

meeting date: June 14, 2022

attachment(s): yes

Public hearing/action re: rezoning case RZ-02-22
(requested change: RS-30 to CZ-OI; location: 7400 Summerfield Rd.; parcel: 147125)

STAFF COMMENTS AND/OR RECOMMENDATION:

See attached staff report for full details. It contains the application and background, Planning Board recommendation, and narrative about compliance with adopted plans, maps, and other relevant information. Rezoning decisions must be made based on:

- the current Development Ordinance;
- the current Comprehensive Plan (per NCGS 160A-383 below); and,
- “any other officially adopted plan that is applicable.”

Council must “approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest.” The statement will be provided to the applicant as formal notification of the rezoning decision.

§ 160A-383. Purposes in view. Zoning regulations shall be made in accordance with a comprehensive plan. When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.

The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such city.

NOTES:

COUNCIL ACTION AND/OR DIRECTION:



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358
 ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

TO: Town Council
FROM: Planner/Enforcement Officer, Brad Rentz, MPA, CZO
DATE: June 2, 2022
RE: Case RZ-02-22: Rezoning from Single Family Residential (RS-30) to Conditional Zoning - Office/Institutional (CZ-OI).

A. Town Council Actions

1. Hold public hearing.
2. Approve as submitted, approve with conditions (agreed upon by the applicant), deny, remand the case back to the Planning Board for further consideration, continue the case.

B. Application and Background

Location: The subject parcel is located at 7400 Summerfield Rd., having Parcel #147125, in Bruce Township, Guilford County, North Carolina.

Surrounding Zoning and Land Use:

Direction	Zoning District	Land Use
North	RS-30,CU-LB	Post Office
South	CZ-BN	Professional Services, Auto Service
East	RS-30	Single Family Residential
West	LO	Town Property/Vacant

Applicants/Owners: Summerfield Fire District, Inc. (Chris Johnson, Fire Chief).

Tract Size: ±5.61 acres

Applicant Request: An application to rezone to change the zoning from Single Family Residential (RS-30) to the Conditional Zoning Office/Institutional (CZ-OI) with the following use condition(s): *Facilities for EMS and/or Fire support purposes.*"

C. Discussion

Process Requirement and Notes: The applicant made the proposed zoning change on the approved form and paid the fee for a Zoning Map Amendment. All questions on the application were answered. This is a **Conditional Zoning Rezoning Application**. The applicant provided a specific use condition that will be included in this Condition Zoning.

The required informational meeting was held on May 17, 2022, for the applicant and interested citizens to meet and informally discuss the potential rezoning and development. There were no attendees at the Informational Meeting other than staff, the applicant, and media.



The Summerfield Planning Board heard the case at their regularly scheduled meeting on May 23rd, 2022. During the Planning Board's public hearing, there was only one comment in support of the rezoning. After the public hearing closed and the board discussed...

"Davis made a motion to recommend to Town Council that the request be approved, with the conditions proposed by the applicant. Davis noted the request was consistent with the Town's Comprehensive Plan focus areas of Appropriate, Limited Commercial Development, Summerfield Road Focus Area, Summerfield as a Limited Services Government, and Transportation Improvements. Davis said the request was in the public interest because it promotes the public health, safety, and general welfare. The motion was seconded by Rooney. In response to a request from Whitacre, the Board agreed with the suggestion that the Fire Department provide an easement for the A&Y Trail, however, the recommended approval was not contingent upon such an easement being granted. The motion was approved by unanimous vote."

Characteristics of the Proposed District: OI is intended to accommodate public, semi-public, and institutional uses or medical, professional, administrative, and government office uses that might have a substantial land use impact or traffic generation potential. The OI district shall use architectural features that enhance the Town's rural, historic nature. Development shall employ landscape strategies, building placement, and architectural features to mark service and delivery areas. Building types allowed in the OI are Institutional, Workplace, Storefront, Commercial Center, and Accessory Structures.

