

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: April 3, 2023

Agenda Item: 7B	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: March 29, 2023
Subject: Amendment to the Parkway Groups Planned Development District (PDD) amending Rosewood in Waterside [Z-23-7]	Division: Planning and Development

Background:

The City Council approved the PDD amendments for Phase 2 and 3 of Waterside August 15, 2022, creating the Rosewood Neighborhood (Neighborhood 1).

Proposed Changes:

The applicant, Robert “Shep” Guyton, agent for the developer, has requested an amendment to the Parkway Group PDD revising the Rosewood Neighborhood of Waterside by converting the currently entitled townhomes to single-family dwelling units. A breakdown of the currently entitled vs. proposed neighborhood is provided below:

Entitled Neighborhood	Use	Dwelling Units	Setbacks			Impervious Surface	Maximum Height	Separation of Structures*
			Front	Side	Rear			
1 – Rosewood	Townhome	273	15	0	15	NA	35’	10

Proposed Neighborhood	Use	Dwelling Units	Setbacks			Impervious Surface	Maximum Height	Separation of Structures*
			Front	Side	Rear			
1 – Rosewood	Single-Family	202	20	5/7.5*	35’	75%	35’	10

The area of the Rosewood Neighborhood is ±78.89 acres, and the overall density with the proposed single-family use is 2.56 units/acre (currently entitled density is 3.46 units/acre). The neighborhood is accessed from Long Branch Loop at two locations, and a connection to undeveloped property is provided near the north of the property. Fifty-foot wide private rights-of-way meeting the standards of the City’s Street Planning Manual provide internal access within the Rosewood Neighborhood. No changes are being proposed to the road system, approved pattern book, other Waterside Neighborhoods, riparian buffer/trail along Long Branch Stream, community trail head, or amenity elements.

Planning Commission Action:

The Planning Commission conducted a public hearing on March 21, 2023 and voted unanimously to approve the request. There were no public comments.

Recommended Actions:

Approve or deny the proposed ordinance on first reading

Reviewed by Department Head

Reviewed by City Manager

Reviewed by City Attorney

Council Action:

Motion By _____ 2nd By _____ To _____

ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH
PROVIDING THAT THE CODE OF ORDINANCES,
CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA,
BE AMENDED BY REVISING THE PARKWAY GROUP
PLANNED DEVELOPMENT DISTRICT (PDD) AMENDING
ROSEWOOD IN WATERSIDE.**

Section 1:

That the Parkway Group PDD be amended to include updated plans, elevations, and narrative for the Rosewood Neighborhood of Waterside as depicted in Exhibit A attached and included in this ordinance.

Section 2:

That the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held the necessary public hearings in accordance with applicable State Statutes and City Ordinances.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2023.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED:

