

Minutes Planning & Zoning Commission  
Tuesday, September 24, 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, Jim Hoy, Robert Reynolds; Hilda Keeney, Planning & Zoning Clerk; Kassie Watts, Town Planner

**Commissioners Absent:** Darrell Helms

**Others:** Councilmember Rich Wise

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

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

**Item #3 – Approval of Agenda**

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

**Item #4 – Approval of Minutes – Open Session 07-23-2019**

Motion by Commissioner Hoy and seconded by Commissioner Clark to approve open session 07-23-2019 minutes. 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 July meeting.

b. **Update on Projects**

Wynntree – moving along – site plan approval – issued flood plain permits

Cedar Creek – elevations for homes have been approved - Smith Douglas will be builder – going through construction plan process

Fox Creek – continue to work on park issues – overflow parking lot has been built – parking violation warnings have been issued –street trees will be planted next month

Allen Mini Storage – grand opening was held on Saturday – getting ready to start three more buildings

Sealand – moving along – site has been leveled – working on revised drawings to show cross section for the public right of way

Dollar General – no further contact

PVG – meet with engineer and had pre-construction meeting

Copart (formerly Speedway Park) – meeting with engineers regarding the site plan and buffer requirements – meeting scheduled with County fire marshal

**Item #7 – Zoning Map Amendment**

- a. **ZMA-2019-05 – Zoning Map Amendment** – Owner Betty M. Lanier Estate LLC c/o Janet McKnight. Property located at 12977, 13001, & 13033 US Hwy 601 S., Midland, NC 28107 (Cabarrus County PIN# 5554-04-8974, 5554-14-4893, & 5554-15-6140) totaling 12.12 +/- acres. The properties are currently zoned as

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“Single Family Residential” (SFR) and the proposed zoning district is “US 601 Commercial District” (C601).

### BACKGROUND

The subject properties, located at 12977, 13001, and 13033 US Highway 601; Midland, NC 28107 (Cabarrus County PIN#s 5554-04-8974, 5554-14-4893, & 5554-15-6140) are approximately 12.12 acres in size and are currently zoned Town of Midland “Single Family Residential” (SFR). The proposed zoning district is the Town of Midland “US 601 Commercial District” (C601) designation.

### FINDINGS AND CONCLUSIONS

Two of the properties, (5554-04-8974 & 5554-14-4893) lie 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. The Future Land Use Plan call for the third property (5554-15-6140) to be designated for residential uses, however, being that the medical center property located immediately in front of this parcel is currently zoned commercial and the two adjacent properties included in this petition are slated for commercial on the Future Land Use Map, this amendment is reasonable. This amendment will allow the subject property to be used in accordance with the standards of the “Single Family Residential” (SFR) 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 ft. 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 held by the Town Council (October 8, 2019), and
3. Adoption of an Ordinance (ZMA-2019-05) 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

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October 11, 2016, April 11, 2017, and July 10 and September 11, 2018  
by the Town of Midland Town Council.

Scott McCorkle, potential purchaser of the property, stated the plan is for a facility to train police dogs and are working on the logistics of the facility (i.e. hours, number of employees, etc.)

**Motion** by Commissioner Hoy and seconded by Commissioner Clark to recommend Town Council designate the subject properties as US 601 Commercial District (C601) 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 properties are adjacent to an existing commercial use and two of the three properties are 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 “US 601 Commercial District” (C601) Zoning District in the future. The amendment allows for the potential growth and expansion of the economic base of the Town. **Motion carried 6-0.**

**Item #8 – Adjournment**

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

The meeting was adjourned at 6:35 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