

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, November 1, 2011 at 7:00 P.M. The following people were present:

Mayor Pro Tem Sam Gaskins
Council Member Walter H. McNeil, Jr.
Council Member L. I. "Poly" Cohen
City Manager Hal Hegwer
Deputy City Clerk Janice Cox

Council Member James Williams.
Council Member Bob Brown
Council Member Charles Taylor
City Attorney Susan Patterson

Absent:

Mayor Cornelia P. Olive
Council Member Linwood Mann
City Clerk Bonnie D. White

Mayor Pro Tem Gaskins called the meeting to order and delivered the invocation.

PUBLIC COMMENT

Four people signed up for public comment. (Exhibit A)

Alan Dossenbach of 1908 Windsong Road stated that it is time for Sanford to start investing more in its Downtown areas. He stated that a few months ago it was said that out of all the main street cities in North Carolina, Sanford is in the bottom 10 percent of public funds invested in their Downtown areas. He said that a few months ago, the Board had said it was ready to get started making improvements, but still nothing has happened. Mr. Dossenbach stated it was time to begin the two to four-year process that it will take to make the Downtown area and the Jonesboro area something that we can all be proud of. He thanked Council for all they do, but asked that they get started on DSI's (Downtown Sanford, Inc.) recommendations.

Joni Martin of 1313 Bickett Road spoke in regards to Downtown Sanford. She stated that the Council had been having conversations with Downtown Sanford since January of this year. She referenced a line item of \$400,000 in the budget for Downtown Sanford. DSI had made a recommendation for that money to be used as follows: \$30,000 to be spent for Christmas decorations; \$100,000 for construction drawings in order to start streetscape on Steele Street; \$30,000 for improvements to Charlie Watson Lane; \$40,000 for way-finding signage in the Downtown area to identify public parking availability, the theater location, etc.; and \$200,000 for the parking lot development between McIver Street and Charlotte Avenue. She stated that the DSI Board has become frustrated in following the proceedings they were told to follow and a month has passed and they have not heard anything back on where their recommendation has gone. They are asking for some open dialogue so they know what the Board is thinking. They would like to resolve issues and move forward. They are not ready to begin work on Steele Street yet and that is why they put the \$100,000 in for construction documents, thinking that in

the next funding cycle, they can implement those documents. She stated that their board is committed to Downtown Sanford—that they are knowledgeable and they research the recommendations. She asked that Council make them able to spend the \$400,000 or arrange a meeting for an open discussion regarding their recommendations. She thanked Council for their time.

Alan Button stated that he has a business at 102 S. Steele Street and is a member of the Board of Directors of DSI. He stated that the members of the DSI Board are very committed people who are more than a little frustrated. Their sense is that there are things going on and discussions happening that they do not know about despite their long-standing efforts to be responsive to the requests that have been put to them for recommendations. He noted that Public Comment standards recommend that matters first be taken to the City Manager and they have worked with City Manager Hegwer and appreciate his cooperation and responsiveness. The policy states that if things don't happen there or there are further things to be discussed, to go to a Law & Finance Committee meeting. He understood that the agenda item on October 12 relating to the DSI recommendations was pulled for some reason they do not know. Now, they have come to Council again. They had a Board meeting this morning, and it was not until then that they decided they would go before Council to let them know that they don't know what is going on, but they would like to know. He stated that they are there to help and to do what they can to get the recommendations implemented or to talk about others. He feels someone on the Council needs to step forward and make this happen. He appreciated Council time.

Keith Clark of 212 Acorn Drive spoke regarding the City's selling excess water and sewer capacity, stating that he believed that would be a serious mistake because our competitors for good quality residential growth and economic development growth around us do not have that capacity. Mr. Clark stated that if we give them that capacity, they will be back in the game competing against us. He believes we need to maintain a competitive position. He also spoke about the issue of increasing motel occupancy taxes for various forms of development. He is not in favor of that. He stated that Sanford has a great deal of strengths, but a long way to go before we are seen as a tourist end point. He feels we need to maintain a favorable atmosphere for development of tourism along the new bypass so tourists will come into town and shop in our stores. He did not see any legitimate reason for the motel occupancy tax.

Mayor Pro Tem Gaskins thanked those speaking for expressing their views. He thanked those representing DSI for the work they have done in bringing their proposals to Council.

