

**TOWN OF MIDWAY
PLANNING & ZONING BOARD MINUTES
MARCH 26, 2013 – 5:00 P.M.
TOWN HALL**

**MINUTES OF MIDWAY PLANNING & ZONING BOARD REGULAR MEETING HELD ON
MARCH 26, 2013 AT 5:00 P.M. AT TOWN HALL, 125 GUMTREE ROAD, MIDWAY, NORTH
CAROLINA**

CALL TO ORDER

Chairperson Jackie Edwards called the meeting to order.

Planning & Zoning Board members present were: Lynn Griggs, Keith Leonard, LeeAnn Thomas, Charles Waddell, and newly appointed alternate member Jamie Hester. Town Manager Ryan Ross, Town Clerk Linda A. Hunt, and Planning and Zoning Consultants Vagn Hansen and Andy Goodall were present.

ELECTIONS

Chairperson Jackie Edwards opened the floor for nominations to elect Chairperson.

Board member Jackie Edwards nominated LeeAnn Thomas as Chairperson.

Board member Lynn Griggs nominated Charles Waddell as Chairperson.

There being no further nominations for Chairperson, the floor was closed.

The vote was by written ballot, resulting in a 3-3 tie.

Following a brief discussion, Board member LeeAnn Thomas withdrew her name from nominations for Chairperson and, therefore, Charles Waddell was elected as Chairperson of the Planning and Zoning Board/Board of Adjustment. Mr. Waddell took his oath of office as Chairperson which was administered by Town Clerk Linda A. Hunt.

Chairperson Waddell opened the floor for nominations for Vice Chairperson.

Board member Lynn Griggs nominated LeeAnn Thomas as Vice Chairperson.

There being no further nominations for Vice Chairperson, the floor was closed.

On motion by Board member Griggs, seconded by Board member Edwards, the Board unanimously approved LeeAnn Thomas as Vice Chairperson.

Board member Lee Ann Thomas took her oath of office as Vice Chairperson of the Planning and Zoning Board/Board of Adjustment which was administered by Town Clerk Linda A. Hunt.

Ms. Jamie Hester was sworn into office as the Alternate Member of the Planning and Zoning Board/Board of Adjustment by Town Clerk Linda A. Hunt.

At their meeting on March 4, 2013, Town Council amended the Planning and Zoning Board/Board of Adjustment ordinance which included adding an Alternate Member to the Board. On February 26, 2013 the Planning Board adopted a set of Rules of Procedure for the Planning and Zoning Board/Board of Adjustment. As a result of those recent actions, it was determined that all Board members should take oaths of office as well. Town Clerk Linda A. Hunt administered the oaths of office to Board members Jackie Edwards, Lynn Griggs, and Keith Leonard.

APPROVAL OF MINUTES

On motion by Board member Jackie Edwards, seconded by Board member LeeAnn Thomas, the Planning & Zoning Board voted unanimously to approve the February 26, 2013 minutes as presented.

ADOPT AGENDA

On motion by Board member LeeAnn Thomas, seconded by Board member Jackie Edwards, the Board voted unanimously to adopt the agenda as presented.

PUBLIC COMMENT PERIOD

Mr. Christopher M. Shumate, 200 Beech Ridge Road, Thomasville, North Carolina, appeared before the Board regarding business he recently opened in the Town Center shopping, West Salem Gun Jewelry and Loan. Mr. Shumate said after he opened his business, he was informed the permit issued by the Town did not include operation of a pawn shop at that location. Mr. Shumate requested the Planning Board take action to allow him to operate a pawn shop as well.

Zoning Administrator Andy Goodall informed the Board the situation had just been brought to his attention a few days ago and he had suggested Mr. Shumate attend the meeting to explain his circumstances to the Board. Based on the information provided in the application submitted by Ms. Shumate, the planning staff issued a change of use permit to open a retail business for the sale of firearms, sporting goods, jewelry and retail items. Mr. Goodall said after issuing that permit, it was discovered the owners were running a pawnshop. The Town's zoning ordinance does not currently permit pawnshops within the Town limits. Mr. Goodall stated that currently, the owners have suspended the loan aspect of the business until the Town decides what action to take. Mr. Goodall said it appears there have been some miscommunications between the owner of the shopping center, Mr. Shumate and the Town.

