

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
SPECIAL CALLED CITY COUNCIL MEETING
Monday, March 10, 2025, 1:30 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, Absent
Fred Coyne
Nicole Fontana
Trey Skidmore
Hank Thomas

A quorum was established.

2. UNFINISHED BUSINESS:

A. **SECOND PUBLIC HEARING:** Regarding the First Amendment to the Separate and Independent Amendment to the Parkway Group Planned Development District (PDD) Master Development Agreement revising The Preserve. Mayor Hatley asked Chris Noury, City Attorney, to comment on the amendments. Mr. Noury noted the following amendments:

1. A *decrease* in the total residential development units (RDUs) from 826 to 609 in 3 separate phases/segments of the development:
 - 135 Bayberry RDUs (formerly Multi-Family)
 - 247 Retreat RDUs (*from the original 229* Build-To-Rent RDUs)
 - 227 Indigo RDUs (formerly Paired Villas)
2. Triggers for the completion of the amenity areas are as follows:

Regarding the Bayberry RDUs *and* the Retreat RDUs, the respective amenity areas for these segments will be completed at or before the issuance of Certificates of Occupancy for 50% of the RDUs in these segments. (67 Bayberry RDUs and 123 Retreat RDUs)
3. Regarding the Indigo RDUs, the amenity area will be completed on or before the issuance of a Certificate of Occupancy for 85% of the RDUs in this segment. (192 Indigo RDUs)
4. The Developer also made edits to the proposed Amendment to the Development Agreement regarding the status of roads (clarifying which roads are public or private) and that private roads will be maintained by a private owner's association. The Developer also clarified that the Retreat and Bayberry segments shall provide curbside trash collection services paid for through a private owner's association.
5. The document also now contains language that the Developer shall record cross-access easements on all private driveways within the Retreat segment, in favor of all adjoining lots located on the same street.

Mayor Hatley asked how this could be passed with the concerns the Council had with the new plan. Mr. Noury stated this was the required second public hearing for the Development Agreement. He suggested allowing public input for public hearing, passing the amendment to the Development Agreement on first reading, and addressing the Council's concerns at second reading. He added that the PDD and the DA would be presented together at the March 17, 2025, meeting.

Councilman Skidmore questioned if the trigger for completion of the amenity center at Indigo had changed from 50 percent to 85 percent. Joshua Hughes, the Developer, stated the trigger was originally 50 percent for all three parcels, and he asked that Indigo be 85 percent because the amenity center had moved, causing it to be further away from the lift station. He added that the first set of lots would be delivered in September 2025, and the water and sewer lines would not be run to the amenity center in time for that. Mr. Hughes stated the change was precautionary to not cause the lots to be delayed. Councilman Skidmore stated he was not in favor of the 85 percent trigger. Mayor Hatley and Councilman Coyne agreed. Mr. Hughes asked if there was a number higher than 50 percent that the Council would be comfortable with. Councilman Skidmore stated 50 percent was the normal trigger.

Mayor Pro Tempore Baldwin asked if the green space had been reduced on the new plan. Suzanne Pritchard, Planning and Development Assistant Director, stated that the Applicant represented there was more green space than originally entitled. Councilman Thomas stated he liked the original concept of the trails that tied into other trails and green spaces between the units. He added that he would prefer to go back to the previously approved plan.

Mayor Pro Tempore Baldwin inquired about Public Works' concern about changing from a 3-lane section to a 2-lane section approaching the development from the west. Kevin Blayton, Public Works Director, stated the currently approved PDD depicts a continuation of a 3-lane section from the adjoining property, but the plan submitted on Friday showed this section changing from 3 lanes to 2 lanes and then back to 3 lanes. He added that his department did not feel this was an efficient road design. Mr. Hughes stated that nothing had been changed and the street was permitted in the Development Agreement. He stated that Director Blayton did not like the design, so he added curbing that was not stated in the DA and widened the sections where there were left-hand and right-hand turn sections to 3 lanes. He stated he felt the Developer went above and beyond what was spelled out in the DA. He added he had met with Director Blayton to work out the details, and he was surprised that this was coming back up. Mr. Hughes stated the road was fully permitted, was under construction, and no changes were proposed. Mayor Hatley asked if there had not been any changes, and Mr. Hughes stated he had improved the roads only. Director Blayton stated that was not accurate and there was a discrepancy in the approved site plan and the described cross sections, which was originally approved by Council in the last PDD change. He stated the two did not match. He stated he reviewed the approved site plan and did not go back and look at the approved PDD or the approved DA concerning the cross section, which was an oversight on his review for the currently approved PDD.

