



**TOWN OF MIDWAY
PLANNING & ZONING BOARD
MINUTES
TUESDAY, SEPTEMBER 26, 2023**

**MINUTES OF MIDWAY PLANNING & ZONING BOARD MEETING HELD ON TUESDAY,
SEPTEMBER 26, 2023, AT 5:00 P.M. AT TOWN HALL, 426 GUMTREE ROAD, MIDWAY
NORTH CAROLINA**

CALL TO ORDER

Chairman Charles Waddell called the meeting to order.

Planning & Zoning Board members present were: Charles Waddell, Jamie Hester, James Smith, Carl Tuttle, and Paula Hill. Alternate member Richard Miller was present. Absent: None.

Town Manager Tammy Michael, Town Clerk Linda Hunt, and Town Attorney Jim Lanik were present.

Davidson County Zoning Administrator Lee Crook and Davidson County Zoning Officer John Wheeler were present.

APPROVAL OF MINUTES

On motion by Board member Jamie Hester, seconded by Board member James Smith, the Board voted unanimously to approve the June 27, 2023 minutes as presented.

ADOPT AGENDA

On motion by Board member Carl Tuttle, seconded by Board member Paula Hill, the Board voted unanimously to adopt the agenda as presented.

PUBLIC COMMENT PERIOD

There were none.

REGULAR BUSINESS

REZONING REQUEST BY DAVID B. COE – 56 ACRES, MORE OR LESS, FROM RS (LOW INTENSITY RESIDENT DISTRICT) TO MX-R (MIXED USE RESIDENTIAL DISTRICT) – OWNED BY NIFONG FAMILY, LLC AND AMBER N. JOYCE – CORE COMMERCIAL OVERLAY DISTRICT (CCOD)

Davidson County Zoning Administrator Lee Crook told the Board that the Applicant, David B. Coe, was unable to be at the meeting and has asked that his request be continued to the October 31, 2023 Planning Board meeting. Mr. Crook stated staff does not represent the Applicant because they cannot answer a lot of questions other than the information in the application. He said that if anyone who is interested in getting

information on the rezoning request would meet with Zoning Officer John Wheeler outside, he would take their email addresses and packets would be emailed to them.

It is staff's recommendation to continue the rezoning request to the October 31, 2023 Planning Board meeting.

Interested members from the audience spoke up to express their concerns that the October 31, 2023 meeting date conflicts with Halloween and could interfere with people being able to attend the meeting.

On motion by Board member James Smith, seconded by Board member Carl Tuttle, the Planning Board voted unanimously to continue the rezoning request by David B. Coe to the November 28, 2023 Planning Board meeting.

MIDWAY ANIMAL CLINIC – CCOD REVIEW

Present representing Midway Animal Clinic were Dr. Chad Lakey, Frank Chapman from Davie Construction, and John Fuller from Fuller Architecture.

Davidson County Zoning Administrator Lee Crook reported that the CCOD review for the Midway Animal Clinic has been performed by the Planning Department staff. Listed below are the section of the CCOD that the Applicant has not been able to show compliance with. Mr. Crook said that after a conversation with the Applicant and their project team, they are willing to meet all of the listed items but did not have time to prepare documentation showing compliance. Mr. Crook stated it is staff's opinion that the Planning Board has the authority to review what has been submitted and conditionally approve the project if the Board is comfortable with staff verifying that all aspects of the CCOD are eventually complied with. The Planning Board may also continue this request to a later date to verify for themselves that all aspects of the CCOD review are compliant. This would require further submittals by the Applicant and their team.

1. Stormwater Facilities and Utility Layout Plans – *Applicant will submit*
2. Signage Plan – *Applicant will meet requirements*
3. Trying to count the covered walkway as a site amenity but it may need seating to be considered. *Applicant will put outdoor seating as focal point*
4. Need to obtain NDOT Driveway permit to satisfy Section J. Vehicular and Pedestrian Access and Circulation – *To apply in Salisbury*
5. Section J. Vehicular and Pedestrian Access and Circulation, Number 17, requires a distinguishable walkway from a parking block larger than 10 spaces. Some type of paving material distinguished by color, texture or height needs to be extended to the 11 spaces on the north side of the property. – *Applicant will comply*
6. The caliper and size of the canopy and understory trees are too small at planting. Section (L) Landscaping and Screening, Number 3, Material Size Standards – *Applicant will plant larger trees*
7. Section (N), Parking Lot Landscaping, Number 3, requires 25% of the trees for the parking to be of a canopy type tree. Six will suffice. – *Applicant will meet*
8. Section (T), Mechanical and Utility Equipment Screening, Number 2, requires some design information regarding the mechanical and utility screening. *Application will comply with landscaping or fencing to meet requirement.*
9. Section (V), Architectural Guidelines, Number 5, Minimum Wall Articulation, requires some type of architectural break for any wall over 50 feet long. Both the south and east walls are that long, and staff has no elevations to make this determination. *New elevation shows compliance with this requirement.*
10. Staff still in need of a lighting plan as per Section (V), number 11. *Applicant will submit plan.*

On motion by Board member Jamie Hester, seconded by Board member Carl Tuttle, the Planning Board voted unanimously to approve the Midway Animal Clinic building plan upon condition that all aspects of the Core Commercial Overlay District are complied with and verified by the Planning and Zoning staff.

ADJOURNMENT

On motion by Board member Paula Hill, seconded by Board member Carl Tuttle, the Board voted unanimously to adjourn the meeting.

Charles Waddell, Chairperson

Linda A. Hunt, Town Clerk