

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, February 17, 2025, 5:45 PM**

Minutes

1. ROLL CALL:

Mayor Hatley called the meeting to order and asked the Clerk to call the roll.

Marilyn Hatley
JO Baldwin
Bubba Collins
Fred Coyne
Nicole Fontana
Trey Skidmore
Hank Thomas, Absent

A quorum was established.

1B. EXECUTIVE SESSION:

Mayor Hatley called for a motion to go into Executive Session for a legal briefing regarding potential property acquisitions. The motion was made by Councilwoman Fontana and seconded by Councilman Collins. The motion passed 6-0. The Council returned to Chambers at 6:02 PM. Mayor Hatley announced that no votes were taken at the session. The regular meeting started at 6:02 PM.

1C. CONTINUATION OF CALL TO ORDER:

Rev. Joshua Keinath, Risen Christ Lutheran Church, delivered the invocation.

Mayor Hatley led the Pledge of Allegiance.

2. MINUTES:

The motion to approve the minutes for the City Council Meeting of Monday, January 27, 2025, the City Council Meeting of Monday, February 3, 2025, and the City Council Special Called Meeting of Thursday, February 6, 2025, as presented, was made by Councilman Collins and seconded by Councilwoman Fontana. The motion to approve passed 6-0.

3. COMMUNICATIONS:

Mayor Hatley stated the department monthly reports for January 2025 were available online. She thanked the Department Heads and stated the reports were always enlightening.

4. ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL:

Councilman Skidmore thanked Public Safety and Public Works for their efforts during the recent snowstorm.

5. CONSENT:

MOTION TO APPROVE: SOS Parade on May 3, 2025. Mayor Hatley read the item by title and called for a motion to approve. The motion was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin.

Having no comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

6. **UNFINISHED BUSINESS:**

- A. ORDINANCE/SECOND READING: Amendment to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina, addressing structures projecting into required yards. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. Councilman Collins stated this was to help residents with handicapped ramps and these requests would not go before the Board of Zoning Appeals upon approval.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

- B. ORDINANCE/SECOND READING: Amendment to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina, addressing perimeter landscape requirements. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Collins. Mayor Pro Tempore Baldwin stated this was an effort to clean up the landscape area facing major roadways. He added that this was previously in the ordinance but was mistakenly removed by Municode. Councilman Collins stated it was good that Water Tower Road and Champions Boulevard were also added.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

- C. ORDINANCE/SECOND READING: Amendment to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina, addressing parking flexibility in an overlay zone. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Collins. Mayor Hatley stated this was a good change in the ordinance and it would allow businesses to develop in Crescent Beach and Windy Hill. Councilman Collins agreed and stated this was already being done on Main Street. Councilwoman Fontana stated this will bring life back to these areas. Mayor Pro Tempore Baldwin asked if 17th Avenue South was being expanded as previously discussed. Jim Wood, Public Works Director, stated there were no changes between first and second reading but this would include that area.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

- D. ORDINANCE/SECOND READING: Amendments to Chapter 22, Vehicles for Hire, of the Code of Ordinances of North Myrtle Beach, South Carolina, regarding vehicle immobilization devices and the maximum charge for nonconsensual immobilization. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Coyne. Councilman Collins stated this would put the charge in line with the county and state and allow the \$75 refund for the boot. Ryan Fabbri, Interim City Manager, stated this amendment would allow the towing company to charge the \$75 deposit because the ordinance only allowed \$125 total.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

- E. ORDINANCE/SECOND READING: Amendments to Chapter 21, Traffic, of the Code of Ordinances of North Myrtle Beach, South Carolina, regarding the annual parking fee exemption. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilman Collins and seconded by Councilwoman Fontana.

Councilman Skidmore recused himself from the discussion and vote and left the Chambers. Mayor Hatley stated this amendment would allow mobile-home owners on leased land to be able to get a parking pass. Councilman Collins stated these owners were allowed to get parking passes previously and this amendment would allow those passes to be granted again. He added this amendment would also increase the number of Horry County resident parking passes from 250 to 500. Interim City Manager Fabbri stated Horry County Resident passes would be offered on Thursday, February 20, 2025, if this ordinance passed. Mayor Pro Tempore Baldwin stated the additional passes were made available due to being able to purchase land with the proceeds from paid parking.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 5-0.

