



**Town of Hilton Head Island
Planning Commission Meeting
Wednesday, January 17, 2018 – 3:00 p.m.
Benjamin M. Racusin Council Chambers
REVISED AGENDA**

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting.

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Roll Call**
4. **Freedom of Information Act Compliance**
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
5. **Approval of Agenda**
6. **Approval of Minutes** – Meetings of October 18, 2017 and November 1, 2017
7. **Appearance by Citizens on Items Unrelated to Today’s Agenda**
8. **Unfinished Business**
9. **New Business**
 - a) **Public Hearing**
STDV-002524-2017 – Ronda Carper, owner of 32 Bradley Circle, proposes to rename an existing street from Bradley Circle to Oceanside Cove. There are twenty two parcels on Bradley Circle that would be affected by the renaming. *Presented by Anne Cyran*
 - b) **Public Hearing**
ZA-002505-2017 – Request from Judd Carstens, with Witmer Jones Keefer LTD., to amend the Official Zoning Map by changing the zoning designation of the property located at 71 Shelter Cove Lane from LC (Light Commercial) to the PD-1 (Planned Development Mixed-Use) Zoning District, specifically the Palmetto Dunes Resort Master Plan. This rezoning would allow an increase in the density and height standards. This rezoning would identify the use assigned to the property as an assisted living facility on the master plan. The subject parcel is identified as Beaufort County Tax Map 12C, Parcel 1. *Presented by Nicole Dixon.*

Note: This agenda item (9b) has been withdrawn by the applicant.
10. **Commission Business**
11. **Chairman’s Report**
12. **Committee Report**
13. **Staff Report**
14. **Adjournment**

Please note that a quorum of Town Council may result if four or more of their members attend this meeting.

TOWN OF HILTON HEAD ISLAND
Planning Commission
Minutes of the October 18, 2017 – 3:00p.m. Meeting
Benjamin M. Racusin Council Chambers

Commissioners Present: Chairman Alex Brown, Vice Chairman Peter Kristian, Glenn Stanford, Todd Theodore, Bryan Hughes, Barry Taylor, Caroline McVitty

Commissioners Absent: Judd Carstens (excused), Lavon Stevens (excused)

Town Council Present: David Ames

Town Staff Present: Shawn Colin, Deputy Director of Community Development; Charles Cousins, Director of Community Development; Brian Hulbert, Staff Attorney; Jayme Lopko, Senior Planner; Teri Lewis, LMO Official; Anne Cyran, Senior Planner; Teresa Haley, Senior Administrative Assistant

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. Freedom of Information Act Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5. Approval of Agenda

The Planning Commission approved the agenda as submitted by general consent.

6. Approval of Minutes – Meeting of October 4, 2017

Commissioner Stanford moved to approve. Vice Chairman Kristian seconded. The minutes of the October 4, 2017 meeting were approved as submitted.

7. Appearance by Citizens on Items Unrelated to Today’s Agenda – None

8. Unfinished Business – None

9. New Business

a) Public Hearing

ZA-0002102-2017 – Request from the Town of Hilton Head Island to rezone the subject properties: R510 011 000 0007 0000 (11 Simmons Road) from RM-4 (Low to Moderate Density Residential) to WMU (Waterfront Mixed Use), R510 004 00H 0302 0000 (4501 Meeting Street) from PD-1 (Planned Development Mixed Use) to MS (Main Street), R510 011 000 0172 0000 (4 Marshland Lane) from WMU to PD-1, R510 004 000 0344 0000 (154 Beach City Road) from LC (Light Commercial) to IL (Light Industrial), R510 004 000 0375 0000 from LC to IL and R510 008 000 0221 0000 (21 Dillon Road) from LC to IL. The effect of these rezonings will be to change the allowable uses, densities, height and

impervious coverage requirements. This rezoning will not change the zoning designation of property located at 1 Simmons Road which shares the same parcel number as property located at 11 Simmons Road.

Mrs. Lewis presented the application described in the Staff Report as provided in the Commission's packet. Staff recommends the Planning Commission find this application to be consistent with the Town's Comprehensive Plan and serves to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report.

- 11 Simmons Road (Property 1)

Chairman Brown opened the meeting for public comments pertaining to the subject property. One member of the public asked for information on the Town's rezoning notification process to neighboring properties and specific impacts to each property.

Vice Chairman Kristian moved to recommend approval to Town Council to rezone the subject property based on the Finding of Facts and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report. Commissioner Hughes seconded. The motion passed with a vote of 7-0-0.

- 4501 Meeting Street (Property 2)

Chairman Brown opened the meeting for public comments pertaining to the subject property and none were received.

Chairman Brown asked if the Commission had any comments and none were received.

Vice Chairman Kristian moved to recommend approval to Town Council to rezone the subject property based on the Finding of Facts and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report. Commissioner Theodore seconded. The motion passed with a vote of 7-0-0.

- 4 Marshland Lane (Property 3)

Chairman Brown opened the meeting for public comments pertaining to the subject property and none were received.

Chairman Brown asked if the Commission had any comments and none were received.

Vice Chairman Kristian moved to recommend approval to Town Council to rezone the subject property based on the Finding of Facts and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report. Commissioner McVitty seconded. The motion passed with a vote of 7-0-0.

- 154 Beach City Road (Property 4)

Chairman Brown opened the meeting for public comments pertaining to the subject property. Eleven members of the public presented statements and questions in opposition of the rezoning. Jon Rembold, Beaufort County Airports Director, answered questions from the public and the Commission. Public comments and questions received related to the following: County redevelopment plans for the property; various aspects of the MOU between the Town, County and Palmetto Hall; the purpose of the purchases of properties 4 and 5; Federal Aviation Administration (FAA) Regulations governing this area; the parameters of the Object Free Area (OFA); the building on Property 4 is in the Object Free Area (OFA) and therefore, is not in compliance with the FAA; to comply with FAA standards the building must be demolished no matter the outcome here today; the property is limited in redevelopment because of the above reasons; developable space is limited to inches; Property 5 is in the Object Free Area (OFA); Properties 4 and 5 are subject to Design Review Board; noise abatement is in place by way of the MOU; Town gave Palmetto Hall \$1,000,000 to handle noise abatement; comparison of LC and IL uses; concerns for IL zoning in this area; concern for the addition of airport hangars as conveyed in a letter; history of Beach City Road; waiting until the development of Mitcheville to decide zoning for this property; building structure to help with noise abatement; the Airport is permitted to move the fence without rezoning; do not rezone without complete plans for this property.

The Commission expressed that certain issues brought up today are not within its range of authority. The Commission is charged with deciding whether the rezoning is an appropriate use for this land. There appear to be two issues—one is the removal of the building and the second is the concern for a chain reaction of IL zoning in the area. Questions were raised regarding the need to rezone the properties if there are no development plans. Staff explained that if the Airport does develop plans or wants to use the property in any capacity for airport functions, then the property needs to be zoned IL.

Staff clarified some public comments for the record. There was a letter sent by an applicant, not the Town, on a different rezoning application that referred to a possible use for hangars on the property. The letter referenced the wrong meeting date. The application was withdrawn. Regarding the current rezoning application in front of the Commission, Staff believes the rezoning would not conflict with the MOU and should not have a negative effect on Beach City Road. Palmetto Hall was given \$1,000,000 to handle noise abatement. Public and private groups have worked together on this for many years and will continue to. The Commission encouraged the County, Town, and residents to continue to work together.

Commissioner Stanford moved to recommend denial to Town Council to rezone the subject property. Commissioner McVitty seconded. The motion passed with a vote of 5-2-0.

- R510 004 000 0375 0000 (Property 5)

Chairman Brown opened the meeting for public comments pertaining to the subject property. Public comments and questions received related to the following: consideration of properties 4 and 5 collectively; the location of the OFA line; denial of the request until

plans are in place; possible taxiway plans that would impact parcel 5; and whether there are plans for the lot above parcel 5.

The Commission asked for clarification on plans for the property. Staff clarified that the Airport Master Plan shows parcel 5 with a taxiway. The Airport Master Plan was adopted by the County and the Town and has been before this Town for years.

Vice Chairman Kristian moved to recommend approval to Town Council to rezone the subject property based on the Finding of Facts and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report. Commissioner Hughes seconded. The motion passed with a vote of 7-0-0.

- 21 Dillon Road (Property 6)

Mr. Rembold explained this property also had to be purchased because the building was in the OFA and therefore had to be demolished. The parcel above this one contained an old fire station maintenance building that was in the OFA. It is now used as a medevac helicopter pad.

Chairman Brown opened the meeting for public comments pertaining to the subject property. Public comments and questions received related to the following: bring the Airport Master Plan with any rezoning applications near the airport; a caveat to the Master Plan is that airport work should be done on existing airport property, not newly purchased property; the Commission controls the Island's future on this.

The Commission expressed sympathy with the public concerns and encouraged all parties to continue to communicate. With respect to these properties, the FAA regulations take precedence over the decisions of the Commission.

Vice Chairman Kristian moved to recommend approval to Town Council to rezone the subject property based on the Finding of Facts and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report. Commissioner Theodore seconded. The motion passed with a vote of 7-0-0.

10. Commission Business – None

11. Chairman's Report – None

12. Committee Report

Commissioner McVitty reported the Gullah-Geechee Land & Cultural Preservation Task Force is meeting tonight at 7:00pm at Palmetto Electric.

