

**CITY OF SANFORD PLANNING BOARD
REGULAR MEETING**

TUESDAY, SEPTEMBER 15, 2020, 6:00 PM

Dennis A. Wicker Civic & Conference Center, 1801 Nash Street, Sanford, NC 27330

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

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

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

1. REZONING REQUEST / ZONING MAP AMENDMENT

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

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

1. REZONING APPLICATION / ZONING MAP AMENDMENT

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

Application by Riley Walker Development for property owned by Pine Reserve, LLC to rezone three adjoining tracts of land totaling 16.43 acres from General Commercial (C-2) to Multi-family (MF-12-C) Conditional Zoning District with the intent being to develop a multi-family apartment community via a

site plan specific conditional zoning district. **Tract 1 is 0.73 acre tract of land, developed with a house addressed as 154/156 Center Church Road**, and identified as Lee County tax parcel 9631-34-9072-00. **Tract 2 is a 1.19 acre tract of land developed with a house addressed as 124 Center Church Road**, and identified as Lee County tax parcel 9631-44-1034-00. **Tract 3 is a 14.5 acre vacant tract of land that adjoins the Tramway Crossing Shopping Center to the rear**, and is identified as Lee County tax parcel 9631-44-0754-00. All parcels are identified on Lee County Tax Map 9631.03 and 9631.01.

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

G. ADJOURNMENT

****** SEE INSERTS AT REAR OF AGENDA ******

**MINUTES OF THE SPECIAL CALLED MEETING OF THE
CITY OF SANFORD PLANNING BOARD
SANFORD, NORTH CAROLINA**

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

ROLL CALL

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

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

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

MEETING CALLED TO ORDER

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

APPROVAL/DISAPPROVAL OF AGENDA

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

APPROVAL OF MINUTES

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

DISCLOSURE OF CONFLICTS OF INTEREST

There were none.

NEW BUSINESS

1. ZONING MAP AMENDMENT (REZONING)

Application by Wadfy H. Abou Awad, rezone a 0.92± acre portion of a 2.56 ± acre tract of land from Residential Mixed with a Mobile Home Park Overlay District (R-12-MH) and Office & Institutional (O&I) to General Commercial (C-2). The area proposed for rezoning is located to the south (left) and west (rear) of an existing commercial building

occupied by the Hawkins Grill and Pizzeria at 809 Hawkins Avenue. This one tract of land has an area zoned Residential Mixed with a Mobile Home Park Overlay District (R-12-MH) that is vacant, an area zoned General Commercial (C-2) that is developed with a restaurant addressed as 809 Hawkins Avenue, and an area zoned Office & Institutional (O&I) that is developed with a residential structure addressed as 801 Hawkins Ave. This request would increase the amount of acreage that is zoned General Commercial (C-2) on this one tract of land. The subject property is a portion of Tax Parcel 9643-64-0140-00 as depicted on Lee Co. Tax Map 9643.15.

DISCUSSION

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

DECISION

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

2. ZONING MAP AMENDMENT (REZONING)

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

DISCUSSION

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

DECISION

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

3. ZONING MAP AMENDMENT (REZONING)

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

DISCUSSION

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

DECISION

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

4. ZONING MAP AMENDMENT (REZONING)

Application by Raccoon Path Holdings, LLC to rezone ten tracts of land totaling 132+ acres as identified as follows:

Tract 1 is a vacant 10.69 acre tract of land, owned by Tramway 20 LLC, identified as Lee County tax parcel 9641-98-7696-00 as depicted on tax maps 9641.02 and 9651.01 that is

requested to be rezoned from Light Industrial (LI) to Residential Mixed (R-6). The subject property has frontage on W. Courtland Drive (SR 1122) and Tramway Road/NC 78 and is located in the City of Sanford's Extraterritorial Jurisdiction or ETJ.

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

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

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

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

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

Tract 7 is a 11.22 acre tract of land owned by Capie 1, LLC identified as Lee County tax parcel 9651-07-4087-00 as depicted on tax map 9641.02 that is requested to be rezoned from Residential Single-family (R-12SF) to Residential Mixed (R-10). The subject property has frontage on/ is located at the terminus of an unimproved portion of Brenda Street (SR 1248) and is located in the corporate limits of the City of Sanford.

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

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

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

DISCUSSION

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

DECISION

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

ADJOURNMENT

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

Adopted this _____ day of _____, 2020.

BY: _____
Fred McIver, Chair

ATTEST:

Eric B. Nance, Clerk

\$500 FEE



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

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

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

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

Michael Mazzella, Manager - Village of Cumnock, LLC

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

10/28/19

Date

Required Attachments/Submittals

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

STAFF USE ONLY

Date Received: 2019-11-01

Fee Paid: \$750

Application No.: 2019-1203

Staff Signature: AJ JOHNSON

Energov Case No. 2019-00253-2019

\$750 FEE

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

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

Circle Jurisdiction That Applies:

City of Sanford

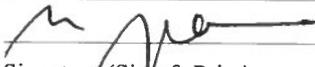
Lee County

Town of Broadway

1. Type of Conditional Zoning District (Type 1 or Type 2) Type 2
2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): It is proposed for the full 153.169-acre parcel, currently zoned PUD by the County, to be zoned the same by the City. After annexation and zoning of same, it is anticipated that the full parcel will be developed consistent with the PUD zoning requirements and conditions, i.e. >15 acres designated as MF-12; >21 acres designated as NC; and <117 acres designated as R-6.
3. Describe in detail any additional conditions of development proposed as part of the Conditional Zoning District. Such conditions should include (as applicable):
- The location on the property of the proposed use(s);
 - The number of dwelling units;
 - The location and extent of supporting facilities such as parking lots, driveways, and access streets;
 - The location and extent of all landscaping areas, buffer areas and other special purpose areas
 - The timing of development;
 - The location and extent of rights-of-way and other areas to be dedicated for public purposes;
 - Details on architectural features and scale of proposed structures; and
 - The location and extent of any pedestrian elements (sidewalks, trails, etc.).
- Conditions may be listed on additional, separate sheets if necessary. Additionally, a scaled site plan shall be submitted illustrating all conditions as described in the text.
- Please refer to the list of PUD conditions set forth in the Zoning Narrative attached hereto.
- Please refer to the Example of Acreage Allocation, Sheet L-2, under Tab 6 of the application binder.
- Detailed Development Plans will be submitted and must be approved by the City prior to development, per conditions and City ordinance.
4. Signature(s) of Applicant (and Property Owners if different from Applicant).

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

Michael Mazzella, Manager - Village of Cumnock, LLC


Signature (Sign & Print)

10/28/19
Date

ZONING NARRATIVE

Parcel No. 9635-04-5989-00

Attachment to Supplemental Application for Conditional Zoning District

I.

CURRENT ZONING BY LEE COUNTY ON OCTOBER 7, 2013

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

II.

ZONING REQUEST AND JUSTIFICATION

A. Site and Area Description

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

B. Rezoning Request and Justification

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

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

A Planned Unit Development district (PUD) is designed to provide for the orderly development of land with a mix of land uses and intensity. PUD zoning is intended to permit flexibility in the design, construction, and processing of residential and non-residential developments that could not

be achieved under conventional zoning approaches. The UDO recognizes that there may be circumstances in which it is in the community's best interest to allow unique and/or creative designs and techniques on a particular parcel of land. Thus, the flexible PUD zoning classification can promote the most appropriate uses of a parcel; allow diversification of use; facilitate the adequate and economical provision of streets, parks, open space, storm drainage, and sewer and water utilities; preserve and utilize open space; offer recreational opportunities close to residential uses; and enhance neighborhood appearance. The current County zoning and proposed City zoning accomplishes all of these policy objectives.

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

C. Zoning Conformity with Plan SanLee

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

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

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

III.

PUD ZONING CONDITIONS PROPOSED BY THE APPLICANT

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

PUD Zoning Conditions

1. The Property zoned as PUD will include no more than 117 acres developed consistent with R-6 zoning requirements, no less than 15 acres developed consistent with MF-12 zoning requirements, and no less than 21 acres developed consistent with NC zoning requirements
2. No less than 15 acres of the PUD will be open/green space and buffers.
3. The Applicant will dedicate a forty-foot greenway trail easement within a buffer along the Southern Railroad tracks on the north side of the Property.
4. A detailed site plan will be provided to the City, for approval, prior to development of the property or any portion thereof.

IV.

OTHER CONSIDERATIONS

A. Transportation

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

B. Utilities

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

C. Environmental

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

VILLAGE OF CUMNOCK

ANNEXATION ZONING

SANFORD
NORTH CAROLINA

PIN:

9635-04-5989

CURRENT ZONING: PUD

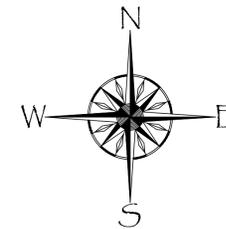
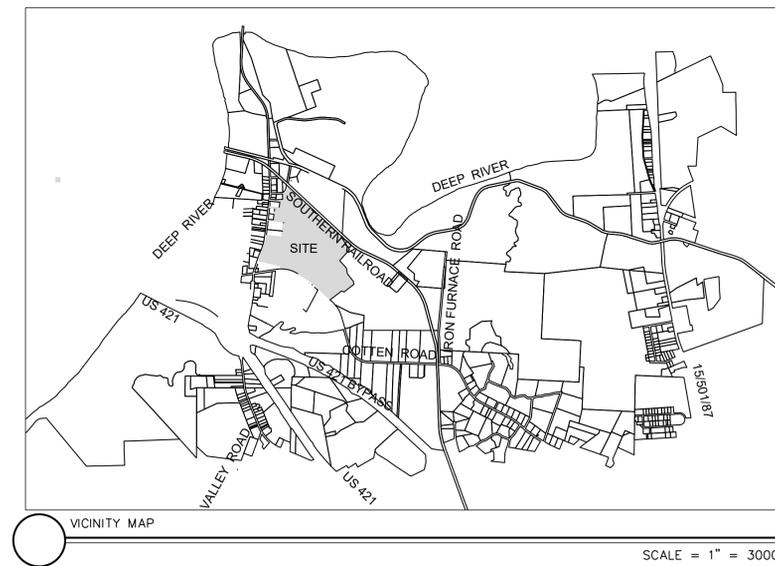
PROPOSED ZONE: PUD

INDEX

COVER SHEET	
EXISTING CONDITIONS _____	L-1
EXAMPLE OF ACREAGE ALLOCATION _____	L-2
ANNEXATION PLAT _____	L-3
CITY LIMITS MAP _____	L-4

SUBMITTALS

FIRST SUBMITTAL _____ 11/01/2019



developer:
Village of Cumnock, LLC
c/o 5011 Southpark Drive Ste 200
Durham, North Carolina 27713
(919) 484-8880

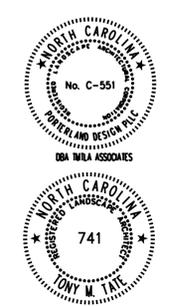
landscape architect:
TMILA Associates
5011 Southpark Drive Ste 200
Durham, North Carolina 27713
(919) 484-8880

counsel:
Gray Styers
Fox Rothschild, LLP
434 Fayetteville Street, Suite 2800
Raleigh, NC 27601

surveyor:
Joyner-Keeney, PLLC
1051 North Winstead Avenue
Rocky Mount, North Carolina 27804
(252) 977 3124



TMILA ASSOCIATES
5011 SOUTHPARK DRIVE, STE. 200 - DURHAM, NC 27713
p: (919) 484-8880 e: info@tmila.com

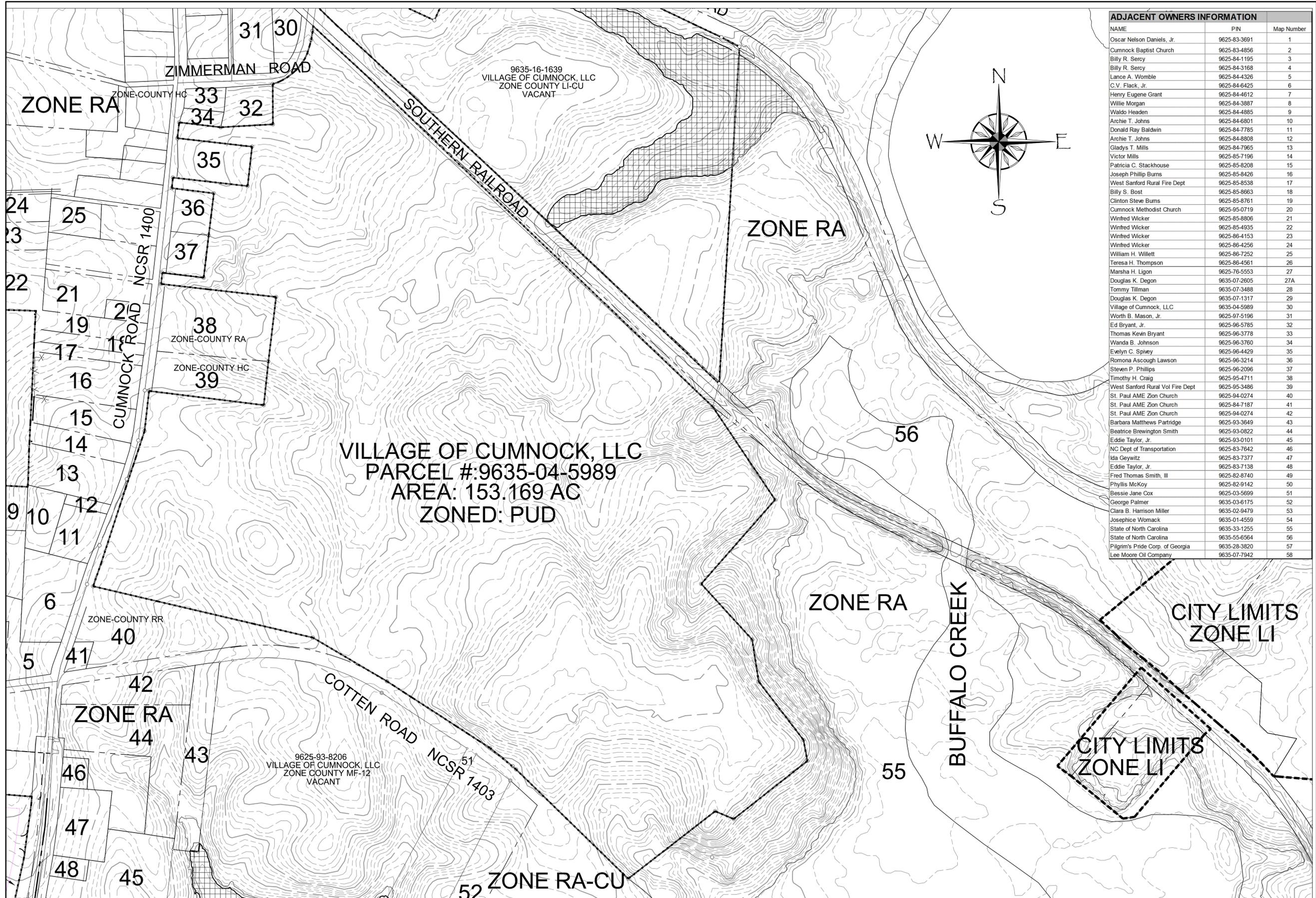


REVISIONS:

Cover
Village of Cumnock
Lee County, NC

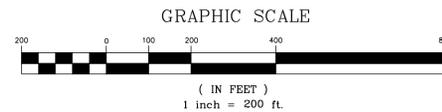
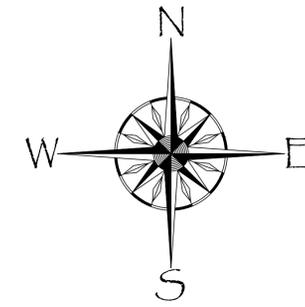
SCALE:
1"=200'
DRAWN BY:
CDR
PROJECT #

DATE:
9/30/19
SHEET



ADJACENT OWNERS INFORMATION		
NAME	PIN	Map Number
Oscar Nelson Daniels, Jr.	9625-83-3691	1
Cumnock Baptist Church	9625-83-4856	2
Billy R. Sercy	9625-84-1195	3
Billy R. Sercy	9625-84-3168	4
Lance A. Womble	9625-84-4326	5
C.V. Flack, Jr.	9625-84-6425	6
Henry Eugene Grant	9625-84-4612	7
Willie Morgan	9625-84-3887	8
Waldo Headen	9625-84-4885	9
Archie T. Johns	9625-84-6801	10
Donald Ray Baldwin	9625-84-7785	11
Archie T. Johns	9625-84-8808	12
Gladys T. Mills	9625-84-7965	13
Victor Mills	9625-85-7196	14
Patricia C. Stackhouse	9625-85-8208	15
Joseph Phillip Burns	9625-85-8426	16
West Sanford Rural Fire Dept	9625-85-8538	17
Billy S. Bost	9625-85-8663	18
Clinton Steve Burns	9625-85-8761	19
Cumnock Methodist Church	9625-95-0719	20
Winfred Wicker	9625-85-8806	21
Winfred Wicker	9625-85-4935	22
Winfred Wicker	9625-86-4153	23
Winfred Wicker	9625-86-4256	24
William H. Willett	9625-86-7252	25
Teresa H. Thompson	9625-86-4561	26
Marsha H. Ligon	9625-76-5553	27
Douglas K. Degon	9635-07-2605	27A
Tommy Tillman	9635-07-3488	28
Douglas K. Degon	9635-07-1317	29
Village of Cumnock, LLC	9635-04-5989	30
Worth B. Mason, Jr.	9625-97-5196	31
Ed Bryant, Jr.	9625-96-5785	32
Thomas Kevin Bryant	9625-96-3778	33
Wanda B. Johnson	9625-96-3760	34
Evelyn C. Spivey	9625-96-4429	35
Romona Ascough Lawson	9625-96-3214	36
Steven P. Phillips	9625-96-2096	37
Timothy H. Craig	9625-95-4711	38
West Sanford Rural Vol Fire Dept	9625-95-3486	39
St. Paul AME Zion Church	9625-94-0274	40
St. Paul AME Zion Church	9625-84-7187	41
St. Paul AME Zion Church	9625-94-0274	42
Barbara Matthews Partridge	9625-93-3649	43
Beatrice Brewington Smith	9625-93-0822	44
Eddie Taylor, Jr.	9625-93-0101	45
NC Dept of Transportation	9625-83-7642	46
Ida Geywitz	9625-83-7377	47
Eddie Taylor, Jr.	9625-83-7138	48
Fred Thomas Smith, III	9625-82-8740	49
Phyllis McKoy	9625-82-9142	50
Bessie Jane Cox	9625-03-5699	51
George Palmer	9635-03-6175	52
Clara B. Harrison Miller	9635-02-9479	53
Josephice Womack	9635-01-4559	54
State of North Carolina	9635-33-1255	55
State of North Carolina	9635-55-6564	56
Pilgrim's Prnde Corp. of Georgia	9635-28-3820	57
Lee Moore Oil Company	9635-07-7942	58

VILLAGE OF CUMNOCK, LLC
 PARCEL #: 9635-04-5989
 AREA: 153.169 AC
 ZONED: PUD



GENERAL NOTES:
 1. Topographic information taken from Lee County Graphic Information Services data.
 2. Boundary information taken from digital file by Joyner-Keeney, PLLC.
 3. There are areas of FEMA Floodplain located on this site. See FEMA Flood Panels 3710963500K and 3710962500K, both dated February 7, 2007.



