



Town of Hilton Head Island
Planning Commission Meeting
Wednesday, September 15, 2021 – 3:00 p.m.
REVISED AGENDA

Revision:
Item 9a. has
been withdrawn
from the agenda.

This meeting is being conducted virtually and can be watched via the [Town of Hilton Head Island Public Meetings Facebook Page](#).

1. **Call to Order**
2. **Pledge of Allegiance**
3. **FOIA Compliance** – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
4. **Roll Call**
5. **Approval of Agenda**
6. **Approval of Minutes**
 - a. Meeting of August 4, 2021

7. **Appearance by Citizens**

Citizens who wish to address the Commission concerning items on the agenda may do so by contacting the Commission Secretary at 843-341-4691 no later than 2:00 p.m. the day of the meeting. Citizens may also submit written comments via the [Town's Open Town Hall Portal](#). The portal will close at 2:00 p.m. the day of the meeting. Comments submitted through the portal will be provided to the Commission and made part of the official record.

8. **Unfinished Business – None**

9. **New Business**

- a. **STDV-001826-2021** – Request from Taiwan Scott to name an access easement off Freddie's Way as Minnie Common. *Presented by Fire Rescue Staff.* **Note: This application has been withdrawn.**
- b. **Public Hearing**
ZA-001918-2021 – Request from Trey Griffin, of Wood & Partners, Inc., and DPJ Residential LLC, on behalf of the property owners, to amend the Official Zoning Map to rezone ten properties totaling 13.74 acres from the Low to Moderate Density Residential (RM-4) Zoning District to the Planned Development Mixed-Use (PD-1) Zoning District, into the Indigo Run Master Plan, with an allowed use of multi-family residential and a density of 12 dwelling units per acre (total 164 units) with conditions. The subject properties are parcels 022C, 022D, 022F, 022G, 0152, 0072, 0139, 0141, 0168, and 0167 on Beaufort County Tax Map 11. The subject properties have multiple addresses;

they are accessed from Marshland Road, Julia Drive, and Mackerel Drive. *Presented by Nicole Dixon*

10. Commission Business

11. Chairman's Report

12. Committee Reports

13. Staff Report

14. Adjournment

Please note that a quorum of Town Council may result if four (4) or more of their members attend this meeting.



Town of Hilton Head Island
Planning Commission Meeting
August 4, 2021 at 9:00 a.m.
Benjamin M. Racusin Council Chambers
MEETING MINUTES

Present from the Commission: Chairman Michael Scanlon, Vice Chairman Alan Perry, Stephen Alfred, John Campbell, Henry Rick D'Arienzo, Tom Henz, Bruce Siebold, Jim Collett

Absent from the Commission: Mark O'Neil (Excused)

Present from Town Council: None

Present from Town Staff: Teri Lewis, Deputy Community Development Director; Diane Busch, Staff Attorney/Prosecutor; Anne Cyran, Senior Planner; Teresa Haley, Senior Administrative Assistant

1. Call to Order

Chairman Scanlon called the meeting to order at 9:00 a.m.

2. FOIA Compliance – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the Town of Hilton Head Island requirements.

3. Swearing in Ceremony of Reappointed Commissioner Michael Scanlon and New Planning Commissioners Bruce Siebold, Rick D'Arienzo, Jim Collett and Tom Henz

Diane Busch administered the oath of office to Commission Chairman Michael Scanlon and Commissioners Bruce Siebold, Rick D'Arienzo, Jim Collett and Tom Henz.

4. Approval of Agenda

Chairman Scanlon asked for a motion to approve the agenda. Vice Chairman Perry moved to approve. Commissioner Campbell seconded. By show of hands, the motion passed with a vote of 8-0-0.

5. Approval of Minutes

a. Meeting of June 16, 2021

Chairman Scanlon asked for a motion to approve the minutes of the June 16 regular meeting. Commissioner Alfred moved to approve. Vice Chairman Perry seconded. By show of hands, the motion passed with a vote of 4-0-4. Commissioners Collett, D'Arienzo, Henz, and Siebold abstained as they were not present at the subject meeting.

6. Appearance by Citizens on Items Unrelated to Today's Agenda

None.

7. Unfinished Business – None

8. New Business – None

9. Commission Business

a. Committee Assignments

Chairman Scanlon referenced the committee assignments included in the agenda packet and thanked all Commission members serving on the committees, including those who volunteered to serve as chairs and vice chairs.

10. Chairman's Report

Chairman Scanlon welcomed the new members of the Commission and stated there would be a continuing education session following the meeting. He explained the session would fulfill half of the three hours required of Commission members annually.

11. Committee Reports - None

12. Staff Report

a. Quarterly Report – *Presented by Anne Cyran*

Ms. Cyran explained the quarterly report process and reviewed the report included in the agenda packet.

13. Adjournment

The meeting was adjourned at 9:10 a.m.

Submitted by: Vicki Pfannenschmidt, Secretary

Approved: [DATE]



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 #	Subject Property	Public Hearing Date
ZA-001918-2021	Rollers Trailer Park and Nearby Properties	September 15, 2021

Parcel Data	Property Owners	Applicants
<u>Parcel Numbers:</u> R510 011 000 022C 0000 – 201 Marshland Rd R510 011 000 0167 0000 – 3 Julia Dr R510 011 000 0168 0000 – 5 Julia Dr R510 011 000 022D 0000 – 9 Julia Dr R510 011 000 022G 0000 – 13 Julia Dr R510 011 000 0141 0000 – 19 Julia Dr R510 011 000 022F 0000 – 25 Julia Dr R511 011 000 0139 0000 – 5 Mackerel Dr R511 011 000 0152 0000 – 17 Mackerel Dr R511 011 000 0072 0000 – 14 Pine Field Rd <u>Total Size:</u> approximately 13.74 acres	Rollers Trailer Park LLC Jesus and Martina Figueroa Eleazar Figueroa Martha L. Bucardo Singh Harinderjit	Trey Griffin Wood & Partners, Inc. 7 Lafayette Place Hilton Head Island, SC 29926 DPJ Residential, LLC

Existing Zoning	Proposed Zoning
<u>Zoning District:</u> RM-4 (Low to Moderate Density Residential)	<u>Zoning District:</u> PD-1 (Planned Development Mixed Use) Indigo Run Master Plan
<u>Overlay District:</u> COR (Corridor Overlay District)	<u>Overlay District:</u> COR (Corridor Overlay District)
<u>Permitted Density:</u> 8 units per net acre (109 total) (RM-4 allows 4 units per net acre for lots up to 3 acres, 6 units per net acre for lots that are 3-5 acres, and 8 units per net acre for lots 5 acres or larger)	<u>Density:</u> 12 units per net acre (164 total)
<u>Maximum Height:</u> 35 feet	<u>Maximum Height:</u> 75 feet allowed, 55 feet proposed
<u>Existing Uses:</u> Multi-family and single family residential	<u>Proposed Use:</u> Multi-family residential

Application Summary:

Request to amend the Official Zoning Map to rezone ten properties totaling 13.74 acres from the Low to Moderate Density Residential (RM-4) Zoning District to the Planned Development Mixed-Use (PD-1) Zoning District, into the Indigo Run Master Plan, with an allowed use of multi-family residential and a density of 12 dwelling units per net acre (total 164 units).

This rezoning would allow an increase in density and height standards. Under the current zoning, 8 units per net acre or 109 units total would be permitted on the property. The applicant is proposing to rezone the property from 8 to 12 units per net acre. The applicant is proposing to increase the maximum building height from 35 to 55 feet.

The applicant has proposed the following conditions on the development:

1. Density of 12 units per net acre;
2. Buildings will have a maximum height of 55 feet (PD-1 typically allows 75 feet);
3. Adjacent Use and Adjacent Street Setbacks will be increased to soften the impact on adjacent properties, see Attachment C, Exhibit L (page 74). The eastern property line will have an average setback of 100 feet from the adjacent residential use. The western property line will have an average setback of 35 feet from the adjacent residential use. The northern property line along Marshland Road will have an average setback of 50 feet. The southern property line will have an average setback of 100 feet from Broad Creek;
4. Adjacent Use Buffers will be increased to a Type D, Option 2, which is a 20 foot buffer for both sides with the following proposed exceptions: (1) 50% of the buffer along the east property line may be reduced to 10 feet in width, but will include Type D landscaping and a 6 foot solid fence or hedge; and (2) 20% of the buffer along the west property line may be reduced to 10 feet in width, but will include Type D landscaping and a 6 foot solid fence or hedge;
5. Wetland Buffer will be increased to a 100-foot average for structures, but will remain as required in the LMO for pervious and impervious surfaces;
6. Upon acquisition of the property by the applicant, individuals still occupying the property pursuant to a lease shall be provided not less than 6 months from the date of such closing to vacate the property;
7. For 10 years after they are built, the units cannot be short-term rentals (defined by the applicant as a rental period of less than 4 months); and
8. For 20 years after they are built, the units cannot be converted to condominium ownership.

Staff Recommendation:

Staff recommends that the Planning Commission find this application to be **inconsistent** with the Town's Comprehensive Plan (*Our Plan*) and does not serve to carry out the purposes of the LMO, based on those Findings of Fact and Conclusions of Law as determined by the LMO Official and enclosed herein. Though the proposed application is consistent with Criterion 6, 7 and 8, it is inconsistent with the remaining criterion.

The proposed rezoning would increase both the density and the maximum height allowed on the subject properties. Though the density on the subject properties could be increased for the development of workforce housing, the applicant is not proposing to develop workforce housing. The proposed increase in the maximum building height from 35 to 55 feet is out of character with the surrounding developments, which consist of one and two story single family homes.

The applicant's proposed prohibition on short-term rentals for ten years is contrary to *Our Plan's* goals of encouraging the development of a variety of high-quality housing. The waterfront location of the subject properties and the high demand for short-term rentals would likely lead the proposed development to transition into vacation condos after ten years. This would exacerbate the Island's housing shortage.

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

Background:

The subject properties are located in the Gardner Historic Neighborhood and are accessed from Marshland Road, Julia Drive, Mackerel Drive, and Pine Field Road. The subject properties are zoned RM-4 and are in close proximity to the Indigo Run PUD. See Attachment B for the zoning map.

The site is bound by the marshes of Broad Creek to the south, Marshland Road to the north, and is surrounded by single family residential uses to the east and west. The surrounding properties are also zoned RM-4 and are currently developed with single family homes at approximately 4 units per net acre. See Attachment A for the vicinity map. The majority of the site is currently developed as Roller's Trailer Park and, combined with the parcels subject to the rezoning request, consists of approximately 60 manufactured homes.

The purpose of the RM-4 District is to encourage a variety of residential opportunities. The regulations are intended to discourage development that would substantially interfere with, or be detrimental to, residential character. The RM-4 District allows residential uses at a density of four units per net acre for parcels under three acres in size; six units per net acre for parcels between three and five acres in size; and eight units per net acre for parcels that are five acres or larger. In the RM-4 District the maximum building height is 35 feet. The maximum impervious coverage for all development except single family is 35 percent. There is no minimum open space requirement for multi-family development. See Attachment F for the RM-4 district uses and standards.

The purpose of the PD-1 District is to allow the continuation of well-planned development within the unique PUDs that are greater than 250 acres in size and comprised of Town-approved Master Plans, such as Indigo Run. The uses and density permitted in the PD-1 District are restricted to those listed for each parcel in the approved Master Plan. The incorporation of a parcel into a Master Plan requires that the applicant specify the intended uses and density for the property. Site design standards for the PD-1 District that will apply to the subject property include the maximum building height of 75 feet, the maximum impervious coverage of 40 percent and the minimum open space requirement of 50 percent for residential development. See Attachment G for the PD-1 district uses and standards. See Attachment D for the current boundary of the Indigo Run Master Plan.

Since the subject property is located outside of any gates restricting access to the general public into the PUD, the standard setbacks and buffers in LMO Sections 16-5-102 and 16-5-103 apply. A multi-family residential use adjacent to single family requires a standard 20-foot setback and buffer; but the buffer could be reduced to 10 feet if certain planting requirements are met. A multi-family residential use adjacent to Marshland Road, a Minor Arterial Road, requires a 40-foot setback and 25-foot buffer; the buffer could be reduced to 15 feet if certain planting requirements are met. A multi-family residential use adjacent to a tidal wetland requires a 20-foot minimum and

40-foot average buffer from the OCRM critical line for structures, a 15-foot minimum and 35-foot average buffer for pervious paved surfaces and a 25-foot minimum and 50-foot average buffer for impervious paved surfaces.

The application would result in an increase in density from 8 units per net acre to 12 units per net acre, which is a 50% increase; an increase in the maximum building height from 35 feet to 55 feet, which is a 57% increase; and an increase in the maximum impervious coverage from 35% to 40%.

The Town adopted the Workforce Housing Program in November of 2020 and the Density Bonus incentive in February of 2021. During the process of approval, certain properties and areas were identified as suitable for participation in the program. One of the subject properties, Rollers Trailer Park, located at 201 Marshland Road, was specifically identified as a possible site for redevelopment and included in the Workforce Housing Program with the incentive of a density bonus. If the property remained in the RM-4 district and participated in the Workforce Housing Program by dedicating 25 percent of the units for workforce housing, the density bonus would increase the allowed density from 8 to 12 units per acre. The other development standards for the RM-4 zoning district, including a maximum building height of 35 feet, would not change. However, the applicants are not proposing to include any workforce housing in their development.

When properties are rezoned into a PD-1 District, conditions can be placed on the property that pertain to uses, buffers, setbacks, maximum height, and impervious coverage that are more restrictive than the existing standards.

The applicants have proposed the following conditions for the property:

1. Density of 12 units per net acre;
2. Buildings will have a maximum height of 55 feet (PD-1 typically allows 75 feet);
3. Adjacent Use and Adjacent Street Setbacks will be increased to soften the impact on adjacent properties, see Attachment C, Exhibit L (page 74). The eastern property line will have an average setback of 100 feet from the adjacent residential use. The western property line will have an average setback of 35 feet from the adjacent residential use. The northern property line along Marshland Road will have an average setback of 50 feet. The southern property line will have an average setback of 100 feet from Broad Creek;
4. Adjacent Use Buffers will be increased to a Type D, Option 2, which is a 20 foot buffer for both sides with the following proposed exceptions: (1) 50% of the buffer along the east property line may be reduced to 10 feet in width, but will include Type D landscaping and a 6 foot solid fence or hedge; and (2) 20% of the buffer along the west property line may be reduced to 10 feet in width, but will include Type D landscaping and a 6 foot solid fence or hedge;
5. Wetland Buffer will be increased to a 100 foot average for structures, but will remain as required in the LMO for pervious and impervious surfaces;
6. Upon acquisition of the property by the applicant, individuals still occupying the property pursuant to a lease shall be provided not less than 6 months from the date of such closing to vacate the property;
7. For 10 years after they are built, the units cannot be short-term rentals (defined by the applicant as a rental period of less than 4 months); and
8. For 20 years after they are built, the units cannot be converted to condominium ownership.

A development plan or layout exhibit is not typically included in a rezoning request because the rezoning does not require the applicant to develop the property as shown on the plan or layout. The applicants submitted a layout exhibit to demonstrate how they are trying to preserve the specimen and significant trees that exist on site; keeping the buildings as close to the center of the

site as possible to soften the massing and scale of the buildings; and keeping the building frontage along Broad Creek to a minimum. See Attachment C, Exhibit L (page 74).

The applicant previously submitted a rezoning application for the subject parcels with a request to rezone to PD-1 with a density of 20 units per net acre, which was scheduled for the June 16, 2021 Planning Commission meeting. The applicant withdrew that application after discussing it with Town staff. The applicant resubmitted the rezoning application with a density of 18 units per net acre, which was scheduled for the July 7, 2021 Planning Commission meeting. The applicant withdrew that application after having discussions with Town staff. The applicant has since held meetings with Town staff, the Indigo Run Property Owners Association, and the surrounding community.

Applicants' Grounds for ZMA:

The applicants propose to rezone the subject properties from Low to Moderate Density Residential (RM-4) Zoning District to Planned Development Mixed-Use (PD-1) Zoning District, into the Indigo Run Master Plan, with an allowed use of multi-family residential and a density of 12 dwelling units per net acre (total 164 units).

The applicants have proposed the following conditions on the development:

1. Density of 12 units per net acre;
2. Buildings will have a maximum height of 55 feet (PD-1 typically allows 75 feet);
3. Adjacent Use and Adjacent Street Setbacks will be increased to soften the impact on adjacent properties, see Attachment C, Exhibit L (page 74). The eastern property line will have an average setback of 100 feet from the adjacent residential use. The western property line will have an average setback of 35 feet from the adjacent residential use. The northern property line along Marshland Road will have an average setback of 50 feet. The southern property line will have an average setback of 100 feet from Broad Creek;
4. Adjacent Use Buffers will be increased to a Type D, Option 2, which is a 20 foot buffer for both sides with the following proposed exceptions: (1) 50% of the buffer along the east property line may be reduced to 10 feet in width, but will include Type D landscaping and a 6 foot solid fence or hedge; and (2) 20% of the buffer along the west property line may be reduced to 10 feet in width, but will include Type D landscaping and a 6 foot solid fence or hedge;
5. Wetland Buffer will be increased to a 100 foot average for structures, but will remain as required in the LMO for pervious and impervious surfaces;
6. Upon acquisition of the property by the applicant, individuals still occupying the property pursuant to a lease shall be provided not less than 6 months from the date of such closing to vacate the property;
7. For 10 years after they are built, the units cannot be short-term rentals (defined by the applicant as a rental period of less than 4 months); and
8. For 20 years after they are built, the units cannot be converted to condominium ownership.

The applicants state in the narrative (Attachment C) that the property owners, regardless of the outcome of this rezoning application, no longer plan to use the subject properties as a mobile home park. The property owners have accordingly stopped renewing or approving leases for mobile home use on the properties. The applicants plan to work with local non-profit organizations to assist with the financial burden and the relocation of the existing mobile homes.

The applicants' narrative indicates that the PD-1 zoning district's purpose is to recognize the existence within the Town of certain unique planned unit developments of greater than 250 acres in size and that the district "serves to establish the special character of Hilton Head Island as a high-quality resort and residential community." The applicants state that the current zoning of the subject properties as RM-4 and its associated density are limiting. They believe a higher density would enable them to make the best use of the property and satisfy the need for more housing in the Town.

The applicants state that they are a multi-family apartment developer specializing in high quality, aesthetically pleasing multi-family communities. The applicants state that the proposed project will preserve the majority of the existing trees on site and will be consistent with local architecture and development characteristics on the Island. The proposed rezoning would help facilitate the developer's interest in a multi-family apartment housing product for the site and would help meet the needs of the Island's housing shortage.

Summary of Facts and Conclusions:

Findings of Fact:

- The application was submitted on August 16, 2021 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.
- The LMO Official scheduled the public hearing on the application for the September 15, 2021 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 September 15, 2021 public hearing was published in the Island Packet on August 29, 2021.
- 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 September 15, 2021 public hearing by first-class mail to the owners of record of properties within 350 feet of the subject land on August 31, 2021.
- 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 August 27, 2021 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.
- Notice of the public hearing was published, mailed, and posted 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:

Criterion 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:

Our Plan addresses this application in the following areas:

Excellence Core Value

Strategies & Tactics

- 2.10.1: Encourage development and redevelopment opportunities that help Hilton Head Island be a competitive and affordable place to live and work.
- 3.3: Continue to provide an appropriate range of land uses that accommodate the needs of the community.
- 3.3.1: Provide appropriate modifications to the zoning designations and land use regulations to meet community needs while maintaining Island character.

Environment Core Value

Goal

- 4: To protect and preserve the natural environment of Hilton Head Island.

