1. **MEETING CALLED TO ORDER**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT**

5. **APPROVAL OF AGENDA**

6. **CONSENT AGENDA**
   A. Approval of Joint Interlocal Committee Meeting Minutes Dated February 11, 2019 – (Pages 4 - 8)
   
   B. Approval of City Council Work Session Minutes Dated February 12, 2019 – (Pages 9 - 14)
   
   C. Approval of City Council Meeting Minutes Dated March 5, 2019 - (Pages 15 - 19)
   
   D. Approval of City Council Meeting Minutes Dated March 19, 2019 – (Pages 20 - 30)
   
   E. Approval of City Council Meeting Minutes Dated April 2, 2019 – (Pages 31 - 37)

7. **SPECIAL AGENDA**
   Proclamation Proclaiming April 18, 2019 as Lineman Appreciation Day – (Page 38)

8. **CASES FOR PUBLIC HEARING: to be held jointly with the Planning Board.**
   A. Application by the Ruby and Ernest McSwain Worthy Lands Trust, for property owned by the Ruby Crumpler McSwain Estate, - to rezone one vacant 0.50 ± acre tract of land with frontage/access off of Woodland Avenue from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcel 9652-04-1924-00 as depicted on Lee County Tax Maps 9652.09 and 9652.13 and illustrated as Lot 1 on a 1907 survey labeled a Map of Sou. Sanford, N.C. and recorded at Plat Cabinet 2, Slide 314 of the Lee County Register of Deeds Office, along with a portion of W. Spruce Street that was
closed by the Sanford Board of Alderman in 1993 per Deed Book 507, Page 912 of the Lee County Register of Deeds Office. – (Pages 39 – 54)

B. Application by the Ruby and Ernest McSwain Worthy Lands Trust, for property owned by the Ruby Crumpler McSwain Estate - to rezone one vacant 0.33 ± acre tract of land formerly developed with a house addressed as 1015 Woodland Avenue and being a corner lot with frontage/access off of Woodland Avenue and W. Rose Street from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcel 9642-957483-00 as depicted on Lee County Tax Map 9642.12 and illustrated on Exhibit A of a 2016 Deed of Easement recorded at Deed Book 1412, Page 677 of the Lee County Register of Deeds Office. - (Pages 55 – 70)

C. Application by Wolfheel Properties, Inc. - to rezone two adjoining tracts of land totaling 0.44 ± of an acre addressed as 1103 and 1107 Woodland Avenue from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcels 964295-9360-00 and 9652-05-0239-00 as depicted on Lee County Tax Maps 9642.12 and 9652.09 and illustrated as Lots 2 and 3 on a 1952 survey labeled Map Showing Actual Survey for Redivision of Block #184 of the Monroe Addition to the Town of Sanford, N.C., Lee County recorded at Plat Cabinet 2, Slide 474 of the Lee County Register of Deeds Office. – (Pages 71 – 92)

*The Planning Board shall retire to the West End Conference Room.*

D. **REMOVED FROM AGENDA** Public Hearing on Carr Creek Area D Sewer Extension
   - Consider Adoption of Resolution Directing that the Project be Undertaken – Carr Creek Area D Sewer Extension – (Pages 93–94)

**9. DECISIONS ON PUBLIC HEARINGS**

**10. REGULAR AGENDA**

**11. NEW BUSINESS (Items for discussion and action will only be taken if necessary. Otherwise, these items will be placed on the next agenda for approval.)**
A. Consider Grant Project Ordinance – Community Development Block Grant Program
   2017 CDBG Neighborhood Revitalization Project – (Page 95)

B. Consider Grant Agreement and Funding Approval for 2017 Community Development Block Grant Program – Neighborhood Revitalization Program – (Pages 96 - 107)

C. Consider Contract for Services Between the City of Sanford and Partners for Impact, LLC – Consultant for S3 Housing Connect – (Page 108 – 111)

D. Consider Reimbursement Resolution – Sanford/Lee County Regional Airport Sewer Extension Project No. S1801 – (Page 112)
E. Consider Resolution Declaring the Intention of the City Council to Consider Closing of an Unopened Portion of Railroad Street from Chisholm Street Southeast 135 Feet – (Pages 113 - 115)

F. Consider Resolution in Support of the Temporary Closure of Portions of Several Streets for the Purpose of a 5K Fundraiser Sponsored by Floyd Knight School’s PTSO – (Pages 116 – 119)

G. Consider Request to Reduce the Membership of the Joint Sanford/Lee County Environmental Affairs Board from Eleven to Seven Members – (Pages 120 - 123)

H. Consider Resolution of the City Council of the City of Sanford, North Carolina Providing for the Issuance of $2,000,000 General Obligation Parks and Recreation Bonds, Series 2019 of the City of Sanford, North Carolina – (Pages 124 – 136)

I. Consideration of a Delegation to Atizapan, Mexico - (Page 137)

12. OTHER BUSINESS

13. ADJOURNMENT
The City Council held a workshop meeting on Tuesday, February 11, 2018, at 11:00 a.m. in the Gordon Wicker Conference Room of the Lee County Government Building, 106 Hillcrest Street, Sanford, North Carolina. The following people were present:

City:
Mayor T. Chet Mann
Mayor Pro Tem Rebecca Wyhof Salmon
Council Member Sam Gaskins
City Manager Hal Hegwer
City Attorney Susan Patterson
Management Analyst Holly Marosites
Deputy City Clerk Vicki Cannady

County:
Lee County Commissioner Chair Amy Dalrymple
Lee County Commissioner Cameron Sharpe
Lee County Commissioner Kevin Dodson
Lee County Manager John Crumpton
Lee County Asst. Mgr./Finance Director Lisa Minter
Lee County Attorney Whitney Parrish
Lee County Clerk to the Board Jennifer Gamble

Broadway:
Mayor Donald Andrews

Absent:
City Clerk Bonnie Davis

Amy Dalrymple, Chair of the Lee County Board of Commissioners, called the meeting to order.

**Unified Development Ordinance/Airport Overlay**

Community Development Director Marshall Downey explained that in connection with updates of our Land Use Plan and the airport’s Master Plan, a new overlay zone has been proposed to control residential growth around the airport. If adopted, it would place additional restrictions on residential growth, changing the current allowance of one unit per acre to one unit per five acres, reducing the opportunity for large subdivisions near the airport. This change was presented at a public meeting last fall and based on negative feedback from landowners that it would restrict their ability to create lots for their families, revisions were made to exempt minor subdivisions and allow up to three lots if served by an easement or up to six lots if served by an existing public street. Subdivisions served by a new public street would be considered “major” subdivisions and would not be exempt. The final draft will be presented at another public meeting planned for February 27 at the airport, with the final plan to be presented to the Joint Planning Commission and public hearings held in the spring.

Mayor Mann noted the strategic importance of the airport and the need to protect development in the surrounding area. Mr. Downey stated that he would like to explore development standards in order to set the bar for expectations and identify key elements, and he plans to review specifics at the upcoming City Council retreat.

Mayor Mann noted that the negotiated conditional zoning currently being used extensively by staff is a good tool but staff and developers need specifics. He invited everyone to a meeting of the
Residential Task Force on February 12 at 3:00 p.m. and encouraged the governing bodies to prioritize UDO updates. Mr. Downey explained that we are trying to find a balance that will make the development community comfortable while protecting the character of our community.

**Kiwanis Family Park Timeline (Exhibit A)**

Vic Czar, Public Works Director, explained that work has begun on the Kiwanis Family Park project and all construction should be completed in August. Final playground equipment selections are being made and the playground should be completed in late spring. The splashpad will likely be turned over to the installer in May and will be one of the last items completed since it will also involve constructing a pump house and related items. He also reminded everyone that the schedule will be affected by the weather. A temporary construction entrance will be opened soon while the parking area is demolished and portable toilets placed since the restrooms will be demolished. Don Reuter has been hired as the City’s Parks Administrator and is managing the project. Renderings of two proposed entrances by City Council Member Byron Buckels were reviewed and are attached. Mayor Pro Tem Salmon, liaison to the Appearance Commission, explained that there have been discussions about installing large-scale public art displays that could be done as a community project since no funding was included in the city budget.

**Multi-Sport Complex**

County Commissioner Chair Amy Dalrymple reminded Council that several commissioners had conversations with community members several years ago about a multi-sports complex and they worked with a consultant on a comprehensive study that included a great deal of community feedback. The study estimated the cost of a facility would be approximately $21 million. A citizen has recently offered to donate a premier tract of land on Broadway Road near the Highway 421 Bypass that could serve as a site for five to eight regulation sized sports fields, pavilions for markets or shows, concession stands, walking trails, and a playground. The owner would like to locate a hotel, restaurant and/or retail development along the road and the sports park at the rear of the site. Mayor Mann noted that more children between the ages of 6 and 19 (465,000) live within a 60-minute drive of Sanford than anywhere else in the state and a multi-sports facility could serve as an economic engine for our area. He suggested there may be an opportunity to issue general obligation bonds in 2020 to fund the project. Mrs. Dalrymple added that a sports facility would serve as a great amenity in the community, especially since it would be visible from the Highway 421 Bypass and could serve as a “gateway” along Broadway Road. The county’s committee will be meeting soon and a steering committee containing two City Council members will be established. County staff will request updated information from the consultant and Mayor Mann will reach out to members of the focus group to help steer the project. Council Member Gaskins noted that the project stalled earlier not because of a lack of interest or funding, but because there was no appropriate site for the project.

**Joint Library with CCCC**

County Commissioner Chair Amy Dalrymple explained that she recently met with CCCC representatives and they are exploring a joint project to construct a library to serve both the county and the college. The county’s 18,000 square foot library is very costly to maintain and is no longer large enough to provide services and programs needed by our citizens, and the college’s library (original to the school) is much too small for its 16,000 students. CCCC has offered property at the corner of Nash Street and Kelly Drive as a site for a joint library, with a main floor entrance on Nash Street and a rear entrance to the second floor to serve the college. It could also serve as a community center, similar to the model used by Chatham County, and Harnett County is also considering a similar joint arrangement. The site is in a key location, near the college, our largest high school, the Civic
Center and O.T. Sloan Park. Mrs. Dalrymple noted there are significant cost savings of a joint library and suggested this project could also be included in a 2020 bond referendum. They will be consulting with an architect to prepare conceptual renderings and information will be presented to the Local Government Commission for approval. She encouraged everyone to pass along any facility or programming items they would like to see included in a county library. Mayor Mann suggested that Beth List, Lee County Librarian, serve on a bond referendum steering committee.

**Occupancy Tax Discussion**

Mayor Mann explained that the Sanford Tourism Development Authority (TDA) has been very successful in its first year and revenue exceeded projections. They will soon be awarding a bid of approximately $150,000 to a marketing firm (the same firm used by Downtown Sanford Inc., which will reduce expenses). City Council Member Sam Gaskins explained that legislation establishing the TDA included language that “the Authority shall use 2/3 of the funds remitted to promote travel and tourism in the City of Sanford and use the remaining 1/3 of funds remitted to it for the operation and maintenance, promotion and renovation of the Dennis A. Wicker Civic Center” but included no allocation for TDA facilities. He explained that the provision for the Civic Center was included against our wishes and noted that the center already receives funding through county taxes while there is no provision to help the TDA lease or rent space. He confirmed that there has been no pushback on this proposal; that TDA marketing efforts will benefit the Civic Center; and that the Civic Center has an employee, David Foster, who represents it on the TDA. Mayor Mann informed County officials that this topic will be discussed with state representatives at the upcoming Council retreat.

**Deep Well Injection Ordinance**

City Council and Joint Planning Committee Member Sam Gaskins explained that there have been discussions about the fact that the nearby Shearon Harris Nuclear Power Plant in New Hill sits atop a fault line and there are two other fault lines in the vicinity. With concerns about hydraulic fracturing and earthquakes attributed to deep well injections as a predominant cause in Oklahoma and Ohio, he suggested this is a serious issue. An earthquake near the plant could require evacuation of the Triangle area and the entire central North Carolina area. While a state law preventing deep well injection already exists, Mr. Gaskins suggested there is an opportunity for us to include a prohibition of deep well injections in the UDO rather than risk a new state law suddenly being enacted to allow it, as has been done in the past with sudden legislative changes even though they were not included on the docket.

**S3Housing Connect Update and Outreach Missions, Inc. Shelter Sustainability Plan**

Mayor Mann explained that our S3 Housing Connect program has been very successful. Phase One helped establish an emergency shelter for extreme weather and situations and Phase Two includes an improved sustainability plan for shelters. Bread of Life Ministries provides the emergency shelter while the City, County and State have provided funding for facility upgrades. Phase Three will address the need for men’s and women’s shelters and associated services. Outreach Missions, Inc., which has been around since the 1980s, recognized a need and changed their model from a high-barrier shelter to a low-barrier shelter. They also changed their schedule: they were previously open only at night but now are open 24 hours. OMI has a large community- and faith-based support network and is filling a need that would otherwise require resources from our County Social Services.

As a non-profit agency, OMI has requested $71,000 from the City. Mayor Mann explained that Brick Capital Development Corp. has applied for a $750,000 grant for a new shelter and the County has offered a site. He encouraged both boards to help fund OMI through July 1, after which
time they should be self-sustainable, and also requested that the boards allow Karen Kennedy with Brick Capital to meet with them. OMI founder Earl Murphy shared statistics on the shelter and noted that in 2017, they served fewer than 80 people, but served 115 men (including 34 veterans), 47 women (including four veterans) and 25 children in 2018. Of the 162 adults, 141 left the shelter with employment or income and 144 left with housing. They researched many shelters in developing their program and found that all of them received support from their municipalities and/or counties. Mr. Murphy suggested the program is very cost effective since the people they serve become taxpayers and residents. Mr. Murphy also explained that OMI is in the second year of their five-year plan: they met goals for the first year and are on track to meet them for the second year. Mayor Mann acknowledged OMI’s efforts and encouraged both boards to support them.

**Discussion of Proposed Mural to Honor the Life and Work of Dr. Mary Margaret McLeod (Exhibit B)**

Mayor Pro Tem Salmon explained that the Appearance Committee has been approached about having a privately funded mural done to honor Dr. Mary Margaret McLeod, who made many contributions to Sanford and Lee County. A proposal to place the mural on the front brick wall of the Social Services building will be addressed at the next Commissioners’ meeting on February 18. County Commissioner Chair Amy Dalrymple explained that this topic has been considered previously and while they support mural projects, there are concerns about locating the mural on a publicly-owned building and with its long-term maintenance. Since the original proposal for the Suzanne Reeves Library Club to maintain the mural is no longer an option and the muralist has only limited maintenance responsibilities (for a specified time period and limited to approximately $250), maintenance will at some point become the County’s responsibility.

**Other Business**

County Manager John Crumpton reminded everyone that tax revaluation notices will be mailed out next week and encouraged anyone who wanted to appeal to do so before the deadline.

County Commissioner Kevin Dodson thanked everyone who helped with homelessness-related projects and noted that our community is fortunate to have resources.

City Council Member Sam Gaskins acknowledged recent growth in our area, which indicates that cooperation and efforts by both boards has been effective.

Mayor Mann thanked County officials for supporting interlocal efforts, the Sanford Area Growth Alliance and economic development efforts, and the school system. The fact that we will soon have a STEAM program at a Rosenthal school will differentiate us from other surrounding communities and produce rewards in the future.

County Commissioner Chair Amy Dalrymple acknowledged Mayor Pro Tem Salmon, who is currently serving as the President of the Triangle J Council of Governments. Outsiders recognize collaborative efforts between the City and County, and see that we have a common vision of what Lee County is and should be moving forward. She informed city officials that the County is working on a branding effort and strategic plan, thanked all officials for their work, and encouraged everyone to share positive developments with the community.
Adjournment

City Council Member Sam Gaskins made a motion to adjourn the interlocal committee meeting, which carried unanimously.

ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.

RespectfullySubmitted,

______________________________
T. CHET MANN, MAYOR

ATTEST:

______________________________
VICKI R. CANNADY, DEPUTY CITY CLERK
The City Council held a workshop meeting on Tuesday, February 12, 2019, at 6:00 p.m. in the West End Conference Room at the Sanford Municipal Center, 225 E. Weatherspoon Street, Sanford, North Carolina. The following people were present:

Mayor T. Chet Mann (in 6:15 p.m.)  Mayor Pro Tem Rebecca Wyhof Salmon  
Council Member Byron Buckels  Council Member Sam Gaskins  
Council Member Jimmy Haire  Council Member James Williams  
Council Member Charles Taylor  City Manager Hal Hegwer  
City Attorney Susan Patterson  Management Analyst Holly Marosites  
Deputy City Clerk Vicki Cannady

Absent:  
Council Member Norman Charles Post, III  
City Clerk Bonnie Davis

Mayor Pro Tem Salmon called the meeting to order at 6:10 p.m.

**Fifteen-Minute Parking Space on Wicker Street**  
Transportation Administrator Kris Furmage explained that Diane Morris, owner of Karma Boutique and Coffee Bar (131 Wicker Street), requested a 15-minute parking space be designated in front of her business. Ms. Morris suggested that Gown and Tux (139 Wicker Street) would also benefit from the space and indicated to Mr. Furmage that she had spoken with nearby business owners and DSI staff who all approved of the space. Mr. Furmage confirmed that other businesses have designated parking spaces (two in front of H&H Auto, one in front of the Wilrik Building) and he is unaware of any enforcement issues.

**Update on State Building Code Enforcement Progress (Exhibit A)**  
Community Development Director Marshall Downey reminded Council that the Code Enforcement Department is using an outside company, State Code Enforcement, Inc. (“SCEI”) to help clear more than 100 minimum housing cases, allowing staff to concentrate on more sensitive cases, such as those that would involve displacing residents. Council selected 25 target cases and SCEI is working on five of them monthly. Of the 24 cases opened to date, four were voluntarily abated; one was voluntarily demolished; one is in process with substantial progress; eight appear to be headed toward demolition; and ten are active with action to be determined. Mr. Downey requested direction from Council on how to proceed on the eight cases that appear to be headed toward demolition. He reviewed the program’s year-to-date fiscal impacts and explained that one local contractor estimated demolition costs at $7,300 for each property; however, a contractor from Carthage has previously done demolitions for SCEI for $6,000 or less. Mr. Downey confirmed that these costs will be assessed as liens against the properties. Mr. Pinnix reported that his staff has reached out to 33 contractors to determine whether they have an interest in purchasing any of the properties.
Based on these estimates, Mr. Downey explained that demolitions for the eight active cases will likely cost between $48,000 and $54,000. Total demolition costs (including administration, hauling, grading, seeding, strawing) will likely bring total costs to $62,000 and total costs for the program (including spring grass cutting) through the end of the fiscal year will be about $75,000.

Mr. Downey proposed that Council fund demolition of the eight active cases and allow SCEI to continue working on the ten remaining cases. He suggested that demolition costs for those ten cases could be included in next year’s budget, noting that it is unlikely that all will require demolition. City Manager Hal Hegwer reminded Council that staff would like to continue work on these remaining cases since procedural timelines will be affected if the process is interrupted. Mr. Downey reminded Council that one reason staff engaged SCEI was due to the lack of cooperation from property owners: after repeated attempts, only one owner in the first 24 properties responded. Mayor Mann suggested we move forward and Mr. Hegwer stated that staff will solicit demolition bids and engage the low bidder.

**Discussion with N.C. Department of Transportation Representatives**

Vic Czar, Public Works Director, introduced Brandon Jones, Division Engineer for Division Eight (covering Lee and seven other counties) and Chuck Dumas, Division Maintenance Engineer. Mr. Jones confirmed there are many maintenance and construction projects underway in Lee County and recognized Mayor Mann and Council Member Gaskins, who attend many TARPO (Triangle Area Rural Planning Organization) meetings. He reported that the draft STIP (State Transportation Improvement Plan), which came out in January and should be adopted in June or July, includes two new projects from our area: the Kelly Drive realignment project and the Commerce Drive extension project. DOT staff met with CCCC staff and board yesterday on the Kelly Drive project and they plan to bring a consultant on board to meet with the City and CCCC in the next few months to begin moving forward on the 2022 fiscal year project. The Commerce Drive extension project (extending it to Lee Avenue) is included for the 2027 fiscal year. He explained that all projects receive quantitative scores based on several factors and that projects within each of the three tiers compete with one another. At the regional tier, our division competes against Charlotte’s division and we received more regional funding this cycle than Charlotte. Under the quantitative scoring system, the planning organization can assign points to projects and they were able to fund the Kelly Drive project by combining points.

Council Member Taylor invited DOT staff to attend Council workshops quarterly to help improve communication. Responding to questions about how citizens should report road issues, Mr. Jones explained that reports should be made directly to the local maintenance office (919-775-3122) or through the DOT website (NCDOT.gov). He also noted that it is helpful to involve city staff since they are aware of DOT staffing. Council Member Buckels reported that several streets in the city are in poor condition, particularly Garden Street, and requested that DOT make needed repairs. In response to questions on the Broadway Road widening project timeline, Mr. Jones explained that they hope to have right-of-way acquisitions complete this summer, to solicit bids in October if several utility issues are resolved, and will soon begin moving graves from the cemetery near Shallow Well Church (noting that families have been cooperative).

**Presentation by Southern Benefit Systems regarding Health Insurance (Exhibit B)**

Josh Hyman with Southern Benefit Systems provided an overview of services his organization can provide to help manage the health care supply chain. He reported that he sustained an injury and had surgery while working with a non-profit company and the self-funded company paid the claim,
essentially allowing him to use his health insurance card as a credit card. He stated that companies typically have oversight and accountability for expenses but not health care. He also stated that while Blue Cross Blue Shield typically pays claims quickly, they are not pro-active in offering options for better pricing and outcomes. He suggested that his company could significantly reduce costs and offer options for employees to make more informed decisions (such as hospital vs. outpatient; laparoscopic vs. traditional surgery) to alleviate costs to both patient and employer, and produce better outcomes. He reviewed a case study and explained that their savings increased as they increased the number of strategies implemented. SBS will perform an analysis for $6,000 and suggest strategies based on the results; if savings don’t offset that cost, the fee will be refunded. They offer several solutions for hospitals and outpatient procedures, depending on how fiercely we want to attack spending, and strategies could be implemented over several years. He confirmed that their monthly fee of $6,000 will be refunded if savings don’t offset that cost.

Mayor Pro Tem Salmon questioned whether they have data that tracks employee wellness, noting that saving costs is important but we also want to ensure that employees receive needed services. Mr. Hyman responded that they use a medical management company to ensure that patients are matched specifically with the correct treatment, location and cost, and they have an entire program that examines not only costs but also outcomes for each surgery. They have access to data on facilities and which specialized services are offered by each, and their company coordinator will share this data with employees in order to illustrate various options for recommended procedures.

Council Member Williams reported that he has spoken with SBS over the years and suggested it may be worthwhile to consider this option. He reminded Council that a proposal was made previously to engage a nurse manager and Mr. Hyman confirmed some companies do offer that service. City Manager Hegwer noted that many employees are already comfortable researching health care options and suggested that having information more readily available would be beneficial since there is often a knowledge gap regarding which facilities provide specific services and the costs. Council Member Gaskins suggested that Council has an obligation to research how to reduce costs. Consensus was reached for staff to provide information to SBS for analysis and provide a report to Council.

A brief recess was taken at 7:30 p.m. and the meeting reconvened at 7:45 p.m.

Airport and Industrial Park Sewer Update (Exhibit C)

Brian Jann with Freese and Nichols reminded Council that contracts had been awarded on portions of the sewer extension project shown in yellow and red on the attached exhibit, and on the Moncure Lift Station Contract A and Intermediate Lift Station Contract B. Construction has begun, with crews mobilizing and doing on-site clearing. The project segment shown in red was included with Contract C that was awarded late last year for $947,247 but the segment shown in green (crossing from one side of the runway to the other) came in at $1.89 million and has not yet been awarded. As with the Moncure project, Freese and Nichols did some value engineering and negotiated that bid down to $1.57 million, bringing the project total to about $2.5 million or about $627,000 more than originally estimated a few years back. We received a Golden LEAF grant award of $1.5 million which required a local match of $500,000, leaving about $500,000 to be funded. Financial Services Director Beth Kelly explained that a budget amendment will be presented for Council approval at the next meeting to appropriate retained earnings for this balance.
Public Works Director Vic Czar noted that he has been asked about extending sewer service to the airport for 29 years and he is excited to see this project moving forward, noting that this project is a collaborative effort. City Manager Hal Hegwer stated that he has attended airport meetings for twelve years and he wasn’t optimistic during that time about the prospect of extending sewer service to the airport. Mayor Mann suggested this project would produce benefits for years to come. Mr. Weeks informed Council that a recommendation to award the project would be presented for Council approval at the next meeting, along with budget amendments to appropriate the funds.

**Discussion about the Future of Recycling (Exhibit D)**

Public Works Director Vic Czar explained that the recycling market has evolved over the last few years and as a result, Waste Industries (“WI”), per the terms of their contract, has requested an increase of $1 per receptacle monthly to cover their increased costs, beginning July 1. Their costs have already increased but they are willing to delay their increase until July and the new budget cycle. There are approximately 9,000 houses in the City, so the increase would be just over $100,000 annually to continue at the same level. Mr. Czar noted that some communities are no longer accepting certain items but no changes have been proposed to our program. He recommended we approve this request since WI is not proposing any changes or additional requirements to the recycling program. He also confirmed that eliminating the recycling program would not reduce costs since it would only increase other charges due to the increased volume.

Council Member Taylor suggested that WI provide additional information to help educate the public about the recycling program. He also suggested that we explore offering a hazardous waste collection day, similar to the program offered annually by the county.

**Update on Capital Improvements (Exhibit E)**

Financial Services Director Beth Kelly provided an overview of the Capital Improvements Plan as described on Exhibit E and explained that information is currently being gathered from various departments in preparation for next year’s budget. This information helps lay the foundation for the plan that will be discussed in depth at the upcoming Council retreat. Council Member Taylor requested information on the departments’ proposed and actual capital purchases for the past ten years so that ramifications of delayed purchases can be analyzed. City Manager Hal Hegwer confirmed that delays can result in higher increases in subsequent years. Council Member Williams questioned whether a tax increase may be needed and Mrs. Kelly explained that a great deal of information is yet to be received. She reminded Council of the recycling increase of $100,000 and advised that there will likely be an increase of $80,000 to $100,000 in the workers compensation premium. Mr. Hegwer explained that information on property taxes (both real and personal) is received late in the budget process, and also noted that it is particularly difficult to forecast sales tax revenue. Mrs. Kelly agreed and explained that sales tax revenue is currently on target but there is a three-month delay on receipts. She reported that property tax collections were slightly behind what was expected through December but many tax bills are paid during the first week in January. She also confirmed that the county-wide revaluation will affect property tax revenue next year.

Mr. Hegwer reported that there was a great deal of interest at the recent City Managers’ Association meeting for a referendum-based approach on a municipal sales tax, with some versions being tied to infrastructure improvements. While funds will be generated through the recent vehicle fee, there are still significant street and resurfacing needs and a 0.25 cent sales tax tied to infrastructure could be a revenue option. He noted that Powell Bill funds have been flat and could even decrease this year. Mrs. Kelly reported that other municipalities estimate revenue at approximately 80 percent
of that generated by their counties’ 0.25 cent sales tax (since about 80 percent of the sales are generated in the cities) and estimated that a 0.25 cent tax could generate approximately $800,000.

Mrs. Kelly also reminded Council that police vehicles were purchased last year but other heavy equipment purchases have been postponed and must be addressed soon since maintenance costs are increasing.

**Other Business**

Council Member Buckels and Mayor Mann shared information from the recent interlocal meeting hosted by the County on February 11: Outreach Mission, Inc. (“OMI”) reported that their shelters received about 140 people in 2018 (including 34 veterans) and 89 percent of them gained employment. Mayor Mann explained that OMI requested $70,000 to help fund them through July 1 and there was no resistance from the county.

Council Member Haire noted that the county’s charter was issued more than 145 years ago and suggested we begin planning for a parade celebrating 150 years in 2024.

Council Member Taylor stated that the Joint Planning Commission met recently to consider text amendments and gather feedback. This information will be presented to governing bodies from Sanford, Lee County and Broadway. He also reported that Moore County will be holding their first initiative on homelessness soon and suggested that our efforts may have inspired them.

Council Member Gaskins explained that the board of Brick Capital Development Corp. met yesterday regarding recommendations to remain sustainable, including the sale of property. He noted that they have been successful in reaching goals and encouraged them to keep Council updated on their progress.

Council Member Salmon explained that she was excited to see the Kiwanis Family Park project begin and suggested a sign be installed to remind citizens that it is being funded through a bond project.