REVISIONS:

Zoning Map
 Village of Cumnock
 Lee County, NC

SCALE:
 1"=200'
 DRAWN BY:
 TMT
 PROJECT #

DATE:
 10/28/19

SHEET
 L-1
 OF 5

TMTLA ASSOCIATES
 5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713
 p: (919) 484-8880 e: info@tmtla.com

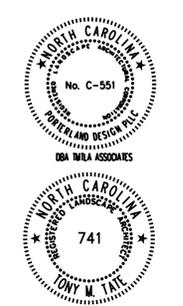


EXAMPLE OF ACREAGE ALLOCATION

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

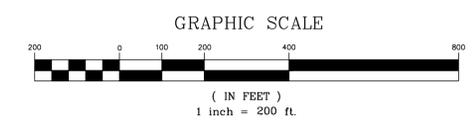
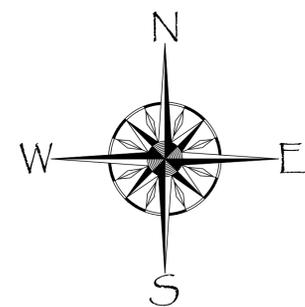
GENERAL NOTES:

1. Topographic information taken from Lee County Graphic Information Services data. Verification of final project acreage total shall be provided after field survey.
2. All tract acreages taken from digital information by Joyner-Keeney, PLLC. All areas subject to field survey verification.
3. There are areas of FEMA Floodplain located on this site. See FEMA Flood Panels 3710963500K and 3710962500K, both dated February 7, 2007. F.E.M.A. flood information taken from Lee County GIS.
4. No development shall occur unless or until a developer submits either (a) a site plan or (b) a preliminary plat for the individual phase or phases within the project. Each phase (site plan or plat) shall be reviewed and approved by the Planning Board and City Council and shall include site specific design standards which illustrate the characteristics that define each particular phase of the development. The Planning Board and/or City Council shall have the authority to negotiate with the developer regarding said design standards to ensure that such design elements are complimentary to the themes and styles as established or envisioned for the entire Village of Cumnock.
6. A legally responsible Owners Association shall be established to maintain private alleys, trails, open space, parking lots and community recreation facilities. Restrictive Covenants shall be reviewed and approved by the City of Sanford Attorney.
7. All utilities shall be public and located underground.
8. All streets shall be public. All street sections are dimensioned from face to face of curb.
10. The center line radius for all streets shall be in accordance with the ITE "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach", or demonstrated to function at approval of the City Engineer.
11. All trails shall be privately owned and maintained and accessible to the public.
12. All development is subject to delineation of wetlands subject to NCDWQ and US Army Corp of Engineers regulations.
13. All buildings are subject to review and approval by the Village of Cumnock Architectural Review Committee.
15. All street connections to Cumnock and Cotton Roads are subject to driveway approval from NCDOT.
16. A Master Sign Plan shall be developed and approved prior to the installation of any signage.



TMTLA ASSOCIATES
 5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713
 p: (919) 484-8880 e: info@tmtla.com

REVISIONS:



Example of Acreage Allocation
Village of Cumnock
 Lee County, NC

SCALE:
 1"=200'
 DRAWN BY:
 TMT
 PROJECT #

DATE:
 10/28/19
 SHEET
L-2
 OF 5

Z:\Projects\Wike Marzella\ Village of Cumnock\2019 Rezoning\Village of Cumnock.r1.dwg, 10/28/2019 1:21:52 PM, DWG To PDF.pc3

NOTES

- Property Information**
Tax Map Parcel ID Numbers: 9635-04-5989-00
Zoning: RA
Total Parcel Areas = 153.17 Acres
- Legal Reference:** Being that parcel of land as Tract A1 in plat Cabinet 9, page 82B and described in deed book 1056 pages 260-262 and being in West Sanford Township, Lee County, North Carolina
- This map does not depict encumbrances that are found during a thorough & complete Title Search.
- Area computed by coordinate method.
- All distances are Chord distances, unless noted otherwise.
- All Right-of-Ways are Public, unless noted otherwise.
- The property shown hereon DOES NOT contain Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% Annual Chance Flood (i.e. 100-Yr. Event) per FEMA FIRM Map Panel Nos. 3710963500K & 3710962500K, effective dates 02/02/07 (NAVD 1988).
- The intent of this map is to provide a metes and bounds description for the annexation into City of Sanford. This is an existing parcel of land. No boundary performed

REVIEW OFFICER CERTIFICATE:

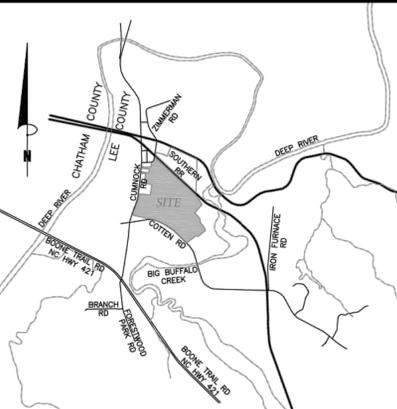
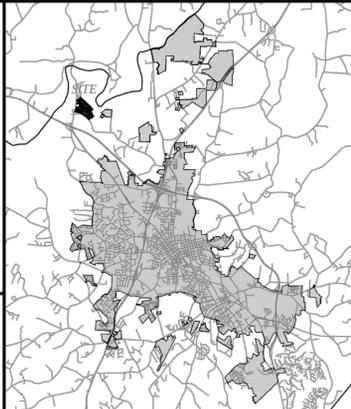
State of North Carolina
County of Lee
I, _____, Review Officer of Lee County Certify that the Map or Plat to Which this Certification is Affixed Meets all Statutory Requirements for Recording

Review Officer _____ Date _____

REGISTER OF DEEDS CERTIFICATE:

North Carolina, Lee County
Presented for Registration on the _____ Day of _____ at _____ M
Recorded in Plat Cabinet _____ Side _____

Pamela G. Bott, Register of Deeds



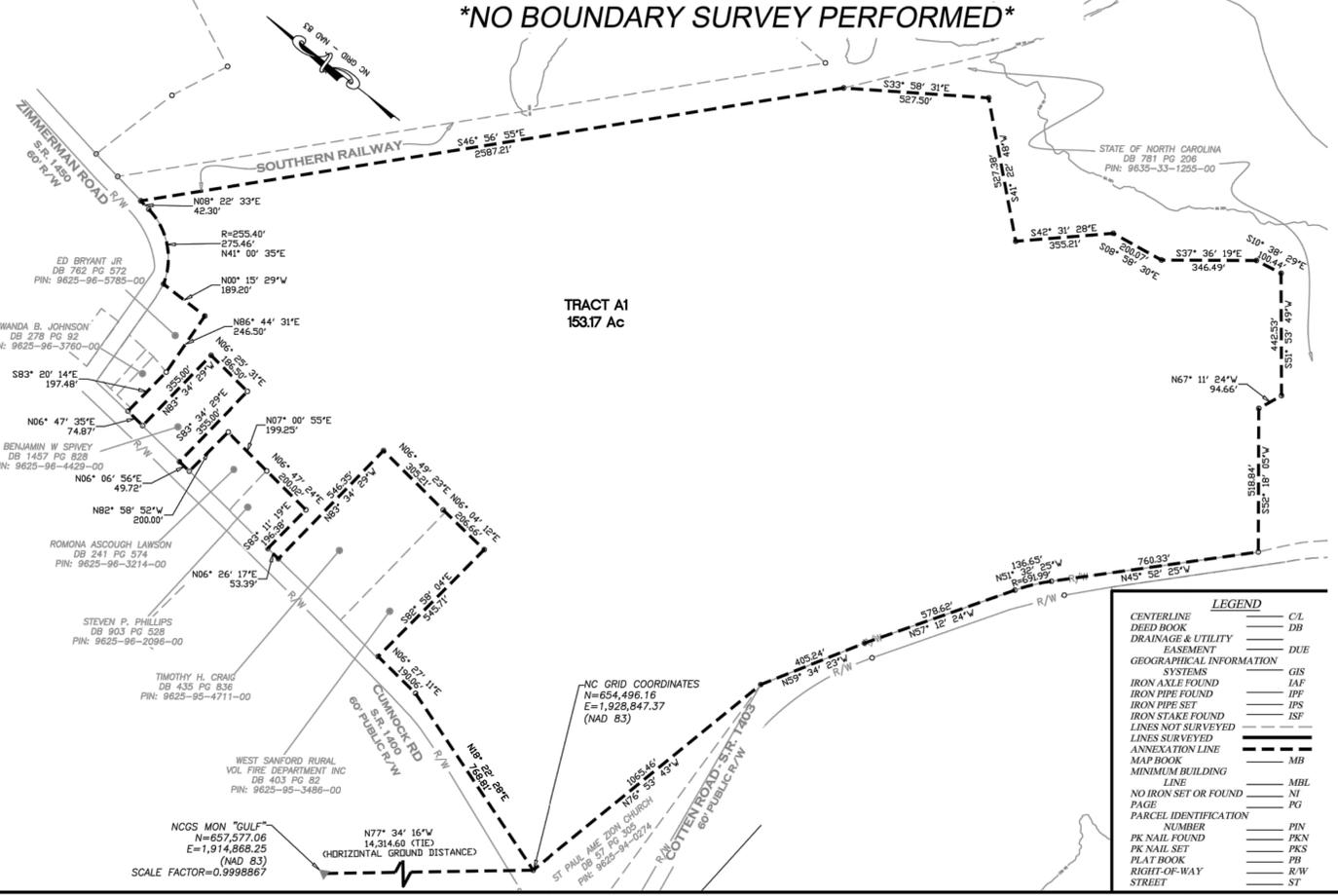
NORTH CAROLINA, NASH COUNTY
I, Nils W. Joyner, Jr., certify that this plat was drawn under my supervision from an existing recorded lot of record (deed description recorded in Book 1056, page 260-262, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, page SHOWN; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G. S. 47-30 as amended. Witness my original signature, registration number and seal this _____ day of _____, A. D., _____

Seal or Stamp
Surveyor: _____
Registration Number: L - 2806



I, Nils W. Joyner, Jr., Professional Land Surveyor No. L - 2806 Certify:
THAT THIS PLAT IS OF A SURVEY OF AN EXISTING PARCEL(S) OF LAND;

PROFESSIONAL LAND SURVEYOR NO. L - 2806



LEGEND

CENTERLINE	CL
DEED BOOK	DB
DRAINAGE & UTILITY SYSTEMS	DUE
EASEMENT	DUE
GEOGRAPHICAL INFORMATION	GIS
IRON AXLE FOUND	IAF
IRON PIPE FOUND	IPF
IRON PIPE SET	IPS
IRON STAKE FOUND	ISF
LINES NOT SURVEYED	---
LINES SURVEYED	---
ANNEXATION LINE	---
MAP BOOK	MB
MINIMUM BUILDING	---
LINE	MBL
NO IRON SET OR FOUND	NI
PAGE	PG
PARCEL IDENTIFICATION	---
NUMBER	PN
PK NAIL FOUND	PKN
PK NAIL SET	PKS
PLAT BOOK	PB
RIGHT-OF-WAY	R/W
STREET	ST

JOYNER KEENEY, PLLC
PLANNING & LAND SURVEYING

1051 North Winstead Avenue - P.O. Box 7533
Rocky Mount, North Carolina 27804
North Carolina Firm Number P-0551
Office: 252.977.3124 Fax: 252.985.6026
www.joynerkeeney.com

Annexation Map for:

The City of Sanford

OWNER: Village of Cumnock, LLC
4712 Shadow Ridge Court
Holly Springs, NC 27540

SCALE: 1" = 300'

SANFORD, WEST SANFORD TOWNSHIP LEE COUNTY, NORTH CAROLINA

DRAWN BY: WDB CHECKED BY: NWJ DATE: 10/15/19
DWG: 190145A_Sanford Annexation.dwg VIEWPORT: MAP
JOB NO: 190145A JK SHEET NO: 1 of 1
SET SHEET NO: L-3



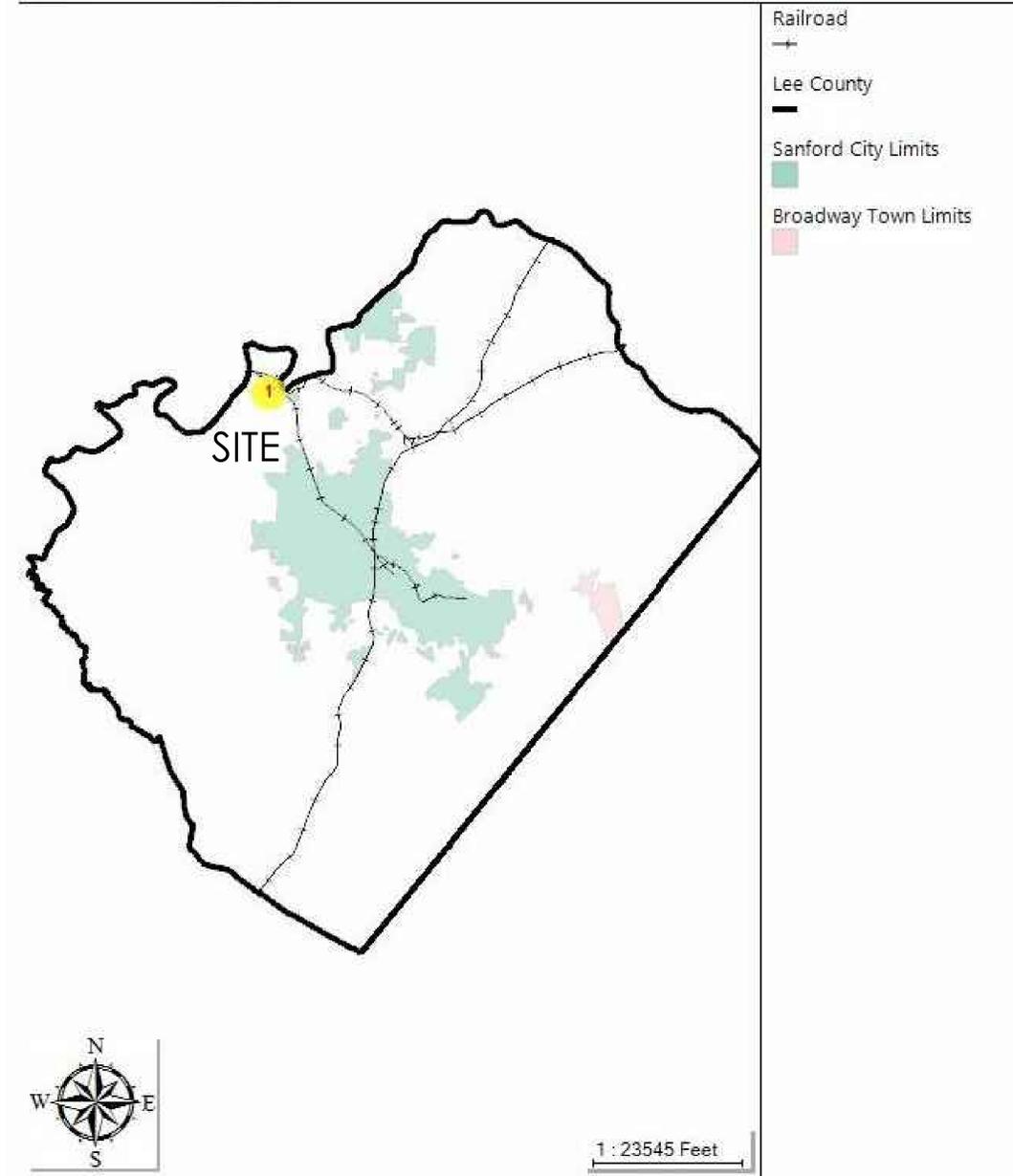
REVISIONS:

Example of Acreage Allocation
Village of Cumnock
Lee County, NC

SCALE:
AS SHOWN
DRAWN BY:
CDR
PROJECT #

DATE:
10/28/19
SHEET
L-3
OF 5

Z:\Projects\Wike_Mazzella\ Village of Cummock\2019 Rezoning\ Village of Cummock.r1.dwg, 10/28/2019 1:17:56 PM, DWG To PDF.pc3



LEE COUNTY AND THE CITY LIMITS OF SANFORD



REVISIONS:

City Limits Boundary Map
Village of Cummock
Lee County, NC

SCALE:
1"=200'
DRAWN BY:
CDR
PROJECT #

DATE:
10/28/19
SHEET

L-4
OF 5

TMTLA ASSOCIATES
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713
p: (919) 484-8880 e: info@tmtla.com

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF LEE COUNTY, NORTH CAROLINA**

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

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

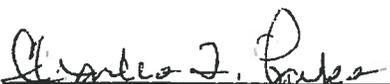
WHEREAS, the Lee County Board of Commissioners conducted a public hearing on August 19, 2013 to receive citizen input on the requested zoning map amendment; and

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

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

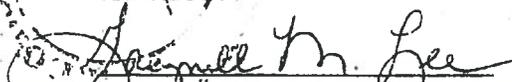
The Official Zoning Map is hereby amended to rezone 153.17± acres of land identified as Lee County Tax Parcel 9635-04-5989 from Residential Restricted (RR) and Residential Agricultural (RA) district to **Planned Unit Development (PUD) district**. The property is also the same as Parcel A1 on a survey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

ADOPTED this the 7th day of Oct. 2013.


Charles T. Parks, Chairman
Lee County Board of Commissioners



ATTEST:


Gaynell Lee, Clerk to the Board

FILED
LEE COUNTY
MOLLIE A. MCINNIS
REGISTER OF DEEDS

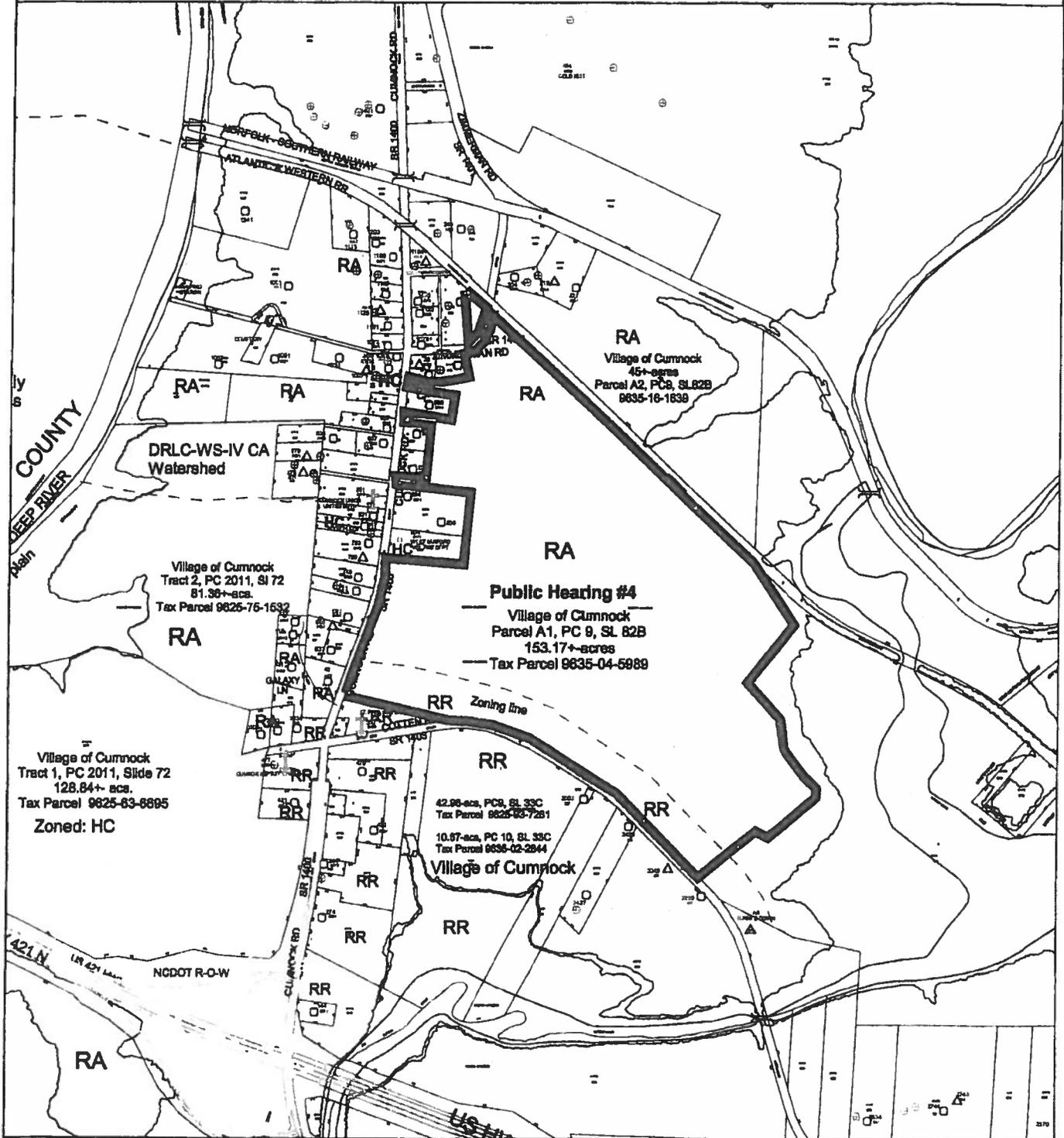
APPROVED AS TO FORM:


Garris Neil Yarborough, County Attorney

FILED Oct 23, 2013
AT 02:06:28 pm
BOOK 00003
START PAGE 0105
END PAGE 0106
INSTRUMENT # 07205

Application by the Village of Cumnock, LLC
to rezone 153.17+- acres
from Residential Restricted (RR) district and Residential Agricultural district to
Planned Unit Development (PUD) district

BK.00003 PG.0106



Area requested to be rezoned



Church Symbol



House Symbol



2013-0804

LEE COUNTY

081

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

ITEM NO: III. A. 4

Meeting Date: October 7, 2013

Information
 Action Item
 Consent Agenda

SUBJECT: Recommendation of the Planning Board for Village of Cumnock

DEPARTMENT: Sanford/Lee County Community Development

CONTACT PERSON: Althea Thompson, Planner II

REQUEST: Consider recommendation of the Planning Board

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

BUDGET IMPACT: N/A

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

PUBLIC HEARING: No - held on August 19, 2013

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Approve recommendation of the Planning Board with conditions proposed by the applicant to rezone 153.17± acres of land from Residential Agricultural (RA) district and Residential Restricted (RR) district to Planned Unit Development District (PUD) district.

**RECOMMENDATION OF THE PLANNING BOARD
WITH STAFF REPORT SUBMITTED AT THE AUGUST 19, 2013 PUBLIC HEARING
APPLICATION 2013-0804**

RECOMMENDATION OF THE PLANNING BOARD:

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

STAFF REPORT SUBMITTED AT THE PUBLIC HEARING:

Site and Area Description

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

Existing Zoning and Land Use

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

Staff Analysis

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

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

The Residential Agricultural (RA) district is established to provide areas for low density single family uses with a maximum density of one (1) dwelling unit per acre. The RA district supports low intensity agricultural operations as well as agri-business and supportive industrial and commercial uses. Industrial operations are not permitted unless they clearly support an agricultural use. RA zoning protects and preserves valuable agricultural areas, implements agricultural protection zoning, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, sets maximum permissible densities or new zoning districts, defines specific areas for rural commercial uses, and identifies areas appropriate for agricultural preservation. The dimensional standards include a minimum lot size of 40,000 square feet, with front and rear yard setbacks of 30 feet and a side yard setback of 15 feet.

The applicants are requesting to rezone to Plan Unit Development (PUD) District. A PUD shall be considered a Conditional Zoning District and shall be processed in accordance with the Conditional Zoning District regulations outlined in Section 3.4 of the Unified Development Ordinance. A major site plan and detailed narrative text that specifies the uses and conditions that will govern the development and use of the property shall be submitted with an application for a PUD.

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

Uses and Development Standards

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

PUD Rezoning Conditions Proposed by the Applicants

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

PUD Rezoning Conditions

1. The Property rezoned as PUD will include no more than 117 acres developed consistent with R-6 zoning requirements, no less than 15 acres developed consistent with MF-12 zoning requirements, no less than 21 acres developed consistent with NC zoning requirements
2. No less than 15 acres of the PUD will be open/green space and buffers.

3. The Applicant will reserve for a period of at least six (6) years from the date of the rezoning approval an undeveloped area of at least 25 acres in the southeast portion of the Property as shown on the Concept Plan for purchase by the Lee County School System for a future school site. Any and all utilities -- as well as access points to Cotten Road and internal public roads near the reserved property -- that are constructed on the Property by the landowner within the reservation period will be located after consultation with Lee County Schools System and will be sized to accommodate the eventual construction of a school on this portion of the property.
4. After the expiration of the reservation period set forth in Condition 3, that area of at least 25 acres in the southeast portion of the Property may be developed for uses consistent with the LI Light Industrial District or for a school consistent with that contemplated in Condition 3. Any and all utilities -- as well as access points to Cotten Road and internal public roads near this area -- that are constructed on the Property by the landowner after the Condition 3 reservation period has expired will be located after consultation with the executive director of the Lee County Economic Development Corp. and will be sized to be sufficient to accommodate the eventual construction of a business incubator park or office park on this portion of the property.
5. In the event that the 25-acre area referenced in Conditions 3 and 4 is developed for uses consistent with the LI Light Industrial District,
 - (A) The following uses would be prohibited on the Property:
 - a. Landfills, LCID (2 acres or less in size);
 - b. Landfills, C&D or LCID (greater than 2 acres in size); and
 - c. Sewage treatment and Water treatment plants.
 - d. Chemicals, Plastics and Rubber products manufacturing
 - e. Storage of Flammable Liquids (In Bulk) Above Ground Storage
 - f. Mining and Quarries
 - g. Tire Recapping; and
 - (B) A planting yard buffer fifty-foot wide shall be preserved or provided along the property line on the east and north sides of this area, and plantings within such yard shall comply with Section 7.5.4 of the UDO, except that storm water detention and management facilities and/or greenways may be located within this buffer. Existing vegetation may be used to satisfy planting requirements in accordance with Section 7.5.4.3 of the UDO; and
 - (C) No building footprint will be located within seventy-five feet of the property line on the east or north sides of this area.
6. The Applicant will dedicate a forty-foot greenway trail easement within a buffer along the Southern Railroad tracks on the north side of the Property.
7. A detailed site plan will be provided to the County, for approval, prior to development of the Property or any portion thereof.

Transportation

The NCDOT 2010 Annual Daily Traffic Study reports 13,000 vehicles trips per day on US Highway 421N just west of Cumnock Road. The NCDOT 2012 Annual Daily Traffic Study reports 830 vehicles trips per day on Cotten Road. There are no traffic study reports for Cumnock Road. Current road projects in the area include the construction of the northern end of the US 421 Bypass. The Bypass will intersect into Highway 421 with a partial cloverleaf interchange at Cumnock Road.

Utilities

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

Emergency Response

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

Environmental

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

Conformance with the Sanford/Lee County 2020 Land Use Plan

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

Neighborhood Meeting

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

Technical Review Committee

The Sanford/Lee County Technical Review Committee reviewed the concept plan at their June 27th, 2013 meeting. The Committee will review and provide guidance on all site plans related to the development of this property.

**CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
SEPTEMBER 15, 2020**

APPLICATION# 2020-0901 TO AMEND THE SANFORD ZONING MAP

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

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

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

Site and Area Description: The subject property is located northeast of the intersection of Cotten Road and Cumnock Road and south of Zimmerman Road in the Cumnock community.

Surrounding Land Uses:

- North: Opposite the railroad tracks, vacant land that is wooded and has an area of floodplain
- South: Opposite Cotten Road, houses, a church, and vacant wooded land
- East: Vacant wooded land with an area of floodplain
- West: Opposite Cumnock Road, houses, a fire department, a community building and a church

Zoning District Information

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

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

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

Existing/Proposed Zoning – Village of Cumnock PUD 2020 Zoning Info.:

Per the narrative provided with the rezoning application:

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

- 3.) The applicant will dedicate a 40ft greenway trail easement within a buffer along the Southern Railroad tracks on the north side of the property.
- 4.) A detailed site plan will be provided to the City for approval prior to development of the property or any portion thereof.

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

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

Overlay Districts

Long Range Plan: The *Plan SanLee* land use plan identifies the future land use place type for this tract of land as “Village Neighborhood,” which has the following characteristics:

- Low density single-family dwellings with interconnected street network
- Area surrounding Village Center
- Pedestrian connectivity and access to Village Center
- Local example – 1st Street neighborhood in Broadway

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

zoning include current districts of RR, R-20, R-14, and R-12SF and a proposed district of Low Density Residential.

Local Overlay District Notes: Per GIS, the parcels are not located within an established floodplain or watershed. The parcels are also not located within a designated wetland area or a local historic district. Sanford, Lee County and Broadway do not have local grading permits and rely on the NC Department of Environmental Quality to regulate land-disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program at 1612 Mail Service Center, Raleigh, NC 27699-1612 or call 919-707-9220 or visit the NCDEQ website at <http://deq.nc.gov>.

Utilities: The subject property appears to have access to public water via public water main lines that runs parallel to Cotten Road and Cumnock Road. The developer proposes to extend public sanitary sewer to serve this site. If the rezoning is approved, all new development or redevelopment that proposes to connect to public water and/or public sewer must be approved by the City of Sanford Public Works Department to verify compliance with all applicable regulations.

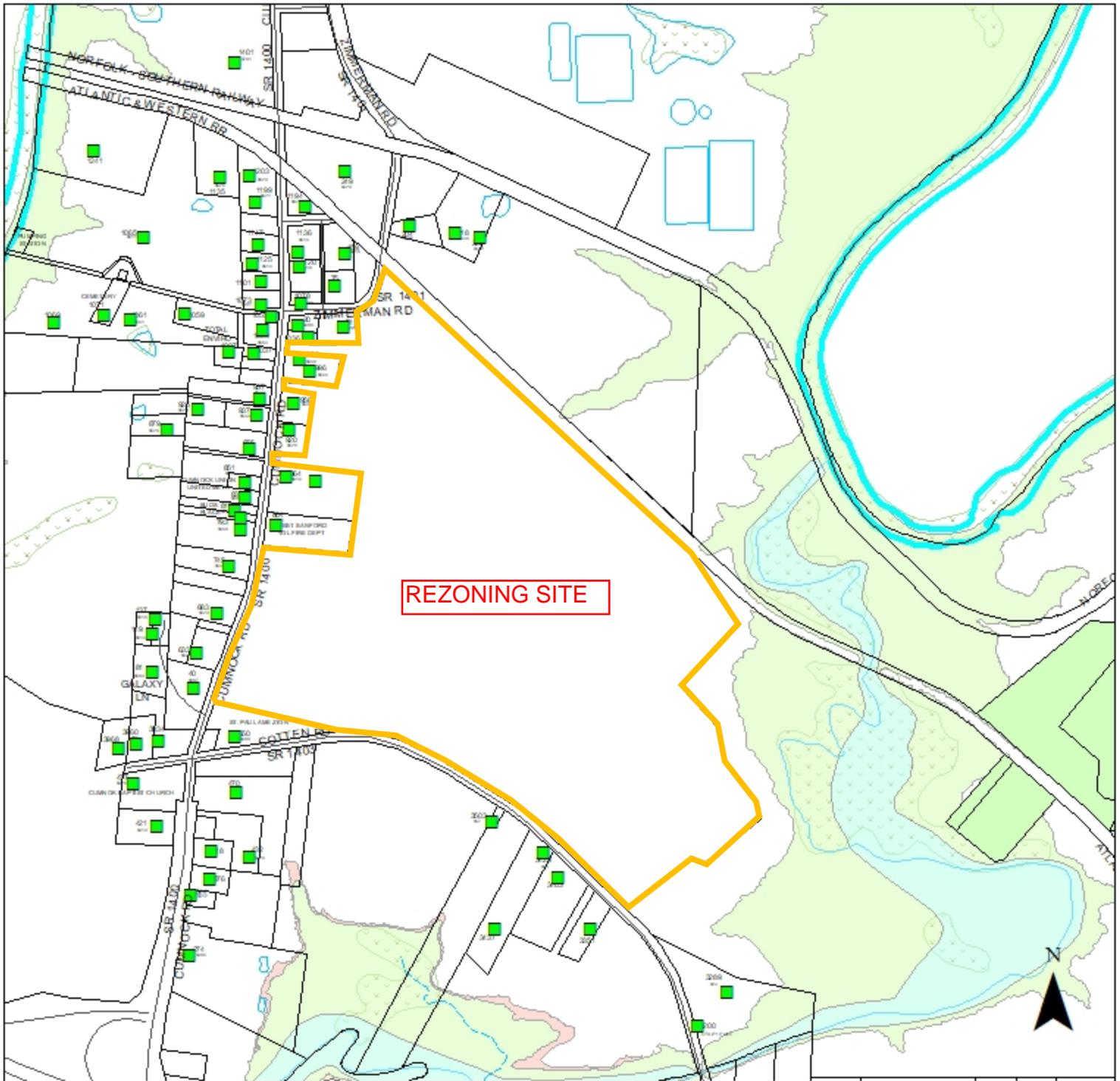
Transportation: The subject property has frontage on Cotten Road, Cumnock Road, and Zimmerman Road, all of which NCDOT maintained public roadways with a 60ft right-of-way. Whether or not roadway improvements will be required as part of the development of this project associated with this rezoning is undetermined at this time because the developer has not created the plans or other information that NCDOT will need to review in order to make this determination.

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

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

Staff Information Regarding a Recommendation from the Planning Board: The recommendation from the Planning Board should include language describing whether the action is consistent with an adopted comprehensive plan (*Plan SanLee*) and any other officially adopted plan that is applicable and other matters as deemed appropriate by the board. The board may also include language briefly explaining why it considers the recommendation to be reasonable and in the public interest.

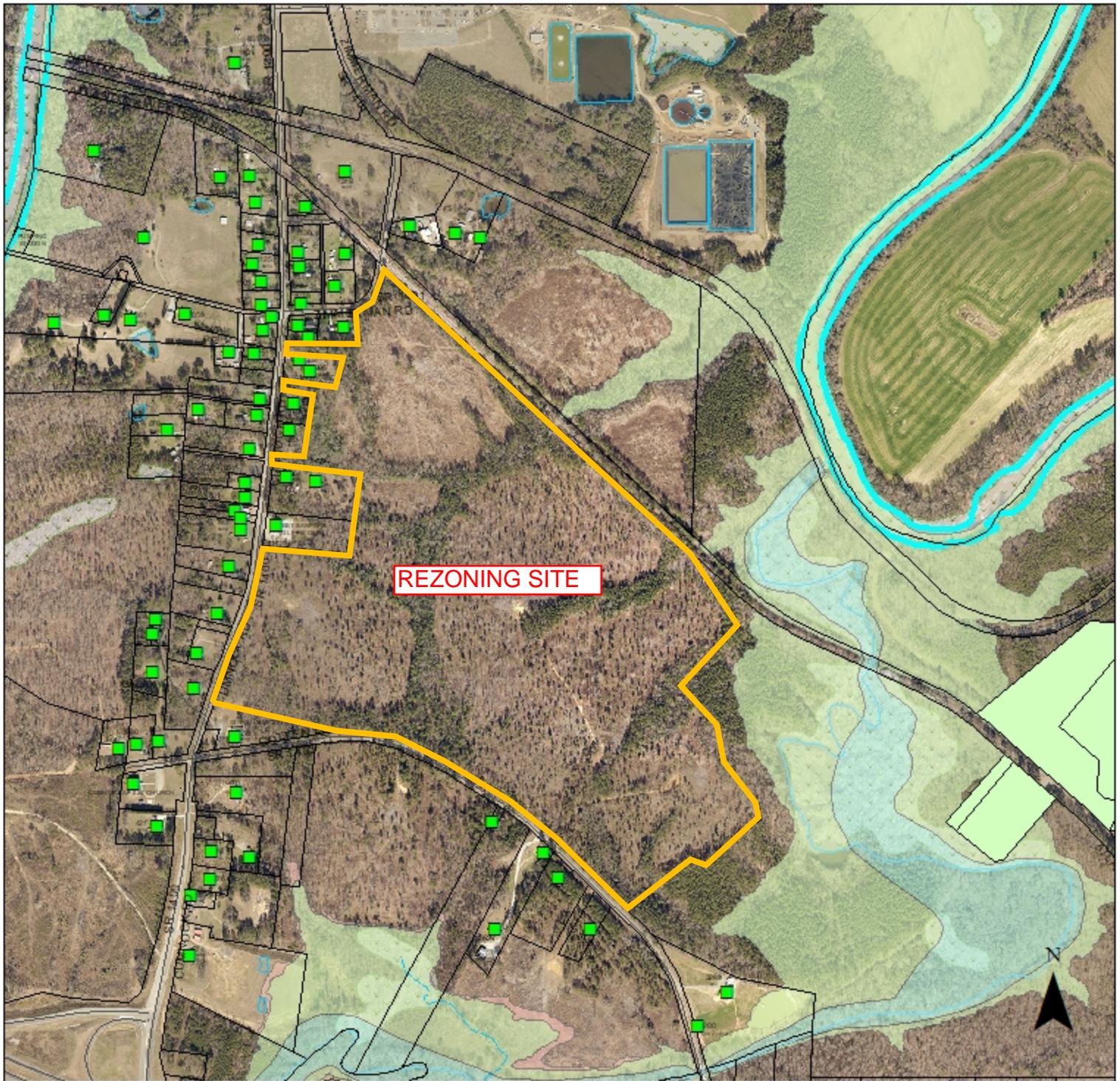
Staff Recommendation: The *Plan SanLee* land use plan identifies the future land use place type for this tract of land as “Village Neighborhood”. This was intended to serve as a place holder for future development in the area when the plan was adopted in 2018 to recognize that the property was rezoned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



