



**Town of Hilton Head Island
Planning Commission Meeting
Wednesday, November 19, 2014
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 and posted in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 5. Approval of Agenda**
- 6. Approval of Minutes** – November 5, 2014 Meeting
- 7. Appearance by Citizens on Items Unrelated to Today’s Agenda**
- 8. Unfinished Business**
None
- 9. New Business**
 - a. Public Hearing**
ZA-1685-2014: Walter J. Nester III on behalf of Bayshore Retirement Partners, LLC has applied to amend the Official Zoning Map by amending the PD-1 (Planned Development Mixed-Use) Zoning District, specifically the Hilton Head Plantation Master Plan, to change the allowed uses and to change the density associated with the subject properties. The properties are identified on Beaufort County District R510 Tax Map 3 as parcels 89A, 127, 128 and 129 (Phase I) and parcels 121 & 126 (Phase II). The properties are addressed as 421, 424, 425 and 427 Squire Pope Road and are collectively known as Salty Fare.

This application will change the permitted uses on all of the parcels from commercial to group living. This application will change the density from 10,283 square feet of commercial use to: 126 dwelling units on the Phase I parcels (parcels 89A, 127, 128, and 129); and 26 dwelling units or a 50,000 square foot assisted living facility on the Phase II parcels (parcels 121 and 126). *Presented by: Anne Cyran*
 - b. Recommendation of proposed CIP Fiscal Year 2016 Priority Projects to Town Council**
Presented by: Scott Liggett

- 10. Commission Business**
- 11. Chairman's Report**
- 12. Committee Reports**
- 13. Staff Reports**
- 14. Adjournment**

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

TOWN OF HILTON HEAD ISLAND
Planning Commission Meeting
Wednesday, November 5, 2014
9:00a.m – Benjamin M. Racusin Council Chambers

Commissioners Present: Chairman David Bennett, Vice Chairman Alex Brown, Judd Carstens, Bryan Hughes, Jim Gant, Peter Kristian, Barry Taylor and Todd Theodore

Commissioners Absent: Caroline McVitty

Town Council Present: None

Town Staff Present: Jayme Lopko, Sr. Planner & Planning Commission Coordinator
Shea Farrar, Senior Planner
Charles Cousins, Director of Community Development
Teri Lewis, LMO Official
Shawn Colin, Deputy Director Community Development
Kathleen Carlin, Secretary

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 and posted in compliance with the Freedom of Information Act and Town of Hilton Head Island requirements.

5. Approval of Agenda

The agenda was **approved** as submitted by general consent.

6. Approval of Minutes

Chairman Bennett requested that the draft minutes of the regular October 1, 2014 meeting be amended to better reflect his question to the staff and the developer regarding the issue of affordable housing, as it relates to the Shelter Cove Mall application. The October 1, 2014 draft minutes were **approved** (with the requested revision included) by general consent.

The Planning Commission **approved** the draft minutes of the special meeting held on October 13, 2014 as submitted by general consent.

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

None

8. Unfinished Business

None

9. New Business

a. Recommendation of 2015 Targets for Action to Town Council

Chairman Bennett introduced the business item and requested that staff present opening comments.

Ms. Shea Farrar presented opening statements on behalf of the staff. Staff requests that the Planning Commission review the recommendations made by the Comprehensive Plan Committee for the 2015 Targets for Action and approve a final list of recommendations to forward to Town Council for their consideration.

Town Council holds an annual retreat at the end of each year for planning the next calendar year's Targets for Action. Each year the Planning Commission submits recommendations on next year's priorities to Town Council for their consideration in advance of their annual retreat.

The Comprehensive Plan Committee (CPC) provides recommended priorities to the Planning Commission. After review and approval by the Planning Commission, the final list of recommendations is forwarded to Town Council. Following these statements, Ms. Farrar requested that Commissioner Judd Carstens, Chairman of the Comprehensive Plan Committee, make his presentation.

Commissioner Carstens stated that the Comprehensive Plan Committee met on September 3, 2014 to begin developing recommendations for Town Council to consider when planning the 2015 Targets for Action. The Committee reviewed Town Council's current Targets for Action and discussed the status of current efforts. The CPC met again on September 17, 2014 to further refine this list.

A final list of recommendations was completed and approved on October 13, 2014 by the Committee to forward to the Planning Commission for review. Once approved by the Planning Commission, the recommendations will be provided to Town Council for their consideration. Commissioner Carstens presented an in-depth discussion of the recommended Targets for Action.

Commissioner Carstens presented in-depth statements regarding the redevelopment of Coligny, the USCB Campus on the island, developing an island-wide traffic study, and implementation of the new LMO (the initiative areas). Commissioner Carstens also discussed plans for updating the Comprehensive Plan.

Commissioner Carstens stated his appreciation to fellow CPC members, Commissioner Gant, Commissioner Kristian, and Commissioner McVitty for their efforts and expertise in developing and refining the list of recommendations. Commissioner Carstens also thanked Ms. Eleanor O'Key, citizen, for her participation at the CPC meetings.

Chairman Bennett expressed his appreciation to the Comprehensive Plan Committee members for their efforts in developing the list of recommendations.

Chairman Bennett requested that the list of recommendations for 2015 Targets for Action be reviewed and discussed on a line-by-line basis by the Planning Commission. The public will be invited to present comments following the review of each individual item.

Coligny

Long overdue improvements to the Town owned Coligny properties, facilitated by TIF monies, will service the community and visitors, improving recreation opportunities, Town brand, and access to our main natural resource, the beach (Natural Resources). The work at Coligny ties directly to Comp Plan elements of Community Facilities and Recreation, while supporting strategies for Land Use, Population and Priority Investment. The development process needs a clear timeline and scope, accessible and readily communicable to the public, ensuring community buy-in and ownership. The work in this area is critical and wide-reaching to the quality of life of locals and visitors, and will encourage additional private district-wide infrastructure and facility improvements long overdue in the aging structures and traffic patterns. The following topics are included: (1) Community Facilities; (2) Population; (3) Land Use; (4) Recreation; (5) Priority Investment; and (6) Natural Resources.

Chairman Bennett invited comments from the Planning Commission and none were received. Chairman Bennett requested public comments and the following were received: Chester C. Williams, Esq., presented brief comments related to Coligny improvements.

USCB

The most vibrant, diverse and culturally active communities across our nation share a common element - sources for higher education that are accessible and provide for multiple connections to community life. Supporting the re-establishment of USCB on the island, coupled with the Osher Life Long Learning Center, will provide year round visitation, participation, and enhancement of the island cultural offerings. Public investment and ownership requires public visibility and participation, essential to community buy-in on any project, especially so on such an impactful site and program. The work with USCB supports Comp Plan strategies for Community Facilities, Recreation, while the re-use of office building site ties into Land Use and Population strategies. Finally, the incorporation of TIF monies is a direct connection to Priority Investment by the Town. The following topics are included: (1) Community Facilities; (2) Population; (3) Land Use; (4) Recreation; and (5) Priority Investment.

Chairman Bennett asked the staff if there is a plan in place to have a Public Project Review (PPR) for this project. It will be important to broadly communicate this project to the public. Mr. Charles Cousins stated that a Public Project Review application will be presented to the Planning Commission (the date is not yet determined). A conceptual plan for the project will be prepared for input from the public. An agreement with USCB will be discussed publically. Mr. Cousins stated

that the Town has worked with the school district and the County to acquire TIF funding for the project. Chairman Bennett requested public comments on this item and none were received.

Island Traffic Study

Understanding the traffic and circulation impacts for current and future projects in a community defined by finite traffic patterns is critical to the long term success of land planning and quality of life for citizens and visitors. The Town regularly performs traffic counts per the Comp Plan, but additional steps need to be taken as areas of the island become newly developed or redeveloped with both public and private funds. The island takes pride in the expansive bike network, but the automobile is still the primary mode of transportation, and with the limited circulation network, in part through natural barriers and gated development, every effort must be made to make systems as efficient as possible. The development of a traffic study supports the Housing, Population and Land Use aspects of the Comp Plan while being impacted by the emphasis on utilizing and celebrating Cultural Resources and Natural Resources. The following topics are included: (1) Housing; (2) Cultural Resources; (3) Natural Resources; (4) Population; (5) and Land Use.

Chairman Bennett invited comments from the Planning Commission and none were received. Chairman Bennett then requested public comments and the following were received: Mr. Frank Babel presented statements regarding the Bike Advisory Committee's efforts to work with Town staff to prepare the application for Bike Friendly Community. The island currently has a Silver status (the highest in the state) and hopes to achieve a Gold status. The traffic study should include bike traffic. Mr. Babel recommended that a Complete Street Study be considered.

Chester C. Williams, Esq., presented statements regarding the Transportation Element. Commissioner Carstens presented statements in support of the need to incorporate biking and pedestrian populations as part of the traffic study. Chairman Bennett recommended that we explore connectivity in general as part of the traffic study. Commissioner Gant presented statements regarding the intent of the traffic study (defining volumes rather than finding solutions).

Mr. Cousins presented statements regarding the staff's efforts to work with SCA traffic committee to craft a south end traffic study. The study is needed to evaluate traffic conditions at build out (at some point in the future).

Mr. Cousins presented statements regarding the many elements of a traffic model. Chairman Bennett presented statements regarding the need for an island wide traffic analysis. Mr. Cousins presented comments regarding the island wide traffic model. The intersections on the south end will be evaluated first, followed by an evaluation of the mid-island intersections. The initiatives areas, located on the north end of the island will be plugged into the model at a later date.

Chester Williams, Esq., presented statements regarding the Town's traffic report, presented annually by Mr. Darrin Shoemaker. Mr. Williams recommended that the Planning Commission take a look the educational process involved in traffic issues.

Mr. Williams stated that the Town's traffic analysis indicates that the intersection of Squire Pope Road and Highway 278 is the only failing intersection on the island. Mr. Williams suggested that the Planning Commission start or renew their education on traffic issues by reviewing the Town's adopted goals for traffic analysis. The Planning Commission should familiarize themselves with the current rules as well as the Town's historic policy on traffic goals.

Mr. Cousins stated that the staff would be happy to set up a special meeting with the Planning Commission to review the Town's adopted goals for traffic analysis. There is a great deal to learn about traffic conditions in years past, volumes to capacity ratios, technical details, etc.

Chairman Bennett inquired about the best place to start (in consideration of the failing intersection at Squire Pope Road and Highway 278 vs. beginning on the south end). How do we prioritize where to start? Mr. Cousins stated that the south end of the island is the area most in need at this time due to the changes to the LMO.

Chairman Bennett agreed that the Planning Commission should meet with the staff in order to achieve a better understanding of how the traffic analysis should work on the island.

Mr. Cousins also recommended that the Planning Commission consider adding discussion of the dealing with the bridge and causeway used for access to the island under the island-wide traffic study. The Planning Commission should begin to study the bridge situation. The Planning Commission agreed that this item should be added as a bullet point.

Commissioner Kristian and Mr. Cousins discussed ownership of this issue (Town, County, and DOT). Mr. Cousins stated that he believes that the Town will need to take the lead on the issue. It will be a very expensive issue and involvement of the County and DOT will be vital.

Following this discussion, Chairman Bennett requested public comments and the following were received: Mr. Frank Babel presented comments regarding the need for connectivity with the mainland. Mr. Babel urged the Planning Commission to add a caveat to add multi-mobile as part of this discussion.

LMO Implementation

The recently rewritten LMO will be in full implementation in 2015, providing opportunities island-wide for redevelopment and emphasis on often overlooked areas. Through the LMO, initiative areas in the northern half of the island will need further consideration and definition, and activity best facilitated through community workshop and discussion. Using the resources and population of each district, greater inter-community connectivity and physical and cultural needs can be achieved. The initiative areas represent underutilized populations, missed cultural

enrichment opportunities, and diversification of the overall character of the island. Addressing the LMO and initiative areas, the Comp Plan can support vast strategies in Natural Resources, Cultural Resources, Population, Housing, Land Use, Community Facilities, Recreation and Priority Investment. The following topics are included: (1) Natural Resources; (2) Cultural Resources; (3) Population; (4) Housing; (5) Community Facilities; (6) Land Use; (7) Recreation; and (8) Priority Investment.

Chairman Bennett presented statements regarding Mitchelville. Commissioner Hughes presented comments in recognition of the need to support the future development of Stoney, Squire Pope, Gum Tree, and the Wild horse areas. Vice Chairman Brown presented statements in clarification of the needs of the initiative areas.

Chairman Bennett then requested public comments and the following were received: Chester C. Williams, Esq., presented statements regarding the Mitchelville Preservation project.

Mr. Cousins recommended that Mitchelville be considered a stand-alone item because there should be more focus given to the Mitchelville area. The Planning Commission agreed with this idea.

Comprehensive Plan Update

2015 represents the 5-year update to the Comprehensive Plan by Town staff. The Comp Plan updates will address the current trends of the Town in regards to island-wide land use and population patterns, while emphasizing the cultural and natural resources that make Hilton Head a unique destination for visitors and home for locals. The Planning Commission recommends special consideration be taken in strategies to address the improvement and preservation of the water and wetland quality of our local waterways, mainly Broad Creek, but also the numerous creeks and marshes that protect and beautify our island. Considering that any area behind the beach dune line along the beach drains to Broad Creek or one of the other numerous tributaries. Their importance to our quality of life should never be overlooked.

Additional consideration should be taken by Town Council in the Comp Plan update to provide improved emergency service access to those parcels accessible by unimproved roads. In the past, the Town has made steps to pave and improve roads to parcels in efforts to support emergency vehicles, and the strategy going forward for these types of parcels needs to be re-addressed and improved. The Comp Plan update will support all eight aspects: Natural Resources, Cultural Resources, Population, Housing, Land Use, Community Facilities, Recreation and Priority Investment. The following items are included: (1) Community Facilities; (2) Population; (3) Land Use; (4) Recreation; (5) Priority Investment; (6) Cultural Resources; (7) Natural Resources; and (8) Housing.

The Planning Commission presented brief comments on this item. Chairman Bennett requested public comments on this item and none were received. Following final comments by the Planning Commission, Chairman Bennett asked if the staff

has a good understanding of the Planning Commission's comments and recommendations that were presented today. Mr. Shawn Colin stated that the staff will include the Planning Commission's recommended conditions in the final list. The staff will forward the final recommendations to Commissioner Carstens and Chairman Bennett for review and verification. This will be accomplished within the next couple of days. Following final comments by the Planning Commission, Chairman Bennett requested that a motion be made.

Commissioner Kristian made a **motion** that the Planning Commission **approves** the recommended Targets for Action as submitted with the following changes included: (1) addition of the Mitchelville Historic Preservation Project as a separate line item; (2) a need to start long-term planning to address traffic issues at the bridge and the causeway; and (3) adding multi-mobile issues to the traffic study. Commissioner Gant **seconded** the motion and the motion **passed** with a vote of 8-0-0.

b. Adoption of the Planning Commission's 2015 Meeting Schedule

Mrs. Lopko made a small correction to the bottom of the schedule (referenced LMO Chapter 2 instead of Chapter 3). The staff and the Planning Commission also discussed the meeting date of April 15, 2015. Based on Heritage Week, the Planning Commission recommended that the meeting date be changed to April 22, 2015 instead. The staff will make the change. Commissioner Gant made a **motion** for the Planning Commission to **approve** the 2015 meeting scheduled as revised. Commissioner Kristian **seconded** the motion and the motion **passed** with a vote of 8-0-0.

10. Commission Business

None

11. Chairman's Report

None

12. Committee Reports

Vice Chairman Brown reported that the Capital Improvement Project Committee (CIP) met on October 22, 2014 to discuss Fiscal Year 2015 Priority Projects. The committee is scheduled to present their report to the Planning Commission on November 19, 2014.

13. Staff Reports

None

14. Adjournment

The meeting was adjourned at 10:20p.m.

Submitted By:

Approved By:

Kathleen Carlin
Secretary

David Bennett
Chairman



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

One Town Center Court

Hilton Head Island, SC 29928

843-341-4757

**STAFF REPORT
ZONING MAP AMENDMENT**

Case #	Name of Project or Development	Public Hearing Date
ZA-1685-2014	Bayshore at Hilton Head (currently Salty Fare)	November 19, 2014

Parcel Data		Applicant & Agent
Phase I	Phase II	
<p>Parcels west of Squire Pope Rd</p> <p>Parcels: R510 003 000 089A 0000 R510 003 000 0127 0000 R510 003 000 0128 0000</p> <p>Total: 4.59 acres</p>	<p>Parcels east of Squire Pope Rd</p> <p>Parcels: R510 003 000 0121 0000 R510 003 000 0126 0000</p> <p>Total: 5.98 acres</p>	<p><u>Applicant</u> Bayshore Retirement Partners, LLC</p> <p><u>Agent</u> Walter J. Nester III McNair Law Firm, P.A. P.O. Drawer 3 Hilton Head Island SC 29938</p>
<p><u>Existing Zoning District</u> PD-1 Planned Development Mixed-Use District, Hilton Head Plantation Master Plan</p> <p><u>Proposed Zoning District</u> PD-1 Planned Development Mixed-Use District, Hilton Head Plantation Master Plan</p> <p><u>Existing Permitted Uses</u> PD-1 Planned Development Mixed-Use District, Hilton Head Plantation Master Plan with land use designations of Commercial, excluding uses restricted by LMO 16-3-105.K.3.</p> <p><u>Proposed Use</u> Group Living</p> <p><u>Existing Density</u> 10,283 square feet</p> <p><u>Proposed Density</u> 126 dwelling units</p>	<p><u>Existing Zoning District</u> PD-1 Planned Development Mixed-Use District, Hilton Head Plantation Master Plan</p> <p><u>Proposed Zoning District</u> PD-1 Planned Development Mixed-Use District, Hilton Head Plantation Master Plan</p> <p><u>Existing Permitted Uses</u> PD-1 Planned Development Mixed-Use District, Hilton Head Plantation Master Plan with land use designations of Commercial, excluding uses restricted by LMO 16-3-105.K.3.</p> <p><u>Proposed Use</u> Group Living</p> <p><u>Existing Density</u> None</p> <p><u>Proposed Density</u> 26 dwelling units <i>or</i> A 50,000 square foot assisted living facility</p>	

Application Summary

Walter J. Nester III on behalf of Bayshore Retirement Partners, LLC has submitted a request to amend the Hilton Head Plantation Master Plan to facilitate the redevelopment of the Salty Fare property into a continuing care retirement community with a mix of assisted and independent living and memory care services. The proposed development is divided into Phase I (the parcels west of Squire Pope Road) and Phase II (the parcels east of Squire Pope Road).

Specifically the applicant seeks to amend the master plan by changing the permitted use on all of the subject parcels from Commercial to Group Living. LMO 16-10-103.A.2 defines Group Living as the residential occupancy of a group of living units by persons who do not constitute a single-family and may receive some level of personal care. Accessory uses common to group living uses include recreational facilities, administrative offices, and food preparation and dining facilities.

LMO 16-10-103.A.2 also states that although continuing care retirement communities may include single-family and multifamily dwellings and health care uses, they are categorized as a group living use because of their focus on the present or future provision of personal care to senior citizens and their integration of various uses as a single cohesive development.

The applicant also seeks to amend the master plan by increasing the density on the Phase I parcels from 10,283 square feet of commercial uses to 126 dwelling units and by increasing the density on the Phase II parcels from no density to 26 dwelling units or a 50,000 square foot assisted living facility.

Any future development on the property will be reviewed for compliance with all applicable development standards when the applications are submitted.

Staff Recommendation

Staff recommends that the Planning Commission find this application to be consistent with the Town's Comprehensive Plan and serves to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein; making the recommendation to Town Council of **APPROVAL** of the request.

Background

The Hilton Head Plantation Master Plan was initially approved by Beaufort County in 1974 and was subsequently approved by the Town in 1984 after the Town incorporated. In the original master plan, the Salty Fare parcels were part of two larger parcels – Parcel 11 and Parcel 12 – which were undeveloped areas designated for Future Development. Subsequent administrative approvals and zoning map amendments and provisions in the LMO reduced the original density to the current density of 10,283 square feet of commercial use on the Phase I parcels and no density on the Phase II parcels.

Salty Fare was developed to serve as the primary embarkation and debarkation point for the Daufuskie Island Resort & Spa; that use ended in 2009 when the resort declared bankruptcy. Salty Fare currently serves as an embarkation and debarkation point for Daufuskie Island ferries and private chartered tours. The Phase I parcels are developed with a 10,283 square foot building, a dock, and parking areas. The Phase II parcels are developed with additional parking areas.

Applicant's Grounds for ZMA, Summary of Facts and Conclusions of Law

The applicant's narrative and application materials state the proposed Zoning Map Amendment would approve residential density that is generally consistent with the adjacent Waterfront Mixed-Use (WMU) Zoning District, which allows up to 16 dwelling units per acre. The Hilton Head Boathouse (the property directly to the south of the Phase I parcels) and the parcels continuing south along Skull Creek are located in the WMU Zoning District.

The applicant states the current approved use is not economically viable because the facility is no longer relied upon for access to the Daufuskie Island Resort & Spa. Other embarkation facilities provide shorter trips to Daufuskie Island and more convenient access to the mainland. Efforts by the property owner to expand the use of the property for other water-related activities have been uniformly opposed by area residents as incompatible with adjacent residential developments. The applicant states that the rezoning will facilitate the complete redevelopment of the Salty Fare property to create an economically viable use for the property that is compatible with adjacent properties.

Summary of Facts and Conclusions of Law

Findings of Fact:

1. LMO 16-2-102.E.1 requires that, 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 or a meeting specially called for that purpose by such body.
2. The LMO Official scheduled the public hearing on the application for the November 19, 2014 Planning Commission meeting, which is a regularly scheduled meeting of the commission.
3. LMO 16-2-102.E.2 requires the LMO Official to 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.
4. Notice of the November 19, 2014 public hearing was published in the Island Packet on October 12, 2014.
5. LMO 16-2-102.E.2 requires the applicant to mail a notice of the public hearing by first-class mail to the owner(s) 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 November 19, 2014 hearing date.
6. The applicant mailed notices of the public hearing by first-class mail to the owner(s) of the land subject to the application and owners of record of properties within 350 feet of the subject land on October 16, 2014.
7. LMO Appendix D.1.A requires the applicant to submit a copy of correspondence illustrating that the applicant has solicited written comments from the appropriate property owners' association regarding the requested amendment. Such correspondence shall encourage the association to direct any comments in writing to the LMO Official and the applicant within 14 calendar days of receipt of the notification.
8. The applicant submitted on October 31, 2014 a copy of the correspondence sent to the Hilton Head Plantation Property Owners' Association regarding the requested amendment. The correspondence encourages the association to direct any comments in writing to the LMO Official and the applicant within 14 calendar days of receipt of the notification.
9. LMO 16-2-102.E.2 requires the LMO Official to 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.

10. The LMO Official posted on October 16, 2014 conspicuous notice of the public hearing on the land subject to the application, with two notices being visible from the public thoroughfare that abuts the subject land.

Conclusions of Law:

1. The Official scheduled the public hearing on the application for the November 19, 2014 Planning Commission meeting, in compliance with LMO 16-2-102.E.1.
2. Notice of the public hearing was published 38 calendar days before the meeting date, in compliance with LMO 16-2-102.E.2.
3. The applicant mailed notices of the public hearing to the owner(s) of the land subject to the application and owners of record of properties within 350 feet of the subject land 34 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2
4. The applicant submitted on October 31, 2014 a copy of the correspondence sent to the Hilton Head Plantation Property Owners' Association regarding the requested amendment. The correspondence requested written comments from the property owners' association regarding the amendment. The correspondence requested that the property owners' association direct any comments in writing to the LMO Official and to the applicant within 14 calendar days of the receipt of the notification, in compliance with LMO Appendix D.1.A.
5. The LMO Official posted conspicuous notice of the public hearing on the land subject to the application 34 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.

As set forth in 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 of Law

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

The Comprehensive Plan addresses this application in the following areas:

Population Element:

An Implication for Age Distribution

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

Housing Element:

An Implication for Housing Unit and Tenure

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

An Implication for Housing Opportunities

It is important that the Town of Hilton Head Island assists in the ability for the population to age

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

Goal 5.1 – Housing Units and Tenure

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

Goal 5.1 – Housing Opportunities

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

Land Use Element:

An Implication for Zoning Changes

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

Goal 8.1 – Existing Land Use

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

Goal 8.3 –Planned Unit Developments (PUDs)

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

Goal 8.4 – Existing Zoning Allocation

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

Goal 8.5 – Land Use Per Capita

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

Goal 8.10 – Zoning Changes

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

Conclusions of Law:

1. Staff concludes that this application is consistent with the Comprehensive Plan, as described in the Population, Housing, and Land Use Elements.
2. In accordance with the Population and Housing Elements, the proposed rezoning would

- provide housing options for the Town's aging population to age in place with medical and other services on site and located nearby.
3. In accordance with the Housing Element, the proposed rezoning would provide housing options to meet the market demand due to the increase in the age of the Town's population.
 4. In accordance with the Land Use Element, the proposed rezoning would provide an appropriate mix of land uses to meet the needs of the population and improve the quality of life on the Island.
 5. In accordance with the Land Use Element, the proposed rezoning will help to improve the marketability of the properties and meet current market demands by permitting an additional use that will complement other uses in this vicinity.

Summary of Facts and Conclusions of Law

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

Findings of Fact:

1. The application proposes to maintain the subject parcels' existing zoning district while changing the allowed use from Commercial to Group Living.
2. LMO 16-10-103.A.2 defines Group Living as the residential occupancy of a group of living units by persons who do not constitute a single-family and may receive some level of personal care. Accessory uses common to group living uses include recreational facilities, administrative offices, and food preparation and dining facilities.
3. The Cypress is a continuing care retirement community in Hilton Head Plantation with single and multifamily housing and dining and recreation facilities. It is classified as a Group Living use.
4. The Bay Club, single-family residences and part of The Cypress, is northeast of the Phase I parcels. The Bay Club is located in the PD-1 Planned Development Mixed-Use District as part of Hilton Head Plantation.
5. The Golf Cottages, single-family residences and part of The Cypress, are southeast of the Phase II parcels. The Golf Cottages are located in the PD-1 Planned Development Mixed-Use District as part of Hilton Head Plantation.
6. Fire Station #4 is located to the southeast of the Phase II parcels. The parcel is located in the Parks and Recreation (PR) Zoning District which allows a mix of public, civic, institutional, and educational uses; open air sales; agriculture uses; and boat ramps, docking facilities and marinas. The fire station provides firefighting and emergency health services.
7. Hilton Head Boathouse, a marina and boat sales and service center, and Skull Creek Boathouse, a restaurant, are located to the southwest of the Phase I parcels. The parcel is located in the Waterfront Mixed-Use (WMU) Zoning District, which allows a mix of residential uses; public, civic, institutional, and educational uses; resort accommodations; commercial recreation uses; office uses; commercial services; vehicle sales and service; industrial uses; and other uses.

Conclusions of Law:

1. The Bay Club and Golf Cottage residences to the east of the property are compatible with the proposed group living use because they are part of a continuing care retirement community.
2. The fire station to the southeast of the property is particularly compatible with the proposed group living use because it provides emergency health services which are essential for a continuing care retirement community.
3. The adjacent parcel located in the WMU Zoning District is compatible with the proposed Group Living use because the WMU Zoning District allows a mix of uses, including residential uses.

Summary of Facts and Conclusions of Law

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

Findings of Fact:

1. The application proposes to maintain the subject parcels' existing zoning district while changing the allowed use from Commercial to Group Living.
2. Section 5.2 of the Housing Element of the Comprehensive Plan states, "It is also important that the family and friends that support aging family members are able to reside in close proximity. The location of assisted living facilities is also important. Special complimentary land uses and associated infrastructure are needed. When one ages in place, it is important that one is living in close proximity to basic services, for instance banks, grocery stores and medical services..."
3. The property is in proximity of several single and multifamily housing developments inside and outside of nearby Hilton Head Plantation.
4. The property is located adjacent to a fire station that offers emergency health services.
5. The property is located less than four miles from the Hilton Head Hospital.
6. The property is adjacent to three restaurants.
7. The property is located less than three miles from the Main Street and Pembroke Drive areas, which offer a variety of commercial services, including grocery stores and banks.

Conclusions of Law:

1. The zoning is appropriate for the land because the application does not propose to change the zoning district.
2. The proposed use is appropriate for the site for the following reasons:
 - The property is located near several neighborhoods so friends and family members have a variety of housing options in close proximity.
 - The property is located near essential health care service providers and facilities.
 - The property is located near a variety of commercial services.

Summary of Facts and Conclusions of Law

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

Findings of Fact:

1. The application proposes to maintain the subject parcels' existing zoning district while changing the allowed use from Commercial to Group Living.
2. Based on the 1980 – 2010 United States Census, the age distribution of Hilton Head Island's population is increasing trending to residents age 65 and older.
3. Section 4.3, Age Distribution, in the Population Element of the Comprehensive Plan states, "Provisions that allow for aging in place should be considered, especially as the population percentage of people over the age of 65 in the Town continues to grow."
4. The Group Living use category allows a variety of health and personal care services in a continuum of care.
5. Section 5.2, Housing Opportunities, in the Housing Element of the Comprehensive Plan states, "There is a growing trend of retirees becoming renters."
6. The Group Living use category allows residents to rent or own their residences.

Conclusions of Law:

- 1. As the number of residents age 65 and older increases in the town, the need for continuing care retirement communities will increase.
- 2. The proposed use would allow a continuing care retirement community that assists residents who want to age in place, which is a demonstrated community need.
- 3. The proposed use would allow a continuing care retirement community that offers residences for rent, which is in greater demand among retirees.

Summary of Facts and Conclusion of Law

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

Findings of Fact:

- 1. The application proposes to maintain the subject parcels’ existing zoning district while changing the allowed use from Commercial to Group Living.
- 2. The Town’s overall zoning program allows flexibility in the PD-1 Planned Development Mixed-Use Zoning District by allowing permitted land uses to change to address changing needs in the community.
- 3. The applicant is proposing to develop Bayshore at Hilton Head, a continuing care retirement community, to address the needs of residents age 65 and older.

Conclusion of Law:

- 1. This application is consistent with the overall zoning program because it will change the approved use of the subject parcels to accommodate future plans for a continuing care retirement community.

Summary of Facts and Conclusion of Law

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

Findings of Fact:

- 1. The subject property will remain in the PD-1 Planned Development Mixed-Use District.
- 2. The parcels to the east of the property are also located in the PD-1 Planned Development Mixed-Use District.
- 3. The proposed group living use will be consistent with the existing continuing care community on the properties to the east of the property.

Conclusion of Law:

- 1. The proposed zoning will not create an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts because the zoning district will not change and the use assigned to the subject property is consistent with the uses on adjacent properties in the same zoning district.

Summary of Facts and Conclusion of Law

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

Findings of Fact:

- 1. The application proposes to maintain the subject parcels’ existing zoning district while

- changing the allowed use from Commercial to Group Living.
- 2. The current approved use is not economically viable because the facility is no longer relied upon for access to the Daufuskie Island Resort & Spa. Other embarkation facilities provide shorter trips to Daufuskie Island and more convenient access to the mainland.
- 3. Efforts by the property owner to expand the use of the property for other water-related activities have been uniformly opposed by area residents as incompatible with adjacent residential developments.
- 4. The current approved density for the site limits redevelopment to approximately 1,000 square feet per acre, which is significantly lower than commercial density allowed in other zoning districts.
- 5. The existence of several continuing care retirement communities and facilities on the island supports that such group living uses are in demand.
- 6. Based on the 1980 – 2010 United States Census, the age distribution of Hilton Head Island’s population is increasing trending to residents age 65 and older.
- 7. The Population Element of the Comprehensive Plan states that “Provisions that allow for aging in place should be considered, especially as the population percentage of people over the age of 65 in the Town continues to grow.”

Conclusions of Law:

- 1. The current use in the existing zoning district would not allow the subject parcels to be redeveloped into an economically viable use.
- 2. The proposed use in the existing zoning district would allow the subject parcels to be redeveloped as a continuing care retirement community, which is a service required by the community’s growing senior population.

Summary of Facts and Conclusions of Law

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

Findings of Fact:

- 1. The application proposes to maintain the subject parcels’ existing zoning district while changing the allowed use from Commercial to Group Living.
- 2. The property has direct access to a minor arterial street, Squire Pope Road.
- 3. The Town Traffic and Transportation Engineer has determined that Squire Pope Road has more than enough capacity to accommodate the number of average daily trips the proposed use and density would generate.
- 4. The property is already developed with potable water, sewer and stormwater management facilities.

Conclusions of Law:

- 1. The property is located on a street with the capacity to absorb the additional trips the use would generate.
- 2. If the site is redeveloped, the adequacy of the stormwater facilities and all other infrastructure will be reviewed for compliance with the LMO prior to the approval of the Development Plan Review (DPR).

Summary of Facts and Conclusion of Law

Criteria 9: Whether and the extent to which the proposed zoning is appropriate due to any changed or changing conditions in the affected area (LMO 16-2-103.C.3.a.ix):

Finding of Fact:

1. The application proposes to maintain the subject parcels’ existing zoning district while changing the allowed use from Commercial to Group Living.
2. In the past decade there have been several major infrastructure improvements in the vicinity, including the construction of a roundabout at the intersection of Gum Tree and Squire Pope Roads; improvements to the intersection of William Hilton Parkway and Squire Pope Road; the extension of sewer lines along Squire Pope Road; and the construction of a pathway along Squire Pope Road.

Conclusion of Law:

1. The development of roads, utilities and amenities in the area surrounding the subject parcels supports the change in use and increased density proposed in the application.

LMO Official Determination

Determination: Staff determines that this application is compatible with the Comprehensive Plan and serves to carry out the purposes of the LMO as based on the enclosed Findings of Fact and Conclusions of Law.

Staff recommends that the Planning Commission **recommend approval** to Town Council of this application, which includes amending the Official Zoning Map by amending the Hilton Head Plantation Master Plan to change the permitted use of the Salty Fare parcels from commercial to group living and by increasing the permitted density of the Salty Fare parcels to 126 dwelling units on the Phase I parcels and 26 dwelling units or a 50,000 square foot assisted living facility on the Phase II parcels.

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:

AC

Anne Cyran, AICP
Senior Planner

November 7, 2014

DATE

REVIEWED BY:

TBL

Teri B. Lewis, AICP
LMO Official

November 10, 2014

DATE

REVIEWED BY:

JL

Jayne Lopko, AICP
*Senior Planner & Planning Commission Board
Coordinator*

November 10, 2014

DATE

ATTACHMENTS:

- A) Vicinity Map
- B) Applicant's Narrative and Attachments
- C) Zoning Map



Subject Parcels
Phase I
Parcels 89A, 127,
128 & 129

Hilton Head
Boathouse

Bay Club

Fire Station #4

Subject Parcels
Phase II
Parcels 121 & 126

The Cypress

HUDSON ROAD
WATER MARINA DRIVE

SQUIRE POPE ROAD

ORACLE
IGY LANE

KINGS COURT

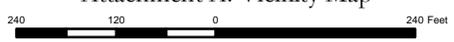
SOUTHWEST GATE ROAD

BIRDSONG WAY
MEADOW LANE

SEABROOK DRIVE


Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
(843) 341-4600

Town of Hilton Head Island
ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Attachment A: Vicinity Map



This information has been compiled from a variety of unverified general sources at various times and as such is intended to be used only as a guide. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion.

STATE OF SOUTH CAROLINA))) COUNTY OF BEAUFORT)))))	BEFORE THE PLANNING COMMISSION OF THE TOWN OF HILTON HEAD ISLAND, SC IN RE: ZMA _____
--	------------------	--

**NARRATIVE SUPPLEMENT
 TO
 THE ZONING MAP AMENDMENT APPLICATION
 OF
 BAYSHORE RETIREMENT PARTNERS, LLC
 REGARDING
 421 SQUIRE POPE ROAD, HILTON HEAD ISLAND, SC**

This Narrative Supplement is submitted with and is to be incorporated in and comprise a part of the Application for Zoning Map Amendment (the "**Application**") of Bayshore Retirement Partners, 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 reasons for the Application and how the Application 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 owner of the property which is the subject of this Application is Stewart Kittredge Collins and/or Susan Charles Collins, Trustees of The Collins Family Trust Dated May 26, 1989 (the "**Owner**"). The property that is the subject of this Application is that certain 10.57+/- acre parcel of real property, more or less, with improvements located thereon, which real property is designated in the Beaufort County property tax records as: TMS District 510, Map 3, Parcels 89A, 00001, 00002, 00004, 00005, 121, 126, 127, and 128 and which real property is known and described as Units A, B-C, D and E, Salty Fare Horizontal Property Regime, Parcel 11-A, 11-C, 11-D, 11-E, 11-F, 12 and 12A, a section of Hilton Head Plantation (collectively the "**Property**"). 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 allowed use and density

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

authorized under the base zoning district applicable to the Property (commercial use in PD-1 zoning district¹) to allow residential Group Living² use and density.

B. BACKGROUND.

The Owner acquired the Property pursuant to a deed dated April 24, 2007 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina (the “**ROD**”) in Book 2564 at Pages 993 - 996.³ The Property was formerly used as the primary embarkation and debarkation point for the Daufuskie Island Resort & Spa located on Daufuskie Island, South Carolina (the “**Resort**”). The facilities and improvements existing on the Property were designed for that use and include commercial storage facilities, commercial offices, docking facilities and expansive parking areas, all generally known and referred to as “**Salty Fare**”. The Resort ceased its operations and filed for bankruptcy in 2009. Thereafter, the agreements regarding use of the Property by the Resort and its guests were terminated by the Bankruptcy Court.⁴

The Property is accessed via a 66' wide right of way known as “**Seabrook Drive**”. Seabrook Drive is owned and maintained by Hilton Head Plantation Property Owners Association, Inc. (the “**Association**”) but open and accessible to the public. Seabrook Drive bisects the Property and connects directly to the northern end of Squire Pope Road.⁵ The Owner's use of and access across Seabrook Drive is made pursuant to a Non-Exclusive Access Easement recorded in the ROD in Book 1616 at Page 1524 (see also Book 697 at Page 884).⁶

The portion of the Property west of Seabrook Drive consists of approximately 4.59 acres, and was formerly known as a portion of “**Parcel 11**” (herein alternatively sometimes referred to as “**Parcel 11**”). The portion of the property to the east of Seabrook Drive consists of two (2) parcels: Parcel 12 and Parcel 12A, which combined, consist of approximately 5.98 acres (herein alternatively collectively sometimes referred to as “**Parcel 12**”). Parcel 12 is improved with parking facilities

¹ See September 22, 2014 Zoning Letter from the Town, attached hereto as Exhibit “A”.

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

³ See copy of deed, attached hereto as Exhibit “B”.

⁴ See copy of Order Authorizing Rejection of Boat Transportation Agreement as an Executory Contract, attached hereto as Exhibit “C”.

⁵ See aerial photo of the Property, attached hereto as Exhibit “D”.

⁶ See copy of Non-Exclusive Access Easement, attached hereto as Exhibit “E”.

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

and was historically used by residents of Daufuskie Island, and guests and employees of the Resort. Parcel 11 is bounded by the Cypress Community and Hilton Head Plantation to the North, by Schilling's Boathouse to the south, Seabrook Drive to the east and by Skull Creek to the west. Parcel 12 is bounded by the Cypress Community and Hilton Head Plantation to the north and east, by Squiresgate Road and Hilton Head Fire station #4 to the south, and by Seabrook Drive to the west.⁷

The Property was made subject to a master deed creating a horizontal property regime, (commonly referred to as a "condominium") known as the Salty Fare Horizontal Property Regime (the "**Salty Fare HPR**") which master deed is dated January 21, 1994 and was recorded in the ROD in Book 697 at Page 750. The recording of the master deed created the parcels described in Part I.A above (i.e. Units A, B-C, D and E, Salty Fare HPR, Parcel 11-A, 11-C, 11-D, 11-E, 11-F) (Parcels 12 and 12A are referred in the master deed as additional parking areas and are a part of the condominium).⁸ All of the units comprising the Salty Fare HPR are owned by the Owner. Upon the Town's approval of the ZMA that is contemplated herein and the Applicant's acquisition of the Property, the Applicant shall terminate the Salty Fare HPR.

The base zoning district for the Property is PD-1, a part of the Hilton Head Plantation Master Plan, which was approved by the Town in 1984. Both Parcel 11 and Parcel 12 have a paved access entrance providing direct access via Seabrook Drive to Squire Pope Road, a minor arterial street.⁹

Section 16-3-105.O 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. The intent of the PD-1 zoning district is to allow the "continuation of well planned development within the [PUDs]".¹⁰ After the Town's incorporation in 1983, it adopted a comprehensive plan and the LMO, both of which have been amended from time to time since adoption. The PUDs in existence when the Town was incorporated—including Hilton Head Plantation, the development of which commenced in the early 1970's—were classified in the LMO

⁷ See Aerial Photo of Property, attached hereto as Exhibit "D".

⁸ See Horizontal Property Regime Plat, attached hereto as Exhibit "F".

