



meeting date: December 13, 2022

attachment(s): yes

Dog park fencing

STAFF COMMENTS AND/OR RECOMMENDATION:

The town budgeted \$100K for FY22-23 to develop a new dog park at SCP, and one of the larger components is the actual fencing. The Purchasing Ordinance requires an informal bidding process for work that exceeds \$29,999 and states that *“Requests are made to several sources who can supply the goods or services. The Manager or his/her designee shall review all responses to determine the bid deemed in the best interest of the Town.”*

Appropriate fencing for off-leash dog parks requires research and unique considerations (height, gate locations, avoidance of tight corners that allow “bully” dogs to corner others, etc.). The TOS Committee assisted with defining specs and acquiring fencing quotes from 3 vendors (Quote Summary attached). The Manager and P&R Director met on site with the low bidder to discuss the project in detail.

The lowest responsible bidder was Seegars Fence Company at \$32,858. This company has been in business 71 years, is based in Greensboro, and the rep overseeing the work lives near the park. The town’s Purchasing Ordinance requires Council approval of the vendor and amount based on the Manager’s recommendation. Approval of the consent agenda is approval to use Seegars Fence Company at a price of \$32,858 to construct all fencing as specified within bid # GRGR10612 dated 11/10/22.

NOTES:

COUNCIL ACTION AND/OR DIRECTION:



QUOTE SUMMARY



POB 970, 4117 Oak Ridge Rd., Summerfield, NC 27358 ph: 336-643-8655 fax: 336-643-8654

PROJECT NAME Fencing for Dog Park

description of goods or service furnish and install 1,347 linear feet of 5' height black vinyl coated chain link fence; chain link fabric to be 11 gauge core 8 gauge finish; gate post to be 2 1/2" x ss22 weight; terminals and corners to be 2 1/2" x ss22 weight; lines to be 2" x ss20 weight; fence to have 1 5/8" x ss20 weight top rail; fence to have 9 gauge bottom tension wire; includes 3-5' wide walk gates with 1 5/8" frame; includes 3-10' wide double drive gates with 1 5/8" frame.

budget acct name or # 6011415 - SCP Grounds Improvement (budgeted \$100K)

requestor Scott Whitaker/Trails & Open Space Committee

date quotes completed 11/23/2022

- 1) *vendor name* Seegars Fence Company *amount of quote* \$32,858
- 2) *vendor name* Holman Fence LLC *amount of quote* \$39,973
- 3) *vendor name* Atlas Fence Company *amount of quote* \$42,800
- 4) *vendor name* _____ *amount of quote* \$ _____

*** *selected vendor* Seegars Fence Company *selected price* \$ 32,858 ***

Waiver of 3-quote requirement and justification (if applicable) N/A

Town Mgr. waiver of (if applicable) _____ *date* _____

Town Manager approval _____ *date* _____



Celebrating over 71 Years!



8220 Triad Drive
Greensboro, NC 27409
Phone: 336-370-9797
Fax: 336-370-9781

CHAIN LINK • WOOD • ORNAMENTAL • PVC • ACCESS CONTROL • CUSTOM FABRICATION

Proposal Submitted To:	Date	Bid # GRGR10612
Town Of, Summerfield	11/10/2022	
Attn: Summerfield Town Of	Job Name	
swhitaker@summerfieldnc.gov	Dog Park	
Street :	Job Location	
4117 Oak Ridge Road	4117 Oak Ridge Road, Summerfield, NC	
City, State, and Zip Code	Fax Number	Job Phone
Summerfield, NC 27358	--	336-643-8655

We hereby propose the following work:

Page 1 Of 2

SCOPE: Furnish and install approximately (1347) linear feet of 5' high Black Vinyl Coated Chain link fence.
 Chain link fabric to be 11 gauge core 8 gauge finish.
 Gate post to be 2 1/2" x ss20 weight.
 Terminals and corners to be 2 1/2" x ss20 weight.
 Lines to be 2" x ss20 weight.
 Fence to have 1 5/8" x ss20 weight top rail.
 Fence to have 9 gauge bottom tension wire
 Includes (3) 5' wide walk gates with 1 5/8" frame.
 Includes (3) 10' wide double drive gates with 1 5/8" frame.

Total Price - \$32,858.00

Please Note: Quote assumes area for fence installation will be clear of debris and vegetation.
 Quote assumes area for fence to be marked prior to Seegars arrival by others.
 Quote assumes no jack hammering, core drilling or removal of rock.
 No other work included unless specifically stated above.
 All post to be set in concrete footers.

Initial:

Continued on Page 2

Thank you for considering Seegars Fence Company for your fencing needs. We appreciate this opportunity. In order to expedite this project, we would like to make you aware of a few very important details:

1. Underground Wires and Public Utilities:

Seegars Fence Company will call underground locators for you marking all public utilities. It is the customer's responsibility to locate private utilities prior to our arrival. "Private" undergrounds include, but are not limited to, cables running to pools, satellite disks, storage buildings, sprinkler systems, wells, septic tanks, propane tanks and gas lines, etc. Hopefully, this will keep our crews safe and prevent needless repair bills for you.

2. Property Lines:

It is very important to have your property lines clearly marked. Our experience has taught us that it is not wise for you to guess about your property lines. If you have ANY doubt, we suggest that you employ a surveyor. It is normal practice for Seegars Fence Company to install your fence anywhere between 6 to 8 inches inside of your property line to avoid property disputes. If you the customer would like fence installed any closer than that it will be the responsibility of the property owner to show us where you would like the fence installed. **Note: If any fence has to be re-located due to property line disputes it will be the responsibility of the property owner to pay to have the fence re-located.** Your approval for fence location will be required.

3. Clearing Fence Lines:

Fence lines should be clear of all obstructions and debris prior to our arrival unless you have discussed removal with your Estimator/Project Manager. Extra charges may apply if we are required to clean your fence lines in order to install your fence.

4. Rock or Buried Obstacles:

Unless discussed with you by your Estimator/ Project Manager, your fence price does not include drilling/digging through rock or any other material that may require heavy equipment. When such obstacles are encountered, it may be necessary to adjust your fence layout or post spacing.

5. Restrictions and Permits:

Some areas we service have special restrictions related to fencing and also require permits in order to install a fence. In most cases these restrictions and permits are required within a city's planning and zoning area. For instance, most cities limit the height of your fence to four feet tall in your front yard and six feet elsewhere. It is your responsibility to contact your zoning officer to see if you must obtain a permit or if any special restrictions may apply. If you live in a subdivision it is your responsibility to learn of any covenants.

6. Construction:

Fences are usually graded to the overall contour of the job site. Sharp hills or dips may result in the fence being on the ground, in the ground, and sometimes above the ground. Gates in sloping areas may cause some opening under them. Please discuss ANY possible concerns with your Estimator/ Project Manager in advance.

7. Wood Fencing:

Any treated wood is subject to some degree of warpage, splitting, and cracking following installation. Inasmuch as we have no control over the above, the extent of our warranty concerning warpage, splitting, and cracking is to provide replacement boards or posts to you the customer. Our warranty does not include providing labor to replace such except those identified within 10 days following our final day of installation.

In submitting this proposal, it is assumed that there is no underlying ROCK or concrete on the property which will necessitate drilling or blasting, or any other unusual conditions involving extra labor in the erection of this fence and that the fence right of way will be marked by the owner or general contractor and will be clear, graded, and ready to receive the fence. If any of the above conditions are encountered, or any additions or changes are made by the customer, additional charges will be made at current market prices. It shall be the responsibility of the owner to advise workers of the location of any underground cables, lines, etc. If such are not marked properly, the owner assumes responsibility for them. Should an account not be paid as agreed, any cost of collection including interest and attorney's fees, etc. shall be paid by the customer.

Payment to be made as follows: There will be a 3% convenience fee applied to all payments received via credit card.
No Deposit / Balance Due Upon Completion

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to industry practices. Any alteration or deviation from above specifications involving extra costs, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation and General Liability Insurance.

Acceptance of Proposal-By signing this proposal, you will be entering into a contract with Seegars Fence Company of Greensboro, Inc.. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. If proposal is submitted to a tenant of rental property, then the tenant represents that they are the authorized agent for the owner for the purposes of the contracted improvements to real property and is duly authorized to sign this contract. To Accept this proposal, please provide your initials at the bottom of Page 1 and sign/date

Proposed By: Zachary Smith

Customer Acceptance: _____

Date: _____

Note: This proposal may be withdrawn if not accepted within 10 days

E-589CI

Affidavit of Capital Improvement

Form E-589CI, Affidavit of Capital Improvement, is generally required to substantiate that a contract, or a portion of work to be performed to fulfill a contract, is to be taxed for sales and use tax purposes as a real property contract with respect to a capital improvement to real property.

- This affidavit may not be used to purchase building materials, other tangible personal property, or digital property to fulfill a real property contract exempt from sales and use tax.
- A person who willfully attempts, or a person who aids or abets a person to attempt in any manner, to evade or defeat a tax imposed by the Sales and Use Tax Laws, or the payment thereof, shall be guilty of a Class H felony. If there is a deficiency or delinquency in payment of any tax due to fraud with intent to evade the tax, there shall be assessed a penalty equal to 50% of the total deficiency.

Section I. Single Use (Complete this section to issue the affidavit for a single capital improvement.)

Owner, Tenant, or Real Property Contractor

A Town Of, Summerfield

Address

4117 Oak Ridge Road

City

Summerfield

ST

NC

ZIP

27358

Real Property Contractor (General Contractor or Subcontractor)

B Seegars Fence Company of Greensboro, Inc.

Address

8220 Triad Drive

City

Greensboro

ST

NC

ZIP

27409

Describe capital improvement to be performed:

New Fence Installation

Project Name

Dog Park

Project Address

4117 Oak Ridge Road, Summerfield, NC

City

Summerfield

ST

NC

ZIP

27358

I certify that, to the best of my knowledge, this affidavit is accurate and complete and that the transaction described to be performed by the Real Property Contractor (General Contractor or Subcontractor identified in box "B") shall be treated as a real property contract with respect to a capital improvement to real property for sales and use tax purposes.

Signature of Authorized Person:

Title:

Date:

Section II. Blanket Use (Complete this section execute a blanket affidavit.)

Real Property Contractor

C

Address

City

ST

ZIP

Real Property Contractor or Subcontractor

D

Address

City

ST

ZIP

To be completed by the Real Property Contractor identified in Box C.

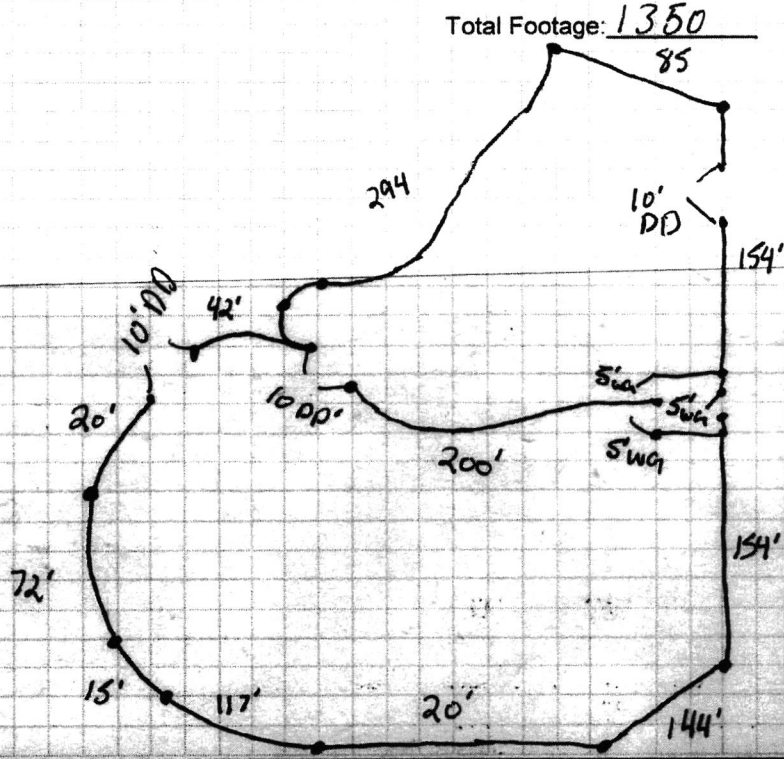
I certify that I am a Real Property Contractor who performs capital improvements to real property and all transactions with the real property contractor (subcontractor) identified in box "D" shall be treated as real property contracts with respect to capital improvements for real property for sales and use tax purposes.

Signature of Authorized Person:

Title:

Date:

JOB: Summersfield dog park DATE: _____ PHONE: 336-814-5633 FAX: _____
 CONTACT: Paul Lambrecht LOCATION: _____



Fabric: _____
 Rail: Top
 Bottom
 TW: Top
 Bottom
 BW: _____
 LP: _____
 TP: _____
 GP: _____
 Braced & Trussed: YES NO
 Gate Frame: _____
Tools Required
 Jack Hammer Air Compressor
 _____ _____
 Skid Steer - Attachments:
 Core Drill w/ Tank Bit Size: _____
 LP X Crowned y / n
 TP X Crowned y / n
 GP X Crowned y / n

x	ga	oz			Rail Ends - al, mall, p.s.
	toprail		wt.		Hog Rings - alum, steel
	sleeves				Ties - SHORT alum, steel
BW	strands				Ties - LONG alum, steel
	ga ten wire		top _____ bot _____		
x		LP		wt	
x		BWA / Loops			
x		TP		wt	
x		GP		wt	
x		GP		wt	
	Domes / Corner BWA				
	Domes				
	Ten Bars				
	Ten Bands w/ bolt				
	Ten Bands w/ bolt				
	Ten Bands w/ bolt				
x		braces		wt	
	Trussrod & Tightner				
	Brace Bands w/ bolt				
	Brace Bands w/ bolt				
	Brace Bands w/ bolt				

Holman Fence LLC

P.O. Box 1296

Kernersville NC 27285-1296

Office 336-650-9613 Mobile 336-337-9828

www.HolmanFence.com

Attention: Scott

Date: 11/9/22

Proposal To:

Name Town of Summerfield
Street
City Summerfield NC 27358

Ship To:

Name Summerfield Dog Park Fencing
Street
City Summerfield NC 27358

Cell 336-643-8655 Work 336-814-5633 Paul **Office Use BR PC SM GY L S W**

Specifications:

Residential / Commercial	Commercial	Galvanized / Vinyl	Black Vinyl
Terminals / Weight	2 1/2" X PP 20	Height	5'
Line Posts / Weight	2" X PP 20	Spacing	10' O.C.
Top Rail / Weight	1 5/8" X PP 20	Bottom Wire	YES
Gate Posts	2 1/2" X PP 20	Gate Framework	1 5/8" PP 20

Furnish and install approx. 1347' Lf of 5' Black Vinyl coated chain link fence with a bottom tension wire. The fence will also include 4 - 5' walk gates and 3 - 10' double drive gates. All of the posts will be set in soil with concrete. The gates will have commercial grade gate hardware for longevity.

NOTE: Installed fence remains property of Holman Fence until full payment is received. Holman Fence will not be responsible for any damage to private underground utilities (sewer/drain lines, gas lines, irrigation lines, etc.).