City Manager

FIRST READING: 4.3.2023

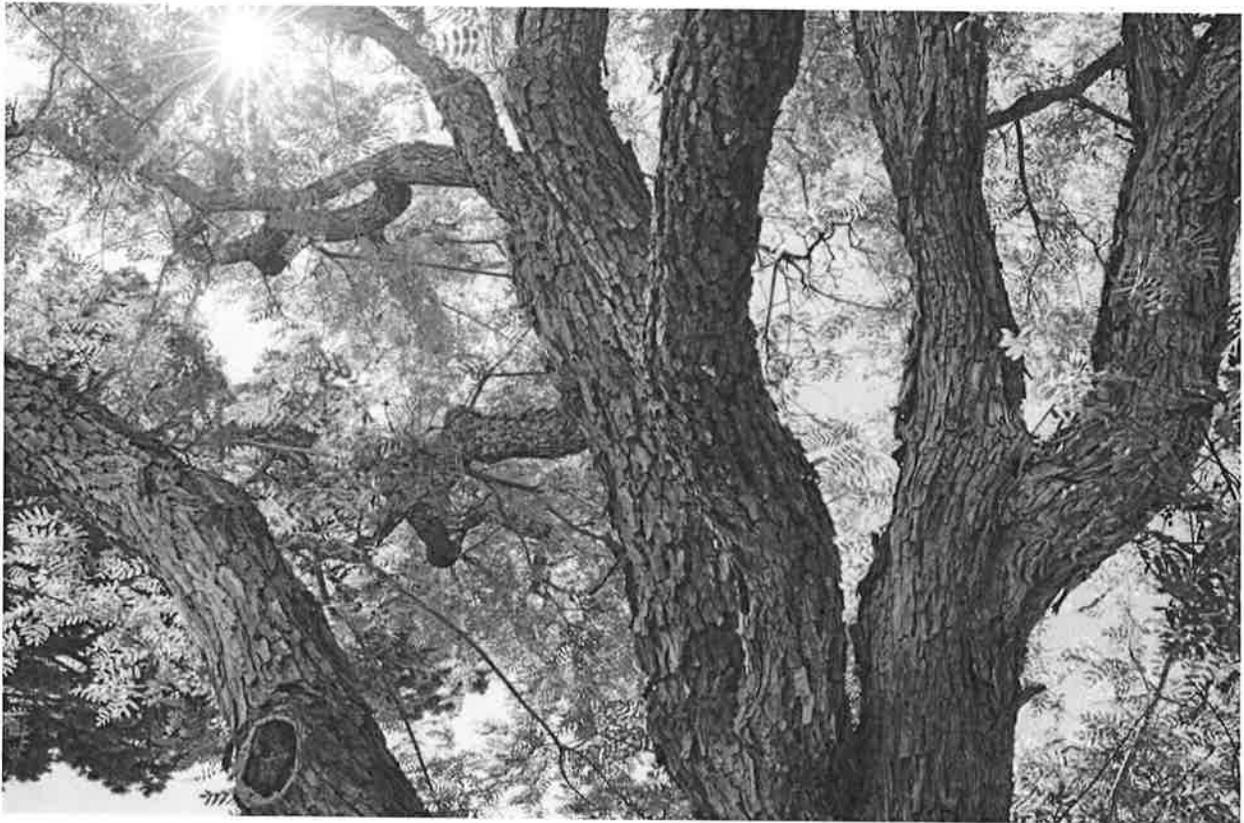
SECOND READING: _____

ORDINANCE: _____

WATERSIDE PHASE 2, NEIGHBORHOOD 1
(ROSEWOOD)

PARKWAY PLANNED DEVELOPMENT DISTRICT
AMENDMENT

MARCH 29, 2023



CITY OF NORTH MYRTLE BEACH

PARKWAY GROUP PDD AMENDMENT
(Waterside Phase 2, Neighborhood 1 (Rosewood))

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2.	Exhibit "A" Map of Neighborhood 1 Amended Site Plan
3.	Exhibit "B" Location Map

PDD Exhibit Supplement

1. Neighborhood 1 (Rosewood) Single Family Amended Site Plan
-Larger Plan
2. Typical Road Section

A written project description of
**AN AMENDMENT TO THE WATERSIDE PHASE 2,
NEIGHBORHOOD 1
PORTION OF THE PARKWAY GROUP
PLANNED DEVELOPMENT
DISTRICT (P.D.D.)**
March 29, 2023

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Section 11:	AMENDMENTS AND ENFORCEMENT
APPENDICES:	Exhibit “A”: Map of Neighborhood 1 Amended Site Plan
	Exhibit “B”: Location Exhibit
	Exhibit Supplement (PDD Documentation):
	(1) Neighborhood 1 (Rosewood) (Single Family Detached) Site Plan
	(2) Typical Roadway Sections

SECTION 1: PURPOSE AND INTENT STATEMENT

The portion of the PDD encompassed by this Amendment is limited to the previously approved Neighborhood 1 (Rosewood), referred to as the Neighborhood 1 Amended Site Plan (“Neighborhood 1 Amended Site”), which was originally approved for attached single family homes, which is now being amended to reduce the density by providing for 202 detached single family homes in Neighborhood 1 (Rosewood).

It is the specific intent of this PDD document (“PDD” or “PDD Document”) to revise the previously approved 273 attached single family homes in Neighborhood 1, to instead provided for 202 detached single family homes, within the previously approved roadway and utility network for Neighborhood 1 of Waterside (the “Project”).

