

CITY OF SANFORD PLANNING BOARD

REGULAR MEETING

Tuesday, May 16, 2023, 6:00 PM

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

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

Introduction by Chairman: The Sanford Planning Board is an advisory council on matters relating to land development and long-range planning and provides recommendations to the Sanford City Council. All information relevant to each case should have been presented during the public hearing. The Planning Board may ask for clarification of information received during the public hearing, but may not receive new information. Recommendations made this evening will be presented to the City Council for consideration on June 6, 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** – *April 18, 2023*
- C. DISCLOSURE OF CONFLICT OF INTEREST**
- D. OLD BUSINESS**
- E. NEW BUSINESS**

PUBLIC HEARINGS WITH THE CITY COUNCIL TO CONSIDER ITEMS 1-2:

- 1. **ZONING MAP AMENDMENT / REZONING APPLICATION; CASE 2023-0501**
 Application by Mark Lyczkowski to rezone seven (7) tracts of land comprising 53.34 +/- acres off of Colon Road from Residential Single-family (R-20) to the Midtown Village South, Part 2, Conditional Zoning District to allow the development of a residential single-family home subdivision. The subject property is owned by Russell Wayne Matthews & Diane S. Matthews, Mary E. Rattz, and Thomas Monroe Matthews & Vicky S. Matthews/The Matthews Living Trust and is identified as Lee County Tax Parcels 9653-06-2378-00, 9653-06-4343-00, 9653-05-6878-00, 9653-05-4173-00-portion of (addressed as 728 Colon Road), 9653-04-5622-00, 9653-15-5767-00, and 9653-15-1854-00 as depicted on Tax Maps 9643.12, 9653.01, 9653.13, and 9643.16.
This rezoning request is subject to annexation of the subject property into the corporate City limits for which the public hearing/vote will also be held on May 16th.

- F. OTHER BUSINESS** – *None, unless added by the board*
- G. REPORTS** – *Actions by Sanford City Council*
- H. ADJOURNMENT**

**** LARGE PLANS INCLUDED AS AN AGENDA INSERT WITH AGENDA PACKET ****

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

The Sanford Planning Board met for a regular meeting in the West End Conference Room of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. 27330 on Tuesday, April 18th, 2023. The meeting was called to order at 6:00 PM.

ROLL CALL

Members Present: Ken Britton, Chair
Gina Bycura
Jeff Foster
Santiago Geraldo
Bill Murphy
Richard Oldham, Vice-Chair

Members Absent: Santiago Geraldo
Gloria Perez, Alternate

Staff Present: Paulette Harmon, Clerk
David Montgomery, Long Range-Transportation Planner
Thomas Mierisch, Planner II

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

MEETING CALLED TO ORDER

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

APPROVAL/DISAPPROVAL OF AGENDA

Chair Britton entertained a motion to approve the agenda. Vice-Chair Oldham made a motion to approve the agenda as presented, seconded by Board Member Foster and carried unanimously.

APPROVAL OF MINUTES

Chair Britton entertained a motion to approve the minutes from the prior meeting. Vice-Chair Oldham made a motion to approve the minutes, seconded by Board Member Foster and carried unanimously.

DISCLOSURE OF CONFLICTS OF INTEREST

Chair Britton asked each board member to disclose any conflicts of interest in the matters to be considered by the Board this evening.

Board Member Foster stated that he has a conflict of interest with Item 1 on the agenda and requested to recuse himself by stating I will recuse myself on the town home project as I am the principal designer and engineer. Chair Britton stated for the record the 1st item major subdivision, preliminary plat, case 2023-0401 Board Member Foster will be recused. The board

agreed that Board Member Foster should recuse himself from participating in this recommendation.

OLD BUSINESS

None

NEW BUSINESS

1. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2023-0401

Chatham Capital Group, LLC, is seeking approval of a preliminary plat for a major subdivision that would create a 180-lot residential development for single-family attached dwellings. The proposed subdivision is bisected by Tramway Road, with the north and south portions of the project to be built out in two separate phases. The development site was recently rezoned from R-20 (Residential Single-Family) to the West Main Townhomes Subdivision Conditional Zoning District in March 2022.

DISCUSSION

Staff member Mierisch presented the staff report for this preliminary major plat for a residential subdivision and made himself available for questions. Staff member Mierisch reiterated that the plat corresponds with the design approved as part of the conditional rezoning and opened the floor for discussion.

Vice-Chair Oldham ask staff member Mierisch a question concerning the northside of the plat if the area he was looking was an access? Vice-chair Oldham then stated he realizes it is too wide to be a sidewalk. But, he would like clarification of the purpose. Staff member Mierisch turned to Jeff Foster the principal designer and engineer to answer. Mr. Foster stated it is permitted through DOT as a maintenance access for the pond.

Board Member Murphy stated there is quite a bit of an elevation change and how will it be handled through grading, retaining walls or both? Mr. Foster answered by stating there are two retaining walls on the northside at the entrance that are very minimal otherwise, it is graded through an extended slope. Board Member Murphy ask what the maximum height of the retaining walls will be? Mr. Foster answered about 6 feet at the highest point that will be tapered back to 0 on each end. Chair Britton ask will there be safety fencing? Mr. Foster answered yes and stated there is nothing on the Southside no retaining walls and so forth.

Vice-chair Oldham stated the plan is to complete the southside and then northside. Staff member Mierisch stated yes, it will be in 2 phases. Mr. Foster stated they are stating it as phased however, it will start on the southside with the first 4 buildings and continue to the completion.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Vice-Chair Oldham made the motion to recommend the City Council approve the major subdivision preliminary plat. Seconded by Board Member Murphy and carried unanimously.

There were no additional comments nor conditions.

2. ZONING MAP AMENDMENT / REZONING APPLICATION; CASE 2023-0402

Application by Fenominal Home Care Inc. to rezone one (1) tract of land comprising 0.34 +/- acres, owned by AMG Dynamics LLC, located at 160 Charlotte Avenue, identified as Lee County Tax Parcel 9643-70-8324-00, as depicted on Tax Map 9643.20, from Light Industrial (LI) to Office and Institutional (O&I) to allow an adult daycare land use in addition to existing community service offerings.

DISCUSSION

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

Vice-Chair Oldham stated he agrees with staff it does not comply with the zoning map amendment and it is not consistent with the Plan SanLee long range plan designation of Downtown because only the Central Business District (CBD) zoning is listed within this future land use area.” But, that it makes sense to allow.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Vice-Chair Oldham made the motion that the proposed zoning map amendment is not consistent with the Plan SanLee long range plan designation of Downtown because only the Central Business District (CBD) zoning is listed within this future land use area.

Seconded by Board Member Bycura and carried unanimously.

Chair Britton asked for a motion to approve or deny the zoning map amendment. Board Member Murphy made the motion that the Planning Board recommend that City Council approve the proposed zoning map amendment because the site is suited for personal service and civic organization land uses and because it adheres to the preferred character of the Downtown future land use area.

Seconded by Vice-Chair Oldham and carried unanimously.

There were no additional comments nor conditions.

3. ZONING MAP AMENDMENT / REZONING APPLICATION; CASE 2023-0403

Application by Goshen Medical Center, Inc. to rezone one (1) tract of land comprising 1.26 +/- acres, owned by Goshen Medical Center, Inc, located at 2807 South Horner Boulevard, identified as Lee County Tax Parcel 9652-80-6718-00, as depicted on Tax Map 9652.20, from Light Industrial (LI) to General Commercial (C-2) to allow for a change of use of an existing commercial building into a medical office.

DISCUSSION

After an overview of the UDO text amendment and the information provided at the public hearing, Chair Britton opened the floor for discussion.

Vice-Chair Oldham stated he is surprised the parcel is currently zoned light industrial. Staff member Montgomery stated there is a surprising amount of area still zoned light industrial. At some point in time staff hopes to address this issue with more consistency along with residential zoning in the future.

DECISION

With no further discussion, Chair Britton opened the floor for a motion. Board Member Murphy made the motion that the proposed zoning map amendment is consistent with the Plan SanLee long range plan designation of Commercial Corridor because General Commercial (C-2) is a primary zoning district for this future land use area and because personal services and professional offices are desired land uses.

Seconded by Board Member Bycura and carried unanimously.

Chair Britton asked for a motion to approve or deny the zoning map amendment. Vice-Chair Oldham made a motion that the Planning Board recommend the City Council approve the proposed zoning map amendment because the site is suited for personal service and professional office land uses as defined within the General Commercial (C-2) zoning district.

Seconded by Board Member Foster and carried unanimously.

There were no additional comments nor conditions.

OTHER BUSINESS

None

STAFF REPORTS

Staff member Montgomery presented the Actions by the City Council staff report to the board.

PRESENTATION TO BOARD

Staff member Montgomery presented to the board a Residential Growth Chart in which the board requested during the March 21st, 2023 planning board meeting. The residential growth chart included single family dwellings, multifamily, and apartments along with mapping of the growth to display locations of each.

ADJOURNMENT

With no further business to come before the Board, the motion to adjourn was made by Chair Britton, seconded by Board Member Murphy, and carried unanimously. The meeting was adjourned at 6:45P.M.

Adopted this _____ day of _____, 2023.

BY: _____
Ken Britton, Chair

ATTEST: _____
Paulette Harmon, 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.

