

CITY OF SANFORD PLANNING BOARD

REGULAR MEETING

Tuesday, December 20, 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 January 3rd, 2023 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 - November 15th, 2022

C. DISCLOSURE OF CONFLICT OF INTEREST

D. OLD BUSINESS

E. NEW BUSINESS

PUBLIC HEARINGS WITH THE CITY COUNCIL TO CONSIDER ITEMS 2 – 5:

1. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-1201

ML Consulting of Sanford, LLC, is seeking approval of a preliminary plat for a major residential subdivision to create a 40-lot townhome development. The proposal has nine total buildings, each with anywhere from three to five townhomes units within each building. The development also includes two new public cul-de-sac streets, each with sidewalks, street trees, and curb & gutter on both sides, to be maintained by the City of Sanford. The development also includes a 20-foot-wide alleyway, to be privately maintained, that would serve five lots fronting Friars Drive. Curb & gutter, sidewalks, and street trees will also be installed along the existing portions of Friars Drive within the development site. The proposed preliminary plat also includes nearly 4 acres of open space, to be privately maintained by the HOA that will be established in association with this development. The development includes 902 linear feet of new public street to be maintained by the City, as well as public water and public sewer to serve the new townhomes, all to be maintained by the City, as well. The development site was recently rezoned from O&I (Office & Institutional) to the Burns Drive Townhomes Conditional Zoning District in August, 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 public hearing was tabled at the November 15th meeting and may be un-tabled/continued at the December 20th meeting. Adjoining property owners and interested parties should attend this meeting. This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on December 20th, 2022.

3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1202

Application by Brian Richards of Urban Design Partners to rezone two (2) adjoining tracts of land totaling 58.43 +/- acres, owned by Sterling Developers, LLC, with frontage on Petty Road and Carbondon Road, identified as Lee County Tax Parcels 9622-98-8965-00 and 9632-09-5217-00, as depicted on Tax Maps 9632.01 and 9622.02, from Residential Single-Family (R-20) to the Petty Road Subdivision Conditional Zoning District.

4. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1203

Application by Axiom Development, LLC to rezone three (3) tracts of land totaling 51.58 +/- acres, owned by Campbell Byrd, LLC, with frontage on US Hwy 421 / Boone Trail Road and Sandy Creek Church Road, identified as Lee County Tax Parcels 9633-78-8745-00, 9633-79-1200-00, and 9633-69-2199-00, as depicted on Tax Map 9633.02, from Residential Single-Family (R-20) to the Campbell Creek Conditional Zoning District.

5. ZONING TEXT AMENDMENT CASE 2022-1204

Consider a zoning text amendment to repeal Ordinance 2022-76, which was an ordinance adopting text amendments for residential development in the City of Sanford Unified Development Ordinance (UDO) that were to go into effect January 1st, 2023. The UDO text amendments proposed to be repealed include: an update to Article 4: Sections 1-8 (Zoning District Regulations), Article 6 (Subdivisions), Article 9.2 (Storm Water Management), and Article 10.4 (Accessory Dwellings) and the removal of the language in Article 4: Sections 9 (Planned Unit Development), 10 (Traditional Neighborhood Development), and 15 (Residential Design Standards Overlay District).

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

3. **REPORTS**

- 1. Actions by the Sanford City Council

4. **ADJOURNMENT**

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

The City of Sanford Planning Board met for a regular meeting in the West End Conference Room of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. 27330 on Tuesday, November 15, 2022. The meeting was called to order at 6:00 P.M.

ROLL CALL

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

Members Absent: Giraldo Santiago
Gina Bycura

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

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

MEETING CALLED TO ORDER

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

AMENDMENT TO AGENDA

Chair Britton entertained a motion to amend the agenda and remove item #2 (Mark Lyczkowski rezoning application). Vice-Chair Oldham made the motion to approve the amendment, seconded by Board member Murphy and carried unanimously.

APPROVAL OF MINUTES

Chair Britton entertained a motion to approve the minutes of the October 11, 2022 and the October 18, 2022 meetings. Vice-Chair Oldham made the motion to approve the minutes, seconded by Board member Murphy and carried unanimously.

DISCLOSURE OF CONFLICTS OF INTEREST

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

NEW BUSINESS

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.

Discussion

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

Vice-Chair Oldham stated that the application looked very straightforward.

Decision

With no further discussion, Chair Britton called for a motion on the statement of consistency with the *Plan SanLee* long range plan as it relates to this zoning map amendment. Board member Foster made 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. The motion was seconded by board member Murphy and carried unanimously.

Chair Britton called for a recommendation to City Council to approve or deny the zoning map amendment. Board member Perez made a 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. Board member Foster seconded the motion and it carried unanimously.

2. 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.

Discussion

Chair Britton provided an overview of the rezoning application and information presented at the

public hearing, then opened the floor for discussion.

Board member Murphy asked if the board was recommending approval of the stormwater conditions. Staff person Lee replied that the board is primarily recommending approval or denial of the nine architectural conditions that are being proposed as an amendment to the existing conditional zoning district; however, the board had previously asked for clarification on stormwater issues.

Board member Murphy stated that it appears that the stormwater from Autumnwood subdivision and Wildwood subdivision runs north and goes under U.S. Hwy 421, over to Buffalo Creek. Staff person McNeill replied that it may be appropriate for the project engineering who designed the stormwater plan for the Brookfield subdivision to speak to this matter. In response, the project engineer, Bill Daniel (of William G. Daniel Associates, P.A., 1150 S. E. Maynard Road, Suite 260, Cary, NC, 27511) stated that the stormwater runoff from these subdivisions appears to go under Forestwood Park Road and U.S. Hwy 421.

Chair Britton asked if there was additional information provided for this request that was not included in the agenda packet and referenced information placed at each board member's seat. Staff person Lee stated that minutes from the neighborhood meeting held by the have been provided for each board member for his/her reference. (Exhibit A)

Decision

With no further discussion, Chair Britton called for a motion to approve a statement of consistency with the *Plan SanLee* long range plan as it relates to this rezoning request. Board member Murphy made the 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.

Chair Britton called for a recommendation to City Council to approve or deny the zoning map amendment. Board member Perez made the motion that the Planning Board recommend that City Council approve the proposed zoning map amendment because the submitted architectural conditions are congruent with the previously approved conditions and will be beneficial to the area. Board member Foster seconded the motion and it carried unanimously.

3. 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).

Discussion

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

Chair Britton asked if the existing parcels along Lemon Springs Road were going to be absorbed into the project site and redeveloped. Staff person Lee replied that these lots are not part of the subject property and will remain developed and zoned as they currently are.

Decision

With no further discussion Chair Britton called for a motion on a statement of consistency with the *Plan SanLee* long range plan as it relates to this zoning map amendment. 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 the density of the R-6 zoning district is compliant with the desired density of the Suburban Neighborhood future land use designation. Board member Murphy seconded the motion and it carried unanimously.

Chair Britton called for a motion of recommendation to City Council to approve or deny the zoning map amendment. Board member Perez made the motion that the Planning Board recommend that City Council approve the proposed zoning map amendment because the site is appropriate for a residential mixed R-6 land use. Board member Foster seconded the motion and it carried unanimously.

4. 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.

Discussion

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

Staff person Lee informed the Board that notes from the neighborhood meeting held by the applicant were placed at each member's seat for his/her reference. (Exhibit B)

Chair Britton asked for verification that this project would only require one point of ingress/egress. Staff person Lee replied that only one ingress/egress was required since the project associated with this rezoning request has less than 30 units and that the project plans included in the agenda packet have been approved by the TRC.

Decision

With no further discussion, Chair Britton called for a motion to approve consistency with the *Plan San-Lee* long range plan. Vice-Chair Oldham made the motion that the proposed zoning map amendment is consistent with the *Plan San-Lee* 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 and townhomes are attached single-family dwellings. Board member Murphy seconded the motion and it carried unanimously.

Chair Britton called for a motion to recommend to City Council to approve or deny the zoning map amendment. Vice-Chair Oldham 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 proposed by the applicant. Board member Murphy the motion and it carried unanimously.

5. 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.

Discussion

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

Staff person Lee informed the Board that notes from the neighborhood meeting held by the applicant were placed at each member's seat for his/her reference. (Exhibit C)

Vice-Chair Oldham expressed concern over the indecision regarding the specifics of the commercial portion of the project associated with this rezoning request and asked for additional clarification regarding the overall design and land uses within this area. In response, the applicant representative, Jonathan Cooper (Entitlement Manager for D.R. Horton-Central Carolina, 2000 Aerial Center Parkway, Suite 110, Morrisville, NC, 27560), stated that he is willing to commit to only allowing the land uses permitted in a specific zoning district or districts within the area designate as commercial, but he would need time to research the allowed uses in the zoning districts mentioned by staff, which were Neighborhood Commercial (NC), Light Commercial & Office (C-1), and General Commercial (C-2). He would like to ensure that he does not overlook a land use that would be beneficial to the project.

Attorney Hornik stated that the Board may include general language that addresses the land uses allowed in the commercial area within their recommendation and leave the specifics to staff and the City Council, if the Board so desires.

Board member Foster expressed support for this type of recommendation with general language.

Vice-Chair Oldham expressed concern over including language that is too vague in the recommendation because it may not adequately express the Board's concerns about the possible negative effects that the commercial uses could have on the character of the proposed project and the area. He would like to see amenities and businesses that service that new neighborhood and the surrounding area.

Attorney Hornik stated that the Board is welcome to have more discussion about what land uses are appropriate for this location, the neighborhood character, and what would be beneficial to the neighborhood. It is in the best interest of everyone to narrow down the list of allowed commercial uses; however, if the Board and the applicant are unable to do so this evening, it is possible that staff may continue to work with the applicant to narrow this list and then present this information to the City Council to act on.

Mr. Cooper stated that he would like time to review the lists of allowed uses in the zoning districts suggested by staff and to confer with the D.R. Horton commercial division to determine what is marketable and appropriate for this site. He prefers not to have to amend the conditional zoning district in the future to address this matter.

Staff person McNeill and the board discussed the existing development in the area, both residential and nonresidential (commercial and industrial).

Staff person McNeill asked for clarity as to what type of commercial uses the Board considers suitable for this site and if the uses would be primarily service the new development associated with this rezoning request, the surrounding area, or people traveling up & down US Hwy 1. Board member Murphy replied that he envisioned the entire intersection and surrounding area being served by the future commercial uses because of the close proximity of the Central Carolina Enterprise Park (CCEP) and Galvin's Ridge Subdivision to this site. Vice-Chair Oldham added that it could serve the people who work in this area at CCEP or Bharat Forge.

Staff person McNeill attempted to further clarify the Board's vision for this area by asking about specific commercial uses that they may envision on this site, such as restaurants, a convenience store with gas sales, or a medication office. Chair Britton stated that all of those uses would service the needs of the new neighborhood and the surrounding areas and appear to be suitable for this site.

Staff person McNeill inquired as to the scale of the businesses envision for this site. Chair Britton replied that smaller scale businesses would be a better fit for this site, as opposed to larger businesses that need lots of acreage.

Staff person McNeill thanked the Board for their input and stated that this would give staff a point of beginning for their conversations with the applicant regarding specific land uses that may be allowed in the commercial area of this site.

Board member Murphy stated that he would like to acknowledge the information included in the staff recommendation within the motion for this request. Board member Foster added that they should amend the language in the recommendation based on information provided during the public hearing and at this meeting.

Staff person Montgomery reminded the Board that there was discussion during the joint public hearing about the applicant providing examples of similar projects, which appealed to the City Council; therefore, they may want to include this language within their motion also. Mr. Cooper stated that it shouldn't be a problem to provide the examples of similar projects as discussed during the public hearing.

Decision

With no further discussion, Chair Britton called for a motion of consistency with the *Plan SanLee* long range plan as it relates to this zoning map amendment. Vice-Chair Oldham made the 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 served by public water and sewer as proposed. The motion was seconded by Board member Murphy and carried unanimously.

Chair Britton called for a motion of recommendation to City Council to approve or deny the zoning map amendment. Vice-Chair Oldham made the motion that the Planning Board recommend that City Council approve the proposed zoning map amendment because the request appears to be reasonable and in the public interest given the location because the site was recently annexed into the corporate City limits and the proposed project associated with the rezoning request will be served by public water and sewer – with the condition that the applicant create a list of the proposed allowed uses for the commercial area, using the Neighborhood Commercial (NC) and Light Commercial & Office (C-1) zoning districts as guides.

Board member Murphy made a motion to amend Vice-Chair Oldham's motion to add a requirement that the applicant must provide examples of similar mixed-use development that they have worked on in the past (as mentioned during the joint public hearing) to staff and City Council, so that City Council will have this information when voting on this request. Also, the following items (as noted in the staff recommendation) should be addressed prior to action being taken by the City Council so that (once again) City Council will have this information when voting on this request:

- 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).

Board member Foster seconded the amended motion and it carried unanimously.

6. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1002 1107

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.

Discussion

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

Board member Murphy asked for verification that the amendment to the conditional zoning district is to allow the existing school to construct two ball fields. Chair Britton replied that this is correct.

Staff person Lee informed the Board that notes from the neighborhood meeting held by the applicant were placed at each member's seat for his/her reference. (Exhibit D)

Decision

With no further discussion, Chair Britton called for a motion of consistency with the *Plan SanLee* 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 *Plan SanLee* long range plan designation of Mixed-Use Activity Center because it allows civic uses, such as education, as a primary future land use and this amendment appears to be a continuation of the previously

approved conditional zoning district. Board member Perez seconded the motion and it carried unanimously.

Chair Britton called for a motion to recommend to City Council that they approve or deny the zoning map amendment. Vice-Chair Oldham made the motion to recommend City Council approve the proposed zoning map amendment because the site is appropriate for the desired land uses and densities. Board member Perez seconded the motion and it carried unanimously.

7. 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.

Discussion

Staff person Mierisch provided an overview of the subdivision associated with the preliminary plat and Chair Britton opened the floor for discussion.

Chair Britton asked if there was a commercial component within this subdivision. Staff person Mierisch replied that this is a residential single-family home subdivision with no commercial component included.

Staff person Mierisch also noted that the design includes a sidewalk along portions of Cotten Road & Cumnock Road and appears to comply with the Village of Cumnock Conditional Zoning District site plan and conditions.

Decision

With no further discussion, Chair Britton called for a motion to recommend to City Council that they approve or deny the preliminary plat. Vice-Chair Oldham made the motion to recommend approval of the preliminary plat to City Council because it appears to comply with the Village of Cumnock Conditional Zoning District site plan and conditions. Board member Murphy seconded the motion and it carried unanimously.

REPORTS

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

ADJOURNMENT

With no further business to come before the board, the motion to adjourn was made by Vice-Chair Oldham, seconded by board member Murphy, and carried unanimously. The meeting was adjourned at 8:39 P.M.

Adopted this _____ day of _____, 2022.

BY: _____
Ken Britton, Chair

ATTEST: _____
Eric Nance, Cler

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.

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: _____

Address/Location: _____

PIN(s): 9463-57-1338 & 9643-57-6362

Total Acreage: _____

Zoning District(s): _____

Number of Lots: _____ Lot Size(s): _____

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: _____

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

Name: _____
Address: _____
Phone #: _____
Email: _____

—
Name: _____
Address: _____
Phone #: _____
Email: _____

—
Name: _____
Address: _____
Phone #: _____
Email: _____

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

Name: _____
Address: _____
Phone #: _____
Email: _____

_____/_____
Applicant's signature (sign & print name)

Date

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

Complete / Incomplete Submittal (circle)		

BURNS DRIVE TOWNHOMES

PRELIMINARY SUBDIVISION PLAN

SANFORD, LEE COUNTY, NORTH CAROLINA

FOR REVIEW
PURPOSES
ONLY

THIS DRAWING PREPARED AT THE
RALEIGH OFFICE
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TEL 919-866-4951 FAX 919-833-8124 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE	REVISION DESCRIPTION
10/27/2022	

DRAWN BY	C. CLARK
DESIGNED BY	E. ANGE
CHECKED BY	B. BLACKMON
SCALE	1" = 500'

TIMMONS GROUP

BURNS DRIVE TOWNHOMES
0 FRIARS DRIVE, SANFORD, LEE COUNTY, NORTH CAROLINA

COVER

JOB NO. 52327
SHEET NO. C0.0

SITE DATA

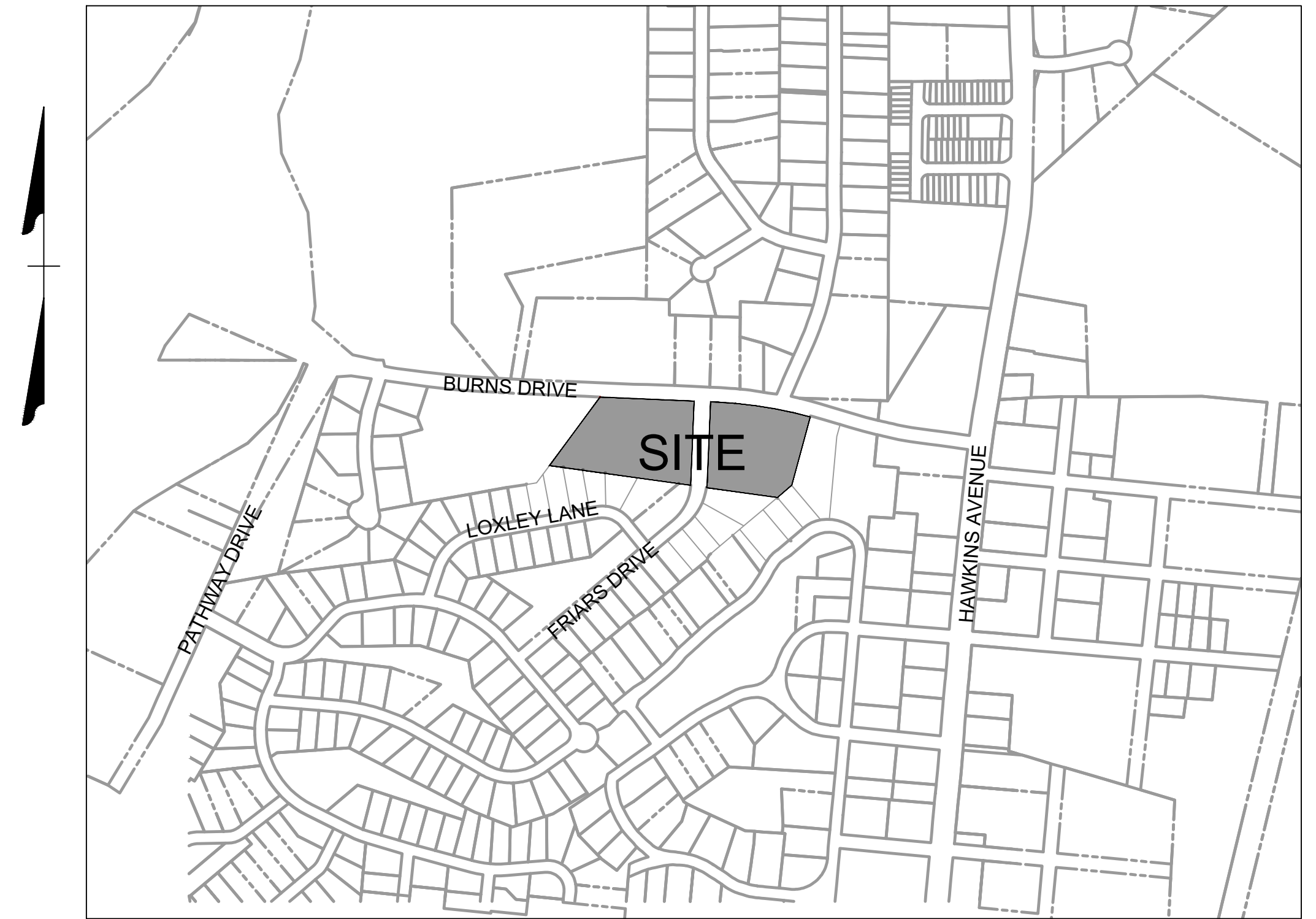
PROJECT:	BURNS DRIVE TOWNHOMES
ENGINEER:	TIMMONS GROUP 5410 TRINITY ROAD, SUITE 102 RALEIGH, NC 27607 PHONE: 919-866-4509 FAX: 919-833-8124 BETH BLACKMON, PE EMAIL: BETH.BLACKMON@TIMMONS.COM
DEVELOPER:	ML CONSULTING OF SANFORD LLC 3018 CARRINGTON LN SANFORD, NC 27330 PHONE: 919-842-0334 MARK LYCZKOWSKI EMAIL: MARK@FIG.LLC
PROPERTY LOCATION:	0 FRIARS DRIVE
PINS:	9463-57-1338 & 9643-57-6362
ZONING:	BURNS DRIVE TOWNHOME CONDITIONAL ZONING DISTRICT
TOWNSHIP:	SANFORD
PROPOSED USE:	RESIDENTIAL
TOTAL SITE AREA:	7.11 AC

ZONING CONDITIONS

THE SUBJECT PROPERTIES WOULD ONLY ALLOW RESIDENTIAL DWELLINGS, SINGLE FAMILY ATTACHED TOWNHOMES AS INDICATED ON THE CONCEPT PLAN.

R-6 TOWNHOME AREA, AS DENOTED ON THE CONCEPTUAL DEVELOPMENT PLAN, WOULD ALLOW SINGLE-FAMILY ATTACHED DWELLINGS WITH A MINIMUM LOT SIZE OF 2,000 SF, MINIMUM LOT DEPTH OF 100-FEET, AND A MINIMUM LOT WIDTH OF 20-FEET. THE FOLLOWING MINIMUM BUILDING SETBACKS FOR PRINCIPLE STRUCTURES SHALL BE:

- FRONT: 20-FEET, AS MEASURED FROM THE RIGHT-OF-WAY OF THE PUBLIC STREET,
 - REAR: 15-FEET, AS DETERMINED BY THE ORIENTATION OF THE HOUSE AND MEASURED FROM THE REAR PROPERTY LINE, AND
 - BUILDING SEPARATION: 20-FEET.
- ALL HOMES MUST INCLUDE AT LEAST A SINGLE CAR ENCLOSED GARAGE
 - ALL DRIVEWAYS MUST BE CONCRETE
 - ALL HOMES MUST HAVE A SIDEWALK TO THE FRONT DOOR
 - ALL FRONT AND SIDE YARDS MUST BE SODDED
 - REAR YARDS CAN BE SEEDED AND STRAWED
 - A 6FT TALL WHITE VINYL PRIVACY FENCE WILL BE INSTALLED ALONG THE PROPERTY LINE SHARED WITH MANNA CHURCH / BRICK CITY COMMUNITY CHURCH AT 1408 BURNS DRIVE.
 - A 20FT WIDE BUFFER OF EXISTING TREES ALONG BURNS DRIVE IS INTENDED TO REMAIN UNDISTURBED; HOWEVER, IN THE EVENT THAT THERE IS A NEED TO REMOVE ANY OF THE EXISTING TREES DUE TO THE PROPOSED SITE GRADING, NEW TREES AT LEAST 3FT TALL WILL BE PLANTED WITHIN THIS AREA.
 - EVERGREEN TREES WILL BE PLANTED ALONG THE SHARED PROPERTY LINE WITH 204, 212, 214, 216, AND 220 LOXLEY LANE (LOTS 1-5, PHASE 1 OF NOTTINGHAM SUBDIVISION).
 - GREEN GIANT ARBORVITAE TREES WILL BE PLANTED ALONG THE PROPERTY LINE SHARED WITH 725 LAKESIDE DRIVE (LOT 154, PHASE 1 OF NOTTINGHAM SUBDIVISION).
 - EVERY OTHER TOWNHOME UNIT WILL BE A DIFFERENT STYLE (MULTIPLE UNITS PER BUILDING) AND WILL CONTAIN A MIX OF BUILDING MATERIALS ON THE FRONT FACADE TO CREATE ARCHITECTURAL INTEREST THAT IS SIMILAR IN STYLE TO THE CONCEPTUAL ELEVATIONS SUBMITTED WITH THE APPLICATION, LABELED H&H HOMES.



VICINITY MAP
1" = 500'

PROPERTY OWNERS
ACA/PJA LLC
PINS: 9643-57-1338-00 &
9643-57-6362-00
PO BOX 3367
SANFORD, NC 27331

Sheet Index

Sheet Number	Sheet Title
C0.0	COVER
C1.0	EXISTING CONDITIONS PLAN
C2.0	SITE PLAN
C3.0	UTILITY PLAN
C4.0	LANDSCAPE PLAN

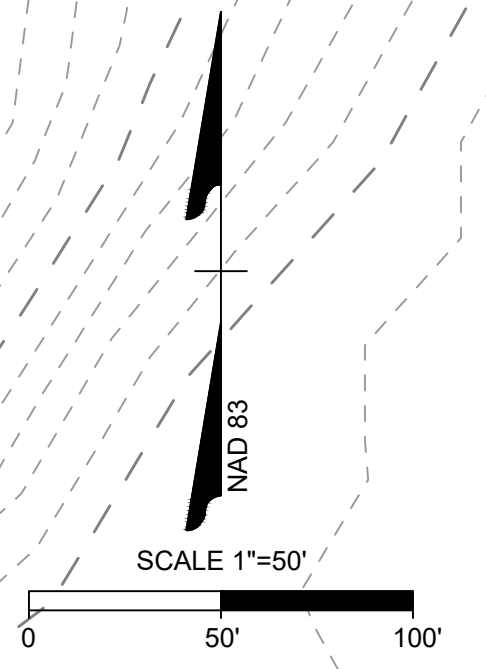
ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL CITY OF SANFORD AND NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS.



