

MAYOR  
Barbara Jo Blain-Bellamy

MAYOR PRO TEM  
Justin D. Jordan



COUNCIL MEMBERS  
K. Autry Benton, Jr.  
Amanda Butler  
William M. Goldfinch IV  
Beth Helms  
Larry A. White

## PLANNING & DEVELOPMENT DEPARTMENT

### PLANNING COMMISSION AGENDA

Thursday, September 7, 2023 | 5:30 p.m.

Planning & Building Dept. Conference Room – 196 Laurel Street

#### I. CALL TO ORDER

#### II. MINUTES

- A. Approval of August 3, 2023 Planning Commission Meeting Minutes

#### III. PUBLIC INPUT

#### IV. OLD BUSINESS

##### A. ANNEXATION / REZONING REQUEST(S)

- 1. ***PREVIOUSLY DEFERRED*** ...(*items IV.B.3 – IV.B.6 from the July 13, 2023 agenda have been combined*) Request to annex *approximately 1,765 acres (+/-) of property located on or near the intersection of HWY 701 S and Pitch Landing Rd, Hwy 701 S and Wildair Circle, and Hwy 701 S, Pitch Landing Rd, and Blaze Trail* (PIN 381-00-00-0003, 381-08-01-0006, 381-08-04-0009, 381-08-04-0010, 380-00-00-0038, 403-00-00-0001, 403-00-00-0002, and 403-00-00-0022), and rezone from the Horry County Highway Commercial (HC), Commercial Forest Agriculture (CFA), and Community Retail Services (RE2) districts to the City of Conway Planned Development (PD) district.

##### B. LAND DEVELOPMENT AGREEMENT (Warden Station)

- 1. ***PREVIOUSLY DEFERRED*** ...Proposed development agreement by G3 Engineers and Shep Guyton (applicants) for development of property located on / near the intersection of Pitch Landing Rd and Hwy 701 S, known as the Warden Station tracts, containing +/-1765 acres, (PINs 381-00-00-0003, 381-08-04-0009, 381-08-04-0010, 380-00-00-0038, 381-08-01-0006, 403-00-00-0001, 403-00-00-0002, and 403-00-00-0022).

#### V. PUBLIC HEARINGS

##### A. ANNEXATION / REZONING REQUESTS

- 1. ***DEFERRED to the October 5<sup>th</sup> meeting*** ...Request to annex approximately 15 acres of property located at 154 Winyah Rd (PIN 383-00-00-0339), and rezone from the Horry County Limited Industrial (LI) district to the City of Conway Heavy Industrial (HI) district.

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2. Request to annex approximately 2.38 (total) acres of property located at, and the vacant parcel adjacent to, **588 Hwy 544** (PIN's 382-04-04-0001 and 382-05-01-0001), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.
3. Request to annex approximately 1.46 (total) acres of property located at **610 Hwy 544 and 624 Hwy 544** (PIN's 382-05-01-0003 and 382-05-01-0004), and rezone from the Horry County Highway Commercial (HC) and Convenience & Auto-Related Services (RE3) district to the City of Conway Highway Commercial (HC) district.

#### **B. REZONING REQUESTS**

1. ***DEFERRED to the October 5<sup>th</sup> meeting*** ...Request to rezone approximately 4.2 acres of property located at **1520 Grainger Rd** (PIN 368-01-02-0027) from the Low/Medium-Density Residential (R-1) district to a Planned Development (PD) district.

#### **C. LAND DEVELOPMENT AGREEMENT(S)**

1. ***DEFERRED to the October 5<sup>th</sup> meeting*** ...Proposed Development Agreement by Lennar Carolinas, LLC and Thomas & Hutton, for proposed development of property located on **Highway 378, Juniper Bay Rd, and Dunn Shortcut Rd**, to be known as the Tributary Planned Development (PD), and consisting of approximately 486 +/- acres (PIN #'s 336-00-00-0043, -0044, -0045, 336-13-04-0006, 336-14-04-0011, 336-15-03-0003, 337-00-00-0009, -0011, -0012, 337-08-01-0004, 370-00-00-0011, and 370-04-01-0004).

#### **D. TEXT AMENDMENTS**

1. ***DEFERRED*** ...Amendment to *Article 10 – Subdivision and Land Development*, of the City of Conway *Unified Development Ordinance (UDO)*, regarding various revisions to standards contained within *Article 10*, including but not limited to: review procedures, minor development & platting action requirements, subdivision design standards, parks & open space dedication, requirements for conservation subdivisions, required improvements, guarantee of required improvements, and general requirements.
2. Amendment to *Article 6 – Design Standards*, of the City of Conway Unified Development Ordinance, regarding the height limit in the Waccamaw Riverfront Districts 1 and 2 (WRD1 / WRD2).
3. Amendment to *Article 4 – Use Tables*, *Article 6 – Design Standards*, and *Article 10 – Subdivision and Land Development*, of the City of Conway Unified Development Ordinance, regarding requirements related to Conservation Subdivision Design.



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## **VI. BOARD INPUT**

## **VII. STAFF INPUT**

## **VIII. UPCOMING MEETINGS**

<u>MEETING</u>	<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>	<u>ADDRESS</u>
Community Appearance Board (CAB)	September 13, 2023	4:00 p.m.	Planning & Building Dept. Conference Room	196 Laurel St.
City Council	September 18, 2023	4:00 p.m.	City Hall	229 Main St.
Community Appearance Board (CAB)	September 27, 2023	4:00 p.m.	Planning & Building Dept. Conference Room	196 Laurel St.
Board of Zoning Appeals (BZA)	September 28, 2023	5:30 p.m.	Planning & Building Dept. Conference Room	196 Laurel St.
City Council	October 2, 2023	4:00 p.m.	City Hall	229 Main St.
Planning Commission (PC)	October 5, 2023	5:30 p.m.	Planning & Building Dept. Conference Room	196 Laurel St.

## **IX. ADJOURNMENT**

# Planning Commission Meeting Minutes August 3, 2023

**CITY OF CONWAY**  
**PLANNING COMMISSION MEETING**  
**THURSDAY, AUGUST 3, 2023**  
**Planning & Building Dept. Conference Room – 196 Laurel Street**

Present: Danny Hardee, Kendall Brown, David Sligh, Ellen Watkins, Jessica Wise; Julie Hardwick

Absent: Brian O’Neil, Virginia Norris, Samantha Miller

Staff: Jessica Hucks, Planning Director; Brent Gerald, Planner; Marcus Cohen, IT

Others: Barbara Goodman, Tach Goodman, Annette Lawrance, Stefanie Chiappetta, Michael Visnich, Felix Pitts, Robert Guyton, Dennis LeBuis, Debbie LeBuis, Jane Realmonte, Ralph Lawrance,Jr, & others

**I. CALL TO ORDER**

Vice Chairperson Wise called the meeting to order at approximately 5:30 p.m.

**II. APPROVAL OF MINUTES**

Sligh made a motion, seconded by Brown to approve the July 13, 2023 minutes as written. The vote in favor was unanimous. The motion carried.

**III. PUBLIC INPUT**

Stefanie Chiappetta, Michael Visnich, Sam Viola, and Ralph Lawrance spoke during public input with concerns of traffic safety, questions about 60-700 acres of property, uncontrolled development, flooding, clear cutting, and a pumping station connecting to other developments.

**IV. OLD BUSINESS**

**A. ANNEXATION / REZONING REQUEST(S)**

1. **DEFERRED...***(items IV.B.3 – IV.B.6 from July 13, 2023 agenda have been combined)* Request to annex approximately 1,763 acres (+/-) of property located on or near the intersection of HWY 701 S and Pitch Landing Rd, Hwy 701 S and Wildair Circle, and Hwy 701 S, Pitch Landing Rd, and Blaze Trail (PIN 381-00-00-0003, 381-08-01-0006, 381-08-04-0009, 381-08-04-0010, 380-00-00-0038, 403-00-00-0001, 403-00-00-0002, and 403-00-00-0022), and rezone from the Horry County Highway Commercial (HC), Commercial Forest Agriculture (CFA), and Community Retail Services (RE2) districts to the City of Conway Planned Development (PD) district.

**B. LAND DEVELOPMENT AGREEMENT**

1. **DEFERRED...** Proposed development agreement by G3 Engineers and Shep Guyton (applicants) for development of property located on / near the intersection of Pitch Landing Rd and Hwy 701 S, known as the Warden Station tracts, containing +/-1763 acres, (PINs 381-00-

00-0003, 381-08-04-0009, 381-08-04-0010, 380-00-00-0038, 381-08-01-0006, 403-00-00-0001, 403-00-00-0002, and 403-00-00-0022).

## **V. PUBLIC HEARINGS**

### **A. ANNEXATION / REZONING REQUESTS**

1. Request to annex approximately 4.48 acres of property located on Hwy 501 Business at 1136 Hwy 501 Business (PIN 367-11-03-0003), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.

Hucks stated that on July 6, the applicant submitted an annexation and rezoning application for the subject property, located on HWY 501 Business. The property is currently in Horry County's jurisdiction, zoned Highway Commercial (HC). The proposed use of the property has not yet been disclosed.

Per *Section 3.2.10* of the UDO, the intent of the Highway Commercial (HC) district is to provide compatible locations to serve the automobile-oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City.

The property abuts parcels (behind the subject property) zoned City of Conway Forest Agriculture (FA). Other adjacent uses include a gas station (zoned County HC), a vacant parcel (zoned County CFA), and a dental office (zoned County HC), all of which are currently in the county's jurisdiction.

The future land use map of the Comprehensive Plan also identifies the subject property as Highway Commercial (HC).

Staff recommends that Planning Commission give a thorough review of the request and make an informed recommendation to City Council.

Felix Pitts, agent for applicant, was present and further explained the request.

Sligh asked if this property, since it contained wetlands, would qualify to be split zoned, with the wetland's portions zoned CP. Hucks addressed the board, stating that the ordinance to allow the split-zoning of parcels gave staff or Planning Commission the ability to recommend that; however, there is no evidence that wetlands would be impacted with development of the site at this time, and there were no flood zones on the property.

There was no public input.

Sligh made a motion, seconded by Hardwick, to close public input. Motion carried unanimously.

Wise made a motion to recommend approval for this request to City Council as presented. Sligh seconded the motion and the motion carried unanimously.

## **VI. BOARD INPUT**

None

**VII. STAFF INPUT**

Hucks noted that the request for the Warden Station properties would be on the September 7<sup>th</sup> Planning Commission agenda for consideration.

**VIII. ADJOURNMENT**

A motion was made to adjourn the meeting. The vote in favor was unanimous. The motion carried. The meeting adjourned at approximately 5:50 pm.

Approved and signed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Brian O'Neil, Chairman

*Previously Deferred*

Agenda Item IV.A.1.

# **Warden Station**

**Annexation & Rezoning**



**DATE: September 7, 2023**

**AGENDA ITEM: IV.A.1**

**ISSUE:**

***Previously Deferred....*** (items IV.B.3 – IV.B.6 from the July 13<sup>th</sup> agenda have been combined) Request by G3 Engineering, agent, to annex approximately 1,763 (+/-) acres of property located on / near the intersection of Hwy 701 S & Pitch Landing Rd, Hwy 701 S & Wildair Circle, and Hwy 701 S. Pitch Landing Rd, and Blaze Trail (PIN's 381-00-00-0003, 381-08-01-0006, 381-08-04-0009, 381-08-04-0010, 380-00-00-0038, 403-00-00-0001, 403-00-00-0002, 403-00-00-0022), and request to rezone from the Horry County Highway Commercial (HC), Commercial Forest Agriculture (CFA), and Community Retail Services (RE2) districts to the City of Conway Planned Development (PD) district.

**BACKGROUND:**

Last year, staff began discussions with an engineering firm on annexation of the properties. At that time, the property was not contiguous to property in the City. Since then, Dollar General at 3546 Hwy 701 South was annexed February 6<sup>th</sup>, Bucks Township Storage at 3550 Hwy 701 South was annexed on March 20<sup>th</sup>. In lieu of annexing The Gun Store, the property owner of The Gun Store and the adjacent property owned by White Oak Forest, LLC (PIN 381-00-00-0003) had a combination plat done (and recorded) that combined a rear portion of PIN 381-01-04-0022 (The Gun Store) to PIN 381-00-00-0003 (White Oak Forest, LLC), which accomplishes the contiguity needed to proceed with the annexation requests of the Warden Station tracts.

The smaller outparcels that are identified as the commercial tracts initially intended to be annexed as Highway Commercial; however, the requests were amended to be included in the overall Planned Development. The requests were re-advertised as a PD. The ads, as placed in the Horry Independent, and were included in your packet for August 3<sup>rd</sup>.

The applicant has provided updated documents, as of **August 21<sup>st</sup>** and **August 24<sup>th</sup>**. These updated documents are included in your packet, and summary information is provided in this report.

The proposed PD will also be bound by a Development Agreement; the details of which are included in this packet (*draft document*), and is on this agenda for consideration. City Council is currently scheduled to hold the 2<sup>nd</sup> required public hearing on the development agreement at their **September 18, 2023** meeting.

**Warden Station PD – Intent and Purpose**

Per the applicant's *updated* PD Narrative, the intent of the Planned Development is to provide for large-scale, quality development projects (3 acres or larger) with mixed land uses which create a superior environment through unified development and provide for the application of design ingenuity while protecting surrounding developments.

**Public Benefits/Enhancements (refer to PD Narrative for specific details):**

1. A direct, internal road network (Spine Rd)
2. A sanitation service enhancement fee
3. A public safety enhancement fee
4. A parks and recreation enhancement fee
5. A planning and development enhancement fee
6. Installation of an 8' multipurpose path following the internal spine road
7. Installation of at least one sewer pump station (serviced by GSWSA)
8. Stormwater conveyance and retention facilities
9. 5 separate roadway improvements (offsite improvements)
10. Conveyance of 500 +/- acres to the City which includes wetlands, uplands, flood zones, for ownership and maintenance by the City of Conway. Improvements include:
  - Four pickleball courts
  - Floodproof playground adequate for the number of children anticipated to utilize playground at project buildout
  - Installation of parking areas for recreational activities
  - Installation of the Wildlife Refuge Trail connection, required per the City's Pathways & Trails plan
11. Installation of License Plate Readers or Cameras at the entrances to the project at the developer's expense
12. Speed control devices in the form of roundabouts in lieu of 3 or 4-way stop signs on the spine road

**Project / Request Overview *(updated)*:**

The total acreage, including the parcels that were not part of the original request, is approx. 1,765 (+/-) acres.

The proposed PD will contain a mixture of single-family detached dwellings, single-family attached dwellings, townhomes, multifamily units, and commercial outparcels.

The total number for each type of dwelling unit includes the following:

- **1,892** single-family detached (Tracts D, F, G, H, I, and J)
- **1,648** single-family attached (townhomes) or multifamily units (Tracts A, C, E, L, M, and N)

The Master Site Plan Summary table in the PD narrative shows a total residential unit number of 3,316. The applicant would also like to be able to shift densities between tracts / areas with like uses.

The applicant states the commercial square footage across all tracts proposing a commercial use will not exceed 2,051,000 sq. ft. Commercial uses are planned for Tracts B, O, P, Q, R, S, and T, and are identified as Commercial Type 1, Type 2, or Type 3.

## **Wetlands / Flood Zones**

The largest portion of the PD (PINs 403-00-00-0002, 403-00-00-0001, and 380-00-00-0038), which is approx. 1,668 acres (+/-), contains 714.3 +/- acres of wetlands, per an ACOE preliminary jurisdictional determination (PJD) letter dated January 6, 2021. Also contained on the subject parcels is 107,688 LF +/- of non-wetland waters. A Wetland Assessment Report was provided, dated June 21, 2023, for an approximate 165-acre portion of this PIN (located closer to the Hwy 701 portion of the property), that shows this portion of the property contains 126 +/- acres of wetlands, which appears to be a slight reduction in the overall wetlands for the subject property.

PIN 403-00-00-0022 (TMS 160-00-01-0004), referred to as the Richardson Tract and containing 72.8 +/- acres, provided a delineation concurrence exhibit map showing 9.52 +/- acres of wetlands and linear non-aquatic resources. This tract is part of the main PD that will contain a majority of the residential dwellings.

For properties closer to or at the intersection of Pitch Landing Rd and Hwy 701 S (including PIN's 381-00-00-0003, -0006, -0009, and -001), ACOE provided a letter dated March 5, 2023, stating that these properties do not contain aquatic resources subject to regulatory jurisdiction. The map provided as an exhibit to the letter shows that 0.25 +/- acres is a non-aquatic resource (pond).

Additionally, approx. 507 acres of the largest tract is located within the AE flood zone. The wetlands and the flood zone overlap in some areas (as seen on the site plan for the project). There is also a portion of a floodway on this property, as shown on the master site plan and flood zone overlay exhibits.

## **Current Zoning of Property**

PINs 403-00-00-0001, 403-00-00-0002, 380-00-00-0038, and 403-00-00-0022, which make up a majority of the proposed PD (1,740 +/- acres), is currently zoned Horry County Commercial Forest Agriculture (CFA).

*Per Horry County's Zoning Ordinance, Section 201 – Districts Intent Statements, the CFA district is intended to be reserved and utilized for agriculture, forestry, residential, commercial, social, cultural, recreational, and religious uses.*

PINs 381-08-04-0009 and -0010 (4.3 acres) are also zoned Horry County CFA.

PIN 381-08-01-0006 (5.26 acres) is zoned Horry County Community Retail Services (RE2).

*Per Horry County's Zoning Ordinance, Art. 2 – Established Districts, Sec. 201 – Districts Intent Statements, the RE2 district is intended to provide opportunities to locate and develop businesses primarily engaged in the sale, rental, and provision of goods or merchandise for personal or household use. Uses within this district are generally located outside or on the edge of established residential developments along transportation corridors providing easy access to established business. Uses permitted in this district may be freestanding or located in minor*

*retail centers with out-parcel development. Uses permitted in this district are intended to not impair existing or future residential development.*

PIN 381-00-00-0003 (12.56 acres) is zoned Horry County Highway Commercial (HC).

*Per Horry County's Zoning Ordinance, Art. 2 – Established Districts, Sec. 201 – Districts Intent Statements, the HC district is intended to establish and appropriate land reserved for general business purposes and with particular consideration for the automobile-oriented commercial development existing or proposed along the county's roadways. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, service, amusement, entertainment, and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial or other uses capable of adversely affecting the basic commercial character of the district.*

### **Requesting Zoning of Property Upon Annexation into the City of Conway**

The requested zoning designation upon annexation is (City of Conway) Planned Development (PD) District. Per *Section 3.3.2 – Planned Development (PD) District*, of the UDO, *the intent of the PD District is to provide for large-scale, quality development projects (3 acres or larger) with mixed land uses which create a superior environment through unified development and provide for the application of design ingenuity while protecting surrounding developments.*

Planned Developments are also subject to the Design Standards contained within *Article 6 – Design Standards*, of the City's *Unified Development Ordinance (UDO)*.

### **Water / Sewer Availability**

This project is outside of the City's utility service area. Sewer would be provided via GSWSA and water would be provided via Bucksport Water Systems.

### **COMPREHENSIVE PLAN:**

This property is not currently identified on the City's Future Land Use Map of the Comprehensive Plan. It is identified on Horry County's Imagine 2040 Comprehensive Plan as 3 future land uses: Scenic and Conservation Areas, Rural, and Rural Communities.

The county's current Comprehensive Plan was adopted in 2019. The Future Land Use Map was developed based on a strategy of public input and geo-spatial analysis. Public input included hearings in front of Planning Commission and County Council, as well as a community survey, open houses held throughout the county, and a land use workshop held in May 2018. Framework for the future land use map included development trends, existing land use, planned infrastructure, natural assets, priority conservation areas, and environmental constraints.

Below are brief descriptions for each future land use from the county's Imagine 2040 Comprehensive Plan describing each future land use (complete descriptions provided in packet as excerpts from the Imagine 2040 Comp Plan):

*Scenic and Conservation Areas:* applied to areas of the county that scored exceptionally high on the environmental analysis and/or received strong recommendation from the community for future conservation. Estuarine and forested wetlands, and agricultural lands are examples of Scenic and Conservation. While not off limits to development, policy guidance is clear; in cases where more site-specific information is available to show that a property or a portion of a property is not environmentally constrained, that information may be presented...to be considered for uses other than those defined. *(taken from Horry County PC Decision Memo re: future land use amendment for property in same area as the subject property).*

*Rural:* applied to areas of the county with prime agricultural soils, extensive farm and timberlands, as well as natural resources and scenic views. These areas scored high in terms of soil and land cover data, have associated rural area management plans, and/or received feedback from the community for future preservation as a rural land use. Policy guidance suggests the county protect active agricultural and forestry operations, farmland and erodible soils in the rural areas by minimizing residential subdivisions, but also consider such things as rural tourism and a potential density transfer program *(taken from Horry County PC Decision Memo re: future land use amendment for property in same area as the subject property).*

*Rural Communities:* would allow for lots sizes of 14,500 sq. ft. or with a max of 3 net units per acre. It would also allow for lot sizes as small as 10,000 sq. ft. in certain zoning districts if sustainable development criteria are used to preserve substantial open space and natural features, utilize buffers for screening from roadways and adjacent properties, avoid natural hazards, and not impeded on adjacent farming operations.

### **Development Schedule**

The Development Agreement (DA) proposed allows the length of the initial agreement to be for a period of 20 years, which is based on the highland acreage of the project. The DA may be extended for up to three (3), five (5) year increments; provided that the developer is not determined to be in default of the agreement.

Per the PD narrative, subject to the current market demands, the developer anticipates a period of approx. 18 months from approval of the PD for design and permitting, and an additional 12 months from the date of issuance of permits and approval for installation of required infrastructure. One-fifth of the project to be completed in 5 years from approval of the PD, and an additional one-fifth of project to be completed in each subsequent 5-year periods.

The timing for completion of the project is approx. 25 years for full buildout.

**Permitted Uses in Current County Zoning Districts** (refer to proposed PD narrative / ordinance for a list of proposed uses)

PIN / Location of Property	Current Zoning District (Horry County)	Permitted / Conditional uses in Current County Zoning District
PIN's 380-00-00-0038; 403-00-00-0001; -0002; -0022 (Pitch Landing Rd, Hwy 701 S, & Blaze Trail)	Commercial Forest Agriculture (CFA)	<p><u>Residential</u>: manufactured homes; single-family detached dwellings (site built); townhomes; multiple homes on a single parcel</p> <p><u>Lodging &amp; Transient Accommodations</u>: bed &amp; breakfasts; non-profit/religious centers; group homes; RV's as temp. living accommodations</p> <p><u>Animal Facilities</u>: fishery/hatchery; animal services; livestock/agricultural, auction facility; commercial agricultural facility; animal raising facility</p> <p><u>Agricultural</u>: commercial crop production; horticulture farm; product processing; beer, wine &amp; spirit production, tastings, and retail sales of related merchandise</p> <p><u>Storage uses</u>: accessory outdoor storage</p> <p><u>Repair &amp; Service uses</u>: vehicle &amp; equipment repairs; boat service; repair services</p> <p><u>Outdoor Amusement Commercial (limited)</u>: golf course; firearm &amp; sports facilities</p> <p><u>Transportation uses</u>: residential subdivision airparks; commercial marina, fishing &amp; shipping facility; railroad depot; water transportation service (not casino boats)</p> <p><u>Medical uses</u>: medical offices and clinics</p> <p><u>Professional uses</u>: banks, beauty salons, commercial cemeteries/mausoleums; community/personal services; laundromat; offices (i.e. admin., business, general, etc.); therapeutic massage</p> <p><u>Industrial uses</u>: trade shops; warehouse</p> <p><u>Retail uses</u>: bait &amp; tackle; grocery stores; retail; lawn &amp; garden, etc.</p> <p><u>High Bulk Retail uses</u>: bulk landscape material supplier; hardware store; bottled gas dealer (less than 1,000 gallons)</p> <p><u>Other Commercial uses</u>: ATM &amp; ice vending machines; commercial centers; gas stations; mini-warehouse/self-storage; restaurants/bars</p>



<p>PIN 381-00-00-0003 (intersection of Pitch Landing Rd &amp; Hwy 701)</p>	<p>Highway Commercial (HC)</p>	<p><u>Residential uses:</u> single-family detached dwellings</p> <p><u>Lodging &amp; Transient Accommodation uses:</u> bed &amp; breakfasts; hotel/motel; campers/RV's as temp. living accommodations; group homes</p> <p><u>Agricultural uses:</u> commercial crop production; horticulture farm; produce stand; beer, wine &amp; spirit production, tastings, and retail sales of related merchandise</p> <p><u>Storage uses:</u> automobile storage, including tow yards; accessory outdoor storage; outdoor storage; boat storage</p> <p><u>Sales &amp; Rental uses:</u> vehicle, equipment manufactured home, &amp; building sales/rentals; outdoor sales/rental; boat sales/rental</p> <p><u>Repair &amp; Service uses:</u> vehicle &amp; equipment repairs; boat service; repair services; car wash</p> <p><u>Indoor Amusement uses:</u> indoor amusement (general); adult entertainment; auditorium/theater; event center</p> <p><u>Outdoor Amusement uses:</u> batting cages; paintball facility; golf amusements (driving ranges, miniature golf); golf course; family fun parks (temporary); sports facility</p> <p><u>Transportation uses:</u> taxi, limousine &amp; ground transportation vehicles; railroad depot (passengers &amp; freight)</p> <p><u>Medical uses:</u> counseling facilities that distribute prescription medication onsite; psychiatric hospitals; healthcare facilities (excluding standalone psychiatric facilities); outpatient drug &amp; alcohol addiction treatment clinic; assisted living facilities</p> <p><u>Professional uses:</u> banks/savings &amp; loans, barber/beauty shop/salons; commercial cemeteries &amp; mausoleums; community &amp; personal services; fitness centers / health spas; laundromat, coin operated / dry cleaners store &amp; pick up station (<i>excluding industrial launderer</i>); motion picture production studio &amp; allied services; office uses (i.e. administrative, business, general purpose, professional); therapeutic massage</p> <p><u>Industrial uses:</u> manufacturing of precision instruments; salvage yards; trade shops (includes contractors office); warehouse</p> <p><u>Retail uses:</u> bait &amp; tackle shops; grocery stores; retail; lawn/garden nurseries</p> <p><u>High Bulk Retail uses:</u> bulk landscape material supplier; hardware stores; high bulk retail stores; LP Gas (bottled gas dealer) dealer less than 1,000 gallons</p> <p><u>Other Commercial uses:</u> ATM &amp; ice vending machines (free-standing); commercial center; gas stations; mini-warehouse/self-storage; restaurants/bars</p>
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		<u>Institutional uses:</u> civic/fraternal/social associations; schools (private); specialty schools
PIN 381-08-01-0006 (Hwy 701 S, Pitch Landing Rd, & Wildair Circle)	Community Retail Services (RE2)	<u>Residential uses:</u> Multifamily dwellings; Quadraplex dwellings; townhomes  <u>Lodging &amp; Transient Accommodation uses:</u> hotel/motel  <u>Animal Facility uses:</u> animal services  <u>Repair &amp; Service uses:</u> repair services; car wash  <u>Indoor Amusement uses:</u> auditorium/theater  <u>Medical uses:</u> medical offices & clinics  <u>Professional uses:</u> banks/savings & loan; barber shops/beauty salons; commercial cemeteries / mausoleums; community & personal services; laundromats, coin operated / dry cleaners store & pick up station ( <i>excluding industrial launderers</i> ); office uses (administrative, business, general purpose, professional); therapeutic massage  <u>Retail uses:</u> bait & tackle shops; grocery stores; retail  <u>High Bulk Retail uses:</u> LP Gas (bottled gas) dealer less than 1,000 gallons  <u>Other Commercial uses:</u> ATM & ice vending machines (freestanding); commercial centers; gas stations; restaurants/bars

		<u>Institutional uses:</u> civic/fraternal/social associations; specialty schools
PIN 381-08-04-0009 & - 0010 (Hwy 701 S)	Commercial Forest Agriculture (CFA)	<i>See list previously provided</i>

### **Packet Inserts:**

The applicants have also provided the following *updated* exhibits; some of which were previously provided:

- Traffic Impact Study (*updated May 2023*) – resubmitted as a final copy, not a draft;
- PD Narrative (*Revised August 2023*)
- PD Exhibits (*Revised August 2023*):
- Warden Station Pattern Book
- Kinlaw Lane road improvements (Horry County project)
- Cultural Resources Background Review
- Biological Evaluation
- Federally Listed Species and Habitat Assessment
- Wetland Letters
- *Draft* of the proposed Development Agreement

### **PREVIOUS PLANNING COMMISSION MEETINGS:**

#### **May 4<sup>th</sup> Planning Commission:**

The first public hearing was scheduled for the May 4<sup>th</sup> Planning Commission meeting. However, the applicants requested deferral to the July PC meeting, and the agenda for the May meeting stated the requests had been deferred. Therefore, the public hearing was *not* held. There was public input at the end of the PC agenda, where several people spoke in opposition to the requests. The concerns raised included:

- Issues with contiguity
- Strain on city services
- Traffic concerns
- Lack of needed infrastructure
- Strain on affordable housing
- Cost of the development to the city
- Comments made during a request on East Cox Ferry annexation discussion a few months prior compared to now
- Concerns with having a gas station across the street from a residence

#### **July 13<sup>th</sup> Planning Commission:**

A public hearing on the requests was held at the July 13 meeting. The conference room of the building was at capacity, with several people outside waiting to come inside. An estimate of the number of people

present to speak at the meeting is approx. 60-70 people. All those who spoke were in opposition to the request. Their concerns included:

- Existing and future traffic on Highway 701 South and surrounding roadways
- Strain on emergency services
- Lack of water / sewer facilities
- Capacity of public schools in area
- Higher taxes on surrounding residents as a result of development of the property
- Stormwater runoff
- Distance from residences immediately adjacent to property
- Uncontrolled growth
- Concern with area becoming like Carolina Forest
- Flooding of surrounding properties as a result of this development
- Tree removals
- Destruction of forestland and animal habitats
- Lack of hospitals on the west side of the Waccamaw
- Multifamily and townhouse dwellings – too dense for area
- More cookie-cutter developments

Staff recommended that the request be deferred to the August 3<sup>rd</sup> meeting, in order to give staff and Planning Commission time to review updated documents submitted the day before the meeting. Planning Commission voted to defer the request.

**August 3<sup>rd</sup> Planning Commission:**

The applicant's requested that the item be deferred to the September 7<sup>th</sup> Planning Commission meeting, in order to address some of the outstanding comments.

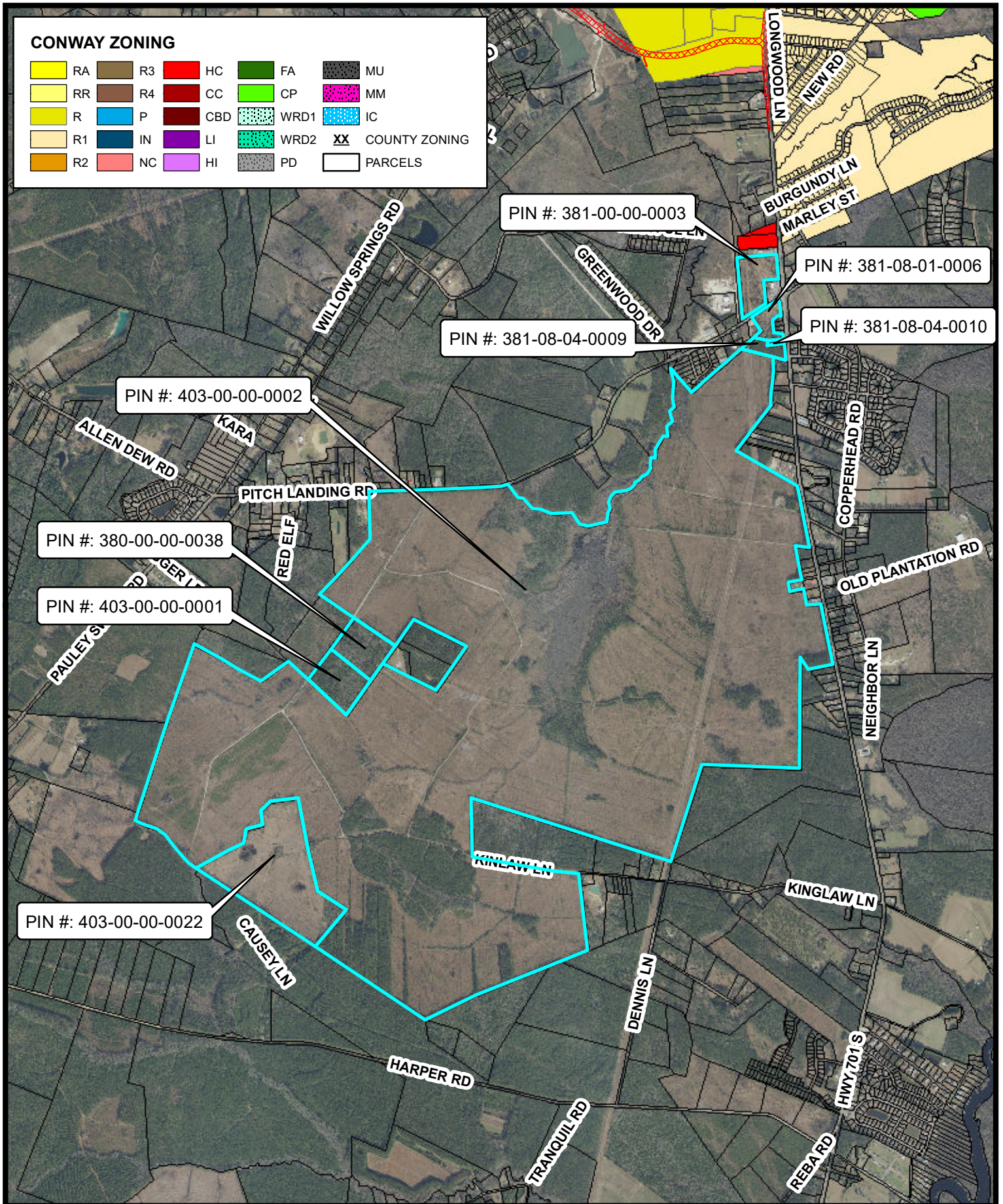
**NEXT STEPS AND DATES/ESTIMATES:**

If Planning Commission provides a recommendation for council at the September 7th meeting, First Reading of the annexation / rezoning requests could tentatively be scheduled for the September 18<sup>th</sup> Council meeting. The second public hearing on the development agreement is scheduled to occur at the September 18<sup>th</sup> Council meeting as well, and was re-advertised as such.

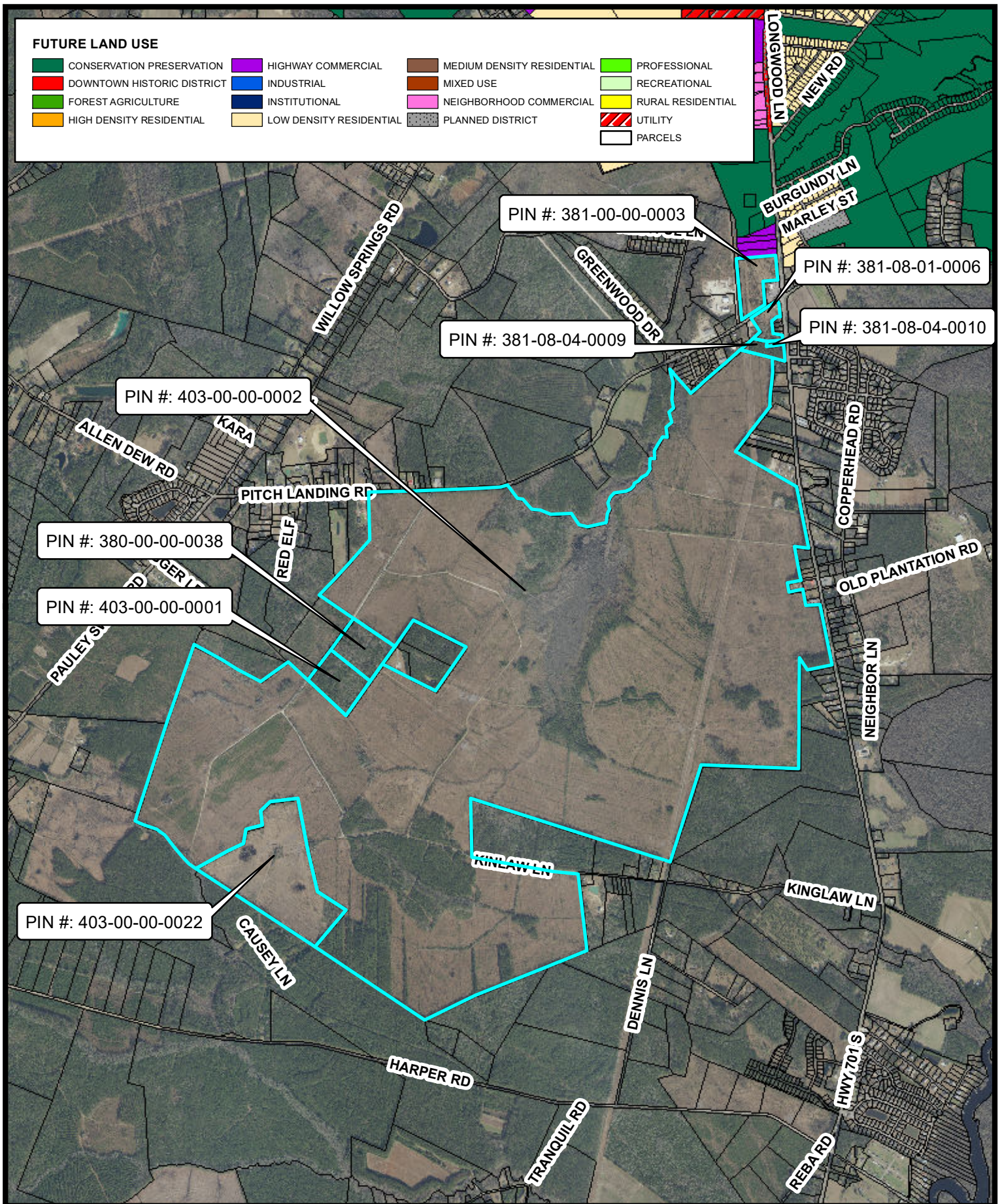
**STAFF RECOMMENDATION:**

Staff recommends that Planning Commission give a thorough review of the request and make an informed recommendation to Council after said review.

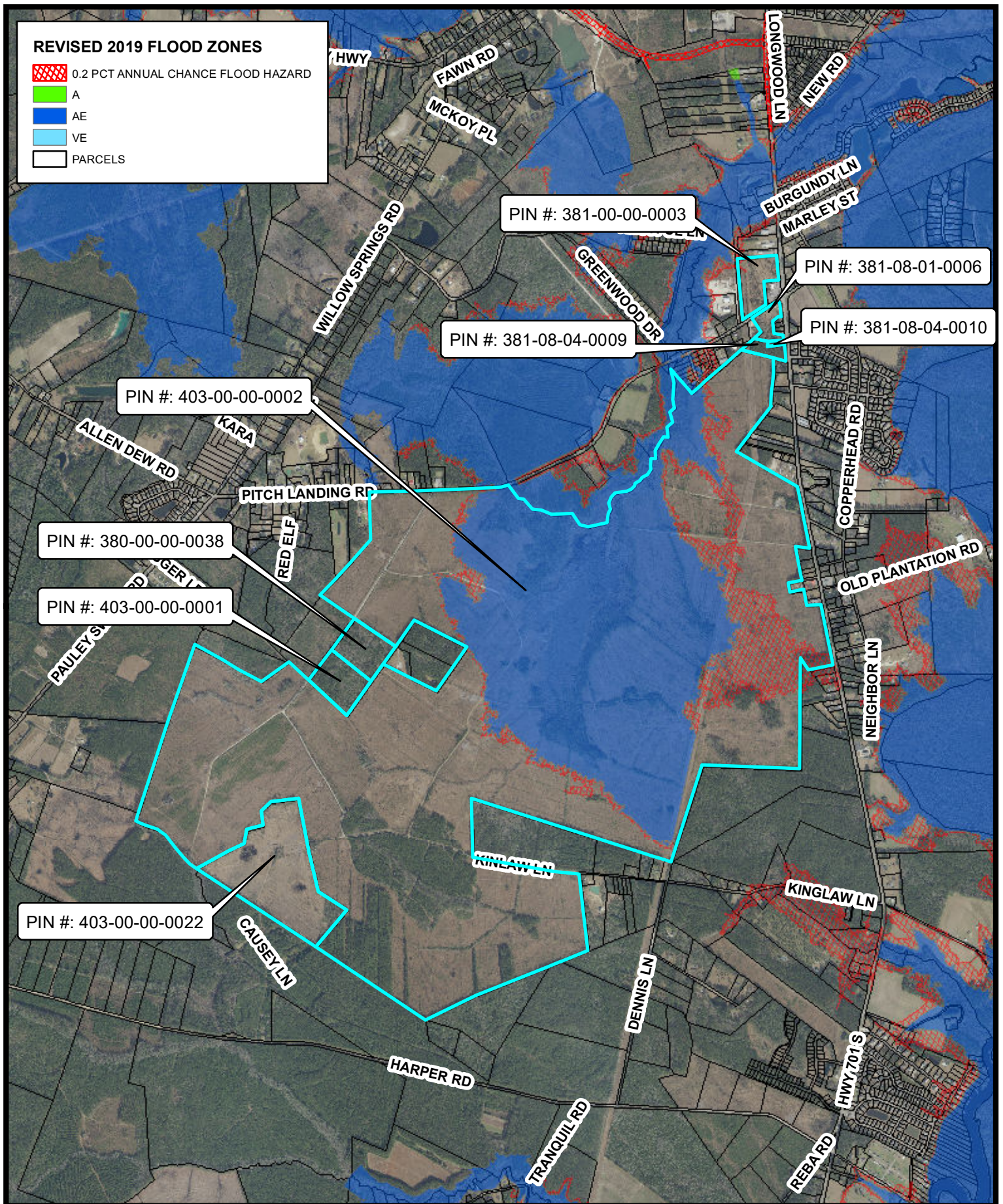




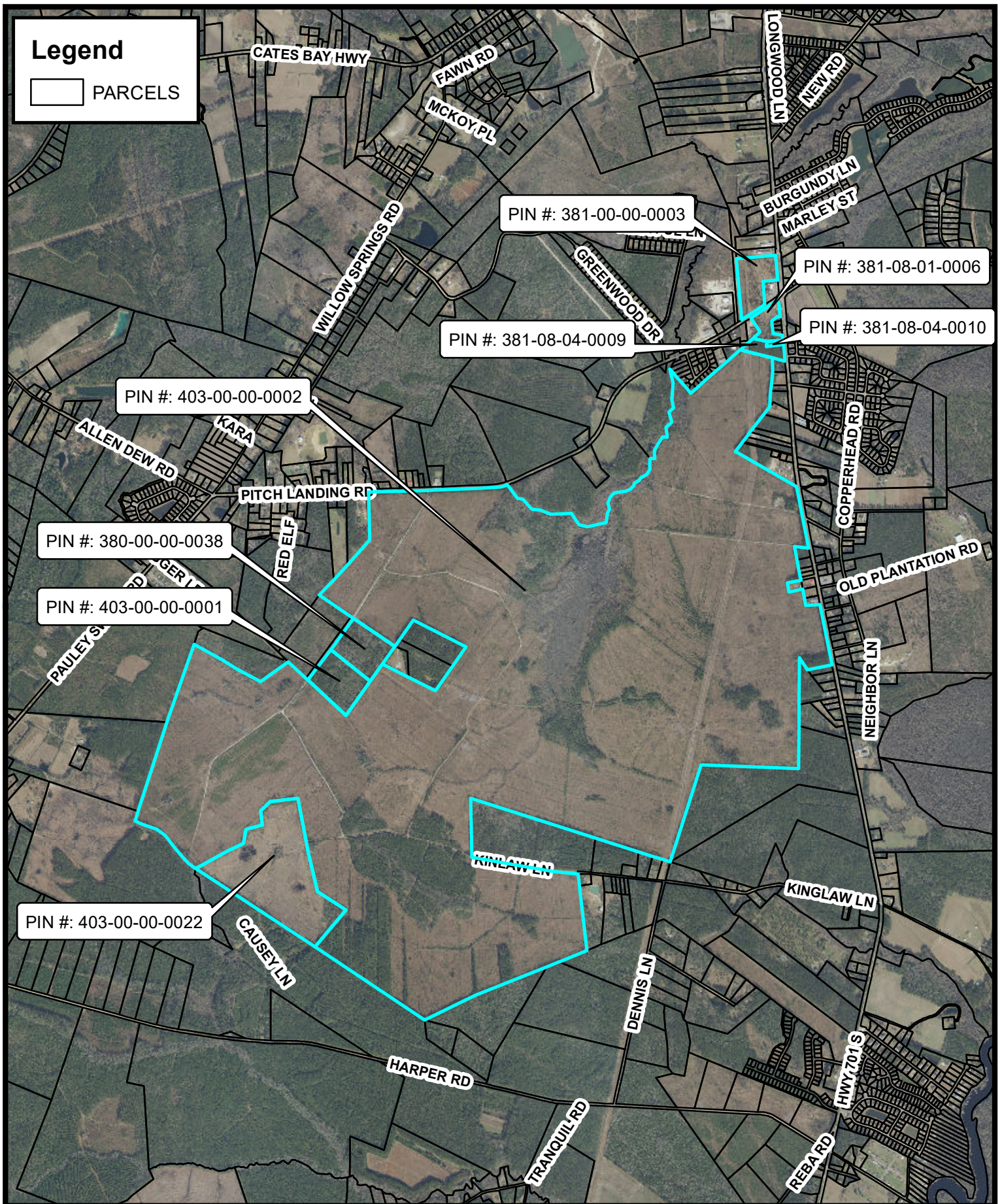














# **Warden Station**

*Updated PD Narrative*

*(staff comments not included in this copy)*



A written project description of

**WARDEN STATION  
PLANNED DEVELOPMENT  
DISTRICT (PD District)**

**April 5, 2023**  
**Latest Revision: August 12, 2023**

Prepared by:

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- (I) Existing Conditions – (a) Boundary Survey, (b) Wetlands and Topography, (c) Downstream Analysis, (d) Aerial, and (e) Existing Zoning.
- (II) Master Site Plan
- (III) Buffer Plan
- (IV) Open Space Plan
- (V) Stormwater Management Plan
- (VI) Transportation Plan
- (VII) Traffic Hierarchy Plan
- (VIII) Utility Plan – (a) Potable water, (b) Sanitary Sewer
- (IX) Flood Zone Overlay

#### **Appendix B:** Project Aesthetics (Submitted Separately as a Supplement)

- (I) Pattern Book

#### **Appendix C:** Reports and Addendums (Submitted Separately as a Supplement)

- (I) Project Traffic Report
- (II) Threatened and Endangered Species

## SECTION 1: PURPOSE AND INTENT STATEMENT

The intent of the Planned Development District (PD District) is to provide for large-scale, quality development projects (three acres or larger) with mixed land uses which create a superior environment through unified development and provide for the application of design ingenuity while protecting surrounding developments. More specifically, the intent of the PD District is to permit:

- A. Flexibility in design to take the greatest advantage of natural land, trees, historical and other features;
- B. Accumulation of large areas of usable open space for recreation, preservation of natural amenities, and provision of community facilities;
- C. Creation of a variety of residential and compatible neighborhood arrangements that give the home occupant greater choice in selecting types of environment and living units;
- D. Clustering of one residential type for better use of the land and open space;
- E. Allowance of sufficient freedom for the developer to take a creative approach to the use of land and related physical development, as well as utilizing innovative techniques to enhance visual character of the city;
- F. Efficient use of land which may result in reduction in development and maintenance cost of street and utility systems;
- G. Simplification of the procedure for obtaining approval of proposed development through simultaneous review by the city of proposed land use, site consideration, lot and setback consideration, public needs and requirements, and health and safety factors [*City of Conway Unified Development Ordinance Adopted December 12, 2011 (Last Amended November 21, 2022)*].

The real property that is the subject of this PD District consists of approximately One Thousand Seven Hundred Sixty Five and 29/100 (1,765.29) Acres, more or less (the “Subject Parcels”). The Subject Parcels are located within the Conway and Bucksport Sections of Horry County, but outside of the jurisdiction of the City of Conway, bounded generally by U.S. Highway 701 to the East, Pitch Landing Road to the North, Kinlaw Lane to the South and Bear Creek to the West. Simultaneously with the adoption of this PD District, the Subject Parcels will be annexed into the City of Conway, by separate petition for annexation (the “Annexation Agreement”), and will be subjected to the terms of a separate development agreement between BRD Land & Investment Management, LLC, a North Carolina limited liability company (the “Developer”), of the Subject Parcels, its successors and assigns and the City of Conway (the “Development Agreement”), which Development Agreement will also be adopted simultaneously with the adoption of this PD District. The Subject Parcels are generally located Southwest of the intersection of U.S. Highway 701 and Pitch Landing Road.

Pursuant to the terms of the Development Agreement and the requirements of the City’s Unified Development Ordinance (the “City’s UDO”), public benefit is not required under the City’s UDO as a part of the PD District, the Developer, and its successors and assigns, have nevertheless agreed to provide certain public benefits, which are as follows:



1. The creation of a direct internal roadway network with public rights-of-way ranging in width from 50' to 100', including a 100' right-of-way connection from U.S. Highway 701 to Pitch Landing Road, and the roadway improvements thereon (the "**Spine Road**"), such Spine Road to be completed not later than the date on which the City has issued 750 building permits for the Project.
2. A sanitation service enhancement fee in an amount equal to \$\_\_\_\_\_ per residential lot or residential unit (individually a "**Residential Unit**" and collectively "**Residential Units**"), and \$\_\_\_\_\_ per 1,000 square feet of commercial space (individually a "**Commercial Unit**" and collectively the "**Commercial Units**"), which shall be payable at the time of building permit application.
3. A public safety enhancement fee in an amount equal to \$\_\_\_\_\_ per Residential Unit, and \$\_\_\_\_\_ per Commercial Unit, which shall be payable at the time of building permit application. The purpose of the public safety enhancement fee is to offset the additional costs anticipated to be incurred by the City as a result of the PD, including the addition of Four (4) police officers, One (1) detective, Five (5) additional police vehicles, and the costs of required equipment for each of such police officers and police vehicles.
4. A parks and recreation enhancement fee in an amount equal to \$\_\_\_\_\_ per Residential Unit, which shall be payable to the time of building permit application.
5. A planning and development service enhancement fee in an amount equal to \$\_\_\_\_\_ per Residential Unit, and an amount equal to \$\_\_\_\_\_ per Commercial Unit, which shall be payable at the time of building permit application.
6. The installation of an multi-purpose path of 8' in width, following the internal Spine Road, in accordance with the requirements of the City for other similar-situated properties, to be complete on or before the date on which the City has issued 750 building permits for the Project. The installation of this path must be in accordance with the City's Pathway's and Trails Plan, adopted in 2022, and the same must be completed at the same time as the installation of the Spine Road is complete, without regard to the number of building permits that have been issued for the PD by the City.
7. Installation of at least One (1) new sewer pump station on the Subject Parcels, and, to the extent required in order to provide sufficient capacity as necessary for the proposed development of the Project, a second sewer pump on the Subject Parcels. Sewer pump installation shall be in accordance with the requirements of Grand Strand Water & Sewer Authority ("**GSWS**"), or such other agency then providing sanitary sewer service to the Subject Parcels.
8. Stormwater conveyance and retention facilities sufficient in capacity to accommodate the storm water generated from the Subject Parcels, and provide the City with evidence of the necessary and required permanent and perpetual easements necessary to facilitate

such drainage from the Subject Parcels. All stormwater shall be designed to meet or exceed the City's Stormwater Ordinance.

9. The installation of roadway improvements to Five (5) separate roadway intersections, Three (3) existing roadway intersections, and Two (2) proposed intersections, each lying on the boundary of the Subject Parcels, in accordance with the Transportation Plan submitted as part of the Exhibit Supplement under Appendix A, Exhibit VII. Provided, however, that, in the event any of such roadway intersection improvements require the acquisition of additional right-of-way not located on the Subject Parcels, then, in such event the Developer may, in lieu of installing such roadway intersection improvements, instead pay to the City any amount equal to the engineer's estimated costs of such roadway intersection improvements, as approved by the City under the ordinances and regulations of the city, with the City then having the burden of installing such roadway intersection improvements at a time and under the conditions as determined by the City to be reasonable. The intent of this provision is to insure that either (i) such roadway intersection improvements have been installed by the Developer; or (ii) the costs of such improvements have been paid to the City by the Developer, with One (1) of such roadway intersection improvements being completed on or before the date on which 200 building permits (including both Residential Units and Commercial Units) have been issued by the City for the Property, and each of the remaining Four (4) roadway intersection improvements being completed, respectively, prior to the issuance of each subsequent 200 building permits (including Residential Units and Commercial Units) have been issued by the City for the Property. Developer and the City recognizing that Developer has no power of eminent domain with regards to acquisition of public right-of-way, and therefore in the event additional right-of-way is required for such roadway intersection improvements, Developer cannot complete the proposed which require the acquisition of additional public right-of-way.
10. Conveyance to the City of approximately 500 acres of real property, shown and delineated on the Master Site Plan (the "**City Recreation Acreage**"), which includes uplands, wetlands and flood plain areas for ownership, perpetual maintenance and preservation, also as indicated on the Open Space Plan submitted as part of the Exhibit Supplement under Appendix A, Exhibit IV, which City Recreation Acreage may be conveyed in one or more parcels, each at the time an adjoining parcel is submitted for final plat, provided that, in any event all of such City Reaction Acreage shall be conveyed to the City on or before the date on which 500 building permits have been issued by the City for the Property. In addition, prior to the date on which the City Recreation Acreage is conveyed to the City, Developer shall have completed, or caused to be completed, the following improvements, each to be shown on the Open Space Plan:
  - (a) Installation of not less than Four (4) pickle ball courts;
  - (b) Installation of a playground, adequate in size to accommodate the number of children anticipated to use such playground at the completion of the PD;

(c) Installation of parking areas sufficient in size, to accommodate visitors to the above reference recreational facilities;

(d) Installation of a Wildlife Refuge Trail connection, in accordance with the City's Pathway's and Trails Plan (adopted in 2022). Refer to this plan for appropriate trail materials, widths, locations, etc. To the extent any approvals and coordination are required with agencies other than the City, including but not limited to U.S. Army Corps of Engineers and South Carolina Department of Health and Environmental Control with regards to any wetland impacts or the materials or methods of trailway construction, Developer shall be solely responsible for approvals and coordination.

(e) Notwithstanding any other provision herein, the City Recreation Acreage shall be deemed a portion of the Open Space required under the PD.

(f) To the extent any of the above referenced improvements are not complete at the time of conveyance of the City Recreation Acreage from Developer to the City, Developer shall bond the completion of the same, in accordance with the City's standard procedures for bonds and financial guarantees.

11. Developer shall install, at each entrance to the PD, license plate readers or cameras, which capture identification of each vehicle entering the PD. The following represent the ongoing costs of such license plate readers or cameras, which costs shall be paid by Developer, or, any property owners association to which Developer assigns the rights and obligations of maintenance, which costs are anticipated as follows:

- (a) License plate readers are typically rented as a rate of \$4,000.00 per reader, per year. The City, and its agencies, including Public Safety, shall have access to all data captured by such license plate readers.
- (b) Cameras are an initial costs of approximately \$4,000.00 per camera, and a monthly cellular fee of \$30.00 per camera.

12. Developer shall install speed control devices along the Spine Road, in the form of traffic circles, in each of the areas along the Spine Road where 3-Way and 4-Way stops would be required, in accordance with the Transportation Plan.

13. Additional Traffic Improvements. In addition to the roadway intersection improvements set forth above, Developer shall also install the following roadway improvements for the PD:

- (a) Improvement 1. Pitch Landing and Willow Springs Road intersection. Westbound right-turn lane on Pitch Landing Road, to be completed not later than the date on which certificates of occupancy have been issued for 1,300 Residential Units.
- (b) Improvement 2. Pitch Landing Road. Right-turn and left-turn lane on Pitch Landing Road, to be installed on or before the date on which access to the PD is provided from Pitch Landing Road.
- (c) Improvement 3. US Highway 701 and Pitch Landing Road Intersection.
  - (i) Southbound right-turn lane on US Highway 701 (without or without

Warden Station) at Pitch Landing Road intersection. To be completed on or before the date on which improvements to US Highway 701 and Pitch Landing Road have been completed by South Carolina Department of Transportation.

(ii) Eastbound dual left lanes for improved operation, dual lefts along the Westbound approach of Pitch Landing Road, additional Northbound through lane, and additional Southbound through lane.

(iii) Widening of US Highway 701 South of Pitch Landing Road as a result of projected demand at the signal (at 2035 build conditions). Removal of the East leg of Pitch Landing Road may provide additional improvement for signal operation.

(iv) Existing and future average daily traffic will require the Northern portion of US Highway 701 to Pitch Landing Road to be widened. The addition proposed development also contributes to the need for such widening.

(d) Improvement 4. US Highway 701 at Access #1. Right-turn and left-turn lanes on US Highway 701, to be improved at the time access is improved.

(e) Improvement 5. US Highway 701 and Kinlaw Lane, at Access #2. Right-turn and left-turn lanes on US Highway 701 at Kinlaw Lane. Recommend once access is improved.

(f) Developer and the City recognizing that Developer has no power of eminent domain with regards to acquisition of public right-of-way, and therefore in the event additional right-of-way is required for such roadway intersection improvements, Developer cannot complete the proposed which require the acquisition of additional public right-of-way.

\*Items 1, 6 and 9 are included in public benefit, although not recommended by current Traffic Study for the PD.

Notes. The proposed Perimeter Road and South Evacuation Lifeline, if funded and implemented, will not be materially impacted by development of the PD. Background growth in the area may require roadway and municipal facility improvements. Phase 1 construction (phasing density) is scheduled to occur in 2028. Phase 2 construction (phasing density) in 2031; and Phase 3 construction (phasing density) in 2035.

It is the specific intent of this PD document (“PD Document” or “PD District Document”) approved by the City on or about the \_\_\_\_ day of \_\_\_\_\_, 2023, to create and maintain an interconnected pedestrian and active lifestyle driven residential community which includes a variety of single family areas, a limited number of commercial areas, open spaces, common areas, and amenities, including parks, recreational and passive spaces, which are together referred to as “**Warden Station PD District**” (the “Project”), in accordance with the City’s UDO, which are specifically addressed as follows:

1. The proposed land uses within the PD are a combination of various residential uses consisting of approximately 1,628.57 Acres, including single family detached homes, single family subdivided attached homes ranging from Two (2) to Eight (8) homes per individual building, single family attached townhomes, mid-rise multi-family condominiums, mid-rise multi-family apartments, and mid-rise multi-family apartments with elevators, which, dependent upon the product, may be offered for sale or rent, or a combination of both, together with those amenities and recreational facilities as set forth herein. The commercial component of the PD consists of approximately 136.78 Acres, which may include many different commercial uses which would typically be associated with a development of this scale, such uses being set forth herein. The proposed land uses for the Project were selected in an effort to compliment and blend with the existing surrounding uses, while exemplifying the primary components of the active lifestyle market for both families and retirees.
2. Connections between the PD and the surrounding roadways are designed to enhance both the interconnectivity and the usability of U.S. Highway 701, Pitch Landing Road and Kinlaw Lane and to allow residents to safely travel along the interior of the Project from neighborhood to neighborhood with minimal impact to adjoining neighborhoods outside of the PD.
3. Pathways adjacent to public rights-of-way, and pedestrian and bicycle connections reflected on the Master Plan to be constructed within the PD provide for safe and accessible travel for pedestrians and bicycles.
4. The variety of housing products provided within the PD are intended to appeal to single adults, working families, pre-retirees, early retirees and late in life retirees by providing opportunities for home ownership at a variety of price points.
5. Streets follow the City's design standards, except to the extent revised standards are included within the PD District Appendices, reflecting a revised design standard, and where varied, consist of wider green space, and multi-purpose paths, rather than additional asphalt. Build-out demand considerations have been incorporated in the initial project design, including exterior connections from the PD to existing public roadways to avoid constricting traffic flow. Notwithstanding the above requirements, Developer and the City acknowledge and agree that the right-of-way of Kinlaw Lane does not comply with the City's design standards. To the extent improvements are required by the City to Kinlaw Lane, Developer will reserve and dedicate any additional right-of-way from the Subject Parcels, at no additional cost to the City, for the City to make such improvements, at the City's expense, and at the time the City deems such improvements appropriate.
6. The PD incorporates both water, open space and passive amenities, among the Subject Parcels, that may include, at the election of the Developer with regards to each individual parcel, swimming pool, neighborhood clubhouse, docks, shelters and open air gazebos to encourage resident's maximization of outdoor spaces, and these improvements, to the extent included in any individual parcel, shall be for the benefit

of one or more individual neighborhoods within the PD, and not as a master amenity for the benefit of the entire PD, and set forth on the Master Site Plan. Site design has been guided, and actual construction will be guided by an effort to maintain key trees and environmentally sensitive areas, to meet all regulatory requirements. All stormwater will be designed to meet or exceed the standards within the City's Stormwater Ordinance.

All development within this Project will be regulated by the terms of the master site plan, approved ordinance, the City's UDO, the Development Agreement, and other applicable codes and ordinances of the City of Conway. *The definitions applicable throughout this Document are set forth in Article 2 of the City of Conway Unified Development Ordinance.*

## **SECTION 2: LEGAL DESCRIPTION**

The Subject Parcels are described as all of those certain pieces, parcels or tracts of land lying and situate near the City of Conway, Horry County, South Carolina, and being more particularly depicted on **Appendix A** (i) attached hereto.

## **SECTION 3: PROJECT DEVELOPER AND TITLE**

The Project title of this development is "***Warden Station PD***", although the Project may be branded among various neighborhoods within the Project following the approval of this PD by the City. The developer for the Project is BRD Land & Investment Management, LLC. The term "**Developer**" throughout this Document will include all subsidiaries and affiliates of BRD Land & Investment Management, LLC, and the term will also include any of its successors in interest or successors in title and/or assigns by virtue of assignment or other instrument.

## **SECTION 4: MASTER SITE PLAN**

Appendix A of this Document, attachment hereto, contains the PD Documentation, and the Twelve (12) different neighborhoods, together with the commercial parcels located on each side of the Spine Road, within the Project ("**Master Site Plan**"). The Master Site Plan shall be binding on the Subject Parcels and any materially major departure, other than as set forth in Section 6 and Section 12 below, shall be authorized by amendment only. The controlling Master Site Plan shall negate any contradiction between the Master Site Plan and any other plan, and this PD Document.

- A. This Project will ultimately include Nineteen (19) phases, including Twelve (12) phases of residential product, and Seven (7) phases of commercial product, together with amenity areas, park and open space areas, and each of such components may be developed at various times relative to the residential development and commercial development portion of the PD, any one of which may be further developed in sub-phases, and any of which may be developed in any particular order, with all homes remaining under ownership of the Developer, its successors and assigns, until such time as a final plat approved by the City may be recorded in the public records of Horry County, South Carolina. Although the timing of completion of any particular Phase of the PD is subject to then current market demands, the Developer anticipates a period

of approximately Eighteen (18) months from approval of the PD for design, and permitting, and additional period of approximately Twelve (12) months from the issuance of permits and approvals for the installation of initial required infrastructure, and that approximately One-Fifth of the Project would be complete within Five (5) years of approval of the PD, with an additional One-Fifth of the Project being completed in each of the subsequent Five (5) year periods, with a projected build-out period for the Project of Twenty Five (25) years. A general description of each Phase of the Project is set forth in the Tables included herein. The relevant infrastructure necessary for development of the individual Phases of the PD , including water, sewer, drainage and other supporting utilities and other improvements will be installed in accordance with construction plans to be approved by and in accordance with the requirements as per City departmental reviews.

[SEE MASTER SITE PLAN SUMMARY TABLE ON FOLLOWING PAGE]

## MASTER SITE PLAN SUMMARY TABLE

Tract / Area	Acreage	Permitted Use	Lots/Units	Density Gross/Net (units/acre)	Other
A	40.47 acres	Attached Single Family; Multifamily	246 lots/units	6.08/6.72	Notes 1; 2
B	10.72	Commercial (Type 3)	-		Note 6
C	21.66	Attached Single Family; Multifamily	104 lots/units	4.80/5.03	Notes 1; 2
D	56.84	Detached Single Family	135 lots	2.38/2.42	Note 1
E	50.94	Attached Single Family; Multifamily	406 lots/units	8.01/8.01	Notes 1; 2
F	128.54	Detached Single Family	302 lots	2.35/2.72	Note 1
G	178.76	Detached Single Family	341 lots	1.91/2.58	Note 1
H	232.97	Detached Single Family	321 lots	1.38/2.81	Note 1
I	153.20	Detached Single Family	91 lots	0.59/2.28	Note 1
J	85.78	Detached Single Family	190 lots	2.16/2.48	Note 1
K	552.34	Master Open Space/City Recreational Acreage			
L	27.82	Multifamily	480 units	17.25/17.25	Notes 1; 2
M	34.81	Multifamily	440 units	12.64/14.82	Notes 1; 2
N	64.46	Attached Single Family; Multifamily	260 lots/units	4.03/4.95	Notes 1; 2
O	23.47	Commercial (Type 2)			Note 5
P	66.30	Commercial (Type 1)			Note 4
Q	14.14	Commercial (Type 1)			Note 4
R	4.30	Commercial (Type 1)			Note 4
S	5.26	Commercial (Type 2)			Note 5
T	12.56	Commercial (Type 1)			
<b>Totals</b>			<b>3,316 lots/units 2,051,000 sf commercial</b>		

### Notes to Master Site Plan Summary Table:

- Density may be shifted between residential tracts/areas with like uses (*i.e.* single-family to single-family) may be considered a “minor” amendment to the PD, provided that the overall (total) density is not increased and remains constant.
- Attached Single Family/Multifamily tracts/areas may be developed in-common. Development Standards for in-common development may differ from fee-simple development.
- Refer to Table 2 in the PD document for dimensional standards.
- Unless otherwise specified in the PD, all uses permitted in the Highway Commercial (HC) district, per the City of Conway’s Unified Development Ordinance (UDO) shall be permitted on tracts/areas identified as Commercial (Type 1) (tracts P, Q, R, T).
- Unless otherwise specified in the PD, all uses permitted in the Highway Commercial (HC) / Light Industrial (LI) districts, per the City’s UDO, shall be permitted on tracts/areas identified as Commercial (Type 2) (tracts O, S).



6. Unless otherwise specified in the PD, all uses permitted in the Neighborhood Commercial (NC) and Conservation Preservation (CP) districts, per the City's UDO, shall be permitted on tracts/areas identified as Commercial (Type 3) (tract B).

## **SECTION 5: DEVELOPMENT DESCRIPTION**

The Developer has significant experience in bringing new communities that meet the needs of both the local community and the new residents, throughout the Southeast region of the United States, with a significant concentration of such communities within North Carolina and South Carolina. By being involved in the creation of the new development, the Developer is able to insure the desires of future homebuyers are incorporated in the initial land design, and carried through consistently to the completion of the final home. Often in today's market, the Developer is disconnected from the builder's targeted homebuyer, and that disconnect can have a significant impact on the success of the community. For this PD, the Developer has planned the amenities and the product offerings to reflect an active lifestyle to accommodate families, soon to be retirees and retirees. The key word in the phrase "Master Planned Community", is Community, since success for an active community is dependent upon substantial amenities encouraging an active lifestyle with outdoor activity and interaction among residents. In today's real estate market, communities are typically a collection of one or more neighborhoods, with compatible architectural character, promoting a way of life and diversity with a common purpose. The Project is designed to anticipate a variety of users, and to balance the environment between them.

Neighborhoods are the building blocks of a community. The neighborhood is where we experience our family and friends, it's where life happens, and it's where we tell people we live. Residents are offered a range of options for getting where they want to go rather than having to depend solely on their automobile. Each neighborhood within the PD will offer distinctive product type, to appeal to the needs of a particular targeted resident. The offering of various product types further encourages the diversity of both residents and their interests. In addition, the covenants, conditions and restrictions for the various neighborhoods within the PD will provide for limitations on certain types of uses that conflict with the target resident for that particular neighborhood. As an example, a particular neighborhood may be restricted for leases terms of less than One (1) year, while other neighborhoods are intentionally design to attract the short-term, transition resident, who may be building are anticipating the building of a permanent residence within another area of the PD.

Public spaces are the social heart of communities. Today, modern development has arranged public space into two forms; the first being activity areas for organized leisure activities and sports; and the second being preservation areas such as lakes, wetlands, pocket parks, groves of preserved trees, and drainage channels. The recreational areas are designed to accommodate leisure activities and sports, but also to create places where one can go simply to be outside, enjoy nature and maybe have a picnic. The relationship between leisure and recreation has to be better understood. Leisure is time and experience based, while recreation is activity and space based. One is aesthetically oriented and the other is functionally oriented. While a good community should provide both, the two are not the same, and must be balanced so the needs of the residents are being met in equal proportion. The Project incorporates a significant flood plain area, which contributes to the Developer's efforts to separate uses, provide buffers between neighborhoods, and preserve the flood plain areas and wetlands in order to accommodate any rising water during an historical storm

event. Portions of the flood plain area within the PD may be supplemented with docks, recreation lawns and preservation of existing vegetated border areas. Public space and green areas help provide a transition between the various neighborhoods and residences, and provide a sense of movement, and enhances the feeling of being in a distinct place. The interconnection of activities, through the use of pathways, provides opportunities for activities to all residents.

The public spaces, including open space, flood plain areas, jurisdictional and non-jurisdictional wetlands to be conveyed by Developer, its successors and assigns, including the owners of the individual parcels comprising the Subject Parcels, to the City, shall be conveyed in conjunction with the development of the individual Phases, on or before the date on which the development within a particular Phase has been completed. To the extent any area within the PD is, at the time of the development of the Phase in which such area is located, designated as a jurisdictional or non-jurisdictional wetland, or required wetland buffer, then, and only then, will the same be conveyed by Developer to the City, provided, however, that the Developer, its successors and assigns, including the owners of the individual parcels comprising the Subject Parcels, such conveyance shall be subject to reservations of ingress, egress, access and the installation, extension, tie-in, repair, maintenance and replacement of utilities serving the Subject Parcels.

The Project is planned to include a mix of land uses, which together form an integrated active lifestyle community. The Project will be the subject of master covenants, conditions and restrictions, which will apply to the community as a whole, as well as additional covenants, conditions and restrictions which may be applicable only to certain portions of the community (collectively the “CCRs”). The CCRs will define the building size, aesthetic style and shared amenities and open spaces of each of the respective neighborhoods within the Project.

The arterial roadway providing access through the Project from U.S. Highway 701 to Pitch Landing Road, as a spine road, is anticipated to be a variable width public roadway. The interior roadways within the Project, to the extent the same meet with requirements of the City for a public roadway, are also anticipated to be public roadways. Roadways within the Project, in addition to public roadways, may include private roadways, internal drives and other areas within the multi-family areas of the Project where subdivision from a public right-of-way is not required and planned by the Developer. Setbacks and easements will be arranged so as to allow for off-street parking of at least one car in depth for the residences. All water and sewer systems within the Project, upon completion, will be dedicated to one or more of the City, Grand Strand Water & Sewer Authority or Bucksport Water System, Inc. The neighborhoods within the Project may consist of detached single family lots of varying width, single family subdivided attached duplex, tri-plex and quadraplex homes, attached duplex, townhomes, mid-rise multi-family buildings and many different commercial uses within the commercial areas of the PD. The architectural style of the homes will be consistent and compatible, but will also allow for an identity to be established within each neighborhood by its distinctive elements. Elevated entries, varying rooflines, oversized windows and durable but distinctive roofing materials will be present in each of the neighborhoods, the elements and style of each neighborhood being reflected in the appendixes attached to this PD Document.

Single Family residences may include Single Family Detached, Single Family Duplexes (not more than Two (2) units), Single Family Townhomes ranging from Three (3) to Eight (8) units per

building. Single Family Duplexes and Single Family Townhomes may be subdivided, or may be in common. To the extent such units are subdivided, each unit shall comply with the subdivision requirements of the City, including, but not limited to the requirement that in order to be subdivided, lots must adjoin (front) a public right-of-way.

Multi-Family residences may include mid-rise condominiums, and mid-rise apartments, not exceeding Four (4) stories, all of which may be offered for sale, for rent or both.

The Commercial areas may include subdivided commercial lots, shopping centers and commercial condominium complexes, combining various uses within a single development.

Architecture, signage design and landscaping are proposed to be controlled with detailed design guidelines, which will be administered by a Subject Parcels under a property owners association (“**POA**”) or homeowners association (“**HOA**”) and/or an architectural review board (“**ARB**”). Table 1 below identifies the proposed uses for the Subject Parcels within the PD.

[SEE TABLE 1 PROPOSED USES ON FOLLOWING PAGE]

**TABLE 1**  
**PROPOSED USES FOR SUBJECT PARCELS**

<b>Master Plan Tract</b>	<b>Approximate Acres</b>	<b>Proposed Land Use</b>	<b>Product Type</b>	<b>Proposed Density</b>
Tract D	56.84 AC	Detached Single Family	SF Type A (60') Detached	135
Tract F	128.57 AC	Detached Single Family	SF Type A (60') Detached	302
Tract G	178.76 AC	Detached Single Family	SF Type A (60') Detached	341
Tract H	232.80 AC	Detached Single Family	SF Type A (60') Detached	321
Tract I	153.20 AC	Detached Single Family	SF Type A (60') Detached	91
Tract J	88.02 AC	Detached Single Family	SF Type A (60') Detached	190
Tract A*	40.47 AC	Attached Single Family	SF Type C (28') Attached	246
Tract C*	21.66 AC	Attached Single Family	SF Type B (38') Attached	104
Tract E*	50.94 AC	Attached Single Family	SF Type D (20') Attached	408
Tract N*	64.43 AC	Attached Single Family	SF Type D (20') Attached	260
Tract L	27.82 AC	Multi-Family	3-4 Story Multi-Family	480
Tract M	34.81 AC	Multi-Family	3-4 Story Multi-Family	440
Tract K**	550.14 AC	Open Space	Recreational Open Space	N/A
Tract B	10.72 AC	Commercial	Type 3 Commercial	161,000 SF
Tract O	23.47 AC	Commercial	Type 2 Commercial	352,000 SF
Tract P	66.32 AC	Commercial	Type 1 Commercial	995,000 SF
Tract Q	14.13 AC	Commercial	Type 1 Commercial	212,000 SF
Tract R	4.30 AC.	Commercial	Type 1 Commercial	64,000 SF
Tract S	5.26 AC.	Commercial	Type 2 Commercial	79,000 SF
Tract T	12.56 AC.	Commercial	Type 1 Commercial	188,000 SF
<b>TOTAL</b>	<b>1,765.22 AC</b>		<b>Residential Commercial Space</b>	<b>3,318 UNITS 2,051,000 SF</b>

\*Tract A, Tract C, Tract E and Tract N each represent Attached Single Family use at the highest intensity. As to SF Type B, SF Type C and SF Type D Parcels set forth above, which parcels are intended to be interchangeable based upon market conditions, Developer may elect to replace any one of these Three (3) designations with any other of these Three (3) designations by submittal of a minor amendment to the Planning Director for approval.

\*\*Tract K represents acreage to be conveyed to the City by the Developer, in one or more parcels, upon completion of improvements, and on or before the date on which building permits have been issued for 500 Residential Units within the Project.

Table 2 below identified the dimensional standards for each of the proposed uses within the PD District.

**TABLE 2  
PROPOSED DIMENSIONAL STANDARDS CHART  
[PD District Perimeter Setback shall be 25', in addition to the setbacks set forth below]**

Permitted Uses	Min. Lot Size Sq. Ft.	Min. Lot Width	Min. Lot Depth	Setbacks (Feet)				Max. Height*	Impervious Surface	Min. Separation of Structures *
				Front	Side	Rear	Corner			
Detached Single Family SF Type "A"***	6,000	60'	100'	20'	5'	15'	10'	35'	80%	10'
Attached SF Type "B"***	3,000	38'	84'	20'	0'	20'	10'	35'	75%	20'
Attached SF Type "C"***	2,300	28'	84'	20'	0'	20'	10'	35'	75%	20'
Attached SF Type "D"***	1,650	20'	84'	20'	0'	10'	10'	35'	75%	20'
Multi-Family	5,000	50'	150'	15'	10'	10'	10'	52'	75%	20'
Amenities	1,000	N/A	N/A	10'	10'	10'	20'	35'	N/A	10'
Commercial 1	10,000	50'	125'	30'	20'	20'	20'	42'	75%	20'
Commercial 2	15,000	80'	150'	40'	20'	20'	20'	52'	75%	20'
Commercial 3	7,500	60'	125'	20'	20'	20'	15'	42'	75%	20'
Accessory	N/A	N/A	N/A	10'	10'	10'	10'	35'	N/A	20'

\*Minimum wall to wall separation for single family homes shall be Ten (10) feet.

\*\*SF Type A Minimum Front Foot shall be reduced to 40' along curves, and 35' along cul de sac.

\*\*\*SF Type B, SF Type C and SF Type D Minimum Front Foot shall be reduced to 18' along curves and along cul de sac.

**Note:** The dimensional standards set forth above as being applicable to Attached SF Type B, Attached SF Type C and Attached SF Type D, including the above minimum Site Area S.F., Lot Width, minimum Lot Depth, shall be applicable only to subdivided lots, and shall not apply to units which are owned in-common.

## SECTION 6: GENERAL DEVELOPMENT STANDARDS THROUGHOUT THE PD DISTRICT

**Densities.** The overall density for the Project through all Phases, as shown on the Master Site Plan, shall not exceed 3,318 total units, and shall not exceed 1,892 detached single

family residential units, 1,648 attached single family residential units or 920 multi-family residential units, and 2,051,000 square feet of commercial space.

Permitted Uses.

Permitted Uses are as follows:

- (1) Commercial Uses: Commercial may include each of the uses set forth in Table 3 below, the definition of such uses being consistent with the definitions set forth in the City's UDO, or, to the extent not defined in the City's UDO, and classified and designated, for purposes of the PD District, as Type 1 Commercial, Type 2 Commercial or Type 3 Commercial:

[SEE TABLE 3 ON FOLLOWING PAGE]

**TABLE 3.**  
**PERMITTED USES IN COMMERCIAL TYPES 1, 2, AND 3 & OPEN**  
**SPACE/RECREATIONAL USES**

<b>Type 1 Commercial</b>	<b>Type 2 Commercial</b>	<b>Type 3 Commercial</b>	<b>Open Space/Recreational (Tract K)</b>
<b>Tracts / Areas:</b>	<b>Tracts / Areas:</b>	<b>Tracts / Areas:</b>	<b>Tracts / Areas: K</b>
In addition to the uses specified in this Table, all uses permitted in the <b>Highway Commercial (HC)</b> district, shall be a permitted or conditional use on Tracts/Areas identified as Type 1 Commercial on the Master Site Plan.	In addition to the uses specified in this Table, all uses permitted in the <b>Highway Commercial (HC) &amp; Light Industrial (LI)</b> districts shall also be permitted or conditional use on Tracts/Areas identified as Type 2 Commercial on the Master Site Plan.	In addition to the uses specified in this Table, all uses permitted in the <b>Neighborhood Commercial (NC) &amp; Conservation Preservation (CP)</b> districts shall be permitted on Tracts/Areas identified as Type 3 Commercial on the Master Site Plan.	All uses permitted in the <b>Conservation Preservation (CP)</b> district, AND as specified in Table 3 / Master Site Plan
<b>Permitted Uses:</b> <ul style="list-style-type: none"> <li>• Conservation Area(s)</li> <li>• Passive Open Space</li> <li>• Public Recreational Facilities</li> <li>• Athletic Fields (with or without lights)</li> <li>• Golf Course (with or without lights)</li> <li>• Gymnasiums</li> <li>• Nursing Home</li> <li>• Hospital</li> <li>• Civic Club</li> <li>• Fire/Police station</li> <li>• Educational Facility</li> <li>• Library</li> <li>• Business office (<i>i.e.</i> accounting, consulting, financial institution, real estate, law firm, and the like)</li> <li>• Chiropractor</li> <li>• Counseling service</li> </ul>	<b>Permitted Uses:</b> <ul style="list-style-type: none"> <li>• All uses listed under Type 1 Commercial as a Permitted use</li> <li>• Conservation Area(s)</li> <li>• Passive Open Space</li> <li>• Public Recreational Facilities</li> <li>• Athletic Fields (with or without lights)</li> <li>• Gymnasiums</li> <li>• Agricultural Crop</li> <li>• Tree Farms &amp; Silviculture</li> <li>• Skating Rinks</li> <li>• Fire / Police Station</li> <li>• Vocational, Trade School</li> <li>• Business Offices (<i>i.e.</i> accounting, consulting, financial institution, real estate, law firm, and the like)</li> <li>• Charitable Institution</li> <li>• Government Office</li> </ul>	<b>Permitted Uses:</b> <ul style="list-style-type: none"> <li>• Boat Dock</li> <li>• Conservation Area(s)</li> <li>• Forest Management Area</li> <li>• Passive Open Space</li> <li>• Public Recreational Facilities</li> <li>• Private Sports Facilities (<i>i.e.</i> athletic fields, golf courses, gymnasiums, and the like)</li> <li>• Fire / Police Station</li> <li>• Fitness Center; Athletic Club</li> <li>• Passenger Facility (transit stop, station)</li> <li>• Civic Clubs</li> <li>• Fire / Police Station</li> <li>• Educational Facility</li> <li>• Library</li> </ul>	

<ul style="list-style-type: none"> <li>• Dentist / Orthodontist / Oral Surgeon</li> <li>• Doctor's office</li> <li>• Government office</li> <li>• Barber Shop / Beauty Salon (including Hair/Nail salons)</li> <li>• Dry Cleaner (no drive-thru)</li> <li>• Dance/Fitness Studio</li> <li>• Fitness Center; Athletic Club</li> <li>• Laundromat</li> <li>• Pharmacy</li> <li>• Bakery</li> <li>• Butcher Shop</li> <li>• Convenience Store</li> <li>• Grocery Store</li> <li>• Ice Cream Shop</li> <li>• Specialty Food Store</li> <li>• News Stand</li> <li>• Bars/Tavern/Nightclub</li> <li>• Café / Coffee Shop</li> <li>• Restaurant (with or without a drive-thru)</li> <li>• Clothing Stores</li> <li>• Shoe Store</li> <li>• Artists &amp; Craftsmen's Stores (<i>i.e.</i> antique, gift, hobby, and frame shops, and the like)</li> <li>• Photography Sales &amp; Studio; film developing</li> <li>• Bookstore</li> <li>• Tobacco shop</li> <li>• Florist</li> <li>• Hardware Store</li> <li>• Pet Supply, Pet Grooming</li> <li>• Musical Instrument Sales &amp; Repair; Music Store</li> <li>• Gas &amp; Service Station</li> </ul>	<ul style="list-style-type: none"> <li>• Clothing Alterations; Seamstress</li> <li>• Dance / Fitness Studio</li> <li>• Dry Cleaner (no drive-thru)</li> <li>• Shoe Repair</li> <li>• Bakery</li> <li>• Wholesale Bakery</li> <li>• Butcher Shop</li> <li>• News Stand</li> <li>• Wholesale Produce</li> <li>• Bars / Tavern / Nightclub</li> <li>• Clothing Stores</li> <li>• Artists &amp; Craftsmen's Stores (<i>i.e.</i> antique, gift, hobby, and frame shops, and the like)</li> <li>• Photography Sales &amp; Studio; film developing</li> <li>• Bookstore</li> <li>• Tobacco Shop</li> <li>• Wholesale Florist</li> <li>• Hardware Store</li> <li>• Musical Instrument Sales &amp; Repair; Music Store</li> <li>• Pet Supply; Pet Grooming</li> <li>• Gas &amp; Service Station</li> <li>• Optical &amp; Hearing Center</li> <li>• Appliance Sales &amp; Service</li> <li>• Boat Sales; Boat Service</li> <li>• Computer Sales &amp; Service</li> <li>• Copy Center; Print Shops</li> <li>• Discount Store</li> <li>• Furniture Repair &amp; Upholstery</li> <li>• Jeweler</li> <li>• Leather Shop</li> <li>• Sign Shop</li> <li>• Auto Accessory Store</li> </ul>	<ul style="list-style-type: none"> <li>• Business Offices (<i>i.e.</i> accounting, consulting, financial institution, real estate, law firm, and the like)</li> <li>• Chiropractor</li> <li>• Counseling Service</li> <li>• Dentist / Orthodontist / Oral Surgeon</li> <li>• Doctor's Office</li> <li>• Charitable Institution</li> <li>• Government Office</li> <li>• Barber Shops / Beauty Salons (including Hair / Nail salons)</li> <li>• Clothing Alterations; Seamstress</li> <li>• Dance / Fitness Studio</li> <li>• Dry Cleaner (no drive-thru)</li> <li>• Laundromat</li> <li>• Pharmacy</li> <li>• Shoe Repair</li> <li>• Bakery</li> <li>• Candy Store; Confectionary</li> <li>• Convenience Store</li> <li>• Grocery Store</li> <li>• Health; Vitamin; Nutrition Food Store</li> <li>• Ice Cream Shop</li> <li>• News Stand</li> <li>• Specialty Food Store</li> <li>• Café / Coffee Shop</li> <li>• Restaurant (no drive-thru)</li> <li>• Clothing Stores</li> <li>• Artists &amp; Craftsmen's Stores</li> </ul>	
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<ul style="list-style-type: none"> <li>• Optical / Hearing Center</li> <li>• Retail &amp; Service uses (<i>i.e.</i> appliance sales/service, big box retail dept. store, computer sales/service, liquor stores, furniture stores/showrooms, discount stores, jeweler, and the like)</li> <li>• Shopping Center</li> <li>• Auto-Accessory Store</li> <li>• Automobile Dealership</li> <li>• Rental Car Agency</li> <li>• Truck &amp; Auto Repair</li> <li>• Building Supply; Equipment Sales</li> <li>• Office Supply Stores</li> <li>• Paint, Floor Supply &amp; Sales</li> <li>• Hotel / Motel / Inn</li> <li>• Armory</li> <li>• Sporting Goods</li> <li>• Portable Storage Unit</li> <li>• Mini Storage Unit/Mini Storage Warehouse with Outdoor Storage</li> <li>• Warehousing with Outdoor Storage</li> <li>• Building Supply/Lumber Yard</li> <li>• Nursery/Garden Center</li> <li>• Car Wash &amp; Detailing Facility</li> <li>• Dry Cleaner (with drive-thru)</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Automobile Dealership</li> <li>• Rental Car Agency</li> <li>• Truck &amp; Auto Repair</li> <li>• Building Supply; Equipment Sales</li> <li>• Fitness Center; Athletic Clubs</li> <li>• Hotel / Motel / Inn</li> <li>• Private Club</li> <li>• Passenger Facility (transit stop, station)</li> <li>• Nursery / Garden Center</li> <li>• Dry Cleaner (with drive-thru)</li> <li>• Car Wash &amp; Detailing Facility</li> <li>• Portable Storage Unit</li> <li>• Mini Storage Unit; Mini Storage Warehouse with Outdoor Storage</li> <li>• Warehousing with Outdoor Storage</li> <li>• Building Supply Lumber Yard</li> <li>• Wholesaling, Storage &amp; Distribution (Light)</li> </ul>	<p>(<i>i.e.</i> antique, gift, hobby, and frame shops, and the like)</p> <ul style="list-style-type: none"> <li>• Photography Sale &amp; Studio; film developing</li> <li>• Bookstore</li> <li>• Tobacco Shop</li> <li>• Florist</li> <li>• Hardware Store</li> <li>• Musical Instrument Repair &amp; Sales; Music Store</li> <li>• Pet Supply; Pet Grooming</li> <li>• Gas &amp; Service Station</li> <li>• Optical &amp; Hearing Center</li> <li>• Appliance Sales &amp; Service</li> <li>• Computer Sales &amp; Service</li> <li>• Copy Center; Print Center</li> <li>• Furniture Repair &amp; Upholstery</li> <li>• Furniture Store &amp; Showroom</li> <li>• Jeweler</li> <li>• Shoe Store</li> <li>• Fitness Center; Athletic Club</li> <li>• Hotel / Motel / Inn</li> <li>• Sporting Goods</li> <li>• Passenger Facility (transit stop; station)</li> </ul>	
<p><b>Conditional Uses:</b></p> <ul style="list-style-type: none"> <li>• Adult Day Care Services; Adult Day Care Facilities</li> <li>• Child Day Care Facilities</li> </ul>	<p><b>Conditional Uses:</b></p> <ul style="list-style-type: none"> <li>• All uses listed under Type 1 Commercial as a Conditional use</li> </ul>	<p><b>Conditional Uses:</b></p> <ul style="list-style-type: none"> <li>• Farmers' Market</li> <li>• Mobile Vending</li> <li>• Portable Storage Unit</li> <li>• Public Utility Facility</li> </ul>	

<ul style="list-style-type: none"> <li>• Community Support Services</li> <li>• Funeral Home; Mortuary</li> <li>• Religious Institution</li> <li>• Doggie Day Care; spa</li> <li>• Sidewalk Café; Outdoor Dining</li> <li>• Farmers' Market</li> <li>• Mobile Vending</li> <li>• Veterinarian / Animal Clinic</li> <li>• Custom Manufacturing</li> <li>• Parking Lot</li> <li>• Public Utility Facility</li> <li>• Indoor Shooting Range</li> </ul>	<ul style="list-style-type: none"> <li>• Community Support Services</li> <li>• Doggie Day Care / Spa</li> <li>• Produce Stand</li> <li>• Amphitheater</li> <li>• Armory</li> <li>• Manufactured / Modular Home Sales</li> <li>• Pawn Shop</li> <li>• Veterinarian / Animal Clinic</li> <li>• Research Facility</li> <li>• Science Laboratory</li> <li>• Custom Manufacturing</li> <li>• High Technology Industry</li> <li>• Microbrewery</li> <li>• Agricultural Processing</li> <li>• Manufacturing; Processing</li> <li>• Meat Processing</li> <li>• Public Utility Facility</li> <li>• Indoor Shooting Range</li> </ul>	<ul style="list-style-type: none"> <li>• Adult Day Care Services; Adult Day Care Facilities</li> <li>• Child Day Care Facilities</li> <li>• Community Support Facility</li> <li>• Funeral Home; Mortuary</li> <li>• Religious Institution</li> <li>• Sidewalk Café / Outdoor Dining</li> <li>• Farmers' Market</li> <li>• Mobile Vending</li> </ul>	
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#### **District Definitions:**

##### **Highway Commercial (HC):**

The intent of the HC District is to provide compatible locations to serve the automobile oriented commercial activities in harmony with major highway developments, reduce traffic congestions, and to enhance the aesthetic atmosphere of the City.

##### **Light Industrial (LI):**

The intent of the LI District is to provide areas for light industrial uses, such as manufacturing, processing, repairing of goods, wholesaling, storage, packaging, distribution and retailing while ensuring adjacent and nearby properties are not adversely impacted.

##### **Neighborhood Commercial (NC):**

The NC District is intended to provide small-scale retail and service uses for nearby residential areas. Dimensional requirements and design standards of the NC district are intended to promote compatibility to surrounding residential areas and accommodate pedestrian use and access. Strip commercial development, designed primarily to accommodate vehicular access and parking, and development that is insensitive or incompatible with the scale and character of the surrounding residential areas, is discouraged in this district.

##### **Conservation Preservation (CP):**

The intent of the CP District is to provide needed open space for general outdoor and indoor recreational uses, and to protect environmentally sensitive areas and flood prone areas from the encroachment of any residential, commercial, industrial, or other uses capable of adversely affecting the relatively undeveloped character of the district.

<b>Conditional Uses specified in this Table:</b> Uses identified as a “conditional” use in this Table shall comply with specific use regulations contained within Article 5 of the City of Conway Unified Development Ordinance identified for such use.
<b>Tract K:</b> All uses proposed for Tract K that are deemed recreational (i.e. park facilities/structures, trails, activity courts, etc. shall be shown on the Master Site Plan.

(2) Additional Commercial Uses: Prior to the completion of the Project, and the sale of all homes from the Developer to third party purchasers, the Developer may operate a commercial sales center and a design center, as a freestanding structure, within any model home, or as a part of any Amenity buildings within the PD District, which uses shall be in addition to the commercial uses set forth in Table 3 above.

(3) Single Family: Fee simple Detached Single Family, fee simple Attached Single Family subdivided, and Attached Single Family in common. Elevations for the single family detached homes shall include elevations which are consistent with the residential design standards for single family structures of the City’s UDO in effect at the adoption of the PD.

(4) Multi-Family: Multi-Family homes shall not exceed 4 stores. Elevations for the multi-family homes shall include elevations which are consistent with the residential design standards of the City’s UDO in effect at the adoption of the PD.

(5) Amenity and Recreational Areas. Commons areas, common elements, clubhouses, pools, public restrooms, picnic shelters, barbeque/fire pits, multi-purpose paths, jogging trails, recreation fields, sports courts and open spaces.

(6) Decks and Promenades. Decks, docks, gazebos, bridges and elevated walkways.

(7) Temporary Uses. Temporary uses shall be approved by the City, and, to the extent applicable, any POA or HOA having jurisdiction over the Subject Parcels on which such temporary uses are proposed, prior to issuance of a City business license, provided that:

- (i) No more than Ten (10) temporary uses will be allowed at one time, within the amenity and commercial areas of the PD District.
- (ii) Unenclosed structures, including tents, temporary shelters, and enclosed mobile structures associated with temporary uses shall not occupy more than 400 square feet of surface area unless prior approval has been obtained from the City.
- (iii) Any single temporary use shall not remain in place longer than thirty (30) calendar days unless prior approval has been obtained from the City.

Written permission must be obtained from the Developer, its successors and assigns, and appropriate permits obtained from the City prior to commencement of a temporary use.

(8) Change of One Permitted Use to Another Permitted Use. Should a designated use permitted in the PD change after the final construction of a building, any construction modifications of the building must be completed and the PD approvals obtained for the proposed use, as necessary, to bring it into compliance with the current development standards of this Document and the building code.

- A. Tree Preservation. All of the Subject Parcels shall comply with the City of Conway's Tree Preservation Ordinance that is in effect at the time of the PD is approved. No protected trees, as defined under the City's Tree Preservation Ordinance shall be removed without a Protected Tree Permit and the submission of a tree survey.
- B. Development Activity, Clearing and Grading. The Subject Parcels which are the subject of the PD, are primarily undeveloped. Clearing and Grading of the PD will require both removal of inferior materials, and replacement with structurally sound materials, in addition to providing for storm water and erosion control measures over the Subject Parcels, in accordance with the requirements of the Stormwater Management and Sediment Control Ordinance for the City of Conway, South Carolina, Ordinance #2015-05-04(C). In addition, any protected trees are proposed for removal, shall be approved for mitigation by the City Arborist, in accordance with the City's Tree Preservation Ordinance, Chapter 4, Conway South Carolina Code of Ordinances.
- C. Temporary Storm Drainage Maintenance. Developer will provide temporary storm drainage measures, which incorporate storm drainage facilities located on the Subject Parcels to the reasonable satisfaction of the Public Works Director for the City, such that prior to commencement of Development Activities, the Subject Parcels shall continue to maintain the existing storm drainage facilities until the storm drainage facilities which are a part of the Development Activities for each respective Phase of the PD are complete, and the same are dedicated to the City.
- D. Signage. Signage within the PD District shall comply with Article 11 of the City's UDO, as in effect at the time a permit is requested for a sign, provided, however, that, to the extent any of the Subject Parcels designated as Commercial 1, Commercial 2 or Commercial 3, includes more than One (1) business, a sign easement may be created and reserved by the owner of the respective parcel, for the installation of a multi-tenant pylon sign at the road frontage of such respective parcel..
- E. Parking. Parking within the PD District shall comply with the City's UDO, and the following additional provisions:
  - (i) Unless otherwise specified within this PD, on-street parking shall be prohibited in public rights-of-way.

(ii) All uses specified in the Use Tables within this PD shall comply with the minimum off-street parking requirements for such proposed in accordance with the City's UDO.

F. Buffers. Applicable buffers, including wetland buffers, perimeter buffers and buffers separating specific uses shall be noted on the Buffer Plan.

G. Utilities.

- (i) Electric services to be provided by Horry County and/or Santee Cooper.
- (ii) Water services to be provided by Bucksport Water System.
- (iii) Sewer services to be provided by Bucksport Water System and Grand Strand Water & Sewer Authority.
- (iv) Telecommunication/Cable Service. Telecommunication and cable services to be provided by Horry Telephone Cooperative and Spectrum Service to be extended as needed in order to serve each of the Subject Parcels.

\*All utilities to be placed underground.

H. Other Services. Residents and businesses within the PD will be served by Horry County Schools, Conway Police, Conway Fire and EMS, Conway Parks and Recreation.

I. Governing Documents. To the extent the provisions of the approved PD could be read so as to conflict with the City's UDO, and the other ordinances of the City, the PD shall be deemed to govern, as an approved, intended departure, written into this PD District Ordinance, amending the standards otherwise applicable to the Subject Parcels under the City's UDO and other ordinances.

J. Design Modifications. Certain modifications of the City's design standards set forth in the City's UDO shall be allowed within the PD, as set forth in the table below.

**DESIGN MODIFICATIONS APPROVED AS A PART OF PD**

Mod. #	Description	Section
1	Kinlaw Lane shall be utilized as a public access based upon the proposed improvements depicted on the construction plans for Horry County Dirt Road Improvements (Project #S102015)	Complete Streets
2	Roadways internal to the community shall utilize the equivalent roadway cross sectional widths specified within Exhibit VII- Traffic Hierarchy Plan for the lane, shoulder, planting strip and sidewalk/multi-use trail widths and frequencies.	
3	Buffers, street tree plantings and sidewalks shall not be required along the following sections of roadways:	

	<p>(a) Along the improved local road commonly known as Blaze Trail adjacent to PIN 380-00-00-0039</p> <p>(b) Along the existing driveway access commonly known as Wayna Marie Lane</p> <p>(c) Along the existing portions of Kinlaw Lan until the full landscape buffer width is permissible within the PD.</p>	
4	Spine roads shall be considered upon installation for utilization towards the multiple points of access for the proposed tracts until such time as the requirements within the PD for secondary connection of the Spine Road are required.	
5	Temporary considerations of block length shall be allowed if future Spine Road installation provides future connection point to adhere to the minimum requirements within the City's UDO.	
6	Maximum number of units access from single road access internal to the parcels shall be increased to 50 units where future Spine Road extensions shall provide the minimum requirements specified within the City's UDO.	
7	Maximum number of units off a single access at full buildout within Parcel E and Parcel J shall be increased to 50 units.	
8	Should Parcel H be developed prior to Parcel G, the number of units off a single point of access shall be waived so long as the future roadway connection to Parcel G is provided.	
9	Each lot shall front on a public street. In Parcels developed as Attached Single Family, variable width utility and access easements shall be allowable for access to the units.	
10	Sidewalk installation along roadways to be installed on each street based on criteria designated in the cross walk sections depicted on Exhibit VII- Traffic Hierarchy Plan.	

## **SECTION 7: RESIDENTIAL REGULATIONS**

- A. Geographic Description. The residential regulations applicable to the single family homes portions of the Project shall be included in a set of restrictive covenants, either applicable to all residential neighborhoods as a master declaration, or applicable to each neighborhood individually, or both.
- B. Public Purpose. The public purpose of the Residential Regulations is to establish and thereafter maintain for its residents, tenants and visitors a sense of community through the design of exterior spaces and buildings at a human scale with appropriate architectural transitions. The sense of community will be further enhanced by the utilization of generous vegetation in and around the residential portion of the Project.
- C. Residential Design Standards. All residential development within the PD shall comply with the City's Residential Design Standards.



Typical and encouraged elements and architectural styles are attached as **Appendix B** of this Document along with conceptual elevations of other proposed buildings, structures, amenities and streetscapes within the PD.

## **SECTION 8: COMMERCIAL REGULATIONS**

- A. Geographic Description. The commercial regulations applicable to the Commercial portions of the Project, shall be included in a set of restrictive covenants, either applicable to all commercial areas as a master declaration, or applicable to the commercial area.
- B. Public Purpose. The public purpose of the Commercial Regulations is to establish and thereafter maintain for its residents, tenants and visitors a sense of community through the design of exterior spaces and buildings at a human scale with appropriate architectural transitions. The sense of community will be further enhanced by the utilization of generous vegetation in and around the residential portion of the Project.

## **SECTION 9: MAINTENANCE AND CONTROL**

Roadways within the PD are public roadways unless specifically indicated on the Master Site Plan. It will be the responsibility of the Developer to maintain or provide for the maintenance of the Subject Parcels within the PD, including any private roadways, pathways and driveways. The Developer's maintenance responsibilities and restrictions will cover the private rights-of-way, driveways, landscape areas, trees, parking areas, pathways, walkways, open space, common areas, stormwater conveyance and retention facilities, buildings and other features of the development as appropriate under this Document, applicable City UDO provisions and other ordinances. Upon execution and recording of the declarations of conditions, covenants and restrictions, which must occur prior to the conveyance of any single family residential lot to a third party buyer, the foregoing responsibilities shall be assumed by the applicable POA. In addition to the standards set forth within the PD, the CCRs will establish additional requirements for landscaping, particularly foundation landscaping and layering, signage and materials for single family residences.

## **SECTION 10: CONSTRUCTION SCHEDULE**

Construction will begin following receipt of permits from the City and from other regulatory bodies. The nature of this Project, together with the current economic conditions, prevents the Developer from providing exact dates for commencement of future phases or exact completion dates. Although the timing of completion of any particular Phase of the PD District is subject to then current market demands, the Developer anticipates a period of approximately Eighteen (18) months from approval of the PD for design and permitting, and an additional period of Twelve (12) months from the issuance of permits for the installation of initial required infrastructure. Developer estimates that approximately One-Fifth of the Project would be complete within Five (5) years of approval of the PD District, with an additional One-Fifth of the Project being completed in each of the subsequent Five (5) year periods. Notwithstanding the fluid nature of development, and that various Phases of the PD District may be developed in non-numerical order, the number of building permits issued for single family residential units, including both attached and detached homes, and multifamily residential units shall not exceed Three Thousand Three

Hundred Eighteen (3,318) total units, and the total commercial square footage of the PD District shall not exceed Two Million Fifty One Thousand (2,051,000) square feet.

#### **SECTION 11: OFF-SITE AND STREETScape IMPROVEMENTS**

Certain vehicular traffic improvements outside of the boundaries of the Project may be required, including right-of-way connections to existing public roadways, in accordance with the requirements of the regulations of the regulatory body having jurisdiction over the respective roadway, all as shown in the Exhibits to this PD Ordinance, prior to the date on which Six Hundred (600) total building permits have been issued for the Project, all of which will be installed in accordance with the terms of this document or the Development Agreement; however, additional improvements shall be required as per the Transportation and Utilities Plan and the roadway typical section plans, which shall also be installed prior to the date on which Six Hundred (600) total building permits have been issued for the Project.

#### **SECTION 12: AMENDMENTS AND ENFORCEMENT**

For purposes of this Ordinance, amendments to the PD District shall be determined as administrative, Minor or Major, by the Planning Director for the City.

Notwithstanding the classification of amendments to the PD District, revisions to the approved Master Site Plan made during the preparation of construction design documents to account for topography, soil quality, trees, grading, minor adjustments to roadway alignment, and changes to the location of lot lines, provided such revisions do not increase the maximum allowable density of the PD District, shall be deemed administrative revisions or amendments to the PD District.

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

Expansions and further amendments to this PD District shall not be permitted without review by the Planning Director and approval as prescribed by the City's UDO.

## **APPENDIX A**

PD District Documentation

Submitted by Separate Supplement

## **APPENDIX B**

Project Aesthetics

Submitted by Separate Supplement

## **APPENDIX C**

Reports and Addendums  
(Traffic and Endangered Species)

Submitted by Separate Supplement

# **Warden Station**

*Updated PD Exhibits*



- NOTES:
- 1) PIN NO. (PARENT TRACT): 403-00-00-0002
  - 2) ACCORDING TO FLUAM MAP NO. 40001C, PANELS 536K, 537K, 538K, AND 539K, REVISED 12/16/2021, IT IS MY OPINION THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN FLOOD HAZARD ZONES X AND AE (SHADED)
  - 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, LLC AT THE TIME OF THIS SURVEY.
  - 6) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
  - 7) LAST PROPERTY TRANSFER: D.B. 3062 PG. 1157
  - 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 OVERHEAD CONTINGENCIES THAT MAY AFFECT THE USE OF THIS PROPERTY.
  - 9) THERE ARE NO HORIZONTAL CONTROL MONUMENTS ON THE UNITED STATES FOR STATE AGENCY SURVEY SYSTEMS LOCATED WITHIN 2000 FEET OF THE SUBJECT PROPERTY.
  - 10) CURRENT OWNER: LANDBANK FUN XIV C/O SUGGS & COMPANY, P.A. ADDRESS: 609 SOUTH FRANKLIN ST., WHITEVILLE, NC 29527
  - 11) CURRENT ZONING PLANNED DEVELOPMENT DISTRICT (PDD) PER Horry County Ordinance 154-02
  - 12) BUILDING SETBACKS: REQUIRED: 25' PDD BUFFER ACTUAL: 27.8' 20' FRONT 27.8' 10' SIDE 27.8' 20' REAR 27.8'
  - 13) MINIMUM SEPARATION OF STRUCTURES: 20' ACTUAL: 27'
  - 14) MAXIMUM BUILDING HEIGHT: 75' ACTUAL: 40.5'
  - 15) ZONING AND SITE REQUIREMENTS SUMMARY BY THE PLANNING & ZONING RESOURCE COMPANY DATED 11/11/2021 REVISED 1/20/2022, FOR SITE #151688-1
  - 16) WETLAND PERMIT NO. SAC-2018-00384
  - 17) PARKING SPACES REQUIRED: 406 ACTUAL: 411 STANDARD PARKING: 330 HANDICAP COMPLIANT: 26 GARAGE PARKING: 46
  - 18) PROPERTY ADDRESS: 101 GRAND BANANA DRIVE, MYRTLE BEACH, SC
  - 19) NO PARTY OR COMMON WALLS WERE OBSERVED ALONG THE PROPERTY LINES.
  - 20) NO DISCREPANCY EVIDENCE OF RECENT EARTH MOVING OR CONSTRUCTION.
  - 21) NO DISCREPANCY EVIDENCE OF PROPOSED CHANGES WITHIN THE STREET RIGHTS-OF-WAY.
  - 22) NO ENCROACHMENT OR PROJECTIONS WERE OBSERVED.
  - 23) THE PROPERTY HAS ACCESS TO POPPARD DRIVE (66' PUBLIC R/W).
  - 24) THE PROPERTY SHOWN HEREON IS THE SAME PROPERTY AS DESCRIBED IN THE CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. 2604.05.

- LEGEND
- IRON PIPE (FOUND)
  - PK MALL (SET)
  - IRON REBAR (SET)
  - ⊗ IRRIGATION CONTROL VALVE
  - ⊗ ELECTRIC BOX
  - ⊗ LIGHT POLE
  - ⊗ GRATE INLET
  - ⊗ POWER POLE
  - ⊗ TELEPHONE BOX
  - ⊗ ELECTRIC METER

- REFERENCES:
- 1) P.B. 289 PG. 207
  - 2) P.B. 289 PG. 149
  - 3) P.B. 266 PG. 6
  - 4) P.B. 201 PG. 201
  - 5) P.B. 232 PG. 71
  - 6) P.B. 214 PG. 96
  - 7) P.B. 211 PG. 99
  - 8) P.B. 213 PG. 5
  - 9) P.B. 202 PG. 66
  - 10) P.B. 184 PG. 30
  - 11) P.B. 176 PG. 9
  - 12) P.B. 175 PG. 141
  - 13) P.B. 173 PG. 209
  - 14) P.B. 166 PG. 92
  - 15) P.B. 159 PG. 266
  - 16) P.B. 154 PG. 1
  - 17) P.B. 149 PG. 137
  - 18) P.B. 131 PG. 38
  - 19) P.B. 122 PG. 233
  - 20) P.B. 123 PG. 229
  - 21) P.B. 118 PG. 234
  - 22) P.B. 117 PG. 234
  - 23) P.B. 116 PG. 119
  - 24) P.B. 107 PG. 214
  - 25) P.B. 97 PG. 239

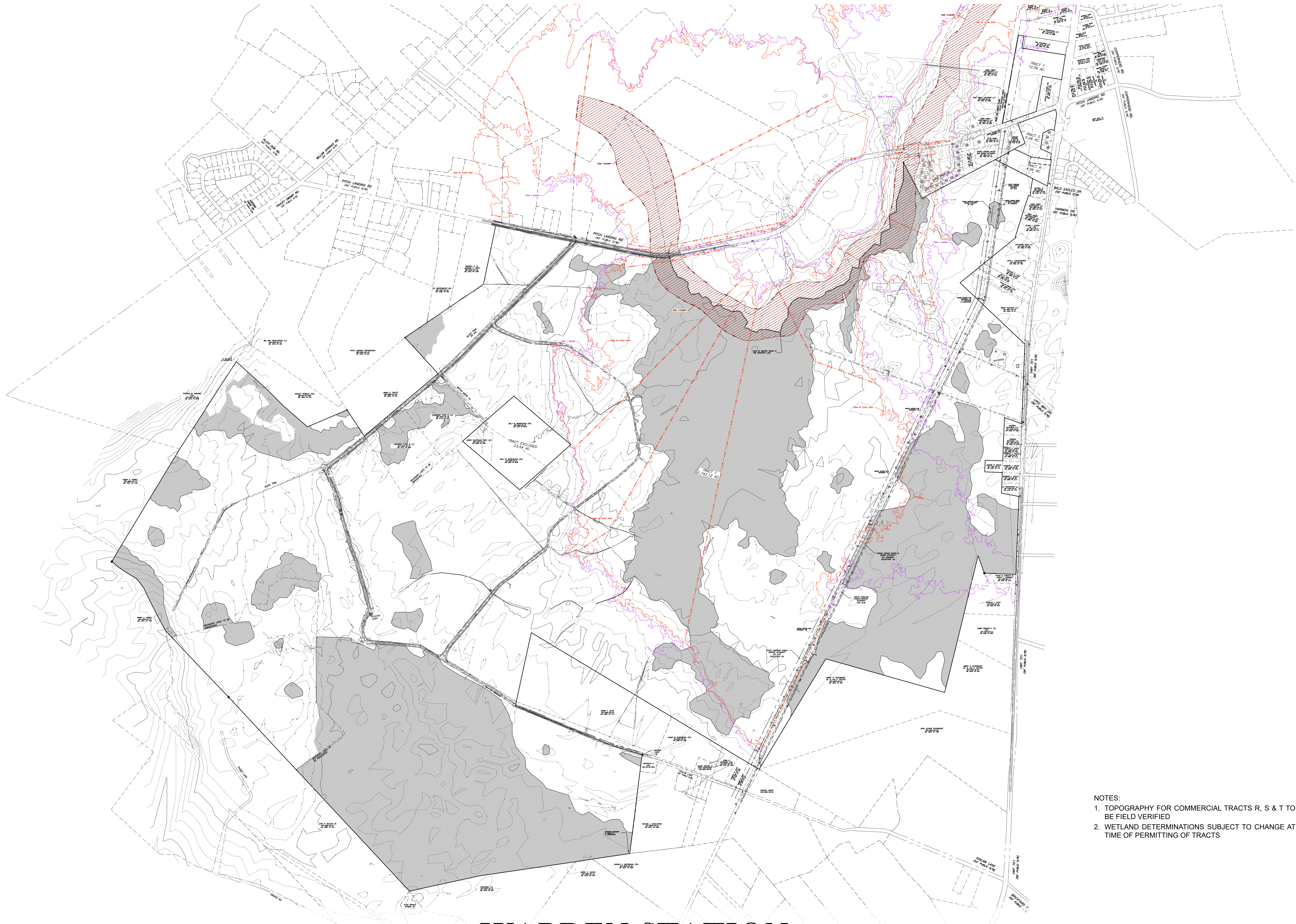


CURVE TABLE					
CURVE	RADIUS	ARC	CHORD	BEARING	DELTA ANGLE
C8	1465.20'	386.04'	384.92'	N 80°20'48" E	015° 05' 45"
C9	5765.25'	112.51'	112.50'	S 10°38'58" E	001° 07' 05"

LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 06°27'17" E	25.17'	L89	N 44°48'58" E	84.27'
L13	N 50°20'55" W	126.41'	L90	N 05°10'37" E	41.29'
L14	N 57°14'40" W	52.61'	L91	N 58°30'33" E	97.57'
L15	N 71°52'28" W	235.53'	L92	N 42°21'55" E	74.27'
L16	N 61°16'11" W	66.35'	L93	N 59°58'31" E	110.62'
L17	N 65°58'40" W	95.84'	L94	N 30°08'12" E	115.67'
L18	N 68°17'56" W	21.87'	L95	N 09°28'18" W	60.64'
L19	N 16°48'53" E	180.48'	L96	N 06°38'09" E	110.62'
L20	S 47°00'39" E	443.60'	L97	N 89°50'59" E	83.86'
L21	N 42°22'39" E	380.02'	L98	N 05°01'10" W	145.08'
L22	N 42°21'02" E	598.84'	L99	N 31°40'09" E	140.03'
L23	N 87°51'40" E	53.73'	L80	N 32°03'05" E	104.02'
L24	N 87°51'40" E	973.79'	L81	S 85°55'11" E	81.16'
L25	S 18°47'34" E	36.74'	L82	N 08°14'58" W	183.57'
L26	S 31°21'54" E	87.61'	L83	N 51°14'25" E	140.78'
L27	S 37°42'52" E	48.80'	L84	N 17°11'03" W	187.94'
L28	S 24°55'32" E	30.00'	L85	N 47°03'24" E	114.09'
L29	S 57°20'10" E	55.99'	L86	N 12°21'57" W	151.50'
L30	S 30°29'20" E	59.30'	L87	N 05°17'56" E	302.25'
L31	N 89°31'12" E	86.07'	L88	N 13°19'25" W	260.15'
L32	S 54°54'10" E	46.19'	L89	N 48°51'19" E	125.71'
L33	S 78°10'08" E	120.19'	L90	N 47°12'43" E	148.81'
L34	S 39°14'54" E	25.40'	L91	S 04°56'27" E	249.16'
L35	S 04°24'40" W	40.21'	L92	N 88°04'08" W	21.53'
L36	S 33°39'36" E	94.00'	L93	S 04°53'28" W	247.72'
L37	S 59°49'18" E	40.29'	L94	S 04°08'28" W	96.43'
L38	N 67°11'04" E	104.14'	L95	S 77°28'53" E	11.89'
L39	S 51°07'18" E	86.29'	L96	S 37°18'14" W	189.88'
L40	N 33°44'53" E	30.29'	L97	S 37°32'18" W	302.05'
L41	S 88°18'05" E	42.79'	L98	S 37°27'12" W	204.09'
L42	S 55°56'53" E	76.59'	L99	S 37°26'53" W	103.07'
L43	S 24°37'05" E	53.30'	L100	S 38°03'44" W	27.17'
L44	S 71°41'57" E	38.79'	L101	S 37°32'02" W	199.89'
L45	N 55°54'47" E	63.98'	L102	S 60°06'54" E	287.00'
L46	N 85°03'35" E	46.38'	L103	N 83°38'37" W	261.62'
L47	S 38°52'45" E	43.00'	L104	S 78°37'39" W	251.02'
L48	S 87°39'01" E	72.98'	L105	S 11°14'31" E	166.00'
L49	S 78°59'23" E	68.88'	L106	N 78°37'39" E	250.00'
L50	N 69°42'25" E	96.26'	L107	S 11°17'06" E	294.66'
L51	S 75°06'15" E	45.99'	L108	N 87°11'55" E	252.60'
L52	S 40°28'33" E	54.30'	L109	S 12°55'54" E	39.59'
L53	S 50°29'17" E	139.29'	L110	S 78°42'57" W	148.49'
L54	S 18°55'47" W	80.72'	L111	N 33°21'54" W	264.04'
L55	S 47°50'35" E	27.35'	L112	N 35°04'54" E	391.70'
L56	N 74°44'33" E	34.09'	L113	S 86°26'47" E	446.99'
L57	S 65°40'59" E	57.64'	L114	S 35°02'49" E	50.08'
L58	S 86°50'49" E	81.42'	L115	S 35°28'50" W	531.38'
L59	N 21°54'51" E	42.99'	L116	S 03°48'22" W	276.32'
L60	N 71°49'59" E	97.57'	L117	N 04°39'43" W	84.79'
L61	N 88°11'31" E	211.88'	L118	N 79°07'35" W	169.67'
L62	N 02°10'49" E	129.34'	L119	N 47°20'58" E	111.26'
L63	N 28°31'17" E	116.17'	L120	N 85°31'06" E	65.71'
L64	N 11°16'35" W	134.88'	L121	N 28°03'53" W	66.05'
L65	N 21°16'29" E	115.28'	L122	S 48°42'19" W	25.59'
L66	N 43°40'33" E	100.97'	L123	S 83°39'26" W	12.48'
L67	N 83°12'39" E	210.84'	L124	N 04°11'02" W	5.12'
L68	N 67°45'35" E	93.96'			

- NOTES:
1. COMPILED BOUNDARIES UTILIZED FOR TRACTS R, S & T; BOUNDARY TO BE FIELD VERIFIED AT TRACT DEVELOPMENT



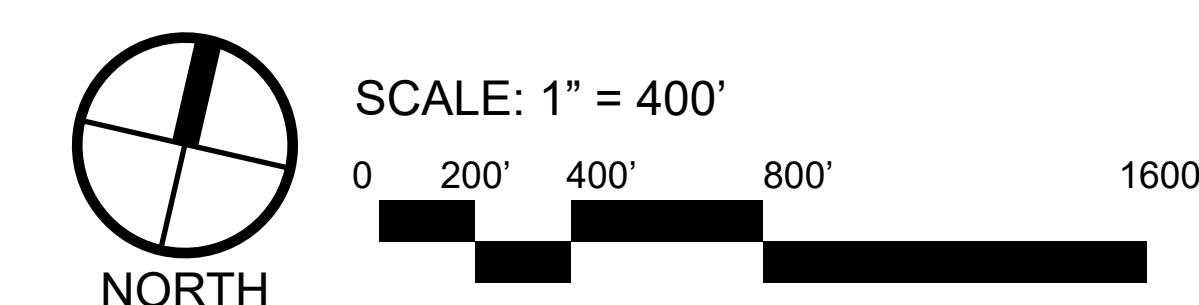


- NOTES:
1. TOPOGRAPHY FOR COMMERCIAL TRACTS R, S & T TO BE FIELD VERIFIED
  2. WETLAND DETERMINATIONS SUBJECT TO CHANGE AT TIME OF PERMITTING OF TRACTS

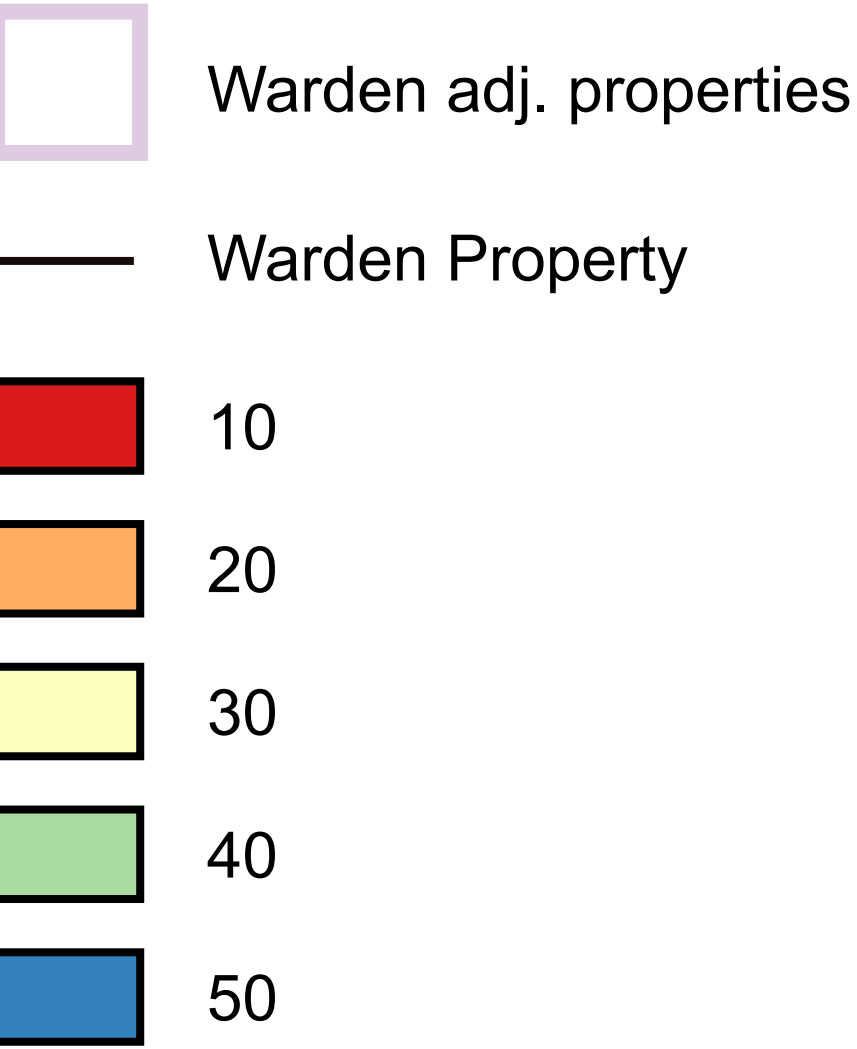
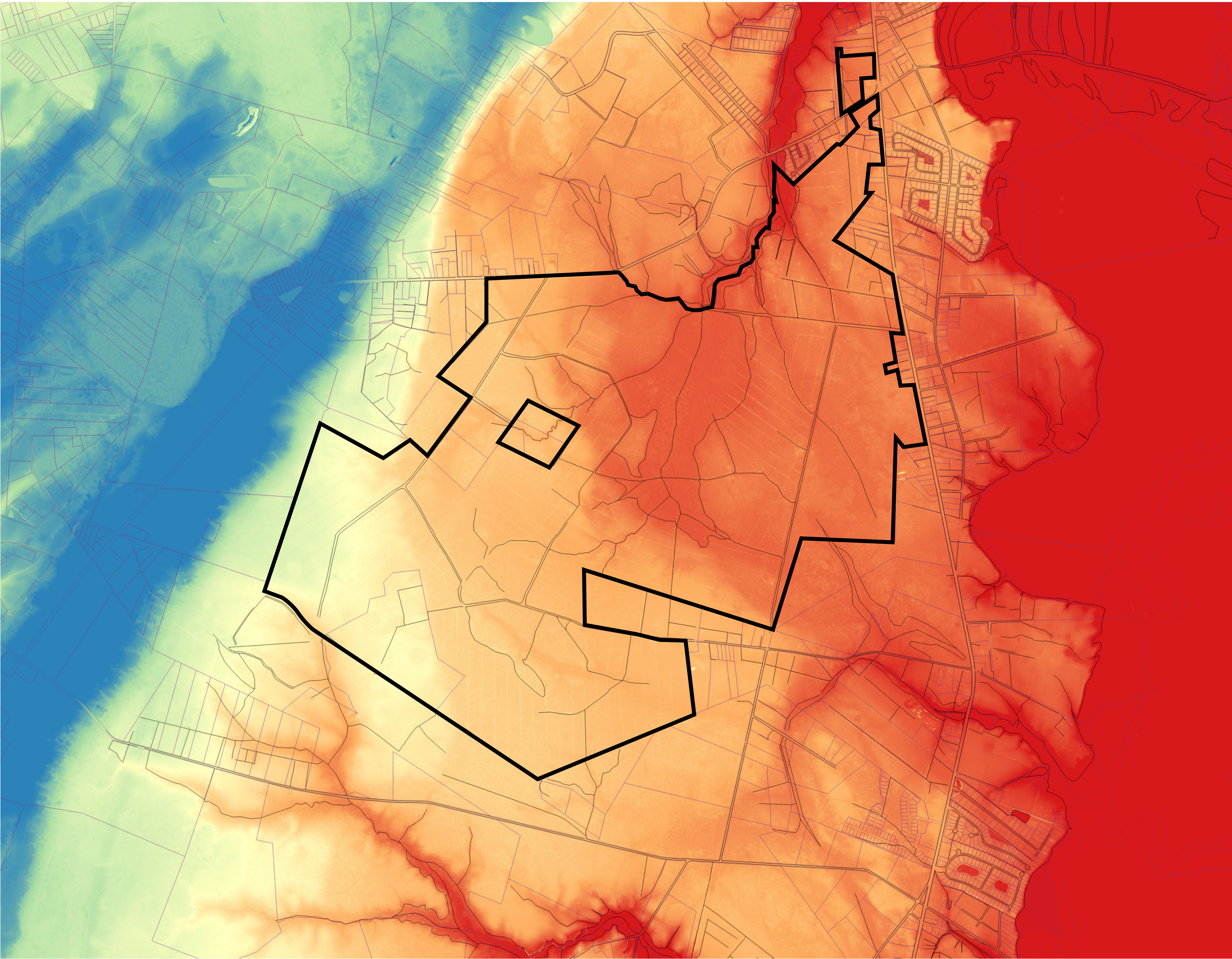
# WARDEN STATION

## EXHIBIT I-B

wetlands + topography

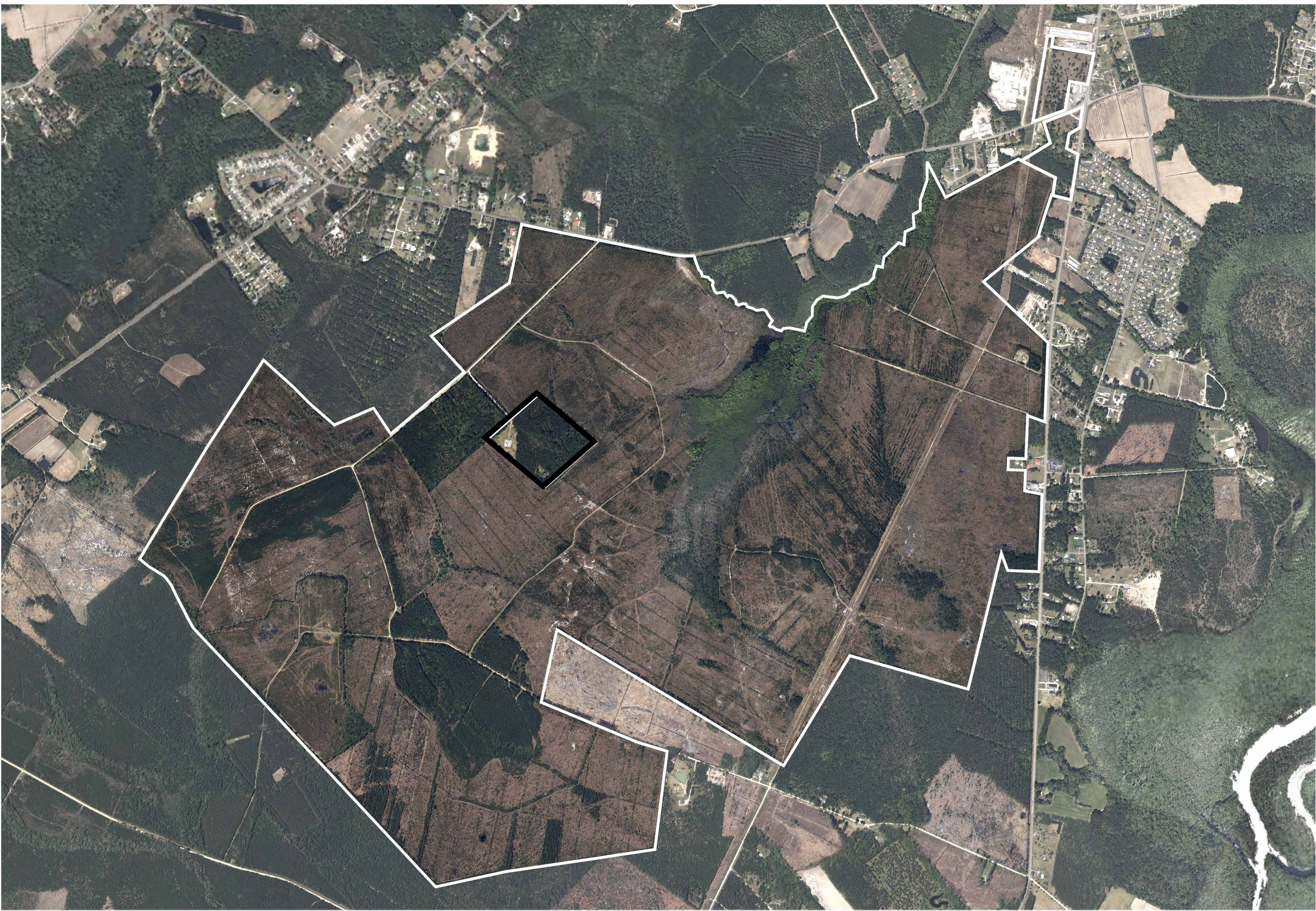






- NOTES:
1. DOMINANT WATERSHED BREAK ALONG WILLOW SPRINGS/PAWLEYS SWAMP RD INTERSECTION WITH PITCH LANDING.
  2. PITCH LANDING WEST OF SITE (NEAREST WILLOW SPRINGS INTERSECTION) PREDOMINANTLY TRAVELS EASTBOUND ALONG PITCH LANDING DITCH NETWORK BEFORE DISCHARGE INTO CENTRAL WETLANDS ON SITE.
  3. PITCH LANDING EAST OF SITE (NEAREST 701 INTERSECTION) PREDOMINANTLY TRAVELS WESTBOUND ALONG PITCH LANDING; PORTIONS OF 701 DRAINAGE NETWORK CONVERGE AT INTERSECTION WITH PITCH LANDING AND AND DISCHARGE UPSTREAM AND DOWNSTREAM OF THE BRIDGE AT PITCH LANDING ROAD.
  4. DOMINANT PORTION OF PD DISCHARGES INTO WETLANDS AND THROUGH BRIDGE UNDER PITCH LANDING ROAD.
  5. SOUTHWESTERN PORTION OF PD EXTENTS AND SURROUNDING TRACTS- TRAVEL SOUTH OF SITE TOWARDS DITCH NETWORKS SOUTH OF SITE BEFORE CROSSING HARPER ROAD- DITCH TRAVELS EAST THROUGH HALFWAY SWAMP UNDER REBA ROAD BETWEEN RHEUARK DRIVE AND MT. TRIUMPH LANE BEFORE CROSGING HWY. 701 S AND DISCHARGING INTO WACCAMAW RIVER.
  6. SOUTHEASTERN PORTION OF PD EXTENTS AND SURROUNDING TRACTS- TRAVELS SOUTHEAST TOWARDS DITCH NETWORKS SOUTH OF KINLAW LANE; DITCH TRAVELS EAST UNDER DENNIS LANE AND 701 BEFORE DISCHARGE INTO WACCAMAW RIVER.









	TRACT	ACREAGE	PERMITTED USES	UNITS/LOTS	DENSITY
					GROSS   NET
PHASE I	A	40.47	Single-Family attached; Multifamily	246	6.08   6.72
	B	10.72	Commercial - Type 3	-	-
	C	21.66	Single-Family attached; Multifamily	104	4.80   5.03
	D	56.84	Single Family deattached	135	2.38   2.42
	E	50.94	Single-Family attached; Multifamily	408	8.01   8.01
PHASE III	F	128.57	Single Family deattached	302	2.35   2.72
	G	178.76	Single Family deattached	341	1.91   2.58
	H	232.80	Single Family deattached	321	1.38   2.81
PHASE II	I	153.20	Single Family deattached	91	0.59   2.28
	J	88.02	Single Family deattached	190	2.16   2.48
	K	550.14	Master Open Space; City Recreation Acreage	-	-
	L	27.82	Multifamily	480	17.25   17.25
	M	34.81	Multifamily	440	12.64   14.82
	N	64.43	Single-Family attached; Multifamily	260	4.03   4.95
	O	23.47	Commercial - Type 2	-	-
	P	66.32	Commercial - Type 1	-	-
	Q	14.13	Commercial - Type 1	-	-
	R	4.30	Commercial - Type 1	-	-
	S	5.26	Commercial - Type 2	-	-
	T	12.56	Commercial - Type 1	-	-
Total Number of Dwelling Units					3318 units
NOTES:					

- DENSITY MAY BE SHIFTED BETWEEN RESIDENTIAL TRACTS/AREAS WITH LIKE USES (I.E. SINGLE-FAMILY TO SINGLE-FAMILY) MAY BE CONSIDERED A "MINOR" AMENDMENT TO THE PD, PROVIDED THAT THE OVERALL (TOTAL) DENSITY IS NOT INCREASED AND REMAINS CONSTANT.
- SINGLE-FAMILY ATTACHED/MULTIFAMILY TRACTS/AREAS MAY BE DEVELOPED IN-COMMON. DEVELOPMENT STANDARDS FOR IN-COMMON DEVELOPMENT MAY DIFFER FROM FEE-SIMPLE DEVELOPMENT.
- REFER TO TABLE 2 IN THE PD DOCUMENT FOR DIMENSIONAL STANDARDS.
- REFER TO THE PD DOCUMENT FOR PERMITTED USES FOR COMMERCIAL TYPE 1, COMMERCIAL TYPE 2, AND COMMERCIAL TYPE 3.
- TRACTS R, S, AND T EXCLUDED FROM PHASING DESIGNATIONS.
- SPINE ROADS SHALL BE CONSIDERED UPON INSTALLATION AS MULTIPLE POINTS OF ACCESS FOR THE PROPOSED TRACTS UNTIL SUCH TIME THE ALLOTTED REQUIREMENTS FOR SECONDARY ACCESSES REQUIRE THE INTERNAL SPINE ROAD CONNECTIONS.
- TEMPORARY CONSIDERATIONS FOR BLOCK LENGTH SHALL BE ALLOWABLE IF FUTURE SPINE ROAD INSTALLATION PROVIDES FUTURE CONNECTION POINTS TO ADHERE TO THE MINIMUM REQUIREMENTS WITHIN THE CITY OF CONWAY UNIFIED DEVELOPMENT ORDINANCE.
- MAXIMUM NUMBER OF UNITS ACCESSING FROM A SINGLE ROAD SHALL BE INCREASED TO 50 UNITS WHERE FUTURE SPINE ROAD EXTENSIONS SHALL PROVIDE THE MINIMUM REQUIREMENTS SET FORTH WITHIN THE CITY OF CONWAY UNIFIED DEVELOPMENT ORDINANCE.
- MAXIMUM NUMBER OF UNITS OFF A SINGLE ACCESS AT FULL BUILDOUT WITHIN TRACT E & J SHALL BE INCREASED TO 50 UNITS.
- TRACT H IF DEVELOPED PRIOR TO TRACT G, SHALL BE ALLOWED THE DEVELOPMENT SEQUENCE DEPICTED SO LONG AS TH FUTURE ROAD CONNECTION TO G IS PROVIDED.



