

# CITY OF SANFORD PLANNING BOARD

## REGULAR MEETING

Tuesday, January 17<sup>th</sup>, 2023, 6:00 PM

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

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

Introduction by Chairman: The Sanford Planning Board is an advisory council on matters relating to land development and long-range planning and provides recommendations to the Sanford City Council. All information relevant to each case should have been presented during the public hearing. The Planning Board may ask for clarification of information received during the public hearing, but may not receive new information. Recommendations made this evening will be presented to the City Council for consideration on February 7<sup>th</sup>, 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** – December 20<sup>th</sup>, 2022

**C. DISCLOSURE OF CONFLICT OF INTEREST**

**D. OLD BUSINESS**

**E. NEW BUSINESS**

PUBLIC HEARINGS WITH THE CITY COUNCIL TO CONSIDER ITEMS 2 – 4:

1. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2022-0101

Harrington Properties of NC, LLC, is seeking approval of a preliminary plat for a major residential subdivision that would create a 25-lot townhome development. All lots proposed are intended to be served by public water, public sewer, and have access to existing public streets, all to be maintained by the City of Sanford. The development site was recently rezoned from R-12 (Residential Mixed) to the Goldsboro Avenue Townhomes Conditional Zoning District in November, 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 15<sup>th</sup> meeting and may be un-tabled/continued at the January 17<sup>th</sup> 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 January 17<sup>th</sup>, 2023.*

3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0102  
Application by Mark Lyczkowski to rezone one (1) tract of land comprising 27.42 +/- acres, owned by Mad M&R, LLC, with frontage on Carbonton Road, identified as Lee County Tax Parcel 9622-78-4882-00, as depicted on Tax Map 9622.02, from Residential Restricted (RR) to the Elizabeth Landing 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 January 17<sup>th</sup>, 2023.*
4. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0103  
Application by DHIC, LLC to rezone one (1) tract of land comprising 16.41 +/- acres, owned by D.R. Horton Inc., with frontage on Ashby Road and Truelove Street, identified as Lee County Tax Parcel 9661-28-0538-00, as depicted on Tax Map 9661.01, so to amend the existing Ashby Village Conditional Zoning District.
2. **OTHER BUSINESS** – *None, unless added by the board*
3. **REPORTS** – *None*
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 special called meeting in the West End Conference Room of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. 27330 on Tuesday, December 20, 2022. The meeting was called to order at 6:00 P.M.

**ROLL CALL**

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

**Members Absent:** Ken Britton, Chair

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

**MEETING CALLED TO ORDER**

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

**AMENDMENT TO AGENDA**

Vice-Chair Oldham entertained a motion to amend the agenda and move item #5 Zoning Text Amendment Case 2022-76 to item #1 on the agenda. Board member Murphy made the motion to approve the amendment, Board Member Perez seconded. The motion was approved.

**APPROVAL OF MINUTES**

Vice-Chair Oldham entertained a motion to approve the minutes of the November 15<sup>th</sup>, 2022 meeting. Board member Murphy made the motion to approve the minutes, seconded by Board Member Perez and carried unanimously.

**CONFLICT OF INTEREST**

There were none.

**NEW BUSINESS**

**1. 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 1<sup>st</sup>, 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).

### **DISCUSSION**

Vice-Chair Oldham gave introduction to the UDO text amendment and opened the floor for discussion.

Vice-Chair Oldham asked Staff Person Montgomery if he would like to add comments about why they want to repeal the UDO text amendment. Staff Person Montgomery stated that City Council would like more of an opportunity for public input, particularly with the proposed map changes and based upon that we knew that we would not be able to meet the January 1<sup>st</sup> deadline. When we roll this out, we will get public feedback and then we will respond to that public feedback and at some point, in time bring back the text amendments and propose map changes so that they are all adopted at one time.

### **DECISION**

With no further discussion, Vice-Chair Oldham opened the floor for a motion of consistency with the Plan San-Lee long range plan. Board Member Giraldo made the motion that the proposed UDO text amendments are consistent with the Plan San-Lee long range plan because the proposed residential text amendments more accurately reflect the residential place types envisioned in the plan. Board Member Bill Murphy seconded and the motion carried unanimously.

Vice-Chair Oldham opened the floor for a motion of recommendation of approval or denial of the UDO text amendment to City Council. Board Member Perez made the motion that the Planning Board recommend to City Council to approve the repeal of Ordinance 2022-76 to allow staff more time for public input regarding the required zoning map amendments, which is the second step of the process and when appropriate have the City Council and the Planning Board consider both of the text amendments and the zoning map amendments at the same time. Board Member Murphy seconded and it was approved unanimously.

### **2. 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.

### **DISCUSSION**

Staff Person McNeill gave introduction to the preliminary plat stating that this is a preliminary plat for a 40 lot townhome community off of Burns Drive and Friars Drive, it will be served by public water and public sewer and public streets, the design complies with the site plan and subdivision plan submitted for the Burns Drive Conditional Zoning District which was approved by Staff and City Council in August of 2022 after receiving a planning board recommendation to approve by a unanimous vote. There were some conditions that went along with that. The board has seen this before and now you will be creating the property lines and verifying that the property lines correspond with what you originally approved and that the conditions that you placed on the approval have been met. The conditions were a 6' white vinyl privacy fence will be installed on the property line shared with Manna Church off of Burns Drive, a 20' wide buffer of existing trees along Burns Drive is intended to remain undisturbed however in the event there is a need to remove any of the existing trees due to the proposed site plan new trees at least 3' tall will be planted within this area. Evergreen trees will be planted along the shared property line with 204, 212, 214, 216 and 222 Loxley Lane (Lots 1-5 in Nottingham Subdivision). Trees will also be planted along the North property line shared with 725 Lakeside Drive and every other townhome unit will be a different style, multiple units per building and will contain a mix of building materials on the front to create architectural interest similar in style to the conceptual elevation submitted with the application. These are the conditions that the Planning Board voted unanimously on and were sent to City Council and were agreed and voted upon unanimously.

### **DECISION**

With no further discussion Vice-Chair Oldham called for a motion to approve or deny the preliminary plat. Board Member Murphy made the motion to recommend that City Council approve the preliminary plat as submitted as long as they are in compliance with our previous requests. Board member Perez seconded and the motion was approved unanimously.

### **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 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.

### **DISCUSSION**

Vice-Chair Oldham gave the introduction to the rezoning application and opened the floor for discussion. Oldham went on to state that we heard in the public hearing some concerns regarding environmental as well as traffic impacts.

Board Member Murphy asked, has the TRC committee and DOT given approval? Vice-Chair Oldham said yes, that the plans that were presented were based on those comments.

Board Member Santiago asked, this will be on water and sewer, correct? Vice-Chair Oldham said that is correct.

Board Member Perez stated her concerns about traffic already being bothersome.

Board Member Murphy expressed concern over other developments going in close proximity.

Vice-Chair Oldham called on Developer Brian Richards to speak about the traffic situation. Mr. Richards stated that the traffic analysis to be done will take into account any proposed plans that are actively under review.

Board Member Santiago expressed his concern about wildlife. Is there a required study? Staff Person McNeill stated that there was no required wildlife study but we do require open space.

Brian Richards said we will be keeping a lot of trees and there will be areas that wildlife could possibly be in.

Board member Murphy asked about a dog park and is that to be determined? Brian Richards said yes, there are 4 active open spaces indicated and so it would be located in one of those.

Board Member Murphy asked how the open areas would be connected to walking trails? Brian Richards said there are walking trails around the pond and the stream and is on page 82 in the agenda package.

Board member Perez asked about the difference between phase 1 and 2. Brian Richards stated phase 2 is regarding the old house and when the person in the house will be willing to move.

### **DECISION**

With no further discussion Vice-Chair Oldham called for a motion to a statement of consistency with the Plan San-Lee long range plan. Board Member Murphy made the motion that the proposed zoning map amendment is consistent with the Plan San-Lee long range plan designation of Suburban Neighborhood because single-family dwellings are a desired land use. Board Member Perez seconded and the motion carried unanimously.

Vice-Chair Oldham called for a motion of recommendation to City Council to approve or deny the application. Board Member Santiago made the motion that the Planning Board recommend

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 seconded and the motion was approved unanimously.

#### 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.

#### **DISCUSSION**

Vice-Chair Oldham gave overview of the information provided at the public hearing items and opened the floor for discussion. Some items of interest were concerns about water run off and an adjustment to the buffer on lots 62 and 63 to 50' and are reflected in the plans submitted for approval. Also concerns from the Hampton Ponds community, stating they wanted more time for discussion.

Board Member Murphy asked Developer Ethan Evertt to go over information and display the diagram that was displayed at the public meeting for clarification. Mr. Evertt stated that the only difference in his map and the map provided to the planning board was a green strip that delineates the additional 50' buffer. The owners of lots 62 and 63 were concerned about screening which is the reason for the additional 50' buffer, shown on (Exhibit A), and was the only change.

Concerns were expressed over the speed in which the neighborhood meeting was held but it was determined that the developer had fulfilled his requirement for holding the neighborhood meeting but it was suggested that he have another meeting with the Hampton Ponds HOA and adjoining property owners. Mr. Evertt stated there was no opposition to the changes that were made at the public meeting.

#### **DECISION**

There being no further discussion Vice-Chair Oldham called for a motion on consistency with the Plan San Lee as it relates to this zoning map amendment. Board Member Murphy made a motion that the proposed zoning map amendment is consistent with the Plan San-Lee long range plan designation of Suburban Neighborhood because single-family dwellings are a desired land use. Board Member Santiago seconded and the motion carried unanimously.

Vice-Chair Oldham called for a motion of approval or denial of the zoning map amendment. Board Member Perez made 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 with the condition of the additional buffer along the Davenport property and recommend a good faith effort for the developer to meet with the homeowners association of the Hampton Ponds Subdivision and other adjoining property owners

prior to the January 17<sup>th</sup> meeting of City Council. Board Member Murphy seconded and the motion was carried unanimously.

**REPORTS**

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

**ADJOURNMENT**

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

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

**BY:** \_\_\_\_\_  
Richard Oldham, Vice-Chair

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

*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.

*(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**

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

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

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

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

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

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

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

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

Subdivision Name: Townes at Central Square  
Address/Location: Goldsboro Ave / Barnes St / Cooper St  
PIN(s): 9652-28-9577, 9652-38-0432  
Total Acreage: 2.93 AC +/-  
Zoning District(s): Conditional  
Number of Lots: 25 Lot Size(s): 2,760 (24' x 115')

- Utilities:  Existing  Private Well  Private Septic System  
 Proposed  Public Water Supply  Public Sanitary Sewer
- Street(s):  Existing  Public Street (City maintained)  
 Proposed  Public Street (NCDOT maintained)

Project Description: Twenty-five townhome units. The units will be 'rear loaded' from the proposed private alleyway. Public water supply and sanitary sewer will be extended to serve the units from the alleyway.

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

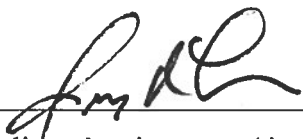
Name: Harrington Properties of NC LLC  
Address: 2659 San Lee Drive; Sanford, NC 27330  
Phone #: 919-770-5969  
Email: brandon@harringtonpropertiesofnc.com

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email: \_\_\_\_\_

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

Name: Jeremy Thomas  
Address: 143 Charlotte Ave Ste 104; Sanford, NC 27330  
Phone #: 919-777-6010  
Email: jthomas@jthomasengineering.com

 / Jeremy Thomas 11-30-2022  
Applicant's signature (sign & print name) Date

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



SR 1558

BRAGG ST

FORESTRIDGE DR

COOPER ST

PRO AV

COBB CT

GOLDSBORO AV

GOLDSBORO AV

BARNES ST

RAY AV

S SEVE

### SITE DATA

#### PROPERTY OWNER OF RECORD:

EXISTING PARCEL 1 AND 2  
HARRINGTON PROPERTIES OF NC  
2659 SAN LEE DRIVE  
SANFORD, NC 27330

#### DEVELOPER:

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

#### PROPERTY ID:

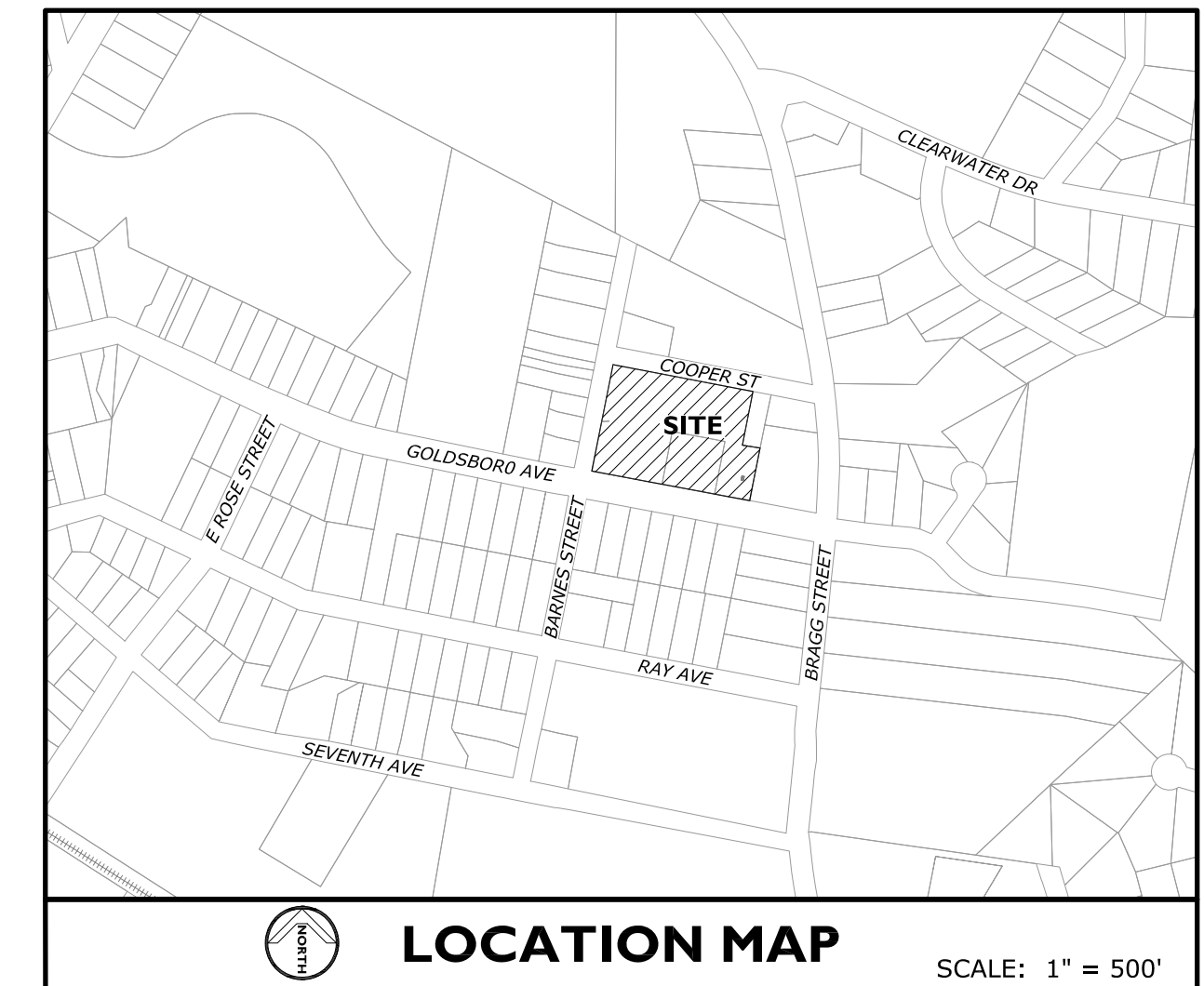
LEE COUNTY, NORTH CAROLINA  
EAST SANFORD TOWNSHIP  
  
PARCEL 1  
LEE COUNTY PIN # 9652-28-9577  
DEED REFERENCE: D.B. 01700 PG. 907-909  
ZONED: CONDITIONAL  
2.41 AC +/-  
0 GOLDSBORO AVE  
  
PARCEL 2  
LEE COUNTY PIN # 9652-28-0432  
DEED REFERENCE: D.B. 01703 PG. 268-270  
ZONED: CONDITIONAL  
0.52 AC +/-  
1411 GOLDSBORO AVE

#### SITE INFO:

JURISDICTION: CITY OF SANFORD  
ZONING CLASSIFICATION (EXISTING): CONDITIONAL  
TRACT PROPERTY ACREAGE: 2.93 AC +/- (2 PARCELS COMBINED)  
PROPOSED NUMBER OF SINGLE FAMILY LOTS: 25 LOTS (8.5 DU/AC)  
LOT SIZE, PROPOSED: 2,760 SF (24 X 115 TOWNHOME LOT)  
LOT WIDTH, PROPOSED: 24 FT  
LOT DEPTH, PROPOSED: 115 FT  
COMMON AREA, PROPOSED: 1.34 AC +/-  
BUILDING HEIGHT, MAX. PROPOSED: 40 FT  
FRONT SETBACK, MINIMUM PROPOSED: 0 FT  
REAR SETBACK, MINIMUM PROPOSED: 0 FT  
SIDE SETBACK, MINIMUM PROPOSED: 0 FT  
ROADWAY OWNERSHIP PROPOSED: PRIVATE  
ROADWAY R/W WIDTH, PROPOSED NEW: N/A (PRIVATE ALLEYWAY)  
ROADWAY LENGTH, PROPOSED NEW: 575 LF (PRIVATE ALLEYWAY)  
SIDEWALK LENGTH, PROPOSED NEW (ALONG R/W): 1,080 LF +/-  
ROADWAY R/W AREA, PROPOSED NEW: 0 AC  
WATERLINE OWNERSHIP PROPOSED: PUBLIC (CITY OF SANFORD)  
NEW WATERLINE LENGTH, PROPOSED NEW: 580 LF +/- (450 LF +/- ALTERNATE ROUTE)  
SANITARY SEWER OWNERSHIP PROPOSED: PUBLIC (CITY OF SANFORD)  
SANITARY SEWER LENGTH, PROPOSED NEW: 365 LF +/-

### NOTES

- REVIEW AND APPROVAL OF THE PLANS DOES NOT RELIEVE THE OWNER, CONTRACTOR, OR DEVELOPER FROM MEETING ALL THE REQUIREMENTS OF THE CITY OF SANFORD UNIFIED DEVELOPMENT ORDINANCE, AND ANY OTHER LOCAL, STATE, AND FEDERAL REGULATIONS AND APPROVALS.
- ALL IMPROVEMENTS OR EXTENSIONS OF PUBLIC INFRASTRUCTURE UNDER THE JURISDICTION OF THE CITY OF SANFORD SHALL BE IN STRICT ACCORDANCE WITH THE ORDINANCES, REGULATIONS, POLICIES, REQUIREMENTS, AND SPECIFICATIONS OF THE CITY OF SANFORD.
- THE PROPOSED PUBLIC WATER SUPPLY AND SANITARY SEWER SYSTEM WILL BE INSTALLED IN THE NEW PRIVATE ALLEYWAY. A PUBLIC UTILITY EASEMENT (VARIABLE WIDTH) WILL BE RECORDED FOR FUTURE OPERATION AND MAINTENANCE OF THESE PUBLIC UTILITIES BY THE CITY OF SANFORD.
- ALL AREA WITHIN THE PARENT PROPERTY AND OUTSIDE OF THE PROPOSED TOWNHOME LOTS IS DESIGNATED AS COMMON AREA TO BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
- THE PROPOSED SITE AREA IS NOT LOCATED WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY AREAS AS DELINEATED ON THE LEE COUNTY FLOOD INSURANCE MAP (FIRM) MAP NUMBER: 3710965200J DATED SEPTEMBER 6, 2006.
- THE PROPERTY BOUNDARY INFORMATION IS TAKEN FROM THE MAP PREPARED BY THE OWNER'S SURVEYOR, COLE LAND SURVEYS PA.
- THE OWNER IS RESPONSIBLE FOR IDENTIFYING ANY STREAMS OR WETLANDS THAT MAY EXIST ON THE PROPERTY THAT MAY BE JURISDICTIONAL TO THE US ACE. BASED ON A SITE VISIT, THERE APPEARS TO BE NO JURISDICTIONAL WATERS OR WETLANDS PRESENT ON THE PROPERTY.
- THE PROPOSED SITE AREA IS NOT LOCATED IN A DESIGNATED WATER SUPPLY WATERSHED.
- THIS PROJECT RECEIVED CONDITIONAL ZONING APPROVAL FROM THE CITY COUNCIL ON NOVEMBER 1, 2022.
- TO ADDRESS STORMWATER MANAGEMENT, THE OWNER WILL IMPROVE THE DOWNSTREAM DRAINAGE SYSTEM OR PROVIDE ON-SITE DETENTION AS INDICATED ON THIS PLAN.
- FINAL LOCATION AND CONFIGURATION OF MAIL KIOSK WILL BE DETERMINED AFTER CONSULTATION WITH THE USPS POSTMASTER.
- OWNER RESPONSIBLE FOR OBTAINING PROPERTY AND A TEMPORARY CONSTRUCTION EASEMENT (IF NECESSARY) FROM ADJACENT PROPERTY OWNER(S) FOR ANY WORK THAT MAY BE REQUIRED ON PRIVATE / PUBLIC PROPERTY(S). OFF-SITE EASEMENTS, AS MAY BE REQUIRED, WILL BE SECURED FOR THE PROPOSED WATER SUPPLY AND SANITARY SEWER SYSTEM CONNECTION AND THE PROPOSED DRAINAGE IMPROVEMENTS.



### J THOMAS ENGINEERING, INC.

CIVIL ENGINEERING & PLANNING

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



PROFESSIONAL ENGINEER'S SEAL

# TOWNES AT CENTRAL SQUARE

## GOLDSBORO AVE / BARNES STREET SANFORD, NORTH CAROLINA

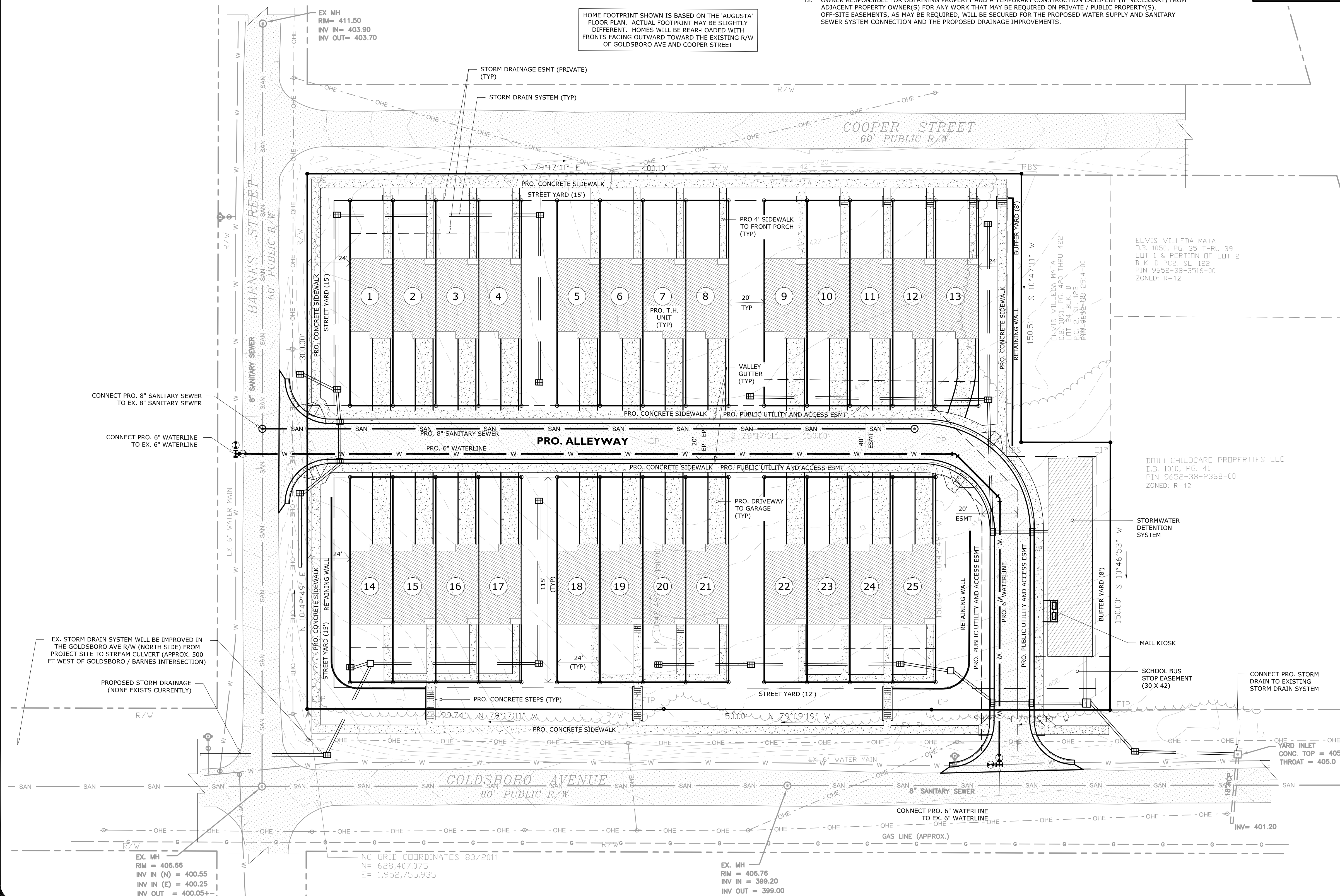
PRELIMINARY PLAT

#### REVISIONS

- 28 JUL 2022: REVISED PER TRC COMMENTS
- 30 NOV 2022: REVISED PER MORE DETAILED DESIGN

PRELIMINARY PLAT  
NOT FOR RECORDATION,  
CONVEYANCES, OR SALES

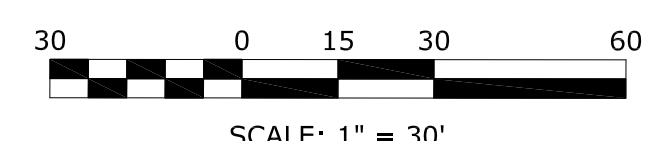
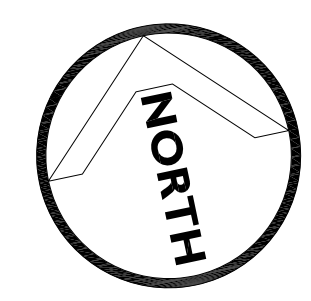
Scale: SEE SCALE BAR	Drawn by: JRT
Sheet: 1 of 1	Designed by: JRT
Project Number: 22-005	Reviewed by: JRT
Date: 30 JUN 2022	



HOME FOOTPRINT SHOWN IS BASED ON THE 'AUGUSTA' FLOOR PLAN. ACTUAL FOOTPRINT MAY BE SLIGHTLY DIFFERENT. HOMES WILL BE REAR-LOADED WITH FRONTS FACING OUTWARD TOWARD THE EXISTING R/W OF GOLDSBORO AVE AND COOPER STREET

ELVIS VILLEDA MATA  
D.B. 1050, PG. 35 THRU 39  
LOT 1 & PORTION OF LOT 2  
BLK. D PC2, SL. 122  
PIN 9652-38-3516-00  
ZONED: R-12

DODD CHILDCARE PROPERTIES LLC  
D.B. 1010, PG. 41  
PIN 9652-38-2368-00  
ZONED: R-12



**CITY OF SANFORD**  
**PLANNING BOARD STAFF REPORT**  
**January 17<sup>th</sup>, 2023**  
**Townes at Central Square Subdivision**  
**Preliminary Plat**

---

**GENERAL INFORMATION**

<b>Location:</b>	1411 Goldsboro Avenue (most of city block bounded by Goldsboro Ave., Cooper St., and Barnes St.)
<b>Property Owner:</b>	Harrington Properties of NC, LLC
<b>Project Developer:</b>	Harrington Properties of NC, LLC
<b>Project Engineer:</b>	J. Thomas Engineering, Inc.
<b>Township:</b>	East Sanford
<b>Ward:</b>	City Council Ward 3
<b>Tax Parcel:</b>	9652-28-9577-00 and 9652-38-0432-00
<b>Tax Maps:</b>	9652.06
<b>Total Lots:</b>	25
<b>Zoning:</b>	Goldsboro Avenue Conditional Zoning District (rezoned 11/01/22)
<b>Acreage:</b>	2.93 acres +/-
<b>Minimum Lot Size:</b>	2,760sf
<b>Smallest Lot Size:</b>	2,760sf
<b>Largest Lot Size:</b>	2,760sf
<b>Linear Feet of Street:</b>	575 linear feet of private alleyway proposed.
<b>Street:</b>	No proposed new public streets, private alleyway proposed for rear-loaded townhomes.
<b>Water &amp; Sewer:</b>	Public Water & Sewer, City of Sanford
<b>Fire District:</b>	Central Fire Station, per GIS
<b>Schools:</b>	Deep River Elementary   East Lee Middle School   Lee Senior High School

**REQUEST**

Harrington Properties of NC, LLC, is seeking approval of a preliminary plat for a major residential subdivision that would create a 25-lot townhome development. The proposal has six buildings, each containing either four or five townhome units, that would face outwards towards either Goldsboro Avenue or Cooper Street, existing public roadways. Vehicular access would be provided along a proposed private alleyway that would bisect the existing city block, and each townhome unit would have a “backloaded” garage and driveway off of the alley. The alley itself will also have an overlapping 20-foot-wide public utility and access easement to allow for Public Works crews to maintain and repair any water or sewer lines, and to allow solid waste vehicles to enter the alley. The development also includes 1,080 linear feet of proposed new sidewalk that would wrap around the development site and run along both sides of the proposed alleyway. All lots proposed are intended to be served by public water, public sewer, and have access to existing public streets, all to be maintained by the City of Sanford. The development site was recently rezoned from R-12 (Residential Mixed) to the Goldsboro Avenue Townhomes Conditional Zoning District in November, 2022.

