



**TOWN OF MIDWAY
PLANNING & ZONING BOARD AGENDA
TUESDAY, JULY 28, 2020
DAVIDSON COUNTY GOVERNMENTAL CENTER
913 GREENSBORO ROAD
LEXINGTON, NC 27292
6:00 P.M.**

- 1. CALL TO ORDER**
- 2. DETERMINATION OF QUORUM**
- 3. ADOPTION OF MINUTES**

Regular Meeting- June 30, 2020

- 4. ADOPTION OF AGENDA**
- 5. PUBLIC COMMENT PERIOD**
- 6. REGULAR BUSINESS**

Review – Request by Felipe De Jesus Mendoza Pina and Maria Teresa Villagomez Gonzalez to Rezone a Portion of Lot 67 Containing .69 acres in Midway Township, Tax Map 6, from RA-3 (Rural Agricultural District) to CU-RC (Conditional Use Rural Commercial District)

- 7. OTHER BUSINESS**
- 8. ADJOURN**

If you have any questions, please contact Town Hall for more information.



**TOWN OF MIDWAY
PLANNING & ZONING BOARD
MINUTES
TUESDAY, JUNE 30, 2020**

**MINUTES OF MIDWAY PLANNING & ZONING BOARD MEETING HELD ON TUESDAY,
JUNE 30, 2020 AT 5:00 P.M. AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY,
NORTH CAROLINA**

CALL TO ORDER

Chairman LeeAnn Tuttle-Thomas called the meeting to order.

Planning & Zoning Board members present were: Jamie Hester, Carl Tuttle, LeeAnn Tuttle-Thomas, Charles Waddell and James Smith. Absent: None. Alternate: Vacant.

Town Manager Tammy Michael, Deputy Clerk Tammy Robertson, Davidson County Planner Guy Cornman and Zoning Officers Lee Crook and Travis Swain were present. Absent: Town Clerk Linda Hunt.

APPROVAL OF MINUTES

Town Manager Tammy Michael requested the minutes to be amended as follows: On page two, change from Alcohol Referendum passed in November 2018 to Alcohol Referendum passed in November 2016.

On motion by Board member Charles Waddell, seconded by Board member Carl Tuttle, the Board voted unanimously to approve the May 26, 2020 minutes as amended.

ADOPT AGENDA

On motion by Board member James Smith, seconded by Board member Jamie Hester, the Board voted unanimously to adopt the agenda as presented.

PUBLIC COMMENT PERIOD

There were none.

REGULAR BUSINESS

REVIEW REZONING REQUEST BY FELIPE DE JESUS MENDOZA PINA AND MARIA TERESA VILLAGOMEZ GONZALEZ TO REZONE .69 ACRES IN MIDWAY TOWNSHIP FROM RA-3 TO CU-RC

Davidson County Planning Director Guy Cornman informed the Planning Board that they were scheduled to hear a request from Felipe De Jesus Mendoza Pina and Maria Teresa Villagomez Gonzalez to rezone property in the Midway Township, Tax Map 6 a portion of lot 67 containing .69 acres more or less. Said property is located on the north side of Gumtree Road approximately four hundred feet west of the Dover Road intersection. Rezoning is requested to change from RA-3 Rural Agricultural District to that of CU-RC, Conditional Use Rural Commercial District.

Mr. Cornman stated that there was a mistake in the legal advertisement inadvertently listing the property as being located on the north side of Dublin Drive intersection instead of the Dover Road intersection. Due to the technicality, the Planning Board will hear the rezoning request at the next Planning Board meeting held on July 28, 2020. To accommodate a larger crowd and adhere to social distancing regulations, this meeting will be held at the Davidson County Commissioner's Meeting Room, at the Governmental Center, 913 Greensboro Street Extension, Lexington, North Carolina at 5:00 p.m.