Mayor Mann acknowledged the high degree of ongoing collaboration between the city and county and provided highlights of the recent interlocal meeting: the Unified Development Ordinance Airport overlay project; a project between the County and CCCC for a shared library facility; and renewed discussion of a multi-sports complex on property near the Highway 421 Bypass and Broadway Road. The county is reviewing the study done on the complex in 2016 and exploring the possibility of a general obligation bond in 2020 to fund the park and joint library. They also discussed the occupancy tax, specifically revising legislation on the one percent currently going to the Civic Center. He reminded Council that there are openings on several boards, including the TDA. He reported that today’s meeting on opportunity zones was well attended and encouraged everyone to share information on potential investment opportunities.

**Closed**

Pursuant to N.C.G.S. 143-318.11(a)(4), Council Member Gaskins made a motion to go into closed session to discuss matters relating to the location or expansion of industries or other business in the area served by the public body. The motion was seconded by Mayor Pro Tem Salmon and carried unanimously.
**Adjournment**

Mayor Pro Tem Salmon made a motion to adjourn the work session. Seconded by Council Member Gaskins, the motion carried unanimously.

**ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.**

Respectfully Submitted,

__________________________
T. CHET MANN, MAYOR

ATTEST:

__________________________
VICKI R. CANNADY, DEPUTY CITY CLERK
The City Council met at the Sanford Municipal Center, 225 E. Weatherspoon Street, on Tuesday, March 5, 2019, at 6 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Byron Buckels
Council Member Jimmy Haire
Council Member James Williams
City Attorney Susan Patterson
City Clerk Bonnie Davis

Mayor Pro Tem Rebecca Wyhof Salmon
Council Member Sam Gaskins
Council Member Norman Charles Post, III
City Manager Hal Hegwer
Management Analyst Holly Marosites
Deputy City Clerk Vicki Cannady

Absent:
Council Member Charles Taylor

CALL TO ORDER
Mayor Mann called the meeting to order. Council Member Buckels delivered the invocation and the Pledge of Allegiance was recited.

PUBLIC COMMENT (Exhibit A)
Carol Chalmers Deese (of 2240 Chalmers Drive, Sanford) explained that a citizens group is developing a list of historically black entrepreneurs of Sanford and they plan to publish a brochure. She shared information on women of color who helped pave the way rendering services in the African American community when they could not be received elsewhere. She thanked several people and groups (Sanford’s Historical Society, the Planning Department, Liz Whitmore, Don Kovaskitz, and Kelly Miller) and encouraged citizens to share their memories and photos.

APPROVAL OF AGENDA
Council Member Gaskins moved to approve the agenda. Seconded by Mayor Pro Tem Salmon, the motion was unanimously approved.

CONSENT AGENDA
Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2018-2019 (Engineering Department) – (Exhibit B)

Council Member Gaskins moved to approve the consent agenda. Seconded by Council Member Buckels, the motion carried unanimously.

SPECIAL AGENDA
There were no items on the special agenda.

CASES FOR PUBLIC HEARING
There were no cases for public hearing.

DECISIONS ON PUBLIC HEARINGS
Application by Adam Valenti – to rezone one vacant tract of land totaling 0.24 + acres with frontage on Dalrymple Street from Residential-Mixed (R-6) to General Commercial (C-2). The subject
property is identified as Tax Parcel 9652-52-8200-00 as depicted on Lee County Tax Map 9652.19 and as illustrated as a 0.24 acre tract of land on a survey recorded at Plat Cabinet 10, Slide 18-C of the Lee County Register of Deeds Office (Exhibit C)

Thomas Mierisch, Community Development Department Planner, reminded Council that a public hearing on this request was held on February 19, 2018. The applicant has proposed recombining this undeveloped 0.24 acre tract with two adjoining properties to create a 1.5 acre lot to allow for development of a new restaurant. Mr. Mierisch explained that the Planning Board recommends that Council support this rezoning request as presented based upon the rationale that the request is consistent with the adopted Comprehensive Plan which identifies this parcel as a “downtown” place type, and it appears to be reasonable and in the public interest based on the availability of public infrastructure, including public water, public sewer, city-maintained streets and sidewalks along Dalrymple Street and nearby intersections with East Main Street. The request is consistent with adjoining parcels currently zoned “C-2” and feature comparable commercial activity, including an adjoining shopping center.

- **Statement on Long-Range Plan Consistency as it Relates to Rezoning Request**
  Mayor Pro Tem Salmon stated that the zoning map amendment is proposed to be rezoned from Residential Mixed (R-6) to General Commercial (C-2). The proposal makes possible the development of a retail store, including restaurants, and professional offices, which is consistent with the “downtown” land designation for this parcel. The subject parcel is currently served by a public street, public water, public sewer, and is in close proximity to commercially zoned and developed property; therefore, she made a motion that this rezoning request is consistent with the adopted long-range plan. The motion was seconded by Council Member Post and carried unanimously.

- **Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina (Exhibit D)**
  Council Member Gaskins made a motion to approve the ordinance amending the Official Zoning Map of the City of Sanford. Seconded by Buckels, the motion carried unanimously.

**REGULAR AGENDA**

There were no items on the regular agenda.

**NEW BUSINESS**

**Resolution in Support of the Temporary Closure of Portions of Several Streets for the Purpose of a 5K Fundraiser Sponsored by The Salvation Army (Exhibit E)**

Transportation Administrator Kris Furmage explained that a request has been received to close several streets on Saturday, April 13, from 6:00 a.m. until 10:00 a.m., prior to the StreetFest being held later that day. He noted that the route is the same route used in the recent Comics 5K race (beginning and ending at Hugger Mugger Brewery) and barriers outside the StreetFest boundaries will be removed as participants complete those segments of the race.

Council Member Post moved to approve the Resolution in Support of the Temporary Closure of Portions of Several Streets for the Purpose of a 5K Fundraiser Sponsored by The Salvation Army. The motion was seconded by Council Member Gaskins and carried unanimously.
Resolution in Support of the Temporary Closure of Portions of Several Streets for the StreetFest Event (Exhibit F)

Transportation Administrator Kris Furmage explained that this request to close several streets in the downtown area from 6:00 a.m. until 10:00 p.m. is being made in connection with the third annual StreetFest event being held Saturday, April 13. The request is contingent upon receiving a certificate of insurance coverage.

Council Member Gaskins moved to approve the Resolution to Temporarily Close a Portion of Several Streets for the StreetFest Event, contingent upon receiving a certificate of insurance coverage. The motion was seconded by Council Member Post and carried unanimously.

Resolution to Temporarily Close a Portion of South Steele Street for the Purpose of the StreetFest Music Series (Exhibit G)

Transportation Administrator Kris Furmage explained that this request is being made to close South Steele Street between Wicker and Carthage Streets for the StreetFest Music Series being held on the third Thursday of each month between 5:00 p.m. and 10:00 p.m. from May through October 2019, and is contingent upon receiving a certificate of insurance coverage. He confirmed that all businesses on Steele Street that would be affected by this closure have been notified and had no objections.

Council Member Post moved to approve the Resolution to Temporarily Close a Portion of South Steele Street for the Purpose of the StreetFest Music Series on the third Thursday of each month between 5:00 p.m. and 10:00 p.m. from May through October, 2019, contingent upon receiving a certificate of insurance coverage. The motion was seconded by Mayor Pro Tem Salmon and carried unanimously.

Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2018-2019 – Police (Exhibit H)

Financial Services Director Beth Kelly explained that this ordinance appropriates funds for a replacement police vehicle from insurance proceeds for claims related to police department vehicles and from interest income.

Council Member Post moved to approve the Ordinance Amending the Annual Operating Budget; the motion was seconded by Council Member Gaskins and carried unanimously.

Grant Application to Re-Survey and Expand the Downtown Historic District (Exhibit I)

Historic Preservation Planner Liz Whitmore explained that this grant application for $10,000 is being made to hire a consultant to re-survey the City’s downtown historic district and expand it by 15 buildings. The grant requires a match of $10,000. She reviewed “contributing” and “non-contributing” properties and explained that we are requesting that the “period of significance” be expanded from 1935 to 1967. Among the additional properties to be surveyed are the Singer Building, Yarborough’s, The Hale Center, and Bert’s Furniture. The first phase would include the consultant doing the background research and preparing and submitting the approval package. Staff would apply for another grant next year to submit the package to the State Historic Preservation Office and upon their approval, it would be submitted to the National Park Service for approval.

Council Member Buckels questioned whether the Wall Street area was considered for inclusion in the designated area. Mrs. Whitmore explained that a larger area was originally proposed
which included Wall Street and properties across Horner Boulevard but staff from the State Historic Preservation Office suggested that those areas not be included at this time. Mr. Buckels stated that he would contact Mrs. Whitmore for additional information.

Council Member Gaskins moved to approve the Grant Application to Re-Survey and Expand the Downtown Historic District. The motion was seconded by Mayor Pro Tem Salmon and carried by a vote of five to one, with Council Member Buckels casting the dissenting vote.

Preliminary Assessment Resolution – Cemetery Road Water Line Extension (Exhibit J)

City Engineer Paul Weeks explained that this Preliminary Assessment is for a water line extension on Cemetery Road that would be funded completely by the eight homeowners who are county residents (not city residents). The City will finance the assessment costs at an interest rate of eight percent annually for ten years. The estimated construction cost is $32,000 or approximately $4,000 per lot. Seven of the eight homeowners have approved the request (88 percent). The resolution sets the public hearing on the extension for April 2, 2019, at 6:00 p.m.

Council Member Post moved to approve the Preliminary Assessment Resolution for the Cemetery Road Water Line Extension; seconded by Council Member Gaskins, the motion carried unanimously.

Resolution in Support of the Present System Alcoholic Beverage Control (Exhibit K)

Mayor Mann read the resolution concerning privatization of the Alcoholic Beverage Control (“ABC”) system, a topic in this legislative session. He commended the local ABC Board and the scholarships it provides to local high school seniors.

Council Member Post moved to approve the Resolution in Support of the Present System Alcoholic Beverage Control. The motion was seconded by Council Member Williams.

Council Member Williams explained that this resolution is in response to requests to privatize the sale of alcoholic beverages, rather than continuing the state-controlled system currently in place. Council Member Gaskins agreed that while our local ABC board has done an outstanding job, funded scholarships and provided funds to the City, he sees no reason why local governments should be involved in retail sales.

Mayor Mann called for a vote on the motion to approve the Resolution in Support of the Present System Alcoholic Beverage Control, which passed by a margin of five to one, with Council Member Gaskins casting the dissenting vote.

Appointment to the Sanford Tourism Development Authority – Lodging Vacancy – term expires June 30, 2019 (Exhibit L)

Council Member Post nominated Emalee McCracken to the Sanford Tourism Development Authority, as a representative from the lodging industry, for the term expiring June 30, 2019. He also moved to close nominations and appoint her by acclamation. The motion was seconded by Council Member Buckels and carried unanimously.

OTHER BUSINESS

Council Member Buckels thanked Ms. Chalmers for her public comments and invited everyone to an event being held on Saturday, March 9, from 2:00 until 6:00 at Depot Park by Tamika
Dowdy, who has a 501(c)(3) non-profit organization founded in 2014, called “Inspire and Motivate our Future”.

Mayor Mann shared information on the 211 program (attached as Exhibit M) that will soon include a professional to provide information to callers on food, housing, health care, counseling, senior services and more. He stated that the Council retreat will be held on March 7 and March 8; shared information on permit growth from 2018 and congratulated Captain Britt Young who recently retired from the police department.

Council Member Gaskins congratulated the Fire Department on their new rating by the Office of the State Fire Marshall, indicating they are well equipped to respond to fires.

CLOSED SESSION
Mayor Pro Tem Salmon made a motion to go into closed session in accordance with N.C.G.S. 143-318.11(a)(6), in accordance with the personnel exception. The motion was seconded by Council Member Gaskins and carried unanimously.

ADJOURNMENT
Council Member Post moved to adjourn the meeting; seconded by Council Member Gaskins, the motion carried unanimously.

ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.

Respectfully Submitted,

T. CHET MANN, MAYOR

ATTEST:

VICKI R. CANNADY, DEPUTY CITY CLERK
MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF SANFORD
SANFORD, NORTH CAROLINA

The City Council met at the Sanford Municipal Center, 225 E. Weatherspoon Street, on Tuesday, March 19, 2019, at 6 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Byron Buckels
Council Member Jimmy Haire
Council Member James Williams
City Attorney Susan Patterson
Deputy City Clerk Vicki Cannady

Mayor Pro Tem Rebecca Wyhof
Council Member Sam Gaskins
Council Member Norman Charles Post, III
City Manager Hal Hegwer
City Clerk Bonnie Davis

Absent:
Council Member Charles Taylor

CALL TO ORDER
Mayor Mann called the meeting to order. Council Member Williams delivered the invocation. The Pledge of Allegiance was recited.

PUBLIC COMMENT
No citizens requested to speak.

APPROVAL OF AGENDA
Mayor Mann requested that an item be added as Item 10-B, “Ordinance to Amend the Annual Operating Budget for Fiscal Year 2018-2019 – Consulting Services Agreement.” Council Member Gaskins made the motion to approve the agenda as amended. Seconded by Council Member Buckels, the motion carried unanimously.

CONSENT AGENDA
There were no items on the Consent Agenda.

SPECIAL AGENDA
Proclamation Recognizing Fred Bennett Murchison, Sr. on the Occasion of His 100th Birthday – (Exhibit A)

Mayor Mann read the proclamation and presented it to Mr. Murchison’s family.

PUBLIC HEARING: held jointly with the Planning Board.
Public Hearing on Modification to Grant Agreement for a Previously Approved Economic Development Project – Caterpillar, Inc. (Exhibit B)

SAGA Economic Development Director Bob Joyce explained that a modification has been requested to the original incentive approved last February by Council for an expansion at Caterpillar, the City’s largest employer. Council originally approved a five-year incentive of $311,241 based on the purchase and renovation of a building in Sanford with an investment of $29.5 million; however, they now propose to spend $30.8 million, which would increase the incentive by $1,035 over that five-year term (or $207 annually). Since the incentive is performance-based, Caterpillar must create and retain 40 jobs over and above the jobs already at their current site during the five years at an average annual wage of $41,526 and make the full $30.8 million investment in accordance with the schedule in order to receive
the grant. Mr. Joyce noted that this modification will require the same performance terms as the original agreement and reminded council that the Department of Commerce approved a building reuse grant for the project.

Mayor Mann opened the public hearing and with no one speaking in favor or opposition, closed the public hearing.

- Resolution Modifying an Economic Development Project and Approving the Expenditure of Funds and an Amended Agreement with Caterpillar, Inc. - (Exhibit C)

Council Member Gaskins made a motion to approve the Resolution Modifying an Economic Development Project and Approving the Expenditure of Funds and Amended Agreement with Caterpillar, Inc. Seconded by Council Member Williams, the motion carried unanimously.

Application by Keller Investment, LLC - to rezone 35 acres + off of/accessed via Commerce Drive from General Commercial (C-2) and Barrington Park Conditional Zoning District #4 to the South Park Multi-Family Apartment Home & Independent Living Community Conditional Zoning District to allow for the development of a residential community with a mixed of housing types. The subject property is depicted on Lee County Tax Map 9660.01 as the following Lee County Land Records Tax Parcels:

Tract 1: 9660-37-7933-00 is an 8.0 + acre portion of a vacant 25.45-acre tract of land with frontage on Commerce Drive and NC 87 Hwy, illustrated as an existing 25.45-acre lot on a 2007 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2007, Slide 265 in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2).

Tract 2: 9660-38-1040-00 is a vacant 5.5 + acre tract of land with frontage on Commerce Drive, illustrated as Lot 1 on a 2000 plat labeled Survey for Southpark recorded as Plat Cabinet 9, Slide 45G in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2).

Tract 3: 9660-27-6999-00 is a vacant 4.0 + acre tract of land with frontage on Commerce Drive, illustrated as Lot 2 on a 2000 plat labeled Survey for Southpark recorded as PC 9, Slide 45G in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2). Note: This tract of land is illustrated as being included within Lee County Tax Parcel 9660-27-6303-00 on the GIS software accessed by the public on the City of Sanford website.

Tract 4: 9660-27-6006-00 is a 17.25 + acre portion of a vacant 86 acre tract of land with frontage on Commerce Drive, illustrated as Tract 5 on a 2007 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2007, Slide 265 in the Lee County Land Register of Deeds Office, with the front of the parcel along Commerce Drive being zoned General Commercial (C-2) and the remaining balance to the rear being zoned Barrington Park Conditional Zoning District #4. Note: This tract of land is identified as being included within Lee County Tax Parcel 9660-27-6303-00 on the GIS software accessed by the public on the City of Sanford website.

Tract 5: 9660-16-4729-00 is a 0.25 + acre portion of a vacant 19.5-acre tract of land with no road frontage, illustrated as Tract 2 on a 2017 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2017, Slide 97 in the Lee County Land Register of Deeds Office, with the front of the parcel along Commerce Drive being zoned General Commercial (C-2) and the remaining balance to the rear being zoned Barrington Park Conditional Zoning District #4 (Exhibit D)

Zoning Administrator Amy McNeill explained that planning staff received this application as the first step in the proposed development of a residential community with a mix of housing types that would
be served by public water, public sewer and private internal drives and streets. The subject property to be rezoned is comprised of five separate parcels or portions of parcels that total approximately 35 acres off Commerce Drive as illustrated in Exhibit D. Vacant land to the south of the site was part of the Barrington Park Conditional Zoning District, which does not appear to be moving forward. Another vacant tract to the west of the site was recently rezoned to “Southpark High Density Conditional Zoning District.”

Ms. McNeill explained that the PlanSanLee Long-Range Land Use Plan identifies the subject property as a “Mixed Use Activity Center” and the proposed zoning districts are General Commercial, O&I Office and Industrial, and Multi-Family Residential within the Long-Range Land Use Plan. There are two zoning districts on this property: General Commercial (C-2) and “Barrington Park Conditional Zoning District Design No. 4”, which was approved in 2009 under a conditional zoning application. The applicant proposes to rezone this property to the “South Park Multi-Family Apartment Home and Independent Living Community Conditional Zoning District” to allow for development of a residential community with a mix of housing types. Ms. McNeill reviewed concept plans, design standards and specific conditions for various phases of the development as shown and described in Exhibit D.

Ms. McNeill reported that the conceptual site plan for this rezoning request was reviewed by the Technical Review Committee and they were agreeable with the rezoning request moving forward for review and approval by the Planning Board and Council. Plans call for overall development to gain access via two points along the existing Commerce Drive and the request appears to comply with the “Mixed-Use Activity Center” proposed zoning district since it is for multi-family residential and residential land use. She informed Council that staff recommends they support the petition for rezoning as requested as it appears to comply with the long-range plan and the current development trends in this area, and the request also appears to be reasonable and in the public interest based on the information and conditions presented in the conditional zoning petition. She reminded them that information presented at this public hearing may provide additional information that should be considered regarding a final decision on the requested zoning map amendment.

Mayor Mann opened the public hearing.

Carter Keller, principal with Keller Investments (the applicant) and developer of Southpark Phases 1 and 2 (located across the street from the subject), explained that there is a demand for this type of housing project and stated that his company has been retained to develop the independent living housing portion of this project.

With no other speakers, Mayor Mann closed the public hearing.

Application by Wynnefield Properties, Inc. - to rezone a 2.36 acre + portion of a 15 acre + tract of land addressed as 1732 Westover Drive, from General Commercial (C-2) to the Kendall Creek Multi-family Conditional Zoning District to allow for the development of an apartment community. The property is the same as depicted on Lee County Tax Maps 9631.02 and 9631.01 as Tax Parcel 9631-56-2403-00 Lee County Land Records and is illustrated as Tract 3 on a 2001 plat labeled Survey for Roy E. Mashburn recorded as Plat Cabinet 9, Slide 79E of the Lee County Register of Deeds) – (Exhibit E)

Zoning Administrator Amy McNeill explained that this application was received as the first step in the proposed development of a multi-family apartment community that would be served by public water, public sewer, and private internal private drives. A five-acre portion of this tract was recently
rezoned to the “Mashburn Property Multi-Family Conditional Zoning District” in May of 2018 as illustrated on Exhibit E. The balance of the land not included with the request is currently developed as “The Shed Depot” fronting on Westover Drive. Current zoning is General Commercial (C-2) and the proposed zoning is “Kendall Creek Multi-Family Conditional Zoning District”, a Type 1 Conditional Zoning District with its own unique conditions that must be developed as per site plans if approved. She reviewed conditions included as part of the zoning application; associated site improvements (such as parking and landscaping); and an architectural illustration of the building façade, noting that the front of the building will face the interior of the site with a port-cochere drop-off area and the portion labelled as the rear will front Pendergrass Road. She noted that concept plans included within the exhibit illustrate that the subject is almost a “phase two” of the five-acre project to the rear of the subject previously rezoned, in that access already approved will also serve this site, but they have two different names and are two separate projects. Per GIS, the parcels are not located within an overlay district or designated historic district and there are no environmentally sensitive areas illustrated on the site plans.

The PlanSanLee Land Use Plan identifies this area as “Mixed Use Activity Center” with land use designations that include civic, open space, employment, commercial and residential. The proposed zoning districts are General Commercial, O&I Office and Institutional, and Multi-Family. The site has access to public water and the developer is currently working to extend public sanitary sewer to serve this area. The project will have one main point of access off Pendergrass Road that will be designed to be a mail driveway with a parallel emergency fire access. This is the same driveway that will serve the previously approved multi-family project to the rear. Ms. McNeill explained that this request appears to comply with the Mixed-Use Activity Center proposed zoning district of multi-family residential and the residential land-use designation with public water and public sewer serving the proposed development; however, she noted that staff would not recommend the continuation of multi-family zoning northwestward along Pendergrass Road as there should be a buffer between the commercial area near the intersection of Pendergrass Road and US Highway #1.

Ms. McNeill stated that staff recommends Council support the petition for “Kendall Creek Multi-Family Conditional Zoning District,” as it appears to comply with the long-range land use plan and current development trends in this area and it appears to be reasonable and in the public interest based on the information and conditions presented with the conditional zoning petition. She also reminded Council that information presented at this public hearing should also be taken into consideration when making its decision.

Mayor Mann opened the public hearing.

Craig Stone (of 5614 Riverdale Road, Jamestown, NC), President of Wynnefield Properties, informed Council that he had large illustrations of the building façade with updated architectural details; noted this particular community is a “55 and older” community; and reminded Council that his company is the developer, builder and managing agent for the project.

With no additional speakers, Mayor Mann closed the public hearing.

Public Hearing on Carthage Street Sewer Extension

City Engineer Paul Weeks explained that this project is part of the program approved by Council in 2017 through which the City pays 75 percent of the mainline cost and 100 percent of the sewer tap
cost if it is connected during construction. The homeowners pay the remaining 25 percent, along with the cost of connecting house plumbing to the tap and decommissioning the septic tank. This petition involves eight parcels annexed in 1976 and the estimated cost is $159,344. The cost per lot varies because assessments are based on front footage since the lots are irregularly sized. Mr. Weeks noted that there has been a revision to this project since it was originally presented to Council: staff discovered that the parcel owned by The Baptist Children’s Home is already connected to public sewer. Before this parcel was removed from the project, 57 percent of the property owners supported the petition but after removing it, the percentage of support drops to 50 percent (three of six) of owners who own 55 percent of the properties (five of eight lots). Mr. Weeks reminded Council that policy typically dictates that petitions are presented to Council only when a majority of homeowners approve the petition; however, due to the amount of work involved with this petition and the fact that the extension cannot be shortened, staff thought it prudent to present it during the public hearing. He confirmed that notices were mailed to all parties on February 21, 2019, and notice of this public hearing was advertised in The Sanford Herald on February 21, 2019 (the publisher’s affidavit has not been received but a copy of the newspaper’s notice is in file).

Mayor Mann opened the public hearing.

Responding to inquiries about sewer service to The Baptist Children’s Home site, Mr. Weeks confirmed that they are connected at the rear of the property. There are two addresses for the property and the address researched by staff indicated the property did not have public sewer service. He stated that the estimated price range for each owner’s 25 percent share (based on front footage) ranges from about $2,300 to about $14,800 and the owner whose estimated cost is highest supports the petition. He also confirmed that he received no phone calls from property owners opposing the project but did receive a phone call from a property owner whose property will be crossed when tying into the existing sewer line who was concerned about running line across his property to access the Carthage Street right-of-way. He explained that if the project moves forward, engineering work will be done to determine where the connection should be made. The project was designed as indicated because there is a creek in this area and the tie-in point manhole is on the other side of that creek; tying in by the road will be more expensive since it will require crossing the creek.

With no speakers, Mayor Mann closed the public hearing.

- **Resolution Directing that the Project be Undertaken – Carthage Street Sewer Extension (Exhibit F)**
  Council Member Post made a motion to approve the Resolution Directing that the Project be Undertaken on the Carthage Street Sewer Extension; seconded by Council Member Gaskins, the motion was unanimously approved.

**Public Hearing on the Closing of an Unopened Portion of Cone Street from Intersection of Fry Street Eastward 150 Feet**

Long-Range Planner David Montgomery explained that this request was received from adjoining property owners on November 19, 2018. A Resolution of Intent to Close was adopted by Council on February 19, 2019, and the adjoining property owners were served with a notice of this public hearing and the resolution on February 21, 2019. The resolution was published once weekly for four weeks in The Sanford Herald (February 23, March 2, March 9, March 16).
Mayor Mann opened the public hearing and with no speakers, closed the public hearing.

- Resolution Ordering the Closing of an Unopened Portion of Cone Street from Intersection of Fry Street Eastward 150 Feet – (Exhibit G)

Council Member Buckels made a motion to approve the Resolution Ordering the Closing of an Unopened Portion of Cone Street from the Intersection of Fry Street Eastward 150 Feet. The motion was seconded by Council Member Gaskins and unanimously approved.

**DECISIONS ON PUBLIC HEARINGS**

Application by Esplanade Communities of Florida, LLC - to rezone two vacant tracts of land totaling 29.04 ± acres with frontage/access off of Fire Tower Road (SR 1152) from Residential-Mixed (R-12) to Residential-Mixed (R-6) Conditional Zoning District to allow the development of an 87-lot residential single-family home subdivision. The subject property is identified as Tax Parcels 9641-55-0952-00 and 9641-45-5299-00 as depicted on Lee County Tax Maps 9641.01 and 9641.02 (Exhibit H).

The subject property is currently within the City of Sanford’s Extraterritorial Jurisdiction (ETJ); therefore, the City may rezone it, but in order to develop the site in the manner proposed, the property owner must request to annex the property into the corporate City limits prior to final plat approval.

Zoning Administrator Amy McNeill reminded Council that on February 19, 2019, the public hearing was held on this application to rezone two vacant tracts of land totaling 29.04 ± acres with frontage on Fire Tower Road, from Residential-Mixed (R-12) to Residential-Mixed (R-6) Conditional Zoning District, to allow development of an 87-lot single-family home subdivision. The Planning Board voted unanimously to recommend approval, subject to the following conditions:

- To encourage diversity of housing styles, the board strongly encourages limiting the number of the same style of house that can be built consecutively along each street within the subdivision;
- To encourage architectural interest, the board also suggests that a carriage-style garage door be incorporated in the design of the homes and that additional exterior elements be added to the faces in an attempt to avoid an abundance of horizontal vinyl siding creating a monotonous visual effect; and
- Since the subject property is currently within the City of Sanford’s Extraterritorial Jurisdiction (ETJ), the City may rezone it, but in order to develop the site in the manner proposed, the property owner must request to annex the property into the corporate City limits prior to final plat approval.

Regarding the public versus private sewer issue that concerned several Council members, Ms. McNeill stated that City staff would accept a lift station to serve the subdivision if it is constructed to city standards.

- Vote to Approve or Deny Statement on Long Range Plan Consistency as it Relates to this Rezoning Request

Mayor Pro Tem Salmon stated that since the proposed design includes many of the components included within the PlanSanLee “Suburban Neighborhood” place type (such as detached single-family dwellings, a connection to an existing stub street on an adjoining lot, interconnected streets, valley curb, public streets, public water, public wastewater and sidewalks on both sides of all public streets), she made a motion to approve the statement that the request is consistent with the adopted Long Range Plan. The motion was seconded by Council Member Gaskins.
Council Member Gaskins questioned whether the requirement for a stub street was included as a condition of the Planning Board’s recommendation to approve the request. Ms. McNeill replied that it was not included in the Planning Board’s conditions since they felt that it was not necessary, given the current design and the fact that there wasn’t a large amount of property to which the developer would be stubbing.

Mayor Mann called for a vote on the motion to approve the request, which passed unanimously.

- **Vote to Approve or Deny the Rezoning Request – Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina (Exhibit I)**

City Attorney Susan Patterson explained that if Council wishes to add any conditions (as recommended by the Planning Board or otherwise), they should do so in the motion.