## **ZONING DISTRICT INFORMATION**

### **Current Zoning: Goldsboro Avenue Townhome Conditional Zoning District**

The proposed subdivision design complies with the standards of the Goldsboro Avenue 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 Goldsboro Avenue Townhomes Conditional Zoning District:

- Minimum Building Setbacks for Principal Structures:
  - Front = 0ft
  - Rear = 0ft
  - Sides = 0ft
- Minimum Lot Size:
  - 2,760sf
- Minimum Lot Width:
  - 24ft
- Maximum Building Height:
  - 40ft
- Number of Lots:
  - 25
- Additional Conditions Specific to the Zoning District:
  - Townhomes are proposed to be rear-loaded via construction of a new private alleyway.
  - Sidewalk will be installed along both sides of alleyway and along the frontage of all lots.
  - Buffer and street yards are proposed (see plan).
  - Each lot will be planted with at least one (1) tree.
  - Public streets are NOT proposed to be retrofit for curb and gutter.

### **Adjacent Zoning**

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

## **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**

The site appears to have access to public water and public sanitary sewer via main lines along Goldsboro Ave and Barnes St. This information is per our GIS mapping system and, if the rezoning is approved, all new

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

### **TRANSPORTATION**

There is frontage on Goldsboro Ave (NS-98860), Barnes St (NS-99672), and Cooper St (NS-99956) which are non-system roads maintained by the City. The streets abutting the site are not identified in the 2011 Lee County Comprehensive Transportation Plan. This information is per our GIS mapping system and NCDOT must approve any proposed driveways via the site plan review/approval process to verify compliance with all applicable regulations, including—but not limited to—traffic studies and roadway improvements/turn lanes.

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

### **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.



# 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).**

*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 - Executor

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

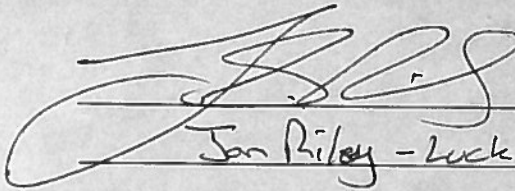
Signature Addendum

**Zoning Map Amendment (Rezoning) Application**

**City of Sanford**

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

*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.*

  
\_\_\_\_\_  
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 Croswell St  
 Whitsett, NC 27377

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

**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**  
**January 17<sup>th</sup>, 2023**

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*This public hearing was tabled at the November 15<sup>th</sup> meeting and may be un-tabled/continued at the January 17<sup>th</sup> 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 January 17<sup>th</sup>, 2023.*

**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.”*

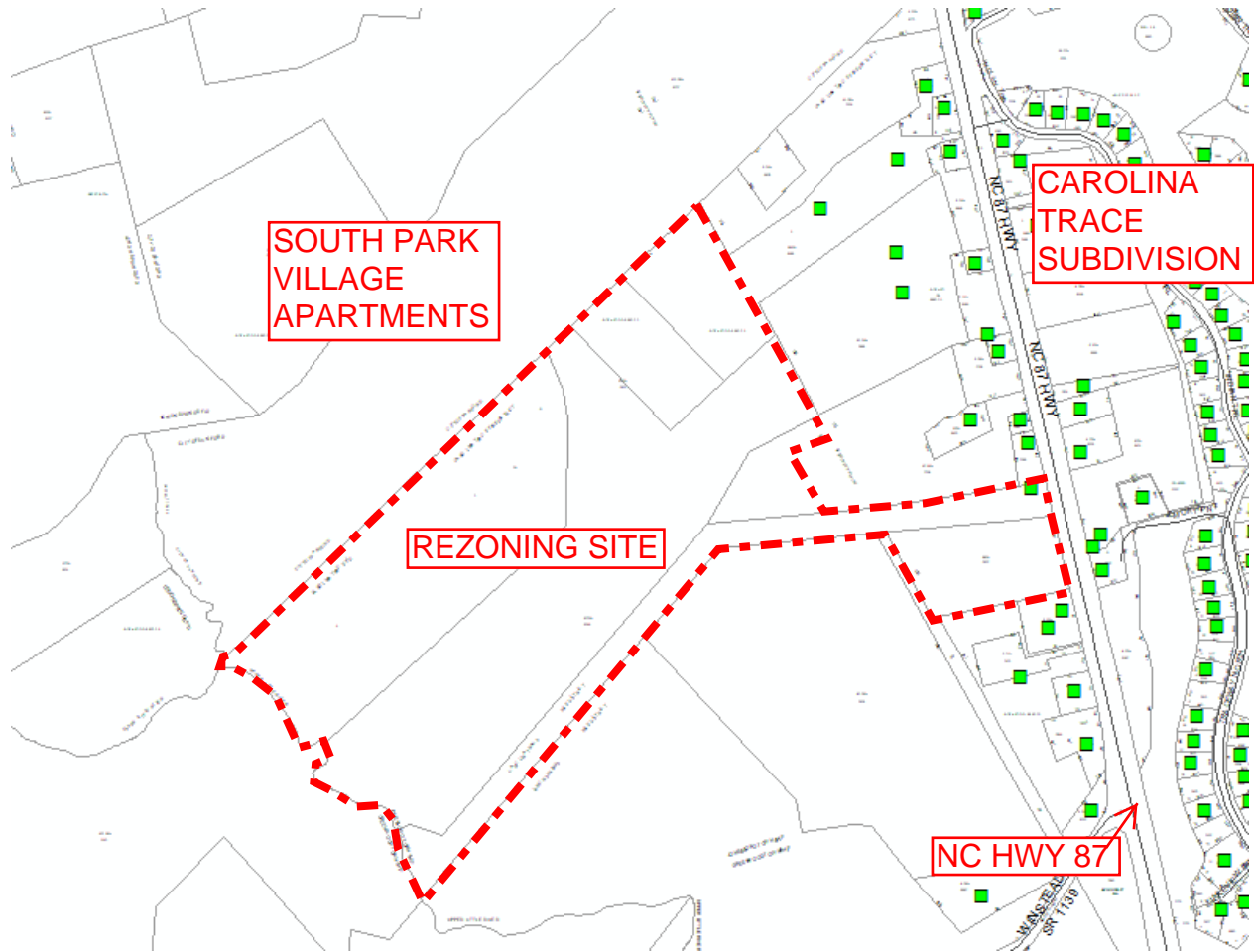
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

### **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.

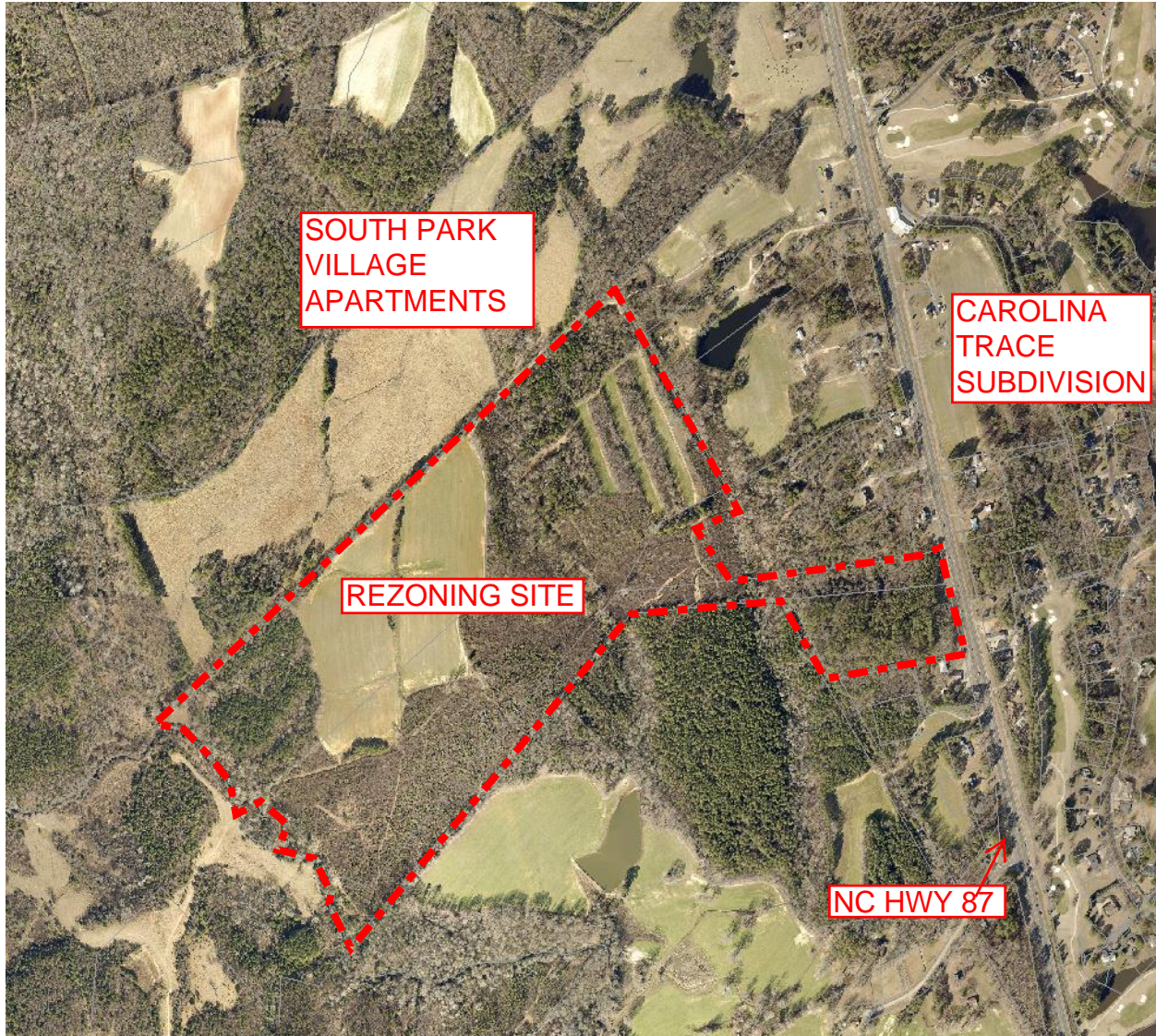


### ZONING MAP AMENDMENT

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.

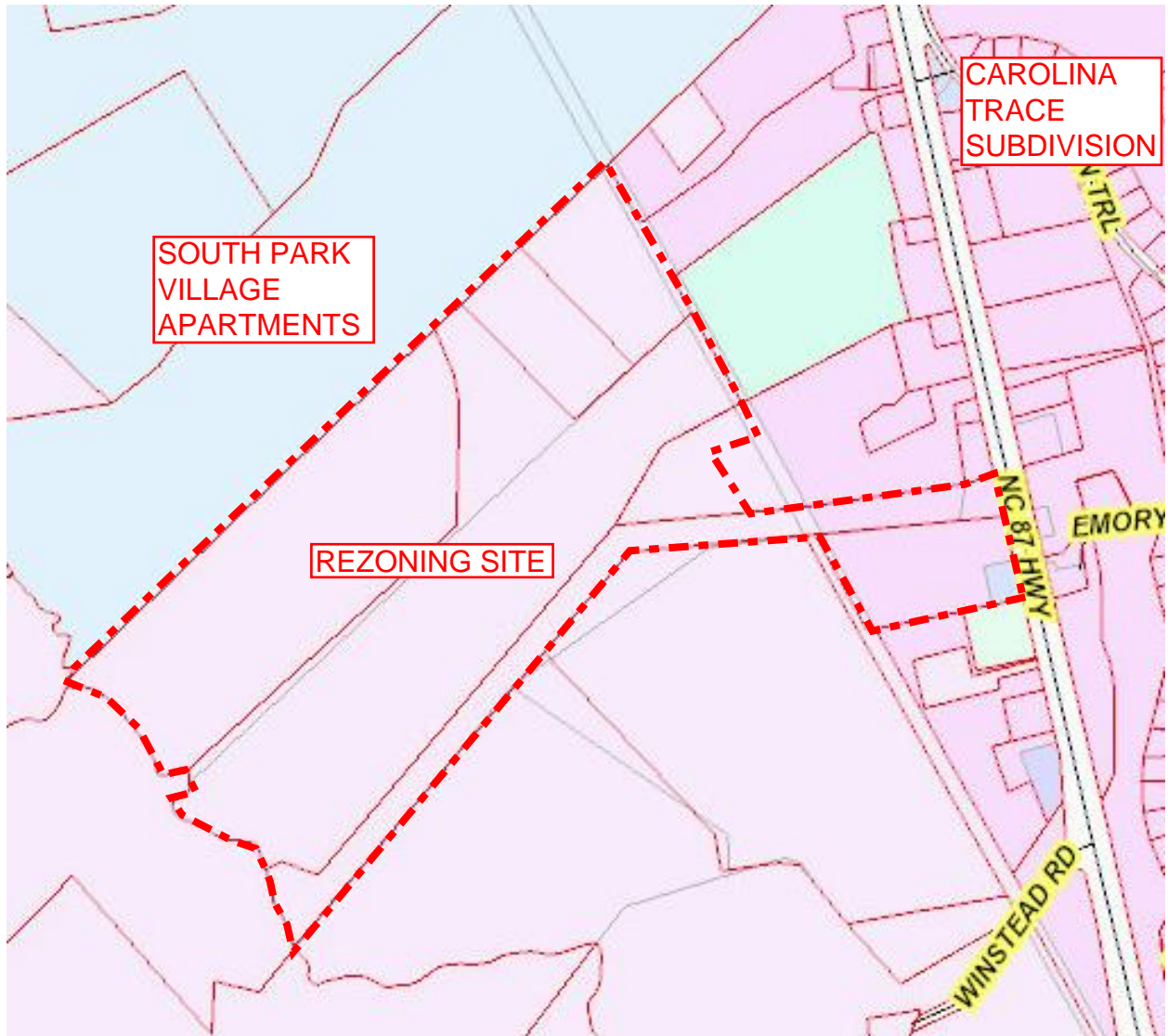


## ZONING MAP AMENDMENT

Request to rezone 140.8 acres at 5120 NC Hwy 87 S

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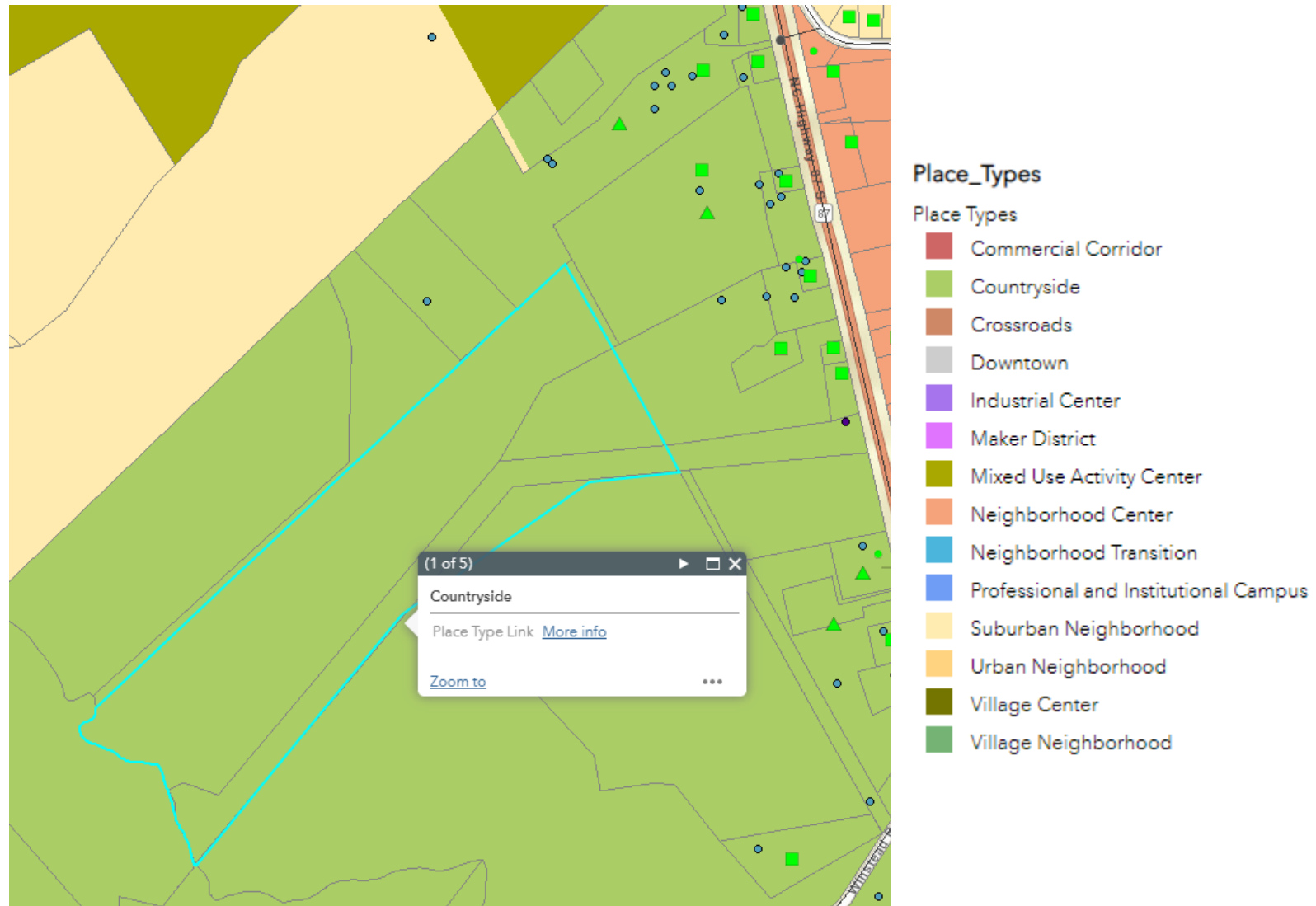
## ZONING MAP AMENDMENT

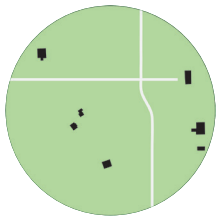
Request to rezone 140.8 acres at 5120 NC Hwy 87 S

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

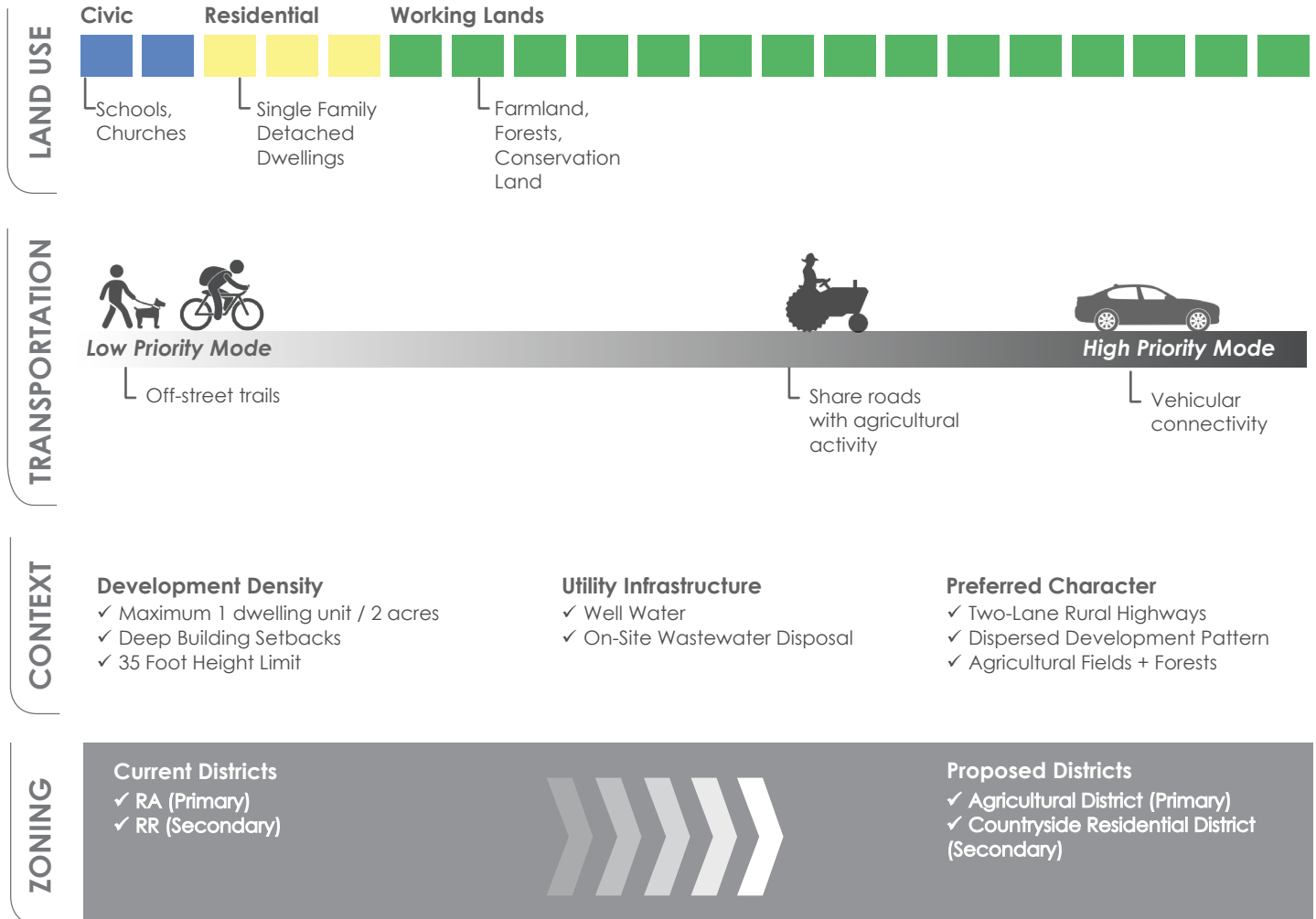




## COUNTRYSIDE

- ✓ 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).

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

<b><u>Residential Uses</u></b>
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)
<b><u>Accommodations and Group Living</u></b>
Bed & breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<b><u>Art, Recreation &amp; Entertainment</u></b>
Stables/Riding Academies
Stable, Accessory to Dwelling
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Cemeteries, public and private (does not include individual family plots (See Section 5.6)
Day Care facility, Home Child Care (See Section 5.10)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Residential (See Section 5.40)

### **USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT**

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

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

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)
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
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
<b><u>Transportation, Communication, and Utilities</u></b>
Airports, Heliports, and Support Establishments
Gas or electric generation distribution facilities, compressor stations, or substations
Sewage treatment and Water treatment plants
<b><u>Agriculture</u></b>
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).

<b><u>Residential Uses</u></b>
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)
<b><u>General Services</u></b>
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)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, C&D or LCID (greater than 2 acres in size) (See Section 5.20)
Mining and Quarries, Unincorporated Lee County and City of Sanford only (See Section 5.23)
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)
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Day Care facility, Child Care Center (See Section 5.10)
Day Care facility, Adult (See Section 5.38)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

## **RR, RESIDENTIAL RESTRICTED ZONING DISTRICT**

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

### **USES PERMITTED BY RIGHT**

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

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

### **USES PERMITTED WITH DEVELOPMENT REGULATIONS**

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

<b><u>Residential Uses</u></b>
Accessory Dwellings (See Section 10.4)
Home Occupations (See Section 5.16)
Travel Trailer / Recreational Vehicle / Motor Home / Camper, to be used as a Temporary

Residence, Unincorporated Lee County and ETJ areas of Sanford and Town of Broadway (See Section 5.34.2.9)
<b><u>Accommodations and Group Living</u></b>
Bed & breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<b><u>Art, Recreation &amp; Entertainment</u></b>
Stables/Riding Academies
Stable, Accessory to Dwelling
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Day Care facility, Home Child Care (See Section 5.10)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Residential (See Section 5.40)

### **USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT**

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

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

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

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

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

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

## **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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>Accommodations and Group Living</u></b>
Dormitories for the students of colleges, commercial schools, staff of hospitals
Group Home/Residential Care Facility, Level I
Group Home/Residential Care Facility, Level II
Child and Youth Services
Nursing, Supervision, Adult Care Homes, Group Care Facilities, and other rehabilitative services
<b><u>General Sales or Service</u></b>
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

<b><u>Industrial &amp; Manufacturing Use</u></b>
Contractors' offices/shop without outdoor storage areas
<b><u>Arts, Recreation, &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Civic, Social and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation
Crematorium & Embalming
Day Care facility, Adult
Fire, sheriff, and emergency services
Funeral homes
Governmental Functions, not otherwise listed
Hospitals
Libraries
Medical and dental clinics or offices, ambulatory or outpatient care, family planning and care, and blood or organ banks
Post office
Religious Complex (less than 350 seats), new site
Religious Complex (more than 350 seats), new site
Religious Complex (any size), addition to existing complex site
Schools Continuing Education (alternative, adult colleges and universities and technical, trade, and other specialty schools)
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site
Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle and high school), addition to existing site
Schools, Fine and Performing Arts
Social assistance, welfare and charitable services
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)

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

### **USES PERMITTED WITH DEVELOPMENT REGULATIONS**

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

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

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

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

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

<b><u>Residential Uses</u></b>
Dwelling, Multifamily (three or more units) (See Section 10.3)
Dwelling, Single-family attached (See Section 10.3)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
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)
<b><u>Transportation, Communication, and Utilities</u></b>
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).

