1. **MEETING CALLED TO ORDER**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT**

5. **APPROVAL OF AGENDA**

6. **CONSENT AGENDA**

7. **SPECIAL AGENDA**

8. **CASES FOR PUBLIC HEARING**
   
   **A.** Consider Public Hearing on the Issuance of Sanford Housing Authority Multi-Family Housing Revenue Bonds to Finance the Garden Street Development, Gilmore Terrace Development and Matthews Court Development – (Pages 4 – 5)
   
   - Consider Adoption of Resolution Providing Approval of Multi-Family Housing Facilities Known as Garden Street, Gilmore Terrace, and Matthews Court in the City of Sanford, North Carolina and the Financing Thereof with Multi-Family Housing Revenue Bonds in an Aggregate Amount not to Exceed $17,000,000 – (Pages 6 - 8)
   
   **B.** Public Hearing Municipal Service District (MSD) Expenditures
   
   - Consider Approval of Expenditures – (Page 9)
   
   **C.** Public Hearing on Hawkins Avenue Sewer Extension
   
   - Consider Adoption of Resolution Confirming Assessment Roll and Levying Assessments – Hawkins Avenue Sewer Extension – (Pages 10 - 12)
   
   **D.** Public Hearing on Modifying the Terms of an Economic Development Project with Kalyani Precision Machinery Inc. and Bharat Forge Aluminum USA, Inc. – (Page 13)
9. **DECISIONS ON PUBLIC HEARINGS**

Application by Curry Engineering to rezone the following six tracts of land totaling approximately 8.29 acres to the Southeastern Development Apartments Conditional Zoning District to allow for the development of an apartment community with a clubhouse and associated amenities. Tract 1: 9652-61-0830-00 is a 1.20 acre tract of land zoned General Commercial (C-2) developed as a real estate office/property development company addressed as 2505 Dalrymple Street and illustrated as Lot 2 on a 2000 plat labeled Recombination Survey for White Dog Properties, recorded at Plat Cabinet 9, Slide 57G of the Lee County Register of Deeds Office. Tract 2: 9652-61-2624-00 is a 2.25-acre vacant tract of land with frontage on Dalrymple Street, zoned General Commercial (C-2), and illustrated as Lot 3 on a 2000 plat labeled Recombination Survey for White Dog Properties, recorded at Plat Cabinet 9, Slide 57G of the Lee County Register of Deeds Office. Tract 3: 9652-61-7648-00 (portion of) is a 3.22 acre portion of 5.41 acre tract of land zoned General Commercial (C-2) developed as a restaurant addressed as 2600 S. Horner Blvd and illustrated as a 5.41 acre lot on a 2013 plat labeled Boundary Survey for Sonic, Sanford, NC, recorded at Plat Cabinet 2013, Slide 49 of the Lee County Register of Deeds Office. Tract 4: 9652-61-1414-00 is a 0.30-acre tract of land zoned Residential-Mixed (R-6) and developed with a house addressed as 2517 Dalrymple Street. Tract 5: 9652-61-2494-00 is a 1.01-acre vacant tract of land with frontage on Dalrymple Street zoned Residential-Mixed (R-6). Tract 6: 9652-61-2410-00 is a 0.31-acre tract of land zoned Residential-Mixed (R-6) and developed with a house addressed as 2603 Dalrymple Street. All of the lots are illustrated on Lee County Tax Map 9652.19. – (Pages 14 – 21)

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

- Consider Vote to Approve or Deny the Rezoning Request – Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Pages 22 - 37)

10. **REGULAR AGENDA**

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

A. Consideration of a Preliminary Plat Labeled “Southern Estates, Preliminary Plan” for a New 87-lot Residential Single-family Home Subdivision with Open Space – (Pages 38 - 47)

B. Consideration of a Preliminary Plat Labeled “Winstead Farms, Phase 2” for a New 12-lot Residential Single-family Home Subdivision *(This site is located in the City of Sanford’s ETJ)* – (Pages 48 - 54)

C. Consideration of a Preliminary Plat Labeled “Winstead Farms, Phase 5” for a New 4-lot Residential Single-family Home Subdivision *(A small area of this site is located in the City of Sanford’s ETJ, with the majority of the site being within the jurisdiction of Lee County)* – (Pages 55 - 61)
D. Consideration of a Preliminary Plat Labeled “Moncure Valley Subdivision” off of Lower Moncure Road (This site is located in the City of Sanford’s ETJ) – (Pages 62 - 81)

E. Consider Reimbursement Resolution – Project Forge – Infrastructure Improvements – (Page 82)

F. Consider Annual Operating Budget Amendment FY 19-20 – Project Forge – Infrastructure Improvements – (Pages 83 - 84)

G. Consider Grant Project Ordinance – Project Forge – Infrastructure Improvements – (Page 85)

H. Consider Reimbursement Resolution – Project Forge – Site Preparation / Roadway – (Page 86)

I. Consider Annual Operating Budget Amendment FY 19-20 – Project Forge – Site Preparation / Roadway) – (Pages 87 - 88)

J. Consider Grant Project Ordinance – Project Forge – Site Preparation/Roadway – (Page 89)

K. Consider Preliminary Assessment Resolution – Franklin Drive Water Line Extension – (Page 90)

L. Consider Adoption of a Resolution in Support of NCDOT Improvements Associated with Project Forge – (Page 91)

M. Consider Accepting Golden LEAF Foundation Grant for Infrastructure Improvements Associated with Project Forge – (Pages 92 - 98)

N. Consider Interlocal Agreement Between the City of Sanford and Lee County for Project Forge – (Pages 99 – 100)

12. OTHER BUSINESS

13. ADJOURNMENT
CERTIFICATE AND SUMMARY OF PUBLIC HEARING

The undersigned Chief Executive Officer of the Sanford Housing Authority (the “Authority”) hereby certifies:

1. Notice of a public hearing (the “Hearing”) to be held on September 23, 2019, with respect to the issuance of multifamily housing revenue bonds in one or more series in a maximum principal amount not to exceed $17,000,000 by the Sanford Housing Authority for the benefit of Matthews Garden Gilmore, LLC, a North Carolina limited liability company, or affiliated or related entities, was published on September 15, 2019 in The Sanford Herald.

2. The presiding officer of the Hearing was Chairman Hope White.

3. The following is a list of the names and addresses of all persons who spoke at the Hearing:

None.

4. The following is a summary of the oral comments made at the Hearing:

None.

IN WITNESS WHEREOF, my hand and the seal of the Sanford Housing Authority this 23rd day of September, 2019.

[Signature]
Chief Executive Officer
Sanford Housing Authority
AFFP
NOTICE OF PUBLIC HEARING ON PR

Affidavit of Publication

STATE OF NORTH CAROLINA } SS
COUNTY OF } LEE

Kimberly Cook, being duly sworn, says:

That she is the billing clerk of the The Sanford Herald, a daily newspaper of general circulation, printed and published in Sanford, County, North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

September 15, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

[Signature]

the billing clerk

Subscribed to and sworn to me this 15th day of September 2019.

[Signature]

Barbara M Daniels, Notary, Guilford, County, North Carolina
My commission expires: February 01, 2022

30151928 30879421

Sonna J. Greene
McGuireWoods LLP
434 Fayetteville Street
Raleigh, NC 27601
RESOLUTION PROVIDING APPROVAL OF MULTIFAMILY HOUSING
FACILITIES KNOWN AS GARDEN STREET, GILMORE TERRACE, AND
MATTHEWS COURT IN THE CITY OF SANFORD, NORTH CAROLINA
AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING
REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED
$17,000,000

WHEREAS, the City Council of the City of Sanford (the “City”) met in Sanford, North
Carolina at 6:00 p.m. on the 1st day of October, 2019; and

WHEREAS, the Sanford Housing Authority (the “Issuer”) has tentatively agreed to issue
its multifamily housing revenue bonds in an amount not to exceed $17,000,000 (the “Bonds”), for
the purpose of financing the acquisition, rehabilitation and equipping by Matthews Garden
Gilmore, LLC, a North Carolina limited liability company, or affiliated or related entities (the
“Borrower”), of the following low and moderate income multifamily residential rental facilities in
the City: Garden Street, consisting of 56 two and three bedroom units located on an approximately
12.17 acre site at 1021 Clark Circle, Sanford, North Carolina 27330 (the “Garden Street
Development”); Gilmore Terrace, consisting of 70 one, two, three, four and five bedroom units
located on an approximately 16.31 acre site at 1131-A James Street, Sanford, North Carolina
27330 (the “Gilmore Terrace Development”); and Matthews Court, consisting of 50 studio, one
and two bedroom units located on an approximately 4.50 acre site at 338 Temple Avenue, Sanford,
North Carolina 27330 (the “Matthews Court Development” and, together with the Garden Street
Development and the Gilmore Terrace Development, the “Developments”); and

WHEREAS, the maximum principal amount of Bonds expected to be issued for each of
the Garden Street Development, the Gilmore Terrace Development and the Matthews Court
Development is $4,960,000, $7,540,000 and $4,500,000, respectively; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the
“Code”), requires that any bonds issued by the Issuer for the Developments may only be issued
after approval of the plan of financing by the City following a public hearing with respect to such
plan; and

WHEREAS, on September 23, 2019, the Issuer held a public hearing with respect to the
issuance of the Bonds to finance the Developments (as evidenced by the Certificate and Summary
of Public Hearing attached hereto) and has requested the City to approve the issuance of the Bonds
as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely
to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an
endorsement of the Bonds or the Developments or the creditworthiness of the Borrower, nor shall
such approval in any event be construed to obligate the City for the payment of the principal of or
premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or
agreement of any kind whatsoever which may be undertaken by the Issuer, or to constitute the
Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City within the
meaning of any constitutional or statutory provision whatsoever;
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANFORD:

1. The proposed low income housing development consisting of the acquisition, rehabilitation and equipping of the Developments described above in the City of Sanford, North Carolina by the Borrower and the issuance of the Authority’s multifamily housing revenue bonds therefor in an amount not to exceed $17,000,000, to be comprised of not to exceed $4,960,000 in bonds for the Garden Street Development, $7,540,000 in bonds for the Gilmore Terrace Development and $4,500,000 in bonds for the Matthews Court Development, are hereby approved for purposes of Section 147(f) of the Code. The Mayor is hereby authorized to execute such approval certificates as may be required to evidence the City’s approval of the issuance of the Bonds solely for purposes of Section 147(f) of the Code.

2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Bonds or the Borrower.

3. The issuance of the Bonds shall not constitute a debt or pledge of the faith and credit of the City, and the City shall have no responsibility or liability with respect to the Bonds or the payment thereof.

4. The approval of the issuance of the Bonds contained in this resolution is independent of any other approval or approvals by the City Council or the City that may be required in connection with the Developments (the “Additional Approvals”), and nothing contained in this resolution shall be construed to imply that any such Additional Approvals will be granted or to bind the City Council or the City in any way with respect to any Additional Approvals.

5. This resolution shall take effect immediately upon its passage.

Councilmember ______________ moved the passage of the foregoing resolution and Councilmember ______________ seconded the motion, and the resolution was passed by the following vote:

Ayes: Councilmembers ______________________________________________________

Nays: ________________________________________________________________

Not voting: ______________________________________________________________

* * * * *
CERTIFICATION

I, Bonnie D. Davis, City Clerk of the City of Sanford, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution adopted by the City Council for the City of Sanford, North Carolina, in regular session convened on October 1, 2019, and that such proceeds of such meeting are recorded in the minutes of the City Council. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the City Council is on file in my office.

WITNESS my hand and the corporate seal of the City of Sanford, North Carolina, this the 1st day of October, 2019.

__________________________________________
City Clerk

(SEAL)
Please add a public hearing for MSD expenditure approvals to the October 1, 2019 council meeting. Finance has taken care of sending the public notice advertisements to the Sanford Herald as required by law. The list of expenditures to be approved is listed below.

Printing $1,500

   Downtown Trick or Treating
   Jack o'lantern trail
   Holiday Open House
   Small Business Saturday/Holiday Punch Cards
   Christmas Tree Lighting

Contractual Services $4,500

   Trick or Treating
   Holiday Open House
   Small Business Saturday
   Christmas Tree Lighting

Board Liability Insurance $450

Let me know if you have any questions or need additional information.

Thanks,

Cindy

Cindy O’Quinn
Senior Budget Analyst
City of Sanford
PO Box 3729
Sanford, NC 27331-3729
(919)777-1141
RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS

HAWKINS AVENUE SEWER EXTENSION

WHEREAS, the City Council of the City of Sanford held a public hearing on the 1st day of October 2019, after due notice as required by law, on the Preliminary Assessment Roll for the sewer extension of approximately 1,175 linear feet along or near Hawkins Avenue.

WHEREAS, the City Council heard all those present who requested to be heard, and found the said assessment Roll to be proper and correct;

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

1. The Assessment Roll for the sewer extension of approximately 1,175 linear feet along or near Hawkins Avenue is hereby declared to be correct, and is hereby confirmed in accordance with G.S. 160A-228, and the assessments shown thereon are hereby levied pursuant to authority granted by G.S. 160A-216, as attached.

2. The City Clerk is hereby directed to deliver to the City Tax Collector the said Assessment Roll, and the Tax Collector is hereby charged with the collection of the said assessments in accordance with the procedure established by law.

3. The City Tax Collector is hereby directed to publish on the 23rd day of October, 2019 a notice of confirmation of the Assessment Roll, which notice shall set forth the terms of payment of the assessments, with the first installment payment becoming due and payable on the 60th day following confirmation, and the succeeding installments to become due and payable on the same date in succeeding years.

Adopted this 1st day of October, 2019.

____________________________________
T. Chet Mann, Mayor

ATTEST:

_________________________________
Bonnie Davis, City Clerk

_________________________________
Susan C. Patterson, City Attorney
## CITY OF SANFORD
### ASSESSMENT ROLL FOR SEWER EXTENSION
#### HAWKINS AVENUE SEWER EXTENSION

<table>
<thead>
<tr>
<th>No.</th>
<th>Property Owner</th>
<th>Property Address</th>
<th>Pin #</th>
<th>Lots</th>
<th>Amount Assessed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Yvan Durand</td>
<td>2410 Hawkins Avenue, Sanford, NC 27331</td>
<td>9644-63-9231-00</td>
<td>1</td>
<td>$6,994.83</td>
</tr>
<tr>
<td>2</td>
<td>Church of Christ of Sanford</td>
<td>2404 Hawkins Avenue, Sanford, NC 27331</td>
<td>9644-72-1948-00</td>
<td>1</td>
<td>$6,994.83</td>
</tr>
<tr>
<td>3</td>
<td>Jimmy and Kim Love</td>
<td>2328 Hawkins Avenue, Sanford, NC 27331</td>
<td>9644-72-2723-00</td>
<td>1</td>
<td>$6,994.83</td>
</tr>
<tr>
<td>4</td>
<td>Jimmy and Etta Love</td>
<td>2324 Hawkins Avenue, Sanford, NC 27331</td>
<td>9644-72-2577-00</td>
<td>1</td>
<td>$6,994.83</td>
</tr>
<tr>
<td>5</td>
<td>Jimmy and Etta Love</td>
<td>2320 Hawkins Avenue, Sanford, NC 27331</td>
<td>9644-72-2386-00</td>
<td>1</td>
<td>$6,994.83</td>
</tr>
<tr>
<td>6</td>
<td>Jimmy and Etta Love</td>
<td>0 Hawkins Avenue, Sanford, NC 27331</td>
<td>9644-72-0071-00</td>
<td>1</td>
<td>$6,994.83</td>
</tr>
</tbody>
</table>

**Schedule of Discounts:** None
Sewer Extension on Hawkins Ave

City of Sanford
Engineering Department - PO Box 3729 - Sanford, NC 27331

Date: 08/13/2019
Scale: Not to Scale
Drawn By: Staff
On August 9, 2019, pursuant to North Carolina General Statute §158-7.1, the City of Sanford advertised a public hearing regarding a proposed economic development project with a company to be named later, wherein, the City of Sanford proposed to participate in the cost of the project with the City sharing up to $4,372,483, with revenues from the City’s General Fund. The project details have changed and Lee County proposes to contribute an additional $700,000 to the City of Sanford for site preparation.

The project consists of construction of an industrial building and the purchase of machinery and equipment in an amount estimated to be $170,363,980 by two subsidiary companies of the Kalyani Group in Sanford, Lee County, North Carolina. The City proposes to share an amount estimated to be $5,001,166 towards the cost of the project plus an additional $700,000 contributed by Lee County towards site improvements; however, the total amount of incentive payments may be more or less than the stated amount as it is calculated as a percentage of actual property taxes paid by the companies, based on actual capital investments. One subsidiary company has a goal of creating 156 new full-time jobs at an average annual wage of $47,992 and making an investment of $43,000,000 and another subsidiary company has the goal of creating 304 new full-time jobs at an average annual wage of $47,056 and an investment of $127,363,980, over the ten-year life of the project.

A portion of the funding provided by the City or a non-profit funded by the City will provide water and sewer line improvements to the industrial buildings, road improvements internal to the site and payments or reimbursements of actual site preparation costs. The funding for these improvements will be in the amount of approximately $2,200,000, and will come from state grant funds, the Enterprise Fund, and the General Fund of the City, with future property tax collections from the companies reimbursing a portion of these costs and providing a positive return on investment to the City. These investments by the City will lead to the capital investments and jobs being created as referred to above, and overall positive impacts on the City’s economy.

This project will stimulate the local economy, promote additional business activity, create a substantial number of new jobs and increase payroll in Sanford.