On motion by Board member Jamie Hester, seconded by Board member Charles Waddell, the Board voted unanimously to reschedule the rezoning request by Felipe De Jesus Mendoza Pina and Maria Teresa Villagomez Gonzalez to rezone .69 acres in Midway Township from RA-3 to CU-RC until the next scheduled Planning Board meeting on July 28, 2020 to be held in the Davidson County Commissioner's Meeting Room, at the Governmental Center, 913 Greensboro Street Extension, Lexington, North Carolina at 5:00 p.m.

CCOD PERMIT REVIEW – INSANITY BRANDZ WALL SIGN - MIDWAY COMMONS SHOPPING CENTER FOR CONSIDERATION OF APPROVAL

Davidson County Zoning Officer Travis Swain presented to the Planning Board for review a permit for a proposed sign for Insanity Brandz located in the Core Commercial Overlay District (CCOD) in the Midway Commons Shopping Center. The business must satisfy signage requirements found on page III-36 of the Midway Zoning Ordinance Subsection (I) Multi-tenant buildings that states:

One (1) wall sign shall be allowed per tenant per building wall that contains a direct customer access to the tenant's space.

Wall signage for tenants shall be of an identical size and placement height, and shall not exceed 50 square feet per tenant.

Tenant spaces containing more than 25,000 square feet of gross floor area may install wall signage with up to 75 square feet of area.

The Davidson County Planning Department has reviewed the requirements and finds that the sign satisfies the requirements as stated in the Town's Zoning Ordinance.

On motion by Board member James Smith, seconded by Board member Charles Waddell, the Board voted unanimously to approve the sign permit for the Insanity Brandz sign that was installed before following and securing the necessary permit process in the CCOD in the Midway Commons Shopping Center as presented.

LAND USE PLAN UPDATE – JASON EPLEY– BENCHMARK CMR, INC.

At the May 26, 2020 Planning Board meeting, Jason Epley with Benchmark CMR, Inc. began updating the Town's current Land Use Plan with the Planning Board. The Town's current Land Use Plan covers the time period from 2010-2020.

The Comprehensive Land Use Plan establishes the "blueprint" or "roadmap" for the future of the Town with a bold, clear, vision and focused goals. The Plan looks at past and current development trends, previously approved plans, demographic and economic data, and community perceptions, in order to prioritize methods to fulfill the Town's vision for the future. The plan is comprised of goals and strategies that provide a framework for decision-making and the allocation of resources as they relate to long-term development. It builds upon existing assets while taking advantage of opportunities for improvement and growth. The Plan is implemented over time through annual budgeting, departmental work programs, zoning decisions and development projects. While local

governments must have a comprehensive plan as condition of adopting and applying zoning regulations in North Carolina, the Comprehensive Plan is not a zoning or regulatory document.

The following survey was developed by Mr. Epley along with the Planning Board members to gain insight on resident's perceptions of the Town's services, the future of the Town and what actions should be considered in the coming years to assist the Town in ensuring orderly development without sacrificing our small-town community and quality of life.

Residents will receive a postcard in the mail by mid-August with instructions on accessing the survey on the Town's Website www.midway-nc.gov.

TOWN OF MIDWAY COMPREHENSIVE PLAN

Welcome to the Comprehensive Plan Survey

The Town of Midway is updating its Comprehensive Plan, and residents' perceptions of the Town's services, the future of the Town, and what actions should be considered in the coming years will assist the Town in ensuring orderly development without sacrificing our small-town community and quality of life.

For more information please visit the COMPREHENSIVE PLAN WEBSITE.

Your input is important. Please take a few minutes to complete this brief survey before DATE.

GENERAL TOWN QUESTIONS

Please answer these questions about the Town of Midway.

1. "Quality of life" is defined as the standard of health, comfort, and happiness experienced by an individual or group. How would you rate the quality of life that you experience in Midway?