All development within this Project will be regulated by the terms of the master site plan, approved ordinance, the City of North Myrtle Beach zoning ordinance, and other applicable codes and ordinances of the City of North Myrtle Beach. *The definitions applicable throughout this Document are set forth in Section 23-2 of the City of North Myrtle Beach Zoning Ordinance.*

SECTION 2: PROPERTY DESCRIPTION

The Neighborhood 1 Amended Site Plan portion of Waterside, lies and is situate in the City of North Myrtle Beach, Horry County, South Carolina, and is more particularly shown and depicted on the map attached hereto as Exhibit “A”. In addition, a location exhibit, showing the general location of Neighborhood 1 within the PDD is attached hereto as Exhibit “B”.

SECTION 3: PROJECT DEVELOPER AND TITLE

The Project title of this portion of the development is “Waterside, Phase 2, Neighborhood 1 (Rosewood)”, with the Neighborhood 1 Amended Site Plan encompassing the previously approved Neighborhood 1 portion of Phase 2. The developer is Meritage Homes of the Carolinas, Inc., an Arizona corporation (“Meritage”), and its related affiliates. The term “Developer” throughout this Document will include all subsidiaries and affiliates of Meritage, and the term will also include any of its successors in interest or successors in title and/or assigns by virtue of assignment or other instrument.

SECTION 4: NEIGHBORHOOD 1 AMENDED SITE PLAN

The Exhibit Supplement to this Document, submitted separately, but attached hereto, contains the PDD Documentation, including the Neighborhood 1 Amended Site Plan depicting the proposed revisions to the previously approved Neighborhood 1 attached single family homes (“Neighborhood 1 Amended Site Plan”). The Neighborhood 1 Amended Site Plan shall be binding on the Property and any major departure shall be authorized by amendment only. The controlling Neighborhood 1 Amended Site Plan shall negate any contradiction between the previously approved Master Site Plan and any other plan, and this PDD Document. This Neighborhood 1 Amended Site Plan portion of the Project, may be developed in sub-phases of not

less than Fifty (50) residential lots, which may be developed in any order, at the discretion of the Developer.

- A. Phase 2, Neighborhood 1 (Rosewood). Development in Phase 2 will include the construction of Neighborhood 1 (Rosewood), which is located within Phase 2, consisting of the previously approved 273 attached residential units located on approximately 78.89 acres, which is amended to provide for 202 detached residential units, as shown on the Neighborhood 1 Amended Site Plan. The majority of the relevant infrastructure necessary for the Phase 2, Neighborhood 1 development, including water, sewer, drainage and other supporting utilities and other improvements will be installed in accordance with construction plans to be approved by and in accordance with the requirements as per City of North Myrtle Beach departmental reviews.
- B. Neighborhood 1 (Rosewood) incorporates a private internal roadways having a right-of-way width of 50 feet. The interior connections between common areas and open space are designed to encourage use of these areas for interconnectivity. The interior roadways, together with the common areas and open spaces shall be maintained by the homeowners association established for the Waterside community.

SECTION 5: DEVELOPMENT DESCRIPTION

The Phase 2, Neighborhood 1 portion of the Waterside Community will be the subject of master covenants, conditions and restrictions, which will apply to the community as a whole, as well as additional covenants, conditions and restrictions which may be applicable only to certain portions of the community (collectively the “CCRs”). In addition to limitations imposed by the PDD, as amended, and the Development Agreement, as amended, the CCRs will continue to define the building size, aesthetic style and shared amenities and open spaces of each of the respective neighborhoods within the Waterside Community. In addition, the CCRs will address the requirements for “Firewise Communities” as to materials and conditions which are appropriate for the avoidance of fire hazards.

The roadways within the Phase 2, Neighborhood 1 Amended Site Plan will remain private. Setbacks and easements will be arranged so as to allow for off-street parking of at least one car in depth for the residences. All water and sewer systems within the Neighborhood 1 Amended Site Plan, upon completion, will be dedicated to the City of North Myrtle Beach. The architectural style of the homes within Neighborhood 1 will be limited to those building elevations previously approved under the PDD.

Architecture, signage design and landscaping are proposed to be controlled with detailed design guidelines, which will be administered by a property owners association (“POA”) and/or an architectural review board (“ARB”). Table 1 below identifies the dimensional standards for Waterside.

