

MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF SANFORD
SANFORD, NORTH CAROLINA

The City Council met at the Sanford Municipal Center, 225 E. Weatherspoon Street, on Tuesday, August 15, 2006, at 7:00 P.M. The following people were present:

Mayor Cornelia P. Olive	Council Member Steve Brewer
Mayor Pro Tem Walter H. McNeil, Jr.	Council Member James G. Williams
Council Member Joseph E. Martin	Council Member Dan Harrington
City Attorney Susan C. Patterson	Council Member Linwood Mann
City Manager Leonard Barefoot	City Clerk Bonnie D. White

Absent:
Council Member Mike Stone

Mayor Cornelia Olive called the meeting to order. Council Member James Williams delivered the invocation.

APPROVAL OF AGENDA

City Manager Leonard Barefoot requested that Consent Agenda Item E (Approval of Sale of House and Lot Located at 1315 Bragg Street) be removed from the Consent Agenda and added as 7A on the Regular Agenda. On motion of Council Member Joe Martin and seconded by Council Member Linwood Mann, the amended agenda was unanimously approved.

CONSENT AGENDA

Approval of August 1, 2006, City Council Minutes- (Filed in Minute Book 65)

The following items were discussed in detail at the Law and Finance meeting held on August 9, 2006.

Approval of Resolution Authorizing the Advertisement of a Public Auction to Sell Certain Personal Property of the City of Sanford—(Exhibit A)

A resolution was approved setting the date of the public auction for Saturday, September 16, 2006, beginning at 9:00 A.M. at the Public Works Service Center on Fifth Street.

Approval of Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160A-20—(Exhibit B)

Resolution was approved authorizing the filing of an application for approval of a financing agreement authorized by North Carolina General Statute 160A-20 for City to undertake the financing of a sewer rehabilitation project.

Approval of Sale of Block P Lot 13 Boykin Avenue, Brick Capital Redevelopment Area—(Exhibit C)

Council declared the property surplus and authorized sale of the property using the upset bid procedure. Receiving no increased bid, Council authorized the sale of the property to Otis Spruiell for his offer of \$2,700.

Approval of Sale of House and Lot Located at 1315 Bragg Street

This item was removed from the Consent Agenda and placed on the Regular Agenda as 7A.

Approval of Authorizing Resolution by the City of Sanford City Council – Economic Infrastructure Grants Program—(Exhibit D)

Resolution authorizes application to the Rural Center for a \$500,000 grant to install liners in pipe and other sewer rehab in the Jonesboro area. City would have to match the \$500,000 grant. The grant is based upon System Plast producing 50 jobs in the Jonesboro area. The goal of 50 jobs will have to be reached one and one-half years after the completion of the project. If System Plast does not meet the 50-job goal, the City will have to pay back \$10,000 per job.

The consent agenda was unanimously approved upon motion of Council Member Steve Brewer and seconded by Council Member Dan Harrington.

CASES FOR PUBLIC HEARING: to be held jointly with the Planning Board.

Petition by Lee County Department of General Services - to rezone 0.96 acres from the current zoning of R-12 Residential Mixed district to O&I Office and Institutional district. The subject property is the site of the Jonesboro Branch Library and is located at 309 W. Main Street and is the same as depicted on Tax Map 9652.18, Tax Parcel 9652-40-1683-00, Lee County Land Records Office—(Exhibit E)

Planner I Amy Bean explained that this is a rezoning petition from the Lee County Department of General Services to rezone 309 West Main Street from Residential Mixed (R-12) to Office & Institutional (O&I). This parcel is currently developed with one building which serves as the Jonesboro branch of the Lee County Library. The purpose of the rezoning is to allow for the installation of a new sign that would be larger than the existing zoning would permit; however, if the property is rezoned, all purposes allowable under O&I would be permitted. There is a mix of General Commercial (C-2), Residential Mixed (R-12), and Office and Institutional (O&I) zoning in the area. Land uses include offices, churches, and residences.

The property has access to city water and sewer and is not located within a designated watershed or within an established 100-year floodplain. The property is not located within a historic district. The current zoning of Residential Mixed (R-12) is intended to provide areas for a mix of residential dwelling types. The proposed rezoning to Office & Institutional (O&I) is intended to provide for agencies and offices rendering specialized services and traditional institutional functions (both public and private) including, but not limited to, governmental facilities, cultural and recreational facilities, educational facilities, and charitable organizations.

The 2020 Land Use Plan Map has identified this property for Mid/High Density

Residential Office. The purpose of this classification is to identify areas which are appropriate for medium and high density residential development, including single-family, duplexes, and multi-family developments, as well as office developments.

Staff recommends that the Planning Board support the petition to rezone from Residential Mixed (R-12) to Office & Institutional (O&I) district. This recommendation is based on the existing land use, the availability of public utilities, and the proximity of existing office and institutional development along the W. Main Street corridor; however, information as presented at the public hearing may provide additional information that should be considered regarding a final decision on the requested zoning map amendment.

Mayor Olive opened the public hearing. Marc Clark who works with Lee County General Services spoke in favor of the petition. He explained that the purpose for the rezoning request was to enable the library to erect the kind of sign they would like. Library Director Mike Matochik also spoke in favor of the petition. He feels that the rezoning would enhance the building and service they are providing at the Jonesboro Library branch. In addition to books, Mr. Matochik said they had public access internet and will soon have the services of the Hispanic Task Force. There is also an immigrant assistance room which gives information on learning English, getting a driver's license, employment, etc.

No one spoke against the petition. Mayor Olive closed the public hearing.