APPROVAL OF AGENDA

Council Member Poly Cohen made the motion to approve the agenda and was seconded by Council Member Bob Brown. Council Member James Williams asked if he could address Downtown Sanford issues. City Attorney Patterson stated that the agenda could be amended to add an item to allow for a response, but that normally council does not respond at this time. She stated that at the end of the meeting when each Council Member has his time to speak, it could be addressed at that time. Mr. Williams said he could talk to them after the meeting if they would stay that long.

The agenda was unanimously approved.

CONSENT AGENDA

Approval of City Council Meeting Minutes Dated October 4, 2011 – (Filed in Minute Book 76)

Approval of Joint City Council Meeting Minutes with Lee County Economic Development Corporation, Lee County, and the Town of Broadway Dated October 6, 2011 – (Filed in Minute Book 76)

Approval of Law and Finance Meeting Minutes Dated October 12, 2011 – (Filed in Vault)

Approval of City Council Meeting Minutes Dated October 18, 2011 – (Filed in Minute Book 76)

Approval of Resolution Authorizing the Advertisement of an Electronic Auction to Sell Certain Personal Property of the City of Sanford – (Exhibit B)

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2011-2012 to Budget Funds for Purchase of Two Replacement Police Vehicles– (Exhibit C)

Approval of Resolution Authorizing an Application for EPA Brownfield Assessment Funds – (Exhibit D)

All of the above items were discussed at the Law and Finance Committee Meeting on October 26, 2011.

Upon motion of Council Member Walter McNeil and seconded by Council Member James Williams, the Consent Agenda items were unanimously approved.

DECISIONS ON PUBLIC HEARINGS

Application by W. Woods Doster of Tramway One Associates, LLC - to rezone one tract of land totaling 34.23 acres +/-, addressed as 3100 Tramway Road from Highway Commercial (HC) Zoning District and Residential Restricted (RR) Zoning District to General Commercial (C-2) Zoning District. The property is the same as depicted on Lee County Tax Map 9631.02, as Tax Parcel 9631-65-6246-00 Lee County Land Records. It is also illustrated as “34.23 acres total area” as shown on a map entitled “Survey for Hayden Lutterloh” recorded in 2000 in Plat Cabinet 9 Slide 46, Lee County Register of Deeds Office. (Exhibit E)

Community Development Director Bob Bridwell explained that this is a rezoning request by Tramway One Associates for property located at 3100 Tramway Road. Adjacent Zoning to the north is Highway Commercial and Residential Mixed (R-12) and to the south General Commercial (C-2) and Residential Mixed (R-12). To the east is Residential Restricted (RR) and to the west Residential Restricted (RR), Highway Commercial and General Commercial (RC-2).

Mr. Bridwell explained that in June of 2011, staff introduced a proposed project to be developed on a portion of the 34.23 acre tract located in the Tramway area. The project involved extension of public water and sewer, annexation, corporate limit extension, and rezoning to the Commercial Zoning District. The balance of the property was not planned at that time for development, but would be continued to be marketed for future development activities. Therefore, an official request to rezone the entire tract of land to a Commercial Zoning District has been submitted for Council's consideration. The subject area is 34.23 acres of vacant land adjacent to and east of the intersection of Pendergrass Road and US #1 with road frontage on both US #1 and Tramway Road NC 78. There is a wide range of uses within the area which includes a radio station, a furniture store, gas sales, fast food restaurant, banks, laundromat, shopping center, and single family dwellings. The property has access to public water, and the extension of public sanitary sewer to serve this site has been proposed by the developer. Additional information is contained in Exhibit E.

The Sanford Planning Board discussed this rezoning application at the October 18, 2011 meeting, and voted unanimously to recommend approving the request by Mr. Woods Doster of Tramway One Associates, LLC to rezone from Highway Commercial (HC) Zoning District and Residential Restricted (RR) Zoning District to General Commercial (C-2) Zoning District.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit F)

Council Member Charles Taylor made the motion to approve the request to amend the official zoning map of the City of Sanford for the application of Woods Doster of Tramway One Associates, LLC. Seconded by Council Member Bob Brown, the motion carried unanimously.

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

OTHER BUSINESS

Council Member Poly Cohen encouraged everyone to vote in the upcoming municipal election.

Council Member James Williams stated that it has been brought to Council's attention to advise Community Development Director Bob Bridwell that with the new highway bypass, Cox Maddox Road is being closed at this time. That puts a lot of traffic back on Highway 87 headed north. A right turn lane is needed at the traffic light in front of Ruby Tuesday for people trying to get to 421 because the traffic is very congested.

Council Member Charles Taylor stated that he would like to add to Wednesday's Law and Finance agenda a discussion regarding the \$400,000 allocation to DSI. He stated that he sympathized with the situation, but also thinks Council deserves some answers and he believes they could have some hearty discussion. That would give them plenty of time to have the respective people involved at the meeting and would also allow staff to be prepared, as well.

