



**Town of Hilton Head Island**  
**Regular Planning Commission Meeting**  
**Wednesday, July 17, 2013**  
**3:00 p.m. Benjamin M. Racusin Council Chambers**  
**AGENDA**

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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. Swearing In Ceremony for New and Returning Planning Commissioners**  
Mr. Judd Carstens, Mr. Alex Brown and Mr. Terry Ennis.
- 6. Approval of Agenda**
- 7. Approval of Minutes - Planning Commission Meeting on June 19, 2013**
- 8. Appearance by Citizens on Items Unrelated to Today's Agenda**
- 9. Chairman's Introduction to Meeting Procedures**
  
- 10. Unfinished Business**  
None
- 11. New Business**  
None
- 12. Commission Business**
- 13. Chairman's Report**  
Subcommittee Appointments July 1, 2013 – June 30, 2014
- 14. Committee Reports**  
LMO Rewrite Committee - Status Update
- 15. Staff Reports**
  - A. Update Chaplin Park
  - B. Continuing Education Update
- 16. 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) Planning Commission Meetings – August 7<sup>th</sup> at 9:00a.m. & August 21<sup>st</sup> at 3:00p.m.
- b) LMO Rewrite Committee Meetings – August 17 & August 27<sup>th</sup> at 8:30a.m.

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

**TOWN OF HILTON HEAD ISLAND**  
**Regular Planning Commission**  
**Wednesday, June 19, 2013 Meeting** **DRAFT**  
**3:00p.m – Benjamin M. Racusin Council Chambers**

Commissioners Present: Chairman Gail Quick, Vice Chairman Tom Lennox, Alex Brown, David Bennett, Jack Docherty, Terry Ennis, Bryan Hughes, Barry Taylor, and Brian Witmer

Commissioners Absent: None

Town Council Present: Mayor Pro Tem Bill Harkins and John McCann

Town Staff Present: Anne Cyran, Senior Planner  
Jayme Lopko, Senior Planner and Planning Commission Coordinator  
Randy Lindstrom, Administrative Battalion Chief  
Charles Cousins, Director, Community Development Department  
Kathleen Carlin, Secretary

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Roll Call**
4. **Presentation of Crystal Award to outgoing Planning Commissioner, Jack Docherty**  
Mayor Pro Tem Bill Harkins presented the Town’s Crystal Award to outgoing Planning Commissioner, Mr. Jack Docherty. Mayor Pro Tem Harkins presented statements in appreciation of Mr. Docherty’s service to the Planning Commission on behalf of Town Council. A Farewell Reception was held for Mr. Docherty in Council Chambers following the meeting.
5. **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.
6. **Approval of Agenda**  
The agenda was **approved** as presented by general consent.
7. **Approval of Minutes**  
The Planning Commission **approved** the minutes of the June 5, 2013 meeting as presented by general consent.
8. **Appearance by Citizens on Items Unrelated to Today’s Agenda**  
None
9. **Chairman’s Introduction to the Planning Commission’s Meeting Procedures**
10. **Unfinished Business**

1 None

2  
3 **11. New Business**

4 **Public Hearing**

5 **STRNM130002**: The Town of Hilton Head Island has applied to modify the name of Mall  
6 Boulevard. The proposed name is Shelter Cove Lane. The properties affected are identified  
7 as Parcels 23, 26, and 30 on Beaufort County Tax Map 12. Chairman Quick introduced  
8 the application and opened the public hearing. Chairman Quick then requested that staff  
9 make their presentation.

10  
11 Mr. Randy Lindstrom made the presentation on behalf of staff. Staff recommended that the  
12 Planning Commission *approve* the Shelter Cove Lane modified street name application  
13 based on the review criterion outlined in the Land Management Ordinance and contained in  
14 the staff's report.

15  
16 The Town of Hilton Head Island has applied to change the name of Mall Boulevard to  
17 Shelter Cove Lane. Mall Boulevard is a short section of road leading into Shelter Cove  
18 Lane. With the design of the new mall and Community Park, the road layout of Shelter  
19 Cove Lane is shifting towards Mall Boulevard. This will become a through street with the  
20 existing Shelter Cove Lane. Mr. Lindstrom reviewed the application's Findings of Fact  
21 and Conclusions of Law.

22  
23 At the completion of staff's presentation, Chairman Quick requested public comments and  
24 none were received. Chairman Quick then stated that the public hearing for this application  
25 closed.