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

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

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

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

### **USES PERMITTED WITH DEVELOPMENT REGULATIONS**

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

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

### **USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT**

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

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

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

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

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

## **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).

<b><u>Accessory Uses</u></b>
Accessory uses (See Section 5.1)
<b><u>General Sales or Service</u></b>
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
<b><u>Industrial &amp; Manufacturing Uses</u></b>
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)
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls, for assembly and recreation
Crematorium & Embalming
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
<b><u>Transportation, Communication, and Utilities</u></b>
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)
<b><u>Agriculture</u></b>
Animal Production and Support Services, (unincorporated Lee County)
Crop Production and Support Functions, (unincorporated Lee County)
Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (unincorporated Lee County)

### **USES PERMITTED WITH DEVELOPMENT REGULATIONS**

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

<b><u>Residential Uses</u></b>
Home Occupations (See Section 5.16)
<b><u>Accommodations and Group Living</u></b>
Hotel, Motel, and Tourist Court (See Section 5.17)
<b><u>General Sales or Service</u></b>
Animal Hospitals, Veterinary Services, Animal Shelters, Kennels/Animal Pet Services (See Section 5.3)
Car Washes and Car Care Centers (See Section 5.5)
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)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
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)
<b><u>Arts, Recreation &amp; Entertainment</u></b>
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)
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Cemeteries, public and private (does not include individual family plots) (See Section 5.6)
Community food services (See Section 5.7)

### **USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT**

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

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

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

<b><u>Industrial and Manufacturing</u></b>
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)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Commercial (See Section 5.39)
Telecommunication towers (See Section 5.33)

**ADJOINING PROPERTY OWNERS LIST**

PETITION BY: Mark Lyczkowski (Forge Investment Group LLC)

REQUEST: Rezone from Residential Agricultural (RA), Residential Restricted (RR) &amp; Office &amp; Institutional (O&amp;I) to General Commercial (C-2) &amp; Light Industrial (LI) LOCATION: Charleston Drive &amp; 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 &amp; 9660-53-0622-00

DATE: 2022-08-02

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

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

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

**\$500 FEE**

## Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Mark Lyczkowski
2. Applicant Address: 114 Hawkins Avenue Sanford, NC 27330
3. Applicant Telephone: 919-842-0334
4. Name and Address of Property Owner(s) if different than applicant:  
MAD M&R LLC  
709 Crowell Ct, Whitsett, NC 27377
5. Location of Subject Property: 0 Carbonton Road  
Lee Co. P.I.N. 9622-79-8013
6. Total Area included in Rezoning Request: 27.42 Acres
7. Zoning Classification: Current: RR Requested: Elizabeth Landing Conditional District
8. Existing Land Use(s): vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): to propose a subdivision of attached  
single family dwellings. Adding to Sanford's infrastructure, providing additional housing options and promoting growth of the City.
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

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

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

August 25, 2022  
Date

### Required Attachments/Submittals

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

### STAFF USE ONLY

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

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

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

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

Circle Jurisdiction That Applies:

City of Sanford      Lee County      Town of Broadway

1. Type of Conditional Zoning District (Type 1 or Type 2) Type 1
  2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): See attached map
- 
- 
- 

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

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

See attached conditions

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

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

Mark Lyzkowski  
Signature (Sign & Print)

August 25, 2022  
Date

### Description of MAD M&R LLC,

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

**Beginning** at a set iron rod on the north margin of Carbonton Road (Highway 42) having a North Carolina Grid Coordinate value of North 628,281.24 Feet, East 1,927,927.14 Feet; Thence South 11 Degrees 30 Minutes 20 Seconds West, 30.00 Feet to a point at the centerline of Carbonton Road; Thence along the centerline of Carbonton Road the following Five (5) courses and distances:

1. North 77 Degrees 04 Minutes 50 Seconds West, 300.05 Feet to a point;
2. North 70 Degrees 12 Minutes 14 Seconds West, 300.00 Feet to a point;
3. North 62 Degrees 09 Minutes 34 Seconds West, 300.00 Feet to a point;
4. North 55 Degrees 06 Minutes 54 Seconds West, 300.00 Feet to a point;
5. North 47 Degrees 09 Minutes 03 Seconds West, 246.11 Feet to a point;

Thence North 66 Degrees 16 Minutes 11 Seconds East, 32.69 Feet to a set iron rod on the north margin of Carbonton Road; Thence along lands of William David, North 66 Degrees 15 Minutes 17 Seconds East, 795.70 Feet to a found iron pipe; Thence along lands of Southern Properties of Sanford LLC the following Three (3) courses and distances:

1. North 66 Degrees 46 Minutes 53 Seconds East, 508.46 Feet to a found iron pipe;
2. North 14 Degrees 17 Minutes 03 Seconds East, 846.29 Feet to a found iron pipe;
3. South 82 Degrees 32 Minutes 53 Seconds East, 14.38 Feet to a found iron rod;

Thence along lands on recorded plat entitled "Hearthfield Lakes VI" recorded in Plat Cabinet 9 Slide 77, at the Lee County Register of Deeds Office, South 44 Degrees 20 Minutes 26 Seconds East, passing through a found iron pipe at 243.88 Feet, 266.47 Feet (total distance) to a set iron rod; Thence along lands of Brandon C. Hill, as shown on plat entitled "Mabel G. Holt Estate" recorded in Plat Cabinet 2005 Slide 53, at the Lee County Register of Deeds Office, South 11 Degrees 30 Minutes 20 Seconds West, passing through an iron pipe at 37.93 Feet, 1816.55 Feet (total distance) to a set iron rod on the north margin of Carbonton Road, being the **Point of Beginning**.

Subject to all covenants, easements, and agreements of record.

**Containing:** 1,200,129.20 square feet or 27.55 acres of land, more or less.

**Deed Reference:** Deed Book 1641 Page 916, Deed Book 1678 Page 617, Deed Book 1700 Page 785

**Plat Reference:** Plat Cabinet 3 Slide 205, Plat Cabinet 2022 Slide 60, Plat Cabinet 2022 Slide 161, Plat Cabinet 2022 Slide 170

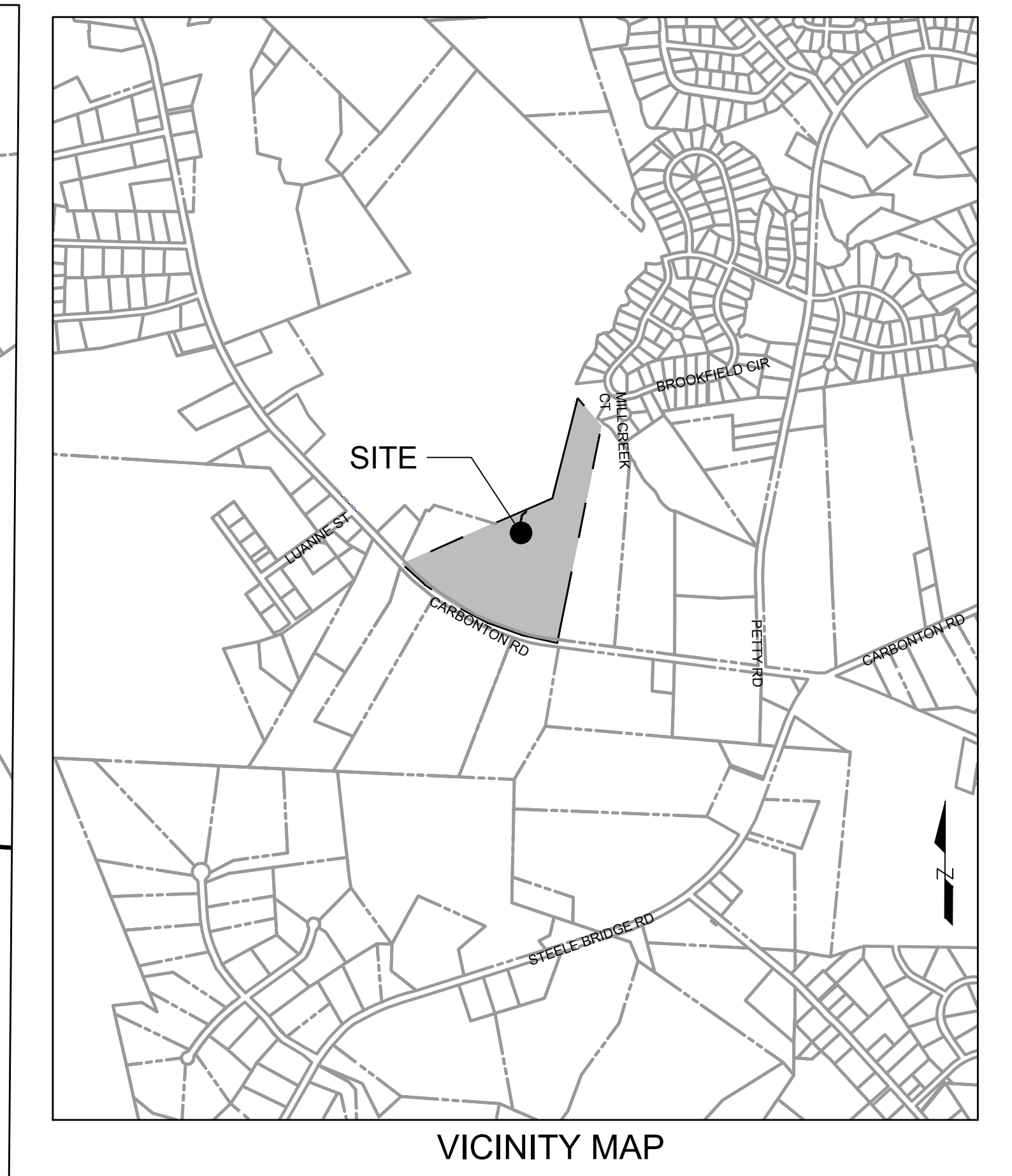
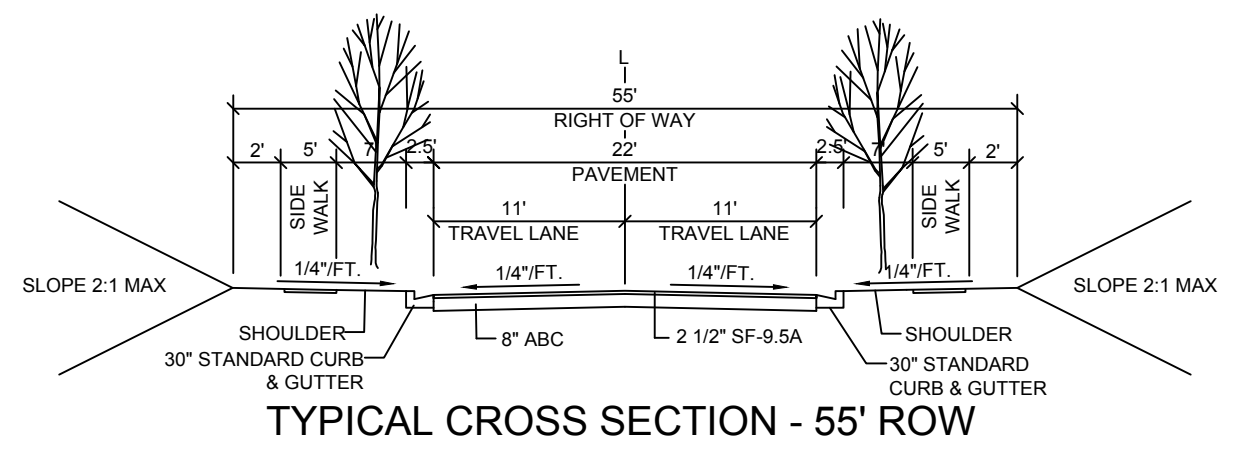
September 12, 2022

S:\331\48870-West\_Pointe\_Gunter\Docs\Sanford\Annexation\DESCRIPTION OF MAD M&R LLC.docx

## Elizabeth Landing Conditions

The subject properties would only allow residential dwellings; attached townhomes as indicated on the concept plan.

1. 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 90-feet, and a minimum lot width of 20-feet. The following minimum building setbacks for principal 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.
2. All homes must include at least a single car enclosed garage.
3. All front and side yards must be sodded.
4. All driveways must be concrete.
5. All homes must have sidewalks to the front door.

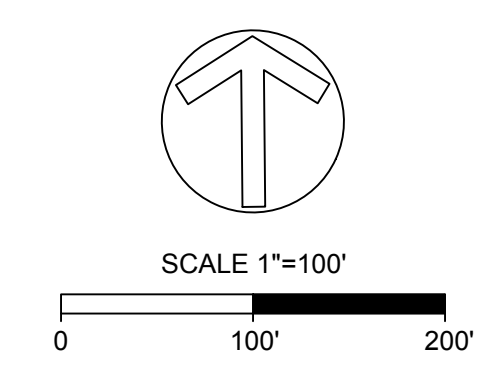


# ELIZABETH LANDING

CONCEPTUAL DEVELOPMENTAL PLAN - December 1, 2022

27.4 AC  
 PINS: 9622-79-8013  
 EXISTING ZONING: RR  
 PROPOSED ZONING: ELIZABETH LANDING  
 CONDITIONAL DISTRICT  
 PROPOSED DENSITY: 6.86 DU/A  
 TOTAL OPEN SPACE: 12.2 AC (44%)

188- 20' WIDE 2,000 SF FRONT LOAD TOWNHOMES  
 MAXIMUM NUMBER OF LOTS: 188  
 STREET TREES TO BE PLACED 80' O.C. MAX. 80' MAY BE EXCEEDED AT INTERSECTIONS AND EASEMENTS.





**CITY OF SANFORD**  
**CITY COUNCIL AND PLANNING BOARD**  
**PUBLIC HEARING INFORMATION**  
**January 17<sup>th</sup>, 2023**

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**REQUEST**

Mark Lyczkowski is requesting to rezone one (1) tract of land comprising 27.42 +/- acres, with frontage on Carbonton Road, from Residential Restricted (RR) to the Elizabeth Landing Subdivision Conditional Zoning District to allow the development of a 188-lot residential subdivision as illustrated on the “Elizabeth Landing Concept Developmental Plan” submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans and proposed conditions are required as part of the rezoning request.

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

**GENERAL INFORMATION**

Applicant:	Mark Lyczkowski
Property Owner:	Mad M&R LLC
Request:	Rezone from Residential Restricted (RR) to the Elizabeth Landing CZ District
Location:	Frontage on Carbonton Road
Acreage:	27.42 +/-
Tax Parcels:	9622-78-4882-00
Tax Map:	9622.02
Township:	West Sanford
Council Ward:	Unassigned
Fire District:	Northwest Pocket Fire Dept.
Schools:	JR Ingram Elementary   West Lee Middle School   Southern Lee High School

**SITE DESCRIPTION**

The site is located on Carbonton Road between Petty Road and Luanne Street. The site is currently vacant.

**ZONING DISTRICT INFORMATION**

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

Minimum lot size:	30,000sf or 0.69 of an acre
Minimum lot width:	100ft
Minimum lot depth:	150ft

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

Examples of uses permitted by right within the RR zoning district include residential single-family detached dwellings (site built and modular houses, both of which are constructed in compliance with the North Carolina Residential Building Code), parks/playgrounds/athletic fields operated on a noncommercial basis, church/religious complex (new site with less than 350 seats), church/religious complex (any size, if an addition to an existing complex), and schools (addition to existing site). There is a list of all permitted uses for this zoning district, including the uses subject to supplemental development standards and/or requiring the issuance of a Special Use Permit, within the agenda packet for your reference.

Proposed Zoning: The Elizabeth Landing 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 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 Elizabeth Landing Conditional Zoning District:

- 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 90-feet, and a minimum lot width of 20-feet.
- The following minimum building setbacks for principal 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
  - Building separation: 20-feet
- All homes must include at least a single car enclosed garage.
- All front and side yards must be sodded.
- All driveways must be concrete.
- All homes must have sidewalks to the front door.

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) & Residential-Mixed (R-10)  
 South: Residential Restricted (RR)  
 East: Residential Restricted (RR)  
 West: Residential Restricted (RR) and Residential-Mixed (R-10)

#### 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 Countryside. The Countryside land use designation is intended to retain agricultural and undeveloped lands outside of Urban Service Areas, the

preservation of the county's agricultural heritage, conservation and maintenance of rural lifestyles, and limited residential densities. The local example is Avents Ferry Road Corridor in northeast Lee County.

### **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. The site appears to lack direct access to sewer but existing lines run within the bordering subdivision to the North along Brookfield Circle. 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 designates Carbonton Road (NC-42) as a thoroughfare within its plan with a further recommendation that it become a boulevard with a recommended connection to Pendergrass Rd (SR 1334). ‘

This information is per our GIS mapping system and NCDOT must approve any proposed driveways via the site plan review/approval process to verify compliance with all applicable regulations, including – but not limited to - traffic studies and roadway improvements/turn lanes. 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 does **NOT** comply with the *Plan SanLee* long-range plan designation of Countryside which sets a maximum density of one (1) dwelling units per two (2) acres—the proposed project has a density of 6.86 dwelling units per acre for reference. The Countryside land use area envisions low-density residential dwellings with Residential Agricultural (RA) or Residential Restricted (RR) zoning—with 30,000sf or 40,000sf lots. Based on the discrepancy between the proposed development density and the intent of the Countryside future land use area, **staff is not 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 attached dwellings are a desired land use and the Suburban Neighborhood designation should be applied to the entirety of the site.*

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 proposed rezoning does not fit the character of the Countryside designation.”*

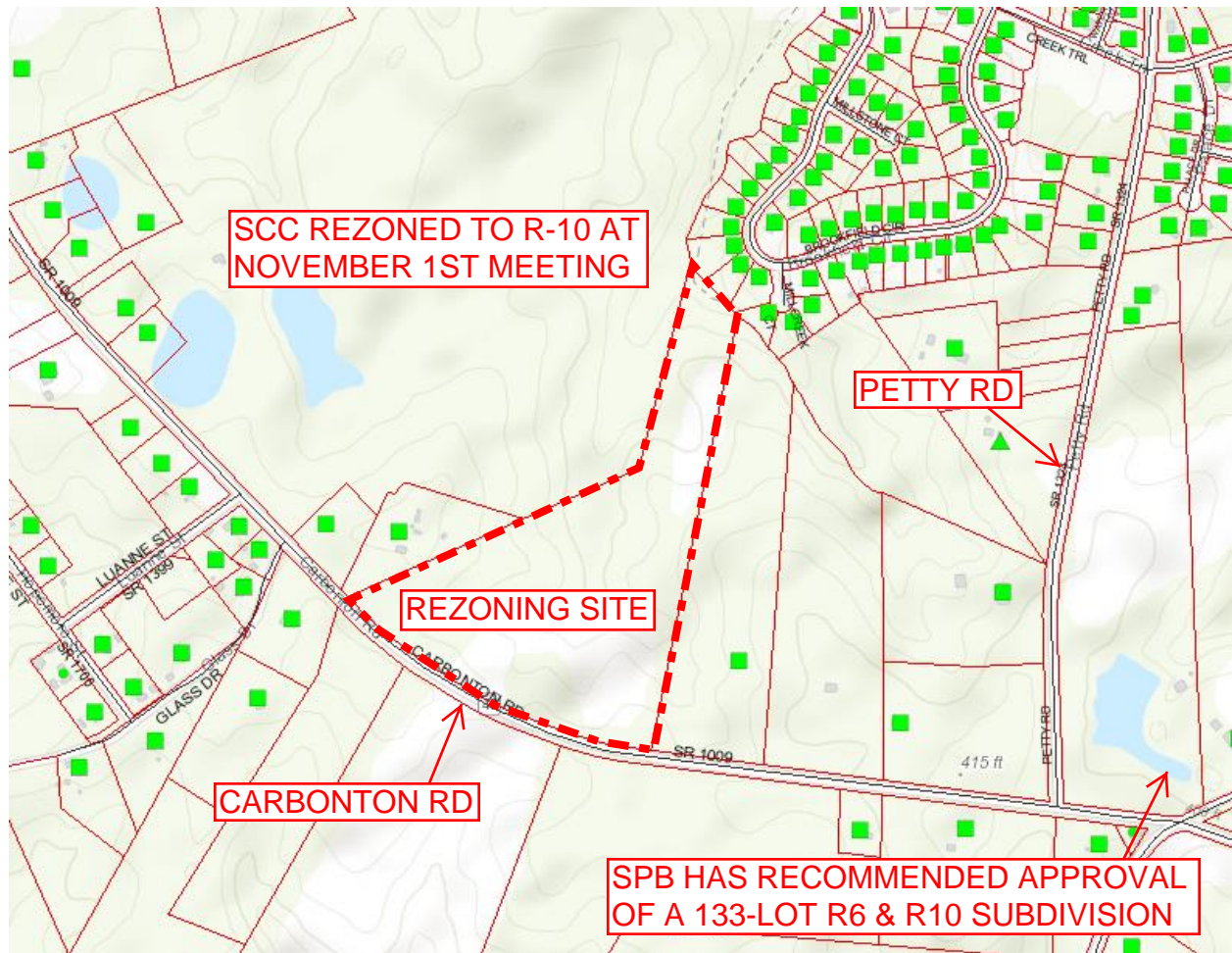
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

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

Motion Option 1: *“I make a motion that Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because the site is appropriate for the desired land uses and densities proposed by the applicant and the future land use map shall be amended to match.”*

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.”*

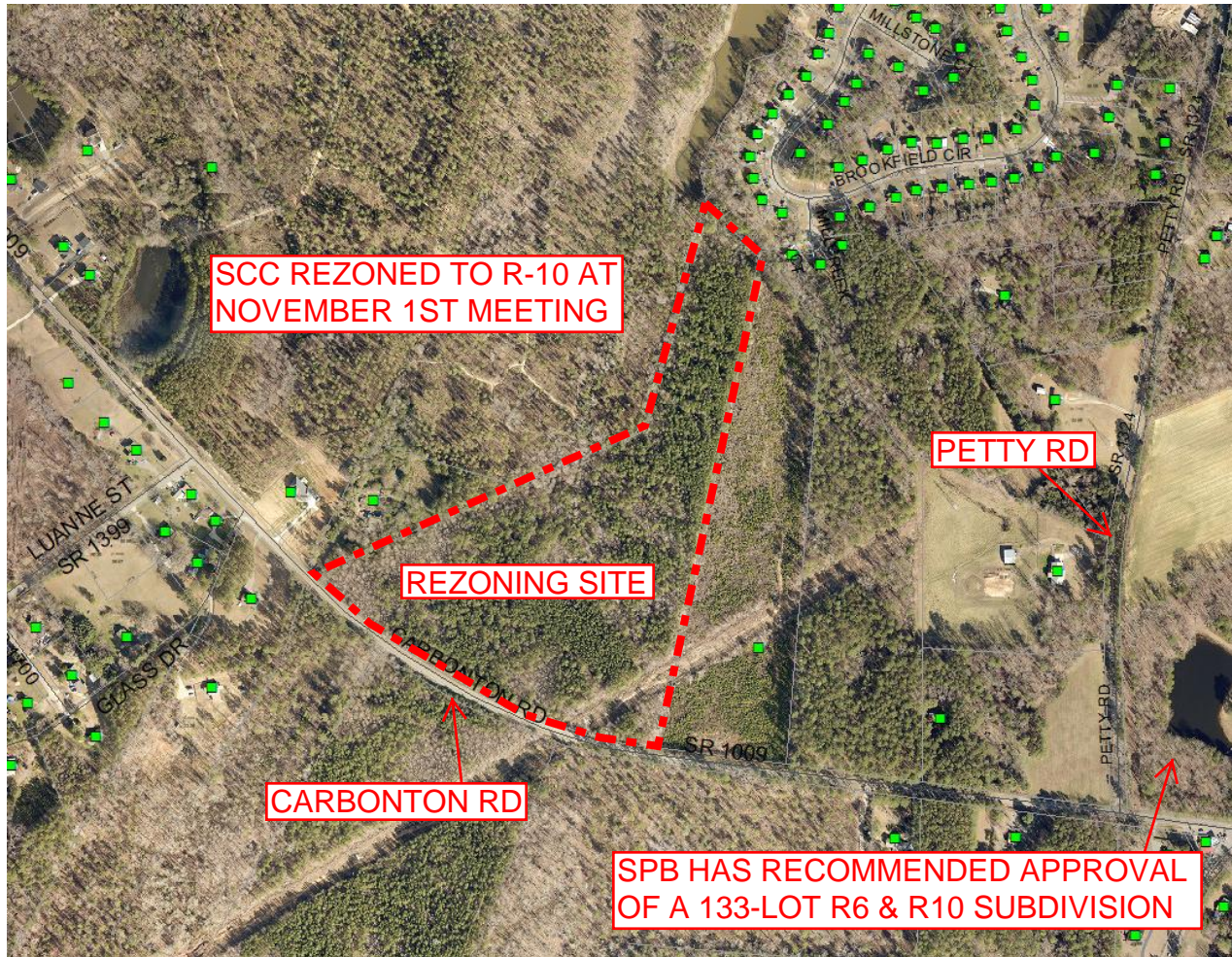
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.



## ZONING MAP AMENDMENT

Request to rezone 27.42 acres on Carbonton Road  
from RR to the Elizabeth Landing CZ District

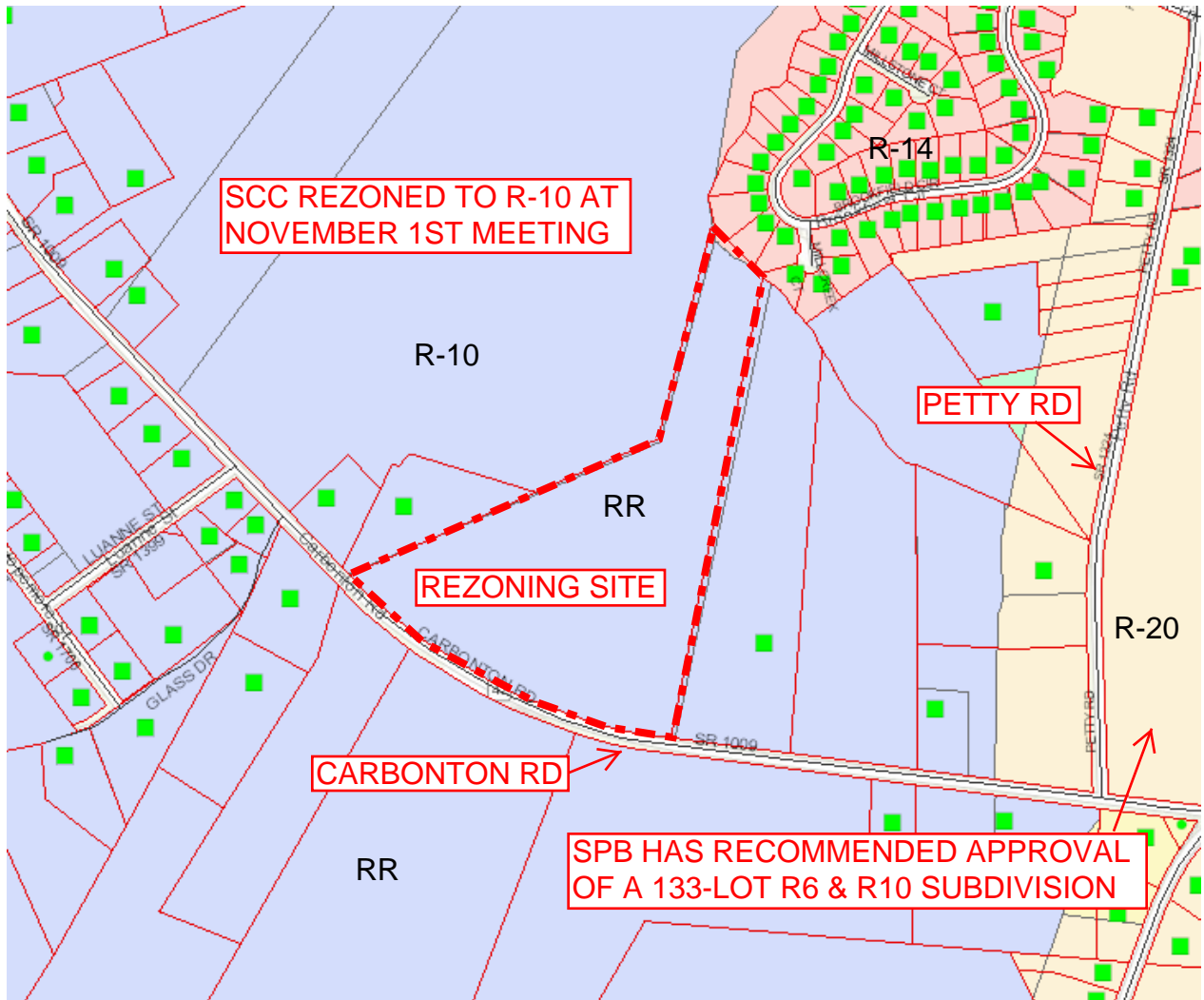
This is a graphic illustration and not a legal document.  
All information is comprised of layers of data that may or may not align correctly.