Mr. Taylor stated that he regretted he would not be able to attend the National League of Cities Conference, but he hopes Council will take advantage of the classes. He looks forward to hearing back from those Council members who are attending.

Mayor Pro Tem Gaskins expressed his appreciation for Downtown Sanford and hopes to have their matter resolved soon.

CLOSED SESSION

City Attorney Susan Patterson stated that a motion was needed to go into closed session in accordance with North Carolina General Statute 143-318.11(a)(4)(3) to discuss matters relating to the location or expansion of industry or other businesses in the area served by the public body and to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege.

Council Member Bob Brown made the motion to go into closed session; seconded by Council Member Poly Cohen, the motion passed unanimously.

Council went into closed session.

ADJOURNMENT

Following the closed session, the Council meeting was adjourned upon motion of Council Member Bob Brown. Seconded by Council Member Poly Cohen the motion passed unanimously.

Respectfully submitted,


CORNELIA P. OLIVE, MAYOR

ATTEST:



JANICE COX, DEPUTY CITY CLERK



**City of Sanford Council Members
 Regular Meeting**

7:00 p.m.
 Sanford Municipal Center, Council Chambers
 225 E. Weatherspoon St, Sanford, NC

PUBLIC COMMENT LIST

Date of Meeting: _____

(Please read the Public Comment Policy before speaking. Comments should be limited to three minutes.)

SPEAKER	ADDRESS	TOPIC
1. ALAN Dossenbach	1908 Windsong Dr,	Downtown Sanford progress
2. Joni Martin	1313 Bickett Rd.	Downtown Sanford
3. Alan Burton	102 S. Steele St.	DSI
4. Keith Clark	212 Acorn Lane	Current issues
5.		
6.		
7.		
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10.		
11.		
12.		
13.		
14.		
15.		

RESOLUTION AUTHORIZING THE ADVERTISEMENT
OF AN ELECTRONIC AUCTION TO SELL
CERTAIN PERSONAL PROPERTY
OF THE CITY OF SANFORD

WHEREAS, on behalf of the City Council and pursuant to G.S. 160A-270, the city manager will hold an electronic auction to sell certain personal property belonging to the City, as shown on the attached sheet, and any additions or deletions thereto; and,

WHEREAS, the City Council proposes to accept the offer of the highest responsible bidder.

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

1. The Sanford City Manager or his designee is authorized to sell at electronic auction certain person property belonging to the city, as shown on the attached sheet, and any addition or deletions there to and to accept the offer of the highest responsible bidder.
2. The electronic auction will begin at 9 a.m. on November 14, 2011 at the following website www.govdeals.com.
3. The city clerk shall cause a notice of this resolution to be published in accordance with G.S. 160A-270.
4. Terms for the electronic auction are that payment in full is due no later than five (5) business days from the time and date of the buyer's certificate. Payment must be made electronically through the GovDeals website.

Acceptable Forms of Payment are:

- . Paypal
 - . Wire Transfer
 - . Visa
 - . Master Card
 - . American Express
 - . Discover
5. All items must be removed within 10 business days from the time and date of issuance of the buyer's certificate. Purchases will be released only upon receipt of payment as specified.
 6. The buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will the City of Sanford assume responsibility for packing,

loading or shipping. Property may be removed between the hours of 9:00 am and 3:00 pm., Monday through Thursday, excluding legal Holidays.

7. The City Council reserves the right to reject any or all bids.

ADOPTED this 1st day of November, 2011.

Cornelia P. Olive, Mayor

ATTEST:

Bonnie D. White, City Clerk



P.O. Box 3729
Sanford, NC 27331-3729

City of Sanford

Phone (919) 775-8343
Fax (919) 775-8323

Randy Paschal
Fleet Maintenance Superintendent

2011 Surplus Vehicles

91 Fd F700 Dump Tk	1FDNF70J3MVA19524
93 Fd F700 Dump Tk	1FDNF70J0PVA21638
05 Fd F-350 SD XLD 4wd Utility Tk	1FDWF37Y45EC36596
01 Ford Crown Vic	2FAFP71W21X180057
79 John Deere 2240 Tractor	328836L
04 Ford Crown Vic	2FAHP71W74X175613
99 Lincoln Navigator 4wd	51MPU28A5XLJ36024
07 Ford Crown Vic	2FAFP71W07X147048
07 Ford Crown Vic	2FAHP71W87X147041
07 Ford Crown Vic	2FAFP71W67X147040
07 Ford Crown Vic	2FAHP71WX7X147042
09 Ford Crown Vic	2FAFP71VX9X128106
09 Ford Crown Vic	2FAHP71V79X128113
09 Ford Crown Vic	2FAHP71V19X128110
09 Ford Crown Vic	2FAHP71V39X128111
01 International 4700 4x2 Boom Tk	1FDNF70J0PVA21638
02 Chevy 2wd Tk	1GCEC14V52Z265746
07 Ford Crown Vic	2FAFP71W17X147043
07 Ford Crown Vic	2HAHP71W27X147049
97 Amida Arrow Board	DLB259210.17169
01 Dodge Tk	1B7HC16YX1S722532
01 Dodge Tk	1B7HF16Y818228368
99 Club Car Golf Cart (Bad Motor)	Work Horse 1223867

2011 Surplus Property

Lot of	Computers, Key boards, Monitors and Printers
Lot of	Well Wizard
Lot of	10 Chairs
Lot of	Metal Filing Cabinet
Lot of	Scotsman CM3 Ice Machine
Lot of	2 Axles
Lot of	ACCO Wright-Way 2 Ton Hoist
Lot of	Chainsaw and Weed Wacker
Lot of	Gorman Rupp Trash Pump
Lot of	700hp Titan Motor ID# P1670497
Lot of	Reflective Sheeting
Lot of	Obsolete Radio's
Lot of	Dispatch Consoles
Lot of	Cat Diesel Motor
Lot of	Obsolete Parts
Lot of	Grass Seed
Lot of	Fertilizer
Lot of	2 Gas Grills
Lot of	4 Concrete Bench Ends

**AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET
OF THE CITY OF SANFORD FY 2011-2012**

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

Section 1: The following amounts are hereby amended to ordinance 2011-28 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the FY 2011-2012.

**GENERAL FUND
APPROPRIATION OF FUNDS**

REVENUES			EXPENDITURES		
100045 30335	Miscellaneous	22,003	10025100 00000	Police	22,003
Total Appropriation		<u>\$ 22,003</u>			

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

ADOPTED this, the 1st day of November, 2011.

Cornelia P. Olive, Mayor

ATTEST:

Bonnie D. White, City Clerk

Susan C. Patterson, City Attorney

2011-2012 BUDGET ORDINANCE AMENDMENT

GENERAL FUND

Appropriation of Funds - results in increasing of budget

Revenues

Miscellaneous	22,003	To appropriate revenue received from insurance company for wrecked vehicles
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Expenditures

Police	22,003	To budget funds for purchase of 2 replacement vehicles
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Resolution Authorizing an Application for EPA
Brownfield Assessment Funds

WHEREAS, the City of Sanford wishes to identify, assess and prepare for redevelopment sites that may have incurred possible environmental contaminations; and

WHEREAS, the US Environmental Protection Agency is accepting applications for the Brownfield Assessment Grant Program; and

WHEREAS, the City of Sanford wishes to pursue funding for assessment of such properties to the benefit of the citizens of Sanford.

BE IT THEREFORE RESOLVED, that Council authorizes the preparation of an EPA Brownfield Assessment Grant application in an amount not to exceed \$200,000 (no local match) to be executed by the Mayor.

Adopted this 1st day of November, 2011.

Cornelia P. Olive, Mayor

Bonnie D. White, City Clerk

Susan C. Patterson, City Attorney

Application for A Zoning Map Amendment (Rezoning)

City of Sanford

Circle Jurisdiction That Applies:

Lee County

Town of Broadway

1. Applicant Name: Tramway One Associates, LLC
2. Applicant Address: 205 Courtland Drive, Sanford, NC 27330
3. Applicant Telephone: 919-775-5616
4. Name and Address of Property Owner(s) if different than applicant:

5. Location of Subject Property: 3100 Tramway Road Sanford, NC
Lee Co. P.I.N. 9631-65-6246-00
6. Total Area included in Rezoning Request: 34.23 Acres
7. Zoning Classification: Current: RR Requested: C-2
8. Existing Land Use(s): vacant, unimproved
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): to market for general commercial use
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

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

Signature(s)	Date
Tramway One Associates, LLC	
By: <u>[Signature]</u>	<u>8/11/2011</u>
W. Woods Doster - Manager	