⁹ See Section 16-3-105.B. of the LMO - "Street Hierarchy".

¹⁰ See Section 16-3-105.O of the LMO.

by various nomenclature.¹¹ When the LMO was first adopted, the Town adopted the existing and Beaufort County approved PUD master plans and associated texts, if any, in order to establish general permitted uses and maximum area densities in the PD-1 zoning districts. Those PUD master plans, as amended from time to time, establish the permitted use and allowable density on tracts or parcels within the various PD-1 zoning districts¹² including the Property. The approved uses of the Property and its associated density are limited¹³ and are related to a need that no longer exists.¹⁴

II. PROPOSAL AND REQUEST.

A. PROPOSED REDEVELOPMENT PROJECT.

The Applicant proposes to redevelop the Property into a high quality, aesthetically-pleasing senior living community (the “**Community**”). The project proposes a use category to accommodate a mix of assisted and independent living and memory care (the “**Project**”). Phase I of the Project is depicted on the proposed conceptual site plan for the Project.¹⁵ Phase I proposes construction on Parcel 11 of a five (5) story building with a 75' maximum height of approximately 150,000 square feet (“**Building A**”)¹⁶. Approximately 30% of Building A is proposed to be utilized for permissible accessory uses, resident amenities and services, which are planned to include dining services capable of serving three meals a day for the entire population of the Community; health services; rehabilitation; housekeeping; a café; libraries; fitness facilities; a pool; activity rooms; a full service spa and salon; indoor entertainment venues such as theaters and game rooms; and, a private lounge complete with a full bar for residents of the Community. The balance of Building A is proposed to be resident living quarters, administrative offices, storage, and circulation. Resident living quarters proposed shall be fully functioning with a private bathroom and small kitchen to provide residents with the option of preparing meals in their living quarters or eating in the Community

¹¹ Today, known as “PD-1 District” and described in the LMO as “Planned Development Mixed Use Districts”.

¹² See generally Section 16-3-105.0.3 of the LMO.

¹³ See September 22, 2014 Zoning Letter from the Town, attached hereto as Exhibit “A”.

¹⁴ See copy of Order Authorizing Rejection of Boat Transportation Agreement as an Executory Contract, attached hereto as Exhibit “C”.

¹⁵ See June 27, 2014 West Parcel Conceptual Site Plan prepared by CGHJ Architects, Inc., attached hereto as Exhibit “G”.

¹⁶ See August 21, 2014 Architectural Concept Site Plan prepared by CGHJ Architects, Inc., attached hereto as Exhibit “H”.

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

dining facilities. Building A is proposed to include 108 single-occupant (one bed) living quarters and 18 double-occupant (two bed) living quarters, for a total of 126 living quarters.

The equivalent bed count for Building A is 108 one (1) bed units and 36 two (2) bed units, for a total of 144 bedrooms. The Group Living parking requirement proposed is one (1) parking space per three (3) rooms.¹⁷ Based on the 126 living quarters proposed, the parking requirement would be 48 parking spaces (0.33 spaces for 144 rooms). The Project contemplates 104 parking spaces on Parcel 11 and an additional 46 spaces on Parcel 12A, which would be for employee parking.¹⁸ Based on the Applicant's extensive experience, less than 30% of residents in assisted living retain their vehicles, as most residents are unable to drive safely. As in other facilities operated by the Applicant, this facility shall provide free, high quality transportation for the Community's residents.

The exterior amenities proposed in Phase I include, but are not necessarily limited to, a swimming pool, outdoor kitchen, walking path, waterfront gazebo, utilization of the existing dock, and a community water vessel for private cruises. The Project does not propose public access or use of the dock or any use by commercial vessels.

Phase II of the Project proposes a second building or a set of small buildings to provide up to 26 additional independent living quarters or a memory care assisted living facility of up to 50,000 square feet. The building configuration and site plan for Phase II has not yet been finalized, but may consist of a single story building or attached or detached villas for independent living quarters, or a one-story or two-story memory care assisted living facility of up to 50,000 square feet. The density required for Phase II would be 26 independent Group Living quarters or up to 50,000 square feet for a memory care assisted living facility. Phase II of the Project also proposes to consist of Group Living use and permissible accessory uses.

For both phases of the Project, residents shall not have any ownership interest in the Property nor any portion thereof. The Applicant proposes, as a condition of the Zoning Map Amendment, that

¹⁷ See generally Chapter 16-3 of the LMO - "Zoning Districts" for minimum number of off-street parking spaces for Group Living use classification.

¹⁸ Parcel 12 is currently improved with paved parking areas. The Applicant proposes to use the existing parking on Parcel 12 for Phase I. New parking, which shall meet the requirements of the LMO, is proposed to be constructed when Parcel 12 is redeveloped as Phase II of the Project.

restrictive land use covenants be recorded, which shall prohibit conversion of the Property, or any portion thereof, to a condominium or other form of individual residential ownership without the prior written approval by the Town.

B. PROPOSED DENSITY AND USE.

The current density of the Property is 10,283 square feet of commercial space. The permitted use for the Property is an embarkation and debarkation facility.¹⁹ The Applicant proposes a Zoning Map Amendment for the Property approving residential density that is generally consistent with the Waterfront Mixed Use (WMU) District. The property immediately adjacent to the south of Parcel 11 and continuing to the south along Skull Creek is zoned WMU District.²⁰ The WMU District provides for up to 16 dwelling units per net acre.²¹ Since no residential density has previously been assigned to the Property and the Project proposes a mix of independent and assisted Group Living use, both residential and non-residential density is required. The Property consists of 10.57 acres. For the purpose of residential density, using the adjacent comparable WMU density equates to 169 residential density units for the Project (16 units per acre x 10.57 acres = 169 units). However, although the living quarters proposed by definition equate to a single residential dwelling unit²², they are not proposed to be used or occupied in the traditional sense of a residence, and are appropriately categorized as Group Living.²³ Moreover, the Group Living use does not prohibit the installation of cooking and eating facilities in the Group Living quarters.²⁴ The Applicant believes that when considering density for the Project, an additional and helpful comparison is the equivalent number of beds to be used in the Project. The 2010 U.S. Census Bureau's report for the Town provides that the average household size is 2.23 persons.²⁵ Using that figure, the Project proposes density of up to 31.4 beds per acre (144 beds in Phase I + 60 beds in Phase II = 204 residents ÷ 2.23 beds per household for an equivalent residential density of 91 dwelling units). This density compared to the adjacent WMU density of 16 dwelling units per acre on the Property's

¹⁹ See September 22, 2014 Zoning Letter from the Town of Hilton Head Island, attached hereto as Exhibit "A".

²⁰ See Section 16-3-105.F of the LMO – "Official Zoning Map".

²¹ See Section 16-3-105.F of the LMO.

²² See Section 16-10-105 of the LMO – "General Definitions - Dwelling Unit".

²³ See Section 16-10-103A.2 of the LMO – "Group Living".

²⁴ See Section 16-10-103A.2 of the LMO – "Group Living".

²⁵ See the U.S. Census Bureau, 2010 Census Summary File for Hilton Head Island, South Carolina, attached hereto as Exhibit "I".

10.57 acres = 169 residential units. The residential density requested for the Project, particularly considering how the living quarters are occupied, is well below the WMU density amount.

III. REZONING CRITERIA.

A. In Accordance with the Comprehensive Plan.

- 1. Natural Resources Vision.** *The Natural Resources vision of the Comprehensive Plan instructs the Town to protect Hilton Head Island's diverse natural resources, which are pivotal to the economic well-being of the community and the high quality of life on Hilton Head Island.*²⁶

The Applicant is seeking to amend the Hilton Head Plantation Master Plan (the "HHP Master Plan") in order to change the permissible use for the Property by adding "Group Living" (as that term is defined in the LMO) and corresponding density necessary to make such change in use successful. 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 Vision of the Comprehensive Plan*, including stormwater treatment, landscaping areas and trees. The proposed redevelopment contemplates removal of the existing buildings, pavement, and other structures on the Property, with the exception of the dock, pier deck, and existing wood deck.²⁷ The redevelopment of the Property proposed by the Applicant also contemplates a number of improvements, which improvements are consistent with the goals and implementation strategies described in the *Natural Resources Vision of the Comprehensive Plan*. These improvements include an approximate 20% reduction in the amount of impervious surface area on Parcel 11. While the building footprint would be larger, the landscaped areas (open space) shall be increased, and the impervious parking area shall be reduced by the replacement of the existing asphalt with pervious pavers.²⁸

²⁶ See July 3, 2012 Comprehensive Plan, Page 20.

²⁷ June 27, 2014 West Parcel Conceptual Site Plan prepared by CGHJ Architects, Inc., attached hereto as Exhibit "G".

²⁸ See Impervious Surface Calculation Chart, attached hereto as Exhibit "J".

In addition, the Applicant's proposed redevelopment replaces and enlarges the existing underground stormwater detention facility thereby eliminating the need for open stormwater lagoons that breed insects, rodents and other pests, and also slowing the amount of stormwater discharged from the Property into the watershed.²⁹

Furthermore, the Applicant's proposed redevelopment contemplates the installation of a significant number of trees and other landscape materials, including a new upgraded irrigation system, which reduces the heat effect of the site and also furthers the goals described in the *Natural Resources Vision of the Comprehensive Plan*.

Moreover, the existing and historic use of the Property as an embarkation and debarkation point created significant traffic on U.S. Highway 278, the bridges to Hilton Head Island, and Squire Pope Road. Salty Fare was used by virtually all of the Resort guests, employees, and contractors, and the residents of most, if not all, of the residential communities on Daufuskie Island, with the exception of travel to the Haig Point PUD.³⁰ The change in use proposed by the Applicant eliminates the use of the Property as an embarkation and debarkation point for the Resort and Daufuskie Island generally; and, accordingly, results in a significant reduction in the volume of motor vehicle traffic entering and impacting Hilton Head Island and the Property for the sole purpose of accessing the neighboring Daufuskie Island to the south.³¹

The Project contemplates a complete redevelopment of the Property, in order to create an economically viable use of an existing site that has already been developed and improved. The Project shall improve treatment of stormwater as well as increase the amount of landscaped areas and trees, and the proposed change

²⁹ See Section 3.1 of the Water Quality and Quantity Comprehensive Plan of the July 3, 2012 Comprehensive Plan.

³⁰ Haig Point maintains its own fleet of ferries, and operates its own embarkation point for its residents and guests on Haig Point Circle, near Point Comfort on Hilton Head.

³¹ Daufuskie Island is accessible only by boat. It is understood that the Resort and its guests and employees now access Daufuskie Island via embarkation points in greater Beaufort County and Savannah, Georgia.

in use is therefore consistent with the *Natural Resources Vision of the Comprehensive Plan*.

2. **Population Vision.** *The Population Vision of the Comprehensive Plan seeks to maintain a diverse population in the Town of Hilton Head Island, which is given the opportunity to be well-educated, financially secure and enjoy a high quality of life.*³²

The change in use proposed by the Applicant is consistent with the *Population Vision of the Comprehensive Plan* as it provides additional residential Group Living facilities and services to support the existing and future population of the Town as it ages.³³

As more particularly detailed and described in Part 4 of the *Population Vision 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 retirees, and its population has grown progressively older from 1975 to 2010.³⁴

Furthermore, the facility proposed by the Applicant directly supports the *Population Vision of the Comprehensive Plan's* stated concern and recommendation that "[p]rovisions that allow for aging in place should be considered, especially as the population percentage of people over the age of 65 in the Town continues to grow. These include additional medical and health care services, transportation, and mobility and access to appropriate services."³⁵

The proposed change in use requires additional density, but is supportive of the *Population Vision of the Comprehensive Plan*, as it provides opportunities for enhanced quality of life and facilities that allow enable the Town's residents the

³² See July 3, 2012 Comprehensive Plan, Page 34.

³³ See July 3, 2012 Comprehensive Plan, Page 40.

³⁴ See Section 4.3: "Age Distribution", Pages 39 & 40 of the July 3, 2012 Comprehensive Plan.

³⁵ See Section 4.3: "Implications for the Comprehensive Plan", Page 40 of the July 3, 2012 Comprehensive Plan.

opportunity to remain on Hilton Head Island and age in place. The proposed change in use is therefore consistent with the *Population Vision of the Comprehensive Plan*.

3. **Housing Vision.** *The Housing Vision of the Comprehensive Plan seeks to promote and facilitate entrepreneurial housing initiatives that will result in the development of diverse housing types for all income levels on Hilton Head Island and to support affordable housing initiatives to supplement housing on Hilton Head Island.*³⁶

The Applicant's proposed use of the Property implicates the *Housing Vision of the Comprehensive Plan*. Part 5 of the *Housing Vision of the Comprehensive Plan* states that the "ultimate goal of planning for housing activities and programs on the Island is to increase housing opportunities that meet the needs of existing and future populations as well as attract new investment to the community".³⁷ The Applicant's proposed use provides additional housing opportunities for the Town and its residents, and specifically supports the recommendation that "the Town [] assists in the ability for the population to age in place. As the average age of the population gets older, the needs of the community change. It is important that housing options accommodate these changes. It is also important that the family and friends that support aging family members are able to reside in close proximity."³⁸

Further, the Applicant's proposed use supports the economic development element to the goals and instructions for implementing a strategy to support the *Housing Vision of the Comprehensive Plan*.

As indicated above, the Applicant proposes that when fully developed, the facilities proposed shall provide approximately 100 full-time equivalent (FTE)

³⁶ See July 3, 2012 Comprehensive Plan, Page 50.

³⁷ See Part 5: "Housing", "Introduction", Page 50 of the July 3, 2012 Comprehensive Plan.

³⁸ See Section 5.2: "Implications for the Comprehensive Plan", Page 56 of the July 3, 2012 Comprehensive Plan.

employment opportunities, many of which utilize workers from the local labor market. These FTE employment opportunities range from skilled nursing, management and sales to housekeeping, maintenance and food services.