REZONING APPLICATION

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

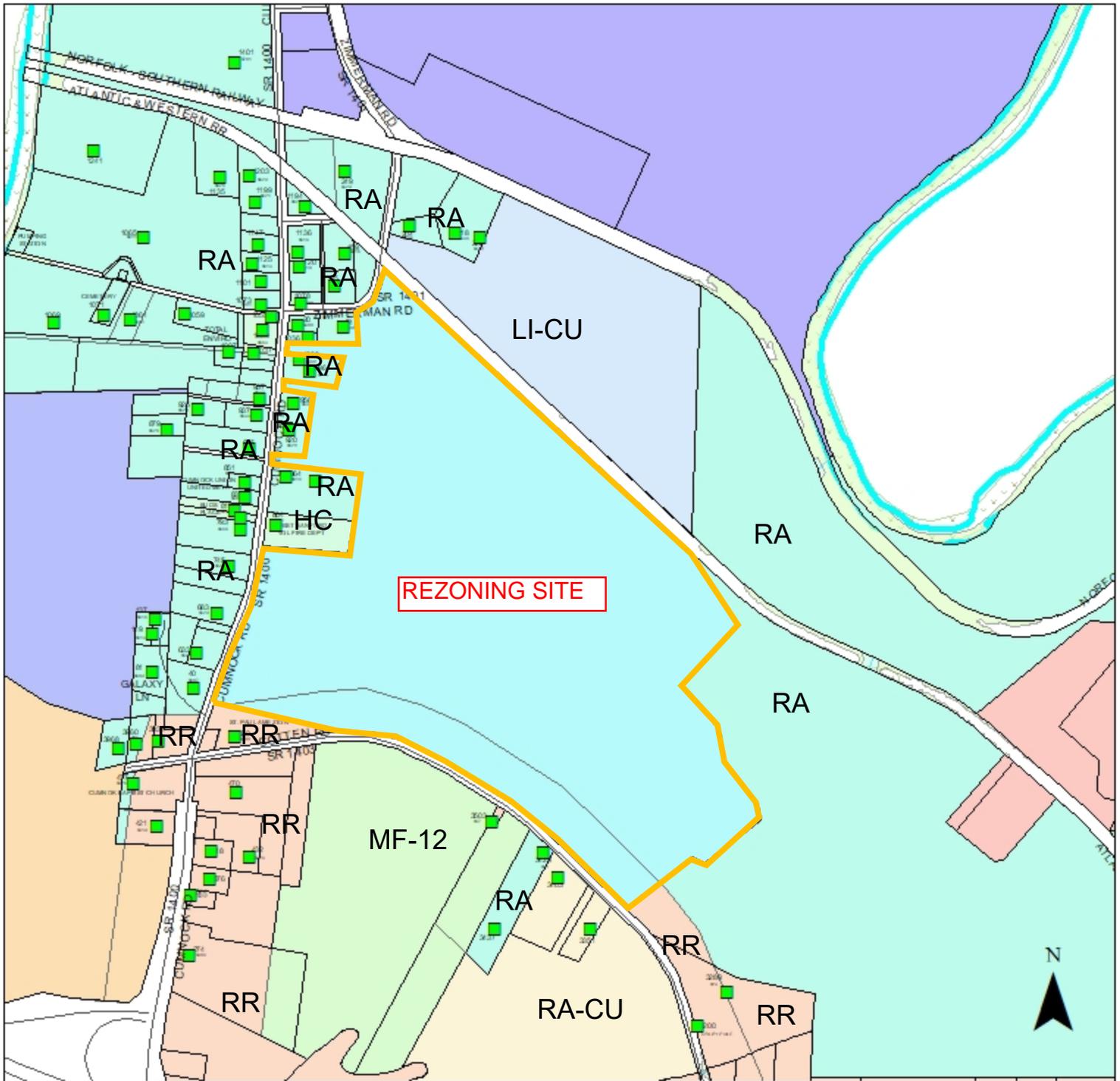
This is a graphic illustration and not a legal document.



REZONING APPLICATION

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

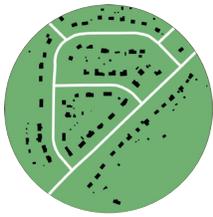
This is a graphic illustration and not a legal document.



REZONING APPLICATION

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

This is a graphic illustration and not a legal document.



VILLAGE NEIGHBORHOOD

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

Local Example - 1st Street Neighborhood in Broadway

OUTSIDE OF UTILITY SERVICE AREAS



INSIDE OF UTILITY SERVICE AREAS



LAND USE

Open Space



Undeveloped Open Space, Forests

Civic



Schools, Churches, Neighborhood Parks

Residential



Single Family Detached Dwellings

TRANSPORTATION

Low Priority Mode



Public Transit



On-street bike lanes, off-trail system



Sidewalks, off-street trails



High Priority Mode

Vehicular connectivity

CONTEXT

Development Density

- ✓ Up to 4 dwelling units / acre
- ✓ Moderate Building Setbacks
- ✓ 35 Foot Height Limit

Utility Infrastructure

- ✓ Public & Private Water
- ✓ Public & Private Wastewater

Preferred Character

- ✓ Interconnected Grid Street Network
- ✓ 6-800 Foot Block Length
- ✓ Tree Lined Streets with Sidewalks

ZONING

Current Districts

- ✓ RR
- ✓ R-20
- ✓ R-14
- ✓ R-12SF



Proposed Districts

- ✓ Low Density Residential

ADJOINING PROPERTY OWNERS LIST

PETITION BY: Mike Mazzella for the Village of Cumnock, LLC
 REQUEST: Rezone one 153 +/- acre tracts of land from (Lee County) PUD to (City of Sanford) PUD
 LOCATION: Frontage on Cotten Rd, Cumnock Rd, and Zimmerman Rd, Sanford, NC
 PIN: 9635-04-5989-00
 DATE: 2020-02-13 | Updated 2020-02-26

No.	PIN	PROP ADDR	OWNER 1	OWNER2	M #	MAIL ST	MAILCITY	ST	ZIP
01	9625-84-7187-00	0 CUMNOCK RD	ST PAUL AME ZION CHURCH	-	550	CUMNOCK RD	SANFORD	NC	27330
02A	9625-94-0274-00 (North of Cotten Rd)	550 CUMNOCK RD	ST PAUL AME ZION CHURCH	-	550	CUMNOCK RD	SANFORD	NC	27330
02B	9625-94-0274-00 (South of Cotten Rd)	Same as 2A info.							
03	No #3								
04	9625-93-0822-00	470 CUMNOCK RD	SMITH, BEATRICE BREWINGTON	-	470	CUMNOCK RD	SANFORD	NC	27330
05	9625-93-3649-00	0 COTTEN RD	PARTRIDGE, BARBARA MATTHEWS	-	393	W FOREST OAKS DR	SANFORD	NC	27330
06	9625-93-8206-00	0 COTTEN RD	VILLAGE OF CUMNOCK LLC	-	4712	SHADOW RIDGE CT	HOLLY SPRINGS	NC	27540
07A	9635-03-5699-00	3503 COTTEN RD	COX, BESSIE JANE	-	1223	ST ANDREWS CHURCH	SANFORD	NC	27332
07B	9635-02-2844-00	0 COTTEN RD	VILLAGE OF CUMNOCK LLC	-	4712	SHADOW RIDGE CT	HOLLY SPRINGS	NC	27540
08	9635-03-6175-00	3429 & 3437 COTTEN RD	PALMER, WILMA L (LIFE ESTATE)	-	3437	COTTON RD	SANFORD	NC	27330
09	9635-03-9123-00	3403 COTTEN RD 204 ZIMMERMAN RD	DEGON, DOUGLAS KENT	DEGON, SHARON M	204 3403	ZIMMERMAN RD 3403 COTTEN RD	SANFORD	NC	27330
10A	9635-02-9461-00 (South of Cotten Rd)	3200 COTTEN RD	GIBSON, WILLIAM P	GIBSON, JINGER T	3200	COTTEN RD	SANFORD	NC	27330
10B	9635-02-9461-00 (North of Cotten Rd)	Same as 10A info.							
11	9635-12-1949-00	3351 COTTEN RD	LATON, HARVIE SMITH	-	1324	COTTEN RD	SANFORD	NC	27330
12A	9635-33-1255-00	0 COTTEN RD	NORTH CAROLINA STATE OF	-	116	W JONES ST	RALEIGH	NC	27603
12B	9635-55-6564-00	0 COTTEN RD	NORTH CAROLINA STATE OF	-	116	W JONES ST	RALEIGH	NC	27603
13	9635-16-1639-00	0 COTTEN RD	VILLAGE OF CUMNOCK LLC	-	4712	SHADOW RIDGE CT	HOLLY SPRINGS	NC	27540
14	9625-97-6721-00	249 ZIMMERMAN RD	KEARNS, LORI B	KEARNS, JOSHUA D	249	ZIMMERMAN RD	SANFORD	NC	27330
15	9635-04-5989-00	This is part of the subject property, located on the north side of Zimmerman Road.							
16	9625-97-6001-00	75 ZIMMERMAN RD	HILDRETH, CHRISTOPHER TROY SR	HILDRETH, AMY SMITH	240	BRANCH RD	SANFORD	NC	27330
17	9625-97-5294-00	159 ZIMMERMAN RD	MASON, WORTH B JR	MASON, DEBORAH OLDHAM	159	ZIMMERMAN RD	SANFORD	NC	27330
18	9625-97-3277-00	1136 CUMNOCK RD	BEAL, IRENE K	-	5015	WHITEWOOD LN	WINSTON SALEM	NC	27104
19	9625-97-3096-00	1120 CUMNOCK RD	MAYNOR, ELIZABETH GAYLE	-	1120	CUMNOCK RD	SANFORD	NC	27330
20	9625-96-3984-00	1078 CUMNOCK RD	BRYANT, CARMEN B AKA	-	1078	CUMNOCK RD	SANFORD	NC	27330

			WORLEY, CARMEN B						
21	9625-96-3778-00	20 ZIMMERMAN RD	BRYANT, THOMAS KEVIN	-	20	ZIMMERMAN RD	SANFORD	NC	27330
22	9625-96-3760-00	1036 CUMNOCK RD	JOHNSON, WANDA B (CAMPBELL)	-	2207	DUNBAR DR	SANFORD	NC	27332
23	9625-96-5785-00	74 ZIMMERMAN RD	BRYANT, ED JR (LIFE ESTATE)	BRYANT, JUANITA H (LIFE ESTATE)	74	ZIMMERMAN RD	SANFORD	NC	27330
24	9625-96-4429-00	996 CUMNOCK RD	SPIVEY, BENJAMIN W	-	1008	CUMNOCK RD	SANFORD	NC	27330
25	9625-96-3214-00	956 CUMNOCK RD	LAWSON, ROMONA ASCOUGH	-	956	CUMNOCK RD	SANFORD	NC	27330
26	9625-96-2096-00	920 CUMNOCK RD	PHILLIPS, STEVEN P	PHILLIPS, PATRICIA D	920	CUMNOCK RD	SANFORD	NC	27330
27	9625-95-4711-00	864 CUMNOCK RD	CRAIG, TIMOTHY H	CRAIG, WENONAH W	864	CUMNOCK RD	SANFORD	NC	27330
28	9625-95-3486-00	804 CUMNOCK RD	WEST SFD RURAL VOL FIRE DEPT INC	-	104	PERKINSON RD	SANFORD	NC	27330
29	9625-96-1905-00	1073 CUMNOCK RD	HALL, NANCY	-	1065	CUMNOCK RD	SANFORD	NC	27330
30	9625-96-1714-00	1039 CUMNOCK RD	HALL FAMILY PROPERTIES OF SANFORD LLC	-	1007	CUMNOCK RD	SANFORD	NC	27330
31	9625-96-0664-00	1007 CUMNOCK RD	HALL FAMILY PROPERTIES OF SANFORD LLC	-	1007	CUMNOCK RD	SANFORD	NC	27330
32	9625-96-0592-00	0 CUMNOCK RD	BEAL, IRENE K	-	5015	WHITEWOOD LN	WINSTON SALEM	NC	27104
33	9625-96-0485-00	0 CUMNOCK RD	BEAL, IRENE K	-	5015	WHITEWOOD LN	WINSTON SALEM	NC	27104
34	9625-86-9326-00	957 CUMNOCK RD	DEGON, DOUGLAS	-	957	CUMNOCK RD	SANFORD	NC	27330
35	9625-96-0119-00	937 CUMNOCK RD	WILLETT, WILLIAM D	-	937	CUMNOCK RD	SANFORD	NC	27330
36	9625-86-8083-00	875 CUMNOCK RD	WICKER, WINFRED (LIFE ESTATE)	-	879	CUMNOCK RD	SANFORD	NC	27330
37	9625-85-8806-00	0 CUMNOCK RD	WICKER, WINFRED (LIFE ESTATE)	-	879	CUMNOCK RD	SANFORD	NC	27330
38	9625-95-0719-00	851 CUMNOCK RD	CUMNOCK METHODIST CHURCH	-	851	CUMNOCK RD	SANFORD	NC	27330
39	9625-85-8761-00	831 CUMNOCK RD	BURNS, CLINTON STEVE	BURNS, SARAH H	831	CUMNOCK RD	SANFORD	NC	27330
40	9625-85-8663-00	817 CUMNOCK RD	BOST, BILLY S	BOST, DENISE H	643	PUMPING STATION RD	SANFORD	NC	27330
41	9625-85-8538-00	5501 CUMNOCK RD	WEST SANFORD RURAL FIRE DEPT	-	104	PERKINSON RD	SANFORD	NC	27330
42	9625-85-8426-00	793 CUMNOCK RD	BURNS, JOSEPH PHILLIP	BURNS, LOIS M	793	CUMNOCK RD	SANFORD	NC	27330
43	9625-85-8208-00	745 CUMNOCK RD	STACKHOUSE, PATRICIA C	-	745	CUMNOCK RD	SANFORD	NC	27330
44	9625-85-7196-00	723 CUMNOCK RD	MILLS, VICTOR	MILLS, GLADYS T	3013	FOGGY MOUNTAIN LOOP	SANFORD	NC	27330
45	9625-84-7965-00	683 CUMNOCK RD	MILLS, ANGEL DARLENE	-	683	CUMNOCK RD	SANFORD	NC	27330
46	9625-84-8808-00	649 CUMNOCK RD	JOHNS, ARCHIE T (HEIRS)	JOHNS, MARY LOUISE	633	CUMNOCK RD	SANFORD	NC	27330

47	9625-84-7785-00	633 CUMNOCK RD	BALDWIN, DONALD RAY	BALDWIN, CHRISTINE J	633	CUMNOCK RD	SANFORD	NC	27330
48	9625-84-6425-00	40 GALAXY LN	FLACK, C V JR	-	5600	WHIP POOR WILL ST	DURHAM	NC	27704
49	9625-84-4326-00	3934 COTTEN RD	WOMBLE, LANCE A	WOMBLE, YOLANDA N	3934	COTTEN RD	SANFORD	NC	27330
50	APPLICANT AND PROPERTY OWNER:	0 COTTEN ROAD	VILLAGE OF CUMNOCK, LLC	MIKE L MAZELLA, REGISTER ED AGENT AND MANAGER	4712	SHADOW RIDGE CT	HOLLY SPRINGS	NC	27540- 9163

(0) = Vacant, no addressed structures on the parcel.

\$500 FEE



Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Applicant Name: Braden Riley (Riley Walker Development)
2. Applicant Address: PO Box 3248 Pinehurst, NC 28734
3. Applicant Telephone: 919-601-1217
4. Name and Address of Property Owner(s) if different than applicant:
ML CONSULTING OF SANFORD LLC PO BOX 487 SANFORD, NC 27331
LAKETREE INC PO BOX 766 SPRING LAKE, NC 28390
5. Location of Subject Property: North side of Center Church Road, west of Tramway Crossing Shopping Center
Lee Co. P.I.N. 9631-44-0754-00, 9631-44-1034-00, 9631-34-9072-00
6. Total Area included in Rezoning Request: 16.43 Acres
7. Zoning Classification: Current: C-2 Requested: MF-12-C
8. Existing Land Use(s): Vacant
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): Change of zoning and increase in density beyond general use base zoning.

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

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

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

4/30/2020
Date

Required Attachments/Submittals

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

STAFF USE ONLY (Public Hearings Suspended - Just Be Better - BY TEC)

Date Received: 4/30/2020 Fee Paid: \$750.00 Application No.: _____

Staff Signature: ALAN NEILL Energov Case No.: _____

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

\$750 FEE

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

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

Circle Jurisdiction That Applies:

City of Sanford

Lee County

Town of Broadway

1. Type of Conditional Zoning District (Type 1 or Type 2) Type 2
2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary): Proposal is for a multifamily development in excess of 12 DUA.
- _____
- _____
- _____

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

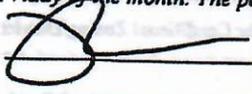
Conditions may be listed on additional, separate sheets if necessary. Additionally, a scaled site plan shall be submitted illustrating all conditions as described in the text.

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

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

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

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

 Brenden Riley

4/30/2020

Signature (Sign & Print)

Date

**PINE RESERVE APARTMENTS PROJECT DESCRIPTION for
CONDITIONAL REZONING**

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

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

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

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

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

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



NC Department of Transportation | Division of Highways

SUBJECT Trip Gen

PROJECT Proposed Apartment Buildings

PREPARED BY RRM

COUNTY Lee County

DATE 01-29-2020

STATION SR 1303(Center Church Rd.)

Tramway Apartments

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

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

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

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

$264 \text{ units} \times 0.67 = 177 \text{ Trips}$, 108 Entering Trips 69 and Exiting Trips

$14,613 / 2 \text{ lanes} \times 10\% \text{ Peak Hour} = 731 \text{ vph}$ of opposing traffic volume on SR 1303.
 $39,510 / 4 \text{ lanes} \times 10\% \text{ Peak Hour} = 988 \text{ vph}$ of oppsing traffic volume on US 1.

Assume 70% of Entering Trips will use Drive off US1, = 76 trips

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

Assume total trips are distributed as follows:

SR 1303 Main Entrance: Right-in = 90%, 22 trips
Left-in = 10%, 2 trips

SR 1303 Secondary Entrance: Right-in = 90%, 7 trips
Left-in = 10%, 1 trips

US 1 Entrance: Right-in = 90%, 68 trips
Left-in = 10%, 8 trips

Recommendation:

Per the graph below, a 50 ft. Right Turn lane with appropriate tapers will be required at the Main Entrance on SR1303.

Also, a 125 ft. Right Turn lane was triggered at US 1 Entrance. Note that there is an existing Right Turn Lane on US 1 that is approximately 150 ft. long that meets this requirement.

TRAMWAY APARTMENTS

CONCEPT PLAN

TRAMWAY, NORTH CAROLINA

DECEMBER 27, 2019



Development Tabulation

Total Acreage = +/- 16.43 acres

Number of Units = 264 units (16 DUA)

- 1 Bedroom = 60 units
- 2 Bedroom = 168 units
- 3 Bedroom = 36 units

Parking Required = 414 spaces

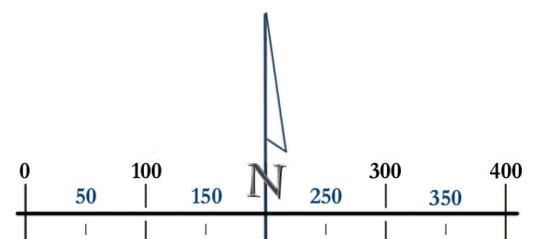
Parking Provided = +/- 475 spaces

(All spaces 9' x 18' with 24' wide drive aisle)

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

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

All perimeter setbacks are a minimum of 20'



SCALE: 1" = 100'

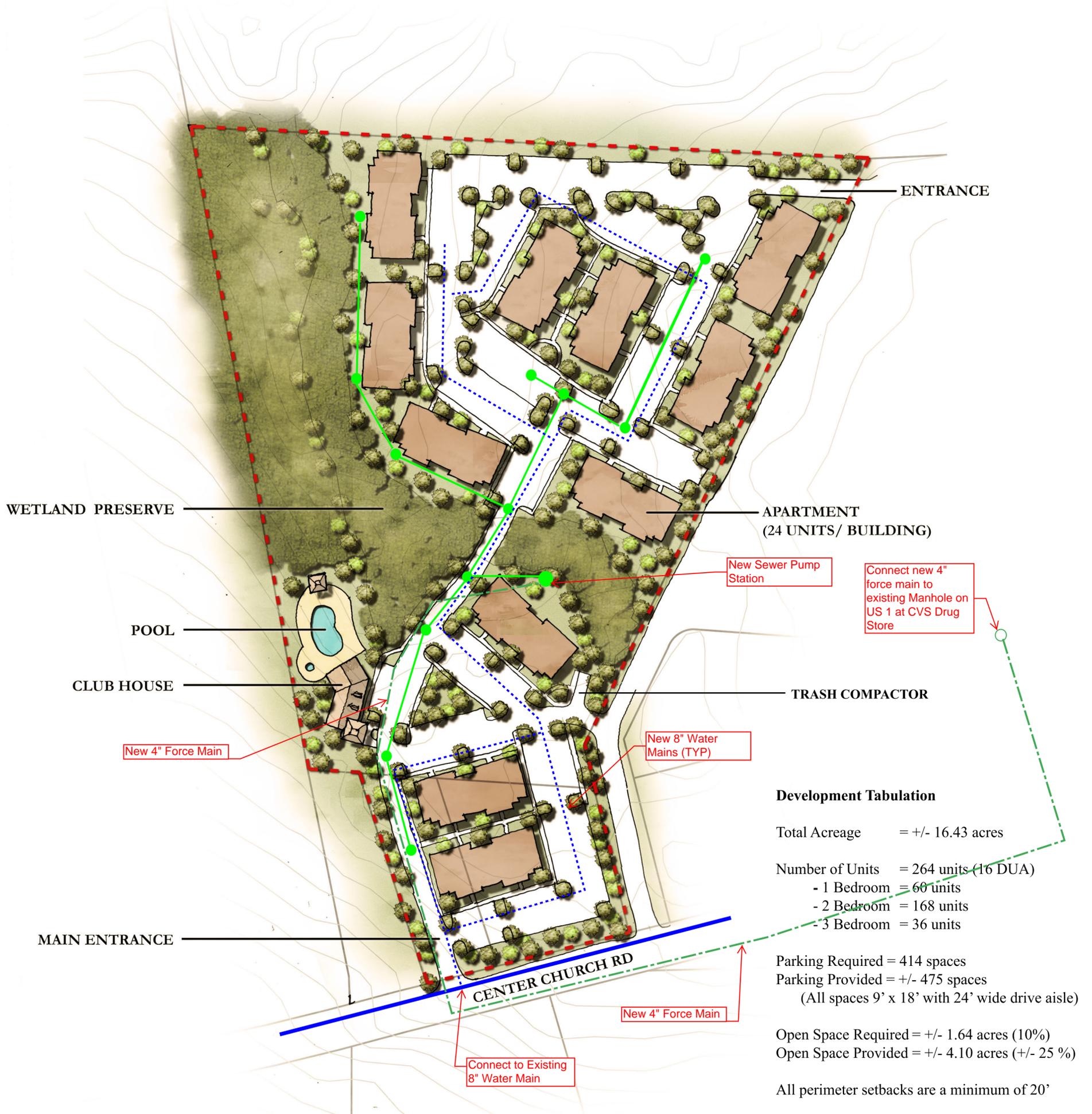
TRAMWAY APARTMENTS

CONCEPT PLAN

TRAMWAY, NORTH CAROLINA

DECEMBER 27, 2019

New gravity sewer mains shall be 8"
 New water mains shall be 8"
 New Sewer Force Main shall be 4" to carry 103 gallons per minute peaked sewer flow $(59,040/1440) \times 2.5 = 103$ gpm



Development Tabulation

Total Acreage	= +/- 16.43 acres
Number of Units	= 264 units (16 DUA)
- 1 Bedroom	= 60 units
- 2 Bedroom	= 168 units
- 3 Bedroom	= 36 units
Parking Required	= 414 spaces
Parking Provided	= +/- 475 spaces
(All spaces 9' x 18' with 24' wide drive aisle)	
Open Space Required	= +/- 1.64 acres (10%)
Open Space Provided	= +/- 4.10 acres (+/- 25 %)
All perimeter setbacks are a minimum of 20'	



PINE RESERVE APARTMENT
CONCEPTUAL FRONT ELEVATION

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



PINE RESERVE APARTMENT
CONCEPTUAL REAR ELEVATION

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



PINE RESERVE APARTMENT
CONCEPTUAL SIDE ELEVATION

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

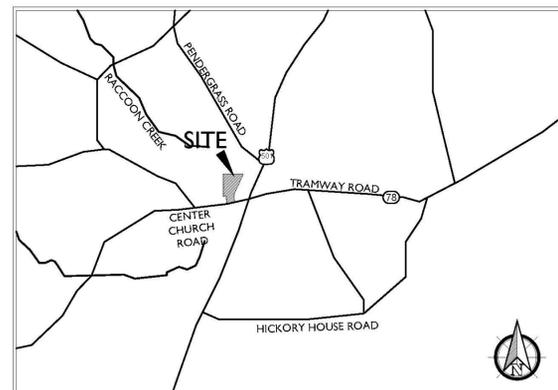
PINE RESERVE APARTMENTS

CONDITIONAL REZONING DOCUMENTS

SANFORD, NORTH CAROLINA

MAY 1, 2020

PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)



VICINITY MAP

NTS

SHEET INDEX

SHEET NO.	TITLE	SET DATE	REVISIONS
COVER			
L - 0.0	EXISTING CONDITIONS	2020-04-28	
L - 1.0	OVERALL SITE PLAN AND UTILITIES CONCEPT	2020-04-28	
L - 1.1	SITE PLAN	2020-04-28	
L - 1.2	SITE PLAN	2020-04-28	
L - 2.0	LANDSCAPE PLAN	2020-04-28	
L - 2.1	LANDSCAPE PLAN	2020-04-28	
L - 2.2	LANDSCAPE SCHEDULE & NOTES	2020-04-28	
L - 2.3	LANDSCAPE DETAILS	2020-04-28	

PROPERTY INFORMATION:

ML CONSULTING OF SANFORD, NC
P.O BOX 487
SANFORD, NC 27331
(PIN #: 963144075400)

AND

LAKE TREE, INC.
P.O BOX 766
SPRING LAKE, NC 28390
(PIN #: 963134907200 and 963144103400)

APPLICANT:

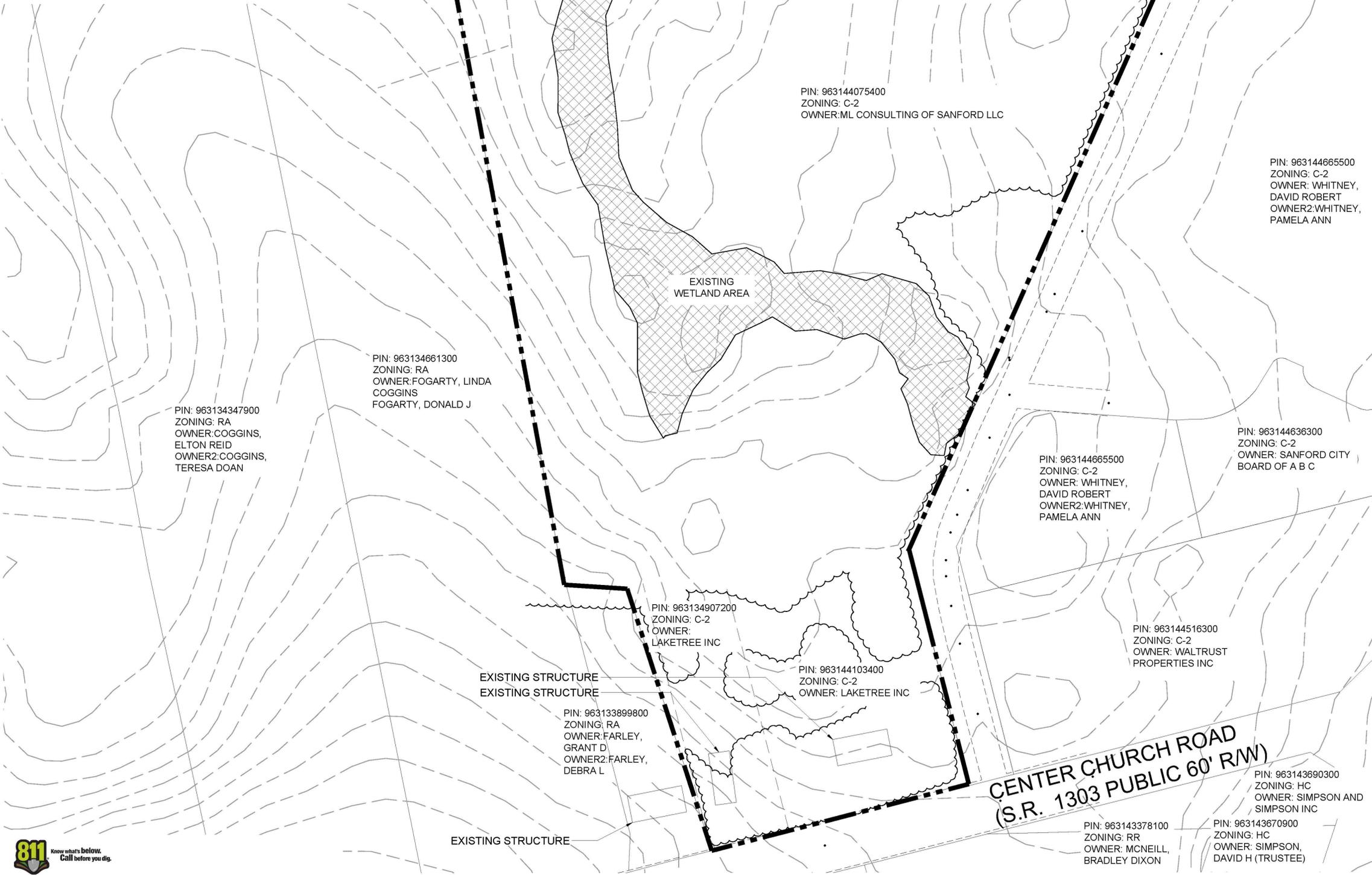
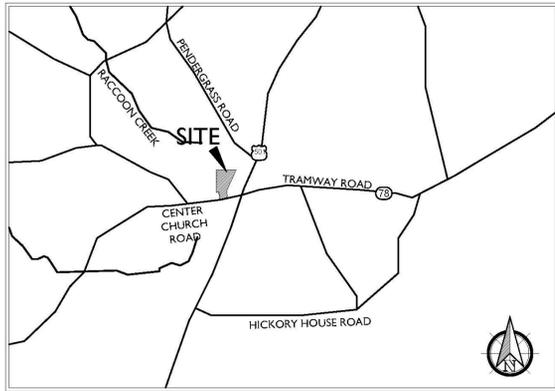
RILEY WALKER DEVELOPMENT
BRADEN RILEY
PO BOX 3248
PINEHURST, NC 28374
p: (919) 601-1217
E: randwdevelopment@gmail.com

CONSULTANT:

KOONTZ JONES Design, PLLC
Bob Koontz, PLA
150 South Page Street
Southern Pines, NC 28387
P: (910) 684.8487
E: bkoontz@koontzjones.com

PREPARED BY:

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE



PIN: 963145327000
 ZONING: R-20
 OWNER: JOHNSON, HERMAN C

PIN: 963144075400
 ZONING: C-2
 OWNER: ML CONSULTING OF SANFORD LLC

PIN: 963144665500
 ZONING: C-2
 OWNER: WHITNEY, DAVID ROBERT
 OWNER2: WHITNEY, PAMELA ANN

PIN: 963134347900
 ZONING: RA
 OWNER: COGGINS, ELTON REID
 OWNER2: COGGINS, TERESA DOAN

PIN: 963134661300
 ZONING: RA
 OWNER: FOGARTY, LINDA
 OWNER2: FOGARTY, DONALD J

PIN: 963134907200
 ZONING: C-2
 OWNER: LAKETREE INC

PIN: 963144665500
 ZONING: C-2
 OWNER: WHITNEY, DAVID ROBERT
 OWNER2: WHITNEY, PAMELA ANN

PIN: 963144636300
 ZONING: C-2
 OWNER: SANFORD CITY BOARD OF A B C

PIN: 963144516300
 ZONING: C-2
 OWNER: WALTRUST PROPERTIES INC

PIN: 963144103400
 ZONING: C-2
 OWNER: LAKETREE INC

PIN: 963133899800
 ZONING: RA
 OWNER: FARLEY, GRANT D
 OWNER2: FARLEY, DEBRA L

PIN: 963143690300
 ZONING: HC
 OWNER: SIMPSON AND SIMPSON INC

PIN: 963143378100
 ZONING: RR
 OWNER: MCNEILL, BRADLEY DIXON

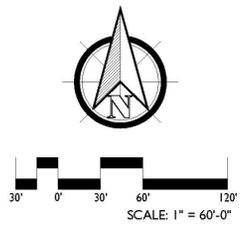
PIN: 963143670900
 ZONING: HC
 OWNER: SIMPSON, DAVID H (TRUSTEE)

FLOODPLAIN DATA
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
 (AREAS OF MINIMAL FLOODING)
 THERE IS NO 100-YEAR FLOODPLAIN ON THE PROPERTY
 THIS SITE NOT LOCATION IN ANY ESTABLISHED WATERSHED

LEGEND
 - - - - - = PROPERTY BOUNDARY
 - - - - - = EXISTING PARCELS
 - - - - - = EXISTING CONTOUR
 - - - - - = EXISTING ROAD
 [Cross-hatched] = EXISTING WETLAND
 [Cloud-like] = EXISTING TREELINE

PROPERTY INFORMATION
PROPERTY OWNER(S):
 PARCEL 1:
 ML CONSULTING OF SANFORD LLC
 LAKETREE INC
 PO BOX 487 SANFORD, NC 27331
APPLICANT(S):
 RILEY WALKER DEVELOPMENT
 PO BOX 3248 PINEHURST, NC 28374
TOTAL WETLAND ACREAGE:
 ±1.89 AC
TOTAL ACREAGE:
 ±16.43 AC

NOTES:
 1.0 ALL CONTOURS ARE SHOWN AT 2' INTERVALS
 BASED ON CITY OF SANFORD GIS DATA.
 2.0 WETLANDS SHOWN DELINEATED BY:
 WETLAND SOLUTIONS, INC
 PO BOX 244
 BUNNLEVEL, NC 28323



PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

KOONTZJONESDesign
 LAND PLANNING | LANDSCAPE ARCHITECTURE
 150 S PAGE STREET
 SOUTHERN PINES, NC 28387
 P: (910) 684-8987
 W: www.koontzjonesdesign.com

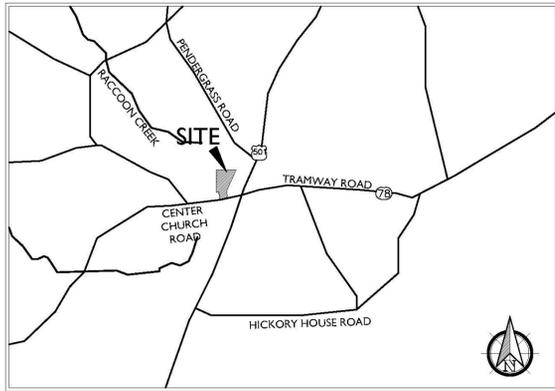
REVISIONS:

REVISIONS:

PINE RESERVE APARTMENTS
 SANFORD, NORTH CAROLINA
 EXISTING CONDITIONS

DATE: 2020.04.28
 DESIGNED BY:
 DRAWN BY:
 CHECKED BY:
 SCALE: 1" = 60'-0"
 PROJECT #: KD1401
 SHEET NUMBER:
L-0.0





GENERAL NOTES:

1. ALL DEVELOPMENT ON THE PROPERTY WILL ADHERE TO THE USES, DIMENSIONAL STANDARDS AND REQUIREMENTS OF REZONING. THE LAYOUT MAY NOT BE AMENDED SUBSTANTIALLY SIGNIFICANTLY WITHOUT SEEKING ADDITIONAL APPROVAL.
2. ALL DEVELOPMENT AND BUILDING PERMITS ARE SUBJECT TO ALL LOCAL, STATE AND FEDERAL PERMITTING GUIDELINES, RULES AND REGULATIONS AND MUST BE APPROVED BY THE CITY OF SANFORD.
3. WETLANDS EXIST ON THE SITE. AS REQUIRED BY LAW, ANY IMPACTS TO WETLANDS MUST BE PERMITTED AND MITIGATED PER THE REQUIREMENTS OF THE ARMY CORPS OF ENGINEERS AND THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES.
4. THE COMMUNITY LIES OUTSIDE OF ANY PROTECTED WATERSHED DISTRICT ESTABLISHED BY NCDWQ. THE PROJECT WILL COMPLY WITH ALL STATE AND LOCAL STANDARDS FOR STORM WATER MANAGEMENT. THE PROJECT WILL UTILIZE BEST MANAGEMENT PRACTICES AND ENGINEERED STORM WATER FACILITIES.
5. STORMWATER WILL BE PROVIDED AS NECESSARY TO MANAGE THE SITE'S RUNOFF. STORMWATER AND EROSION CONTROL PLAN TO BE REVIEWED DURING PERMIT PROCESS.
6. OPEN SPACE WILL BE PROVIDED THROUGHOUT THE COMMUNITY AS REQUIRED BY THE TOWN'S UDO. A MINIMUM OF 10% OF THE SITE MUST BE DEDICATED TO OPEN SPACE, TO BE MAINTAINED BY THE HOA.
7. LANDSCAPE STANDARDS WILL MEET OR EXCEED THE REQUIREMENTS OF THE CITY OF SANFORD UDO PER ARTICLES 7 AND 10.3.2.4.3.
8. ELECTRIC, WATER, SEWER AND GAS UTILITIES ARE READILY AVAILABLE FOR THE SITE. NEW UTILITY LINES WILL BE INSTALLED PER THE POLICIES OF THE LOCAL UTILITY PROVIDERS AND THE CITY OF SANFORD FOR UNDERGROUND UTILITIES.
9. STREET LIGHTING WILL BE DESIGNED IN CONFORMANCE WITH THE REQUIREMENTS OF ARTICLE 10.3.2.4.2.
10. SIGNAGE WILL BE DESIGNED TO ADHERE THE STANDARDS PROVIDED IN ARTICLE 11 OF THE UDO. A UNIFIED SIGN PLANS MAY BE PROVIDED FOR THE OVERALL PROPERTY.
11. CLUBHOUSE BUILDING FOOTPRINT AND POOL DESIGN SHOWN FOR ILLUSTRATIVE PURPOSE. THERE FACILITIES TO BE DESIGNED IN DETAIL AT A LATER DATE AND PERMITTED THROUGH THE CITY OF SANFORD.
12. LIGHTING PLAN TO BE PROVIDED DURING DETAILED DESIGN PHASE AND ADHERE TO CITY OF SANFORD UDO STANDARDS.
13. DEVELOPMENT OF THE PROJECT TO OCCUR IN TWO PHASES. EACH PHASE MAY BE DEVELOPED INDIVIDUALLY OR BOTH PHASES MAY BE DEVELOPED AT ONE TIME. INDIVIDUAL BUILDING MAY BE PHASED AND CONSTRUCTED IN SEQUENCE ONCE UTILITY INFRASTRUCTURE IS MADE AVAILABLE.
14. GENERAL LOCATIONS OF STORMWATER MANAGEMENT FACILITIES ARE SHOWN ON THESE PLANS. DRAINAGE FLOW ARROWS ARE INDICATED TO SHOW PATH OF WATER TO THESE FACILITIES.