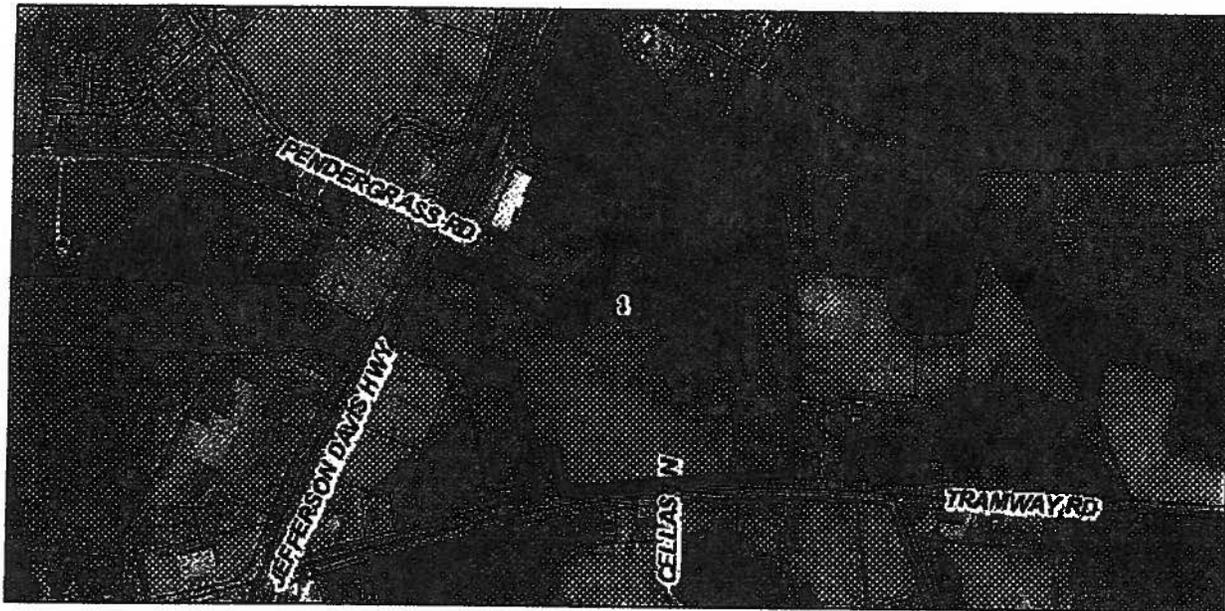
Required Attachments/Submittals

- A. 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.
- B. If the requested rezoning is for a Conditional Zoning District, a Supplemental Application for Conditional Zoning District must also be included.
- C. Application fee is required before processing the application.
- D. The application submission deadline is the second Friday of each month for the rezoning to be heard the following month.

TO COORDINATE WITH PUBLIC HEARING FOR ANNEXATION

Date Received: <u>2011-08-12</u>	STAFF USE ONLY	Application No. <u>521 985-2011-01</u>
Fee Paid: <u>\$100.00</u>		Energov Case No.: <u>ZMA-8-11-471</u>
Staff Signature: <u>[Signature]</u>		

L:Forms & Certifications/Zoning Map Amendment (Rezoning) with Seals (updated 2009-08-19 by AJMc)



Parcels

OWNER:	TRAMWAY ONE ASSOCIATES LLC	OWNER2:		PIN:	9631-65-6246-00
ACRES:	33.8132888857	LEGAL1:		LEGAL2:	PC 9/46
LEGAL3:	723/786(STREET CLOSING)	New Field:		Assessed Land:	281500
Assessed Building:	0	Assessed Total:	281500	SALE DATE:	10/19/2000 12:00 AM
TAX DISTRICT:	FTW	ADDRNO:	3100	ADDR 2:	
ADDR DIR:		ADDR PRE:		ADDR STREET:	TRAMWAY
ADDR SUF:	RD	PARCEL ADDRESS:	3100 TRAMWAY RD	MAIL ADDRESS:	
MAIL SUFFIX:		MAIL STREET DIR:		MAIL STREET:	PO BOX 1320
MAIL CITY:	SANFORD	MAIL STATE:	NC	MAIL ZIP:	27331
SUBDIVISION:		SUBDIVISION NUM:		DWELLING STYLE:	
DWELLING YRBLT:	0	DWELLING SFLA:	0	DWELLING DESCR:	
DWELLING CARD:	0	BOOK:	716	PAGE:	189
APPRAISED BLDG:	0	APPRAISED LAND:	281500	APPRAISED TOTAL:	281500
SALE PRICE:	753500	OUT BLDG AREA:	0	OUT BLDG YRBLT:	0
OUT BLDG DESCRIB:		OUT BLDG CODE:		OUT BLDG LINE:	0
OUT BLDG CARD:	0				