S:\03102327-Burns_Drive_Townhome\DWG\Sheet\Title\52327-331-C01-0-COVER.dwg | Plotted by Elizabeth Ange

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REVISION DESCRIPTION	DATE
	10/27/2022
DRAWN BY	C. CLARK
DESIGNED BY	E. ANGE
CHECKED BY	B. BLACKMON
SCALE	1" = 50'

TIMMONS GROUP

BURNS DRIVE TOWNHOMES
0 FRIARS DRIVE, SANFORD, LEE COUNTY, NORTH CAROLINA
EXISTING CONDITIONS PLAN

JOB NO.
52327
SHEET NO.
C1.0

NUMBER	DIRECTION	RAD	CHORD
C1	S 81°03'03" E	1800.10	404.56
C2	N 05°04'22" E	237.77	21.53

LEGEND	
	PROPERTY LINE
	ADJACENT PROPERTY LINE

- NOTES**
- BOUNDARY TAKEN FROM SURVEY BY LARRY K ALLEN LAND SURVEYING PLLC, DATED 3/13/2022.
 - ENVIRONMENTAL TAKEN FROM REPORT BY TIMMONS GROUP DATED 4/18/22
 - TOPOGRAPHIC INFORMATION TAKEN FROM LEE COUNTY GIS.
 - THE SUBJECT PROPERTY IS LOCATED IN FEMA FLOOD ZONE X IN ACCORDANCE WITH FIRM MAP #371096300J, EFFECTIVE DATE OF SEPTEMBER 9, 2006



S:\03102327-Burns_Drive_Townhomes\DWG\Sheet\Title52327-331-C1 (DKS.dwg) | Printed by Elizabeth Arge

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DATE	REVISION DESCRIPTION
10/27/2022 <td></td>	
	DRAWN BY C. CLARK
	DESIGNED BY E. ANGE
	CHECKED BY B. BLACKMON
	SCALE 1" = 40'

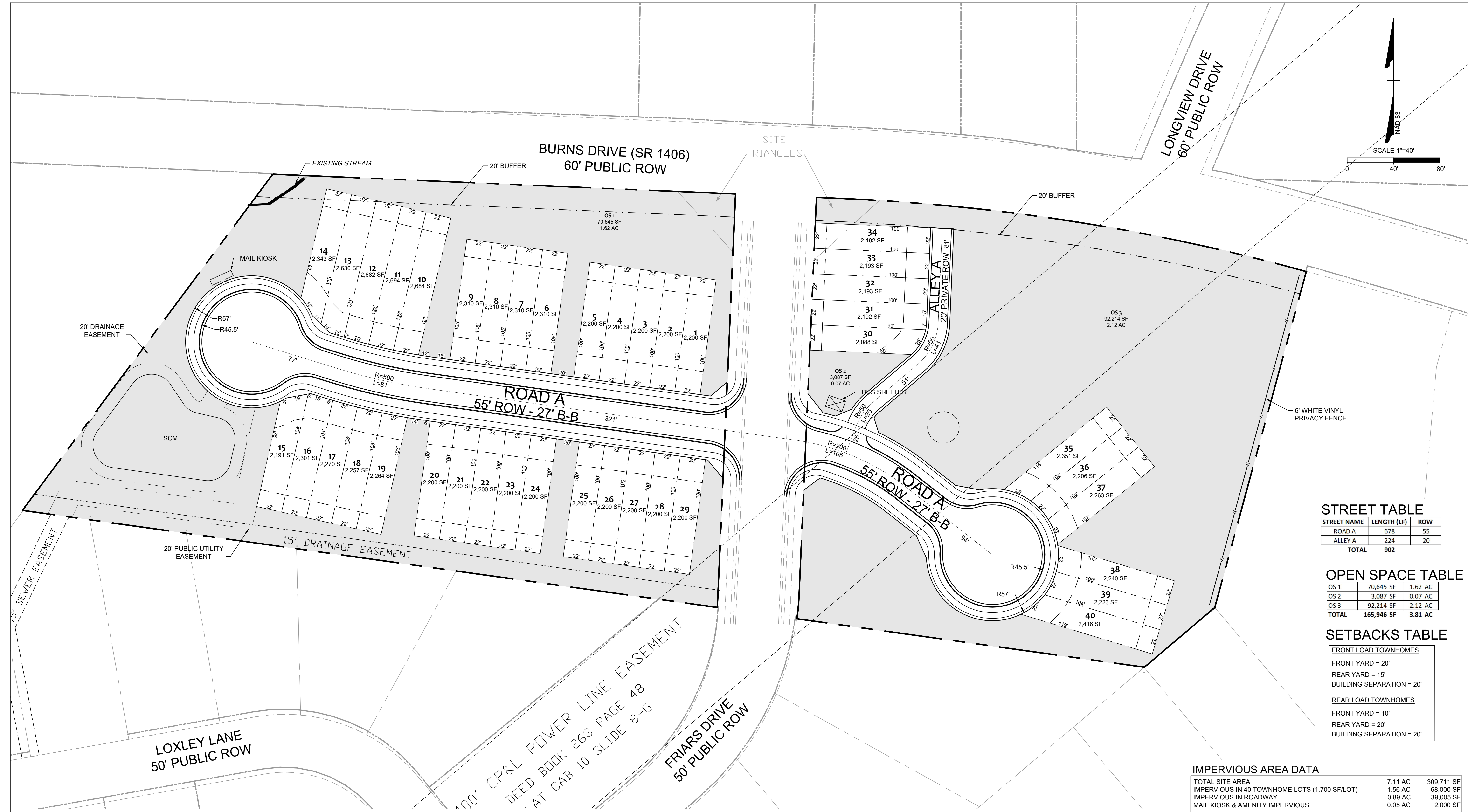
TIMMONS GROUP

BURNS DRIVE TOWNHOMES

0 FRIARS DRIVE, SANFORD, LEE COUNTY, NORTH CAROLINA

SITE PLAN

DATE	REVISION DESCRIPTION
10/27/2022	
	DRAWN BY C. CLARK
	DESIGNED BY E. ANGE
	CHECKED BY B. BLACKMON
	SCALE 1" = 40'



STREET TABLE

STREET NAME	LENGTH (LF)	ROW
ROAD A	678	55
ALLEY A	224	20
TOTAL	902	

OPEN SPACE TABLE

OS #	SF	AC
OS 1	70,645 SF	1.62 AC
OS 2	3,087 SF	0.07 AC
OS 3	92,214 SF	2.12 AC
TOTAL	165,946 SF	3.81 AC

SETBACKS TABLE

FRONT LOAD TOWNHOMES	
FRONT YARD	= 20'
REAR YARD	= 15'
BUILDING SEPARATION	= 20'
REAR LOAD TOWNHOMES	
FRONT YARD	= 10'
REAR YARD	= 20'
BUILDING SEPARATION	= 20'

IMPERVIOUS AREA DATA

TOTAL SITE AREA	7.11 AC	309,711 SF
IMPERVIOUS IN 40 TOWNHOME LOTS (1,700 SF/LOT)	1.56 AC	68,000 SF
IMPERVIOUS IN ROADWAY	0.89 AC	39,005 SF
MAIL KIOSK & AMENITY IMPERVIOUS	0.05 AC	2,000 SF
TOTAL IMPERVIOUS	2.50 AC	109,005 SF
PERCENT IMPERVIOUS		35%

SITE DATA

DEVELOPER:
ML CONSULTING OF SANFORD LLC
3018 CARRINGTON LN
SANFORD, NC 27330
PHONE: 919-842-0334
EMAIL: MARK@FIG.LLC

ENGINEER:
TIMMONS GROUP
BETH BLACKMON, PE
5410 TRINITY ROAD, STE. 102
RALEIGH, NC 27607
PHONE: 919-866-4509

PINS = 9643-57-1338-00 & 9643-57-6362-00
FIRM MAP# = 3710964300J EFF. 09/06/06
EXISTING TRACT ACREAGE = 7.11 acres
ZONING = BURNS DRIVE TOWNHOME
CONDITIONAL ZONING DISTRICT
LAND USE = SINGLE FAMILY RESIDENTIAL

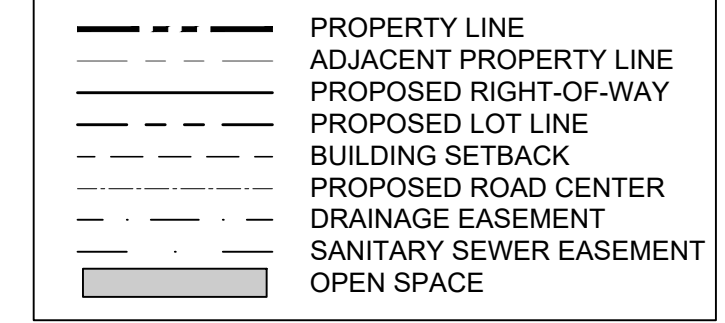
PROPOSED NUMBER OF LOTS = 40
PROPOSED DENSITY = 5.6 du/a

FRONT LOADED TOWNHOME LOTS: 35
MINIMUM REQUIRED LOT WIDTH AT SETBACKS = 20 feet
MINIMUM LOT WIDTH PROVIDED = 22 feet
MINIMUM REQUIRED LOT DEPTH = 100 feet
MINIMUM LOT DEPTH PROVIDED = 100 feet
MINIMUM ALLOWABLE LOT SIZE = 2,000 sq.ft.
MINIMUM LOT SIZE PROVIDED = 2,191 sq.ft.
AVERAGE LOT SIZE = 2,292 sq.ft.

REAR LOADED TOWNHOME LOTS: 5
MINIMUM REQUIRED LOT WIDTH AT SETBACKS = 20 feet
MINIMUM LOT WIDTH PROVIDED = 22 feet
MINIMUM REQUIRED LOT DEPTH = 100 feet
MINIMUM LOT DEPTH PROVIDED = 100 feet
MINIMUM ALLOWABLE LOT SIZE = 2,000 sq.ft.
MINIMUM LOT SIZE PROVIDED = 2,088 sq.ft.
AVERAGE LOT SIZE = 2,172 sq.ft.

PROVIDED OPEN SPACE AREA = 3.81 acres (53.6%)

LEGEND



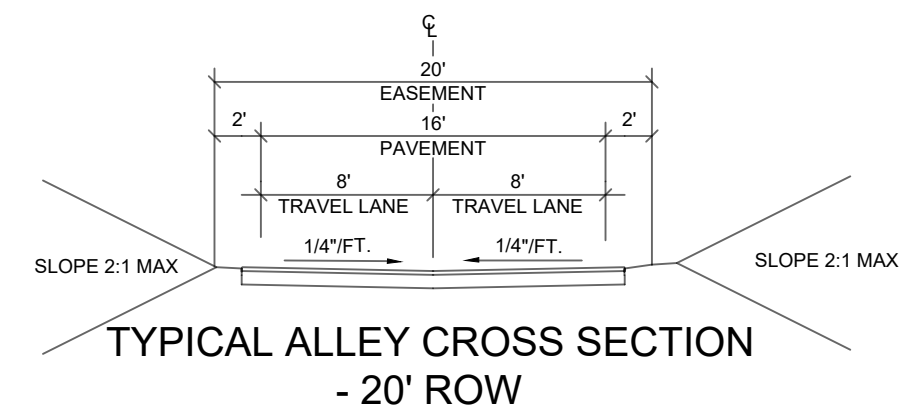
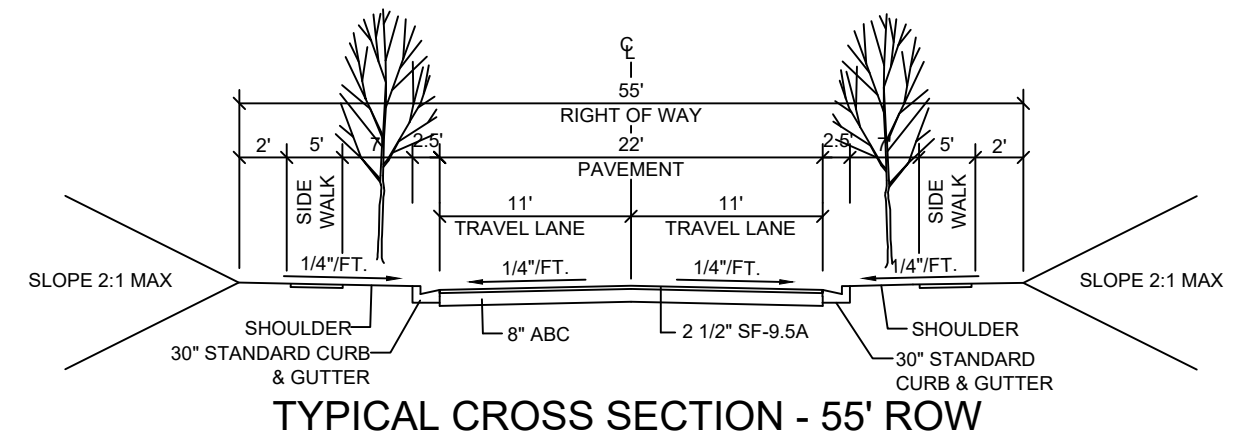
USPS NOTE

CLUSTER MAILBOXES TO BE LOCATED WITHIN NEIGHBORHOOD OPEN SPACE AREA 1. KIOSK LOCATION SHALL BE APPROVED BY USPS PRIOR TO SUBDIVISION APPROVAL. IF TEMPORARY LOCATIONS ARE REQUIRED, APPROVAL OF LOCATIONS SHALL BE RECEIVED FROM USPS.

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

GENERAL SITE NOTES

- ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH CITY OF SANFORD AND NCDOT STANDARDS AND SPECIFICATIONS.
- 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.
- ALL STREETS SHALL BE PUBLIC.
- ALL UTILITIES SHALL BE UNDERGROUND.
- EACH LOT WILL BE SERVED BY CITY OF SANFORD PUBLIC WATER.
- EACH LOT WILL BE SERVED BY CITY OF SANFORD PUBLIC SEWER.
- NCDCEQ EROSION CONTROL PERMIT WILL BE REQUIRED, AND ALL EROSION CONTROL REGULATIONS WILL BE COMPLIED WITH.
- CONSTRUCTION DRAWINGS MUST BE APPROVED PRIOR TO CONSTRUCTION.
- SIGNAGE SHALL BE APPROVED PRIOR TO INSTALLATION OF ANY SIGNAGE.
- STREET NAMES MUST BE APPROVED BY CITY OF SANFORD/ LEE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO FINAL PLAT.



A HOMEOWNERS 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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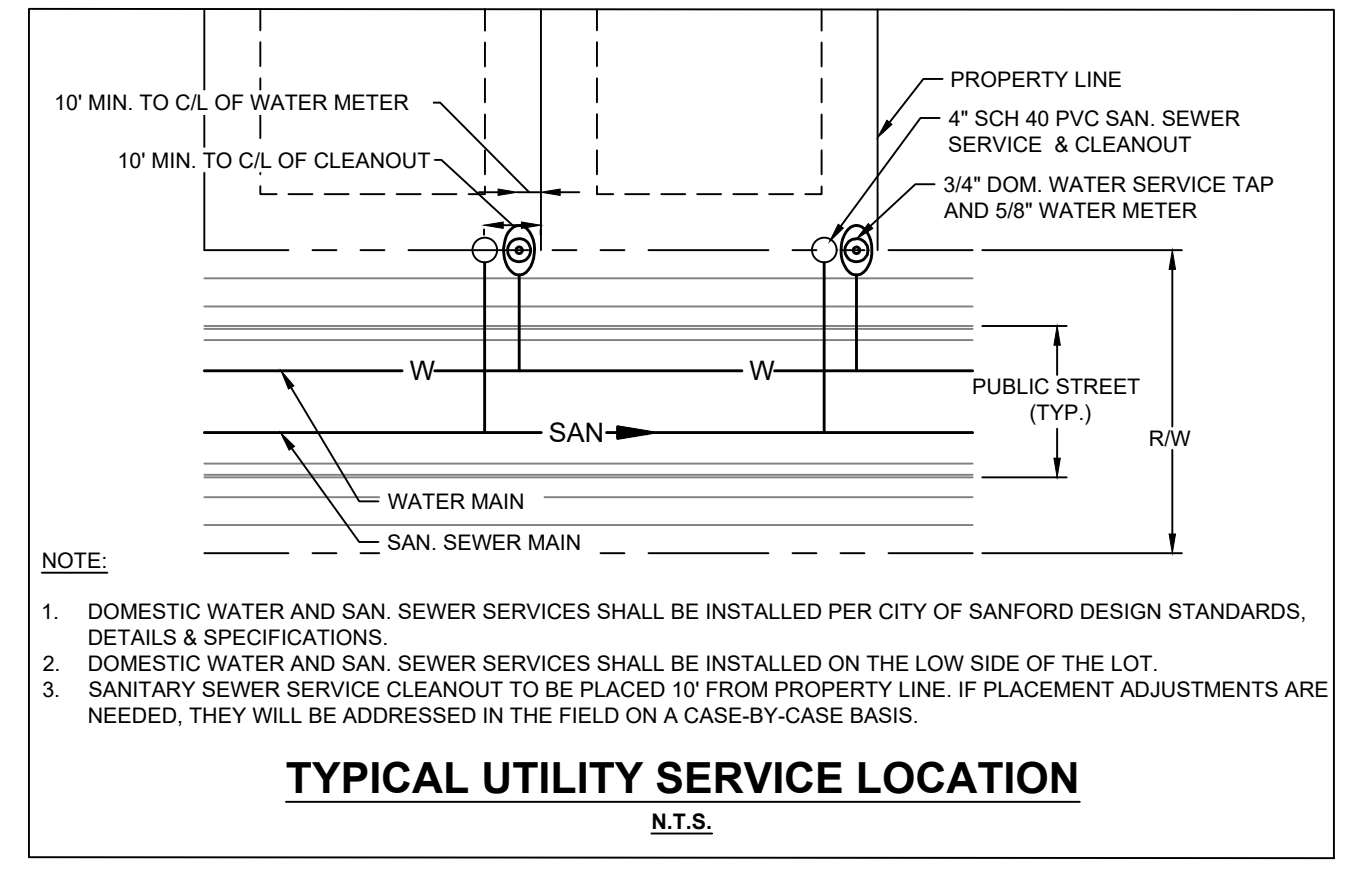
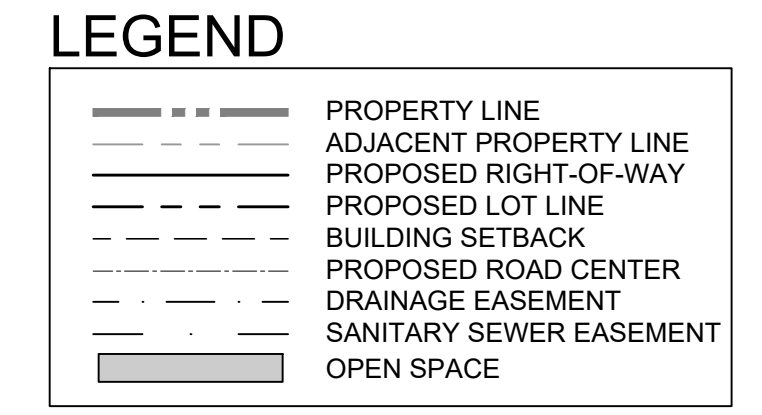
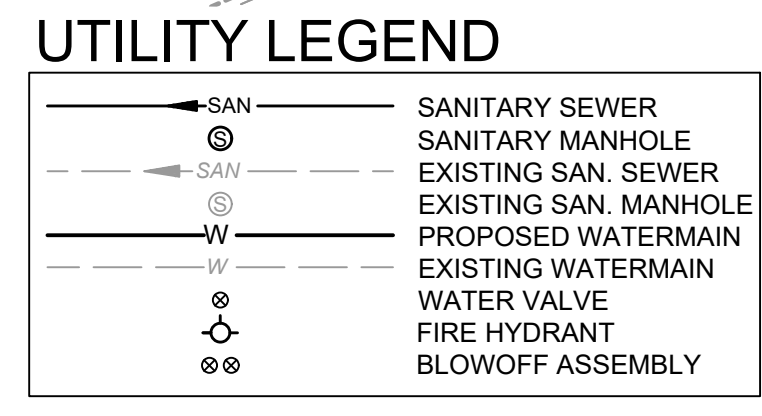
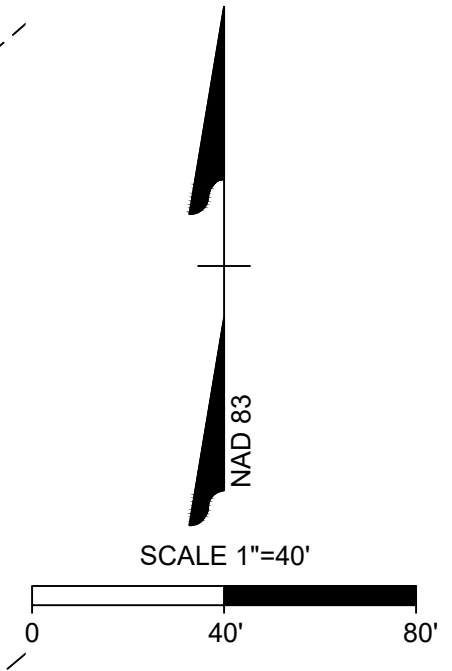
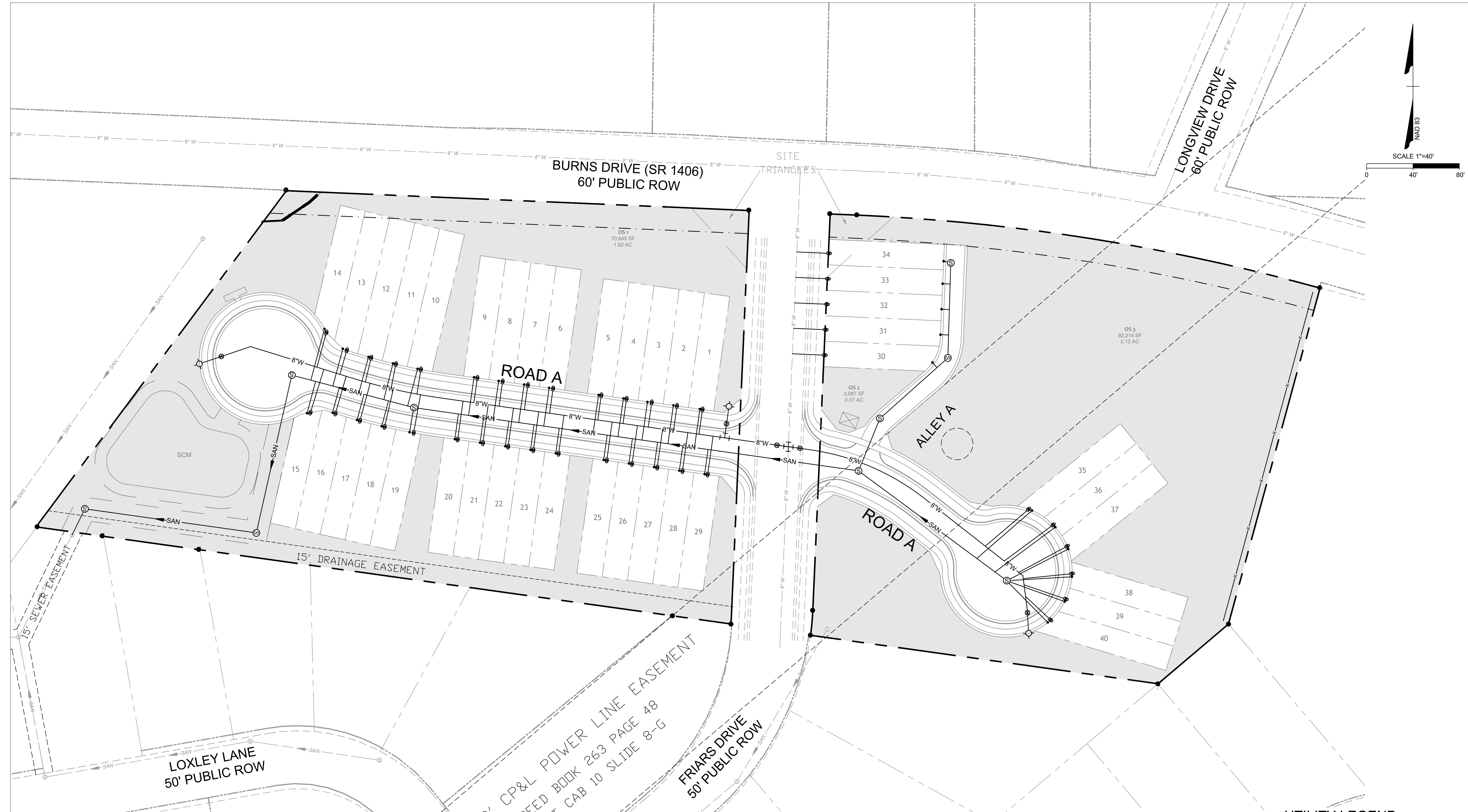
DESIGNED BY
E. ANGE