Mr. Goodall explained the list of permitted uses in the zoning district where the shopping center is located does not include operating a pawn shop. Mr. Goodall noted he has examined all the permitted and non-permitted uses in the Town limits and found that operation of a pawn shop business is not included on either of the lists. Mr. Goodall said that since this matter has been brought up, he could prepare a couple of options for the Board to consider at its next meeting on April 29, 2013.

PLANNING BOARD CASES

There were none.

OTHER BUSINESS

DISCUSSION AND RECOMMENDATION OF TOWN OF MIDWAY COMMUNITY TRANSPORTATION EVALUATION (TRANSPORTATION & ACCESS MANAGEMENT PLAN)

At the last Planning Board meeting on February 26, 2013, Mr. Jonathan Guy, P.E., AICP, of Kimley-Horn and Associates, Inc. reviewed the final draft of the Town of Midway Community Transportation Evaluation (Transportation and Access Management Plan) with the Board. The Board elected to continue to review the final draft and to further discuss the plan at its next meeting on March 26, 2013.

Town Planner Andy Goodall started the discussion by asking the Board members for any comments or questions they may have about the plan.

Mayor Pro Tem Mike McAlpine addressed the Board to ask for feedback on the proposed roundabouts for Hartman and David Smith Roads as shown on pages 3-4 and 3-5 and for the two roundabouts at Hickory Tree Road Interchange as shown on pages 3-10 and 3-13 of the final plan. Mr. McAlpine asked if the Board believes that four roundabouts are too many.

Board members Jackie Edwards and Lynn Griggs said they are not in favor of four roundabouts.

Town Manager Ryan Ross pointed out that after reviewing the proposed plan, it was the North Carolina Department of Transportation (DOT) that added the two roundabouts at the Hickory Tree Road Interchange.

Board member Keith Leonard said he was not in favor of four roundabouts.

Alternate member Jamie Hester commented the Town would need to lead the people of Midway into the four roundabouts.

Board member Keith Leonard asked if consideration had been given to Hartman and David Smith Roads just having one roundabout instead of two.

Town Manager Ryan Ross responded that one roundabout for the two roads had been proposed but the residents were not in favor of it.

Mayor Pro Tem Mike McAlpine asked what it would take to align David Smith and Hartman Roads.

Mr. Ross responded that aligning the two roads would require major infrastructure and would be costly.

Alternate member Jamie Hester said the principal at North Davidson High School requested she ask the Planning Board for their input on the traffic flow situation on Old Highway 52 and Midway School Road.

Town Manager Ryan Ross explained the Council is aware of the situation and knows something has to be done to correct the problem caused by increased traffic due to the opening of Oak Grove Middle School on Midway School Road this year; however, with the new school being outside Town limits, resolving the problem will require a partnership between Davidson County, Davidson County Schools and the Town.

At the conclusion of the discussion, Mayor Pro Tem Mike McAlpine asked Chairperson Waddell to report the Board's general consensus about the roundabouts to the Council at its next meeting on April 1, 2013.

Discussion only. No action taken.

REPORTS

ZONING ADMINISTRATOR'S REPORT

Town Planner Andy Goodall reported on recent code enforcement violations and follow-ups. Mr. Goodall said he is working with Department of Environmental and Natural Resources (DENR) to get the area cleaned up around Leisure Time.

For information only.

TOWN MANAGER'S REPORTS

There were none.

REPORTS FROM PLANNING BOARD MEMBERS

There were none.

ADJOURNMENT

On motion by Board member Lynn Griggs, seconded by Board member Jackie Edwards, the Board voted unanimously to adjourn the meeting.

Charles Waddell, Chairperson

Linda A. Hunt, Town Clerk