CITY OF SANFORD PLANNING BOARD
REGULAR MEETING
TUESDAY, SEPTEMBER 15, 2020, 6:00 PM
Dennis A. Wicker Civic & Conference Center, 1801 Nash Street, Sanford, NC 27330

All joint public hearings with the Sanford Planning Board and City Council will be held in the Exhibition Hall. After all of the joint public hearings have been held the Planning Board will move across the hall to the Auditorium and (re)convene.

A. APPROVAL OF AGENDA
B. APPROVAL OF MINUTES (August 18, 2020)
C. DISCLOSURE OF CONFLICT OF INTEREST
D. OLD BUSINESS
E. NEW BUSINESS

PUBLIC HEARINGS WITH THE CITY COUNCIL TO CONSIDER THE FOLLOWING ITEMS:

1. REZONING REQUEST / ZONING MAP AMENDMENT
   This rezoning request is contingent upon successful annexation into the corporate City limits for which the public hearing will also be held on Sept. 15th. When a property goes from the jurisdiction of Lee County to the jurisdiction of the City of Sanford, the City has 60 days to assign a zoning district to it; therefore, the applicant has submitted a rezoning request to keep the current zoning of Planned Unit Development (PUD) as previously assigned by Lee County in 2013.

   Application by Mike Mazzella for property owned by Village of Cumnock, LLC, to rezone a vacant 153 ± acre tract of land with frontage on Cotten Road, Cumnock Road, and Zimmerman Road for the purpose of marketing/developing a Planned Unit Development (PUD) with the land uses and density illustrated on a plan labeled “Example of Acreage Allocation, Village of Cumnock” submitted as part of the application. The plan illustrates 116.74 acres designated as Residential-Mixed (R-6), 21.42 acres labeled Neighborhood Commercial (NC), 10.08 acres labeled Multi-family (MF-12) and 4.93 acres labeled Multi-family (MF-12). The subject property is zoned Planned Unit Development (PUD) and is identified as Lee County Tax Parcel 9635-04-5989-00. The applicant has requested to keep the current zoning of Planned Unit Development (PUD) as previously assigned by Lee County in 2013.

1. REZONING APPLICATION / ZONING MAP AMENDMENT
   This rezoning request is also contingent upon successful annexation of Lee County tax parcels 9631-44-1034-00 and 9631-34-9072-00 into the corporate City limits for which the public hearing will also be held on Sept. 15th. As previously stated, when a property goes from the jurisdiction of Lee County to the jurisdiction of the City of Sanford, the City has 60 days to assign a zoning district to it; therefore, the applicant has submitted a rezoning request for these two tracts of land and the one larger tract of land that is already in the corporate City limits with the intention of recombining all three lots into one tract of land and developing the site as a multi-family apartment community.

   Application by Riley Walker Development for property owned by Pine Reserve, LLC to rezone three adjoining tracts of land totaling 16.43 acres from General Commercial (C-2) to Multi-family (MF-12-C) Conditional Zoning District with the intent being to develop a multi-family apartment community via a
site plan specific conditional zoning district. **Tract 1 is 0.73 acre tract of land, developed with a house addressed as 154/156 Center Church Road,** and identified as Lee County tax parcel 9631-34-9072-00. **Tract 2 is a 1.19 acre tract of land developed with a house addressed as 124 Center Church Road,** and identified as Lee County tax parcel 9631-44-1034-00. **Tract 3 is a 14.5 acre vacant tract of land that adjoins the Tramway Crossing Shopping Center to the rear,** and is identified as Lee County tax parcel 9631-44-0754-00. All parcels are identified on Lee County Tax Map 9631.03 and 9631.01.

F. OTHER BUSINESS *(None, unless added by the board.)*  
G. ADJOURNMENT

**** SEE INSERTS AT REAR OF AGENDA ****
The City of Sanford Planning Board met for a Regular Meeting, on Tuesday, August 18th, 2020, in the Dennis A. Wicker Conference & Civic Center, 1801 Nash Street, Sanford, NC 27330. The meeting was called to order at 6:00 PM.

ROLL CALL

Members Present: Fred McIver, Chair  
Jane Smith  
Bob Smith  
Richard Oldham  
Ed Ashburn, Alternate  
Lewis T. Holder, Alternate

Members Absent: Ken Britton, Vice-Chair and Tom Joyner

Staff Present: Clerk to the Board Eric Nance and Amy McNeill, Zoning Administrator

MEETING CALLED TO ORDER

Having noted the presence of a quorum, Chair McIver called the meeting to order.

APPROVAL/DISAPPROVAL OF AGENDA

Moved by Board member Richard Oldham seconded by Board member Bob Smith and carried unanimously.

APPROVAL OF MINUTES

Moved by Board member Jane Smith seconded by Board member Bob Smith and carried unanimously.

DISCLOSURE OF CONFLICTS OF INTEREST

There were none.

NEW BUSINESS

1. ZONING MAP AMENDMENT (REZONING)

Application by Wadfy H. Abou Awad, rezone a 0.92± acre portion of a 2.56 ± acre tract of land from Residential Mixed with a Mobile Home Park Overlay District (R-12-MH) and Office & Institutional (O&I) to General Commercial (C-2). The area proposed for rezoning is located to the south (left) and west (rear) of an existing commercial building
occupied by the Hawkins Grill and Pizzaria at 809 Hawkins Avenue. This one tract of land has an area zoned Residential Mixed with a Mobile Home Park Overlay District (R-12-MH) that is vacant, an area zoned General Commercial (C-2) that is developed with a restaurant addressed as 809 Hawkins Avenue, and an area zoned Office & Institutional (O&I) that is developed with a residential structure addressed as 801 Hawkins Ave. This request would increase the amount of acreage that is zoned General Commercial (C-2) on this one tract of land. The subject property is a portion of Tax Parcel 9643-64-0140-00 as depicted on Lee Co. Tax Map 9643.15.

DISCUSSION

Chair McIver gave an overview of the rezoning request and opened the floor for discussion. Board member Jane Smith stated that this would be good for the community, as was the consensus of the entire board.

DECISION

Ed Ashburn made a motion to approve the application, seconded by Board member Bob Smith and carried unanimously.

2. ZONING MAP AMENDMENT (REZONING)

Application by Sanford Real Estate Properties, LLC to rezone one 0.25 + acre tract of land developed with a house addressed as 309 Hawkins Avenue from Residential Mixed (R-6) to Office & Institutional (O&I). The subject property is identified as Tax Parcel 9643-61-4369-00 as depicted on Lee County Tax Map 9643.19.

DISCUSSION

Chair McIver gave an overview of the rezoning request and the concerns of the adjoining property owners and opened the floor for discussion by the Board. Board member Jane Smith asked if the property had been surveyed and if so, who owns the shared driveway? Staff person McNeill directed this question to the property owner, Mr. Mike Stone, who was in the audience. Mr. Stone stated that the property had not been surveyed and that both properties have road frontage. Staff person McNeill stated that the legalities of the access would have to be researched to determine whether or not the property owners must keep the shared drive as-is, but at this time it appears that both parties are agreeable to keep the shared drive and it may be possible to incorporate the shared drive into a new parking area if/when the site is redesigned. Board member Bob Smith posed the question to Mr. Stone, what purpose do you have for the property? Mr. Stone responded that he had received calls from people interested in various commercial uses at this location and this, along with the cost of upkeep on the home, was why he was interested in rezoning. Board member Jane Smith asked if this was a historical area? Staff person McNeill stated that the site was not in a local historic district.
DECISION

Board member Holder made the motion to approve the application, Board member Oldham seconded, and the motion carried unanimously.

3. ZONING MAP AMENDMENT (REZONING)

Application by Outreach Mission, Inc., to rezone one tract of land totaling 0.74 ± of an acre located in the southeastern corner of Oakwood Avenue and S. Third Street from Residential Mixed (R-10) to the Outreach Mission Conditional Zoning District, a site plan specific conditional zoning district that would allow the redevelopment of the site as a homeless shelter/social assistance facility. The site was formerly two tracts of land illustrated as Tract 1 (a vacant 0.50 acre lot developed with a house currently utilized as a homeless shelter addressed as 507 S Third Street) on a survey labeled Recombination Plat for Outreach Mission, Inc., created by Thomas J. Matthews, Professional Land Surveyor, recorded in Plat Cabinet 2020, Slide 9 of the Lee County Register Of Deeds Office. The subject property is identified as Tax Parcel 9642-98-3686-00 as depicted on Lee County Tax Map 9642.08.

DISCUSSION

Chair McIver gave an overview of the rezoning request and opened the floor for discussion. Board member Oldham posed a question concerning the location of the privacy fence. Member person McNeill stated that during the public hearing, Mr. Hamer Carter of Outreach Mission had stated that he would install a fence along the rear and side property lines that adjoin residentially developed property. There was discussion regarding the type and height of the fencing and Mr. Carter verbally agreed to install a 6ft tall privacy fence along the property lines previously discussed.

DECISION

Board member Bob Smith made the motion to approve the rezoning application with the condition that a 6ft tall privacy fence be installed along the rear and side property lines that adjoin residentially developed property, as agreed to by the applicant. Board member Ashburn seconded the motion and it carried unanimously.

4. ZONING MAP AMENDMENT (REZONING)

Application by Raccoon Path Holdings, LLC to rezone ten tracts of land totaling 132+ acres as identified as follows:
Tract 1 is a vacant 10.69 acre tract of land, owned by Tramway 20 LLC, identified as Lee County tax parcel 9641-98-7696-00 as depicted on tax maps 9641.02 and 9651.01 that is
requested to be rezoned from Light Industrial (LI) to Residential Mixed (R-6). The subject property has frontage on W. Courtland Drive (SR 1122) and Tramway Road/NC 78 and is located in the City of Sanford’s Extraterritorial Jurisdiction or ETJ. 

Tract 2 is a vacant 10.17 acre tract of land owned by Tramway 20 LLC, identified as Lee County tax parcel 9641-99-7002-00 as depicted on tax maps 9641.02 and 9651.01 that is requested to be rezoned from Light Industrial (LI) to Residential Mixed (R-6). The subject property has frontage on W. Courtland Drive (SR 1122) and is located in the City of Sanford’s ETJ.

Tract 3 is a vacant 45.52 acre tract of land owned by Tramway 20 LLC, identified as Lee County tax parcel 9651-07-5937-00 and depicted on tax maps 9651.01 and 9641.02 that is requested to be rezoned from Light Industrial (LI) and Residential Single-family (R-12) to Residential Mixed (R-10). The subject property has frontage on Tramway Road/NC 78, an unimproved right-of-way for Brenda Street (SR 1248), an unimproved right-of-way for Dewayne Street, and an unimproved right-of-way for Currituck Drive (SR 1208) with approximately 39.75 acres being within the corporate limits of the City of Sanford and the remaining balance located in the City of Sanford’s ETJ.

Tract 4 is a vacant 5.34 acre tract of land owned by David D. Martinez and Ana S. Zelada, identified as Lee County tax parcel 9641-99-9351-00 as depicted on tax map 9641.02 that is requested to be rezoned from Residential Single-family (R-20) to Residential Mixed (R-6). The subject property has frontage on W. Courtland Drive (SR 1122) and is located in the City of Sanford’s ETJ.

Tract 5 is a 1.01 acre tract of land developed with a house addressed as 2223 W. Courtland Drive, owned by David D. Martinez and Ana S. Zelada, identified as Lee County tax parcel 9641-99-4464-00 as depicted on tax map 9641.02 that is requested to be rezoned from Residential Single-family (R-20) to Residential Mixed (R-6). The subject property has frontage on W. Courtland Drive (SR 1122) and is located in the City of Sanford’s ETJ.