13. Staff Reports

- a) Update on Town Council 2017 Key Priorities

Mr. Colin reported on the progress of each Town Council 2017 Key Priority. Regular updates can be found on the Town's website.

Ms. Cyran reported at this time Staff has received no applications for the two meetings in November.

14. Adjournment – The meeting was adjourned at 5:48p.m.

Submitted by: Teresa Haley, Secretary

Approved:

Alex Brown, Chairman

DRAFT

TOWN OF HILTON HEAD ISLAND
Planning Commission
Minutes of the November 1, 2017 – 9:00a.m. Meeting
Benjamin M. Racusin Council Chambers

Commissioners Present: Chairman Alex Brown, Vice Chairman Peter Kristian, Glenn Stanford, Barry Taylor, Judd Carstens, Caroline McVitty

Commissioners Excused: Lavon Stevens, Todd Theodore, Bryan Hughes

Town Council Present: None

Town Staff Present: Shawn Colin, Deputy Director of Community Development; Jayme Lopko, Senior Planner; Jennifer Ray, Special Planning & Projects Manager; Teresa Haley, Senior Administrative Assistant

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. Freedom of Information Act Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5. Approval of Agenda

The Planning Commission approved the agenda as submitted by general consent.

6. Approval of Minutes – None

7. Appearance by Citizens on Items Unrelated to Today’s Agenda – None

8. Unfinished Business – None

9. New Business

a) Gullah-Geechee Land & Cultural Preservation Task Force Recommendations

The Task Force drafted a Mission Statement and Statement of Work that was approved by the Commission at their October 4, 2017 meeting. The Task Force drafted several action items from their Statement of Work that would be considered short term goals for the Task Force. Once approved by the Commission, the Task Force will begin to gather the information necessary to carry out these short term goals. Staff recommends that the Planning Commission approve the recommendations of the Gullah-Geechee Land and Cultural Preservation Task Force as identified in Attachment A.

Mrs. Lopko presented on behalf of Staff and answered questions presented by the Commission.

Chairman Brown asked the Commission for comments. The Commission discussed and made inquiries regarding the number of acres identified, whether or not all acres were heirs' property, the number of citizens affected, how infrastructure will be funded, if not funded by the property owner then how would the funding source benefit, fairness in taxation, and the Town liaison position.

Chairman Brown opened the meeting for public comments. Chester Williams presented statements regarding infrastructure and clearing title to property.

Chairman Brown expressed the importance of having a full-time position committed to the preservation of Gullah-Geechee land and culture, and facing the challenges that come with it.

Vice Chairman Kristian moved to approve the recommendations of the Gullah-Geechee Land and Cultural Preservation Task Force as submitted. Commissioner Stanford seconded. The motion passed with a vote of 6-0-0.

10. Commission Business – None

11. Chairman's Report – None

12. Committee Report

Commissioner Carstens presented statements regarding the Vision project *Hilton Head Island – Our Future* and the engagement session that he attended. He encouraged people to take the survey online and contact Emily Sparks, Project Lead with any questions or comments. The Vision project and the Task Force recommendations will tie into the work of the Comp Plan Committee. Chairman Brown mentioned the date will be announced soon for the reconvening of the Vision project Think Tank and encourage everyone to get involved. Vice Chairman Kristian pointed out that Chairman Brown was featured in an article in Local Life Magazine.

13. Staff Reports – None

14. Adjournment – The meeting was adjourned at 9:29a.m.

Submitted by: Teresa Haley, Secretary

Approved:

Alex Brown, Chairman

Attachment A:
Gullah-Geechee Land and Cultural Preservation Task Force Recommendations

1. The Town create a position within the Community Development Department to manage the Gullah-Geechee program and act as a Town liaison to represent the Gullah-Geechee Native Island community. This position would work toward the resolution of the following objectives:
 - a. Continue to make infrastructure a priority for areas that are not currently served by water, sewer, paved roads, drainage, and fire hydrants.
 - b. Take advantage of existing resources which have experience dealing with heirs property and similar issues (i.e. Center for Heirs Property, Pan-African Family Empowerment & Land Preservation Network, Inc., and Penn Center).
 - c. Establish on-going regularly scheduled workshops throughout the community to apprise residents of available resources and to provide a forum for property and cultural issues.
 - d. Establish the Town as a resource center for Gullah-Geechee Land & Cultural Preservation (i.e. R/UDAT, Response to the R/UDAT, and the Ward One Master Plan).
 - e. Establish resources from local organizations to assist Gullah-Geechee Native Islanders with legal, property, or financial issues related to their property or culture (i.e. NIBCAA, Hilton Head Realtors Association, and Financial Institutions).
 - f. Identify and support existing cultural preservation organizations including their programs and resources (i.e. Mitchelville Preservation Project, Gullah Museum, NIBCAA & the Gullah Celebration, and Gullah-Geechee Consortium of Beaufort County).
2. The Town create a partnership with the Native Island Business and Community Affairs Association (NIBCAA) to participate in the annual Gullah Celebration each year in February to provide an educational workshop on Gullah-Geechee Native Island issues.
3. Investigate possible Land Management Ordinance (LMO) changes to resolve issues dealing with heirs property and other issues raised by the Gullah-Geechee Native Island community. This would include the possibility of creating a Gullah Preservation Overlay District. To accomplish this a consultant or attorney may need to be hired.
4. Investigate options to resolve fairness in taxation.



**TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT DEPARTMENT**

One Town Center Court | Hilton Head Island, SC 29928 | 843-341-4757 | FAX 843-842-8908

**STAFF REPORT
STREET NAME MODIFICATION**

Case #:	Name of Project:	Public Hearing Date:
STDV-2524-2017	Bradley Circle Street Name Modification	January 17, 2018

Parcel Data or Location:	Applicant/Agent
R510 012 000 0411 0000	Ronda Carper 32 Bradley Circle Hilton Head Island, SC 29928

Application Summary:

Ronda Carper, owner of 32 Bradley Circle, proposes to modify an existing street name from Bradley Circle to Oceanside Cove. There are twenty two parcels on Bradley Circle that would be affected by the renaming.

Staff Recommendation:

Staff recommends the Planning Commission **approve** the Bradley Circle street name modification application based on the review criterion outlined in Land Management Ordinance Section 16-2-103.O.4 and enclosed herein.

Background:

Ronda Carper is proposing to rename Bradley Circle to reduce driver confusion and reduce unnecessary travel.

Visitors and delivery drivers frequently confuse Bradley Circle with Bradley Beach Road. This confusion is especially problematic if someone calls emergency services and tells the operator an incomplete name; for example, "I'm staying on Bradley something." Drivers also incorrectly assume that Bradley Circle connects to Bradley Beach Road. Bradley Beach Road is located within 400 feet of Bradley Circle, but the roadways do not connect.

Further, the Bradley Circle roadway is U-shaped; it is not a circle. The name of the street encourages drivers to assume the right and left sides of the street will connect in the center, which leads them to turn around in a driveway or access easement when they reach

the end of the street.

A reduction in unnecessary travel on Bradley Circle would reduce congestion on the street and driver frustration.

As set forth in LMO Section 16-2-103.O.3.d, Decision-Making Body Review and Decision, the Commission shall hold a public hearing and make a final decision on the application based on the standards in LMO Section 16-2-103.O.4, Street/Vehicular Access Easement Review Standards.

Summary of Facts and Conclusion of Law:

Criteria A: No new street or vehicular access easement, or proposed modification of the name of an existing street or vehicular access easement, shall duplicate, be phonetically similar to, or in any way be likely to be confused with an existing street or vehicular access easement, despite of the use of prefixes or suffixes. (LMO Section 16-2-103.O.4.a).

Findings of Fact:

- Town staff, Town Fire & Rescue Dispatch, and Beaufort County Dispatch have determined Oceanside Cove is not duplicated within the Town or Beaufort County.
- Town staff, Town Fire & Rescue Dispatch, and Beaufort County Dispatch have determined Oceanside Cove is not phonetically similar to an existing street or vehicular access easement.
- Town staff, Town Fire & Rescue Dispatch, and Beaufort County Dispatch have determined Oceanside Cove will not likely be confused with an existing street or vehicular access easement.

Conclusion of Law:

- The proposed street name Oceanside Cove **meets the requirements** of this criterion.

Summary of Facts and Conclusion of Law:

Criteria B: Names shall be simple, logical, easy to read and pronounce, and are clear and brief. Use of frivolous or complicated words or unconventional spellings in names shall not be approved. (LMO Section 16-2-103.O.4.b).

Findings of Fact:

- Town staff, Fire & Rescue Dispatch, and Beaufort County Dispatch determined Oceanside Cove is simple, logical, easy to read and pronounce
- Town staff, Fire & Rescue Dispatch, and Beaufort County Dispatch determined Oceanside Cove is clear and brief.
- Town staff, Fire & Rescue Dispatch, and Beaufort County Dispatch determined Oceanside Cove does not include frivolous or complicated words or

unconventional spelling.

Conclusion of Law:

- The proposed street name Oceanside Cove **meets the requirements** of this criterion.

Summary of Facts and Conclusion of Law:

Criteria C: It is desirable to use names that have some association with Hilton Head Island and specifically with the immediate location of the street or place, such as reference to local history or physiographic features. (LMO Section 16-2-103.O.4.c).