Strategies & Tactics

- 3.1.4: Look for ways to reduce impervious surfaces Island-wide through the use of pervious materials and other methods, and address the watersheds with high impervious percentages.
- 3.1.5: Explore innovative methods to take development pressure off environmentally sensitive headwater regions.
- 3.4.6: Continue to implement the recommendations of the Broad Creek Management Plan and evaluate the need to update the plan to address changing conditions.
- 7.3: Continue to preserve and plant trees for reduction of the urban heat island effect.

Economy Core Value

Strategies & Tactics

- 3.1: Support sustainable redevelopment that preserves the environment, modernizes infrastructure, and creates economic benefit to the greatest extent possible.
- 3.2.2: Monitor trends in housing development to provide housing options that meet market demands.
- 3.5: Encourage a variety of housing types to meet the needs of the population.
- 5.3.2: Encourage housing options that provide opportunities for residents to age in place.
- 6.1.6: Monitor changing demographics and trends in housing development to allow for housing options to meet market demands.

Regional Element

Goal

2: To improve and expand opportunities for workforce development and housing on Hilton Head Island and in the region.

Strategy

- 4.5: Promote environmental protection through regulation and eco-friendly practices during the development and redevelopment processes in the region.

Infrastructure Element

Goal

- 6: To promote housing options to meet the needs of all current and future populations on the Island.

Strategies

- 6.3: Evaluate proposed changes to residential density to ensure they are appropriate for the character of the area and the neighboring properties.
- 6.4: Evaluate the changing demands in Island housing for the aging population and the zoning or access implications.

Broad Creek Management Plan

Goals

- 1: Improve water quality in Broad Creek
 - Manage land uses to protect the water quality of Broad Creek.
- 3: Maintain the natural beauty of the creek
 - Manage land uses to preserve the natural beauty of Broad Creek and its shoreline.

Implementation Strategy

- Regulatory – Amend the Town’s Land Management Ordinance to 6: Evaluate any future rezoning proposals to determine their impact on Broad Creek.

Conclusions of Law:

- The proposed rezoning is consistent with strategies and tactics in the Comprehensive Plan that encourage the redevelopment of sites with inadequate sewer and stormwater facilities. The increased maximum height, increased density without developing workforce housing, the time-limited prohibition on short-term rentals, and the increased amount of development on properties adjacent to Broad Creek are not consistent with the Comprehensive Plan as set forth in LMO Section 16-2-103.C.3.a.i. The number and significance of the application’s inconsistencies with the Comprehensive Plan outweigh the few consistencies with the Comprehensive Plan.
- The increased maximum building height of 55 feet is not appropriate to the existing adjacent single-family homes; therefore, the rezoning is inconsistent with Excellence Tactic 3.3.1 and Infrastructure Strategy 6.3.
- The increased density is not appropriate without the public benefit of workforce housing; therefore, the rezoning is inconsistent with Excellence Tactic 2.10.1 and Regional Goal 2. Workforce housing has been a Town priority for the last several years. The Town recently adopted the Workforce Housing Program and development incentives to encourage the development of workforce housing. Even though these properties were specifically identified for inclusion in the Town’s Workforce Housing Program and the density bonus

incentive, the applicant is not proposing to include any workforce housing units in the development. The proposed rezoning does not provide a public benefit to justify the proposed density.

- If the proposed rezoning permanently prohibited converting the units to short-term rentals, the proposed rezoning application would be supported by Excellence Strategy 3.3, Economy Strategies 3.1 and 3.5, Economy Tactics 3.2.2, 5.3.2, and 6.1.6, Infrastructure Goal 6, and Infrastructure Strategy 6.4, because the proposed rezoning would increase housing options to meet the needs of the Island’s population. However, the applicant’s provision of prohibiting the units from becoming short-term rentals for a period of only ten years would likely result in the units transitioning from housing to short-term rentals, which is inconsistent with these Goals, Strategies, and Tactics.
- The proposed rezoning would allow the redevelopment of properties with a higher-intensity development. This would result in the creation of more impervious surfaces and the removal of trees (thereby increasing the urban heat island), which is incompatible with Environment Goal 4, Environment Strategies 2.6 and 7.3, Environment Tactics 3.1.4, 3.1.5, 3.4.6, and 4.5.1, and Regional Strategy 4.5.
- The Broad Creek Management Plan calls for rezoning applications to be evaluated for their impacts to Broad Creek. The proposed rezoning will increase the intensity of the permitted development on parcels on Broad Creek, adding pressure to the environmentally sensitive headwaters and negatively impacting the natural beauty of Broad Creek. This is incompatible with the Goals and Regulatory Implementation Strategy of the Broad Creek Management Plan.

Summary of Facts and Conclusions:

Criterion 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 subject properties are located in a low to moderate density area currently developed with single family residential uses.
- The subject properties are zoned RM-4, which allows residential uses; bed and breakfast uses; public, civic, institutional, and educational uses; some commercial service uses; and other uses. See Attachment F.
- The subject properties are surrounded by RM-4 zoned property with residential uses on two sides and the marshes of Broad Creek to the rear.
- The proposed use of multi-family residential is permitted as a by right use in the RM-4 District.
- The uses permitted in the PD-1 District are restricted to those listed for each parcel in the approved Master Plan. Multi-family residential is the only use being proposed for the subject property.
- The current density allowed on the subject parcels is 8 units per net acre based on total size of the ten parcels subject to the rezoning request. The proposed application seeks 12 units per net acre.
- The application proposes to increase the maximum building height from 35 feet to 55 feet.
- The proposed development would be immediately visible from Marshland Road, a Minor Arterial Road, the adjacent existing single family residential properties and from the marshes of Broad Creek.

- On Hilton Head Island, high density residential development is typically separated from low density residential development by open space, wide setbacks, rights-of-way, or commercial areas. Examples include the Water Walk apartments and Shelter Cove Harbour, which are both located in a commercial area but are separated significantly from single-family residential development.

Conclusions of Law:

- The proposed rezoning will allow a use at a size and scale that is not compatible with the uses in the immediate vicinity, which is not in accordance with LMO Section 16-2-103.C.3.a.ii.
- While a multi-family residential use could be compatible with the single-family residential uses in the immediate vicinity, the significant increase in height could be too close to existing homes and are at heights that are not compatible with the character of the single-family residential neighborhoods in the vicinity.

Summary of Facts and Conclusions:

Criterion 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 multi-family residential to be developed on the property at a density of 8 units per net acre, a total of 109 multi-family residential units, based on total size of the ten parcels subject to the rezoning request.
- The applicant proposes to rezone the subject properties to PD-1 to allow 12 units per net acre, a total of 164 multi-family residential units.
- The PD-1 zoning district allows for greater impervious surface coverage and a greater height than what is permitted in the RM-4 district and the surrounding neighborhoods.
- The maximum building height in the RM-4 district is 35 feet. The applicant is proposing a maximum height of 55 feet.
- The maximum impervious surface coverage in the RM-4 district is 35%. The rezoning would allow a maximum impervious surface coverage of 40%.
- The subject properties are located adjacent to single-family residential neighborhoods with homes one and two stories in height. Some homes are as close as 24 feet to the shared property line.
- The Crosswinds and River Club neighborhoods, which are zoned PD-1 and are part of the Indigo Run master plan, are in the vicinity of the subject site.
- While there are developed sites with higher densities within the PD-1 District, such as Harbour Town, these developments are typically located near resort and commercial areas.
- The subject properties contain trees that the LMO defines as specimen and significant sized and require protection per the LMO.
- The subject site has frontage on the marshes of Broad Creek, which is an environmentally sensitive area per the Broad Creek Management Plan.
- The proposed development would be immediately visible from Marshland Road, a Minor Arterial Road, the adjacent existing single family residential properties and from the marshes of Broad Creek.
- The applicant is proposing a development that will provide onsite stormwater management and setback and wetland buffer standards greater than what is required by the LMO.

Conclusions of Law:

- The application does not meet the criteria in LMO Section 16-2-103.C.3.a.iii because the proposed zoning is not appropriate for the land.
- While there are several Findings of Fact that show the proposed zoning could be appropriate for the land (the use is currently allowed, there are PD-1 properties in the vicinity), there are several Findings of Fact that far outweigh any support of the application.
- The proposed building massing and height are too intense for the subject parcels and will negatively impact the character of the neighborhood and views from Broad Creek.

Summary of Facts and Conclusions:

Criterion 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 Housing Element of Our Plan states that the “Town is actively seeking opportunities to foster an increase in housing to accommodate the needs of existing and future populations.”
- Town Council has recognized and prioritized the need for more affordable housing on the Island and adopted the Workforce Housing Program in November of 2020 and the Density Bonus incentive in February of 2021. During the approval process, the subject site was specifically identified as a possible site for redevelopment and included in the Workforce Housing Program with the incentive of a density bonus.
- The applicant is not proposing to include any workforce housing in their development.
- The applicant is proposing 164 multi-family residential units, which has the potential to provide the opportunity for additional housing in the area.
- There is a market for housing on the Island, as demonstrated by development at 55 Gardner Drive, the Water Walk apartments, and multiple proposed and newly constructed residential subdivisions across the Island.

Conclusions of Law:

- The application does not meet the criteria in LMO Section 16-2-103.C.3.a.iv because the proposed rezoning does not address a demonstrated community need.
- While the proposed rezoning would provide additional housing, the demonstrated community need is for workforce housing.
- The current use of the property is effectively workforce housing; the proposed redevelopment will eliminate that housing stock.

Summary of Facts and Conclusion:

Criterion 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:

- Per LMO Section 16-3-105.K, the purpose of the PD-1 District is to allow the continuation of well-planned development within the unique PUDs that are greater than 250 acres in size and comprised of Town-approved Master Plans, such as Indigo Run. The

Town-approved Master Plan for each PUD defines the uses and densities for the property incorporated into the Master Plan.

- The Town’s overall zoning program allows flexibility in the PD-1 District by allowing land uses and assigned density to be modified to address changing needs of the community.
- Future plans for the Town support the timely development of diversified housing on the Island as expressed by *Our Plan*.
- The Town adopted the Workforce Housing Program in November of 2020 and the Density Bonus incentive in February of 2021. During the process of approval, the subject property was identified as a possible site for redevelopment and included in the Workforce Housing Program with the incentive of a density bonus.
- In order to receive the density bonus of 12 units per acre, the development would have to comply with the Workforce Housing Program, which requires 25% of the units be workforce housing.
- The applicant is not proposing to include any workforce housing in their development.

Conclusions of Law:

- The application does not meet the criteria in LMO Section 16-2-103.C.3.a.v because the proposed zoning is not consistent with the overall zoning program as expressed in *Our Plan*.
- While the PD-1 District allows flexibility to address a community need, the proposed development would not address a community need.
- While the applicant could receive the density bonus of 12 units per acre if they met the requirements of the Workforce Housing Program, the applicant is not choosing to do so.
- The intensity of the proposed rezoning would be justified if the properties were redeveloped as part of the Workforce Housing Program which provides a public benefit. The proposed rezoning does not provide a public benefit to justify the proposed density and height.

Summary of Facts and Conclusions:

Criterion 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 properties are located near PD-1 zoned parcels that are part of the Indigo Run master plan. See Attachment B.
- The subject properties are currently zoned RM-4, with RM-4 properties surrounding the subject properties.

Conclusions of Law:

- The application meets the criteria in LMO Section 16-2-103.C.3.a.vi because the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts.
- Due to the proximity of the Indigo Run PUD, the proposed rezoning would not create an inappropriately isolated zoning district that is unrelated to the adjacent and surrounding zoning districts.

Summary of Facts and Conclusions:

Criterion 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:

- There are approximately 60 dwelling units currently located on the subject properties.
- With the ten parcels combined, the current zoning allows multi-family residential at 8 units per net acre, a total of 109 units, and a height limit of 35 feet.
- The current zoning allows an additional 49 units on the property, which increases the economic use of the property as it stands.
- The applicant is proposing to rezone the property to PD-1, to increase the density from 8 units per net acre to 12 units per net acre, a total of 164 units, and to increase the building height from 35 feet to 55 feet.

Conclusions of Law:

- The application meets the criteria in LMO Section 16-2-103.C.3.a.vii because the proposed zoning would allow the subject property to be put to a reasonably viable economic use as it would increase the density potential of the property by 50%.
- It is important to note that when the ten parcels are combined, the LMO would allow for an increase in density from 4 units per net acre to 8 units per net acre, which would be a reasonably viable economic use of the property. Though the proposed rezoning would allow the subject properties to be put to a reasonably viable economic use, the properties could be put to a reasonably viable economic use without the proposed rezoning.

Summary of Facts and Conclusion:

Criterion 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 Marshland Road, a Minor Arterial road.
- The Town’s Traffic Engineer reviewed the request and determined no roadway or traffic signal improvements are required to support the residential density proposed for the property.
- A Town public pathway is located at the front of the property along Marshland Road.
- The existing homes on the property are primarily served by septic tank systems and not sewer, although there are existing sewer lines located along Marshland Road. Any redevelopment of the property will require a connection to the water and sewer lines served by the Hilton Head Public Service District.
- The property is served by Palmetto Electric, who has verified they have ample power available to serve the project with existing infrastructure.
- The property currently does not have any stormwater management systems in place.
- Not all of the existing dwellings on the subject properties are within 500 feet of a fire hydrant, as required by Hilton Head Island Fire Rescue.
- Redevelopment of the property will require a Major Development Plan Review which will ensure adequate stormwater facilities and all required public facilities including fire hydrants are provided in compliance with the LMO.

Conclusion of Law:

- The application meets the criteria in LMO Section 16-2-103.C.3.a.viii because the proposed zoning would result in development that can be and is already served by some available public facilities.

Summary of Facts and Conclusion:

Criterion 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 8 units per net acre to 12 units per net acre, and to increase the building height potential from 35 feet to 55 feet. This would allow a development of 164 residential units.
- There is the need for additional housing stock, including workforce housing, on the Island, per *Our Plan* and the Town’s Workforce Housing Strategic Plan.
- The applicant is not proposing to include workforce housing in their development.
- The applicant states in the narrative that the current property owners, regardless of the outcome of this rezoning application, are no longer planning to use the subject properties as a mobile home park and have accordingly stopped renewing or approving leases for mobile home use on the properties.
- The only changing condition in the affected area is that these properties will be left vacant once the leases have expired.

Conclusions of Law:

- The application does not meet the criteria in LMO Section 16-3-103.C.a.ix.
- While the proposed use may be appropriate because of the need for all types of housing on the Island, the proposed density would only be justified if the properties were redeveloped as part of the Workforce Housing Program because it would provide a public benefit. The proposed rezoning does not provide a public benefit to justify the proposed density and height.

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, AICP, CFM
Development Review Administrator

September 1, 2021

DATE

REVIEWED BY:

TL

Teri B. Lewis, AICP
Deputy Director of Community Development

September 7, 2021

DATE

REVIEWED BY:

AC

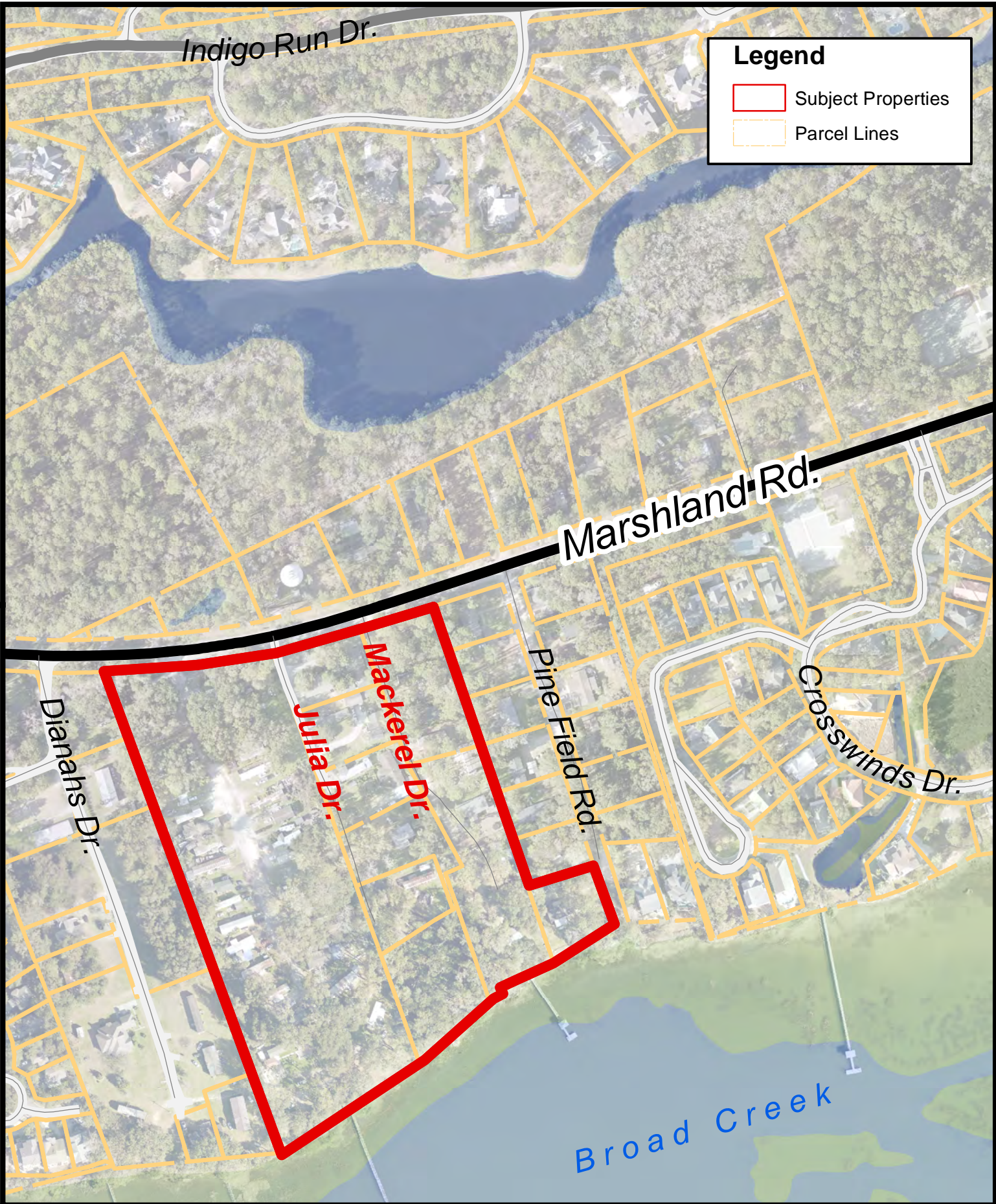
Anne Cyran, AICP
Senior Planner & Planning Commission Board
Coordinator

September 7, 2021

DATE

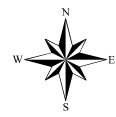
ATTACHMENTS:

- A) Location Map
- B) Zoning Map
- C) Applicant's Narrative and Attachments
- D) Indigo Run Master Plan Map
- E) Site Photos
- F) RM-4 District Standards
- G) PD-1 District Standards



Legend

- Subject Properties
- Parcel Lines



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.

INDIGO RUN DRIVE

Legend

Zoning

- PD-1
- RM-4

MARSHLAND ROAD

ALLEN ROAD

DIANAHS DRIVE

SULLY DRIVE

Property highlighted in blue is subject to the rezoning

Town of Hilton Head Island
 ZA-001918-2021
 ATTACHMENT B - Zoning Map



TOWN OF HILTON HEAD ISLAND
 ONE TOWN CENTER COURT
 HILTON HEAD ISLAND, S.C. 29928
 PHONE (843) 341-4600
 Date Created: June 10, 2021
 Project: map.mxd

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.

