NC 27330
9624-87-6237-00	0 VALLEY RD	WILSON, WILLIAM T JR		PO BOX 1653 SANFORD NC 27331
9624-98-7042-00	274 FORESTWOOD PARK RD	KEMP, JENNIFER E (ROBERTS)		274 FORESTWOOD PARK RD SANFORD NC 27330
9624-97-8978-00	240 FORESTWOOD PARK RD	DAVIS, GREGORY		639 BROWNING PL WINSTON SALEM NC 27103
9624-87-8703-00	0 VALLEY RD	BLUE, MATTIE L		800 MCKENZIE PARK DR SANFORD NC 27330
9624-97-8529-00	0 FORESTWOOD PARK RD	WADDELL, MILTON HUGH		1530 VENICE AVE FORT WALTON BEACH FL 32547
9624-87-8620-00	0 VALLEY RD	WALTON, CLARENCE JEFFREY		1365 ST NICHOLAS AVE NEW YORK NY 10033
9624-87-7590-00	0 VALLEY RD	GRANADOS, JAIME ABEL		2916 VALLEY RD SANFORD NC 27330

9634-07-5057-00	0 FORESTWOOD PARK RD	MCIVER, MARTHA T	MCIVER, PILGRIM M JR	119 FORESTWOOD PARK RD SANFORD NC 27330
9624-87-6222-00	0 VALLEY RD	WILSON, WILLIAM T JR		PO BOX 1653 SANFORD NC 27331
9624-87-6108-00	0 VALLEY RD	WILSON, WILLIAM T JR		PO BOX 1653 SANFORD NC 27331
9634-16-0668-00	0 BOONE TRAIL RD	MCIVER, CHRISTOPHER JEROME		1904 CHESTNUT ST OAKLAND CA 94602
9624-86-0104-00	0 VALLEY RD	GRIFFIN, ROBERT LEWIS	GRIFFIN, MARY T	2588 VALLEY RD SANFORD NC 27330
9624-85-1499-00	0 VALLEY RD	OSBORNE, J SCOTT		2508 VALLEY RD SANFORD NC 27330
9624-85-4368-00	0 VALLEY RD	OSBORNE, JOSEPH SCOTT		2508 VALLEY RD SANFORD NC 27330
9624-93-7901-00	0 WILD FOREST RD	ADCOCK, ALBERT C		PO BOX 3367 SANFORD NC 27331
9624-93-8961-00	0 WILD FOREST RD	ADCOCK, ALBERT C		PO BOX 3367 SANFORD NC 27331
9634-03-4898-00	0 WILD FOREST RD	LUCAS, JOSEPH BENJAMIN	LUCAS, MARTHA F	1310 PALMETTO PATH SANFORD NC 27330
9634-03-6897-00	0 WILD FOREST RD	LUCAS, JOSEPH BENJAMIN	LUCAS, MARTHA F	1310 PALMETTO PATH SANFORD NC 27330
9634-03-8895-00	0 WILD FOREST RD	LUCAS, JOSEPH BENJAMIN	LUCAS, MARTHA F	1310 PALMETTO PATH SANFORD NC 27330
9634-13-1805-00	0 WILD FOREST RD	LUCAS, MANLY WALKER	LUCAS, EMILY FOSTER	1302 PALMETTO PATH SANFORD NC 27330
9634-13-2893-00	0 WILD FOREST RD	LUCAS, MANLY WALKER	LUCAS, EMILY FOSTER	1302 PALMETTO PATH SANFORD NC 27330
9634-13-3791-00	0 WILD FOREST RD	LUCAS, MANLY WALKER	LUCAS, EMILY FOSTER	1302 PALMETTO PATH SANFORD NC 27330
9634-13-5662-00	0 PALMETTO PATH	LUCAS, MANLY WALKER	LUCAS, EMILY FOSTER	1302 PALMETTO PATH SANFORD NC 27330
9624-87-8855-00	3008 VALLEY RD	BLUE, LOUISE D		800 D MCKENZIE PARK DR SANFORD NC 27330
9624-86-5997-00	0 VALLEY RD	HILL, JAMES R	HILL, MARJORIE	1108 HAMPTON LN ISELIN NJ 8830
9634-03-3819-00	0 WILD FOREST RD	WICKER, HARRISON LEE	WICKER, LINDA S	3659 WINDSWEEP DR MONTGOMERY TX 77356
9624-87-2162-00	2833 VALLEY RD	JACOBS, JONATHAN	JACOBS, AMY H	2833 VALLEY RD

				SANFORD NC 27330
9624-87-2294-00	2859 VALLEY RD	JACKSON, CHARLES F	JACKSON, DIANE S	2859 VALLEY RD SANFORD NC 27330
9624-87-3364-00	0 VALLEY RD	JACKSON, CHARLES F	JACKSON, DIANE S	2859 VALLEY RD SANFORD NC 27330
9634-23-5306-00	0 BOONE TRAIL RD	BRINKER, MARY P/TRUSTEE	THE MARY P BRINKER REVOCABLE TRUST	1919 BOONE TRAIL RD SANFORD NC 27330
9624-86-4744-00	2750 VALLEY RD	STONE, WILLIAM PHIL JR	STONE, MARLA	2750 VALLEY RD SANFORD NC 27330
9624-86-1376-00	0 VALLEY RD	STONE, WILLIAM PHIL JR	STONE, MARLA	2750 VALLEY RD SANFORD NC 27330
9624-87-7335-00	2916 VALLEY RD	GRANADOS, JAIME ABEL		2916 VALLEY RD SANFORD NC 27330
9624-84-5588-00	73 RED HOLLY DR	LANTZ, J CRAIG	LANTZ, BRENDA S	73 RED HOLLY DR SANFORD NC 27330
9634-15-1496-00	0 BOONE TRAIL RD	PATTERSON, ORUS FUQUAY III	PATTERSON, SARA	1901 BOONE TRAIL RD SANFORD NC 27330
9624-97-6700-00	273 FORESTWOOD PARK RD	HOWARD, JOHN E	HOWARD, ALMETA I	273 FORESTWOOD PARK RD SANFORD NC 27330
9634-24-9992-00	0 BOONE TRAIL RD	BRINKER, MARY PATTERSON		1919 BOONE TRAIL RD SANFORD NC 27330
9624-96-0209-00	0 VALLEY RD	PINNACLE PARTNERS LLC		4201 FAYETTEVILLE RD RALEIGH NC 27603
9634-14-7642-00	0 BOONE TRAIL RD	PINNACLE PARTNERS LLC		4201 FAYETTEVILLE RD RALEIGH NC 27603
9624-87-9903-00	1630 VALLEY RD	BLUE, LOUISE D		800 D MCKENZIE PARK DR SANFORD NC 27330
9624-87-8797-00	0 VALLEY RD	BLUE, LOUISE D		800 D MCKENZIE PARK DR SANFORD NC 27330
9634-04-4681-00	0 BOONE TRAIL RD	PINNACLE PARTNERS LLC		4201 FAYETTEVILLE RD RALEIGH NC 27603
9624-97-3805-00	333 FORESTWOOD PARK RD	RIDDLE, CHARLES RAY		3068 VALLEY RD SANFORD NC 27330

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



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Josh Chenery
2. Applicant Address: 4080 Barrett Dr, Raleigh, NC 27609
3. Applicant Telephone: 919-868-9783
4. Name and Address of Property Owner(s) if different than applicant:
MEGAN & ALLYSON LLC
271 Reynwood Vista Ln, Sanford, NC 27330
5. Location of Subject Property: Lemon Springs RD (35.445594,-79.163401)
Lee Co. P.I.N. 9651-16-7869-00
6. Total Area included in Rezoning Request: 14.95 Acres
7. Zoning Classification: Current: R-20 Requested: R-6
8. Existing Land Use(s): Vacant Land
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Residential Subdivision with 27 lots.
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. 8/11/2022

Josh Chenery
80680EED880B4B6
David Voncanon
Signature of Property Owner(s) (Sign & Print)

08-12-2022
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.: _____

CITY OF SANFORD

CITY COUNCIL AND PLANNING BOARD

PUBLIC HEARING INFORMATION

November 15th, 2022

REQUEST

Josh Chenery is requesting to rezone 14.95 +/- acres consisting of one (1) parcel of vacant land at the corner of Lemon Springs Rd and Glendale St. from Residential Single-Family (R-20) to Residential Mixed (R-6) to allow the development of a 27-lot residential subdivision. Therefore, Josh Chenery 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:	Josh Chenery
Property Owner:	Megan & Allyson LLC
Request:	Residential Single-Family (R-20) to Residential Mixed (R-6)
Location:	Lemon Springs Rd & Glendale Cir
Acreage:	14.95 +/-
Tax Parcels:	9651-16-7869-00
Tax Map:	9651.01
Township:	Jonesboro
Council Ward:	Ward 5
Fire District:	City Station #2
Schools:	J Glenn Elementary SanLee Middle School Southern Lee High School

SITE DESCRIPTION

The site is located on Lemon Springs Rd at the intersection of Lemon Springs Rd and Glendale Cir. The parcel is currently vacant and wooded.

ZONING DISTRICT INFORMATION

Existing Zoning: The Residential Single-family (R-20) district is established to provide areas for low-density single-family uses, with a maximum of two (2) dwelling units per acre, which may provide buffers between the agricultural and R-20 classifications and the higher density areas of the County of Lee. It includes density and minimum lot size requirements in order to allow for market and design flexibility while preserving the neighborhood character.

Minimum lot width:	100ft
Minimum lot depth:	125ft
Minimum building setback, front:	30ft, measured from the right-of-way of the public street

Minimum building setback, rear: 30ft, measured from the rear property line
 Minimum building setback, side(s): 15ft, measured from the side property lines
 Maximum building height: 40ft
 Maximum impervious surface: N/A, not taking into consideration watershed regulations

Examples of uses permitted by right within the R-20 zoning district include single-family dwellings (modular and site built), parks/playgrounds/athletic fields operated on a noncommercial basis, and religious complexes/churches with less than 350 seats. There is a list of all of the 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 (R-6) zoning district is intended to provide higher density residential living opportunities with compact development consisting of the full spectrum of residential unit types where adequate public facilities and services are available. Unit types may include single-family attached dwellings, townhouses, duplexes, and apartments, with a maximum of seven dwelling units per acre. R-6 may serve as a transitional district between lower density residential and low intensity commercial uses. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities while maintaining neighborhood compatibility. R-6 supports the principles of concentrating urban growth and reinforcing existing community centers.

Minimum lot width: 60ft
 Minimum lot depth: 100ft
 Minimum building setback, front: 20ft, 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): 8ft, 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-6 zoning district include detached single-family homes (site/stick built and modular), duplexes, parks/playgrounds/athletic fields operated on a noncommercial basis, and religious complexes/churches (less than 350 seats). Attached single-family homes and multi-family dwellings are permitted, subject to supplemental development regulations. There is a list of all of the 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 Single-Family (R-20); Light Industrial (LI)
 South: Residential Single-Family (R-20)
 East: Residential Single-Family (R-20)
 West: Residential Single-Family (R-20), Residential Mixed (R-10), Residential Mixed (R-6)

Adjacent Land Use:

North: Manufacturing
 South: Single-family dwellings (Glendale Estates Subdivision)
 East: Single-family dwellings (Kendale Acres Subdivision)
 West: Single-family dwellings (Hwy 78 South & Ridgeview subdivisions)

PLAN SANLEE

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

LOCAL OVERLAY DISTRICTS

Per GIS, the site does not appear to be located in any local overlay districts.

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 via main lines along Lemon Springs Rd and Gendale Cir. The site appears to have access to public sanitary sewer on Lemon Springs Rd; however, the main line may require an extension to be accessible to the site.

This information is per our GIS mapping system and, if the rezoning is approved, all new development and/or water and sewer connections must be approved by the City of Sanford Public Works Dept./Engineering Dept. to verify compliance with all policies and regulations, including—but not limited to—off site improvements or upgrades.

TRANSPORTATION

There is frontage on Lemon Springs Rd (SR-1001), an NCDOT owned and maintained road with a 60ft right-of-way, and Glendale Cir (NS-98983), a city-maintained street. 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: The 2011 Lee County Comprehensive Transportation Plan has designated Lemon Springs Rd as a major thoroughfare in need of improvement.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 NCDOT AADT count of 4,000 vehicles per day on Lemon Springs Rd in the general area of the subject property.

DEVELOPMENT STANDARDS

If rezoned, all of the uses permitted in the Residential Mixed (R-6) 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 generally complies with the *Plan SanLee* long-range plan designation of Suburban Neighborhood, as it adheres to the desired density of four (4) to seven (7) dwelling units per acre. The Boards should be aware that this is a general use rezoning request which means that sidewalks would only be required on one side of any residential development and any amenities, landscaping, and other associated visual improvements are unknown at this time.

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

PLANNING BOARD RECOMMENDATION

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

Sample Motions

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

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

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Suburban Neighborhood because the density of the R-6 zoning district is compliant with the desired density of the Suburban Neighborhood future land-use designation.”*

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Suburban Neighborhood because the R-6 zoning district is not listed as one of the desired zoning districts within the Suburban Neighborhood future land-use area.”*

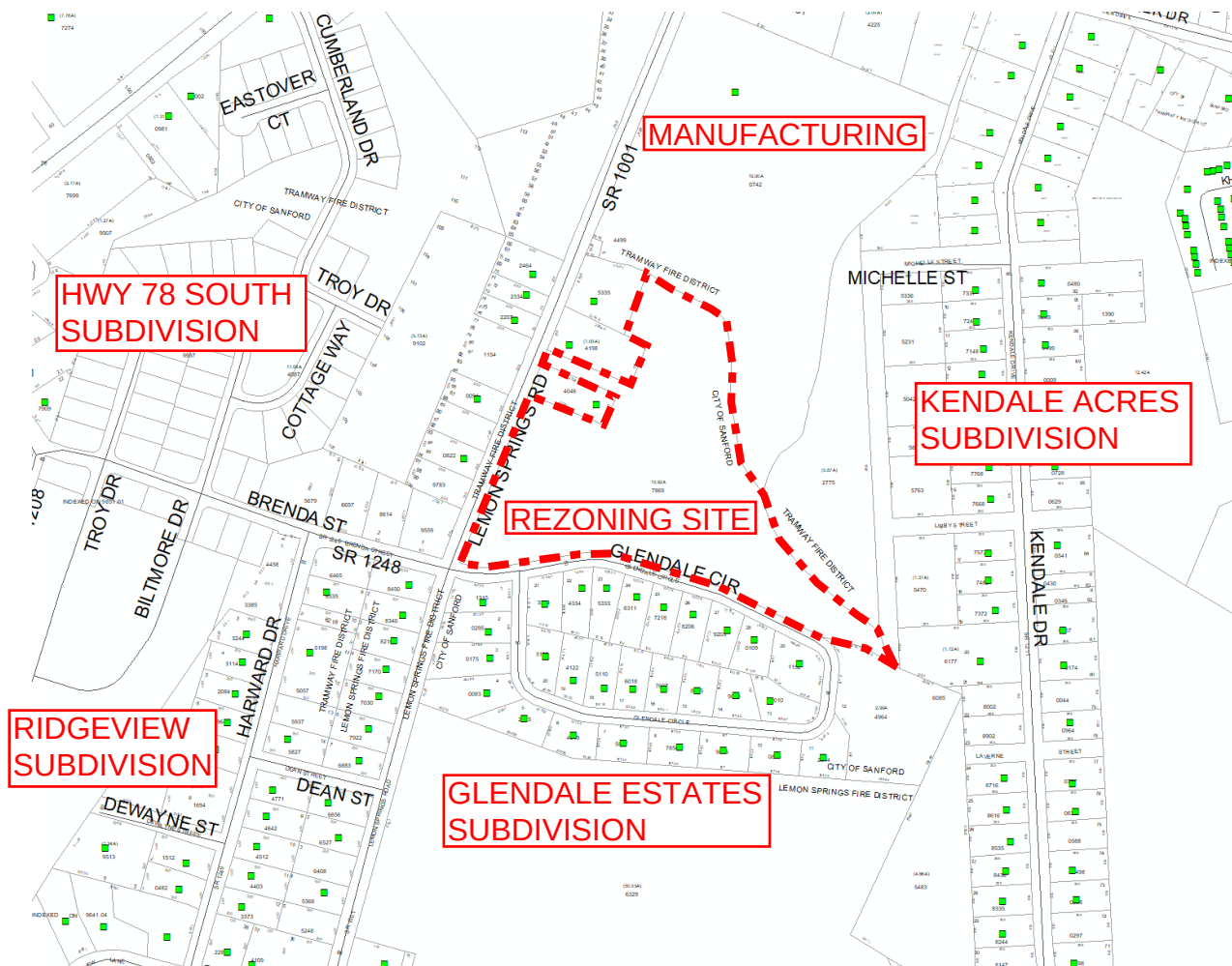
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #2: TO APPROVE OR DENY THE 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-6) 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-6) land use.”*

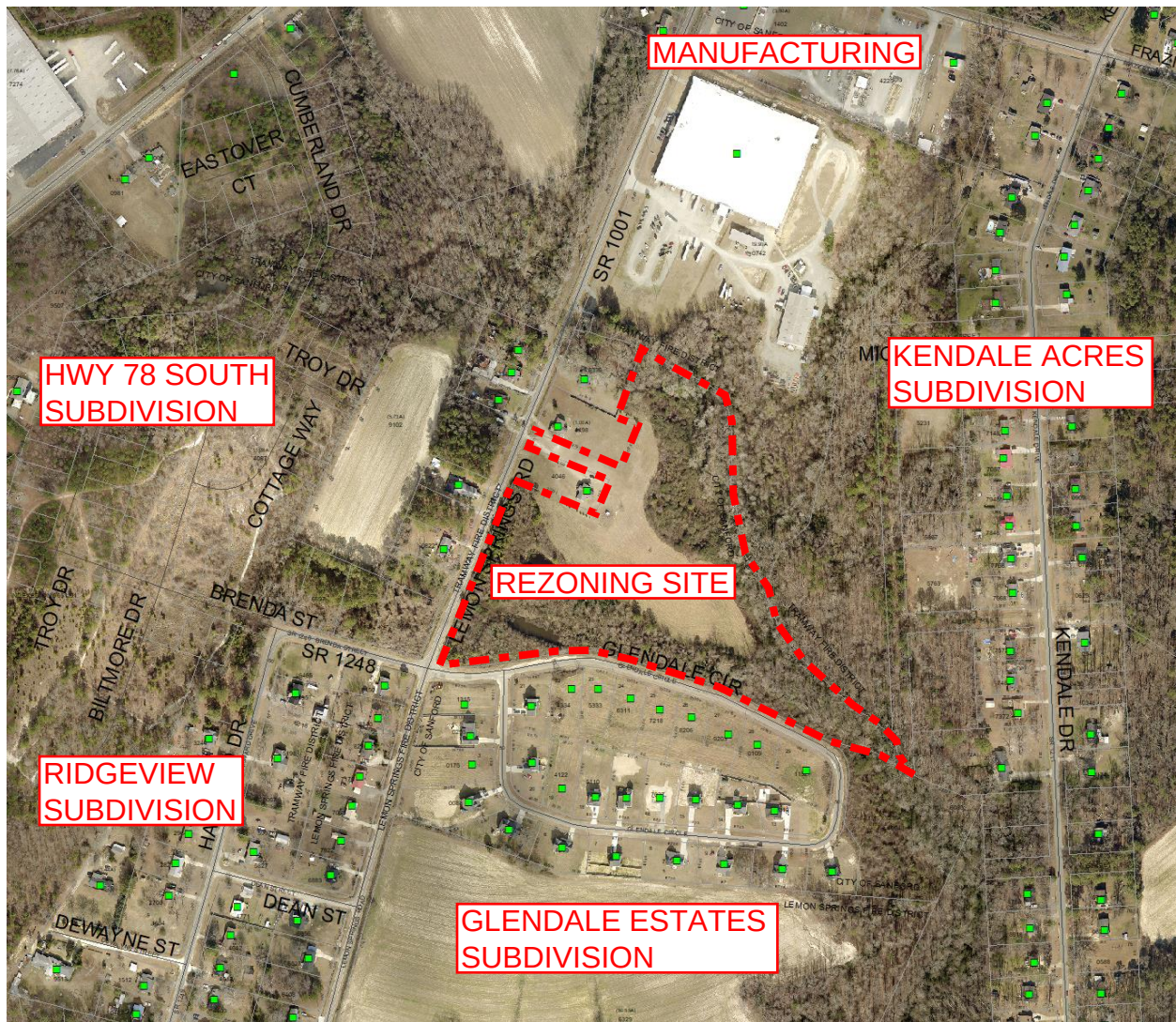
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



ZONING MAP AMENDMENT

Request to rezone 14.95 acres at Lemon Springs Rd & Glendale Cir
from R-20 to R-6

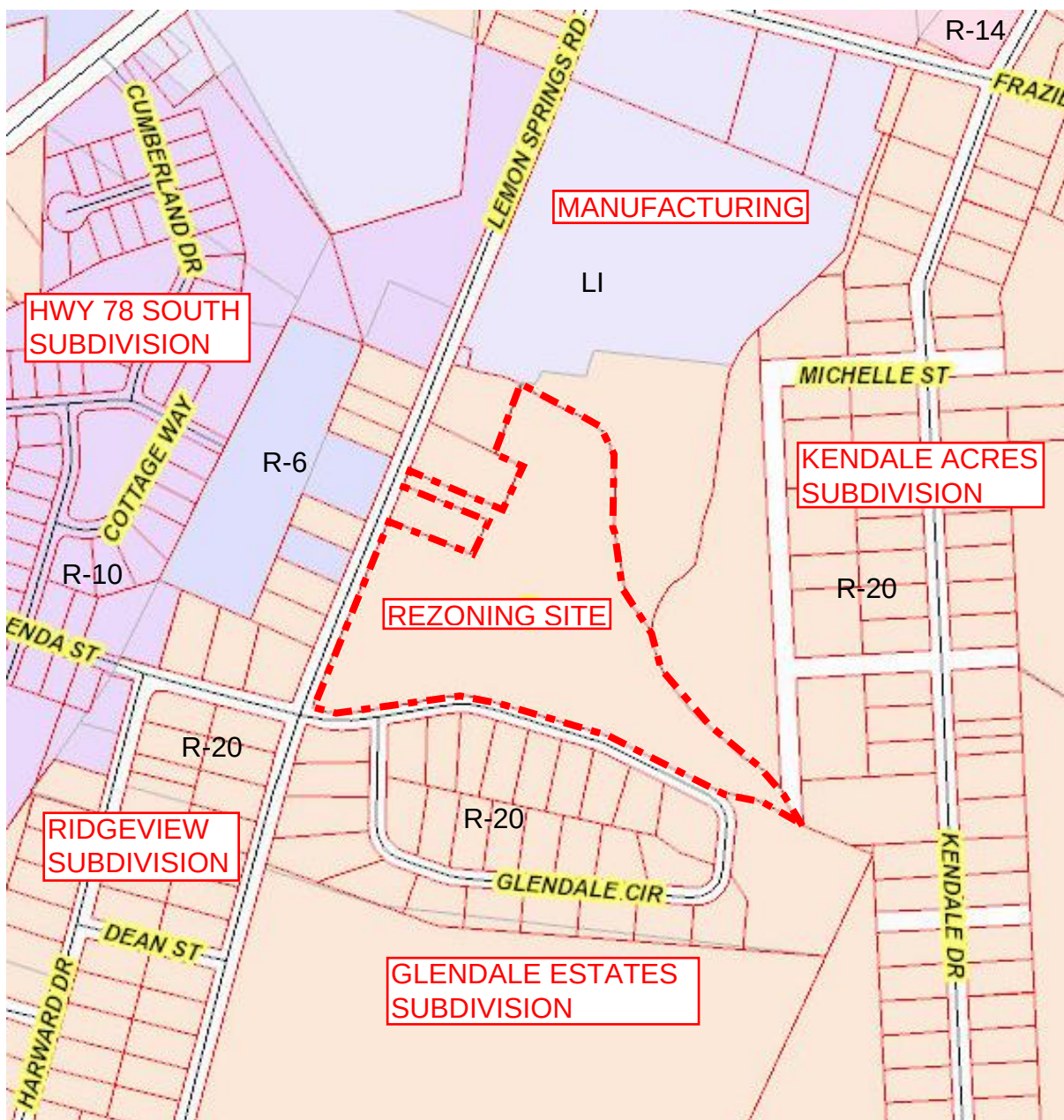
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ZONING MAP AMENDMENT

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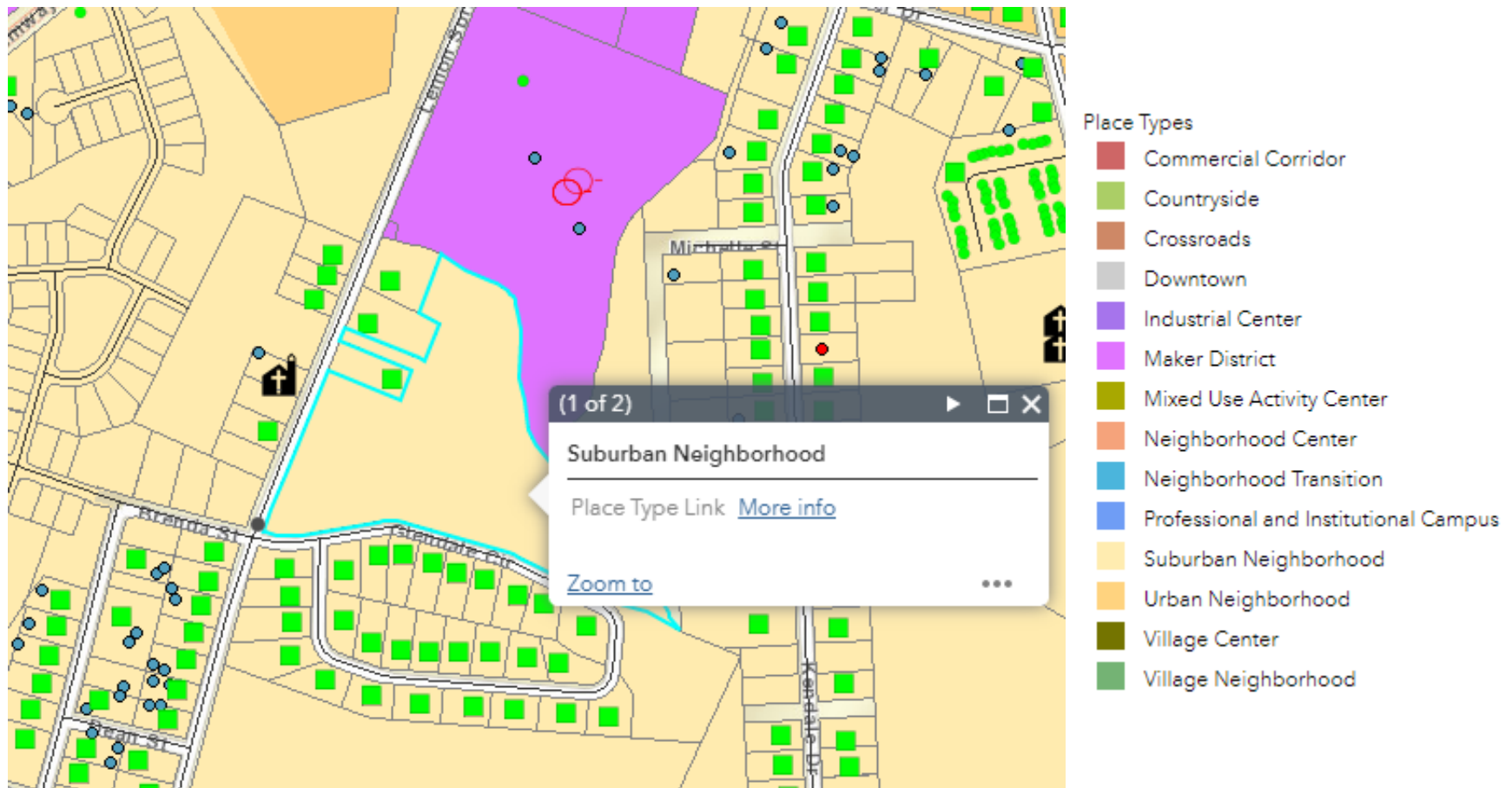


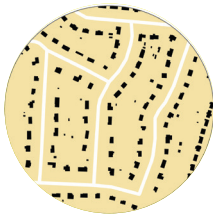
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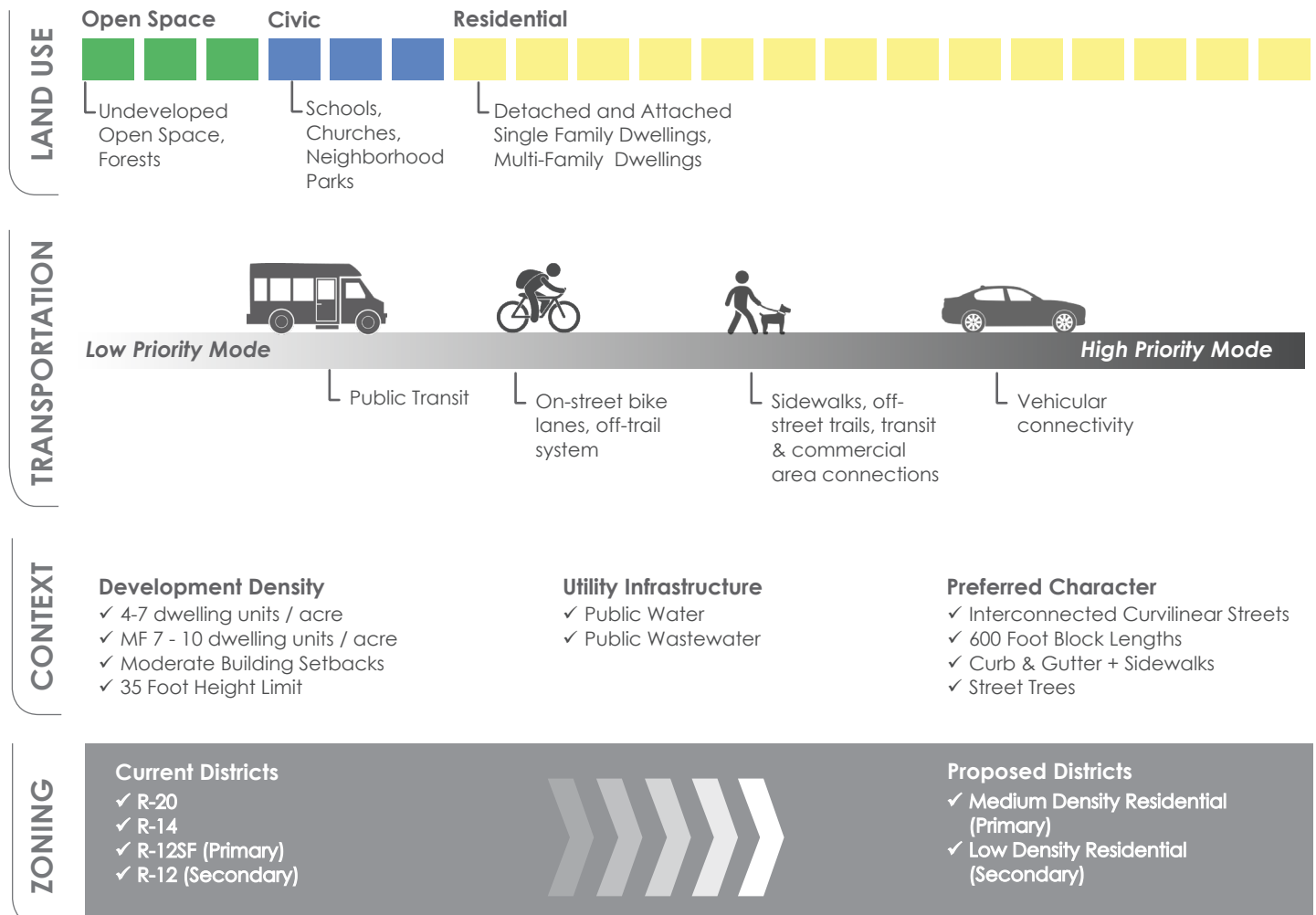
Plan SanLee – Long Range Plan – Interactive Map of Site





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**



**USES PERMITTED IN
R-20 RESIDENTIAL SINGLE-FAMILY DISTRICT**

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

PERMITTED USES WITH DEVELOPMENT REGULATIONS

The uses listed below are permitted as of right and are also subject to the requirements of Supplemental Development Regulations.

<u>Residential Uses</u>
Home occupations (See 5.16)
<u>Accommodations and Group Living</u>
Family care homes (See NCGS 168-21) (See 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See 5.19)
<u>Art, Recreation & Entertainment</u>
Stables/accessory to dwelling
<u>Education, Public, Administration, Health Care, and Institutional</u>
Day Care facility, Home Child Care Center (See 5.10)

PERMITTED AS A SPECIAL USES

Special uses are subject to all other applicable standards of this ordinance and those requirements that may reasonably be imposed by the County of Lee consistent with the criteria set forth in 3.5 of this ordinance any Development Regulations which apply to said use.

<u>Accommodations and Group Living</u>
Dormitories for the students of colleges commercial schools, staff of hospitals
Nursing, supervision, adult care homes, group care facilities and other rehabilitative services
<u>Arts, Recreation & Entertainment</u>
Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Sports, stadiums or arenas
<u>Education, public Administration, Health Care, and Institutional</u>
Civic, social and fraternal organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
Fire, sheriff, and emergency services
Governmental functions, not otherwise listed
Libraries
Religious complex (more than 350 seats), new site
Schools, continuing education (alternative, adult colleges and universities, and technical, trade and other specialty schools)
Schools, pre-k – secondary (nursery and preschool, grade schools, elementary, middle and high school) new site
<u>Transportation, Communication, and Utilities</u>
Sewage treatment and water treatment plants

PERMITTED AS SPECIAL USE WITH DEVELOPMENT REGULATIONS

The uses below are permitted as a special use, but will also be subject to the requirements of Supplement Development Regulations.

<u>Industrial & Manufacturing Uses</u>
Landfills C&D or LCID (greater than 2 acres in size) (See 5.20)
Mining and quarries
<u>Education, Public Administration, Health Care, and Institutional</u>
Cemeteries, public and private (does not include individual family plots) (See 5.6)
Day care facility, home child care center (See 5.10)
<u>Transportation, Communication, and Utilities</u>
Telecommunication towers (See 5.33)

L:UDO/Permitted Use/R-20 Residential Single-Family

R-6, RESIDENTIAL MIXED ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

<u>Residential Uses</u>
Dwelling, Multifamily (three or more units) (See Section 10.3)
Dwelling, Single-family attached (See Section 10.3)
Home occupations (See Section 5.16)
<u>Accommodations and Group Living</u>
Bed and breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21 and Section 5.12)
<u>Industrial & Manufacturing Uses</u>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<u>Education, Public Administration, Health Care, and Institutional</u>
Day Care facility, Home Child Care (See Section 5.10)

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

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

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Josh Chenery

REQUEST: Rezone from Residential Single-Family (R-20) to Residential Mixed (R-6)

LOCATION: Lemon Springs Rd & Glendale Cir

PIN: 9651-16-7869-00

DATE: 2022-10-28

PIN	Property Address	Owner1	Owner2	Mailing Address
9651-17-2334-00	2906 LEMON SPRINGS RD	ROUSE, JAMES E JR		2906 LEMON SPRINGS RD SANFORD NC 27332
9651-17-2207-00	2910 LEMON SPRINGS RD	BENITEZ, NAU VALENTE	VILLALBA, CRISTAL Y NAVARRETE	2910 LEMON SPRINGS RD SANFORD NC 27332
9651-16-0822-00	3008 LEMON SPRINGS RD	MULLINS, DERRELL W	MULLINS, DEETZ	2390 CEDAR LANE DARLINGTON SC 29540
9651-06-8450-00	3100 LEMON SPRINGS RD	BORDWELL, BRENDA JOHNSON		2490 POPLAR SPRINGS CHURCH RD SANFORD NC 27330
9651-17-0091-00	3000 LEMON SPRINGS RD	TRENT RIVER FW HOLINESS CHURCH		PO BOX 2601 SANFORD NC 27331
9651-06-9783-00	0 LEMON SPRINGS RD	GREGORY, JAMES EDWARD II	GREGORY, MARY MARTIN	1116 HAWKINS AVE SANFORD NC 27330
9651-06-9559-00	0 BRENDA ST	CASTANEDA, ESTEBAN FLORES	FLORES, MARISOL ZETINO	2512 MEADOW VIEW LN SANFORD NC 27332
9651-26-5470-00	0 LIBBY ST	BUCHANAN, NIKKI C		2826 KENDALE DR SANFORD NC 27332
9651-26-2775-00	0 MICHELLE ST	TORRES, MANUEL	TORRES, BARBARA	1116 DURBON PARK DR JACKSONVILLE FL 32259
9651-26-6177-00	2916 KENDALE DR	WALTON, VIVIAN E		1365 ST NICHOLAS AVE NEW YORK NY 10033
9651-27-0742-00	2801 LEMON SPRINGS RD	SCHWARZ PROPERTIES LLC		PO BOX 1104 ASHEBORO NC 27204
9651-17-4198-00	2911 LEMON SPRINGS RD	LOUIS-JEAN, CLAUDE	LOUIS-JEAN, DAWN M	2911 LEMON SPRINGS RD SANFORD NC 27332
9651-17-5335-00	2901 LEMON SPRINGS RD	ZHENG, ZHENG ZHUO	DONG, DAN	3486 RESENT BRANCH DR NEW HILL NC 27562
9651-17-4046-00	2919 LEMON SPRINGS RD	FARROW, STELLA CURRIE		715 NICHOLSON RD SANFORD NC 27332
9651-26-0109-00	232 GLENDALE CIR	BULLOCK, STEPHEN COLBY	BULLOCK, MEGAN MARILEE SHELLMAN	232 GLENDALE CIR SANFORD NC 27332
9651-26-1152-00	236 GLENDALE CIR	SIMMONDS, SHAWN RICHARD	SIMMONDS, STEFANNIE RUTH	236 GLENDALE CIR SANFORD NC 27332

9651-16-9203-00	228 GLENDALE CIR	GAINEY, WILLIAM E JR		228 GLENDALE CIR SANFORD NC 27332
9651-16-8206-00	224 GLENDALE CIR	JIMENEZ, AGUSTIN LOPEZ	PUGA, EVELYN CASTILLO	224 GLENDALE CIR SANFORD NC 27330
9651-16-7218-00	220 GLENDALE CIR	BRADLEY, BRANDON J		220 GLENDALE CIR SANFORD NC 27332
9651-16-6311-00	216 GLENDALE CIR	LEAK, DETWAN M	LEAK, TENISHA	216 GLENDALE CIR SANFORD NC 27332
9651-16-5333-00	212 GLENDALE CIR	SMITH, LONDON V		212 GLENDALE CIR SANFORD NC 27332
9651-16-4334-00	208 GLENDALE CIR	PRELOW, ERNEST W	PRELOW, ALICIA	208 GLENDALE CIR SANFORD NC 27332
9651-16-3324-00	204 GLENDALE CIR	PRINCE, DARNELL	PRINCE, DESHANTA	204 GLENDALE CIR SANFORD NC 27332
9651-16-1315-00	285 GLENDALE CIR	MATTOCK, DAVID-PAUL MICHAEL	CHE, THI NGOC BINH	285 GLENDALE CIR SANFORD NC 27332
9651-16-7869-00	0 GLENDALE CIR	MEGAN & ALLYSON LLC		271 REYNWOOD VISTA LN SANFORD NC 27330
9651-25-4964-00	0 GLENDALE CIR	MEGAN & ALLYSON LLC		271 REYNWOOD VISTA LN SANFORD NC 27330
9651-07-9240-00	0 LEMON SPRINGS RD	ROB RON'S FARM, LLC		PO BOX 1320 SANFORD NC 27331
9651-16-0952-00	0 LEMON SPRINGS RD	ROB RON'S FARM, LLC		PO BOX 1320 SANFORD NC 27331
N/A	N/A	JOSH CHENERY		4080 BARRETT DR RALEIGH NC 27609

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



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: 2mm LLC - Selva Mohan
2. Applicant Address: 109 Oxyard Way, Cary, NC 27519
3. Applicant Telephone: 919-434-5002
4. Name and Address of Property Owner(s) if different than applicant:
Stewart Thomas
1813 Madison Dr., North Myrtle Beach 29582
5. Location of Subject Property: 701 & 707 N. Horner Blvd, 816 A N. Gulf St
Lee Co. P.I.N. 9643-32-8883-00, 9643-32-9743-00, 9643-32-8941-00, 9643-32-7649-00
6. Total Area included in Rezoning Request: 2.27 Acres
7. Zoning Classification: Current: R-12 Requested: Conditional Use Vista Townhomes
8. Existing Land Use(s): Vacant, used to be apartments
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning):
To develop a Townhomes subdivision with 18 units.
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.

Stewart Thomas
S. Mohan SELVA MOHAN
Signature of Property Owner(s) (Sign & Print)

9-10-22
9/7/22
Date

Required Attachments/Submittals

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

STAFF USE ONLY

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

\$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): A residential subdivision with 18 Townhomes sites. Minimum lot area is 2,000 sf.
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.

