

Developer calls Summerfield's draft development rules discriminatory

A lawyer for David Couch said the proposed rewrite of the town's unified development ordinance 'encourages segregation based on income'

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SUMMERFIELD - A proposed rewrite of Summerfield's development regulations imposes such strict standards that it discriminates against people seeking affordable housing, a lawyer for Summerfield Farms owner David Couch said.

Couch shared the legal assessment by Greensboro lawyer Tom Terrell along with his own letter with Summerfield leaders last week. The correspondence was intended to bolster the developer's argument that the prevalence of subdivisions with roughly one house per acre violates the town's mandate for a range of housing options, including his own plans for expanding Summerfield Farms.

In an interview last week, Mayor BJ Barnes said the Town Council will examine Couch's concerns about the draft unified development ordinance (UDO), which the Zoning Board has turned over to the council for revisions and final approval. Town staff is planning an open house March 15 to begin gathering residents' viewpoints about the proposed rules.

Couch is pushing for a relaxation of density requirements and zoning rules as he proposes to develop 700 acres around Summerfield Farms on Pleasant Ridge Road with a range of housing, from \$250,000 townhouses to single-family homes costing as much as \$2 million. He unveiled his plans for Summerfield Farms Village to the Town Council last September.

Last week's letters by Couch and his lawyer raised potential legal stakes for Summerfield.

"The low densities, large minimum average lot sizes, the lack of flexibility and high land cost make it economically impossible to provide moderately priced housing, as required in the comprehensive plan," Couch said. "We feel this will cause serious legal challenges to our town's fair housing compliance."

Terrell's letter said "it is difficult to describe (the draft UDO) as anything but official governmental policies that discriminate against affordable housing and encourages segregation based on income."

Summerfield's current zoning regulations are having the same effect "to some extent," according to Terrell, citing "demographics in Summerfield" where more than 91 percent of residents are white and the median household income is \$103,769.

Couch sent Terrell's letter and his letter to the Town Council as well as Town Manager Scott Whitaker and Chris York, the town's planning manager. The developer expressed "serious concerns" that the draft UDO conflicts with policies of the comprehensive plan, such as the preservation and protection of the town's rural character.

"Under the proposed UDO, we are concerned about how we would design and build a master planned community that protects rural vistas, farmlands, woodlands and environmentally sensitive areas and be done in an economically feasible way that provides the variety of housing types and price points as envisioned in the comprehensive plan," Couch said.

The plan that the developer unveiled for Summerfield Farms Village last fall envisions the preservation of open spaces bisected by public bike trails and grazing land for his beef cattle. The mix of residential and commercial development would rely upon the extension of water and sewer lines from the city of Greensboro, with property owners in the development - not other Summerfield taxpayers - paying for the utilities, according to Couch.

His plan would require the cooperation of the city of Greensboro in providing water and sewer services and Guilford County in creating the special tax district. If Greensboro, the county and Summerfield decide to proceed with the proposal, it would require final approval by Summerfield Town Council.