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, January 19, 2016, at 7 P.M., in the Council Chambers. The following people were present:

Mayor T. Chet Mann
Mayor Pro Tem Sam Gaskins
Council Member Jimmy Haire
Council Member Charles Taylor
Council Member Byron Buckels
Council Member James Williams
Council Member Rebecca Wyhof
City Clerk Bonnie Davis
City Manager Hal Hegwer
City Attorney Susan Patterson

Absent:
Council Member Norman Charles Post, III

Mayor Mann called the meeting to order and delivered the invocation. The Pledge of Allegiance was recited.

PUBLIC COMMENT – (Exhibit A)

Steve Malloy, residing at 2615 Bellaire Drive, Sanford, N.C., spoke on behalf of Adcock and Associates. He invited Council Members to an Octoberfest, to be held at Adcock and Associates, located at 1101 S. Horner Boulevard, from 5:00 to 7:00 P.M., on Thursday, January 21, 2016. A raffle will be held to benefit the Boys and Girls Club.

APPROVAL OF AGENDA

Council Member Wyhof made the motion to approve the agenda. Seconded by Mayor Pro Tem Gaskins, the motion carried unanimously.

CONSENT AGENDA

Approval of City Council Meeting Minutes of December 15, 2015 – (Pages 3 – 13)

Council Member Buckels made the motion to approve the consent agenda. Seconded by Mayor Pro Tem Gaskins, the motion carried unanimously.

CASES FOR PUBLIC HEARING

Application by Ray Rhodes - to rezone four tracts of land on Wilson Road totaling 2.26 acres +/-, comprised of 121 and 125 Wilson Road and two adjoining vacant tracts, from the current zoning of General Commercial (C-2) to Wilson Road Self Storage Conditional Zoning District to allow for the development of a self-storage warehousing facility via a site plan specific zoning district. The property is the same as depicted on Lee County Tax Map 9661.01 as Tax Parcels 9661-07-1206-00, 9661-07-0051-00, 9661-07-1182-00 and 9661-07-2313-00, Lee County Land Records – (Exhibit B)

Design Review Coordinator Amy McNeill explained that the request is to rezone four tracts of land on Wilson Road, totaling 2.26 acres from General Commercial (C-2) to Wilson Road Self Storage Conditional Zoning District. This is to allow for the development of a self-storage warehousing facility

via a site-plan specific conditional zoning district. Ms. McNeill referred to Exhibit B, which contained a map and a list of permitted uses in the zoning districts. The property was recently purchased by Ray Rhodes with the intention of recombining the four adjoining lots to create one 2+ acre lot for future commercial development. As a reminder, in order to move forward in this manner, Mr. Rhodes did request that one residentially zoned lot be rezoned to General Commercial (C-2) and the Council approved this request in December of 2015. At this time, Mr. Rhodes has determined that he would like to develop the site as a self-storage warehouse facility and has created a civil drawing set and architectural elevations for the project. He is requesting to rezone to a site-plan specific conditional zoning district with the goal of providing a better appearance than is required by the UDO, while allowing a design that differs from the UDO design standards.

Ms. McNeill stated that the current zoning of 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 outdoor operations. A self-storage warehouse facility is permitted in the C-2 zoning district; however, the design that Mr. Rhodes proposes deviates a little from what the UDO requires. Giving the linear nature of the site, Mr. Rhodes is proposing to narrow the width of the landscape buffer along the western property line and adjoining the residential property from 20 feet to 15 feet. In doing so, he is proposing to fill that 15 feet full of evergreen trees; something that would have vegetation from the ground to the crown and would meet the minimum size requirements of the UDO in installation. The applicant has proposed an evergreen and he would like to stagger them to create a buffer from sound and noise against the proposed development and the lot next door. She mentioned that staff and adjoining residential property owners met with Mr. Rhodes to look at the site plan and go over any questions that the residential neighbors may have.

The 2020 Land Use Plan identifies this area as being retail/commercial area and the proposed land use of self-storage warehouse facilities has been interpreted to be mini-warehousing, self-storage leasing per the UDO, which falls within the general sales or service category. This category includes retail and commercial uses; therefore, the proposed use would appear to comply with the long-range 2020 Land Use Plan. Staff recommends that the City of Sanford Planning Board support the rezoning request as it appears to be consistent with the 2020 Land Use Plan and appears to be reasonable and in the public interest, since most of the area properties are commercially zoned; it has access to public water and sanitary sewer; it is located on a busy public street in close proximity to the intersection of NC Highway 87 South and US Highway 421. The Council recently approved to rezone one of the tracts from residential to General Commercial (C-2). The character of the design with an emphasis on the view from Wilson Road and the robust landscape buffers were also taken into consideration.

When considering the zoning of this property, staff recommends that the reasonableness of the request, the consideration of the public interest, current development trends and the surrounding zoning of the neighborhood be considered by the boards. Reasonable consideration should be given to the character of the area, its particular suitability for uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City. Information presented at the public hearing should also be considered regarding a final decision on the requested zoning map amendment.

