

## Finally, Towers on the Grove Approved

In a specially called North Myrtle Beach City Council meeting, the Planned Unit Development called Towers on the Grove was approved unanimously by the Council. But the decision did not come quickly to the Council.

The project has been before the city since NorthMyrtleBeachONLINE first reported upon it in early June of 2006. In an article titled North Myrtle Beach Planning Commission hears unique proposal, we reported that the developers had requested the closing and abandonment of four five-foot wide oceanfront public beach access-ways.

What makes this request unique is that T&J Development chose to partner with North Myrtle Beach so that both developer goals and community goals could be met. Partnering with the community to enable them to meet their goals for creating more public parks, T&J Development presented a plan to donate an 80 foot by 120 foot part of their property to add to the consolidated 20 foot beach access-ways to create an oceanfront city park.

Over the next six months, the North Myrtle Beach City Council and Planning Commission would work with the Developers to reduce density, convert to underground utilities, add turning lanes, widening streets, improving streetscapes, adding public parking to parking garages, incorporating retail within parking garages, among many features.

All these changes resulted in a two tower design with 690 units separated by a 100 foot wide city park. The complex is one that the community and the developers can take pride. Overcoming the last stumbling block did not come lightly to the North Myrtle Beach Council or Planning Commission. The land the North Tower is to occupy is currently home to 104 owners of 60 condos in Spring Towers. Officials became aware that the developer, Al Gardiner's contract with the owners to represent them and purchase their condos was contingent upon 80% presales. In some minds that left open the question as to whether Spring Towers would ever be replaced by the proposed North Tower.

PUD amendments were the subject of Planning Commission meetings on December 5th and a specially called meeting on December 18th. Both meetings considered several aspects of the PUD. Among these were occupancy of Spring Towers and the first half of the South Tower during construction as well as the posting of an \$850,000 performance guarantee if Spring Towers was not demolished by the end of 2011.

After a motion to reconsider in the December 18th meeting, the Planning Commission recommended to Council they approve the PUD as amended. Councilman Hoff expressed his concern about this aspect saying, If the property underneath the Spring Tower is excluded you go below the requirement for a PUD. My friend, Chris Noury tells me we haven't done anything illegal. But it smells to me like we've done a few things.

Continuing, Hoff said, As long as there is a chance that we are chopping up the PUD ordinance requirement for footage . . . I would recommend that council not to do it.

Councilman Terry White weighed in, commenting, [By approving this] we are not reducing the PUD. This PUD is different from no other PUD. There is no guarantee that when phase one is built that phase two

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will be built; that phase three will be built. Other than the fact that the only thing different is that we have 64 owners on one piece of property. The amount of land is still there. We are not changing the PUD ordinance. We just are not. The land will always remain in the PUD.

Joining in, Mayor Hatley said, Spring Towers cannot do anything except what is being approved tonight without coming back to the council. . . . Even if the \$850,000 is paid, to develop anything other than the North Tower in this PUD, they will have to come back to the council.

When Mayor Hatley opened the meeting up to public comments, Attorney Epps, developer representative, suggested having those in the audience that were Spring Towers owners and were in favor of this development rise, two thirds of the room, not including staff and media, rose.

The president of the Spring Towers Home Owners Association spoke, saying, I don't know of any owner that is not in favor of this project. I know that all of our homeowners don't want to face the alternative which is \$75,000 to \$100,000 [per unit assessment] and, possibly, substantially more to try to repair this very old building. It would substantially overburden some of these owners if they had to go out and get a loan. Some of them don't even have the ability to get a loan. He concluded by stressing how important this project was to Spring Towers residents and owners.

After Councilman Hoff proposed, and the Council and Developers agreed, that the PUD agreement stipulate that a change to the Spring Towers would constitute a major amendment, the Council unanimously approved the Towers on the Grove project.

By Jim Hulen

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