Payment Terms Net 15 **Grand Total** \$39,973.00

Acceptance: After receipt of signed copy from buyer, this proposal becomes a contract between the two parties. Holman Fence reserves the right to reevaluate this proposal after 15 days.

Buyers Signature

Date _____

Submitted By

Holman Fence LLC

Randall Holman



Atlas Fence Company



847 S. Elm St. Greensboro, NC 27406
 PH: 336-273-2863 Fax: 336-275-8546
www.atlasfencegreensboro.com
 Email: atlasfenceinfo@gmail.com

Town of Summerfield

Date: 11/14/22

4117 Oak Ridge Rd.

TO:

Summerfield, NC 27358

paul.lamrecht@volvo.com

nyckings2nc@gmail.com

Job Site: New Dog Park

(336)814-5633

(212)388-1751

Atlas Fence Company, hereinafter called Company, and the above named hereinafter referred to as Customer, do hereby enter into this contract in accordance with the terms and stipulations as follows: The customer agrees to clear all property lines for construction of fence and properly mark with stakes or otherwise, unless so stipulated in writing on this agreement.

To furnish and install 1347 lft of 5' height Atlas Black Chain Link Fence including four- 5' wide Walk gates and three- 10' wide Double Drive gates.

Fence to be constructed of the following materials:

- Chain link fabric to be 8 gauge finish 2" mesh
- Top rail and gate frames to be 1 5/8" O.D. (PP20)
- Line posts to be 2" O.D. (PP20)
- Terminal posts (end, corner, and gate) to be 2 1/2" O.D. (PP20)
- Bottom tension wire to be 9 gauge smooth
- All posts to be set in concrete on maximum of 10' centers
- Fence is to follow the grade of the ground

Fence line will need to be cleared by others prior to install

Company to be responsible for contacting public underground utility locators. Customer to be responsible for private underground utilities such as gas grills, sprinklers and customer installed lighting or water lines that are not public utilities.

Atlas guarantees all materials and workmanship against defects for a period of 1 year from date of installation.

Due to manufacturer demands at this time quote is valid for 10 days	TOTAL	\$ 42800.00
TERMS: 50% Deposit Required. Balance due upon completion and receipt of invoice.	N.C. TAX	\$ 0.00
	TOTAL CASH PRICE	\$ 42800.00
	DOWN PAYMENT	\$ 21400.00
	BALANCE	\$ 21400.00

3% additional charge on payments made by debit/credit card.

I, (We) the Customer, promise to pay the Company the balance as shown above. A finance charge is added to accounts 10 days or more past due computed at a periodic rate of 1.5% per month or any portion thereof, which is an annual percentage rate 18%.

The Customer agrees to pay court cost and reasonable attorney's fee in the event settlement of this account involves legal action. This order constitutes the entire agreement between Customer and Company and the Company assumes no responsibility for any oral agreements between Estimator and Customer.

Atlas Fence Company hereby retains ownership in all fence materials used in this installation until payment is received in full.

NOTE: Should property line designation run through an area where underground utilities are in place, the fence line will have to be adjusted to accommodate the restrictions regarding digging near underground utility cables or lines.

Accepted:

Estimator: Steve Rose

PLEASE REVIEW FOR ACCURACY, SIGN AND RETURN ORIGINAL COPY



meeting date: December 13, 2022

attachment(s): yes

Public hearing/action re: rezoning case RZ-04-2022

(requested change: AG to RS; location: 6317 US-158; parcel: 147438)

STAFF COMMENTS AND/OR RECOMMENDATION:

See attached staff report for full details. It contains the application and background, narrative about compliance with adopted plans, notice letter mailed to neighboring property owners, and other relevant information. Rezoning recommendations must be made based on:

- the current Development Ordinance;
- the current Comprehensive Plan (per NCGS 160D-604(d) 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: Brad Rentz, Planner/Enforcement, MPA, CZO

DATE: December 1, 2022

RE: Case RZ-04-22: Rezoning from Agricultural (AG) to the Residential District (RS).

A. Planning Board Actions

1. Hold public hearing.
2. Recommend approval, denial, or deferral of request to rezone. A majority vote is needed to recommend approval (or denial) of the requested action.

B. Application and Background

Location: The subject parcel is located at 6317 US-158 having the parcel number 147438, located in Bruce Township, Guilford County, North Carolina.

Surrounding Zoning and Land Use:

Direction	Zoning District	Land Use
North	HB	Automobile Sales (Brookbank Auto Exchange)
South	AG	Single Family Residential
East	AG	Single Family Residential
West	AG	Single Family Residential

Applicants/Owners: Erin and Corey Petty

Tract Size: ±3.75 acres (of ±43.9 acre parent tract)

Applicant Request: Rezone a portion of the ±43.9 acre Agricultural (AG) parcel to have ±3.75 acres zoned as Residential (RS).

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 not located in a Watershed Critical tier nor within a Scenic Corridor.

The required informational meeting was held on November 15, 2022, for the applicant and interested citizens to meet and informally discuss the proposed rezoning. Neighbors and attendees of the informational meeting expressed support for the rezoning as it is consistent with existing uses (single family residences) in the area.

The Planning Board held a Public Hearing on November 28, 2022, the draft minutes are available in the Council's packet. The Board recommend Council *approve* the rezoning request citing consistency



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with the Comprehensive Plan through *“appropriate sidewalk, bikeway, and trail system, community character preservation, transportation improvements, water supply and sewage treatment options, and appropriate housing and residential development, and is reasonable and within the public interest because it maintains or promotes public health, safety and general welfare, complies with all regulations and standards of the ordinance and other applicable regulations, it does not substantially hurt adjoining or abutting property value, and will be in harmony with the area in which it is located.”* The motion passed unanimously.

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.

D. Compliance with Adopted Plans

Compatibility with Comprehensive Plan: The following is a general assessment of the proposed conditional use district 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 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.

The proposed rezoning from AG to RS allows for smaller lot sizes for potential development. Allowing development on smaller lots for this parcel will allow for preservation of the existing pasture visible from US-158. The RS district also allows for residential development consistent with neighboring properties.

The request appears to have overall 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 Case RZ-04-22.



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 ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

E. Potential Courses of Action

Motions for zoning amendments must 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-04-22** be approved. The request is **consistent with the town's adopted Comprehensive Plan** because: A. (see below), and, is **reasonable and in the public interest** because: B. (see below).

DENIAL: I move that Case **RZ-04-22** be denied. The request is **not consistent with the town's adopted comprehensive plan** because: A. (see below), and, is **not reasonable and in the public interest** because: B. (see 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.



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

November 29, 2022

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

Re: Rezoning Case# RZ-04-2022: Plan Consistency Statement

Council Members,

The Summerfield Planning Board heard Rezoning Case# RZ-04-2022 located at 6317 US-158 on November 28, 2022. The applicant would like to ±3.75 acres of a ±43.9 acre parcel from the Agricultural (AG) to the Residential (RS) district.

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:

Babcock motioned to approve the request due to consistency with the towns adopted comprehensive plan because of appropriate sidewalk, bikeway, and trail system, community character preservation, transportation improvements, water supply and sewage treatment options, and appropriate housing and residential development, and is reasonable and in the public interest because it maintains or promotes the public health, safety, in general welfare, complies with all regulations and standards of the ordinance and other applicable regulations, it does not substantially hurt adjoining or abutting property value, and will be in harmony with the area in which it is located, with the general plans for the land use and development of the Town of Summerfield and its environs. The motion was seconded by Doggett and carried unanimously.

Respectfully,

Richard Feulner
Summerfield Planning Board Chairman

RECEIVED

OCT 12 2022

BY: BLOR



APPLICATION FOR REZONING



date submitted 10-12-22 fee receipt number [check] case number RZ-04-2022

APPLICANT INFORMATION

property owner(s) name(s) Erin & Corey Petty

contact phone (single point of contact) 469-336-0098

mailing address 6325 US 158, Summerfield NC 27358

email (single point of contact) ErinRenecOliver@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 AG zoning district to the AG/RS zoning district.

Said property is located in Bruce Township, consists of 43.9 total acres, and is further referenced by the Guilford County Tax Department as:

tax parcel number 147438 tax parcel number
tax parcel number tax parcel number
tax parcel number tax parcel number

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

APPLICATION MATERIALS CHECKLIST:

- [x] A completed and signed application form;
[x] Application fee;
[] A Development Plan for residential rezonings;
[] Legal description of the property; Currently, James and Jones L03
[] Environmental Inventory (check with Planning Department for specific requirements).

CHECK ONE:

- [] Property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
[x] 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~~ ZONING



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 ER Petty date 10-11-22

owner #2 signature (if applicable) Er Petty date 10-11-22

owner #3 signature (if applicable) _____ date _____

Town of Summerfield approval Bradley Ridge date 10-17-2022

ADDITIONAL TAX MAP REFERENCES:

Further referenced on the Guilford County Tax Maps as:

tax parcel number 147438 tax parcel number _____

tax parcel number _____ tax parcel number _____

tax parcel number _____ tax parcel number _____



ADDITIONAL REZONING QUESTIONS:

1. Type of use and improvement proposed: Proposed parcels will be for single-family dwellings. Our family will be building on the rezoned parcels — my parents, my husband's mother & grandmother, & my sister's family.
2. Do substantial reasons exist which prevent the subject property from being used in accord with the current Zoning classification? The residual parcel will remain AG & continue to be used as such. The proposed parcels do not meet the minimum of 3 acres that is required for AG zoning, thus must be rezoned to Residential.
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. This rezoning will allow 3 new families to move to, build homes, work, & live in Summerfield. Our immediate neighborhood will gain more friendly faces who want to be a part of the community.
4. What changing conditions make the passage of this proposed amendment necessary? The proposed parcels do not meet lot size requirements for them to remain AG.
5. Are there circumstances that justify the proposed change? If so, state them. Our family members do not desire lot sizes large enough to allow for AG zoning. Rezoning 3.75 acres out of 43.9 total acres provides the least disruption to our friend, Elliott, who has been farming hay on our property for many years.
6. How does the proposed zoning change affirm the policy(ies) of the Town of Summerfield Comprehensive Plan? The proposed parcels meet all requirements for rezoning according to the UDD & Comprehensive Plan — low density, single family, accommodating both a young family and senior citizens while maintaining over 40 acres of AG property used for farming, open space, & woodlands.

Legal Description: James & Jones L03

BK P185 Pg 70

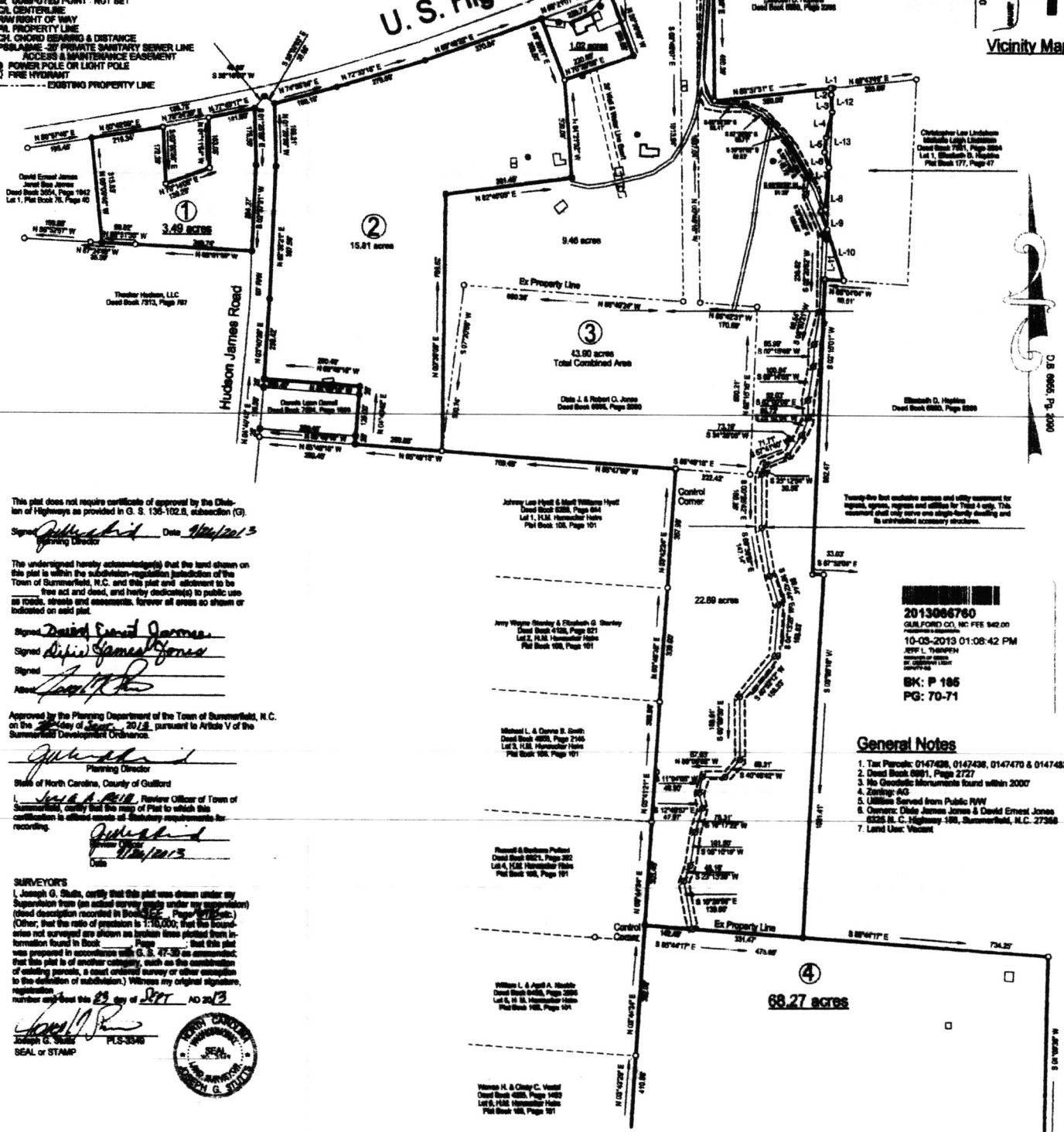
Pick Up: Joseph G. Stuts, 303 E. Bessemer Avenue, Greensboro, N.C. 27406, 336.273.3830

Plat Book 185 Page 70

LEGEND

- EXISTING IRON PIPE
- NEW IRON SET
- ▲ EXISTING STONE
- COMPUTED POINT - NOT SET
- CENTERLINE
- RIGHT-OF-WAY
- P.R. PROPERTY LINE
- CH. CHORD BEARING & DISTANCE
- PROBLAME - 20" PRIVATE SANITARY SEWER LINE
- ACCESS & MAINTENANCE EASEMENT
- POWER POLE OR LIGHT POLE
- FIRE HYDRANT
- EXISTING PROPERTY LINE

U.S. Highway 158



This plat does not require certificate of approval by the Division of Highways as provided in G. S. 136-102.8, subsection (G).

Signed: *Joseph G. Stuts* Date: *11/21/13*
 Planning Director

The undersigned hereby acknowledge(s) that the land shown on this plat is within the subdivision-regulation jurisdiction of the Town of Summerfield, N.C. and this plat and addition to be free and clear, and hereby dedicate(s) to public use all roads, streets and easements, forever of uses so shown or indicated on said plat.

Signed: *David Ernest James*
 Signed: *Dixie James Jones*
 Signed: _____
 Address: _____

Approved by the Planning Department of the Town of Summerfield, N.C. on the 23 day of November, 2013, pursuant to Article V of the Summerfield Development Ordinance.

Signed: _____
 Planning Director

State of North Carolina, County of Guilford

I, *Joseph G. Stuts*, Review Officer of Town of Summerfield, certify that the copy of Plat to which this certification is affixed meets all statutory requirements for recording.

Signed: *Joseph G. Stuts* Date: *11/21/13*
 1038

SURVEYOR'S

I, Joseph G. Stuts, certify that this plat was drawn under my Supervision from (an actual survey made under my supervision) (based description recorded in Book 185, Page 70) (Other, that the ratio of precision is 1:10,000, that the boundaries not surveyed are shown as broken lines plotted from information found in Book 185, Page 70 that this plat was prepared in accordance with G. S. 47-39 an acknowledgment that this plat is of another category, such as the construction of existing parcels, a coast contour survey or other exception to the definition of subdivision.) Witness my original signature, registration number 1038 this 23 day of Nov AD 2013.

Signed: *Joseph G. Stuts*
 Joseph G. Stuts PLS-3546
 SEAL OF STAMP

2013086760
 GUILFORD CO, NC FEE \$42.00
 10-03-2013 01:08:42 PM
 BK: P 185
 PG: 70-71

- General Notes**
1. Tax Parcels: 0147428, 0147438, 0147470 & 0147483
 2. Deed Book 691, Page 2727
 3. No Geodetic Monuments found within 200'
 4. Zoning: AG
 5. Utilities Served from Public R/W
 6. Owners: Dixie James Jones & David Ernest Jones 0325 N.C. Highway 158, Summerfield, N.C. 27386
 7. Land Use: Vacant

Line	Bearing	Distance
L-1	N 83°43'45" E	7.80'
L-2	S 04°54'04" E	20.47'
L-3	S 02°50'47" E	68.82'
L-4	S 12°30'44" W	78.09'
L-5	S 08°38'38" W	48.40'
L-6	S 10°47'08" E	48.47'
L-7	S 04°34'58" W	125.65'
L-8	S 71°23'20" W	13.89'
L-9	S 18°14'04" E	96.99'
L-10	S 17°57'49" E	182.22'
L-11	S 02°20'07" W	180.57'
L-12	S 02°16'10" W	74.82'
L-13	S 02°16'18" W	381.74'

Exclusion Plat For: Map 1 of 2

The Purpose of this plat is to record a 20' Exclusive Use Access Easement to Tax Parcel # 0147428

Dixie James Jones David Ernest James

Bruce Township ~ Guilford County
Town of Summerfield, North Carolina

Scale: 1" = 200' August 23, 2013

Joseph G. Stuts, PLLC
 PROFESSIONAL LAND SURVEYORS
 303 East Bessemer Avenue
 Greensboro, North Carolina 27401
 Phone: (336) 273-3838 Fax: (336) 273-7478

Plot Up: Joseph G. Stotts, 303 E. Bessamer Avenue, Greensboro, N.C. 27408, 336.273.3830

Plot Book 185 Page 71

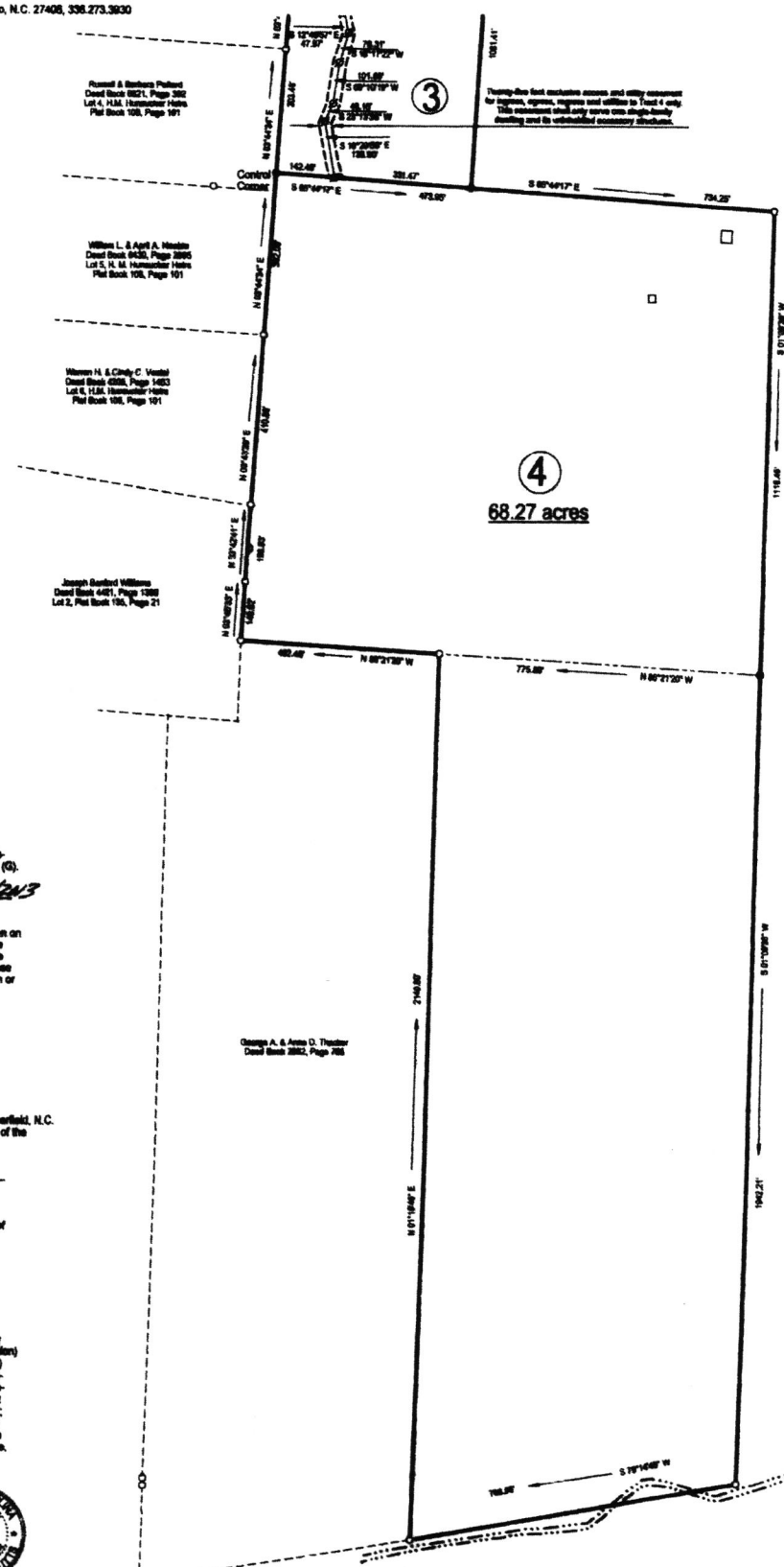


General Notes

1. Tax Parcels: 0147428, 0147438, 0147470 & 0147483
2. Deed Book 0261, Page 2727
3. No Geodetic Monuments found within 200'
4. Zoning: AG
5. Utilities Removed from Public R/W
6. Owners: Dixie James Jones & David Ernest Jones
0325 N. C. Highway 158, Summerfield, N.C. 27358
7. Land Use: Vacant

LEGEND

- EXISTING IRON PIPE
- ⊙ NEW IRON SET
- ▲ EXISTING STONE
- COMPLETED POINT - NOT SET
- CL CENTERLINE
- R/W RIGHT OF WAY
- PL PROPERTY LINE
- CL CHORD BEARING & DISTANCE
- PS/LAIME -20' PRIVATE SANITARY SEWER LINE ACCESS & MAINTENANCE EASEMENT
- ⊕ POWER POLE OR LIGHT POLE
- ⊖ FIRE HYDRANT



This plat does not require certificate of approval by the Division of Highways as provided in G. S. 136-102.6 subsection (G).

Signed *[Signature]* Date *9/10/13*
Planning Director

The undersigned hereby acknowledges that the land shown on this plat is within the subdivision-regulation jurisdiction of the Town of Summerfield, N.C. and this plat and alignment to be free and not taxed, and hereby dedicates to public use all roads, streets and easements, forever all areas so shown or indicated on said plat.

Signed *[Signature]*
Signed *[Signature]*
Signed
Attest *[Signature]*

Approved by the Planning Department of the Town of Summerfield, N.C. on the *23* day of *September*, 20*13*, pursuant to Article V of the Summerfield Development Ordinance.

[Signature]
Planning Director
State of North Carolina, County of Guilford

I, *Julie A. Pitt*, Register of Deeds of the Town of Summerfield, certify that the copy of Plat to which this certification is affixed meets all Statutory requirements for recording.

[Signature]
Register of Deeds

SURVEYORS
I, Joseph G. Stotts, certify that this plat was drawn under my supervision from the actual survey made under my supervision (detailed description recorded in Book *185*, Page *71*, etc.) (Note: that the ratio of precision is 1:10,000; that the boundaries not surveyed are shown as broken lines plotted from information found in Book *185*, Page *71*); that this plat was prepared in accordance with G. S. 27-30 as amended; that this plat is of another category, such as the combination of existing parcels, a court ordered survey or other exception to the definition of subdivision.) Witness my original signature, number and Seal this *23* day of *SEPT* AD 20*13*.

[Signature]
SEAL or STAMP
PLS-3348

Elizabeth D. Hyman
Deed Book 0261, Page 2289

2013086760
GUILFORD CO., NC FEE \$42.00
10-03-2013 01:08:42 PM
JOY L. THOMPSON
BK: P 185
PG: 70-71

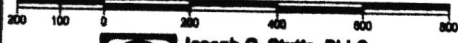
Exclusion Plat For: Map 2 of 2

The Purpose of this plat is to record a 25' Easement Use Access Easement to Tax Parcel # 0147428

**Dixie James Jones
David Ernest Jones**

Bruce Township ~ Guilford County
Town of Summerfield, North Carolina

Scale: 1" = 200' August 23, 2013



Joseph G. Stotts, PLLC
PROFESSIONAL LAND SURVEYORS
303 East Bessamer Avenue
Greensboro, North Carolina 27401
Phone: (336) 273-3830 Fax: (336) 273-1478

This plat does not require certificate of approval by the Division of Highways as provided in G. S. 135-102.6, subsection (e).

Signed _____ Date _____
 Planning Director

The undersigned hereby acknowledges that the land shown on this plat is within the subdivision-regulatory jurisdiction of the Town of Summerfield, N.C. and that the plat and subdivision to be shown on this plat meet and comply with all applicable laws, rules, regulations and ordinances of the Town of Summerfield, however all streets are shown as indicated on said plat.

Signed _____
 Signed _____
 Signed _____
 Attest _____

Approved by the Planning Department of the Town of Summerfield, N.C. on _____ day of _____, 2022, pursuant to Article V of the Summerfield Development Ordinance.

Planning Director

State of North Carolina, County of Guilford

I, _____, Reviewer Officer of Town of Summerfield, certify that the map of P11 to which the certification is affixed meets all Statutory requirements for recording.

Reviewed Officer _____
 Date _____

SURVEYORS

I, Joseph G. Stults, certify that this plat was drawn under my supervision hereon (an actual survey made under my supervision) and that the same is a true and correct copy of the original survey. (Other than the date of preparation is 1/10/2022 that the survey was not surveyed as shown as broken lines pulled from information found in Book _____ Page _____ that this plat was prepared and recorded on _____ day of _____, 2022, that the plat is a true and correct copy of the original survey and that the plat is a subdivision of existing parcels, a court ordered survey or other exception to the definition of subdivision.) Witness my original signature, number and seal this _____ day of _____, A.D. 20 _____

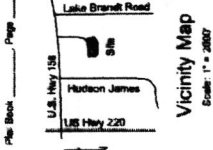


JOSEPH G. STULTS P.L.S. 3349
 SEAL OF STAMP

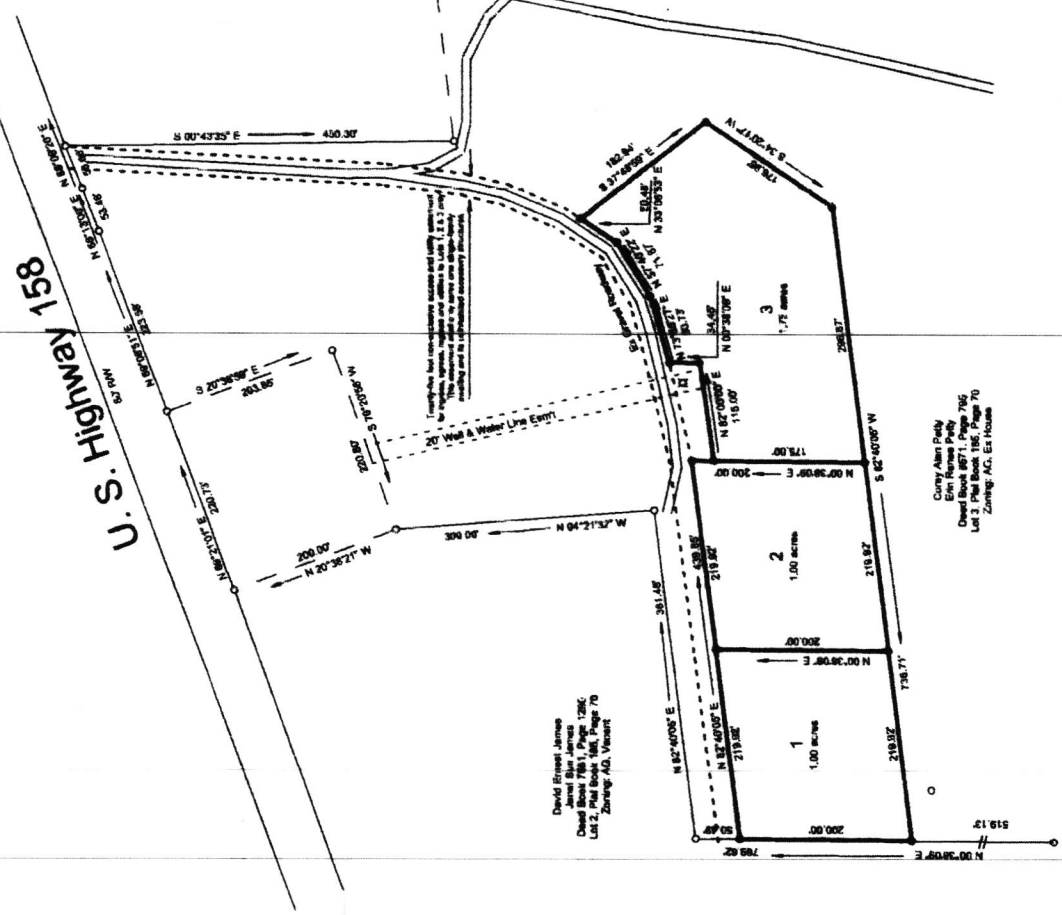
LEGEND

- EXISTING IRON PIPE
- EXISTING IRON PIPE
- EXISTING IRON PIPE
- COMPUTED POINT - NOT SET
- CENTERLINE
- RIGHT OF WAY
- CHORD BEARING A DISTANCE
- PRIVATE SANITARY SEWER LINE
- ACCESS & MAINTENANCE EASEMENT
- FIRE HYDRANT
- EXISTING PROPERTY LINE

Deed Recitation-Readers Consent:
 The undersigned hereby certifies that this plat is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey. The plat is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey. The plat is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.



U.S. Highway 158



Deed Recitation-Readers Consent:
 Deed Book 7811, Page 1286
 Lot 2, Plat Book 186, Page 76
 Zoning: AO, Vacant

County Alam Realty
 Erin Reeves Parry
 Deed Book 8871, Page 765
 Lot 2, Plat Book 186, Page 76
 Zoning: AO, Ex. House

P.O.P. Homestead

Subdivision Name 77777

Bruce Township - Guilford County
 Town of Summerfield, North Carolina



General Notes

1. Tax Parcel 147491
2. Deed Book 8771, Page 785
3. No Condemnation Proceedings found after 2007
4. Zoning: AO
5. Located on the East Side of U.S. Highway 158
6. Owners: County Alam Realty & Erin Reeves Parry
7. 8208 U.S. Highway 158, Summerfield, N.C. 27358
8. Land Use: Vacant
9. Total number of lots: 3

Preliminary:

Not for Sale, Conveyance or Reservation



Joseph G. Stults, PLLC
 PROFESSIONAL LAND SURVEYORS
 301 E. Reservoir Avenue
 Greensboro, North Carolina 27406
 Phone: (336) 273-3000 Fax: (336) 273-3179



PIEDMONT

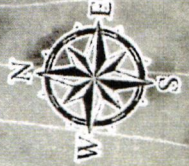
ASSOCIATES P A

Detailed Soils Map - 6317 US HWY 158



216 S. Swing Rd. Suite 1
Greensboro, NC 27409
piedmontsoil.com

Job# 3560
Date: 9/7/2022
Client: Erin Petty
County: Guilford

MAP NOT VALID WITHOUT REPORT



Well

- W Well
- 50' Well Buffer
- Terrace
-  Conventional Area
-  Low-Pro. Chamber
- Property Line



+/-25854 sqft



+/-34816 sqft

+/-1515 sqft

+/-13997 sqft

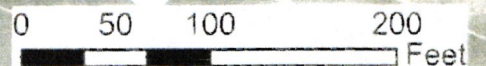
+/-5630 sqft

THIS IS NOT A SURVEY

- Parcels based on client map
- Areas generated using GPS



1 inch = 100 feet



Pick Up: Joseph G. Stutts, 303 E. Bessemer Avenue, Greensboro, N.C. 27406, 336.273.3630

This plat does not require certificate of approval by the Division of Highways as provided in G. S. 136-102.6, subsection (G).

Signed _____ Date _____
 Planning Director

The undersigned hereby acknowledge(s) that the land shown on this plat is within the subdivision-regulation jurisdiction of the Town of Summerfield, N.C. and this plat and allotment to be free act and deed, and hereby dedicate(s) to public use as roads, streets and easements, forever all areas so shown or indicated on said plat.

Signed _____
 Signed _____
 Signed _____
 Attest _____

Approved by the Planning Department of the Town of Summerfield, N.C. on the _____ day of _____ 20____ pursuant to Article V of the Summerfield Development Ordinance.

Planning Director
 State of North Carolina, County of Guilford
 I, _____ Review Officer of Town of Summerfield, certify that the map of Plat to which this certification is affixed meets all Statutory requirements for recording.
 Review Officer
 Date _____

SURVEYOR'S
 I, Joseph G. Stutts, certify that this plat was drawn under my Supervision from (an actual survey made under my supervision (deed description recorded in Book _____ Page _____ etc.) (Other: that the ratio of precision is 1:10,000; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____ Page _____; that this plat was prepared in accordance with G. S. 47-30 as amended; that this plat is of another category, such as the combination of existing parcels, a court ordered survey or other exception to the definition of subdivision.) Witness my original signature, registration number and Seal this _____ day of _____ AD 20____

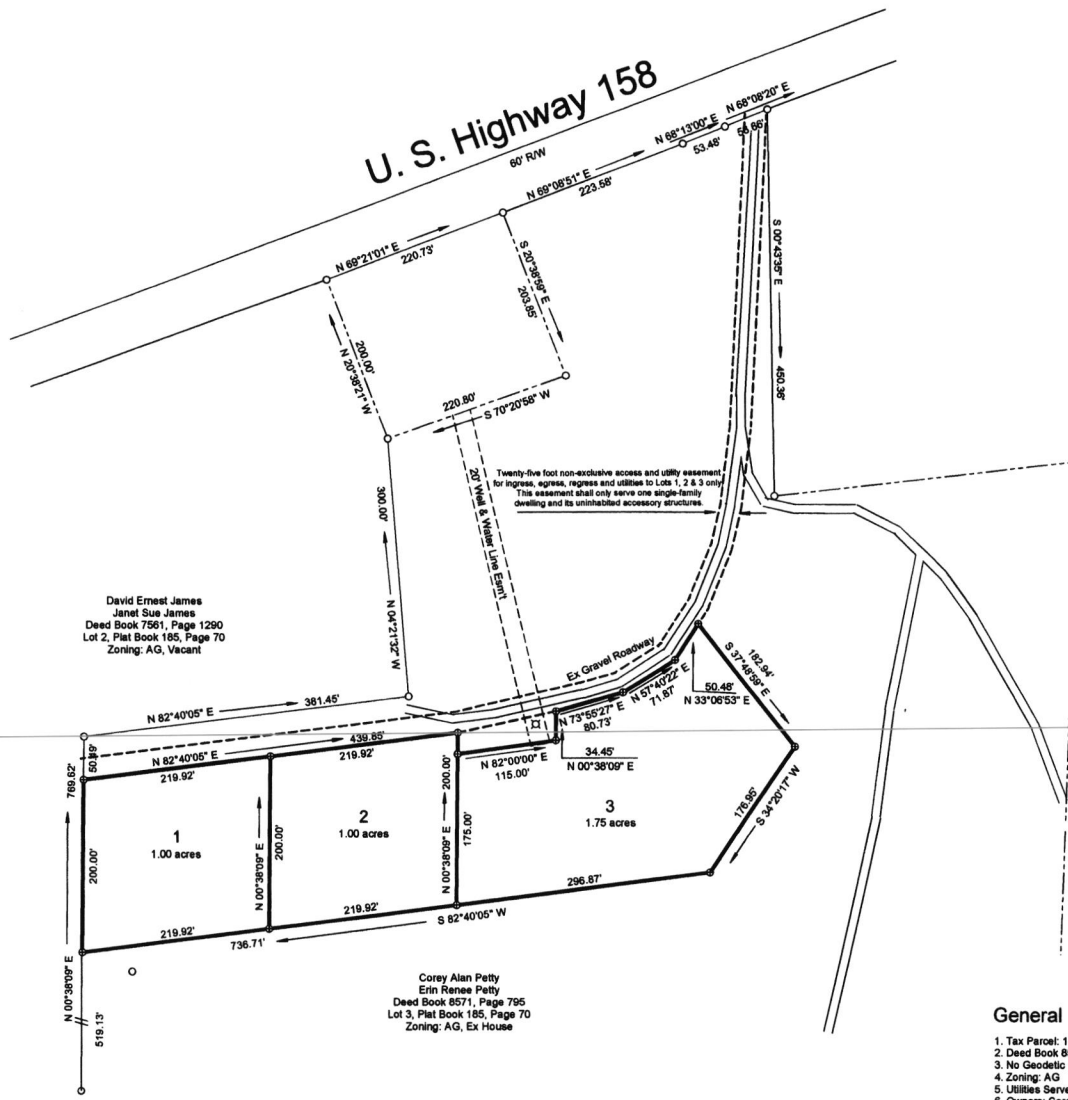
Joseph G. Stutts PLS-3349
 SEAL OR STAMP



LEGEND

- EXISTING IRON PIPE
- ⊗ NEW IRON SET
- ▲ EXISTING STONE
- ⊙ COMPUTED POINT - NOT SET
- C/L CENTERLINE
- R/W RIGHT OF WAY
- P/L PROPERTY LINE
- CH CHORD BEARING & DISTANCE
- PSSLAMME -20' PRIVATE SANITARY SEWER LINE ACCESS & MAINTENANCE EASEMENT
- POWER POLE OR LIGHT POLE
- FIRE HYDRANT
- EXISTING PROPERTY LINE

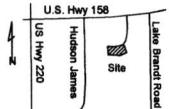
Deed Restriction-Restrictive Covenant:
 "Development of subject property is required to be in accordance with applicable state and federal regulations for the National Pollutant Discharge Elimination System (NPDES) Phase II stormwater management program. The recording of this document establishes an enforceable restriction on property usage that runs with the land to ensure that future development and/or redevelopment shall maintain the site in a manner consistent with applicable law and the approved project plans. Any alterations to the site shall not be permitted without review and approval by the local governmental office having jurisdiction for watershed/stormwater management protection."



David Ernest James
 Janet Sue James
 Deed Book 7591, Page 1260
 Lot 2, Plat Book 185, Page 70
 Zoning: AG, Vacant

Corey Alan Petty
 Erin Renee Petty
 Deed Book 8571, Page 795
 Lot 3, Plat Book 185, Page 70
 Zoning: AG, Ex House

Plat Book _____ Page _____

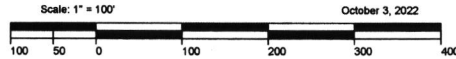


Vicinity Map
 Scale: 1" = 200'

Preliminary Plat For:

P.O.P. Homestead

Bruce Township ~ Guilford County
 Town of Summerfield, North Carolina



General Notes

1. Tax Parcel: 147438
2. Deed Book 8571, Page 795
3. No Geodetic Monuments found within 2000'
4. Zoning: AG
5. Utilities Served from Public R/W
6. Owners: Corey Alan Petty & Erin Renee Petty
 6325 U.S. Highway 158, Summerfield, N.C. 27356
7. Land Use: Vacant
8. Total Area: 3.75 acres
9. Total number of lots: 3

Preliminary:
 Not for Sales, Conveyances or Recordation

Joseph G. Stutts, PLLC
 PROFESSIONAL LAND SURVEYORS
 303 East Bessemer Avenue
 Greensboro, North Carolina 27401
 Phone: (336) 273-3630 Fax: (336) 273-7476



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

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 \pm 3.75 acres of a \pm 43.9 acre property located at 6317 US-158, from the from Agricultural (AG) to the general-purpose Residential zoning district (RS); the property is located in the Town of Summerfield, Bruce Township, Guilford County parcel 147438.

Summerfield's process to rezone property typically involves three meetings: an Informational 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, November 15, 5:30pm at Summerfield Community Center (5404 Centerfield 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, November 28, 2022, 6:30pm. Summerfield Community Center (5404 Centerfield Road).
2. Council Public Hearing: Tuesday, December 13, 2022, 6:30pm, Summerfield Community Center (5404 Centerfield Road).

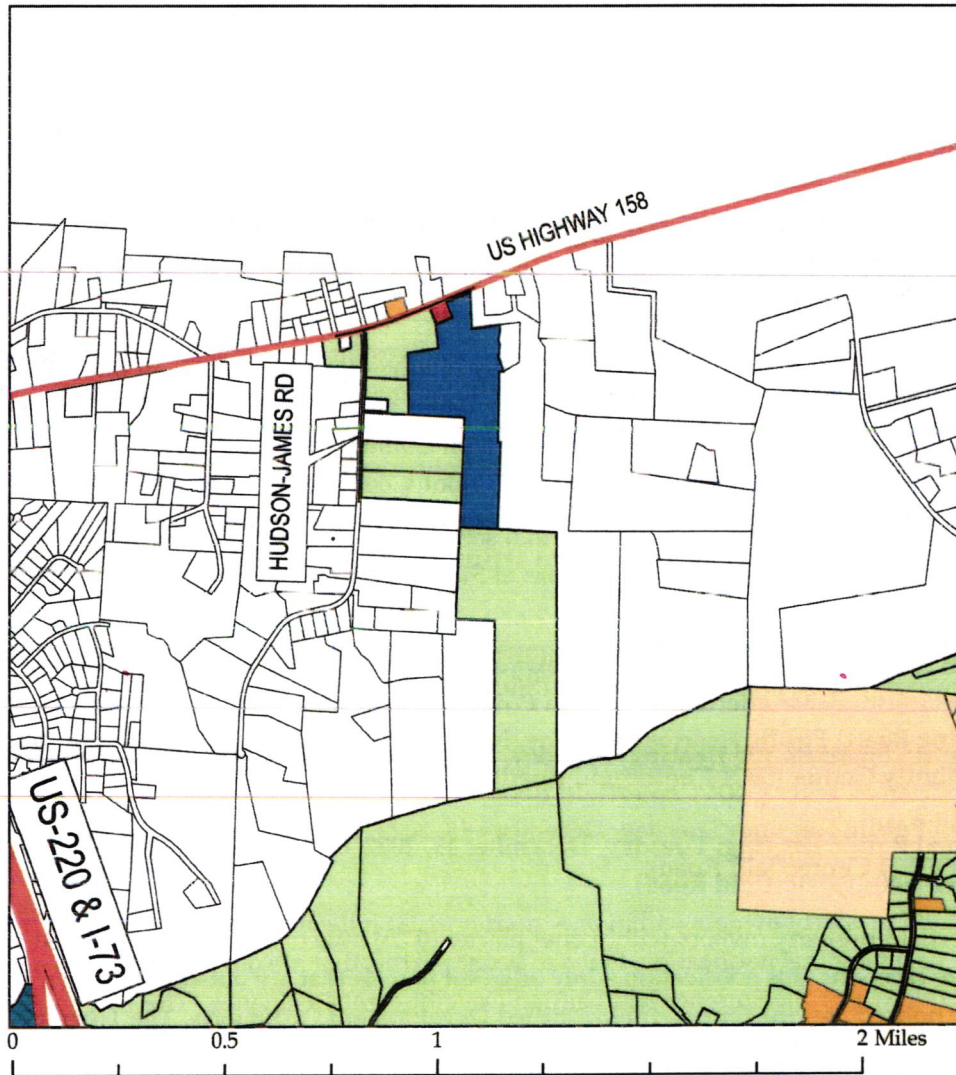
All Summerfield property owners within one-quarter (0.25) mile of a property proposed for rezoning are receiving this notification. Only adjacent parcels that are outside the Town's municipal limits were noticed, per the Summerfield Unified Development Ordinance. The Town relies on Guilford County tax 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.



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

Location Map - 6317 US-158



Summerfield Zoning

- AG-Agricultural
- HB-Highway Business
- HI-Heavy Industrial
- OSR-Open Space Residential
- RS-Residential
- Parcels outside Municipal Limits

Produced by the Town of Summerfield Planning Department
using Guilford County GIS Data
Map updated 10/28/2022



meeting date: December 13, 2022

attachment(s): yes

Public hearing/action re: rezoning case RZ-05-2022 (requested change: CU-LB to CZ-BN; location: 3818 & 3820 Oak Ridge Rd.; parcels: 146975 & 146957)

STAFF COMMENTS AND/OR RECOMMENDATION:

See attached staff report for full details. It contains the application and background, narrative about compliance with adopted plans, notice letter mailed to neighboring property owners, and other relevant information. Rezoning recommendations must be made based on:

- the current Development Ordinance;
- the current Comprehensive Plan (per NCGS 160D-604(d) 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: Brad Rentz, Planning Manager, MPA, CZO

DATE: December 1, 2022

RE: Case RZ-05-22: Rezoning from Conditional Use Limited Business to (CU-LB) to the Conditional Zoning Business District (CZ-BN).

A. Planning Board Actions

1. Hold public hearing.
2. Recommend approval, denial, or deferral of request to rezone. A majority vote is needed to recommend approval (or denial) of the requested action.

B. Application and Background

Location: The two adjacent subject parcels are located at 3818 and 3820 Oak Ridge Road, having Parcel numbers 146975 and 146957 respectively, located in Bruce Township, Guilford County, North Carolina.

Surrounding Zoning and Land Use:

Direction	Zoning District	Land Use
North	RS-30	Single Family Residential
South	AG	Charter School
East	RS	Single Family Residential
West	AG	Charter School

Applicants/Owners: Lisa Lynn Waynick

Tract Size: ±2.8 acres

Applicant Request: An application to rezone to change the zoning from Conditional Use Limited Business (CU-LB) to the Conditional Zoning Business District (CZ-BN).

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-Use Rezoning Application**, and the subject properties are located within a Scenic Corridor.

The required informational meeting was held on November 15, 2022, for the applicant and interested citizens to meet and informally discuss the potential rezoning and development. Only a few citizens came to the informational meeting and expressed concerns about some of the permitted uses still allowed in the conditional zoning. The specific uses of concern were: Hotels and Motels; Recreational Vehicle Sales/Service; Outdoor Storage (as principal use); Concerts, Stage Shows; Temporary Shelter; and Government maintenance, storage or distribution facility. Those in



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

attendance believed that the permitted uses allowed for on this property should consider the existing residential uses adjacent and in proximity of the subject properties.

The Planning Board held a Public Hearing on November 28, 2022, the draft minutes are available in the Council's packet. The Board recommended that Council *approve* the rezoning request with the following conditions (in addition to those proposed) agreed to by the applicant:

Additional excluded uses:

- *Fraternity or sorority house;*
- *Wireless Communication facility, new freestanding;*
- *Restaurant, with drive-thru;*
- *Athletic field, privately owned;*
- *Go-cart track;*
- *Recreational vehicle rental, sales and service;*
- *Hotels and motels with ≤ 5,000ft² of ancillary space, or a restaurant/lounge with ≤ 3,000ft²;*
- *Hotels and motels with > 5,000ft² of ancillary space, or a restaurant/lounge with > 3,000ft²;*
- *Electric Motor Repair;*
- *Outdoor Storage (as principal use);*
- *Warehouse distribution;*
- *Warehouse, storage, except self service; and,*
- *Concerts, Stage Shows*

Characteristics of the Proposed District: BN is intended to accommodate a mixture of retail trade, business, professional and personal services, and eating and drinking establishments that will be located within a scenic corridor overlay area, away from residential areas, adjacent to a minor or major thoroughfare or all three. Development may take place on individual lots, as part of a mixed-use development or part of a unified commercial development. All development occurring within the BN zone district shall use architectural features that enhance the community's rural, historic nature. Uses that pose a threat to ground or surface water are limited, require mitigation measures, or not permitted. Development within this district shall employ landscape strategies, building placement, and architectural features to mark service and delivery areas. Building types allowed in the BN zone district are Townhouse, Attached House, Live/Work, Institutional, Workplace, Storefront, Commercial Center, and Accessory Structures.

D. Compliance with Adopted Plans

Compatibility with Comprehensive Plan: The following is a general assessment of the proposed conditional use district 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.



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 ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

This property is located adjacent to a thoroughfare (NC-150/Oak Ridge Road), a Charter School and is in close proximity to another business zoned property (CU-GB) to the Northwest. However, it is also adjacent to residential, single-family uses to the north and the east. The Planning Board should review the list of uses excluded from this Zoning when making their recommendation.

- 2) Attractive Community Appearance:** Community appearance can create a positive town image and sets the tone for all development to follow. An attractive community enhances the quality of life of town residents and attracts visitors and businesses to the area that share the same values of quality and sustainability. Community appearance deals largely with what can be seen from the public roadway. Appearance issues deserving of public policy and action include exterior lighting, junked vehicles, preservation of tree cover, the presence or absence of street trees, the appearance of public and private signage, streetscape conditions, parking lot landscaping, architectural design and building form, public and private outdoor displays, the presence or absence of overhead wires, the design and location of communication towers, and the way in which local development practices seek to preserve the natural features of land.

Should the rezoning request be approved, the list of uses for this property grow in variety and provide opportunities for redevelopment of the land and enhancing the appearance of the property. Since these two parcels are located within the scenic corridor, any future development would adhere to the scenic corridor standards such as building materials and parking oriented towards the rear (or with planting yard).

The request appears to have overall 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 amending the conditions as requested in Case RZ-05-22.

E. Potential Courses of Action

Motions for zoning amendments must include a recommendation to 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 following options could be used as guiding motions for this statement:

APPROVAL: I move that Case RZ-05-22 be approved... *(as presented or as amended)*. The request is consistent with the town's adopted Comprehensive Plan because: A. (see below), and, is reasonable and in the public interest because: B. (see below).

DENIAL: I move that Case RZ-05-22 be denied. The request is **not consistent with the town's adopted comprehensive plan** because: A. (see below), and, **is not reasonable and in the public interest** because: B. (see 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



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- 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.
-
-
-
-



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November 29, 2022

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

Re: Rezoning Case# RZ-05-2022: Plan Consistency Statement

Council Members,

The Summerfield Planning Board heard Rezoning Case# RZ-05-2022 consisting of two parcels located at 3818 and 3820 Oak Ridge Road on November 28, 2022. The applicant would like to rezone ±2.8 acres from the Conditional Use Limited Business (CU-LB) district to the Conditional Zoning Business (CZ-BN) district.

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, with the additional conditions agreed to by the applicant. The motion and requisite Plan Consistency Statement were presented as follows:

Rooney motion to recommend approval of the rezoning request with additional conditions agreed to by the applicant, stating the request is consistent with the Town's adopted comprehensive plan. the motion was seconded by Doggett and carried unanimously.

Respectfully,

Richard Feulner
Summerfield Planning Board Chairman



APPLICATION FOR CONDITIONAL ZONING



date submitted 10/24/2022 fee receipt number _____ case number 22-05-2022

APPLICANT INFORMATION

property owner(s) name(s) Lisa Lynn Waynick

contact phone (single point of contact) Broker/Agent Holly Bell 910-690-1065

mailing address 3010 Christian Light Road, Fuquay Varina, NC 27526

email (single point of contact) drgilchrist@gmail.com or holly@bellmanley.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 CU-LB zoning district to the Business-BN zoning district. Said property is located in 13-Bruce Township, consists of 1.75 and 1.34 total acres, and is further referenced by the Guilford County Tax Department as:

tax parcel number <u>7839-05-1379</u>	tax parcel number _____
tax parcel number <u>7839-05-3420</u>	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. See attached table for uses





APPLICATION FOR CONDITIONAL ZONING



- 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 Lisa Lynn Waynick date 10/24/2022

owner #2 signature (if applicable) _____ date _____

owner #3 signature (if applicable) _____ date _____

Town of Summerfield approval Bradley Ratz date 10/24/2022

TABLE 4.D.2(a) PERMITTED USE TABLE

USE CATEGORY	USE TYPE	ZONING DISTRICTS													
		SPECIAL		AGRICULTURE	RESIDENTIAL		COMMERCIAL				INSTITUTIONAL	OPEN SPACE DEVELOPMENT		TOWN CORE	
		WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR

Agriculture	Agricultural Production (crops)		1	P	P	P	P	P	P	P	P	P	MP	MP	P	P
	Agricultural Production, (Pasture for Livestock)		1	P	D	D					D		MP	MP		
	Plant nursery	X	4	P					P		P		MP	MP		
	Agriculture, all other		4	P									MP	MP		
Agriculture Related Support Services	Agricultural Tourism Facility, minor		2	D									MP	MP		
	Agricultural Tourism Facility, major		2	D										MP		
	Animal Feeder/Breeder	X	1	D												
	Animal Services & Care (livestock)		3	P						P						
	Equestrian facility, w/o spectator events		2	S		S					S		MP	MP		
	Equestrian facility w spectator events		2	S							S		MP	MP		
	Horse Farm		4	D	D	D							MP	MP		
	Winery			D											MP	
	All other agriculturally related services		3	P									MP	MP		
Forestry	Forestry		1	P	P	P	P	P	P	P	P	P	MP	MP	P	P

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM	
Household Living	Dwelling, Caretaker		1	D	D		D	D	D	D	D	D	MP	MP	D	D	
	Dwelling, Live/work		2				P	P	P	P				MP		P	
	Dwelling, Multi-family (Triplex, Quadplex)		2										MP	MP			
	Dwelling, Single-family attached (townhouses)		2										MP	MP			
	Dwelling, Single-family detached		1	P	P	P	P	P					MP	MP	P	P	
	Dwelling, Duplex		1	P	P	P	P	P					MP	MP		P	
	Dwelling, Upper story													MP			
	Manufactured Home, Class AA		1	D	D	Z											
	Manufactured Home, Class A & B		1	D	D	Z											
	Manufactured Home Park		2														
Group Living	Residential Compound		1	D	D												
	Subdivision, Major					P	P	P					MP	MP	P	P	
	Subdivision, Minor			P	P	P	P	P					MP	MP	P	P	
	Boarding or rooming house, < 9 residents		2	S	S		P									S	
	Boarding or rooming house, >9 residents		2				S								P	P	
	Dormitory		2									P					
	Dwelling, Tenant (for migrant labor)			D													
Family Care Home		1			P	P	P	P					MP	MP	P	P	
Fraternity or sorority house		3						P	P	P	P						
Group Care Facility		2				S	S	S			S		MP	MP			
Therapeutic home		1		P	P	P	P	P					MP	MP			

"P" uses permitted by right "D" uses requiring special development standards "S" uses requiring a Special Use Permit "Z" uses requiring a Manufactured Housing overlay "MP" uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Community Services	Community center		3	P	S	S	P	P	P	P		P	MP	MP		P
	Cultural facility		3				P	P	P	P		P		MP		P
	Library		3				P	P	P	P		P		MP		P
	Museum		3				P	P	P	P		P		MP		P
	Senior center		3				S	S	S	S		P		MP		
	Youth club facility		3				S	S	S	S		P		MP		
Day Care	Day care center Adult, 5 or less		1	D	D	D	D	D	D	D	D	D	MP	MP	D	D
	Day care center Adult, 6 or more		3	S	S		D	D	D	D	D	D		MP		S
	Day care center Child, 5 or less		1	D	D	D	D	D	D	D	D	D	MP	MP	D	D
	Day care center Child, 6 or more		3	S	S		D	D	D	D	D	D		MP		
Educational Facilities	Community College		3						P			P				
	College, 4-year, on-campus housing		3						P			P				
	School, elementary		3	D	D	D	D					P	MP	MP	D	D
	School, middle		3	D	D	D	D					P	MP	MP	D	D
	School, high		3	D	D	D	D					P	MP	MP	D	D
	Vocational, business, or trade school		3						P	P	P					P
Government Facilities	Government maintenance, storage, or distribution facility		3						P		P	P				
	Government office		3				P	P	P	P	P	P				P
	Post office		3					P	P	P	P	P		MP		P
Health Care Facilities	Blood/tissue collection facility		3				P	P	P	P						P
	Drug or alcohol treatment facility		3					S	P			P				
	Hospital		3									P				
	Medical or dental clinic		3				P	P	P	P		P		MP		P
	Medical or dental lab		3				P	P	P	P	P	P				P
	Medical or dental office(s)		3				P	P	P	P		P		MP		P
	Outpatient facility		3				P	P	P	P		P		MP		P

*"P": uses permitted by right • "D": uses requiring special development standards • "S": uses requiring a Special Use Permit • "Z" uses requiring a Manufactured Housing overlay • "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Institutions	Assisted Living Facility		2		S	S	P	P	P			P		MP		P
	Auditorium, Assembly Hall		3						P	P	P	P				P
	Club or lodge		3	S	S	S	P	S	P	P			MP	MP	S	S
	Congregate Care / Nursing Home		3						P	P		S		MP		P
	Halfway house		3						D			D				D
	Homeless Shelter		3						D			D				
	Place of worship, religious institution		3	P	D	D	P	P	P	P	P	P	MP	MP	D	D
	Psychiatric treatment facility		3						P			P				
	Retirement Community, Continuing Care		2									P		MP		
Parks and Open Areas	Arboretum or botanical garden		2	D	D	D	D	D	D	D	D	D	MP	MP		
	Athletic Field		3	D	D	D	D	D	+				MP	MP	S	S
	Cemetery/ Mausoleum		2	D	D	D	D	D	D	D	D	D	MP	MP	D	D
	Golf course, public		1	D	D	D			D			D	MP	MP		
	Greenway		P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Park, public		1	D	D	D	D	D	D	D	D	D	MP	MP	D	D
	Public square or plaza					P	P	P	P	P		P	MP	MP		
Public Safety/ Emergency Services	Ambulance Service		3	P	P		P		P	P	P	P		MP		P
	Fire or EMS facility		3	P	P	P	D	D	D	D	P	P	MP	MP		P
	Police substation		2	P	P	P	P	P	P	P	P	P	MP	MP	P	P
	Police station		3	P	S	S	P	P	P	P	P	P	MP	MP	P	P
Transportation	Airport	X	5								S	S				
	Transportation/Taxi/ Bus Terminal	X	4						P		P					
	Helicopter landing facility	X	5						S		P	S				
	Landing field, private	X		S							D	D	MP	MP		

Staff Note:
 Applicant cannot add "Athletic Field" as a Permitted Use since it is not allowed in the base district. - BWR

"P" uses permitted by right "D" uses requiring special development standards "S" uses requiring a Special Use Permit "Z" uses requiring a Manufactured Housing overlay "MP" uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Utilities	Solar farms		5	D							D					
	Utility, major		5	S	S	S	S	S	S	S	S	S	M P	M P		
	Utility, minor		4	D	D	D	D	D	D	D	D	D	M P	M P	D	D
	Wireless Communication Facility, collocation on existing tower			P	P	P	P	P	P	P	P	P	M P	M P	D	D
	Wireless Communication Facility, placement on existing building			D	D	D	D	D	D	D	D	D	M P	M P	D	D
	Wireless Communication Facility, new freestanding		3	S					S		S	S		M P	D	D
Adult Oriented Businesses	Adult Oriented Business		3								D					
Animal Care	Animal shelter		3	S			D	D	D	P	S					
	Kennel, indoor		3	D				D	D	P						
	Kennel, outdoor		3	S						P						
	Pet grooming		3	P				D	D	P			M P		P	
	Veterinary services, large animal		3	S						P						
	Veterinary services, domestic animals, outdoor kennel			S							P					
	Veterinary services, domestic animals, indoor kennel		3	P				D	D	P			M P		P	
Conference and Training Centers	Conference, retreat or training center		3					P	P	D	P					P
Eating Establishments	Dinner theater		3					P	P							P
	Restaurant, indoor seating only		3				P	P	P	P			M P		P	
	Restaurant with outdoor seating		3				D	D	D	D			M P		D	
	Restaurant, take out, no drive thru		3				P	P	P				M P		P	
	Restaurant, with drive-thru		3					P	P							

"P": uses permitted by right "D" uses requiring special development standards "S" uses requiring a Special Use Permit "Z" uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Offices	Business services	3						D	P	P	P			MP		P
	Financial services, drive-through	3					D		P	P	P			MP		
	Financial services, no drive-through	3					P		P	P	P			MP		P
	Insurance Agency, No On-Site Claims Inspections	3					P	P	P	P	P			MP		P
	Insurance Agency, On-Site Claims Inspections	3							P	P	P					
	Professional services	3					P	P	P	P	P			MP		P
	Radio and television broadcasting studio	3							P	P	P					P
	Sales (including real estate)	3					P	P	P	P	P			MP		P
Parking, Commercial	Parking lot	3							P	P	P	S		MP	P	P
Recreation Facility, Indoor, Privately Owned	Bowling Centers	3							P	P	P					P
	Fitness Centers	3							P	P	P			MP		
	Shooting range, indoor	3	S						P		D					
	Skating rink	3							P	P	P					
	Theater	3							P	P						P
Recreation Facility, Outdoor, Privately Owned	Amusement park, Fairgrounds	4							S		S					S
	Arena, amphitheater, or stadium, privately owned	4									P	P				
	Athletic field, privately owned	1	S	S	S	S	P		P	P	P	P	MP	MP	S	S
	Batting Cages	3							D		D					
	Go-cart track	4							P		P					
	Golf course, w small clubhouse, private	1	S	S	S				D			D	MP	MP		
	Golf course with country club, private	1	D	D	S				D			D	MP	MP		
Golf driving range	3	S						D		D						

"P" uses permitted by right "D" uses requiring special development standards "S" uses requiring a Special Use Permit "Z" uses requiring a Manufactured Housing overlay "MP" uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM	
	Miniature Golf		3						P	P							
	Paint ball facility		3	S					S		S	S					
	Recreational vehicle park or campsite		4						S							P	
	Shooting range, outdoor		5	S								S					
	Swimming pool, private with outside members		3	D	S	S			D		D	D	MP	MP		S	
	Swimming pool, private only		3	D	S	S		D	D		D	D	MP	MP		S	
	Tennis court, private		3	D	S	S			D		D	D	MP	MP		S	
	Tennis court, private w/ outside members		3	D	S	S			D		D	D	MP	MP		S	
	Tennis court, public		3	D					D			D		MP		D	
Retail Sales & Services	Bars, Nightclubs and Similar																
	Bar, nightclub, cocktail lounge, bottle shop, or microbrewery		3						D	D	D						
	Hookah lounge																
	Wine Bar		3						D	D	D						
	Entertainment Establishments																
	Bingo games		3						P	P							
	Coin operated amusements		3						P	P							
	Electronic gaming establishment, Internet sweepstakes		3														
	Pool halls		3						P	P							
	Convenience																
	Convenience store, without gas sales	X	3						P	P	P				MP		P
	Convenience store, with gas sales	X	4						P	P	P				MP		
	Service station, gasoline sales	X	4						P	P	P						

*"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM	
Retail Sales & Services (continued)	Personal Services Establishments								S								
	Crematorium		3						S		P						
	Dance studio		3						P	P				MP		P	
	Dry cleaner, drop off/ pick up		3				P	P	P	P				MP		P	
	Dry cleaner, on-site cleaning, but not a plant	X	3				D	D	P	D	P						
	Financial services, with drive-through or walk up service		3				D		P	P						P	
	Fortune tellers, astrologers		3						P	P							P
	Funeral home		3						P		P						P
	Marital arts instruction schools		3						P	P							P
	Personal services (e.g. barber, beauty shop, manicurist, spas, massage)		3	D	D	D	P	P	P	P	P			MP	MP		P
	Tattoo parlor/body piercing		3						P	P							
	Repair Establishments																
	Clothing alterations		3					P	P	D					MP		P
	Equipment repair, light	X	3							D		P					P
	Furniture repair shop	X	3							P		P					
	Gunsmith		3							P		P					
	Lawnmower Repair		3							P		P					
	Repair & service shop (large & small appliances, washing machines, TV's, microwaves, etc.)		3							D		P					
	Retail Establishments																
	Antique Store		3					P	P	P							P
Art and picture framing		3					P	P	P							P	
Art gallery, with works for sale		3					P	P	P							P	

P: uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM	
Retail Sales & Services (continued)	Drug store or pharmacy, without drive thru service		3					P	P	P				MP		P	
	Drug store or pharmacy, with drive thru service		4					P	P	P				MP			
	Equipment & Tool Rental/Leasing, no outside storage	X	3						P	P	P					P	
	Equipment & Tool Rental/Leasing with outside storage	X	4								P						
	Farmers Market		3	D				D	D	D	D	D		D		D	
	Flea Markets, Swap Meets and Open-Air Markets		3						D	D	D	D					
	Florist		3					P	P	P				MP		P	
	Garden Center or Retail Nursery		3						P	D	P					P	
	Grocery store		3					D	P	P				MP		P	
	Home Improvement Stores, no outdoor storage		3						P	P						P	
	Home Improvement Stores, with outdoor storage		4						D	D	P						
	Landscape and horticultural services	X	4	S							P						P
	Laundromat	X	3					P	P	P							P
	Liquor Store (ABC)		3						P	P					MP		P
	Manufactured Home Sales		4						P	P	P						
	Musical Instrument Sales & Instruction		3					P	P	P							P
	Paint and Wallpaper Sales		3						P	P	P						P
	Pawn Shop		3							P							P
	Pest control	X	3							P		P					
	Photocopying and duplicating		3					P	P	P	P				MP		P
Photography studio		3					P	P	P							P	
Retail sales, bulky items (furniture, white goods)		3						P	P							P	
Retail sales, large establishment		3						P	P								

P: uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z" uses requiring a Manufactured Housing overlay "MP" uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Retail Sales & Services (continued)	Warehouse, Self-Service Storage		4						D		P					
	Shopping Center: < 250K ft² GFA		4						P	P						
	Shopping Center: > 250K ft² GFA		4								P					
	Taxidermist	X	3						P							P
Vehicle Sales and Services, Heavy	Automotive painting/body shop	X	4						P		P					
	Automotive towing and storage	X	3						D		D					
	Boat and marine rental, sales and service	X	4						P		P					
	Recreational vehicle rental, sales and service	X	4						P		P					
	Transmission shop	X	4						P		P					
	Truck and utility trailer rental and leasing, heavy	X	5								P					
	Truck stop	X	4						D		P					
	Truck washing	X	5								P					
	Vehicle Sales and Services, Light	Automotive supply and parts		3						P	P					
Automobile repair & servicing (w/out painting/bodywork)		X	3						P	P	P					
Automobile sales or rentals		X	4						P		P					P
Car wash, automatic		X	4						D	D	P					
Car wash, full service		X	4						D	D	P					
Car wash, self service		X	4						D	D	P					
Tire/muffler sales and mounting		X	3						P	P	P					
Truck and utility trailer rental and leasing, light		X	4						P		P					

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Visitor Accommodations	Bed and breakfast inn, tourist home		2	D	S	S	S	D	D					MP	S	S
	Hotels and motels with < 5,000 ft ² of ancillary space, or a restaurant/lounge with < 3,000 ft ²		3						P	P						
	Hotels and motels with > 5,000 ft ² of ancillary space, or a restaurant/lounge with > 3,000 ft ²		3						P	P						
Extractive Industry	All uses															
Industrial Services	Contractor, no outside storage		3						P		P					P
	Contractor, with outside storage		4								P					
	Contractor, heavy construction		5								P					
	Electric motor repair		4						P		P					
	Fuel oil/bottled gas distributor	X	4								P					
	General industrial service		4								P					
	Heavy equipment sales, rental, or storage	X	4							P	P					
	Heavy equipment servicing and repair	X	4								P					
	Laundry, dry cleaning, and carpet cleaning plants	X	3						P	D	P					
	Machine shop		3								P					
	Repair of scientific or professional instruments		3								P					
	Research and development, testing		3								P					
	Tool repair	X														
	Welding shop	X	4								P					

P: uses permitted by right *D*: uses requiring special development standards *S*: uses requiring a Special Use Permit *Z*: uses requiring a Manufactured Housing overlay *MP*: uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Manufacture and Production	Manufacturing, heavy	X	5								P					
	Manufacturing, light		4								P					
Warehouse and Freight Movement	Cold storage plant		4								P					
	Moving companies		4								P					
	Outdoor storage (as a principal use)	X	4						S		P					
	Parcel and courier services, central facility		4								P					
	Truck or freight terminal	X	5								P					
	Warehouse, distribution		4						D		P					
	Warehouse, storage, except self-service		4						D		P					
Waste-Related Services	Energy recovery plant	X	5								P					
	Hazardous & Radioactive Waste, Transportation, Storage & Disposal	X	5													
	Incinerator	X	5													
	Land application of wastes	X														
	Landfill, land clearing and inert debris or construction debris	X	5													
	Landfill, sanitary (*also WS-III)	X	5													
	Recycling processing center		4								D					
	Recycling drop-off Station		3						D		P					
	Salvage and junkyard	X	5													
	Septic Tank Services	X	4								P					
	Tire disposal or recycling	X	5													

P uses permitted by right "D" uses requiring special development standards "S" uses requiring a Special Use Permit "Z" uses requiring a Manufactured Housing overlay "MP" uses permitted under a master plan and which may have special development standards

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
	Waste composting	X	4	S							P					
	Waste transfer stations		4								P					
Wholesale Sales (See Article 5 for Special Development Standards for all Wholesale Sales Uses)	Agricultural Chemicals, Farm Supplies, Plants and Plant Products, Animals and Animal Products	X	5	D							P					
	Chemicals, Pesticides and Fertilizers	X	5								P					
	Minerals		5								P					
	Motor vehicles	X	4								P					
	Paints and varnishes	X	4								P					
	Petroleum and petroleum products	X	5								D					
	Retail Goods		4						P		P					
	Scrap and waste materials	X	5								P					
	All other wholesale sales		4								P					
	Miscellaneous Uses	Beneficial Fill Area			D	D	D	D	D	D	D	D	D	D	D	
Billboards			1	S	E	E		S	X	G	N		S	E	C	
Mixed Development									D	D				M P		D
Special Events Facility				D					D	D						D

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

TABLE 4.D.2(b) TEMPORARY USES AND EVENTS (WITH PERMIT)

USE CATEGORY	USE TYPE	ZONING DISTRICTS																	
		SPECIAL		AGRICULTURE			RESIDENTIAL			COMMERCIAL				INSTITUTIONAL		OPEN SPACE DEVELOPMENT		TOWN CORE	
		WCA	LUC	AG	RR	RS	OI	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM			
	Arts and Craft Shows							P	P	P	P	P				P			
	Beverage, Food or Snack Wagon			D					D	D	D	D				D			
	Carnivals and Fairs			D					D	D	D	D							
	Christmas Tree Sales			D					D	D	D	D	D		D	P			
	Concerts, Stage Shows			P					P	P	P	P							
	Contractor's Office and Equipment Shed			D	D	D	D	D	D	D	D	D	D	D	D	D			
	Corn Mazes			D				D	D	D	D	D		D		P			
	Fireworks Sales																		
	Fresh Foods Seller			D				D	D	D	D	D		D		D			
	Outdoor Storage Container			D	D	D	D	D	D	D	D	D	D	D					
	Retail Sales, Outdoor								P	P									
	Real Estate Sales/ Rental Office			D	D	D	D	D	D	D	D	D	D	D	D	D			
	Religious Events, Outdoor			D					D	D	D	D	D	D		D			
	Seasonal Buildings			D					D		D	D							
	Shelter, Temporary			D			D	D	D	D	D	D							
	Pumpkin Sales			D				D	D	D	D	D	D	D		P			
	Turkey Shoots			S	S														

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards



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

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 ± 2.8 acres located at 3818 and 3820 Oak Ridge Rd., from the from Conditional Use Limited Business (CU-LB) to the conditional zoning Business zoning district (CZ-BN); the property is located in the Town of Summerfield, Bruce Township, Guilford County parcels 146975 and 146957.

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, November 15, 2022 5:30pm at Summerfield Community Center (5404 Centerfield 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, November 28, 2022, 6:30pm. Summerfield Community Center (5404 Centerfield Road).
2. Council Public Hearing: Tuesday, December 13, 2022, 6:30pm, Summerfield Community Center (5404 Centerfield Road).

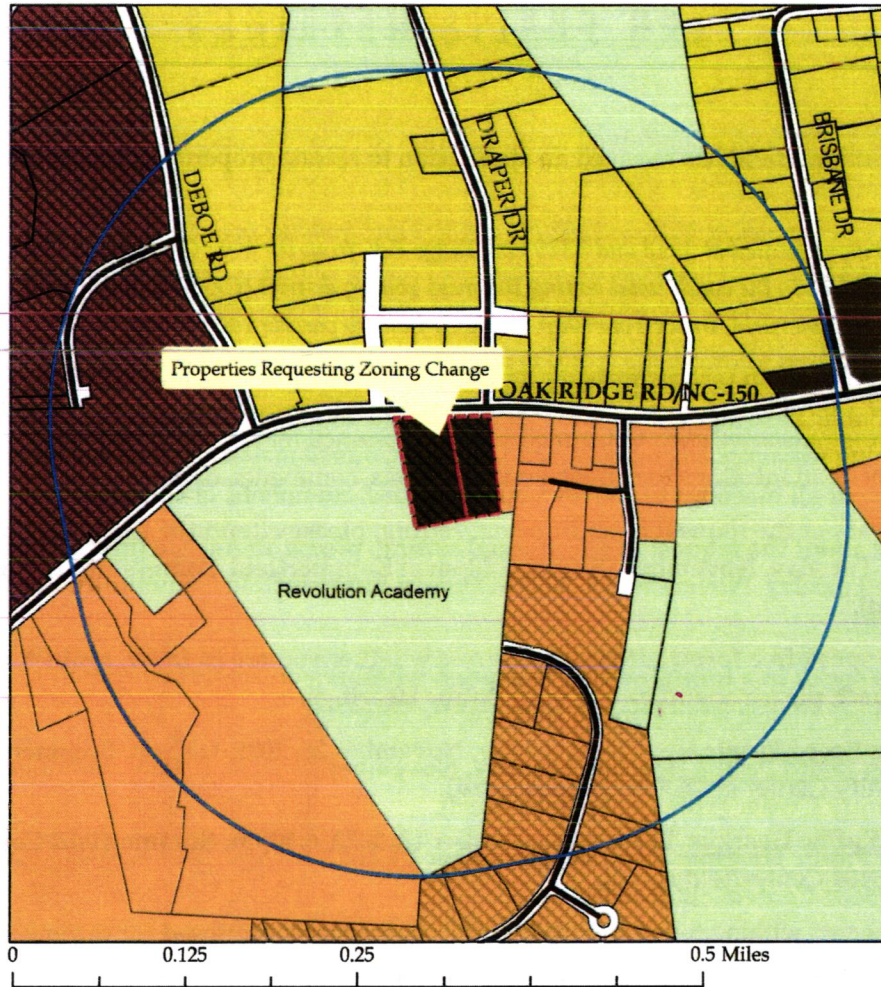
All property owners within one-quarter (0.25) mile of a property proposed for rezoning are receiving this notification. The Town relies on Guilford County tax records for addresses. Please share this information with those you feel might be interested in the rezoning request.

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



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

Location Map - 3818 & 3820 Oak Ridge Rd



Legend

- 0.25 Mailing Buffer
- Subject Parcels
- AG-Agricultural
- GB-General Business
- LB-Limited Business
- RS-Residential
- RS-30-Residential



Produced by the Town of Summerfield Planning Department
using Guilford County GIS Data
Map updated 6/22/2022



Town of Summerfield
Planning Department

January 21, 2011

Lisa Waynick
3818 Oak Ridge Road
Summerfield, NC 27358

RE: REZONING CASE #07-10

Dear Ms. Waynick,

Following a public hearing on January 19, 2011 requesting a rezoning of your property, the Summerfield Town Council *approved* the request to rezone the following properties from RS-40, MH, SR to CU-LB, SR:

The property is located at 3818 and 3820 Oak Ridge Rd , being part of Guilford County tax map # 0146975 and 0146957. The property is owned by Lisa Waynick Kim and Patricia Isley Waynick.

The conditions offered by the applicant and approved by the Governing Body are:

- Uses shall be limited to
 1. Animal Services (other)
 2. Sport Instructional School
 3. Clothing, shoe and accessory store
 4. Caretaker dwelling
 5. Retail area is limited to 100 square feet
- Development condition:
 1. Future additional barn
 2. Riding arenas

This decision is final unless appealed in writing to the Town within fifteen days of the date of this letter. You will be notified if there is an appeal.

If you have any questions concerning this matter, please contact me at Town Hall at 643-8681.

Sincerely,

Christopher S. Anderson, AICP
Town Planner
www.summerfieldgov.com

meeting date: December 13, 2022

attachment(s): yes

Public hearing/action re: UDO text amendment case TA-05-2022
(text amendment request for Article 4, Section B.6.(c) Scenic Corridor Area Overlay)

STAFF COMMENTS AND/OR RECOMMENDATION:

Staff initiated this request to Article 4 of the Unified Development Ordinance to address inconsistencies within the Scenic Corridor Area (SCA) Overlay requirements, as well as to provide updates for clarity and more practical implementation of the overlay.

Staff will present the attached TA and provide further detail. Staff recommendations for removal are indicated by ~~red strikethrough~~, staff recommendations as additions are **highlighted in yellow**, Planning Board recommendations are **highlighted in green**, and staff questions are indicated by green text.

The Planning Board's 11/28 recommendation was (from its draft minutes): "After lengthy discussion and opposing decisions, the board agreed to compromise with keeping a 1500-foot buffer on I-73 and reducing to a 750-foot buffer for NC-150 and US-220. Babcock motioned to approve the adopted text amendment with changes listed above, the motion was seconded by Doggett, with Whitacre opposed. The motion carried 4-1."

When considering this TA-05-2022 text amendment change, Council shall consider:

"...the submittal, consistency with the Comprehensive Plan, relevant support materials, staff report, Planning Board recommendation, and any comments given by the public. Town Council, by a majority vote of a quorum present, shall take one of the following actions based on the standards in Article 3.0.3 'Text Amendment':

- i. approves as submitted;*
- ii. conditional approval;*
- iii. deny;*
- iv. remand to the Planning Board for further consideration; or,*
- v. continues the hearing."*

NOTES:

COUNCIL ACTION AND/OR DIRECTION:



date submitted Staff Submitted

case number TA-05-2022

APPLICANT INFORMATION

applicant(s) name(s) Town of Summerfield Planning Dept.

contact phone (single point of contact) (336) 643-8681 - Brad Rentz, Planning Manager

mailing address 4117 Oak Ridge Road, Summerfield NC, 27358

email (single point of contact) Brentz@summerfieldnc.gov

PROCESSING REQUIREMENTS

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

OVERVIEW OF PROPOSED AMENDMENT

Include the article, section and/or page number of the Summerfield Ordinance to be amended (ex. Article 4.D.2.(a), Page 4-36):

1. Article 4.B.6.(c): Scenic Corridor Area Overlay Districts (SCA)
2. _____
3. _____
4. _____

PURPOSE AND INTENT

Briefly describe the purpose and intent of the proposed amendment(s):

1. Town Staff identified inconsistencies with the sections' requirements as well as areas of clarification for practical application of the SCA's requirements.
2. _____
3. _____
4. _____



PROPOSED AMENDMENT DRAFT

Supply a draft of the specific changes (new text and/or deletion of existing text). Separate documents may be submitted to satisfy this requirement.

1. See attached draft section of the Ordinance. _____

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 Text Amendment must be signed by the applicant(s)

applicant #1 signature _____ date _____

applicant #2 signature (if applicable) _____ date _____

applicant #3 signature (if applicable) _____ date _____

Town of Summerfield approval _____ date _____

Space district.

6. OVERLAY DISTRICTS

(a) Flood Hazard Area Overlay (FHA)

The Flood Hazard Area Overlay (FHA) is intended to set forth regulations which shall prevent the damage done by floods. It also limits development to prevent increases in flood levels and limits or prohibits land uses that pose a threat to water supplies. Building types allowed in the FHA are the same as those allowed in the underlying base zoning districts, subject to the requirements of Article 9.H *Definitions Related to Environmental Regulations*.

(b) Watershed Area Overlays

Watershed protection is accomplished by establishing low density development, limiting the amount of impervious surface, and limiting or prohibiting land uses that pose a threat to surface and groundwater supplies, which is especially critical for Summerfield. These regulations are in accordance with the requirements of the North Carolina Environmental Management Commission, the North Carolina General Statutes, and Best Management Practices. Summerfield has two watershed overlays that are specified in Article 9.

(1) General Watershed Area Overlay (GWA)

The General Watershed Area Overlay District (GWA) is intended to set forth regulations for the protection of public drinking water supplies and is applicable to all lands which drain toward such supplies and are outside of the Watershed Critical Area.

(2) Watershed Critical Area Overlay (WCA)

The Watershed Critical Area Overlay District (WCA) is intended to set forth regulations for the protection of public drinking water supplies and is applicable to all lands adjacent to and which drain toward existing or proposed supply intakes or reservoirs. Building Types allowed in the GWA and WCA are the same as those allowed in the underlying base zoning districts, subject to the requirements of Article 9.H *Definitions Related to Environmental Regulations*.

(c) Scenic Corridor Area Overlay Districts (SCA)

The Scenic Corridor Area Overlay (SCA) are established to protect the natural features and trees that provide a sense of arrival for residents and visitors traveling the major entrance roads and gateways to the Town. Properties along these entrance roads and gateways contribute significantly to the Comprehensive Plan's policies for Community Character Preservation and Attractive Community Appearance. The goal of these overlay areas is to protect the scenic value of the view corridors through development standards for building architecture, building materials, lighting, signage, and site design. These standards shall preserve the character and improve the appearance of the Town by maintaining the sense of a rural corridor in a developed environment; provide an aesthetically appealing experience for those traveling the corridor; increase safety along the corridors by reducing visual clutter and inappropriate site design, and provide safe multi-modal transportation options for motorists, bicyclists, and pedestrians. Regulations governing density, use, building type and development standards are set forth herein. The following Scenic Corridor Area Overlay Districts are hereby established:

- (1) I-73 Scenic Corridor: This corridor ~~extends for a distance of 1,500 linear feet on either side of the right-of-way of~~ is bounded by all land which is located within 750 ~~(1,500)~~ feet on either side of the midpoint of the median of Interstate 73 within the boundaries of the Town limits.
- (2) US 220 Scenic Corridor: This corridor ~~extends for a distance of 1,500 linear feet on either side of the right-of-way of~~ is bounded by all land which is located within 750 feet on either side of the midpoint of the median of US Highway 220 from the northern Town limits to the southern Town

limits.

- (3) NC 150 Scenic Corridor: This corridor ~~extends for a distance of 1,500 linear feet on either side of the right-of-way of~~ is bounded by all land which is located within 750 feet on either side of the centerline of NC Highway 150 from the western Town limits to the eastern Town limits.

(d) **General Requirements for Scenic Corridor Area Overlay Districts**

In addition to the development standards of Article 6-5, the following development standards apply to all Scenic Corridor Area Overlay Districts established after the effective date of this ordinance.

(1) **Permitted Uses**

All uses permitted in the underlying base district are permitted, except manufactured housing, outdoor storage, outside processing or assembly operations, outdoor advertising and commercial or fleet truck, trailer, or container parking areas. Recreational activities in the ~~L-73~~ scenic corridor area shall be limited to passive recreation. (Staff requests discussion of last sentence.)

(2) **Building Materials and Design**

- a. Materials such as brick, stone, wood, or other like and similar materials are required on all new construction and additions that are visible from ~~a~~ the subject scenic corridors' public right-of-way.
- b. Prefabricated metal or fiberglass sheds shall not to be visible from the subject scenic corridors' public right-of-way.
- ~~c. This section does not apply to single family or two family residential structures.~~
- ~~d. Buildings in the SCA shall have a positive visual impact with appropriate architecture, size, and compatibility with Community Character and Appearance policies of the Comprehensive Plan.~~
- e. Long, blank walls are not permitted. For every 30' of building frontage, façade, or opaque fencing, there shall be a change in front building façade, i.e., relief, elevation, design, building material, or other like distinction
- ~~f. The Administrator or Planning Board may approve alternative building designs that meet or exceed the standards established by this Ordinance.~~

(3) **Signage**

Signage within the SCA has additional requirements and restrictions beyond those dictated within Article 5.J. Sign Regulations. Within the SCA, all signage shall be limited to no more than six (6) feet in height and fifty (50) square feet in area. Signage shall be compatible in scale, size, material, and character with the building and surrounding structures.

(4) **Walls and Fencing**

Walls and fencing shall enhance the rural or historic character of the development and community. Materials used for walls and fencing should complement or duplicate materials used in the buildings. Materials such as brick, stone, wood, or other like and similar materials are required for all fencing that can be viewed from the scenic corridor. Business developments ~~is~~ ~~are~~ are required to use berms, walls, fencing, and vegetative materials in concert to produce effective screening.

(5) **Parking**

- a. Parking shall be located to the side or rear of the business developments. Side parking shall meet the minimum street yard setback and shall be screened with a combination of

landscape berms (minimum 4' in height), walls, and fencing.

- b. ~~Large expanses of parking shall not be approved.~~ (Prohibiting large expanses of parking is unrealistic given allowed permitted uses. Also, screening and placement of parking is addressed in items a, c, and e).
- c. Parking that is adjacent to the scenic corridor shall be required to have a street Type B planting yard buffering it from the scenic corridor.
- d. Depending on the review procedure approval level for the type of proposed development, the Administrator or Planning Board may approve an alternate plan which meets or exceeds the standards of the Ordinance.
- e. Interior parking shall be required to have the planting rate of one canopy tree per 12 parking spaces, one understory tree per eight parking spaces, and one shrub per three parking spaces.

(6) Landscaping

Except as provided in this section, landscaping shall follow the guidelines established in Article 56.F.4(e).

(7) Existing examples of Community Character

Mature hardwood trees and other Community Character Resources such as farm fields existing prior to development shall be preserved and incorporated into site designs. Tree removal shall occur only when approved with site plan or subdivision approval. No tree removal within any SCA is permitted prior to the approval of a site plan or subdivision plan. After such approval tree removal is subject to Administrator approval.

(e) I-73 Scenic Corridor Area Overlay District Distinguished

- (1) The I-73 corridor is distinguished from other entry roads by its nature as a controlled access interstate with high traffic speeds and potential noise, air, and light pollution. Goals of the I-73 SCA include:
 - a. provide a pleasant environment for motorist representative of Summerfield's Community Character;
 - b. buffer the impacts of the interstate from adjoining properties;
 - c. preserve the capacity of the corridor to accommodate high traffic volumes at high speeds; and,
 - d. provide a desirable image to prospective residents and business owners.
- (2) Requirements of the I-73 SCA
 - a. Any development proposed after the adoption of this UDO within the I-73 SCA shall be screened from visibility by motorists on I-73.
 - b. All existing trees, vegetation, and other Community Character Resources within 750 linear feet adjoining both sides of the right of way prior to the adoption of this UDO shall be preserved in accordance with Article 6: Landscaping Requirements.
 - c. Existing mature hardwood trees and other Community Character Resources between 500' and the limits of the SCA shall be incorporated into the design of any site developed after the adoption of this UDO.

(f) Town Core District Overlay (TCD)

The Town Core District strives to preserve the small-town character of central Summerfield and is



meeting date: December 13, 2022

attachment(s): yes

Board appointment/re-appointment
(Board of Adjustment, Planning Board)

STAFF COMMENTS AND/OR RECOMMENDATION:

The BOA has 1 new applicant for consideration. Council members DeVaney and Doggett will have a recommendation about the applicant.

BOA:

- Linda Wendelken She is eligible for a 3-year term.

Attachments:

1. application
2. current BOA roster
3. relevant UDO pages re: membership appointment, and terms of office

The Planning Board has 2 new applicants for consideration as alternate members. Council members DeVaney and Doggett will have a recommendation about each applicant.

Planning Board (alternates):

- Tara Peterson She is eligible for a 3-year term.
- Ron Collier He is eligible for a 3-year term.

Attachments:

1. application
2. current PB roster
3. relevant UDO pages re: membership appointment, and terms of office

NOTES:

COUNCIL ACTION AND/OR DIRECTION:



COMMITTEE/BOARD APPLICATION



APPLICANT INFORMATION			COMMITTEE/BOARD APPLYING FOR: <i>Board of Adjustments</i>				
last name	<i>Wendelken</i>	first	<i>Linda</i>	m.i.	<i>A</i>	preferred name	
street address	<i>3406 Windswept Dr</i>						
city	<i>Summerfield</i>	state	<i>NC</i>	zip	<i>27358</i>		
phone	<i>336-601-5643</i>	email	<i>Linda@Corporate-accommodations.com</i>				
Do you have any felony convictions that relate to fitness for membership?		yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.			
Do you currently serve on a town committee?		yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.			
Do you have any immediate family members that currently serve on a town committee?		yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.			
Most boards/committees meet in the evenings. Are you available for night meetings?						yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
REASONS AND MOTIVATION FOR WANTING TO SERVE ON THIS COMMITTEE/BOARD							
<p><i>I want to serve my community! I want to be able to be involved more and participate to make a difference in our town.</i></p>							
RELEVANT KNOWLEDGE, SKILLS, OR EDUCATION							
<p>Please attach a resume or tell us about any skills, experience, or education you have relative to this committee or board. This may include the following: school, apprenticeships, vocational training, military training, classes or workshops you have attended, special job-related skills and qualifications acquired from employment, professional registrations, licenses or certifications, and/or other training or experience.</p>							
<p><i>I own and operate three successful businesses. Served in the Marine Corps. I am expert in logistics, I understand details and can solve small and large problems. I work well with all people and enjoy challenges. Tons of experience!</i></p>							



COMMITTEE/BOARD APPLICATION



ETHICS AND CONFLICTS OF INTEREST

The Town of Summerfield requires that all committee/board members adhere to the following code of ethics included in the Consolidated Committee Ordinance (O-2015-02). Each committee member is expected to act in a manner to maintain their integrity and independence, yet be responsive to the interests and needs of the town, Council, and staff.

1. Committee members shall understand the committee's role as an advisory one and respect the decisions made by the Council and staff.
2. Committee members have legitimate interests (economic, professional, and vocational) of a private nature. Committee members shall not be denied, nor should they deny to other committee members or citizens the opportunity to acquire, retain, and pursue private interests, economic or otherwise, except when conflicts with their responsibility to the public cannot be avoided. Committee members must exercise their best judgment to determine when this is the case.
3. Committee members will understand that the actions of their committee may interfere with, or be counter to, the actions of another committee of the Town. When this occurs, it is incumbent upon committee members to properly discuss the issues arising from such conflict and be willing to accept the decisions made by other committees, staff, and Council as acting in the best interest of the citizens of Summerfield.
4. Committee members should conserve town resources in their charge and employ town equipment, property, funds, and personnel only in legally-permissible pursuits and in a manner that exemplifies excellent stewardship.
5. Committee members have a fiduciary duty (see "Definitions") to the town and committee, not their own or other private interests. Any possible fiduciary conflicts shall be disclosed to the committee, Town Manager, and Council.
6. At the Council's discretion, a background check may be performed on any committee applicant.

By signing below, you are agreeing that you will abide by the above ethics and all rules of procedure established by the Town of Summerfield for volunteer committee/board members.

DISCLAIMER AND SIGNATURE

I certify that all of the statements made in this application and any attached documents are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that any false statements or information may be grounds for rejection of my application or dismissal if appointed.

Signature *Rudolf Weiler* Date 11-2-22

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

BOARD OF ADJUSTMENT ROSTER *UPDATED NOVEMBER 2022*

“Members and Alternate Members of the Board shall serve a term of three (3) years... Members shall serve at the will of the Town Council, with no maximum number of consecutive terms... The Board of Adjustment shall consist of at least five (5) members and may have alternates, appointed by the Governing Body.”

James (Jim) Brady, Chair

4803 Oak Forest Dr, SFD
336-708-0097
jfbrady@bellsouth.net
Member since: 11/07 (5th term)
Reappt. 8/20, Term exp. 11/23

Ronald Willis

6806 Bronco Ln, SFD
336-643-7235
PastureRon@aol.com
Member since 11/04 (6th term)
Reappt. 10/20, Term exp. 11/23

Andrew Broom

7000 Lake Henson Drive, SFD
336-609-4062
Abroom72@hotmail.com
Member since 3/21 (1st term)
Term exp. 3/24

Taylor Robertson

6209 Oak Forest Ct, SFD
336-604-1016
Trobertson@averitt.com
Member since 11/22 (1st term)
Term exp. 7/25

ALTERNATES

Anthony Donato

1127 NC Highway 150 W
adonato@anthonydonatolaw.com
Member since 3/21 (1st term)
Term exp. 3/24

STAFF

Brad Rentz, Planning Manager

336- 643-8681
brentz@summerfieldnc.gov

Sarah Tibbetts, Town Clerk

336-643-8655
clerk@summerfieldnc.gov

Bob Hornik, Town Attorney

Board of Adjustment:

Membership, Appointment, and Terms of Office

Number of Members

The BOA shall consist of five (5) regular members appointed by the Town Council and shall serve at its pleasure. All members shall reside within the corporate limits of the Town.

Alternate Members

An alternate member may sit only in lieu of a regular member, as assigned by the Chair in accordance with the Board's Rules of Procedure. When so seated, alternate members shall have the same powers and duties as the member they replace. In no instance shall more than five (5) regular and alternate members take part in a quasi-judicial hearing of the BOA.

Length of Terms

Members and alternate members shall be appointed for three-year, staggered terms. Members shall serve until their successors are appointed.

Filling of Vacancies

Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term only. A member who moves outside the corporate limits shall be replaced by a qualifying applicant.



COMMITTEE/BOARD APPLICATION



APPLICANT INFORMATION				COMMITTEE/BOARD APPLYING FOR: Planning Board			
last name	Peterson	first	Tara	m.i.	E	preferred name	Tara
street address	6100 Great Oaks Drive						
city	Summerfield	state	NC	zip	27358		
phone	336-404-5657		email	tep838@hotmail.com			
Do you have any felony convictions that relate to fitness for membership?		yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.			
Do you currently serve on a town committee?		yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.			
Do you have any immediate family members that currently serve on a town committee?		yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.			
Most boards/committees meet in the evenings. Are you available for night meetings?						yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
REASONS AND MOTIVATION FOR WANTING TO SERVE ON THIS COMMITTEE/BOARD							
<p>I was born and raised in the northwest Guilford community, as were the prior 4 generations of my family. I descend from a long line of individuals who relied upon the land and natural resources in and around Summerfield to make a living and provide for their families. Growing up in this area instilled in me a tremendous respect for our community and the importance of the decisions we make regarding planning and land use. I would like a seat at the table as conversations happen and decisions are made about the future growth of Summerfield.</p>							
RELEVANT KNOWLEDGE, SKILLS, OR EDUCATION							
<p>Please attach a resume or tell us about any skills, experience, or education you have relative to this committee or board. This may include the following: school, apprenticeships, vocational training, military training, classes or workshops you have attended, special job-related skills and qualifications acquired from employment, professional registrations, licenses or certifications, and/or other training or experience.</p>							
<p>I have over 10 years of experience in the corporate financial sector. My role requires me to identify and mitigate risks related to the interpretation and application of Federal and state government regulations, as well as bank policies and standards.</p>							
<p>I am well versed in the language of the law as it applies to planning and zoning.</p>							



COMMITTEE/BOARD APPLICATION



ETHICS AND CONFLICTS OF INTEREST

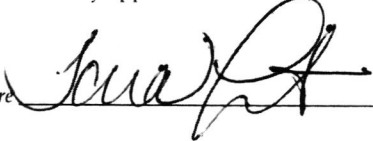
The Town of Summerfield requires that all committee/board members adhere to the following code of ethics included in the Consolidated Committee Ordinance (O-2015-02). Each committee member is expected to act in a manner to maintain their integrity and independence, yet be responsive to the interests and needs of the town, Council, and staff.

1. Committee members shall understand the committee's role as an advisory one and respect the decisions made by the Council and staff.
2. Committee members have legitimate interests (economic, professional, and vocational) of a private nature. Committee members shall not be denied, nor should they deny to other committee members or citizens the opportunity to acquire, retain, and pursue private interests, economic or otherwise, except when conflicts with their responsibility to the public cannot be avoided. Committee members must exercise their best judgment to determine when this is the case.
3. Committee members will understand that the actions of their committee may interfere with, or be counter to, the actions of another committee of the Town. When this occurs, it is incumbent upon committee members to properly discuss the issues arising from such conflict and be willing to accept the decisions made by other committees, staff, and Council as acting in the best interest of the citizens of Summerfield.
4. Committee members should conserve town resources in their charge and employ town equipment, property, funds, and personnel only in legally-permissible pursuits and in a manner that exemplifies excellent stewardship.
5. Committee members have a fiduciary duty (see "Definitions") to the town and committee, not their own or other private interests. Any possible fiduciary conflicts shall be disclosed to the committee, Town Manager, and Council.
6. At the Council's discretion, a background check may be performed on any committee applicant.

By signing below, you are agreeing that you will abide by the above ethics and all rules of procedure established by the Town of Summerfield for volunteer committee/board members.

DISCLAIMER AND SIGNATURE

I certify that all of the statements made in this application and any attached documents are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that any false statements or information may be grounds for rejection of my application or dismissal if appointed.

Signature  Date 10/10/22

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COMMITTEE/BOARD APPLICATION



APPLICANT INFORMATION			COMMITTEE/BOARD APPLYING FOR: <i>Planning/Zoning</i>				
last name	<i>Collier</i>	first	<i>Ren</i>	m.i.	<i>L</i>	preferred name	<i>Ren</i>
street address	<i>5139 Carlson Dairy Rd</i>						
city	<i>Summerfield</i>	state	<i>NC</i>	zip	<i>27358</i>		
phone	<i>(336) 202-5800</i>	email	<i>COLTIERRONL@GMAIL.COM</i>				
Do you have any felony convictions that relate to fitness for membership?	yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.				
Do you currently serve on a town committee?	yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.				
Do you have any immediate family members that currently serve on a town committee?	yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>	If yes, explain.				
Most boards/committees meet in the evenings. Are you available for night meetings?						yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>

REASONS AND MOTIVATION FOR WANTING TO SERVE ON THIS COMMITTEE/BOARD

I feel very confident that I would serve the citizens of our town with their best interest first and foremost.

RELEVANT KNOWLEDGE, SKILLS, OR EDUCATION

Please attach a resume or tell us about any skills, experience, or education you have relative to this committee or board. This may include the following: school, apprenticeships, vocational training, military training, classes or workshops you have attended, special job-related skills and qualifications acquired from employment, professional registrations, licenses or certifications, and/or other training or experience.

I am a graduate of Appalachian State University (1986) and hold a BSBA in Business Management from the Walker School of Business. I am a licensed N.C. real estate agent with over 20 years experience. I have over 30 years experience in construction and have been a citizen and homeowner of Summerfield for over 30 years.



COMMITTEE/BOARD APPLICATION



ETHICS AND CONFLICTS OF INTEREST

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DISCLAIMER AND SIGNATURE

I certify that all of the statements made in this application and any attached documents are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that any false statements or information may be grounds for rejection of my application or dismissal if appointed.

Signature Ron Collier Date 9/13/22

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PLANNING BOARD ROSTER *UPDATED SEPTEMBER 2022*

“Members and Alternate Members of the Board shall serve a term of three (3) years... Members shall serve at the will of the Town Council, with no maximum number of consecutive terms... The Planning Board shall consist of at least five (5) members and may have alternates, appointed by the Governing Body.”

Richard L. (Dick) Feulner, Chair

3507 Windswept Dr, SFD
336-643-5680
DFeulner@triad.rr.com
Member since: 6/03 (7th term)
Reappt. 2/21, Term exp. 7/24

Kathy Rooney

7130 Rabbit Hollow Rd, SFD
336-643-7878
info@rolfingassociates.com
Member since: 11/07 (6th term)
Reappt. 8/22, Term exp. 7/25

Trudy Whitacre

5115 Bunch Rd, SFD
336-643-2131
tkwhitacre@gmail.com
Member since: 3/00 (8th term)
Reappt: 2/21, Term exp. 7/24

Walter Doggett (Clark)

7986 Highfill Rd, SFD
336-202-8899
kg4hom@gmail.com
Alternate since: 4/17
Reg. Member since 10/20 (1st term)
Term exp. 10/23

Clint Babcock

5802 Henson Farm Rd, SFD
336-918-0256
clint@vettedude.com
Member since: 4/17 (3rd term)
Reappt. 9/22 Term exp. 7/25

ALTERNATES

None

STAFF

Brad Rentz, Planning Manager

336-643-8681
brentz@summerfieldnc.gov

Sarah Tibbetts, Town Clerk

336-643-8655
clerk@summerfieldnc.gov

Bob Hornik, Town Attorney

Planning Board:

Number of Members

The Planning Board shall consist of at least five (5) members and may have alternates, appointed by the Town Council. All members shall reside within the corporate limits planning jurisdiction of the Town of Summerfield. Board members should be diverse in their representation of the Town and might be subject to other criteria as determined by Town Council. If the Town establishes an Extraterritorial Jurisdiction (ETJ), there shall be a means of proportional representation based on a population for residents of the extraterritorial area to be regulated. The population estimates for this calculation shall be updated no less frequently than after each decennial census

Alternate Members

- a. In the absence of a regular Board member, an alternate shall act in the place and stead of the regular member and perform the same assigned duties and powers. Alternates are expected to attend meetings when not formally needed, as provided in Article 2. A.4.B.10.G.
- b. When called upon to participate because of a regular member's absence, alternates will alternate their participation among each other, as regulated by the Administrator and reflected within the minutes.
- c. At the discretion of Board's Chair, alternate members in attendance may speak on matters under review by the Board, but of course cannot formally participate.
- d. The regular member who appears after the opening of the hearing will take on "alternate" status for the duration of that portion of the meeting.
- e. If an alternate member is called on to participate in the consideration of an item from which a regular Board member has been excused due to conflict or otherwise, then the alternate shall relinquish their seat upon conclusion of that matter. Should a regular member be absent at the start of the meeting and arrive late, the regular member shall not be seated if an alternate is seated in their place.

Length of Terms

Members and Alternate Members of the Board shall serve a term of three (3) years, provided that upon initial appointment the terms of office may be two (2) years or four (4) years, so as to provide for staggered terms. The terms of all Board members shall not expire at the same time.

Maximum Consecutive Terms

Members shall serve at the will of the Town Council, with no maximum number of consecutive terms.

Filling of Vacancies

Vacancies created by resignation or other causes shall be filled as follows:

- a. a new member or an alternate member may be appointed to fill the unexpired term of the member so vacating;
- b. members filling vacancies shall serve for the remainder of the unexpired term; and,
- c. a member who moves outside the corporate limits shall be replaced by a qualifying applicant appointed by the Town Council.



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meeting date: December 13, 2022

attachment(s): no

A&Y Greenway (South) project
(current design contract)

STAFF COMMENTS AND/OR RECOMMENDATION:

This project was placed on NCDOT's project list and funding schedule in late 2015 as an 80%-funded-20%-match project. This followed the town's initiative to already have a significant amount of design and engineering underway and this work has been performed by Stewart (a NC-based design and planning firm), along with its associated contractors. NCDOT's timeline has been 2022 for right-of-way work with construction to start in 2024. The agreement with NCDOT was implemented earlier this year.

The greenway work underway with Stewart totals \$389,953. The original contract was \$320,294 and two needed supplements totaling \$69,659 were added later. (One involved reworking the alignment near the US-220 tunnel due to access problems and the other involved extending the greenway farther north after the town purchased the Vandergrift property.)

Most recently Stewart updated a study regarding threatened and endangered species along the proposed route in an effort to advance the design plans to the next stage for NCDOT's 75% plan review. The Manager would like to discuss the project schedule with Council and propose a change.

NOTES:

COUNCIL ACTION AND/OR DIRECTION:



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ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

meeting date: December 13, 2022

attachment(s): no

Laughlin Professional Development Center

STAFF COMMENTS AND/OR RECOMMENDATION:

This will be a continuation of last month's discussion and current efforts to obtain the property. Laughlin was declared surplus property by Guilford County Schools, but Guilford County has not yet acted regarding its right of first refusal. The Town and County are in continued discussions about how awarded ARPA funds might be reallocated in keeping with State law.

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

meeting date: December 13, 2022

attachment(s): no

Water infrastructure/steps
(update regarding sourcing)

STAFF COMMENTS AND/OR RECOMMENDATION:

This will be a continuation of last month's discussion. The Manager will provides updates regarding discussions thus far with neighboring jurisdictions.

NOTES:

COUNCIL ACTION AND/OR DIRECTION: