



City of Boiling Spring Lakes

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**Planning Board
Special Call Meeting
August 15, 2017
7:00 P.M. ~ City Hall**

CALL TO ORDER:

A special call Planning Board meeting was held at City Hall on August 15, 2017. Chairman, Bill Clark, called the meeting to order at 7:00 p.m.

ATTENDANCE:

Members Present:

Bill Clark; Chairman, Gene Fioravante, Jeremy Sexton, Lucille Launderville; 1st Alternate Bill Sraver arrived late and did not participate in voting

Members Absent:

Nancy Crawford ~ excused

Staff Present:

Ruth Bek; Chief Enforcement Officer, Maggie Della Badia; Administrative Assistant, Nicole Morgan; Administrative Assistant

Guest:

Cape Fear Council of Governments: Wes MacLeod

AGENDA:

A motion was made by Gene Fioravante and seconded by Lucille Launderville to approve the agenda.

Motion Carried 4-0

PUBLIC COMMENT:

Matt Parin; 1711 Reidsville Road

Matt Parin stated that he, as well as other residents on the street, like that Reidsville Road is a low density, quiet street, and the Helms Subdivision will bring a 50% increase. Mr. Parin further stated he, as well as other residents on the street, like the quiet neighborhood, and noted that there are already 140 lots for sale in Boiling Spring Lakes of the same type and questioned why there needs to be 24 more.

Bill Clark advised Mr. Parin that he, and other residents, may speak about their concerns with the Board of Commissioners and stated that the Planning Board will make note of his comments.

OLD BUSINESS: None

NEW BUSINESS:

**1. Development Site Plan ~ Case DP-0001
Carolina Cape Builders**

Bill Clark asked Wes MacLeod if he had any comments regarding the site plan. Wes MacLeod stated that the staff report states the recommendations that need to be made to the Board of Commissioners.

Bill Clark asked Ruth Bek if she had any questions or comments. Ruth Bek stated that her comments are in the staff report packet.

Wes MacLeod stated that all comments will go to the Board of Commissioners for final approval.

A motion was made by Gene Fioravante and seconded by Jeremy Sexton to approve the site plan subject to recommendations.

Motion carried 4-0

**2. Development Site Plan ~ Case DP-0002
Boiling Spring Lakes Police Department**

Bill Clark asked Wes MacLeod to explain "*fee in-lieu of*." Wes MacLeod explained that *fee in-lieu of* is a procedure whereas the applicant could provide a fee, as opposed to paying for it all up front, and stated that this in particular is in reference to the sidewalk. Wes MacLeod stated that there is no *fee in-lieu of* in the UDO, and that an amendment would be needed. Wes MacLeod further stated that any reference to *fee in-lieu of* needs to be removed from the site plan.

Bill Clark asked why there is no impervious coverage listed on the site plan and asked if the plan would work for the size of the lot. Wes MacLeod stated that the architects will be making all of the changes and recommended the changes be made if the Planning Board wants to approve.

Bill Clark stated that Ruth Bek's comments, as well as Wes MacLeod's comments, need to be addressed, as do any other comments made by the county engineer.

Bill Clark stated that the vote would be in accordance with all comments being addressed. Wes MacLeod stated that the site plan will either come back to the Planning Board, or go to the Board of Commissioners, and that the architects need to revise the site plan and have it back to the board by August 24, 2017.

A motion was made by Lucille Launderville and seconded by Gene Fioravante that approval be contingent upon all staff recommendations.

Motion carried 4-0

**3. Development Site Plan ~ Case DP-0003
MGK Mini Storage**

Mark Kennedy, applicant, asked to speak.

Bill Clark allowed the applicant to comment.

Mark Kennedy stated that the revised site plans are in the lobby, showing that items 1 through 4 on the staff recommendations have been completed. Mark Kennedy questioned #5 on the staff recommendations, stating that requiring 20% of the land to be landscaped is excessive and that, as of now, they have it at 9%. Mark Kennedy stated that if they went to 20%, including the pond and setbacks, it will only leave 56%.

Ruth Bek and Wes MacLeod stated street yard is included in the 20% requirement. Wes MacLeod stated that all it needs to be is grass, and asked if they calculated everything outside of the impervious area. Bill Clark stated that the applicant would need a variance. Ruth Bek asked Mark Kennedy if this means he is covering 91% of the lot. Mark Kennedy answered that they would be covering 70%, because the pond accounts for 16,000 sq. ft. and makes up 15-17% of the property.

Wes MacLeod stated that the board is not at liberty to tell the applicant that he does not have to meet the 20% requirement, but that the new UDO is removing the 20% blanket requirement and told Mark Kennedy that he could postpone his application until that time. Wes MacLeod further stated that Mark Kennedy could apply for a text amendment and remove his application for the time being. Bill Clark asked Mark Kennedy when he would like to start the project and Mark Kennedy stated that he would like to start in November. Bill Clark advised Mark Kennedy that the revised UDO should be approved by December or January.

Jeremy Sexton asked if the pond was considered landscape and Ruth Bek stated that it is not.

Wes MacLeod stated that it is possible to increase landscape by removing some pavement around the buildings. Mark Kennedy stated that the customers will need that paved area for driving and turning around. Wes MacLeod advised Mr. Kennedy again, that he has the right to come to the Planning Board and request a text amendment.

Mark Kennedy asked how he needs to provide justification for removing perimeter trees and Ruth Bek stated that there needs to be a note on the site plan stating that trees are being removed for fill.

Wes MacLeod told Mark Kennedy to speak with his Engineer to see if they can get it to 20%, and if not, he can apply for a text amendment for the September 12, 2017 meeting.

Bill Clark stated that taking out the 16,000-sq. ft. pond, they would need to tweak 12% of impervious area, and asked Mark Kennedy if that was possible. Mark Kennedy stated that he does not think that is possible. Bill Clark suggested decreasing unit size and Mark Kennedy stated that he would still need to add 12,000-14,000-sq. ft. of landscaping.

Wes MacLeod stated that he will scale and measure it himself, and said that some areas behind the buildings could possibly be counted, and that it may be possible to get it to 20%.

Bill Clark asked Mark Kennedy if the storage units on the side are individual units for rent, and Mark Kennedy answered that they are.

Wes MacLeod stated that, just in looking at the plan, he ball parked approximately 9,000-sq. ft. more and Bill Clark recommended to Mark Kennedy that he have his engineer look at it again. Bill Clark stated that approval can be made, based on recommendations, if the applicant comes back showing he has met the 20% requirement, or if the revised UDO is approved.

Jeremy Sexton asked whether or not the applicant would have to come back if he revises the plan and Wes MacLeod said that he will not, as long as it is approved with contingency.

A motion was made by Jeremy Sexton and seconded by Gene Fioravante to approve with contingency.

Motion carried 4-0.

4. Development Site Plan ~ Case DP-000 Helms Subdivision

Bill Clark asked Wes MacLeod if Helms Road will be paved. Wes MacLeod stated that it will be paved and paid for by the developer, who has the right to keep it as a private road. Bill Clark asked if the city would take over as infrastructure, if it is not kept private, and Wes MacLeod stated that it would. Greg Helms, applicant, commented that the intent is for Helms Road to be public.

Bill Clark asked Wes MacLeod if there are any requirements on dead end streets for a cul-de-sac and Wes MacLeod stated that the city requires a dead-end road be no longer than 500 feet. Wes MacLeod stated it may be that cul-de-sacs are permitted in the city and said he is speaking with Ruth Bek regarding this matter. Bill Clark stated that this issue has been brought up in staff comments. Ruth Bek said that the UDO discourages cul-de-sacs, but that the ravine at the end of the road doesn't leave much option, other than a cul-de-sac.

Lucille Launderville asked what the difference is between comments 7 & 9. Ruth Bek stated that a T intersection would require narrower lots and would call for modifying driveways. Ruth Bek asked Greg Helms if he is opposed to a cul-de-sac and Greg Helms stated that he is. Wes MacLeod added that there cannot be a dead-end street longer than 500 feet and Greg Helms responded by saying that he wants to leave the temporary turnaround.

Bill Clark asked if the temporary turnaround would stay and Wes MacLeod stated that approval could be contingent upon comments 1 through 8 and comment 9 being taken out. Bill Clark asked how comment 9 could be taken out and Wes MacLeod stated that it is because they already have a temporary turnaround and that the requirements for such have been met.

A motion was made by Gene Fioravante and seconded by Jeremy Sexton to approve contingent upon comments 1 through 8, excluding comment 9.

Motion carried 4-0

OTHER BUSINESS:

Wes MacLeod stated that this is an administrative approval, so if an applicant applies to the city and meets all of the requirements of the UDO, the city does not have the right to deny the application.

ADJOURN:

A motion was made by Jeremy Sexton and seconded by Lucille Launderville to adjourn the meeting at 8:45.

Motion carried 4-0

Respectfully submitted by,

*Nicole Morgan
Administrative Assistant*