A public hearing on the proposed economic development incentive investments for this project will be held on Tuesday, October 1, 2019 at 6:00 p.m., or as soon thereafter as the matter can be reached on the meeting agenda, in the Council Chambers, Sanford Municipal Building, at 225 East Weatherspoon St., Sanford, N.C. All interested persons are invited to attend and present their views.

Bonnie D. Davis, City Clerk
RECOMMENDATION FROM PLANNING BOARD:
The Planning Board recommends that the City Council support the petition by Curry Engineering to rezone from General Commercial (C-2) and Residential-Mixed (R-6) to Southeastern Development Apartments Conditional Zoning District to allow for the development of an apartment community with a clubhouse and associated amenities, subject to the following recommendations:

• Orient Apartment Building 1 to face E. Main Street
• Orient Apartment Buildings 2 & 3 to face Dalrymple Street
• Extend the sidewalk along all of the Dalrymple Street frontage
• Add sidewalk to connect the interior sidewalk to the pool and clubhouse

The Planning Board was amenable to the developer’s proposal to limit/enforce the number of vehicles allowed per unit as part of the apartment rental/lease agreement that was explained as a “ticketed” system whereby each tenant would have a “ticket” or sticker that would be placed in/on the vehicle to indicate that it is allowed to park within the apartment community and all others would be towed.

The long range plan identifies most of this site as “Downtown” which includes multi-family dwellings as a use with a suggested density of 10-16 units per acre. This project appears to comply with the land use designation for the Downtown area, while exceeding the suggested density.

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

VOTE #1: APPROVE A STATEMENT ON LONG RANGE PLAN CONSISTENCY AS IT RELATES TO THIS REZONING REQUEST:

Motion Option 1: “The proposed design appears to comply with the Plan SanLee designation of “Downtown”, which includes multi-family dwellings as a use; therefore, I make a motion that that the request IS consistent with the adopted long-range plan.”

Motion Option 2: “I make a motion that that the request IS NOT is consistent with the adopted comprehensive plan.”

Option 3 - Unique motion: The suggested motions above are provided based on the recommendation and findings of the Planning Board. The City Council members are free to create a unique motion based on different articulated findings.
VOTE #2: TO APPROVE OR DENY THE REZONING REQUEST:

Motion Option 1: “I make a motion that the proposed zoning map amendment is reasonable and in the public interest because it is consistent with the adopted land use plan, the site has access to public water and sewer, and the site plan submitted with the rezoning application appears to take into consideration the existing conditions; therefore, I move to APPROVE the request to rezone 8.12 +/- acres with frontage on E, Main Street and Dalrymple Street identified as the Lee County tax parcels referenced in the staff report from General Commercial (C-2) and Residential-Mixed (R-6) to Southeastern Development Apartments Conditional Zoning District”

Motion Option 2: “I make a motion that the proposed zoning map amendment is not reasonable and not in the public interest because the design does not comply with the UDP parking standards; therefore, I move to DENY the request to rezone 8.12 +/- acres with frontage on E, Main Street and Dalrymple Street identified as the Lee County tax parcels referenced in the staff report from General Commercial (C-2) and Residential-Mixed (R-6) to Southeastern Development Apartments Conditional Zoning District”

Option 3 - Unique motion: The suggested motions above are provided based on the recommendation and findings of the Planning Board. The City Council members are free to create a unique motion based on different articulated findings.

REZONING REPORT FROM SEPTEMBER 17, 2019 AGENDA

Applicant: Curry Engineering
Owners: Three Realities LLC, E.O. Edgerton Jr., and DL Rogers Corp.
Request: Rezone from General Commercial (C-2) and Residential-Mixed (R-6) to Southeastern Development Apartments Conditional Zoning District to allow for the development of a new multi-family apartment community with a clubhouse and associated amenities. This is a site plan specific conditional zoning district with unique conditions that are legally binding on the land even in the event of a transfer of ownership.
Location: 8.12 acres with frontage on E, Main Street and Dalrymple Street
Township: Jonesboro
Council Ward: 3
Tax Parcels: 9652-61-0830-00, 9652-61-2624-00, 9652-61-7648-00 (portion of), 9652-61-1414-00, 9652-61-2494-00, and 9652-61-2410-00

Adjacent Zoning:
North: General Commercial (C-2), opposite E. Main Street
South: Residential-Mixed (R-6), opposite Dalrymple Street
East: General Commercial (C-2), Office & Institutional (O&I), and Residential-Mixed (R-6), opposite Dalrymple Street
West: General Commercial (C-2)

Introduction: Planning staff has received a rezoning application from Curry Engineering as the first step in the proposed development of a new multi-family apartment community off of E. Main Street and
Dalrymple Street. The applicant is requesting to rezone to the Southeastern Development Apartments Conditional Zoning District with conditions and plans submitted for consideration by the Planning Board and City Council. The information provided as supplemental information with the rezoning application will allow the boards to view the site plan, architectural elevations, and other details for the project to ensure that the design of this project aligns with the board’s overall vision for the area.

**Area and Site Description**: This site is located in the northwestern corner of E. Main Street and Dalrymple Street in the Old Jonesboro area of Sanford.

The site is comprised of five tract of land that are described as follows: **Tract 1**: 9652-61-0830-00 is a 1.20 acre tract of land zoned General Commercial (C-2) developed as a real estate office/property development company addressed as 2505 Dalrymple Street and illustrated as Lot 2 on a 2000 plat labeled Recombination Survey for White Dog Properties, recorded at Plat Cabinet 9, Slide 57G of the Lee County Register of Deeds Office. **Tract 2**: 9652-61-2624-00 is a 2.25 acre vacant tract of land with frontage on Dalrymple Street, zoned General Commercial (C-2), and illustrated as Lot 3 on a 2000 plat labeled Recombination Survey for White Dog Properties, recorded at Plat Cabinet 9, Slide 57G of the Lee County Register of Deeds Office. **Tract 3**: 9652-61-7648-00 (portion of) is a 3.22 acre portion of 5.41 acre tract of land zoned General Commercial (C-2) developed as a restaurant addressed as 2600 S. Horner Blvd and illustrated as a 5.41 acre lot on a 2013 plat labeled Boundary Survey for Sonic, Sanford, NC, recorded at Plat Cabinet 2013, Slide 49 of the Lee County Register of Deeds Office. **Tract 4**: 9652-61-1414-00 is a 0.30 acre tract of land zoned Residential-Mixed (R-6) and developed with a house addressed as 2517 Dalrymple Street. **Tract 5**: 9652-61-2494-00 is a 1.01 acre vacant tract of land with frontage on Dalrymple Street zoned Residential-Mixed (R-6). **Tract 6**: 9652-61-2410-00 is a 0.31 acre tract of land zoned Residential-Mixed (R-6) and developed with a house addressed as 2603 Dalrymple Street

**Surrounding Land Uses**: North of the site, opposite E. Main Street, is a vacant lot that has been approved for a new Valenti’s Italian restaurant and the Cameron Square shopping center. East of the site and is Blacks Tire & Auto, Harbour’s Car Wash, McDonald’s restaurant with drive-thru, Thomas’ Butcher Shop, a retail lease space, and Sonic drive-in restaurant. South of the site is Wicker Oil and Applegate Village Apartments, off of Dalrymple Street. West of the site is a single-family home at 2518 Dalrymple Street, a Farm Bureau insurance office, Randy’s Unlimited Auto Sales and Car Hunters.

**Zoning District Information**:

The subject property is comprised of six tracts of land, three of which are zoned General Commercial (C-2) with the other three tracts zoned Residential-Mixed (R-6).

**Existing Zoning**: The General Commercial (C-2) zoning district is intended 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.

The dimensional requirements of the C-2 district include a minimum lot width of 50 feet, a minimum lot depth of 100 feet (which creates a minimum lot size of 5,000 square feet), with principal building
setbacks of 10 feet from the front property line and the required landscape buffer yard width determining
the required rear and side yard setbacks as measured from the property lines. There is no maximum
building height in C-2 zoning districts. The maximum allowed impervious surface, such as roof top,
parking lot, etc., is 80% of the site. Examples of uses permitted by right within the C-2 zoning district
include churches, schools, daycares for children & adults, animal & crop production, forestry,
agricultural equipment sales & service, farm landscape & garden supply sales, flea markets, antique
shops, gun shops & gunsmiths, general merchandise auction sales, convenience stores with & without
gas sales, car washes, barbershops & salons, restaurants with or without drive-through, motor vehicle
sales service & towing, offices for professional services (such as attorneys or realtors), commercial
indoor recreation activities, and warehouses. There is a list of permitted uses for this zoning district
included within the agenda for your reference.

Existing Zoning: The Residential-Mixed (R-6) zoning district is established to provide higher density
residential living opportunities with compact development consisting of the full spectrum of residential
unit types where adequate public facilities and services are available. Unit types may include single
family attached dwellings, townhouses, duplexes and apartments, with a maximum of seven (7) dwelling
units per acre. R-6 may serve as a transitional district between lower density residential and low intensity
commercial uses. This district is intended to allow a mix of residential unit types and densities to provide
a balance of housing opportunities while maintaining neighborhood compatibility. R-6 supports the
principles of concentrating urban growth and reinforcing existing community centers.
The dimensional requirements of the R-6 district include a minimum lot width of 60 feet, a minimum lot
depth of 100 feet, a minimum lot size of 6,000 square feet, with principal building setbacks of 20 feet
from the front property line, 20 feet from the rear property line, and 8 feet from the side property lines.
The maximum building height is 40 feet. Examples of uses permitted by right within the R-6 zoning
district include single-family dwellings and duplexes, churches, bed & breakfast inns, family care homes,
and home child care facilities. There is a list of permitted uses for this zoning district included within the
agenda for your reference.

Proposed Zoning: Southeastern Development Apartments Conditional Zoning District is a stand-alone
district with its own unique conditions. Under a Conditional Zoning District Type 1, an applicant would
have the freedom to develop his/her own unique list of permitted uses and design standards. It is also
understood that such a district would need to be designed so as to maintain the integrity and
characteristics of the surrounding community as well as conform to the spirit and intent of the UDO.
This type of zoning is suitable in situations where none of the current conventional zoning districts
accommodate the desired uses and the applicant has a clear vision as to how the property is to be
developed.
The applicant shall specify the uses 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 (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. If approved, this information is legally binding on the land; therefore, the site has to be developed as per the approved plans and conditions even if a property transfer were to take place. Any item not specifically addressed in the rezoning process must comply with the UDO standards.

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

The information submitted for this rezoning request was reviewed by the Sanford/Lee County/Broadway Technical Review Committee (TRC) in February of 2019 and the board was amenable with the request moving forward for review and a decision by the Planning Board and the City Council. All outstanding TRC revisions must be addressed prior to the development of the site in the manner proposed and the conceptual plans and conditions that are approved in conjunction with this project must comply with the technical specifications and requirements of all governmental agencies.

Reference the written information submitted on the rezoning application to view the written description, and the conceptual drawing set, labeled “Southeastern Development Apartments” to view the site design and architectural elevations for this project.

In general, the following design standards are proposed for the Southeastern Development Apartments Conditional Zoning District:

- 8.12 acre site
- 13 total apartment buildings and one clubhouse building
- 204 total apartment units
- 25 units per acre density proposed

Please reference the conceptual drawing set labeled, “Southeastern Development Apartments” submitted with the rezoning application to view the site plan, architectural elevations, and other details for the project to ensure that the design of this project aligns with the board’s overall vision for the area.

Please be aware that this project does not comply with the UDO standard for required parking.

<table>
<thead>
<tr>
<th>UDO standard</th>
<th>1.5 parking spaces for each one-bedroom or two-bedroom unit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.5 parking spaces x 147 units = 220.5 = 221 parking spaces required</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO standard</th>
<th>2.0 parking spaces for each three-bedroom unit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.0 parking spaces x 57 units = 114 parking spaces required</td>
</tr>
</tbody>
</table>

Total Required Parking 221 + 114 = 335 total parking spaces required for this project

Total Proposed Parking 289 parking spaces = - 46 short of compliance with the UDO standard

Staff acknowledges that the UDO is not a perfect document; therefore, if the developer provides information/documentation to support the number of parking spaces proposed as being more reasonable than the UDO standard, it may be taken into consideration by the boards. The developer is proposing to limit the number of vehicles allowed per unit as part of the apartment rental/lease agreement, which would be a private matter not regulated by staff. While everyone would like to see new growth in the
Jonesboro area, care should be taken to prevent a future parking problem within the area and to be a good neighbor.

As part of the negotiated zoning process, the Planning Board and/or City Council may request that certain conditions be considered or altered, such as requesting that an apartment building or buildings be removed in order to lessen the parking requirement and to make room for additional parking so that the design complies with the UDO. However, the petitioner must accept such conditions before inclusion in the conditional zoning district.

**Amenities:** The historic Dalrymple-Blue house at the corner of E. Main Street and Dalrymple Street will be converted into a clubhouse for use by the apartment residents and usable office space. A swimming pool is proposed between clubhouse and apartment building 1. There is also a second amenity area, labeled “Amenity Area B” with outdoor seating adjoining apartment building 13.

**Roadways/Traffic:** All roadways within the Southeastern Development Apartment community will be private drives, owned and maintained by the property owner. The overall development is planned to gain access via two drives off of Dalrymple Street, one drive off of E. Main Street, and connection to an existing access easement off of Dalrymple Street that may be used by emergency services when/if needed. A NCDOT will be required for the drive off of E. Main Street. Dalrymple Street is a City maintained public street; therefore, no driveway permit is required, but the City Engineering Dept. must approve the site plan.

**Water Source:** The Southeastern Development Apartment community is proposed to be serve by public City maintained water. Per GIS, there is an 8-inch City maintained public water main line in the right-of-way of Dalrymple Street. The applicant is currently in conversation with the City of Sanford Public Works Dept. regarding how best to serve the site.

**Wastewater Method:** The Southeastern Development Apartment community is proposed to be serve by public City maintained sanitary sewer. The applicant is currently in conversation with the City of Sanford Public Works Dept. regarding how best to serve the site.

**Overlay Districts & Area Plans**
There is no 100-year floodplain or mapped wetlands on site, and the site is not within a Watershed Conservation Overlay District or a historic district. It is the responsibility of the project designer to ensure compliance with all applicable state and federal regulations regarding environmental issues that are not regulated at a local level.

**Long Range Plan:** The Plan SanLee Land Use Plan identifies two future land use place types for this land included within this rezoning request.
Most of the subject property is designated as “Downtown”, which has the following characteristics:
- High intensity commercial core, mixed use urban environment
- Dense grid of streets eases connectivity and access especially oriented for pedestrians
- Active focal point for entire community
- A local example is the Downtown Sanford/ Downtown Jonesboro

Land use designations include residential (multi-family dwellings, upper story residences in mixed use buildings), civic (churches, civic organizations, government services, public gathering spaces),
commercial (retail stores, personal services, entertainment), and employment (professional offices, business services). Forms of transportation, from the low to high priority mode, include main routes accommodate low volumes of trucking, vehicular connectivity, public transit, on-street bike lanes, and sidewalks. Development density is small to moderate sized lots, multi-family with 10-16 units per acre, streets & side build-to lines, and a 75ft height limit. Suggested infrastructure is public water and wastewater/sewer. The preferred character urban grid street network, limited driveway access, on-street parking, public off-street parking and street trees with sidewalks. The proposed and current zoning districts are Central Business District (CBD). Reference the attached information from the Plan SanLee Land Use Plan.

The portion of the subject property located immediately to the rear of the Sonic restaurant off of S. Horner Blvd is designated as “Commercial Corridor”, which has the following characteristics:
  o Represents established commercial developments along highest volume transportation routes
  o Traditionally “strip” development pattern
  o Connectivity and access improvements in future redevelopment
  o A local example is S. Horner Blvd in Sanford.

Land use designations include open space (urban open space), civic (churches, civic organizations, government services), residential (multi-family dwellings), employment (professional offices, business services, light industrial, logistic), and commercial (regional retail, personal services, entertainment, wholesale goods). Forms of transportation, from the low to high priority mode, include on-street bike lanes, sidewalks, public transit, transit routes accommodate trucking, and vehicular connectivity). Development density is medium to large commercial lots, multi-family with 16 units per acre, shallow to moderate building setbacks, and a 50ft height limit. Suggested infrastructure is public water and wastewater/sewer. The preferred character is a 4-lane divided urban boulevard, managed access & interconnectivity, side & rear parking, landscaped parking areas, and sidewalks & street landscaping. The current zoning districts are Highway Commercial, General Commercial, Office & Institutional, Multi-family, and Light Industrial. The proposed zoning districts are General Commercial, Office & Institutional, Multi-family, and Light Industrial. Reference the attached information from the Plan SanLee Land Use Plan.

Conformance with the Long Range Plan
The Plan SanLee Land Use Plan identifies most of this site as “Downtown” which includes multi-family dwellings served by public water and wastewater/sewer as a land use with a suggested density of 10-16 units per acre. This project appears to comply with the land use designation for the Downtown area, while exceeding the suggested density.

Public Information Meeting
A public information meeting for this rezoning request was held on March 20, 2019 with four adjoining property owners/area residents, project representatives and staff in attendance with the following matters discussed:
  • Stormwater runoff from the proposed project was a concern. The project would add impervious surface in an area that is already experiencing stormwater problems downstream from this site with an example being the Brick City Grill site.
  • The developer offered to solely maintain the private drive between 2505 Dalrymple Street (ERA Strother Real Estate & Southeastern Properties offices) and 414 E. Main Street (Black’s Tire & Auto) since this project could generate a lot of traffic along this private drive that is currently
owned/shared by the owners of 2505 Dalrymple Street and the owners of 414 E. Main Street. A formal legally binding agreement was proposed to be created and signed by all applicable parties.

