



Town of Hilton Head Island
Regular Planning Commission Meeting
Wednesday, June 20, 2012
3:00p.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** - Regular Meeting June 6, 2012 & Special Meeting June 8, 2012
- 7. Presentation of Crystal Award to Outgoing Planning Commissioner, Loretta Warden**
Presented by: Mayor Drew Laughlin
A Farewell Reception for Mrs. Loretta Warden will be held in Council Chambers immediately following today's meeting.
- 8. Appearance by Citizens on Items Unrelated to Today's Agenda**
- 9. Unfinished Business**
None
- 10. New Business**
Public Hearing
ZMA120004: A request from Michael Kronimus with KRA Architecture & Design, on behalf of Stewart Kittredge Collins, to amend the Official Zoning Map by increasing the allowed density and revising the allowed uses on eight properties located at 421, 424, 425 and 427 Squire Pope Road, collectively known as Salty Fare. All of the properties are located in the PD-1 (Planned Unit Development) Zoning District in Hilton Head Plantation, and the request proposes to maintain the PD-1 zoning classification. The properties are further identified on Beaufort County Tax Map 3 as Parcels 121, 126, 127, 128 and 089A.
Review of this application is postponed to the July 18, 2012 meeting at 3:00p.m
- 11. Commission Business**
- 12. Chairman's Report**
- 13. Committee Reports**

14. Staff Reports

Quarterly Report - *Presented by: Jayme Lopko*

15. 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**

- a. Regular Planning Commission Meeting – July 18, 2012 at 3:00p.m.

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

1 **TOWN OF HILTON HEAD ISLAND**
2 **Regular Planning Commission**
3 **Wednesday, June 6, 2012 Meeting**
4 **9:00a.m – Benjamin M. Racusin Council Chambers**

DRAFT

5
6
7 Commissioners Present: Chairman Loretta Warden, Vice Chairman Tom Lennox, David Bennett,
8 Alex Brown, Jack Docherty, Bryan Hughes, Gail Quick and Barry Taylor
9

10 Commissioners Absent: Terence Ennis, Excused
11

12 Town Council Present: None
13

14 Town Staff Present: Randy Lindstrom, Administrative Battalion Chief
15 Lavarn Lucas, Fire Chief
16 Anne Cyran, Senior Planner
17 Teri Lewis, LMO Official
18 Jayme Lopko, Senior Planner & Planning Commission Coordinator
19 Kathleen Carlin, Secretary & Administrative Assistant
20
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. Approval of Agenda**

29 The agenda was **approved** as presented by general consent.

30 **6. Approval of Minutes**

31 The Planning Commission **approved** the minutes of the May 16, 2012 meeting as presented
32 by general consent.

33 **7. Appearance by Citizens on Items Unrelated to Today's Agenda**

34 A. Mr. Peter Ovens presented comments regarding the location and intent of the third lane of
35 Highway 278 between Spanish Wells Road and Jarvis Park Road. Mr. Ovens stated his
36 concern with proposed plans to change the third lane. Mr. Ovens requested that the Planning
37 Commission place this item on a future agenda for additional review. Chairman Warden
38 presented statements regarding this issue on behalf of the Planning Commission and thanked
39 Mr. Ovens for his comments. Chairman Warden requested that staff forward these
40 comments to the Traffic Engineer.
41

42 B. Chester C. Williams, Esq., stated that he has been appointed legal representative to Ms.
43 Frances (Bolin) Marscher, co-property owner, for Zoning Map Amendment Application
44 ZMA120005. Mr. Williams requested that the Planning Commission take a 15-minute
45 recess prior to the public hearing for this application. Chairman Warden stated that there are

1
2 potential changes to this application that may affect the Planning Commission's review.
3 Chairman Warden agreed to take a brief recess prior to opening the public hearing for
4 ZMA120005.

5 **8. Unfinished Business**

6 None

7
8 **9. New Business**

9 **Public Hearing**

10 **ZMA120004:** A request from Michael Kronimus with KRA Architecture & Design, on behalf
11 of Stewart Kittredge Collins, to amend the Official Zoning Map by increasing the allowed
12 density and revising the allowed uses on eight properties located at 421, 424, 425 and 427
13 Squire Pope Road, collectively known as Salty Fare. All of the properties are located in the
14 PD-1 (Planned Unit Development) Zoning District in Hilton Head Plantation, and the request
15 proposes to maintain the PD-1 zoning classification. The properties are further identified on
16 Beaufort County Tax Map 3 as Parcels 121, 126, 127, 128 and 089A.
17

18 Chairman Warden reported that the review of this application is postponed to the Planning
19 Commission meeting on June 20, 2012 at 3:00p.m.
20

21 **STRNM120001:** The Town of Hilton Head Island Fire and Rescue has applied to name a new
22 street that will be located off Queens Folly Road in Palmetto Dunes. This new street will
23 provide access to the new fire station. The proposed name is Dalmatian Lane. Chairman
24 Warden opened the public hearing for this application and requested that the staff make their
25 presentation.
26

27 Mr. Randy Lindstrom made the presentation on behalf of staff. Staff recommended that the
28 Planning Commission *approve* the application based on the review criterion outlined in the
29 Land Management Ordinance and contained in the staff's report. Dalmatian Lane is the
30 proposed street name for the road leading to the new fire station in Palmetto Dunes. The name
31 was selected by a poll from the fire department. All fire staff was asked to submit names they
32 would like to see for the new street. A list was created and staff voted. The name is unique and
33 does not conflict with other road names in the county. The Planning Commission and Mr.
34 Lindstrom discussed the application. Fire Chief Lavarn Lucas presented additional comments
35 regarding the intent of the application on behalf of Fire & Rescue.
36

37 Following staff's presentation, Chairman Warden requested public comments and none were
38 received. Chairman Warden then stated that the public hearing for this application is closed.
39 Following final comments by the Planning Commission, Chairman Warden requested that a
40 motion be made.
41