\$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: PO Box 487 Sanford NC 27331
3. Applicant Telephone: 919-842-0334
4. Name and Address of Property Owner(s) if different than applicant:
See attached
5. Location of Subject Property: Colon Road
Lee Co. P.I.N. see attached
6. Total Area included in Rezoning Request: 53.3 Acres
7. Zoning Classification: Current: R-20 Requested: Midtown Village Part 2 Conditional District
8. Existing Land Use(s): mostly vacant with a few single family dwellings
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning):
to proposed a development of single family detached and enlarge the original Midtown Village Subdivision
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

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

Mark Lyczkowski

Mark Lyczkowski

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

April 18, 2023

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: 2023-04-18 by TM

Fee Paid: \$750.00

Application No.: 2023-0501

Staff Signature: Amy J. McNeill

Encgov Case No.: CZMA-006324-2023

L:\Forms & Certifications\Rezoning App (Updated 2015-07-02 by AJM).x

\$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 Lyczkowski
MARK LYCZKOWSKI

1-13-23

Signature (Sign & Print)

Date

Midtown Village South Part 2 Property Owners

PIN: 9653-06-2378

Existing Zoning: R-20

Russell Wayne Matthews

824 Colon Rd

Sanford NC 27330

PIN: 9653-15-1854

Existing Zoning: R-20

Russell Wayne Matthews and Diane S. Matthews

824 Colon Rd

Sanford NC 27330

PIN: 9653-06-4343

Existing Zoning: R-20

Sherwood Maxwell Rattz and wife, Mary E.

Rattz

3690 Carbonton Rd

Sanford NC 27330

PIN: 9653-05-6878

Existing Zoning: R-20

Russell Wayne Matthews and Diane S. Matthews

824 Colon Rd

Sanford NC 27330

Portion of PIN: 9653-05-4173

Existing Zoning: R-20

Thomas Monroe Matthews and Vicky

Stephen Matthews, The Matthews Living

Trust

728 Colon Rd

Sanford NC 27330

PIN: 9653-04-5622

Existing Zoning: R-20

Thomas Monroe Matthews and Vicky

Stephen Matthews, The Matthews Living

Trust

728 Colon Rd

Sanford NC 27330

PIN: 9653-15-5767

Existing Zoning: R-20

Russell Wayne Matthews and Diane S. Matthews

824 Colon Rd

Sanford NC 27330

Signature Addendum
SUPPLEMENTAL APPLICATION
FOR CONDITIONAL ZONING DISTRICT
City of Sanford

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

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

Russell Wayne Matthews adobe signed
07/25/12 4:27 PM EDT
F9VJ VGPV AMAH F1UP

Russell Wayne Matthews

Signature (Sign & Print)

Date

Jackie Diane Short Matthews adobe signed
07/25/12 4:24 PM EDT
F9VJ VGPV AMAH F1UP

Jackie Diane Short Matthews

Signature (Sign & Print)

_____ / _____

Signature (Sign & Print)

Signature Addendum

SUPPLEMENTAL APPLICATION
FOR CONDITIONAL ZONING DISTRICT
City of Sanford

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

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

Mary W Rattz / Mary E Rattz

Signature (Sign & Print)

01-12-2023

Date

Richard Rattz / Richard Rattz

Signature (Sign & Print)

01-12-2023

Lisa Rattz / LISA RATTZ

Signature (Sign & Print)

01-12-2023

Signature Addendum

**SUPPLEMENTAL APPLICATION
FOR CONDITIONAL ZONING DISTRICT**

City of Sanford

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

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

Thomas Monroe Matthews
dotloop verified
07/26/22 3:57 PM EDT
V5R2-VFWS-FH11-C8UM

Thomas Monroe Matthews

Signature (Sign & Print)

Date

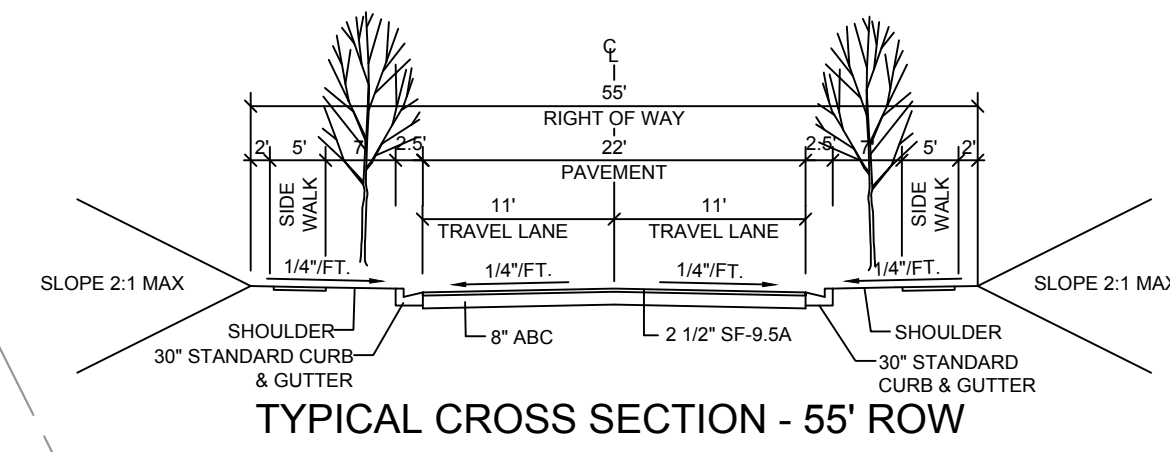
Vicky Stephens Matthews
dotloop verified
07/26/22 3:54 PM EDT
Y63E-968C-Y6WI-TYCR

Vicky Stephens Matthews

Signature (Sign & Print)

_____/_____

Signature (Sign & Print)



PROPOSED SIDEWALK

ENTRANCE SIGNAGE

ENTRANCE SIGNAGE

PROPOSED SIDEWALK

MIDTOWN VILLAGE SOUTH PART 2

CONCEPT SKETCH - April 17, 2023

+/- 53.34 AC
 PINS: 9653-06-2378, 9653-06-4343, 9653-05-6878,
 9653-15-5767, & 9653-15-1854
 EXISTING ZONING: R-20
 PROPOSED ZONING: MIDTOWN VILLAGE PART 2
 CONDITIONAL DISTRICT
 PROPOSED DENSITY: 3.69 DU/A

197 - 50'X120' SINGLE FAMILY LOTS

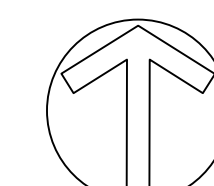
TOTAL: 197 UNITS

SETBACKS
 FRONT: 20'
 REAR: 15'
 SIDE: 5'
 CORNER: 10'

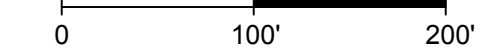
OPEN SPACE TABLE

OS #	SF	AC
OS 1	50,075	1.15
OS 2	44,336	1.02
OS 3	1,679	0.04
OS 4	50,212	1.15
OS 5	91,028	2.09
OS 6	66,284	1.52
OS 7	13,869	0.32
OS 8	161,087	3.70
OS 9	5,394	0.12
OS 10	7,681	0.18
TOTAL	491,646	11.29

(21.2%)



SCALE 1"=100'



JOB NUMBER 47734-331

Midtown Village Part 2 Conditions

The subject properties would only allow residential dwellings, single family detached units.

1. Single Family area, as denoted on the conceptual development plan, would allow single-family detached dwellings with a minimum lot size of 6,000 sf, minimum lot depth of 120-feet, and a minimum lot width of 50-feet. The following minimum building setbacks for principle structures shall be:
 - Front: 20-feet, as measured from the right-of-way of the public street,
 - Rear: 20-feet, as determined by the orientation of the house and measured from the rear property line; and
 - Side: 5-feet, as measured from the left and right-side property lines; and
 - Corner: 15-feet, as determined by the orientation of the house and measured from the side street.
2. Every third home must be a different elevation.
3. All homes must include at least a single car enclosed garage.
4. All single-family detached homes must include a dormer or front porch with roof elevation that varies from the main roof line.
5. All front and side yards must be sodded.
6. Rear yards can be seeded and strawed.
7. All driveways must be concrete.
8. All homes must have walkways to the front door.

February 01, 2023

Lee County PIN: 9653-06-2378, 9653-06-4343, 9653-05-6878, Portion of 9653-05-4173, 9653-04-5622, 9653-15-5767, and 9653-15-1854

Dear Property Owner,

On behalf of the applicant and property owners, Timmons Group would like to invite you to attend a neighborhood information meeting concerning the following proposal. Timmons Group will be submitting a request to rezone properties located on the east side of Colon Road, north of the intersection with E Weatherspoon Street and south of US 421 Bypass. The parcels under consideration are shown on the attached map.

The existing zoning is City of Sanford R-20 Residential Single-Family District, and the proposed zoning classification requested is City of Sanford Midtown Village Part 2 Conditional Zoning District. The proposed rezoning will not change the existing zoning status of surrounding properties. The proposed development will consist of single family detached lots. The proposed site-specific conditional zoning plan is shown on the attached map.

