



**PLANNING COMMISSION MEETING AGENDA**  
**Tuesday, July 10, 2018 – 5:00 P.M.**  
1018 Second Avenue South - North Myrtle Beach, SC

1. CALL TO ORDER
2. ROLL CALL
3. COMMUNICATIONS
4. APPROVAL OF MEETING MINUTES: June 5 and June 19, 2018
5. OLD BUSINESS
6. NEW BUSINESS – “Consent Items”
7. NEW BUSINESS

**A. MINOR PLANNED DEVELOPMENT DISTRICT AMENDMENT MNPDD-18-08:** A requested revision to the Barefoot Landing Planned Development District to approve a shade structure at the amphitheater near Lulu’s.

8. ADJOURNMENT

Respectfully submitted,

A handwritten signature in black ink that reads "Aaron C. Rucker".

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](mailto: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](http://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 June 5, 2018  
5:00 P.M.

MINUTES

Rob Kayton, Chairman  
Harvey Eisner, Vice Chairman  
Hunter Platt- Absent  
Harry Bruton  
Juddie Bacot  
James Snyder- Absent  
Bubba Collins- Absent

Planning Department     Aaron Rucker  
   Suzanne Pritchard  
   Merideth Smith Secretary

1. CALL TO ORDER: Chairman Kayton called the meeting to order at 5:00 P.M.
2. ROLL CALL: The secretary called the roll and declared a quorum present.
3. COMMUNICATIONS: None
4. APPROVAL OF MEETING MINUTES: The minutes were approved as presented. Motion to approve by Commissioner Eisner and second by Commissioner Bacot. Motion passed 4-0.
5. OLD BUSINESS:

**A.MAJOR PLANNED DEVELOPMENT DISTRICT AMENDMENT MJPDD-18-02:** The Planning & Development Department received an application for a major amendment to the Barefoot Resort & Golf Planned Development District concerning changes to the development known as Townhomes at the Dye Club located on Gray Heron Drive in Dye Estates.

**REMAINED TABLED.** Motion by Commissioner Eisner and second by Commissioner Bruton. Motion passed 7-0.

6. NEW BUSINESS: Consent Items. None

7. NEW BUSINESS:

**A. MINOR PLANNED DEVELOPMENT DISTRICT AMENDMENT MNPDD-18-07:**

The Planning & Development Department received an application for a minor amendment to the Barefoot Landing Planned Development District to approve the elevations for LuLu's Arcade.

There were no questions by the Commission and no public comment.

The motion to approve the Minor Amendment as submitted was made by Commissioner Bacot and seconded by Commissioner Bruton. The motion passed 4-0.

**8. ADJOURNMENT:** Being no further business the meeting adjourned at 5:05 p.m.

Respectfully submitted,



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.**

CITY OF NORTH MYRTLE BEACH  
PLANNING COMMISSION MEETING  
1018 Second Avenue South  
Tuesday June 19, 2018  
5:00 P.M.

MINUTES

Rob Kayton, Chairman - Absent  
Harvey Eisner, Vice Chairman  
Hunter Platt- Absent  
Harry Bruton  
Juddie Bacot  
James Snyder  
Bubba Collins- Absent

Planning Department     Aaron Rucker  
   Suzanne Pritchard  
   Merideth Smith Secretary

1. CALL TO ORDER: Chairman Vice Chairman Eisner called the meeting to order at 5:00 p.m.

2. ROLL CALL: The secretary called the roll and declared a quorum present.

3. COMMUNICATIONS: None

4. APPROVAL OF MEETING MINUTES: The minutes were not available

5. OLD BUSINESS:

**A.MAJOR PLANNED DEVELOPMENT DISTRICT AMENDMENT MJPDD-18-02:** The Planning & Development Department received an application for a major amendment to the Barefoot Resort & Golf Planned Development District concerning changes to the development known as Townhomes at the Dye Club located on Gray Heron Drive in Dye Estates.

**REMAINED TABLED.** Motion by Commissioner Bruton and second by Commissioner Bacot. Motion passed 4-0.

6. NEW BUSINESS: Consent Items. None

7. NEW BUSINESS:

**A. ANNEXATION AND ZONING DESIGNATION ANZ-18-04:** City staff has received a petition to annex lands on Waterway Drive totaling approximately 0.28 acres identified by TMS Number 130-15-01-023 and or PIN 350-06 03-0010. The lot is currently

unincorporated and zoned RC (Resort Commercial) by Horry County. The petition also reflects the requested City of North Myrtle Beach zoning district of R-2A (Mid Rise Multifamily Residential) and will be heard concurrently.

This Item was withdrawn.

- B. REZONING REQUEST Z-18-04: The Planning & Development Department received an application requesting a rezoning of one (1) lot containing approximately 1.96 acres located on Commons Boulevard behind California Dreaming. PIN 390-05-02-0069 and TMDS 156-05-06-033. From HC Highway Commercial) to R2A (Mid Rise Multifamily Residential).

This Item was withdrawn.

- C. LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT STX-18-02: City staff has initiated an amendment to the Land Development Regulations text to address development standards for sites with significant dune features and to address access standards for subdivisions.

Mr. Rucker presented the report for the staff. It was noted that this will not be retroactive for Ingram Dunes. The Vice Chairman called for a motion. The motion to approve the text amendment was made by Commissioner Bacot and seconded by Commissioner Bruton.

Ms. Mary Jones asked for clarification and was assured that this will not include the Ingram Dunes.

Motion passed 4-0.

- D. RESOLUTION REGARDING THE COMPREHENSIVE PLAN: CP-18-01: A resolution for the planning commission recommending adoption of the City of North Myrtle Beach Comprehensive Plan.

There were no questions and no public comment. The Vice Chairman called for the motion. The motion to recommend the approval of the Comprehensive Plan to City Council was made by Commissioner Bruton and seconded by Commissioner Snyder. The motion passed 4-0.

**8. ADJOURNMENT:** Being no further business the meeting adjourned at 5:15 p.m.

Respectfully submitted,

  
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. MINOR PLANNED DEVELOPMENT DISTRICT AMENDMENT MNPDD-18-08:** A requested revision to the Barefoot Landing Planned Development District to approve a shade structure at the amphitheater near Lulu's.

**Existing Conditions:**

The subject property is identified by PIN 391-00-00-0005, 391-00-00-0006, 391-00-00-0008, 391-00-00-0009, and 391-02-04-0013. Planning commission last reviewed the Barefoot Landing Planned Development District in a minor amendment application unanimously approved by Planning Commission on June 5, 2018.

**Proposed Changes:**

The applicant and authorized agent for Barefoot Landing Commercial, LLC, Brice Tucker, has submitted plans, details, renderings and construction specifications for a shade structure to be installed at the amphitheater near Lulu's Arcade.

**Staff Review:**

*Planning & Development, Planning Division*

The Planning Division has no issue with the proposed amendment and will further review the new building during the site development plan level of review.

*Planning & Development, Zoning Division*

The Zoning Division has no issue with the proposed amendment and will further review the new building during the site development plan level of review.

*Public Works*

The Public Works Department has no issue with the proposed amendment and will further review the new building during the site development plan level of review.

**Planning Commission Action:**

The planning commission may approve, approve with modifications and/or conditions, or disapprove the proposal as submitted:

**SUGGESTED MOTIONS**

- 1) I move that the Planning Commission approve the Minor Planned Development District Amendment to the Barefoot Landing Planned Development District [MNPDD-18-08] as submitted.
  
- 2) I move that the Planning Commission deny the Minor Planned Development District Amendment to the Barefoot Landing Planned Development District [MNPDD-18-08] as submitted.

OR

- 3) I move (an alternate motion).

<input type="checkbox"/> Major Amendment	
<input type="checkbox"/> Minor Amendment	
Fee Due for Major Amendments	\$500
Fee Due for Minor Amendments	No Fee



FOR OFFICE USE ONLY	
PDD Amendment Finance Acct Code	3.22
FEE PAID (Payable to the "CITY OF NORTH MYRTLE BEACH"):	
File Number:	M PDD- -
Submittal Date:	
Notice Published:	
Planning Commission:	
First Reading:	
Second Reading:	

Revision Date 12.20.16

**CITY OF NORTH MYRTLE BEACH  
PDD ZONING AMENDMENT APPLICATION**

Today's Date: **June 25, 2018**

(Please Print or Type)

**APPLICANT INFORMATION**

Applicant's Last Name: **Tucker** First: **Brice** Middle: **Joshua**

Mr.     Miss     Property Owner     Authorized Agent  
 Mrs.     Ms.     Contract Purchaser     Other: \_\_\_\_\_

Street Address: **4898-A Highway 17 South**

Post Office Box: \_\_\_\_\_ City: **North Myrtle Beach** State: **SC** ZIP: **29582** Email: **brice.tucker@bccompany.com**

Telephone: **(843) 361-9569**

**SUBJECT PROPERTY INFORMATION**

Provide below the exact street address (name, number) and plat map reference for which you propose a zoning change  
**PLEASE ATTACH AN ACCURATE TAX MAP(S) AND/OR RECENT SURVEY PLAT DELINEATING THE SUBJECT PROPERTY**

Street Address (if applicable): \_\_\_\_\_ Beach Section: \_\_\_\_\_ Plat Reference: \_\_\_\_\_ Tax Map Number(s): **156-05-06-012**

Name: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Block: \_\_\_\_\_

Number(s): \_\_\_\_\_  NA Lot #(s): \_\_\_\_\_ Section: \_\_\_\_\_

Total Area of Subject Property: **66.28** (check one)  Square Feet or  Acres Date PDD Ordinance Adopted: **10/2016**

What is the (project) title for the existing development? **Barefoot Landing Commercial** Date PDD Ordinance Amended: **02/2018**

**CERTIFICATION & SIGNATURE OF APPLICANT(S) OR AUTHORIZED AGENT(S)**

Does the applicant own all of the property proposed for amendment?  Yes  No IF NO, SUBMIT THE PERCENTAGE OF OWNERSHIP:

\*If application is being submitted by the Authorized Agent or Contract Purchaser, provide a letter of agency from the property owner.

The undersigned hereby respectfully requests that the City of North Myrtle Beach Zoning Ordinance be amended by changing the existing PDD Ordinance. While it is understood by the undersigned that this application will be carefully reviewed and considered by public officials, the burden of proving the need and rational basis for the proposed PDD amendment rests with the applicant.

Signature of Applicant or Authorized Agent

*[Handwritten Signature]*

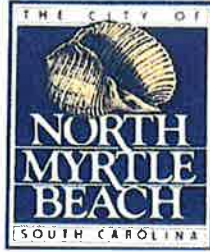
Co-signature (if applicable)

Date

**06-25-2018**

Date





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

*Revision Date 06.28.17*

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: **Erect Shade Structure on West Deck**

Parcel Identification Number: **156-05-06-012**

Property Address: **4898 Highway 17 South, North Myrtle Beach, SC 29582**

I, Brice Joshua Tucker, 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).

(Signature)

06-25-2018

(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.



**CITY OF NORTH MYRTLE BEACH  
LETTER OF AGENCY**

Revision Date 12.20.16

Today's Date: June 25, 2018

Nature of Approval Requested: Shade Structure for West Deck

Property PIN and Tax Map Number, if applicable: 156-05-06-012

Property Location: Barefoot Landing, 4898 Highway 17 South, NMB, SC 29582

I, Chad Carlson, hereby authorize Brice Joshua Tucker

to act as agent for Barefoot Landing for the purposes of the above referenced

approval.

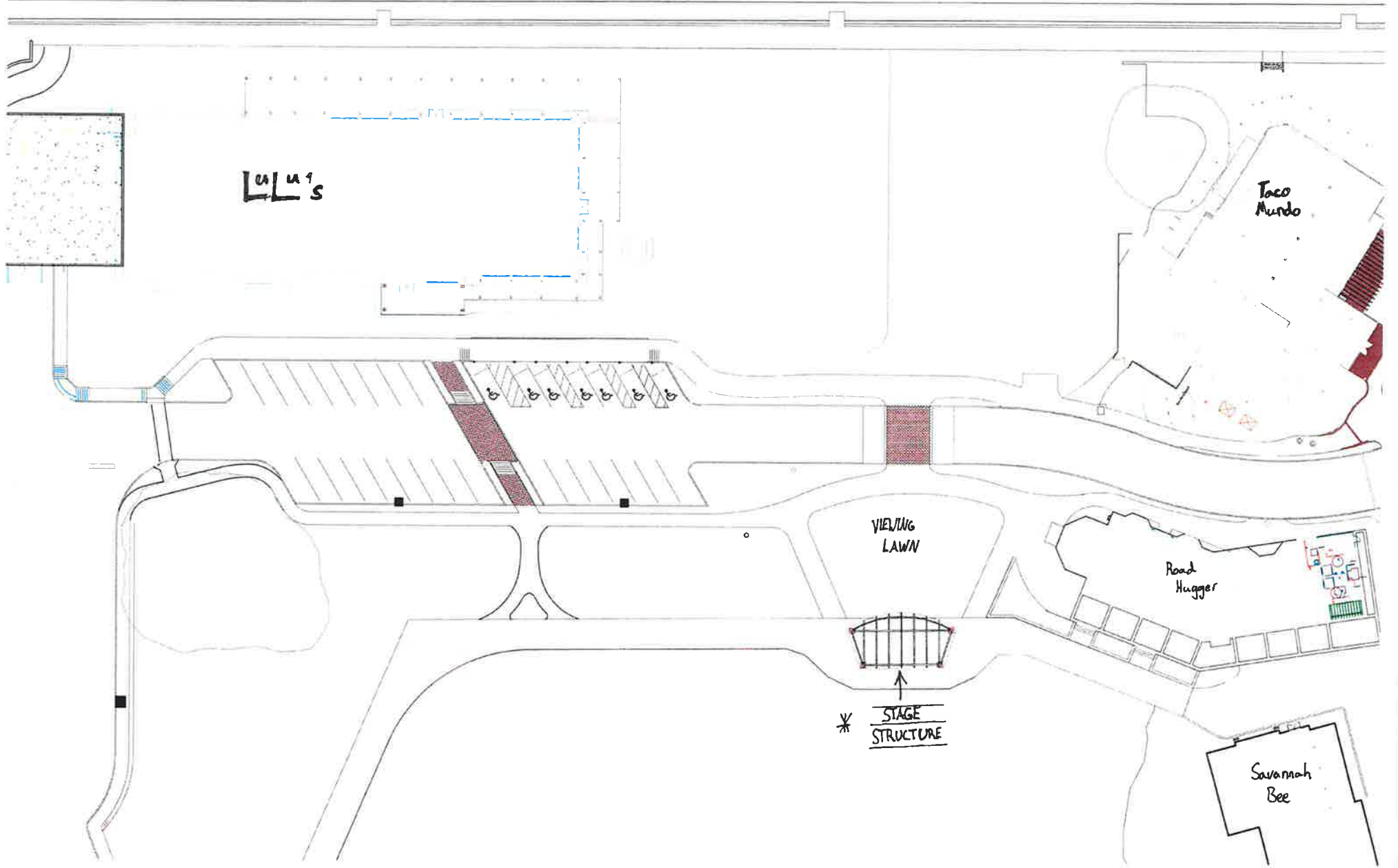
Signature

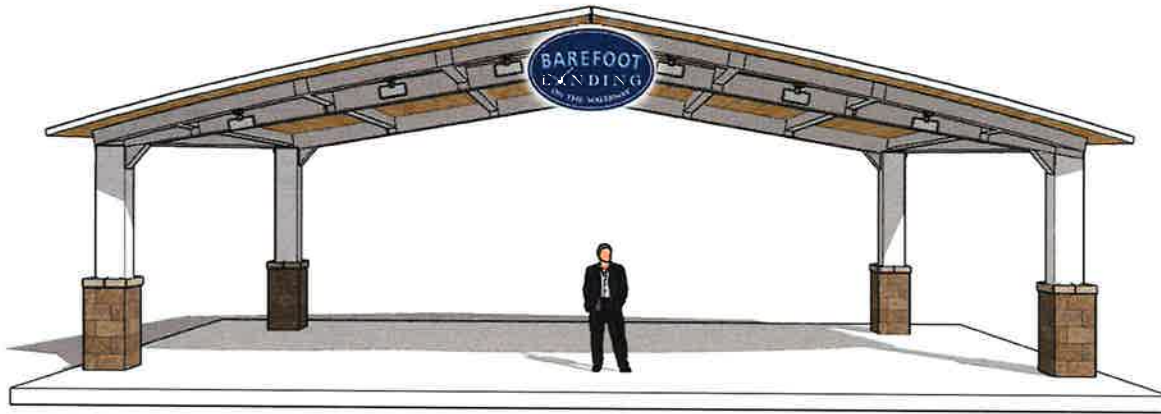
6/25/18  
Date

EVP  
Title

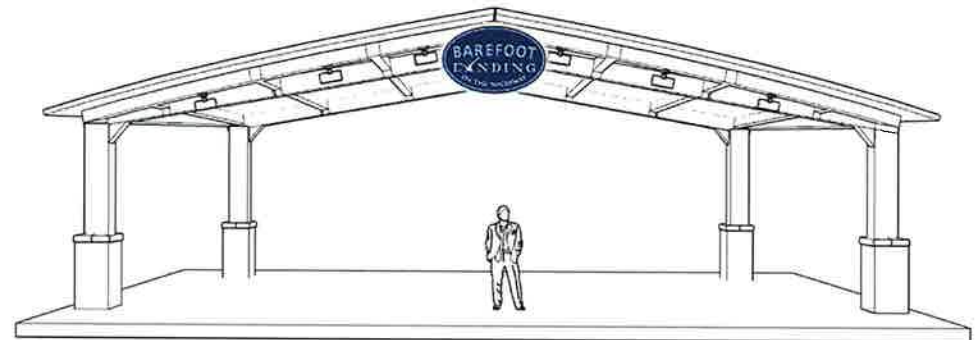
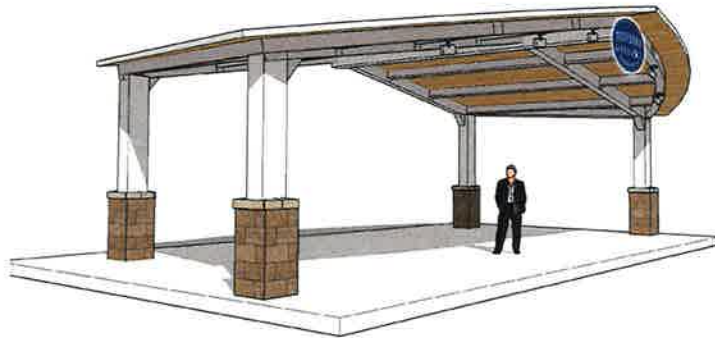
Title

I.C.W.





**Pre-Fabricated and Engineered Stage**



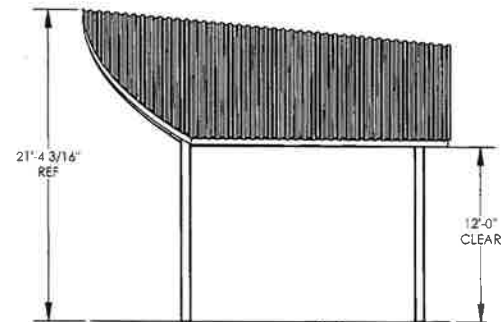
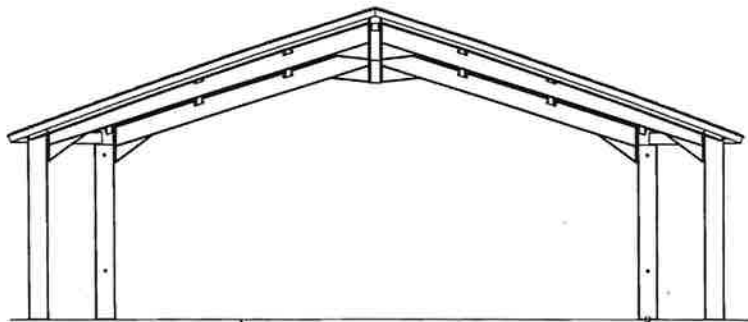
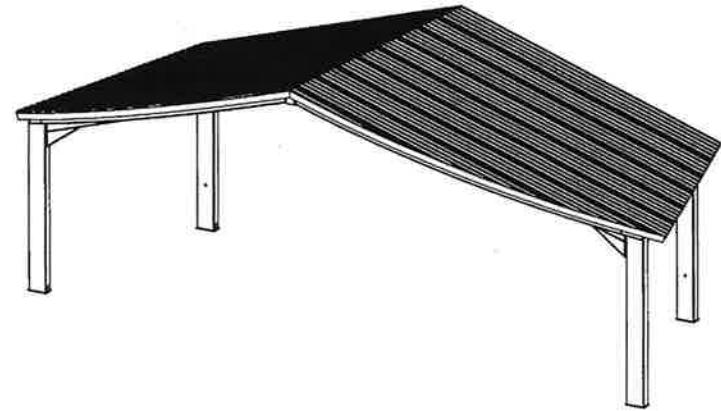
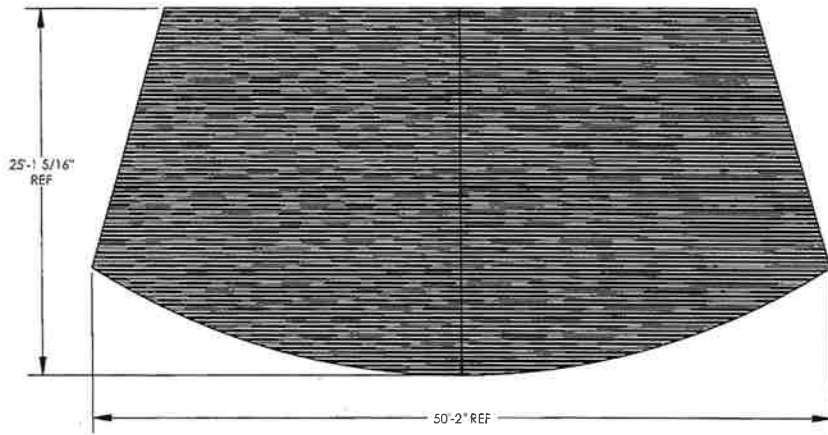
Drawings: Amphitheater

**Client:**  
Barefoot Landing

Drawings Prepared by:  
Darrell Blanton  
6.25.18

843 997-0397





FINISH GRADE  
(ASSUMED AT CONSTANT  
ELEVATION UNLESS  
OTHERWISE NOTED)

SHEET 2.1

FINISH GRADE  
(ASSUMED AT CONSTANT  
ELEVATION UNLESS  
OTHERWISE NOTED)

IF THESE DRAWINGS ARE SEALED, THE SEAL APPLIES ONLY TO  
BUILDING COMPONENTS (AND FOUNDATION DESIGN IF APPLICABLE)  
DETAILED WITHIN THESE DRAWINGS.

PROJECT:	BAREFOOT LANDING	CREATION DATE:	10/17/2015	PRINT DATE:	4/18/2018	(616)399-1963
PROJECT LOCATION:	NORTH MYRTLE BEACH, SC	BUILDING NO.:	17386	REV. LEVEL:	A	www.poligon.com
DRAWING:	ARCHITECTURAL ELEVATIONS	CAD MODEL:	-17386	SCALE:	1:96	by PORTER CORP
SHEET:	1	PORTER CORP. 4340 N. 15TH AVE. HOUSTON, TX 77040				