Tract 6 is a vacant 46.74 acre tract of land owned by Charles J. Rice, identified as Lee County tax parcel 9652-00-5103-00 as depicted on tax map 9641.02 that is requested to be rezoned from Residential Single-family (R-20) to Residential Mixed (R-6). The subject property has frontage on W. Courtland Drive (SR 1122) and is located in the City of Sanford’s ETJ.

Tract 7 is a 11.22 acre tract of land owned by Capie I, LLC identified as Lee County tax parcel 9651-07-4087-00 as depicted on tax map 9641.02 that is requested to be rezoned from Residential Single-family (R-12SF) to Residential Mixed (R-10). The subject property has frontage on/ is located at the terminus of an unimproved portion of Brenda Street (SR 1248) and is located in the corporate limits of the City of Sanford.

Tract 8 is a 0.54 acre tract of land owned by Capie I, LLC identified as Lee County tax parcel 9651-06-5679-00 as depicted on tax map 9641.02 that is requested to be rezoned from Residential Single-family (R-20) to Residential Mixed (R-10). The subject property has approximately 30ft of frontage on an improved/paved portion Brenda Street (SR 1248) and approximately 70ft of frontage on an unimproved portion of Brenda Street and is located in the City of Sanford’s ETJ.
Tract 9 is a 0.35 acre tract of land owned by Capie I, LLC identified as Lee County tax parcel 9651-06-4458-00 as depicted on tax map 9641.02 that is requested to be rezoned from Residential Single-family (R-20) to Residential Mixed (R-10). The subject property has frontage on Harward Drive (SR 1249) and on an unimproved right-of-way portion of Brenda Street and is located in the City of Sanford’s ETJ.

Tract 10 is a 0.41 acre tract of land owned by Capie I, LLC identified as Lee County tax parcel 9651-06-3385-00 as depicted on tax map 9651.01 that is requested to be rezoned from Residential Single-family (R-20) to Residential Mixed (R-10). The subject property has frontage on Harward Drive (SR 1249), adjoins 3112 Harward Drive to the north, and is located in the City of Sanford’s ETJ.

DISCUSSION
Chair McIver gave an overview of the request for rezoning the 10 tracts of land totaling 132 ± acres. Chair McIver stated that the north side has 3 exits going in and the south side has 5 exits going in and that during the public hearing the applicant said that he was not going to put apartments on the property. He also reminded everyone that staff was working on a UDO update to the subdivision regulations that would require more design standards than we currently have in place, but it is not ready for adoption. There was discussion among the board members regarding the possibility of apartments on site, the lack of citizen input on the design since it was a standard rezoning request, and the proposed time frame for the project to move forward if approved.

DECISION
A motion was made by Board member Ashburn to approve the rezoning application as proposed with Residential Mixed (R-6) and Residential Mixed (R-10) zoning, seconded by Board member Bob Smith and carried unanimously.

ADJOURNMENT
With no further business to come before the Board, the motion to adjourn was made by Board member Bob Smith, seconded by Board member Oldham, and the meeting was adjourned at 9:15 P.M.

Adopted this __________ day of ________________, 2020.

BY: ________________________
   Fred McIver, Chair

ATTEST:
_____________________
Eric B. Nance, Clerk
Zoning Map Amendment (Rezoning) Application

City of Sanford
Lee County
Town of Broadway

1. Applicant Name: Michael Mazzella
2. Applicant Address: 4712 Shadow Ridge Court, Holly Springs, NC 27540
3. Applicant Telephone: 919-622-3843
4. Name and Address of Property Owner(s) if different than applicant:
   Property Owner: Village of Cumnock, LLC; Manager of Village of Cumnock: Michael Mazzella
   Address same as above
5. Location of Subject Property: 0 Cotten Road
   Lee Co. P.I.N. 9635-04-5989-00
6. Total Area included in Rezoning Request: 153.169 Acres Requested: PUD
7. Zoning Classification: Current: PUD
8. Existing Land Use(s): UW: Use - Forest
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning):
   Property is being annexed into City;
   Applicant is requesting same zoning classification as had been approved by County.

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.

    Michael Mazzella, Manager - Village of Cumnock, LLC

    /s/ [Signature]

    Property Owner(s) (Sign & Print)

    10/28/19

    Date

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Required Attachments/Submitals

A. A completed rezoning application (incomplete applications/submitals 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.

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STAFF USE ONLY

Date Received: 10/28/19
Fee Paid: $750
Application No.: 2019-1203
Staff Signature: [Signature]
Energov Case No. OLA-00353-219
$750 FEE
($750 Total Conditional Rezoning Fee, No Standard Rezoning Fee Included with this Request.)

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

Circle Jurisdiction That Applies:

City of Sanford    Lee County    Town of Broadway

1. Type of Conditional Zoning District (Type 1 or Type 2)  Type 2

2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): It is proposed for the full 153.169-acre parcel, currently zoned PUD by the County, to be zoned the same by the City. After annexation and zoning of same, it is anticipated that the full parcel will be developed consistent with the PUD zoning requirements and conditions, i.e. >15 acres designated as MF-12; >21 acres designated as NC; and <117 acres designated as R-6.

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

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

Please refer to the list of PUD conditions set forth in the Zoning Narrative attached hereto.

Please refer to the Example of Acreage Allocation, Sheet L-2, under Tab 6 of the application binder.

Detailed Development Plans will be submitted and must be approved by the City prior to development, per conditions and City ordinance.

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

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

Michael Mazzella, Manager - Village of Cumnock, LLC

Signature (Sign & Print)

Date 10/28/17

L:\Forms & Certifications\CZ Supplemental appl (updated 2018-07-02)
ZONING NARRATIVE

Parcel No. 9635-04-5989-00

Attachment to Supplemental Application for Conditional Zoning District

I.

CURRENT ZONING BY LEE COUNTY ON OCTOBER 7, 2013

The Lee County Board of Commissioners’ unanimously approved Application No. 2013-0804 with conditions proposed by the Village of Cumnock, LLC to rezone Lee Co. Tax Parcel 9635-04-5989-00 to Planned Unit Development District (PUD). A copy of that approval is attached behind Tab 8 of the Application Binder. The applicants ask the City of Sanford to preserve the same zoning classification that Lee County approved six years ago for many of the same reasons that were applicable to that rezoning by the County.

II.

ZONING REQUEST AND JUSTIFICATION

A. Site and Area Description

The subject property is located north of Cotten Road and east of Cumnock Road. The property is 153.17-acres in size and is currently vacant. The parcel has over 1,000 feet of road frontage on Cumnock Road and over 2,000 feet of road frontage on Cotten Road (both NCDOT maintained streets) and is bound by railroad tracks to the north.

B. Rezoning Request and Justification

The applicant acquired multiple tracts of land in the Cumnock area and had them rezoned by Lee County in 2013 so that they could eventually be developed over time as a master-planned community. The zoning classifications of the tracts will allow a mix of residential homes, commercial components to complement the residential uses, industrial uses, and open space for park uses. The current County zoning of the area is shown on Sheet L-1 of the Zoning Map behind Tab 6 in the application binder.

The applicants are now requesting to maintain the current Plan Unit Development (PUD) District classification following annexation by the City of Sanford of this subject parcel. A PUD is considered a Conditional Zoning District and is processed in accordance with the Conditional Zoning District regulations outlined in Section 3.4 of the Unified Development Ordinance. As required by the ordinance, an example of acreage allocation (the same as had been presented with the rezoning application to the County in 2013) and this detailed narrative text are hereby submitted with this application.

A Planned Unit Development district (PUD) is designed to provide for the orderly development of land with a mix of land uses and intensity. PUD zoning is intended to permit flexibility in the design, construction, and processing of residential and non-residential developments that could not
be achieved under conventional zoning approaches. The UDO recognizes that there may be circumstances in which it is in the community's best interest to allow unique and/or creative designs and techniques on a particular parcel of land. Thus, the flexible PUD zoning classification can promote the most appropriate uses of a parcel; allow diversification of use; facilitate the adequate and economical provision of streets, parks, open space, storm drainage, and sewer and water utilities; preserve and utilize open space; offer recreational opportunities close to residential uses; and enhance neighborhood appearance. The current County zoning and proposed City zoning accomplishes all of these policy objectives.

The specific uses permitted in the PUD district will be set forth in a future approved site plan. The site plan will designate land use categories consistent with the zoning district classifications of the UDO. Within each land use category, proposed uses shall be subject only to the permitted uses in Tables 4.6-1 for each land use category and the maximum density for each land use category in Table 4.7-1. A Planned Unit Development may contain any type of residential uses except manufactured homes. The land uses within a PUD shall not be subject to any of the dimensional or density provisions of the Ordinance, except that a perimeter setback of 25 feet shall be maintained. Uses within the PUD shall comply with Article 7 Buffering and Landscaping standards of the UDO except as otherwise provided. Streets within the PUD shall be public streets and shall conform to the requirements of Article 10 of the Unified Development Ordinance. If rezoned, a detailed site plan shall be reviewed and approved by the TRC and the City Council, as required by the proposed conditions.

C. Zoning Conformity with Plan SanLee

The 2020 Land Use Plan and Map designates most of this property as a “Village Neighborhood.” This zone is applied to areas that the City of Sanford, Lee County, and the Town of Broadway have identified as having potential for development as residential neighborhoods including supporting neighborhood commercial. Plan SanLee was adopted after the 2013 rezoning, and presumably considered and incorporated the current PUD zoning classification in the Plan at the time of its adoption. Therefore, the plan’s land-use designation corresponds with the current PUD zoning districts, and, accordingly, maintaining the current zoning classification would be consistent with the Plan.

A corner of the property is designated as part of a “Village Center.” This zone is applied to areas that should be developed to serve as commercial and civic centers of Village Neighborhoods, with either commercial uses and/or more dwelling units per acre than the Village Neighborhood. The plan suggests that this land-use designation corresponds with future commercial uses or multifamily residential use as allowed by the current PUD zoning classification.

The plan does not discuss PUDs per se, but this flexible zoning designation fits well with Plan SanLee’s vision for the property. The PUD Zoning Conditions for the property require residential use for most of the property, with a small portion used for commercial use. This is entirely consistent with the Village Neighborhood and Village Center designations given to this property by the Plan SanLee.
III.

PUD ZONING CONDITIONS PROPOSED BY THE APPLICANT

In addition to the general development standards required in the Unified Development Ordinance, the applicant proposes the same Conditions to the Zoning Request that had been previously approved by the County Commissioners in 2013:

PUD Zoning Conditions

1. The Property zoned as PUD will include no more than 117 acres developed consistent with R-6 zoning requirements, no less than 15 acres developed consistent with MF-12 zoning requirements, and no less than 21 acres developed consistent with NC zoning requirements.

2. No less than 15 acres of the PUD will be open/green space and buffers.

3. The Applicant will dedicate a forty-foot greenway trail easement within a buffer along the Southern Railroad tracks on the north side of the Property.

4. A detailed site plan will be provided to the City, for approval, prior to development of the property or any portion thereof.

IV.

