

Minutes Planning & Zoning Commission
Tuesday, August 28, 2018
7:00 PM Midland Town Hall
4293-B Hwy. 24/27E
Midland, NC 28107

Attendance: Chair Darrell Page; Commissioners: Pam Carter, Steve Clark, Mary Ann Evanoff, Edward Gregory, Jim Hoy, Steve Smith; Hilda Keeney, Planning & Zoning Clerk; Kassie Watts, Town Planner
Alternate Commissioner: Darrell Helms
Others: Councilmember Rich Wise

Item #1 – Invocation & Pledge of Allegiance

Item #2 – Open – Chair Page called the meeting to order at 6:06 PM.

Item #3 – Approval of Agenda

Chair Page added one item to the agenda – Item 3a – election of Vice Chair. Ann Holland, who served as Vice Chair, resigned from the P&Z Commission and the Board of Adjustment for health reasons.

- a. Chair Page explained the duties of the Vice Chair and opened the floor for nominations. Commissioner Hoy nominated Commissioner Carter. Chair Page asked for motion to close nominations.

Motion by Commissioner Hoy and seconded by Commissioner Gregory to close nominations and elect Commissioner Carter as Vice Chair. **Motion carried 7-0.**

- b. **Motion** was made by Commissioner Evanoff and seconded by Commissioner Gregory to approve the agenda. **Motion carried 7-0.**

Item #4 – Approval of Minutes – Open Session 07-31-2018

Motion by Commissioner Hoy and seconded by Commissioner Clark to approve open session 07-31-2018 minutes. **Motion carried 7-0.**

Item #5 – Public Comment – Councilmember Wise thanked the Commissioners for their discussion regarding buffers (inside or outside of a property or open space) at the July meeting. Some things came out that he wanted the Commissioners to understand what has to be done on the procedures. The decision must be made on what is best for the Town.

Ms. Watts stated legally in North Carolina, the Commission cannot ask a developer what their houses will be priced at. The P&Z role is to enforce and determine what is in the MDO and legally the Town has nothing to do with the price point of homes.

Commissioner Hoy questioned how the Town protects the community from homes that may not be desirable.

Ms. Watts stated architectural requirements. The State of North Carolina will not municipalities and local governments to apply architectural standards on single family housing unless there is a request for rezoning or conditional rezoning of the property.

Item #6 – Planning, Zoning and Subdivision Reports

- a. **Zoning Permit Review**

Ms. Watts reviewed the zoning permits issued for August.

- b. **Update on Projects**

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Allen's Mini-Storage – preparing subgrade for road
Wyndham Forest – continues to move forward
Fox Creek – continues to move forward; installing storm drainage in second phase
Tucker Chase – status unchanged
C F Steele – certificate of occupancy and operating
Old Bethel School – video cameras installed
Bethel Park – still working on survey
Dollar General – no activity
Clutter Busters – architect getting plans turned in to Cabarrus County and hope to get building permit soon
PVG Trucking Company – site plan submitted
Sealand Corp. – grading plan

Item #7 – Zoning Map Amendments

- a. **ZMA-2018-06 – Zoning Map Amendment** - petitioners William and Sheila Smith - 12336 Old Camden Road - currently zoned as Cabarrus County – Limited Industrial – Special Use (LI-SU) and the proposed zoning district is Town of Midland “Industrial” (IND)

Motion by Commissioner Hoy and seconded by Commissioner Carter to recommend Town Council designate the subject property as Industrial (IND) 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, 2016, October 11, 2016, April 11, 2017 and July 10, 2018 as shown on the adopted Land Use Map appearing therein which covers areas outside the city limits of the Town of Midland, but lying within the area known as the Midland Service Area, as required by NCGS § 160A-383. This amendment is reasonable because the subject property is adjacent to other commercial and industrial uses and has significant frontage on a major thoroughfare where commercial and industrial uses are appropriate and where future utility infrastructure is expected. This amendment allows the subject property to be used in accordance with the standards of the Industrial (IND) Zoning District in the future. The amendment allows for the potential growth and expansion of the economic base of the Town and provides opportunities for local jobs for the community. **Motion carried 7-0.**

- b. **ZMP-2018-07 – Zoning Map Amendment** - property is owned by Haigler Rental Properties, LLC - currently zoned “Single Family Residential” (SFR) and the request is to rezone to US 601 Commercial (C-601)

Motion by Commissioner Gregory and seconded by Commissioner Evanoff to recommend Town Council designate the subject property as US Hwy 601 (C 601) 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, 2016, October 11, 2016, April 11, 2017 and July 10, 2018 as shown on the adopted Land Use Map appearing therein which covers areas outside the city limits of the Town of Midland, but lying within the area known as the Midland Service Area, as required by NCGS § 160A-383. This amendment is reasonable because the subject property is adjacent to a commercial use and is currently operating as commercial use (parking lot). This amendment allows the subject property to be used in accordance with the standards of

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the US Hwy 601 Commercial (C 601) Zoning District in the future. The amendment allows for the potential growth and expansion of the economic base of the Town and provides opportunities for local jobs for the community. **Motion carried 7-0.**

Item #8 – Future Land Use Map (FLUM) Amendment

- a. **FLUM Amendment** – petitioners Miles and Carol Little - 12400 Pine Bluff Road - LUP Amendment to modify the Future Land Use Map (FLUM) from “Neighborhood” to “Commercial” totaling 29.579 acres

Motion by Commissioner Hoy and seconded by Commissioner Clark to recommend to Town Council the amendment to the *Town Plan 2030 Land Use & Comprehensive Master Plan, Revision 2* adopted October 8, 2013 and amended March 8, 2016, October 11, 2016, April 11, 2017, and July 10, 2018 “Agricultural” to “Commercial”. **Motion carried 7-0.**

Item # 8 – MDO Overview – Part 3 of 3 – Articles 17-23 (PowerPoint Presentation)

Motion by Commissioner Clark and seconded by Commissioner Carter to postpone the presentation to the August meeting. **Motion carried 7-0.**

Item #9 – Adjournment

Motion was made by Commissioner Carter and seconded by Commissioner Hoy to adjourn the meeting. **Motion carried 7-0.**

The meeting was adjourned at 7:15 PM.

Darrell Page, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board