- 20' SPINE ROAD BUFFER
- 100' RESIDENTIAL PD PERIMETER BUFFER
- 50' RESIDENTIAL PD PERIMETER BUFFER
- 25' COMMERCIAL PD PERIMETER BUFFER
- 8' COMMERCIAL STREETSCAPE BUFFER
- 20' LAND USE BUFFER (10' BUFFER PER TRACT) RESIDENTIAL TO RESIDENTIAL
- 50' LAND USE BUFFER (25' PER TRACT) COMMERCIAL TO RESIDENTIAL
- 10' LAND USE BUFFER (5' PER TRACT) COMMERCIAL TO COMMERCIAL

- NOTES:
- ALL BUFFERS
- BUILDING ENCROACHMENTS SHALL BE PROHIBITED WITHIN ALL BUFFERS
  - ADDITIONAL BUFFER WIDTH PROVIDED BEYOND REQUIRED SIZES SPECIFIED WITHIN THE PD MAY BE COUNTED TOWARDS MINIMUM OPEN SPACE PER TRACT
  - BICYCLE, PEDESTRIAN AND EQUESTRIAN TRAILS AND SIGNAGE SHALL BE PERMITTED WITHIN THE BUFFER BY NO MORE THAN 25% OF THE REQUIRED MINIMUM WIDTH; IF CONDITIONAL USE EXCEEDS THIS PERCENTAGE, THE BUFFER WIDTH SHALL BE WIDENED TO ACCOMMODATE THE DIFFERENCE
  - LANDSCAPE BUFFERS, WETLAND BUFFERS AND ANY SUPPLEMENTAL PLANTINGS SHALL BE REQUIRED AT TIME OF TRACT DEVELOPMENT

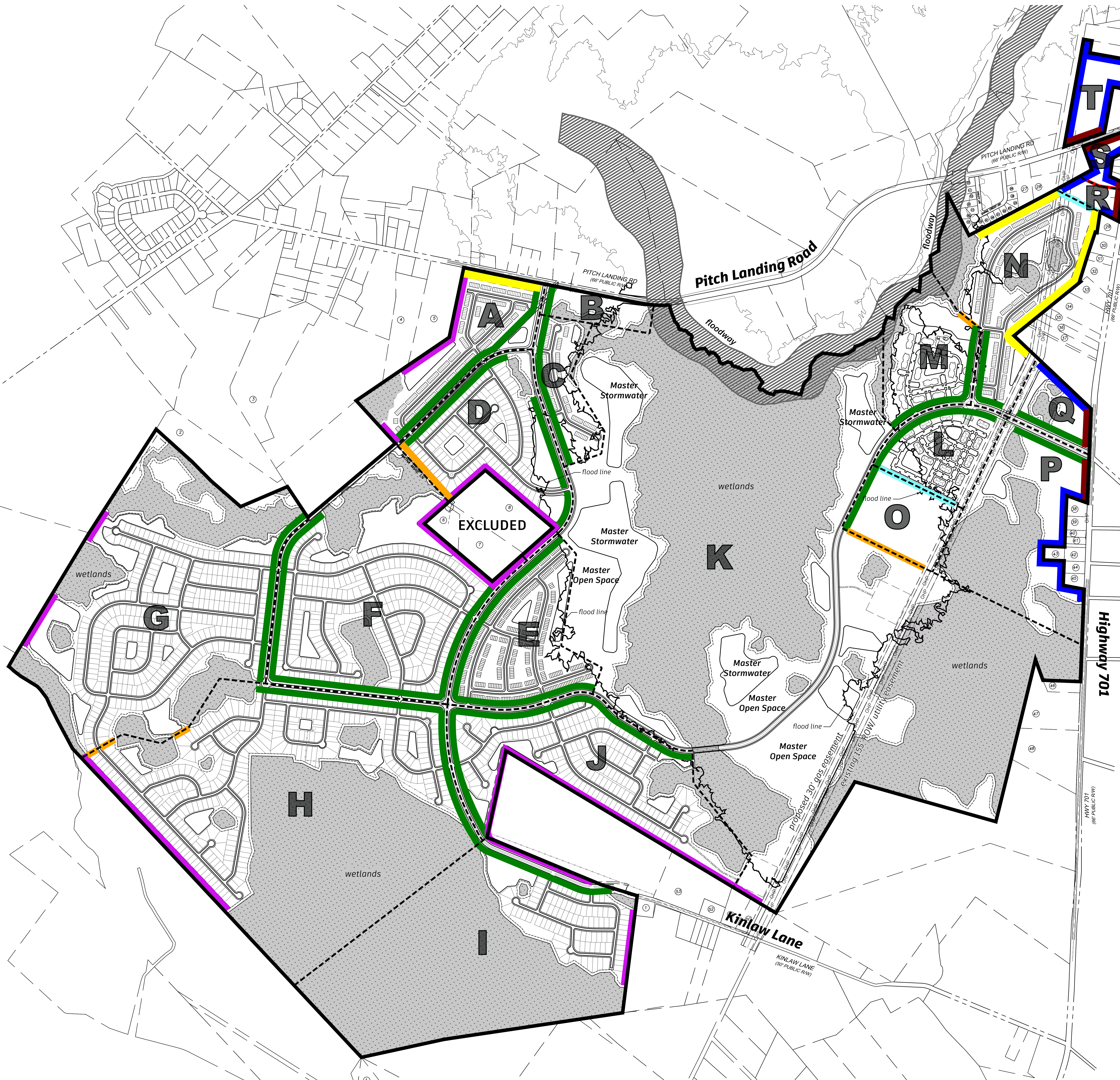
- SPINE ROAD BUFFER
- A 20 FT SPINE ROAD BUFFER SHALL BE PROVIDED ALONG THE PROPOSED SPINE ROADS DEPICTED ON EXHIBIT VII WITH EXCEPTION TO THE FOLLOWING CONDITIONS:
    - SHALL NOT BE REQUIRED ALONG PORTIONS OF SPINE ROAD ADJACENT TO MASTER OPEN SPACE
    - SHALL NOT BE REQUIRED AT WETLAND CROSSINGS OR INTERSECTIONS WITH WETLAND BUFFERS
    - PLANTINGS SHALL NOT BE REQUIRED WITHIN UTILITY RIGHT OF WAY OR WHEN ADJACENT TO COMBINED UTILITY EASEMENTS MORE THAN 50 FT IN WIDTH
    - IN INSTANCES WHERE PARCELS OR TRACTS ARE INTENDED TO BE DEVELOPED FOR PUBLIC SAFETY OR MUNICIPAL USES (INCLUDING BUT NOT LIMITED TO: FIRE, POLICE, OR EMS STATIONS, WATER, WASTEWATER OR UTILITY IMPROVEMENTS), THE BUFFER REQUIREMENTS SHALL BE WAIVED
  - SHALL MEET THE STANDARDS SET FORTH BY THE CITY OF CONWAYS UNIFIED DEVELOPMENT ORDINANCE FOR "STREET" DESIGNATION
  - STORMWATER FEATURES, UTILITIES AND DEVELOPMENT ENTRANCE RIGHT OF WAYS AND ACCESSES SHALL BE PERMITTED WITHIN THE BUFFER
  - SIGNAGE SHALL BE PERMITTED WITHIN THE SPINE ROAD BUFFER

- LAND USE BUFFERS:
- LANDSCAPE BUFFERS TO DISTINGUISH LAND USES INTERNAL TO THE PD SHALL BE INSTALLED AS SPECIFIED WITH EXCEPTION TO THE FOLLOWING CONDITIONS:
    - SHALL NOT BE REQUIRED WITHIN WETLANDS OR WETLAND BUFFERS
    - PLANTINGS SHALL NOT BE REQUIRED WITHIN UTILITY RIGHT OF WAY OR WHEN ADJACENT TO COMBINED UTILITY EASEMENTS MORE THAN 50 FT IN WIDTH
    - IN INSTANCES WHERE PARCELS OR TRACTS ARE INTENDED TO BE DEVELOPED FOR PUBLIC SAFETY OR MUNICIPAL USES (INCLUDING BUT NOT LIMITED TO: FIRE, POLICE, OR EMS STATIONS, WATER, WASTEWATER OR UTILITY IMPROVEMENTS), THE BUFFER REQUIREMENTS SHALL BE WAIVED IF IT IMPEDES THE ABILITY TO DEVELOP THE TRACT FOR THE INTENDED USE
    - AN UNDISTURBED, VEGETATED BUFFER MAY BE UTILIZED IN LIEU OF THE ABOVE LANDSCAPE RATE REQUIREMENTS PROVIDED THAT A TREE SURVEY IS SUPPLIED DEPICTING THAT THE UNDISTURBED BUFFER CONTAINS AT LEAST TEN (10) - FOUR INCH (4") CALIPER TREES OR GREATER, PER 100 LF OR THAT THE BUFFER MEETS THE MINIMUM RATE REQUIREMENTS AS DEFINED IN THE CITY OF CONWAYS UDO
  - LAND USE BUFFERS SHALL BE PLANTED ACCORDING TO THE FOLLOWING RATE ON EACH TRACT, BASED UPON THE CRITERIA SET FORTH IN THE CITY OF CONWAYS UNIFIED DEVELOPMENT ORDINANCE:
    - 10 FT. LAND USE BUFFER- 5 FT. BUFFER TO BE PROVIDED EACH SIDE AND PLANTED AT THE "TYPE A" LANDSCAPE RATE
    - 20 FT. LAND USE BUFFER- 10 FT. BUFFER TO BE PROVIDED EACH SIDE AND PLANTED AT THE "TYPE B" LANDSCAPE RATE
    - 50 FT LAND USE BUFFER- 25 FT. BUFFER TO BE PROVIDED EACH SIDE AND PLANTED AT THE "TYPE B" LANDSCAPE RATE
    - WHERE LIGHT INDUSTRIAL USES ARE DEVELOPED NEXT TO RESIDENTIAL PROPERTIES, THE REQUIRED PLANTING RATE SHALL BE INCREASED BY ONE (1) LETTER (E.G. FROM "TYPE B" TO "TYPE C")
  - A UNDISTURBED, VEGETATED BUFFER MAY BE UTILIZED IN LIEU OF THE ABOVE LANDSCAPE RATE REQUIREMENTS PROVIDED THAT A TREE SURVEY IS SUPPLIED DEPICTING THAT THE UNDISTURBED BUFFER CONTAINS AT LEAST TEN (10) - FOUR INCH (4") CALIPER TREES OR GREATER, PER 100 LF OR THAT THE BUFFER MEETS THE MINIMUM RATE REQUIREMENTS AS DEFINED IN THE CITY OF CONWAYS UDO
  - MIXED USE DESIGNATIONS SHALL BE CONSIDERED COMMERCIAL WHERE APPLICABLE
  - STORMWATER FEATURES AND UTILITIES SHALL BE PERMITTED WITHIN THE BUFFER
  - SHOULD LAND USE ON A TRACT CHANGE AFTER COMPLETION OF A CONTIGUOUS TRACT, THE PORTION OF BUFFER WITHIN THE LATER DEVELOPMENT SHALL ADHERE TO THE UPDATED BUFFER REQUIREMENT FOR THEIR HALF OF THE BUFFER
  - 20 FT. TRACT BUFFER SHALL BE PROVIDED ALONG THE EXISTING DRIVEWAY ACCESS TO REMAIN KNOWN AS WANYA MARIE LN.

- WETLAND BUFFER
- A 30 FT. NATURAL WETLAND BUFFER SHALL BE PROVIDED ALONG THE PERIMETER OF REMAINING WETLANDS ON SITE AT TRACT DEVELOPMENT.
    - SHALL NOT BE REQUIRED ALONG LOCATIONS OF PROPOSED WETLAND FILL FOR ROADS, UTILITIES OR PEDESTRIAN, BICYCLE AND EQUESTRIAN TRAIL CROSSINGS
    - SHALL NOT BE REQUIRED ALONG EXISTING ROADWAY AND DRIVEWAY SECTIONS TO REMAIN INTERNAL TO THE DEVELOPMENT
    - IN INSTANCES WHERE PARCELS OR TRACTS ARE INTENDED TO BE DEVELOPED FOR PUBLIC SAFETY OR MUNICIPAL USES (INCLUDING BUT NOT LIMITED TO: FIRE, POLICE, OR EMS STATIONS, WATER, WASTEWATER OR UTILITY IMPROVEMENTS), THE BUFFER REQUIREMENTS SHALL BE WAIVED IF IT IMPEDES THE ABILITY TO DEVELOP THE TRACT FOR THE INTENDED USE
    - SUPPLEMENTAL PLANTINGS SHALL NOT BE REQUIRED WITHIN UTILITY RIGHT OF WAY OR WHEN ADJACENT TO COMBINED UTILITY EASEMENTS MORE THAN 50 FT IN WIDTH
  - STORMWATER FEATURES, UTILITIES, AND UTILITIES SHALL BE PERMITTED WITHIN THE NATURAL BUFFER PROVIDED THE REMAINING NON-DISTURBED AREAS SHALL BE NATURALLY VEGETATED IF PROPOSED INFRASTRUCTURE ALLOWS

- PERIMETER STREETSCAPE BUFFERS
- 8 FT STREETSCAPE BUFFERS ALONG COMMERCIAL DEVELOPMENTS SHALL MEET THE DESIGN STANDARDS SET FORTH BY THE CITY OF CONWAYS UNIFIED DEVELOPMENT ORDINANCE FOR "STREET" DESIGNATION
  - A 100 FT STREETSCAPE BUFFER ALONG PITCH LANDING RESIDENTIAL DEVELOPMENTS SHALL MEET THE DESIGN STANDARDS SET FORTH BY THE CITY OF CONWAYS UNIFIED DEVELOPMENT ORDINANCE FOR "STREET" DESIGNATION, THE BUFFER WIDTH MAY BE REDUCED TO A MINIMUM OF 40 FT IF REMOVED PORTION IS UTILIZED FOR WIDENING OF THE EXISTING RIGHT OF WAY FOR TRAFFIC IMPROVEMENTS
  - PERIMETER STREETSCAPE BUFFER REQUIREMENTS MAY BE WAIVED IN INSTANCES WHERE PARCELS OR TRACTS ARE INTENDED TO BE DEVELOPED FOR PUBLIC SAFETY OR MUNICIPAL USES (INCLUDING BUT NOT LIMITED TO: FIRE, POLICE, OR EMS STATIONS, WATER, WASTEWATER OR UTILITY IMPROVEMENTS) IF IT IMPEDES THE ABILITY TO DEVELOP THE TRACT FOR THE INTENDED USE
  - SUPPLEMENTAL PLANTINGS SHALL NOT BE REQUIRED WITHIN UTILITY RIGHT OF WAY OR WHEN ADJACENT TO COMBINED UTILITY EASEMENTS MORE THAN 50 FT IN WIDTH
  - SIGNAGE SHALL BE PERMITTED WITHIN PERIMETER STREETSCAPE BUFFER

- PERIMETER PD BUFFERS
- ALL PERIMETER PD BUFFERS, UNLESS ADJACENT TO A STREET OR OTHERWISE NOTED BELOW, SHALL BE PLANTED ACCORDING TO THE "TYPE B" LANDSCAPE RATE AS LISTED IN THE CITY OF CONWAYS UDO
  - PERIMETER PD LANDSCAPE BUFFERS SHALL BE PLANTED ACCORDING TO THE FOLLOWING RATE ON EACH TRACT, BASED UPON THE CRITERIA SET FORTH IN THE CITY OF CONWAYS UNIFIED DEVELOPMENT ORDINANCE:
    - 100 FT. RESIDENTIAL PD PERIMETER BUFFER (FULL)- "TYPE B" LANDSCAPE RATE
    - 50 FT. COMMERCIAL PD PERIMETER BUFFER- "TYPE B" LANDSCAPE RATE
  - WHERE LIGHT INDUSTRIAL USES ARE DEVELOPED NEXT TO RESIDENTIAL PROPERTIES, THE REQUIRED PLANTING RATE SHALL BE INCREASED BY ONE (1) LETTER (E.G. FROM "TYPE B" TO "TYPE C")
  - AN UNDISTURBED, VEGETATED BUFFER MAY BE UTILIZED IN LIEU OF THE ABOVE LANDSCAPE RATE REQUIREMENTS PROVIDED THAT A TREE SURVEY IS SUPPLIED DEPICTING THAT THE UNDISTURBED BUFFER CONTAINS AT LEAST TEN (10) - FOUR INCH (4") CALIPER TREES OR GREATER, PER 100 LF OR THAT THE BUFFER MEETS THE MINIMUM RATE REQUIREMENTS AS DEFINED IN THE CITY OF CONWAYS UDO
  - PERIMETER PD BUFFER REQUIREMENTS MAY BE WAIVED IN INSTANCES WHERE PARCELS OR TRACTS ARE INTENDED TO BE DEVELOPED FOR PUBLIC SAFETY OR MUNICIPAL USES (INCLUDING BUT NOT LIMITED TO: FIRE, POLICE, OR EMS STATIONS, WATER, WASTEWATER OR UTILITY IMPROVEMENTS) IF IT IMPEDES THE ABILITY TO DEVELOP THE TRACT FOR THE INTENDED USE
  - 50' RESIDENTIAL PD PERIMETER BUFFER IS NOT REQUIRED ALONG THE IMPROVED LOCAL ROAD (KNOWN AS BLAZE TRAIL) ADJACENT TO PIN 380-00-00-0039 OR WHERE ADJACENT TO WETLANDS
  - SUPPLEMENTAL PLANTINGS WITHIN PERIMETER PD BUFFERS ARE NOT REQUIRED IN WETLANDS, THE EXISTING POWERLINE RIGHT OF WAY (OR UTILITY EASEMENTS MORE THAN 50 FT IN WIDTH), OR IN LOCATIONS WHERE BUFFER IS NOT ADJACENT TO DEVELOPED ACREAGE, SUCH AS UNDISTURBED UPLAND AREAS ISOLATED BY WETLANDS
  - WALLS AND FENCES, A MINIMUM OF 6 FEET IN HEIGHT (CONSTRUCTED OF MASONRY, STONE, PRESSURE TREATED LUMBER) MAY BE USED TO REDUCE THE REQUIRED WIDTH OF THE COMMERCIAL PD PERIMETER BUFFER UP TO 15 FT
  - THE 50' RESIDENTIAL PD PERIMETER BUFFER ALONG THE KINLAW LANE EXTENSION SHALL COMMENCE WHERE THE ENTIRE BUFFER WIDTH IS AVAILABLE INTERNAL TO THE PD EXTENTS



# WARDEN STATION

## EXHIBIT III

buffer plan





LEGEND

SYMBOL	NOTES	ACRES
	Wetland	688.03
	Buffers	119.51
	Open Space Master	145.09
	Open Space Common	74.25
	Pond Master	52.70
	Pond Common	73.49
	Master Open Space Improvements 25 Parking Spaces 4 Pickleball Courts Playground	MIN. 2.0 AC

TRACT	TOTAL ACREAGE	WETLAND (W) UPLAND (U)	OPEN SPACE	POND	TOTAL OPEN SPACE (O.S. + 25% of pond) (excluding wetlands)	% OPEN SPACE
A	40.47 AC	3.89 AC (W) 36.58 AC (U)	2.75 AC	2.80 AC	3.45 AC	9.4%
B	10.72 AC	2.94 AC (W) 7.78 AC (U)	-	-	-	-
C	21.66 AC	1.01 AC (W) 20.65 AC (U)	6.50 AC	0.39 AC	6.60 AC	32.0%
D	56.84 AC	1.07 AC (W) 55.77 AC (U)	5.06 AC	7.28 AC	6.88 AC	12.3%
E	50.94 AC	0 (W) 50.94 AC (U)	5.69 AC	3.34 AC	6.53 AC	12.8%
F	128.57 AC	17.53 AC (W) 111.04 AC (U)	8.32 AC	11.83 AC	11.28 AC	10.1%
G	178.76 AC	46.79 AC (W) 131.97 AC (U)	17.34 AC	19.03 AC	22.09 AC	16.7%
H	232.80 AC	118.66 AC (W) 114.14 AC (U)	8.11 AC	5.79 AC	9.55 AC	8.4%
I	153.20 AC	113.33 AC (W) 39.87 AC (U)	3.65 AC	3.70 AC	4.57 AC	11.4%
J	88.02 AC	11.27 AC (W) 76.75 AC (U)	8.05 AC	5.13 AC	9.33 AC	12.1%
K	550.14 AC	320.13 AC (W) 230.01 AC (U)	139.66 AC	52.06 AC	152.67 AC	66.4%
L	27.82 AC	0 (W) 27.82 AC (U)	1.69 AC	1.84 AC	2.15 AC	7.7%
M	34.81 AC	5.13 AC (W) 29.68 AC (U)	7.70 AC	4.78 AC	8.90 AC	30.0%
N	64.43 AC	11.88 AC (W) 52.55 AC (U)	4.67 AC	5.10 AC	5.94 AC	11.3%
O	23.47 AC	0 (W) 23.47 AC (U)	-	-	-	-
P	66.32 AC	32.51 AC (W) 33.81 AC (U)	-	2.02 AC	-	-
Q	14.13 AC	1.89 AC (W) 12.24 AC (U)	-	1.12 AC	-	-
R	4.30 AC	0 (W) 4.30 AC (U)	-	-	-	-
S	5.26 AC	0 (W) 5.26 AC (U)	-	-	-	-
T	12.56 AC	0 (W) 12.56 AC (U)	-	-	-	-

- ANTICIPATED LOCATIONS FOR TRACTS TO BE UTILIZED FOR MUNICIPAL PURPOSES (INCLUDING BUT NOT LIMITED TO: FIRE, POLICE, OR EMS STATIONS, WATER, WASTEWATER OR UTILITY IMPROVEMENTS) AS DEPICTED IN TRACT K SHALL BE SUBDIVIDED AND PROVIDED THE NECESSARY ACCESS AND EASEMENTS TO THE PROPOSED ROADWAY WITHIN THE PD. SHOULD THE ANTICIPATED USE NO LONGER BE REQUIRED, THE TRACT(S) SHALL BE CONVEYED TO THE CITY OF CONWAY FOR INCLUSION WITHIN THE ANTICIPATED USES ON TRACT K. LOCATION AND SIZE SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE.
  - NO MORE THAN 5% OF TRACT K SHALL BE UTILIZED FOR THIS PURPOSE; SHOULD THIS PERCENTAGE BE EXCEEDED, COMMENSURATE ACREAGE SHALL BE PROVIDED FROM CONTIGUOUS TRACTS UNTIL THE MINIMUM DESIGNATION IS MET.
- PROVIDED OPEN SPACE WITHIN RESIDENTIAL TRACTS SHALL MEET OR EXCEED A CUMULATIVE 5% OF THE DEVELOPABLE ACREAGE FOR PHASED DEVELOPMENT SEQUENCE.
- COMBINED MASTER AND COMMON OPEN SPACE AT FULL BUILDOUT SHALL MEET OR EXCEED 15% OF THE DEVELOPABLE ACREAGE.
- OPEN SPACE SHALL BE CONSIDERED PROPERTY THAT IS DEVELOPABLE AS RESIDENTIAL OR COMMERCIAL USE AND EXCLUDES WETLAND BUFFERS, EXTERIOR BUFFERS AND EXISTING UTILITY EASEMENTS UNLESS OTHERWISE SPECIFIED.
  - TWENTY-FIVE PERCENT (25%) OF POND ACREAGE CAN COUNT TOWARDS OPEN SPACE WITHIN THE TRACTS.
  - ACCEPTABLE OPEN SPACE SHALL MEET A MINIMUM OF 6,000 S.F. IN SIZE.
  - ADDITIONAL BUFFER WIDTHS BEYOND THE MINIMUM REQUIRED SIZES SPECIFIED HEREIN SHALL BE ALLOWABLE TOWARDS ACCEPTABLE OPEN SPACE.
  - LOW IMPACT TRAILS OR BOARDWALKS THROUGH WETLANDS, PASSIVE AREAS AND ALONG THE PROPOSED CONWAY PATH PLAN SHALL BE UTILIZED AS ACCEPTABLE OPEN SPACE BASED UPON THE CROSS SECTIONS PROVIDED IN THE CONWAY PATHWAYS AND TRAILS PLAN.
  - PROPOSED OPEN SPACE SHALL HAVE MINIMUM 20' ACCESS RIGHTS TO PROPOSED RIGHT OF WAYS AND OR DRIVEWAYS WITHIN THE TRACTS.
- ACCEPTABLE AMENITIES WITHIN OPEN SPACE ON RESIDENTIAL TRACTS SHALL ADHERE TO THE CRITERIA SET FORTH IN CITY OF CONWAY'S UNIFIED DEVELOPMENT ORDINANCE UNLESS OTHERWISE SPECIFIED WITHIN THE PD.
- SIDEWALK INSTALLATION BASED UPON THE CONWAY PATHWAYS AND TRAILS PLAN MAY BE UTILIZED TOWARDS ACCEPTABLE OPENSACE WHEN EXTERNAL TO THE PROPOSED SPINE ROADS; THE PROPOSED PATHWAYS PLAN MAY BE RELOCATED TO ALIGN WITH THE PROPOSED SPINE ROADS WITHIN THE COMMUNITY AS LONG AS THE TERMINUS REMAINS CONSISTENT WITH THE INTENT.
- COMMERCIAL TRACTS B, O, P, Q, R, S, AND T TO MEET THE MINIMUM LANDSCAPE AREA REQUIREMENT AS SPECIFIED BY THE CITY OF CONWAY'S UNIFIED DEVELOPMENT ORDINANCE.
- LOCATION OF PICKLEBALL COURTS, PLAYGROUND(S), AND REQUIRED PARKING MAY BE ADJUSTED OR RELOCATED AS THE DESIGN AND PROGRAMMING FOR THE DEDICATED PARK DEVELOPS BASED ON CITY INPUT AND STAKEHOLDER MEETINGS WITH RESIDENTS.



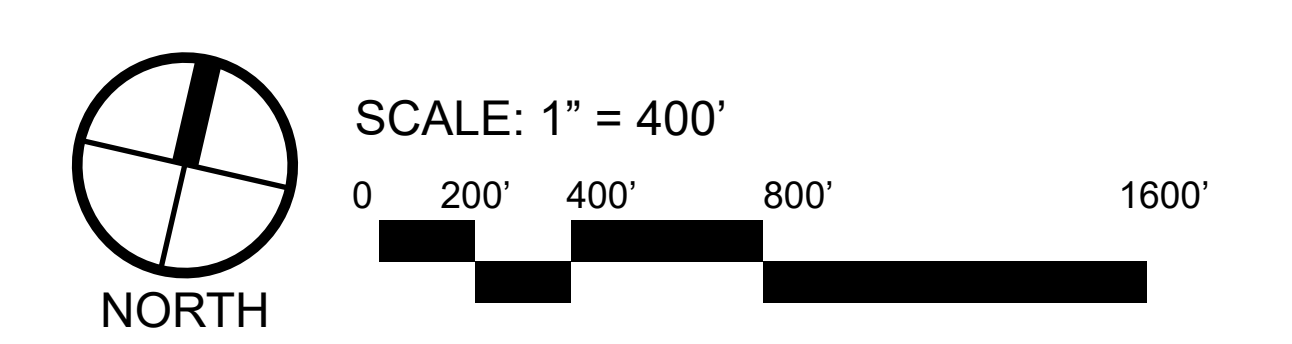
- NOTES:
1. STORMWATER SHALL MEET THE MINIMUM DESIGN REQUIREMENTS FOR THE CITY OF CONWAY UNIFIED DEVELOPMENT ORDINANCE.
  2. MASTER STORMWATER PONDS SHALL BE INSTALLED PRIOR TO COMPLETION OF THE SPINE ROADS WHERE STORMWATER DISCHARGE SHALL ULTIMATELY DISCHARGE.
  3. STORMWATER INFRASTRUCTURE WITHIN THE PD SHALL REQUIRE INSTALLATION SIZED TO ACCOMMODATE UPSTREAM TRACTS WITHIN THE PD.
  4. TRACTS A THROUGH Q WITHIN THE PD ARE DEPICTED FOR CONCEPTUAL STORMWATER CONVEYANCE.



# WARDEN STATION

## EXHIBIT V

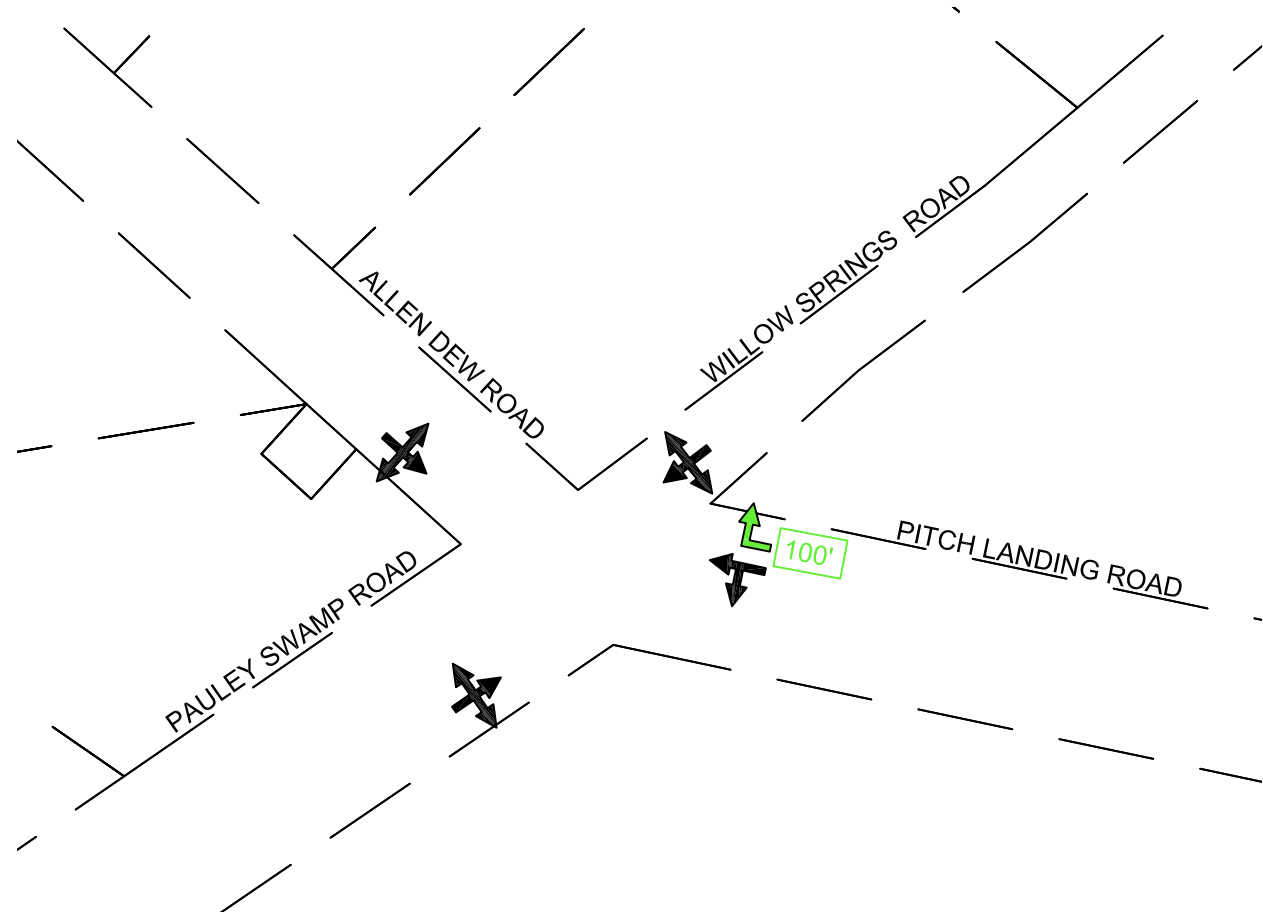
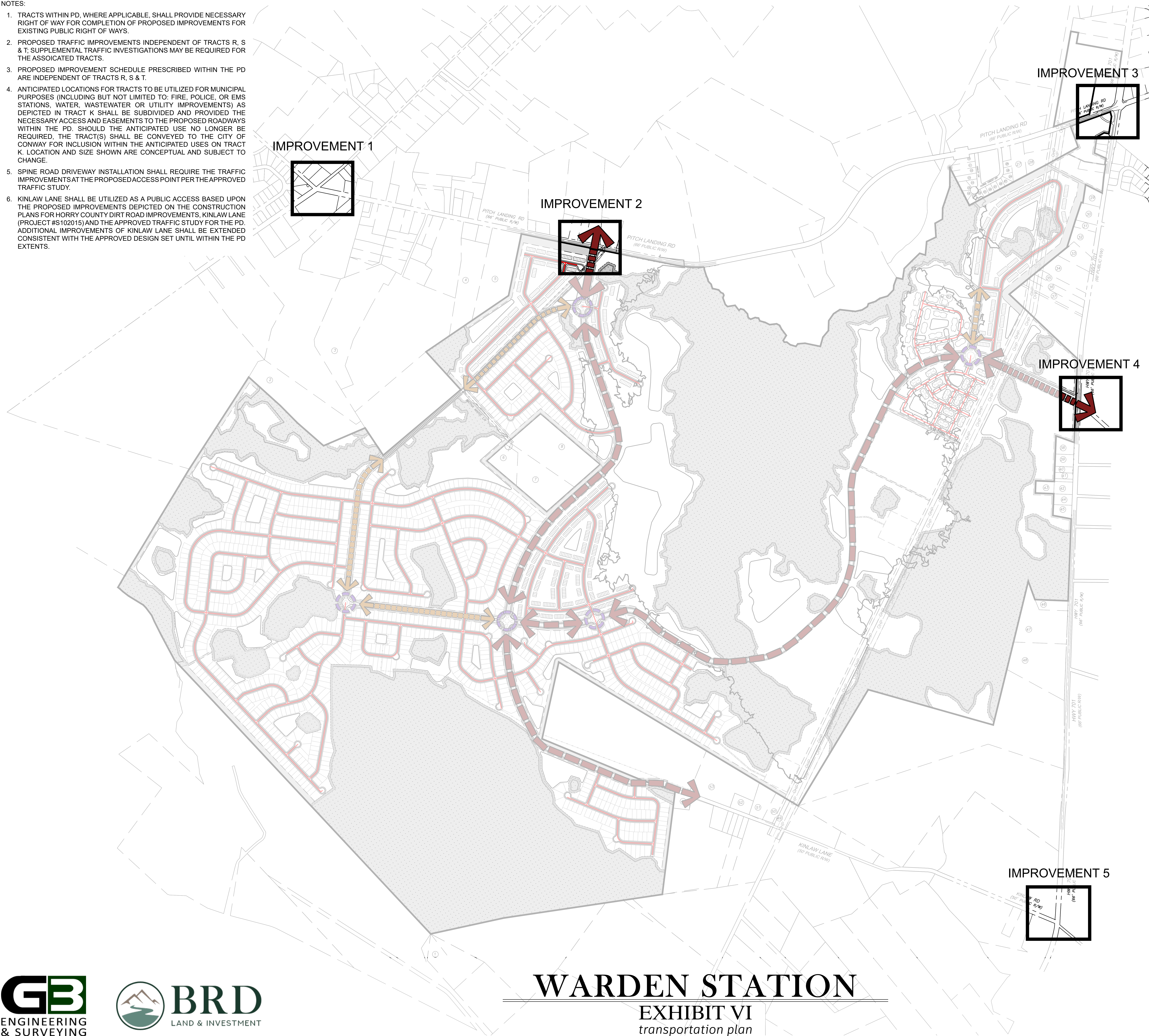
stormwater management plan



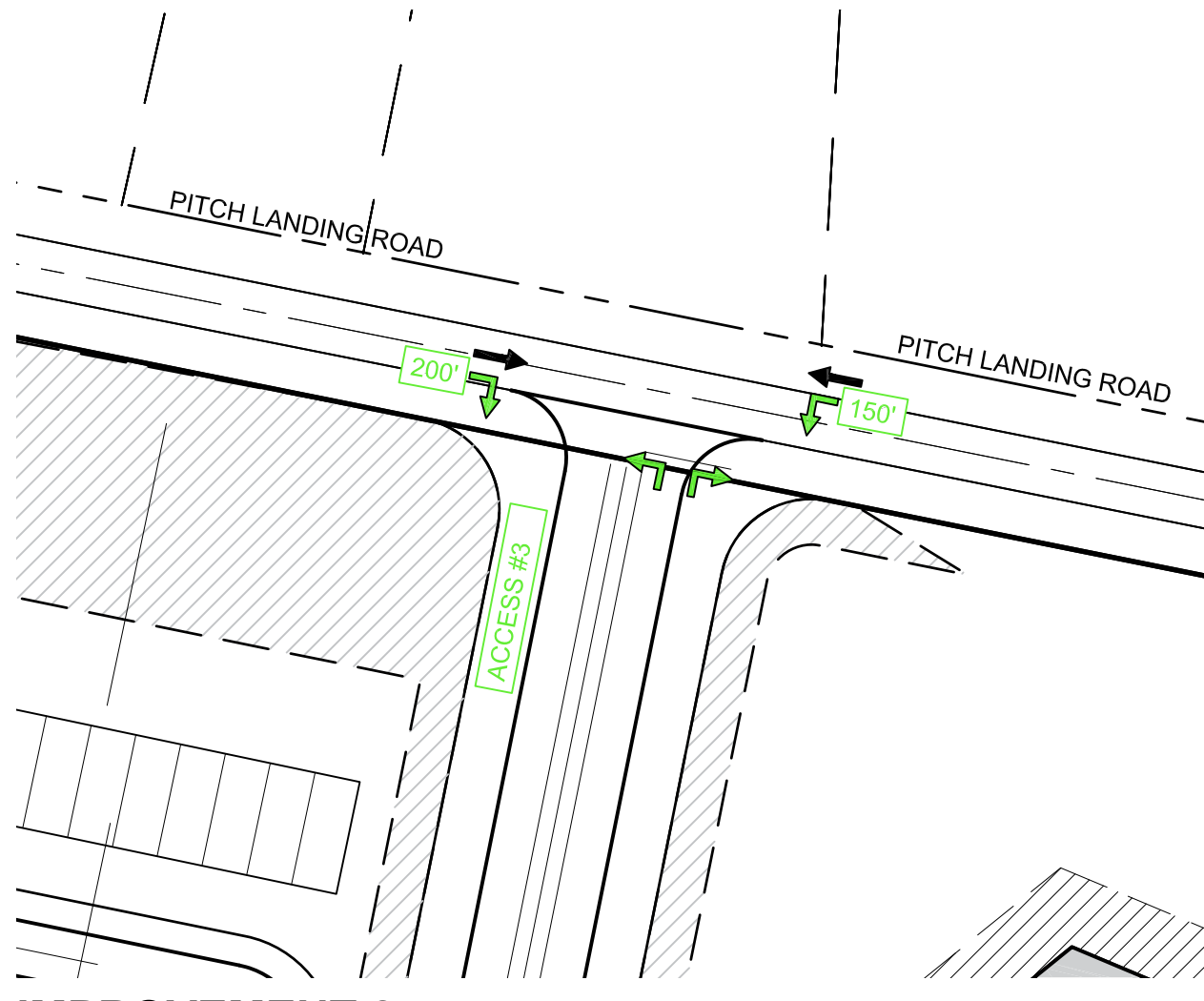


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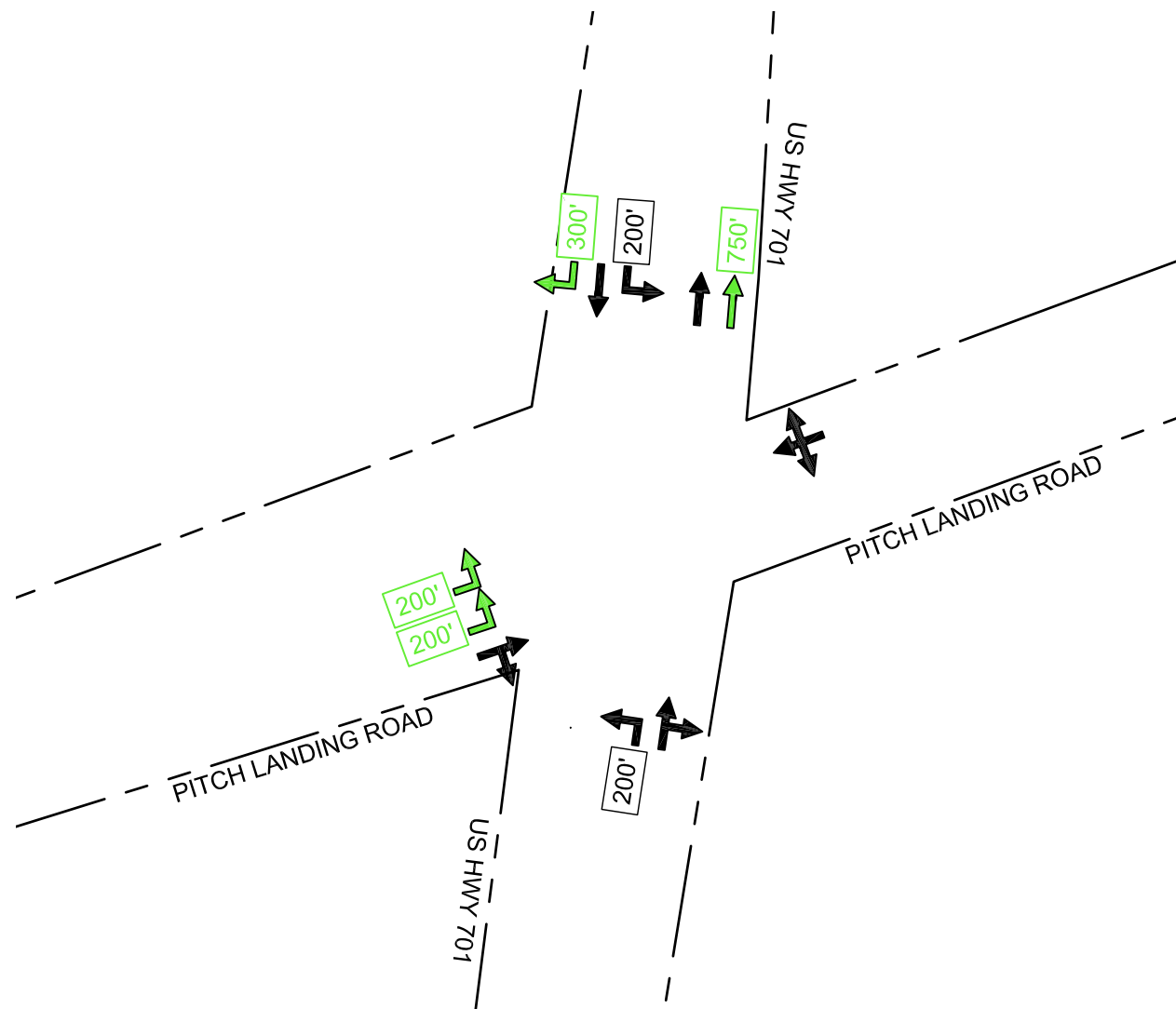
1. TRACTS WITHIN PD, WHERE APPLICABLE, SHALL PROVIDE NECESSARY RIGHT OF WAY FOR COMPLETION OF PROPOSED IMPROVEMENTS FOR EXISTING PUBLIC RIGHT OF WAYS.
2. PROPOSED TRAFFIC IMPROVEMENTS INDEPENDENT OF TRACTS R, S & T; SUPPLEMENTAL TRAFFIC INVESTIGATIONS MAY BE REQUIRED FOR THE ASSOICATED TRACTS.
3. PROPOSED IMPROVEMENT SCHEDULE PRESCRIBED WITHIN THE PD ARE INDEPENDENT OF TRACTS R, S & T.
4. ANTICIPATED LOCATIONS FOR TRACTS TO BE UTILIZED FOR MUNICIPAL PURPOSES (INCLUDING BUT NOT LIMITED TO: FIRE, POLICE, OR EMS STATIONS, WATER, WASTEWATER OR UTILITY IMPROVEMENTS) AS DEPICTED IN TRACT K SHALL BE SUBDIVIDED AND PROVIDED THE NECESSARY ACCESS AND EASEMENTS TO THE PROPOSED ROADWAYS WITHIN THE PD. SHOULD THE ANTICIPATED USE NO LONGER BE REQUIRED, THE TRACT(S) SHALL BE CONVEYED TO THE CITY OF CONWAY FOR INCLUSION WITHIN THE ANTICIPATED USES ON TRACT K. LOCATION AND SIZE SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE.
5. SPINE ROAD DRIVEWAY INSTALLATION SHALL REQUIRE THE TRAFFIC IMPROVEMENTS AT THE PROPOSED ACCESS POINT PER THE APPROVED TRAFFIC STUDY.
6. KINLAW LANE SHALL BE UTILIZED AS A PUBLIC ACCESS BASED UPON THE PROPOSED IMPROVEMENTS DEPICTED ON THE CONSTRUCTION PLANS FOR HORRY COUNTY DIRT ROAD IMPROVEMENTS, KINLAW LANE (PROJECT #S102015) AND THE APPROVED TRAFFIC STUDY FOR THE PD. ADDITIONAL IMPROVEMENTS OF KINLAW LANE SHALL BE EXTENDED CONSISTENT WITH THE APPROVED DESIGN SET UNTIL WITHIN THE PD EXTENTS.



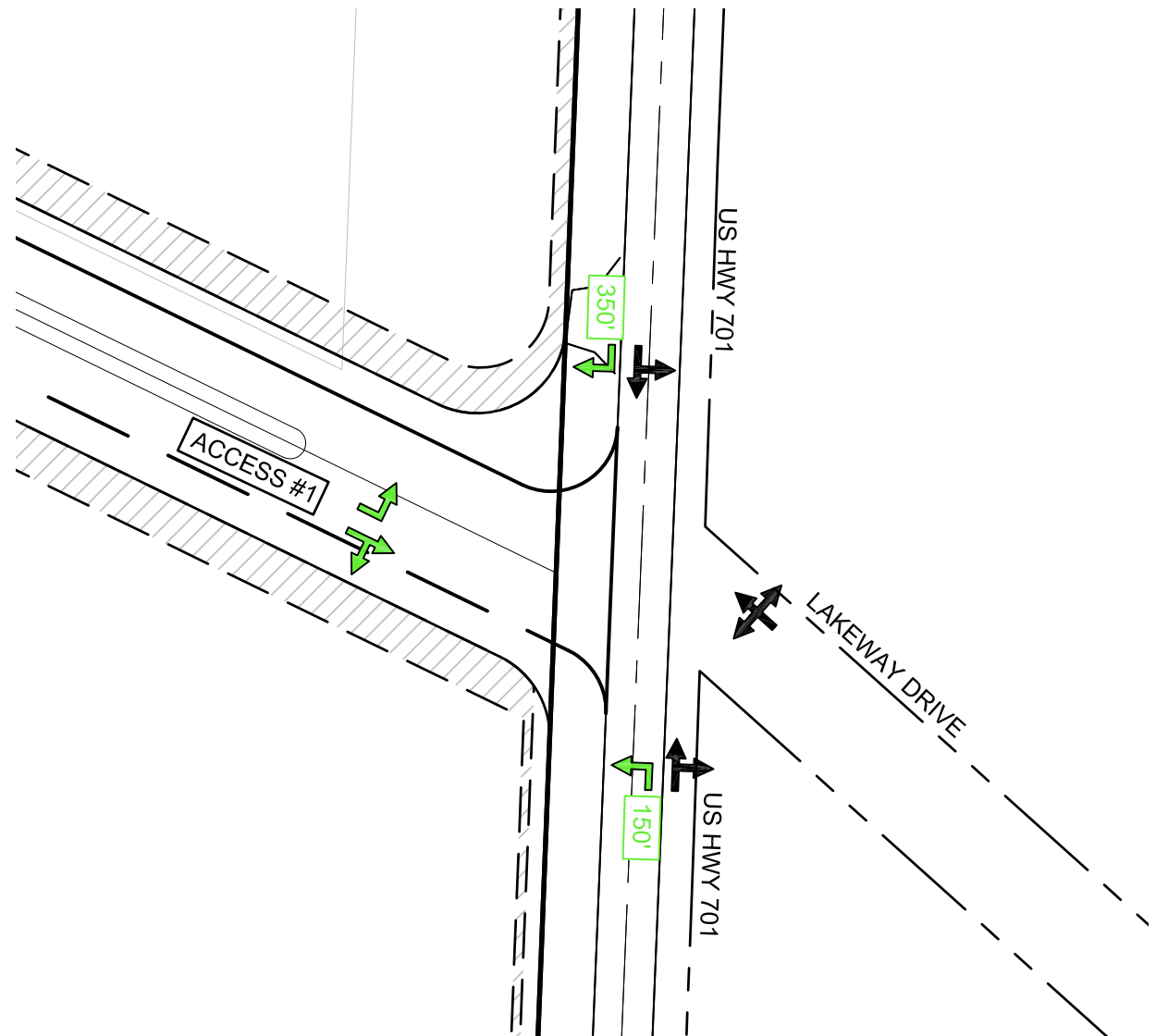
**IMPROVEMENT 1**  
SCALE: 1"=80'



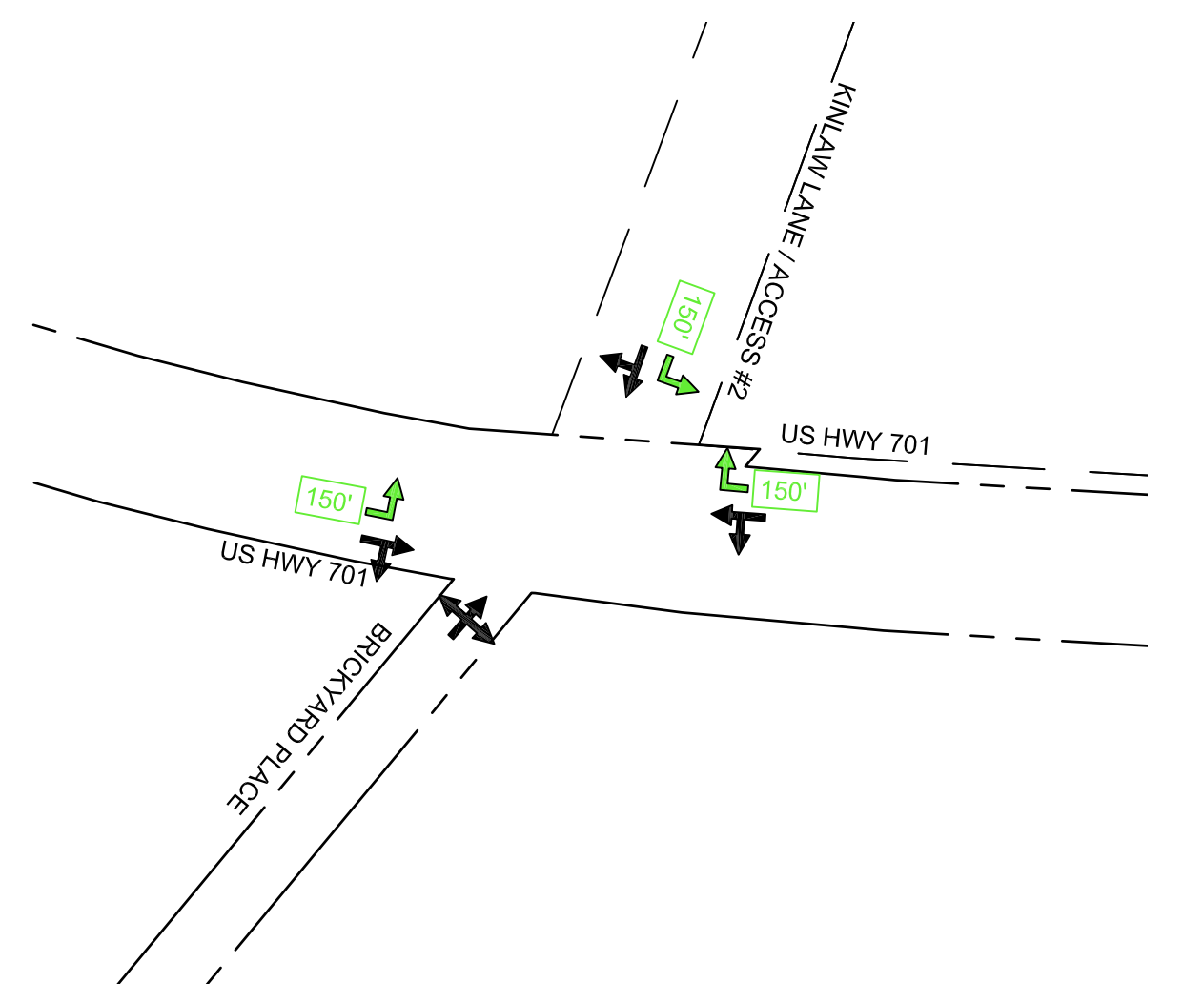
**IMPROVEMENT 2**  
SCALE: 1"=80'



**IMPROVEMENT 3**  
SCALE: 1"=80'

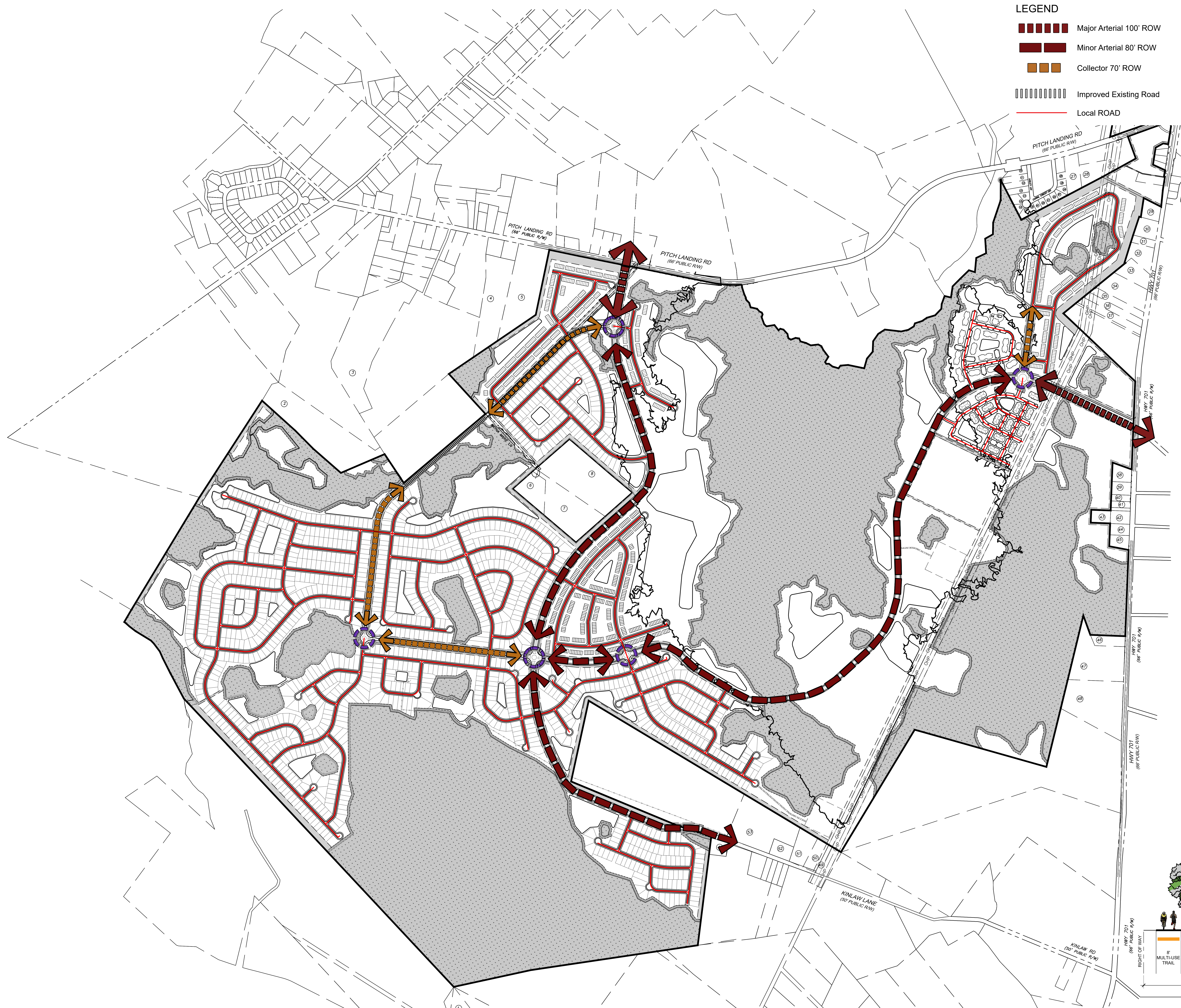


**IMPROVEMENT 4**  
SCALE: 1"=80'



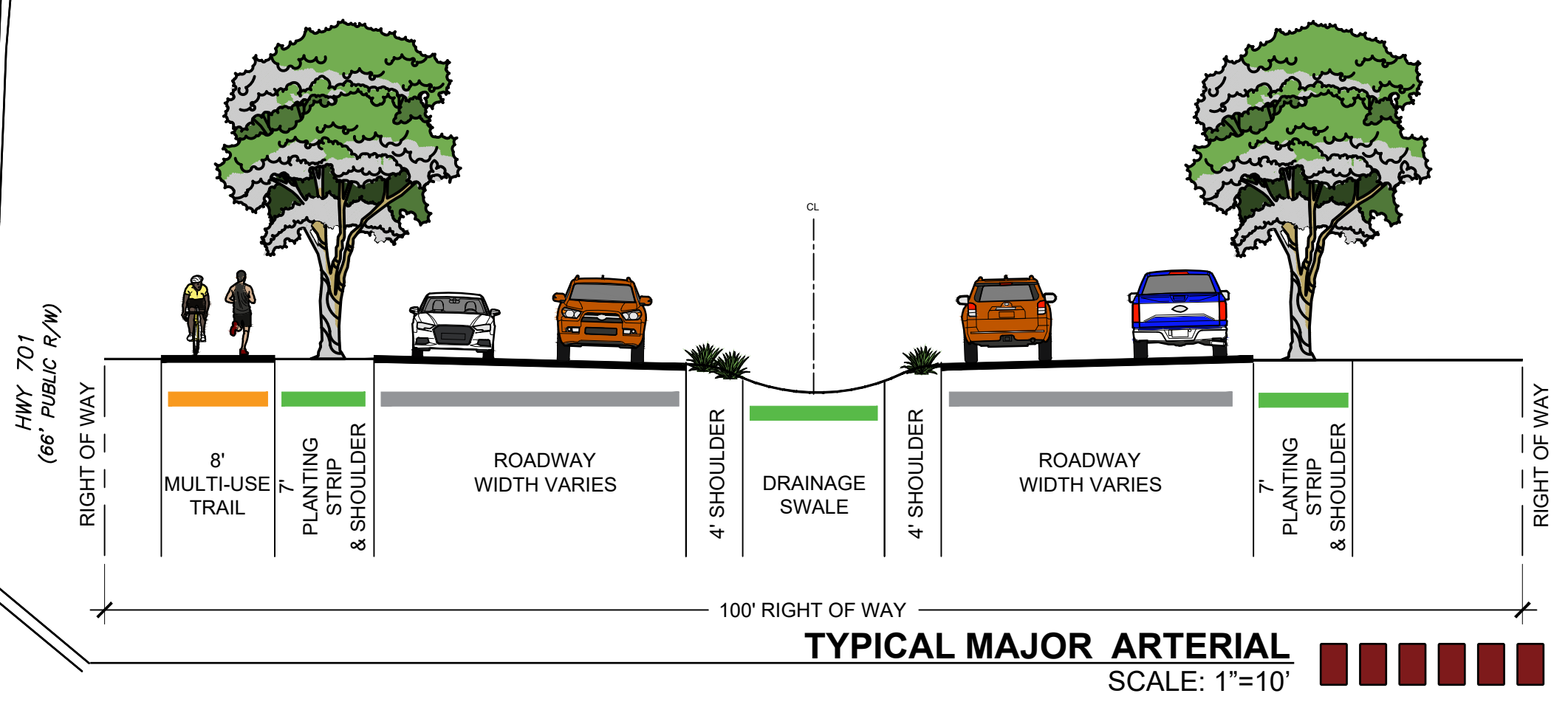
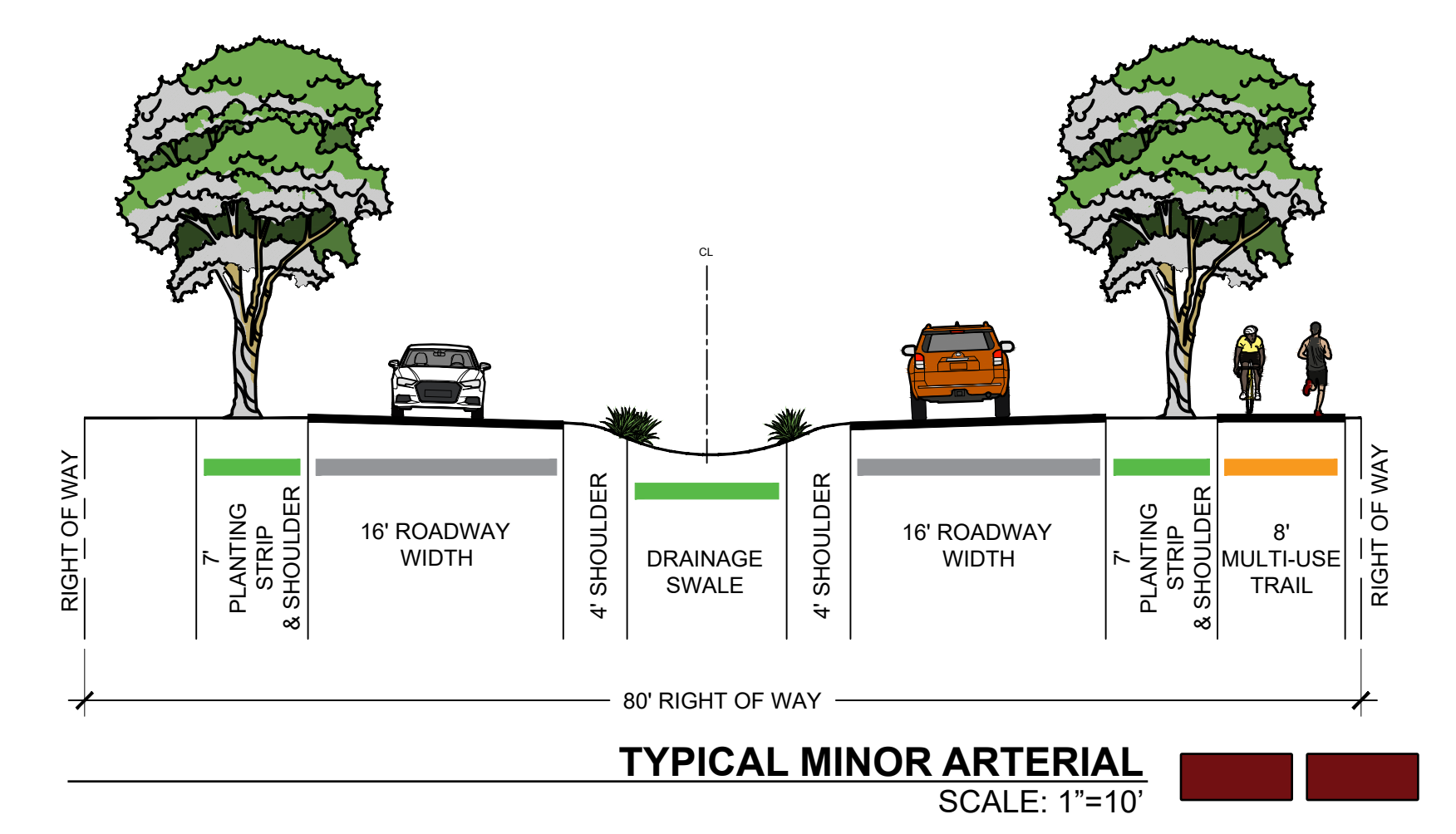
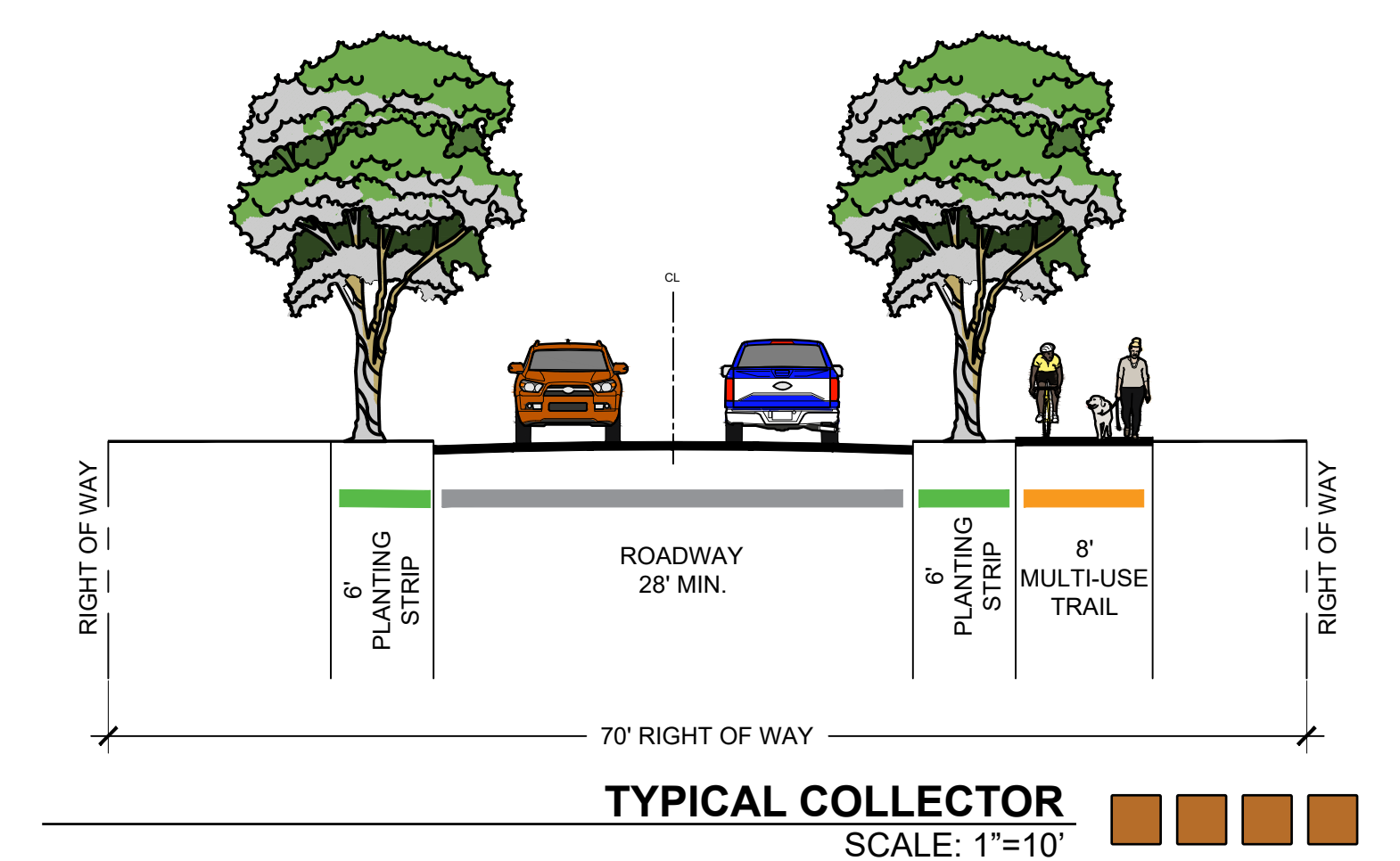
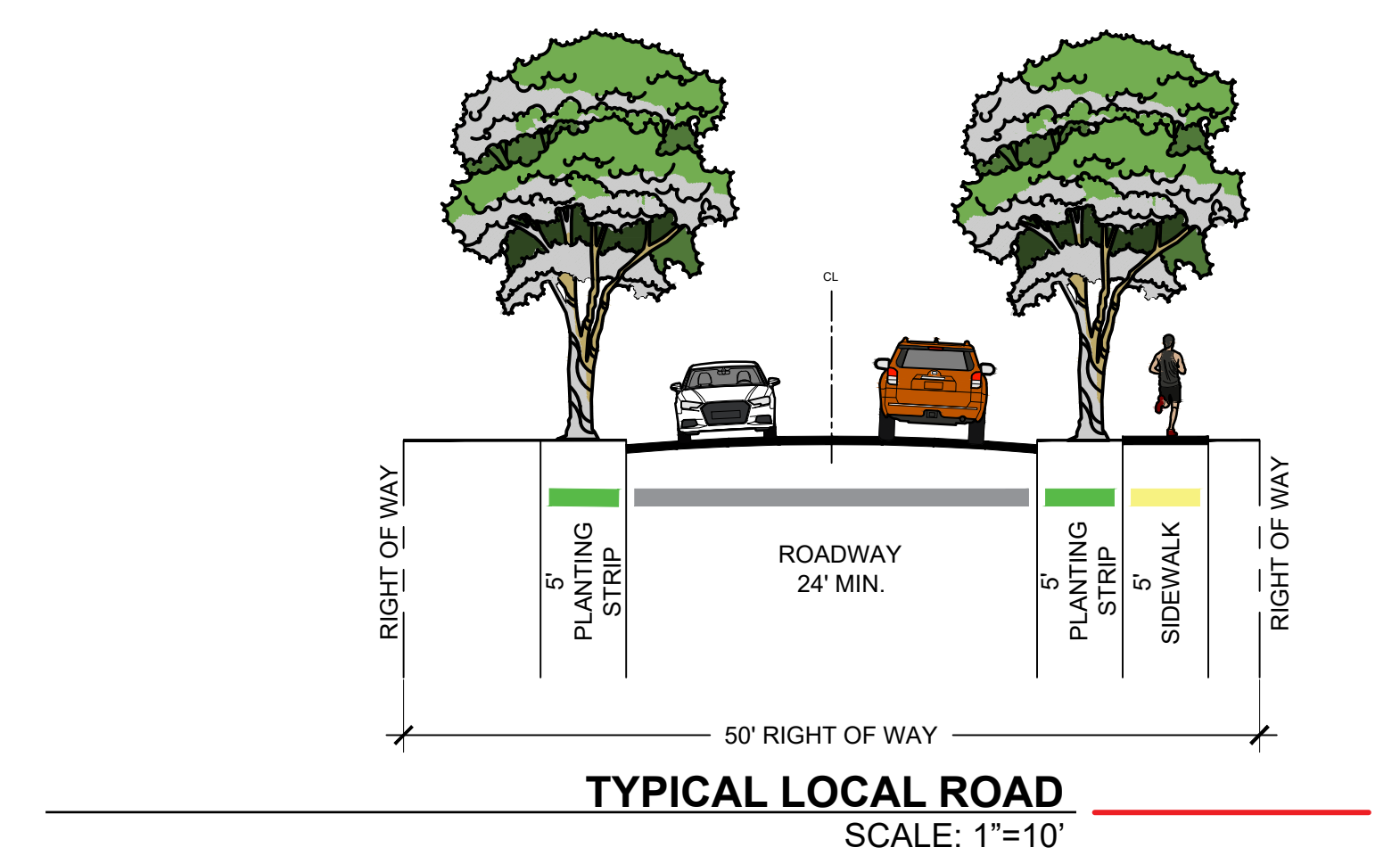
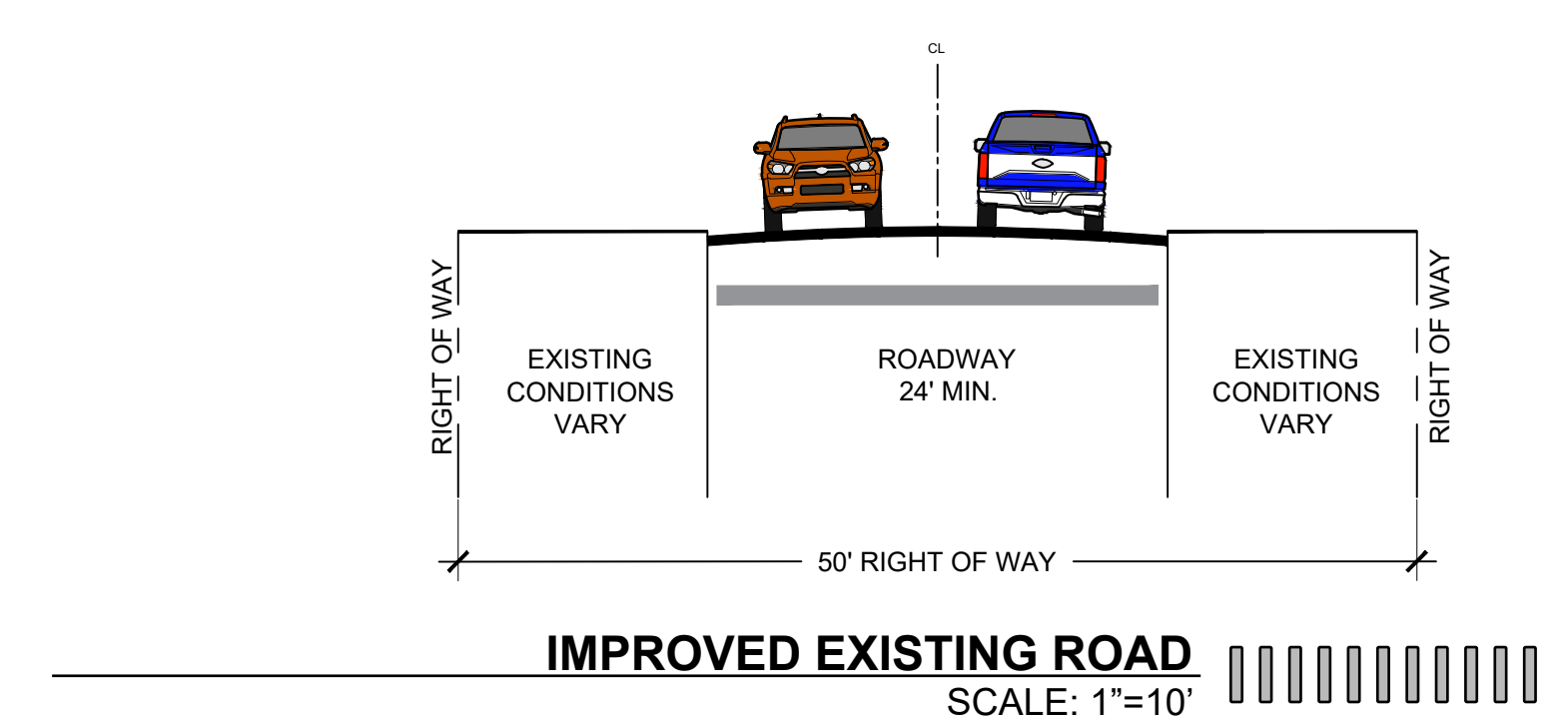
**IMPROVEMENT 5**  
SCALE: 1"=10'