STATE OF SOUTH CAROLINA)	BEFORE THE PLANNING COMMISSION
)	OF THE
)	TOWN OF HILTON HEAD ISLAND, SC
COUNTY OF BEAUFORT)	

**NARRATIVE SUPPLEMENT
TO
THE APPLICATION FOR ZONING MAP AMENDMENT
BY
DPJ RESIDENTIAL, LLC
REGARDING
13.74 ACRES ON MARSHLAND ROAD, HILTON HEAD ISLAND, SC**

This Narrative Supplement is submitted with and is incorporated in and comprise a part of the Application for Zoning Map Amendment (the “**Application**”) of DPJ Residential, LLC (the “**Applicant**”). This Narrative is submitted to the Planning Commission and the Town Council of the Town of Hilton Head Island, South Carolina (the “**Town**”) to describe the basis for the Application and how it meets the criteria of Section 16-2-103.C.3 of the Town’s Land Management Ordinance (the “**LMO**”) as required by Section 16-2-103.C. of the LMO.

I. INTRODUCTION.

A. PROPERTY DESCRIPTION.

The property which is the subject of this Application is comprised of ten (10) parcels owned by five (5) separate owners (collectively, the “**Owners**”) consisting of: (i) that certain 7.2 acre parcel of real property, more or less, with improvements located thereon, known as 201 Marshland Road and bearing Beaufort County Tax Map Number R510 011 000 022C 0000, owned by Rollers Trailer Park LLC; (ii) that certain 0.52 acre parcel of real property, more or less, with improvements located thereon, known as 3 Julia Drive and bearing Beaufort County Tax Map Number R510 011 000 0167 0000, owned by Jesus and Martina Figueroa; (iii) that certain 0.51 acre parcel, more or less, with improvements thereon known as 5 Julia Drive and bearing Beaufort County Tax Map Number R510 011 000 0168 0000, owned by Eleazar Figueroa; (iv) that certain 0.52 acre parcel, more or less, with improvements thereon known as 9 Julia Drive and bearing Beaufort County Tax Map Number R510 011 000 022D 0000, owned by Martha L. Bucardo; (v) that certain 0.60 acre parcel, more or less, with improvements thereon, known as 13 Julia Drive and bearing Beaufort County Tax Map Number R510 011 000 022G 0000, owned by Singh Harinderjit; (vi) that certain 0.50 acre parcel, more or less, with improvements thereon, known as 19 Julia Drive and bearing Beaufort County Tax Map Number R510 011 000 0141 0000, owned by Singh Harinderjit; (vii) that certain 0.87 acre parcel,

more or less, with improvements thereon, known as 25 Julia Drive and bearing Beaufort County Tax Map Number R510 011 000 022F 0000, owned by Singh Harinderjit; (viii) that certain 1.02 acre parcel, more or less, with improvements thereon, known as 5 Mackerel Drive and bearing Beaufort County Tax Map Number R510 011 000 0139 0000, owned by Singh Harinderjit; (ix) that certain 1.55 acre parcel, more or less, with improvements thereon, known as 17 Mackerel Drive and bearing Beaufort County Tax Map Number R510 011 000 0152 0000, owned by Singh Harinderjit; and (x) that certain 0.533 acre parcel, more or less, with improvements thereon, known as 14 Pine Field Drive and bearing Beaufort County Tax Map Number R510 011 000 0072 0000, owned by Singh Harinderjit (said parcels consisting of 13.74 ± acres, more or less, herein collectively the “**Property**”)¹.

The Applicant submits this Application requesting the approval of an amendment to the Town’s official zoning map described in Section 16-2-103.C of the LMO, in order to change the zoning for the Property from RM-4 Low to Moderate Density to Planned Development Mixed Use District (PD-1)².

B. BACKGROUND.

The Owners acquired the Property pursuant to various deeds recorded in the Office of the Register of Deeds for Beaufort County (“**ROD**”). Rollers Trailer Park LLC acquired the 7.2 acre parcel pursuant to deed dated January 22, 2009 and recorded in the ROD in **Book 2803 at Page 890**.³ Jesus and Martina Figuero acquired the 0.52 acre parcel pursuant to a deed dated July 15, 1999 and recorded in the ROD in **Book 1197 at Page 669**.⁴ Eleazar Figuero acquired the 0.51 acre parcel pursuant to deed dated January 24, 1996 and recorded in the ROD in **Book 832 at Page 235**.⁵ Martha Bucardo acquired the 0.52 acre parcel pursuant to deed dated May 5, 1993 and recorded in the ROD in **Book 626 at Page 1691**.⁶ Singh Harinderjit acquired the 0.60 acre parcel pursuant to deed dated November 14, 2018 and recorded in the ROD in **Book 3716 at Page 2943**.⁷ Singh Harinderjit acquired the 0.50 acre parcel pursuant to deed dated November 14, 2018 and recorded in

¹ See Boundary Survey prepared by Sea Island Land Survey, LLC, Mark R. Renew SCPLS # 25437 dated May 12, 2021 and attached hereto as Exhibit “A” and made a part hereof.

² See Zoning Confirmation Letter dated May 17, 2021 attached hereto as Exhibit “B” and made a part hereof.

³ See copy of deed, attached hereto as Exhibit “C” and made a part hereof.

⁴ See copy of deed, attached hereto as Exhibit “D” and made a part hereof.

⁵ See copy of deed, attached hereto as Exhibit “E” and made a part hereof.

⁶ See copy of deed, attached hereto as Exhibit “F” and made a part hereof.

⁷ See copy of deed, attached hereto as Exhibit “G” and made a part hereof.

ATTACHMENT C

the ROD in **Book 3716 at Page 2967.**⁸ Singh Harinderjit acquired the 0.87 acre parcel pursuant to deed dated December 21, 2017 and recorded in the ROD in **Book 3633 at Page 1763.**⁹ Singh Harinderjit acquired the 1.02 acre parcel, 1.55 acre parcel, and 0.533 acre parcel pursuant to deed dated January 22, 2018 and recorded in the ROD in **Book 3641 at Page 31.**¹⁰ The Applicant is under contract to purchase the Property from the Owners contingent upon the approval of this ZMA and successful permitting to allow development of the Property as contemplated in this Application. Mr. Singh Harinderjit, the owner of the bulk of the Property, has advised the Applicant that regardless of the outcome of this Application, he is no longer planning to use the Property as a mobile home park and have accordingly stopped renewing or approving leases for mobile home use on the portion of the Property he owns.¹¹

The Property is primarily served by septic tank systems and not sewer. There is existing sewer along the Marshland Road right of way and the Project, as hereinafter defined, will be served by sewer.¹² Long used as a mobile home park, there are few if any stormwater systems or facilities constructed on the Property and little vegetation to stop the sheet flow of stormwater across the Property to the marshes of the Broad Creek. Existing on the Property are many specimen and significant trees which are not protected and current occupants on the Property drive and park under many of these trees which is harmful to the root systems and the health of many of these trees. The Property was impacted by Hurricane Mathew in 2016 and suffered substantial tree damage.

The Property is bounded to the north by Marshland Road¹³, a “minor arterial” street, and Indigo Run Planned Unit Development. The Property is bounded to the east by Pine Field Road and several small parcels occupied by mobile home owners. Further to the east is the residential planned community known as Crosswinds. Crosswinds is zoned PD-1 and is shown as Parcel 10 in the Indigo Run Master Plan dated January 25, 2000 (the “**Indigo Run Maser Plan**”).¹⁴ The Property is bounded to the west by Dianahs Drive and Peregrine Drive comprised of various parcels with residential uses. Further to the west is the community known as River Club which is zoned PD-1 and is shown as Parcel 11A and Parcel 11B in the Indigo Run

⁸ See copy of deed, attached hereto as Exhibit “H” and made a part hereof.

⁹ See copy of deed, attached hereto as Exhibit “I” and made a part hereof.

¹⁰ See copy of deed, attached hereto as Exhibit “J” and made a part hereof.

¹¹ See letter dated May 21, 2021 from Rollers Trailer Park LLC attached hereto as Exhibit “N” and made a part hereof.

¹² See “will serve letter” from of HHI PSD #1 attached hereto as Exhibit “O-1” and made a part hereof.

¹³ See Table 16-5-105.B of the LMO.

¹⁴ See copy of Indigo Run Master Plan attached hereto as Exhibit “K” and made a part hereof.

Master Plan. The Property is bounded to the South by Broad Creek. The Property is accessed from Marshland Road via Julia Drive and Mackerel Drive.

Section 16-3-105. K of the LMO describes the PD-1 zoning district, the stated purpose of which is to recognize the existence within the Town of certain unique planned unit developments (“**PUDs**”) of greater than 250 acres in size. This section of the LMO provides that the PD-1 zoning district “serves to establish the special character of Hilton Head Island as a high quality resort and residential community” the intent of the PD-1 zoning district is to allow the “continuation of well planned development”¹⁵. The approved uses of the Property as RM-4 and its associated density are limited and are related to development that is not the best use for the Property given its location on the Broad Creek and the need for additional mix of new housing stock in the Town.

The Applicant is a multifamily apartment owner and developer specializing in Class A multifamily communities. The Applicant has several multifamily development projects in North Carolina and one in Savannah, Georgia. All are quality residential multifamily developments, with on site management, security and developed recognizing and to be consistent with local architecture and development characteristics. The Applicant proposes that the Project will be of similar quality to those projects. The Applicant’s multifamily development projects are privately funded and typically held for investment once completed.

II. PROPOSAL AND REQUEST.

A. PROPOSED PROJECT.

The Applicant proposes to redevelop the Property into a high quality, aesthetically-pleasing multifamily apartment community consisting of 164 residential apartments and associated parking, infrastructure and amenities (the “**Project**”). The Project proposes development of a mix of from one (1) to three (3) bedroom apartments. Multiple buildings are anticipated but the final site design and layout has yet to be completed pending approval of the Application. The current proposed site design containing a mix includes one (1) three (3) story building over parking (“**Building 1**”), one (1) four (4) story building (“**Building 2**”), and one (1) three (3) story building (“**Building 3**”). Amenities proposed may include a pool, outdoor seating and recreation areas, a two (2) story clubhouse building (“**Building 4**”), and two (2) existing piers.

¹⁵ See Section 16-3-105.K of the LMO.

ATTACHMENT C

As indicated above, the Property benefits from a large number of specimen and significant trees. The Applicant's design professionals propose a design plan intended to preserve many of the specimen and significant trees by locating the buildings and associated parking in the center of the Property where many trees were previously damaged or destroyed by Hurricane Mathew. By doing so, the Project results in building setbacks exceeding that required by the LMO. This also supports the Applicant's goal to soften massing and scale of the buildings. The Applicant proposes to locate buildings generally in the areas depicted on a building proposed average structure setback plan (the "**Average Structure Setback Plan**").¹⁶ The Average Structure Setback Plan is intended only to assist the Planning Commission and Town Council's understanding of the Applicant's intended location of buildings on the Property upon approval of this Application. At this time the building design, geotechnical studies, tree surveys and similar inspections necessary to create a more precise design and plan have yet to be completed. Accordingly, the Average Structure Setback Plan should not be considered to be a concept plan, master plan or development plan. Rather, it is intended to depict the Applicant's intended location of buildings on the Property in order to better understand how the Project will result in average building setbacks which exceed that required by the LMO. As shown in the Average Structure Setback Plan, the PD-1 District provides a typical side yard building setback of twenty feet (20'), a typical front yard building setback of forty feet (40') and a minimum building setback from the South Carolina Office of Coastal Resource Management ("**OCRM**") critical line of forty feet (40').

Ancillary structures and improvements shall adhere to the existing setbacks in the Indigo Run PD-1 District. Building Height. While the Indigo PD-1 District has a maximum height of seventy-five feet (75'), the Project proposes a reduction in height to allow a maximum building height of fifty-five feet (55').

Further, the Project proposes stormwater systems and facilities which will conform to existing ordinances providing a significant benefit to the environment and the Broad Creek as currently there is little or no treatment of stormwater occurring on the Property.

In an effort to address concerns about traffic, use and the availability of quality housing stock, the Applicant proposes, as a condition of the Zoning Map Amendment, a restriction against short term rentals for a period of ten (10) years. For the purpose of the Application and the restriction, "short term rental" is intended to be a rental term of less than four (4) months. This restriction shall be described in a Memorandum of Understanding ("**MOU**") and be recorded in the ROD.

¹⁶ Attached hereto as Exhibit "L" and made a part hereof.

In addition, in order to provide assurance that the Project will provide the housing benefits described herein, the Applicant proposes a restriction against conversion of the apartments to a condominium form of ownership for a period of twenty (20) years. This restriction shall also be described in the MOU and be recorded in the ROD.

Finally, the Applicant proposes a plan to coordinate with local non-profit organizations to assist with the relocation of the existing mobile homes and/or current tenants on the Property and agrees to ensure those current tenants residing on the Property have a minimum of six (6) months from initial relocation notice to move off of the Property. The Applicant plans to work together with the non-profits to minimize the financial burden these current tenants may face relocating from the Property.

B. PROPOSED DENSITY AND USE.

The current zoning classification of the Property is RM-4, which allows four (4) to eight (8) residential units per acre depending on the size of the lot or parcel. The current use of the Property is single family residential comprised of numerous mobile homes. The mobile homes are a mix of leased and owner occupied. Allowed uses in RM-4 are moderate to low density residential including single family, multifamily, group living and recreational vehicles.¹⁷ This Application seeks to change the approved density for the Property making the Property a new planning parcel of the Indigo Run PD-1 District with residential multifamily¹⁸ use and density for 164 residential apartments. The Property consists of 13.74 acres. The proposed density is 12 units per acre. As noted above, the Applicant is advised by the Owner of the largest portion of the Property that future use of the Property will not be for mobile home rental use.

Residential density of 16 units per acre is available in the Waterfront Mixed Use zoning district¹⁹ a zoning classification for water oriented sites able to provide water-oriented commercial and residential development and uses. Given the location of the Property it appears to qualify for such zoning however, the Applicant contends such use for the Property is not appropriate given the surrounding development.

The Applicant believes that it is important to note that the Project proposes residential use and density well below that of the recently approved zoning map amendment for the 55 Gardner Drive site formerly occupied

¹⁷ See Section 16-3-104.E of the LMO.

¹⁸ See Section 16-10-103.A.2. of the LMO.

¹⁹ See Section 16-3-105.O. of the LMO.

ATTACHMENT C

by the Hilton Head Christian Academy²⁰ and now being developed as a multifamily apartment complex. The 55 Gardner Drive rezoning authorized multifamily use of 260 apartments on 13.83 acres for a density count of 18.8 units per acre. The Project is also similar in terms of location on the Broad Creek but less dense than the zoning map amendment to the Palmetto Dunes PD-1 for the redevelopment of Shelter Cove Towne Center. In 2015 the Town approved a zoning map amendment for the Palmetto Dunes PD-1 District²¹ to provide for, among other matters, 300,000 square feet of commercial density and two apartment buildings. The first apartment building (East #1) consists of 136 apartments on a 4.97 acre parcel for a density count of 27.4 units per acre. The second apartment building (East #2) was approved for 104 apartments on a 4.44 acre parcel for a density count of 23.4 units per acre. These apartments are generally known as “Water Walk” apartments. The residential density requested for the Project is considerably below the residential density count in the comparable Water Walk apartments in Shelter Cove Towne Center.

The Application proposes a quality Class A apartment development. As further described herein, such a development will support and provide a mix of needed housing and help address the current documented housing shortage in the Town.

The Town of Hilton Head Island is currently examining multiple strategies to address the Island’s need for workforce housing. In doing so, the Town’s planning staff have proposed Workforce Housing LMO Amendments and a Location Map. Logically, properties with higher values and land costs are not included on the Town’s Workforce Housing Location Map. The Property overlooks Broad Creek and carries very significant land costs which make it not financially feasible to be included in a workforce housing program. The Property is currently being operated as mobile home rental park, but as indicated above the plan is to terminate this operation and sell the Property for development.

The Applicant’s proposed land use is for long term rental apartments. These rental units will meet the housing demands of people who work in the Town, but cannot find a suitable place to live. The Town’s Workforce Housing study states that there is significant need for housing in the Town for the workforce. In addition, there is need for a mix of housing types and affordability is the basis for inclusive and diverse communities. This workforce housing study states that the needs for additional housing are significant and would require over 200 DU’s per year to meet the demands. This project represents an opportunity to address the housing needs in the Town.

²⁰ ZA-001131-2019

²¹ ZMA – 001190-2015.

Finally, the Applicant commissioned a projected trip generation report from Bihl Engineering, LLC (the "**Trip Generation Report**") which projects essentially no increase in traffic trips from the Project²². In addition, the Applicant has commissioned a full traffic impact analysis from Bihl Engineering, LLC to support the Trip Generation Report.

C. SUMMARY OF CONDITIONS.

1. Increased Setbacks.

- The Applicant proposes an average side yard, average front yard and average OCRM setback as depicted in the Average Structure Setback Plan.

2. Short-Term Rental/Restriction. Upon approval of the Application as submitted:

- Rental terms of less than four (4) months prohibited for a period of ten (10) years, commencing on the date of issuance of a certificate of completeness or similar approval from the Town for the Project ("**COC**") documented in the MOU.

3. Condominium Conversion Restriction. Upon approval of the Application as submitted:

- Prohibition against conversion of apartments into condominium form of ownership or any form of fee simple ownership of apartments for a period of twenty (20) years commencing on the date of issuance of the COC documented in the MOU.

4. Relocation Plan.

Upon approval of the Application as submitted and acquisition of Property by the Applicant or its successors or assigns, individuals then occupying the Property pursuant to a lease shall be provided not less than six (6) months from the date of such closing to vacate the Property.

²² Attached hereto and made a part hereof as Exhibit "M".

5. **Density.**
Twelve (12) units per acre.

6. **Increased Buffers.** Adjacent use buffers for this project will be increased to Type D, Option 2, twenty (20) foot buffers with the following exceptions:
 - Fifty percent (50%) of the buffers along the Northeast Property line may be reduced to ten (10) feet in width, but will include Type D Landscaping and a six (6) foot solid fence or hedge. Supplemental vegetation will be added where needed.
 - Twenty percent (20%) of the buffers along the Southwest Property line may be reduced to ten (10) feet in width, but will include Type D Landscaping and a six (6) foot solid fence or hedge. Supplemental vegetation will be added where needed.
 - OCRM buffers for structures will be increased from forty (40) foot average with twenty (20) foot minimum to one hundred (100) foot average and twenty (20) foot minimum.
 - Pervious and impervious paved surfaces will be as required by current applicable ordinances.

7. **Building Height.** The Project proposes a maximum building height of fifty-five (55) feet.

III. **REZONING CRITERIA.**

A. **In Accordance with the Comprehensive Plan.**

1. **Cultural Resources Element.** *The Cultural Resources element of the Comprehensive Plan recognizes that Hilton Head Island's cultural heritage and history are important resources that need to be preserved and protected. Equally important is the need to recognize changing socio-economic and cultural patterns and to continue to promote the arts.*²³

The Property is located in the vicinity of the Gardner neighborhood but there are no known or identified cultural or historic features existing on the Property. While prior owners of

²³ See *Our Plan 2020 – 2040* (October 20, 2020), Page 27.

the Property did have ties to historic owners these owners have long since sold their land. The Project supports the Cultural Resources Element of the Comprehensive Plan by providing new quality housing opportunities for those who live and work in the Town. Doing so supports the Cultural Resources Element by providing a part of the Town's goal to provide an inclusive and accessible place for all residents and embracing the development of connected community fabric.²⁴

Natural Resources. *The Natural Resources element of the Comprehensive Plan recognizes that Hilton Head Island's natural resources contribute significantly to its character and appeal. Having an appreciation and respect for these resources is important to the preservation of the Island's environment, wildlife and natural spaces. The Town seeks to ensure there is a balance of human impact with respect for nature.*²⁵

The Applicant seeks to amend the Town's zoning map to rezone the Property to Planned Development Mixed Use (PD-1) District zoning by adding the Property to and creating a new planning area for the adjacent Indigo Run PD-1. Once the rezoning is approved, the Applicant proposes the complete redevelopment of the Property as described in the Application. The existing development on the Property is non-conforming in a number of areas related to the *Natural Resources Element of the Comprehensive Plan* and the LMO and other applicable State and local ordinances, including issues involving water quality and the ecosystem. Currently there are essentially no stormwater facilities on the Property and stormwater sheets over the compacted ground and drive areas into the marshes and estuaries of the Broad Creek, a vitally important resource for the Town, which is saltwater and contains saltwater shellfish harvesting beds²⁶. Importantly, currently only a portion of the Property is served by sewer with the balance served by septic tanks. Septic tank use for the treatment of waste on the Property creates unnecessary environmental risk to the water quality of the adjacent Broad Creek and risks harm to this important asset which serves and enhances the quality of life for citizens and visitors to the Town. The proposed redevelopment contemplates removal of the existing mobile homes and other structures on

²⁴ See *Our Plan 2020 – 2040* (October 20, 2020), Page 38.