## ZONING MAP AMENDMENT

Request to rezone 27.42 acres on Carbonton Road  
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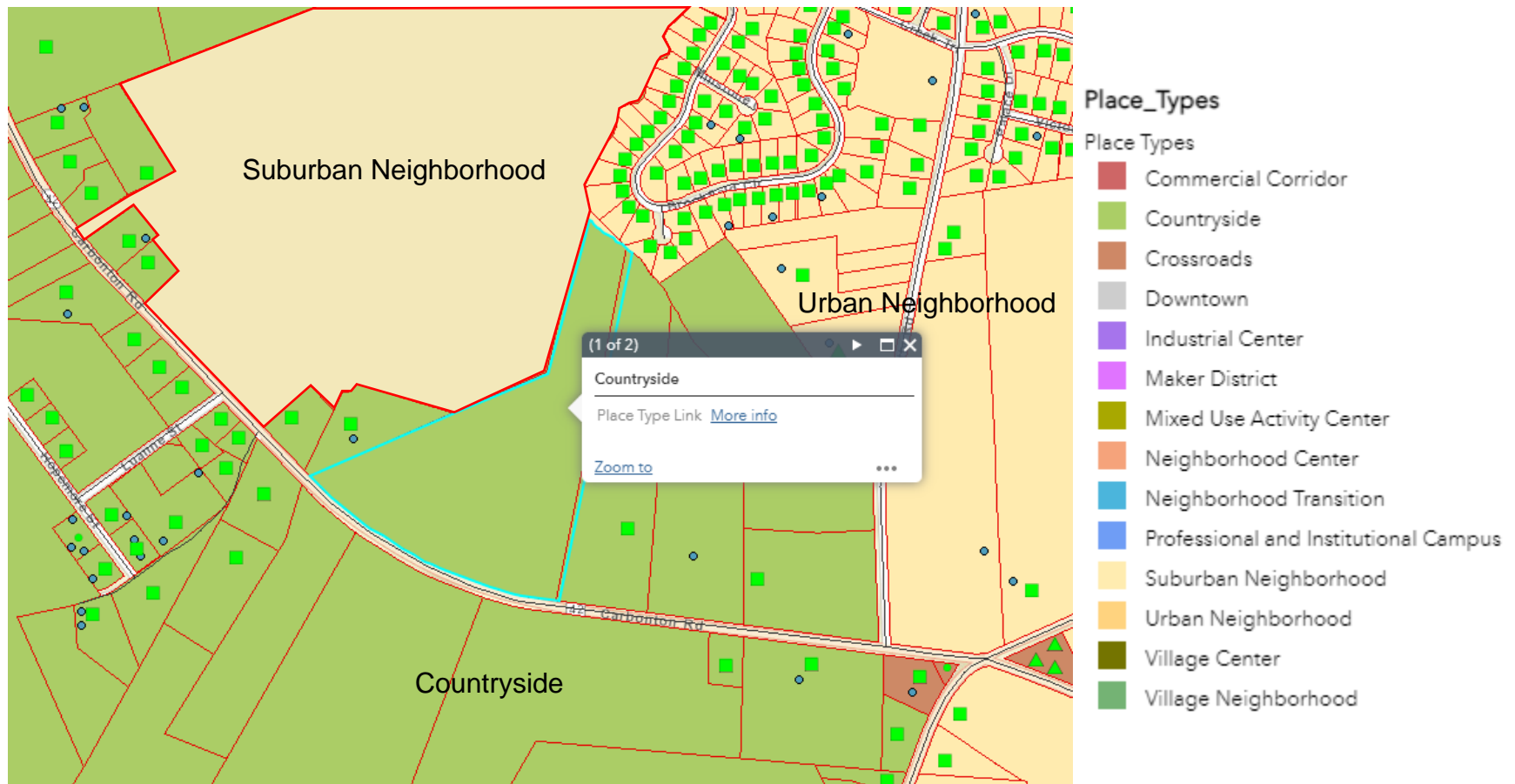


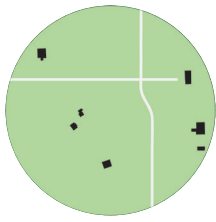
## ZONING MAP AMENDMENT

Request to rezone 27.42 acres on Carbonton Road  
from RR to the Elizabeth Landing 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

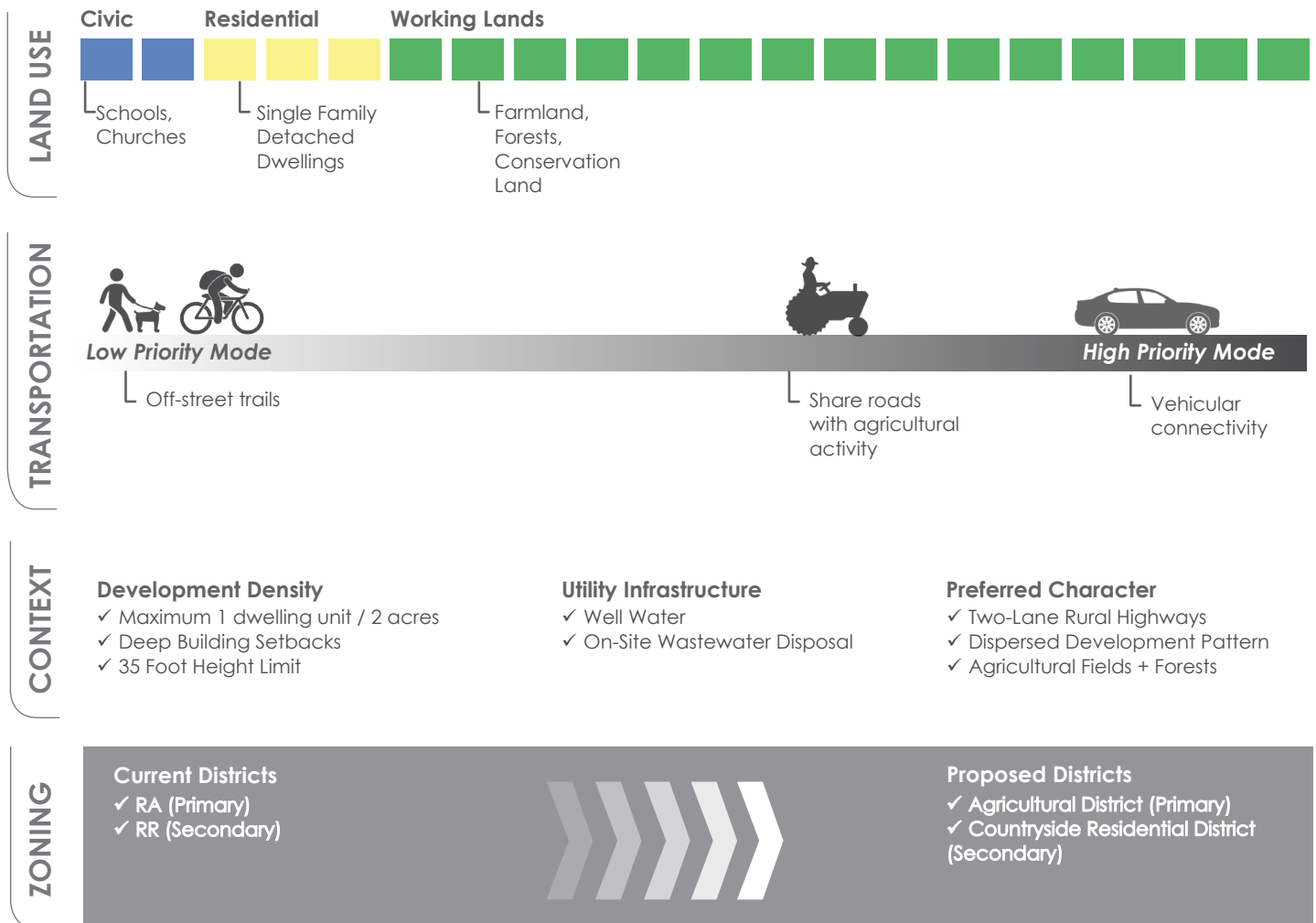




## COUNTRYSIDE

- ✓ 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**



## **RR, RESIDENTIAL RESTRICTED ZONING DISTRICT**

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

### **USES PERMITTED BY RIGHT**

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

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

### **USES PERMITTED WITH DEVELOPMENT REGULATIONS**

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

<b><u>Residential Uses</u></b>
Accessory Dwellings (See Section 10.4)
Home Occupations (See Section 5.16)
Travel Trailer / Recreational Vehicle / Motor Home / Camper, to be used as a Temporary

Residence, Unincorporated Lee County and ETJ areas of Sanford and Town of Broadway (See Section 5.34.2.9)
<b><u>Accommodations and Group Living</u></b>
Bed & breakfast inn (See Section 5.4)
Family Care Homes (See NCGS 168-21) (See Section 5.12)
<b><u>Industrial &amp; Manufacturing Uses</u></b>
Landfills, LCID (2 acres or less in size) (See Section 5.19)
<b><u>Art, Recreation &amp; Entertainment</u></b>
Stables/Riding Academies
Stable, Accessory to Dwelling
<b><u>Education, Public Administration, Health Care, and Institutional</u></b>
Day Care facility, Home Child Care (See Section 5.10)
<b><u>Transportation, Communication, and Utilities</u></b>
Solar Collectors, Residential (See Section 5.40)

### **USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT**

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

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

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

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

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

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

**ADJOINING PROPERTY OWNERS LIST**

PETITION BY: Mark Lyczkowski

REQUEST: Rezone from Residential Restricted (RR) to the Elizabeth Landing Conditional Zoning District

LOCATION: Charleston Drive &amp; Hawkins Avenue

PIN: 9622-78-4882-00

DATE: 2022-12-29

<b>PIN</b>	<b>Property Address</b>	<b>Owner</b>	<b>Owner 2</b>	<b>Mail Address</b>
9622-67-9844-00	0 CARBONTON RD	COVINGTON FAMILY LIMITED PARTNERSHIP		709 CROSWELL CT WHITSETT NC 27377
9622-77-9825-00	0 CARBONTON RD	GUNTER, JEWELL W	GUNTER, JEAN S	2280 SAINT ANDREWS CHURCH RD SANFORD NC 27332
9622-68-4176-00	0 CARBONTON RD	COVINGTON FAMILY LIMITED PARTNERSHIP		709 CROSWELL CT WHITSETT NC 27377
9623-80-1377-00	144 BROOKFIELD CIR	PIERCE, EDWARD CALVITT JR	PIERCE, SAMANTHA WENDES	144 BROOKFIELD CIR SANFORD NC 27330
9622-68-4833-00	3568 CARBONTON RD	LANGSTON, BRUCE A	LANGSTON, JODI L	3568 CARBONTON RD SANFORD NC 27330
9622-88-2932-00	3370 CARBONTON RD	HILL, BRANDON C		3370 CARBONTON RD SANFORD NC 27330
9622-69-9250-00	3550 CARBONTON RD	WATSON, RALPH JAMES (LIFE ESTATE)		3550 CARBONTON RD SANFORD NC 27330
9623-80-3083-00	2604 MILL CREEK CT	BLELL, MATTHEW GARRETTE		2604 MILL CREEK CT SANFORD NC 27330
9622-69-6138-00	3563 CARBONTON RD	THOMAS, TODD A	MCPHERSON-THOMAS, CHRISTINE D	3562 CARBONTON RD SANFORD NC 27330
9623-80-1277-00	148 BROOKFIELD CIR	STUMPF, JAMES T	STUMPF, BIANKA R	148 BROOKFIELD CIR SANFORD NC 27330
9623-80-3165-00	156 BROOKFIELD CIR	WARREN, RONALD LEE II	ACEVEDO, MELISSA A/K/A MELISSA ANN	156 BROOKFIELD CIR SANFORD NC 27330
9623-80-2139-00	152 BROOKFIELD CIR	SALINAS, EBERT MARIANO		152 BROOKFIELD CIR SANFORD NC 27330
9623-70-2817-00	0 CARBONTON RD	SOUTHERN PROPERTIES OF SANFORD LLC		PO BOX 2399 SANFORD NC 27331
9622-78-4882-00	0 CARBONTON RD	MAD M&R		709 CROSWELL CT WHITSETT NC 27377
N/A	N/A	MARK LYCZKOWSKI		114 HAWKINS AVE 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: DHIC, LLC
2. Applicant Address: 2000 Aerial Center Pkwy, Suite 110, Morrisville, NC 27560
3. Applicant Telephone: 540-273-9626
4. Name and Address of Property Owner(s) if different than applicant:  
\_\_\_\_\_
5. Location of Subject Property: Ashby Road  
Lee Co. P.I.N. 9661-28-0538-00
6. Total Area included in Rezoning Request: 14.59 SITE + 1.82 ASHBY ROAD Acres
7. Zoning Classification: Current: R-12MF (Ashby Village CZ District) Requested: R-12MF (Ashby Village CZ District)
8. Existing Land Use(s): VACANT
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): DEVELOPMENT FOR A 330 UNIT GARDEN STYLE APARTMENT COMMUNITY WITH CLUBHOUSE- 10 RESIDENTIAL BUILDINGS AND OTHER AMENITIES INCLUDING BUT NOT LIMITED TO COMUNITY POOL, DOG PARK, OUTDOOR GRILL AND COMMUNITY FITNESS
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

*S. Elaine Hildspeth*  
by: *[Signature]*

*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.*

DHIC, LLC Charles F. Persons as Vice President  
 Digitally signed by Charles F Persons  
 Date: 2022.12.21 14:31:32 -05'00'  
 Charles F Persons  
 Signature of Property Owner(s) (Sign & Print) 12/21/22  
Date

*D.R. HORTON, INC.  
Property owner*

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

**STAFF USE ONLY**

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

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

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

**\$750 FEE**

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

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

Circle Jurisdiction That Applies:

**City of Sanford**

**Lee County**

**Town of Broadway**

1. Type of Conditional Zoning District (Type 1 or Type 2) Type 1
2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): 330-unit, garden style apartment community that consists of one (1) community clubhouse, ten (10) residential, 3-story walk-up buildings, and provide amenities that include but are not limited to: a community pool with sundeck, a dog park, outdoor grill and patio areas, and a community fitness center.

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.

As attached in separate sheet.

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

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

DHIC, LLC

CHARLES F. PERSONS, VP

10/31/2022

Charles F Persons

Digitally signed by Charles F Persons  
Date: 2022.10.31 15:51:34 -04'00'

Signature (Sign & Print)

Date



**List of Conditions – DHI Ashby Village Apartments**  
**10.31.2022**

**1. Permitted Uses:**

- a. Multi-Family Dwelling

**2. Density:**

- a. Maximum residential density is limited to 350 dwelling units.

**3. Architectural Standards:**

- a. The permitted primary exterior building materials for the principal and accessory buildings developed on the site shall be brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding, or a combination of the foregoing and shall vary in type and color
- b. Vinyl may not be used as an exterior siding material. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings
- c. Offsets in the plane of each façade for each apartment building shall be provided
- d. Porches or patios shall be provided for each apartment unit
- e. Primary roof fields of each residential structure shall contain hips, gables, dormers, or a combination of the foregoing, and
- f. Garages shall not open onto the primary street connecting Truelove Street to the western commercial parcel

**4. Site Plan:**

- a. The location of proposed uses, supporting facilities, buffer areas, and pedestrian elements will be in substantial conformance to the attached site plan.

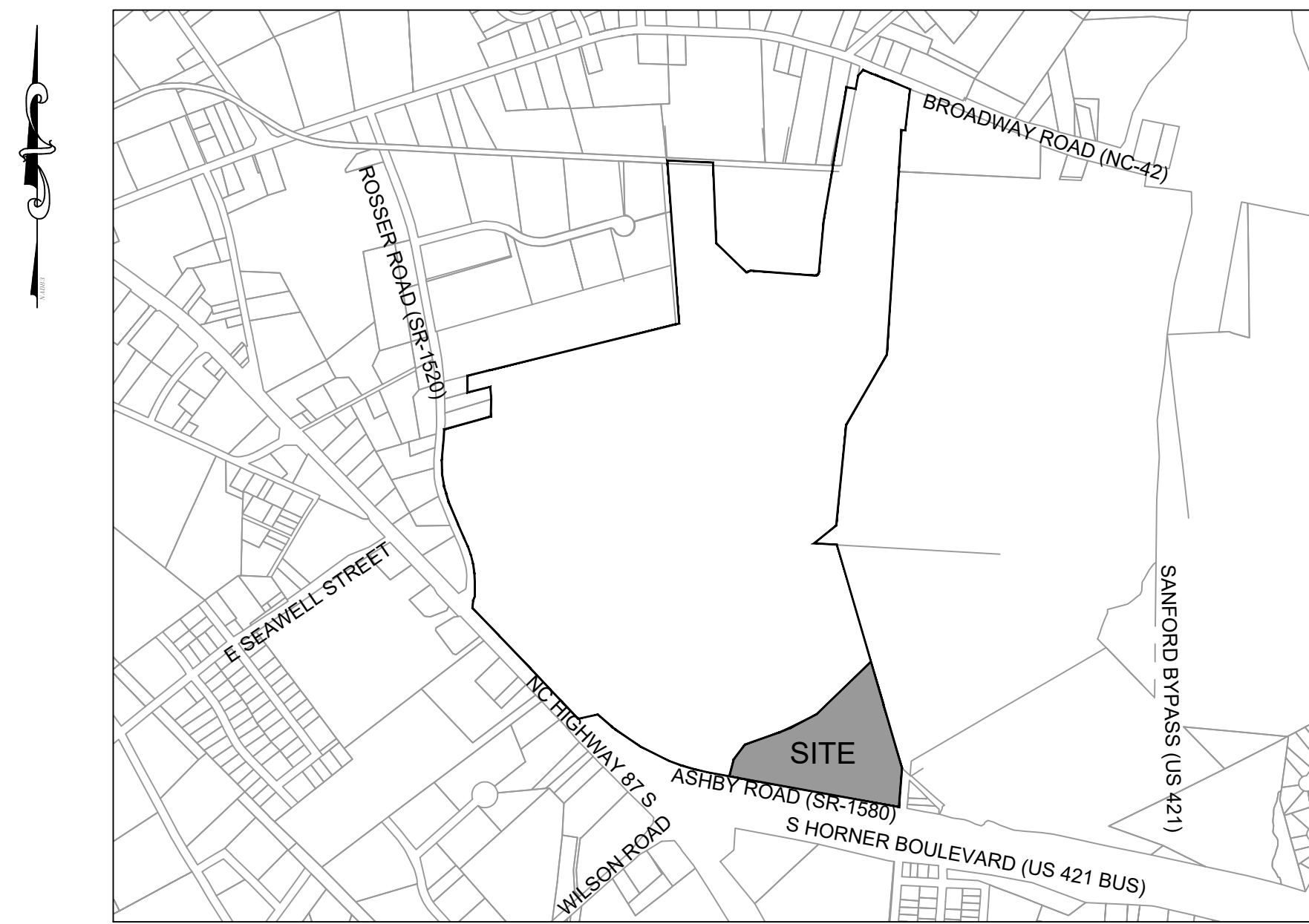
FOR REVIEW ONLY

# ASHBY APARTMENTS

## CONCEPTUAL DESIGN

CITY OF SANFORD, LEE COUNTY, NORTH CAROLINA

SITE DATA TABLE	
PROJECT NAME:	ASHBY APARTMENTS
PROPERTY OWNER:	DR HORTON, INC 2000 AERIAL CENTER PKWY, SUITE 110 MORRISVILLE, NC 27560
DEVELOPER:	DH COMMUNITIES 2000 AERIAL CENTER PKWY, SUITE 110 MORRISVILLE, NC 27560 PHONE: 540-273-9626 CHARLES PERSONS CFPERSONS@DRHORTON.COM
PIN:	9661-28-0538-00
DEED REFERENCE:	DB 1676 PG 0909
PLAT REFERENCE:	BM 2021 PG 222-224
PROPERTY ADDRESS:	0 HORNER BOULEVARD
TOWNSHIP:	SANFORD
EXISTING ZONING:	ASHBY VILLAGE CONDITIONAL DISTRICT (MF12 -CD)
CURRENT USE:	VACANT
PROPOSED USE:	RESIDENTIAL - MULTI-FAMILY APARTMENTS
TOTAL PROJECT AREA:	SITE AREA = 635,540 SF (14.59 AC) ASHBY ROAD RIGHT OF WAY AREA = 79,279 SF (1.82 AC.) TOTAL = 714,819 SF
RIVER BASIN:	CAPE FEAR
SURFACE WATER CLASSIFICATION:	C: NSE
WATERSHED:	WS-IV
SETBACKS:	FRONT (FROM PRIMARY STREET): BLDG.: 20' SIDE STREET: BLDG.: 20' NORTH SIDE: BLDG.: 20' REAR: BLDG.: 0'
BUILDING:	BUILDING AREA = 125,805 SQ. FT / 2.89 AC. (20%)
BUILDING UNITS:	1 BEDROOM - 153 2 BEDROOM - 147 3 BEDROOM - 30
PARKING REQUIRED:	1.5 SPACES FOR 1 BEDROOM - 153 = 230 SP 1.5 SPACES FOR 2 BEDROOM - 147 = 221 SP 2.0 SPACES FOR 3 BEDROOM - 30 = 60 SP AVG. 1.7 PER UNITS 511 SPACES FOR UNITS
PARKING PROVIDED:	541 SURFACE 35 GARAGE 576 TOTAL SPACES 1.74 SPACES PER UNIT



VICINITY MAP  
1" = 1000'

Sheet List Table	
Sheet Number	Sheet Title
C0.0	COVER SHEET
C0.1	ZONING REQUIREMENTS
C1.0	EXISTING CONDITIONS PLAN
C2.0	SITE PLAN
C2.1	OPEN SPACE PLAN
C4.0	UTILITY PLAN
C3.7	UTILITY REFERENCE
C3.8	UTILITY REFERENCE
C5.5	UTILITY REFERENCE
C5.6	UTILITY REFERENCE
C6.0	UTILITY REFERENCE
C8.0	PLANTING TABLE
C8.1	PLANTING PLAN
A3.02.01	BUILDING ELEVATIONS TYPE 2A
A3.02.02	BUILDING ELEVATIONS TYPE 2A
A3.03.01	BUILDING ELEVATIONS TYPE 3
A3.03.02	BUILDING ELEVATIONS TYPE 3
A3.04.01	BUILDING ELEVATIONS TYPE 2B
A3.04.02	BUILDING ELEVATIONS TYPE 2B
A6.06	GLUBHOUSE ELEVATIONS
A6.07	GLUBHOUSE ELEVATIONS
A12.01.3	GARAGE ELEVATIONS
A12.04.3	MAINENANCE CARWASH ELEVATIONS
A12.05.1	TRASH ENCLOSURE PLANS AND ELEVATIONS

THIS DRAWING PREPARED AT THE  
**RALEIGH OFFICE**  
5410 Trinity Road, Suite 102 | Raleigh, NC 27607  
TEL 919.866.4951 FAX 919.833.8124 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE  
10-31-2022

DRAWN BY  
331

DESIGNED BY  
331

CHECKED BY  
331

SCALE  
AS NOTED

REVISION DESCRIPTION

DATE  
08/26/2022

TRC COMMENTS REVISIONS



PRELIMINARY - NOT RELEASED FOR CONSTRUCTION  
ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL CITY OF SANFORD, LEE COUNTY, NCDEQ AND NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS

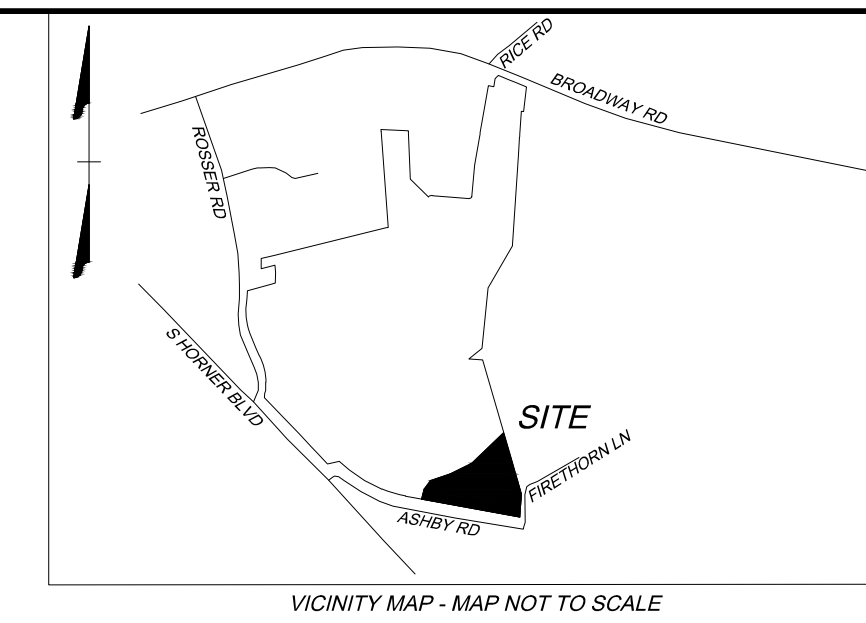
**TIMMONS GROUP**  
NORTH CAROLINA LICENSE NO. C-1652  
**ASHBY APARTMENTS**  
CITY OF SANFORD, LEE COUNTY, NORTH CAROLINA  
COVER SHEET

JOB NO.  
49468  
SHEET NO.  
C0.0

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**ZONING DATA:**  
 CURRENT ZONING - R-30 (RESIDENTIAL SINGLE-FAMILY DISTRICT), LI (LIGHT INDUSTRIAL DISTRICT), C2, AND C-2 (GENERAL COMMERCIAL DISTRICT)

**R-20 SETBACKS:**  
 FRONT - 30'  
 SIDE - 15'  
 REAR - 30'

**LI SETBACKS:**  
 FRONT - 30'  
 SIDE - 0'  
 REAR - 0'

**C-2 SETBACKS:**  
 FRONT - 0'  
 SIDE - 0'  
 REAR - 0'

**LEGEND**

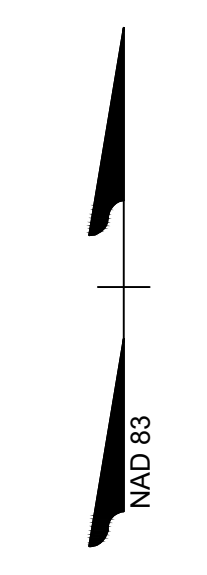
DEED LINE  
 LINE NOT SURVEYED  
 DRAINAGE EASEMENT LINE  
 FLOODPLAIN LINE

IPF - IRON PIPE FOUND  
 IRF - IRON ROD FOUND  
 IRS - 5/8" CAPPED REBAR SET  
 CP - COMPUTED POINT  
 CMF - CONCRETE MONUMENT  
 EXCEPTION

DEED BOOK  
 PLAT BOOK  
 PAGE  
 SQUARE FEET  
 ACRE(S)  
 RIGHT-OF-WAY  
 NOT TO SCALE  
 POINT OF BEGINNING

**SURVEY NOTES:**

- PREPARED FOR FORGE INVESTMENTS GROUP, LLC.
- THESE PROPERTIES LIE IN ZONE X PER FIRM 3710965200J, PANEL 9652, EFFECTIVE DATE SEPTEMBER 06, 2006, FIRM 3710965200J, PANEL 9652, EFFECTIVE DATE SEPTEMBER 06, 2006, FIRM 3710965100J, PANEL 9651, EFFECTIVE DATE SEPTEMBER 06, 2006, AND FIRM 3710966100J, PANEL 9661, EFFECTIVE DATE SEPTEMBER 06, 2006.
- HORIZONTAL CONTROL (BASIS OF THE BEARINGS) IS BASED ON NC STATE GRID, NAD83 (2011). VERTICAL CONTROL IS BASED ON NAVD'88, AS ESTABLISHED BY GPS.
- THERE IS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- AREA COMPUTED BY COORDINATE METHOD.
- THESE PROPERTIES HAVE DIRECT ACCESS TO THOMAS DRIVE, ROGERS STREET AND ABBEY LANE.
- THIS MAP CONSTITUTES NEITHER A SUBDIVISION NOR A RECOMBINATION PLAT OF THE PARCELS OF LAND SHOWN HEREON.
- THERE IS NO EVIDENCE OF ANY RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED DURING SURVEY.
- THERE ARE NO KNOWN BOUNDARY OVERLAPS OR PROJECTIONS OTHER THAN AS SHOWN HEREON.
- ALL PROPERTIES SHOWN HEREON HAVE LEGAL ACCESS, HOWEVER, MAY NOT HAVE PHYSICAL DRIVEWAYS INSTALLED.
- NO OBVIOUS ABOVE-GROUND EVIDENCE OF CEMETERIES WERE OBSERVED FROM THE SURVEYED PROPERTY LINES.