- LEGEND**
- Major Arterial 100' ROW
  - Minor Arterial 80' ROW
  - Collector 70' ROW
  - Improved Existing Road
  - Local ROAD

- NOTES:**
- ALL LOCAL, COLLECTOR AND MINOR ARTERIAL ROADS TO HAVE A MIN. 5' SIDEWALK AND 4-5' PLANTING STRIP ON ONE SIDE OF ROAD. MAJOR ARTERIAL ROADS SHALL PROVIDE AN 8' MULTI-USE TRAIL ON ONE SIDE.
  - STREET TREES SHALL BE PROVIDED ALONG MAJOR ARTERIAL, MINOR ARTERIAL, COLLECTOR AND LOCAL ROADS. STREET TREES SHALL BE PLACED AT IN THE PUBLIC RIGHT OF WAY AT FIFTY FOOT (50') INTERVALS ON BOTH SIDES OF THE STREET AND SHALL MEET THE REQUIREMENTS SET FORTH IN SECTION 9.3.6 OF THE CITY OF CONWAY'S UNIFIED DEVELOPMENT ORDINANCE UNLESS OTHERWISE SPECIFIED.
  - STREET TREES SHALL BE PLACED IN THE PLANTING STRIP LOCATED BETWEEN THE SIDEWALK AND ROADWAY WHERE PRESENT. ROAD SECTIONS WITHOUT SIDEWALKS SHALL PLACE STREET TREE NO CLOSER THAN THREE FEET (3') AND NO GREATER THAN FIVE FEET (5') FROM BACK OF CURB.
  - THE IMPROVED EXISTING ROAD AND THE EXISTING DRIVEWAY ACCESS KNOWN AS WAYNA MARIE LANE SHALL BE EXEMPT FROM PROVIDING SIDEWALKS, STREET TREES, AND BUFFERS.
  - STREET TREES SHALL NOT BE REQUIRED AT WETLAND CROSSINGS.
  - MULTI-USE TRAIL INSTALLATION BASED UPON THE CONWAY PATHWAYS AND TRAILS PLAN MAY BE UTILIZED TOWARDS ACCEPTABLE OPENSOURCE WHEN EXTERNAL TO THE PROPOSED SPINE ROADS; THE PROPOSED PATHWAYS PLAN MAY BE RELOCATED TO ALIGN WITH THE PROPOSED SPINE ROADS WITHIN THE COMMUNITY AS LONG AS THE TERMINUS REMAINS CONSISTENT WITH THE INTENT DEPICTED IN THE CONWAY PATHWAYS AND TRAILS PLAN
  - SPINE ROADS ARE CONSIDERED ROADWAYS PROPOSED INTERNAL TO THE DEVELOPMENT BUT EXTERNAL TO THE PROPOSED TRACTS TO ALLOW CONNECTIVITY AND ARE ASSUMED INTERNAL TO THE DEVELOPMENT AND SIZED BASED UPON ANTICIPATED TRAFFIC VOLUMES. ANTICIPATED USES ARE CONCEPTUAL AND SUBJECT TO CHANGE BASED UPON DEVELOPMENT TRIP GENERATION. DEVIATIONS TO DENSITIES MAY INCUR MODIFICATIONS TO INTENDED CLASSIFICATIONS OF PROPOSED ROADS.





# WARDEN STATION

## EXHIBIT VIII

utility plan

### NOTES:

1. ANTICIPATED LOCATIONS FOR TRACTS TO BE UTILIZED FOR MUNICIPAL PURPOSES (INCLUDING BUT NOT LIMITED TO: FIRE, POLICE, OR EMS STATIONS, WATER, WASTEWATER OR UTILITY IMPROVEMENTS) AS DEPICTED IN TRACT K SHALL BE SUBDIVIDED AND PROVIDED THE NECESSARY ACCESS AND EASEMENTS TO THE PROPOSED ROADWAYS WITHIN THE PD. SHOULD THE ANTICIPATED USE NO LONGER BE REQUIRED, THE TRACT(S) SHALL BE CONVEYED TO THE CITY OF CONWAY FOR INCLUSION WITHIN THE ANTICIPATED USES ON TRACT K. LOCATION AND SIZE SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE.





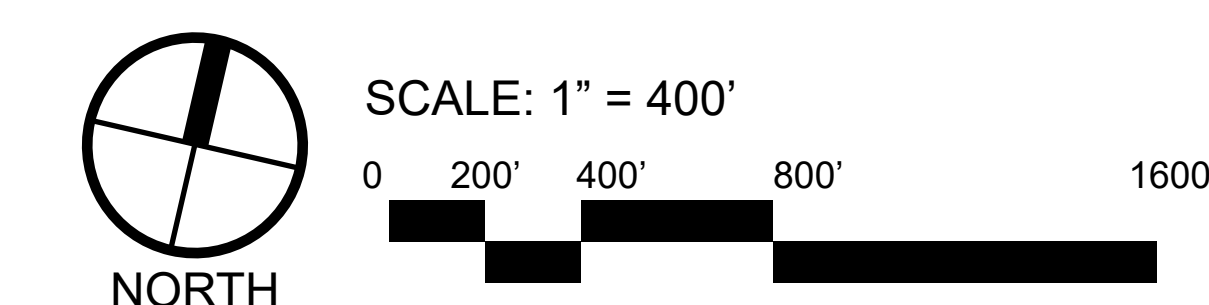
- X-SHADED FLOOD ZONE
- AE FLOOD ZONE
- FLOODWAY

- NOTES:
- NO FEE SIMPLE RESIDENTIAL UNITS OR BUILDINGS FOR RESIDENTIAL USES SHALL BE LOCATED WITHIN THE FEMA AE FLOOD ZONE.
  - IN COMMON RESIDENTIAL UNITS SHALL MAINTAIN SEPARATION EQUIVALENT TO THE PROPERTY SETBACKS OFF THE FEMA FLOOD ZONE FOR THE RESPECTIVE USE.

# WARDEN STATION

## EXHIBIT IX

flood zone overlay





# **Traffic Impact Study**

## **Warden Station**

*Following pages do not include complete  
traffic study; only exec. summary*

# TRAFFIC IMPACT STUDY

*for the*

## Warden Tract Mixed-Use Development

*Located in*

City of Conway, South Carolina

*Prepared for*

G3 Engineering, LLC

*Prepared by*

Ramey Kemp Associates

Moving forward.



**RAMEY KEMP ASSOCIATES**

May 2023

RKA Project #22438

# TRAFFIC IMPACT STUDY

*for the*

## Warden Tract Mixed-Use Development

*Located in*  
City of Conway, South Carolina

*Prepared for*  
G3 Engineering, LLC  
PO Box 2666  
Pawleys Island, SC 29585

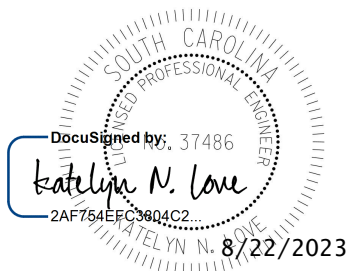
*Prepared by*  
Ramey Kemp Associates  
1411 Gervais Street, Suite 150  
Columbia, SC 29201

Moving forward.



**RAMEY KEMP ASSOCIATES**

May 2023  
RKA Project #22438



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## EXECUTIVE SUMMARY

A traffic impact study was conducted for the proposed Warden Tract Mixed-Use development in accordance with SCDOT and City of Conway guidelines. The development is proposed to be located south of Pitch Landing Road and west of US 701 in Conway, South Carolina. The development is anticipated to be constructed in phases but is proposed to contain a total of 3,333 residential units and 418.8 ksf of retail at full buildout. Access is proposed via one (1) full site access on Pitch Landing Road and two (2) full accesses on US 701.

Based on the anticipated traffic volumes the following turn lanes are recommended:

- right -turn and left-turn lane on US 701 at Access #1 (once access provided)
- right -turn and left-turn lane on US 701 at Kinlaw Lane/ Access #2 (once access provided)
- right -turn and left-turn lane on Pitch Landing Road at Access #3 (once access provided)
- westbound right-turn lane on Pitch Landing Road at the Willow Springs Road intersection (once approximately 1,300 homes occupied)
- southbound right-turn on US 701 (with or without the Warden Tract Mixed-Use) at the Pitch Landing Road intersection (once US 701 & Pitch Landing Road improvements built)

The US 701 & Access #1 intersection is expected to experience significant delays in the 2035 build conditions along the project leg. To mitigate delays, signalization is recommended once warranted at Access #1. The MUTCD warrant criteria are expected to be satisfied at US 701 & Access #1 by completion of Phase 3 construction. The intersection of Pitch Landing Road & Access #3 is expected to experience delays along the project approach. To mitigate delays, signalization is also recommended once warranted at Access #3. The MUTCD warrant criteria are expected to be satisfied at Pitch Landing Road & Access #3 by completion of Phase 1 construction. The US 701 & Access #2 intersection is expected to experience delays along the project leg, however traffic is likely to reroute to Access #1 and Access #3 once signalized; therefore there are no recommendations. The site accesses should be constructed with one ingress and two egress lanes and meet SCDOT and City of Conway design criteria.

With construction of the project, the study intersections of Cates Bay Highway & N Pawley Road/Allen Dew Road, Willow Springs Road/Pauley Swamp Road & Allen Dew Road/Pitch Landing Road, and Willow Springs Road & Cates Bay Highway should continue to function with very minor delays. The intersection of Cates Bay Highway & Highway 134 is expected to experience delays in AM peak of the build conditions. This operation is typical of minor approaches of two-way stop-controlled intersections; no improvements are recommended.

The signalized intersection of US 701 & Pitch Landing Road is expected to operate with delays in the 2035 build conditions. The eastbound approach of the intersection operates as an LOS E in the 2035 AM peak build conditions. Additional improvements such as eastbound dual lefts are likely

to be needed for improved operation. Dual lefts will require two receiving lanes on US 701 that should be provided for a minimum of 1,000 feet. The existing traffic on US 701 along with projected project traffic may require widening on US 701 north of Pitch Landing Road in the future. Widening of US 701 south of Pitch Landing Road requires widening based on the projected demand at the signal. Removal of the east leg of Pitch Landing may provide additional improvement for signal operation.

The improvements at the US 701 & Pitch Landing Road intersection include a southbound right-turn lane on US 701, dual left-turns along the westbound approach of Pitch Landing, an additional northbound through lane, and an additional southbound through lane.

The existing 2022 ADT (Annual Daily Traffic) along the northern portion of US 701 to Pitch Landing Road is 16,600 vpd (SCDOT Station #26-0177). Historical SCDOT Hourly Count Data at this site shows this road segment experiences consistent demand throughout the day from 7 am to 5 pm. The projected ADT utilizing only the background growth rate, same as the analysis, results in a 2035 ADT of approximately 23,000 vpd. The existing ADT and the future ADT should likely earmark this segment as a candidate for widening. The addition of the proposed development would also contribute to the need for widening.

The analysis to determine improvement timing considered the background hourly volumes and the incremental Phase 1 development trips. With the proposed development the improvements at the US 701 & Pitch Landing Road are expected to be warranted once 435 homes are occupied.



## **1. INTRODUCTION**

The purpose of this report is to document a traffic impact study for the proposed Warden Tract Mixed-Use development in Conway, South Carolina in accordance with SCDOT and City of Conway guidelines. This report summarizes the procedures and findings of the traffic impact study.

### **1.1. Project Background**

The development is proposed to be located south of Pitch Landing Road and west of US 701 in Conway, South Carolina. The development is anticipated to be constructed in phases but is proposed to contain a total of 3,333 residential units and 418.8 ksf of retail at full buildout with one (1) full site access on Pitch Landing Road and two (2) full access driveways on US 701.

The traffic impact study considers the weekday AM peak period (between 7:00 AM and 9:00 AM) and the weekday PM peak period (between 4:00 PM and 6:00 PM) as the study time frames. The following intersections are studied:

- US 701 & Access #1
- US 701 & Kinlaw Lane/ Access #2
- Pitch Landing Road & Access #3
- Cates Bay Highway & Highway 134
- Cates Bay Highway & Allen Dew Road/N Pauley Road
- Cates Bay Highway & Willow Springs Road
- Willow Springs Road/Pauley Swamp Road & Allen Dew Road/Pitch Landing Road
- Highway 701 & Pitch Landing Road

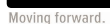
Future-year analyses assume 2035 conditions as the full Buildout scenario. The construction is expected to occur in three phases. The construction phasing density is provided in the appendix. Phase 1 is expected in 2028, Phase 2 in 2031 and the final buildout in 2035. Figure 1 shows the location of the project site and Figure 2 illustrates the conceptual site plan.

There are planned projects in the area, Perimeter Road and the Southern Evacuation Lifeline, however final traffic studies have not been completed for these projects at the time of this analysis. If these projects become funded and implemented, project traffic from the Warden Tract Mixed-Use development will not be significantly impacted or rerouted.

This study's analysis is based on a conservative, fast-paced build out completion in 2035. However, the full build out schedule could reach completion in 25 years, during the year 2050. The existing ADT on US 701 is 16,600 vpd north of Pitch Landing Road and 7,800 vpd south of Pitch Landing Road. The future 2035 No-Build ADT is projected to be approximately 23,000 vpd and 10,800 vpd

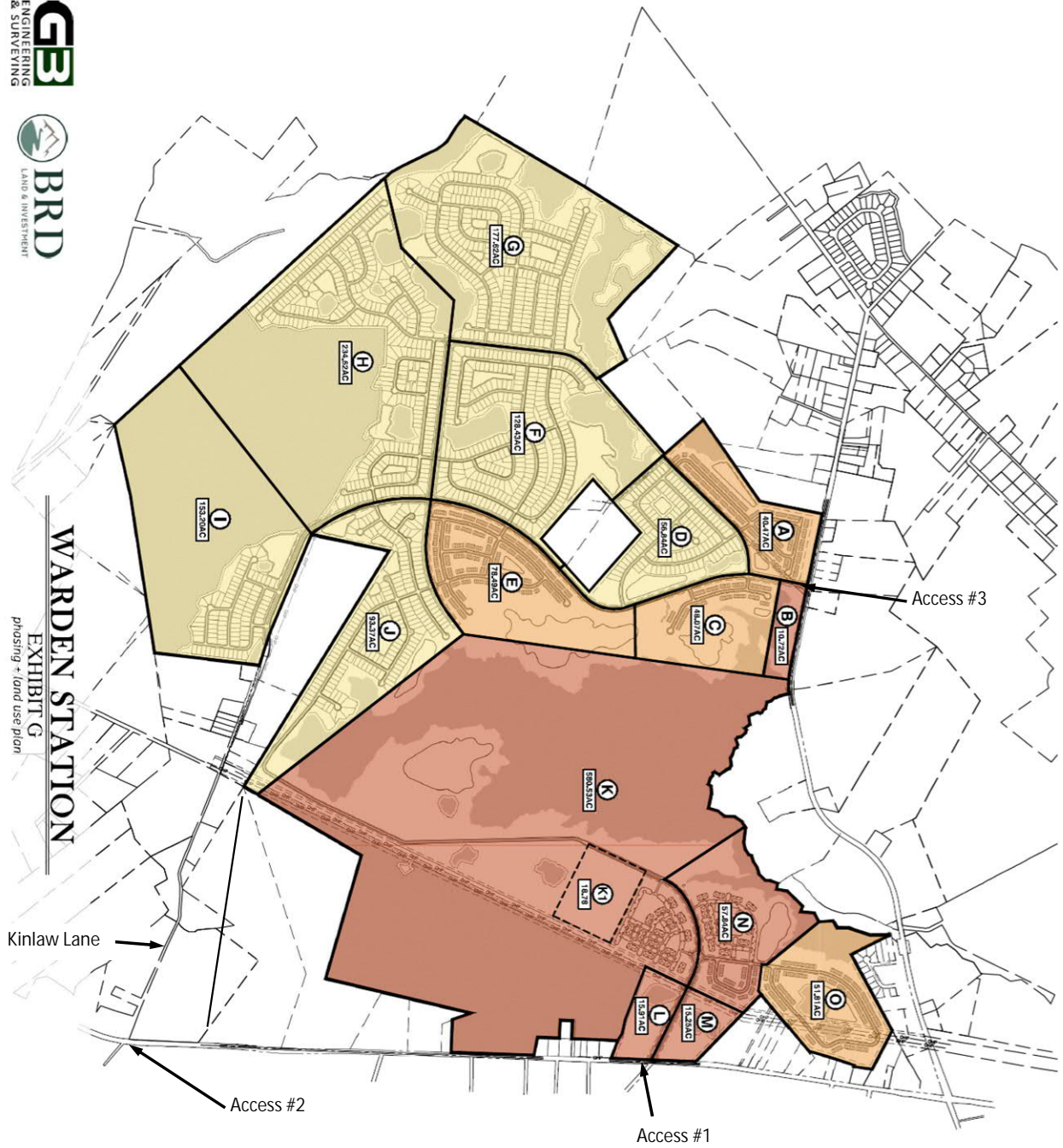
Moving forward.

based on the analysis growth rate, respectively. Similarly, the 2050 ADT is projected to grow to approximately 30,500 vpd north of Pitch Landing Road and 14,300 vpd south of Pitch Landing Road. It should be noted the background growth in the area may require roadway and municipal facility improvements.





**WARDEN STATION**  
EXHIBIT G  
Phoning + land use plan



**ZONING LEGEND**

SYMBOL	ZONE	AREA
Yellow	Zone I	600.25
Orange	Zone II	210.00
Red	Zone III	644.00



## 1.2. Existing Roadway Conditions

A review of the existing roadway conditions in the study area was conducted and is summarized in Table 1. Figure 3 illustrates the existing lane geometry.

**Table 1 – Street Inventory**

Facility Name	Route #	Typical Cross Section	Posted Speed Limit	Maintained By	2021 AADT
Pitch Landing Road	S-110	2-lane undivided	45 MPH	SCDOT	N/A
Allen Dew Road	N/A	2-lane undivided	35 MPH	Local	N/A
Willow Springs Road	N/A	2-lane undivided	35 MPH	Local	N/A
Pauley Swamp Road	S-109	2-lane undivided	55 MPH	SCDOT	N/A
Cates Bay Highway	S-29	2-lane undivided	45 MPH	SCDOT	3,500 <sup>2</sup>
Highway 134	S-134	2-lane undivided	50 MPH	SCDOT	N/A
Highway 701	S-701	2-lane undivided	55 MPH	SCDOT	16,600 <sup>1</sup>
Kinlaw Lane	N/A	2-lane undivided	-	Local	N/A

<sup>1</sup>SCDOT Count Station 26-0177, <sup>2</sup>SCDOT Count Station 26-0372

## 1.3. Existing Traffic Count

Vehicle turning movement counts were collected by Short Counts, LLC in September 2022 for the AM peak period (7:00 AM to 9:00 AM) and PM peak period (4:00 PM to 6:00 PM) at the following intersections:

- Cates Bay Road & Hwy 134
- Willow Springs Road & Cates Bay Hwy
- Cates Bay Road & Allen Dew Road/N Pawley Road
- Willow Springs Road & Pitch Landing Road
- US 701 & Pitch Landing Road
- US 701 & Lake Way Drive
- US 701 & Kinlaw Lane

All counts were conducted while the local school district was in session. The 2022 raw traffic volumes are provided in Appendix A. Existing Traffic Volume are illustrated in Figure 4.

## 1.4. Driveway Location

The Warden Tract Mixed-Use development is expected to provide three full access driveways. One full access driveway is proposed on Pitch Landing Road located approximately 450 feet west of the

Station 46 Fire Station driveway. One full access on US 701 is proposed to align with Lake Way Drive and the other full access on US 701 is proposed to be along the existing Kinlaw Lane access to US 701.

The proposed driveways appear to meet the SCDOT ARMS spacing requirements.

# Warden Station

*Staff comments*

*(red-lined narrative and table w/ comments)*



## Warden Station PD

PD NARRATIVE COMMENTS			
PD Narrative Section	Issue	Additional Info / Comments	Other staff comments
Appendices	(pg. 2) Appendix B: Project Aesthetics	"Pattern Book" to be removed from PD	Rename Appendix B to another item if Pattern book is removed from consideration for inclusion in PD
	Other recommended Appendices / inclusions	Traffic Impact Study (TIS) to be its own Appendix  Master Site Plan to be its own Appendix  Description of area(s) to be conveyed to City as own Appendix  Wetlands / determination letters  Design Modifications (to be shown on a plan)	
Section 1: Purpose & Intent	(Pg. 4) G. references the Nov. 21, 2022 version of the UDO	Revise to say the July 17, 2023 version of the UDO	
	<b>Proposed Public Benefits</b> (beginning on pg. 4)		
	1. <u>Spine Road Network</u> , w/ ROW's from 50-100' in width. To be completed not later than date on which City has issued 750 bldg. permits.	The Spine Road will need to be completed – either before any developments are approved with access directly from the Spine Rd, or up to where the development is to occur.	A financial guarantee can be provided for that which is not installed but it will have to be completed before a development is proposed to have access from it.
	2. <u>Sanitation Enhancement Fee</u> "...individually a "Residential Unit" and collectively "Residential Units"	<i>Appropriate dollar amount is still being considered.</i> Need clarification on language in this paragraph. This needs to be "per residential unit".	Amount can be negotiated between applicant and council.
	3. <u>Public Safety Enhancement Fee</u> Purpose of fee: to offset additional costs anticipated to be incurred by the city as a result of the project,	<i>Dollar amounts still under consideration</i>	Amount can be negotiated between applicant and council.

	including 4 additional police officers, 1 detective, 5 additional vehicles, and associated equipment.		
	4. <u>Parks &amp; Recreation Enhancement Fee</u>	<i>Dollar amounts still under consideration</i>	Amount can be negotiated between applicant and council.
	5. <u>Planning &amp; Development Service Enhancement Fee</u>	<i>Dollar amounts still under consideration</i>	Amount can be negotiated between applicant and council.
	6. <u>Multi-purpose path (8' width)</u> installed along Spine Road – to be completed on or before date on which 750 bldg. permits have been issued  (pg. 5)	This will need to be done concurrently with the installation of the spine road; not to be based on # of permits issued.  First sentence of paragraph contradicts last paragraph	A financial guarantee in lieu of installation will be required if not completed with Spine Rd network.
	7. <u>Installation of one new sewer pump station</u> on subject parcels.	This project not serviced by the City of Conway. Sewer to be provided by GSWSA.	Should this be listed as a public benefit?
	8. <u>Stormwater Conveyance</u>		Add to last sentence: “...that is in effect at the time of plan submittal.”
	9. <u>Installation of 5 roadway improvements</u> (intersections), including 3 existing and 2 proposed intersections. - 1 improvement to be completed on or before issuance of 200 permits (residential or commercial); - each of the remaining 4 intersection improvements completed prior to issuance of each subsequent 200 permits.  Developer states he has no power of eminent domain and cannot acquire right of way (ROW) (where needed) to install improvements if acquisition of additional ROW is required.  (pg. 5-6)	Developer proposing to pay fee in lieu of installing improvements in the event that acquisition of additional ROW is not located on subject parcels. Fee in lieu to be equal to the amount to the engineer’s estimated costs of roadway intersection improvements, with the city then having the burden of installing such roadway improvements at a time and under the conditions as determined by the city to be reasonable. Refer to Transportation Plan in Appendix A, Exhibit VII.	Staff has concerns with the applicant’s proposal to pay the fee in lieu of installing improvements. The TIS recommends some of the improvements at the time access is provided, which means the improvement should be installed when land disturbance is set to occur for development of property. Other considerations are relocation of utilities, other easements, wetland disturbance, and property

			<p>acquisition / condemnation, associated legal costs, plan submittal and permit costs.</p> <p>Acquiring ROW and installing road improvements is a cost of development.</p>
	<p>10. <u>Conveyance to the City of 500 acres of real property</u>, as depicted on the Master Site Plan (<b>City Recreation Acreage</b>), which includes wetlands, uplands, and floodplain areas. Appendix A, Ex. VI.</p> <p>(pg. 6-7)</p> <p>Proposed to be conveyed in one or more parcels, each at the time an adjoining parcel is submitted for final plat approval, provided that the acreage shall be conveyed to city on or before issuance of 500 building permits. Prior to conveyance, developer to complete improvements as detailed below:</p> <ul style="list-style-type: none"> <li>- Installation of not less than <u>4 pickle ball courts</u></li> <li>- <u>Installation of playground</u> adequate in size to accommodate number of children anticipated to use such playground at project buildout;</li> <li>- <u>Installation of parking areas</u> sufficient in size to accommodate visitors to recreational facilities;</li> <li>- <u>Installation of Wildlife Refuge Trail connection</u> in accordance with City's Pathway's and Trails Plan adopted in 2022;</li> </ul>	<p>Conveyance of property should occur at one time, not in pieces.</p> <p>Add a floodproof to playground language.</p> <p>Show ALL improvements proposed on Master Site Plan.</p> <p><u>Master Stormwater Ponds.</u></p> <p>Staff had met with applicant and initially expressed that conveyance of ponds for perpetual maintenance of ponds to city was NOT preferred. <i>Solution:</i></p> <p>Applicant stated that they would give the city a recreational easement instead. However, Administration has since expressed that they would prefer to have the ponds conveyed with the other open space areas.</p> <p>Identify total open space areas proposed to be provided for <i>each</i> residential tract so that staff can determine if and what else may be required (possible design modifications).</p>	<p>In lieu of having improvements completed at the time the property is conveyed to the city, a financial guarantee may be permitted.</p> <p>The <u>Wildlife refuge trail connection</u> should be listed as a separate public benefit since it's not contained within the acreage to be conveyed to the city.</p> <p>Keep Master Stormwater Ponds as part of acreage to be conveyed to city. Would applicant be amenable to having the City giving a maintenance easement over the Master Ponds so that the City is not responsible for maintenance, but will retain ownership?</p>

	<ul style="list-style-type: none"> <li>- <i>Notwithstanding other provisions, the city recreational acreage shall be deemed a portion of the open space required under the PD.</i></li> <li>- Developer shall bond the completion of same, in accordance with city standards</li> </ul>		
<b>Section 1, cont'd</b>	<p>11. <u>License Plate Readers or Cameras</u>. To be installed at each entrance to the project. Costs to be paid by the developer, or, any property owners association to which developer assigns the rights and obligations of maintenance to.</p>	<p>LPR's: \$4,000 annual cost per LPR, per year.</p> <p>Cameras: a one-time cost of \$4,000 per camera, with a monthly cellular fee of \$30 per camera</p>	<p>Remove cost. By the time the LPR or camera is installed, costs could be more. Stating that either (LPR's or cameras) would be installed, and where, is what staff is looking for. At minimum, it should be at each entrance to the overall project.</p>
	<p>12. <u>Speed control devices</u>. Traffic circles/roundabouts to be installed along Spine road instead of 3 or 4-way stop signs, in accordance with the Transportation Plan provided.</p>		
	<p>13. Additional Traffic Improvements.</p> <ul style="list-style-type: none"> <li>- Improvement 1: Pitch Landing Rd and Willow Springs Rd intersection</li> <li>- Improvement 2: Pitch Landing Rd.</li> <li>- Improvement 3: Hwy 701 and Pitch Landing Rd intersection</li> <li>- Improvement 4: Hwy 701 at Access #1</li> <li>- Improvement 5: Hwy 701 &amp; Kinlaw Ln.</li> </ul> <p>(pg. 8-9)</p>	<p>Are these not the intersection improvements that were mentioned in #9 (above) and per the Transportation Plan?</p> <p>Improvement 3: <b>TYPO</b>  <i>"...without or without"</i>  Warden Station</p> <p>In addition to the duplication, you also list that it will be completed no later than the date on which 1,300 Certificates of Occupancy have been issued.</p> <p>13 (c) I would remove the last sentence in this paragraph. SCDOT may not make any improvements to</p>	<p>In Section 11 of this document, "on or before 600 permits" is referenced. In this Section (Public Benefit 9), on or before 200 permits..., is referenced.</p>

		Pitch Landing Rd or Hwy 701 by the time this project is built out.  You may want to consider removing 13 (c) (iv).	
	<b>ADD: Wildlife Refuge Trail Connection</b>	Specify trail details, materials, etc.	Conway Pathway & Trails Plan
	<b>Notes</b> (beginning on pg. 9)		
		Remove Note regarding Perimeter Road and Southern Evacuation Lifeline. <b>Leave phasing of construction part.</b>	
	Note 5 referencing design standards	What design standards will be included that are different than what the City requires?  Re: Kinlaw Lane, what improvements will the City need to install here? Are you not asking for a design modification from the City requirements for roadways since this was part of a RIDE 3 project – part of the dirt road pavement program.	
<b>Section 2: Legal Description</b>	<i>No comments</i>		
<b>Section 3: Project Developer &amp; Title</b>	<i>No comments</i>		
<b>Section 4: Master Site Plan</b> (Pg. 12)	Project to include: 19 phases;  12 phases of residential product;  7 commercial phases;  Amenity parks and open space areas; each to be developed at various times relative to the residential development and commercial portion of the PD, any one of which may be further developed in subphases, and any		

	<p>of which may be developed in any particular order.</p> <p>Subject to current market demands, the developer anticipates a period of approx. 18 months from approval of PD for design and permitting;</p> <p>Additional 12 months from the date of issuance of permits and approvals for installation of required infrastructure;</p> <p>One-fifth of the project to be completed in 5 years from approval of PD;</p> <p>Additional one-fifth of project to be completed in each of the subsequent 5-year periods;</p> <p>Projected build out: 25 years</p>		
<b>Section 4, cont'd</b>	<b>Master Site Plan Summary Table &amp; Notes (pgs. 13/14)</b>		
	<p>Tract A: 40.47 acres   246 lots/units</p> <p>Uses: Attached single-family (townhomes); multifamily</p> <p>Density (gross/net): 6.08/6.72 units/acre</p> <p>Note(s): 1; 2</p>		
	<p>Tract B: 10.72 acres</p> <p>Use: Commercial Type 3</p> <p>Note(s): 6</p>		
	<p>Tract C: 21.66 acres   104 lots/units</p> <p>Uses: attached single-family (townhomes); multifamily</p> <p>Density (gross/net): 4.8/5.03 units/acre</p> <p>Note(s): 1; 2</p>		
	<p>Tract D: 56.84 acres   135 lots</p> <p>Use: single-family detached</p> <p>Density (gross/net): 2.38/2.42 units/acre</p> <p>Note(s): 1</p>	Gross & net density is too close...	
	<p>Tract E: 50.94 acres   406 lots/units</p>	How is your gross & net density the same?	

	Use: attached single-family (townhomes); multifamily Density (gross/net): 8.01/8.01 Note(s): 1; 2		
	Tract F: 128.54 acres   302 lots Use: single-family detached Density (gross/net): 2.35/2.72 units/acre Note(s): 1		
	Tract G: 178.76 acres   341 lots Use: single-family detached Density (gross/net): 1.91/2.58 units/acre Note(s): 1		
	Tract H: 232.97 acres   321 lots Use: single-family detached Density (gross/net): 1.38/2.81 units/acre Note(s): 1		
	Tract I: 153.2 acres   91 lots Use: single-family detached Density (gross/net): 0.59/2.28 units/acre Note(s): 1		
	Tract J: 85.78 acres   190 lots Use: single-family detached Density (gross/net): 2.16/2.48 units/acre Note(s): 1		
	Tract K: 552.34 acres Use: Master Open Space / City Recreational Acreage Note(s):		
	Tract L: 27.82 acres   480 units Use: multifamily Density (gross/net): 17.25/17.25 units/acre Note(s): 1; 2	How is gross and net density the same?	
	Tract M: 34.81 acres   440 units Use: multifamily Density (gross/net): 12.64/14.82 Note(s): 1; 2		
	Tract N: 64.46 acres   260 lots/units Use: single-family attached (townhomes); multifamily		



	Density (gross/net): 4.03/4.95 units/acre Note(s): 1; 2		
	Tract O: 23.47 acres Use: Commercial (Type 2) Note(s): 5		
	Tract P: 66.3 acres Use: Commercial (Type 1) Note(s): 4		
	Tract Q: 14.14 acres Use: Commercial (Type 1) Note(s): 4		
	Tract R: 4.3 acres Use: Commercial (Type 1) Note(s): 4		
	Tract S: 5.26 acres Use: Commercial (Type 2) Note(s): 5		
	Tract T: 12.56 acres Use: Commercial (Type 1) Note(s):		
		Please provide a total gross and net density across all residential acreage included in project	
<b>Section 4, cont'd</b>	<b>Notes to Master Site Plan Summary Table (pgs. 13/14)</b>		
	Note 1: density may be shifted between residential tracts/structures with like uses (i.e. single-family to single-family) and considered a “minor” amendment to the PD, provided the overall density is not increased	Affected tracts: A, C, E, F, G, H, I, J, L, M, N	
	Note 2: attached single-family and multifamily tracts/areas may be developed in common. Development standards differ for in-common v. fee-simple development.	Affected tracts: A, C, E, L, M, N	
	Note 3: Refer to table 2 in PD Document for dimensional standards	Affected tracts: ?	
	Note 4: Unless otherwise specified in PD, all uses permitted in the HC zoning district, per the City of Conway UDO, shall be permitted on tracts/areas identified as Commercial Type 1.	Affected tracts: P, Q, R, S	

	Note 5: Unless otherwise specified in PD, all uses permitted in the HC and LI zoning districts, per the City of Conway UDO, shall be permitted on tracts/areas identified as Commercial Type 2.	Affected tracts: O, S	<b>Tract O</b> is likely nearly 100% within AE Flood Zone. Was this tract initially intended for outdoor recreational storage?
	Note 6: Unless otherwise specified in the UDO, all uses permitted in the NC district, per the City of Conway UDO, shall be permitted on tracts/areas identified as Commercial Type 3.	Affected tracts: B	
	<b>Staff comment(s): if permitted uses are provided in Notes 4, 5, 6, is a Use table even necessary? Maybe add a prohibited uses list for each Commercial Type (i.e. for Tract O especially) instead and definitions for each underlying zone/district?</b>		
<b>Section 5: Development Description</b> (pg. 14-17)	<p>Can some of this be included in the DA instead? See staff notes in red in document.</p> <p>Some of the info may be valuable to have in the PD, but not all of it.</p> <p>I would also move this section to the beginning of the document...maybe section 2 instead.</p> <p>Pg. 16: Water/Sewer systems will not be dedicated to City. See where staff struck thru. Remove.</p> <p>Remove any references to Tri-Plex or Quadraplex homes.</p> <p>Sentence stating “<i>style of each neighborhood being reflected in the appendices attached to this PD document</i>” – remove this language.</p> <p>See staff notes in red in document.</p>	Additional staff notes/suggestions on pg. 17	
<b>Section 5, cont’d</b>	<b>Table 1: Proposed Uses for Subject Parcels (pg. 18-19)</b>		
	Tract’s D, F, G, H, I, J: SF Type A	What does Type A mean?	
	*Tract(s) A: SF Type C	What does Type C mean?	
	*Tract(s) C: SF Type B	What does Type B mean?	
	*Tract(s) E, N: SF Type D	What does Type D mean?	
	**Tract K: 550.14 acres	Recreational Open Space	
	Commercial Tract’s Densities	2,051,000 sq. ft. total – is this necessary to include?	Setbacks, buffers, height limit, etc. will determine size of each commercial unit.
	<b>Tract O</b>	<b>Almost 100% of Tract O is within the AE Flood Zone.</b>	Be aware that Flood Standards will be required. You may want to limit uses on this one. I thought this

			tract was proposed to contain outdoor recreational storage with fencing? This may be a tract that needs to have uses restricted.
	*Represents attached single-family use at the highest intensity. SF Types B, C, and D: intended to be interchangeable based upon market conditions. Developer may elect to replace any one of these 3 designations with any other of the 3 designations by submittal of a “minor” amendment of the PD to the Planning Dept. for approval.		Still need clarification as to what the difference is between “SF Types” – if it’s lot “width”, please specify. Lot widths identified in this table are different for the same SF Types than what is provided in Table 2 on pg. 16.
	**Represents acreage to be conveyed to the city by developer, in one or more parcels, upon completion of improvements, and on or before the date in which building permits have been issued for <u>500 residential units</u> within the overall project.		Should be conveyed at one time, not in pieces.  Financial guarantee, in lieu of installing all improvements, may be provided, if not installed at time of plan approval.
<b>Section 5, cont’d</b>	<b>Table 2: Proposed Dimensional Standards Chart (pg. 19)</b>		
	PD District Perimeter Setback shall be 25’, in addition to the setbacks set forth below:  (pg. 19)	This statement is not necessary, as currently provided. The Setback would not be from the perimeter buffer, which will be different around the project. Some areas may be 25’, but there is also a 50’ and 100’ buffer in some places. Having a setback from the buffer will render some (commercial) lots unbuildable.	Buffers are typically located within setbacks. Where the buffer <i>exceeds</i> the setback, the buffer becomes the setback.
	**Detached Single-Family (Type A)	<u>Min. lot size:</u> 6,000 sf <u>Min. lot width:</u> 60’ <u>Min. lot depth:</u> 100’	How did you determine the 80% impervious surface ratio?

		<u>Setbacks:</u> Front – 20'   Sides – 5'   Rear – 15'   Corner Front – 10' <u>Max. Bldg. Height:</u> 35' <u>Impervious Surface:</u> 80% <u>*Min. Separation</u> between structures: 10'	
	***Attached Single-Family (Type B)	Min. lot size: 3,000 sf Min. lot width: 38' Min. lot depth: 84' Setbacks: Front – 20'   sides – 0'   rear – 20'   corner front – 10' Max. Bldg. Height: 35' Impervious surface: 75% *Min. separation between structures: 20'	How is impervious surface determined?  Will these standards be applicable to fee-simple of also in-common developments?
	***Attached Single-Family (Type C)	Min. lot size: 2,300 sf Min. lot width: 28' Min. lot depth: 84' Setbacks: Front – 20'   sides – 0'   rear – 20'   corner front – 10' Impervious surface: 75% *Min. separation between structures: 20'	How is impervious surface determined?  Will these standards be applicable to fee-simple of also in-common developments?
	***Attached Single-Family (Type D)	Min. lot size: 1,650 sf Min. lot width: 20' Min. lot depth: 84' Setbacks: Front – 20'   sides – 0'   rear – 20'   corner front – 10' Impervious surface: 75% *Min. separation between structures: 20'	How is impervious surface determined?  Will these standards be applicable to fee-simple of also in-common developments?
	Amenities	Min. lot size: 1,000 sf Setbacks: 10' (front, sides and rear) Max. Height: 35' *Min. Separation of Structures: 10'	Which areas will this be applicable to? Does this include open space areas?
	Commercial (Type 1)	Min. lot size: 10,000 sf Min. lot width: 50' Min. lot depth: 125'	How is impervious surface determined?

		Setbacks: Front – 30'   sides – 20'   rear – 20'   corner front – 20' Max. Bldg. Height: 42' Impervious surface: 75% *Min. separation between structures: 20'	
	Commercial (Type 2)	Min. lot size: 15,000 sf Min. lot width: 80' Min. lot depth: 150' Setbacks: Front – 40'   sides – 20'   rear – 20'   corner front – 20' Max Bldg. Height: 52' Impervious surface: 75% *Min. separation between structures: 20'	
	Commercial (Type 3)	Min. lot size: 7,500 sf Min. lot width: 60' Min. lot depth: 125' Setbacks: Front – 20'   sides – 20'   rear – 20'   corner front – 15' Max. Bldg. Height: 42' Impervious surface: 75% *Min. separation between structures: 20'	How is impervious surface determined?
	Accessory	Setbacks: 10' (front, rear, sides, corner front) Max. bldg. height: 35' *Min. separation between structures: 20'	Which accessory structures is this applicable to? If applicable to all lots, why not just state that accessory structures shall comply with the standards for accessory structures (residential and non-residential) per the UDO? We have requirements pertaining to location, size, max. number per lot, etc. for accessory structures. Staff would prefer that this project comply with the standards in the UDO.

<b>Section 5, cont'd</b>  (pgs. 19-20)	*Min. wall to wall separation for single-family homes shall be 10'		
	**SF Type A min. front foot shall be reduced to 40' along curves and 35' along cul-de-sacs		Do you mean to say that "lot frontage" is reduced to 40' for lots on curved streets and 35' for lots on cul-de-sacs?
	***SF Type B, SF Type C, and SF Type D min. front foot reduced to 18' along curves and along cul-de-sacs		Do you mean to say instead "lot frontage" is reduced to 18' for lots fronting on curved streets or cul-de-sacs?  Again, what do the SF Types mean?
<b>Section 6: General Development Standards throughout the PD District</b>  (pg. 20)	<b>Densities</b>		
	<u>Densities:</u>  Overall density (residential): 3,318 units  Detached single-family units: 1,892  Attached single-family units: 1,648  Multifamily units: 920  Commercial Space: 2,051,000 sq. ft.	Is the square footage of the commercial necessary to include? Setbacks, building heights, buffers, etc. will determine size of structures.	
	<b>Permitted Uses (pg. 20)</b>		
	<u>Permitted Uses:</u>  Commercial Uses set forth in Table 3 (beginning on pg. 20)	Designated as Type 1, Type 2, or Type 3 Commercial.	Is this table necessary? I could see listing prohibited uses. Permitted uses are covered on pages in master site plan table. It could get confusing when listed in multiple places with a table listing specific uses is also provided. Further discussion necessary.
	<u>Conditional Uses</u> specified in Table 3: uses identified as a conditional use in Table 3 shall comply with the specific use regulations contained within Art. 5 of the UDO that is identified for each use.	I know we've gone back and forth on this, but uses can continue to be adopted that are not currently contained within the UDO. I would not want the listed uses to prohibit other uses that	

		could be included in the UDO at some point in the future.	
	<p>Additional Commercial Uses (pg. 25):</p> <ul style="list-style-type: none"> <li>- A commercial sales center and a design center, as a freestanding structure, within any model home or as part of any amenity building(s) within the PD district (in addition to commercial uses set forth in Table 3).</li> </ul>	The locations for such uses shall not be located on Tract K.	
<b>Section 6, cont'd</b>	Consider having a separate “ <b>design standards</b> ” section instead of listing the info below with permitted uses (pg. 25)		
	<p><u>Single-family</u>: Fee-simple single-family detached, fee simple single family attached (townhomes), and in-common single-family attached (townhomes)</p> <ul style="list-style-type: none"> <li>- Elevations for single-family detached homes shall include elevations which are consistent with the residential design standards for single-family structures per the City’s UDO that are in effect at the adoption of the PD.</li> </ul>	Design standards should be applicable to all structures, regardless of whether it’s single-family (attached or detached) or multifamily. It should also state that the design standards that are in effect at time of permit submittal will be applicable. Unless you want to include the design standards that are currently within the UDO in your PD, it would be too difficult for staff 10-15 years from now to try and figure out what standards the residential structures should adhere to.	
	<p><u>Multifamily</u> shall not exceed 4 stores (stories).</p> <ul style="list-style-type: none"> <li>- Elevations for multifamily structures shall include elevations which are consistent with the residential design standards of the City’s UDO in effect at the adoption of the PD.</li> </ul>	<p>Typo. Stores should be “stories”.</p> <p>Again, this should be “....in effect at the time of <u>permit submittal</u> will be applicable”.</p>	
	<p><u>Amenity and Recreational Areas</u>:</p> <ul style="list-style-type: none"> <li>- Common areas, common elements, clubhouses,</li> </ul>	No additional comments	



	<p>pools, public restrooms, picnic shelters, BBQ/fire pits, multipurpose paths, jogging trails, recreation fields, sports courts, and open spaces.</p>		
	<p><u>Decks and Promenades:</u></p> <ul style="list-style-type: none"> <li>- Decks, docks, gazebos, bridges, and elevated walkways</li> </ul>	<p>Will any docks or fishing piers be added to any of the stormwater ponds throughout the project? If so, please identify where. Reminder that in order for ponds to count towards the open space calculations (max 25% of required open space), a fountain, dock or pier will need to be added to the water surface proposed to count towards the open space.</p>	
	<p>(pg. 25-26) <u>Temporary Uses</u> shall be approved by the City, and, to the extent applicable, any POA / HOA having jurisdiction over subject parcels on which the temp. uses are proposed, prior to issuance of a city business license, provided that:</p> <ul style="list-style-type: none"> <li>- No more than 10 temp. uses allowed at one time, within the amenity / commercial areas of the PD.</li> <li>- Unenclosed structures (tents, temp. shelters, etc.) shall not occupy more than 400 sq. ft. of surface area unless app'd by the City.</li> <li>- Any single temp. use shall not remain in place longer than 30 days (calendar) unless app'd by the City.</li> <li>- Written permission required from the developer, their</li> </ul>	<p>Temporary uses are enforced via the UDO.</p> <p>Some temp. uses (<i>i.e.</i> special events) require City approval, including inspections from the Fire Dept. (when tents or other types of structures are involved), and even city council approval may be required for certain "special events". The City's Code of Ordinances also has language regarding the special event process.</p> <p>Not all "temporary uses" will require a business license.</p>	<p>Unless you can specify which temporary uses are to be included, I would not include this section at all.</p>

	successors / assigns, and appropriate permits obtained from City prior to commencement of a temp. use.		
	<p>(pg. 26) <u>Change of One Permitted Use to Another Permitted Use.</u></p> <p>Should a designated use permitted in the PD change after the final construction of a building, any construction modifications of the building must be completed and the PD approvals obtained for the proposed use, as necessary, to bring it into compliance with the current development standards of this document and the building code.</p>	Per our conversation, this section was more for conversion of in-common residential units to be fee-simple units, and we determined that it would not be possible to do so unless it was an HPR or unless the parcels were designed with the intent that such units may eventually become fee simple in the future, so I am not sure this is necessary, nor could we allow it.	I would not include this section at all.
	<u>Tree Preservation.</u>	<i>No additional comments on this section.</i>	
	<p>(pg. 26) <u>Development Activity, Clearing and Grading.</u></p> <ul style="list-style-type: none"> <li>- To include removal of interior materials and replacement with structurally sound materials</li> <li>- Providing stormwater and erosion control measures over subject parcels in accordance with requirements of Stormwater Management and Sediment Control Ord. #2015-05-04(C).</li> <li>- Protected trees that are proposed to be removed shall be approved for mitigation by the City Arborist, in accordance with the Tree Preservation Ordinance, Chapter 4, of the City's Code of Ordinances.</li> </ul>	<p>The stormwater and erosion control measures will need to meet or exceed the requirements of the Stormwater Ordinance that is in effect at the time of plan submittal. I believe specific language has previously been provided.</p> <p>Remove any reference to or language regarding compensatory storage.</p> <p>The City's Tree Preservation Ordinance is currently being rewritten, and adoption of the revised ordinance will be adopted in the City's UDO and removed from the General Code. Remove reference from Ch. 4 of the Code of Ordinances.</p>	<p><b>Additionally</b>, add a section in the PD narrative and Development agreement that specifies <b>that a tree survey shall be provided for each tract within the PD at the time of plan submittal, and before land disturbance for such tract(s) / area(s) is approved.</b> This will ensure that the project is compliant with the PD requirements of the UDO and <b>no clearing / grading / development will occur until staff has verified that no protected trees will be removed</b> and/or that <b>such removals</b></p>

			are properly permitted and mitigation is provided for such removals, in accordance with the standards of the Tree Preservation Ordinance that is in effect at the time of plan submittal.
	<u>Temporary Storm Drainage Maintenance.</u> <ul style="list-style-type: none"> <li>- Developer to provide temp. storm drainage measures, to incorporate storm drainage facilities located on subject parcels to the reasonable satisfaction of the City Public Works Director.</li> <li>- Prior to commencement of development activities, the subject parcels shall continue to maintain the existing storm drainage facilities until the storm drainage facilities which are a part of the development activities for respective phases of the PD are complete, and the same are dedicated to the City.</li> </ul>	Language okay w/ Public Works (per BH)	
	<p>(pg. 26-27) <u>Signage:</u></p> <ul style="list-style-type: none"> <li>- To comply with the City's UDO, as in effect at time a permit is requested;</li> <li>- A sign easement may be created for commercial parcels (commercial type 1, 2 or 3), to be reserved by the owner for installation of a multi-tenant pylon sign at the road frontage of respective parcels.</li> </ul>	<p>You may want to specify the "tracts" instead of commercial "types" so it's clear "where" a sign easement is possible, OR show easement locations on Master Site Plan.</p> <p>Remove "Article 11" and replace with Signage Requirements.</p>	

	<u>Parking:</u> <ul style="list-style-type: none"><li>- Shall comply with City's UDO</li><li>- Unless otherwise specified, on-street parking is prohibited.</li><li>- All uses provided in Use Table (of PD) to comply with the min. off-street parking requirements for such use proposed.</li></ul>		
Section 6, cont'd	Buffers (pg. 27)		
	<u>Buffers:</u> applicable buffers, including wetland buffers, perimeter buffers, and buffers separating specific uses noted on "buffer plan".	This is too vague. Missing: landscape buffers for different uses.	
		Add: <u>PD Perimeter Buffer</u> and specifics to PD narrative	
		Add: <u>Landscape Buffers</u> and specifics to PD narrative	
		Add: <u>Wetland Buffers</u> and specifics to PD narrative	
		Add: buffer requirements within residential developments (single-family detached, vs. multifamily, vs. townhomes)	
		Add: buffer requirements for commercial properties/tracts	
		Make sure buffer locations are specified as well.	
	Utilities (pg. 27)		
	Electric Services: Horry Electric and / or Santee Cooper	No comments from staff.	
	Water Services: Bucksport Water System		
	Sewer: GSWSA & Bucksport Water System		
	Telecommunication / Cable: HTC and Spectrum		
	All utilities to be placed underground		
	Design Modifications Approved as Part of PD (pgs. 28)		
Mod. #1: Kinlaw Lane to be utilized as public access based on improvements depicted on plans		Needs to be included in an appendix with	

	by Horry Co. for County Dirt Rd improvements.		plan detailing modification.
	Mod. #2: Roadways internal to community to utilize equivalent cross-sectional widths as specified in ex. VII – Traffic Hierarchy Plan for the lane, shoulder, planting strip, and sidewalk/multiuse trail widths and frequencies.	This needs clarification.	
	<p>Mod. #3: Buffers, street tree plantings and sidewalks shall not be required on the following sections of roadways:</p> <ul style="list-style-type: none"> <li>- Along the improved local road known as Blaze Trail adjacent to PIN 380-00-00-0039;</li> <li>- Along the existing driveway access commonly known as Wayna Marie Lane</li> <li>- Along the existing portions of Kinlaw Lane until the full landscape buffer width is permittable within the PD.</li> </ul>	<p>What improvements are going to be installed on these roads?</p> <p>What are you referring to with Kinlaw Lane and the landscape buffer widths?</p>	
	Mod. #4: Spine roads shall be considered upon installation for utilization towards the multiple points of access for the proposed tracts until such time as the requirements within the PD for secondary connection of the Spine Rd are required.	This needs clarification.	
	Mod. #5: Temporary considerations of block length shall be allowed if future spine road installation provides future connections points to adhere to the minimum requirements within the City's UDO.	Are you asking for the spine road to be exempt from the block length standards?	
	Mod. #6: Max number of units access from single road access internal to the parcels shall be increased to 50 units where future	The required number of access points is a fire code requirement. While a design mod from the UDO may be	Fire Code

	spine road extensions shall provide the minimum requirements specified within the City's UDO	granted, staff is unable to exempt this project from fire code requirements.  Which developments (tracts) do not have the minimum number of access points?	
	Mod. #7: Max number of units off of a single access <i>at full buildout</i> within Parcel E and Parcel J shall be increased to 50 units.	Again, <b>this would be a fire code issue</b> . However, I am not sure I understand. Multiple points of access are being shown – 3 on Parcel E and 3 on Parcel J. Why is this modification necessary?	Fire Code
	Mod. #8: Should Parcel H be developed prior to Parcel G, the number of units off of a single point of access shall be waived as long as the future roadway connection to Parcel G is provided.	Again, <b>this would be a fire code issue. We do not have authority to waive requirements for access points</b> that conflict with fire code.  I think you need to have access into each parcel or tract, especially if they are intended to be developed as 2 separate tracts/subdivisions with potentially different developers/contractors. The local road connection between parcel G & H is also required to satisfy interconnectivity requirements.	Fire Code
	Mod. #9: each lot shall front on a public street. In parcels developed as attached single-family, variable width utility and access easements shall be allowable for access to the units.	<b>Staff does not recommend approval of this modification</b> . We do not allow easements, private or otherwise, to access lots. If developed in-common, the entrance and parking areas are considered "driveways", but if fee simple, the roads will have to be public.	Fire Code does not permit exemption.
	Mod. #10: Sidewalk installation along roadways to be installed on each street based on criteria designated in the cross-walk	I want to make sure this is clear for staff and PC. <b>Please confirm.</b>	Staff questions/comments: <b>Local:</b> verify that curb & gutter will be

	sections depicted on <b>Ex. VII – Traffic Hierarchy Plan.</b>	<p>For <b>local roads</b>: 50' ROW; 24' asphalt width; 5' planting strip on both sides, no shoulder, curb, or gutter, and 5' sidewalk on one side of local streets;</p> <p>For <b>collector roads</b>: 70' ROW; 28' asphalt width, 6' planting strips on both sides, no shoulder, curb or gutter, no sidewalks, and installation of 8' multi-use trail on one side of the road.</p> <p>For <b>minor arterial roads</b>: no sidewalks; 80' ROW with drainage swale and 4' shoulders on either side; 7' planting strip on both sides of the road, and an 8' multiuse trail on one side of the road.</p> <p>For <b>major arterial roads</b>: 100' ROW; variable road widths on each side of a drainage swale with 4' shoulders on each side of the swale; 7' planting strip on each side of roadway; no curb, gutter or sidewalk, and an 8' multiuse trail on one side of the roadway.</p>	<p>installed. Why can't sidewalks be on both sides of the local streets if there is no trail system proposed on local streets?</p> <p><b>Collector/ minor arterial / major arterial roads</b>: verify that curb &amp; gutter will be installed. What will the materials be for the multiuse trails?</p> <p>You'll be required to install sidewalks on the outside perimeter of this project also (i.e. along Pitch Landing Rd, Hwy 701) for portions of project with frontage on these roads – applicable when development occurs.</p>
<b>Section 7: Residential Regulations</b> (pg. 29)	C. Residential Design Standards	Add <i>"in effect at the time of plan and/or permit submittal"</i> to end of sentence	
<b>Section 8: Commercial Regulations</b> (pg. 29)	Please add a section similar to what is in Section 7 for residential structures	Such as, <i>"all commercial development within the PD shall comply with the City's Non-Residential Design Standards, and where applicable the requirements of the Gateway Corridor Overlay (GCO)"</i>	
<b>Section 9: Maintenance and Control</b> (pgs. 29-30)	Roadways within the PD are to be public unless specifically indicated on the Master Site Plan.	The sentence should end after "public". We don't allow access easements or private roads.	<b>Remove any reference to private roadways or rights-of-ways within this section.</b>



<b>Section 10: Construction Schedule</b> (pg. 30)	Phasing was covered in an earlier section of the document.  ...various phases of the PD may be developed in non-numerical order  ...commercial square footage of the PD not to exceed 2,051,000 sq. ft.	Improvements are required ( <i>i.e.</i> spine road) to provide proper access to individual phases, regardless of where they are located. No gaps in connections of the Spine road will be permitted.  A max square footage of commercial space is not really necessary when there are standards in the UDO in place that will limit size, height, etc.	
<b>Section 11: Offsite &amp; streetscape improvements</b> (pg. 30-31)	"...traffic improvements outside of the boundaries of the project may be required, including ROW connections to existing public roadways, in accordance with the requirements of the regulations of the regulatory body having jurisdiction over the respective roadway, as shown in the exhibits in the PD ordinance, prior to the date on which <u>600 total permits</u> have been issued for the project..."	Need clarification on this sentence. Seems to imply that the city will be responsible for installing the required ROW connections and must do so on or before the issuance of <u>600 permits</u> . Needs amending, as we do not know that the City will agree to do so at this point.	Conflicts with too many other sections in the document ( <i>i.e.</i> permit numbers).
<b>Section 12: Amendments &amp; Enforcement</b> (pg. 31)	...amendments to the PD district shall be determined administrative, minor or major, by the Planning Director for the City.	Administrative is the same as " <i>minor</i> "  Add: Major amendments require a recommendation from Planning Commission and approval by City Council.	
	"...shall be deemed administrative revisions or amendments to the PD District."	Revise to say " <i>may be deemed a minor amendment to the PD</i> " but ADD to the end of the sentence, " <i>subject to the review of the Planning Director</i> "	
<b>Appendices &amp; Other</b> (beginning on pg. 32)			
<b>Appendix A</b>	PD District Documentation	Exhibits	Can we have a separate exhibit for the Master Site Plan?
<b>Appendix B</b>	Project Aesthetics	" <i>Pattern Book</i> " – No longer to be included.	Remove and rename to another item

Appendix C	Reports and Addendums (traffic and endangered species)	make the traffic impact study a separate appendix	
	Add: <ul style="list-style-type: none"><li>- appendix for D.A.</li><li>- appendix for wetland delineations/letters</li><li>- appendix to “show” requested design modifications. <i>For example</i>, when you say “improved” Blaze Trail, what does that look like, because it’s currently a dirt road. Can you provide a road profile and details?</li></ul>		
OTHER			
	<b>Add section: Flood Damage Prevention Ordinance</b>	<b>Add Section stating:</b> The site shall be and remain in compliance with the City’s Flood Damage Prevention Ordinance; that which is in effect at the time of plan submittal / permit issuance.	Did not locate where it had been added in the updated narrative.
	<b>Centralized Mail Delivery Systems</b>	Article 10 of the City’s UDO contains standards for both Cluster Mailbox Units and Centralized Mail Kiosks. Please keep this in mind when designing the plans.	
	<b>Gateway Corridor Overlay (GCO)</b>	All properties within the GCO shall comply with the requirements within the GCO, per Section 6.5.2 of the UDO, or that which is in effect at the time of plan/permit submittal.	
	<b>Add: Open Space Standards</b>	Staff needs to see what acreage is being provided in each tract along with the water surface percentage, whether ponds will contain fountains or docks/piers (in order to count towards the 25% allowance). Provide a table for each tract.	Design modification for open space acreage and suitability requirements may (or may not) be necessary.