²⁵ See *Our Plan 2020 – 2040* (October 20, 2020), Page 39.

²⁶ See *Our Plan 2020 – 2040* (October 20, 2020), Page 41.

ATTACHMENT C

the Property. The redevelopment of the Property proposed by the Applicant will result in development compliant with current stormwater standards, landscaping and buffers and setbacks and will all be served by sewer. The Project therefore is consistent with the goals and implementation strategies described in the *Natural Resources Element of the Comprehensive Plan*.

The Applicant's proposed redevelopment contemplates that it will meet or exceed all current stormwater and site development requirements of the LMO and Town Building Codes and ordinances. There are no additional variances or requests from applicable development codes or standards in this Application or anticipated for the Project.

The Applicant's Project proposes to retain as many of the Specimen and Significant Trees²⁷ existing on the Property and its architect and land planning consultants propose a site plan which places the buildings and structures on the Property in a manner that respects these trees and will enhance their growth and development by removing mobile homes and parking areas which negatively impact the root systems and health of these trees. New development on the Property will be located on the interior allowing for generous setbacks and buffers as noted above and will screen the buildings and improvements from the adjacent property and Broad Creek. Such effort and redevelopment furthers the goals described in the *Natural Resources Element of the Comprehensive Plan*.

Furthermore, the Project provides new, high quality housing of the type which is in great demand. Providing opportunity for housing in the Town within reach of middle income wage earners results in a significant reduction in the volume of motor vehicle traffic entering and impacting Hilton Head Island as many of those commuters have the opportunity to work and live in the Town. The Property is centrally located and easily accessed for a short commute to business areas of the Town.

The Project contemplates a complete redevelopment of the Property which proposes to create quality housing on a site that has already been developed but not to its best and environmental sensitive use. The Project proposes to significantly enhance the treatment of the Town's natural resources, particularly the Broad Creek by eliminating septic tanks

²⁷ See Section 16-6-104.F.1 of the LMO

in close proximity to the Broad Creek, enhancing the quality of water quality in the Broad Creek through use of new stormwater treatment facilities, and increasing the amount of landscaped areas and trees. The proposed change in use is therefore consistent with the *Natural Resources Element of the Comprehensive Plan*.

3. **Population Element.** *The Population Element of the Comprehensive Plan recognizes that demographically the Island is not a typical Town. Its tourism based economy, large population of second home owners, and influx of seasonal workers and visitors keeps the population count in daily fluctuation and is difficult to estimate at any given time. The Town seeks to maintain a diverse population with opportunities for residents to enjoy financial security and a high quality life.*²⁸

The change in use proposed by the Applicant is consistent with the *Population Element of the Comprehensive Plan* as it provides additional new, quality residential housing and serves to support the existing and future population of the Town as it ages as well as provides opportunities for young people to live in the Town rather than live on the mainland and commute to the Town.

As more particularly shown in Figure 2.16 of the *Population Element of the Comprehensive Plan*, the data compiled by the Town shows that the population of the Town has experienced 250% growth since 1980, far outpacing other nearby municipalities.²⁹ While growth has slowed in recent years largely due to growth management, the Town still predicts population growth of 1% by 2040.³⁰ The Town's diverse population has seen fluctuations through the years as African American growth decreased and then stabilized at about 7.7% of the population while the Hispanic population has seen an increase to approximately 11.8% of the population.³¹ Lastly, as more particularly detailed and described in Figure 2.22 of the *Population Element of the Comprehensive Plan*, the data compiled by the Town supports the general perception that although the Town's population includes all age groups, the Town has a higher than average percentage of older adults and

²⁸ See *Our Plan 2020 – 2040* (October 20, 2020), Page 54.

²⁹ See *Our Plan 2020 – 2040* (October 20, 2020), Page 55.

³⁰ See *Our Plan 2020 – 2040* (October 20, 2020), Page 55.

³¹ See *Our Plan 2020 – 2040* (October 20, 2020), Page 56.

retirees, and its population has grown progressively older from 1975 to 2018.³² The median age of permanent residents in the Town has increased from 39.9 years old in 1990 to 57.3 years old in 2018.³³

The Project directly supports the *Population Element of the Comprehensive Plan's* stated concern and recommendation to “[f]oster an economy that includes support for a healthy aging population and allows for aging in place.”³⁴ The Project proposes the development of a “next step” in the aging process for our citizens. As Town citizens age many have less need or desire for a single family residence. The Project provides the opportunity for a safe, quality multifamily development in the Town where others are responsible for maintenance, repair and upkeep and the residents have the ability to come and go as they please.

Furthermore, the *Population Element of the Comprehensive Plan* notes that population projections for the Town are estimated to be around 1% per year.³⁵ Accordingly, as the existing developments in the Town approach build out, other property in the Town needs quality projects to be developed or redeveloped with density to support the increases in population.

Figure 2.22 of the *Population Element of the Comprehensive Plan* shows that the population of the Town of Hilton Head Island has progressively grown older over the time span from 1975 to 2018. During this period of rapid population growth, the Town has decreased steadily in the percentage of the population which is under 25 (down 11.6% in the 25-44 year old age group), while increasing in most categories above the 25 to 44 year old range. The greatest share increase of one age category has been the increase in the 65 and older category from 9.9% in 1975 to 35% in 2018. These changes in the age composition of the population should not be viewed in terms of a declining number of young people on the Island. The data simply indicate that as the total permanent population of the Town has grown at a fast rate over the time span from 1975 to 2018, the percentage

³² See *Our Plan 2020 – 2040* (October 20, 2020), Page 57-58.

³³ See *Our Plan 2020 – 2040* (October 20, 2020), Page 57.

³⁴ See *Our Plan 2020 – 2040* (October 20, 2020), Page 145.

³⁵ See *Our Plan 2020 – 2040* (October 20, 2020), Page 55.

share of that population growth in the older age groups has increased. This means that these age groups are growing at a faster rate than younger age groups. A combination of the continued influx of retirees to Hilton Head Island and the national trend of the aging baby-boomer population has contributed to this trend. However, the lack of affordable quality housing in the Town contributes to the decision by many younger adults to live on the mainland and commute to the Town for work. The Project proposes development of a quality multifamily apartment project located within short distances to many business including the Festival Centre at Indigo Park shopping center to the north of the Property, and Sea Turtle Marketplace shopping center to the east of the Property. The Project thereby supports the *Population Element of the Comprehensive Plan*, as it provides housing opportunities for young adults who work and desire to live on Hilton Head.

The Project is supportive of the *Population Element of the Comprehensive Plan* as it provides opportunities for enhanced quality of life and facilities that allow enable existing residents the opportunity to remain on Hilton Head Island and age in place and for new residents. The proposed change in use is therefore consistent with the *Population Element of the Comprehensive Plan*.

4. **Housing Element.** *The Housing Element of the Comprehensive Plan seeks to promote discussion, goals and strategies that will result in the development of housing to accommodate existing and future populations, especially year-round communities.*³⁶

The Applicant's proposed use of the Property implicates the *Housing Element of the Comprehensive Plan*. The *Housing Element of the Comprehensive Plan* states that the "Town is actively seeking opportunities to foster an increase in housing to accommodate the needs of existing and future populations."³⁷ In 2019 Town Council adopted the *Workforce Housing Strategic Plan* to move forward policies that encourage development to meet the housing needs of the Island.³⁸ The Applicant's proposed use provides additional multifamily housing opportunities to address the decline in the number of multifamily

³⁶ See *Our Plan 2020 – 2040* (October 20, 2020), Page 61.

³⁷ See *Our Plan 2020 – 2040* (October 20, 2020), Page 61.

³⁸ See *Our Plan 2020 – 2040* (October 20, 2020), Page 61.

housing units as compared to single family housing for the Town and its residents.³⁹ Implications for the Comprehensive Plan include the concept that while an increase in the total number of housing units contributes to the economic tax base for the Town, both the quantity as well as quality of the housing stock is maintained to sustain the current and future population and overall property values. As the amount of available land declines for new development, a diverse and high quality stock of housing opportunities must be maintained.⁴⁰ The availability of various housing types is important for the continued viability of the housing market to accommodate the diverse needs of the Island's population.

Further, the cost of real property and costs to develop continue to increase which contributes to a higher than average cost of living and housing in the Town. The Housing Element of the Comprehensive Plan challenges the Town to address the impediments to fair housing by creating more and accessible housing in the Town.⁴¹ The Project does just that.

The use proposed by the Applicant provides the availability of additional housing opportunities for the Town's residents. The proposed change in use is therefore consistent with the *Housing Element of the Comprehensive Plan*.

5. **Community Facilities Element.** *The Community Facilities Element of the Comprehensive Plan acknowledges that the Town of Hilton Head was organized nearly thirty years after the start of modern development on the Island. Accordingly, the Town provides community facilities in combination with private and public agencies. The Community Services Element discusses the ways in which the Town may continue to grow into a position of leadership for Island resident, workers and visitors in addressing concerning services and facilities.*⁴²

³⁹ See *Our Plan 2020 – 2040* (October 20, 2020), Page 61.

⁴⁰ See *Our Plan 2020 – 2040* (October 20, 2020), Page 62.

⁴¹ See *Our Plan 2020 – 2040* (October 20, 2020), Page 65.

⁴² See *Our Plan 2020 – 2040* (October 20, 2020), Page 67.

The Comprehensive Plan defines “Community Facilities” as major capital services such as transportation, potable water, educational facilities and public safety.⁴³ The approval of this Application supports the Town’s Community Facilities and the vision discussed in the Comprehensive Plan. The infrastructure for the use proposed in the Application, including major roadways, potable water, electricity, telephone and cable, is already in place, and shall continue to serve the Property. Sanitary sewer, solid waste, and stormwater drainage systems shall be installed as part of the Project making the Property compliant with applicable regulations and laws concerning sewer and stormwater. The Project will be served by Hilton Head Public Service District #1, Palmetto Electric Cooperative and Hargray Communications.⁴⁴ The Applicant’s proposed change in use supports and is consistent with the *Community Facilities Element of the Comprehensive Plan*, as by providing additional housing opportunities, which include new sanitary sewer and solid waste disposal, and stormwater treatment and control, the Project contributes to the development of community facilities needed for the continued growth and development of the Town.

6. **Economic Development Element.** *The Economic Development Element of the Comprehensive Plan seeks to encourage a diverse economy in order to attract different professions and age groups to the Island to ensure sustainable growth into the future.*⁴⁵

The Comprehensive Plan describes the Town’s economy as one based largely on the tourism industry, followed with healthcare and real estate in keeping with support for the Island’s retirement community and housing market.⁴⁶ There is a need for housing to support the workers who contribute to the economic growth of the Island. The Comprehensive Plan explains that many people live outside of the Town because there is little obtainable housing and higher cost of living.⁴⁷ Nearly half the Town’s workforce lives in other

⁴³ See *Our Plan 2020 – 2040* (October 20, 2020), Page 66, Figure 2.38.

⁴⁴ See “will serve letters” from of HHI PSD #1, Palmetto Electric Cooperative and Hargray Communications attached hereto as Exhibits “O”, Exhibit “O-1” and Exhibit “O-2” and made a part hereof.

⁴⁵ See *Our Plan 2020 – 2040* (October 20, 2020), Page 73.

⁴⁶ See *Our Plan 2020 – 2040* (October 20, 2020), Page 73.

⁴⁷ See *Our Plan 2020 – 2040* (October 20, 2020), Page 76.

locations and 14,500 workers commute to the Town to work each day.⁴⁸ Little obtainable housing, higher cost of living force many people who work in the Town to live elsewhere.⁴⁹

The Project proposes the development of high quality multifamily apartment living facilities, which will provide significant economic benefits to the Town. The current approved use is not economically viable as the current allowed density does not allow the density needed to sustain the Town's unique way of life. The Applicant's proposed change in use provides the Town's residents and workers with an additional mix of housing opportunities for both young adults and older residents seeking the opportunity to live in a quality affordable apartment in the Town. The Project when complete will provide housing opportunities so that Town workers will have more opportunities to live near their work rather than commute from outside the Town, and is therefore consistent with the *Economic Development Element of the Comprehensive Plan*.

7. **Land Use Element.** *The Land Use Element of the Comprehensive Plan seeks to illustrate the land uses assigned to Hilton Heads 34.5 square miles. Town planners continually review zoning and land uses to determine if there is a need to revise zoning or land use categorizations in order to ensure a high quality of life by planning for population growth, public and private development and redevelopment, and the proper distribution, location and intensity of land uses with adequate levels of services, while maintaining and protecting the natural resources, residential neighborhoods and the overall character of the Town.*⁵⁰

Land Use Element of the Comprehensive Plan describes the land use in the Town as being mostly Planned Development Mixed Use (PD-1), followed by Low to Moderate Density Residential (RM-4), and Parks and Recreations.⁵¹ The Applicant's proposed change in use to a PD-1 is consistent with the majority of land uses assigned to the Island and would make private redevelopment of the Property a viable option to provide additional quality housing stock. The Applicant's proposed use for the Property is supported by the existing

⁴⁸ See *Our Plan 2020 – 2040* (October 20, 2020), Page 76.

⁴⁹ See *Our Plan 2020 – 2040* (October 20, 2020), Page 76.

⁵⁰ See *Our Plan 2020 – 2040* (October 20, 2020), Page 80.

⁵¹ See *Our Plan 2020 – 2040* (October 20, 2020), Page 82.

infrastructure on the Property and within the Town. The Property, while intended to be subject to a base zoning of PD-1, is not “behind the gates” of a PUD and is accessible by the public.

Furthermore, the existing density and allowed uses assigned to RM-4 are not desired and opportunities for quality redevelopment for any of those uses are very unlikely. The Applicant’s proposed redevelopment represents quality planning and appropriate density and use. The Applicant’s proposed change in use proposes a complete redevelopment of the Property, but shall not adversely impact or burden the natural environment and infrastructure, and is therefore consistent with the *Land Use Element of the Comprehensive Plan*.

- 8. Transportation Element.** *The Transportation Element of the Comprehensive Plan seeks to balance transportation and transit needs in response to the Island’s growing popularity for visitors and residents. The Transportation element takes into account land use development, mobility, public safety, infrastructure expense, environmental preservation, and the aesthetics and economic viability of neighborhoods and communities.*⁵²

The Applicant’s proposed use is consistent with and supports the *Transportation Element of the Comprehensive Plan*. Under the use proposed, the multifamily residential apartment use is anticipated to produce a consistent but low volume of traffic. As noted in the Trip Generation Report, the Project proposes essentially no additional traffic. The Property is accessed via a minor arterial street and is supported by the existing roadway and transportation infrastructure. The proposed use would ease the traffic coming and going across the U.S. Highway 278 bridge from Moss Creek to Spanish Wells as residents will have the opportunity to live and work in the Town rather than commute from the mainland. The change in use proposed by the Applicant will not produce an undue burden on the Town’s transportation system and is therefore consistent with the *Transportation Element of the Comprehensive Plan*.

⁵² See *Our Plan 2020 – 2040* (October 20, 2020), Page 85.

9. **Parks + Recreation Element.** *The Parks and Recreation Element of the Comprehensive Plan seeks to encourage the Town to facilitate the parks and recreation system through the use and conservation of the beaches, water ways, and natural resources offered on the Island in order to enrich the quality of life for residents and visitors by providing diverse recreational facilities and programs which respond to changing needs of the population.*⁵³

The *Parks and Recreation Element of the Comprehensive Plan* seeks to foster use and development of parks recreational facilities and programs, through both the Town's efforts and also through public and private recreational organizations. Such organizations promote leisure programs and activities as well as promote the rich cultural and natural resources of the Town. The Applicant's proposed change in use does not burden the *Parks and Recreation Element of the Comprehensive Plan*, but will enhance it by providing safer amenities. The Applicant proposes to renovate the two current piers on the Property which are in poor condition with splintering and warping wood, limited support infrastructure, and are unusable at low tide. While the Project seeks a change in use and density, it is a development project which provides some of its own recreational amenities and therefore will not unfairly burden Town facilities, and is therefore consistent with the *Parks and Recreation Element of the Comprehensive Plan*.

10. **Priority Investment Element.** *The Priority Investment Element prioritizes capital needs to preserve, protect and enhance economic prosperity, protect quality of life, protect natural resources, and maintain competitiveness in the marketplace.*⁵⁴ *This element includes analysis of funds available for public infrastructure and facilities, with recommendations for projects to use these funds. Such projects include roads, parks, government facilities, pathways, drainage, stormwater infrastructure, and beach nourishment.*⁵⁵

The Applicant's proposed use of the Property will contribute to the development of infrastructure and facilities through private development. The Project includes the

⁵³ See *Our Plan 2020 – 2040* (October 20, 2020), Page 217.

⁵⁴ See *Our Plan 2020 – 2040* (October 20, 2020), Page 301.

⁵⁵ See *Our Plan 2020 – 2040* (October 20, 2020), Page 283.

development of drives, stormwater infrastructure, drainage and pathways. The Applicant's proposed use does not require the use of public funds and should not impact the Town's Capital Improvement projects or funds as the Applicant intends to use private funds. The Applicant's proposed use will enhance economic prosperity and maintain and encourage marketplace competitiveness by providing Town workers a place to reside that is close to work and affordable. The Applicant's proposed use is therefore consistent with the *Priority Investment Element of the Comprehensive Plan*.

B. LMO REVIEW CRITERIA.

1. The proposed rezoning would allow a range of uses that are compatible with the uses allowed for other property in the immediate vicinity.

The current use of the Property is not compatible with the surrounding residential uses. As described above, the Property is currently used for the leasing of mobile home lots and is bounded to the north by the residential Indigo Run PD-1 community. The Project's buildings and improvements will appear, and, in many respects act, as a mixed use multifamily development similar to the properties off of U.S. Highway 278, and along Skull Creek and other waterfront developments such as those at Shelter Cove Towne Center and is appropriate for a PD-1 District, which is designed to include a mix of residential and non-residential uses. Therefore, the Applicant contends that rezoning of the Property, as proposed in the Application, is compatible with the uses on other property in the immediate vicinity.

2. The proposed rezoning is appropriate for the land.

The Applicant believes that the Property is uniquely suitable for the use proposed in the Application. The proposed redevelopment of the Property does not require the creation of additional off-site infrastructure or improvements. The Property has direct access to Marshland Road, a minor arterial street with excellent connections to U.S. Highway 278 and beyond. All necessary and available utilities and stormwater drainage facilities are available to serve or will be installed with the development of the Project. In fact, the natural surroundings and ease of access serve to enhance the Property's desirability for the use proposed in the Application. Therefore, the proposed rezoning is appropriate for the Property.