The use proposed by the Applicant supports the continuation and increase of employment opportunities for skilled and unskilled workers, and provides the availability of additional housing opportunities for Hilton Head Island's residents. The proposed change in use is therefore consistent with the *Housing Vision of the Comprehensive Plan*.

4. **Community Facilities Vision.** *The Community Facilities Vision of the Comprehensive Plan encourages the Town to provide facilities for the residents and visitors of Hilton Head Island, which are maintained at the highest levels of service and efficiency consistent with facilities of a world class community.*³⁹

The Comprehensive Plan defines "Community Facilities" as "major capital improvements, including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreation, and health systems and facilities".⁴⁰ The approval of this Application supports the Town's Community Facilities and the vision related thereto in the Comprehensive Plan. The infrastructure for the use proposed in the Application, including roadways, sanitary sewer, solid waste, potable water, electricity, telephone and cable, is already in place, and shall continue to serve the Property. As indicated above, the drainage systems shall be redeveloped and improved as part of the Project. The Applicant's proposed change in use supports and is consistent with the *Community Facilities Vision of the Comprehensive Plan*, and, as already indicated above, it significantly reduces the volume of motor vehicle traffic entering and impacting Hilton Head Island, thereby reducing the burden on the transportation network and

³⁹ See July 3, 2012 Comprehensive Plan, Page 60.

⁴⁰ See Part 6, "Introduction", Page 60 of the July 3, 2012 Comprehensive Plan.

road infrastructure. Furthermore, it provides additional opportunities for health care and opportunities for assisted living.⁴¹

5. **Economic Development Vision.** *The Economic Development Vision of the Comprehensive Plan seeks to define, foster and enhance the economic environment that sustains Hilton Head Island's unique way of life.*⁴²

The Applicant's proposed change in use provides for the development of first class residential senior living facilities, which propose significant economic benefits to the Town. The current approved use is not economically viable as the facility is no longer used or relied upon for access and transportation to Daufuskie Island. Moreover, efforts by the Owner to expand the use of the Property for water-related activities have been uniformly opposed by area residents and have not been approved by the Town.⁴³ The Applicant's proposed change in use provides the Town's aging residents with expanded housing opportunities and health care services, maintains the Property as a successful business enterprise with employment opportunities for skilled and unskilled workers, contributes to a stable tax base, has little impact on the Town's Community Facilities, and is therefore consistent with the *Economic Development Vision of the Comprehensive Plan*.

6. **Land Use Vision.** *The Land Use Vision of the Comprehensive Plan seeks 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.*⁴⁴

⁴¹ See Section 6.8, "Implications for the Comprehensive Plan, Page 81 of the July 3, 2012 Comprehensive Plan.

⁴² See July 3, 2012 Comprehensive Plan, Page 89.

⁴³ See ZMA 130004, denied by Town Council in September 2013.

⁴⁴ See July 3, 2012 Comprehensive Plan, Page 102.

Rather than manage growth, the *Land Use Vision of the Comprehensive Plan* provides that “. . . future policies should focus more on redevelopment strategies and should consider creative alternatives to traditional zoning classifications and regulations.”⁴⁵ The Applicant’s proposed change in use is a creative way to transform the Property, which is no longer used for those purposes for which it was designed and constructed, and is therefore likely considered not economically viable, to a use that would be viable through private redevelopment of the Property. The Applicant’s proposed use for the Property is supported by the existing infrastructure on the Property and within the Town. The Property, while subject to a base zoning of PD-1, is not “behind the gates” of a PUD and is accessible by the public.

Furthermore, the Property consists of 10.57 acres, generally fronting Skull Creek. It has direct access to a minor arterial street and is surrounded by property with much denser development. The approximate 10,283 square feet of commercial density on the Property is very low and severely underutilizes the Property. The proposed redevelopment represents quality planning and appropriate density and use, and proposes the redevelopment of existing development. The Applicant’s proposed change in use proposes a significant redevelopment of the Property, but shall not adversely impact or burden the natural environment and infrastructure, and is therefore consistent with the *Land Use Vision of the Comprehensive Plan*.⁴⁶

7. **Transportation Vision.** *The Transportation Vision of the Comprehensive Plan seeks to provide a safe, efficient, environmentally sound, aesthetically sensitive, and fiscally responsible transportation system which is integrated into the regional network to enhance quality of life for those living in, employed in, and visiting Hilton Head Island.*⁴⁷

⁴⁵ See July 3, 2012 Comprehensive Plan, Page 102.

⁴⁶ See Goals and Implementation Strategies, Section 8.11, Page 111.

⁴⁷ See July 3, 2012 Comprehensive Plan, Page 117.

The Applicant's proposed use is consistent with and supports the *Transportation Vision of the Comprehensive Plan*. The existing use as an embarkation and debarkation facility to Daufuskie Island contributes to the higher volume of motor vehicle traffic on the roadway and transportation infrastructure of the Town and U.S. Highway 278, including the bridges to Hilton Head Island. Under the use proposed, traffic to the Property would be primarily employees. In other facilities operated by the Applicant only approximately 30% of the residents maintain a motor vehicle. Buses and similar transportation are provided by the Applicant to residents, and the proposed Project shall have the same. The Applicant is seeking to increase density; however, the proposed change in use shall actually serve to reduce the volume of motor vehicle traffic to and from the Property, as available in its current use and configuration. Furthermore, the Property is accessed via a minor arterial street and is supported by the existing roadway and transportation infrastructure. The change in use proposed by the Applicant has a significant positive impact on the Town's transportation system through reduction of traffic, and is therefore consistent with the *Transportation Vision of the Comprehensive Plan*.

8. **Recreation Vision.** *The Recreation Vision of the Comprehensive Plan seeks 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.*⁴⁸

The *Recreation Vision of the Comprehensive Plan* seeks to foster use and development of 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 *Recreation Vision of the Comprehensive Plan*. Although the proposed change in use seeks additional density and requires redevelopment, given the age and mobility of the residents, they, in large part, will use the

⁴⁸ See July 3, 2012 Comprehensive Plan, Page 142.

recreational amenities proposed for the Project and not Town facilities. The proposed change in use does, however, provide an economically viable use for the Property as well as additional employment opportunities for skilled and unskilled workers. Moreover, the proposed change in use provides needed additional housing opportunities and health care services for the Town's residents, and is therefore consistent with the *Recreation Vision 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 an economically unviable embarkation and debarkation facility. As described above, the Property is in the PD-1 District. Immediately adjacent to the north and east of the Property is Hilton Head Plantation and the Cypress Community. Immediately adjacent to the south of the Property is the Schilling Boathouse and other commercial and residential uses, including the Bluewater interval occupancy development, all zoned either PD-1 or WMU District.⁴⁹ Immediately adjacent to the west of the Property, is the intercoastal waterway (Skull Creek). The Project's buildings and improvements appear, and, in many respects act, as a mixed use multifamily development similar to the Cypress Community and the type of development contemplated in the WMU District, and are appropriate for a PD-1 District, which is designed to include a mix of residential and non-residential uses. Therefore, the Applicant believes the 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 Squire Pope Road, a minor arterial street with excellent

⁴⁹ See Section 16-1-107 of the LMO - "Official Zoning Map".

connections to U.S. Highway 278 and beyond. The Property is connected to all necessary and available utilities and stormwater drainage facilities. The proposed use creates virtually no discharge or other impacts on adjacent properties. In fact, the natural surroundings and ease of access not only enhance the Property's desirability for the use proposed in the Application but are also the same qualities that made the adjacent property to the north a desirable location for similar uses that are successfully operating there today (i.e. the Cypress Community). Therefore, the proposed rezoning is appropriate for the Property.

3. The proposed rezoning addresses a demonstrated community need.

The *Population Vision of the Comprehensive Plan* specifically recommends that “[p]rovisions that allow for aging in place should be considered, especially as the population percentage of people over the age of 65 in the Town continues to grow”.⁵⁰ 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 also supports the recommendations in the *Housing Vision of the Comprehensive Plan* to do so.⁵¹

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,

⁵⁰ See Section 4.3: “Implications for the Comprehensive Plan”, Page 40 of the July 3, 2012 Comprehensive Plan.

⁵¹ See Part 5: “Housing”, “Introduction”, Page 50 of the July 3, 2012 Comprehensive Plan.

appearance, prosperity and general welfare of the landowners and residents of the Town".⁵²

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 an aging, underutilized and redundant facility into a modern, high quality, senior living facility as proposed by the Applicant is consistent with the Town's overall zoning program.

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 maintains the PD-1 base zoning district for the Property, and adds a new use and corresponding appropriate density that complement the Cypress Community and Hilton Head Plantation adjacent to the north and east. Moreover, the look and feel of the improvements proposed to be constructed on Parcel 11 also complement the property to the south, which is zoned WMU District. Accordingly, an inappropriately isolated zoning district would not be created by the proposed rezoning. Rather, the rezoning a use that is complementary and compatible to the immediately adjacent and surrounding zoning districts.

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 PD-1 base zoning district makes the Property economically unviable; therefore, the Property's marketability is poor for the currently permitted use. Limitations on specific commercial parcels within the PD-1 base zoning district may create limitations on marketability of such commercial parcels as time passes and as the Town develops and matures. That is the case with the Property.

⁵² See Section 16-1-103 of the LMO.

The Property's only approved use that exists at the time of the Application is as a "commercial embarkation facility". As indicated above the efforts to expand the allowed use of the Property to include a different use are evidence that the current use may not be economically viable. While the Property was improved for use as an embarkation facility, it is adjacent to residential and assisted living facilities to the north, therefore, a complementary use of the Property is preferable. This location struggles to compete with those embarkation facilities that are located closer to Daufuskie Island or that are more accessible from the mainland. Enhancing the Property's marine operations, docking, boating—either recreational or commercial—or some similar use may be complementary to the uses of the WMU District to the south, but would directly conflict with the residential uses to the north. This evidence all leads to the reasonable conclusion that the Property is not suited for the use currently permitted by the zoning district applicable to the Property.

The Property is currently under contract of sale between the Owner and the Applicant. The Applicant has successfully developed and currently owns and operates similar facilities 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 shall 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 Property is currently served by sewer, water and stormwater facilities. As indicated above, the stormwater facilities shall be redeveloped together with the redevelopment of the Property. The Property is located within the Hilton Head PSD #1 service area, and it has the capacity to service the Property. The Property is also directly accessed via Squire Pope Road, a minor arterial street, and the proposed redevelopment requires no additional Town facilities.

IV. CONCLUSION.

The Applicant believes that there is strong demand in the Hilton Head Island market for a high quality senior housing community that provides a true residential look and feel coupled with best-in-class amenities, programs, and services. All of the living quarters proposed are designed to feel like high-end apartments, which distinguishes the Project from many other senior living communities whose rooms typically appear more institutional. The Applicant's objective is to provide residents with the services that they desire and need, while offering the opportunity to remain in their same living quarters as they require additional assistance with daily living activities. In addition, the Applicant's rental model provides residents the opportunity to receive best-in-class services and living conditions without the requirement of advance payment, therefore offering the opportunity for residents to otherwise enjoy the benefits of their personal savings. Most importantly, the Applicant believes that the Project addresses an increasing need for quality independent and assisted living for the Town's aging population.

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
- 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 any changed or changing conditions in the affected area; and

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

- j. That the Planning Commission Recommend the Town Council's approval of the Application and the rezoning of the Property to add "Group Living" as an additional approved use and authorization of the density requested herein.

Respectfully submitted on behalf of the Applicant this 26th day of September, 2014.

McNAIR LAW FIRM, P.A.



Walter J. Nester, III

WJN:amb
Attachments

EXHIBIT "A" TO NARRATIVE SUPPLEMENT

September 22, 2014 Zoning Letter from Town of Hilton Head Island

TOWN OF HILTON HEAD ISLAND

One Town Center Court, Hilton Head Island, SC 29928
(843) 341-4600 <http://www.hiltonheadislandsc.gov>

September 26, 2014

Walter J. Nester
McNair Law Firm, P.A.
Post Office Drawer 3
Hilton Head Island SC 29938
Sent via email to wncster@mcnair.net

Re: Zoning Verification for Salty Fare parcels

Dear Walt:

This letter is a response to your request on September 18, 2014 for a zoning verification of the Salty Fare parcels which include:

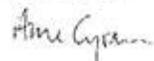
- R510 003 000 0126 000 (424 Squire Pope Road, landward of Squire Pope Road)
- R510 003 000 0121 000 (Not addressed, landward of Squire Pope Road)
- R510 003 000 089A 0000 (421 Squire Pope Road, Skull Creek side of Squire Pope Road)
- R510 003 000 0127 0000 (Not addressed, Skull Creek side of Squire Pope Road)
- R510 003 000 0128 0000 (Not addressed, Skull Creek side of Squire Pope Road)

These parcels are located in the PD-1 (Planned Unit Development Mixed Use) Zoning District for Hilton Head Plantation. The Hilton Head Plantation Master Plan states that commercial uses are allowed on these parcels. Per the Town of Hilton Head Island Land Management Ordinance (LMO), the uses allowed on these parcels are all Commercial Uses measured in square feet listed in LMO Sec. 16-4-1204, Use Table, except for those uses listed in LMO Sec. 16-4-209.E.

The density currently assigned to these parcels is 10,283 square feet of commercial use.

Please contact me at 843-341-4697 or at annec@hiltonheadislandsc.gov if you have any questions about this letter.