A written project description of

**WARDEN STATION  
PLANNED DEVELOPMENT  
DISTRICT (PD District)**

**April 5, 2023**  
**Latest Revision: ~~August 12, 2023~~**

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## PD DISTRICT DOCUMENT TABLE OF CONTENTS

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### APPENDICES:

#### **Appendix A:** PD District Documentation (Submitted Separately as a Supplement)

- (I) Existing Conditions – (a) Boundary Survey, (b) Wetlands and Topography, (c) Downstream Analysis, (d) Aerial, and (e) Existing Zoning.
- (II) Master Site Plan
- (III) Buffer Plan
- (IV) Open Space Plan
- (V) Stormwater Management Plan
- (VI) Transportation Plan
- (VII) Traffic Hierarchy Plan
- (VIII) Utility Plan – (a) Potable water, (b) Sanitary Sewer
- (IX) Flood Zone Overlay

#### **Appendix B:** ~~Project Aesthetics (Submitted Separately as a Supplement)~~

- ~~(I) Pattern Book~~

## **Appendix C: Reports and Addendums (Submitted Separately as a Supplement)**

- (I) Project Traffic Report
- (II) Threatened and Endangered Species

### **Appendices to add (recommended by staff)**

- **Separate Traffic Report into its own Appendix**
- **Master Site Plan**
- **Area(s) to be conveyed to City**
- **Wetlands / letters appendix**
- **Design modifications (show proposed modifications)**

## **SECTION 1: PURPOSE AND INTENT STATEMENT**

The intent of the Planned Development District (PD District) is to provide for large-scale, quality development projects (three acres or larger) with mixed land uses which create a superior environment through unified development and provide for the application of design ingenuity while protecting surrounding developments. More specifically, the intent of the PD District is to permit:

- A. Flexibility in design to take the greatest advantage of natural land, trees, historical and other features;
- B. Accumulation of large areas of usable open space for recreation, preservation of natural amenities, and provision of community facilities;
- C. Creation of a variety of residential and compatible neighborhood arrangements that give the home occupant greater choice in selecting types of environment and living units;
- D. Clustering of one residential type for better use of the land and open space;
- E. Allowance of sufficient freedom for the developer to take a creative approach to the use of land and related physical development, as well as utilizing innovative techniques to enhance visual character of the city;
- F. Efficient use of land which may result in reduction in development and maintenance cost of street and utility systems;
- G. Simplification of the procedure for obtaining approval of proposed development through simultaneous review by the city of proposed land use, site consideration, lot and setback consideration, public needs and requirements, and health and safety

factors [City of Conway Unified Development Ordinance Adopted December 12, 2011 (Last Amended ~~November 21, 2022~~ **July 17, 2023**)].

The real property that is the subject of this PD District consist of approximately One Thousand Seven Hundred Sixty-Five and 29/100 (1,765.29) Acres, more or less (the “**Subject Parcels**”). The Subject Parcels are located within the Conway and Bucksport Sections of Horry County, but outside of the jurisdiction of the City of Conway, bounded generally by U.S. Highway 701 to the East, Pitch Landing Road to the North, Kinlaw Lane to the South and Bear Creek to the West. Simultaneously with the adoption of this PD District, the Subject Parcels will be annexed into the City of Conway, by separate petition for annexation (the “**Annexation Agreement**”), and will be subjected to the terms of a separate development agreement between BRD Land & Investment Management, LLC, a North Carolina limited liability company (the “**Developer**”), of the Subject Parcels, its successors and assigns and the City of Conway (the “**Development Agreement**”), which Development Agreement will also be adopted simultaneously with the adoption of this PD District. The Subject Parcels are generally located Southwest of the intersection of U.S. Highway 701 and Pitch Landing Road.

Pursuant to the terms of the Development Agreement and the requirements of the City’s Unified Development Ordinance (the “**City’s UDO**”), public benefit is not required under the City’s UDO as a part of the PD District, the Developer, and its successors and assigns, have nevertheless agreed to provide certain public benefits, which are as follows:

1. The creation of a direct internal roadway network with public rights-of-way ranging in width from 50’ to 100’, including a 100’ right-of-way connection from U.S. Highway 701 to Pitch Landing Road, and the roadway improvements thereon (the “**Spine Road**”), such Spine Road to be completed not later than the date on which the City has issued 750 building permits for the Project.
2. A sanitation service enhancement fee in an amount equal to \$\_\_\_\_\_ per residential lot or residential unit (individually a “**Residential Unit**” and collectively “**Residential Units**”), and \$\_\_\_\_\_ per 1,000 square feet of commercial space (individually a “**Commercial Unit**” and collectively the “**Commercial Units**”), which shall be payable at the time of building permit application. **Specific amounts still under consideration.**
3. A public safety enhancement fee in an amount equal to \$\_\_\_\_\_ per Residential Unit, and \$\_\_\_\_\_ per Commercial Unit, which shall be payable at the time of building permit application. The purpose of the public safety enhancement fee is to offset the additional costs anticipated to be incurred by the City as a result of the PD, including

the addition of Four (4) police officers, One (1) detective, Five (5) additional police vehicles, and the costs of required equipment for each of such police officers and police vehicles. **Specific amounts still under consideration.**

4. A parks and recreation enhancement fee in an amount equal to \$\_\_\_\_\_ per Residential Unit, which shall be payable to the time of building permit application. **Specific amounts still under consideration.**
5. A planning and development service enhancement fee in an amount equal to \$\_\_\_\_\_ per Residential Unit, and an amount equal to \$\_\_\_\_\_ per Commercial Unit, which shall be payable at the time of building permit application. **Specific amounts still under consideration.**
6. The installation of a multi-purpose path of 8' in width, following the internal Spine Road, in accordance with the requirements of the City for other similar-situated properties, to be complete on or before the date on which the City has issued **750 building permits** for the Project. The installation of this path must be in accordance with the City's Pathway's and Trails Plan, adopted in 2022, and the same must be completed at the same time as the installation of the Spine Road is complete, without regard to the number of building permits that have been issued for the PD by the City. **The multi-purpose path will need to be completed concurrently with the spine road, not based on number of permits issued. The First sentence in this paragraph is in contradiction to the last paragraph.**
7. Installation of at least One (1) new sewer pump station on the Subject Parcels, and, to the extent required in order to provide sufficient capacity as necessary for the proposed development of the Project, a second sewer pump on the Subject Parcels. Sewer pump installation shall be in accordance with the requirements of Grand Strand Water & Sewer Authority ("**GWSA**"), or such other agency then providing sanitary sewer service to the Subject Parcels.
8. Stormwater conveyance and retention facilities sufficient in capacity to accommodate the storm water generated from the Subject Parcels, and provide the City with evidence of the necessary and required permanent and perpetual easements necessary to facilitate such drainage from the Subject Parcels. All stormwater shall be designed to meet or exceed the City's Stormwater Ordinance **that is in effect at the time of plan submittal.**
9. The installation of roadway improvements to Five (5) separate roadway intersections, three (3) existing roadway intersections, and Two (2) proposed intersections, each lying



on the boundary of the Subject Parcels, in accordance with the Transportation Plan submitted as part of the Exhibit Supplement under **Appendix A, Exhibit VII**. Provided, however, that, in the event any of such roadway intersection improvements require the acquisition of additional right-of-way not located on the Subject Parcels, then, in such event the Developer may, in lieu of installing such roadway intersection improvements, instead pay to the City any amount equal to the engineer's estimated costs of such roadway intersection improvements, as approved by the City under the ordinances and regulations of the city, with the City then having the burden of installing such roadway intersection improvements at a time and under the conditions as determined by the City to be reasonable. The intent of this provision is to insure that either (i) such roadway intersection improvements have been installed by the Developer; or (ii) the costs of such improvements have been paid to the City by the Developer, with One (1) of such roadway intersection improvements being completed on or before the date on which **200 building permits** (including both Residential Units and Commercial Units) have been issued by the City for the Property, and each of the remaining Four (4) roadway intersection improvements being completed, respectively, prior to the issuance of each subsequent **200 building permits** (including Residential Units and Commercial Units) have been issued by the City for the Property. Developer and the City recognizing that Developer has no power of imminent domain with regards to acquisition of public right-of-way, and therefore in the event additional right-of-way is required for such roadway intersection improvements, Developer cannot complete the proposed which require the acquisition of additional public right-of-way.

10. Conveyance to the City of approximately 500 acres of real property, shown and delineated on the Master Site Plan (the "**City Recreation Acreage**"), which includes uplands, wetlands and flood plain areas for ownership, perpetual maintenance and preservation, also as indicated on the Open Space Plan submitted as part of the Exhibit Supplement under **Appendix A, Exhibit IV**, which City Recreation Acreage may be conveyed in one or more parcels, each at the time an adjoining parcel is submitted for final plat, provided that, in any event all of such City Reaction Acreage shall be conveyed to the City on or before the date on which **500 building permits** have been issued by the City for the Property. In addition, prior to the date on which the City Recreation Acreage is conveyed to the City, Developer shall have completed, or caused to be completed, the following improvements, each to be shown on the Open Space Plan:

- (a) Installation of not less than four (4) pickle ball courts;



- (b) Installation of a **floodproof** playground, adequate in size to accommodate the number of children anticipated to use such playground at the completion of the PD;
- (c) Installation of parking areas sufficient in size, to accommodate visitors to the above reference recreational facilities;
- (d) Installation of a Wildlife Refuge Trail connection, in accordance with the City's Pathway's and Trails Plan (adopted in 2022). Refer to this plan for appropriate trail materials, widths, locations, *etc.* To the extent any approvals and coordination are required with agencies other than the City, including but not limited to U.S. Army Corps of Engineers and South Carolina Department of Health and Environmental Control with regards to any wetland impacts or the materials or methods of trailway construction, Developer shall be solely responsible for approvals and coordination.

**The Wildlife Refuge Trail Connections is not solely on the acreage proposed to be conveyed to the city. This needs to be its own public benefit with details of the trail connection(s) included.**

- (e) Notwithstanding any other provision herein, the City Recreation Acreage shall be deemed a portion of the Open Space required under the PD.
- (f) To the extent any of the above referenced improvements are not complete at the time of conveyance of the City Recreation Acreage from Developer to the City, Developer shall bond the completion of the same, in accordance with the City's standard procedures for bonds and financial guarantees.

11. Developer shall install, at each entrance to the PD, license plate readers or cameras, which capture identification of each vehicle entering the PD. The following represent the ongoing costs of such license plate readers or cameras, which costs shall be paid by Developer, or, any property owners association to which Developer assigns the rights and obligations of maintenance, which costs are anticipated as follows:

- (a) License plate readers are typically rented ~~as a rate of \$4,000.00 per reader, per year.~~ The City, and its agencies, including Public Safety, shall have access to all data captured by such license plate readers.
- (b) Cameras are an initial ~~cost of approximately \$4,000.00 per camera,~~ and a monthly ~~cellular fee of \$30.00 per camera.~~

Remove cost. Cost could be increased or decreased by the time installation of such devices occur. The City's interest is that they would be installed, where they would be installed, and that the Police Dept. will have access to the data.

12. Developer shall install speed control devices along the Spine Road, in the form of traffic circles, in each of the areas along the Spine Road where 3-Way and 4-Way stops would be required, in accordance with the Transportation Plan.

13. Additional Traffic Improvements. In addition to the roadway intersection improvements set forth above, Developer shall also install the following roadway improvements for the PD:

(a) **Improvement 1. Pitch Landing and Willow Springs Road intersection.**

Westbound right-turn lane on Pitch Landing Road, to be completed not later than the date on which certificates of occupancy have been issued for 1,300 Residential Units.

(b) **Improvement 2. Pitch Landing Road.**

Right-turn and left-turn lane on Pitch Landing Road, to be installed on or before the date on which access to the PD is provided from Pitch Landing Road.

(c) **Improvement 3. US Highway 701 and Pitch Landing Road Intersection.**

(i) Southbound right-turn lane on US Highway 701 (without or without Warden Station) at Pitch Landing Road intersection. To be completed on or before the date on which improvements to US Highway 701 and Pitch Landing Road have been completed by South Carolina Department of Transportation.

(ii) Eastbound dual left lanes for improved operation, dual lefts along the Westbound approach of Pitch Landing Road, additional Northbound through lane, and additional Southbound through lane.

(iii) Widening of US Highway 701 South of Pitch Landing Road as a result of projected demand at the signal (at 2035 build conditions). Removal of the East leg of Pitch Landing Road may provide additional improvement for signal operation. This was in the TIS as "additional" recommendations or considerations, but unless widening of Hwy 701 is proposed, I would delete this.

(iv) Existing and future average daily traffic will require the Northern portion of US Highway 701 to Pitch Landing Road to be widened. The addition proposed development also contributes to the need for such

widening. This was in the TIS as “additional” recommendations or considerations, but unless widening of Hwy 701 is proposed, I would delete this.

(d) **Improvement 4. US Highway 701 at Access #1.**

Right-turn and left-turn lanes on US Highway 701, to be improved at the time access is improved.

(e) **Improvement 5. US Highway 701 and Kinlaw Lane, at Access #2.** Right-turn and left-turn lanes on US Highway 701 at Kinlaw Lane. Recommend once access is improved.

(f) Developer and the City recognizing that Developer has no power of imminent domain with regards to acquisition of public right-of-way, and therefore in the event additional right-of-way is required for such roadway intersection improvements, Developer cannot complete the proposed which require the acquisition of additional public right-of-way.

Are the above improvements the same as what is referenced in #9?

\*Items 1, 6 and 9 are included in public benefit, although not recommended by current Traffic Study for the PD. The roadway improvements in #9 are recommended by the traffic impact study. See pg. 5 of the TIS. #13 is a duplication of the improvements in #9.

Notes. ~~The proposed Perimeter Road and South Evacuation Lifeline, if funded and implemented, will not be materially impacted by development of the PD.~~ Remove this sentence.

Background growth in the area may require roadway and municipal facility improvements.

Phase 1 construction (phasing density) is scheduled to occur in 2028. Phase 2 construction (phasing density) in 2031; and Phase 3 construction (phasing density) in 2035.

Please ensure that the improvements per the TIS are included, and if any language has been revised, please include the revisions in the draft of the PD narrative.

It is the specific intent of this PD document (“**PD Document**” or “**PD District Document**”) approved by the City on or about the \_\_\_\_ day of \_\_\_\_\_, 2023, to create and maintain an interconnected pedestrian and active lifestyle driven residential community which includes a variety of single family areas, a limited number of commercial areas, open spaces, common areas, and amenities, including parks, recreational and passive spaces, which are together referred to as “**Warden Station PD District**” (the “**Project**”), in accordance with the City’s UDO, which are specifically addressed as follows:

1. The proposed land uses within the PD are a combination of various residential uses consisting of approximately 1,628.57 Acres, including single family detached homes, single family subdivided attached homes ranging from Two (2) to Eight (8) homes per individual building, single family attached townhomes, mid-rise multi-family condominiums, mid-rise multi-family apartments, and mid-rise multi-family apartments with elevators, which, dependent upon the product, may be offered for sale or rent, or a combination of both, together with those amenities and recreational facilities as set forth herein. The commercial component of the PD consists of approximately 136.78 Acres, which may include many different commercial uses which would typically be associated with a development of this scale, such uses being set forth herein. The proposed land uses for the Project were selected in an effort to compliment and blend with the existing surrounding uses, while exemplifying the primary components of the active lifestyle market for both families and retirees.
2. Connections between the PD and the surrounding roadways are designed to enhance both the interconnectivity and the usability of U.S. Highway 701, Pitch Landing Road and Kinlaw Lane and to allow residents to safely travel along the interior of the Project from neighborhood to neighborhood with minimal impact to adjoining neighborhoods outside of the PD.
3. Pathways adjacent to public rights-of-way, and pedestrian and bicycle connections reflected on the Master Plan to be constructed within the PD provide for safe and accessible travel for pedestrians and bicycles.
4. The variety of housing products provided within the PD are intended to appeal to single adults, working families, pre-retirees, early retirees and late in life retirees by providing opportunities for home ownership at a variety of price points.
5. Streets follow the City's design standards, except to the extent revised standards are included within the PD District Appendices, reflecting a revised design standard, and where varied, consist of wider green space, and multi-purpose paths, rather than additional asphalt. Build-out demand considerations have been incorporated in the initial project design, including exterior connections from the PD to existing public roadways to avoid constricting traffic flow. Notwithstanding the above requirements, Developer and the City acknowledge and agree that the right-of-way of Kinlaw Lane does not comply with the City's design standards. To the extent improvements are required by the City to Kinlaw Lane, Developer will reserve and dedicate any additional right-of-way from the Subject Parcels, at no additional cost to the City, for

the City to make such improvements, at the City's expense, and at the time the City deems such improvements appropriate.

6. The PD incorporates both water, open space and passive amenities, among the Subject Parcels, that may include, at the election of the Developer with regards to each individual parcel, swimming pool, neighborhood clubhouse, docks, shelters and open air gazebos to encourage resident's maximization of outdoor spaces, and these improvements, to the extent included in any individual parcel, shall be for the benefit of one or more individual neighborhoods within the PD, and not as a master amenity for the benefit of the entire PD, and set forth on the Master Site Plan. Site design has been guided, and actual construction will be guided by an effort to maintain key trees and environmentally sensitive areas, to meet all regulatory requirements. All stormwater will be designed to meet or exceed the standards within the City's Stormwater Ordinance.

All development within this Project will be regulated by the terms of the master site plan, approved ordinance, the City's UDO, the Development Agreement, and other applicable codes and ordinances of the City of Conway. *The definitions applicable throughout this Document are set forth in Article 2 of the City of Conway Unified Development Ordinance.*

## **SECTION 2: LEGAL DESCRIPTION**

The Subject Parcels are described as all of those certain pieces, parcels or tracts of land lying and situate near the City of Conway, Horry County, South Carolina, and being more particularly depicted on **Appendix A** (i) attached hereto.

## **SECTION 3: PROJECT DEVELOPER AND TITLE**

The Project title of this development is "***Warden Station PD***", although the Project may be branded among various neighborhoods within the Project following the approval of this PD by the City. The developer for the Project is BRD Land & Investment Management, LLC. The term "**Developer**" throughout this Document will include all subsidiaries and affiliates of BRD Land & Investment Management, LLC, and the term will also include any of its successors in interest or successors in title and/or assigns by virtue of assignment or other instrument.

## SECTION 4: MASTER SITE PLAN

Appendix A of this Document, attachment hereto, contains the PD Documentation, and the Twelve (12) different neighborhoods, together with the commercial parcels located on each side of the Spine Road, within the Project (“**Master Site Plan**”). The Master Site Plan shall be binding on the Subject Parcels and any materially major departure, other than as set forth in Section 6 and Section 12 below, shall be authorized by amendment only. The controlling Master Site Plan shall negate any contradiction between the Master Site Plan and any other plan, and this PD Document.

- A. This Project will ultimately include Nineteen (19) phases, including Twelve (12) phases of residential product, and Seven (7) phases of commercial product, together with amenity areas, park and open space areas, and each of such components may be developed at various times relative to the residential development and commercial development portion of the PD, any one of which may be further developed in sub-phases, and any of which may be developed in any particular order, with all homes remaining under ownership of the Developer, its successors and assigns, until such time as a final plat approved by the City may be recorded in the public records of Horry County, South Carolina. Although the timing of completion of any particular Phase of the PD is subject to then current market demands, the Developer anticipates a period of approximately Eighteen (18) months from approval of the PD for design, and permitting, and additional period of approximately Twelve (12) months from the issuance of permits and approvals for the installation of initial required infrastructure, and that approximately One-Fifth of the Project would be complete within Five (5) years of approval of the PD, with an additional One-Fifth of the Project being completed in each of the subsequent Five (5) year periods, with a projected build-out period for the Project of Twenty Five (25) years. A general description of each Phase of the Project is set forth in the Tables included herein. The relevant infrastructure necessary for development of the individual Phases of the PD, including water, sewer, drainage and other supporting utilities and other improvements will be installed in accordance with construction plans to be approved by and in accordance with the requirements as per City departmental reviews.

**[SEE MASTER SITE PLAN SUMMARY TABLE ON FOLLOWING PAGE]**

**MASTER SITE PLAN SUMMARY TABLE**

<b>Tract / Area</b>	<b>Acreage</b>	<b>Permitted Use</b>	<b>Lots/Units</b>	<b>Density Gross/Net (units/acre)</b>	<b>Other</b>
A	40.47 acres	Attached Single Family; Multifamily	246 lots/units	6.08/6.72	Notes 1; 2
B	10.72	Commercial (Type 3)	-		Note 6
C	21.66	Attached Single Family; Multifamily	104 lots/units	4.80/5.03	Notes 1; 2
D	56.84	Detached Single Family	135 lots	2.38/2.42	Note 1
E	50.94	Attached Single Family; Multifamily	406 lots/units	8.01/8.01	Notes 1; 2
F	128.54	Detached Single Family	302 lots	2.35/2.72	Note 1
G	178.76	Detached Single Family	341 lots	1.91/2.58	Note 1
H	232.97	Detached Single Family	321 lots	1.38/2.81	Note 1
I	153.20	Detached Single Family	91 lots	0.59/2.28	Note 1
J	85.78	Detached Single Family	190 lots	2.16/2.48	Note 1
K	552.34	Master Open Space/City Recreational Acreage			
L	27.82	Multifamily	480 units	17.25/17.25	Notes 1; 2
M	34.81	Multifamily	440 units	12.64/14.82	Notes 1; 2
N	64.46	Attached Single Family; Multifamily	260 lots/units	4.03/4.95	Notes 1; 2
O	23.47	Commercial (Type 2)			Note 5
P	66.30	Commercial (Type 1)			Note 4
Q	14.14	Commercial (Type 1)			Note 4
R	4.30	Commercial (Type 1)			Note 4
S	5.26	Commercial (Type 2)			Note 5
T	12.56	Commercial (Type 1)			
<b>Totals</b>			<b>3,316 lots/units 2,051,000 sf commercial</b>	<b>Need overall gross/net density (residential)</b>	

**Notes to Master Site Plan Summary Table:**

1. Density may be shifted between residential tracts/areas with like uses (*i.e.* single-family to single-family) may be considered a “minor” amendment to the PD, provided that the overall (total) density is not increased and remains constant.
2. Attached Single Family/Multifamily tracts/areas may be developed in-common. Development Standards for in-common development may differ from fee-simple development.
3. Refer to Table 2 in the PD document for dimensional standards.
4. Unless otherwise specified in the PD, all uses permitted in the Highway Commercial (HC) district, per the City of Conway’s Unified Development Ordinance (UDO) shall be permitted on tracts/areas identified as Commercial (Type 1) (tracts P, Q, R, T).

5. Unless otherwise specified in the PD, all uses permitted in the Highway Commercial (HC) / Light Industrial (LI) districts, per the City's UDO, shall be permitted on tracts/areas identified as Commercial (Type 2) (tracts O, S).
6. Unless otherwise specified in the PD, all uses permitted in the Neighborhood Commercial (NC) and Conservation Preservation (CP) districts, per the City's UDO, shall be permitted on tracts/areas identified as Commercial (Type 3) (tract B).

## **SECTION 5: DEVELOPMENT DESCRIPTION**

The Developer has significant experience in bringing new communities that meet the needs of both the local community and the new residents, throughout the Southeast region of the United States, with a significant concentration of such communities within North Carolina and South Carolina. By being involved in the creation of the new development, the Developer is able to insure the desires of future homebuyers are incorporated in the initial land design, and carried through consistently to the completion of the final home. Often in today's market, the Developer is disconnected from the builder's targeted homebuyer, and that disconnect can have a significant impact on the success of the community. For this PD, the Developer has planned the amenities and the product offerings to reflect an active lifestyle to accommodate families, soon to be retirees and retirees. The key word in the phrase "Master Planned Community", is Community, since success for an active community is dependent upon substantial amenities encouraging an active lifestyle with outdoor activity and interaction among residents. In today's real estate market, communities are typically a collection of one or more neighborhoods, with compatible architectural character, promoting a way of life and diversity with a common purpose. The Project is designed to anticipate a variety of users, and to balance the environment between them. *Is this paragraph necessary to be a part of the PD ordinance?*

Neighborhoods are the building blocks of a community. The neighborhood is where we experience our family and friends, it's where life happens, and it's where we tell people we live. Residents are offered a range of options for getting where they want to go rather than having to depend solely on their automobile. Each neighborhood within the PD will offer distinctive product type, to appeal to the needs of a particular targeted resident. The offering of various product types further encourages the diversity of both residents and their interests. In addition, the covenants, conditions and restrictions for the various neighborhoods within the PD will provide for limitations on certain types of uses that conflict with the target resident for that particular neighborhood. As an example, a particular neighborhood may be restricted for leases terms of less than One (1) year, while other neighborhoods are intentionally design to attract the short-term, transition resident, who may be building are anticipating the building of a permanent residence within another area of the PD. *Is this paragraph necessary? Again, it does not contain specific information for the PD ordinance, and could*



be left to interpretation, and the language regarding lease terms is meant more for CCR's and is not something the City would get involved in.

Public spaces are the social heart of communities. Today, modern development has arranged public space into two forms; the first being activity areas for organized leisure activities and sports; and the second being preservation areas such as lakes, wetlands, pocket parks, groves of preserved trees, and drainage channels. The recreational areas are designed to accommodate leisure activities and sports, but also to create places where one can go simply to be outside, enjoy nature and maybe have a picnic. The relationship between leisure and recreation has to be better understood. Leisure is time and experience based, while recreation is activity and space based. One is aesthetically oriented and the other is functionally oriented. While a good community should provide both, the two are not the same, and must be balanced so the needs of the residents are being met in equal proportion. The Project incorporates a significant flood plain area, which contributes to the Developer's efforts to separate uses, provide buffers between neighborhoods, and preserve the flood plain areas and wetlands in order to accommodate any rising water during an historical storm event. Portions of the flood plain area within the PD may be supplemented with docks, recreation lawns and preservation of existing vegetated border areas. Public space and green areas help provide a transition between the various neighborhoods and residences, and provide a sense of movement, and enhances the feeling of being in a distinct place. The interconnection of activities, through the use of pathways, provides opportunities for activities to all residents. Is this language necessary to include in the PD ordinance?

The public spaces, including open space, flood plain areas, jurisdictional and non-jurisdictional wetlands to be conveyed by Developer, its successors and assigns, including the owners of the individual parcels comprising the Subject Parcels, to the City, shall be conveyed in conjunction with the development of the individual Phases, on or before the date on which the development within a particular Phase has been completed. To the extent any area within the PD is, at the time of the development of the Phase in which such area is located, designated as a jurisdictional or non-jurisdictional wetland, or required wetland buffer, then, and only then, will the same be conveyed by Developer to the City, provided, however, that the Developer, its successors and assigns, including the owners of the individual parcels comprising the Subject Parcels, such conveyance shall be subject to reservations of ingress, egress, access and the installation, extension, tie-in, repair, maintenance and replacement of utilities serving the Subject Parcels.

The Project is planned to include a mix of land uses, which together form an integrated active lifestyle community This should likely be the first sentence under development description. The Project will be the subject of master covenants, conditions and restrictions, which will apply to the community as a whole, as well as additional covenants, conditions and restrictions which may be



applicable only to certain portions of the community (collectively the “**CCRs**”). The CCRs will define the building size, aesthetic style and shared amenities and open spaces of each of the respective neighborhoods within the Project.

The arterial roadway providing access through the Project from U.S. Highway 701 to Pitch Landing Road, as a spine road, is anticipated to be a variable width public roadway. The interior roadways within the Project, to the extent the same meet with requirements of the City for a public roadway, are also anticipated to be public roadways. Roadways within the Project, in addition to public roadways, may include private roadways, internal drives and other areas within the multi-family areas of the Project where subdivision from a public right-of-way is not required and planned by the Developer. Setbacks and easements will be arranged so as to allow for off-street parking of at least one car in depth for the residences. All water and sewer systems within the Project, upon completion, will be dedicated to ~~one or more of the City~~ (not in our service area), Grand Strand Water & Sewer Authority or Bucksport Water System, Inc. The neighborhoods within the Project may consist of detached single family lots of varying width, single-family subdivided (fee-simple) attached duplex, ~~tri-plex and quadraplex homes~~, semi-attached duplex, townhomes, mid-rise multi-family buildings and many different commercial uses within the commercial areas of the PD. The architectural style of the homes will be consistent and compatible, but will also allow for an identity to be established within each neighborhood by its distinctive elements. Elevated entries, varying rooflines, oversized windows and durable but distinctive roofing materials will be present in each of the neighborhoods, the elements and style of each neighborhood being reflected in the appendixes attached to this PD Document. Structures will comply with the City’s Design Standards, for residential and non-residential structures that are in effect at the time of plan and/or permit submittal.

Single Family residences may include Single Family Detached, Single Family Duplexes (not more than Two (2) units), Single Family Townhomes ranging from Three (3) to Eight (8) units per building. Single Family Duplexes and Single-Family Townhomes may be subdivided, or may be in common. To the extent such units are subdivided, each unit shall comply with the subdivision requirements of the City, including, but not limited to the requirement that in order to be subdivided, lots must adjoin (front) a public right-of-way.

Multi-Family residences may include mid-rise condominiums, and mid-rise apartments, not exceeding Four (4) stories, all of which may be offered for sale, for rent or both.

The Commercial areas may include subdivided commercial lots, shopping centers and commercial condominium complexes, combining various uses within a single development.



Architecture, signage design and landscaping are proposed to be controlled with detailed design guidelines, which will be administered by a Subject Parcels under a property owners association (“POA”) or homeowners association (“HOA”) and/or an architectural review board (“ARB”). Table 1 below identifies the proposed uses for the Subject Parcels within the PD.

All of the below is language I would keep and make sure it's being kept together and not piece milled throughout this section:

What does the project include?

What uses /types of structures in residential portions?

What uses/types of structures in commercial?

Keep architectural standards together

Public Spaces (open space) - general

Road network

HOA/POA standards

Utilities

**[SEE TABLE 1 PROPOSED USES ON FOLLOWING PAGE]**



**TABLE 1**  
**PROPOSED USES FOR SUBJECT PARCELS**

<b>Master Plan Tract</b>	<b>Approximate Acreage</b>	<b>Proposed Land Use</b>	<b>Product Type</b>	<b>Proposed Density</b>
Tract D	56.84 AC	Detached Single Family	SF Type A (60') Detached	135
Tract F	128.57 AC	Detached Single Family	SF Type A (60') Detached	302
Tract G	178.76 AC	Detached Single Family	SF Type A (60') Detached	341
Tract H	232.80 AC	Detached Single Family	SF Type A (60') Detached	321
Tract I	153.20 AC	Detached Single Family	SF Type A (60') Detached	91
Tract J	88.02 AC	Detached Single Family	SF Type A (60') Detached	190
Tract A*	40.47 AC	Attached Single Family	SF Type C (28') Attached	246
Tract C*	21.66 AC	Attached Single Family	SF Type B (38') Attached	104
Tract E*	50.94 AC	Attached Single Family	SF Type D (20') Attached	408
Tract N*	64.43 AC	Attached Single Family	SF Type D (20') Attached	260
Tract L	27.82 AC	Multi-Family	3-4 Story Multi-Family	480
Tract M	34.81 AC	Multi-Family	3-4 Story Multi-Family	440
Tract K**	550.14 AC	Open Space	Recreational Open Space	N/A
Tract B	10.72 AC	Commercial	Type 3 Commercial	161,000 SF
Tract O	23.47 AC	Commercial	Type 2 Commercial	352,000 SF
Tract P	66.32 AC	Commercial	Type 1 Commercial	995,000 SF
Tract Q	14.13 AC	Commercial	Type 1 Commercial	212,000 SF
Tract R	4.30 AC.	Commercial	Type 1 Commercial	64,000 SF
Tract S	5.26 AC.	Commercial	Type 2 Commercial	79,000 SF
Tract T	12.56 AC.	Commercial	Type 1 Commercial	188,000 SF

**TOTAL 1,765.22 AC**

**Residential 3,318 UNITS**

**Commercial Space 2,051,000 SF**

\*Tract A, Tract C, Tract E and Tract N each represent Attached Single Family use at the highest intensity. As to SF Type B, SF Type C and SF Type D Parcels set forth above, which parcels are intended to be interchangeable based upon market conditions, Developer may elect to replace any one of these Three (3)



designations with any other of these Three (3) designations by submittal of a minor amendment to the Planning Director for approval.

\*\*Tract K represents acreage to be conveyed to the City by the Developer, in one or more parcels, upon completion of improvements, and on or before the date on which building permits have been issued for 500 Residential Units within the Project.

Table 2 below identified the dimensional standards for each of the proposed uses within the PD District.

**TABLE 2**  
**PROPOSED DIMENSIONAL STANDARDS CHART**

**[PD District Perimeter Setback shall be 25', in addition to the setbacks set forth below]**

Setbacks wouldn't be required in addition to the buffer requirement. The buffer, if less than the required setback, can be located *within* the setback. Where the buffer *exceeds* the required setback, the buffer becomes the setback. Also, buffers are different throughout the Project.

Permitted Uses	Min. Lot Size Sq. Ft.	Min. Lot Width	Min. Lot Depth	Setbacks (Feet)				Max. Height*	Impervious Surface	Min. Separation of Structures*
				Front	Side	Rear	Corner			
Detached SF Type "A" **	6,000	60'	100'	20'	5'	15'	10'	35'	80%	10'
Attached SF Type "B" ***	3,000	38'	84'	20'	0'	20'	10'	35'	75%	20'
Attached SF Type "C" ***	2,300	28'	84'	20'	0'	20'	10'	35'	75%	20'
Attached SF Type "D" ***	1,650	20'	84'	20'	0'	10'	10'	35'	75%	20'
Multi-Family	5,000	50'	150'	15'	10'	10'	10'	52'	75%	20'
Amenities	1,000	N/A	N/A	10'	10'	10'	20'	35'	N/A	10'
Commercial 1	10,000	50'	125'	30'	20'	20'	20'	42'	75%	20'
Commercial 2	15,000	80'	150'	40'	20'	20'	20'	52'	75%	20'
Commercial 3	7,500	60'	125'	20'	20'	20'	15'	42'	75%	20'
Accessory	N/A	N/A	N/A	10'	10'	10'	10'	35'	N/A	20'

\*Minimum wall to wall separation for single family homes shall be Ten (10) feet.

\*\*SF Type A Minimum Front Foot shall be reduced to 40' along curves, and 35' along cul de sac.

\*\*\*SF Type B, SF Type C and SF Type D Minimum Front Foot shall be reduced to 18' along curves and along cul de sac.



Note: The dimensional standards set forth above as being applicable to Attached SF Type B, Attached SF Type C and Attached SF Type D, including the above minimum Site Area S.F., Lot Width, minimum Lot Depth, shall be applicable only to subdivided lots, and shall not apply to units which are owned in-common.

## **SECTION 6: GENERAL DEVELOPMENT STANDARDS THROUGHOUT THE PD DISTRICT**

Densities. The overall density for the Project through all Phases, as shown on the Master Site Plan, shall not exceed 3,318 total units, and shall not exceed 1,892 detached single-family residential units, 1,648 attached single-family residential units or 920 multi-family residential units, and 2,051,000 square feet of commercial space.

### Permitted Uses.

Permitted Uses are as follows:

- (1) Commercial Uses: Commercial may include each of the uses set forth in Table 3 below, the definition of such uses being consistent with the definitions set forth in the City's UDO, or, to the extent not defined in the City's UDO, and classified and designated, for purposes of the PD District, as Type 1 Commercial, Type 2 Commercial or Type 3 Commercial:

**[SEE TABLE 3 ON FOLLOWING PAGE]**



**TABLE 3.**  
**PERMITTED USES IN COMMERCIAL TYPES 1, 2, & 3 & OPEN SPACE/RECREATIONAL**  
**USES**

Type 1 Commercial	Type 2 Commercial	Type 3 Commercial	Open Space/Recreational (Tract K)
Tracts / Areas:	Tracts / Areas:	Tracts / Areas:	Tracts / Areas: K
In addition to the uses specified in this Table, all uses permitted in the <b>Highway Commercial (HC)</b> district, shall be a permitted or conditional use on Tracts/Areas identified as Type 1 Commercial on the Master Site Plan.	In addition to the uses specified in this Table, all uses permitted in the <b>Highway Commercial (HC) &amp; Light Industrial (LI)</b> districts shall also be permitted or conditional use on Tracts/Areas identified as Type 2 Commercial on the Master Site Plan.	In addition to the uses specified in this Table, all uses permitted in the <b>Neighborhood Commercial (NC) &amp; Conservation Preservation (CP)</b> districts shall be permitted on Tracts/Areas identified as Type 3 Commercial on the Master Site Plan.	All uses permitted in the <b>Conservation Preservation (CP)</b> district, AND as specified in Table 3 / Master Site Plan
<b>Permitted Uses:</b> <ul style="list-style-type: none"> <li>• Conservation Area(s)</li> <li>• Passive Open Space</li> <li>• Public Recreational Facilities</li> <li>• Athletic Fields (with or without lights)</li> <li>• Golf Course (with or without lights)</li> <li>• Gymnasiums</li> <li>• Nursing Home</li> <li>• Hospital</li> <li>• Civic Club</li> <li>• Fire/Police station</li> <li>• Educational Facility</li> <li>• Library</li> <li>• Business office (<i>i.e.</i> accounting, consulting, financial institution, real estate, law firm, and the like)</li> <li>• Chiropractor</li> <li>• Counseling service</li> </ul>	<b>Permitted Uses:</b> <ul style="list-style-type: none"> <li>• All uses listed under Type 1 Commercial as a Permitted use</li> <li>• Conservation Area(s)</li> <li>• Passive Open Space</li> <li>• Public Recreational Facilities</li> <li>• Athletic Fields (with or without lights)</li> <li>• Gymnasiums</li> <li>• Agricultural Crop</li> <li>• Tree Farms &amp; Silviculture</li> <li>• Skating Rinks</li> <li>• Fire / Police Station</li> <li>• Vocational, Trade School</li> <li>• Business Offices (<i>i.e.</i> accounting, consulting, financial institution, real estate, law firm, and the like)</li> <li>• Charitable Institution</li> <li>• Government Office</li> </ul>	<b>Permitted Uses:</b> <ul style="list-style-type: none"> <li>• Boat Dock</li> <li>• Conservation Area(s)</li> <li>• Forest Management Area</li> <li>• Passive Open Space</li> <li>• Public Recreational Facilities</li> <li>• Private Sports Facilities (<i>i.e.</i> athletic fields, golf courses, gymnasiums, and the like)</li> <li>• Fire / Police Station</li> <li>• Fitness Center; Athletic Club</li> <li>• Passenger Facility (transit stop, station)</li> <li>• Civic Clubs</li> <li>• Fire / Police Station</li> <li>• Educational Facility</li> <li>• Library</li> <li>• Business Offices (<i>i.e.</i> accounting,</li> </ul>	



<ul style="list-style-type: none"> <li>• Dentist / Orthodontist / Oral Surgeon</li> <li>• Doctor's office</li> <li>• Government office</li> <li>• Barber Shop / Beauty Salon (including Hair/Nail salons)</li> <li>• Dry Cleaner (no drive-thru)</li> <li>• Dance/Fitness Studio</li> <li>• Fitness Center; Athletic Club</li> <li>• Laundromat</li> <li>• Pharmacy</li> <li>• Bakery</li> <li>• Butcher Shop</li> <li>• Convenience Store</li> <li>• Grocery Store</li> <li>• Ice Cream Shop</li> <li>• Specialty Food Store</li> <li>• News Stand</li> <li>• Bars/Tavern/Nightclub</li> <li>• Café / Coffee Shop</li> <li>• Restaurant (with or without a drive-thru)</li> <li>• Clothing Stores</li> <li>• Shoe Store</li> <li>• Artists &amp; Craftsmen's Stores (<i>i.e.</i> antique, gift, hobby, and frame shops, and the like)</li> <li>• Photography Sales &amp; Studio; film developing</li> <li>• Bookstore</li> <li>• Tobacco shop</li> <li>• Florist</li> <li>• Hardware Store</li> <li>• Pet Supply, Pet Grooming</li> <li>• Musical Instrument Sales &amp; Repair; Music Store</li> <li>• Gas &amp; Service Station</li> </ul>	<ul style="list-style-type: none"> <li>• Clothing Alterations; Seamstress</li> <li>• Dance / Fitness Studio</li> <li>• Dry Cleaner (no drive-thru)</li> <li>• Shoe Repair</li> <li>• Bakery</li> <li>• Wholesale Bakery</li> <li>• Butcher Shop</li> <li>• News Stand</li> <li>• Wholesale Produce</li> <li>• Bars / Tavern / Nightclub</li> <li>• Clothing Stores</li> <li>• Artists &amp; Craftsmen's Stores (<i>i.e.</i> antique, gift, hobby, and frame shops, and the like)</li> <li>• Photography Sales &amp; Studio; film developing</li> <li>• Bookstore</li> <li>• Tobacco Shop</li> <li>• Wholesale Florist</li> <li>• Hardware Store</li> <li>• Musical Instrument Sales &amp; Repair; Music Store</li> <li>• Pet Supply; Pet Grooming</li> <li>• Gas &amp; Service Station</li> <li>• Optical &amp; Hearing Center</li> <li>• Appliance Sales &amp; Service</li> <li>• Boat Sales; Boat Service</li> <li>• Computer Sales &amp; Service</li> <li>• Copy Center; Print Shops</li> <li>• Discount Store</li> <li>• Furniture Repair &amp; Upholstery</li> <li>• Jeweler</li> <li>• Leather Shop</li> <li>• Sign Shop</li> <li>• Auto Accessory Store</li> </ul>	<ul style="list-style-type: none"> <li>consulting, financial institution, real estate, law firm, and the like)</li> <li>• Chiropractor</li> <li>• Counseling Service</li> <li>• Dentist / Orthodontist / Oral Surgeon</li> <li>• Doctor's Office</li> <li>• Charitable Institution</li> <li>• Government Office</li> <li>• Barber Shops / Beauty Salons (including Hair / Nail salons)</li> <li>• Clothing Alterations; Seamstress</li> <li>• Dance / Fitness Studio</li> <li>• Dry Cleaner (no drive-thru)</li> <li>• Laundromat</li> <li>• Pharmacy</li> <li>• Shoe Repair</li> <li>• Bakery</li> <li>• Candy Store; Confectionary</li> <li>• Convenience Store</li> <li>• Grocery Store</li> <li>• Health; Vitamin; Nutrition Food Store</li> <li>• Ice Cream Shop</li> <li>• News Stand</li> <li>• Specialty Food Store</li> <li>• Café / Coffee Shop</li> <li>• Restaurant (no drive-thru)</li> <li>• Clothing Stores</li> <li>• Artists &amp; Craftsmen's Stores (<i>i.e.</i> antique, gift,</li> </ul>	
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<ul style="list-style-type: none"> <li>• Optical / Hearing Center</li> <li>• Retail &amp; Service uses (<i>i.e.</i> appliance sales/service, big box retail dept. store, computer sales/service, liquor stores, furniture stores/showrooms, discount stores, jeweler, and the like)</li> <li>• Shopping Center</li> <li>• Auto-Accessory Store</li> <li>• Automobile Dealership</li> <li>• Rental Car Agency</li> <li>• Truck &amp; Auto Repair</li> <li>• Building Supply; Equipment Sales</li> <li>• Office Supply Stores</li> <li>• Paint, Floor Supply &amp; Sales</li> <li>• Hotel / Motel / Inn</li> <li>• Armory</li> <li>• Sporting Goods</li> <li>• Portable Storage Unit</li> <li>• Mini Storage Unit/Mini Storage Warehouse with Outdoor Storage</li> <li>• Warehousing with Outdoor Storage</li> <li>• Building Supply/Lumber Yard</li> <li>• Nursery/Garden Center</li> <li>• Car Wash &amp; Detailing Facility</li> <li>• Dry Cleaner (with drive-thru)</li> </ul>	<ul style="list-style-type: none"> <li>• Automobile Dealership</li> <li>• Rental Car Agency</li> <li>• Truck &amp; Auto Repair</li> <li>• Building Supply; Equipment Sales</li> <li>• Fitness Center; Athletic Clubs</li> <li>• Hotel / Motel / Inn</li> <li>• Private Club</li> <li>• Passenger Facility (transit stop, station)</li> <li>• Nursery / Garden Center</li> <li>• Dry Cleaner (with drive-thru)</li> <li>• Car Wash &amp; Detailing Facility</li> <li>• Portable Storage Unit</li> <li>• Mini Storage Unit; Mini Storage Warehouse with Outdoor Storage</li> <li>• Warehousing with Outdoor Storage</li> <li>• Building Supply Lumber Yard</li> <li>• Wholesaling, Storage &amp; Distribution (Light)</li> </ul>	<ul style="list-style-type: none"> <li>hobby, and frame shops, and the like)</li> <li>• Photography Sale &amp; Studio; film developing</li> <li>• Bookstore</li> <li>• Tobacco Shop</li> <li>• Florist</li> <li>• Hardware Store</li> <li>• Musical Instrument Repair &amp; Sales; Music Store</li> <li>• Pet Supply; Pet Grooming</li> <li>• Gas &amp; Service Station</li> <li>• Optical &amp; Hearing Center</li> <li>• Appliance Sales &amp; Service</li> <li>• Computer Sales &amp; Service</li> <li>• Copy Center; Print Center</li> <li>• Furniture Repair &amp; Upholstery</li> <li>• Furniture Store &amp; Showroom</li> <li>• Jeweler</li> <li>• Shoe Store</li> <li>• Fitness Center; Athletic Club</li> <li>• Hotel / Motel / Inn</li> <li>• Sporting Goods</li> <li>• Passenger Facility (transit stop; station)</li> </ul>	
<b>Conditional Uses:</b> <ul style="list-style-type: none"> <li>• Adult Day Care Services; Adult Day Care Facilities</li> <li>• Child Day Care Facilities</li> <li>• Community Support Services</li> </ul>	<b>Conditional Uses:</b> <ul style="list-style-type: none"> <li>• All uses listed under Type 1 Commercial as a Conditional use</li> </ul>	<b>Conditional Uses:</b> <ul style="list-style-type: none"> <li>• Farmers' Market</li> <li>• Mobile Vending</li> <li>• Portable Storage Unit</li> <li>• Public Utility Facility</li> </ul>	



<ul style="list-style-type: none"> <li>• Funeral Home; Mortuary</li> <li>• Religious Institution</li> <li>• Doggie Day Care; spa</li> <li>• Sidewalk Café; Outdoor Dining</li> <li>• Farmers' Market</li> <li>• Mobile Vending</li> <li>• Veterinarian / Animal Clinic</li> <li>• Custom Manufacturing</li> <li>• Parking Lot</li> <li>• Public Utility Facility</li> <li>• Indoor Shooting Range</li> </ul>	<ul style="list-style-type: none"> <li>• Community Support Services</li> <li>• Doggie Day Care / Spa</li> <li>• Produce Stand</li> <li>• Amphitheater</li> <li>• Armory</li> <li>• Manufactured / Modular Home Sales</li> <li>• Pawn Shop</li> <li>• Veterinarian / Animal Clinic</li> <li>• Research Facility</li> <li>• Science Laboratory</li> <li>• Custom Manufacturing</li> <li>• High Technology Industry</li> <li>• Microbrewery</li> <li>• Agricultural Processing</li> <li>• Manufacturing; Processing</li> <li>• Meat Processing</li> <li>• Public Utility Facility</li> <li>• Indoor Shooting Range</li> </ul>	<ul style="list-style-type: none"> <li>• Adult Day Care Services; Adult Day Care Facilities</li> <li>• Child Day Care Facilities</li> <li>• Community Support Facility</li> <li>• Funeral Home; Mortuary</li> <li>• Religious Institution</li> <li>• Sidewalk Café / Outdoor Dining</li> <li>• Farmers' Market</li> <li>• Mobile Vending</li> </ul>	
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**District Definitions (provided for reference only):**

**Highway Commercial (HC):**

The intent of the HC District is to provide compatible locations to serve the automobile oriented commercial activities in harmony with major highway developments, reduce traffic congestions, and to enhance the aesthetic atmosphere of the City.

**Light Industrial (LI):**

The intent of the LI District is to provide areas for light industrial uses, such as manufacturing, processing, repairing of goods, wholesaling, storage, packaging, distribution and retailing while ensuring adjacent and nearby properties are not adversely impacted.

**Neighborhood Commercial (NC):**

The NC District is intended to provide small-scale retail and service uses for nearby residential areas. Dimensional requirements and design standards of the NC district are intended to promote compatibility to surrounding residential areas and accommodate pedestrian use and access. Strip commercial development, designed primarily to accommodate vehicular access and parking, and development that is insensitive or incompatible with the scale and character of the surrounding residential areas, is discouraged in this district.

**Conservation Preservation (CP):**

The intent of the CP District is to provide needed open space for general outdoor and indoor recreational uses, and to protect environmentally sensitive areas and flood prone areas from the encroachment of any residential, commercial, industrial, or other uses capable of adversely affecting the relatively undeveloped character of the district.



<b>Conditional Uses specified in this Table:</b> Uses identified as a “conditional” use in this Table shall comply with specific use regulations contained within Article 5 of the City of Conway Unified Development Ordinance identified for such use.
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<b>Tract K:</b> All uses proposed for Tract K that are deemed recreational (i.e. park facilities/structures, trails, activity courts, etc. shall be shown on the Master Site Plan.
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(2) Additional Commercial Uses: Prior to the completion of the Project, and the sale of all homes from the Developer to third party purchasers, the Developer may operate a commercial sales center and a design center, as a freestanding structure, within any model home, or as a part of any Amenity buildings within the PD District, which uses shall be in addition to the commercial uses set forth in Table 3 above.

(3) Single Family: Fee simple Detached Single-Family, fee simple Attached Single-Family subdivided, and Attached Single-Family in-common. Elevations for the single family detached homes shall include elevations which are consistent with the residential design standards for single family structures of the City’s UDO in effect at the adoption of the PD.

(4) Multi-Family: Multi-Family homes shall not exceed 4 stores. Elevations for the multi-family homes shall include elevations which are consistent with the residential design standards of the City’s UDO in effect at the adoption of the PD.

(5) Amenity and Recreational Areas. Commons areas, common elements, clubhouses, pools, public restrooms, picnic shelters, barbeque/fire pits, multi-purpose paths, jogging trails, recreation fields, sports courts and open spaces.

(6) Decks and Promenades. Decks, docks, gazebos, bridges and elevated walkways.

(7) Temporary Uses. Temporary uses shall be approved by the City, and, to the extent applicable, any POA or HOA having jurisdiction over the Subject Parcels on which such temporary uses are proposed, prior to issuance of a City business license, provided that:

- (i) No more than Ten (10) temporary uses will be allowed at one time, within the amenity and commercial areas of the PD District.
- (ii) Unenclosed structures, including tents, temporary shelters, and enclosed mobile structures associated with temporary uses shall not occupy more than 400 square feet of surface area unless prior approval has been obtained from the City.



- (iii) Any single temporary use shall not remain in place longer than thirty (30) calendar days unless prior approval has been obtained from the City.

Written permission must be obtained from the Developer, its successors and assigns, and appropriate permits obtained from the City prior to commencement of a temporary use.

(8) Change of One Permitted Use to Another Permitted Use. Should a designated use permitted in the PD change after the final construction of a building, any construction modifications of the building must be completed and the PD approvals obtained for the proposed use, as necessary, to bring it into compliance with the current development standards of this Document and the building code.

- A. Tree Preservation. All of the Subject Parcels shall comply with the City of Conway's Tree Preservation Ordinance that is in effect at the time of the PD is approved. No protected trees, as defined under the City's Tree Preservation Ordinance shall be removed without a Protected Tree Permit and the submission of a tree survey.
- B. Development Activity, Clearing and Grading. The Subject Parcels which are the subject of the PD, are primarily undeveloped. Clearing and Grading of the PD will require both removal of inferior materials, and replacement with structurally sound materials, in addition to providing for storm water and erosion control measures over the Subject Parcels, in accordance with the requirements of the Stormwater Management and Sediment Control Ordinance for the City of Conway, South Carolina, Ordinance #2015-05-04(C). In addition, any protected trees are proposed for removal, shall be approved for mitigation by the City Arborist, in accordance with the City's Tree Preservation Ordinance, Chapter 4, Conway South Carolina Code of Ordinances.
- C. Temporary Storm Drainage Maintenance. Developer will provide temporary storm drainage measures, which incorporate storm drainage facilities located on the Subject Parcels to the reasonable satisfaction of the Public Works Director for the City, such that prior to commencement of Development Activities, the Subject Parcels shall continue to maintain the existing storm drainage facilities until the storm drainage facilities which are a part of the Development Activities for each respective Phase of the PD are complete, and the same are dedicated to the City.
- D. Signage. Signage within the PD District shall comply with ~~Article 11~~ **Signage Requirements** of the City's UDO, as in effect at the time a permit is requested for a sign, provided, however, that, to the extent any of the Subject Parcels designated as Commercial



1, Commercial 2 or Commercial 3, includes more than One (1) business, a sign easement may be created and reserved by the owner of the respective parcel, for the installation of a multi-tenant pylon sign at the road frontage of such respective parcel..

E. Parking. Parking with the PD District shall comply with the City's UDO, and the following additional provisions:

- (i) Unless otherwise specified within this PD, on-street parking shall be prohibited in public rights-of-way.
- (ii) All uses specified in the Use Tables within this PD shall comply with the minimum off-street parking requirements for such proposed in accordance with the City's UDO.

F. Buffers. Applicable buffers, including wetland buffers, perimeter buffers and buffers separating specific uses shall be noted on the Buffer Plan, **and as provided below:**  
**Buffers need to be provided in the PD, including landscape buffers, wetland buffers, PD perimeter buffer(s), buffers between differing land uses, etc.**

G. Utilities.

- (i) Electric services to be provided by Horry County and/or Santee Cooper.
- (ii) Water services to be provided by Bucksport Water System.
- (iii) Sewer services to be provided by Bucksport Water System and Grand Strand Water & Sewer Authority.
- (iv) Telecommunication/Cable Service. Telecommunication and cable services to be provided by Horry Telephone Cooperative and Spectrum Service to be extended as needed in order to serve each of the Subject Parcels.

*\*All utilities to be placed underground.*

H. Other Services. Residents and businesses within the PD will be served by Horry County Schools, Conway Police, Conway Fire and EMS, Conway Parks and Recreation.

I. Governing Documents. To the extent the provisions of the approved PD could be read so as to conflict with the City's UDO, and the other ordinances of the City, the PD shall be deemed to govern, as an approved, intended departure, written into this PD District Ordinance, amending the standards otherwise applicable to the Subject Parcels under the City's UDO and other ordinances.

J. Design Modifications. Certain modifications of the City's design standards set forth in the City's UDO shall be allowed within the PD, as set forth in the table below.



### DESIGN MODIFICATIONS APPROVED AS A PART OF PD

Mod. #	Description	Section
1	Kinlaw Lane shall be utilized as a public access based upon the proposed improvements depicted on the construction plans for Horry County Dirt Road Improvements (Project #S102015)	Complete Streets
2	Roadways internal to the community shall utilize the equivalent roadway cross sectional widths specified within <b>Exhibit VII – Traffic Hierarchy Plan</b> for the lane, shoulder, planting strip and sidewalk/multi-use trail widths and frequencies.	Access & Circulation
3	<p>Buffers, street tree plantings and sidewalks shall not be required along the following sections of roadways:</p> <ul style="list-style-type: none"> <li>(a) Along the improved local road commonly known as Blaze Trail adjacent to PIN 380-00-00-0039</li> <li>(b) Along the existing driveway access commonly known as Wayna Marie Lane</li> <li>(c) Along the existing portions of Kinlaw Lane until the full landscape buffer width is permissible within the PD.</li> </ul>	Buffer Requirements; Landscaping Requirements; Design Standards
4	Spine roads shall be considered upon installation for utilization towards the multiple points of access for the proposed tracts until such time as the requirements within the PD for secondary connection of the Spine Road are required.	Access & Circulation
5	Temporary considerations of block length shall be allowed if future Spine Road installation provides future connection point to adhere to the minimum requirements within the City's UDO.	Access & Circulation
6	Maximum number of unit's access from single road access internal to the parcels shall be increased to 50 units where future Spine Road extensions shall provide the minimum requirements specified within the City's UDO.	Fire Code
7	Maximum number of units off a single access at full buildout within Parcel E and Parcel J shall be increased to 50 units.	Fire Code
8	Should Parcel H be developed prior to Parcel G, the number of units off a single point of access shall be waived so long as the future roadway connection to Parcel G is provided.	Fire Code
9	<b>Each lot shall front on a public street.</b> In Parcels developed as Attached Single Family, variable width utility and access easements shall be allowable for access to the units.	Design Standards; dimensional requirements; Access & Circulation
10	Sidewalk installation along roadways to be installed on each street based on criteria designated in the cross-walk sections depicted on Exhibit VII – Traffic Hierarchy Plan.	Access & Circulation; Complete Streets



## SECTION 7: RESIDENTIAL REGULATIONS

- A. Geographic Description. The residential regulations applicable to the single-family homes portions of the Project shall be included in a set of restrictive covenants, either applicable to all residential neighborhoods as a master declaration, or applicable to each neighborhood individually, or both.
- B. Public Purpose. The public purpose of the Residential Regulations is to establish and thereafter maintain for its residents, tenants and visitors a sense of community through the design of exterior spaces and buildings at a human scale with appropriate architectural transitions. The sense of community will be further enhanced by the utilization of generous vegetation in and around the residential portion of the Project.
- C. Residential Design Standards. All residential development within the PD shall comply with the City's Residential Design Standards **in effect at the time of plan and/or permit submittal**.

Typical and encouraged elements and architectural styles are attached as **Appendix B** of this Document along with conceptual elevations of other proposed buildings, structures, amenities and streetscapes within the PD.

## SECTION 8: COMMERCIAL REGULATIONS

- A. Geographic Description. The commercial regulations applicable to the Commercial portions of the Project, shall be included in a set of restrictive covenants, either applicable to all commercial areas as a master declaration, or applicable to the commercial area.
- B. Public Purpose. The public purpose of the Commercial Regulations is to establish and thereafter maintain for its residents, tenants and visitors a sense of community through the design of exterior spaces and buildings at a human scale with appropriate architectural transitions. The sense of community will be further enhanced by the utilization of generous vegetation in and around the residential portion of the Project.

## SECTION 9: MAINTENANCE AND CONTROL

Roadways within the PD are public roadways unless specifically indicated on the Master Site Plan. It will be the responsibility of the Developer to maintain or provide for the maintenance of the Subject Parcels within the PD, including any private roadways, pathways and driveways. The Developer's maintenance responsibilities and restrictions will cover the private rights-of-way,



driveways, landscape areas, trees, parking areas, pathways, walkways, open space, common areas, stormwater conveyance and retention facilities, buildings and other features of the development as appropriate under this Document, applicable City UDO provisions and other ordinances. Upon execution and recording of the declarations of conditions, covenants and restrictions, which must occur prior to the conveyance of any single-family residential lot to a third-party buyer, the foregoing responsibilities shall be assumed by the applicable POA. In addition to the standards set forth within the PD, the CCRs will establish additional requirements for landscaping, particularly foundation landscaping and layering, signage and materials for single family residences.

## **SECTION 10: CONSTRUCTION SCHEDULE**

Construction will begin following receipt of permits from the City and from other regulatory bodies. The nature of this Project, together with the current economic conditions, prevents the Developer from providing exact dates for commencement of future phases or exact completion dates. Although the timing of completion of any particular Phase of the PD District is subject to then current market demands, the Developer anticipates a period of approximately Eighteen (18) months from approval of the PD for design and permitting, and an additional period of Twelve (12) months from the issuance of permits for the installation of initial required infrastructure. Developer estimates that approximately One-Fifth of the Project would be complete within Five (5) years of approval of the PD District, with an additional One-Fifth of the Project being completed in each of the subsequent Five (5) year periods. Notwithstanding the fluid nature of development, and that various Phases of the PD District may be developed in non-numerical order, the number of building permits issued for single family residential units, including both attached and detached homes, and multifamily residential units shall not exceed Three Thousand Three Hundred Eighteen (3,318) total units, and the total commercial square footage of the PD District shall not exceed Two Million Fifty-One Thousand (2,051,000) square feet.

## **SECTION 11: OFF-SITE AND STREETScape IMPROVEMENTS**

Certain vehicular traffic improvements outside of the boundaries of the Project may be required, including right-of-way connections to existing public roadways, in accordance with the requirements of the regulations of the regulatory body having jurisdiction over the respective roadway, all as shown in the Exhibits to this PD Ordinance, prior to the date on which Six Hundred (600) total building permits have been issued for the Project, all of which will be installed in accordance with the terms of this document or the Development Agreement; however, additional



improvements shall be required as per the Transportation and Utilities Plan and the roadway typical section plans, which shall also be installed prior to the date on which Six Hundred (600) total building permits have been issued for the Project.

## **SECTION 12: AMENDMENTS AND ENFORCEMENT**

For purposes of this Ordinance, amendments to the PD District shall be determined as administrative, Minor or Major, by the Planning Director for the City.

Notwithstanding the classification of amendments to the PD District, revisions to the approved Master Site Plan made during the preparation of construction design documents to account for topography, soil quality, trees, grading, minor adjustments to roadway alignment, and changes to the location of lot lines, provided such revisions do not increase the maximum allowable density of the PD District, shall be deemed administrative revisions or amendments to the PD District.

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

Expansions and further amendments to this PD District shall not be permitted without review by the Planning Director and approval as prescribed by the City's UDO.



## **APPENDIX A**

PD District Documentation (*i.e.* PD Exhibits)

Submitted by Separate Supplement

## **APPENDIX B**

### **~~Project Aesthetics~~**

Submitted by Separate Supplement

It was staff's understanding that the "pattern book" was being removed from the PD



## **APPENDIX C**

Reports and Addendums  
(Traffic and Endangered Species)

Submitted by Separate Supplement

Remove Traffic Impact Study / Recommendations from a shared Appendix and make it its own Appendix.

*Previously Deferred*

Agenda Item IV.B.1.

# **Warden Station**

Land Development Agreement



**Date: September 7, 2023**

**Agenda Item: IV.B.1**

**ISSUE:**

***Previously Deferred:*** Request by G3 Engineering (applicants), to enter into a development agreement with the City of Conway for the Warden Station Planned Development, for property located on Hwy 701 South & Pitch Landing Rd, containing approximately 1,763.28 acres (+/-) (PIN's 381-00-00-0003, 381-08-04-0009, 381-08-04-0010, 380-00-00-0038, 381-08-01-0006, 403-00-00-0001, 403-00-00-0002, and 403-00-00-0022).

**BACKGROUND:**

The applicants are seeking to enter into a development agreement for development known as the Warden Station, also proposed to be annexed into the City as a Planned Development (PD).

**DEVELOPMENT AGREEMENTS.**

Per *Title 6, Chapter 31, § 6-31-10* of the SC Code (SC Local Government Development Agreement Act, 1993), authorizes binding agreements between local governments and developers for long-term development of large tracts of land. A development agreement gives a developer a vested right for the term of the agreement to proceed according to land use regulations in existence on the execution date of the agreement. Principal among the General Assembly's statement of findings for the Act was the desire to provide some measure of certainty as to applicable land development law for developers who made financial commitments for planned developments. The Act also expresses the intent to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities, encourage the use of resources and reduce the economic cost of development (*Comprehensive Planning Guide, 2018*).

The length of the development agreement varies, and depends on the size of the property to be included in the agreement. The minimum size for a property to be included in any development agreement is 25 acres of highland – which is determined by local ordinance (*i.e.* land above the 100-year flood plain).

Property with 1,000 to 2,000 acres of highland is limited to a term of 20 years.

***PUBLIC HEARINGS REQUIRED.*** Prior to adoption of a development agreement, the governing body must hold at least two (2) public hearings, which if authorized by the governing body, can be conducted by Planning Commission (per SC Code § 6-31-50(A)). Notice of the intent to consider a development agreement must be published in a newspaper of general circulation, which should include the property location, proposed uses, and a place where a copy of the agreement can be obtained. The date, time and place of the second hearing must be announced at the first hearing (SC Code § 6-31-50(B)).

Additional information regarding development agreements can be provided if needed.

**NEXT STEPS AND DATES (ESTIMATES):**

The second public hearing is currently scheduled (and was re-advertised for) for the September 18<sup>th</sup> City Council mtg. Public notice of that meeting was advertised in the Horry Independent on August 17<sup>th</sup>. Staff will also announce the meeting date at the Planning Commission meeting.

**RECOMMENDATION:**

Staff recommends that Planning Commission give a thorough review of the request and make an informed recommendation to City Council after said review.



# Conway plans to host downtown tailgate for CCU’s first game

BY KATHY ROPP  
KATHY.ROPP@MYHORRYNEWS.COM

Pasadena, California, is more than 2,220 miles away from Conway, but locals need not worry about the long distance because the Coastal Carolina University Chanticleers’ matchup with the UCLA Bruins may be coming in living color to downtown Conway. Conway Administrator Adam Emrick told Conway City Council recently that they are making plans to set up a large blow-up screen in either The Terrace or The Town Green where everyone is invited to bring a towel or a chair and watch the game at no charge. The Chanticleers will take on the Bruins Sept. 2 at 7:30 p.m. (PDT), but due to time differences the game won’t start in Conway until 10:30 p.m. Conway Police Chief Dale Long is in favor of the idea, saying that it just might start a tradition.

“It’s just interesting to see how it goes,” he said. He hopes to draw a large group of tailgaters downtown where they can view the game remotely. He’s imagining smelling hamburgers, steaks and ribs cooking. Long says this isn’t just any game. “This is a big Division 1 Bowl school...We’re playing the big boys” he said. Long also points to Army, another big game with a team that gave the Chants a tough game in 2022. Speaking of Bowl Games, the CCU-UCLA game will be played in the Rose Bowl Stadium. The Chants’ big name will, once again, belong to quarterback Grayson McCall, the only player in history to earn Sun Belt Conference Player of the Year three times. Bowl play is nothing new to McCall. He played in 2020 in the Cure Bowl, was the MVP of the Cure Bowl in 2021 and then played in the Birmingham Bowl in 2022.