Finding of Fact:

- The roadway proposed to be named Oceanside Cove is located proximate to the ocean.

Conclusion of Law:

- The proposed street name Oceanside Cove **meets the requirements** of this criterion.

Summary of Facts and Conclusion of Law:

Criteria D: Use of a common theme is recommended for names of streets that are associated with one another, such as those within a residential development. (LMO Section 16-2-103.O.4.d).

Findings of Fact:

- The proposed Oceanside Cove is not located within a larger residential subdivision.
- The access easements near the proposed Oceanside Cove are already named.

Conclusion of Law:

- **This criterion does not apply** to this application.

Summary of Facts and Conclusion of Law:

Criteria E: Streets or vehicular access easements that continue through an intersection should generally bear the same name, except where the street crosses a major arterial or where existing address points on a street require that the street given a different name. (LMO Section 16-2-103.O.4.e).

Finding of Fact:

- The proposed Oceanside Cove does not continue through an intersection.

Conclusion of Law:

- **This criterion does not apply** to this application.

Summary of Facts and Conclusion of Law:

Criteria F: A street or vehicular access easement making an approximate right-angle turn where there is no possibility of extending the street or vehicular access easement in either direction shall be considered to be continuous and continue the same name. Where there is a choice of direction or a possibility of extending either section in the future, such configuration shall be considered to be an intersection and the street/easement segments extending from the intersection shall bear different names. (LMO Section 16-2-103.O.4.f).

Findings of Fact:

- The existing roadway makes two approximate right-angle turns.
- There is no possibility of extending the existing roadway in either direction of the right-angle turns.
- The proposed name Oceanside Cove will apply to the entire existing roadway.

Conclusion of Law:

- This application **meets the requirements** of this criterion.

Summary of Facts and Conclusion of Law:

Criteria G. New or modified street names should generally use Drive, Lane, Place, Road, Street, or Way as suffixes. The following street designations should only be used if the street design meets one of the following descriptions: This list is not intended to limit the use of other appropriate suffixes.

1. *Alley – A street providing vehicular access to the rear of lots or buildings, usually as a secondary means of access to a property.*
2. *Avenue – A street that is continuous.*
3. *Boulevard – A street with a landscaped median dividing the roadway.*
4. *Circle – A street with a complete loop on the end or a side street that intersects another street at two adjacent intersections.*
5. *Court – A street terminating in a cul-de-sac, not longer than 1,000 feet in length.*
6. *Extension – A section of street forming an additional length.*
7. *Parkway – A street designated as a collector or arterial road, with a landscaped median reflecting the parkway character implied in the name.*

(LMO Section 16-2-103.O.4.g).

Findings of Fact:

- The proposed name is Oceanside Cove.
- Though Cove is not listed as a preferred street name suffix, it is not prohibited.

Conclusion of Law:

- The proposed street name Oceanside Cove meets the requirements of this criterion.

Summary of Facts and Conclusion of Law:

Criteria H. The suffixes Manor, Trace, and Common shall typically be used to name vehicular access easements. (LMO Section 16-2-103.O.4.h).

Finding of Fact:

- The subject roadway is a street, not an access easement.

Conclusion of Law:

- This criterion does not apply to this application.

Summary of Facts and Conclusions of Law:

Criteria I. Where natural barriers, intervening land uses, or developments that break an existing street into two separate streets that are not likely to be reconnected in the future, the streets shall be named in a manner that considers the potential economic impact of the number of address points and type of addresses impacted. (LMO Section 16-2-103.O.4.i).

Finding of Fact:

- The existing roadway is not broken into two separate streets.

Conclusion of Law:

- This criterion does not apply to this application.

PREPARED BY:

SB

Suzanne Brown
Addressing Technician

January 5, 2017

DATE

REVIEWED BY:

CJ-G

Cathy Jones-Gooding
Communications Manager

January 5, 2017

DATE

REVIEWED BY:

AC

Anne Cyran, *AICP*
Planning Commission Coordinator &
Senior Planner

January 5, 2017

DATE

ATTACHMENT:

A) Location Map

Bradley Circle Renaming

1 inch = 130 feet



Staff Report Attachment A Location Map

TOWN OF HILTON HEAD ISLAND

ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341-4600

The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the data shown. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion or for any losses arising from the use of the map.



Bradley Circle
Street Name to Change

Properties affected
by the name
change are
highlighted in red.



TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court | Hilton Head Island, SC 29928 | 843-341-4757 | FAX 843-842-8908

STAFF REPORT ZONING MAP AMENDMENT

Case #:	Name of Project	Public Hearing Date
ZA-002505-2017	Merrill Gardens	January 17, 2018

Parcel Data	Property Owner	Applicant
<p><u>Parcel Number:</u> R520 012 00C 0001 0000</p> <p><u>Size:</u> 3.14 Estimated Total Acres</p> <p><u>Address:</u> 71 Shelter Cove Lane</p>	<p>KLR, LLC 13 Brigantine Hilton Head Island, SC 29928</p>	<p>Judd Carstens Witmer Jones Keefer LTD PO Box 3036 Bluffton, SC 29910</p>
Existing Zoning	Proposed Zoning	
<p><u>Overlay District:</u> COR (Corridor Overlay District) – within 450 feet of an arterial road and within 500 feet of the OCRM Critical Line</p> <p><u>Zoning District:</u> LC (Light Commercial)</p> <p><u>Density:</u> 4 units per acre</p> <p><u>Maximum Height:</u> 45 feet</p> <p><u>Approved Uses:</u> All uses permitted in the LC Zoning District (LMO Section 16-3-105.D)</p>	<p><u>Overlay District:</u> COR (Corridor Overlay District) – within 450 feet of an arterial road and within 500 feet of the OCRM Critical Line</p> <p><u>Zoning District:</u> PD-1 (Planned Development Mixed Use) Palmetto Dunes Resort</p> <p><u>Density:</u> 40 units per acre</p> <p><u>Maximum Height:</u> 75 feet</p> <p><u>Approved Use:</u> Assisted Living Facility</p>	

Application Summary:
<p>Request to amend the Official Zoning Map by changing the zoning designation of the property located at 71 Shelter Cove Lane from LC (Light Commercial) to the PD-1 (Planned Development Mixed-Use) Zoning District, specifically the Palmetto Dunes Resort. This rezoning would allow an increase in density and height standards. Under the current zoning, 4 units per net acre or 12 units</p>

total would be permitted on the property. The applicant is proposing to rezone the property to increase the density from 4 to 40 units per net acre. The applicant is proposing to increase the maximum building height from 45 to 75 feet.

This rezoning would specify the use permitted on the property as an assisted living facility. The proposed change in density would allow a facility with 123 units and space to include recreational facilities, administrative offices, living and dining areas, a wellness center, an amenity center and salon, a memory care section, and outdoor recreation areas.

Staff Recommendation:

Staff recommends that the Planning Commission find this application to be **not consistent** with the Town's Comprehensive Plan and does not serve to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein. Though the proposed use would be consistent with the Comprehensive Plan and carry out the purposes of the LMO, the proposed density is intense and the proposed maximum height is high for the subject parcel.

Staff recommends that the Planning Commission recommend **denial** of this application to Town Council.

Background:

The subject property is located on the corner of William Hilton Parkway and Shelter Cove Lane. The site is surrounded by vacant Town-owned property on two sides, the marshes of Broad Creek in the rear and a Beaufort County Sheriff's Office and the SHARE Senior Center, which are located on the Town-owned property across Shelter Cove Lane.

The property is commonly referred to as the old Cracker Barrel site. A Development Plan Review application was approved in 2009 for the property for the construction of a bank and office building. The restaurant was demolished in 2010. While some of the infrastructure was installed for this project at that time, the property owner did not move forward with the construction of the buildings.

The applicant is proposing to construct an assisted living facility on the vacant property. An assisted living facility is classified as Group Living in the Land Management Ordinance and is a permitted use in the LC Zoning District. Group Living is defined in LMO Section 16-10-103.A.2 as the residential occupancy of a group of living units by persons who do not constitute a single-family and may receive some level of personal care. Accessory uses common to group living uses include recreational facilities, administrative offices, and food preparation and dining facilities. This Section also states that although continuing care retirement communities may include single-family and multifamily dwellings and health care uses, they are categorized as a group living use because of their focus on the present or future provision of personal care to senior citizens and their integration of various uses as a single cohesive development.

The proposed density would increase tenfold the number of units allowed on the parcel. Though assisted living facilities are generally less intense uses than multi-family residential developments, the proposed density is far greater than the density recently approved for the same or similar uses and it is far greater than the highest density currently allowed by right. The most recent rezoning applications for similar uses are the Bayshore on Hilton Head, an assisted living facility located at 421 Squire Pope Road, and the Waterwalk apartments at the Shelter Cove Towne Centre, which are currently under

construction. The rezoning for the Bayshore assisted living facility was approved for 27 units per net acre. The rezoning for the two Waterwalk apartment sites was approved with 23 and 27 units per net acre. The Bayshore facility and the Waterwalk apartment sites are located in the PD-1 District. Though higher densities are allowed on certain sites in the PD-1 District, the maximum residential density allowed in all other zoning districts is 16 units per net acre, which is less than half of the proposed density of 40 units per net acre. To increase the density from 4 units per net acre to 40 units per net acre as requested would be a 1000% increase in density.