Mayor Mann opened the public hearing. Ryan Rhodes, one of the property owners and developers, spoke in favor of the project. He stated that last Friday, they met with Mr. and Mrs. Goins at the property to review the concerns they may have. The Goins' were concerned with activity along the

property line and an agreement was written up between the Rhodes and the Goins. There is a row of pine trees that is located on the Goins' property and they were worried about the trees being disturbed and the Goins' have asked the Rhodes to remove the trees for them. He said their intention is to make this property invincible, as was mentioned about the evergreens being planted. Mr. Rhodes stated that they take pride in what they plan to construct.

Mrs. Rosa Goins stated that they did meet with the owners who are going to build the storage units and they came to an agreement as to how they are going to trim their trees and put a privacy fence and they are okay with it.

With no one else requesting to speak in favor or in opposition, the public hearing was closed.

Application by Chad Abbott - to rezone one 2.68 acre +/- tract of land on Bragg Street from the current zoning of Multi-family (R-17) Conditional Zoning District to General Commercial (C-2) to allow for the development of the site in a manner other than a multi-family apartment community. The property is the same as depicted on Lee County Tax Map 9652.10 and 9652.14 as Tax Parcel 9652-45-5078-00, Lee County Tax Records – (Exhibit C)

Design Review Coordinator Amy McNeill explained that in April 2012, the City Council approved a rezoning request by Mr. Rex H. Todd of The Landmark Group to develop a multi-family apartment community on two tracts of land off of Bragg Street, via the site-plan specific conditional zoning process. This approval was based on the rationale that the request appeared to be reasonable and in the public interest based on the information presented in the conditional zoning petition, the availability of public water and sewer, and the frontage on a main thoroughfare such as Bragg Street.

In December of 2015, with the site still undeveloped and no forward movement on the multi-family project, Mr. Abbott submitted a rezoning request to allow for the development of the site in a manner other than a multi-family apartment community. The rezoning application indicates that the site is proposed to be developed as a new State Employees Credit Union (SECU) branch bank; however, if the site were to be rezoned to General Commercial (C-2), any/all of the uses permitted within this zoning district would be permitted, subject to the standards of the UDO.

The current zoning district of Multi-family (R17) Conditional Zoning District was a site plan specific conditional zoning district for Harrington Farm Apartments Community. The design is legally binding on the land; therefore, the property must be rezoned as requested in order to develop it in any other way. The proposed district of 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 2020 Land Use Plan Map does not identify a specific land use for the subject property. When considering the zoning of this property, current development trends and the surrounding zoning of the neighborhood should be considered.

Staff recommends that the Sanford City Council and Planning Board support this rezoning petition as it appears to be reasonable and in the public interest based on the lack of forward movement for the multi-family project that was approved in 2012, the area zoning, the commercial development in the area,

the availability of public water and public sewer and the frontage on a main thoroughfare (Bragg Street). 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.

Mayor Mann opened the public hearing. Steve Malloy, residing at 2615 Bellaire Drive, spoke in favor of the project. He is a commercial broker at Adcock and Associates, and is representing the property owners tonight. Mr. Malloy noted that the apartment project died in 2012 as it was a tax credit program and Adcock and Associates was not awarded the program. He has been talking with Lee County Manager John Crumpton about constructing a State Employees Credit Union on that site. Mr. Crumpton took the matter before the County Commissioners and they voted to allow the Credit Union to build the entrance road to the back of their property and to use that entrance for the Credit Union property as well. The Commissioners were very excited about the project being proposed. A concern from the Commissioners was with the County's new project going in behind the Credit Union, they wanted everyone to understand that there would be traffic on the weekends with overflow parking. The Credit Union came back to the Commissioners and said they would be happy to allow people to park in their parking lot over the weekend.

Jim Parker, with Summit Design, representing Chad Abbott, spoke in favor of the project and was available for any questions.

With no one else requesting to speak in favor or in opposition, the public hearing was closed.

The Planning Board retired to the West End Conference Room.

REGULAR AGENDA

Consider Request to Waive Fee for Reinstallation of Sign for Manna Christian Resource Center at 201 E. Main Street – (Exhibit D)

City Manager Hegwer explained that Manna Christian Resource Center located at 201 E. Main Street, is requesting City Council waive the $60 permit fee for the reinstallation of their sign. As part of the streetscape project, the sign had to be removed and they are having to reinstall a sign. They are just requesting that the $60 permit fee be waived.

Council Member Wyhof made the motion to approve the request and waive the permit fee. Seconded by Council Member Buckels, the motion carried unanimously.

Consider Entering into a Contract for Services with MeterSYS (Smart Metering Feasibility Analysis) – (Exhibit E)

Financial Services Director Beth Kelly stated that this is a contract for Meter SYS to complete a smart metering feasibility analysis, which will enable staff to determine if the City wants to move forward with automated metering infrastructure for our utilities; this means serving as a utility and the associated cost and benefits of the program.

Mayor Pro Tem Gaskins made the motion to enter into a contract for services with MeterSYS. Seconded by Council Member Jimmy Haire, the motion carried unanimously.

