



# TOWN OF ATLANTIC BEACH PLANNING COMMISSION MEETING AGENDA

February 16, 2023 at 1 pm  
Atlantic Beach Community Center  
1010 32<sup>nd</sup> Avenue South, Atlantic Beach, SC 29582

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- I. Introductions
- II. Executive Session, pursuant of S.C. Code of Laws § 30-4-70 (a)(2), for the receipt of legal advice related to a pending or threatened legal claim concerning the proposed Black Pearl of the Atlantic development.
- III. Public Input, non-agenda items
- IV. Approval of August 19, 2021 Minutes .....pages 2-46
- V. Approval of 2023 Calendar of Meetings.....page 47
- VI. Public Hearings
  - a) An Ordinance to Amend the Land Management Ordinance to Modify the District Bulk, Dimensional & Density Standards to Support Infill Development and Reduce the Prevalence of Nonconforming Lots.....pages 49-55
  - b) An Ordinance to Amend the Land Management Ordinance to Modify the Parking Requirements to Support Infill, Mixed-Use Development. ....pages 57-61
  - c) An Ordinance to Amend the Land Management Ordinance to Modify the Eligibility for Designation for the Planned Development and the Flexible Design Zoning Districts. ....pages 63-66
- VII. Rezoning Pre-Application Conceptual Plan Review for the Black Pearl of the Atlantic Waterfront 2 - Flexible Design District (WF2-FDD) Proposal (PINS 39201010167 & 39201010153)
  - a. Decision Memo and Review Checklist.....pages 67-70
  - b. Location Maps .....pages 71-72
  - c. Flexible Design District Excerpt from the Land Management Ordinance .....pages 73-79
  - d. Pre-Application Submission.....pages 80-92
- VIII. Adjournment

**TOWN OF ATLANTIC BEACH  
PLANNING COMMISSION MEETING  
AND PUBLIC HEARING**

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**Thursday, August 19, 2021**

**1:00 p.m.**

The Town of Atlantic Beach Planning Commission meeting and public hearing was held and recorded at Atlantic Beach Community Center, 1010 32nd Avenue South, Atlantic Beach, South Carolina, on the 19th day of August, 2021.



**CREEL COURT REPORTING, INC.**

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**APPEARANCES**

**COMMISSION MEMBERS:**

Derrick Stevens, Vice-Chair  
Commissioner Timothy L. Vereen  
Commissioner Esco McFadden  
Commissioner S. Kathryn Allen

**ADMINISTRATION:**

Benjamin Quattlebaum Jr., Town Manager  
Cheryl Pereira, Town Clerk

**GUESTS:**

Carol Coleman, Waccamaw Regional Council of Governments

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1 Call to Order:

2 **VICE-CHAIR STEVENS:** Call to order. This is the  
3 Atlantic Beach Planning Commission meeting and  
4 public hearing for the first reading of  
5 Ordinance 7-2021. Cheryl, you wanna do roll  
6 call?

7 **CLERK:** Yeah, that's fine.

8 **COMMISSIONER VEREEN:** Commissioner Vereen.

9 **COMMISSIONER McFADDEN:** McFadden.

10 **VICE-CHAIR STEVENS:** Derrick Stevens.

11 **COMMISSIONER ALLEN:** S. Kathryn Allen.

12 **VICE-CHAIR STEVENS:** Okay. I'd like to welcome  
13 everybody here today. Can we have a moment of  
14 silence please?

15 **(Moment of Silence.)**

16 **VICE-CHAIR STEVENS:** Approval of the agenda.

17 **COMMISSIONER ALLEN:** So moved ---

18 **VICE-CHAIR STEVENS:** Seek a motion.

19 **COMMISSIONER ALLEN:** So moved.

20 **VICE-CHAIR STEVENS:** Okay. Approval of the minutes  
21 for the Planning Commission meeting on  
22 9/30/2020 ---

23 **MR. QUATTLEBAUM:** And make a motion and second.

24 **COMMISSIONER VEREEN:** I make a motion to approve the  
25 minutes on the Planning Commission meeting



1 9/30/2020.

2 **MR. QUATTLEBAUM:** Somebody want to second it.

3 **COMMISSIONER McFADDEN:** Second.

4 **Public Hearing:**

5 **VICE-CHAIR STEVENS:** Public Hearing 7-2021. Proposed  
6 amendment to the Town of Atlantic Beach Land  
7 Management Ordinance, Title V, Chapter 3,  
8 Article IV Zoning Districts, Division 2 Bulk,  
9 Dimensional and Density Standards to allow for  
10 the subdivision of duplexes in the R2  
11 Residential Zoning District.

12 **MS. COLEMAN:** Mr. Chairman, do you want me to go  
13 ahead and go into the ---

14 **VICE-CHAIR STEVENS:** Yes.

15 **MS. COLEMAN:** --- explanation of this?

16 **VICE-CHAIR STEVENS:** Yes.

17 **MS. COLEMAN:** Okay, for those of you -- can you hear  
18 me all right?

19 **(Inaudible background noise.)**

20 **MS. COLEMAN:** Just let me know. A property owner  
21 approached staff a few months ago about the  
22 possibility of building duplexes in the R2  
23 District. When we started looking at the  
24 zoning ordinance -- and I did a handout for you  
25 if you want to refer to it -- I've got all the



1 definitions straight out of the Land Management  
2 Ordinance as well as the tables. And I have a  
3 couple of packets up here if you want one of  
4 these. The definition of the R2 District -- or  
5 the description of it -- Residential R2: the  
6 intent of this district is to preserve and  
7 protect the character of Atlantic Beach  
8 neighborhoods. Residential uses range from  
9 single-family detached to multi-family at  
10 densities that are compatible with existing  
11 housing. This district may provide for  
12 innovative design including, but not limited  
13 to, zero-lot-line development. Select  
14 nonresidential uses may be allowed in this  
15 district provided such uses are complementary  
16 and do not create nuisances to residential  
17 enjoyment. So that's the title block of the  
18 zoning district. Below that I've got some of  
19 the definitions with the arrows that are color-  
20 coded for you. A duplex is considered two-  
21 family dwelling. So the definition of a duplex  
22 is a building, located on a single lot,  
23 designed or occupied exclusively by two  
24 families living independent of each other in  
25 separate dwelling units. So the question is



1           whether or not they could subdivide out a  
2           duplex in the R2 District. Well, you go over  
3           to page 2 on the handout that I made for you,  
4           Table 5.3.420A, and you can see I've kind of  
5           highlighted R2 -- the minimum lot size in R2  
6           District is 6,000 square feet. You go down  
7           below -- I highlighted a couple of different  
8           sections because it kept going back and forth,  
9           whether this was single-family attached or  
10          single -- or two-family dwelling. Basically,  
11          over to the right you can see -- I color-coded  
12          it -- a single-family attached is usually  
13          considered a townhome development, and they're  
14          usually a minimum of three units and each unit  
15          shares a wall with another one. A two-family  
16          dwelling is a duplex. It may be side by side,  
17          it may be up and down, depending on where  
18          you're building it. But if you go over to the  
19          table of uses on the right-hand side where the  
20          red arrows are, you can see single-family  
21          attached are conditional uses in the R  
22          District, and that refers back to the  
23          description that I gave you to begin with. And  
24          a two-family -- or a duplex dwelling is a key  
25          permitted use. So by right, currently, you can



1 have a duplex in the single-family R2 District.  
2 So we've established that. I added some more  
3 definitions to kind of give you more  
4 descriptions of -- so you'd have more  
5 information of what's in the ordinance. So on  
6 page 3 of your handout, I've got single-family  
7 attached -- all the information about that.  
8 Again, I've already determined that single-  
9 family attached is different than a duplex  
10 because typically there's more than three of  
11 those involved, but I did want to include the  
12 definition for zero-lot-line development. The  
13 location of a building on a lot in such a  
14 manner that one of the building's sides rests  
15 directly on the common lot line of an adjacent  
16 lot. So, we go back to the description of the  
17 R2 District where it says that zero-lot-line  
18 developments are allowed in the R2 District.  
19 On the next page, one of the problems that I  
20 saw in terms of allowing a duplex to be  
21 subdivided with the current language in the  
22 code listed Section 5.3.1023 and the title is  
23 Frontage. This is on the bottom of page 4 of  
24 the handout. Lots created hereafter shall have  
25 frontage on and access to a public street. And





1 no subdivision shall be approved unless the  
2 lot(s) to be subdivided shall have a minimum of  
3 50 feet of frontage on a public street. This  
4 requirement may be reduced to 35 feet on a  
5 cul-de-sac -- and that's a design issue from an  
6 engineering standpoint -- and to 20 feet for a  
7 lot in an approved zero-lot-line development  
8 if, in the opinion of administrator, such  
9 reduction would not hinder access and all other  
10 requirements of this chapter can be met. So,  
11 I've gone from a minimum of 6,000 square feet  
12 for a duplex that's unsubdivided and normally  
13 you have to have a minimum frontage of 50 feet,  
14 now there's a place in the ordinance that  
15 allows you to reduce that minimum frontage if  
16 the zero-lot-line development is approved. So  
17 then the problem became what -- how do we  
18 handle it if they still have to have 6,000  
19 square feet? Well, on page 6, the proposed  
20 amendment in the R2 District, we'd have to  
21 amend the minimum lot size for duplexes. So if  
22 you look at the table there -- 5.3.420A --  
23 under R2, you still have a minimum lot area of  
24 6,000 square feet but, when you follow it down  
25 to two-family dwellings, two-family dwellings



1 have a minimum of 3,000 square feet each. So  
2 the amendment to the ordinance would have to be  
3 to reduce the minimum lot area required for a  
4 duplex, but that goes back to both sides. So  
5 only duplex lots could be less than 6,000  
6 square feet and they must have at least 3,000  
7 square feet per duplex. So that's what you're  
8 looking at now. Do you want to make a change  
9 to the text of the ordinance to allow that to  
10 happen? And if you go back to page 5, I did  
11 include an aerial photograph and an aerial  
12 parcel layer. But the proposed language would  
13 not change the built environment in that  
14 duplexes are already allowed in the district.  
15 So you're not creating a new use, you're not  
16 changing what can go on the property, what  
17 you're changing is whether or not that property  
18 can be split out into separate ownership. And  
19 basically, from everything we've looked at up  
20 and down the coast, this is more of an  
21 ownership matter. It -- but again, it doesn't  
22 change what can go on the property. Now, the  
23 one worry I had when I first started looking at  
24 this is if we create 3,000 square foot lot  
25 minimums on either side of a duplex, then what



1 happens 15 years from now? What happens if a  
2 building burns? What can be built back? Well,  
3 after looking at it and analyzing it from a lot  
4 of different angles and talking to other  
5 communities, the only thing that could go back  
6 on a lot of 3,000 square feet would be half of  
7 the duplex. So, like I said, my concern was --  
8 playing the devil's advocate -- if something  
9 were to happen to the structure, could someone  
10 go in and build a small house on a lot that may  
11 only be 25 feet wide. Realistically, no,  
12 because you can stop that at the permitting  
13 stage. Now, could they go back and build a  
14 house on the whole lot if they want to  
15 recombine the two parcels into one piece of  
16 property again? You can always combine parcels  
17 but you couldn't further subdivide it. So,  
18 this -- did that make sense? Do you have any  
19 questions? I mean the long and the short of it  
20 is the duplexes and permitted use has been a  
21 permitted use. The question is are you okay  
22 with putting up a hypothetical property line  
23 through the middle of the -- through the  
24 firewall in the duplex?

25 **VICE-CHAIR STEVENS:** Right. That's what we're here



1 for. Are we good with that?

2 **COMMISSIONER VEREEN:** Yeah -- yeah.

3 **COMMISSIONER McFADDEN:** Yes.

4 **MR. QUATTLEBAUM:** Well, I didn't ---

5 **VICE-CHAIR STEVENS:** You got a ---

6 **MS. COLEMAN:** Okay.

7 **MR. QUATTLEBAUM:** You lost me on the 6,000 -- it's  
8 gonna remain the -- the requirement for the  
9 building of the duplex is still 6,000 ---

10 **MS. COLEMAN:** Right.

11 **MR. QUATTLEBAUM:** --- square feet?

12 **VICE-CHAIR STEVENS:** Well ---

13 **COMMISSIONER VEREEN:** No, no ---

14 **MR. QUATTLEBAUM:** (Inaudible) ---

15 **MS. COLEMAN:** Well, no. No, it's still -- the  
16 minimum lot size for the district is still  
17 6,000 square feet but if it's a duplex ---

18 **MR. QUATTLEBAUM:** You'll divide it ---

19 **VICE-CHAIR STEVENS:** You can subdivide.

20 **MS. COLEMAN:** --- then you can still -- you can  
21 subdivide it out.

22 **VICE-CHAIR STEVENS:** But it has to be a duplex.

23 **MS. COLEMAN:** But you're gonna -- yeah, it -- so you  
24 could only split it out if they come in to  
25 permit the duplex ---



1       **COMMISSIONER VEREEN:**   That's right.

2       **VICE-CHAIR STEVENS:**   They have to have a common

3               wall, right?

4       **MS. COLEMAN:**   Right.  And it has to be a firewall.

5       **VICE-CHAIR STEVENS:**   Okay.  Okay.

6       **COMMISSIONER VEREEN:**   And the only (inaudible) so

7               they can commit it and deed it and then ---

8       **VICE-CHAIR STEVENS:**   Right, and deed it ---

9                               **(Inaudible background noise.)**

10      **MR. QUATTLEBAUM:**   The minimum lot size doesn't

11               change.  The 6,000 ---

12      **VICE-CHAIR STEVENS:**   Does it?

13      **MR. QUATTLEBAUM:**   --- it still has to be 6,000 ---

14      **MS. COLEMAN:**   It's still 6,000 square feet but ---

15      **MR. QUATTLEBAUM:**   But only 3,000 ...

16      **MS. COLEMAN:**   Per duplex.

17      **MR. QUATTLEBAUM:**   Per duplex.

18      **MS. COLEMAN:**   And the reason -- the reason I did it

19               that way is 'cause if you look over just to the

20               right of it, you see the MS1 -- or let me --

21               no, MS1R.

22      **COMMISSIONER ALLEN:**   Which page are you on?

23      **MS. COLEMAN:**   It's on page 2 on the table.  So look

24               at MS1R and the minimum lot size is still 7,500

25               square feet.  But then you toggle down and you



1 see for single-family attached is 3,750. For  
2 multi-family, it's 3,000 square feet. So that  
3 way -- and so you can still split it out, but  
4 to have a project in -- of that sort, you have  
5 to have a minimum of 7,500 square feet. So to  
6 have a duplex, you have to have 6,000 square  
7 feet ---

8 **VICE-CHAIR STEVENS:** At least.

9 **MS. COLEMAN:** --- but you can still split out each  
10 side of it. So, what they're looking at is  
11 when you start with it. So, we're not -- I  
12 would recommend -- and this is the way I would  
13 enforce this anywhere else -- if somebody came  
14 to me with a subdivision plat, unless they --  
15 unless they've already got building plans  
16 approved and they're moving forward with  
17 construction of a duplex, I wouldn't split it  
18 out until we knew that they were ---

19 **VICE-CHAIR STEVENS:** In building.

20 **MS. COLEMAN:** --- all the way to building it.

21 **VICE-CHAIR STEVENS:** Okay.

22 **MS. COLEMAN:** Sometimes they go ahead and build  
23 them. For example, Surfside Beach -- great  
24 example -- they're building them but they don't  
25 split them out until they sell them. So a



1 build -- a developer'll come in and build the  
2 unit and then split 'em out and each one'll go  
3 to someone else.

4 **COMMISSIONER ALLEN:** So -- but why would you say you  
5 wouldn't recommend that they split it prior?  
6 I mean, what -- why would you wait ---

7 **VICE-CHAIR STEVENS:** 'Cause they might not build ---

8 **MS. COLEMAN:** Well, I mean, I -- just -- it's just a  
9 little level of control. I mean I still would  
10 say nothing else could go on a lot that's less  
11 6,000 square feet in that district.

12 **COMMISSIONER ALLEN:** (Inaudible) ---

13 **MS. COLEMAN:** If they're creating -- if they're  
14 creating the smaller lots, then the only thing  
15 they're gonna build on those smaller lots is a  
16 -- half of a duplex.

17 **VICE-CHAIR STEVENS:** Right.

18 **MS. COLEMAN:** So -- and that was the worries, that  
19 you didn't want to create a mechanism by which  
20 people could come in and create these small  
21 lots and then come build -- not -- I wouldn't  
22 say a tiny home, but a really reduced ---

23 **VICE-CHAIR STEVENS:** Right.

24 **MS. COLEMAN:** --- a very small footprint home. And  
25 the duplex lots, you know, when you think about



1 a 6,000 square foot lot for two dwelling units,  
2 that's pretty small. Typ -- nine times out of  
3 ten, you're gonna do a raised-type beach house  
4 because you want to be able to park under it,  
5 you know, you want to have -- you want to have  
6 access to be able to use the property, maybe  
7 even put in a swimming pool.

8 **COMMISSIONER ALLEN:** But from -- when we were  
9 talking earlier about the financing, somebody  
10 brought that up.

11 **COMMISSIONER VEREEN:** Yeah, I did.

12 **COMMISSIONER ALLEN:** Timothy. So -- I mean if  
13 you're getting ready to build the duplex -- I'm  
14 just trying to think through from a -- just a  
15 practical standpoint -- and you go for  
16 financing ---

17 **MS. COLEMAN:** We could do a letter.

18 **COMMISSIONER VEREEN:** So you do a letter to bank?  
19 But the bank ---

20 **MS. COLEMAN:** Yeah.

21 **COMMISSIONER VEREEN:** --- has the -- we have to  
22 assure the bank -- you have to assure the bank  
23 and everything that actually the Town ---

24 **MS. COLEMAN:** They'll be independently owned.

25 **COMMISSIONER VEREEN:** Yeah, that ---





1 **MS. COLEMAN:** Individually owned.

2 **COMMISSIONER VEREEN:** --- own everything. And when  
3 you go to the bank, you actually -- both  
4 parties actually apply to get it built.

5 **MS. COLEMAN:** And they could probably -- they'd  
6 probably do it with just the zoning ordinance.

7 **COMMISSIONER McFADDEN:** That's right.

8 **MS. COLEMAN:** Because that's how they do it in other  
9 places.

10 **COMMISSIONER VEREEN:** Yeah, like if you go to like  
11 Carol Ford (inaudible), it's not nothing new,  
12 it's been going on ---

13 **MS. COLEMAN:** And honestly, I don't -- like I said,  
14 I haven't seen anybody subdivide out a lot  
15 before they built on it anyway.

16 **COMMISSIONER VEREEN:** Okay.

17 **MS. COLEMAN:** To date. I don't know that that would  
18 necessarily -- that it would be necessary. I  
19 think for financing side of it, they don't want  
20 to finance it for a long-term loan. They might  
21 finance for a construction loan.

22 **COMMISSIONER McFADDEN:** Yeah.

23 **MS. COLEMAN:** And that's probably what's gonna  
24 happen.

25 **COMMISSIONER VEREEN:** Yeah.



1 **MS. COLEMAN:** Which is very different from a  
2 mortgage.

3 **COMMISSIONER VEREEN:** Right ---

4 **MS. COLEMAN:** Like when I built my house, I took out  
5 a construction loan.

6 **COMMISSIONER McFADDEN:** That's right.

7 **MS. COLEMAN:** And it was much, much better terms  
8 than even I got on my mortgage, but that was  
9 just to get the house on the lot. And then  
10 before I took ownership of it, before I closed  
11 on it, we converted it to a mortgage. For the  
12 purposes of this, if they -- if someone -- if  
13 they're family members or not, whatever, they  
14 can go to the bank and say, okay, you know,  
15 we're gonna do a construction loan for the  
16 construction side of this, but the long-term  
17 plan is that I'm financing this side, I'm  
18 financing this side, which they couldn't do  
19 unless there's a property line there.

20 **COMMISSIONER McFADDEN:** That's right.

21 **VICE-CHAIR STEVENS:** Right.

22 **MS. COLEMAN:** That's why they -- that's why they  
23 want to be able to subdivide. And I've -- I  
24 told them earlier that after the bottom fell  
25 out of the market a few years ago, we started



1           seeing up and down the coast a lot fewer  
2           condos/townhomes/apartments being built because  
3           they had to be fully financed before they could  
4           go with, you know, to do them, they had to sell  
5           an entire project out of townhomes before a  
6           contractor would come in and do it. Things are  
7           a little bit friendlier now but ...

8           **VICE-CHAIR STEVENS:** You had a question, Jay?