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**TABLE 1
PROPOSED DIMENSIONAL STANDARDS CHART**

Permitted Uses	Min. Site Area S.F.	Setbacks (Feet)			Max. Height*	Impervious Surface	Separation of Structures**
		Front	Side	Rear			
Neighborhood 1 Single Family Detached	2,500	20	5/7.5****	0	35	75%	10
Neighborhood 2 Single Family Detached	2,500	20	5	0	35	64%	10
Neighborhood 3 Single Family Detached	2,000	20	5	0	35	64%	10
Amenities	1,000	10	10	10	50	N/A	10

*Maximum Height shall be measured in accordance with the ordinances of the City of North Myrtle Beach.

**Separation figures are minimums and are measured from wall to wall.

***Residential accessory buildings shall maintain a minimum 10' separation from the primary structure.

****Neighborhood 1 Single Family detached homes shall maintain a minimum 5' side yard setback, except for corner lots, where the minimum side yard setback shall be 7.5'.

Maximum projection into building setback shall comply with the ordinances of the City of North Myrtle Beach.

**SECTION 6: GENERAL DEVELOPMENT STANDARDS FOR THE
NEIGHBORHOOD 1 AMENDED SITE PLAN.**

- A. Densities. The overall density for the Neighborhood 1 Amended Site Plan will not exceed 202 residential units.

The anticipated number of bedrooms per unit for detached single family homes is between two (2) and four (4).

- B. Permitted Uses Within the Neighborhood 1 Amended Site Plan portion of the PDD.

Permitted Uses within the Neighborhood 1 Amended Site Plan portion of the PDD are as follows:

- (1) Single Family: Fee simple detached residential units.
- (2) Amenity and Recreational Areas. Commons areas, common elements, clubhouses, pools, bath houses, picnic shelters, barbeque/fire pits, multi-purpose paths, jogging trails, sports fields and open spaces.

- (3) Docks and Promenades. Day docks, decks, gazebos, bridges and elevated walkways.
- (4) Temporary Uses. Temporary uses shall be reviewed and sanctioned by the POA subsequent to issuance of a City of North Myrtle Beach business license, provided that:
- (i) No more than Ten (10) temporary uses will be allowed at one time.
 - (ii) Unenclosed structures associated with temporary uses shall not occupy more than 400 square feet of surface area unless prior approval has been obtained from the City of North Myrtle Beach.
 - (iii) Any single temporary use shall not remain in place longer than ninety (90) calendar days unless prior approval has been obtained from the City of North Myrtle Beach.
 - (iv) Written permission must be obtained from the Developer and appropriate permits obtained from the City of North Myrtle Beach prior to commencement of a temporary use.

SECTION 7: RESIDENTIAL REGULATIONS

Geographic Description. The residential neighborhood regulations applicable to the Neighborhood 1 Amended Site Plan shall be included in a set of restrictive covenants, either applicable to all residential neighborhoods as a master declaration, or applicable to Neighborhood 1 individually, or both.

Public Purpose. The public purpose of the Residential Neighborhood Regulations is to establish and thereafter maintain for its residents, tenants and visitors a sense of community through the design of exterior spaces and buildings at a human scale with appropriate architectural transitions. The sense of community will be further enhanced by the utilization of generous vegetation in and around the residential portion of the Project.

SECTION 8: NEIGHBORHOOD 1 FEES

For the Neighborhood 1 (Rosewood), the Developer shall pay to the City, as to Neighborhood 1, a park enhancement fee in an amount equal to \$300 for each residential unit within Neighborhood 1, paid at the time of each respective building permit, a beach parking fee in any amount equal to \$1,100 for each residential unit within Neighborhood 1 paid at the time of each respective building permit, and a public safety enhancement fee in an amount equal to \$2,600 for each residential unit within Neighborhood 1, also paid at the time of each respective building permit. Each of the respective above fees shall be subject to increase in accordance with the previously approved Development Agreement, as amended.

SECTION 9: MAINTENANCE AND CONTROL

It will be the responsibility of the Developer to maintain or provide for the maintenance of the property within Neighborhood 1 (Rosewood), including any private roadways, pathways and driveways. The Developer's maintenance responsibilities and restrictions will cover the private

rights-of-way, driveways, landscape areas, trees, parking areas, pathways, walkways, open space, common areas, buildings and other features of the development as appropriate under this Document, applicable City Zoning Regulations and Subdivision Regulations. Upon execution and recording of the declarations of conditions, covenants and restrictions, and/or the master deed for any particular building, the foregoing responsibilities shall be assumed by the applicable POA.