## VICTORY: Teen’s family thankful for medical staff through recovery

FROM A1

roll down her cheeks and over the corner of her smile. “I mean that. These people are my family now. Everyone at this hospital has been, I just can’t explain it. Family. They are family.” Tasha Litton white-knuckled her hands together standing in front of the teen and about 20 family members gathered in the third-floor hallway by the surgical ICU. “This is the reason why we show up. We see a lot of really scary things, a lot of bad things,” she said. “This kid worked so hard. He gave us a run for our money, but he showed up. His family is probably one of the most supportive families I have ever seen.” Litton leaned close while others cried. “Do me a favor. Don’t ever come back here as a patient. We want to see you happy and healthy, bud. We didn’t know if he was going to make it. This kid has the tenacity of no other and determination of no other,” she said. “And nine lives,” fellow nurse Emma Blinn said. The reunion, called a victory lap by the hospital staff, serves a dual purpose – it allows the family to ask questions and see the path their loved one took during trauma as it inches the door closed on that part of their journey while simultaneously giving the staff a chance to heal after seeing patients who survived. Alison Burns, the trauma administrative director at the hospital, said the victory lap helps the staff as much as it helps the patients. The victory lap is offered several times a year at the hospital and includes bringing former patients and family through the emergency room doors, to one of the three trauma bays, to the radiology department, up to the third-floor surgical trauma unit and an operating room. “You see a lot of smiles. You’re not going to remember most of the people, but we remember you,” Burns said explaining it’s not uncommon for 200 hands to touch one patient the first day they are at the hospital. Calling McCollough a “miracle,” Blinn said she remembers July 30, 2022, as she and another nurse sat with his mother outside of the trauma unit knowing the teen had a 22% chance of survival because of the type and placement of the injury he had to his head. It began with denial, McCray said. She was folding clothes that Saturday around dusk when her daughter called saying that her son had been shot at a nearby apartment complex in Andrews. She rushed to the scene to find her older son reassuring her they had taken McCollough to Tideland’s Georgetown Memorial Hospital after he was able to see him. “I see my brother on the ground, so my first instinct is to reach down,” McCollough’s brother Quandre Green said describing feeling disassociated. “I’m in video game mode at this moment. He was responsive to me. And from that moment all kind of fear and doubt went out. I still had worries, but bro was responsive to me at that moment.” Green said McCollough wasn’t talking but he was reaching to pull his pants up the way Green had seen him do out of habit many times in their shared lives. Annie Bowers, an EMT with Georgetown County, agreed as she met the family again at the Grand Strand emergency bay on Friday.

“You are a very persistent young man. Even in the condition that you were in, you kept fighting us. You kept fighting and did not let up,” she told of McCollough trying to pull the bandages off his head. “You could tell he’s a fighter. That night, you could tell. And that’s a good thing.” By the time McCray got to the hospital in downtown Georgetown, some 18 miles from the apartments where he was shot, the staff had stabilized him and planned to transfer him to Myrtle Beach since it is a trauma unit. Once in Myrtle Beach, Green said the hospital was placed in standard procedure lock down as a gunshot victim is admitted. “You know what happens at a trauma center. Some make it. Some don’t,” Green said. But his mother was feeling reassured with McCollough in the operating room, so she sent her family home after 1 a.m. only to have a nurse she knew as Jill telling her to call the family back. When the family arrived back at the hospital nearly an hour later, McCray said Jill and the surgeon told her it was time to worry. McCollough had died on the table. They brought him back. McCray stayed with her son and the rest of the family took shifts staying with him for the

48 days he was hospitalized. “We never let him spend the night alone here. I knew if he woke up alone,” she said as her voice trailed off. “We made sure he wasn’t alone after that.” By February, she said, he was scheduled for another surgery to repair his skull. It happened again, she said of a brain bleed on the operating table and her son dying again. But he came back again. During the recovery, the nurses gathered around him on the third floor on Friday, laughed at learning lessons from McCollough. “We learned not to take our phones in the room with him. He took our phones. He was good at it,” Litton said. “I did that? I took y’all’s phones?” McCollough laughed. And they all laughed remembering seeing signs of humor as he refused to shake hands but insisted on a dap while appreciating stress balls, fidget cubes and Play-Doh globs to keep his hands busy. “He is sassy. It’s the sassy ones that do the best,” Litton said. “And stubborn. Stubborn is his middle name,” Blinn added. After McCollough was discharged from Grand Strand, McCray said, they spent a month at a rehabilitation hos-

pital in Charlotte, North Carolina. Home and healing, McCollough is taking steps towards the future. He’s back at Andrews High School taking 10th and 11th grade courses so he can catch up and graduate with his class with plans of learning how to be a diesel mechanic. “What do I do? I go to school. I play my games. I go to sleep a lot,” he said. And grow, McCray said. When he was brought to the hospital with a point-blank bullet wound, he was 5 feet, 6 inches tall and 132 pounds. Now he’s close to 200 pounds and north of 5 feet, 9 inches. “You know what that means?” McCollough asked. “When I get to the basketball court, it’s on.” McCollough and his family do not want to talk about the shooting other than McCray stating she does not believe it was an accident. Kaizon Wright was charged in connection to the shooting in Georgetown County. He faces four pending charges: assault/attempted murder, weapons/unlawful carrying of a pistol, possession of a weapon during a violent crime and contributing to the delinquency of a minor, public records state.

He looked earlier at becoming a free agent taking a chance to be drawn away from CCU, but he withdrew from the transfer portal in January, choosing instead to remain a Chanticleer for one more year. Prognosticators expect that he will be drafted into the pros after this season. In addition to just being fun, Long and Emrick say this game-watching experience could become a once-a-year adventure, bringing out citizens who will support downtown Conway by shopping in the city’s stores and eating in its restaurants.


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Notice of Public Hearing on Development Agreement

The Conway City Council will hold a public hearing at **4:00 p.m. on Monday, September 18, 2023**, in City Council Chambers, located at 229 Main Street, Conway, SC 29526, on a proposed land development agreement by G3 Engineers (applicant) for development of property located on / near Hwy 701 South and Pitch Landing Road, also known as the Warden Station, containing approximately 1,763 acres (+/-), (PIN’s 381-00-00-0038, 403-00-00-0001, 403-00-00-0002, 403-00-00-0022, 381-00-00-0003, 381-08-01-0006, 381-08-04-0009, and 381-08-04-0010), which will allow the subsequent annexation and rezoning of a Planned Development (PD), proposed to include single-family detached, single-family attached, and multi-family residential, as well as commercial development, on said properties.

The (draft) agreement is available for public inspection and copying in the offices of Planning & Development, and the Construction Services Dept., located at 196 Laurel Street, Conway, SC 29526.

THE PUBLIC IS INVITED TO ATTEND.

PO #10139



The Conway Planning Commission will hold a Public Hearing on **Thursday, September 7, 2023** at 5:30 p.m. in the Planning & Development conference room, 196 Laurel Street. The purpose of the hearing is to consider the following:


ANNEXATION/REZONING REQUESTS:  
A. Request to annex approximately 2.38 (total) acres of property located at, and the vacant parcel adjacent to, 588 Hwy 544 (PIN’s 382-04-04-0001 and 382-05-01-0001), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.  
B. Request to annex approximately 1.46 (total) acres of property located at 610 Hwy 544 and 624 Hwy 544 (PIN’s 382-05-01-0003 and 382-05-01-0004), and rezone from the Horry County Highway Commercial (HC) and Convenience & Auto Related Services (RE3) district to the City of Conway Highway Commercial (HC) district.  
C. Request to annex approximately 15 acres of property located at 154 Winyah Rd (PIN 383-00-00-0339), and rezone from the Horry County Limited Industrial (LI) district to the City of Conway Heavy Industrial (HI) district.

REZONING REQUESTS:  
A. Request to rezone approximately 4.2 acres of property located at 1520 Grainger Rd (PIN 368-01-02-0027) from the Low/Medium-Density Residential (R-1) district to a Planned Development (PD) district.

TEXT AMENDMENTS:  
A. Amendment to *Article 6 – Design Standards*, of the *City of Conway Unified Development Ordinance (UDO)*, regarding the height limit in the Waccamaw Riverfront Districts (WRD 1 & WRD 2).  
B. *Amendment to Article 4 – Use Tables, Article 6 – Design Standards, and Article 10 – Subdivision and Land Development*, of the *City of Conway Unified Development Ordinance (UDO)*, regarding the requirements for Conservation Subdivisions.

THE PUBLIC IS INVITED TO ATTEND  
*Parking and meeting room entry is located adjacent to the Peanut Warehouse, 150 Laurel St*

PO #10139



NOTICE OF ELECTION  
STATE OF SOUTH CAROLINA  
COUNTY OF HORRY  
CITY OF CONWAY

Notice is hereby given that a Nonpartisan Election will be held in the City of Conway, South Carolina, on Tuesday, November 7, 2023, to elect the Mayor and three City Council members. The filing opens on Friday, August 25, 2023, at Noon and closes on Friday, September 8, 2023, at Noon. Candidates must be qualified voters of the city and must have resided within the city for at least four months prior to the date of this election (as of July 7, 2023). Candidates may file in the office of the City Clerk at Conway City Hall, 229 Main Street. At the time of filing, candidates must submit proof of residency, a Statement of Candidacy, and pay the filing fee. The filing fee is \$425 for City Council and \$700 for Mayor. A Statement of Economic Interest must be filed online at the SC State Ethics Commission website (<http://ethics.sc.gov>).

QUALIFICATIONS FOR VOTING

Every person offering to vote must be duly registered on the Horry County books of registration as an elector at the precinct in which he offers to vote thirty (30) days prior to the election. **The last in-person day to register to vote in this Municipal Election is October 6, 2023.**

PRECINCT HOURS/LOCATIONS

Voting hours will be from 7:00 a.m. until 7:00 p.m. on Tuesday, November 7, at the following precinct locations:

Coastal Carolina - Christ the Servant Lutheran Church; East Conway - Conway Library; Four Mile - Bethany Bible Chapel; Homewood - Homewood Elementary School; Jamestown - South Conway Elementary School; Maple - Maple Baptist Church; North Conway #1 - Mary Thompson Building at Collins Park; North Conway #2 - Conway Elementary School; Racepath #1 - Conway Senior Center; Racepath #2 - Whittemore Park Middle School; Red Hill #1 - Christ the Servant Lutheran Church; West Conway - Horry County Government & Justice Center; Wild Wing - Christ the Servant Lutheran Church.

The early voting period for this election begins on October 23, 2023 and ends on November 3, 2023. You can vote early at the Elections Office located at 1515 4th Avenue, Conway between the hours of 8:30 a.m. – 5:00 p.m., Monday - Friday.

Registered electors who cannot vote in person may be eligible to vote by absentee ballot. Voters who would like more information about absentee voting should contact the Horry County Voters Registration Office located at 1515 4th Avenue, Conway.

The absentee ballots will be opened and examined in the Elections office, located at 1515 4th Avenue, at 9 a.m. on Tuesday, November 7, 2023.

At the close of the election, tallying of results will be held in City Council Conference Room, 229 Main Street, Conway. If a run-off election is necessary, said run-off election will be held on Tuesday, November 21, 2023.

CERTIFICATION OF ELECTION

The Municipal Election Commission will hold a hearing on Wednesday, November 8, 2023, at 10:00 a.m. for the purpose of determining the validity of all provisional ballots and certifying the election results. The certification will be held in the conference room at Conway City Hall, 229 Main Street, Conway.

PO #10139

## DEVELOPMENT AGREEMENT FOR WARDEN STATION

**WHEREAS**, the development of the Property and the program for its development presents an opportunity for the City to secure quality planning and growth, protection of the environment, and to strengthen the City's tax base; and



**WHEREAS**, the City, at the request of the Developer, has annexed the real property more particularly shown and depicted on **Exhibit “B”** attached hereto (the “**Property**”), and simultaneously approved under an amendment to the zoning ordinances of the City to create the Warden Station Planned Development (“**PD**”) under the ordinances of the City of Conway, together with this Agreement, on or about the \_\_\_\_ day of \_\_\_\_\_, 2023; and

**WHEREAS**, this Agreement is being made and entered into between Developer and the City, under the terms of the Act, for the purpose of providing assurances to Developer that it may proceed with its development plan under the terms hereof, consistent with its annexation and approved zoning (as hereinafter defined) without encountering future changes in law which would materially affect the Developer’s ability to develop the Property under its approved zoning, and for the purpose of providing important protection to the natural environment and long term financial stability and a viable tax base to the City;

**NOW THEREFORE**, in consideration of the terms and conditions set forth herein, and other good and valuable consideration, including the potential economic benefits to both the City and Developer by entering this Agreement, and to encourage well planned development by Developer, the receipt and sufficiency of such consideration being hereby acknowledged, the City and Developer hereby agree as follows:

1. **INCORPORATION**. The above recitals are hereby incorporated into this Agreement, together with the South Carolina General Assembly findings as set forth under Section 6-31-10(B) of the Act.

2. **DEFINITIONS**. As used herein, the following terms mean:

“**Act**” means the South Carolina Local Government Development Agreement Act, as codified in Sections 6-31-10 through 6-31-160 of the Code of Laws of South Carolina (1976), as amended; attached hereto as **Exhibit “A”**.

“**Code of Ordinances**” means the Code of Ordinances for the City, as amended and in effect as of the date hereof, as the same may be amended from time to time, a complete copy of which is on file in the City’s office.

“**Commercial Unit**” means a parcel, lot or building, or multiple units within the same building, within the Property, used for commercial purposes, as shown and depicted on the Master Site Plan, as the same may be amended.

“**Developer**” means BRD Land & Investment, LP, a South Carolina limited partnership, all of its permitted assignees, and all successors in title or lessees who undertake development of the Property as a Developer or who are transferred Development Rights and Obligations.

“**Developer Default**” for purposes of this Agreement, Developer Default shall mean that (i) Developer has breached the specific obligations of this Agreement, and, following prior written notice from the City, has failed to cure such breach within Thirty (30) days of the date of written notice from the City; or (ii) once commenced, Developer has failed to continue with Development Work, as defined in this Agreement, on the Property for a period of more than Six (6) months, and, following prior written notice from the City, has failed to cure such breach within Thirty (30) days

of the date of written notice from the City.

***“Developer Default Remedy”*** notwithstanding any other remedy that may be available to the City at law, or in equity, as a result of a Developer Default, Developer and the City agree that the City may elect to (i) withhold issuance of building permits until such Developer Default is cured; (ii) seek injunctive relief to stop any such continuing Developer Default, or (iii) any other remedy available at law or in equity.

***“Development Rights and Obligations”*** means the rights, obligations, benefits and approvals of the Developer(s) under the PD and this Agreement.

***“Development Work”*** means the periodic operation of development activities on the Property, which include, but are not limited to clearing, grading, erosion control, site work, and landscaping under the terms of a written contract with the Developer.

***“Effective Date”*** means the date on which the last of the parties has executed this Agreement.

***“Jurisdictional and Non-Jurisdictional Waters of the State of South Carolina and the United States”*** means those areas identified by the United States Army Corps of Engineers (“Corps”) and/or the South Carolina Department of Health and Environmental Control (“DHEC”) or any other applicable governmental authority as wetland areas subject to the regulation of the Corps and/or DHEC.

***“Land Development Regulations”*** means the Land Development Regulations for the City, as amended and in effect as of the date hereof, a complete copy of which is attached hereto as **Exhibit “D”**, or further amended from time to time pursuant to this Agreement.

***“Master Site Plan”*** means that certain master site plan prepared by Developer, which Master Site Plan depicts the portion of the Property, for purposes of showing the density, site arrangement, and responsibilities for off-site roadway improvements, and a copy of such Master Site Plan being attached to the PD, and also being attached hereto as **Exhibit “C”**.

***“Owners Association”*** means a legal entity formed by Developer pursuant to South Carolina statutes which is responsible for the enforcement of neighborhood restrictions and covenants, and for the maintenance and upkeep of any common areas and/or community infrastructure developed under this Agreement, but not accepted by the City for perpetual ownership and maintenance, to include but not be limited to: private drives and alleyways, common areas, neighborhood parks and recreational facilities, wetlands and storm water management systems not otherwise conveyed to the City or its designee.

***“PD”*** means the Warden Station Planned Development, under the Code of Ordinances for the City, as amended.

***“Project”*** means a master planned community to include single family detached lots, single family attached lots, single family attached condominiums, single family in common, multi-family and various commercial and recreational uses, in a single project envisioned by the Master Site Plan and approved by the City pursuant to this Agreement and the Code of Ordinances, as the same may be amended from time to time pursuant to this Agreement.



**“Property”** means those parcels of land more particularly shown and depicted on **Exhibit “B”** attached hereto.

**“Residential Unit”** means a single-family home, whether attached or detached, or a multi-family home, within the Property, as shown and depicted on the Master Site Plan, as the same may be amended.

**“Term”** means the duration of this Agreement as set forth in **Section 3** hereof.

3. **TERM.** The Developer represents and warrants that the Property consists of a total of not less than 1,000 acres and not more than 2,000 acres of “highland” within the meaning given that term by the Act. The term of this Agreement shall commence on the date on which this Agreement is executed by the City and the Developer and shall terminate on the date which is Twenty (20) years from the date of execution. Notwithstanding such termination date, provided that the Developer is not in default (after being provided with notice and opportunity to cure as set forth below) of this Agreement, Developer has diligently pursued development of the Property, and the Project has not been completed, at the conclusion of the initial Twenty-year term, the termination date of this Agreement shall automatically be extended for up to Three (3) additional Five (5) year term. At the conclusion of the initial Five (5) year extension of the Term, provided that the Developer is not in default (after being provided with notice and opportunity to cure as set forth below) of this Agreement, Developer has diligently pursued development of the Property, and the Project has not been completed, at the conclusion of the initial five-year extension of the Term, the termination date of this Agreement shall automatically be extended for up to Two (2) additional Five (5) year terms. Notwithstanding the terms and provisions in this Section or elsewhere in this Agreement to the contrary, if a court of competent jurisdiction hereafter determines that the length of the Term, or the provision for extension of the Term set forth above, exceeds the maximum term allowed under the Act and if all applicable judicial appeal periods have expired without such determination being overturned, then the Term of this Agreement relative to all or specific affected portions of the Property shall be reduced to the maximum permissible term under the Act, as determined by a court of competent jurisdiction.

4. **DEVELOPMENT OF THE PROPERTY.** The Property shall be developed in accordance with this Agreement, the PD, including the Code of Ordinances, and other applicable land development regulations required by the City, State, and/or Federal Government. The City shall, throughout the Term, maintain or cause to be maintained a procedure for the processing of reviews as contemplated by this Agreement and the Code of Ordinances. The City shall review applications for development approval based on the development standards adopted as a part of the Code of Ordinances, unless such standards are superseded by the terms of this Agreement, in which case the terms of this Agreement shall govern.

5. **CONVEYANCES OF PROPERTY AND ASSIGNMENT OF DEVELOPMENT RIGHTS AND OBLIGATIONS.** The City agrees with Developer, for itself and its successors and assigns, including successor Developer(s), as follows:

(A) **Conveyance of Property.** In accordance with the Act, the burdens of this Agreement shall be binding on, and the benefits of this Agreement shall inure to, all successors in interest and assigns of all parties hereto, except for Excluded Property, as such term is defined below.

For the purposes of this Agreement, “**Excluded Property**” means property that is conveyed by the Developer to a third party and is: (i) a single-family residential lot for which a certificate of occupancy has been issued; (ii) a parcel for which certificates of occupancy have been issued and on which no additional residential structures can be built under local ordinances governing land development; (iii) any other type of lot for which a certificate of occupancy has been issued and which cannot be further subdivided into one or more unimproved lots or parcels under local ordinances governing land development; or (iv) a single-family residential lot which has been subdivided and platted and is not capable of further subdivision without the granting of a variance. Excluded Property shall at all times be subject to the Code of Ordinances of the City, and those incorporated in this Agreement. The conveyance by a Developer of Excluded Property shall not excuse that Developer from its obligation to provide infrastructure improvements within such Excluded Property in accordance with this Agreement.

(B) **Assignment of Development Rights and Obligations.** The Developer, or any subsequent developer, shall be entitled to assign and delegate the Development Rights and Obligations to a subsequent purchaser of all or any portion of the Property with the consent of the City, provided that such consent shall not be unreasonably withheld or delayed. The City understands that any such assignment or transfer by the Developer of the Development Rights and Obligations shall be non-recourse as to the assigning Developer. Upon the assignment or transfer by Developer of the Development Rights and Obligations, then the assigning Developer shall not have any responsibility or liability under this Agreement. For purposes of this Section 5, the following activities on the part of Developer shall not be deemed “development of the Property”: (i) the filing of this Agreement, the Master Site Plan and the petitioning for or consenting to any amendment of this Agreement or the Code of Ordinances, including the PD; (ii) the subdivision and conveyance of any portions of the Property to the City as contemplated under this Agreement; (iii) the subdivision and conveyance of the portion of the Property designated as “**Open Space**” on the Master Site Plan to any person or entity so long as the same shall be restricted in use to “open space”; (iv) the subdivision and conveyance of portions of the Property, not to exceed in the aggregate one (1) acre, more or less, provided that such conveyances shall be deed-restricted to single-family residential use; (v) the conveyance of easements and portions of the Property for public utility purposes; (vi) the conveyance of portions of the Property to public entities in the case of any road realignments or grants of road rights of way; (vii) the marketing of the Property as contemplated under this Agreement; and (viii) any other activity which would not be deemed “development” under the Act.

6. **DEVELOPMENT SCHEDULE.** The Property shall be developed in accordance with the development schedule, attached as **Exhibit “E”** (the “***Development Schedule***”). Developer shall keep the City informed of its progress with respect to the Development Schedule as a part of the required Compliance Review process set forth in Section 13 below. Pursuant to the Act, the failure of the Developer to meet the development schedule shall not, in and of itself, constitute a material breach of this Agreement. In such event, the failure to meet the development schedule shall be judged by the totality of circumstances, including but not limited to any change in economic conditions, the occurrence of an act of God (including natural disasters), an act of war, an act of terrorism, civil disturbance, strikes, lockouts, fire, flood, hurricane, unavoidable casualties, a health crisis which results in a limitation on business activities in the City extending for a period of more than Thirty (30) days, or any other cause or causes beyond the reasonable control of the Developer (collectively “***Force Majeure***”), and the Developer’s good faith efforts made to attain compliance with the development schedule. As further provided in the Act, if the Developer requests a modification of the dates set forth in the development agreement and is able to demonstrate that there



is good cause to modify those dates, such modification shall not be unreasonably withheld or delayed by the City.

7. **EFFECT OF FUTURE LAWS.** Developer shall have vested rights to undertake development of any or all of the Property in accordance with the Code of Ordinances and the Land Development Regulations, as amended and in effect at the time of this Agreement, for the entirety of the Term. Future enactments of, or changes or amendments to the Code of Ordinances and the Land Development Regulations, which conflict with this Agreement shall apply to the Property only if permitted pursuant to the Act, and agreed to in writing by the Developer and the City. The parties specifically acknowledge that building moratoria or permit allocations enacted by the City during the Term of this Agreement or any adequate public facilities ordinance as may be adopted by the City shall not apply to the Property except as may be allowed by the Act or otherwise agreed to in writing by the Developer and the City.

The parties specifically acknowledge that this Agreement shall not prohibit the application of any present or future building, housing, electrical, plumbing, gas or other standard codes, of any tax or fee of general application throughout the City, provided such fees are applied consistently and in the same manner to all single-family properties within the City. Notwithstanding the above, the City may apply subsequently enacted laws to the Property only in accordance with the Act and this Agreement.

8. **INFRASTRUCTURE AND SERVICES.** The City and Developer recognize that the majority of the direct costs associated with the development of the Property will be borne by the Developer. Subject to the conditions set forth herein, the parties make specific note of and acknowledge the following:

Notwithstanding the provisions referenced above, nothing in this Agreement shall preclude the City and Developer from entering into a separate utility agreement for cost-sharing of water transmission systems or sewer transmission systems when such agreement may be of mutual benefit to both parties. Nothing herein shall be construed as precluding the City from providing potable water to its residents in accordance with applicable provisions of laws.

(A) **Public Roads.** All roads within the Project serving the Residential Units and Commercial Units shall be public roads, unless otherwise indicated on the Master Site Plan. All public roadways shall be constructed to City standards, will be approved by the City Planning Commission as part of the subdivision plat approval process, and will be dedicated to, conveyed, maintained and repaired by the City.

(B) **Storm Drainage System.** All stormwater runoff, drainage, retention and treatment improvements within the Property shall be designed in accordance with the Code of Ordinances. All stormwater runoff and drainage system structural improvements, including culverts and piped infrastructure, will be constructed by the Developer and dedicated to the City. Upon final inspection and acceptance by the City, the Developer shall provide a one-year warranty period for all drainage system structural improvements within the Project. Retention ponds, ditches and other stormwater retention and treatment areas will be constructed and maintained by the Developer and/or an Owners Association, as appropriate, and will not be accepted or maintained by the City.

(C) **Solid Waste and Recycling Collection.** The City shall provide solid waste and recycling collection services to the Property on the same basis as is provided to other residents

and businesses within the City. Payment for such services to the City by Developer, an Owners Association or each individual purchaser or owner of any portion of the Property is required in return for such service for each owner within the Property. The City reserves the right to contract with a third party, which may include another governmental entity, and the City reserves the right to terminate or discontinue such service(s) to any owner of any portion of the Property until such payment(s) have been made.

(D) **Police Protection.** The City shall provide police protection services to the Property on the same basis as is provided to other residents and businesses within the City.

(E) **Fire Services.** The City shall provide fire services to the Property on the same basis as is provided to other residents and businesses within the City, which services may be provided by way of a mutual services agreement with Horry County, if the City is unable to provide such services directly.

(F) **Emergency Medical Services.** The City shall provide emergency medical services to the Property, on the same basis as it provided to other residents and businesses within the City, which services may be provided by way of a mutual services agreement with Horry County, if the City is unable to provide such services directly.

(G) **School Services.** The City neither provides nor is authorized by law to provide public education facilities or services. Such facilities and services are now provided by the Horry County School District. The person or entity, whether it be homebuilder or another assignee of Developer, who actually initiates the building permit shall be responsible for paying all impact fees levied by the School District for each residential unit constructed prior to the issuance of a certificate of occupancy.

(H) **Private Utility Services.** Private utility services, including electric, natural gas, and telecommunication services (including telephone, cable television, and internet/broadband) shall be provided to the site by the appropriate private utility providers based upon designated service areas. All utilities on the Property shall be located underground, and shall be placed in locations approved by the City so as to reduce or eliminate potential conflicts within utility rights-of-way.

(I) **Streetlights.** Developer shall install or cause to be installed streetlights within the Project. To the extent that the City provides the same benefit to other similarly-situated neighborhoods within the City, the City shall contribute toward the monthly cost for each streetlight in an amount equal to the costs for the base street light fixture offered by the utility provider. The remaining monthly cost for each streetlight, including additional charges associated with an enhancement street light fixture, if any, shall be borne by the Developer and/or Owners Association.

(J) **No Donation of Acreage for Sewer Plant Expansion.** The City shall not require, mandate or demand that, or condition approval(s) upon a requirement that the Developer donate, use, dedicate or sell to the City or any other party for public purposes any portion of the Property or any other property owned by the Developer or any affiliate of the Developer for sewer plant expansion by the City, provided, however, that this provision shall not be deemed to preclude the City from requiring additional sewer pump station facilities, to subsequently be dedicated and conveyed to the City.



(K) **No Required Donations for Civic Purposes.** The City shall not require, mandate or demand that, or condition approval(s) upon a requirement that, the Developer donate, use, dedicate or sell to the City or any other party for public purposes any portions of the Property or any other property owned by the Developer (or any of the entities or parties comprising the Developer) or any affiliate of the Developer, except to the extent parks, recreational areas and athletic facilities for public use are shown on the Master Site Plan.

(L) **Easements.** Developer shall be responsible for obtaining, at Developer's cost, all easements, access rights, or other instruments that will enable the Developer to tie into current or future water and sewer infrastructure on adjacent properties.

(M) **Ponds and Lakes.** As an obligation, Developer shall install pond(s) or lake(s) as shown on the approved Master Site Plan for the Property. The City agrees to cooperate with the Developer in the permitting process for such pond(s) and lake(s), it being understood that the City will not accept maintenance responsibility or any other liability for such pond(s) and lake(s), and that such pond(s) and lake(s) shall either be maintained by the Developer or conveyed to an Owners Association for on-going maintenance following completion of the Project.

9. **IMPACT FEES.** The Property shall be subject to all development impact fees imposed by the City at the time of this Agreement, or following the date of this Agreement, provided such fees are applied consistently and in the same manner to all similarly-situated property within the City limits. All such impact fees shall not be due and payable until an application of any person or entity for a building permit for the vertical development of any subdivided lot or portion of the Property. In particular, the Developer agrees that it shall not seek any exemptions for any portions of the Property from any current development impact fees (so long as such development impact fees are applied consistently and in the same manner to all similarly-situated property within the City limits) for any reason.

10. **ADDITIONAL FEES, OBLIGATIONS AND PUBLIC BENEFITS.** The Developer, and its respective successors and assigns agree that the then current owner of the Property or any portion thereof, shall pay to the City, the enhancement fees, as set forth below (collectively the "***Enhancement Fees***"). Developer further agrees that the Enhancement Fees shall be subject to an annual increase, beginning on January 1, 2025, in an amount equal to the lesser of (i) the increase in the Consumer Price Index, published by the U.S. Bureau of Labor Statistics ("***CPI***") between the beginning and end of the most recent calendar year; or (ii) Two (2%) percent per annum, which increase is intended to ensure that the Enhancement Fees continue to reflect the City's on-going increases in the costs of services provided. Developer will provide the Enhancements Fees, together any additional public benefits, as follows:

(A) **Sanitation Services Enhancement Fee.** As a public benefit, for the Property, the Developer, or the then current owner, shall pay to the City, as to each Residential Unit and each Commercial Unit within the Property, a sanitation services enhancement fee (the "***Sanitation Services Enhancement Fee***") in an amount equal to \$\_\_\_\_\_ for each Residential Unit, and \$\_\_\_\_\_ for each Commercial Unit, to be paid at the time of issuance of the building permit for each such Residential Unit and Commercial Unit within the Property.

(B) **Public Safety Enhancement Fee.** As a public benefit, for the Property, the Developer, or the then current owner, shall also pay to the City, as to each Residential Unit and each

Commercial unit within the Property, a public safety enhancement fee (the “***Public Safety Enhancement Fee***”) in an amount equal to \$\_\_\_\_\_ for each Residential Unit, and \$\_\_\_\_\_ for each Commercial Unit, to be paid at the time of issuance of the building permit for each such Residential Unit and Commercial Unit within the Property.

(C) **Uses and Density**. As a public benefit, Development of the Property shall be determined in accordance with the Code of Ordinances, as the same may be amended from time to time pursuant to this Agreement, provided that the Property and the applicable approved Master Plan shall provide for not more than \_\_\_\_\_ total Residential Units, and nor more than \_\_\_\_\_ total Commercial Units, each at a maximum height not to exceed 60 feet.

(D) **Road Standards and Traffic Impact**. As an obligation, all public roads within the Project shall be constructed to City specifications. The exact location, alignment, and name of any public road within the Project, shall be subject to review and approval by the City Planning Commission as part of the subdivision platting process. The Developer shall be responsible for maintaining all public roads until such roads are offered to, and accepted by, the City for ownership and maintenance.

Notwithstanding any provision herein to the contrary, this Agreement does not obligate the City to expend any funds of the City or borrow any sums in connection with improvements to the roads subject to this Section 10.E.

(E) **Stormwater and Drainage**. As an obligation, Developer shall provide stormwater conveyance and retention facilities sufficient in capacity to accommodate the storm water generated from the Property, and provide the City with evidence of the necessary and required permanent and perpetual easements necessary to facilitate such drainage from the Property.

(F) **Jurisdictional and Non-Jurisdictional Waters**. As an obligation, Jurisdictional and Non-Jurisdictional Waters of the State of South Carolina and the United States within the Project which are not mitigated, filled or otherwise modified, shall be surrounded by an undisturbed water quality buffer of not less than Twenty Five (25) feet in width. Developer will convey all Jurisdictional and Non-Jurisdictional Waters of the State of South Carolina and the United States located within the Project to the Owner’s Association for maintenance and operation not later than the date on which the Project is complete.

(G) **Recording**. Pursuant to Title 6, Chapter 31, Section 120 of the Code of Laws for the State of South Carolina, this Agreement shall be recorded in the public records of Horry County, South Carolina, on or before the date which is Fourteen (14) days following the date on which the City enters into this Agreement.

11. **PROTECTION OF ENVIRONMENT AND QUALITY OF LIFE**. The City and Developer recognize that development can have negative as well as positive impacts. Specifically, the City considers the protection of the natural environment and nearby waters, and the preservation of the character and unique identity of the City, to be important goals. Developer shares this commitment and therefore agrees to abide by all provisions of federal, state and local laws and regulations for the handling of storm water.

12. **COMPLIANCE REVIEWS**. Developer, or its assigns, shall meet with the City,



or its designee, at least once per year during the Term to review development completed in the prior year and the development anticipated to be commenced or completed in the ensuing year as compared to the Development Schedule. The City shall provide written notice to the Developer of the date for such compliance review not less than Five (5) business days in advance, provided such notice shall not be applicable to standard reviews and inspections otherwise performed by the City as to the improvement of the Property. The Developer must demonstrate good faith compliance with the terms of this Agreement. The Developer, or its designee, shall be required to provide such information as may reasonably be requested by the City. The Development Schedule attached to this Agreement is only a projection, and Developer's obligation at each respective Compliance Review shall be to reconcile the projected Development Schedule attached to this Agreement with the actual schedule of development for the Project at each respective Compliance Review. Failure to meet the Development Schedule attached to this Agreement shall not constitute a default hereunder.

13. **DEFAULTS.** Notwithstanding the provisions of Section 6 above, Developer shall continuously and diligently proceed with Development Work on the Property. Developer's failure to proceed with Development Work on the Property for a period of more than Six (6) months, other than as a result of Force Majeure, as defined in Section 6 above, shall constitute a default hereunder on the part of Developer. In the event of a default, the City shall provide written notice to Developer of such default, and Developer shall have a period of Thirty (30) days in which to cure a default by commencement of Development Work with regards to the next portion of the Property to be developed in accordance with phasing plan of the Project. The failure of the Developer to comply with the terms of this Agreement shall constitute a default, entitling the City to pursue such remedies as deemed appropriate, including withholding the issuance of building permits in accordance with the provisions of this Agreement, specific performance and the termination or modification of this Agreement in accordance with the Act; provided however no termination of this Agreement may be declared by the City absent its according the Developer the notice and opportunity to cure in accordance with the Act.

14. **MODIFICATION OF AGREEMENT.** This Agreement may be modified or amended only by the written agreement of the City and the Developer. No statement, action or agreement hereafter made shall be effective to change, amend, waive, modify, discharge, terminate or effect an abandonment of this Agreement in whole or in part unless such statement, action or agreement is in writing and signed by the party against whom such change, amendment, waiver, modification, discharge, termination or abandonment is sought to be enforced except as otherwise provided in the Act.

15. **RESTRICTIVE COVENANTS.** The obligations and public benefits agreed to and accepted by Developer set forth in this Agreement (collectively the "***Restrictive Covenants***") shall survive and continue in full force and effect without regard to the termination of this Agreement for a period ending on the earlier of (i) Fifty (50) years after the Term of this Agreement; or (ii) such time as the parties hereto, or their respective successors and assigns, have recorded a fully executed and effective termination of the Restrictive Covenants in the Office of the Register of Deeds for Horry County. Developer further covenants and agrees that, to the extent the Property is encumbered by covenants, conditions and restrictions (the "***CCRs***"), whether administered by an Owners Association or not, such CCRs shall include the Restrictive Covenants, the effect of which shall be to extend the term of the Restrictive Covenants, the same thereafter running with the Property as continuing obligations, public benefits and restrictions.

16. **NOTICES.** Any notice, demand, request, consent, approval or communication which a signatory party is required to or may give to another signatory party hereunder shall be in writing and shall be delivered or addressed to the other at the address below set forth or to such other address as such party may from time to time direct by written notice given in the manner herein prescribed, and such notice or communication shall be deemed to have been given or made when communicated by personal delivery or by independent courier service or by facsimile or if by mail on the fifth (5th) business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as hereinafter provided. All notices, demands, requests, consents, approvals or communications to the City shall be addressed to the City at:

City of Conway

\_\_\_\_\_

Attention: City Manager

With a copy to:

\_\_\_\_\_

\_\_\_\_\_

And to the Developer at:

BRD Land & Investments, LP

\_\_\_\_\_

Attention: \_\_\_\_\_

With a copy to:

Robert S. Guyton, Esq.

Robert S. Guyton, P.C.

4605 B Oleander Drive, Suite 202

Myrtle Beach, SC 29577

17. **GENERAL.**

(A) **Subsequent Laws.** In the event state or federal laws or regulations are enacted after the execution of this Agreement or decisions are issued by a court of competent jurisdiction which prevent or preclude compliance with the Act or one or more provisions of this Agreement ("***New Laws***"), the provisions of this Agreement shall be modified or suspended as may be necessary to comply with such New Laws. Immediately after enactment of any such New Law, or court decision, a party designated by Developer and the City shall meet and confer in good faith in order to agree upon such modification or suspension based on the effect such New Law would have on the purposes and intent of this Agreement. During the time that these parties are conferring on such modification or suspension or challenging the New Laws, the City may take reasonable action to comply with such New Laws. Should these parties be unable to agree to a modification or suspension, either may petition a court of competent jurisdiction for an appropriate modification or suspension of this Agreement.

(B) **Estoppel Certificate.** The City or any Developer may, at any time, and from time to time, deliver written notice to the other applicable party requesting such party to certify in



writing, within Thirty (30) days of such written notice, that this Agreement is in full force and effect, that this Agreement has not been amended or modified, or if so amended, identifying the amendments, whether, to the knowledge of such party, the requesting party is in default or claimed default in the performance of its obligations under this Agreement, and, if so, describing the nature and amount, if any, of any such default or claimed default, and whether, to the knowledge of such party, any event has occurred or failed to occur which, with the passage of time or the giving of notice, or both, would constitute a default and, if so, specifying each such event.

(C) **Entire Agreement.** This Agreement sets forth, and incorporates by reference all of the agreements, conditions and understandings between the City and the Developer relative to the Property and its development and there are no promises, agreements, conditions or understandings, oral or written, expressed or implied, among these parties relative to the matters addressed herein other than as set forth or as referred to herein.

(D) **No Partnership or Joint Venture.** Nothing in this Agreement shall be deemed to create a partnership or joint venture between the City or any Developer or to render such party liable in any manner for the debts or obligations of another party.

(E) **Exhibits.** All exhibits attached hereto and/or referred to in this Agreement are incorporated herein as though set forth in full.

(F) **Construction.** The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits hereto.

(G) **Transfer of Title.** Transfers of title to the Property, in whole or in part, may be made, at any time and to any person or entity, without the consent of the City.

(H) **Binding Effect.** The parties hereto agree that this Agreement shall be binding upon their respective successors and/or assigns.

(I) **Governing Law.** This Agreement shall be governed by the laws of the State of South Carolina, and the parties further agree that venue shall be proper, without regards to any conflict of law principals, in a court of competent jurisdiction in Horry County, or such other jurisdiction in South Carolina as is appropriate and necessary under the circumstances.

(J) **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute but one and the same instrument.

(K) **Eminent Domain.** Nothing contained in this Agreement shall limit, impair or restrict the City's right and power of eminent domain under the laws of the State of South Carolina.

(L) **No Third-Party Beneficiaries.** The provisions of this Agreement may be enforced only by the City and the Developer. No other persons shall have any rights hereunder, unless specified in this Agreement.

(M) **Release of Developer.** Subject to Section 5.B, in the event of conveyance of all or a portion of the Property, the Developer shall be released from any obligations and liabilities with respect to this Agreement as to the portion of Property so transferred, and the transferee shall be substituted as the Developer under the Agreement as to the portion of the Property so transferred; provided, however, the transferee(s) of the one acre contemplated for subdivision and conveyance under Section 5.B shall not be deemed to succeed to any Development Rights and Obligation of Developer under this Agreement.

18. **DESCRIPTION OF LOCAL DEVELOPMENT PERMITS NEEDED.** The development of the Property shall be pursuant to this Agreement, the Land Development Regulations, and Code of Ordinances, as amended; provided, however, in the event of any conflict between this Agreement and the Land Development Regulations, and/or the Code of Ordinances, the provisions of this Agreement shall control. Necessary permits include, but may not be limited to, the following: building permits, zoning compliance permits, sign permits (permanent and temporary), temporary use permits, accessory use permits, driveway/encroachment/curb cut permits, clearing/grading permits, and land disturbance permits. Notwithstanding the foregoing, the City acknowledges that City Planning and Zoning Director or the City Planning Commission approval of plats will be given if any such plats are materially consistent with the Master Site Plan of the Project, subject to any Master Site Plan Revisions. It is specifically understood that the failure of this Agreement to address a particular permit, condition, term or restriction does not relieve the Developer of the necessity of complying with the law governing the permitting requirements, conditions, terms or restrictions. It is expressly understood and acknowledged by all parties to this Agreement that any portions of the Property donated or sold by any Developer to the City shall not be subject to any private declaration of restrictions or property owners association(s) created by any Developer for any subsequent subdivision of the Property.

19. **STATEMENT OF REQUIRED PROVISIONS.** In compliance with Section 6-31-60(A) of the Act, the Developer represents that this Agreement includes all of the specific mandatory provisions required by the Act, addressed elsewhere in this Agreement.

[Signature Pages Follow]



**IN WITNESS WHEREOF**, the parties have entered into this Agreement as of the day and year first above written.

DEVELOPER:

WITNESSES:

**BRD LAND & INVESTMENT, LP**, a South Carolina limited partnership

\_\_\_\_\_  
Witness #1

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title : \_\_\_\_\_

\_\_\_\_\_  
Witness #2

STATE OF \_\_\_\_\_ )

)

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023, by \_\_\_\_\_, as \_\_\_\_\_ of BRD LAND & INVESTMENT, LP, a South Carolina limited partnership. He or she personally appeared before me and is personally known to me.

\_\_\_\_\_  
Notary Public

Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**IN WITNESS WHEREOF**, the parties have entered into this Agreement as of the day and year first above written.

CITY:

WITNESSES:

**CITY OF CONWAY**

\_\_\_\_\_  
Witness #1

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
Witness #2

STATE OF SOUTH CAROLINA    )

)

COUNTY OF HORRY                )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023 by \_\_\_\_\_, the of the CITY OF CONWAY. He or she personally appeared before me and is personally known to me.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



**EXHIBIT “A”**

South Carolina Local Government Development Agreement  
Act as Codified in Sections 6-31-10 through 6-31-160  
of the Code of Laws of South Carolina (1976), as amended

[TO BE ATTACHED]

**EXHIBIT “B”**

Survey of Property

[TO BE ATTACHED]



**EXHIBIT “C”**

Master Site Plan

[TO BE ATTACHED]

**EXHIBIT “D”**

Land Development Regulations

[TO BE ATTACHED]



## **EXHIBIT “E”**

### **Development Schedule**

Construction will begin following receipt of permits from the City of Conway and from other regulatory bodies. The nature of this Project, together with the current economic conditions, prevents the Developer from providing exact dates for commencement of future phases or exact completion dates. Although the timing of completion of any particular Phase of the Project is subject to then current market demands, the Developer anticipates starting the installation of the infrastructure within a period of approximately Twenty-four (24) months from approval of this Agreement to allow for design, permitting and mobilization. The Project would be complete within Twenty-Five (25) years of approval of this Agreement.

# **PUBLIC HEARINGS**



Agenda Item V.A.1

154 Winyah Rd

(annexation & rezoning)

***Deferred to Oct. 5<sup>th</sup> PC mtg.***

Sincerely,

Jessica Hucks, AICP  
City of Conway Planning & Development

---

**From:** Ryan Brooks <[rybrooks@constructionpartners.net](mailto:rybrooks@constructionpartners.net)>  
**Sent:** Wednesday, August 30, 2023 11:49 AM  
**To:** Anne Bessant <[abessant@cityofconway.com](mailto:abessant@cityofconway.com)>  
**Cc:** Jessica Hucks <[jhucks@cityofconway.com](mailto:jhucks@cityofconway.com)>  
**Subject:** RE: King Asphalt, Inc. - 154 Winyah Road

Jessica and Anne,

Thank you both again for your time yesterday to discuss King Asphalt, Inc.'s annexation application for the hot-mix asphalt plant site located at 154 Winyah Road in Conway.

As I mentioned to each of you, please find attached a letter from King in opposition to its application. I understand that this is our best route for opposing annexation (as there is no mechanism for withdrawing the application at this time), but if we can provide additional information for this purpose, please let me know. A hard copy of this letter is being mailed as well.

As a final point of note, I understand that the hearing before the Planning Commission has been moved to October 5, and that there is no specific need for King to be there in person if we are opposing our own application. If I misunderstood or if there are other factors we may need to consider with respect to having someone attend in person, we would appreciate any clarification.

Again, thank you for your assistance.

Regards,

**Ryan Brooks**  
Senior Vice President, Legal  
Construction Partners, Inc.  
200 Grove Park Lane, Suite 630, Dothan, AL 36305  
O 334-305-1278 | F 334.305.0296



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**From:** Anne Bessant <[abessant@cityofconway.com](mailto:abessant@cityofconway.com)>  
**Sent:** Tuesday, August 29, 2023 8:11 AM  
**To:** Womble, Robert <[Robert.Womble@klgates.com](mailto:Robert.Womble@klgates.com)>  
**Cc:** Jessica Hucks <[jhucks@cityofconway.com](mailto:jhucks@cityofconway.com)>; Ryan Brooks <[rybrooks@constructionpartners.net](mailto:rybrooks@constructionpartners.net)>;





King Asphalt, Inc.  
107 Tech Lane  
P.O. Box 179  
Liberty, SC 29657  
(864)855-0338  
[www.kingasphaltinc.com](http://www.kingasphaltinc.com)

August 29, 2023

City of Conway Planning & Development Department  
Attention: Planning Director  
P.O. Drawer 1705  
Conway, South Carolina 29528

**RE: Opposition to Annexation Application  
154 Winyah Road, Conway, SC 29526 (PIN 383-00-00-0339)**

To Whom It May Concern:

King Asphalt, Inc. (“King,” “we” or “us”) is a leading provider of asphalt and infrastructure services in the State of South Carolina. Since 1973, we have served our local communities with pride, building a reputation for dependability and safety. We have grown throughout the state and entered the greater Myrtle Beach – Conway metro area just over a year ago, and we have been honored to serve the local community by providing quality construction services during that time.

On August 1, 2023, we acquired a hot-mix asphalt plant site located at 154 Winyah Road, Conway, South Carolina 29526 (PIN 383-00-00-0339) (the “Property”) to enhance our ability to provide paving services to the Conway community. The Property receives water and sewer services from the City of Conway (the “City”). As required by Section 4-1-11(e) of the City’s Code of Ordinances, immediately following the acquisition, we filed an application for annexation with the City and recorded a restrictive covenant with the Horry County Registrar of Deeds (located at Book 4704, Page 2621), in each case, based on our understanding that these were required steps to continue receiving utility services from the City.

While we greatly value our relationship with the City, our sole purpose for filing the annexation application and recording the restrictive covenant was the uninterrupted provision of utility services to the Property following the transfer of ownership. We have no other basis for requesting annexation and note that the Property is adjoined to the east, west and south by other unannexed properties as well. Moreover, the use of the Property as the site of a hot-mix asphalt plant is already subject to extensive regulation by Horry County and, given our intention to

continue the use of the Property in a similar manner, we see no benefit to the City or to King to approving our application and proceeding with the annexation.

In light of the foregoing, we respectfully request that the City deny our application to annex the Property into the City. Thank you for your consideration, and please feel free to reach out to me with any questions or requests for additional information.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael K. Crenshaw". The signature is fluid and cursive, with the first name "Michael" and last name "Crenshaw" clearly legible, and "K." in the middle.

Michael K. Crenshaw  
President  
King Asphalt, Inc.



**DATE: SEPTEMBER 7, 2023**

**AGENDA ITEM: V.A.1.**

**ISSUE:**

**Deferred** .... Request to annex approximately 15 acres of property located at 154 Winyah Road, and rezone from the Horry County Limited Industrial (LI) district to the City of Conway Heavy Industrial (HI) district (PIN 383-00-00-0339).

**BACKGROUND:**

On August 1, the applicant, Michael Crenshaw, President, of King Asphalt, Inc., submitted an annexation and rezoning application for the subject property, located at 154 Winyah Road. The property is currently in Horry County's jurisdiction, zoned Horry County Limited Industrial (LI). The use of the property is an existing asphalt plant. The property was transferred to the applicant on August 1<sup>st</sup>, which would have triggered annexation when the utility accounts were requested to be changed to the current owner, King Asphalt, Inc. Restrictive covenants for the property were recorded and received on August 1<sup>st</sup> as well.

*Per Section 3.2.10 of the UDO, the intent of the Heavy Industrial (HI) zoning district is to accommodate areas for heavy manufacturing, distribution, and processing.*

*Surrounding Uses / Zoning Districts:*

The property is within a primarily industrial area, with Horry County Limited Industrial (LI) zoning across the road (Yaeger Ave) (Capital Materials Coastal – building materials store) and directly behind the subject property is also Horry County LI (Blue Max Trucking). At the end of Yaeger Ave is a (approx.) 15-acre tract, zoned City of Conway Heavy Industrial (HI), and is the site of “Vulcan Materials Company.” Across Winyah Rd is property zoned PD, which is the industrial portion of the Wild Wing Planned Development.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* also identifies the subject property as Highway Commercial (HC). Per *Section 3.2.10* of the UDO, the intent of the Highway Commercial (HC) district is to *provide compatible locations to serve the automobile-oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City.*

**STAFF RECOMMENDATION:**

This item has been **deferred to the October 5<sup>th</sup> Planning Commission meeting**. However, staff has received an unprecedented amount of opposition this annexation and rezoning request and wanted to provide Planning Commission with the information that has been provided to staff, to date, on this request. In addition, the applicant does not wish to annex the property into the City limits.

**ATTACHMENTS:**


Application; GIS Maps; Google Street Views; public opposition received; County Zoning Ordinance Sections pertaining to Asphalt/Concrete Batch Plants.

## SECTION 204.13 - INDUSTRIAL USE CHART

## Zoning Districts



## Land Uses

 <u>Land Uses</u>																	Conditional Uses	Special Exception Uses
	CFA*	AG2	AG3	RCS* / TRS*	HC*	RE3	RE4	PR2	BO1	PA 1	LI*	MA1	MA 2	MA 3	MI	HI*		
Light Manufacturing											P	P	P		P	P		
Heavy Manufacturing														P		P		
Animal Rendering													P	P	P	P		
Agricultural product processing for crops or animals not grown on-site											P	P	P			P		
Batch plant, asphalt/concrete, aggregate processing														C		C	903	
C&D Transfer Station													P	P		P		
Landfill														P		P		
Linen Supply & Industrial Launderer											P	P	P		P	P		
Medium Manufacturing													P	P	P	P		
Manufacturing of precision instruments					P						P	P	P		P	P		
Mixed Industrial Use											P		P		P	P		
Petroleum & petroleum products (wholesale distribution)										P	P	P	P		P	P		
Boat Construction									P						P			
Recycling Facilities											C	C	P	P	P	P	934	
Salvage yard					C								C	C	C	C	907	
Scrap Metal Processor													P	P	P	P		
Scientific research & testing facility								P			P	P	P		P	P		
Trade Shops (Includes Contractor's Office)	C	C	C	C	C	C	C				C	C	C		C	C	935	
Warehouse	P	P	P	P	P	P	P				P	P	P		P	P		
Wholesale & Distribution		C					P			P	P	P	P		P	P	940	
* = Retired Zoning District      P = Permitted Use      C = Conditional Use      SE = Special Exception																		





operating in a particular lawful location when the subsequent disqualifying use or zoning district arrived, and only for so long as that particular adult entertainment establishment continues to lawfully operate in that location.

## SECTION 902 - ANIMAL FACILITIES

### A. SMALL ANIMAL PRODUCTION FACILITIES

1. The following regulatory information shall be provided for facilities where between ten thousand one (10,001) and two hundred fifty thousand (250,000) pounds of normal production animal live weight will be located on site at any one (1) time:
  - a) A copy of the SCDHEC permit to construct the proposed facility; and
  - b) A copy of the SCDHEC approved Animal Facility Management Plan (AFMP) for the facility; and
  - c) A copy of any waivers approved by SCDHEC related to modifications in the required setbacks or other requirements as established in the SCDHEC regulations for such facilities; and
  - d) Other applicable regulatory permits necessary for the operation of such facilities.
2. The following regulatory information shall be provided for facilities where between two hundred fifty thousand one (250,001) and five hundred thousand (500,000) pounds of normal production animal live weight will be located on site at any one (1) time:
  - a) Items a.—d. above; and
  - b) A copy of the Dead Animal (swine or other) Disposal Plan; and
  - c) Plans and specification for all other manure treatment or storage structures, such as holding tanks or manure storage sheds not included in the AFMP; and
  - d) A copy of the Emergency Plan for the facility.

### B. THE RAISING, CARE AND HANDLING OF ANIMALS AND LIVESTOCK.

The raising, care and handling of animals, where allowed by district, must meet the minimum lot size requirements listed in § 205.

### C. ANIMAL BOARDING FACILITIES

#### 7. AG3, HC, NC, CC, RCS, TRS, RE1, RE2, OPI, PR1, & RC ZONING DISTRICTS

No outside boarding of animals.

## SECTION 903 - ASPHALT, CONCRETE AND AGGREGATE PROCESSING FACILITIES.

Facilities engaged in the processing of aggregates used in the production, demolition or recycling of asphalt and/or concrete products shall be subject to the following conditions.



#### A. HOURS OF OPERATION

Hours of operation shall be governed by the Horry County Noise Ordinance.

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#### B. SEPARATION FROM RESIDENTIAL.

1. All proposed batch production facilities shall be located a minimum of five hundred (500) feet from any residentially used or zoned lot, whether said lot is located within the unincorporated county or a municipal jurisdiction. The distance shall be measured from the parcel line of the proposed site to the residential zoning line or residentially used lot line. The separation distance shall be reduced to three hundred (300) feet if the facility is separated from the residential by an active railroad right-of-way or highway with at least two hundred fifty (250) feet of right-of-way.
  2. All proposed outdoor aggregate processing (i.e., crushing, sorting and recycling) facilities are required to be separated by one thousand (1,000) feet from any residentially used or zoned lot, whether said lot is located within the unincorporated county or a municipal jurisdiction. The distance shall be measured from the parcel line of the proposed site to the residential zoning line or residentially used lot line. The separation distance shall be reduced to five hundred (500) feet if the facility is separated from the residential by an active railroad right-of-way or highway with at least two hundred fifty (250) feet of right-of-way.
- 

#### C. MINIMUM LOT AREA

2.5 acres.

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#### D. MINIMUM SETBACKS

Mixing, batching, crushing and processing equipment shall be a minimum of fifty (50) feet from all property lines. Setbacks may be greater if required by the zoning district in which the facility is being constructed. Setbacks for all other buildings or uses on the property are required to meet the minimums for that zoning district.

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#### E. ENCLOSURE REQUIREMENTS

All asphalt and concrete batch plants under this section shall be located in fully enclosed structures. Aggregate processing (i.e., crushing, sorting and recycling) facilities are not required to be fully enclosed as long as they meet all other requirements of this ordinance.

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#### F. VEHICLE AREAS

All internal vehicle use areas shall be maintained in a dust free condition. All aggregate processing facilities must submit a dust control plan prior to receiving approval.

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#### G. LANDSCAPING/BUFFERING.

##### 1. Roadway Screening.

The site shall be screened from adjacent roadways to a minimum height of ten (10) feet. This can be accomplished from any combination of walls, berms and/or vegetation whether planted or existing. If screening is composed solely of vegetation the buffer width from the roadway must be a minimum

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of twenty-five (25) feet and no less than eighty (80) percent opacity in the winter season. Buffers shall contain landscape materials equal to twice that of the standard supplemental planting requirements of Article V. If the screen contains walls and/or berms a minimum of ten (10) feet in height or the roadway only services adjacent industrial uses then the site only has to meet the landscaping requirements of Article V.

2. Side and rear property lines. All side and rear property lines must be screened according to the requirements of Article V, unless subject to (c) below.
3. Enhanced buffers. Asphalt and concrete batch facilities within one thousand (1,000) feet of a residentially used or zoned property shall be screened through enhanced buffers. The enhanced buffer shall be around the entire work area with openings provided for approved entrances. The site should be designed so that structures and or walls are designed to provide interior site screening in front of the openings provided for access. The enhanced buffer shall consist of one of the following options:
  - a) Buffer one hundred (100) feet in width with twice the landscaping material as required by the supplemental planting in buffer areas. Existing vegetation may be supplemented using a combination of evergreen trees and shrubs to reach eighty (80) percent winter season opacity within three (3) years; or
  - b) A ten-foot wall, berm or combination in addition to the landscape buffer requirements of Article V..

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#### H. TRUCK ROUTES.

1. All such facilities shall submit to the County for approval a map showing a pre-designated route for all transport trucks traveling north, east, south, and west between the facility and the nearest arterial/collector street. The intent of this section is to control the route between the nearest arterial/collector street and the facility, taking into consideration that the routes may be different depending on the travel direction.
2. The route maps shall restrict to the greatest extent possible the routing of transport trucks so as to minimize routes that traverse residential neighborhoods, that unreasonably and adversely impact residential dwelling units, or that damage or degrade public streets from repetitive heavy weights or the spillage of materials from transport trucks. No facility operations shall commence until the county has approved the truck route map as conforming to the requirements of this section. Once the route map is approved by the county, all transport trucks shall travel the approved routes as shown on the route map unless a temporary diversion is necessary to avoid emergency or hazardous conditions along the approved route. The owner or operator shall promptly contact the county in the event of any circumstance necessitating a diversion from the route map.

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#### I. MAINTENANCE OF PUBLIC STREETS.

1. Facilities shall employ measures to limit the tracking, carrying, or depositing of aggregates, fillers, dirt, dust, mud, sludge, or other materials associated with the facility upon any public street or thoroughfare.



2. All transport trucks and equipment leaving a facility shall be completely rinsed of asphalt, concrete, aggregates, fillers, dirt, dust, mud, sludge, or other facility materials prior to leaving the site.
3. All facilities shall provide paved aprons from any paved public or private right-of-ways onto the site for a distance of at least one hundred (100) feet.
4. If, on paved public roadways, there are visible tracks or deposits of aggregates, fillers, dirt, dust, mud, sludge, or an other material associate with the operation of a concrete or asphalt facility along the travel path of vehicles exiting the facility site, all such paved public road(s) shall be swept by the owner or operator at least once each day of operation or more often as reasonably required by the county to remedy and remove the tracking and deposit. All sweeping shall be done by a commercial grade mechanical, vacuum or regenerative air sweeper that uses water for controlling dust. The owner or operator shall keep a daily written log of sweeping activities. The log shall be kept for one month.
5. If accessing off an unpaved road the facility operator will be required to maintain said road to Horry County standards. This will involve, at a minimum, the provision of a water truck and motor grader for all plant locations.

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#### J. STORMWATER.

1. All sites regardless of size will be required to obtain a Horry County stormwater permit.
2. All liquid residues resulting from the cleaning of transport trucks and equipment shall be directed to impervious process holding basins approved by the county.
  - a) Basins shall be designed to hydraulically separate from the stormwater detention/water quality control facilities.
  - b) All liquids from such basins shall be either recycled through the facility or discharged to the sanitary sewer system.
  - c) All residual material from the basins shall be collected and disposed of or recycled, in accordance with applicable laws and regulations.
  - d) After issuance of approval by the county, records evidencing proper disposition of residue materials must be maintained on site.
  - e) The stormwater detention pond and liquid and the holding basins may be combined into a single facility where it can be demonstrated that the facility will meet the discharge and water quality requirements.

### SECTION 904 - ATM AND ICE VENDING MACHINES.

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



#### A. ATM AND ICE VENDING MACHINES SHALL BE PERMITTED ON INDIVIDUAL COMMERCIAL LOTS WITHOUT A PRINCIPAL STRUCTURE; PROVIDED THAT:

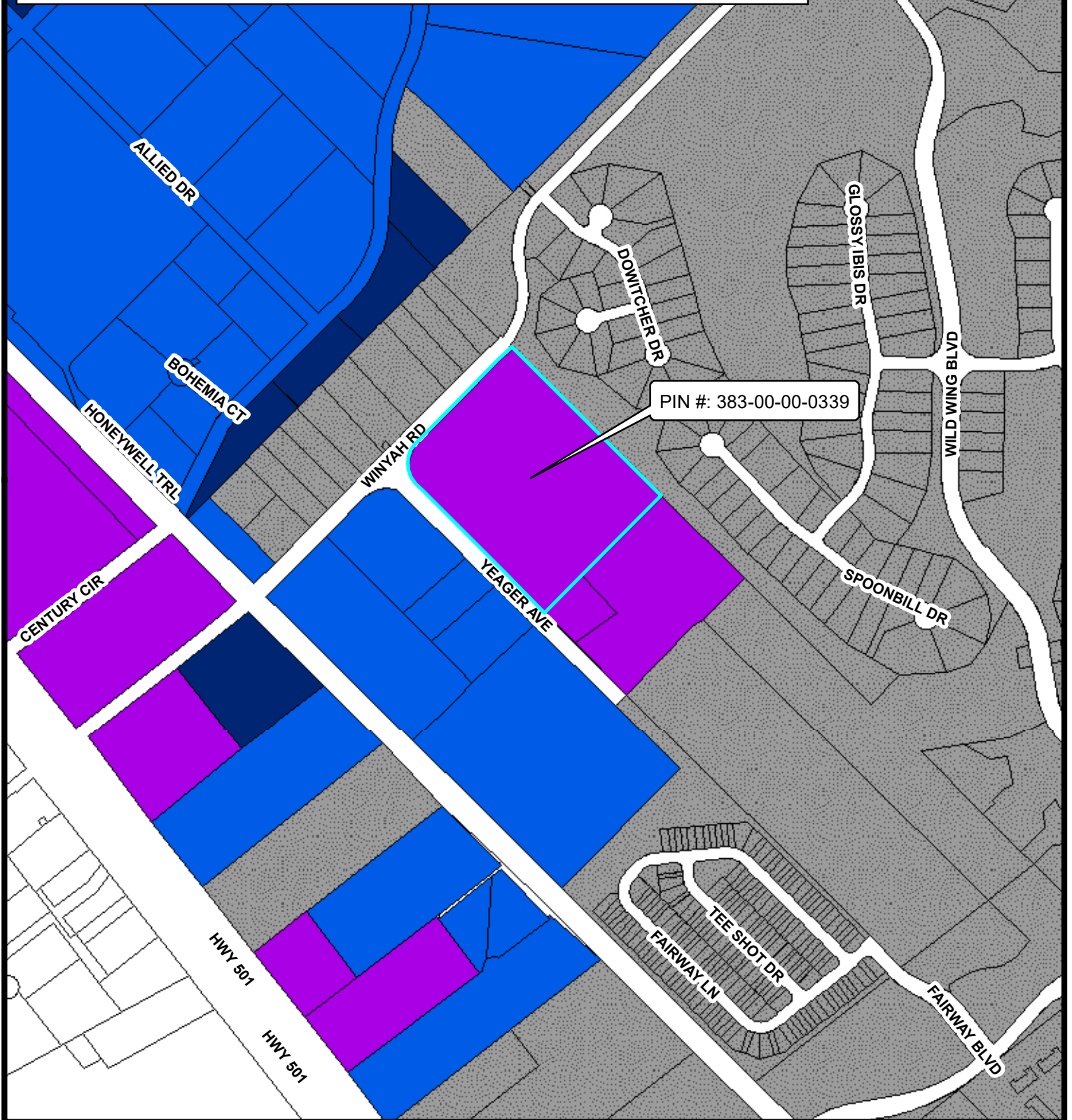
1. The ATM and Ice Vending machine is placed on a permanent foundation and located within a permanent structure improved to resemble a site-built facility. Such facility shall be landscaped in accordance with the standards established within this ordinance. This condition does not apply to accessory use ATM and Ice Vending machines.



