
2023-1 (1st READING): TO AMEND THE PLANNED UNIT DEVELOPMENT KNOWN AS OSCEOLA STREET PUD PLANNED UNIT DEVELOPMENT

Applicant/Purpose: Robert S. Guyton (agent) / to amend the Osceola PUD to better accommodate multifamily development.

Brief:

- The Osceola Street PUD as adopted in 2017 included three development phases.
- Changes requested in this amendment include the following.
 - Current permitted uses, generally those of the Highway Commercial Zones, are reduced (Sec 3) to only multifamily residential and typical accessory uses and amenities (Sec 4).
 - Minimum lot size (Sec 6) is reduced from 10,000 to 5,000 sq. ft.
 - Maximum height (Sec 6) is reduced from 60' to 55'.
 - Minimum setback (Sec 6) from Mr. Joe White Ave is decreased from 25' to zero.
 - Minimum setback (Sec 6) from Osceola St is decreased from 15' to zero.
 - Minimum setback from Cherokee St remains 15'.
- Parking requirements (Sec 6) are unchanged for the remaining permitted uses.
- Planning Commission (12.6.22) recommends approval (8/0).

Issues:

- The current narrative does not address an unimproved 60' City right-of-way running through the project. The applicant has added narrative regarding abandonment (Sec 10), which will be requested at a later date.
- Public Improvements listed in the current PUD include installation of a new basketball court at Lions Cove Park near the corner of Osceola St and Green's Blvd. Lions Cove Park is not included in the Osceola St PUD, and the City's PRST Department is fine with removing the basketball court from the public improvements list. The remaining public improvements remain unchanged:
 - A 5' sidewalk and street trees within the adjacent Mr. Joe White Ave ROW. (A sidewalk already exists along Osceola St.)
 - Installation of security cameras at the direction of MBPD, to be integrated into their city-wide camera system.
 - School bus stops along Osceola St at the direction of Horry County Schools.
- Staff recommends further amendments to Sections 13 & 15, respectively, to better refine phasing and construction schedules and incorporate a revocation provision consistent with the City's Zoning Ordinance.

Public Notification: Ad in newspaper, agenda published and posted.

Alternatives: Modify, or deny the request.

Financial Impact: Increase in commercial property taxes, business licenses, and building permits. These revenues will be offset with added service demands.

Manager's Recommendation:

- I recommend 1st reading with staff recommendations (1.10.23)

Attachment(s): ordinance, staff report

ORDINANCE 2023-1

**CITY OF MYRTLE BEACH
STATE OF SOUTH CAROLINA
COUNTY OF HORRY**

**TO AMEND THE PLANNED UNIT
DEVELOPMENT KNOWN AS OSCEOLA
STREET PUD PLANNED UNIT
DEVELOPMENT**

IT IS HEREBY ORDAINED that the Osceola Street Planned Unit Development (hereinafter the “PUD”) is amended pursuant to the terms and conditions of this Ordinance, as follows. The development authorized and approved by this Ordinance shall be located on those parcels of land identified with Horry County PINs as:

- Mr. Joe White Avenue: PIN 425-12-04-0003;
- PIN 425-12-04-0004;
- PIN 425-12-04-0005;
- PIN 425-12-04-0006;
- Osceola St.:
- PIN 425-12-04-0002;
- PIN 425-12-04-0001;
- PIN 425-12-01-0037;
- PIN 425-12-01-0036;
- PIN 425-12-01-0035;
- PIN 425-12-01-0034;
- PIN 425-12-01-0033;
- PIN 425-12-01-0032;
- PIN 425-12-01-0031;
- PIN 425-12-01-0030;
- PIN 425-12-01-0029;
- PIN 425-12-01-0028;
- PIN 425-12-04-0007;
- PIN 425-12-04-0008;
- PIN 425-12-04-0009;
- PIN 425-12-04-0010;
- PIN 425-12-04-0021; and
- PIN 425-12-04-0022