26  
27 The Planning Commission discussed the application including the criterion contained in the  
28 staff's report. At the completion of the discussion, Chairman Quick requested that a  
29 motion be made.

30  
31 Commissioner Brown made a **motion** that the Planning Commission **approves** application  
32 STRNM130002 as presented by staff based on the Findings of Fact and Conclusions of  
33 Law contained in the staff's report. Commissioner Ennis **seconded** the motion and the  
34 motion **passed** with a vote of 9-0-0.

35  
36 *\*Commissioner Jack Docherty recused himself from review of the following application,*  
37 *ZMA130004, due to a personal conflict of interest. A Conflict of Interest Form was*  
38 *completed, signed and attached to the official record.*

39  
40 **Public Hearing**

41 **ZMA130004**: A request from Noreen McMullin on behalf of Stewart Collins proposing to  
42 amend the Official Zoning Map by amending the allowed uses of the properties located at  
43 421, 425 and 427 Squire Pope Road to add Water-Oriented Embarkation Facilities,  
44 Watercraft Rentals and Other Water-Oriented Uses. The properties are further identified on  
45 Beaufort County Tax Map 3 as Parcels 127, 128 and 089A. Chairman Quick introduced  
46 the application and opened the public hearing. Chairman Quick then requested that the  
47 staff make their presentation.

1 Ms. Anne Cyran made the presentation on behalf of staff. Staff recommended that the  
2 Planning Commission find this application to be consistent with the Town's  
3 Comprehensive Plan and serves to carry out the purposes of the LMO, based on the  
4 Findings of Facts and Conclusions of Law as determined by the LMO Official and  
5 contained in the staff's report. Ms. Cyran presented an in-depth overhead review of the  
6 application including an aerial photo of the vicinity and an aerial photo of Salty Fare. Ms.  
7 Cyran also presented statements regarding public comments.

8  
9 Salty Fare serves as an embarkation point for Daufuskie Island ferries and private  
10 chartered tours and provides office and retail space for a variety of businesses. Mr. Collins  
11 purchased the parcels in 2007 from the Bloody Point Group. In April 2013, Mr. Collins  
12 discussed with Town staff increasing the number of uses permitted on the waterfront  
13 parcels to allow a wider range of water-oriented services. He submitted this application in  
14 early May 2013.

15  
16 The uses allowed on these parcels are all Commercial Uses measured in square feet listed  
17 in LMO Sec. 16-4-1204, Use Table, except for those uses listed in LMO Sec. 16-4-209.E.  
18 The current uses operating on site are offices, an art gallery, ferry service, kayak and  
19 paddleboard rentals, charter fishing, boat tours and jet ski rental.

20  
21 The proposed uses are all currently occurring on the site, but they are considered legally  
22 non-conforming. A water-oriented embarkation facility has operated on the site since 1988.  
23 More recently a business license was issued in error to allow a business to operate boat  
24 tours and offer jet ski rentals.

25  
26 If this application is approved, all legally non-conforming uses on the site will become  
27 conforming uses. Aside from bringing the site into compliance with the Land Management  
28 Ordinance, this change will allow multiple businesses to obtain licenses to offer Watercraft  
29 Rental and Other Water-Oriented Uses. Currently only one business has a business license  
30 to offer Watercraft Rental and Other Water-Oriented Uses.

31  
32 Commissioner Bennett, Commissioner Ennis and Ms. Cyran discussed the reason for the  
33 legally non-conforming use. Ms. Cyran stated that a business license was issued by the  
34 Town in error earlier this year. Mr. Charles Cousins presented statements with regard to  
35 this issue. Mr. Cousins stated that the fact that a business license was issued in error by the  
36 Town has no bearing on the Planning Commission's decision on the application. The  
37 Planning Commission should base their decision on the Comprehensive Plan and the Land  
38 Management Ordinance. In conclusion, Ms. Cyran reviewed the staff's Findings of Fact  
39 and Conclusions of Law.

40  
41 Following the staff's presentation, Chairman Quick requested that the applicant make his  
42 presentation.