Mayor Pro Tem Salmon stated that the proposed zoning map amendment is reasonable and in the public interest because it is consistent with the adopted Land Use Plan and the availability of public water and sewer via a sewer mainline extension; therefore, she made a motion to approve the request to rezone two vacant tracts of land totaling 29.04 + acres with frontage/access off of Fire Tower Road from Residential-Mixed (R-12) to Residential-Mixed (R-6) Conditional Zoning District. Council Member Gaskins stated that he would like the conditions set forth by the Planning Board included, and Mayor Pro Tem Salmon requested that the three conditions included in the Planning Board’s recommendation ([1] to encourage diversity of housing styles, limiting the number of the same style of house that can be built consecutively along each street within the subdivision; [2] to encourage architectural interest, carriage-style garage doors be incorporated in the design of the homes and additional exterior elements be added to the facades in an attempt to avoid an abundance of horizontal vinyl siding creating a monotonous visual effect; and [3] in order to develop the site in the manner proposed, the property owner must request to annex the property into the corporate City limits prior to final plat approval) be added to her motion. Council Member Gaskins seconded this motion.

Mr. Williams confirmed that the stub street was not to be required.

Mr. Gaskins requested clarification on where the road stub had been proposed that would provide another exit onto Fire Tower Road should additional property be developed. Ms. McNeill confirmed that the Planning Board addressed this with the developer and he did not wish to make this connection between Lots 50 and 51 of the subdivision (as shown on the exhibit), since it would remove at least one developable lot. Mr. Gaskins noted that residents of the adjacent subdivision were concerned about another exit from the subdivision. Ms. McNeill responded that a stub is currently being provided to the north (where there is more potential for development) and the Planning Board felt that could be incorporated into the design if the adjoining property were to be developed in the future.

Mayor Mann called for a vote on the motion to approve the rezoning request considering adoption of the Ordinance Amending the Official Zoning Map with the three conditions included in the Planning Board’s recommendation; the motion was unanimously approved.
REGULAR AGENDA

Consulting Services Agreement with Southern Benefit Systems – (Exhibit J)

Human Resources Director Christy Pickens reminded Council that Josh Hyman with Southern Benefit Systems presented information at Council’s February 12 workshop on strategic benefit services they provide and at Council’s request, his organization prepared a consulting services agreement. It addresses the initial phases of the plan (discovery, analysis, plan design, marketing); details the $6,000 cost for these services; and identifies the term of the agreement which would remain in effect until July 1, 2019, unless terminated prior to that time with a 30-day notice. In the event the City retains their services to implement the performance-based options identified during the analysis, we would execute a new consulting agreement for a minimum term of one year at an additional cost to the City. Mr. Hyman explained that their services would include a diagnosis of items that could be improved and minimize expenditures, while keeping employee health and benefit options at the forefront. Mayor Pro Tem Salmon stated that while she fully supports fiscal efficiency, her priority is ensuring that employee health is not jeopardized in the process.

Council Member Gaskins made a motion to approve the Consulting Services Agreement; the motion was seconded by Council Member Williams and approved unanimously.

Ordinance Amending the Annual Operating Budget for Fiscal Year 2018-2019 (Consulting Services Agreement) – (Exhibit K)

Human Resources Christy Pickens explained that this item appropriates funds for the previous item into the Human Resources Department’s budget from interest income.

Council Member Buckels made a motion to approve the Ordinance Amending the Annual Operating Budget for FY 2018-2019 for the Consulting Services Agreement. The motion was seconded by Council Member Gaskins and unanimously approved.

NEW BUSINESS (Items for discussion and action will only be taken if necessary. Otherwise, these items will be placed on the next agenda for approval.

Resolution in Support of the Temporary Closure of a Portion of North Avenue for the Purpose of an Outreach Celebration by East Sanford Baptist Church – (Exhibit L)

Transportation Administrator Kris Furmage explained that staff received a request from Betty Buxley, Outreach Director and spokesperson for East Sanford Baptist Church, to close a portion of North Avenue between Third and Fourth Streets in front of the East Baptist Church property for an outreach celebration on Saturday, May 18, 2019, between 3:00 p.m. and 7:00 p.m. He noted that the only neighbor who would be affected by this closure agreed to it.

Mayor Pro Tem Salmon made a motion to approve the Resolution in Support of the Temporary Closure of a Portion of North Avenue for the Purpose of an Outreach Celebration by East Sanford Baptist Church. The motion was seconded by Council Member Buckels and unanimously approved.

Resolution to Temporarily Close Streets in Support of the Sanford Cleanup and Block Party – (Exhibit M)

Transportation Director Kris Furmage explained that this request was made by Bill Huggins, on behalf of Jonesboro United Methodist Church and several community groups, to close several streets for the Sanford Block Party clean up event scheduled for Saturday, April 27, 2019, between 8:00 a.m. and 4:00 p.m. The Department of Transportation has approved closing their portion of Charlotte Avenue.
Council Member Gaskins made a motion to approve the Resolution to Temporarily Close Streets in Support of the Sanford Clean up and Block Party; seconded by Mayor Pro Tem Salmon, the motion was unanimously approved.

Revision to Disability Eligible Benefits – (Exhibit N)

Human Resources Director Christy Pickens explained that the City provides health insurance coverage under the group health plan for employees who retire with the NC Local Governmental Employees Retirement System with a disability and 15 years of continuous service with the City immediately preceding that retirement. Management is recommending that the City continue health insurance coverage for up to 36 months for employees who retire under the retirement system with a disability but do not meet that 15-year continuous service requirement if the employee has applied for Social Security Disability Insurance benefits, in order to cover the time period until Medicare coverage begins.

Council Member Gaskins made a motion to approve the Revision to Disability Eligible Benefits; seconded by Council Member Buckels, the motion was unanimously approved.

Preliminary Assessment Resolution – Carr Creek Sewer Extension Area D – (Exhibit O)

City Engineer Paul Weeks explained that this project is part of the Council approved program through which the City pays 75 percent of the sewer mainline extension and 100 percent of the tap fee, if done during construction. Homeowners pay the remaining 25 percent of the mainline cost, along with the cost of re-routing plumbing tap and decommissioning their septic tank. This project includes 27 parcels annexed in June 1991, and the estimated construction cost is $254,370, or approximately $9,421 per lot; however, under the program, each lot cost will be about $2,355. Approximately 64 percent of the property owners (16 of 25) approved the petition and owners of 67 percent of the lots (18 of 27) approved. The resolution, if approved by Council, sets the public hearing for April 16, 2019, at 6:00 p.m.

Council Member Williams requested that he be recused from the vote (since he owns property in the subdivision). Council Member Gaskins made a motion to recuse Council Member Williams, which was seconded by Council Member Buckels and unanimously approved.

Council Member Buckels made a motion to approve the Preliminary Assessment Resolution for the Carr Creek Sewer Extension Area D; the motion was seconded by Council Member Post and unanimously approved.

Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2018-2019 – (Carr Creek Lift Station) – (Exhibit P)

Senior Budget Analyst Cindy O’Quinn explained that this item appropriates retained earnings from the Utility Fund to the Distribution and Collections department for emergency repairs to the force main at the water plant and pump replacement at the Carr Creek Lift Station.

Council Member Post made a motion to approve the Ordinance Amending the Annual Operating Budget FY 2018-2019 for the Carr Creek Lift Station. The motion was seconded by Council Member Gaskins and unanimously approved.
Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2018-2019 – (Contribution to NC Highway 42 Waterline Relocate and Contribution to Sewer Line Extension to Raleigh Exec Jetport) - (Exhibit Q)

Senior Budget Analyst Cindy O’Quinn explained that this item re-appropriates retained earnings from the Utility Fund for capital project expenditures not completed or received by June 30, 2018.

Mayor Pro Tem Salmon made a motion to approve the Ordinance Amending the Annual Operating Budget FY 2018-2019 for the Contribution to the NC Highway 42 Waterline Relocate and Contribution to the Sewer Line Extension to the Raleigh Exec Jetport. The motion was seconded by Council Member Post and unanimously approved.

Consider Community Development Project Ordinance Amendment – (Emergency Shelter) - (Exhibit R)

Community Development Manager Karen Kennedy explained that this item appropriates funds for plumbing, a generator and roofing repairs at the extreme weather shelter which is part of our S3 Housing Initiative.

Council Member Buckels made a motion to approve the Project Ordinance Amendment for the Emergency Shelter; seconded by Council Member Post, the motion was unanimously approved.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2018-2019 – (Parks Capital Project Number B1602) – (Exhibit S)

Consider Capital Project Ordinance Amendment – (Parks and Recreation Project #B1602) – (Exhibit T)

Public Works Director Vic Czar explained these two related items are in connection with the Kiwanis Family Park project, for selection of and acquiring services for playground equipment. Barrs Recreation was selected as the preferred vendor for playground equipment through the staff selection process. Council reached consensus on “Option One” for equipment and wanted to add an air glider and multi-user swing, which increased costs slightly above budget. After much analysis, staff considers that to be the best value to achieve the inclusivity and visual appeal desired by Council and to differentiate our site from others; therefore, staff recommends adding those two items to Barr’s “Option One”, increasing total cost to about $245,000. Some funds have already been allocated to the project and since parks operations are slightly behind schedule, $150,000 in the Parks Department operating budget could be used along with $60,000 designated for the CCEP spec building, which is also behind schedule. Contingency funds of approximately $82,000 are available in the construction budget but cannot be used since they are encumbered and some of those funds were needed to resolve unsuitable site soils. Mr. Czar explained that we received a credit of approximately $33,000 because waterlines in front of the park required improvements and were funded through the Utility Fund. He also reminded Council that playground equipment was not included with the bond project.

Council Member Gaskins made a motion to approve the Ordinance Amending the Annual Operating Budget FY 2018-2019 – Parks Capital Project Number B1602. The motion was seconded by Council Member Post and unanimously approved.

Council Member Gaskins made a motion to approve the Capital Project Ordinance Amendment for Parks and Recreation Project Number B1602. The motion was seconded by Council Member Post and unanimously approved.
Mr. Czar further explained that a monument sign had been proposed for the park and if approved by Council, staff would instruct the contractor to move forward. Mayor Mann expressed approval but noted that the Reeves Family (referenced on the sign) was still deliberating content. Mr. Gaskins stated that Bob Brickhouse (who worked on the park for many years through the Kiwanis Club) recommended that the sign include a reference to both Charles and Sarah Reeves. Mr. Czar explained that the proposed content was taken from the existing sign but could be amended. Mr. Gaskins asked about the small monument sign recognizing Dick Hardy (previously located by the flagpole) and Mr. Czar agreed to investigate. Mayor Pro Tem Salmon requested confirmation that County representatives approved the sign and Mr. Czar agreed to investigate.

Resolution of the Sanford City Council in Support of Legislation Removing a Restriction on Voluntary Satellite Annexations – (Exhibit U)

Mayor Mann explained that the County Commissioners passed a similar resolution at its March 18, 2019, meeting.

Council Member Post made a motion to approve the Resolution of Sanford City Council in Support of Legislation Removing a Restriction on Voluntary Satellite Annexations. The motion was seconded by Council Member Buckels and passed unanimously.

OTHER BUSINESS

Council Member Gaskins stated that both North Carolina senators (Senator Richard Burr and Senator Thom Tillis) along with Representative David Price support designating a portion of Highway 421 as the I-685 corridor. He also stated that he would share more information soon from his recent trip to Washington, D.C.

ADJOURNMENT

Council Member Gaskins made the motion to adjourn the meeting; seconded by Mayor Pro Tem Salmon, the motion carried unanimously.

ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.

Respectfully Submitted,

T. CHET MANN, MAYOR

ATTEST:

BONNIE DAVIS, CITY CLERK
The City Council met at the Sanford Municipal Center, 225 E. Weatherspoon Street, on Tuesday, April 2, 2019, at 6 p.m., in Council Chambers. The following people were present:

- Mayor T. Chet Mann
- Mayor Pro Tem Rebecca Wyhof Salmon
- Council Member Byron Buckels
- Council Member Jimmy Haire
- Council Member James Williams
- Council Member Norman Charles Post, III
- Council Member Charles Taylor
- Council Member Sam Gaskins
- City Attorney Susan Patterson
- Management Analyst Holly Marosites
- City Clerk Bonnie Davis
- Deputy City Clerk Vicki Cannady
- City Manager Hal Hegwer

CALL TO ORDER
Mayor Mann called the meeting to order. Council Member Taylor delivered the invocation.

PUBLIC COMMENT – (Exhibit A)
Anne Dougher, residing at 316 Hickory Avenue and 122 Patchen Avenue in Brooklyn, New York, spoke regarding two homes she owns located at 305 and 307 Maple Avenue. She is trying to bring them into compliance with code enforcement. She presented Council copies of receipts for materials purchased to rehab the homes. They are historic homes and she would like to preserve them.

APPROVAL OF AGENDA
Council Member Gaskins made the motion to approve the agenda. Seconded by Mayor Pro Tem Salmon, the motion carried unanimously.

CONSENT AGENDA
There were no items listed on the consent agenda.

SPECIAL AGENDA
Proclamation Proclaiming April 7 – 13, 2019 as Week of the Young Child – (Exhibit B)
Mayor Mann read a proclamation proclaiming the week of April 7 – 13 as Week of the Young Child and encouraged everyone to work to support and invest in early childhood in our city.

Presentation by Grand Master Richard Vincent – Global Open Tae Kwon-Do – (Exhibit C)
Grand Master Richard Vincent, who owns the Black Belt USA in the Jonesboro Area of Sanford, invited Council to the Black Belt World Global Open. He has been teaching for 22 years. The event will be held at the Dennis A. Wicker Civic Center on May 4. This year’s event will be bigger than the past three years. They have blocked off 40 rooms at Comfort Suites of which 20 are booked. Friday evening, Black Belt World Global will be hosting its Black Belt Testing for the first time in Sanford, North Carolina. This event is usually held in Knightdale or Charlotte, but decided they need a bigger space so they reserved the Civic Center for two nights. A sparring demonstration was presented by several students.
CASES FOR PUBLIC HEARING

Public Hearing on Cemetery Road Waterline Extension

City Engineer Paul Weeks explained that this is a public hearing for the Cemetery Road Waterline Extension. One hundred percent of the cost of construction will be borne by the property owners. There are eight parcels involved with an estimated construction cost of $32,000, with a cost per lot of $4,000. Based on the petition circulated, seven of the eight property owners signed the petition. Notices of the public hearing were mailed to all the affected parties on March 11, and certified by the city clerk. A publisher’s affidavit has not been received; however, it was advertised. At the end of the public hearing, Council will consider a resolution directing that the project be undertaken.

Mayor Mann opened the public hearing. Tim Smith, residing at 3726 Hiawatha Trail; Darrell Ballard, residing at 3522 Cemetery Road; and Manuel Torres residing at 3518 Cemetery Road, all spoke in favor of the waterline extension petition.

Mr. Gaskins asked that for Mr. Smith to receive water, is the waterline going to extend through the Jones property as it does not go down Hiawatha? Mr. Weeks replied that Mr. Smith accesses Cemetery Road by a driveway that goes down Hiawatha. Mr. Smith has an easement that extends through his property straight up to the north; the intent was to provide him with a utility easement to get him access. Mr. Smith would have one or two options in order to get water.

With no one else requesting to speak, the public hearing was closed.

- Consider Resolution Directing that the Project be Undertaken – (Exhibit D)

  Council Member Post made the motion to approve the resolution. Seconded by Council Member Gaskins, the motion carried unanimously.

DECISION ON PUBLIC HEARING

Application by Keller Investment, LLC - to rezone 35 acres +/- off of/accesed via Commerce Drive from General Commercial (C-2) and Barrington Park Conditional Zoning District #4 to the South Park Multi-Family Apartment Home & Independent Living Community Conditional Zoning District to allow for the development of a residential community with a mixed of housing types. The subject property is depicted on Lee County Tax Map 9660.01 as the following Lee County Land Records Tax Parcels:

- **Tract 1:** 9660-37-7933-00 is an 8.0 +/- acre portion of a vacant 25.45-acre tract of land with frontage on Commerce Drive and NC 87 Hwy, illustrated as an existing 25.45-acre lot on a 2007 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2007, Slide 265 in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2).
- **Tract 2:** 9660-38-1040-00 is a vacant 5.5 +/- acre tract of land with frontage on Commerce Drive, illustrated as Lot 1 on a 2000 plat labeled Survey for Southpark recorded as Plat Cabinet 9, Slide 45G in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2).
- **Tract 3:** 9660-27-6999-00 is a vacant 4.0 +/- acre tract of land with frontage on Commerce Drive, illustrated as Lot 2 on a 2000 plat labeled Survey for Southpark recorded as PC 9, Slide 45G in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2).
This tract of land is illustrated as being included within Lee County Tax Parcel 9660-27-6303-00 on the GIS software accessed by the public on the City of Sanford website.

- **Tract 4:** 9660-27-6006-00 is a 17.25 ± acre portion of a vacant 86 acre tract of land with the frontage on Commerce Drive, illustrated as Tract 5 on a 2007 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2007, Slide 265 in the Lee County Land Register of Deeds Office, with the front of the parcel along Commerce Drive being zoned General Commercial (C-2) and the remaining balance to the rear being zoned Barrington Park Conditional Zoning District #4.

- **Tract 5:** 9660-16-4729-00 is a 0.25 ± acre portion of a vacant 19.5-acre tract of land with no road frontage, illustrated as Tract 2 on a 2017 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2017, Slide 97 in the Lee County Land Register of Deeds Office, with the front of the parcel along Commerce Drive being zoned General Commercial (C-2) and the remaining balance to the rear being zoned Barrington Park Conditional Zoning District #4. – (Exhibit E)

Zoning Administrator Amy McNeill explained that a public hearing was held on March 19, 2019 and the Planning Board recommended unanimously that Council support the rezoning petition.

**Vote to Approve a Statement on Long Range Plan Consistency as it Relates to this Rezoning Request**

- Mayor Pro Tem Salmon stated the proposed design includes many of the components included within the Plan SanLee “Mixed Use Activity Center” place type, such as multi-family residential zoning as a current and proposed zoning district, multi-family dwellings and attached single-family dwellings as land uses and public water and sewer as utility infrastructure; therefore, she made a motion that the request is consistent with the adopted long-range plan. Seconded by Council Member Buckels, the motion carried unanimously.

- **Consider Vote to Approve or Deny the Rezoning Request – Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit F)**

Council Member Gaskins stated that the proposed zoning map amendment is reasonable and in the public interest because it is consistent with the adopted land use plan and has existing access to public water, sewer, and streets; therefore, he made the motion to approve the request to rezone 35 +/- acres with frontage access off of Commerce Drive from General Commercial (C2) and Barrington Park Conditional Zoning District #4 to the South Park Multi-family Apartment Home and Independent Living Community Conditional Zoning District. Seconded by Council Member Taylor, the motion carried unanimously.

Application by Wynnefield Properties, Inc. - to rezone a 2.36 acre ± portion of a 15 acre ± tract of land addressed as 1732 Westover Drive, from General Commercial (C-2) to the Kendall Creek Multi-family Conditional Zoning District to allow for the development of an apartment community. The property is the same as depicted on Lee County Tax Maps 9631.02 and 9631.01 as Tax Parcel 9631-56-2403-00 Lee County Land Records and is illustrated as Tract 3 on a 2001 plat labeled
Zoning Administrator Amy McNeill explained that a public hearing was held on March 19, 2019 and the Planning Board recommended unanimously that the Council support the rezoning petition.

**Vote to Approve a Statement on Long Range Plan Consistency as it Relates to this Rezoning Request**
- Mayor Pro Tem Salmon stated that the proposed design includes many of the components included within the Plan SanLee “Mixed Use Activity Center” place type, such as multi-family residential zoning as a current and proposed zoning district, and multi-family dwellings as a land use and public water and sewer as utility infrastructure; therefore, she made a motion that the request is consistent with the adopted long-range plan. Seconded by Council Member Gaskins, the motion carried unanimously.

**Consider Vote to Approve or Deny the Rezoning Request – Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit H)**
- Mayor Pro Tem Salmon made the motion that the proposed zoning map amendment is reasonable and in the public interest because it is consistent with the adopted land use plan and has existing access to public water, sewer (via a proposed main line extension), and streets; therefore, she made the motion to approve the request to rezone a 2.36 acre +/- portion of a 15 +/- acre tract of land addressed as 1732 Westover Drive from General Commercial (C-2) to the Kendall Creek Multi-family Conditional Zoning District. Seconded by Council Member Gaskins, the motion carried unanimously.

**REGULAR AGENDA**
There were no items on the regular agenda.

**NEW BUSINESS (Items for discussion and action will only be taken if necessary. Otherwise, these items will be placed on the next agenda for approval.)**
Consider Resolution of the City of Sanford, North Carolina, Directing the Application to the Local Government Commission for Approval of Enterprise Systems Revenue and Revenue Refunding Bonds; Requesting Local Government Commission Approval of the City’s Enterprise Systems Revenue and Revenue Refunding Bonds, Series 2019 and Certain Related Matters – (Exhibit I)

Financial Services Director Beth Kelly explained that the resolution will allow the City to issue new money through bonds in the amount of $13.5 million. Of that $13.5 million, the City will use $7 million for the Moncure Megasite sewer line extension cost; $5 million for the Hawkins Avenue Waterline project cost; $1 million for the Amos Bridges Waterline project cost and about $500,000 of the airport sewer line extension cost. This totals $13.5 million of new money, because that is new debt issued. The balance of that will be refunding and it relates to the Series 2010B Revenue Bonds that Council approved for the WWTP expansion/upgrade. Based on the last estimate, for the time of sale of the bonds, we would save $100,000 annually on debt service payment by refinancing through the remainder of the life of the bonds.

Council Member Buckels made the motion to approve the Resolution of the City of Sanford, North Carolina, Directing the Application to the Local Government Commission for Approval of
Enterprise Systems Revenue and Revenue Refunding Bonds; Requesting Local Government Commission Approval of the City’s Enterprise Systems Revenue and Revenue Refunding Bonds, Series 2019 and Certain Related Matters. Seconded by Council Member Post, the motion carried unanimously.

Consider Post-Issuance Compliance Policies and Procedures – (Exhibit J)

Financial Services Director Beth Kelly explained that when Council approved the 2010 Series of bonds, as well as the 2015 General Obligation Bonds, anytime that debt issuance is approved, the City agrees to the bond documents to comply with Securities Exchange Commission (SEC) Rule 15c2-12, - the Post Issuance Compliance and Policies and Procedures. SEC has updated the rule. The City will continue to file information by January 31 of every year, as well as, the City’s CAFR and Budget Report and the list of items in Exhibit B of this Compliance Procedures. Our bond attorneys are recommending that since we are getting ready to issue bonds and this rule has been updated effective the end of February 2019, going forward, not only are we required to file this information annually, but also as we issue any other debt, or lease agreement. We are required to report this information on the Electronic Municipal Market Access (EMMA) website, which is where all the bond investors review and the SEC uses to regulate. It has to be disclosed with the information listed in Exhibit B of this policy within ten days of the closing of any type of document that qualifies. Exhibit A lists any debt outstanding which applies to this currently. Going forward, any debt we issue, whether it be installment purchase or any type of bond, we will be required to disclose on the EMMA website within ten days of any type of closing.

Council Member Gaskins made the motion to approve the Post-Issuance Compliance Policies and Procedures. Mayor Pro Tem Salmon seconded the motion and it carried unanimously.

Consider Approval of Fireworks Display for the Annual “Downtown StreetFest” – (Exhibit K)

Alex Collazo stated that staff is seeking approval to obtain permits for the fireworks display for the annual Downtown StreetFest event.

Council Member Taylor made the motion to obtain the permits for the fireworks display. Seconded by Council Member Gaskins, the motion carried unanimously.

OTHER BUSINESS

Mayor Pro Tem Rebecca Salmon shared that she had the opportunity to represent the City Council at the 2019 Main Street Awards, where the City of Sanford received the best outdoor space improvement for our mural arts program. The mural arts project has garnered so much public excitement and it was wonderful to see what is going on across the state and those efforts are being recognized. She presented the award to Mayor Mann and City Manager Hegwer to display at City Hall. Mayor Mann stated that there will be a “Before I Die” wall, located on Charlie Watson Lane and it will be dedicated during the StreetFest. The wall was started in Europe and is very popular.

Council Member Gaskins stated that Sanford lost another outstanding citizen, Mary Carolyn Bass O’Neal. She is part of the Reeves family who has done so much for the Kiwanis Park and brought Habitat for Humanity to Sanford. She was a tremendous citizen in both contributions and her volunteer work.
Council Member Taylor stated that the Joint Planning Commission was held last Thursday and they looked at eight amendments that will be forthcoming to Council for approval. He applauded staff for coming to a consensus especially with the attorneys the County hired relative to the amendments.

Mr. Hegwer stated that the County has an effort underway to proliferate broadband service out into the County where there is a lack of fiber optics, DSL or cable service; one of the first areas will be Downtown Sanford. We are going to invite someone from the County to Council’s next workshop to explain the project.

Mr. Hegwer referred to Exhibit L, which is a spreadsheet that shows the status of all the projects the City has going on. It is in Excel format and it is a start. We will keep it updated routinely and he asked for feedback for things Council feels is not on the list; staff has looked at software that may work in conjunction with this program and be helpful to the Finance Department and the public. Mayor Mann stated that this is a result of the retreat and there are over 120 projects. Mayor Mann stated that we need to have an updated version in a shared file so Council Members can check on them.

Mr. Taylor mentioned one item that is very popular in Microsoft projects is – Red, Green, Yellow. If it is sitting still and turned yellow, then have some reasons, which gives you more accountability. It would also allow you to drop something off or to stop projects. If it is red, there is a reason why it is red. It ties contingencies back to what is being asked. You can sort by color now on the latest Excel.

Mayor Mann welcomed Commissioner Kirk Smith in the audience and thanked him for allowing broadband to be brought to the community. They had an interesting presentation yesterday at the public policy meeting from Stan Kelly, who is with the Piedmont Triad Economic Development Group. Mr. Kelly is retired and is a volunteer who brought the Carolina Core Presentation. Mr. Gaskins attended a conference in Washington and he tried to move along and endorse the changing of US Highway 421 to Interstate 685. All the megasites, including Moncure, are on this corridor. We have a group of people, led by Mr. Kelly, and a lot of economic development people, including SAGA, that are looking to make the Carolina Core the 21st century version of the Research Triangle Park spread among the 13 counties, of which U. S. Highway 421 goes through with these four megasites. There are some companies looking at the megasites and if any one of these megasites produces, the other three will be the supplier sites. A big OEM will bring between 2,000 and 4,000 jobs. Michael Smith is with this group to push the megasite.

Mayor Mann stated that Council Member Gaskins and City Manager Hegwer attended a TDA Conference this weekend and there were a lot of great points brought back. Mr. Gaskins stated that ten members attended the 365 Conference and it was very informative. He attended due to a resignation recently. They have a greater idea as to what to look for from MSA Marketing.

Downtown StreetFest will be held on April 13 with fireworks, vendors, and food trucks; the Sanford Block Party will be two weekends after Easter. It will be at the Temple Ball field area. Mayor Mann will be holding the National Day of Prayer Breakfast on Thursday, May 2, at the Dennis Wicker Civic Center; this gives more room for the public to attend. The Residential Task Force has been a big success. He drove around a large, out-of-town developer for three hours yesterday and when concluded, the developer decided he is coming to Sanford. He has to decide on which different parcels he wants to look at first. SAGA is doing their job and felt the answer is coming with new residential building. We will begin to see companies bringing their families to Sanford.
Mr. Gaskins stated that at the TDA Conference, he learned that VisitNC is part of the Economic Development Partnership of North Carolina. Mr. Gaskins added that he had the opportunity to speak with Chris Chung on several occasions over the two days. Mr. Chung spoke and EDPNC considers that as an important aspect.

ADJOURNMENT

Council Member Gaskins made the motion to adjourn the meeting; seconded by Council Member Buckels, the motion carried unanimously.

ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.

Respectfully Submitted,

_______________________________
T. CHET MANN, MAYOR

ATTEST:

_______________________________
BONNIE DAVIS, CITY CLERK
LINEMAN APPRECIATION DAY

WHEREAS, the City of Sanford, NC celebrates the profession of electrical linemen, as this profession requires passion, dedication and ongoing training; and

WHEREAS, linemen are often first responders during storms, working to repair broken electrical lines to make the area safe for other public safety heroes; and

WHEREAS, linemen must work our power lines 24 hours a day, 365 days a year to keep electricity flowing; and they also play a vital role by maintaining and growing the electrical infrastructure; and

WHEREAS, due to the danger of their work with high voltage, these men and women put their lives at risk every day for the citizens of our community; and

WHEREAS, the U.S. House of Representatives recognizes the efforts of linemen in keeping the power on and protecting public safety and has designated the celebration of a National Lineman Appreciation Day;

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of Sanford, I, T. Chet Mann, do hereby proclaim April 18, 2019 as “Lineman Appreciation Day in Sanford,” and I call upon all citizens to recognize the contribution that these public servants make every day to our health, safety, comfort, and quality of life.