SCALE
1" = 40'

TIMMONS GROUP
BURNS DRIVE TOWNHOMES
0 FRIARS DRIVE, SANFORD, LEE COUNTY, NORTH CAROLINA
UTILITY PLAN

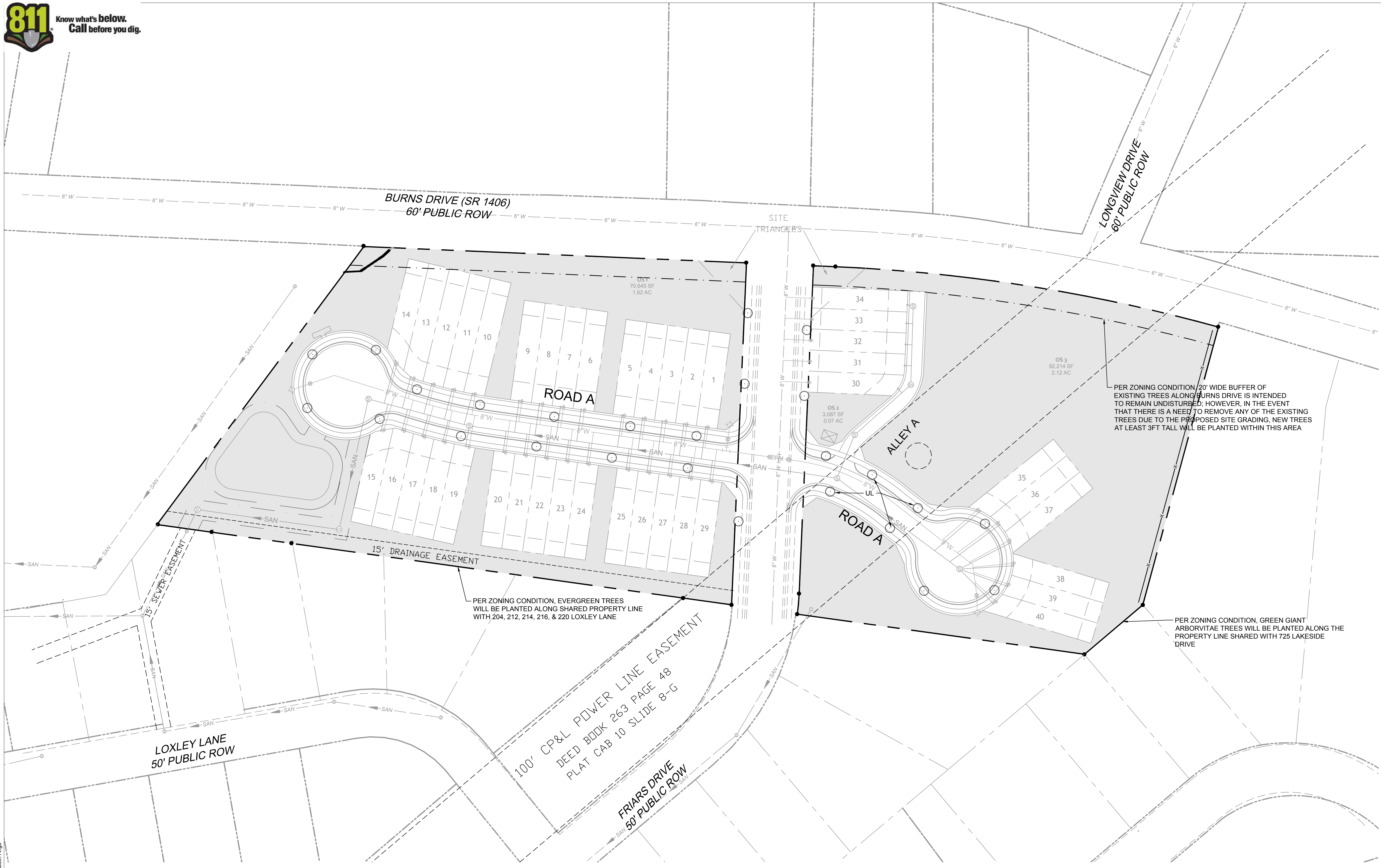
JOB NO.
52327
SHEET NO.
C3.0

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NOTE:
1. DOMESTIC WATER AND SAN. SEWER SERVICES SHALL BE INSTALLED PER CITY OF SANFORD DESIGN STANDARDS, DETAILS & SPECIFICATIONS.
2. DOMESTIC WATER AND SAN. SEWER SERVICES SHALL BE INSTALLED ON THE LOW SIDE OF THE LOT.
3. SANITARY SEWER SERVICE CLEANOUT TO BE PLACED 10' FROM PROPERTY LINE. IF PLACEMENT ADJUSTMENTS ARE NEEDED, THEY WILL BE ADDRESSED IN THE FIELD ON A CASE-BY-CASE BASIS.

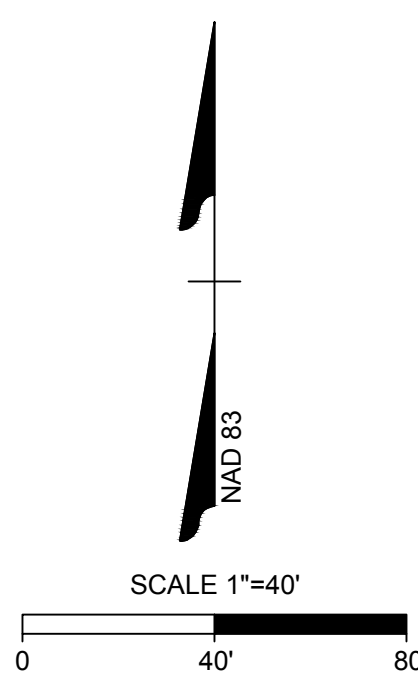
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PER ZONING CONDITION 20' WIDE BUFFER OF EXISTING TREES ALONG BURNS DRIVE IS INTENDED TO REMAIN UNDISTURBED. HOWEVER, IN THE EVENT THAT THERE IS A NEED TO REMOVE ANY OF THE EXISTING TREES DUE TO THE PROPOSED SITE GRADING, NEW TREES AT LEAST 3FT TALL WILL BE PLANTED WITHIN THIS AREA

PER ZONING CONDITION, EVERGREEN TREES WILL BE PLANTED ALONG SHARED PROPERTY LINE WITH 204, 212, 214, 216, & 220 LOXLEY LANE

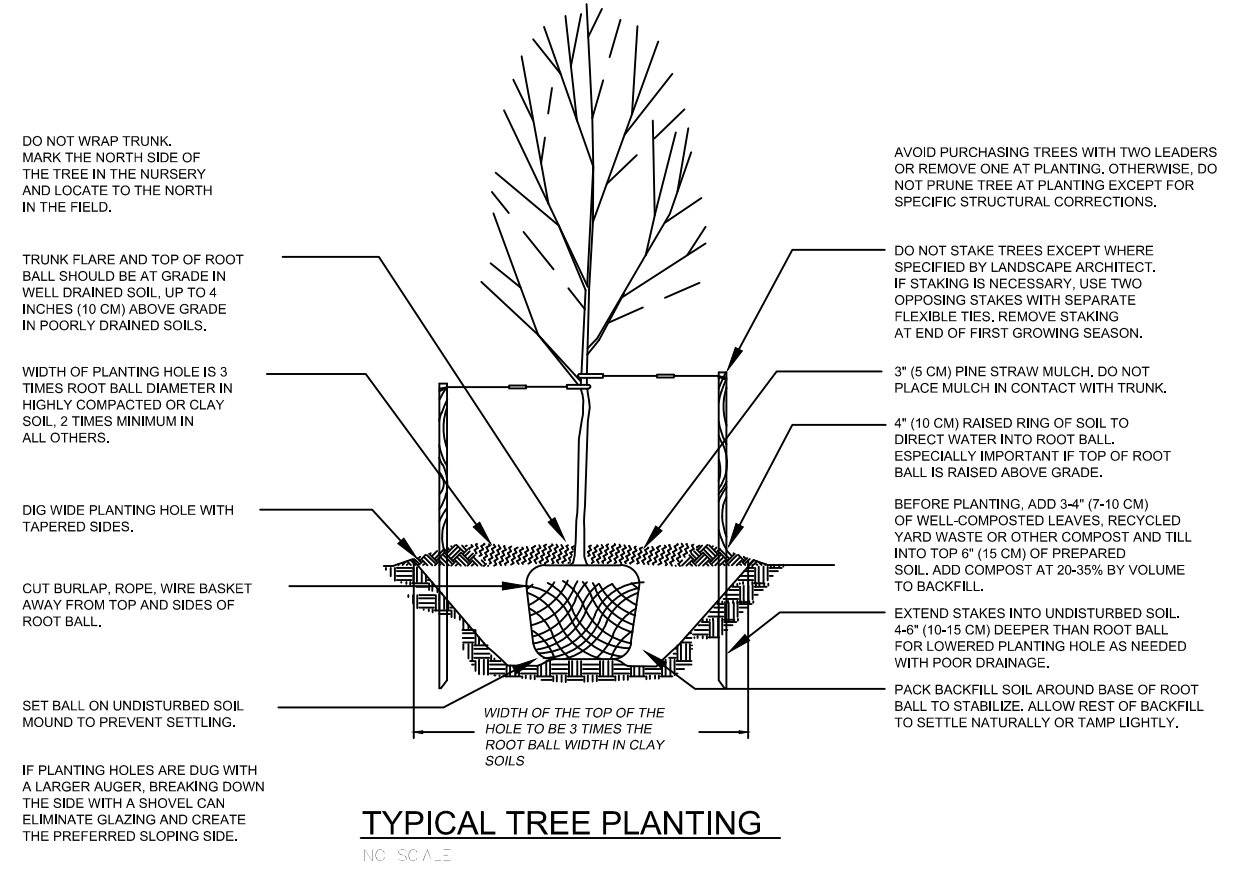
PER ZONING CONDITION, GREEN GIANT ARBORVITAE TREES WILL BE PLANTED ALONG THE PROPERTY LINE SHARED WITH 725 LAKESIDE DRIVE



ALLOWABLE STREET TREE PLANT LIST

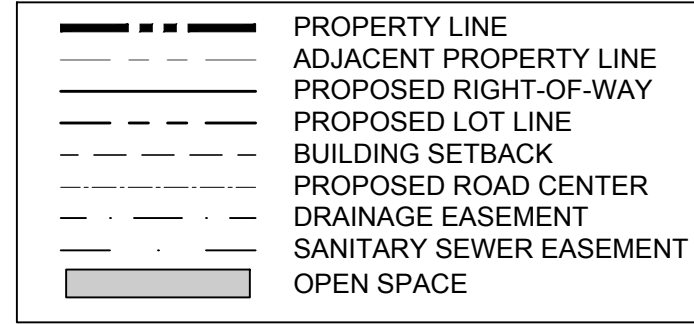
PLANT NAME	SIZE
HIGHTOWER WILLOW OAK QUERCUS PHELLOS 'HIGHTOWER'	2" CAL 10 - 12' HT
BOSQUE ELM ULMUS PARVIFOLIA 'BOSQUE'	2" CAL 10 - 12' HT
JAPANESE ZELKOVA ZELKOVA SERRATA	2" CAL 10 - 12' HT
OVERCUP OAK QUERCUS LYRATA	2" CAL 10 - 12' HT
LACEBARK ELM ULMUS PARVIFOLIA 'LACEBARK'	2" CAL 10 - 12' HT
MAIDENHAIR TREE GINKGO BILLOBA	2" CAL 10 - 12' HT
TUPELO NYSSA SYLVATICA	2" CAL 10 - 12' HT
TRIDENT MAPLE ACER BUERGRANUM	2" CAL 10 - 12' HT

(UL) TRIDENT MAPLE IS UTILITY LINE OPTION



TYPICAL TREE PLANTING

LEGEND



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 WILL BE PLACED 80" O.C. MAX. MAX 80" O.C. MAY BE EXCEEDED AT INTERSECTIONS AND EASEMENTS.

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DESIGNED BY
E. ANGE

CHECKED BY
B. BLACKMON

SCALE
1" = 40'

TIMMONS GROUP

BURNS DRIVE TOWNHOMES
0 FRIARS DRIVE, SANFORD, LEE COUNTY, NORTH CAROLINA
LANDSCAPE PLAN

JOB NO.
52327

SHEET NO.
C4.0

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CITY OF SANFORD
PLANNING BOARD STAFF REPORT
December 20th, 2022
Burns Drive Townhomes Subdivision
Preliminary Plat

GENERAL INFORMATION

Location:	0 Burns Drive (corner of Burns Drive and Friars Drive)
Property Owner:	ACA/PJA, LLC
Project Developer:	ML Consulting of Sanford, LLC
Project Engineer:	Beth Blackmon, Timmons Group
Township:	West Sanford
Ward:	City Council Ward 2
Tax Parcel:	9643-57-1338-00 and 9643-57-6362-00
Tax Maps:	9643.02
Total Lots:	40
Zoning:	Burns Drive Townhomes Conditional Zoning District (rezoned 08/04/22)
Acreage:	7.11 acres +/-
Minimum Lot Size:	2,000sf
Smallest Lot Size:	2,191sf
Average Lot Size:	2,292sf
Linear Feet of Street:	902 linear feet of private alleyway proposed.
Street:	Two proposed new public streets, to be maintained by the City of Sanford.
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

ML Consulting of Sanford, LLC, is seeking approval of a preliminary plat for a major residential subdivision to create a 40-lot townhome development. The proposal has nine total buildings, each with anywhere from three to five townhomes units within each building. The development also includes two new public cul-de-sac streets, each with sidewalks, street trees, and curb & gutter on both sides, to be maintained by the City of Sanford. The development also includes a 20-foot-wide alleyway, to be privately maintained, that would serve five lots fronting Friars Drive. Curb & gutter, sidewalks, and street trees will also be installed along the existing portions of Friars Drive within the development site. The proposed preliminary plat also includes nearly 4 acres of open space, to be privately maintained by the HOA that will be established in association with this development. The development includes 902 linear feet of new public street to be maintained by the City, as well as public water and public sewer to serve the new townhomes, all to be maintained by the City, as well. The development site was recently rezoned from O&I (Office & Institutional) to the Burns Drive Townhomes Conditional Zoning District in August, 2022.

ZONING DISTRICT INFORMATION

Current Zoning: Burns Drive Townhome Conditional Zoning District

The proposed subdivision design complies with the standards of the Burns Drive Townhome Conditional Zoning District, which is site plan specific and directly correlates with the preliminary plat proposed.

For your reference, the following design standards are applicable to the Burns Drive Townhomes Conditional Zoning District:

- Minimum Building Setbacks for Principal Structures:
 - Front = 20ft
 - Rear = 15ft
 - Sides = 0ft
 - Building Separation = 20ft
- Minimum Lot Size:
 - 2,000sf
- Minimum Lot Width:
 - 22ft
- Number of Lots:
 - 40
- Additional Conditions Specific to the Zoning District:
 - Townhome lot dimensions are 20ft x 100ft depth = 2,000sf
 - All homes must include at least a single car enclosed garage
 - All driveways must be concrete
 - All homes must have a sidewalk to the front door
 - All front and side yards must be sodded
 - Rear yards may be seeded & strawed
 - 6ft white vinyl privacy fence to be installed along the common property line of the Manna Church of Sanford
 - Evergreen trees will be placed at the end of the building construction along Lots 1-5 of Phase 1 of the Nottingham Subdivision (recorded as PC 10/Slide 37-D).
 - A 20ft buffer of existing trees will remain along Burns Drive.
 - In the event there is a need to remove any trees due to grading, new trees of a minimum 3” will be installed.
 - Green Giant Arbovitae’s will be planted 6ft apart on the common property line of 725 Lakeside Drive.
- Architectural Elevations Approved for this Development

Adjacent Zoning

North: Residential Single-family (R-20), Opposite Burns Drive
 South: Residential Mixed (R-12)
 East: Office & Institutional (O&I)
 West: Residential Mixed (R-6)

LOCAL OVERLAY DISTRICTS & CORRIDOR STANDARDS

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

The following is a general note included with all 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

There is a public water main line located in the right-of-way of Burns Drive and Friars Drive. Public sewer is located on site (manhole on each parcel). This information is per our GIS mapping system and, if the rezoning is approved, all new development and/or water and sewer connections must be approved by the City of Sanford Public Works Dept./Engineering Dept. to verify compliance with all policies and regulations, including – but not limited to – off site improvements or upgrades.

TRANSPORTATION

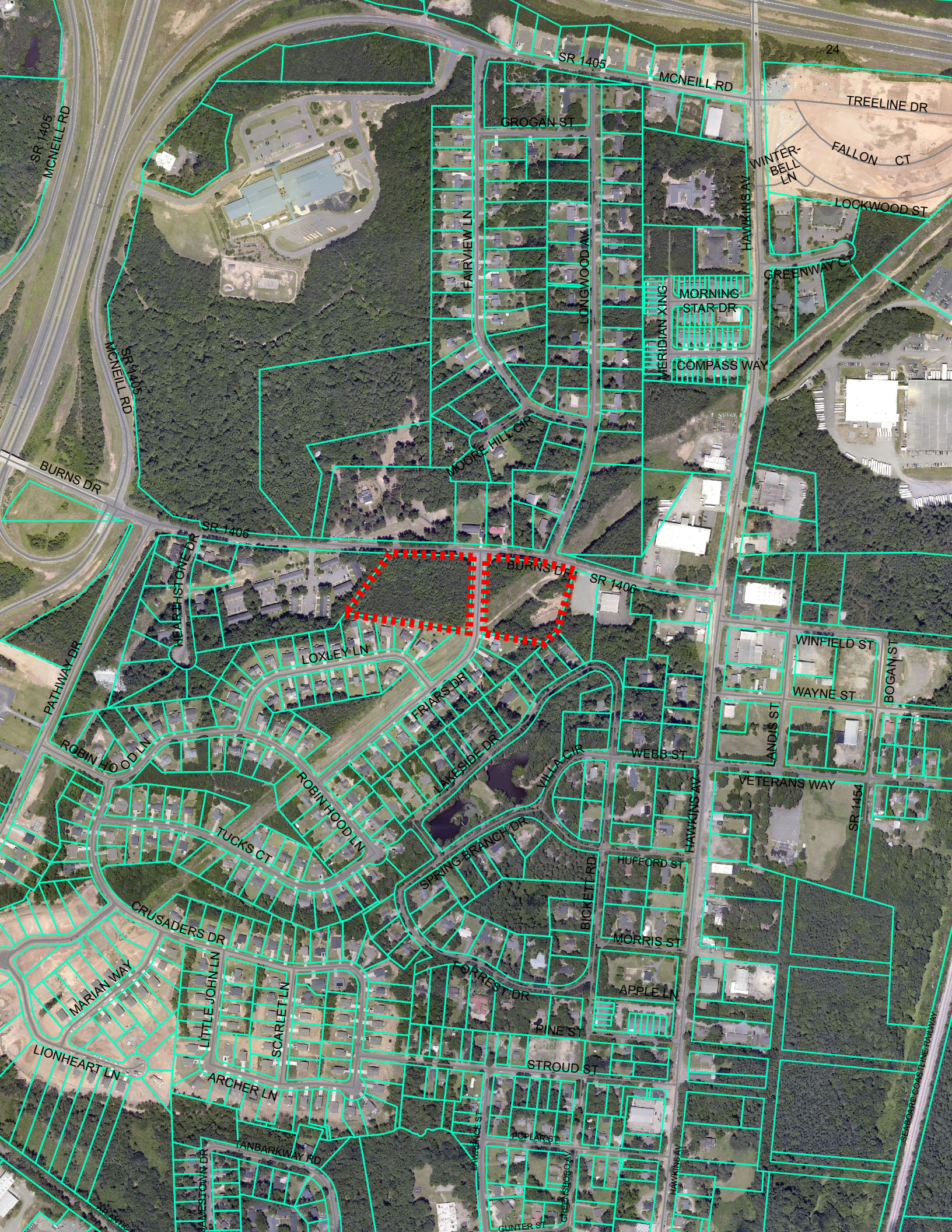
There is approximately 962 feet of frontage on Burns Drive (SR 1406), which is a NCDOT maintained public roadway with a 60ft right-of-way in the area of the subject property. Friars Drive is a City maintained public roadway with a 60ft right-of-way in the area of the subject property. This information is per our GIS mapping system and NCDOT and/or the City of Sanford must approve any proposed driveways via the site plan review/approval process to verify compliance with all applicable regulations, including – but not limited to - traffic studies and roadway improvements/turn lanes.

2011 Lee County Comprehensive Transportation Plan: This plan illustrates Burns Drive as an existing major thoroughfare that needs improvement.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2018 NCDOT AADT of 2,400 vehicles per day between Longwood Avenue and Hawkins Avenue.

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.



24

SR 1405
MCNEILL RD

SR 1405

MCNEILL RD

GROGAN ST

TREELINE DR

FALLON CT

LOCKWOOD ST

WINTER BELL LN

GREENWAY CT

MORNING STAR DR

COMPASS WAY

SR 1405
MCNEILL RD

BURNS DR

SR 1406

BURNS DR

SR 1406

PATHWAY DR

HEARTHSTONE DR

LOXLEY LN

WINFIELD ST

WAYNE ST

BOGAN ST

ROBIN HOOD LN

FRIARS DR

WEBB ST

LANDIS ST

ROBIN HOOD LN

LAKESIDE DR

VILLA CIR

VETERANS WAY

SR 1454

TUCKS CT

SPRING BRANCH DR

BICKETT RD

HUFFORD ST

CRUSADERS DR

FORREST DR

MORRIS ST

APPLE LN

MARIAN WAY

LITTLE JOHN LN

SCARLETT LN

PINE ST

LIONHEART LN

ARCHER LN

STROUD ST

JAMESTOWN DR

TANBARKWAY RD

GUNTER ST

GREENSBORO AV

SEABOARD COASTLINE RAILWAY



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

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

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

Mark Lyczkowski
MARK LYCZKOWSKI

8-2-2022

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

Date

Required Attachments/Submittals

- A completed rezoning application (incomplete applications/submittals will not be accepted or processed).
- 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.
- A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.
- A \$500.00 Application fee, payable to the City of Sanford is required before processing the application.
- *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).
- 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

Portion of PIN: 9660-12-6034
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 Crowell 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.

Jay Kelly Trustee

5-23-22

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).

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Jay Kelly - Erector

5-23-22

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.

Hazel Carter Bullard
HAZEL CARTER BULLARD

5-30-2022

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

Date

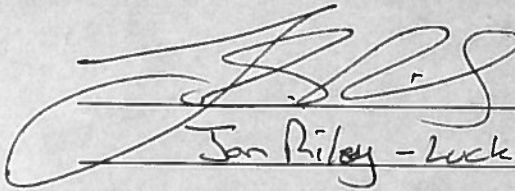
Signature Addendum

Zoning Map Amendment (Rezoning) Application

City of Sanford

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

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Ian Riley - Luck Stone - Land Use Director

4/14/²⁰²²~~2021~~

Date

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.

James Myzelle - JAMES LIZEN
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

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

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

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)

5-23-22
9/19/22

Date

Joy B Kelly

Joy Kelly, Executor of the Estate of
Curtis Dale Kelly

11-1-22
Date

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 Crowell 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

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 an 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
December 20th, 2022

This public hearing was tabled at the November 15th meeting and may be un-tabled/continued at the December 20th meeting. Adjoining property owners and interested parties should attend this meeting. This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on December 20th, 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
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.”*

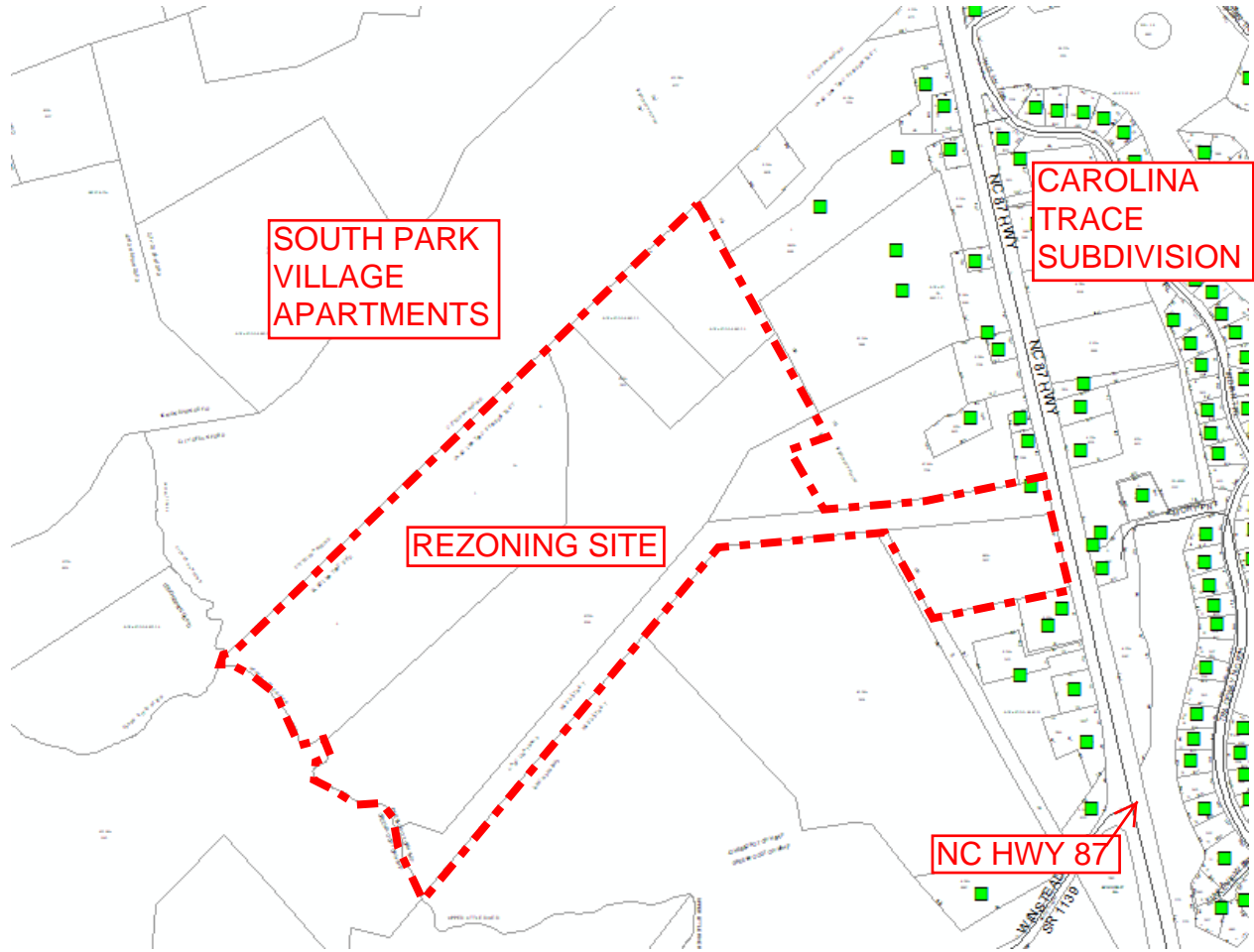
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

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.

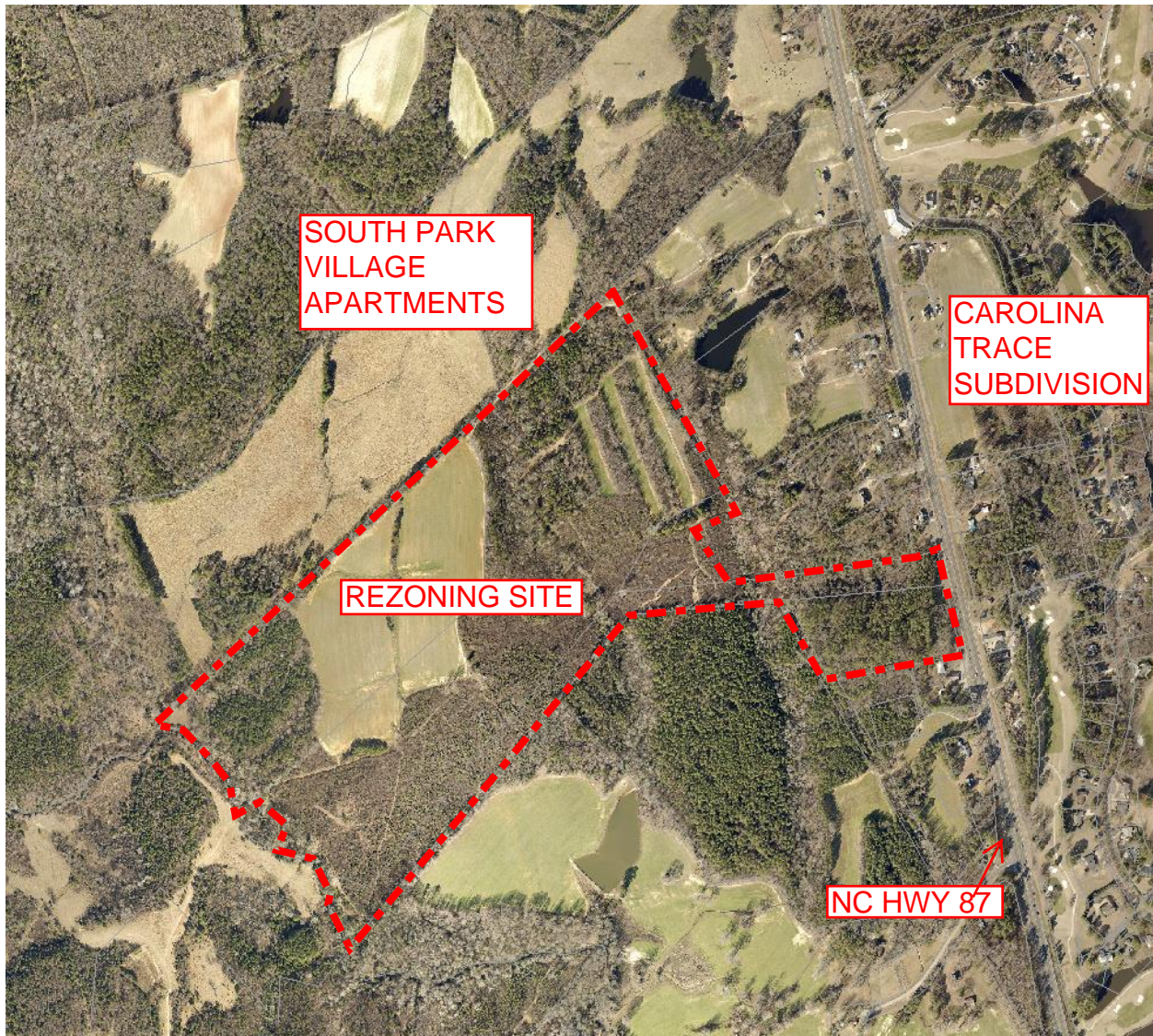


ZONING MAP AMENDMENT

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.

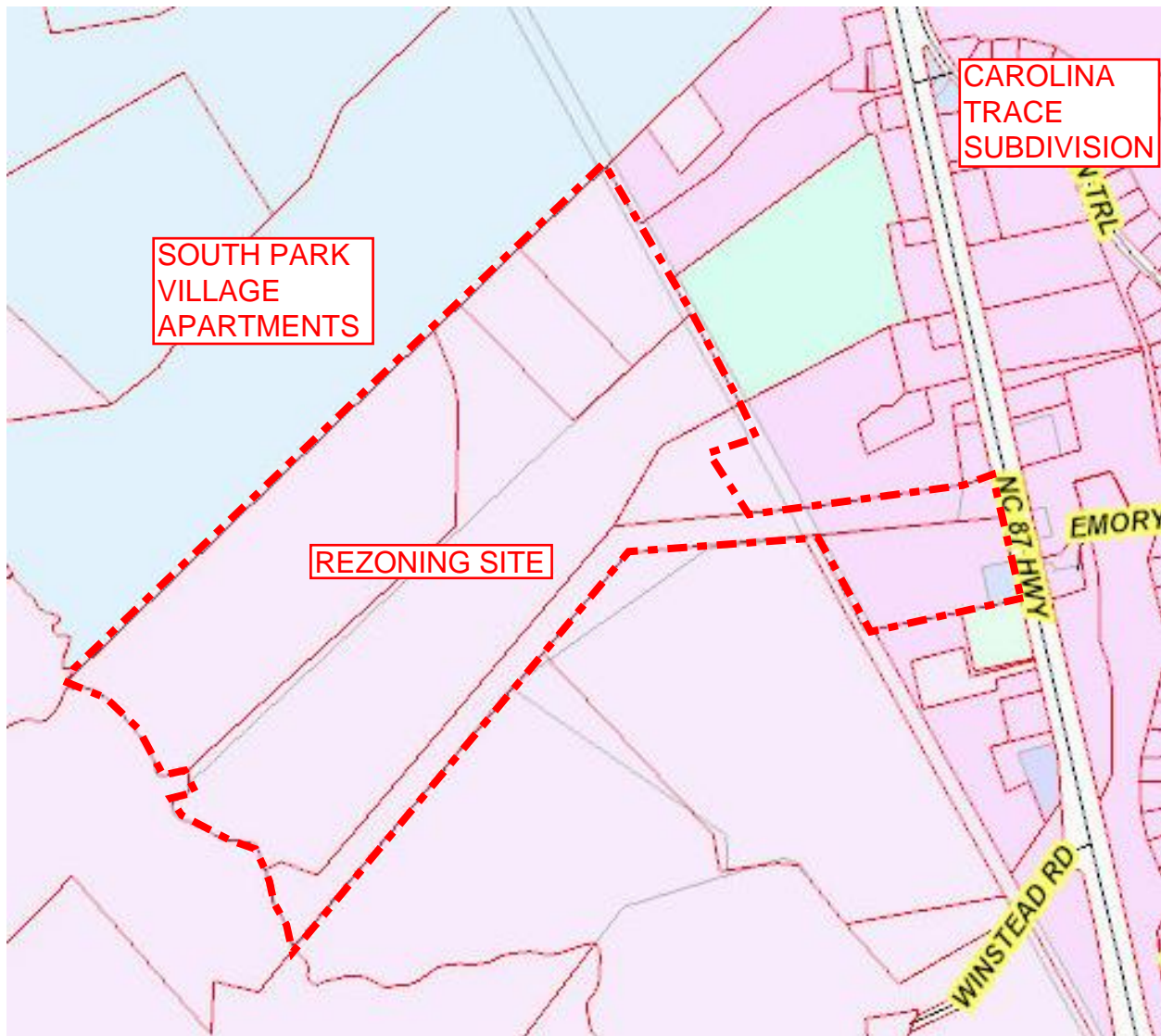


ZONING MAP AMENDMENT

Request to rezone 140.8 acres at 5120 NC Hwy 87 S

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

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.



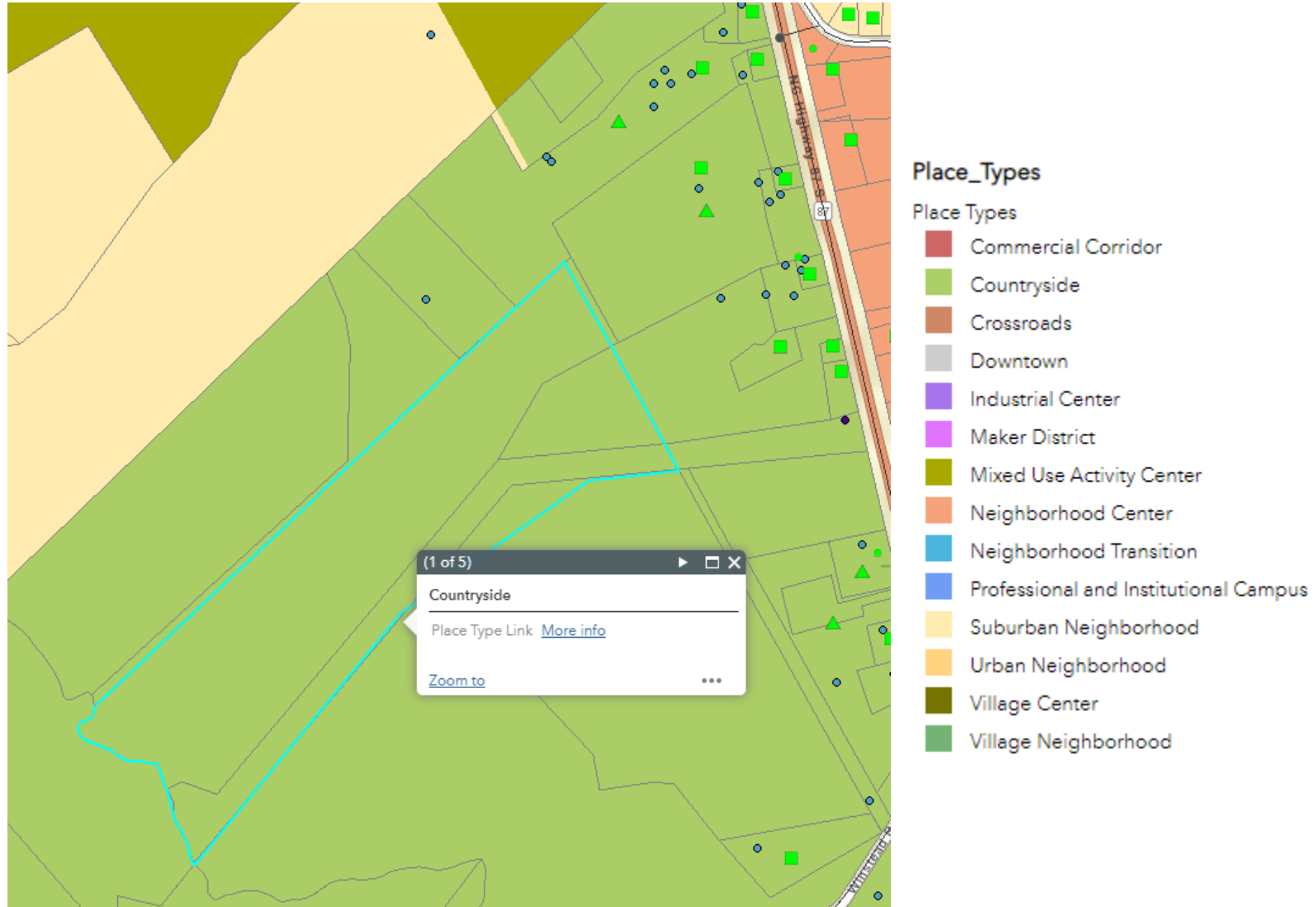
ZONING MAP AMENDMENT

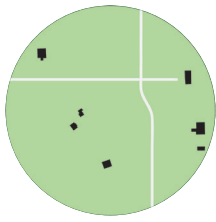
Request to rezone 140.8 acres at 5120 NC Hwy 87 S

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

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

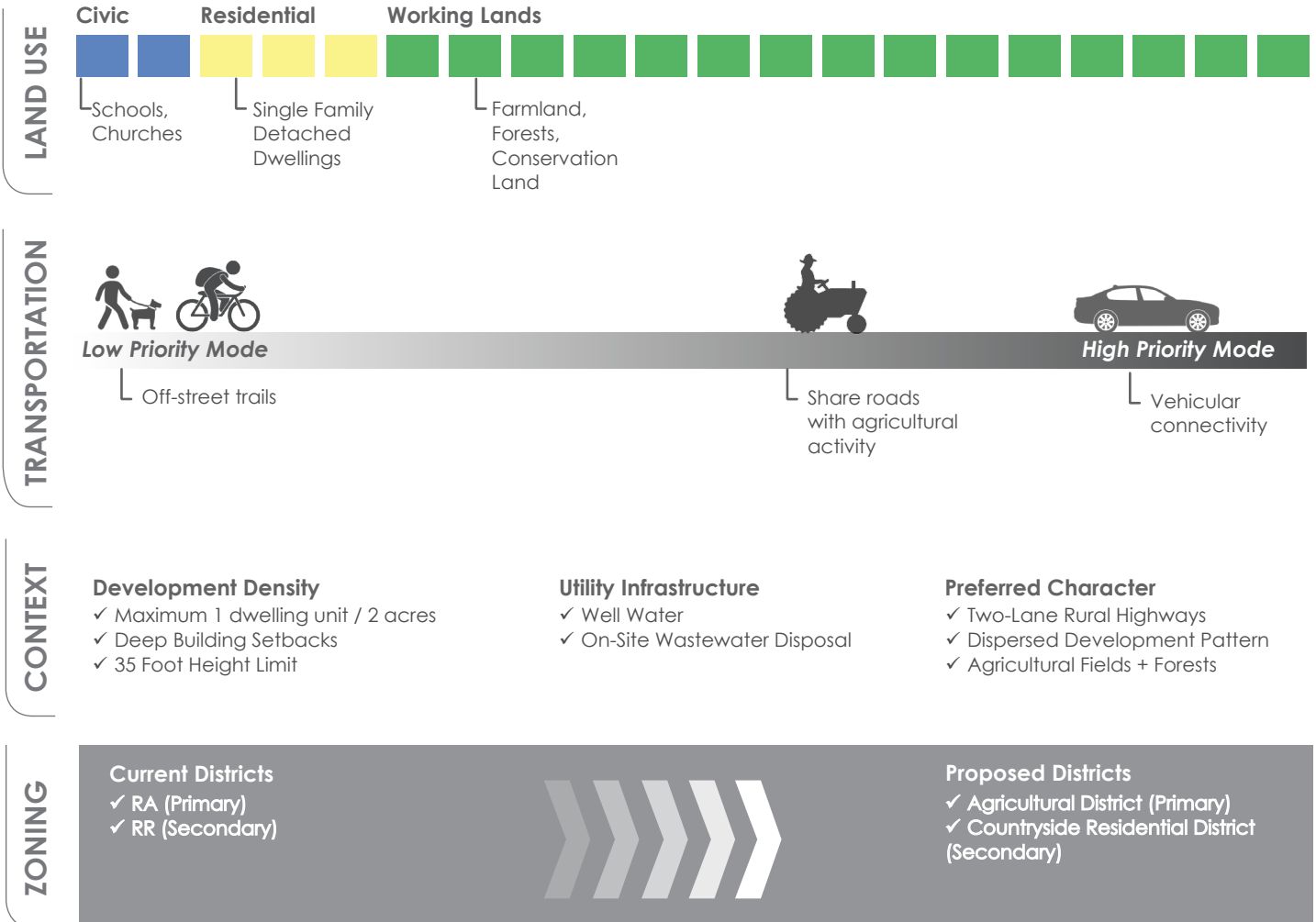




COUNTRYSIDE

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

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

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

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

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)

C-2, GENERAL COMMERCIAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

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

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

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

LI, LIGHT INDUSTRIAL ZONING DISTRICT

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

USES PERMITTED BY RIGHT

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

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

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

Shopping Center, less than 25,000 sq. ft.
Sporting goods, toys and hobby sales, excluding guns and gunsmiths
Tattoo Parlor/Tattoo Studio and/or Body Piercing
Tobacco or Tobacconist
Upholstery and furniture refinishing
Wholesales trade, generally, with operation conducted and merchandise stored entirely within a building and not otherwise listed
Industrial & Manufacturing Uses
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)
Arts, Recreation & Entertainment
Amphitheater
Botanical gardens & arboreta
Bowling alley
Exhibition , convention or conference structure
Fitness and recreational sports, gym, health spa reducing salon, swimming pool/auditorium racquet club or athletic club (not otherwise listed)
Golf courses, public and private
Golf driving ranges
Golf, miniature
Movie Theater

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

USES PERMITTED WITH DEVELOPMENT REGULATIONS

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

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

USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

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

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

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

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

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

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

ADJOINING PROPERTY OWNERS LIST

PETITION BY: 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



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Brian Richards
2. Applicant Address: 150 Fayetteville street, suite 1310 Raleigh NC 27601
3. Applicant Telephone: (919)-275-5002
4. Name and Address of Property Owner(s) if different than applicant:
Sterling Developers, LLC, 613 Carthage Street, Sanford NC 27330
5. Location of Subject Property: 0 Petty Rd Sanford NC, 27330 - 3116 Carbonton Rd Sanford NC 27330
Lee Co. P.I.N. 9622-98-8965-00, 9632-09-5217-00
6. Total Area included in Rezoning Request: ±58.43 Acres
7. Zoning Classification: Current: R20 Requested: R6 & R10
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): To allow for the development of single family lots with densities greater than 2 dwelling units per acre.
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

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

STERLING DEVELOPERS, LLC
by Jerry Stewart Manager/Member
Signature of Property Owner(s) (Sign & Print)
JERRY STEWART

10/27/2022

10/14/2022
Date

Brian Richards
Urban Design
Partners

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 FEE⁷⁷

*(\$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): R6 and R10 Zoning components (6,000 sf lots and 10,000 sf lots).
This project will feature both R6 and R10 components together on the same site. Lots vary from 60' wide minimum to 70' wide minimum.
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 proposed development is ±58 acres with 133 total lots proposed.

The community will feature three ponds (two stormwater), ± 6.63 acres of open space, and three points of ingress/egress.

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.

STERLING DEVELOPERS, LLC
by Terry Stewart manager/member
Signature (Sign & Print) TERRY STEWART

10/28/2022
Date

L:\Forms & Certifications\ CZ Supplemental Appl (Updated 2018-07-02)



Brian Richards
Urban Design Partners

10/28/2022

PETTY RD. SUBDIVISION

CONDITIONAL REZONING

The City of Sanford

October 27, 2022

URBAN
DESIGN
PARTNERS

LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING

PETTY RD. SUBDIVISION

CONDITONAL REZONING MASTER PLAN

PREPARED FOR

The City of Sanford

OWNER

STERLING DEVELOPERS, LLC

PROJECT TEAM

Urban Design Partners

Landscape Architecture | Civil Engineering

150 Fayetteville Street

Suite 1310

Raleigh, NC 27601

SUBMITTAL DATE

October 27, 2022



Table of Contents

4 | Vicinity Map

5 | Concept Plan

6 | Buffer Detail

7 | Amenities

8 | Architectural Design Standards

Vicinity Map

Petty Rd. Site Data

- » Acres: ± 58.43
- » PIN: 9622-98-8965-00,
9632-09-5217-00
- » Existing zoning: R20
- » Proposed zoning: Conditional (R6 & R10)



LOCATION

Petty Rd. Concept Plan

Development Summary

- 6,000 sf lots (60' min width)
- 10,000 sf lots (70' min. width)
- Phase two lots

» Total phase one lots: ± 121 lots
 6,000 sf lots: ± 91 lots
 10,000 sf lots: ± 30 lots

» Total phase two lots: ± 12 lots
 6,000 sf lots: ± 10 lots
 10,000 sf lots: ± 2 lots