OTHER CONSIDERATIONS

A. Transportation

As of the zoning of the subject parcel in 2013, the NCDOT 2010 Annual Daily Traffic Study reports 13,000 vehicles trips per day on US Highway 421N just west of Cumnock Road. The NCDOT 2012 Annual Daily Traffic Study reports 830 vehicles trips per day on Cotten Road. There are no traffic study reports for Cumnock Road. The construction of the northern end of the US 421 Bypass has now been completed. The Bypass intersects into Highway 421 with a partial cloverleaf interchange at Cumnock Road. The existing transportation network is sufficient to support the current and proposed future zoning classification. Access points, internal traffic circulation, and connectivity will be described and analyzed at the time of the Development Site Plan submittal.

B. Utilities

A 12-inch public water main is located in the right-of-way of Cumnock Road. A small water line appears to be in the right-of-way of Cotten Road and may be required to be upgraded. A public sewer line runs along the southern end of the property near Big Buffalo Creek. The applicants will coordinate with the City Public Works Department regarding connection to these public utilities. Based upon conversations with Public Works Director Mr. Vic Czar, the existing utility infrastructure is sufficient to support the current and proposed future zoning classification.
C. Environmental

The subject property is not located within a water supply watershed and, according to FEMA's Flood Insurance Rate Map #3710962500K, is not located within a floodplain.
Village of Cumnock

Annexation Zoning

Sanford
North Carolina

Pin: 9635-04-5989

Current Zoning: PUD
Proposed Zone: PUD

Submittals
First Submittal: 11/01/2019

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Cover Sheet
Existing Conditions: L-1
Example of Acreage Allocation: L-2
Annexation Plat: L-3
City Limits Map: L-4

Cover of Cumnock

Developer:
Village of Cumnock, LLC
P.O. Box 200
Sanford, North Carolina 27750
(919) 484-8880

Counsel:
Gray, Starnes & Hall, LLP
116 South Main Street
Sanford, North Carolina 27750
(919) 484-8888

Surveyor:
Gray, Starnes & Hall, LLP
116 South Main Street
Sanford, North Carolina 27750
(919) 484-8888

Landscape Architect:
TMTLA Associates
5011 Southpark Drive Ste 200
Durham, North Carolina 27713
(919) 484-8880

Example of Acreage Allocation

City Limits Map

Dee River
US 421
US 421 Bypass
Cotten Road
Southern Railroad
Valley Road
Iron Furnace Road

Site

11/01/2019

Developer:
Village of Cumnock, LLC
Counsel:
Gray, Starnes & Hall, LLP
Surveyor:
Gray, Starnes & Hall, LLP
Landscape Architect:
TMTLA Associates
GENERAL NOTES:
1. Topographic information taken from Lee County Graphic Information Services data.
2. Boundary information taken from digital file by Joyner-Keeney, PLLC.
3. There are areas of FEMA Floodplain located on this site. See FEMA Flood Panels 3710963500K and 3710962500K, both dated February 7, 2007.

SCALE: 1"=200'
EXAMPLE OF ACREAGE ALLOCATION

100 YR FLOODPLAIN
R-6 RESIDENTIAL
NC NEIGHBORHOOD COMMERCIAL
MF-12 MULTI-FAMILY
OPEN SPACE >15 acres

GENERAL NOTES:
1. Topographic information taken from Lee County Graphic Information Services. Data used to create this drawing was verified by field survey.
2. Data used to create this drawing was verified by field survey. Verification of final project acreage total shall be provided after field survey.
3. Acres and estimated acreages subject to field survey verification.
4. Complete site plan and/or plat for the individual phase or phases within the project shall be reviewed by the Planning Board and City Council and shall include site specific design standards which define each project phase of the development. The Planning Board and/or City Council shall have the authority to negotiate with the developer regarding said design elements to ensure that such design elements are complimentary to the themes and styles as established by the Village of Cumnock.
5. Floodplain areas will be maintained in open space and subject to maintenance and approval by the City of Sanford.
6. All streets shall be public. All street sections are dimensioned from face to face of curb.
7. All streets shall be privately owned and maintained and accessible to the public.
8. All streets shall be private owned and maintained and accessible to the public.
9. All streets shall be private owned and maintained and accessible to the public.
10. The center line radius for all streets shall be in accordance with the ITE “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach”, or demonstrated to function at approval of the City Engineer.
11. All trails shall be privately owned and maintained and accessible to the public.
12. All streets shall be private owned and maintained and accessible to the public.
13. All streets shall be private owned and maintained and accessible to the public.
14. All streets shall be private owned and maintained and accessible to the public.
15. All streets shall be private owned and maintained and accessible to the public.
16. A Master Sign Plan shall be developed and approved prior to the installation of any signage.
Lee County and the City Limits of Sanford
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF LEE COUNTY, NORTH CAROLINA

WHEREAS, a request to amend the Official Zoning Map has been received from The Village of
Cumnock, LLC (Case #2013-0804) to rezone 153.17± acres of land identified as Lee County Tax
Parcel 9635-04-5989-00 from Residential Restricted (RR) and Residential Agricultural (RA)
district to Planned Unit Development (PUD) district; and

WHEREAS, said request has been presented to the Lee County Planning Board; and

WHEREAS, the Lee County Board of Commissioners conducted a public hearing on August 19,
2013 to receive citizen input on the requested zoning map amendment; and

WHEREAS, the Lee County Board of Commissioners approves the request to amend the
Official Zoning Map of Lee County, North Carolina;

NOW, THEREFORE, BE IT ORDAINED BY THE LEE COUNTY BOARD OF
COMMISSIONERS:

The Official Zoning Map is hereby amended to rezone 153.17± acres of land identified as Lee
County Tax Parcel 9635-04-5989 from Residential Restricted (RR) and Residential Agricultural
(RA) district to Planned Unit Development (PUD) district. The property is also the same as
Parcel A1 on a survey map recorded in Plat Cabinet 9, Slide 82B, Lee County Registry of Deeds.
Attached application with conditions and maps for reference.

ADOPTED this the 7th day of Oct., 2013.

[Signature]
Charles T. Parks, Chairman
Lee County Board of Commissioners

[Signature]
Gaynell Lee, Clerk to the Board

APPROVED AS TO FORM:

[Signature]
Garris Neil Tarborough, County Attorney

FILED
LEE COUNTY
MOLLIE A. MCINNIS
REGISTER OF DEEDS

FILED Oct 23, 2013
AT 02:08:28 pm
BOOK 00003
START PAGE 0105
END PAGE 0106
INSTRUMENT # 07205
Recommendation of the Planning Board for Village of Cumnoak

Sanford/Lee County Community Development

Athea Thompson, Planner II

Consider recommendation of the Planning Board

Application No. 2013-0804 submitted by the Village of Cumnoak, LLC to rezone 153.17± acres of land from Residential Agricultural (RA) district and Residential Restricted (RR) district to Planned Unit Development District (PUD). The property is located north of Cotten Road, east of Cumnoak Road and adjoins the Southern Railroad right-of-way to the south. The property is the same as depicted on Tax Maps 9625.04, 9625.02, 9635.01 and 9635.03, Tax Parcel 9635-04-5989-00, Lee County Land Records. It is also the same as Parcel A1 on a plat recorded in Plat Cabinet 9, Slide 82B, Lee County Registry of Deeds.

N/A

(1) Planning Board Recommendation with staff report
(2) Zoning Map
(3) Ordinance to amend the Official Zoning Map of Lee County Application, Narrative and Exhibits submitted by applicant

No - held on August 19, 2013

N/A

Approve recommendation of the Planning Board with conditions proposed by the applicant to rezone 153.17± acres of land from Residential Agricultural (RA) district and Residential Restricted (RR) district to Planned Unit Development District (PUD) district.
RECOMMENDATION OF THE PLANNING BOARD
WITH STAFF REPORT SUBMITTED AT THE AUGUST 19, 2013 PUBLIC HEARING
APPLICATION 2013-0804

RECOMMENDATION OF THE PLANNING BOARD:
The Planning Board by a majority vote recommended approval of Application No. 2013-0804 with conditions proposed by the Village of Cumnock, LLC to rezone Lee Co. Tax Parcel 9635-04-5989-00 from Residential Agricultural (RA) and Residential Restricted (RR) district to Planned Unit Development District (PUD).

STAFF REPORT SUBMITTED AT THE PUBLIC HEARING:
Site and Area Description
The subject property is located north of Cotten Road, east of Cumnock Road and is bound by the Southern Railroad right-of-way. The property is 153.17-acres in size and is currently vacant. The parcel has over 1,000 feet of road frontage on Cumnock Road and over 2,000 feet of road frontage on Cotten Road, both NCDOT maintained streets.

Existing Zoning and Land Use
Zoning surrounding the site is Residential Restricted (RR) and Residential Agricultural (RA) district. The land uses in the area consists of low-density single family home sites and several large undeveloped tracts of land. The applicants own three 3 undeveloped tracts in the area that have been the subject of public hearings prior to this request. A tract owned by the applicants located at the intersection of US Highway 421 North and Cumnock Road was rezoned to Highway Commercial Conditional Zoning District in 2010.

Staff Analysis
The applicants have filed a total of four (4) rezoning applications in an effort to assemble the properties to be developed over time as a master-planned community. The plan will allow a mix of residential homes, commercial components to compliment the residential uses, industrial uses and open space for park uses and a site for a school.

The Residential Restricted (RR) district is established to provide areas for low-density single-family uses, with a maximum of one and one-half (1.5) dwelling units per acre. The dimensional standards include a minimum lot size of 30,000 square feet, with front and rear yard setbacks of 30 feet and a side yard setback of 15 feet.

The Residential Agricultural (RA) district is established to provide areas for low density single family uses with a maximum density of one (1) dwelling unit per acre. The RA district supports low intensity agricultural operations as well as agri-business and supportive industrial and commercial uses. Industrial operations are not permitted unless they clearly support an agricultural use. RA zoning protects and preserves valuable agricultural areas, implements agricultural protection zoning, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, sets maximum permissible densities or new zoning districts, defines specific areas for rural commercial uses, and identifies areas appropriate for agricultural preservation. The dimensional standards include a minimum lot size of 40,000 square feet, with front and rear yard setbacks of 30 feet and a side yard setback of 15 feet.
The applicants are requesting to rezone to Plan Unit Development (PUD) District. A PUD shall be considered a Conditional Zoning District and shall be processed in accordance with the Conditional Zoning District regulations outlined in Section 3.4 of the Unified Development Ordinance. A major site plan and detailed narrative text that specifies the uses and conditions that will govern the development and use of the property shall be submitted with an application for a PUD.

A Planned Unit Development district (PUD) is designed to provide for the orderly development of land with a mix of land uses and intensity. PUD zoning is intended to permit flexibility in the design, construction and processing of residential and non-residential developments of a quality that could not be achieved under conventional zoning approaches. While the conventional zoning districts and the requirements of those districts set forth in the UDO are reasonable, there may be circumstances in which it is in the community’s best interests to allow unique and/or creative designs and techniques that will promote the most appropriate use of a parcel, allow diversification of use, facilitate the adequate and economical provision of streets, parks, open space, schools, storm drainage and sewer and water utilities, preserve and utilize open space, offer recreational opportunities close to residential uses, and enhance neighborhood appearance.

Uses and Development Standards
The uses permitted in a PUD district shall be the permitted uses as set forth in the approved site plan. The site plan shall designate land use categories consistent with the zoning district classifications of this Ordinance. Within each land use category, proposed uses shall be subject only to the permitted uses in Tables 4.6-1 for each land use category and the maximum density for each land use category in Table 4.7-1. A Planned Unit Development may contain any type of Residential uses except Manufactured Homes. The land uses within a PUD shall not be subject to any of the dimensional or density provisions of the Ordinance, except that a perimeter setback of 25 feet shall be maintained. Uses within the PUD shall comply with Article 7 Buffering and Landscaping standards of the UDO except as otherwise provided. Streets within the PUD shall be public streets and shall conform to the requirements of Article 10 of the Unified Development Ordinance. If rezoned, a detailed site plan shall be reviewed and approved by the Boards.