DATED this 16th day of April, 2019.

T. CHET MANN, MAYOR
Zoning Map Amendment (Rezoning) Application

City of Sanford  Lee County  Town of Broadway

1. Applicant Name: Ruby and Ernest McSwain-Worthy Lands Trust
2. Applicant Address: P.O. Box 2280, Sanford, NC 27331
3. Applicant Telephone: 919-774-1419
4. Name and Address of Property Owner(s) if different than applicant: Ruby Crumpler McSwain Estate
5. Location of Subject Property: (Vacant) Woodland Avenue, Sanford, NC 27330
   Lee Co. P.I.N.: 9652-04-1924-00
6. Total Area included in Rezoning Request: 0.50 Acres
8. Existing Land Use(s): Vacant/undeveloped
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): The highest and best use for this property is Office & Institutional (O&I) given the location on Woodland Avenue between two existing businesses and adjoining Office & Institutional (O&I) zoned property.
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.

Hubert Lynn Blackmon, Trustee  
Signature of Property Owner(s) (Sign & Print)  2-18-2019

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: 2019-03-01  
Fee Paid: $500.00  
Application No.: 2019-0401

Staff Signature: Amy J. McNeill
Energov Case No.: ZMA-000312-20119

L:\Forms & Certifications\Rezoning App (Updated 2018-07-02 by AJMc)
APPLICATION# 2019-0401 TO AMEND THE SANFORD ZONING MAP

Applicant: Ruby and Ernest McSwain Worthy Lands Trust | Contact: Mr. Lynn Blackmon
Owner: Ruby Crumpler McSwain Estate
Request: Rezone from Residential-Mixed (R-12) to Office & Institutional (O&I)
Location: (Vacant) Woodland Avenue
Township: East Sanford
Tax Parcel: 9652-04-1924-00
Adjacent Zoning: North: Office & Institutional (O&I) and Residential-Mixed (R-12)
              South: Residential-Mixed (R-12)
              East: Residential-Mixed (R-12)
              West: Office & Institutional (O&I)

Introduction: Planning staff has received a rezoning application from Mr. Lynn Blackmon as the first step in either marketing or developing the site in a commercial manner, as an office or commercial type use appears to be more viable for this site than a residential use given the location between a daycare and a convenience store.

Site and Area Description: The subject property is one 0.50 ± acre vacant tract of land with no assigned address and identified as Lee County Tax Parcel 9652-04-1924-00. The site appears to have access to public water and public sewer. The parcel is and illustrated as Lot 1 on a 1907 survey labeled a Map of Sou. Sanford, N.C. and recorded at Plat Cabinet 2, Slide 314 of the Lee County Register of Deeds Office, along with a portion of W. Spruce Street that was closed by the Sanford Board of Alderman in 1993 per Deed Book 507, Page 912 of the Lee County Register of Deeds Office.

Surrounding Land Uses: North of the site, opposite Woodland Avenue, are four 0.37 acre lots developed with single-family dwellings addressed as 311 Spruce Street (zoned O&I), 1205 Woodland Avenue (zoned R-12), and 1207 Woodland Avenue (zoned O&I), and one vacant lot (zoned R-12). South of the site is a 1.5 acre tract of land developed with a house addressed as 414 W. Garden Street, zoned R-12. East of the site is a vacant 0.40 acre lot zoned R-12 and two lots at the intersection of Woodland Avenue and W. Garden Street that are that are developed with a convenience store (with no gas sales) and zoned General Commercial (C-2).

Zoning District Information
Existing Zoning: The subject property is currently zoned Residential-Mixed (R-12), which is established to provide areas for a mix of residential dwelling types with a maximum of three and one-half dwelling units per acre, in areas where large-lot development is discouraged and adequate public facilities and services are available. This district provides minimum lot size and density requirements in order to allow for market and design flexibility while preserving the neighborhood character.
The dimensional requirements of the R-12 district include a minimum lot width of 75ft, a minimum lot depth of 100ft, a minimum lot size of 12,000sf, a maximum building height of 40ft, with principal building setbacks of 30ft from the front property line and/or right-of-way of the public street, 20ft from the rear property line, and 12ft from the side property lines. Examples of uses permitted by right within the R-12 zoning district include single-family detached homes (site built or modular), duplexes, churches, parks, and schools. There is a list of permitted uses for this zoning district included within the agenda for your reference.

**Proposed Zoning:** The proposed zoning Office & Institutional (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.

The dimensional requirements of the O&I district include a minimum lot width of 50ft, a minimum lot depth of 100ft (which creates a minimum lot size of 5,000sf), a maximum building height of 60ft, with principal building setbacks of 10ft from the front property line and the required landscape buffer yard width determining the required rear and side yard setbacks as measured from the property lines. The maximum allowed impervious surface, such as roof top, parking lot, etc., is 70% of the site. Examples of uses permitted by right within the O&I zoning district include finance & insurance services, florists, general office buildings, and medical & dental offices. There is a list of permitted uses for this zoning district included within the agenda for your reference.

### Overlay Districts & Area Plans

**Plan SanLee Land Use Plan- Long Range Plan**

The plan identifies the future land use place type for this tract of land as “Neighborhood Transition Area,” which has the following characteristics:

- Legacy residential neighborhoods that may be transitioning to small offices and service businesses
- Positioned along primary transportation routes leading downtown
- Preserving residential character, buffer between downtown and urban neighborhoods
- Local example – Woodland Avenue in Sanford

Land use designations include detached & attached single-family dwellings, multi-family dwellings, churches, schools, civic organizations, government services, parks, professional offices and business services. Forms of transportation include public transit, vehicular connectivity, on-street bike lanes, and sidewalks. The current zoning districts Neighborhood Commercial and Office & Institutional as primary and R-12, R-12SF, R-10, and R-6 as secondary. The recommended development density is single-family up to 10 dwelling units per acre, multi-family with 10-16 units per acre, small commercial lots, with shallow building setbacks and a 45ft height limit. Utility infrastructure is public water and public wastewater. The preferred character is a 2-3 land urban grid street network with 6-800ft block lengths, curb & gutter with street trees and on-street & rear parking.

**Local Overlay District Notes:** Per GIS, the parcel is not located within an established floodplain, watershed, or local historic district and does not have a designated wetland area on site.

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
Utilities: The subject property appears to have access to public water via an eight-inch public water main that runs parallel to Woodland Avenue. The subject property also appears to have access to public sanitary sewer via an eight-inch public sewer main that runs parallel to Woodland Avenue. If the rezoning is approved, all new development that proposes to connect to public water and public sewer must be approved by the City of Sanford Public Works Department to verify compliance with all applicable regulations.

Transportation: The subject property has approximately 111ft of road frontage along Woodland Avenue, which is a city-maintained paved public street with a 60ft right-of-way. There is a 2013 traffic count on Woodland Avenue approximately 430ft southeast of the site of 9,800 vehicles per day and a 2011 count of 8,700 vehicles per day.

Development Standards: If rezoned, all of the uses permitted in the Office & Institutional (O&I) 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 Information Regarding a Recommendation from the Planning Board: The recommendation from the Planning Board should include language describing whether the action is consistent with an adopted comprehensive plan (Plan SanLee) and any other officially adopted plan that is applicable and other matters as deemed appropriate by the board. The board may also include language briefly explaining why it considers the recommendation to be reasonable and in the public interest.

Staff Recommendation: Staff recommends that the Boards support this request. In making this recommendation, staff finds that the rezoning proposal from Residential-Mixed (R-12) to Office & Institutional (O&I) appears to be in keeping with the future land use place type for this site per the Plan SanLee land use plan. Also, this request appears to be reasonable and in the public interest based upon the location of the site between two existing commercial uses, with frontage on a city-maintained public street with existing public utilities.
REZONING APPLICATION 2019-04-01: Application by Ruby & Ernest McSwain Worthy Lands Trust to rezone a vacant lot off of Woodland Avenue from R-12 to O&I.

REZONING APPLICATION 2019-04-02: Application by Ruby & Ernest McSwain Worthy Lands Trust to rezone a vacant lot at the intersection of Woodland Avenue and W. Rose Street from R-12 to O&I.

REZONING APPLICATION 2019-04-03: Application by Wolfheel Properties, Inc. to rezone 1103 and 1107 Woodland Avenue from R-12 to O&I.

This is a graphic illustration and not a legal document.
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R-12, RESIDENTIAL MIXED ZONING DISTRICT
This list was created by Sanford/Lee County Planning & Development staff as a summary of the permitted land uses within a specific zoning district and is intended for general informational purposes. Staff makes every effort to ensure that the information provided is accurate and up-to-date; however, it is recommended that you verify with Planning & Development staff that the proposed use is permitted within the specific zoning district and discuss any/all development requirements prior to pursuing a project. This information is applicable for the jurisdictions of the City of Sanford, Lee County and the Town of Broadway in North Carolina.

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

<table>
<thead>
<tr>
<th>Accessory Uses</th>
<th>Residential Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory uses (See Section 5.1)</td>
<td>Dwelling, Duplex (two-family dwelling)</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Modular home</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Single-family detached</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Arts, Recreation &amp; Entertainment</th>
<th>Education, Public Administration, Health Care, and Institutional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks, playgrounds, and athletic fields operated on a noncommercial basis</td>
<td>Day care facility, Adult</td>
</tr>
<tr>
<td>Religious Complex (less than 350 seats), new site</td>
<td>Religious Complex (any size), addition to existing complex/site</td>
</tr>
<tr>
<td>Schools, Pre-K –Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation, Communication, and Utilities</th>
<th>Agriculture</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)</td>
<td>Animal Production and Support Services, (unincorporated Lee County)</td>
</tr>
<tr>
<td>Crop Production and Support Functions, (unincorporated Lee County)</td>
<td></td>
</tr>
<tr>
<td>Forestry and Logging and Support Services, (unincorporated Lee County)</td>
<td></td>
</tr>
</tbody>
</table>
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).

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<thead>
<tr>
<th>Residential Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling, Multifamily (three or more units) (See Section 10.3)</td>
</tr>
<tr>
<td>Dwelling, Single-family attached (See Section 10.3)</td>
</tr>
<tr>
<td>Home Occupations (See Section 5.16)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accommodations and Group Living</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Care Homes (See NCGS 168-21 and Section 5.12)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Industrial &amp; Manufacturing Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landfills, LCID (2 acres or less in size) (See Section 5.19)</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Education, Public Administration, Health Care, and Institutional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day Care facility, Home Child Care (See Section 5.10)</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Accommodations and Group Living</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dormitories for the students of colleges commercial schools, staff of hospitals</td>
</tr>
<tr>
<td>Child and Youth Services</td>
</tr>
<tr>
<td>Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Arts, Recreation &amp; Entertainment</th>
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</thead>
<tbody>
<tr>
<td>Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)</td>
</tr>
<tr>
<td>Golf courses, public and private</td>
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<tr>
<td>Golf driving ranges</td>
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<tr>
<td>Sports stadiums or arenas</td>
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<th>Education, Public Administration, Health Care, and Institutional</th>
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<td>Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation</td>
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<td>Fire, sheriff, and emergency services</td>
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<tr>
<td>Governmental Functions, not otherwise listed</td>
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<td>Libraries</td>
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<tr>
<td>Religious Complex (more than 350 seats), new site</td>
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<tr>
<td><strong>Schools, Continuing Education</strong> (alternative, adult colleges and universities, and technical, trade and, other specialty schools)</td>
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<tr>
<td><strong>Schools, Pre-K – Secondary</strong> (nursery and preschool, grade schools, elementary, middle, and high school) new site</td>
</tr>
</tbody>
</table>

| **Transportation, Communication, and Utilities** |
| **Sewage treatment and Water treatment plants** |

| **Agriculture** |
| **Crop Production and Support Functions** (Sanford and Broadway) |

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**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).

| **Residential Uses** |
| **Accessory Dwellings** (See Section 10.4) |
| **Accommodations and Group Living** |
| Bed and breakfast inn (See Section 5.4) |

| **Industrial & Manufacturing Uses** |
| 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) |

| **Education, Public Administration, Health Care, and Institutional** |
| 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) |

| **Transportation, Communication, and Utilities** |
| Solar Collectors, Commercial (See Section 5.39) |
| Telecommunication towers (See Section 5.33) |
O&I, OFFICE & INSTITUTIONAL ZONING DISTRICT
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<th>Accommodations and Group Living</th>
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<tbody>
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<td>Dormitories for the students of colleges, commercial schools, staff of hospitals</td>
</tr>
<tr>
<td>Group Home/Residential Care Facility, Level I</td>
</tr>
<tr>
<td>Group Home/Residential Care Facility, Level II</td>
</tr>
<tr>
<td>Child and Youth Services</td>
</tr>
<tr>
<td>Nursing, Supervision, Adult Care Homes, Group Care Facilities, and other rehabilitative services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>General Sales or Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Services, Travel Arrangement and Reservation Services, Investigation and Security Services (locksmiths)</td>
</tr>
<tr>
<td>Antique Shops</td>
</tr>
<tr>
<td>Electronic equipment (small), sales and service</td>
</tr>
<tr>
<td>Finance and Insurance Services (Bank, Credit and Finance, Insurance-related)</td>
</tr>
<tr>
<td>Florist</td>
</tr>
<tr>
<td>Mail order or direct selling establishments/Electronic Shopping and Mail-Order Houses</td>
</tr>
<tr>
<td>Medical equipment sales, rental or leasing</td>
</tr>
<tr>
<td>Office building (general)</td>
</tr>
<tr>
<td>Personal Services (e.g., nail salons, barbers, shoe repair, and similar establishments not otherwise listed)</td>
</tr>
<tr>
<td>Pharmacy or Drugstore, without drive through facility</td>
</tr>
<tr>
<td>Printing and Publishing Services</td>
</tr>
<tr>
<td>Professional Services (Legal, Accounting, Architectural, Graphic, Consulting Services, Research and Development, Advertising, etc.)</td>
</tr>
<tr>
<td>Real Estate Sales, Rental &amp; Leasing</td>
</tr>
<tr>
<td>Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district</td>
</tr>
<tr>
<td>Restaurants, no drive-in or drive-through facilities</td>
</tr>
<tr>
<td>Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), no outside storage</td>
</tr>
<tr>
<td>Industrial &amp; Manufacturing Use</td>
</tr>
<tr>
<td>-------------------------------</td>
</tr>
<tr>
<td>Contractors’ offices/shop without outdoor storage areas</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Arts, Recreation, &amp; Entertainment</th>
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</thead>
<tbody>
<tr>
<td>Aquarium or Planetarium</td>
</tr>
<tr>
<td>Amphitheater</td>
</tr>
<tr>
<td>Art galleries</td>
</tr>
<tr>
<td>Exhibition, convention, or conference structure</td>
</tr>
<tr>
<td>Fitness and recreational sports, gym, health, spa, reducing salon, swimming pool/auditorium, racquet club, or athletic club not otherwise listed</td>
</tr>
<tr>
<td>Golf courses, public and private</td>
</tr>
<tr>
<td>Golf driving ranges</td>
</tr>
<tr>
<td>Museums and art galleries</td>
</tr>
<tr>
<td>Parks, playgrounds, and athletic fields operated on a noncommercial basis</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Education, Public Administration, Health Care, and Institutional</th>
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</thead>
<tbody>
<tr>
<td>Civic, Social and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation</td>
</tr>
<tr>
<td>Crematorium &amp; Embalming</td>
</tr>
<tr>
<td>Day Care facility, Adult</td>
</tr>
<tr>
<td>Fire, sheriff, and emergency services</td>
</tr>
<tr>
<td>Funeral homes</td>
</tr>
<tr>
<td>Governmental Functions, not otherwise listed</td>
</tr>
<tr>
<td>Hospitals</td>
</tr>
<tr>
<td>Libraries</td>
</tr>
<tr>
<td>Medical and dental clinics or offices, ambulatory or outpatient care, family planning and care, and blood or organ banks</td>
</tr>
<tr>
<td>Post office</td>
</tr>
<tr>
<td>Religious Complex (less than 350 seats), new site</td>
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<tr>
<td>Religious Complex (more than 350 seats), new site</td>
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<tr>
<td>Religious Complex (any size), addition to existing complex site</td>
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<tr>
<td>Schools Continuing Education (alternative, adult colleges and universities and technical, trade, and other specialty schools)</td>
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<td>Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site</td>
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<td>Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle and high school), addition to existing site</td>
</tr>
<tr>
<td>Schools, Fine and Performing Arts</td>
</tr>
<tr>
<td>Social assistance, welfare and charitable services</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Transportation, Communication, and Utilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking lots, parking structures or underground parking areas (commercial or governmental)</td>
</tr>
<tr>
<td>Radio and TV stations and studios (excluding transmission tower)</td>
</tr>
<tr>
<td>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)</td>
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<table>
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<tr>
<th>Agriculture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Production and Support Services, (unincorporated Lee County)</td>
</tr>
<tr>
<td>Crop Production and Support Functions, (unincorporated Lee County)</td>
</tr>
</tbody>
</table>
Crop Production and Support Functions, (Sanford and Broadway)
Forestry and Logging and Support Services, (unincorporated Lee County)

**USES PERMITTED WITH DEVELOPMENT REGULATIONS**
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<th>Residential Uses</th>
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<tbody>
<tr>
<td>Home Occupations (See Section 5.16)</td>
</tr>
</tbody>
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<table>
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<tr>
<th>Accommodations and Group Living</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast inn (See Section 5.4)</td>
</tr>
<tr>
<td>Hotel, Motel, and tourist court (See Section 5.17)</td>
</tr>
</tbody>
</table>

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<th>Industrial &amp; Manufacturing Uses</th>
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<td>Landfills, LCID, 2 acres or less in size (See Section 5.19)</td>
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<td>Day Care facility, Child Care Center (See Section 5.10)</td>
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<td>Day Care facility, Home Child Care (See Section 5.10)</td>
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<tbody>
<tr>
<td>Group Home/Residential Care Facility, Level III</td>
</tr>
<tr>
<td>Group Home/Residential Care Facility, Level IV</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Art, Recreation &amp; Entertainment</th>
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<tbody>
<tr>
<td>Sports stadiums or arenas</td>
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<td>Sewage treatment and Water treatment plants</td>
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</table>
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).

<table>
<thead>
<tr>
<th>Residential Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling, Multifamily (three or more units) (See Section 10.3)</td>
</tr>
<tr>
<td>Dwelling, Single-family attached (See Section 10.3)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Industrial &amp; Manufacturing Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landfills, C&amp;D or LCID (greater than 2 acres in size) (See Section 5.20)</td>
</tr>
<tr>
<td>Mining &amp; Quarries (Unincorporated Lee County and City of Sanford Only) (See Section 5.23)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation, Communication, and Utilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar Collectors, Commercial (See Section 5.39)</td>
</tr>
<tr>
<td>Telecommunication towers (See Section 5.33)</td>
</tr>
</tbody>
</table>
NEIGHBORHOOD TRANSITION AREA

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

Local Example - Woodland Avenue in Sanford
ADJOINING PROPERTY OWNERS LIST

PETITION BY: Ruby & Ernest McSwain Worthy Lands Trust | Ruby Crumpler McSwain Estate
REQUEST: Rezone one tract of land totaling 0.33 acres ± from R-12 to C-2
LOCATION: (Vacant) Woodland Avenue, Sanford, NC 27330
PIN: 9652-04-1924-00
DATE: 2019-04-05

<table>
<thead>
<tr>
<th>No.</th>
<th>PIN</th>
<th>PROP ADDR</th>
<th>OWNER 1</th>
<th>OWNER 2</th>
<th>M #</th>
<th>MAIL ST</th>
<th>MAILCITY</th>
<th>ST</th>
<th>ZIP</th>
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</thead>
<tbody>
<tr>
<td>01</td>
<td>9642-95-9083-00</td>
<td>1112 WOODLAND AVE</td>
<td>JOHNSON, D DURAN</td>
<td>JOHNSON, SHARON A</td>
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<td>02</td>
<td>9642-94-8940-00</td>
<td>1109 MARTIN ST</td>
<td>MCKOY, ANNE W</td>
<td>THE ANNE W MCKOY REVOCABLE TRUST</td>
<td>14721</td>
<td>HARVEST LN</td>
<td>SILVER SPRING</td>
<td>MD</td>
<td>20905</td>
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<tr>
<td>03</td>
<td>9652-04-1712-00</td>
<td>414 GARDEN ST</td>
<td>PERSON, JAMES</td>
<td>-</td>
<td>414</td>
<td>W GARDEN ST</td>
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<tr>
<td>04</td>
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<td>0 WOODLAND AVE</td>
<td>ROYMAC LLC</td>
<td>-</td>
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<td>LEMMOND DR</td>
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<td>05</td>
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<td>1206 WOODLAND AVE</td>
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<td>1008</td>
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<tr>
<td>06</td>
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<td>0 WOODLAND AVE</td>
<td>ROYMAC LLC</td>
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<td>LEMMOND DR</td>
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<td>NC</td>
<td>27332</td>
</tr>
<tr>
<td>07</td>
<td>9652-05-4007-00</td>
<td>1207 WOODLAND AVE</td>
<td>HUFFMAN, VICKI T</td>
<td>HUFFMAN, WALTER A</td>
<td>2807</td>
<td>HILLANDALE DR</td>
<td>SANFORD</td>
<td>NC</td>
<td>27330</td>
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<td>08</td>
<td>9652-05-3157-00</td>
<td>1205 WOODLAND AVE</td>
<td>JAIMES, PEDRO</td>
<td>CARDozo, GERALDINE H</td>
<td>512</td>
<td>QUEENS RD</td>
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<td>NC</td>
<td>27330</td>
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<tr>
<td>09</td>
<td>9652-05-2179-00</td>
<td>311 SPRUCE ST</td>
<td>WOLFHEEL PROPERTIES INC</td>
<td>-</td>
<td>-</td>
<td>PO BOX 1663</td>
<td>SANFORD</td>
<td>NC</td>
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</tr>
<tr>
<td>10</td>
<td>9652-05-1231-00</td>
<td>1113 WOODLAND AVE</td>
<td>COUNTY OF LEE</td>
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<td>SANFORD</td>
<td>NC</td>
<td>27331</td>
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<td>11</td>
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<td>SANFORD</td>
<td>NC</td>
<td>27331</td>
</tr>
<tr>
<td>12</td>
<td></td>
<td>(Vacant) Woodland Avenue</td>
<td>Ruby &amp; Ernest McSwain Worthy Lands Trust</td>
<td>Contact: Mr. Lynn Blackmon</td>
<td>-</td>
<td>PO Box 2280</td>
<td>SANFORD</td>
<td>NC</td>
<td>27331</td>
</tr>
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<td>13</td>
<td></td>
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<td>Ruby Crumpler McSwain Estate</td>
<td>Contact: Mr. Lynn Blackmon</td>
<td>-</td>
<td>PO Box 2280</td>
<td>SANFORD</td>
<td>NC</td>
<td>27331</td>
</tr>
</tbody>
</table>

(0) = 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: Ruby Crumpler McSwain Estate
2. Applicant Address: P.O. Box 2280, Sanford, NC 27331
3. Applicant Telephone: 919-774-1419
4. Name and Address of Property Owner(s) if different than applicant: (same)
5. Location of Subject Property: (Vacant) 1015 Woodland Avenue, Sanford, NC 27330
   Lee Co. P.I.N.: 9642-95-7483-00
6. Total Area included in Rezoning Request: 0.34 Acres
7. Zoning Classification: Current: Residential-Mixed (R-12)  
   Requested: Office & Institutional (O&I)
8. Existing Land Use(s): Vacant/undeveloped
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): The highest and best use for this property is Office & Institutional (O&I) given the location on Woodland Avenue in the northwest corner of Woodland Avenue and W. Rose Street.
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.

    Hubert Lynn Blackmon, Trustee

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

    Date: 2-18-2019

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: 2019-03-01  
Fee Paid: $500.00  
Application No.: 2019-04-02  
Staff Signature: Amy J. McNeil  
Energov Case No.: ZMA-000313-2019

L:\Forms & Certifications\Rezoning App (Updated 2018-07-02 by AJMc)
APPLICATION # 2019-0402 TO AMEND THE SANFORD ZONING MAP

Applicant: Ruby and Ernest McSwain Worthy Lands Trust | Contact: Mr. Lynn Blackmon
Owner: Ruby Crumpler McSwain Estate
Request: Rezone from Residential-Mixed (R-12) to Office & Institutional (O&I)
Location: (Vacant) Woodland Avenue
Township: East Sanford
Tax Parcel: 9642-95-7483-00
Adjacent Zoning: North: Residential-Mixed (R-12)
South: Office & Institutional (O&I) and Residential-Mixed (R-12)
East: Residential-Mixed (R-12)
West: Office & Institutional (O&I)

Introduction: Planning staff has received a rezoning application from Mr. Lynn Blackmon as the first step in either marketing or developing the site in a commercial manner, as an office or commercial type use appears to be more viable for this site than residential given the location at the intersection of Woodland Avenue and W. Rose Street and having an office opposite W. Rose Street and a church opposite Woodland Avenue.

Site and Area Description: The subject property is one 0.33 ± acre vacant tract of land located in the northwestern corner of Woodland Avenue and W. Rose Street, formerly developed with a house addressed as 1015 Woodland Avenue, and identified as Lee County Tax Parcel 9642-95-7483-00. The parcel appears to have access to public water and public sewer. The parcel is illustrated on Exhibit A of a 2016 Deed of Easement for a sidewalk and utilities that is recorded at Deed Book 1412, Page 677 of the Lee County Register of Deeds Office.

Surrounding Land Uses: North of the site is a 0.19 acre lot developed with a single-family dwelling addressed as 312 W. Rose Street and zoned R-12. South of the site, opposite Woodland Avenue, is the Cry Out Loud Ministry for Christ church at 1014 Woodland Avenue and a house that is on an adjoining lot also owned by the church, both of which are zoned R-12. East of the site, opposite W. Garden Street is a 0.25 acre lot developed as an accounting office at 1101 Woodland Avenue. West of the site is a 0.40 acre lot developed with a house addressed as 1011 Woodland Avenue and zoned R-12.

Zoning District Information

Existing Zoning: The subject property is currently zoned Residential-Mixed (R-12), which is established to provide areas for a mix of residential dwelling types with a maximum of three and one-half dwelling units per acre, in areas where large-lot development is discouraged and adequate public facilities and services are available. This district provides minimum lot size and density requirements in order to allow for market and design flexibility while preserving the neighborhood character.
The dimensional requirements of the R-12 district include a minimum lot width of 75ft, a minimum lot depth of 100ft, a minimum lot size of 12,000sf, a maximum building height of 40ft, with principal building setbacks of 30ft from the front property line and/or right-of-way of the public street, 20ft from the rear property line, and 12ft from the side property lines. Examples of uses permitted by right within the R-12 zoning district include single-family detached homes (site built or modular), duplexes, churches, parks, and schools. There is a list of permitted uses for this zoning district included within the agenda for your reference.

**Proposed Zoning:** The proposed zoning Office & Institutional (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.

The dimensional requirements of the O&I district include a minimum lot width of 50ft, a minimum lot depth of 100ft (which creates a minimum lot size of 5,000sf), a maximum building height of 60ft, with principal building setbacks of 10ft from the front property line and the required landscape buffer yard width determining the required rear and side yard setbacks as measured from the property lines. The maximum allowed impervious surface, such as roof top, parking lot, etc., is 70% of the site. Examples of uses permitted by right within the O&I zoning district include finance & insurance services, florists, general office buildings, and medical & dental offices. There is a list of permitted uses for this zoning district included within the agenda for your reference.

**Overlay Districts & Area Plans**

**Plan SanLee Land Use Plan- Long Range Plan**

The plan identifies the future land use place type for this tract of land as “Neighborhood Transition Area,” which has the following characteristics:
- Legacy residential neighborhoods that may be transitioning to small offices and service businesses
- Positioned along primary transportation routes leading downtown
- Preserving residential character, buffer between downtown and urban neighborhoods
- Local example – Woodland Avenue in Sanford

Land use designations include detached & attached single-family dwellings, multi-family dwellings, churches, schools, civic organizations, government services, parks, professional offices and business services. Forms of transportation include public transit, vehicular connectivity, on-street bike lanes, and sidewalks. The current zoning districts Neighborhood Commercial and Office & Institutional as primary and R-12, R-12SF, R-10, and R-6 as secondary. The recommended development density is single-family up to 10 dwelling units per acre, multi-family with 10-16 units per acre, small commercial lots, with shallow building setbacks and a 45ft height limit. Utility infrastructure is public water and public wastewater. The preferred character is a 2-3 land urban grid street network with 6-800ft block lengths, curb & gutter with street trees and on-street & rear parking.