- There was concern that the increase in traffic may cause traffic to back up at the intersection of E. Main Street and Dalrymple Street. There does not appear to be adequate storage in the area turn lanes and/or the cycling at the local signalized intersections does not appear to prevent traffic from backing up at certain times of the day.

- Phasing and timing of the actual build out was discussed with the neighbors being concerned that the project may remain unfinished if the economy slows down.

- It would be nice if the large trees in front of the existing large white house/office building that will be converted into a clubhouse would remain. The developer agreed to try to keep the large existing trees.

**Staff Recommendation**

Staff has reviewed two iterations of this apartment community. The overall design has been revised to include additional property with an improved circulation pattern, entrances/exits have been added, and a concern regarding the use of adjoining “overlap” property has been eliminated, for which the designer/developer is to be commended. The designer also conferred with the City Engineering Dept. regarding the neighbor’s concerns regarding stormwater. Staff has the following recommendations for the proposed design:

- Orient Apartment Building 1 to face E. Main Street*
- Orient Apartment Buildings 2 & 3 to face Dalrymple Street*
  (*This is to avoid having the rear of the building facing a public roadway since the rear of buildings tend to be not as attractive as the front of building.)*
- Extend the sidewalk along all of the Dalrymple Street frontage
- Add sidewalk to connect the interior sidewalk to the pool and clubhouse
- Comply with the UDO standard for parking OR provide information/documentation to support the number of parking spaces proposed as being more reasonable than the UDO standard, along with information regarding how limiting the number of vehicles allowed per unit as part of the apartment rental/lease agreement would be enforced

As a reminder, the conditional zoning process is a negotiated zoning process and, as such, the Council and/or Planning Board may request that certain conditions be considered or altered; however, the petitioner must accept such conditions before inclusion in the conditional zoning district. Also, information as presented at the public hearing may provide additional information that should be considered regarding a final decision on the requested zoning map amendment.

**Staff Information Regarding a Recommendation from the Planning Board**

As a reminder, the conditional zoning process is a negotiated zoning process and, as such, the Council and/or Planning Board may request that certain conditions be considered or altered; however, the petitioner must accept such conditions before inclusion in the conditional zoning district. Also, information as presented at the public hearing may provide additional information that should be considered regarding a final decision on the requested zoning map amendment.

The recommendation from the Planning Board should include language describing whether its action is consistent with an adopted comprehensive plan 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.
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF SANFORD, NORTH CAROLINA

WHEREAS, a request to amend the Official Zoning Map has been received from Curry Engineering to rezone the following six tracts of land totaling approximately 8.29 acres ± to the Southeastern Development Apartments Conditional Zoning District to allow for the development of an apartment community with a clubhouse and associated amenities. Tract 1: 9652-61-0830-00 is a 1.20 acre tract of land zoned General Commercial (C-2) developed as a real estate office/property development company addressed as 2505 Dalrymple Street and illustrated as Lot 2 on a 2000 plat labeled Recombination Survey for White Dog Properties, recorded at Plat Cabinet 9, Slide 57G of the Lee County Register of Deeds Office. Tract 2: 9652-61-2624-00 is a 2.25 acre vacant tract of land with frontage on Dalrymple Street, zoned General Commercial (C-2), and illustrated as Lot 3 on a 2000 plat labeled Recombination Survey for White Dog Properties, recorded at Plat Cabinet 9, Slide 57G of the Lee County Register of Deeds Office. Tract 3: 9652-61-7648-00 (portion of) is a 3.22 acre portion of 5.41 acre tract of land zoned General Commercial (C-2) developed as a restaurant addressed as 2600 S. Horner Blvd and illustrated as a 5.41 acre lot on a 2013 plat labeled Boundary Survey for Sonic, Sanford, NC, recorded at Plat Cabinet 2013, Slide 49 of the Lee County Register of Deeds Office. Tract 4: 9652-61-1414-00 is a 0.30 acre tract of land zoned Residential-Mixed (R-6) and developed with a house addressed as 2517 Dalrymple Street. Tract 5: 9652-61-2494-00 is a 1.01 acre vacant tract of land with frontage on Dalrymple Street zoned Residential-Mixed (R-6). Tract 6: 9652-61-2410-00 is a 0.31 acre tract of land zoned Residential-Mixed (R-6) and developed with a house addressed as 2603 Dalrymple Street. All of the lots are illustrated on Lee County Tax Map 9652.19; and

WHEREAS, said request has been presented to the Planning Board of the City of Sanford; and

WHEREAS, the City Council of the City of Sanford conducted a public hearing on September 17, 2019 to receive citizen input on the requested zoning map amendment; and

WHEREAS, the City Council of the City of Sanford approves the request to amend the Official Zoning Map of the City of Sanford;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANFORD:

The Official Zoning Map is hereby amended to rezone the aforementioned six tracts of land totaling approximately 8.29 acres ± to the Southeastern Development Apartments Conditional Zoning District to allow for the development of an apartment community with a clubhouse and associated amenities. A conceptual civil set with site plan is included as Exhibit A.

In making this decision, the City Council of the City of Sanford hereby finds that the proposed zoning map amendment complies with the Plan SanLee long range plan designation of Downtown and is reasonable and in the public interest because it is consistent with the
adopted land use plan and the site has existing access to public water, sewer, and streets.

ADOPTED this the 1st day of October 2019.

____________________________________
T. Chet Mann, Mayor

ATTEST:

____________________________________
Bonnie Davis, City Clerk

APPROVED AS TO FORM:

____________________________________
Susan Patterson, City Attorney
SITE NOTES:

1. ALL CONSTRUCTION SHALL BE OF MATERIALS AND MANUFACTURES IN ACCORDANCE WITH THE CODES OF THE CITY OF SANFORD AND THE NCDOT.

2. DIMENSIONS ARE IN FEET AND TO THE EDGE OF THE PAVEMENT OR PROPERTY LINE UNLESS OTHERWISE NOTED.

3. ALL SITE ELEMENTS ARE PERPENDICULAR TO EACH OTHER UNLESS OTHERWISE NOTED.

4. CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, RIGHT-OF-WAYS AND UTILITIES, PUBLIC OR PRIVATE, BEFORE WORKING IN THESE AREAS.

5. APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRANT EASEMENTS OR STRUCTURES ON ANY EASEMENT CONTAINED IN THIS PLAN. ALL EASEMENTS AND THE RELATIONSHIP BETWEEN THEM, AS SHOWN ON THE PLANS, ARE FOR ESTIMATION PURPOSES ONLY. THE EXACT LOCATION AND DIMENSIONS OF EASEMENTS AND THEIR RELATIONSHIP TO THE RIGHTS OF WAY AND PROPERTY, MUST BE DETERMINED BY THE APPROPRIATE GRANTS OR BY SURVEY.

6. CONTRACTOR SHALL MAINTAIN THE SITE IN SUCH A MANNER THAT WORKMEN AND THE PUBLIC WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

7. CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE WORK, AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

8. CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO ANY EXISTING ITEM AND/OR MATERIAL DUE TO CONSTRUCTION VEHICLES ACCESS MAINTENANCE DURING CONSTRUCTION: CONSTRUCTION VEHICLES SHALL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

9. ALL PUBLIC AND PRIVATE EASEMENTS SHALL BE RECORDED AS PART OF THE FINAL PLAT OF THE DOCUMENTS WILL BE ALLOWED WITHOUT APPROVAL BY THE FACILITY DESIGNER.

10. ANY AND ALL QUANTITIES SHOWN OR IMPLIED ON THE PLANS ARE FOR ESTIMATION PURPOSES AND ARE SUBJECT TO CHANGE WITHOUT NOTICE.

11. ENTRY SIGNS SHALL BE LOCATED IN A DEDICATED EASEMENT. SIGN MUST REMAIN OUT OF SIGHT AT THE COST OF THE CONTRACTOR.

12. CONSTRUCTION VEHICLE PARKING LIMITED TO ONE SIDE OF THE ROAD (OPPOSITE HYDRANTS). SIGNS INDICATING "NO CONSTRUCTION VEHICLES THIS SIDE OF STREET" IN ENGLISH AND SPANISH ARE REQUIRED AT THE ENTRANCE TO THE SITE.

13. CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, RIGHT-OF-WAYS AND UTILITIES, PUBLIC OR PRIVATE, BEFORE WORKING IN THESE AREAS.

14. CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE WORK, AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

15. ALL PUBLIC AND PRIVATE EASEMENTS SHALL BE RECORDED AS PART OF THE FINAL PLAT OF THE DOCUMENTS WILL BE ALLOWED WITHOUT APPROVAL BY THE FACILITY DESIGNER.

16. CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE WORK, AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

17. CONSTRUCTION VEHICLE PARKING LIMITED TO ONE SIDE OF THE ROAD (OPPOSITE HYDRANTS). SIGNS INDICATING "NO CONSTRUCTION VEHICLES THIS SIDE OF STREET" IN ENGLISH AND SPANISH ARE REQUIRED AT THE ENTRANCE TO THE SITE.

18. CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE WORK, AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

19. CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE WORK, AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

20. PLAYGROUNDS AND PLAY EQUIPMENT MUST BE SUBMITTED TO THE BUILDING INSPECTIONS DEPARTMENT FOR REVIEW AND PERMITTING. THEY MUST ALSO BE DESIGNED TO MEET THE NC BUILDING CODE AND ADA REQUIREMENTS.

21. MAX. SIDEWALK CROSS-SLOPE IS 2%.

22. CONSTRUCTION VEHICLE PARKING LIMITED TO ONE SIDE OF THE ROAD (OPPOSITE HYDRANTS). SIGNS INDICATING "NO CONSTRUCTION VEHICLES THIS SIDE OF STREET" IN ENGLISH AND SPANISH ARE REQUIRED AT THE ENTRANCE TO THE SITE.

23. ALL PUBLIC AND PRIVATE EASEMENTS SHALL BE RECORDED AS PART OF THE FINAL PLAT OF THE DOCUMENTS WILL BE ALLOWED WITHOUT APPROVAL BY THE FACILITY DESIGNER.

24. CONTRACTOR REGARDING FINAL TRIM OF THE SITE FOR CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

25. CONTRACTOR REGARDING FINAL TRIM OF THE SITE FOR CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

26. CONTRACTOR REGARDING FINAL TRIM OF THE SITE FOR CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.

27. CONTRACTOR REGARDING FINAL TRIM OF THE SITE FOR CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURB AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION OPERATIONS WILL BE PROTECTED FROM INJURY AND ADJOINING PROPERTY PROTECTED FROM DAMAGE RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.
GENERAL NOTES:

1. ALL UTILITY WORK WITHIN THE PUBLIC RIGHT OF WAY OR PUBLIC EASEMENT SHALL BE ENTITLED TO SANFORD ENCLOSED AND BRACKETED.

2. ALL UTILITY WORK FOR PRIVATE USE ON PRIVATE PROPERTY SHALL BE ENTITLED TO SANFORD ENCLOSED.

3. CONTRACTOR SHALL CONTACT CITY OF SANFORD PRIOR TO MAKING CONSTRUCTION BY TELEPHONE IN ORDER TO OBTAIN TAP FEES AND TO CONFIRM THE LOCATION AND SIZE OF ALL PIPE.

4. CONTRACTOR CANNOT TAP WATER MAINS WITHOUT AN APPROVED TAP LETTER FROM THE CITY.

5. WATER MAINS SHALL BE CLASS 350 DIP I.A.W. AWWA C-151 WITH PUSH FITTINGS SHALL BE FLARED COPPER TYPE BRASS OR COMPRESSION TYPE PWR OF S63 OR SF63 OR CSN OF S63 OR S63 AND CSN, WITH NO JOINTS OR COUPLINGS IN THE RIGHT OF WAY. SERVICE CONNECTION TO ANY CITY OWNED INFRASTRUCTURE.

6. ALL WATER SERVICES TO LOTS SHALL BE 3/4" TYPE "K" SOFT COPPER FITTINGS SHALL BE FLARED COPPER TYPE BRASS OR COMPRESSION TYPE PWR OF S63 OR SF63 OR CSN OF S63 OR S63 AND CSN, WITH NO JOINTS OR COUPLINGS IN THE RIGHT OF WAY. SERVICE CONNECTION TO ANY CITY OWNED INFRASTRUCTURE.

7. SANITARY SEWER MAINS SHALL BE SDR-35 PVC I.A.W. ASTM D-3034-98 MINIMUM BURIAL DEPTH FOR WATER SERVICES IS 24 INCHES. MINIMUM BURIAL DEPTH FOR WATER MAIN IS 36 INCHES BELOW FINISHED SUBGRADE. WATER MAINS SHALL BE INSTALLED WITH DIP MILD STEEL FITTINGS SHALL BE MECHANICAL JOINTS I.A.W. AWWA C-111. DIP SHALL BE CEMENT-MORTAR LINED TYPE 1 LAYING CONDITION PER TOWN OF APEX SPECIFICATIONS. ALL WATER MAINS & SANITARY SEWER MAINS SHALL BE PUBLIC UTILITIES.

8. ALL SANITARY SEWER SERVICES TO LOTS SHALL BE 4" SCH-40 PVC. BURIED PIPE SHALL HAVE AN BITUMINOUS EXTERIOR COATING I.A.W. AWWA C-151. MINIMUM BURIAL DEPTH FOR WATER SERVICES IS 24 INCHES. MINIMUM BURIAL DEPTH FOR WATER MAIN IS 36 INCHES BELOW FINISHED SUBGRADE. WATER MAINS SHALL BE INSTALLED WITH DIP MILD STEEL FITTINGS SHALL BE MECHANICAL JOINTS I.A.W. AWWA C-111. DIP SHALL BE CEMENT-MORTAR LINED TYPE 1 LAYING CONDITION PER TOWN OF APEX SPECIFICATIONS. ALL WATER MAINS & SANITARY SEWER MAINS SHALL BE PUBLIC UTILITIES.

9. WHEN A NON-GRAVITY UTILITY MEETS A GRAVITY UTILITY, THE NON-GRAVITY UTILITY MUST BE ADJUSTED TO MEET SEPARATION REQUIREMENTS.

10. ALL NON-METALLIC PIPING MUST BE INSTALLED WITH A TRACER WIRE BELOW FINISHED SUBGRADE.

11. PRIVATE UTILITIES (TELEPHONE, NATURAL GAS, CABLE TV) ARE NOT REQUIRED LANDSCAPED BUFFERS.

12. ELECTRICAL TRANSFORMERS SHALL NOT BE LOCATED WITHIN THE PUBLIC RIGHT OF WAY, 43' 6" FROM THE EDGES OF STREET.

13. PIPE LINES SHALL BE EXPOSED AND HDPE PIPE SHALL HAVE A BURIED RELIEF VALVE AND WARNING TAPE OR ELECTRIC MARKER SYSTEM BALLS PER TOWN OF APEX STANDARDS.

14. PROJECTS FOUNDATION, SURVEYING, SEWER, AND STEEL CYLINDERS TO BE INSTALLATION BY CONTRACTOR AND NOT TO BE LOCATED UPON OR BELOW GRADE UNLESS AGREED UPON.

15. PROJECTS FOUNDATION, SITE WORK, SURVEYING, TELEPHONE, NATURAL GAS, CABLE TV, SCAFFOLDING, TO BE INSTALLATION BY CONTRACTOR AND NOT TO BE LOCATED UPON OR BELOW GRADE UNLESS AGREED UPON.

16. PROJECTS FOUNDATION, SURVEYING, SEWER, AND STEEL CYLINDERS TO BE INSTALLATION BY CONTRACTOR AND NOT TO BE LOCATED UPON OR BELOW GRADE UNLESS AGREED UPON.

17. PROJECTS FOUNDATION, SITE WORK, SURVEYING, TELEPHONE, NATURAL GAS, CABLE TV, SCAFFOLDING, TO BE INSTALLATION BY CONTRACTOR AND NOT TO BE LOCATED UPON OR BELOW GRADE UNLESS AGREED UPON.

LEGEND:

- WATER LINE
- STORM DRAIN LINE
- CATCH BASIN
- SANITARY MANHOLE
- CLEANOUT
- BACKFLOW PREVENTER
- RISER STRUCTURE
- SANITARY SEWER MAIN
- 30' PUBLIC UTILITY EASEMENT
- 20' PUBLIC UTILITY EASEMENT
- 1" = 50'
- 25'
- 50'
- 100'
- 205 S. Fuquay Avenue
- T (919) 552-0849
- Fuquay-Varina, NC  27526
- CURRY
- LINA
- CURRY
- LINA
- ENGR
- ENG
- ENGI
- NER
- ENG
- NER
- SOU
- THESE
- NC LIC. NO. P-0799
- PRELIMINARY
- DO NOT USE FOR CONSTRUCTION
- FILE NO.
- CURRY
- LINA
- ENGR
- ENG
- NER
- SOU
- THESE
- NC LIC. NO. P-0799
- SOU
- THESE
- ENGR
- ENG
- NER
- 2019-08-01
- PRELIMINARY
- DO NOT USE FOR CONSTRUCTION
- FILE NO.
1. TYPICAL 24 UNIT PLAN

SCALE: 1/4"=1'-0"

1. TYPICAL ROOF PLAN

SCALE: 1/4"=1'-0"

1'-6"

93'-1"

1'-6"

52'-0"

1'-6"

55'-0"

96'-1"

55'-0"

96'-1"

7:12 SLOPE

7:12 SLOPE

30 YEAR ARCHITECTURAL SHINGLES OVER FELT PAPER COLOR TO BE BLACK

30 YEAR ARCHITECTURAL SHINGLES OVER FELT PAPER COLOR TO BE BLACK

TYPICAL WALL BELOW SHOWN FOR REFERENCE

TYPICAL COLUMN SHOWN BELOW FOR REFERENCE

NEW APARTMENTS ON DALRYMPLE STREET
SANFORD, NC

NOT FOR CONSTRUCTION

RUSTY LONG, ARCHITECT

EST. 2010

105 KEITHWOOD LN
CARY, NC 27511

(919) 602-4180

SOUTHEASTERN PROPERTIES & DEVELOPMENT CO.

