

**MINUTES OF
SPECIAL CALLED ELECTRONIC MEETING -
CITY COUNCIL OF THE CITY OF SANFORD
SANFORD, NORTH CAROLINA**

The City Council held a special-called electronic meeting (Office Suite HD) on Wednesday, July 15, 2020, at 4:00 p.m., with the Mayor presiding from the Council Chambers of the Sanford Municipal Center, 225 E. Weatherspoon Street. The following people were connected (“present”) and participated remotely in the meeting:

Mayor T. Chet Mann
Council Member Sam Gaskins
Council Member Charles Taylor
Council Member Rebecca Wyhof Salmon
City Manager Hal Hegwer
City Clerk Bonnie Davis

Mayor Pro Tem Byron Buckels
Council Member Jimmy Haire
Council Member Norman Charles Post, III
Council Member James Williams
City Attorney Susan Patterson

Absent:

Deputy City Clerk Vicki Cannady

CALL TO ORDER

Mayor Mann called the meeting to order and explained that it was being held electronically due to precautions related to the COVID-19 pandemic. Council Member Taylor led the invocation and the Pledge of Allegiance was recited.

APPROVAL OF AGENDA

Council Member Taylor made the motion to approve the agenda and Council Member Gaskins seconded the motion. Mayor Mann conducted a roll call vote and the motion carried unanimously.

DECISIONS ON PUBLIC HEARINGS

Consider Adoption of Ordinance for Rezoning – approval of request from Beacon Management Corporation for property owned by Winding Brook Limited Partnership to rezone one 8.63 + acre tract of land addressed as 2107 Woodland Avenue from the current zoning of Winding Brook Apartments Conditional Zoning District (Revision #1) to Winding Brook Apartments Conditional Zoning District (Revision #2), with the intent being to revise the site plan design associated with this specific conditional zoning district. The subject property was formerly developed with several structures addressed as 2111, 2113, and 2201 Woodland Avenue and is depicted on Lee County Tax Maps 9652.18 and 9652.14 as Tax Parcel 9652-32-3205-00, Lee County Land Records – Exhibit A

Zoning Administrator Amy McNeill explained that a public hearing was held on Monday, July 13, 2020, at the Dennis A. Wicker Civic Center with the Planning Board and Sanford City Council.

The Planning Board recommends that the City Council support the petition by Beacon Management Corporation to rezone from Winding Brook Apts. Conditional Zoning District (Revision #1) to Winding Brook Apts. Conditional Zoning District (Revision #2), with the intent being to revise the site plan associated with a conditional zoning district as it appears to be reasonable and in the public interested because the revisions to the site plan/project scope appear to be in keeping with the *Plan SanLee* “Urban Neighborhood” land use designation, given that it is a multi-family apartment community with a density that does not exceed the recommended ten to sixteen units per acre and is

proposed to be served by public water and public sewer. Also, overall, the revised design does have less impervious surface with storm water retention ponds/basins incorporated into the site.

The Planning Board voted four to one in favor of the petition and there was considerable discussion regarding problems with stormwater in this area. In general, the board expressed concern and acknowledged that they felt that the City should do more to help with the problems in that area residents are experiencing, such as stormwater and crime, but they felt that it was unfair to expect the developer of this project, or any project in this area to remedy these problems or other problems associated with growth. Several board members stated that the City should regulate stormwater and either hire staff or contract with an outside firm, to implement and enforce new stormwater regulations and to review project plans to ensure that the retentions/detention ponds are appropriately sized as stormwater is a concern all over the City, not just in the Old Jonesboro area.

Mr. Williams stated that he received a few calls saying that the original plan was a better plan than the one the company is proposing now. It sounds like the new plan is better for stormwater than the original one. He felt he should bring this up as some of the people are saying they like the idea of single-family homes because it seemed to fit the neighborhood better and thought it would be better for stormwater than the three-story buildings. Mayor Mann stated that the original zoning that was approved for eleven buildings, but now we are looking at rezoning only three to four buildings.

Ms. McNeill displayed the original plan (approved in 2015) and it showed ten apartment buildings with one clubhouse that were one-story; with more buildings you do have more impervious surface. You have more impervious surface with multiple buildings. Ms. McNeill added that if Council does not approve this new plan, the developer can still build the homes from the original 2015 plan. The new plan has three buildings; it has less impervious surface. She noted that she is not a stormwater engineer and they do not regulate stormwater and she cannot say this is a better stormwater design. Mayor Mann stated the more impervious surfaces you have the worse your runoff would be. Ms. McNeill replied she felt that was a logical conclusion.

Ms. McNeill stated that the City Council will need to take two votes tonight. A vote will need to be taken whether or not to approve a statement on long range plan consistency as it relates to this rezoning request and a separate vote to approve or deny the rezoning request.