**Local Overlay District Notes:** Per GIS, the parcel is not located within an established floodplain, watershed, or local historic district and does not have a designated wetland area on site.

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...
Utilities: The subject property appears to have access to public water via an eight-inch public water main that runs parallel to Woodland Avenue and a six-inch water main that runs parallel to W. Rose Street. The subject property also appears to have access to public sanitary sewer via an eight-inch public sewer main that runs parallel to Woodland Avenue and via an eight-inch public sewer main that runs parallel to W. Rose Street. If the rezoning is approved, all new development that proposes to connect to public water and public sewer must be approved by the City of Sanford Public Works Department to verify compliance with all applicable regulations.

Transportation: The subject property is a corner lot with approximately 120ft of road frontage along Woodland Avenue and 130ft of road frontage along W. Rose Street. Woodland Avenue is a city-maintained paved public street with a 60ft right-of-way. W. Rose Street is an NCDOT maintained public street with a 60ft right-of-way. There is a 2013 traffic count on Woodland Avenue approximately 960ft southeast of the site of 9,800 vehicles per day and a 2011 count of 8,700 vehicles per day.

Development Standards: If rezoned, all of the uses permitted in the Office & Institutional (O&I) 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 Information Regarding a Recommendation from the Planning Board: The recommendation from the Planning Board should include language describing whether the action is consistent with an adopted comprehensive plan (Plan SanLee) and any other officially adopted plan that is applicable and other matters as deemed appropriate by the board. The board may also include language briefly explaining why it considers the recommendation to be reasonable and in the public interest.

Staff Recommendation: Staff recommends that the Boards support this request. In making this recommendation, staff finds that the rezoning proposal from Residential-Mixed (R-12) to Office & Institutional (O&I) appears to be in keeping with the future land use place type for this site per the Plan SanLee land use plan. Also, this request appears to be reasonable and in the public interest based upon the location of the site at the intersection of Woodland Avenue and W. Rose Street, opposite an office and a church, with frontage on a city-maintained public street with existing public utilities.
REZONING APPLICATION 2019-04-01: Application by Ruby & Ernest McSwain Worthy Lands Trust to rezone a vacant lot off of Woodland Avenue from R-12 to O&I.

REZONING APPLICATION 2019-04-02: Application by Ruby & Ernest McSwain Worthy Lands Trust to rezone a vacant lot at the intersection of Woodland Avenue and W. Rose Street from R-12 to O&I.

REZONING APPLICATION 2019-04-03: Application by Wolfheel Properties, Inc. to rezone 1103 and 1107 Woodland Avenue from R-12 to O&I.

This is a graphic illustration and not a legal document.
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This is a graphic illustration and not a legal document.
**R-12, RESIDENTIAL MIXED ZONING DISTRICT**

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**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).

<table>
<thead>
<tr>
<th>Accessory Uses</th>
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<tbody>
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<td>Accessory uses (See Section 5.1)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling, Duplex (two-family dwelling)</td>
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<tr>
<td>Dwelling, Modular home</td>
</tr>
<tr>
<td>Dwelling, Single-family detached</td>
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</table>

<table>
<thead>
<tr>
<th>Arts, Recreation &amp; Entertainment</th>
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</thead>
<tbody>
<tr>
<td>Parks, playgrounds, and athletic fields operated on a noncommercial basis</td>
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<table>
<thead>
<tr>
<th>Education, Public Administration, Health Care, and Institutional</th>
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<tbody>
<tr>
<td>Day care facility, Adult</td>
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<tr>
<td>Religious Complex (less than 350 seats), new site</td>
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<tr>
<td>Religious Complex (any size), addition to existing complex/site</td>
</tr>
<tr>
<td>Schools, Pre-K –Secondary (nursery and preschool, grade schools, elementary, middle, and high school), addition to existing site</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation, Communication, and Utilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)</td>
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<table>
<thead>
<tr>
<th>Agriculture</th>
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<tbody>
<tr>
<td>Animal Production and Support Services, (unincorporated Lee County)</td>
</tr>
<tr>
<td>Crop Production and Support Functions, (unincorporated Lee County)</td>
</tr>
<tr>
<td>Forestry and Logging and Support Services, (unincorporated Lee County)</td>
</tr>
</tbody>
</table>
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).

Residential Uses
- Dwelling, Multifamily (three or more units) (See Section 10.3)
- Dwelling, Single-family attached (See Section 10.3)
- Home Occupations (See Section 5.16)

Accommodations and Group Living
- Family Care Homes (See NCGS 168-21 and Section 5.12)

Industrial & Manufacturing Uses
- Landfills, LCID (2 acres or less in size) (See Section 5.19)

Education, Public Administration, Health Care, and Institutional
- 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.

Accommodations and Group Living
- Dormitories for the students of colleges commercial schools, staff of hospitals
- Child and Youth Services
- Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services

Arts, Recreation & Entertainment
- 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

Education, Public Administration, Health Care, and Institutional
- 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 |

**Transportation, Communication, and Utilities**
- Sewage treatment and Water treatment plants

**Agriculture**
- Crop Production and Support Functions (Sanford and Broadway)

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

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**Residential Uses**
- Accessory Dwellings (See Section 10.4)

**Accommodations and Group Living**
- Bed and breakfast inn (See Section 5.4)

**Industrial & Manufacturing Uses**
- 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)

**Education, Public Administration, Health Care, and Institutional**
- 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)

**Transportation, Communication, and Utilities**
- Solar Collectors, Commercial (See Section 5.39)
- Telecommunication towers (See Section 5.33)
**O&I, OFFICE & INSTITUTIONAL ZONING DISTRICT**

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**USES PERMITTED BY RIGHT**

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<td>Group Home/Residential Care Facility, Level I</td>
</tr>
<tr>
<td>Group Home/Residential Care Facility, Level II</td>
</tr>
<tr>
<td>Child and Youth Services</td>
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<tr>
<td>Nursing, Supervision, Adult Care Homes, Group Care Facilities, and other rehabilitative services</td>
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<tbody>
<tr>
<td>Administrative Services, Travel Arrangement and Reservation Services, Investigation and Security Services (locksmiths)</td>
</tr>
<tr>
<td>Antique Shops</td>
</tr>
<tr>
<td>Electronic equipment (small), sales and service</td>
</tr>
<tr>
<td>Finance and Insurance Services (Bank, Credit and Finance, Insurance-related)</td>
</tr>
<tr>
<td>Florist</td>
</tr>
<tr>
<td>Mail order or direct selling establishments/Electronic Shopping and Mail-Order Houses</td>
</tr>
<tr>
<td>Medical equipment sales, rental or leasing</td>
</tr>
<tr>
<td>Office building (general)</td>
</tr>
<tr>
<td>Personal Services (e.g., nail salons, barbers, shoe repair, and similar establishments not otherwise listed)</td>
</tr>
<tr>
<td>Pharmacy or Drugstore, without drive through facility</td>
</tr>
<tr>
<td>Printing and Publishing Services</td>
</tr>
<tr>
<td>Professional Services (Legal, Accounting, Architectural, Graphic, Consulting Services, Research and Development, Advertising, etc.)</td>
</tr>
<tr>
<td>Real Estate Sales, Rental &amp; Leasing</td>
</tr>
<tr>
<td>Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district</td>
</tr>
<tr>
<td>Restaurants, no drive-in or drive-through facilities</td>
</tr>
<tr>
<td>Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), no outside storage</td>
</tr>
<tr>
<td><strong>Industrial &amp; Manufacturing Use</strong></td>
</tr>
<tr>
<td>-----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Contractors’ offices/shop without outdoor storage areas</td>
</tr>
<tr>
<td><strong>Arts, Recreation, &amp; Entertainment</strong></td>
</tr>
<tr>
<td>Aquarium or Planetarium</td>
</tr>
<tr>
<td>Amphitheater</td>
</tr>
<tr>
<td>Art galleries</td>
</tr>
<tr>
<td>Exhibition, convention, or conference structure</td>
</tr>
<tr>
<td>Fitness and recreational sports, gym, health, spa, reducing salon, swimming pool/auditorium, racquet club, or athletic club not otherwise listed</td>
</tr>
<tr>
<td>Golf courses, public and private</td>
</tr>
<tr>
<td>Golf driving ranges</td>
</tr>
<tr>
<td>Museums and art galleries</td>
</tr>
<tr>
<td>Parks, playgrounds, and athletic fields operated on a noncommercial basis</td>
</tr>
<tr>
<td><strong>Education, Public Administration, Health Care, and Institutional</strong></td>
</tr>
<tr>
<td>Civic, Social and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation</td>
</tr>
<tr>
<td>Crematorium &amp; Embalming</td>
</tr>
<tr>
<td>Day Care facility, Adult</td>
</tr>
<tr>
<td>Fire, sheriff, and emergency services</td>
</tr>
<tr>
<td>Funeral homes</td>
</tr>
<tr>
<td>Governmental Functions, not otherwise listed</td>
</tr>
<tr>
<td>Hospitals</td>
</tr>
<tr>
<td>Libraries</td>
</tr>
<tr>
<td>Medical and dental clinics or offices, ambulatory or outpatient care, family planning and care, and blood or organ banks</td>
</tr>
<tr>
<td>Post office</td>
</tr>
<tr>
<td>Religious Complex (less than 350 seats), new site</td>
</tr>
<tr>
<td>Religious Complex (more than 350 seats), new site</td>
</tr>
<tr>
<td>Religious Complex (any size), addition to existing complex site</td>
</tr>
<tr>
<td>Schools Continuing Education (alternative, adult colleges and universities and technical, trade, and other specialty schools)</td>
</tr>
<tr>
<td>Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site</td>
</tr>
<tr>
<td>Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle and high school), addition to existing site</td>
</tr>
<tr>
<td>Schools, Fine and Performing Arts</td>
</tr>
<tr>
<td>Social assistance, welfare and charitable services</td>
</tr>
<tr>
<td><strong>Transportation, Communication, and Utilities</strong></td>
</tr>
<tr>
<td>Parking lots, parking structures or underground parking areas (commercial or governmental)</td>
</tr>
<tr>
<td>Radio and TV stations and studios (excluding transmission tower)</td>
</tr>
<tr>
<td>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)</td>
</tr>
<tr>
<td><strong>Agriculture</strong></td>
</tr>
<tr>
<td>Animal Production and Support Services, (unincorporated Lee County)</td>
</tr>
<tr>
<td>Crop Production and Support Functions, (unincorporated Lee County)</td>
</tr>
</tbody>
</table>
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).

**Residential Uses**
Home Occupations (See Section 5.16)

**Accommodations and Group Living**
Bed and breakfast inn (See Section 5.4)
Hotel, Motel, and tourist court (See Section 5.17)

**Industrial & Manufacturing Uses**
Landfills, LCID, 2 acres or less in size (See Section 5.19)

**Education, Public Administration, Health Care, and Institutional**
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.

**Residential Uses**
Dwelling, Duplex (two-family dwelling)
Dwelling, Modular home
Dwelling, Single-family detached

**Accommodations & Group Living**
Group Home/Residential Care Facility, Level III
Group Home/Residential Care Facility, Level IV

**Art, Recreation & Entertainment**
Sports stadiums or arenas

**Transportation, Communication, and Utilities**
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).

<table>
<thead>
<tr>
<th>Residential Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling, Multifamily (three or more units)</td>
</tr>
<tr>
<td>(See Section 10.3)</td>
</tr>
<tr>
<td>Dwelling, Single-family attached (See Section 10.3)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Industrial &amp; Manufacturing Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landfills, C&amp;D or LCID (greater than 2 acres in size)</td>
</tr>
<tr>
<td>(See Section 5.20)</td>
</tr>
<tr>
<td>Mining &amp; Quarries (Unincorporated Lee County and City of Sanford Only)</td>
</tr>
<tr>
<td>(See Section 5.23)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation, Communication, and Utilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar Collectors, Commercial (See Section 5.39)</td>
</tr>
<tr>
<td>Telecommunication towers (See Section 5.33)</td>
</tr>
</tbody>
</table>
NEIGHBORHOOD TRANSITION AREA

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

Local Example - Woodland Avenue in Sanford

Development Density
- SF up to 10 dwelling units / acre
- MF 10 - 16 dwelling units / acre
- Small Commercial Lots
- Shallow Building Setbacks
- 45 Foot Height Limit

Utility Infrastructure
- Public Water
- Public Wastewater

Preferred Character
- 2-3 Lane Urban Grid Street Network
- 6-800 Foot Block Lengths
- Curb & Gutter + Sidewalks
- Street Trees
- On-Street + Rear Parking

Current Districts
- NC / OI (Primary)
- R-12 (Secondary)
- R-10 (Secondary)
- R-6 (Secondary)
- R-12SF (Secondary)

Proposed Districts
- Residential Transition (Primary)
- Urban Residential (Secondary)
### ADJOINING PROPERTY OWNERS LIST

**PETITION BY:** Ruby & Ernest McSwain Worthy Lands Trust | Ruby Crumpler McSwain Estate  
**REQUEST:** Rezone one tract of land totaling 0.33 acres ± from R-12 to C-2  
**LOCATION:** (Vacant) NW Corner of Woodland Avenue & W. Rose Street, Sanford, NC 27330  
**PIN:** 9642-95-7483-00  
**DATE:** 2019-04-05

<table>
<thead>
<tr>
<th>No.</th>
<th>PIN</th>
<th>PROP ADDR</th>
<th>OWNER 1</th>
<th>OWNER 2</th>
<th>M #</th>
<th>MAIL ST</th>
<th>MAILCITY</th>
<th>ST</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>9642-95-8120-00</td>
<td>0 WOODLAND AVE</td>
<td>MCSWAIN, JEAN OATES/TRUSTEE</td>
<td>THE JEAN OATES MCMWAIN LIVING TRUST</td>
<td>1008</td>
<td>LEMMON DRIVE</td>
<td>SANFORD</td>
<td>NC</td>
<td>27330</td>
</tr>
<tr>
<td>02</td>
<td>9642-95-9360-00</td>
<td>1103 WOODLAND AVE</td>
<td>WOLFHEEL PROPERTIES INC</td>
<td></td>
<td>-</td>
<td>-</td>
<td>PO BOX 1663</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>03</td>
<td>9642-95-9325-00</td>
<td>1101 WOODLAND AVE</td>
<td>MCCONNELL, LLOYD B</td>
<td></td>
<td>-</td>
<td>1915</td>
<td>WILKINS DRIVE</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>04</td>
<td>9652-95-0441-00</td>
<td>311 ROSE ST</td>
<td>WOLFHEEL PROPERTIES INC</td>
<td></td>
<td>-</td>
<td>2328</td>
<td>SWANNS STATION RD</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>05</td>
<td>No PIN</td>
<td>No address</td>
<td>No owner info.</td>
<td>Appears to be a 10ft alley, but no plat reference found.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>06</td>
<td>9642-95-8532-00</td>
<td>312 ROSE ST</td>
<td>COLEY, JOHANN SCOTT</td>
<td></td>
<td>-</td>
<td>312</td>
<td>ROSE STREET</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>07</td>
<td>9642-95-9612-00</td>
<td>1016 ELM ST</td>
<td>ELM STREET PROPERTIES 2018 LLC</td>
<td></td>
<td>-</td>
<td>2328</td>
<td>SWANNS STATION RD</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>08</td>
<td>9642-95-7511-00</td>
<td>1001 WOODLAND AVE</td>
<td>CERVANTES, MARIO MARTINEZ</td>
<td></td>
<td>-</td>
<td>1011</td>
<td>WOODLAND AVE</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>09</td>
<td>9642-95-6537-00</td>
<td>1009 WOODLAND AVE</td>
<td>STREET, ELTON L</td>
<td></td>
<td>-</td>
<td>1009</td>
<td>WOODLAND AVE</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>10</td>
<td>9642-95-5350-00</td>
<td>1010 WOODLAND AVE</td>
<td>OLGUIN, ROSA MARIA</td>
<td>RAMIREZ, VICTORINO</td>
<td>1010</td>
<td>WOODLAND AVE</td>
<td>SANFORD</td>
<td>NC</td>
<td>27330</td>
</tr>
<tr>
<td>11</td>
<td>9642-95-6206-00</td>
<td>1012 WOODLAND AV</td>
<td>BAKER, BETTY A</td>
<td></td>
<td>-</td>
<td>1012</td>
<td>WOODLAND AVE</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>12</td>
<td>9642-95-6273-00</td>
<td>1014 WOODLAND AVE</td>
<td>CRY OUT LOUD MINISTRY FOR CHRIST</td>
<td>(CHURCH OF CHRIST)</td>
<td>-</td>
<td>-</td>
<td>PO BOX 2175</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
<tr>
<td>13</td>
<td>(Vacant) Woodland Avenue</td>
<td>Ruby &amp; Ernest McSwain Worthy Lands Trust</td>
<td>Contact: Mr. Lynn Blackmon</td>
<td>-</td>
<td>PO Box 2280</td>
<td>SANFORD</td>
<td>NC</td>
<td>27331</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(Vacant) Woodland Avenue</td>
<td>Ruby Crumpler McSwain Estate</td>
<td>Contact: Mr. Lynn Blackmon</td>
<td>-</td>
<td>PO Box 2280</td>
<td>SANFORD</td>
<td>NC</td>
<td>27331</td>
<td></td>
</tr>
</tbody>
</table>

(0) = Vacant, no addressed structures on the parcel.
Zoning Map Amendment (Rezoning) Application

City of Sanford    Lee County    Town of Broadway

1. Applicant Name: WOLFHEEL PROPERTIES, INC
2. Applicant Address: P.O. BOX 1663 Sanford NC 27331
3. Applicant Telephone: 919-774-3284
4. Name and Address of Property Owner(s) if different than applicant:

5. Location of Subject Property: 1163 Woodland Avenue Sanford, NC
   Lee Co. P.I.N. 9642-95-9360-00

6. Total Area included in Rezoning Request: 23777 Acres
8. Existing Land Use(s): Residential
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Many surrounding properties are used for business purposes. We would like to make property available for business use.

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.

Lloyd B. McConnel
Signature of Property Owner(s) (Sign & Print)
3-5-2019

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 $250.00 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 $100.00 fee ($350 total fee for Conditional Zoning).
F. The submission deadline is the 2nd Friday of each month at 12:00pm/noon for the rezoning to be heard the following month.

STAFF USE ONLY

Date Received: 2019-03-18
Fee Paid: $500.00
Application No.: 2019-04-03
Energov Case No.: ZMA-000451-2019

Staff Signature: Amy J. McNeil
Zoning Map Amendment (Rezoning) Application

City of Sanford
Lee County
Town of Broadway

1. Applicant Name: **WOLFHEEL PROPERTIES, INC.**

2. Applicant Address: **P.O. Box 1063 SANFORD NC 27331**

3. Applicant Telephone: **919-774-3284**

4. Name and Address of Property Owner(s) if different than applicant:

5. Location of Subject Property: **1107 WOODLAND AVE, SANFORD, NC**
   Lee Co. P.I.N. **9652-05-0239-00**

6. Total Area included in Rezoning Request: **4.5 Acres**

7. Zoning Classification: Current: **R-12** Requested: **C-2**

8. Existing Land Use(s): **Residential**

9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): **Many surrounding properties are used for business purposes. We would like to make the property available for business use.**

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.

    **Lloyd B. McConnell**
    Signature of Property Owner(s) (Sign & Print)
    **3-5-2019**

---

**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.

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---

**STAFF USE ONLY**

Date Received: **2019-03-18**

Fee Paid: **$500.00**

Application No.: **2019-04-03**

Energov Case No.: **ZMA-000451-2019**

Amy J. McConnell
Staff Signature: **[Signature]**

**[Correction made by LM 2019-03-26]**
Application by Wolfheel Properties, Inc. to rezone two adjoining tracts of land totaling 0.44 ± of an acre addressed as 1103 and 1107 Woodland Avenue from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcels 9642-95-9360-00 and 9652-05-0239-00 as depicted on Lee County Tax Maps 9642.12 and 9652.09 and illustrated as Lots 2 and 3 on a 1952 survey labeled Map Showing Actual Survey for Redivision of Block #184 of the Monroe Addition to the Town of Sanford, N.C., Lee County recorded at Plat Cabinet 2, Slide 474 of the Lee County Register of Deeds Office.

Introduction: Planning staff has received a rezoning application from Wolfheel Properties, Inc. as the first step in redeveloping the site as an office or commercial type use as this appears to be more viable for this site than residential given the location on Woodland Avenue.

Site and Area Description: The subject property is comprised two tracts of land totaling 0.44 acre developed with houses addressed as 1103 and 1107 Woodland Avenue, and identified as Lee County Tax Parcels 9642-95-9360-00 and 9652-05-0239-00. Both parcels appear to have access to public water and public sewer. The parcel and are illustrated as Lots 2 and 3 on a 1952 survey labeled Map Showing Actual Survey for Redivision of Block #184 of the Monroe Addition to the Town of Sanford, N.C., Lee County recorded at Plat Cabinet 2, Slide 474 of the Lee County Register of Deeds Office.

Surrounding Land Uses: North of the site is a 0.22 acre lot developed with a single-family dwelling addressed as 311 W. Rose Street and zoned O&I and a 0.22 acre vacant lot zoned C-2. South of the site, opposite Woodland Avenue, are three lots, one vacant and two developed with a daycare, that are zoned O&I. East of the site are two residential lots, one developed with a house and one vacant, which are zoned R-12. West of the site is a 0.25 acre lot developed as an accounting office at 1101 Woodland Avenue. West of the site is a 0.25 acre lot developed as an accounting office at 1101 Woodland Avenue.
**Zoning District Information**

**Existing Zoning:** The subject property is currently zoned Residential-Mixed (R-12), which is established to provide areas for a mix of residential dwelling types with a maximum of three and one-half dwelling units per acre, in areas where large-lot development is discouraged and adequate public facilities and services are available. This district provides minimum lot size and density requirements in order to allow for market and design flexibility while preserving the neighborhood character.

The dimensional requirements of the R-12 district include a minimum lot width of 75ft, a minimum lot depth of 100ft, a minimum lot size of 12,000sf, a maximum building height of 40ft, with principal building setbacks of 30ft from the front property line and/or right-of-way of the public street, 20ft from the rear property line, and 12ft from the side property lines. Examples of uses permitted by right within the R-12 zoning district include single-family detached homes (site built or modular), duplexes, churches, parks, and schools. There is a list of permitted uses for this zoning district included within the agenda for your reference.

**Proposed Zoning:** The proposed zoning Office & Institutional (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.

The dimensional requirements of the O&I district include a minimum lot width of 50ft, a minimum lot depth of 100ft (which creates a minimum lot size of 5,000sf), a maximum building height of 60ft, with principal building setbacks of 10ft from the front property line and the required landscape buffer yard width determining the required rear and side yard setbacks as measured from the property lines. The maximum allowed impervious surface, such as roof top, parking lot, etc., is 70% of the site. Examples of uses permitted by right within the O&I zoning district include finance & insurance services, florists, general office buildings, and medical & dental offices. There is a list of permitted uses for this zoning district included within the agenda for your reference.

**Overlay Districts & Area Plans**

**Plan SanLee Land Use Plan- Long Range Plan**

The plan identifies the future land use place type for this tract of land as “Neighborhood Transition Area,” which has the following characteristics:

- Legacy residential neighborhoods that may be transitioning to small offices and service businesses
- Positioned along primary transportation routes leading downtown
- Preserving residential character, buffer between downtown and urban neighborhoods
- Local example – Woodland Avenue in Sanford

Land use designations include detached & attached single-family dwellings, multi-family dwellings, churches, schools, civic organizations, government services, parks, professional offices and business services. Forms of transportation include public transit, vehicular connectivity, on-street bike lanes, and sidewalks. The current zoning districts Neighborhood Commercial and Office & Institutional as primary and R-12, R-12SF, R-10, and R-6 as secondary. The recommended development density is single-family up to 10 dwelling units per acre, multi-family with 10-16 units per acre, small commercial lots, with shallow building setbacks and a 45ft height limit. Utility infrastructure is public water and public...
wastewater. The preferred character is a 2-3 land urban grid street network with 6-800ft block lengths, curb & gutter with street trees and on-street & rear parking.

Local Overlay District Notes: Per GIS, the parcel is not located within an established floodplain, watershed, or local historic district and does not have a designated wetland area on site.

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 at 1612 Mail Service Center, Raleigh, NC 27699-1612 or call 919-707-9220 or visit the NCDEQ website at http://deq.nc.gov.

Utilities: The subject property appears to have access to public water via an eight-inch public water main that runs parallel to Woodland Avenue. The subject property also appears to have access to public sanitary sewer via an eight-inch public sewer main that runs parallel to Woodland Avenue. If the rezoning is approved, all new development that proposes to connect to public water and public sewer must be approved by the City of Sanford Public Works Department to verify compliance with all applicable regulations.

Transportation: Both lots have approximately 65ft of road frontage along Woodland Avenue, which is a city-maintained paved public street with a 60ft right-of-way. There is a 2013 traffic count on Woodland Avenue approximately 700ft southeast of the site of 9,800 vehicles per day and a 2011 count of 8,700 vehicles per day.

Development Standards: If rezoned, all of the uses permitted in the Office & Institutional (O&I) 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 Information Regarding a Recommendation from the Planning Board: The recommendation from the Planning Board should include language describing whether the action is consistent with an adopted comprehensive plan (Plan SanLee) and any other officially adopted plan that is applicable and other matters as deemed appropriate by the board. The board may also include language briefly explaining why it considers the recommendation to be reasonable and in the public interest.

Staff Recommendation: Staff recommends that the Boards support this request. In making this recommendation, staff finds that the rezoning proposal from Residential-Mixed (R-12) to Office & Institutional (O&I) appears to be in keeping with the future land use place type for this site per the Plan SanLee land use plan. Also, this request appears to be reasonable and in the public interest based upon the location of the site next to an existing commercial use, with frontage on a city-maintained public street with existing public utilities.
REZONING APPLICATION 2019-04-01: Application by Ruby & Ernest McSwain Worthy Lands Trust to rezone a vacant lot off of Woodland Avenue from R-12 to O&I.

REZONING APPLICATION 2019-04-02: Application by Ruby & Ernest McSwain Worthy Lands Trust to rezone a vacant lot at the intersection of Woodland Avenue and W. Rose Street from R-12 to O&I.

REZONING APPLICATION 2019-04-03: Application by Wolfheel Properties, Inc. to rezone 1103 and 1107 Woodland Avenue from R-12 to O&I.

This is a graphic illustration and not a legal document.
REZONING APPLICATION 2019-04-01: Application by Ruby & Ernest McSwain Worthy Lands Trust to rezone a vacant lot off of Woodland Avenue from R-12 to O&I.

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R-12, RESIDENTIAL MIXED ZONING DISTRICT
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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).

<table>
<thead>
<tr>
<th>Accessory Uses</th>
<th>Residential Uses</th>
<th>Arts, Recreation &amp; Entertainment</th>
<th>Education, Public Administration, Health Care, and Institutional</th>
<th>Transportation, Communication, and Utilities</th>
<th>Agriculture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory uses (See Section 5.1)</td>
<td>Dwelling, Duplex (two-family dwelling)</td>
<td>Parks, playgrounds, and athletic fields operated on a noncommercial basis</td>
<td>Day care facility, Adult</td>
<td>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)</td>
<td>Animal Production and Support Services, (unincorporated Lee County)</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Modular home</td>
<td></td>
<td>Religious Complex (less than 350 seats), new site</td>
<td></td>
<td>Crop Production and Support Functions, (unincorporated Lee County)</td>
</tr>
<tr>
<td></td>
<td>Dwelling, Single-family detached</td>
<td></td>
<td>Religious Complex (any size), addition to existing complex/site</td>
<td></td>
<td>Forestry and Logging and Support Services, (unincorporated Lee County)</td>
</tr>
</tbody>
</table>
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).