SCALE 1"=80'



**LEGEND**

PROPERTY LINE  
 EXISTING WETLANDS  
 NEUSE RIPARIAN BUFFER

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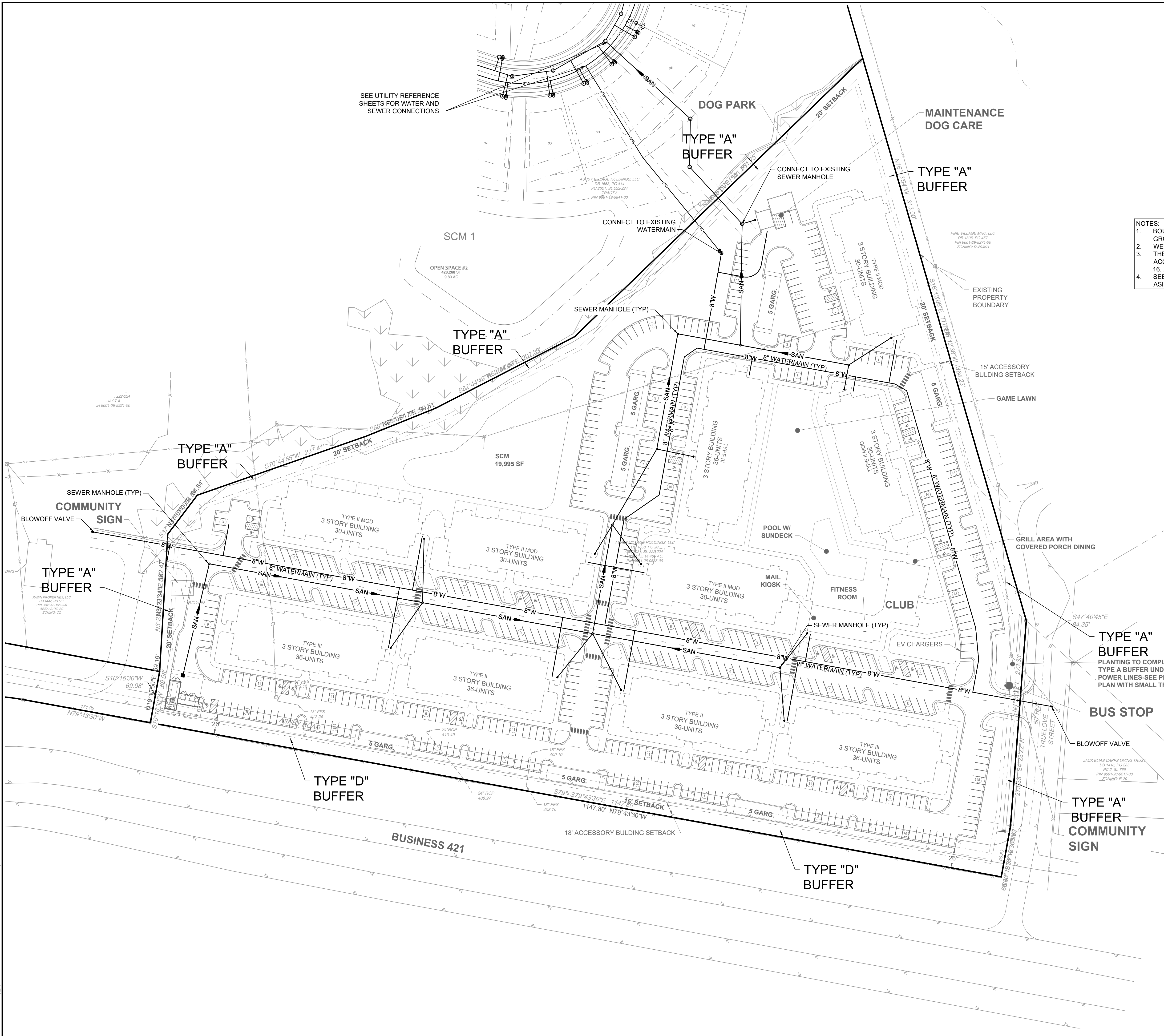
**TIMMONS GROUP**  
 NORTH CAROLINA LICENSE NO. C-1652  
**ASHBY APARTMENTS**  
 CITY OF SANFORD, LEE COUNTY, NORTH CAROLINA  
**EXISTING CONDITIONS PLAN**

JOB NO.  
49468

SHEET NO.  
C1.0







**LEGEND**

<b>SEWER</b>		<b>LEGEND</b>	
SAN	EXISTING SANITARY SEWER	—	EXISTING WATER LINE
SAN	SANITARY SEWER	—	PROPOSED WATER LINE
FM	FORCE MAIN	⊙	WATER VALVE
⊙	SANITARY MANHOLE	⊕	FIRE HYDRANT
<b>WATER</b>		⊕	BLOWOFF ASSEMBLY
—	EXISTING WATER LINE	—	LIGHT POLE
—	PROPOSED WATER LINE		
<b>MISC.</b>			

- NOTES:**
- BOUNDARY & TOPOGRAPHIC INFORMATION TAKEN FROM A SURVEY BY TIMMONS GROUP DATED AUGUST 6, 2021.
  - WETLAND AND STREAM DELINEATION BY TIMMONS GROUP DATED JUNE 8, 2021.
  - THE SUBJECT PROPERTY IS NOT LOCATED IN FEMA FLOOD HAZARD ZONE IN ACCORDANCE WITH FIRM MAP #3720186100L, WITH AN EFFECTIVE DATE OF APRIL 16, 2013.
  - SEE REFERENCE UTILITY SHEETS FOR SEWER AND WATER CONNECTIONS ON ASHLEY VILLAGE SUBDIVISION.

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**TIMMONS GROUP**  
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**UTILITY PLAN**

JOB NO.	49468
SHEET NO.	C4.0



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FOR REVIEW ONLY

ASHBY VILLAGE APARTMENTS - BUFFER PLANTING			
TYPE A BUFFER REQUIREMENTS			
ORDINANCE 7.5			
8' WIDE			
1 LARGE TREE PER 100 LINEAR FEET OF BOUNDARY 100'			
0.2 POINTS PER LINEAR FEET			
WESTERN AND EASTERN BOUNDARIES REQUIRE TYPE A BUFFER PLANTING			
WESTERN BOUNDARY TOTAL LINEAR FEET = 1344 15' WIDE			
<b>UNDISTURBED BUFFER</b>			
911 LINEAR FEET OF UNDISTURBED BUFFER			
EXISTING VEGETATION TO FULFILL BUFFER REQUIREMENTS			
EXISTING VEGETATION IS UNDISTURBED TREE AREA AND WETLANDS			
<b>DISTURBED BUFFER REQUIRING BUFFER PLANTING</b>			
433 LINEAR FEET /	100		
LARGE TREES REQUIRED	4.33		
<b>LARGE TREES PROVIDED</b>	<b>4</b>		
POINTS PROVIDE BY TREES			
1 LARGE TREE =	12 POINTS		
<b>4 LARGE TREES PROVIDED</b>	<b>12 POINTS</b>		
POINTS TIMES TREES PROVIDE		52 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.12 POINTS	
1 MEDIUM TREE=	6 POINTS		
<b>0 SMALL TREES PROVIDED =</b>	<b>6 POINTS</b>		
POINTS TIMES TREES PROVIDE		0 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.00 POINTS	
1 LARGE SHRUB=	3 POINTS		
<b>15 LARGE SHRUBS PROVIDED</b>	<b>3 POINTS</b>		
POINTS TIMES TREES PROVIDE		45 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.10 POINTS	
<b>TOTAL POINTS PROVIDE</b>		<b>0.22 POINTS</b>	
EASTERN BOUNDARY 1064 15' WIDE			
<b>UNDISTURBED BUFFER</b>			
166 LINEAR FEET OF UNDISTURBED BUFFER			
EXISTING VEGETATION TO FULFILL BUFFER REQUIREMENTS			
EXISTING VEGETATION IS UNDISTURBED TREE AREA			
<b>DISTURBED BUFFER</b>			
898 LINEAR FEET /	100		
LARGE TREES REQUIRED	8.98		
<b>LARGE TREES PROVIDED</b>	<b>9</b>		
POINTS PROVIDE BY TREES			
1 LARGE TREE =	12 POINTS		
<b>9 LARGE TREES PROVIDED</b>	<b>12 POINTS</b>		
POINTS TIMES TREES PROVIDE		108 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.12 POINTS	
1 MEDIUM TREE=	6 POINTS		
<b>3 SMALL TREES PROVIDED = UNDER POWER LINES</b>	<b>6 POINTS</b>		
POINTS TIMES TREES PROVIDE		18 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.02 POINTS	
1 LARGE SHRUB=	3 POINTS		
<b>27 LARGE SHRUBS PROVIDED</b>	<b>3 POINTS</b>		
POINTS TIMES TREES PROVIDE		81 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.09 POINTS	
<b>TOTAL POINTS PROVIDE</b>		<b>0.23 POINTS</b>	
TYPE D BUFFER - REQUIRMENTS - 25' WIDE WITH 6' HIGH BERM			
REQUIRMENTS			
1 LARGE TREE PER 50'			
1 MEDIUM TREE PER 50'			
0.6 POINTS PER LINEAR FEET - WITH 6' HIGH BERM			
SOUTHERN BOUNDARY REQUIRES -TYPE D BUFFER -WITH 6' HIGH BERM			
SOUTHERN BOUNDARY TOTAL LINEAR FEET = 1147 25' WIDE			
<b>UNDISTURBED BUFFER</b>			
0 LINEAR FEET OF UNDISTURBED BUFFER			
EXISTING VEGETATION TO FULFILL BUFFER REQUIREMENTS			
EXISTING VEGETATION IS UNDISTURBED TREE AREA			
<b>DISTURBED BUFFER</b>			
1147 LINEAR FEET /	50		
LARGE TREES REQUIRED	22.94		
<b>LARGE TREES PROVIDED</b>	<b>23</b>		
MEDIUM TREES REQUIRED	22.94		
<b>MEDIUM TREES PROVIDED</b>	<b>23</b>		
POINTS PROVIDE BY TREES			
1 LARGE TREE =	12 POINTS		
<b>25 LARGE TREES PROVIDED</b>	<b>12 POINTS</b>		
POINTS TIMES TREES PROVIDE		300 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.26 POINTS	
1 MEDIUM TREE=	6 POINTS		
<b>32 SMALL TREES PROVIDED =</b>	<b>6 POINTS</b>		
POINTS TIMES TREES PROVIDE		192 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.17 POINTS	
1 LARGE SHRUB=	3 POINTS		
<b>75 LARGE SHRUBS PROVIDED</b>	<b>3 POINTS</b>		
POINTS TIMES TREES PROVIDE		225 POINTS	
TOTAL POINTS PER PROVIDED BY LARGE TREES TOTAL LENGTH		0.20 POINTS	
<b>TOTAL POINTS PROVIDE</b>		<b>0.63 POINTS</b>	

ASHBY VILLAGE APARTMENTS - PARKING LOT PLANTING			
PARKING LOT REQUIREMENTS			
REQUIREMENTS			
ORDINANCE 7.6			
1 LARGE TREE PER 20 SPACES OR			
2 SMALL TREES PER 20 SPACES			
8 SHRUBS PER 20 SPACES			
REQUIRED			
540 SURFACE SPACES			
1 LARGE TREE 20 SPACES =		27 REQUIRED	
OR			
2 SMALL TREES 20 SPACES =		0 REQUIRED	
8 SHRUBS 20 SPACES =		216 REQUIRED	
PROVIDED			
LARGE TREES AND/OR SMALL TREES SHRUBS		55 PROVIDED	
		0 PROVIDED	
		225 PROVIDED	

ASHBY VILLAGE APARTMENTS - STREET YARD PLANTING			
NEW ASHBY ROAD STREET YARD PLANTING			
REQUIREMENTS			
ORDINANCE 7.7			
8 WIDTH			
1 LARGE TREE PER 20 LINEAR FEET OR			
2 SMALL TREES PER 50 LINEAR FEET			
SITE TRIANGLES ARE NOT TO BE OBSTRUCTED			
REQUIRED			
NEW ASHBY ROAD IS PRIVATE SO NO PLANTING IS REQUIRED			
PROVIDED			
LARGE TREES PROVIDE ALONG NEW ASHBY ROAD TO PROVIDE SHADE SIMILAR TO URBAN STREET TREE PLANTING			
NEW ASHBY ROAD IS BEING TREATED AS A PARKING LOT TREE AND SHRUB PLANTINGS FOR NEW ASHBY ROAD ARE INCLUDED IN THE PARKING LOT PLANTING REQUIREMENT CALCULATIONS			

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DATE 08/26/2022

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DESIGNED BY 331

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SCALE AS NOTED

PLANTING TABLE

JOB NO. 49468

SHEET NO. C8.0



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TIMMONS GROUP  
NORTH CAROLINA LICENSE NO. C-1652  
ASHBY APARTMENTS  
CITY OF SANFORD, LEE COUNTY, NORTH CAROLINA

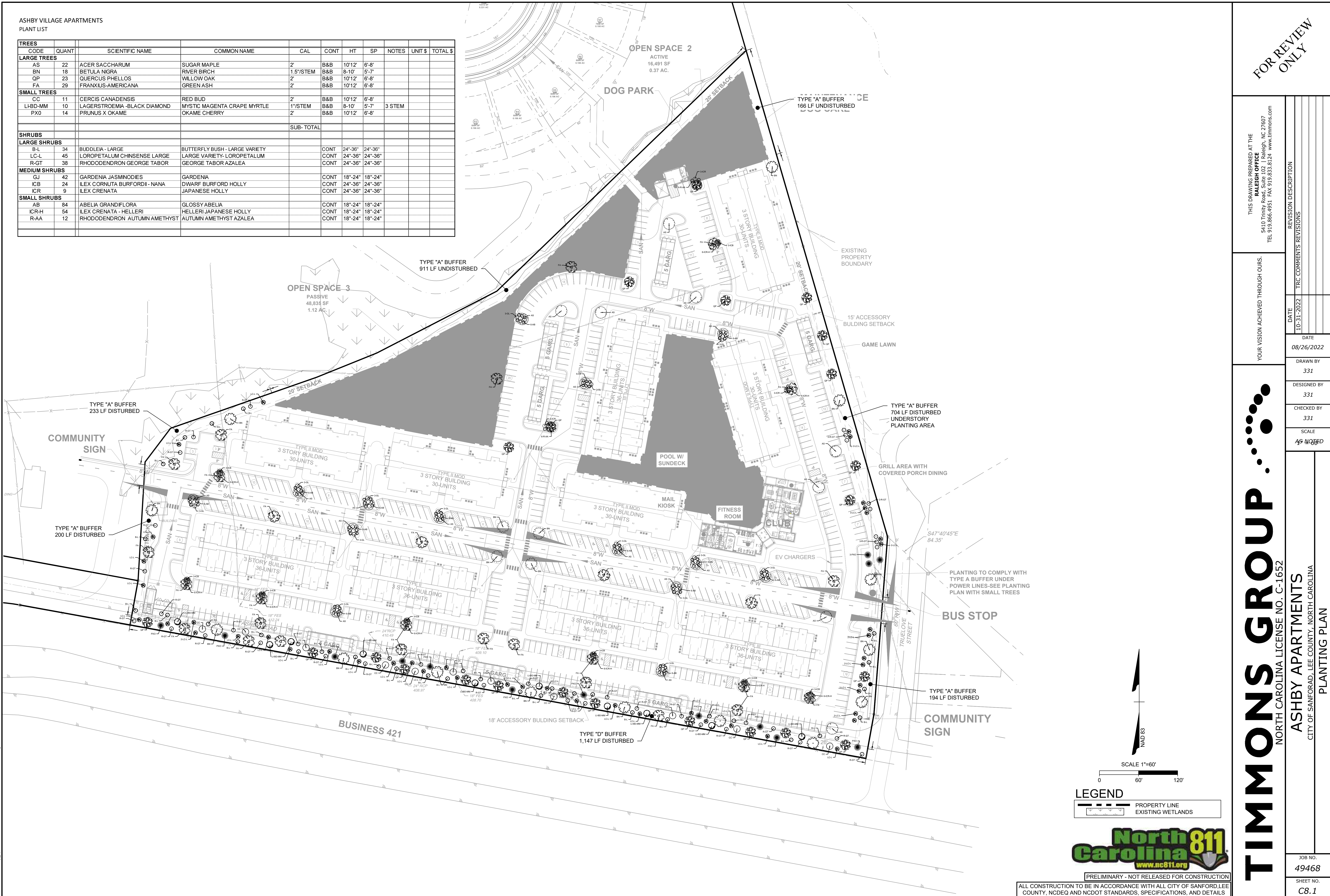
PLANTING TABLE

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ASHBY VILLAGE APARTMENTS  
PLANT LIST

TREES	CODE	QUANT	SCIENTIFIC NAME	COMMON NAME	CAL	CONT	HT	SP	NOTES	UNIT \$	TOTAL \$
LARGE TREES	AS	22	ACER SACCHARUM	SUGAR MAPLE	2"	B&B	10'-12"	6'-8"			
	BN	18	BETULA NIGRA	RIVER BIRCH	1.5"/STEM	B&B	8'-10"	5'-7"			
	QP	23	QUERCUS PHELLOS	WILLOW OAK	2"	B&B	10'-12"	6'-8"			
	FA	29	FRANKIX-AMERICANA	GREEN ASH	2"	B&B	10'-12"	6'-8"			
SMALL TREES	CC	11	CERCIS CANADENSIS	RED BUD	2"	B&B	10'-12"	6'-8"			
	L-BD-MM	10	LAGERSTROEMIA - BLACK DIAMOND	MYSTIC MAGENTA CRAPE MYRTLE	1"/STEM	B&B	8'-10"	5'-7"	3 STEM		
	PX0	14	PRUNUS X OKAME	OKAME CHERRY	2"	B&B	10'-12"	6'-8"			
					SUB-TOTAL						
SHRUBS											
LARGE SHRUBS	B-L	34	BUDDLEIA - LARGE	BUTTERFLY BUSH - LARGE VARIETY		CONT	24"-36"	24"-36"			
	LC-L	45	LOROPETALUM CHINSENSE LARGE	LARGE VARIETY-LOROPETALUM		CONT	24"-36"	24"-36"			
	R-GT	38	RHODODENDRON GEORGE TABOR	GEORGE TABOR AZALEA		CONT	24"-36"	24"-36"			
MEDIUM SHRUBS											
GJ	42	GARDENIA JASMINODES	GARDENIA		CONT	18"-24"	18"-24"				
ICB	24	ILEX CORNUTA BURFORDII - NANA	DWARF BURFORD HOLLY		CONT	24"-36"	24"-36"				
ICR	9	ILEX CRENATA	JAPANESE HOLLY		CONT	24"-36"	24"-36"				
SMALL SHRUBS											
AB	84	ABELIA GRANDIFLORA	GLOSSY ABELIA		CONT	18"-24"	18"-24"				
ICR-H	54	ILEX CRENATA - HELLERI	HELLERI JAPANESE HOLLY		CONT	18"-24"	18"-24"				
R-AA	12	RHODODENDRON AUTUMN AMETHYST	AUTUMN AMETHYST AZALEA		CONT	18"-24"	18"-24"				



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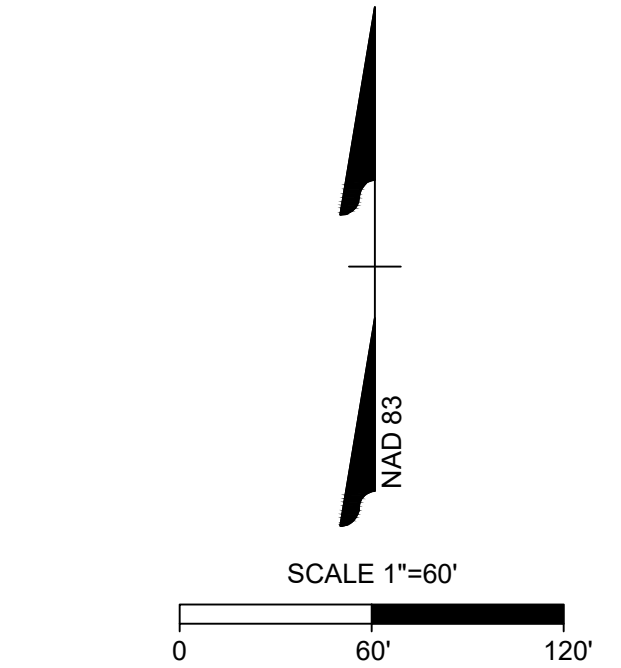
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**ASHBY APARTMENTS**  
 CITY OF SANFORD, LEE COUNTY, NORTH CAROLINA  
**PLANTING PLAN**

JOB NO. 49468  
 SHEET NO. C8.1



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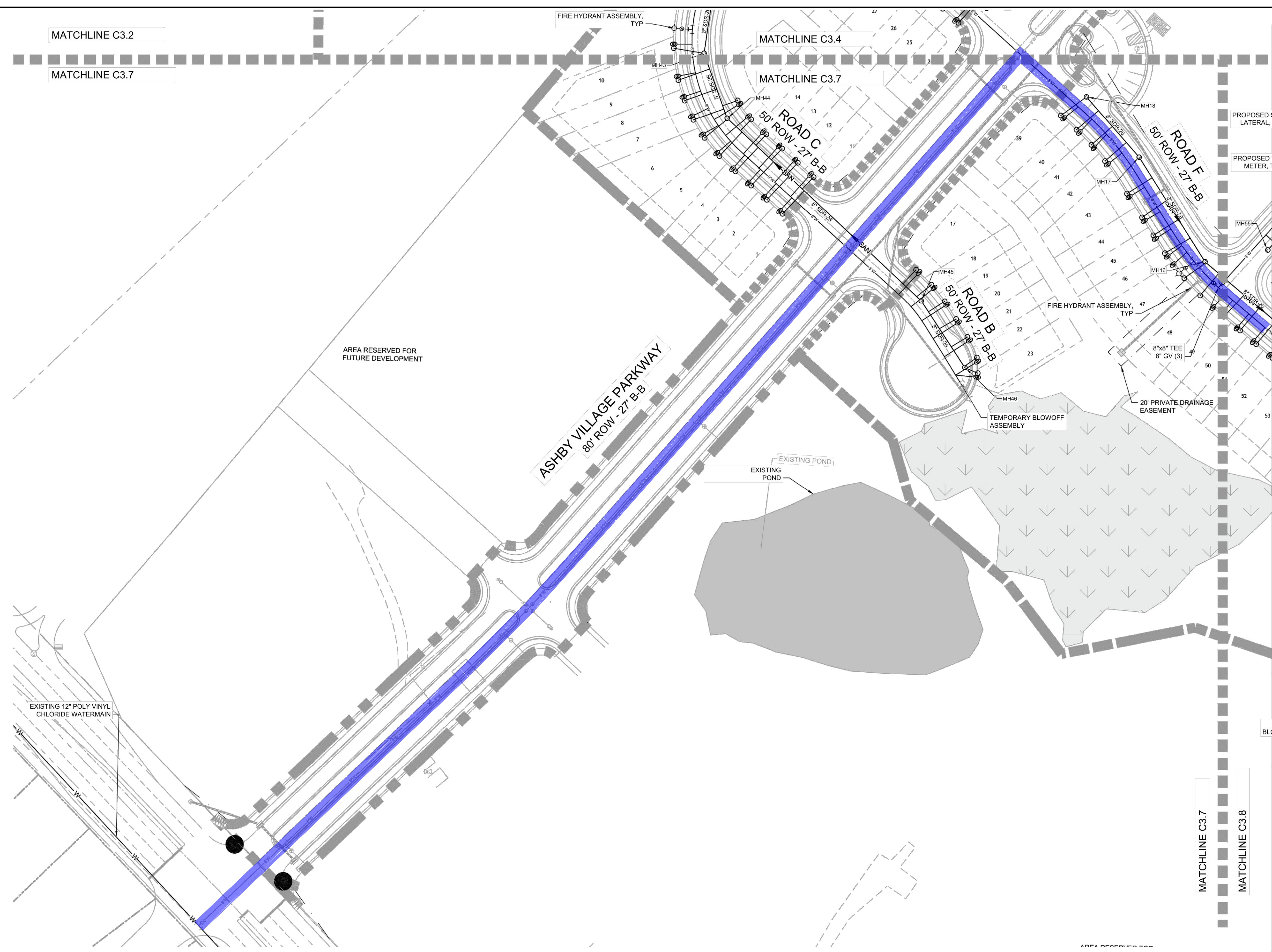
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CHECKED BY  
A. STONE  
SCALE  
1" = 50'

# TIMMONS GROUP

ASHBY VILLAGE SUBDIVISION  
SANFORD, LEE COUNTY, NORTH CAROLINA  
DETAILED UTILITY PLAN - (SHEET 7 OF 8)

JOB NO.  
45609  
SHEET NO.  
C3.7

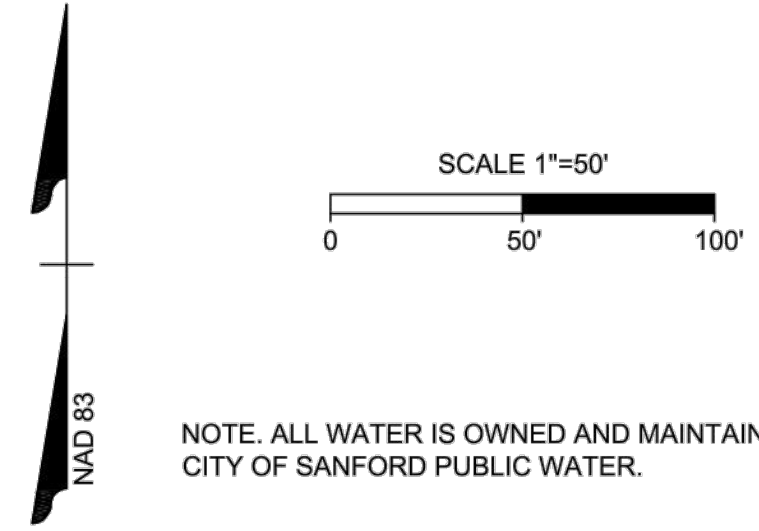


**UTILITY LEGEND**

PROPOSED WATER MAIN	—PW—
FIRE HYDRANT ASSEMBLY	⊕
BLOWOFF ASSEMBLY	⊗
GATE VALVE	⊗
PROPOSED SEWER MAIN	—PSW—
PROPOSED FORCEMAIN	—FMS—
PROPOSED MANHOLE	⊙

**LEGEND**

PROPERTY LINE	---
PHASE LINE	- - -
PROPOSED RIGHT OF WAY	---
PROPOSED LOT LINE	---
SIGHT TRIANGLE	△
UTILITY EASEMENT	---
CENTER OF CREEK	---
OPEN SPACE	▽
EXISTING WETLANDS	▽



NOTE: ALL WATER IS OWNED AND MAINTAINED BY CITY OF SANFORD PUBLIC WATER.