Sincerely,



Anne Cyran, AICP
Senior Planner

cc: File

EXHIBIT "B" TO NARRATIVE SUPPLEMENT

Deed

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

- (a) Parcel 11-A, 2.884 acres, portions of Parcel 11-D, 0.472 acre, Parcel 11-F, 0.537 acres, as shown on that certain plat of survey entitled "A Plat of Salty Fare Horizontal Property Regime, a Section of Hilton Head Plantation," prepared by Thomas & Hutton Engineering Co., Boyce L. Young, SC RLS #11079, dated June 28, 1983, and recorded in the Beaufort County Records in Plat Book 49 at Page 64;
- (b) Additional Parking Area, Parcel 12, containing 5.558 acres, more or less, as shown on plat prepared by Terry G. Hatchell, SC RLS #11059, dated May 20, 1993, as last revised on November 22, 1993, and recorded in the Beaufort County Records in Plat Book 49 at Page 63; and
- (c) Dock facilities situated within Parcel 11-F and extending across the marshes of Skull Creek to the navigable waters of Skull Creek as shown on that certain plat of survey entitled "A Plat of Salty Fare Horizontal Property Regime, a Section of Hilton Head Plantation," prepared by Thomas & Hutton Engineering Co., Boyce L. Young, SC RLS #11079, dated June 28, 1983, and recorded in the Beaufort County Records in Plat Book 49 at Page 64.

AND ALSO, All those certain pieces, parcels or tracts of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, containing 0.701 acres, more or less, which are shown and depicted as "PARCEL 11-C, 0.221 AC." and "PARCEL 11-E, 0.480 AC." on that certain plat of survey entitled "A PLAT OF SALTY FARE HORIZONTAL PROPERTY REGIME, A SECTION OF HILTON HEAD PLANTATION", prepared by Thomas & Hutton Engineering Co., Boyce L. Young, SC RLS #11079, dated June 28, 1993, and recorded in the Beaufort County Records in Plat Book 49 at Page 64.

AND ALSO, All that certain piece, parcel or tract of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, containing 0.26 acres, more or less, and being shown as Parcel 12A on a plat entitled "Parcel 12 Salty Fare, a Section of Hilton Head Plantation" prepared by Terry G. Hatchell, SC RLS #11050, dated May 20, 1993, and recorded in the Beaufort County Records in Plat Book 49 at Page 63; and also shown as Parcel 12A on a plat entitled "A Boundary Survey of Drainage Easement, a Section of Parcel 12 Hilton Head Plantation" prepared by Terry G. Hatchell, SC RLS #11050, dated December 1, 1997, and recorded in the Beaufort County Records in Plat Book 77 at Page 31. For a more detailed description as to courses, metes and bounds, reference may be made to said plats of record.

TOGETHER with a non-exclusive easement granted in Access Easement (Seabrook Drive) recorded in the Beaufort County Records in Book 697 at Page 884 and Book 1616 at Page 1524.

Said property is conveyed subject to all easements as shown on the plats of record, and to all Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney, and limitations on title, created by the South Carolina Horizontal Property Act or set forth in the Master Deed for Salty Fare Horizontal Property Regime recorded in the Beaufort County Records in Book 697 at Page 750, and First Assignment of Grantor's Rights under the Salty Fare Master Deed recorded in Book 697 at Page 880, and Second Assignment of Grantor's Rights under the Salty Fare Master Deed recorded in Book 697 at Page 1324, and in the related By-Laws, and Assignment of Reserved Rights to Daufuskie Island Properties LLC recorded in Book 1589 at Page 1508.

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

The properties intended to be conveyed herein are a portion of the properties conveyed to the Grantor herein by Deed from Bloody Point Asset Corp., dated May 31, 2002, and recorded on June 4, 2002 in Book 1589 at Page 1537, and Deed from Daufuskie Club, Inc., dated May 31, 2002, and recorded on June 4, 2002 in Book 1589 at Page 1517, and Deed from Salty Fare Owners Association, Inc., dated May 31, 2002 and recorded on June 4, 2002 in Book 1589 at Page 1532, and Deed from Bloody Point Asset Corp. dated May 31, 2002 and recorded June 4, 2002 in Book 1589 at Page 1537, and Deed from Daufuskie Island Club & Resort, Inc. a/k/a Daufuskie Club, Inc., dated May 31, 2002 and recorded on June 4, 2002 in Book 1589 at Page 1548, and Deed from Hilton Head Plantation Asset Corp. dated May 31, 2002 and recorded on June 4, 2002 in Book 1589 at Page 1567, and Quit-Claim Deed from Melrose Asset Corp., dated May 31, 2002, and recorded on June 4, 2002 in Book 1589 at Page 1580, and Quit-Claim Deed from Daufuskie Club, Inc. a/k/a Daufuskie Island Club & Resort, Inc., Melrose Landing Corporation, Salty Fare Owners Association, Inc., Bloody Point Asset Corp., and Melrose Asset Corp., dated May 31, 2002, and recorded on June 4, 2002 in Book 1589 at Page 1586.

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 Walter J. Nester, III.

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 Grantees, their successors and assigns, 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, its successors and assigns to warrant and forever defend all and singular the said premises unto Grantees, their successors and assigns, against itself and its successors and assigns lawfully claiming or to claim the same, or any part thereof, by, through or under it.

EXHIBIT "C" TO NARRATIVE SUPPLEMENT

Order Authorizing Rejection of Boat Transportation Agreement as an Executory Contract

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:)	Case No. 09-00389-jw
)	
DAUFUSKIE ISLAND PROPERTIES,)	Chapter 11
LLC, A/K/A DAUFUSKIE ISLAND)	
RESORT & BREATHE SPA)	
)	
Debtor.)	

**ORDER AUTHORIZING REJECTION OF BOAT TRANSPORTATION
AGREEMENT AS AN EXECUTORY CONTRACT**

This matter comes before the Court upon the motion of Robert C. Onorato, the duly appointed Chapter 11 Trustee ("the Trustee") for the estate of Daufuskie Island Properties, LLC ("the Debtor"), for approval of the rejection of that certain Boat Transportation Agreement dated on or about June 9, 1997 and recorded in the RMC Office for Beaufort County, South Carolina (the "RMC Office") in Book 951 at Page 1091 and re-recorded on November 9, 2000 in the RMC Office in Book 1352 at Page 560 ("the Boat Transportation Agreement"), a copy of which was attached to the motion as Exhibit A.

1. The Trustee filed its *Notice of Motion and Opportunity for Hearing* ("the Notice") and its *Motion and Memorandum Pursuant to § 365(a) of the Bankruptcy Code for Approval of Rejection of the Boat Transportation Agreement* ("the Motion"), with the Court on November 3, 2010. All parties in interest were served by mail with copies of the Notice and Motion on November 3, 2010, as set forth in the certificate of service filed with the Court on November 3, 2010. Pursuant to the passive notice procedures for such matters in this District, the Notice sets forth the time for filing and serving

objections to the proposed rejection of the Boat Transportation Agreement. The Trustee states in the Motion that rejection of the Boat Transportation Agreement is necessary because the Trustee has not been performing and cannot perform the obligations under the Boat Transportation Agreement since the Debtor no longer owns Salty Fare, the Commercial Lease Agreement has been rejected, and the Trustee has insufficient funds to assume and perform the obligations under the Boat Transportation Agreement.

No objections or responses to the Notice and Motion were filed in the office of the Clerk of this Court within the time allowed. The Court finds that the Motion was properly made, and that good and proper cause exists in this case for the rejection of the Boat Transportation Agreement.

Therefore, it is

ORDERED, ADJUDGED, AND DECREED that the Trustee's rejection of the Boat Transportation Agreement is hereby approved.

AND IT IS SO ORDERED.

EXHIBIT A

567

STATE OF SOUTH CAROLINA)
) BOAT TRANSPORTATION AGREEMENT
COUNTY OF BEAUFORT)

THIS BOAT TRANSPORTATION AGREEMENT (the "Agreement") is entered into this day of _____, 1997, by and between DAUFUSKIE CLUB, INC., a South Carolina corporation, its successors and assigns ("Daufuskie"), SIXTY-SIX GROUP LIMITED PARTNERSHIP, a South Carolina limited partnership ("Sixty-Six"), BLOODY POINT ASSET CORP., a South Carolina corporation ("BPAC"), BLOODY POINT REAL ESTATE COMPANY, L.L.C., a South Carolina limited liability company ("BPREC"), MELROSE ASSET CORP., a South Carolina corporation ("MAC"), DAUFUSKIE ISLAND CLUB PROPERTY OWNERS ASSOCIATION, INC., a South Carolina non-profit corporation (the "Association") and MELROSE REAL ESTATE COMPANY, INC., a South Carolina corporation (the "Company").

WITNESSETH:

WHEREAS, Daufuskie is the owner of a membership club located on Daufuskie Island, South Carolina known as the Daufuskie Island Club and Resort (the "Club"), which consists of certain recreational and accommodation facilities for utilization by individuals and entities purchasing membership interests in the Club and resort guests of the Club; and

WHEREAS, because the Club is situated on Daufuskie Island, all resort guests, members, employees, assignees, agents, contractors, subcontractors and invitees of the Club and all supplies, materials, equipment and machinery utilized in the construction, development and operation of the Club must be transported by boat and/or barge to and from Daufuskie Island; and

WHEREAS, Sixty-Six, BPAC, BPREC, MAC, the Association and the Company (collectively the "Benefited Parties") are all owners of various real property interests and other financial interests in two planned unit developments located on Daufuskie Island known as Melrose and Bloody Point; and

WHEREAS, as with Daufuskie, all the guests, employees, agents, contractors, subcontractors, invitees and members of the Association, along with all materials, supplies, equipment and machinery utilized in the development, marketing, sales and operation of the real estate interests of the Benefited Parties must be transported by boat and/or barge to and from Daufuskie Island; and

WHEREAS, Daufuskie operates two arrival/departure facilities which are utilized to drop off and pick up passengers, luggage and equipment for transportation to and from Daufuskie Island, and as dock facilities for the mooring of boats and the loading and unloading of passengers, luggage and materials for transport to and from Daufuskie Island (collectively, the "Arrival/Departure Facilities"); and

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

568

WHEREAS, one (1) of the Arrival/Departure Facilities is located on Hilton Head Island, South Carolina and is known as Salty Fare; and

WHEREAS, one (1) of the Arrival/Departure Facilities is located on Daufuskie Island and is known as Melrose Landing; and

WHEREAS, Daufuskie is the owner of _____ () ferry boats and _____ () small outboard runabouts (such boats and replacements thereof or additions thereto collectively referred to as the "Boats") which are utilized primarily in the transportation of the members, resort guests, agents, contractors, subcontractors, invitees and employees of Daufuskie, along with materials, supplies, equipment and machinery utilized in the operation of the Club; and

WHEREAS, the Benefited Parties desire to utilize the boat transportation service presently being performed by the Club at the Arrival/Departure Facilities (collectively, the "Services") and Daufuskie has agreed to provide the Services as further described herein.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Daufuskie and the Benefited Parties hereby agree and declare that the utilization of the Services shall be undertaken in accordance with terms and provisions set forth hereinbelow.

1. WHEREAS CLAUSE

The above whereas clauses are incorporated herein as if repeated verbatim.

2. RECEPTION AREA

Daufuskie covenants and agrees that its employees and agents will handle the check-in procedure for the Benefited Parties, their respective successors, assigns, members, guests, employees, agents, invitees, contractors, subcontractors and vendors and the issuance of boat passes to the Benefited Parties in the same manner and subject to the same rules and regulations as established and utilized for the members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie from time to time. The Benefited Parties shall be allowed and permitted to wait within the reception area located at Salty Fare for the departure or arrival of boats and shall be permitted to utilize the restroom facilities associated with the reception area in the same manner and subject to the same rules and regulations as established and utilized for the members, owners, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie from time to time. Daufuskie agrees and covenants that its employees and agents operating the check-in and boat pass issuance operations within the reception area shall provide the same standard of service and level of courtesy to the Benefited Parties that are provided to the owners, guests, agents, invitees, contractors, subcontractors and vendors of Daufuskie. Daufuskie shall keep, maintain, repair and operate the reception area in a

clean, neat and attractive manner and shall repair and maintain the furniture and other components of the interior design of the reception space.

3. ARRIVAL/DEPARTURE FACILITIES.

The Benefited Parties shall be permitted and allowed to utilize the Arrival/Departure Facilities at Salty Fare and at Michose Landing in order to load and unload passengers and luggage for transport onto the ships and boats which will carry the same to and from Daufuskie Island. Daufuskie covenants and agrees that its employees and agents shall provide the same baggage loading, unloading, boat transportation and sorting services to the Benefited Parties that are provided to the owners, members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie. Daufuskie further warrants and covenants that the same standard of service and level of courtesy extended to owners, members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie shall also be provided to the Benefited Parties. The Benefited Parties utilizing such Services shall be subject to the same rules and regulations governing the use of such facilities as established for the owners, members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie from time to time.

4. BOATS

The Benefited Parties shall be permitted to ride on the Boats to and from Daufuskie Island subject to the provisions below. Daufuskie covenants and agrees that the Benefited Parties shall have equal access rights to the Boats as is provided to owners, members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie. Daufuskie further warrants and covenants that the same standard of service and level of courtesy extended to members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie shall also be provided to the Benefited Parties. The Benefited Parties utilizing the Boats shall be subject to the same rules and regulations governing the use of such facilities as are established for the members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie from time to time.

5. USAGE FEES

The Benefited Parties shall pay Daufuskie the same user fees and upon the same terms and conditions as are charged to owners, members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie.

6. RESERVATIONS.

The Benefited Parties agree to abide by all reasonable reservation rules and procedures, provided that, the same rules and procedures apply to the owners, members, guests, employees, agents, invitees, contractors, subcontractors and vendors of Daufuskie. The parties agree to work together in a good faith effort to develop a system to monitor available seats and minimize overbooking.

7. TERM

The term of this Agreement shall be perpetual unless terminated by written consent of all of the parties hereto.

8. WAIVER OF COVENANTS

It is agreed that the waiving of any of the terms, conditions and covenants of this Agreement by either party shall only be in writing. Failure of either party to complain of any act or omission on the part of the other party, no matter how long the same may continue, shall not be deemed to be a waiver by said party at any time, expressed or implied, of any breach of any provision of this Agreement or a consent of any subsequent breach of the same or other provisions. If any action by either party shall require the consent or approval of the other party, the other party's consent to or approval of such action on any one occasion shall not be deemed a consent to or approval of any other action on the same or any subsequent occasion.