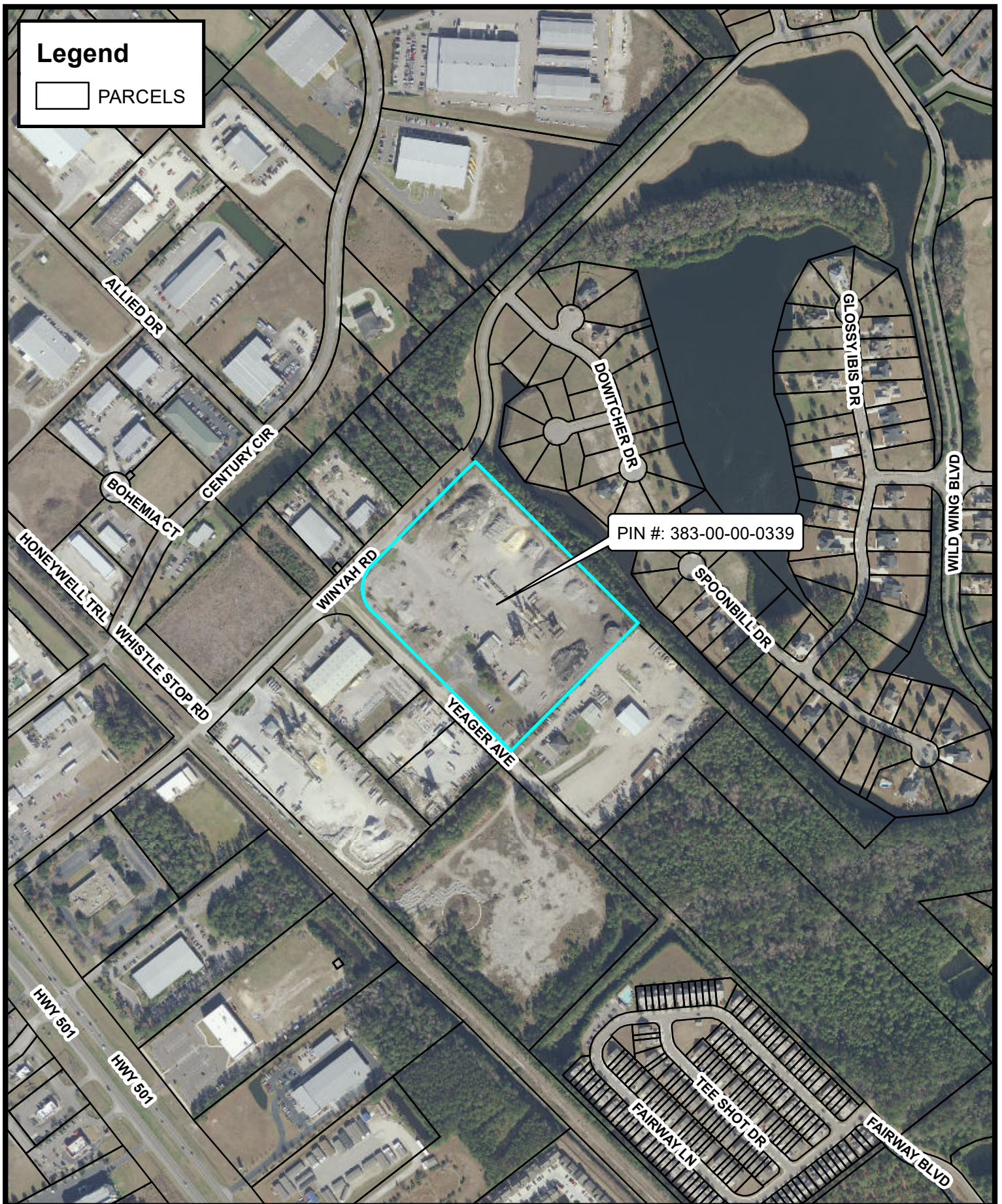


# FUTURE LAND USE

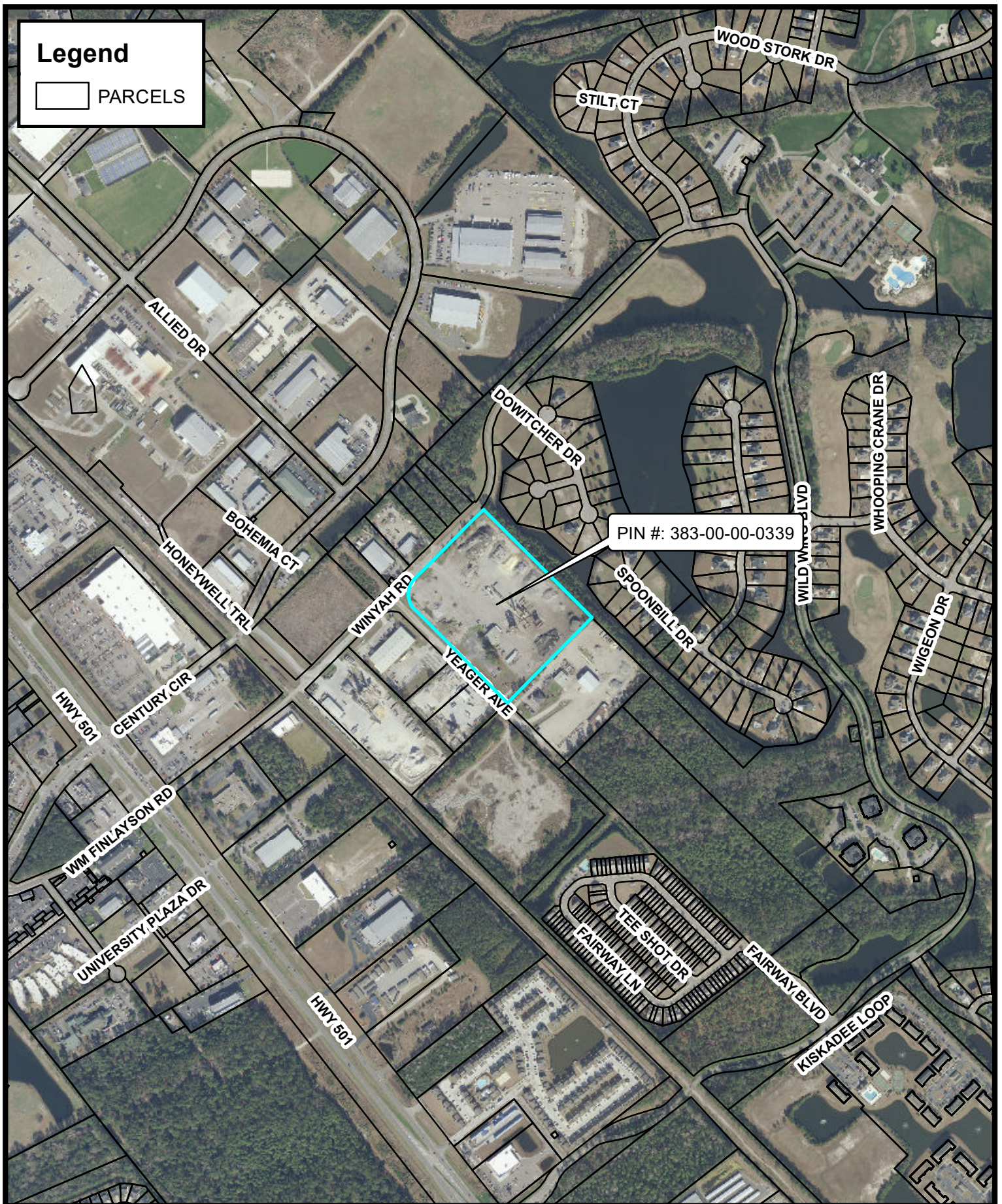
 CONSERVATION PRESERVATION	 HIGHWAY COMMERCIAL	 MEDIUM DENSITY RESIDENTIAL	 PROFESSIONAL
 DOWNTOWN HISTORIC DISTRICT	 INDUSTRIAL	 MIXED USE	 RECREATIONAL
 FOREST AGRICULTURE	 INSTITUTIONAL	 NEIGHBORHOOD COMMERCIAL	 RURAL RESIDENTIAL
 HIGH DENSITY RESIDENTIAL	 LOW DENSITY RESIDENTIAL	 PLANNED DISTRICT	 UTILITY
			 PARCELS





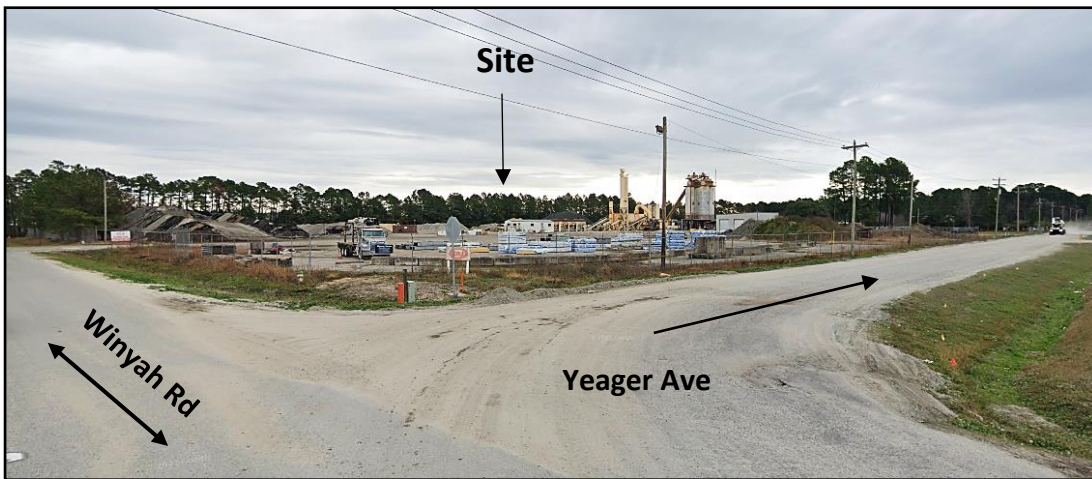








154 Winyah Road – Google Street View, Dec. 2022 (from Winyah Rd)



Google Street View, June 2019 (from Yeager Ave)





## Sign Postings on Property







# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )

)

PETITION FOR ANNEXATION

COUNTY OF HORRY )

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Parcel A-1 Plat Book 75, Page 61

PIN: 38300000339 ACREAGE: 15.00

PROPERTY ADDRESS: 154 Winyah Road

PROPERTY OWNER MAILING ADDRESS: 107 Tech Lane, Liberty SC 29657

PROPERTY OWNER TELEPHONE NUMBER: 864-855-0338

PROPERTY OWNER EMAIL: mcrenshaw@kingasphaltinc.com

APPLICANT: King Asphalt, Inc.

APPLICANT'S EMAIL: mcrenshaw@kingasphaltinc.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

King Asphalt, Inc.

(Print)

Michael H. Crenshaw  
(Signature)

DATE: August 1, 2023

By: Michael Crenshaw - President

(Print)

(Signature)

DATE: \_\_\_\_\_



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: Yes Structure Type: Utility Shed

Current Use: Hot Mix Asphalt Plant

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)





# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 154 Winyah Road FEE PAID ☒ YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): 15.00 PIN: 38300000339

CURRENT ZONING CLASSIFICATION: Currently Not Within City Limits

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Highway Commercial

REQUESTED ZONING CLASSIFICATION: Heavy Industrial

NAME OF PROPERTY OWNER(S):

King Asphalt, Inc. PHONE # 864-855-0338

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

107 Tech Lane, Liberty SC 29657

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Michael K. Crenshaw August 1, 2023  
PROPERTY OWNER'S SIGNATURE(S) DATE

King Asphalt, Inc., by Michael Crenshaw, President

PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

Opposition received to  
annexation & rezoning of  
154 Winyah Rd



**From:** [Kathleen Wooten](#)  
**To:** [Anne Bessant](#)  
**Subject:** Proposes rezoning/annexing  
**Date:** Monday, August 21, 2023 12:40:48 PM

---

**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

As residents of Wild Wing and as homeowners near 154 Winyah Road my husband and myself would like to share that we very strongly **oppose** the requested rezoning and/or annexing of property by Horry County Limited Industrial.

We are greatly concerned about noise, pollution, smoke, smell, waste, and other negative impacts on the surrounding environment.

This is **not** safe for our families or children!

Thank you for your time,

Chris and Kathy Wooten  
1009 Bufflehead Dr, Conway, SC 29526

**From:** [John Angelicola](#)  
**To:** [Anne Bessant](#)  
**Subject:** Rezone change 154 Winyah Rd (Pin 383-00-00-0339)  
**Date:** Tuesday, August 22, 2023 12:58:01 PM

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**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am completely opposed to the rezoning of this parcel of land, from limited industrial to heavy industrial. As a property owner living behind this parcel of land, I along with my neighbors have to constantly be disrupted and disturbed by extremely large volume of heavy duty truck traffic, along with extremely loud truck noise and truck tailgate banging, that goes on daily Monday thru Saturday from 5am to past midnight. The city of Conway needs to send city employees out to experience my concerns first hand, as it's my opinion that these businesses are working, unchecked, illegally outside of the noise ordinance.



**From:** [Linda Wentz](#)  
**To:** [Anne Bessant](#)  
**Subject:** 154 Winyah Road rezoning  
**Date:** Tuesday, August 22, 2023 8:12:12 AM

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CAUTION-External Email: This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

We are very Concerned about rezoning request by City of Conway for 154 Winyah due to close proximity to our Wild Wing Plantation subdivision. The property already contains the cement company which is an eyesore and is very dirty. Across the street a trucking company has fenced in an area that has become another nuisance with trucks hogging the road...and dusty. The corner lot there has overgrown weeds and dirt piled up. Mapquest and other computer generated sites direct traffic by those sites to our subdivision. Road conditions are terrible in the whole area.

A disgrace.

What does it mean...a Heavy Industrial site? More of these type companies? If Conway controls, will there be any improvements at the site that already exists?

Maybe it's time to move industrial business elsewhere.

Linda and Dennis Wentz  
1000 Noddy Court. Lot # 389  
Conway, SC  
[lwentz2012@gmail.com](mailto:lwentz2012@gmail.com)

Sent from my iPad

**From:** [Doreen Bennett](#)  
**To:** [Anne Bessant](#)  
**Subject:** 154 Winyah Road  
**Date:** Monday, August 21, 2023 4:40:29 PM

---

**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

As a homeowner in Wild Wing, I am vehemently against rezoning this to heavy industrial. We get an overwhelming amount of noise as it is. You shouldn't consider this, as the homeowners of this plan pay more in taxes than they do. It will bring down our property values, and you should be mindful of that. How would you like to live next door to heavy industrial? There are plenty of out parcels in other places that are not near upscale homes, or homes at all.

Thank you,  
Doreen Bennett



**From:** [Vivian](#)  
**To:** [Anne Bessant](#)  
**Cc:** [Barbara Murray](#)  
**Subject:** Objection to Annexation of PIN #: 383-00-00-0339 TMS #: 151-00-04-011 GIS 154 WINYAH RD  
**Date:** Monday, August 21, 2023 4:00:18 PM

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**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

As a Wild Wing Plantation homeowner and full-time resident, I am writing to share my objection to the Rezoning Request to annex approximately 15 acres of property and rezone from Horry County Limited Industrial (LI) district to the City of Conway Heavy Industrial (HI) district.

Heavy Industrial land use is wholly inappropriate located adjacent to a residential community. In every other town I have lived in (CO, WV, VA, MD, and PA), all HI district industries were located together with like operations in an Industrial Park in the outer edge of the county, never within city limits. That should be the solution here in Horry County as well. Industrial districts should never intermix with Residential zoning. And this is your opportunity to fix this problem now, to not make an existing problem even worse.

Pursuant to this rezoning request are the questions surrounding how Horry County distinguishes between Limited Industrial and Heavy Industrial, defines metrics to quantify compliance, as well as methods of enforcement. (See attached APA/PAS Industrial Zoning Standards.)

Concrete/Asphalt operations are some of the most worrisome in terms of high impact to nearby residential zoning. Wild Wing Plantation residents are in quite close proximity to the two existing Winyah Rd industrial businesses, S&W Ready Mix and Coastal Concrete. I just called Coastal Concrete to ask for their hours of operation, specifically for concrete: 2am to 5pm. I can tell you the noise from these concrete plants awakens me several times a week in the early hours before daybreak. The thought of this noise level increasing along with smoke, odors, emissions, etc. within a rezoned HI district, is very alarming and disconcerting. The increased levels of pollution to air, water, soil, plus increased traffic are very troubling. It already infringes on my peaceful enjoyment of my home, under the current LI district zoning.

When we bought in Wild Wing three years ago, we were guaranteed the right to peacefully enjoy our community without unknown or unintended environmental impacts.

Can you confirm whether this land use application for HI rezoning has been accompanied by the plans detailed below? I request a copy of these be provided to everyone in advance of the public hearing on September 7 @5:30pm.

An application for a Certificate of Occupancy for a building or land use in any Industrial Zone shall be accompanied by:

(1) A plot plan of the lot showing the location of all present and proposed buildings, drives, parking lots, waste disposal fields and other constructional features on the lot; and all buildings, streets, alleys, highways, streams and other topographical features outside of the lot and within 200 feet of any lot line;

- (2) Architectural plans for any proposed buildings;
- (3) A description of the industrial operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, fire hazards or safety hazards;
- (4) Engineering and architectural plans for the treatment and disposal of sewage and industrial waste;
- (5) Engineering and architectural plans for the handling of any excess traffic congestion, noise, glare, air pollution, water pollution, fire hazard or safety hazard;
- (6) Designation of the fuel proposed to be used and any necessary architectural and engineering plans for controlling smoke;
- (7) The proposed number of shifts to be worked and the maximum number of employees on each shift;
- (8) Any other data or evidence that the Board of Adjustment may require.

<https://www.planning.org/pas/reports/report78/>

I look forward to your response, and seeing these plans which I presume Horry County Planning & Development have attained for due diligence in reviewing this rezoning request.

Regards,

Vivian F. Ramsey-Boswell  
1305 Wood Stork Drive, Lot #59  
Conway, SC 29526



**From:** [kathleen.blankenship](#)  
**To:** [Anne Bessant](#)  
**Subject:** Rezoning request for 154 Winyah Road, PIN 383-00-00-0339  
**Date:** Monday, August 21, 2023 3:52:55 PM

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**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon City of Conway, Planning Department,

My husband and I just heard that the property 154 Winyah Road has requested rezoning from Horry County limited industrial to City of Conway heavy industrial; we are very concerned about the negative impacts.

There is already a lot of very loud noises before 7am, through and after 1900 from the concrete plant. There is almost constant dust, smoke, truck traffic and general air pollution visible at this property that is alongside a residential neighborhood, a church, and the place where the university's musician's practice. We are concerned and do not feel this is the right place for heavier industrial traffic/work.

Please consider alternate locations where there would be less direct impact to the residential neighborhood, the university students, and the Rt 501 traffic near the university.

Regards,

Kathleen and Benjamin Blankenship

[Sent from Yahoo Mail on Android](#)

**From:** [Cara Lingle](#)  
**To:** [Anne Bessant](#)  
**Subject:** City of Conway meeting 9.7 regarding 154 Winyah Rd (PIN 383-00-00-0339)  
**Date:** Thursday, August 24, 2023 8:34:47 AM

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**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Attention Planning Director,

A a resident of Wild Wing Plantation and the city of Conway I am writing you in regards to a recent notification regarding the above parcel of land at 154 Winyah Rd. As a concerned citizen of this community and your city I urge **against the rezoning** of this land from a limited industrial to heavy industrial.

The residents of this community are already facing significant challenges in obtaining peaceful enjoyment of their investments (homes) due to the already existing industrial business located in and around our community. This change would make an even hard situation more difficult and like adversely affect the overall property home values of those in the entire community now and in the future. This change could also likely affect air quality, traffic and deterioration of our roads and infratructure, which already required updating and investment by the city in the recent months and year. As a concerned member of the Wild Wing Plantation community with an unwavering desire to keep the integrity of our neighborhoods and home values in tact, I urge you to please leave the current zoning in tact and not allow for heavy industrial businesses.

Thank you for your time and consideration in advance of next months meeting on September 7th.

Cara Lingle  
1212 Whooping Crane Drive  
Linglecara31@gmail.com  
240-432-4448



**From:** [Lew Sanford](#)  
**To:** [Anne Bessant](#)  
**Subject:** Proposed rezoning of 154 Winyah  
**Date:** Wednesday, August 23, 2023 5:36:07 PM

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**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Re: PIN 383-00-00-0339

Dear Conway Planning Director,

I am writing to object to the rezoning request for the property located at 154 Whittier Rd. from limited industrial to heavy industrial.

This location already negatively impacts a primary residential neighborhood and should not be increased to a district which allows more noise and pollution. Unfortunately, adjacent to residential housing makes this a weak candidate for extension to a more serious zone. The current zoning is a poor candidate for existing residential uses and is an incompatible use for an adjacent property to Wild Wings Plantation.

Respectfully,

Lew Sanford Jr  
Wild Wings Resident

**From:** [Jeannette Mikesh](#)  
**To:** [Anne Bessant](#)  
**Subject:** Zoning behind Wild Wing  
**Date:** Friday, August 25, 2023 10:32:24 AM

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CAUTION-External Email: This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Kindly be advised that I live on Glossy Ibis Dr  
And am not in favor of heavy industrial zoning around the corner from my home  
This is directly behind close buy homes to us and we don't want to deal with the noise etc that it will genera  
We already have noise from the concrete plant  
ThisShould stay as light industry behind homes that the town approved  
Thanks  
Jeannette mikesh

Sent from my iPhone



**From:** [kemich@aol.com](mailto:kemich@aol.com)  
**To:** [Anne Bessant](#)  
**Subject:** Rezoning for Cement Plant - 154 Winyah Rd (PIN 338-00-00-0399)  
**Date:** Monday, August 28, 2023 4:20:56 PM

---

**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Karen E. Michael

1019 Glossy Ibis Dr

Conway, SC 20526

City of Conway City Council

City of Conway Planning Commission

Conway, South Carolina

Dear Sirs and Madams

I am writing to request that the annexation and rezoning of 15 acres of property at 154 Winyah Road (PIN 383-00-00-0339) from Horry County Industrial (L1) district to the City of Conway Heavy Industrial (H1) district be denied.

As a resident of the Wild Wing Plantation, I continually experience negative effects from the operations of the business located at that site. Specifically:

<!--[if !supportLists]-->• <!--[endif]-->Noise – running truck engines, slamming dump truck flaps and machinery noises through the night.

<!--[if !supportLists]-->• <!--[endif]-->Odors – horrible smells that permeate the air

<!--[if !supportLists]-->• <!--[endif]-->Dust – large clouds of particulates that cover the ground, automobiles, outdoor spaces and homes

In addition to no reclassifying the property to a Heavy Industrial (H1) district, I would

request that consideration be given to have the business take steps to address the above issues. Solutions could include:

<!--[if !supportLists]-->• <!--[endif]-->Limiting the hours of operation during which the loud noises occur and/or installing a sound barrier

<!--[if !supportLists]-->• <!--[endif]-->Watering down materials that are light enough to become airborne

<!--[if !supportLists]-->• <!--[endif]-->Development of a plan to improve co-existence of the plant and the residential neighbors

Thank you for your time and consideration

Karen E. Michael



**From:** [Angelo Orelli](#)  
**To:** [Anne Bessant](#)  
**Subject:** 154 Winyah Road Annex  
**Date:** Monday, August 28, 2023 11:08:21 AM

---

**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I object to the annexing of 154 Winyah Road property.

My property is located at the intersection of Winyah Road and Dowitcher Drive, making it approximately 150 yards away.

We will be attending the public hearing September 7, 2023.

Thank you,  
Angelo and Cynthia Orelli  
1037 Dowitcher Drive  
Conway, SC, 29526

1100 Spoonbill Dr.  
Conway, SC 29526  
August 25, 2023

Mrs. Anne Bessant  
Administrative Assistant  
City of Conway Planning and Development Department  
196 Laurel St., Conway, SC 29526

Good Day Mrs. Bessant,

Thanks to you and your colleagues for serving the Conway, South Carolina community! Your work is much appreciated.

I live at 1100 Spoonbill Drive, Wild Wing Plantation, Conway, SC. This is close to 154 Winyah Road.

I am opposed to the "Request to annex approximately 15 acres of property and rezone from Horry County Limited Industrial (LI) district to the City of Conway Heavy Industrial (HI) district concerning property 154 Winyah Road (PIN 383-00-00-0339)" for the following reasons:

Health risks to the community.

Noise pollution. Much noise comes from the area now at various times of the day. I was awakened last night at 1:53 AM by truck noise coming from the direction of Winyah Road. There may have been complaints lodged with the police about the noise in the area.

Additional heavy truck traffic. There is too much heavy truck traffic in the area now with the various businesses in the area.

Environmental impact:

Possible additional air pollution,

Possible additional greenhouse gas emissions,

Possible water contamination. The property is close to a body of water,

Possible chemical leakage. oil spills. and extensive water usage.

How would you like an approximately 15 acre heavy industrial district near, close to, your house?

I don't believe the annexation and rezoning of 154 Winyah Road is in the best interest of the community.

Thank you very much for your time and consideration!

Sincerely,

***Stephen Scaffa***

Stephen Scaffa

Public Hearing, City of Conway Planning Commission  
September 7th, 2023, 5:30 PM



Building and Planning Conference Room, 196 Laurel Street, Conway, SC  
Property Affected: 154 Winyah Road (PIN 383-00-00-0339)

**From:** [RENEE RUFF](#)  
**To:** [Anne Bessant](#)  
**Subject:** 154 Winyah Rd rezoning  
**Date:** Tuesday, August 29, 2023 11:09:58 AM

---

**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To the City of Conway Planning & Development Department:

We own a home at 1024 Dowitcher Dr. in wild wing Plantation in close proximity to the property on 154 Winyah Road.

According to the letter dated August 16, 2023 the Planning Commission will hear a request to rezone the property from Horry County Limited Industrial to the City of Conway Heavy Industrial. The letter does not specify who is requesting to rezone the property, the reason for the request rezone, or any future plans for the property owned by King Asphalt Inc. HMA plant.

Presently, the property does not comply with existing applicable Horry County Limited industrial ordinances including but not limited to screening, noise pollution, and dust plumes affecting residential property and the lake environment. According to Horry County code of ordinances, any industrial use, plus operations incidental to such use, which may produce injurious or obnoxious noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation, or other objectionable conditions provided such objectionable condition is not a nuisance to adjoining properties, that such use is located at least (500) feet from any abutting property line and that such use is located on a site at least (30) acres in size.

HMA drum plants are incompatible with residential areas because of pollution from dust and debris emanating from the plant. This can cause many health issues, such as silicosis, chronic bronchitis, lung cancers, and autoimmune disorders. The zoning on this property is currently limited industrial, going forward any rezoning to heavy industrial could be detrimental to the Wild Wing community and surrounding areas.

At this time we will strongly oppose the rezoning of the property on 154 Winyah Rd.

Signed,  
Michael and Renee Ruff



Glenn and Sharon Thompson  
1101 Spoonbill Drive  
Conway, SC 29526

August 27, 2023

City of Conway Planning & Development Department  
Attn: Planning Director  
PO Drawer 1705  
Conway, SC 29526

Annexation, Rezoning or Amendment of Ordinance – 154 Winyah Road (PIN 383-00-00-0339)

Dear Sir:

Our home is located directly behind the "light industrial" property of 154 Winyah Road. The current noise level makes it very difficult to get a good night of sleep as the noise goes on into the wee hours. We are awakened all too often by what we have named "the gong show." Apparently, it is necessary to pound on something very hard at 4 a.m.

We rarely can sit on our screened porch without having to endure constant noise and dust as heavy trucks are constantly on the move in the plant.

Truck traffic on the back entrance to Wild Wing is a worsening hazard for all residents.

Current noise ordinances, if any exist, are not even close to protecting residential taxpayers of Wild Wing. To even consider changing to heavy industrial zoning would be wrong on many levels including harming the health of residents, generating even more pollution and environmental damage, increased heavy equipment traffic and destroying the little peace and quiet we have now.

The final injury will be reduction of property value. We vehemently protest rezoning of subject property to heavy industrial.

What should be happening is strengthening or creating an ordinance for the "light industrial" area that exists and control noise beyond a reasonable time at night. Residents of Wild Wing deserve to enjoy their homes and get a healthy night of rest.

Sincerely,



Sharon L. Thompson



Glenn W. Thompson

**From:** [erusso](#)  
**To:** [Anne Bessant](#)  
**Subject:** [Junk released by Policy action] Wild Wing rezoning.  
**Date:** Tuesday, August 29, 2023 7:37:02 PM

---

**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

We oppose the planned rezoning of the property bordering the Wild Wing community to allow expanded asphalt operations. The operation seems very dangerous, from a health standpoint, to all Conway residents and college students bordering the property. Depending on the direction of the wind on any given day it may also affect residents across Highway 501. We have trouble understanding how this could be allowed in a residential area.

Pat and Ed Russo  
2743 Sanctuary Blvd.



Agenda Item V.A.2

**588 Hwy 544**

(annexation & rezoning)

**DATE: September 7, 2023**

**AGENDA ITEM: V.A.2.**

**ISSUE:**

Request by Chris Cummings, applicant, to annex a 1.17-acre tract and 1.21-acre tract of properties, totaling *approximately* 2.38 acres, located at 588 Hwy 544 (Parcel B-1) (PIN 382-04-04-0001) and the adjacent property, Parcel B-2 (PIN 382-05-01-0001), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.

**BACKGROUND:**

The annexation application was submitted by Chris Cummings (applicant), Stef Properties, LLC, as a requirement to connect to city water/sewer service at 588 Hwy 544 (parcel B-1). Stef Properties, LLC also owns the adjacent property (PIN 382-05-01-0001), which abuts the Aptitude CCU student housing development (zoned Institutional), making Parcel B-2 contiguous. Per *Section 4-1-12 (e)* of the City's Code of Ordinances, "*Any person, firm, corporation, or subdivider requesting an extension of water and/or sewer connection for land outside the corporate limits of the city as a condition of service of water and/or sewer shall be required to annex said land and all property of the owner contiguous to said land into the city.*"

There is an existing single-family structure on the property located at 588 Hwy 544 (Parcel B-1). Restrictive covenants were recorded for this property (PIN 382-04-04-0001) on June 21<sup>st</sup>, 2023.

Per *Section 3.2.10* of the UDO, "*The intent of the HC District is to provide compatible locations to serve the automobile oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City*

**SURROUNDING USES / ZONING:**

There is a majority of student / multifamily housing in the immediate area. Some of the multifamily development (directly across the subject property) is still within the county's jurisdiction. There are also 2 gas stations in the vicinity, and CCU is across Hwy 544. The dominant city zoning in the immediate area is Institutional (IN), with a couple of parcels zoned Highway Commercial (HC) and Mixed Use (MU).

The surrounding County zoning designations are mainly Highway Commercial and one property across Hwy 544 zoned (Horry County) **GR** (General Residential).

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The Future Land Use Map of the *Comprehensive Plan* also identifies this property as **Highway Commercial (HC)**.



***Additional Information (included in issue paper to Council at their July 17<sup>th</sup> mtg.):***

*Section 6.1.4 – Minimum Area of Zoning District* of the UDO states the following:

*“No tract(s) of land shall hereafter be rezoned for a zoning classification different from that of the surrounding properties unless such tract(s) is a minimum of 3 acres in area. Tract(s) less than 3 acres in area annexed into the city limits, may be zoned for a classification different from that of the surrounding in-city properties provided such zoning classification is consistent with the Future Land Use Map of the City’s Comprehensive Plan.”*

Initially, the *requested* zoning classification in the original annexation application was to annex into city as Low-Density Residential (R); however, that zoning classification is not consistent with the surrounding properties OR the city’s Future Land Use Map, which classifies both parcels as Highway Commercial (HC). However, upon annexation into the City as HC, the existing home will become a legal nonconforming use and structure on the property, and be subject to the requirements of *Article 12 – Nonconformities*, of the UDO.

*Note:* The Horry County Highway Commercial (HC) district allows single-family detached homes as a permitted use – the City of Conway’s HC district does not permit any residential uses.

**July 17<sup>th</sup> City Council mtg.**

Initially, the annexation request was to be zoned R (low-density residential) upon annexation. City Council gave first reading of the request to be zoned Highway Commercial (HC) instead of R upon annexation, as the City’s Future Land Use Map of the Comprehensive Plan identifies the property as HC and the current zoning of the property in Horry County’s jurisdiction is also HC.

**STAFF RECOMMENDATION:**

Staff recommends that Planning Commission give a thorough review of the request and make an informed recommendation to City Council.

Once a recommendation is provided, the request will be forwarded to the City Clerk for inclusion on the next available Council agenda for second reading of Ordinance #ZA2023-08-07 (H).

**ATTACHMENTS:**

Application;


GIS Maps

## SECTION 204.1 - RESIDENTIAL USE CHART

## Zoning Districts



## Land Uses

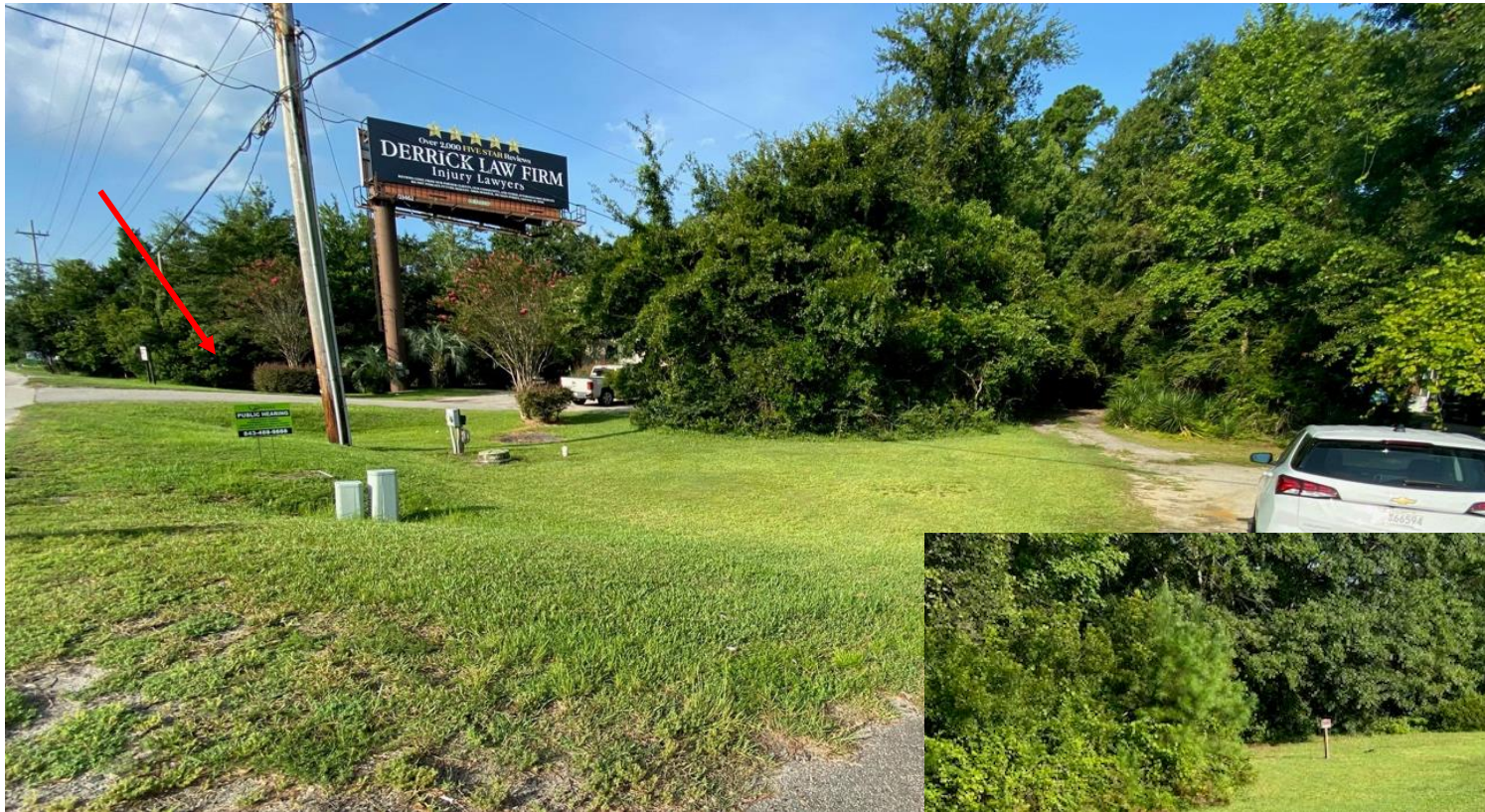


Land Uses

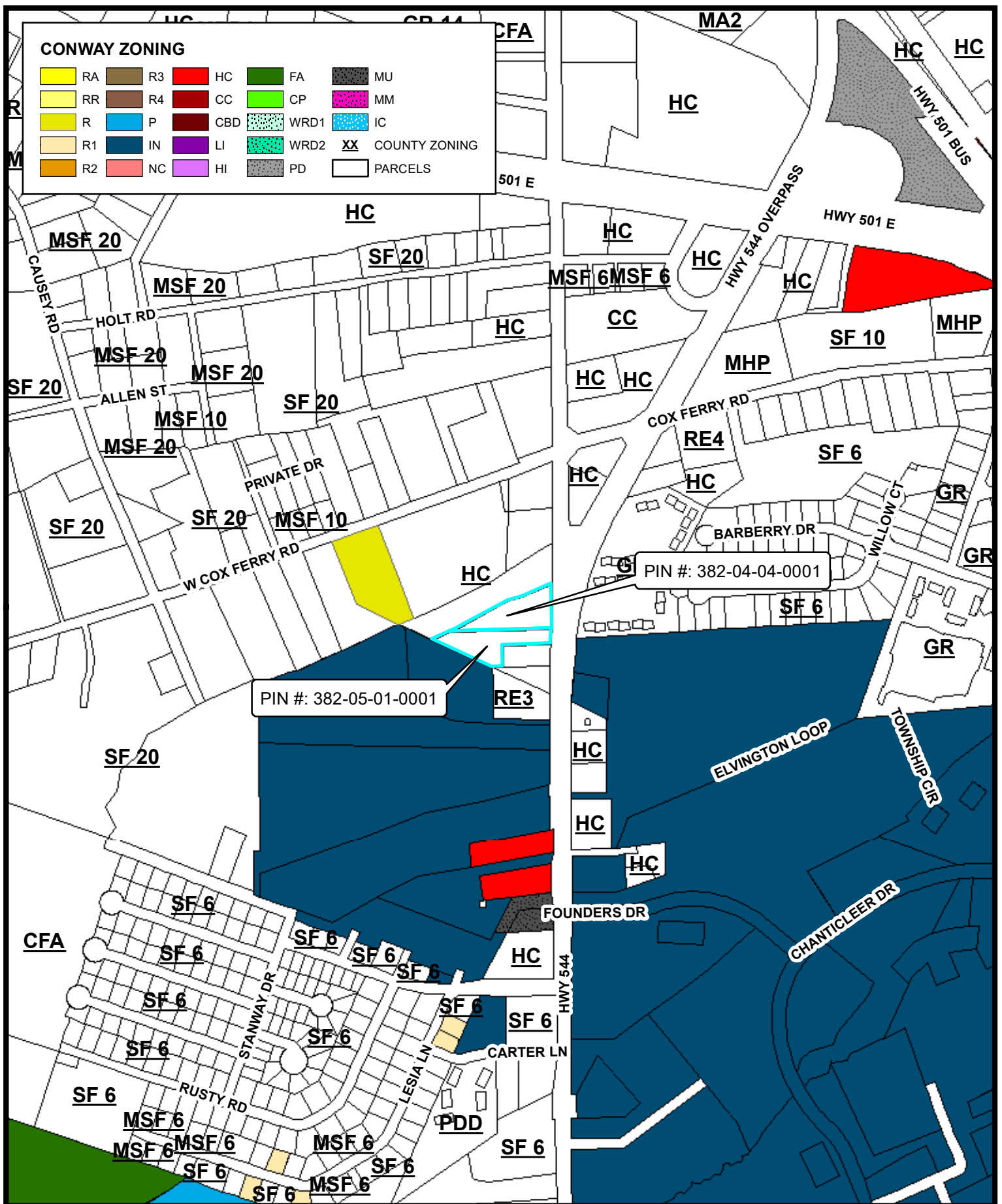
	SF6	MSF6	SF 14.5/ SF10/ SF 8.5/ SF 7	MSF 14.5/ MSF 10/ MSF 8.5/ MSF 7	SF 20	MSF 20	SF 40	MSF 40	GR*	GRn*	MHP	RR*	RH	LFA*	FA*	CFA*	RE	AG 1	AG 2	AG 3	AG 4/ AG6	AG 5/ AG 7	NC*	CC*	CR*/ TRS*/ RCS*	HC*	RE 1	RE 2	RE 3	OPI*	EIO*	PR 1/ PR 2	RC*	DP	Conditional Uses	Special Exception Uses
Duplex	P	P						P	P		P													P							P		P			
Manufactured Homes		P		P		P		P		P				P	P	P		P	P			P														
Multi-family								P	P		P	P												P			P	P		P		P				
Multiple single-family homes on one parcel														C	C	C	C	C																917		
Patio Home								C	C															C						C				921		
Quadruplex								P	P		P	P												P			P	P		P		P				
Semi-detached	P	P						P	P															P				P	P		P		P			
Single Family	P	P	P	P	P	P	P	P	P	C	P			P	P	P	P	P	P		P	P	P	P	P	P			P	P		P	P	931		
Townhouse								P	P		P	P				P								P				P	P		P		P			
<div> <div>*= Retired Zoning District</div> <div>P = Permitted Use</div> <div>C = Conditional Use</div> <div>SE = Special Exception</div> </div>																																				



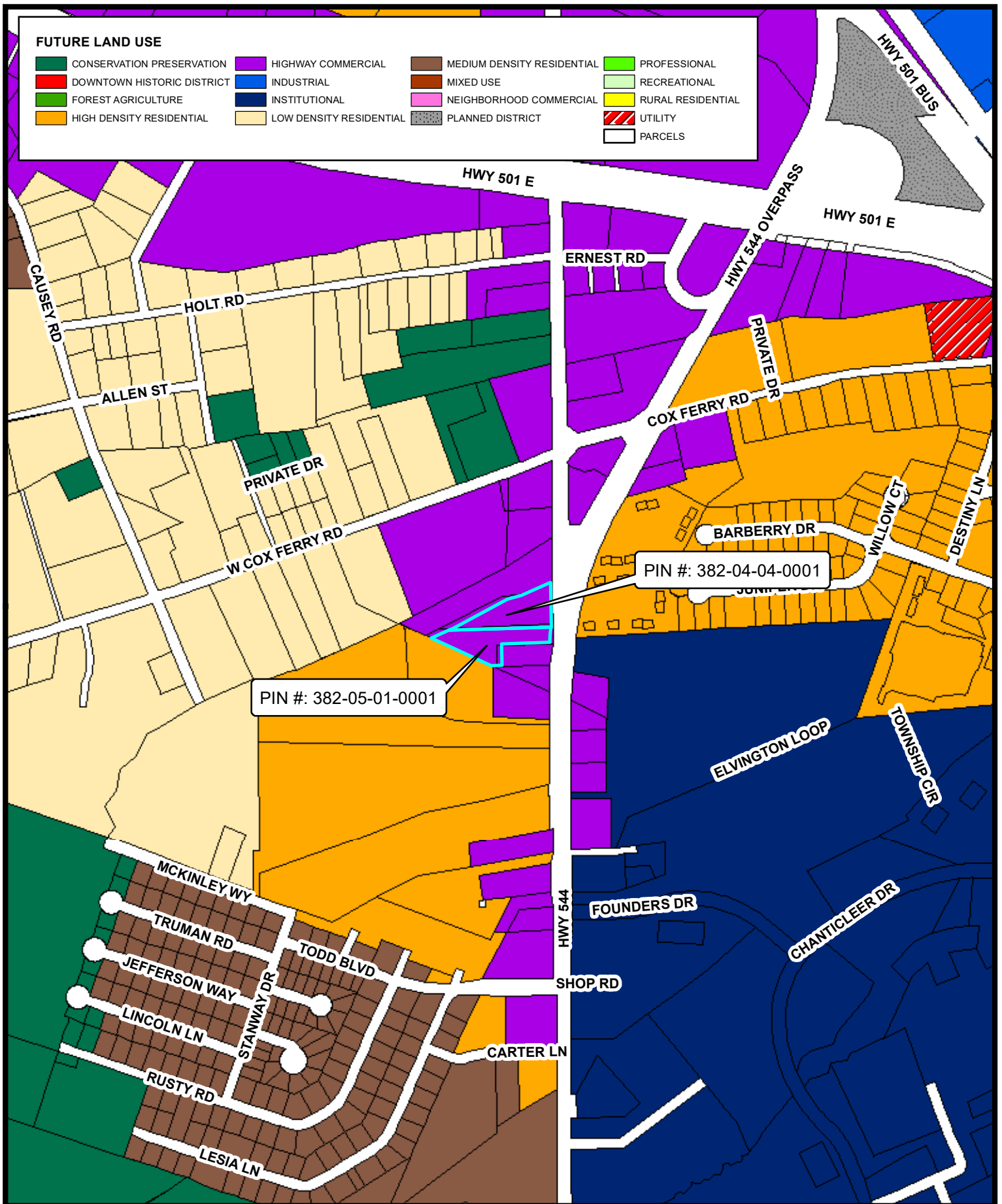
## Sign Postings on Property



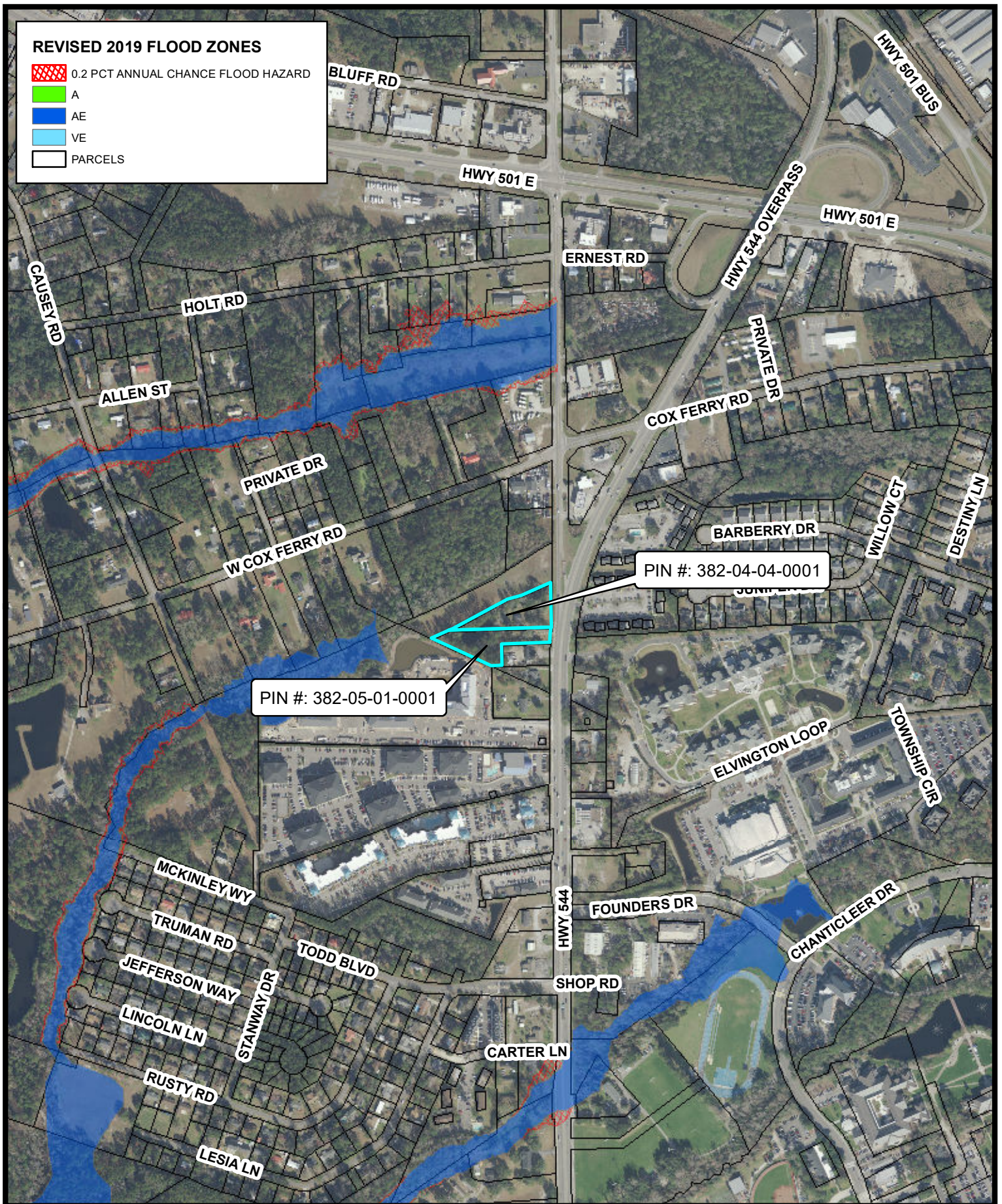
























# PETITION FOR ANNEXATION

<b>Staff Use Only</b>
Received: _____
BS&A #: _____

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

**Instructions:**

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

**PETITION FOR ANNEXATION**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY**

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting a nnexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting a nnexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: HWY 544

PIN: 382-04-04-0001 & 382-05-01-0001 ACREAGE: 1.36 & 1.17 acres

PROPERTY ADDRESS: Parcel B-1: 588 Hwy 544; Parcel B-2: no address available at this time

PROPERTY OWNER MAILING ADDRESS: 411 Posada Dr., MB, SC 29572-4165

PROPERTY OWNER TELEPHONE NUMBER: 843-902-9120 (Michael J. Moshoures, applicant)

PROPERTY OWNER EMAIL: \_\_\_\_\_

APPLICANT: Chris Cummings, Stef Properties, LLC, Michael J. Moshoures

APPLICANT'S EMAIL: chris.cummings@hubinternational.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT:** PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Mike Moshoures  
(Print)

Mike Moshoures  
(Signature)

DATE: 6/18/2023

\_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Signature)

DATE: \_\_\_\_\_



# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: Yes (on B-1) Structure Type: single-family structure (site built)

Current Use: residential structure on property

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

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Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

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Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

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**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

[planning@cityofconway.com](mailto:planning@cityofconway.com)





# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 588 Hwy 544 (and adj. parcel) FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): 1.36 & 1.17 acres PIN: 382-04-04-0001 & 382-05-01-0001

CURRENT ZONING CLASSIFICATION: Horry County Highway Commercial (HC)

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Highway Commercial (HC)

REQUESTED ZONING CLASSIFICATION: Highway Commercial (HC)

NAME OF PROPERTY OWNER(S):

Stef Properties, LLC

PHONE # \_\_\_\_\_

Chris Cummings (applicant)

PHONE # 843-902-9120

MAILING ADDRESS OF PROPERTY OWNER(S):

411 Posada Dr., Myrtle Beach, SC 295272

411 Posada Dr., Myrtle Beach, SC 295272

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Mike Moch  
PROPERTY OWNER'S SIGNATURE(S)

6/18/2023  
DATE

[Signature]  
PROPERTY OWNER'S SIGNATURE(S)

6/18/2023  
DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

Agenda Item V.A.3  
**610 & 624 Hwy 544**  
(annexation & rezoning)



**DATE: September 7, 2023**

**AGENDA ITEM: V.A.3.**

**ISSUE:**

Request by Chris Cummings, applicant, to annex approximately 1.46 acres located at 610 & 624 Hwy 544, and rezone from the Horry County Highway Commercial (HC) and Convenience & Auto-Related Services (RE3) districts to the City of Conway Highway Commercial (HC) district (PIN 382-05-01-0003 and -0004).

**BACKGROUND:**

On July 21, the applicant submitted an annexation and rezoning application for the subject properties, located 610 & 624 Hwy 544, as a requirement to connect to city utility services. The properties are currently in Horry County's jurisdiction, zoned Highway Commercial (HC) and Convenience & Auto-Related Services (RE3). Both properties contain a single-family residence, and are both rental properties. Restrictive covenants were recorded for 610 Hwy 544 on July 21<sup>st</sup>.

Per *Section 3.2.10* of the UDO, the intent of the Highway Commercial (HC) district is to *provide compatible locations to serve the automobile-oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City.*

*Surrounding Uses / Zoning Districts:*

The properties are across from and abutting the Institutional (IN) zoning district and also adjacent to Horry County Highway Commercial (HC) zoned property. Surrounding uses include student housing, the old university bookstore, a gas station, and a wrecker business.

*Note:* The Horry County Highway Commercial (HC) allows single-family detached homes as a permitted use – the City of Conway's HC district does not permit any residential uses.

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* also identifies the subject property as Highway Commercial (HC).

**RECOMMENDATION**

Staff recommends that Planning Commission give a thorough review of the request and make an informed recommendation to City Council.

Once a recommendation is provided, the request will be forwarded to the City Clerk for inclusion on the next available Council agenda for First Reading.

**ATTACHMENTS:**

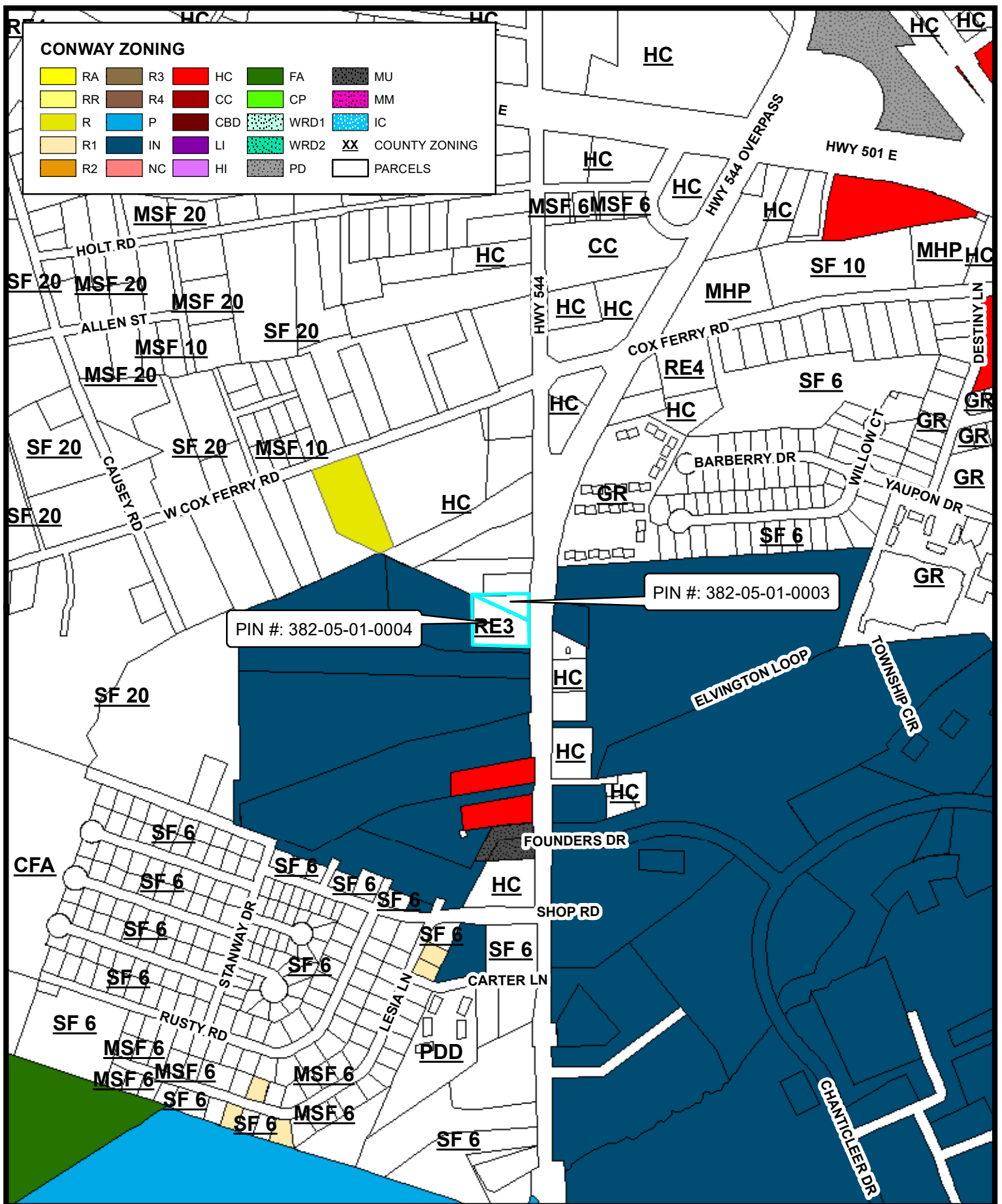
Application;

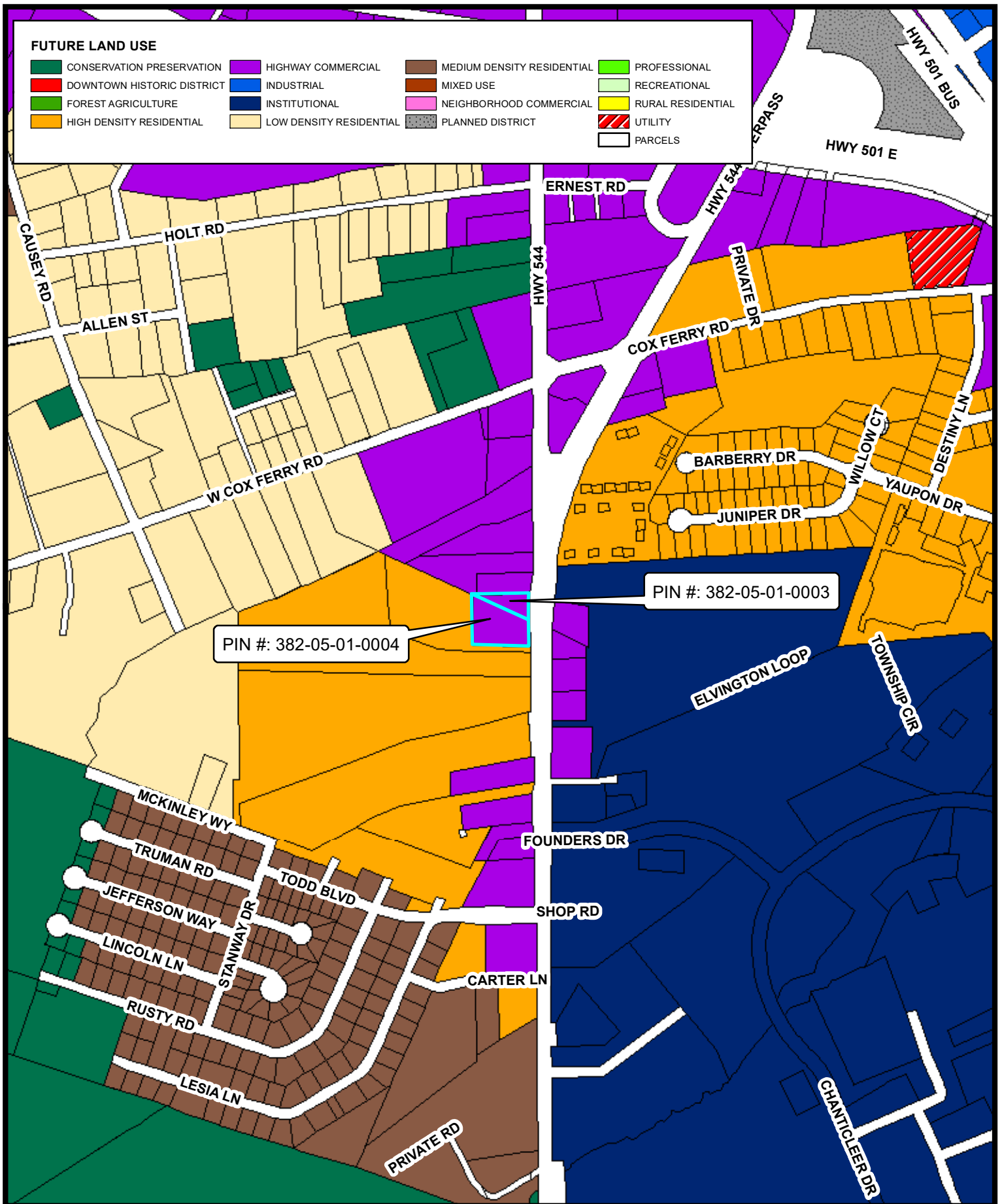
GIS Maps;

## Sign Postings on Property

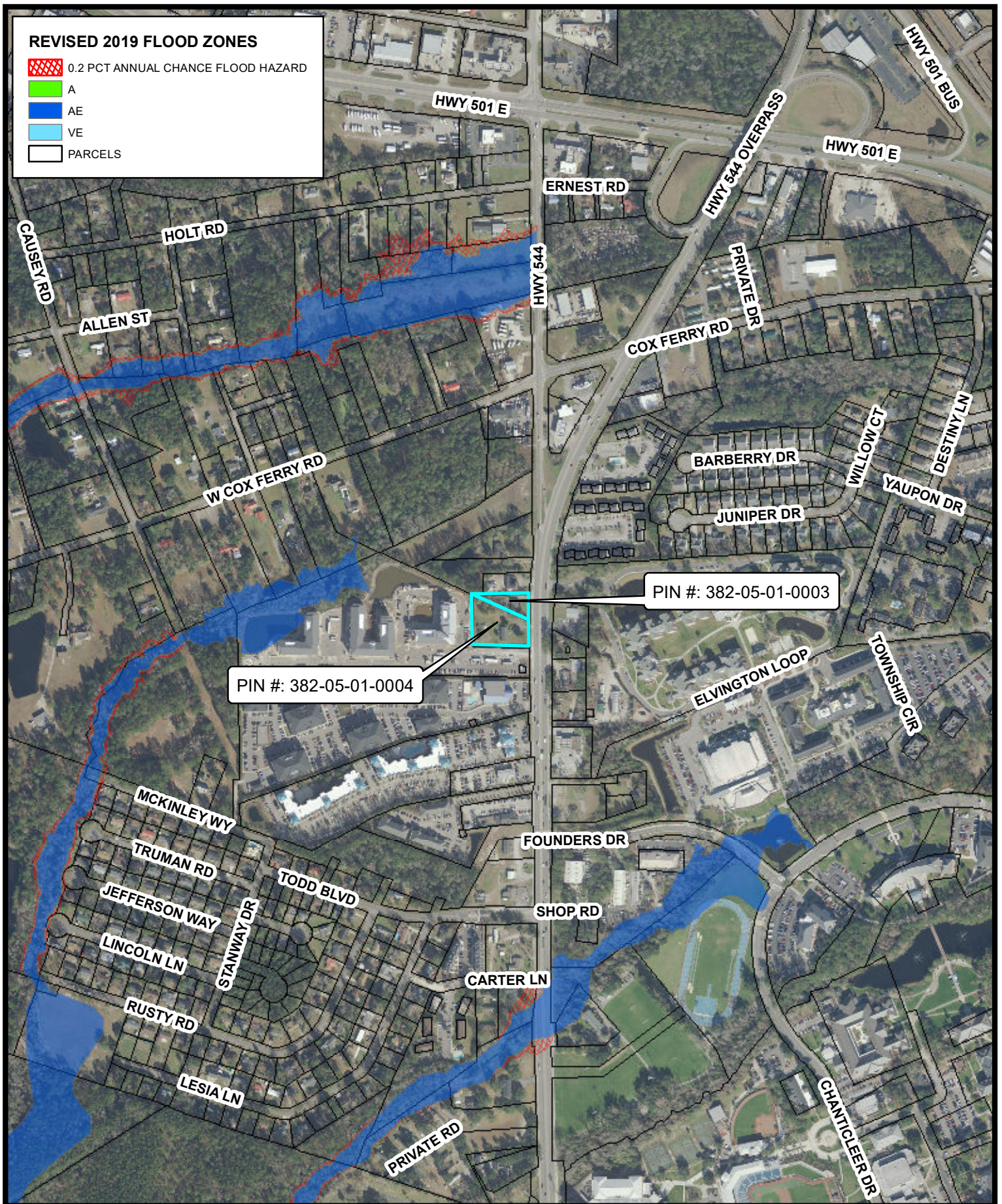




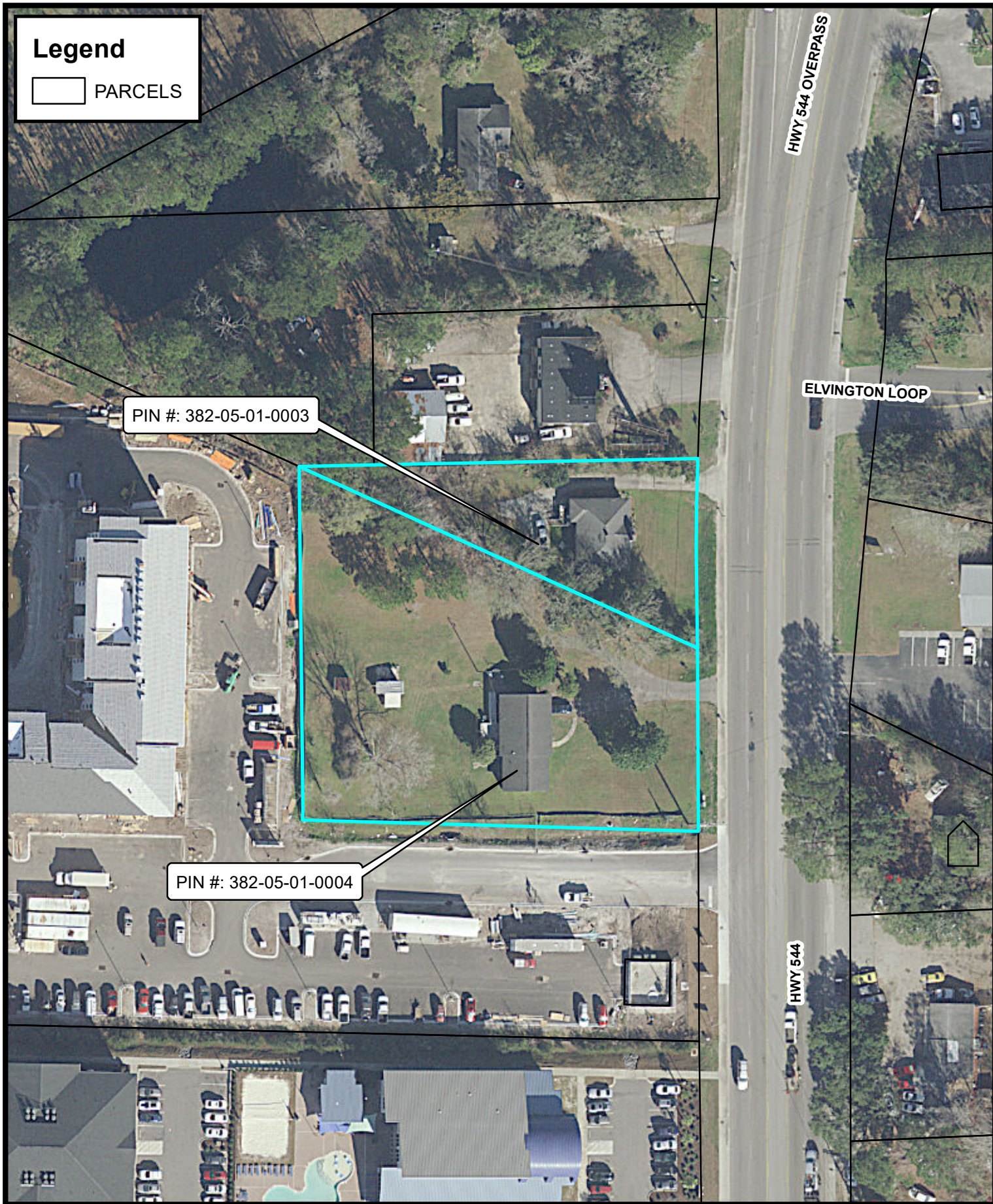




















# PETITION FOR ANNEXATION

Staff Use Only

Received: 7/21

BS&A #: P23-0221

City of Conway Planning  
Department 196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

P23 0218  
588 Hwy 544

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

## PETITION FOR ANNEXATION

### TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: 610 & 624 HWY 544

PIN: 382-05-01-0003 and -0004 ACREAGE: 0.38a & 1.08a (1.46acres)

PROPERTY ADDRESS: same as above

PROPERTY OWNER MAILING ADDRESS: 411 Posada Dr., MB, SC 29572

PROPERTY OWNER TELEPHONE NUMBER: 843-902-9120

PROPERTY OWNER EMAIL: M o b i l i s i @ G M A I L . C o m

APPLICANT: Chris Cummings

APPLICANT'S EMAIL: chris.cummings@hubinternational.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES ☒ NO ☐

**IF NOT: PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ASSIGNING RESPONSIBILITY TO THE APPLICANT.**

PROPERTY OWNERS (Attach additional sheets if necessary)

CHAS CUMMINGS  
(Print)

(Signature)

DATE: 7/21/2023

(Print)

(Signature)

DATE: 7/21/23





# PETITION FOR ANNEXATION

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

Is there a structure on the lot: yes Structure Type: single-family structures on both properties

Current Use: residential (rentals)

Are there any wetlands on the property?

CIRCLE: YES ☐ NO ☒

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES ☐ NO ☒

If yes, please explain and provide a copy of covenant and/or restriction.

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES ☐ NO ☒

If yes, please describe.

Are there any building permits in progress or pending for this property?

CIRCLE: YES ☐ NO ☒

If yes, please provide permit number and jurisdiction.