1 As shown on the Boundary, Topographic & Tree Survey prepared by McKim & Creed, dated June
2 10, 2022, included in a separate exhibit supplement to this Ordinance and incorporated herein
3 by reference as EXHIBIT 17.5. The development authorized by this ordinance shall be generally
4 as represented by that set of plans drawn and/or compiled by Development Resources Group
5 dated November 28, 2022, titled Conceptual Site Plan, 10th Avenue Multifamily included in a
6 separate exhibit supplement to this Ordinance and incorporated herein by reference as EXHIBIT
7 17.6; that set of plans drawn by Development Resources Group dated November 28, 2022, titled
8 Schematic Drainage Exhibit, 10th Avenue Multifamily included in a separate exhibit supplement
9 to this Ordinance and incorporated herein by reference as EXHIBIT 17.7; that set of plans drawn
10 by Development Resources Group dated November 28, 2022, titled Schematic Utility Exhibit, 10th
11 Avenue Multifamily included in a separate exhibit supplement to this Ordinance and
12 incorporated herein by reference as EXHIBIT 17.8; that set of plans drawn by Development
13 Resource Group dated November 28, 2022, titled Conceptual Landscape Plan, 10th Avenue
14 Multifamily included in a separate exhibit supplement to this Ordinance and incorporated herein
15 by reference as EXHIBIT 17.9; that set of conceptual building elevations drawn by Studio A dated
16 August 2, 2022 titled Design Services for Myrtle Beach Apartments, 10th Avenue, Myrtle Beach,
17 South Carolina included in a separate exhibit supplement to this Ordinance and incorporated
18 herein by reference as EXHIBIT 17.10; that summary of PUD Public Benefits attached hereto and
19 incorporated herein by reference as APPENDIX "A". These exhibits to this Ordinance shall
20 generally represent the development authorized by this Ordinance, with the understanding that
21 the Zoning Administrator or the Community Appearance Board of the City of Myrtle Beach may
22 amend the plans to some degree. Pursuant to the Code of Ordinances of the City of Myrtle Beach,
23 Appendix A, Zoning, Section 19.03.H, the plans included in the separate exhibit supplement to
24 this Ordinance referenced herein are representative of the manner in which the PUD shall be
25 developed and any such development shall be in strict compliance with the approved final plans
26 for development and revisions thereto approved by City Staff.

27 28 Section 1 – Summary of the Planned Unit Development 29

30 The proposed amendment to the Osceola Street PUD fits within the context of the existing
31 surrounding development. The site is currently vacant with some tree cover, consistent with the
32 tree survey performed by McKim & Creed, dated June 10, 2022 and included in the PUD
33 Amendment Application. The approximately 6.575 acre PUD currently provides for mixed uses
34 that include climate controlled storage, offices or retail and multi-family residential. The
35 amended plan includes multi-family residential (including common areas and open spaces) along
36 Osceola Street, together with accessory offices related to the operation of the PUD, along Mr.
37 Joe White Avenue as indicated on the Site Plan. The project includes interior drives, resident
38 parking areas, a swimming pool and amenity area, stormwater pond, and enclosed dumpsters,
39 as shown on the Site Plan, as well as improvements to City stormwater drainage network,
40 landscaping, and internal security cameras. The developer has proposed using funds generated
41 by the public benefit of the project to install two three-camera units of the City of Myrtle Beach
42 camera network as requested by the Myrtle Beach Police Department. These cameras would be
43 maintained solely by the City of Myrtle Beach. Maintenance for all improvements within the
44 project, including the common areas, amenity and drainage, will be the responsibility of owner,

1 its successors, and assigns, as will the exterior landscaping on private property and dumpster
2 enclosures.

3 4 Section 2 – Location of the Planned Unit Development

5
6 The PUD is bound by developed properties along and accessed primarily via Mr. Joe White
7 Avenue to its south. To the north, the PUD is bound by an apartment complex (Monticello Park)
8 which is zoned PUD. The PUD is bound to the west by Osceola Street and to the east by Cherokee
9 Street. Across Osceola Street along Mr. Joe White Avenue are two properties zoned HC-1 (Dick's
10 Pawn Shop and New Directions of HC, LLC). Adjacent to these properties along Osceola Street
11 are two apartment complexes zoned RMH (Sandygate Village and Patriot's Way). The PUD
12 encompasses seven (7) lots along Cherokee Street. The lot at the corner with Mr. Joe White is
13 vacant. The remaining lots within the PUD are also vacant, except one (1) lot, which contains a
14 vacant house that will be removed in conjunction with the PUD construction. Continuing along
15 the west side of Cherokee Street, there are two residences and three apartment buildings. Across
16 Cherokee Street from the PUD along Mr. Joe White Ave. is a professional office building zoned
17 MU-M (Morris Chiropractic). Adjacent to this property are six lots zoned RMH. The first of these
18 lots is a residence, while the remaining lots on the east side of Cherokee Street are either vacant
19 or contain apartment buildings. .

20 21 Section 3 – Permitted Uses

22
23 Multi-family residential dwellings, for long term lease.

