

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, August 16, 2021, 6:00 PM**

Minutes

1A. ROLL CALL:

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

Marilyn Hatley
JO Baldwin
Fred Coyne
Nicole Fontana
Trey Skidmore, Absent
Hank Thomas
Terry White

A quorum was established.

1B. EXECUTIVE SESSION:

Mayor Hatley called for a motion to go into Executive Session for a discussion regarding a potential amendment to the Parkway PDD Development Agreement related to the Henry Road West tract and a legal briefing regarding the First Amendment. The motion was made by Councilwoman Fontana and seconded by Councilman White. The motion passed 6-0. The Council returned to Chambers at 6:43 PM. Mayor Hatley announced that no votes were taken at the session and they would be in recess until the meeting began at 7:00 PM.

1C. CONTINUATION OF CALL TO ORDER:

Mayor Hatley asked Manager Mahaney to deliver the invocation.

The Mayor led the Pledge of Allegiance.

2. MINUTES:

The motion to approve the minutes for the City Council Meeting of Monday, July 19, 2021, as presented, was made by Councilwoman Fontana and seconded by Councilman Baldwin. The motion to approve passed 6-0.

3. COMMUNICATIONS:

Mayor Hatley presented Jane Harvey and other members of the Daughters of the American Revolution a Proclamation identifying the week of September 17-23 as Constitution Week in North Myrtle Beach.

Mayor Hatley presented a Proclamation to Gabrielle Rose Grayson, who in June 2021, won the title of Young Miss Teen South Carolina. During her reign, Ms. Grayson will travel South Carolina to raise money for Prisma Health Children's Hospital, host food drives for Help 4 Kids, and promote her personal outreach program, *Gabby's Girls of Greatness*, which encourages and empowers young girls, instilling in them the concept of *Choosing Kindness Over Cool*.

Mayor Hatley stated that the Departmental Monthly Reports for July 2021 were available online.

4. **ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL:**

Mayor Hatley thanked Senator Greg Hembree and Tom Keegan, a representative from Tom Rice's office, for being at the meeting. Mr. Keegan sent Congressman Rice's warmest regards and best wishes.

5. **CONSENT AGENDA:**

A. MOTION TO APPROVE: ACSC and SOS Celebration of Life, Remembering our Covid Victims Event. Mayor Hatley read the item by title and called for a motion. Councilwoman Fontana motioned to approve and was seconded by Councilman Baldwin. Mayor Hatley stated this event would be held on September 22, 2021 starting at 6:00 PM.

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

B. ORDINANCE/SECOND READING: An amendment to the Esperanza PDD revising it to the Hope Pointe PDD. Mayor Hatley read the item by title and called for a motion. Councilman Thomas motioned to approve and was seconded by Councilman White. Mayor Hatley stated she was pleased that the density went from 375 to 250 dwelling units and the open space was 47.5%, which was nearly a 70% increase from the original PDD. Mayor Hatley expressed a concern over the lack of parking at the marina. Robert Guyton, attorney for the developer, stated the marina was geared toward the residents and there would be golf cart spaces provided, as well as walking paths to the marina. Mr. Guyton stated the developer believed there would be adequate spaces for parking. Mayor Hatley stated there was a zero lot line around the townhomes. She was concerned about the lack of landscaping in the front and around the townhomes. Mr. Guyton stated there was a list of planting materials and they would be landscaped like the single-family homes. Mayor Hatley inquired how they would be sure this happened. Jim Wood, Director of Planning and Development, stated when the plans came before TRC review, they would make sure the plans conformed to landscape requirements. Mayor Hatley stated she liked the low density per acre and the walkable community. She inquired if there would be sidewalks and lighting throughout the community. Mr. Guyton stated there would be sidewalks and lighting throughout and the Planning Commission had been very helpful and active with suggestions for the project.

Mayor Hatley opened the floor for public comment.

Melissa Keene, 1237 Trisail Lane, North Myrtle Beach, stated one of reasons they bought a home in Tidewater was for the natural setting. Where their property sits was beside the new development. She asked what they were destroying to have this development. Manager Mahaney stated there was a 40 foot buffer between the two communities. Ms. Keene asked if the trees were going to be taken down. Director Wood confirmed there was a 40 foot buffer and the first 25 feet had to remain a natural buffer and those trees would not be removed. In addition, there was an ordinance that required tree permits to be obtained to cut down a tree that was over a certain size.