The applicant proposes to increase the maximum building height from 45 feet to 75 feet, a 67 percent increase. The default maximum building height for the PD-1 District is 75 feet, but many properties in the PD-1 District are limited to a lower height, depending on their location. Since development on the subject parcel will be immediately visible from William Hilton Parkway, the maximum structure height should be consistent with properties in the immediate vicinity.

The properties immediately adjacent to the subject property are: the SHARE Center and Sherriff's Department office in the LC District, which has a 45 foot height limit; Town-owned, undeveloped properties in the PR (Parks and Recreation) District, which has a 35 foot height limit; a Town-owned, undeveloped property in the PD-1 District; and a golf course across William Hilton Parkway in the PD-1 District. The proposed height would be out of scale with the development of the other properties in the vicinity with frontage on William Hilton Parkway.

Town staff suggested to the applicant that they reduce the proposed density to 23 to 27 units per net acre and reduce the maximum height to 55 feet. These changes would bring the proposed density and height in line with similar developments and with Island character. The applicant asked that the review of the application be postponed from the December 6th Planning Commission meeting while the owner and applicant considered staff's suggestion. The applicant later asked staff to move forward with the review of the application as originally submitted.

Applicant's Grounds for ZMA:

The applicant's narrative describes Hilton Head Island's community as having a mature population base, establishing the island as a premier retirement destination. As this population continues to age and thrive on the island, facilities are needed to aid in the lasting enjoyment and benefit of the island from this age group. The applicant states the proposed assisted living facility will provide an opportunity for the aging citizens to remain active and engage in the redeveloping mid-island area of Shelter Cove. The applicant's narrative states the proposed rezoning is consistent with many of the goals of the Comprehensive Plan, specifically the Population, Housing, Community Facilities, Economic Development, Land Use, Cultural Resources, Transportation, Natural Resources, Recreation and the Housing Element. The applicant states the rezoning will meet the needs of the aging community and is appropriate and compatible to the uses that currently exist in the vicinity of the site. The applicant states the PD-1 zoning will provide for an appropriate density and height for assisted living and will bring the parcel in alignment with the zoning of the rest of the Shelter Cove marsh front.

Summary of Facts and Conclusions:

Findings of Fact:

- The application was submitted on November 6, 2017 as set forth in LMO Section 16-2-103.C and Appendix D-1.

- Per LMO Section 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing.
- Due to the applicant requesting the application be postponed from the December 6, 2017 Planning Commission meeting, the LMO Official scheduled the public hearing on the application for the January 17, 2018 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
- Per LMO Section 16-2-102.E.2, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date.
- Notice of the January 17, 2018 public hearing was published in the Island Packet on December 24, 2017.
- Per LMO Section 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties within 350 feet of the subject land, no less than 15 calendar days before the hearing date.
- The applicant mailed notices of the January 17, 2018 public hearing by first-class mail to the owners of record of properties within 350 feet of the subject land on December 28, 2017.
- Per LMO Section 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land.
- The LMO Official posted on December 19, 2017 conspicuous notice of the public hearing on the land subject to the application.

Conclusions of Law:

- The application was submitted in compliance with LMO Section 16-2-103.C and Appendix D-1.
- The LMO Official scheduled the public hearing on the application for the January 17, 2018 Planning Commission meeting, in compliance with LMO Section 16-2-102.E.1.
- Notice of the public hearing was published 24 calendar days before the meeting date, in compliance with LMO Section 16-2-102.E.2.
- The applicant mailed notices of the public hearing to owners of record of properties within 350 feet of the subject land 20 calendar days before the hearing date, in compliance with LMO Section 16-2-102.E.2.
- The LMO Official posted conspicuous notice of the public hearing on the land subject to the application 29 calendar days before the hearing date, in compliance with LMO Section 16-2-102.E.2.

As set forth in LMO Section 16-2-103.C.2.e, Zoning Map Amendment (Rezoning) Advisory Body Review and Recommendation, the Commission shall consider and make findings on the following matters regarding the proposed amendment.

Summary of Facts and Conclusions:

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103.C.3.a.i):

Findings of Fact:

The Comprehensive Plan addresses this application in the following areas:

Natural Resources Element:

Implementation Strategy 3.1: Protect Water Quality and Quantity

- J. Implement the recommendations of the Broad Creek Management Plan.

Population Element:

An Implication for Age Distribution

Provisions that allow for aging in place should be considered, especially as the population percentage of people over the age of 65 in the Town continues to grow. These include additional medical and health care services, transportation, and mobility and access to appropriate services.

Housing Element:

An Implication for Housing Unit and Tenure

Although, an increase in the total number of housing units contributes to the economic tax base for the Town, it is important that both the quantity as well as quality of the housing stock is maintained to sustain current and future population and overall property values. As the amount of available land declines for new development, it will be very important to maintain a high quality housing stock on residential properties. In addition, the availability of various housing types is important for the housing market viability to accommodate the diverse needs of the Island's population.

An Implication for Housing Opportunities

It is important that the Town of Hilton Head Island assists in the ability for the population to age in place. As the average age of the population gets older, the needs of the community change. It is important that housing options accommodate these changes. It is also important that the family and friends that support aging family members are able to reside in close proximity. The location of assisted living facilities is also important. Special complimentary land uses and associated infrastructure are needed. When one ages in place, it is important that one is living in close proximity to basic services, for instance banks, grocery stores and medical services and that provisions for emergency evacuation are considered.

Goal 5.1 – Housing Units and Tenure

- F. The goal is to monitor availability of housing types and occupancy rates to meet housing demands.

Goal 5.2 – Housing Opportunities

- C. The goal is to encourage housing options that provide opportunities for residents to age in place.
- D. The goal is to monitor changing demographics and trends in housing development to provide housing options that meet market demands.

Community Facilities Element:

Goal 6.8 – Health Care Services

- B. To work toward provisions that would allow for aging in place on Hilton Head Island.

Land Use Element:

Implication: Existing Land Use

A major challenge for development will be to maintain the character of the Island while ensuring adequate infrastructure is in place and balancing land conservation.

Implication: Planned Unit Developments (PUDs)

The location of each concentration of land use category and type is important to consider when determining infrastructure and other service needs, while also ensuring a high standard of quality of life.

Implication: Zoning Changes

Future land use decisions and requests for zoning changes will be determined using the background information contained in this plan as well as the future land use map, currently represented by the Town's Official Zoning Map.

Goal 8.1 – Existing Land Use

A. The goal is to have an appropriate mix of land uses to meet the needs of existing and future populations.

Goal 8.3 –Planned Unit Developments (PUDs)

B. The goal to have an appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending PUD Master Plans.

Goal 8.4 – Existing Zoning Allocation

A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

Goal 8.5 – Land Use Per Capita

A. The goal is to have an appropriate mix and availability of land uses to meet the needs of the existing and future populations.

Goal 8.10 – Zoning Changes

A. The goal is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

Transportation Element:

An Implication for Traffic Planning & Modeling on the Island

It may be more appropriate to provide density in areas that have the available roadway capacity.

The Broad Creek Management Plan addresses this application in the following areas:

Land Use Goals

1. Land uses should be managed to protect the water quality of Broad Creek. Development which typically has a high percentage of impervious surfaces should be encouraged or required to have pervious parking to reduce the amount of stormwater runoff. Drainage systems should be designed to reduce pollutants, including fecal coliform bacteria, from the stormwater before it is discharged off the site.

Land Use Implementation Strategies

4. Examine any future rezonings to determine their impact on Broad Creek. Low impact land uses and creative site design should be strongly encouraged to preserve the creek’s water quality and wildlife.

Conclusions of Law:

- While some of Elements of the Comprehensive Plan support the proposed use, staff concludes that the intensity of this application with respect to density and height is not consistent with the Comprehensive Plan, and far outweighs any support in the Population, Housing, Community Facilities, Land Use, and Transportation Elements.
- Though the proposed rezoning would provide a needed housing option for the Town’s aging population, the proposed density of 40 units per acre is far greater than the highest densities of recently approved similar developments and far greater than what is currently allowed by right. The high intensity of the proposed density would negatively impact the character of the area immediately surrounding the property and the character of the Island, which consists of low- to moderate-intensity development.
- Without a traffic study, it is not clear if the existing road infrastructure has the capacity to accommodate the proposed density.

Summary of Facts and Conclusions:

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO Section 16-2-103.C.3.a.ii):

Findings of Fact:

- The current LC zoning allows an assisted living facility to be developed on the property.
- The application proposes to rezone the property to PD-1 to allow an assisted living facility to be developed on the property with a greater density and height than what is permitted by the current zoning.
- The subject property is surrounded by a mix of uses in the near vicinity including the Shelter Cove Town Center, newly developed apartments, the Beaufort County Sherriff’s Office and the SHARE Senior Center.

Conclusions of Law:

- The proposed zoning will allow a use that is compatible with the uses allowed on other property in the immediate vicinity in accordance with LMO Section 16-2-103.C.3.a.ii.
- The mid-island location and proximity to the Shelter Cove Town Center provides opportunity for walkable access for the senior citizens to enjoy the commercial development.
- The SHARE Senior Center, which is located across the street from the proposed assisted living facility and houses senior center activities, will benefit from having users in such close proximity.