The meeting details are as follows:

February 15, 2023
5:00 PM – 7:00 PM
Conference Room
114 Hawkins Avenue
Sanford, NC 27330

The purpose of this letter is to notify you regarding an informal (drop-in) public information meeting. While this meeting is not a public hearing, it is an opportunity for you to meet with the owners and/or applicants to hear about their intention to rezone and/or develop the land. You are encouraged to ask questions and express concerns so that we may help you to understand the proposed project more fully.

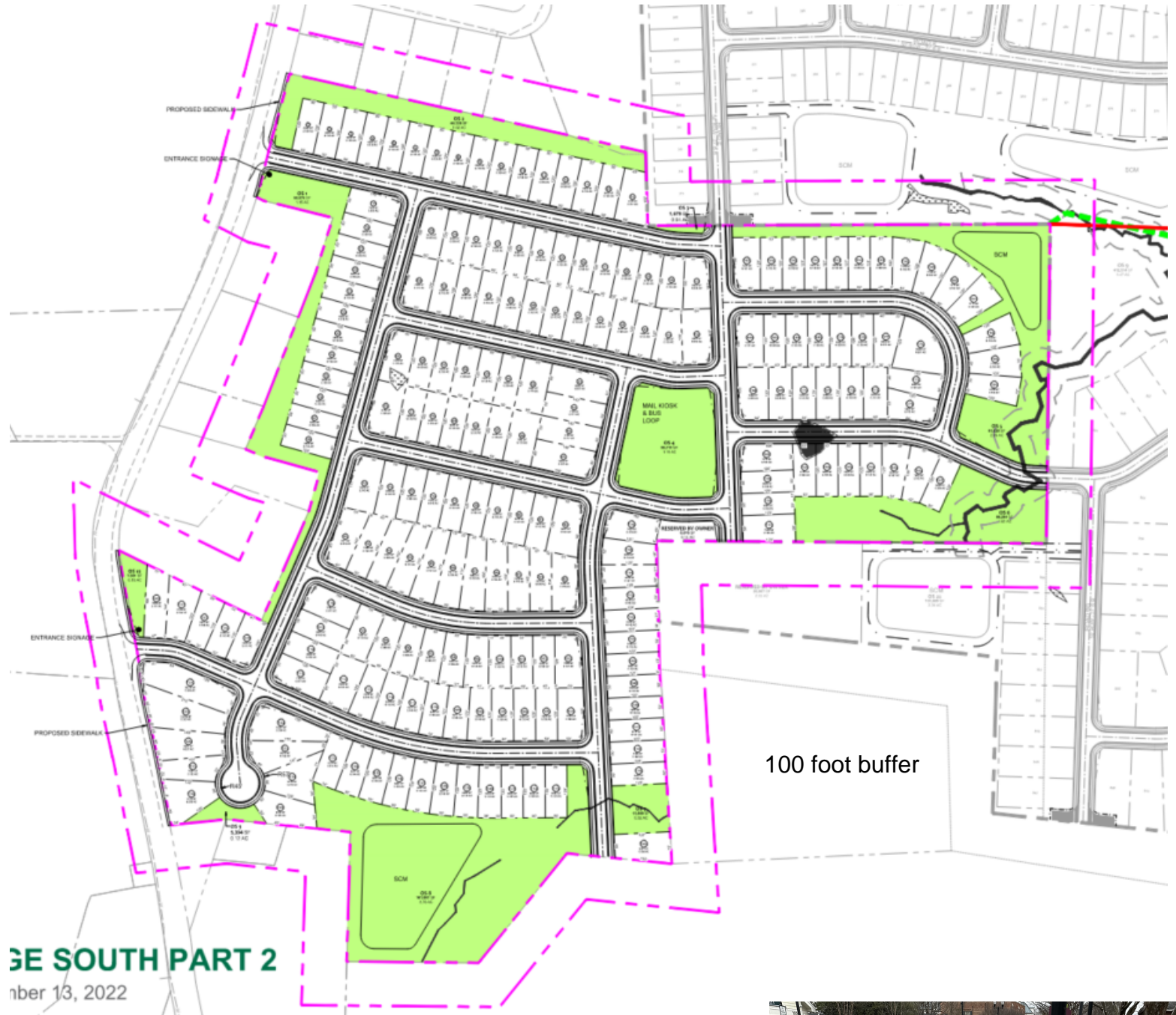
If you have any questions about this neighborhood information meeting, or if you are unable to attend and would like to speak with someone regarding the proposal, please feel free to contact me at 919-866-4509 or beth.blackmon@timmons.com. We look forward to seeing you at the meeting.

Sincerely,



Beth Blackmon
Sr. Project Manager
Timmons Group

Owner	Owner2	Mail Address	Mail Street	Mail City	Mail State	Mail Zip
Colon Road Land LLC		5121 Kingdow Way		Raleigh	NC	27607
Carol M Spry		826 Colon Rd		Sanford	NC	27330
Jarded S Guerrero		830 Colon Rd		Sanford	NC	27330
Nathan Wyatt Raub	Melissa Danielle Raub	2104 Live Oak Dr		Sanford	NC	27330
Sherwood Maxwell Rattz	Mary E Rattz	3690 Carbonton Rd		Sanford	NC	27330
Steven Paul Smith		2116 Live Oak Dr		Sanford	NC	27330
Gregory E Lamb		1200 Red Oak Dr		Sanford	NC	27330
Unlimited Investment of North Carolina LLC		1410 Elm St		Sanford	NC	27330
Howard Womack Lands LLC		4712 Shadow Ridge Ct		Holly Springs	NC	27540
Ricky Fletcher Haithcox		319 Eleventh St		Sanford	NC	27330
Wicker, M E		319 Eleventh St		Sanford	NC	27330
Ricky Fletcher Haithcox		213 N Tenth St		Sanford	NC	27330
Santos Hernandez Estrada		1002 Goldsboro Ave		Sanford	NC	27330
Current Resident		706 Colon Rd		Sanford	NC	27330
City of Sanford		PO Box 3729		Sanford	NC	27331
Public Service CO of NC Inc		PO Box 1398		Gastonia	NC	28053
Joyner G Clarence		805 Colon Rd		Sanford	NC	27330
Michael R Wicker	Brenda L Wicker	750 Colon Rd		Sanford	NC	27330
Robert Z Zbinden	Karen E Zbinden	710 Century Dr		Cameron	NC	28326
Ubert Quintana	Silvia Quintana	812 Colon Rd		Sanford	NC	27330
Gail P Smith		814 Colon Rd		Sanford	NC	27330
Russell Wayne Matthews	Diane S Matthews	824 Colon Rd		Sanford	NC	27330
Thomas Monroe & Vicky Stephens Matthews		728 Colon Rd		Sanford	NC	27330



Mail drop off





Summary of Discussion From the Neighborhood Meeting			
Project:	Midtown Village South Part 2	Meeting Date:	Wednesday, February 15, 2023
Applicant:	Timmons Group - Beth Blackmon	Place/ Room:	114 Hawkins Ave, Sanford NC
Contact Information:	beth.blackmon@timmons.com 919-866-4509	Time:	5-7pm

Summary of questions/ comments and responses from the neighborhood meeting:

Questions/ Concern #1: Why is this project in the city and we live next door in the county?

Applicant Response: We are applying for annexation so that we can connect to city water and sewer. This project is within the City of Sanford's urban service area. This will help Sanford grow. This does not change anyone else's zoning or put anyone else within the city limits. It does bring utilities closer if something ever happens where you want to connect.

Questions/ Concern #2: Are you putting in fencing or natural barriers along the project perimeter? Could you leave the existing tree line?

Applicant Response: Residential to residential does not require a perimeter buffer because it's the same land use on both sides. We have not done any grading yet so we do not know what the design. But we try not to grade all the way to the property so some existing trees may stay. Additionally, most of the site does have open space that abuts the surrounding properties.

Questions/ Concern #3: Can you add a buffer to our property line? PIN 9653-05-0441

Applicant Response: Yes, we will do something there. Either a landscape buffer or 6' vinyl fence.

Questions/ Concern #4: What does SCM stand for?

Applicant Response: Stormwater control measure. It is a pond that treats stormwater runoff from our proposed site.

Questions/ Concern #5: Why are the lots so small?

Applicant Response: They are larger then they seem. We want to have diversity of housing to give homeowners more choices. Its also less land to maintain. This is also helpful in the economy when most people cant afford to buy 10 acres of land to live on.

Questions/ Concern #6: Are these 2 stories? What type of homes are these? Attached or detached?

Applicant Response: These are single family detached houses, homes that stand alone and do not abut others. There will probably be a mixture. Mostly 2 story and some ranches.

Questions/ Concern #7: What is this little area right here? (points to map shown at meeting)

Applicant Response: Its an existing pond that we are going to impact. It's a very shallow puddle according to the property owner.

Questions/ Concern #8: Do you have a range of what these properties will cost? How many square feet will the homes be?

Applicant Response: They will be market range. \$280k-\$320k is a similar price. 1600-2200sqft. We also have conditions on the plans that the builder has to adhere too for the architecture of the homes.

Questions/ Concern #9: This meeting is a great idea and very helpful.

Applicant Response: Yes, the town has us do this so that we can discuss possible changes before getting up in front of council or planning board.

Questions/ Concern #10: Any plans to widen the road?

Applicant Response: There may be a left turn lane at one or both of the entrances. DOT will tell us what we need at each entrance.

