

Minutes
Planning & Zoning Commission Meeting
Tuesday, May 24, 2022
6:00 PM Midland Town Hall
4293-B Hwy. 24/27E, Midland, NC 28107

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

Item #1 – Invocation & Pledge of Allegiance

Excuse Attendance of Commissioner

Motion was made by Commissioner Mendoza and seconded by Commissioner Scott to excuse Jennifer Gallant due to work duties. **Motion carried 5-0.**

Item #2 – Open – Chair Helms called the meeting to order at 6:00 PM.

Item #3 – Approval of Agenda

Motion was made by Commissioner Hoy seconded by Commissioner O'Neil to approve the agenda. **Motion carried 5-0.**

Item #4 – Approval of Minutes – Open Session 02-22-2022

Motion by Commissioner Hoy and seconded by Commissioner O'Neil to approve the open session 02-22-2022 minutes. **Motion carried 5-0.**

Item #5 – Public Comments

No public comments.

Item #6 – Planning, Zoning & Subdivision Reports

a. Zoning Permit Review

No report was presented for the zoning permits issued.

b. Update on Projects

- Continue to work on the Huntley Brothers site plan in the Smith Industrial Park and the looked at Bree Drive with the Engineer that leads into the Sealand site because the road will be dedicated to the Town for maintenance
- Wicker Park – thought they would be given an allocation from the City of Concord but they were not but hoping will get a phased approval
- Thomas Bus Company – almost done with site plan hope to have finished and signed off on by end of this week
- Midland Crossing – not sure what the issue but had expected to have been moving faster
- Sewer on 24/27 five (5) of the easements signed – two (2) this week and 15 total – getting close to finishing and once done record those - few tweaks to specs and put out for bid and hope to have the contracts awarded by the end of the year and construction started on sewer by the end of the year
- Reminder of Dedication service at the Rob Wallace Park at 10 AM Monday (Memorial Day)

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c. **Appointment – TRC Member & Alternate**

Motion by Commissioner Scott and seconded by Commissioner Foundos to appoint Commissioner Mendoza as alternate to serve with Commissioner Hoy on the TRC. **Motion carried 5-0.**

Item #7 – Zoning Map Amendment

ZMA-2022-01 (Zoning Map Amendment) – Consideration of rezoning the property owned by Kenneth Wayne Hartsell, located at 12185 Hwy 601; Midland, NC 28107 (Cabarrus County PIN# 5554-19-9122) totaling 3+/- acres. The zoning petition is to change property from Town of Midland “Main Street” (MS) to Town of Midland “US 601 Commercial” (C 601).

BACKGROUND

On May 10, 2022 the Town of Midland received an application for rezoning of the property shown on the attached map. The overall boundary of the property is shown in the hashed area on the attached map.

The subject property, located at 12185 US Hwy 601 S., Midland, NC 28107 and is further identified as Cabarrus County PIN# (5554-19-9122). The property is currently zoned Town of Midland “Main Street” (MS). The proposed zoning district is the Town of Midland “US Hwy 601 Commercial” (C 601) designation.

FINDINGS AND CONCLUSIONS

The property lies within the area designated on the adopted Town Plan 2030 Future Land Use Map for Commercial uses and is *consistent* with the Town Plan 2030 Land Use and Comprehensive Master Plan, Revision 2, adopted October 8, 2013 and amended March 8 and October 11, 2016, April 11, 2017, and July 10 and September 11, 2018 as shown on the adopted Land Use Map. This amendment is reasonable due to the location along a major thoroughfare where water and sewer are available. The parcel has two existing commercial structures on the property. The property is adjacent to other commercially zoned properties on all sides. The town expects that this corridor will continue to develop commercially and commercial uses currently exist and are being developed in this area. This amendment will allow the subject property to be used in accordance with the standards of the “US Hwy 601 Commercial” (C 601) Zoning District in the future.

POLICY IMPLICATIONS

The Town of *Midland Development Ordinance* and the North Carolina General Statutes require the P&Z Commission to make a recommendation on the zoning map amendment.

Notice of this meeting and this agenda item has been publicized, letters have been sent to adjacent property owners within 500 ft. of the subject property, and a zoning hearing sign has been posted on the property.

Town of Midland Development Ordinance standards will apply following the:

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1. P&Z Commission motion to make a recommendation to Town Council,
2. Public Hearing to held by the Town Council (June 14, 2022), and
3. Adoption of an Ordinance (ZMA-2022-01) including both Reasonableness and Consistency Statements designating the Town zoning classification.

The Commission may vote to recommend approval, denial, or to modify the recommended classification in accordance with the adopted *Town Plan 2030 Land Use & Comprehensive Master Plan, Revision 2* adopted October 8, 2013 and subsequently amended March 8 and October 11, 2016, April 11, 2017, and July 10 and September 11, 2018 by the Town of Midland Town Council.

Motion was made by Commissioner Foundos and seconded by Commissioner Scott to recommend Town Council designate the subject property as “US Hwy 601 Commercial” (C 601), consistent with the *Town Plan 2030 Land Use and Comprehensive Master Plan, Revision 2*, adopted October 8, 2013 and subsequently amended March 8 and October 11, 2016, April 11, 2017 and July 10 and September 11, 2018 as shown on the adopted Land Use Map appearing therein which covers areas outside the city limits of the Town of Midland. This amendment is reasonable due to the location along a major thoroughfare where water and sewer are available. The parcel has two existing commercial structures on the property. The property is adjacent to other commercially zoned properties on all sides. The town expects that this corridor will continue to develop commercially and commercial uses currently exist and are being developing in this area. This amendment will allow the subject property to be used in accordance with the standards of the “US Hwy 601 Commercial” (C 601) Zoning District in the future. **Motion carried 5-0.**

Item #8 – Adjournment

Motion was made by Commissioner Mendoza and seconded by Commissioner Hoy to adjourn the meeting. **Motion carried 5-0.**

The meeting was adjourned at 6:26 PM.

Darrell Helms, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board