<table>
<thead>
<tr>
<th>Residential Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling, Multifamily (three or more units) (See Section 10.3)</td>
</tr>
<tr>
<td>Dwelling, Single-family attached (See Section 10.3)</td>
</tr>
<tr>
<td>Home Occupations (See Section 5.16)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accommodations and Group Living</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Care Homes (See NCGS 168-21 and Section 5.12)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Industrial &amp; Manufacturing Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landfills, LCID (2 acres or less in size) (See Section 5.19)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Education, Public Administration, Health Care, and Institutional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day Care facility, Home Child Care (See Section 5.10)</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Accommodations and Group Living</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dormitories for the students of colleges commercial schools, staff of hospitals</td>
</tr>
<tr>
<td>Child and Youth Services</td>
</tr>
<tr>
<td>Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Arts, Recreation &amp; Entertainment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fitness and recreational sports, gym, health spa, reducing salon, swimming pool/auditorium, racquet club or athletic club (not otherwise listed)</td>
</tr>
<tr>
<td>Golf courses, public and private</td>
</tr>
<tr>
<td>Golf driving ranges</td>
</tr>
<tr>
<td>Sports stadiums or arenas</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Education, Public Administration, Health Care, and Institutional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civic, Social, and Fraternal Organizations, including community centers, meeting halls, community halls, reception halls, wedding halls for assembly and recreation</td>
</tr>
<tr>
<td>Fire, sheriff, and emergency services</td>
</tr>
<tr>
<td>Governmental Functions, not otherwise listed</td>
</tr>
<tr>
<td>Libraries</td>
</tr>
<tr>
<td>Religious Complex (more than 350 seats), new site</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th><strong>Transportation, Communication, and Utilities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewage treatment and Water treatment plants</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Agriculture</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Crop Production and Support Functions (Sanford and Broadway)</td>
</tr>
</tbody>
</table>

### 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).

<table>
<thead>
<tr>
<th><strong>Residential Uses</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Dwellings (See Section 10.4)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Accommodations and Group Living</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast inn (See Section 5.4)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Industrial &amp; Manufacturing Uses</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Landfills, C&amp;D or LCID (greater than 2 acres in size) (See Section 5.20)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Mining and Quarries, Unincorporated Lee County and City of Sanford only</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(See Section 5.23)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Education, Public Administration, Health Care, and Institutional</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cemeteries, public and private (does not include individual family plots) (See Section 5.6)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Day Care facility, Child Care Center (See Section 5.10)</strong></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Day Care facility, Adult (See Section 5.38)</strong></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Transportation, Communication, and Utilities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar Collectors, Commercial (See Section 5.39)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Telecommunication towers (See Section 5.33)</strong></th>
</tr>
</thead>
</table>
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.

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

<table>
<thead>
<tr>
<th>Accessory Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory uses (See Section 5.1)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accommodations and Group Living</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dormitories for the students of colleges, commercial schools, staff of hospitals</td>
</tr>
<tr>
<td>Group Home/Residential Care Facility, Level I</td>
</tr>
<tr>
<td>Group Home/Residential Care Facility, Level II</td>
</tr>
<tr>
<td>Child and Youth Services</td>
</tr>
<tr>
<td>Nursing, Supervision, Adult Care Homes, Group Care Facilities, and other rehabilitative services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>General Sales or Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Services, Travel Arrangement and Reservation Services, Investigation and Security Services (locksmiths)</td>
</tr>
<tr>
<td>Antique Shops</td>
</tr>
<tr>
<td>Electronic equipment (small), sales and service</td>
</tr>
<tr>
<td>Finance and Insurance Services (Bank, Credit and Finance, Insurance-related)</td>
</tr>
<tr>
<td>Florist</td>
</tr>
<tr>
<td>Mail order or direct selling establishments/Electronic Shopping and Mail-Order Houses</td>
</tr>
<tr>
<td>Medical equipment sales, rental or leasing</td>
</tr>
<tr>
<td>Office building (general)</td>
</tr>
<tr>
<td>Personal Services (e.g., nail salons, barbers, shoe repair, and similar establishments not otherwise listed)</td>
</tr>
<tr>
<td>Pharmacy or Drugstore, without drive through facility</td>
</tr>
<tr>
<td>Printing and Publishing Services</td>
</tr>
<tr>
<td>Professional Services (Legal, Accounting, Architectural, Graphic, Consulting Services, Research and Development, Advertising, etc.)</td>
</tr>
<tr>
<td>Real Estate Sales, Rental &amp; Leasing</td>
</tr>
<tr>
<td>Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district</td>
</tr>
<tr>
<td>Restaurants, no drive-in or drive-through facilities</td>
</tr>
<tr>
<td>Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), no outside storage</td>
</tr>
<tr>
<td><strong>Industrial &amp; Manufacturing Use</strong></td>
</tr>
<tr>
<td>-----------------------------------</td>
</tr>
</tbody>
</table>
| Contractors’ offices/shop without outdoor storage areas  

<table>
<thead>
<tr>
<th><strong>Arts, Recreation, &amp; Entertainment</strong></th>
</tr>
</thead>
</table>
| 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  

<table>
<thead>
<tr>
<th><strong>Education, Public Administration, Health Care, and Institutional</strong></th>
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</thead>
</table>
| 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  

<table>
<thead>
<tr>
<th><strong>Transportation, Communication, and Utilities</strong></th>
</tr>
</thead>
</table>
| 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)  

<table>
<thead>
<tr>
<th><strong>Agriculture</strong></th>
</tr>
</thead>
</table>
| 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
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<th>Residential Uses</th>
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<td>Home Occupations (See Section 5.16)</td>
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<th>Accommodations and Group Living</th>
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<tr>
<td>Bed and breakfast inn (See Section 5.4)</td>
</tr>
<tr>
<td>Hotel, Motel, and tourist court (See Section 5.17)</td>
</tr>
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<thead>
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<th>Industrial &amp; Manufacturing Uses</th>
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<td>Landfills, LCID, 2 acres or less in size (See Section 5.19)</td>
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USES PERMITTED UPON ISSUANCE OF A SPECIAL USE permit
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<td>Dwelling, Single-family detached</td>
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<thead>
<tr>
<th>Accommodations &amp; Group Living</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group Home/Residential Care Facility, Level III</td>
</tr>
<tr>
<td>Group Home/Residential Care Facility, Level IV</td>
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<thead>
<tr>
<th>Art, Recreation &amp; Entertainment</th>
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</thead>
<tbody>
<tr>
<td>Sports stadiums or arenas</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Transportation, Communication, and Utilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewage treatment and Water treatment plants</td>
</tr>
</tbody>
</table>
USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT
THAT HAVE SPECIFIC DEVELOPMENT REGULATIONS

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</thead>
<tbody>
<tr>
<td>Landfills, C&amp;D or LCID (greater than 2 acres in size) (See Section 5.20)</td>
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<tr>
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<tr>
<td>Solar Collectors, Commercial (See Section 5.39)</td>
</tr>
<tr>
<td>Telecommunication towers (See Section 5.33)</td>
</tr>
</tbody>
</table>
NEIGHBORHOOD TRANSITION AREA

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

*Local Example - Woodland Avenue in Sanford*

**Development Density**
- SF up to 10 dwelling units / acre
- MF 10 - 16 dwelling units / acre
- Small Commercial Lots
- Shallow Building Setbacks
- 45 Foot Height Limit

**Utility Infrastructure**
- Public Water
- Public Wastewater

**Preferred Character**
- 2-3 Lane Urban Grid Street Network
- 6-800 Foot Block Lengths
- Curb & Gutter + Sidewalks
- Street Trees
- On-Street + Rear Parking

**Current Districts**
- NC / OI (Primary)
- R-12 (Secondary)
- R-10 (Secondary)
- R-6 (Secondary)
- R-12SF (Secondary)

**Proposed Districts**
- Residential Transition (Primary)
- Urban Residential (Secondary)
ADJOINING PROPERTY OWNERS LIST

PETITION BY: Wolfheel Properties, Inc.
REQUEST: Rezone from R-12 to O&I
LOCATION: 1103 and 1107 Woodland Avenue, Sanford, NC 27330
PIN: 9642-95-9360-00 and 9652-05-0239-00
DATE: 2019-04-02

<table>
<thead>
<tr>
<th>No.</th>
<th>PIN</th>
<th>PROP ADDR</th>
<th>OWNER 1</th>
<th>OWNER2</th>
<th>M #</th>
<th>MAIL ST</th>
<th>MAILCITY</th>
<th>ST</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>9642-95-9325-00</td>
<td>1101 WOODLAND AVE</td>
<td>MCCONNELL, LLOYD B</td>
<td>-</td>
<td>1915</td>
<td>WILKINS DRIVE</td>
<td>SANFORD</td>
<td>NC</td>
<td>27330</td>
</tr>
<tr>
<td>02</td>
<td>9652-05-0441-00</td>
<td>311 ROSE ST</td>
<td>WOLFHEEL PROPERTIES INC</td>
<td>-</td>
<td>2328</td>
<td>SWANNS STATION RD</td>
<td>SANFORD</td>
<td>NC</td>
<td>27332</td>
</tr>
<tr>
<td>03</td>
<td>9652-05-0459-00</td>
<td>307 ROSE ST</td>
<td>WOLFHEEL PROPERTIES INC</td>
<td>-</td>
<td>2328</td>
<td>SWANNS STATION RD</td>
<td>SANFORD</td>
<td>NC</td>
<td>27332</td>
</tr>
<tr>
<td>04</td>
<td>9652-05-0587-00</td>
<td>301 ROSE ST</td>
<td>RUBY &amp; ERNEST MCSWAIN-WORTHY LANDS TRUST</td>
<td>-</td>
<td>-</td>
<td>PO BOX 2280</td>
<td>SANFORD</td>
<td>NC</td>
<td>27331</td>
</tr>
<tr>
<td>05</td>
<td>9652-05-1561-00</td>
<td>1108 ELM ST</td>
<td>WOLFHEEL PROPERTIES INC</td>
<td>-</td>
<td>2328</td>
<td>SWANNS STATION RD</td>
<td>SANFORD</td>
<td>NC</td>
<td>27332</td>
</tr>
<tr>
<td>06</td>
<td>9652-05-1495-00</td>
<td>0 ELM ST</td>
<td>COUNTY OF LEE</td>
<td>-</td>
<td>-</td>
<td>PO BOX 1968</td>
<td>SANFORD</td>
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<td>9652-05-2451-00</td>
<td>304 SPRUCE ST</td>
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<td>08</td>
<td>9652-05-1341-00</td>
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<td>10</td>
<td>9652-05-0285-00</td>
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<td>11</td>
<td>Intentionally omitted</td>
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<tr>
<td>12</td>
<td>9642-95-9083-00</td>
<td>1112 WOODLAND AVE</td>
<td>JOHNSON, D DURAN</td>
<td>JOHNSON, SHARON A</td>
<td>-</td>
<td>PO BOX 777</td>
<td>SANFORD</td>
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<td>13</td>
<td>9642-95-8120-00</td>
<td>0 WOODLAND AVE</td>
<td>MCSWAIN, JEAN OATES/TRUSTEE</td>
<td>JEAN OATES MCSWAIN LIVING TRUST</td>
<td>1008</td>
<td>LEMMON DR</td>
<td>SANFORD</td>
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<td>14</td>
<td>9642-95-6273-00</td>
<td>1014 WOODLAND AVE</td>
<td>CRY OUT LOUD MINISTRY FOR CHRIST</td>
<td>(CHURCH OF CHRIST)</td>
<td>-</td>
<td>PO BOX 2175</td>
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<td>NC</td>
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<tr>
<td>15</td>
<td>9642-95-7483-00</td>
<td>1015 WOODLAND AVE</td>
<td>MCSWAIN, RUBY CRUMPLER (ESTATE)</td>
<td>-</td>
<td>-</td>
<td>PO BOX 2280</td>
<td>SANFORD</td>
<td>NC</td>
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<tr>
<td>16</td>
<td>APPLICANT &amp; PROPERTY OWNER both parcels:</td>
<td></td>
<td>Wolfheel Properties, Inc.</td>
<td>Lloyd McConnell, Registered Agent</td>
<td>-</td>
<td>-</td>
<td>PO BOX 1663</td>
<td>SANFORD</td>
<td>NC</td>
</tr>
</tbody>
</table>

(0) = Vacant, no addressed structures on the parcel.
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 Friday, April 5, 2019.

1. REZONING APPLICATION 2019-0401
   Application by the Ruby and Ernest McSwain Worthy Lands Trust, for property owned by the Ruby Crumpler McSwain Estate, to rezone one vacant 0.50 ± acre tract of land with frontage/access off of Woodland Avenue from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcel 9652-04-1924-00 as depicted on Lee County Tax Maps 9652.09 and 9652.13 and illustrated as Lot 1 on a 1907 survey labeled a Map of Sou. Sanford, N.C. and recorded at Plat Cabinet 2, Slide 314 of the Lee County Register of Deeds Office, along with a portion of W. Spruce Street that was closed by the Sanford Board of Alderman in 1993 per Deed Book 507, Page 912 of the Lee County Register of Deeds Office.

2. REZONING APPLICATION 2019-0402
   Application by the Ruby and Ernest McSwain Worthy Lands Trust, for property owned by the Ruby Crumpler McSwain Estate, to rezone one vacant 0.33 ± acre tract of land formerly developed with a house addressed as 1015 Woodland Avenue and being a corner lot with frontage/access off of Woodland Avenue and W. Rose Street from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcel 9642-95-7483-00 as depicted on Lee County Tax Map 9642.12 and illustrated on Exhibit A of a 2016 Deed of Easement recorded at Deed Book 1412, Page 677 of the Lee County Register of Deeds Office.

3. REZONING APPLICATION 2019-0403
   Application by Wolfeheal Properties, Inc. to rezone two adjoining tracts of land totaling 0.44 ± of an acre addressed as 1103 and 1107 Woodland Avenue from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcels 9642-95-9360-00 and 9652-05-0239-00 as depicted on Lee County Tax Maps 9642.12 and 9652.09 and illustrated as Lots 2 and 3 on a 1952 survey labeled Map Showing Actual Survey for Redvision of Block #184 of the Monroe Addition to the Town of Sanford, N.C., Lee County recorded at Plat Cabinet 2, Slide 474 of the Lee County Register of Deeds Office.

Signature: [Signature] Date: 2019-04-05
Title: [Title]

Harnett County, North Carolina

I, [Notary Public Name], a Notary Public for Harnett County and State of North Carolina do hereby certify that [Property Owner Name] personally appeared before me on this day and acknowledged the due execution of the foregoing Instrument. Witness my hand and official seal, this the [Day] day of [Month], 2019.

My Commission expires [Expiration Date]
April 5, 2019

Dear Adjacent Property Owner:

The Zoning Ordinance of the City 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 Planning Board and the Sanford City Council. Please contact Amy McNeill, Zoning Administrator for the Sanford/Lee County Zoning & Design Review Department, at amy.mcneill@sanfordnc.net or 919-718-4656, Ext. 5397 if you would have questions or concerns regarding this matter.

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Sanford Planning Board will hold joint public hearings on Tuesday, April 16, 2019 in the Council Chambers of the Sanford Municipal Center at 225 E. Weatherspoon Street, Sanford, N.C. 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. Application by the Ruby and Ernest McSwain Worthy Lands Trust, for property owned by the Ruby Crumpler McSwain Estate, to rezone one vacant 0.50 ± acre tract of land with frontage/access off of Woodland Avenue from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcel 9652-04-1924-00 as depicted on Lee County Tax Maps 9652.09 and 9652.13 and illustrated as Lot 1 on a 1907 survey labeled a Map of Sou. Sanford, N.C. and recorded at Plat Cabinet 2, Slide 314 of the Lee County Register of Deeds Office, along with a portion of W. Spruce Street that was closed by the Sanford Board of Alderman in 1993 per Deed Book 507, Page 912 of the Lee County Register of Deeds Office.

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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.

Staff has been instructed to provide the following general information to adjacent property owners for future reference if/when the site associated with a rezoning request is developed. The City of Sanford, Lee County, and the Town of Broadway do not have local grading permits or sedimentation & erosion control permits and rely on the North Carolina Department of Environmental Quality (NCDEQ) to regulate land disturbing activities. For questions or concerns, please contact NCDEQ, NC Division of Energy, Mineral, and Land Resources Sediment Program at 1612 Mail Service Center Raleigh, NC 27699| (919) 707-9220 | https://deq.nc.gov.

Attachment: Site Maps
CITY OF SANFORD PUBLIC NOTICE

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The public is cordially invited to attend. Further information may be obtained from the Sanford/Lee County Community Development Department, 115 Chatham Street, Sanford, NC 27330 or by calling (919) 718-4656. Upon request and with 24-hour notice, the City will provide an interpreter for the hearing impaired or any other type of auxiliary aid.

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

By Bonnie Davis, City Clerk

Please publish in the Legal Notices Section of the Sanford Herald on Friday, April 5, 2019 and on Friday, April 12, 2019. If you have any questions regarding this notice, please call Amy McNeill at 919-718-4656, ext 5397. Please reference this account number (30031885) on the invoice and refer to as City of Sanford Zoning Notice.
Please send publisher's affidavit to the Sanford/Lee County Community Development Office, P.O. Box 3729, Sanford, NC, Attention: Angela Baker. Thank you.
RESOLUTION DIRECTING THAT THE PROJECT BE UNDERTAKEN

CARR CREEK AREA D SEWER EXTENSION

WHEREAS, on the 19th day of March, 2019, the City Council of the City of Sanford adopted a Preliminary Assessment Resolution providing for the extension of an 8” sewer line of approximately 2,420 linear feet along or near a portion of Carr Creek Drive, Evers Avenue, a portion of Hope Street and Tyrone Drive to be financed by assessment of 25% of the cost against the benefited real property; and

WHEREAS, the required public hearing has been held after due notice to the public and the owners of the affected real property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanford that:

1. The sewer system of the City shall be extended by constructing an 8” sewer line approximately 2,420 linear feet along or near a portion of Carr Creek Drive, Evers Avenue, a portion of Hope Street and Tyrone Drive, under and by virtue of Article 10, Chapter 160A of the General Statutes of North Carolina and the procedure therein established, and said project is hereby directed to be undertaken.

2. 25% of the total cost of said extension be hereafter assessed upon the benefited properties on the basis of the number of lots served or subject to being served at an equal rate per lot.

3. The cost to install sewer laterals during construction shall not be assessed to the benefiting properties. Sewer lateral is defined as the portion between the sewer main and the cleanout located at or near the right of way line.

4. The assessments herein provided for shall be payable within thirty (30) days after the publication of the notice that the assessment roll has been confirmed. The owners of assessed property may pay the assessment in full, or exercise the option of paying the assessment in not more than ten (10) annual installments which shall bear interest at the rate of five percent (5%) per annum.

Adopted this 16th day of April, 2019

____________________________________
T. Chet Mann, Mayor

ATTEST:

_________________________________
Vicki R. Cannady, Deputy City Clerk

_________________________________
Susan C. Patterson, City Attorney
BE IT ORDAINED by the City Council of the City of Sanford, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project CDBG No. 17-C-2990 is hereby adopted.

Section 1: The project authorized is the Community Development Block Grant Neighborhood Revitalization Program. This project consists of the rehabilitation of 226 Linden Avenue into 5 residential units for homeless individuals and infrastructure improvements to include sidewalks, curb and gutter along Linden Avenue and a portion of N. First Street.

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Commerce, Rural Economic Development Division, and the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete this project.

CDBG Grant Funds $ 750,000

Section 4: The following amounts are appropriated for the project:

Neighborhood Revitalization Project $ 750,000

Section 5: The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.

Section 6: Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7: The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8: The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this council.

Section 9: Copies of this grant project ordinance shall be furnished to the Clerk to the City Council and the Finance Officer for direction in carrying out this project.

Section 10: The City Manager is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council, subject to the regulations of the North Carolina Department of Commerce, Rural Economic Development Division.

ADOPTED this the 16th day of April, 2019.

Chet T. Mann, Mayor

ATTEST:

Bonnie Davis, City Clerk
North Carolina Department of Commerce
Rural Economic Development Division
Community Development Block Grant Program

Grant Agreement
Neighborhood Revitalization Program

Upon execution of this grant agreement, the North Carolina Department of Commerce (DOC) agrees to provide to the City of Sanford, (the "Recipient" and collectively with DOC, the "Parties"), Community Development Block Grant (CDBG) assistance under Title I of the Housing and Community Development Act of 1974, (P.L. 93-383), as amended, authorized (and subject to Recipient’s compliance with) the DOC funding approval, the North Carolina Community Development Block Grant administrative rules, other applicable laws, rules, regulations, and all other requirements of DOC now or hereafter in effect. The grant agreement is effective on the date the grant agreement and funding approval are signed by the Recipient. The grant agreement consists of the program guidelines and the approved application, including the certifications, maps, schedules and other submissions in the application, any subsequent amendments to this document or the approved application and funding approval and the following general terms and conditions:

1. Definitions. Except to the extent modified or supplemented by the agreement, any term defined in the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 19L, shall have the same meaning when used herein.

(a) Agreement means this grant agreement, as described above and any amendments or supplements thereto.

(b) Recipient means the City of Sanford, the entity designated as a recipient for grant assistance in the grant agreement and funding approval.

(c) Certifications mean the certifications submitted with the grant application pursuant to the requirements of Paragraph (e) of Rule .0407 of the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 19L.

(d) “Assistance” or “Grant” means the grant funds provided under this Agreement from funds allocated to the State of North Carolina from the Federal Treasury through the CDBG and supporting laws, rules, requirements and regulations, in the amount of $750,000 except as modified.

(e) Program means the community development program, project, or other activities, including the administration thereof, for which assistance is being provided under this Agreement and which is
described in the Recipient’s approved application, as may be modified.

(f) The date for receiving the grant means the date of the REDD Director’s signature on the Grant Agreement and Funding Approval.

2. **Timely Execution.** Due to the need to expedite the use and expenditure of CDBG funds, Recipient’s failure to execute and return a copy of the Agreement within 60 days of the date of the REDD Director’s signature on the Grant Agreement and Funding Approval may be deemed by DOC to determine the funds are available for reallocation to other subrecipients.

3. **Obligations of the Recipient.** The recipient shall perform the Program as specified in the application approved by DOC as may be amended with DOC approval. The Recipient hereby certifies that it will comply with all applicable federal and state laws, regulations, rules and Executive Orders, pursuant to Paragraph (e) of Rule .0407 of the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 19L. The Recipient shall also comply with all other lawful requirements of DOC, all applicable requirements of the General Statutes of the State of North Carolina specifically N. C. G. S. 87-1-87-15.9 and any other applicable laws, rules, regulations, requirements, and Executive Orders currently or hereafter in force. Recipient is prohibited from any fraud, waste and abuse of CDBG funds by any person or entity. The rules contained in 4 N.C.A.C. 19L (as well as applicable federal rules and regulations) are part of the Agreement, except where specifically modified by applicable law, rule, regulation, DOC, the CDBG HUD Program Requirements and any subsequent amendments, regulations or clarifications to any of the foregoing.

Additionally, Recipient agrees to ensure compliance with respect to the Program and the Grant (and any of its proceeds) with all applicable federal and state laws, regulations and requirements, including but not limited to the following (as each may be modified or amended): (1) the CDBG HUD Program Requirements; (2) Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq), (3) existing CDBG laws, rules, regulations and requirements, as may be amended, including those set forth in 24 C.F.R., Part 570; (4) North Carolina laws, rules, regulations and requirements; (5) DOC guidance and requirements regarding CDBG now or hereafter in effect, including but not limited to: DOC’s CDBG Guidelines and Application Instructions, and DOC bulletins or other guidance documents; and (6) Recipient’s own approved CDBG application to DOC, as may be amended with DOC approval.

4. **Obligations of Recipient with Respect to Certain Third Party Relationships.** Recipient is responsible to DOC for ensuring compliance with the provisions of this Agreement and all applicable laws, rules, regulations and requirements, even when the recipient designates a third party or parties to undertake all or any part of the Program. The Recipient shall comply with all lawful requirements of DOC necessary to ensure that the program is carried out in accordance with the Recipient’s certifications including but not limited to the certification of assumption of environmental responsibilities under Rule .1004 of the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 19L. If the Recipient contracts with or designates a third party to undertake all or part of the Program, the Recipient’s contract with the third party must require the third party to comply with this Agreement, all applicable laws, rules, regulations and requirements, including but not limited to the procurement standards set forth in 4 N.C. Administrative Code 19L .0908 as may be applicable.
Recipient shall likewise ensure that all subrecipient contracts regarding Grant funds or relating to the Program include all required contractual elements in order to be in compliance with all Federal, State and local laws, including but not limited to the provisions contained in 24 C.F.R. § 570.503, 24 C.F.R. § 85.37, and other provisions described throughout this Agreement, where applicable. In any event, the Recipient is liable to DOC and HUD for any improper expenditures, damage, loss or harm resulting from the failure of any person or entity to comply with any applicable law, rule, regulation or requirement regarding the Grant funds and/or the Program, including but not limited to an act or omission by a subrecipient or other third party. The Recipient agrees to periodically and rigorously monitor and audit its subrecipients and other third parties to ensure compliance with all applicable requirements.

Any subcontracts or subrecipient agreements entered into by the Recipient with Grant funds shall be subject to all terms and conditions of this Agreement. Payment of all subcontractors and subrecipients shall be the sole responsibility of the Recipient, and DOC shall not be obligated to pay for any work performed by any subcontractor or subrecipient. The Recipient shall be responsible for the performance of all subcontractors and subrecipients and shall not be relieved of any of the duties and responsibilities of this Agreement as a result of entering into subcontracts or subrecipient agreements.

5. **Changes to Agreement.** Recipient agrees that DOC may supplement or modify this Agreement as may be necessary to implement additional or modified Federal or State guidance regarding implementation of the CDBG program.

6. **Conflict of Interest.** Recipient agrees to comply with all applicable conflict of interest provisions, including but not limited to those found at 4 N.C.A.C. 19 L .0908 and .0914, N.C. Gen. Stat. § 14-234, 24 C.F.R. § 85.36, 24 C.F.R. § 570.489 (g) and (h), and 24 C.F.R. § 570.611, where applicable, copies of which may be obtained from DOC.

Except for eligible administrative or personnel costs, the general rule is that no persons described in the following sentence who exercise or have exercised any functions or responsibilities with respect to grant activities assisted under this Agreement or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a Grant-assisted activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

The conflict of interest summary in the sentence above generally applies to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or Recipient or applicable third parties which are receiving CDBG grant funds.

Recipient agrees to include these same prohibitions in all such contracts or subcontracts with any subrecipients or other third parties relating to the Program.
In any event, the Assistance provided under this Agreement shall not be used in the payment of any bonus or commission for the purpose of obtaining DOC approval of the application for such assistance, or DOC approval of applications for additional assistance, or any other approval or concurrence of DOC required under this Agreement, or the North Carolina Community Development Block Grant Administrative Rules, with respect thereto; provided, however, that reasonable fees or bona fide technical, consultant, managerial or other such services, other than actual solicitation, are not prohibited if otherwise eligible as program costs and allowed by applicable law.

Additionally, certain limited exceptions to the conflict of interest rules listed in 24 C.F.R. § 570.489 may be granted in writing by HUD and/or DOC upon written request and the provision of information specified in 24 C.F.R. § 570.489(h)(ii)(4).

7. **Reimbursement to DOC for Improper Expenditures.** The Recipient will reimburse DOC for any amount of Grant assistance improperly expended, either deliberately or non-deliberately, by any person or entity. Additionally, a contract for administrative services shall include a clause holding the administrator organization responsible for reimbursement to the Recipient for any improperly expended grant funds that had to be returned to DOC.

8. **Recordkeeping Requirements.** Recipient will maintain any and all records and comply with all responsibilities as may be required under typical CDBG recordkeeping (for example, records and responsibilities set forth in 4 N.C.A.C. 19L0911 (“Recordkeeping”), 24 C.F.R. 570.490 (“Recordkeeping Requirements”), 24 C.F.R. § 570.506 (“Records to be maintained”) and 24 C.F.R. § 85.42 (“Retention and Access Requirements for Records”) as each may be modified by HUD or DOC) as well as records and responsibilities related to CDBG or specifically to CDBG funds. Recipient agrees to comply with any additional record-keeping requirements now or hereinafter set forth by DOC, HUD or any other federal or state entity.

9. **Access to Records.** The Recipient shall provide any duly authorized representative of DOC, the State of North Carolina, the federal Department of Housing and Urban Development (HUD), and the Comptroller General, the Inspector General and other authorized parties at all reasonable times access to and the right to inspect, copy, monitor, and examine all of the books, papers, records, and other documents relating to the grant for a period of five years following the completion of all close-out procedures. All original files shall be maintained at the Local Government offices for access purposes.

10. **Release of Personal, Financial and Identifying Information.** To ensure and document compliance with CDBG income requirements as well as other matters, Recipient shall obtain and retain personal, income-related, financial, tax and/or related information from individuals and families that are benefitting from Grant or Program funds. Additionally, Recipient is obligated to provide access to any and all information relating to the Program to DOC, HUD or some other appropriate federal or state monitoring entity, upon DOC’s request. This obligation includes, but is not limited to, the personal, financial and identifying information of individuals assisted by the Program. As such, Recipient shall obtain any releases or waivers from all individuals or entities necessary to ensure that this information
can be properly and legally provided to appropriate federal and state entities, including DOC and HUD, without issue or objection by the individual or entity.