Ann Rabon, 1510 27th Ave North, North Myrtle Beach, asked if there were any plans to do anything about the intersection at 27th Ave North, Hill Street, and Little River Neck Road. There were already problems with traffic coming down Little River Neck Road. People drive at a high rate of speed around the corner. They sit at the stop sign for a long time. With the plans for additional townhomes and houses, something needed to be done about the intersection. Little River Neck Road was heavily traveled, especially once the new buildings come. Manager Mahaney stated the average daily traffic on Little River Neck Road was 5,000 vehicles and according to SCDOT, the capacity for the road was 15,000 vehicles. He stated the average on Highway 17 was 50,000 vehicles per day. He stated they hoped the money the development was paying would be used to widen the road, 2 feet on each side. The multi-purpose bike path was put out to bid, too. Ms. Rabon inquired if a traffic circle or light would be installed. Manager Mahaney stated a stop light would be \$300,000 and he did not see, based on the traffic study, being able to put one in and people's homes would

have to be condemned, if a traffic circle was put in. Ms. Rabon asked how much one of the blinking lights would cost. Kevin Blayton, Director of Public Works, stated approximately \$50,000. Mayor Hatley stated that was reasonable. Manager Mahaney stated they would be happy to look at it, but the accident analysis would not justify it.

Gary Clore, 1608 Burgee Court, North Myrtle Beach, inquired when the traffic report was done. Director Blayton stated it was done in 2019. Mr. Clore stated that was 2 years ago and the other issue that needed to be addressed was the ingress/egress capability, especially for emergency vehicles. He didn't know if there was a police substation in their neighborhood. The traffic was a huge concern and the dates of the traffic study. The concern was not just Little River Neck Road, but there were many bottlenecks, two being Hill Street and at the swing bridge. Mayor Hatley stated they would keep an eye on the traffic and do everything to improve it. If SCDOT said a light could be put in, they would push to put one in. She stated the widening of the road was number 74 on the list. Mayor Hatley stated they were pushing to move the widening up. Mr. Clore asked about the bike path. Mayor Hatley stated it would be put out for bid this fall and was still on track. Manager Mahaney encouraged him to attend the Tidewater Board meetings, because these items were discussed at their meetings. Mayor Hatley explained GSAT was for the whole county. Manager Mahaney stated the original plan that was approved put 375 units into the development. There had been significant negotiations to get the PDD as it was now, with reduced units and impact fees added.

Cathy Weis, 5004 Bucks Bluff Drive, North Myrtle Beach, stated she was the President of Tidewater Plantation and to find out information about the multi-path, residents needed to read the newsletter or attend a board meeting. She stated they were concerned about the traffic, but pleased with the lower density and amenities. She inquired about the run off of water from Hope Pointe, in case of a storm. Director Blayton stated all the water from the project would be routed to the existing ponds, which led to the Intracoastal Waterway, not shed to the other properties in Tidewater. Ms. Weis asked if they were going to allow golf carts, which they would not be happy about. Mr. Guyton stated golf carts would be allowed.

David Hubbard, 1799 Spinnaker Drive, North Myrtle Beach, stated he had almost been killed twice on Little River Neck Road because of golf carts. They had no license on the carts and couldn't hog the road and impede the flow of traffic. He related a story about a car passing 5 cars behind him trying to pass a golf cart. There were 4 people in the golf cart and cars had to go off the road to avoid a collision. People in golf carts needed to understand they need to pull off the road. They were not paying any road tax, either. Mr. Hubbard asked for something to be posted about the rules. The golf carts were a hazard to everyone on the road. Mayor Hatley stated she wished there was a way to change the golf carts, but it was a state law and maybe people needed to speak with their state legislators on it. She suggested there may be a way to curve the road off to where golf carts could pull over and traffic go around it. She planned to speak with Manager Mahaney and the City Engineer about this possibility.

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

- D. ORDINANCE/SECOND READING: Annexation and zoning designation for 0.75 acres on Old Crane Road. Mayor Hatley read the item by title and called for a motion. Councilman Baldwin motioned to approve and was seconded by Councilwoman Fontana. Mayor Hatley stated she went out to the property and it was contiguous to the RV Park. Having no further comments from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.
- C. ORDINANCE/SECOND READING: A Development Agreement between the City and NVR, Inc. regarding the Hope Pointe PDD formerly known as the Esperanza PDD. Mayor Hatley read

the item by title and called for a motion. Councilman Coyne motioned to approve and was seconded by Councilwoman Fontana. Mayor Hatley gave a brief overview of the Development Agreement. Having no further comments from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

6. **UNFINISHED BUSINESS:** None

7. **NEW BUSINESS:**

- A. **ORDINANCE/FIRST READING:** Request to rezone 5.65 acres on Hill Street from R-3 to R-2A. Mayor Hatley read the item by title and called for a motion. Councilman White motioned to approve and was seconded by Councilman Baldwin. Mayor Hatley asked Director Wood how high the structures could go up. Director Wood stated the mid-rise could go up to 50 feet high. Mayor Hatley stated this was straight zoning, so they didn't know what would be built. Director Wood stated the developer had indicated what they would build, but couldn't be held to it. Councilman Coyne stated a concern that there was a lot going on in the general area and wanted something complementary to be in the area, like single-family residential zoning. Councilman Thomas stated he had reservations, because that area was single-family or mobile home residents with lots of families. Mayor Hatley stated she had reservations and there could be a lot of townhomes on this amount of acres.