- F. **ORDINANCE/SECOND READING:** Amendment to the Parkway Group Planned Development District (PDD) revising neighborhood three (Wax Myrtle) at Waterside. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. Mayor Hatley asked if the suggested changes from Council had been made. Suzanne Pritchard, Planning and Development Assistant Director, confirmed the changes had been made. She stated the dwelling units had been decreased to 97 and the green space had been increased near the waterway. Mayor Pro Tempore Baldwin asked for clarification that the trees had been kept, the bridge had been expanded to 3 lanes, and the density decreased from 100 to 97 units. Assistant Director Pritchard confirmed that was correct. Councilwoman Fontana noted the house size had also increased. Councilman Collins stated the Developer had done everything that Council asked.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

7. **NEW BUSINESS:**

- A. **ORDINANCE/FIRST READING:** Amendment to the Parkway Group Planned Development District (PDD) revising The Preserve. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. Mayor Hatley stated the Developer had met most of the requests from Council and stated it was important for the public to know that Council was able to reduce the density of this project by working with the Developer. She added the density on this project had been reduced by 191 dwelling units. Mayor Hatley thanked Josh Hughes, Developer, for working with Council but stated there still were concerns from Public Works. Mayor Hatley asked Kevin Blayton, Public Works Director, to address the concerns. Director Blayton stated one section of the project dealing with 6-8 dwelling units originally came in as In-Common and one parcel of land. He stated the street did not meet code but it was not an issue at that time because it was privately owned. Director Blayton stated the change to Fee Simple did not meet code and created a problem for Public Works. He added that the alleys did not meet any design standards for roads and would cause residents to drive on another person's property to enter their garage. Director Blayton stated Public Works would not have an issue if the property returned to In-Common because any problems created would be a private owner or HOA problem. Councilman Collins asked if making the alleys wider satisfied the issue. Director Blayton stated units would need to be removed to widen the alleys. He stated there was also no parking in front of the garages. Councilwoman Fontana stated the design was made to keep the streets clean. Director Blayton stated it became a problem when it was changed from In-Common to Fee Simple.

Mayor Hatley asked where people would park if the project went back to In-Common. Director Blayton stated there were overflow parking spaces on some streets in front of the alleys. He added that would solve the problem with guest parking but still did not solve the access problem. Mayor Pro Tempore Baldwin asked if the amount of parking stayed the same and Director Blayton confirmed that was correct. Mayor Pro Tempore Baldwin stated the difference was between a rental and a homeowner and the City would prefer it be a homeowner, if the parking issue was figured out. Director Blayton stated if this was owned property, it would lead to disputes between neighbors. He added there were similar properties in the City and although, the City had no jurisdiction, there were still complaints. Councilman Skidmore stated he had the same driveway and alleyway issues in his neighborhood. Director Blayton stated his department's objective was to bring possible future problems to Council's attention. Councilwoman Fontana asked Director Wood for his opinion. Mayor Hatley asked what the width of the driveways were. Director Blayton stated the widths were 5' within an easement with an additional 5' to the garage door. Director Wood stated a resident would have 5' feet of driveway and 20' of maneuvering room in the alley.

Councilman Collins asked about the comment concerning insignificant space for public and private utilities. Director Blayton stated there was not enough space in the 20' easement to install all the public utilities that were necessary to serve the project. He stated he would not have approved this but he understood that Grand Strand Water and Sewer had approved it.

Mayor Hatley asked for clarification on the Solid Waste issue. Director Blayton stated that multi-family properties were required to have on-site waste disposal and two of the parcels did not have on-site waste disposal. Councilwoman Fontana stated the Developer was providing private services. Director Blayton stated the City did not normally recognize concierge service for Fee-Simple properties but that was in the proposed plan. Councilman Coyne stated this project seemed to be becoming more complicated. Councilman Collins asked if a trash truck could get into the roads. Director Blayton stated they could but they did not like to back trash trucks for safety reasons.

Josh Hughes, Developer, stated he did not feel Director Blayton accurately portrayed the project and cited the information below:

1. Mr. Hughes stated he had received feedback concerning the 20' right-of-way for utilities from Grand Strand Water and Sewer and A.O. Hardee, Project Contractor, and there were no problems with building or maintaining them. He added that Grand Strand Water and Sewer and Horry Electric had provided instruction on where to place the utilities.
2. Mr. Hughes stated there were 30' rights-of-ways so access was not limited to private property. He added that it was self-explanatory.
3. Mr. Hughes stated parking in the project exceeded the City's requirement of 2.1 spaces per unit at 2.3 spaces per unit.
4. Mr. Hughes compared the utility easement to a Market Commons project and stated this exceeded the easement for that project.

Mr. Hughes stated he could not understand why North Myrtle Beach could not figure out the Public Works issues when Horry County and Myrtle Beach had no problems.

Mayor Pro Tempore Baldwin asked how residents would be able to get into their homes if repairs had to be made on the road. Mr. Hughes stated there were an additional 75 parallel parking spaces in excess of 2 per house.

