

Minutes Planning & Zoning Commission
Tuesday, November 22, 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, Michael Aldridge; Hilda Keeney, Planning and Zoning Clerk; Kassie Watts, Town Planner
Absent: Pam Barger, Pam Carter
Others Present: Councilman Rich Wise

Item #1 – Invocation & Pledge of Allegiance

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

Item #3 – Approval of Agenda – **Motion** was made by Commissioner Clark seconded by Commissioner Holland to approve the agenda. Ms. Watts stated she had some housekeeping items to discuss with the Commission after Item 11. **Motion carried 7-0.**

Item #4 – Approval of Minutes – Open Session 10-25-2016

Motion by Commissioner Aldridge and seconded by Commissioner Holland to approve open session 10-25-2016 minutes. **Motion carried 7-0.**

Item #5 – Public Comment – no comments forthcoming.

Item #6 – I&A – Zoning Designation (Memo, Ordinance with Map)

I&A Properties, LLC located at 12322 Old Camden Road; Midland, NC 28107 (Cabarrus County PIN 5534-08-2366) totaling approximately 4.43 acres, is currently zoned by Cabarrus County. The current County zoning classification is “Limited Industrial – Special Use” (LI-SU) and “Office/Institutional” (O/I). The proposed zoning district is the Town of Midland “NC 24/27 Commercial” (C 24/27) designation.

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 subsequently amended March 8, 2016 and October 11, 2016. The adopted Land Use Map appearing therein, which covers areas outside the city limits of the Town of Midland, shows the subject property 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 industrially zoned properties and is in close proximity to a major thoroughfare where commercial uses are appropriate and where future utility infrastructure is expected.

Motion by Commissioner Aldridge and seconded by Commissioner Holland to recommend Town Council adopt Ordinance #12-2016 (A)(IZ) to 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, 2016 and October 11, 2016. The adopted Land Use Map appearing therein, which covers areas outside the city limits of the Town of Midland, shows the subject property 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 industrially zoned properties and is in close proximity to a major thoroughfare where commercial uses are appropriate and where future utility infrastructure is

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expected. **Motion carried 7-0.**

Item #7 – Purser – Zoning Designation (Memo, Ordinance with Map)

The subject property, located at 501 NC Hwy 24-27 West; Midland, NC 28107 (Cabarrus County PIN 5524-87-3928) totaling approximately 24.343 acres, is currently zoned by Cabarrus County. The current County zoning classification is “Office/Institutional” (O/I). The proposed zoning district is the Town of Midland “Industrial” (IND) designation.

The property lies within the area designated on the adopted Town Plan 2030 Future Land Use Map for industrial uses and is consistent with the *Town Plan 2030 Land Use and Comprehensive Master Plan, Revision 2*, adopted October 8, 2013 and subsequently amended March 8, 2016 and October 11, 2016. The adopted Land Use Map appearing therein, which covers areas outside the city limits of the Town of Midland, shows the subject property 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 industrially zoned properties and is situated along a major thoroughfare where industrial uses are appropriate and where future utility infrastructure is expected.

Motion by Commissioner Holland and seconded by Commissioner Burroughs to recommend Town Council adopt Ordinance #12-2016 (B)(IZ) to 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 and October 11, 2016. The adopted Land Use Map appearing therein, which covers areas outside the city limits of the Town of Midland, shows the subject property 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 industrially zoned properties and is situated along a major thoroughfare where industrial uses are appropriate and where future utility infrastructure is expected. **Motion carried 7-0.**

Item #8 – Miles Little – Zoning Map Amendment (Memo, Ordinance with Map)

On September 27, 2016 the Planning and Zoning Commission reviewed the proposed amendment to the *Town Plan 2030 Future Land Use Map* and voted unanimously (7-0) to recommend approval of the proposed amendment to the Future Land Use Map request.

On October 11, 2016 the Town Council adopted a Resolution (#2017-180), approving the amendment to the *Town Plan 2030 Future Land Use Map*. The request for the Zoning Map Amendment (re-zoning) of the property now returns to the Planning & Zoning Commission to 1) determine if the request is consistent with the Town Plan 2030 Future Land Use Map and 2) make a formal recommendation including a Statement of Consistency and Reasonableness to the Town Council.

FINDINGS AND CONCLUSIONS

Town of Midland Development Ordinance standards for the “NC 24/27 Commercial District” (C 24/27) will apply following the:

1. P&Z Commission motion to make a recommendation to Town Council;
2. Public Hearing held by the Town Council (December 13, 2016), and;

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3. Adoption of an Ordinance (#12-2016 (C) (M)) including both a Statement of Consistency and Reasonableness and designating the Town zoning classification.

The property lies within the area designated on the adopted Town Plan 2030 Future Land Use Map for commercial uses in the *Town Plan 2030 Land Use & Comprehensive Master Plan, Revision 2* adopted October 8, 2013, and subsequently amended March 8, 2016 and October 11, 2016.

Motion by Commissioner Holland and seconded by Commissioner Burroughs to recommend Town Council adopt an Ordinance #12-2016 (C)(M) to designate the subject property “NC 24/27 Commercial” (C-24/27) as 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 and October 11, 2016 as required by NCGS § 160A-383. This amendment is reasonable because the subject property is situated along a major thoroughfare where commercial uses are appropriate and where future utility infrastructure is expected. **Motion carried 7-0.**

Item #9 – Planning, Zoning and Subdivision Reports

- a. **Zoning Permit Review**
Ms. Watts summarized and answered questions regarding the zoning permits issued since the October P&ZC meeting.
- b. **Update on Projects**
 - Jordan Dental – moving along
 - Saddlebrook Phase 2 – continue grading work
 - Banks Massey – working on grading permit issued
 - Alan Storage Center – moving along – approved minor subdivision for the property, recorded and should be in closing
 - Wyndham Forest – grading, getting ready to start infrastructure and plat lots
 - McManus Meadows – paving completed and will work on the shoulders
 - Rob Wallace Park – Phase 1 scheduled to be open by January 1

Item #10 – Land Use Plan Discussion

Ms. Watts continued the discussion on the Land Use Plan review. A PowerPoint presentation was presented with a background and consideration and proceeding of next steps; pros and cons of commercial development; and considerations.

The next steps proposed for consideration are:

- Decide between Nodes or Strip Development. (How wide/deep should they be? Which intersections should be considered beyond what is currently in the LUP?) Recently, both P&ZC and Town Council have taken action to allow commercial zoning of properties further east, heading towards Locust. A move towards the Charlotte area to the west, where waterlines exist to the county line would be a logical next step.
- If a determination is made to proceed with the Strip option, we need to determine if a broad brush approach or a more defined, segment review is needed. Nodal areas are located at key intersections of major transportation corridors and contain a variety of different land uses.

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They generally cover an area of one half mile around the central point. Currently there are nodal areas at:

- Flowes Store Road and Old Camden Road;
 - NC Hwy 601 and US Hwy 24/27;
 - Old Midland.
- Determine if a Steering Committee is needed (Who should be included, how many, or should we continue this process as an exercise by the Commission?)
- Meetings to be scheduled for 2017 (How many? On P&Z regular meeting nights? Decide on timeline in which to finalize proposal for Town Council, including a presentation to the citizens for review and comment)

Commissioner Page stated he preferred to hold discussions after the regular P&Z Commission meetings.

After a brief discussion, the Commissioners agreed to node/hybrid perspective.

Ms. Watts stated a workshop will be held after closing the January P&Z Commission business meeting.

Item #11 – 2017 Meeting Schedule

Staff presented the following proposed 2017 meeting schedule for the P&Z Commission and the Board of Adjustment:

2017 Planning & Zoning Commission Meeting Schedule		2017 Board of Adjustment Meeting Schedule	
<i>P&ZC Meeting</i>	<i>4th Tuesday</i>	<i>BOA Meeting</i>	<i>4th Tuesday</i>
	1/24/2017		
			2/28/2017
	3/28/2017		
	4/25/2017		
	5/23/2017		
			6/27/2017
	7/25/2017		
	8/22/2017		
	9/26/2017		
			10/24/2017
	11/28/2017		
	12/26/2017		CANCELLED

Motion by Commissioner Holland and seconded by Commissioner Aldridge to adopt the 2017 P&Z Commission and Board of Adjustment meeting schedule with the exception of cancelling the

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December 26, 2017 meeting. **Motion carried 7-0.**

Chair Page reminded the Commissioners is they will be unable to attend a meeting, let the staff know prior to the meeting. It is very important all Commissioners to be in attendance at the meetings.

Informative Item from Planner – Staff received an appeal of the administrator’s decision. A Board of Adjustment case must be heard within 36 days or receiving the appeal. The appeal was received on November 14, 2016. Within those 36 days a public hearing must be held.

The Commission agreed to a training date of December 6, 2016 at 6 PM and the hearing date of December 15, 2016 at 7 PM. Ms. Watts will send pertinent informational materials prior to the training.

Item #12 – Adjournment

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

The meeting was adjourned at 8:21 PM.

Darrell Page, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board