42 Vice Chairman Lennox made a **motion** to **approve** new street name application
43 STRNM120001 as presented by staff. Commissioner Docherty **seconded** the motion and the
44 motion **passed** with a vote of 8-0-0.
45

46 Based on Mr. Williams' request to take a brief recess prior to opening the public hearing for
47 the next application, ZMA120005, Chairman Warden stated that the Planning Commission will
48 take a 10-minute recess at this time. The recess began at 9:18a.m and Chairman Warden

1 reconvened the meeting at 9:28a.m. The Planning Commission then proceeded with their
2 review of application for Zoning Map Amendment ZMA120005.
3

4 **Public Hearing**

5 **ZMA120005:** A request from Ernest Marchetti proposing to amend the Official Zoning Map
6 by changing the zoning designation of three properties located at 120 and 118 Mathews Drive
7 and 7 Shrimp Lane from the IL (Light Industrial) Zoning District to the CC (Commercial
8 Center) Zoning District. The properties are further identified on Beaufort County Tax Map 8,
9 as Parcels 154, 162 and 111. Chairman Warden opened the public hearing for this application
10 and requested that the staff make their presentation.
11

12 Ms. Anne Cyran made the presentation on behalf of Ms. Nicole Dixon, case manager for the
13 application. Staff recommended that the Planning Commission find this application to be
14 *inconsistent* with the Town's Comprehensive Plan and does not serve to carry out the purposes
15 of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the
16 LMO Official. Based on these findings, the staff recommended that the application be *denied*.
17

18 The staff received a zoning verification request for two adjoining properties located at 120
19 Mathews Drive and 7 Shrimp Lane. In the request, it was mentioned that there was someone
20 interested in purchasing the properties to open an Auto Parts sales business. In the response
21 letter back to the applicant, Town staff informed them that an auto parts sales use, which is
22 classified as retail sales, is not a permitted use in the IL zoning district.
23

24 Mr. Ernest Marchetti, representing the interested buyer, came in to meet with Town staff
25 regarding their options. He was made aware that the use was, in fact, not permitted in the IL
26 district. He decided to apply for a rezoning of the two properties, in addition to the property
27 across Shrimp Lane at 118 Mathews Drive. The applicant is proposing to change the zoning
28 designation of the subject properties from IL to the CC zoning district.
29

30 There are currently two vacant buildings at 120 Mathews Drive and 7 Shrimp Lane, which
31 used to be a furniture store. The applicant wishes to tear down the building at 7 Shrimp Lane to
32 use for parking and open an auto parts store at 120 Mathews Drive. There is currently a
33 furniture store in operation at 118 Mathews Drive. One property is conforming and the other
34 two are vacant but were previously conforming to the existing IL zoning district.
35

36 The area surrounding the properties subject to the rezoning contains a mix of uses: a vacant
37 property to the south, warehouse type buildings to the west, shopping center and Palmetto
38 Electric building across Mathews Drive to the east, and multi-family residential to the north.
39

40 When reviewing a rezoning request, one of the things staff looks at is why the applicant is
41 making the request. There have been several rezoning requests within the last year where an
42 applicant wishes to rezone, not because the zoning district isn't functioning properly in that
43 area, but because they have a particular use they want for a particular property, even though it
44 isn't currently zoned for that use. The only option they pursue is to request to rezone to a
45 district that allows their proposed use. For example, the Verizon business and the adjacent
46 vacant property were rezoned from OL to CC in June 2011 because the applicant stated they
47 had someone interested in purchasing the property for auto parts sales and a drive through
48 restaurant. The property is still vacant a year later.
49

1 Another example is the South Island Square rezoning from OL to CC that was approved in
2 November 2011. The applicant stated they needed to rezone to allow a mattress store to occupy
3 the vacant building in South Island Square, which was previously occupied by a doctor's
4 office. The property was rezoned to CC, but the vacant building is now occupied by a doctor's
5 office, a use which was permitted in OL zoning district.
6

7 Town Council recently denied a rezoning request for someone wishing to occupy the old
8 Hargray building with a mattress store; that is one more example of a business owner wishing
9 to change the zoning of a property to fit a very specific use and tenant rather than trying to find
10 available commercially zoned property.
11

12 Another problem staff foresees is that just because an applicant states they have someone
13 interested in purchasing a property should it be rezoned, it doesn't mean it is necessarily going
14 to happen, as we can see from the examples stated above. It is important to keep in mind that
15 once rezoned from IL to CC, any use allowed in the CC zoning district is now available to
16 those particular properties. Should the vacant furniture store not be occupied by an auto parts
17 store, it is now open to any use in the CC district; some of these uses may not be appropriate in
18 that area.
19

20 It needs to be stressed to these applicants that instead of trying to rezone properties to suit
21 particular uses, they need to look for available properties within zoning districts where the
22 requested use is permitted so that the Town doesn't establish a surplus of CC zoned property,
23 or any other district for that matter, and too little IL zoned property.
24

25 While staff finds the application meets most of the criteria required for a rezoning, the staff is
26 recommending *denial* of this rezoning request for the reasons stated. The Town should not
27 continue to rezone properties for one particular business or use when there are other CC zoned
28 properties available.
29

30 The applicant states in the narrative that the proposed application to rezone the subject
31 properties from IL to the CC zoning district is more in character with the existing commercial
32 uses on Mathews Drive. The applicant feels that the requested CC zoning is in conformance
33 with the objectives of the Comprehensive Plan, to have commercial property situated where it
34 serves the Island residents and guests in a safe and efficient manner and to focus future
35 development on infill development.
36

37 The applicant also states that the Land Use Element of the Comprehensive Plan provides that
38 infill development of the commercial context should be the focus of future development, and
39 that this rezoning request allows that to happen. Ms. Cyran briefly reviewed the Findings of
40 Fact and Conclusions of Law. Following staff's presentation, Chairman Warden requested that
41 the applicant make his presentation.
42