Mayor Hatley opened the floor to public comment.

Jennifer Wattenbarger, 1623 25th Ave N, North Myrtle Beach, stated she lived in this area and it was terribly congested. It was a dangerous road and if the development was on Hill Street, it would add even more. She stated it was a really bad idea to have up to three stories for the project. Councilman Coyne stated the developer had other options and was not a given it would be a high-rise building. Mayor Hatley stated this property could be brought in as a residential property, R-1A or R-2. Ms. Wattenbarger stated they needed to address the issue on Little River Neck Road and now they would be adding to the tightness of Hill Street with this. There were a lot of areas on Hill Street that were swampy. Mayor Hatley stated they would have to meet all the codes. Ms. Wattenbarger asked if they could table it and have the residents know about it and could come in to voice their concerns.

Steve Strickland, representing Earthworks Group, the engineering company working with the developer, stated the project would be similar to the Sail houses at Market Commons. It originally started as 46 duplexes, which the current zoning allowed. After working with the sizes and shapes of the buildings and large amenity center, they were not looking to go up to 50 feet, but only 30 or 28 feet. It would be an attractive project and no fill would be necessary for the site. Councilman Baldwin stated it sounded like what they were trying to do would be okay, but they couldn't look at what was being told, but what could be done. Unfortunately, this zoning would be overkill for this property. Mayor Hatley stated the developers needed to speak with the staff on a different zoning, this particular zoning would be too high for the area. Mr. Strickland stated they would work with staff on this.

Director Wood stated R-2 district would allow townhomes and required 3,000 square feet, as opposed to R-2A which was 2,000 square feet. Chris Noury, City Attorney, advised to vote on the matter tonight, in order for the applicant to apply for a different zoning district through the Planning Commission.

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

- B. **ORDINANCE/FIRST READING:** An amendment to the Waterside Section of the Parkway Group PDD. Mayor Hatley read the item by title and called for a motion. Councilwoman Fontana motioned to approve and was seconded by Councilman Baldwin. Mayor Hatley stated this was a

total change from the original plan, in some ways better and some not. Some of the homes were much smaller and some more a decent size. She asked for the Autumn-T plan, on page 47 to be removed, because it was not suitable. Mayor Hatley asked if the landscaping was going to be the same. Director Wood stated it would be and the only items that had changed were the new elevations. Councilman Coyne stated this seemed to be a trend which was disheartening. He stated each project was chipping away at the quality and design of the projects. They were making decisions that would affect the city 40-50 years down the road. Mayor Hatley stated she was disappointed and the new developments lacked creativity. It was easy to find 5-6 house plans that looked the same. The original design was different and exciting with respect to the home design. Councilman Coyne stated there needed to be more put into them and the Council needed to start asking for more. Mayor Hatley wanted a creative community to be set apart and different and she was not crazy over the house elevations. Councilwoman Fontana stated she didn't want North Myrtle Beach to be a cookie cutter city, especially when the Council had the ability to stop it. Mayor Hatley stated they needed to demand more and see more creativity, including the materials used.

Having no further comments from the Council or public, Mayor Hatley called for a vote. The motion to approve failed 3-3. Mayor Hatley, Councilwoman Fontana, and Councilman Thomas voted nay.

- C. **ORDINANCE/FIRST READING:** A conveyance of approximately 0.16 acres to HTC in exchange for fiber optic services to City facilities. Mayor Hatley read the item by title and called for a motion. Councilwoman Fontana motioned to approve and was seconded by Councilman Thomas. Manager Mahaney stated the city was swapping land behind the police department and, in exchange, HTC would complete fiber optic service in various locations up to the value of the land appraisal. The land is appraised at \$48,000.

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

- D. **ORDINANCE/FIRST READING:** A conveyance of approximately 0.60 acres to Hillside Development, LLC in exchange for a drainage easement over property owned by Hillside. Councilman Baldwin motioned to approve and was seconded by Councilwoman Fontana. Manager Mahaney explained the vicinity of the easement. Mayor Hatley stated Mr. Clark, who was in the audience, would be very happy.

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

8. **PUBLIC COMMENT:** None

9. **ADJOURNMENT:**

Mayor Hatley adjourned the meeting at 8:13 PM.

Respectfully submitted,

Allison K. Galbreath, Clerk to Council

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 20th day of September 2021.