9           **MS. DIVINE:** So I had some examples for the Planning  
10           Commission of duplexes on lots that are 50 foot  
11           wide or larger ---

12           **MS. COLEMAN:** Uh-huh.

13           **MS. DIVINE:** --- two units. So I brought some  
14           examples of that. And I did have some  
15           conversations, of course, with the lenders,  
16           which is why I put in the request to have the  
17           ordinance reviewed.

18           **MS. COLEMAN:** Uh-huh.

19           **MS. DIVINE:** Because the lenders will finance the  
20           construction because the building has to be  
21           erected at one time ---

22           **VICE-CHAIR STEVENS:** Right.

23           **MS. DIVINE:** --- even if it's two units.

24           **VICE-CHAIR STEVENS:** Right.

25           **MS. DIVINE:** So the two parties -- Party A and Party



1 B ---

2 **COMMISSIONER McFADDEN:** Agreed.

3 **MS. DIVINE:** --- can be on the construction loan  
4 together. At the end, when you go to refinance  
5 into your long-term 30-year mortgage, you  
6 cannot have the two parties with one ownership  
7 of the unit. It has to have -- it has to be  
8 split. So, you could split it at that time ---

9 **MS. COLEMAN:** Uh-huh.

10 **MS. DIVINE:** --- or you could split it before. The  
11 bank didn't care when it was split, but by the  
12 time you go to get your permanent loan, it has  
13 to be split 'cause they can't have two owners  
14 across the land and separate owners on the  
15 buildings. So that's -- that was what brought  
16 up the request to begin with because the long-  
17 term problem will be a title issue. If I own  
18 Unit A and my friend owned Unit B, and I want  
19 to leave and bequeath my unit to someone ---

20 **COMMISSIONER VEREEN:** Couldn't do it.

21 **MS. DIVINE:** --- I would not be able to if we both  
22 were owners ---

23 **COMMISSIONER McFADDEN:** That's right.

24 **MS. DIVINE:** --- on the land so that's why the land  
25 had to be subdivided and Ms. Coleman saw the



1           issue if -- the problem was solved with the  
2           property line ---

3           **VICE-CHAIR STEVENS:** Right.

4           **MS. DIVINE:** --- the firewall being the property  
5           line.

6           **MS. COLEMAN:** And you're gonna build -- in all  
7           honesty, you're gonna build a firewall on a  
8           duplex anyway ---

9           **VICE-CHAIR STEVENS:** Got to. You've got to ---

10          **MS. COLEMAN:** --- for protection purposes.

11          **COMMISSIONER VEREEN:** You've got to.

12          **MS. COLEMAN:** But again, we saw this coming. I've  
13          been here 28 years, and we saw this coming  
14          years ago in different areas like in  
15          unincorporated Horry County where people were  
16          building -- starting to -- building duplexes,  
17          that they could -- they could maximize what  
18          they could have on the property in terms of  
19          being able to build a decent size unit but  
20          still maintain individual ownerships. And so,  
21          to start with, we saw them coming in and  
22          requesting variances. And to be honest, under  
23          state law, they didn't meet any hardships  
24          because you can use financing, or any financial  
25          thing, for a hardship under state law for



1           variances. So, we went back and looked at it  
2           and again, it -- if you didn't already allow  
3           duplexes in that district, I may have had some  
4           heartburn by saying, oh, well, we're  
5           introducing something different but again, I  
6           read you the intent statement for the R2. R2  
7           even allows multi-family. So again, you're not  
8           increasing the potential density, you're not  
9           increasing the potential number of units,  
10          you're just allowing those duplexes to be split  
11          out and owned fee simple.

12                           **(Inaudible background noise.)**

13   **MS. COLEMAN:** And if you have any questions, I'll be  
14                   glad to answer them.

15   **MR. QUATTLEBAUM:** Do you have any more of these?

16   **MS. COLEMAN:** No, but I can send some more out if  
17                   you have ---

18                           **(Inaudible background noise.)**

19   **MS. COLEMAN:** --- somebody can have this one.

20                           **(Inaudible background noise.)**

21   **MS. COLEMAN:** I can get you one too.

22   **MR. QUATTLEBAUM:** Thank you.

23   **MS. COLEMAN:** I will. I apologize. I printed a few  
24                   ---

25   **MS. DIVINE:** This isn't my plan, everybody. This is



1           just a plan ---

2       **VICE-CHAIR STEVENS:**   Okay, that's ---

3       **MS. DIVINE:**       --- yeah, any duplex plan ---

4       **MS. COLEMAN:**   I just tried to make it a little bit  
5           easier to see ---

6       **MS. DIVINE:**       --- and then I put some examples to  
7           show ---

8       **MS. COLEMAN:**   And the other thing is your active --  
9           I did include your zoning map because -- just  
10          as a reminder that you do have a lot of R2 here  
11          but, again, if they don't meet the minimum  
12          standards to qualify for a duplex anyway ---

13       **VICE-CHAIR STEVENS:**   You can't do it.

14       **MS. COLEMAN:**       --- then they wouldn't be able to  
15           split it out necessarily, or they might not be  
16           able to build a duplex on it. But this -- the  
17           use is already permitted.

18       **VICE-CHAIR STEVENS:**   Okay.

19       **MS. COLEMAN:**   It's just whether or not you can split  
20           it and have single ownership.

21                               **(Inaudible background noise.)**

22       **MR. QUATTLEBAUM:**   So now, if one part of the duplex  
23           burned down hypothetically, the replacement has  
24           to be a 3,000 square foot attached unit ---

25       **MS. COLEMAN:**   Well, I mean on the 3,000 square foot



1 lot but, yeah, it would be an attached unit but  
2 ---

3 **MR. QUATTLEBAUM:** Well, my question is ---

4 **MS. COLEMAN:** Uh-huh.

5 **MR. QUATTLEBAUM:** --- if part of the building burned  
6 ---

7 **MS. COLEMAN:** Uh-huh.

8 **MR. QUATTLEBAUM:** --- hypothetical situation -- and  
9 the separate -- you've got separate ownerships,  
10 can the new owner, purchaser of the property,  
11 build a separate, individual unit?

12 **MS. COLEMAN:** I would say no.

13 **VICE-CHAIR STEVENS:** No ---

14 **MS. COLEMAN:** Because the minimum lot area for  
15 single-family is 6,000 square feet ---

16 **MR. QUATTLEBAUM:** Okay.

17 **MS. COLEMAN:** --- the only exception is for a  
18 duplex.

19 **MR. QUATTLEBAUM:** So, it would have to be ---

20 **MS. COLEMAN:** Yes ---

21 **MR. QUATTLEBAUM:** --- back to being a duplex.

22 **MS. COLEMAN:** Right. And the two-family is, by  
23 definition, a shared wall or -- again, I threw  
24 in there that you can have an up and down  
25 duplex too. I lived in one of those before.





1           But there's a fire separation floor-ceiling in  
2           those though.

3           **MR. BOOKER:** I've got a question.

4           **MS. COLEMAN:** Yes, sir?

5           **MR. BOOKER:** I'm sorry. It's a little late  
6           (inaudible) but -- so if I have a lot ---

7           **MS. COLEMAN:** Uh-huh.

8           **MR. BOOKER:** --- the only way I could get 3,000  
9           square feet per property is to build a duplex  
10          when I subdivide. How can I subdivide and  
11          build ---

12          **VICE-CHAIR STEVENS:** No.

13          **MR. BOOKER:** --- part of a duplex? I've gotta build  
14          the whole thing to start ---

15          **MS. COLEMAN:** Well, I mean, you wouldn't need to  
16          subdivide it if you're not building a duplex --  
17          -

18          **MR. BOOKER:** Right. I understand ---

19          **MS. COLEMAN:** --- so that -- yeah, if you build a  
20          duplex, you can subdivide it.

21          **MR. BOOKER:** I can?

22          **MS. COLEMAN:** Yeah.

23          **MR. BOOKER:** But the only way that it can be  
24          subdivided is that I'm building a duplex on it?

25          **COMMISSIONER McFADDEN:** That's right.



1 **MS. COLEMAN:** Unless you're -- unless you've got  
2 more than 6,000 square feet and you want to --  
3 you're doing a multi-family unit like  
4 townhomes, but the same thing applies, that has  
5 to go through review and be improved in that  
6 area. That's a conditional use.

7 **MR. BOOKER:** Right.

8 **MS. COLEMAN:** The duplex is a by-right use, meaning  
9 anybody that has an R2 lot that meets the  
10 minimums ---

11 **MR. BOOKER:** Uh-huh.

12 **MS. COLEMAN:** --- can have a duplex. The change now  
13 is that if they have a -- if they're building  
14 a duplex, then they can split it out fee  
15 simple.

16 **MR. BOOKER:** Right.

17 **MS. COLEMAN:** But if you -- you wouldn't -- you  
18 wouldn't be able to just subdivide the lot ---

19 **(Inaudible background noise.)**

20 **MS. COLEMAN:** --- and that was my first concern.  
21 When I started looking at this, I said oh, am  
22 I opening a ---

23 **(Inaudible background noise.)**

24 **MS. COLEMAN:** And you can -- I showed them that  
25 little -- the little handout I gave you. I



1 think it was on page 5. There's a map, aerial  
2 map and a parcel map, that -- that on the  
3 bottom of those slides, there are numbers on  
4 there that ---

5 (Inaudible background noise.)

6 **MS. COLEMAN:** --- that shows -- and keep in mind on  
7 that map, the lines are a little bit off  
8 because when they made those maps, they don't  
9 look down directly, perfectly perpendicular 90  
10 degrees so they're kind of at an angle so some  
11 of those lines are a little bit off. But you  
12 can see that some of the duplexes are on a  
13 single lot, some of the duplexes have been  
14 split. So, some people build a duplex for an  
15 investment and rent it out at the beach. Some  
16 people build a duplex, split it out and sell  
17 each half, they may live in one, you know. But  
18 anyway, you can see there's a variation on it.  
19 It's not ---

20 (Inaudible background noise.)

21 **MR. BOOKER:** Can I ask one final question ---

22 (Inaudible background noise.)

23 **MS. COLEMAN:** Uh-huh.

24 **MR. BOOKER:** What's the rules against ---

25 (Inaudible background noise.)



1 **MS. COLEMAN:** There are existing lots ---

2 **(Inaudible background noise.)**

3 **MS. COLEMAN:** --- so if they're in R2 District, you  
4 still -- there are some allowances in the  
5 ordinance so if you're -- are they substandard,  
6 are they less than 6,000 square feet?

7 **(Inaudible background noise.)**

8 **MS. COLEMAN:** Well, that's -- that one has a  
9 different -- has different requirements. So,  
10 anything that is a legal lot of record to a  
11 certain extent should be able to handle almost  
12 anything that the zoning ordinance allows, but  
13 you still have to meet the requirements for  
14 setbacks, although we may be able to reduce  
15 those slightly because it's a substandard lot.  
16 You can't really impose the same setbacks on  
17 those lots. Usually, you can ---

18 **(Inaudible background noise.)**

19 **MS. COLEMAN:** --- but if it's commercial, you still  
20 have parking requirements, you still have  
21 landscaping requirements but, if you've got a  
22 legal lot of record, the Town's not gonna say  
23 you can use that lot 'cause some of these lots  
24 that are on here, there are a very few that are  
25 -- there's a couple of tiny, tiny lots that are



1           between 31st and 32nd that look to be  
2           landlocked. Not sure what could happen with  
3           those, those probably need to be recombined but  
4           they may be in separate ownership, they may be  
5           heir properties where the properties were split  
6           out between different family members but -- but  
7           they're a tiny little square ---

8                           **(Inaudible background noise.)**

9           **MS. COLEMAN:** --- but as it happens, if you think,  
10           you know, if you've got an (inaudible) lot and  
11           you want to build a single-family, we can work  
12           with you. If you want to build duplex, then we  
13           would look at it and see -- make sure that we  
14           can meet the minimum standards. And the big  
15           worry was -- the first thing was, how are you  
16           gonna deal with the minimum frontage  
17           requirements because I've watched that happen.  
18           Horry County, the Board of Zoning Appeals was  
19           rarely granting variances to allow the property  
20           lines to be put in, and then we'd get the plat  
21           in and they didn't meet the minimum frontage  
22           for a lot so they had to go back to Board of  
23           Zoning Appeals and ask for forgiveness. In  
24           this case, you've already got something in the  
25           ordinance that allows you to reduce it to 25



1 feet.

2 **VICE-CHAIR STEVENS:** All right.

3 **(Inaudible background noise.)**

4 **MS. COLEMAN:** I'm not sure what those tiny, little  
5 lots are. Again, they might be the same  
6 family. They -- you don't know. It'd be hard  
7 to ---

8 **(Inaudible background noise.)**

9 **MS. COLEMAN:** Does that answer most of your  
10 questions or ... I tried to keep it as simple  
11 as I could.

12 **COMMISSIONER ALLEN:** We appreciate ---

13 **VICE-CHAIR STEVENS:** I understand.

14 **COMMISSIONER ALLEN:** I was just concerned about the  
15 limit to the split, like that there would not  
16 be a chance that you could build a duplex ---

17 **MS. COLEMAN:** Uh-huh.

18 **COMMISSIONER ALLEN:** --- as a one-person and then  
19 want to go -- separate it and it could be  
20 stopped. That's we said maybe ---

21 **MS. COLEMAN:** Well, you still have the building code  
22 requirements so, you know, somebody -- you  
23 can't just come in and build on it, you've  
24 gotta get permits and everything else. So you  
25 still have -- there's a whole 'nother layer.



1 I'm talking from a zoning standpoint, although  
2 I did bring up the building code and the fire  
3 code when I talked about the firewall, but I  
4 always bring that up because that's  
5 exceptionally important. You know, that was  
6 one thing, when we had -- people started first  
7 subdividing these out in different parts of the  
8 county, the first thing they had to do was  
9 prove that it was built with a firewall because  
10 otherwise they couldn't split it so that's an  
11 important part of it, but this is the first  
12 layer of trying to do this. If they meet the  
13 zoning, then they go forward and, you know,  
14 they have to submit plans and all those have to  
15 be approved. But meeting zoning is the hurdle  
16 ---

17 **VICE-CHAIR STEVENS:** That's right.

18 **MS. COLEMAN:** --- because you can always make the  
19 building plans work.

20 **COMMISSIONER ALLEN:** Okay.

21 **New Business:**

22 **VICE-CHAIR STEVENS:** We're on New Business, Ordinance  
23 7-2021, Text Amendment to the Town of Atlantic  
24 Beach LMO, Title V, Article IV, Zoning  
25 Districts, Division 2 Bulk, Dimensional and



1 Density Standards to allow for the subdivision  
2 of duplexes in the R2 zoning district. Seek a  
3 motion to ...

4 **COMMISSIONER ALLEN:** Motion to approve.

5 **MR. QUATTLEBAUM:** Yes.

6 **VICE-CHAIR STEVENS:** Yeah. Motion to ---

7 **COMMISSIONER McFADDEN:** Second the motion?

8 **VICE-CHAIR STEVENS:** Yeah.

9 **COMMISSIONER McFADDEN:** I'll second it.

10 **VICE-CHAIR STEVENS:** It's been seconded. Public  
11 Comments - General. Any comments?

12 **MS. DIVINE:** Yes.

13 **MR. QUATTLEBAUM:** Did you all take a vote? You  
14 gotta take a vote.

15 **VICE-CHAIR STEVENS:** Oh. Do the vote, Cheryl.

16 **(Inaudible background noise.)**

17 **CLERK:** Roll call. Commissioner Derrick Stevens?

18 **VICE-CHAIR STEVENS:** Yes.

19 **CLERK:** Commissioner Timothy Vereen?

20 **COMMISSIONER VEREEN:** I agree.

21 **CLERK:** Commissioner Esco McFadden?

22 **COMMISSIONER McFADDEN:** Yes.

23 **CLERK:** Commissioner Kathryn Allen?

24 **COMMISSIONER ALLEN:** I do, yes.

25 **Public Comments:**





1 **VICE-CHAIR STEVENS:** That's it. You've got a  
2 comment?

3 **MS. DIVINE:** I do. I just wanted to share just a  
4 minute or two with the public and the  
5 Commission on some of the examples that  
6 (inaudible). Thanks for giving me a moment.  
7 So when we checked -- my husband and I --  
8 around the town and we were looking to create  
9 opportunities for other family and friends,  
10 this opportunity on the west side near the  
11 highway and 32nd Avenue presented itself, and  
12 we saw that there weren't duplexes in the town  
13 which would give more family members an  
14 opportunity to own property. And the only  
15 limitation was the ownership of each duplex  
16 having to remain encumbered by two people. And  
17 so none of us wanted to create a tangled title  
18 issue, which I understand is a problem already  
19 in Atlantic Beach with many of the properties  
20 not being able to -- errors and things of that  
21 -- they have difficulties sometimes in title  
22 when you go to convey property. So I just  
23 wanted to point out that the only impact to  
24 this ordinance is the ownership. And as Ms.  
25 Coleman pointed, it already allows for duplexes



1 to be built and the size -- 'cause I hear Mr.  
2 Quattlebaum asking and I think I've heard some  
3 other concerns in the town about the building  
4 structure is not what's in question ---

5 **VICE-CHAIR STEVENS:** Right.

6 **MS. DIVINE:** --- the building structure is going to  
7 be based on what the ordinance already allows.  
8 The height restrictions are what the ordinance  
9 allows. The only change is gonna be the  
10 ownership of the land, and that will allow  
11 everyone to own their house and the land  
12 beneath it. And that's only to -- I wanted to  
13 show you that there were different types of  
14 duplexes that -- these are all Horry County  
15 duplexes that I took pictures of or found on  
16 the Internet and downloaded so you could see  
17 they're different sizes. There's no real  
18 limitation on the size of the duplex, but all  
19 of them are not gonna be more than 20 feet wide  
20 ---

21 **VICE-CHAIR STEVENS:** Right.

22 **MS. DIVINE:** --- because you have the ---

23 **VICE-CHAIR STEVENS:** Setbacks.

24 **MS. DIVINE:** --- setback on the side and you had  
25 that (inaudible) wall and the 20 foot width is



1 the restriction, and you do go up I think 45  
2 feet or ---

3 **VICE-CHAIR STEVENS:** Right.

4 **MS. DIVINE:** --- 35 feet. So I just wanted you to  
5 see there were some two-story ones and some  
6 one-story ones, they're probably 3,000 square  
7 feet or less, some of them, so there wasn't a  
8 size restriction of the building. I just  
9 wanted to make sure that everybody was clear on  
10 that. And that was it. We did do our  
11 diligence and we checked with financing, and  
12 the challenge was the Town allowed us to do  
13 something that the banks wouldn't support which  
14 you're stifled and you can't move forward. So  
15 that was it. Thank you, all.

16 **VICE-CHAIR STEVENS:** All right ---

17 **COMMISSIONER ALLEN:** Thank you.

18 **VICE-CHAIR STEVENS:** Mr. Booker?

19 **MR. BOOKER:** Do I have to come up? Do I have to ---

20 (Inaudible background noise.)

21 **VICE-CHAIR STEVENS:** Come on.

22 **MR. QUATTLEBAUM:** Need in front of the recorder so  
23 they can pick you up ---

24 **MR. BOOKER:** Okay. Do I have to limit my comments  
25 to this ---



1 **CLERK:** No, go ahead.

2 **VICE-CHAIR STEVENS:** Well ---

3 **(Inaudible background noise.)**

4 **MR. BOOKER:** Okay. Well, good afternoon,  
5 Commissioners, Town Manager and Cheryl,  
6 citizens and Waccamaw. I'd like to talk about  
7 in this resolution or ordinance that was passed  
8 out, it says in this ordinance -- it says  
9 whereas the Town Council provides and  
10 encourages more residential development within  
11 the Town including duplexes. So I think we all  
12 support that whereas. I'm bringing this up  
13 because there is a parcel, a section of the  
14 town, that's zoned that doesn't necessarily  
15 support that requirement but it already has  
16 residential in it. I'm speaking about the ---

17 **(Inaudible background noise.)**

18 **MR. BOOKER:** --- land that's zoned WF2 between 30th  
19 and 31st Avenues and Ocean Boulevard and  
20 Seaview. Now, in that block, there are six --  
21 well, actually there are four lots, four pieces  
22 of property. One on the corner that's vacant  
23 at 31st and -- between Ocean and Seaview, the  
24 vacant lot. And then there's Gibson's  
25 property. There's all that property, all



1 (inaudible). And there's Pierce's property and  
2 the late Fox Gore's property. And then there's  
3 a big parcel on the end. It's a -- it's  
4 actually a three-lot parcel but it's really one  
5 parcel now because they've all been combined.  
6 And there is -- and those -- that property --  
7 particularly that three-lot parcel was -- in  
8 the prior zoning, prior to -- you all were just  
9 passing this most recent land management  
10 ordinance, that property at that time only  
11 permitted commercial development, and it sat  
12 there without any development from whenever  
13 that ordinance was put in place -- 2003 or '04  
14 or something like that -- all the way up until  
15 you all modified this land management  
16 ordinance, and it's still sitting there. And  
17 so, there is a potential to get some  
18 residential development in that area. I happen  
19 to know the lady who owns the lot on the end at  
20 31st Street end, and she desires to build a  
21 residential property there but the zoning  
22 doesn't permit it. I happen to know that  
23 there's some people interested in getting that  
24 property that's owned by the Coopers who would  
25 like to make residential units there,



1 recognizing that there are already residential  
2 units in that block. And so, what we're  
3 talking about doing with the current zoning is  
4 bringing in some commercial developments and  
5 putting it beside the long-term Atlantic Beach  
6 property owners who have residential units  
7 there and from my experience of dealing with  
8 them and others, they have no intention of  
9 going anywhere. And so, I'm just bringing this  
10 up because I would like for you all to consider  
11 the potential of allowing residential  
12 development in that block. I'm not saying that  
13 we ought to rezone it 'cause I don't really  
14 know what the options are or if there are any  
15 options at all, but I think when we have the  
16 opportunity to bring in four residential  
17 developments similar to the ones that we have  
18 recently had in the town, as opposed to waiting  
19 for someone to come along who wants to develop  
20 it commercially, recognizing it's been sitting  
21 there uncommercially developed for more than 20  
22 years and we have people who really want to  
23 develop residentially. And I know that our  
24 vision for the town is to have commercial  
25 development but when you've got residential



1 developers who are gonna build half a million  
2 dollar homes or better, so you've got two  
3 million dollars worth of development waiting on  
4 a bigger development, that's like drawing to an  
5 inside straight to me. So I'm just bringing  
6 this up as a concern and an opportunity for us  
7 to ---

8 (Inaudible background noise.)

9 **MR. BOOKER:** --- town desires to encourage more  
10 residential development. We may be able to get  
11 that development with some level of flexibility  
12 in that particular block. And I'm not asking  
13 about all of that WF2 zone, but I'm speaking  
14 about that on in particular which is already  
15 half developed residential.

16 **COMMISSIONER VEREEN:** You said WF1 or WF2?

17 **MR. BOOKER:** It's WF2 ---

18 **MS. COLEMAN:** It's two.

19 **COMMISSIONER VEREEN:** Two, okay.

20 **MR. BOOKER:** Yes ---

21 **VICE-CHAIR STEVENS:** WF2 ---

22 (Inaudible background noise.)

23 **MR. BOOKER:** And so, half of the block is already --

24 -

25 (Inaudible background noise.)



1 **MS. COLEMAN:** And just to clarify, it does allow  
2 residential, but the condition is (inaudible)  
3 be above a commercial ---

4 **COMMISSIONER VEREEN:** That's one of those places ---

5 **VICE-CHAIR STEVENS:** Two people have built houses  
6 that way already ---

7 **MS. COLEMAN:** --- something we can look at is look  
8 at the existing development that, if there is  
9 existing residential development, that you may  
10 be able to have some consideration because if  
11 you look at it under the zoning ordinance that  
12 I gave you with the table of uses so -- the one  
13 that's 5.3.502 I think it is -- in the WF1 and  
14 WF2, you see Ss down the -- down that column.  
15 That means special exception. So that could be  
16 something you could add to say, you've got to  
17 get a special exception to do residential  
18 development, then you're gonna have to go in  
19 front of a Board of Zoning Appeals anyway ---

20 **COMMISSIONER VEREEN:** So if they bring it to us,  
21 they actually could get ---

22 **MS. COLEMAN:** Uh-huh.

23 **MR. BOOKER:** Right. And so, the thing is, I just  
24 want to -- and I don't want to belabor this,  
25 but the thing is the people who want to develop





1 are not necessarily interested in putting in  
2 commercial on the ground floor because the  
3 current requirement is that 50 percent of the  
4 ground floor has to be some resort-focused or  
5 commercial-type use, and so I don't, I mean,  
6 from what I know, that's not their interest.  
7 They want to build a nice home, a nice place  
8 that -- at least a half a million dollars,  
9 probably more ---

10 (Inaudible background noise.)

11 **MR. BOOKER:** --- houses for half a million dollars,  
12 now, we might talking about three million  
13 dollars worth of investment that we're holding  
14 off waiting on a big commercial investment, and  
15 I just want to put that on the table for  
16 (inaudible), okay ---

17 **MS. COLEMAN:** Uh-huh ---

18 **COMMISSIONER VEREEN:** Okay, sir.

19 **MR. BOOKER:** --- I don't -- I'm not looking for an  
20 answer. It's just I think there's an  
21 opportunity for us to come -- to bring this  
22 statement of where we encourage residential  
23 development more to life and it's beneficial to  
24 everybody because I know there's a bunch in the  
25 town, I mean, we like this residential



1 development and I think many of us would be  
2 happy with all residential, but I know there's  
3 a desire to have commercial. I'd like to have  
4 that too, but -- and that's all. That's my  
5 point.

6 **COMMISSIONER VEREEN:** Yes, sir. Thank you for the -  
7 --

8 **COMMISSIONER McFADDEN:** Thank you.

9 **MS. COLEMAN:** I understand that. Just from a zoning  
10 standpoint, what he's saying is completely  
11 reasonable. And again, I told Mr. Quattlebaum  
12 this, I know that the Waccamaw Regional Council  
13 of Governments wrote -- created this document.  
14 This is your document. This belongs to the  
15 Town. So any time you want to make changes or  
16 amend it or ... I'm, you know, I'll do what I  
17 can to help you research it and find out, you  
18 know, what works and what doesn't. I can tell  
19 you from looking at it that whoever did this --  
20 and I'm thinking it was -- Mr. Britton probably  
21 wrote it. But the highest and best use of the  
22 property, the most valuable use of the  
23 property, would be for it developed  
24 commercially. That may not be what the  
25 property owner thinks though so I can



1 understand if somebody wants to do something  
2 different -- no problem.

3 **VICE-CHAIR STEVENS:** All right.

4 **MR. QUATTLEBAUM:** Mr. Chairman, and I just want to  
5 add to the conversation I'm in support of  
6 development in the town. The only concern I  
7 raise -- and I shared with Mr. Booker when he  
8 raised the question with me -- is in terms of  
9 the cost, administrative cost, for the Town in  
10 any modifications to zoning for changes. And  
11 going through the process that we did of -- I  
12 don't know how many months it took to get the  
13 LMO updated -- we had legal opinions on top  
14 that, costs. We did a modification to Zone R2  
15 on 29th and 32nd. All of that is creating  
16 administrative costs for the Town. That's all.  
17 I just want to caution the Commission. But I  
18 am in support and in favor of development in  
19 the Town, but we have to be cognizant of those  
20 costs and -- in our deliberation and decisions  
21 around these items.

22 **COMMISSIONER ALLEN:** So, Mr. Quattlebaum ---

23 **COMMISSIONER VEREEN:** Mr. Quattlebaum.

24 **COMMISSIONER ALLEN:** I'm sorry.

25 **COMMISSIONER VEREEN:** No, go ahead.



1 **COMMISSIONER ALLEN:** So I just want to make sure I  
2 understand what you're saying. So if the cost  
3 that you're talking about would apply if we  
4 actually rezoned that space versus like if  
5 someone applied for a special exception, that  
6 that would not have the same cost to it, right?

7 **MR. QUATTLEBAUM:** The special exception I don't  
8 think would have the same process ---

9 **MS. COLEMAN:** It'd be similar. Yeah, this -- in  
10 terms of state law---

11 **MR. QUATTLEBAUM:** --- the process.

12 **MS. COLEMAN:** State law still requires you to notify  
13 property owners and have a public hearing, and  
14 some of the costs are that you post properties,  
15 that you have to put an ad in the paper, you  
16 know, bringing staff in -- although we're on a  
17 retainer right now. But state law does allow  
18 you to charge fees for administrative changes  
19 ---

20 **COMMISSIONER VEREEN:** That's what I was going to  
21 say.

22 **MS. COLEMAN:** --- and those fees should be somewhat  
23 commensurate with what you're putting into it  
24 to allow that to happen.

25 **COMMISSIONER VEREEN:** And that's what I was gonna



1 ask, like, do you -- if you know how much the  
2 costs are, I know you know the City of North  
3 Myrtle or Myrtle Beach, if you go to get  
4 something rezoned, it's a fee for it. So that  
5 -- but the owner actually, when they go to  
6 apply, they pay for that. So if we do come up  
7 with a fee and then you just charge the owner  
8 that fee for a rezoning fee ---

9 **MR. QUATTLEBAUM:** Yeah ---

10 **COMMISSIONER VEREEN:** --- and it pays for the signs,  
11 it pays for ---

12 **VICE-CHAIR STEVENS:** Everything.

13 **COMMISSIONER VEREEN:** --- administrative costs,  
14 everything. So it takes it off the Town's ---

15 **MS. COLEMAN:** And the Council can establish the fee  
16 schedule ---

17 **COMMISSIONER McFADDEN:** That's right.

18 **COMMISSIONER VEREEN:** So, if you get us some numbers  
19 on what you think it costs for administrative  
20 fees, we can vote on that and come up with a  
21 fee.

22 **VICE-CHAIR STEVENS:** Let's end the meeting. Can we  
23 do it?

24 **(Inaudible background noise.)**

25 **VICE-CHAIR STEVENS:** Meeting adjourned.



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(There being nothing further, the commission meeting  
and public hearing was adjourned.)





## TOWN OF ATLANTIC BEACH

### **2022-2023 REZONING SUBMITTAL DEADLINES AND MEETING SCHEDULE**

The Planning Commission is scheduled to meet on the third Thursday of each month at the Atlantic Beach Community Center at 1 pm. These meetings are open to the public. These meetings are subject to cancellation should there be no business to conduct.

Rezoning Applications shall be submitted at least 45 calendar days prior to the Planning Commission Public Hearing to allow for a formal staff review and to provide adequate public notice.

<b>Month</b>	<b>Submission Deadline</b>	<b>Planning Commission Meeting</b>
<b>January 2023</b>	December 5, 2022	January 19, 2023
<b>February 2023</b>	January 2, 2023	February 16, 2023
<b>March 2023</b>	January 30, 2023	March 16, 2023
<b>April 2023</b>	March 6, 2023	April 20, 2023
<b>May 2023</b>	April 3, 2023	May 18, 2023
<b>June 2023</b>	May 1, 2023	June 15, 2023
<b>July 2023</b>	June 5, 2023	July 20, 2023
<b>August 2023</b>	July 3, 2023	August 17, 2023
<b>September 2023</b>	August 7, 2023	September 21, 2023
<b>October 2023</b>	September 4, 2023	October 19, 2023
<b>November 2023</b>	October 2, 2023	November 16, 2023 (a week prior due to Thanksgiving holiday)
<b>December 2023</b>	November 6, 2023	December 21

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**TOWN OF ATLANTIC BEACH**  
**PLANNING COMMISSION DECISION MEMO**  
**RE: Bulk, Dimensional & Density Standards**  
**February 16, 2023**

---

**ISSUE**

Should the district bulk, dimensional & density standards be modified to support infill development and reduce the prevalence of nonconforming lots?

**RECOMMENDATION**

Staff recommends approval.

**BACKGROUND**

The Land Management Ordinance was adopted in 2019 to support the implementation of the Comprehensive Plan and the 2007 Master Plan. Numerous property owners have identified challenges to being able to develop their lots, as they are currently non-conforming because their lots are undersized for their zoning district or the setback requirements severely restrict their development.

**ANALYSIS**

The following revisions are incorporated into this proposed text amendment to ensure existing lots can be developed, while maintaining the intent of the districts and consistency with the Comprehensive Plan:

**Revised the intent for the Main Street 1 (MS1) District.** This change is to clarify that allowed residential uses can be located to the rear and upper levels of retail, office, and dining establishments when a mixture of uses are incorporated into one building or lot.

**Clarified that Multi-family is allowed in the MS1 District.** Added MS1 to Section 5.3.55 and clarified that it is allowed as a standalone use or to the rear and upper levels.

**Reduced the minimum lot width in the Residential (R2) District.** Reduced the minimum lot width from 50 ft to 35 ft to accommodate infill development in this district. The minimum lot size will remain the same.

**Reduced the minimum lot area for the Single-family attached uses in the R2 District.** This is to be consistent with the standards for two-family dwellings (duplexes). They are effectively the same use; however, a single-family attached use can be subdivided.

**Removed Two-Family dwellings (duplexes) from the dimensional standards for the MS1 District.** This corrects a scrivener's error, as duplexes are not an allowed use in this district.

**Reduced of minimum lot size in the Main Street 1 (MS1), Main Street 1 Residential (MS1R), and Main Street 2 (MS2) districts.** Currently, a significant number of these lots are smaller

than the 7,500 sq ft minimum required for these districts. Reducing the minimum lot size to 7,000 sq ft will address the majority of these non-conforming lots.

**Reduced the rear setbacks for lots greater than 8,000 sq ft in the Main Street 1 (MS1), Main Street 1 Residential (MS1R), and Main Street 2 (MS2) districts.** As currently written, if lots are less than 8,000 sq ft in these districts, only a 15 ft rear setback is required. If over 8,000 sq ft, the rear setback significantly increases to 60 ft. This significant increase discourages the combination of lots in these districts, which would be necessary to support larger scale development, such as multi-family, commercial, or mixed use developments. These districts are intended to create a main street character and central business district within the Town; however, the current setbacks do not support the intent. This amendment proposes to reduce the rear setback to 30 ft for lots over 8,000 sq ft. This will still protect the surrounding properties in the R2 districts that abut them, while ensuring the lots in these districts can more feasibly be developed.

STATE OF SOUTH CAROLINA        )  
COUNTY OF HORRY                )  
TOWN OF ATLANTIC BEACH        )

**AN ORDINANCE TO AMEND THE LAND MANAGEMENT ORDINANCE TO MODIFY THE DISTRICT BULK, DIMENSIONAL & DENSITY STANDARDS TO SUPPORT INFILL DEVELOPMENT AND REDUCE THE PREVELANCE OF NONCONFORMING LOTS.**

**WHEREAS**, The Town of Atlantic Beach is empowered to amend its ordinances from time to time, and to update its zoning ordinance and Comprehensive Plan consistent with state law and the changing needs of the Town, in its best interests, after review by the Town Planning Commission, public notice, and public hearing; and

**WHEREAS**, South Carolina Code § 6-29-310 empowers an appointed municipal planning commission to hear and make recommendations on zoning ordinance changes; and,

**WHEREAS**, the Land Management Ordinance does not clearly define mixed-use design standards in the Main Street 1 (MS1) District; and,

**WHEREAS**, the Bulk, Dimensional & Density Standards defined in the Land Management Ordinance render many lots to be non-conforming, thus limiting their development potential; and,

**NOW, THEREFORE**, be it enacted and ordained by the Town Council of the Town of Atlantic Beach by the power and authority granted by the State of South Carolina that the Town of Atlantic Beach Zoning Ordinance is hereby amended as follows:

1) **Amendment to Article IV. Zoning Districts, Division 1. Districts in General, Section 5.3.401.3 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text shown **underlined and bolded** shall be added.

**5.2.401.3** Main Street 1 (MS1). The intent of this district is to provide and encourage a mixture of uses. Single uses are allowed to promote and ease infill development. Permitted uses include neighborhood scale (less than 20,000) retail and office uses as well as multi-family and transient residential uses. **When mixed-use development is utilized in the same building or lot, residential uses shall be located to the rear or upper levels.**

2) **Amendment to Article V. Use Regulations, Division 2. Specific Use Standards, Section 5.3.555 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.

Multi-family dwellings are permitted in the **MS1**, MS2, HWY, WF1, and WF2 districts as second floor or upper story residences. **Multi-family shall also be permitted as**

standalone use in the MS1 district. Multi-family dwellings shall also be permitted on the first floor of mixed-use structures in the MS1 district, provided the dwellings have their primary access from the side or rear of the building. Multi-family dwellings in these districts are also subject to the requirements of Section 5.3.570.

- 3) Amendment to Article IV. Zoning Districts, Division 2. Bulk, Dimensional, and Density Standards, Section 5.3.420, Table 5.3.420A of the Land Management Ordinance. The Land Management Ordinance is hereby amended with all text in ~~strikethrough~~ shall be deleted and all text shown underlined and bolded shall be added.

Table 5.3.420A									
District Bulk, Dimensional & Density Standards									
STANDARDS	DISTRICTS								
	CP	R2	MS1	MS1R	MS2	G	HWY	WF1	WF2
Minimum Lot Area (in square feet)	None	6,000	<del>7,500</del> <u>7,000</u>	<del>7,500</del> <u>7,000</u>	<del>7,500</del> <u>7,000</u>	7,500	15,000	22,500	22,500
Minimum Lot Width (in feet)	None	<del>50</del> <u>35</u>	50	50	50	50	100	150	150
Maximum Structure Height		45 feet and no more than 3 stories	55 feet and no more than 5 stories	55 feet and no more than 5 stories	85 feet and no more than 8 stories	55 feet and no more than 5 stories	55 feet and no more than 5 stories	55 feet and no more than 5 stories	125 feet and no more than 12 stories
Maximum Building Coverage		40%	60%	50%	70%	60%	60%	45%	50%
Maximum Impervious Surface Coverage		40%	60%	50%	70%	65%	70%	45%	50%
Minimum Open Space	100%	55%	30%	40%	20%	20%	20%	45%	40%
Maximum Floor Area Ratio					1.75			.75	2.0
Density (minimum lot area in square feet per dwelling unit)									
Single-Family, attached		<del>6,000</del> <u>3,000</u>		3,750					
Single-Family, detached		6,000		4,500					
Two-Family Dwellings		3,000	<del>3,000</del>	3,750					
Multi-Family		6,000	2,500	3,000	2,000		2,000	3,000	1,500

Table 5.3.420A

**District Bulk, Dimensional & Density Standards** <sup>(1)(2)(3)</sup>

STANDARDS	DISTRICTS								
	CP	R2	MS1	MS1R	MS2	G	HWY	WF1 (1)	WF2(1)
<b>Front Yard Setback (in feet) by Abutting Street/Feature</b>									
Oceanfront		25	10	10	10	10	10	30 (2)	30 (2)
1 <sup>st</sup> Avenue		25	10	10	10	10	10	10	10
2 <sup>nd</sup> Avenue		25	10	10	10	10	10	10	10
3 <sup>rd</sup> Avenue		25	10	10	10	10	10	10	10
4 <sup>th</sup> Avenue		25	10	10	10	10	10	10	10
29 <sup>th</sup> Avenue S.		25	10	10	10	10	10	10	10
30 <sup>th</sup> Avenue S.		25	10	10	10	10	10	10	25
31 <sup>st</sup> Avenue S.		25	10	10	10	10	10	10	10
32 <sup>nd</sup> Avenue S.		25	10	10	10	10	10	10	10
US Hwy 17		25	20	20	20	20	20	25	25
All other Street Frontages		25	10	10	10	10	10	25	25
<b>Front Yard Setback (in feet) for Building Heights Above 35 Feet by Abutting Street/Feature (where applicable)</b>									
3 <sup>rd</sup> Avenue		25	10	10		10	10		
4 <sup>th</sup> Avenue		25	20	20		10	20		
29 <sup>th</sup> Avenue S.		25	20	20		10	20		
30 <sup>th</sup> Avenue S.		25	20	20		10	20		
31 <sup>st</sup> Avenue S.		25	20	20		10	20		
32 <sup>nd</sup> Avenue S.		25	20	20		10	20		
US Hwy 17		25	20	20		20	20		
<b>Front Yard Setback (in feet) for Building Heights Above 45 Feet by Abutting Street/Feature (where applicable)</b>									
Oceanfront								60	60

Table 5.3.420A

**District BULK, Dimensional & Density Standards** <sup>(1)(2)</sup>

STANDARDS	DISTRICTS								
	CP	R2	MS1	MS1R	MS2	G	HWY	WF1	WF2
1 <sup>st</sup> Avenue								30	
2 <sup>nd</sup> Avenue					30			30	
29 <sup>th</sup> Avenue S.					30				30
30 <sup>th</sup> Avenue S.					60				75
31 <sup>st</sup> Avenue S.					30			30	30
32 <sup>nd</sup> Avenue S.					20			30	30
<b>Side Yard Setback (in feet)</b>									
Lots up to 8,000 square feet in area		5	5	5	5	5	5	5 (3)	5 (3)
Lots 8,000 to 15,999 square feet in area		5	10	10	10	5	10	5 (3)	5 (3)
Lots 16,000 square feet in area or greater		5	15	15	15	5	15	5 (3)	5 (3)
<b>Rear Yard Setback (in feet)</b>									
Lots less than 8,000 square feet in area		20	15	15	15	5	15	10	10
Lots 8,000 square feet or greater in area		20	<del>60</del> 30	<del>60</del> 30	<del>60</del> 30	5	15	10	10

**Notes:** (1) WF1 and WF2 properties may be eligible for designation as a Flexible Design District. This designation provides alternate height, coverage, FAR, and density standards.  
 (2) At structure heights of 45 feet and greater, the front yard setback (oceanfront) in the WF1 and WF2 districts is 60 feet. The oceanfront setback for lots northeast of 29<sup>th</sup> Avenue South and southeast of 32<sup>nd</sup> Avenue South is 5 feet, irrespective of height.  
 (3) At structure heights of 45 feet and greater, the side yard setback in the WF1 and WF2 districts is increased to a distance equal to the front yard setback applicable to the lot.

**SEVERABILITY.** If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this ordinance, which can be given effect without the invalid provision or application, and any such provisions are declared to be severable. All ordinances or parts thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

**EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption at second reading.

**BE IT ORDERED AND ORDAINED** by the Mayor and Town Council of the Town of Atlantic Beach, South Carolina, in assembly and by the authority thereof, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Atlantic Beach Town Council**

\_\_\_\_\_  
Mayor, Jake Evans

\_\_\_\_\_  
Councilmember, Edward Campbell

\_\_\_\_\_  
Councilmember, Jacqueline Gore

\_\_\_\_\_  
Councilmember, Josephine Isom

Attest:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Manager

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**TOWN OF ATLANTIC BEACH  
PLANNING COMMISSION DECISION MEMO  
RE: Parking Requirements  
February 16, 2023**

---

**ISSUE**

Should the parking requirements in the Main Street 1 (MS1) and Main Street 2 (MS2) Districts be reduced to encourage infill, mixed-use development?

**RECOMMENDATION**

Staff recommends approval.

**BACKGROUND**

The Land Management Ordinance was adopted in 2019 to support the implementation of the Comprehensive Plan and the 2007 Master Plan. Numerous property owners along 30<sup>th</sup> Avenue have identified that existing parking standards are limiting the ability to develop their properties because the small size of their lots cannot feasibly incorporate the parking requirements, in addition to the impervious limits and open space requirements.

**ANALYSIS**

The Land Management Ordinance requires that the number of parking spaces in mixed-use developments equal the sum of the requirements of the various uses computed separately.

The MS1 and MS2 districts are intended to support mixed-uses, such as dining, retail and/or offices in conjunction with residential or transient uses on the same lot or within the same structure. The intent of these districts is to foster the development of a central business district/main street along 30<sup>th</sup> Ave S (Atlantic St) and portions of 31<sup>st</sup> Ave S (Carolina St) and 2<sup>nd</sup> Ave (Seaview St).

The lots within the MS1 and MS2 districts are typically 7,000-7,500 sq ft in size. When the parking, open space, and impervious coverage limits are taken into consideration, the development of the lots in these districts become severely limited. In order to encourage infill, mixed-use development and reduce the need for variance requests, this amendment proposes to reduce the parking requirements in half for non-residential and non-accommodation uses within the MS1 and MS2 districts if a property is developed as mixed use development. All other non-residential and non-accommodation uses in these districts will have a twenty-five percent parking reduction.

STATE OF SOUTH CAROLINA        )  
COUNTY OF HORRY                )  
TOWN OF ATLANTIC BEACH        )

**AN ORDINANCE TO AMEND THE LAND MANAGEMENT ORDINANCE TO MODIFY THE PARKING REQUIREMENTS TO SUPPORT INFILL, MIXED-USE DEVELOPMENT.**

**WHEREAS**, The Town of Atlantic Beach is empowered to amend its Land Management Ordinance to be consistent with the Comprehensive Plan and the changing needs of the Town, in its best interests, after review by the Town Planning Commission, public notice, and public hearing; and

**WHEREAS**, South Carolina Code § 6-29-310 empowers an appointed municipal planning commission to hear and make recommendations on zoning ordinance changes; and,

**WHEREAS**, Off-street parking requirements limit the feasibility of infill, mixed use development in the Main Street 1 (MS1) and Main Street 2 (MS2) district; and,

**WHEREAS**, The Planning Commission recommends that off-street parking requirements of the Land Management Ordinance be revised to promote the creation of a main street, as intended by the Comprehensive Plan.

**NOW, THEREFORE**, be it enacted and ordained by the Town Council of the Town of Atlantic Beach by the power and authority granted by the State of South Carolina that the Town of Atlantic Beach Zoning Ordinance is hereby amended as follows:

- 1) **Amendment to Article VI. Supplemental Zoning Standards, Division 3. Parking and Loading Standards. Section 5.3.630 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text shown **underlined and bolded** shall be added and for the definition to be placed in alphabetical order within this section.

**DIVISION 3. PARKING AND LOADING STANDARDS**

**SECTION 5.3.630 Off-Street Parking Required**

- A. Off-street parking shall be provided for all uses hereafter established (including a change of use for an existing building or structure) or at such time any building or structure is erected, enlarged, or increased in capacity. Permanent off-street parking shall be provided, at a minimum, in accordance with Table 5.3.630A “Parking Chart” and Table 5.3.502 “Schedule of Uses.”

**Table 5.3.630A  
PARKING CHART**

<b>PARKING CODE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>A</b>	Two (2) spaces per dwelling unit.
<b>B</b>	One and one half (1 ½) spaces per dwelling unit plus an additional .25 spaces for each additional bedroom above one (1) and one-half (1/2) spaces per lock-out room (where permitted).
<b>C</b>	One (1) space per bed.
<b>D</b>	One (1) space for each 100 square feet of gross floor area (including areas devoted to outdoor dining) plus space to accommodate the stacking of four (4) vehicles where drive-thru facilities are provided.
<b>E</b>	One (1) space for each 200 square feet of gross floor area.
<b>F</b>	One (1) space for each 225 square feet of gross floor area plus space to accommodate all service vehicles used in connection therewith.
<b>G</b>	One (1) space for each room to be rented plus 75 percent of the parking required for other uses associated with the establishment.
<b>H</b>	One (1) space for each four (4) seats in the main assembly room or one (1) per every thirty (30) square feet of floor area in the main assembly room, whichever is greater.
<b>I</b>	One (1) space for each four (4) seats.
<b>J</b>	One (1) space for each 200 square feet of office area plus four (4) spaces for each service bay.
<b>K</b>	One (1) space for each three (3) persons that the facility is designed to accommodate when fully utilized, plus one (1) space per 200 square feet of gross floor area used for office or similar activities.
<b>L</b>	Four (4) spaces for each driving tee or green, three (3) spaces for each basketball and tennis court, one and one-half (1 ½) spaces per employee during maximum seasonal employment, and one (1) space per each 10,000 square feet of lot area.
<b>M</b>	One (1) space for each 1,000 square feet of lot area.
<b>N</b>	Two (2) spaces per classroom (elementary schools), five (5) spaces per classroom (junior high) and ten (10) spaces per classroom (high school, college, or other).
<b>O</b>	Five (5) spaces per each doctor or dentist.
<b>P</b>	One (1) space for each four (4) seats in the chapel or parlor, plus one (1) space for each 200 square feet of office area.
<b>Q</b>	One (1) space for each two (2) patient beds.
<b>R</b>	Two (2) spaces per bed, plus one (1) space per 200 square feet of office area.
<b>S</b>	One (1) space per each 500 square feet of gross floor area, plus one (1) space per every three (3) employees.
<b>T</b>	One (1) space per employee plus one (1) space per every five (5) children or adults enrolled.
<b>U</b>	One (1) space for each 200 square feet of office or waiting area plus two (2) spaces for each service bay.
<b>V</b>	Ten (10) spaces per wash unit for automatic wash, plus five (5) spaces per wash area for manual wash. Note: Off-street vehicle stacking space may be used to satisfy this requirement, if the plan is acceptable to the Administrator.
<b>X</b>	Two (2) spaces per fuel pump plus one (1) space per each 300 square feet of floor area.

- B. In determining required parking spaces, the following shall apply:
1. The parking codes, as provided in Table 5.3.630A, are assigned to the various uses by Table 5.3.502 “Schedule of Uses;”
  2. In cases of mixed or joint uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately; and
  3. Where a fractional space results, any fraction less than one-half (1/2) may be dropped and any fraction of one-half (1/2) or more shall be counted as one (1) parking space.
  4. **In the MS1 and MS2 Districts, off-street parking requirements may be reduced by twenty-five (25) percent for all non-residential and non-accommodation uses. In cases of mixed or joint uses, off-street parking requirements may be reduced by fifty (50) percent for all non-residential and non-accommodation uses.**

#### **SECTION 5.3.631 Maximum Off-Street Parking**

Permanent off-street parking shall not exceed 105 percent of the minimum number of spaces required for a land use. This section shall not apply to single-family and two-family dwellings.

#### **SECTION 5.3.632 Exception to Minimum and Maximum Parking Standards**

- A. Notwithstanding the provisions of Sections 5.3.630 and 5.3.631, the Administrator may accept a higher or lower number of parking spaces than required by this Division based on developer-submitted parking data such as a shared parking analysis or appropriate standards from another accepted source.
- B. The shared parking analysis shall follow the guidelines of the Urban Land Institute’s Shared Parking report. Any **shared or** off-site parking to be utilized shall require the recording of a perpetual easement, in form and substance acceptable to the Administrator, in the office of the Register of Deeds of Horry County.
- C. If the Administrator accepts a lower number of parking spaces than is required in Section 5.3.630, the site may be required to accommodate the higher number of spaces otherwise required in case of future need. The design and location of these additional parking spaces shall meet the following site design standards:
1. The area necessary to accommodate these spaces shall not be included as part of the site’s minimum open space;
  2. The area necessary to accommodate these spaces shall be included in the impervious coverage for the site and accounted for in the drainage design;
  3. Until or unless such spaces are needed, as determined by the Administrator, the areas shall be maintained as open spaces; and
  4. The tree approval for the area of additional parking shall be granted separately from the initial approval, and the clearing of trees in that area and subsequent tree replacement shall not occur until or unless such additional parking is required to be constructed.

**SEVERABILITY.** If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this ordinance, which can be given effect without the invalid provision or application, and any such provisions are declared to be severable. All ordinances or parts thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

**EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption at second reading.

**BE IT ORDERED AND ORDAINED** by the Mayor and Town Council of the Town of Atlantic Beach, South Carolina, in assembly and by the authority thereof, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Atlantic Beach Town Council**

\_\_\_\_\_  
Mayor, Jake Evans

\_\_\_\_\_  
Councilmember, Edward Campbell

\_\_\_\_\_  
Councilmember, Jacqueline Gore

\_\_\_\_\_  
Councilmember, Josephine Isom

Attest:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Manager

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**TOWN OF ATLANTIC BEACH  
PLANNING COMMISSION DECISION MEMO  
RE: PDD and FDD Eligibility Requirements  
February 16, 2023**

---

**ISSUE**

Should the eligibility for designation requirements in the Land Management Ordinance be modified for the Planned Development and Flexible Design Districts?

**RECOMMENDATION**

Staff recommends approval.

**BACKGROUND**

Both the Planned Development and Flexible Design Zoning Districts are intended to promote mixed use development within the Town limits. Both districts require that all properties be under the same ownership or corporate ownership prior to a rezoning request being submitted.

**ANALYSIS**

In many communities, if all of the properties are not under the same ownership at the time of rezoning submission, the rezoning process simply requires that the owner or authorized agent for each property sign the rezoning application. This is because the sale of a property is often contingent upon the approval of a rezoning request. This reduces the risk to a speculative buyer from investing in a property that may not be able to be developed as planned.

The PDD and FDD districts are the only districts in the Town that have an ownership requirement at the time of rezoning application submission.

STATE OF SOUTH CAROLINA        )  
COUNTY OF HORRY                )  
TOWN OF ATLANTIC BEACH        )

**AN ORDINANCE TO AMEND THE LAND MANAGEMENT ORDINANCE TO MODIFY THE ELIGIBILITY FOR DESIGNATION REQUIREMENTS FOR THE PLANNED DEVELOPMENT AND THE FLEXIBLE DESIGN ZONING DISTRICTS.**

**WHEREAS**, The Town of Atlantic Beach is empowered to amend its ordinances from time to time, and to update its Land Management Ordinance to be consistent with state law, the Comprehensive Plan, and the changing needs of the Town, in its best interests, after review by the Town Planning Commission, public notice, and public hearing; and

**WHEREAS**, South Carolina Code § 6-29-310 empowers an appointed municipal planning commission to hear and make recommendations on Land Management Ordinance changes; and,

**WHEREAS**, The Land Management Ordinance currently limits the ability for prospective Planned Development and Flexible Design District projects to be considered by the Town, as all properties are required to have the same ownership or cooperate ownership at the time a rezoning application is filed with the Town; and,

**WHEREAS**, The Planning Commission recommends that the Land Management Ordinance be revised to alleviate the eligibility for designation ownership requirements for Planned Development and Flexible Design Districts.

**NOW, THEREFORE**, be it enacted and ordained by the Town Council of the Town of Atlantic Beach by the power and authority granted by the State of South Carolina that the Town of Atlantic Beach Zoning Ordinance is hereby amended as follows:

- 1) **Amendment to Article IV. Zoning Districts, Division 4. Planned Development Districts, Section 5.3.441 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.

**SECTION 5.3.441 Eligibility for Designation**

Any property **or contiguous group of properties** within the Town that **total** is one (1) acre or greater ~~in contiguous area and is held in single or corporate ownership at the time of application~~ may be considered for designation as a planned development district. A planned development district must incorporate a design involving a mixture of housing types and densities and compatible commercial uses, or shopping centers, office parks, and mixed-use developments. Single use or single housing type developments shall not be designated as a planned development.

- 2) **Amendment to Article IV. Zoning Districts, Division 4. Planned Development Districts, Section 5.3.449 of the Land Management Ordinance.** The Land Management Ordinance is



hereby amended with all text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.

- 3) **Amendment to Article IV. Zoning Districts, Division 5. Flexible Design Districts, Section 5.3.458 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.

**SECTION 5.3.458 Eligibility for Designation**

A. Any WF1 zoned property **or contiguous group of WF1 zoned properties** within the Town that **total** is 15,000 square feet or greater ~~in contiguous area and, if multiple parcels, is held in single or corporate ownership at the time of application,~~ may be considered for designation as WF1-FDD.

B. Any WF2 zoned property **or contiguous group of WF2 zoned properties** within the Town that **total** is 20,000 square feet or greater ~~in contiguous area and, if multiple parcels, is held in single or corporate ownership at the time of application,~~ may be considered for designation as WF2-FDD.

**SEVERABILITY.** If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this ordinance, which can be given effect without the invalid provision or application, and any such provisions are declared to be severable. All ordinances or parts thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

**EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption at second reading.

**Ordinance No.** \_\_\_\_\_  
**First Reading:** \_\_\_\_\_  
**Second Reading:** \_\_\_\_\_

**BE IT ORDERED AND ORDAINED** by the Mayor and Town Council of the Town of Atlantic Beach, South Carolina, in assembly and by the authority thereof, this \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_, 2023.

**Atlantic Beach Town Council**

\_\_\_\_\_  
Mayor, Jake Evans

\_\_\_\_\_  
Councilmember, Edward Campbell

\_\_\_\_\_  
Councilmember, Jacqueline Gore

\_\_\_\_\_  
Councilmember, Josephine Isom

Attest:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Manager



**TOWN OF ATLANTIC BEACH**  
**PLANNING COMMISSION DECISION MEMO**  
**Black Pearl of the Atlantic Pre-Application Review**  
**February 16, 2023**

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**ISSUE**

Does the proposed Black Pearl of the Atlantic Waterfront 2 (WF2) – Flexible Design District (FDD) Conceptual Plan meet the pre-application requirements of the Land Management Ordinance?

**RECOMMENDATION**

**Option 1:** The Planning Commission shall instruct the applicant to proceed with drafting a detailed Flexible Design District plan and zoning text, based on the proposed conceptual plan, or

**Option 2:** The Planning Commission shall instruct the applicant to resubmit a revised conceptual plan for additional input from the Administrator or Planning Commission.

**BACKGROUND**

PINS 392-01-01-0167 and 392-01-01-0153 are currently zoned Waterfront 2 (WF2) and a rezoning application is anticipated to be submitted for these two properties to become a WF2-Flexible Design District (FDD). The proposed rezoning request is for a 21 story, oceanfront condo-tel that will include a mixture of commercial uses, 168 hotel rooms, 36 short term rental units, and 24 condo units, all of which are allowable uses within the WF2 District. The project also includes an 11-story parking garage to accommodate the minimum parking requirements of the Land Management Ordinance.

The following provides details on what the underlying Waterfront 2 (WF2) District allows for and a WF2-Flexible Design District (FDD). An excerpt of the Land Management Ordinance is contained within this packet, followed by the pre-application conceptual plan submitted by the applicant.

**Waterfront 2 (WF2) Zoning District.** The intent of this district is to provide for pedestrian oriented, beachfront high-density residential and mixed-use development. Mixed-use development is required in conjunction with multi-family development. Uses are intended to be composed of retail, dining, nightclub, and cultural uses while upper levels are generally composed of residential or transient residential uses. This district is intended to provide greater floor area and height than the Waterfront 1 District.

**WF2 Allowed Uses:** Multi-family, Second and Upper Floor Residential, Hotel/Motel/Inn, Interval Occupancy and Short-Term Rental Residential Units, Government Offices, Parks, some Retail Uses, and most Entertainment, Recreation, and Dining Uses.

**Flexible Design District – Purpose and Intent.** The intent of the Flexible Design District(s) (FDD) is to provide for higher intensity development along the oceanfront, while providing for a higher level of design and public amenities consistent with the Town of Atlantic Beach

Comprehensive Plan and 2007 Master Plan. This division provides two (2) floating zone district options: The Waterfront 1 Flexible Design District (WF1-FDD) and the Waterfront 2 Flexible Design District (WF2-FDD). Each district is designed to complement the character and the uses allowable within the WF1 or WF2 zoning districts. However, the Flexible Design Districts provide for greater height, floor area ratio, density, and building coverage than fixed zoning districts described in Section 5.3.400, through the use of incentivized flexible development standards.

**Summary of District Dimensional Standards**

	<b>WF2 (Existing)</b>	<b>WF2-FDD (Proposed)</b>
<b>Minimum Lot Area (sq ft)</b>	22,500	20,000
<b>Minimum Lot Width (in ft)</b>	150	150
<b>Maximum Structure Height</b>	125 ft and no more than 12 stories	Up to 200 ft and no more than 20 stories
<b>Max Building Coverage</b>	50%	Up to 70%
<b>Max Impervious Surface</b>	50%	Up to 80%
<b>Min Open Space</b>	40%	15%
<b>Max Floor Area Ratio</b>	2.0	Up to 4.0
<b>Density</b>	1 dwelling/1,500 sq ft	1 dwelling/375 sq ft

A Flexible Design District can be written to allow a project to veer from some provisions of the Land Management Ordinance, such as defining project specific setbacks or parking requirements. It cannot add uses beyond what is allowed by the underlying WF2 District, nor can it supersede the requirements to obtain the incentives.

**ANALYSIS**

To be designated as a Flexible Design District, the properties must go through a pre-application conceptual plan review to ensure the project meets the requirements of a flexible design district and that the project aligns with the intent of the comprehensive plan. The Planning Commission review of the conceptual plan will also evaluate the public amenity features proposed as part of the project.

There is no public hearing during the pre-application review process, as a formal rezoning has not been submitted yet. Only after a complete rezoning request has been filed with the Town will a formal public hearing be held, as required by the Land Management Ordinance. The review of this project at this time is technical in nature and to ensure the public benefit items align with the needs of the Town.

