

Minutes Planning & Zoning Commission  
Tuesday, June 27, 2017  
7:00 PM Midland Town Hall  
4293-B Hwy. 24/27E  
Midland, NC 28107

**Attendance:** Chair Darrell Page; Commissioners: Ann Holland, Pam Carter, Pam Barger, Steve Clark, Michael Aldridge; Hilda Keeney, Planning and Zoning Clerk; Kassie Watts, Town Planner

**Absent:** Scott Burroughs

**Others:** Councilmember Rich Wise

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

**Item #2 – Open** – Chair Page called the meeting to order at 7:01 PM.

**Item #3 – Approval of Agenda** – Motion was made by Commissioner Barger and seconded by Commissioner Holland to approve the agenda. **Motion carried 6-0.**

**Item #4 – Approval of Minutes** – Open Session 04-25-2017

Motion by Commissioner Holland and seconded by Commissioner Barger to approve open session 04-28-2017 minutes. **Motion carried 6-0.**

**Item #5 – Public Comment** – Councilmember Wise announced effective July 1, 2017 Kassie Watts will be a full-time employee for the Town as Planning Director.

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

a. **Zoning Permit Review**

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

b. **Update on Projects**

- Jordan Dental – close to completion
- Brentwood – continue to have issues with Army Corp of Engineers
- Allen Mini Storage – site plan approval needs to be finished
- Banks Massey – working on site plan; architectural review; hope to start building within next 30 to 60 days
- Wyndem Forest – engineer has witnessed the proof roll and paving of the streets; bond has been posted; final plat ready and waiting for Concord to sign off and the Town will sign off and be recorded
- Tucker Chase – no action due to the appeal case; issued notice of violation for failure to maintain bond properly; issued revocation of preliminary plat and their attorney is trying to appeal; incomplete application and appeal was refused
- Interest in industrial and commercial property in Old Midland area
- Chair Page asked about the old Bethel School Building – Ms. Watts stated staff has been working with their attorney; hope to have resolution; fines have been issued
- Bethel Glen – the NC Supreme Court upheld the BOA's decision; the Town has filed a complaint to collect civil citation fines from the Harrell Company and request an injunction to force the Harrell Company to fix the roads

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**Item #7 – Zoning Text Amendment (TA-2017-02) – “Minor Non-Residential Subdivision”**

The Midland Development Ordinance currently does not offer a Minor Subdivision option for non-residential properties. The Town is currently reviewing a commercial development project on NC Hwy 24/27 that will need to be subdivided into four (4) individual lots. In order to accommodate and process the applicant’s request, the Town will need to amend the ordinance to allow non-residential subdivisions. Staff has drafted language for consideration by the Planning & Zoning Commission and Town Council. The draft language provides an amendment to Article 3 “Definitions”.

The Midland Development Ordinance (MDO) lists Minor Subdivisions. Staff is recommending the following:

- 1) Add the word **RESIDENTIAL** to Subdivision, Minor definition.
- 2) Add SUBDIVISION, MINOR NON-RESIDENTIAL and add the following definition:  
*A non-residential subdivision involving four or fewer lots fronting on a proposed public street(s) or a proposed private street(s), requiring new public utilities (water and/or sewer), and not requiring a waiver, modification, or variance from any requirement of this Ordinance.*

This addition of the definition, minor non-residential subdivision is reasonable and meets the intent of the Midland Development Ordinance. Staff is of the opinion this proposed amendment will allow for non-residential property owners to subdivide property in accordance with the minor subdivision requirements, in the same manner residential property owners are allowed to subdivide property. By adding this definition, the Town will be implementing a strategy to ensure utility extensions and street improvements are installed appropriately to support non-commercial uses. The minor subdivision process is outlined in Article 7 of the MDO, requiring Administrative Approval by Town staff. However, all new non-residential projects must go through the Site Plan Review and Approval process requiring the additional approval by the Technical Review Committee.

**Motion** by Commissioner Holland and seconded by Commissioner Carter to recommend to Town Council the approval of ordinance number **06-2017 (A)(T)** amending the Midland Development Ordinance consistent with the *Town Plan 2030 Land Use and Comprehensive Master Plan*, Revision 2, adopted October 8, 2013, and amended March 8, 2016, October 11, 2016, and April 11, 2017 as required by NCGS § 160A-383. This amendment is reasonable because the additional standards established by this amendment are consistent with goals and strategies listed within Section Six of the Town Plan 2030, with one spelling correction. **Motion carried 6-0.**

**Item #8 – Adjournment**

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

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The meeting was adjourned at 7:40 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