24 25 Section 4 – Accessory Uses

26
27 Uses customarily accessory to Multi-Family Dwelling complexes. The customary accessory uses
28 of multi-family dwelling complexes include, but are not limited to:

- 29
30 1. Parking, provided such parking is designed and/or uses for the storage of motor driven
31 vehicles, owned and used by the occupants of the dwellings to which it is accessory,
32 together with employee parking and guest parking. Accessory parking shall not be used
33 for (i) more than one commercial vehicle licensed as a commercial vehicle by the State
34 of South Carolina per dwelling unit; or (ii) any vehicle of more than one ton in capacity.
35 2. Mailbox clusters.
36 3. Swimming pools and equipment.
37 4. Tennis Courts.
38 5. Fitness/Wellness Facilities.
39 6. Laundry Facilities.
40 7. Management/Maintenance/Custodial Offices and Storage.

41
42 All such accessory uses shall be on the same lot as the permitted use they support.

43 Section 5 – Dimensional Requirements

44

- 1 5.1 Minimum lot area: 5,000 square feet
2 5.2 Minimum lot width: None
3 5.3 Minimum lot depth: None
4 5.4 Maximum height: 55 feet
5 5.5 Minimum front yard setback: 0 feet along Mr. Joe White Avenue
6 5.6 Minimum rear yard setback: 20 feet
7 5.7 Minimum side yard setback: 0 feet along Osceola Street, 15 feet along remaining side
8 streets.
9
10 5.8 Minimum pervious surface: 25%
11 5.9 Minimum Building Separation: 20 feet

12 Section 6 – Parking Standards
13

14 The property will be developed as a multi-family residential community, including accessory uses
15 for amenities, offices serving the residents of the community and related amenities. Parking
16 spaces will be calculated based upon the number of bedrooms within each unit. One bedroom
17 apartment unit spaces will be installed at a ratio of one space per unit; Two bedroom apartment
18 unit spaces will be installed at a ratio of one-point-five spaces per unit; and, Three bedroom
19 apartment unit space will be installed at a ratio of two spaces per unit.
20

21 Section 7 – Landscaping/Buffering
22

23 Landscaping will meet or exceed all landscape/buffering requirements as described in Article 9
24 Landscaping and Tree Protection of the 2019 City of Myrtle Beach Zoning Ordinance, a copy of
25 which is attached hereto as **APPENDIX "B"**.
26

27 Section 8 – Lighting Standards
28

29 The development will meet or exceed the lighting standards as described in Article 12, Lighting
30 and Glare of the 2019 City of Myrtle Beach Zoning Ordinance, a copy of which is attached hereto
31 as **APPENDIX "C"**.
32

33 Section 9 – Signage Requirements
34

35 The development will meet or exceed the signage requirements as described in Article 8 Sign
36 Regulations of the City of Myrtle Beach Zoning Ordinance, a copy of which is attached hereto as
37 **APPENDIX "D"**.
38

39 Section 10 – Special Requirements
40

1 In order to assist the City of Myrtle Beach with its ongoing beautification efforts, the developer
2 will install plant street trees along and within the right-of-way of Mr. Joe White Ave., consisting
3 of existing varieties approved by City staff; and plant landscaping along the perimeter of the
4 PUD.

5
6 In addition, the developer proposes that the platted but unimproved street right-of-way,
7 between Osceola Street and Cherokee Street, which bisects the PUD, be abandoned. To the
8 extent the City has improvements located within such right-of-way (such as water lines or
9 sanitary sewer lines), developer will grant to the City a perpetual easement, of ten (10') feet in
10 width, within the current right-of-way, for the continued operation of such lines. The developer
11 acknowledges the procedure for street closure is separate and apart from this zoning ordinance.

12 13 Section 11 – Technical Design Criteria 14

15 The developer's technical design for new construction, grading, excavation, backfilling,
16 surcharging, and all site improvements will follow the Code of Laws for the City of Myrtle Beach
17 as shown throughout the attachments to the PUD application.

18
19 11.1 For new construction, soil erosion control measures for each Phase will be designed and
20 installed per the requirements of the City and of DHEC.

21
22 11.2 All redevelopment shall comply with the requirements of the City's Stormwater
23 Management Ordinance (Chapter 18, Stormwater Management a copy of which is
24 attached hereto as **APPENDIX "E"**) within the confines of the site plan referenced herein.

25
26 11.3 Water and sanitary sewer systems connected to the City lines will include design, sizing,
27 and calculations for domestic water and wastewater pipes, water meters, manholes, and
28 other water/sewer appurtenances required to serve and accommodate the
29 development's needs. Any easements needed for either or both systems will be deeded
30 to the City as required during the development of each Phase. All design sizing, and
31 calculations will be subject to review and approval by the City Engineering Department.