1:795 feet

LEE COUNTY

Committed Today for a Better Tomorrow



**Sanford City Council
Sanford Planning Board Recommendation Regarding
Application #521-2011-01 to Amend the City of Sanford Zoning Map
Meeting Date: November 1, 2011**

APPLICANT: W. Woods Doster of Tramway One Associates, LLC

OWNER: Tramway One Associates, LLC

REQUEST: Rezone from Highway Commercial (HC) Zoning District and Residential Restricted (RR) Zoning District to General Commercial (C-2) Zoning District
Note: This rezoning request was conditional upon the subject property being annexed into the corporate limits of the City of Sanford, for which the public hearing and the vote was also be held on October 18, 2011. The annexation request was approved and the effective date was October 18, 2011.

LOCATION: 3100 Tramway Road

TOWNSHIP: Pocket

TAX PARCEL NO.: 9631-65-6246-00 as depicted on Lee County Tax Map 9631.02

ADJACENT ZONING:

North: Highway Commercial (HC) and Residential- Mixed (R-12)

South: General Commercial (C-2) and Residential Mixed (R-12)

East: Residential Restricted (RR)

West: Residential Restricted (RR), Highway Commercial (HC) and General Commercial (C-2)

Introduction

In June of 2011, the staff was introduced to a proposed project to be developed on a portion of a 34.23 acre +/- tract of land located in the Tramway area. The project will involve the extension of public sewer, annexation into the corporate city limits and rezoning to a commercial zoning district. The balance of the tract not planned for development at this time will continue to be marketed for future commercial development. Therefore, an official request to rezone the entire tract of land to a commercial zoning district that is prevalent in the area has been submitted for your consideration.

Site and Area Description

The subject property is a 34.23 acre +/- vacant tract of land located opposite & east of the intersection of Pendergrass Road and US Hwy 1 / Jefferson Davis Hwy with road frontage on both U.S. Hwy 1 / Jefferson Davis Hwy and Tramway Road/ NC Hwy 78. There is a wide range of uses within this area which include a radio station, a furniture store, convenience stores with gas sales, fast food restaurants, banks, a laundry mat, a shopping center and single-family dwellings.

Utilities

The subject property appears to have access to public water and the extension of public sanitary sewer to serve this site has been proposed by the developer.

Existing Zoning and Land Uses

Currently the subject property has a dual zoning of Highway Commercial (HC) along the northwestern one-quarter of the site, which has limited frontage on U.S. Hwy 1 / Jefferson Davis Hwy, and Residential Restricted (RR) on the three-quarter balance of the site, which has considerable frontage on Tramway Road / NC Hwy 78.

Staff Analysis

The current zoning district of Highway Commercial (HC) district is established to accommodate uses that depend upon a large flow of traffic and convenient access, such as retailing of durable goods, the provision of commercial services to industrial areas, and the provision of services to tourists. The HC district requires a minimum building setback of 10 feet from the public street right-of-way line with the required landscape buffer yard width determining the required rear and side yard setbacks. A list of permitted uses for the HC zoning district is included within the agenda for your reference.

The current zoning district of 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. Property zoned RR should include only those tracts which abut or are in close proximity to existing large-lot single family development, making RR an appropriate transition district between rural, agricultural, and suburban uses. The RR district requires a minimum building setback of 30 feet from the public street right-of-way line, 30 feet from a rear property line, and 15 feet from all side property lines. A list of permitted uses for the RR zoning district is included within the agenda for your reference.

The proposed zoning district General Commercial (C-2) 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. The C-2 district requires a minimum building setback of 10 feet from the public street right-of-way line with the required landscape buffer yard width determining the required rear and side yard setbacks. A list of permitted uses for the C-2 zoning district is included within the agenda for your reference.

Transportation

The 2007 Lee County Comprehensive Transportation Plan illustrates U.S. Hwy 1 / Jefferson Davis Hwy as a freeway that needs improvement with a grade separation noted at the intersection of U.S. Jefferson Davis Hwy and Center Church Road/ Tramway Road. The plan illustrates Tramway Road / NC Hwy 78 in the area of the subject property as an existing minor thoroughfare. There is also a recommended boulevard which bisects the subject property and proposes a connection from Pendergrass Road to Bruce Coggins Road. At this time, there are no detailed plans drafted or funding dedicated by NCDOT to construct this connection. Staff has discussed this proposed roadway connection with the property owner's representative and it appears that there is ample area on this tract of land to allow for the future reservation of a public street right-of-way for the proposed connector street while retaining marketable acreage and to allow for the project which triggered this rezoning request.