## FDD Pre-Application Review Checklist

	Requirements (if 3% or greater public amenity features)	Provided	Meets Requirements
<b>Uses</b>	Multi-family, Second and Upper Floor Residential, Hotel/Motel/Inn, Interval Occupancy and Short-Term Rental Residential Units, Government Offices, Parks, some Retail Uses, and most Entertainment, Recreation, and Dining.	Condo-tel, including 24 condos, 36 short-term rentals, 168 hotel rooms, retail space, dining, meeting and conference room space, and museum.	
<b>Minimum Size</b>	20,000 sq ft	52,899 sq ft or 1.20 Acres	
<b>Maximum Structure Height</b>	200 feet and no more than 20 stories	Oceanfront Tower – 21 stories and 203 ft Parking Garage – 11 stories, in order to meet minimum parking requirements	
<b>Maximum Building Coverage</b>	70%	32,007 sq ft or 60.5%	
<b>Maximum Impervious Surface Coverage</b>	80%	44,431 sq ft or 84%. Developer proposes permeable pavers to ensure the project does not exceed 80% impervious surfaces	
<b>Minimum Open Space</b>	15%	16,843 sq ft or 31.8%	
<b>Maximum Floor Area Ratio</b>	4.0 (4 x 52,899 sq ft = 211,596 sq ft)	11,818 sq ft (19 floors) = 224,542 sq ft	
<b>Density, lot area per dwelling unit</b>	375 sq feet per dwelling unit or up to 141 dwelling units	24 condos and 36 short-term rentals = 50 dwelling units. Hotel units do not count as dwelling units.	
<b>Setbacks</b>			
TMS 392-0101-01-67 (Oceanfront Tower)	Front: 60', Sides 5', Rear 20'  If height greater than 45,' Front: 60', Sides: 60', Rear 20'	Developer proposes: Front: 25' Side: 10' Rear: 20'	
TMS 392-0101-01-53 (Parking Garage)	Front: 25', Sides 5', Rear N/A  If height greater than 45,' Front: 75', Sides: 5', Rear N/A'	Developer proposes: Front (Atlantic St): 20' Front (S Ocean Blvd): 5' Front (2 <sup>nd</sup> Ave): 5' Side: 10'	
<b>Public Amenities</b>	Examples from the Land Management Ordinance include beach accesses, parks, sidewalks, streetscape features, public parking, restrooms, and shower facilities associated with recreational uses.	(1) Community spaces and conference rooms; (2) Black Pearl Museum; (3) Restaurant and Café; (4) Spa and Sauna; (5) Parking Garage; and (6) 27 public parking spaces/beach access parking	
<b>Public Amenity Value</b>	3% of \$80 million in development costs	Proposes \$2.4 million or more	

- 1) **Height and Number of Floors:** The Oceanfront Tower cannot exceed 200 ft or 20 stories to be compliant with the FDD district. As currently designed, the Oceanfront Tower is at least 203 ft tall and 21 stories.
- 2) **Floor Area Ratio:** Floor Area Ratio is a calculation of the total sq footage of the lots x 4.0. 211,596 sq ft is allowed. The FAR = 224,542 sq ft, Floor area calculations do not include parking, mechanical, stairwell, common corridor areas, or publicly accessible entertainment uses.
- 1) **Impervious Surface:** The project is currently designed with approximately 84 percent of the entire project being impervious. The applicant proposes to use pervious pavers or another pervious material to ensure the project does not exceed the 80 percent impervious limit of the WF2-FDD Zoning.
- 2) **Setbacks:** The project does not meet the setbacks for the underlying WF2 Zoning District. The applicant is proposing to define their own setbacks in the text of the ordinance.
- 3) **Public Amenities.** In order for the project to qualify for the 200 ft height maximum with no more than 20 stories, public amenity features totaling 3% (~\$2.4 million) or more of the total development costs must be identified and incorporated into the FDD rezoning request. The Land Management Ordinance provides examples of public amenity features, including, but not limited to beach accesses, parks, sidewalks, streetscape features, publicly available parking, restrooms, and shower facilities associated with recreational uses. The pre-application submission further details the public amenity features the project aims to provide the Town. The Planning Commission will need to evaluate if these meet the requirements and are acceptable.

Per the Land Management Ordinance, a **traffic impact study** will be required and the Administrator may require traffic mitigation measures as a condition of permit approval. Similarly, a **beach and pedestrian access management plan** and access improvements may be required as a condition of permit approval. These items are not required at the time of pre-application submission.

**Zoning**

- CP
- R2 - 6,000
- MS1 - 7,500
- MS1R - 7,500
- MS2 - 7,500
- G - 7,500
- HWY - 15,000
- WF1 - 22,500
- WF2 - 22,500

WILEY DR

HILTON DR

MADISON DR

EDGE DR

27TH AVE S

HILLSIDE DR

HAVENS DR

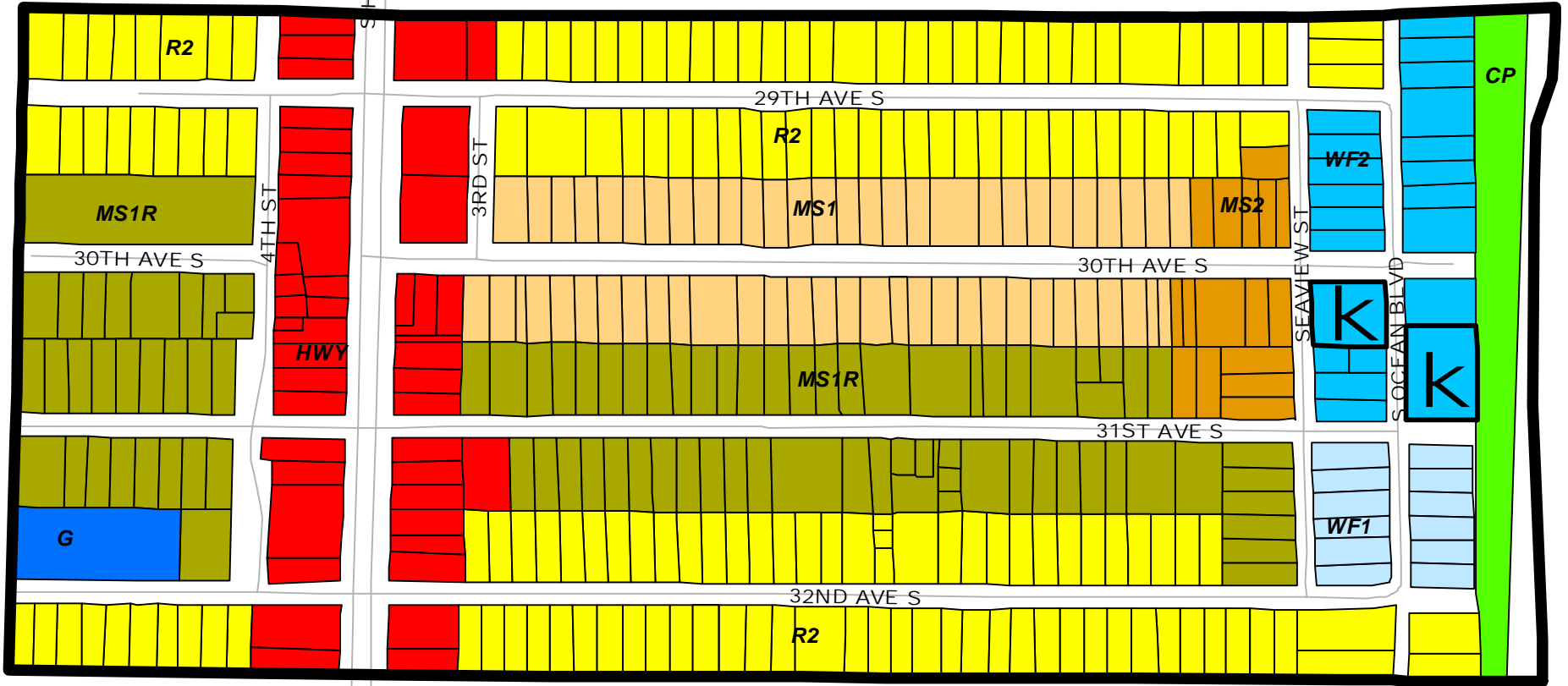
HOLLY DR

PERRIN DR

S OCEAN BLVD

28TH AVE S

SHWY 17



SHWY 17

POINSETT ST

SUNSET AVE

33RD AVE S

PALM ST

DUNES ST

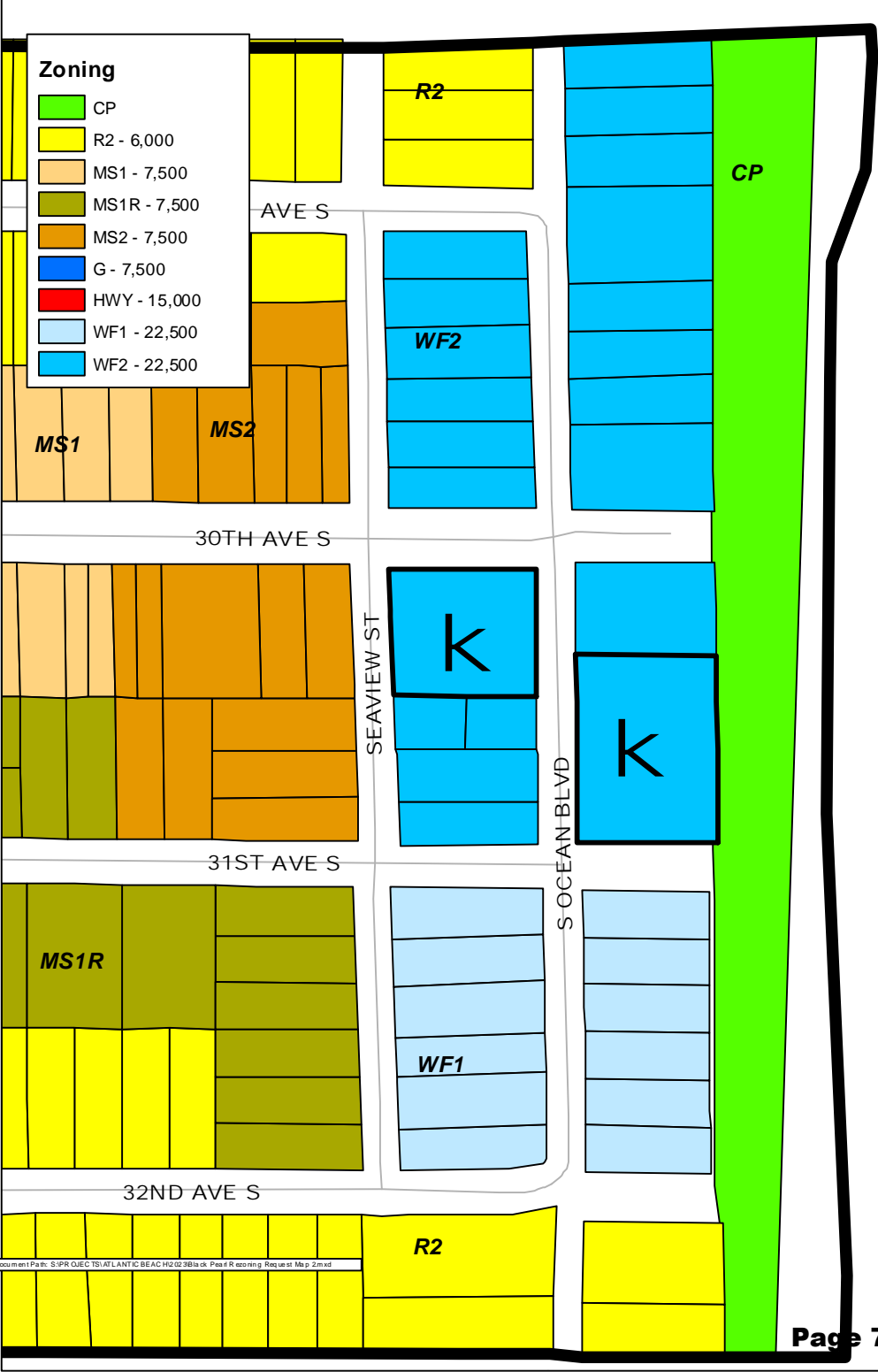
SEAVIEW ST

S OCEAN BLVD



DISCLAIMER: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, WRCOG disclaims all responsibility and liability for the use of this map.





**WRCOG**

WILSON COUNTY GOVT

1995

DISCLAIMER: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map. However, WRCOG disclaims all responsibility and liability for the use of this map.



## ARTICLE IV. ZONING DISTRICTS

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check, or other instrument readily convertible to cash) to guarantee the installation and/or dedication of required improvements.

### SECTION 5.3.452 Recording

All plats and plans approved under the terms of this division shall be recorded in the Office of the Horry County Register of Deeds.

### SECTIONS 5.3.453 through 5.3.455 Reserved

## DIVISION 5. Flexible Design Districts (Floating Zones)

### SECTION 5.3.456 Purpose and Intent

The intent of the Flexible Design District(s) (FDD) is to provide for higher intensity development along the oceanfront, while providing for a higher level of design and public amenities consistent with the Town of Atlantic Beach Comprehensive Plan and 2007 Master Plan. This division provides two (2) floating zone district options: The Waterfront 1 Flexible Design District (WF1-FDD) and the Waterfront 2 Flexible Design District (WF2-FDD). Each district is designed to complement the character and the uses allowable within the WF1 or WF2 zoning districts. However, the Flexible Design Districts provide for greater height, floor area ratio, density, and building coverage than fixed zoning districts described in Section 5.3.400, through the use of incentivized flexible development standards.

### SECTION 5.3.457 Creation of Flexible Design Districts (Floating Zones)

- A. In addition to the districts provided by Section 5.3.400 et seq. and Division 4, the following districts are hereby created:
  - Waterfront 1 Flexible Design District (WF1-FDD)
  - Waterfront 2 Flexible Design District (WF2-FDD)
- B. The individual districts may be cited by full title, e.g. Waterfront 1 Flexible Design District or by abbreviated reference, e.g. WF1-FDD. Collectively, these districts and affected properties may be referred to as “the FDD”, “floating zoning districts” or “FDD properties.” The requirements for properties in the FDD are based on the floating zone district standards approved by an ordinance of the Town Council. Properties rezoned to a floating zone district will be designated, by legislative act by the Council, with a unique name or identifier as a prefix to the zone’s title, for example: “Atlantic Avenue Oceanfront Plaza WF2-FDD.”

### SECTION 5.3.458 Eligibility for Designation

- A. Any WF1 zoned property within the Town that is 15,000 square feet or greater in contiguous area and, if multiple parcels, is held in single or corporate ownership at the time of application, may be considered for designation as WF1-FDD.
- B. Any WF2 zoned property within the Town that is 20,000 square feet or greater in contiguous area and, if multiple parcels, is held in single or corporate ownership at the time of application, may be considered for designation as WF2-FDD.

## ARTICLE IV. ZONING DISTRICTS

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### SECTION 5.3.459 Designation to Constitute a Text and Map Amendment

The designation of a property as a Flexible Design District (WF1-FDD or WF2-FDD) shall constitute a zoning text and map amendment. The rezoning of a property(s) to an FDD may only be initiated by the owner of said property. Following approval by the Town Council, the requirements of the respective WF1 or WF2 zoning district are thereafter supplanted by those of the FDD. Except as provided by this division, the rezoning of property to an FDD shall follow the zoning text and map amendment procedures specified in Article III of this Chapter.

### SECTION 5.3.460 Effect on Other Ordinances and Rules of General Applicability

FDDs are subject to all other ordinances applicable to development within the Town. Unless expressly stated in this division or provided within the zoning text establishing the floating zone, all lands within an FDD are subject to this Chapter's requirements of general applicability affecting uses, lots, structures, parking, and other features.

### SECTION 5.3.461 Use, Bulk, Dimensional, and Density Standards of the FDD

- A. **Use Standards.** In order to maintain a consistent character within the Town's waterfront districts, the uses allowed within the WF1 and WF2 districts, as provided in Table 5.3.502, apply to WF1-FDD and WF2-FDD, respectfully. The ordinance creating a WF1-FDD or WF2-FDD may prohibit, restrict, or require a greater level of approval review than provided in WF1 or WF2, as applicable, but may not allow prohibited uses or a lesser level of approval review than as provided in Table 5.3.502.
- B. **Bulk, Dimensional, and Density Standards.** Similarly, except as provided in Table 5.3.461A, the bulk, dimensional, and density standards of the WF1 or WF2 districts, as provided in Table 5.3.420A, shall apply to WF1-FDD and WF2-FDD, respectfully. The ordinance creating a WF1-FDD or WF2-FDD may provide different height, coverage, open space, density, and FAR standards of the WF1 and WF2 districts, only as provided in Table 5.3.461A.

# ARTICLE IV. ZONING DISTRICTS

**Table 5.3.461A  
District Bulk, Dimensional & Density Standards**

STANDARDS		EXTENT OF PUBLIC AMENITY FEATURES AND DISTRICT STANDARDS*							
		Less than 1%		1% but less than 2%		2% but less than 3%		3% or greater	
		WF1-FDD	WF2-FDD	WF1-FDD	WF2-FDD	WF1-FDD	WF2-FDD	WF1-FDD	WF2-FDD
Maximum Structure Height	55 feet and no more than 5 stories	125 feet and no more than 12 stories	65 feet and no more than 5 stories	145 feet and no more than 14 stories	75 feet and no more than 5 stories	165 feet and no more than 16 stories	85 feet and no more than 8 stories	200 feet and no more than 20 stories	
Maximum Building Coverage	45%	50%	50%	55%	55%	60%	60%	70%	
Maximum Impervious Surface Coverage	45%	50%	55%	60%	60%	65%	65%	80%	
Minimum Open Space	45%	40%	40%	35%	35%	25%	30%	15%	
Maximum Floor Area Ratio	.75	2.0	1.0	2.5	1.25	3.0	1.5	4.0	
Density (minimum lot area in square feet per dwelling unit)									
Multi-Family	3,000	1,500	2,250	1,125	1,500	750	750	375	

\* Note: This table provides the maximum allowable height, coverage, FAR, and density for the WF1-FDD and WF2-FDD based on the provision of public amenity features as a percentage of total development costs. The ordinance creating each floating zone may provide standards more restrictive than those provided above.

## SECTION 5.3.462 FDD Floating Zone Approval Process

In addition to the exhibits required by Article III for zoning map and text amendments, the following are required prior to the review and approval of an FDD:

- A. **Pre-Application Conceptual Plan.** Prior to a formal application being filed to rezone a property(s) to a flexible design district, under subsection B, below, a conceptual plan shall be submitted to the Administrator. The conceptual plan shall illustrate the boundaries of the proposed areas to be rezoned to an FDD, the proposed land uses, proposed bulk, dimensional, and height limitations, proposed public amenity features, a proposed lot layout and street configuration, estimated gross

## ARTICLE IV. ZONING DISTRICTS

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densities, estimated useable open space, and estimated total development costs and costs of public amenity features.

The Administrator shall submit the proposed conceptual plan to the Planning Commission with a recommendation as to whether the proposed design concept is consistent with the Comprehensive Plan and FDD standards. Within thirty (30) days of its review, the Planning Commission shall either instruct the applicant to proceed with drafting a detailed FDD design plan and zoning text, based on the proposed conceptual plan, or to resubmit a revised conceptual plan for additional input from the Administrator or Planning Commission.

**B. Floating Zone District Application.** In addition to the requirements of Section 5.3.381, an applicant for a rezoning under this division shall include the following in an application for rezoning to FDD:

1. Total development costs, with a categorization of costs, including construction, land, demolition, utility relocation, and the percent required to develop public amenity facilities;
2. Public amenity features, including a description of their nature; location; public accessibility, including any limitations on public access; design standards and features; costs to construct; schedule for construction; and proposed manner of ongoing maintenance, ownership, and control, including proposed legal instruments and other guarantees to ensure installation, maintenance, and perpetual public use.
3. A listing of uses within the proposed district, specifying the total acreage for each use, based on proposed FDD district standards;
4. Illustrative east, west, north, south elevations of the district boundaries; and
5. FDD district standards, as provided in subsection C, below.

