

Minutes
Planning & Zoning Commission Meeting
Tuesday, February 28, 2023
6:00 PM Midland Town Hall
4293-B Hwy. 24/27E, Midland, NC 28107

Attendance: Commissioners: Chair Darrell Helms, Kurt Foundos, Jennifer Gallant, Jim Hoy, Josh Mendoza, Paul O'Neil, Stephen Scott; Hilda Keeney, Planning & Zoning Clerk; Kassie Watts, Town Planner

Item #1 – Invocation & Pledge of Allegiance

Item #2 – Open – Chair Helms called the meeting to order at 6 PM.

Item #3 – Approval of Agenda

Motion was made by Commissioner O'Neil seconded by Commissioner Hoy to approve the agenda. Motion carried 6-0.

Item #4 – Approval of Minutes – Open Session 11-22-2022

Motion by Commissioner Hoy and seconded by Commissioner O'Neil to approve the open session 11-22-2022 minutes. Motion carried 6-0.

Item #5 – Public Comments

No public comments.

Item #6 – Planning, Zoning & Subdivision Reports

a. Zoning Permit Review

Ms. Watts presented the zoning permits issued for December 2022 and January 2023.

b. Update on Projects

- **Smith Industrial Park** – final plat recorded – finishing site plan for Huntley Brothers construction site
- **Midland Crossing** – continue to work on issues with NCDEQ on erosion control stormwater permits – received zoning permit request for monument sign
- **Allen's Mini Storage** – CO for the first building
- **Bella Pools (former ProFitters)** – site plan approved
- **Sewer along NC Hwy 24/27** – construction will begin soon – had preconstruction meeting – some materials have been delivered

Item #7 – Zoning Text Amendment – ZTA-2023-01 – To consider proposed text amendment, modifying the permitted uses of Article 8, (Zoning Districts) Table 8.1 (Table of Uses, Section 1 – General), and Article 10 (Uses with Additional Standards and Special Uses) within in the Midland Development Ordinance.

Staff has been approached by a local business, Hartsell Funeral Home (HFH), to consider an amendment to the Midland Development Ordinance to allow for an “Event Center” to be added as a “use” to the MDO. HFH owns an older home adjacent to the funeral home which they would like to utilize as an event center space. This use would operate as an **accessory** to the functions of the funeral home. Events such as showers, celebrations of life, parties, smaller weddings, etc. could be held at the house and on the grounds behind the house where a pond is located. The visitors would utilize the existing parking available on the funeral home property, as well as some parking to be created immediately adjacent to the

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house as part of a required site plan approval.

The “Event Center” text amendment being proposed under ZTA-2023-01 would be allowed in only the Old Midland, (OM) and Old Midland Periphery (OMP) zoning districts. An “Event Center” would be permitted as a “*use with additional standards*”, listed in Table 8.1 as (AS (10.1-38)) and would reference Article 10 for the additional standards.

The proposed text amendment would add a new line item for “Event Center” to Table 8.1 (Table of Uses, Section 1 – General), and the following language shown below to Article 10 (Uses with Additional Standards and Special Uses):

10.1-38 Event Center

- a. Zoning Districts: OM, OMP*
- b. An event center may be established only as an accessory use to another principal commercial use.*
- c. Establishment of event center use must submit a site plan per Article 7 and must comply with all applicable standards of the Midland Development Ordinance and any other local, state and federal regulations.*

After considerable discussion, the Commission directed staff to further research the request with the following considerations:

- egress/ingress to accessory use by principal use
- hours of operations
- connecting uses (sidewalks)
- no on street parking
- parking in designated areas
- handicap accessible (ADA)
- stripping
- special use permit
- shared property line
- site plan

Motion by Commissioner Hoy and seconded by Commissioner Scott to table and direct staff to further research the request, include the considerations presented and present a draft to the P&Z Commission at the March 2023 meeting. **Motion carried 6-0.**

Item #8 – Discussion - Change in Zoning Districts

Staff was directed to engage a discussion with the P&Z Commission regarding the potential of adding a new zoning district to the Midland Development Ordinance. Currently the ordinance has Agriculture (AG) zoning, which requires a 5 acre minimum lot size, and Single Family Residential (SFR) which requires a minimum of 11,600 sq. ft. These are the two primary zoning districts in which single family residential dwellings are developed. There are other zoning districts in the “Old Midland” area, such as R/MST, R/OMT, MSP, etc., that also allow single family residential dwellings on 11,600 sq. ft. lots, but they are specific to the “Old Midland” area and are not utilized for SFR dwelling development as much as the AG and SFR zones, which encompass the majority of the town limits.

The Commissioners discussed the pros and cons of amending the various zoning districts.

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Motion by Commissioner Mendoza and seconded by Commissioner Hoy to leave the current classifications as currently written with potential to revisit once the sewer system is completed and installed. **Motion carried 6-0.**

Item #9 – Other Business

None.

Item #8 – Adjournment

Motion was made by Commissioner Mendoza and seconded by Commissioner Scott to adjourn the meeting. **Motion carried 6-0.**

The meeting was adjourned at 7:26 PM.

Darrell Helms, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board