The NCDOT 2010 Traffic Study reports 10,000 vehicle trips per day on Tramway Road / NC Hwy 78 approximately 550lf east of the intersection with U. S. Hwy 1 / Jefferson Davis

Hwy. There is also a 29,000 vehicle trips per day on 400lf on U.S. Hwy 1 / Jefferson Davis Hwy north of the intersection with Tramway Road.

Environmental & Local Overlay Districts

The subject property does not appear to be located within a Watershed Conservation Overlay District, a Flood Hazard Area, a Historic Preservation Overlay District, the 421 Bypass Corridor or an area included within the adopted small area plans or neighborhood plans. There does appear to be an existing pond with an associated intermittent stream located on the northern portion of the 34.5 acre +/- tract which is illustrated on the U.S. Geological Survey (USGS) maps.

Development Standards

If rezoned, all of the uses permitted in the General Commercial (C-2) Zoning District will be allowed and any future redevelopment of the subject property will be required to meet the current development standards of the Unified Development Ordinance.

Conformance with the Sanford/Lee County 2020 Land Use Plan

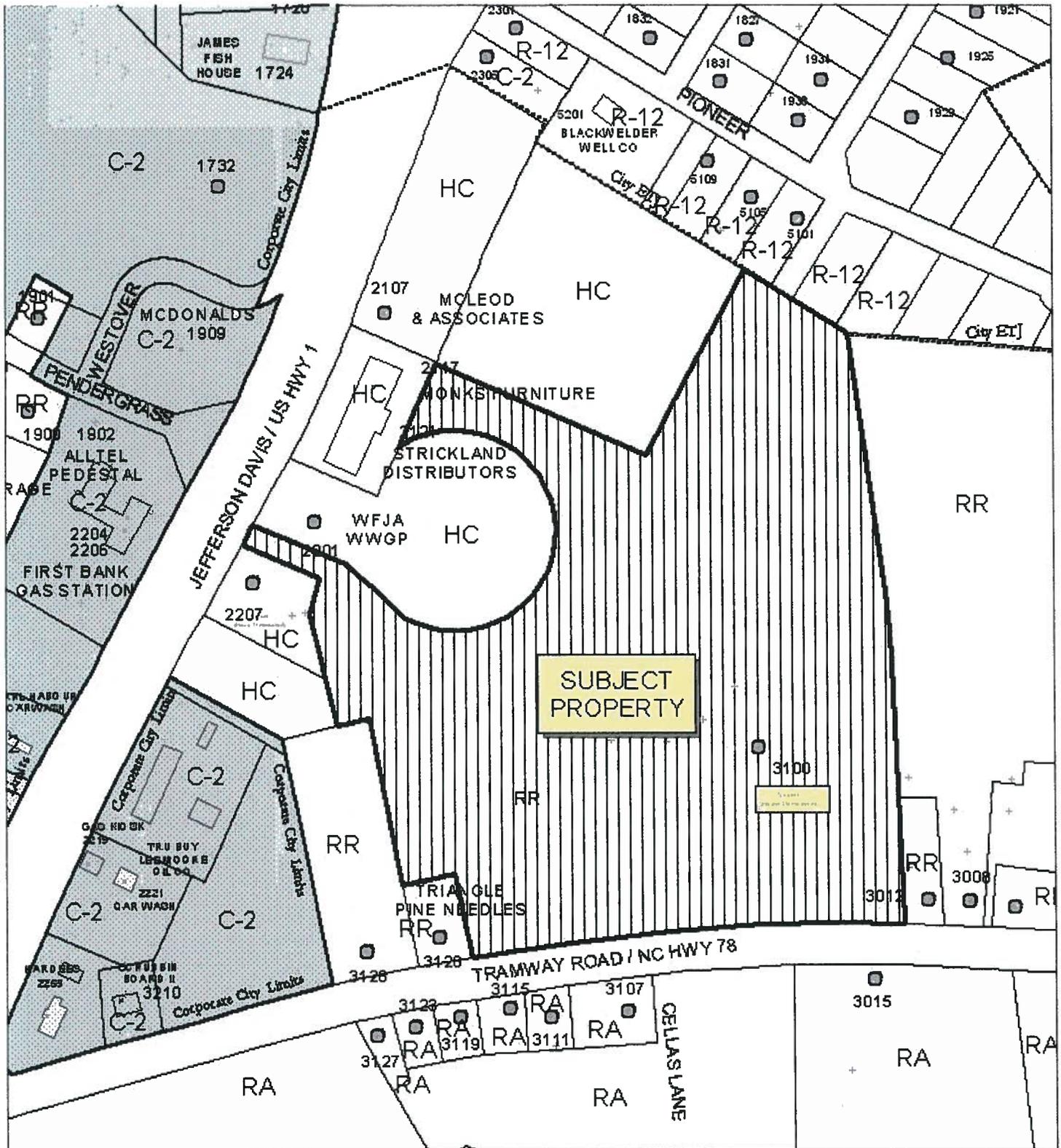
The 2020 Land Use Plan identifies this area an interchange highway node, which identifies a major mixed use area of retail/service center of over 200,000sf with additional major office and business park employment. Development at a highway node should be sited and designed as a Community gateway. When considering the zoning of this property, current development trends and the surrounding zoning of the neighborhood should also be considered.