Petition by Sanford/Lee County Community Development Department - for text amendments to the Unified Development Ordinance as described below:

- (1) Consideration of an amendment to Section 3.5.3 Criteria for approval of a Special Use Permit. Amendment to modify the four (4) criteria as found within this section and as required by the Board of Adjustment for approval of a special use permit. Criteria will be amended to conform to the standardized language as recommended by the North Carolina Institute of Government.
- (2) Consideration of an amendment to add a new section, Section 6.6.6, to regulate the creation of lots within the 100-year floodplain. Under this new regulation, no new lot shall be created within a FEMA designated special flood hazard area (i.e. 100-year floodplain) unless such lot maintains at least 1,200 square feet of buildable area that is located outside of the boundary of the special flood hazard area.
- (3) Consideration of an amendment to Section 11.7.11 Political Signs. Amendment proposes to increase the maximum size of temporary political signs from the current maximum of six (6) square feet to thirty-two (32) square feet within the unincorporated areas of Lee County. As drafted, political signs placed within the zoning jurisdiction of the City of Sanford or the Town of Broadway would not be affected and would continue to be limited to the current maximum sign area of six (6) square feet.
- (4) Consideration of an amendment to update Article 13 Flood Hazard Area Regulations in its entirety. The purpose of this amendment is to update the entire flood hazard ordinance (Article 13 of the UDO) in order to conform to required changes as a result of updated floodplain/FIRM maps as recently created for our community. As part of this updated mapping process, the North Carolina Department of Emergency

Management and the Federal Emergency Management Agency (FEMA) also require updating of local flood hazard area regulations. – (Exhibit F)

Assistant Community Development Director Marshall Downey explained that this public hearing is regarding four possible corrective amendments to the Unified Development Ordinance. These amendments were brought to the Joint Planning Commission for review in July, and all four amendments were reviewed and approved unanimously. He explained the corrective amendments in detail as shown in Exhibit F.

Mayor Olive verified that these correctives cover state and federal minimums. Council Member Williams verified the size of political signs requested by County as 36 sq. ft.

Mayor Olive opened the public hearing. No one spoke in favor or against the petition by Sanford/Lee County Community Development Department for text amendments to the UDO. Mayor Olive closed the public hearing.

The Planning Board retired to the West End Conference Room.

Public Hearing on Voluntary Contiguous Annexation Petition Submitted by Eldon Dummit, Jr. - of 51.71 Acres of Land Located Approximately 1,800 Linear Feet West of the Intersection of Jefferson Davis Highway and Pendergrass Road.

Community Development Director Bob Bridwell explained that the public hearing has been advertised and all certifications are in place.

Mayor Olive opened the public hearing. No one spoke in favor or against the petition.

- Consider Ordinance to Extend the Corporate Limits of the City of Sanford, North Carolina – (Exhibit G)
Mayor Pro Tem Walter McNeil made the motion to adopt the ordinance to extend the Corporate Limits of the City of Sanford; seconded by Council Member James Williams, the motion passed unanimously.

DECISION ON PUBLIC HEARING

Consider Motion to Take From the Table for Discussion Petition by Centdev Sanford LLC - to rezone 22.57 acres from the current zoning of R-20 Single-family Residential district and C-2 General Commercial district to a Retail Commercial Conditional zoning district to be known as the Sanford Marketplace District. The subject property is located along the north side of Ashby Road and is the same as depicted on Tax Map 9661.01, Tax Parcels 9661-18-1562-00, 9661-18-9674-00, 9661-28-5303-00 and 9661-18-6812-00, Lee County Land Records Office.

Council Member Linwood Mann made the motion to take from the table for discussion petition by Cendev Sanford LLC; seconded by Council Member Dan Harrington, the motion passed unanimously.

Community Development Director Bob Bridwell explained that Council had discussed the issue before and it had been tabled. Representatives from Centdev were present in the audience to answer questions. The petitioner has indicated a willingness to reduce the amount of square footage requested for the proposed pylon sign from 350 sq. ft. to 240 sq. ft. All other conditions as previously submitted remain the same. Staff and Planning Board have given their recommendations to approve the petition.

Ann Vano, a partner in Cendev Sanford spoke to Council. She said that Cendev was agreeable to reduce the proposed size of the pylon sign from 350 SF to 240 sq. ft.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit H)
Council Member Steve Brewer made the motion to pass the ordinance amending the official zoning map of the City of Sanford; seconded by Council Member Dan Harrington, the motion passed unanimously.

REGULAR AGENDA

Approval of Sale of House and Lot Located at 1315 Bragg Street – (Exhibit I)

City Manager Barefoot said a letter had been received several weeks ago making an offer of \$6,500 to purchase property on Bragg Street which City had purchased from HUD. No upset bids were received. During the Law and Finance Committee meeting discussion and previous discussions, questions were asked about the value of the property relative to the offer. The appraised value of the property is above \$60,000. It has been learned that prior to HUD's ownership of the property, the Health Department had approved a repair plan for that septic system. Mr. Barefoot and Council had not been aware of that information. Mr. Barefoot visited the site and recommends that Council not approve sale of the property. At the next Law and Finance Committee meeting, he will make a recommendation as to how to dispose of the property. An auction could be held, assuring that the public could have a look at the property.

Council Member Steve Brewer made the motion to reject the offer of \$6,500 to purchase the property at 1315 Bragg Street and postpone the sale until another disposal date can be arranged; seconded by Council Member Joe Martin, the motion passed unanimously.

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

OTHER BUSINESS

There was no other business.

ADJOURNMENT

With no further business to come before the council, the meeting was adjourned on motion of Council Member Linwood Mann; seconded by Council Member Steve Brewer, the motion carried unanimously.

Respectfully submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK