



**PLANNING COMMISSION MEETING AGENDA**  
**Tuesday, February 16, 2021 – 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:
  - A. **SCHEDULING DISCUSSION: HOT TOPICS FOR PLANNING COMMISSIONERS**
4. APPROVAL OF MEETING MINUTES: February 2
5. OLD BUSINESS
6. NEW BUSINESS – “Consent Items”
7. NEW BUSINESS
  - A. **ANNEXATION & ZONING DESIGNATION Z-21-2:** City staff has received a petition to annex lands on Riverside Drive totaling approximately 2.47 acres and identified by PINs 311-16-04-0005 and 311-16-04-0006. The lots are currently unincorporated and zoned MSF 10 Residential (MSF 10) by Horry County. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Residential Low-Density (R-1) and will be heard concurrently.
8. ADJOURNMENT

Respectfully submitted,

Aaron C. Rucker, AICP  
Principal Planner

## **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, SOUTH CAROLINA  
NORTH MYRTLE BEACH CITY HALL  
PLANNING COMMISSION MEETING  
Tuesday, February 2, 2021  
5:00 PM**

MINUTES

Harvey Eisner, Chairman  
Jessica Bell  
Silvio Cutuli  
Ruth Anne Ellis, Absent  
Ed Horton  
Callie Jean Wise, Absent

City Staff:  
Suzanne Pritchard  
Aaron Rucker  
Chris Noury, City Attorney  
Allison Galbreath, City Clerk

1. **CALL TO ORDER:** Chairman Eisner called the meeting to order at 5:01 PM.
2. **ROLL CALL:** The Clerk called the roll.
3. **COMMUNICATIONS:** None
4. **APPROVAL OF MEETING MINUTES:** The motion to approve the minutes for the January 19, 2021 meeting, as presented, was made by Commissioner Cutuli and seconded by Commissioner Bell. Chairman Eisner called for the vote. The motion passed 4-0.
5. **OLD BUSINESS:** None
6. **NEW BUSINESS—"CONSENT ITEMS":** None
7. **NEW BUSINESS:**

**A. PLANNED DEVELOPMENT DISTRICT AMENDMENT Z-21-1:** City staff received an application for a major amendment to the Parkway Group Planned Development District (PDD) revising the Waterway Hills Village at Grande Dunes portion of the PDD to the Grande Dunes North through changes to the master plan and governing documents. Ms. Pritchard stated this item was discussed at the morning workshop and the applicants were in attendance to answer questions. Ms. Pritchard gave a brief overview of some of the proposed changes to the PDD. The dwelling units were reduced from 1,216 units to 998 units by removing the previously approved multi-family uses, the amenity center was moved to a more centralized location, added a Village Square with a waterfront park, created an interconnected pedestrian/bicycle trail system, and a secondary emergency access with a defined maintenance schedule would be provided. Chairman Eisner complemented the applicants on the project and stated they answered his questions to his satisfaction. He asked they remember to save the trees, because that was important. Commissioner Cutuli stated it was a much improved plan.

Having no further comment from the Commission or public, Chairman Eisner called for a motion. Commissioner Cutuli motioned to recommend the Planned Development District Amendment Z-21-1 to the City Council, as submitted, and was seconded by Commissioner Horton. The motion passed 4-0. Mr. Rucker stated the amendment would go before the City Council at the March 1, 2021 meeting.

**B. PUBLIC HEARING REGARDING THE SECOND SEPARATE INDEPENDENT AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT CONCERNING GRANDE DUNES NORTH:**

The North Myrtle Beach Planning Commission hosted the first of two public hearings regarding the proposed Development Agreement associated with the major amendment to the Parkway Group PDD involving what was formerly known as Waterway Hills Village at Grande Dunes. The proposal is known as Grande Dunes North and is off Water Tower Road where the Waterway Hills Golf Club was previously located. Mr. Rucker gave an overview of the changes to the Second Separate Independent Amendment to the Master Development Agreement, authorized by Franklin Daniels, agent for NGD Property II LLC. The amendment was a result of NGD II's efforts to redevelop the 238.74 acre Waterway Hills Golf Course into an extension of the Grande Dunes community with 998 single-family residential units. NGD II agreed that within thirty days after the issuance of the 150<sup>th</sup> Certificate of Occupancy for single-family residential units, construction of the proposed amenity center must begin. NGD II agreed to pay the city at building permit issuance, a Beach Access Parking Fee of \$1,100 for each single-family residential unit. The Beach Access Parking Fee increases to \$1,650 per unit, if the amenity center is not completed within eighteen months. Once completed, the fee reverts to \$1,100.