Total lots: ± 133 lots

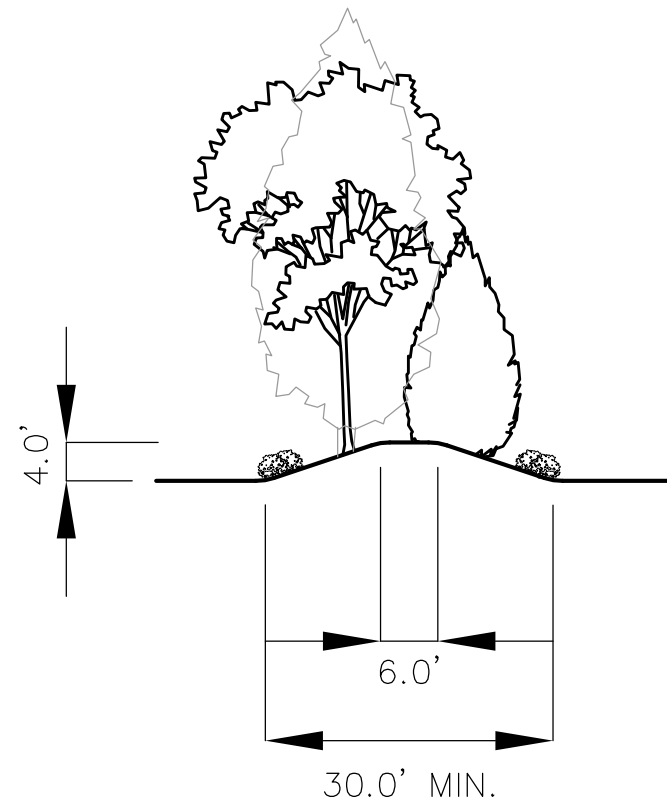
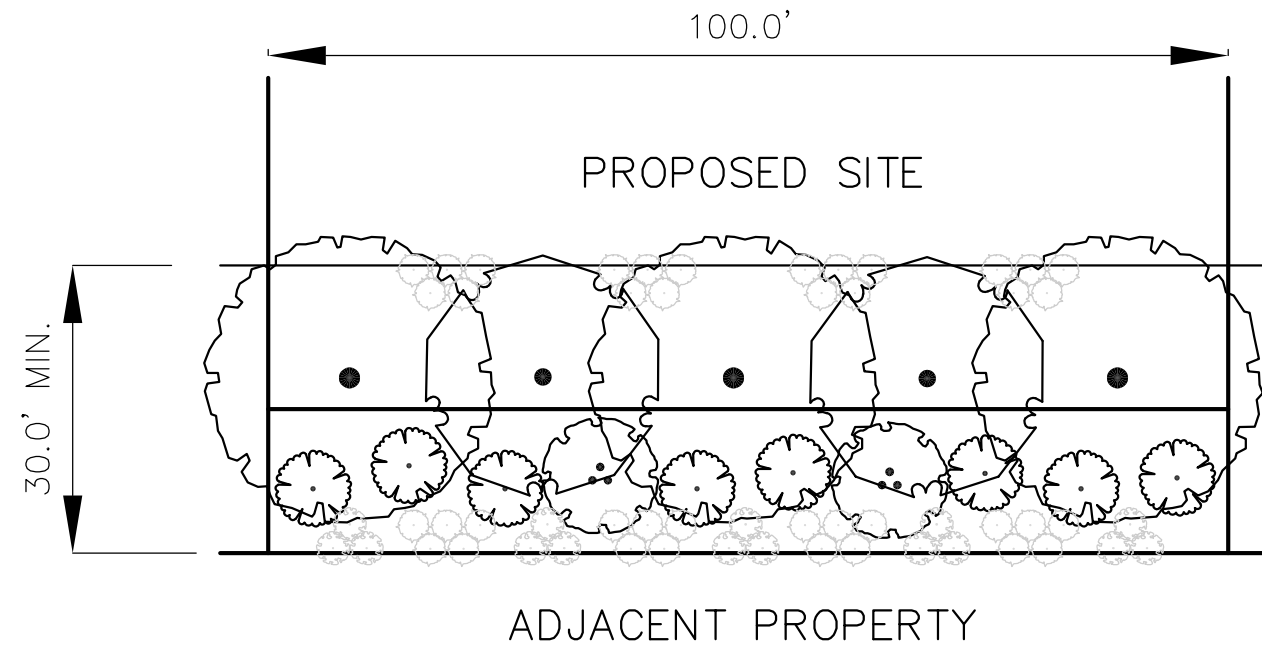
» Open space Required:
 OS1 ± 6 AC
 OS2 ± .16 AC
 OS3 ± .33 AC
 OS4 ± .71 AC

Total open space: ± 10.1 AC



CONCEPT PLAN

30' Berm Buffer Detail



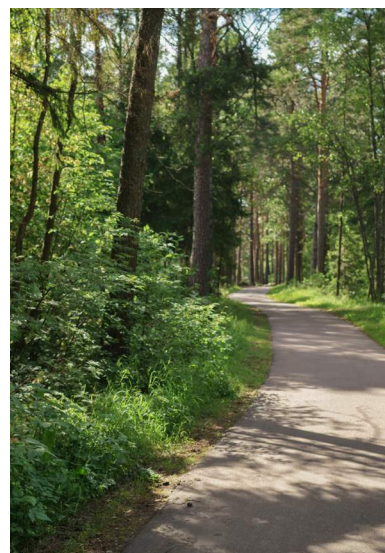
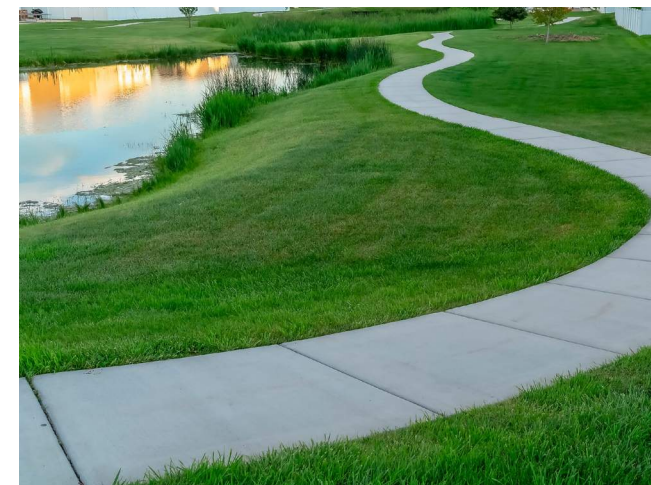
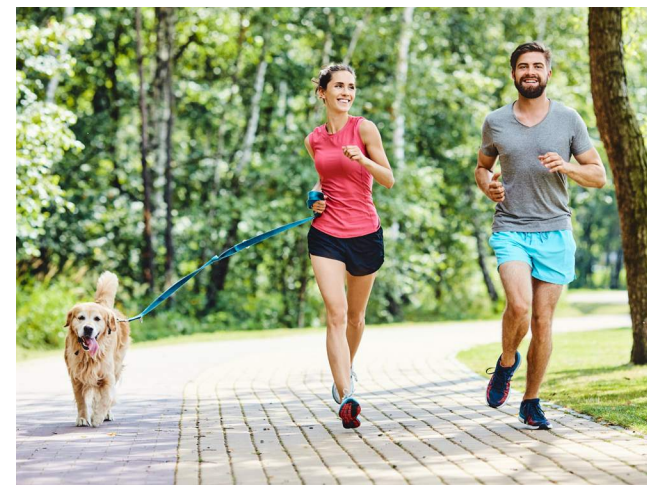
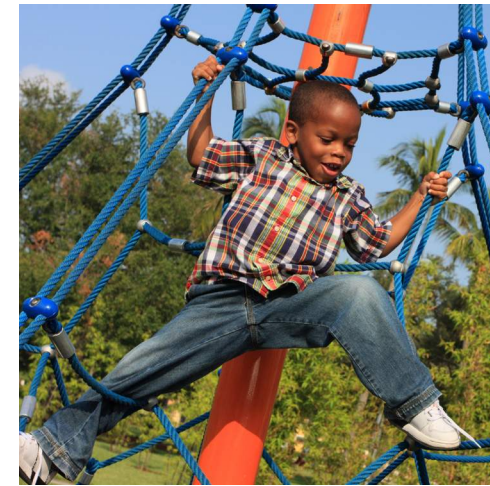
PLANTING LEGEND

<u>TREES</u>	<u>COMMON NAME</u>	<u>QTY PER 100'</u>
	DECIDUOUS TREE	3
	EVERGREEN TREE	2
	LARGE EVERGREEN SHRUB	2
	EVERGREEN SHRUB	8
	SHRUBS	55



BUFFER DETAIL

Amenities



Petty Rd. Subdivision Amenities

- **Trails**
 - » Trail network connecting the existing pond and community amenities.
- **Playground**
 - » The playground will be located in one of the active open space areas.
- **Dog Park**
 - » The park will be located in one of the active open space areas and will provide a place for residents to let their dogs run.

IMAGES ARE CONCEPTUAL

Architectural Design Standards - Single Family Detached



Exterior Design Features

- » Masonry/stone accents
- » Fiber cement board
- » Hardi-plank
- » Board & batten
- » Architectural style shingles
- » No vinyl siding
- » Variety of finish color
- » Gable roofs



IMAGES ARE CONCEPTUAL AND SUBJECT TO CHANGE

PETTY RD. SUBDIVISION

U R B A N
D E S I G N
P A R T N E R S
LANDSCAPE ARCHITECTURE + CIVIL ENGINEERING



SITE DATA

ACRES: ± 58.43 AC TOTAL

PIN: 9622-98-8965-00 & 9632-09-5217-00

EXISTING ZONING: R20
 PROPOSED ZONING: R6 & R10

DEVELOPMENT SUMMARY

LOT SIZES

- 6,000 SF LOTS (60' min width)
- 10,000 SF LOTS (70' min. width)
- PHASE TWO LOTS

TOTAL PHASE ONE LOTS ± 121 LOTS

- 6,000 SF LOTS ± 91 LOTS
- 10,000 SF LOTS ± 30 LOTS

TOTAL PHASE TWO LOTS ± 12 LOTS

- 6,000 SF LOTS ± 10 LOTS
- 10,000 SF LOTS ± 2 LOTS

TOTAL LOTS ± 133 LOTS

OPEN SPACE

REQUIRED OPEN SPACE ± 2.9 AC - 5%

- OS 1 ± 6 AC
- OS 2 ± .16 AC
- OS 3 ± .33 AC
- OS 4 ± .13 AC
- TOTAL OPEN SPACE ± 6.63 AC

IMPERVIOUS AREA

CURRENT IMPERVIOUS AREA ± 8.5 AC (EXIST. ROADS AND SIDEWALKS)

- 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.

CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
December 20th, 2022

REQUEST

Brian Richards of Urban Design Partners is requesting to rezone two (2) adjoining tracts of land comprising 58.43 +/- acres, located at 3116 Carbonton Road, with frontage on Petty Road and Carbonton Road, from Residential Single-Family (R-20) to the Petty Road Subdivision Conditional Zoning District to allow the development of a 133-lot residential subdivision as illustrated on the “Petty Road Subdivision Concept Plan” submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans and proposed conditions are required as part of the rezoning request.

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

GENERAL INFORMATION

Applicant:	Brian Richards (Urban Design Partners)
Property Owner:	Sterling Developers, LLC
Request:	Rezone from Residential Single-Family (R-20) to the Campbell Creek CZ District
Location:	3116 Carbonton Rd, Sanford, NC 27330
Acreage:	58.43 +/-
Tax Parcels:	9622-98-8965-00 & 9632-09-5217-00
Tax Map:	9632.01 & 9622.02
Township:	West Sanford
Council Ward:	Unassigned
Fire District:	Northwest Pocket Fire Dept.
Schools:	JR Ingram Elementary West Lee Middle School Lee Senior High School

SITE DESCRIPTION

The site is located at the intersections of Carbonton Rd and Wicker St and Carbonton Rd and Petty Rd. The site currently contains a single-family dwelling addressed as 3116 Carbonton Rd, Sanford, NC 27330.

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 left and right side property lines
Maximum building height:	40ft
Maximum impervious surface:	N/A unless located within a Watershed Conservation Overlay

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

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

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

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

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

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

The following information is applicable for the Petty Road Subdivision Conditional Zoning District:

- Inclusion of R6 and R10 zoning components (6,000 sqft and 10,000 sqft lots).
- Lot width requirements varying from 60' to 70' wide.
- 133 total lots with three (3) ponds and 6.63 +/- acres of open space.
- Three points of ingress / egress.

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: Residential Single-Family (R-14)
 South: Residential Single-Family (R-20)
 East: Stewart James LLC CZ District
 West: Residential Single-Family (R-20)

Adjacent Land Use

North: Single-family homes
 South: Single-family homes
 East: Single-family homes
 West: Single-family homes; vacant land

PLAN SANLEE

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

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

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 Carbonton Road and Petty Road. The site appears to lack direct access to sewer but existing lines run within bordering subdivisions to the North and East. 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 Carbonton Rd (NC-42), which is a NCDOT maintained public road with a 60ft right-of-way and a 2021 NCDOT AADT of 3,100 vehicles per day in the general area of the subject property. The 2011 Lee County Transportation Plan designated NC-42 as a thoroughfare within its plan with a further recommendation that it become a boulevard with a recommended connection to Pendergrass Rd (SR 1334). The site also has frontage on Petty Road (SR 1324) which is an NCDOT maintained public road with a 60ft right-of-way and a 2019 NCDOT AADT of 900 vehicles per day. The 2011 Lee County Transportation Plan does not specify any improvements for Petty Road. 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.

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 Suburban Neighborhood which list single-family dwellings between 4 and 7 units per acre as a desired land use. While the proposed project has a single-family density of ~2.5 units per acre for reference, the design of the site is congruent with the preferred character of the future land use area. Furthermore, the site has been designed in such a way as to conserve open space and work around water features—characteristics which are desirable and justify a lower overall site density. Based on the design of the site and general adherence to *Plan SanLee*, 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 Suburban Neighborhood because single-family dwellings are a desired land use.”*

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Suburban Neighborhood because it lacks the desired density.”*

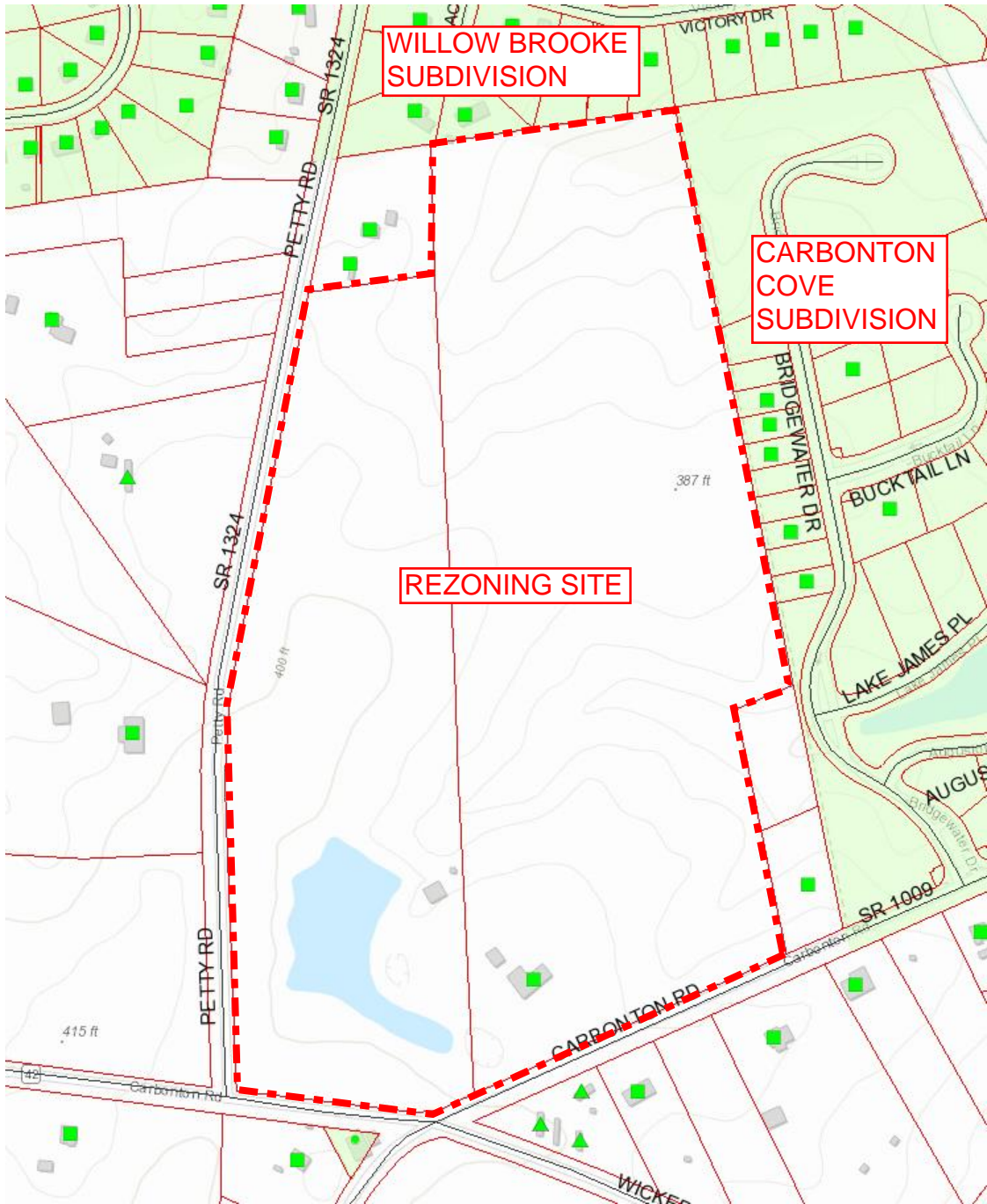
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

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.”*

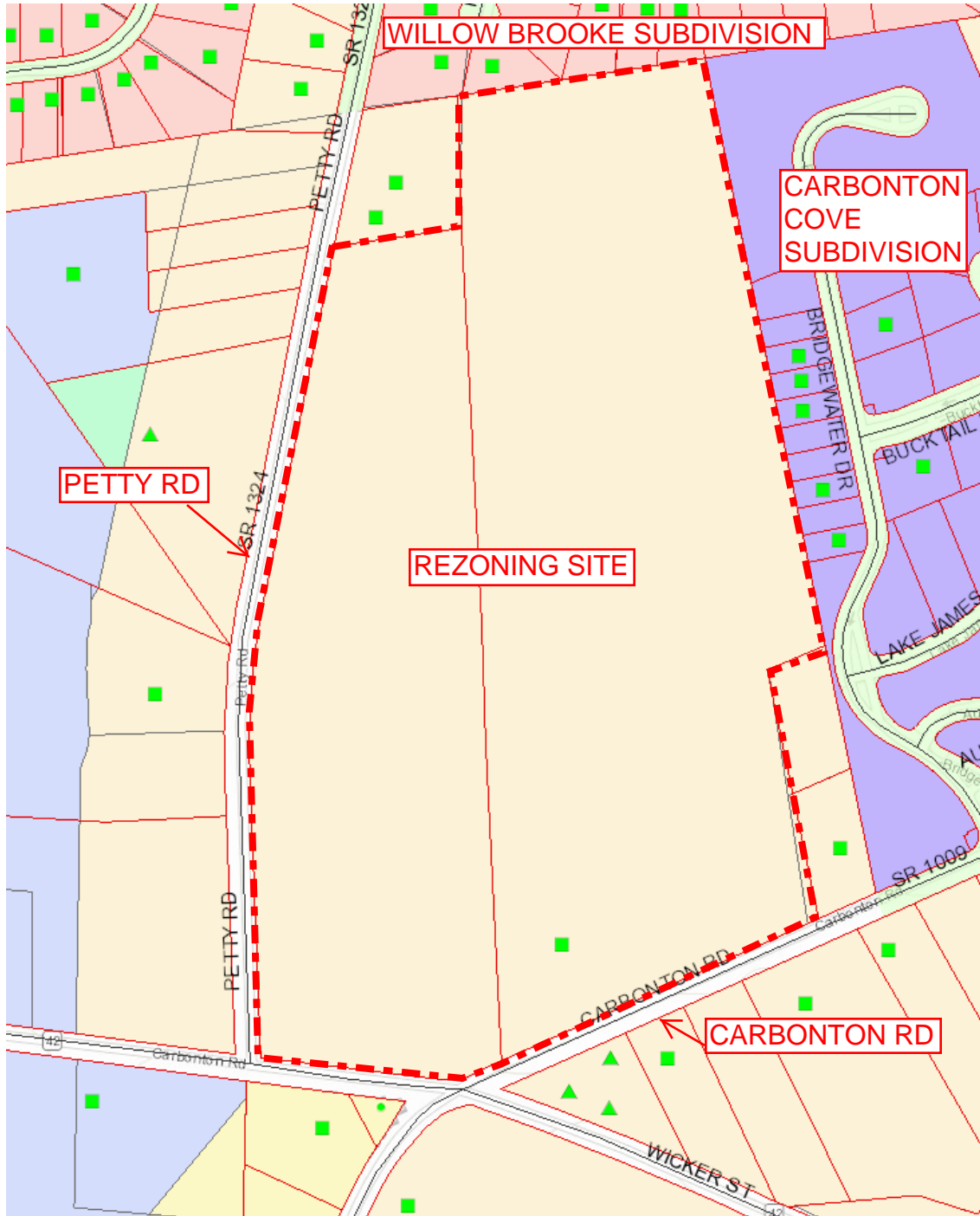
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



ZONING MAP AMENDMENT

Request to rezone 58.43 +/- acres at Carbonton Rd and Petty Rd from R-20 to the Petty Road Subdivision 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 58.43 +/- acres at Carbonton Rd and Petty Rd from R-20 to the Petty Road Subdivision CZ District

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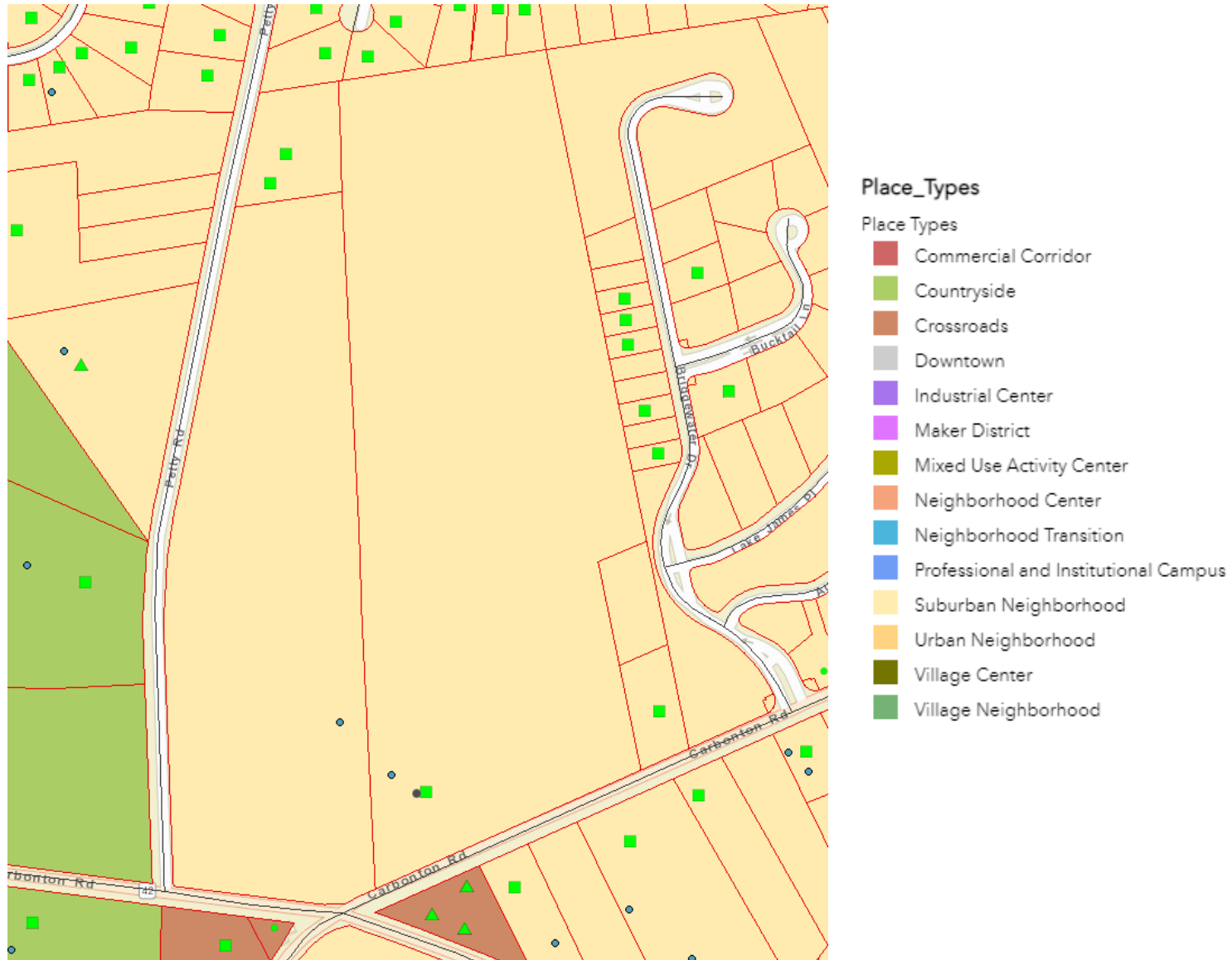


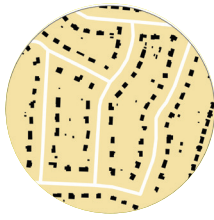
ZONING MAP AMENDMENT

Request to rezone 58.43 +/- acres at Carbonton Rd and Petty Rd from R-20 to the Petty Road Subdivision 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





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**



LAND USE	<p>Open Space</p> <p>Undeveloped Open Space, Forests</p>	<p>Civic</p> <p>Schools, Churches, Neighborhood Parks</p>	<p>Residential</p> <p>Detached and Attached Single Family Dwellings, Multi-Family Dwellings</p>	
TRANSPORTATION	<p>Low Priority Mode</p> <p>Public Transit</p>	<p>On-street bike lanes, off-trail system</p>	<p>Sidewalks, off-street trails, transit & commercial area connections</p>	<p>High Priority Mode</p> <p>Vehicular connectivity</p>
CONTEXT	<p>Development Density</p> <ul style="list-style-type: none"> ✓ 4-7 dwelling units / acre ✓ MF 7 - 10 dwelling units / acre ✓ Moderate Building Setbacks ✓ 35 Foot Height Limit 	<p>Utility Infrastructure</p> <ul style="list-style-type: none"> ✓ Public Water ✓ Public Wastewater 	<p>Preferred Character</p> <ul style="list-style-type: none"> ✓ Interconnected Curvilinear Streets ✓ 600 Foot Block Lengths ✓ Curb & Gutter + Sidewalks ✓ Street Trees 	
ZONING	<p>Current Districts</p> <ul style="list-style-type: none"> ✓ R-20 ✓ R-14 ✓ R-12SF (Primary) ✓ R-12 (Secondary) 		<p>Proposed Districts</p> <ul style="list-style-type: none"> ✓ Medium Density Residential (Primary) ✓ Low Density Residential (Secondary) 	