Summary of Facts and Conclusions:

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO Section 16-2-103.C.2.a.iii):

Findings of Fact:

- The current zoning allows an assisted living facility to be developed on the property.
- The application proposes to rezone the property to PD-1 to allow an assisted living facility to

be developed on the property with a greater density and height than what is permitted by the current zoning.

- The current zoning allows 4 units per net acre. This allows a facility of 12 units.
- The application proposes to increase the density to 40 units per net acre. This would allow a facility of 123 units.
- In January 2015, a rezoning was approved for the Bayshore assisted living facility. The density is approximately 27 units per net acre.
- In September 2015, a rezoning was approved for the Shelter Cove Town Center Apartments. The density for the two sites is 23 units and 27 units per net acre.
- Though higher densities are allowed on certain sites in the PD-1 District, the maximum residential density allowed in all other zoning districts is 16 units per net acre, which is less than half of the proposed density of 40 units per net acre.
- The Waterwalk apartments at Shelter Cove Town Center will be 58 feet and 64 feet in height.
- The application proposes to increase the maximum building height from 45 feet to 75 feet.
- The subject property has frontage on and is very visible from William Hilton Parkway, a major arterial road.
- The subject property has frontage on the marshes of Broad Creek. With the channel inlet located directly behind the property, this is a very environmentally sensitive area.
- The higher density would require an increase in impervious surfaces, which would increase the amount of stormwater runoff entering Broad Creek.
- The proposed rezoning to PD-1 would bring the parcel in alignment with the zoning for the rest of the Shelter Cove marsh front properties.
- Section 5.2 of the Housing Element of the Comprehensive Plan states, “It is also important that the family and friends that support aging family members are able to reside in close proximity. The location of assisted living facilities is also important. Special complimentary land uses and associated infrastructure are needed. When one ages in place, it is important that one is living in close proximity to basic services, for instance banks, grocery stores and medical services...”
- The subject property is in proximity to several single and multifamily residential developments: the new apartments at Shelter Cove, Shelter Cove Harbour, Palmetto Dunes Resort and other residential neighborhoods in the vicinity.
- The subject property is surrounded by a mix of uses in the near vicinity including the Shelter Cove Town Center, newly developed apartments, the Beaufort County Sherriff’s Office and the SHARE Senior Center.

Conclusions of Law:

- While there are several findings of fact that show the proposed zoning could be appropriate for the land (the use is currently allowed, the adjacent properties are zoned PD-1, the rezoning will allow residents to age in place and live in proximity to a variety of commercial uses), there are several findings of fact that demonstrate this application is not appropriate for the land in accordance with LMO Section 16-2-103.C.3.a.iii.
- The density and height associated with the rezoning request for a property of this size, along with the property being located right on a major arterial road and on the environmentally sensitive marshes of Broad Creek make this application inappropriate for the land.
- Forty units per net acre is far more than what is currently allowed by right, and is far more than the increase in density that was approved with recent rezoning applications for similar uses.

Summary of Facts and Conclusions:

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO Section 16-2-103.C.3.a.iv):

Findings of Fact:

- The applicant is proposing to rezone the property to PD-1 to allow an assisted living facility to be developed with a greater density and height than what is currently allowed.
- Based on the 1980-2010 United States Census, the age distribution of Hilton Head Island’s population is increasing, trending to residents age 65 and older.
- Section 4.3, Age Distribution, in the Population Element of the Comprehensive Plan states “Provisions that allow for aging in place should be considered, especially as the population percentage of people over the age of 65 in the Town continues to grow.”
- The Group Living use category allows a variety of health and personal care services in a continuum of care.
- Section 5.2, Housing Opportunities, in the housing Element of the Comprehensive Plan states, “There is a growing trend of retirees becoming renters.”
- The Group Living use category allows residents to rent or own their residences.
- The mid-island area lacks an assisted living opportunity.

Conclusions of Law:

- The rezoning would fulfill a demonstrated community need in accordance with LMO Section 16-2-103.C.3.a.iv.
- As the number of residents age 65 and older increases in the Town, the need for continuing care retirement communities will increase.
- The proposed use would allow a continuing care retirement community that assists residents who want to age in place, which is a demonstrated community need.
- The proposed use would allow a continuing care retirement community that offers residences for rent, which is in greater demand among retirees.
- The mid-island location would allow for continued active living for the aging population as it is located adjacent to the entertainment and community amenities provided by Shelter Cove Towne Centre.

Summary of Facts and Conclusion:

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):

Findings of Fact:

- The applicant is proposing to rezone the property to PD-1 to allow an assisted living facility to be developed with a greater density and height than what is currently allowed.
- The Town’s overall zoning program allows flexibility in the PD-1 Zoning District by allowing land uses and assigned density to change to address changing needs in the community.
- The applicant is proposing to develop an assisted living facility to address the needs of residents age 65 and older.
- Under the current zoning, 12 units would be permitted for the property. The applicant is proposing to rezone the property to PD-1, to increase the density from 4 units per net acre to 40 units per net acre, and to increase the building height potential from 45 feet to 75 feet. This would allow a facility with 123 units.
- The most recent rezoning applications for similar types of uses were approved at a density far

less than what is being requested by this application. The Bayshore assisted living facility was approved in January 2015 for approximately 27 units per net acre. The Shelter Cove Town Center Apartments were approved in September 2015 with an average of 23-27 units per net acre.

Conclusion of Law:

- While the PD-1 zoning allows flexibility with density to address a community need, the proposed zoning is not consistent with the overall zoning program as expressed in future plans for the Town in accordance with LMO Section 16-2-103.C.3.a.v because it will allow a density far greater than anywhere else on the Island and greater than what was approved with recent rezoning applications.

Summary of Facts and Conclusions:

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO Section 16-2-103.C.3.a.vi):

Findings of Fact:

- The subject property is adjacent to PD-1 zoned property.
- The majority of parcels in the vicinity are zoned PD-1.
- The proposed rezoning to PD-1 will bring the parcel in alignment with the zoning for the rest of the Shelter Cove marsh front properties.
- The remaining LC zoned parcels in the vicinity are owned by the Town. Two parcels are undeveloped and the third is the location of the SHARE Senior Center, a use that complements an assisted living facility.

Conclusion of Law:

- The proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts in accordance with LMO Section 16-2-103.C.3.a.vi.

Summary of Facts and Conclusions:

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Findings of Fact:

- The current LC zoning allows an assisted living facility to be developed on the property, but with a total of only 12 units based on the property acreage and a height limitation of 45 feet.
- The applicant is proposing to rezone the property to PD-1, to increase the density from 4 units per net acre to 40 units per net acre, and to increase the building height potential from 45 feet to 75 feet. This would allow a facility with 123 units.
- The density of a recently approved rezoning application for an assisted living facility was 27 units per acre.
- The former Cracker Barrel restaurant site has been vacant for approximately seven years.

Conclusions of Law:

- While the proposed zoning would allow the subject property to be put to a reasonably viable economic use in accordance with LMO Section 16-2-103.C.3.a.vii, staff finds the density requested is far greater than what is currently allowed by right and greater than what was

approved with recent rezoning applications.

- While the current zoning allows an assisted living facility, the density of only 12 units total is not a reasonable number of units for an assisted living facility. A density of 23-27 units per net acre would be a more reasonable request, is similar to what has been recently approved and would allow the property to be put to a viable economic use.

Summary of Facts and Conclusion:

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):

Findings of Fact:

- The site has direct access to Shelter Cove Lane and is served by William Hilton Parkway.
- The traffic trips that could potentially be generated by the commercial development permissible under the existing zoning are much higher than what would be generated with an assisted living facility.
- Town staff has not had the benefit of reviewing a traffic impact analysis for the intersection of Shelter Cove Lane and William Hilton Parkway based on the proposed use. Because that intersection does not have a traffic signal, there may be safety issues identified because of the intensity of the proposed use.
- The property has previously installed sub-surface storm water detention that can be utilized.
- The property is served by the Broad Creek PSD, with water and sewer lines currently available that can be modified to serve this development.
- Any development will require a Major Development Plan Review which will ensure adequate storm water facilities and all required public facilities are provided in compliance with the LMO.

Conclusion of Law:

- While the proposed zoning would result in development that can be and is already served by some available public facilities in accordance with LMO Section 16-2-103.C.3.a.viii, additional studies such as a traffic impact analysis may result in the need for additional facilities such as a signalized intersection based on the intensity of the use.

Summary of Facts and Conclusion:

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):

Findings of Fact:

- The applicant is proposing to rezone the property to PD-1, to increase the density from 4 units per net acre to 40 units per net acre, and to increase the building height potential from 45 feet to 75 feet. This would allow a facility with 123 units.
- In the past several years with the redevelopment of the Shelter Cove Mall, the dynamic of the Shelter Cove Towne Centre area has changed drastically between the commercial development, the infrastructure and parking improvements, the new park and new residential apartments. Given the proximity of a variety of commercial and recreational facilities, an assisted living facility is appropriate for this parcel.