D. Compliance with Adopted Plans

Compatibility with Comprehensive Plan: Some preliminary plans for the uses have been submitted. Still, the following is a general assessment of the proposed rezoning with the long-range plans. Many of the common objectives put forth in the Comprehensive Plan would be addressed with the submittal of site-specific plans. Other goals may need separate conditions to be implemented for this project. Following are some objective highlights and staff comments (*in italic*):

- 1) **Appropriate, Limited Commercial Development:** The town shall prefer commercial development that reflects the feel, ambience, and charm of a small rural community. Commercial developments should be located, designed, and scaled to complement rather than detract from residential development forms, and enhance existing commercial areas.

The proposed use is a specific use-type that has calculable and predictable traffic and use patterns. The use will use the entirety of the 37 acres, making the entire parcel limited to the described uses of the conditional zoning.

- 2) **Quality School Facilities:** The Town of Summerfield shall continue to work closely with Guilford County Schools and local public and private school leaders to support the construction, rehabilitation and maintenance of high quality schools serving the community. Schools should be located and designed to be accessible to the neighborhoods around them. Access to such schools by walking and biking should be encouraged, provided that safety and security issues are addressed. Rather than functioning as single purpose "factories to educate children", schools in Summerfield should serve as true community centers, providing meeting space for community gatherings, recreational events, and other functions. Mobile classrooms should be



avoided.

The proposed use of the parcel considers a Charter High School off of a main corridor through town. This makes the school easily accessible to the community. The proposed site is also near the Summerfield Athletic Park making it close in proximity to the park and could be made more accessible with future improvements.

The request appears to have consistency with the Town's Comprehensive Plan. The request meets the requirements of the Unified Development Ordinance. Town staff do not offer a recommendation to approve or deny the proposed Case RZ-02-2022.

E. Potential Courses of Action

Motions for zoning amendments must include a 2-part Statement of Consistency that addresses **Consistency with a Plan**, and **Public Interest**. *The following options could be used as guiding motions for this statement:*

APPROVAL: I move that Case RZ-02-2022 be approved with the conditions proposed by the applicant. The request is **consistent** with the town's adopted Comprehensive Plan because: (see below), and, **is reasonable** and in the public interest because: (see below).

DENIAL: I move that Case RZ-02-2022 be denied. The request is **not** consistent with the town's adopted Comprehensive Plan because: (see below), and, **is not** reasonable and in the public interest because: (see below).

Consistency with a plan:

- Appropriate, Limited Commercial Development
- Sidewalk, Bikeway, and Trail System
- Community Character Preservation
- Transportation Improvements
- Water Supply and Sewage Treatment Options
- Appropriate Housing and Residential Development
- Parks and Recreation Improvements
- Attractive Community Appearance
- Quality School Facilities
- Summerfield Road Focus Area
- Historic Preservation
- Summerfield as a Limited Services Local Government

Public interest:

- Maintains or promotes the public health, safety, and general welfare because (state reasons related to location, design, function, and operation).
- Complies with all regulations and standards of this ordinance and other applicable regulations (describe how).
- Does not substantially hurt adjoining or abutting property value because (state reasons related to location, design, function, and operation), and is a public necessity; and,
- Will be in harmony with the area in which it is to be located and with the general plans for the land use and development of the Town of Summerfield and its environs.



APPLICATION FOR CONDITIONAL ZONING



date submitted 4-19-2022 fee receipt number case number RZ-02-2022

APPLICANT INFORMATION

property owner(s) name(s) Summerfield Fire District, Inc. Chris Johnson - Fire Chief

contact phone (single point of contact) 336-643-4341

mailing address 7400 Summerfield Rd Summerfield, NC 27358

email (single point of contact) cjohnson@summerfieldfire.com

PROCESSING REQUIREMENTS

Provide the required information as indicated below. Pursuant to the Summerfield Unified Development Ordinance (UDO) currently in effect, this "Application for Conditional Zoning" will not be processed until the application fees have been paid, this form has been completed and signed, and all required maps, plans, and documents have been submitted to the UDO Zoning Administrator's satisfaction.

PROPERTY INFORMATION

Pursuant to the UDO, the undersigned hereby requests that Summerfield rezone the property described below from the RS 30 zoning district to the Office/ Institutional zoning district.

