

Minutes Planning & Zoning Commission
Tuesday, September 27, 2016
7:00 PM Midland Town Hall
4293-B Hwy. 24/27E
Midland, NC 28107

Attendance: Chair Darrell Page; Commissioners: Ann Holland, Scott Burroughs, Steve Clark, Pam Carter; Hilda Keeney, Planning and Zoning Clerk; Kassie Watts, Town Planner; Doug Paris, Town Manager

Absent: Commissioners Pam Barger and Michael Aldridge

Others Present: Councilman Rich Wise

Item #1 – Invocation & Pledge of Allegiance

Item #2 – Open – Chair Page called the meeting to order at 7:00 PM.

Item #3 – Approval of Agenda – **Motion** was made by Commissioner Holland and seconded by Commissioner Carter to approve the agenda as written. **Motion carried 5-0.**

Item #4 – Approval of Minutes – Open Session 08-23-2016

Motion by Commissioner Burroughs and seconded by Commissioner Carter to approve open session 08-23-2016 minutes. **Motion carried 5-0.**

Item #5 – Public Comment – no comments forthcoming.

Item #6 – Land Use Plan Amendment & Zoning Re-Classification – Miles Little – 5540 NC Hwy. 24-27, Midland, NC (Cabarrus County PIN 5555-80-9753) – Represented by Mr. Jim Scarbrough

On August 19, 2016 the Town received a request from the property owner to amend the adopted Future Land Use Map for 5540 NC 24-27 (PIN 5555-80-9753) from “Agriculture” (AG) to “NC24/27 Commercial” (C24/27). The property is currently zoned Agricultural and the Future Land Use Map calls for it to remain Agricultural.

The property lies within the area designated on the adopted Town Plan 2030 Future Land Use Map for agricultural uses in the *Town Plan 2030 and Land Use & Comprehensive Master Plan, Revision 2* adopted October 8, 2013.

The Midland Development Ordinance (MDO) and the NC General Statutes require the P&ZC to make a recommendation on both land use map and zoning map amendments. Following consideration of a revision to the future land use map, the application would propose a zoning map amendment to re-zone the property at the P&ZC meeting on October 24, 2016

Commissioner Carter asked what this would do for the Town of Midland.

Mr. Scarbrough stated the highest and best use of this property is commercial. Commercial is the best use for a four lane highway (Hwy. 24/27), residential and agricultural is not the best use. The area is rapidly changing as indicated by showing the tax parcel maps with the zoning use. Property on the north side of Hwy. 24/27 from Mr. Little’s property back to Hwy. 601 to the

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west has been changing to office/institutional/commercial all the way back. Queen's University just re-zoned the property, office/institutional, and have NC 24/27 designation in different parcels to the back of Hwy. 601. The re-zoning districts because we are asking this be planned for commercial districts C24/27 and is to provide opportunities for compatible and sustainable new development where predominate mode of transportation is the automobile. The dominate use in this area is retail and office and NC 24/27 commercial district is expected to serve Midland residents as well as persons traveling from surrounding communities.

Commissioner Carter asked, there is no sewer there and is Mr. Little wanting to put in sewer?

Mr. Scarbrough stated that was no sewer but there is good red dirt unlike some people on the north side of the highway.

Chair Page stated they think the land will perk without any problem.

Mr. Scarbrough stated they could not do anything without a good system.

Chair Page asked if the parcel did not include the home place or a separate parcel.

Mr. Scarbrough stated it did include the house.

Mr. Scarbrough stated at the intersection of Hwy. 601 and Hwy. 24/27, going east you will have on the north side industrial, office and institutional, and C24/27 down to the property which stops at the Queens University property. This is definitely not residential property and do not think you want to see residential there. The residential would be back off the road from Hwy. 24/27 and retail on the outside serving the residential.

Commissioner Carter stated she did not understand how we could do commercial property with no sewer.

Mr. Scarbrough stated sewer would not be needed if the land perks and depends how intense the use. It is not a very intense use. It could be storage units or light retail, not anything with a lot of traffic with heavy intense use.

Ms. Watts stated there are some 8" and 2" water lines in front of the property; however, the responsibility of expending the infrastructure would be Mr. Little's. There are no sewer lines and he would have to work with Cabarrus County Health Alliance for septic permits or he could run sewer down to the Rocky River but that would be his responsibility to connect and not the Town's.