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

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MATCHLINE C3.2  
MATCHLINE C3.7

MATCHLINE C3.4  
MATCHLINE C3.7

MATCHLINE C3.7  
MATCHLINE C3.8

AREA RESERVED FOR FUTURE DEVELOPMENT

EXISTING 12" POLY VINYL CHLORIDE WATERMAIN

ASHBY VILLAGE PARKWAY  
80' ROW - 27' B-B

EXISTING POND

ROAD C  
50' ROW - 27' B-B

ROAD B  
50' ROW - 27' B-B

ROAD F  
50' ROW - 27' B-B

PROPOSED LATERAL  
PROPOSED METER

TEMPORARY BLOWOFF ASSEMBLY

20' PRIVATE DRAINAGE EASEMENT

8"x8" TEE  
8" GV (3)

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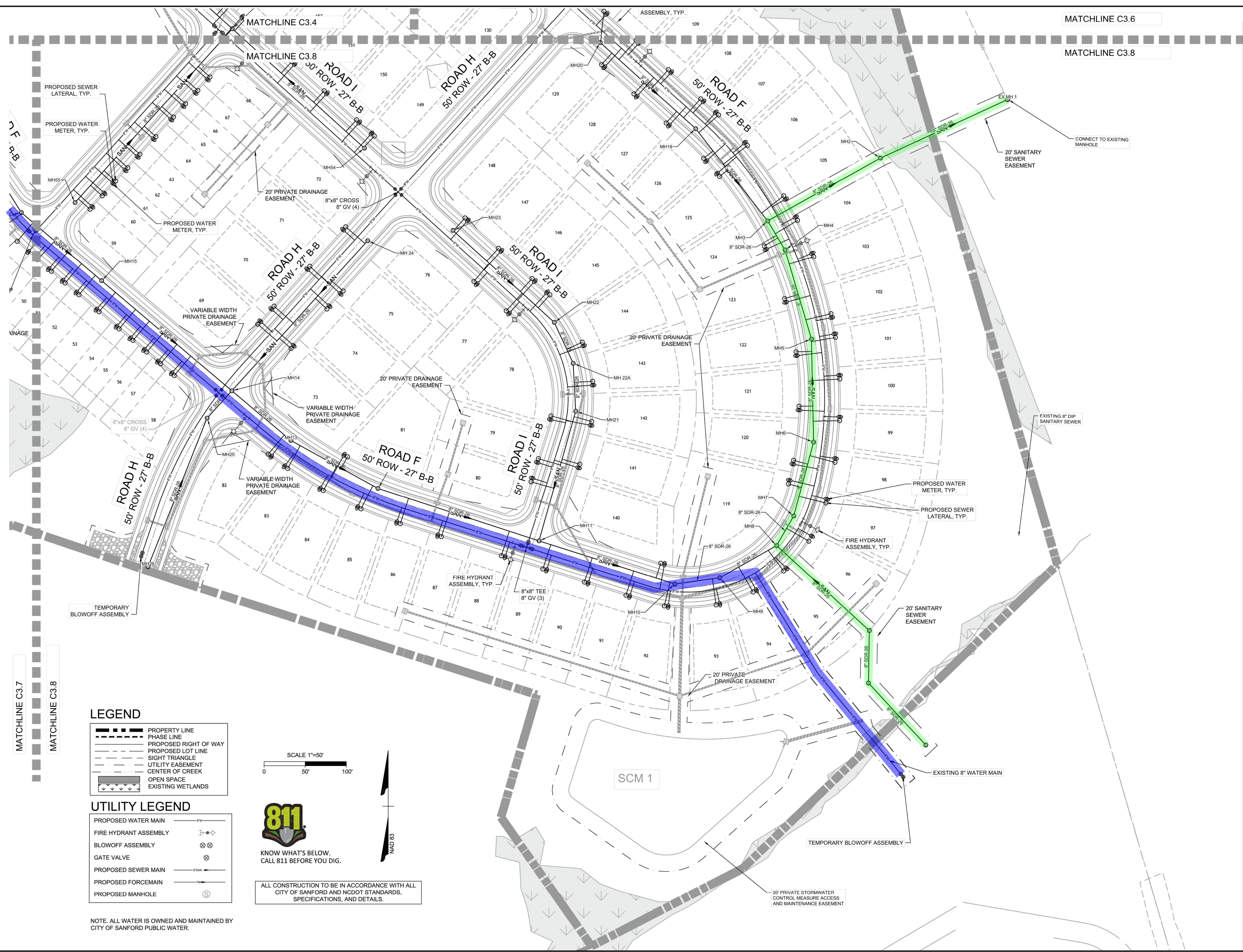
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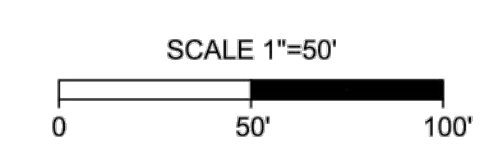
**TIMMONS GROUP**

ASHBY VILLAGE SUBDIVISION  
SANFORD, LEE COUNTY, NORTH CAROLINA  
DETAILED UTILITY PLAN - (SHEET 8 OF 8)

JOB NO.  
45609  
SHEET NO.  
C3.8



- LEGEND**
- PROPERTY LINE
  - PHASE LINE
  - PROPOSED RIGHT OF WAY
  - PROPOSED LOT LINE
  - SIGHT TRIANGLE
  - UTILITY EASEMENT
  - CENTER OF CREEK
  - OPEN SPACE
  - EXISTING WETLANDS
- UTILITY LEGEND**
- PROPOSED WATER MAIN
  - FIRE HYDRANT ASSEMBLY
  - BLOWOFF ASSEMBLY
  - GATE VALVE
  - PROPOSED SEWER MAIN
  - PROPOSED FORCEMAIN
  - PROPOSED MANHOLE

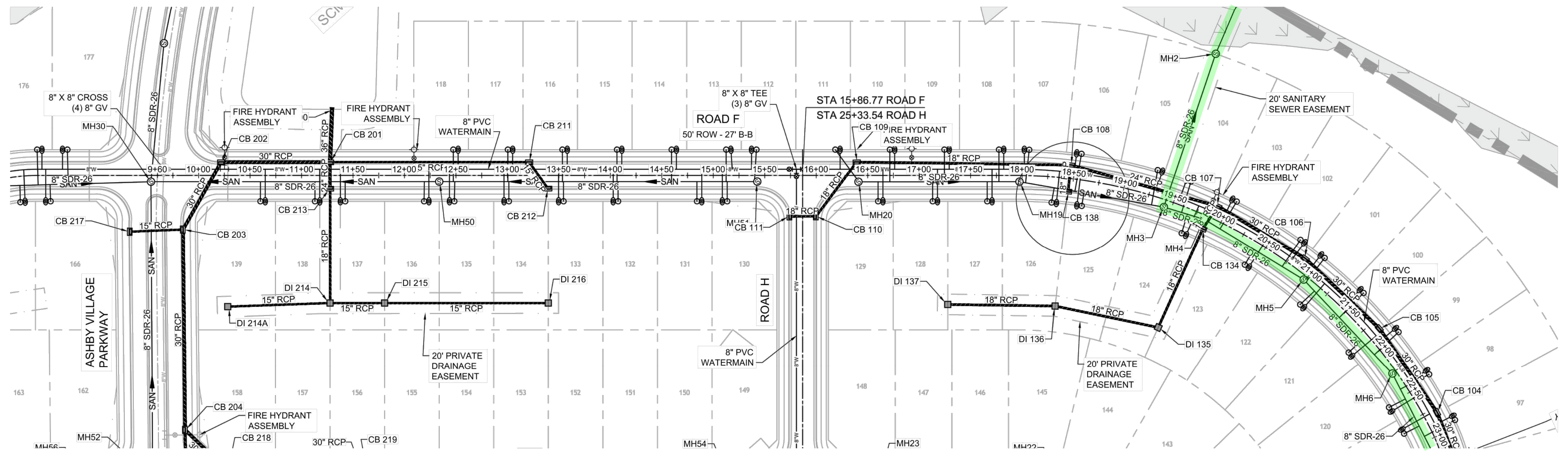


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NOTE. ALL WATER IS OWNED AND MAINTAINED BY CITY OF SANFORD PUBLIC WATER.

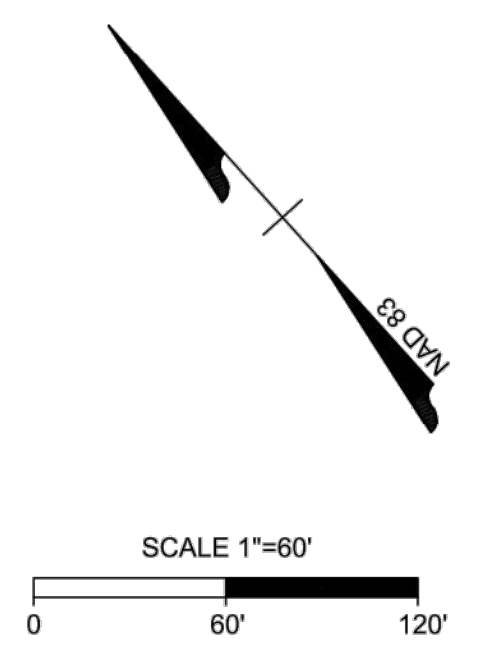
S:\33114609-Ashby Village\DWG\Sheet\C3.8\3.8\3.8.dwg | Printed on 10/19/2022 7:40 AM | by Sergio Penton

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**LEGEND**

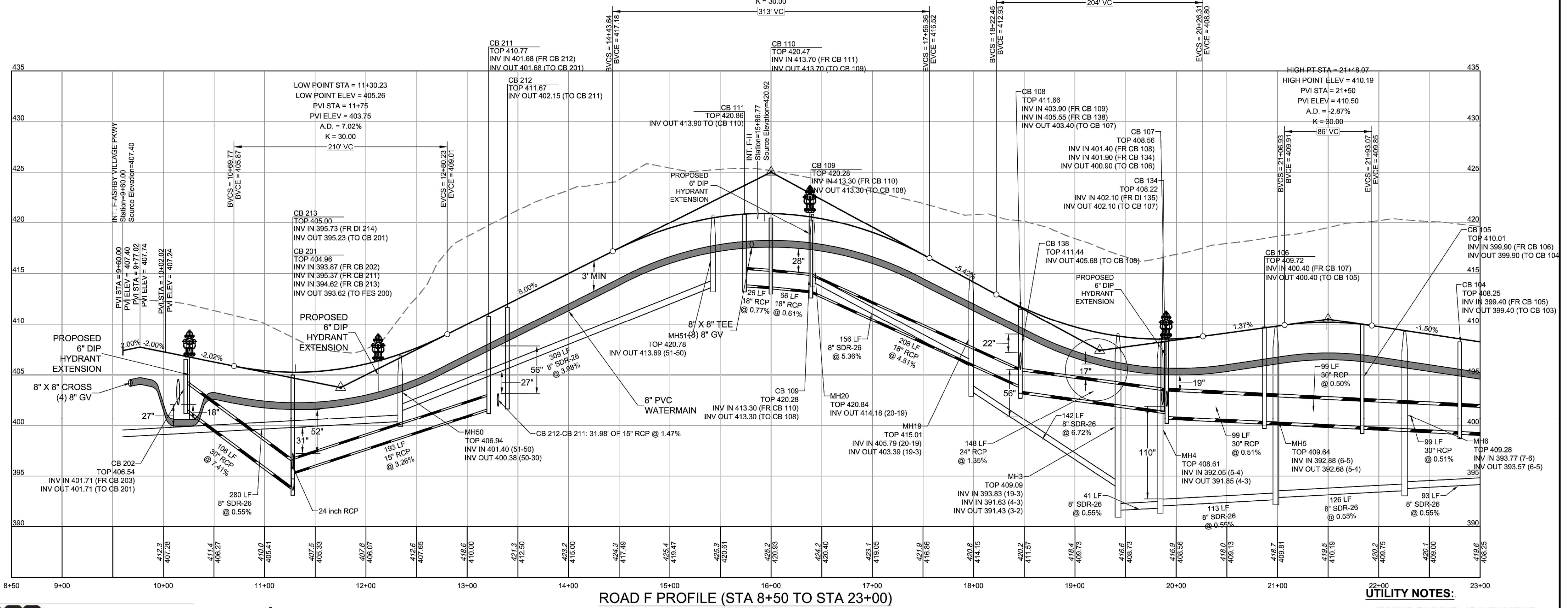
- PROPERTY LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOT LINE
- PHASE LINE
- PERIMETER BUFFER
- EXISTING WETLANDS



ROAD F PLAN VIEW (STA 8+50 TO STA 23+00)  
SCALE: 1" = 60'

HIGH PT STA = 15+93.64  
HIGH POINT ELEV = 420.93  
PVI STA = 16+00  
PVI ELEV = 425.00  
A.D. = -10.42%  
K = 30.00

LOW POINT STA = 19+85.17  
LOW POINT ELEV = 408.52  
PVI STA = 19+24.38  
PVI ELEV = 407.41  
A.D. = 6.80%  
K = 30.00



ROAD F PROFILE (STA 8+50 TO STA 23+00)  
HORIZ SCALE: 1"=50'  
VERT SCALE: 1"=5'

**UTILITY NOTES:**

- MINIMUM UTILITY HORIZONTAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 10 FT.  
WATER AND STORM SEWER MAINS - 3 FT.  
SANITARY SEWER AND STORM SEWER MAINS - 3 FT.  
GRAVITY SANITARY SEWER AND FORCE MAINS - 3 FT.
- MINIMUM UTILITY VERTICAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 18 IN.  
WATER AND STORM SEWER MAINS - 12 IN.  
SANITARY SEWER AND STORM SEWER MAINS - 18 IN.

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DATE: 09/21/2022  
DRAWN BY: 331  
DESIGNED BY: 331  
CHECKED BY: A. STONE  
SCALE: H: 1" = 50', V: 1" = 5'

**TIMMONS GROUP**

ASHBY VILLAGE SUBDIVISION  
SANFORD, LEE COUNTY, NORTH CAROLINA

ROAD F PLAN AND PROFILE (STA 8+50 TO STA 23+00)

JOB NO. 45609  
SHEET NO. C5.5

S:\331145609-Ashby Village\DWG\Sheet\C5.5-ROAD F-PROF.dwg [Plotted on 10/19/2022 7:49 AM] by Sergio Pimenton



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331

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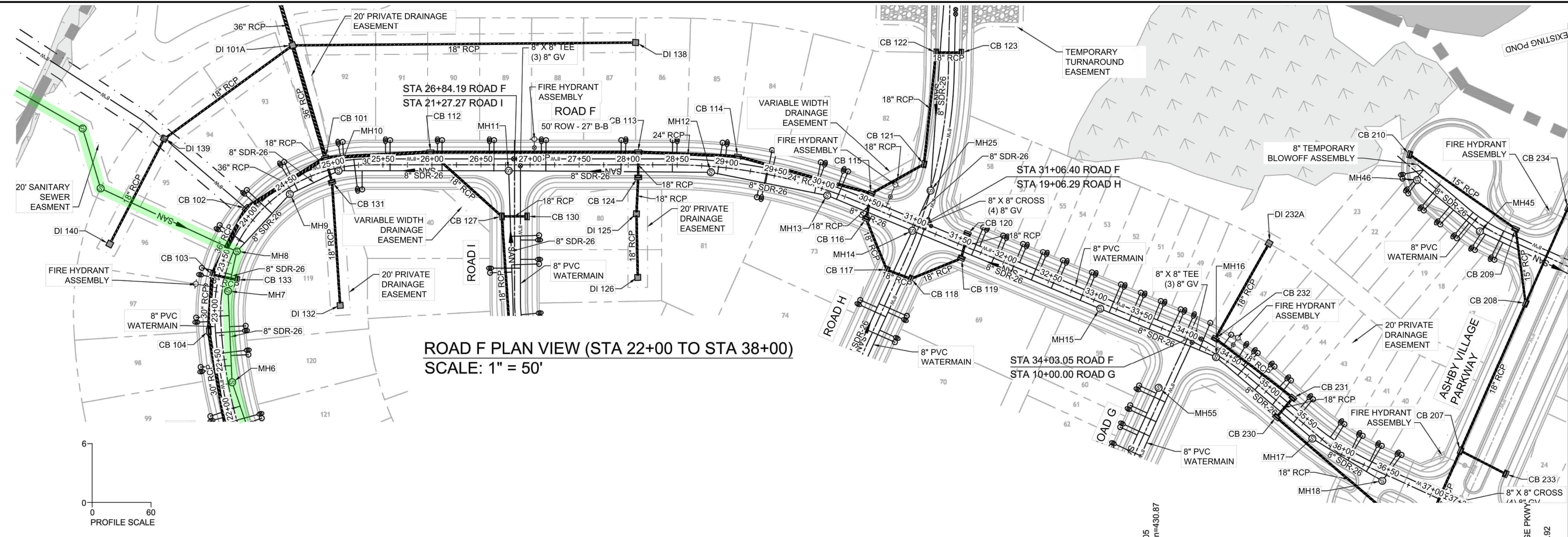
CHECKED BY  
A. STONEY

SCALE  
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V: 1" = 5'

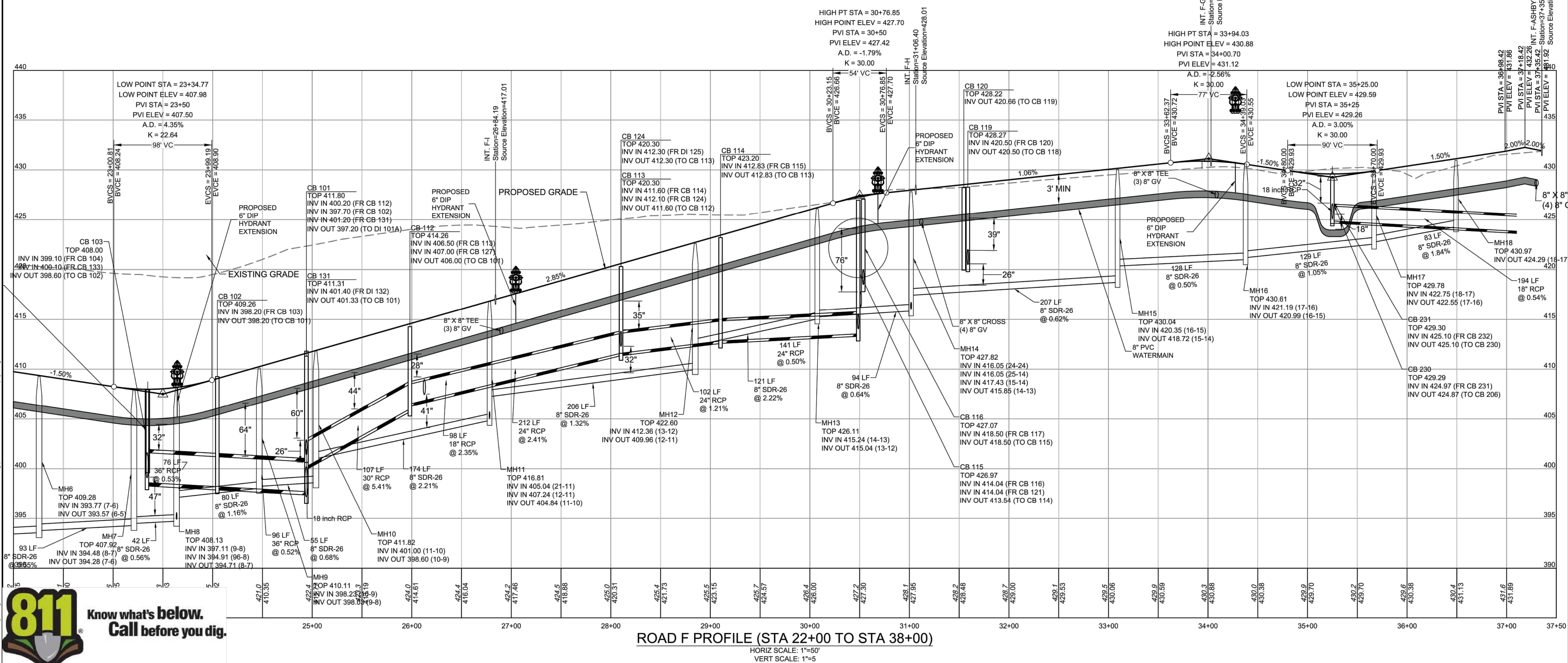
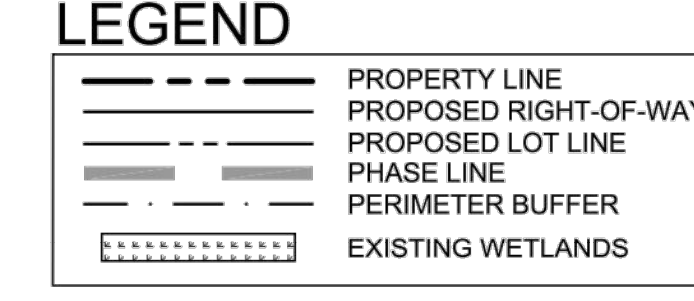
TIMMONS GROUP

ASHBY VILLAGE SUBDIVISION  
SANFORD, LEE COUNTY, NORTH CAROLINA  
ROAD F PLAN AND PROFILE (STA 22+00 TO STA 38+00)

JOB NO.  
45609  
SHEET NO.  
C5.6



**UTILITY NOTES:**  
1. MINIMUM UTILITY HORIZONTAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 10 FT.  
WATER AND STORM SEWER MAINS - 3 FT.  
SANITARY SEWER AND STORM SEWER MAINS - 3 FT.  
GRAVITY SANITARY SEWER AND FORCE MAINS - 3 FT.  
2. MINIMUM UTILITY VERTICAL SEPARATION DISTANCES:  
WATER AND SANITARY SEWER MAINS - 18 IN.  
WATER AND STORM SEWER MAINS - 18 IN.  
SANITARY SEWER AND STORM SEWER MAINS - 18 IN.



S:\33114609-Ashby Village\DWG\Sheet\C5.6-ROAD F-PROF.dwg [Plotted on 10/19/2022 7:49 AM] by Sergio Penon





GENERAL NOTES - ELEVATIONS

1. THE ARCHITECTURAL DRAWINGS MUST BE USED IN CONJUNCTION WITH THE CIVIL, STRUCTURAL, MEP, FIRE PROTECTION DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR IS RESPONSIBLE FOR ALL COORDINATION BETWEEN THE DRAWINGS. DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
2. ROUGH AND FINISH GRADES SHALL BE SLOPED AWAY FROM BUILDING FOR POSITIVE DRAINAGE.
3. PROVIDE SEALANT BETWEEN ALL DISSIMILAR MATERIALS UNLESS OTHERWISE NOTED.
4. PROVIDE SEALANT BETWEEN WINDOW AND DOOR FRAMES AND ADJACENT WALL MATERIAL, BOTH SIDES.
5. PROVIDE HARDIE SIDING BLOCK AND FLASHING AT ALL EXTERIOR PENETRATIONS; SEE MECHANICAL DRAWINGS FOR PENETRATIONS.
6. CONTRACTOR AND SUB CONTRACTOR TO FOLLOW CEMENTITIOUS PANEL AND TRIM INSTALLATION GUIDELINES TO ENSURE THE PRODUCTS ARE INSTALLED PER MANUFACTURER STANDARDS.
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8. THE PROJECT TEAM AND INSTALLING SUBCONTRACTOR SHALL REVIEW THE MOCK UP TO ESTABLISH THE LEVEL OF QUALITY EXPECTED FROM THE INSTALLATION.
9. SEE PLUMBING DRAWINGS FOR LOCATIONS OF FREEZE PROOF HOSE BIBS.
10. LIGHT FIXTURES CANNOT PROJECT MORE THAN 4" OFF THE WALL IF INSTALLED BETWEEN 2'-3" AND 4'-6" ABOVE THE FLOOR.
11. ALL EXHAUST VENTS MUST BE PLACED A MINIMUM OF 10'-0" AWAY FROM FRESH AIR INTAKE LOCATIONS. INSTALL ALL VENT CAPS TO BE MIN 8" FROM EDGE OF WINDOW, MIN 9" FROM STUD AT PERPENDICULAR WALLS. NO VENT CAPS SHALL CONTACT WITH TRIM OR FRAME EDGE.
12. ALIGN CENTERLINE OF ALL VENT CAPS VERTICALLY; ALIGN TOP OF ALL VENT CAPS HORIZONTALLY.



BUILDING TYPE 2a - SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

2



BUILDING TYPE 2a - FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

1

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DATE	
PROJECT:	21197
ISSUE:	CONCEPT SUBMITTAL 10.31.2022
REVISIONS:	
DRAWN BY:	
CHECKED BY:	
CONTENT:	EXTERIOR ELEVATIONS RESIDENTIAL BUILDING TYPE 2a

A3.02.01

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510 South Wilmington St. | Raleigh, NC 27601 | tel 919.835.1500  
1518 Walnut St. Suite 1308 | Philadelphia, PA 19102 | tel 215.545.0121







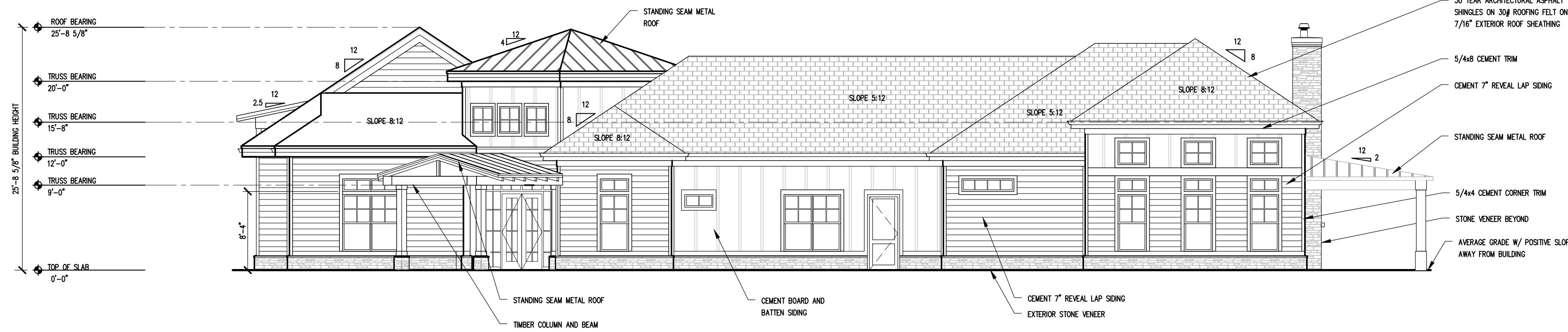






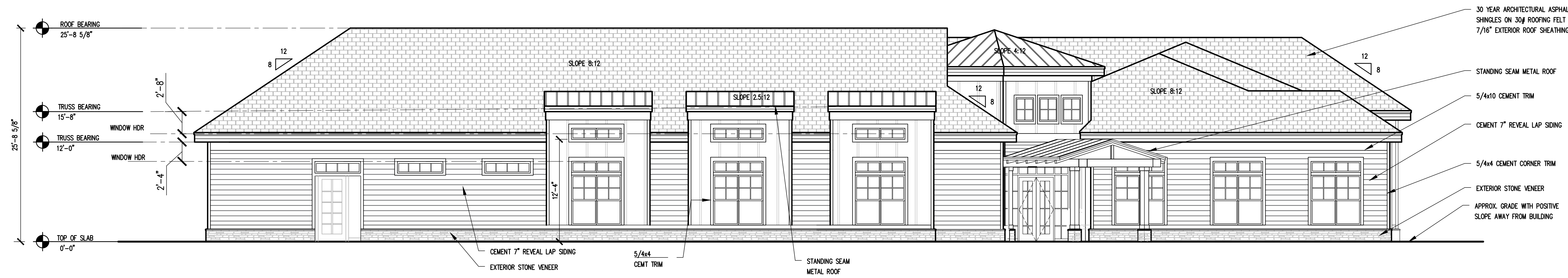
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12. ALIGN CENTERLINE OF ALL VENT CAPS VERTICALLY, ALIGN TOP OF ALL VENT CAPS HORIZONTALLY.



CLUBHOUSE - FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

2

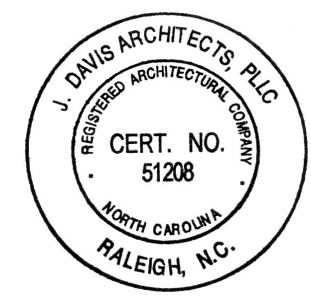


CLUBHOUSE - SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

1

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CONTENT:		CLUBHOUSE ELEVATIONS

A6.06

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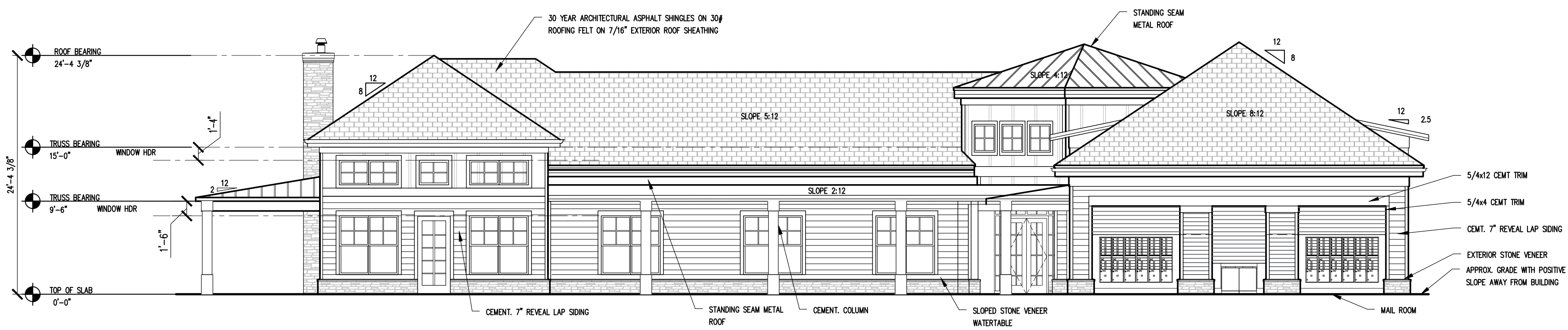
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12. ALIGN CENTERLINE OF ALL VENT CAPS VERTICALLY, ALIGN TOP OF ALL VENT CAPS HORIZONTALLY.



