



SUMMERFIELD TOWN COUNCIL

June 11, 2024
Summerfield Community Center (5404 Centerfield Rd.)

PACKET CONTENTS

(number at top of page)

RZ-05-2024: 7400 STRADER RD. & 1172 NC-150	
Staff Report	1
Rezoning App.....	5

COUNCIL MEMBERS

- Tim Sessoms, *Mayor*
- Lynne Williams DeVaney, *Mayor Pro-Tem*
- Heath Clay, *Council Member*
- John Doggett, *Council Member*
- Jonathan Hamilton, *Council Member*
- Janelle Robinson, *Council Member*



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358

ph: 336-643-8655 / www.summerfieldnc.gov

TO: Town Council

FROM: Brad Rentz, Planning Director, MPA, CZO

DATE: June 11, 2024

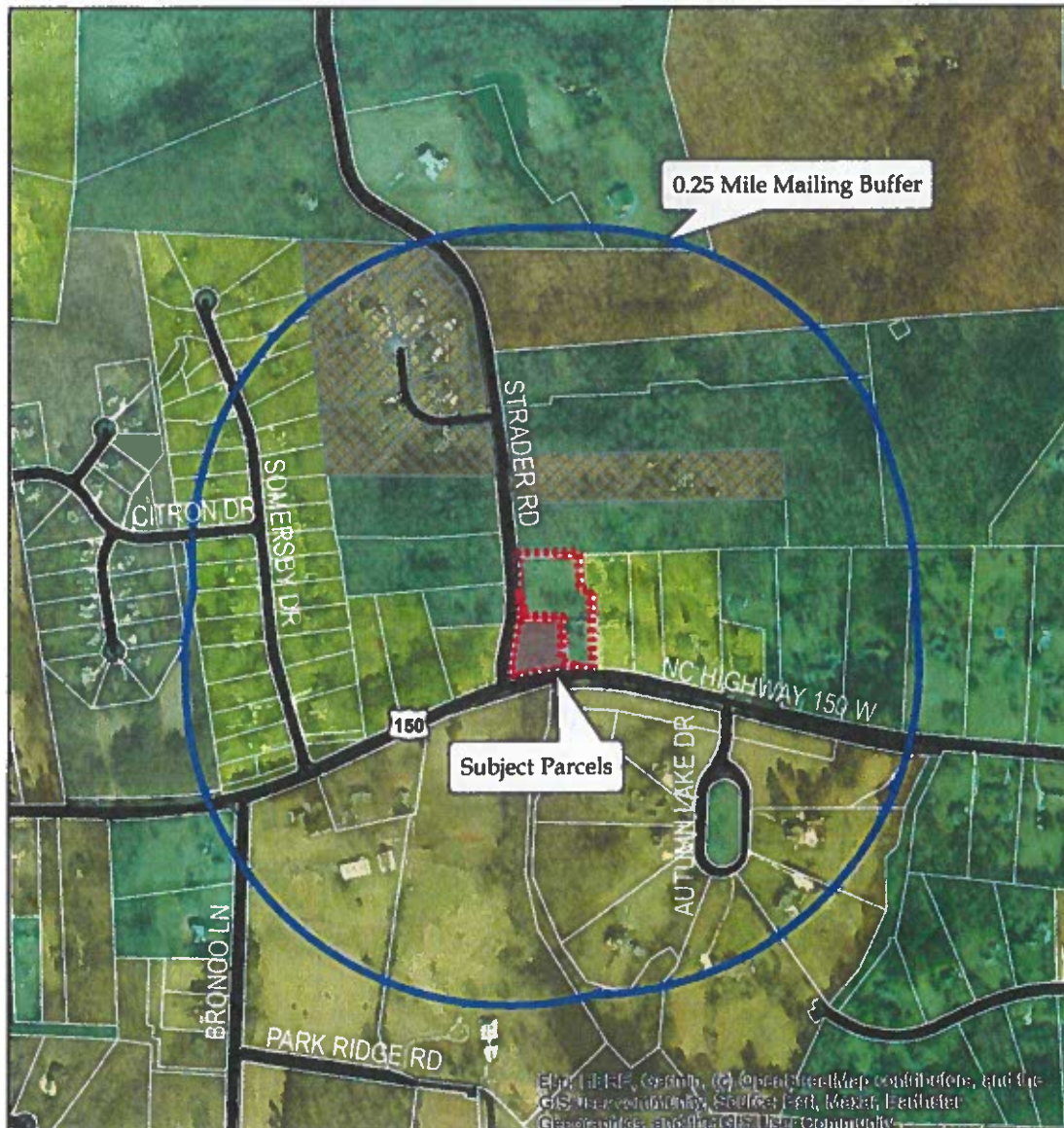
RE: **Case RZ-05-2024: Rezoning from the Agricultural District (AG), Residential District (RS-30) and Business District (BN), to the Residential District (RS).**

