



**Town of Hilton Head Island**  
**Regular Planning Commission Meeting**  
**Wednesday, October 19, 2011**  
**3:00 p.m. Benjamin M. Racusin Council Chambers**  
**AGENDA**

---

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

- 1. Call to Order**
- 2. Pledge of Allegiance to the Flag**
- 3. Roll Call**
- 4. Freedom of Information Act Compliance**  
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 5. Approval of Agenda**
- 6. Approval of Minutes - Planning Commission Meeting October 5, 2011**
- 7. Appearance by Citizens on Items Unrelated to Today's Agenda**
- 8. Unfinished Business**  
None
- 9. New Business**  
None
- 10. Commission Business**
- 11. Chairman's Report**
- 12. Committee Reports**
  - a. Comprehensive Planning Committee – Commissioner Ennis will review the format and content of a DRAFT of the Goals and Actions for 2012 suggested for Town Council.
  - b. LMO Rewrite Committee – Commissioner Quick will review the committee's approved Request for Proposals (RFP).
- 13. Staff Reports**  
Update on changes to the sign regulations in the LMO *Presented by: Anne Cyran*

## **14. Adjournment**

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

### **\* Upcoming Planning Commission Meetings**

1. LMO Rewrite Committee – November 10, 2011 at 1:00pm
2. Regular Planning Commission Meeting – November 2, 2011 at 9:00am
3. Regular Planning Commission Meeting – November 16, 2011 at 3:00pm
4. LMO Rewrite Committee – December 8, 2011 at 1:00m

\* Please refer to the Town's website for complete and up-to-date information on all Town meetings.

1 **TOWN OF HILTON HEAD ISLAND**  
2 **Planning Commission**  
3 **Minutes of the Wednesday, October 5, 2011 Meeting**  
4 **9:00a.m. – Benjamin M. Racusin Council Chambers**

**DRAFT**

5  
6  
7  
8 Commissioners Present: Chairman Loretta Warden, Vice Chairman Tom Lennox,  
9 David Bennett, Jack Docherty, Terry Ennis, Bryan Hughes,  
10 Terry Leary and Gail Quick

11  
12 Commissioners Absent: Charles Young

13  
14 Town Council Present: Mayor Pro Tem Ken Heitzke

15  
16 Town Staff Present: Anne Cyran, Senior Planner; Nicole Dixon, Senior Planner  
17 Jayme Lopko, Senior Planner & Planning Commission Coordinator  
18 Heather Colin, Development Review Administrator  
19 Shawn Colin, Comprehensive Planning Division Manager  
20 Kathleen Carlin, Secretary & Administrative Assistant  
21

22 **1. Call to Order**

23 **2. Pledge of Allegiance to the Flag**

24 **3. Roll Call**

25 **4. Freedom of Information Act Compliance**

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

28 **5. Presentation of Crystal Award to Outgoing Planning Commissioner, Ms. Therese Leary**

29 Mayor Pro Tem Ken Heitzke presented the Town's Crystal Award to outgoing Planning  
30 Commissioner, Ms. Terry Leary. Mr. Heitzke thanked Ms. Leary for her dedicated service on  
31 behalf of Town Council. A farewell reception will be held for Ms. Leary immediately  
32 following today's business meeting.

33 **6. Swearing In Ceremony for new Planning Commissioner, Mr. Bryan Hughes**

34 Mayor Pro Tem Ken Heitzke performed the swearing in ceremony for new Planning  
35 Commissioner, Mr. Bryan Hughes. Mayor Pro Tem Heitzke thanked Mr. Hughes for his  
36 service on behalf of Town Council.

37 **7. Approval of Agenda**

38 The agenda was approved as presented by general consent.

39 **8. Approval of Minutes**

40 The Planning Commission **approved** the minutes of the September 7, 2011 meeting as  
41 presented by general consent.

42 **9. Appearance by Citizens on Items Unrelated to Today's Agenda**

43 None  
44

1 **10. Presentation by Mr. Jack Alderman on behalf of the Greater Island Council**

2 Chairman Warden presented introductory comments on behalf of the Planning Commission.  
3 Chairman Warden stated that the Greater Island Council has adopted the 11 items of the  
4 Mayor's Task Force as one of their priorities for further study. Mr. Jack Alderman will  
5 provide an overview and status update of what the Council is doing so that this  
6 information can be included in the Planning Commission's task of developing goals for  
7 Town Council. Chairman Warden requested that Mr. Jack Alderman make his presentation.