32
33 11.4 For new construction, in order to maintain proper surface drainage, curb and gutter will
34 be installed for all entrances, paved asphalt areas, and public or private street areas in
35 the PUD per Public Works guidance.

36
37 11.5 All utilities shall be provided underground except for necessary boxes, transformers, tight
38 fixtures and other appurtenances. All utility plans and construction methods shall comply
39 with City requirements.

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41 11.6 All Phases shall be constructed in general adherence with the Plans that are a part of this
42 Ordinance.

43
44 11.7 Internal streets will be paved with a minimum of 20 feet of asphalt pavement.

1
2 Section 12 – Public Improvements
3

4 Public improvements will consist of one or a combination of the following, as finances allow:
5

6 12.1 Installing security cameras at key points (as requested by the Myrtle Beach Police
7 Department) as part of the City of Myrtle Beach camera network. A third camera is to be
8 installed at the corner of Greens Blvd. and Osceola Street.
9

10 12.2 Sidewalks along Mr. Joe White Avenue 5 feet in width and 6 inches in depth, along with
11 street trees.
12

13 12.3 Any Public Benefit funds remaining after completion of the above-described
14 improvements is to be used to implement the School Bus stops along Osceola Street. Each
15 School Bus stop shall be a minimum of 10' x 15', with fencing installed on not less than
16 75% of the pad perimeter, and bench seating for students.
17

18 Payments for public improvements are due upon issuance of building permits.
19

20 Section 13 – Phasing Plan and Construction Schedule
21

22 The property will be developed in three phases, any of which may be developed simultaneously
23 or in any order. Phase 1 of the construction is anticipated to be the 47,000 +/- square foot
24 building fronting along Mr. Joe White Avenue. Design and permitting is anticipated to be
25 complete by December of 2023, with construction of the first phase completed by December
26 2025. The final phase is expected to be completed by December 2027. However, in the event
27 the PUD construction is not complete by December of 2028, any further extension of the
28 construction schedule beyond such date must be approved by City Council, and must be
29 supported by facts and circumstances warranting an extension. If, at any time, construction falls
30 more than 2 years behind the schedule filed with the plans and this Ordinance, the Planning
31 Commission may recommend that the City Council, after notice and public hearing thereon,
32 repeal this Ordinance. The developer shall be notified at least 90 days prior to any revocation
33 hearing.
34

35 In the event this Ordinance is repealed and the PUD revoked, in whole or in part, the undeveloped
36 real property that is the subject of this PUD Ordinance would thereafter be rezoned pursuant to
37 the Zoning Ordinance of the City of Myrtle Beach.
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39 Section 14 – Exhibit Supplement
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41 In addition to the narrative, developer has simultaneously submitted the following Exhibits:
42

43 EXHIBIT 17.5 Boundary, Topographic and Tree Survey
44 EXHIBIT 17.6 Conceptual Site Plan

EXHIBIT 17.7 Schematic Drainage Plan
EXHIBIT 17.8 Schematic Utility Plan
EXHIBIT 17.9 Conceptual Landscape Plan
EXHIBIT 17.10 Conceptual Building Elevations
Section 15 – Enactment Provision and Signature Lines

Enactment Provision – This ordinance is effective only upon presentment of ten (10) complete sets of the PUD Amendment Ordinance documents, including, but not limited to attachments, exhibits, and maps to the City Clerk within five (5) working days of the second reading. Failure to supply the required documents results in this ordinance having no force or effect, and the regulations in place prior to second reading shall be the assigned regulations.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

1st Reading: 1-10-2023

2nd Reading:

1 Proposed Public Benefits

2
3 Public improvements will consist of one or a combination of the following, based upon an amount
4 equal to 1.5% of the stated value of improvements at the time of issuance of each building permit
5 within the PUD:
6

7 1 Installing security cameras at key points (as requested by the Myrtle Beach Police
8 Department) as part of the City of Myrtle Beach camera network. A third camera is to be
9 installed at the corner of Greens Blvd. and Osceola Street.
10

11 2 Sidewalks within the right-of-way of Mr. Joe White Avenue 5 feet in width and 6 inches in
12 depth, along with street trees.
13

14 3 Any Public Benefit funds remaining after completion of the above-described
15 improvements is to be used to implement the School Bus stops along Osceola Street,
16 consisting of Two (2) separate concrete pads, each not less than 10' x 15', not less than
17 75% of the pad perimeter being fenced, and benches installed for seating.
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19 Payments for public improvements are due upon issuance of building permits.
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Article 9 Landscaping and Tree Protection

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Article 12 Lighting and Glare

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Article 8 Sign Regulations

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Chapter 18 Stormwater Management

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