43  
44 Mr. Stewart (Kitt) Collins, property owner, presented brief statements in support of the  
45 application. Mr. Collins stated that he has read all of the correspondence received from the  
46 public. Mr. Collins acknowledged the public's concern and interest in knowing more  
47 about the uses for the site. Mr. Collins stated that he would like to extend an invitation to  
48 the public (particularly to his neighbors) to visit with him on site at Salty Fare. Mr. Collins  
49 stated that he would like to give a demonstration of the uses at Salty Fare, particularly the  
50 use of jet skis. Mr. Collins stated that he is interested in eco-tourism and in being a good

1 neighbor. Mr. Collins stated that he would like to work with the community so that  
2 everyone has a better understanding.  
3

4 Mr. Collins suggested that the Planning Commission allow him an opportunity to meet  
5 with his neighbors on site at Salty Fare before they take action on this application.  
6

7 Chairman Quick stated that she appreciates the applicant's willingness to work with the  
8 community and the Planning Commission. The Planning Commission supports the best  
9 possible use of the Salty Fare property.  
10

11 Chairman Quick stated that she supports the applicant's request to postpone action by the  
12 Planning Commission until the applicant is able to meet with the public on site at Salty  
13 Fare. The Planning Commission agreed that having additional information would be  
14 helpful. Chairman Quick recommended that Mr. Collins meet with Mr. Peter Kristian,  
15 General Manager, Hilton Head Plantation POA, to work out the details for a community  
16 visit.  
17

18 Following this discussion, Chairman Quick requested that a motion be made to continue  
19 the Planning Commission's discussion to the August 7, 2013 meeting. Prior to a motion  
20 being made, Mr. Cousins requested clarification with regard to the issue of attendance at  
21 the site (is the Planning Commission also invited). Chairman Quick stated that she would  
22 like to have the Planning Commission present if possible. Mr. Cousins stated that the  
23 applicant can meet with the public outside of a public meeting. If the Planning  
24 Commission wishes to attend, they would have to continue this public meeting. The  
25 Planning Commission would need to announce at this meeting the date and time of their  
26 visit to the site. Chairman Quick responded that it is not important that the Planning  
27 Commission attend the meeting. It is most important that the applicant meet with the  
28 community on site to resolve any concerns.  
29

30 Mr. Cousins stated that the Planning Commission will still have to continue the public  
31 meeting. We will need to have a new public notice for a new public hearing. Mr. Cousins  
32 stated that it will be best to have a public notice for the continuation to make sure that  
33 everyone is aware. The Planning Commission can announce today when the issue will be  
34 taken up again (without having to do a new 30-day notice).  
35

36 Chairman Quick requested to set the date for the continued discussion to August 7, 2013.  
37 Chairman Quick then requested that a motion be made to continue this discussion to the  
38 August 7, 2013 meeting.  
39

40 Commissioner Taylor made the **motion** to continue this discussion to the August 7, 2013  
41 meeting. Commissioner Witmer **seconded** the motion and the motion **passed** with a vote  
42 of 8-0-0.  
43

## 44 **12. Commission Business**

45 **Report from the Nominating Committee:** Mr. Ennis presented the report on behalf of the  
46 committee. The Nominating Committee recommended the nomination of Ms. Gail Quick  
47 to serve as Chairman for the new term, July 1, 2013 to June 30, 2014.  
48

1 The Nominating Committee further recommended that Mr. David Bennett serve as Vice  
2 Chairman for the new term, July 1, 2013 – June 30, 2014. Ms. Quick accepted the  
3 nomination to serve as Chairman for the new term and Mr. Bennett accepted the  
4 nomination to serve as Vice Chairman for the new term.

5 Mr. Docherty made the **motion** for Chairman and Vice Chairman as recommended by the  
6 Nominating Committee. Mr. Brown **seconded** the motion and the motion **passed** with a  
7 vote of 9-0-0.

8 The Nominating Committee then recommended that Ms. Kathleen Carlin serve as  
9 Secretary for the term, July 1, 2013 – June 30, 2014. Vice Chairman made the **motion** as  
10 recommended by the Nominating Committee. Mr. Ennis **seconded** the motion and the  
11 motion **passed** with a vote of 9-0-0.

12 **13. Chairman’s Report**

13 None

14 **14. Committee Reports**

15 None

16 **15. Staff Reports**

17 Mrs. Jayme Lopko presented the Quarterly Report on behalf of staff.

18 **16. Adjournment**

19 The meeting was adjourned at 4:00p.m.

20

21 Submitted By:

Approved By:

22

23

24 \_\_\_\_\_  
Kathleen Carlin

\_\_\_\_\_

25 Secretary

Chairman