**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

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Brian Richards (Urban Design Partners)

REQUEST: Rezone from Residential Agricultural (RA) to the Petty Road Subdivision CZ District

LOCATION: Petty Road and Carbonton Road

PIN: 9622-98-8965-00 & 9632-09-5217-00

DATE: 2022-12-05

PIN	Owner1	Owner2	Property Address	Mail Address
9632-18-2089-00	ARC/HDS LEE CO HOUSING CORP		3101 CARBONTON RD	5509A W FRIENDLY AVE GREENSBORO NC 27410
9632-18-0065-00	HESS, RICHARD B		3105 CARBONTON RD	3105 CARBONTON RD SANFORD NC 27330
9632-07-6957-00	LUCERO, GREGORY CURTIS		3113 CARBONTON RD	3113 CARBONTON RD SANFORD NC 27330
9622-97-7826-00	BRATCHER, JOSEPH		48 STEEL BRIDGE RD	48 STEEL BRIDGE RD SANFORD NC 27330
9632-07-8919-00	LUCERO, GREGORY C		0 CARBONTON RD	3113 CARBONTON RD SANFORD NC 27330
9632-07-4929-00	THOMAS, JAMES WORTHY (LIFE ESTATE)	THOMAS, BETTY SIMPSON (LIFE ESTATE)	3131 CARBONTON RD	3280 PICKARD RD SANFORD NC 27330
9622-97-9900-00	DOBY, DANIEL B		3201 CARBONTON RD	4805 BUCKHORN RD SANFORD NC 27330
9633-00-0329-00	HENDERSON, LARRY D	HENDERSON, BEATRICE F	231 PALACE DR	231 PALACE DR SANFORD NC 27330
9633-00-1491-00	BARBER, SHEILA	BARBER, DEAN	232 PALACE DR	232 PALACE DR SANFORD NC 27330
9633-00-2580-00	PROCTOR, KIMBERLY A		236 PALACE DR	236 PALACE DR SANFORD NC 27330
9633-00-4542-00	GATTIS, RANDALL N	GATTIS, SUSAN LARUE	2535 VICTORY DR	2535 VICTORY DR SANFORD NC 27330
9632-06-9539-00	CHILDRESS, SHANNON NAOMI COLE		61 STEEL BRIDGE RD	61 STEELBRIDGE RD SANFORD NC 27330
9623-90-9168-00	BATCHELOR, ROBERT L		220 PETTY RD	220 PETTY RD SANFORD NC 27330

9622-99-2825-00	HOOVER, LINDA KAY		211 PETTY RD	211 PETTY RD SANFORD NC 27330
9622-98-8965-00	PETTY, KATIE P		0 PETTY RD	2602 FOREHAM DR FAYETTEVILLE NC 28304
9622-99-4469-00	RUSS, ELENA ROSE		125 PETTY RD	125 PETTY RD S ANFORD NC 27330
9622-89-8589-00	SIFFORD, SHARLYN R		0 PETTY RD	5000 PHANIEL CHURCH RD ROCKWELL NC 28138
9622-99-5959-00	HOOVER, LINDA KAY		0 PETTY RD	211 PETTY RD SANFORD NC 27330
9622-99-5950-00	HOOVER, LINDA KAY		0 PETTY RD	211 PETTY RD SANFORD NC 27330
9623-90-3167-00	HOOVER, LINDA KAY		0 PETTY RD	211 PETTY RD SANFORD NC 27330
9622-98-1981-00	HERRING, ARNOLD J	HERRING, NOLA S	115 PETTY RD	115 PETTY RD SANFORD NC 27330
9622-98-2326-00	GUNTER, GLENN R II	GUNTER, PAMELA R	3314 CARBONTON RD	3314 CARBONTON RD SANFORD NC 27330
9622-97-2725-00	GUNTER, MARIE STONE		3289 CARBONTON RD	3289 CARBONTON RD SANFORD NC 27330
9633-00-5531-00	THOMAS, JOHN E JR		2531 VICTORY DR	2531 VICTORY DR SANFORD NC 27330
9633-00-4594-00	PINNACLE INC		0 VICTORY DR	2217 LEE AVE SANFORD NC 27331
9633-00-6532-00	SPURLIN, ANGELA M		2527 VICTORY DR	2527 VICTORY DR SANFORD NC 27330
9633-00-8525-00	SMITH, MEREDITH A		2519 VICTORY DR	2519 VICTORY DR SANFORD NC 27330
9633-00-7523-00	JEFFRIES, VIRGINIA		2523 VICTORY DR	PO BOX 4684 SANFORD NC 27331
9632-09-9297-00	SCHRULL, JOHN E	SCHRULL, ELIZABETH Y	303 BRIDGEWATER DR	303 BRIDGEWATER DR SANFORD NC 27330
9632-09-9470-00	PATTERSON, ROBERT W	PATTERSON, CECELIA K	311 BRIDGEWATER DR	311 BRIDGEWATER DR SANFORD NC 27330

9632-09-9394-00	STEWART-JAMES LLC		0 BRIDGEWATER DR	PO BOX 717 SANFORD NC 27331
9632-09-5217-00	PETTY, KATIE P		3116 CARBONTON RD	2602 FOREHAM DR FAYETTEVILLE NC 28304
9632-08-9822-00	TUCKER, ALEX H		0 CARBONTON RD	1420 CREPE MYRTLE DR SANFORD NC 27330
9632-08-9575-00	TUCKER, ALEX H		3100 CARBONTON RD	1420 CREPE MYRTLE DR SANFORD NC 27330
9632-09-9539-00	DAVIS, CHRISTOPHER OWEN	DAVIS, ANGELA LYNN	323 BRIDGEWATER DR	323 BRIDGEWATER DR SANFORD NC 27330
9632-09-9467-00	STEWART-JAMES LLC		0 BRIDGEWATER DR	PO BOX 717 SANFORD NC 27331
9632-09-9553-00	STEWART-JAMES LLC		0 BRIDGEWATER DR	PO BOX 717 SANFORD NC 27331
9632-09-9626-00	WILSON, SARAH		401 BRIDGEWATER DR	401 BRIDGEWATER DR SANFORD NC 27330
9632-09-9712-00	T L STEWART BUILDERS INC		405 BRIDGEWATER DR	PO BOX 717 SANFORD NC 27331
9633-10-0163-00	STEWART-JAMES LLC		0 BRIDGEWATER DR	PO BOX 717 SANFORD NC 27331
9632-09-9708-00	STEWART-JAMES LLC		0 BRIDGEWATER DR	PO BOX 717 SANFORD NC 27331
9632-09-8887-00	STEWART-JAMES LLC		0 BRIDGEWATER DR	PO BOX 717 SANFORD NC 27331
N/A	BRIAN RICHARDS (URBAN DESIGN PARTNERS)			150 FAYETTEVILLE ST, SUITE 1310 RALEIGH, NC 27601



\$500 FEE

(An additional \$250 is associated with Conditional Rezoning, for a total of \$750).

115 Chatham Street, Sanford, NC 27330

919.718.4656

zoning@sanfordnc.net

ZONING MAP AMENDMENT (REZONING) APPLICATION

(To be submitted with an Application for Zoning Amendment)

Circle the Jurisdiction that Applies:

CITY OF SANFORD

LEE COUNTY

TOWN OF BROADWAY

1. Applicant Name: Axiom Development, LLC
2. Applicant Address: 3739 National Dr. Ste. 105 Raleigh, NC 27612
3. Applicant Phone: 919-760-0101
4. Applicant Email: twhite@pintailofs.com
5. Name and Address of Property Owner(s) if different from Applicant:
Campbell University Foundation Inc. PO Box 116, Buies Creek, NC 27506
William E Byrd Family LTD Partnership 3507 Cemetery Rd, Sanford, NC 27330
6. Location of Subject Property: 1527 Boone Trail Rd
7. Lee County Parcel ID Number (PIN): 9633-78-8745, 9633-79-1200, 9633-69-2199
8. Total area included in Rezoning Request: 2,246,629.4 sf | 51.58 acres
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Residential Development

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

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

10-31-22

Thomas White

Signature (sign & print)

Date

SEE REQUIRED SUBMITTAL ATTACHMENTS ON NEXT PAGE

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 application fee, payable to the City of Sanford, is required before processing the application.
- E. *If the requested rezoning is for a Conditional Rezoning District, a **Supplemental Application for Conditional Zoning District** must also be included, along with an additional \$250.00 (\$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.: _____



115 Chatham Street, Sanford, NC 27330

919.718.4656

zoning@sanfordnc.net

SUPPLEMENTAL APPLICATION FOR CONDITIONAL ZONING DISTRICT

(To be submitted with an Application for Zoning Amendment)

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 2
2. If Type 2 Conditional Zoning, what is the base zoning district to which you intend to establish additional development conditions: R-6
3. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): See the attached site plan for Campbell Creek Subdivision for specific detail.

Conditional Zoning District will include 38 townhouse lots as well as 100 single family R-6 lots. The site plan includes 5,120 LF street which will include water and sewer main extensions to serve the residential homes. The plan also includes 19.99 Ac. of open space which will include several stormwater detention ponds to be maintained by the HOA.

4. Describe in detail any additional conditions of development proposed as part of the Conditional Zoning District. 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.

LAND USES *Provide specific details on what land uses are explicitly permitted or prohibited.*

Land use will be restricted to the residential lots shown on the attached map titled Campbell Creek Subdivision as approved by the Sanford TRC.

DENSITY *For residential development, how many dwelling units per acre are proposed.*

This development proposes 138 residential homes on 51.58 Ac. for a density of 2.68 units per acre.

VEHICULAR ACCESS *Parking lots, driveway access, street design.*

The Campbell Creek Subdivision will be accessed primarily from driveway onto Boone Trail Road with secondary access through Sandy Creek Church Rd.

LANDSCAPING *Perimeter buffers, street yard and parking lot plantings, street trees.*

The Campbell Creek Subdivision proposes a 50' Class D buffer along the frontage of Boone Trail Rd.

Internal streets will have street trees planted on each lot line in the planting strip spaced approximately 60' apart.

OPEN SPACE *Areas for passive and active recreation, common areas, or site amenities.*

The Campbell Creek Subdivision proposes 19.99 Ac. of open space with 10.62 Ac located outside the 100-yr floodplain. The open space will be accessed by the sidewalk in the right-of-way along Street A as well as through 15' access at the end of Streets "D", "E", and "G". Natural walking trails will be provided.

ARCHITECTURAL STANDARDS *Exterior building materials, colors, and other design features.*

PEDESTRIAN ACCESS *Sidewalks, greenways, trails, etc.*

All internal streets to the Campbell Creek Subdivision will have sidewalk on both sides with a 7' grassed planting strip between the sidewalk and roll curb.

DEVELOPMENT TIMELINE *Number of phases, development schedule, etc.*

OTHER DESIGN FEATURES / CONDITIONS

5. 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.

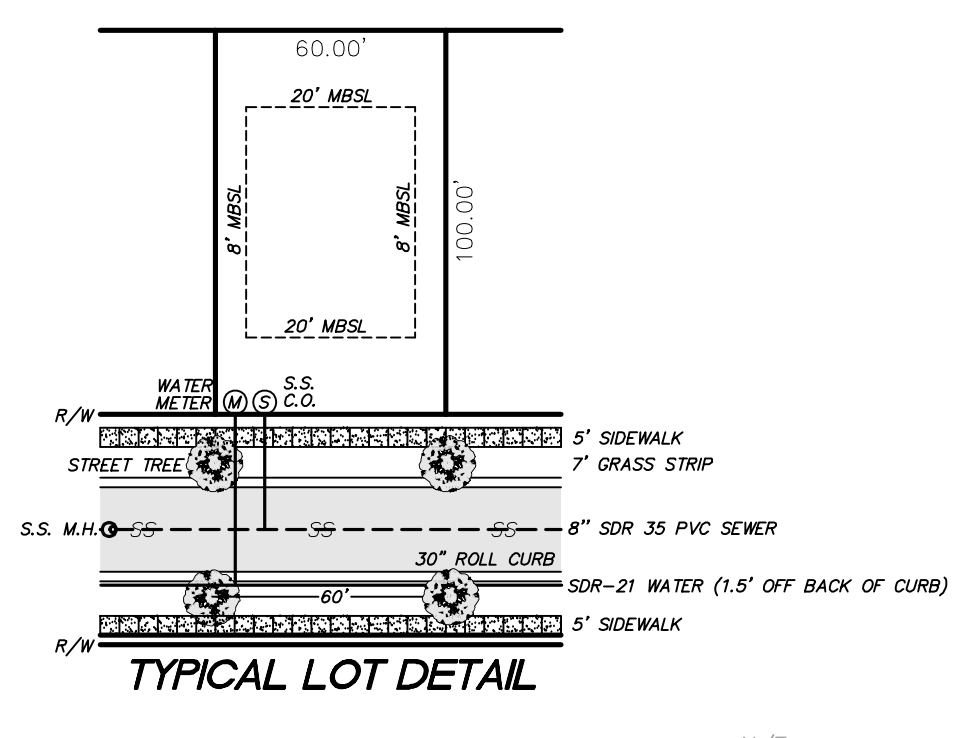
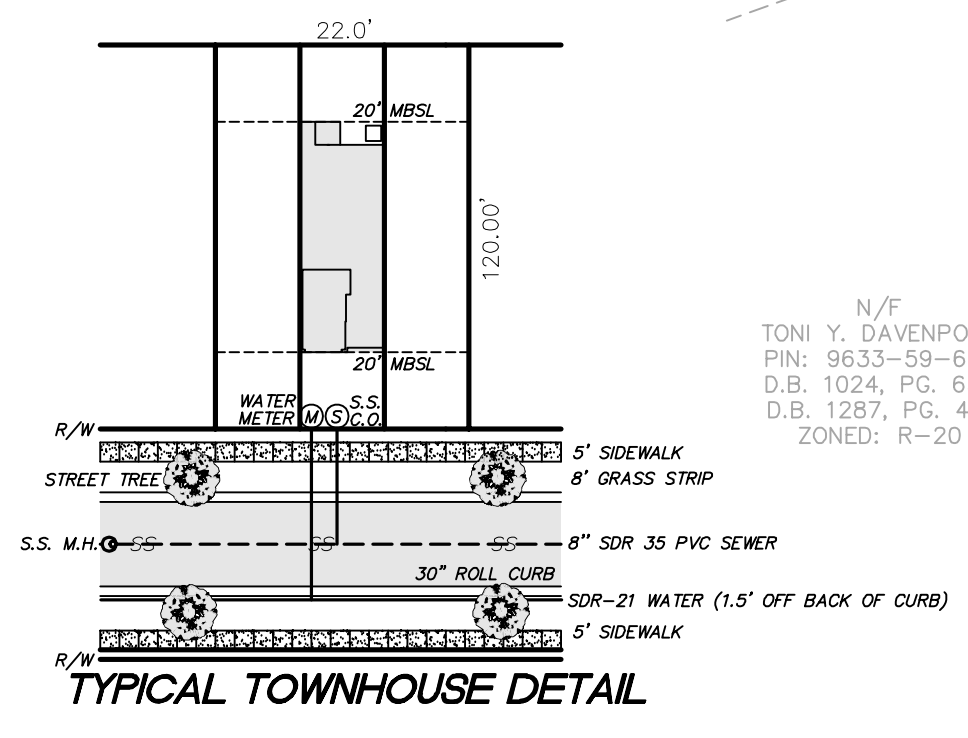
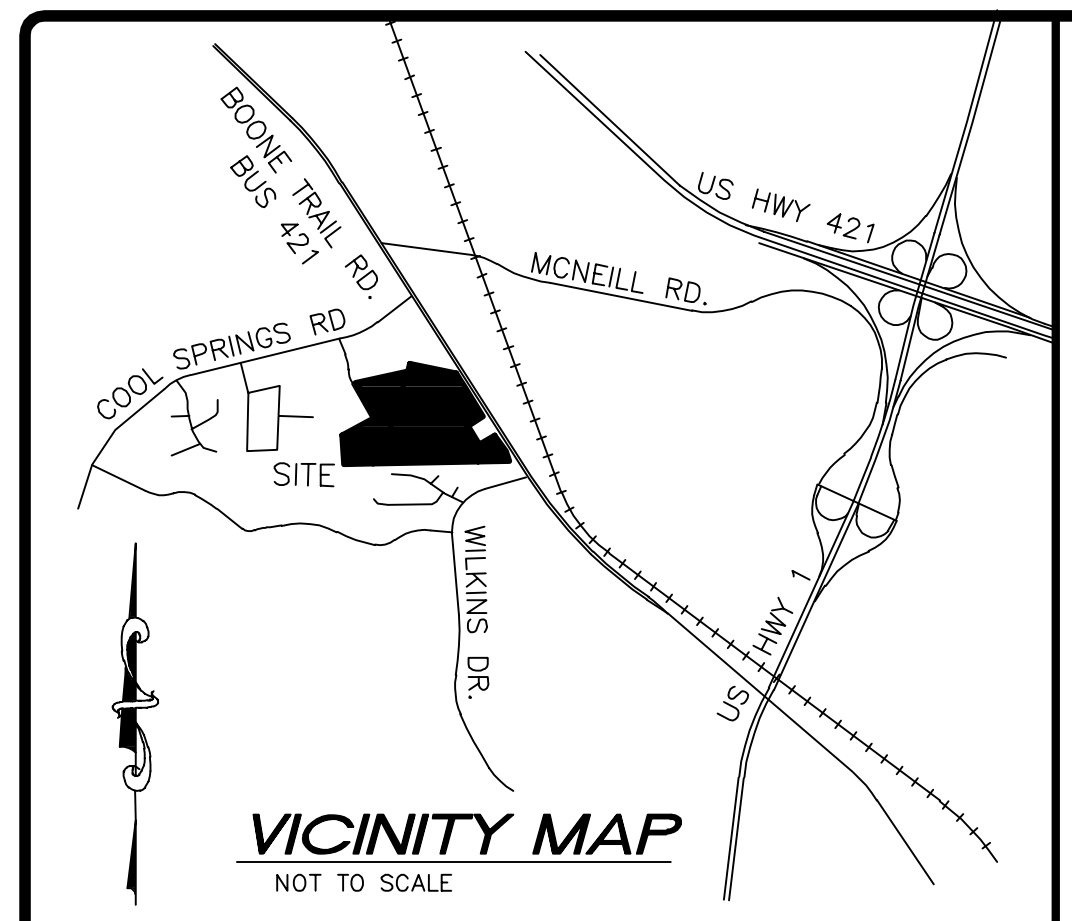


Thomas P White

10-31-22

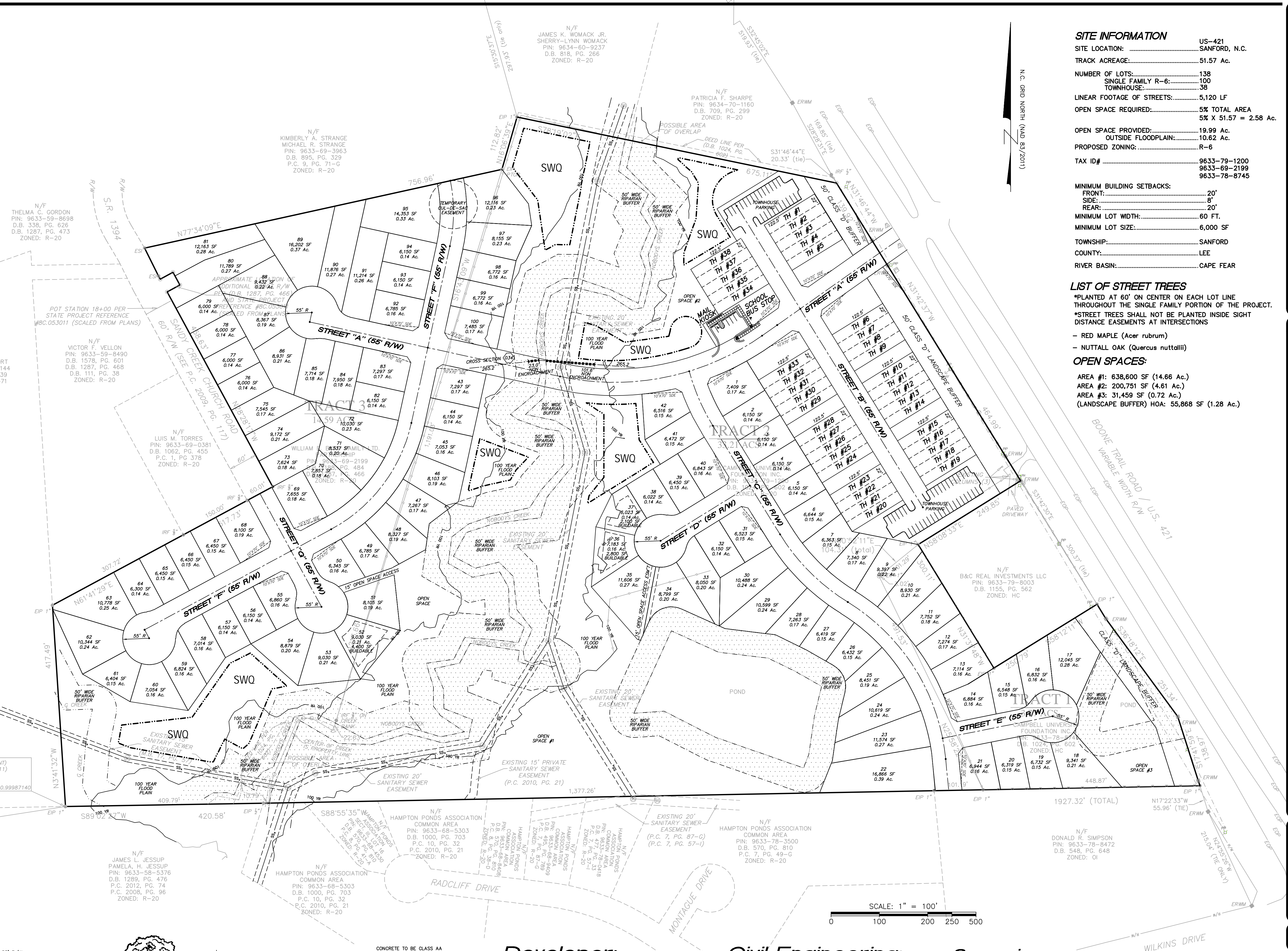
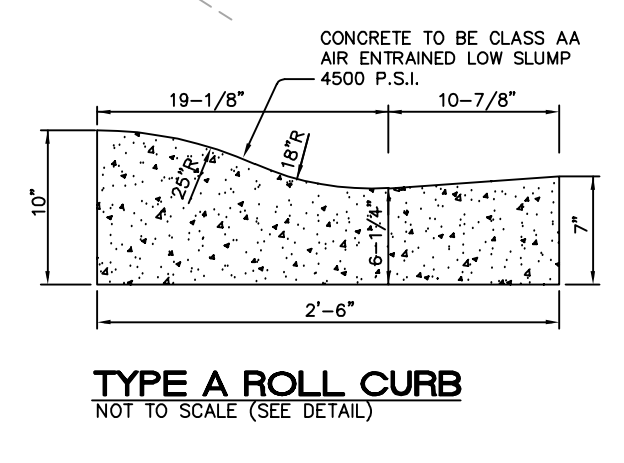
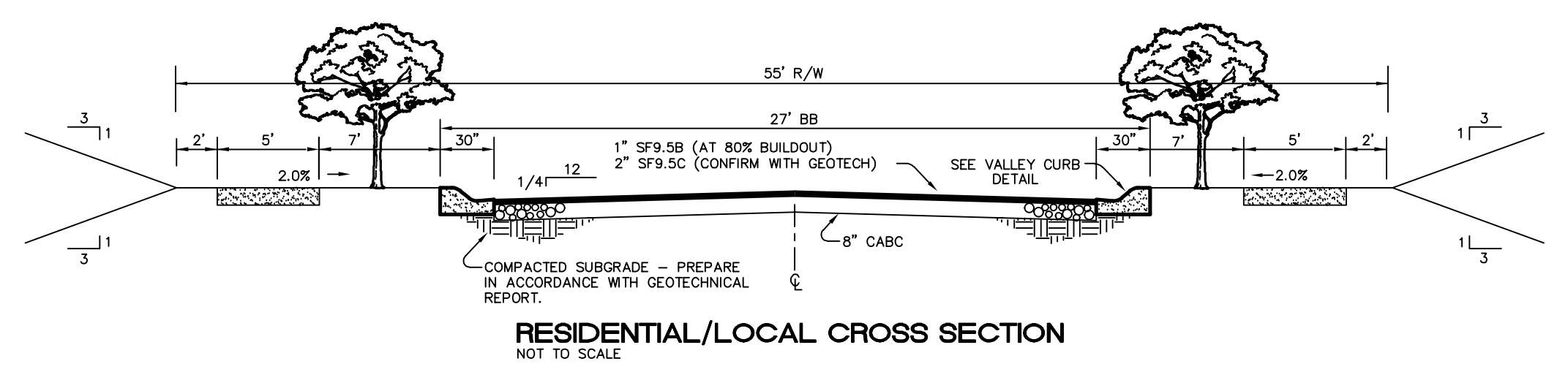
Signature (sign & print)