SECTION 10: CONSTRUCTION SCHEDULE

Construction will begin following receipt of permits from the City of North Myrtle Beach and from other regulatory bodies. The nature of this Project, together with the current economic conditions, prevents the Developer from providing exact dates for commencement of future phases or exact completion dates.

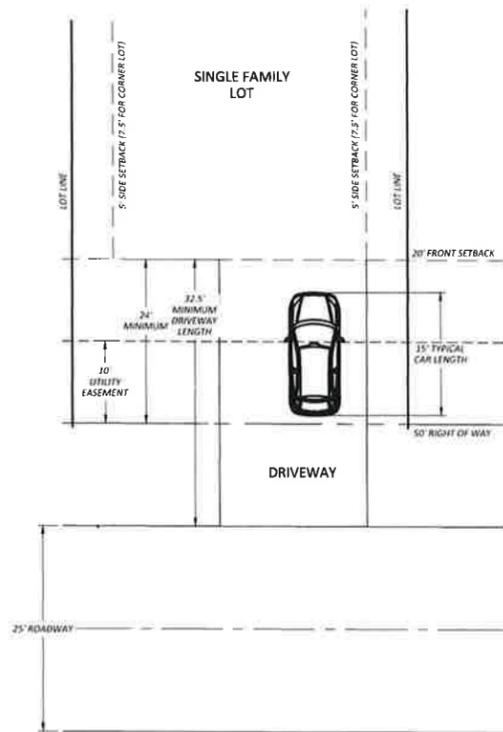
SECTION 11: AMENDMENTS AND ENFORCEMENT

The Developer shall record the approved ordinance in the public records of Horry County and return two (2) time-stamped copies to the City of North Myrtle Beach.

Expansions and further amendments to this PDD shall not be permitted without review by the Zoning Administrator and approval as prescribed by the City of North Myrtle Beach Zoning Regulations.

EXHIBIT "B"
Location Map





DRIVEWAY + SIDEWALK DIAGRAM
1" = 10'



ROSEWOOD SINGLE-FAMILY @ WATERSIDE

NORTH MYRTLE BEACH, SOUTH CAROLINA
CURRENT ZONING: PDD IN NORTH MYRTLE BEACH

NOTE: PROPERTY MUST BE RE-SUBMITTED AND REZONED FOR ZONING COMPLIANCE IN NORTH MYRTLE BEACH.

DENSITY:
TOTAL LOTS : 202 LOTS
41'x120' - 103 LOTS
51'x120' - 99 LOTS

TOTAL AREA: 80.48 ACRES
RIGHT-OF-WAY AND LOTS: 35.60 ACRES - 44.23%
OPEN SPACE: 44.88 ACRES - 55.76%
(INCLUDES ±22.67 ACRES OF WETLANDS)

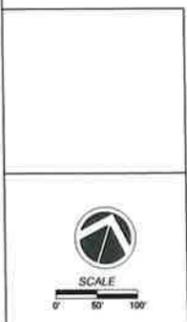
ROW: 50' PRIVATE ROADS

MINIMUM LOT REQUIREMENTS

	MIN. LOT SF	FRONT	SIDE	REAR	MAX. HEIGHT	TOTAL SITE IMPERV.	BUILDING SEPARATION
NEIGHBORHOOD 2 SINGLE FAMILY DETACHED	4,000	20'	5 / 7.5 (*)	10'	35'	64%	10'

(*) 7.5' ONLY ON "CORNER LOT" SIDE SETBACK AND 5' OPPOSITE SIDE SETBACK OF CORNER LOT; ALL OTHER INTERNAL LOTS SHALL BE 5' MINIMUM ON BOTH SIDE SETBACKS.

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE & SUBJECT TO REVISIONS. TOTAL LOT COUNTS ARE NOT GUARANTEED & MAY CHANGE BASED ON FINAL LOT SIZE & SITE ENGINEERING. WETLAND LOCATION & ACREAGE IS NOT GUARANTEED TO BE ACCURATE.