CLUBHOUSE - SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

2



CLUBHOUSE - REAR ELEVATION  
SCALE: 1/8" = 1'-0"

1

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CONTENT:	CLUBHOUSE ELEVATIONS	

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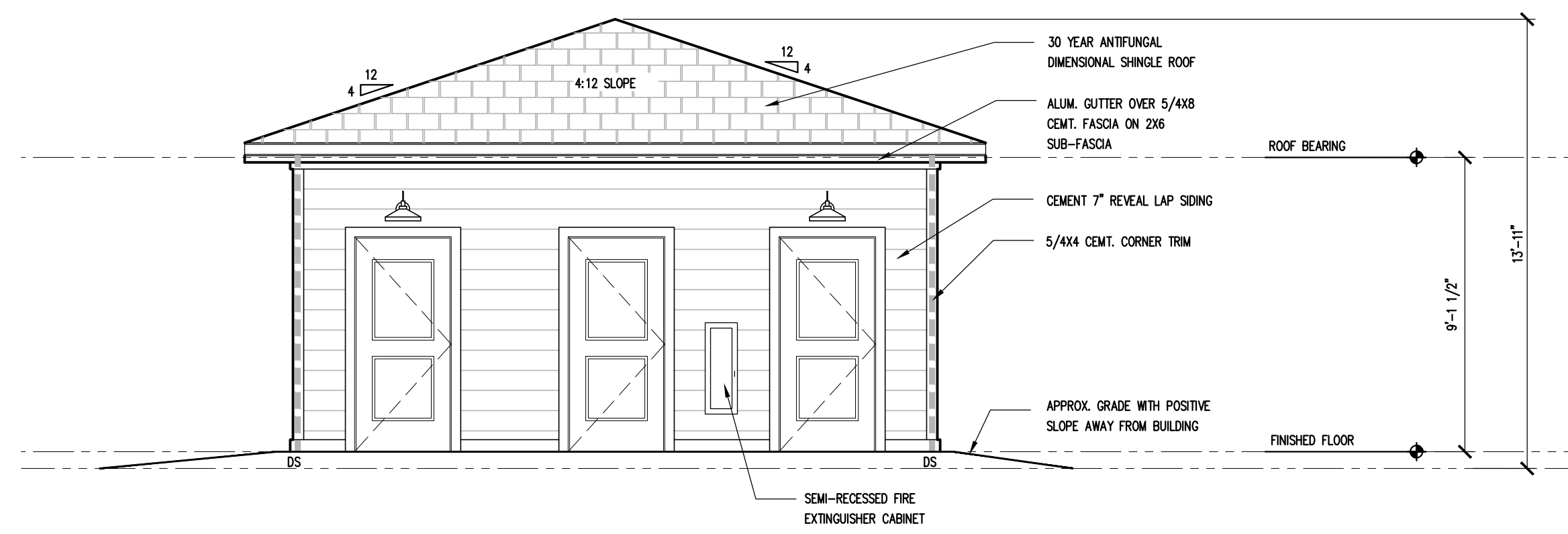


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10/27/2022 12:31 PM \\JDA-2581\Projects\21197\21197\_Ashby\_Village\Drawings\Clubhouse\21197\_A6.07-07 CLUBHOUSE.dwg

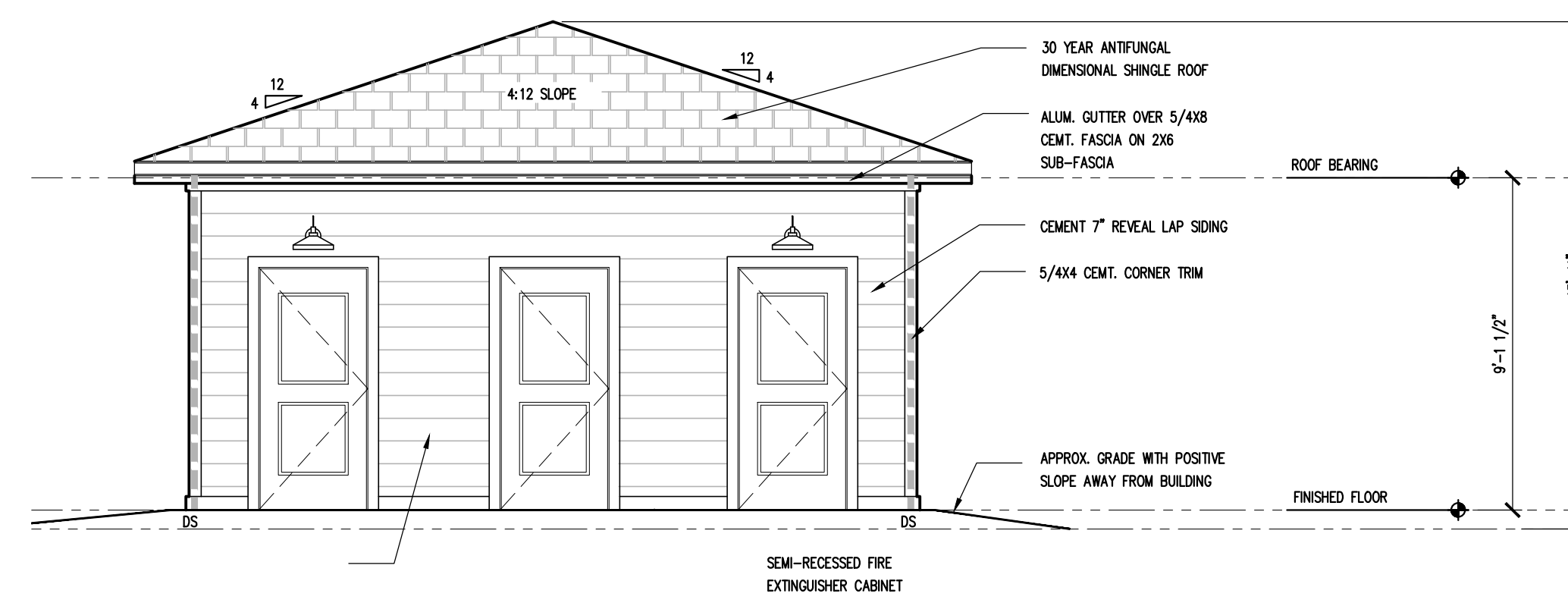
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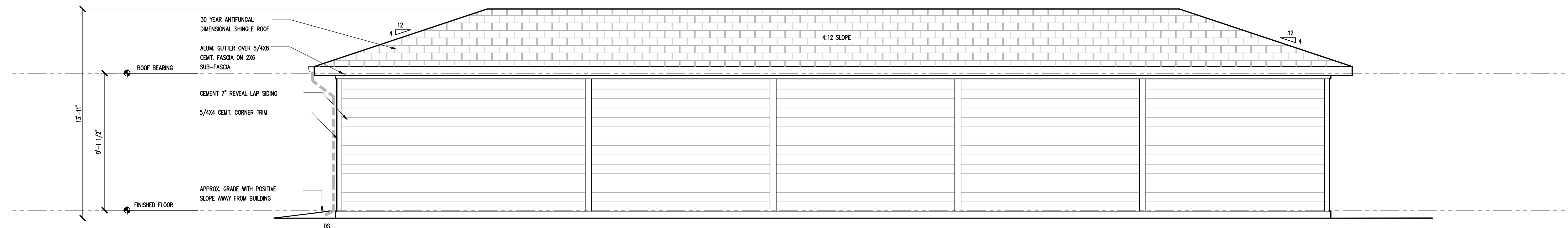
**GARAGE - SIDE ELEVATION**  
SCALE: 1/4" = 1'-0"

4



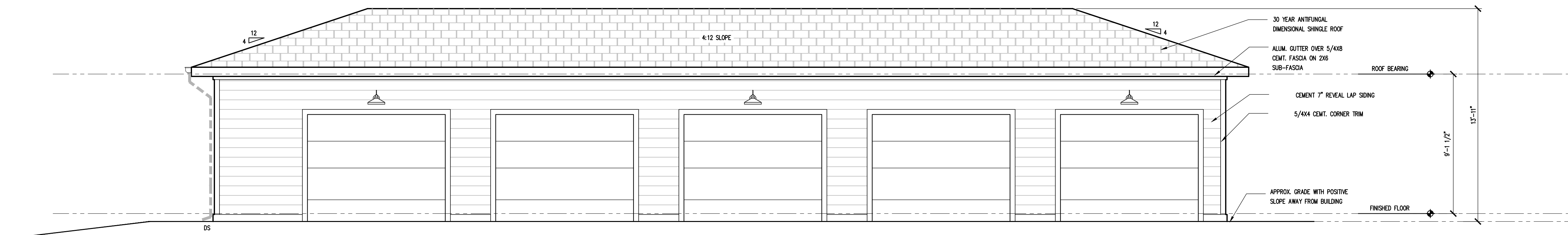
**GARAGE - SIDE ELEVATION**  
SCALE: 1/4" = 1'-0"

3



**GARAGE - REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

2



**GARAGE - FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

1

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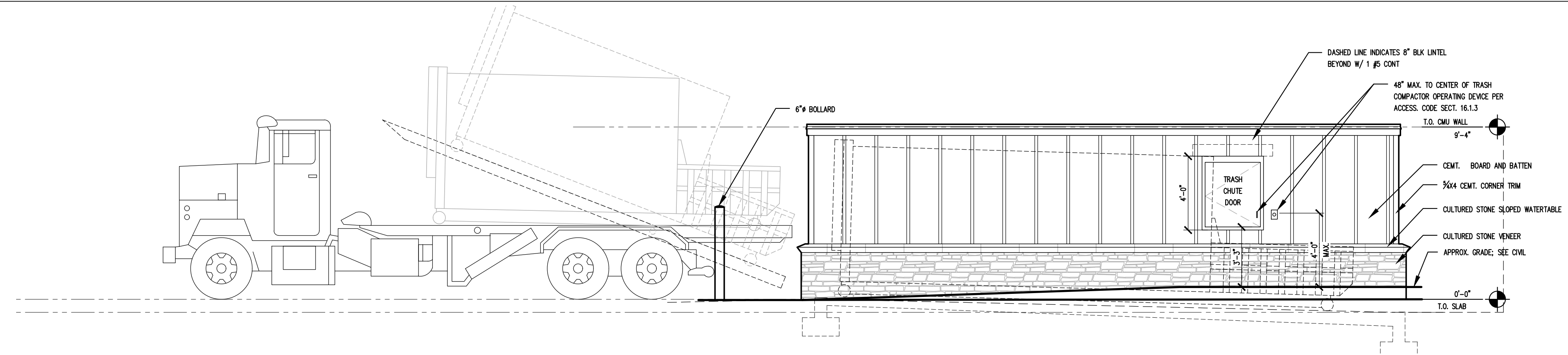
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PROJECT:	21197	DATE
ISSUE:	CONCEPT SUBMITTAL	10.31.2022
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CONTENT:	GARAGE ELEVATIONS	

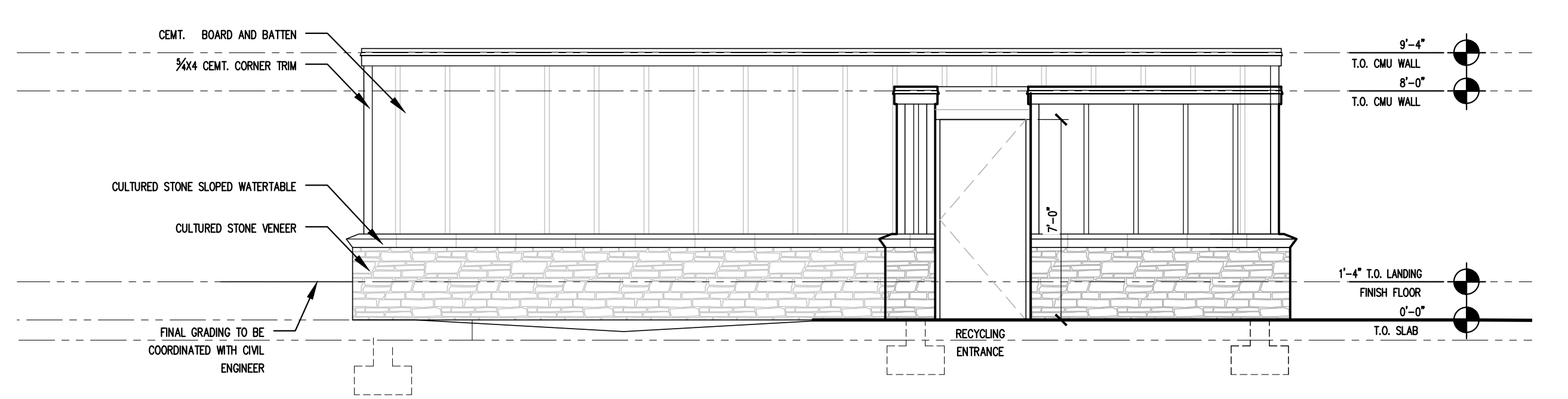
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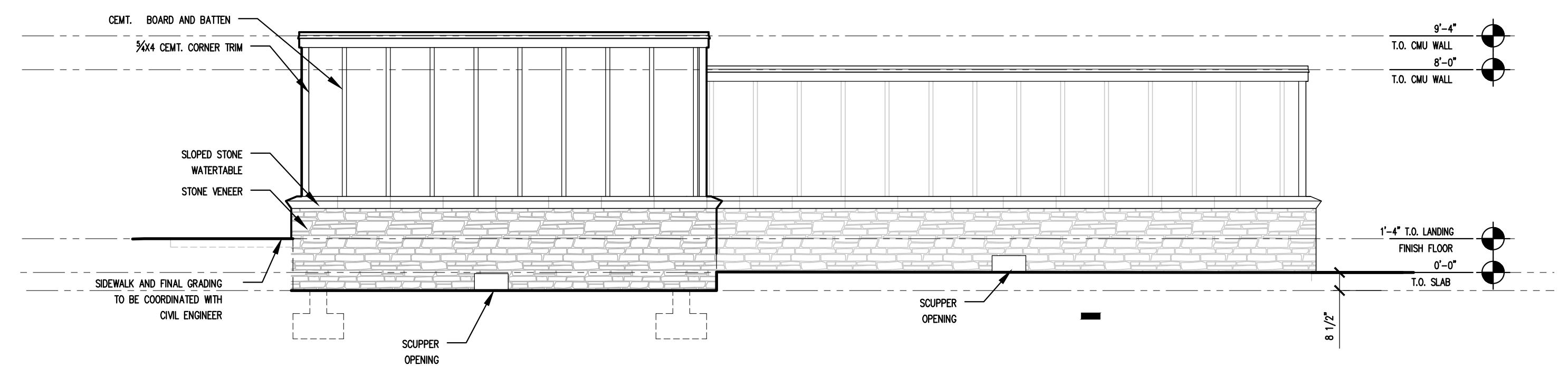
TRASH ENCLOSURE - RIGHT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

5



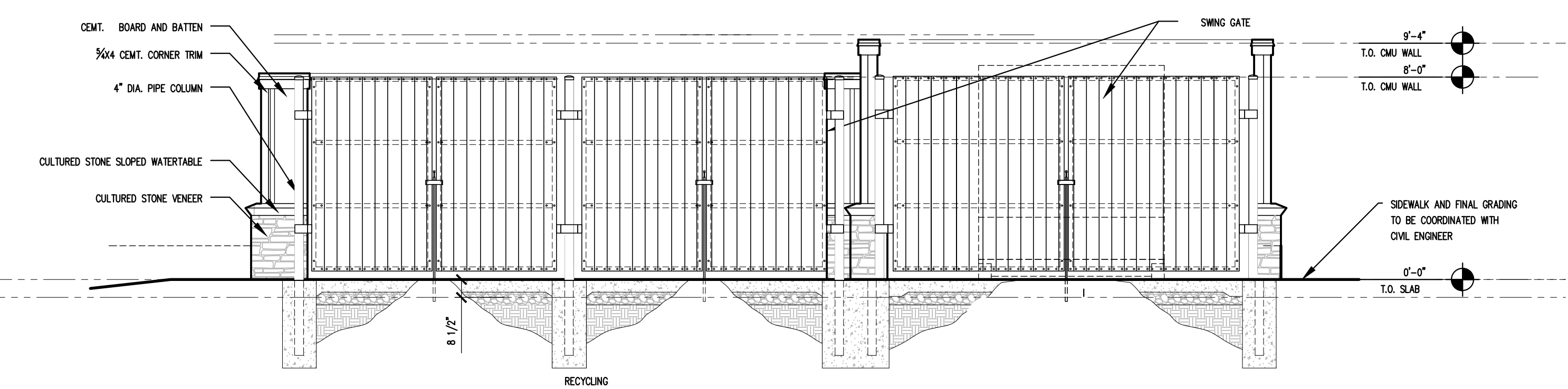
TRASH ENCLOSURE - LEFT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

4



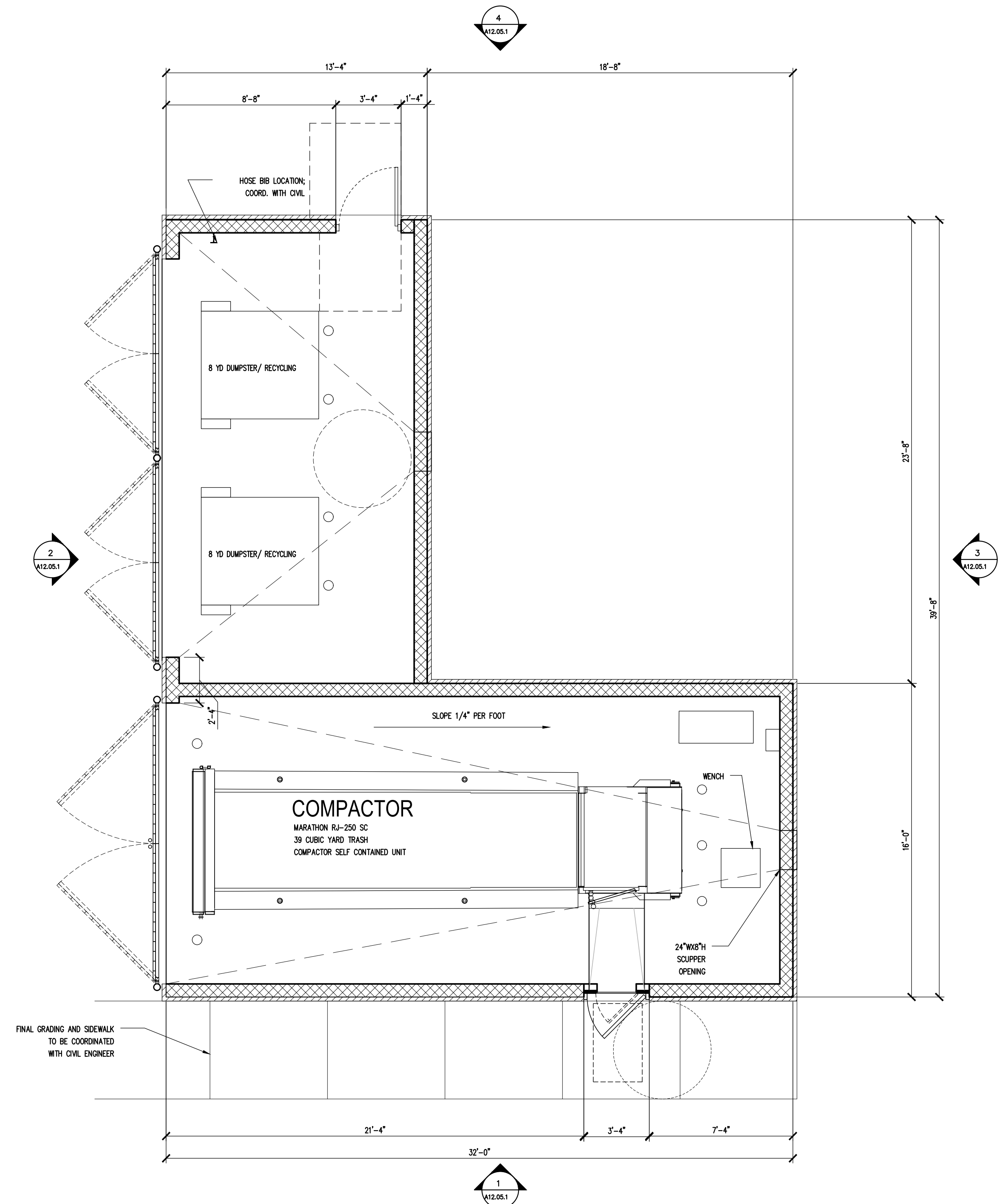
TRASH ENCLOSURE - REAR ELEVATION  
SCALE: 1/4" = 1'-0"

3



TRASH ENCLOSURE - FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

2



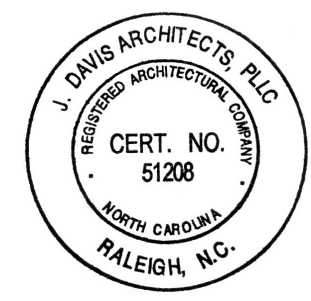
TRASH ENCLOSURE 1 - FLOOR PLAN  
SCALE: 1/4" = 1'-0"

1

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CONTENT: TRASH ENCLOSURE PLANS & ELEVATIONS	

A12.05.1

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## Ashby Road Abandonment Process

---

### Phase 1:

- i. Sanford requests Ashby Road right of way (ROW) to be transferred from NCDOT to its possession
- ii. NCDOT approves Truelove/421 break-in-access (BIA) plans and BIA is constructed
- iii. Sanford transfers ownership of Ashby Road to the immediately adjacent landowners; surrounding properties have improved access via 421 at this point
- iv. Ashby Rd is demolished by DR Horton site contractor where it connects to Truelove Street
  - o Ashby Rd will not be terminated until NCDOT accepts the Trulove/421 BIA for use, ensuring continuity in public access

### Phase 2:

- i. The Boulevard is constructed
- ii. Ashby Road connection to Horner is demolished to provide separation between intersections; commercial phase has access via new Boulevard
- iii. Existing turn lane on Horner that allows a left turn onto Ashby Road to be stripped off
- iv. DHI Communities site contractor demolishes former Ashby Road along its multifamily frontage

### Phase 3:

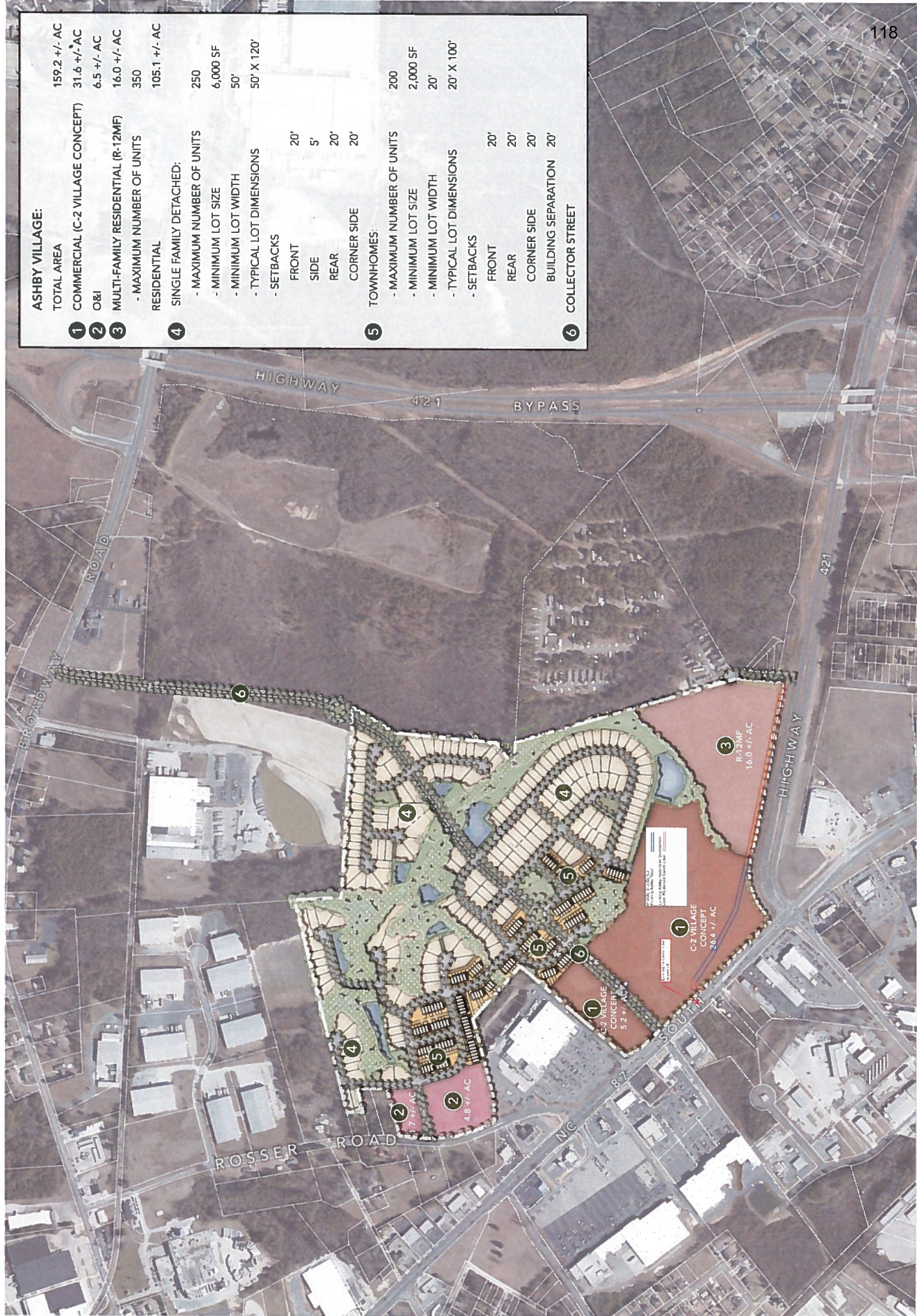
- i. DHI builds a permanent private street with a public overlay and angled parking through the middle of the multifamily site. This street will connect Truelove to the commercial site
- ii. DHI constructs two (2) temporary driveway connections:
  - a. Connection One: connects new private road w/ public overlay to the remaining private road located in the commercial site
  - b. Connection Two: connects remaining private road to the newly constructed Boulevard, ensuring two points of First Responder access to the multifamily site

### Phase 4:

- i. Commercial end users are selected, and a public access street network is developed in phases that always maintains continuous connectivity to the multifamily site
- ii. Commercial users demo the remaining private road (former Ashby Rd) and absorb the land for additional outparcel development with visibility along Horner and 421 Business

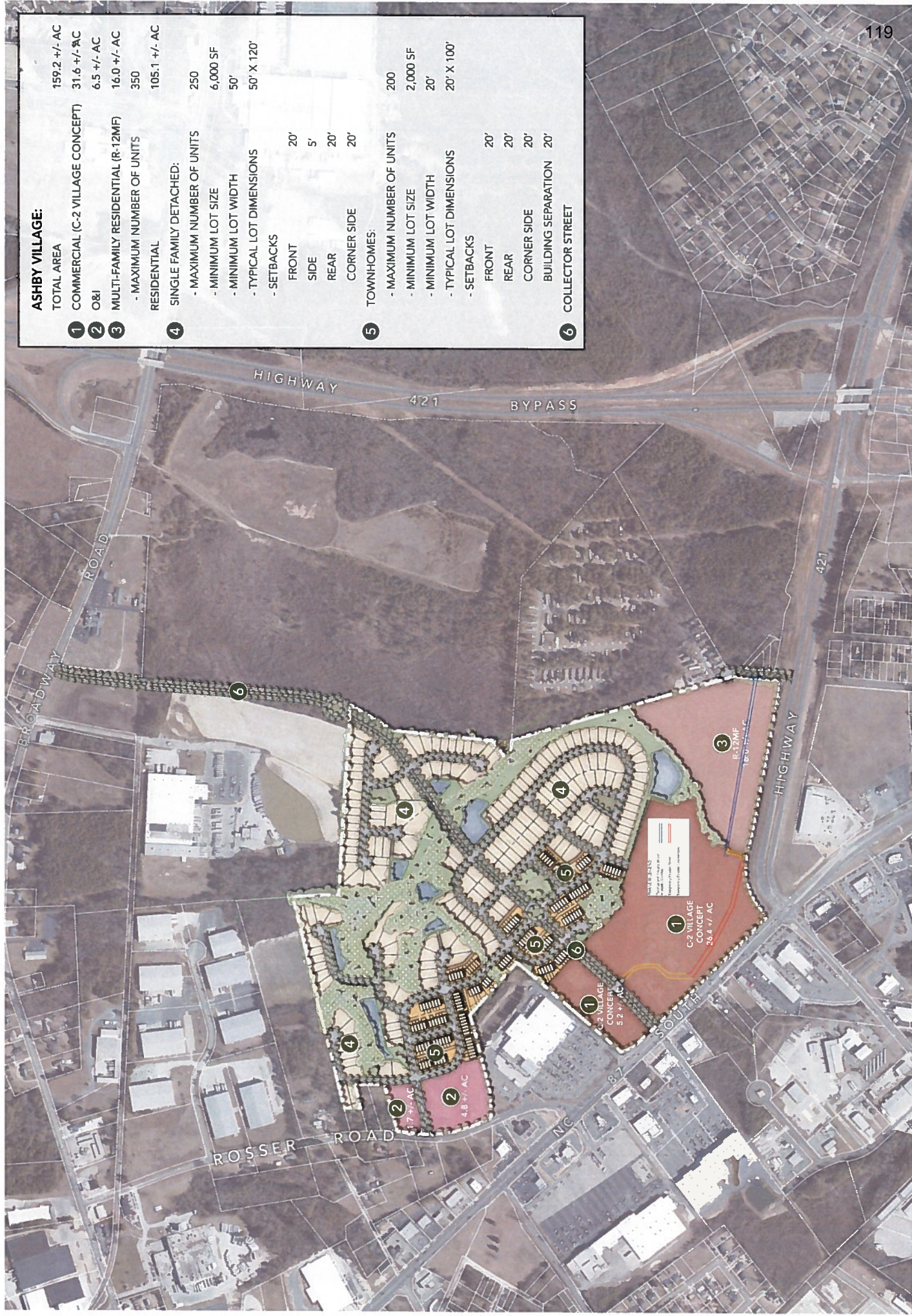
<b>ASHBY VILLAGE:</b>	
TOTAL AREA	159.2 +/- AC
<b>1</b> COMMERCIAL (C-2 VILLAGE CONCEPT)	31.6 +/- AC
<b>2</b> O&I	6.5 +/- AC
<b>3</b> MULTI-FAMILY RESIDENTIAL (R-12MF)	16.0 +/- AC
- MAXIMUM NUMBER OF UNITS	350
RESIDENTIAL	105.1 +/- AC
<b>4</b> SINGLE FAMILY DETACHED:	
- MAXIMUM NUMBER OF UNITS	250
- MINIMUM LOT SIZE	6,000 SF
- MINIMUM LOT WIDTH	50'
- TYPICAL LOT DIMENSIONS	50' X 120'
- SETBACKS	
FRONT	20'
SIDE	5'
REAR	20'
CORNER SIDE	20'
<b>5</b> TOWNHOMES:	
- MAXIMUM NUMBER OF UNITS	200
- MINIMUM LOT SIZE	2,000 SF
- MINIMUM LOT WIDTH	20'
- TYPICAL LOT DIMENSIONS	20' X 100'
- SETBACKS	
FRONT	20'
REAR	20'
CORNER SIDE	20'
BUILDING SEPARATION	20'
<b>6</b> COLLECTOR STREET	





**ASHBY VILLAGE:**

<b>1</b> COMMERCIAL (C-2 VILLAGE CONCEPT)	159.2 +/- AC
<b>2</b> O&I	31.6 +/- AC
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CORNER SIDE	20'
BUILDING SEPARATION	20'
<b>6</b> COLLECTOR STREET	



**ASHBY VILLAGE:**

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  - MINIMUM LOT WIDTH 50'
  - TYPICAL LOT DIMENSIONS 50' X 120'
  - SETBACKS
    - FRONT 20'
    - SIDE 5'
    - REAR 20'
    - CORNER SIDE 20'
- 5 TOWNHOMES:**
  - MAXIMUM NUMBER OF UNITS 200
  - MINIMUM LOT SIZE 2,000 SF
  - MINIMUM LOT WIDTH 20'
  - TYPICAL LOT DIMENSIONS 20' X 100'
  - SETBACKS
    - FRONT 20'
    - REAR 20'
    - CORNER SIDE 20'
    - BUILDING SEPARATION 20'
- 6 COLLECTOR STREET**

**LEGEND**

- █ C-2 Village Concept
- █ O&I
- █ R-12MF
- █ Single Family Detached
- █ Townhomes

**ASHBY VILLAGE:**

<b>1</b>	<b>TOTAL AREA</b>	159.2 +/- AC
<b>2</b>	<b>COMMERCIAL (C-2 VILLAGE CONCEPT)</b>	31.6 +/- AC
<b>3</b>	<b>O&amp;I</b>	6.5 +/- AC
<b>4</b>	<b>MULTI-FAMILY RESIDENTIAL (R-12MF)</b>	16.0 +/- AC
	<b>- MAXIMUM NUMBER OF UNITS</b>	350
<b>5</b>	<b>RESIDENTIAL</b>	105.1 +/- AC
	<b>SINGLE FAMILY DETACHED:</b>	
	- MAXIMUM NUMBER OF UNITS	250
	- MINIMUM LOT SIZE	6,000 SF
	- MINIMUM LOT WIDTH	50'
	- TYPICAL LOT DIMENSIONS	50' X 120'
	- SETBACKS	
	FRONT	20'
	SIDE	5'
	REAR	20'
	CORNER SIDE	20'
<b>6</b>	<b>TOWNHOMES:</b>	
	- MAXIMUM NUMBER OF UNITS	200
	- MINIMUM LOT SIZE	2,000 SF
	- MINIMUM LOT WIDTH	20'
	- TYPICAL LOT DIMENSIONS	20' X 100'
	- SETBACKS	
	FRONT	20'
	REAR	20'
	CORNER SIDE	20'
	BUILDING SEPARATION	20'
	COLLECTOR STREET	



**CITY OF SANFORD**  
**CITY COUNCIL AND PLANNING BOARD**  
**PUBLIC HEARING INFORMATION**  
**January 17<sup>th</sup>, 2023**

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**REQUEST**

DHIC, LLC is requesting to rezone one (1) tract of land comprising 16.41 +/- acres, with frontage on Ashby Road and Truelove Street, to amend the Ashby Village Subdivision Conditional Zoning District to allow the development of a 330-unit garden style apartment community as illustrated on the “Ashby Village Conceptual Development Plan” submitted as part of the application. This is a site plan/subdivision plan specific conditional rezoning request; therefore, the conceptual development plans and proposed conditions are required as part of the rezoning request.