Said property is located in Summerfield Township, consists of 5+ total acres, and is further referenced by the Guilford County Tax Department as:

tax parcel number 147125 tax parcel number tax parcel number tax parcel number tax parcel number

(If needed, attach a single sheet specifying additional tax parcels.)

CONDITIONAL ZONING REQUIREMENTS

- Zoning Sketch Plan. A Sketch Plan illustrating proposed conditions and other pertinent information is required for all conditional zoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and Site Plan review. Zoning Conditions. Use and/or development conditions must be provided. Refer to uses as listed in Table 4.D.2(a) of the Summerfield UDO.

USE CONDITIONS

Uses of the property shall be limited to the following uses as listed in Table 4.D.2(a) of the Summerfield UDO:

- 1. Facilities for EMS and/or Fire support purposes



2. _____
3. _____
4. _____

DEVELOPMENT CONDITIONS

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the UDO:

1. _____
2. _____
3. _____
4. _____

The applicant or a representative must be present at the two public hearings – one at the Planning Board level and another at the Town Council level.

REQUIRED SIGNATURES

This Application for Conditional Zoning must be signed by the current property owner(s).

I hereby agree to conform to all applicable laws of the State of North Carolina, Guilford County, and the Town of Summerfield and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from the Town of Summerfield may enter the subject property for the purpose of investigation and analysis of this request.

owner #1 signature Chris [Signature] date 4/19/22

owner #2 signature (if applicable) _____ date _____

owner #3 signature (if applicable) _____ date _____

Town of Summerfield approval Bradley [Signature] date 5/3/2022





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ATTENTION SUMMERFIELD RESIDENTS
NOTICE OF INFORMATIONAL MEETING
AND PUBLIC HEARINGS

The Town of Summerfield has received an application to rezone property within its limits. The request is to:

rezone ± 5.61 acres located at 7400 Summerfield Rd. from the RS-30 Residential Single-family District (RS-30) to Conditional Zoning – Office/Institutional (CZ-OI) with the use condition that limits the use to “Facilities for EMS and/or Fire support purposes”; the property is located in the Town of Summerfield, Bruce Township, Guilford County parcel 147125.

Summerfield’s process to rezone property typically involves three meetings: a Public Information Meeting and Public Hearings at both the Planning Board and Council levels. The Planning Board makes a rezoning recommendation to Council and then Council makes the final rezoning decision. You may attend any or all meetings to convey your questions, comments, or concerns.

To learn more about the request in an informal setting, please attend the Informational Meeting scheduled for Tuesday, May 17, 6:00pm, at Summerfield Town Hall (4117 Oak Ridge Rd).

If you wish to speak in a formal setting to express whether you are in favor, against, or neutral about the request, please attend one or both Public Hearings:

- 1. Planning Board Public Hearing: Monday, May 23, 2022, 7:00pm. Summerfield Community Center (5404 Centerfield Road).**
- 2. Council Public Hearing: Tuesday, June 14, 2022, 6:30pm, Summerfield Community Center (5404 Centerfield Road).**

