



City of Boiling Spring Lakes
9 E. Boiling Spring Road
Southport, NC 28461
Phone (910) 363-0025 Fax (910) 363-0029
Suzanne Price • Email: sprice@cityofbsl.org

Planning Board
Feb 14, 2023
6:30 P.M. ~ City Hall

CALL TO ORDER:

The Planning Board meeting was held at City Hall on Feb 14, 2023. Chairman, Lucille Launderville, called the meeting to order at 6:30 p.m.

ATTENDANCE:

Members Present: Lucille Launderville, Sharon Zakszeski, Carrie Moffett, Chip Hering, Travis Cruse, David Van der Vossen

Members Absent: Stephanie Bodmer excused

Staff Present:

Mark Bloomer, Planning & Zoning Administrator
Suzanne Price, Administrative Assistant

AGENDA:

A motion was made by Sharon Zakszeski, and seconded by David Van der Vossen, to approve the Feb 14, 2023 agenda, with the addition of the approval of minutes from Workshop held on Jan 21, 2023 as item 5 c under new business.

Motion carried 5-0

MINUTES – Dec 13, 2022

A motion was made by Chip Hering and seconded by Carrie Moffett, to approve the minutes of the Dec 13, 2022 meeting.

Motion carried 5-0

MINUTES – Jan 21, 2023

A motion was made by Sharon Zakszeski and seconded by Chip Hering, to approve the minutes of the Jan 21, 2023 workshop meeting.

Motion carried 5-0

PUBLIC COMMENT: None

OLD BUSINESS:

1. **GROCERY STORE INFO:** Mark Bloomer reported there have been no new developments on the grocery store. The Board asked if they need to contact the developer and invite them to a Planning Board meeting. The board was advised that the developer was aware of and the need for a grocery store. Gordon Hargrove the city manager, explained that the city’s population at this time would not support a grocery store. Also there was mention that it could be once the dams have been restored that there would be more development happening. Mr. Hargrove also explained that there are some other issues that he was not at liberties to discuss between the city and the developer. He did relay that he was hoping they issues would be resolved within the next couple of months.
2. **EXTENT OF SEWER DOWN HWY 87:** Each board member was given a map for the water and sewer located in the city.
3. **THE LAKES GOLF CLUB:** Lucille Launderville asked Mark Bloomer what was the status of the Lakes Golf Club (LGC). Mr. Bloomer explained that the LGC had received the tree removal permit and the zoning permits. He also explained that the LGC needs the permits for the erosion control from the county.

NEW BUSINESS:

1. **Appoint Chair and Co-Chair of Planning Board:**
 Sharon Zakszeski nominated Lucille Launderville as Chair, Carrie Moffett 2nd. Board voted 4 Yes 0 nays.
 Chip Hering nominated Sharon Zakszeski as Co-Chair, Carrie Moffett 2nd. Board voted 4 Yes 0 nays.
2. **Major Site Plan – Parcel 156MA00111 Boiling Spring Lakes Fire Rescue:**
 The Planning Board was given copies of the Staff Report, TRC Reviews, Plans, Landscaping designs, Major Site Plan Application, DOT Sidewalk Permit to review. There was questions about the parking lot and about the trucks entering from Lake View Dr. W. and Lake Mount Rd. According to Commissioner David Mammay the previous city manager had told the Fire Department that the city would pave Lake Mount Road. There are concerns about the trucks damaging the roads. The Board also had questions about the fire trucking entering HWY 87. There was some discussion on the Landscaping Plans and discussion on native trees being used. Discussion on if there was enough radius off of Lake Mount Rd, also if there needed to be a buffer. No Buffer is needed due to both parcels being zoned C-1. Theresa Tickle Fire Chief and the consulting engineers answered questions from the board about the parking lots. It was also discussed why there would be gravel instead of pavement, Chief Tickle explained that due to cost at this time gravel was the better choice.
A motion was made by David Van der Vossen and seconded by Chip Hering, to approve the plans for the New Boiling Spring Lakes Fire Department.
Motion carried 5-0
3. **Section 6.56 (Food Trucks) of the Unified Development Ordinance**
 The Planning Board was given copies of the Text Amendment, Staff Report Consistency Statement. After reviewing the information, Lucille Launderville questions why NC General

Statutes regarding Planning Board Review of the two proposed UDO changes had not been followed, Mark Bloomer explained that it was that he had to ask the BOC to reserve a date for a public hearing. Explaining that due to time constraints of getting this taken care of before work starts on the dam. There was much discussion on this working /not working. The Board feels like it would cause hardship on the workers and slow the progress on the dam rebuild. Sharon Zakszeski shared her thoughts on why this would not be a good change in the UDO. Some of her points are the crews will be working in mud and dirt, and would not have time to clean up go get food and get back to the job site in a reasonable amount of time. Contractors like having food trucks on site so they can eat and get back to work. She also said that others involved in the dam project would be supporting our local establishments. The other board members agreed.

A motion was made by David Van der Vossen and seconded by Sharon Zakszeski, to deny the proposed amendment change. This was denied for the following reasons: Will not have the Mayor’s desired effect on local businesses, not consistent with public interests. Commissioner Mammay has the details to share with the BOC.

Motion to recommend Denial (For 5 Against 0 Abstained 0)

4. Section 12.5.2 (Additions or Expansions of Nonconformities) of the Unified Development Ordinance.

The Planning Board was given copies of the Text Amendment, Staff Report Consistency Statement. Mark Bloomer explained that a loophole had been discovered in the UDO concerning Section 12.5.2. This section deals with Nonconformities. Ruth Bek explained how the text amendment will be applied.

A motion was made by Chip Hering and seconded by Carrie Moffett, to recommend approval of the proposed amendment change.

Motion to recommend Approval: (For 4 Against 1 Abstained 0)

5. City Center Workshop:

City Manager Gordon Hargrove spoke to the board about the city should be about, meaning what makes people want to come and visit our city. Is it the lakes, Venus Flytraps, or is there something else the city should be promoting. Mr. Hargrove also spoke about the grants committee looking for grants to help with the development of a City Center. He mentioned possible property near the lake as a location as a starting point to get businesses interested in the city. Mr. Hargrove also stated that we (the city) needs more rooftops. He stated with sewer there would be approximately 9500 buildable lots.

There was some discussion on the need for an economic development committee. That would be something for the Board of Commissioners to decide. Carrie Moffett asked about a public/private partnership. A partnership such as that could be beneficial at some point. David Van Der Vossen inquired about the process for purchasing property. The answer was money, and ability to afford. Again the planning board could work with the grants committee to help with economic development. There was some discussion on the Comprehensive Lane Use Plan (CLUP). Question about updating it and who updates and the process of that. The planning board works with the Council of Government (COG) and then it goes before the BOC.

Mark Bloomer: Where do we go from here? Mr. Bloomer stated he thinks we need focus groups to find an area for the City Center. The focus groups would be made of city staff, planning board members and citizens. The focus groups would be facilitated internally. The importance of the groups would be having community input and community opinion on the City Center project.

Discussion: None

Announcements: None

A motion was made by Sharon Zakszeski, and seconded by Chip Hering, to adjourn the meeting at 8:00 P.M.

Motion carried 5-0

*Respectfully submitted by,
Suzanne Price*



City of Boiling Spring Lakes
9 East Boiling Spring Road
Southport, NC 28461

STAFF REPORT

Agenda Date: February 14, 2023

Title:

Section 12.5.2 of the Unified Development Ordinance

Department:

Planning and Zoning

Background Information:

A loophole has been discovered in Section 12.5.2 of the Unified Development Ordinance. Under Section 12.5.2, when a nonconforming structure is expanded or added on to, on-site nonconforming off-street parking, landscaping, perimeter buffer, screening and signage standards must be brought into compliance. Setbacks should also be required to be brought into compliance when an addition or expansion is proposed for a nonconforming structure.

I am proposing to add setbacks to the language of Section 12.5.2. I will present this proposed change to Section 12.5.2 to the Planning Board at their meeting on February 14, 2023. I am requesting that you schedule a Public Hearing for your March 14, 2023 Meeting to discuss this potential change to Section 12.5.2 of the Unified Development Ordinance.

Financial Impact:

None.

Recommendation:

No recommendation at this time.

Attachments:


None.

PLAN CONSISTENCY STATEMENT
PLANNING BOARD ACTION – Section 12.5.2 of the Unified Development Ordinance

- (A) The Planning Board hereby recommends approval of the proposed amendment to the Unified Development Ordinance and finds that it (i) is consistent with the City’s comprehensive plan (2017 Land Use Plan), policy #6, which states “*The City shall update the Unified Development Ordinance (UDO) to address legislative changes, site plan review standards, subdivision regulations, dimensional standards, and other items deemed necessary by the Planning Board, Board of Commissioners, and City staff,*” and (ii) that it is in the public interest because it will advance the public health, safety, and/or welfare of the City of Boiling Spring Lakes.
- (B) _____ The Planning Board hereby recommends denial of the proposed amendment to the Unified Development Ordinance and finds that (i) it is not consistent with the City’s comprehensive plan (2017 Land Use Plan) and all other applicable plans and policies adopted by the City for the following reasons: _____ and/or
(ii) it is not in the public interests for the following reasons: _____

Motion to Recommend Approval (A) Motion to Recommend Denial (B) _____

(For 4 Against 1 Abstained Ø)



Lucille Lauderdale

2/14/23
Date



City of Boiling Spring Lakes
9 East Boiling Spring Road
Southport, NC 28461

STAFF REPORT

Agenda Date: February 14, 2023

Title:

Section 6.56 of UDO – Food Trucks

Department:

Planning and Zoning

Background Information:

Mayor Winecoff has requested that Staff look at a way that we can prohibit Food Trucks from selling at the dam construction sites during the dam restoration project. Mayor Winecoff wants to do this so that our local restaurants, many of which are struggling, do not lose out on business. I have been working with Bob Hornik, Gordon Hargrove, and Ruth Bek on a change that would accomplish the Mayor's goal.

The change to the Food Truck Ordinance (Section 6.56 of the Unified Development Ordinance) that I am proposing is to only allow Food Trucks at festivals. This change is consistent with the 2017 Comprehensive Land Use Plan, and you should have a copy of the proposed new language. The language that I am proposing to remove from Section 6.56 is in red with a red line through it. The language that I am proposing to add to the ordinance is in bold and underlined.

Financial Impact:

It appears the only financial impact of this text amendment would be the cost to advertise the public hearing in the newspaper.

Recommendation:

Staff recommends approving the changes in Section 6.56 of the Unified Development Ordinance

Attachments:

New version of Section 6.56 of the Unified Development Ordinance
Consistency Statement

PLAN CONSISTENCY STATEMENT

PLANNING BOARD ACTION – Section 6.56 of the Unified Development Ordinance

(A) _____ The Planning Board hereby recommends approval of the proposed amendment to the Unified Development Ordinance and finds that it (i) is consistent with the City's comprehensive plan (2017 Land Use Plan), policy #6, which states "The City shall update the Unified Development Ordinance (UDO) to address legislative changes, site plan review standards, subdivision regulations, dimensional standards, and other items deemed necessary by the Planning Board, Board of Commissioners, and City staff," and (ii) that it is in the public interest because it will advance the public health, safety, and/or welfare of the City of Boiling Spring Lakes.

(B) The Planning Board hereby recommends denial of the proposed amendment to the Unified Development Ordinance and finds that (i) it is not consistent with the City's comprehensive plan (2017 Land Use Plan) and all other applicable plans and policies adopted by the City for the following reasons: will not have Mayor's desired effect on local businesses and/or (ii) it is not in the public interests for the following reasons: Not consistent w/public interests - Commission Mammy will provide detail to the other commissioners.

Motion to Recommend Approval (A) _____ Motion to Recommend Denial (B)

(For 5 Against 0 Abstained 0)

Lucille Launderville
Lucille Launderville

2/14/23
Date