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

**GENERAL INFORMATION**

Applicant:	DHIC, LLC
Property Owner:	D.R. Horton Inc.
Request:	Amend the Ashby Village Conditional Zoning District
Location:	Intersection of Ashby Road and Truelove Street
Acreage:	16.41 +/-
Tax Parcels:	9661-28-0538-00
Tax Map:	9661.01
Township:	Jonesboro
Council Ward:	Ward 3
Fire District:	City Station #2.
Schools:	Broadway Elementary   East Lee Middle School   Lee Senior High School

**SITE DESCRIPTION**

The site is located at the intersection of Ashby Road and Truelove Street with frontage on both Truelove Street and Ashby Road. The site is currently vacant and wooded.

**ZONING DISTRICT INFORMATION**

Existing Zoning – Proposed to be Amended to Provide Additional Details Regarding the Development of the Site: The Ashby Village Conditional Zoning District is a Type 1 Conditional Zoning District that is created as a stand-alone district with its own unique conditions. Under a Conditional Zoning District Type 1, an owner would have the freedom to develop his/her own unique list of permitted uses and design standards. It is also understood that such a district would need to be designed so as to maintain the integrity and characteristics of the surrounding community as well as conform to the spirit and intent of the Zoning Ordinance. A Conditional Zoning District Type 1 would be most suitable in situations where none of the current conventional Zoning Districts accommodate the desired use(s), such as a large

mixed-use planned development in which the owner/developer has a clear vision as to how the property is to be developed.

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

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

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

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

The conceptual information submitted for this rezoning request was reviewed by our Sanford/Lee County Technical Review Committee (TRC), which is comprised of staff representatives from various departments and governmental agencies. The TRC was amenable with the rezoning request associated with this project moving forward for review 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 Ashby Village Conditional Zoning District:

- The permitted use shall be multi-family dwelling.
- The maximum residential density shall be limited to 350 dwelling units (350 / 14.3 = 24.5 units per acre)
- The permitted primary exterior building materials for the principal and accessory buildings developed on the site shall be brick veneer or similar masonry products, stone, manufactured stone, stucco, and cementitious siding, or a combination of the foregoing and shall vary in type and color.

- Vinyl may not be used as an exterior siding material. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
- Offsets in the plane of each façade for each apartment building shall be provided.
- Porches or patios shall be provided for each apartment unit.
- Primary roof fields of each residential structure shall contain hips, gables, dormers, or a combination of the foregoing.
- Garages shall not open onto the primary street connecting Truelove Street to the western commercial parcel.
- The location of proposed uses, supporting facilities, buffer areas, and pedestrian elements will be in substantial conformance to the attached site plan.

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

#### Adjacent Zoning

North: Ashby Village CZ District; Residential Single-Family (R-20 / MH)  
 South: General Commercial (C-2)  
 East: Residential Single-Family (R-20 / MH); Residential Single-Family (R-20)  
 West: Ashby Village CZ District; General Commercial (C-2)

#### Adjacent Land Use

North: Vacant land; mobile home park  
 South: General Commercial (C-2) uses  
 East: Mobile home park  
 West: Vacant land; General Commercial (C-2); single-family homes

#### **PLAN SANLEE**

The long-range land use plan identifies the subject property as Mixed-Use Activity Center. The Mixed-Use Activity Center designation is intended to facilitate development of large scale, integrated mix of uses in single master-planned units contextually integrated into the surrounding development patterns, within close proximity to highway interchanges and major arterials with strong mobility linkages. The local example is the US 1 / Spring Lane interchange area in Sanford.

#### **LOCAL OVERLAY DISTRICTS**

The site does not appear to be subject to any local overlay districts.

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

## **UTILITIES**

The site appears to lack direct access to water and sewer; however, existing water and sewer lines run along S. Horner Blvd and a sewer line runs along the rear of the site; both of which could reasonably serve the site once the wider site is built out. 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 Ashby Road (SR-1580), which is a NCDOT maintained secondary route with a 60ft right-of-way. Ashby Road does not have listed AADT values; however, S. Horner Blvd has a 2021 AADT of 26,500 vehicles per day in the general area of the site and US Hwy 421 has a 2021 AADT of 11,500 in the general area of the site.

The 2011 Lee County Transportation Plan does not reference Ashby Road within the plan; however, Truelove Street is recommended to be improved to become a minor thoroughfare connecting Broadway Road to Ashby Road. The plan also designates both NC Hwy 87 and US Hwy 421 as boulevards in need of improvement.

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 Mixed-Use Activity Center which lists multi-family dwellings as a desired land use. The proposed rezoning is integrated within the larger mixed-use Ashby Village project, the site employs the preferred characteristics listed within *Plan SanLee*, and the site makes use of public water and sewer. Furthermore, the wider site has already been rezoned with this multi-family land use shown; this amendment to the Ashby Village Conditional Zoning District simply provides more detail to the use that was previously approved. Based on the design of the site, adherence to *Plan SanLee*, and the existing approved multi-family land use, **staff is supportive** of this rezoning request.

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

## **PLANNING BOARD RECOMMENDATION**

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

### **Sample Motions**

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

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

Motion Option 1: *“I make a motion that the proposed zoning map amendment **IS** consistent with the Plan SanLee long range plan designation of Mixed-Use Activity Center because multi-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 Mixed-Use Activity Center because it lacks strong mobility linkages to the rest of the Ashby Village site.”*

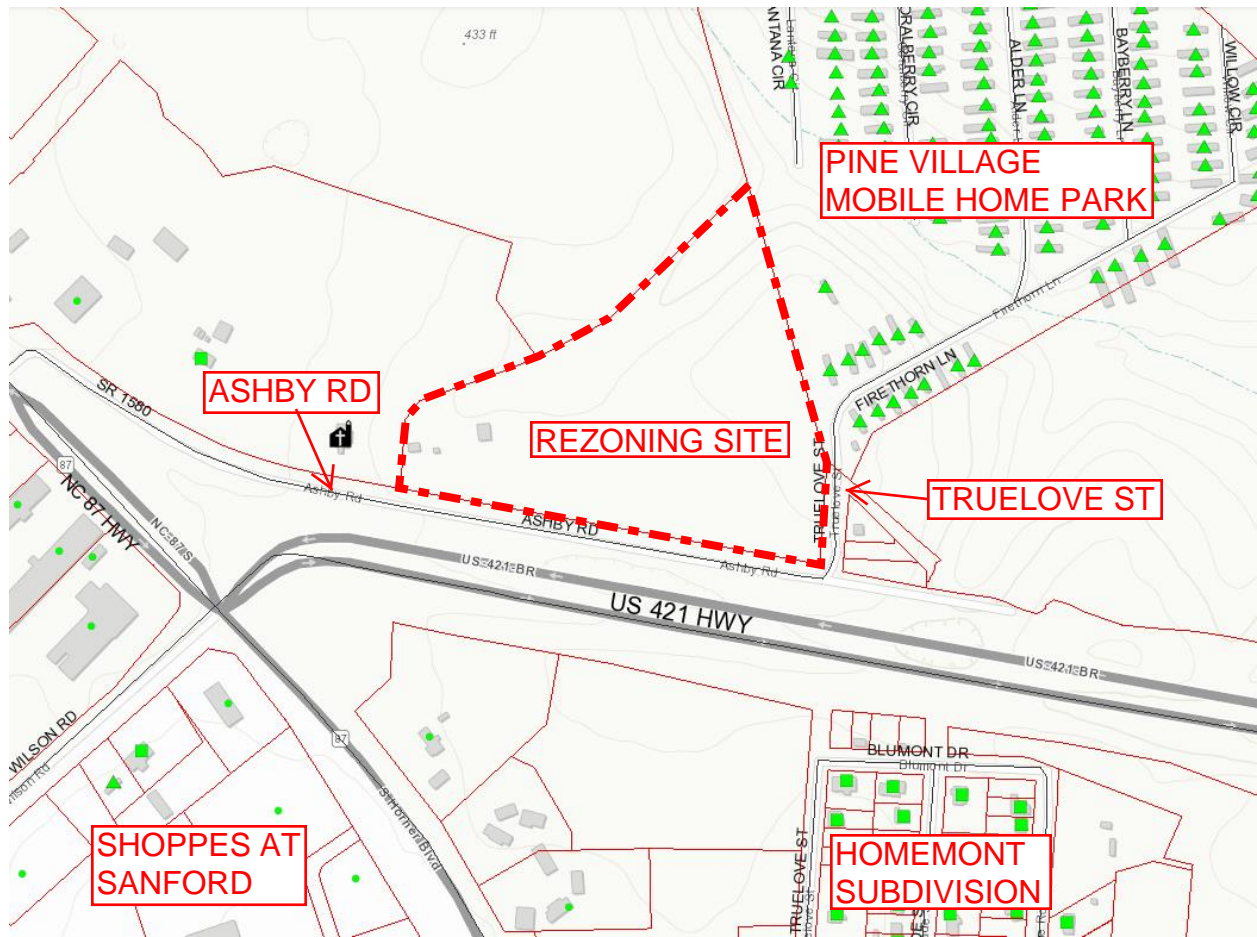
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

### **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 16.41+/- acres on Ashby Road and Truelove Street to Amend the Ashby Village Conditional Zoning District

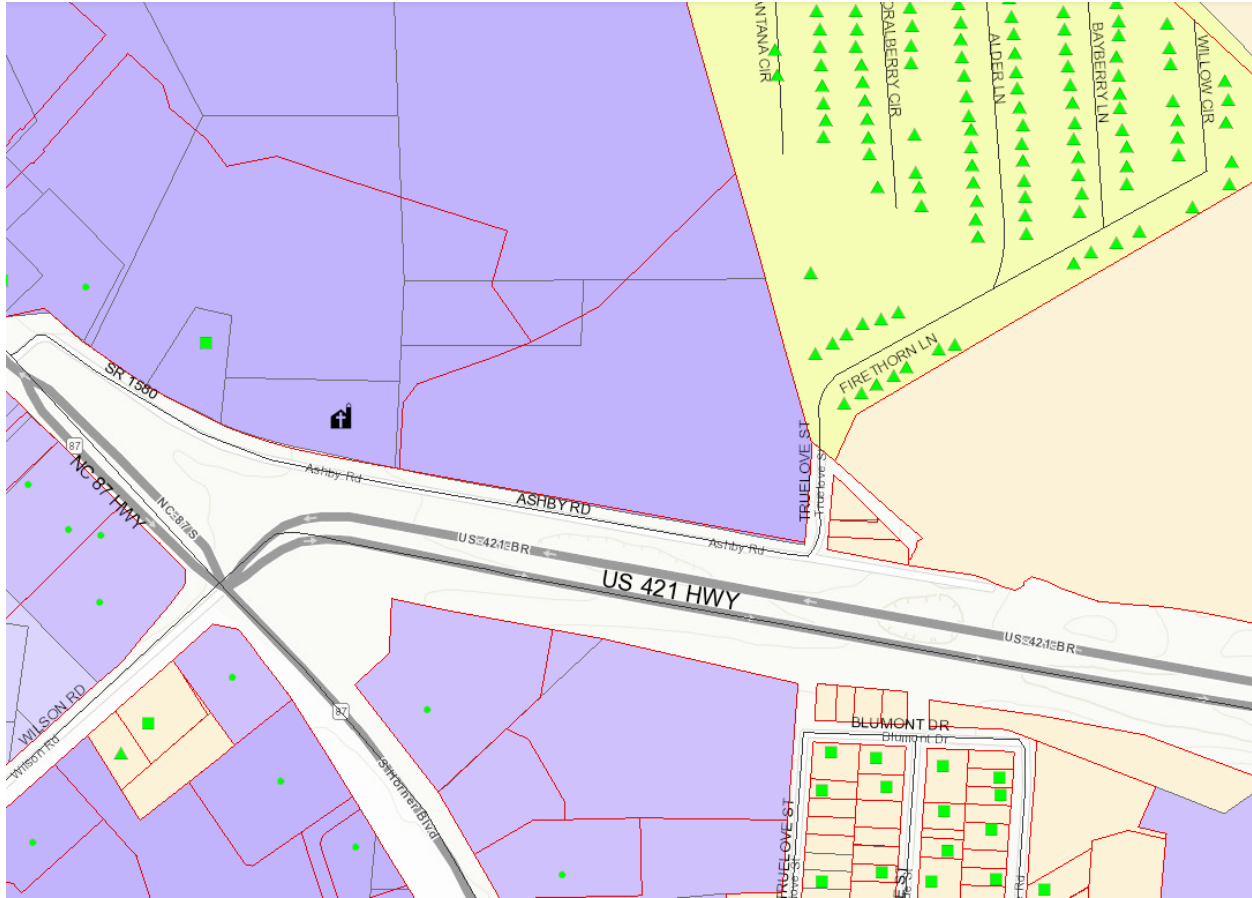
This is a graphic illustration and not a legal document.  
All information is comprised of layers of data that may or may not align correctly.



## ZONING MAP AMENDMENT

Request to rezone 16.41+/- acres on Ashby Road and Truelove Street  
to Amend the Ashby Village Conditional Zoning District

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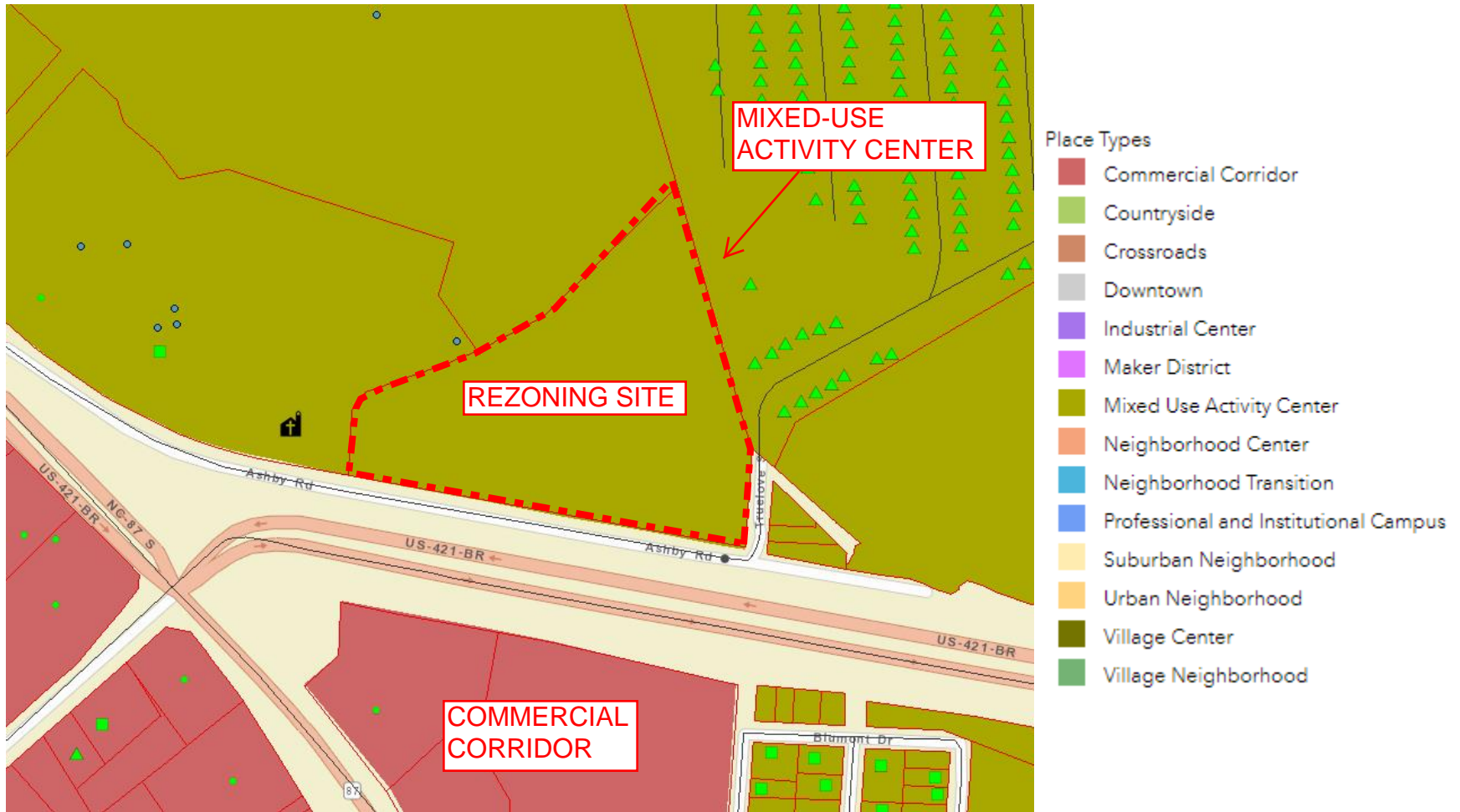


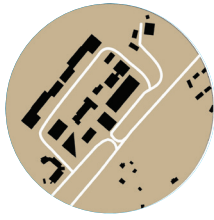
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to Amend the Ashby Village Conditional Zoning District

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

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





## MIXED USE ACTIVITY CENTER

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



<b>LAND USE</b>	<p><b>Civic</b></p> <p>Government Services, Public Gathering Spaces</p>	<p><b>Open Space</b></p> <p>Urban Open Space</p>	<p><b>Employment</b></p> <p>Professional Offices, Business Services</p>	<p><b>Residential</b></p> <p>Attached Single Family Dwellings, Multi-Family Dwellings, Upper Story Residences in</p>	<p><b>Commercial</b></p> <p>Retail, Personal Services, Entertainment</p>
	<p><b>TRANSPORTATION</b></p> <p><b>Low Priority Mode</b>   Transit routes accommodate trucking   Public Transit   On-street bike lanes   <b>High Priority Mode</b>   Sidewalks   Vehicular connectivity</p>				
<b>CONTEXT</b>	<p><b>Development Density</b></p> <ul style="list-style-type: none"> <li>✓ Mixed Commercial Lot Sizes</li> <li>✓ MF 16+ dwelling units / acre</li> <li>✓ Shallow to Moderate Building Setbacks</li> <li>✓ 50 Foot Height Limit</li> </ul>		<p><b>Utility Infrastructure</b></p> <ul style="list-style-type: none"> <li>✓ Public Water</li> <li>✓ Public Wastewater</li> </ul>		<p><b>Preferred Character</b></p> <ul style="list-style-type: none"> <li>✓ 2-4 Lane Urban Street Network</li> <li>✓ Core Grid Street Network</li> <li>✓ 3-500 Foot Block Length</li> <li>✓ Sidewalks + Street Trees</li> <li>✓ On-Street + Rear Parking</li> <li>✓ Landscaped Off-Street Parking</li> </ul>
	<p><b>ZONING</b></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><b>Current Districts</b></p> <ul style="list-style-type: none"> <li>✓ HC /C-2/C-1 (Primary)</li> <li>✓ OI (Primary)</li> <li>✓ MF-12 (Primary)</li> </ul> </div> <div style="width: 10%; text-align: center;"> </div> <div style="width: 45%;"> <p><b>Proposed Districts</b></p> <ul style="list-style-type: none"> <li>✓ General Commercial</li> <li>✓ Office &amp; Institutional</li> <li>✓ Multi-Family Residential</li> </ul> </div> </div>				

**ADJOINING PROPERTY OWNERS LIST**

PETITION BY: D.R. Horton Inc.

REQUEST: Rezone to Amend the Ashby Village Conditional Zoning District

LOCATION: Intersection of Ashby Road and Truelove St

PIN: 9661-28-0538-00

DATE: 2022-12-29

PIN	Property Address	Owner	Owner 2	Mail Address
9661-28-6217-00	203 TRUELOVE RD	CAPPS, JACK ELIAS (TRUSTEE)	THE JACK ELIAS CAPPS LIVING TRUST	2740 MASTERS DR LEAGUE CITY TX 77573
9661-28-6220-00	0 ASHBY RD	CAPPS, JACK ELIAS (TRUSTEE)	THE JACK ELIAS CAPPS LIVING TRUST	2740 MASTERS DR LEAGUE CITY TX 77573
9661-28-6176-00	0 ASHBY RD	CAPPS, JACK E		2740 MASTERS DR LEAGUE CITY TX 77573
9661-27-5699-00	301 BLUMONT DR	LOPEZ, JOSE LUIS		45 J E ROGERS DR CAMERON NC 28326
9661-27-5766-00	0 BLUMONT DR	SUMPTER, FRED	SUMPTER, EVELYN W	300 BLUMONT DR SANFORD NC 27330
9661-27-6762-00	0 BLUMONT DR	WILLIAMS, CHARNETTA MAE D		11226 EMPIRE LAKES DR RALEIGH NC 27617
9661-27-7732-00	0 BLUMONT DR	WILLIAMS, CHARNETTA MAE D		11226 EMPIRE LAKES DR RALEIGH NC 27617
9661-07-5908-00	3130 HORNER BLVD	TACOHEAD ENTERPRISES LLC		PO BOX 17 BIGHORN MT 59010
9661-07-9708-00	3210 HORNER BLVD	CGI 3 LP		11302 SEDA PL SAN DIEGO CA 92124
9661-17-5821-00	3209 NC 87 HWY	LIDL US OPERATIONS LLC		3500 S CLARK ST ARLINGTON VA 22202
9661-29-8271-00	1 FIRETHORN LN	PINE VILLAGE MHC LLC		2 W DRY CREEK CIR LITTLETON CO 80120
9661-38-5427-00	0 ASHBY RD	CAPPS, JACK ELIAS (TRUSTEE)	THE JACK ELIAS CAPPS LIVING TRUST	2740 MASTERS DR LEAGUE CITY TX 77573
9661-08-9921-00	3107 HORNER BLVD	ASHBY VILLAGE LLC		709 CROSWELL CT WHITSETT NC 27377
9661-19-5841-00	0 HORNER BLVD	ASHBY VILLAGE HOLDINGS LLC		20 OVERBROOK CT GREENVILLE SC 29607
9661-28-0538-00	0 HORNER BLVD	D.R. HORTON INC		2000 AERIAL CENTER PKWY MORRISVILLE NC 27560
9661-27-0694-00		HIGHWAY 54 PARTNERS LLC		120 DUNEDIN CT CARY NC 27511

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

## CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint legislative hearings on Tuesday, January 17<sup>th</sup>, 2023 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 15<sup>th</sup> meeting and may be un-tabled/continued at the January 17<sup>th</sup> 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 January 17<sup>th</sup>, 2022.*
  
2. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0102  
 Application by Mark Lyczkowski to rezone one (1) tract of land comprising 27.42 +/- acres, owned by Mad M&R, LLC, with frontage on Carbonton Road, identified as Lee County Tax Parcel 9622-78-4882-00, as depicted on Tax Map 9622.02, from Residential Restricted (RR) to the Elizabeth Landing 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 January 17<sup>th</sup>, 2022.*
  
3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0103  
 Application by DHIC, LLC to rezone one (1) tract of land comprising 16.41 +/- acres, owned by D.R. Horton Inc., with frontage on Ashby Road and Truelove Street, identified as Lee County Tax Parcel 9661-28-0538-00, as depicted on Tax Map 9661.01, so to amend the existing Ashby Village 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

January 5<sup>th</sup>, 2023

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**

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County Zoning & Design Review Department, 115 Chatham Street, Suite 1, Sanford, NC 27330 or by calling (919) 718-4656. Upon request and with 24-hour notice, the City will provide an interpreter for the hearing impaired or any other type of auxiliary aid.

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**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, January 5<sup>th</sup>, 2023.

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 15<sup>th</sup> meeting and may be un-tabled/continued at the January 17<sup>th</sup> 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 January 17<sup>th</sup>, 2022.*

2. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0102

Application by Mark Lyczkowski to rezone one (1) tract of land comprising 27.42 +/- acres, owned by Mad M&R, LLC, with frontage on Carbonton Road, identified as Lee County Tax Parcel 9622-78-4882-00, as depicted on Tax Map 9622.02, from Residential Restricted (RR) to the Elizabeth Landing Subdivision Conditional Zoning District,

3. ZONING MAP AMENDMENT / REZONING APPLICATION CASE 2022-0103

Application by DHIC, LLC to rezone one (1) tract of land comprising 16.41 +/- acres, owned by D.R. Horton Inc., with frontage on Ashby Road and Truelove Street, identified as Lee County Tax Parcel 9661-28-0538-00, as depicted on Tax Map 9661.01, so to amend the existing Ashby Village Conditional Zoning District.

Signature and Title: WTL 2, Planner 1

Date: 1-6-2023

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 6<sup>TH</sup> day of JANUARY, 2023.

My Commission expires 9/30/2023

Thomas Mierisch  
Notary Public Signature