Councilman Skidmore asked how deep the garages were. Mr. Hughes stated he was not sure but they were 20' to 22' he thought. Councilman Skidmore stated this was important. Mr. Hughes stated he understood this project was tight and was not for everyone. He added it was age targeted.

Mayor Pro Tempore Baldwin stated he did not think Council had seen a project like this and Mr. Hughes stated they probably had not but would be seeing more in the future. Councilman Coyne stated this was similar to patio homes in the Crescent area. Mayor Pro Tempore Baldwin stated most of those either had a driveway or a large parking area. Mr. Hughes stated they had worked with the Planning Department because they did not want cars parked on the streets in this development. Councilwoman Fontana stated she liked the cleanliness. She asked Director Wood to share his thoughts. Director Wood stated his department deferred to Public Works on utility access issues. He added that maintenance would be handled by the HOA, not the City. He stated he wanted to highlight that there were 75 guest parking spaces that were not required in the PDD. Mayor Hatley asked if the Planning Department felt this was a better plan than the original. Director Wood stated they felt the alley system was better because it made it clear that cars could not be parked in front of garages but acknowledged Director Blayton's concerns. Director Wood stated the standard maneuverable space in a commercial shopping center was 22' and this project had 25'. Discussion continued concerning possible future challenges with parking and garages. Mayor Pro Tempore Baldwin stated the comparison with a project in Market Commons was not the same due to the commercial elements that were within walking distance. Mayor Hatley added Market Commons was a convenient community and this project was just housing. Mr. Hughes stated that when the project was originally approved, Council asked that the amenity centers be nice so the residents never want to leave and that was what they had accomplished. Mayor Hatley stated when the plan was first presented, it was a walkable community with a commercial element. Mr. Hughes stated there still were commercial properties that were better located.

Mayor Hatley stated she liked lowering the density by 191 units and lowering the traffic through the surrounding neighborhoods and she would like to be able to work out the other minor issues to get Mr. Hughes' building started. Mr. Hughes stated the right-of-way could possibly be increased to 22' if that would help. Mayor Hatley stated the parking requirements would have to be enforced. Mr. Hughes stated South Carolina HOA's were powerful. Councilman Skidmore stated not much was changing in true measurements of the alleyways and the alleyways were already approved. He added that the only change was the reduction in density of 191 units and the change to Fee Simple. Mayor Hatley agreed. Mayor Pro Tempore Baldwin stated concerns could be addressed before second reading.

Harry Oehler, 3624 Pitchers Place, North Myrtle Beach, asked what age demographic was targeted for this project. Mr. Hughes stated 55+ years old. Mr. Oehler stated his concern was that this was not a walkable project and he thanked Council for working to reduce the density by 191 homes.

Councilman Collins asked if the project would go away if the motion to approve did not pass. Mayor Hatley stated it would go away for one year but the Developer could still build the additional 191 units that were originally entitled. Mayor Pro Tempore Baldwin stated he felt it was important to reduce the density by 191 units but he still had major concerns that he would like to have cleared up before second reading. Mayor Hatley suggested holding another workshop before second reading. She stated Council and the Developer needed to work together and all the concerns needed to be presented and understood by the Developer at the workshop. Councilwoman Fontana stated she definitely did not want the 5-story units and she did want the reduction in density by 191 units. Director Wood suggested the Developer provide the depth

and width of the garages, a clear indication of how the electrical lines and services would be plotted, an example of the language in the HOA covenants concerning parking in the alleys, and an explanation of HOA management of private streets. Councilman Coyne stated he would like the Developer to reconsider In-Common because that would take care of the bulk of the issues. Mayor Hatley asked Interim Manager Fabbri to schedule a workshop before the next Council meeting.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 5-1. Councilman Coyne voted nay.

- B. **SECOND PUBLIC HEARING:** Regarding the Development Agreement associated with The Preserve. Mayor Hatley asked for a motion to postpone Item B until the next Council meeting. The motion to postpone was made by Councilman Collins and seconded by Councilwoman Fontana.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to postpone passed 5-0.

- C. **ORDINANCE/FIRST READING:** Development Agreement associated with The Preserve and to authorize the Interim City Manager to sign the documents on behalf of the City. Mayor Hatley read the ordinance by title and called for a motion to postpone Item C until the next City Council meeting. The motion to postpone was made by Councilman Coyne and seconded by Councilwoman Fontana.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 5-0.

8. **PUBLIC COMMENT:**

None

9. **ADJOURNMENT:**

Mayor Hatley called for a motion to adjourn. The motion to adjourn was made by Mayor Pro Tempore Baldwin and seconded by Councilwoman Fontana. The motion passed 6-0. The meeting adjourned at 7:39 PM.

Respectfully submitted,

Angela C. Westmoreland, Assistant City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 3rd day of March 2025