The Planning Commission hosted this public hearing and there were no members of the public present at the hearing.

Commissioner Horton inquired how long the \$1,100 beach parking fee had been in place. Mr. Noury stated it was established 3 years ago, not when the original Development Agreement was approved. Commissioner Horton inquired if the development didn't take place for several years, would the \$1,100 beach parking fee still be in place. Mr. Noury explained that it would and all terms of the Development Agreement were binding unless all parties agreed to a change of terms. Mr. Daniels stated the original fee was \$200 and is now \$1,100, which was a significant increase.

**8. ADJOURNMENT:**

Having no further business, Chairman Eisner adjourned the meeting at 5:11 PM.

Respectfully submitted,

Allison K. Galbreath  
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.

**7A. ANNEXATION & ZONING DESIGNATION Z-21-2:** City staff has received a petition to annex lands on Riverside Drive totaling approximately 2.47 acres and identified by PINs 311-16-04-0005 and 311-16-04-0006. The lots are currently unincorporated and zoned MSF 10 Residential (MSF 10) by Horry County. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Residential Low-Density (R-1) and will be heard concurrently.

**Existing Conditions and Surrounding Land Uses:**

The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned MSF 10 Residential (MSF 10) under Horry County jurisdiction. Located on Riverside Drive, the parcels are unoccupied with a manufactured home and stick-built building. Surrounding parcels within City limits are zoned Single-Family Residential Low-Density (R-1); adjacent unincorporated county parcels are zoned MSF 10 and Commercial Forest Agriculture (CFA).

**Planning Commission Action:**

As per the Zoning Ordinance Section 23-4, *Amendments*, the Planning Commission shall prepare a report and make recommendations on any proposed amendment to the North Myrtle Beach Zoning Ordinance, including the Zoning Map, stating its findings and its evaluation of the request. In making its report, the Commission shall consider the following factors:

- a) The relationship of the request to the Comprehensive Plan:

*The Future Land Use map contained in the 2018 Comprehensive Plan recommends Residential Suburban as a land use class for the subject area. The principal permitted uses noted in the compliance index include primarily single-family lots, small farms and farm related uses such as produce stands, and mobile homes on individual lots. The recommended primary zoning district is R-1; R-1A and R-1B are the secondary zoning district alternatives.*

The proposed zoning designation, R-1 (Single-Family Residential Low-Density), is a recommended zoning district within the Compliance Index for the subject property.

- b) Whether the request violates or supports the Plan:

*Chapter 5, “The Way We Grow,” of the 2018 Comprehensive Plan identifies the Residential Suburban future land use classification as follows: The purpose of this classification is to define, protect, and provide low density, single-family detached housing areas where designated, and to prohibit any development that would compromise existing residential characteristics. In addition, these areas are intended to provide for in-fill and expansion of existing neighborhoods and subdivisions. Standards and densities for these areas are designated to reflect existing conditions. This area is also intended to allow incorporation of property west of the waterway at densities typical of inland development. Primarily single-family lots, small farms and farm related uses such as produce stands, and mobile homes on individual lots, excluding large mobile home parks, are compatible uses here. This category allows up to five dwelling units per acre (du/acre).*

The proposed R-1 zoning is consistent with the Residential Suburban land use classification found in the 2018 Comprehensive Plan.

- c) Whether the uses permitted by the proposed change would be appropriate in the area concerned:

*The purpose of the R-1 zoning district is, “To preserve and protect the character of existing neighborhoods and subdivisions, and to prohibit any uses which would compromise or alter existing conditions and uses. Also, these districts are intended to encourage residential infilling*

*and expansion of existing neighborhoods and subdivisions. Development land uses permitted in each are designed to reflect existing conditions and enhance the prospects of 'lie development. '"*

The uses permitted in the R-1 district would be appropriate in the area.