Date



NGCS GRID MONUMENT HUBBARD
NC GRID 1402 83 (2011)
N: 637,963.228'
E: 1,932,059.634'
COMBINED FACTOR = 0.99987140

EIP 1* (CONTROL POINT)
NC GRID 1402 83 (2011)
N: 638,552.452'
E: 1,935,856.634'
COMBINED FACTOR = 0.99987140



SCALE: 1" = 100'

Developer:

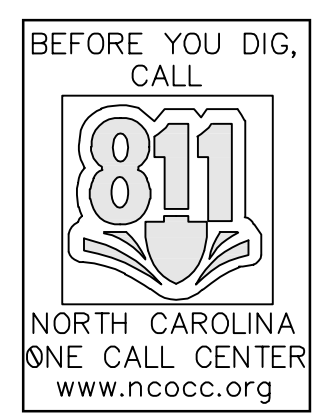
Axiom Development, LLC
3739 National Dr.
Suite 105
Raleigh, NC 27612
Contact: Tom White
919.760.0101
twhite@pinalot.com

Civil Engineering:

Stocks Engineering, P.A.
801 East Washington Street
P.O. Box 1108
Nashville, NC 27856
252.459.8196 (v)
Contact: Mike Stocks, PE
mstock@stocksengineering.com

Surveying:

Stewart-Proctor, PLLC
319 Chapanoke Road
Suite 106
Raleigh, NC 27603
919.779.1855 (v)
Contact: Herbie Proctor



SITE INFORMATION

SITE LOCATION:	US-421
TRACK ACREAGE:	SANFORD, N.C.
NUMBER OF LOTS:	138
SINGLE FAMILY R-6:	100
TOWNHOUSE:	38
LINEAR FOOTAGE OF STREETS:	5,120 LF
OPEN SPACE REQUIRED:	5% TOTAL AREA
	5% X 51.57 = 2.58 Ac.
OPEN SPACE PROVIDED:	19.99 Ac.
OUTSIDE FLOODPLAIN:	10.62 Ac.
PROPOSED ZONING:	R-6
TAX ID#:	9633-79-1200
	9633-69-2199
	9633-78-8745
MINIMUM BUILDING SETBACKS:	
FRONT:	20'
SIDE:	8'
REAR:	20'
MINIMUM LOT WIDTH:	60 FT.
MINIMUM LOT SIZE:	6,000 SF
TOWNSHIP:	SANFORD
COUNTY:	LEE
RIVER BASIN:	CAPE FEAR

- LIST OF STREET TREES**
- *PLANTED AT 60' ON CENTER ON EACH LOT LINE THROUGHOUT THE SINGLE FAMILY PORTION OF THE PROJECT.
 - *STREET TREES SHALL NOT BE PLANTED INSIDE SIGHT DISTANCE EASEMENTS AT INTERSECTIONS
- RED MAPLE (Acer rubrum)
 - NUTTALL OAK (Quercus nuttallii)
- OPEN SPACES:**
- AREA #1: 638,600 SF (14.66 Ac.)
 - AREA #2: 200,751 SF (4.61 Ac.)
 - AREA #3: 31,459 SF (0.72 Ac.)
 - (LANDSCAPE BUFFER) HOA: 55,868 SF (1.28 Ac.)

STOCKS ENGINEERING
801 EAST WASHINGTON STREET
NASHVILLE, N.C. 27856
PHONE: (252) 459-8196
WWW.STOCKSENGINEERING.COM

**CAMPBELL CREEK SUBDIVISION
SANFORD, NORTH CAROLINA**

BLN-C-1874

SEAL 19843
MICHAEL STOCKS
2/28/22

CONCEPT PLAN

REVISIONS

6-13-22	- TRC Review
8-29-22	- TRC Review
9-30-22	- TRC Review

FILE NO.: 2021-104
HORZ. SCALE: 1"=100'
VERT. SCALE: N/A

CE-01

THEFORE, EVERYONE WHO HEARS THESE WORDS OF MINE AND PUTS THEM INTO PRACTICE IS LIKE A WISE MAN WHO BUILT HIS HOUSE ON THE ROCK. MATTHEW 7:24

Campbell Creek Architectural Standards:

- Minimum of 3 architectural features on the front of all homes. This includes stone or masonry, and at least two styles of siding.
- If home includes garage, the garage doors shall have at least 1 decorative feature. A decorative feature can include windows, varying texture, custom hardware, etc.
- Main roof shall be at least 8/12 pitch, not including porch or dormers, etc.
- Foundations will be monolithic slab, crawl space, or basement as determined by the site grading and topography or the builder. Where the foundation is exposed it shall contain one of the following features on each side that has street frontage: stone, masonry, or stamped concrete.

Below are example homes that meet the above criteria and are similar in style to the types of homes to be built.







CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
December 20th, 2022

REQUEST

Axiom Development LLC is requesting to rezone three (3) adjoining tracts of land comprising 51.58 +/- acres, located at 1527 Boone Trail Rd, with frontage on Boone Trail Rd and Sandy Creek Church Rd from Residential Single-Family (R-20) to the Campbell Creek Conditional Zoning District to allow the development of a 138-lot residential subdivision as illustrated on the “Campbell Creek Subdivision Concept Plan” submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans and proposed conditions are required as part of the rezoning request.

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

GENERAL INFORMATION

Applicant:	Axiom Development LLC
Property Owner:	Campbell Byrd LLC
Request:	Rezone from Residential Single-Family (R-20) and Highway Commercial (HC) to the Campbell Creek Conditional Zoning District
Location:	1527 Boone Trail Rd, Sanford, NC 27330
Acreage:	51.58 +/-
Tax Parcels:	9633-78-8745-00, 9633-79-1200-00, & 9633-69-2199-00
Tax Map:	9633.02
Township:	West Sanford
Council Ward:	Ward 2
Fire District:	City Station 3
Schools:	BT Bullock Elementary West Lee Middle School Lee Senior High School

SITE DESCRIPTION

The site is located on Boone Trail Road and Sandy Creek Church and is currently addressed as 1527 Boone Trail Rd, Sanford, NC 27330.

ZONING DISTRICT INFORMATION

Existing Zoning: The subject property is comprised of three (3) tracts of land with two different existing zoning classifications, which are illustrated on the GIS zoning map included with the staff report.

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 left and right-side property lines
Maximum building height:	40ft
Maximum impervious surface:	N/A unless located within a Watershed Conservation Overlay

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.

The **Highway Commercial (HC)** zoning district is to accommodate uses that depend upon a large flow of traffic and convenient access, such as retailing of durable goods, the provision of commercial services to industrial areas, and the provision of services to tourists.

Minimum lot width:	50ft
Minimum lot depth:	100ft
Minimum building setback, front:	10ft, measured from the right-of-way of the public street
Minimum building setback, rear:	Determined by the width of the required landscape buffer
Minimum building setback, side(s):	Determined by the width of the required landscape buffer
Maximum building height:	No maximum building height
Maximum impervious surface:	80% of the site may be developed rooftops, paved parking, etc.

Examples of uses permitted by right within the HC zoning district include restaurants with or without drive-in or drive-through facilities, 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, upholstery & furniture refinishing, and wholesale trade. There is a list of all of the permitted uses for this zoning district within the agenda packet for your reference.

Proposed Zoning: The Petty Road Subdivision Conditional Zoning District is a Type 1 Conditional Zoning District that is created as a stand-alone district with its own unique conditions. Under a Conditional Zoning District Type 1, an owner would have the freedom to develop his/her own unique list of permitted uses and design standards. It is also understood that such a district would need to be designed so as to maintain the integrity and characteristics of the surrounding community as well as conform to the spirit and intent of the Zoning Ordinance. A Conditional Zoning District Type 1 would be most suitable in situations where none of the current conventional Zoning Districts accommodate the

desired use(s), such as a large mixed-use planned development in which the owner/developer has a clear vision as to how the property is to be developed.

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

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

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

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

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

The following information is applicable for the Campbell Creek Conditional Zoning District:

- The Campbell Creek Subdivision will include 100 single-family R-6 lots and 38 townhouse lots at 2.68 units per acre.
- The Campbell Creek Subdivision will be accessed primarily from a driveway onto Boone Trail Road with secondary access through Sandy Creek Church Road.
- The Campbell Creek Subdivision proposes 19.99 acres of open space with 10.62 acres located outside the 100-yr floodplain. The open space will be accessed by the sidewalk in the right-of-

way along Street A as well as through 15' access at the end of Streets D, E, and G. Natural walking trails will be provided.

- The Campbell Creek Subdivision proposes a 50' Class D buffer along the frontage of Boone Trail Rd. Internal streets will have street trees planted on each lot line in the planting strip spaced approximately 60' apart.
- All internal streets to the Campbell Creek Subdivision will have sidewalk on both sides with a 7' grassed planting strip between the sidewalk and roll curb.
- Architectural standards are included within the agenda packets accompanying proposed elevations.

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: Residential Single-Family (R-20)
 South: Residential Single-Family (R-20) & Office and Institutional (O&I)
 East: Highway Commercial (HC) & Light Industrial (LI)
 West: Residential Single-Family (R-20)

Adjacent Land Use

North: Single-family homes
 South: Single-family homes
 East: Highway commercial and light industrial uses
 West: Single-family homes; church

PLAN SANLEE

The long-range land use plan identifies the subject property as both Suburban Neighborhood and Neighborhood Center. The Suburban Neighborhood designation is intended to create residential areas on the outskirts of a core urbanized area to facilitate the development of large-scale neighborhoods, including mixed use components in appropriate areas, which are walkable with a high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares. The local example is Westlake Valley Neighborhood in Sanford. The Neighborhood Center designation is intended to create small scale mixed-use pedestrian oriented commercial centers located around major intersection within Urban Neighborhoods, transitional areas at the edge of a Commercial Corridor or Downtown, or at the edge of a Suburban Neighborhood. The local example is the Bragg Street / Oakwood Avenue intersection in Sanford.

LOCAL OVERLAY DISTRICTS

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

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

development within this area. These federal, state or local regulations, in any combination thereof, provide standards for preventing and reducing flood loss and damage.

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 Boone Trail Road and access to a sewer main line through the center of the site connecting to the Hampton Ponds Subdivision. 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 Boone Trail Road (US-421 BUS) which is a NCDOT maintained public road with an approximately 275ft right-of-way and a 2021 NCDOT AADT of 8,300 vehicles per day in the general area of the subject property. The 2011 Lee County Transportation Plan designated Boone Trail Road as an existing boulevard. The site also has frontage on Sandy Creek Church Road (SR 1394) which is an NCDOT maintained public road with a 60ft 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.

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 Suburban Neighborhood which list single-family dwellings between 4 and 7 units per acre as a desired land use. While the proposed project has a single-family density of ~2.7 units per acre for reference, the design of the site is congruent with the preferred character of the Suburban Neighborhood future land use area and the site will make use of public water and sewer as desired.

The rezoning request does not comply with the *Plan SanLee* long-range plan designation of Neighborhood Center which does not include single-family dwellings as a desired land use. If the rezoning request is approved, the future land use map will be amended to reflect the extension of the Suburban Neighborhood future land use area to the entirety of the site.

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

PLANNING BOARD RECOMMENDATION

Per state law, when conducting a review of a proposed zoning text or map amendment, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the governing board may act on the amendment without the planning board report. The governing board is not bound by the recommendations, if any, of the planning board

Sample Motions

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

VOTE #1: APPROVE A STATEMENT ON CONSISTENCY WITH THE PLAN SANLEE AS IT RELATES TO THIS ZONING MAP AMENDMENT:

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

Motion Option 2: *“I make a motion that the proposed zoning map amendment **IS NOT** consistent with the Plan SanLee long range plan designation of Suburban Neighborhood and Neighborhood Center because it lacks the desired density and land uses.”*

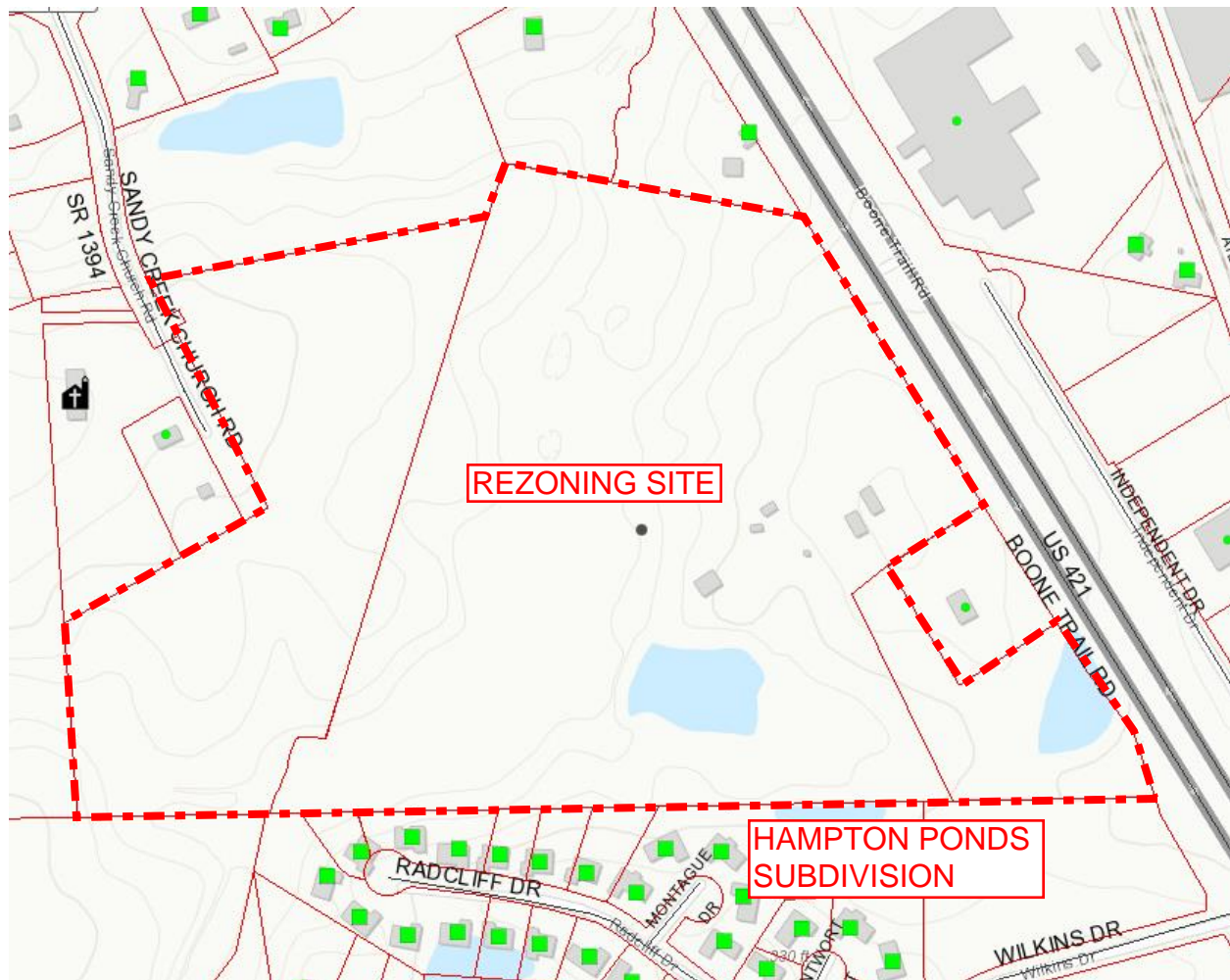
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

VOTE #2: TO APPROVE OR DENY THE 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.

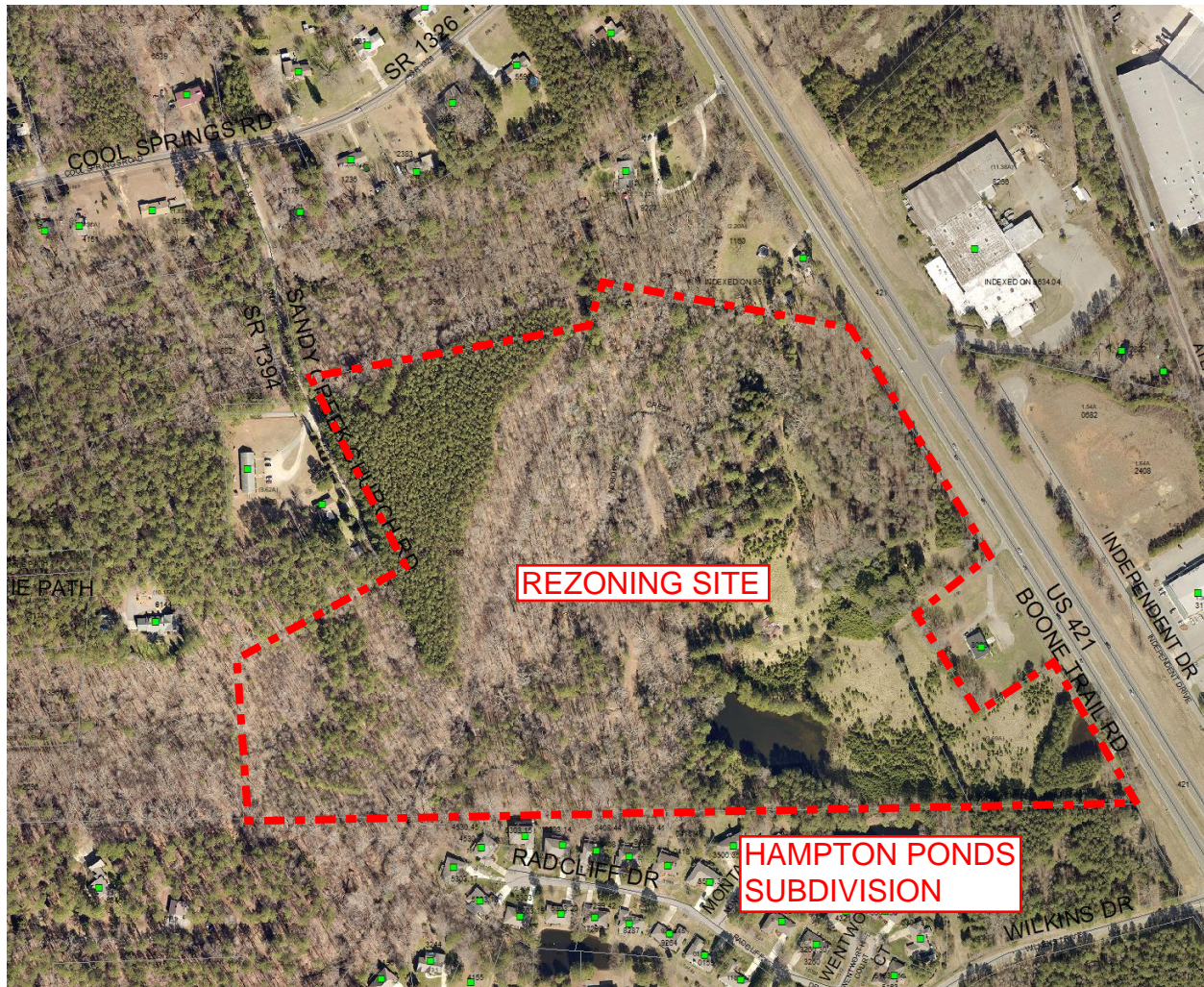


ZONING MAP AMENDMENT

Request to rezone 51.58 +/- acres at Boone Trail Road
and Sandy Creek Church Road

from R-20 to the Campbell Creek 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.

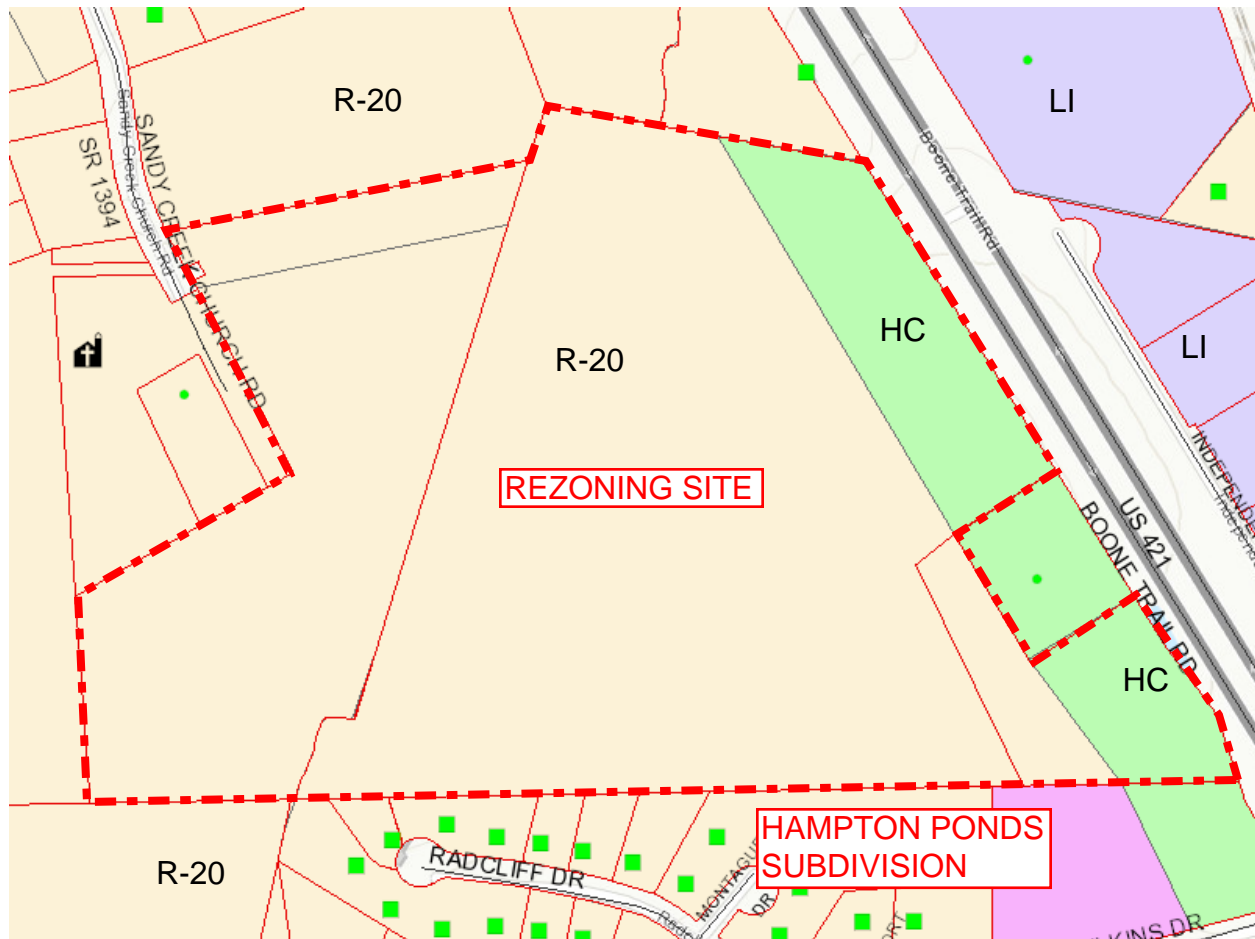


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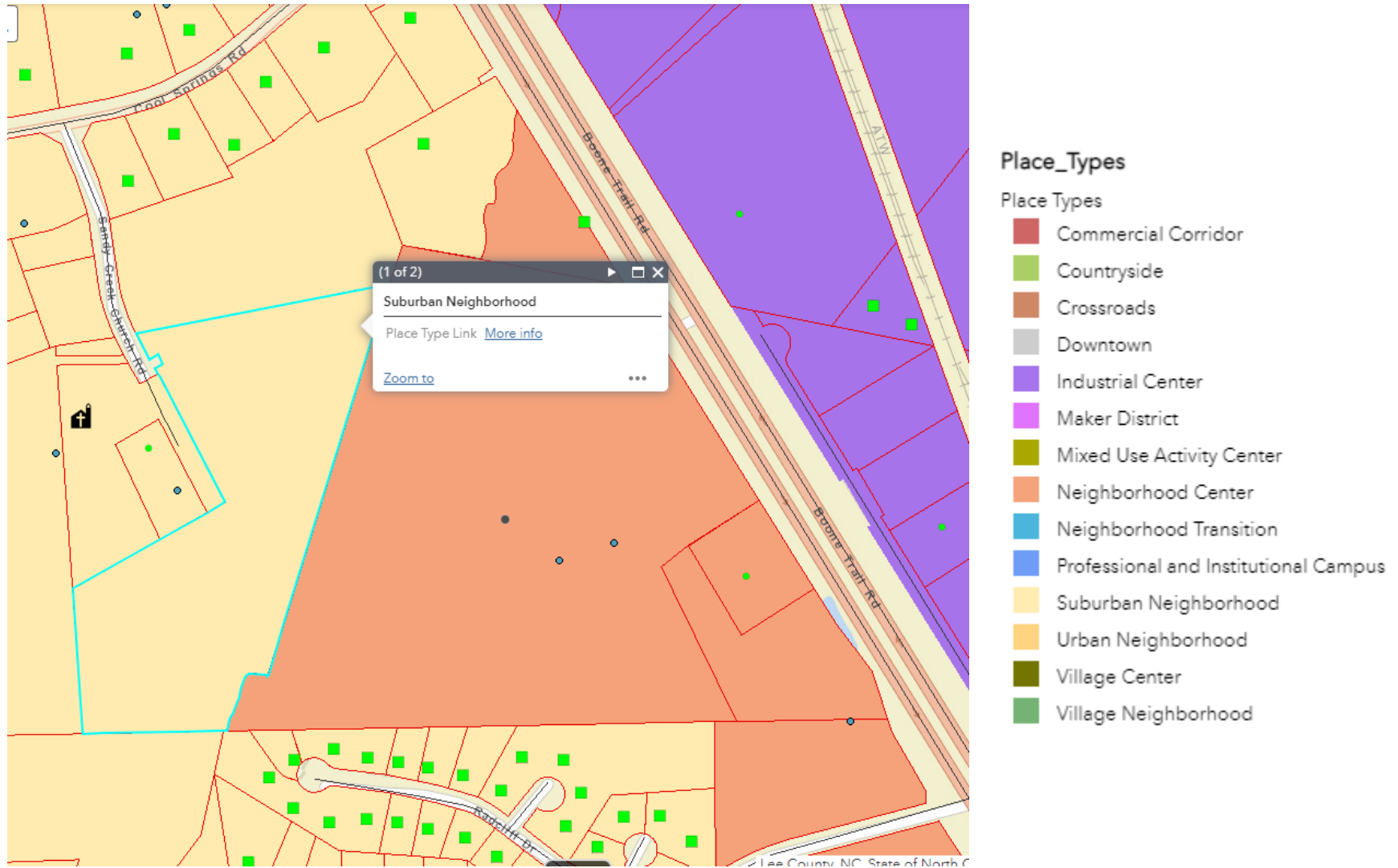
ZONING MAP AMENDMENT