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

Council Member Taylor made the motion that the proposed zoning map amendment is consistent with the adopted long-range plan. Seconded by Council Member Jimmy Haire, the motion carried with a four to three roll-call vote. Voting in favor that the proposed zoning map amendment is consistent with the adopted long-range plan were Council Members Taylor, Williams, Gaskins and Haire by a roll-call vote. Council Members casting the dissenting votes were Mayor Pro Tem Buckels, and Council Members Post and Salmon.

VOTE #2: TO APPROVE OR DENY THE REZONING REQUEST:

Council Member Williams made the motion to approve the ordinance based on the information presented and by the recommendation of the Planning Board. Council Member Charles Taylor seconded the motion. The motion carried in favor with a four to three roll-call vote. Voting in favor were Council Members Taylor, Williams, Gaskins and Haire. Mayor Pro Tem Buckels and Council Members Post and Salmon casting the dissenting votes.

Consider Adoption of Ordinance for Rezoning – approval of request from Esplanade Communities of Florida, LLC to rezone two vacant tracts of land totaling 29.04 + acres with frontage/access off of Fire Tower Road (SR 1152) from Residential-Mixed Conditional Zoning District (R-6-C) to Residential-Mixed Conditional Zoning District (R-6-C) (Revision #1), with the intent being to revise the subdivision design associated with this specific conditional zoning district. The subject property is identified as Tax Parcels 9641-55-0952-00 and 9641-45-5299-00 as depicted on Lee County Tax Maps 9641.01 and 9641.02. The subject property is illustrated as a 27.9-acre tract of land and an adjoining lot owned by Donnie Ray Pettus on a 2019 plat labeled Boundary Survey for Esplanade Communities of Florida, LLC created by Timmons Group and recorded at Plat Cabinet 2019, Slide 60 of the Lee County Register of Deeds – Exhibit C

Zoning Administrator Amy McNeill explained that a public hearing was held on Monday, July 13, 2020, at the Dennis A. Wicker Civic Center with the Planning Board and Sanford City Council. The Planning Board recommended that this rezoning be approved with the intent to revise the subdivision design due to the US Army Corp of Engineers wetland delineating, along an existing creek on the subject property. The rationale for the recommendation is that the revised subdivision design still incorporates the components of the original design that were included with the *Plan SanLee* “Suburban Neighborhood” place type, such as detached single-family dwellings, a connection to an existing stub street which is North Ridge Drive on an adjoining lot, interconnected curvilinear streets, valley curb, public streets, public water, public wastewater, and sidewalks on both sides of all public streets. The vote was unanimous by the Planning Board with discussion regarding the City providing information to the residents of the adjoining Brookhaven Subdivision regarding the requirements for possibly connecting to public sewer in the future. Overall, the consensus was the design had not significantly changed and it was being revised to accommodate the wetlands on site, so the Planning Board recommended approval.

Mr. Williams asked have they had time to look at the possibility of extending city sewer to the existing neighborhood. Mr. Hegwer replied that the developer is building a lift station or pump station within that neighborhood and that sewer would be pumped up and back across Highway 78 in the future. What would have to happen is the sewer within that neighborhood would be gravity collection system and it would be pumped again to another point in our sewer system. That lift station would have to be relocated or taken out of service because the sewer in that neighborhood would flow into the next neighborhood (being talked about) and then run a collection system in that neighborhood. Staff is working on it and anticipate coming back to Council quickly, maybe at next week’s meeting.

Mr. Taylor noted that once it is approved, at what junction does the decision have to be made on the lift station and the location of the lift station on the property and how much time between now and then before they will be locating that on the property? Mr. Hegwer responded that he does not have a complete time frame on how quickly the developer can move; we are just changing conditional zoning on the property. We do not have their exact plans and we are not sure how much interest there is in the neighborhood for sewer. It is hard to answer that question.

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

Council Member Salmon made the motion that the proposed zoning map amendment is consistent with the adopted long-range plan. Seconded by Council Member Williams, the motion carried unanimously by a roll-call vote.

VOTE #2: TO APPROVE OR DENY THE REZONING REQUEST:

Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina. – Exhibit D

Council Member Taylor made a motion to approve the Ordinance Amending the Official Zoning Map and the motion was seconded by Council Member Williams. The motion carried unanimously by a roll call vote.

Other Business

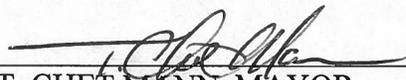
Council Member Taylor heard a lot of comments from residents around Woodland Avenue, especially with drainage problems and he would like for staff to look at that area along the creek, as opposed to north and south. It would be prudent to look at that as a whole; we have made some improvements but there are some other areas we can improve down stream that could help our problem upstream. He would like to see more detail on this matter. There has also been some discussion in the past regarding actual personnel for stormwater management and, at that time, there was a cost factor with having more staff, but we need to look and see if we can contract this out.

ADJOURNMENT

Council Member Gaskins made the motion to adjourn the meeting and the motion was seconded by Mayor Pro Tem Buckels. The motion carried in favor unanimously by a roll call vote.

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

Respectfully Submitted,



T. CHET MANN, MAYOR

ATTEST:



BONNIE DAVIS, CITY CLERK