- d) Whether adequate public-school facilities, roads and other public services exist or can be provided to serve the needs of the development likely to take place as a result of such change, and the consequence of such change:

*Current public rights-of-way serve this area via the existing, county-maintained Riverside Drive.*

- e) Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewer to the area:

*Water service is available to the parcel; sewer service is under construction.*

As a matter of policy, no request to change the text of the ordinance or the map shall be acted upon favorably, except:

- (a) Where necessary to implement the comprehensive plan, or
- (b) To correct an original mistake or manifest error in the regulations or map, or
- (c) To recognize substantial change or changing conditions or circumstances in a particular locality, or
- (d) To recognize changes in technology, the style of living, or manner of doing business.

This petition for annexation and zoning designation is presented to the Planning Commission for a recommendation that will be forwarded to City Council at their next meeting scheduled for March 1, 2021. Should the Planning Commission desire to forward a positive recommendation to City Council, one of the aforementioned reasons should be included in the report.

**Staff Review:**

*Planning and Development, Planning Division*

The Planning Division has no issue with the proposed petition for annexation and zoning.

*Planning and Development, Zoning Division*

The Zoning Administrator has no issue with the proposed petition for annexation and zoning.

*Public Works*

The City Engineer has no issue with the proposed petition for annexation and zoning.

*Public Safety*

The Fire Marshall has no issue with the proposed petition for annexation and zoning.

*Legal*

The City Attorney has no issue with the proposed petition for annexation and zoning.

**Planning Commission Action**

The Planning Commission may recommend approval, recommend approval with modifications and/or conditions; or recommend denial of the proposal, as submitted.

Alternative Motions

- 1) I move that the Planning Commission recommend approval of the annexation and zoning petition [Z-21-2] as submitted.

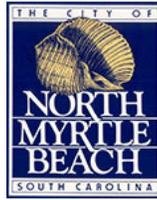
OR

- 2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-21-2] as submitted.

OR

- 3) I move (an alternate motion).

FILE NUMBER:	Z-21-2
Complete Submittal Date:	January 28, 2021



Notice Published:	January 28, 2021
Planning Commission:	February 16, 2021
First Reading:	March 1, 2021
Second Reading:	March 15, 2021

**City of North Myrtle Beach, SC**

**Petition for Annexation & Zoning**

**GENERAL INFORMATION**

<b>Date of Request: January 21, 2021</b>	<b>Property PIN(S): 31116040006 and 31116040005</b>
<b>Property Owner(s): Mark Delp</b>	<b>Type of Zoning Map Amendment: Petition for Annexation and Zoning</b>
<b>Address or Location: Riverside Campground Lt 34 and Lt 33</b>	<b>Project Contact: Mark Delp</b>
<b>Contact Phone Number: 9194449719</b>	<b>Contact Email Address: adelp1003@gmail.com</b>
<b>Current County Zoning: MSF10</b>	<b>Proposed Zoning: R-1</b>
<b>Total Area of Property: 2.5 Acres</b>	<b>Approximate Population of Area to be Annexed:</b>

**RECORDED COVENANT INFORMATION**

I 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).

*Applicant's E-signature: Mark Delp*

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.



08/04/2020 TUE 14:12 FAX

003/004

WITNESS the execution hereof by his hand and seal 4<sup>th</sup> day of August, 2020.

Signed, Sealed and Delivered  
in the Presence of

Christy Kusin  
1<sup>st</sup> Witness

Philip Lee Myers (SEAL)  
Phillip Lee Myers

Barbara M. Christopher  
2<sup>nd</sup> Witness can be the Notary Public

STATE OF KENTUCKY        )  
COUNTY OF Clark        ) ACKNOWLEDGEMENT  
                                  ){#30-5-30-(c)}

I, a Notary Public for the State of KENTUCKY do hereby certify that PHILIP LEE MYERS the within named Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 4<sup>th</sup> day of August, 2020

Barbara M. Christopher

Signature of Notary Public

My commission expires March 7, 2023

Printed name of Notary:

Barbara M. Christopher

Notary seal or stamp



## **Exhibit A**

ALL AND SINGULAR all those certain pieces, parcels or lots of land, situate, lying and being in Little River Township, Horry County, South Carolina being shown and designated as Lot Nos. Thirty Three (33) and Thirty Four (34) on a map of thirty eight lots in Riverside Campground, prepared by C. B. Berry, R.L.S. A copy of said map is recorded in Plat Book 62 at Page 21, records of Horry County and is by reference incorporated herein as forming a part and parcel of this description.

