

Minutes Planning & Zoning Commission
Tuesday, July 23, 2019
6:00 PM Midland Town Hall
4293-B Hwy. 24/27E
Midland, NC 28107

Attendance: Chair Darrell Page; Commissioners: Bob Caddell, Pam Carter, Steve Clark, Darrell Helms, Jim Hoy; Hilda Keeney, Planning & Zoning Clerk; Kassie Watts, Town Planner
Others: Councilmember Rich Wise

Item #1 – Invocation & Pledge of Allegiance

Item #2 – Open – Chair Page called the meeting to order at 6:09 PM.

Item #3 – Approval of Agenda

Motion was made by Commissioner Helms and seconded by Commissioner Hoy to approve the agenda. Motion carried 6-0.

Item #4 – Approval of Minutes – Open Session 06-25-2019

Motion by Commissioner Hoy and seconded by Commissioner Helms to approve open session 06-25-2019 minutes as written with the correct spelling of Wynnree. Motion carried 6-0.

Item #5 – Public Comments – no comments forthcoming.

Item #6 – Planning, Zoning & Subdivision Reports

a. **Zoning Permit Review**

Ms. Watts reviewed the zoning permits issued since the June meeting.

b. **Update on Projects**

Wynnree – continues to move along – elevation plans approved – talking with state officials regarding flood plain permit – attending flood plain workshop next week because getting conflicting information

Cedar Creek – moving along – preliminary plat approved – working with Smith Douglas as primary builder - construction drawings need to be completed through the City of Concord

Fox Creek – continue to work on parking issues – issued several violations – asked when developer will pour the parking pad in phase 1 but have not received a definitive answer

Allen Mini Storage – renting units – received site plans for three additional buildings and sent elevations of what buildings will look like

Sealand – revising their drawings

Dollar General – no further contact

Widehouse property – minor subdivision application – have a number of questions on what is going on – how sewer is going to get here, where access is going to be, the access at B&D is very dangerous it is so wide the Thermal access and also another driveway cut next to it – need to work with NCDOT to make sure it is done properly – they are also trying to cut out two pieces (one on Hwy. 601 and one at the strip mall) should be a right-of-way to Tractor Supply Road to connect with Broadway Blvd.

Harwood Auto – submitted plan for expansion - TRC meeting to be held when Mr. McMillian returns

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PVG – had a preconstruction meeting

Speedway – had concerns from the community about the property going to be a junk yard – it is not going to be a junk yard – have talked with attorneys about good use of the property and will not be salvaging parts, not open to the public and have to be an auto dealer with an appointment

Item #7 – Zoning Text Amendments

- a. ZTA-2019-04 – Zoning Text Amendment – “Article 2 General Provisions, Sub-section 2.19, Standards for Parking in Residential Districts, 2.19-1 Narrow Lots”

BACKGROUND

Recently, there have been several new subdivision projects being discussed in and around the Town of Midland. The Town would like to see quality development of single family residential product types that do not allow for the primary construction of homes having garages located forward of the primary building plane of the structure. These are typically known as “snout houses”, because the garages stick out like a snout. These types of products restrict the visibility between neighbors to see one another from their front porches. In addition, the garages end up being the predominate feature visible from the right-of-way as you travel down the street. Instead of seeing homes with porches and/or the yards, all you see are garages sticking out if there is no limit on the number of these types of products permitted.

During the June 25, 2019 regular meeting, the P&Z Commission considered requiring a larger setback (40 feet) than currently required in the underlying zoning district (30 feet in SFR) for these particular styles of housing product. In speaking with the Town Attorney, he was not supportive of this proposal, as it was not a position that he felt would be legally defensible should it ever be challenged.

EXISTING TEXT

Front Loading Garages on Narrow Lots - On Lots of Record greater than 50 feet in width, but less than 80 feet in width, established on or after January 1, 2009, front loading garages shall be recessed at least 3.5 feet behind the primary plane of the front facade of the structure. ~~Exception to this provision applies to front loading garages with individual doors no greater than twelve feet (12') in width.~~

PROPOSED AMENDMENT TO EXISTING TEXT (Added text shown in *bold, italic, underline*)

Front Loading Garages on Narrow Lots - On Lots of Record greater than 50 feet in width, but less than 80 feet in width, established on or after January 1, 2009,

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front loading garages shall be recessed at least 3.5 feet behind the primary plane of the front facade of the structure. *This provision is limited to 30% of the lots created under a Major Subdivision.*

STAFF RECOMMENDATION

Staff recommends amending the existing Article 2, General Provisions, subsection 2.19-1 Narrow Lots, to allow for a limitation on the number of homes that are allowed to have a “parking space” located forward of the primary front plane of the home. This will prevent excessive amounts of “snout houses”.

Motion by Commissioner Hoy and seconded by Commissioner Helms to recommend to Town Council amending the existing text in Article 2, General Provisions, Subsection 2.19-1, of the Midland Development Ordinance and to recommend approval of **ZTA-2019-04**, as presented (removing exception), to Town Council, 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 § 160A-383. 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 6-0.**

Item #8 – Adjournment

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

The meeting was adjourned at 7:22 PM.

Darrell Page, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board