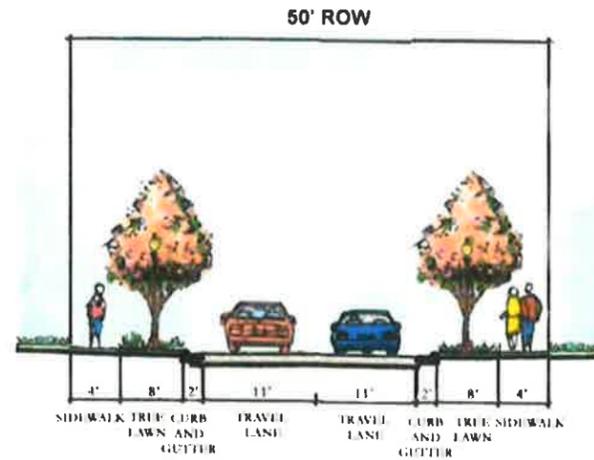
NO.	DATE	REVISION DESCRIPTION	CRD	BY
1	03/29/2023	Revised Driveways & Sidewalk Diagram		

NEIGHBORHOOD 1 (SINGLE FAMILY ATTACHED) CONCEPT AND SITE PLAN
ROSEWOOD SINGLE-FAMILY @ WATERSIDE
HORRY COUNTY, SOUTH CAROLINA
PREPARED FOR: MERITAGE HOMES

SCALE:	1" = 100'
DATE:	03/27/2023
DESIGNED BY:	
DRAWN BY:	CRD
APPROV BY:	
PROJECT NO:	21048
2	
FILE NO:	

Local Collector Street: 2-Lane

(2-Lane, Sidewalks, Landscaping)



Design Features

Roadway Width 26' including 2 travel lanes and curb and gutter	Pedestrian Facilities 4' sidewalks, both sides
On-Street Parking None	Bicycle Facilities None
Tree Lawn 8'	Golf Cart Usage May cross roadway May share lane with other vehicles
Median None	

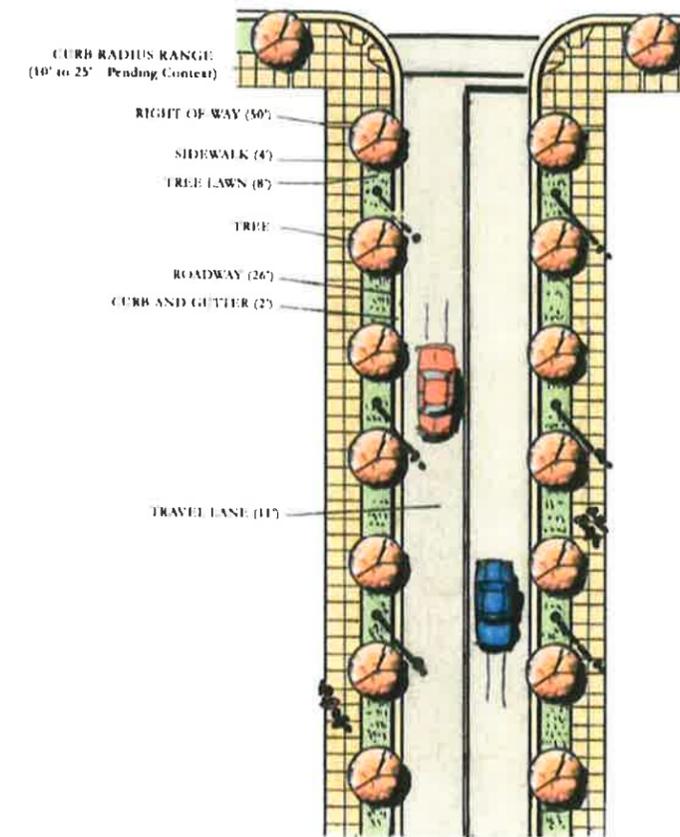
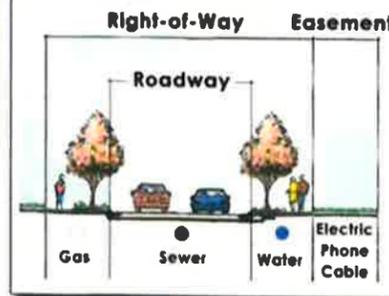
Roadway Capacity

9,000 to 14,000 vehicles per day

Notes

- › An alternative to this cross section could include two 14' travel lanes with a 5' sidewalk on one side.
- › The use of curb and gutter versus swale ditch will depend upon the street's proximity to development and the natural environment.
- › The type (i.e. residential, commercial, rural, etc.) will depend on the adjacent land use served.