NORTH CAROLINA
LEE COUNTY

AFFIDAVIT OF MAILING

I, Beth Blackmon, Sr Project Manager with Timmons Group, being first duly sworn, deposes and says as follows:

1. That I am a project manager regarding a conditional rezoning petition filed with the City of Sanford (the "City"), for a project known as "Midtown Village South Part 2" (the "Project").
2. In accordance with the City's Unified Development Ordinance (the "UDO"), a Neighborhood Meeting for the Project was scheduled for and did occur on February 15, 2023 from 5-7pm
3. In accordance with the City's UDO, a notice of the Neighborhood Meeting was mailed to those individuals and property addresses identified on the exhibit attached hereto. To the best of my knowledge, the individuals identified on the attached exhibit are all of the landowners and occupants within 100 linear feet of the outer perimeter of the site where the Project is proposed.
4. The notice of the Neighborhood Meeting was mailed no less than ten days prior to the date of the Neighborhood Meeting.

This the 21st day of February, 2023.


 Beth Blackmon
 Sr Project Manager
 Timmons Group
 5410 Trinity Road, Suite 102
 Raleigh, NC 27607

NORTH CAROLINA
COUNTY OF Wake

BEFORE ME, the undersigned authority, this day personally appeared Beth Blackmon, who, being first duly sworn, deposes and says that she has read the foregoing Affidavit of Mailing and knows the facts contained therein to be true and correct to the best of her knowledge and belief.

SWORN TO AND SUBSCRIBED before me this February 21, 2023.

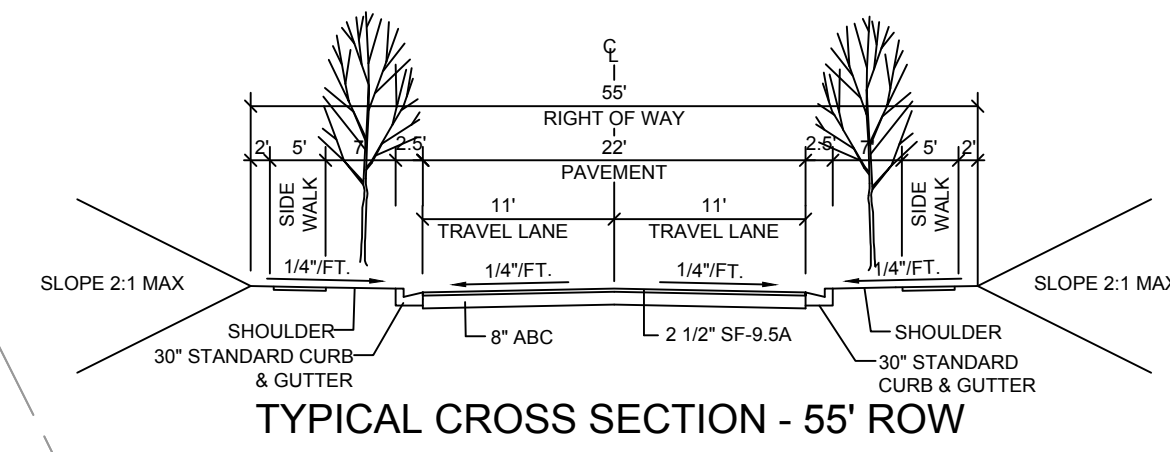
Karen L. Haas, Notary Public

(SEAL)

My commission expires: 8/8/26

Karen L. Haas
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires August 8, 2026

202122500189

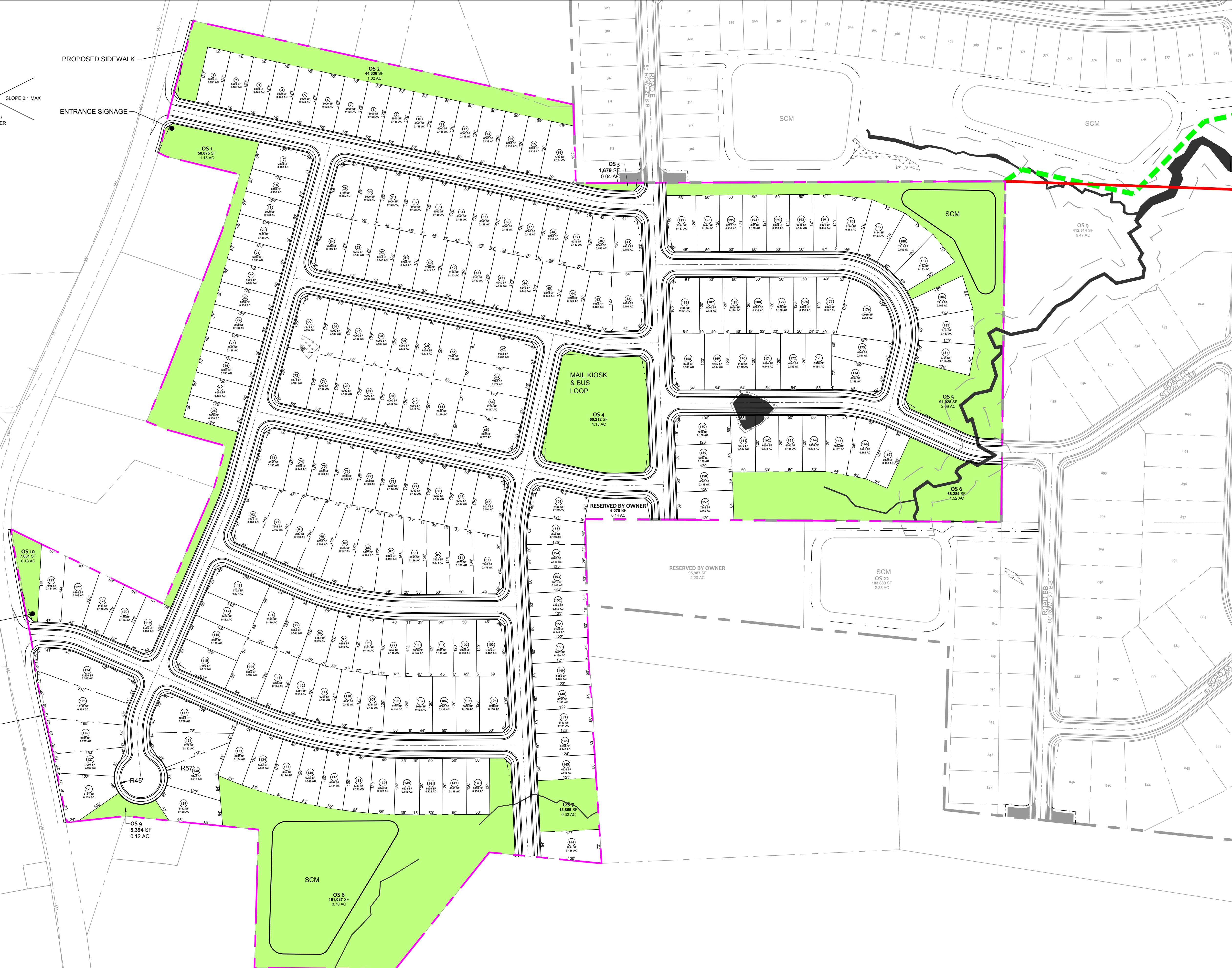


PROPOSED SIDEWALK

ENTRANCE SIGNAGE

ENTRANCE SIGNAGE

PROPOSED SIDEWALK



MIDTOWN VILLAGE SOUTH PART 2

CONCEPT SKETCH - December 13, 2022

+/- 53.34 AC
 PINS: 9653-06-2378, 9653-06-4343, 9653-05-6878,
 9653-15-5767, & 9653-04-5622,
 9653-15-5767, & 9653-15-1854
 EXISTING ZONING: R-20
 PROPOSED ZONING: MIDTOWN VILLAGE PART 2
 CONDITIONAL DISTRICT
 PROPOSED DENSITY: 3.69 DU/A

197 - 50'X120' SINGLE FAMILY LOTS

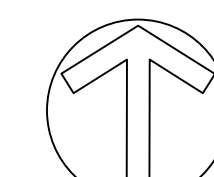
TOTAL: 197 UNITS

SETBACKS
 FRONT: 20'
 REAR: 15'
 SIDE: 5'
 CORNER: 10'

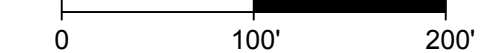
OPEN SPACE TABLE

OS #	SF	AC
OS 1	50,075	1.15
OS 2	44,336	1.02
OS 3	1,679	0.04
OS 4	50,212	1.15
OS 5	91,028	2.09
OS 6	66,284	1.52
OS 7	13,869	0.32
OS 8	161,087	3.70
OS 9	5,394	0.12
OS 10	7,681	0.18
TOTAL	491,646	11.29

(21.2%)



SCALE 1"=100'



JOB NUMBER 47734-331

CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
May 16, 2023

REQUEST

Mark Lyczkowski to rezone seven tracts of land comprising 53.34 +/- acres off of Colon Road from Residential Single-family (R-20) to the Midtown Village, Part 2, Conditional Zoning District to allow the development of a residential single-family home subdivision as illustrated on the Midtown Village South Part 2 Concept Sketch” submitted as part of the application. This is a request is for a site plan/subdivision plan specific conditional rezoning; therefore, the Conceptual Development Plan and proposed conditions are required as part of the proposed rezoning request.