Recommendation from Planning & Development Staff

Staff recommends that the Planning Board & City Council support this rezoning petition as it appears to be in accordance with the comprehensive land use plan and it appears to be reasonable and in the public interest based on the wide variety of uses within the area, the availability of public water and public sewer (via a proposed sewer extension) and the precedent set by other properties in the area that have been rezoned to General Commercial (C-2). Please note that information presented at the public hearing may provide additional information that should also be considered regarding a final decision on the requested zoning map amendment.

Recommendation from Planning Board

The Sanford Planning Board discussed this rezoning application at the October 18, 2011 meeting and by a unanimous vote recommended to approve the request by Mr. Woods Doster of Tramway One Associates, LLC to rezone from Highway Commercial (HC) Zoning District and Residential Restricted (RR) Zoning District to General Commercial (C-2) Zoning District. In making this decision, that Sanford Planning Board finds that the recommendation appears to be reasonable and in the public interest based on the fact it appears to be in accordance with the comprehensive land use plan and it appears to be reasonable and in the public interest based on the wide variety of uses within the area, the availability of public water and public sewer (via a proposed sewer extension) and the precedent set by other properties in the area that have been rezoned to General Commercial (C-2) Zoning District.



Petition by Tramway One Associates, LLC
to Rezone 34.23 acres- +/- Addressed as 3100 Tramway Road
From HC and RR to C-2.

PIN No. 9631-65-3546-00



This image is a graphic representation & is not a legal survey of the properties depicted.

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF SANFORD, NORTH CAROLINA**

WHEREAS, a request to amend the Official Zoning Map has been received from W. Woods Doster of Tramway One Associates, LLC to rezone one tract of land totaling 34.23 acres +/-, addressed as 3100 Tramway Road, further identified as "34.23 acres total area" as shown on a map entitled "Survey for Hayden Lutterloh" recorded in 2000 in Plat Cabinet 9 Slide 46, Lee County Register of Deeds Office and as the same lot as depicted on Lee County Tax Map 9631.02, as Tax Parcel 9631-65-6246-00 Lee County Land Records Office from Highway Commercial (HC) Zoning District and Residential Restricted (RR) Zoning District to General Commercial (C-2) Zoning District; and

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

WHEREAS, the City Council of the City of Sanford conducted a public hearing on October 18, 2011 to receive citizen input on the requested zoning map amendment; and

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

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

The Official Zoning Map is hereby amended to rezone to rezone one tract of land totaling 34.23 acres +/-, addressed as 3100 Tramway Road further identified as "34.23 acres total area" as shown on a map entitled "Survey for Hayden Lutterloh" recorded in 2000 in Plat Cabinet 9 Slide 46, Lee County Register of Deeds Office and as the same lot as depicted on Lee County Tax Map 9631.02, as Tax Parcel 9631-65-6246-00 Lee County Land Records Office from Highway Commercial (HC) Zoning District and Residential Restricted (RR) Zoning District to General Commercial (C-2) Zoning District. A copy of the area zoning map is included as Attachment A.

In making this decision, that Sanford Planning Board finds that the recommendation appears to be reasonable and in the public interest based on the fact it appears to be in accordance with the comprehensive land use plan and it appears to be reasonable and in the public interest based on the wide variety of uses within the area, the availability of public water and public sewer (via a proposed sewer extension) and the precedent set by other properties in the area that have been rezoned to General Commercial (C-2) Zoning District.

ADOPTED this the 1st day of November 2011.

Cornelia P. Olive, Mayor

ATTEST:

APPROVED AS TO FORM:

Bonnie White, City Clerk

Susan C. Patterson, City Attorney