SITE SUBMITTAL
1/9/2019

A201

TYPICAL
ROOF PLAN
1. TYPICAL FRONT ELEVATION

SCALE: 1/4"=1'-0"

CONCRETE SLAB ON GRADE, TIE INTO SIDEWALKS PER SITE CIVIL PLANS

VINYL FRENCH PATIO DOORS TO MATCH WINDOWS

16"X16" LOAD BEARING SQUARE COLUMNS (SYNTHETIC OR STEEL WRAPPED WITH PVC)

DOUBLE HUNG VINYL WINDOWS COLOR TO BE WHITE

BLACK WOOD OR SYNTHETIC SHUTTERS

PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS COLOR TO BE BLACK

6" PVC OR AZEK TRIM

8" TRIM BELOW 4" COVE TRIM

30 YEAR ARCHITECTURAL SHINGLES COLOR TO BE BLACK

TREATED WOOD POSTS & RAILING PAINTED WHITE WITH PREFINISHED ALUMINUM OR STEEL BALUSTERS

BLACK WOOD OR SYNTHETIC SHUTTERS

SQUARE DENTAL MOLDING TO MATCH EXISTING HOUSE

SEPARATE PORTICO FROM STAIR BREEZEWAY

CONCRETE SLAB ON GRADE TIE INTO SIDEWALKS PER SITE CIVIL PLANS
0'-0" SLAB HEIGHT
9'-0" TOP PLATE
10'-4" SECOND FLOOR
19'-4" TOP PLATE
20'-8" THIRD FLOOR
30'-4" TOP PLATE

1. TYPICAL REAR ELEVATION
SCALE: 1/4"=1'-0"

CONCRETE SLAB ON GRADE, TIE INTO SIDEWALKS PER SITE CIVIL PLANS

VINYL FRENCH PATIO DOORS TO MATCH WINDOWS

16"X16" LOAD BEARING SQUARE COLUMNS (SYNTHETIC OR STEEL WRAPPED WITH PVC)

DOUBLE HUNG VINYL WINDOWS COLOR TO BE WHITE
BLACK WOOD OR SYNTHETIC SHUTTERS

PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS COLOR TO BE BLACK

6" PVC OR AZEK TRIM
8" TRIM BELOW 4" COVE TRIM

30 YEAR ARCHITECTURAL SHINGLES COLOR TO BE BLACK

STEEL BALCONY WITH RAILING PAINTED BLACK, ON BUILDINGS WITHOUT REAR PORTICO

STEEL BALCONY WITH RAILING PAINTED BLACK

NEW APARTMENTS ON DALRYMPLE STREET SANFORD, NC
NOT FOR CONSTRUCTION
RUSTY LONG, ARCHITECT
105 KEITHWOOD LN CARY, NC 27511
(919) 602-4180

Southeastern Properties & Development
SITE SUBMITTAL 1/9/2019

A301

TYPICAL REAR ELEV.
1. TYPICAL LEFT ELEVATION

SCALE: 1/4"=1'-0"

0'-0" SLAB HEIGHT
9'-0" TOP PLATE
10'-4" SECOND FLOOR
19'-4" TOP PLATE
20'-8" THIRD FLOOR
30'-4" TOP PLATE

16"X16" LOAD BEARING SQUARE COLUMNS (SYNTHETIC OR STEEL WRAPPED WITH PVC)
DOUBLE HUNG VINYL WINDOWS
COLOR TO BE WHITE
BLACK WOOD OR SYNTHETIC SHUTTERS
PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS COLOR TO BE BLACK
6" PVC OR AZEK TRIM
8" TRIM BELOW 4" COVE TRIM
6" PVC OR AZEK TRIM
TREATED WOOD POSTS & BALCONY PAINTED WHITE WITH PREFINISHED ALUMINUM OR STEEL BALUSTERS
SQUARE DENTIL MOLDING TO MATCH EXISTING HOUSE
BLACK WOOD OR SYNTHETIC SHUTTERS
STEEL BALCONY WITH BALUSTERS PAINTED BLACK
SQUARE DENTIL MOLDING TO MATCH EXISTING HOUSE
DOUBLE HUNG VINYL WINDOWS COLOR TO BE WHITE
10"X10" LOAD BEARING SQUARE COLUMNS (SYNTHETIC OR STEEL WRAPPED WITH PVC)
30 YEAR ARCHITECTURAL SHINGLES COLOR TO BE BLACK
TREATED WOOD POSTS & RAILING PAINTED WHITE WITH PREFINISHED ALUMINUM OR STEEL BALUSTERS
STEEL BALCONY WITH RAILING PAINTED BLACK
TYPICAL RIGHT ELEVATION

SCALE: 1/4"=1'-0"

- 0'-0" SLAB HEIGHT
- 9'-0" TOP PLATE
- 10'-4" SECOND FLOOR
- 19'-4" TOP PLATE
- 20'-8" THIRD FLOOR
- 30'-4" TOP PLATE

- 16"X16" LOAD BEARING SQUARE COLUMNS (SYNTHETIC OR STEEL WRAPPED WITH PVC)
- DOUBLE HUNG VINYL WINDOWS COLOR TO BE WHITE
- BLACK WOOD OR SYNTHETIC SHUTTERS
- PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS COLOR TO BE BLACK
- 6" PVC OR AZEK TRIM
- 8" TRIM BELOW 4" COVE TRIM
- 30 YEAR ARCHITECTURAL SHINGLES COLOR TO BE BLACK
- STEEL BALCONY WITH RAILING PAINTED BLACK, ON BUILDINGS WITHOUT REAR PORTICO
- PORTICO OPT. PER SITE PLAN
- STEEL BALCONY WITH RAILING PAINTED BLACK
- 6" PVC OR AZEK TRIM
- BLACK WOOD OR SYNTHETIC SHUTTERS
- DOUBLE HUNG VINYL WINDOWS COLOR TO BE WHITE
- STEEL BALCONY WITH RAILING PAINTED BLACK
- 10"X10" LOAD BEARING SQUARE COLUMNS (SYNTHETIC OR STEEL WRAPPED WITH PVC)

PORTICO OPT. PER SITE PLAN

STEEL BALCONY WITH RAILING PAINTED BLACK, ON BUILDINGS WITHOUT REAR PORTICO

NEW APARTMENTS ON DALRYMPLE STREET
SANFORD, NC

RUSTY LONG, ARCHITECT
105 KEITHWOOD LN
CARY, NC 27511
(919) 602-4180

Southeastern Properties & Development
SITE SUBMITTAL 1/9/2019

EST. 2010
ARCHITECT
A303

NOT FOR CONSTRUCTION

TYPICAL
RIGHT ELEV.:
RECOMMENDATION FROM PLANNING BOARD:
The Planning Board recommends that the City Council approved the preliminary plat for the Southern Estates Subdivision off of Fire Tower Road as it appears to correspond with the design previously approved as part of the recent rezoning of the site to a site plan specific conditional zoning district.

Introduction
Espalanade Communities is seeking preliminary plat approval for an 87-lot residential subdivision located off of Fire Tower Road within the corporate limits of the City of Sanford®. All lots are proposed to be served by City maintained public water, public wastewater/sewer and public streets. The design for this subdivision was approved in March 2019 as part of the conditional (re)zoning process for this site. Review/approval of the preliminary subdivision plat is the next technical step required in order for this project to move forward since this is a UDO requirement for all major subdivisions.

Location:
Fire Tower Road (SR 1152)

Property Owner:
Esplanade Communities of Florida, LLC

Project Developer:
Esplanade Communities of Florida, LLC

Project Engineer:
Timmons Group

Township:
Jonesboro

Tax Parcels:
9641-45-5299-00 and 9641-55-0952-00

Tax Maps:
9641.01 and 9641.02

Total Lots:
87

Zoning:
Residential-Mixed (R-6) Conditional Zoning District

Acreage:
29.04

Minimum Lot Size:
6,000

Smallest Lot Size:
0.14 or 6,000sf (Lot 14)

Largest Lot Size:
0.42 or 18,343sf (Lot 81)

Average Lot Size:
8,386sf

Linear Feet of Street:
4,741 linear feet

Street(s):
Public Street, maintained by the City of Sanford

Water:
Public Water, maintained by the City of Sanford

Wastewater/Sewer:
Public Wastewater/sewer, maintained by the City of Sanford

Fire District:
Sanford Fire Dept., Station #2 (prior to annexation, Tramway Fire Dept.)

Area & Site Description
The subject property is comprised of two vacant wooded tracts of land located off of Fire Tower Road, near the intersection of Fire Tower Road and Tramway Road. This area is predominately residential single-family homes with Southern Lee High School and San-Lee Middle School, and the Lee County Parks & Recreation office off of Tramway nearby.
Zoning District Information

The site was rezoned to Residential-Mixed (R-6) Conditional Zoning District, a site plan/subdivision plat specific conditional zoning district in March of 2019 with the following conditions that were also part of the Planning Board’s recommendation of approval:

• To encourage diversity of housing styles, staff strongly encourages limiting the number of the same style of house that can be built consecutively along each street within this subdivision.

• To encourage architectural interest, staff suggest that a carriage-style garage door be incorporated in the design of the homes and that additional exterior elements be added to the facades in an attempt to avoid an abundance of horizontal vinyl siding creating a monotonous visual effect.

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

Design standards for the proposed Residential-Mixed (R-6-C) Conditional Zoning District are as follows:

The minimum lot width is 60ft, with a minimum lot size of 6,000sf, and a max building height of 40ft.

There is 7.27 acres or 25% of the site is included as open space.

The minimum building setbacks for a principal structure or house is as follows:

Front: 20 feet, as measured from the right-of-way line of the proposed public street

Rear: 20 feet, measured from the rear property line

Side(s): 5 feet, measured from the side property lines

The side yard setback for a corner lot is 12ft, measured from the right-of-way line of the proposed street.

Specific conditions for this subdivision include the following:

• Land usage will be restricted to not more than 87 single-family lots and common areas as illustrated on the conceptual site plan/subdivision plat.

• The community will have a Homeowner’s Association (HOA).

• The community will have concrete valley curb along all public streets.

• The community will have 4-foot sidewalks on both sides of all public streets.

• All homes within the community will be served by City public water and wastewater/sewer.

• The HOA will own & maintain all open space parcels/areas.

• The community will have a designated playground area.

• The community will have a designated dog park.

• Cluster mailboxes will be located within the open space area upon approval by the USPS and owned/maintained by the HOA.

• All homes within the community will have concrete drives

• Architectural features and style of the homes will be similar to the architectural elevations included in the rezoning application packet.

• The single-family homes within this community will range in size from 1,350sf to 3,500sf.

• The single-family homes within this community will have exteriors with vinyl siding with some brick or stone accents.

• The timing for this project is rezoning/annexation of the site in the first quarter of 2019; submittal/approval of subdivision construction drawings and securing permits in the second quarter of 2019; subdivision construction in the fourth quarter of 2019; with lots delivered in the first quarter of 2020.
Per information provided by the developer, the single-family homes within this community will range in price from $200,000 to $300,000, but ultimately the price of housing is market driven – not dictated by the zoning.

The subdivision plat was reviewed by the Technical Review Committee (TRC) in October 2018 (concept) and August 2019 (technical review) and the board was agreeable with the subdivision plat moving forward for review/approval by the Sanford Planning Board and the City Council. If approved, all outstanding TRC revisions must be addressed prior to the development of the site in the manner proposed.

**Overlay Districts & Area Plans**
This information was taken into consideration when the conditional (re)zoning of the site was recommended for approval in 2019.

**Plan SanLee Land Use Plan:** The plan identifies the future land use place type for this tract of land as “Suburban Neighborhood”, which has the following characteristics:
- Residential areas on the outskirts of a core urbanized area
- Facilitates large scale development of single-family residential
- Walkable, with a high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares
- A local example is the Westlake Valley neighborhood in Sanford

Land uses categories include open space (undeveloped open space & forests), civic (schools, churches, and neighborhood parks), and residential (detached & attached single family dwellings). Transportation categories range from a low priority mode to a high priority mode, with the following transit types listed in order: public transit, on-street bike lanes, off-trail system, sidewalks, off-street trails, transit & commercial area connections, and vehicular connectivity. Context is described as a development density of four to seven units per acre with moderate building setbacks and a 35ft height limit, utility infrastructure of public water & public wastewater with a preferred character of interconnected curvilinear streets, 600ft block lengths, curb & gutter/sidewalks, and street trees. Zoning information includes the current districts of R-20, R-14, R-12SF (primary) and R-12 (secondary) and the proposed districts of Medium Density Residential (primary) and Low Density Residential (secondary). Please reference the “Suburban Neighborhood” information from the Plan SanLee that is included within the agenda for additional information and illustrations.

**Local Overlay District Notes:** Per GIS, the site is not located within an established Flood Hazard Area/Floodplain, a Watershed Conservation Overlay District, or a Historic Preservation Overlay District. Sheet C1.0, Existing Conditions, of the conceptual civil set illustrates a wetland area and stream, which will be included within an open space area. There will be a 30ft buffer area on each side of the stream centerline within this area.

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.

**Staff Analysis**
The new 87-lot residential subdivision would be accessed via new public roads (no names proposed at this time) that the developer would construct to City standards and submit for acceptance/maintenance by the City. A
copy of the NCDOT approval for the connection of the new public road to Fire Tower Road (SR 1152) must be on file with the Planning Department prior to recordation of the final subdivision plat.

The subdivision would be served by public water via a new water line connection to the existing 6-inch public water line along Northridge Drive that is maintained by the City of Sanford. It was also be served by public sanitary sewer that would need to be extended. If the subdivision is approved, the design of the public water and sewer extension must be approved by the City of Sanford Public Works Department and the Sanford Fire Dept. to verify compliance with all applicable regulations. Reference Sheet 3.0 “Overall Utility Plan” in the subdivision plans submitted for your review.

The topography slopes downward from Fire Tower Road towards Skunk Creek, a perennial stream that bisects the site and is incorporated into the open space/common area. There is a 30ft easement along this water feature to protect it from the possible adverse effects from development. Lee County does not have a local grading permit and relies on the North Carolina Department of Environmental Quality (NCDEQ) to regulate land disturbing activities. A sedimentation and erosion control plan for this project must be approved by NCDEQ and a copy of the approval must be on file with the Planning Department prior to recordation of the final subdivision plat.

The preliminary plat shall be valid for two years if approved by the Sanford City Council.
SOUTHERN ESTATES
PRELIMINARY PLAN
CITY OF SANFORD, LEE COUNTY, NORTH CAROLINA

SITE DATA
PROJECT: SOUTHERN ESTATES
ENGINEER: TIMMONS GROUP
5410 TRINITY ROAD; SUITE 102
RALEIGH, NC 27607
PHONE: 919-866-4507
EMAIL: JIM.CHANDLER@TIMMONS.COM
DEVELOPER: ESPLANADE COMMUNITIES OF FLORIDA, LLC
148 US HWY 70
GARNER, NC 27529
PHONE: 919-422-2753
MARK.LYCZKOWSKI@ESPLANADECOMMUNITIES.COM
PROPERTY LOCATION: FIRE TOWER ROAD
PINS: 9641-55-0952, 9641-45-5299
TOWNSHIP: JONESBORO
ZONING: R-6 CONDITIONAL USE
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
TOTAL TRACT AREA: 29.04 ACRES

CONSTRUCTION DRAWING APPROVAL REQUIRED FOR DEVELOPMENT
OFF-SITE UTILITY PLAN

LEGEND

PROPERTY LINE
SANITARY SEWER EASEMENT
SIDEWALK
OPEN SPACE
EXISTING WETLANDS
STREAM BUFFER

UTILITY LEGEND

GATE VALVE
BLOWOFF ASSEMBLY
FIRE HYDRANT ASSEMBLY
PROPOSED WATER MAIN
PROPOSED MANHOLE
PROPOSED SEWER MAIN
PROPOSED FORCEMAIN

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

A HOMEOWNER'S ASSOCIATION (HOA) WILL OWN AND MAINTAIN THE SITE PUMP STATION AND FORCEMAIN.
CITY OF SANFORD CITY COUNCIL
PLANNING BOARD RECOMMENDATION
REGARDING A PRELIMINARY MAJOR SUBDIVISION PLAT
October 1, 2019

Winstead Farms, Phase 2, Preliminary Subdivision Plat

RECOMMENDATION FROM PLANNING BOARD:
The Planning Board recommends that the City Council approved the preliminary plat for the Winstead Farms, Phase 2 off of Lemon Springs Road as it appears to comply with the UDO subdivision regulations, the subject property has access to public water and streets, and the soil report appears to support the configuration of the lots. This site is in the City’s ETJ; therefore is subject to approval by City boards even though the design is more typical for a subdivision in the County.

Introduction
Winstead Farms, Phase 1, was a minor subdivision which is a staff level approval. Now that additional lots are proposed to be created from the parent tract of land (9651-04-2702-00), the subdivision has transitioned from a minor subdivision to a major subdivision; therefore, Phase 2 must be considered by the Planning Board for a recommendation.