Conclusions of Law:

- While the proposed use is appropriate due to the changes in the area, the density and height associated with this rezoning request are not appropriate for the area in accordance with LMO Section 16-3-103.C.a.ix.
- A density of 23-27 units per net acre would be a more reasonable request, is similar to what has been recently approved and would be appropriate for the changing conditions in the area.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

ND

Nicole Dixon, CFM
Development Review Administrator

January 10, 2018

DATE

REVIEWED BY:

TL

Teri B. Lewis, AICP
LMO Official

January 8, 2018

DATE

REVIEWED BY:

AC

Anne Cyran, AICP
Senior Planner & Planning Commission Board Coordinator

January 10, 2018

DATE

ATTACHMENTS:

- A) Vicinity Map
- B) Zoning Map
- C) Applicant's Narrative
- D) Site Survey
- E) Project Site Plan
- F) Letter of Support



Property highlighted in blue is subject to rezoning

SHELTER COVE LANE

WILLIAM HILTON PARKWAY

YARD ARM

OFF SHORE

FULL SWEEP

Town of Hilton Head Island

ZA-002505-2017

Attachment A - Vicinity Map



TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341-4600
Date Created: November 16, 2017
Project - map.mf



The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the data shown. The Town of Hilton Head Island assumes no liability for its accuracy or date of completion or for any losses arising from the use of the map.

Legend

Zoning

- LC
- PD-1
- PR
- RM-8

Property highlighted in blue is subject to the rezoning

SHELTER COVE LANE

WILLIAM HILTON PARKWAY

YARD ARM

FULL SWEEP

Town of Hilton Head Island

ZA-002505-2017

ATTACHMENT B - Zoning Map



TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 361-4600
Date Created: November 16, 2017
Project: map.mf



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Zoning Map Amendment Narrative – ZA-002505-2017

Merrill Gardens - 71 Shelter Cove Lane, Hilton Head Island, SC 29928

R520 012 00C 0001 0000

A zoning map amendment (ZMA) is requested for the 3.14-acre parcel at 71 Shelter Cove Lane. The current zoning is Light Commercial (LC) and the requested zoning is Planned Development Mixed Use District (PD-1). The reason for this rezoning request is to bring the property into alignment with adjacent development in the Shelter Cove area and allow for building parameters suitable for an assisted living community. The rezoning would seek to increase the allowable building height from 45' to 75' and a density for 123 assisted living units in lieu of 31,400 GFA commercial use. Assisted living communities are defined as Group Living (LMO 16-10-103.A.2): the residential occupancy of a group of living units by persons who do not constitute a single-family and may receive some level of personal care. Accessory uses common to group living include recreational facilities, administrative offices, and food preparation and dining facilities. The appropriate Town staff and governing bodies shall review all development on the property for all applicable development standards when the applications are submitted. The ZMA will allow for best use of the property as an age-in-place opportunity to meet the criteria of LMO Section 16-2-103.C.3 Review Standards as outlined below:

Criteria 1: Section-2-103.C.3.a.i – *Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan.*

The Island's Comprehensive Plan (Comp Plan) provides the framework for the needs and desires of the community in the future and transitioning the parcel to PD-1 allows the property to even better address these aspects.

Cultural Resources Element:

While no explicit connection to comprehensive plan implementation strategy or goal, the proposed assisted living development would provide resources for residents and island community to celebrate and learn from our elderly population. Human experience and understanding are benefited from the exposure to those who lived through significant events of our country and the world.

Natural Resources Element:

Implication 3.2 Improve Air Quality

Harmful effects of by motor vehicles and industry need to mitigated by innovative transportation strategies, incentives for energy efficiency, and maintaining effective tree protection and replanting regulations.

Goal 3.2 Improve Air Quality

- A. A combination of alternative transportation via community shuttle and the reduction of automobiles and hardscape through the lower parking requirements associated with Assisted Living complexes in the LMO reduces the potential emission of greenhouse gases for the parcel.
- B. Retention of existing canopy trees and planting of shade trees, coupled with the minimal parking area requirements for Assisted Living, reduce heat island effect of property hardscape and buildings.

Population Element:

Implication 4.3 Age Distribution

Provision for aging-in-place need to be considered as the percentage of the population over the age of 65 continues to grow. The community needs to address opportunities and problems associated with an aging population, insuring that those older citizens can continue to contribute to the island community and younger generations.

Goal 4.3 Community Building

- C. Quality of life in our aging population requires special facilities in locations that allow for continued interaction with the island as a whole through day-to-day activities and special community functions. An assisted living development in the vicinity of active Shelter Cove Town Center and associated town-owned parks will provide neighborhood-level interaction and connectivity for residents.

Housing Element:

Implication 5.1 Housing Units and Tenure

A variety of housing types is important for housing market viability to accommodate diverse needs of Island's population. Coupled with the aging population of the island, the need for assisted and independent living opportunities will increase as our citizens wish to remain on the island.

Goal 5.1 Housing Units and Tenure

- E. Focus on requiring high quality development to meet future housing needs. Assisted living development provides housing type for aging-in-place of a growing population percentage.
- F. Monitor availability of housing types and occupancy to meet housing needs. There are no assisted living opportunities in the mid-island / Shelter Cove area. A large portion of island population resides in the area between Folly Field Road and Sea Pines Circle and opportunities for them to live within their current community as they age would benefit lifestyle and peace of mind.

Implication 5.2 Housing Opportunities

As the Island population ages, it is important to have opportunities to stay within proximity to family and friends, and basic services such as banks and grocery stores.

Goal 5.2 Housing Opportunities

- C. Encourage housing options that provide opportunities for residents to age in place. Again, a large portion of the island population resides in the mid-island area and providing living options for older citizens in vicinity for family, friends and community interaction is important. Aging in place allows a continuation of Hilton Head environmental and entertainment lifestyle, while still being an active citizen in the community.

Community Facilities Element:

Implication 6.3 Transportation Network

The Island currently has an extensive pathway network, opportunities to improve pathway connections between destinations that provide additional recreational opportunities and promote alternative means for transportation on the Island.

Goal 6.3 Transportation Network

- D. A pathway network that provides for recreational as well as alternative means of transportation on the island. The development seeks to work with Town on future Chaplin Linear Park across Broad Creek frontage as well as connecting to and enhancing the island pathway network along Business US 278.

Implication 6.8 Health Care Services

Hilton Head Island has a higher percentage of older adults than an average community and requires a higher demand for medical care focused on senior citizens. Maintaining a comprehensive and viable community for continuing medical care is integral to our permanent residents and attracting additional retirees.

Goal 6.8 Health Care Services

- B. Work toward provisions that would allow for aging in place on Hilton Head Island. An assisted living development allows for our most senior citizens to continuing living on island in the vibrant redeveloping area of Shelter Cove Town Center.

Economic Development:

Implication 7.6 Potential Strategies with Implications for the Comprehensive Plan

Identify and prioritize area in need of redevelopment include any obsolete commercial sites. Revitalization of effort to attract retiree growth emphasizing not only character and natural assets, but the quality and breadth of the service infrastructure that has developed relative to its competitor communities along the southeast coast.

Goal 7.6 Potential Strategies with Implications for the Comprehensive Plan

The development of the former Cracker Barrel site and the associated infrastructure of another stalled commercial development as assisted living will allow for a viable and desired use on what can be seen as an island ‘brown site’. The continued attraction and retention of older population will cement Hilton Head’s legacy as a multi-generational destination.

Land Use Element:

Implication 8.5 Land Use Per Capita

A fundamental policy of land uses is whether the Town has sufficient land uses to support the population. It is important that the portion of each land use classification is supported and sustainable in terms of infrastructure and natural resources to ensure a high quality of life that contributes to the character defining features of our community.

Goal 8.5 Land Use Per Capita

- A. Have an appropriate mix and availability of land uses to meet the needs of existing and future populations. The aging population of Hilton Head requires specialized facilities for opportunities to age in place, and this demand will continue as the island’s current population transitions and as the area remains a destination for retirees.

Implication 8.10 Zoning Changes

Reviewing the background information as well as analyzing the trends will guide future zoning changes, whether the changes are map amendments or text changes to the requirements for each district. Future land use decisions and request for zoning changes will be determined using the background information contained in this plan as well as the future land use map, currently represented by the Town’s Official Zoning Map.

Goal 8.10 Zoning Changes

- A. Provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island. The evolution of the Shelter Cove area and the demand for elderly housing opportunities provides the basis for modification of the parcel to PD-1. The expanded development parameters will allow the development to best integrate into area and provide appropriate level of service to its residents.

Transportation Element:

Implication 9.3 Traffic Planning & Modeling on the Island

Future development and zoning classifications have an impact on the potential build-out of properties on the Island.

Goal 9.3 Traffic Planning & Modeling

- A. Collect data on traffic model for the road network. Developing the property as assisted living (reduced dependency on automobile and reduced parking volumes), utilization of shuttle, and proximity to Shelter Cove Town Center should reduce the average daily trips from property and eases impact to Island road network as compared to a commercial baseline.

Implication 9.4 Pathway Network

The Island currently has an extensive pathway network, opportunities to improve pathway connections between destinations that provide additional recreational opportunities and promote alternative means for transportation on the Island.

- A. A pathway network that provides for recreational as well as alternative means of transportation on the island. The development seeks to work with Town on future Chaplin Linear Park across Broad Creek frontage as well as connecting to and enhancing the island pathway network along Business US 278.

Recreation Element:

Implication 10.1 Park Definitions

Detailed definitions for the different park categories provide the Town with more information to plan for future parks and provide a tool for specific types to parks to serve the community.

Goal 10.1 Park Definitions

- A. Utilize definitions and categories when evaluating the current inventory and future potential needs for parks. The development seeks to partner with the Town on the evolution and implementation of the Chaplin Linear Park along the parcel.
- B. Provide a combination of passive and active parks. The passive parks of Shelter Cove will be great asset to assisted living community and fostering a connection to the larger park system will be welcomed.

Implication 10.3 Park Development Guidelines

Guidelines should provide a mechanism to establish a plan to develop future parks and to determine needs of the community.

Goal 10.3 Park Development Guidelines

- C. Provide neighborhood parks where needed and desired. Supporting the development of Chaplin Linear Park will provide an asset to both the community and the larger island.

Implication 10.5 Facilities Guidelines

Guidelines should be considered when making recommendations for future park development. However, they should be used as a tool with the consideration that our population and visitors might have needs that are unique to the character of the Island community.

Goal 10.5

- A. Continue improving and expanding the exiting network of multi-use pathways throughout the Island enabling residents and visitors to access recreational areas, shopping centers, school and businesses by non-motorized forms of transportation. The development seeks to support and enable any construction of Island pathway or park system in conjunction with the property to enhance the active lifestyle that senior citizens enjoy on Hilton Head.

Criteria 2: Section-2-103.C.3.a.ii – *Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity.*

Rezoning the property to PD-1 would allow for a density and use compatible, appropriate, and consistent with the vicinity. The Shelter Cove Town Center area is zoned PD-1 and home to mixed-use buildings and varied residential properties, but lacks opportunity for the elderly who need assistance. The recent development of apartments adjacent to the Town Center has spurred the desire for more walk-to commercial options in the mid-island, and providing for our most senior citizens to enjoy and benefit from this lifestyle should be a goal for the Town. The Town-owned properties in the immediate vicinity include a building that houses senior center activities which would benefit from having users in such close proximity.

Criteria 3: Section-2-103.C.3.a.iii – *Whether and the extent to which the proposed zoning is appropriate for the land.*

The PD-1 zoning allows for a flexible land use and density on parcels. Providing an appropriate density for assisted living requires additional building height above the LC district and changing the zoning to PD-1 brings the parcel in alignment with the rest of Shelter Cove marshfront. Providing for an assisted living development in close proximity to basic services and other residential helps to enhance the quality of life for our older citizens to age in place and continue enjoying the Hilton Head lifestyle.

Criteria 4: Section-2-103.C.3.a.iv – *Whether and the extent to which the proposed zoning addresses a demonstrated community need.*

Providing a ZMA for this property would allow for the Shelter Cove district to become a more cohesive development and an expanded living destination for all islanders and guests. The mid-island area lacks an assisted living opportunity and the redevelopment of this former restaurant site as such would allow for continued active living of our aging population adjacent to all the entertainment and community amenities provided by Shelter Cove Town Center. The development of varied residential product around a commercial center lays the groundwork for a neighborhood of walk-to opportunities and around the clock presence not found in island-wide strip commercial or single-type residential development. The potential redevelopment of 71 Shelter Cove Lane as an assisted living enclave enriches the offerings of residential and community activity in the mid-island for residents and retailers.

Criteria 5: Section-2-103.C.3.a.v – *Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town.*

The rezoning of 71 Shelter Cove Lane aligns with the Town's goals and would not conflict with any future plans. The flexibility allowed within the PD-1 district enhances the property's ability to address the changing needs of the community. The development of an assisted living community with goals for integration and interaction with the neighborhood welcomes the potential future Chaplin Linear Park. Producing a community that seeks connections with existing public facilities and commercial amenities is a rare opportunity for much of Hilton Head, let alone one that would allow residents to access amenities with limited need for automobiles.

Criteria 6: Section-2-103.C.3.a.vi – *Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts.*

Rezoning the parcel to PD-1 would align it with the largest adjacent parcel as well as the majority of development in the vicinity at Shelter Cove. The remaining local LC zoned properties are across Shelter Cove Lane and a small adjacent parcel, both owned by the Town, with the former operating senior services – a use that coincides well with an assisted living community.

Criteria 7: Section-2-103.C.3.a.vii – *Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonable viable economic use.*

Residential opportunities for our elderly citizens to age in place are becoming more of a necessity as a larger percentage of our population reaches ages requiring daily assistance and medical attention. Redeveloping the former Cracker Barrel restaurant site into an assisted living community will enhance these offerings while averting another isolated, drive-to destination commonly found on the island. Town staff and Council should welcome redevelopment of derelict, vacant commercial sites on the island as residential opportunity to in-fill a local housing gap.

Criteria 8: Section-2-103.C.3.a.viii – *Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities.*

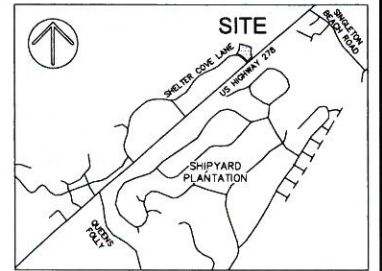
The property is served by the Broad Creek PSD and provided with available, adequate and suitable facilities for water and sewer. Developing a former commercial site served by both a major arterial (William Hilton Parkway) and active area road (Shelter Cove Lane), allows for in-place, established utilities to be accessed. The parcel also includes previously installed sub-surface stormwater detention that will be utilized to its fullest potential. The existing utilities and stormwater facilities can make developing the former restaurant site a case study for appropriate 'brown site' in-fill on the island.

Criteria 9: Section-2-103.C.3.a.ix – *Whether and the extent to which the proposed zoning is appropriate due to any changed or changing conditions in the affected area*

The evolution of Shelter Cove area over the last few years has made it a destination once again for residents and visitors through its community and commercial opportunities. Rezoning the property to maximize these new and public offerings to our aging demographic will support on-going community interaction and local retailers. Residential development serving our aging population and providing for their continued island living in a safe, secure and active neighborhood is a great opportunity to expand Hilton Head vision as a lifetime destination.

The ZMA for 71 Shelter Cove Lane requesting the change from LC to PD-1 provides for the highest and best use not only for the parcel, but the mid-island community overall. An active, age-in-place development is a welcomed and much need amenity for Shelter Cove Town Center vicinity and would provide for the continued enjoyment of the Hilton Head lifestyle, beaches, and marshes by our elderly citizens.

ATTACHMENT D

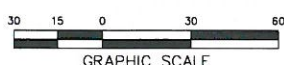
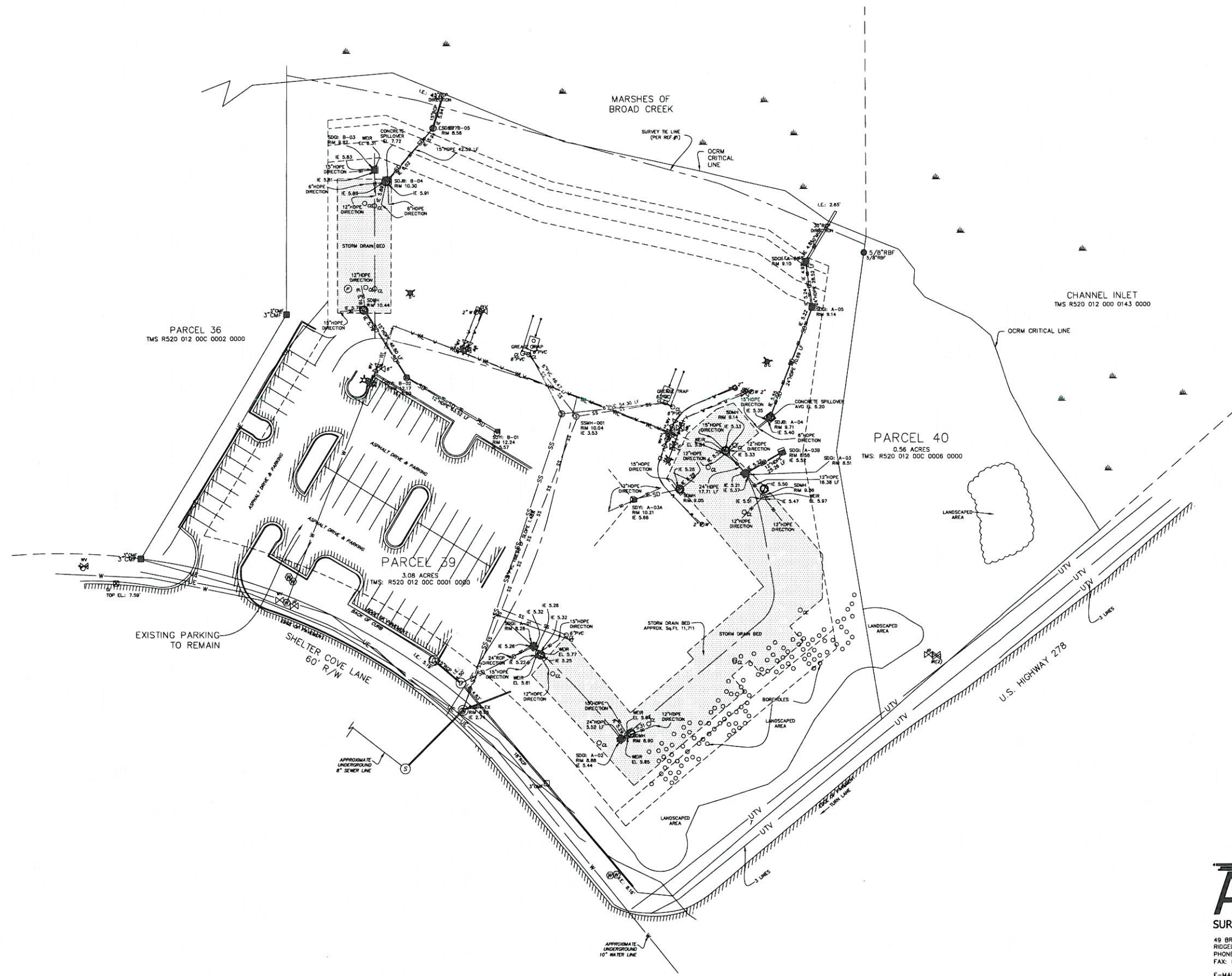