Subject to those restrictions, reservations, covenants and easements of record; and also to all applicable governmental laws, rules, regulations and ordinances.

The grantor acquired the above described property by deed of distribution recorded May 15, 2014 in Deed Book 3733 at Page 2532, records of Horry County.

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

**AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS**

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property being transferred is located at Lot 33 and Lot 34, Riverside Drive, North Myrtle Beach, SC 29582 bearing County Tax Map Number/PIN 131-17-03-009 and 131-11-01-007 was transferred by Philip Lee Myers to Mark A. Delp and Amy C. Delp by deed dated August 4, 2020

3. Check one of the following: The deed is

- (a)  subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (b)  subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c)  exempt from the deed recording fee because (See Information section of affidavit): \_\_\_\_\_

(If exempt, please skip items 4 - 7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes \_\_\_ or No \_\_\_

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit.):

- (a)  The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$145,000.00
- (b)  The fee is computed on the fair market value of the realty which is \_\_\_\_\_.
- (c)  The fee is computed on the fair market value of the realty as established for property tax purposes which is \_\_\_\_\_.

5. Check Yes \_\_\_ or No \_\_\_ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "Yes," the amount of the outstanding balance of this lien or encumbrance is:

6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here: \$145,000.00
- (b) Place the amount listed in item 5 above here: -0-
- (If no amount is listed, place zero here.)
- (c) Subtract Line 6(b) from Line 6(a) and place result here: \$145,000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$536.50

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Attorney for Grator

9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

WRIGHT, WORLEY, POPE, EKSTER & MOSS, PLLC

Kenneth R. Moss  
KENNETH R. MOSS, Attorney

**SWORN to and subscribed before me this**

4 day of August, 2020

Theresa McCready  
Notary Public for South Carolina

My Commission Expires: 5-19-2025

Notary (printed name): Theresa McCready

**HORRY COUNTY REGISTER OF DEEDS  
TRANSMITTAL SHEET**

**TO BE FILED WITH EACH INSTRUMENT PRESENTED ELECTRONICALLY FOR RECORDING.  
HORRY COUNTY REGISTER OF DEEDS, 1301 SECOND AVENUE POST OFFICE BOX 470 , CONWAY ,  
SOUTH CAROLINA 29526**

DOCUMENT TYPE OF INSTRUMENT BEING FILED: Deed

DATE OF INSTRUMENT: .

DOCUMENT SHALL BE RETURNED TO:

NAME: Wright, Worley, Pope, Ekster & Moss, PLLC

ADDRESS:

628A Sea Mountain Highway

North Myrtle Beach, SC 29582

TELEPHONE: (843) 281-9901

FAX: (843) 281-9901

E-MAIL ADDRESS: reneeboxley@wwpemlaw.com

Related Document

(s):