The address is 701 & 707 N. Horner Blvd and 816 N. Gulf St. There will be 18 townhomes, two stories, hardy plank siding, with a garage and parking for one car outside. City Street with a 55' R/W, curb and gutter and 5' sidewalk on both sides of the road and along Horner Blvd. Served by City water & sewer. Proposed 8 ft Type A buffer with adjacent tracts. There will be street trees and shrubs in front of houses.

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.

Stewart Thomas Stewart Thomas 9-6-22
S. Mohan SELVA MOHAN 9/7/22

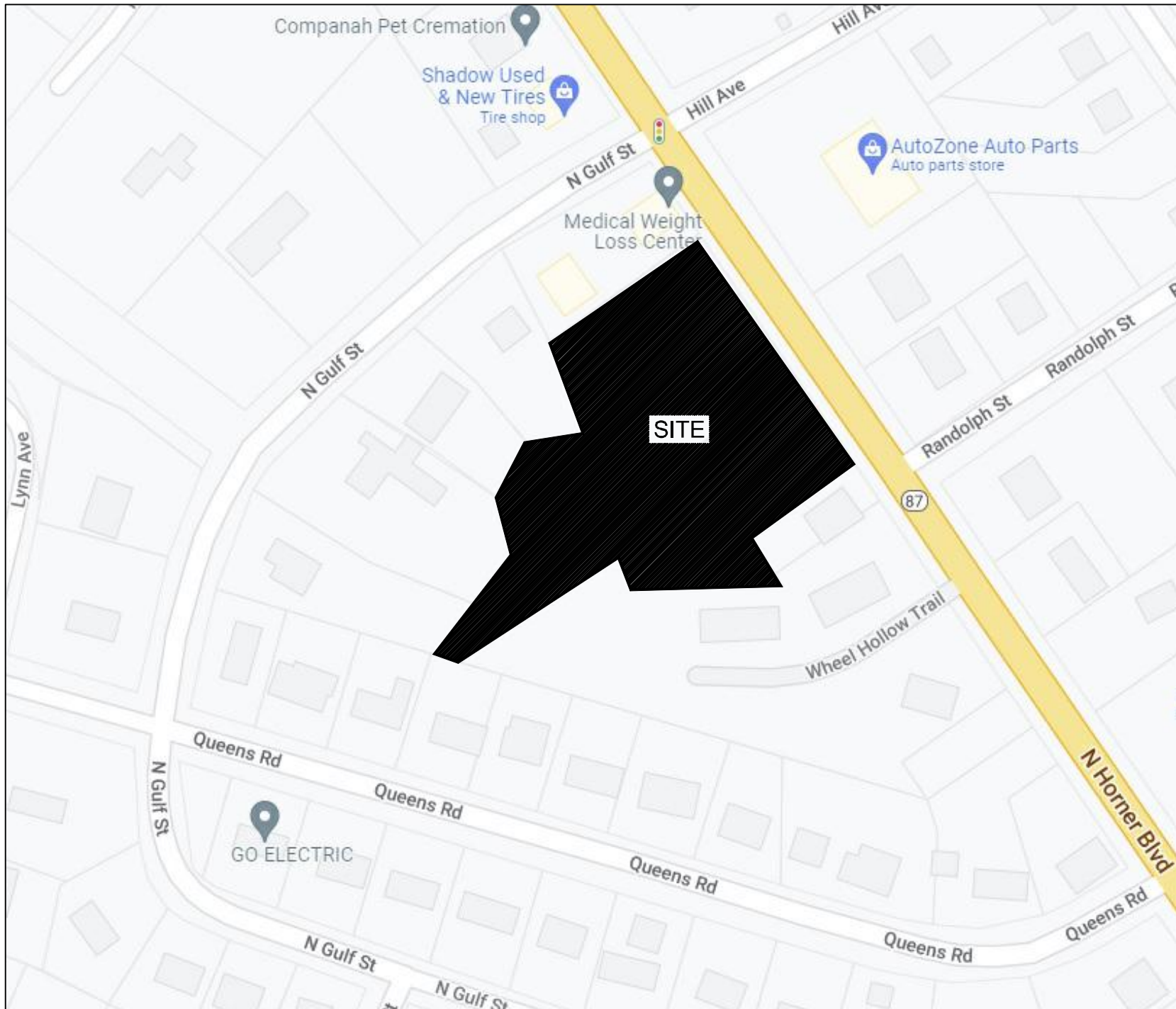
Signature (Sign & Print)

Date

VISTAS TOWNHOMES

701 & 707 N. Horner Blvd

SANFORD, NC 27330



INDEX

- C0 COVER
- C1 EXISTING PLAN
- C2 SITE PLAN
- C3 UTILITY PLAN
- C4 GRADING PLAN
- C5 BUFFER PLAN

PRELIMINARY PLAT FOR

VISTAS TOWNHOMES

WEST SANFORD TOWNSHIP
LEE COUNTY NORTH CAROLINA
JULY 29, 2022

OWNER: STEWART, THOMAS
1813 Madison Dr.
North Myrtle Beach 29582

BUYER/DEVELOPER: Selva Mohan
2MM LLC
109 Oxyard Way
Cary, NC 27519
(919-434-5002)

PIN # 9643-32-8883-00, 9643-32-9743-00
9643-32-8941-00, 9643-32-7649-00

SITE DATA:
TOTAL SITE SIZE: 2.27± Acres
THE PROJECT WILL HAVE 1 PHASE ONLY.
NUMBER OF LOTS: 18
SMALLEST LOT SIZE: 2,100 SQ. FT.
AVERAGE LOT SIZE: 2,100 SQ. FT.
SITE DENSITY = 7.9 LOTS/ACRE
HOME DIMENSIONS: 21' x 54'

LINEAR FEET OF STREET: 313 ft
PROPOSED ZONING: CONDITIONAL

PROPOSED MIN. BUILDING SETBACK
FRONT = 25 FT
REAR = 20 FT
BUILDING SEPARATION - 20 FT MIN.
MIN LOT WIDTH = 20 FT
MIN LOT DEPTH = 100 FT

UTILITIES:
SEWAGE: PROPOSED 8" PVC SDR 26 - CITY OF SANFORD
FLOW 18 HOMES x 360 GPD - 6,480 GPD
WATER: PROPOSED 6" C-900 CITY OF SANFORD

NOTES:
1) EXISTING CONTOURS FROM STATE SPATIAL.
2) NOT IN A WATERSHED
3) FLOOD ZONE: AE AS PER FEMA MAP 3710966100J REV. 9/6/06
4) EACH HOME WILL HAVE IT'S OWN ROLL-OFF TRASH CAN
5) PRELIMINARY BOUNDARY FROM FIELD WORK BY THOMAS J. MATTHEWS, PLS

PREVIOUS IMPERVIOUS AREA TAKEN FROM OLD CITY MAPS		
TOTAL SITE AREA	2.27 Ac	98,881 SF
IMPERVIOUS AREA BLDGS	0.15 Ac	6,440 SF
IMPERVIOUS AREA PARKING & DWY	0.21 Ac	9,274 SF
TOTAL IMPERVIOUS AREA	0.36 Ac	15,714 SF
SITE PERCENT IMPERVIOUS	16 %	

IMPERVIOUS AREA		
TOTAL SITE AREA	2.27 Ac	98,881 SF
IMPERVIOUS AREA BLDGS (18x21'x54')	0.47 Ac	20,412 SF
IMPERVIOUS AREA ROAD/CG, DWY & SW	0.59 Ac	25,700 SF
IMPERVIOUS AREA OFFICE/MAIL	0.01 Ac	500 SF
TOTAL IMPERVIOUS AREA	1.07 Ac	46,609 SF
SITE PERCENT IMPERVIOUS	47 %	

OPEN SPACE	
TOTAL SITE AREA	2.27 Ac
OPEN SPACE	0.89 Ac
% OPEN SPACE	
39.4%	

CONDITIONAL USE NOTES
THE SITE WOULD ONLY ALLOW SINGLE-FAMILY ATTACHED DWELLINGS WITH:
MINIMUM LOT SIZE OF 2,000 SF,
MINIMUM LOT DEPTH OF 90-FEET, AND A MINIMUM LOT WIDTH OF 20-FEET.

THE FOLLOWING MINIMUM BUILDING SETBACKS FOR THE HOMES SHALL BE:
FRONT: 25-FEET, AS MEASURED FROM THE RIGHT OF WAY OF THE PUBLIC STREET,
REAR: 20-FEET, AS DETERMINED BY THE ORIENTATION OF THE HOUSE AND MEASURED FROM THE REAR PROPERTY LINE; AND
BUILDING SEPARATION: 20-FEET.

STREET LIGHTS
1. SPACING ALONG PUBLIC RIGHTS-OF-WAY SHALL BE DETERMINED BY THE APPROPRIATE UTILITY PROVIDER.
2. THE HEIGHT OF STREETLIGHT FIXTURES SHALL BE 14 VERTICAL FEET.
3. STREETLIGHT FIXTURES SHALL NOT PRODUCE DIRECT LIGHT INTO ADJACENT PROPERTIES
4. STREETLIGHTS ALONG RESIDENTIAL STREETS SHALL UTILIZE "OPEN TRADITIONAL" DESIGN ON A BLACK FINISHED, TYPE "A" FIBERGLASS POLE AS PROVIDED BY DUKE ENERGY OR AN EQUIVALENT UTILITY PROVIDER.



Know what's below.
Call before you dig.

REVISIONS:

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CONTACT:

SCALE: AS SHOWN

DATE: 7-29-2022

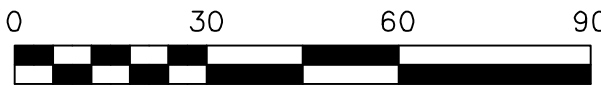
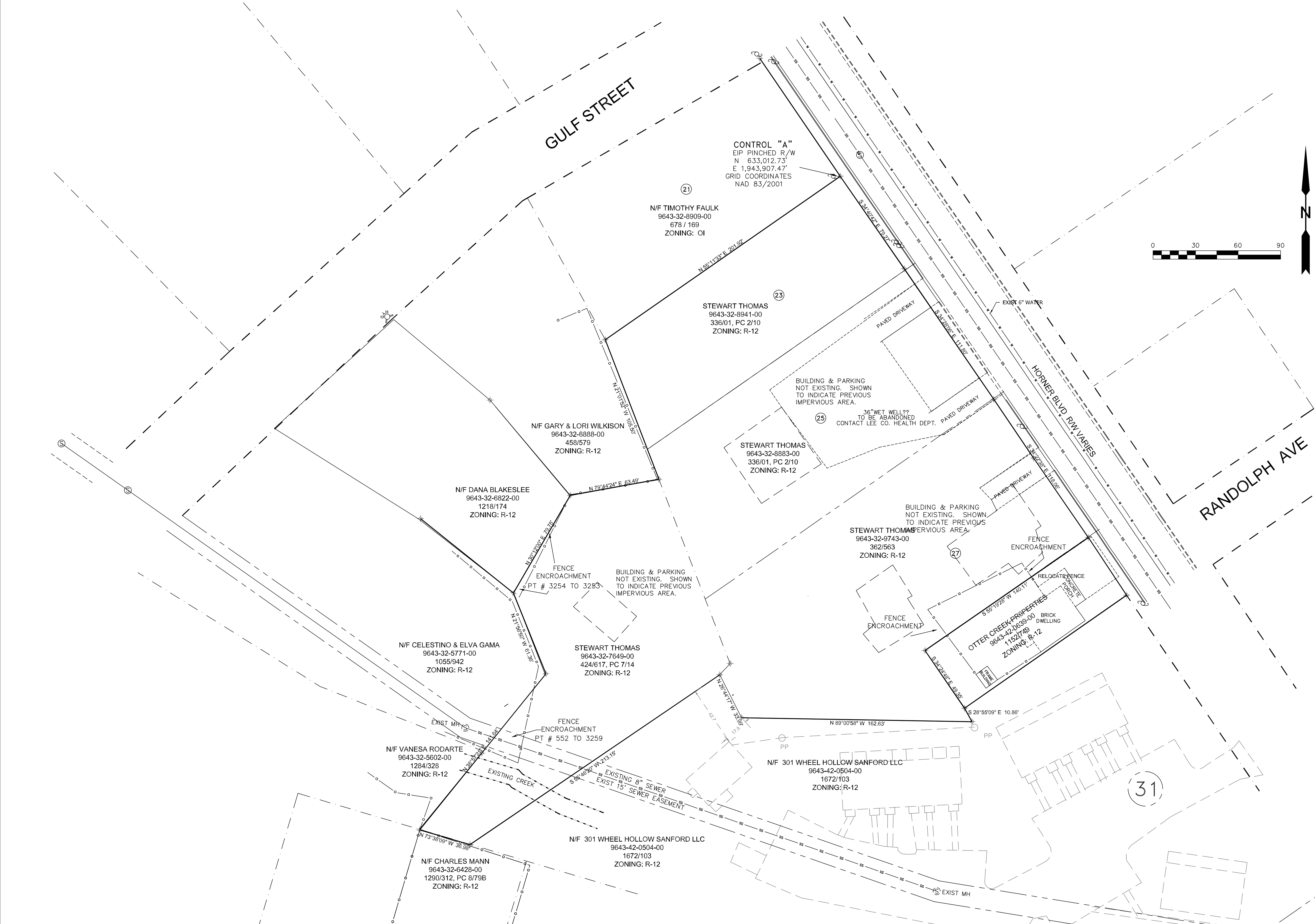
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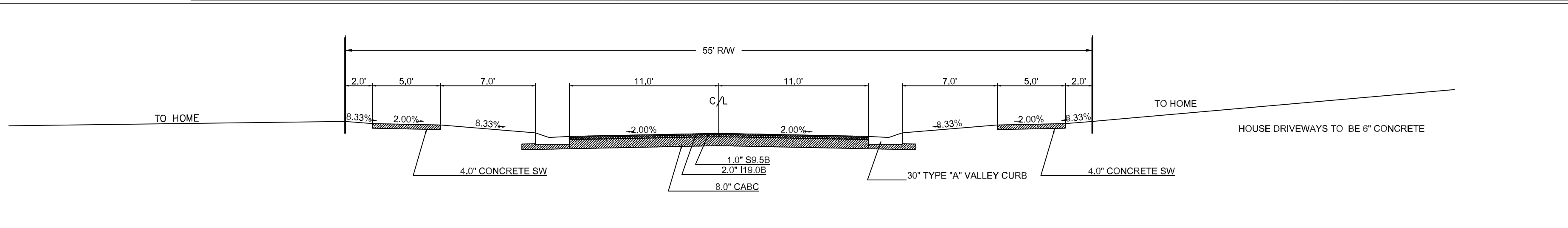
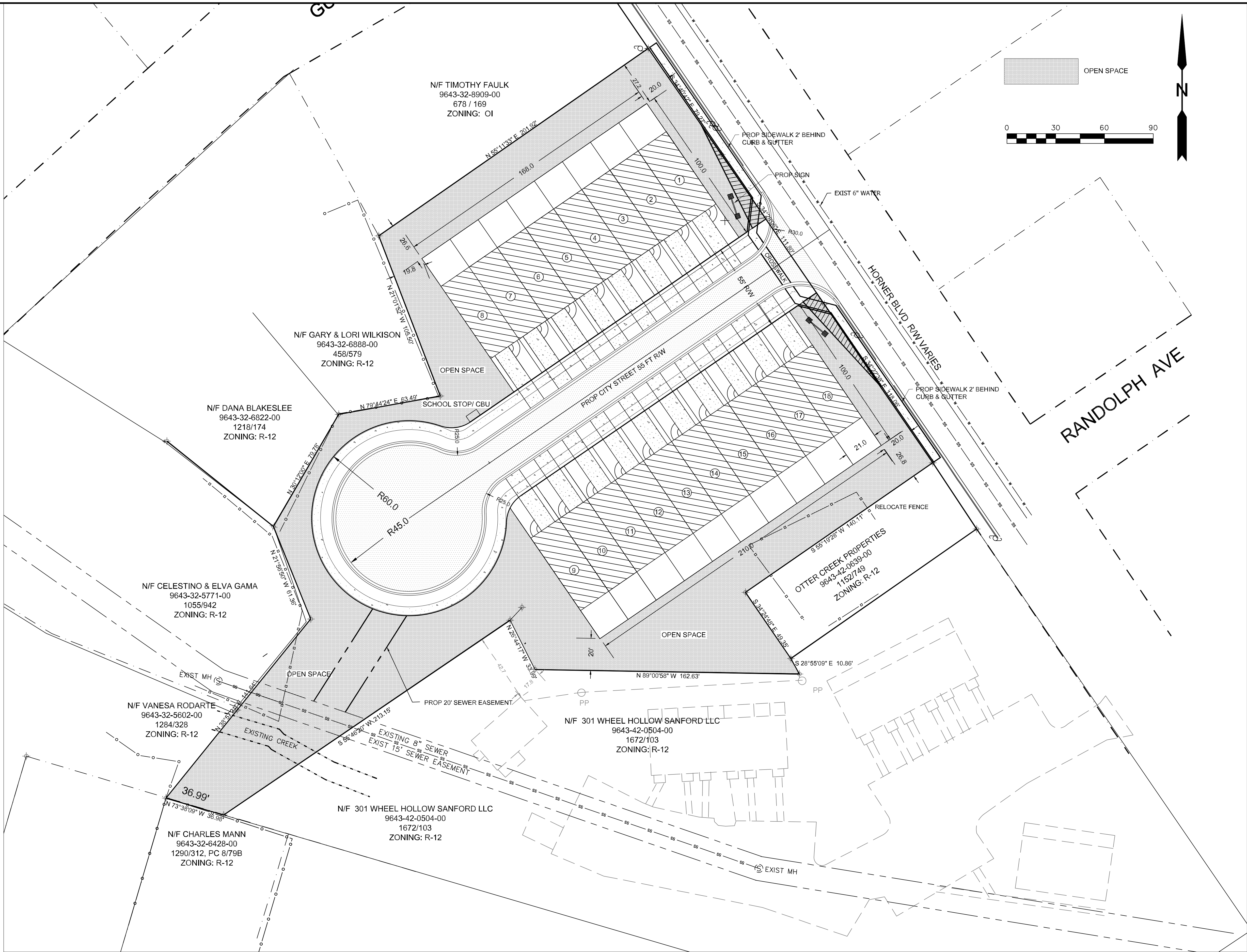
KEN BRIGHT ASSOCIATES PLLC
P-0781
CONSULTING ENGINEERS
P.O. BOX 553, 2305 CANTHAGE ST.
SANFORD, NC 27331
PHONE: (919) 776-5444
e-mail: kbright@kenbrightengineering.com
www.kenbrightengineering.com

Selva Mohan
2MM LLC
109 Oxyard Way
Cary, NC 27519
(919-434-5002)

VISTAS TOWNHOMES
COVER



REVISIONS:		KEN BRIGHT ASSOCIATES PLLC	
		P-0781	
		CONSULTING ENGINEERS	
		P.O. BOX 553 7305 CANTHAGE ST.	
		SANFORD, NC 27331	
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DATE: 7-29-2022		Salva Mohan	
SCALE: AS SHOWN		2MM LLC	
109 Oxyard Way		VISTAS TOWNHOMES	
CARY, NC 27519		EXISTING CONDITIONS	
PP-202222-VISTAS		C1	
FILE:			



C2	DATE: 7-29-2022	SCALE: AS SHOWN	CONTACT: Salva Mohan 2MM LLC 109 Oxyard Way Cary, NC 27519 (919)434-5002	THESE DRAWINGS AND RELATED DOCUMENTS ARE INSTRUMENTS OF SERVICE AND AS SUCH, ARE THE PROPERTY OF KEN BRIGHT ASSOCIATES, PLLC. THEY SHALL NOT BE USED, ALTERED, OR REPRODUCED IN ANY MANNER WITHOUT THEIR WRITTEN CONSENT. ©KEN BRIGHT ASSOCIATES, PLLC, 2022	KEN BRIGHT ASSOCIATES PLLC P-0781 CONSULTING ENGINEERS P.O. BOX 553 7305 CANTHAGE ST. SANFORD, NC 27331 PHONE: (919) 776-5444 e-mail: kbright@kenbrightengineering.com www.kenbrightengineering.com	REVISIONS:

PP-202222-VISTAS

LEGEND

WATER METER

EXIST HYDRANT ASSEMBLY

PROP HYDRANT ASSEMBLY

EXIST WATERLINE

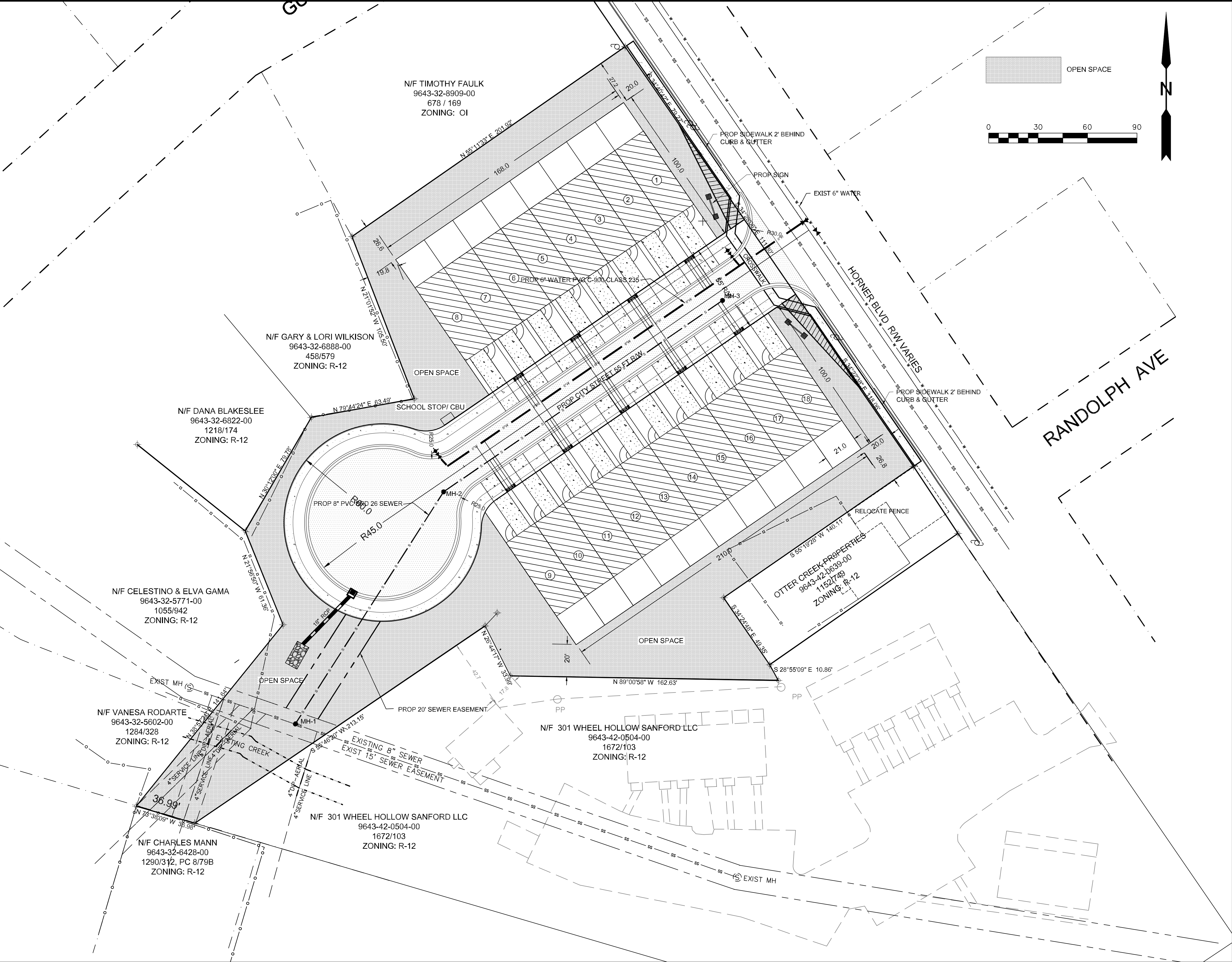
PROP. WATER LINE

PROP SEWER & MH

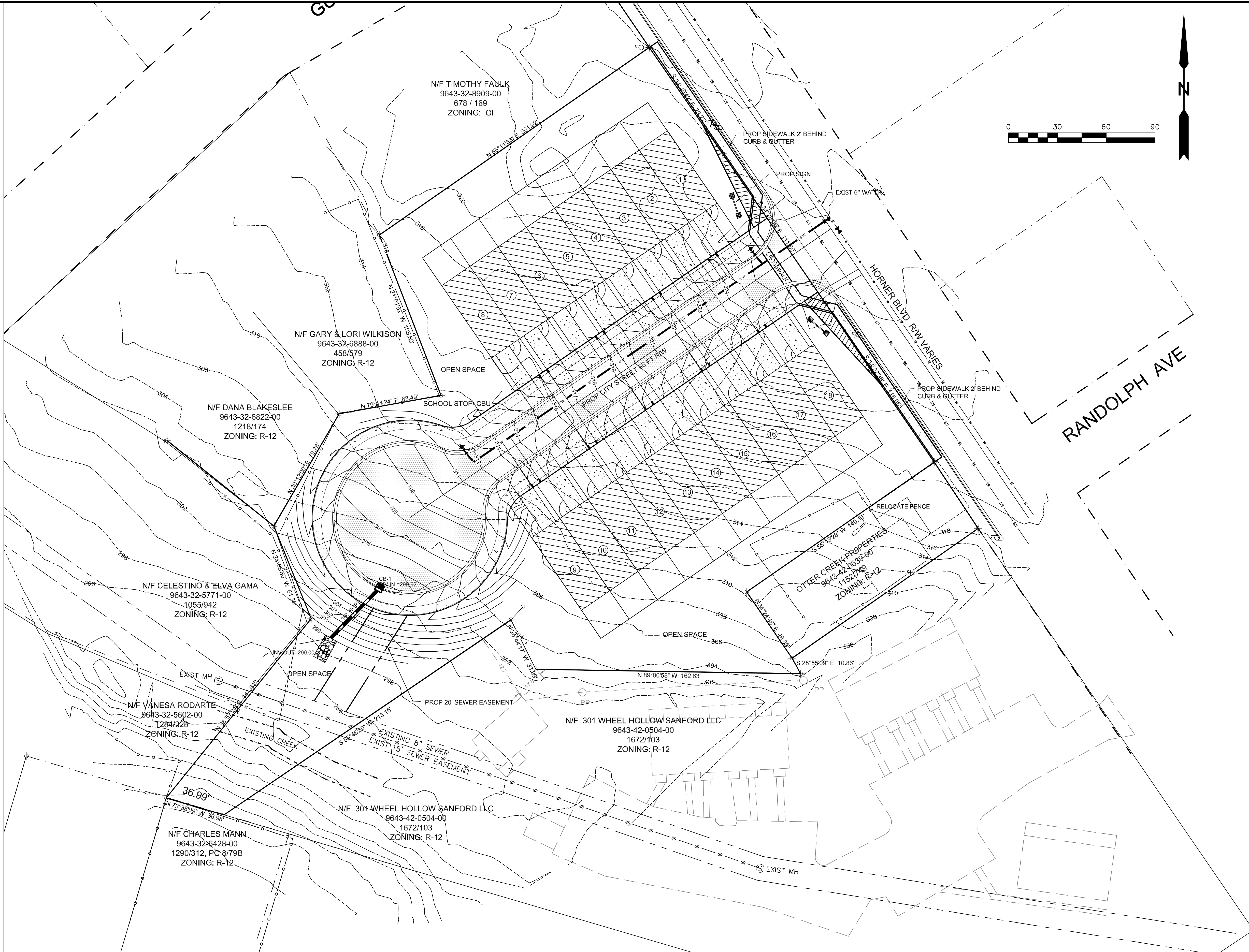
EXIST SEWER & MH

EXISTING WATER VALVE

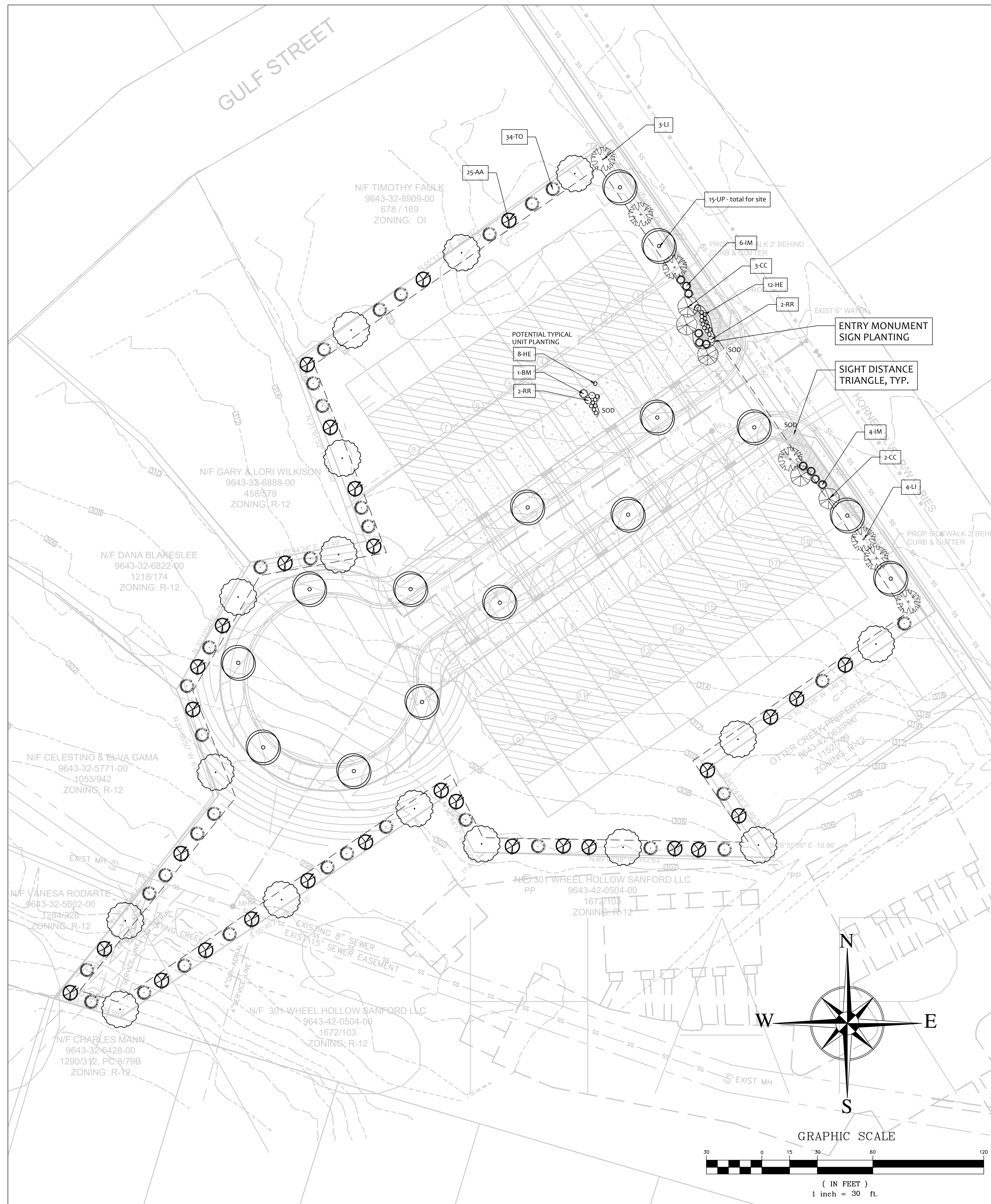
PROPOSED WATER VALVE



FILE:	DATE: 7-29-2022	SCALE: AS SHOWN	CONTACT: Salva Mohan 2MM LLC 109 Oxyard Way Cary, NC 27519 (919-434-5002)	VISTAS TOWNHOMES UTILITY PLAN	C3	KEN BRIGHT ASSOCIATES PLLC P-0781 CONSULTING ENGINEERS P.O. BOX 553 2395 CARTHAGE ST. SANFORD, NC 27331 PHONE: (919) 776-3444 e-mail: kbright@kenbrightengineering.com www.kenbrightengineering.com		REVISIONS:
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FILE:	C4	DATE: 7-29-2022	SCALE: AS SHOWN	CONTACT: Salva Mohan 2MM LLC 109 Oxyard Way Cary, NC 27519 (919-434-5002)	THESE DRAWINGS AND RELATED DOCUMENTS ARE INSTRUMENTS OF SERVICE AND AS SUCH, THEY SHALL REMAIN THE PROPERTY OF KEN BRIGHT ASSOCIATES, P.L.L.C. AND BE REPRODUCED WITHOUT THEIR WRITTEN CONSENT. © KEN BRIGHT ASSOCIATES, P.L.L.C. 2023	KEN BRIGHT ASSOCIATES PLLC P-0781 CONSULTING ENGINEERS P.O. BOX 553 7305 CANTHAGE ST. SANFORD, NC 27331 PHONE: (919) 776-5444 e-mail: kbright@kenbrightengineering.com www.kenbrightengineering.com	REVISIONS:																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											</
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1 PLANTING PLAN
SCALE: 1"=30'

SOUTH TYPE A BUFFER WITH WHEEL HOLLOW - 8'

BUFFER LENGTH: 410'
LARGE TREES REQ'D: 1 / 100 LF 410 LF/100 LF = 5 LARGE TREES
POINTS REQUIRED 0.2 POINTS / LF = 0.2 x 410 = 82 POINTS

LARGE TREES PROVIDED: 5

SHRUBS PROVIDED: 22

TOTAL POINTS PROVIDED

LARGE TREES: 5 TREES x 12 PNTS/ TREE =	60 POINTS
SHRUBS: 22 SHRUBS x 1 PNT/SHRUB =	22 POINTS
TOTAL POINTS PROVIDED =	82 POINTS

NORTH TYPE A BUFFER WITH OTTER CREEK

BUFFER LENGTH: 189.46'
LARGE TREES REQ'D: 1 / 100 LF 189.46 LF/100 LF = 2 LARGE TREES
POINTS REQUIRED 0.2 POINTS / LF = 0.2 x 189.46 = 38 POINTS

LARGE TREES PROVIDED: 3

SHRUBS PROVIDED: 8

TOTAL POINTS PROVIDED

LARGE TREES: 3 TREES x 12 PNTS/ TREE =	36 POINTS
SHRUBS: 8 SHRUBS x 1 PNT/SHRUB =	8 POINTS
TOTAL POINTS PROVIDED =	44 POINTS

STREET YARD - 8'

BUFFER LENGTH = 309'
SMALL TREES REQ'D: 2 TREE/50 FT = 309 FT/50 X 2 = 13
STREET TREES PROVIDED = 15
SMALL TREES PROVIDED = 12

NORTH TYPE A BUFFER WITH TIMOTHY FAULK - 8'

BUFFER LENGTH: 201.92'
LARGE TREES REQ'D: 1 / 100 LF 201.9 LF/100 LF = 3 LARGE TREES
POINTS REQUIRED 0.2 POINTS / LF = 0.2 x 201.9 = 41 POINTS

LARGE TREES PROVIDED: 3

SMALL SHRUBS PROVIDED: 9

TOTAL POINTS PROVIDED

LARGE TREES: 3 TREES x 12 PNTS/ TREE =	36 POINTS
SHRUBS: 9 SHRUBS x 1 PNT/SHRUB =	9 POINTS
TOTAL POINTS PROVIDED =	45 POINTS

WEST TYPE A BUFFER WITH GARY WILKISON - 8'

BUFFER LENGTH: 169'
LARGE TREES REQ'D: 1 / 100 LF 169 LF/100 LF = 2 LARGE TREES
POINTS REQUIRED 0.2 POINTS / LF = 0.2 x 169 = 34 POINTS

LARGE TREES PROVIDED: 2

SMALL SHRUBS PROVIDED: 10

TOTAL POINTS PROVIDED

LARGE TREES: 2 TREES x 12 PNTS/ TREE =	24 POINTS
SMALL SHRUBS: 10 SHRUBS x 1 PNT/SHRUB =	10 POINTS
TOTAL POINTS PROVIDED =	34 POINTS

NORTH TYPE A BUFFER WITH BLAKELEE, GAMA + RODARTE

BUFFER LENGTH: 204.6'
LARGE TREES REQ'D: 1 / 100 LF 204.6 LF/100 LF = 3 LARGE TREES
POINTS REQUIRED 0.2 POINTS / LF = 0.2 x 204.6 = 41 POINTS

LARGE TREES PROVIDED: 3

SMALL SHRUBS PROVIDED: 18

TOTAL POINTS PROVIDED

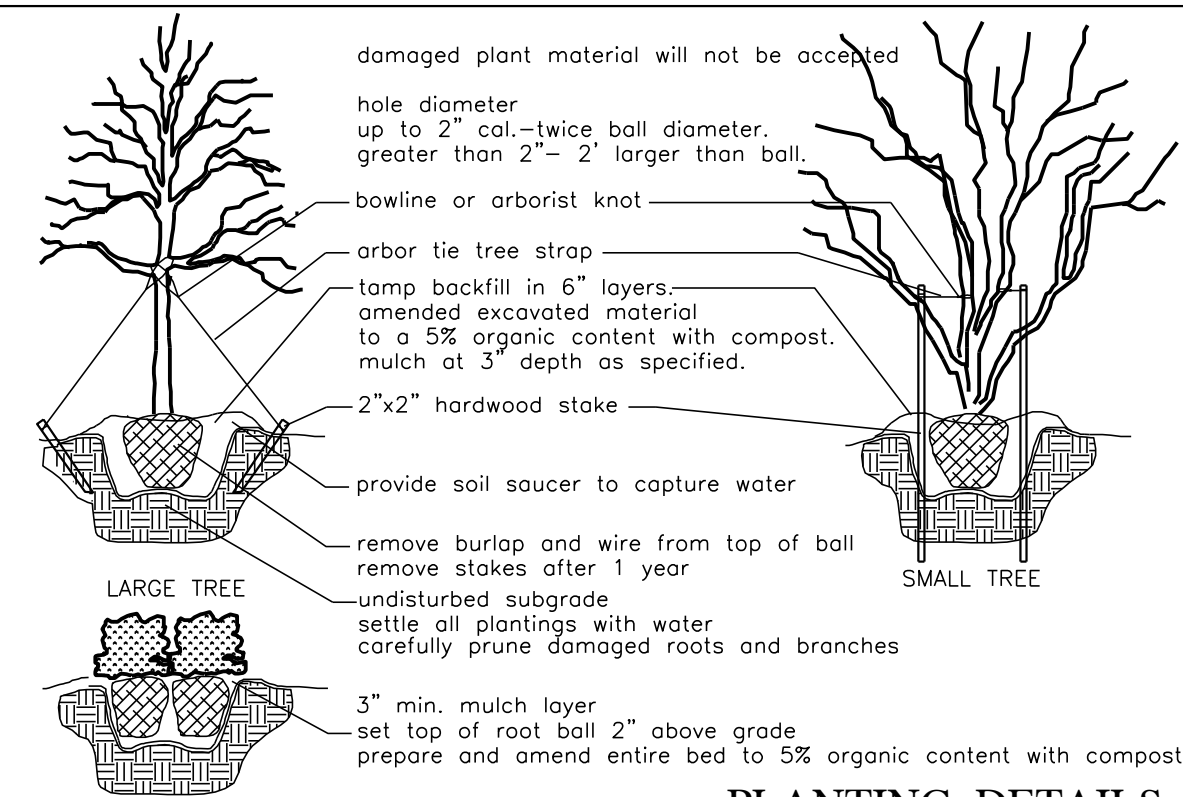
LARGE TREES: 3 TREES x 12 PNTS/ TREE =	36 POINTS
SMALL SHRUBS: 18 SHRUBS x 1 PNT/SHRUB =	18 POINTS
TOTAL POINTS PROVIDED =	54 POINTS



Know what's below.
Call before you dig.