43 Chester C. Williams, Esq., stated that he has been appointed legal representative to Ms.
44 Frances (Bolin) Marscher, a co-property owner, for this application. Chairman Warden
45 requested verification of Mr. Williams' appointment as his name does not appear on this
46 application. Mr. Williams stated that Ms. Frances Marscher is present in the audience. Ms.
47 Marscher provided a verbal verification of Mr. Williams' appointment as her representative.
48 Chairman Warden then requested that Mr. Williams make his presentation.
49

1 Mr. Williams stated that he disagrees with the staff's recommendation for denial of the
2 application. Mr. Williams stated that there are many similarities between this application and
3 several other zoning map amendment applications recently reviewed by the Planning
4 Commission. Much like several other zoning map amendment applications, this application
5 seeks to rezone property that has long functioned as a commercial area. Mr. Williams
6 presented an overhead review of the site and the zoning map. Mr. Williams stated that
7 economic development and redevelopment is a large part of the Town's goals. Mr. Williams
8 stated that Auto Parts Sales is a permitted use by right in the IL district. The retail accessory
9 component to a wholesale use is allowed as a conditional use.

10
11 Mr. Williams completed his presentation by stating that he is hopeful of working with staff to
12 provide them with the necessary paperwork that will enable this to be either a by-right use or
13 conditional use application in the IL district. Mr. Williams stated that he believes this
14 application is in conformance with the Comprehensive Plan. Mr. Williams stated that he will
15 pursue the possibility that the wholesale business with accessory retail component is already
16 permitted under the current zoning. However, just to be sure, Mr. Williams is also asking the
17 Planning Commission to proceed with today's rezoning application. At the completion of Mr.
18 Williams' presentation, the Planning Commission discussed the application.

19
20 Commissioner Quick requested written notification of Mr. Williams' appointment as legal
21 representative to Ms. Marscher. Commissioner Quick presented statements in concern of this
22 zoning map amendment application (as well as other zoning map amendment applications
23 referred to that have appeared before the Planning Commission). Commissioner Quick, Vice
24 Chairman of the LMO Rewrite Committee, stated that the LMO Rewrite Committee recognizes
25 that the current Land Management Ordinance is outdated and needs to be fixed. Today's
26 discussion is a perfect example of why the LMO needs to be rewritten.

27
28 Commissioner Quick stated concern that much of today's discussion is speculative. Piece meal
29 rezoning is of concern to the LMO Rewrite Committee. We are at the threshold of developing
30 an Economic Development Commission that will recruit businesses that are appropriate to the
31 island. Given the dual track that Mr. Williams has laid out before the Planning Commission,
32 and his last-minute representation, it's difficult to support this application. Following this
33 discussion, Chairman Warden requested public comments and the following were received:

34
35 Ms. Frances Marscher, co-property owner, presented brief comments in support of the
36 application. Ms. Marscher stated that she will provide written notification of Mr. Williams'
37 appointment as requested. Mr. Ernest Marchetti presented brief statements in support of the
38 application on behalf of his client, Ms. Mary Janet Hennesy. Ms. Hennesy is the other co-
39 property owner on the application and is not present at today's meeting.

40
41 Mr. Colin Hartsog, with Hartsog Holdings, presented statements with regard to his business
42 interest in Advance Auto Parts. Mr. Hartsog discussed the age and the renovation of the two
43 buildings. The Planning Commission and Mr. Hartsog discussed Mr. Hartsog's efforts to find
44 available commercial sites on the island. Mr. Hartsog stated that he looked at about 10
45 commercial properties most of which were cost prohibitive for Advance Auto Parts. Mr.
46 Hartsog discussed the site size that is required by Advance Auto Parts.

47
48 Following all public comments, Chairman Warden stated that the public hearing for this
49 application is closed.

1
2 The Planning Commission discussed the application. Commissioner Docherty stated that he is
3 in favor of approving the application because this business owner is interested in the site and it
4 seems to be a good fit. Commissioner Bennett agreed that the application should be approved.
5 Commissioner Bennett stated that these small parcels are not very conducive to light industrial
6 use and they run the risk of remaining vacant. This is a good opportunity to improve an
7 existing vacant building and improve the island. Commissioner Hughes also agreed that the
8 application should be approved as the use is appropriate to the site.
9

10 Vice Chairman Lennox also presented statements in support of the application. Vice Chairman
11 Lennox discussed the compatibility issue, the existing use, and proposed use. The proposed
12 use is close enough that we have to talk about an alternative. This is an appropriate use. We
13 want to encourage redevelopment on the island without the LMO rewrite getting in the way. It
14 is unfortunate that the LMO is not ready to go at this time, but we should still be open for
15 business.
16

17 Chairman Warden stated her concern with the rapidly changing issue of two rather than one
18 property owner for this application. If the Planning Commission approves the rezoning of
19 these two parcels to commercial, it will be only a matter of time before the Planning
20 Commission is asked to rezone everything between that property and the existing CC on
21 Mathews Drive - that is where we are heading. Chairman Warden stated that she does not
22 think that if we choose at this time not to rezone that property commercial, we are precluding
23 development on those parcels.
24

25 Chairman Warden stated that the Planning Commission needs to look at this application in
26 terms of the 'big picture'. Chairman Warden stated that upon further investigation, this
27 application will most likely find that Advance Auto has every right under the current zoning to
28 go into that property. Commissioner Quick agreed with Chairman Warden's statements
29 regarding the application.
30

31 Commissioner Quick inquired if the Planning Commission can postpone action on this
32 application until they receive the additional information that has been discussed. Ms. Teri
33 Lewis responded that the Planning Commission can remand the application until they receive
34 the information that they need. However, if the applicant is able to provide staff with the
35 information that staff needs, forwarding this application on to the Planning & Development
36 Standards Committee may not be needed. Ms. Lewis stated that the staff is trying to provide
37 good customer service and does not want to hold the application up.
38

39 Chairman Warden stated that she hopes there will be a resolution to this problem. If not,
40 however, the Planning Commission needs to be careful of how they proceed with the rezoning
41 of this area. The Planning Commission needs to consider their actions in terms of the 'big
42 picture'
43

44 Following final discussion by the Planning Commission, Chairman Warden requested that a
45 motion be made.
46

47 Commissioner Bennett made a **motion** to **approve** Application for Zoning Map Amendment
48 ZMA120005 based on the appropriateness of the application. CC zoning is appropriate for
49 these two parcels. Commissioner Docherty **seconded** the motion and the motion **passed** with a

1 vote of 6-2-0. Chairman Warden and Commissioner Quick were opposed to the motion based
2 on statements already made.