- High
- Average
- Low

2. What is your Perception of the following quality of life factors in Midway?

Poor Below Adequate Good Excellent No Opinion
Average

Housing Affordability

Quality of Housing Options

K-12 Education Opportunities

Employment Opportunities

Community Character

Availability of Retail
Goods/Services (Example: Grocery
Stores)

Overall Cost of Living

Health Care Options

Recreation/Entertainment/Dining
Options

Proximity to Other Cities

LAND USE

Please answer some questions on the use of land within the Town of Midway

3. What is your perception of the pace of growth in the Town of Midway?

- Too Fast
- Fast
- Just Right¹
- Slow

4. What type of new development do you prefer? (Check all that apply)

- Residential
- Parkland/Open "green" Space
- Local Business or Retail
- New Industry or Manufacturing
- Agricultural Uses
- None
- Other (please specify)

5. What is the most needed type of economic development in the Town? (Check all that apply)

- Commercial/Retail Businesses
- Medical and Health Care Services
- Industrial & Manufacturing Jobs
- Financial & Professional Services
- Entertainment/Dining/Recreation Businesses
- Other (please specify)

TRANSPORTATION

Please answer some questions on transportation within and around the Town of Midway.

6. Which of the following best describes your perception of traffic in the Town?
- I have no problems getting around Town
 - I think traffic will be an issue if the Town grows.
 - Traffic is a mess – I often experience delays when I drive through Town

Are there any specific transportation improvements that would help to improve the Town's transportation network?

7. What are the top three transportation-related issues that currently affect you? (You can be as General (traffic) or as specific (certain intersection) as you like.

8. Would you prefer to have access to other modes of transportation, such as bicycle lanes, pedestrian paths/walkways, a bus route, etc?
- No
 - Yes (what types?)

PARKS, RECREATION, AND OPEN SPACE

Please answer some questions about parks, recreation uses, and open spaces within the Town of Midway.

9. Are you satisfied with the park and recreation facilities available to you?
- Yes
 - No

Please provide any additional comments.

10. The Town has been investing in a public park at Town Hall. When fully completed, it will include walking trails, a pavilion, open fields, restrooms, gazebo and a picnic shelter.

What additional recreational amenities do you feel the residents would benefit from?

SERVICES

Please answer these questions about Town-provided services.

11. The Town of Midway has maintained a property tax rate of \$.05 per \$100 of property valuation since the Town was incorporated. The Town uses this revenue to provide services to the community. These services, which are mostly provided through contracts, include enhanced law enforcement, solid waste & recycling collection, street lighting, parks, planning and zoning.

Please tell us your level of satisfaction with the services the Town provides.

Very Satisfied Satisfied Unsatisfied

Law Enforcement (DCSO)

Solid Waste & Recycling Collection

Street Lighting

Parks

Planning & Zoning

Please provide comments regarding any service you are not satisfied with or additional services that you think the Town should provide.

12. Please share any additional thoughts you have about the Town of Midway, the services that it offers, quality of life, or anything else that you would like to share.

DEMOGRAPHICS

Please answer a few general questions about your household to help us understand our community needs.

13. Which of the following best describes you? Please select all that apply.

- I live in Midway
- I work in Midway
- I own property in Midway
- I own a business in Midway
- Other (please specify)

14. If you live in Midway, how long have you been a resident?

- Less than 5 years
- 5-10 years
- 10-20 years
- 20-30 years
- More than 30 years
- I don't live in Midway

15. Which of the following best describes your employment situation?

- Employed – Private Business
- Employed – Government/Public Service
- Unemployed
- Student
- Retired
- Other

16. If you are employed, where is the location of your employment (City and Zip Code)

17. Please indicate your age

- 18-24
- 25-34
- 35-44
- 45-54

- 55-64
- 65+

18. Would you like to be added to an email list to receive updates on the comprehensive planning process?

- No
- Yes (include email)

AMEND MEETING SCHEDULE TO CHANGE LOCATION FOR JULY 28, 2020 BOARD OF ADJUSTMENT AND PLANNING BOARD MEETING TO THE DAVIDSON COUNTY COMMISSIONER'S MEETING ROOM, AT THE GOVERNMENTAL CENTER, 913 OLD GREENSBORO STREET EXTENSION, LEXINGTON, NC

In accordance with N.C.G.S. 143-318.12 (b)(2) and in order to follow N.C. Governor Roy Cooper's guidelines for social distancing due to COVID-19, the Board of Adjustment and Planning Board meetings scheduled for July 28, 2020 will be held at the Davidson County Commissioner's Meeting Room, at the Governmental Center, 913 Old Greensboro Street Extension, Lexington, North Carolina to accommodate a larger group of people.

On motion by Board member Charles Waddell, seconded by Board member James Smith, the Board voted unanimously to amend the meeting schedule to change the meeting location for the July 28, 2020 Board of Adjustment and Planning Board meeting to the Davidson County Commissioner's Meeting Room, at the Governmental Center, 913 Old Greensboro Street Extension, Lexington, NC.

OTHER BUSINESS

There was none.

ADJOURNMENT

On motion by Board member James Smith, seconded by Board member Charles Waddell, the Board voted unanimously to adjourn the meeting at 5:49 p.m.

LeeAnn Tuttle-Thomas, Chairperson

Tammy H. Robertson, Deputy Clerk

DAVIDSON COUNTY PLANNING DEPARTMENT
Application for Amendment to the Town of Midway Zoning Ordinance
Map or Text (Circle One)

Date: 4-22-20 Fees Paid Rcpl. No.: 2020000062

Applicant(s): Felipe De Jesus Mendoza Pina & Maria Teresa Villagomez Gonzalez

Address: 312 Normans Ln. Winston Salem N.C. 27107 Telephone No.: (336)972-5676

Property Owner: Same

Address: Same Telephone No.: (336)972-5246

Property Location (General Description) Said property is located on the north side of Gumtree Road approximately 400 feet west of the Dover Road intersection.

Township: Midway Map No. 6 Blk. No. _____ Lot(s) 67

Acres (more or less) .69ac Existing Zoning District RA-3 Proposed Zoning District: CU-RC

Legal Advertisement: Request by Felipe De Jesus Mendoza Pina & Maria Teresa Villagomez Gonzalez to rezone property in Midway Township, Tax Map 6, Tax Lot 67 containing .69 acres more or less.

Said property is located on the north side of Gumtree Road approximately 400 feet west of the Dover Road intersection.

Rezoning is requested to change from RA-3, Rural Agricultural District to that of CU-RC, Conditional Use Rural Commercial District.

Planning Board Meeting Date: June 30, 2020 Recommendation: Tabled until 7/28/2020

Public Hearing Date: July 13, 2020 Council Action: Tabled until 8/3/2020

Signature, Applicant(s) Maria Teresa Villagomez Gonzalez Maria Teresa Villagomez Gonzalez
Felipe De Jesus Mendoza Pina Felipe De Jesus Mendoza Pina

Agent: _____ By: _____

Address: _____ Telephone No.: _____

Planning Board Meeting Date: 7/28/2020 Recommendation: _____

Public Hearing Date: 8/3/2020 Council Action: _____

Davidson County Planning Department

Name: Felipe De Jesus Mendoza Pina & Maria Teresa Villagomez Gonzalez
Application for Amendment to the Town of Midway Zoning Ordinance

Contents of Application: All applications for amendments to this ordinance, without limiting the right to file additional material, shall contain at least the following (applicant may attach additional sheets if necessary):

- (a) If the proposed amendment would require a change in the ZONING ATLAS, a fully dimensioned map at a scale of not less than 400 feet nor more than 20 feet to the inch showing the land which would be covered by the proposed amendment.
- (b) A legal description of such land, if applicable.
- (c) Any alleged error in this ordinance which would be corrected by the proposed amendment with a detailed explanation of such error in the ordinance and detailed reasons how the proposed amendment will correct same.

There does not appear to be an error in the Zoning Ordinance

- (d) The changed or changing conditions, if any, in a particular area or in the county generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare.