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

GENERAL INFORMATION

Applicant: Mark Lyczkowski
Property Owners: Russell Wayne Matthews & Diane S. Matthews, Mary E. Rattz, and Thomas Monroe Matthews & Vicky S. Matthews/The Matthews Living Trust

Request: Rezone seven adjoining tracts of land from Residential Single-family (R-20) to the Midtown Village, Part 2, Conditional Zoning District allow the development of a residential community with townhomes and single-family homes

Location: Frontage on Colon Road
Acreage: 53.34 +/- acres
Tax Parcels: 9653-06-2378-00, 9653-06-4343-00, 9653-05-6878-00, 9653-05-4173-00-portion of (addressed as 728 Colon Road), 9653-04-5622-00, 9653-15-5767-00, and 9653-15-1854-00

Tax Maps: 9643.12, 9653.01, 9653.13, and 9643.16.
Township: East Sanford
Council Ward: Currently in Lee County Commissioner District 2
Fire Station: Northview Fire Department
Schools: Deep River Elementary | East Lee Middle School | Lee Senior High School

SITE DESCRIPTION

The subject property is bounded by the US Hwy 421 Bypass to the north, Colon Road to the west, and Lower Moncure Road to the east. South of the site is the N. Seventh Street, North Avenue, and N. Eleventh Street area of Sanford.

ZONING DISTRICT INFORMATION

Existing Zoning: The subject property is comprised of seven tracts of land with one existing zoning classification, as illustrated on the GIS zoning map included with the staff report.

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

Minimum lot width:	100ft
Minimum lot depth:	125ft
Minimum building setback, front:	30ft, measured from the right-of-way of the public street
Minimum building setback, rear:	30ft, measured from the rear property line
Minimum building setback, side(s):	15ft, measured from the left and right side property lines
Maximum building height:	40ft
Maximum impervious surface:	N/A unless located within a Watershed Conservation Overlay

Examples of uses permitted by right within the R-20 zoning district include single-family dwellings (modular and site built), parks/playgrounds/athletic fields operated on a noncommercial basis, and religious complexes/churches with less than 350 seats. There is a list of all of the permitted uses for this zoning district included with the staff report for your reference.

Proposed Zoning: The Midtown Village, Part 2, Conditional Zoning District is a Type 1 Conditional Zoning District that is created as a stand-alone district with its own unique conditions. Under this zoning district, 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 UDO. This zoning district would be most suitable in situations where none of the current conventional zoning districts accommodate the desired use(s), such as a large mixed-use planned development in which the owner/developer has a clear vision as to how the property is to be developed.

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

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

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

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

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

The following information applies to the Midtown Village South, Part 2, Conditional Zoning District:

Concept Sketch Information

Allowed land use:	single-family detached dwellings
Minimum lot size:	6,000sf or 0.137 of an acre
Minimum lot depth:	120ft
Minimum lot width:	50ft
Front setback:	20ft
Rear setback:	15ft
Side setback:	5ft
Corner lot setback:	10ft
Density:	3.69 dwelling units per acre
Total Number:	197
Open Space:	11.29 acres or 21.2%

Rezoning Application Written Conditions Attachment

The subject properties would only allow residential dwellings, single family detached units.

1. Single Family area, as denoted on the conceptual development plan, would allow single-family detached dwellings with a minimum lot size of 6,000 sf, minimum lot depth of 120-feet, and a minimum lot width of 50-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: 20-feet, as determined by the orientation of the house and measured from the rear property line; and
 - Side: 5-feet, as measured from the left and right-side property lines; and

- Corner: 15-feet, as determined by the orientation of the house and measured from the side street.
2. Every third home must be a different elevation.
 3. All homes must include at least a single car enclosed garage.
 4. All single-family detached homes must include a dormer or front porch with roof elevation that varies from the main roof line.
 5. All front and side yards must be sodded.
 6. Rear yards can be seeded and strawed.
 7. All driveways must be concrete.
 8. All homes must have walkways to the front door.

Adjacent Zoning

North: Residential Single-family (R-20) and Midtown Village Conditional Zoning District
 South: Residential Single-family (R-20)
 East: Midtown Village Conditional Zoning District and Residential Single-family (R-20)
 West: Opposite Colon Road - Residential Single-family (R-20) and Light Industrial (LI)

Adjacent Land Use

North: Vacant land and residential houses, both existing & proposed within the approved Midtown Village Conditional Zoning District
 South: Vacant land and residential houses
 East: Vacant land and residential houses proposed within the approved Midtown Village Conditional Zoning District
 West: Opposite Colon Road – Vacant land and the City of Sanford Public Works compost facility

PLAN SANLEE

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

LOCAL OVERLAY DISTRICTS

This site is not located in a local overlay district. There are, however, several “blue line streams on site that will need to be taken into consideration when creating the subdivision design and developing this property.

General Note: The following is a general note included with all rezoning requests: Sanford, Lee County, and Broadway do not have a local grading permit or stormwater ordinance and rely on the NC Department of Environmental Quality to regulate land disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources

Sediment Program via mail 1612 Mail Service Center, Raleigh, NC 27699-1612, via phone at 877-623-6748 or visit the NCDEQ website at <http://deq.nc.gov>. The physical address of the office is 217 W. Jones Street, Raleigh, NC 27603

UTILITIES

Public water appears to be available via an existing 12-inch water main line located in the right-of-way of Colon Road. Public sewer is not currently available and must be extended to serve this site. This information is per our GIS mapping system and 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 – Developer Improvement Agreements, pipe sizing, and annexation.

TRANSPORTATION

The subject property has frontage on Colon Road (SR 1415), a NCDOT maintained public roadway with a right-of-way that appears to be 60ft in the area with road frontage. This information is per our GIS mapping system and NCDOT must approve any proposed driveways via the site plan review/approval process to verify compliance with all applicable regulations, including – but not limited to - traffic studies and roadway improvements/turn lanes.

2011 Lee County Comprehensive Transportation Plan: Colon Road is illustrated as an existing boulevard that needs improvement.

NCDOT Average Annual Daily Traffic Count (AADT): There is a 2018 AADT count of 3,500 vehicles per day on Colon Road, south of the site near the Lions Club Fair Ground at 505 N. Seventh Street. Reference NCDOT AADT station 0530000373 on the interactive NCDOT AADT Web Map at <https://ncdot.maps.arcgis.com/home/webmap/viewer.html>.

DEVELOPMENT STANDARDS

If rezoned, the information noted and illustrated on the Midtown Village South, Part 2, Concept Sketch, along with the written information / conditions submitted as part of the rezoning application, govern the development and use of the property. If approved, this information is legally binding on the land; therefore, the site has to be developed as per the approved plans and conditions even if a property transfer were to take place. Any item not specifically addressed in the rezoning process must comply with the UDO standards.

Regarding future development of the subject property, a preliminary major subdivision plat that corresponds with the design associated with the conditional rezoning request will be required to be reviewed by the Planning Board and approved by the Sanford City Council. Also, detailed site & building plans that correspond with the uses, conditions, design standards, and maximum densities denoted within the rezoning application and on the associated Concept Sketch will be required to be approved by staff prior to the issuance of a building permit for each structure within this development.

PUBLIC INFORMATION MEETING

A neighborhood information meeting was held on February 15th and information regarding the number of attendees and the questions and concerns posed are included as part of the rezoning application.

STAFF RECOMMENDATION

The zoning map amendment appears to be a reasonable request because it proposed residential development served by public water and sewer in an area recently annexed into the corporate City limits. Also, information that corresponds with the design & conditions associated with the conditional rezoning request will be required to be reviewed boards and staff prior to the actual site development.

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

PLANNING BOARD RECOMMENDATION

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

Sample Motions

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

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

Motion Option 1: *“I make a motion that the zoning map amendment **IS** consistent with the Plan Sanlee long-range plan designation of Suburban Neighborhood because it allows residential detached and attached single-family dwellings as proposed land uses with public water and sewer as proposed.”*

Motion Option 2: *I make a motion that the propose zoning map amendment **IS NOT** consistent with the Plan Sanlee long-range plan designation of Suburban Neighborhood because the proposed density for residential development exceeds the recommended primary density of medium and the recommended density of low as secondary.”*