LEGEND

- - - - - = PROPERTY BOUNDARY
- - - - - = EXISTING PARCELS
- - - - - = EXISTING CONTOUR
- - - - - = EXISTING ROAD
- - - - - = PROPERTY 20' SETBACK
- - - - - = STORMWATER MANAGEMENT AREA
- = PROPOSED SEWER LINE
- = PROPOSED SEWER FORCE MAIN
- = PROPOSED SEWER LINE
- = EXISTING WETLAND
- = DRAINAGE ARROW
- = POTENTIAL TREE SAVE AREA

PROPERTY INFORMATION

JURISDICTION: CITY OF SANFORD
CURRENT ZONING: C-2 (RESIDENTIAL HOMES AND VACANT PARCEL)
REQUESTED ZONING: MF-12-C (APARTMENT COMMUNITY)

ACREAGE: +/- 16.43 AC
IMPERVIOUS: 8.20 AC
PHASE 1: +/- 10.20 AC
PHASE 2: +/- 16.23 AC

TOTAL PROPOSED UNITS: 252 (15.34 DUA)
 1-BEDROOM: 42 UNITS
 2-BEDROOM: 174 UNITS
 3-BEDROOM: 36 UNITS

SETBACKS:
 FRONT: 20'
 SIDE: 20'
 REAR: 20'

PARKING:
 1 BEDROOM UNITS: 42 @ 1.5 SPACE/UNIT = 63 SPACES
 2 BEDROOM UNITS: 174 @ 1.5 SPACE/UNIT = 261 SPACES
 3 BEDROOM UNITS: 36 @ 2 SPACE/UNIT = 72 SPACES
 REQUIRED TOTAL: 396 SPACES

PROVIDED TOTAL: 422 SPACES
 REQUIRED ADA SPACES: 12 (11 CAR AND 1 VAN)
 PROVIDED ADA SPACES: 13 (11 CAR AND 2 VAN)

TOTAL OPEN SPACE: +/- 3.5 AC (21%) (REQUIRED 1.65 AC (10%))
RECREATIONAL OPEN SPACE: +/- 0.80 AC

UTILITY NOTE

NEW GRAVITY SEWER MAINS SHALL BE 8"
 NEW WATER MAINS SHALL BE 8"
 NEW SEWER FORCE MAIN SHALL BE 4" TO CARRY 103 GALLONS PER MINUTE PEAKED SEWER FLOW (59,040/1440) X 2.5 = 103 GPM

PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

KOONTZJONESDesign
 LAND PLANNING | LANDSCAPE ARCHITECTURE

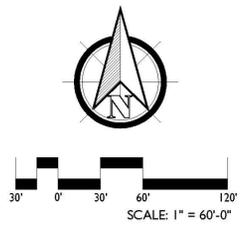
150 S PAGE STREET
 SOUTHERN PINES, NC 28387
 P: (910) 688-8987
 W: www.koontzjonesdesign.com

REVISIONS:

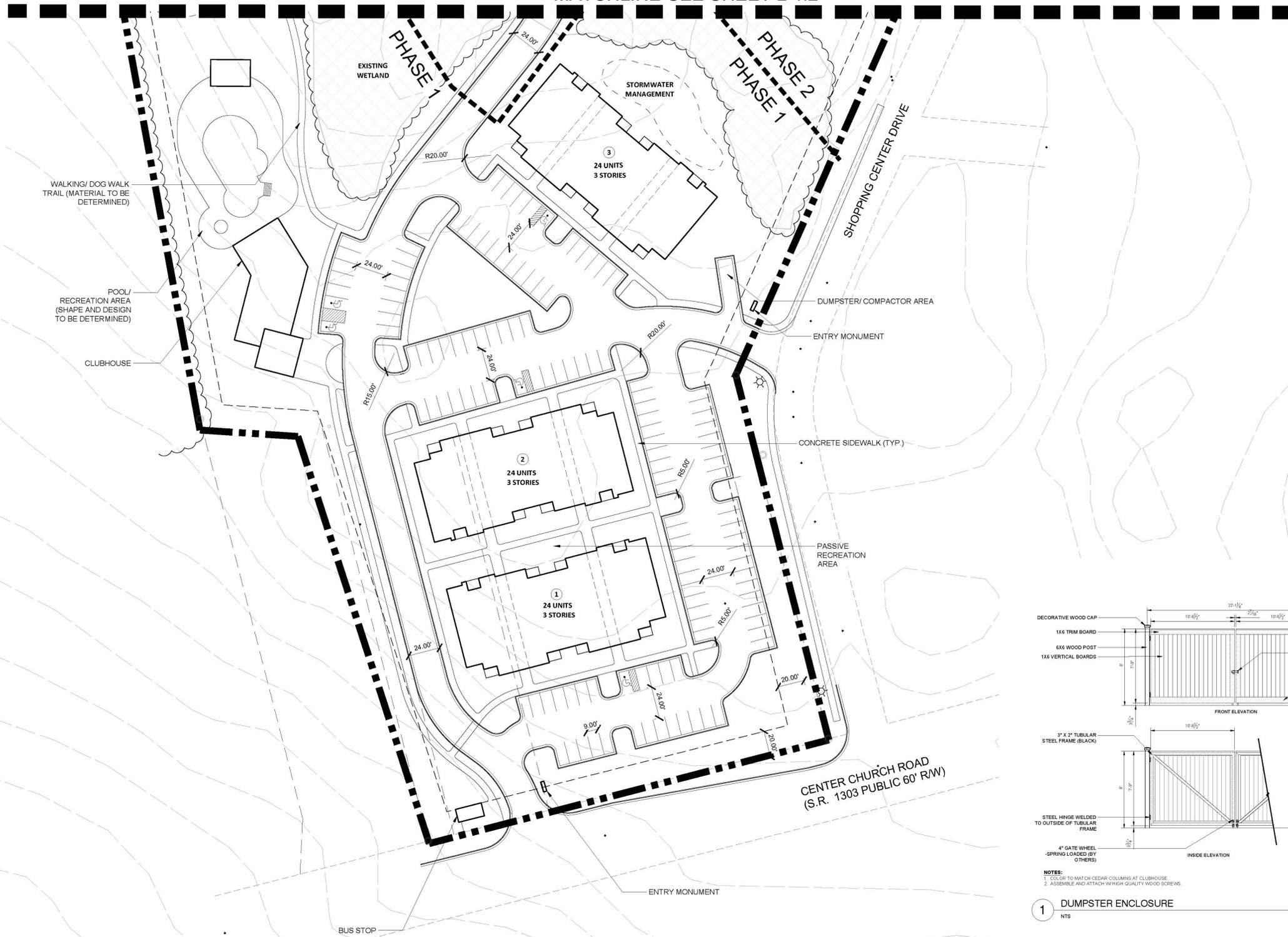
PINE RESERVE APARTMENTS
 SANFORD, NORTH CAROLINA

OVERALL SITE PLAN AND UTILITIES CONCEPT

DATE: 2020.04.28
 DESIGNED BY:
 DRAWN BY:
 CHECKED BY:
 SCALE: 1" = 60'-0"
 PROJECT #: KD1401
 SHEET NUMBER #:
L-1.0

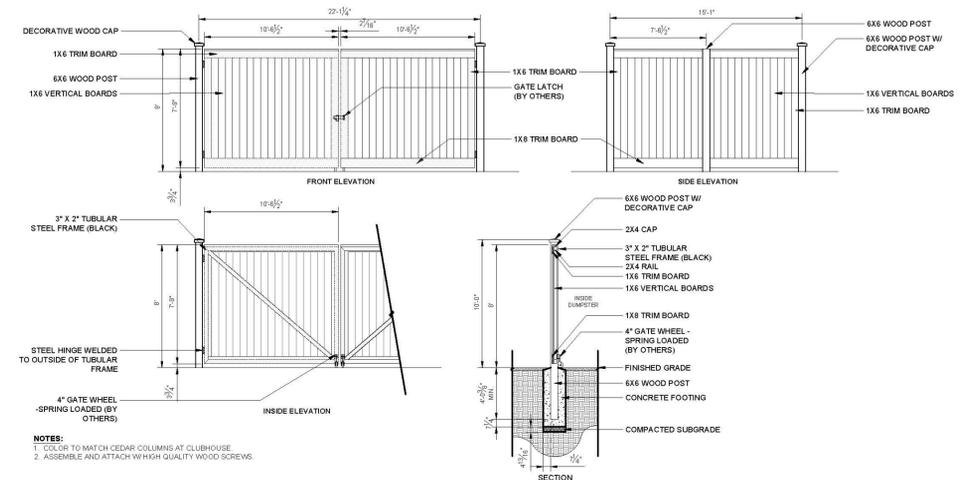


MATCHLINE-SEE SHEET L-1.2



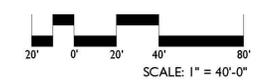
LEGEND

- = PROPERTY BOUNDARY
- = EXISTING PARCELS
- = EXISTING CONTOUR
- = EXISTING ROAD
- = PROPERTY 20' SETBACK
- = STORMWATER MANAGEMENT AREA
- = EXISTING WETLAND
- = POTENTIAL TREE SAVE AREA



1 DUMPSTER ENCLOSURE
NTS

NOTES:
1. COLOR TO MATCH CEDAR COLUMNS AT CLUBHOUSE.
2. ASSEMBLE AND ATTACH WITH HIGH QUALITY WOOD SCREWS.



PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

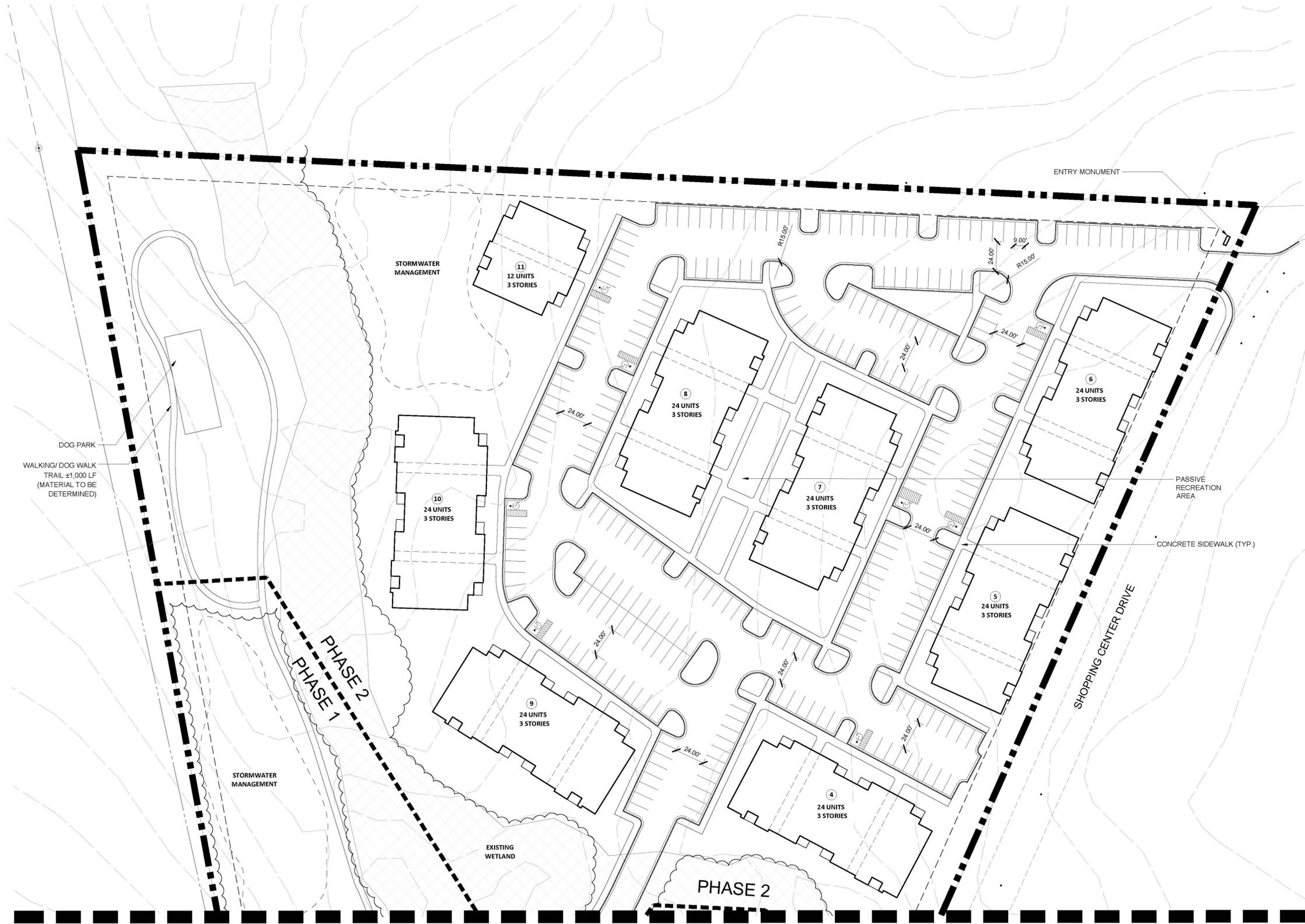
KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE
150 S PAGE STREET
SOUTHERN PINES, NC 28387
P: (910) 684-8987
W: www.koontzjonesdesign.com

PINE RESERVE APARTMENTS
SANFORD, NORTH CAROLINA

SITE PLAN

DATE: 2020.04.28
DESIGNED BY:
DRAWN BY:
CHECKED BY:
SCALE: 1" = 40'-0"
PROJECT #: KD1401
SHEET NUMBER:
L-1.1





LEGEND

- = PROPERTY BOUNDARY
- = EXISTING PARCELS
- = EXISTING CONTOUR
- = EXISTING ROAD
- = PROPERTY 20' SETBACK
- = STORMWATER MANAGEMENT AREA
- = EXISTING WETLAND
- = POTENTIAL TREE SAVE AREA

PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

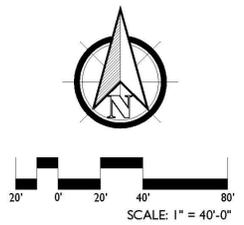
KOONTZJONESDesign
 LAND PLANNING | LANDSCAPE ARCHITECTURE
 150 S PAGE STREET
 SOUTHERN PINES, NC 28387
 P: (910) 684-8487
 W: www.koontzjonesdesign.com

REVISIONS:

PINE RESERVE APARTMENTS
 SANFORD, NORTH CAROLINA

SITE PLAN

DATE: 2020.04.28
 DESIGNED BY:
 DRAWN BY:
 CHECKED BY:
 SCALE: 1" = 40'-0"
 PROJECT #: KD1401
 SHEET NUMBER:
L-1.2



MATCHLINE-SEE SHEET L-1.1

MATCHLINE-SEE SHEET L-2.1



1.0 LANDSCAPE NOTES:

- 1.1 THIS PLAN IS FOR LANDSCAPE PURPOSES ONLY.
- 1.2 UNDERGROUND UTILITIES HAVE NOT BEEN VERIFIED BY THE OWNER, LANDSCAPE ARCHITECT, OR THEIR REPRESENTATIVES. PLEASE CALL BEFORE YOU DIG.
- 1.3 THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY UNDERGROUND UTILITIES TO REMAIN.
- 1.4 THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS TO ENSURE THAT THE NEW WORK SHALL FIT INTO THE EXISTING SITE IN THE MANNER INTENDED AND AS SHOWN ON THE DRAWINGS. SHOULD ANY CONDITIONS EXIST THAT ARE CONTRARY TO THOSE ON THE DRAWINGS, THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE PRIOR TO PERFORMING ANY WORK IN THE AREA INVOLVING DISCREPANCIES. NOTIFICATION SHALL BE MADE IN THE FORM OF A DRAWING OR SKETCH INDICATING FIELD MEASUREMENTS AND NOTES RELATING TO THE AREA.
- 1.5 ALL WORK SHALL MEET OR EXCEED THE REQUIREMENTS OF ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, ORDINANCES AND REQUIREMENTS.
- 1.6 IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PERFORM ALL WORK IN A MANNER THAT PROTECTS COMPLETED WORK BY OTHERS, SUCH AS CURBS, UTILITIES, STORM DRAINAGE, FENCES, DRIVEWAY APRONS, DRIVES, VEGETATION, ETC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF SATISFACTORY REPAIR OF ALL DAMAGES IN KIND RESULTING FROM HIS/HER FAILURE TO COMPLY. ALL UTILITY LINES SHALL BE LOCATED UNDERGROUND.
- 1.7 THE CONTRACTOR IS TO VERIFY ALL QUANTITIES SHOWN ON THE PLAN AND IN THE PLANT SCHEDULE. IF DISCREPANCIES OCCUR, THE CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT IMMEDIATELY. QUANTITIES OF PLANTS SHOWN BY LANDSCAPE SYMBOLS SHALL GOVERN OVER THE QUANTITIES SHOWN IN THE PLANT SCHEDULE.
- 1.8 ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT. THE OWNER SHALL RECEIVE TAGS FROM EACH PLANT SPECIES AND A LIST OF PLANT SUPPLIERS. WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL MEET THE NORMAL REQUIREMENTS FOR THE VARIETY OR CULTIVAR PER THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN). PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.
- 1.9 NO SUBSTITUTIONS OF PRODUCTS, PLANT TYPES OR SIZES SHALL BE MADE WITHOUT WRITTEN APPROVAL OF THE OWNER, LANDSCAPE ARCHITECT, AND MUNICIPAL REVIEW AGENCY. REQUESTS FOR SUBSTITUTION SHALL BE IN WRITING, AND SHALL STATE THE REASONS FOR THE SUBSTITUTION REQUEST, THE SUGGESTED ALTERNATIVE, AND THE CHANGES IN COST. REQUESTS FOR SUBSTITUTION IN PLANT MATERIAL SHALL STATE THE NAMES OF NURSERIES WHO HAVE BEEN UNABLE TO SUPPLY THE ORIGINALLY SPECIFIED MATERIAL.
- 1.10 PLANTING SHALL ONLY OCCUR DURING SPECIFIED PLANTING SEASONS. SPRING SEASON SHALL BE FROM MARCH 1 TO JUNE 15. FALL PLANTING SEASON SHALL BE FROM SEPTEMBER 15 TO NOVEMBER 15.
- 1.11 THE CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING, FOR ONE FULL YEAR AS REQUIRED BY THE SPECIFICATIONS. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE DURING THE GUARANTEE PERIOD.
- 1.12 INSTALLED UNIT PRICES FOR ALL PLANT MATERIAL SHALL BE SUPPLIED TO THE OWNER AND LANDSCAPE ARCHITECT AT THE TIME OF BIDDING.
- 1.13 THE LANDSCAPE CONTRACTOR IS SUBJECT TO RANDOM INSPECTIONS BY THE OWNER AND/OR THE OWNER'S REPRESENTATIVE AT ANY TIME DURING THE INSTALLATION PROCESS.