**PURCHASE PRICE / MORTGAGE AMOUNT: \$ 145000.00**

**BRIEF PROPERTY DESCRIPTION: RIVERSIDE CAMPGROUND, LOTS 33 & 34**

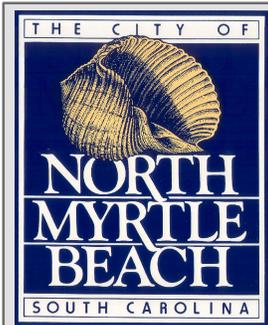
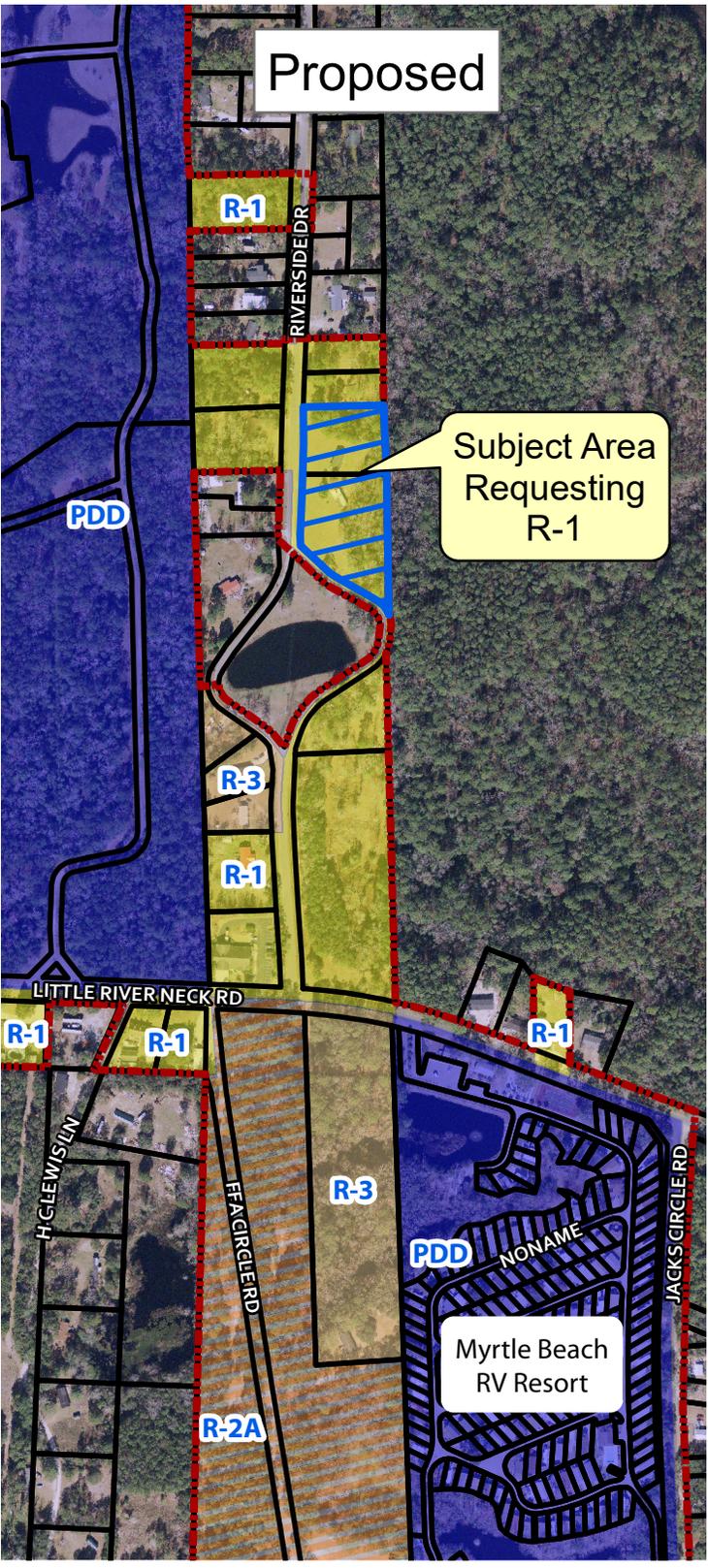
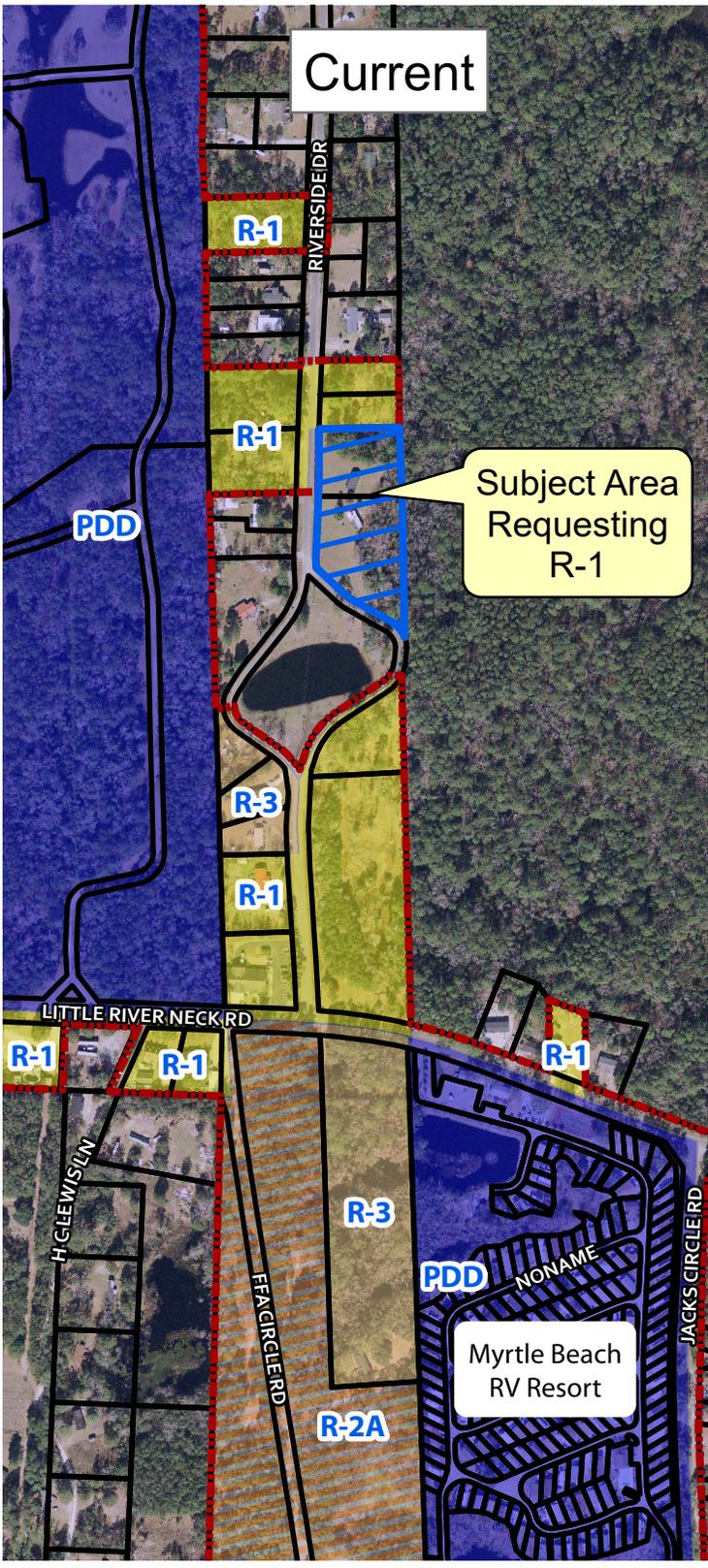
**TAX MAP NUMBER (TMS #) 131-17-03-009 & 131-11-01-007 / PIN NUMBER: ,**

**GRANTOR / MORTGAGOR / OBLIGOR / MARKER (FROM WHO):**

	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>MIDDLE NAME</u>
1.	<u>MYERS</u>	<u>PHILIP</u>	<u>LEE</u>

**GRANTEE / MORTGAGEE / OBLIGEE (TO WHO):**

	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>MIDDLE NAME</u>
1.	<u>DELP</u>	<u>MARK</u>	<u>A.</u>
2.	<u>DELP</u>	<u>AMY</u>	<u>C.</u>

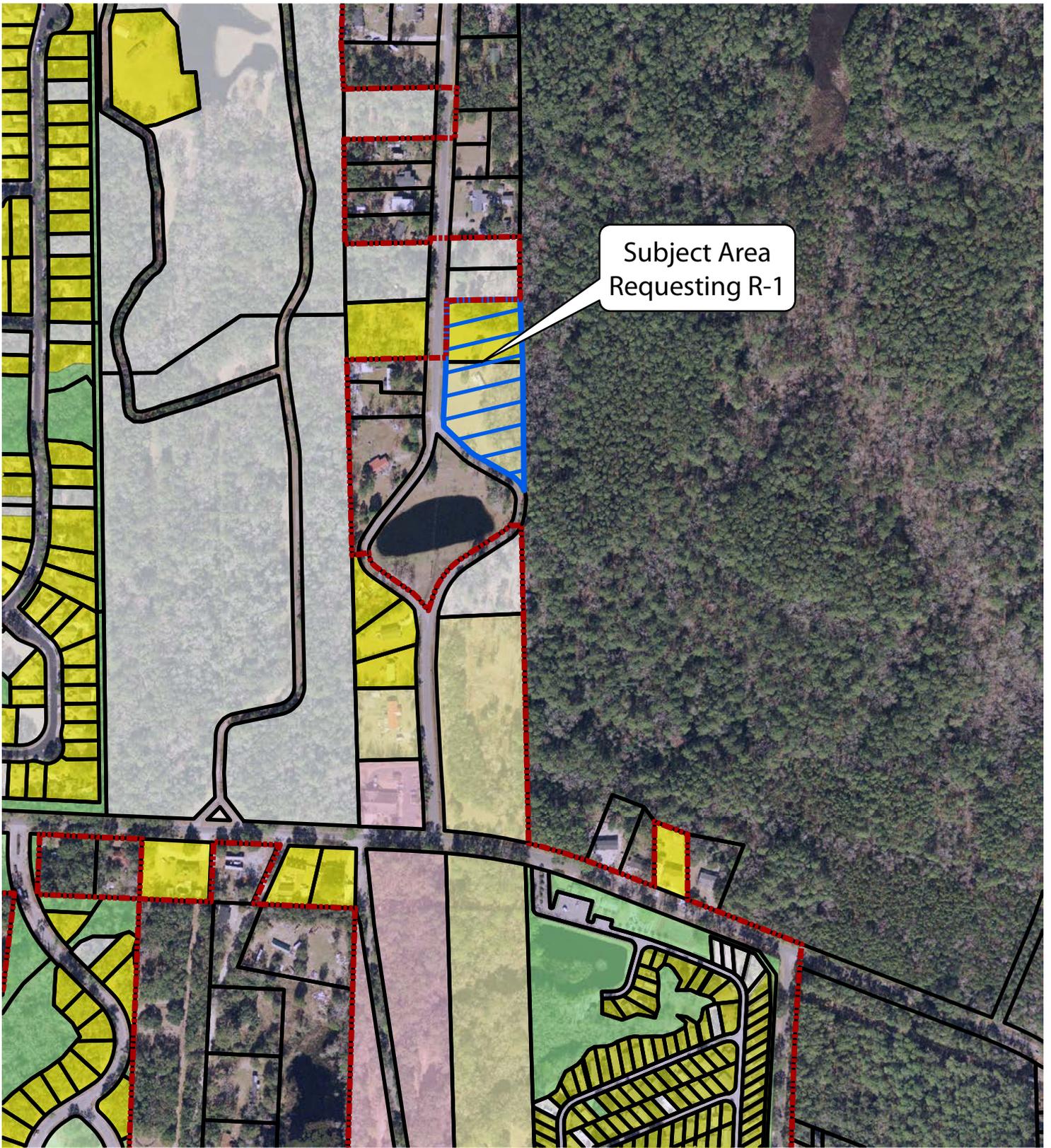


**Legend**

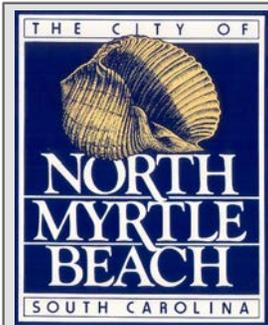
	Subject Area	<b>Zoning</b>	 R-1	 R-3
	North Myrtle City Limits	 PDD	 R-2A	



**Exhibit A: Zoning Map (Z-21-2)**



Subject Area  
Requesting R-1



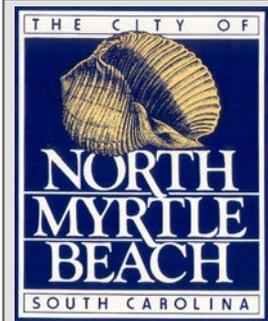
- Legend**
- North Myrtle City Limits
  - Subject Area
  - Common Open Space
  - Mobile Home
  - RV / Campground
  - Vacant
  - Amenity Area
  - Public, Social, Cultural



## Existing Land Use (Z-21-2)



Subject Area Requesting R-1



North Myrtle City Limits  
 Subject\_Area

**Recommended Future Land Use Categories**  
 CC - Conservation Community  
 SP - Service / Production

**Legend**  
 RPC - Resource, Protection, Conservation  
 SP - Service / Production

RS - Residential Suburban



0 200 400 Feet

# Future Land Use (Z-21-2)