3
4 **10. Commission Business**

5 Appointment of Nominating Committee for the Election of New Officers 2012-2013 Chairman
6 Warden reported that the Nominating Committee comprised of Chairman Warden,
7 Commissioner Docherty, and Commissioner Hughes met recently for the purpose of
8 nominating officers for the new term, July 1, 2012 – June 30, 2013. The election of officers
9 typically takes place at the second meeting in June; however, the Planning Commission will
10 suspend that rule in order to allow the election of officers to take place at today's meeting. The
11 Planning Commission agreed by general consent to suspend the rule and move forward with
12 the election today. Chairman Warden requested that Commissioner Hughes present the report
13 on behalf of the Nominating Committee.

14
15 Commissioner Hughes stated that the Nominating Committee would like to nominate
16 Commissioner Gail Quick to serve as Chairman for the new term. Commissioner Quick
17 accepted the nomination. The Nominating Committee also recommended that Commissioner
18 Tom Lennox continue serving as Vice Chairman for the new term. Vice Chairman Tom
19 Lennox agreed to serve as Vice Chairman for the new term. Chairman Warden then requested
20 that a motion be made to confirm these appointments.

21
22 Commissioner Taylor made a **motion** that the Planning Commission **approve** the nominations
23 for Chairman and Vice Chairman as stated. Commissioner Bennett **seconded** the motion and
24 the motion **passed** with a vote of 8-0-0.

25
26 **11. Chairman's Report**

27 None

28 **12. Committee Reports**

29 Commissioner Quick stated that the LMO Rewrite Committee will meet on Monday, June 18th
30 and Tuesday, June 19th in Council Chambers. Both meetings will begin at 9:00a.m. and
31 conclude at 12:00p.m. The LMO Rewrite Committee is scheduled to meet with the consultants
32 to discussed Code Assessment.

33
34 Chairman Warden stated that the Planning Commission will hold a special meeting on Friday,
35 June 8th at 9:00a.m. in Council Chambers. The Planning Commission will review the
36 conceptual plans for redevelopment of the Mall at Shelter Cove.

37
38 **13. Staff Reports**

39 None

40 **14. Adjournment**

41 The meeting was adjourned at 10:40a.m.

42 Submitted By:

Approved By:

43
44 _____
45 Kathleen Carlin
46 Administrative Assistant

43
44 _____
45 Loretta Warden
46 Chairman

1 **TOWN OF HILTON HEAD ISLAND**

2 **Planning Commission**

3 **Minutes of the Special Friday, June 8, 2012 Meeting DRAFT**
4 **9:00a.m. – Benjamin M. Racusin Council Chambers**

5
6
7 Commissioners Present: Chairman Loretta Warden, Vice Chairman Tom Lennox, Alex Brown,
8 David Bennett, Bryan Hughes, Gail Quick and Barry Taylor

9
10 Commissioners Absent: Terence Ennis and Jack Docherty, Excused

11
12 Town Council Present: Lee Edwards, Bill Harkins and George Williams

13
14 Town Staff Present: Heather Colin, Development Review Administrator
15 Shawn Colin, Comprehensive Planning Division Manager
16 Jayme Lopko, Senior Planner & Planning Commission Coordinator
17 Kathleen Carlin, Secretary & Administrative Assistant
18

19 **1. Call to Order**

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

21 **3. Roll Call**

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

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

25 **5. Approval of Agenda**

26 The agenda was **approved** as presented by general consent.

27 **6. Approval of Minutes**

28 None

29 **7. Appearance by Citizens on Items Unrelated to Today's Agenda**

30 None

31 **8. Unfinished Business**

32 None

33 **9. New Business**

34 **Public Hearing**

35 **ZMA120006** - Shelter Cove Towne Centre, LLC has applied to amend the Official Zoning
36 Map by amending the Palmetto Dunes Resort Master Plan to change the land uses and
37 associated density permitted on the parcels, located at the Mall at Shelter Cove and a portion
38 of the adjacent Shelter Cove Community Park parcel. The properties are identified on
39 Beaufort County Tax Map 12B as parcel 26 and a portion of parcel 2 on Beaufort County
40 Tax Map 12C. Chairman Warden introduced the application and opened the public hearing.
41 Chairman Warden then requested that the staff make their presentation.
42

43 Ms. Heather Colin made the presentation on behalf of staff. Ms. Colin stated that today's
44 review will be the first step in what will be many public hearings and reviews for
45 redevelopment of the Mall at Shelter Cove. Each of the reviews will cover a number of

1 different aspects as there are several different issues involved in the redevelopment plans.
2 The Planning Commission is meeting today to discuss the zoning map amendment and the
3 particular changes and modifications that are requested to the Palmetto Dunes Resort Master
4 Plan.
5

6 Mr. Don Barnett, on behalf of Shelter Cove Towne Center, has submitted a request to amend
7 the Palmetto Dunes Master Plan to facilitate the development of a mixed use commercial
8 development that includes general commercial uses, a grocery store with an associated fuel
9 center, multi-family residential dwelling units (apartments), community park space,
10 commercial kiosks and a liquor store to be included as part of the overall Shelter Cove Mall
11 redevelopment.
12

13 Ms. Colin presented an in-depth overhead review of the application including the master
14 plan, a site analysis, the applicant's narrative, and review of the conceptual site plans.
15 The applicant seeks to amend the master plan by decreasing the total commercial density
16 from 314,000 square feet (of which 46,000 square feet will be limited to cinema complex and
17 268,000 square feet for 'Mall at Shelter Cove' and Community Service uses) to 295,000
18 square feet of general commercial uses, of which no more than 1,500 square feet can be used
19 for up to 10 kiosks; and to add 210 multi-family dwelling units (134 units on parcel 12 and
20 76 units on parcel 26); and to add the uses of Community Park, Liquor Store and Gas Sales.
21

22 The master plan for Palmetto Dunes Resort was initially approved by Beaufort County in
23 1975 and was subsequently approved by the Town when Hilton Head Island incorporated in
24 1983. This plan did not assign site specific densities; but rather, the amount of commercial
25 square footage and/or acreage that could be developed within the entire master plan was
26 limited to 750,000 square feet or 110 acres.
27

28 In 1986, the plan was amended to assign the density to specific parcels and the Mall site was
29 assigned 235,000 square feet and the Mall out-parcels were assigned 16,000 square feet; the
30 common space in the mall (hallways, etc) was determined by the Planning Commission to
31 not count toward the assigned density; a total of 251,000 square feet for the total area.
32

33 In 1992, an Order of Settlement related to a court case transferred 12,300 square feet from
34 Outparcels I and II, and Parcel C to the larger Mall parcel (247,300 total square feet) and
35 restricted Outparcel II and Parcel C to no vertical construction. Outparcel II, retained 3,700
36 square feet of commercial density, still retaining a total of 251,000 square feet of commercial
37 density for the entire site.
38

39 In 1998, a rezoning was approved that transferred 23,000 square feet of density from
40 elsewhere in the PUD and required that all of the parcels (Outparcels I, II, and Parcel C) be
41 combined to one. This resulted in a total of 274,000 square feet of commercial density
42 (247,300 sq ft + 3,700 sq ft + 23,000 sq ft)
43

44 On July 7, 2009, Town Council approved the request to amend the master plan for the Mall
45 (adding 40,000 sq ft) property for a total of 314,000 square feet of commercial uses, of which
46 46,000 square feet was to be designated particularly for cinema complex use and to allow
47 community service uses in addition to commercial uses except as limited in LMO 16-4-209.
48 This is the current zoning and master plan designation for the property.
49

1 When the mall was sold to the present owners, the developers, Blanchard & Calhoun began a
2 dialogue with Town staff on their conceptual plans. Several different plans were drafted and
3 discussed with the intention of drafting the best plan for the developer and the community.
4 During this dialogue the idea of a possible land swap with the Town was discussed in order
5 to provide a better public space, which highlighted the natural and environmental assets of
6 Broad Creek and better integrated the commercial development and the public space.
7

8 In order to accomplish this, the portion of the current Shelter Cove Community Park between
9 the Veteran’s Memorial and the Mall is requested to be assigned 134 multi-family dwelling
10 units. This portion of the property is part of a larger piece that is zoned PD-1 with the
11 designation of Community Park.
12

13 In January 2004, through an administrative rezoning, the existing Shelter Cove Community
14 Park was approved as Community Park with 6,000 square feet per net acre to be consistent
15 with the PR district regulations as specified in LMO 16-4-1601 from the previous
16 designation of 257 dwelling units. A portion of this property as shown in the attachments is
17 proposed to be amended to include a designation of 134 multi-family dwelling units
18 (apartments).
19

20 The applicant’s narrative and application materials describe the planned developments and
21 this particular property as being appropriate for a mix of uses. This application proposes just
22 that, a mix of commercial uses, park and multi-family residential. They state that the original
23 plans for the district and the Mall parcel designate the back portion of the property for 180
24 multi-family units.
25

26 The applicant states that this development will revitalize the mall by opening up views to the
27 marsh, provide the community with apartments which are currently in a limited supply on the
28 island, that would have views to the marsh and take advantage of the mixed use concept of
29 close proximity to commercial and public open space. The mall will be redeveloped to an
30 open air series of retail shops, offices, and multi-family dwelling units. The addition of a
31 public park will create a significant, flexible, functional and usable open space which will
32 provide a sense of place for the community.
33

34 Staff determines that this application is compatible with the Comprehensive Plan and serves
35 to carry out the purposes of the LMO as based on the following Findings of Fact and
36 Conclusions of Law.
37

38 Staff recommended that the Planning Commission recommend *approval* to Town Council of
39 this application, which includes amending the Official Zoning Map by amending the
40 Palmetto Dunes Resort Master Plan for the Mall parcel, indicated as ‘Portion 1’ to
41 “Commercial, excluding uses restricted by LMO 16-4-209, but permitting Liquor Stores and
42 Gas Sales”, “Multifamily” and “Community Park” with an allocated 295,000 square feet of
43 commercial density (with no more than 1,500 square feet used for 10 kiosks) and 76 multi-
44 family residential units.
45

46 Town staff further recommended that ‘Portion 2’, the existing Town-owned portion, be
47 amended to Multifamily and Community Park with an allocated 134 residential units.
48
49

1
2 Following the staff's presentation and discussion by the Planning Commission, Chairman
3 Warden requested that the applicant make his presentation.
4

5 Mr. Mark Senn, with Blanchard & Calhoun, presented statements in support of the
6 application. Mr. Senn discussed his professional involvement in the redevelopment plans for
7 this property. Mr. Senn discussed the conceptual plans for the park and the residential
8 component. Mr. Wes Jones, Esq., presented statements regarding the residential component.
9 Mr. Jones stated that there is a great need for apartments on the island. Mr. Senn presented
10 statements regarding the ownership of the apartments. Following the applicant's
11 presentation, Chairman Warden requested public comments and the following were received:
12

13 Mr. Philip Schembra presented comments in overall support of the application particularly
14 regarding the need for high-end apartments. Ms. Suzanne Coffin, Newport Board Member,
15 presented statements in concern of the density of the project and the potential loss of mature
16 trees. At the completion of public comments, Chairman Warden stated that the public
17 hearing for this application is closed.
18

19 The Planning Commission discussed the application. Commissioner Quick and Vice
20 Chairman Lennox complimented the thoroughness of the staff's report and presentation.
21 Commissioner Hughes inquired about plans for a playground in the community park. Ms.
22 Colin stated that a playground will most likely be considered. The Planning Commission
23 complimented the developers and stated their support of the conceptual plans. Following
24 final comments by the Planning Commission, Chairman Warden requested that a motion be
25 made.
26

27 Vice Chairman Lennox made a **motion** to approve application for Zoning Map Amendment
28 ZMA120006 as presented. Commissioner Quick **seconded** the motion and the motion
29 **passed** with a vote of 7-0-0.
30

31 **Public Hearing**

32 **PPR120003** – Application for Public Project Review from the Town of Hilton Head Island
33 for pathways, a community park, and road modifications, including on street parking at the
34 Mall at Shelter Cove and portions of Shelter Cove Lane at Shelter Cove Community Park.
35 Chairman Warden introduced the application and opened the public hearing. Chairman
36 Warden then requested that staff make their presentation.
37

38 Ms. Heather Colin made the presentation on behalf of staff. The staff recommended that the
39 Planning Commission find this application to be compatible with the Town's Comprehensive
40 Plan for location character and extent based on the Findings of Facts and Conclusions of Law
41 as determined by the LMO Official. The staff recommended *approval* of the project.
42

43 The application for Public Project Review from the Town of Hilton Head Island is for new
44 pathways, road modifications to Shelter Cove Lane, including on-street parking, and the
45 relocation of a portion of Shelter Cove Community Park as a part of the redevelopment of the
46 Mall at Shelter Cove.
47

48 The Town of Hilton Head Island is collaborating with the owners of Shelter Cove Mall to
49 redevelop the Mall property and a portion of Shelter Cove Park into a mixed use

1 development with a public waterfront park. The park will be relocated to a more central
2 location in the project. To accommodate the new park location, Shelter Cove Lane will be
3 moved away from Broad Creek and new multi-use pathways will provide connections along
4 the frontage of William Hilton Parkway and Broad Creek.
5

6 The project will be designed to complement the character of the Shelter Cove area and will
7 take better advantage of frontage along Broad Creek. A new linear park will extend along
8 the frontage of the creek with standard pathway connections to other existing pathways. The
9 relocation of Shelter Cove Lane will create a new waterfront drive designed for on-street
10 parking and pedestrian friendly streetscape improvements consistent with those in the
11 development or with current Town standards.
12

13 Ms. Colin and the Planning Commission discussed several issues including plans for parking.
14 Mr. Shawn Colin presented statements regarding parking for the park. On-street parking and
15 shared parking will be provided. Following staff's presentation, Chairman Warden requested
16 public comments and the following were received:
17

18 Mr. Mark Senn presented comments regarding on-street parking which must be approved by
19 the Shelter Cove Board. Mr. Charles Davis, President of the Shelter Cove Board,
20 complimented the high quality redevelopment plans. Ms. Barbara Hall, Newport resident,
21 stated her concern with the development's proposed apartments and amenities. The
22 apartments should be high-end. Ms. Hall also stated that the proposed gas station and liquor
23 store are not appropriate for this location. Ms. Dottie Shebel, Newport resident, stated her
24 concern with the proposed location of the apartments and amenities. Mr. Aubrey Vaughn,
25 Newport resident, presented statements regarding on-street parking, the burial of power lines,
26 the land swap and the location of the park. Mr. Vaughn stated that a gas station is not needed
27 in this location. Mr. Bob Hullahan presented statements in concern of relocating the power
28 lines. Mr. Bob Prust, area business owner, presented statements regarding the relocation of
29 the park. Mr. Senn responded to comments regarding the transition of the park. The
30 existing park will remain open until the new park is finished. It will be a phasing process.
31 Mr. Pete Clark, Queen's Grant property owner, presented statements regarding the regulation
32 of amenities for apartments. Ms. Colin stated that the Town has no authority over amenities.
33 Mr. Senn presented comments regarding this issue on behalf of the developers. Mr. Paul
34 Daniels, local realtor and citizen, presented comments regarding the land swap issue.
35

36 Ms. Colin stated that today's review is just for the public elements (relocating the park,
37 relocating the road, and adding some on-street parking and pathways). Information
38 regarding the site plan issues and design details will be provided to the public at future
39 meetings.
40

41 At the completion of public comments, Chairman Warden stated that the public hearing for
42 this application is closed. Following final discussion by the Planning Commission, Chairman
43 Warden requested that a motion be made.
44

45 Commissioner Bennett made a motion to **approve** application for Public Project Review
46 PPR120003 as presented. Commissioner Taylor **seconded** the motion and the motion **passed**
47 with a vote of 7-0-0.
48

1 **10. Commission Business**

2 None

3

4 **11. Chairman's Report**

5 None

6 **12. Committee Reports**

7 None

8 **13. Staff Reports**

9 None

10 **14. Adjournment**

11 The meeting was adjourned at 10:25a.m.

12

13 Submitted By:

Approved By:

14

15

16

17 _____
Kathleen Carlin

18 Administrative Assistant

Loretta Warden
Chairman

DRAFT

PLANNING COMMISSION PROJECT UPDATE
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Previously Reviewed Applications or Documents:

<i>Land Management Ordinance Amendments:</i>	<i>Status:</i>
LMO Rewrite Committee	The consultants will meet with the LMO Rewrite Committee for a two day workshop on June 18 th and 19 th to finalize their direction. Drafting is expected to start after this visit.
LMO Sign Amendments - The Town of Hilton Head Island is proposing to revise and amend Chapter 3, Article IX and Chapter 5, Article XIII of the Land Management Ordinance (LMO). The proposed amendments will move the following sections from Chapter 3, Article IX, Sign Permits, into Chapter 5, Article XIII: Section 16-3-901, Applicability; Section 16-3-902, Signs Exempt from Permit; Section 16-3-903, Sign Alterations Exempt from Permit; and Section 16-3-904, Submission Requirements. The proposed amendments will revise the language in each affected section. The proposed amendments will clarify the purpose of the sign regulations, bring the regulations into conformance with recent judicial decisions, reorganize the regulations into a more intuitive order, update he regulations to reflect changes in advertising and to provide reasonable accommodation of some previously prohibited signs. The proposed amendments may affect your rights as an owner of land.	<ul style="list-style-type: none"> • PC public hearing: April 10, 2012 • P&DS: April 25, 2012 • TC 1st reading: May 15, 2012 • TC 2nd reading: June 5, 2012
LMO Telecommunication Facilities Amendments - The Town of Hilton Head Island is proposing to revise and amend Chapter 3, Article XVII and Chapter 4, Article XIII of the Land Management Ordinance (LMO). The proposed amendments will categorize a change in the land use designation of any non-single family residential use to allow a telecommunications facility as a minor amendment to a PUD master plan. The proposed amendments will base the size of a telecommunications tower setback on the tower's fall zone.	<ul style="list-style-type: none"> • PC public hearing: May 16, 2012 • P&DS: May 23, 2012 • TC 1st reading: June 19, 2012 • TC 2nd reading:

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<i>Comprehensive Plan Amendments:</i>	<i>Status:</i>
<p>The Planning Commission will review and consider a recommendation on updates to the Population, Housing, and Community Facilities Elements of the Comprehensive Plan to Town Council for adoption.</p>	<ul style="list-style-type: none"> • PC public hearing: May 2, 2012 • P&DS: May 23, 2012 • TC 1st reading (PH): June 19, 2012 • TC 2nd reading:
<i>Zoning Map Amendments:</i>	<i>Status:</i>
<p><u>ZMA110007:</u> A request from Mr. Joe Ryan, on behalf of several property owners, proposing to amend the Official Zoning Map by changing the zoning designation of five properties located at 840, 852, and 862 William Hilton Parkway, and 1 and 2 Regency Parkway, from the OL (Office Institutional Low Intensity) Zoning District to the CC (Commercial Center) Zoning District. The properties are further identified on Beaufort County Tax Map 11, Parcels 132A, 77, 153, 155A and 154.</p>	<ul style="list-style-type: none"> • PC public hearing: April 10, 2012 • P&DS: April 25, 2012 • TC 1st reading: May 1, 2012 • TC 2nd reading: May 15, 2012 (disapproved) • The item was withdrawn by the applicant on June 1, 2012.
<p><u>ZMA120002-</u> The Town of Hilton Head Island has applied to amend the Official Zoning Map by amending the Palmetto Dunes Master Plan to change the land uses permitted on three parcels, located near the corner of William Hilton Parkway and Queen’s Folly Road. A portion of one property is currently zoned OL, Office/Institutional, and will be incorporated into the PD-1 as part of the Palmetto Dunes Resort Master Plan. The remainder of properties are currently zoned PD-1 within the Palmetto Dunes Resort Master Plan and assigned land uses of “HHI Fire Station”, “PDR Maintenance” and “Outdoor Entertainment Recreation.” These designations will be changed to “Office”, “Office/Maintenance” and “Government Facilities/Maintenance/Parks and Open Areas” with associated density. The properties are identified as parcels 19 and 347A on Beaufort County Tax Map 12 and parcel 2 on Beaufort County Tax Map 15.</p>	<ul style="list-style-type: none"> • PC public hearing: May 16, 2012 • P&DS: May 23, 2012 • TC 1st reading: June 19, 2012 • TC 2nd reading:
<p><u>ZMA120003</u> - A request from Mr. Chester C. Williams, on behalf of the Miller Family Limited Partnership VI, to amend the Official Zoning Map by changing the zoning designation of a property located at 807</p>	<ul style="list-style-type: none"> • PC public hearing: April 18, 2012 • P&DS: April 25, 2012 • TC 1st reading: May 15, 2012 • TC 2nd reading: June 5, 2012

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<p>William Hilton Parkway from OL, Office/Institutional, to PD-1 as part of the Palmetto Dunes Resort Master Plan with a land use designation of Commercial. The property is further identified as Parcel 16A on Beaufort County Tax Map 12. For additional information, call the Community Development Department (843) 341-4757.</p>	
<p><u>ZMA120004:</u> A request from Michael Kronimus with KRA Architecture & Design, on behalf of Stewart Kittredge Collins, to amend the Official Zoning Map by increasing the allowed density and revising the allowed uses on eight properties located at 421, 424, 425 and 427 Squire Pope Road, collectively known as Salty Fare. All of the properties are located in the PD-1 (Planned Unit Development) Zoning District in Hilton Head Plantation, and the request proposes to maintain the PD-1 zoning classification. The properties are further identified on Beaufort County Tax Map 3 as Parcels 121, 126, 127, 128 and 089A.</p>	<ul style="list-style-type: none"> • PC public hearing: June 20, 2012 • P&DS: July 25, 2012 • TC 1st reading: • TC 2nd reading:
<p><u>ZMA120005:</u> A request from Ernest Marchetti proposing to amend the Official Zoning Map by changing the zoning designation of three properties located at 120 and 118 Mathews Drive and 7 Shrimp Lane from the IL (Light Industrial) Zoning District to the CC (Commercial Center) Zoning District. The properties are further identified on Beaufort County Tax Map 8, as Parcels 154, 162 and 111.</p>	<ul style="list-style-type: none"> • PC public hearing: June 6, 2012 • P&DS: June 13, 2012 • TC 1st reading: • TC 2nd reading:
<p><u>ZMA120006</u> - Shelter Cove Towne Centre, LLC has applied to amend the Official Zoning Map by amending the Palmetto Dunes Resort Master Plan to change the land uses and associated density permitted on the parcels, located at the Mall at Shelter Cove and a portion of the adjacent Shelter Cove Community Park parcel. The properties are identified on Beaufort County Tax Map 12B as parcel 26 and a portion of parcel 2 on Beaufort County Tax Map 12C.</p>	<ul style="list-style-type: none"> • PC public hearing: June 8, 2012 • TC 1st reading: • TC 2nd reading:

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<i>Public Project Review:</i>	<i>Status</i>
<u>PPR120003</u> – Application for Public Project Review from the Town of Hilton Head Island for pathways, a community park, and road modifications, including on street parking at the Mall at Shelter Cove and portions of Shelter Cove Lane at Shelter Cove Community Park.	<ul style="list-style-type: none"> • This application was heard at the June 8th Planning Commission meeting. • The Commission voted unanimously that the application was compatible with the Town’s Comprehensive Plan with regard to location, character, and extent.

<i>Street Names:</i>	<i>Status:</i>
<u>STRNM120001</u> : The Town of Hilton Head Island Fire and Rescue has applied to name a new street that will be located off Queens Folly Road in Palmetto Dunes. This new street will provide access to the new fire station. The proposed name is Dalmatian Lane.	<ul style="list-style-type: none"> • This application was heard at the June 6th Planning Commission meeting. • The Commission voted unanimously that the application was compatible with the Town’s Comprehensive Plan with regard to location, character, and extent.

<i>Appeals:</i>	<i>Status:</i>
<u>APL100006</u> : Request for Appeal from Chester C. Williams on behalf of Ephesian Ventures, LLC. The Community Development Department issued a notice of action, approving the construction of a tabby walkway and brick areas at Edgewater on Broad Creek. The appellant contends that the Community Development Department erred in its decision to issue a notice of action and is requesting that the notice of action be declared void.	This item was postponed to a future date to be determined after a decision is made by the Circuit Court.

Ongoing Capital Improvement Projects:

<i>Pathways</i>	<i>Status</i>
William Hilton Parkway from Gardner Drive to Mathews Drive	Project Complete.
Dunnagans Alley Pathway	<ul style="list-style-type: none"> • Construction underway. • Target completion August 2012.
Gardner Drive	<ul style="list-style-type: none"> • In-house design underway 50% complete. • Construction anticipated for 2013
Pembroke Drive	<ul style="list-style-type: none"> • In-house design underway 50 % complete. • Construction anticipated for 2013
Leg O’Mutton Road	<ul style="list-style-type: none"> • In-house design underway 90% complete. • Construction anticipated for 2012.
William Hilton Parkway from Fresh Market	<ul style="list-style-type: none"> • Expedited Development Plan Review is

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Shoppes to Long Cove	<p>under review.</p> <ul style="list-style-type: none"> • Waiting for OCRM permit. • Anticipated start of construction Fall of 2012.
Roadway Improvements	
US 278 Frontage Road on Jenkins Island	<ul style="list-style-type: none"> • Project has been turned over to SCDOT and placed within their STIP (State Transportation Improvement Program)
Festival Centre Median Closure	<ul style="list-style-type: none"> • Expedited Development Plan under review. • Anticipated start of construction June 2012.
Mathews/Marshland Roundabout	<ul style="list-style-type: none"> • Design services contract complete and design underway. • Anticipated start of construction Fall/Winter 2012.
Mathews Drive Connectivity	<ul style="list-style-type: none"> • Design underway. • Easement acquisition underway. • Proposed for construction Fall of 2012.
Port Royal Miller Pond Dredging	Project Complete.
Summit Drive Realignment	Waiting for funding from County.
Honey Horn Access Improvements	Final project scope and associated funding under review by Town Council.
New Orleans Turn Lane/Long Cove Pathway inc. crosswalks on US 278 at New Orleans, Shipyard, & Wexford	<ul style="list-style-type: none"> • Construction Underway. • Target completion August 2012.
Ground Mounted Street Name Sign Installations / Replacements	<ul style="list-style-type: none"> • Phase IV scope identified and will contain approximately 60 signs. • Phase three is complete. • Total of 185 signs installed to date (half of the Town sign inventory).
Mast Arms at Palmetto Dunes/Shelter Cove & Mall Boulevard	<ul style="list-style-type: none"> • Design underway. • Anticipated start of construction September 2012.
Arrow/Target Intersection Improvements	On Hold.
Main Street Turn Lane	<ul style="list-style-type: none"> • Submitting for Expedited Development Plan Review pending OCRM permit. • Anticipated start of construction Summer 2012.
Leamington/Fresh Market Shoppes Intersection Improvements	<ul style="list-style-type: none"> • Design services contract under negotiation. • Anticipated start of construction Winter 2013.
US 278 Pedestrian crosswalks at Regency, Chamber, and Yacht Cove Drives	<ul style="list-style-type: none"> • Design services contract under negotiation.

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	<ul style="list-style-type: none"> • Anticipated start of construction Winter 2013.
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Park Development	
Rowing & Sailing Center	<ul style="list-style-type: none"> • Selection of design services underway. • Anticipated start of construction Spring 2013.

Existing Facilities and Infrastructure	
Fire Station #6	<ul style="list-style-type: none"> • Finalizing rezoning, survey, easements, and agreement for land swap. • Anticipated start of construction February 2013.

Power Line Burials	Not CIP funded but included for update. Funded by 3% franchise fee from Pal. Electric
15 year project due to be completed in 2019	
<ul style="list-style-type: none"> • Marshland Road • Spanish Wells Road feeder • US 278 – Four Seasons to Palmetto Dunes entrance • Muddy Creek/Bryan Road • Barnwell Property/Mobile Home Park • Squire Pope Road • Gumtree & Wild Horse Road • Palmetto Bay Road/Dancar bldg. 	<ul style="list-style-type: none"> • 70% Complete • 25% Complete (Jarvis Creek section postponed for new bridge) • 70% Complete • 15% Complete • 100% Complete • 60% Complete • 100% Complete • 40% Complete

New Facilities and Infrastructure	
Emergency Access Gates	<ul style="list-style-type: none"> • Easement acquisition complete. • Going out to bid July 2012. • Anticipated start of construction Fall 2012.
Dispatch/F&R Computer Systems Upgrades	Ongoing.

Beach Maintenance	
Dune Refurbishment	Ongoing.
Port Royal Beach Renourishment	Project Complete