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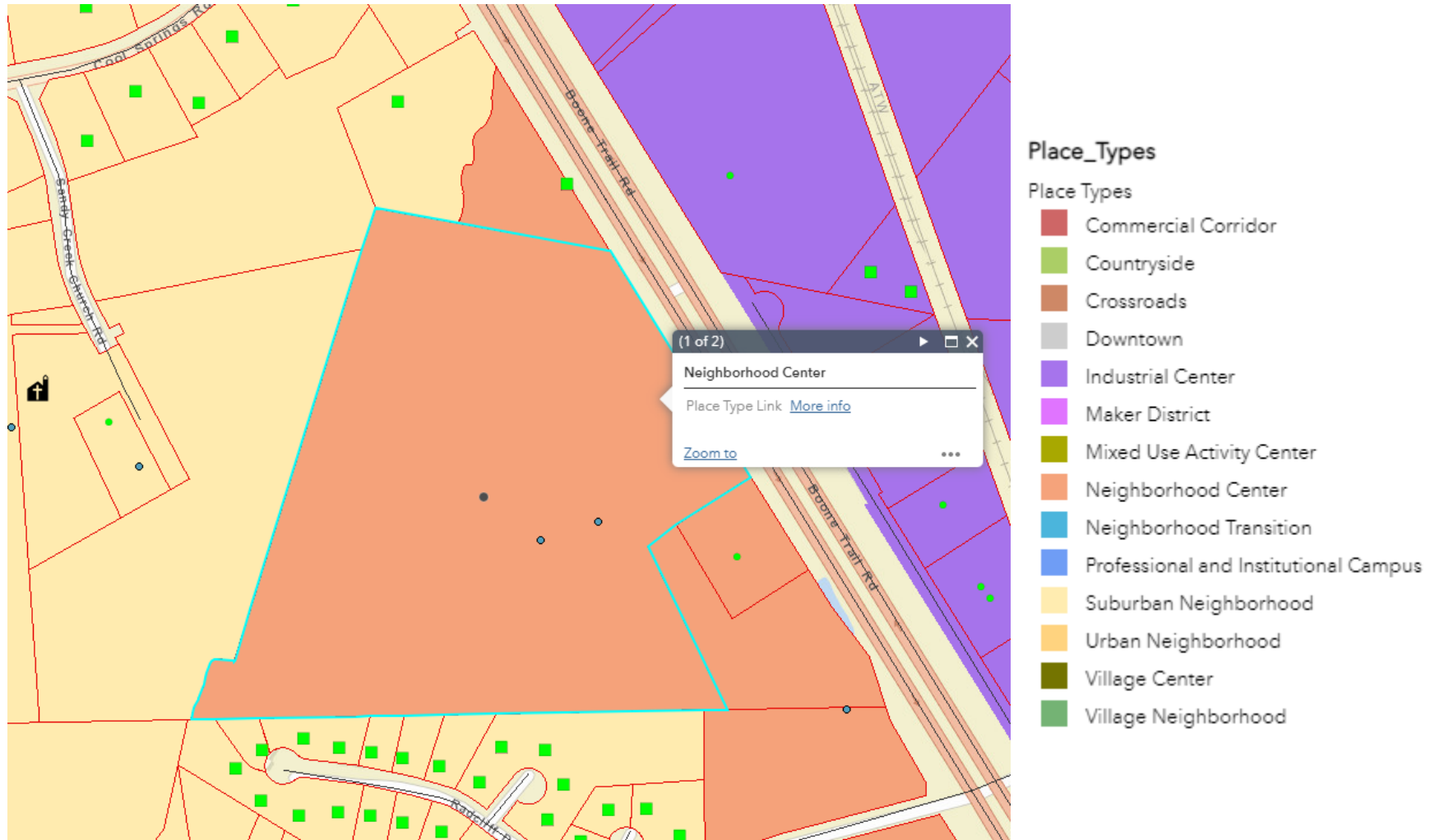
from R-20 to the Campbell Creek CZ District

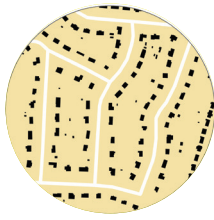
This is a graphic illustration and not a legal document.
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Plan SanLee – Long Range Plan – Interactive Map of Site



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**



LAND USE	<p>Open Space</p> <p>Undeveloped Open Space, Forests</p>	<p>Civic</p> <p>Schools, Churches, Neighborhood Parks</p>	<p>Residential</p> <p>Detached and Attached Single Family Dwellings, Multi-Family Dwellings</p>	
TRANSPORTATION	<p>Low Priority Mode</p> <p>Public Transit</p>	<p>On-street bike lanes, off-trail system</p>	<p>Sidewalks, off-street trails, transit & commercial area connections</p>	<p>High Priority Mode</p> <p>Vehicular connectivity</p>
CONTEXT	<p>Development Density</p> <ul style="list-style-type: none"> ✓ 4-7 dwelling units / acre ✓ MF 7 - 10 dwelling units / acre ✓ Moderate Building Setbacks ✓ 35 Foot Height Limit 	<p>Utility Infrastructure</p> <ul style="list-style-type: none"> ✓ Public Water ✓ Public Wastewater 	<p>Preferred Character</p> <ul style="list-style-type: none"> ✓ Interconnected Curvilinear Streets ✓ 600 Foot Block Lengths ✓ Curb & Gutter + Sidewalks ✓ Street Trees 	
ZONING	<p>Current Districts</p> <ul style="list-style-type: none"> ✓ R-20 ✓ R-14 ✓ R-12SF (Primary) ✓ R-12 (Secondary) 		<p>Proposed Districts</p> <ul style="list-style-type: none"> ✓ Medium Density Residential (Primary) ✓ Low Density Residential (Secondary) 	



NEIGHBORHOOD CENTER

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

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

URBAN AREAS



SUBURBAN AREAS



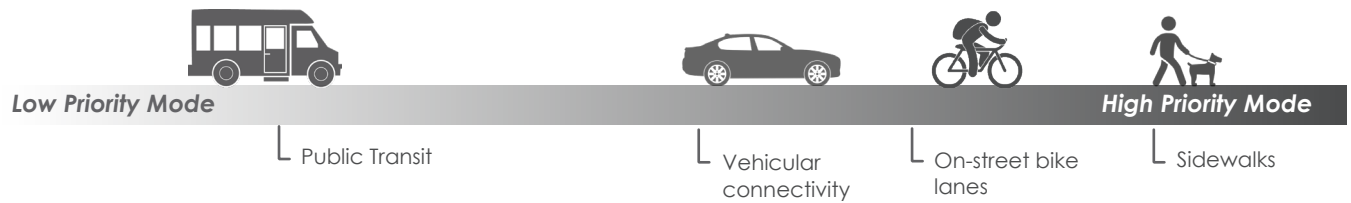
Employment
Professional Offices, Business Services

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

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

Commercial
Retail Stores, Personal Services, Entertainment

LAND USE



TRANSPORTATION

Development Density

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

Utility Infrastructure

- ✓ Public Water
- ✓ Public Wastewater

Preferred Character

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

CONTEXT

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



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

ZONING

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

HC, HIGHWAY 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 areas only
Administrative Services, Travel Arrangement and Reservation Services, Investigation and Security Services (locksmiths)
Agricultural equipment, sales and services
Antique Shops
Appliance Sales, Repair and Maintenance, (no outside storage)
Art dealers, supplies, sales and services
Auction sales, general merchandise (no vehicular sales)
Bakeries, retail, including manufacturing of goods for sale on the premises only
Bicycle (non motorized) Sales and/or Repair
Books, Magazines, Music, etc.
Camera and Photographic Supplies
Clothing, Jewelry, Luggage, Shoes, etc.
Computer and Software Sales
Consumer Goods, not otherwise listed
Convenience stores, without gas sales
Convenience stores, with gas sales
Consignment Shops, Used Merchandise Store (not otherwise listed)
Dry cleaning and laundry
Electronic equipment (small), sales and service

Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with indoor storage only)
Farm, landscape, and garden supply sales (feed, seed, fertilizer, farm hardware, lawn furniture, mulch, fencing, fountains, statuaries, and other incidental sales of products or related items) - (with outdoor storage)
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
Motor Vehicle, Towing with incidental storage, excluding Salvage Yards & Junkyards
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 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
Pottery Manufacturing & Sales
Sign manufacturing
Warehouse structures, generally
<u>Arts, Recreation & Entertainment</u>
Aquarium or Planetarium
Amphitheater
Art galleries
Botanical gardens & arboreta
Bowling alley
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
Parks, playgrounds, and athletic fields operated on a noncommercial basis
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
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 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 school), new site
Schools, Pre-K-Secondary (nursery and preschool, grade schools, elementary, middle, and high schools), addition to existing site
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 Establishments (lounges, discos, nightclubs, pool halls and/or private clubs (See Section 5.26)
<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>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
<u>Arts, Recreation & Entertainment</u>
Amusement or Theme Park Establishment
Exhibition, convention, or conference structure
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 and Manufacturing</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, Communication and Utilities</u>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Axiom Development LLC

REQUEST: Rezone from R-20 to the Campbell Creek CZ District

LOCATION: 1527 Boone Trail Rd, Sanford, NC 27330

PIN: 9633-78-8745-00, 9633-79-1200-00, & 9633-69-2199-00

DATE: 2022-12-05

PIN	Property Address	Owner1	Owner2	Mailing Address
9634-70-8266-00	1604 BOONE TRAIL RD	RUBY'S PROPERTIES-II LLC		1901 COLUMBINE RD SANFORD NC 27330
9634-60-9237-00	1615 BOONE TR	WOMACK, JAMES K JR	WOMACK, SHERRY-LYNN	1615 BOONE TR SANFORD NC 27330
9634-70-1160-00	1609 BOONE TRAIL RD	SHARPE, PATRICIA F (OUD)		1609 BOONE TRAIL RD SANFORD NC 27330
9633-59-6144-00	2801 SANDY CREEK CHURCH RD	DAVENPORT, TONI Y		2801 SANDY CREEK CHURCH RD SANFORD NC 27332
9633-69-0381-00	2804 SANDY CREEK CHURCH RD	TORRES, LUIS M		2804 SANDY CREEK CHURCH RD SANFORD NC 27330
9633-59-8490-00	2807 SANDY CREEK CHURCH RD	VELLON, VICTOR F		6128 CASTLEBROOKE LN LINDEN NC 28356
9633-79-8003-00	1521 BOONE TRAIL RD	B&C REAL INVESTMENTS LLC		3530 HAMSTEAD CT DURHAM NC 27707
9633-79-1200-00	1527 BOONE TRAIL RD	CAMPBELL UNIVERSITY FOUNDATION INC		PO BOX 116 BUIES CREEK NC 27506
9633-59-8821-00	0 SANDY CREEK CHURCH RD	THOMAS, RUBY C		PO BOX 664 SANFORD NC 27331
9633-59-8698-00	0 SANDY CREEK CHURCH RD	GORDON, THELMA CRAIG		1236 EVERETT DOWDY RD SANFORD NC 27330
9633-78-8745-00	0 BOONE TRAIL RD	CAMPBELL UNIVERSITY FOUNDATION INC		PO BOX 116 BUIES CREEK NC 27506
9633-78-8472-00	0 WILKINS DR	SIMPSON, DONALD R		503 CARTHAGE ST SANFORD NC 27330

9633-78-3500-00	0 MONTAGUE DR	HAMPTON PONDS ASSN		1212 RADCLIFF DR SANFORD NC 27330
9633-78-0418-00	0 RADCLIFF DR	HAMPTON PONDS ASSN		1212 RADCLIFF DR SANFORD NC 27330
9633-68-9409-00	0 RADCLIFF DR	HAMPTON PONDS ASSN		1212 RADCLIFF DR SANFORD NC 27330
9633-68-8408-00	0 RADCLIFF DR	HAMPTON PONDS ASSN		1212 RADCLIFF DR SANFORD NC 27330
9633-68-4530-00	0 RADCLIFF DR	HAMPTON PONDS ASSN		1212 RADCLIFF DR SANFORD NC 27330
9633-68-5303-00	0 RADCLIFF DR	HAMPTON PONDS ASSN		1212 RADCLIFF DR SANFORD NC 27330
9633-69-3963-00	0 COOL SPRINGS RD	STRANGE, KIMBERLY A	STRANGE, MICHAEL R	107 FALLBOROUGH CT MORRISVILLE NC 27560
9633-89-3173-00	300 INDEPENDENT DR	SIMPSON, DAVID H (HEIRS)		503 CARTHAGE ST SANFORD NC 27330
9633-88-4981-00	200 INDEPENDENT DR	SIMPSON, DAVID H (HEIRS)		503 CARTHAGE ST SANFORD NC 27330
9633-88-6615-00	100 INDEPENDENT DR	SIMPSON, DAVID H (HEIRS)		503 CARTHAGE ST SANFORD NC 27330
9633-89-2408-00	0 INDEPENDENT DR	SIMPSON, DAVID H (HEIRS)		503 CARTHAGE ST SANFORD NC 27330
9633-89-0682-00	0 INDEPENDENT DR	SIMPSON, DAVID H (HEIRS)		503 CARTHAGE ST SANFORD NC 27330
9633-89-3301-00	0 INDEPENDENT DR	SIMPSON, DAVID H (HEIRS)		503 CARTHAGE ST SANFORD NC 27330
9633-69-2199-00	0 SANDY CREEK CHURCH RD	WILLIAM E BYRD FAMILY LTD PARTNERSHIP		3507 CEMETERY RD SANFORD NC 27330
9633-58-5376-00	518 VALLEY RD	JESSUP, JAMES L	JESSUP, PAMELA H	518 VALLEY RD SANFORD NC 27330



MEMORANDUM

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

FROM: David Montgomery, Planner

DATE: December 13, 2022

SUBJECT: Repeal of Ordinance 2022-76 (Residential UDO Text Amendments)

The City of Sanford City Council and Planning Board will hold a joint public hearing on Tuesday, December 20, 2022, at the City of Sanford City Council Chambers at 225 E. Weatherspoon St. to repeal Ordinance 2022-76, which was an ordinance adopting text amendments for residential development to the jointly adopted City of Sanford/Lee County/Town of Broadway Unified Development Ordinance (UDO) and were to be effective January 1, 2023. The hearing will begin at 6:00 p.m. or as soon thereafter as deemed practical by the City Council.

The reason for the repeal is to give staff more time for public input regarding the required map zoning amendments, which is the second step in the process. Since staff does not have a tangible date when that will be accomplished, we are recommending to repeal the text amendments, and when appropriate have the City Council and the Planning Board consider both the text amendments and map zoning amendments at the same time.

Just a reminder that the UDO text amendments included an update to Article 4: Sections 1-8 (Zoning District Regulations), Article 6 (Subdivisions), Article 9.2 (Storm Water Management), and Article 10.4 (Accessory Dwellings) and remove the language in Article 4: Sections 9 (Planned Unit Development), 10 (Traditional Neighborhood Development), and 15 (Residential Design Standards Overlay District). The amendments are attached for your reference but also available for viewing/downloading at <https://www.sanfordnc.net/770/Proposed-UDO-Amendments>.

Should you have any questions or concerns, you can contact David Montgomery at 919-718-4657 Ext. 5392 or email him at david.montgomery@sanfordnc.net.

**AN ORDINANCE REPEALING THE CITY OF SANFORD
UNIFIED DEVELOPMENT ORDINANCE**

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina that:

WHEREAS, Ordinance 2022-76 was adopted on September 6, 2022 amending the text amendments for residential development to the jointly adopted City of Sanford/Lee County/Town of Broadway Unified Development Ordinance (UDO), as shown on the City of Sanford website at <https://www.sanfordnc.net/770/Proposed-UDO-Amendments>, with updates to Article 4: Sections 1-8 (Zoning District Regulations), Article 6 (Subdivisions), Article 9.2 (Storm Water Management), and Article 10.4 (Accessory Dwellings) and removes the language in Article 4: Sections 9 (Planned Unit Development), 10 (Traditional Neighborhood Development), and 15 (Residential Design Standards Overlay District) to take effect on January 1, 2023; and

WHEREAS, staff believes more time is needed for public input regarding the required map zoning amendments, which is the second step in the process; and

WHEREAS, staff does not have a tangible date when that will be accomplished, we are recommending to repeal the text amendments; and

WHEREAS, when appropriate staff will have the City Council and the Planning Board consider both the text amendments and map zoning amendments at the same time.

NOW, THEREFORE, BE IT ORDAINED by the Sanford City Council that Ordinance 2022-76 is hereby repealed.

This the 20th day of December 20, 2022.

Rebecca Wyhof Salmon, Mayor
City of Sanford

ATTEST:

Bonnie Davis, City Clerk

APPROVED AS TO FORM:

Susan Patterson, City Attorney

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint legislative hearings on Tuesday, December 20th, 2022 in the Council Chambers of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. These public hearings provide the public an opportunity to be heard. The Boards will consider three (3) 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 Board. The rezoning applications are described below:

1. 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 public hearing was tabled at the November 15th meeting and may be un-tabled/continued at the December 20th meeting. Adjoining property owners and interested parties should attend this meeting. This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on December 20th, 2022.

2. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1202

Application by Brian Richards of Urban Design Partners to rezone two (2) adjoining tracts of land totaling 58.43 +/- acres, owned by Sterling Developers, LLC, with frontage on Petty Road and Carbonton Road, identified as Lee County Tax Parcels 9622-98-8965-00 and 9632-09-5217-00, as depicted on Tax Maps 9632.01 and 9622.02, from Residential Single-Family (R-20) to the Petty Road Subdivision 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 December 20th, 2022.

3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1203

Application by Axiom Development, LLC to rezone three (3) tracts of land totaling 51.58 +/- acres, owned by Campbell Byrd, LLC, with frontage on US Hwy 421 / Boone Trail Road and Sandy Creek Church Road, identified as Lee County Tax Parcels 9633-78-8745-00, 9633-79-1200-00, and 9633-69-2199-00, as depicted on Tax Map 9633.02, from Residential Single-Family (R-20) to the Campbell Creek Conditional Zoning District.

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.

The Sanford Planning Board agendas are posted on the City of Sanford website at <https://www.sanfordnc.net/AgendaCenter> and contain additional information regarding the items referenced in this notice.

By Bonnie Davis, Clerk
City of Sanford

Sanford/Lee County

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

December 8th, 2022

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.

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint legislative hearings on Tuesday, December 20th, 2022 in the Council Chambers of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. These public hearings provide the public an opportunity to be heard. The Boards will consider three (3) 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 Board. The rezoning applications are described below:

1. **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 public hearing was tabled at the November 15th meeting and may be un-tabled/continued at the December 20th meeting. Adjoining property owners and interested parties should attend this meeting. This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on December 20th, 2022.*
2. **ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1202**
Application by Brian Richards of Urban Design Partners to rezone two (2) adjoining tracts of land totaling 58.43 +/- acres, owned by Sterling Developers, LLC, with frontage on Petty Road and Carbonton Road, identified as Lee County Tax Parcels 9622-98-8965-00 and 9632-09-5217-00, as depicted on Tax Maps 9632.01 and 9622.02, from Residential Single-Family (R-20) to the Petty Road Subdivision 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 December 20th, 2022.*
3. **ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1203**
Application by Axiom Development, LLC to rezone three (3) tracts of land totaling 51.58 +/- acres, owned by Campbell Byrd, LLC, with frontage on US Hwy 421 / Boone Trail Road and Sandy Creek Church Road, identified as Lee County Tax Parcels 9633-78-8745-00, 9633-79-1200-00, and 9633-69-2199-00, as depicted on Tax Map 9633.02, from Residential Single-Family (R-20) to the Campbell Creek Conditional

Sanford/Lee County

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

Zoning District.

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.

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.

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, December 8th, 2022.

1. 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 public hearing was tabled at the November 15th meeting and may be un-tabled/continued at the December 20th meeting. Adjoining property owners and interested parties should attend this meeting. This rezoning request is contingent upon annexation into the corporate City limits, for which the public hearing will also be held on December 20th, 2022.

2. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1202

Application by Brian Richards of Urban Design Partners to rezone two (2) adjoining tracts of land totaling 58.43 +/- acres, owned by Sterling Developers, LLC, with frontage on Petty Road and Carbonton Road, identified as Lee County Tax Parcels 9622-98-8965-00 and 9632-09-5217-00, as depicted on Tax Maps 9632.01 and 9622.02, from Residential Single-Family (R-20) to the Petty Road Subdivision Conditional Zoning District.

3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-1203

Application by Axiom Development, LLC to rezone three (3) tracts of land totaling 51.58 +/- acres, owned by Campbell Byrd, LLC, with frontage on US Hwy 421 / Boone Trail Road and Sandy Creek Church Road, identified as Lee County Tax Parcels 9633-78-8745-00, 9633-79-1200-00, and 9633-69-2199-00, as depicted on Tax Map 9633.02, from Residential Single-Family (R-20) to the Campbell Creek Conditional Zoning District.

Signature and Title: Wm L , Planner I

Date: 12-13-2022

Lee County, North Carolina

I, THOMAS MIERISCH, a 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 13TH ¹⁴⁴ day of DECEMBER, 2022.

My Commission expires 9/30/23

Thomas Mierisch
Notary Public Signature



City of Sanford

City Council Actions on Items Requiring a Planning Board Recommendation

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.
SPB: The SPB recommended approval by unanimous vote.
SCC: The SCC approved the rezoning by unanimous vote.

2. 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.
SPB: The SPB recommended approval by unanimous vote.
SCC: The SCC approved the rezoning by unanimous vote.

3. 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).
SPB: The SPB recommended approval by unanimous vote.
SCC: The SCC approved the rezoning by unanimous vote.

4. 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.
SPB: The SPB recommended approval by unanimous vote.
SCC: The SCC approved the rezoning by unanimous vote.

5. 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) to the Gum Fork Conditional Zoning District.

SPB: The SPB recommended approval by unanimous vote with conditions of providing prior development examples, a list of permitted uses, and addressing the listed concerns from the staff report.

SCC: The SCC tabled the rezoning request.

6. 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.

SPB: The SPB recommended approval by unanimous vote.

SCC: The SCC approved the rezoning by unanimous vote.

7. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-1108

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.

SPB: The SPB recommended approval by unanimous vote.

SCC: The SCC approved the preliminary plat by unanimous vote.