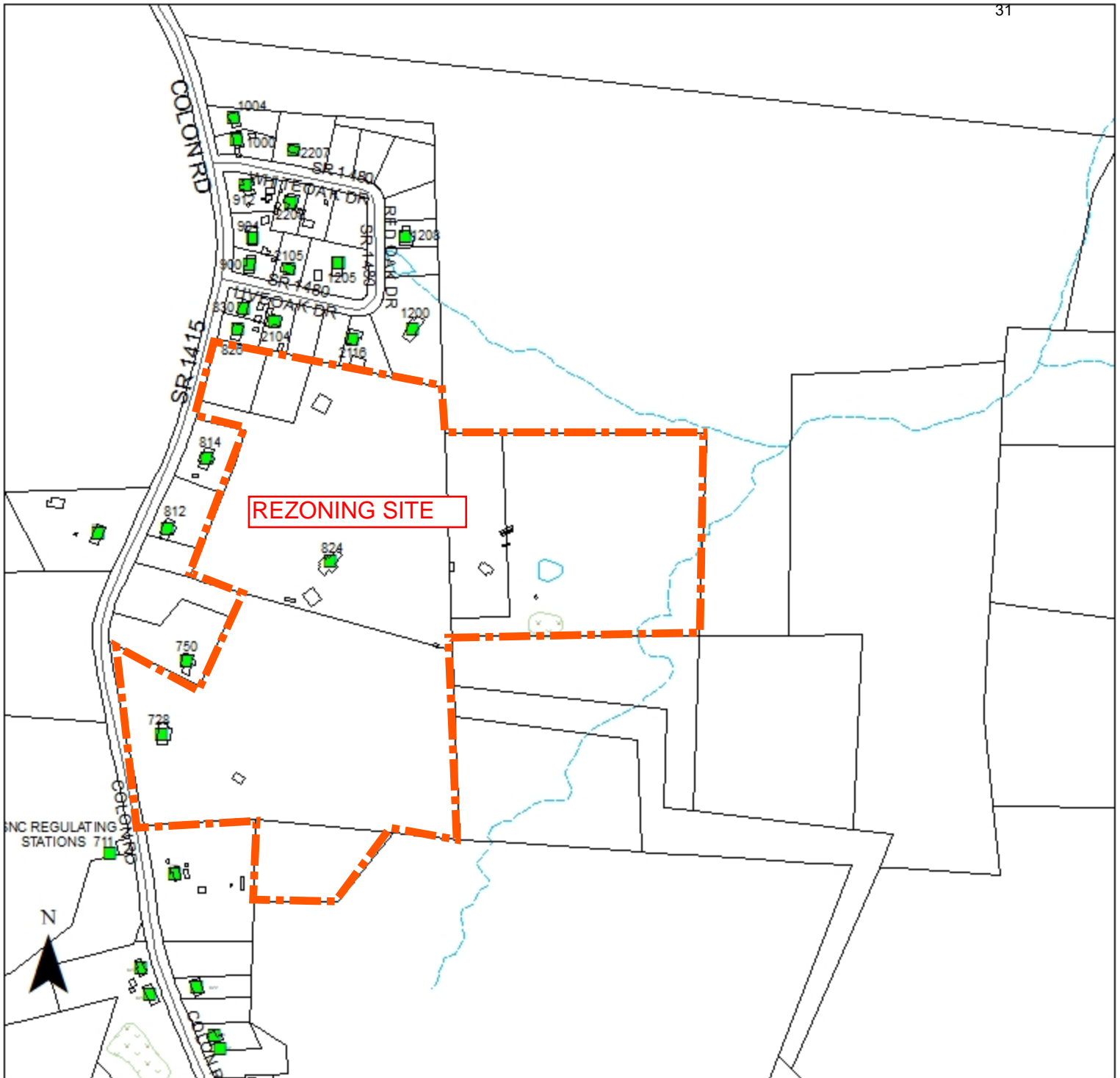
Motion Option 3 - Unique motion: The Planning Board members are free to create a unique motion based on different articulated findings, information that was provided during the public hearing, or other matters deemed important by the Board.

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

Motion Option 1: *“I make a motion that the Planning Board recommend the City Council **APPROVE** the proposed zoning map amendment because it is reasonable and in the public interest because it proposes residential development to be served by public water and sewer in an area that was recently annexed into the corporate City limits.”*

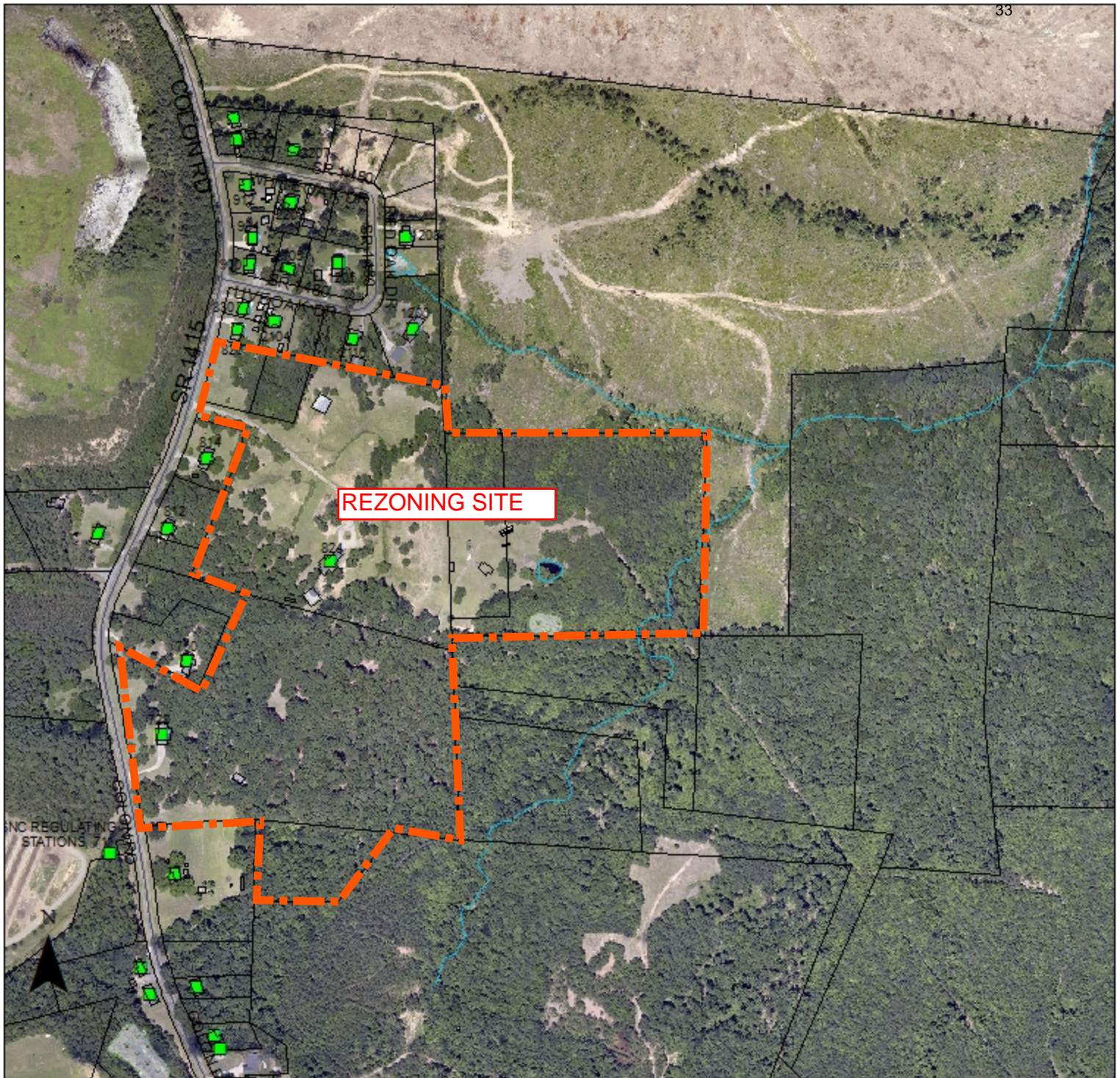
Motion Option 2: *“I make a motion that the Planning Board recommend the City Council **DENY** the proposed zoning map amendment because it is not in harmony with the existing development in the area.”*

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



REZONING APPLICATION
Rezone 7 tracts of land from R-20 to the
Midtown Village South, Part 2, Conditional Zoning District.
(see report for PINs)

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.



REZONING APPLICATION
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(see report for PINs)