HWW Properties is proposing to create a 12-lot subdivision that will be served by public water, private individual septic systems, and public streets. Lots 1-5 have already been created as a minor subdivision and recorded at Plat Cabinet 2019, Slide 2. Phase 2 is now being offered for your consideration/recommendation.

Location: Lemon Springs Road, Meadow View Lane, and Harward Drive (all NCDOT)
Property Owner: HWW Properties
Project Developer: HWW Properties
Project Surveyor: Mike Cain
Township: Jonesboro
Tax Parcels: 9651-04-2702-00 and 9651-03-2960-00, portion of
Tax Maps: 9641.02, 9651.01, 9641.04, and 9651.03
Total Lots: 12 lots, specifically lots 6-17
Lot 18 was mislabeled and is not included as part of this subdivision.

Zoning: Residential Single-family (R-20)
Acreage: 7.83 ±
Minimum Lot Size: 20,000sf or 0.46 of an acre
Smallest Lot Size: 23, 522sf or 0.54 of an acre (Lots 15 and 16)
Largest Lot Size: 261, 260sf or 5.99 acres (Lot 13)
Linear Feet of Street: No new streets proposed
Street(s): Public Street, maintained by NCDOT
Water: Public Water, maintained by NCDOT
Wastewater/Sewer: Private individual septic systems
Fire District: Tramway Fire Dept. (half of lot 13 is in the Lemon Springs Fire Dept. area)

Area & Site Description
The subject property is located off of Lemon Springs Road, Harward Drive, and Meadow View Lane in the City of Sanford’s Extra-Territorial Jurisdiction (ETJ). This area is developed with residential single-family homes. The subject property is vacant and mostly wooded.
Zoning District Information
The R-20 district is established to provide areas for low-density single-family uses, with a maximum of two (2) dwelling units per acre, which may provide buffers between the agricultural and R-20 classifications and the higher density areas. It includes density and minimum lot size requirements in order to allow for market and design flexibility while preserving the neighborhood character.

The minimum lot size is 20,000 square feet with a maximum building height of 40ft.
The minimum building setbacks for a principal structure or house is as follows:
Front: 30 feet, as measured from the right-of-way line of the proposed public street
Rear: 30 feet, measured from the rear property line
Side(s): 15 feet, measured from the side property lines

Overlay Districts & Area Plans
This site is not located within a floodplain, watershed conservation overlay district, a historic district or study area for a small area plan.

Long Range Plan: The plan identifies the future land use place type for this tract of land as “Suburban Neighborhood”, which has the following characteristics:
- Residential areas on the outskirts of a core urbanized area
- Facilitates large scale development of single-family residential
- Walkable, with a high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares
- A local example is the Westlake Valley neighborhood in Sanford

Land uses categories include open space (undeveloped open space & forests), civic (schools, churches, and neighborhood parks), and residential (detached & attached single family dwellings). Transportation categories range from a low priority mode to a high priority mode, with the following transit types listed in order: public transit, on-street bike lanes, off-trail system, sidewalks, off-street trails, transit & commercial area connections, and vehicular connectivity. Context is described as a development density of four to seven units per acre with moderate building setbacks and a 35ft height limit, utility infrastructure of public water & public wastewater with a preferred character of interconnected curvilinear streets, 600ft block lengths, curb & gutter/sidewalks, and street trees. Zoning information includes the current districts of R-20, R-14, R-12SF (primary) and R-12 (secondary) and the proposed districts of Medium Density Residential (primary) and Low Density Residential (secondary). Please reference the “Suburban Neighborhood” information from the Plan SanLee that is included within the agenda for additional information and illustrations.

Staff Analysis
The new 12-lot residential subdivision would be accessed via existing public roads maintained by NCDOT. NCDOT typically requires Driveway Permits if a group or all of the lots are sold to a builder, but not if sold to private individuals. The subdivision would be served by public water via a 6-inch water line along Meadow View Land and Harward Drive. If the subdivision is approved, the public water connections must be approved by the City of Sanford Public Works Department to verify compliance with all applicable regulations.

The subject property has been evaluated by a licensed soil scientist in order to determine the suitability of soils for individual private septic systems and the project surveyor has utilized this general information when creating the lot configurations. The map submitted with the soil report illustrates the suitable soils for septic systems for your reference and both Planning staff and the Lee County Environmental Health Department have a copy of the study created by the soil scientist. Future residential development on each lot would be served by
individual private septic systems that would need to be approved by the Lee County Environmental Health Department at the time that the developer or individual lot owner proposes to construct a house.

The preliminary plat was reviewed by the Sanford/Lee County/ Broadway Technical Review Committee (TRC) on August of 2019 and the board was comfortable with the preliminary plat moving forward for review & approval by the Planning Board and the Council. All outstanding TRC technical revisions must be addressed prior to the final plat being recorded.

The preliminary plat shall be valid for two years if approved by the Sanford City Council.
Mr. Bill McDonald  
Carolina Real Estate  
Sanford NC 27330

Reference: Comprehensive Soil Investigation  
Winstead Farms Phase 2

Dear Mr. McDonald,

A comprehensive soil investigation has been conducted at the above referenced property, located on both sides of Meadow View Lane (SR 1223), both sides of Harward Drive (SR 1249), the western side of Lemon Springs Road (SR 1001) and the northern side of St. Andrews Church Road (SR 1146), in Jonesboro Township, Lee County, North Carolina. The purpose of the investigation was to determine the ability of each lot to support a subsurface sewage waste disposal system and 100% repair area for a typical four bedroom home. All ratings and determinations were made in accordance with "Laws and Rules for Sewage Treatment and Disposal Systems, 15A NCAC 18A .1900". It is our understanding that individual septic systems and public water supplies will be utilized at this site. This report represents my professional opinion as a Licensed Soil Scientist but does not guarantee or represent permit approval for any lot by the local Health Department. Improvement permits will need to be obtained from the Health Department that specify the proposed home size and location, and the design and location of the septic system to be installed.

The soils indicated as provisionally suitable for subsurface sewage waste disposal (see attached map) are so rated due to clayey textured subsoil layers. These provisionally suitable soils were observed to be friable sandy clay loams to greater than 36 inches and appear adequate to support long term acceptance rates of 0.4 to 0.5 gal/day/sqft.

The soils indicated as provisionally suitable for modified or alternative subsurface sewage waste disposal systems are so rated due to clayey textured subsoil layers with limited depth to unsuitable layers. The subsoils were observed to be firm sandy clay loams to greater than 20 inches below ground surface. These soils are limited in soil depth to the extent that systems that can be installed ultra shallow will likely be required. These provisionally suitable soils appear adequate to support long-term acceptance rates of 0.3 to 0.4 gal/day/sqft for conventional drainlines. Low profile chamber drainlines may be required in some areas and the addition of about six inches of topsoil material should be expected.

The unsuitable soil area is so rated due to inadequate soil depth to excessive soil wetness conditions. The ability to utilize alternative systems or make modifications to this area to allow for septic systems is minimal.
It appears that the soils on each lot are adequate to support conventional septic systems (including accepted status systems) installed with maximum ditch bottom depths ranging from 12 to 24 inches below surface. Adequate amounts of usable soils also exist to support at least 100% repair area on each lot. Most lots appear adequate to support four bedroom residences.

Lot 6 contains two areas of provisionally suitable soils for modified or alternative systems. These areas are rather small and situated where a home would likely be desired. A pump type system may be required for this lot along with ultra shallow drainlines. This lot could be limited to a three bedroom home.

Lot 7 appears to have adequate usable soil to support a four bedroom home but a pump may be needed depending on the siting of the home.

It is our understanding that Lots 8, 12, and 14 have been evaluated and approved by the Lee County Health Department, so additional investigation was not conducted on these three lots.

Lot 9 contains two areas of provisionally suitable soils. The area in the southwestern corner is rather small and appears adequate only to support a repair area and does not appear to contain a recommendable house site. The home for this lot will need to be sited in the larger usable area on the northern end. A pump could be needed depending on the location of the house.

Lots 10, 11, 15, 16, and 17 were observed to be dominated by provisionally suitable soils and appear to be adequate to support the septic disposal needs of four bedroom homes. Pumps are not anticipated on these lots.

Lots 13 and 18 each contain large areas of provisionally suitable soils and appear adequate to support the septic disposal needs of several residences.

I trust that this report provides the information that you require at this time. If you have any questions or need additional information, please contact me at your convenience.

Sincerely,

Hal Owen
Licensed Soil Scientist
Comprehensive Soil Investigation
Winstead Farms Phase 2
12 September 2019

Soil Map

Soil Map Legend
- Provisionally Suitable Soils
- Provisionally Suitable Soils for Modified or Alternative Systems
- Unsuitable Soils

Scale 1 in = 200 ft
Distances are paced and approximate
CITY OF SANFORD CITY COUNCIL
PLANNING BOARD RECOMMENDATION
REGARDING A PRELIMINARY MAJOR SUBDIVISION PLAT
October 1, 2019

Winstead Farms, Phase 5, Preliminary Subdivision Plat

RECOMMENDATION FROM PLANNING BOARD:
The Planning Board recommends that the City Council approved the preliminary plat for the Winstead Farms, Phase 5 off of Lemon Springs Road as it appears to comply with the UDO subdivision regulations, the subject property has access to public water and streets, and the soil report appears to support the configuration of the lots. This site is in the City’s ETJ; therefore is subject to approval by City boards even though the design is more typical for a subdivision in the County.

Introduction
Winstead Farms, Phase 3 is a pending minor subdivision on a separate parent tract of land. Phase 4 was a minor subdivision (lots 1-5) that was approved by staff and recorded at Plat Cabinet 2019, Slide 108 of the Lee County Register of Deeds Office. Now that additional lots are proposed to be created from the parent tract of land that was part of Phase 4 (PIN 9641-93-0576-00), the subdivision has transitioned from a minor subdivision to a major subdivision; therefore, Phase 5 must be considered by the Planning Board for a recommendation.

HWW Properties is proposing to create a 4-lot subdivision that will be served by public water, private individual septic systems, and public streets. Lots 1-5 have already been created as a minor subdivision and recorded as Phase 4 at Plat Cabinet 2019, Slide 108. Phase 5 is now being offered for your consideration/recommendation.

Location: Lemon Springs Road and St. Andrews Church Road (all NCDOT)
Property Owner: HWW Properties
Project Developer: HWW Properties
Project Surveyor: Mike Cain
Township: Jonesboro
Tax Parcels: 9641-93-0576-00
Tax Maps: 9641.04
Total Lots: 4 lots, specifically lots 6-9

Zoning:
Residential Single-family (R-20), small area in ETJ
and Residential Agricultural (RA), most the site in Lee County

Acreage: 13.97 +
Minimum Lot Size: 20,000sf or 0.46 of an acre for the area zoned R-20 (ETJ)
40,000sf or 0.92 of an acre for the area zoned RA (Lee County)
Smallest Lot Size: 1.10 acre (Lot 9)
Largest Lot Size: 8.3 acres (Lot 6)
Linear Feet of Street: No new streets proposed
Street(s): Public Street, maintained by NCDOT
Water: Public Water, maintained by NCDOT
Wastewater/Sewer: Private individual septic systems
Fire District: Tramway Fire Dept.

Area & Site Description
The subject property is located off of Lemon Springs Road and St. Andrews Church Road. A portion of lots 7, 8, and 9 are in the City of Sanford’s Extra-Territorial Jurisdiction (ETJ) as illustrated by a dashed line on the plat. The majority of this subdivision is located within Lee County. The general area is developed with residential single-family homes. The subject property is vacant and mostly wooded.

**Zoning District Information**

The ETJ line runs through this property. The portion of the property within the ETJ does not have much developable area and is zoned Residential Single-family (R-20). The portion of the property within the jurisdiction of Lee County has developable area and is zoning Residential Agricultural (RA).

The Residential Single-family (R-20) district is established to provide areas for low-density single-family uses, with a maximum of two (2) dwelling units per acre, which may provide buffers between the agricultural and R-20 classifications and the higher density areas. It includes density and minimum lot size requirements in order to allow for market and design flexibility while preserving the neighborhood character.

The minimum lot size is 20,000 square feet with a maximum building height of 40ft.

The minimum building setbacks for a principal structure or house is as follows:
- Front: 30 feet, as measured from the right-of-way line of the proposed public street
- Rear: 30 feet, measured from the rear property line
- Side(s): 15 feet, measured from the side property lines

The Residential Agricultural (RA) zoning district, which is established to provide areas for low density single family uses, low intensity agricultural operations as well as agri-business and supportive industrial and commercial uses. Industrial operations are not permitted unless they clearly support an agricultural use. RA zoning protects and preserves valuable agricultural areas, implements agricultural protection zoning, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, sets maximum permissible densities or new zoning districts, defines specific areas for rural commercial uses, and identifies areas appropriate for agricultural preservation.

The minimum lot size is 40,000 square feet with a maximum building height of 40ft.

The minimum building setbacks for a principal structure or house is as follows:
- Front: 30 feet, as measured from the right-of-way line of the proposed public street
- Rear: 30 feet, measured from the rear property line
- Side(s): 15 feet, measured from the side property lines

**Overlay Districts & Area Plans**

This site is not located within a watershed conservation overlay district, a historic district or study area for a small area plan. There is a small area along the southwestern property line of lot 6 that has floodplain.

**Long Range Plan:**

The Plan SanLee identifies the future land use place type for this tract of land as “Countryside”, which has the following characteristics:
- agricultural and undeveloped lands outside the Urban Service Area
- preservation of the country’s agricultural heritage encouraged
- conservation and maintenance of rural lifestyle supported
- limited residential density

Land use designations include schools, churches, single-family detached dwellings, farmland, forests, and conservation land. Forms of transportation include automobiles that share the roads with agricultural activity
(with vehicular connectivity encouraged in new development) and pedestrians walking & bicycling on off-street trails. The zoning districts are Residential Agricultural (RA) and Residential Restricted (RR). The maximum development density is one dwelling unit per two acres with deep building setbacks and a 35ft height limit. Utility infrastructure is well water and on-site wastewater disposal. The features character is two-lane rural highways, dispersed development pattern, and agricultural fields & forests.

Staff Analysis
The new 4-lot residential subdivision would be accessed via existing public roads maintained by NCDOT. NCDOT typically requires Driveway Permits if a group or all of the lots are sold to a builder, but not if sold to private individuals. The subdivision would be served by public water via a 12-inch water line along Minter School Road and/or an 8-inch water line along St. Andrews Church Road. If the subdivision is approved, the public water connections must be approved by the City of Sanford Public Works Department to verify compliance with all applicable regulations.

The subject property has been evaluated by a licensed soil scientist in order to determine the suitability of soils for individual private septic systems and the project surveyor has utilized this general information when creating the lot configurations. The map submitted with the soil report illustrates the suitable soils for septic systems for your reference and both Planning staff and the Lee County Environmental Health Department have a copy of the study created by the soil scientist. Future residential development on each lot would be served by individual private septic systems that would need to be approved by the Lee County Environmental Health Department at the time that the developer or individual lot owner proposes to construct a house.

The preliminary plat was reviewed by the Sanford/Lee County/ Broadway Technical Review Committee (TRC) on August of 2019 and the board was comfortable with the preliminary plat moving forward for review & approval by the Planning Board and the Council. All outstanding TRC technical revisions must be addressed prior to the final plat being recorded.

The preliminary plat shall be valid for two years if approved by the Sanford City Council.
12 September 2019

Mr. Bill McDonald
Carolina Real Estate
Sanford NC 27330

Reference: Comprehensive Soil Investigation
Winstead Farms Phase 5

Dear Mr. McDonald,

A comprehensive soil investigation has been conducted at the above referenced property, located on the southern side of St. Andrews Church Road (SR 1146) and the northwestern side of Minter School Road (SR 1149) in Jonesboro Township, Lee County, North Carolina. The purpose of the investigation was to determine the ability of each lot to support a subsurface sewage waste disposal system and 100% repair area for a typical four bedroom home. All ratings and determinations were made in accordance with "Laws and Rules for Sewage Treatment and Disposal Systems, 15A NCAC 18A .1900". It is our understanding that individual septic systems and public water supplies will be utilized at this site. This report represents my professional opinion as a Licensed Soil Scientist but does not guarantee or represent permit approval for any lot by the local Health Department. Improvement permits will need to be obtained from the Health Department that specify the proposed home size and location, and the design and location of the septic system to be installed.

The soils indicated as provisionally suitable for subsurface sewage waste disposal (see attached map) are so rated due to clayey textured subsoil layers. These provisionally suitable soils were observed to be friable sandy clay loams to greater than 36 inches and appear adequate to support long term acceptance rates of 0.4 to 0.5 gal/day/sqft.

The soils indicated as provisionally suitable for modified or alternative subsurface sewage waste disposal systems are so rated due to clayey textured subsoil layers with limited depth to unsuitable layers. The subsoils were observed to be firm sandy clay loams to greater than 20 inches below ground surface. These soils are limited in soil depth to the extent that systems that can be installed ultra shallow will likely be required. These provisionally suitable soils appear adequate to support long-term acceptance rates of 0.3 to 0.4 gal/day/sqft for conventional drainlines. Low profile chamber drainlines may be required in some areas and the addition of about six inches of topsoil material should be expected.
The unsuitable soil area is so rated due to inadequate soil depth to excessive soil wetness conditions. The ability to utilize alternative systems or make modifications to this area to allow for septic systems is minimal.

It appears that the soils on each lot are adequate to support gravity driven conventional septic systems installed with maximum ditch bottom depths ranging from 18 to 24 inches below surface. Adequate amounts of usable soils also exist to support at least 100% repair area on each lot,

I trust that this report provides the information that you require at this time. If you have any questions or need additional information, please contact me at your convenience.

