

Minutes
Planning & Zoning Commission Meeting
Tuesday, June 27, 2023
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, Savannah Suggs, Assistant Town Clerk

Absent: Jennifer Gallant

Guest: Elizabeth Nervegna

Item #1 – Invocation & Pledge of Allegiance

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

Excuse Attendance of Commissioner

Motion was made by Commissioner Mendoza and seconded by Commissioner O'Neil to excuse Commissioner Gallant from the meeting. **Motion carried 5-0.**

Item #3 – Approval of Agenda

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

Item #4 – Approval of Minutes – Open Session 05-23-2023

Motion by Commissioner Hoy and seconded by Commissioner Scott to approve the open session 05-23-2023 minutes. **Motion carried 5-0.**

Item #5 – Public Comments

No public comments.

Item #6 – Planning, Zoning & Subdivision Reports

a. Zoning Permit Review

Ms. Watts reviewed the zoning permits issued since the May 23, 2023 meeting.

b. Update on Projects

- **Midland Crossing** – all phases have been reviewed – still have not satisfied NCDEQ regarding their stormwater basin – can't move forward until approved by NCDEQ
- **Sewer along NC Hwy 24/27** – construction is underway
- **Bella Pools** – renovating building
- **Gospel Light Baptist Church** - annexation before P&ZC in August
- **Annexation** – corner of US Hwy. 601 and Drake Road – office/warehouse – conditional rezoning
- **Kate's Garden** – site plan submitted for events center
- **Change of Use** - corner of NC 24/27 and Hartwood Road formerly Hair Topia to Fruit of the Spirit Church
- **Town's Fireworks Show** - Saturday, July 1 at Rob Wallace Park with food trucks, live music and fireworks to follow
- **Vacant House on US Hwy. 601** – will be opening a minimum housing code case – to make livable the owner must prove the repairs on the house can be made for less than

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50% of the value – may not have any option but to demolish - if not possible Town may have to demolish and put a lien on the property

Item #7 – Zoning Text Amendment - ZTA-2023-02 - Staff has been approached by a local church requesting a changeable copy sign. The current ordinance allows changeable copy signs in the MS (Main Street), OM (Old Midland), C601 (US Hwy 601 Commercial) and C24/27 (NC Hwy 24/27 Commercial) zoning districts only. It does not allow changeable copy in the CIV (Civic) zoning district, which is what the church is currently zoned.

Civic districts provide for educational, medical and public uses. It is appropriate and reasonable to allow changeable copy signs in the Civic zoning districts as these types of uses traditionally want to use this type of sign to convey messages and information to their constituents.

The proposed text amendment would add the acronym CIV, as shown underlined and bold in the text to Article 17, Section 17.7-2 (G), see below:

- (A) Changeable Copy *signs* are allowed as either attached or freestanding *signs* provided they are:
- a. incorporated into the general or attached signage for a nonresidential property,
 - b. not more than one such *sign* is allowed per occupancy,
 - c. the *sign* message changes no more frequently than once every four hours for manually and mechanically changing *signs* and once every eight seconds for digitally changing *signs*. Digitally Changing *signs* are allowed only on properties zoned MS, OM, **CIV**, C601 or C24/27. Unlike time and temperature *signs*, no area bonus is allowed for changeable copy *signs*.

Motion by Commissioner Mendoza and seconded by Commissioner O’Neil to recommend approval of Ordinance #ZTA-2023-02 to the Midland Town Council, to amend the existing text in Article 17 (Sign Regulations), subsection 17.7-2 (G) of the Midland Development Ordinance to add the attached language, as presented, amending the Midland Development Ordinance 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 required by NCGS § 160D-604d. This amendment is reasonable because the standards established by this amendment are consistent with goals and strategies listed within Section Six of the Town Plan 2030. **Motion carried 5-0.**

Item #8 – Muddy Creek Interceptor Small Areal Plan – A discussion on implementing changes into the existing Future Land Use Plan. Cabarrus County recently closed on a property located at 1100 NC Hwy. 24/27E to construct a high school in the future. Currently, there is no sewer to the site. In order for the site to be developed, the Muddy Creek Interceptor will need to be extended. The expansion of utilities will cause the area to become highly desirable to developers and investors. The Town needs to consider what types of uses and zoning designations they would like to see along this corridor within the drainage basin.

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The Commissioners decision was to continue the discussion at the July meeting. Suggested staff develop a map with current zoning and overlay map with potential zoning using the Land Use Plan.

Item #9 – Other Business

Commissioner O’Neil spoke of his concerns regarding the “snipe” signs being installed in neighborhoods.

Commissioner O’Neil stated that he will be moving out of the Town Limits by the end of the summer and would be resigning from the P&ZC within the next few months.

Item #10 – Adjournment

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

The meeting was adjourned at 7 PM.

Darrell Helms, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board