Motion by Commissioner Carter and seconded by Commissioner Holland to recommend to Town Council to approve the amendment to the *Town Plan 2030 Land Use & Comprehensive Master*

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Plan, Revision 2 adopted October 8, 2013 of the Town of Midland. **Motion carried 5-0.**

Item #7 – Planning, Zoning and Subdivision Reports

a. Zoning Permit Review

Ms. Watts summarized and answered questions regarding the zoning permits issued since the August 23rd P&ZC meeting.

Commissioner Carter commented that she has had conversations with Jo Ann Widenhouse regarding her neighbor. Ms. Widenhouse stated to Commissioner Carter the mess is no longer tolerable.

Ms. Watts stated there is an open code case at the address and have had discussions with Ms. Widenhouse on a regular basis in the past few weeks.

b. Update on Projects

- Jordan Dental
 - under construction on Hwy. 601
- Saddlebrook
 - in their grading and clearing phase
 - installing storm water measures
 - making their second access out onto Hwy. 601 soon
 - met to review house elevations
 - been told they plan to change development name to Brentwood
 - Commissioner Clark asked if there were any road or site plans for the Saddlebrook area
 - Ms. Watts stated the construction drawings and preliminary plat have been submitted
- Tucker Chase
 - continuing to work with them on plans
 - Commissioner Carter asked if Mr. Gimmer has gotten all the lots needed to get the pool started
 - Ms. Watts stated she counted the houses and he has 120 foundations and/or houses
- Banks Massey
 - close to submitting their civil engineering drawings
 - trying to expedite as soon as possible
- Allen Mini-Storage Center
 - met to iron out the conceptual design of the site
 - expect civil drawings soon
 - demolishing all existing buildings - grade, seed and straw
 - trees planted and MDO requires conserving mature trees, if possible
- Wyndham Estate

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- have not received construction schedule
- two annexation requests
 - C F Steel on Old Camden Rd
 - Mr. William Purser has submitted an application
 - having new deed description drawn up
- Bethel Glen Roads
 - Commissioner Clark asked if there were any updates
 - pending litigation continues

c. Trends

No trends to report at this time.

Item #8 – Land Use Plan Discussion Continued

Ms. Watts continued her presentation on the Land Use Plan Review from the August meeting focusing on the preservation and protection of historic significance and natural countryside throughout the Town.

Commissioner Carter asked if the Town Hall would be near the crossroads on Hwy. 601 south or in the Old Historic Midland district and it should be where people entering Town could see the building.

Ms. Watts stated the current Land Use Plan calls for the Town Hall to be located on Hwy. 601 south of the crossroads.

Mr. Paris stated interests has been received and is working with two developers on the Town Center area. He has heard from Town Board members and citizens, not only for Town Hall but also commercial development. The challenge is from the Town's size and the fact a lot of competing shopping areas are in the Locust area. All were committed before Midland incorporated and having to wait and determine the risk of putting more capital into a shopping center at the crossroads.

Commissioner Carter asked Mr. Paris that we have so much capacity of sewer but we are holding it for Town Hall.

Mr. Paris stated no.

Chair Page stated it has been allocated.

Mr. Paris stated the amount allocated is minimal compared to what is needed for a proper shopping center.

Ms. Watts stated she had spoken with the Town Engineer. Initially, the system was designed for a more rural setting and will not remain that way. However, thought will need to be

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considered on how, where and how much to expand.

Commissioner Carter asked if Cabarrus County would be deciding that for the Town.

Ms. Watts stated the system is owned by the City of Concord and the Town has an inter-local agreement which the developer or the Town will have to extend and turn over to the City of Concord but they are not planning to make any improvements in the Town in regard to water and sewer system. Essentially it would be developer driven unless it would be a project by the Town.

Mr. Paris stated the plant at Muddy Creek is in the process of being expanded and Councilman Wise is the liaison with WSACC. The plant will have plenty of capacity, it does have actual capacity on paper. We are seeing some of the pressure on capacity in Banks Massey, Queens University and Little property on Hwy. 24/27.

Councilman Wise stated WSACC is increasing the size of the plant now by 150,000 gallons and starting paper work to actually increase the size to one million gallons. He has always been told since he has been the WSAAC representative, Midland will never run out of sewer and will do whatever it takes to keep the sewer flowing.

Councilman Wise challenged the P&ZC to look at all the development and each month discuss further the possibly of changing the zoning along Hwy. 24/27 and Hwy. 601. He would like feedback to let the Town know their thoughts and how we can improve getting more commercial into our Town.

Item #9 – Adjournment

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

The meeting was adjourned at 8:02 PM.

Darrell Page, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board