PUD Rezoning Conditions Proposed by the Applicants
In addition to the general development standards required in the Unified Development Ordinance, the applicants propose the following Conditions to the Rezoning Request:

PUD Rezoning Conditions

1. The Property rezoned as PUD will include no more than 117 acres developed consistent with R-6 zoning requirements, no less than 15 acres developed consistent with MF-12 zoning requirements, no less than 21 acres developed consistent with NC zoning requirements

2. No less than 15 acres of the PUD will be open/green space and buffers.
3. The Applicant will reserve for a period of at least six (6) years from the date of the rezoning approval an undeveloped area of at least 25 acres in the southeast portion of the Property as shown on the Concept Plan for purchase by the Lee County School System for a future school site. Any and all utilities — as well as access points to Cotten Road and internal public roads near the reserved property — that are constructed on the Property by the landowner within the reservation period will be located after consultation with Lee County Schools System and will be sized to accommodate the eventual construction of a school on this portion of the property.

4. After the expiration of the reservation period set forth in Condition 3, that area of at least 25 acres in the southeast portion of the Property may be developed for uses consistent with the LI Light Industrial District or for a school consistent with that contemplated in Condition 3. Any and all utilities — as well as access points to Cotten Road and internal public roads near this area — that are constructed on the Property by the landowner after the Condition 3 reservation period has expired will be located after consultation with the executive director of the Lee County Economic Development Corp. and will be sized to be sufficient to accommodate the eventual construction of a business incubator park or office park on this portion of the property.

5. In the event that the 25-acre area referenced in Conditions 3 and 4 is developed for uses consistent with the LI Light Industrial District,
   (A) The following uses would be prohibited on the Property:
      a. Landfills, LCID (2 acres or less in size);
      b. Landfills, C&D or LCID (greater than 2 acres in size); and
      c. Sewage treatment and Water treatment plants.
      d. Chemicals, Plastics and Rubber products manufacturing
      e. Storage of Flammable Liquids (In Bulk) Above Ground Storage
      f. Mining and Quarries
      g. Tire Recapping; and
   
   (B) A planting yard buffer fifty-foot wide shall be preserved or provided along the property line on the east and north sides of this area, and plantings within such yard shall comply with Section 7.5.4 of the UDO, except that storm water detention and management facilities and/or greenways may be located within this buffer. Existing vegetation may be used to satisfy planting requirements in accordance with Section 7.5.4.3 of the UDO; and
   
   (C) No building footprint will be located within seventy-five feet of the property line on the east or north sides of this area.

6. The Applicant will dedicate a forty-foot greenway trail easement within a buffer along the Southern Railroad tracks on the north side of the Property.

7. A detailed site plan will be provided to the County, for approval, prior to development of the Property or any portion thereof.
Transportation
The NCDOT 2010 Annual Daily Traffic Study reports 13,000 vehicles trips per day on US Highway 421N just west of Cumnock Road. The NCDOT 2012 Annual Daily Traffic Study reports 830 vehicles trips per day on Cotten Road. There are no traffic study reports for Cumnock Road. Current road projects in the area include the construction of the northern end of the US 421 Bypass. The Bypass will intersect into Highway 421 with a partial cloverleaf interchange at Cumnock Road.

Utilities
A 12-inch public water main is located in the right-of-way of Cumnock Road. A small water line appears to be in the right-of-way of Cotten Road and may be required to be upgraded. A public sewer line runs along the southern end of the property near Big Buffalo Creek. The applicants are required to coordinate with the City Public Works Department regarding connection to these public utilities.

Emergency Response
The subject property is located within the West Sanford Fire District.

Environmental
The subject property is not located within a water supply watershed and according to FEMA's Flood Insurance Rate Map #3710902500K, is not located within a floodplain.

Conformance with the Sanford/Lee County 2020 Land Use Plan
The 2020 Land Use Plan and Map identify this property within a Conservation Zone. This zone is applied to areas adjacent to the rivers and other major water bodies in the county. The plan suggest that development in these areas be restricted to large lot single family with minimum lot sizes of 3 acres, and a 300-foot minimum buffer from the riverbanks. The Plan also notes that Planned Unit Developments (PUDs) with a minimum size of 100 acres may be permitted, provided that the overall gross density is less than two (2) residential units per acre with consideration given to protecting areas adjacent to the rivers and other water bodies, and the PUD is serviced with public utilities.

Neighborhood Meeting
The applicants/owners held a neighborhood meeting for the proposed rezoning on Thursday, July 18th, 2013 at the West Sanford Rural Volunteer Fire Department. In addition to the owners, Mr. Gray Styers, Attorney for the development and Mr. Tony Tate, Landscape Architect were also present. Approximately 30 citizens attended the meeting. Attorney Styers conducted the meeting and stated the objectives of the rezoning and future development.

Technical Review Committee
The Sanford/Lee County Technical Review Committee reviewed the concept plan at their June 27th, 2013 meeting. The Committee will review and provide guidance on all site plans related to the development of this property.
The City of Sanford has received an Annexation Petition for the property described below. When/if the subject property is annexed into the corporate City limits, for which the public hearing will also be held on September 15th, the Sanford City Council must assign a zoning district to the land within 60 days of the effective date of annexation (the zoning does not automatically stay the same). Therefore, the following application for a Zoning Map Amendment/Rezoning has also been submitted to the City of Sanford for review by the Planning Board and the City Council so that when/if the property is annexed, the applicant may move forward with the request to assign a zoning district to the land in a timely manner. The applicant would like to have the land annexed into the corporate City limits so that City services (public sewer, etc.) may be utilized in developing the site. The applicant has requested to keep the current zoning of Planned Unit Development (PUD) as previously assigned by Lee County in 2013.

**Applicant:** Michael L. Mazzella, Registered Agent for Village of Cumnock, LLC  
**Owner:** Village of Cumnock, LLC  
**Request:** Rezone to maintain the current Planned Unit Development (PUD) zoning  
**Location:** Vacant tract of land with frontage on Cotten Road, Cumnock Road and Zimmerman Road  
**Township:** West Sanford  
**Schools:** BT Bullock Elementary, East Lee Middle School, and Lee Senior High School  
**Tax Parcel:** 9635-04-5989-00  
**Adjacent Zoning:**  
North: Opposite the railroad tracks, Light Industrial with a Conditional Use Permit (LI-CU)- Lee Co.  
South: Residential Restricted (RR), Residential Agricultural (RA), Multi-family (MF-12), and Residential Agricultural with a Conditional Use Permit (RA-CU) – Lee County  
East: Residential Agricultural (RA) -Lee County  
West: Adjoining, Highway Commercial (HC) and Residential Agricultural (RA) – Sanford  
West: Opposite Cumnock Rd, Residential Agricultural (RA) and Highway Commercial (HC) -Sanford  

**Introduction:** As a follow-up to the annexation request, Michael L. Mazzella of Village of Cumnock, LLC has submitted a request to rezone a vacant 153.17 ± acre tract of land with frontage on Cotten Road, Cumnock Road, and Zimmerman Road from Planned Unit Development (PUD) within Lee County to Planned Unit Development (PUD) within the City of Sanford for the purpose of marketing/developing a Planned Unit Development (PUD), with the land uses and density illustrated on plans labeled “Example of Acreage Allocation, Village of Cumnock” submitted with the rezoning application. Therefore, he has submitted a rezoning request for your consideration.  

**Site and Area Description:** The subject property is located northeast of the intersection of Cotten Road and Cumnock Road and south of Zimmerman Road in the Cumnock community.
Surrounding Land Uses:
- **North:** Opposite the railroad tracks, vacant land that is wooded and has an area of floodplain
- **South:** Opposite Cotten Road, houses, a church, and vacant wooded land
- **East:** Vacant wooded land with an area of floodplain
- **West:** Opposite Cumnock Road, houses, a fire department, a community building and a church

Zoning District Information
**Existing/Proposed Zoning - PUD Zoning General Info.:** The purpose of the Planned Unit Development district (PUD) is to provide for the orderly development of land with a mix of land uses and intensity. PUD zoning is intended to permit flexibility in the design, construction and processing of residential and non-residential developments of a quality that could not be achieved under conventional zoning approaches. While the conventional zoning districts and the requirements of those districts set forth in the UDO are reasonable, there may be circumstances in which it is in the community’s best interests to allow unique and/or creative designs and techniques that:

- promote the most appropriate use of a parcel,
- allow diversification of use,
- facilitate the adequate and economical provision of streets, parks, open space, schools, storm drainage and sewer and water utilities,
- preserve and utilize open space,
- offer recreational opportunities close to residential uses, and
- enhance neighborhood appearance.

A PUD shall consist of not less than five continuous acres and shall be considered a Conditional Zoning District with a site plan and detailed narrative specifying the uses and conditions. The site plan shall designate land use categories with zoning district classifications, proposed land uses, and maximum densities subject per the UDO standards. PUD zoning is intended to permit flexibility in the design, construction and processing of residential, commercial and/or industrial developments of a quality that could not be achieved under conventional zoning concepts. All facilities including parks, open space, streets, water, sewer, storm water, and landscaping that are not dedicated to and accepted by a municipality or county shall be maintained by the entities listed in Article 4 of the UDO, including, but not limited to, a condominium association, a homeowners’ association, or a cooperative housing corporation.

**Existing/Proposed Zoning – Village of Cumnock PUD 2020 Zoning Info.:**
Per the narrative provided with the rezoning application:

1.) The subject property will include not more than 117 acres developed consistent with Residential-Mixed (R-6) zoning requirements, no less than 15 acres developed consistent with Multi-family (MF-12) zoning requirements, and no less than 21 acres developed consistent with the Neighborhood Commercial (NC) requirements.
   - *The Acreage Allocation plan illustrates 116.74 acres of Residential-Mixed (R-6) zoning.*
   - *The Acreage Allocation plan illustrates 21.42 acres of Neighborhood Commercial (NC) zoning*
   - *The Acreage Allocation plan illustrates 10.08 + 4.93 acres = 15.01 acres total of Multi-family (MF-12) zoning*

2.) No less than 15 acres of the PUD will be open/green space and buffers.
3.) The applicant will dedicate a 40ft greenway trail easement within a buffer along the Southern Railroad tracks on the north side of the property.
4.) A detailed site plan will be provided to the City for approval prior to development of the property or any portion thereof.

Per the information illustrated/noted within the Village of Cumnock Annexation / Zoning civil set:

- The Acreage Allocation plan illustrates 116.74 acres of Residential-Mixed (R-6) zoning.
- The Acreage Allocation plan illustrates 21.42 acres of Neighborhood Commercial (NC) zoning.
- The Acreage Allocation plan illustrates 10.08 + 4.93 acres = 15.01 acres total of Multi-family (MF-12) zoning.
- No development shall occur unless or until a developer submits a site plan and/or preliminary plat for the individual phases within the project for review & approval by the Planning Board and City Council. This information shall include specific standards which illustrate the characteristics that define each particular phase of the development. The Planning Board and City Council shall have the authority to negotiate with the developer regarding the design standards to ensure that such design elements are complimentary to the themes and styles as established or envisioned for the entire Village of Cumnock.
- A legally responsible Owners Association shall be established to maintain private alleys, trails, open space, parking lots and community recreation facilities.
- All utilities shall be public and located underground.
- All streets shall be public.
- All trails shall be privately owned and maintained and accessible to the public.
- All development is subject to the delineation of wetlands subject to NCDWQ and the U.S. Army Corp of Engineers regulations.
- All buildings are subject to review and approval by the village of Cumnock Architectural Committee.
- All street connections to Cumnock Road and Cotten Road are subject to approval from NCDOT. *Staff note: Connections to any/all NCDOT maintained public roads will require review/approval by NCDOT.*
- A Master Sign Plan shall be developed and approved prior to the installation of any signage.