PLANT LIST - Vista Townhomes

KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	QTY.	COMMENTS
QV	Quercus virginiana	Live Oak	2.5" cal.	B&B	17	
UP	Ulmus parvifolia	Bosque Elm	2.5" cal	5 gal.	15	
LI	Lagerstroemia indica	Crape Myrtle	6" cal.	B&B	7	2"/stem - 3 stems
CC	Cercis canadensis	Eastern Redbud	6-8" ht.	B&B	5	
AA	Amelanchier arborea	Serviceberry	6' ht	Cont.	30	
TO	Thuja occidentalis	Emerald Green Arborvitae	6' ht	Cont.	34	
RR	Rosa x 'Radwhite', 'Radrazz' & 'Radral'	Knock Out Shrub Rose	24" ht	Cont.	2	Eq. amts White, Pink & Coral
HE	Hemerocallis spp	Daylily	1 gal	Cont.	12	Yellow
IM	Ilex x meserveae 'Monnieves'	Scallywag Holly	24" ht	Cont.	10	
BM	Buxus microphylla var. japonica	Japanese Boxwood	36" ht	Cont.	n/a	Only shown in sample unit planting



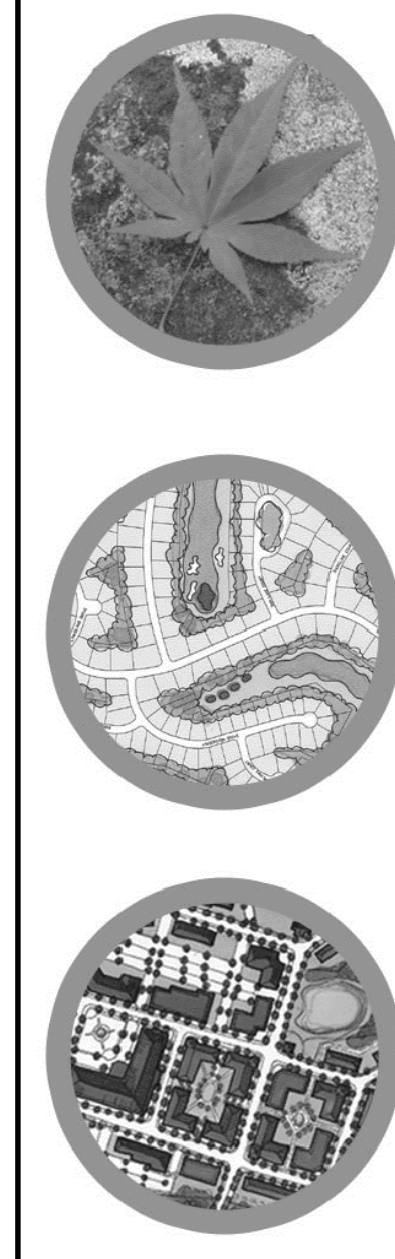
PLANTING DETAILS

GENERAL PLANTING NOTES

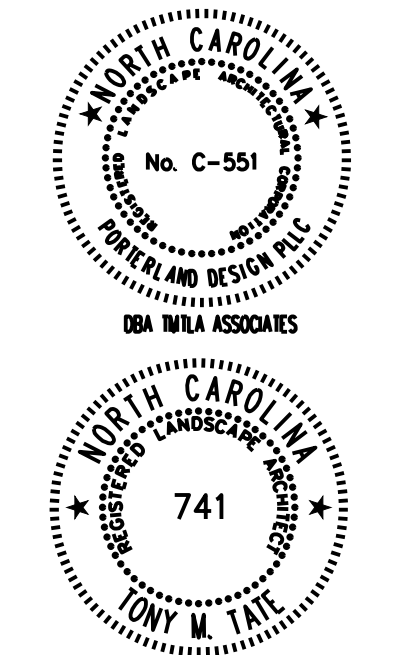
1. INSTALLATION OF TOTAL QUANTITIES AS SHOWN ON THE PLANTING PLAN SHALL BE THE RESPONSIBILITY OF THE PLANTING CONTRACTOR.
2. ALL TREES, SHRUBS, AND BEDDING PLANTS SHALL CONFORM TO THE ACCEPTED STANDARDS ESTABLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
3. ALL PLANTINGS AND SAUCERS SHALL BE SOAKED WITH WATER AND MULCHED IMMEDIATELY FOLLOWING INSTALLATION.
4. SET TOP OF TREE ROOT BALL 3" ABOVE GRADE, SHRUBS 2" ABOVE GRADE.
5. THE SIZE OF ALL ROOT BALLS SHALL CONFORM TO AAN STANDARDS.
6. FERTILIZE ALL PLANTS WITH AGRIFORM FERTILIZER TABLETS OR EQUAL APPLIED AT MANUFACTURERS RECOMMENDED RATE PER SOIL TEST REPORT.
7. CULING AND STAKING, IF NECESSARY, SHALL BE REMOVED AFTER ONE GROWING SEASON.
8. ALL ROOT BALLS REMOVED FROM CONTAINERS SHALL BE SCARIFIED PRIOR TO BACKFILLING.
9. ALL TREES HAVE BEEN LOCATED WITH RESPECT TO PROPOSED OR EXISTING FACILITIES AND STRUCTURES. VERIFY ANY FIELD ADJUST WITH OWNER OR AGENT.
10. REPORT ANY DISCREPANCIES TO THE PROJECT OWNER OR AGENT.
11. SUBSTITUTIONS OR ALTERATIONS SHALL NOT BE MADE WITHOUT PRIOR WRITTEN NOTIFICATION BY THE OWNER OR GOVERNING AUTHORITY.
12. APPLY 3" OF TRIPLE SHREDDED HARDWOOD MULCH TO ALL PLANTING AREAS.
13. IF ADVERSE PLANTING CONDITION EXIST, REPORT ISSUES TO PROJECT OWNER OR AGENT.
14. ALL NEWLY INSTALLED TREES, SHRUBS AND BEDDING PLANTS SHALL BE GUARANTEED FOR ONE YEAR.

LANDSCAPE PLAN NOTES:

1. All landscaping shall be installed and maintained in accordance with the Lee County development code and the latest edition of nursery standards by the American Nursery and Landscape Association (ANLA).
2. Call utility locator service prior to any disturbance on this site. Contractor shall be responsible for confirmation of marked utilities within the area of work.
3. Do not change the design without approval from the the Owner and/or code compliance authority.
4. All turf areas or areas not otherwise specified shall be seeded with Rebel IV or approved equal tall turf fescue and established per sediment and erosion control requirements.
5. All exposed soils or areas of disturbance shall be mulched, seeded, covered with sod or stabilized per sediment and erosion control requirements.
6. Hard fescue/wildflower mix shall be seeded in disturbed area not intended to be maintained as mowed turf or mulched landscape beds.
7. Products: Defiant Hard fescue or eqv. seed rate at 5 lbs / 1000 sf.
8. Products: Native Southeast Wildflower Seed Mix by American Meadows Seed Company or eqv at a seeding rate of 1 lbs /1000 sf.
9. Planting areas shall be fine graded consisting of 8" of native topsoil or imported eov and fertilized/limed per soil report.
10. Seeded or turf areas shall be fine graded, consisting of 4" of native topsoil or imported eov and fertilized/limed per soil report.
11. Landscape contractor shall verify plant quantities. If discrepancy exists, use higher quantity.
12. Sod or seeding areas shall be established per sediment and erosion control requirements for vegetative coverage.
13. All newly installed trees and shrubs shall be guaranteed for one year and replaced at the owners request if plant is stressed, damaged, diseased or dead.



TMTLA ASSOCIATES
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713
p: (919) 484-8880 e: info@tmtla.com



REVISIONS:

PLANTING PLAN
VISTA TOWNHOMES
N. HORNER BLVD., SANFORD, NC
2mm LLC

SCALE:
1"=30'
DRAWN BY:
RLM
PROJECT #
22123
DATE:
07-28-22
SHEET

VISTAS TOWNHOMES

FLOOR PLANS AND RENDERINGS

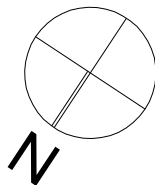
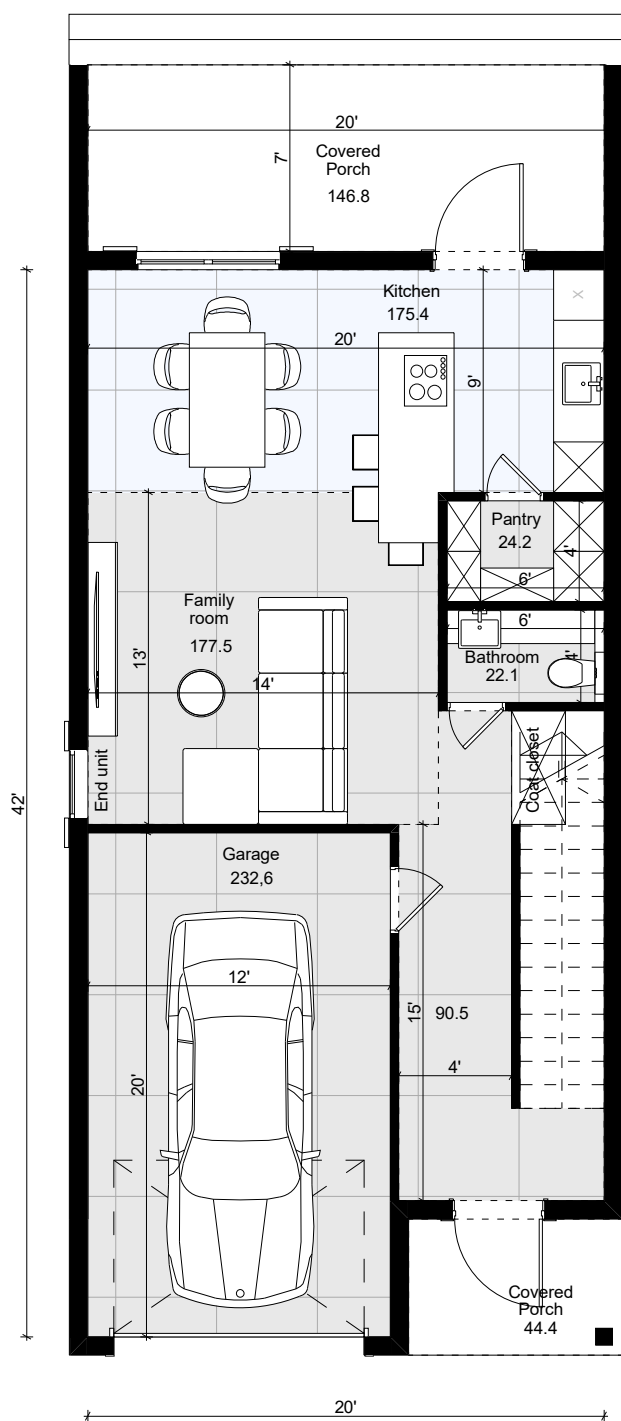
October 13, 2022

Chola

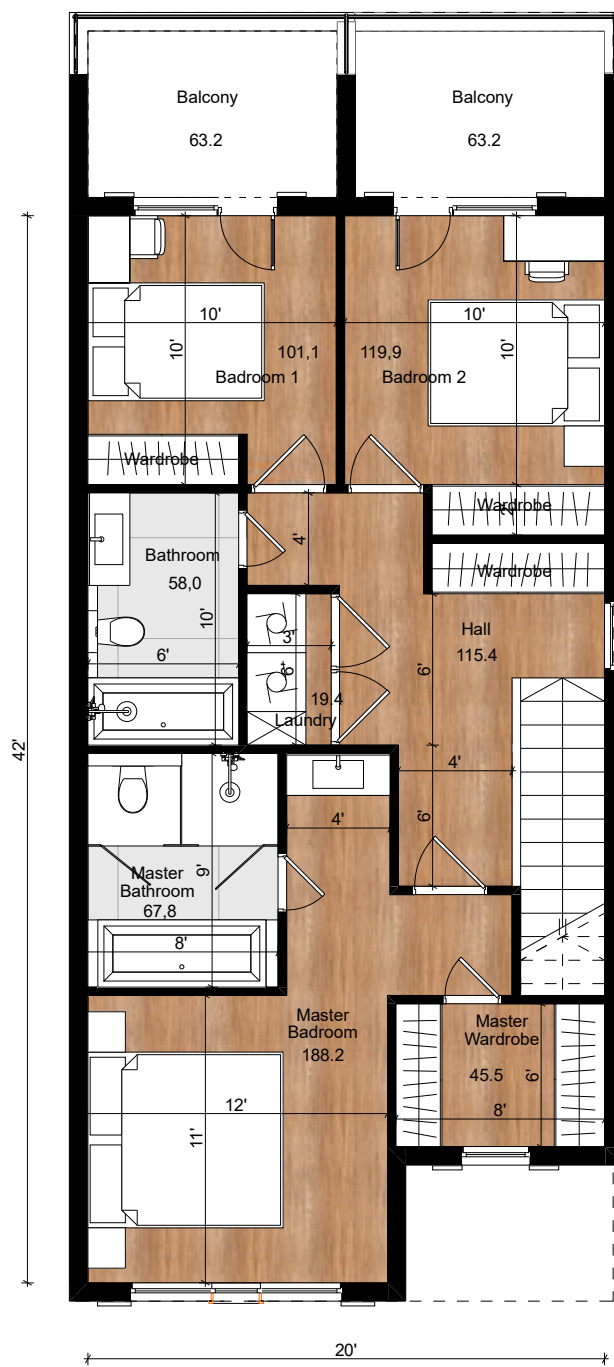
1,437 Total SQ FT

3 BED 2.5 BATH 2 STORY 1 CAR

First floor



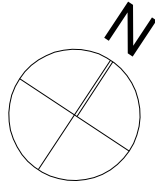
2nd floor



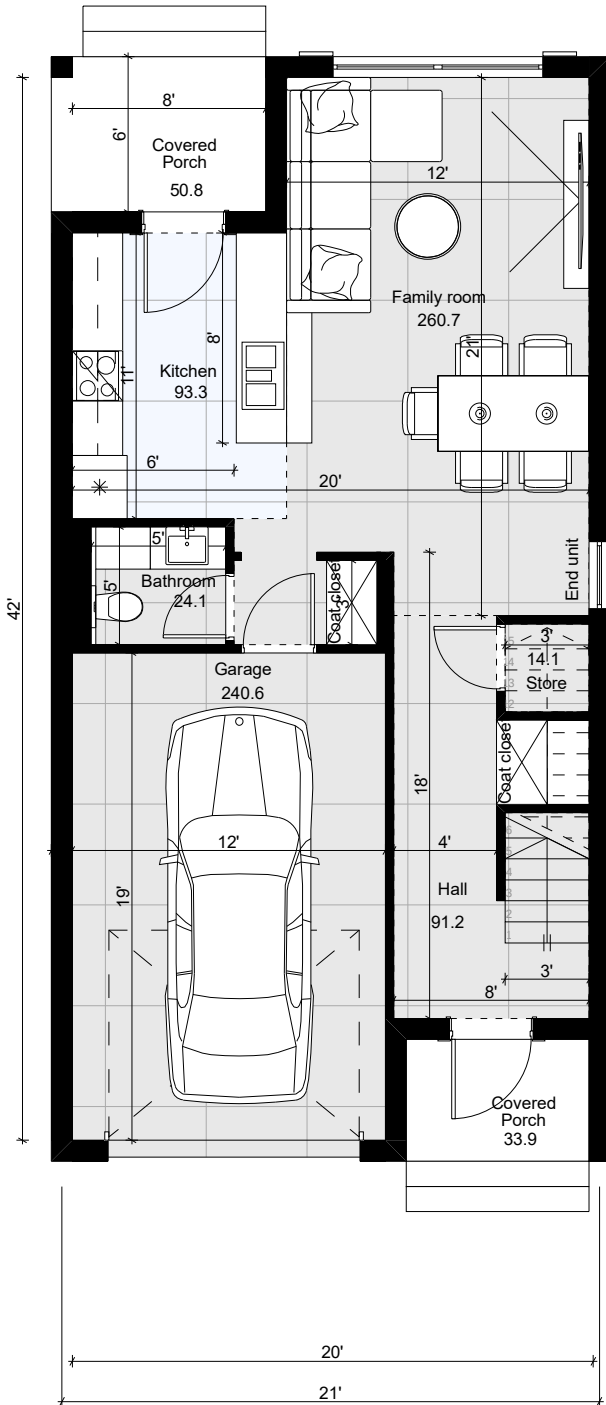
Pandya

1,448 Total SQ FT

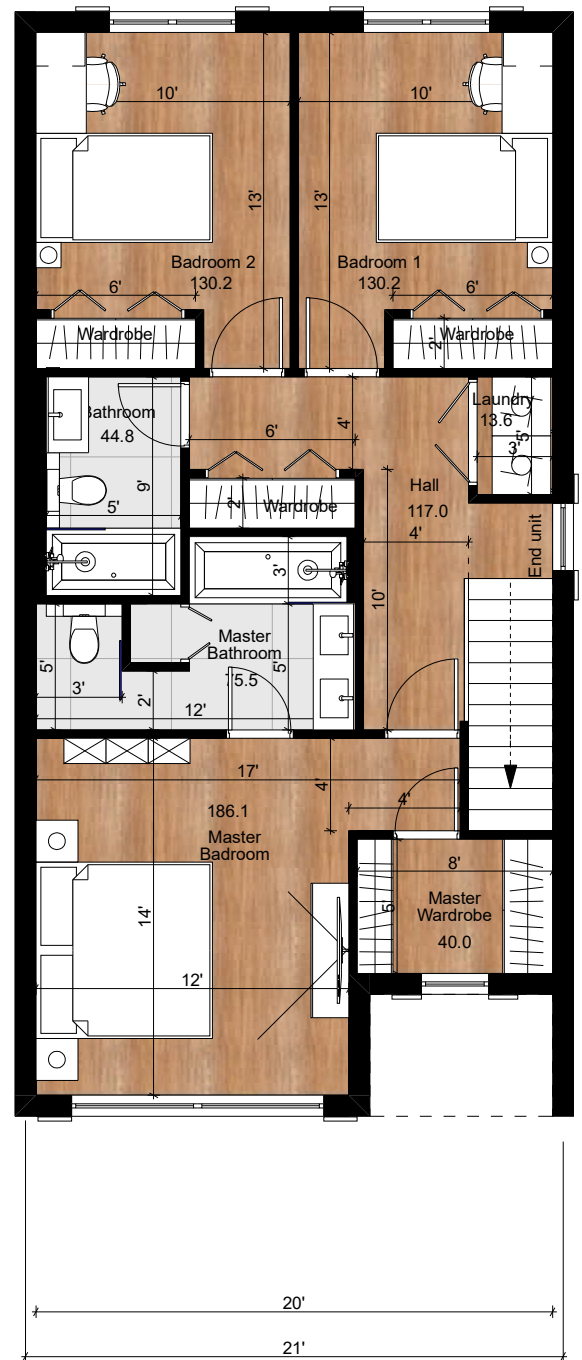
3 BED 2.5 BATH 2 STORY 1 CAR

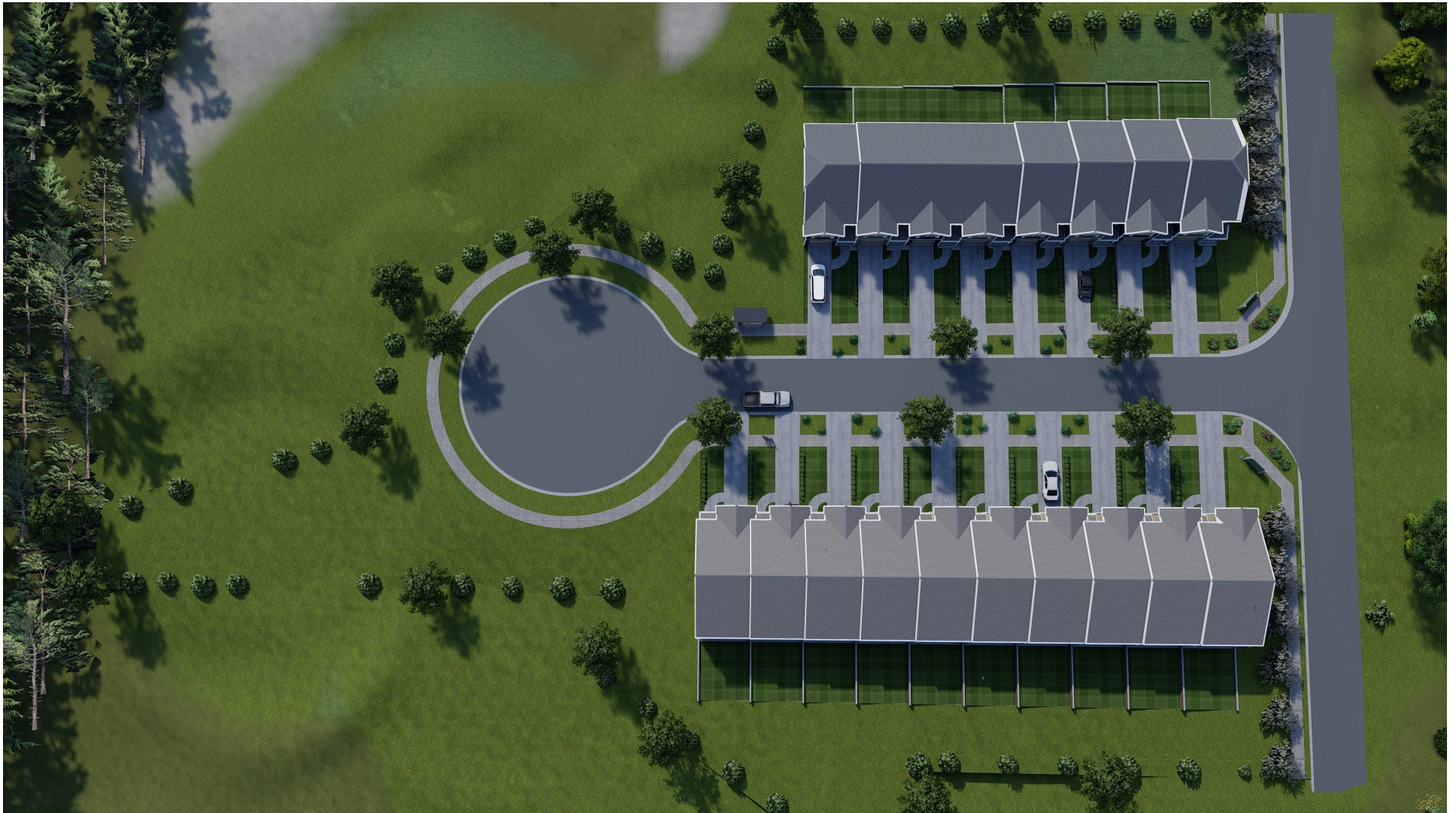


First floor



2nd floor













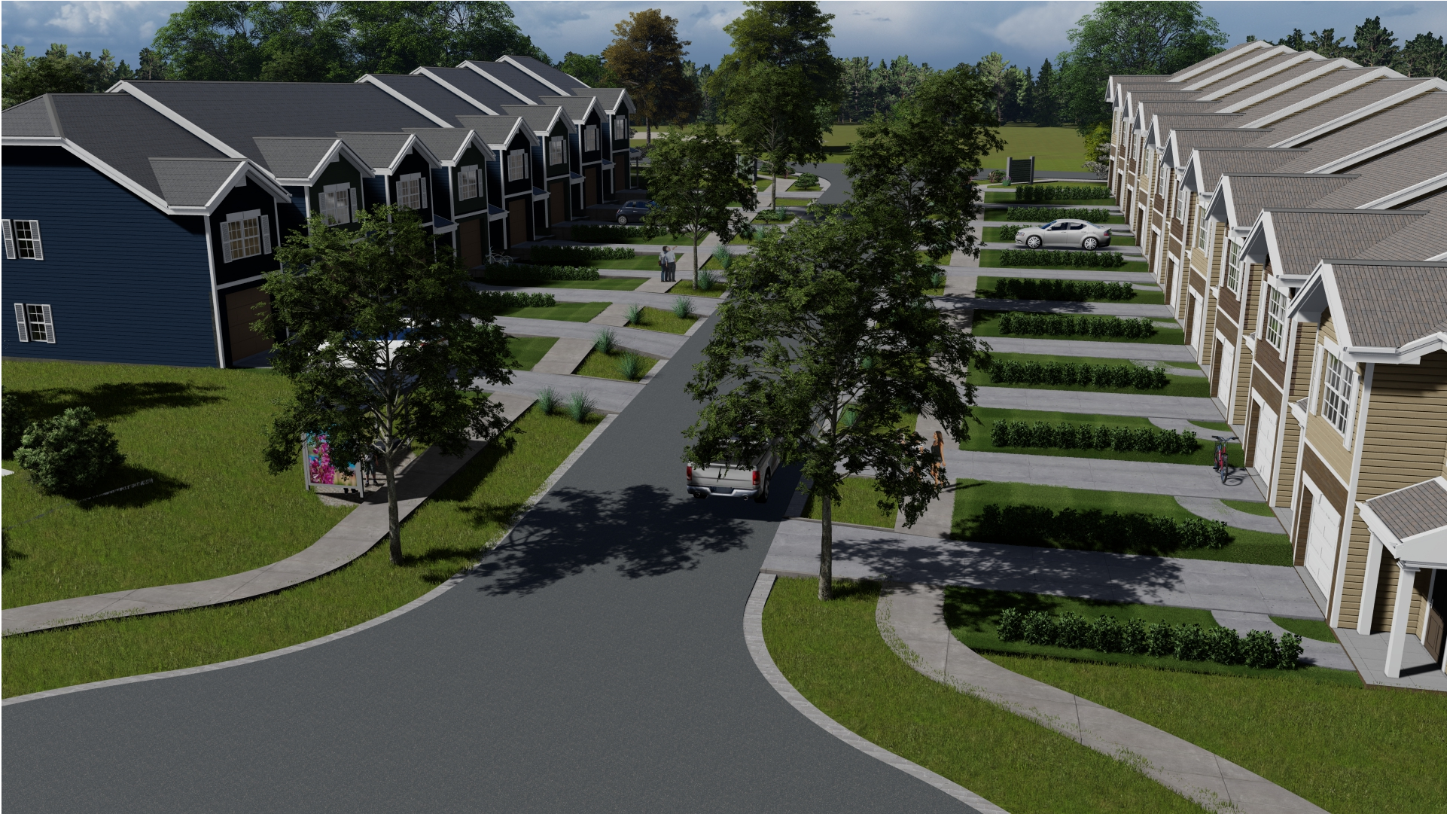












CITY OF SANFORD

CITY COUNCIL AND PLANNING BOARD

PUBLIC HEARING INFORMATION

November 15th, 2022

REQUEST

Selva Mohan of 2mm, LLC is requesting to rezone four (4) adjoining tracts of land comprising 2.27 +/- acres, located at 816 A N. Gulf Street and 701 and 707 N. Horner Boulevard, Residential Mixed (R-12) to the Vista Townhomes Conditional Zoning District to allow the development of a residential subdivision consisting of 18 townhouse units as illustrated on the “Vista Townhomes Site 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:	2mm LLC (Selva Mohan)
Property Owner:	Stewart Thomas
Request:	Rezone from Residential Mixed (R-12) to the Vista Townhomes CZ District
Location:	816 A N. Gulf Street; 701 and 707 N. Horner Boulevard
Acreage:	2.27 +/-
Tax Parcels:	9643-32-8883-00, 9643-32-9743-00, 9643-32-8941-00, & 9643-32-7649-00
Tax Map:	9643.03
Township:	West Sanford
Council Ward:	Ward 2
Fire District:	Central Fire Station
Schools:	BT Bullock Elementary West Lee Middle School Lee Senior High School

SITE DESCRIPTION

The site is comprised of four vacant lots located near the intersection of N. Horner Boulevard and N. Gulf Street that appear to have been formerly developed with houses addressed as 816 A N. Gulf Street and 701 and 707 N. Horner Boulevard.

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 Vista Townhomes 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. This site is an extension of the neighboring Tramway South Apartments project, which was rezoned to the aforementioned zoning district at the July 19th meeting of the Sanford City Council and was included in the original site plan for that conditional rezoning, which is now seeking further rezoning for the adjoining parcels featured in this rezoning request.

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 Vista Townhomes Conditional Zoning District:

- 18 townhomes, two stories in height, with hardy plank siding, a garage, and parking for one car outside.
- Offer of dedication of a street with 55' right-of-way, curb and gutter, and 5' sidewalks on both sides of the road and along Horner Blvd.
- The site will be served City water and sewer.
- Placement of an 8' type A buffer with adjacent tracts; placement of street trees and shrubs in front of the townhome units.

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

Adjacent Zoning

North: Office and Institutional (O&I), General Commercial (C-2)
 South: Residential Mixed (R-12)
 East: Office and Institutional (O&I), General Commercial (C-2)
 West: Residential Mixed (R-12), Residential Single-Family (R-20)

Adjacent Land Use

North: Single-family homes; medical clinic
 South: Wheel Hollow Apartments
 East: AutoZone; duplexes
 West: Single-family homes

PLAN SANLEE

The long-range land use plan identifies the subject property as Urban Neighborhood and Neighborhood Transition. The Urban Neighborhood designation is intended to create higher density residential neighborhoods in the city core that are walkable to adjacent urban commercial districts with a grid street

network as the typical development form. The local example is North 4th, 5th, and 6th streets in Sanford. The Neighborhood Transition designation is intended to provide an area for legacy residential neighborhoods to transition to small offices and service businesses along primary transportation routes leading to the downtown while still preserving residential character and acting as a buffer between downtown and urban neighborhoods. The local example is Woodland Avenue in Sanford. Information from the land use plan is provided as attachments to this report for your reference.

LOCAL OVERLAY DISTRICTS

This site is not located within a local overlay district.

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 a public water and sanitary sewer along N. Horner Blvd. The site also has access to a sanitary sewer line running through the rear of the 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.

TRANSPORTATION

The site has frontage on N. Horner Boulevard (US-421 BUS; NC-87) which is a State maintained road with a 70ft 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: This plan designates N. Horner Boulevard as a boulevard in need of improvement. The Plan also has designated Horner Boulevard as a primary project to widen the road to accommodate a center median and sidewalks where warranted.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2019 NCDOT AADT count of 13,500 vehicles per day on N. Horner Boulevard 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.

PUBLIC INFORMATION MEETING

A Public Information meeting will be held by the applicant prior to the public hearing and information regarding questions and concerns expressed will be presented during the public hearing.

STAFF RECOMMENDATION

The rezoning request complies with the *Plan SanLee* long-range plan designation of Urban Neighborhood and Neighborhood Transition both of which list single-family dwellings of up to 10 units per acre as desired land uses; the proposed project has a single-family attached density of 7.9 units per acre for reference. The applicant has followed staff direction regarding the design of the street, cul-de-sac, sidewalks, and curb and gutter. Finally, the applicant has proposed buffering that will beautify the cul-de-sac and protect future residents from the traffic along N. Horner Blvd. Based on the project's adherence to *Plan SanLee* and the design of the site, staff is supportive of this rezoning request.

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 both Urban Neighborhood and Neighborhood Transition because both allow single-family dwellings at a density of up to 10 units per acre."*

Motion Option 2: *"I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Urban Neighborhood and Neighborhood Transition"*

because it lacks the desired urban grid network and on-street parking called for in both future land use areas.”

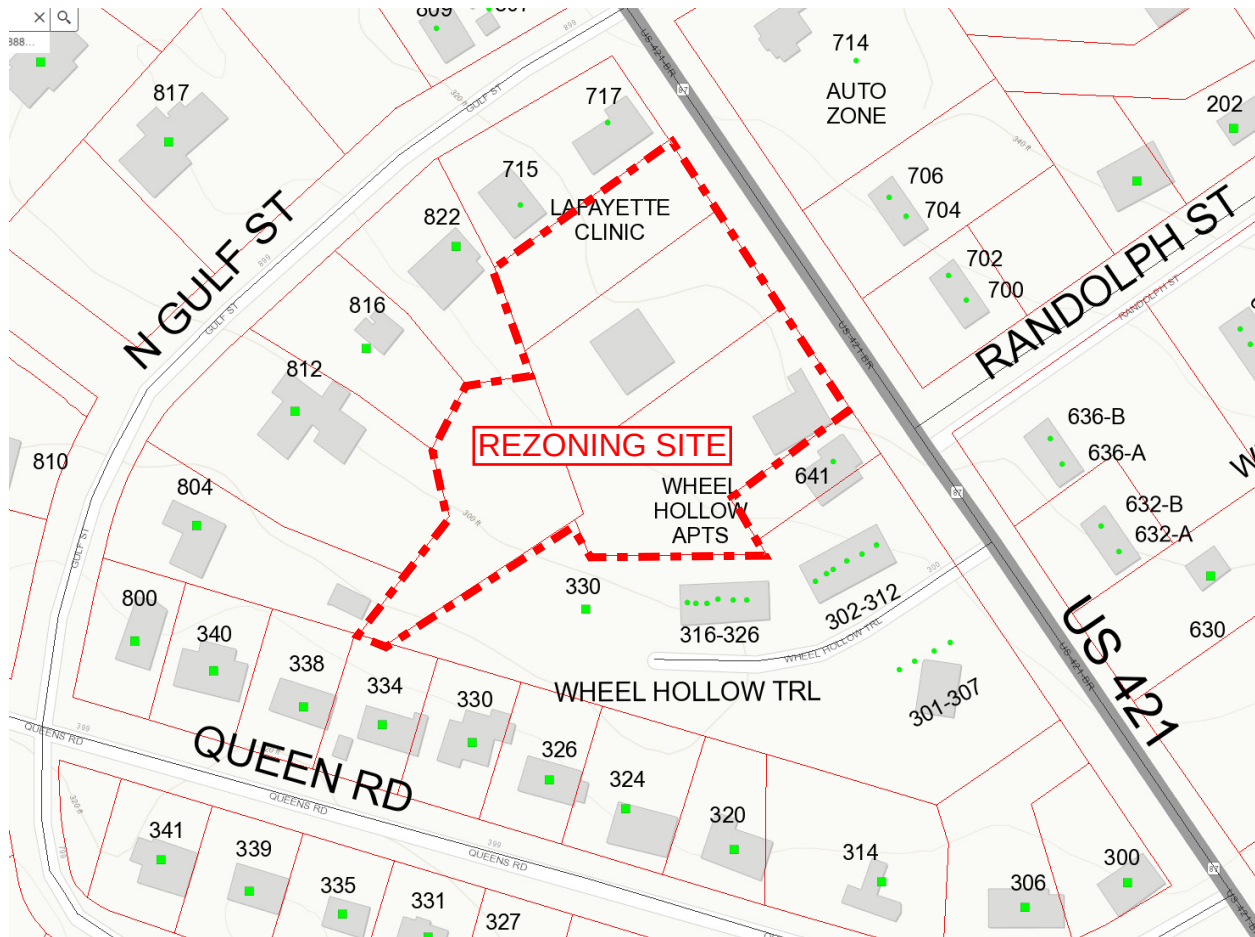
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

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 proposed by the applicant.”*

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 land uses and densities as proposed.”*

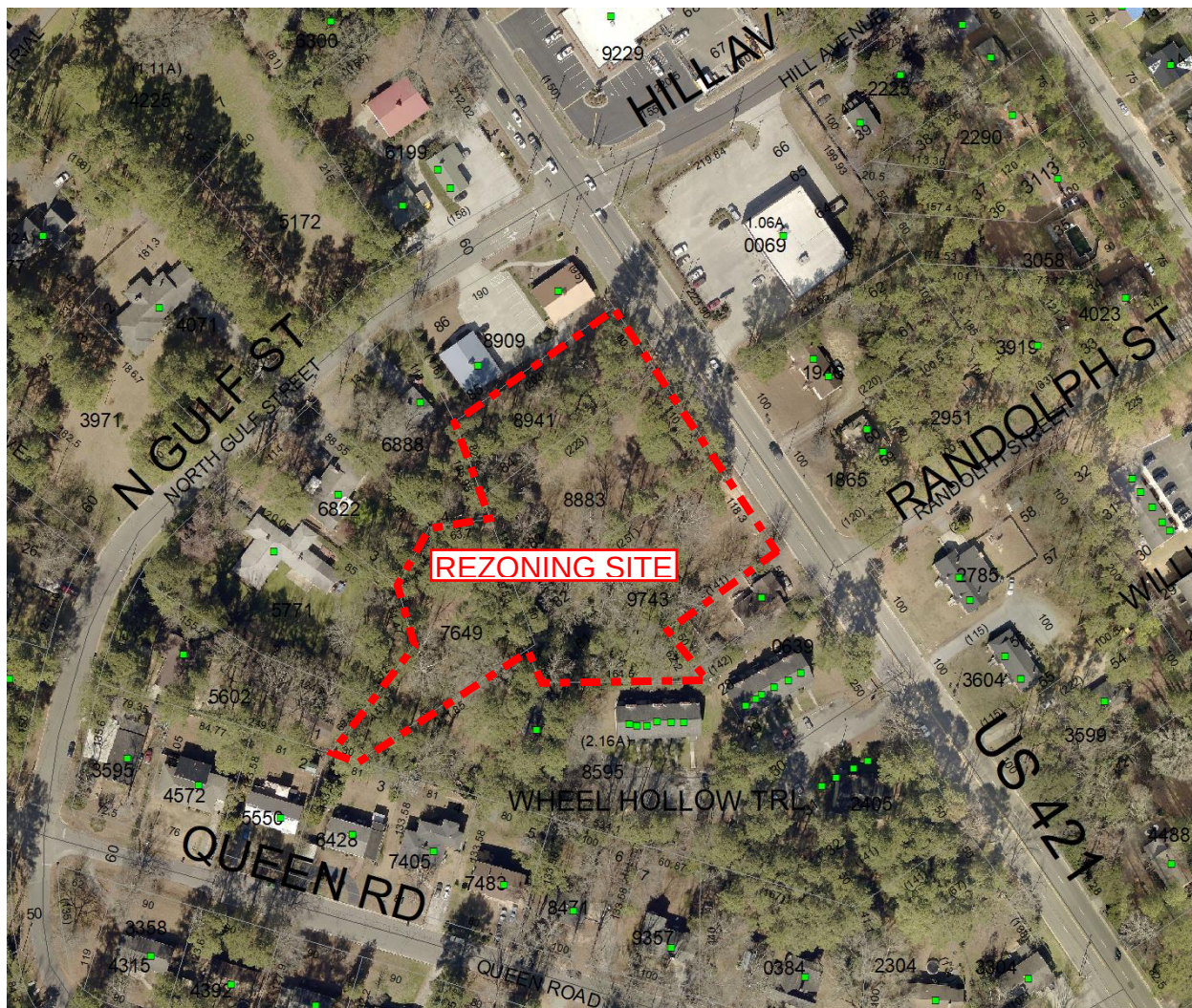
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



ZONING MAP AMENDMENT

Request to rezone 2.27 acres at 701 & 709 N. Horner Blvd
from R-12 to the Vista Townhomes 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

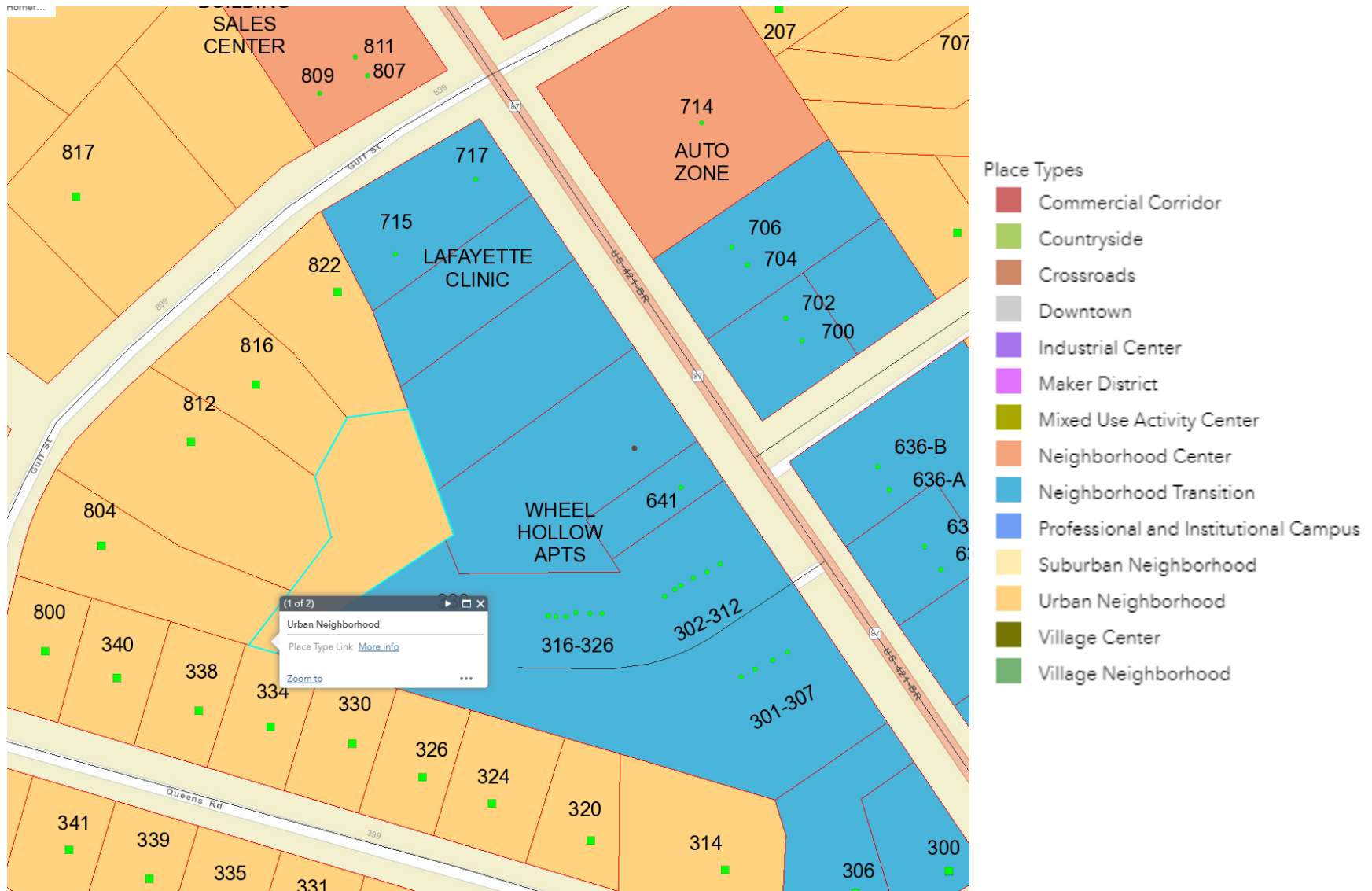
Request to rezone 2.27 acres at 701 & 709 N. Horner Blvd
from R-12 to the Vista Townhomes CZ District

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.