Sincerely,

Hal Owen
Licensed Soil Scientist
Soil Map

Soil Map Legend
- Provionally Suitable Soils
- Provionally Suitable Soils for Modified or Alternative Systems
- Unsuitable Soils

Scale 1 in = 200 ft
Distances are paced and approximate
Moncure Valley Preliminary Subdivision Plat

RECOMMENDATION FROM PLANNING BOARD:
The Planning Board recommends that the City Council approved the preliminary plat for the Moncure Valley Subdivision off of Lower Moncure Road as it appears to comply with the UDO subdivision regulations, the subject property has access to public water, and the soil report appears to support the configuration of the lots. This site is in the City’s ETJ; therefore is subject to approval by City boards.

Introduction
Caviness Land is seeking preliminary plat approval for a 12-lot residential subdivision located off of Lower Moncure Road in the City’s ETJ. All lots are proposed to be served by public water, private septic systems and a public street.

Location: Lower Moncure Road (SR 1002)
Property Owners: Moncure Investments, LLC
Project Developer: Caviness Land
Project Engineer: Scott Brown of 4D Site Solutions, Inc.
Township: East Sanford
Tax Parcels: 9653-23-8167-00
Total Lots: 12 residential lots and 2 common area lots
Zoning: Residential Single-famil (R-20)
Acreage: 10.03
Minimum Lot Size: 20,000sf or 0.46 of an acre
Smallest Lot Size: 21,250 square feet or 0.48 of an acre (Lots 3, 4, and 5)
Largest Lot Size: 46,654 square feet or 1.07 acres (Lot 12)
Linear Feet of Street: 23,603 linear feet
Street(s): Public Street, NCDOT
Water: Public Water, City of Sanford
Sewer: Private Septic Systems, Individual
Fire District: Northview Fire Department

Area & Site Description
The subject property is comprised of one vacant wooded tract of land located off of Lower Moncure Road. This area is predominately rural and developed with single-family dwellings.

Zoning District Information
The subject property is zoned Residential Single-family (R-20), which district is established to provide areas for low-density single-family uses, with a maximum of two (2) dwelling units per acre, which may provide buffers between the agricultural and the higher density areas of the Lee County. It includes density and minimum lot size requirements in order to allow for market and design flexibility while preserving the neighborhood character.
The minimum lot size is 20,000 square feet with a maximum building height of 40ft. The minimum building setbacks for a principal structure or house is as follows:
- Front: 30 feet, as measured from the right-of-way line of the proposed public street
- Rear: 30 feet, measured from the rear property line
- Side(s): 15 feet, measured from the side property lines

**Overlay Districts & Area Plans**

**Watershed Conservation Overlay District:** The subject property is located within our Watershed Conservation Overlay District, specifically the Cape Fear/Lee County Watershed Protected Area. A watershed is a basin-like landform delineated by ridgelines that descend into lower elevations that carries rain water from the land into soils, ground waters, creeks, and streams, eventually making its way to larger rivers and the ocean. Development within this area is allowed, but there are maximum density and built upon area requirements designed to ensure the health of the watershed. This project appears to comply with the UDO watershed regulations.

**Long Range Plan:** The plan identifies the future land use place type for this tract of land as “suburban neighborhood”, which has the following characteristics:
- Residential areas on the outskirts of a core urbanized area
- Facilitates large scale development of single-family residential
- Walkable, with high degree of transportation connectivity between neighborhoods

Land use designations include forests, undeveloped open space, schools, churches, neighborhood parks, as well as detached and attached single-family dwellings. Forms of transportation include automobiles (vehicular connectivity is encouraged in new development) that share the roads with pedestrian uses like sidewalks, off-street trails, transit and commercial area connections. Also included in transportation is on-street bike lanes and off trail bicycle systems, and public transit. The current zoning districts are residential single-family (R-20, R-14, R-12SF, and R-12). The maximum development density is four to seven units per acre with moderate building setbacks and a 35ft height limit. Utility infrastructure is public water and public wastewater. The preferred character is interconnected curvilinear streets, 600ft block lengths, curb & gutter with sidewalks, and street trees.

**Staff Analysis**

The new 12-lot residential subdivision would be accessed via a new public road (no name proposed at this time) that the developer would construct to NCDOT standards and submit for acceptance/maintenance by NCDOT once the minimum development requirement of two houses per a tenth of a mile with a minimum of four houses is met. A copy of the NCDOT approval for the connection of the new public road to Lower Moncure Road (SR1002) must be on file with the Planning Department prior to recordation of the final subdivision plat.

The subdivision would be served by public water via a new water line connection to the existing 24-inch public water line along Lower Moncure Road that is maintained by the City of Sanford. If the subdivision is approved, the design of the public water extension must be approved by the City of Sanford Public Works Department and the Fire Dept. for the appropriate jurisdiction to verify compliance with all applicable regulations.

The subject property has been evaluated by a licensed soil scientist in order to determine the suitability of soils for individual private septic systems and the project designer has utilized this
general information when creating the lot configurations. The preliminary plat illustrates the “suitable soils for septic systems” for your reference (Sheets C-1.0 Site Plan and C-30.0 Grading & Erosion Control Plan) and both Planning staff and the Lee County Environmental Health Department have a copy of the study created by the soil scientist. Future residential development on each lot would be served by individual private septic systems that would need to be approved by the Lee County Environmental Health Department at the time that the developer or individual lot owner proposes to construct a house.

The topography slopes downward from Lower Moncure Road in towards the site. Sanford/Lee County does not have a local grading permit and relies on the North Carolina Department of Environmental Quality (NCDEQ) to regulate land disturbing activities. A sedimentation and erosion control plan for this project must be approved by NCDEQ and a copy of the approval must be on file with the Planning Department prior to recordation of the final subdivision plat.

Please be aware that the subdivision design as illustrated on the preliminary plat does not appear to comply with the UDO standard in the following two respects:

1.) Common Area #2 (labeled CA2) has 39.10ft of public road as opposed to the 100ft of frontage required for the R-20 zoning district. The rationale for the creation of this CA2 lot is that there is an existing 30ft access easement within this area that may be a potential problem in the future if this area were incorporated into the individual lots. By designating this area as common area, individual property owners are less likely to think that they own this area and develop it or fence it.

2.) CA2 also exceeds the maximum width-to-depth ratio of 1:4 as allowed for major subdivision lots in R-20.

The UDO has general language which states that where the Planning Board and Governing Body finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve exceptions to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that the exception shall not have the effect of nullifying the intent and purpose of these regulations. All such exceptions shall be approved by the Governing Body, upon recommendation from the Planning Board, as part of the preliminary plat approval.

The preliminary plat was reviewed by the Sanford/Lee County/ Broadway Technical Review Committee (TRC) in April of 2019 and the board was amendable to the preliminary plat moving forward for review & approval by the Planning Board and City Council. All outstanding TRC technical revisions must be addressed prior to the final plat being recorded.

The preliminary plat shall be valid for two years if approved by the City Council.
MONCURE VALLEY
SUBDIVISION
SITE DEVELOPMENT PLANS

EAST SANFORD TOWNSHIP
SANFORD, NORTH CAROLINA
LEE COUNTY

INDEX OF DRAWINGS
C1.0 - EXISTING CONDITIONS
C2.0 - SITE PLAN
C3.0 - GRADING AND EROSION CONTROL PLAN
C3.1 - DRAINAGE AREAS
C4.0 - UTILITY PLAN
C5.0 - PROFILE
C6.0 - 6.1 - DETAILS

EXISTING UTILITY OWNER
WATER
CITY OF SANFORD PUBLIC WORKS
225 E. Weatherspoon Street
Sanford, North Carolina 27330
919-777-1118
Contact: Victor Czar

CIVIL ENGINEER
4D SITE SOLUTIONS, INC.
409 Chicago Drive - Suite 112
Fayetteville, North Carolina 28306
910-426-6777
Contact: Scott Brown, PE
email: sbrown@4dsitesolutions.com

OWNER/DEVELOPER
CAVINESS LAND
639 Executive Place - Suite 400
Fayetteville, North Carolina 28305
910-481-5033
Contact: Watson Caviness
email: watson@cavinessandcates.com

SURVEYOR
4D SITE SOLUTIONS, INC.
409 Chicago Drive - Suite 112
Fayetteville, North Carolina 28306
910-426-6777
Contact: Jimmy Holland, PLS
email: jholland@4dsitesolutions.com

THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 72 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED.

NOT TO SCALE
THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 72 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED.
THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 72 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED.
THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 72 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED.
CONCRETE WASHOUT

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
WITH WOOD PLANKS AND MAKE TIMELY REPAIRS AS NEEDED.

(TYP) VARIES

DATE RELEASED

BB PUBLIC ROADWAYS.
CLEAN IT OUT AS NECESSARY. IMMEDIATELY REMOVE HABITABLE MATERIALS SPILLED, WASHED OR TRACKED ONTO PUBLIC ROAD.

EXITS TO LIMIT SEDIMENT FROM LEAVING THE CONSTRUCTION SITE AND TO PROVIDE FOR MAXIMUM UTILITY BY ALL LOCATIONS - LOCATE CONSTRUCTION ENTRANCES AND POINTS OF THE VEHICULAR ENTRANCE AND EXIT.

THE CONTRIBUTING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED AND NCDENR APPROVES REMOVAL.

1. INSPECT SEDIMENT FENCES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
2. SHOULD THE FABRIC OF A SEDIMENT FENCE COLLAPSE, TEAR, DECOMPOSE OR BECOME INEFFECTIVE, REPLACE IT PROMPTLY.
3. STEEL POSTS SHALL BE A MIN. OF 5' HEIGHT AND SHALL BE FASTENED AROUND THE SELF FASTENER ANGLE STEEL TYPE.
4. FILTER FABRIC SHALL BE A MINIMUM OF 36" IN WIDTH AND 10' MINIMUM IN LENGTH.
5. FILTER FABRIC BURIED 8" IN 8" = 1.12" DIA 10 mil PLASTIC LINING

STEP 1
FIRMLY TO ANCHOR THE BOTTOM OF THE SILT FILTER FABRIC.

STEP 2
THE DEVICE SHALL BE MADE IMMEDIATELY.

STEP 3
36" SEAWALLS SHALL BE A MIN. 12-1/2 GA. LINE WIRES STAPLED 1-1/2" LONG. FABRIC THAT DETERIORATES TO SUCH POINTS SHALL HAVE A MINIMUM OF 6 WIRES WITH 12" STAY SPACING.

STEP 4
BACKFILL THE TRENCH AND COMPACT THE SOIL.

MULCH:

SPECIES                            RATE (LB./ACRE)
BROWNTOP MILLET10 1,000 LB./ACRE 10-10-10 FERTILIZER.

TEMPORARY SEEDING/MULCHING SPECIFICATIONS (FOR LATE WINTER AND EARLY SPRING)

APPLY 4,000 LB./ACRE STRAW. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING, OR A MULCH ANCHORING TOOL.

APPLY 50 LB./ACRE NITROGEN IN MARCH. IF GROWTH IS LESS THAN FULLY ADEQUATE, REFERTILIZE IN THE SECOND YEAR, ACCORDING TO THE SOIL TESTS OR FOLLOW RECOMMENDATIONS OF SOIL TESTS.

NURSE PLANTS:

- VIRGINIA WILD RYE6

MAINTENANCE:

- REPAIR AND REFERTILIZE DAMAGED AREAS IMMEDIATELY.
- TOP DRESS WITH 50 LB./ACRE OF NITROGEN IN MARCH.
- IF GROWTH IS LESS THAN FULLY ADEQUATE, REFERTILIZE IN THE SECOND YEAR, ACCORDING TO THE SOIL TESTS OR FOLLOW RECOMMENDATIONS OF SOIL TESTS.

FILTER FABRIC:

- FILTER FABRIC SHALL BE A MINIMUM OF 36" IN WIDTH AND 10' MINIMUM IN LENGTH.
- FILTER FABRIC SHALL HAVE A MINIMUM OF 6 WIRES WITH 12" STAY SPACING.
- FILTER FABRIC BURIED 8" IN 8" = 1.12" DIA 10 mil PLASTIC LINING

APPLY LIME AND FERTILIZER ACCORDING TO SOIL TEST, OR APPLY 3,000 LB./ACRE GROUND AGRICULTURAL LIMESTONE AND 1,000 LB./ACRE 10-10-10 FERTILIZER.

ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MONITORED WEEKLY AND AFTER EACH RUNOFF-PRODUCING EVENT.

A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.
1. Inspect the erosion control blanket once a week and after every rainfall. To avoid undermining the dam during cleanout.

2. Immediately repair and/or replace any damaged blanket.

3. Clean or replace the stone when it shows signs of necessary repairs immediately. Remove trash and debris from the sheet number 1.

4. Weir section must be 9" lower than abutments front view.

5. Downstream apron length should be 3 times the reinstalled.

6. Lay the assembled skimmer on the bottom of the basin with the top stay wire or rope.

7. Install the spillway in undisturbed soil to the greatest extent possible. The spillway should be lined with laminated plastic or impermeable geotextile fabric. The fabric must be wide and long enough to cover the bottom and sides and extend onto the top of the structure and all the unstable sediment. Smooth the area to blend with the adjoining areas and stabilize properly.

8. After all sediment producing areas have been stabilized, remove skimmer. Place the sediment that is removed in an area with sediment laden water to the upper end of the pool area to improve basin trapefficiency.

9. Construct the structure so that the disturbed area is minimized.

10. Install porous baffles as specified.

11. After the contributing drainage area has been properly backfilled over the pipe spillway before crossing it with construction equipment. Compact it under and around the pipe to at least the same density as possible. The spillway should be lined with laminated plastic or timber.

Notes:
- Refer to City of Sanford drawing 50-A-650 for typical sketch details if necessary.
- Review site plan. Remove the orifice and clear the debris.

Device from settling into the mud by excavating a shallow pit under the barrel is clogged, remove the orifice and clear the debris.

Porous baffles shall extend the full width of the basin. Baffles when the sediment is removed.

Erosion control matted turned out 4" in the bottom of fabric buried 8".

Install the spillway in undisturbed soil to the greatest extent possible. The spillway should be lined with laminated plastic or impermeable geotextile fabric. The fabric must be wide and long enough to cover the bottom and sides and extend onto the top of the structure and all the unstable sediment. Smooth the area to blend with the adjoining areas and stabilize properly.

Erosion control blanket installation temporary skimmer basin check dam with weir silt fence outlet.
October 11, 2018

Mrs. PJ Gay
Caviness Land
638 Executive Place, Suite 400
Fayetteville, NC 28305

Re: Preliminary soil evaluation for subsurface waste disposal, Parcels 1, 3 & 4, Box Bend, LLC., Lower Moncure Road, Lee County, North Carolina

Dear Mrs. Gay,

A preliminary soils investigation has been completed for the above referenced property at your request. The property is located on Lower Moncure Road as illustrated on the accompanying maps. The purpose of the investigation was to determine the extent of soil areas that may have the ability to support subsurface waste disposal systems for a proposed residential subdivision. All ratings and determinations were made in accordance with "Laws and Rules for Sanitary Sewage Collection, Treatment, and Disposal, 15A NCAC 18A.1900".

Southeastern Soil and Environmental Associates, Inc. (SSEA) performed these soil evaluations in September and October 2018. SSEA traversed the property and observed landforms (slope, drainage patterns, etc.) as well as soil conditions through the use of hand auger borings and/or soil probes. From these observations and GPS location (accuracy may vary: not based on a current survey) the boundaries between usable and unusable soils has been estimated on the accompanying maps (scale as shown).

Two distinct soil patterns were observed in the field evaluations. They are described as follow:

Area "A": This area is dominated by soils that are provisionally suitable for subsurface waste disposal systems (with the exception of minor drainageways or disturbed areas that are too small to delineate at this scale). Typically, these soils exhibited 4 or more inches of loamy sand underlain by sandy clay loams and/or sandy clays to depths of 36 or more inches.
Soil wetness, depth, and mineralogy were typically suitable to depths of at least 20 inches. A 3-bedroom home would require approximately 8,000 sq. ft. of this soil area for drainfields and repair areas (exclusive of setbacks from lot lines, houses, drainage features, etc.). A 4-bedroom home would require approximately 10,000 sq. ft. of this soil area. (Note: These square footage recommendations assume appropriate topography for a practical septic system layout on topographical contour. Space requirements could increase with difficult topography, irregular lot lines, etc.) System types in these soil areas would primarily be conventional but could include innovative, low pressure pipe, Low Profile Chamber, pump to conventional, 1957b fill, pretreatment, drip irrigation, etc.

Note: The enclosed map is not based on a current survey [once surveyed, estimations of soil lines may change]. All points were flagged in the field for location by your professional land surveyor. Due to heavy vegetation and/or poor GPS accuracy, estimations of unsuitable soil lines (on maps provided) could vary after further evaluation.

Area "B": Soils in these areas are dominantly unsuitable for subsurface waste disposal due to poor topography, shallow soil depths to unsuitable saprolite or parent material, soil wetness [colors of chroma 2 (or less) and/or redox mottles that are less than 12 inches from the soil surface] and/or expansive clay mineralogy. Some of these areas contain wetlands that are regulated by the US Army Corps of Engineers and/or the NC Division of Water Resources. A wetland delineation should be completed prior to any site disturbances near these areas. A wetland permit will be required if any disturbance is proposed in these areas.

Note: Any site grading, compaction, rutting and/or soil removal in the provisionally suitable soil areas (A) may alter the findings of this report and render sites unusable. Areas for septic disposal must remain undisturbed (no mechanical clearing, stripping, excavation or heavy traffic).

Because individual lots were not surveyed at the time of evaluation, this report does not address lot(s). This report is to be used as a guide for likely subdivision/lot design based on useable soils.

Lee County Planning requires a certification of the septic suitability of each proposed lot prior to recording a subdivision map. Additional soil borings/testing will be required at the time that proposed individual lots are staked on the ground to determine whether each lot contains adequate soils that have the ability to
assimilate waste under current rules and the type system required. Based on these individual lot evaluations, additional requirements for lot density, lot size and/or configuration would be made to meet current regulatory criteria.

This report, of course, does not guarantee, constitute or imply any approval, or issuance of permit, as needed by the client from the local health department. Such approval is dependent on individual lot evaluations made after individual lots are staked in the field by the local health department. This report only represents my opinion as a licensed soil scientist. Because of the extreme variability of these soils, SSEA does not guarantee that permitting agencies will agree with these findings (nor permit the intended use).

As with any property, a buyer of any proposed lot should obtain an appropriate septic improvement permit from the local County Health Department prior to making or completing financial obligations or commitments. (A permit from this agency is the only “guarantee” of a site’s suitability).

Southeastern Soil and Environmental Associates, Inc. is pleased to be of service in this matter. We look forward to assisting in additional site analysis needs you may have in the future. Please feel free to call with any questions.

Sincerely,

[Signature]

Mike Eaker
President
This site is prepared for the inventory of real property found within this jurisdiction and is compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this site. The County of Lee and Dude Solutions, Inc. assume no legal responsibility for the information contained on this site. Please be advised that you must contact the Lee County Tax Office for accurate tax values. Please contact the Lee County Appraisal Department if any building information is incorrect. The map, layer, data and website (collectively known as "the layer") are for graphical and illustration purposes only. The Lee County Strategic Services Department (hereinafter "the Department") provide the layer and the information contained within to the general public and has not customized the information for any specific or general purpose. Such information was generated from data.
REIMBURSEMENT RESOLUTION

PROJECT FORGE – INFRASTRUCTURE IMPROVEMENTS

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

BE IT RESOLVED by the City of Sanford as follows:

Section 1: The project authorized is for infrastructure improvements to Project Forge in the amount of $1,500,000.

Section 2: The project is to be financed. Currently, the expected type of financing is installment purchase proceeds and the expected maximum amount of installment purchase proceeds to be issued or contracted for the project is $1,500,000.

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

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

ADOPTED this, the 1st day of October, 2019.

______________________________________________________________
T. Chet Mann, Mayor

ATTEST:

______________________________________________________________
Bonnie Davis, City Clerk
AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET
OF THE CITY OF SANFORD FY 2019-2020

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

Section 1: The following amounts are hereby amended to ordinance 2019-37 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the fiscal year 2019-2020.

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>EXPENDITURES</th>
</tr>
</thead>
<tbody>
<tr>
<td>300945 54000 Retained Earnings</td>
<td>1,500,000 Contribution - Capital Project</td>
</tr>
<tr>
<td></td>
<td>30096650 00000</td>
</tr>
</tbody>
</table>

Total Appropriation $1,500,000

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 1st day of October, 2019.

____________________________________
T. Chet Mann, Mayor

ATTEST:

____________________________________
Bonnie Davis, City Clerk
2019-2020 BUDGET ORDINANCE AMENDMENT

UTILITY FUND

Appropriation of Funds - results in increasing of budget

REVENUES

| Retained Earnings | 1,500,000 | To appropriate retained earnings for item described below |

EXPENDITURES

| Contribution - Capital Project | 1,500,000 | Contribution to Project Forge Infrastructure Improvements - these funds will be reimbursed to the city once financing has been secured |
BE IT ORDAINED by the City Council of the City of Sanford, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: The project authorized is for infrastructure improvements to Project Forge. This project is to be financed through grant funds and reserves.

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

| Project Forge     | $ 3,000,000 |

Section 4: The following revenues are anticipated to be available to complete this project:

| Golden LEAF Foundation Grant | $ 1,500,000 |
| Contribution from Utility Fund | $ 1,500,000 |

Section 5: The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and state / federal regulations.

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

Section 7: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total revenues received and claimed.

Section 8: The Finance Officer is directed to include in the annual budget information projects authorized by previously adopted project ordinances which will have appropriations available for expenditure during the budget year.

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

ADOPTED this, the 1st day of October, 2019.

_____________________________
T. Chet Mann, Mayor

ATTEST:

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

BE IT RESOLVED by the City of Sanford as follows:

Section 1: The project authorized is for the cost of the site preparation for Project Forge to include right-of-way acquisition, road improvements, and other related expenses in the amount of $1,300,000.

Section 2: The project is to be financed. Currently, the expected type of financing is installment purchase proceeds and the expected maximum amount of installment purchase proceeds to be issued or contracted for the project is $1,300,000.

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

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

ADOPTED this, the 1st day of October, 2019.

T. Chet Mann, Mayor

ATTEST:

_______________________________
Bonnie Davis, City Clerk
BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

Section 1: The following amounts are hereby amended to ordinance 2019-37 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the fiscal year 2019-2020.

### GENERAL FUND

#### APPROPRIATION OF FUNDS

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>EXPENDITURES</th>
</tr>
</thead>
<tbody>
<tr>
<td>100045 54000 Fund Balance</td>
<td>1,039,600</td>
</tr>
</tbody>
</table>

Total Appropriation | $1,039,600 |

#### TRANSFER OF FUNDS

<table>
<thead>
<tr>
<th>Transfer from the Following Accounts:</th>
<th>Transfer to the Following Accounts:</th>
</tr>
</thead>
<tbody>
<tr>
<td>10016650 00000 Contributions - SAGA</td>
<td>10016650 00000 Contribution - Capital Project</td>
</tr>
<tr>
<td>260,400</td>
<td>260,400</td>
</tr>
</tbody>
</table>

Total Appropriation | $260,400 |

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 1st day of October, 2019.

____________________________________
T. Chet Mann, Mayor

ATTEST:

____________________________________
Bonnie Davis, City Clerk
2019-2020 BUDGET ORDINANCE AMENDMENT

GENERAL FUND

Appropriation of Funds - results in increasing of budget

REVENUES

Fund Balance 1,039,600 To appropriate fund balance for item described below

EXPENDITURES

Contribution - Capital Project 1,039,600 Contribution to Project Forge Site Preparation / Roadway - these funds will be reimbursed to the city once financing has been secured

GENERAL FUND

Transfer from the Following Funds - results in decreasing of budget

Contribution - SAGA 260,400 To transfer funds into Contribution to Capital Project

Transfer to the Following Funds - results in increasing of budget

Contribution - Capital Project 260,400 Contribution to Project Forge Site Preparation / Roadway - these funds will be reimbursed to the city once financing has been secured
GRANT PROJECT ORDINANCE

PROJECT FORGE – SITE PREPARATION / ROADWAY

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: The project authorized is for the cost of the site preparation for Project Forge to include right-of-way acquisition, road improvements, and other related expenses. This project is to be financed through grant funds and reserves.

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant proceeds and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

- **Project Forge** $2,964,600

Section 4: The following revenues are anticipated to be available to complete this project:

- **Contribution from General Fund** $1,300,000
- **Contribution from Lee County** 700,000
- **Economic Development Grant from NCDOT** 964,600

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and state and federal regulations.

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

Section 7: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total revenues received and claimed.

Section 8: The Finance Officer is directed to include in the annual budget information projects authorized by previously adopted project ordinances which will have appropriations available for expenditure during the budget year.

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

ADOPTED this, the 1st day of October, 2019.

_______________________________
T. Chet Mann, Mayor

ATTEST:

_______________________________
Bonnie Davis, City Clerk
PRELIMINARY ASSESSMENT RESOLUTION
FRANKLIN DRIVE WATER LINE EXTENSION

WHEREAS, the City Council of the City of Sanford has determined that it may be in the best interest of the City to extend its Water system and that in order to provide such extensions it would be necessary to assess part of the cost thereof upon the real property benefited thereby;

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

1. It is intended that the water system of the City of Sanford be extended by construction of approximately 644 linear feet of 6” water line along Franklin Drive, pursuant to Article 10, Chapter 160A of the General Statutes;

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

3. The assessment herein provided for shall be payable in cash, or if any property owner shall so elect, such owner shall have the option of paying the assessment in 10 equal annual installments, or monthly installments for an equivalent period, said installments to bear interest at the rate of eight percent (8%) per annum;

4. A public hearing on all matters covered by this resolution will be held at 6:00 p.m. on the 15th day of October, 2019, at the City of Sanford Municipal Center.

Adopted this 1st day of October, 2019.

_________________________________________
T. Chet Mann, Mayor

ATTEST:

_________________________________________
Bonnie Davis, City Clerk
CITY OF SANFORD RESOLUTION IN SUPPORT OF NCDOT IMPROVEMENTS ASSOCIATED WITH PROJECT FORGE

WHEREAS, the City of Sanford supports Project Forge and the potential creation of 460 new jobs, and the capital investment of approximately $117 million dollars: and

WHEREAS, Project Forge involves transportation and cooperation with the North Carolina Department of Transportation: and

WHEREAS, Project Forge will have both statewide and regional implications from transportation networks.

NOW, THEREFORE, BE IT RESOLVED that the City of Sanford adopts this resolution requesting the North Carolina Department of Transportation to fund and construct the necessary improvements to support project Forge.

ADOPTED during regular session on this the 1st day of October, 2019.

____________________________________
T. CHET MANN, MAYOR

ATTEST:

____________________________________
BONNIE DAVIS, CITY CLERK
The Golden LEAF Foundation (“Golden LEAF”)

GRANTEE ACKNOWLEDGMENT AND AGREEMENT

1. Grantee: City of Sanford

2. Project File Number & Title: FY2020-022 / City of Sanford Project Forge Infrastructure Improvements

3. Purpose of Grant: This grant provides funding to the City of Sanford to construct public infrastructure to support Project Forge, which is Kalyani Group, an Indian auto part manufacturer. The Kalyani Group plans to open a combined machining and forging facility in Lee County. The company will make a capital investment of nearly $117 million and create 460 new jobs with an average annual wage of $51,780 compared to the Lee County average of $41,567. Golden LEAF funds will be used for sewer infrastructure which has a total cost of approximately $4 million.

4. Amount of Grant: $1,500,000.00

5. Award Date: 8/1/2019 Start Date: ________________

6. Special Terms and Conditions Applicable to Grant:
   a) The term of the grant is 16 months, commencing on the Award Date unless the Grantee proposes a later Start Date that is accepted by Golden LEAF. Golden LEAF may extend the term of the Grant. All project-related expenses must be incurred during the term of the grant. The provisions of this Grantee Acknowledgment and Agreement that by their nature extend beyond the term of the grant will survive the end of the term of the grant.
   b) Golden LEAF funds are to be used for costs related to constructing and improving public wastewater infrastructure that is owned by the Grantee and that is needed for the project. The infrastructure must be located on property that is publicly owned or controlled and must have the capacity to serve the Kalyani Group or its affiliates or subsidiaries (collectively, the “Company”), and the public.
   c) Release of grant funds is contingent upon the Grantee demonstrating that it has secured sufficient funds for the infrastructure necessary for this project.
   d) Release of funds is contingent on the Grantee providing evidence that the Company has agreed to allow the Grantee and Golden LEAF to verify the Company’s job creation and retention figures, wages, and benefits by reviewing NCUI-101 forms and/or through other means satisfactory to Golden LEAF.
   e) Release of funds is contingent on the Grantee providing evidence of an inducement agreement, performance agreement, or similar agreement demonstrating that the Company is obligated to create at least 414 jobs at the Company’s facility served by the infrastructure supported by this grant. The jobs must provide average annual wages of no less than $46,602, plus benefits including at least 50% of the cost of employee-only health insurance. The jobs must be created within five years. The agreement must include appropriate consequences should the Company fail to satisfy its obligations. The President of the Foundation may approve minor variations to these requirements.

7. Standard conditions on the release of grant funds:
   a) Release of grant funds is contingent on Grantee attending a Golden LEAF grants management workshop or participating in satisfactory discussions with Golden LEAF staff to gain training in the management of Golden LEAF grants and reporting requirements.
   b) Release of funds is contingent on Grantee returning a fully executed original of this Grantee Acknowledgment and Agreement no later than forty-five (45) days after the Award Date, unless Golden LEAF agrees to extend the deadline for its submission.
c) Release of funds is contingent on Grantee submitting a project management plan ("PMP") that Golden LEAF has approved. The PMP must be submitted for approval within forty-five (45) days of the Award Date, unless Golden LEAF agrees to extend the deadline. Unless otherwise approved, the PMP must be submitted on Golden LEAF form(s). The PMP will include key activities that are critical to successful implementation of the grant and outcomes that will be used to assess the success and effectiveness of the project.

d) Release of funds is contingent on the Grantee submitting a project budget for approval by Golden LEAF. The project budget must be submitted for approval within forty-five (45) days of the Award Date unless Golden LEAF agrees to extend the deadline. Unless otherwise approved, the project budget must be submitted on Golden LEAF form(s).

e) If the approved project budget includes funds from other sources that are required for project implementation, Golden LEAF grant funds will not be released until Grantee demonstrates that it has secured those funds.

f) Golden LEAF grant funds may not be used for acquisition of interests in real property or for costs of grant administration.

g) If the Grantee fails to comply with its obligations under this Agreement, no further grant funds will be released unless such noncompliance is resolved to the satisfaction of Golden LEAF.

8. Confirmation of Eligibility/Permissible use of Funds: The Grantee confirms: (1) that the Internal Revenue Service has determined that the Grantee is an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and that such determination has not been revoked, or (2) that the Grantee is a federal, state or local governmental unit. Grantee agrees to notify Golden LEAF promptly if the Grantee’s tax-exempt status is revoked or modified in any way. The Grantee agrees that it will use the funds from this grant only for charitable, educational, or scientific purposes within the meaning of Section 501(c)(3) of the Code, and that it will not use the funds from this grant in any way that would result in or give rise to private inurement or impermissible private benefit. The Grantee agrees that no funds from this grant will be used to carry on propaganda or otherwise to attempt to influence legislation, to influence the outcome of any public election, or to carry on directly or indirectly any voter registration drive. If grant funds are used to pay for sales tax for which the Grantee receives a refund, Grantee will use the refund for expenses that are consistent with the purpose of the grant and permissible under this Agreement. Unless otherwise agreed by Golden LEAF in writing, no portion of the Grantee’s rights or obligations under this Agreement may be transferred or assigned to any other entity.

9. Compliance with laws/liens: The Grantee is in material compliance with all federal, state, county, and local laws, regulations, and orders that are applicable to the Grantee, and the Grantee has timely filed with the proper governmental authorities all statements and reports required by the laws, regulations, and orders to which the Grantee is subject. There is no litigation, claim, action, suit, proceeding or governmental investigation pending against the Grantee, and there is no pending or (to the Grantee’s knowledge) threatened litigation, claim, action, suit, proceeding or governmental investigation against the Grantee that could reasonably be expected to have a material adverse effect upon the Grantee’s ability to carry out this grant in accordance with its terms. The Grantee has timely paid all judgments, claims, and federal, state, and local taxes payable by the Grantee the non-payment of which might result in a lien on any of the Grantee’s assets or might otherwise adversely affect the Grantee’s ability to carry out this grant in accordance with its terms.

10. Conflict of interest: In connection with the project funded by Golden LEAF, no employee, officer, director, volunteer, or agent of the Grantee shall engage in any activity that involves a conflict of interest or that would appear to a reasonable person to involve a conflict of interest. Without limiting the foregoing principle, except as described below, in connection with implementation of the project funded by Golden LEAF, Grantee shall not procure goods or services from any Interested Person or from any individual or entity with which any Interested Person has a financial interest or from any family member of an Interested Person, nor shall Grantee use Golden LEAF grant funds to provide goods, services, or compensation (other than customary and reasonable
wages and benefits) to any Interested Person or to any family member of an Interested Person. “Interested Person” includes officers and directors of the Grantee, and employees of the Grantee with authority to procure goods or services for the Grantee related to the project funded by Golden LEAF. For purposes of this section, family members shall include: (1) spouse, (2) ancestor, (3) brother, (4) half-brother, (5) sister, (6) half-sister, (7) child (whether by birth or by adoption), (8) grandchild, (9) great grandchild, or (10) spouse of brother, half-brother, sister, half-sister, child, grandchild, or great grandchild. An Interested Person has a financial interest if the Interested Person has, directly or indirectly, through business, investment, or family: a) an ownership or investment interest in any entity with which the Grantee has a transaction or arrangement; b) a compensation arrangement with the Grantee or with any entity or individual with which the Grantee has a transaction or arrangement; or c) a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Grantee is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. An Interested Person must inform the Grantee of his or her financial interest upon becoming aware that the Grantee is considering procuring goods or services from any individual or entity with which any Interested Person has a financial interest. The foregoing notwithstanding, if after exercising due diligence, the governing board or committee of the Grantee determines that the Grantee is not reasonably able to secure a more advantageous transaction or arrangement from an individual or entity with which an Interested Person does not have a financial interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Grantee’s best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination the Grantee shall make its decision as to whether to enter into the transaction or arrangement and shall keep written records of the meeting at which that decision was made. The Grantee shall inform all Interested Persons of the requirements set forth in this section. If the requirements set forth in this section conflict with any statute or regulation applicable to the Grantee, the statute or regulation shall control. If the Grantee has a conflict of interest or similar policy that provides more stringent restrictions and protections than those in this section, the Grantee may comply with its policy rather than the policy contained herein. This section does not alter the requirement that Grantee may not use the funds from this grant in any way that would result in or give rise to private inurement or impermissible private benefit.

11. Procurement: All goods or services acquired using Golden LEAF grant funds must be reasonably necessary to implement the project funded. All procurement transactions involving the use of Golden LEAF grant funds will be conducted to provide, to the extent possible and reasonable, free and open competition among suppliers. The Grantee should use reasonable efforts to procure goods and services from local businesses, small businesses, minority-owned firms, and women’s business enterprises. The Grantee will seek competitive offers where possible and reasonable to obtain the best possible quality at the best possible price. Some form of cost or price analysis shall be made and documented in connection with every individual procurement in excess of $1,000.00. Price analysis may be accomplished in various ways, including the comparison of price quotations or market prices, including discounts. For any single procurement of $100,000.00 or more, Grantee will use a competitive bid process that is designed to attract a reasonable number of responsive bidders. The requirements of the bid process may vary depending on the value of the procurement. When evaluating bids received, the Grantee is not required to take the lowest price if other factors are reasonably important to the Grantee; however, the bases for evaluation and selection should be listed in the procurement documents and there should be an objective method for the decision made by the Grantee. The decision should be documented in writing. If the Grantee is subject to statutory or regulatory procurement requirements, those requirements supersede this section. The Grantee may request that the President of Golden LEAF approve the Grantee’s use of a procurement policy that varies from the requirements of this section.

12. Project and budget modification: The Grantee will immediately notify Golden LEAF of anything that may materially affect the Grantee’s ability to perform the project funded. If the Grantee proposes to modify the budget, the objectives, or any other feature of the project funded, the Grantee shall not encumber or expend any funds from this grant for such purposes unless and until Golden LEAF has approved such
proposed modifications in writing. Moreover, no further payments shall be made to the Grantee in connection with the project funded unless and until Golden LEAF has approved such proposed modifications in writing.

13. Use of grant funds/rescission and termination of grants: The Grantee accepts and will retain full control of the disposition of funds awarded to the Grantee by Golden LEAF under this grant and accepts and will retain full responsibility for compliance with the terms and conditions of the grant. Grant funds shall be utilized exclusively for the purposes set forth above. If the Grantee breaches any of the covenants or agreements contained in this Grantee Acknowledgment and Agreement, uses grant funds for purposes other than those set out above, or any of the representations and warranties made by the Grantee are untrue as to a material fact, the Grantee agrees to repay to Golden LEAF the full amount of this grant. Any condition, purpose, term or provision in Golden LEAF’s resolution approving funding or in this Agreement shall take precedence over any conflicting provision in the Grantee’s application. Grantee shall not use grant funds for any purpose not included in the Grantee’s application for funding unless specifically approved by Golden LEAF. If there is a conflict between the purpose of the grant and use of grant funds described in this Grantee Acknowledgment and Agreement and the Grantee’s application for funding, this Grantee Acknowledgment and Agreement will control.

14. The Grantee acknowledges receipt of the following policy regarding termination and rescission of grants, which is intended to supplement but not replace or limit the rights and remedies of Golden LEAF set forth elsewhere in this Agreement. The Grantee acknowledges that Golden LEAF may, from time to time, amend its policy regarding termination and rescission of grants, and the Grantee acknowledges that the Grantee will be subject to the policy as amended.

Policy Regarding Rescission and Termination of Grants. Rescission of a grant revokes the grant award. When funds have been disbursed to a Grantee by Golden LEAF and a grant is rescinded, the Grantee may be liable for repayment to Golden LEAF for an amount up to the total of grant funds received by the Grantee, in addition to any other remedy available to Golden LEAF. Termination of a grant ends the grant on a going-forward basis, and the Grantee is responsible for repayment to Golden LEAF of only that portion of the grant funds that has been disbursed but not expended by the Grantee in accordance with the terms of the grant.

A grant may be rescinded or terminated at any time in the discretion of Golden LEAF for the Grantee’s failure to comply with its obligations under this Agreement or if any of the Grantee’s representations and warranties in this Agreement are or become untrue as to a material fact. Reasons for rescission or termination of a grant include but are not limited to the following:

a. The Grantee has not signed and delivered to Golden LEAF the Grantee Acknowledgment and Agreement within forty-five (45) days of the Award Date set out in Section 5, above.

b. The Grantee has failed to complete the project within the grant term established by this Agreement or any extensions thereof.

c. The Grantee’s tax-exempt status has been modified or revoked.

d. The Grantee is unable, or has failed or refused, to comply with a material term or condition of the grant.

e. The Grantee has experienced a change in circumstances that is likely to have a material adverse effect upon the Grantee’s ability to accomplish fully the purposes of the grant (e.g., loss of collateral funding, loss of key personnel, etc.).

f. The Grantee has failed or refused to submit a report, statement, accounting or return required by this Agreement or applicable law.

g. The Grantee has materially modified its budget for the project, and such material modification has not been approved by Golden LEAF.

h. The Grantee commits a material violation of the Internal Revenue Code or uses grant funds for some purpose not permitted by the Internal Revenue Code or for some purpose not contemplated by the grant.
i. The Grantee breaches any of the covenants or agreements contained in this Grantee Acknowledgment and Agreement.

j. The Grantee requests that the grant be rescinded or terminated.

It is anticipated that a grant will be rescinded in situations in which no grant funds have been disbursed. Where grant funds have been disbursed, it is anticipated that a grant will be rescinded in the case of more serious violations (including, without limitation, use of grant funds for some purpose not contemplated by the grant or in violation of the Internal Revenue Code, or upon other affirmative misconduct of the Grantee), and that termination of a grant will occur in the case of the less serious instances of non-compliance or where the circumstance giving rise to termination is not the result of misconduct of the Grantee.

If the Board of Directors of Golden LEAF determines that a grant should be rescinded or terminated, Golden LEAF will notify the Grantee of that decision. Golden LEAF may choose to notify the Grantee that the grant is subject to rescission or termination unless the Grantee remedies the noncompliance, and Golden LEAF may establish deadlines or other limitations on the Grantee’s opportunity to remedy the noncompliance. If Golden LEAF allows the Grantee the opportunity to correct the noncompliance, no further grant funds shall be advanced until the noncompliance is remedied.

15. Release of Funds: Unless otherwise agreed by Golden LEAF, up to twenty percent (20%) of funds may be released in advance after all conditions on the release of funds are satisfied. Funds may be released in additional advances of up to twenty percent (20%) of the grant amount upon receipt of evidence satisfactory to Golden LEAF that funds previously released have been properly expended and accounted for. Funds may also be released on a reimbursement basis, in which case payments may be made in an amount equal to or up to eighty percent (80%) of the grant amount upon receipt of evidence satisfactory to Golden LEAF that funds have been properly expended and accounted for. Unless otherwise approved by the President of Golden LEAF, a sum equal to twenty percent (20%) of the total amount of the grant will be retained by Golden LEAF until the Grantee completes its obligations under this grant, including submission of a satisfactory final report on the project funded. This final twenty percent (20%) retained by Golden LEAF shall be paid to the Grantee on a reimbursement basis. If the grant is conditional or contingent, all conditions and contingencies must be met before any payment will be made. Each request for payment shall be in writing using the approved Golden LEAF form and shall certify that the Grantee has performed in accordance with the terms and provisions of its Grantee Acknowledgment and Agreement, and that such Grantee is entitled under the terms of such Agreement to receive the amount so requested. Each request should be made to President, The Golden LEAF Foundation, 301 N. Winstead Avenue, Rocky Mount, NC 27804. Payment should not be requested until the Grantee has need for actual expenditures of the funds. The Grantee should request payment at least thirty (30) days prior to its desired payment date.

16. Reporting: The Grantee agrees to submit a progress report to Golden LEAF biannually, to be received by Golden LEAF six months from the date of award and every six months thereafter unless some other schedule is approved by Golden LEAF. The Grantee agrees to submit a final Progress Report for receipt by Golden LEAF within sixty (60) days after the completion of all obligations for the project funded or the end date, whichever comes first. The Grantee may be required to report results and accomplishments to Golden LEAF for a period beyond the grant term that is reasonably necessary to evaluate the outcomes of the grant. Report forms may be found on Golden LEAF’s website, www.goldenleaf.org. The Grantee will furnish additional or further reports if requested by Golden LEAF on forms prescribed by Golden LEAF.

17. Records: The Grantee agrees to maintain full, accurate and verifiable financial records, supporting documents, and all other pertinent data for the project funded in such a manner so as to identify and document clearly the activities and outcomes of the project funded and the expenditure of Golden LEAF grant funds. Financial records regarding Golden LEAF’s grant shall maintained in such a way that they can be reported separately from monetary contributions, or other revenue sources of the Grantee. The Grantee agrees to retain all financial and programmatic records, supporting documents, and all other pertinent records related to the project funded.
for a period of five (5) years from the end of the grant term. In the event such records are audited, all project records shall be retained beyond such five-year period until all audit findings have been resolved. The Grantee shall provide to Golden LEAF copies of all financial and other records requested by Golden LEAF and shall make available to Golden LEAF, or Golden LEAF’s designated representative, all of the Grantee’s records that relate to the grant, and shall allow Golden LEAF or Golden LEAF’s representative to audit, examine and copy any data, documents, proceedings, records and notes of activity relating to the grant. Access to these records shall be allowed upon request at any time during normal business hours and as often as Golden LEAF or its representative may deem necessary. The Grantee may be subject to audit by the State Auditor.

18. This Section 18 is applicable if the following blank is marked: _____ Staff Initials & date: ______________

Intellectual property/new developments: In consideration of its receipt of funds granted by Golden LEAF, the Grantee agrees that during the course of the project funded by the grant, the Grantee, and any recipient of grant funds, will promptly disclose to Golden LEAF any improvements, inventions, developments, discoveries, innovations, systems, techniques, ideas, processes, programs, and other things, whether patentable or unpatentable, that result from any work performed by or for the Grantee in connection with the project funded, or by individuals whose work is funded by the grant (the “New Developments”). If the Grantee provides to Golden LEAF a copy of any Invention Disclosure Reports it receives from Grantee employees that report making inventions under this Agreement, then the Grantee will be deemed to have satisfied the disclosure requirement in the preceding sentence.

The Grantee agrees that it, and any recipient of grant funds, shall take all reasonably appropriate actions to assure that the New Developments shall be and remain the sole and exclusive property of the Grantee. In the event that the interests of the public would be served by commercialization of the New Developments, the Grantee agrees to use its best reasonable efforts to pursue the commercialization of any such New Developments in a manner that will serve the interests of the public, including but not limited to the transfer, assignment or licensing of such New Developments; provided, however, that the Grantee, and any recipient of grant funds, shall not transfer, assign or license such New Developments in part or in whole without first having obtained the written consent of Golden LEAF.

Any revenue generated as a result of transferring, assigning, or licensing New Developments will be managed by the Grantee in accordance with its published patent, copyright and technology transfer procedures, if any, and in the absence of such procedures such revenue will be managed by the Grantee in accordance with procedures approved by Golden LEAF. Such procedures typically will prioritize the distribution of revenues to ensure that the Grantee first honors its obligation to its inventors and then to cover its own out-of-pocket expenses as necessary to protect its intellectual property.

The Grantee and Golden LEAF further agree that should there be any revenue generated greater than that necessary to meet the obligations of the preceding paragraph (“Net Revenue”), the Net Revenue shall be managed by the Grantee as follows:
a) 15% of the Net Revenue will be retained by the Grantee as a fee for the management and distribution of funds as required under this Agreement.
b) 30% of the remaining Net Revenue will be paid to Golden LEAF.
c) 70% of the remaining Net Revenue will be retained by the Grantee and used in accordance with the procedures referenced in the preceding paragraph above.

The Grantee's obligations pursuant to this Section will continue beyond the expiration of the funding period.

19. Independent entity: The Grantee acknowledges and agrees that the Grantee is an entity independent from Golden LEAF, is not an agent of Golden LEAF, and is not authorized to bind Golden LEAF to any agreement of
payment for goods or services. The Grantee is responsible for payment of all its expenses, including rent, office expenses and all forms of compensation to employees. It shall provide workers compensation insurance to the extent required for its operations and shall accept full responsibility for payments of unemployment compensation, social security, income taxes and any other charges, taxes or payroll deductions required by law in connection with its operations, for itself and its employees. All expenses incurred by the Grantee are the sole responsibility of the Grantee, and Golden LEAF shall not be liable for the payment of any obligations incurred in the performance of the project funded.

20. Non-discrimination: The Grantee shall not discriminate by reason of age, race, ethnicity, religion, color, sex, national origin, or handicap related to the activities of a project funded by Golden LEAF.

21. Publicity: All publicity and printed materials regarding projects or activities supported in whole or in part by this grant should contain the following language: “This project received support from The Golden LEAF Foundation.” The Golden LEAF logo is to be displayed in all of the Grantee’s publicity and printed materials relating to this grant. Please contact Jenny Tinklepaugh (jtinklepaugh@goldenleaf.org) for digital versions of the logo.

22. Authority to execute/Necessary Approvals Obtained: The individual signing below certifies his or her authority to execute this Agreement on behalf of the Grantee and that the Grantee has received any third-party approval that may be required prior to entering this Agreement. By executing this Agreement, the Grantee, to induce Golden LEAF to make this grant, makes each of the representations set forth hereinabove and certifies that each of such representations is true, accurate and complete as of the date hereof.

IN WITNESS WHEREOF, the Grantee has executed this Agreement as of the date below:

Name of Grantee Organization (print): ____________________________

Signature: __________________________________________________

Name of Person Signing (print): _________________________________

Title of Person Signing (print): _________________________________

Date: ______________________________________________________
STATE OF NORTH CAROLINA

INTERLOCAL AGREEMENT

BETWEEN THE CITY OF SANFORD

AND LEE COUNTY FOR PROJECT FORGE

THIS AGREEMENT, made and entered into this ___ day of _____________, 2019, by and between the County of Lee, one of the one hundred counties of the State of North Carolina and a body both politic and corporate, (hereinafter referred to as “County”), and the City of Sanford, a North Carolina Municipal Corporation, (hereinafter referred to as “City”).

W I T N E S S E T H:

WHEREAS, pursuant to North Carolina General Statute § 158-7.1, the County and City intend to participate in the cost of an economic development project known as Project Forge; and

WHEREAS, following a public hearing held on August 19, 2019, the Lee County Board of Commissioners voted to approve the expenditure of funds related to Project Forge detailed in the public hearing notice including $700,000 (seven hundred thousand dollars) for site preparation, including but not limited to acquisition of road right-of-way, clearing, grading, and preparation of a site pad; and

WHEREAS, it is the intent of the County to transfer funds in the amount of $700,000 (seven hundred thousand dollars) to the City for site preparation as authorized by North Carolina General Statute 158-7.1(b)(7).

NOW, THEREFORE, the City and County, each through their authorized representative/official, agree as follows:

1. Acquisition. The County will acquire approximately 98.24 (ninety eight point two four) acres of property located on Colon Road in Sanford, NC (PIN 9655-21-2728-00) of which approximately 78 (seventy-eight) acres will be developed as an industrial site.

2. Contribution. The County will contribute $700,000 (seven hundred thousand dollars) to the City for site preparation as described in paragraph 3 Use of Funds.

3. Use of funds. City shall use the $700,000 (Seven hundred thousand dollars) for payment or reimbursement of site preparation including but not limited to acquisition of road right-of-way, clearing, grading, and preparation of a site pad.

4. Completion. The City shall exercise reasonable efforts to complete site preparation within a reasonable time, which is mutually agreeable by the governing bodies and the subsidiaries associated with Project Forge

5. Substantial Compliance. The City shall have met its obligation hereunder upon providing documentation to the County that site preparation has been completed and verification by way of detailed invoices, payments, and receipts verifying the funds have been used for their intended purpose.
6. Annexation and Rezoning. County shall complete an application and any necessary procedures for petitioning annexation of the property into the City limits, and request rezoning of the property in a timely fashion. The City shall waive any fees associated with the applications for annexation and rezoning.

7. Conveyance. The County shall convey the Property to a company which is a subsidiary of the Kalyani Group subject to conditions detailed in the incentive agreement, deed, public hearing requirements, and authorization by the Board of Commissioners;

8. Proportionate Reimbursement. In the event the City is reimbursed all or a portion of the costs related to site preparation for the Kalyani Group, the City shall reimburse the County an amount proportionate to the County’s investment in site preparation. The City shall seek sufficient documentation to verify that the expenditures are related to right of way acquisition, clearing, grading and site preparation and upon receipt, shall provide this documentation to the County. In the event the funds are used for a purpose other than right of way acquisition, clearing grading and site preparation, the City shall pursue using any legal remedies available to seek reimbursement and damages for the unauthorized use.

9. Prerequisite. The terms of this agreement are subject to preliminary authorizations including the respective governing bodies’ approval of the associated incentive contracts for Project Forge, and the County’s successful borrowing of funds related to the project. In the event that any or all of the above mentioned preliminary authorizations are not achieved, this agreement shall be rendered null and void.

IN WITNESS WHEREOF, the County of Lee and the City of Sanford have caused this instrument to be duly executed, attested by its respective clerk, and its seal affixed all by authority of its respective governing bodies, first duly given, the day and year first above written.

County of Lee

________________________________________
Amy M. Dalrymple, Chairman
Board of Commissioners

Attest:

________________________________________
Jennifer Gamble, Deputy County Attorney/Clerk to the Board

City of Sanford

________________________________________
T. Chet Mann, Mayor

Attest:

________________________________________
Bonnie Davis, City Clerk