**Overlay Districts**

*Long Range Plan: The Plan SanLee land use plan identifies the future land use place type for this tract of land as “Village Neighborhood,” which has the following characteristics:*  
  - Low density single-family dwellings with interconnected street network
  - Area surrounding Village Center
  - Pedestrian connectivity and access to Village Center
  - Local example – 1st Street neighborhood in Broadway

Land use designations include Open Space (undeveloped open space, forests), Civic (schools, churches, neighborhood parks), Residential (single-family detached dwellings). Forms of transportation include (from low to high priority mode) public transit, on-street bike lanes & off-trail system, Sidewalks & off-street trails, and vehicular connectivity. Context includes Development Density with up to 4 dwelling units per acre with moderate building setbacks and a 35ft height limit with a Utility Infrastructure of public & private water and public & private wastewater, and a Preferred Character of an interconnected grid street network with a 600-800ft block length that has tree-lines streets with sidewalks. Types of
zoning include current districts of RR, R-20, R-14, and R-12SF and a proposed district of Low Density Residential.

Local Overlay District Notes: Per GIS, the parcels are not located within an established floodplain or watershed. The parcels are also not located within a designated wetland area or a local historic district. 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 public water main lines that runs parallel to Cotten Road and Cumnock Road. The developer proposes to extend public sanitary sewer to serve this site. If the rezoning is approved, all new development or redevelopment that proposes to connect to public water and/or 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 frontage on Cotten Road, Cumnock Road, and Zimmerman Road, all of which NCDOT maintained public roadways with a 60ft right-of-way. Whether or not roadway improvements will be required as part of the development of this project associated with this rezoning is undetermined at this time because the developer has not created the plans or other information that NCDOT will need to review in order to make this determination.

Development Standards: If rezoned, all of the uses permitted in the Planned Unit Development (PUD) zoning would be allowed and any future development of the subject property will be required to correspond with the approved plans or, if the item is not specifically addressed on another manner, meet the current development standards of the UDO. All site development must comply with the North Carolina State Building Code, the State Fire Code, ADA compliance, and any other application codes and regulations. Simply rezoning the property does not allow someone to occupy the site for a proposed use without compliance with all other applicable codes and regulations. Also, existing site conditions should be taken into consideration when/if the site design is created for the proposed development.

Public Information Meeting: A public information was held on Thursday, August 27, 2020 to allow the applicant and staff to share information about this request and associated project with the adjoining property owners and other interested parties. There were approximately 10 citizens in attendance with 4 project representatives and several staff members present. Topics of discussion included the proposed density per the Acreage Allocation plan vs. the existing density in the area, the fact that whether or not roadway improvements will be required is not able to be determined at this time, and that the proposed locations of new roadways into the future development(s) is unknown.

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: The Plan SanLee land use plan identifies the future land use place type for this tract of land as “Village Neighborhood”. This was intended to serve as a place holder for future development in the area when the plan was adopted in 2018 to recognize that the property was rezoned to a PUD by the County in 2013 but was unknown when/if the Village of Cumnock project would move forward. The information provided for the Village of Cumnock PUD in 2013 appears to be the same with the exception that the 25 acres originally reserved for six years to allow Lee County to purchase it as a school site, with the provision that after six years it could be developed as a Light Industrial site, is no longer included. Therefore, staff recommends that the rezoning request be approved as proposed via the site plan specific conditional zoning process.
REZONING APPLICATION

Application by Michael Mazzella
to rezone 153+/- acres off of Cotten Road
from PUD (in Lee County) to PUD (in the City of Sanford)
as part of an annexation request.

This is a graphic illustration and not a legal document.
REZONING APPLICATION Application by Michael Mazzella to rezone 153+/- acres off of Cotten Road from PUD (in Lee County) to PUD (in the City of Sanford) as part of an annexation request.

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REZONING APPLICATION Application by Michael Mazzella to rezone 153+/- acres off of Cotten Road from PUD (in Lee County) to PUD (in the City of Sanford) as part of an annexation request.

This is a graphic illustration and not a legal document.
VILLAGE NEIGHBORHOOD

- Low density single-family dwellings with interconnected street network
- Area surrounding Village Center
- Pedestrian connectivity and access to Village Center

Local Example - 1st Street Neighborhood in Broadway

OUTSIDE OF UTILITY SERVICE AREAS

INSIDE OF UTILITY SERVICE AREAS

LAND USE

- Open Space
  - Undeveloped
  - Open Space, Forests
- Civic
  - Schools, Churches, Neighborhood Parks
- Residential
  - Single Family Detached Dwellings

ZONING

CURRENT DISTRICTS
- RR
- R-20
- R-14
- R-12SF

PROPOSED DISTRICTS
- Low Density Residential

TRANSPORTATION

- Low Priority Mode
  - Public Transit
- High Priority Mode
  - Public Transit
  - On-street bike lanes, off-trail system
  - Sidewalks, off-street trails
  - Vehicular connectivity

CONTEXT

- Development Density
  - Up to 4 dwelling units / acre
  - Moderate Building Setbacks
  - 35 Foot Height Limit
- Utility Infrastructure
  - Public & Private Water
  - Public & Private Wastewater
- Preferred Character
  - Interconnected Grid Street Network
  - 6-800 Foot Block Length
  - Tree Lined Streets with Sidewalks
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<td>MASON, DEBORAH OLDHAM</td>
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|   | 9625-96-3778-00 | 20 ZIMMERMAN RD | BRYANT, THOMAS KEVIN | - | 20 ZIMMERMAN RD | SANFORD | NC | 27330
|---|---|---|---|---|---|---|---|---|
| 22 | 9625-96-3760-00 | 1036 CUMNOCK RD | JOHNSON, WANDA B (CAMPBELL) | - | 2207 DUNBAR DR | SANFORD | NC | 27332
| 23 | 9625-96-5785-00 | 74 ZIMMERMAN RD | BRYANT, ED JR (LIFE ESTATE) | BRYANT, JUANITA H (LIFE ESTATE) | 74 ZIMMERMAN RD | SANFORD | NC | 27330
| 24 | 9625-96-4429-00 | 996 CUMNOCK RD | SPIVEY, BENJAMIN W | - | 1008 CUMNOCK RD | SANFORD | NC | 27330
| 25 | 9625-96-3214-00 | 956 CUMNOCK RD | LAWSON, ROMONA, ASCOUGH | - | 956 CUMNOCK RD | SANFORD | NC | 27330
| 26 | 9625-96-2096-00 | 920 CUMNOCK RD | PHILLIPS, STEVEN P | PHILLIPS, PATRICIA D | 920 CUMNOCK RD | SANFORD | NC | 27330
| 27 | 9625-95-4711-00 | 864 CUMNOCK RD | CRAIG, TIMOTHY H | CRAIG, WENONAH W | 864 CUMNOCK RD | SANFORD | NC | 27330
| 28 | 9625-95-3486-00 | 804 CUMNOCK RD | WEST SFD RURAL VOL FIRE DEPT INC | - | 104 PERKINSON RD | SANFORD | NC | 27330
| 29 | 9625-96-1905-00 | 1073 CUMNOCK RD | HALL, NANCY | - | 1065 CUMNOCK RD | SANFORD | NC | 27330
| 30 | 9625-96-1714-00 | 1039 CUMNOCK RD | HALL FAMILY PROPERTIES OF SANFORD LLC | - | 1007 CUMNOCK RD | SANFORD | NC | 27330
| 31 | 9625-96-0664-00 | 1007 CUMNOCK RD | HALL FAMILY PROPERTIES OF SANFORD LLC | - | 1007 CUMNOCK RD | SANFORD | NC | 27330
| 32 | 9625-96-0592-00 | 0 CUMNOCK RD | BEAL, IRENE K | - | 5015 WHITWOOD LN | WINSTON SALEM | NC | 27104
| 33 | 9625-96-0485-00 | 0 CUMNOCK RD | BEAL, IRENE K | - | 5015 WHITWOOD LN | WINSTON SALEM | NC | 27104
| 34 | 9625-86-9326-00 | 957 CUMNOCK RD | DEGON, DOUGLAS | - | 957 CUMNOCK RD | SANFORD | NC | 27330
| 35 | 9625-96-0119-00 | 937 CUMNOCK RD | WILLET, WILLIAM D | - | 937 CUMNOCK RD | SANFORD | NC | 27330
| 36 | 9625-86-8083-00 | 875 CUMNOCK RD | WICKER, WINFRED (LIFE ESTATE) | - | 879 CUMNOCK RD | SANFORD | NC | 27330
| 37 | 9625-85-8806-00 | 0 CUMNOCK RD | WICKER, WINFRED (LIFE ESTATE) | - | 879 CUMNOCK RD | SANFORD | NC | 27330
| 38 | 9625-95-0719-00 | 851 CUMNOCK RD | CUMNOCK METHODIST CHURCH | - | 851 CUMNOCK RD | SANFORD | NC | 27330
| 39 | 9625-85-8761-00 | 831 CUMNOCK RD | BURNS, CLINTON STEVE | BURNS, SARAH H | 831 CUMNOCK RD | SANFORD | NC | 27330
| 40 | 9625-85-8663-00 | 817 CUMNOCK RD | BOST, BILLY S | BOST, DENISE H | 643 PUMPING STATION RD | SANFORD | NC | 27330
| 41 | 9625-85-8538-00 | 5501 CUMNOCK RD | WEST SANFORD RURAL FIRE DEPT | - | 104 PERKINSON RD | SANFORD | NC | 27330
| 42 | 9625-85-8426-00 | 793 CUMNOCK RD | BURNS, JOSEPH PHILLIP | BURNS, LOIS M | 793 CUMNOCK RD | SANFORD | NC | 27330
| 43 | 9625-85-8208-00 | 745 CUMNOCK RD | STACKHOUSE, PATRICIA C | - | 745 CUMNOCK RD | SANFORD | NC | 27330
| 44 | 9625-85-7196-00 | 723 CUMNOCK RD | MILLS, VICTOR | MILLS, GLADYS T | 3013 FOGGY MOUNTAIN LOOP | SANFORD | NC | 27330
| 45 | 9625-84-7965-00 | 683 CUMNOCK RD | MILLS, ANGEL DARLENE | - | 683 CUMNOCK RD | SANFORD | NC | 27330
| 46 | 9625-84-8808-00 | 649 CUMNOCK RD | JOHNS, ARCHIE T (HEIRS) | JOHNS, MARY LOUISE | 633 CUMNOCK RD | SANFORD | NC | 27330
| 47 | 9625-84-7785-00 | 633 CUMNOCK RD | BALDWIN, DONALD RAY | BALDWIN, CHRISTINE J | 633 CUMNOCK RD | SANFORD | NC | 27330 |
| 48 | 9625-84-6425-00 | 40 GALAXY LN | FLACK, C V JR | - | 5600 WHIP POOR WILL ST | DURHAM | NC | 27704 |
| 49 | 9625-84-4326-00 | 3934 COTTEN RD | WOMBLE, LANCE A | WOMBLE, YOLANDA N | 3934 COTTEN RD | SANFORD | NC | 27330 |
| 50 | APPLICANT AND PROPERTY OWNER: | 0 COTTEN ROAD | VILLAGE OF CUMNOCK, LLC | MIKE L MAZELLA, REGISTERED AGENT AND MANAGER | 4712 SHADOW RIDGE CT | HOLLY SPRINGS | NC | 27540-9163 |

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

City of Sanford

1. Applicant Name: Braden Riley (Riley Walker Development)
2. Applicant Address: PO Box 3248 Pinehurst, NC 28734
3. Applicant Telephone: 919-601-1217
4. Name and Address of Property Owner(s) if different than applicant:
   ML CONSULTING OF SANFORD LLC PO BOX 487 SANFORD, NC 27331
   LAKETREE INC PO BOX 766 SPRING LAKE, NC 28390
5. Location of Subject Property: North side of Center Church Road, west of Tramway Crossing Shopping Center
   Lee Co. P.I.N.: 9631-44-0754-00, 9631-44-1034-00, 9631-34-0972-00
6. Total Area Included in Rezoning Request: 16.43 Acres
7. Zoning Classification: Current: C-2 Requested: MF-12-C
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Change of zoning and increase in density beyond general use base zoning.

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.

    Braden Riley
    4/30/2020

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

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

Circle Jurisdiction That Applies:
- City of Sanford
- Lee County
- Town of Broadway

1. Type of Conditional Zoning District (Type 1 or Type 2) Type 2

2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary):
   Proposal is for a multifamily development in excess of 12 DUA.

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

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

Proposal is for 252 units on 16.43 acres, yielding 15.34 DUA.

All other regulations from the UDO still apply to the site plan.

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

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

[Signature: Braden Riley]

Date 4/30/2020

Signature (Sign & Print)

L:\Forms & Certifications\Zoning Supplemental Appl (Updated 2018-07-01)
PINE RESERVE APARTMENTS PROJECT DESCRIPTION for
CONDITIONAL REZONING

The development of the property described as Pine Reserve Apartments in the submitted exhibits will be completed as a two-phase apartment building community featuring three apartment buildings and a clubhouse in phase one and eight apartment buildings in phase two. The site is currently vacant and is located behind an existing shopping center; there is one environmentally sensitive area on the site, being the wetland, which will divide the two phases.

This community is located north of Center Church Road and west of the Tramway Shopping Center. Primary access to the property will be from Center Church Road with additional access points from the east.

The project will cover a total of approximately 16.43 acres and will consist of 252 units, yielding a density of 15.34 units per acre. All apartment buildings are 3-story and are comprised of 1-, 2- and 3-bedroom units. This density, composed of primarily 2-bedroom units, is proposed to take advantage of the commercial establishments in the area.

The apartment community will provide a pleasing aesthetic through both architecture and vegetation. The architecture follows a traditional massing and is enhanced with a brick base, various siding patterns to add interest and asphalt shingles; colors will be varying earth tones.

The landscape plan not only provides areas for saved trees and ample buffers, but also incorporates much additional vegetation and additional color and feel to the community. This mix of complementary architecture and varied vegetation for the community will also help transition from other surrounding uses to the surrounding commercial uses to the east. Sidewalks will be located throughout the community and will provide pedestrian access to the shopping center.

All property setbacks follow the UDO. Public water and sewer utilities are readily available for the project and any cost to modify or change these utilities to serve the proposed development will be borne by the developer.
Tramway Apartments

Apartment Complex will have approximately 264 units. There will be three access points, 1 off US 1, and 2 off SR 1303.

Land Use: 220, Apartment, Weekday, PM peak Hour of Generator, PG: 310, Average Rate: 0.67, with 61% Entering and 39% Exiting.

NC 78 ADT = 13,500 in 2018. Assuming a 2% growth rate and a completion year of 2022, ADT = 14,613.
US 1 ADT = 36,500 in 2018. Assuming a 2% growth rate and a completion year of 2022, ADT = 39,510.

264 units x 0.67 = 177 Trips, 108 Entering Trips 69 and Exiting Trips

14,613 / 2 lanes x 10% Peak Hour = 731 vph of opposing traffic volume on SR 1303.
39,510 / 4 lanes x 10% Peak Hour = 988 vph of opposing traffic volume on US 1.

Assume 70% of Entering Trips will use Drive off US1, = 76 trips
Assume 30% of Entering Trips will use Entrances off SR 1303 = 32 trips, with 75% of those trips using Main Entrance = 24 trips, and 25% using Secondary Entrance = 8 trips.

Assume total trips are distributed as follows:
SR 1303 Main Entrance: Right-in = 90%, 22 trips
Left-in = 10%, 2 trips
SR 1303 Secondary Entrance: Right-in = 90%, 7 trips
Left-in = 10%, 1 trips
US 1 Entrance: Right-in = 90%, 68 trips
Left-in = 10%, 8 trips

Recommendation:
Per the graph below, a 50 ft. Right Turn lane with appropriate tapers will be required at the Main Entrance on SR1303.
Also, a 125 ft. Right Turn lane was triggered at US 1 Entrance. Note that there is an existing Right Turn Lane on US 1 that is approximately 150 ft. long that meets this requirement.
TRAMWAY APARTMENTS

CONCEPT PLAN

TRAMWAY, NORTH CAROLINA

DECEMBER 27, 2019

Development Tabulation

Total Acreage = +/- 16.43 acres

Number of Units = 264 units (16 DUAs)
- 1 Bedroom = 60 units
- 2 Bedroom = 168 units
- 3 Bedroom = 36 units

Parking Required = 414 spaces
Parking Provided = +/- 475 spaces
(All spaces 9' x 18' with 24' wide drive aisle)

Open Space Required = +/- 1.64 acres (10%)
Open Space Provided = +/- 4.10 acres (+/- 25%)

All perimeter setbacks are a minimum of 20'

SCALE: 1" = 100'

KOONTZJONES Design
LAND PLANNING | LANDSCAPE ARCHITECTURE
TRAMWAY APARTMENTS
CONCEPT PLAN

TRAMWAY, NORTH CAROLINA
DECEMBER 27, 2019

New gravity sewer mains shall be 8”
New water mains shall be 8”
New Sewer Force Main shall be 4” to carry 103 gallons per
minute peaked sewer flow \((9,040/1440) \times 2.5 = 103 \text{ gpm}\)

Development Tabulation

Total Acreage = +/- 16.43 acres

Number of Units = 264 units (16% DUA)
  - 1 Bedroom = 60 units
  - 2 Bedroom = 168 units
  - 3 Bedroom = 36 units

Parking Required = 414 spaces
Parking Provided = +/- 475 spaces
(All spaces 9’ x 18’ with 24’ wide drive aisle)

Open Space Required = +/- 1.64 acres (10%)
Open Space Provided = +/- 4.10 acres (10% + 25%)

All perimeter setbacks are a minimum of 20’

SCALE: 1” = 100’
PINE RESERVE APARTMENT
CONCEPTUAL FRONT ELEVATION

NOTES:
- BASE TO BE BRICK
- SIDING TO BE VINYL, IN DIFFERENT PATTERNS TO ADD INTEREST
- SIDING TO BE VINYL, CLAD
- ROOF SHINGLES TO BE ARCHITECTURAL ASPHALT SHINGLES
- COLOR TO BE VARIES EARTH TONES
PINE RESERVE APARTMENT

CONCEPTUAL SIDE ELEVATION

NOTES:
- BASE TO BE BRICK
- SIDING TO BE VINYL IN DIFFERENT PATTERNS TO ADD INTEREST
- WINDOWS TO BE VINYL CLAD
- ROOF SHINGLES TO BE ARCHITECTURAL ASPHALT SHINGLES
- COLOR TO BE VARYING EARTH TONES
PINE RESERVE APARTMENTS

CONDITIONAL REZONING DOCUMENTS

SANFORD, NORTH CAROLINA

MAY 1, 2020
1.0 LANDSCAPE NOTES:

1.1 THE PLANS FOR LANDSCAPE PURPOSES ONLY.

1.2 LAWN AND LANDSCAPE UTILITIES HAVE NOT BEEN VERIFIED BY THE OWNER. LANDSCAPE ARCHITECT, OR THEIR REPRESENTATIVES. PLEASE CALL BEFORE WORK.

1.3 THE CONTRACTOR SHALL DETERMINE THE EXISTING LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREE TO BE RESPONSIBLE FOR ANY DAMAGES TO EXISTING UTILITIES, WHICH MAY RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY EXISTING UTILITIES, IN ACCORDANCE WITH THE CONTRACT.

1.4 THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS TO ENSURE THAT THE NEW WORK SHALL FIT INTO THE EXISTING SITE IN THE MANNER OF MATCHLINE-SEE SHEET L-2.1

1.5 THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREE TO BE RESPONSIBLE FOR ANY DAMAGES WHICH MIGHT RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY EXISTING UTILITIES, IN ACCORDANCE WITH THE CONTRACT.

1.6 THE CONTRACTOR SHALL NOTIFY THE OWNER SHOULD THEY DESIRE TO MAKE ANY ALTERNATIONS TO THE PLANT SCHEDULE IN THE INSTALLATION PROCESS.

1.7 THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE RESPONSIBLE FOR ANY DAMAGES WHICH MIGHT RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY EXISTING UTILITIES, IN ACCORDANCE WITH THE CONTRACT.

1.8 PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.

1.9 REQUESTS FOR SUBSTITUTION IN PLANT MATERIAL SHALL STATE THE NAMES AND ASSOCIATION OF NURSERYMEN (AAN). PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.

2.0 BUFFERS

2.1 ALL PLANT MATERIALS TO BE INSTALLED WILL BE SUBJECT TO INSPECTIONS BY THE CONTRACTOR AND THE OWNER, OR THEIR REPRESENTATIVE, AT ANY TIME DURING THE INSTALLATION PROCESS.

2.2 THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS TO ENSURE THAT THE NEW WORK SHALL FIT INTO THE EXISTING SITE IN THE MANNER OF MATCHLINE-SEE SHEET L-2.1

2.3 THE LANDSCAPE CONTRACTOR IS SUBJECT TO INSPECTIONS BY THE OWNER AND/OR THEIR REPRESENTATIVE AT ANY TIME DURING THE INSTALLATION PROCESS.

2.4 LAWN AND LANDSCAPE UTILITIES HAVE NOT BEEN VERIFIED BY THE OWNER. LANDSCAPE ARCHITECT, OR THEIR REPRESENTATIVES. PLEASE CALL BEFORE WORK.

2.5 THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREE TO BE RESPONSIBLE FOR ANY DAMAGES WHICH MIGHT RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY EXISTING UTILITIES, IN ACCORDANCE WITH THE CONTRACT.

2.6 THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE RESPONSIBLE FOR ANY DAMAGES WHICH MIGHT RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY EXISTING UTILITIES, IN ACCORDANCE WITH THE CONTRACT.
1.0 LANDSCAPE NOTES

1.1 This plan is for landscape purposes only.

1.2 Underground utilities have not been verified by the owner, landscape architect, or their representatives. Please call before you dig.

1.3 The contractor shall determine the exact location of all existing utilities before commencing work and the owner and contractor which may result from the contractor's failure to exactly locate and preserve any underground utilities to remain.

