

# **City of Boiling Spring Lakes**

## **Planning Board**

### **May 12, 2020**

### **City Hall – 7:00 P.M.**

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## **AGENDA**

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approval of Agenda
- Approval of Minutes
  - January 14, 2020
- Public Comment
- Old Business
  - None
- New Business
  - Major Site Plan Development Review
    - Robert Muse Memorial Park ~ Case 20-189
  - Section 5.3 Primary Zoning Districts
    - Text Amendment & Consistency Statement
- Other Business
- Announcements
- Adjourn



**City of Boiling Spring Lakes**

**9 E. Boiling Spring Road**

**Southport, NC 28461**

**Phone (910) 294-0996 Fax (910) 363-0029**

**Nicole Morgan • Email: nmorgan@cityofbsl.org**

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**Planning Board  
January 14, 2020  
7:00 P.M. ~ City Hall**

**CALL TO ORDER:**

The regular monthly Planning Board meeting was held at City Hall on January 14, 2020. Chairman, Bill Clark, called the meeting to order at 7:00 p.m.

**ATTENDANCE:**

**Members Present:**

Bill Clark; Chairman, Bill Sraver, Jeremy Sexton, Lucille Launderville, Sharon Zakszeski, Joan Kinney

**Members Absent:**

William Rivers; excused

**Staff Present:**

Nicole Morgan; Planning & Zoning Administrator

**AGENDA:**

A motion was made by Jeremy Sexton, and seconded by Lucille Launderville, to approve the January 14, 2020 agenda.

**Motion carried 5-0**

**MINUTES – December 10, 2019**

A motion was made by Jeremy Sexton, and seconded by Sharon Zakszeski, to approve the minutes of December 10, 2019.

**Motion carried 5-0**

**PUBLIC COMMENT:**

Tom DeAngio of 1409 South Shore Dr. recommended the City consider placing a public dock on Lake Patricia (The Big Lake) if the right-of-way along NC 87 is deep enough.

**OLD BUSINESS:**

**1. Docks/Piers/Bulkheads/Waterside Structures Text Amendment & Consistency Statement**

The Board discussed design standards for docks in C-1 and C-C zoning districts. Nicole Morgan explained ADA requirements mandate piers must be a minimum of 5' wide. The board discussed fueling facilities as an accessory to docks in C-1 and C-C, and agreed such use should not be permitted. After discussing maximum length of the platform, the board agreed to leave it at 40'.

A motion was made by Jeremy Sexton, and seconded by Bill Sraver, to approve the text amendment as written.

Motion carried 5-0

A motion was made by Jeremy Sexton, and seconded by Lucille Launderville, to approve option A of the consistency statement

Motion carried 5-0

**NEW BUSINESS:**

**1. Elect Chairman**

A motion was made by Lucille Launderville, and seconded by Jeremy Sexton, to elect Bill Clark as Chairman.

Motion carried 5-0

**2. Elect Vice-Chairman**

A motion was made by Jeremy Sexton to nominate Lucille Launderville, and a motion was made by Lucille Launderville to nominate Jeremy Sexton.

Motion to elect Lucille Launderville failed 1-4

Motion to elect Jeremy Sexton carried 4-1

**OTHER BUSINESS:**

None.

**ANNOUNCEMENTS:**

None.

**A motion was made by Lucille Launderville, and seconded by Bill Sraver, to adjourn the meeting at 7:34 pm.**

**Motion carried 5-0**

*Respectfully submitted by,  
Nicole Morgan, Planning & Zoning Administrator*

**STAFF REPORT**

**To:** Planning Board  
**From:** Nicole Morgan, Planning & Zoning Administrator  
**cc:** Jeff Repp, City Manager  
**Date:** May 5, 2020  
**Re:** Major Site Plan ~ Robert Muse Memorial Park

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**INTRODUCTION**

This staff report summarizes the major site plan that has been submitted for various improvements to Robert Muse Memorial Park. The park is currently addressed as 155 E. Boiling Spring Rd. (parcel 156EB00102), and is zoned Recreation. Public parks and recreation areas are a permitted use by right, with no supplemental regulations. The park is bound to the north by Miller Rd., the east by three (3) lots zoned R-2 Residential, the south by E. Boiling Spring Rd., and the west by the First Baptist Church. This project proposes the disturbance of greater than 1 acre of the 1.421 acre tract; therefore, classifying it as a major site plan, and requiring approval by the Planning Board.