**C. Floating Zone District Standards.** In addition to the requirements of Section 5.3.381, an applicant for a rezoning under this division shall prepare and submit FDD district standards proposed for any lands redesignated as an FDD floating zone to the Administrator. The district standards shall contain all relevant standards proposed by the applicant or recommended by the Planning Commission and the Administrator. District standards shall include the following:

1. **FDD Zoning Text.** Proposed text that establishes the requirements of the flexible design district shall be submitted. At a minimum, the proposed FDD zoning text shall include:
  - a. The name of the flexible design district, not duplicating the name of any other FDD or subdivision;
  - b. A statement of the intent and objectives of the proposed district;
  - c. A legal description of the district boundaries, including the location and acreage of varying densities, uses, or other areas subject to special requirements;
  - d. A table of the following proposed land uses & standards:
    - (1) Uses permitted within the proposed FDD, in accordance with Section 5.3.461(A), and the level of approval review required;
    - (2) Maximum and average residential densities for each residential use,
    - (3) Maximum proposed floor area ratios and building/lot coverages for each non-residential use,

## ARTICLE IV. ZONING DISTRICTS

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- (4) Maximum allowable height for each use or for the district as a whole,
  - (5) The minimum setbacks for each use or for the district as a whole,
  - (6) The minimum separation distance, if any, required between buildings or uses; and
  - (7) Public amenity facilities and provisions related to their use, maintenance, and the legal mechanism for guaranteeing perpetual use and maintenance, including easements, dedication agreements, or other surety proposed by the applicant.
  - (8) Any special requirements imposed on development within the district such as landscaping, lighting, architectural, and/or orientation standards.
- f. A provision which precludes the application of variances from the flexible design district's requirements and incorporates, by reference, Section 5.3.464; and
  - g. A provision which enumerates any requirements of this Chapter that are not applicable to or that are amended upon approval of the flexible design district.
2. FDD Design Plan. An FDD design plan shall be submitted that illustrates:
- a. The surveyed boundary of the district, interior property lines, if multiple parcels, including approximate interior property lines when future division is proposed and permitted;
  - b. The location of existing and proposed utilities, streets, easements, and other rights-of-way;
  - c. The location and proposed use of existing and planned buildings;
  - e. The location of parking lots, drives, and walkways;
  - f. The location and acreage of open spaces;
  - g. Topographical data including existing and proposed contour elevations, areas of special flood hazard, drainage easements, and storm water detention easements; and
  - h. The location, acreage, use of public amenity features.

### SECTION 5.3.463 Planning Commission Recommendation

- A. In addition to the review criteria for map and text amendments contained in Section 5.3.384, the Planning Commission shall consider the nature, need, and conformance of proposed FDD public amenity features to the comprehensive plan. Public amenity features proposed in an FDD floating zone, with total development costs exceeding \$10,000,000, may be considered by the Planning Commission and Town Council in determining eligibility for floating zone designation. Public amenity facilities eligible for the flexible district standards described in Section 5.3.461, include, but are not limited to:
1. Unimproved and improved beach access, a minimum of ten (10) feet in width,
  2. Parks and common open spaces of no less than 500 square feet,
  3. Ocean viewing or observation decks (indoor or outdoor),

## ARTICLE IV. ZONING DISTRICTS

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4. The construction of public streets and other rights-of-way, consistent with Town and state transportation plans and standards;
  5. Sidewalks and other in-right-of-way pedestrian or bicycle improvements, consistent with Town and state transportation plans and standards;
  6. Right-of-way or improvements located in adjacent right-of-way, such as benches, planters, shelters, drinking fountains, bike racks, decorative lighting, commemorative signage, and improvements that enhance handicapped accessibility; and
  7. Publicly-available parking; restrooms; and shower facilities associated with recreational uses.
- B. In addition to the standards in Article III, Division 8, the Planning Commission in its recommendation and the Town Council in its final action on a proposed FDD floating zone are not obligated to accept or deem eligible any proposed public amenity facility deemed not in compliance with this division, the other applicable provisions of the LMO, or the Comprehensive Plan.
- C. The flexible district standards in Table 5.3.461A apply based solely on the percentage costs of proposed public amenity facilities, included in the proposed FDD district standards, in relation to total development costs, as provided in this division and Table 5.3.461A.
- D. Following a recommendation by the Planning Commission, the Town Council shall make a final determination whether to approve or deny a request for an FDD floating zoning.

### SECTION 5.3.464 Minor Design Plan Modifications and FDD Amendments

- A. No minor design plan modification or FDD amendment shall be approved that exceeds the standards of this division or the Comprehensive Plan. Unless provided otherwise in an FDD floating zone approved by the Town Council pursuant to Section 5.3.463, minor design plan modifications and FDD amendments shall comply with this section.
- B. **Minor Design Plan Modifications.** Minor modifications in an approved FDD design plan may be approved by the Administrator provided that such changes do not constitute an FDD amendment, as defined in subsection C, below and do not conflict with approved FDD district standards. Minor modifications may include, but are not limited to: the minor shifting of buildings, proposed streets, public or private ways, utility easements, parks or other public open spaces, or other features of the design plan.
- C. **FDD Amendments.** Major changes in an approved FDD floating zone shall be considered an amendment to the ordinance adopting the FDD standards and shall require a public hearing, review and recommendation by the Planning Commission, and approval by Town Council, as required by this division and Article III. Such major changes include:
1. Increases in density in excess of the approved FDD district standards;
  2. Changes in the exterior boundaries of the flexible design district;
  3. Alterations to the height of structures in excess of the approved FDD district standards;
  4. Increases in the intensity of nonresidential land uses in excess of the approved FDD district standards;
  5. Increases in the number of lots (where subdivision has been approved);
  6. Material changes in the amount, nature, or extent of public amenity facilities in the approved FDD district standards; or
  7. Any proposed revision to the FDD zoning text.

## **ARTICLE IV. ZONING DISTRICTS**

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### **SECTION 5.3.465 Conformance with Development Regulations and Surety Requirements**

When approved FDD district standards provide for the dedication of land or improvements for rights-of-way, parks, or other public spaces and amenities; the division of property into two (2) or more lots; or the installation of other public improvement dedications or public amenity facilities, zoning permits for property within the flexible design district shall not be issued until a final plat, easements, or other surety has been approved in accordance with the standards of this Chapter and Town policies and procedures. Where the final plat is to be recorded prior to the installation of public improvement dedications or public amenity facilities, the Planning Commission shall require the posting of a surety instrument (bond, certified check, or other instrument readily convertible to cash) to guarantee the installation and/or dedication of public improvement dedications and public amenities facilities approved as part of the FDD district standards.

### **SECTION 5.3.466 Recording**

All plats and plans approved under the terms of this section shall be recorded in the Office of the Horry County Register of Deeds.

### **SECTIONS 5.3.467 through 5.3.499 Reserved**

# THE BLACK PEARL OF THE ATLANTIC

## WF2 - FDD - REZONING PACKAGE

**GENERAL NOTES**

ALL WORK AND MATERIALS FURNISHED SHALL COMPLY WITH THE REGULATIONS OF THE NATIONAL BOARD OF FIRE UNDERWRITERS NATIONAL FIRE PROTECTION ASSOCIATION REQUIREMENTS, AND ALL FEDERAL, STATE AND MUNICIPAL AGENCY HAVING JURISDICTION OVER THE WORK.

THE GENERAL CONTRACTOR WILL CONDUCT A CAREFUL AND THOROUGH EXAMINATION OF THE PREMISES PRIOR TO THE START OF THE WORK. LATER CLAIMS OF LABOR, MATERIALS, OR EQUIPMENT REQUIRED OR FOR DIFFICULTIES ENCOUNTERED, WHICH COULD HAVE BEEN FORESEEN HAD SUCH AN EXAMINATION BEEN MADE, WILL NOT BE RECOGNIZED. INTENTION OF THE WORK SHALL REPRESENT THAT THE CONTRACTOR HAS CHECKED AND VERIFIED ALL QUANTITIES, WORK, AND MATERIALS INVOLVED AND THAT HE/SHE SHALL TAKE RESPONSIBILITY FOR ANY DEFICIENCIES THEREIN.

BEFORE ORDERING ANY MATERIAL OR DOING ANY WORK, EACH TRADE SHALL VERIFY ALL MEASUREMENTS AT THE BUILDING AND SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF THE SAME, AND NO EXTRA CHARGE OR COMPENSATION WILL BE ALLOWED ON ACCOUNT OF DIFFERENCE BETWEEN MEASUREMENTS AND THE MEASUREMENTS INDICATED ON THE DRAWINGS. ANY DISCREPANCIES BETWEEN THE DRAWINGS AND FIELD CONDITIONS WHICH MAY BE FOUND SHALL BE SUBMITTED TO THE ARCHITECT OR DESIGNER FOR CONSIDERATION AND CLARIFICATION BEFORE PROCEEDING WITH THE WORK.

ALL OF THE ARCHITECT'S DRAWINGS AND CONSTRUCTION NOTES ARE COMPLEMENTARY AND WHAT IS CALLED FOR BY OTHERS WILL BE BIDDING AS IF CALLED FOR BY ALL. ANY WORK ORDER OR REFERENCE TO AN ANY ONE DRAWING SHALL BE CONSIDERED TYPICAL, OR ALL OTHERS WHICH ARE SPECIFICALLY REFERRED TO BE THE SAME UNLESS OTHERWISE DESIGNATED OR SPECIFICALLY NAMED BUT DO SERVE THE SAME FUNCTION.

THE WORK TO BE PERFORMED CONSISTS OF FURNISHING, ALL LABOR, EQUIPMENT, TOOLS, TRANSPORTATION, SUPPLIES, FEES, MATERIALS, AND SERVICES IN ACCORDANCE WITH THESE NOTES AND DRAWINGS, AND PERFORMING ALL OPERATIONS NECESSARY TO CONSTRUCT AND INSTALL COMPLETE AND IN SATISFACTORY CONDITION THE VARIOUS MATERIALS AND EQUIPMENT AT THE LOCATIONS SHOWN, AND IN CONFORMITY WITH THE DIMENSIONS, DESIGN, AND DETAILS SHOWN. IT IS INTENDED THAT THE DRAWINGS INCLUDE EVERY THING REQUISITE AND NECESSARY TO FINISH THE WORK PROPERLY. NOTWITHSTANDING THE FACT THAT EVERY ITEM NECESSARILY AND NECESSARY MAY NOT BE SPECIFICALLY MENTIONED OR SHOWN, THAT IT WOULD BE IMPOSSIBLE.

THE CONTRACTOR SHALL ABIDE BY AND COMPLY WITH THE TRUE INTENT IN MEETING OF THE DRAWINGS AND NOTES TAKEN AS A WHOLE AND SHALL NOT AVOID, HIMSELF OR ANY OTHER PERSON OR ORGANISM, SHOULD ANY EXIST, G. C. SHALL BRING TO THE ATTENTION OF THE ARCHITECT OR DESIGNER, ANY ERRORS OR DISCREPANCIES PRIOR TO STARTING THE WORK.

THE CHARACTER IN SCOPE OF THE WORK OR ILLUSTRATED BY THE DRAWINGS AND NOTES, TO INTERPRET AND EXPLAIN THE DRAWINGS, OTHER INFORMATION DEEMED NECESSARY BY THE ARCHITECT OR DESIGNER WILL BE FURNISHED TO THE CONTRACTOR WHEN IN AS REQUIRED BY THE WORK, AND IT IS TO BE UNDERSTOOD THAT SAID ADDITIONAL INFORMATION OR DRAWINGS OR TO BE OF EQUAL IMPORTANCE AS THESE DRAWINGS.

FULL SIZE OR LARGE SCALE DETAILS OR DRAWINGS SHALL SHOWERS SMALL SCALE DRAWINGS WHICH THEY ARE OBVIOUSLY INTENDED TO APPLIED, DETAILS OR CONDITIONS INDICATED FOR A PORTION OF THE WORK BUT NOT CARRIED OUT FULLY FOR THE OTHER PORTIONS OF THE WORK SHALL APPLY THROUGH OUT TO ALL SIMILAR PORTIONS EXCEPT AS OTHERWISE SPECIFICALLY NOTED. DIMENSIONS SHALL BE FIGURED UNLESS OTHERWISE NOTED BY FULL OR SCALE.

THE PROJECT HAS BEEN DESIGNED AND DETAILED FOR THE SPECIFIC MATERIALS AND EQUIPMENT SPECIFIED. NO SUBSTITUTIONS SHALL BE MADE WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ARCHITECT OR DESIGNER. IF THE SPECIFIED MATERIAL IS NOT AVAILABLE, THE CONTRACTOR SHALL PROPOSE AN ALTERNATIVE MATERIAL AND SHALL PROVIDE DRAWINGS, SAMPLES, SPECIFICATIONS, MANUFACTURER'S LITERATURE, PERFORMANCE DATA ETC. IN ORDER FOR THE ARCHITECT OR DESIGNER TO EVALUATE THE PROPOSED SUBSTITUTION. IF THE SUBSTITUTION AFFECTS A CORRELATED FUNCTION ADJACENT CONSTRUCTION, OR THE WORK OF ANY OTHER CONTRACTOR OR TRADE, THE NECESSARY CHANGES IN INDICATIONS TO THE AFFECTED WORK SHALL BE ACCOMPLISHED BY THE GENERAL CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER. NO REQUESTS FOR SUBSTITUTIONS WILL BE ENTERTAINED BY THE ARCHITECT OR DESIGNER DUE TO THE CONTRACTOR'S FAILURE TO CHECK MATERIALS IN A TIMELY MANNER.

THE STANDARD OF SPECIFICATIONS OF THE MANUFACTURERS APPROVED FOR THE USE IN THE PROJECT ARE HEREBY MADE A PART OF THESE NOTES WITH THE SAME FORCE AND EFFECT AS THOUGH HEARING WRITTEN OUT IN FULL, EXCEPT THAT WHERE EVIDENCE OF THE DRAWINGS REQUIRE HIGHER MEMBERS, BETTER QUALITY MATERIALS OR OTHERWISE MORE STRINGENT, THESE MORE STRINGENT REQUIREMENTS SHALL GOVERN.

THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OR DESIGNER IMMEDIATELY IF HE OR SHE CANNOT FOR ANY REASON COMPLY WITH ALL THE REQUIREMENTS OF THESE NOTES AND DRAWINGS. FAILING TO DO SO IMPAIRS ALL NOTES ARE UNDERSTOOD BY THE CONTRACTOR.

THE GENERAL CONTRACTOR SHALL COORDINATE AND SUPERVISE THE WORK OF ALL CONTRACTORS AND SUBCONTRACTORS. HE SHALL BE RESPONSIBLE FOR OBTAINING ALL TRADES SCHEDULING, PLANS AND ON DETAILS AS MAY BE REQUIRED FOR THE PROPER INSTALLATION AND COMPLETION OF THEIR WORK. ALL MATERIALS SHALL BE ORDERED SUFFICIENTLY AHEAD OF TIME SO THAT WORK CAN PROCEED ON SCHEDULE. NO SUBSTITUTIONS WILL BE ACCEPTED BECAUSE OF FAILURE TO DO SO.

ALL MATERIALS REQUIRED FOR THE PERFORMANCE OF THIS CONTRACT SHALL BE NEW AND OF THE BEST QUALITY OF WORKMANSHIP SPECIFIED, AND SUBJECT TO THE APPROVAL OF THE ARCHITECT OR DESIGNER. USE OF OLD OR REWORKING MATERIALS IS STRICTLY FORBIDDEN. THE CONTRACTOR, IF REQUIRED, IF REQUIRED, THROUGH SATISFACTORY EVIDENCE AS TO THE KIND AND QUALITY OF MATERIALS AND WORKMANSHIP, MATERIAL SHALL BE USED IN ACCORDANCE WITH THE BEST TRADE PRACTICES.

FOR THE EXECUTION OF THE WORK TO BE PERFORMED UNDER THIS CONTRACT AND FOR THE MANUFACTURE OR TRANSPORTATION OF ANY OF THE MATERIALS OR APPLIANCES TO BE USED OR INSTALLED, THE CONTRACTOR SHALL EMPLOY ONLY SUCH LABOR THROUGHOUT AS WILL NOT INTERFERE WITH THE SPEEDY AND UNINTERRUPTED COMPLETION OF THE PROJECT. ALL WORK SHALL BE DONE BY MECHANICS DRESSED IN THEIR TRADE AND SHALL BE INSTALLED IN A MANNER IN WORKMAN LIKE MANNER IN ACCORDANCE WITH THE BEST TRADE PRACTICES.

ANY MATERIAL DELIVERED, OR WORK PERFORMED, CONTRARY TO THE DRAWINGS AND SPECIFICATIONS SHALL BE REJECTED BY THE CONTRACTOR AT HIS OWN EXPENSE, AND THE SAME SHALL BE REPLACED WITH OTHER MATERIALS OR WORK SATISFACTORY TO THE ARCHITECT OR DESIGNER. THE CONTRACTOR SHALL ALSO ASSUME THE COST OF REPLACING THE WORK WHICH MAY BE DISTURBED.



ISOPARM DESIGN GROUP

# ISOPARM

95 SARATOGA AVENUE, UNIT 3  
BROOKLYN, NEW YORK 11233  
TEL - 202 - 407 - 3297  
EMAIL - INFO @ ISOPARM.COM



**NOTE:**  
BY SUBMITTING A BID, THE GENERAL CONTRACTOR, ALL SUBCONTRACTORS AND THEIR DIRECTORS, OFFICERS, AGENTS, EMPLOYEES AND SUB-CONSULTANTS, TO THE FULLEST EXTENT PERMITTED BY LAW, DO HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS THE ISOPARM DESIGN GROUP, ITS OFFICERS, DIRECTORS, AGENTS, EMPLOYEES AND SUB-CONSULTANTS AND THE OWNER OF THE PREMISES, FROM AND AGAINST ALL DAMAGE, LIABILITY OR COSTS INCLUDING REASONABLE ATTORNEY'S FEES ARISING OUT OF OR AS A RESULT OF THE WORK CONDUCTED UNDER THE CONTRACT BY THE CONTRACTOR OR ANY SUB CONTRACTORS OR ANY THIRD PARTY THAT IS NOT PARTY TO THE CONTRACT FOR CONSTRUCTION.

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**CLIENT:**

**PROJECT DESCRIPTION:**  
NEW MIXED USE CONDO-TEL DEVELOPMENT

**REVISIONS:**

NO.	DESCRIPTION	DATE

**OWNER NAME:**  
MORANT PROPERTIES

**PROJECT NAME:**  
THE BLACK PEARL OF THE ATLANTIC

**SHEET NAME - SHEET CONTENTS:**  
TITLE - WF2-FDD REZONING APPLICATION PACKAGE  
REVISED

**PROJECT NUMBER:** 0001 **DATE:** 8-24-22

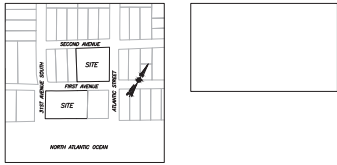
**CHECKED BY:** Author **DRAWN BY:** Checker

**SCALE:**

**SHEET NUMBER:**  
T100

7/22/2022 3:16:12 PM





VICINITY MAP  
(NOT TO SCALE)

LEGEND

- CONC. MONUMENT FOUND
- CABLE BOX
- ⊠ ELECTRIC BOX
- ⊠ GRATE INLET
- IRON PIPE FOUND
- IRON REBAR FOUND
- LIGHT HOLE
- POWER POLE
- ⊙ STORM DRAINAGE MANHOLE
- ⊙ SANITARY MANHOLE
- ⊙ WATER METER
- ⊙ WATER VALVE
- GAS MARKER
- IRON REBAR SET

DHEC-DCRM BASELINE COORDINATES  
VALID AS OF MAY 3, 2018

NORTHING	EASTING
723,122.19	2,693,693.07
723,122.18	2,693,713.38
723,123.36	2,693,881.63
723,264.99	2,693,947.85
723,342.27	2,694,082.56

DHEC-DCRM SETBACK LINE COORDINATES  
VALID AS OF MAY 3, 2018

NORTHING	EASTING
723,139.21	2,693,683.07
723,104.62	2,693,765.00
723,233.56	2,693,850.85
723,282.44	2,693,938.11
723,359.60	2,694,072.56

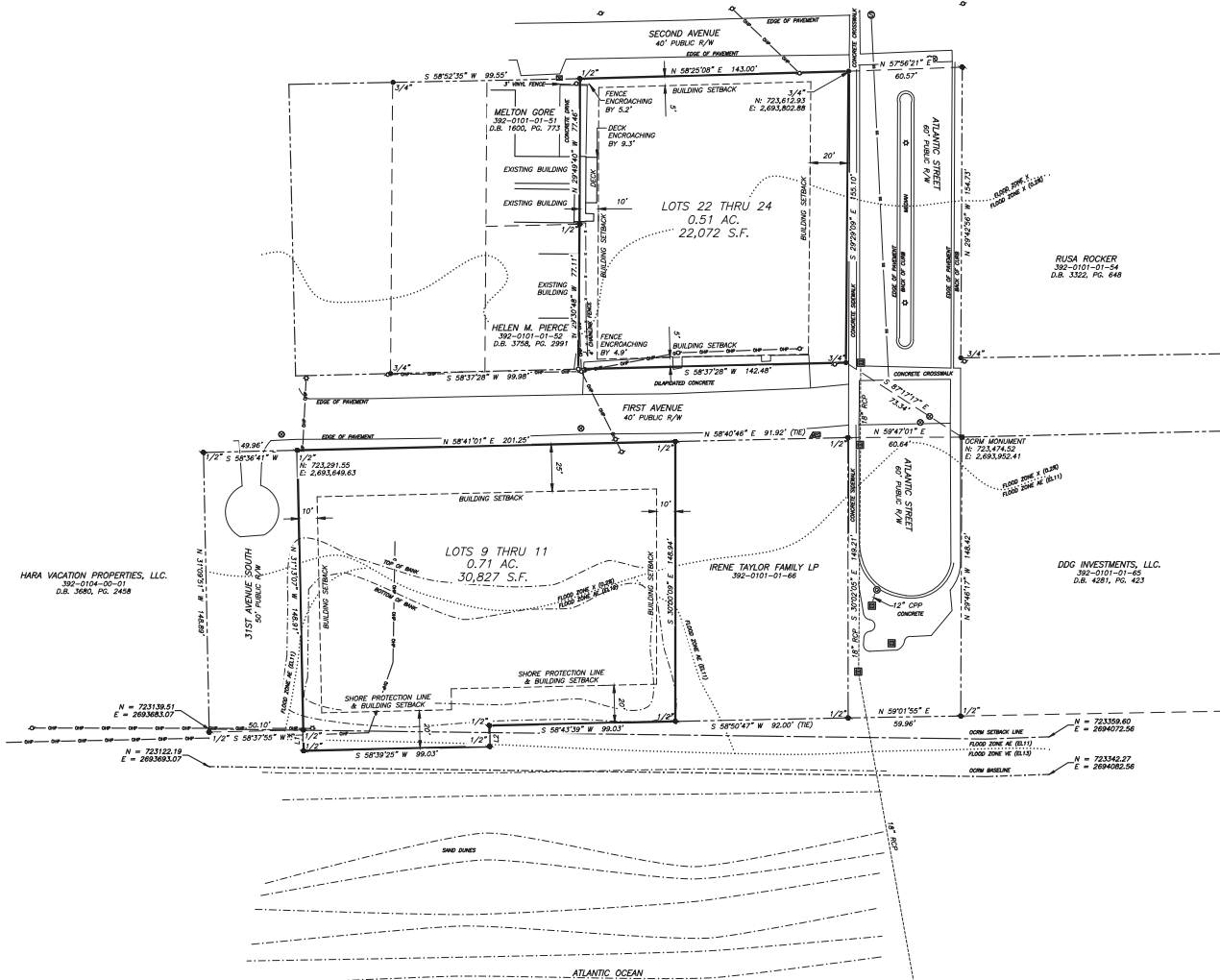
REFERENCES:

- 1) A RECOMBINATION PLAT SHOWING LOTS 9-11 & 22, PEARL BEACH SECTION, LOTS 1, 22-24, ATLANTIC BEACH SECTION, DATED AUGUST 23, 2006, SURVEYED BY RUSA ROCKER & ASSOCIATES LAND SURVEYING & DESIGN, RECORDED AT Horry County R.O.D. IN P.B. 208 PG. 106.