1.4 The contractor shall verify existed conditions to ensure that the new work shall not interfere with the existing utilities or structures. The owner and contractor shall notify the owner representative prior to performing any work in or near any underground utilities or structures. When any underground utilities are not located, the contractor shall consult with the owner for the use of an alternative method to protect the underground utilities.

1.5 All work shall meet or exceed the requirements of all applicable federal, state, municipal, and local regulations and requirements.

1.6 It shall be the contractor's responsibility to perform all work in a manner that prevents damage to other utilities, such as power, gas, water, drainage, streets, sidewalks, sewers, driveways, and driveways, etc. The contractor shall be responsible for any damage caused to these utilities.

1.7 The contractor shall determine the exact location of all existing utilities before commencing work and agrees to be responsible for any and all damages which may result from the contractor's failure to exactly locate and preserve any underground utilities to remain.

2.0 BUFFERS

2.1 Landscape revisions as per lighting plan.

2.2 The landscape contractor is subject to random inspections by the owner and the owner's representative at any time during the installation process.

2.3 Irrigation to be provided.

2.4 All materials shall be subject to approval by the landscape architect. The owner, landscape architect, or their representatives shall meet the normal requirements for the variety or cultivar according to the American Standard for Cultivation and Landscaping of Turfgrass (ASA), the American Standard for Cultivation and Landscaping of Trees and Shrubs (ASA), and the American Standard for Cultivation and Landscaping of Woody Vines (ASA). The contractor shall consult with the owner for the use of an alternative method to protect the underground utilities.

2.5 All materials shall be subject to approval by the landscape architect. The owner, landscape architect, or their representatives shall meet the normal requirements for the variety or cultivar according to the American Standard for Cultivation and Landscaping of Turfgrass (ASA), the American Standard for Cultivation and Landscaping of Trees and Shrubs (ASA), and the American Standard for Cultivation and Landscaping of Woody Vines (ASA). The contractor shall consult with the owner for the use of an alternative method to protect the underground utilities.

2.6 All materials shall be subject to approval by the landscape architect. The owner, landscape architect, or their representatives shall meet the normal requirements for the variety or cultivar according to the American Standard for Cultivation and Landscaping of Turfgrass (ASA), the American Standard for Cultivation and Landscaping of Trees and Shrubs (ASA), and the American Standard for Cultivation and Landscaping of Woody Vines (ASA). The contractor shall consult with the owner for the use of an alternative method to protect the underground utilities.

2.7 All materials shall be subject to approval by the landscape architect. The owner, landscape architect, or their representatives shall meet the normal requirements for the variety or cultivar according to the American Standard for Cultivation and Landscaping of Turfgrass (ASA), the American Standard for Cultivation and Landscaping of Trees and Shrubs (ASA), and the American Standard for Cultivation and Landscaping of Woody Vines (ASA). The contractor shall consult with the owner for the use of an alternative method to protect the underground utilities.

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The City of Sanford has received an Annexation Petition for the two tracts of land fronting Center Church Road identified as 9631-34-9072-00 and 9631-44-1034-00, which are included with the subject property. When/if the subject property is annexed into the corporate City limits, for which the public hearing will also be held on September 15th, the Sanford City Council must assign a zoning district to the land within 60 days of the effective date of annexation (the zoning does not automatically stay the same). Therefore, the following application for a Zoning Map Amendment/Rezoning has also been submitted to the City of Sanford for review by the Planning Board and the City Council so that when/if the property is annexed, the applicant may move forward with the request to assign a zoning district to the land in a timely manner. The applicant would like to have the land annexed into the corporate City limits rezoned in order to develop a multi-family apartment community that would be served with public water and sewer.

**Applicant & Owner:** Riley & Walker Development, LLC | Mr. Braden Riley, Managing Member

**Request:** Rezone from General Commercial (C-2) to Multi-family-12 Conditional Zoning District (MF-12-C)

**Location:** 154/156 Center Church Road, 124 Center Church Road and a vacant adjoining lot

**Township:** Pocket

**Council Ward:** Ward 1

**Schools:** Greenwood (Lee Co.) & JR Ingram Elementary Schools (City of Sanford)
SanLee Middle School, and Southern Lee High School

**Fire District:** Tramway Fire Dept. (Lee Co.) & City Station #3 (City of Sanford)

**Tax Parcels:** 9631-34-9072-00, 9631-44-1034-00, and 9631-44-0754-00

**Adjacent Zoning:**
- North: Residential Single-family (R-20)
- South: Residential Agricultural (RA) – Lee County
- East: General Commercial (C-2)
- West: Residential Agricultural (RA) – Lee County

**Introduction:** Braden Riley of Riley & Walker Development has submitted a request to rezone 16.43 acres to allow for the development of the site as a multi-family apartment community; therefore, he has submitted a rezoning request for your consideration.

**Site and Area Description:** The subject property is located west of the intersection of US Hwy 1/Jefferson Davis Hwy and Center Church Road. It is to the rear of the Tramway Crossing shopping center and has frontage on Center Church Road.

**Surrounding Land Uses:**
- **North:** Vacant tract of land that is wooded and has an area of floodplain
South: Opposite, Center Church Road is wooded vacant land
East: Tramway Crossing shopping center zoned General Commercial (C-2)
West: Wooded vacant land

Zoning District Information

Existing Zoning: The General Commercial (C-2) district is established to provide areas for general commercial activities designed to serve the community such as shopping centers, repair shops, wholesale businesses, and retail sales with limited outdoor display of goods and limited outdoor operations. This district promotes a broad range of commercial operations and services necessary for large regions of the County, providing community balance. C-2 zones should be located on or within proximity to major thoroughfares.

Proposed Zoning: The proposed zoning is the Multi-family-12 Conditional Zoning District (MF-12-C). A conditional zoning district allows a property owner to place additional conditions upon an existing, equivalent conventional, general use zoning district. A Conditional Zoning District Type 2 is a conditional zoning district created for the purpose of allowing a property owner to place additional conditions upon an existing, equivalent conventional, general use zoning district. Conditional Zoning District Type 2 would be the preferred zoning approach if a petitioner desired to (a) to reduce or narrow the number of permitted uses and/or (b) impose higher level design standards than that which exists within an equivalent general use zoning district. Conditional Zoning District Type 2 would also be practical in situations where a petitioner desires to install or construct additional buffers or other physical features that would serve to increase the protection afforded neighboring properties and/or the appearance of the proposed development. It is also understood that such a district would need to be designed so as to maintain the integrity and characteristics of the surrounding community as well as conform to the spirit and intent of the UDO.

Only the property owner of a proposed Conditional Zoning District Type 2 shall be eligible to apply for rezoning to a Conditional Zoning District. The owner shall specify the use of the property and shall propose additional conditions to ensure compatibility between the development and the surrounding neighborhood. The conditions shall include all of the following (as applicable):

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

The application shall include a site plan and detailed narrative text that specifies the conditions that will govern the development and use of the property. Any conditions in association with a Conditional Zoning District and so authorized shall be perpetually binding upon the property included in such Conditional Zoning District.

Multi-family-12 Conditional Zoning District (MF-12-C)
• The location of the subject property is illustrated on the plans submitted with the application.
• 252 apartment units are proposed on 16.43 acre, with a density of 15.34 units per acre
• The parking lots, driveways, and access streets; are illustrate on the plans
• The location and extent of buffer areas and other special purpose areas are illustrated on the plans
• The applicant may provide information regarding the timing of the development at the public hearing
• The location and extent of rights-of-way and other areas to be dedicated for public purposes are illustrated on the plans
• And any other such conditions the applicant may wish to propose.

The conceptual site plans and architectural plans illustrate the site design and buildings, street configuration, and the open space areas.

Overlay Districts
Long Range Plan: The Plan SanLee land use plan identifies the future land use place type for this tract of land as “Mixed Use Activity Area,” which has the following characteristics:
  o Facilitate development of large-scale integrated mix of uses
  o Single master-planned unit, but contextually integrated into surrounding development pattern, including strong mobility linkages
  o Within close proximity to highway interchanges and major arterials
  o Local example – US 1 / Spring Lane Interchange Area in Sanford

Land use designations include Civic (government services, public gathering spaces), Open Space (urban open space), Employment (professional offices and business services), Residential (attached single-family dwellings, multi-family dwellings, and upper story residence), and Commercial (retail, personal services, and entertainment). Forms of transportation include (from low to high priority mode) transit routes that accommodate trucking, public transit, on-street bike lanes, sidewalks and vehicular connectivity. Context includes Development Density with mixed commercial lot sizes, MF 16+ dwelling units/acre, Shallow to moderate building setbacks, and a 50ft height limit, Utility Infrastructure with public water and public wastewater, and a Preferred Character of a 2-4 lane urban street network, core grid street network, 300-500ft block length, sidewalks & street trees, on-street & rear parking, and landscaped off-street parking. The Current Districts include Highway Commercial, General Commercial (C-2), Light commercial & Office (C-1), Office & Institutional (O&I), and Multi-family (MF-12) – all as primary districts. The Proposed Districts are General Commercial (C-2), Office & Institutional (O&I), and Multi-family Residential.

Local Overlay District Notes: Per GIS, the parcels are not located within an established floodplain or watershed. The parcels are also not located within a designated wetland area or a local historic district. 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 public water main line that runs parallel to Center Church Road. The developer proposes to extend public sanitary sewer from an existing manhole located in the northwestern corner of US Hwy 1 and Center Church Road. If the rezoning is
approved, all new development or redevelopment that proposes to connect to public water and/or 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 300ft of frontage on Center Church Road, a NCDOT maintained public roadway with a 60ft right-of-way. The site plan illustrates a main entrance drive off of Center Church Road and two secondary entrance connections to the adjoining shopping center. All internal drives will be private driveways that will be maintained by the property owner as part of the apartment community.

**Development Standards:** If rezoned, all of the uses permitted in the Multi-family-12 Conditional Zoning District (MF-12-C) would be allowed and any future development of the subject property will be required to correspond with the approved plans or, if the item is not specifically addressed on another manner, meet the current development standards of the UDO. All site (re)development site must comply with the North Carolina State Building Code, the State Fire Code, ADA compliance, and any other application codes and regulations. Simply rezoning the property does not allow someone to occupy the site for a proposed use without compliance with all other applicable codes and regulations. Also, any existing site conditions, such as the removal of the existing structures, should be taken into consideration when/if the site is redesigned.

**Public Information Meeting:** A public information meeting is scheduled to be held on Thursday, September 10, 2020 to allow the applicant and staff to share information about this request and associated project with the adjoining property owners and other interested parties. This agenda was created prior this date; therefore, information regarding topics of discussion and attendance will be provided during the staff presentation of this report at the public hearing.

**Staff Information Regarding a Recommendation from the Planning Board:** The recommendation from the Planning Board should include language describing whether or not 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:**

The *Plan SanLee* land use plan identifies the future land use place type for this tract of land as “Mixed Use Activity Area”, which includes allowing multi-family projects of 16 units per acre and up in an area near a highway interchange/major arterial roadways with a mix of uses, which this project complies with. Also, the Sanford/Lee County Technical Review Committee (TRC) was amenable with the project moving forward for review/approval by the Planning Board and City Council with the design as proposed; therefore, staff recommends that the rezoning request be approved as proposed via the site plan specific conditional zoning process.
REZONING APPLICATION 2020-0902:
Application by Riley Walker Development
to rezone 16.43 acres off of Center Church Road
from C-2 to MF-12-C.

This is a graphic illustration and not a legal document.
All information is comprised of layers of data that may or may not align correctly.
REZONING APPLICATION 2020-0902:
Application by Riley Walker Development
to rezone 16.43 acres off of Center Church Road
from C-2 to MF-12-C.