Consider Ordinance Amending Annual Operating Budget for FY 2015-2016 (Smart Metering Feasibility Analysis – (Exhibit F)

Financial Services Director Beth Kelly explained that this ordinance amends the annual operating budget to appropriate $27,900 to the Utility Fund for the cost of the MeterSYS analysis to be conducted.

Council Member Wyhof made the motion to adopt the ordinance amending the annual operating budget. Seconded by Mayor Pro Tem Gaskins, the motion carried unanimously.

Consider Approval of Reimbursement Resolution (Streetscape Capital Project) – (Exhibit G) –

Financial Services Director Beth Kelly explained that this reimbursement resolution (Streetscape Capital Project) will allow the City to reimburse itself for the additional $200,000 in cost from the installment purchase proceeds, once it is issued.

Mayor Pro Tem Gaskins made the motion to approve the Reimbursement Resolution (Streetscape Capital Project). Council Member Wyhof seconded the motion, and it carried unanimously.

Consider Ordinance Amending Annual Operating Budget for FY 2015-2016 (Streetscape Project: DOT Fiber; Mill and Paving Modifications; Drainage Work on Trade and Main Streets) – (Exhibit H)

Financial Services Director Beth Kelly explained that the ordinance amends the annual operating budget for FY 2015-2016, which will appropriate $200,000 from Fund Balance to be contributed to the Streetscape Capital Project Ordinance for the following items: DOT fiber, mill and paving modifications, and Trade and Main Street drainage work. City Engineer Paul Weeks gave a brief explanation of why the extra $200,000 was needed.

Mayor Pro Tem Gaskins made the motion to adopt the ordinance amending the annual operating budget. Seconded by Council Member Buckels, the motion carried unanimously

Consider Capital Project Ordinance Amendment (Streetscape) – (Exhibit I)

Financial Services Director Beth Kelly explained that this represents the amendment to the Capital Project Ordinance which will appropriate the $200,000 contribution from the General Fund for the construction costs which includes DOT fiber, mill and paving modifications, and Trade and Main Street drainage work. These funds will be reimbursed to the General Fund once the financing has been secured. It also appropriates $4,271 of interest income which has been received through that capital project since its inception for the construction of the above items.

Council Member Wyhof made the motion to adopt the Capital Project Ordinance Amendment (Streetscape). Seconded by Mayor Pro Tem Gaskins, the motion carried unanimously.

Consider Grant Project Ordinance Amendment (North Carolina Housing Finance Agency 2014 URP) – (Exhibit J)

Community Development Manager Karen Kennedy stated that the amendment adds $23 to the Urgent Repair Project 2014. We are required to place the funds we receive in an interest-bearing account and we have accumulated $23 throughout the course of this project, so we need to add it into the project. Since we are at the end of this project, we will be returning the $23 to the state at close-out.

Council Member Williams made the motion to adopt the Grant Project Ordinance Amendment (North Carolina Housing Finance Agency 2014 URP). Seconded by Council Member Wyhof, the motion carried unanimously.

Mayor Mann recessed the meeting at 7:40 P.M. and reconvened it at 7:50 P.M.

Consider Presentation on the Sister City Trip to Yixing, China – (Exhibit K)

A video, prepared by Council Member Byron Buckels, of the Sister City trip to Yixing, China by Council Members Wyhof, Buckels, Gaskins, Tom Snell and Potterer Kevin Brown was presented. Mayor Mann gave a background of how the Sister City endeavor came to fruition. It started through Central Carolina Community College's Confucius Classroom. Council Member Wyhof gave a presentation on the cultural exchange and Mr. Gaskins gave a presentation on the educational and economic development purpose of the trip.

Closed Session

Mayor Pro Tem Gaskins made the motion to go into closed session in accordance with N.C.G.S.143-318.11(a) (4) to discuss matters relating to the location or expansion of industries other businesses in the area served by the public body; and (6) personnel exception. Seconded by Council Member Buckels, the motion carried unanimously.

OTHER BUSINESS

Council Member Taylor thanked the Police and Fire Departments for the work they did when the Auto Zone building caught fire.

Council Member Wyhof and Buckels commented on how wonderful the celebrations were honoring Dr. Martin Luther King, Jr.

City Manager Hegwer stated that due to the Annual Chamber of Commerce banquet being held on Tuesday night, February 16, the City Council meeting scheduled for that night is cancelled. He reminded Council Members to let City Clerk Bonnie Davis know if they plan to attend the banquet so reservations can be completed. He stated that Council will hold another retreat on Tuesday night, January 26, 2016, at 5 P.M., in the West End Conference Room of City Hall.

Mayor Mann thanked Council Members and staff for their hard work during the workshops that have been held.

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

RETURN TO REGULAR SESSION AND ADJOURNMENT

Mayor Pro Tem Gaskins made the motion to adjourn the meeting; seconded by Council Member Wyhof, the motion carried unanimously.

Respectfully Submitted,

T. CHET MANN, MAYOR

ATTEST:

BONNIE DAVIS, CITY CLERK