2.0 BUFFERS

- 2.1 ALL PLANTINGS AND LANDSCAPE PLAN TO MEET OR EXCEED THE CITY OF SANFORD STANDARDS SET FORTH IN ARTICLE 7 OF THE UDO.
- 2.2 LANDSCAPE SUBSTITUTIONS MAY BE MADE BASED ON AVAILABILITY AS LONG AS INTENT IS MAINTAINED.
- 2.3 IRRIGATION TO BE PROVIDED.

PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

KOONTZJONESDesign
 LAND PLANNING | LANDSCAPE ARCHITECTURE

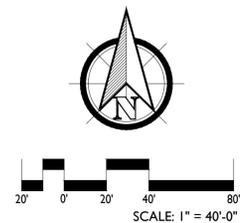
150 S PAGE STREET
 SOUTHERN PINES, NC 28387
 P: (910) 684-8487
 W: www.koontzjonesdesign.com

REVISIONS:
 1. LANDSCAPE REVISIONS AS PER LIGHTING PLAN

PINE RESERVE APARTMENTS
 SANFORD, NORTH CAROLINA

LANDSCAPE PLAN

DATE: 2020.08.04
 DESIGNED BY:
 DRAWN BY:
 CHECKED BY:
 SCALE: 1" = 40'-0"
 PROJECT #: KD1401
 SHEET NUMBER:
L-2.0





MATCHLINE-SEE SHEET L-2.0

1.0 LANDSCAPE NOTES:

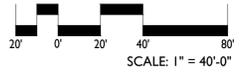
- 1.1 THIS PLAN IS FOR LANDSCAPE PURPOSES ONLY.
- 1.2 UNDERGROUND UTILITIES HAVE NOT BEEN VERIFIED BY THE OWNER, LANDSCAPE ARCHITECT, OR THEIR REPRESENTATIVES. PLEASE CALL BEFORE YOU DIG.
- 1.3 THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY UNDERGROUND UTILITIES TO REMAIN.
- 1.4 THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS TO ENSURE THAT THE NEW WORK SHALL FIT INTO THE EXISTING SITE IN THE MANNER INTENDED AND AS SHOWN ON THE DRAWINGS. SHOULD ANY CONDITIONS EXIST THAT ARE CONTRARY TO THOSE ON THE DRAWINGS, THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE PRIOR TO PERFORMING ANY WORK IN THE AREA INVOLVING DISCREPANCIES. NOTIFICATION SHALL BE MADE IN THE FORM OF A DRAWING OR SKETCH INDICATING FIELD MEASUREMENTS AND NOTES RELATING TO THE AREA.
- 1.5 ALL WORK SHALL MEET OR EXCEED THE REQUIREMENTS OF ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, ORDINANCES AND REQUIREMENTS.
- 1.6 IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PERFORM ALL WORK IN A MANNER THAT PROTECTS COMPLETED WORK BY OTHERS, SUCH AS CURBS, UTILITIES, STORM DRAINAGE, FENCES, DRIVEWAY APRONS, DRIVES, VEGETATION, ETC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF SATISFACTORY REPAIR OF ALL DAMAGES IN KIND RESULTING FROM HIS/HER FAILURE TO COMPLY.
- 1.7 THE CONTRACTOR IS TO VERIFY ALL QUANTITIES SHOWN ON THE PLAN AND IN THE PLANT SCHEDULE. IF DISCREPANCIES OCCUR, THE CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT IMMEDIATELY. QUANTITIES OF PLANTS SHOWN BY LANDSCAPE SYMBOLS SHALL GOVERN OVER THE QUANTITIES SHOWN IN THE PLANT SCHEDULE.
- 1.8 ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT. THE OWNER SHALL RECEIVE TAGS FROM EACH PLANT SPECIES AND A LIST OF PLANT SUPPLIERS, WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL MEET THE NORMAL REQUIREMENTS FOR THE VARIETY OR CULTIVAR PER THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSEYMEN (AAN). PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.
- 1.9 NO SUBSTITUTIONS OF PRODUCTS, PLANT TYPES OR SIZES SHALL BE MADE WITHOUT WRITTEN APPROVAL OF THE OWNER, LANDSCAPE ARCHITECT, AND MUNICIPAL REVIEW AGENCY. REQUESTS FOR SUBSTITUTION SHALL BE IN WRITING, AND SHALL STATE THE REASONS FOR THE SUBSTITUTION REQUEST, THE SUGGESTED ALTERNATIVE, AND THE CHANGES IN COST. REQUESTS FOR SUBSTITUTION IN PLANT MATERIAL SHALL STATE THE NAMES OF NURSERIES WHO HAVE BEEN UNABLE TO SUPPLY THE ORIGINALLY SPECIFIED MATERIAL.
- 1.10 PLANTING SHALL ONLY OCCUR DURING SPECIFIED PLANTING SEASONS. SPRING SEASON SHALL BE FROM MARCH 1 TO JUNE 15. FALL PLANTING SEASON SHALL BE FROM SEPTEMBER 15 TO NOVEMBER 15.
- 1.11 THE CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING, FOR ONE FULL YEAR AS REQUIRED BY THE SPECIFICATIONS. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE DURING THE GUARANTEE PERIOD.
- 1.12 INSTALLED UNIT PRICES FOR ALL PLANT MATERIAL SHALL BE SUPPLIED TO THE OWNER AND LANDSCAPE ARCHITECT AT THE TIME OF BIDDING.
- 1.13 THE LANDSCAPE CONTRACTOR IS SUBJECT TO RANDOM INSPECTIONS BY THE OWNER AND/OR THE OWNER'S REPRESENTATIVE AT ANY TIME DURING THE INSTALLATION PROCESS.

2.0 BUFFERS

- 2.1 ALL PLANTINGS AND LANDSCAPE PLAN TO MEET OR EXCEED THE CITY OF SANFORD STANDARDS SET FORTH IN ARTICLE 7 OF THE UDO.
- 2.2 LANDSCAPE SUBSTITUTIONS MAY BE MADE BASED ON AVAILABILITY AS LONG AS INTENT IS MAINTAINED.
- 2.3 IRRIGATION TO BE PROVIDED.

LEGEND:

☐ PROPOSED LIGHT POLE LOCATION



PRELIMINARY PLANS - NOT RELEASED FOR CONSTRUCTION (FOR REVIEW ONLY)

REVISIONS:
 1. LANDSCAPE REVISIONS AS PER LIGHTING PLAN



**CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
SEPTEMBER 15, 2020**

APPLICATION# 2020-0902 TO AMEND THE SANFORD ZONING MAP

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

Applicant & Owner: Riley & Walker Development, LLC | Mr. Braden Riley, Managing Member
Request: Rezone from General Commercial (C-2) to Multi-family-12 Conditional Zoning District (MF-12-C)
Location: 154/156 Center Church Road, 124 Center Church Road and a vacant adjoining lot
Township: Pocket
Council Ward: Ward 1
Schools: Greenwood (Lee Co.) & JR Ingram Elementary Schools (City of Sanford) SanLee Middle School, and Southern Lee High School
Fire District: Tramway Fire Dept. (Lee Co.) & City Station #3 (City of Sanford)
Tax Parcels: 9631-34-9072-00, 9631-44-1034-00, and 9631-44-0754-00
Adjacent Zoning:
 North: Residential Single-family (R-20)
 South: Residential Agricultural (RA) – Lee County
 East: General Commercial (C-2)
 West: Residential Agricultural (RA) – Lee County

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

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

Surrounding Land Uses:

- North: Vacant tract of land that is wooded and has an area of floodplain

- South: Opposite, Center Church Road is wooded vacant land
- East: Tramway Crossing shopping center zoned General Commercial (C-2)
- West: Wooded vacant land

Zoning District Information

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

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

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

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

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

Multi-family-12 Conditional Zoning District (MF-12-C)

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

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

Overlay Districts

Long Range Plan: The *Plan SanLee* land use plan identifies the future land use place type for this tract of land as “Mixed Use Activity Area,” which has the following characteristics:

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

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

Local Overlay District Notes: Per GIS, the parcels are not located within an established floodplain or watershed. The parcels are also not located within a designated wetland area or a local historic district. Sanford, Lee County and Broadway do not have local grading permits and rely on the NC Department of Environmental Quality to regulate land-disturbing activities. For questions or concerns regarding land disturbing activities, contact the NC Division of Energy, Mineral, and Land Resources Sediment Program at 1612 Mail Service Center, Raleigh, NC 27699-1612 or call 919-707-9220 or visit the NCDEQ website at <http://deq.nc.gov>.

Utilities: The subject property appears to have access to public water via public water main line that runs parallel to Center Church Road. The developer proposes to extend public sanitary sewer from an existing manhole located in the northwestern corner of US Hwy 1 and Center Church Road. If the rezoning is

approved, all new development or redevelopment that proposes to connect to public water and/or public sewer must be approved by the City of Sanford Public Works Department to verify compliance with all applicable regulations.

Transportation: The subject property has approximately 300ft of frontage on Center Church Road, a NCDOT maintained public roadway with a 60ft right-of-way. The site plan illustrates a main entrance drive off of Center Church Road and two secondary entrance connections to the adjoining shopping center. All internal drives will be private driveways that will be maintained by the property owner as part of the apartment community.

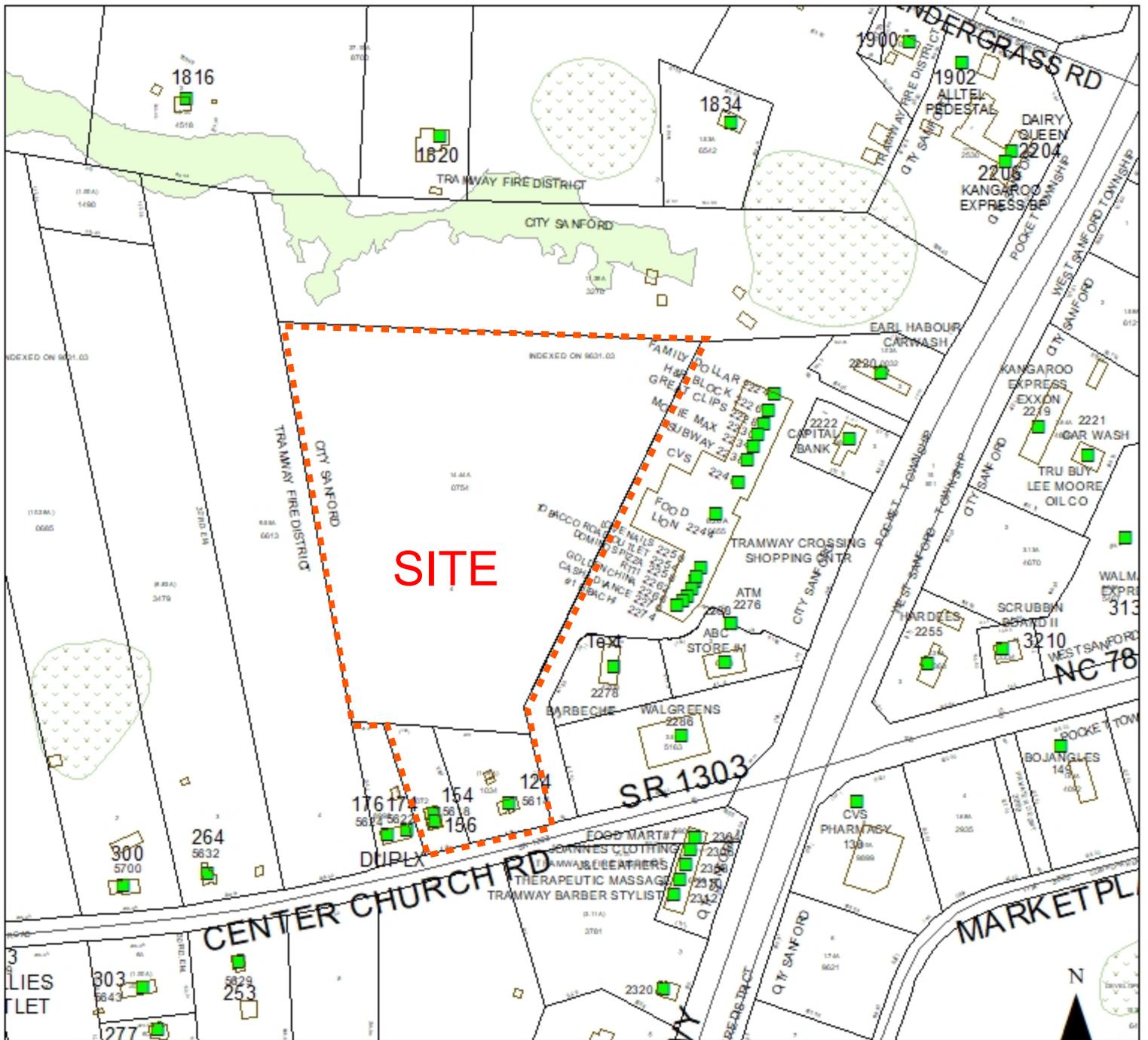
Development Standards: If rezoned, all of the uses permitted in the Multi-family-12 Conditional Zoning District (MF-12-C) would be allowed and any future development of the subject property will be required to correspond with the approved plans or, if the item is not specifically addressed on another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

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

Staff Information Regarding a Recommendation from the Planning Board: The recommendation from the Planning Board should include language describing whether or not the action is consistent with an adopted comprehensive plan (*Plan SanLee*) and any other officially adopted plan that is applicable, and other matters as deemed appropriate by the board. The board may also include language briefly explaining why it considers the recommendation to be reasonable and in the public interest.

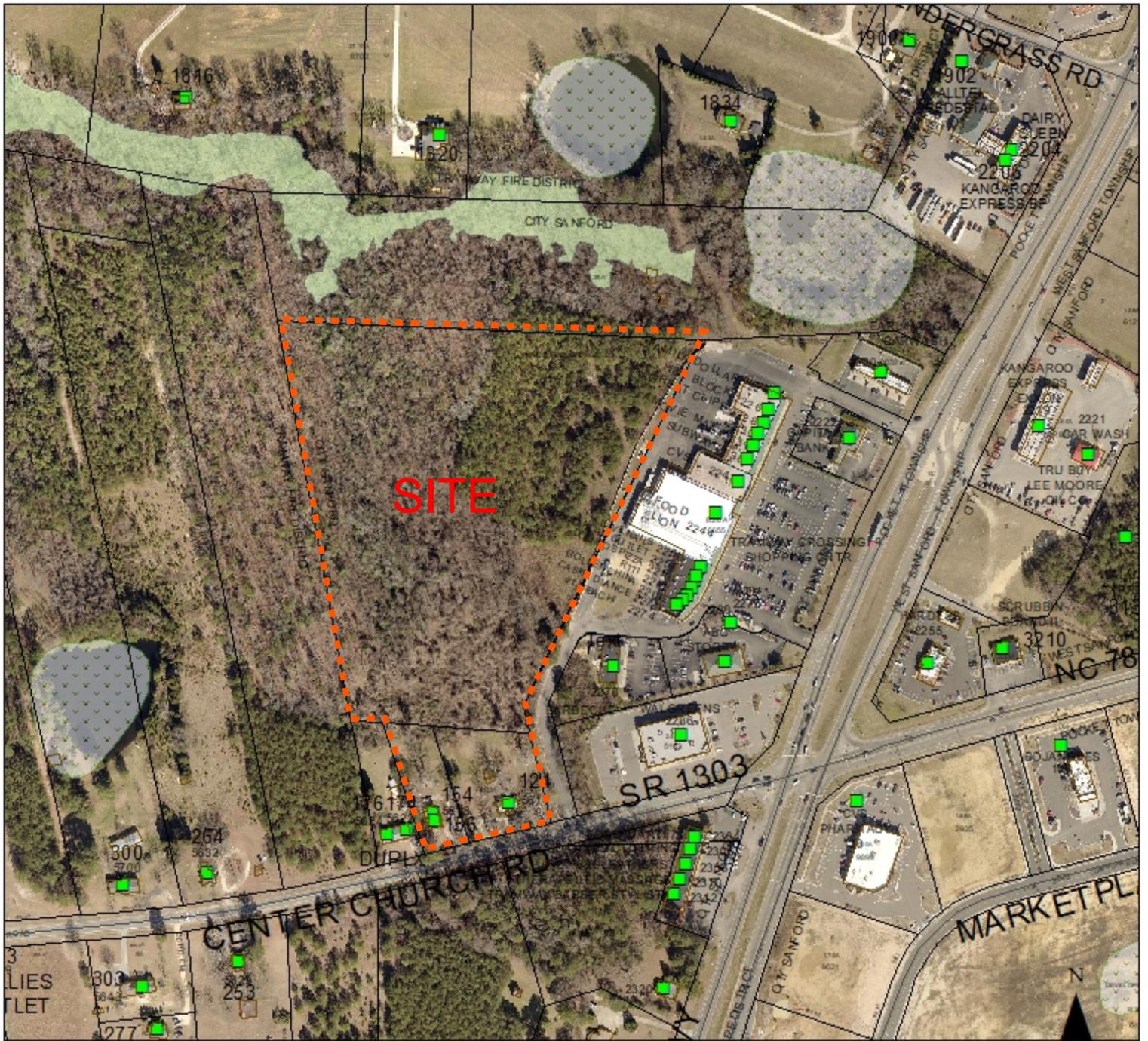
Staff Recommendation:

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



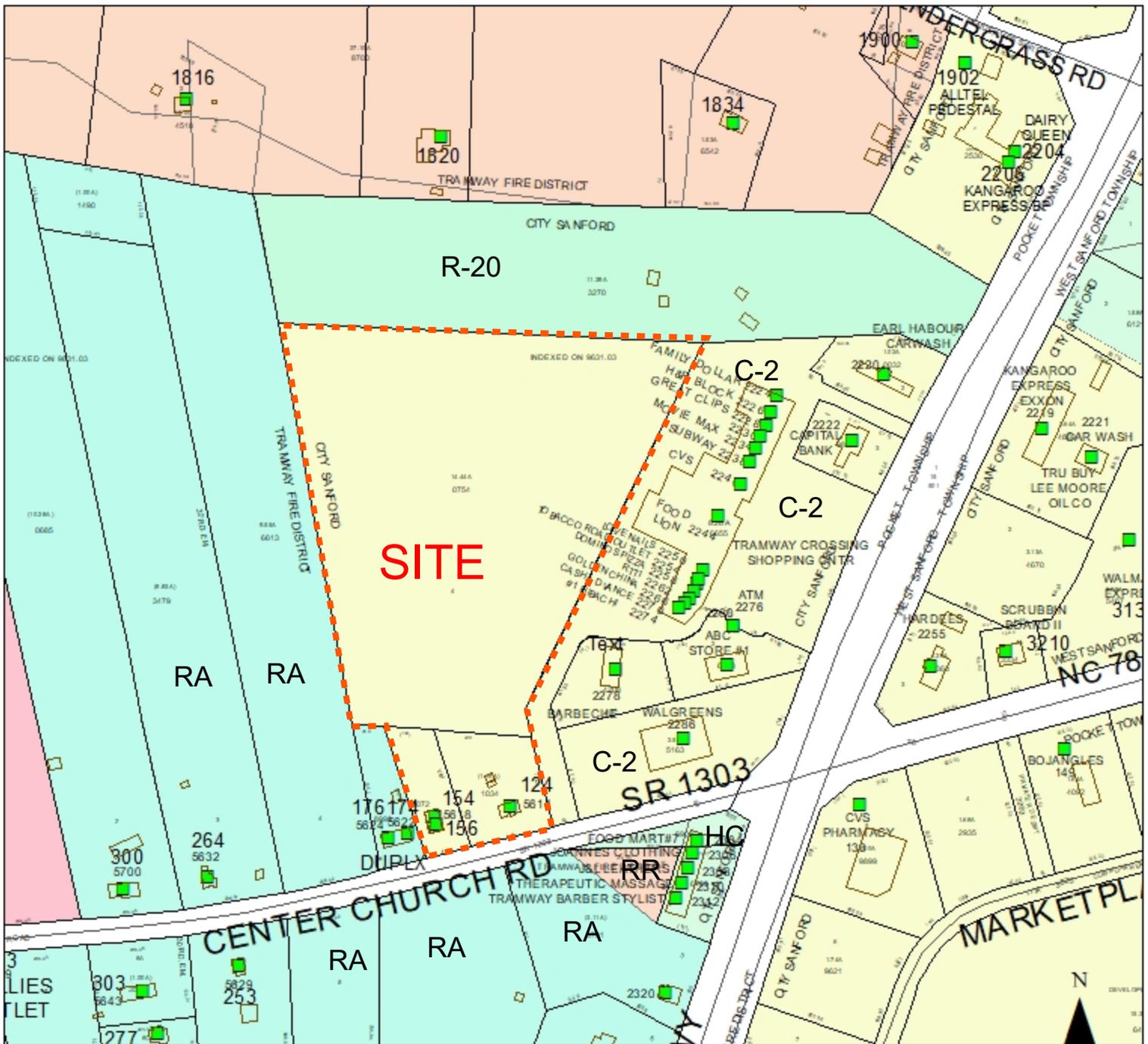
REZONING APPLICATION 2020-0902:
 Application by Riley Walker Development
 to rezone 16.43 acres off of Center Church Road
 from C-2 to MF-12-C.

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



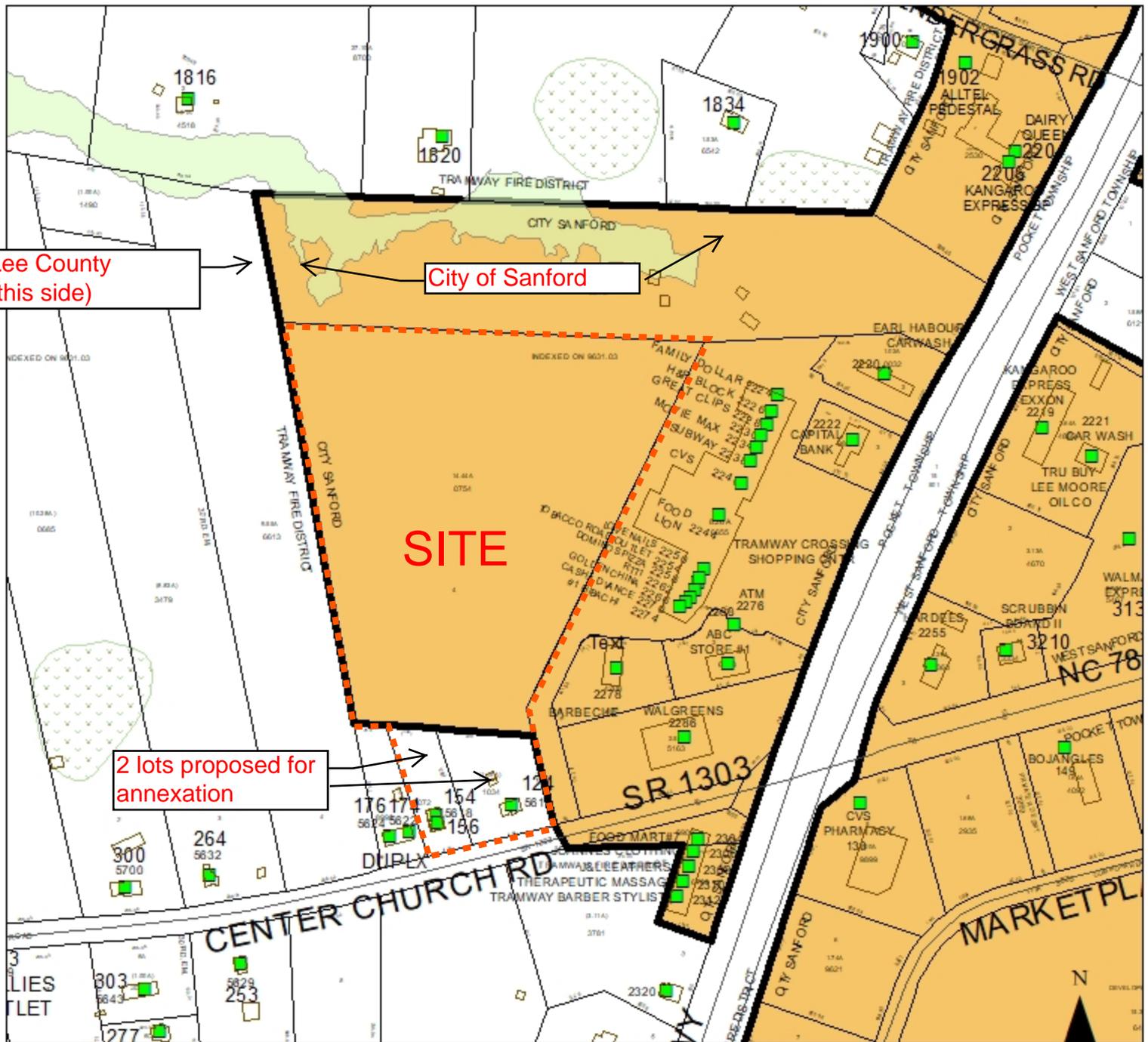
REZONING APPLICATION 2020-0902:
Application by Riley Walker Development
to rezone 16.43 acres off of Center Church Road
from C-2 to MF-12-C.

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



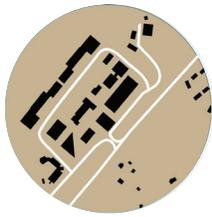
REZONING APPLICATION 2020-0902:
 Application by Riley Walker Development
 to rezone 16.43 acres off of Center Church Road
 from C-2 to MF-12-C.

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



REZONING APPLICATION 2020-0902:
 Application by Riley Walker Development
 to rezone 16.43 acres off of Center Church Road
 from C-2 to MF-12-C.

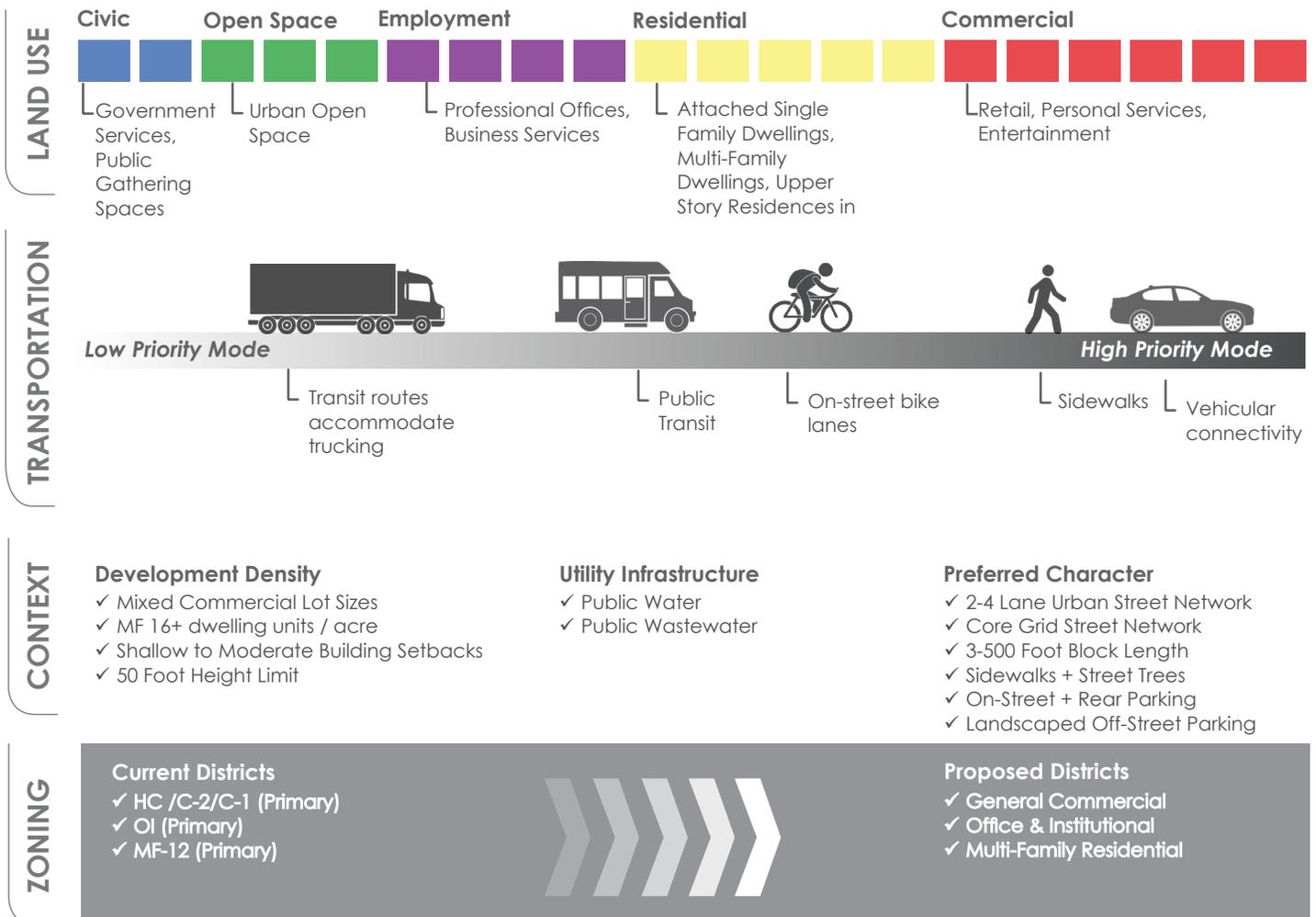
This is a graphic illustration and not a legal document.
 All information is comprised of layers of data that may or may not align correctly.



MIXED USE ACTIVITY CENTER

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

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



ADJOINING PROPERTY OWNERS LIST

PETITION BY: Riley Walker Development

REQUEST: Rezone from General Commercial (C-2) to Muti-family (MF-12-C) CZ District

LOCATION: 16.43 acres at 154/156 & 124 Center Church Road and an adjoining vacant tract

PIN: 9631-34-9072-00, 9631-44-1034-00 and 9631-44-0754-00

DATE: 2020-09-02

No.	PIN	PROP ADDR	OWNER 1	OWNER2	M #	MAIL ST	MAILCITY	ST	ZIP
01	9631-43-0400-00	0 CENTER CHURCH RD	MCNEILL, BETTY SUE FARRELL	-	2326	JEFFERSON DAVIS HWY	SANFORD	NC	27332
02	9631-43-3781-00	2320 JEFFERSON DAVIS HWY	MCNEILL, BRADLEY DIXON	-	1186	OVERLAKE AVE	FOREST	VA	24551
03	9631-43-6709-00	2304 2312 JEFFERSON DAVIS HWY	SIMPSON, DAVID H (TRUSTEE)	-	503	CARTHAGE ST	SANFORD	NC	27330
04	9631-43-6903-00	2304 JEFFERSON DAVIS HWY	SIMPSON AND SIMPSON INC	-	503	CARTHAGE ST	SANFORD	NC	27330
05	9631-44-5163-00	2286 JEFFERSON DAVIS HWY	WALTRUST PROPERTIES INC	-	-	PO BOX 1159	DEERFIELD	IL	60015
06	9631-44-4208-00	2278 JEFFERSON DAVIS HWY	WHITNEY, DAVID ROBERT	WHITNEY, PAMELA ANN	1904	SANDHILLS BLVD	ABERDEEN	NC	28315
07	9631-44-6363-00	2280 JEFFERSON DAVIS HWY	SANFORD CITY BOARD OF A B C	-	-	PO BOX 967	SANFORD	NC	27331
08	9631-44-6655-00	2224 JEFFERSON DAVIS HWY	TRAMWAY STATION LLC	-	11501	NORTHLAKE DR	CINCINNATI	OH	45249
09	9631-44-9841-00	2222 JEFFERSON DAVIS HWY	TRIANGLE FINANCIAL PROPERTIES LLC	-	2087	76 TH ST	HIALEAH	FL	33016
10	9631-55-0032-00	2220 JEFFERSON DAVIS HWY	HARBOUR WASHES LLC	-	306	MAY FARM RD	PITTSBORO	NC	27312
11	9631-45-3270-00	0 JEFFERSON DAVIS HWY	JOHNSON, HERMAN C	-	300	SHOREHAVEN DR	NORTH MYRTLE BEACH	SC	29582
12	9631-34-6613-00	0 CENTER CHURCH RD	FOGARTY, LINDA COGGINS	FOGARTY, DONALD J	4560	DARNELL DR	SEBRING	FL	33872
13	9631-33-8998-00	174 - 176 CENTER CHURCH RD	FARLEY, GRANT D	FARLEY, DEBRA L	174	CENTER CHURCH RD	SANFORD	NC	27330
14	APPLICANT:	RILEY WALKER DEVELOPMENT	ATT: BRADEN RILEY	-	-	PO BOX 3248	PINEHURST	NC	28734

(0) = Vacant, no addressed structures on the parcel.

ADJACENT PROPERTY OWNERS NOTIFICATION CERTIFICATION

I, Amy J. McNeill, hereby certify that the property owners and adjacent property owners of the following rezoning petitions as indicated on the Lee County Tax Maps were notified by First Class U.S. Mail on Thursday, September 3, 2020.

2020-08-01

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

2020-08-02

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

Signature: AMY J. McNEILL Date: 2020-09-04

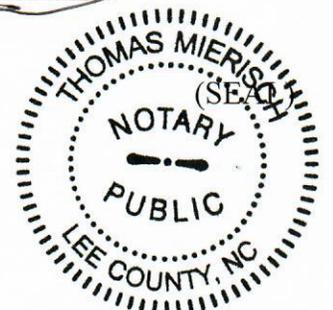
Title: ZONING ADMINISTRATOR

Lee County, North Carolina

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

Thomas Mierisch
Notary Public Signature

My Commission expires 9/30/2023



Sanford/Lee County

Planning and Development
P.O. Box 3729, Sanford, NC 27331-3729

September 3, 2020

Dear Adjacent Property Owner:

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

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint public hearings on Tuesday, September 15, 2020 in the Dennis A. Wicker Conference & Civic Center at 1801 Nash Street, Sanford, N.C. The Boards will consider two (2) applications to amend the Official Zoning Map of the City of Sanford, NC. The hearings will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Board. The rezoning applications are described below:

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

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

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

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

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

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

CITY OF SANFORD PUBLIC NOTICE

Notice is hereby given that the Sanford City Council and Planning Board will hold joint public hearings on Tuesday, September 15, 2020 in the Dennis A. Wicker Conference & Civic Center at 1801 Nash Street, Sanford, N.C. The Boards will consider two (2) applications to amend the Official Zoning Map of the City of Sanford, NC. The hearings will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Board. The rezoning applications are described below:

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

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

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

corporate City limits rezoned in order to develop a multi-family apartment community that would be served with public water and sewer.

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

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

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

By Bonnie Davis, City Clerk

Please publish in the Legal Notices Section of the Sanford Herald on Friday, September 4, 2020 and on Friday, September 11, 2020. If you have any questions regarding this notice, please call Amy McNeill at 919-718-4656, Ext 5397. Please reference this account number (30031885) on the invoice and refer to as City of Sanford Zoning Notice.

Please send publisher's affidavit to the Sanford/Lee County Community Development Office, P.O. Box 3729, Sanford, NC, Attention: Angela Baker. Thank you.