

Recessed Minutes from July 25, 2023
Planning & Zoning Commission Meeting
Tuesday, August 1, 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; Kassie Watts, Planning Director, Hilda Keeney, Planning & Zoning Clerk; Savannah Suggs, Assistant Town Clerk

Absent: Jennifer Gallant

Guest: Elizabeth Nervegna, James Martin, George Long, Vance Wood

Open – Chair Helms called the recessed meeting from July 25, 2023 to order at 6 PM.

Item #6 – Planning, Zoning & Subdivision Reports

a. Zoning Permit Review

Ms. Watts reviewed the zoning permits issued since the June 27, 2023 meeting.

b. Update on Projects

- **Midland Crossing** – Engineer oversaw the proof rolled today
- **Sewer along NC Hwy 24/27** – construction is underway – projected completion date is late September/October
- **Board of Adjustment** – case will be forthcoming in September
- **Austin Trull Annexation** – P&ZC designate the zoning for the property at the August meeting
- **Bella Pools** – renovations continue and pending Certificate of Occupancy
- **Vacant House on US Hwy. 601** – has been demolished

Public Comment – James Martin supporting the rezoning for the Gospel Light Baptist Church.

Item #7 – Zoning Map Amendment - ZMA-2023-03 – Gospel Light Baptist Church, 12021 Flowes Store Road, Midland, NC 28107, approximately (7.18 +/- acres) portion of Cabarrus County PIN# (5534-09-6758).

The subject property, located at 12021 Flowes Store Road, Midland, NC 28107 is further identified as Cabarrus County PIN# (5534-09-6758). The property, approximately 7.18 acres +/- is currently zoned Cabarrus County “Office Institutional” (OI). The proposed zoning district is the Town of Midland “NC 24/27 Commercial” (C 24/27) designation.

The property owners petitioned the Town of Midland to voluntarily annex the subject property on June 8, 2023. The Midland Town Council voted unanimously on July 11, 2023 to approve the annexation request. The state statutes require a zoning designation be applied to the property within 60 days of the effective date of annexation.

The property lies within the area designated on the adopted Town Plan 2030 Future Land Use Map for “Neighborhood” and “Commercial” uses and is primarily *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. The majority of the property is shown on the FLUP for “Commercial” uses, however a small portion of the property on the northern side was shown as

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“Neighborhood”, but that was due to the property lines being different at the time the last FLUP update was completed. This amendment is reasonable due to its location being adjacent to a major throughfare where public water is currently available and public sewer will likely be available in the future. This amendment will allow the subject property to be used in accordance with the standards of the “NC 24/27 Commercial” (C 24/27) Zoning District in the future.”

Motion by Commissioner Mendoza and seconded by Commissioner O’Neil to recommend Town Council designate the subject property as “NC Hwy 24/27 Commercial” (C 24/27), 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. The majority of the property is shown on the FLUP for “Commercial” uses, however a small portion of the property on the northern side was shown as “Neighborhood”, but that was due to the property lines being different at the time the last FLUP update was completed. This amendment is reasonable due to its location being adjacent to a major throughfare where public water is currently available and public sewer will likely be available in the future. This amendment will allow the subject property to be used in accordance with the standards of the “NC 24/27 Commercial” (C 24/27) Zoning District in the future. **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.

Staff suggested dividing the area into quads. The first discussion would be to start at Sam Black Road to the railroad track and over. The areas marked on the map presented are: red for commercial, yellow for residential and blue for civic (schools and churches).

Points of discussion:

- All properties in the area would drain down into the Muddy Creek interceptor area. Since the County has purchased the property for a school, interest in the area properties will be very important.
- When you mix industrial that abuts next to a school, there will be landscaping requirements, sound buffers, etc. if it gets into a heavy commercial type setting then you are looking at something potentially disruptive to the school and the environment at the school.
- Need to have tighter zoning language.
- The ability to allow students distractions to a variety of commercial businesses close to a school.

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- The interceptor will open other issues and other opportunities for additional growth in Midland.
- Pull some of the commercial back to residential.
- Highway road frontage.
- Side street to access commercial.
- Need easy access to a food store.

Item #9 – Other Business

Commissioner O'Neil resigned his position from the P&Z & BOA effective at this meeting.

Item #10 – Adjournment

Motion was made by Commissioner Foundos and seconded by Commissioner O'Neil to adjourn the meeting. **Motion carried 5-0.**

The meeting was adjourned at 6:47 PM.

Darrell Helms, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board