



PLANNING COMMISSION MEETING AGENDA

Tuesday, April 16, 2019 – 5:00 P.M.

Morning Workshop 9:15 A.M.

1018 Second Avenue South - North Myrtle Beach, SC

1. CALL TO ORDER
2. ROLL CALL
3. COMMUNICATIONS
4. APPROVAL OF MEETING MINUTES: April 2, 2019
5. OLD BUSINESS
6. NEW BUSINESS – “Consent Items”
7. NEW BUSINESS
 - A. **BONDED FINAL SUBDIVISION PLAT SUF-19-03:** A bonded major final plat of subdivision for Park Pointe Phase 2 North to create nine (9) single-family lots of record and public rights-of-way off Champions Boulevard across from the NMB Park and Sports Complex.
8. ADJOURNMENT

Respectfully submitted,

Aaron C. Rucker, AICP
Principal Planner

ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION OR PARTICIPATION SHOULD CONTACT 843-280-5555 AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.

Notice to the Public of Rights under Title VI

- The City of North Myrtle Beach operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of North Myrtle Beach. Complaints must be filed within 180 days of the alleged discriminatory act.
- For more information on the City of North Myrtle Beach's Title VI Policy and the procedures to file a complaint, contact the Title VI Program Coordinator, Kristine Stokes at krstokes@nmb.us or (843)280-5555, or in writing to the City of North Myrtle Beach, 1018 2nd Ave. South, North Myrtle Beach SC 29582. For more information, visit the Title VI section of our website at www.nmb.us.
- If information is needed in another language, contact (843)280-5555.
- ~Si se necesita *información en otro idioma llame al (843)280-5555.*

CITY OF NORTH MYRTLE BEACH
PLANNING COMMISSION MEETING
1018 Second Avenue South
Tuesday April 2, 2019
5:00 P.M.

MINUTES

Harvey Eisner, Chairman
Hunter Platt
Harry Bruton
Juddie Bacot
James Snyder
Bubba Collins
Silvio Cutuli

Planning Department Aaron Rucker
 Suzanne Pritchard
 Merideth Smith, Secretary

CALL TO ORDER: Chairman Eisner called the meeting to order at 5:00 p.m.
The secretary called the roll and declared a quorum present.

The minutes of March 19, 2019 meeting were approved as presented.

5. OLD BUSINESS:

MAJOR PLANNED DEVELOPMENT DISTRICT AMENDMENT MJPDD-18-05(PIER SIGN ONLY) A referral from City Council back to this planning commission concerning a new pier sign proposed for the Prince Resort at the Cherry Grove Pier Planned Development District.

This item was tabled at the last meeting. A motion to remove from the table was made by Commissioner Bacot and seconded by Commission Bruton. Motion passed 7-0.

STAFF REPORT: Mr. Rucker presented the report for the staff

The Chairman Called for discussion by the Commission.

The Chairman stated that he did not have any issues with this design but was more in favor of monument signs. The applicant did what was asked of them. By size and height. The Commission has asked for landscaping.

The Chairman called for a motion. The motion to recommend approval to the City Council with the addition of landscaping was made by Commissioner Platt and seconded by Commissioner Collins. There were no further comments and the Chairman called for the vote. The motion passed 76-0.

ADJOURNMENT: Being no further business the meeting adjourned at 5:11 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Merideth Smith". The signature is written in a cursive, flowing style.

Merideth Smith, City Clerk

NOTE: BE ADVISED THAT THESE MINUTES REPRESENT A SUMMARY OF THE PLANNING COMMISSION MEETING AND ARE NOT INTENDED TO REPRESENT A FULL TRANSCRIPT OF THE MEETING.

7.A. BONDED FINAL SUBDIVISION PLAT SUF-19-03: A bonded major final plat of subdivision for Park Pointe Phase 2 North to create nine (9) single-family lots of record and public rights-of-way off Champions Boulevard across from the NMB Park and Sports Complex.

Background

Planning Commission approved the modified preliminary plat of subdivision for Park Pointe at the January 8, 2019, planning commission meeting. Two final plats have been approved previously: Phase 1 was approved April 17, 2018, and Phase 2 South was approved March 5, 2019. Combined, these two plats created eighty-nine lots of records, three open space lots, a pump station lot, and public rights-of-way.

Existing Conditions

The subject property is currently one (1) lot of record consisting of 65.67 acres and identified by PIN 349-00-00-0043. The property is zoned R-2A (Mid-Rise Multifamily Residential) and within the city's jurisdiction. Currently, this lot is vacant.

Proposed Conditions

The applicant, Park Pointe Development, LLC, represented by H. Gilford Edwards of Realstar Homes, has proposed a major final plat of subdivision for nine lots of record and public rights-of-way. Approval of this plat would leave seventy lots of record, open space, and rights-of-way outstanding from preliminary plat [SUP-18-07] to be created at a future date. The total area of this proposed subdivision is 1.08 acres; the largest residential lot is $\pm 9,542$ square feet and the smallest is $\pm 7,987$ square feet. Lot setbacks conform to the standards of the R-2A zoning district. The overall subdivision density is 8.3 dwelling units per acre. This final plat would dedicate portions of the following fifty (50) foot public rights-of-way: Diamond Stars Way and Home Run Drive.

In lieu of completing the required improvements detailed in this plat and the accompanying preliminary plat/construction set, the owner is providing the city with a financial guarantee for the construction and installation of the improvements pursuant to § 20-36(2) of the city's land development regulations. The Director of Public Works has approved the amount of the financial guarantee, and the City Attorney is reviewing the form of the draft subdivision bond provided by the applicant. Pending planning commission approval of the bonded major final plat, the applicant will provide the complete subdivision bond for \$252,788.05 to the city. This subdivision bond would be exercised by the city to complete any outstanding required improvements if not completed by the developer.

Staff Review

Planning Division

Due to inaccuracies between the represented hydrant spacing and the actual hydrant spacing, the planning department requests that the planning commission table this plat until the May 7th meeting anticipating that the applicant will meet the following conditions:

1. An exhibit is created that updates the preliminary plat construction set [SUP-18-07], approved 2/18/19 of this year, showing the locations of additional hydrants. This sheet will become part of the officially approved construction set for the preliminary plat.

2. The hydrants are bonded or installed for the phases of the plat that have already gone through the final plat process, and the financial guarantee for the Phase 2 North final plat is adjusted to cover any additional hydrants needed in that phase.

Zoning Division

The Zoning Administrator has no issue with the proposed major final plat of subdivision.

Public Works

The Director of Public Works has no issue with the proposed major final plat of subdivision.

Public Safety

The final plat of subdivision does not meet the city's standard of providing fire hydrants every 500'.

Planning Commission Action

The Planning Commission may approve, approve with modifications and/or conditions; or disapprove the plat, as submitted.

Alternative Motions

I move that the planning commission table the bonded final plat of subdivision [SUF-19-03] prepared for Park Pointe Phase 2 North to the May 7th meeting as submitted;

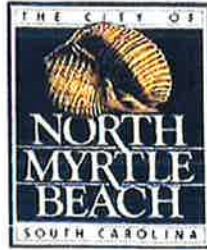
OR

I move that the planning commission approve the bonded final plat of subdivision [SUF-19-03] prepared for Park Pointe Phase 2 North as submitted;

OR

I move (an alternate motion).

SUBDIVISION NAME: Park Pointe	
Fee Due for Prelim Plat	\$250 plus \$10 per lot up to 59 lots
Fee Due for Final Plat	\$250 plus \$10 per lot up to 18 lots



FOR OFFICE USE ONLY	
Subdivision Finance Acct Code	3.21
FEE PAID (Payable to the "CITY OF NORTH MYRTLE BEACH");	\$340
SUF File Number:	-19-03
Submittal Date:	03.28.19

Revision Date 12.20.16

- Preliminary Subdivision Plat
- Amended Preliminary Plat
- Final Plat of Record
- Amended Final Plat



**CITY OF NORTH MYRTLE BEACH
SUBDIVISION APPLICATION**

Today's Date: 03/27/19

(Please Print or Type)

APPLICANT INFORMATION

Applicant's Last Name: Park Pointe Development LLC First: Middle: Mr. Miss Property Owner Authorized Agent
 Mrs. Ms. Contract Purchaser Other: _____

Street Address: 2002 N. Oak Street, Suite 200 Telephone Number(s): Facsimile:
(843) 448-1020 ()

Post Office Box: City: Myrtle Beach State: SC ZIP: 29577 E-mail Address: pac@ddcinc.com

SUBJECT PROPERTY INFORMATION

Provide below the exact location and plat map reference for which you propose a subdivision of land.
PLEASE ATTACH A SURVEY PLAT DELINEATING THE SUBJECT PROPERTY

Total Area of Subject Property: Square Feet or Acres DB/PG: 4101/615 Parent Tract Tax Map Number(s)/ Pin Number(s):
Proposed Number of Lots: 9 Largest Lot: 0.22 Smallest Lot: 0.18 349-00-00-0043

Linear Feet of New Streets: NA Open Space: Residual Area:

Proposed Street Name(s):

PAID

If jurisdictional wetlands are present, please attach a letter from the US Army COE. NA Current NMB Zoning Classification:

If trees greater than 16" caliper are present, please attach a tree survey. NA (If applicable, per Sec. 23-68.)

SIGNATURE OF OWNER(S) OR AUTHORIZED AGENT(S)

Does the applicant own all of the property proposed for subdivision? Yes No IF NO, SUBMIT THE FOLLOWING ITEMS:

- A. Plat showing lot numbers of each parcel. B. Written agreement of all property owners. C. Mailing address of each property owner.

The undersigned hereby respectfully requests that the Planning Commission of the City of North Myrtle Beach review and approve the proposed subdivision plat, together with required certifications, submitted with this application form. Planning Commission action is not required for Minor final subdivision plats, Combination plats, or Boundary Adjustment plats. **FOR ALL SUBDIVISIONS:** State code (S.C. Code § 6-29-1145) requires local governments to inquire about restrictive covenants. Please pay close attention to the questions on the second page of this application.

Signature of Property Owner or Authorized Agent
H. Alfred Edwards
Co-signature (if applicable)

Date 3/27/19
Date

Is the City a party to any deed restrictions or easements existing on the property (ies) proposed to be subdivided?
Yes ___ No If yes, please explain:

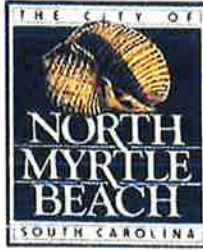
Is the tract of land or parcel of land seeking subdivision restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted use of the land? Yes ___ No If yes, please explain:

Has the restrictive covenant been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order? Yes ___ No If yes, please explain:

Please note that the Planning & Development Department must not issue a permit unless said Department has received, "Confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order" (as per § 6-29-1145(A)(3) of S.C. Code).

Please attach a copy of the appropriate authority, action of the property holders or court order which releases the restrictive covenants.

PAID



**CITY OF NORTH MYRTLE BEACH
DEVELOPMENT APPROVAL APPLICATION (PERMIT):
RECORDED COVENANT AFFIDAVIT**

Revision Date 12.20.16

This form complies with a state law that took effect on July 1, 2007 (S.C. Code § 6-29-1145) that requires all planning agencies to inquire in an application for a permit if the parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity. If such a covenant exists, the agency shall not issue the permit until written confirmation of its release is received. The release must be through the action of an appropriate legal authority. Please read § 6-29-1145, provided in its entirety below, and complete the following.

Nature of Approval Requested: Final Plat Approval - Park Pointe Phase 2 North

Parcel Identification Number: 349-00-00-0043

Property Address: Diamond Stars way and Home Run Drive

I, H. GILFORD EDWARDS, hereby certify that the tract(s) or parcel(s) of land to which this approval request pertains is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity for which approval is sought, as provided in South Carolina Code of Laws

(§ 6-29-1145)

H. Gilford Edwards
(Signature)

3/27/19
(Date)

SECTION 6-29-1145. Determining existence of restrictive covenant; effect.

(A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity.

(B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity:

- (1) in the application for the permit;
- (2) from materials or information submitted by the person or persons requesting the permit; or
- (3) from any other source including, but not limited to, other property holders, the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.

(C) As used in this section:

- (1) "actual notice" is not constructive notice of documents filed in local offices concerning the property, and does not require the local planning agency to conduct searches in any records offices for filed restrictive covenants;
- (2) "permit" does not mean an authorization to build or place a structure on a tract or parcel of land; and
- (3) "restrictive covenant" does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.

HISTORY: 2007 Act No. 45, Section 3, eff June 4, 2007, applicable to applications for permits filed on and after July 1, 2007; 2007 Act No. 113, Section 2, eff June 27, 2007.