11. **Project Savings.** The Recipient is obligated to contribute 100 percent of its pledged cash contribution to the CDBG project even if the project experiences a savings after authorized activities are completed. Any project savings accrue to the CDBG program. **Substitution of in-kind contributions for cash is not allowed.**

12. **Expenditure of Non-CDBG Funds.** The recipient must ensure that non-CDBG funds are expended along with CDBG funds, following the implementation schedule described in the approved application and modified by the Performance Contract (or otherwise with DOC approval), and shall report on non-CDBG expenditures with each Annual Performance Report, consistent with Section .1100 PERFORMANCE of the program regulations (4NCAC 19L) as well as any other applicable reporting requirements.

13. **Method of Payment.** The Department of Commerce uses the Office of State Controller (OSC) to make CDBG payments to units of local government. The Electronic Payment Form from OSC must be completed for funds to be electronically transferred. **Arrangements must be made** with the Finance Officer in the Rural Economic Development Division if a Recipient does not want to use the electronic funds transfer.

14. **Fair Housing.** Recipients of CDBG funds are required to comply with fair housing and nondiscrimination laws and regulations. Recipients should consult Section .1001 of the CDBG administrative rules for further information on equal opportunity requirements. Recipients are required to submit a fair housing plan for its jurisdiction. Recipients with 10,000 persons or more will be required to complete an Analysis to Impediments to Fair Housing Choice Study. For each grant year that a CDBG project is active, a Recipient must describe the actions it will take in the areas of enforcement, education and removal of barriers and impediments to affirmatively further fair housing. Guidance for developing a Fair Housing Plan can be found in REDD Bulletin 93-4 and the CDBG Implementation Notebook.

15. **Equal Employment and Procurement Opportunity.** A Recipient must describe the actions it will take annually while the grant is open in the areas of enforcement, education and removal of barriers and impediments that affirmatively further equal access in employment and procurement. This includes a description of steps to be taken in the areas of advertisement, compliance and complaint tracking.

16. **Local Economic Benefit (Section 3 Regulation).** For each year that a CDBG is active, the Recipient must describe a strategy whereby opportunities in employment and procurement arising out of a CDBG assisted project are identified and made available to low-income residents within the CDBG assisted area to the greatest extent feasible. This strategy must include (1) identification of training and technical assistance resources to prepare low-income residents for employment and procurement opportunities, (2) attempts to reach the numerical targets for new hires set forth in the Section 3 regulation, which applies to Recipients receiving $200,000 or more in non-administrative line items expended for construction contracts and (3) education of low-income residents within the CDBG assisted area about the components and opportunities of the program.

In addition, Recipients will be required to coordinate additional activities as it relates to Section 3 with the DOC CDBG Compliance Office.
17. **Section 504 and ADA.** Recipients must complete the Section 504 Survey and Transition Plan. This plan will not satisfy all the requirements of the Americans with Disabilities Act, but it will meet the minimum requirements for a CDBG assisted project.

18. **Environmental Review.** Recipients of CDBG funds are required to complete the document entitled “Environmental Review Procedures for the CDBG Program.” Once the Environmental Review Record (ERR) is received, REDD will review for completeness and submit selected CDBG ERRs if required to the State Clearinghouse for other State agencies to review and comment. Recipients cannot conduct any program activities until REDD issues an environmental clearance.

19. **Language Access Plan (LAP).** Recipients of Federal financial assistance have an obligation to reduce language barriers that can preclude meaningful access by Limited English Proficient (LEP) persons to important government programs, services, and activities. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and its implementing regulations require that Recipients take responsible steps to ensure meaningful access by LEP persons. Recipients will be required to submit a language access plan using the approved template from REDD. The plan will address the LAP policy, translation of required vital documents, and requirements for citizen participation.

20. **Procurement Standards.** Where applicable, Recipient shall follow the procurement standards established in the “Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments” (24 C.F.R., Part 85) and HUD implementing regulations contained in 24 C.F.R. § 570.489(g), which explicitly prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting. 4 N.C.A.C. 19L.0908.

21. a. Any Recipient or Subrecipient shall follow other applicable procurement standards set forth in 4 N.C.A.C. 19L.0908, and the relevant laws cited therein, including but not limited to, laws related to conflicts of interest (N.C.G.S. §14-234), public building contracts (N.C.G.S. § 148-128 to 135), and payment and performance bonds (N.C.G.S. § 44A-25 through 35); acquisition and relocation (4 N.C.A.C. 19L.1003); property management standards (4 N.C.A.C. 19L.0909); equal opportunity (4 N.C.A.C. 19L.1001); and labor standards (4 N.C.A.C. 19L.1006).

b. Recipient shall likewise follow all other applicable federal and state procurement rules, guidelines and procedures, including those set forth in Office of Management and Budget Circular No. A-87 (“Cost Principles for State and Local Governments”).

In any event, per 24 C.F.R. 570.489(g), all purchase orders and contracts shall include any clauses required by Federal statutes, executive orders and implementing regulations.

Additionally, Recipient acknowledges and agrees that, in its conduct under this Agreement and in connection with any and all expenditures of Grant funds made by it, Recipient, its officers, agents and employees shall be and are subject to the provisions of the North Carolina General Statutes and the North Carolina Administrative Code relating to and governing procurement, public contracts, suspension and debarment. Recipient further acknowledges and agrees that, in the event that it grants any of the Grant funds awarded hereunder to one or more subrecipients or other applicable entities, Recipient shall, by
contract, ensure that the provisions of all applicable laws relating to and governing procurement, public contracts, suspension and debarment are made applicable to and binding upon any and all subrecipients and/or other applicable entities.

22. **Labor Standards.** Recipient shall follow all applicable laws, rules and regulations concerning the payment of wages, contract work hours, safety, health standards, and equal opportunity for CDBG-R programs, including but not limited to the rules set forth in 4 N.C.A.C 19L.1006, 24 C.F.R. § 570.603 and the following (as may be applicable to CDBG-R projects):

   a. Davis-Bacon Act (40 U.S.C.A. 276a). Among other provisions, this act requires that prevailing local wage levels be paid to laborers and mechanics employed on certain construction work assisted with CDBG funds.

   b. Contract Work Hours and Safety Standards Act (40 U.S.C.A. 327 through 333). Under this act, among other provisions, laborers and mechanics employed by contractors and subcontractors on construction work assisted with CDBG funds must receive overtime compensation at a rate not less than one and one-half the basic rate of pay for all hours worked in excess of forty hours in any workweek. Violators shall be liable for the unpaid wages and in addition for liquidated damages computed in respect to each laborer or mechanic employed in violation of the act.

   c. Fair Labor Standards Act (29 U.S.C. 201 et seq.), requiring among other things that covered employees be paid at least the minimum prescribed wage, and also that they be paid one and one-half times their basic wage rate for all hours worked in excess of the prescribed work-week.

   d. Federal anti-kickback laws (18 U.S.C. 874 and 40 U.S.C. 276), which, among other things, outlaws and prescribes criminal penalties for "kickbacks" of wages in federally financed or assisted construction activities. Weekly statements of compliance and weekly payrolls must be provided by all contractors and subcontractors.

Recipient agrees to maintain records regarding compliance with the laws and regulations cited in 4 N.C.A.C. 19L.1006 (including the citations listed above) in accordance with 4 N.C.A.C. 19L.0911.

All contracts between Recipient and third parties shall contain labor standards provisions as required in 4 N.C.A.C. 19L.1006.

23. **Architectural Barriers.** Per 4 N.C.A.C.19L.1007, 24 C.F.R. §§ 570.487 and 570.614 and other applicable law, all applicable buildings or facilities designed, constructed or altered with CDBG Grant funds shall be made accessible and useable to the physically handicapped as may be required by applicable laws, rules, regulations or requirements. Additionally, Recipient must comply with the following (as may be applicable to CDBG projects):

   a. Architectural Barriers Act of 1968 (P.L. 90-480). This act requires Recipient to ensure that certain buildings constructed or altered with CDBG funds are readily accessible to the physically handicapped.

   b. Minimum Guidelines and Requirements for Accessible Design 36 C.F.R. Part 1190. These regulations establish guidelines for implementing the federal acts described in 4 N.C.A.C.19L.1007(1)(a). The regulations provide technical standards which must be met by Recipient.

   c. Americans with Disabilities Act ["ADA"] and the ADA Accessibility Guidelines for Buildings and Facilities or the Uniform Federal Accessibility Standards.
d. North Carolina Building Code, Volume I, Chapter 11-X. These provisions describe minimum standards Recipient must meet in constructing or altering building and facilities, to make them accessible to and useable by the physically handicapped.

24. **Change of Use of Real Property.** Recipient agrees not to change the use or planned use of any property acquired with CDBG funds from that for which the acquisition or improvement was made, in accordance with this Agreement and applicable law, rule, regulation or requirement, unless (i) the DOC grants explicit written approval and (ii) the requirements of 24 C.F.R. § 570.489(j), 24 C.F.R. § 570.505 and other applicable requirements are followed, as modified (or as may be modified) by HUD or DOC.

24. **Obligation of Recipient With Regard to Vacant Units.** The recipient shall ensure that all vacant units being rehabilitated will be occupied by a low or moderate income person by the time close-out occurs.

25. **Utility Assessments or Fees:** Assessments or fees to recover the CDBG funded portion of a utility project may be charged to properties not owned and occupied by low and moderate income persons. Such assessments are program income and, as such, must be used for eligible CDBG activities that meet a CDBG national objective.

26. **False or Misleading Information.** Recipient is advised that providing false, fictitious or misleading information with respect to CDBG funds may result in criminal, civil, or administrative prosecution under 18 U.S.C. § 1001, 18 U.S.C. § 1343, 31 U.S.C. § 3729, 31 U.S.C. § 3801, or another applicable statute. Recipient shall promptly refer to DOC and HUD’s Office of the Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving CDBG funds.

27. **Disputes with DOC.** If Recipient has any disagreement or dispute with any action or inaction by DOC, Recipient shall inform DOC by letter addressed to Iris Payne, Director, Department of Commerce – Rural Economic Development Division, 4346 Mail Service Center, Raleigh, NC 27699-4346. The Rural Economic Development Division ["REDD"] will endeavor to respond in writing to said letter within 30 days from receipt. Recipient shall not be entitled to a hearing under Chapter 150B for matters described in N.C. Gen. Stat. § 150B(c)(8), added by N.C. Senate Bill 960, including matters related to “contracts, disputes, protests, and/or claims arising out of or related to the implementation of the [CDBG].” This includes actions arising out of or related to this Agreement or the Program.

28. **Disputes or Complaints by Subrecipients or Other Entities.** Recipient is responsible for developing, implementing and utilizing its own dispute resolution procedures with respect to disputes and/or complaints between and among Recipient, a Subrecipient, a contractor and/or any other person or entity (other than DOC). This includes (but is not limited to) procedures relating to procurement disputes or protests discussed in 24 C.F.R. 85.36. In the event of a dispute between and among Recipient, any Subrecipient, contractor and/or any other persons or entities (not including DOC), Recipient shall make every effort to resolve the dispute pursuant to its own dispute resolution procedures and shall issue a final decision on the matter as soon as is reasonably practicable. Recipient’s dispute resolution procedure shall provide that, in the event that any party to such a dispute or complaint is dissatisfied with the final decision or other resolution provided by Recipient, the dissatisfied party shall appeal to
the North Carolina Superior Court in an appropriate County for a trial de novo, to the extent that jurisdiction is proper pursuant to N.C. Gen. Stat. § 7A-240 and other applicable law.

29. **Schedules**
   
   (a) **Schedule for Release of Conditions and Completion Activities.** The Recipient must satisfy all Funding Approval Conditions to release CDBG funds within 3 months (May 13, 2019) from the date the Grant Agreement and Funding Approval were signed by the REDD Director. The recipient must draw down all CDBG funds, expend all local non-CDBG funds and complete all project activities in conformance with the activities implementation schedule in the application as modified by the Performance Based Contract.

   (b) **The Recipient must obligate all funds within 27 months (May 13, 2021) from the date the Grant Agreement and Funding Approval are signed by REDD Director.**

   (c) **All funds are to be expended within 30 months (August 13, 2021) from the date the Grant Agreement and Funding Approval are signed by REDD Director.** Any remaining funds will be de-obligated.

   (d) **All closeout documents must be returned to REDD by (November 13, 2021).**

   (e) **Schedule for Submission of Compliance Documents.** The Recipient must submit the following compliance documents within the specified number of months from the date the Grant Agreement and the Funding Approval were signed by the REDD Director:
   - Environmental – 4 months (June 13, 2019)
   - Equal Employment and Procurement Plan – 4 months (June 13, 2019)
   - Section 3 Plan – 4 months (June 13, 2019)
   - Section 504 Plan – 4 months (June 13, 2019)
   - Language Access Plan – 4 months (June 13, 2019)
   - Analysis of Impediments- 4 months (June 13, 2019)
   - Request for Release of Funds – 5 months (July 13, 2019)

   (f) **Timely Draw down of Funds.** Recipient is expected make timely drawdowns so that funds are expended in a timely manner.

30. **Quarterly Progress Report.** Per Bulletin 09-1, Recipient shall ensure that a quarterly progress report that reflects approved CDBG program activity progress and CDBG financial status is presented to Recipient's elected board and a copy of that report, endorsed by the Chief Elected Official or the county/city/town manager will be provided to DOC not later than the tenth (10th) day of the month following the ending month of the reporting period.

31. **Performance Measures**
    
The CPD Performance Measurement System is HUD's response to the standards set by the Government Performance and Results Act (GPRA) of 1993. This act holds all Federal agencies accountable for establishing goals and objectives and measuring achievements.

   (a) **The recipient must ensure that all activities in the funded project(s) meet the appropriate objectives, outcomes, and indicators established by HUD and selected by DOC. CDBG funds cannot be used to pay for any activity that does not meet the above requirement.**
(b) The recipient must also assist DOC, when requested, in collecting indicators and any other data necessary to fulfill the requirements of the CPD Performance Measures System, which includes data for the Integrated Disbursement and Information System (IDIS).

Upon execution of this agreement by DOC and the Recipient, the Recipient hereby accepts the assistance on the terms of this grant agreement effective on the date indicated below, and further certifies that the official signing this document has been duly authorized by the recipient's governing body to execute this Grant Agreement.

Secretary of the Department of Commerce

Date: 2/13/19

☑ By: [Signature]
Assistant Secretary
Rural Economic Development Division

Date: _________

__________________________
Name of Recipient

☑ By: ______________________
Signature of Authorized Official

__________________________
(Title)
1. Name and Address of Recipient
   City of Sanford
   Post Office Box 3729
   Sanford, North Carolina 27331

2. Grant Number and Funding Approval Date
   Grant Number: 17-C-2990
   Date of Original Funding Approval: 2/13/19
   Date of Amended Funding Approval:

3. Approved Projects
   C1  2017 CDBG NR Project
   $750,000.00
   Total Grant Award
   $750,000.00

4. Funding Approval Conditions
   The following conditions must be removed in writing by Rural Economic Development Division
   (REDD) in order for all funds to be released for the approved project(s) listed in item (3), above:

   A. Environmental Condition:
      No funds may be obligated or expended in any project activity except for the administration activity
      in the C-1 project until the recipient has complied with the Environmental Review Procedures for the
      N.C. CDBG Program and the CDBG regulations contained in 4 NCAC 19L.1004.

   B. Citizen Participation and Compliance Condition:
      No funds may be obligated or expended in any project activity except for the administration activity
      until REDD is provided with the following documentation of compliance with citizen participation
      requirements in the application process [4NCA 19L.1002(b)]: publisher's affidavits of notices for
      and minutes signed by the town (or the county as applicable) clerk of the two required public
      hearings.

   C. Administration Contracts/Inter-local agreements Condition:
      No funds may be obligated or expended in any project activity except the administration activity
      until the recipient has submitted either a copy of the contract awarded for administration of this grant
      or a statement signed by the CEO stating that the contract will be administered internally.

   D. Use of Experienced CDBG Administrator:
      No funds may be obligated or expended for the administration activity until the recipient has
      submitted a statement signed by the CEO stating that they will be using an experienced CDBG
      administrator or local government staff. This person should be one who has actually administered
      more than one (1) CDBG project. Please note that if issues result from the CDBG administrator, the
      local government will be subject to 4 NCAC 19L.
E. Performance Based Contract Condition:
No funds may be obligated or expended in any project activity except for the administration activity until the recipient has returned to REDD one copy of the properly completed Performance Based Contract signed by the CEO.

Additional Conditions:

F. Organizational Chart and Resumes:
No funds may be obligated or expended in any project activity except for the administration activity until the recipient has returned to REDD the Organizational Chart. The Organizational Chart was to be submitted as part of the application.

G. Beneficiaries:
No funds may be obligated or expended in any project activity except for the administration activity until the recipient has returned to REDD a corrected NC Neighborhood Benefit Low-Moderate-Income Form to reflect the accurate total of beneficiaries. Please see Columns 4 and 6, Rows 10 and 11 of the referenced form in Item G above.

5. Signature of Authorized Official

Name ________________________________

Title ________________________________

2/13/19

Date

6. Signature of Authorized Local Official

Name ________________________________

Date ________________________________

Title ________________________________
CONTRACT AGREEMENT
BY AND BETWEEN
The City of Sanford
AND
Partners for Impact, LLC

This agreement, to commence on March 1, 2019 and end on February 28, 2020, is entered into by the City of Sanford (hereinafter the "AGENCY") and Partners for Impact, LLC (hereinafter the "CONTRACTOR").

RECITALS

WHEREAS AGENCY is in need of assistance in their mission to connect people in need with the resources available to them, and to fill the gaps in services and supports for the homeless and CONTRACTOR has agreed to provide such assistance.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, AGENCY and CONTRACTOR hereby agree as follows:

ARTICLE I – ENGAGEMENT

AGENCY hereby engages CONTRACTOR to provide such services as the AGENCY may request from time to time during the term of this agreement on the terms and conditions set forth herein. The CONTRACTOR may assign services to be completed in part or in whole to one or more subcontractors (SUBCONTRACTORS).

Per the proposal submitted on January 23, 2019, the scope of work for this engagement includes the following:
- Provision of backbone support for S3
- Training for capacity building, up to four sessions at four hours per session
- Develop fundraising plan
- Work with the Data and Metrics team to introduce a common intake/assessment tool, support data collection efforts, and provide simple analysis of initial data
- Additional resource development and consulting activities as determined

ARTICLE II – RELATIONSHIP OF PARTIES

A. Independent CONTRACTOR. The CONTRACTOR (including any SUBCONTRACTORS) is an independent CONTRACTOR and not an associate of the AGENCY, and this agreement does not establish a partnership, joint venture or agency between the parties.

B. Non-exclusive arrangement. AGENCY has the right to enter into agreements with any other agency or professional organization cooperating in the conduct of the AGENCY'S business. The CONTRACTOR shall have the right to enter into any other agreements with any other party to provide any other services.

ARTICLE III – RESPONSIBILITIES OF THE CONTRACTOR AND AGENCY

A. RESPONSIBILITIES OF THE CONTRACTOR:
1. CONTRACTOR agrees to complete all work in a timely, workmanlike, and professional according to the industry standard.

2. CONTRACTOR agrees to properly prepare and forward, on a timely basis, any and all forms, reports, etc., as may be agreed to by AGENCY and CONTRACTOR relative to disbursing funds to the CONTRACTOR under the terms of this agreement.

3. CONTRACTOR, including all SUBCONTRACTORS, agree to comply with all confidentiality laws/regulations with regard to the protection of information according to standards set forth by the AGENCY.

B. RESPONSIBILITIES OF THE AGENCY:

AGENCY agrees to provide information and direction to CONTRACTOR as needed regarding requirements related to the terms of this agreement.

C. RESPONSIBILITIES OF BOTH THE CONTRACTOR AND THE AGENCY:

1. CONTRACTOR and AGENCY agree to share appropriate confidential and other information as applicable to services provided under this agreement.

2. Modification. This agreement may only be modified in writing executed and signed by both parties.

ARTICLE IV – COMPENSATION

A. AGENCY agrees to pay CONTRACTOR for services rendered under terms of this agreement.

B. CONTRACTOR shall prepare a monthly statement for reimbursement detailing the services provided under this agreement. Such statement shall include at least the dates worked, services provided, tax identification number and the amount due by number of hours and hourly rate of $95.00 per hour with a not to exceed amount of $17,500. Payment shall be made within 30 days of receipt of this statement.

ARTICLE V – SUSPENSION OR TERMINATION

This agreement may be terminated or suspended by mutual consent of both parties at any time or 30 days after either party provides written notice of intent to terminate. However, both parties agree that each will be entitled to rescind or terminate this agreement without notice immediately upon a violation of the terms and provisions of this agreement by the other party.

ARTICLE VI – PROPRIETARY MATERIAL

The CONTRACTOR will maintain proprietary ownership and may copy, write, sell, or otherwise profit from any survey instruments and other tools developed by the CONTRACTOR through this project. The AGENCY will have unlimited rights to the use of such tools for their organizational purposes including the ability to adapt tools to new situations and to disclose content as required by public record law. The AGENCY, however, may not sell or give these tools to other organizations without written consent from the CONTRACTOR and acknowledgement shall be given to the CONTRACTOR in all publications of such materials, tools or reports.

ARTICLE VII – INSURANCE REQUIREMENTS
ARTICLE VIII – MISCELLANEOUS

A. **Choice of Law/Forum.** This agreement is executed in the State of North Carolina and shall be governed by and interpreted in accordance with the laws of the State of North Carolina. The venue for all legal actions upon this agreement shall be in the State Courts of Lee County.

B. **Obligations.** In the event that Federal and State laws should be amended or judicially interpreted so as to render the fulfillment of this agreement on the part of either party unfeasible or impossible, both the CONTRACTOR and the AGENCY shall be discharged from further obligation under the terms of this agreement, except for equitable settlement of the respective debts up to the date of termination.

C. **Waiver.** The failure of either party to enforce at any time or for any period of time the provisions hereof in accordance with its terms shall not be construed to be a waiver of such provisions or of the right of such party thereafter to enforce each and every provision. To be enforceable, a waiver must be in writing and signed by the party against whom the waiver is to be enforced.

**Counterparts.** The agreement shall be executed in two counterparts, each of which will be deemed an original.
IN WITNESS WHEREOF the parties hereto have caused this agreement to be signed by their respective representatives and duly attested, the day, the month, and year first above written.

Pay Frequency: Within 30 days of invoicing.

Begin Date: March 1, 2019          End Date: February 28, 2020

AGENCY Mailing Address:

CONTRACTOR Tax ID: 81-2593855
CONTRACTOR Mailing Address: 1044 Branch Line Lane, Apex, NC 27502

AGENCY Primary Contact Name:

CONTRACTOR Principal Consultant: Beth Bordeaux, MSW

AGENCY Contact Telephone:

CONTRACTOR Telephone: 919-612-6624

AGENCY Contact E-mail Address:

CONTRACTOR E-mail Address: beth@partnersforimpact.com

AGENCY Billing Contact Name:

Assigned Senior Advisor: Stan Holt, PhD
Senior Advisor Telephone: 919-457-3857
Senior Advisor E-mail Address: stan@partnersforimpact.com

AGENCY Billing Contact Telephone:

AGENCY Billing Contact E-mail Address:

Signatures for AGENCY:

(1) ____________________________________________
   (print & sign)

Title: __________________________________________

Date: __________________________________________

(2) ____________________________________________
   (print & sign)

Title: __________________________________________

Date: __________________________________________

Signatures for CONTRACTOR:

________________________________________________
   (print & sign)

Title: Principal Consultant

Date: 1/4/17

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

________________________________________________
Finance Director, City of Sanford
WHEREAS, the Finance Officer has described to the Council the desirability of adopting a resolution, as provided under federal tax law, to facilitate the unit’s using financing proceeds to restore the unit’s funds when the unit makes capital expenditures prior to closing on a bond issue or other financing.

BE IT RESOLVED by the City of Sanford as follows:

Section 1: The project authorized is to extend sewer to the Sanford / Lee County Regional Airport in the amount of $500,000.

Section 2: The project is to be financed. Currently, the expected type of financing is bond proceeds and the expected maximum amount of bond proceeds to be issued or contracted for the project is $500,000.

Section 3: Funds that have been advanced, or may be advanced, from the Utility Fund for project costs are intended to be reimbursed from the financing proceeds.

Section 4: The adoption of this resolution is intended as a declaration of this unit’s official intent to reimburse project expenditures from financing proceeds.

ADOPTED this, the 16th day of April, 2019.

__________________________________________
T. Chet Mann, Mayor

ATTEST:

__________________________________________
Vicki R. Cannady, Deputy City Clerk
A RESOLUTION DECLARING THE INTENTION
OF THE CITY COUNCIL TO CONSIDER
CLOSING OF AN UNOPENED PORTION OF
RAILROAD STREET FROM EAST CHISHOLM STREET
SOUTHEAST 135 FEET

WHEREAS G. S. 160A-299 authorizes the City Council to close public streets and alleys; and

WHEREAS the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of an unopened portion of Railroad Street from East Chisholm Street Southeast 135 feet; and

NOW THEREFORE, BE IT RESOLVED by the City Council meeting in regular session:

1. That a meeting will be held at 6:00 p.m. on the 16th day of April, 2019, in the Council Chambers, Sanford Municipal Building, to consider a resolution closing an unopened portion of Railroad Street from East Chisholm Street Southeast 135 feet.

2. That the City Clerk is hereby directed to publish this Resolution of Intent once a week for four weeks in the Sanford Herald.

3. That the City Clerk is further directed to transmit by registered letter to each owner of property abutting upon said street or alley a copy of this Resolution of Intent.

This the 16th day of April, 2019.

T. Chet Mann, Mayor

ATTEST:

Bonnie Davis, City Clerk

Susan C. Patterson, City Attorney
PETITION FOR ROAD CLOSURE

TO: City of Sanford, NC

ATTN: Planning and Community Development

FROM:

I, Michael Kahn, the property owner adjoining 104 E. Chisholm St., in Sanford, petition for said Railroad St. to be closed, and for the property to revert back to the adjacent property owners.

Property Address Owner Signature
104 East Chisholm St Michael Kahn [Signature]
Sanford, NC 27330

Submitted the 2nd day of April, 2019.
RESOLUTION IN SUPPORT OF THE TEMPORARY CLOSURE OF PORTIONS OF SEVERAL STREETS FOR THE PURPOSE OF A 5K FUNDRAISER SPONSORED BY FLOYD KNIGHT SCHOOL’S PTSO

WHEREAS, Terri McVay, spokesperson for and acting on behalf of Floyd Knight School’s PTSO formally request the temporary closure of portions of the following streets:

- W. McIntosh Street from the entrance of Floyd Knight School to Pinehurst Street;
- W. McIntosh Street at Knight Street;
- Pinehurst Street from W. McIntosh to Primrose Lane;
- Primrose Lane from Pinehurst Street to the dead end of Primrose Lane;

for the purpose of a 5K walk/run fundraiser to benefit the Floyd Knight Parent Teacher Student Organization; and

WHEREAS, said temporary closures would occur on Saturday, May 11th, 2019, between the hours of 9:30 AM and 1:30 PM; and

WHEREAS, General Statute 160A-296 (a) (4) authorizes the Council for the City of Sanford to temporarily close streets for such purposes, and

WHEREAS, the City of Sanford, has no objection to said event occurring between the stated hours on said date;

NOW THEREFORE BE IT RESOLVED, THAT the City of Sanford Police and Public Works Departments are directed to close the above said streets on Saturday May 11th, 2019 between the hours of 9:30 AM and 1:30 PM.

Adopted this 16th day of April, 2019.

__________________________________________
T. Chet Mann, Mayor

ATTEST:

__________________________________________
Bonnie Davis, City Clerk
STREET CLOSURES FOR
5K Fundraiser Sponsored by:
Floyd Knight School PTSO
To Whom It May Concern,

On May 11th, 2019 Floyd L. Knight’s Parent Teacher Student Organization (FLK-PTSO) will be holding our 2nd Annual Color Fun Run/Walk and Family Festival Fundraiser from 9:30-1:30. Last year, we held the event at Kiwanis Park but due to construction at the park this spring we will be holding it at Floyd L. Knight School (607 W. McIntosh St. Sanford, NC 27330). Most of the activities will be held on FLK’s campus with the exception of the 5k run/walk. We are requesting to close the lane closest to the school for the safety of those running/walking. The streets affected would be Primrose, Pinehurst and McIntosh (see map). The neighbors were notified of our event and that we intend to close parts of the surrounding streets. Thank you for your help with this request.