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

USES PERMITTED IN
R-20 RESIDENTIAL SINGLE-FAMILY DISTRICT

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

PERMITTED USES WITH DEVELOPMENT REGULATIONS

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

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

PERMITTED AS A SPECIAL USES

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

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

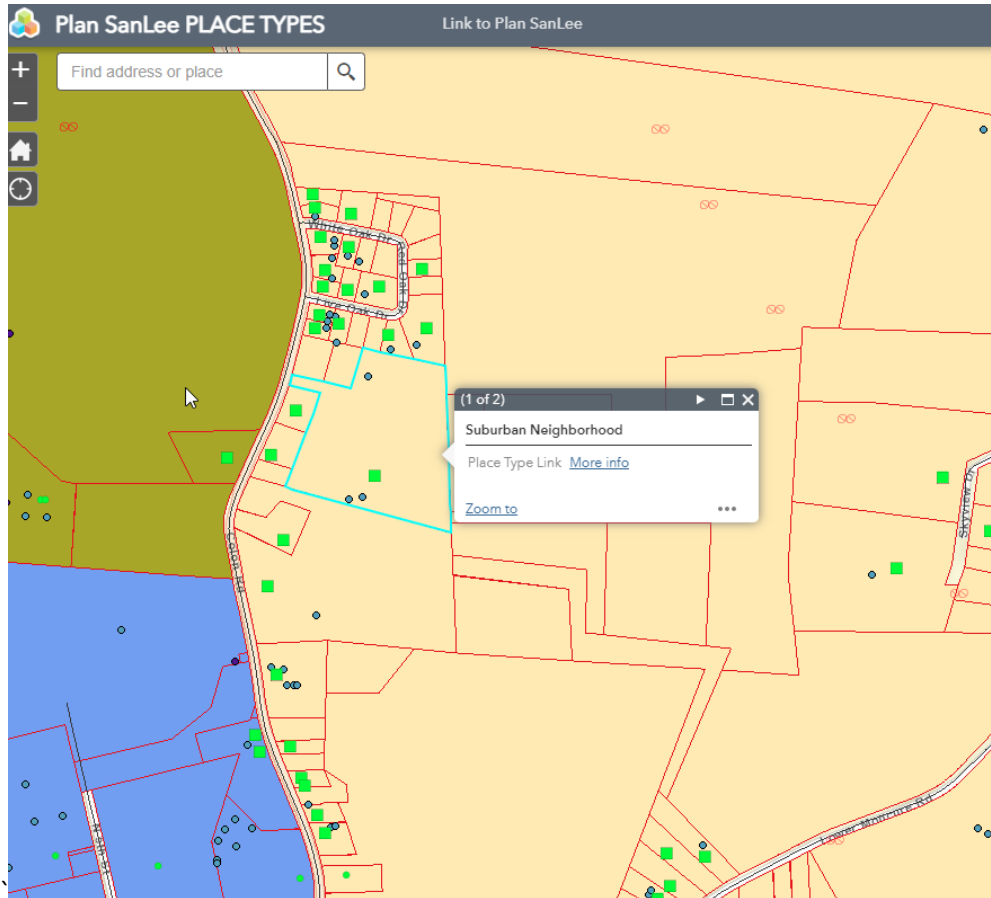
PERMITTED AS SPECIAL USE WITH DEVELOPMENT REGULATIONS

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

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

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

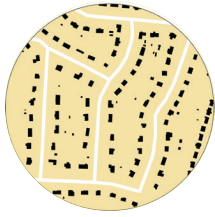
Plan SanLee - Long Range Plan – Interactive Map of Site



Place_Types

Place Types

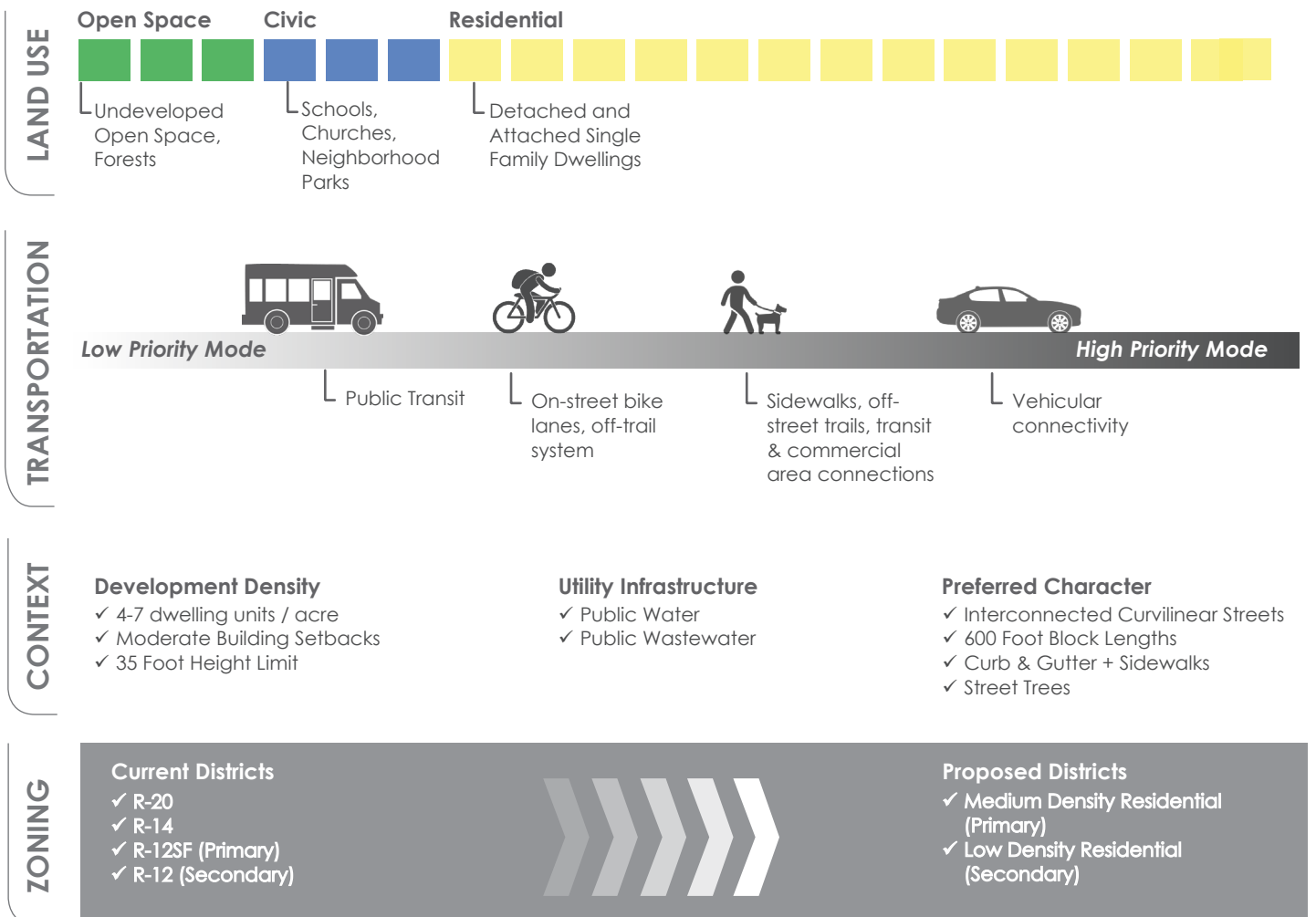
- Commercial Corridor
- Countryside
- Crossroads
- Downtown
- Industrial Center
- Maker District
- Mixed Use Activity Center
- Neighborhood Center
- Neighborhood Transition
- Professional and Institutional Campus
- Suburban Neighborhood
- Urban Neighborhood
- Village Center
- Village Neighborhood



SUBURBAN NEIGHBORHOOD

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

Local Example - Westlake Valley Neighborhood in Sanford



ADJOINING PROPERTY OWNERS LIST

PETITION BY: Mark Lyczkowski

REQUEST: Rezone 7 adjoining tracts of land comprising 53.34 +/- acres from Residential Single-family (R-20) to the Midtown Village South, Part 2, Conditional Zoning District.

LOCATION: Frontage on Colon Road in Sanford, NC 27330

PINs: 9653-06-2378-00, 9653-06-4343-00, 9653-05-6878-00, 9653-05-4173-00-portion of (addressed as 728 Colon Road), 9653-04-5622-00, 9653-15-5767-00, and 9653-15-1854-00

DATE: 2023-04-24

No.	PIN	PROPERTY ADDRESS	OWNER 1	OWNER 2	ML	MAIL STREET	MAIL CITY	ST	ZIP
01	9653-06-3612-00 OAKDALE SUBD LOT 2	830 COLON ROAD	GUERRERO, JARED S	-	830	COLON ROAD	SANFORD	NC	27330
02	9653-06-3503-00 OAKDALE SUBD LOT 1	826 COLON ROAD	SPRY, JIMMIE DAVID/TRUSTEE	THE CAROL M SPRY IRREVOCABLE TRUST	826	COLON ROAD	SANFORD	NC	27330
03	9653-06-4534-00 OAKDALE SUBD LOT 22	2104 LIVE OAK DRIVE	RAUB, NATHAN WYATT	RAUB, MELISSA DANIELLE	2104	LIVE OAK DRIVE	SANFORD	NC	27330
04	9653-06-5522-00 OAKDALE SUBD LOT 21	0 LIVE OAK DRIVE	RATTZ, SHERWOOD MAXWELL	RATTZ, MARY E	3690	CARBONTON ROAD	SANFORD	NC	27330
05	9653-06-6520-00 OAKDALE SUBD LOT 20	0 LIVE OAK DRIVE	SMITH, STEVEN PAUL	-	2116	LIVE OAK DRIVE	SANFORD	NC	27330
06	9653-06-7438-00 OAKDALE SUBD LOT 19	2116 LIVE OAK DRIVE	SMITH, STEVEN P	-	2116	LIVE OAK DRIVE	SANFORD	NC	27330
07	9653-06-9505-00 OAKDALE SUBD LOT 17	2116 LIVE OAK DRIVE	LAMB, GREGORY E	-	1200	RED OAK DRIVE	SANFORD	NC	27330
08	9653-26-3853-00	0 COLON ROAD	UNLIMITED INVESTMENT OF NORTH CAROLINA LLC	-	1410	ELM STREET	SANFORD	NC	27330
09	9653-24-1951-00	0 LOWER MONCURE ROAD	HOWARD WOMACK LANDS LLC	-	4712	SHADOW RIDGE COURT	HOLLY SPRINGS	NC	27540
10	9653-15-4239-00	0 COLON ROAD	HOWARD WOMACK LANDS LLC	-	4712	SHADOW RIDGE COURT	HOLLY SPRINGS	NC	27540
11	9653-14-8753-00	0 LOWER MONCURE RD	HAITHCOX, RICKY FLETCHER	-	319	ELEVENTH STREET	SANFORD	NC	27330
12	9653-14-5910-00	0 COLON ROAD	WICKER, M E (HEIRS)	-	319	ELEVENTH STREET	SANFORD	NC	27330