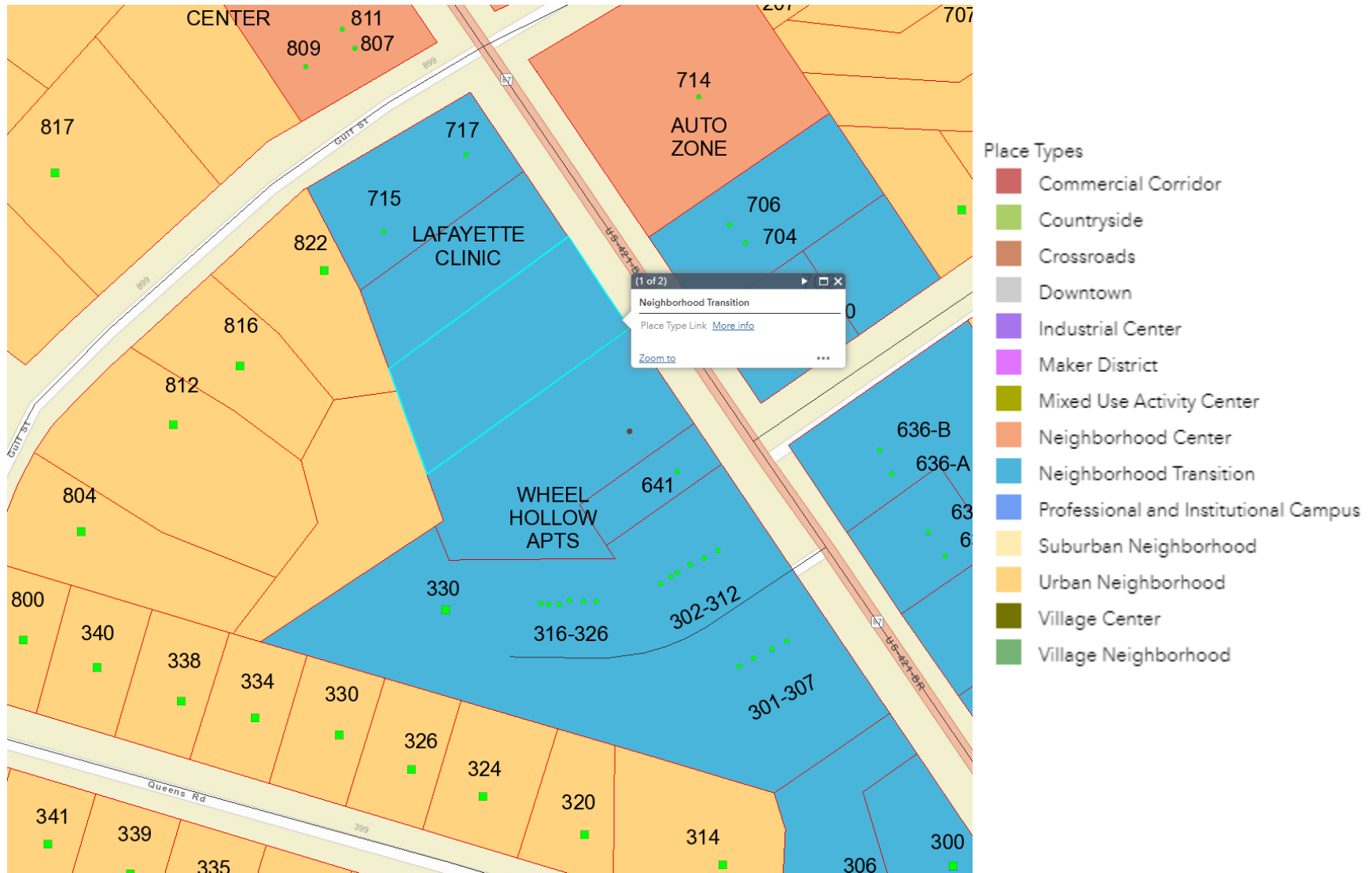
Request to rezone 2.27 acres at 701 & 709 N. Horner Blvd
from R-12 to the Vista Townhomes CZ District

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



Plan SanLee – Long Range Plan – Interactive Map of Site

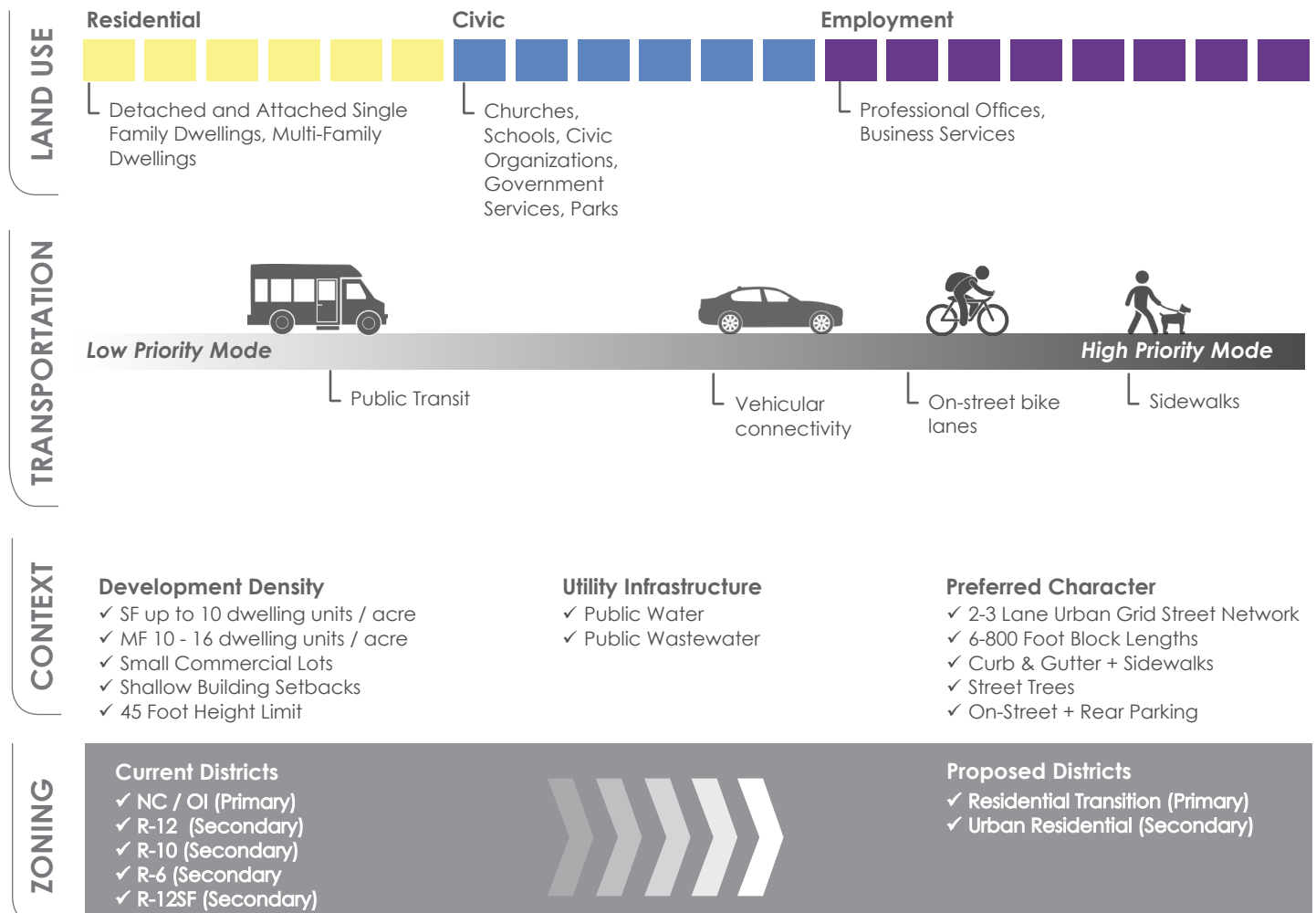




NEIGHBORHOOD TRANSITION AREA

- ✓ Legacy residential neighborhoods that may be transitioning to small offices and service businesses
- ✓ Positioned along primary transportation routes leading to downtown
- ✓ Preserving residential character, buffer between downtown and urban neighborhoods

Local Example - Woodland Avenue in Sanford

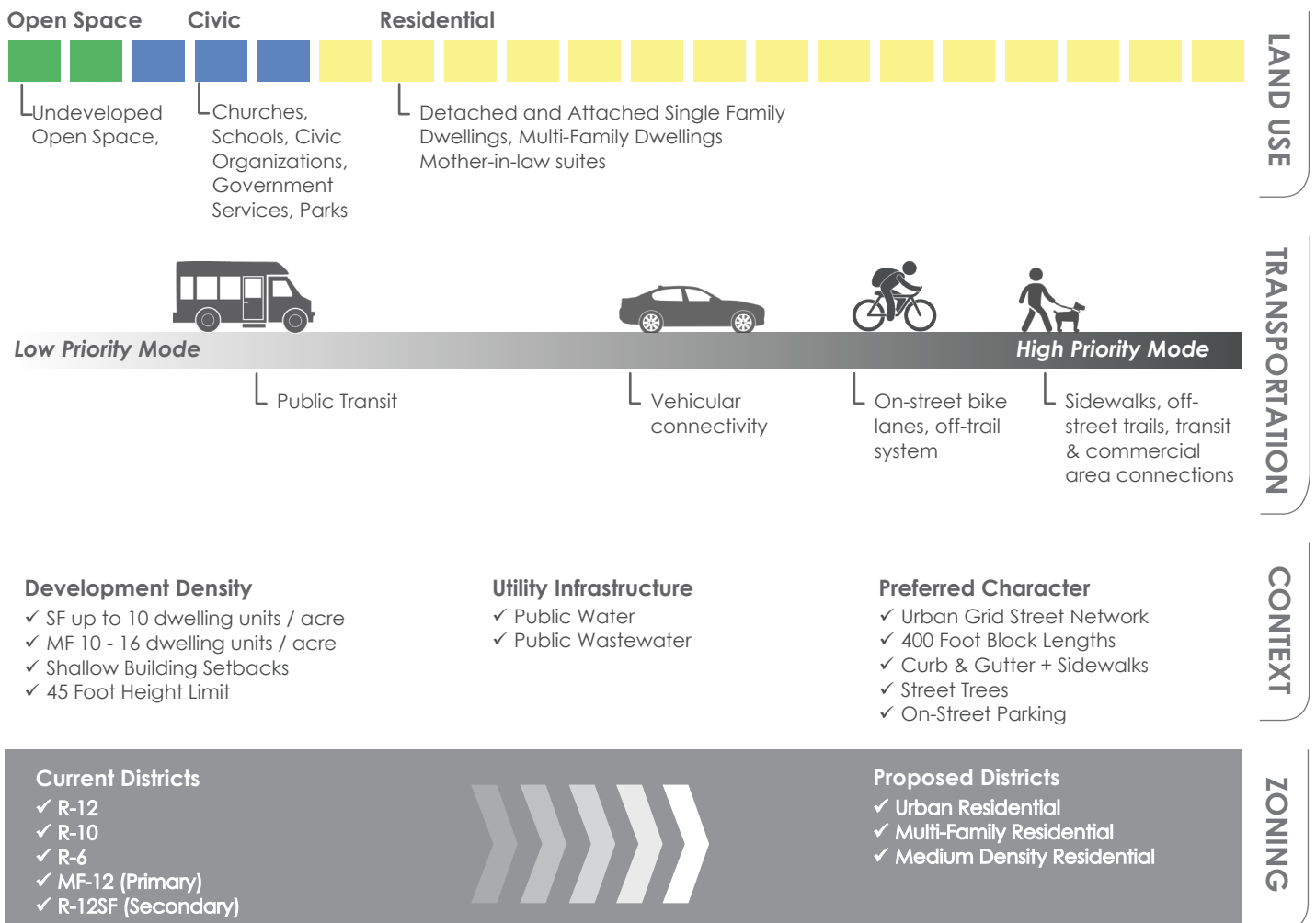




URBAN NEIGHBORHOOD

- ✓ 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



R-12, RESIDENTIAL MIXED ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

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

ADJOINING PROPERTY OWNERS LIST

PETITION BY: 2MM LLC (SELVA MOHAN)

REQUEST: Rezone from Residential Mixed (R-12) to Vista Townhomes CZ District

LOCATION: N. Horner Blvd and N. Gulf St

PIN: 9643-32-8883-00, 9643-32-9743-00, 9643-32-8941-00, & 9643-32-7649-00

DATE: 2022-10-28

PIN	PropAddr	Owner1	Owner2	Mailing Address
9643-32-6888-00	822 GULF ST	WILKINSON, GARY R	WILKINSON, LORI L	PO BOX 2415 SANFORD NC 27331
9643-32-6822-00	816 GULF ST	BLAKESLEE, DANA		2896 THICKET PL SIMI VALLEY CA 93065
9643-42-2785-00	636 HORNER BLVD	BORDWELL, BRENDA J		2490 POPLAR SPRINGS CHURCH RD SANFORD NC 27330
9643-42-0639-00	641 HORNER BLVD	OTTER CREEK PROPERTIES LLC		PO BOX 553 SANFORD NC 27331
9643-32-5602-00	804 GULF ST	RODARTE, VANNESSA	MORALES, FRANCISCO JAVIER RODARTE	804 N GULF ST SANFORD NC 27330
9643-32-5550-00	338 QUEEN RD	SAUNDERS, WILLIAM		338 QUEENS RD SANFORD NC 27330
9643-32-6428-00	334 QUEEN RD	MANN, CHARLES LEE		1708 BROADWAY RD SANFORD NC 27330
9643-32-7405-00	330 QUEEN RD	AYALA, WILFREDO LAINEZ	REYNOSO, IRIDIANNE	109 W WEATHERSPOON ST SANFORD NC 27330
9643-32-8909-00	715 HORNER BLVD	FAULK, TIMOTHY D		726 AZALEA DR VASS NC 28394
9643-42-1946-00	704 HORNER BLVD	ACA/PJA LLC		PO BOX 3367 SANFORD NC 27331
9643-42-1865-00	700 HORNER BLVD	STREET DOG PROPERTIES LLC		PO BOX 3367 SANFORD NC 27331
9643-32-5771-00	812 GULF ST	GAMA, CELESTINO	GAMA, ELVA	812 N GULF ST SANFORD NC 27330
9643-32-4572-00	340 QUEEN RD	HYLAND, REBECCA C		340 QUEENS RD SANFORD NC 27330
9643-32-9743-00	701 HORNER BLVD	THOMAS, STEWART E		1813 MADISON DR NORTH MYRTLE BEACH SC 29582
9643-32-7649-00	816 GULF ST	THOMAS, STEWART E		1813 MADISON DR NORTH MYRTLE BEACH SC 29582
9643-32-8941-00	0 HORNER BLVD	THOMAS, STEWART E		1813 MADISON DR NORTH MYRTLE BEACH SC 29582

9643-32-8883-00	707 HORNER BLVD	THOMAS, STEWART E		1813 MADISON DR NORTH MYRTLE BEACH SC 29582
9643-43-0069-00	714 HORNER BLVD	LANDAZ LLC		5800 OLD PINEVILLE RD CHARLOTTE NC 28217
9643-42-0504-00	301 WHEEL HOLLOW TR	301 WHEEL HOLLOW SANFORD LLC		2005 AUSTIN POND DR CARY NC 27519
N/A	N/A	2MM LLC		109 OXYARD WAY CARY NC 27519

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

\$500 FEE

Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: DR Horton, Inc
2. Applicant Address: 2000 Aerial Center Parkway, Ste 100
3. Applicant Telephone: 336-339-0576
4. Name and Address of Property Owner(s) if different than applicant:

5. Location of Subject Property: Colon Road & US Highway 1
Lee Co. P.I.N. 9656-61-6971, 9655-59-2618, 9656-50-9252, 9655-58-7870
6. Total Area included in Rezoning Request: 110.41 Acres
7. Zoning Classification: Current: RA Requested: Conditional Zoning
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Mixed-Use development that includes Commercial Lots, Multi-Family, and Single Family lots
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 content are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.

Robert C. Stuart
Signature of Property Owner(s) (Sign & Print)

9/30/22
Date

Required Attachments/Submittals

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

STAFF USE ONLY

Date Received: _____ Fee Paid: _____ Application No.: _____
Staff Signature: _____ Energov Case No.: _____

\$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) _____
2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): Single Family/Multi-Family/Commercial Lots
See attached plan and conditions sheet

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 Plan and Conditions sheet

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.

Robert C. Stuart

Signature (Sign & Print)

9/29/22

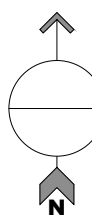
Date

Concept Plans for GUM FORK Conditional Re-Zoning

City of Sanford, N.C.



Site



Vicinity Map

Not to Scale

DEVELOPER
D.R. HORTON Raleigh Division
ATTN: Johnathon Cooper - Entitlement Manager 2000 Aerial Center Parkway, Suite 110 Morrisville, NC 27560 M: (336) 339-0576 JCooper1@drhorton.com

NOTES:

- Project to be built to City specifications for water and sewer. A utility plan must be submitted and approved by Engineering.
- County and/or State Stormwater Permits must be obtained prior to any construction. No natural drainage areas will be cut off or disturbed before obtaining the permits.
- There shall be a note on the final plats, master covenants, and deeds showing the location of wetlands and noting that those areas may not be filled, disturbed, or altered in any way unless properly permitted by the NC Department of Environment and Natural Resources and/or the U.S. Army Corp of Engineers.
- A home owners association (HOA) will be formed prior to the sale of lots and membership will be automatic upon purchase within the development. The homeowners association will comply with the standards set forth in Section of the Unified Development Ordinance.
- All roads will be built to NCDOT minimum paving standards for subdivision roads and shall be publicly maintained.
- All residences shall have a minimum of two driveway parking spaces per lot.
- Sidewalks shall be provided on two sides of the street for Commercial & Muti-Family Residences. Sidewalks shall be a single side sidewalk per street for Single Family Residences.
- The HOA shall be responsible for all common areas and any streets that are to remain private.

EXCEPTIONAL DESIGN ELEMENTS

- Multi-Use Development
- Sidewalks on Two Side
- Landscaped Entrances
- Street Trees
- More Greenspace than Required
- Neighborhood Amenities

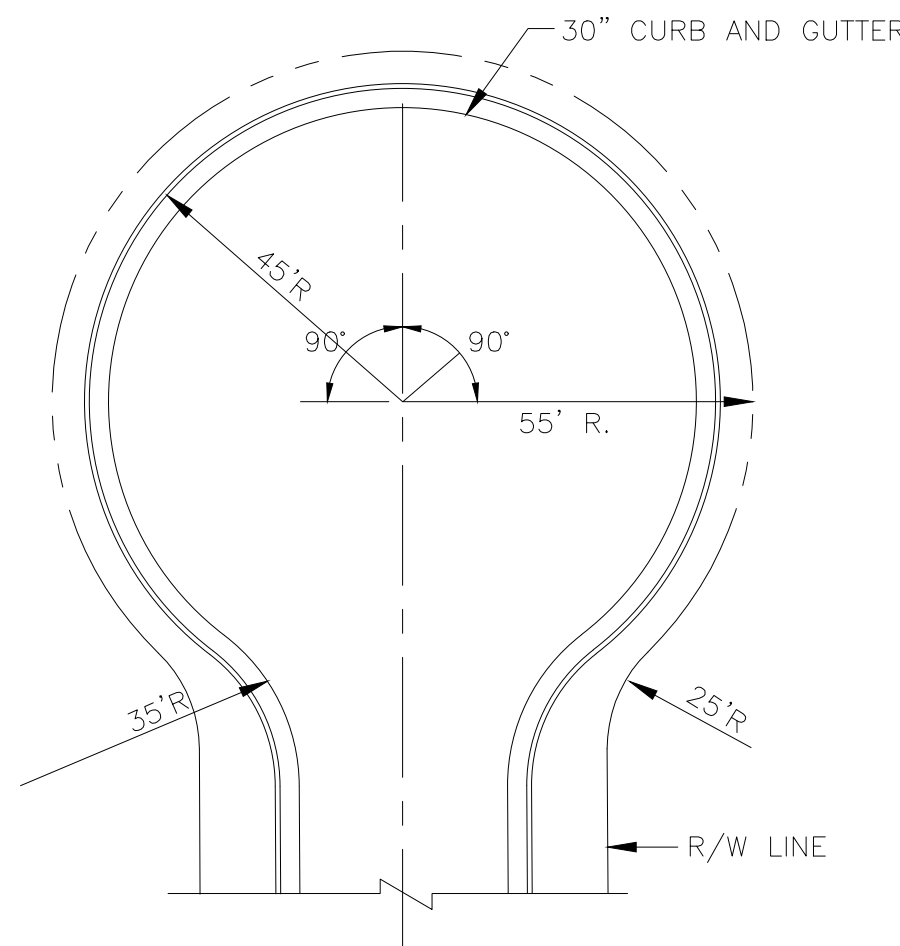
SITE DATA

Gross Project Area:	110.41 AC
Gross Residential Area:	48.11 AC
Gross Commercial Area:	12.91 AC
Gross Multi-Family Area:	15.14 AC
Gross Towhhome Area:	14.53 AC
Proposed Multi-Family Units:	300 Units
Proposed Townhome Units:	128 Units
Proposed Single Family Lots:	167 Lots
Gross Density (Residential Ac Only):	3.47 Units / Ac
Gross Density (Multi Ac Only):	19.82 Units / Ac
Gross Density (Townhome area only):	8.81 Units / Ac
Current Zoning:	CZ/RA
Street Length:	12,758 LF
R/W Width:	Boulevard - 60', Typical - 55'
Pavement Width:	Boulevard - 22', Typical - 22'
Street Maintenance:	CITY
Stormwater Maintenance:	HOA
Min. Depth of Front Yard:	20 feet
Min. Depth of Rear Yard:	15 feet
Min. Width of Each Side Yard:	5 feet for SFR lots
Corner Lots:	10' Side Setback
Tax Parcel ID:	9656-61-6971-00, 9655-59-2618-00, 9656-50-9252-00, 9655-58-7870-00

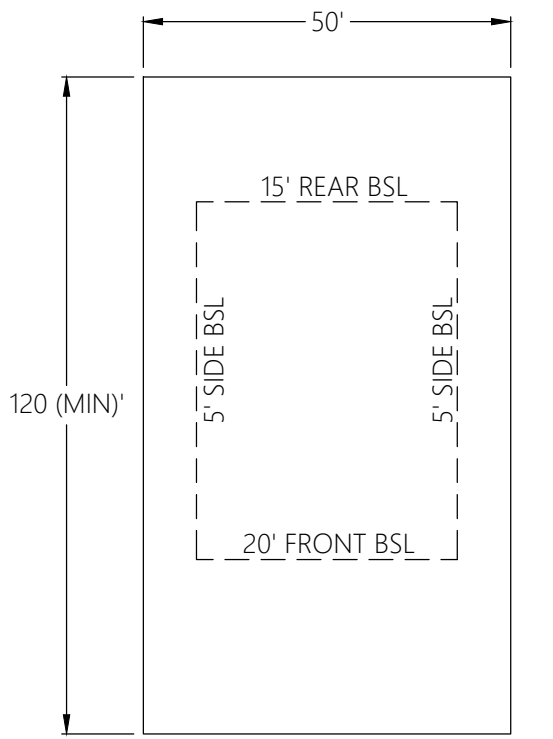
Smallest Lot Size:	6000 SF
Average Lot Size:	6100 SF
Required Green Space (10%):	8.07 AC
Provided Green Space (40.53%):	44.76 AC
Active Green Space (16% of G.S.):	6.20 AC

WETLAND NOTE:
WETLANDS AS SHOWN ON THIS PLAN HAVE BEEN JURISDICTIONALLY
DETERMINED BY THE ARMY CORP OF ENGINEERS.

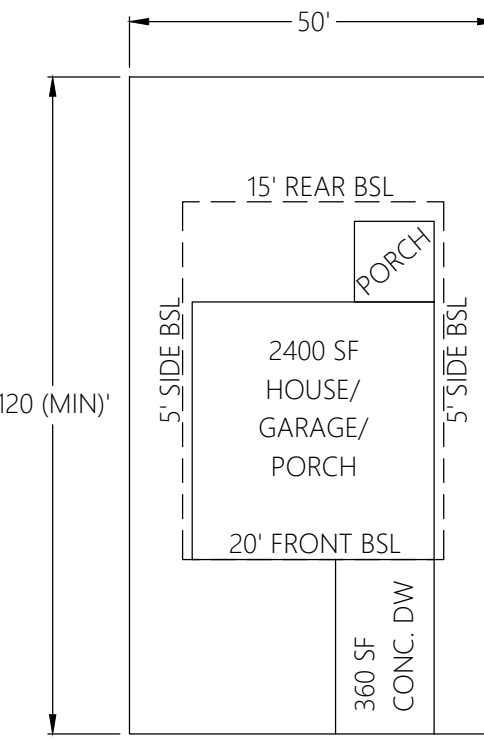
PLANS PREPARED FOR:



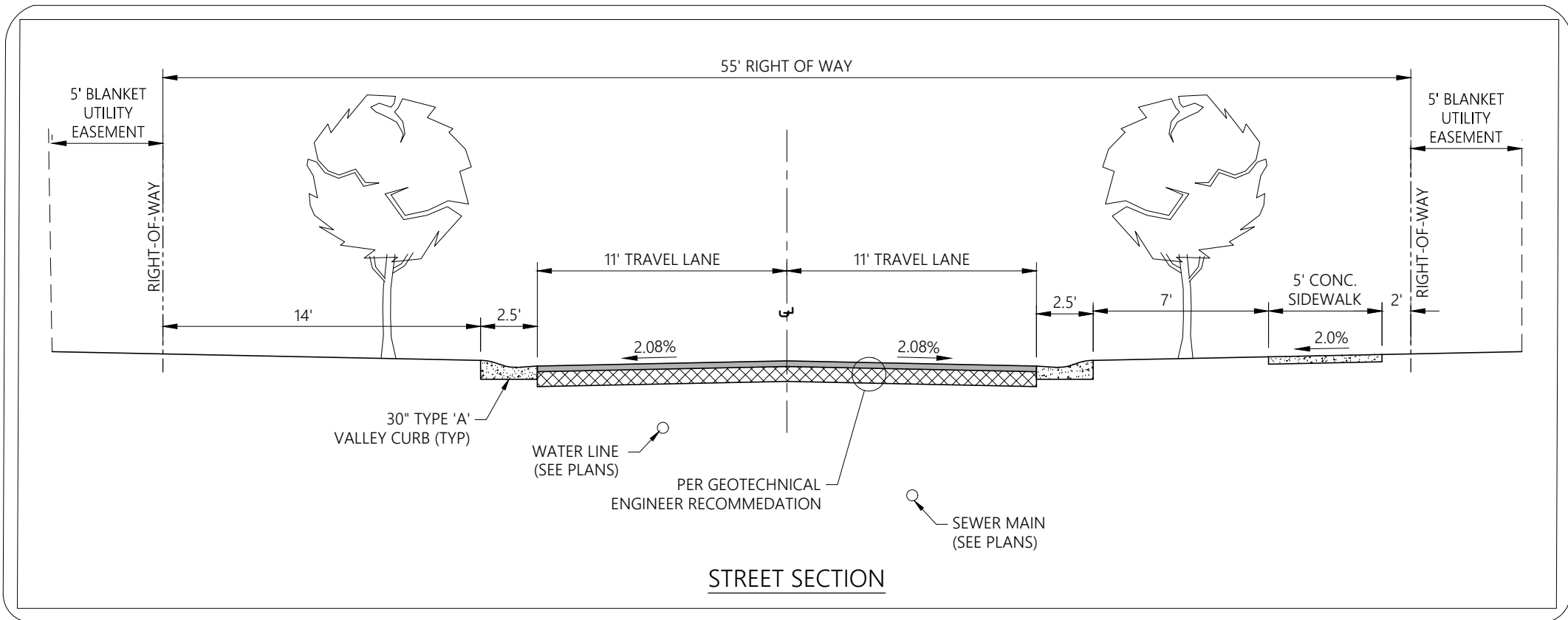
TYPICAL CUL-DE-SAC PLAN
NOT TO SCALE



TYPICAL LOT LAYOUT



TYPICAL IMPERVIOUS
AREA





JSmith
ENGINEERING, PLLC



Job No. 22-020
Date: 10.06.2022
Drawn By: JDV
Checked By: JC

SHEET NUMBER

EXHIBIT 2

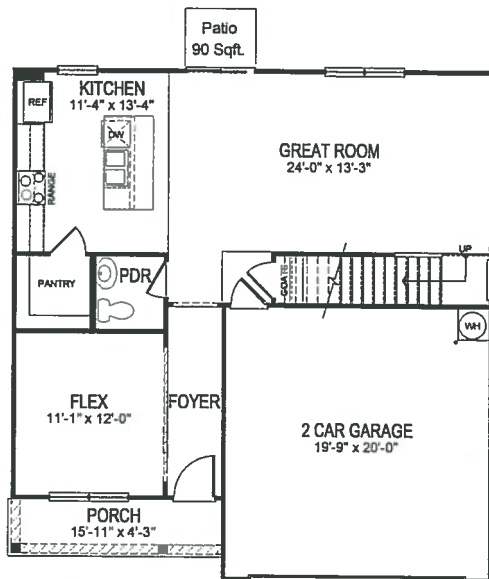
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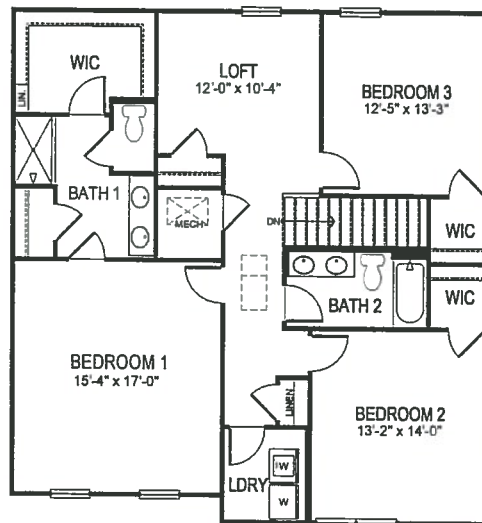
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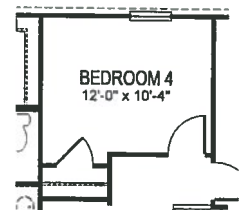
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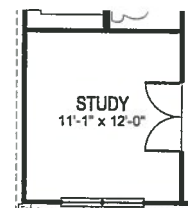
FIRST FLOOR



SECOND FLOOR



OPT. BEDROOM 4



OPT. STUDY ILO FLEX

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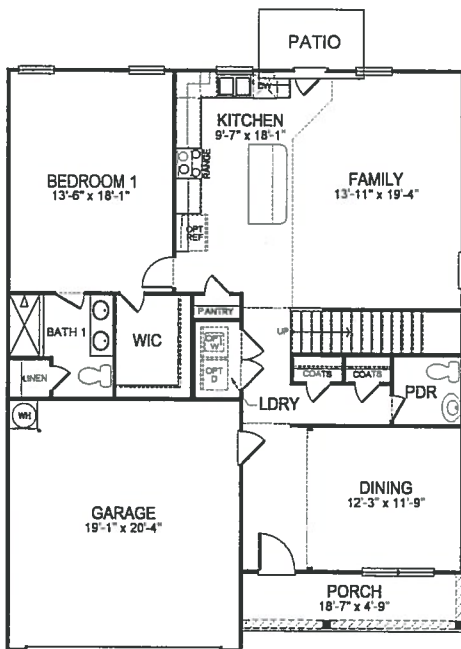
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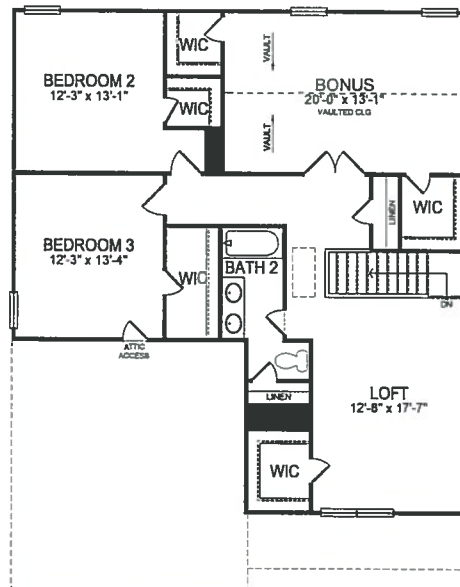
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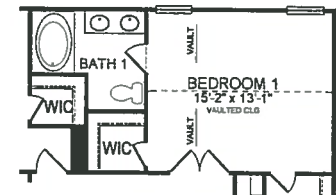
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FIRST FLOOR



SECOND FLOOR



Opt Bedroom 1



Opt Bedroom 4 ILO Loft

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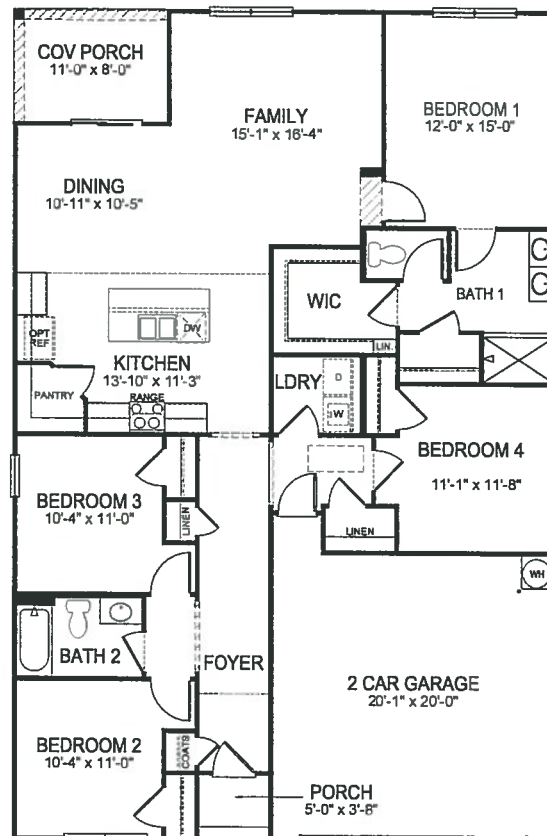
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Elevation-F



Elevation-B



FIRST FLOOR



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HAYDEN - 2511 SQ. FT.



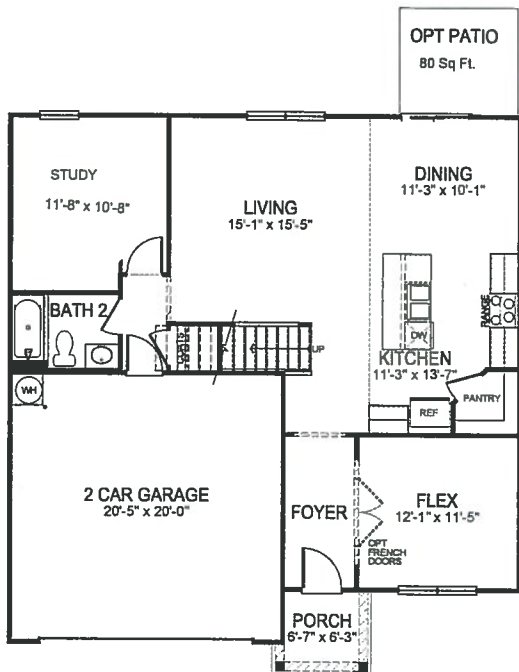
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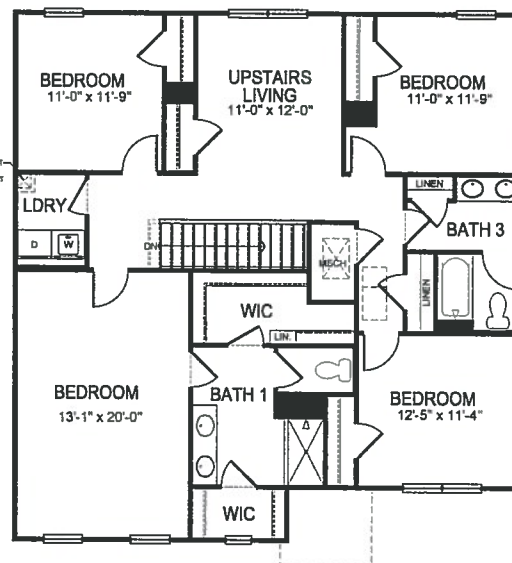
Elevation-P



Elevation-R



FIRST FLOOR



SECOND FLOOR



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20' Wide Plan - 1 Car Garage

Express Townhomes

D.R. HORTON AMERICA'S BUILDER
Home for every stage in life.

D.R. HORTON
America's Builder

Express

EMERALD

FREEDOM

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CITY OF SANFORD

CITY COUNCIL AND PLANNING BOARD

PUBLIC HEARING INFORMATION

November 15th, 2022

REQUEST

D.R. Horton, Inc. is requesting to rezone four tracts of land totaling approximately 110.48 +/- acres from Residential Agricultural (RA) to the Gum Fork Conditional Zoning District to allow the development of a mixed-use project with commercial, multi-family, and single-family residential land uses as illustrated on the “Preliminary Site Plan: Gum Fork Subdivision Conditional Zoning” submitted as part of the application. This is a request is for a site plan/subdivision plan specific conditional rezoning; therefore, the Conceptual Development Plan and proposed conditions are required as part of the proposed amendment (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:	D.R. Horton, Inc.
Property Owners:	D.R. Horton, Inc.
Request:	Rezone from Residential Agricultural (RA) to the Gum Fork CZ District
Location:	Frontage on Colon Road (SR 1415) and US Hwy 1/Jefferson Davis Hwy
Acreage:	110.48 +/- acres
Tax Parcels:	9656-61-6791-00, 9656-50-9252-00, 9655-59-2618-00 and 9655-58-7870-00
Tax Map:	9655.02
Township:	Deep River
Council Ward:	Ward 2
Fire District:	Central Fire Station
Schools:	Deep River Elementary East Lee Middle School Lee Senior High School

SITE DESCRIPTION

The subject property is bounded by the US Hwy 1/Jefferson Davis Hwy to the northwest and Colon Road to the south. It is in the northeastern corner of the US Hwy 1/ Colon Road intersection and is opposite Colon Road from the Lee County Colon Road convenience center,

ZONING DISTRICT INFORMATION

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

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

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

Proposed Zoning: The Gum Fork 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.

All owners of property proposed for inclusion in the conditional zoning must petition for the rezoning. The owner shall specify the use(s) of the property and shall propose additional conditions to ensure compatibility between the development and the surrounding neighborhood. The conditions shall include all of the following (as applicable):

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

The application shall include a site plan/subdivision plan and detailed narrative text that specifies the conditions that will govern the development and use of the property. If approved, this information is

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

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

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

The following information is applicable for the Gum Fork Conditional Zoning District:

The allowed land uses would only include residential dwellings, including single-family detached dwellings (houses) and single-family attached dwellings (townhomes) as illustrated on the Conceptual Development Plan.

Residential Single-family Area

- 48.11 acres
- 167 lots
- 3.47 units per acre density
- 20ft front minimum building setback
- 15ft rear minimum building setback
- 5ft side yard minimum building setback
- 10ft side yard minimum building setback for corner lots
- Smallest lot size is 6,000sf
- Average lot size is 6,100sf
- Required green space (10%) is 11.05 acres
- Provided green space (40.53%) is 44.76 acres
- Active green space (16% of green space area) is 6.20 acres

Multi-family Area

- 15.14 acres
- 300 units
- 19.82 units per acre density
- Applicant states: “multi-family layout is for planning purposes only and would be finalized per client requirements;” however, it must be substantially similar or further zoning map amendments will be necessary.

Commercial Area

- 12.91 acres
- Applicant states: “commercial layout is for representative purposes only.” The applicant will need to amend the zoning district to allow commercial development at a future date.

Townhome

- 14.53 acres
- 128 units
- 8.81 units per acre

Overall / General Info.

- All residences shall have a minimum of two driveway parking spaces per lot.
- Sidewalks shall be provided on two sides of the street.
- The HOA shall be responsible for all common areas and any streets/drives that are to remain private (for example, the multi-family area typically has private drives within parking areas).
- All roads to be public roadways, built to either NCDOT or City of Sanford standards, whichever is applicable.
- This project will be served by public water and sewer, maintained by the City of Sanford.
- Bus and mail kiosks locations may be revised as per the direction of the US Postal Service and the Lee County Schools Transportation Dept.
- Street trees are proposed one every two lots and will be selected from the UDO list of acceptable plant species.