3. The proposed rezoning addresses a demonstrated community need.

The *Housing Element of the Comprehensive Plan* states that the “Town is actively seeking opportunities to foster an increase in housing to accommodate the needs of existing and future populations.”⁵⁶ The Applicant’s proposed use provides additional multifamily housing opportunities to address the decline in the number of multifamily housing units as compared to single family housing for the Town and its residents. As the amount of available land declines for new development, a diverse and high quality stock of housing opportunities must be maintained. The availability of various housing types is important for the viability of the housing market to accommodate the diverse needs of the Island’s population. Additionally, the proposed rezoning allows for the development of a housing option that supports and provides options for the Town’s population, as it ages, which aligns with similar recommendations in the *Housing Element of the Comprehensive Plan*.

The Applicant submits that the recommendations and goals stated in the Comprehensive Plan indicate a demonstrated community need, which shall be addressed by the proposed redevelopment of the Property once the rezoning is approved.

4. The proposed rezoning is consistent with the overall zoning program, as expressed in future plans for the Town.

Section 16-1-103 of the LMO states that the purpose and intent of the LMO is to “guide development and use of property in accordance with the Town’s Comprehensive Plan and existing and future needs of the Town in order to protect, promote and improve public health, safety, morals, convenience, order, appearance, prosperity and general welfare of the landowners and residents of the Town”.⁵⁷

The Applicant submits that this description is an excellent statement of the Town’s overall zoning program, and is one that is supported by the rezoning proposed as specifically described in the Application. The redevelopment of undesired and underutilized property into a modern, high quality, apartment development as proposed by the Applicant is consistent with the Town’s overall zoning program.

⁵⁶ See *Our Plan 2020 – 2040* (October 20, 2020), Page 61.

⁵⁷ See Section 16-1-103 of the LMO.

5. **The proposed rezoning would avoid the creation of an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts.**

The rezoning proposed in the Application seeks to rezone the Property to the adjacent Indigo Run PD-1 District, and adds a new use and corresponding appropriate density that is less than the recently approved Shelter Cove Towne Center and 55 Gardner Drive apartments projects. Accordingly, an inappropriately isolated zoning district would not be created by the proposed rezoning. Rather, the Applicant seeks rezoning to a use that is complementary and compatible to the immediately adjacent and surrounding zoning districts as well as other PD-1 Districts with similar development and one located in close proximity to areas in the Town where businesses are located and workforce is needed.

6. **The proposed rezoning would allow the subject Property to be put to a reasonably viable economic use.**

The current limited use authorized under the RM-4 base zoning district limits the economic viability of the Property as there is little desire for the current use and virtually no desire for commercial development which would not be complementary to the surrounding districts. Therefore, the Property's marketability is poor for the currently permitted use.

The Property is currently under contract of sale between the Owners and the Applicant. The Applicant has successfully developed and currently owns and operates similar multifamily apartment developments in the southeastern United States. The approval of the Application shall improve the marketability of the Property, as it shall result in the sale thereof to an owner with a viable business and use of the Property. In addition, the Applicant believes that the approval of the Application will not have an adverse effect on the marketability of other properties in the vicinity.

7. **The proposed rezoning would result in development that can be served by available, adequate and suitable public facilities (e.g. streets, potable water, sewer and stormwater management).**

The Project includes the development of sewer, water and stormwater facilities. As indicated above, the stormwater facilities will be developed together with the development of the Property. The Property is located within the Hilton Head PSD #1 service area, and it will have the capacity to service the Property. The Property is also directly accessed via

Marshland Road, a minor arterial street, and the proposed redevelopment requires no additional Town facilities.

8. The proposed rezoning is appropriate due to any changed or changing conditions in the affected area.

The Property is currently used for the leasing of mobile home lots. There have been no other successful proposed purchasers. There is a need for additional and diverse housing and the Project fulfills that need and is therefore appropriate.

IV. VISION AND STRATEGIC ACTION PLAN.

While not a required element or discussion for an application for a zoning map amendment, the Applicant believes that the Project is also consistent with the Town's *Vision and Strategic Action Plan*⁵⁸ (the "**Vision Plan**"). Throughout 2017, the Town undertook a community engagement process thorough a series of workshops, surveys and focus groups to explore thoughts and ideas for the long-term future of the Island in an effort to create a shared vision and action plan. As noted in the introduction of the Vision Plan, "there is a stated desire to preserve the heritage and character of the Island while at the same time progressing with "sensitive redevelopment" that continues to attract and retain young professionals, retirees and tourists alike."⁵⁹

It is noted that the Vision Plan reports that the Town has a "relatively high percentage of two-person households compared to benchmark communities" and there is debate and concern whether population growth will stagnate.⁶⁰ As noted above, much of the residential housing stock is single family residences in the Town's PD-1 Districts. Those are approaching build-out. Adding a new mix of quality residential housing in a site sensitive and responsive manner provides opportunity for continued population growth. Further, it is noted that the median age in 2015 was 54.1 and expected to increase. The aging population can be addressed with the addition of a mix of quality residential housing opportunities, particularly for young adults, which the Project contemplates.

⁵⁸ Town of Hilton Head Island, *Vision and Strategic Action Plan*, February 15, 2018.

⁵⁹ See section 1.0 of the Vision Plan.

⁶⁰ See Section 2.3 of the Vision Plan - Changing Demographics of Hilton Head Island.

Section 3.5 of the Vision Plan describes the need for urgent action – and two of the four concerns – the trend of young adults leaving the Town and workforce issues impacting Town businesses – are directly addressed by the Project which provides the opportunity for quality housing for young adults who work and desire to live on the Town.

Interestingly, the “Preferred Future - Implications” analysis in Section 5.5 of the Vision Plan, the anticipated characteristics of “Reinventing Sustainability” include “[s]ome increase density and population with workforce and housing options.”⁶¹ The Project certainly supports this characteristic of the Vision Plan.

Section 8 of the Vision Plan discusses the Key Strategic Action Pillars and Section 8.4.2 describes “key Strategic Action Areas” which include developing mixed use community nodes with a variety of housing options for a cross section of the Towns demographics noting that the “Shelter Cove Town Center development was seen by many as a promising start.”⁶²

Another Key Strategic Action Pillar addressed by the Project is the importance of right sized infrastructure – relating to transportation and traffic. A key strategic action area noted is “right-sized neighborhood locations” identifying interest in neighborhood nodes where both Millennial and Baby Boomer generations can socialize and entertain in community spaces which range in size and scale.⁶³ Here again, the Project proposes a housing opportunity for a mix of young adults starting a career on the Island as well as empty-nesters seeking to move from the Island single family home but still maintain a residence on the Island.

Section 10 of the Vision Plan details the “Road Map to the Future” and Section 10.3 describes Key Metrics to Measure Future Success including, important to the Project, the proposed metric tied to the key strategic pillar that there be “[a]viability of additional housing options appealing to mixed demographics.”⁶⁴ As discussed in this Narrative Summary, that is precisely what the Project proposes.

⁶¹ See Section 5.5 of the Vision Plan – Preferred Future – Implications.

⁶² See Section 8.4.2 – Key Strategic Action Areas – page 41 of the Vision Plan.

⁶³ See Section 8.7.2 – Key Strategic Action Areas – page 47 of the Vision Plan.

⁶⁴ See Section 10.3 – Key Metrics to Measure Future Success – page 53 of the Vision Plan.

- V. **CONCLUSION.** The Applicant believes that there is strong demand in the Town market for a high quality long-term rental, multifamily apartment community. The redevelopment of Shelter Cove Towne Center and 55 Gardner Drive and the successful development and occupancy of the apartment buildings there evidence the need and desire for new and diverse housing stock. The applicant's objective is to provide the opportunity for housing for young adults as well as for residents who desire to sell their existing home and downsize into a low maintenance lifestyle.

The Applicant believes the foregoing narrative demonstrates that the Application is in conformance with the Town's Comprehensive Plan, and meets the review standards set forth in Section 16-2-103.C.3.a. of the LMO. Accordingly, the Applicant respectfully requests that the Planning Commission:

1. Review the Application and the supporting testimony and documentation which shall be entered into the record; and
2. Find the following:
 - a. That the Application and the supporting testimony and documentation establish that the requested zoning map amendment is in accordance with the Town's Comprehensive Plan; and
 - b. That the Application and the supporting testimony and documentation establish that the requested zoning map amendment allows an additional use that is compatible with the uses allowed for other property in the immediate vicinity; and
 - c. That the Application and the supporting testimony and documentation establish that the requested zoning map amendment is appropriate for the land; and
 - d. That the Application and the supporting testimony and documentation establish that the requested zoning map amendment addresses a demonstrated community need; and
 - e. That the Application and the supporting testimony and documentation establish that the requested zoning map amendment is consistent with the overall zoning program as expressed in future plans for the Town; and
 - f. That the Application and the supporting testimony and documentation establish that the requested zoning map amendment avoids the creation of an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts; and

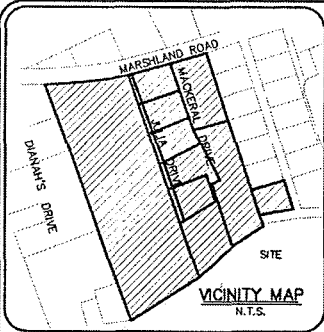
ATTACHMENT C

- g.** That the Application and the supporting testimony and documentation establish that the requested zoning map amendment allows the Property to be put to a reasonably viable economic use; and
 - h.** That the Application and the supporting testimony and documentation establish that the requested zoning map amendment results in development that may be served by available, adequate and suitable public facilities (e.g. streets, potable water, sewer and stormwater management); and
 - i.** That the Application and the supporting testimony and documentation establish that the requested zoning map amendment is appropriate due to changed or changing conditions in the affected area; and
- 3.** That the Planning Commission Recommend the Town Council's approval of the Application and the rezoning of the Property to make multifamily residential use as the approved use and authorize the density requested herein.

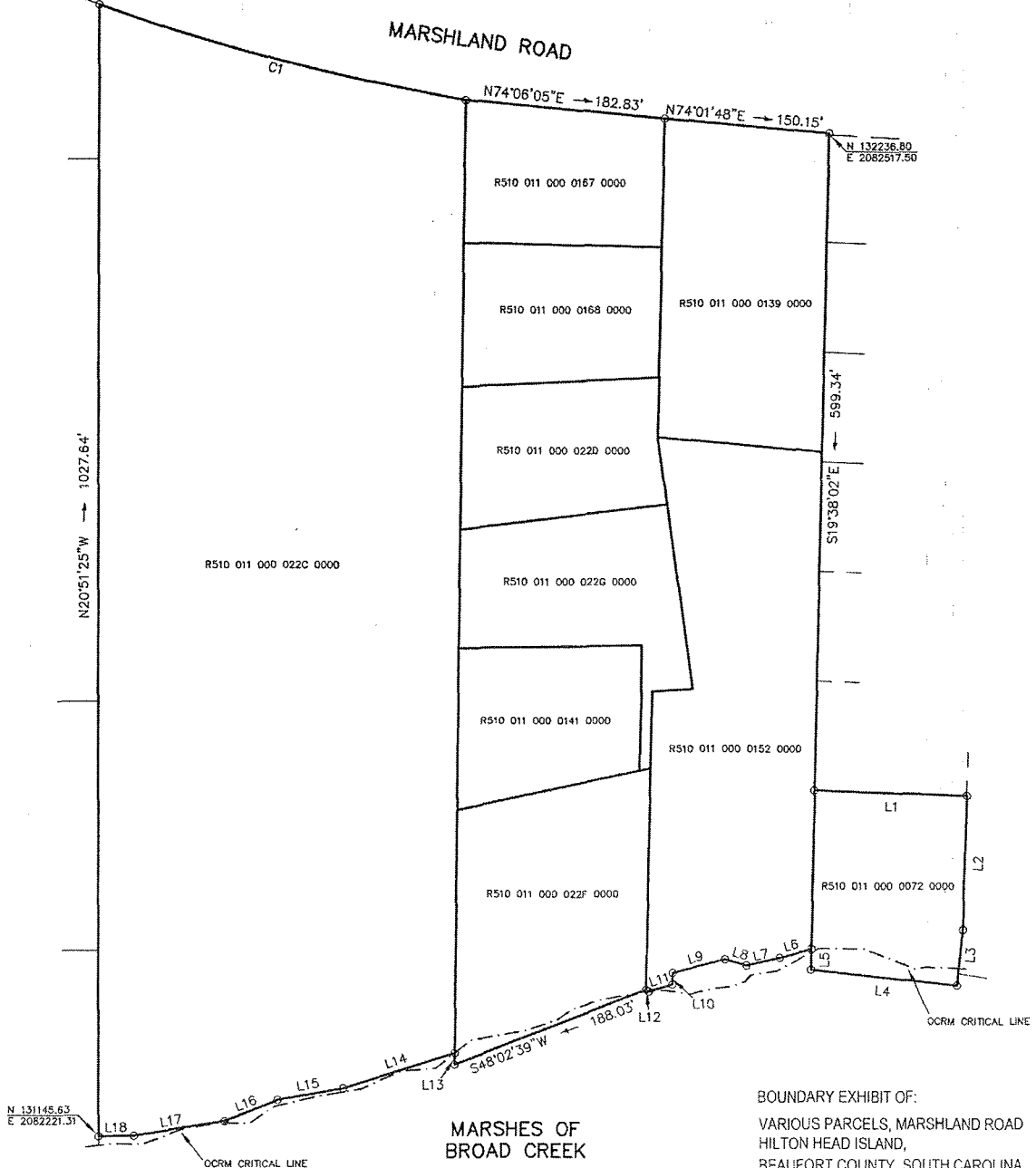
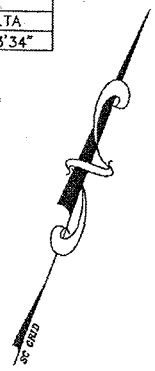
ATTACHMENT C

EXHIBIT "A" TO NARRATIVE SUPPLEMENT

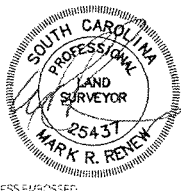
Boundary Survey



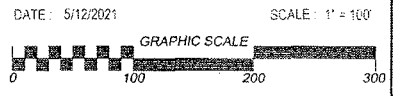
LINE TABLE			CURVE TABLE					
LINE	LENGTH	BEARING	CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
L1	139.28	N 70°59'49" E	C1	344.63	1899.92	344.15	N83°24'54"E	10°23'34"
L2	122.50	S 19°00'11" E						
L3	51.11	S 15°06'15" E						
L4	134.37	S 75°14'45" W						
L5	18.89	N 19°38'02" W						
L6	30.05	S 54°28'43" W						
L7	31.07	S 55°53'30" W						
L8	20.07	S 85°10'21" W						
L9	48.90	S 54°42'32" W						
L10	10.66	S 18°23'57" E						
L11	22.19	S 52°06'18" W						
L12	2.98	N 76°51'27" W						
L13	10.47	S 20°13'32" E						
L14	108.54	S 51°29'11" W						
L15	60.15	S 58°57'52" W						
L16	52.32	S 47°35'04" W						
L17	83.64	S 60°05'57" W						
L18	31.98	S 67°43'44" W						



PROPERTY AREA TO CRITICAL LINE = 13.74 Ac. 598,478 Sq. Ft.
 PROPERTY AREA TO PROPERTY LINE = 13.74 Ac. 598,596 Sq. Ft.
 ADDRESS: MARSHLAND ROAD, JULIA & MACKEREL DRIVE
 DISTRICT: 510, MAP: 11, PARCEL: VARIOUS
 THIS PROPERTY LIES IN F.E.M.A. ZONE X; AE; AE - N/A; 8.0'; 9.0'
 COMMUNITY NO. 450250, PANEL: 0453G, DATED: 3/23/2021



BOUNDARY EXHIBIT OF:
 VARIOUS PARCELS, MARSHLAND ROAD
 HILTON HEAD ISLAND,
 BEAUFORT COUNTY, SOUTH CAROLINA
 PREPARED FOR: DPJ RESIDENTIAL, LLC



SILS Sea Island Land Survey, LLC.
 10 Oak Park Drive, Unit C1,
 Hilton Head Island,
 SC 29928
 File No. 20236.3
 Tel: (843) 681-3248
 Fax: (843) 685-3871
 E-mail: sils@spynet.com
 DWG No.: 5-2250
 COPYRIGHT © BY SEA ISLAND LAND SURVEY, LLC. 04/20

NOT VALID UNLESS EMBOSSED.

ATTACHMENT C

EXHIBIT "B" TO NARRATIVE SUPPLEMENT

Zoning Confirmation Letter from Town of Hilton Head Island, dated May 17, 2021

TOWN OF HILTON HEAD ISLAND

One Town Center Court, Hilton Head Island, S.C. 29928

(843) 341-4600 Fax (843) 842-7728

www.hiltonheadislandsc.gov

John J. McCann
Mayor

May 17, 2021

William D. Harkins
Mayor Pro Tem

Walter J. Nester, III
Burr Forman LLP
23-B Shelter Cove Lane, Suite 400
Hilton Head Island, SC 29928

Council Members

Thomas W. Lennox
David Ames
Tamara Becker
Glenn Stanford
Alexander Brown, Jr.

Dear Mr. Nester:

This letter is in reference to your request for a zoning verification letter for the following parcels:

Marc Orlando
Town Manager

1. 201 Marshland Road - Beaufort County Tax Map Number R510 011 000 022C 0000;
2. 3 Julia Drive - Beaufort County Tax Map Number R510 011 000 0167 0000;
3. 5 Julia Drive - Beaufort County Tax Map Number R510 011 000 0168 0000;
4. 9 Julia Drive - Beaufort County Tax Map Number R510 011 000 022D 0000;
5. 13 Julia Drive - Beaufort County Tax Map Number R510 011 000 022G 0000;
6. 19 Julia Drive - Beaufort County Tax Map Number R510 011 000 0141 0000;
7. 25 Julia Drive - Beaufort County Tax Map Number R510 011 000 022F 0000;
8. 5 Mackerel Drive - County Tax Map Number R510 011 000 0139 0000;
9. 17 Mackerel Drive - Beaufort County Tax Map Number R510 011 000 0152 0000; and
10. 14 Pine Field Drive - Beaufort County Tax Map Number R510 011 000 0072 0000.

Please be aware that it is not a Town of Hilton Head Island policy to conduct a detailed site analysis; therefore, this correspondence will verify zoning only.

The subject properties are all located within the RM-4 (Low to Moderate Density Residential) zoning district as identified on the Town of Hilton Head Island's Official Zoning Map. The properties are all also located in the Corridor Overlay District either because they are located within 450 feet of an arterial road or because they are within 500 feet of the OCRM critical line.

Please contact me at either (843) 341-4686 or nicoled@hiltonheadislandsc.gov if you have further questions.

Sincerely,



Nicole Dixon, AICP, CFM
Development Review Administrator

ATTACHMENT C

EXHIBIT "C" TO NARRATIVE SUPPLEMENT

Deed recorded in ROD in Book 2803 Page 890

ATTACHMENT C

Y4
050756-00001-09/DL6
This deed was prepared in the law offices of
MCNAIR LAW FIRM, P.A.
23-B Shelter Cove Lane, Post Office Drawer 3
Hilton Head Island, SC 29938
(843) 785-2171

BEAUFORT COUNTY SC - ROD
BK 02803 PGS 0890-0892
FILE NUM 2009004788
01/27/2009 01:48:40 PM
REC'D BY J COORE RCPT# 573878
RECORDING FEES 10.00
County Tax 3,630.00
State Tax 8,580.00
Transfer Tax 8,250.00

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

TITLE TO REAL ESTATE
(General Warranty)

KNOW ALL PERSONS BY THESE PRESENTS, that BEACH CITY
PROPERTIES, INC., hereinafter referred to as "Grantor," in the State aforesaid, in
consideration of the sum of \$3,300,000.00 to Grantor in hand paid by

ROLLERS TRAILER PARK, LLC
70 Main Street, Suite 100
Hilton Head Island, SC 29926

hereinafter referred to as "Grantee," the receipt of which is hereby acknowledged, has granted,
bargained, sold and released and by these presents does grant, bargain, sell and release, subject to
the easements, restrictions, reservations and conditions set forth in the legal description below,
unto the said Grantee, the following described property:

ALL that certain piece, parcel or tract of land, situated, lying and being on Hilton
Head Island, Beaufort County, South Carolina, having and containing 7.113 acres,
more or less, and being shown and described on a plat thereof prepared by Jerry
L. Richardson, Registered Land Surveyor No. 4784, which plat is dated
December 9, 1981 and recorded in the Beaufort County Register of Deeds Office
in Plat Book 30 at Page 26. For a more detailed description as to the course and
distances, metes and bounds of the above described property reference is had to
the aforementioned plat of record.