Sincerely,

Floyd L. Knight PTSO
flkptso@gmail.com
919-774-4634
Dashed black lines indicate where we would like to place barriers or signage indicating road closure.
MEMORANDUM

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

FROM: Marshall Downey, Planning Director

DATE: April 5, 2019

REF: Request by current members of the Lee County Environmental Affairs Board (EAB) to reduce the size of the Board

City Council may recall that in 2015, the governing bodies for Lee County, Sanford and Broadway agreed to merge (again) the Environmental Affairs Board under the direct authority of Lee County with appointments from Sanford and Broadway. This new board was setup with five appointments from Lee County, five from Sanford and one from Broadway for a total of 11 members.

However, membership on this Board has struggled in recent years and has especially taken a hit since July of 2017. At that time, we had four members who decided not to reapply and have had great difficulty in filling these positions. The current make-up is as follows:

<table>
<thead>
<tr>
<th></th>
<th>City</th>
<th>County</th>
<th>Broadway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Appointments</td>
<td>5</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Positions filled</td>
<td>4</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Positions vacant</td>
<td>1</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>

As shown, we have five vacancies on an 11-member board which makes getting a quorum very problematic. Lee County is well aware of this issue and has struggled in getting folks willing to apply and serve.

Recently, the six current members of the EAB asked staff to go to the three governing boards with a request to reduce the membership to a seven-member board with a membership ratio of 3/3/1. The bylaws for the EAB state, “The City of Sanford City Council and the Town of Broadway Board of Commissioners shall certify all amendments prior to consideration by the Lee County Board of Commissioners.” Staff is asking for your consideration of approving this reduction in Board membership. We are also taking this request to Broadway at the end of this month. If approved by the City and Broadway, we will take this request to the Lee County Board of Commissioners in May.
Section 1.00: Authority, Purpose and Duties

1.01 Authority
Under the authority granted in Chapter 153A-76 of the North Carolina General Statutes, and resolution dated _______ 2019, the Lee County Board of Commissioners creates this Lee County Environmental Affairs Board.

1.02 Purpose
The general purpose of the Environmental Affairs Board is to maintain and improve the quality of the environment in Lee County.

1.03 Duties
The specific duties of the Environmental Affairs Board include: 1) advising the local governments of the County of Lee, the City of Sanford, and the Town of Broadway on environmental policy; 2) educating the public and local officials about environmental issues; 3) performing special studies and projects on environmental questions; 4) facilitating citizen participation; 5) remaining informed about changes in environmental laws and regulations affecting the County (and informing the public and local officials about such changes); and 6) promoting the State/County and public/private cooperation and coordination. This list is not exhaustive, and the Environmental Affairs Board should construe its duties broadly. The Environmental Affairs Board shall not have authority to enforce any regulations, rules, ordinances, or laws.

1.04 Topics
The Environmental Affairs Board shall consider any and all topics related to the quality of the Lee County environment. Topics include, but are not limited to: coal ash and hydraulic fracturing; hazardous and radioactive materials management and disposal; watershed protection; groundwater and surface water protection; erosion control; air quality; energy conservation; incineration; sedimentation control; storm water management; open space protection; pollution prevention; waste management; and recycling. The Environmental Affairs Board should use the widest latitude in determining what topics to address.

Section 2.00: Organization

2.01 Membership Composition in Terms

Except as provided in the following paragraphs, the Environmental Affairs Board shall be comprised of seven (7) voting members: three (3) appointed by the Lee County Board of Commissioners, three (3) appointed by the Sanford City Council, and one (1) appointed by the Broadway Town Council. All appointees shall serve a three-year term and any successive appointments or reappointments will be for a three-year term.

Ex-Officio Members. In addition to the voting members, a representative of the Lee County Board of Commissioners who serves at the appointment of the Chairman, the City of Sanford Manager or his designee, and the Mayor of Broadway or his designee serve as ex-officio, non-voting members of the Environmental Affairs Board.
2.02 Officers

The officers of the Environmental Affairs Board shall consist of a Chairman and Vice-Chairman. These officers shall be elected by a majority vote of the membership of the Environmental Affairs Board at its first meeting following the appointment of new members each year.

The Chairman shall preside over all regular and special meetings. In the absence or disability of the Chairman, the Vice-Chairman shall preside and exercise all the powers of the Chairman.

2.03 Meetings

The Environmental Affairs Board shall meet at least every other month. The Board shall meet at the call of the Chairman or at the written request of two (2). Meetings may be held anywhere within Lee County. Written notice of each meeting, specifying date, time, and place shall be given to each member of the Environmental Affairs Board not less than five (5) days prior to the meeting unless an emergency or other special situation exists making it impossible or impractical to give five (5) days prior notice; in which event, notice may be given by a reasonable means prior to the meeting. All meetings shall be open to the public.

2.04 Attendance

Participation by the membership of the Environmental Affairs Board is critical to its success. In order to insure a quorum at scheduled meetings, member should notify staff when unable to attend a scheduled meeting. Inactive members may be replaced for the remainder of unexpired term at the discretion of their appointing board.

2.05 Quorum and Voting

A quorum shall consist of a majority of the members of the Environmental Affairs Board as set forth in section 2.01.

2.06 Committees

The Environmental Affairs Board may approve the establishment of such committees as it deems necessary, either standing or temporary. The composition of said committee shall be determined by the Board with the committees selecting their own Chairman.

2.07 Staff

An Administrative Assistant from the Sanford/Lee County Planning Department shall serve as Clerk to the Board and shall be responsible for keeping a record of member attendance, resolutions, discussions, findings, and recommendations, which shall be public record. The clerk shall also be responsible for preparing notices and agendas for the meeting after consultation with the chairman and any other board member who may want a specific item on the agenda.
The Sanford/Lee County Planning Department Director (or his/her designee) and the Lee County Health Director (or his/her designee) shall jointly serve as technical support staff for the Environmental Affairs Board.

At the discretion of the Mayor for the Town of Broadway, staff from this respective jurisdiction may be assigned to the Environmental Affairs Board to provide assistance as needed.

Section 3.00: Amendments

3.01 Amending Bylaws

Approval by at least two-thirds (2/3) of the members of the Environmental Affairs Board shall be required to recommend amendments to the Board of Commissioners. The City of Sanford City Council and the Town of Broadway Board of Commissioners shall certify all amendments prior to consideration by the Lee County Board of Commissioners.
A regular meeting of the City Council of the City of Sanford, North Carolina (the “City Council”) was held in the Council Chambers of the Municipal Building at 225 E. Weatherspoon Street, Sanford, North Carolina, at 6:00 p.m. on April 16, 2019, after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present:

The following members of the City Council were absent:

Also present:

Council Member _____________ introduced the following resolution, a summary of which had been provided to each Council Member, a copy of which was available with the City Clerk and which was read by title:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANFORD, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF $2,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS, SERIES 2019 OF THE CITY OF SANFORD, NORTH CAROLINA

WHEREAS, the Bond Order hereinafter-described has been adopted, and it is desirable to make provision for the issuance of the bonds authorized by said Bond Order;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanford, North Carolina (the “City Council”) as follows:

Section 1. For purposes of this Resolution, the following words will have the meanings ascribed to them below:

“Bond Order” means the Bond Order relating to the Parks and Recreation Projects, authorizing the 2019 Bonds, which was adopted by the Board on July 29, 2013 and approved by the vote of a majority of the voters who voted thereon at a referendum duly called and held on September 10, 2013.

“Federal Securities” means (a) direct obligations of the United States of America for the timely payment of which the full faith and credit of the United States of America is pledged; (b) obligations issued by any agency controlled or supervised by and acting as an instrumentality of the United States of America, the timely payment of the principal of and interest on which is fully guaranteed as full faith and credit obligations of the United States of America (including any securities described in (a) or (b) issued or held in the name of the Trustee in book-entry form on the books of the Department of Treasury of the United States of America), which obligations, in either case, are held in the name of a trustee and are not subject to redemption or purchase prior to maturity at the option of anyone other than the holder; (c) any bonds or other obligations of the State of North Carolina or of any agency, instrumentality or local governmental unit of the State of North Carolina which are (1) not callable prior to maturity or (2) as to which irrevocable instructions have been given to the trustee or escrow agent with respect to such bonds or other obligations by the obligor to give due notice of redemption and to call such bonds for redemption on the date or dates specified, and which are rated by Moody’s, if the 2019 Bonds are rated by Moody’s, and Fitch Ratings, if
the 2019 Bonds are rated by Fitch Ratings, within the two highest rating categories and which are secured as to principal, redemption premium, if any, and interest by a fund consisting only of cash or bonds or other obligations of the character described in clause (a) or (b) hereof which fund may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as appropriate; or (d) direct evidences of ownership of proportionate interests in future interest and principal payments on specified obligations described in (a) held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the underlying obligations described in (a), and which underlying obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated.

“Fitch Ratings” means Fitch Ratings Inc., a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns, and, if such corporation for any reason no longer performs the functions of a securities rating agency, “Fitch Ratings” will refer to any other nationally recognized securities rating agency other than Moody’s designated by the City.

“Moody’s” means Moody’s Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, “Moody’s” will be deemed to refer to any other nationally recognized rating agency other than Fitch Ratings designed by the City.

“Projects” means the acquisition, renovation and construction of parks and recreation facilities, including related parking and restrooms and the acquisition of land and rights-of-way in land required therefor.

“2019 Bonds” means the City’s General Obligation Parks and Recreation Bonds, Series 2019 authorized under the Bond Order.

Section 2. The City shall issue $2,000,000 in total aggregate principal amount of its 2019 Bonds.

Section 3. The 2019 Bonds shall be dated their date of issuance and pay interest semiannually on February 1 and August 1, beginning February 1, 2020. The 2019 Bonds are being issued to provide funds (1) to finance the capital costs of the Projects pursuant to and in accordance with the Bond Order and (2) to pay the costs of issuing the 2019 Bonds.

Section 4. The City Council has ascertained and hereby determines that the average period of usefulness of the capital projects being financed by the proceeds of the 2019 Bonds is not less than 25 years computed from the date of issuance of the 2019 Bonds.
Section 5. The 2019 Bonds are payable in annual installments on February 1 in each year, as follows:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>AMOUNT</th>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
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<tr>
<td>2020</td>
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<td>2029</td>
<td>100,000</td>
<td>2039</td>
<td>100,000</td>
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</table>

Section 6. The 2019 Bonds are to be numbered from “R-1” consecutively and upward. All 2019 Bonds shall bear interest from their date at a rate or rates which shall be hereafter determined on the sale thereof computed on the basis of a 360-day year of twelve 30-day months.

Section 7. The 2019 Bonds are to be registered as to principal and interest, and the Director of Financial Services of the City is directed to maintain the registration records with respect thereto. The 2019 Bonds shall bear the original or facsimile signatures of the Mayor and City Clerk of the City. An original or facsimile of the seal of the City is to be imprinted on each of the 2019 Bonds.

Section 8. The 2019 Bonds will initially be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York (“DTC”), and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the 2019 Bonds in principal amounts of $5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the 2019 Bonds will be payable to DTC or its nominee as registered owner of the 2019 Bonds in immediately available funds. The principal of and interest on the 2019 Bonds will be payable to owners of 2019 Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The City will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (a) DTC determines not to continue to act as securities depository for the 2019 Bonds or (b) the Director of Financial Services of the City determines that the continuation of the book-entry system of evidence and transfer of ownership of the 2019 Bonds would adversely affect the interests of the beneficial owners of the 2019 Bonds, the City will discontinue the book-entry system with DTC in accordance with the rules and procedures of DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will authenticate and deliver replacement bonds in accordance with the rules and procedures of DTC.

9. The 2019 Bonds maturing on or before February 1, 2029 will not be subject to redemption prior to maturity. The 2019 Bonds maturing on and after February 1, 2030 will be subject to redemption prior to maturity, at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any date on or after February 1, 2029, at the redemption price of the principal amount of 2019 Bonds to be so redeemed, plus accrued interest to the redemption date.
If less than all of the 2019 Bonds are called for redemption, the City shall select the maturity or maturities of the 2019 Bonds to be redeemed in such manner as the City in its discretion may determine and DTC and its participants shall determine which of the 2019 Bonds within a maturity are to be redeemed in accordance with its rules and procedures; provided, however, that the portion of any 2019 Bond to be redeemed shall be in principal amount of $5,000 or integral multiples thereof and that, in selecting 2019 Bonds for redemption, each 2019 Bond shall be considered as representing that number of 2019 Bonds which is obtained by dividing the principal amount of such 2019 Bond by $5,000. Whenever the City elects to redeem 2019 Bonds, notice of such redemption of 2019 Bonds, stating the redemption date, redemption price and any conditions to the redemption and identifying the 2019 Bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable on each 2019 Bond or portion thereof so to be redeemed, the principal thereof, and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of the 2019 Bonds, by prepaid certified or registered United States mail (or by such other means as permitted by DTC’s rules and procedures), at the address provided to the City by DTC, but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC is not the registered owner of the 2019 Bonds, the City will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of the 2019 Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the City. The City will also mail or transmit by facsimile or in electronic format a copy of the notice of redemption within the time set forth above (1) to the Local Government Commission of North Carolina (the “Local Government Commission”) and (2) to the Municipal Rulemaking Securities Board through the EMMA system.

If at the time of mailing of the notice of redemption there is not on deposit money sufficient to redeem the 2019 Bonds called for redemption, such notice may state that it is conditional on the deposit of money for the redemption on the date of redemption as set forth in the notice. Any notice, once given, may be withdrawn by notice delivered in the same manner as the notice of redemption was given.

Section 10. The 2019 Bonds and the provisions for the registration of the 2019 Bonds and for the approval of the 2019 Bonds by the Secretary of the Local Government Commission are to be in substantially the form set forth in Exhibit A hereto.

Section 11. The Director of Financial Services of the City is hereby authorized to execute a non-arbitrage certificate with respect to the 2019 Bonds in order to comply with Section 148 of the Code and the applicable Income Tax Regulations thereunder.

Section 12. The Director of Financial Services is hereby directed to create and establish a special fund to be designated “City of Sanford, North Carolina General Obligation Parks and Recreation Bonds, Series 2019 Project Fund” (the “Project Fund”). The Director of Financial Services shall deposit the proceeds from the sale of the 2019 Bonds in the Project Fund. The Director of Financial Services shall invest and reinvest any moneys held in the Project Fund as permitted by the laws of the State of North Carolina and the income, to the extent permitted by the Code, is to be retained in the Project Fund and applied with the proceeds of the 2019 Bonds to pay the costs of the Projects, as directed by the Director of Financial Services. The Director of Financial Services shall keep and maintain adequate records pertaining to the Project Fund and all disbursements therefrom so as to satisfy the requirements of the laws of the State of North Carolina and to assure that the City maintains its covenants with respect to the exclusion of the interest on the 2019 Bonds from gross income for purposes of federal income taxation.

Section 13. Actions taken by officials of the City to select paying and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered
Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

Section 14. The Local Government Commission is hereby requested to sell the 2019 Bonds through a competitive sale to the bidder whose bid results in the lowest interest cost to the City, determined on the basis of the true interest cost method.

Section 15. The Mayor, the City Manager, the City Clerk and the Director of Financial Services, individually and collectively, are hereby authorized and directed to cause the 2019 Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the 2019 Bonds and to turn the 2019 Bonds over to the registrar and transfer agent of the City, if any, for delivery through the facilities of DTC to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

Section 16. The form and content of the Notice of Sale and the Preliminary Official Statement together with the final Official Statement related to the 2019 Bonds are in all respects authorized, approved and confirmed, and the Mayor, the City Manager, the City Clerk and the Director of Financial Services, individually and collectively, are authorized, empowered and directed to execute and deliver the Official Statement in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to the Mayor, the City Manager, the City Clerk and the Director of Financial Services seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the approval of the Board of any and all changes, modifications, additions or deletions therein from the form and content of the Official Statement presented to the Board.

Section 17. The Mayor, the City Manager, the City Clerk and the Director of Financial Services, individually and collectively, are authorized and directed to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the documents contemplated hereinabove or as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 18. The City agrees, in accordance with Rule 15c2-12 (the “Rule”) promulgated by the Securities and Exchange Commission (the “SEC”) and for the benefit of the Registered Owners and beneficial owners of the 2019 Bonds, as follows:

1. by not later than seven months after the end of each Fiscal Year to the Municipal Securities Rulemaking Board (the “MSRB”) in an electronic format as prescribed by the MSRB, the audited financial statements of the City for the preceding Fiscal Year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements are not then available, unaudited financial statements of the City for such Fiscal Year to be replaced subsequently by audited financial statements of the City to be delivered within 15 days after such audited financial statements become available for distribution;

2. by not later than seven months after the end of each Fiscal Year to the MSRB, the financial and statistical data as of a date not earlier than the end of the preceding Fiscal Year for the type of information included under the captions “THE CITY--DEBT INFORMATION” and “--TAX INFORMATION” (excluding information on overlapping units) in the Official Statement referred to in Section 16;

3. in a timely manner not in excess of 10 business days after the occurrence of the event, to the MSRB, notice of any of the following events with respect to the 2019 Bonds:
(a) principal and interest payment delinquencies;

(b) non-payment related defaults, if material;

(c) unscheduled draws on the debt service reserves reflecting financial difficulties;

(d) unscheduled draws on any credit enhancements reflecting financial difficulties;

(e) substitution of any credit or liquidity providers, or their failure to perform;

(f) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the 2019 Bonds or other material events affecting the tax status of the 2019 Bonds;

(g) modification of the rights of the Beneficial Owners of the 2019 Bonds, if material;

(h) call of any of the 2019 Bonds, if material, and tender offers;

(i) defeasance of any of the 2019 Bonds;

(j) release, substitution or sale of any property securing repayment of the 2019 Bonds, if material;

(k) rating changes;

(l) bankruptcy, insolvency, receivership or similar event of the Board;

(m) the consummation of a merger, consolidation, or acquisition involving the Board or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material; and

(n) the appointment of a successor or additional trustee, or the change in the name of a trustee, if material; and

(o) incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material; and

(p) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties; and

(4) in a timely manner to the MSRB, notice of the failure by the City to provide the required annual financial information described in (1) and (2) above on or before the date specified.
For purposes of this Section, “financial obligation” means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b) above. The term “financial obligation” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

The City agrees that its undertaking under this Paragraph is intended to be for the benefit of the registered owners and the beneficial owners of the 2019 Bonds and is enforceable by any of the registered owners and the beneficial owners of the 2019 Bonds, including an action for specific performance of the City’s obligations under this Paragraph, but a failure to comply will not be an event of default and will not result in acceleration of the payment of the 2019 Bonds. An action must be instituted, had and maintained in the manner provided in this Paragraph for the benefit of all of the registered owners and beneficial owners of the 2019 Bonds.

All documents provided to the MSRB as described in this Paragraph shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB. The City may discharge its undertaking described above by providing such information in a manner the SEC subsequently authorizes in lieu of the manner described above.

The City may modify from time to time, consistent with the Rule, the information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the City, but:

1. any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the City;

2. the information to be provided, as modified, would have complied with the requirements of the Rule as of the date of the Official Statement, after taking into account any amendments or interpretations of the Rule as well as any changes in circumstances;

3. any such modification does not materially impair the interest of the registered owners or the beneficial owners, as determined by nationally recognized bond counsel or by the approving vote of the registered owners of a majority in principal amount of the 2019 Bonds.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Paragraph terminate on payment, or provision having been made for payment in a manner consistent with the Rule, in full of the principal of and interest on the 2019 Bonds.

Section 20. Those portions of this Resolution other than Paragraph 18 may be amended or supplemented, from time to time, without the consent of the owners of the 2019 Bonds if in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the owners of the 2019 Bonds and would not cause the interest on the 2019 Bonds to be included in the gross income of a recipient thereof for federal income tax purposes. This Resolution may be amended or supplemented with the consent of the owners of a majority in aggregate principal amount of the outstanding
2019 Bonds, exclusive of 2019 Bonds, if any, owned by the City, but a modification or amendment (1) may not, without the express consent of any owner of 2019 Bonds, reduce the principal amount of any 2019 Bond, reduce the interest rate payable on it, extend its maturity or the times for paying interest, change the monetary medium in which principal and interest is payable, or reduce the percentage of consent required for amendment or modification and (2) as to an amendment to Paragraph 18, must be limited as described therein.

Any act done pursuant to a modification or amendment consented to by the owners of the 2019 Bonds is binding on all owners of the 2019 Bonds and will not be deemed an infringement of any of the provisions of this Resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent has been given, no owner of a 2019 Bond has any right or interest to object to the action, to question its propriety or to enjoin or restrain the City from taking any action pursuant to a modification or amendment.

If the City proposes an amendment or supplemental resolution to this Resolution requiring the consent of the owners of the 2019 Bonds, the registrar for the 2019 Bonds shall, on being satisfactorily indemnified with respect to expenses, cause notice of the proposed amendment to be sent to each owner of the 2019 Bonds then outstanding by first-class mail, postage prepaid, to the address of such owner as it appears on the registration books; but the failure to receive such notice by mailing by any owner, or any defect in the mailing thereof, will not affect the validity of any proceedings pursuant hereto. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file at the principal office of the registrar for the 2019 Bonds for inspection by all owners of the 2019 Bonds. If, within 60 days or such longer period as shall be prescribed by the City following the giving of such notice, the owners of a majority in aggregate principal amount of 2019 Bonds then outstanding have consented to the proposed amendment, the amendment will be effective as of the date stated in the notice.

Section 20. Nothing in this Resolution precludes (a) the payment of the 2019 Bonds from the proceeds of refunding bonds or (b) the payment of the 2019 Bonds from any legally available funds.

If the City causes to be paid, or has made provisions to pay, on maturity or on redemption before maturity, to the owners of the 2019 Bonds the principal of the 2019 Bonds (including interest to become due thereon), through setting aside trust funds or setting apart in a reserve fund or special trust account created pursuant to this Resolution or otherwise, or through the irrevocable segregation for that purpose in some sinking fund or other fund or trust account with an escrow agent or otherwise, moneys sufficient therefor, including, but not limited to, interest earned or to be earned on Federal Securities, the City shall so notify Moody’s and Fitch Ratings, and then such 2019 Bonds shall be considered to have been discharged and satisfied, and the principal of the 2019 Bonds (including and interest thereon) shall no longer be deemed to be outstanding and unpaid; provided, however, that nothing in this Resolution requires the deposit of more than such Federal Securities as may be sufficient, taking into account both the principal amount of such Federal Securities and the interest to become due thereon, to implement any such defeasance.

If such a defeasance occurs and after the City receives an opinion of a nationally recognized accounting or verification firm that the segregated moneys or Federal Securities together with interest earnings thereon are sufficient to effect a defeasance, the City shall execute and deliver all such instruments as may be necessary to effect such a defeasance and desirable to evidence such release, discharge and satisfaction. The City shall make provisions for the mailing of a notice to the owners of the 2019 Bonds that such moneys are so available for such payment.

Section 21. If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants,
agreements or provisions are null and void and separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions hereof or of the 2019 Bonds authorized hereunder.

Section 22. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 23. This Bond Resolution is effective on its adoption.

PASSED, ADOPTED AND APPROVED this 16th day of April, 2019.
I, Bonnie D. Davis, City Clerk of the City of Sanford, North Carolina, DO HEREBY CERTIFY the attached to be a true and correct copy of a Resolution entitled, “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANFORD, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF $2,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS, SERIES 2019 OF THE CITY OF SANFORD, NORTH CAROLINA” adopted by the City Council of the City of Sanford, North Carolina at a regular meeting held on the 16th day of April, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City, this the _____ day of April, 2019.

(SEAL)

City Clerk
City of Sanford, North Carolina
APPENDIX A

FORM OF 2019 BOND

No. R- 

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
CITY OF SANFORD

INTEREST RATE | MATURITY DATE | DATED DATE | CUSIP

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

GENERAL OBLIGATION PARKS AND RECREATION BOND, SERIES 2019

THE CITY OF SANFORD, NORTH CAROLINA (the “City”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this 2019 Bond until it shall mature at the Interest Rate per annum specified above, payable on February 1, 2020 and semiannually thereafter on February 1 and August 1 of each year. Principal of and interest on this 2019 Bond are payable in immediately available funds to The Depository Trust Company (“DTC”) or its nominee as registered owner of the 2019 Bonds and is payable to the owner of the 2019 Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The City is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This 2019 Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act, and the Bond Order relating to the Parks and Recreation Projects (as defined below) adopted by the City Council of the City on July 29, 2013 and approved by the vote of a majority of the voters who voted thereon at a referendum duly called and held on September 10, 2013. The 2019 Bonds are being issued to provide funds to finance the acquisition, renovation and construction of parks and recreation facilities, including related parking and restrooms and the acquisition of land and rights-of-way in land required therefor (the “Projects”) and (3) to pay the costs of issuing the 2019 Bonds.

The 2019 Bonds maturing on or before February 1, 2029 will not be subject to redemption prior to maturity. The 2019 Bonds maturing on and after February 1, 2030 will be subject to redemption prior to maturity, at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any date on or after February 1, 2029. 2019 Bonds called for redemption will be redeemed at the redemption price of the principal amount of 2019 Bonds to be so redeemed, plus accrued interest to the redemption date.

The City shall select the maturity or maturities of the 2019 Bonds to be redeemed in such manner as the City in its discretion may determine and DTC and its participants shall determine which of the 2019 Bonds within a maturity are to be redeemed.
in accordance with its rules and procedures; provided, however, that the portion of any 2019 Bond to be
redeemed shall be in principal amount of $5,000 or integral multiples thereof and that, in selecting 2019
Bonds for redemption, each 2019 Bond shall be considered as representing that number of 2019 Bonds
which is obtained by dividing the principal amount of such 2019 Bond by $5,000. Whenever the City elects
to redeem 2019 Bonds, notice of such redemption of 2019 Bonds, stating the redemption date, redemption
price and any conditions to the redemption and identifying the 2019 Bonds or portions thereof to be
redeemed by reference to their numbers and further stating that on such redemption date there shall become
due and payable on each 2019 Bond or portion thereof so to be redeemed, the principal thereof, and interest
accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall
be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its
nominee as the registered owner of the 2019 Bonds, by prepaid certified or registered United States mail
(or by such other means as permitted by DTC’s rules and procedures), at the address provided to the City
by DTC, but any failure or defect in respect of such mailing will not affect the validity of the redemption.
If DTC is not the registered owner of the 2019 Bonds, the City will give notice at the time set forth above
by prepaid first class United States mail, to the then-registered owners of the 2019 Bonds or portions thereof
to be redeemed at the last address shown on the registration books kept by the City.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or
statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of
this 2019 Bond, exist, have been performed and have happened, and that the amount of this 2019 Bond,
together with all other indebtedness of the City, is within every debt and other limit prescribed by said
Constitution or statutes. The faith and credit of the City are hereby pledged to the punctual payment of the
principal of and interest on this 2019 Bond in accordance with its terms.

This 2019 Bond shall not be valid or become obligatory for any purpose until the certification
hereon shall have been signed by an authorized representative of the Local Government Commission.

IN WITNESS WHEREOF, the City has caused this 2019 Bond to bear the original or facsimile of
the signatures of the Mayor of the City and the City Clerk of the City and an original or facsimile of the
seal of the City to be imprinted hereon and this 2019 Bond to be dated their date of issuance.

(SEAL)

__________________________  ______________________
City Clerk                                Mayor

Date of Execution: June 4, 2019

The issue hereof has been approved under the
provisions of The Local Government Bond Act.

______________________________
Secretary of the Local Government Commission
FORM OF ASSIGNMENT

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite Name and Address, including Zip Code, and Federal Taxpayer Identification or Social Security Number of Assignee)

the within 2019 Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

Attorney to register the transfer of the within 2019 Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: __________________
Signature guaranteed by:

NOTICE: Signature must be guaranteed by a Participant in the Securities Transfer Agent Medallion Program (“Stamp”) or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration, enlargement or any change whatever.

TRANSFER FEE MAY BE REQUIRED
ATIZAPAN MEXICO SISTER CITY RELATIONSHIP

The Sister Cities Association of Sanford has been working with the Jonesboro Rotary to form a sister city relationship with the Las Torres Satellite Rotary club located in central Mexico.

This will be Sanford’s second Sister City relationship and will be managed/enhanced by the Jonesboro Rotary’s ongoing relationship with the Las Torres Satellite Rotary. Members of both clubs have already traveled back and forth, making the connection between Sanford and Atizapan a natural fit.

From this Rotary connection, the Sister Cities Association is now planning to host a delegation from Atizapan, Mexico starting Monday, April 29 and ending Sunday, May 5 of this year.

During their stay, the Association has planned to showcase central North Carolina’s cultural and educational success stories. We have also planned economic development-focused activities, to include tours of local industry and trips to innovative highlights in our region.

Following this visit from the Atizapan delegation, a Sanford delegation has been invited to attend Atizapan’s Art and Culture Festival the week of June 21-28, 2019.

Atizapan Mayor Ruth Olvera and our Mayor Chet Mann will sign a sister city agreement at the opening of the festival on June 22.