A. Town Council Actions

1. Hold public hearing.
2. Approve, deny, continue, or remand back the case to the Planning Board the request to rezone. A majority vote is needed to pass a motion for action.

B. Application and Background

Location: The parcels total ±3.20 acres and are located at 7400 Strader Rd & 1172 NC-150 W, having the parcel numbers 148010 & 148013





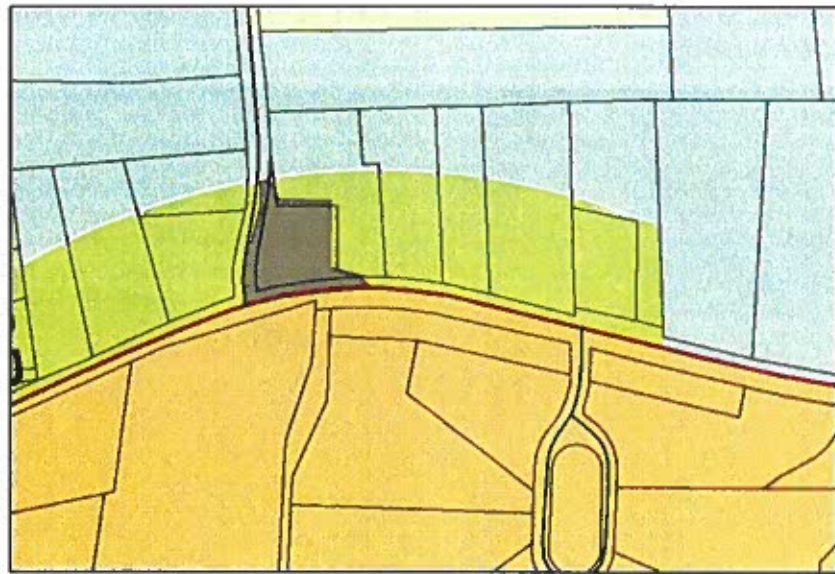
Surrounding Zoning and Land Use:

Direction	Zoning District	Land Use
North	AG	Single Family Residences
South	RS	Single Family Residences
East	RS-30	Single Family Residences
West	RS-30/AG	Single Family Residences

Applicants/Owners: Sterling Strader Road, LLC (Jessica and Pat Sterling)

Tract Size: ±3.20 acres (combined)

Applicant Request: Rezone one (1) parcel from the RS-30 district and AG district and one (1) parcel from the BN district Conditional Zoning Neighborhood Business district.



Above image displays "split zoning" present on the parcel.

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 **General Purpose Rezoning Application**, and the subject property is located within the NC-150 Scenic Corridor Area (SCA) Overlay.

The required informational meeting was held on May 15, 2024, for the applicant and interested citizens to meet and informally discuss the potential rezoning and development. Several residents attended the meeting and asked questions of the applicants. Residents in attendance expressed support for the proposed rezoning stating that it was more agreeable than the previously proposed commercial zoning.

The Planning Board held their public hearing on May 20, 2024. After the Public Hearing closed and



the case was discussed, the Planning Board voted unanimously to *recommend approval* of the rezoning request. The Board's Plan Consistency Statement as well as minutes from the meeting are in Council's packet.

Characteristics of the Proposed District: The Residential District is for accommodating single family detached residences on lots where environmental features, public service capacities, and/or soil characteristics necessitate low-density single-family development. It will be used for residential purposes, and lots shall be served by wells, community wells, individual septic systems, or community sewage treatment systems. Lots typically will be located within a minor or major subdivision. This district will include existing RS-40 Residential Single-Family District lots of record, with a minimum lot size requirement of 40,000 ft², and RS-30 Residential Single-Family District lots of record, with a minimum lot size requirement of 30,000 ft². The maximum overall gross density shall be 1.0 units per acre.

D. Compliance with Adopted Plans

- 1) Appropriate Housing and Residential Development:** Summerfield's appealing residential areas, exemplified by neighborhoods set among expanses of open space, woodlands, and pastures, shall continue to be a defining attribute of the community. To accommodate housing for younger families and senior citizens while promoting and protecting rural character, the inclusion in residential development of smaller single family detached homes shall be encouraged over twin and other multi-unit residential buildings. Walkable, bikeable neighborhoods will be favored. An open system of pedestrian and bicycle friendly streets should work together with a network of greenway trails to connect neighborhoods with each other and with the rest of the town.

This rezoning request would remove a commercial zoning that is surrounded by residential zonings absent of good transition zones. Although located along a highway and at an intersection, a small approximately one acre parcel is out of the ordinary to be zoned for commercial. NC-150 does have primarily residential uses, however there are pockets of commercial uses along NC-150 at larger intersections such as the Lake Brandt Rd intersection, Church St., and the Spencer Dixon intersections (last two examples are outside town limits but used as examples).

The Planning Department believes that Policy Areas 6.1 and 6.9 are addressed with this rezoning application.

E. Planning Department Recommendation

Given compliance with adopted plans and general support to see this property be residential, the Planning Department recommends that the Board **approve this rezoning request**. The Planning Department finds that the application is in congruence with the Comprehensive Plan given its *Appropriate Housing and Residential Development* and considerable conditions to mitigate negative effects from commercial development to neighboring residences.



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F. Potential Courses of Action

Motions for zoning amendments must include a recommendation to the Town Council to approve or deny the proposal, with a 2-part Statement of Consistency that addresses **Consistency with a Plan, and Public Interest**. The Planning Board may also continue the hearing to another meeting. The following options could be used as guiding motions for this statement:

APPROVAL: I move that Case RZ-05-2024 be recommended to Council for *approval* as proposed by the applicant. The request is **consistent** with the town's adopted Comprehensive Plan because: (see "A" below), and, is **reasonable** and in the public interest because: (see "B" below).

DENIAL: I move that Case RZ-05-2024 be recommended to Council for *denial*. The request is **not** consistent with the town's adopted Comprehensive Plan because: (see "A" below), and, is **not** reasonable and in the public interest because: (see "B" below).

A. 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

B. 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 REZONING



date submitted 4/15/2024 fee receipt number _____ case number RZ-05-2024

APPLICANT INFORMATION

property owner(s) name(s) Sterling Strader Road, LLC
(Jessica and Pat Sterling)

contact phone (single point of contact) Jessica Sterling

mailing address 7422 Strader Road, Summerfield NC 27358

email (single point of contact) Sterling.Straderllc@gmail.com

PROCESSING REQUIREMENTS

Provide the required information as indicated below. Pursuant to the Summerfield Unified Development Ordinance (UDO) currently in effect, this "Application for General Purpose Rezoning" 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 Business/Agricultural zoning district to the Residential zoning district. Said property is located in Bruce Township, consists of 3.2 total acres, and is further referenced by the Guilford County Tax Department as:

tax parcel number 148010 tax parcel number _____
tax parcel number 148013 tax parcel number _____
tax parcel number _____ tax parcel number _____

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

APPLICATION MATERIALS CHECKLIST:

- A completed and signed application form;
- Application fee;
- A Development Plan for residential rezonings;
- Legal description of the property;
- Environmental Inventory (check with Planning Department for specific requirements).

N/A
N/A

CHECK ONE:

- Property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
- Property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and a map are attached.



APPLICATION FOR REZONING



CHECK ONE:

- The applicant is the property owner(s).
- The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
- The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease is attached (financial figures may be deleted).
- The applicant has no connection to the property owner and is requesting a third-party rezoning.

REQUIRED SIGNATURES

This Application for General Purpose Rezoning 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 [Signature] date 4-15-24

owner #2 signature (if applicable) _____ date _____

owner #3 signature (if applicable) _____ date _____

Town of Summerfield approval [Signature] date 4/17/2024

ADDITIONAL TAX MAP REFERENCES:

Further referenced on the Guilford County Tax Maps as:

tax parcel number _____ tax parcel number _____

tax parcel number _____ tax parcel number _____

tax parcel number _____ tax parcel number _____



APPLICATION FOR REZONING



ADDITIONAL REZONING QUESTIONS:

1. Type of use and improvement proposed: Residential

2. Do substantial reasons exist which prevent the subject property from being used in accord with the current Zoning classification? Yes, the current zoning is inconsistent with the Comprehensive Plan and UDO as one parcel is zoned Business in a residential area. Recent attempts to develop this business and agriculture property were opposed by citizens and the Town Council.

3. State the way in which the proposed change will be appropriate and desirable to the Town of Summerfield and what effect the proposed change will have upon the immediate neighborhood. Maintain a consistent Residential corridor along NC Highway 150. Maintain and substantiate home values and quality of life.

4. What changing conditions make the passage of this proposed amendment necessary? Recent efforts by business developers at this property emphasize the need to rezone these parcels to maintain a consistent residential corridor, which is desired by the community.

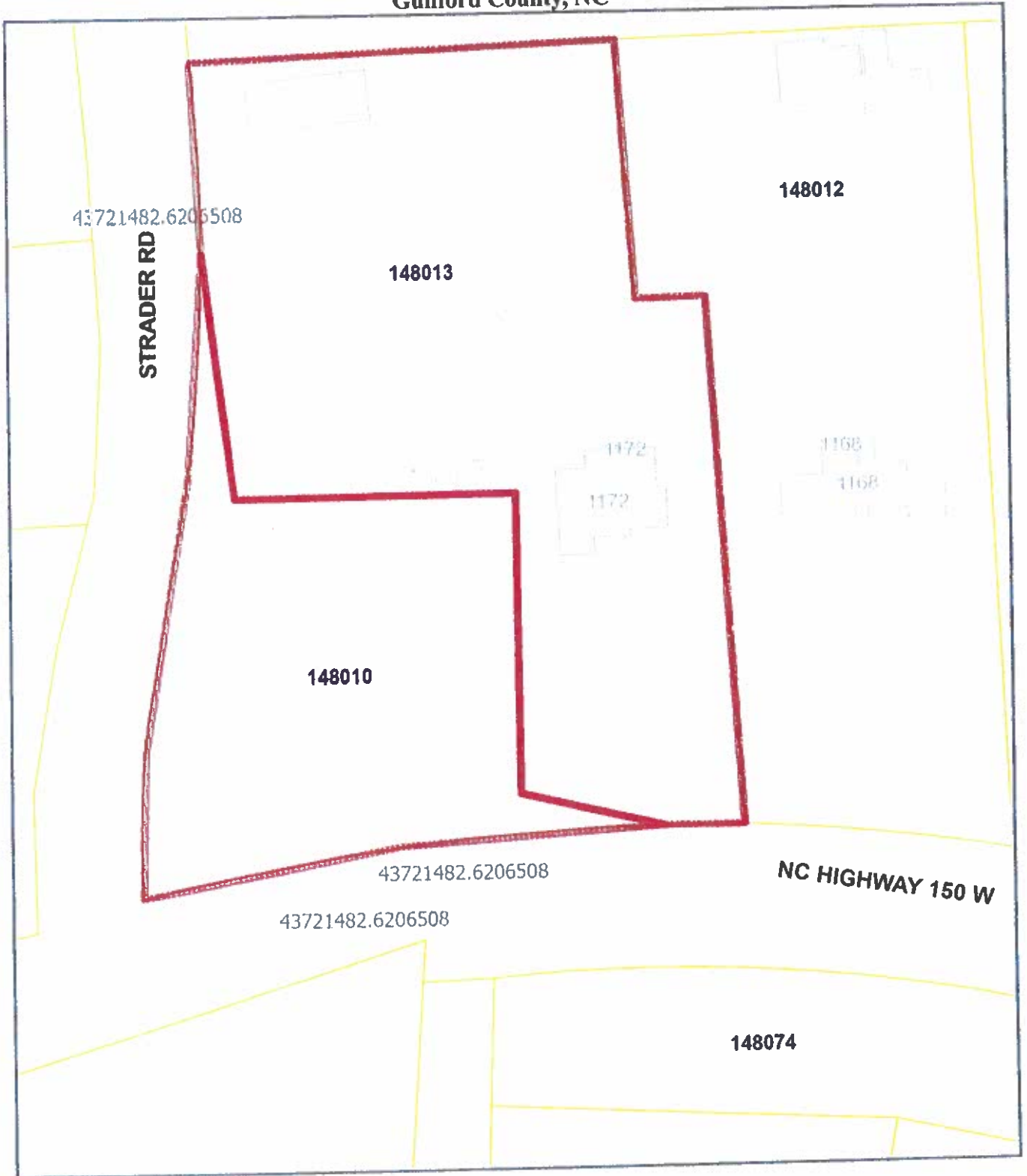
5. Are there circumstances that justify the proposed change? If so, state them. Avoid development of a business corner. This property was purchased from business developers in order to create residences here, consistent with the surrounding property use.

6. How does the proposed zoning change affirm the policy(ies) of the Town of Summerfield Comprehensive Plan? The proposed zoning is consistent with the Comprehensive Plan since it is not appropriate to have business development at this location. These parcels should be Residential to maintain Community Character and have appropriate housing and residential development in harmony with the surrounding neighborhood.

Exhibit A – Legal Description for 1172 NC Hwy 150 W

BEGINNING at iron pipe, corner with Melvin C. Mason, near the Northern margin of N. C. Highway #150, and running thence with Mason's line, North 3 deg. 6 min. East 173.23 feet to an iron pin, corner with Mason; thence North 86 deg. 56 min. West 163.53 feet to a stone, corner with Mason; thence North 4 deg. 18 min. 10 sec. West 255.58 feet to an iron pin in Strader Road; thence along the line of Clyde D. Robinson, Jr. and wife, Pauline B. Robinson as shown in Plat Book 70, Page 26, Guilford County Public Registry, South 88 deg. 55 min. East 255.97 feet to an iron pin; thence along the line of Clyde D. Robinson, Jr., South 0 deg. 36 min. 10 sec. East 150.57 feet to an iron pin; thence South 88 deg. 37 min. 50 sec. East 40 feet to an iron pin; thence South 0 deg. 22 min. 20 sec. East 317.98 feet to a point in N. C. Highway 150; thence North 73 deg. 22 min. 40 sec. West 131.97 feet to the point and place of **BEGINNING**, the same containing 2.10 acres, more or less, as shown on the survey by Callicutt Surveyors dated January 18, 1990, entitled Job #90-22, and being the same property described in a deed to Jerry Lee Loggins recorded in Book 3707, at Page 706, Guilford County Registry.

Guilford County, NC



Logo

Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Map Scale
1 inch = 83 feet
4/17/2024



June 13, 2024

Town of Summerfield

ATT: Town Council

4117 Oak Ridge Road

Summerfield, NC 27358

Re: Rezoning Case# RZ-05-2024: Plan Consistency Statement

The Summerfield Planning Board heard Rezoning Case# RZ-05-2024 consisting of two parcels located at 7400 Strader Road & 1172 NC-150 W, having the parcel numbers 148010 & 148013 on May 20, 2024. The applicant would like to rezone the entire +3.20 acres from the Business & Agricultural (BN&AG) to the Residential District (RS).

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 request by a vote of 5-0. The motion and requisite Plan Consistency Statement were presented as follows:

Rooney motioned to recommend approval of case RZ-05-2024 to Council for approval as proposed by the applicant stating that it was consistent with the town's adopted comprehensive plan due to appropriate limited commercial development, is in the public interest and is harmony with the surrounding community. The motion was seconded by Whitacre and carried unanimously.

Respectfully,

Richard L. Feulner

Summerfield Planning Board Chairman

Robert F. Johnson