Adjacent Zoning

North: Residential Agricultural (RA) – Lee County
 South: Opposite Colon Road, Residential Agricultural (RA) and Highway Commercial (HC)
 East: Residential Agricultural (RA) – Lee County
 West: Opposite US Hwy 1, Galvin’s Ridge Conditional Zoning District and Central Carolina Enterprise Park (CCEP) Conditional Zoning District

Adjacent Land Use

North: Wooded, vacant land
 South: Opposite Colon Road, the Lee County Colon Road convenience center and vacant wooded land (proposed site of a new City of Sanford fire station)
 East: Wooded, vacant land and single-family homes
 West: Opposite US Hwy 1, Galvin’s Ridge Subdivision and Central Carolina Enterprise Park

PLAN SANLEE

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

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

LOCAL OVERLAY DISTRICTS

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

UDO, Article 4 Zoning District Regulations, Section 4.14 Watershed Conservation Overlay District: The subject property is within the Watershed Conservation Overlay District, specifically the Cape Fear/Lee County Watershed Protected Area. A watershed is a basin-like landform delineated by ridgelines that descend into lower elevations that carries rain water from the land into soils, ground waters, creeks, and streams, eventually making its way to larger rivers and the ocean. Development within this area is allowed, but there are maximum density and built upon area requirements designed to ensure the health of the watershed. All development within this community, both residential and commercial, must comply with the UDO watershed regulations.

UDO, Article 13 Flood Hazard Area Regulations: There is 100-year floodplain associated with Gum Fork along the southern portion of the site (adjoining the multi-family area). The FEMA Flood Insurance Rate Map illustrates the end of the flood study for this area, which may or may not be further extended into the subject property in the future when FEMA continues the study for this area. Any/all plans for the development of this site now or in the future must comply with the design standards of the Flood Hazard Area Regulations of the UDO.

There are also several "blue line streams on site that will need to be taken into consideration when creating the subdivision design and developing this property.

UDO, Article 10., Site Design Standards, Design Standards for Commercial Development Along Thoroughfares and Freeways. The site is located along a corridor with building design standards, specifically there are architectural and site design standards for new development along US Hwy 1.

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

UTILITIES

Public water is available via an existing 12-inch water main line located in the right-of-way of Colon Road. Public sewer is available via a 12-inch main line that bisects the site. This information is per our GIS mapping system and, if the rezoning 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.

TRANSPORTATION

The subject property has frontage on Colon Road (SR 1415), a NCDOT maintained public roadway with a right-of-way that appears to vary from 120lf to 100lf in the area with road frontage. 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: Colon Road is illustrated as an existing boulevard that needs improvement.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2020 AADT count of 2,200 vehicles per day on Colon Road in front of this site. There is a 2020 AADT count of 28,000 vehicles per day on US Hwy 1 in front of this site. Reference NCDOT AADT station 0530000373 on the interactive NCDOT AADT Web Map at <https://ncdot.maps.arcgis.com/home/webmap/viewer.html>.

DEVELOPMENT STANDARDS

If rezoned, the information noted and illustrated on the Concept Plans for Gum Fork Conditional Rezoning plans along with the written information / conditions submitted as part of the rezoning application, 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 item not specifically addressed in the rezoning process must comply with the UDO standards.

Regarding future development of the subject property, detailed site plan(s)/subdivision plat(s) that correspond with the uses, conditions, design standards, and maximum densities denoted within this application and on the Conceptual Development Plan for each area will be required to be approved by the Sanford City Council in the same procedural manner as all rezoning requests prior to the issuance of development permits for the parcels included within Gum Fork Conditional Zoning District. The site plan(s)/subdivision plat(s) would be a revision/update to the existing zoning districts. All development must comply with the UDO Watershed Conservation Overlay District and Flood Hazard Area Regulations.

PUBLIC INFORMATION MEETING

An additional Public Information meeting will be held by the applicant prior to the public hearing and information regarding questions and concerns expressed will be presented during the public hearing.

A Public Information meeting was held on May 18, 2022 for this request, with no public in attendance. Staff has received a couple of general inquiries via phone, but no specific concerns have been expressed regarding this rezoning request.

STAFF RECOMMENDATION

The *Plan SanLee* long-range plan designation of Mixed-Use Activity Center is established for the majority of the site and is intended to facilitate the development of large-scale projects that are integrated

with a mix of uses that include civic uses (government services, public gathering spaces), employment (professional office and business services), residential (attached single-family dwellings, multi-family dwellings, and upper story residences), and commercial (retail, personal services, and entertainment) land uses. Ideally, this is achieved via a single master-planned unit, but may be contextually integrated into the surrounding development pattern if strong mobility linkages are included.

The proposed design illustrates 12.91 acres of the total 110.48 acres as commercial with the remainder dedicated to multi-family, townhomes, and single-family residential uses. The proposed future districts associated with Mixed-Use Activity Center are General Commercial, Office & Institutional, and Multi-family Residential. The linear layout of the site and the limited amount of public road frontage do not lend itself to the multiple entrances required for the development of the site with a large residential component. In addition, the existing telecommunications tower on site will limit the developable area within the area proposed for commercial development, since no new structures may be built within the fall zone associated with the tower (see plan). Furthermore, it should be noted that the lots currently proposed for development are the first of its kind on the east side of US Hwy 1 and Colon Road. Therefore, the Board should consider how the design of this development would be integrated into future development along Colon Road.

It is staff's opinion that the design associated with this rezoning request **loosely complies** with the intent of Mixed-Use Activity Center designation; however, site limitations and the current design do not lend themselves to any future development with regard to any expansion of a mixed use activity center future land use. The design of the site lacks the desired core grid street network; choosing a sprawling curvilinear approach instead. The applicant has also chosen to remove sidewalks from the design that was presented to Council at the July 19th public hearing. The design submitted for this public hearing only has sidewalks on one side of the street within the residential single-family component of the project which planning staff would not, and has not, recommended for any project within the mixed use activity center land use area. Furthermore, in terms of residential uses, the applicant has only provided the lot layouts for the single-family portion of the site; the townhome and multifamily aspects are still conceptual with a maximum number of units proposed but no exact building nor parking layouts (the applicant has stated that they had used "20' product just to get a lot count to set as a cap" in regard to the townhomes). Further amendments would be necessary to accommodate changes to those residential areas.

Similar to the conceptual multifamily and townhome areas, the commercial area of the project is undefined with no proposed building nor parking layouts, and the potential commercial uses are unknown. Therefore, staff cannot determine if these uses will be planned to serve the new residential subdivision and/or the area at large. Staff would like to ask that, if the boards approve this rezoning request, that the area labeled as "commercial" be limited to those land uses allowed in the General Commercial (C-2), the Light Commercial (C-1), or Neighborhood Commercial (NC) zoning districts to avoid any future confusion regarding what is and is not allowed. Any future commercial development of the site would also require additional amendments to the proposed conditional zoning district.

Staff also encourages the Boards to consider asking the applicant to incorporate and/or explain the following details:

- Design an entrance that is befitting of the prominent location at the intersection of US Hwy 1 and Colon Road, visible on a main corridor into Sanford

- Incorporate walking trails within open space/natural areas that connects to the sidewalks and provides increased pedestrian connectivity.
- Incorporate sidewalks on both sides of all streets within the proposed development.
- Explain the process and timelines for commercial and multifamily development at the front of the site; planning staff are concerned of lack of commitment to the commercial and multifamily aspects of the site. Staff would not desire a single-family residential subdivision being constructed with a 1,500 +/- linear-foot setback and 28 +/- acres (40 +/- acres if the townhomes require further zoning map amendments) of undeveloped open space at the front of the site.
- Provide a level of commitment regarding the architectural style and building materials to be incorporated in the overall project beyond just the townhome and single-family housing units.
- Commit to the removal of the communications tower at the end of the current lease term (the applicant has stated this would be in approximately seven years).

Overall, while planning staff acknowledge an attempt at complying with *Plan SanLee* and the work of the development team in responding to some of the concerns expressed by Board members and staff, the site and its natural limitations, the piecemeal manner of proposed development, and the issue of future development in the area all raise major concerns on the viability of this project. Planning staff are also wary of providing zoning approval for the single-family portion of the project while several future hearings will be necessary to fully realize the commercial and multifamily aspects of the site.

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. 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 zoning map amendment **IS** consistent with the Plan Sanlee long-range plan designation of Mixed-Use Activity Center because it allows the development of large-scale projects that are integrated with a mix of uses with public water and sewer as proposed.”*

Motion Option 2: *I make a motion that the propose zoning map amendment **IS NOT** consistent with the Plan Sanlee long-range plan designation of Mixed-Use Activity Center because there is not a sufficient mix of uses and because the project has not incorporated desired pedestrian improvements and street design.”*

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 the Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because it is reasonable and in the public interest given the location and that the proposed development will be served by public water and sewer in an area that was recently annexed into the corporate City limits.”*

Motion Option 2: *“I make a motion that the Planning Board recommend the City Council **DENY** the proposed zoning map amendment because of the issues surrounding the design of the site and its appropriateness for future development in the 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.



ZONING MAP AMENDMENT

**Request to rezone 110.41 acres at Colon Rd and US Hwy 1
from RA to the Gum Fork CZ District**

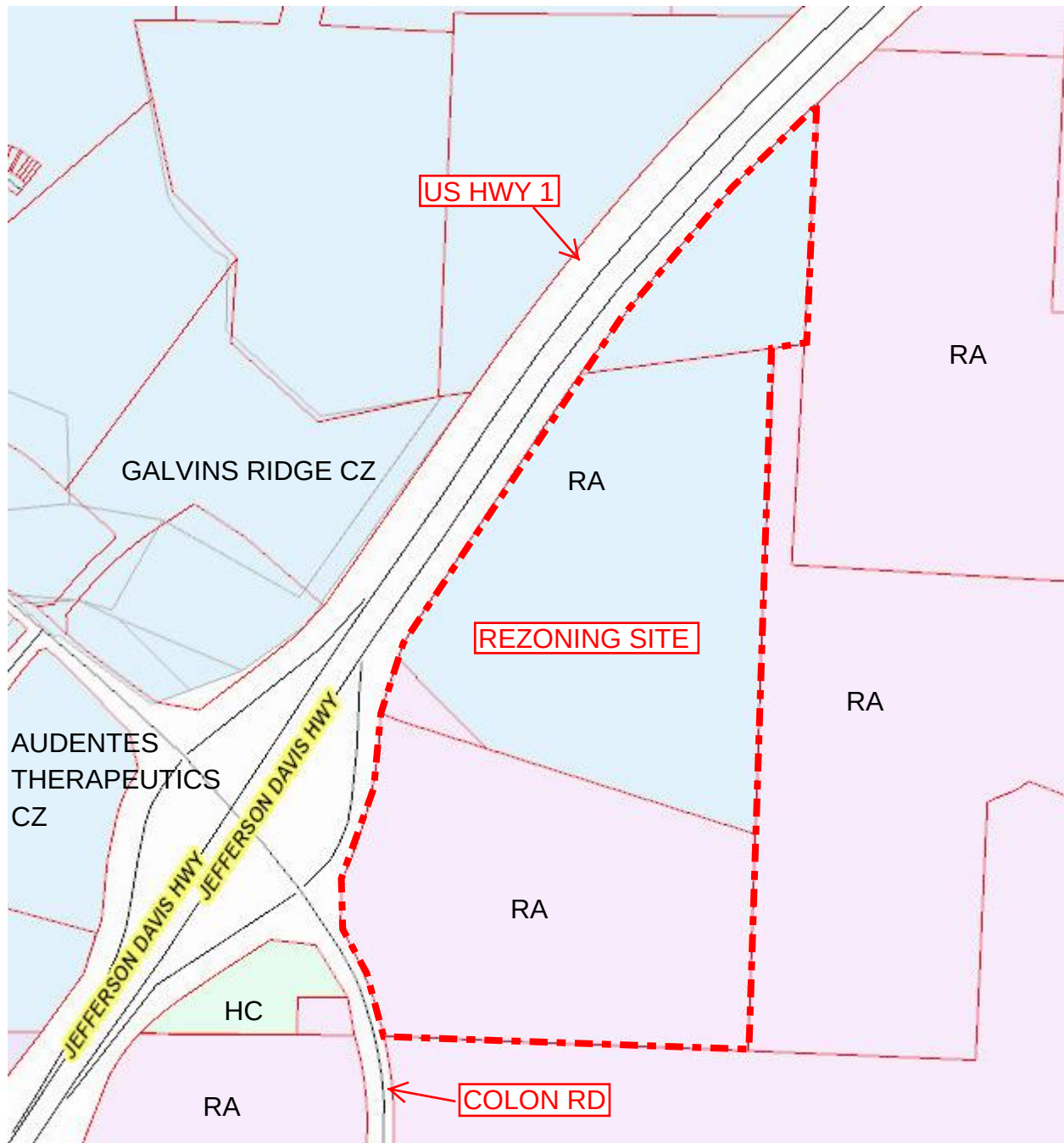
This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.



ZONING MAP AMENDMENT

Request to rezone 110.41 acres at Colon Rd and US Hwy 1
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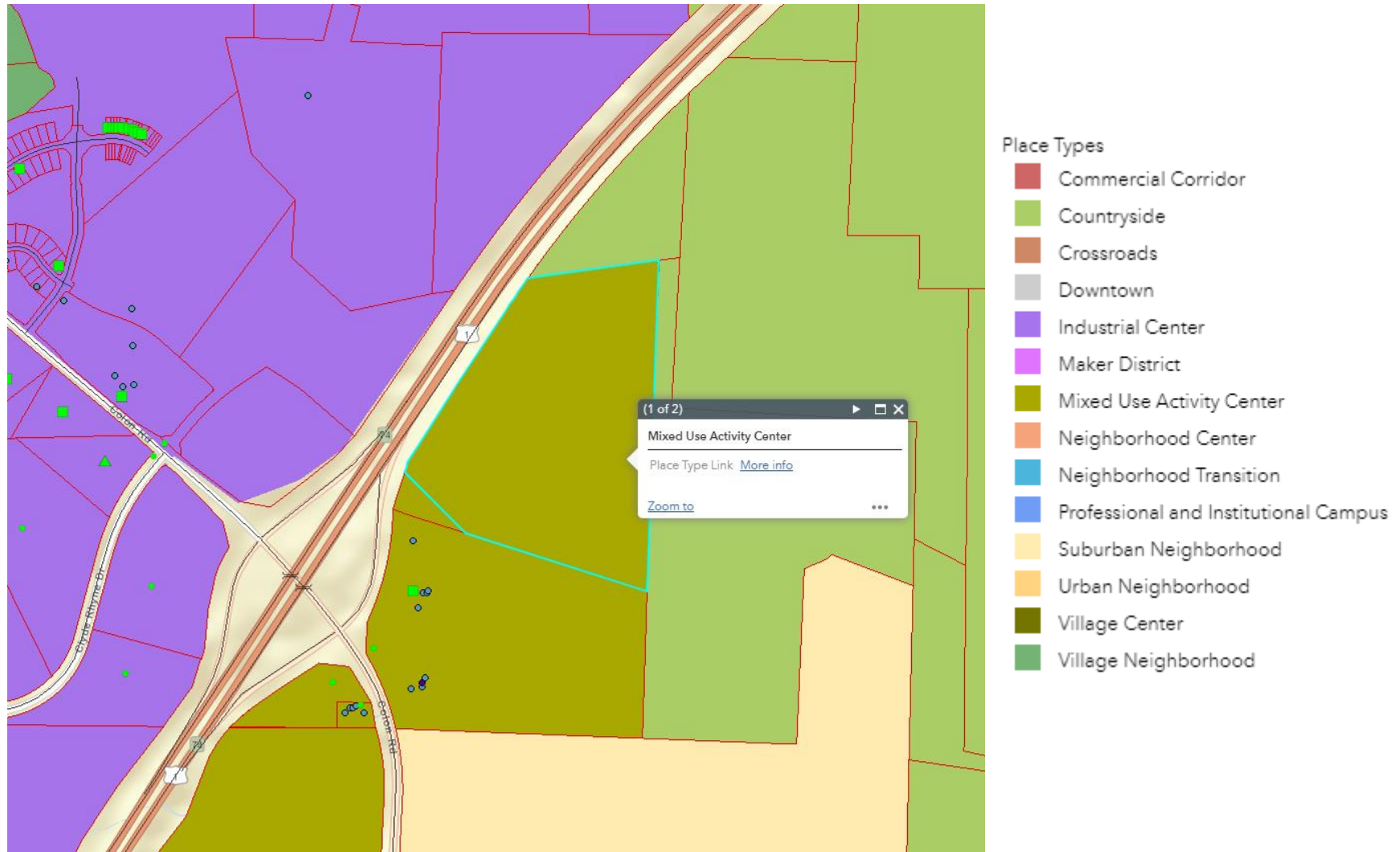


ZONING MAP AMENDMENT

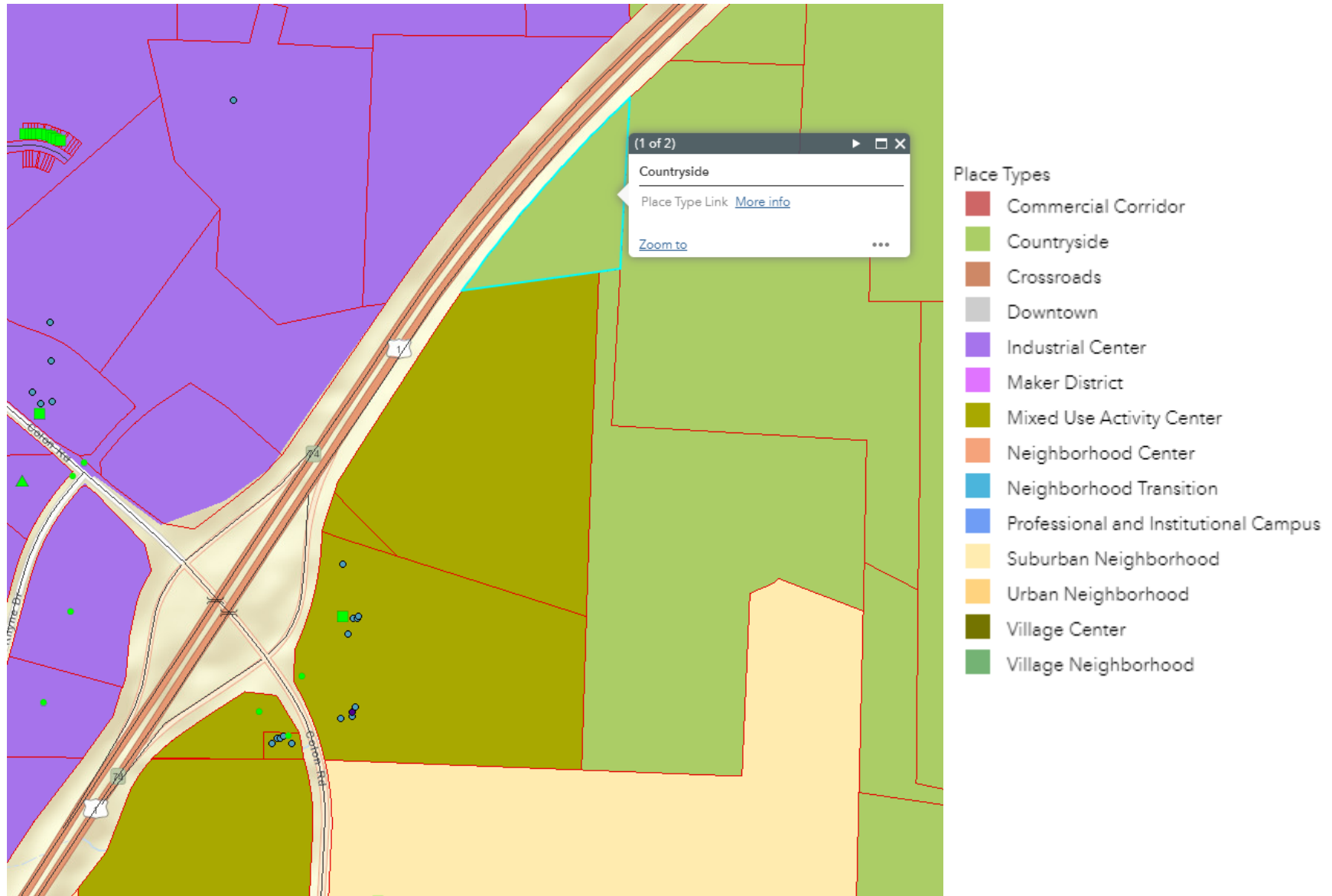
Request to rezone 110.41 acres at Colon Rd and US Hwy 1
from RA to the Gum Fork CZ District

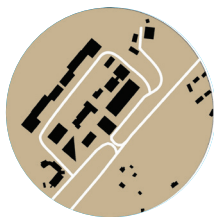
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All information is comprised of layers of data that may or may not align correctly.

Plan SanLee – Long Range Plan – Interactive Map of Site



Plan SanLee – Long Range Plan – Interactive Map of Site

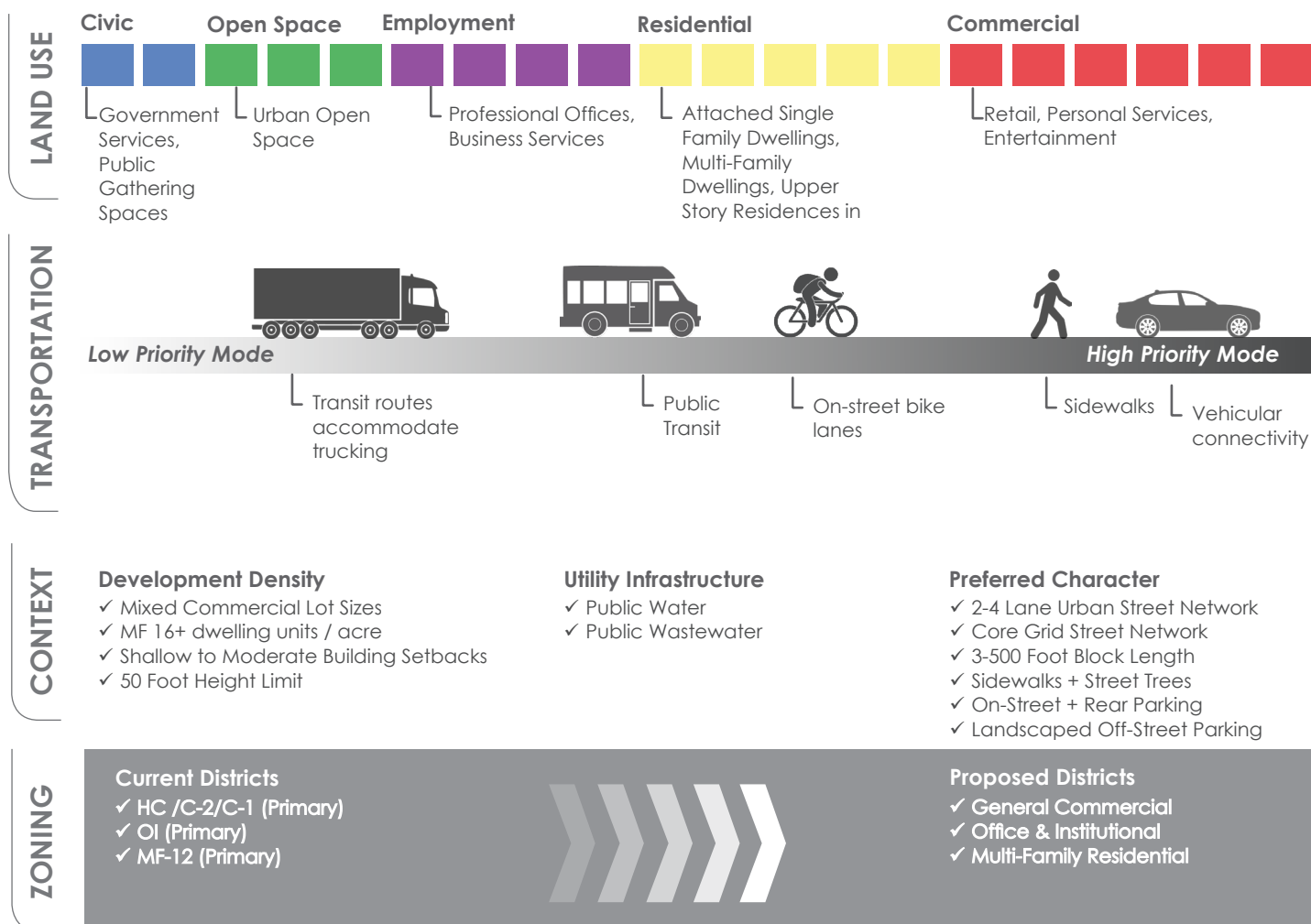


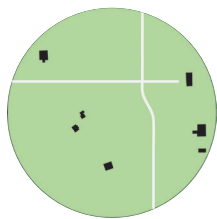


MIXED USE ACTIVITY CENTER

- ✓ Facilitate development of large scale integrated mix of uses
- ✓ Single master-planned unit, but contextually integrated into surrounding development pattern including strong mobility linkages
- ✓ Within close proximity to highway interchanges and major arterials

Local Example - US 1 / Spring Lane Interchange Area in Sanford

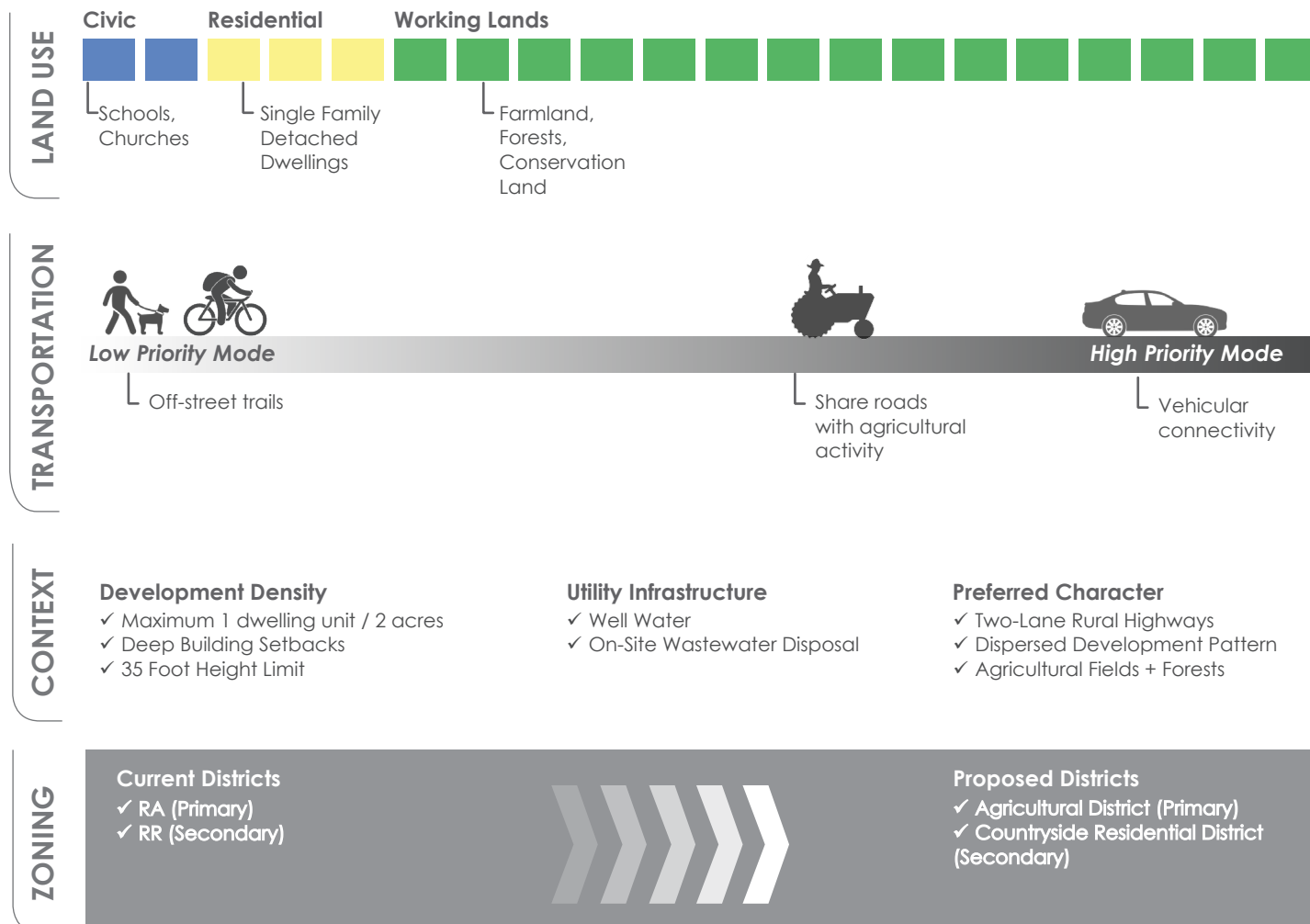




COUNTRYSIDE

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

Local Example - Avents Ferry Road Corridor in northeast Lee County



RA, RESIDENTIAL AGRICULTURAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

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

ADJOINING PROPERTY OWNERS LIST

PETITION BY: D.R. Horton, Inc.

REQUEST: Rezone from RA to the Gum Fork Conditional Zoning District

LOCATION: Intersection of Colon Rd & US 1

PIN: 9656-61-6971-00, 9655-59-2618-00, 9656-50-9252-00, & 9655-58-7870-00

DATE: 2022-10-28

PIN	PropAddr	Owner1	Owner2	Mailing Address
9656-64-5263-00	0 ZION CHURCH RD	GALVIN'S RIDGE LANDCO LLC		9794 TIMBER CIR DAPHNE AL 36527
9656-52-8194-00	0 COLON RD	GALVIN'S RIDGE LANDCO LLC		9794 TIMBER CIR DAPHNE AL 36527
9656-61-6791-00	0 COLON RD	D.R. HORTON INC		2000 AERIAL PKWY, STE 100 MORRISVILLE NC 27560
9655-79-5611-00	0 COLON RD	JONES, JANICE		408 WILMOUTH RD SANFORD NC 27330
9655-47-3463-00	0 COLON RD	CALCUTT, LENA RUTH TALBOTT & JAMES JR/TR	CALCUTT, LENA RUTH T&JAMES JR RE LV TRST	120 GROVE ST MERRITT ISLAND FL 32952
9656-71-5290-00	0 COLON RD	SEYMORE, ELIZA JANE		276 OSGOOD RD SANFORD NC 27330
9655-59-2618-00	0 COLON RD	D.R. HORTON INC		2000 AERIAL PKWY, STE 100 MORRISVILLE NC 27560
9655-67-8604-00	3800 COLON RD	TALBOTT, BARBARA JEAN		3800 COLON RD SANFORD NC 27330
9655-58-7870-00	3942 COLON RD	D.R. HORTON INC		2000 AERIAL PKWY, STE 100 MORRISVILLE NC 27560
9656-50-9252-00	0 COLON RD	D.R. HORTON INC		2000 AERIAL PKWY, STE 100 MORRISVILLE NC 27560
9655-48-7394-00	3927 COLON RD	COUNTY OF LEE		PO BOX 1968 SANFORD NC 27331
9655-48-4471-00	0 COLON RD	CITY OF SANFORD		PO BOX 3729 SANFORD NC 27331
9655-39-6205-00	6074 ENTERPRISE PARK DR	AUDENTES THERAPEUTICS INC		600 CALIFORNIA ST SAN FRANCISCO CA 94108

9655-38-2580-00	6056 ENTERPRISE PARK DR	LEE COUNTY GROWTH II LLC		PO BOX 9 SANFORD NC 27331
9656-40-2047-00		GALVIN'S RIDGE LANDCO LLC		9794 TIMBER CIR DAPHNE AL 36527
9656-40-5702-00		GALVIN'S RIDGE LANDCO LLC		9794 TIMBER CIR DAPHNE AL 36527

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



**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 Development 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: Ascend Leadership Academy Holdings Inc
2. Applicant Address: 283 Harvey Faulk Road, Sanford, NC 27332
3. Applicant Telephone: 919-842-5411 Email: jsmith@alaschoolsnc.org
4. Name and Address of Property Owner(s) if different than applicant: _____

5. Location of Subject Property: 283 Harvey Faulk Road, Sanford, NC 27332
Lee Co. P.I.N. 966 - 122 - 4228 - 00
6. Total Area included in Rezoning Request: 23.10 Acres
7. Zoning Classification: Current: RA-CU-CZ
Requested: RA-CU-CZ
8. Existing Land Use(s): Institutional (Charter School)

9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): _____

Add additional athletic fields in southerly portion of the campus.

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.

 / Justin Smith 4/27/2022

Signature of Applicant (Sign & Print) Date

_____/_____
 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.: _____

\$750 FEE, CONDITIONAL REZONING
(\$750 total conditional rezoning fee, no standard rezoning fee included with this request.)

Application No. _____

Energov Case No. _____

City of Sanford-Lee County-Town of Broadway
SUPPLEMENTAL APPLICATION
FOR CONDITIONAL ZONING DISTRICT
To be submitted with a Zoning Map Amendment (Rezoning) Application

Circle the Jurisdiction that Applies:

City of Sanford

Lee County

Town of Broadway

1. Type of Conditional Zoning District (Type 1 or Type 2) Type 1
2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary):
The site is currently used as a charter school campus with classroom buildings, athletic fields, and supporting infrastructure. The submitted site plan expands the campus to include two additional athletic fields.

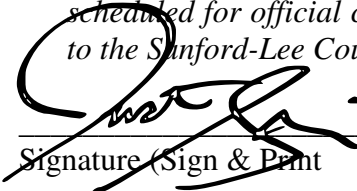
3. Describe in detail any additional conditions of development proposed as part of the Conditional Zoning District. Such conditions should include (as applicable):
 - The location on the property of the proposed use(s);
 - The number of dwelling units;
 - The location and extent of supporting facilities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

The site includes two school buildings located at the northern and southern regions of the property. An athletic field is constructed in the center mass of the property. Parking lots will surround the two buildings to provide bus, faculty, and student parking facilities. Access drives connect the two buildings and are utilized as drop offs for parents. The site has one access on Harvey Faulk Road. Two athletic fields are proposed in the southerly portion of the site.

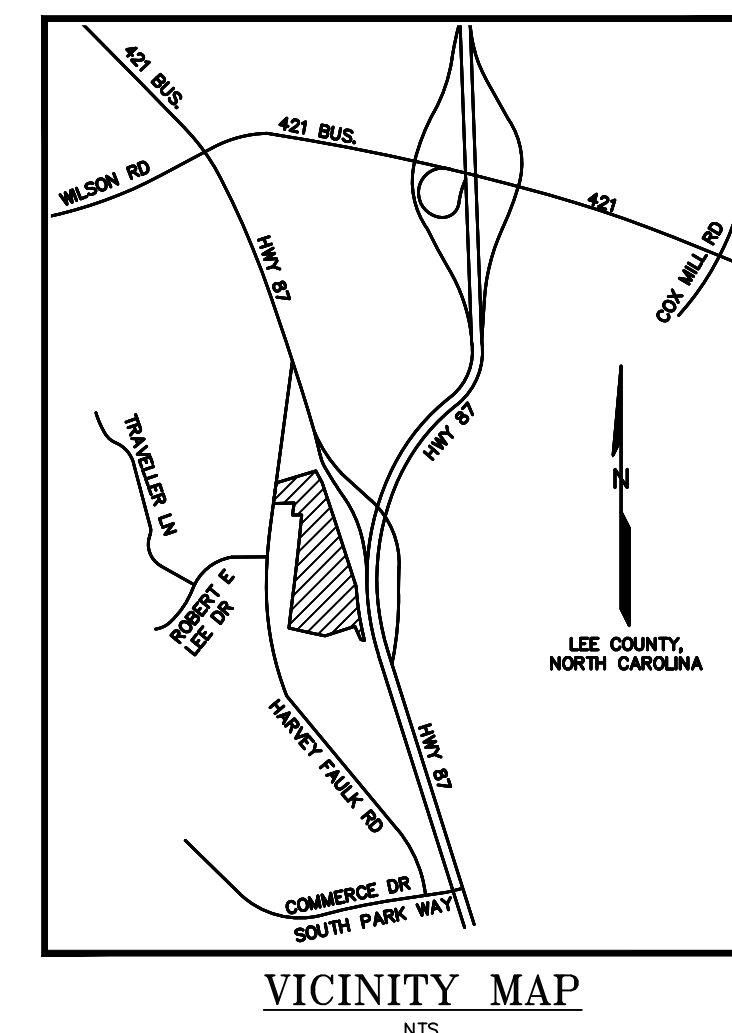
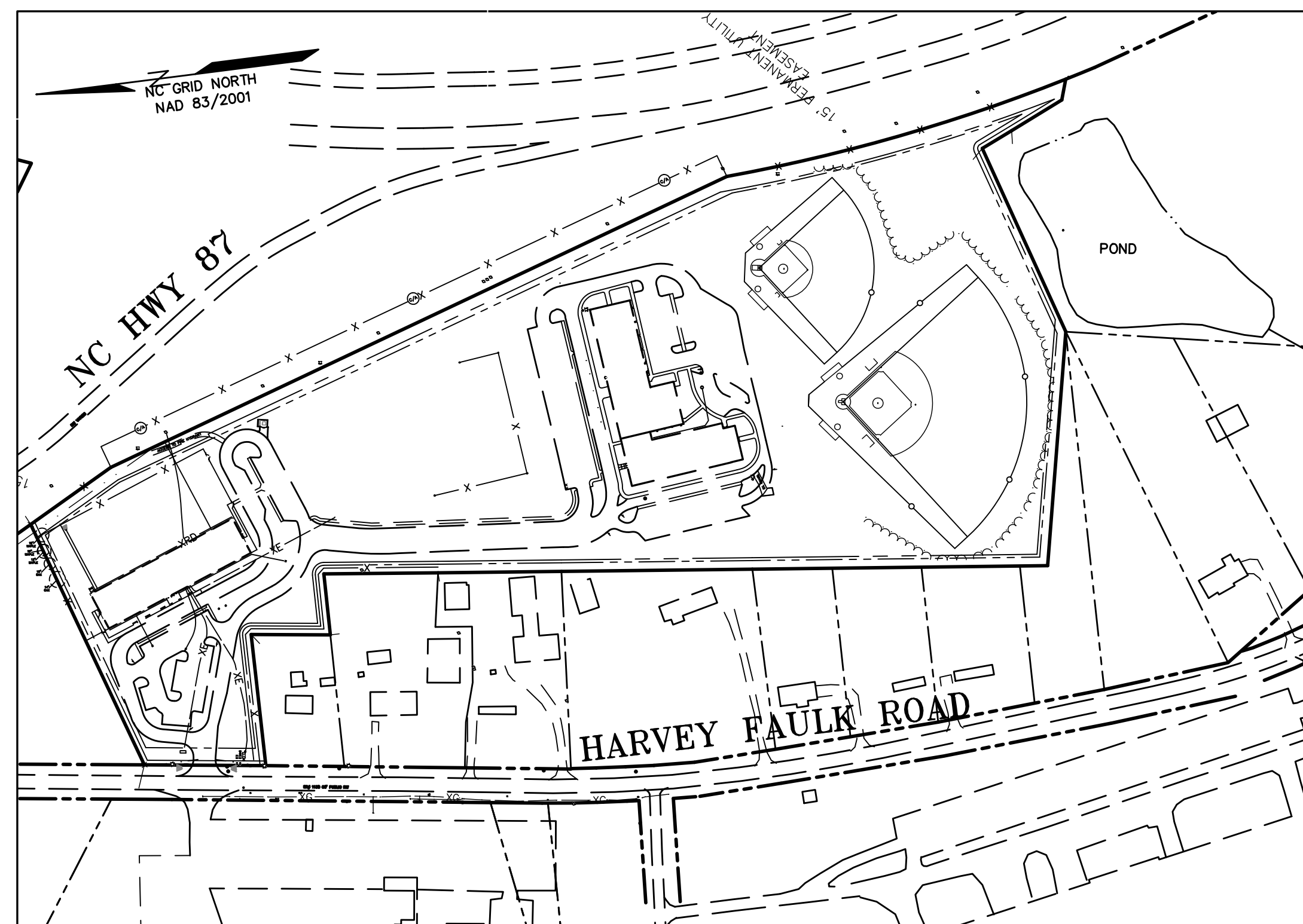
4. Signature(s) of Applicant (and Property Owners if different from Applicant).

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.

 / Justin Smith 4/27/2022
Signature (Sign & Print) Date

_____/_____
Signature (Sign & Print)

_____/_____
Signature (Sign & Print)



ASCEND LEADERSHIP ACADEMY MASTER PLAN SITE PLAN LEE COUNTY, NORTH CAROLINA

SITE DATA:

DEVELOPER:	HUBRICH CONTRACTING INC 4321 MEDICAL PARK DRIVE, SUITE 100 DURHAM, NC 27704 PHONE: 919-471-2895 CONTACT: STEVE HUBRICH	
ENGINEER / APPLICANT:	CIVIL CONSULTANTS INC. 3708 LYCKAN PARKWAY SUITE 201 DURHAM, NC 27707 PHONE: 919-490-1645 CONTACT: WILLIAM R AKIN, P.E.	
PROJECT TYPE:	INSTITUTIONAL (PUBLIC CHARTER SCHOOL)	
PIN:	9661-22-8224	HARVEY FAULK ROAD 3764 HWY. 87 SOUTH
PARCEL ACREAGE:	23.10 ACRES (TOTAL OF ALL PARCELS)	
CURRENT ZONING:	RA-CU-CZ	
PROPOSED ZONING:	RA-CU-CZ	
PROPOSED # OF LOTS:	1 LOT	
EXISTING BLDG. SIZE:	47,260 SF	
MIN. BUILDING SETBACKS:	30' FRONT 15' SIDE 30' REAR	

WATERSHED INFORMATION: THE SITE DRAINS TO CARRS CREEK, CLASS "C" WATERS OF THE CAPE FEAR RIVER BASIN. THE SITE DOES NOT CONTAIN STREAMS, WETLANDS, OR BUFFERS AND IS NOT LOCATED IN A PROTECTED WATERSHED AREA.