8 Mr. Alderman stated that the Greater Island Council has 110 members and has been in  
9 existence on the Island for over 20 years. Mr. Alderman stated that the Council was very  
10 interested in the Mayor's Task Force, particularly the 11 key first steps. A Vision Steering  
11 Committee was formed by the Council to support these 11 key first steps. The Vision Steering  
12 Committee has 11 members; six of these members were members of the Mayor's Task Force.

13 Mr. Alderman stated that the Vision Steering Committee created six objectives: (1) to keep  
14 the community, and the region, informed of the Task Force's recommendations; (2) to  
15 actively advocate for their implementation; (3) to create the enthusiasm, the urgency,  
16 and the energy to move the recommendations forward toward implementation; (4) to identify  
17 the individuals and organizations that would be best equipped to actually carry out that  
18 implementation; (5) to convene and communicate with those individuals and organizations for  
19 the most effective coordinated approaches toward implementation; and (6) to be a center of  
20 long-term thinking and vision for the future of the Island and the region.

21 Mr. Alderman stated that the Vision Committee meets once or twice a month. The Greater  
22 Island Council is not an agent of the Town of Hilton Head Island; although they share many of  
23 the same goals. The Greater Island Council is a private organization and acts independently.

24 Mr. Alderman and the Planning Commissioners discussed a number of short-term goals  
25 including the need for technology upgrades. At the completion of the discussion,  
26 Chairman Warden thanked Mr. Alderman for his presentation.

27  
28 **11. Unfinished Business**

29 **ZMA110002:** The Town of Hilton Head Island is proposing to amend the Official Zoning  
30 Map by changing the zoning designation of two properties located at 32 and 40 Marshland  
31 Road from the IL (Light Industrial) Zoning District to the RM-4 (Low to Moderate Density  
32 Residential) Zoning District. These parcels are further identified on Beaufort County Tax  
33 Map 8 as Parcels 8E and 410.

34 Chairman Warden presented a brief history of the application. Chairman Warden then  
35 reopened the public hearing for this application and requested that staff make their  
36 presentation.

37 Ms. Anne Cyran made the presentation on behalf of staff. Ms. Cyran stated that this  
38 application was first heard by the Planning Commission on September 7, 2011. Action by the  
39 Planning Commission was postponed at that time due to the Planning Commission's need for  
40 legal, written documentation regarding the validity of Mr. Henry Driessen's status as legal  
41 representative of Ms. Alexandria Patterson.

42 Ms. Cyran stated that staff has received the requested written legal documentation from Mr.  
43 Henry Driessen. Ms. Cyran presented a signed affidavit as proof of Mr. Driessen's  
44 appointment as Power of Attorney for Ms. Alexandria Patterson. Staff recommended that  
45 the Planning Commission find this application to be consistent with the Town's

1 Comprehensive Plan and does serve to carry out the purposes of the LMO, based on those  
2 Findings of Facts and Conclusions of Law as determined by the LMO Official.

3 Chairman Warden requested public comments on the application and none were received.  
4 Chairman Warden then closed the public hearing for the application. Following final  
5 comments, Chairman Warden requested that a motion be made.

6 Commissioner Quick made a **motion** to **approve** Zoning Map Amendment Application,  
7 ZMA110002. The application is consistent with the Town's Comprehensive Plan and does  
8 serve to carry out the purposes of the LMO, based on the Findings of Facts and Conclusions of  
9 Law as determined by the LMO Official. Commissioner Leary **seconded** the motion and the  
10 motion **passed** with a vote of 8-0-0.

11  
12 **12. New Business**  
13 **Public Hearing**

14 **ZMA110005:** A request from Truitt Rabun, on behalf of Circle K Stores, proposing to  
15 apply the RFZ (Redevelopment Floating Zone Overlay District) to the existing OL (Office  
16 Institutional Low Intensity) Zoning District for properties located at 825 and 827 William  
17 Hilton Parkway. The site contains a nonconforming structure and several site features and  
18 in order to redevelop the property, the applicant applied for the RFZ to allow flexibility in  
19 certain design standards that constrain the redevelopment. The properties are further  
20 identified on Beaufort County Tax Map 12, Parcels 19A and 19B.

21 Ms. Nicole Dixon made the presentation on behalf of staff. The staff recommended that the  
22 Planning Commission find this application to be consistent with the Town's Comprehensive  
23 Plan and does serve to carry out the purposes of the LMO, based on those Findings of Facts  
24 and Conclusions of Law as determined by the LMO Official.

25 Truitt Rabun, on behalf of Circle K Stores, is proposing to apply the RFZ (Redevelopment  
26 Floating Zone Overlay District) to the existing OL (Office Institutional Low Intensity) Zoning  
27 District for the properties located at 825 and 827 William Hilton Parkway. The site contains a  
28 nonconforming use, a nonconforming structure and several nonconforming site features. In  
29 order to redevelop the property, the applicant has applied for the RFZ to allow flexibility in  
30 certain design standards that constrain the redevelopment.

31 The applicant is proposing to apply the RFZ to two properties which contain a Circle K gas  
32 station/convenience store and a car wash. Circle K leases the gas station property and is under  
33 contract to purchase the car wash property. Once purchased, Circle K plans to demolish the  
34 car wash and expand the gas station by adding a second fueling canopy and improving the  
35 vehicular circulation and parking for both sites.

36  
37 The subject properties are surrounded by a Town owned property and Palmetto Dunes to the  
38 north, a church to the east and south and a cellular phone service business and a restaurant  
39 across William Hilton Parkway.

40  
41 The properties are currently zoned OL. A gas station and convenience store are not permitted  
42 uses in the OL zoning district, therefore they are considered nonconforming uses.  
43 Pursuant to LMO Section 16-7-201, Expansion, no nonconforming use may be enlarged,  
44 expanded or extended to occupy a greater area of land or floor area than was occupied on the

1 effective date of this Title and no additional accessory use or structure may be established on  
2 the site of a nonconforming use.  
3

4 The existing fueling canopy is located within the minimum adjacent street setback and buffer,  
5 and therefore is considered a nonconforming site feature. The properties contain several other  
6 nonconforming site features: lack of vegetated buffers, inadequate setbacks, inadequate  
7 parking spaces, medians, drive aisles, loading space, lack of open space and too much  
8 impervious coverage. Pursuant to LMO Section 16-7-106, Waiver by Administrator,  
9 provisions dealing with nonconforming site features may be waived if certain criteria can be  
10 met. One of those criteria is that the proposed expansion, enlargement or extension does not  
11 occupy a greater footprint than the existing nonconforming structure or site feature. The  
12 applicant is proposing to add a second fueling station within the adjacent street setback and  
13 buffer and therefore doesn't meet the criteria for a waiver.  
14

15 Ms. Dixon stated that staff met with the applicant several times to review their options, and it  
16 was determined that the RFZ is the only option to allow the redevelopment of the site in this  
17 manner, while still retaining some nonconformities. The RFZ will reduce the required adjacent  
18 street and use setbacks and buffers by 50% to allow the placement of the additional fueling  
19 station.  
20

21 The RFZ process requires the Design Review Board (DRB) to review and approve a  
22 conceptual landscape plan prior to the Planning Commission public hearing. On August 23,  
23 2011, the DRB approved a conceptual landscape plan for this project.

24 Ms. Dixon presented an in-depth review of the application including the vicinity map, the  
25 zoning map, the proposed redevelopment plan, boundary survey and site analysis. The  
26 applicant was not present at the meeting for comments or questions from the Planning  
27 Commission. Ms. Dixon stated that the Traffic-Engineering Department has approved the  
28 application.

29 The Planning Commission discussed the application at length. Several members of the  
30 Planning Commission expressed their concern with safety issues (access points based on  
31 traffic congestion at the intersection). The Planning Commission stated that the aesthetic  
32 improvements to the site are welcome; however, traffic and pedestrian concerns in this area  
33 are real.

34 Chairman Warden stated her concern with the long-term implications of the Redevelopment  
35 Floating Zone application because future ownership of the site is unclear. Ms. Dixon and Mrs.  
36 Jayme Lopko stated that the Redevelopment Zoning designation is permanent and any  
37 changes that are made to the site in the future will need to be approved.

38 The Planning Commission discussed access to the site and their concerns with traffic and  
39 pedestrian safety. Ms. Dixon stated that staff believes that the proposed improvements  
40 make the site much safer than it is now. Following the staff's presentation, Chairman Warden  
41 requested that the applicant make his presentation. The applicant, Mr. Truitt Rabun, is  
42 unavailable; however, Circle K business owner, Mr. Josh Lieberman, will make his  
43 presentation.

44 Mr. Josh Lieberman presented statements regarding the history of his business on site. Mr.  
45 Lieberman discussed the many challenges dealing with traffic, congestion, parking and safety  
46 concerns. The Planning Commission and Mr. Lieberman discussed existing site conditions,  
47 proposed improvements, and concerns with pedestrian and traffic safety.

1 At completion of the discussion, Chairman Warden requested public comments. Mr. Tom  
2 Crews presented statements in support of the application. Mrs. Mary Amonitti, citizen,  
3 presented comments in concern of traffic and pedestrian safety. Following these comments,  
4 Chairman Warden stated that the public hearing for the application is closed. Following final  
5 statements by the Planning Commission, Chairman Warden requested that a motion be made.

6 Vice Chairman Tom Lennox made a **motion** that Application for Zoning Map Amendment,  
7 ZMA110005, be **approved**. The application is consistent with the Town's Comprehensive  
8 Plan and does serve to carry out the purposes of the LMO, based on the Findings of Facts and  
9 Conclusions of Law as determined by the LMO Official. Commissioner Ennis **seconded** the  
10 motion and the motion **passed** with a vote of 7-1-0. Commissioner Bennett stated that he is  
11 opposed to the motion due to his concerns with traffic and pedestrian safety. The intersection  
12 needs to be improved in this area.

13 **13. Commission Business**

14 The Planning Commission's 2012 Meeting Schedule was approved by general consent as  
15 submitted by the staff.

16 **14. Chairman's Report**

17 Chairman Warden stated that she is pleased to appoint Bryan Hughes to the Rules of  
18 Procedure Committee. Chairman Warden stated that Commissioner Docherty has agreed to  
19 serve as Chairman of the Rules of Procedure Committee.

20  
21 **15. Committee Reports**

22 1) CIP Committee - Commissioner Lennox reported that the CIP Committee met on  
23 September 22, 2011. The Committee reviewed in detail the anticipated projects to be  
24 recommended to Town Council for Fiscal Year 2013. Mr. Scott Liggett also  
25 introduced the new Priority Rating System for all projects. The CIP Committee will  
26 meet again on October 13, 2011 at 3:00pm.

27 2) LMO Rewrite Committee - Commissioner Quick reported that the LMO Rewrite  
28 Committee continues to meet every Thursday afternoon at 1:00pm in Council  
29 Chambers. Commissioner Quick will present a status update on Request for  
30 Proposals (RFP) at the October 19, 2011 meeting.

31 3) LMO Committee - Commissioner Quick stated that the LMO Committee has no  
32 meetings scheduled at this time.

33 4) Comprehensive Plan Committee: Commissioner Ennis reported that the Comp Plan  
34 Committee met yesterday (October 4<sup>th</sup>) for the second time. Their goal is to reach a  
35 Top 5 or Top 10 of more tractable objectives that can be placed before Town Council.  
36 The committee is scheduled to meet again on October 11<sup>th</sup> at 9:00am.

37 **16. Staff Reports**

38 1) Mrs. Jayme Lopko presented the Quarterly Report. The Planning Commission and the  
39 staff discussed the status of the dune refurbishment project, the Port Royal Re-  
40 nourishment project, and the Arrow Road traffic circle.

41 2) Chairman Warden requested a status update on the Tolling Agreement (APL100006).  
42 Chester C. Williams, Esq., agent for the appellant, responded with brief comments.

1 3) Mr. Shawn Colin stated that the Planning & Development Standards Committee is  
2 scheduled to hold a special meeting on Monday, October 17, 2011 at 2:00pm in Council  
3 Chambers. This is a follow-up to the Special P&DS Committee meeting on September 26,  
4 2011. All Planning Commissioners are encouraged to attend.

5 4) Ms. Heather Colin introduced the newest member of the Community  
6 Development Department, Mr. Rocky Browder. Rocky is an Environmental Planner  
7 responsible for Natural Resource related permits and project reviews. The Planning  
8 Commission welcomed Rocky Browder.

9 5) Ms. Teri Lewis reported that the LMO Rewrite Committee is scheduled to review and  
10 approve the final Request for Proposals (RFP) document on October 6, 2011. Chairman  
11 Warden requested that Ms. Lewis provide a status update and next steps for the RFP on  
12 October 19, 2011.

13 **17. Adjournment**

14 The meeting was adjourned at 10:15am. Chairman Warden invited everyone to attend the  
15 farewell reception for Ms. Terry Leary immediately following the meeting.

16  
17 Submitted By:

Approved By:

18  
19  
20 \_\_\_\_\_  
21 Kathleen Carlin  
22 Administrative Assistant

20 \_\_\_\_\_  
21 Loretta Warden  
22 Chairman