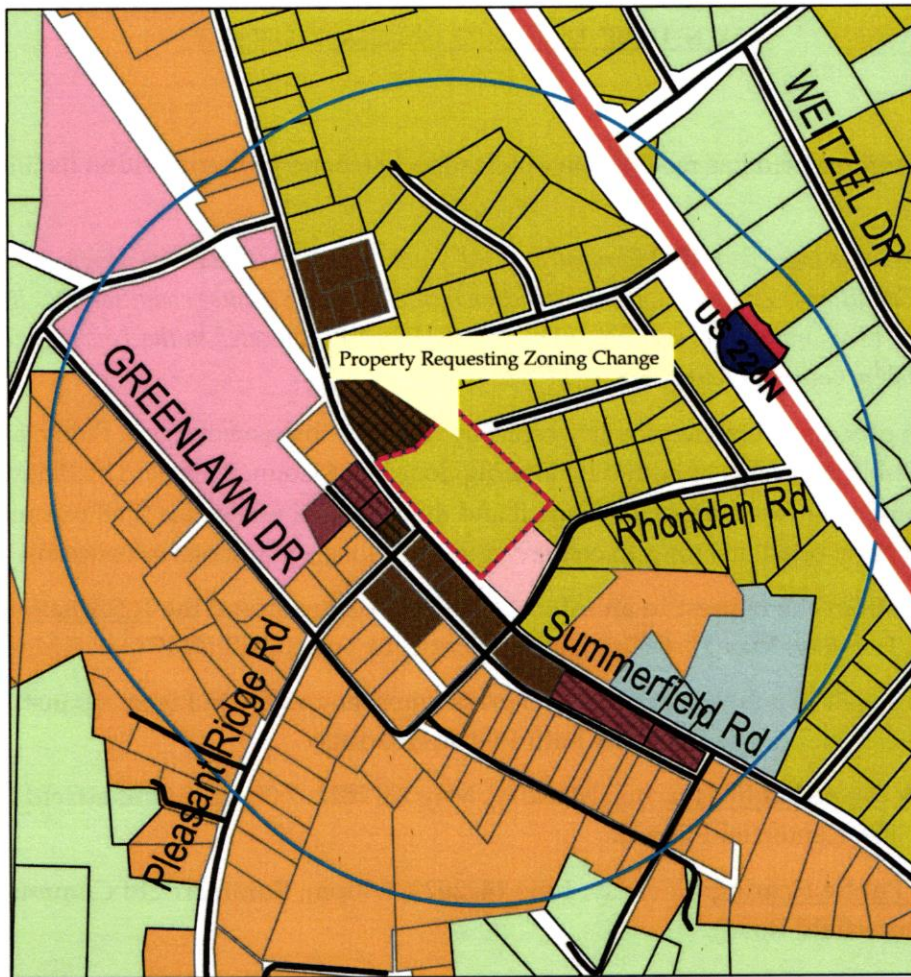
All property owners within one-quarter (0.25) mile of a property proposed for rezoning are receiving this notification. The Town relies on Guilford County tax records for addresses. Please share this information with those you feel might be interested in the rezoning request.

Please contact the Planning Department at Summerfield Town Hall (336-643-8655 or 336-643-8681) for additional information.



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Location Map - 7400 Summerfield Rd.



Legend

- Subject Parcel
- 0.25 Mile Mailing Buffer
- AG-Agricultural
- GB-General Business
- LB-Limited Business
- PI-Public and Institutional
- RS-Residential
- LI-Light Industrial
- LO-Limited Office
- RS-30-Residential



Produced by the Town of Summerfield Planning Department
using Guilford County GIS Data
Map updated 5/12/2022



May 31, 2022

Town of Summerfield
ATTN: Town Council
4117 Oak Ridge Road
Summerfield, NC 27358

Re: Rezoning Case# RZ-02-2022: Plan Consistency Statement

Council Members,

The Summerfield Planning Board heard Rezoning Case# RZ-02-2022 located at 7400 Summerfield Rd. on May 23, 2022. The applicant would like to rezone a single parcel from Single Family Residential (RS-30) to Conditional Zoning - Office and Institutional (CZ-OI).

The case was presented, and the public hearing was held at this meeting. The Planning Board discussed the case as reflected in the minutes. A motion was made to recommend approval of the rezoning. The motion and requisite Plan Consistency Statement were presented as follows:

Davis made a motion to recommend to Town Council that the request be approved, with the conditions proposed by the applicant. Davis noted the request was consistent with the Town's Comprehensive Plan focus areas of Appropriate, Limited Commercial Development, Summerfield Road Focus Area, Summerfield as a Limited Services Government, and Transportation Improvements. Davis said the request was in the public interest because it promotes the public health, safety, and general welfare. The motion was seconded by Rooney. In response to a request from Whitacre, the Board agreed with the suggestion that the Fire Department provide an easement for the A&Y Trail, however, the recommended approval was not contingent upon such an easement being granted. The motion was approved by unanimous vote.

Respectfully,

Richard Feulner
Summerfield Planning Board Chairman