See Exhibit A, Exhibit B and Site Plan

- (e) The manner in which the proposed amendment will carry out the intent and purpose of a comprehensive plan.

See Exhibit A, Exhibit B and Site Plan

- (f) All other circumstances, factors, and reasons which applicant offers in support of the proposed amendment.

See Exhibit A, Exhibit B and Site Plan

Exhibit A

(d) On gumtree road there is a variation of residential and commercial properties, we will like to be part of the commercial properties so we can offer our services to our community so they can have more options closer to home, myself as a resident of this area I'm always looking for options closer to home and I believe that we can provide great services for our fellow residents.

(e) We are aware that the comprehensive plan is to change all commercial properties to Downtown Center, but in our area there is a diversity of different zonings we have commercial and farm properties, these businesses have been there for many years now and we will like to be an addition to these businesses so we can better serve our community with their needs and keep it close to home.

(f) We are proposing the opening of a Tire Service Center (F&T Tire Shop), this road has heavy traffic that comes from different points of the city and we will like to offer our services Monday - Saturday 8:30 am - 6:00 pm, we believe that these hours will work with our fellow residents so the noise (enclosed compressor) will be on their work shift hours and there will be no after hours service as we respect family time. We already have our 1st location that's been serviced by our family for more than 7 years that is located in the middle of a residential area and we have never had any residents' complaints.

As the attached layout shows we will have a 40' x 120' building on the right side of the property. This building will allow us to service our customers' cars indoors and keep our inventory indoors, there will be no outside storage. Parking space will be on the left side of the property this will allow customer traffic to be concentrated inside the business property, there will also be a driveway that goes all the way to the end of the property as we will like to only rezone to commercial the front portion of the property to have a house built on the back of the property to protect the subdivision that is located on the back road of the property.

As we want our business to be noticeable to our customers we will try to keep the least amount of trees possible and will make sure that our landscaping is presentable and well kept. We will install lighting that is motion detected and that is directed towards our business property only so we can keep the lights to a minimum.

We have inquired about a real estate appraiser's opinion and were told that our plans to rezone to commercial will not affect the value of our fellow residents' properties.

Exhibit B

HYLTON CROWDER & ASSOCIATES



132 East Parris Avenue
High Point,
NC, 27262

336-882-0131
Fax: 336-882-0135
gcrowder@hyltoncrowder.com

April 20, 2020

Felipe De Jesus Mendoza Pina
Maria Teresa Villagomez Gonzalez
312 Normans Lane
Winston Salem, NC 27107

Re: Vacant 2.06 acre tract of land located on Gumtree Road, Winston Salem, NC 27107
(Tax Parcel #13-006-0-000-0067)

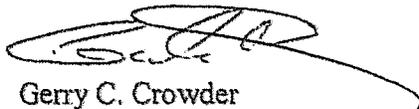
Dear Mr. Pina and Ms. Gonzalez:

Per your request, on April 9, 2020, I inspected the above referenced property. The subject property is currently zoned RA3 (Residential), and you are requesting Davidson County to rezone the front portion of the site (.70 +/- acre) to CU-CS (Conditional Use-Community Shopping). The remaining 1.36 +/- acres will remain RA-3.

There are currently several properties in the immediate area (including across the street from subject) which are commercial in use, and are zoned CS, LI (Light Industrial), etc. In the appraiser's opinion, based on 35 +/- years of appraising real estate in subject's marketing area, and considering the close proximity of subject property to existing commercial land use in the neighborhood, the rezoning of the front portion of subject property from RA-3 to CU-CS will have no significant or adverse effect on residential property values in the immediate and/or general area.

Sincerely,

Hylton-Crowder & Associates, Inc.

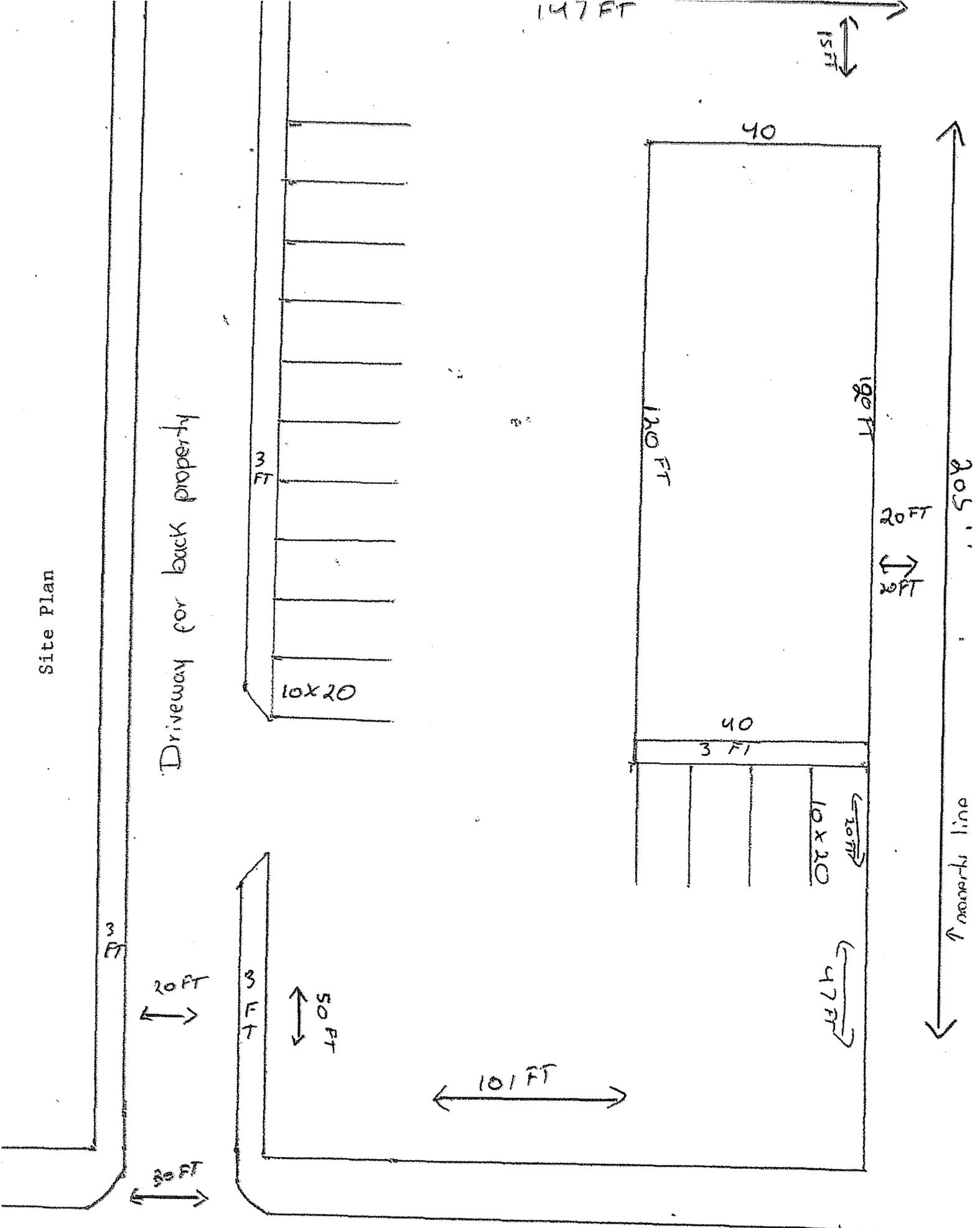

Gerry C. Crowder



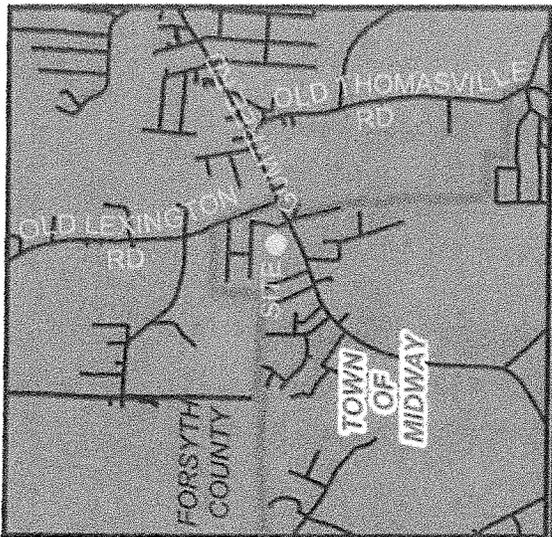
GCC/ob

Site Plan

Driveway for back property



Gumtree Rd



Legend

- county centerlines
- secondary centerlines
- interstate
- nchwy
- ushwy
- zoning boundaries
- property lines

| | | | |
|-----------------|---|-----------|----------|
| Applicant: | Felipe De Jesus Mendoza Pina & Maria Teresa Villagomez Gonzalez | | |
| Property Owner: | Felipe De Jesus Mendoza Pina & Maria Teresa Villagomez Gonzalez | | |
| Scale: | 1" = 400' | Drawn by: | RLC |
| Date: | 04/22/20 | REVISED: | 07/14/20 |
| FROM: | RA-3, RURAL AGRICULTURAL DIST | | |
| TO: | CU-RC, CONDITIONAL USE - RURAL COMMERCIAL DIST | | |
| | MIDWAY TWP, MAP 6, LOT 67 CONTAINING .69 ACRES + OR - | | |
| | 2016 Aerial Photography | | |



Felipe De Jesus Mendoza Pina & Maria Teresa Villagomez Gonzales

List of Conditions

1. Property will be used for a Tire Service Center now and perhaps an Automobile sales lot and automobile repair facility in the future.
2. We will have hours of operation from Monday through Saturday from 8:30AM till 6:00PM.
3. We will enclose our air compressor to reduce noise.
4. As per our attached site plan we plan to construct a 40-foot x 120-foot building to conduct our business in.
5. We will have no outside storage of inventory (tires or junk).