VICINITY MAP NOT TO SCALE

- LEGEND
- CMF ■ CONCRETE MONUMENT FOUND
 - RBF ● IRON REBAR FOUND
 - BOREHOLE
 - SANITARY SEWER MANHOLE
 - CLEANOUT
 - STORM DRAIN MANHOLE
 - GRATE INLET
 - YARD INLET
 - WATER VALVE
 - WATER STUBOUT
 - PIPE INDICATOR VALVE
 - FIRE HYDRANT
 - PVC
 - HDPE
 - RCP
 - INVERT ELEVATION
 - STORM DRAIN BED

- NOTES:
1. THIS PARCEL APPEARS TO LIE IN FLOOD ZONE A7, (MIN. EL. 14'), SCALED FROM FIRM PANEL No. 0014-D, COMMUNITY No. 450250, DATED 9/29/86.
 2. YARD INLET RM HEIGHTS TO BE LOWERED IN FIELD AT A LATER DATE.

- REFERENCE
1. A REDEVELOPMENT OF PARCEL 39 SHELTER COVE PHASE II, HILTON HEAD ISLAND, SC, SHEET C.06, UTILITY PLAN, SHEET C.07, SANITARY SEWER PROFILE & SHEET C.08, GRADING AND STORM WATER MANAGEMENT PLAN, DATE: 05-05-2008 BY: WILLIAM G. POWELL, S.C.L.P.E. No. 25124



PREPARED FOR:
CLELAND CONSTRUCTION

AN UTILITY ASBUILT SURVEY OF

PARCEL 39, 55 SHELTER COVE LANE
PHASE II, SHELTER COVE

TAX PARCEL No. R520 021 00C 0001 0000

HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA

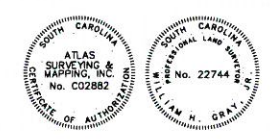
FIELD WORK:	BLK
FIELD CHECK:	MHC
DRAWN BY:	SGT
DATE:	08-02-10
SCALE:	1"=30'
PROJECT No.:	100781A
FILE:	100781A.DWG

ATLAS

SURVEYING & MAPPING, INC

49 BROWN'S COVE ROAD, SUITE #5
RIDGELAND, SC 29936
PHONE: (843) 645-9277
FAX: (843) 645-9287
E-MAIL: bgray@atlassurveying.com

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



William H. Gray, Jr.
S.C.P.L.S. No. 22744
NOT VALID UNLESS CRIMPED WITH SEAL



DROP-OFF LOOP
- BUILDING SERVICES

PARKING LOT
- +/- 80 SPACES (GROUP LIVING
PARKING CALCULATION)

TOWN OF HILTON HEAD
ISLAND PROPERTY

OVERHEAD POWERLINES

SHELTER COVE LANE 60' R/W

SHELTER COVE LANE
EXISTING PARKING TO REMAIN

TOWN OF HILTON HEAD
ISLAND PROPERTY

POTENTIAL FUTURE TOWN BOARDWALK
& PATH FOR CHAPLIN LINEAR PARK

OUTDOOR LIVING
- CONNECT TO LINEAR PARK

MAIN BUILDING
- 4-5 STORY BUILDING
- +/- 110 ASSISTED LIVING UNITS

MEMORY CARE WING
- 1 STORY BUILDING
- +/- 12 UNITS
- INTERNAL COURTYARD

TOWN OF HILTON HEAD ISLAND PROPERTY
- SHELTER COVE SIGN EASEMENT

RETAIN EXISTING TREE CANOPY
ALONG PROPERTY PERIMETER

BUSINESS US 278 - WILLIAM HILTON PARKWAY

PALMETTO DUNES



landscape architecture
land planning
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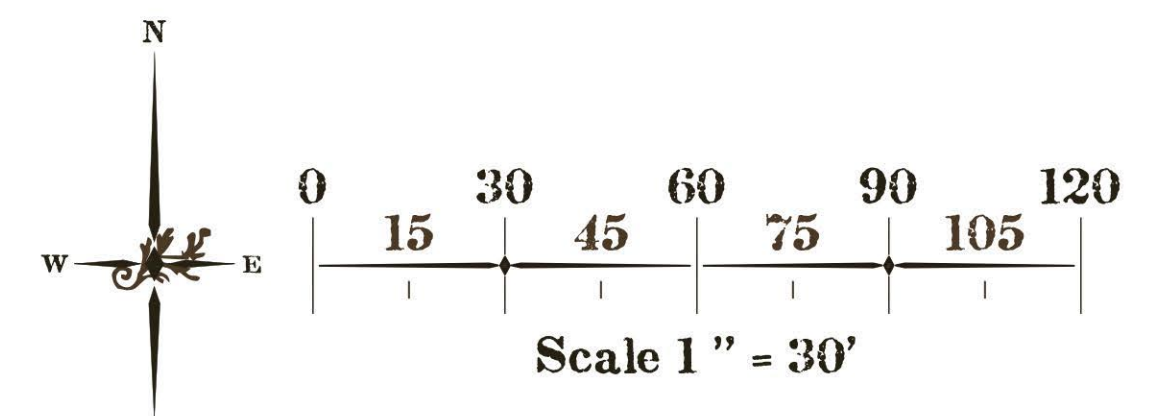
CLIENT:
SECOND FIFTY COMMUNITIES
OCTOBER 2017

CAPACITY PLAN

FOR

MERRILL GARDENS

71 SHELTER COVE LANE - HILTON HEAD ISLAND - SOUTH CAROLINA



Note: Plan is conceptual in nature and subject to change

ATTACHMENT F

From: Denise Dominguez
To: Dixon Nicole
Cc: Charles Davis III; C Davis;
Subject: FW: Parcel 39 - Site of Former Cracker Barrel Restaurant
Date: Monday, December 18, 2017 1:41:55 PM

Hi Nicole, with the information below, what if anything do you need from Shelter Cove regarding the rezone request for Parcel 39. Shelter Cove is in favor of the rezone for the potential Assisted Living facility.

Thank you.

Denise Dominguez | Community Manager
Shelter Cove Company | P.O. Box 6004 | 19 Shelter Cove Lane
Hilton Head Island, SC 29938 |

From: Nester, Walter [mailto:waltern@hiltonheadsc.gov] <waltern@hiltonheadsc.gov>
Sent: Monday, December 18, 2017 1:18 PM
To: Denise Dominguez <denise@sheltercove.com>
Cc: Charles Davis III <cdavis@hiltonheadsc.gov>; C Davis <cdavis@hiltonheadsc.gov>; 'Dixon Nicole' <nicoled@hiltonheadislandsc.gov>; Symons, Janet <jsymons@hiltonheadsc.gov>
Subject: Parcel 39 - Site of Former Cracker Barrel Restaurant

Denise – Good afternoon. I spent some time with Nicole who has researched the zoning for Parcel 39. The Palmetto Dunes planned unit development (PUD) was approved by Beaufort County prior to the incorporation of the Town. That PUD included Parcel 39. When the Town incorporated in 1983, necessarily, one of its first actions was to approve zoning for the Town including the PD-1 zoning districts (which were the previously County approved PUDs). This included the Palmetto Dunes PUD (which includes Shelter Cove). Surprisingly however, when the Town approved zoning for Parcel 39 it was listed as “Comm” in the Town’s new zoning map – and not included in the Palmetto Dunes PD-1 District.

As I understand it – there is nothing in the Town files that explains why Parcel 39 was not included in the Palmetto Dunes PD-1 District and instead provided a different separate zoning classification.

Parcel 39 was however, made subject to the Shelter Cove Company covenants and restrictions and that remains the case today. It is part of the Shelter Cove “community” and has access to the roads etc., (and is subject to assessments) but from a zoning perspective – it is not zoned as a part of the Palmetto Dunes PD-1 District.

Glad to discuss if you would like to do so.

Best regards,

Walter J. Nester III

ATTACHMENT F

McNair



Shareholder

McNair Law Firm, P.A.

Hilton Head Island Office Shelter Cove Executive Park, 23-B Shelter Cove Lane | Suite 400 | Hilton Head Island, SC 29928

Mailing Post Office Drawer 3 | Hilton Head Island, SC 29938

[VCard](#) | [Bio URL](#) | [Website](#)



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