Robert Muse Memorial Park, originally built nearly fifty years ago, has undergone several upgrades over the years. In an effort to accommodate for the growing number of families, the City proposes complete redevelopment of the limited and aging infrastructure by replacing the deteriorated courts, providing safe walking areas, and including recreational activities for various age groups. The existing site contains various amenities, including a tennis court, playground, picnic shelter, and a basketball court. Proposed park improvements include a gaga ball court, foosball table, two picnic shelters, a permeable/composite surfaced playground, basketball/pickleball courts, benches, and a walking trail.

On April 3, 2018 the Boiling Spring Lakes Board of Commissioners authorized a North Carolina Parks and Recreation Trust Fund (PARTF) grant application for a portion of the redevelopment of Robert Muse Memorial Park. On October 3, 2018 the grant agreement between the North Carolina Department of Natural and Cultural Resources and the City of Boiling Spring Lakes was executed. The PARTF grant amount must be matched on at least a dollar-for-dollar basis. Total project costs for the proposed redevelopment is \$416,800.00, with the PARTF grant amount at \$208,000.00, and local government match at \$208,800.00 (2018-2019 budget appropriation of \$66,000.00 and 2019-2020 budget appropriation of \$142,800.00).

In accordance with TRC requirements, the proposed site plan was submitted to Brunswick County Engineering (Stormwater), Director of Parks and Recreation, Fire Chief, Police Chief, Public Works Director, Chief Code Enforcement Officer, and NCDOT for review. TRC comments are attached.

On January 28, 2020 North Carolina Department of Environmental Quality (NCDEQ) issued a State Stormwater Management Permit for the construction of the built-upon areas, which allows for an additional 8,215 square feet of future impervious. After modifying the original site plan for park redevelopment to include approximately 1,000 square feet of impervious for handicap parking, revised plans were submitted back to NCDEQ for permit modification. Since the project does not exceed the future allocation, it qualified for minor modification, which NCDEQ issued on March 16, 2020.

Upon review of the proposed site plan and all TRC recommendations, the UDO Administrator recommends approval of the major site plan, subject to TRC recommendations/comments.

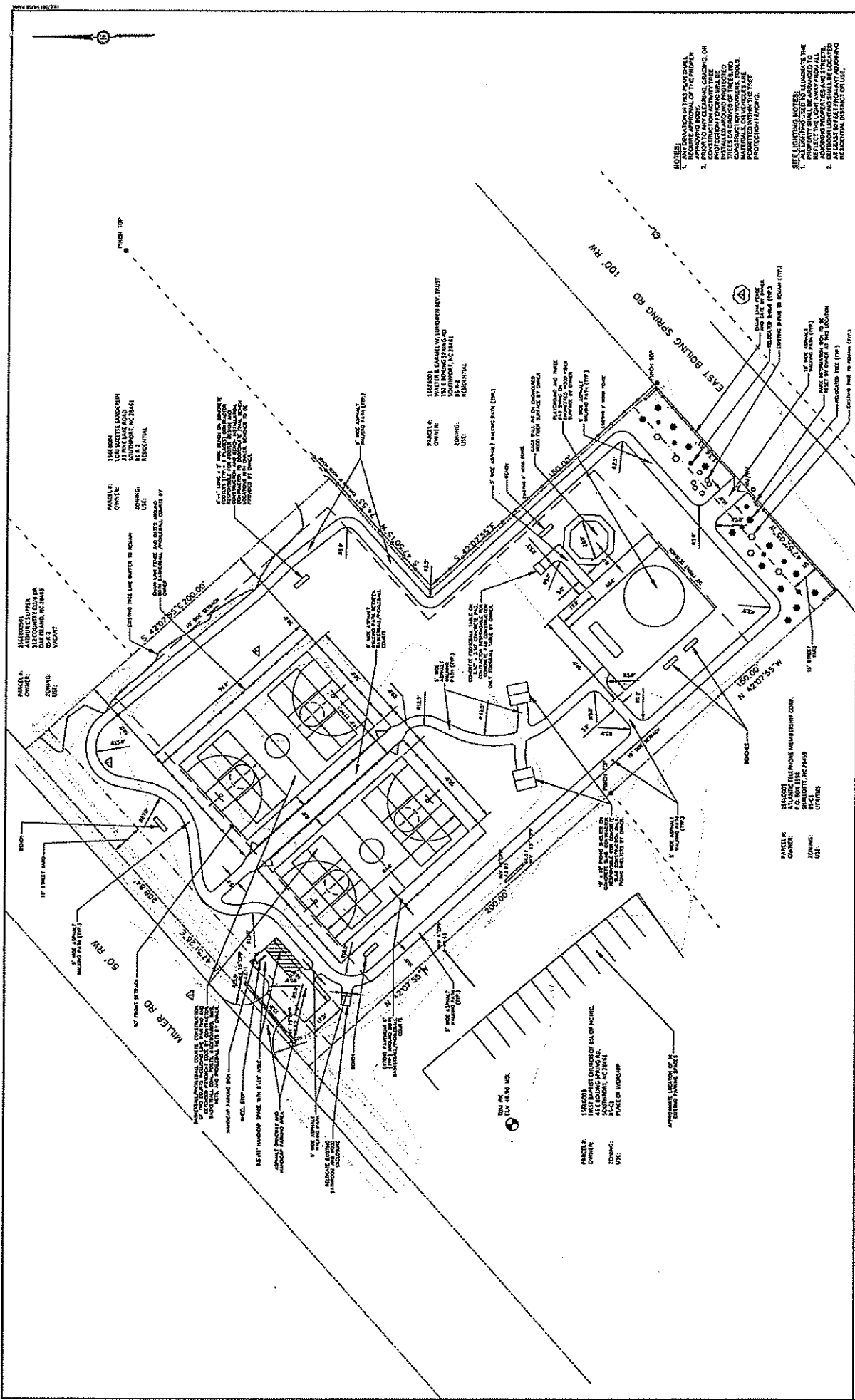
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**Attachments:** Site plan, application, TRC recommendations/comments

**Required Motion:** Motion to recommend approval, or denial of the major site plan

**Planning Board Motion:** TBD

**Follow-up Needed:** Zoning permit issuance by Planning & Zoning Administrator



- NOTES:**
1. ALL LIGHTING USED TO ILLUMINATE THE SITE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF BOILING SPRING LAKES, NORTH CAROLINA, LIGHTING ORDINANCE.
  2. ALL LIGHTING USED TO ILLUMINATE THE SITE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF BOILING SPRING LAKES, NORTH CAROLINA, LIGHTING ORDINANCE.
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**mcgill**

712 W. 10th St. Suite 100  
Shelby, NC 28170  
910.755.5872  
NC Firm License # C-5052  
mcgilllandscape.com

**FINAL DRAWING FOR REVIEW PURPOSES ONLY NOT FOR CONSTRUCTION**

NO.	DATE	BY	FOR
1	10/11/18	JLS	FOR REVIEW
2	11/09/18	JLS	FOR REVIEW
3	01/09/19	JLS	FOR REVIEW
4	03/09/19	JLS	FOR REVIEW
5	05/09/19	JLS	FOR REVIEW
6	07/09/19	JLS	FOR REVIEW
7	09/09/19	JLS	FOR REVIEW
8	11/09/19	JLS	FOR REVIEW
9	01/20/20	JLS	FOR REVIEW
10	03/20/20	JLS	FOR REVIEW
11	05/20/20	JLS	FOR REVIEW
12	07/20/20	JLS	FOR REVIEW
13	09/20/20	JLS	FOR REVIEW
14	11/20/20	JLS	FOR REVIEW
15	01/21/21	JLS	FOR REVIEW
16	03/21/21	JLS	FOR REVIEW
17	05/21/21	JLS	FOR REVIEW
18	07/21/21	JLS	FOR REVIEW
19	09/21/21	JLS	FOR REVIEW
20	11/21/21	JLS	FOR REVIEW

**ROBERT MUSE MEMORIAL PARK**  
CITY OF BOILING SPRING LAKES, NORTH CAROLINA

**SITE PLAN**

DATE: SEPT. 22, 2019  
DRAWN BY: ALAPINSKY  
CHECKED BY: ALAPINSKY  
SCALE: 1" = 10'

**mcgill**

712 W. 10th St. Suite 100  
Shelby, NC 28170  
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9	01/20/20	JLS	FOR REVIEW
10	03/20/20	JLS	FOR REVIEW
11	05/20/20	JLS	FOR REVIEW
12	07/20/20	JLS	FOR REVIEW
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18	07/21/21	JLS	FOR REVIEW
19	09/21/21	JLS	FOR REVIEW
20	11/21/21	JLS	FOR REVIEW

**ROBERT MUSE MEMORIAL PARK**  
CITY OF BOILING SPRING LAKES, NORTH CAROLINA

**SITE PLAN**

DATE: SEPT. 22, 2019  
DRAWN BY: ALAPINSKY  
CHECKED BY: ALAPINSKY  
SCALE: 1" = 10'



## City of Boiling Spring Lakes

9 East Boiling Spring Road Boiling Spring Lakes, NC 28461  
Phone ~ 910-363-0025 Fax ~ 910-363-0029 [www.cityofbsl.org](http://www.cityofbsl.org)

### Major Site Plan Application

Robert muse  
Project Name: Memorial Park Property Owner(s): City of Boiling Spring Lakes  
Authorized Agent: Mary Green Telephone: ext. 4005  
Email: mgreen@cityofbsl.org  
Project Address: 155 E. Boiling Spring Rd.  
Zoning District: REL Parcel #: 156EB00102  
Proposed Use: Recreational

Project  
Description: Park Redevelopment  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Owner/Authorized Agent: \_\_\_\_\_

Site plan procedures are outlined in Article 9, Section 9.3 of the City's Unified Development Ordinance (UDO). The site plan shall be submitted in accordance, and shall meet all plat requirements, as outlined in Appendix B of the UDO. Notes placed on the site plan may suffice for items that are unable to be shown geographically, or are not applicable to this application. No application shall be accepted as complete unless accompanied by all required fees and all required submission information.

**\*Commercial Site Plan Review Fee at Preliminary & Final = \$500.00\***

Staff Use Only:

Project #: N/A Date Submitted: \_\_\_\_\_

Amount Paid: \_\_\_\_\_ Date: \_\_\_\_\_ Amount Paid: \_\_\_\_\_ Date: \_\_\_\_\_





## *City of Boiling Spring Lakes*

9 East Boiling Spring Road Boiling Spring Lakes, NC 28461

Phone ~ 910-363-0025 Fax ~ 910-363-0029 Web page ~ [www.cityofbsl.org](http://www.cityofbsl.org)

### TRC Comment Sheet

Case Number \_\_\_\_\_

Date 11/15/19

Project Robert Muse Memorial Park Improvements

Project Site Robert Muse Memorial Park ~ 155 E. Boiling Spring Rd.

Reviewer's Name Brigit Flora, PE, CFM

Title / Department Stormwater Engineer/Brunswick County

### Comments:

1. A County Stormwater Permit is not required due to this being a Town owned project.
  2. A State Stormwater Permit would be required.
  3. It does appear that the Brunswick County Stormwater Permit requirements could be met using the on-site dry detention basin.
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9 East Boiling Spring Road Boiling Spring Lakes, NC 28461

Phone ~ 910-363-0025 Fax ~ 910-363-0029 Web page ~ [www.cityofbsl.org](http://www.cityofbsl.org)

### TRC Comment Sheet

Case Number \_\_\_\_\_

Date November 04, 2019

Project Robert Muse Memorial Park Improvements

Project Site Robert Muse Memorial Park ~ 155 E. Boiling Spring Rd.

Reviewer's Name Greg Jordan

Title / Department Chief of Police - Boiling Spring Lakes Police Department

#### Comments:

There are no issues or concerns from a Law Enforcement perspective.

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## *City of Boiling Spring Lakes*

9 East Boiling Spring Road Boiling Spring Lakes, NC 28461

Phone ~ 910-363-0025 Fax ~ 910-363-0029 Web page ~ [www.cityofbsl.org](http://www.cityofbsl.org)

### TRC Comment Sheet

Case Number \_\_\_\_\_

Date November 6, 2019

Project Robert Muse Memorial Park Improvements

Project Site Robert Muse Memorial Park ~ 155 E. Boiling Spring Rd.

Reviewer's Name Michael Mack

Title / Department Director - Public Works

#### Comments:

No comments other than "Utility Providers" information listed on Sheet C-002 is inaccurate.

Electric - Duke Energy Progress - 800-632-4949

Water & Sewer - Brunswick County Utility Department - 910-253-2657

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## STAFF REPORT

**To:** City of Boiling Spring Lakes Planning Board  
**From:** Nicole Morgan, Planning & Zoning Administrator  
**cc:** Jeff Repp, City Manager  
**Date:** March 5, 2020  
**Re:** Minimum Square Footage Text Amendment & Consistency Statement

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### INTRODUCTION

The 2019 session of the North Carolina General Assembly convened for an organizational session on January 9, 2019, and began regular sessions on January 30, 2019. A number of bills were enacted in 2019 that affect planning and land-use, including S.L. 2019-174 (H.B. 675), which dealt with building code and regulatory reform. Numerous changes were made to local and state building permitting and inspections processes. One notable provision affecting cities amends G.S. 160A-381 to prohibit city ordinances from including a minimum square footage for any structure subject to the State Building Code for one and two family residential dwellings.

### PROPOSED TEXT AMENDMENT

For compliance with new legislation, effective July 26, 2019, the following text amendments are proposed to Article 5 of the City's Unified Development Ordinance. Stricken text is to be deleted. Underlined text is to be added:

#### Article 5 Zoning Districts

##### Section 5.3 Primary Zoning Districts

- (A) R-1 Single-Family Residential District: This zoning district is intended for detached single-family dwellings and primarily located in close proximity to City lakes and the golf course. ~~The minimum living area per dwelling unit is 1,500 square feet.~~
- (B) R-2 Single-Family Residential District: This zoning district is intended for detached single-family dwellings and is located primarily on the periphery of the R-1 zoning district and just west of NC 87. ~~The minimum living area per dwelling unit is 1,200 square feet.~~
- (C) R-3 Single-Family Residential District: This zoning district is intended for detached single-family dwellings. ~~The minimum living area per dwelling unit is 1,000 square feet.~~
- (D) R-3A Single-Family Residential District: This zoning district is intended for detached single-family dwellings and doublewide manufactured housing, with a minimum living area per dwelling unit for manufactured housing of 1,000 square feet.

- (E) R-4 Single-Family/Duplex Residential District: This zoning district is intended for detached single-family and two-family dwellings (duplex). ~~The minimum living area per dwelling unit is 800 square feet.~~
- (F) R-5 Single-Family Residential District: This zoning district is intended for detached single-family dwellings and manufactured housing. ~~with a minimum living area per dwelling unit of 750 square feet. The minimum living area per dwelling unit for manufactured housing is 750 square feet.~~
- (G) R-6 Rural Residential District: This zoning district is intended for large lots and rural land uses. The minimum lot size is five (5) acres and the district accommodates single-family and single/double-wide manufactured homes. Agricultural uses may be permitted as a principal use in accordance with Section 5.5 Table of Permitted/Conditional Uses. The minimum living area per dwelling unit for manufactured housing is 750 square feet.
- (H) PRD Planned Residential Development District: This floating zoning district allows for a single development operation or a definitely programmed series of development operations according to an approved Master Development Plan. All PRDs require an amendment to the City's Official Zoning Map, Master Development Plan approval, followed by the Major Subdivision approval process as specified in this Ordinance. The minimum amount of land (unified control to be planned and developed as a whole) required for a PRD district shall be at least ten (10) contiguous acres and shall include the creation of at least five (5) new lots. Single-family, two-family, and multi-family residential housing types are permitted. The minimum living area per dwelling unit is 750 square feet (minimum living area requirement (minimum square footage requirement) does not apply to any structures subject to regulation under the North Carolina Residential Code for One and Two Family Dwellings).