BEING the same property conveyed to Beach City Properties, Inc. from D and N
Realty Partnership, by Deed dated September 29, 2006 and recorded on
October 5, 2006 in Book 2454 at Page 326 in the Beaufort County Register of
Deed Office.

This Deed was prepared in the Law Offices of McNair Law Firm, P.A., Post
Office Drawer 3, Hilton Head Island, South Carolina 29938, by Robert M. Deeb,
Jr.

ADD DMP Record 4/10/2009 10:58:59 AM
BEAUFORT COUNTY TAX MAP REFERENCE

PIN #R510 011 000 022C 0000

Dist	Map	SMap	Parcel	Block	Week
R510	011	000	022C	0000	00

ATTACHMENT C

THIS CONVEYANCE IS MADE SUBJECT TO all other easements and restrictions of record and otherwise affecting the property.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned, unto the Grantee, its successors and assigns forever; subject, however, to the rights, conditions and restrictions that constitute covenants running with the land, all as set forth herein.

AND Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns, against the Grantor and its successors and assigns, and all persons whomsoever lawfully claiming or to claim the same, or any part thereof.

{Signatures on Following Page}

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name by its duly authorized officer and its seal to be hereto affixed, this 20 day of January, 2009.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

BEACH CITY PROPERTIES, INC.

Stephanie Bledsoe

By: Eugene J. Laurich
Eugene J. Laurich, President

Betty M. Parker

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGMENT

I, the undersigned Notary Public, do hereby certify that Eugene J. Laurich, President of Grantor, by and on behalf of the Corporation personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 20th day of January, 2009.

Betty M. Parker
Notary Public for South Carolina
My Commission Expires: 3-3-14

ATTACHMENT C

EXHIBIT "D" TO NARRATIVE SUPPLEMENT

Deed recorded in ROD in Book 1197 Page 669

ATTACHMENT C

3/20/16

40714

669

STATE OF SOUTH CAROLINA)	
)	TITLE TO REAL ESTATE
COUNTY OF BEAUFORT)	TMS #510/11/167 DS

KNOW ALL MEN BY THESE PRESENTS, THAT

JESUS FIGUEROA:

in the State aforesaid --- for and in --- consideration of the sum of TEN AND NO/100 (\$10.00) Dollars and no other consideration to me in hand paid at and before the sealing of these presents by TERRY A. FINGER, TRUSTEE, P. O. BOX 24004, HILTON HEAD ISLAND, SC 29925

in the state aforesaid ---for which --- the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release unto the said TERRY A. FINGER, TRUSTEE, his heirs and assigns forever, the following described property, to-wit:

ALL that certain piece, parcel or tract of land, situate, lying and being on Hilton Head Island in Beaufort County, South Carolina, containing 0.516 acres, more or less, and being shown and designated as Lot 1 on a plat of Parcel "A" showing Lots 1, 2 and 3, A Section of the Estate of Diana Singleton, prepared by Michael A. Dunigan, R.L.S., dated July 14, 1992, and recorded in Plat Book 45 at Page 117 in the ROD Office for Beaufort County, SC. For a more complete description of said property, reference may be had to the above referred to plat of record.

SUBJECT, HOWEVER, to a non-exclusive twenty (20') foot easement for ingress/egress as shown on that certain plat prepared by Michael R. Dunigan, R.L.S., dated July 14, 1992, and recorded in Plat Book 45 at Page 117 in the ROD Office for Beaufort County, SC.

This being the same property conveyed to the within Grantor by deed from Earline Singleton Grant, dated 5/11/93 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in OR Book 640 at Page 1856.

The within Deed was prepared in the Law Office of Finger, Taylor & Andrews, P.A., Post Office Box 24004, Hilton Head Island, South Carolina, 29925, by Terry A. Finger, Esquire.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said TERRY A. FINGER, TRUSTEE, his heirs and assigns forever.

AND I do hereby bind myself and my Heirs and Assigns, Executors and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said TERRY A. FINGER, TRUSTEE, his Heirs and Assigns, against me and my heirs, and all persons whomsoever now and hereafter lawfully claiming, or to claim the same or any part thereof.

WITNESS my Hands and Seal, this 15th day of July in the year of our Lord one thousand nine hundred and ninety-nine and in the two hundred and twenty-fourth year of Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

[Signature]
(Witness)
[Signature]
(Notary Public)

[Signature]
JESUS FIGUEROA

671

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) PROBATE

PERSONALLY appeared before me 4) Floz M. Chaverri and made oath that s/he saw the within named JESUS FIGUEROA, sign, seal, and as his act and deed, deliver the within written Deed, and that s/he with 5) Jane Ann Sanders witnessed the execution thereof.

6) Floz M. Chaverri
(WITNESS)

Sworn to and Subscribed before me this 15th day of July 1999.

7) Jane Ann Sanders
Notary Public for : SC
My Commission Expires: 5/14/2002

Enser sb46

FILED
JOHN A. SULLIVAN - RMC
BEAUFORT COUNTY, S.C.

99 JUL 26 PM 2:59

BK *1197* PG *669*
FOLDER#

RECORDED

1999 SEP 10 AM 8:10

BK *1197* PG *669*

John A. Ennis
CLERK OF SUPERIOR COURT

672

ATTACHMENT C

EXHIBIT "E" TO NARRATIVE SUPPLEMENT

Deed recorded in ROD in Book 832 Page 235

ATTACHMENT C

3/10/03

3474

YOUR TAX NOTICE WILL BE SENT TO THE ADDRESS SHOWN ON YOUR DEED IF YOUR DEED WAS RECORDED BY SEPTEMBER 15. IF THE ADDRESS IS INCORRECT, CONTACT THE COUNTY ASSESSOR'S OFFICE.

235

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

TITLE TO REAL ESTATE
(QUIT-CLAIM)

KNOW ALL MEN BY THESE PRESENTS, that **ANDRES FIGUEROA** ("GRANTOR") in the state aforesaid in consideration of the sum of **TEN AND NO/100 (\$10.00) DOLLARS**, to the said Grantor in hand paid at and before the sealing of these presents by **ELEAZAR FIGUEROA** ("GRANTEE") (the receipt whereof is hereby acknowledged) have remised, released and forever quit-claimed, and by these presents do remise, release and forever quit-claim, unto the said **ELEAZAR FIGUEROA**, his heirs and assigns, the following described property, to-wit:

ATTENTION HOMEOWNERS!
YOU MAY QUALIFY FOR A LOWER TAX RATE ON YOUR PRIMARY RESIDENCE. PLEASE CONTACT THE COUNTY ASSESSOR'S OFFICE FOR FURTHER INFORMATION.

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

FOR REFERENCE SEE TMS No.: DISTRICT 510 MAP 11 SUBMAP
PARCEL 168 BLOCK
GRANTEE'S ADDRESS: P. O. BOX 22064
HILTON HEAD ISLAND, SC 29925

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said **ELEAZAR FIGUEROA**, his heirs and assigns, forever, so that neither the said **ANDRES FIGUEROA** nor his heirs, nor any other person or persons, claiming under him or them, shall at any time hereafter, by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part of parcel thereof, forever.

BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	Submap	Parcel	Block
510	11		168	

WITNESS Grantor's Hand and Seal, this 24th day of January, in the year of our Lord one thousand Nine hundred and ~~ninety~~-six and in the two hundred and twentieth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

Louisa Ellis
[Signature]

Andres Figueroa
ANDRES FIGUEROA

STATE OF SOUTH CAROLINA)
) PROBATE
COUNTY OF BEAUFORT)

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named ANDRES FIGUEROA sign, seal, and as his act and deed, deliver the within written Deed, and that s/he with the other witness who signed above witnessed the execution thereof.

Louisa Ellis

SWORN to before me, this 24th
day of January, 1996.

[Signature]
Notary Public for South Carolina
My Commission Expires: 7/24/2000

EXHIBIT "A"

ALL that certain piece, parcel or lot of land, situate, lying and being on Hilton Head Island, Beaufort County, South Carolina containing 0.516 acres, more or less, and being shown and designated as Lot 2 on a Plat of Parcel A showing Lots 1, 2 and 3, a section of the Estate of Diana Singleton prepared by Michael R. Dunigan, R.L.S., dated July 14, 1992 and recorded in the Office of the RMC for Beaufort County at Plat Book 45, Page 111. For a more complete and accurate description as to the metes, bounds, courses and distances, reference may be had to said plat.

SUBJECT, HOWEVER, to a non-exclusive twenty (20') foot easement for ingress/egress as shown on that certain plat prepared by Michael R. Dunigan, R.L.S., dated July 14, 1992, and recorded in Plat Book 45 at Page 117, in the RMC Office for Beaufort County, S.C.

This being the same property conveyed to within Grantor by Deed of Diogenese E. Singleton dated April 19, 1993 and recorded in the Office of the RMC for Beaufort County, South Carolina on June 1, 1993 in Book 626 at Page 1695.

This Deed was prepared in the Law Office of Glenburn M. McGee, One Office Park Road, Hilton Head Island, South Carolina 29928 without benefit of title examination.

McAfee
FILED 3493
JOHN A. SULLIVAN, JR.
CLERK OF DISTRICT COURT, S.C.
95 JUN 26 AM 10:03
DK 832 PG 235
FOLDER #

238

RECORDED THIS 14th DAY
OF February 1996
IN BOOK AC PAGE 101
Mary B. [Signature]
CLERK OF DISTRICT COURT, S.C.

ATTACHMENT C

EXHIBIT "F" TO NARRATIVE SUPPLEMENT

Deed recorded in ROD in Book 626 Page 1691

189

93-5-189

State of South Carolina,

COUNTY OF BEAUFORT

15648

Form 14 - Title to Real Estate Revised 1978

STATE OF SOUTH CAROLINA

DOCUMENTARY STAMP TAX

62.40

1691

IMPORTANT

Your tax bill will be sent to the address shown on this deed. Please contact the Assessor's Office if you have a change of address. (803) 826-7299

CHANGE IN LAW

YOU MAY QUALIFY FOR A LOWER TAX RATE ON YOUR PRIMARY RESIDENCE. PLEASE APPLY TO THE COUNTY ASSESSOR'S OFFICE BETWEEN JANUARY 1st OF THE CURRENT YEAR AND JANUARY 15th OF THE FOLLOWING YEAR.

KNOW ALL MEN BY THESE PRESENTS, THAT

I, JULIA SINGLETON GIBBS,

REVENUE STAMPS COLLECTED

STATE 1691 COUNTY 2640

BEAUFORT COUNTY, SC

in the State aforesaid -----for and-----in consideration of the sum of TWENTY FOUR THOUSAND AND NO/100 (\$24,000.00)-----DOLLARS,

to me in hand paid at and before the sealing of these presents by MARTHA L. BUCARDO, Post Office Box 22391, Hilton Head Island, SC 29925

in the State aforesaid -----the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said MARTHA L. BUCARDO HER HEIRS AND ASSIGNS, FOREVER, the following described real property, to-wit:

ALL that certain piece, parcel or tract of land, situate, lying and being on Hilton Head Island in Beaufort County, South Carolina, containing 0.516 acres, more or less, and being shown and designated as Lot 3 on a plat of Parcel "A" showing Lots 1, 2 and 3, A Portion of the Estate of Diana Singleton, prepared by Michael A. Dunigan, R.L.S., dated July 14, 1992, and recorded in Plat Book 45 at Page 117 in the RMC Office for Beaufort County, South Carolina. For a more complete description of said property, reference may be had to the above referred to plat of record.

SUBJECT, HOWEVER, to a non-exclusive twenty (20') foot easement for ingress/egress as shown on that certain plat prepared by Michael R. Dunigan, R.L.S., dated July 14, 1992, and recorded in Plat Book 45 at Page 117 in the RMC Office for Beaufort County, South Carolina.

This being the same property conveyed to the within Grantor by deed of Earline Singleton Grant and Diogenese Singleton, dated January 8, 1993 and recorded in the RMC Office for Beaufort County, South Carolina in Deed Book 616 at Page 1694.

This Deed was prepared by Louis O. Dere, Attorney, 133 Sea Island Parkway, Beaufort, South Carolina 29902.

TAX MAP REFERENCE: 510-11-22D

BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	Submap	Parcel	Block
510	11		22D	

1692

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said

MARTHA L. BUCARDO, HER

Heirs and Assigns forever.

ATTACHMENT C

AND I do hereby bind myself and my Heirs, my
 Executors and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said
MARTHA L. BUCARDO, HER 1693
 Heirs and Assigns, against me and my Heirs, and all persons, whomso-
 ever lawfully claiming, or to claim the same or any part thereof.
 WITNESS my Hand and Seal, this 5th day of May
 in the year of our Lord one thousand nine hundred and ninety-three and in the two hundred and
seventeenth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
 IN THE PRESENCE OF

Margie C. Mack Julia Singleton Gibbs (L. S.)
Paul O. Dore JULIA SINGLETON GIBBS
 (L. S.)

The State of South Carolina,

BEAUFORT County.

PERSONALLY appeared before me Margie C. Mack
 and made oath that s/he saw the within named Julia Singleton Gibbs
 sign, seal, and as her act and deed, deliver the within written Deed,
 and that s/he with Louisa O. Dore
 witnessed the execution thereof.

SWORN to before me, this 5th

day of May A.D. 1993

Paul O. Dore (SEAL) Margie C. Mack
 Notary Public of South Carolina
 My Commission Expires: 12/05/93

1694

FILED
THERESA MORRIS
REC'D.
CLERK OF COUNTY, S.C.

93 JUN -1 AM 10:44

BK 626 PG 1691

FOLDER #

State of South Carolina,

TO

TITLE TO REAL ESTATE

Filed _____ day
of _____ A.D. 19____
at _____ o'clock _____ M.
and recorded in Book _____
Page _____, Fee, \$ _____

R. M. C. or Clerk Court C.P. & G. S.

County, S.C.

Recorded this 10th day
of June, 1993
in Book 3 Page 396

Fee, \$ Mary B. [Signature]

Auditor [Signature] County, S. C.

ATTACHMENT C

EXHIBIT "G" TO NARRATIVE SUPPLEMENT

Deed recorded in ROD in Book 3716 Page 2943

ATTACHMENT C

RECORDED
2019 Jan -17 09:24 AM


BEAUFORT COUNTY AUDITOR

BEAUFORT COUNTY SC - ROD
BK 3716 Pgs 2943-2946
FILE NUM 2018062926
11/26/2018 11:16:19 AM
RCPT# 912897
RECORDING FEES 10.00
County Tax County 247.50
State Tax State 585.00
Transfer Tax Transfer 562.50

Prepared without benefit of title examination by:
Mark Simpson
Jones, Simpson & Newton P.A.
Post Office Box 1938
Bluffton, SC 29910
Phone: 843.706.8888
Fax: 843.706.8899

ADD DMP Record 12/14/2018 10:06:54 AM
BEAUFORT COUNTY TAX MAP REFERENCE
Dist Map SMap Parcel Block Week
R510 011 000 022G 0000 00

TMP: R510 011 000 022G 0000

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, **JCS CAPITAL, LLC**("Grantor"), and
in consideration of the sum of **TWO HUNDRED TWENTY FIVE THOUSAND** and 00/100
(\$225,000.00) Dollars paid to us in hand at and before the sealing of these presents by
HARINDERJIT SINGH (the "Grantee"), having an address of **523 Pleasant Home Road,**
Augusta, GA 30907, the receipt whereof is hereby acknowledged, have granted, bargained, sold
and released, and by these Presents do grant, bargain, sell and release, subject to the easements,
restrictions, reservations and conditions ("Exceptions") set forth below unto the said Grantee, his
heirs and assigns, forever, in fee simple, the following described real property, to-wit:

SEE ATTACHED EXHIBIT "A" BEING INCORPORATED HEREIN BY
REFERENCE.

ATTACHMENT C

THIS CONVEYANCE is made subject to any restrictions, reservations, zoning ordinances or easements that may appear of record in the Office of the Register of Deeds for Beaufort County, South Carolina.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Grantee, his heirs and assigns, forever.

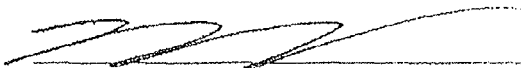
AND the Grantor does hereby bind the Grantor and the Grantor's successors, assigns, executors and administrators, to warrant and forever defend, all and singular, the said Premises unto the said Grantee, as herein above provided, against the Grantor and the Grantor's successors, and assigns and any persons whomsoever lawfully claiming, or to claim the same or any part thereof.

ATTACHMENT C


IN WITNESS whereof, the Grantors have caused these presents to be executed as of this
14th day of November 2018

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

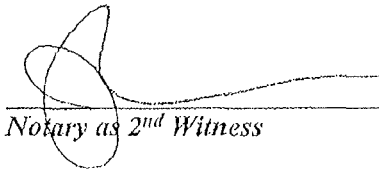
JCS CAPITAL, LLC



Witness



By: Jacquelyn Flynn Sankowski
Its: Managing Member



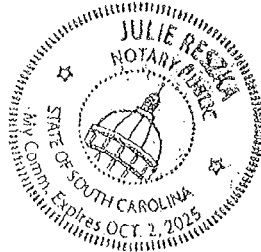
Notary as 2nd Witness

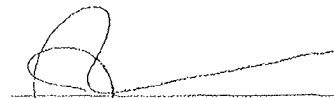
STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGMENT

I, the undersigned Notary Public for the State of South Carolina do hereby certify that
the within GRANTOR, personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

WITNESS MY HAND AND SEAL this the 14th day of November 2018.





Notary Public for South Carolina
My Commission Expires: 10-2-2025

ATTACHMENT C

EXHIBIT A

ALL that certain piece, parcel or tract of land, situate, lying and being on Hilton Head Island in Beaufort County South Carolina, being shown as parcel "B", containing 0.838 acres, more or less, on a plat of Parcel 4 of the Estate of Diane Singleton, prepared for the Heirs of Charles Wiggins by Jerry L. Richardson, R.L.S. dated January 10, 1983, and recorded in Plat Book 31 at Page 65 in the Register of Deeds Office of Beaufort County, South Carolina.

The within property being bounded on the North by land of Marthal Bucardo (TMS R510-011-000-022D-0000), on the West by land of Rollers Trailer Park, LLC (TMS R510-011-000-022C-0000), on the East by land of Harinderjit Singh (R510-011-000-0152-0000), and on the South by land of Earline Grant (TMS R510-011-000-0141-0000).

Being the same property conveyed to the within Grantor by Deed of Anthony Singleton, dated February 16, 2018, and recorded March 1, 2018 in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3647 at Page 2833.