**FEES ARE DUE AT SUBMITTAL.**

**RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250**

**PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

**[planning@cityofconway.com](mailto:planning@cityofconway.com)**



# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: \_\_\_\_\_  
BS&A #: \_\_\_\_\_

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

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PHYSICAL ADDRESS OF PROPERTY: 610 & 624 HWY 544 FEE PAID ( ) YES ( ) NO

AREA OF SUBJECT PROPERTY (ACREAGE): 0.38a & 1.08a (1.46a) PIN: 382-05-01-0003 & -0004

CURRENT ZONING CLASSIFICATION: Horry County HC and RE3

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Highway Commercial (HC)

REQUESTED ZONING CLASSIFICATION: Highway Commercial (HC) upon annexation

NAME OF PROPERTY OWNER(S):

Coastal Education LLC

PHONE #

843-942-9120

PHONE #

MAILING ADDRESS OF PROPERTY OWNER(S):

411 Posada Dr., MB, SC 29572

411 Posada Dr., MB, SC 29572

\*\*\*\*\*

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Ch. S.  
PROPERTY OWNER'S SIGNATURE(S)

7/21/2023  
DATE

Mike Mahan  
PROPERTY OWNER'S SIGNATURE(S)

7/21/2023  
DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



Agenda Item V.B.1

**1520 Grainger Rd**

(rezoning)

***Deferred to October 5<sup>th</sup> mtg.***

**From:** [Lawrence Williams](#)  
**To:** [Jessica Hucks](#)  
**Subject:** Re: Rezoning Request for 1520 Grainger Rd (New Faith Temple Church)  
**Date:** Monday, August 28, 2023 9:56:13 AM

---

**CAUTION-External Email:** This email originated from outside of the City of Conway. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good day AICP Hucks,  
Thank you for reaching out so quickly, and thank Mary Catherine Hyman for responding to our request for rezoning.

I would like to defer Faith Temple's rezoning request, currently **scheduled for the September 7<sup>th</sup> Planning Commission meeting**, to the **October 5<sup>th</sup> meeting**, pending the outcome of an amendment that would allow churches to have electronic message centers (EMC's) for signage.

Thanks,  
Lawrence Williams, Pastor

---

**From:** Jessica Hucks <jhucks@cityofconway.com>  
**Sent:** Monday, August 28, 2023 8:52 AM  
**To:** PastorLWms@hotmail.com <PastorLWms@hotmail.com>  
**Cc:** Mary Catherine Hyman <mhyman@cityofconway.com>  
**Subject:** Rezoning Request for 1520 Grainger Rd (New Faith Temple Church)

Pastor Williams,

It was nice speaking to you this morning! Per our conversation, will you **please confirm that you would like to defer your rezoning request**, currently **scheduled for the September 7<sup>th</sup> Planning Commission meeting**, to the **October 5<sup>th</sup> meeting**, pending the outcome of an amendment that would allow churches to have electronic message centers (EMC's) for signage? If the amendment is favorable and adopted, the city will refund the PD application fee.

Thank you.

Sincerely,

Jessica Hucks, AICP  
Planning & Development Director  
**City of Conway Planning & Development**  
196 Laurel Street : PO Drawer 1075, Conway, SC 29528  
Ph: (843) 488-9888 | D: (843) 488-7617  
[www.cityofconway.com](http://www.cityofconway.com)



**DATE: SEPTEMBER 7, 2023**

**AGENDA ITEM: V.B.1.**

**ISSUE:**

**Deferred** .... Request to rezone approximately 4.2 acres of property located at 1520 Grainger Road from the City of Conway Low/Medium-Density Residential (R-1) district to the City of Conway Planned Development (PD) district (PIN 368-01-02-0027).

**BACKGROUND:**

On August 3, the applicants submitted a rezoning application for property located at 1520 Grainger Road, the site of the New Faith Temple Church. The applicants are requesting that the property be rezoned to a Planned Development (PD) district, in order to allow the installation of an Electronic Message Center (EMC) sign, as the current zoning does not allow these types of signs, with the exception of educational institutions. The property is currently zoned Low/Medium-Density Residential (R-1). Because the property is three (3) acres or more in size, *Section 5.1.22 – Religious Institutions*, of the UDO, requires that they be a Planned Development (PD). Therefore, rather than ask to rezone to another zoning district that may permit the use of an EMC sign (*i.e.* Institutional district), they have requested to rezone to a Planned Development (PD). Staff is currently working with the applicant on details of their PD narrative and Master Plan.

*Per Section 3.3.2 of the UDO, the intent of the PD district is to provide for large-scale, quality development projects (3 acres or larger) with mixed land uses which create a superior environment through unified development and provide for the application of design ingenuity while protecting surrounding developments.*

*Surrounding Uses / Zoning Districts:*

The property is within a residential area, with different housing densities surrounding the subject parcel, including single-family and multifamily uses and zoning districts, including R-1 and R-2. The church is across from the Rose Hill Memorial Gardens Cemetery. The property is approx. 360 feet from the intersection of Grainger Road and Wright Blvd (Hwy 378). Properties at the Grainger Rd and Wright Blvd (Hwy 378) intersection are zoned Highway Commercial (HC).

**CITY OF CONWAY COMPREHENSIVE PLAN:**

The future land use map of the *Comprehensive Plan* also identifies the subject property as a Planned Development (PD).

**STAFF RECOMMENDATION:**

This item is deferred until the October 5, 2023 Planning Commission meeting, at the request of staff, in order to give staff an opportunity to draft an amendment to the Sign Ordinance that would permit religious institutions to have Electronic Message Centers (EMC's / LED's) as signage.

**ATTACHMENTS:**

Application; GIS Maps; property survey



# Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only
Received: 8/3/23
BS&A #: P23-0240

City of Conway Planning Department  
196 Laurel Street, 29526

Phone: (843) 488-9888  
Conway, South Carolina

[www.cityofconway.com](http://www.cityofconway.com)

## Notice

\* P23-0240

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 1520 Grainger Road FEE PAID ☐ YES ☐ NO

AREA OF SUBJECT PROPERTY (ACREAGE): 4.15 acres PIN: 368-01-02-0027

CURRENT ZONING CLASSIFICATION: R-1

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: PD (Planned District)

REQUESTED ZONING CLASSIFICATION: PD (Planned District)

NAME OF PROPERTY OWNER(S):

Faith Temple Church Trustees

PHONE # 843-902-2495

1520 Grainger Road, Conway, SC 29527

PHONE # \_\_\_\_\_

MAILING ADDRESS OF PROPERTY OWNER(S):

FaithTemple4@gmail.com

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

PROPERTY OWNER'S SIGNATURE(S)

DATE

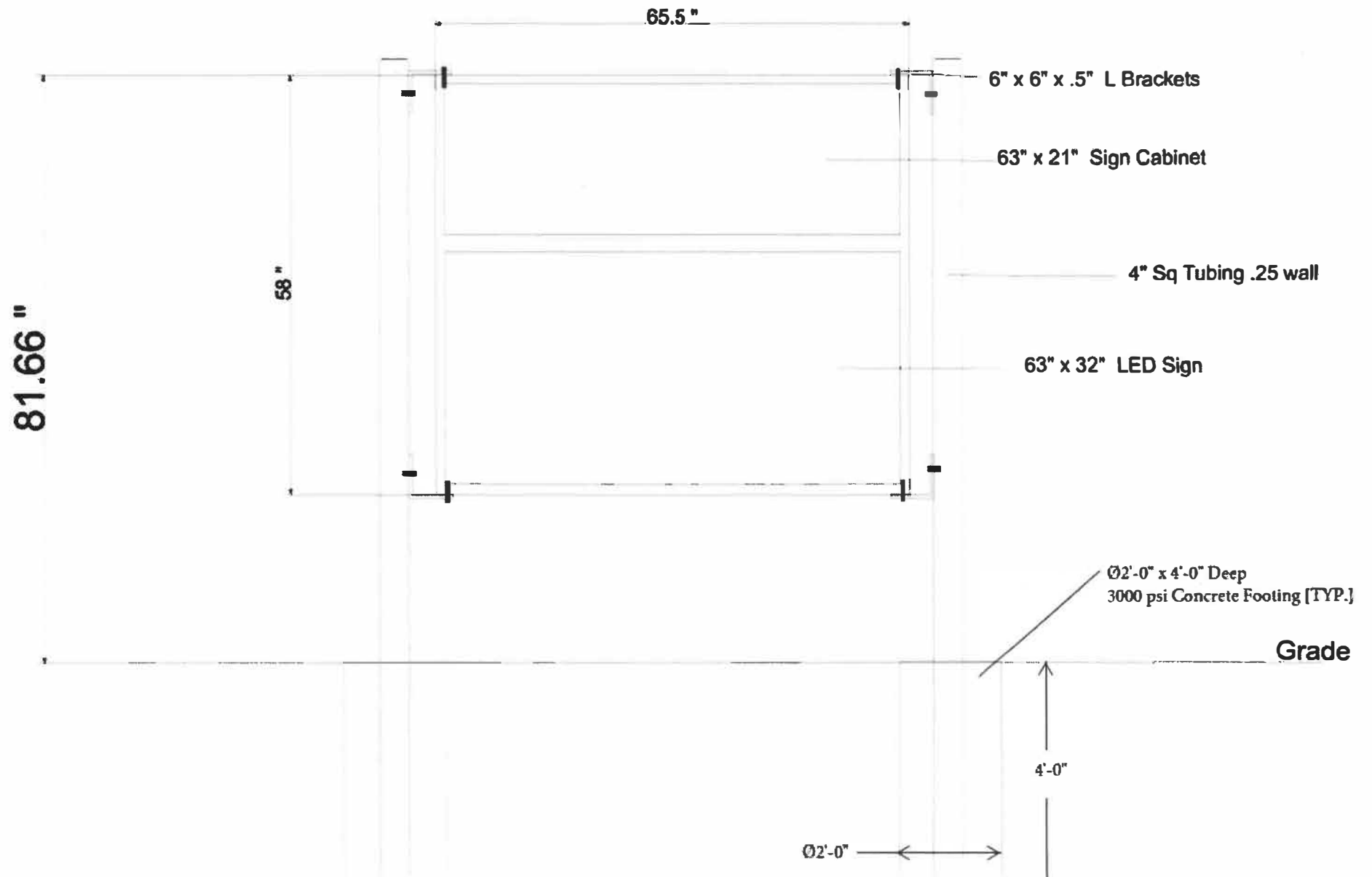
PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1377.89	25.13	25.13	N 02°56'05" E	110°24'24"
C2	1377.89	60.67	60.67	N 04°43'08" E	231°24'24"
C3	1377.89	185.91	185.91	N 07°47'18" E	336°51'24"
C4	1377.89	354.38	354.38	N 11°20'58" E	336°51'24"
C5	1377.89	523.85	523.85	N 14°08'59" E	336°51'24"
C6	1377.89	693.32	693.32	N 17°06'28" E	336°51'24"
C7	1377.89	862.79	862.79	N 19°54'07" E	336°51'24"
C8	1377.89	1032.26	1032.26	N 22°51'46" E	336°51'24"
C9	1377.89	1201.73	1201.73	N 25°49'25" E	336°51'24"
C10	1377.89	1371.20	1371.20	N 28°47'04" E	336°51'24"
C11	1377.89	1540.67	1540.67	N 31°44'43" E	336°51'24"
C12	1377.89	1710.14	1710.14	N 34°42'22" E	336°51'24"
C13	1377.89	1879.61	1879.61	N 37°40'01" E	336°51'24"
C14	1377.89	2049.08	2049.08	N 40°37'40" E	336°51'24"
C15	1377.89	2218.55	2218.55	N 43°35'19" E	336°51'24"
C16	1377.89	2388.02	2388.02	N 46°32'58" E	336°51'24"
C17	1377.89	2557.49	2557.49	N 49°30'37" E	336°51'24"
C18	1377.89	2726.96	2726.96	N 52°28'16" E	336°51'24"
C19	1377.89	2896.43	2896.43	N 55°25'55" E	336°51'24"
C20	1377.89	3065.90	3065.90	N 58°23'34" E	336°51'24"
C21	1377.89	3235.37	3235.37	N 61°21'13" E	336°51'24"
C22	1377.89	3404.84	3404.84	N 64°18'52" E	336°51'24"
C23	1377.89	3574.31	3574.31	N 67°16'31" E	336°51'24"
C24	1377.89	3743.78	3743.78	N 70°14'10" E	336°51'24"
C25	1377.89	3913.25	3913.25	N 73°11'49" E	336°51'24"
C26	1377.89	4082.72	4082.72	N 76°09'28" E	336°51'24"
C27	1377.89	4252.19	4252.19	N 79°07'07" E	336°51'24"
C28	1377.89	4421.66	4421.66	N 82°04'46" E	336°51'24"
C29	1377.89	4591.13	4591.13	N 85°02'25" E	336°51'24"
C30	1377.89	4760.60	4760.60	N 88°00'04" E	336°51'24"
C31	1377.89	4930.07	4930.07	N 90°57'43" E	336°51'24"
C32	1377.89	5099.54	5099.54	N 93°55'22" E	336°51'24"
C33	1377.89	5269.01	5269.01	N 96°53'01" E	336°51'24"
C34	1377.89	5438.48	5438.48	N 99°50'40" E	336°51'24"
C35	1377.89	5607.95	5607.95	N 102°48'19" E	336°51'24"
C36	1377.89	5777.42	5777.42	N 105°45'58" E	336°51'24"
C37	1377.89	5946.89	5946.89	N 108°43'37" E	336°51'24"
C38	1377.89	6116.36	6116.36	N 111°41'16" E	336°51'24"
C39	1377.89	6285.83	6285.83	N 114°38'55" E	336°51'24"
C40	1377.89	6455.30	6455.30	N 117°36'34" E	336°51'24"
C41	1377.89	6624.77	6624.77	N 120°34'13" E	336°51'24"
C42	1377.89	6794.24	6794.24	N 123°31'52" E	336°51'24"
C43	1377.89	6963.71	6963.71	N 126°29'31" E	336°51'24"
C44	1377.89	7133.18	7133.18	N 129°27'10" E	336°51'24"
C45	1377.89	7302.65	7302.65	N 132°24'49" E	336°51'24"
C46	1377.89	7472.12	7472.12	N 135°22'28" E	336°51'24"
C47	1377.89	7641.59	7641.59	N 138°20'07" E	336°51'24"
C48	1377.89	7811.06	7811.06	N 141°17'46" E	336°51'24"
C49	1377.89	7980.53	7980.53	N 144°15'25" E	336°51'24"
C50	1377.89	8150.00	8150.00	N 147°13'04" E	336°51'24"
C51	1377.89	8319.47	8319.47	N 150°10'43" E	336°51'24"
C52	1377.89	8488.94	8488.94	N 153°08'22" E	336°51'24"
C53	1377.89	8658.41	8658.41	N 156°06'01" E	336°51'24"
C54	1377.89	8827.88	8827.88	N 159°03'40" E	336°51'24"
C55	1377.89	8997.35	8997.35	N 162°01'19" E	336°51'24"
C56	1377.89	9166.82	9166.82	N 164°58'58" E	336°51'24"
C57	1377.89	9336.29	9336.29	N 167°56'37" E	336°51'24"
C58	1377.89	9505.76	9505.76	N 170°54'16" E	336°51'24"
C59	1377.89	9675.23	9675.23	N 173°51'55" E	336°51'24"
C60	1377.89	9844.70	9844.70	N 176°49'34" E	336°51'24"
C61	1377.89	10014.17	10014.17	N 179°47'13" E	336°51'24"
C62	1377.89	10183.64	10183.64	N 182°44'52" E	336°51'24"
C63	1377.89	10353.11	10353.11	N 185°42'31" E	336°51'24"
C64	1377.89	10522.58	10522.58	N 188°40'10" E	336°51'24"
C65	1377.89	10692.05	10692.05	N 191°37'49" E	336°51'24"
C66	1377.89	10861.52	10861.52	N 194°35'28" E	336°51'24"
C67	1377.89	11030.99	11030.99	N 197°33'07" E	336°51'24"
C68	1377.89	11200.46	11200.46	N 200°30'46" E	336°51'24"
C69	1377.89	11369.93	11369.93	N 203°28'25" E	336°51'24"
C70	1377.89	11539.40	11539.40	N 206°26'04" E	336°51'24"
C71	1377.89	11708.87	11708.87	N 209°23'43" E	336°51'24"
C72	1377.89	11878.34	11878.34	N 212°21'22" E	336°51'24"
C73	1377.89	12047.81	12047.81	N 215°19'01" E	336°51'24"
C74	1377.89	12217.28	12217.28	N 218°16'40" E	336°51'24"
C75	1377.89	12386.75	12386.75	N 221°14'19" E	336°51'24"
C76	1377.89	12556.22	12556.22	N 224°11'58" E	336°51'24"
C77	1377.89	12725.69	12725.69	N 227°09'37" E	336°51'24"
C78	1377.89	12895.16	12895.16	N 230°07'16" E	336°51'24"
C79	1377.89	13064.63	13064.63	N 233°04'55" E	336°51'24"
C80	1377.89	13234.10	13234.10	N 236°02'34" E	336°51'24"
C81	1377.89	13403.57	13403.57	N 238°59'13" E	336°51'24"
C82	1377.89	13573.04	13573.04	N 241°56'52" E	336°51'24"
C83	1377.89	13742.51	13742.51	N 244°54'31" E	336°51'24"
C84	1377.89	13911.98	13911.98	N 247°52'10" E	336°51'24"
C85	1377.89	14081.45	14081.45	N 250°49'49" E	336°51'24"
C86	1377.89	14250.92	14250.92	N 253°47'28" E	336°51'24"
C87	1377.89	14420.39	14420.39	N 256°45'07" E	336°51'24"
C88	1377.89	14589.86	14589.86	N 259°42'46" E	336°51'24"
C89	1377.89	14759.33	14759.33	N 262°40'25" E	336°51'24"
C90	1377.89	14928.80	14928.80	N 265°38'04" E	336°51'24"
C91	1377.89	15098.27	15098.27	N 268°35'43" E	336°51'24"
C92	1377.89	15267.74	15267.74	N 271°33'22" E	336°51'24"
C93	1377.89	15437.21	15437.21	N 274°31'01" E	336°51'24"
C94	1377.89	15606.68	15606.68	N 277°28'40" E	336°51'24"
C95	1377.89	15776.15	15776.15	N 280°26'19" E	336°51'24"
C96	1377.89	15945.62	15945.62	N 283°23'58" E	336°51'24"
C97	1377.89	16115.09	16115.09	N 286°21'37" E	336°51'24"
C98	1377.89	16284.56	16284.56	N 289°19'16" E	336°51'24"
C99	1377.89	16454.03	16454.03	N 292°16'55" E	336°51'24"
C100	1377.89	16623.50	16623.50	N 295°14'34" E	336°51'24"
C101	1377.89	16792.97	16792.97	N 298°12'13" E	336°51'24"
C102	1377.89	16962.44	16962.44	N 301°09'52" E	336°51'24"
C103	1377.89	17131.91	17131.91	N 304°07'31" E	336°51'24"
C104	1377.89	17301.38	17301.38	N 307°05'10" E	336°51'24"
C105	1377.89	17470.85	17470.85	N 310°02'49" E	336°51'24"
C106	1377.89	17640.32	17640.32	N 312°59'28" E	336°51'24"
C107	1377.89	17809.79	17809.79	N 315°57'07" E	336°51'24"
C108	1377.89	17979.26	17979.26	N 318°54'46" E	336°51'24"
C109	1377.89	18148.73	18148.73	N 321°52'25" E	336°51'24"
C110	1377.89	18318.20	18318.20	N 324°50'04" E	336°51'24"
C111	1377.89	18487.67	18487.67	N 327°47'43" E	336°51'24"
C112	1377.89	18657.14	18657.14	N 330°45'22" E	336°51'24"
C113	1377.89	18826.61	18826.61	N 333°43'01" E	336°51'24"
C114	1377.89	18996.08	18996.08	N 336°40'40" E	336°51'24"
C115	1377.89	19165.55	19165.55	N 339°38'19" E	336°51'24"
C116	1377.89	19335.02	19335.02	N 342°35'58" E	336°51'24"
C117	1377.89	19504.49	19504.49	N 345°33'37" E	336°51'24"
C118	1377.89	19673.96	19673.96	N 348°31'16" E	336°51'24"
C119	1377.89	19843.43	19843.43	N 351°28'55" E	336°51'24"
C120	1377.89	20012.90	20012.90	N 354°26'34" E	336°51'24"
C121	1377.89	20182.37	20182.37	N 357°24'13" E	336°51'24"
C122	1377.89	20351.84	20351.84	N 360°21'52" E	336°51'24"
C123	1377.89	20521.31	20521.31	N 363°19'31" E	336°51'24"
C124	1377.89	20690.78	20690.78	N 366°17'10" E	336°51'24"
C125	1377.89	20860.25	20860.25	N 369°14'49" E	336°51'24"
C126	1377.89	21029.72	21029.72	N 372°12'28" E	336°51'24"
C127	1377.89	21199.19	21199.19	N 375°10'07" E	336°51'24"
C128	1377.89	21368.66	21368.66	N 378°07'46" E	336°51'24"
C129	1377.89	21538.13	21538.13	N 381°05'25" E	336°51'24"
C130	1377.89	21707.60	21707.60	N 384°03'04" E	336°51'24"
C131	1377.89	21877.07	21877.07	N 387°00'43" E	336°51'24"
C132	1377.89	22046.54	22046.54	N 390°00'00" E	336°51'24"
C133	1377.89	22216.01	22216.01	N 393°00'00" E	336°51'24"
C134	1377.89	22385.48	22385.48	N 396°00'00" E	336°51'24"
C135	1377.89	22554.95	22554.95	N 399°00'00" E	336°51'24"
C136	1377.89	22724.42	22724.42	N 402°00'00" E	336°51'24"
C137	1377.89	22893.89	22893.89	N 405°00'00" E	336°51'24"
C138	1377.89	23063.36	23063.36	N 408°00'00" E	336°51'24"
C139	1377.89	23232.83	23232.83	N 411°00'00" E	336°51'24"
C140	1377.89	23402.30	23402.30	N 414°00'00" E	336°51'24"
C141	1377.89	23571.77	23571.77	N 417°00'00" E	336°51'24"
C142	1377.89	23741.24	23741.24	N 420°00'00" E	336°51'24"
C143	1377.89	23910.71	23910.71	N 423°00'00" E	336°51'24"
C144	1377.89	24080.18	24080.18	N 426°00'00" E	336°51'24"
C145	1377.89	24249.65	24249.65	N 429°00'00" E	336°51'24"
C146	1377.89	24419.12	24419.12	N 432°00'00" E	336°51'24"
C147	1377.89	24588.59	24588.59	N 435°00'00" E	336°51'24"
C148	1377.89	24758.06	24758.06	N 438°00'00" E	336°51'24"
C149	1377.89	24927.53	24927.53	N 441°00'00" E	336°51'24"
C150	1377.89	25097.00	25097.00	N 444°00'00" E	336°51'24"
C151	1377.89	25266.47	25266.47	N 447°00'00" E	336°51'24"
C152	1377.89	25435.94	25435.94	N 450°00'00" E	336°51'24"
C153	1377.89	25605.41	25605.41	N 453°00'00" E	336°51'24"
C154	1377.89	25774.88	2		





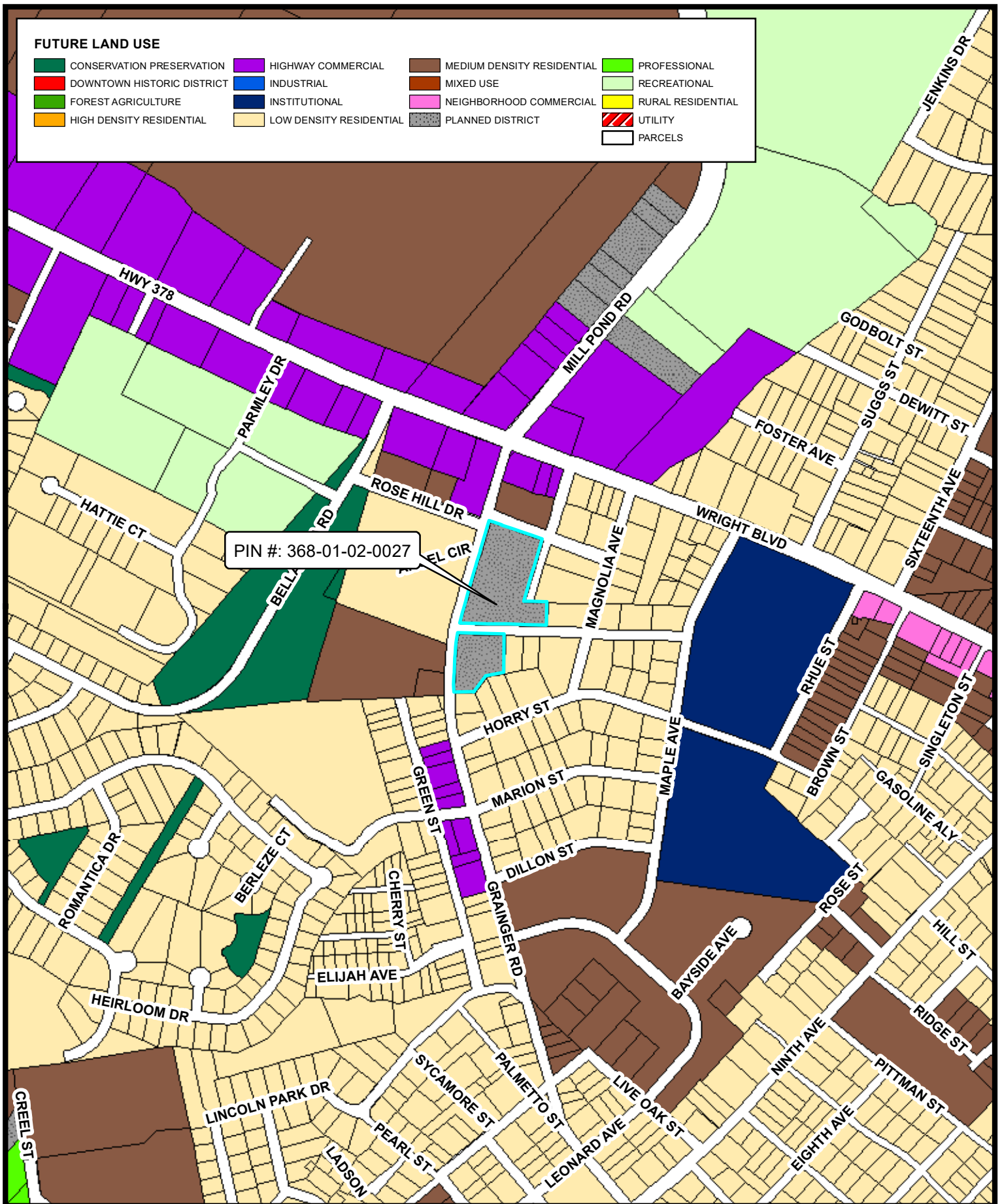
# New Faith Temple

## New Message Sign

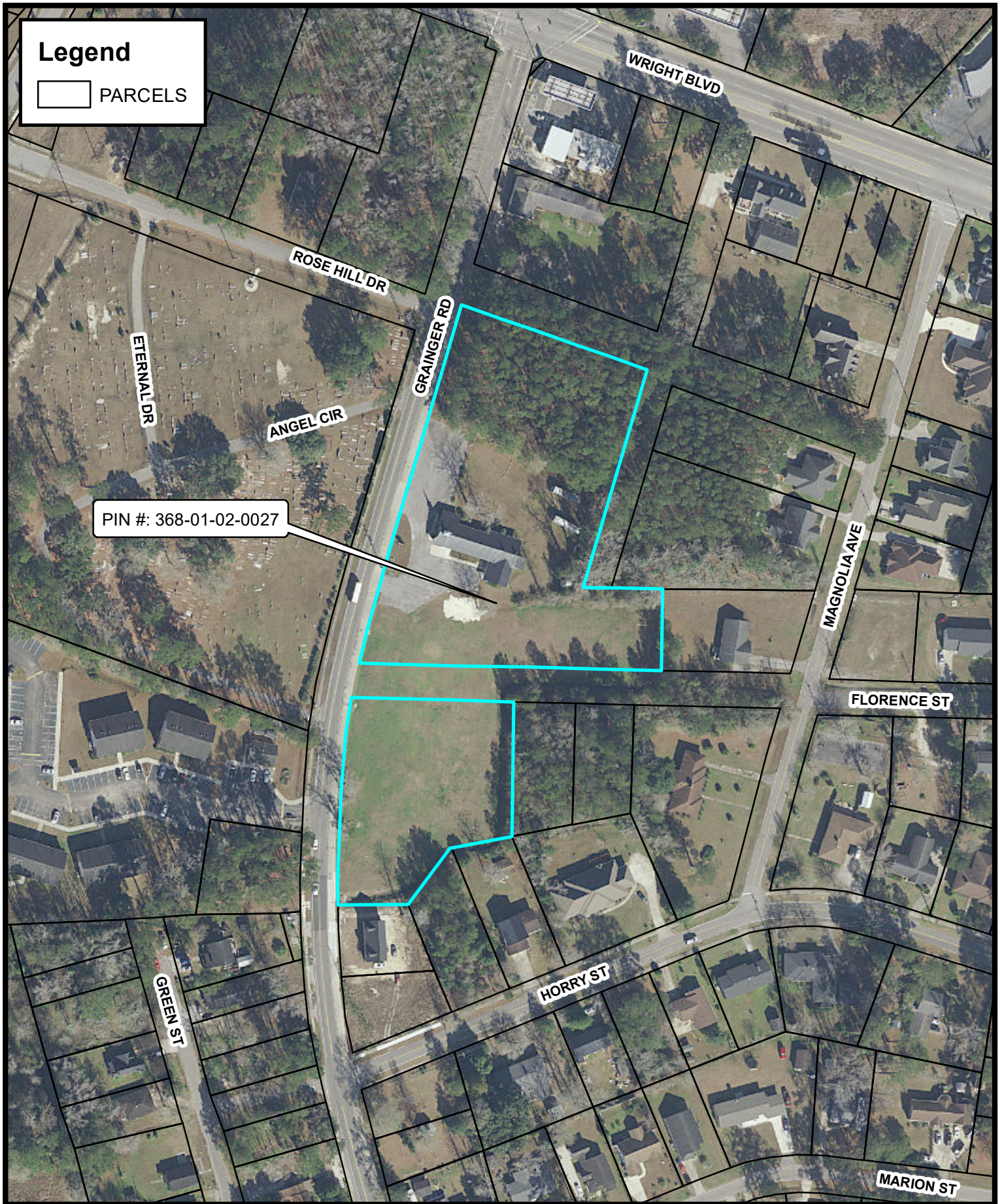




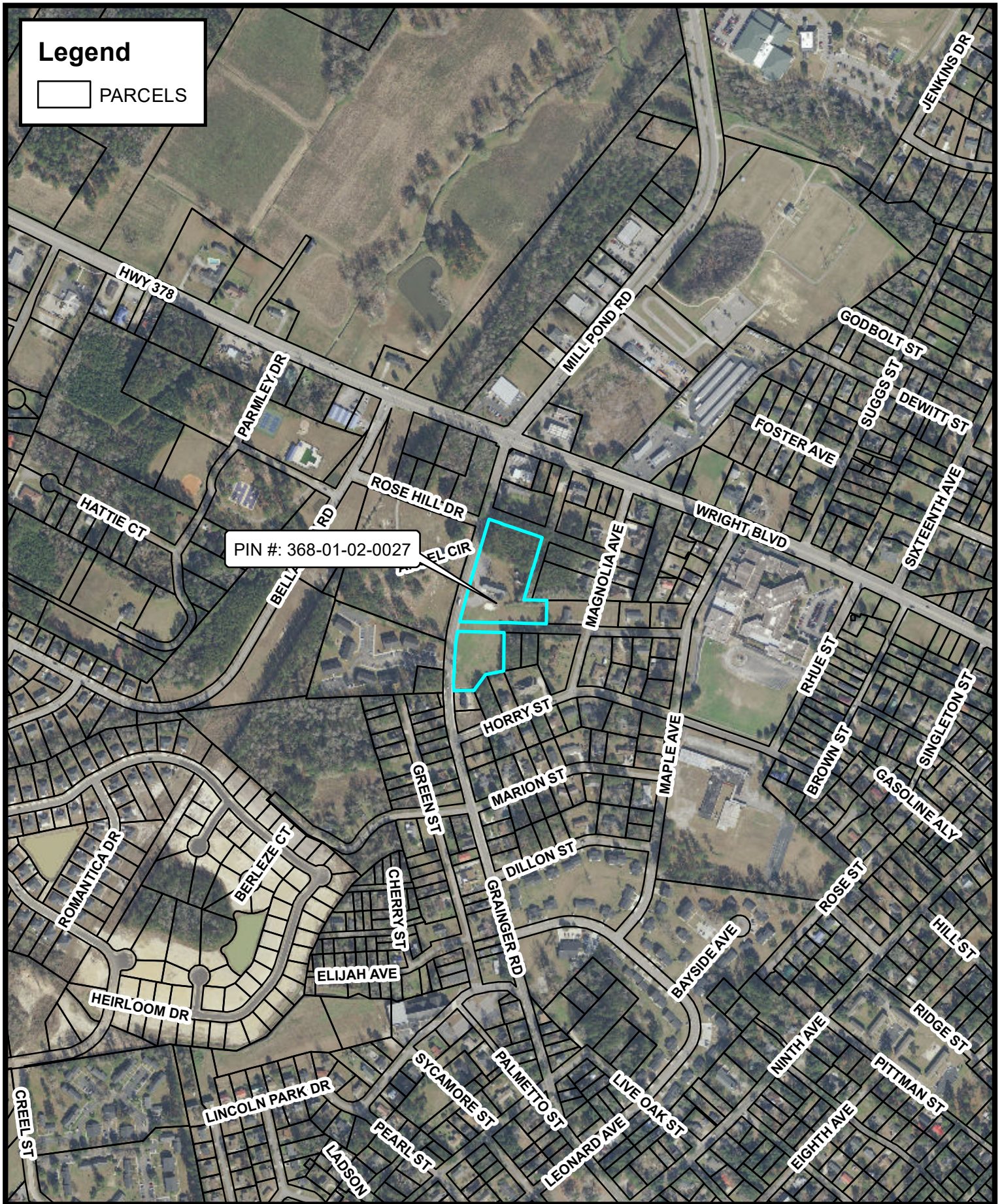














Agenda Item V.C.1  
Tributary Planned Development  
(Development Agreement)  
***Deferred to October 5<sup>th</sup> mtg.***



# Downtown Conway Airbnb units now welcoming guests after lengthy renovation

BY KATHY ROPP  
KATHY.ROPP@MYHORRYNEWS.COM

It took longer and cost more than developers expected to transform the historic Spivey building in downtown Conway into the city's first Airbnb, said developer Robert Lewis.

But now that the eight-unit, three-story building is open and welcoming guests, Lewis said he couldn't be happier with the results and the reception that the building is getting. Demand for rooms at 300 Laurel Loft has been greater than expected with most weekends sold out or almost full.

Last Wednesday, only one of the units was open for the coming weekend.

Lewis said they've found that four-day stays are most popular with guests staying Thursday through Sunday or Friday through Monday. Tuesdays and Wednesdays so far have been the slowest days.

But Lewis said, thanks to a fall wedding, they're already filled for one weekend in October.

Developers expected the summer to be their slowest time, so they're expecting even more renters after school begins and Coastal Carolina University football kicks off.

The newly renovated building has eight units. One of them, the only one on the first floor, is equipped for people with disabilities.

On the second and third floors, renters will find one unit with two bedrooms, three with one bedroom and four efficiency apartments that include full kitchens.

They are finding that the two-bedroom unit is the most popular. If he did it again, he said, he'd probably plan two units with two bedrooms.

All of the units are decorated in black and white and a nod was given to the building's history by leaving beaded boards in the ceilings and the original hardwood flooring throughout. There is even a black, round metal stove cover high on one wall, marking the spot where an old stove pipe was.

Getting to this point has been more difficult than developers expected with the project stretching into 22 months when they had anticipated it taking eight months.

Late in the process, city officials required them to replace three air-conditioning units and do more electrical testing.

Lewis said he's been involved in developing many similar projects, some three times the size of 300 Laurel Loft, but never had as many issues as he did this time.

While most of the older buildings that Lewis has been involved with have presented three or four issues, this one had 12.

However, he said, "It's worth it. We went over budget more than we anticipated and the contractor gave a discount on the price."

But, he said, it was the \$1.4 million in tax credits that made the restoration possible.

Four of the incentives developers relied on for this project included the federal historic income tax credit, the South Carolina state income tax credit, the state Abandoned



KATHY ROPP | KATHY.ROPP@MYHORRYNEWS.COM

Developer Robert Lewis said demand for rooms at 300 Laurel has been greater than expected.

Building tax credit and the Bailey Bill property tax incentive that "freezes" the property tax at its pre-renovation rate.

The tax credits when added together were \$1.4 million or 70% of the project's cost and were very instrumental in allowing the project to go forward, according to Lewis.

Lewis, who is originally from Conway and now an attorney in Columbia, has owned the building for 14 years.

He bought it from Mary T. Spivey Foxworth, the daughter

of D.G. Spivey, who built it, historians believe, around 1936.

It is listed on the National Register of Historic Places.

Plushy Host is managing the property and a cleaning company comes in when residents leave.

There's no need to check in because prospective guests are given a code that they can use to get into the building and then into their units.

Lewis said the management company is sending along comments from guests that he

quotes as saying things like, "a great restoration."

They are also getting a lot of favorable comments about Conway.

Many of the guests are

spending their time in Conway shopping, eating in downtown restaurants and enjoying wedding parties. Some are coming for court and business issues.

They want to be downtown, he said.

"They want something a little bit unique and different, and really that's what we're finding," Lewis said.

## Public Notice of Availability for Review and Comments HORRY COUNTY HOME CONSORTIUM 2022-2023 Consolidated Annual Performance & Evaluation Report (CAPER)

The Horry County HOME Consortium Program Year 2022-2023 Consolidated Annual Performance and Evaluation Report (CAPER) is available for public review and comment. The 2022-2023 CAPER highlights expenditures of CDBG, ESG, and HOME Program funds for the period of July 1, 2022 through June 30, 2023. The report includes information summarizing program resources, status of actions and community accomplishments, and a self-evaluation of progress made during the year.

Copies of the report are available for pickup at the Horry County Community Development Office, 100 Elm Street, Conway, SC 29526, between the hours of 8 a.m. and 5 p.m. from August 4, 2023 through August 18, 2023. The public will have until August 18, 2023 to provide written comments. The draft CAPER can also be downloaded at <https://www.horrycountysc.gov/departments/community-development/public-notices/>.

### Citizens may:


1. Participate in a public meeting to be held on the following dates:
  - Tuesday, August 15, 2023 at 3:00 p.m. at the Waccamaw Regional Council of Governments, 1230 Highmarket Street, Georgetown, SC 29440
  - Wednesday, August 16, 2023 at 3:00 p.m. at Hemingway Town Hall, 110 S Main Street, Hemingway, SC 29554
  - Thursday, August 17, 2023 at 10:00 am at Horry County Government and Justice Center, 1301 2nd Avenue, Conway, SC 29526 – Multipurpose Room D
2. Provide written comments that are delivered to the Community Development Office, 100 Elm Street, Conway, SC 29526. You may also email your comments to [dobson.michael@horrycountysc.gov](mailto:dobson.michael@horrycountysc.gov). Horry County will respond to all written correspondence received.

If any non-English speaking persons or persons with mobility, visual, or hearing impairments wish to attend the public meetings and have special needs, or who have any questions, please notify the Horry County Community Development Office at (843) 915-7033 in advance so that appropriate accommodations may be made.

It is the policy of Horry County Government to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated may file a complaint. For additional information concerning the Title VI complaint procedures, contact Title VI Coordinator Jacqueline Smith at (843) 915-7354.

Es la poliza de Gobierno de Condado de Horry de asegurar que ninguna persona sea excluida de participacion o sea negado los beneficios, o sea desicriminado bajo cualquiera de sus programas y actividades financiado con fondos federalas sobre la base de raza, color, origen nacional o sexo, como proveido por el Titulo VI han sido violadas, puede hacer una queja. Para informacion adicional con respect a procedimientos de quejas de Titulo VI, por favor de comunicarse con la Coordinadores de Titulo VI, Jacqueline Smith al (843) 915-7354.

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The City of Conway Planning Commission will hold a public hearing on **Thursday, September 7, 2023** at 5:30 p.m., in the Planning & Development conference room, 196 Laurel Street, Conway, SC 29526. The purpose of the hearing is to consider the following:

**Land Development Agreement:**

The applicants, Lennar Carolinas, LLC and Thomas & Hutton, are requesting to enter into a land development agreement for development of property located on Highway 378, Juniper Bay Rd, and Dunn Shortcut Rd, known as the Tributary Planned Development (PD), consisting of approximately 486 +/- acres (PIN #'s 336-00-00-0043, -0044, -0045, 336-13-04-0006, 336-14-04-0011, 336-15-03-0003, 337-00-00-0009, -0011, -0012, 337-08-01-0004, 370-00-00-0011, and 370-04-01-0004), which will allow the subsequent annexation and rezoning of said properties to a Planned Development (PD) district, and will permit the following uses: single-family detached dwellings, single-family attached dwellings, townhome dwellings, as well as commercial uses.

The (draft) agreement is available for public inspection and copying in the office of Planning & Building Dept. at 196 Laurel Street, Conway, SC 29526.

**Text Amendment(s):**  
Amendment to *Article 10 – Subdivision and Land Development, of the City of Conway Unified Development Ordinance (UDO)*, regarding various revisions to standards contained within Article 10, including but not limited to: review procedures, minor development & platting action requirements, subdivision design standards, parks & open space dedication, requirements for conservation subdivisions, required improvements, guarantee of required improvements, and general requirements.

**THE PUBLIC IS INVITED TO ATTEND**

PO #10139

  
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# COVID hospitalizations up slightly at Horry County hospitals, officials say

BY CASEY JONES  
CASEY.JONES@MYHORRYNEWS.COM

Hospitalization rates for COVID-19 patients have ticked up at Horry County hospitals, mimicking statewide and nationwide trends. The federal Centers for Disease Control and Prevention reports there were 39 patients admitted with COVID to Horry County hospitals in the week ending Aug. 19. That's a 44.4% increase over the previous week. Dr. Paul Richardson, chief medical officer at the Conway Medical Center, said the slight increase isn't cause for alarm. CMC's coronavirus-related admissions rose from six in July to 16 this month through Aug. 28. And for persons who come in with COVID-19 symptoms, 17% have tested positive in August. That's up from prior months, but far below the

rates experienced at the end of last year, when about 30% tested positive, Richardson said. As of Tuesday, Aug. 29, there were eight COVID-positive patients hospitalized at Tidelands Health in Murrells Inlet. "While our region is experiencing an uptick in COVID-19, most cases are mild and don't require hospitalization," said Tidelands spokeswoman Dawn Bryant. Grand Strand Medical Center's Caroline Preusser, the director of public relations and communications, said GSMC "is experiencing a slight up-tick in patients who are positive for COVID." She said no special precautions are currently required, but officials are always evaluating what changes might be needed to keep patients, visitors and employees safe. At McLeod Loris, McLeod Seacoast and

McLeod Carolina Forest, Chief Medical Officer Dr. Matthew Weeks reported that "McLeod Health has seen a slight insurgence of COVID cases, however, these cases are not bringing the patients to our emergency departments. Emergent patients are not presenting with specific symptoms of COVID, but with other medical concerns." The majority of those requiring hospitalization in Conway skew heavily toward the elderly who suffer from respiratory or cardiovascular diseases, Conway Medical Center's Richardson said. "Those are folks at a high risk of a bad outcome," he said. By comparison, at the height of the pandemic, "we were seeing otherwise healthy young people coming in very sick," he said. Richardson said respiratory-related hospital-

izations — from COVID, RSV and the flu — could rise even more with children returning to school, colder weather coming that makes people congregate indoors and the start of the traditional flu season in October. But he noted that COVID is unlikely to stress the health care system because more than 90% of Americans have acquired some level of immunity through vaccination, exposure or both. An updated COVID-19 vaccine is expected sometime in September, RSV vaccines are accessible and this year's flu shots are now available. Richardson suggests consulting your primary care physician to see if you should roll up your sleeve. Bryant said Tidelands encourages community members to wash their hands frequently, stay home when they're sick and be up-to-date on COVID and flu vaccinations.

## Golf and hotel leader, innovative digital marketer join Myrtle Beach Golf Hall of Fame

*Editor's note: This excerpt appears courtesy of On The Green Magazine. For more content like this, visit onthegreenmagazine.com.*

BY ALAN BLONDIN  
ALAN@ONTHEGREENMAGAZINE.COM

The influence that one family and one company has had on the proliferation of the Myrtle Beach golf market is reflected in the two newest incoming members of the Myrtle Beach Golf Hall of Fame. Former Myrtle Beach National Company CEO Matthew Brittain, and former longtime company executive Jim Woodring were inducted Wednesday in a ceremony at Pine Lakes Country Club, where the Hall of Fame Garden resides. Brittain is the son of Clay Brittain Jr., one of six founding Hall of Fame members and the patriarch of the family behind Myrtle Beach National Co. and Brittain Resorts & Hotels. Matthew Brittain continued his father's legacy with leadership of both the hotel and golf course businesses, and Woodring helped Myrtle Beach National Co. prosper through visionary and innovative digital strategies combined with a relationship-forging personality. Myrtle Beach National owned 10 Grand Strand courses — many of which it built — and managed a total of 14 by the time it merged with Burroughs & Chapin Company's

golf division in 2012 to form National Golf Management, which had nearly all of its assets purchased in 2015 by Founders Group International. Woodring and Brittain will become the 33rd and 34th members of the hall, which was created in 2009.

**MATTHEW BRITTAIN** Clay Brittain, who died in 2016, was the patriarch of the Brittain family and helped create the marketing cooperative Myrtle Beach Golf Holiday in the 1960s along with fellow founding HOF member Cecil Brandon and others. Brittain is humbled to be joining those Myrtle Beach golf pioneers in the hall. "It is an honor. When they reach me, given Cecil and some of the stalwarts, they're reaching to the next level for sure," Brittain said. "The tone that was set by some of the earlier leaders that have been given the [HOF] award is what deserves recognition — the cooperation and competing businesses working together towards an end was superbly demonstrated by Golf Holiday and what it accomplished." Brittain served as the CEO of Myrtle Beach National and is president of Brittain Resorts & Hotels, which manages more than a dozen resorts encompassing more than 4,000 rooms, suites, condominium units and villas, as well as more than 35 restaurants, tiki bars

and coffee shops. It has more than 2,500 employees. Brittain's lodging properties have all been involved in the golf package business for decades. "It was a very helpful market segment to Myrtle Beach," Brittain said. "With it being in the spring and the fall as opposed to the summer it extended our season tremendously. So there was a lot of incentive to do that." Brittain helped his father run the historic Chesterfield Inn in his adolescence, then received a bachelor's degree from North Carolina and a master's degree from South Carolina. Following college, his hotel management career took him to Europe and Washington D.C. before he returned to the Myrtle Beach area in 1985 with his wife Marie-Claire to become the GM of his family's Sea Island Inn. Brittain has served the local community on the boards of the Grand Strand Tee Time Network, Myrtle Beach Golf Holiday, the Myrtle Beach Area Golf Course Owners Association, The Boys & Girls Club, and The Long Bay Symphony, and as a Brookgreen Gardens trustee.

**JIM WOODRING** Woodring combines business acumen with a genial personality that endeared him to people in the golf industry. "He was affable and good-natured and always had a posi-

tive spin on things, and secondly he was competitive, and that never hurts in a business," Matthew Brittain said of his former coworker, who retired in 2015. Woodring is considered an internet marketing pioneer for Myrtle Beach National and the market in general, which helped Myrtle Beach remain competitive in a golf booking and package realm that has become largely digital. He developed new and innovative golf packages, and new ways to attract golfers to the area. "He was a visionary and understood the importance of the internet for the golf industry," Brittain said. "He knew that the internet and online booking phenomenon would be important, and got us to invest in things like URLs — such as MBN.com and MyrtleBeachGolf.com — some of those early URLs that were important at that time. "He bought those, then implemented them into a tee time structure that didn't just sell our courses but sold all courses. He understood the importance of that to the end user." After earning a degree at Kent State, Woodring spent 20 years in the retail industry before moving to the Strand in 1993 with his wife Kathy and becoming vice president of marketing and golf operations for Myrtle Beach National. He also became a shareholder in

Grand Strand Golf & Travel, one of the area's leading golf package providers. Following the creation of National Golf Management, Woodring became the company's executive vice president responsible for strategic planning and all marketing. Woodring's positions and personality allowed him to be a bridge between courses, package providers and hotels. "Although he was on the golf side, he understood the importance of the hotel component and continually reached out to the hotels to try to give them what they needed to market the golf better," Brittain said. "I think he understood that connection as well as anyone and added his finesse in the internet marketing arena as it was getting started."

**HALL OF FAME HISTORY** The Hall of Fame's existing 32 members include charter inductees Clay Brittain Jr., Brandon, Carolyn Cassidy Cudone, Jimmy D'Angelo, General James Hackler Jr. and Robert White. The others are George 'Buster' Bryan, Charlie Byers, Paul Himmelsbach, Jack Himmelsbach, Gary Schaal, J. Egerton Burroughs, J. Bryan Floyd, Edward Jerdon, Casper Leon Benton, George Hilliard, Critt Gore, Russell 'Doc' Burgess, Sandy Miles, Phillip Goings, Edward Burroughs, Kelly Tilghman, Vernon Brake, Bob LeComte, Ed Bullock, Larry Leagans, Dustin Johnson, the four members of Hootie & the Blowfish collectively, Mickey McCamish, Larry Young, Doc Lachicotte and Gene Weldon.

## Cypress Inn waterfront project gets nod from BZA

BY KATHY ROPP  
KATHY.ROPP@MYHORRYNEWS.COM

The Cypress Inn on Conway's waterfront came one step closer to getting the approvals it needs to build a 22-room "boutique" hotel beside the Inn. Thursday afternoon, Conway's Zoning Board of Adjustments agreed for the new building to reach nine feet above the city's present height limit in the riverfront district. Plans show a higher base to avoid future water damage, but lifting the building puts it over the current height restrictions in that riverfront zoning area. Owners say they need the rooms that a third story will provide to make their new project worthwhile. Owners of the Cypress Inn, sisters Orit Deverell and Ayala Benezra, told Conway City Council recently that they need the extra height so they can lift the building's base high enough so that flooding won't pose a major problem. The total they want is 44.5 feet, but the current height limit in the Riverfront District is 35 feet. Susan Stevens, property manager for the Kingston Pointe condominiums, gave the only comment from the public at Thursday's meeting saying the building

is beautiful, but the back is plain and that's the view her residents will see. Kingston Pointe is located in front of the Cypress Inn, located at 16 Elm St., and the vacant land beside it where the new hotel is planned. But ZBA Chairman Paul Lawson told Stevens that was not an issue for the ZBA. That issue needed to be handled by the city's Community Appearance Board. At the CAB's June 28 meeting the board suggested, among other things, that the applicant update its renderings to show the wrap around balconies with larger column posts, provide a larger scale gazebo entrance for more proportion, explore the option of shutters, provide a gable bump out on the Laurel Street side to provide dimension and provide an ADA ramp on the renderings and elevator. The Cypress Inn representative, Joe Benezra, told the ZBA this past week that they have made all the changes the CAB members suggested. Lawson said the CAB delayed its decision because it needed the ZBA's decision before it could move forward with its issues. Conway spokesperson June Wood confirmed that the Cypress Inn's project has already received approval for the city's

hotel incentive package for seven years, that includes these incentives: -Hospitality Fee Reimbursement (collected by the city) for seven years; -Property Tax Reimbursement (collected by the city) for seven years; -an expedited review period of 15 days vs. 30 days. Planner Jessica Hucks said the planning commission will hold a public hearing on the Cypress Inn's plans Sept. 7. The hotel will go back to the Community Appearance Board Sept. 27, and finally to Conway

City Council Oct. 2. Thursday's variance applies to the Cypress Inn only; however, the planning commission in September will discuss the possibility of raising the height limit for the entire riverfront district. The Conway City Council will consider the new Cypress Inn's hotel Oct. 2. Council's approval will need two readings. Benezra said the Inn is ready to go with construction of its hotel as soon as all of the necessary approvals have been granted.



### The Town of Aynor Board of Zoning Appeals Public Hearing Notice

The Town of Board of Zoning Appeals will hold a public hearing on Thursday, September 21, 2023 at 6:30 p.m. at the Aynor Town Hall, located at 600 S. Main Street, Aynor, SC 29511. The purpose of the hearing is to consider the following:

**I. VARIANCE REQUESTS:**  
A. The applicant, Tyson Sign Co., agent for Anderson Brothers Bank, requests a variance from *Article VIII – Sign Ordinance and Article X – Overlays, Section 10.01 – Highway 501 Overlay Zone*, of the Town of Aynor Zoning Ordinance, regarding signage requirements for property located at 2840 Highway 501, Aynor, SC 29511 (PIN 235-08-03-0006).

For further information, please contact Tony Godsey, Town of Aynor, at (843) 358-6231.

THE PUBLIC IS INVITED TO ATTEND

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SCAN ME



### Notice of Public Hearing on Development Agreement

The City of Conway Planning Commission will hold a public hearing on **Thursday, October 5, 2023** at 5:30 p.m., in the Planning & Development conference room, 196 Laurel Street, Conway, SC 29526. The purpose of the hearing is to consider the following:

**Land Development Agreement:**  
The applicants, Lennar Carolinas, LLC and Thomas & Hutton, are requesting to enter into a land development agreement for development of property located on Highway 378, Juniper Bay Rd, and Dunn Shortcut Rd, known as the Tributary Planned Development (PD), consisting of approximately 486 +/- acres (PIN #'s 336-00-00-0043, -0044, -0045, 336-13-04-0006, 336-14-04-0011, 336-15-03-0003, 337-00-00-0009, -0011, -0012, 337-08-01-0004, 370-00-00-0011, and 370-04-01-0004), which will allow the subsequent annexation and rezoning of said properties to a Planned Development (PD) district, and will permit the following uses: single-family detached dwellings, single-family attached dwellings, townhome dwellings, as well as commercial uses.

The (draft) agreement is available for public inspection and copying in the office of Planning & Building Dept. at 196 Laurel Street, Conway, SC 29526.

THE PUBLIC IS INVITED TO ATTEND.

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## Agenda Item V.D.1

Text Amendment regarding revisions to various standards within *Article 10 – Subdivision & Land Development*, of the Unified Development Ordinance (UDO)

*Deferred to a future meeting date, yet to be determined*



## Agenda Item V.D.2

**Text amendment to *Article 6 – Design Standards*, of the UDO, regarding the building height limit in the Waccamaw Riverfront Districts 1 and 2 (WRD1 & WRD2).**

**DATE: September 7, 2023**

**AGENDA ITEM: V.D.2.**

**ISSUE:**

Amendment to *Article 6 – Design Standards*, of the City of Conway Unified Development Ordinance (UDO), regarding the height limit in the Waccamaw Riverfront Districts one (1) and two (2).

**BACKGROUND:**

In the last few months, staff has been approached by multiple property owners and/or developers in regards to the building height limit in the Waccamaw River Districts one (1) and two (2).

Property owners and/or developers have shown interest in our growing riverfront and have asked staff to pursue the possibility of increasing the building height limit from 35 feet to 50 feet.

This request comes after meetings and discussions with staff on the current regulations in the Unified Development Ordinance (UDO). The discussions included the possibility of providing additional lodging, restaurants and commercial opportunities to our river front. With the restricted amount of available property along the river front owners and/or developers are required to be creative in designs and use all available space for the footprint as well as vertical options to the benefit of the project.

A large portion of properties located within the WRD 1 and 2 zoning districts are also impacted by a flood zone. These zones are restricted by federal, state and local regulations. Due to these regulations a portion of the building height is used to meet elevation/ floodproofing requirements and can take away from the usable space of the building. The City of Conway Flood Damage Prevention Ordinance requires a 2-foot freeboard above the base flood elevation when elevation is being used.

In 2021, staff presented an amendment to Council to amend the height limit in the CBD and WRD districts; however, at that time, Council chose to amend the height limit in the Central Business District (CBD) only, from 45' to 60'.

**STAFF RECOMMENDATION:**

Staff recommends that Planning Commission give a thorough review of the proposed amendment to Article 6 of the UDO and make an informed recommendation to City Council.



**Table 6.2: Non-Residential Zoning Districts**

DIMENSIONAL REQUIREMENT	P	IN	NC	HC	CC	CBD	WRD	MU	LI	HI	FA <sup>7</sup>	CP
Minimum lot area (square feet or acres)	7,000	8,000	4,000	8,000	2,500	0	5,000	4,000	15,000	25,000	5 acres	10 Acres <sup>9</sup>
Minimum lot width(feet)	70	80	40	80	25	20	0	40	75	125	150	100
Minimum lot depth (feet)	100	100	100	100	100	0	0	100	200	200	200	200
Minimum landscaped open space	20%	20%	20%	20%	None	None	None	20%	20%	10%	20%	20%
Height, maximum (feet)	40	80	40	50/65 <sup>8</sup>	65	60	<del>35</del> 50	50	50	80	35	35
Front, minimum (feet)	20	20	20	30	BTZ <sup>1</sup>	0	54	0	30	50	100	100
Rear yard, minimum (feet)	15	15	15	20	15/0 <sup>2</sup>	0	10	0	20	50	50	100
Side yard, minimum (feet)	10	15 <sup>3</sup>	10	15	0	0	0	0	20	30	25	100
Side yard, local street minimum (feet) <sup>5</sup>	15	20	15	20	0	0	0	0	25	50	100	100
Side yard, arterial/collector minimum (feet) <sup>6</sup>	25	25	25	25	0	0	0	0	25	50	100	100

<sup>1</sup> BTZ = Build-to-Zone; see Section 6.3.6(c)-1

<sup>2</sup> 15-foot rear yard setback required adjacent to residential property or mid-block alley; otherwise none required.

<sup>3</sup> See Section 6.3.2 for IN District side yard setback requirements.

<sup>4</sup> Front setbacks in WRD district is five feet from edge of pavement or curb.

<sup>5</sup> Side yard setback for properties fronting on a local street, cul-de-sac, or alley.

<sup>6</sup> Side yard setback for properties adjacent to an arterial or collector street.

<sup>7</sup> See Section 6.2, Table 6.1 for residential dimensional requirements in FA.

<sup>8</sup> See Section 6.5.2, Gateway Corridor Overlay.

<sup>9</sup> Minimum lot size does not apply to property or portions of property that are zoned CP upon annexation or rezoning of property for the purposes of protection of environmentally sensitive areas.

## Section 6.4 – Special Use District Design Standards

### 6.4.1 Waccamaw Riverfront District (WRD)

#### B. Dimensional Requirements

The following requirements shall apply to all new buildings, uses, or development in the Waccamaw Riverfront District.

1. Minimum lot area: Five-thousand (5,000) square feet.
2. Minimum front yard: Five (5) feet from edge of pavement or curb.
3. Minimum side yard. Zero (0) feet. Minimum of twenty feet between buildings.
4. Minimum rear yard:
  - a. Ten (10) feet measured from top of bank.
  - b. Fifteen (15) feet setback when the river easement does not apply.
  - c. Twenty-five (25) feet setback is required when a river easement is required (see Section E.2).
5. Maximum height: ~~Thirty-five (35 feet)~~ **Fifty (50) feet.**
6. Flexibility in setbacks for properties adjacent to the Riverwalk may be needed to allow for creativity in site design and building placement, if approved the Planning Department. Property owners and/or developers shall be able to reduce their setbacks and distances between adjacent buildings, as to be determined on a case-by-case basis by the Planning Department.
7. No development shall be allowed in the existing rail road right-of-way.
8. Specific uses in water to be approved by the Conway City Council.



## City of Conway Code of Ordinances section(s)

### **Section 5.2.19 Specific Standards City of Conway Flood Damage Prevention Ordinance**

**Non-residential construction:** New construction and substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes) shall have the top of the lowest floor elevated no lower than two (2) feet above the base flood elevation shown on official FEMA flood maps. Should solid foundation perimeter walls be used to elevate a structure, flood openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of [section 5-2-19](#)(4). No basements are permitted. Structures located in A zones may be floodproofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in the floodproofing certification requirements in [section 5-2-15](#)(b)(1).

**Elevated buildings-** New construction and substantial improvements of elevated buildings that include fully enclosed areas below the lowest floor that are usable solely for the parking of vehicles, building access, or limited storage in an area other than a basement, and which are subject to flooding shall be designed to preclude finished space and be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

**a.** Designs for complying with this requirement must either be certified by a professional engineer or architect or meet or exceed all of the following minimum criteria:

1. Provide a minimum of two (2) openings on exterior walls having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding.
2. The bottom of each opening must be no more than one (1) foot above the higher of the interior or exterior grade immediately under the opening.
3. Only the portions of openings that are below the base flood elevation can be counted towards the required net open area.
4. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
5. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one (1) side of the building.

**b.** Hazardous velocities. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than five (5) feet per second), foundation systems other than solid foundation walls should be considered so that obstructions to damaging flood flows are minimized.

**c.** Enclosures below lowest floor.

1. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
2. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, must be void of utilities except for essential lighting as required for safety, and cannot be temperature controlled.
3. One (1) wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in the specific standards outlined in [section 5-2-19](#)(1), (2) and (3).
4. All construction materials below the required lowest floor elevation specified in the specific standards outlined in [section 5-2-19](#)(1), (2), (3) and (4) should be of flood-resistant materials.



## **City of Conway Unified Development Ordinance (UDO) sections for reference**

### **3.3.1 Waccamaw Riverfront District (WRD)**

The intent of the WRD District is to provide for the proper physical, social, and economic development of the City's riverfront area in order to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare, including but not limited to: safeguarding the cultural, scenic, economic, environmental, and social heritage of the Waccamaw Riverfront on behalf of the City, Horry County and South Carolina; providing for adequate light, air, and public open space; encouraging efficient and economic practices in the process of development and redevelopment; making adequate provision for pedestrian and vehicular traffic; supporting the wise and efficient expenditures of public funds promoting safe and proper drainage; protecting lives and properties from the hazards of flooding; safeguarding water quality; promoting attractive and economically beneficial community and architectural appearance; protecting valuable wetlands trees, and other vegetation; encouraging natural and environmentally sound shoreline stabilization, promoting economic prosperity for the district and the City, and providing for adequate public access to the river and its shores.

### **6.1.12 Building Height**

Buildings and structures are subject to the height limitations established in Table 6.1 for Residential Uses or Table 6.2 for Non-Residential Uses. See Article 2 for Building Height definition.

### **6.1.13 Exceptions to Building Height Regulations**

The height regulations set forth herein shall not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, widows, walks, turrets, parapet walls, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

## Agenda Item V.D.3

Text amendment to *Article 4 – Use Tables, Article 6 – Design Standards, & Article 10 – Subdivision & Land Development*, of the UDO, regarding the requirements related to Conservation Subdivision design.



**DATE: September 7, 2023**

**AGENDA ITEM: V.D.3**

**ISSUE:**

Proposed amendment to *Article 4 – Use Tables* and *Article 10 – Subdivision and Land Development*, of the City of Conway *Unified Development Ordinance (UDO)*, regarding requirements related to a Conservation Subdivision.

**BACKGROUND:**

The UDO currently allows for Single Family detached as well as Single Family attached dwellings in a Conservation Subdivision. (*Section 10.4.1, D*)

Collins Jollie is a Conservation Subdivision that was approved earlier this year. Several tracts within the Conservation Subdivision are currently in technical review. Per the Master Plan for the project, Tract G proposes to develop 175 townhomes. As currently written, the dimensional standards for a Conservation Subdivision (*Section 10.4.1, E*) requires 6,000 square feet minimum lot sizes. This minimum lot size is sufficient for Single Family *detached* but not for Single Family *attached*. If developed fee-simple, this would mean that each unit would have to have 6,000 sq. ft. of lot area and while in-common or multifamily style townhome developments could be developed, individual lots would not be possible.

In order to clarify the dimensional requirements for Single Family attached dwelling types, and rather than require one tract within the Collins Jollie Conservation Subdivision to have to rezone (which would make one tract zoned differently than the rest of the tracts, and may be inconsistent with the comprehensive plan), staff proposes adding a footnote to the Use Tables in Article 4. The Single Family attached would then have to meet the dimensional requirements of the R2 zoning district, for which they are allowed.

**RECOMMENDATION:**

Staff recommends that Planning Commission give a thorough review of the proposed amendment and make an informed recommendation to City Council.

## Article 4 – Use Tables

### Section 4.2 Use Tables

A. RESIDENTIAL USES	SPECIFIC USES	R	RA	RR	R1	R2	R3	R4	Applicable Standards
Residential Dwelling Types	Duplex				C <sup>7</sup>	C	C	C	6.2.1, 6.2.2, 6.2.3 10.4.1
	Multi-Family					C	C	C	6.2.1, 6.2.2, 6.2.3 6.3.6, 6.3.7, 6.4.1
	Single-Family	P	P	P	P	P	P	P	6.2.1, 6.2.2, 6.2.3
	Townhouse				C <sup>7</sup>	C	C	C	6.2.1, 6.2.2, 6.2.3 6.3.6, 10.4.1
	Duplex–Semi-Detached					C	C	C	6.2.1, 6.2.2, 6.2.3

### 4.3 Footnotes

1. Custom Manufacturing permitted in CBD as an accessory use to a Craft Store that sells the products manufactured on site.
2. Conditional Uses listed under the Mixed Use (MU) column shall meet the requirements in Section 6.4.3.
3. Accessory uses in the Institutional (IN) Zoning District shall only be permitted when the principal use is a college or university.
4. Accessory uses in the Institutional (IN) Zoning District shall only be permitted when the principal use is a medical facility.
5. Permitted uses and conditional uses listed under the WRD column shall meet the mixed-use requirements in Section 6.4.1 if located in the WRD-1 sub-district.
6. Accessory Uses in the Core Commercial (CC) Zoning District shall only be permitted when the principal use is a permitted (P) use in the CC District.
7. Single Family attached dwellings (townhome & duplex) are permitted in the R1 zoning district only when the project is being developed as a Conservation Subdivision and meets the requirements of Section 10.4 of the UDO. Single Family attached dwellings (i.e. townhomes) in a Conservation Subdivision must meet the R2 dimensional requirements of Table 6.1.

## Section 10.4 – Conservation Subdivisions

### 10.4.1 General Requirements for Conservation Subdivisions

#### E. Conservation Subdivision Dimensional Requirements

Dimensional Requirements	
Minimum Tract Size	20 acres
Minimum Lot Size	6,000 square feet*
Minimum Front Yard Setback	20 feet
Minimum Side Yard Setback	10 feet
Minimum Side Yard Setback, fronts on Local Street or Arterial	20 feet
Minimum Rear Yard Setback	15 feet
Minimum Lot Width	60 feet
Maximum Height of Structure	40 feet
Minimum Access to Open Space	20 feet
Minimum Open Space Required	30% of Net Buildable Area
Maximum Development Density	Factor of 1.6 based on by-right develop capacity.

\*Refer to standards for single-family attached (townhomes) in R-2 district (in Section 6.2, Table 6.1)