13	9653-13-3974-00	0 COLON RD	HAITHCOX, RICKEY FLETCHER	-	213	N TENTH STREET	SANFORD	NC	27330
14	9653-04-1566-00	706 COLON RD	ESTRADA, SANTOS HERNANDEZ	-	1002	GOLDSBORO AVENUE	SANFORD	NC	27330
15	9653-05-0441-00	750 COLON RD	WICKER, MICHAEL R	WICKER, BRENDA L	750	COLON ROAD	SANFORD	NC	27330
16	9653-05-4173-00	728 COLON RD	MATTHEWS, THOMAS MONROE&VICKY STEPHENS	THE MATTHEWS LIVING TRUST	728	COLON ROAD	SANFORD	NC	27330
17	9653-05-0751-00	0 COLON RD	ZBINDEN, ROBERT Z	ZBINDEN, KAREN E	104	APPLE AVENUE	DOTHAN	AL	36303
18	9653-05-1808-00	812 COLON RD	QUINTANA, UBERT	QUINTANA, SILVIA	812	COLON ROAD	SANFORD	NC	27330
19	9653-06-2019-00	814 COLON RD	SMITH, GAIL P	-	814	COLON ROAD	SANFORD	NC	27330
20	9643-97-1237-00	0 COLON RD	COLON ROAD LAND LLC	-	5121	KINGDOM WAY	RALEIGH	NC	27607
21	9643-95-6890-00	805 COLON RD	JOYNER, CLARENCE	-	805	COLON ROAD	SANFORD	NC	27330
22	9643-95-3460-00	0 COLON ROAD	JOYNER, CLARENCE	JOYNER, FONNIE C	805	COLON ROAD	SANFORD	NC	27330
23	9643-84-5695-00	0 COLON ROAD	SANFORD, CITY OF	-	-	PO BOX 3729	SANFORD	NC	27331
24	APPLICANT	MARK LYCZKOWSKI	(SEE BELOW)	(SEE BELOW)	-	PO BOX 487	SANFORD	NC	27330
25	LOT 1 PROPERTY OWNER	9653-06-2378-00	RUSSELL WAYNE MATTHEWS	-	824	COLON ROAD	SANFORD	NC	27330
26	LOT 2 PROPERTY OWNER	9653-06-4343-00	MARY E. RATTZ	-	3690	CARBONTON ROAD	SANFORD	NC	27330
27	LOT 3 PROPERTY OWNER	9653-05-6878-00	RUSSEL WAYNE MATTHEWS	DIANE S. MATTHEWS	824	COLON ROAD	SANFORD	NC	27330
28	LOT 4 PROPERTY OWNER	9653-05-4173-00 PORTION OF ADDRESSED AS 728 COLON ROAD	THOMAS MONROE MATTHEWS, THE MATTHEWS LIVING TRUST	VICKY STEPHEN MATTHEWS, THE MATTHEWS LIVING TRUST	728	COLON ROAD	SANFORD	NC	27330
29	LOT 5 PROPERTY OWNER	9653-04-5622-00	RUSSEL WAYNE MATTHEWS	DIANE S. MATTHEWS	824	COLON ROAD	SANFORD	NC	27330
30	LOT 6 PROPERTY OWNER	9653-15-5767-00	RUSSEL WAYNE MATTHEWS	DIANE S. MATTHEWS	824	COLON ROAD	SANFORD	NC	27330
31	LOT 7 PROPERTY OWNER	9653-15-1854-00	RUSSEL WAYNE MATTHEWS	DIANE S. MATTHEWS	824	COLON ROAD	SANFORD	NC	27330

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 a joint legislative hearing on Tuesday, May 16, 2023 in the Council Chambers of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. This public hearing will provide the public an opportunity to be heard. The Boards will consider one (1) application to amend the Official Zoning Map of the City of Sanford, NC. The hearing will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Board. The rezoning application is described below:

1. ZONING MAP AMENDMENT / REZONING APPLICATION; CASE 2023-0501

Application by Mark Lyczkowski to rezone seven (7) tracts of land comprising 53.34 +/- acres off of Colon Road from Residential Single-family (R-20) to the Midtown Village South, Part 2, Conditional Zoning District to allow the development of a residential single-family home subdivision. The subject property is owned by Russell Wayne Matthews & Diane S. Matthews, Mary E. Rattz, and Thomas Monroe Matthews & Vicky S. Matthews/The Matthews Living Trust and is identified as Lee County Tax Parcels 9653-06-2378-00, 9653-06-4343-00, 9653-05-6878-00, 9653-05-4173-00-portion of (addressed as 728 Colon Road), 9653-04-5622-00, 9653-15-5767-00, and 9653-15-1854-00 as depicted on Tax Maps 9643.12, 9653.01, 9653.13, and 9643.16.

This rezoning request is subject to annexation of the subject property into the corporate City limits for which the public hearing/vote will also be held on May 16th.

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

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

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

By Bonnie Davis, Clerk
City of Sanford

May 1, 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.

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

ADJACENT PROPERTY OWNERS' NOTIFICATION CERTIFICATION

I, Amy J. McNeill 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 Monday, May 1, 2023.

1. ZONING MAP AMENDMENT / REZONING APPLICATION; CASE 2023-0501

Application by Mark Lyczkowski to rezone seven (7) tracts of land comprising 53.34 +/- acres off of Colon Road from Residential Single-family (R-20) to the Midtown Village South, Part 2, Conditional Zoning District to allow the development of a residential single-family home subdivision. The subject property is owned by Russell Wayne Matthews & Diane S. Matthews, Mary E. Rattz, and Thomas Monroe Matthews & Vicky S. Matthews/The Matthews Living Trust and is identified as Lee County Tax Parcels 9653-06-2378-00, 9653-06-4343-00, 9653-05-6878-00, 9653-05-4173-00-portion of (addressed as 728 Colon Road), 9653-04-5622-00, 9653-15-5767-00, and 9653-15-1854-00 as depicted on Tax Maps 9643.12, 9653.01, 9653.13, and 9643.16.

This rezoning request is subject to annexation of the subject property into the corporate City limits for which the public hearing/vote will also be held on May 16th.

Signature and Title: Amy J. McNeill, Zoning Administrator

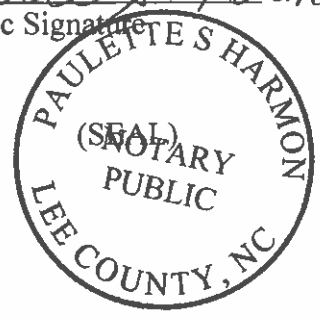
Date: 2023-05-01

Lee County, North Carolina

I, Paulette S. Harmon, a Notary Public for Lee County and State of North Carolina do hereby certify that Amy J. McNeill, personally appeared before me on this day and acknowledged the due execution of the foregoing Instrument. Witness my hand and official seal, this the 1st day of May, 2023.

Paulette S. Harmon
Notary Public Signature

My Commission expires October 11th, 2025



City of Sanford

City Council Actions on Items Requiring a Planning Board Recommendation

1. MAJOR SUBDIVISION PRELIMINARY PLAT, CASE 2023-0401

Chatham Capital Group, LLC, is seeking approval of a preliminary plat for a major subdivision that would create a 180-lot residential development for single-family attached dwellings. The proposed subdivision is bisected by Tramway Road, with the north and south portions of the project to be built out in two separate phases. The development site was recently rezoned from R-20 (Residential Single-Family) to the West Main Townhomes Subdivision Conditional Zoning District in March, 2022.

2023-04-18 SPB: Recommended approval as presented by a unanimous vote.

2023-05-02 SCC: Pending as of May 1st date of SPB agenda packet mailing. Staff to provide a verbal update at the May 16th meeting.

2. ZONING MAP AMENDMENT / REZONING APPLICATION; CASE 2023-0402

Application by Fenominal Home Care Inc. to rezone one (1) tract of land comprising 0.34 +/- acres, owned by AMG Dynamics LLC, located at 160 Charlotte Avenue, identified as Lee County Tax Parcel 9643-70-8324-00, as depicted on Tax Map 9643.20, from Light Industrial (LI) to Office and Institutional (O&I) to allow an adult daycare land use in addition to existing community service offerings.

2023-04-18 SPB: Recommended approval as presented by a unanimous vote.

2023-05-02 SCC: Pending as of May 1st date of SPB agenda packet mailing. Staff to provide a verbal update at the May 16th meeting.

3. ZONING MAP AMENDMENT / REZONING APPLICATION; CASE 2023-0403

Application by Goshen Medical Center, Inc. to rezone one (1) tract of land comprising 1.26 +/- acres, owned by Goshen Medical Center, Inc, located at 2807 South Horner Boulevard, identified as Lee County Tax Parcel 9652-80-6718-00, as depicted on Tax Map 9652.20, from Light Industrial (LI) to General Commercial (C-2) to allow for a change of use of an existing commercial building into a medical office.

2023-04-18 SPB: Recommended approval as presented by a unanimous vote.

2023-05-02 SCC: Pending as of May 1st date of SPB agenda packet mailing. Staff to provide a verbal update at the May 16th meeting.