TMS R510 011 000 022G 0000

Property address: 13 Julia Drive, Hilton Head Island, SC 29928

ATTACHMENT C

EXHIBIT "H" TO NARRATIVE SUPPLEMENT

Deed recorded in ROD in Book 3716 Page 2967

ATTACHMENT C

BEAUFORT COUNTY SC - ROD
BK 3716 Pgs 2967-2970
FILE NUM 2018062935
11/26/2018 11:55:15 AM
RCPT# 912902
RECORDING FEES 10.00
County Tax County 247.50
State Tax State 585.00
Transfer Tax Transfer 562.50

RECORDED
2019 Jan -17 09:36 AM



BEAUFORT COUNTY AUDITOR

Prepared without benefit of title examination by:

Mark Simpson
Jones, Simpson & Newton P.A.
Post Office Box 1938
Bluffton, SC 29910
Phone: 843.706.8888
Fax: 843.706.8899

TMP: R510 011 000 0141 0000

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, JCS CAPITAL, LLC("Grantor"), and in consideration of the sum of TWO HUNDRED TWENTY FIVE THOUSAND and 00/100 (\$225,000.00) Dollars paid to us in hand at and before the sealing of these presents by HARINDERJIT SINGH (the "Grantee"), having an address of 523 Pleasant Home Road, Augusta, GA 30907, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release, subject to the easements, restrictions, reservations and conditions ("Exceptions") set forth below unto the said Grantee, his heirs and assigns, forever, in fee simple, the following described real property, to-wit:

SEE ATTACHED EXHIBIT "A" BEING INCORPORATED HEREIN BY REFERENCE.

ADD DMP Record 12/17/2018 08:19:59 AM
BEAUFORT COUNTY TAX MAP REFERENCE
Dist Map SMap Parcel Block Week
R510 011 000 0141 0000 00

ATTACHMENT C

THIS CONVEYANCE is made subject to any restrictions, reservations, zoning ordinances or easements that may appear of record in the Office of the Register of Deeds for Beaufort County, South Carolina.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Grantee, his heirs and assigns, forever.

AND the Grantor does hereby bind the Grantor and the Grantor's successors, assigns, executors and administrators, to warrant and forever defend, all and singular, the said Premises unto the said Grantee, as herein above provided, against the Grantor and the Grantor's successors, and assigns and any persons whomsoever lawfully claiming, or to claim the same or any part thereof.

ATTACHMENT C

EXHIBIT A

ALL right, title and interest in and to that certain 0.346 acres, being a portion of Parcel 4 as shown on the plat prepared by Palmer and Malone, Inc., said plat being recorded in Deed Book 109 at Page 293, situate and located in Hilton Head Township, Beaufort County, South Carolina. For a more complete description of said 0.346 acres reference is had to that certain plat prepared by Sea Island Engineering Inc., which plat is recorded in Deed Book 327 at Page 958

Being the same property conveyed to the within Grantor by Deed of Earline Singleton Grant, dated November 12, 2018, and recorded 11/26/2018 in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 37116 at Page 2940.

The within property being bounded on the North by land of JCS Capital, LLC (TMS R510-011-000-022G-0000), on the West by land of Rollers Trailer Park, LLC (TMS R510-011-000-022C-0000), on the East by land of JCS Capital, LLC (R510-011-000-022G-0000), and on the South by land of Harinderjit Singh (TMS R510-011-000-022F-0000).

TMS R510 011 000 0141 0000

Property address: 19 Julia Drive, Hilton Head Island, SC 29928

ATTACHMENT C

EXHIBIT "I" TO NARRATIVE SUPPLEMENT

Deed recorded in ROD in Book 3633 Page 1763

ATTACHMENT C

bounded on the South by Broad Creek; bounded on the East by lands formerly of Agatha A. Cooper being known as Parcel B-2, which is described below; on the North by lands now or formerly of Earlene Grant; and on the West by lands now or formerly of Roller Trailer Park. Said property is further described and shown as "N/F Dr. Phillip Cooper" on that certain plat prepared by Coastal Surveying, Inc., dated January 10, 1983, which is recorded in Plat Book 31 at Page 65 in the Office of the Register of Deeds for Beaufort County, South Carolina.

TOGETHER WITH a twenty (20') foot easement for the purposes of ingress and egress, extending from the above described property to Marshland Road running along the Western border of Parcel 4, as set forth in deeds recorded in Record Book 113 at page 75 and Record Book 340 at Page 629, said easement also being shown on that certain plat prepared by Coastal Surveying, Inc., dated January 10, 1983 and recorded in Plat Book 31 at Page 65 in the Office of the Register of Deeds for Beaufort County, South Carolina.

This being the same property conveyed to Agatha A. Cooper, individually, by deeds from Agatha A. Cooper, as Executrix under the Will of Philip Wendell Cooper, Sr., dated January 18, 1982, and recorded on January 19, 1982, in Record Book 340 at Page 626 and Record Book 340 at Page 629, said Estate records of Philip Wendell Cooper, Sr. being filed in the Beaufort County Probate File No. E81-241, and also being the same property conveyed to Dr. P.W. Cooper by deed dated August 3, 1961, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Record Book 113 at Page 75, and by Deed dated September 26, 1973, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Record Book 216 at Page 1112. Agatha A. Cooper's interest in said property passed to Grantor, her only child, as confirmed in her Estate File filed in the Chatham County Probate Court, File No. C-6925, an Exemplified Copy of which is filed in the Office of the Probate Court for Beaufort County, South Carolina, in File No. 2017ES0701250.

AND ALSO

ALL that certain piece, parcel or lot of land, known as Parcel B-2 containing 0.24 acres and being a section of formerly the Estate of Diana Singleton, located in the Town of Hilton Head Island, Beaufort County, South Carolina, as is more particularly shown on that certain plat prepared by Jerry L. Richardson, SCRLS, dated December 16, 1986, and recorded in Record Book 469 at Page 2152, in the Office of the Register of Deeds for Beaufort County, South Carolina.

ATTACHMENT C

The above-described two (2) parcels are also shown as containing 0.873 acres on that certain plat of survey prepared by Coastal Surveying Co., Inc., dated November 7, 2017, entitled: "A Boundary Land Survey of R510 011 000 022F A Portion of The Singleton Community Off Of Marshland Road," which is recorded in the Office of the Register of Deeds for Beaufort County in Plat Book 148 at Page 64.

Tax Map Reference No.: R510-011-000-022F-0000

Grantee's Address: 523 Pleasant Home Road, Augusta, GA 30907

Being the same property conveyed to Grantor by Deed of Philip W. Cooper, Jr., dated December 10, 2017, which was recorded on December 21, 2017, in Record Book 3631 at Page 2534 in the Office of the Register of Deeds for Beaufort County, South Carolina.

This Deed was prepared in the Qualey Law Firm, P.A. Post Office Box 1290, Bluffton, SC 29910, by John P. Qualey, Jr.

The above described property is conveyed subject to all applicable affirmative obligations, restrictive covenants, and easements of record in the Office of the Register of Deeds for Beaufort County, South Carolina.

COASTAL TIDELANDS & WETLANDS ACT DISCLOSURE
(S.C. Code of Laws Section 48-39-10, *et seq.*)

The property described above (the "Property") is located in whole or in part seaward of the setback line or the jurisdictional line, and the Property is or may be affected by the setback line, baseline, seaward corners of habitable structures, and erosion rate as made available by the Coastal Division of the South Carolina Department of Health and Environmental Control. As required by Section 48-39-330 of the Coastal Tidelands & Wetlands Act (the "Act"), the following information concerning the location and circumstances of the Property is hereby disclosed to the Grantees:

The proximity and location of the O.C.R.M. Setback Line and the O.C.R.M. Base Line applicable to the Property are as shown on that certain plat prepared by Coastal Surveying Co., Inc., dated October 18, 2013, revised November 7, 2017, entitled: "A Boundary Land Survey of R510 011 000 022F A Portion of The Singleton Community Off Of Marshland Road," which plat depicts the disclosure information required by the Act, a copy of said plat having been given to the Grantee, which is acknowledged by Grantee's acceptance of this Deed. Reference must be made to the Act itself regarding the significance of these lines and disclosures, as well as the potential for movement and relocation of the lines in the future.

ATTACHMENT C

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

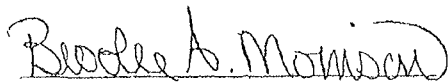
TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Grantees, as joint tenants with rights of survivorship and not as tenants in common, their heirs and assigns forever.

AND Grantor does hereby bind itself and its successors and assigns, to warrant and forever defend, all and singular, the said Premises unto the said Grantees, their heirs and assigns, against Grantor and its successors, and against all persons whomsoever lawfully claiming or to claim the same, or any part thereof.

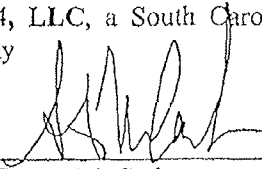
IN WITNESS WHEREOF, Grantor has caused this Deed to be executed and sealed this 21st day of December, 2017.

WITNESSES:


Witness #1


Notary Public as Witness #2

SCRI 4, LLC, a South Carolina limited liability company

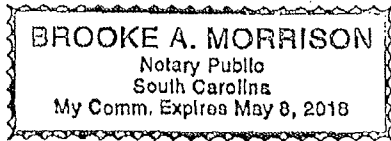
By:  (SEAL)
Name: Steven M. Carb
Its: Authorized Member

ATTACHMENT C

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) ACKNOWLEDGMENT

I HEREBY CERTIFY that on this 21st day of December, 2017, before me, the undersigned Notary Public of the State and County aforesaid, personally appeared STEVEN M. CARB, as Authorized Member of ' SCRI 4, LLC, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, who acknowledged the due execution thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.



Brooke A. Morrison (SEAL)
Notary Public for South Carolina
My Commission Expires: May 8, 2018

ATTACHMENT C

EXHIBIT "J" TO NARRATIVE SUPPLEMENT

Deed recorded in ROD in Book 3641 Page 31

ATTACHMENT C

THE within Deed was prepared in the law offices of Wiseman & Reilley, L.L.C, Post Office Box 7605, Hilton Head Island, SC 29938 without the benefit of a title examination.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining thereto.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the said Grantee, his heirs and assigns, forever. Subject, however, to the rights, conditions and restrictions that constitute covenants running with the land, all as set forth herein.

AND GRANTOR does hereby bind itself and its successors, assigns, personal representatives and administrators, to warrant and forever defend, all and singular, the said premises unto the said Grantee, his heirs, assigns, personal representatives and administrators, against itself and its successors and assigns, and all persons whomsoever now and hereafter lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hands and Seal, this 22 day of January, 2018.

SIGNED, SEALED AND DELIVERED

IN THE PRESENCE OF

Pine Field, LLC

2 William H Campbell
Signature of 1st Witness

1 [Signature]
By: James Asmuth
Its: Member

3 Nicola A Campbell
Signature of 2nd Witness/Notary

4
STATE OF Connecticut)
COUNTY OF Hartford)

ACKNOWLEDGMENT

I, the undersigned Notary Public do certify that **James Asmuth as Member of Pine Field, LLC** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my official seal this the 22 day of January, 2018.

5 Nicola A Campbell
Notary Public for Connecticut
My Commission Expires:
(SEAL) My Commission Expires
December 31, 2019

ATTACHMENT C

Exhibit A

ALL that certain piece, parcel, tract or lot of land, situate, located and being in the Town of Hilton Head Island, Beaufort County, South Carolina, being shown as Lot 17 on a plat prepared by O.L. Cloud, Surveyor, dated April 9, 1953, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 13 at Page 98.

Tax Map Number: R510 011 000 0072 0000

AND ALSO, ALL that certain piece, parcel or lot of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, and designated as being Parcel C of Parcel 4 of the Estate of Diana Singleton, consisting of 1.546 acres, more or less, and being shown on a plat thereof prepared by Jerry L. Richardson, R.L.S., (S.C.) No. 4784, dated January 10, 1983, entitled "A Plat of Parcel 4 of the Estate of Diana Singleton," said plat being recorded in the Register of Deeds Office for Beaufort County, South Carolina, in Plat Book 31 at Page 65. Further, for a more detailed description as to courses and distances, metes and bounds of said parcel, reference may be had to that certain plat prepared for Pat Payne and Elliott Mitchell by Forrest F. Baughman, SCPLS #4922, dated February 17, 1997, which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 60 at Page 39.

Tax Map Number: R510 011 000 0152 0000

AND ALSO, ALL that certain piece, parcel or lot of land situate, lying and being in the Town of Hilton Head Island, Beaufort County, South Carolina, containing One (1.00) acre, more or less, and being more fully shown on a plat prepared for Pat Payne and Elliott Mitchell by Forrest F. Baughman, SCPLS #4922, dated February 17, 1997, a copy of which recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Book Plat 60 at Page 39.

Tax Map Number: R510 011 000 0139 0000

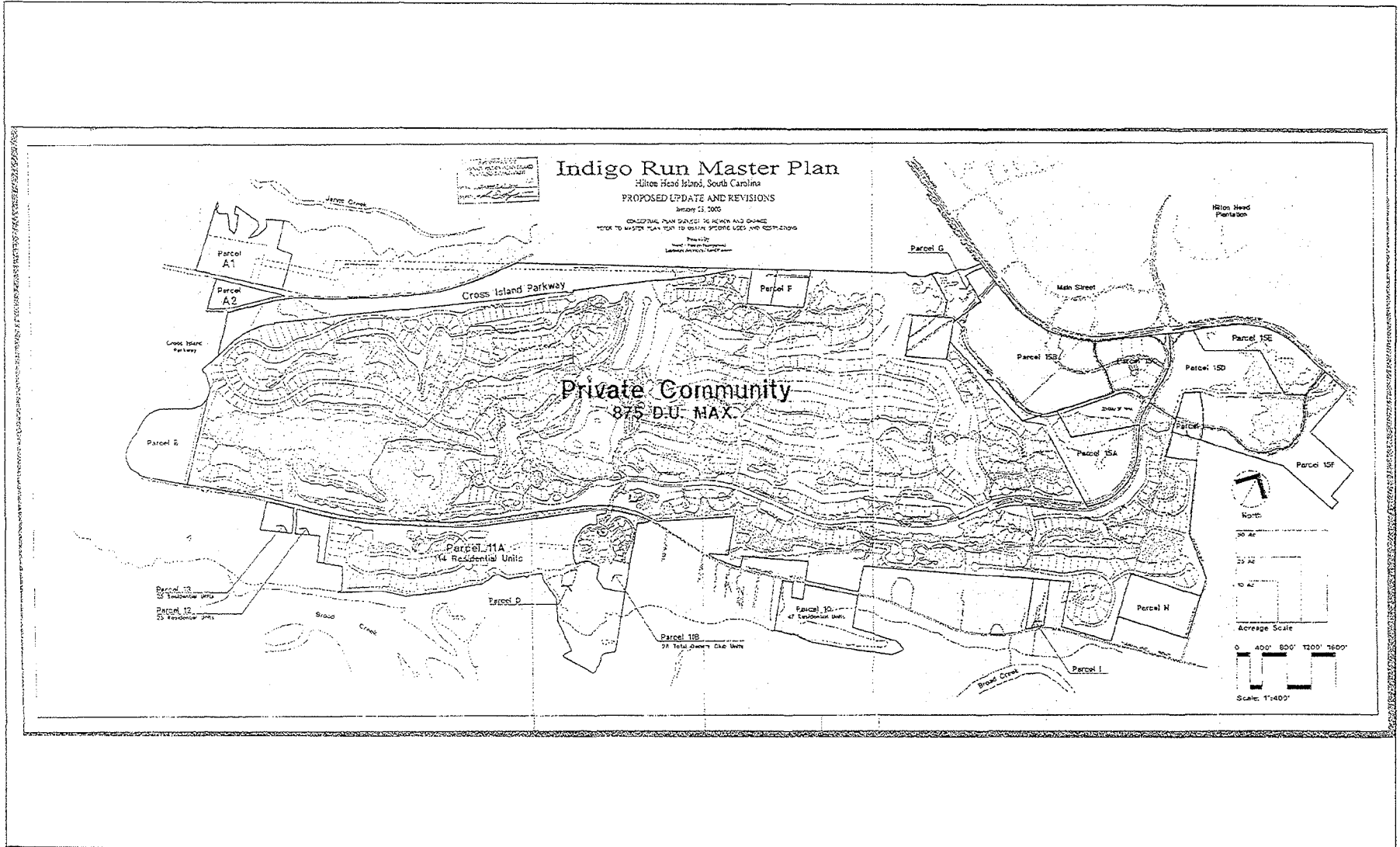
These being the same properties conveyed to the within Grantor by Deed of Patricia P. Payne dated June 27, 2014 and recorded July 29, 2014 in the Beaufort County Register of Deeds Office in Book 3336 at Page 2881.

ATTACHMENT C

EXHIBIT "K" TO NARRATIVE SUPPLEMENT

Indigo Run Master Plan

ATTACHMENT C



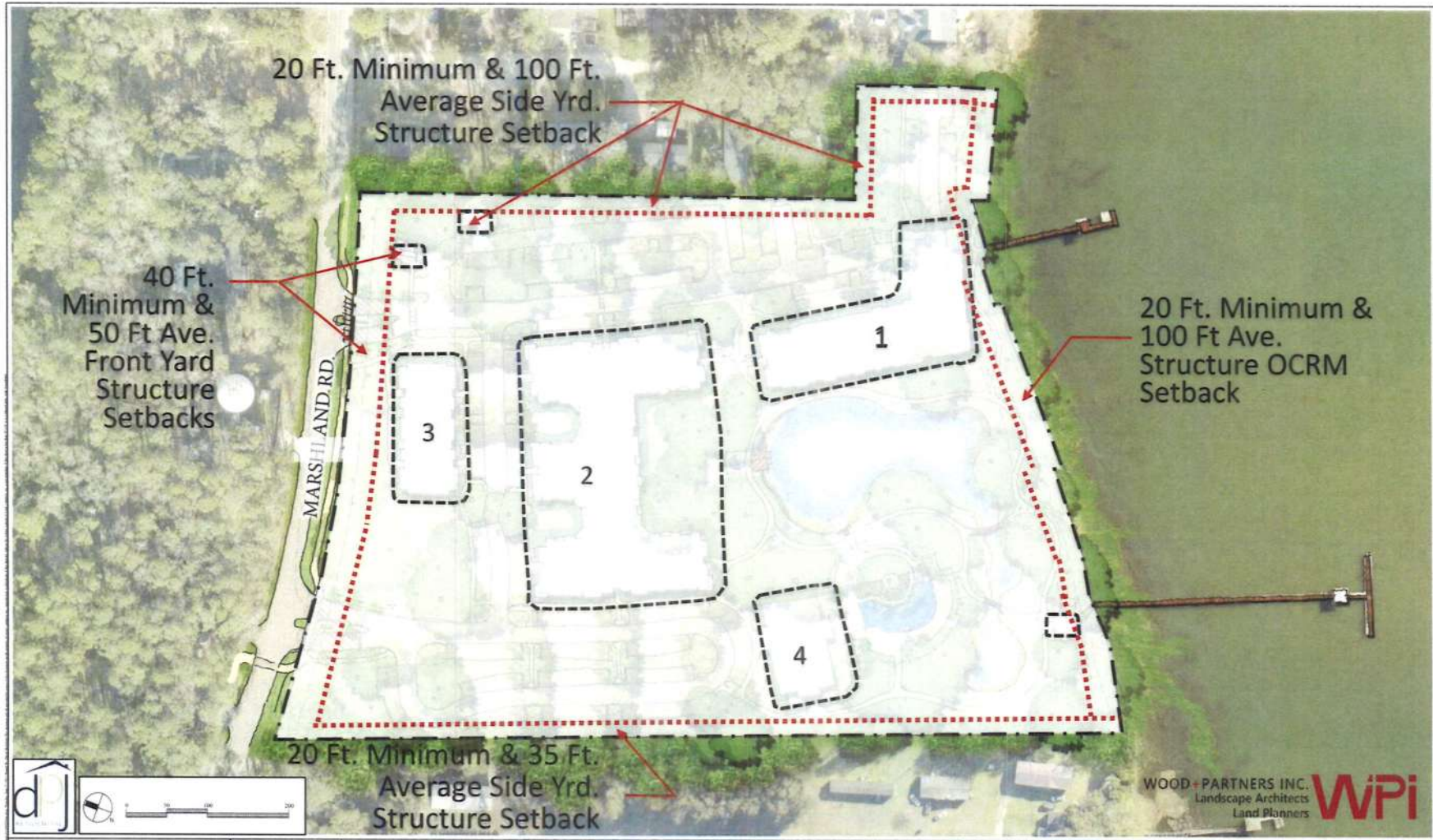
ATTACHMENT C

EXHIBIT "L" TO NARRATIVE SUPPLEMENT

Average Structure Setback Plan

201 Marshland Rd. MF - Proposed Average Structure Setback Plan

Exhibit L



ATTACHMENT C

EXHIBIT "M" TO NARRATIVE SUPPLEMENT

Projected Trip Generation Table

ATTACHMENT C

Table 1:
Projected Trip Generation

Land Use and Intensity	ITE Land Use Code	AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out
Multifamily Housing (Mid-Rise) – 164 Dwelling Units	221	56	14	42	71	43	28
Gross Trips		56	14	42	71	43	28
<i>Existing Trips Credit¹</i>		<i>-54</i>	<i>-12</i>	<i>-42</i>	<i>-73</i>	<i>-40</i>	<i>-33</i>
Net New Trips		2	2	0	-2	3	-5

Source: ITE Trip Generation, 10th Edition

1. Based on existing traffic count data at Marshland Road at Mackerel Drive, Julia Drive and unnamed roadway at current site

Thanks,
Jennifer

Jennifer T. Bihl, PE, PTOE, RSP21
Bihl Engineering, LLC
(843)637-9187

ATTACHMENT C

EXHIBIT "N" TO NARRATIVE SUPPLEMENT

Copy of Letter dated May 21, 2021 from Rollers Trailer Park LLC

ATTACHMENT C

Rollers Trailer Park, LLC
Attn: SIG Management, Inc.
523 Pleasant Home Road
Augusta, Georgia 30907


May 21, 2021

RE: DPJ Residential, LLC – Rezoning Application

To Whom It Concerns:

I am the owner of the Rollers Trailer Park, LLC, the owner of the property located at 201 Marshland Road, Hilton Head Island, South Carolina and send this correspondence in support of the application for rezoning of my property. Further, please note that it is my plan and intention to see this land redeveloped and no longer operate as a mobile home park.