Typical Utility Layout



Plan
NOT TO SCALE

7B. MAJOR PLANNED DEVELOPMENT DISTRICT AMENDMENT Z-23-7: City staff received an application for a major amendment to the Parkway Group Planned Development District (PDD) amending the Rosewood Neighborhood of Waterside from townhomes to single-family residential units through changes to the governing documents.

History and Background

Planning commission approved the PDD amendments for Phase 2 and 3 of Waterside at their May 17, 2022, meeting creating the Rosewood Neighborhood (Neighborhood 1). The pattern book of architecture for these homes was reviewed by Planning Commission at their August 17, 2021, meeting.

Proposed Changes

The applicant, Robert “Shep” Guyton, agent for the developer, has requested an amendment to the Parkway Group PDD revising the Rosewood Neighborhood of Waterside by converting the townhomes to single-family dwelling units. A breakdown of the currently entitled vs. proposed neighborhood is provided below:

Entitled Neighborhood	Use	Dwelling Units	Setbacks			Impervious Surface	Maximum Height	Separation of Structures*
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The current area of the proposed Rosewood Neighborhood is ±78.89 acres, and the proposed overall density is 2.56 units/acre. The neighborhood is accessed from Long Branch Loop at two locations, and a connection to undeveloped property is provided near the north of the property. 50’ wide private rights-of-way meeting the standards of the city’s street planning manual provide internal access within the Rosewood Neighborhood. No changes are being proposed to the other Waterside Neighborhoods, riparian buffer/trail along Long Branch Stream, community trail head, or amenity elements.

Staff Review

Planning & Development, Planning Division

The Planning Department has no issues with the proposed amendment.

Planning & Development, Zoning Division

The Zoning Administrator has no issues with the proposed amendment.

Public Works

The Director of Public Works has no issues with the proposed amendment.

Public Safety

The Fire Marshal has no issues with the proposed amendment.

According to § 23-4, *Amendments*, of the Zoning Ordinance, the advertisement requirement for Zoning Ordinance amendments is 15 days, and that advertisement notice has been met. The amendment is presented to the Planning Commission for a recommendation that will be forwarded to City Council at their next meeting scheduled for April 3, 2023.

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 major planned development district amendment to the Parkway Group PDD amending the Rosewood neighborhood of the Waterside [Z-23-7] as submitted.

OR

- 2) I move that the Planning Commission recommend denial of the major planned development district amendment to the Parkway Group PDD amending the Rosewood neighborhood of the Waterside [Z-23-7] as submitted.

OR

- 3) I move (an alternate motion).

PDD Zoning Finance Account Code:	3.22
FEE PAID:	\$500.00 on March 16, 2023
FILE NUMBER:	Z-23-7
Complete Submittal Date:	March 15, 2023



Notice Published:	March 2, 2023
Planning Commission:	March 21, 2023
First Reading:	April 3, 2023
Second Reading:	May 1, 2023

City of North Myrtle Beach, SC

**Application for a Major Amendment
to a Planned Development District (PDD)**

GENERAL INFORMATION	
Date of Request: February 24, 2023	Property PIN(S): 38900000233
Property Owner(s): COTERRA CHESTNUT LLC	Type of Zoning Map Amendment: Major PDD Amendment
Address or Location: Long Branch Loop	Project Contact: Robert Guyton
Contact Phone Number: (843) 839-2100	Contact Email Address: rsguyton@guytonlawfirm.com
PDD Name: Parkway Group	Total Area of Property: 80.49 Acres
Proposed Amendment: Amending Rosewood Neighborhood of Waterside Section of Parkway Group PDD from Townhomes to Single-Family Units	
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). <i>Applicant's E-signature: Robert Guyton</i>	
<small>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.</small>	

1018 2nd Avenue South • North Myrtle Beach, SC 29582 • Telephone: (843) 280-5566 • Facsimile: (843) 280-5581

PAID
MAR 16 2023

North Myrtle Beach
843-280-5550 or 843-280-5585

REC#: 01832983 3/16/2023 3:11 PM
OPER: C6 TERM: 006
REF#: 7090 DT

TRAN: 3.2200 PUD FEE 500.00CR
COTERRA CHESTNUT
LONG BRANCH LOOP
BUILDING PERMITS

TENDERED: 500.00 CHECK
APPLIED: 500.00-

CHANGE: 0.00