6. Our landscaping will be presentable and well kept and will comply with any rules or laws within the Town limits.
7. Lighting will be motion detected and directed onto our property to reduce glare or light pollution on any neighbor's property.



Davidson County Planning Department

913 Greensboro Street
Post Office Box 1067
Lexington, North Carolina 27293-1067

Guy L. Comman, III
Planning Director

Toll Free Numbers
Lexington: 336-242-2220
Winston-Salem: 336-723-7890 ext. 2220
Denton: 336-859-2194 ext. 2220

Adjoining Property Owners

From the Tax Administrators Office as of:
07/14/2020

| Parcel ID | Owner Name | Mailing Address |
|----------------|------------------------------|---|
| 1300600000077 | SMITH JERRY R | 420 DAVID SMITH RD WINSTON SALEM NC 27127- |
| 1300600000076 | SMITH JERRY R | 420 DAVID SMITH RD WINSTON SALEM NC 27127- |
| 1300600000068A | BROCK ZACHARY D | 1000 NOTTINGHAM DR LINWOOD NC 27299 |
| 1300600000068 | BROCK ZACHARY D | 1000 NOTTINGHAM DR LINWOOD NC 27299 |
| 1300600000067 | PINA FELIPE DE JESUS MENDOZA | 312 NORMANS LANE WINSTON SALEM NC 27107 |
| 1300600000024 | MOORE AMANDA K | 2157 GUMTREE ROAD WINSTON-SALEM NC 27107- |
| 13004D00D0008 | NIFONG RAYMOND L | 183 DUBLIN DR WINSTON SALEM NC 27107- |
| 13004D00D0007 | NELSON TRAVIS D | 235 DUBLIN DRIVE WINSTON SALEM NC 27107 |

"Planning for a Better Tomorrow"