IMPERVIOUS SURFACE AREAS

	<u>SQ. FT.</u>	<u>ACRES</u>	<u>% TOTAL AREA</u>
TOTAL AREA:	1,006,236 SF	23.10 AC.	100.0%
EXISTING IMPERVIOUS AREA:	87,015 SF	1.99 AC.	8.6%
PROPOSED IMPERVIOUS AREA REMOVED:	6,229 SF	0.14 AC.	0.6%
PROPOSED NEW IMPERVIOUS AREA:	151,659 SF	3.48 AC.	15.06%
TOTAL IMPERVIOUS AREA:	232,445 SF	5.33 AC.	23.07%

LEGEND

	NEW	EXISTING	EXISTING
DRAINAGE STRUCTURE			
SANITARY SEWER MANHOLE			
SANITARY SEWER CLEANOUT			
WATER VALVE			
FIRE HYDRANT			
OVERHEAD UTILITY LINE			
UNDERGROUND ELECTRIC LINE			
UNDERGROUND TELECOM/DATA LINE			
FIBER OPTIC CABLE			
GAS LINE			
STORM DRAINAGE PIPE			
SANITARY SEWER LINE			
WATER LINE			
SURFACE ELEVATION CONTOUR			
SURFACE SPOT ELEVATION			
TREE LINE			
LIMIT OF DISTURBANCE/CLEARING			
ROOF DRAIN			
ELECTRICAL TRANSFORMER PAD			
TYPICAL KEYED NOTE LABEL			

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Lic. #C-1030



**ASCEND LEADERSHIP
ACADEMY MASTERPLAN
DURHAM, NORTH CAROLINA
COVER
SHEET**

[illegible]

DATE: APRIL 8, 20

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SHEET NO.

C1.1



Know what's **below**.
Call before you dig.
 (Or call: 1-800-632-4949)

ASCEND LEADERSHIP
 ACADEMY MASTERPLAN
 LEE COUNTY, NORTH CAROLINA
 EXISTING CONDITIONS AND
 DEMOLITION PLAN

REV. DATE DESCRIPTION

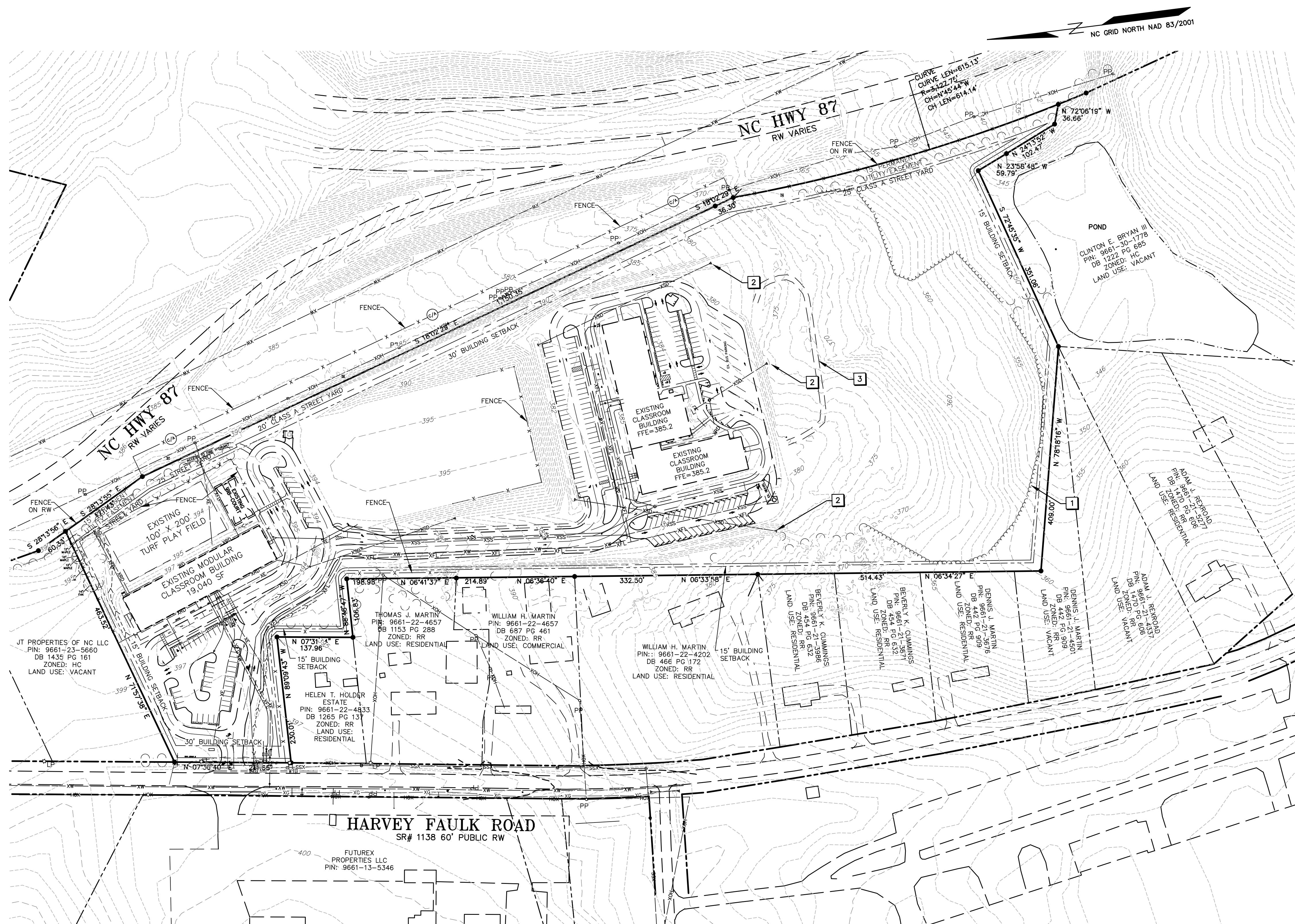
DATE: APRIL 8, 2022

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SHEET NO.

C2.1



KEY KEYED NOTES -- DEMOLITION

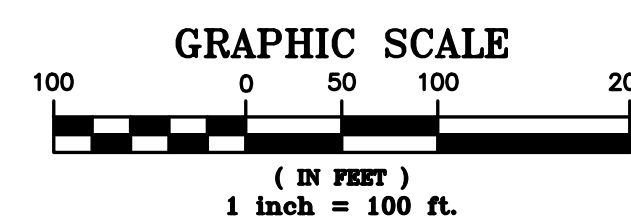
- 1 CLEARING LIMITS
 2 MAINTAIN AND PROTECT DRAINAGE FEATURE
 3 REMOVE EXISTING GRAVEL DRIVE

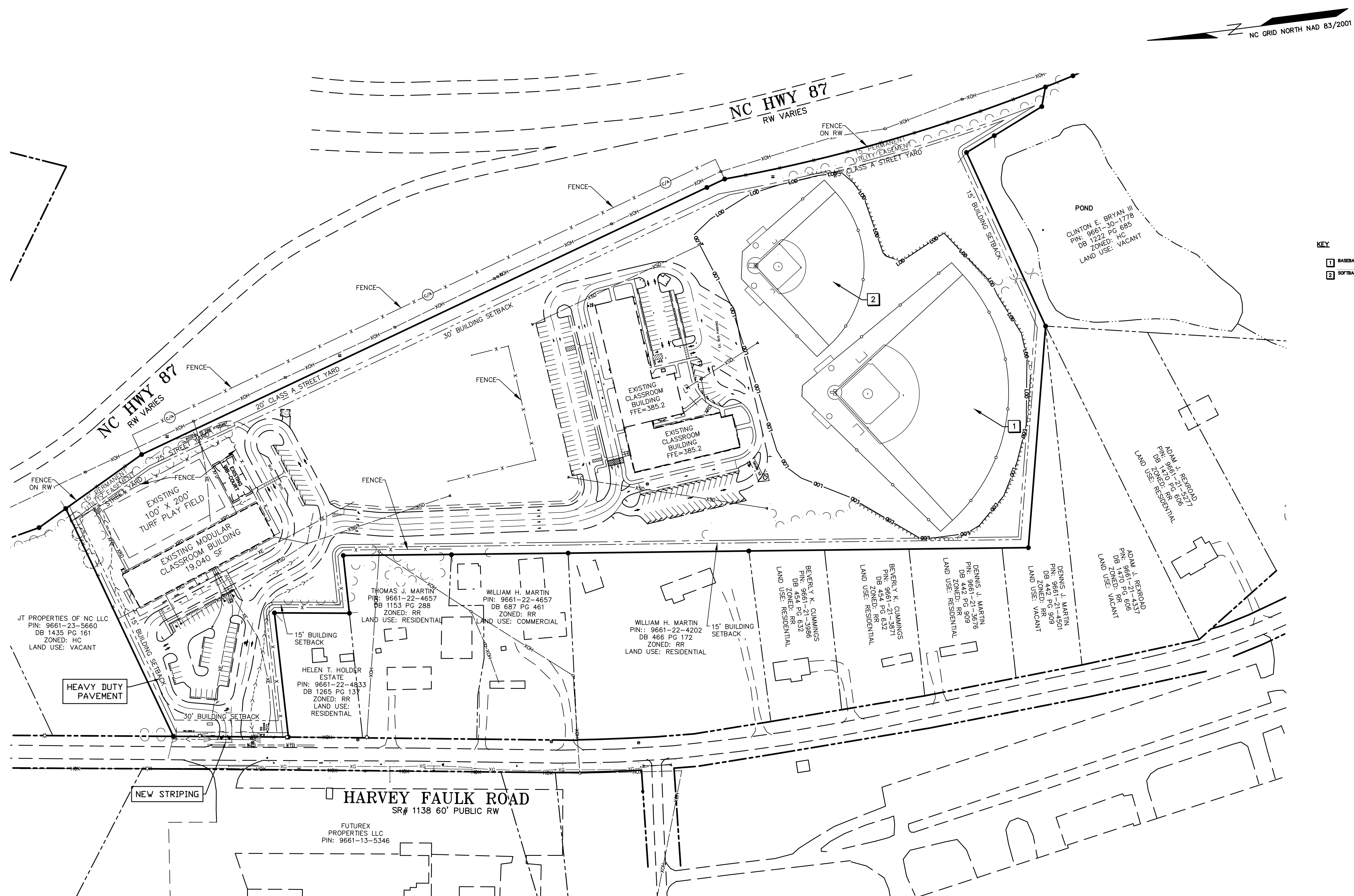
REFERENCES:

1. REFER TO DRAWING SHEET C1.2 FOR NOTES AND SPECIFICATIONS RELEVANT TO WORK SHOWN ON THIS SHEET.



Know what's below.
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KEY: KEYED NOTES - SITE PLAN

- 1 BASEBALL FIELD WITH FENCING
2 SOFTBALL FIELD WITH FENCING



ASCEND LEADERSHIP
ACADEMY MASTERPLAN
LEE COUNTY, NORTH CAROLINA
SITE LAYOUT
PLAN

REV. DATE DESCRIPTION

DATE: APRIL 8, 2022

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SHEET NO.

C3.1

EXISTING PARKING

ASCEND ACADEMY		PARKING SUMMARY-HIGH SCHOOL	
BUILDING	NUMBER	REQUIRED	PROVIDED
1 SPACE PER CLASSROOM	33	33	
1 SPACE PER ADMINISTRATIVE STAFF	23	23	
1 SPACE PER CUSTODIAL STAFF	4	4	
1 SPACE PER 4 STUDENTS	320	80	
		TOTAL: 140	140

HANDICAPPED SPACES:

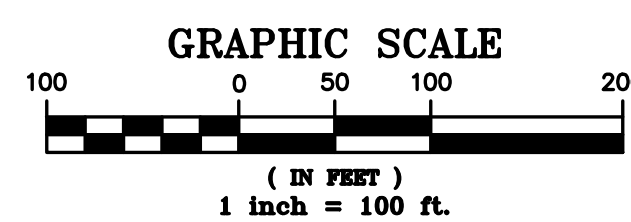
5 REQUIRED - 6 PROVIDED

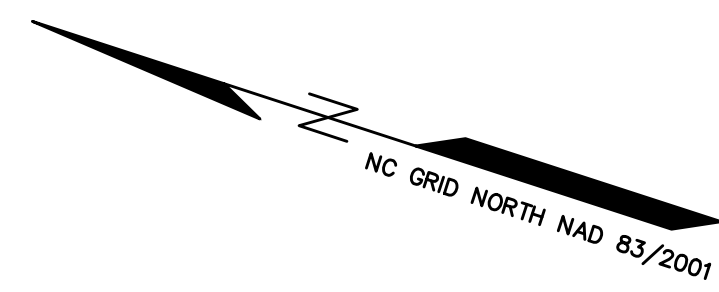
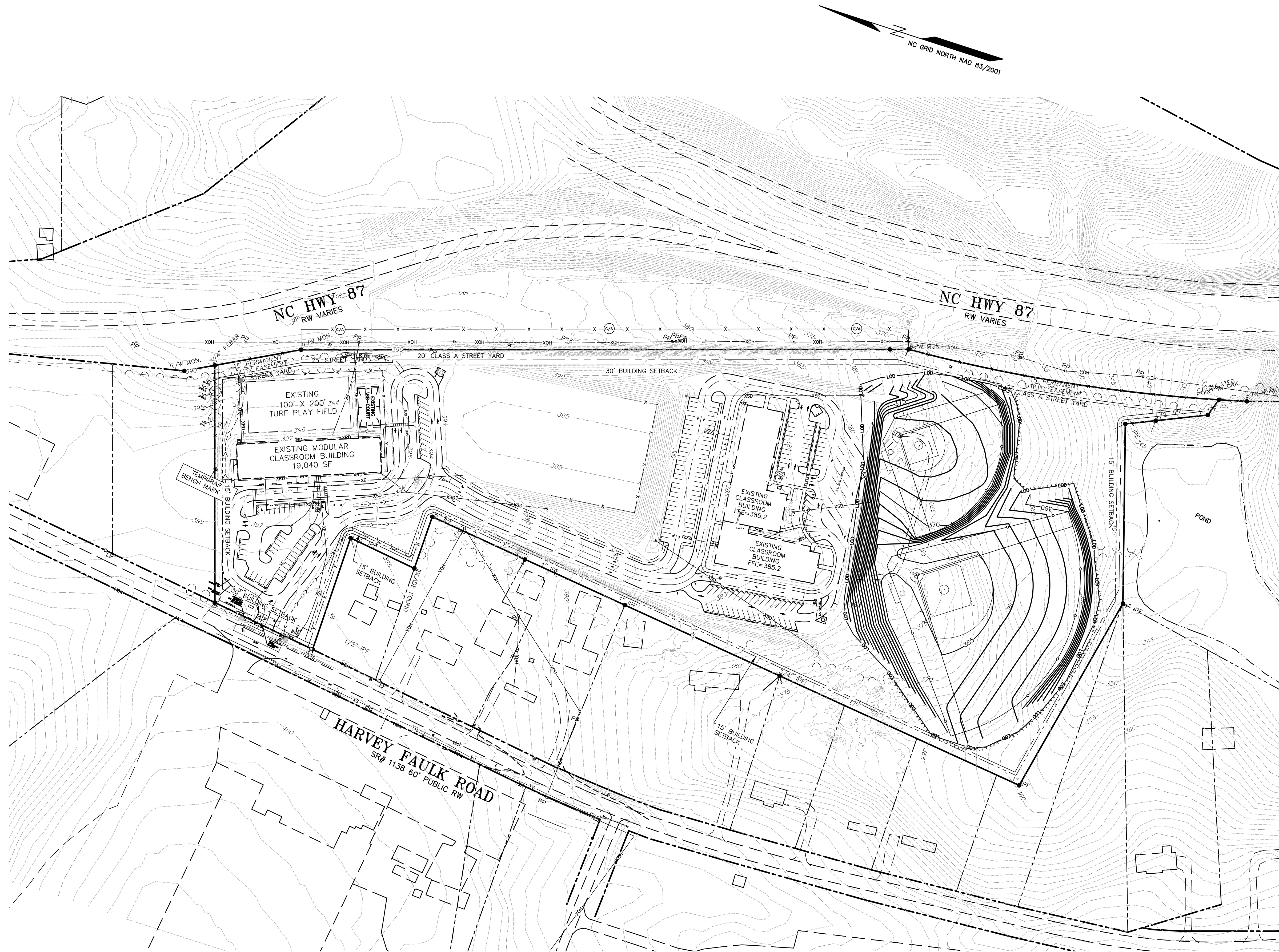
BUS SPACES:

0 REQUIRED - 8 PROVIDED



Know what's below.
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(Or call: 1-800-632-4949)





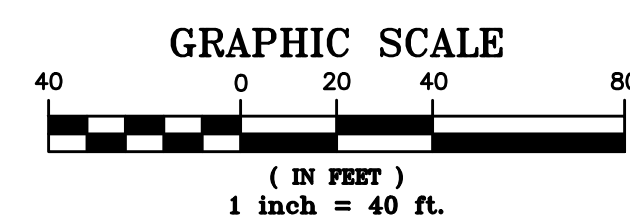
REFERENCES:

1. REFER TO DRAWING SHEET C1.2 FOR NOTES AND SPECIFICATIONS RELEVANT TO WORK SHOWN ON THIS SHEET.
2. REFER TO DETAIL DRAWING SHEETS FOR CONSTRUCTION DETAILS RELEVANT TO WORK SHOWN ON THIS SHEET.

NOTE:
1. CONNECT ALL BUILDING DOWN SPOUTS TO ROOF DRAINAGE PIPING.



Know what's below.
Call before you dig.
(Or call: 1-800-632-4949)



REV. DATE DESCRIPTION

DATE: APRIL 6, 2022

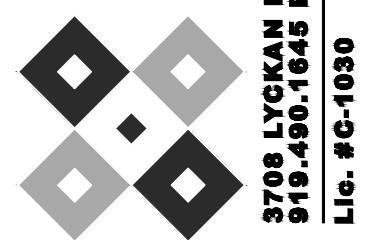
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SHEET NO.

C4.1

ASCEND LEADERSHIP
ACADEMY MASTERPLAN
LEE COUNTY, NORTH CAROLINA
GRADING AND
STORM DRAINAGE PLAN



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ASCEND LEADERSHIP
ACADEMY MASTERPLAN
LEE COUNTY, NORTH CAROLINA
UTILITY
PLAN

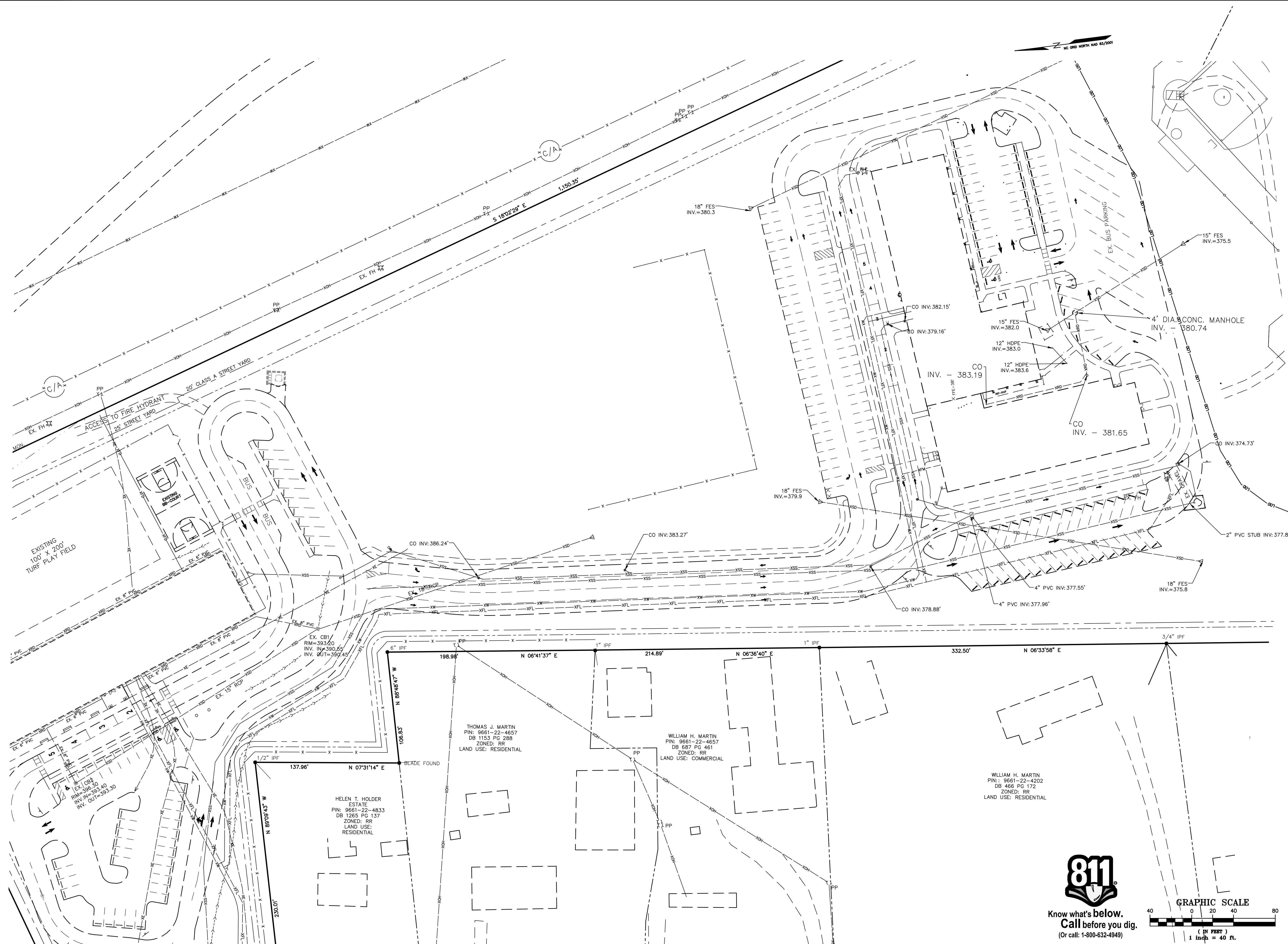
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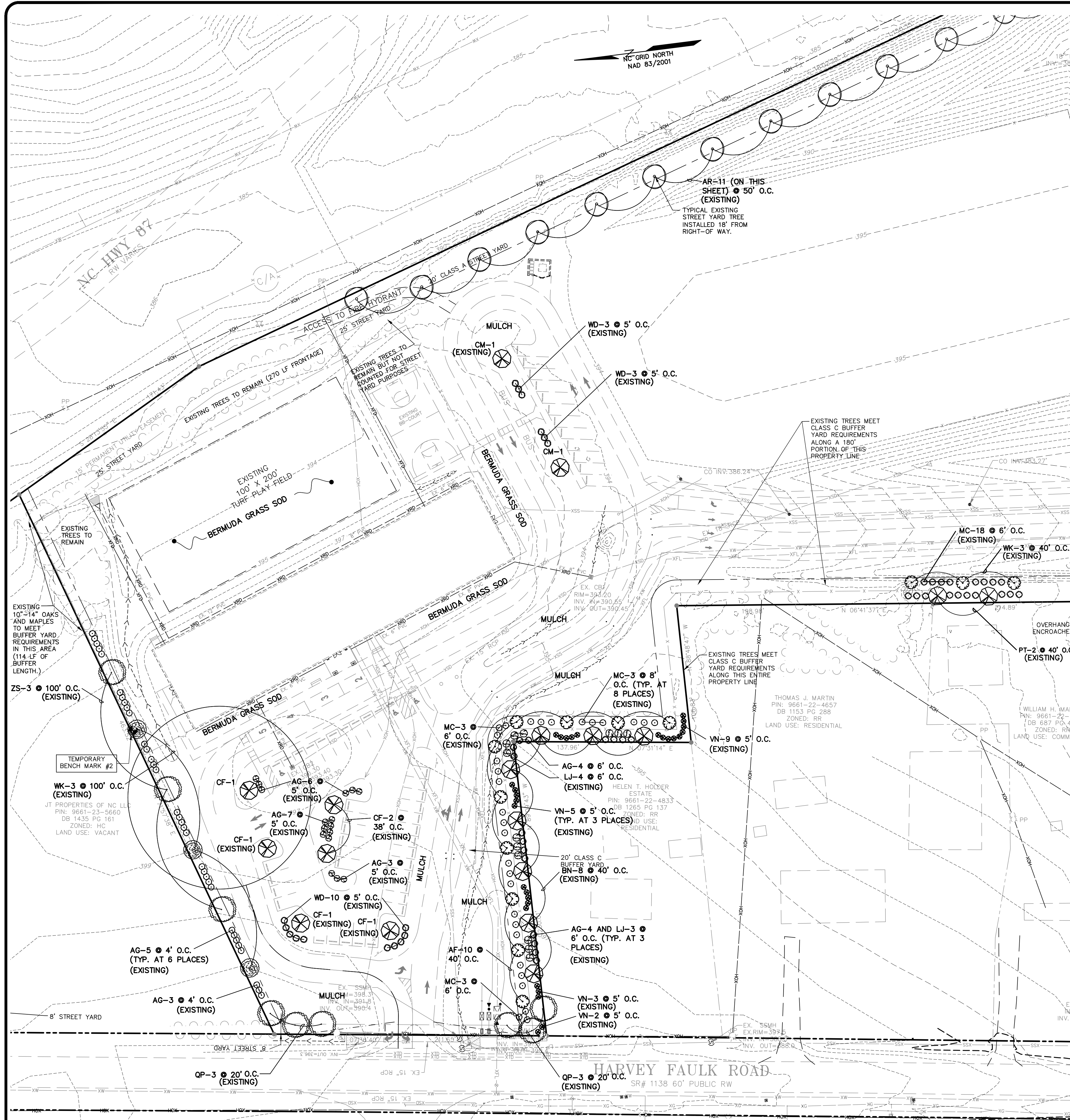
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SHEET NO.

C6.1





PLANT LIST						
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	MIN. CAL.	MIN. HT.	ROOT
<u>LARGE TREES</u>						
AR	Acer rubrum	Red Maple	28	1.75"	8'	B&B
BN	Betula nigra	River Birch	8	1.75"	8'	B&B
QP	Quercus phellos	Willow Oak	4	1.75"	8'	B&B
PT	Pinus taeda	Loblolly Pine	10	1.75"	8'	B&B
ZS	Zelkova serrata 'Village Green'	Village Green Zelkova	3	1.75"	8'	B&B
<u>SMALL TREES</u>						
AF	Acer floridanum	Southern Sugar Maple	10	1.75"	6'	B&B
WK	Crataegus viridis 'Winter King'	Green Hawthorn	15	1.75"	6'	B&B
CM	Lagerstroemia indica	Crape Myrtle	2	1.5" multi-trunk	6'	B&B
CF	Cornus florida 'Cherokee Princess'	Dogwood	13	1.75"	6'	B&B
<u>SMALL SHRUBS</u>						
WD	Pittosporum tobira 'Wheeler's Dwarf'	Wheeler's Dwarf Pittosporum	54		18"	Cont
AG	Abelia x grandiflora 'Rose Creek'	Rose Creek Glossy Abelia	101		18"	Cont
<u>MEDIUM SHRUBS</u>						
VN	Viburnum nudum 'Winterthur'	Winterthur Viburnum	29		24"	Cont
<u>LARGE SHRUBS</u>						
LJ	Ligustrum japonicum 'Recurvifolium'	Wax-Leaf Ligustrum	13		36"	Cont
MC	Myrica cerifera	Wax Myrtle	114		36"	Cont

NOTE: PLANTINGS SHOWN HEREON ARE FOR CODE COMPLIANCE PURPOSES ONLY. ADDITIONAL PLANTINGS MAY BE INSTALLED AT THE OWNER'S DISCRETION.

LANDSCAPING CALCULATIONS

PARKING AREAS

North Parking Area			
Number of Spaces:	62		
Large Trees Req'd per 20 spaces:	1.0	Large Trees Req'd:	
		Large Trees Provided:	
Small Shrubs Req'd per 20 spaces:	8.0	Small Shrubs Req'd:	
		Small Shrubs Provided:	
<u>West Parking Area</u>			
Number of Spaces:	36		
Small Trees Req'd per 20 spaces:	2.0	Small Trees Req'd:	
or		Small Trees Provided:	
Large Trees Req'd per 20 spaces:	1.0	Large Trees Req'd:	
		Large Trees Provided:	

Property Line / Segment:
Length of Buffer (LF):
1 Class/Width of Buffer:
Points Required:

BUFFER AREAS

North (along JT Properties of NC)
350 (114 LF is covered by existing trees)
Class A / 8 feet Req'd Points per LF: 0.2
70

Point Value	Number Provided	Points	Species Label
12	4	48	ZS, QP
6	3	18	WK
3	0	0	
2	0	0	
1	33	33	AG
Points Provided:		99	

Property Line / Segment:
Length of Buffer (LF):
Class/Width of Buffer:
4 Points Required:

North and East sides of "Helen Holder" Property
368 (0 LF is covered by existing trees)
Class C / 20 feet Req'd Points per LF: 1.0
368

Point Value	Number Provided	Points	Species Label
12	9	108	BN, QP
6	10	60	AF
3	43	129	LJ, MC
2	29	58	VN
1	16	16	AG
Points Provided:		371	

Property Line / Segment:
2 Length of Buffer (LF):
3 Class/Width of Buffer:
Points Required:

East side of "Thomas and William Martin" Properties
90 (gap in the existing tree coverage)
Class C / 20 feet Req'd Points per LF: 1.0
90

Point Value	Number Provided	Points	Species Label
12	2	24	PT
6	3	18	WK
3	18	54	MC
2	0	0	
1	0	0	
Points Provided:		96	

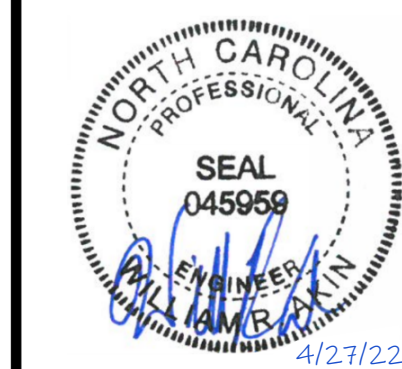
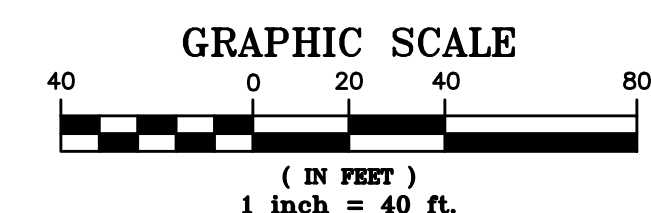
Property Line / Segment:
Length of Buffer (LF):
Class/Width of Buffer:
Points Required:

East side of "William Martin" Properties
340 (gap in the existing tree coverage)
Class C / 20 feet Req'd Points per LF: 1.0

Point Value	Number Provided	Points	Species Label
12	8	96	PT
6	9	54	WK
3	66	198	MC
2	0	0	
1	0	0	
Points Provided:		348	



Know what's **below**.
Call before you dig.
 (Or call: 1-800-632-4949)



ASCEND LEADERSHIP
ACADEMY MASTERPLAN
LEE COUNTY, NORTH CAROLINA
LANDSCAPE
PLAN - NORTH

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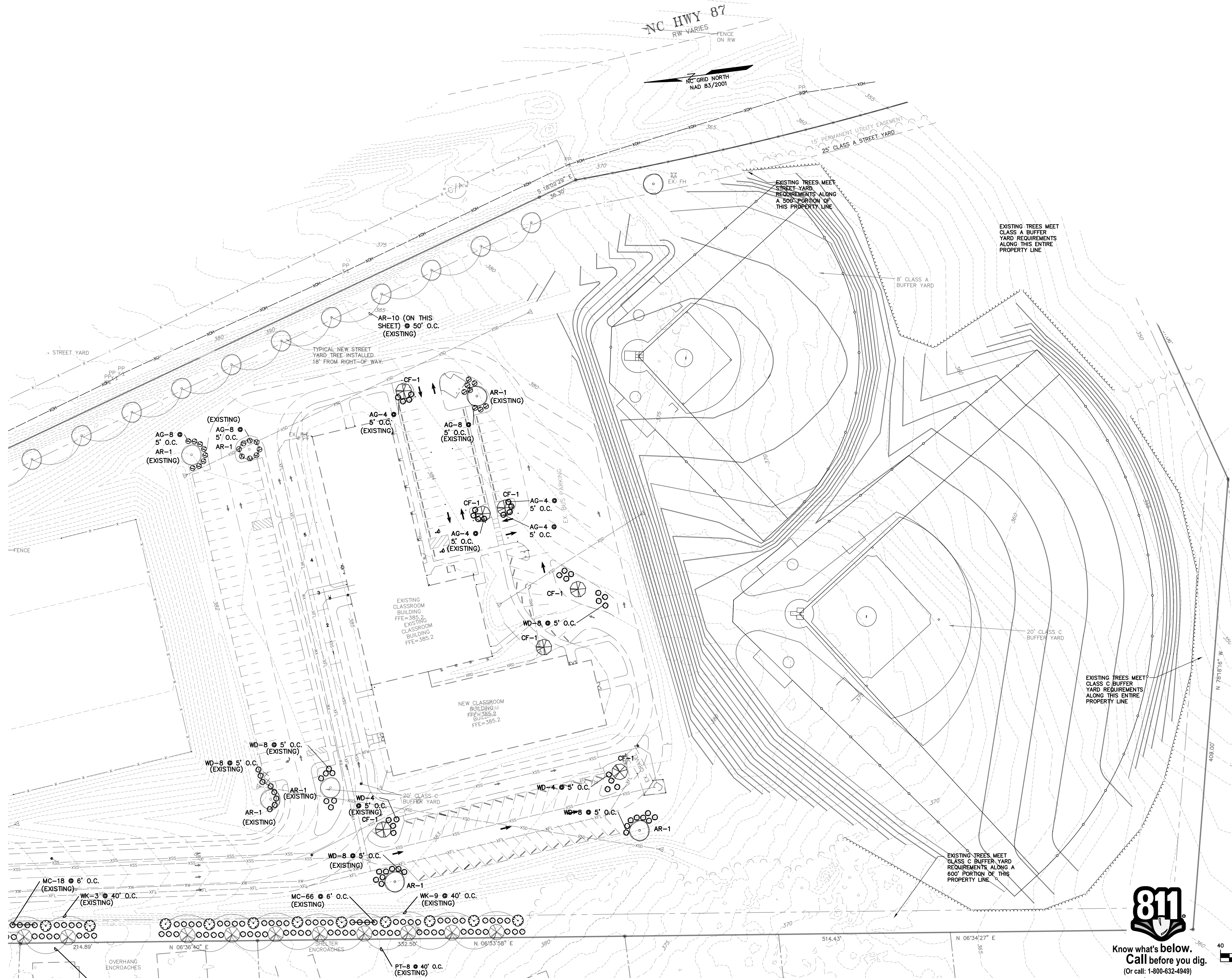
DATE: APRIL 8, 2014

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LAND PLANNERS + CIVIL ENGINEERS
WWW.CIVIL-CONSULTANTS.COM
3708 LYCKAN PARKWAY • SUITE 201 • DURHAM, NC 27707
919.480.1648 PHONE
Lic. #C-1030

NORTH CAROLINA
PROFESSIONAL
SEAL
045959
APRIL 8, 2022

ASCEND LEADERSHIP
ACADEMY MASTERPLAN
LEE COUNTY, NORTH CAROLINA
LANDSCAPE
PLAN

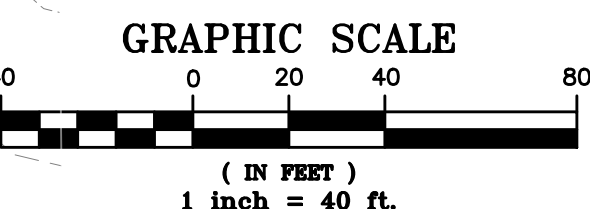
REV.	DATE	DESCRIPTION

DATE: APRIL 8, 2022
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CITY OF SANFORD

CITY COUNCIL AND PLANNING BOARD

PUBLIC HEARING INFORMATION

November 15th, 2022

REQUEST

Ascend Leadership Academy Holdings Inc. has submitted a request to update/revise the site plan associated with the Ascend Leadership Academy CZ District so that they may expand their campus off of Harvey Faulk Road. The proposed expansion consists of additional athletic fields in the Southern portion of the subject property. 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:	Ascend Leadership Academy Holdings Inc (Justin Smith)
Property Owners:	Ascend Leadership Academy Holdings Inc
Request:	Rezone from Ascend Leadership Academy Conditional Zoning District to Ascend Leadership Academy Conditional Zoning District (Revised)
Location:	283 Harvey Faulk Road, Sanford, NC 27332
Acreage:	23.10
Tax Parcels:	9661-22-8224-00
Tax Map:	9661.03
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 at 283 Harvey Faulk Rd, Sanford, NC 27332 near the intersection of US 421 Bypass and NC Hwy 87. The overall site is developed as a charter school with a 6-foot wood privacy fence in area proposed as athletic fields.

ZONING DISTRICT INFORMATION

Existing Zoning: The Ascend Leadership Academy 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 has 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 is 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.

The site has been developed as per the site plan and architectural plans submitted with the original rezoning by Lee County in 2018. The site was then annexed and rezoned by the City in August of 2019 using the same site plans. City of Sanford Ordinance 2019-54, with attachments, has been included within the agenda so that you may reference the information documenting the existing zoning.

Proposed Zoning: The Ascend Leadership Academy CZ District (Revised) 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: Highway Commercial (HC)
 South: Residential Restricted (RR) & Highway Commercial (HC)
 East: Highway Commercial (HC) & Residential Restricted (RR)
 West: Light Industrial (LI)

Adjacent Land Use

North: Car dealer
 South: Single-family dwellings
 East: Single-family dwellings (Carolina Trace subdivision); highway commercial uses
 West: Light industrial uses (warehouses)

PLAN SANLEE

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

LOCAL OVERLAY DISTRICTS

This site is not located within a local overlay district.

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 NC Hwy 87 and Harvey Faulk Rd. The site appears to have access to public sanitary sewer from a main line along Harvey Faulk Rd. 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

The site has frontage on Harvey Faulk Rd (SR-1138) an NCDOT owned and maintained secondary route with a 60ft right-of-way. The site abuts NC Hwy 87 (NC-87) in the rear the 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: Harvey Faulk Road is not identified within the 2011 Lee County Comprehensive Transportation Plan; however, NC Hwy 87 is designated as a freeway in need of improvement in the area of the subject property. The 2011 Lee County Comprehensive Transportation Plan calls for the expansion of NC Hwy 87 into a four-lane, divided expressway with multiple improvements for accesses and traffic control which could impact the site.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2019 NCDOT AADT count of 550 vehicles per day on Harvey Faulk Rd in the general area of the subject property. There is a 2020 NCDOT AADT count of 20,500 vehicles per day on NC Hwy 87 in the general area of the subject property.

DEVELOPMENT STANDARDS

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

STAFF RECOMMENDATION

The rezoning request complies with the *Plan SanLee* long-range plan designation of Mixed-Use Activity Center which lists civic services, such as education, as a primary future land use. This amendment to the Ascend Leadership Academy CZ District is a continuation of the previously approved conditional zoning district that remains beneficial to the students and public at-large. Based on this rationale, staff is supportive of this rezoning request as it appears to align with be the future land use plan and existing development patterns.

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 Mixed-Use Activity Center because it allows civic and employment uses as primary future 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 Mixed-Use Activity Center because it includes only one of the encouraged land use components and does not directly encourage the development of a large scale of integrated mixed-uses.”*

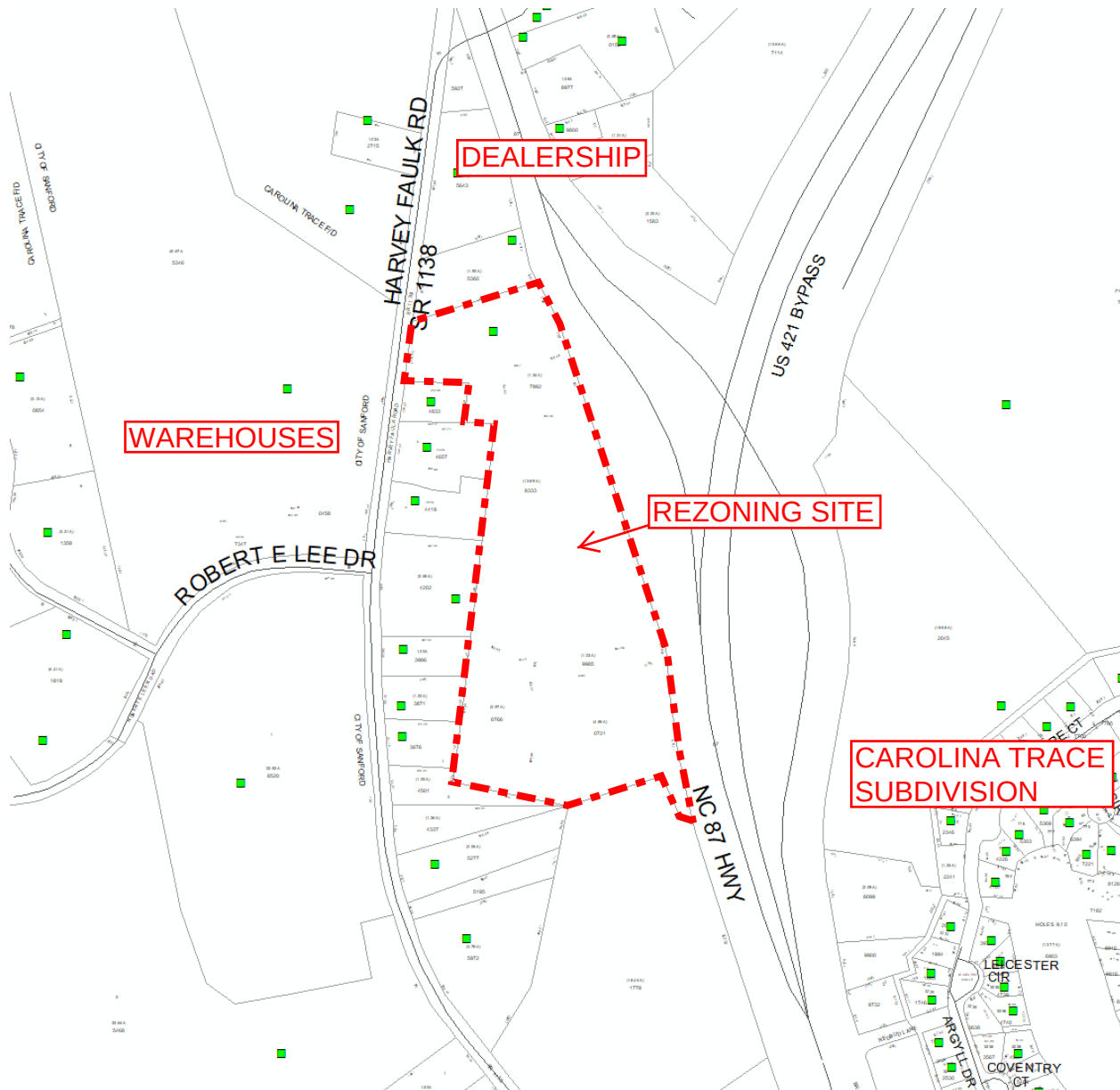
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

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 23.1 acres at 283 Harvey Faulk Rd
to amend the Ascend Leadership Academy CZ District

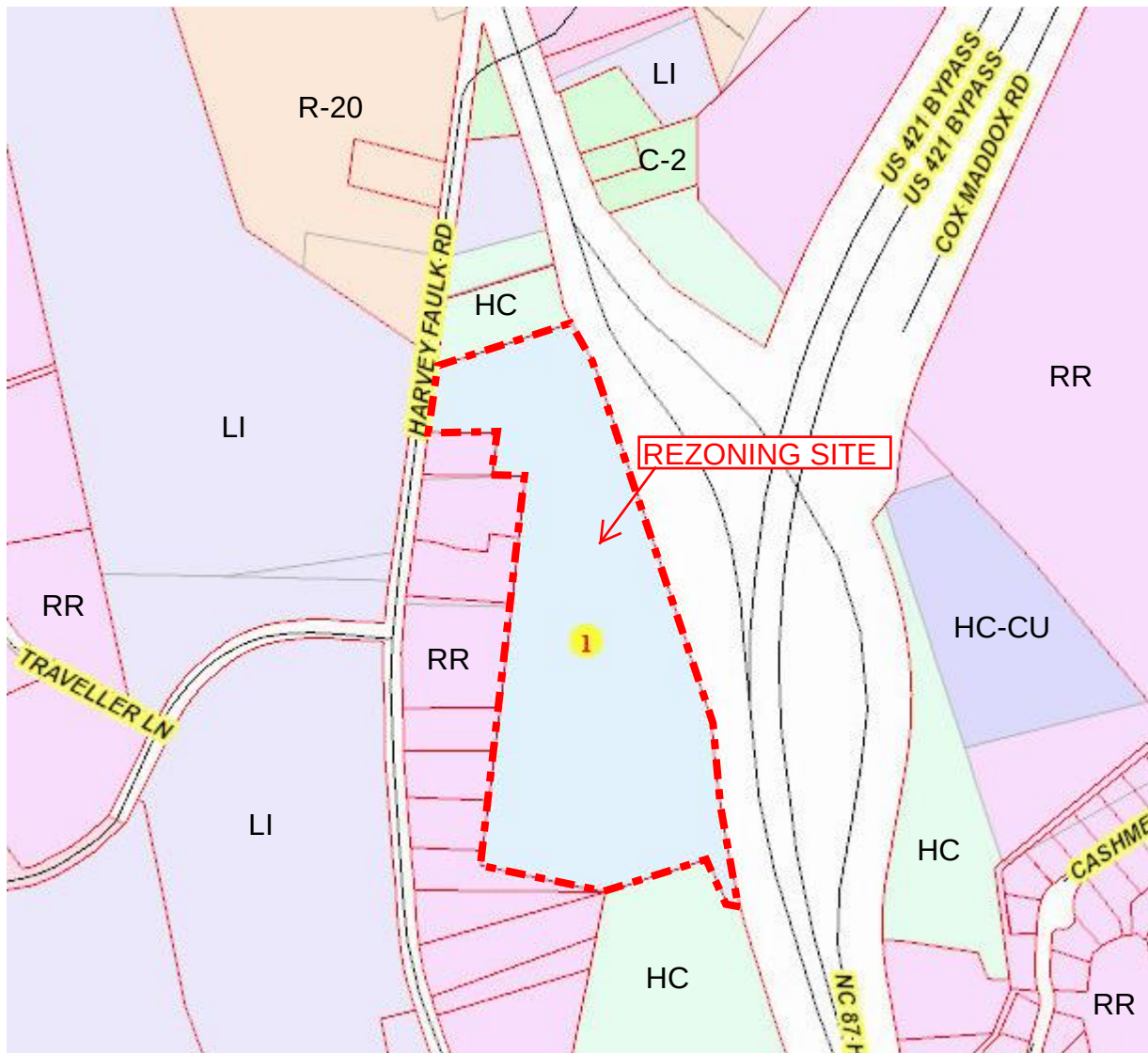
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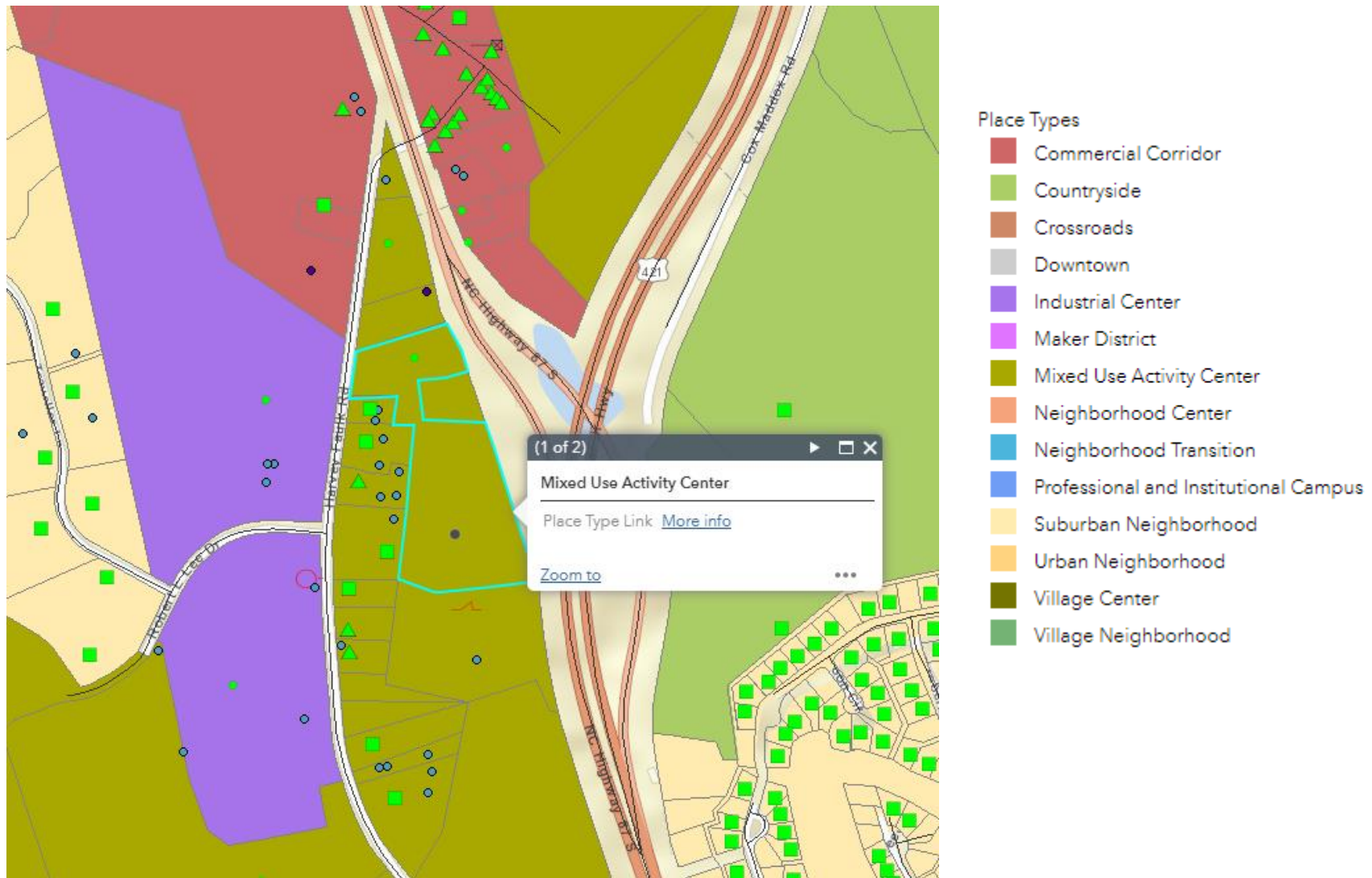


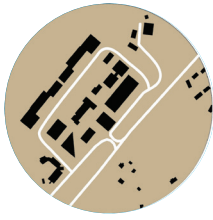
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to amend the Ascend Leadership Academy CZ District

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

Plan SanLee – Long Range Plan – Interactive Map of Site

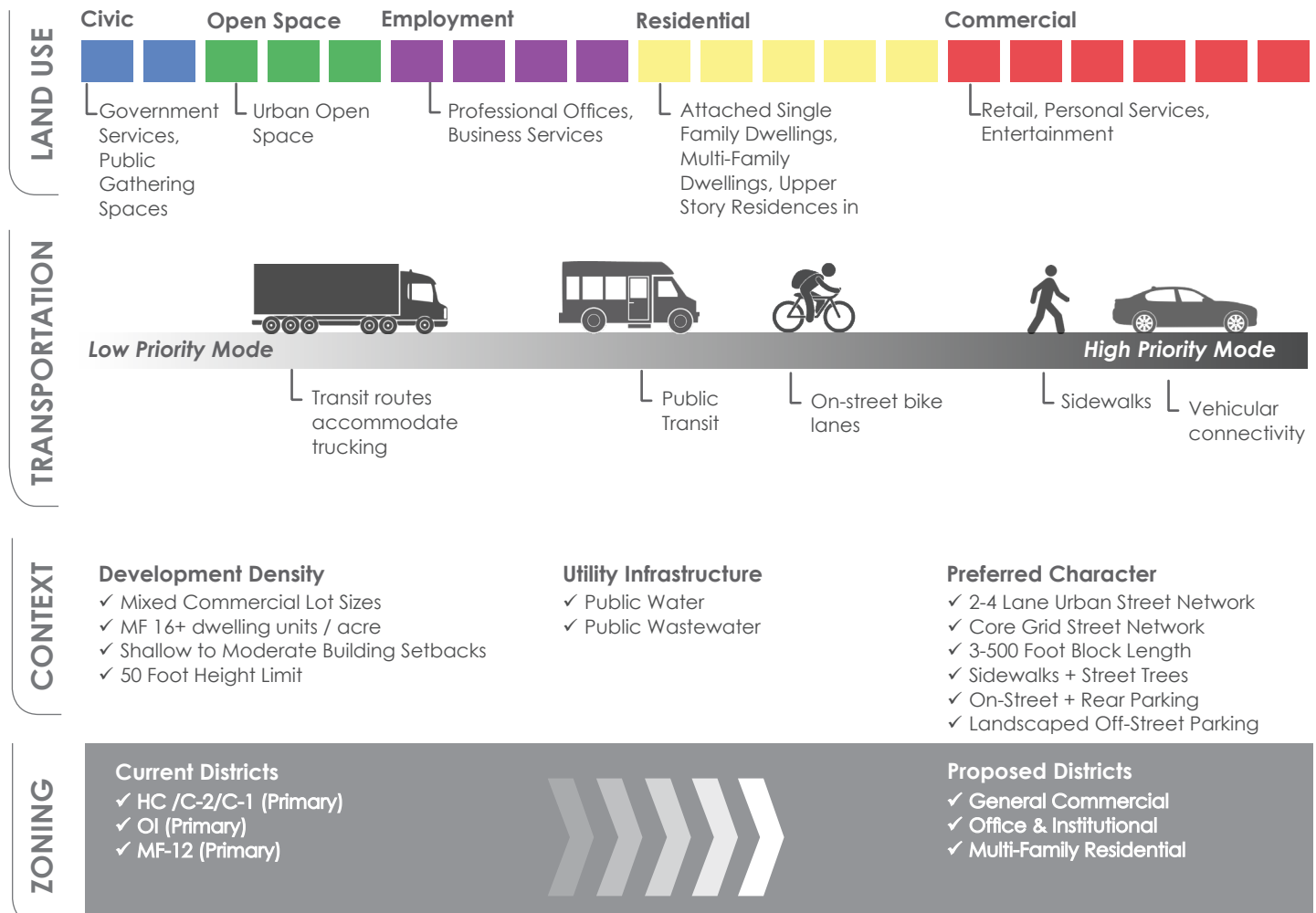




MIXED USE ACTIVITY CENTER

- ✓ Facilitate development of large scale integrated mix of uses
- ✓ Single master-planned unit, but contextually integrated into surrounding development pattern including strong mobility linkages
- ✓ Within close proximity to highway interchanges and major arterials

Local Example - US 1 / Spring Lane Interchange Area in Sanford



ADJOINING PROPERTY OWNERS LIST

PETITION BY: Ascend Leadership Academy Holdings Inc. (Justin Smith)

REQUEST: Rezone to Amend the Ascend Leadership Academy CZ District

LOCATION: 283 Harvey Faulk Rd, Sanford, NC 27332

PIN: 9661-22-8224-00

DATE: 2022-04-27

PIN	Property Address	Owner1	Owner2	Mailing Address
9661-21-3986-00	463 HARVEY FAULK RD	CUMMINGS, BEVERLY K		463 HARVEY FAULK RD SANFORD NC 27330
9661-21-3871-00	501 HARVEY FAULK RD	CUMMINGS, BEVERLY K		463 HARVEY FAULK RD SANFORD NC 27330
9661-21-3676-00	521 HARVEY FAULK RD	MARTIN, DENNIS J		3501 LEE AVE SANFORD NC 27330
9661-21-4501-00	0 HARVEY FAULK RD	MARTIN, DENNIS J		3501 LEE AVE SANFORD NC 27330
9661-21-5277-00	613 HARVEY FAULK RD	CASEY, PERRY W	CASEY, JENNIFER K	613 HARVEY FAULK RD SANFORD NC 27332
9661-21-4337-00	0 HARVEY FAULK RD	CASEY, PERRY W	CASEY, JENNIFER K	613 HARVEY FAULK RD SANFORD NC 27332
9661-30-1778-00	0 HIGHWAY 87 S	BRYAN, CLINTON E III		216 ASHFORD DR PITTSBORO NC 27312
9661-15-1024-00	3350 NC 87 HWY	ADAMS, WILLIAM THOMAS & PATRICIA WRIGHT	THE W. THOMAS & PATRICIA W ADAMS TRUST	220 CASWELL BEACH RD CASWELL BEACH NC 28465
9661-33-1583-00	0 NC 87 HWY	OB THOMAS LLC		1501 CREPE MYRTLE DR SANFORD NC 27330
9661-42-2045-00	3997 NC 87 HWY	OB THOMAS LLC		1501 CREPE MYRTLE DR SANFORD NC 27330
9661-22-4658-00	323 HARVEY FAULK RD	MARTIN, THOMAS J		323 HARVEY FAULK RD SANFORD NC 27332
9661-13-5232-00	298 HARVEY FAULK RD	CARTER LUMBER OF THE SOUTH INC		601 TALLMADGE RD KENT OH 44240
9661-22-4202-00	445 HARVEY FAULK RD	KOTHSTEIN, KYLE J	KOTHSTEIN, KIERSTEN E	445 HARVEY FAULK RD SANFORD NC 27332
9661-43-7087-00	510 COX MADDOX RD	WOMBLE, ALBERT BENTON		PO BOX 3609 SEAL BEACH CA 90740
9661-22-4833-00	291 HARVEY FAULK RD	HOLDER, HELEN T (LIFE ESTATE)		291 HARVEY FAULK RD SANFORD NC 27330

9661-22-8224-00	283 HARVEY FAULK RD	ASCEND LEADERSHIP ACADEMY HOLDINGS INC		283 HARVEY FAULK RD SANFORD NC 27332
9661-23-5360-00	0 HARVEY FAULK RD	JT PROPERTIES OF NC LLC		PO BOX 369 SANFORD NC 27331
9661-22-4437-00	357 HARVEY FAULK RD	MARTIN, THOMAS J		323 HARVEY FAULK RD SANFORD NC 27332
9661-31-8099-00	4135 NC 87 HWY	NORTH CAROLINA DEPT OF TRANSPORTATION		PO BOX 1067 ABERDEEN NC 28315

0 property address number = vacant; no addressed structures on 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) in the Planning & Development Dept. section
Staff contact: Amy J. McNeill (919) 718-4656, ext. 5397 or 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: 2nd Friday of each month at 12:00pm (noon).

MEETING DATE: Sanford PB meets the 3rd Tuesday of each month at 6pm, if there are items to review
Lee Co. PB meets the 3rd 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: Deep River East

Address/Location: Cotten Road and Cumnock Road

PIN(s): Portion of 3635-04-5989, 9625-93-8206, 9635-02-2844

Total Acreage: 203.43

Zoning District(s): Village of Cumnock Conditional Zoning

Number of Lots: 567 Lot Size(s): 6,000 sf

Utilities: ☐ Existing
☒ Proposed

☐ Private Well
☒ Public Water Supply

☐ Private Septic System
☒ Public Sanitary Sewer

Street(s): ☐ Existing
☒ Proposed

☒ Public Street (City maintained)
☐ Public Street (NCDOT maintained)

Project Description: Single family detached residential

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

Name: LGI Homes NC, LLC

Address: 2626 Glenwood Avenue, Suite 550 Raleigh, NC 27608

Phone #: 980-722-0391

Email: josh.spiegel@lgihomes.com

Name:

Address:

Phone #:

Email:

Name:

Address:

Phone #:

Email:

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

Name: Timmons Group - Beth Blackmon

Address: 5410 Trinity Road, Suite 102, Raleigh NC 27607

Phone #: 919-866-4509

Email: beth.blackmon@timmons.com

Beth Blackmon

Digitally signed by Beth Blackmon
DN: cn=Beth Blackmon, email=Beth.Blackmon@timmons.com, c=US

/ Beth Blackmon

09/13/2022

Applicant's signature (sign & print name)

Date

Staff Use OnlyJurisdiction: ☐ City of Sanford☐ Lee County☐ Broadway

Date Received: _____

SP Project #: _____

PB Meeting Date: _____

Energov #: _____

Staff Signature & Title: _____

Staff Notes: _____

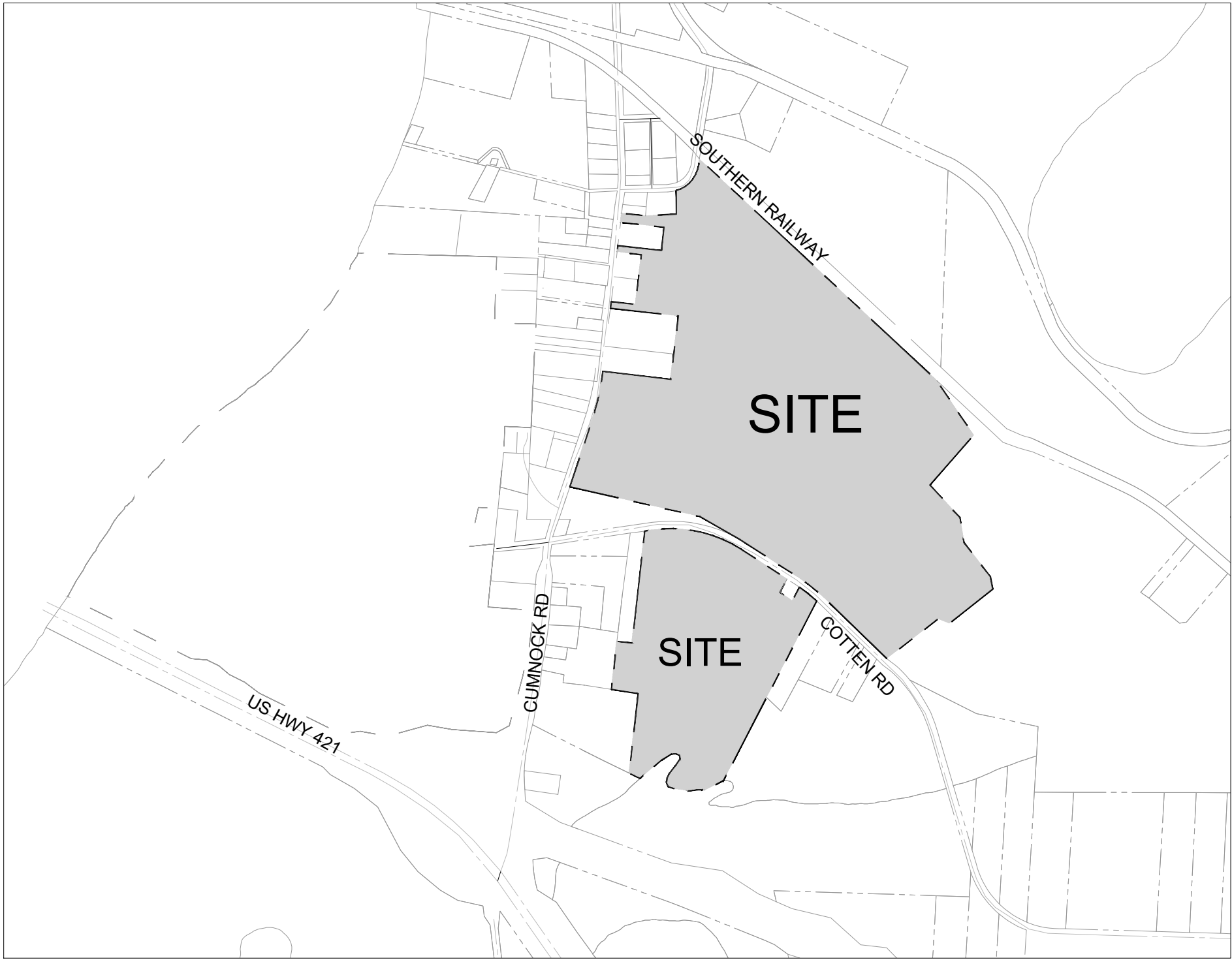
Complete / Incomplete Submittal (circle)

DEEP RIVER EAST 1 & 2

PRELIMINARY PLAT SANFORD, NORTH CAROLINA

SITE DATA

PROJECT:	DEEP RIVER EAST 1 & 2
ENGINEER:	TIMMONS GROUP 5410 TRINITY ROAD, SUITE 102 RALEIGH, NC 27607 PHONE: 919-866-4509 FAX: 919-833-8124 BETH BLACKMON, PE EMAIL: BETH.BLACKMON@TIMMONS.COM
DEVELOPER:	LGI HOMES 6500 CREEDMOR ROAD SUITE 212 RALEIGH, NC 27613 PHONE: 984-200-6186 DREW KIRCHNER EMAIL: DREW.KIRCHNER@LGIHOMES.COM
PROPERTY LOCATION:	0 COTTEN RD
PINS:	PORTION OF 3635-04-5989, 9625-93-8206, 9635-02-2844
ZONING:	VILLAGE OF CUMNOCK CONDITIONAL ZONING
TOWNSHIP:	SANFORD
PROPOSED USE:	RESIDENTIAL
TOTAL SITE AREA:	153.19 AC (PIN 9635-04-5989) 39.86 AC (PIN 9625-93-8206) 10.38 AC (PIN 9635-02-2844) 203.43 AC TOTAL



VICINITY MAP
1"=1000'

Sheet List Table

Sheet Number	Sheet Title
C0.0	COVER SHEET
C1.0	EXISTING CONDITIONS
C2.0	OVERALL SITE PLAN
C2.1	DETAILED SITE PLAN (1 OF 3)
C2.2	DETAILED SITE PLAN (2 OF 3)
C2.3	DETAILED SITE PLAN (3 OF 3)
C3.0	OVERALL PRELIMINARY UTILITY PLAN
C3.1	DETAILED PRELIMINARY UTILITY PLAN (1 OF 3)
C3.2	DETAILED PRELIMINARY UTILITY PLAN (2 OF 3)
C3.3	DETAILED PRELIMINARY UTILITY PLAN (3 OF 3)
C3.4	PRELIMINARY OFFSITE UTILITES
C4.0	OVERALL PRELIMINARY LANDSCAPE PLAN
C4.1	DETAILED PRELIMINARY LANDSCAPE PLAN (1 OF 3)
C4.2	DETAILED PRELIMINARY LANDSCAPE PLAN (2 OF 3)
C4.3	DETAILED PRELIMINARY LANDSCAPE PLAN (3 OF 3)

ZONING CONDITONS

- Village of Cumnock CZ - East 1** zoning would allow single-family detached dwellings with a minimum lot size of 6,000sf as denoted on the Conceptual Development Plan. The lots shall comply with the current UDO lot standards for R-6, which include a minimum lot width of 60-feet, a minimum lot depth of 100-feet, a maximum lot width-to-depth ratio of 1:4, and the following minimum building setbacks for principle structures:
 - Front: 20-feet, as measured from the right-of-way of the public street,
 - Rear: 20-feet, as determined by the orientation of the house and measured from the rear property line; and
 - Sides: 5-feet, as measured from the left and right-side property lines.All corner lots shall have two front yard setbacks, one for each road frontage.
- Village of Cumnock CZ - East 2** zoning would allow single-family detached dwellings with a minimum lot size of 6,000sf as denoted on the Conceptual Development Plan. The lots shall comply with the current UDO lot standards for R-6, which include a minimum lot width of 60-feet, a minimum lot depth of 100-feet, a maximum lot width-to-depth ratio of 1:4, and the following minimum building setbacks for principle structures:
 - Front: 20-feet, as measured from the right-of-way of the public street,
 - Rear: 20-feet, as determined by the orientation of the house and measured from the rear property line; and
 - Sides: 5-feet, as measured from the left and right-side property lines.All corner lots shall have two front yard setbacks, one for each road frontage.
- In addition to the information provided on the Conceptual Development Plan, the following condition will apply to this zoning district:
 - There shall be a buffer that will follow the designated 100 year flood zone (per FEMA Map) adjacent to the Big Buffalo Creek.
 - Within the buffer along Big Buffalo Creek, a 40-foot greenway trail easement will be dedicated for the Buffalo Creek Greenway State Trail.

Regarding future development of the subject property, a detailed site plan/subdivision plat that corresponds with the uses, conditions, design standards, and maximum densities denoted within this application and on the Conceptual Development Plan for each area will be required to be approved by the Sanford City Council in the same procedural manner as all rezoning requests prior to the issuance of development permits for the parcels included within the Village of Cumnock. The site plan(s)/subdivision plat(s) would be a revision/update to the existing zoning districts.

PROPERTY OWNERS:

LGI HOMES NC, LLC
DB 1651, PG 408
PC 9, SL 82B (TRACT A1)
BM 2020, PG 137
PIN 9635-04-5989
AREA 153.19 AC

LGI HOMES NC, LLC
DB 1126, PG 491
PC 10, SL33C
PIN 9635-02-2844
10.38 AC

LGI HOMES NC, LLC
DB 1067, PG 738
PC 9, SL 39F
PC 2013, SL 68
PC 2010, SL 84
PIN 9625-93-8206
39.86 AC



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SPECIFICATIONS, AND DETAILS.

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REVISION DESCRIPTION

DATE	
09/08/2022	
DRAWN BY	331
DESIGNED BY	331
CHECKED BY	B.BLACKMON
SCALE	1"=1000'

TIMMONS GROUP
NORTH CAROLINA LICENSE NO. C-1652

DEEP RIVER EAST 1 & 2
SANFORD, LEE COUNTY, NORTH CAROLINA

COVER SHEET

JOB NO.	48020
SHEET NO.	C0.0

REVIEW SET - NOT RELEASED FOR CONSTRUCTION

DEVELOPER: LGI HOMES 6500 CREEDMOR ROAD SUITE 212 RALEIGH, NC 27613 PHONE: 948-200-6186 EMAIL: DREW.KIRCHNER@LGIHOMES.COM ENGINEER: TIMMONS GROUP BETH BLACKMON, PE 5410 TRINITY ROAD, STE. 102 RALEIGH, NC 27607 PHONE: 919-866-4509 FIRM MAP# = 3710966000J	EXISTING TRACT ACREAGE = 202.68 acres ZONING = VILLAGE OF CUMNOCK CONDITIONAL ZONING DISTRICT LAND USE = SINGLE FAMILY RESIDENTIAL & TOWNHOMES PROPOSED NUMBER OF LOTS = 567 MAXIMUM DENSITY = 4.00 du/a PROPOSED DENSITY = 2.80 du/a <u>SINGLE-FAMILY LOTS</u> MINIMUM REQUIRED LOT WIDTH AT SETBACKS = 60 feet MINIMUM LOT WIDTH PROVIDED = 60 feet MINIMUM ALLOWABLE LOT SIZE = 6,000 sq.ft. MINIMUM LOT SIZE PROVIDED = 6,845 sq.ft. AVERAGE LOT SIZE = 8,458 sq.ft. PROVIDED OPEN SPACE AREA = 56.14 acres (27.7%)
--	---

PROPERTY LINE
 PROPOSED RIGHT OF WAY
 PROPOSED LOT LINE
 SIGHT TRIANGLE
 UTILITY EASEMENT
 OPEN SPACE
 EXISTING WETLANDS
 100-YEAR FLOODPLAIN

FRONT YARD = 20'
SIDE YARD = 5'
REAR YARD = 20'
CORNER YARD = 20'

TOTAL SITE AREA	202.68 AC	88,291,382 SF
EXISTING IMPIEVIOUS	0 AC	0 SF
IMPIEVIOUS AREA IN 567 SINGLE FAMILY LOTS (5000 SF/LOT)	65.08 AC	2,835,000 SF
IMPIEVIOUS IN ROADWAY	25.07 AC	1,092,351 SF
MAIL KIOSK IMPIEVIOUS	0.28 AC	12,284 SF
AMENITY SPACE IMPIEVIOUS	1.00 AC	43,560 SF
TOTAL IMPIEVIOUS	91.25 AC	3,974,850 SF
PERCENT IMPIEVIOUS		44.7 %

1. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH CITY OF SANFORD AND NCDOT STANDARDS AND SPECIFICATIONS.
2. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE RESULTING FROM THEIR ACTIVITIES. CALL UTILITY LOCATOR SERVICE BEFORE DIGGING.
3. ALL STREETS SHALL BE PUBLIC.
4. ALL UTILITIES SHALL BE UNDERGROUND.
5. EACH LOT WILL BE SERVED BY CITY OF SANFORD PUBLIC WATER.
6. EACH LOT WILL BE SERVED BY CITY OF SANFORD PUBLIC SEWER.
7. NCDOT EROSION CONTROL PERMIT WILL BE REQUIRED, AND ALL EROSION CONTROL REGULATIONS WILL BE COMPLIED WITH.
8. CONSTRUCTION DRAWINGS MUST BE APPROVED PRIOR TO CONSTRUCTION.
9. SIGNAGE SHALL BE APPROVED PRIOR TO INSTALLATION OF ANY SIGNAGE.
10. STREET NAMES MUST BE APPROVED BY CITY OF SANFORD / LEE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO FINAL PLAT.



ROAD A	2,538	LF
ROAD B	3,336	LF
ROAD C	513	LF
ROAD D	2,667	LF
ROAD E	1,699	LF
ROAD F	1,972	LF
ROAD G	2,332	LF
ROAD H	467	LF
ROAD I	607	LF
ROAD J	725	LF
ROAD K	1,748	LF
ROAD L	764	LF
ROAD M	3,041	LF
ROAD N	201	LF
ROAD O	802	LF
ROAD P	701	LF
ROAD Q	668	LF
ROAD R	436	LF
ROAD S	318	LF
ROAD T	1,366	LF
ROAD U	2,118	LF
ROAD V	119	LF
ROAD W	419	LF
ROAD X	498	LF
ROAD Y	464	LF
TOTAL	30,719	LF

OPEN SPACE #1	182,483 SF	4.19 AC
OPEN SPACE #2	18,583 SF	0.43 AC
OPEN SPACE #3	40,867 SF	0.94 AC
OPEN SPACE #4	25,396 SF	0.58 AC
OPEN SPACE #5	68,974 SF	1.58 AC
OPEN SPACE #6	628,073 SF	14.42 AC
OPEN SPACE #7	115,578 SF	2.65 AC
OPEN SPACE #8	39,359 SF	0.90 AC
OPEN SPACE #9	22,817 SF	0.52 AC
OPEN SPACE #10	46,259 SF	1.06 AC
OPEN SPACE #11	138,216 SF	3.17 AC
OPEN SPACE #12	15,075 SF	0.35 AC
OPEN SPACE #13	4,823 SF	0.11 AC
OPEN SPACE #14	1,099,020 SF	25.23 AC
TOTAL	2,542,523 SF	56.14 AC

CLUSTER MAILBOXES TO BE LOCATED WITHIN
NEIGHBORHOOD OPEN SPACE 3. KIOSK LOCATION
SHALL BE APPROVED BY USPS PRIOR TO
SUBDIVISION APPROVAL. IF TEMPORARY
LOCATIONS ARE REQUIRED, APPROVAL OF
LOCATIONS SHALL BE RECEIVED FROM USPS

A HOMEOWNER'S ASSOCIATION (HOA) WILL OWN AND MAINTAIN ALL OPEN SPACE PARCELS AND WILL BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPING REQUIRED BY CITY OF SANFORD UNIFIED DEVELOPMENT ORDINANCE (UDO).



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B. BLACKMO.

SCALE
 $1''=200'$

DEEP RIVER EAST 1 & 2
SANFORD, LEE COUNTY, NORTH CAROLINA

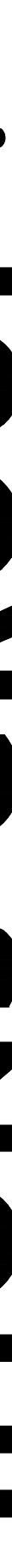
OVERALL SITE PLAN

OVERALL SITE PLAN

JOB NO.
48020

SHEET NO.
C2.0

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The logo for the Timmons Group, featuring the company name in a bold, sans-serif font, followed by a graphic of several black dots of varying sizes arranged in a curved, upward-pointing arc.

NORTH CAROLINA LICENSE NO. C-1652

DEEP RIVER EAST 18
SANFORD, LEE COUNTY, NORTH CAROLINA

DETAILED SITE PLAN (1 OF 3)

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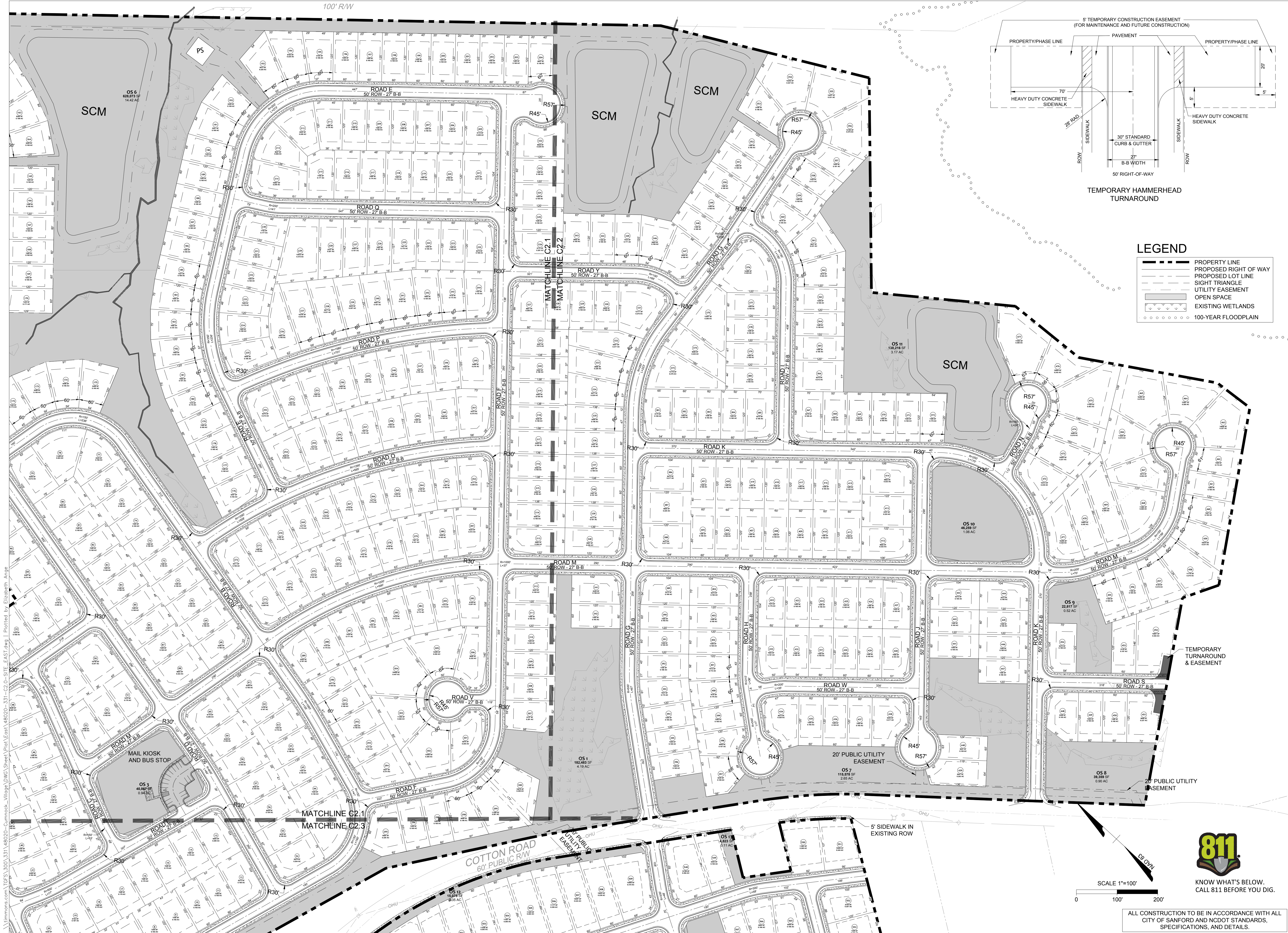
B. BLACKMC

SCALE
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SHEET NO
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B.BLACKMON

SCALE
1"=100'

JOB NO.
48020

SHEET NO.
C2.2

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NORTH CAROLINA LICENSE NO. C-1652

DEEP RIVER EAST 1 & 2

SANFORD, LEE COUNTY, NORTH CAROLINA

DETAILED SITE PLAN (2 OF 3)

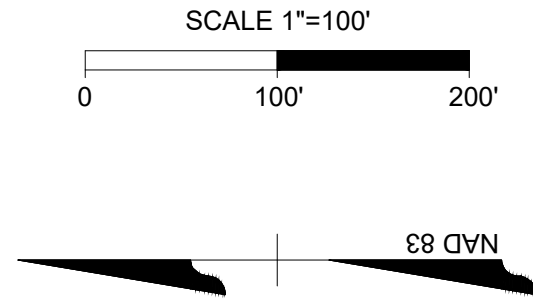
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- LEGEND**
- PROPERTY LINE
 - PROPOSED RIGHT OF WAY
 - PROPOSED LOT LINE
 - BUILDING SETBACK
 - SIGHT TRIANGLE
 - UTILITY EASEMENT
 - OPEN SPACE
 - EXISTING WETLANDS
 - 100-YEAR FLOODPLAIN

A HOMEOWNER'S ASSOCIATION (HOA) WILL OWN AND MAINTAIN ALL OPEN SPACE PARCELS AND WILL BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPING REQUIRED BY CITY OF SANFORD UNITED DEVELOPMENT ORDINANCE (UDO).



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DEEP RIVER EAST 1 & 2

SANFORD, LEE COUNTY, NORTH CAROLINA

DETAILED SITE PLAN (3 OF 3)

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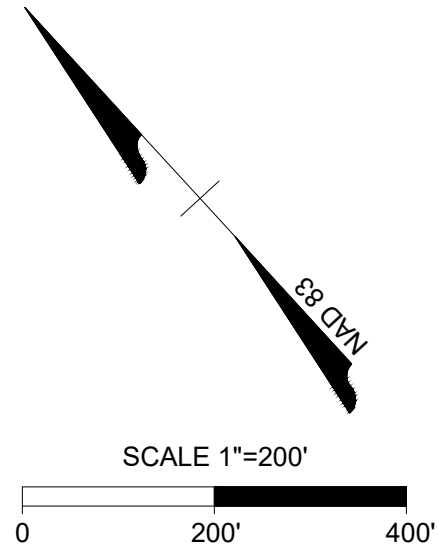
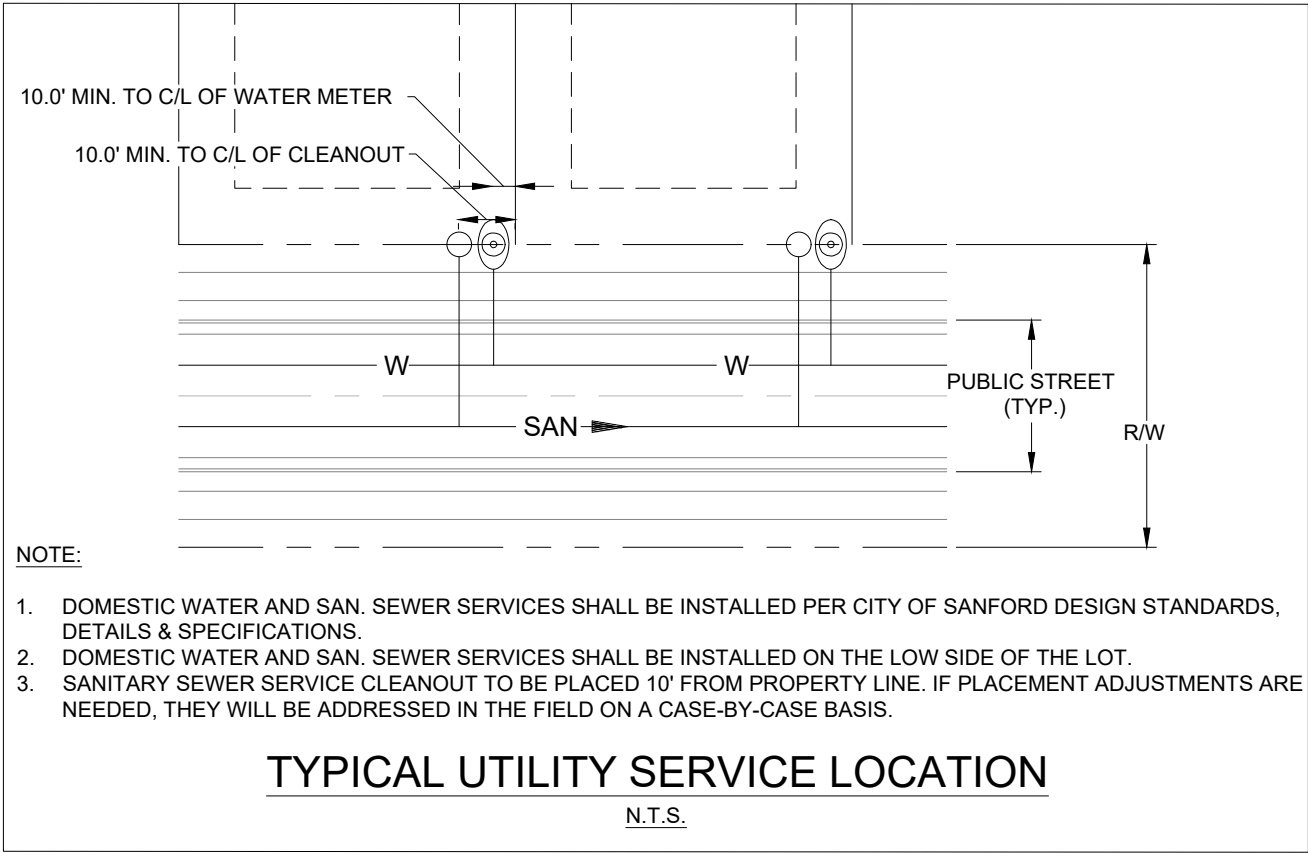


LEGEND

---	PROPERTY LINE
- - - -	SANITARY SEWER EASEMENT
	OPEN SPACE
	EXISTING WETLANDS

UTILITY LEGEND

PROPOSED WATER MAIN	FW
FIRE HYDRANT ASSEMBLY	I+H
BLOWOFF ASSEMBLY	BO
GATE VALVE	GV
PROPOSED SEWER MAIN	FSAN
PROPOSED FORCEMAIN	FM
PROPOSED MANHOLE	S



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SCALE	1"=200'

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NORTH CAROLINA LICENSE NO. C-1652

DEEP RIVER EAST 1 & 2
SANFORD, LEE COUNTY, NORTH CAROLINA

OVERALL PRELIMINARY UTILITY PLAN

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DEEP RIVER EAST 1 & 2

SANFORD, LEE COUNTY, NORTH CAROLINA

DETAILED PRELIMINARY UTILITY PLAN (1 OF 3)

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SHEET NO.

C3.1



LEGEND

PROPERTY LINE

SANITARY SEWER EASEMENT

OPEN SPACE

EXISTING WETLANDS

UTILITY LEGEND

PROPOSED WATER MAIN

FIRE HYDRANT ASSEMBLY

BLOWOFF ASSEMBLY

GATE VALVE

PROPOSED SEWER MAIN

PROPOSED FORCEMAIN

PROPOSED MANHOLE

FW

I+Φ

⊗

⊗

FSAN

FM

S

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DESIGNED BY

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CHECKED BY

B.BLACKMON

SCALE

1"=100'

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NORTH CAROLINA LICENSE NO. C-1652

DEEP RIVER EAST 1 & 2

SANFORD, LEE COUNTY, NORTH CAROLINA

DETAILED PRELIMINARY UTILITY PLAN (3 OF 3)

JOB NO.

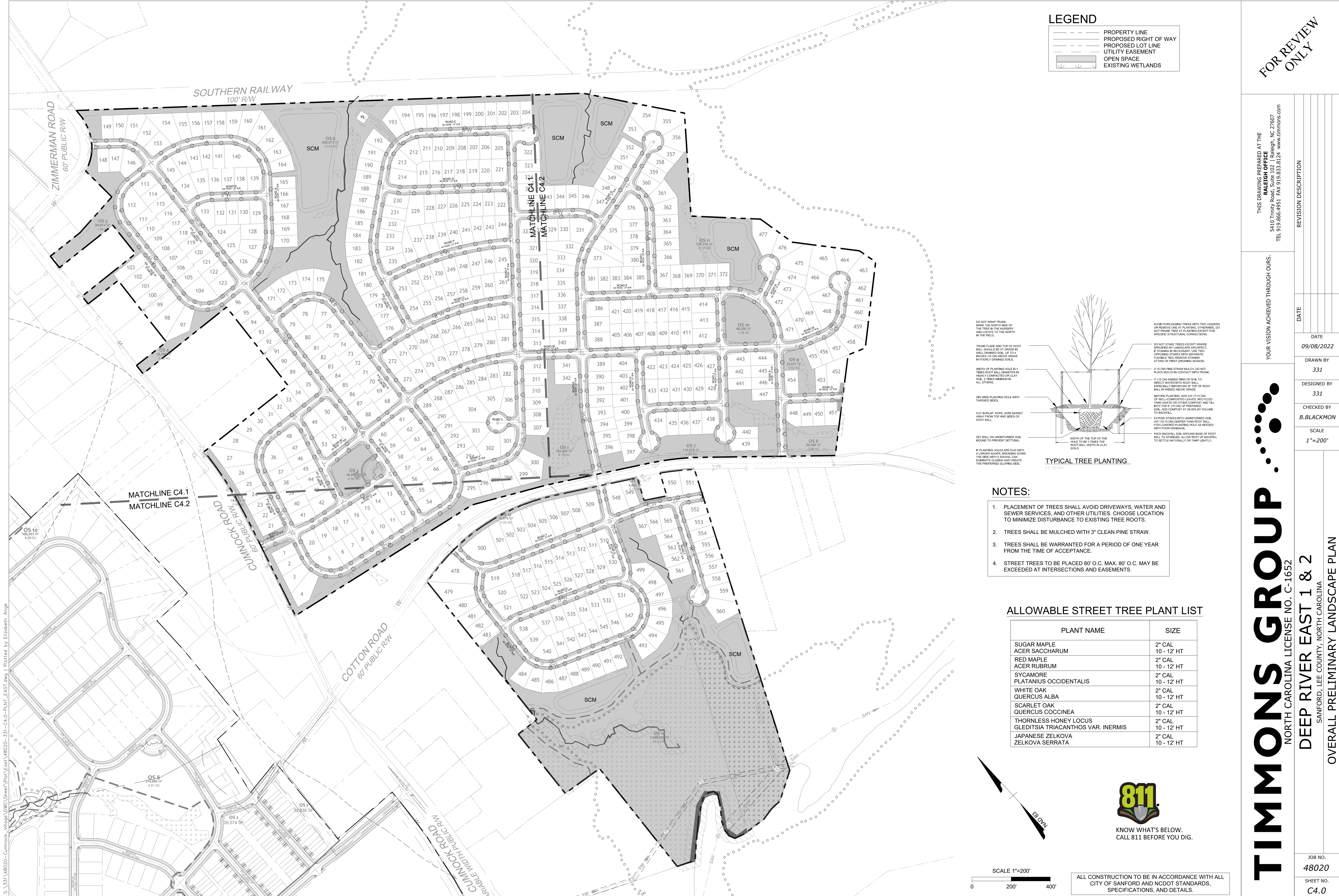
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SHEET NO.

C3.3

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NORTH CAROLINA LICENSE NO. C-1652

DEEP RIVER EAST 1 & 2
SANFORD, LEE COUNTY, NORTH CAROLINA

OVERALL PRELIMINARY LANDSCAPE PLAN

JOB NO.	48020
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S:\331\48020-Cummock-Village\DWG\Sheet\Plot\East-C4.0-PLINT-EAST.dwg | Plotted by Elizabeth Ange

LEGEND

	PROPERTY LINE
	PROPOSED RIGHT OF WAY
	PROPOSED LOT LINE
	UTILITY EASEMENT
	OPEN SPACE
	EXISTING WETLANDS

ALLOWABLE STREET TREE PLANT LIST

PLANT NAME	SIZE
SUGAR MAPLE ACER SACCHARUM	2" CAL 10 - 12' HT
RED MAPLE ACER RUBRUM	2" CAL 10 - 12' HT
SYCAMORE PLATANUS OCCIDENTALIS	2" CAL 10 - 12' HT
WHITE OAK QUERCUS ALBA	2" CAL 10 - 12' HT
SCARLET OAK QUERCUS COCCINEA	2" CAL 10 - 12' HT
THORNLESS HONEY LOCUS GLEDITSIA TRIACANTHOS VAR. INERMIS	2" CAL 10 - 12' HT
JAPANESE ZELKOVA ZELKOVA SERRATA	2" CAL 10 - 12' HT

NOTES:

- PLACEMENT OF TREES SHALL AVOID DRIVEWAYS, WATER AND SEWER SERVICES, AND OTHER UTILITIES. CHOOSE LOCATION TO MINIMIZE DISTURBANCE TO EXISTING TREE ROOTS.
- TREES SHALL BE MULCHED WITH 3" CLEAN PINE STRAW.
- TREES SHALL BE WARRANTED FOR A PERIOD OF ONE YEAR FROM THE TIME OF ACCEPTANCE.
- STREET TREES TO BE PLACED 80' O.C. MAX. 80' O.C. MAY BE EXCEEDED AT INTERSECTIONS AND EASEMENTS.

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NORTH CAROLINA LICENSE NO. C-1652

DEEP RIVER EAST 1 & 2

SANFORD, LEE COUNTY, NORTH CAROLINA

DETAILED PRELIMINARY LANDSCAPE PLAN (1 OF 3)

JOB NO.
48020

SHEET NO.
C4.1

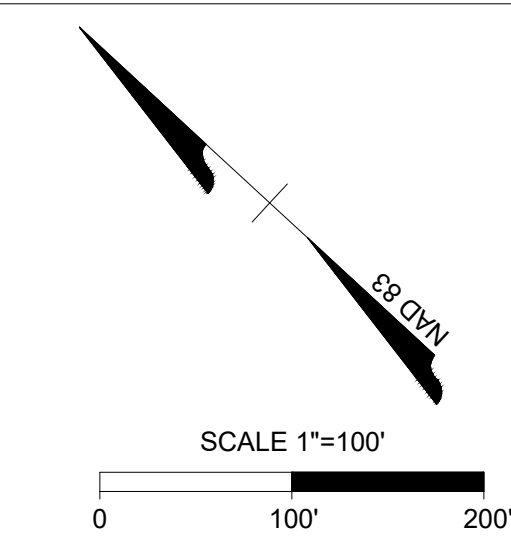


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ALLOWABLE STREET TREE PLANT LIST

PLANT NAME	SIZE
SUGAR MAPLE	2" CAL
ACER SACCHARUM	10 - 12' HT
RED MAPLE	2" CAL
ACER RUBRUM	10 - 12' HT
SYCAMORE	2" CAL
PLATANUS OCCIDENTALIS	10 - 12' HT
WHITE OAK	2" CAL
QUERCUS ALBA	10 - 12' HT
SCARLET OAK	2" CAL
QUERCUS COCCINEA	10 - 12' HT
THORNLESS HONEY LOCUS	2" CAL
GLEDITSIA TRIACANTHOS VAR. INERMIS	10 - 12' HT
JAPANESE ZELKOVA	2" CAL
ZELKOVA SERRATA	10 - 12' HT



LEGEND

	PROPERTY LINE
	PROPOSED RIGHT OF WAY
	PROPOSED LOT LINE
	UTILITY EASEMENT
	OPEN SPACE
	EXISTING WETLANDS

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TIMMONS GROUP

NORTH CAROLINA LICENSE NO. C-1652

DEEP RIVER EAST 1 & 2
SANFORD, LEE COUNTY, NORTH CAROLINA

DETAILED PRELIMINARY LANDSCAPE PLAN (2 OF 3)

JOB NO.
48020

SHEET NO.
C4.2

KNOW WHAT'S BELOW.
CALL 811 BEFORE YOU DIG.

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL
CITY OF SANFORD AND NCDOT STANDARDS,
SPECIFICATIONS, AND DETAILS.

REVIEW SET - NOT RELEASED FOR CONSTRUCTION

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.



SCALE 1"=100'

0 100' 200'

LEGEND

- PROPERTY LINE
- PROPOSED RIGHT OF WAY
- PROPOSED LOT LINE
- UTILITY EASEMENT
- OPEN SPACE
- EXISTING WETLANDS

ALLOWABLE STREET TREE PLANT LIST

PLANT NAME	SIZE
SUGAR MAPLE ACER SACCHARUM	2" CAL 10 - 12' HT
RED MAPLE ACER RUBRUM	2" CAL 10 - 12' HT
SYCAMORE PLATANUS OCCIDENTALIS	2" CAL 10 - 12' HT
WHITE OAK QUERCUS ALBA	2" CAL 10 - 12' HT
SCARLET OAK QUERCUS COCCINEA	2" CAL 10 - 12' HT
THORNLESS HONEY LOCUS GLEDITSIA TRIACANTHOS VAR. INERMIS	2" CAL 10 - 12' HT
JAPANESE ZELKOVA ZELKOVA SERRATA	2" CAL 10 - 12' HT

NOTES:

1. PLACEMENT OF TREES SHALL AVOID DRIVEWAYS, WATER AND SEWER SERVICES, AND OTHER UTILITIES. CHOOSE LOCATION TO MINIMIZE DISTURBANCE TO EXISTING TREE ROOTS.
2. TREES SHALL BE MULCHED WITH 3" CLEAN PINE STRAW.
3. TREES SHALL BE WARRANTED FOR A PERIOD OF ONE YEAR FROM THE TIME OF ACCEPTANCE.
4. STREET TREES TO BE PLACED 80' O.C. MAX. 80' O.C. MAY BE EXCEEDED AT INTERSECTIONS AND EASEMENTS.



KNOW WHAT'S BELOW.
CALL 811 BEFORE YOU DIG.

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL CITY OF SANFORD AND NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS.

TIMMONS GROUP

NORTH CAROLINA LICENSE NO. C-1652
DEEP RIVER EAST 1 & 2
SANFORD, LEE COUNTY, NORTH CAROLINA
DETAILED PRELIMINARY LANDSCAPE PLAN (3 OF 3)

FOR REVIEW
ONLY

THIS DRAWING PREPARED AT THE
RALEIGH OFFICE
5410 Trinity Road, Suite 102, Raleigh, NC 27607
TEL: 919-860-4951 FAX: 919-853-0124 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION	DATE
	09/08/2022

DRAWN BY
331

DESIGNED BY
331

CHECKED BY
B.BLACKMON

SCALE
1"=100'

JOB NO.
48020

SHEET NO.
C4.3

REVIEW SET - NOT RELEASED FOR CONSTRUCTION

CITY OF SANFORD
PLANNING BOARD STAFF REPORT
December 20th, 2022
Deep River East Major Subdivision
Preliminary Plat

GENERAL INFORMATION

Location:	0 Cotten Road (intersection of Cumnock Rd. & Cotten Rd.)
Property Owner:	LGI Homes-NC, LLC
Project Developer:	LGI Homes-NC, LLC
Project Engineer:	Timmons Group
Township:	West Sanford
Ward:	City Council Ward 2
Tax Parcel:	9635-04-5989-00; 9625-93-8206-00; 9635-02-2844-00
Tax Maps:	9625.02; 9635.01; 9625.04; 9635.03
Total Lots:	567
Zoning:	Village of Cumnock Conditional Zoning District
Acreage:	203.43 acres +/-
Minimum Lot Size:	6,000sf
Smallest Lot Size:	6,941sf (Lot 204)
Largest Lot Size:	19,489sf (Lot 304)
Linear Feet of Street:	30,719 linear feet of proposed public street
Street:	Public Streets
Water & Sewer:	Public Water & Sewer, City of Sanford
Fire District:	Central Fire Station, per GIS
Schools:	B.T. Bullock Elementary West Lee Middle School Lee Senior High School

REQUEST

LGI Homes and Timmons Group are seeking approval of a preliminary plat for Deep River East, a proposed major residential subdivision consisting of 567 lots intended for single-family detached homes. The project originally began as Village of Cumnock, and has since undergone a name change, and the developers are now platting the project as two separate neighborhoods—Deep River East and Deep River West. The proposed subdivision plat complies with the Village of Cumnock Conditional Zoning District, to which the site was rezoned in May of 2021. The proposed development features curb & gutter, public sidewalks along all internal streets, and sidewalks to be installed along portions of Cotten and Cumnock Roads. All proposed lots 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: Village of Cumnock Conditional Zoning District

The proposed subdivision design complies with the standards of the Village of Cumnock Conditional Zoning District.

For your reference, the following design standards are applicable to the Village of Cumnock Conditional Zoning District:

EAST 1

Village of Cumnock CZ – East 1 zoning would allow single-family detached dwellings with a minimum lot size of 6,000sf as denoted on the Conceptual Development Plan. The lots shall comply with the current UDO lot standards for R-6, which include a minimum lot width of 60-feet, a minimum lot depth of 100-feet, a maximum lot width-to-depth ratio of 1:4, and the following minimum building setbacks for principle structures:

- Front: 20-feet, as measured from the right-of-way of the public street,
- Rear: 20-feet, as determined by the orientation of the house and measured from the rear property line; and
- Sides: 5-feet, as measured from the left and right-side property lines.
- All corner lots shall have two front yard setbacks, one for each road frontage.

EAST 2

Village of Cumnock CZ – East 2 zoning would allow single-family detached dwellings with a minimum lot size of 6,000sf as denoted on the Conceptual Development Plan. The lots shall comply with the current UDO lot standards for R-6, which include a minimum lot width of 60-feet, a minimum lot depth of 100-feet, a maximum lot width-to-depth ratio of 1:4, and the following minimum building setbacks for principle structures:

- Front: 20-feet, as measured from the right-of-way of the public street,
- Rear: 20-feet, as determined by the orientation of the house and measured from the rear property line; and
- Sides: 5-feet, as measured from the left and right-side property lines.
- All corner lots shall have two front yard setbacks, one for each road frontage.
- In addition to the information provided on the Conceptual Development Plan, the following condition will apply to this zoning district:
 - a) There shall be a buffer that will follow the designated 100 year flood zone (per FEMA Map) adjacent to the Big Buffalo Creek.
 - b) Within the buffer along Big Buffalo Creek, a 40-foot greenway trail easement will be dedicated for the Buffalo Creek Greenway State Trail.

Adjoining Zoning

EAST 1

- North: Opposite the railroad tracks, is a 43 acre tract of land also owned by the village of Cumnock, LLC zoned Light Industrial (LI).
- South: Opposite Cotten Road, is the EAST 2 site (currently zoned MF-12), lots that front Cumnock Road that are zoned Residential Restricted (RR) & developed with single-family homes, lots that front Cotten Road that are zoned Residential Restricted (RR) or Residential Agricultural (RA) & developed with single-family homes, and the St. Paul AME Zion Church zoned Residential Restricted (RR).
- East: Adjoining the site to the east a 3.6 acre tract of land zoned Residential Agricultural (RA) developed with two single-family homes and a vacant 37 acre tract of land zoned Residential Agricultural (RA).

West: Adjoining the site to the west are several lots located between the site and Cumnock Road zoned Residential Restricted (RR), most of which are developed with single-family homes.

EAST 2

North: Opposite Cotten Road, is the EAST 1 site (currently zoned R-6).

South: Opposite Big Buffalo Creek, which runs along the southern property line, is a vacant 186 acre tract of land and a vacant 8.4 acre tract of land, both zoned Residential Restricted (RR).

East: Adjoining the site to the east is a 133 acre tract of land owned by the State of North Carolina, zoned Residential Agricultural (RA).

West: Adjoining the site to the west are several lots located between the site and Cumnock Road zoned Residential Agricultural (RA), most of which are developed with single-family homes. There is one tract of land developed with the first station for the West Sanford Volunteer Fire Dept. that is zoned Highway Commercial (HC).

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 Cotten Road. Public sewer is proposed to be extended from an existing 36-inch diameter sewer main that crosses Cotten Road just east of the site. The sewer main will extended west along Cotten Road to serve the proposed subdivision. 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 proposed development fronts both Cotten (S.R. 1403) and Cumnock (S.R. 1400) Roads, both of which are NCDOT maintained paved public roadways with a 60ft right-of-way. There is a 2016 average daily traffic count of NCDOT traffic count of 350 on Cotten Road in front of a house addressed as 550 Cumnock Road. 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.

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint legislative hearings on Tuesday, November 15th, 2022 in the Council Chambers of the Sanford Municipal Building at 225 E. Weatherspoon Street, Sanford, N.C. These are public hearings to provide the public an opportunity to be heard. The Boards will consider seven (7) applications to amend the Official Zoning Map of the City of Sanford, NC. The hearings will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Boards. The rezoning applications are described below:

1. **ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1101**
Application by Brian Richards of Urban Design Partners to rezone two (2) adjoining tracts of land totaling 5.87 +/- acres, owned by CPW Development Partners, LLC, with frontage on Tramway Road and Marketplace Drive, identified as Lee County Tax Parcels 9631-63-6351-00 and 9631-63-3536-00, as depicted on Tax Maps 9631.04, from Residential Agricultural (RA) to the Tramway South Apartments Conditional Zoning District.
This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on November 15th, 2022.

2. **ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1102**
Application by Mark Lyczkowski to rezone seven (7) tracts of land totaling 140.8 +/- acres, owned by Curtis Dale Kelly Trustee, Curtis Dale Kelly, Hazel Bullard, Luck Stone Corporation, and Star 87, LLC, with frontage on NC Hwy 87 S, identified as Lee County Tax Parcels 9660-35-9486-00 (portion of), 9660-34-1873-00, 9660-23-7417-00, 9660-44-4258-00 (portion of), 9660-13-8685-00, 9660-33-6802-00, and 9660-53-0622-00, as depicted on Tax Maps 9660.04 and 9660.03, from Residential Agricultural (RA), Residential Restricted (RR), and Office and Institutional (O&I) to Light Industrial (LI) and General Commercial (C-2).
This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on November 15th, 2022.

3. **ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1103**
Application by Pinnacle Partners, LLC to amend the existing Brookshire Conditional Zoning District, which was approved in November of 2021, composed of three (3) tracts of land totaling 168 +/- acres, owned by Pinnacle Partners, LLC, with frontage on Valley Road, Forestwood Park Road, and US Hwy 421 / Boone Trail Road, identified as Lee County Tax Parcels 9624-96-0209-00, 9634-04-4681-00, and 9634-14-7642-00 as depicted on Tax Maps 9642.02, 9642.04, 9634.01, and 9634.03.

4. **ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1104**
Application by Josh Chenery to rezone one (1) tract of land totaling 14.95 +/- acres, owned by Megan & Allyson, LLC, with frontage on Lemon Springs Road and Glendale Circle, identified as Lee County Tax Parcel 9651-16-7869-00, as depicted on Tax Map 9651.01, from Residential Single-Family (R-20) to Residential Mixed (R-6).

5. **ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1105**
Application by Selva Mohan of 2mm LLC to rezone four (4) tracts of land totaling 2.27 acres,

owned by Stewart Thomas, located at 816 A N. Gulf Street and 701 and 707 N. Horner Boulevard, identified as Lee County Tax Parcels 9643-32-8883-00, 9643-32-9743-00, 9643-32-8941-00, and 9643-32-7649-00, as depicted on Tax Maps 9643.03, from Residential Mixed (R-12) to the Vista Townhomes Conditional Zoning District.

6. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1106
Application by D.R. Horton, Inc to rezone four (4) tracts of land totaling 110.41 +/- acres, owned by D.R. Horton, Inc, with frontage on Colon Road and US Hwy 1, identified as Lee County Tax Parcels 9656-61-6971-00, 9655-59-2618-00, 9656-50-9252-00, and 9655-58-7870-00, as depicted on Tax Map 9655.02, from Residential Agricultural (RA) and Central Carolina Enterprise Park (CCEP)—Triassic Conditional Zoning District to Gum Fork Conditional Zoning District.
7. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1002
Application by Ascend Leadership Academy Holdings Inc to amend the Ascend Leadership Academy Conditional Zoning District, comprising one (1) tract of land totaling 23.1 +/- acres, owned by Ascend Leadership Academy Holdings Inc, located at 283 Harvey Faulk Road, identified as Lee County Tax Parcel 9661-22-8224-00, as depicted on Tax Map 9661.03.

The public is cordially invited to attend. For those wishing to speak during the public hearing, it is required that the speaker sign up prior to the public hearing in the lobby of the Sanford Municipal Center; planning staff will be present to facilitate this sign-up requirement. Further information may be obtained from the Sanford/Lee County Zoning & Design Review Department, 115 Chatham Street, Suite 1, Sanford, NC 27330 or by calling (919) 718-4656. Upon request and with 24-hour notice, the City will provide an interpreter for the hearing impaired or any other type of auxiliary aid.

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

By Bonnie Davis, Clerk
City of Sanford



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

Dear Adjacent Property Owner:

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

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Sanford/Lee County

Planning and Development

P.O. Box 3729, Sanford, NC 27331-3729

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

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The Sanford Planning Board agendas are posted on the City of Sanford website at <https://www.sanfordnc.net/AgendaCenter> and contain addition information regarding the items referenced in this letter.

City of Sanford

City Council Actions on Items Requiring a Planning Board Recommendation

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

Application by Micah Jones of Criteria Development to rezone two adjoining tracts of land totaling 48.94 +/- acres addressed as 1039/1040/1041 Carthage Street 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 submitted as part of the application. The subject property is owned by Reeves Farm Landco, LLC and is identified as Lee County Tax Parcels 9642-26-3017-00 & 9642-25-6727-00, as depicted on Tax Maps 9642.01 and 9642.03.

2022-10-11: SPB voted to recommend approval of the requested rezoning with the conditions of a minimum 20' buffer on the western property line and a minimum 40' buffer on the southern property line along with a 4ft high wire fence with evergreen shrubs.

2022-11-01: SCC tabled the vote for the rezoning request at the applicant's request.

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

Application by Randy King of Pulte Home Company, LLC to rezone one vacant tract of land totaling 47.36 +/- acres addressed as 1715 Carthage Street with frontage on Carthage Street from Residential Mixed (R-12) to the Carthage Street Residential Subdivision Conditional Zoning District to allow for the development of a 115-lot single-family home residential community as illustrated on the "1715 Carthage Street Concept Sketch" submitted as part of the application. The subject property is owned by 1715 Carthage Street, LLC and is identified as Lee County Tax Parcel 9641-09-5617-00, as depicted on Tax Map 9641.01.

2022-10-11: SPB voted to recommend approval of the requested rezoning with additional conditions clarifying the location of a proposed dog park, "tot lot" (playground), and mulch trails; all of which are to be shown on the preliminary plat and included as written conditions for the project.

2022-11-01: SCC voted to approve the requested rezoning.

3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0904

Application by Brian Richards of Urban Design Partners to rezone one vacant tract of land totaling 7.22 +/- acres addressed as 3239 NC Hwy 87 S with frontage on Truelove Street and US 421 Hwy from General Commercial (C-2) to the Truelove Street Apartments Conditional Zoning District to allow for the development of a 180-unit multi-family apartment community as depicted in the Truelove St. Concept Plan submitted as part of the application. The subject property is owned by Highway 54 Partners, LLC, is illustrated as Tract 2 on a minor subdivision survey recorded at Plat Cabinet 2022 Slide 92 of the Lee

County Register of Deeds Office, and is identified as Lee County Tax Parcel 9661-27-0694-00, as depicted on Tax Map 9661.01.

2022-10-11: SPB voted to recommend approval of the rezoning request.

2022-11-01: SCC voted to approve the rezoning request.

4. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0905

Application by Mark Lyczkowski to rezone one vacant tract of land totaling 22.27 +/- acres with frontage on Hawkins Avenue and Cape Jasmine Drive, within the Hawkins Run subdivision, from Residential Mixed (R-12) to the Hawkins Village Apartments Conditional Zoning District to allow for the development of a 288-unit multi-family apartment community as described on the Hawkins Village Conceptual Plan submitted as part of the application. The subject property is owned by Railroad Town, LLC and is identified as Lee County Tax Parcel 9644-60-0952-00, as depicted on Tax Map 9644.04.

2022-10-11: SPB voted to recommend approval of the rezoning request with the conditions of there being no pedestrian connection to Cape Jasmine Drive, there should exist an extension of a private drive to the northern boundary of the site with a 55-foot right-of-way for potential future connection, and the Board agreed with the proposed condition of moving the dumpster area to the southern portion of the site (away from the border with Hawkins Run Subdivision).

2022-11-01: SCC voted to approve the rezoning request.

5. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0906

Application by Brandon Harrington of Harrington Properties of NC is requesting to rezone two adjoining tracts of land totaling 2.93 +/- acres with frontage on Goldsboro Avenue, Barnes Street, and Cooper Street and with one lot addressed as 1411 Goldsboro Avenue from Residential Mixed (R-12) to the Goldsboro Avenue Conditional Zoning District to allow the development of 25-lot residential townhome community as illustrated on the Harrington Residential Development plan submitted as part of the application. The subject property is owned by William B. Pomeranz and Blodgett Properties, LLC, and is identified as Lee County Tax Parcels 9652-28-9577-00 and 9652-38-0432-00, as depicted on Tax Map 9652.06.

2022-10-11: SPB voted to recommend the approval of the rezoning request.

2022-11-01: SCC voted to approve the rezoning request.

6. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-0907

Application by Tony Toro of Lamco Custom Builders, LLC, for preliminary plat approval of the third phase of Brantley Place, a proposed major residential subdivision consisting of 19 single-family lots. This project originally began as Carthage Square subdivision, which was approved and platted in 2020 by 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 on adjoining property. 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 Residential Mixed (R-12) to Residential Mixed (R-10) 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.

2022-10-11: SPB voted to recommend the approval of the preliminary plat.

2022-11-01: SCC voted to approve the preliminary plat.

7. ZONING TEXT 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.

2022-10-11: SPB voted to recommend approval of the text amendment as written with five yays and one abstention.

2022-11-01: SCC voted to approve the text amendment.

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

Application by Glenn Godfrey to rezone five vacant adjoining tracts of land totaling 196.87 +/- acres with frontage on Carbonton Road and Creek Trail, abutting the Hearthfield Lakes subdivision, from Residential Restricted (RR) and Residential Single-family (R-14) to Residential Mixed (R-10). The subject property is owned by Southern Properties of Sanford, LLC and Pinnacle, Inc. and is identified as Lee County Tax Parcels 9623-70-2817-00, 9623-61-1527-00, 9623-73-6095-00, 9623-82-1343-00 and 9623-82-4721-00, as depicted on Tax Maps 9623.04 and 9622.02.

2022-10-18: SCC annexed the subject property into the corporate city limits.

2022-10-18: SPB voted to recommend approval for the requested rezoning acknowledging its consistency with the Suburban Neighborhood future land use designation that occupied the northern portion of the site.

2022-11-01: SCC voted to approve the rezoning request; however, they decided the rezoning was not consistent with *Plan SanLee* and thereby amended the Future Land Use Map to extend Suburban Neighborhood to the entirety of the site.

10. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1001

Application by the City of Sanford to rezone 5.006 acres consisting of one (1) parcel of vacant land at Colon Rd & US Hwy 1 from Highway Commercial (HC-County) to Highway Commercial (HC-City) to allow the subject property to host a new fire station. The subject property is identified as Lee County Tax Parcel 9655-48-4471-00, as depicted on Lee County Tax Map 9655.01.

2022-10-18: SCC annexed the subject property into the corporate city limits.

2022-10-18: SPB voted to recommend approval for the requested rezoning.

2022-11-01: SCC voted to approve the rezoning request.

11. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1003

Application by Keller Investments LLC (W. Carter Keller) to rezone three (3) adjoining tracts of land comprising 22.39 +/- acres between Charleston Drive and Hawkins Ave from General Commercial (C-2) and Residential Single-Family (R-20) to The Station Apartments Conditional Zoning District to allow the development of apartments as illustrated on the “The Station Construction Plans” submitted as part of the application. The subject property is identified as Lee County Tax Parcels 9644-63-1661-00, 9644-53-6465-00, and 9644-53-0423-00, as depicted on Lee County Tax Map 9644.04.

2022-10-18: SPB voted to recommend approval of the rezoning request.

2022-11-01: SCC voted to approve the rezoning request.

12. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1004

Application by Lee County to rezone 10.96 acres consisting of portions of two parcels of land addressed as 1418 Bragg Street from Residential-Mixed (R-12) to Office & Institutional (O&I) to allow the subject property to host a new Lee County Library facility and other associated improvements. The subject property is identified as Lee County Tax Parcel 9652-35-6448-00, as depicted on Lee County Tax Maps 9652.10 and 9652.14.

2022-10-18: SPB voted to recommend approval of the rezoning request.

2022-11-01: SCC voted to approve the rezoning request.

13. ZONING MAP AMENDMENT APPLICATION CASE 2022-1005

Application by Steve Malloy to rezone 2.14 acres consisting of three (3) parcels at the corner of Wilson Rd and NC Hwy 87 from Residential Single-Family (R-20) to General Commercial (C-2) to allow for future commercial development and to match existing zoning patterns surrounding the subject property. The subject property is identified as Lee County Tax Parcels 9661-07-7557-00, 9661-07-7713-00, and 9661-07-6603-00, as depicted on Lee County Tax Map 9661.01.

2022-10-18: SPB voted to recommend approval of the rezoning request.

2022-11-01: SCC voted to approve the rezoning request.

14. ZONING TEXT AMENDMENT APPLICATION CASE 2022-1006

Consideration of a text amendment to the Unified Development Ordinance, Article 5 Supplemental Development Regulations to add supplemental development regulations pertaining to the definition, location, and standards for mobile food vendors under “5.45 Mobile Food Vendors.”

2022-10-18: SPB voted to recommend approval of the text amendment.

2022-11-01: SCC voted to approve the text amendment with the condition that the amendment goes into effect on February 1st, 2023.

ADJACENT PROPERTY OWNERS' NOTIFICATION CERTIFICATION

I, Curtis D. Lee, hereby certify that the property owners and adjacent property owners of the following rezoning petitions as indicated on the Lee County Tax Maps were notified by First Class U.S. Mail on Thursday, November 3rd, 2022.

1. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1101
Application by Brian Richards of Urban Design Partners to rezone two (2) adjoining tracts of land totaling 5.87 +/- acres, owned by CPW Development Partners, LLC, with frontage on Tramway Road and Marketplace Drive, identified as Lee County Tax Parcels 9631-63-6351-00 and 9631-63-3536-00, as depicted on Tax Maps 9631.04, from Residential Agricultural (RA) to the Tramway South Apartments Conditional Zoning District.
This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on November 15th, 2022.
2. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1102
Application by Mark Lyczkowski to rezone seven (7) tracts of land totaling 140.8 +/- acres, owned by Curtis Dale Kelly Trustee, Curtis Dale Kelly, Hazel Bullard, Luck Stone Corporation, and Star 87, LLC, with frontage on NC Hwy 87 S, identified as Lee County Tax Parcels 9660-35-9486-00 (portion of), 9660-34-1873-00, 9660-23-7417-00, 9660-44-4258-00 (portion of), 9660-13-8685-00, 9660-33-6802-00, and 9660-53-0622-00, as depicted on Tax Maps 9660.04 and 9660.03, from Residential Agricultural (RA), Residential Restricted (RR), and Office and Institutional (O&I) to Light Industrial (LI) and General Commercial (C-2).
This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on November 15th, 2022.
3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1103
Application by Pinnacle Partners, LLC to amend the existing Brookshire Conditional Zoning District, which was approved in November of 2021, composed of three (3) tracts of land totaling 168 +/- acres, owned by Pinnacle Partners, LLC, with frontage on Valley Road, Forestwood Park Road, and US Hwy 421 / Boone Trail Road, identified as Lee County Tax Parcels 9624-96-0209-00, 9634-04-4681-00, and 9634-14-7642-00 as depicted on Tax Maps 9642.02, 9642.04, 9634.01, and 9634.03.
4. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1104
Application by Josh Chenery to rezone one (1) tract of land totaling 14.95 +/- acres, owned by Megan & Allyson, LLC, with frontage on Lemon Springs Road and Glendale Circle, identified as Lee County Tax Parcel 9651-16-7869-00, as depicted on Tax Map 9651.01, from Residential Single-Family (R-20) to Residential Mixed (R-6).
5. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1105
Application by Selva Mohan of 2mm LLC to rezone four (4) tracts of land totaling 2.27 acres, owned by Stewart Thomas, located at 816 A N. Gulf Street and 701 and 707 N. Horner Boulevard, identified as Lee County Tax Parcels 9643-32-8883-00, 9643-32-9743-00, 9643-32-8941-00, and 9643-32-7649-00, as depicted on Tax Maps 9643.03, from Residential Mixed (R-12) to the Vista Townhomes Conditional Zoning District.
6. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1106
Application by D.R. Horton, Inc to rezone four (4) tracts of land totaling 110.41 +/- acres, owned by D.R. Horton, Inc, with frontage on Colon Road and US Hwy 1, identified as Lee County Tax Parcels 9656-61-6971-00, 9655-59-2618-00, 9656-50-9252-00, and 9655-58-7870-00, as depicted on Tax Map 9655.02, from Residential Agricultural (RA) and Central Carolina Enterprise Park (CCEP)—Triassic Conditional Zoning District to Gum Fork Conditional Zoning District.

7. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1002

Application by Ascend Leadership Academy Holdings Inc to amend the Ascend Leadership Academy Conditional Zoning District, comprising one (1) tract of land totaling 23.1 +/- acres, owned by Ascend Leadership Academy Holdings Inc, located at 283 Harvey Faulk Road, identified as Lee County Tax Parcel 9661-22-8224-00, as depicted on Tax Map 9661.03.

Signature and Title: John L. Planner I

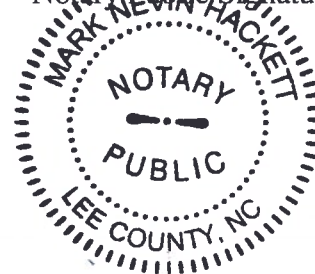
Date: 11-8-2022

Lee County, North Carolina

I, MARK NEVIN HACKETT Notary Public for Lee County and State of North Carolina do hereby certify that Curtis Lee, personally appeared before me on this day and acknowledged the due execution of the foregoing Instrument. Witness my hand and official seal, this the 8th day of November, 2022.

My Commission expires 7 Feb 2027

Mark Nevin Hackett
Notary Public Signature



(SEAL)