

Minutes Planning & Zoning Commission  
Tuesday, August 25, 2020  
6:00 PM Midland Town Hall  
4293-B Hwy. 24/27E, Midland, NC 28107

**Attendance:** Chair Darrell Page; Commissioners: Pam Carter, Steve Clark, Darrell Helms, Jim Hoy, Josh Mendoza; Hilda Keeney, Planning & Zoning Clerk; Kassie Watts, Town Planner

**Alternates:** Jennifer Gallant

**Commissioners Absent:** Bob Caddell

**Others:** Councilmember Rich Wise

**Item #1 – Invocation & Pledge of Allegiance**

**Item #2 – Open** – Chair Page called the meeting to order at 6:02 PM.

**Item #3 – Approval of Agenda**

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

**Item #4 – Approval of Minutes – Open Session 07-28-2020**

Motion by Commissioner Hoy and seconded by Commissioner Carter to approve open session 07-28-2020 minutes with correction to title of Item #7a. **Motion carried 5-0.**

**Item #5 – Public Comments** – no comments forthcoming.

**Item #6 – Planning, Zoning & Subdivision Reports**

**a. Zoning Permit Review**

Ms. Watts reviewed the zoning permits since the July 28<sup>th</sup> meeting.

**b. Update on Projects**

**Pinnacle Crane** – working on construction drawings

**Sealand** – start building the office building soon

**Copart** – site plan has not been received for approval; issued Notice of Violation for operating without permit approvals; did not heed warning to have septic approval before building and may need to have an engineered septic system; continue to receive complaints regarding cars being hauled in and out

**Wyntree** – moving along and plan to be finished out next year

**Cedar Creek** – talked with new builder (KB Homes) and maybe buying entitlements on the project

**Fox Creek** – almost built out

**Rosewood Trail** – moving along; Commissioner Mendoza stated lot 1 is about build out, lot 2 in rough in stages; ready to start permitting process on lot 10; combining lots 8 and 9 into a two (2); lot of traffic and visibility; next year at this time probably 80-90% done

**Shea Homes** – have not received preliminary plat but working on it

**Item #7 – Zoning Map Amendment**

**a. ZMA-2020-05 - Zoning Map Amendment** – Linda Thomas - 376 NC Hwy 24/27 W (PIN 5524-89-2069)

**i. Staff Report**

On May 29, 2020 the Town of Midland received an application for annexation of the property shown on the attached map.

The subject property, located at 376 Hwy 24/27 W; Midland, NC 28107; Cabarrus County PIN# (5524-89-2069) is approximately 4.155 +/- acres in size and 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.

#### 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 and this amendment is reasonable. 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. The amendment allows for the potential growth and expansion of the economic base of the Town.

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

Town of Midland Development Ordinance standards will apply following the:

1. P&Z Commission motion to make a recommendation to Town Council,
2. Public Hearing will be held by the Town Council (September 8, 2020), and
3. Adoption of an Ordinance (ZMA-2020-05) 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.

- ii. **Public Comments** – no comments forthcoming.
- iii. **Consider ZMA-2020-05 Zoning Map Amendment**  
**Motion** was made by Commissioner Hoy and seconded by Commissioner Carter recommend Town Council designate the subject property as NC 24/27 Commercial (C 24/27) to be 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 because the subject property is adjacent to existing commercial uses, is located on a major thoroughfare where public water is available and public sewer will potentially be available in the future, and is identified in the *Land Use and Comprehensive Master Plan* for commercial uses. This amendment will allow the subject property to be used in accordance with the standards of the “NC 24/27 Commercial District” (C 24/27) Zoning District in the future. The amendment allows for the potential growth and expansion of the economic base of the Town. **Motion carried 5-0.**

**Item #8 – Adjournment**

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

The meeting was adjourned at 6:32 PM.

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Darrell Page, Chair, Midland Planning & Zoning Commission

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Hilda Keeney, Planning & Zoning Commission Clerk to the Board