Mayor Pro Tempore Baldwin inquired about the concerns relating to cars being able to back out and turn around in the 20-foot alleyway. Mr. Hughes asked if he wanted it to be less or more. Mayor Pro Tempore Baldwin stated Councilman Coyne and Councilman Skidmore had requested the street be 25 feet. Mr. Hughes stated he could make the street 25 feet, but he did not see the reason for it. Mayor Hatley asked what would be lost, and Mr. Hughes stated that shrubbery and landscaping would be replaced with concrete.

Mayor Hatley asked what happened to the walking trails and green space. Mr. Hughes stated that the green space had shifted to other areas, but the same amount was there. Mayor Hatley stated the space might be there, but the shift was not what was planned. Mr. Hughes stated that this was a wonderful green space. Councilman Coyne stated the photos and the concept were nice, but at a certain point, the development had to be livable. He stated that the Council was sold on the original concept with the site overall. He added that the Council took the site as an overall and pulled the density in closer, created areas where buildings could be spread apart with green corridors, walking trails, and other amenities.

Councilman Coyne stated it appeared that the current plan took all of that out and shoved everything together. Mr. Hughes stated he had added 2-car garages to 50 percent of the cottage houses at the request of the Planning Commission, which added a 10-foot width to 115 homes. He stated that every change had unintended consequences, but he thought everyone was happy with going to 2-car garages. Councilman Coyne stated he did not remember discussing 2-car garages. Mr. Hughes stated that this was discussed with the Planning Commission. Councilman Coyne pointed out that plan was nothing close to the plan that was originally approved. He added that other projects like Bayberry looked nice, but The Retreat was compressed, and he could not get behind that.

Councilman Thomas stated he had issues with the changes, and he suggested keeping what was currently approved, replacing the commercial space with units, and taking out one row of units in the back. Mr. Hughes stated that if the density did not change, he could go back to one-car garages, which would give a good amount of space. Councilman Thomas stated that did not solve the issue because the width between the buildings had not changed. Mr. Hughes stated that all the changes were made at the request of the Council and the Planning Commission.

Mr. Hughes again stated he was surprised to hear these concerns. He added that although the green space visually looked smaller, it was still substantial and count-wise was no smaller than originally approved. Mr. Hughes stated they were not idiots and they had to be able to build and sell the homes and get their money back.

Councilman Coyne stated he did not appreciate the way Mr. Hughes referred to staff in this and previous meetings. He added that he did not normally get upset with that, but he had about as much as he could take. Councilman Coyne stated that, in his opinion, Mr. Hughes needed to take an eraser to the Retreat and Bayberry and start over. Mayor Hatley stated she wanted to do the project and lower the density, but the Council had too many concerns. She suggested Mr. Hughes pull the whole project and redesign it so that the roads and green spaces were more satisfactory and address all the other concerns that were presented. Mr. Hughes stated he would discuss this with his partners and if he did not get the vote at Monday's meeting, he would pull the project. Mayor Hatley stated that she did want to work with him and she recognized that Councilwoman Fontana wanted this project to work, but that Council could not approve the plan as submitted. Mr. Hughes stated, to be clear, he did not plan to pull the plan and wanted it to be on the March 17, 2025, agenda.

- B. **ORDINANCE/FIRST READING:** First Amendment to the Separate and Independent Amendment to the Parkway Group Planned Development District (PDD) Master Development Agreement revising 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. No motion was made. Chris Noury stated it would be better to approve this on first reading because the Council would have second reading to make changes or deny the action. The motion to approve was made by Mayor Hatley and seconded by Councilwoman Fontana. Mayor Hatley stated she would not approve this action at second reading unless the changes were made.

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

3. **NEW BUSINESS:**

ORDINANCE/FIRST READING: To extend by one month the time that the business identified as Rapid Weight Loss and Esthetics Center may occupy the building located at 1006 6th Avenue South, which was recently acquired by the City. 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 Skidmore. Councilwoman Fontana stated that the tenant needed more time to relocate.

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

4. **ADJOURNMENT:**

Mayor Hatley called for a motion to adjourn the meeting. The motion to adjourn was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. The meeting adjourned at 2:04 PM.

Respectfully submitted,

Angela C. Westmoreland, Assistant City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 17th day of March 2025