9. DEFAULT

Should Daufuskie fail to comply with any of the covenants, agreements, terms and conditions contained in this Agreement and such failure shall continue for a period of thirty (30) days after written notice thereof from any of the Benefited Parties, Daufuskie shall be deemed to be in default hereunder. Upon such default by Daufuskie, any of the Benefited Parties shall be entitled to sue for specific performance, damages or both. Should any Benefited Party fail to comply with any of the covenants, agreements, terms or conditions contained in this Agreement and such failure shall continue for a period of thirty (30) days after written notice thereof from Daufuskie, such Benefited Party shall have been deemed to have defaulted under this Agreement. Upon such default, Daufuskie may sue for specific performance, damages or both.

10. NOTICE

Any and all notices or other communications provided for in this Agreement shall be in writing, shall be signed by the party giving the same, and shall be delivered personally, or mailed, by certified mail, return receipt requested, postage prepaid, addressed to the party to whom such communication is directed as hereinbelow provided. Notice shall be deemed to be given and received hereunder on the date of delivery if personally delivered and on the date of mailing if mailed as aforesaid.

Any party may change his or its address at any time by giving the other party notice thereof. Such notice shall be addressed as follows:

Daufuskie Club, Inc.
P. O. Box 819012
Dallas, TX 75381-9012
Attn: President

with copy to:
Randolph D. Addison, Esquire
Addison Law Firm
14901 Quorum Drive
Suite 650
Dallas, TX 75240

Benefited Parties:
c/o The Melrose Company, Inc.
P. O. Box 21307
Hilton Head Island, SC 29925-1307
Attn: James H. Nicksa

with copy to:
Hughes Law Firm, P.C.
P. O. Box 23526
Hilton Head Island, SC 29925-3526

11. TIME OF ESSENCE.

The parties agree that time is of the essence in the performance of this Agreement.

12. ADDITIONAL DOCUMENTS.

The parties agree to execute any other documents reasonably requested by any party necessary to implement and give effect to the transactions contemplated under this Agreement.

13. CAPTIONS.

Paragraph captions in this Agreement are for convenience only and are not to be construed as a part of this Agreement or in any way limiting or amplifying the provisions hereof.

14. BINDING EFFECT.

This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, personal representatives, successors and assigns.

15. INTERPRETATION.

The language in all parts of this Agreement shall in all cases be construed as a whole according to its fair meaning, and not strictly for or against any party, and should a court be called upon to interpret any provision or provisions hereof, it shall be recognized that all parties hereto equally participated in the preparation of this Agreement, and no weight shall be

given to, nor shall any construction or interpretation be influenced by, any presumption of preparation.

16. SOUTH CAROLINA LAW.

This Agreement shall be governed, enforced and construed in accordance with South Carolina law including the right of specific performance of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Boat Transportation Agreement on the day and year first above written.

IN THE PRESENCE OF:

DAUFUSKIE CLUB, INC.,
a South Carolina corporation

By: _____
Its: _____

IN THE PRESENCE OF:

SIXTY-SIX GROUP LIMITED PARTNERSHIP, a South Carolina limited partnership

By: **The Melrose Company, Inc.,** a South Carolina corporation, its general partner

By: _____
Its: _____

IN THE PRESENCE OF:

BLOODY POINT ASSET CORP.,
a South Carolina corporation

By: _____
Its: _____

IN THE PRESENCE OF:

**BLOODY POINT REAL ESTATE
COMPANY, L.L.C., a South Carolina
limited liability company**

By: _____
Its: _____

IN THE PRESENCE OF:

**MELROSE ASSET CORP.,
a South Carolina corporation**

By: _____
Its: _____

IN THE PRESENCE OF:

**DAUFUSKIE ISLAND CLUB PROPERTY
OWNERS ASSOCIATION, INC., a South
Carolina non-profit corporation**

By: _____
Its: _____

IN THE PRESENCE OF:

**MELROSE REAL ESTATE COMPANY,
INC., a South Carolina corporation**

By: _____
Its: _____

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

Re-recorded 11/9/00

55

WHEREAS, a duplicate original of this Access Easement Agreement was recorded, on June 16, 1997, in Book 951 at Page 1091 without Exhibit "B" attached thereto; and WHEREAS, the parties hereto agree to record this Access Easement Agreement with Exhibit "B" attached to complete and correct the records.

560

55227
STATE OF SOUTH CAROLINA)
) ACCESS EASEMENT AGREEMENT
COUNTY OF BEAUFORT) (Salty Fare)

THIS ACCESS EASEMENT AGREEMENT (the "Agreement") is entered into this 9th day of June, 1997, by and between SALTY FARE PROPERTY OWNERS ASSOCIATION, INC., a South Carolina non-profit corporation (the "Grantor") and SIXTY-SIX GROUP LIMITED PARTNERSHIP, a South Carolina limited partnership ("Sixty-Six"), BLOODY POINT ASSET CORP., a South Carolina corporation ("BPAC"), BLOODY POINT REAL ESTATE COMPANY, L.L.C., a South Carolina limited liability company ("BPREC"), MELROSE ASSET CORP., a South Carolina corporation ("MAC"), DAUFUSKIE ISLAND CLUB PROPERTY OWNERS ASSOCIATION, INC., a South Carolina non-profit corporation (the "Association") and MELROSE REAL ESTATE COMPANY, INC., a South Carolina corporation (the "Company") (Sixty-Six, BPAC, BPREC, MAC, the Association and the Company are hereinafter collectively referred to as the "Grantees").

WITNESSETH:

WHEREAS, contemporaneous with the execution of this Agreement, the Grantees entered into that certain Boat Transportation Agreement (the "Transportation Agreement") with Daufuskie Club, Inc., a South Carolina corporation ("Daufuskie"), a copy of which is attached hereto as Exhibit "A";

WHEREAS, as referred to in the Transportation Agreement, Daufuskie operates an arrival/departure facility located on real property known as Salty Fare, as more fully described on Exhibit "B" attached hereto (the "Easement Property");

WHEREAS, as of the date hereof, the Grantees own various real property interests and financial interests in two planned unit developments located on Daufuskie Island known as Melrose and Bloody Point (the "Benefited Property");

WHEREAS, Grantor has agreed to grant to the Grantees an easement over the Easement Property to allow for the full utilization and enjoyment of the Transportation Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor hereby grants to the Grantees a nonexclusive permanent appurtenant easement in gross for the benefit of the Benefited Property in, on, over, under, through and across the Easement Property to allow for the reasonable utilization of the Transportation Agreement by the Grantees, their respective successors, assigns, members, guests, employees, agents, invitees, contractors, subcontractors and vendors. The easement granted is intended to allow the Grantees to perform all acts and fully realize all benefits of the Transportation Agreement in, on, over, under, through and across the Easement Property, subject to the limitations contained in the Transportation Agreement.

13-2/5-00

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

561

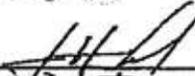
IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

IN THE PRESENCE OF:



Ed H

GRANTOR:
SALTY FARE PROPERTY OWNERS
ASSOCIATION, INC., a South Carolina
non-profit corporation

By: 
Its: Director

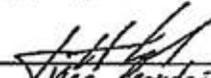
IN THE PRESENCE OF:



Ed H

GRANTEES:
SIXTY-SIX GROUP LIMITED
PARTNERSHIP, a South Carolina limited
partnership

By: The Melrose Company, Inc., a
South Carolina corporation, its
general partner

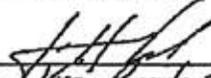
By: 
Its: Vice President

IN THE PRESENCE OF:

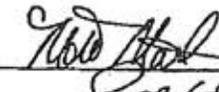


Ed H

BLOODY POINT ASSET CORP.,
a South Carolina corporation

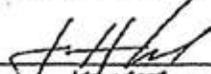
By: 
Its: Vice President

IN THE PRESENCE OF:



Ed H

BLOODY POINT REAL ESTATE
COMPANY, L.L.C., a South Carolina
limited liability company

By: 
Its: Member

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

562

IN THE PRESENCE OF:

[Signature]
Ed H

IN THE PRESENCE OF:

[Signature]
Ed H

IN THE PRESENCE OF:

[Signature]
Ed H

MELROSE ASSET CORP.,
a South Carolina corporation

By: *[Signature]*
Its: *[Signature]*

DAUFUSKIE ISLAND CLUB PROPERTY
OWNERS ASSOCIATION, INC., a South
Carolina non-profit corporation

By: *[Signature]*
Its: *[Signature]*

MELROSE REAL ESTATE COMPANY,
INC., a South Carolina corporation

By: *[Signature]*
Its: *[Signature]*

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

563

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, Edward M. Hughes, a Notary Public for the State of South Carolina, do hereby certify that James H. Nicksa of Salty Fare Property Owners Association, Inc., a South Carolina non-profit corporation, personally appeared before me this day and, in the presence of the two witnesses above named, acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 9th day of June, 1997.

Ed H
Notary Public for South Carolina
My Commission Expires: 12/14/2006

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, Edward M. Hughes, a Notary Public for the State of South Carolina, do hereby certify that James H. Nicksa of The Melrose Company, Inc., a South Carolina corporation, general partner of Sixty-Six Group Limited Partnership, a South Carolina limited partnership, personally appeared before me this day and, in the presence of the two witnesses above named, acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 9th day of June, 1997.

Ed H
Notary Public for South Carolina
My Commission Expires: 12/14/2006

EXHIBIT "D" TO NARRATIVE SUPPLEMENT

Aerial Photo of Property

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative



Google earth

© 2014 Google
© SPOT IMAGE

Google earth

feet  1000



EXHIBIT "E" TO NARRATIVE SUPPLEMENT

Non-Exclusive Access Easement

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

5. Entire Agreement. Except as set forth in the Maintenance Agreement, this instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect, excepting a subsequent modification in writing, signed by the party to be charged.

6. Intent. It being the intent of the parties hereto that Benefited Parties have ingress and egress over such Easement Area without being required to pay any fee or charge for ingress and egress over, across or through such roadway or security gates.

7. Terms. The terms "Grantor" and "Grantee" as used herein shall be deemed to be plural, when required to be so, and shall include the successors and assigns of the parties hereto. The term Easement as used herein shall be deemed to be plural, when required to be so.

8. Governing Law. This Easement has been executed and delivered in the State of South Carolina and shall be construed in accordance with the laws of the state in which the Easement Area is located. Any action brought to enforce or interpret this Easement shall be brought in the court of appropriate jurisdiction in the county in which the Easement Area is located.

9. Captions. Captions, titles to sections, and paragraph headings used herein are for convenience or reference and shall not be deemed to limit or alter any provision hereof.

10. Attorneys' Fees. In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorneys' fees, and costs.

11. Binding Effect. This Easement shall bind and inure to the benefit of the respective parties, their legal representatives, successors and assigns.

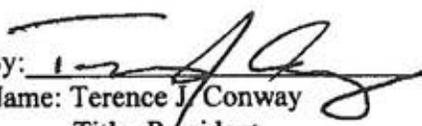
IN WITNESS WHEREOF, this instrument is executed this 29th day of July, 2002.

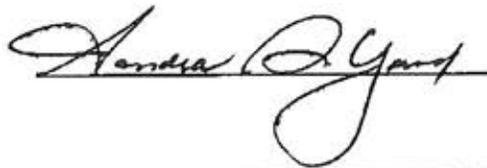
WITNESSES:

Grantor:

HILTON HEAD PLANTATION
PROPERTY OWNERS ASSOCIATION,
a South Carolina non-profit corporation



By: 
Name: Terence J. Conway
Title: President



ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

EXHIBIT A

EASEMENT AREA

ALL that certain piece, parcel or tract of land situate, lying and being in the Town of Hilton Head Island, Beaufort County, State of South Carolina, measuring approximately 66' in width and being more fully shown as a portion of Seabrook Drive outside the Gate House depicted on the plat of survey entitled "A PAPER PLAT OF A PORTION OF SEABROOK DRIVE AND A PORTION OF SKULL CREEK DRIVE, A SECTION OF HILTON HEAD PLANTATION," dated July 24, 1990, which was prepared by Surveying Consultants, Inc., Terry G. Hatchell, SCPLS No. 11059, and which is recorded in the Office of the Register of Deeds for Beaufort County in Plat Book 42 at Page 200. Said parcel of land is more particularly described as follows:

Commencing at the Point of Beginning, being the intersection of Lines 54 and 55 shown on the above-referenced plat, and running thence on Line 54 N 43°33'50" E for a distance of 77.11' to a point; thence on Curve 37 running for a distance of 302.02', which curve has a radius of 645.46', a tangent of 153.82', a chord of 299.27', a chord bearing of S 56°58'06" W, and a delta angle of 26°48'33" to a point; thence on Line 53 N 70°22'23" E for a distance of 310.62'; thence turning and running perpendicular to said right-of-way along Line 58 S 24°06'04" E for a distance of 66.20' to a point on the opposite side of the road right-of-way; thence turning and running along Line 4 S 70°22'23" W for a distance of 315.78' to a point; thence along Curve C4 for a distance of 271.13', which curve has a radius of 579.46', a tangent of 138.10', a chord of 268.67', a chord bearing of S 56°58'06" W, and a delta angle of 26°48'33"; thence on Line 3 running S 43°33'50" W for a distance of 81.00' to a point; thence turning and running on Line 55 N 43°03'49" W for a distance of 66.11' to a point, being the Point of Beginning.