NOTES:

- 1) TAX MAP NO. (PARENT TRACT): 392-0101-01-67, -01-53.
- 2) ACCORDING TO F.L.M. MAP NO. 450510, PANEL 0810C, REVISED DECEMBER 16, 2021, IT IS MY OPINION THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN FLOOD HAZARD ZONE X (0.25% AEC1), AEC1(2), VEED(1,3).
- 3) ALL BEARINGS AND COORDINATES SHOWN ON THIS SURVEY ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD83).
- 4) THIS SURVEY IS VALID ONLY IF THE PRINT OF SAME HAS THE ORIGINAL SIGNATURE AND EMBOSSED SEAL OF THE LAND SURVEYOR.
- 5) A TITLE SEARCH WAS NOT PERFORMED BY G3 ENGINEERING & SURVEYING, P.C. AT THE TIME OF THIS SURVEY.
- 6) THE PROPERTY PLATTED HEREIN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- 7) LAST PROPERTY TRANSFER: D.E. 4398, PG. 2693, D.B. 3339, PG. 2176  
N = 723122.19  
E = 2693693.07
- 8) SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AN ELEMENT OF THIS SURVEY; NO STATEMENT IS MADE REGARDING THE EXISTENCE OF UNDERGROUND OR OVERSIZED CONTINGENCIES THAT MAY AFFECT THE USE OF THIS PROPERTY.
- 9) THERE ARE NO HORIZONTAL CORNER MONUMENTS ON THE UNITED STATES FOR STATE AGENCY SURVEY SYSTEMS LOCATED WITHIN 2000 FEET OF THE SUBJECT PROPERTY.
- 10) CURRENT OWNER OF 392-0101-01-67: 9 THRU 11 & 1, L.L.C. ADDRESS: 174-27 ARLANDA RD, JAMAICA, NY 11433  
CURRENT OWNER OF 392-0101-01-53: EDWARD COOPER IN ETAL ADDRESS: 535 W 110TH ST, NYC, NEW YORK, NY 10025
- 11) CURRENT ZONING: R1Z
- 12) BUILDING SETBACKS ARE AS FOLLOWS:  
THIS 392-0101-01-67  
FRONT: 40' SIDES: 5' REAR: 20'  
IF BUILT IS GREATER THAN 45';  
FRONT: 60' SIDES: 40' REAR: 30'  
(NOTE THAT REAR SETBACK INCREASED FROM 10' TO 20' DUE TO SHORE PROTECTION LINE)  
THIS 392-0101-01-53  
FRONT: 25' SIDES: 5' REAR: N/A  
IF BUILDING GREATER THAN 45';  
FRONT: 75' SIDES: 5' REAR: N/A

THIS PLAT AND ALL REPRODUCIBLE COPIES OF THIS PLAT ARE THE PROPERTY OF G3 ENGINEERING & SURVEYING, P.C. PERMISSION IS GRANTED TO THE USER TO MAKE A COPY OF THIS PLAT AS A MATTER OF PUBLIC RECORD. ALTERATIONS TO THIS DOCUMENT ARE NOT PERMITTED.



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 30°59'25" W	11.12'
L2	S 30°48'53" E	11.15'



CERTIFICATE OF OWNERSHIP AND DEDICATION  
THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I (WE) HEREBY ADOPT THIS (PLAN OF DEVELOPMENT/PLAT) WITH MY (OUR) FREE CONSENT AND THAT I (WE) HEREBY DEDICATE ALL ITEMS AS SPECIFICALLY SHOWN OR INDICATED ON SAID PLAT.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
REPRESENTATIVE

PRINT NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
REPRESENTATIVE

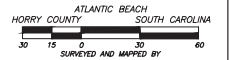
PRINT NAME: \_\_\_\_\_

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON HAS BEEN MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

KENNETH R. CRAWFORD  
SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR  
LICENSE NO. 21227



BOUNDARY SURVEY  
OF  
LOTS 9-11 & 1, PEARL BEACH  
SECTION  
PREPARED FOR  
ISOPARM DESIGN GROUP  
ATLANTIC BEACH  
HORRY COUNTY SOUTH CAROLINA



**G3**  
ENGINEERING & SURVEYING

P.O. BOX 2656  
PAWLEYS ISLAND, SC 29555  
PHONE: 843.237.1001  
SCALE: 1" = 30'  
FILE: 2104 DRAWN BY: JCM  
FIELD DATE: 3/2/22 REVIEWED BY: JCM  
PLAT DATE: 3/2/22 PARTY CHIEF: KRC  
DATE: 3/2/22

FILE PATH: \\1028 - THE BLACK PEARL (COMMON) \BOUNDARY\2104 - THE BLACK PEARL BOUNDARY



# THE BLACK PEARL OF THE ATLANTIC. v8

ATLANTIC BEACH, SOUTH CAROLINA



## Development Project Description:

Morant Properties LLC. Is proposing to develop a 21 story (20 habitable floors) story high-rise “Condo-Tel” on oceanfront lots 9-11 in the Pearl Beach section and lots 22-24 in the Atlantic Beach section of Horry County, SC. The newly constructed building is currently designed to have 24 luxury condominiums, 36 short term rental units and 168 hotel rooms. Each floor will have, five 1 bedrooms, four 2 bedrooms, one 3 bedroom and two 4 bedrooms, for a total of 12 units per floor. The Black Pearl Project is estimated at approximately \$80M to construct. In addition to the room accommodations, the facility will have state-of-the-art amenities such as: meeting and conference rooms; a banquet hall for public and resident community events and functions; fully equipped gym/workout rooms; indoor and outdoor pools; a gift shop; dedicated space for the Town’s Museum to house historic artifacts and memorabilia. The building will have 24-hour security and camera surveillance capabilities.

Parking for patrons and guests will be provided in a 11-story parking deck that will be constructed on the corner lots located on 30<sup>th</sup> Ave S and Ocean Blvd. As currently designed, the parking garage will accommodate approximately 420 cars with the entrance off 30<sup>th</sup> Ave.

## Economic and Social Benefits to the Town:

The economic and social benefits to the Town of Atlantic Beach are vast. Currently, the Town does not have a major facility to accommodate the many tourists and guests that are looking to visit the culturally and historically rich community. Having a major hotel/condominium venue to host visitors and patrons to the town will greatly enhance marketability and spur additional commercial and residential development in the community.

The development of the Black Pearl Project will have a positive valuation impact on the land and home values for Atlantic Beach.

The Black Pearl Project will create substantial tax revenue while also creating generous business licensing fees for the Town of Atlantic Beach.

Hospitality and Accommodations Tax fees payable to the town are projected to be \$\_\_\_\_\_.

The additional revenue generated by this development project will greatly enhance the Town's ability to increase police services, make improvements to the town's infrastructure and add new community amenities. Specifically, to this objective, the Black Pearl Project at the end of construction, will clearly delineate; improve and enhance one beach access point and share in maintaining it in the future. The newly constructed facility will also provide conference space for the resident's social functions.

### **Community give back of 3% + Community Benefits:**

Our development is just a stone's throw from the heart of the community; offering world class amenities with second to none modernized facilities. The intention of the Black Pearl is to be the new sought after location for both, local and national organizations.

Both, macro and micro benefits to the community from this proposed development far exceed the 3% allocation requirement. The Town of Atlantic Beach will directly benefit from the hundreds of temporary and permanent employment opportunities created from this development. The Black Pearl will be the conduit through which an opportunity to educate and connect the past with the present will occur.

The first floor is meticulously sectioned into four quadrants, each of which serving a specific purpose, benefiting the town:

Quadrant 1 will house community spaces and conference rooms. The spaces will allow for large and small gatherings, providing a safe space for the town to meet.

Quadrant 2 will be solely dedicated to the Black Pearl Museum. The development team wants to create a modern facility to educate and connect current generations with the uniquely rich history of the Town of Atlantic Beach and the Gullah Geechee culture.

Quadrant 3 is dedicated to a world-class restaurant and café. This space will allow for views out to the ocean with sweeping terraces, and will double as a small wedding venue to capture some of the estimated 5,000 weddings that occur each year, elsewhere along the Myrtle Beach strip.

Quadrant 4 is dedicated to a luxury spa and sauna offering, 5-star pampering for the guests and community. Relaxation and rejuvenation will be central to the design.

Parking Garage - This development will allow for additional off-street parking which is so desperately needed in the area. Our parking structure will be designed for the future growth of Atlantic Beach. The structural design of the garage will allow for additional parking levels to be added during a later phase

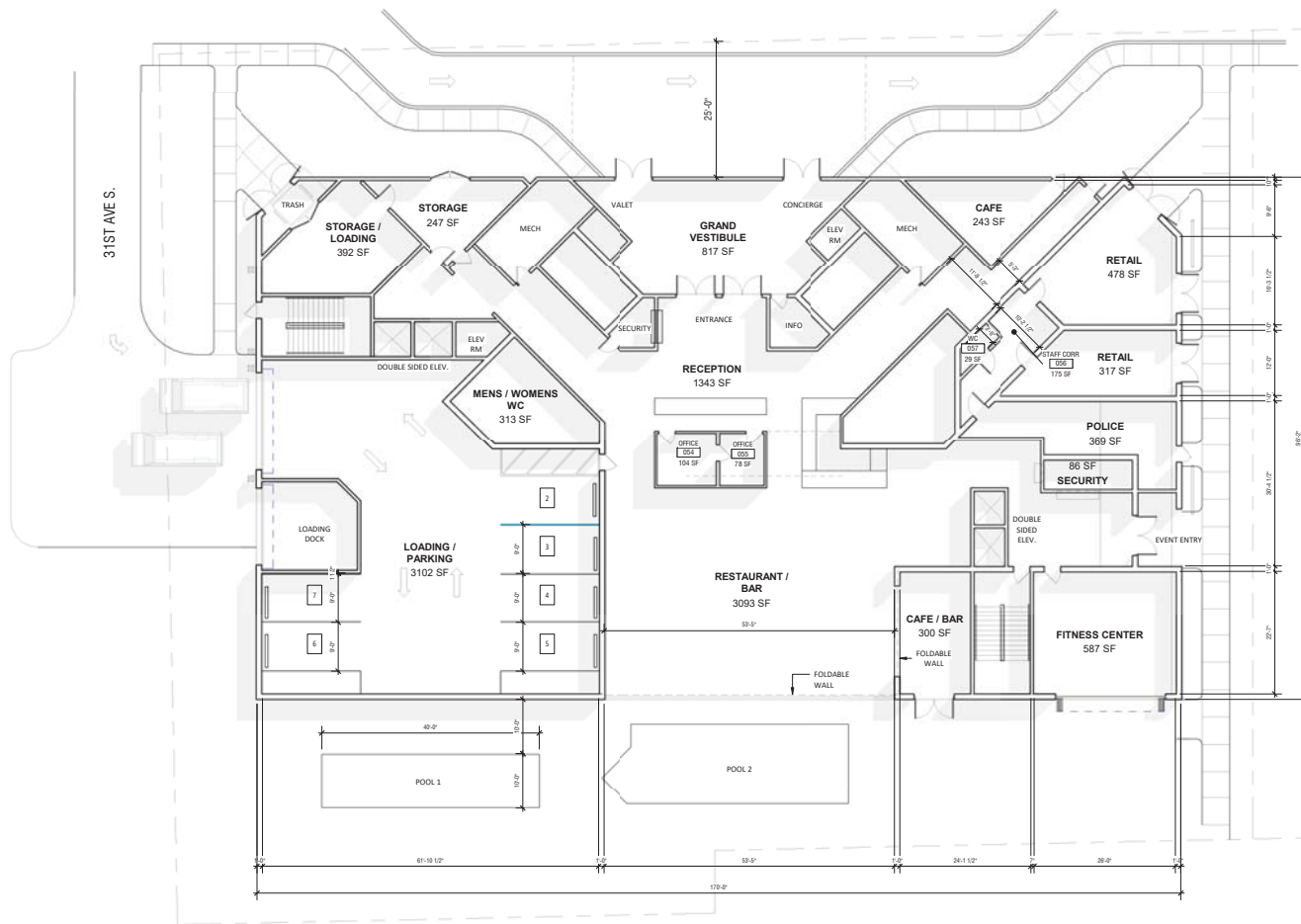
Site Improvements – As currently designed the development team envisions adding ~27 community parking spaces (not included in the parking calculations) in the 50 foot public right of way. This easy beach front parking access is a direct benefit to the community.

~\$2.4 million equates to 3% of our estimated hard construction costs, but our development team anticipates spending upwards of \$6,400,000. The development team has earmarked \$2.5 million for site improvements to help foster access, egress and ingress to and around our site. That being said, the total minimum benefit back to the town we anticipate to

be close to \$9,000,000, allowing the beachfront to be accessible and enjoyable to all, which has always been a goal of the development team. This coupled with the ground floor equals approximately 32,000 ft.<sup>2</sup> of usable community space, which will directly benefit the town.

The development team has vowed to spend a min. of 3% of the construction costs on public amenities as clearly defined in the land management ordinance. The additional amenities or spaces we deem to benefit the public such as the museum, government or police offices will not count against the 3% requirement. Also, the community give back will be structured in tiers. Should the project be reduced in scope, we will allocate a minimum of 3% of said amount or total development costs.

Overall, in addition to providing a first-class resort facility, our objective is to contribute to the continued revitalization and preservation of the rich cultural heritage of Atlantic Beach. We feel that our development project will greatly enhance the positive image of the town and make Atlantic Beach a preferred "Destination" for those looking to vacation and partake in its rich Afro-Centric cultural heritage.



1 00 - GROUND FLOOR  
A400 3/32" = 1'-0"

ISOPARM DESIGN GROUP

# ISOPARM

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**ENGINEERING & SURVEYING**

**NOTES:**

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CLIENT:

PROJECT DESCRIPTION:  
**NEW MIXED USE CONDO-TEL DEVELOPMENT**

REVISIONS:

NO.	DESCRIPTION	DATE

OWNER NAME:  
**MORANT PROPERTIES**

PROJECT NAME:  
**THE BLACK PEARL OF THE ATLANTIC**

SHEET NAME - SHEET CONTENTS:  
**GROUND FLOOR**

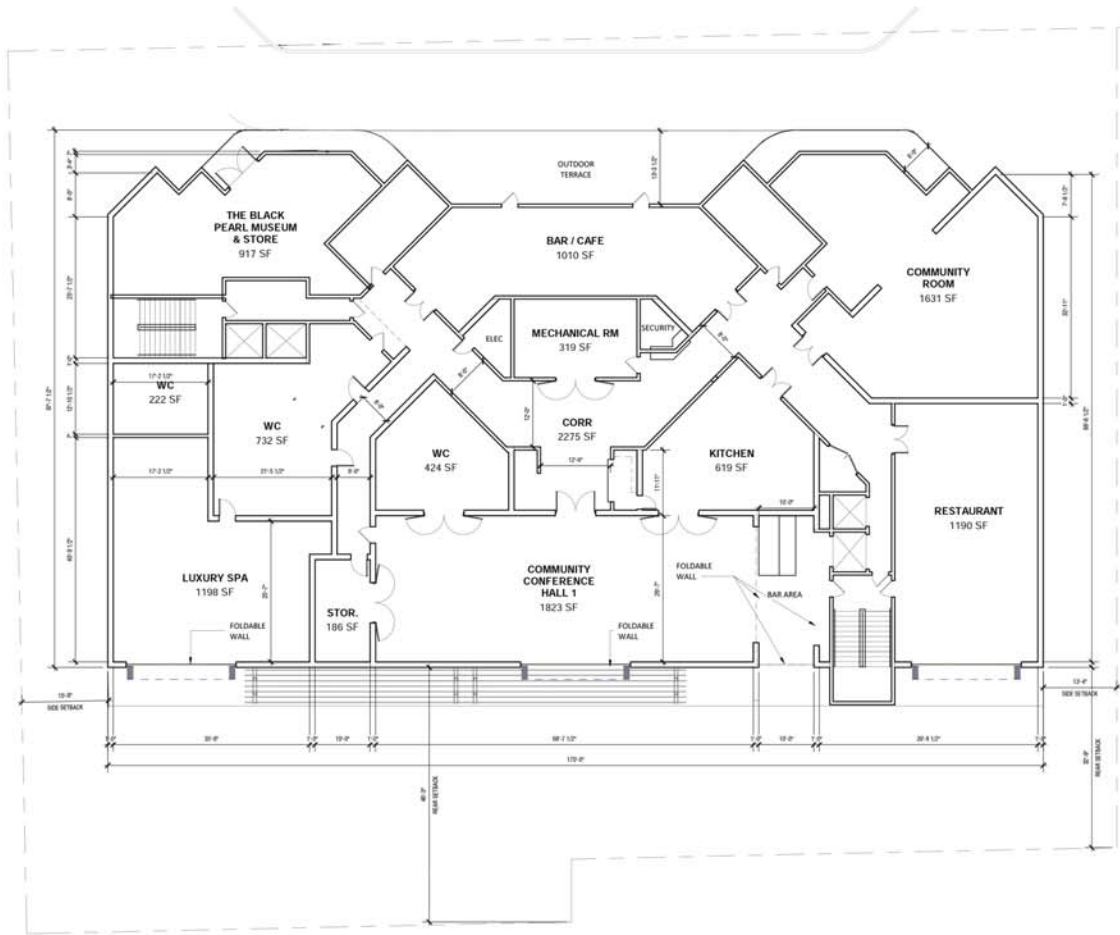
PROJECT NUMBER: 0001      DATE: 12-6-22

CHECKED BY: Author      DRAWN BY: Checker

SCALE: 3/32" = 1'-0"

SHEET NUMBER:  
**A100**

12/7/2022 12:44:09 PM



1  
A101 01 - FIRST FLOOR  
3/32" = 1'-0"

ISOPARM DESIGN GROUP

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95 SARATOGA AVENUE, UNIT 3  
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& SURVEYING**

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CLIENT:

PROJECT DESCRIPTION:  
**NEW MIXED USE CONDO-TEL DEVELOPMENT**

REVISIONS:

NO.	DESCRIPTION	DATE

OWNER NAME:  
**MORANT PROPERTIES**

PROJECT NAME:  
**THE BLACK PEARL OF THE ATLANTIC**

SHEET NAME - SHEET CONTENTS:  
**FIRST FLOOR**

PROJECT NUMBER: 0001      DATE: 8-25-22

CHECKED BY: Author      DRAWN BY: Checker

SCALE: 3/32" = 1'-0"

SHEET NUMBER:  
**A101**

8/25/2022 4:48:33 PM



**UNIT CALCULATIONS**  
 1 bedrooms - 5 units per floor = 95 total  
 2 bedroom - 4 units per floor = 76 total  
 3 bedroom - 1 unit per floor = 19 total  
 4 bedroom - 2 units per floor = 38 total  
**Total # of units- 228**

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 BROOKLYN, NEW YORK 11233  
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 EMAIL - INFO@ISOPARM.COM



**GB**  
 ENGINEERING  
 & SURVEYING

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**PROJECT DESCRIPTION:**  
 NEW MIXED USE CONDO-TEL DEVELOPMENT

**REVISIONS:**

NO.	DESCRIPTION	DATE

**OWNER NAME:**  
 MORANT PROPERTIES

**PROJECT NAME:**  
 THE BLACK PEARL OF THE ATLANTIC

**SHEET NAME - SHEET CONTENTS:**  
 FRONT LOT FLOORS 2-20

**PROJECT NUMBER:** 0001      **DATE:** 8-16-22

**CHECKED BY:** Author      **DRAWN BY:** Checker

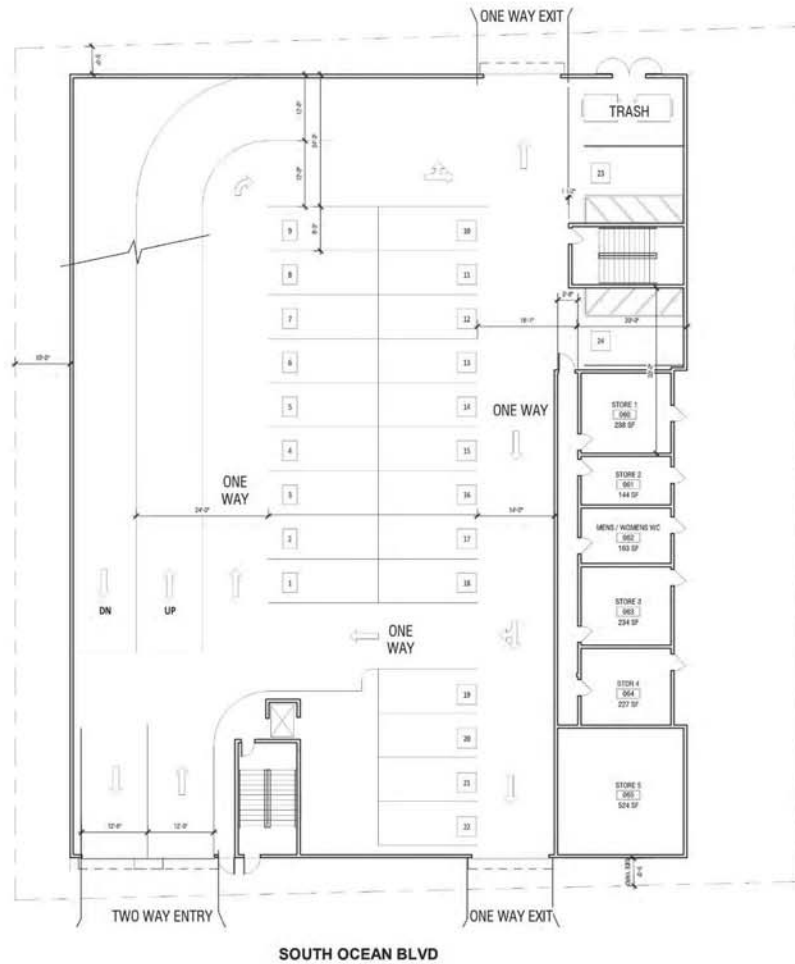
**SCALE:** 1/8" = 1'-0"

**SHEET NUMBER:** **A152**

8/16/2022 8:00:15 AM



PARKING COUNT	
THIS FLOOR	24 SPACES
TOTAL	420 SPACES



1  
A100 01 - REAR BUILDING - FLOOR 1  
3/32" = 1'-0"

ISOPARM DESIGN GROUP

# ISOPARM

95 SARATOGA AVENUE, UNIT 3  
BROOKLYN, NEW YORK 11233  
TEL - 202 - 497 - 3297  
EMAIL - INFO @ ISOPARM.COM

## GB ENGINEERING & SURVEYING

**NOTES:**

BY SUBMITTING A BID, THE GENERAL CONTRACTOR, ALL SUBCONTRACTORS AND THEIR DIRECTORS, OFFICERS, AGENTS, EMPLOYEES AND SUB CONSULTANTS, TO THE FULLEST EXTENT PERMITTED BY LAW, DO HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS THE ISOPARM DESIGN GROUP, ITS OFFICERS, DIRECTORS, AGENTS, EMPLOYEES AND SUB-CONSULTANTS AND THE OWNER OF THE PREMISES, FROM AND AGAINST ALL DAMAGE, LIABILITY OR COSTS INCLUDING REASONABLE ATTORNEY'S FEES ARISING OUT OF OR AS A RESULT OF THE WORK CONDUCTED UNDER THE CONTRACT BY THE CONTRACTOR OR ANY SUB CONTRACTOR OR ANY THIRD PARTY THAT IS NOT PARTY TO THE CONTRACT FOR CONSTRUCTION.

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**CLIENT:**

**PROJECT DESCRIPTION:**  
NEW MIXED USE CONDO-TEL DEVELOPMENT

**REVISIONS:**

NO.	DESCRIPTION	DATE

**OWNER NAME:**  
MORANT PROPERTIES

**PROJECT NAME:**  
THE BLACK PEARL OF THE ATLANTIC

**SHEET NAME - SHEET CONTENTS:**  
REAR LOT FLOOR 1

**PROJECT NUMBER:** 0001 **DATE:** 7-22-22

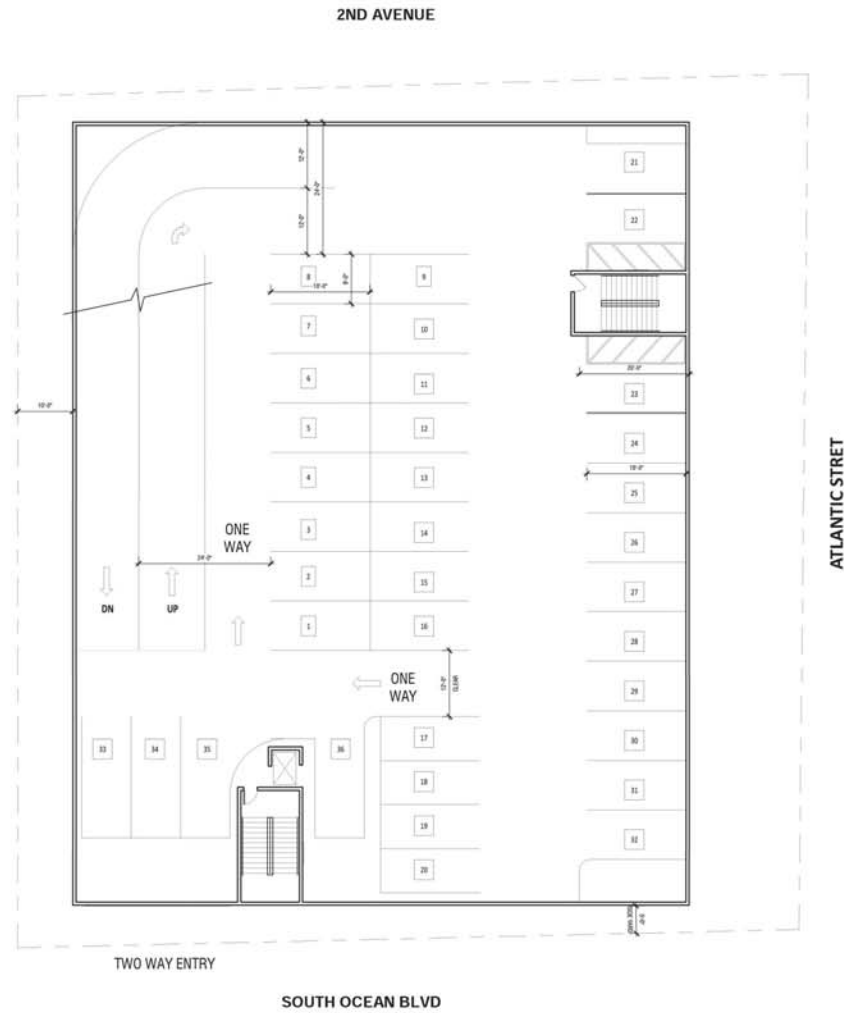
**CHECKED BY:** Author **DRAWN BY:** Checker

**SCALE:** 3/32" = 1'-0"

**SHEET NUMBER:** A150

7/22/2022 10:59:20 AM

PARKING COUNT	
THIS FLOOR	36 SPACES
TOTAL	420 SPACES



1  
A151  
01 - REAR BUILDING - FLOOR 1  
3/32" = 1'-0"

ISOPARM DESIGN GROUP  
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 95 SARATOGA AVENUE, UNIT 3  
 BROOKLYN, NEW YORK 11233  
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**CLIENT:**  
 MORANT PROPERTIES  
**PROJECT DESCRIPTION:**  
 NEW MIXED USE CONDO-TEL DEVELOPMENT

**REVISIONS:**

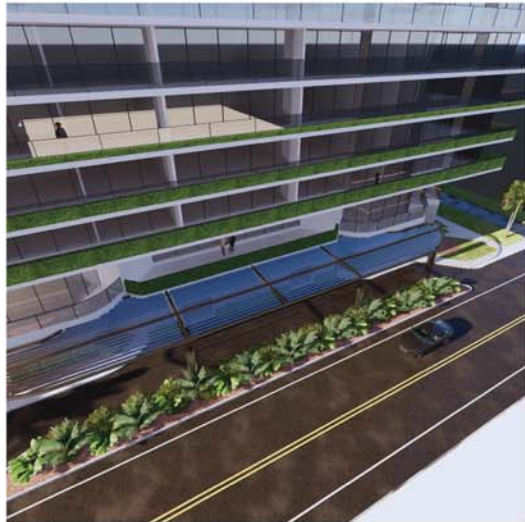
NO.	DESCRIPTION	DATE

**OWNER NAME:**  
 MORANT PROPERTIES  
**PROJECT NAME:**  
 THE BLACK PEARL OF THE ATLANTIC

**SHEET NAME - SHEET CONTENTS:**  
 REAR LOT FLOOR 2-8

**PROJECT NUMBER:** 0001      **DATE:** 8-25-22  
**CHECKED BY:** Author      **DRAWN BY:** Checker  
**SCALE:** 3/32" = 1'-0"

**SHEET NUMBER:**  
**A151**



PERSPECTIVE 1



PERSPECTIVE 2



PERSPECTIVE 3



EAST ELEVATION

REAR ELEVATION



WEST ELEVATION

FRONT ELEVATION

ELEVATIONS AND RENDERINGS SHOWN FOR ILLUSTRATION PURPOSES ONLY. FINAL DESIGN TO BE SUBMITTED AND RESOLVED FOR FULL APPLICATION

ISOPARM DESIGN GROUP

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**ENGINEERING & SURVEYING**

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**CLIENT:**

**PROJECT DESCRIPTION:**

**NEW MIXED USE CONDO-TEL DEVELOPMENT**

**REVISIONS:**

NO.	DESCRIPTION	DATE

**OWNER NAME:**

**MORANT PROPERTIES**

**PROJECT NAME:**

**THE BLACK PEARL OF THE ATLANTIC**

**SHEET NAME - SHEET CONTENTS:**

**ELEVATIONS + RENDERINGS**

**PROJECT NUMBER:** 0001      **DATE:** 8-16-22

**CHECKED BY:** Author      **DRAWN BY:** Checker

**SCALE:**

**SHEET NUMBER:**

**A150**

11/09/2022 11:33:34 PM



**NOTES:**  
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CLIENT:

PROJECT DESCRIPTION:  
**NEW MIXED USE CONDO-TEL DEVELOPMENT**

REVISIONS:

NO.	DESCRIPTION	DATE

OWNER NAME:  
**MORANT PROPERTIES**

PROJECT NAME:  
**THE BLACK PEARL OF THE ATLANTIC**

SHEET NAME - SHEET CONTENTS:  
**GENERAL SECTIONS**

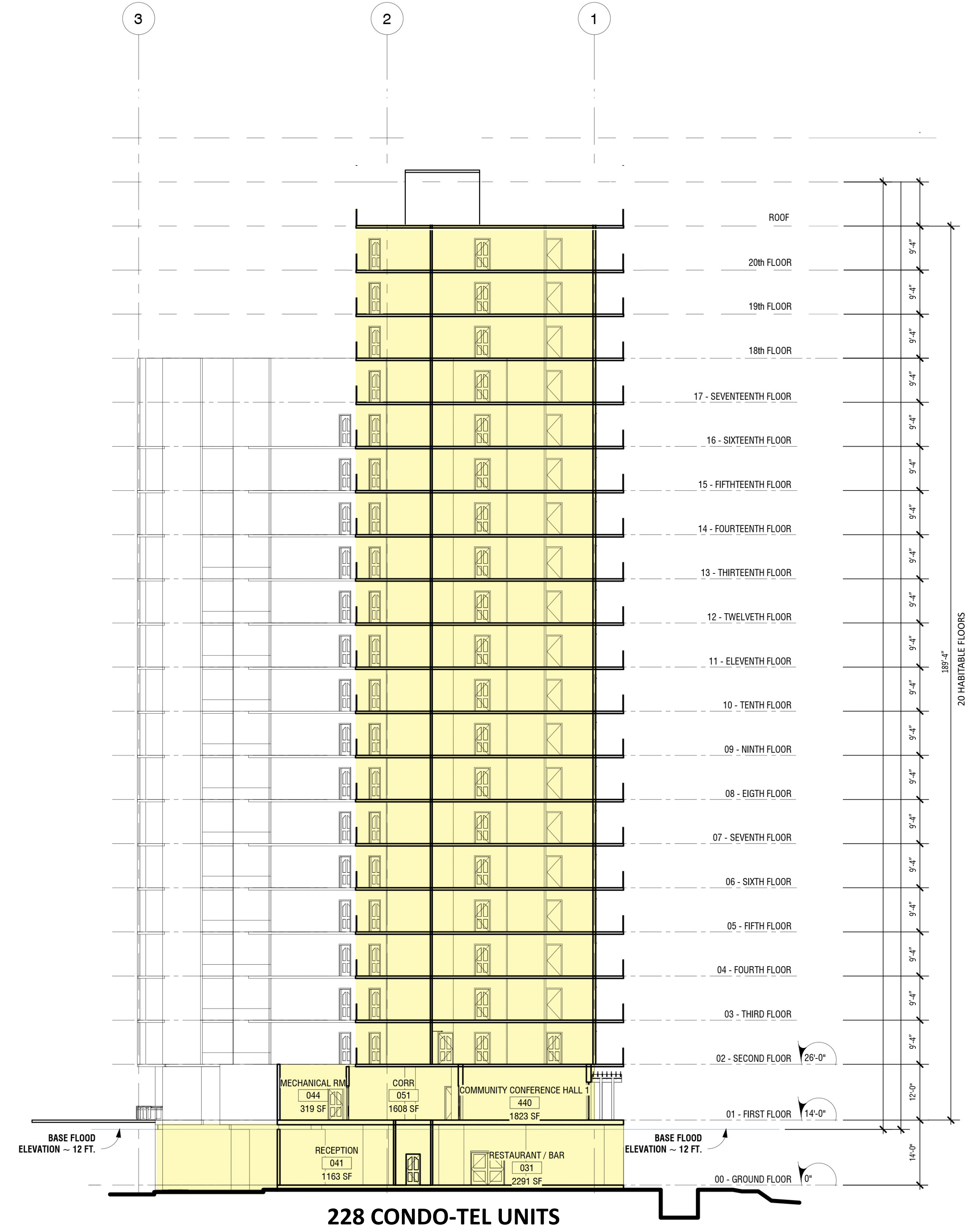
PROJECT NUMBER: 0001      DATE: 8-25-22

CHECKED BY: Author      DRAWN BY: Checker

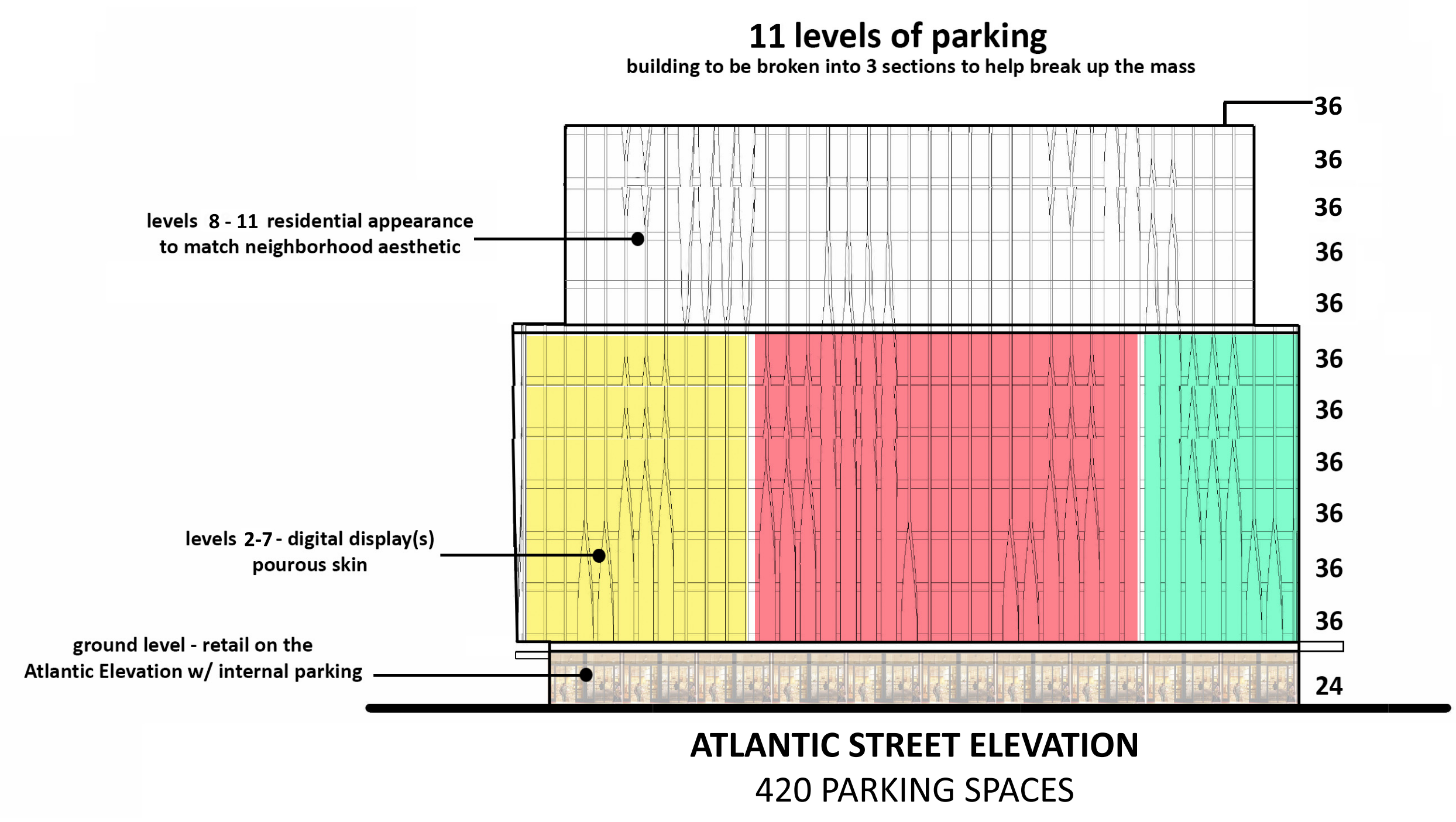
SCALE: 1/16" = 1'-0"

SHEET NUMBER:  
**A300**

8/5/2022 4:41:09 AM



**1** CROSS SECTION  
 1/16" = 1'-0"



**1** REAR BUILDING EXTERNAL ELEVATION  
 1 : 250