



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: Town Planner
DATE: August 13, 2019
RE: Case RZ-02-19: Rezoning from RS-40 (Residential), and AG (Agricultural) to CU-GB (Conditional Use - General Business).

A. Actions Requested by Town Council

1. Hold Public Hearing
2. Approve, deny, or defer request to change zoning. A majority vote is needed to recommend approval (or denial) of the requested action.

B. Application and Background

Location: The three parcels are bounded on the north, east, and west by a single parcel currently zoned CU-GB, and on the south by Oak Ridge Road (*map attached*). The parcels are in Bruce Township.

Surrounding Zoning and Land Use:

Direction	Zoning	Land Use
North	CU-GB	Vacant
South	LO/CU-RS-40/RS-40	Commercial/Residential
East	CU-GB	Vacant
West	CU-GB	Vacant

Applicants/Owners: Parcel 149642: Summerfield Oak Ridge, LLC; 3683 Oak Ridge Road; 1.42 acres;
 Parcel 149688: Summerfield Oak Ridge, LLC; 3685 Oak Ridge Road; 1.95 acres;
 Parcel 149624: Summerfield Oak Ridge, LLC; 3687 Oak Ridge Road; 3.34 acres.

Tract Size: 6.71 acres

Zoning Board Action: The Zoning Board voted unanimously to recommend **approval** of this zone change application.

Applicant Request: To change zoning of three parcels from RS-40 (Residential Single-Family District), and AG (Agricultural), to CU- GB (Conditional Use General Business District). The Summerfield Development Ordinance lists all allowable uses within General Business District zones in Table 4-3-1 **Permitted Use Schedule** of Article IV - Zoning; the following uses are excluded:

Junked motor vehicles	Landfills of any kind
Shelter for the homeless	Fraternity or sorority (university or college related)
Psychiatric hospital	Taxi terminal
Bus Terminal	Warehouse, general storage, enclosed
Cemetery or mausoleum	Truck & utility trailer rental & leasing, light



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Country club with golf course	Boat sales
Theater, adult	Bookstore, adult
Massage parlor, adult	Motor vehicle sales
Equipment repair, light	Boat repair
Live entertainment business, adult	Electronic gaming establishments & internet sweepstakes
Ice manufacturing	Fortune tellers and astrologers

The applicant submitted the following development conditions in addition to those specified in the Summerfield Development Ordinance:

- 1) All parcels under this rezoning (approximately 6.71 acres) shall be combined with earlier zoning (approximately 79.28 acres) to allow a comprehensive review of all improvements and requirements of the ordinance and other regulations. This will include the design of proposed water source and wastewater treatment and stormwater provisions for the entire combined site.
- 2) A comprehensive master plan will be prepared and submitted for approval for the entire site (approximately 86 acres) using the site plans requirement for required submittals.
- 3) The construction of the development may be phased, provided adequate utilities, parking, landscaping and access is constructed with each phase. Revisions to the master plan may be approved by the Town of Summerfield, if such should become necessary or desirable.
- 4) Development of these parcels requires a Traffic Impact Study (TIS). A Traffic Impact Analysis (TIA) will be submitted, if required, with the master plan to identify appropriate access points and necessary improvements or traffic controls to minimize impacts to the community.
- 5) A master sign plan and a master lighting plan will be prepared and submitted with the comprehensive master plan for approval.
- 6) The front setback from existing road(s) will be increased from fifteen feet (15') to thirty feet (30') to allow for planting and preservation of shade trees, provided no additional right-of-way dedication is required.
- 7) Tree preservation will be addressed as a part of the master plan. The developer agrees that tree removal will not occur until after submittal and approval of a comprehensive master site plan and a tree conservation plan. The tree conservation plan will include an inventory of the types of trees, the approximate age of the trees, the number and location of the trees and an assessment of the physical condition of the trees. The owner and developer agree to make every effort to include significant existing tree stands or any extraordinary individual tree into their development plans.