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from C-2 to MF-12-C.

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

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

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

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**Development Density**
- Mixed Commercial Lot Sizes
- MF 16+ dwelling units / acre
- Shallow to Moderate Building Setbacks
- 50 Foot Height Limit

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

**Preferred Character**
- 2-4 Lane Urban Street Network
- Core Grid Street Network
- 3-500 Foot Block Length
- Sidewalks + Street Trees
- On-Street + Rear Parking
- Landscaped Off-Street Parking

**Current Districts**
- HC/C-2/C-1 (Primary)
- OI (Primary)
- MF-12 (Primary)

**Proposed Districts**
- General Commercial
- Office & Institutional
- Multi-Family Residential
ADJOINING PROPERTY OWNERS LIST

PETITION BY:  Riley Walker Development
REQUEST:  Rezone from General Commercial (C-2) to Muti-family (MF-12-C) CZ District
LOCATION:  16.43 acres at 154/156 & 124 Center Church Road and an adjoining vacant tract
PIN:  9631-34-9072-00, 9631-44-1034-00 and 9631-44-0754-00
DATE:  2020-09-02

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<td>APPLICANT: RILEY WALKER DEVELOPMENT</td>
<td>ATT: BRADEN RILEY</td>
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<td>PINEHURST</td>
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(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 Thursday, September 3, 2020.

2020-08-01
1. REZONING APPLICATION / ZONING MAP AMENDMENT: Application by Mike Mazzella for property owned by Village of Cumnock, LLC, to rezone a vacant 153 ± acre tract of land with frontage on Cotten Road, Cumnock Road, and Zimmerman Road for the purpose of marketing/developing a Planned Unit Development (PUD) with the land uses and density illustrated on a plan labeled “Example of Acreage Allocation, Village of Cumnock” submitted as part of the application. The plan illustrates 116.74 acres designated as Residential-Mixed (R-6), 21.42 acres labeled Neighborhood Commercial (NC), 10.08 acres labeled Multi-family (MF-12) and 4.93 acres labeled Multi-family (MF-12). The subject property is zoned Planned Unit Development (PUD) and is identified as Lee County Tax Parcel 9635-04-5989-00. The applicant has requested to keep the current zoning of Planned Unit Development (PUD) as previously assigned by Lee County in 2013.

2020-08-02
2. REZONING APPLICATION / ZONING MAP AMENDMENT: Application by Riley Walker Development for property owned by Pine Reserve, LLC to rezone three adjoining tracts of land totaling 16.43 acres from General Commercial (C-2) to Multi-family (MF-12-C) Conditional Zoning District with the intent being to develop a multi-family apartment community via a site plan specific conditional zoning district. Tract 1 is 0.73 acre tract of land, developed with a house addressed as 154/156 Center Church Road, and identified as Lee County tax parcel 9631-34-9072-00. Tract 2 is a 1.19 acre tract of land developed with a house addressed as 124 Center Church Road, and identified as Lee County tax parcel 9631-44-1034-00. Tract 3 is a 14.5 acre vacant tract of land that adjoins the Tramway Crossing Shopping Center to the rear, and is identified as Lee County tax parcel 9631-44-0754-00. All parcels are identified on Lee County Tax Map 9631.03 and 9631.01.

Signature: ___________________________ Date: 2020-09-04

Title: ZONING ADMINISTRATOR

Lee County, North Carolina

I, Thomas Mensch, a Notary Public for Lee County and State of North Carolina do hereby certify that Amy McNeill personally appeared before me on this day and acknowledged the due execution of the foregoing Instrument. Witness my hand and official seal, this the 4th day of September, 2020.

Notary Public Signature

My Commission expires 9/30/2023
September 3, 2020

Dear Adjacent Property Owner:
The Zoning Ordinance of Sanford, North Carolina requires that adjacent property owners be notified when a request for a change in zoning classification has been scheduled for a public hearing before the Sanford City Council and Planning Board.

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint public hearings on Tuesday, September 15, 2020 in the Dennis A. Wicker Conference & Civic Center at 1801 Nash Street, Sanford, N.C. The Boards will consider two (2) 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:

The City of Sanford has received an Annexation Petition for the property described below as item number one. When/if the subject property is annexed into the corporate City limits, for which the public hearing will be held on September 15th, the Sanford City Council must assign a zoning district to the land within 60 days of the effective date of annexation (the zoning does not automatically stay the same). Therefore, the following application for a Zoning Map Amendment/Rezoning has also been submitted to the City of Sanford for review by the Planning Board and the City Council so that when/if the property is annexed, the applicant may move forward with the request to assign a zoning district to the land in a timely manner. The applicant would like to have the land annexed into the corporate City limits so that City services (public sewer, etc.) may be utilized in developing the site. The applicant has requested to keep the current zoning of Planned Unit Development (PUD) as previously assigned by Lee County in 2013.

1. REZONING REQUEST / ZONING MAP AMENDMENT: Application by Mike Mazzella for property owned by Village of Cumnock, LLC, to rezone a vacant 153 ½ acre tract of land with frontage on Cotten Road, Cumnock Road, and Zimmerman Road for the purpose of marketing/developing a Planned Unit Development (PUD) with the land uses and density illustrated on a plan labeled “Example of Acreage Allocation, Village of Cumnock” submitted as part of the application. The plan illustrates 116.74 acres designated as Residential-Mixed (R-6), 21.42 acres labeled Neighborhood Commercial (NC), 10.08 acres labeled Multi-family (MF-12) and 4.93 acres labeled Multi-family (MF-12). The subject property is zoned Planned Unit Development (PUD) and is identified as Lee County Tax Parcel 9635-04-5989-00. The applicant has requested to keep the current zoning of Planned Unit Development (PUD) as previously assigned by Lee County in 2013.
The City of Sanford has received an Annexation Petition for two tracts of land fronting Center Church Road included with the subject property described below as item number two. When/if the subject property is annexed into the corporate City limits, for which the public hearing will also be held on September 15th, the Sanford City Council must assign a zoning district to the land within 60 days of the effective date of annexation (the zoning does not automatically stay the same). Therefore, the following application for a Zoning Map Amendment/Rezoning has also been submitted to the City of Sanford for review by the Planning Board and the City Council so that when/if the property is annexed, the applicant may move forward with the request to assign a zoning district to the land in a timely manner. The applicant would like to have the land annexed into the corporate City limits rezoned in order to develop a multi-family apartment community that would be served with public water and sewer.

2. REZONING APPLICATION / ZONING MAP AMENDMENT: Application by Riley Walker Development for property owned by Pine Reserve, LLC to rezone three adjoining tracts of land totaling 16.43 acres from General Commercial (C-2) to Multi-family (MF-12-C) Conditional Zoning District with the intent being to develop a multi-family apartment community via a site plan specific conditional zoning district. Tract 1 is 0.73 acre tract of land, developed with a house addressed as 154/156 Center Church Road, and identified as Lee County tax parcel 9631-34-9072-00. Tract 2 is a 1.19 acre tract of land developed with a house addressed as 124 Center Church Road, and identified as Lee County tax parcel 9631-44-1034-00. Tract 3 is a 14.5 acre vacant tract of land that adjoins the Tramway Crossing Shopping Center to the rear, and is identified as Lee County tax parcel 9631-44-0754-00. All parcels are identified on Lee County Tax Map 9631.03 and 9631.01.

The public is cordially invited to attend. Further information may be obtained from the Sanford/Lee County Zoning & Design Review Department, 115 Chatham Street, Suite 1, Sanford, NC 27330 or by calling (919) 718-4656. Upon request and with 24-hour notice, the County will provide an interpreter for the hearing impaired or any other type of auxiliary aid.

Cualquier cuidadano 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.
CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint public hearings on Tuesday, September 15, 2020 in the Dennis A. Wicker Conference & Civic Center at 1801 Nash Street, Sanford, N.C. The Boards will consider two (2) 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:

The City of Sanford has received an Annexation Petition for the property described below as item number one. When/if the subject property is annexed into the corporate City limits, for which the public hearing will also be held on September 15th, the Sanford City Council must assign a zoning district to the land within 60 days of the effective date of annexation (the zoning does not automatically stay the same). Therefore, the following application for a Zoning Map Amendment/Rezoning has also been submitted to the City of Sanford for review by the Planning Board and the City Council so that when/if the property is annexed, the applicant may move forward with the request to assign a zoning district to the land in a timely manner. The applicant would like to have the land annexed into the corporate City limits so that City services (public sewer, etc.) may be utilized in developing the site. The applicant has requested to keep the current zoning of Planned Unit Development (PUD) as previously assigned by Lee County in 2013.

1. REZONING REQUEST / ZONING MAP AMENDMENT: Application by Mike Mazzella for property owned by Village of Cumnock, LLC, to rezone a vacant 153 + acre tract of land with frontage on Cotten Road, Cumnock Road, and Zimmerman Road for the purpose of marketing/developing a Planned Unit Development (PUD) with the land uses and density illustrated on a plan labeled “Example of Acreage Allocation, Village of Cumnock” submitted as part of the application. The plan illustrates 116.74 acres designated as Residential-Mixed (R-6), 21.42 acres labeled Neighborhood Commercial (NC), 10.08 acres labeled Multi-family (MF-12) and 4.93 acres labeled Multi-family (MF-12). The subject property is zoned Planned Unit Development (PUD) and is identified as Lee County Tax Parcel 9635-04-5989-00. The applicant has requested to keep the current zoning of Planned Unit Development (PUD) as previously assigned by Lee County in 2013.

The City of Sanford has received an Annexation Petition for the two tracts of land fronting Center Church Road identified as 9631-34-9072-00 and 9631-44-1034-00, which are included with the subject property described below as item number two. When/if the subject property is annexed into the corporate City limits, for which the public hearing will also be held on September 15th, the Sanford City Council must assign a zoning district to the land within 60 days of the effective date of annexation (the zoning does not automatically stay the same). Therefore, the following application for a Zoning Map Amendment/Rezoning has also been submitted to the City of Sanford for review by the Planning Board and the City Council so that when/if the property is annexed, the applicant may move forward with the request to assign a zoning district to the land in a timely manner. The applicant would like to have the land annexed into the
corporate City limits rezoned in order to develop a multi-family apartment community that would be served with public water and sewer.

2. REZONING APPLICATION / ZONING MAP AMENDMENT: Application by Riley Walker Development for property owned by Pine Reserve, LLC to rezone three adjoining tracts of land totaling 16.43 acres from General Commercial (C-2) to Multi-family (MF-12-C) Conditional Zoning District with the intent being to develop a multi-family apartment community via a site plan specific conditional zoning district. Tract 1 is 0.73 acre tract of land, developed with a house addressed as 154/156 Center Church Road, and identified as Lee County tax parcel 9631-34-9072-00. Tract 2 is a 1.19 acre tract of land developed with a house addressed as 124 Center Church Road, and identified as Lee County tax parcel 9631-44-1034-00. Tract 3 is a 14.5 acre vacant tract of land that adjoins the Tramway Crossing Shopping Center to the rear, and is identified as Lee.

The public is cordially invited to attend. Further information may be obtained from the Sanford/Lee County Zoning & Design Review Department, 115 Chatham Street, Suite 1, Sanford, NC 27330 or by calling (919) 718-4656. Upon request and with 24-hour notice, the County will provide an interpreter for the hearing impaired or any other type of auxiliary aid.

Cualquier cuidadano 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, September 4, 2020 and on Friday, September 11, 2020. 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.