Sincerely,


Harinderjit Singh
President

ATTACHMENT C

EXHIBIT "O" TO NARRATIVE SUPPLEMENT

Copy of "will serve" letter HHI PSD #1

COMMISSIONERS

Bob Manne, Chair
Frank Turano, Vice-Chair
Herbert Ford, Treasurer
Jerry Cutrer, Secretary
Patti Soltys
Stuart Bell



EXECUTIVE STAFF

J. Pete Nardi, General Manager
Amy Graybill, Finance Manager
William C. Davis, Operations Manager

HILTON HEAD PUBLIC SERVICE DISTRICT

May 18, 2021

Trey Griffin
Wood & Partners

Re: 201 Marshland Rd

Hilton Head P.S.D. can provide Water & Sewer to the above-mentioned parcel. Please let me know if anything else is needed.

Sincerely,

A handwritten signature in cursive script that reads "William Davis".

William Davis
Operations Manager

ATTACHMENT C

EXHIBIT "O-1" TO NARRATIVE SUPPLEMENT

Copy of "will serve" letter Palmetto Electric Cooperative



One Cooperative Way

Hardeeville, SC 29927-5123

843-208-5551

May 18, 2021

Trey Griffin
Wood & Partners
TGriffin@woodandpartners.com

Re: 201 Marshland Road

Dear Trey:

Palmetto Electric Cooperative, Inc. ("PECI") has ample power available to serve the above-referenced project with existing infrastructure. There may be "Aid-in-Construction" charges for line extensions or special grades of service as described in PECI policies.

PECI has a highly successful lighting program, which we would like to discuss with you at your convenience. I have enclosed an "Illuma Knight" lighting brochure for your review.

Thank you for your cooperation in this matter. Please contact me at (843) 208-5508 or via email TBrabham@palmetto.coop if you have any questions or if I may be of further assistance.

Sincerely,
PALMETTO ELECTRIC COOPERATIVE, INC.

John A. Brabham
Distribution Engineer

JAB:mhl
Encl.

c: Mr. Matt Loxley, PECI
Mr. Corey Tuten, PECI
Mr. Tim Hutchinson, PECI



ATTACHMENT C

EXHIBIT "O-2" TO NARRATIVE SUPPLEMENT

Copy of "will serve" letter Hargray Communications



May 17, 2021

Trey Griffin, Agent
Wood and Partners Inc
7 Lafayette Place
Hilton Head Island, SC 29926

Dear Mr. Griffin:

SUBJ: Letter of Intent to Provide Service for: **201 Marshland Road Multi Family, Hilton Head Island, SC**

Hargray Engineering Services has reviewed the master plan for the above referenced project. Hargray Communications has the ability and intent to serve the above referenced project. Forward to our office a digital copy of the plan that has been approved by the county/town for use with Microstation or AutoCAD. Our office will then include owner/developer conduit requirements on the approved plan and return to your office.

By accepting this letter of intent to serve, you also accept responsibility to forward the requirements and Project Application Form to the owner/developer. The Project Application Form identifies the minimum requirements to be met as follows:

- Commercial buildings – apartments – villas: Minimum 4 inch diameter conduit Schedule 40 (gray electrical) PVC with pull string buried at 24 to 30 inch depth, from the equipment room or power meter location to a point designated by Hargray at the road right-of-way or property line. **Conduits are required from each building site and multiple conduits may apply.**
- Commercial buildings with multiple “units” may require conduit(s) minimum ¾” from main equipment entry point to termination point inside unit. Plenum type ceilings require conduits or flame retardant Teflon wiring to comply with code.
- Hotel or large commercial project requirements would be two (2) 4-inch diameter Schedule 40 PVC underground conduits.
- Equipment rooms to have ¾ inch 4’x8’ sheet of plywood mounted on wall to receive telephone equipment.
- A dedicated 110-volt, 20 amp circuit with a four way outlet to power external equipment for the site. For Commercial Application.
- A power ground accessible at equipment room or an insulated #6 from the service panel or power MGN to the backboard.
- Residential wiring requires CAT5E wiring (4 or 6 Pair) twisted wire for Telephone and Data. Industry Standard.
- All interior wiring should be pulled to the area immediately adjacent to the plywood backboard or power meter location. A minimum of 5’ of slack is required for terminations.
- CATV inside wiring will be RG6 foil wrapped 66% braid minimum, home run to each outlet.
- A 120 AC 15 A dedicated power outlet is to be located in the service yard to supply AC power to the ONU. Power to the ONU will be provided through a Pull Out Disconnected Switch, manufactured by Square D Company, or equivalent. The Horsepower Rating for the disconnect switch is 240VAC max, 60A, not fusible.

CATV Requirements

Hargray CATV services, requires you to install one 4” Schedule 40 (gray electrical) PVC pipe to a point designated to the road right of way or property line. The “service facilities” are required to be in separate pipes to ensure quality transmission and reception for both facilities.

Any Commercial or Subdivision areas installing pipe as required should extend the pipe 5’ (feet) beyond any placed or planned curbed or sidewalk edge for facility access, away from the roadside.




Should there be any changes or additions to the original master plan, this letter will only cover the areas that are shown on the original master plan. All changes or additions would require another Letter of Intent to supply service. All costs incurred by the Telephone/CATV Company resulting from any requested change or failure to comply with minimum requirements shall be borne by the Developer. **Commercial projects require pre-construction meeting with Telco/CATV Company to review requirements.** I am available to discuss these requirements in more detail at your convenience.

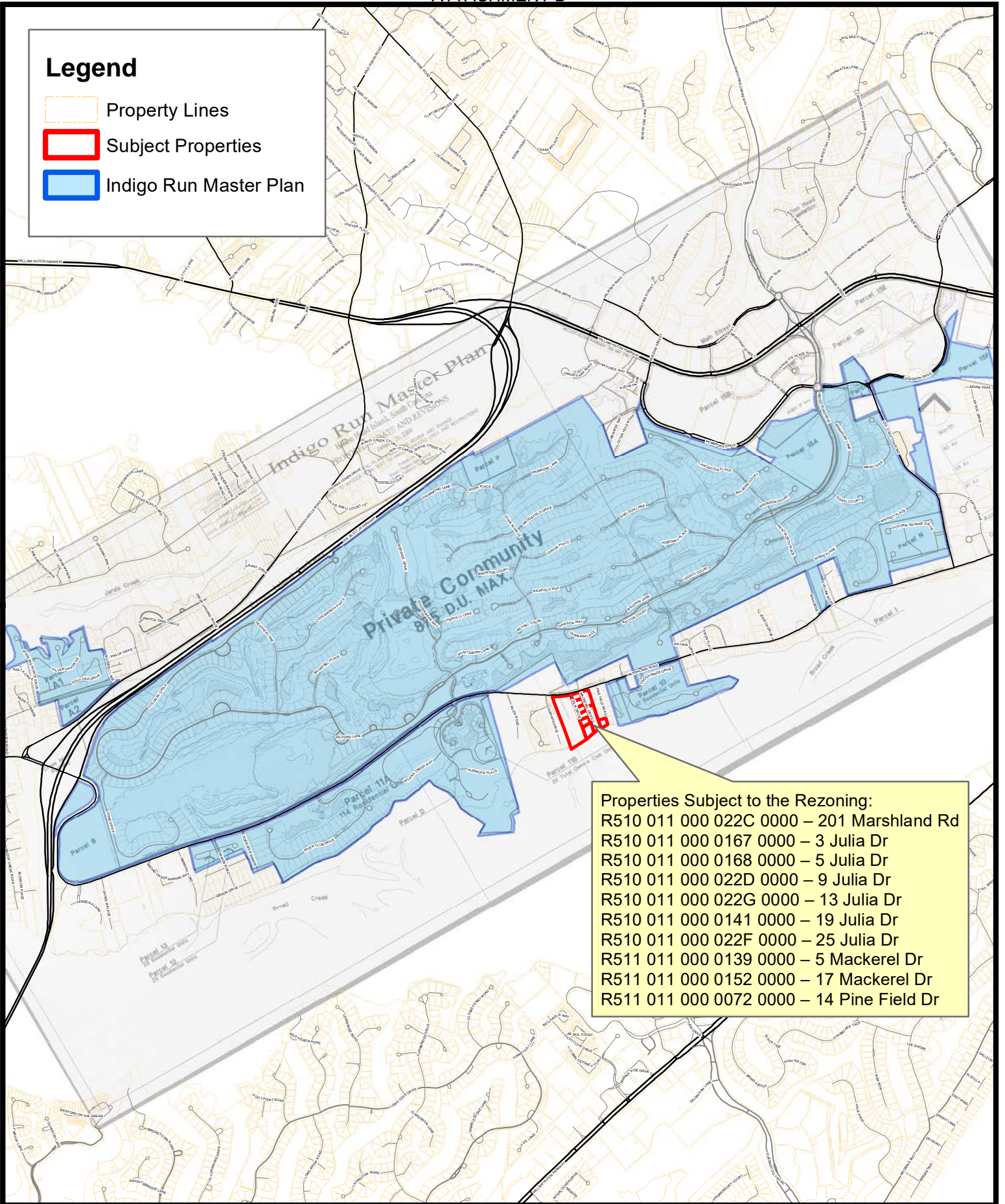
Aid in or Aid to Construction may apply to certain projects.

Easements are required prior to installing facilities to your site.

Sincerely,
Rodney Cannon
Rodney Cannon
Manager, Facilities Engineering
843-815-1697

Legend

-  Property Lines
-  Subject Properties
-  Indigo Run Master Plan



Properties Subject to the Rezoning:
 R510 011 000 022C 0000 – 201 Marshland Rd
 R510 011 000 0167 0000 – 3 Julia Dr
 R510 011 000 0168 0000 – 5 Julia Dr
 R510 011 000 022D 0000 – 9 Julia Dr
 R510 011 000 022G 0000 – 13 Julia Dr
 R510 011 000 0141 0000 – 19 Julia Dr
 R510 011 000 022F 0000 – 25 Julia Dr
 R511 011 000 0139 0000 – 5 Mackerel Dr
 R511 011 000 0152 0000 – 17 Mackerel Dr
 R511 011 000 0072 0000 – 14 Pine Field Dr



TOWN OF HILTON HEAD ISLAND
 ONE TOWN CENTER COURT
 HILTON HEAD ISLAND, S.C. 29928
 PHONE (843) 341-4600
 Date Created: June 10, 2021
 Project: map.mxd

Town of Hilton Head Island
 ZA-001918-2021
 Indigo Run Master Plan Map



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.

ATTACHMENT E



View looking down Julia Drive

ATTACHMENT E



View looking down Mackerel Drive

ATTACHMENT E



View looking down Mackerel Drive

ATTACHMENT E



View of Broad Creek at the end of Mackerel Drive

ATTACHMENT E



View looking down Pine Field Road

ATTACHMENT E



House on Pine Field Road, adjacent to properties to be rezoned

ATTACHMENT E



House on Pine Field Road, adjacent to properties to be rezoned

ATTACHMENT F

E. Low to Moderate Density Residential (RM-4) District

RM-4 Low to Moderate Density Residential District

1. Purpose

The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and *neighborhoods* at *densities* up to four *dwelling units* per *net acre*. This district is used to encourage a variety of residential opportunities, including *multifamily* residential units, *single-family* residences, and *group living*. The regulations of the district are intended to discourage *development* that would substantially interfere with, or be detrimental to, residential character.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
<i>Group Living</i>	P		1 per 3 rooms	
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Recreational Vehicle</i>	PC	16-4-102.B.1.c	1 per <i>Recreational Vehicle</i>	
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
<i>Cemeteries</i>	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities	

ATTACHMENT F

Community Service Uses	P		1 per 400 GFA
Education Uses	P		Colleges and High Schools 10 per classroom
			Elementary and Junior High/Middle Schools 4 per classroom
			Other Education Uses See Sec. 16-5-107.D.2
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations 4 per bay + 1 per 200 GFA of office area
			Other 1 per 200 GFA of office area
Major Utilities	SE		1 per 1,500 GFA
Minor Utilities	P		n/a
Public Parks	P		See Sec. 16-5-107.D.2
Religious Institutions	P		1 per 3 seats in main assembly area
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1
Resort Accommodations			
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room
Commercial Services			

ATTACHMENT F

Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area	
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
Boat Ramps, Docking Facilities, and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE		
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres)	Max. Impervious Cover for All Development Except Single-Family	35%	
Bed and Breakfast	10 rooms			
Nonresidential	6,000 GFA	Min. Open Space for Major Residential Subdivisions	16%	
MAX. BUILDING HEIGHT				
All Development	35 ft ¹			

ATTACHMENT F

USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

TABLE NOTES:

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = **dwelling units**; sf = square feet; GFA = **gross floor area** in square feet; ft = feet; n/a = not applicable

1. May be increased by up to ten percent on demonstration to the **Official** that:

a. The increase is consistent with the character of **development** on surrounding **land**;

b. **Development** resulting from the increase is consistent with the purpose and intent of the **building height** standards;

c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed **development**, or (2) results in improved site conditions for a **development** with **nonconforming site features**;

d. The increase will not pose a danger to the public health or safety;

e. Any adverse impacts directly attributable to the increase are mitigated; and

f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

ATTACHMENT G

K. Planned Development Mixed-Use (PD-1) District

PD-1

Planned Development Mixed-Use District

1. Purpose

The purpose of the Planned Development Mixed-Use (PD-1) District is to recognize the existence within the Town of certain unique **Planned Unit Development s** (PUDs) that are greater than 250 acres in size. Generally, these PUDs have served to establish the special character of Hilton Head Island as a high quality resort and residential community. It is the intent in establishing this district to allow the continuation of well-planned **development** within these areas. In limited situations, some commercially planned portions of PUDs are placed within other base districts to more specifically define the types of commercial **uses** allowed.

2. Included PUDs and Master Plans

The following PUDs are included in the PD-1 District and their Town-approved Master Plans—including associated text and any subsequent amendments—are incorporated by reference as part of the **Official Zoning Map** and the text of this LMO. Amendments to these Master Plans and associated text shall be in accordance with Sec. 16-2-103.D, Planned Unit Development (PUD) District.

1 Hilton Head Plantation	6 Port Royal Plantation (and surrounds)
2 Indigo Run	7 Sea Pines Plantation
3 Long Cove Club	8 Shipyard Plantation
4 Palmetto Dunes Resort	9 Spanish Wells Plantation
5 Palmetto Hall Plantation	10 Wexford Plantation

3. Principal Uses Restricted by Master Plan

The Master Plans and associated text, as approved and amended by the Town, establish general permitted **uses** for the respective PUDs, except as may be modified by an **overlay zoning district**. Undesignated areas on these Master Plans shall be considered as **open space**.

The following **uses** are restricted to locations where a Town-approved Master Plan or associated text

ATTACHMENT G

specifically states such **uses** are permitted. In addition, the **use**-specific conditions referenced below shall apply to any new such **use** or change to the site for any existing such **use**.

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Public, Civic, Institutional, and Educational Uses				
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Resort Accommodations				
Interval Occupancy	P		1 bedroom	1.4 per du
			2 bedrooms	1.7 per du
			3 or more bedrooms	2 per du
Commercial Recreation Uses				
Outdoor Commercial Recreation Uses Other than Water Parks	PC	Sec. 16-4-102.B.5.b	See Sec. 16-5-107.D.2	
Commercial Services				
Adult Entertainment Uses	SE	Sec. 16-4-102.B.7.a	1 per 100 GFA	
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	

ATTACHMENT G

<i>Liquor Stores</i>	PC	Sec. 16-4-102.B.7.g	1 per 200 GFA
<i>Nightclubs or Bars</i>	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA
<i>Tattoo Facilities</i>	PC	Sec. 16-4-102.B.7.k	1 per 200 GFA
Vehicle Sales and Services			
<i>Auto Rentals</i>	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2
<i>Auto Sales</i>	P		See Sec. 16-5-107.D.2
<i>Gas Sales</i>	PC	Sec. 16-4-102.B.8.e	
<i>Towing Services or Truck and Trailer Rentals</i>	P		1 per 200 GFA of office or waiting area
<i>Watercraft Sales, Rentals, or Services</i>	PC	Sec. 16-4-102.B.8.f	1 per 200 GFA
Other Uses			
<i>Boat Ramps, Docking Facilities, and Marinas</i>	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips
4. Development Area Densities			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
			40% - Residential

ATTACHMENT G

<p>Site specific densities shall not exceed the density limits established in approved Master Plans and associated text, except as may be modified by an overlay zoning district. Where the approved Master Plans and associated text do not establish a density limit, site specific densities shall not exceed 10,000 GFA per net acre.</p>		Max. Impervious Cover in Areas without Restricted Access and Open to the Public	65% - Nonresidential
		Max. Impervious Cover in Areas with Restricted Access	Shall not cause overall impervious cover for the PUD in that PD-1 District to exceed 45%
		Min. Open Space in Areas without Restricted Access and Open to the Public	50% - Residential
			25% - Nonresidential
		Min. Open Space in Areas with Restricted Access	Shall not cause overall open space for the PUD in that PD-1 District to be less than 55%
MAX. BUILDING HEIGHT		Min. Open Space for Major Residential Subdivisions	16%
All Development	75 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
<p>TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable</p>			