EXHIBIT "F" TO NARRATIVE SUPPLEMENT

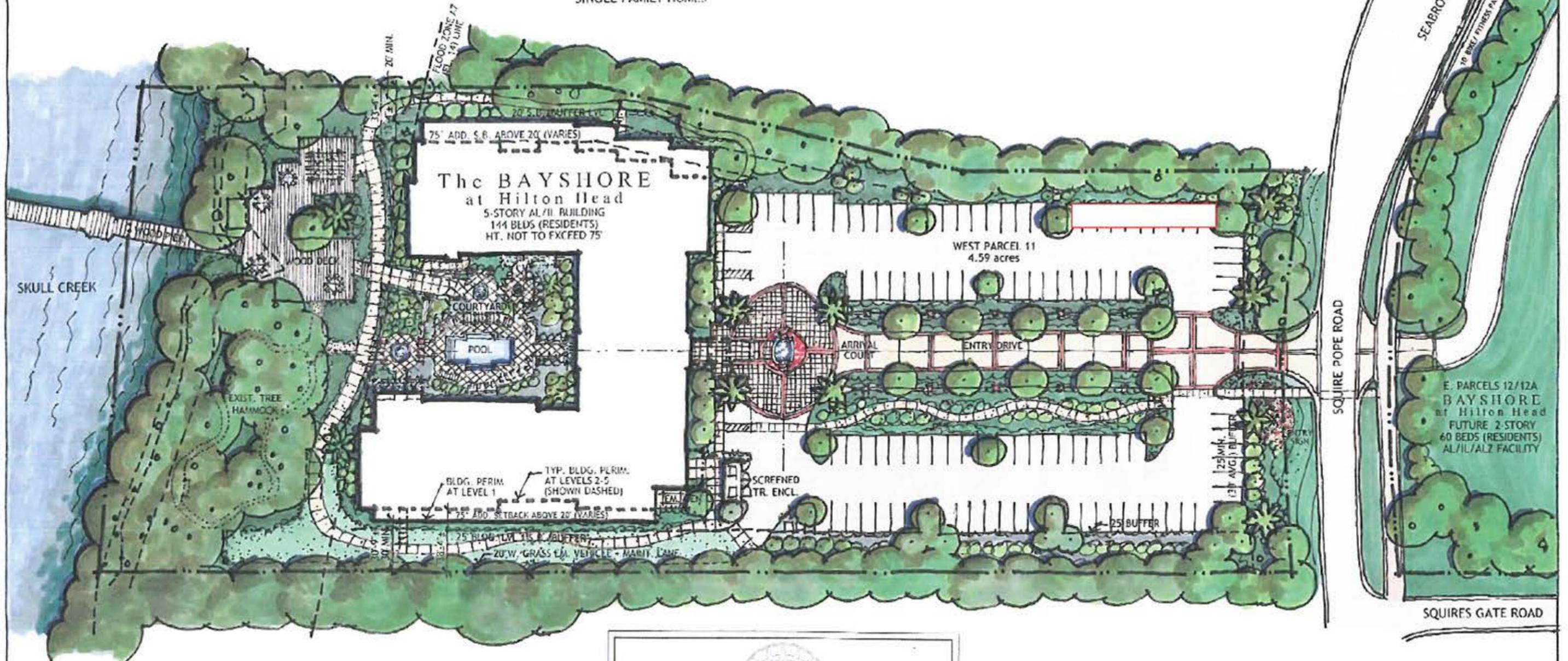
Horizontal Property Regime Plat

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

EXHIBIT "G" TO NARRATIVE SUPPLEMENT

June 27, 2014 West Parcel Conceptual Site Plan prepared by CGHJ Architects, Inc.

CYPRESS AT HILTON HEAD ISLAND
 SINGLE FAMILY HOMES



The BAYSHORE
 at Hilton Head
 5-STORY AL/II BUILDING
 144 BEDS (RESIDENTS)
 HT. NOT TO EXCEED 75'

WEST PARCEL 11
 4.59 acres

E. PARCELS 12/12A
 BAYSHORE
 at Hilton Head
 FUTURE 2-STORY
 60 BEDS (RESIDENTS)
 AL/II/ALZ FACILITY

SKULL CREEK
 BOATHOUSE PARCEL

The BAYSHORE
 at Hilton Head

Bayshore Retirement Living - Hilton Head, South Carolina
 CGHJ Architects Inc. 27 June 2014

WEST PARCEL
CONCEPTUAL SITE PLAN

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

EXHIBIT "H" TO NARRATIVE SUPPLEMENT

August 21, 2014 Architectural Concept Site Plan prepared by CGHJ Architects, Inc.

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

EXHIBIT "I" TO NARRATIVE SUPPLEMENT

U.S. Census Bureau, 2010 Census Summary File for Hilton Head Island, South Carolina

QT-P11 | Households and Families: 2010
2010 Census Summary File 1

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/doc/sf1.pdf>.

Geography: Hilton Head Island town, South Carolina

Subject	Number	Percent
HOUSEHOLD TYPE		
Total households	16,535	100.0
Family households [1]	10,700	64.7
Male householder	7,995	48.4
Female householder	2,705	16.4
Nonfamily households [2]	5,835	35.3
Male householder	2,430	14.7
Living alone	1,724	10.4
Female householder	3,405	20.6
Living alone	2,957	17.9
HOUSEHOLD SIZE		
Total households	16,535	100.0
1-person household	4,681	28.3
2-person household	7,723	46.7
3-person household	1,749	10.6
4-person household	1,290	7.8
5-person household	600	3.6
6-person household	290	1.8
7-or-more-person household	202	1.2
Average household size	2.23	(X)
Average family size	2.66	(X)
FAMILY TYPE AND PRESENCE OF RELATED AND OWN CHILDREN		
Families [3]	10,700	100.0
With related children under 18 years	3,263	30.5
With own children under 18 years	3,039	28.4
Under 6 years only	700	6.5
Under 6 and 6 to 17 years	615	5.7
6 to 17 years only	1,724	16.1
Husband-wife families	9,048	100.0
With related children under 18 years	2,238	24.7
With own children under 18 years	2,134	23.6
Under 6 years only	497	5.5
Under 6 and 6 to 17 years	480	5.3
6 to 17 years only	1,157	12.8
Female householder, no husband present families	1,120	100.0
With related children under 18 years	734	65.5
With own children under 18 years	654	58.4
Under 6 years only	141	12.6
Under 6 and 6 to 17 years	96	8.6
6 to 17 years only	417	37.2

X Not applicable.

[1] A household that has at least one member of the household related to the householder by birth, marriage, or adoption is a "Family household." Same-sex couple households are included in the family households category if there is at least one additional person related to the householder by birth or adoption. Same-sex couple households with no relatives of the householder present are tabulated in nonfamily households. Responses of "same-sex spouse" were edited during processing to "unmarried partner."

[2] "Nonfamily households" consist of people living alone and households which do not have any members related to the householder.

[3] "Families" consist of a householder and one or more other people related to the householder by birth, marriage, or adoption. They do not include same-sex married couples even if the marriage was performed in a state issuing marriage certificates for same-sex couples. Same-sex couples are included in the families category if there is at least one additional person related to the householder by birth or adoption. Responses of "same-sex spouse" were edited during processing to "unmarried partner." Same-sex couple households with no relatives of the householder present are tabulated in nonfamily households.

Source: U.S. Census Bureau, 2010 Census.

Summary File 1, Tables P17, P18, P28, P29, P37, P38, and P39.

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

EXHIBIT "J" TO NARRATIVE SUPPLEMENT

Impervious Surface Calculation Chart

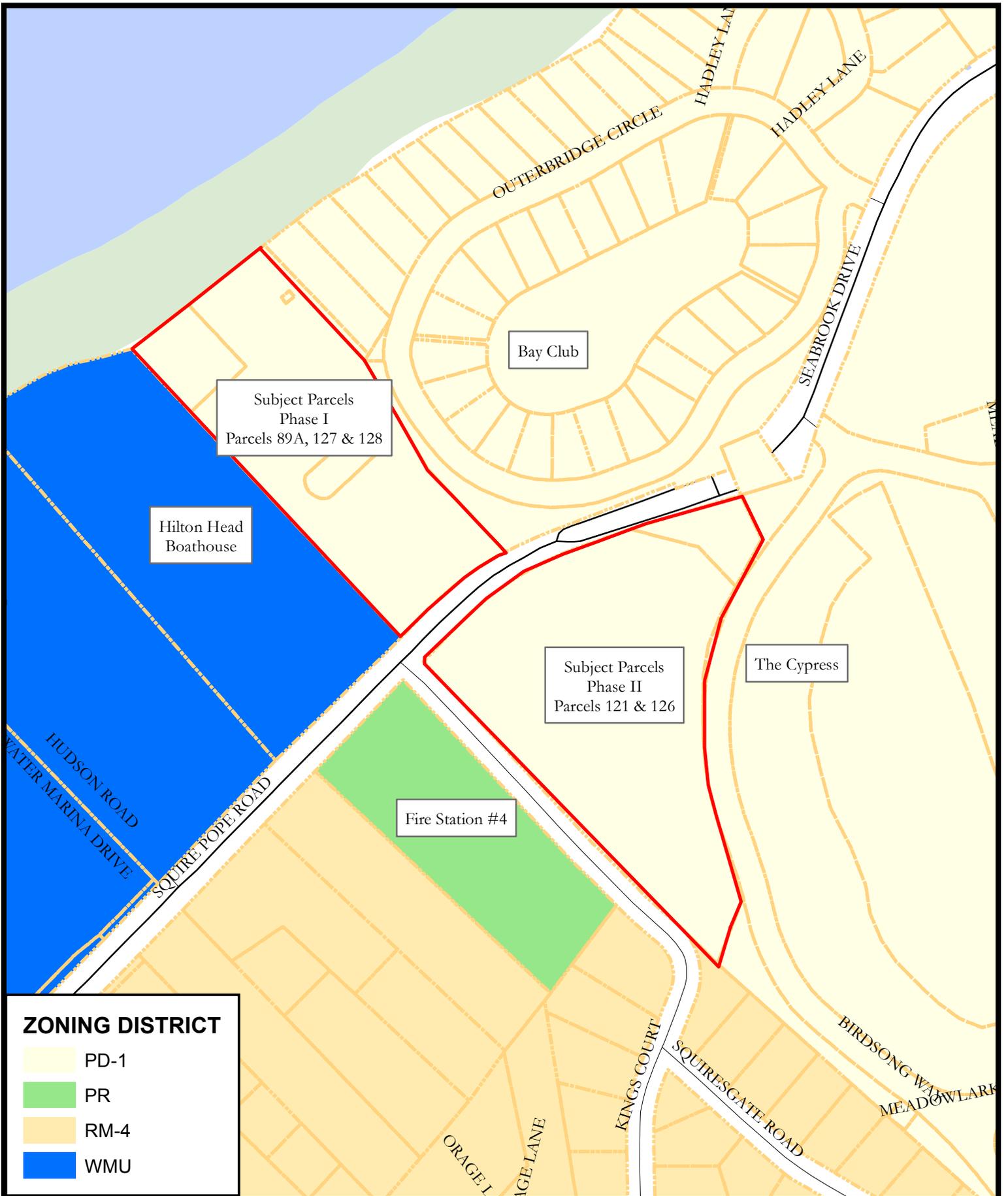
ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)
Staff Report Attachment B: Applicant's Narrative

Site Summary Calculations

Salty Fare Property (western parcel)

Reference Site Plan prepared by: CGHJ Architects (08-21-2014)

	<i>Existing Site</i>		Proposed Site		
	<i>sq.ft.</i>	<i>(%)</i>	sq.ft.	(%)	
Parcel Area	200,152	100%	200,152	100%	
Critical Area	10,924	5%	10,924	5%	
Site Area	189,229	95%	189,229	95%	
Impervious Area					
Asphalt Paving	77,588	41%	28,502	15%	
Building Roofs	11,144	6%	30,985	16%	
Wood Decks	6,065	3%	5,084	3%	
Concrete Paving	16,578	9%	9,770	5%	
Total Impervious	111,375	59%	74,341	39%	<i>40% (max)</i> 75,691.44
Pervious Area					
Landscape	88,777	47%	94,231	50%	
Grass Fire Lane			7,003	3%	
Pervious Pavers		0%	13,653	7%	
Total Pervious	88,777	47%	114,887	61%	<i>60% (min)</i> 189,229
Open Space Area			101,234	53%	<i>50% (min)</i>



ZONING DISTRICT

- PD-1
- PR
- RM-4
- WMU

Town of Hilton Head Island

ZA-1685-2014 Bayshore at Hilton Head (currently Salty Fare)

Attachment C: Zoning Map



Town of Hilton Head Island
 One Town Center Court
 Hilton Head Island, SC 29928
 (843) 341-4600

This information has been compiled from a variety of unverified general sources at various times and as such is intended to be used only as a guide. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion.

memo

TO: Planning Commission
FROM: Alexander Brown, Jr., Chairman CIP Committee
DATE: October 28, 2014
SUBJECT: CIP Committee Meeting Report

The Capital Improvements Program (CIP) Committee met on September 29, 2014 and October 22, 2014 to review the proposed Fiscal Year 2016 Capital Improvement Program. The attached documents reflect the recommendations of the Committee.

In general, the program follows through with Fiscal Year (FY) 2016 projects as they were proposed, planned, and scheduled in previous editions of the CIP. The Committee does however, recommend these specific changes to list of proposed priority projects:

- **Main Street Pathway** – add as a new project, number 1 pathway priority.
- **Pope Avenue Corridor/Coligny Area Roadway Improvements** – representation as a group of coordinated individual projects, number 1 roadway priority.
- **Bluffton Parkway – Phase 5A (Flyover) Beautification** – last roadway priority.
- **Sewer Project(s)** – add as a project to the “New Facilities” category with the understanding that project details are to be determined and are predicated on the potential for a yet to be made request for funding assistance by the Hilton Head Public Service District.

Finally, and as a summary of our recommendations, you will find a draft of the *Fiscal Year 2016 – Proposed Priority Projects*.

As previously indicated to the Commission, Town Council will conduct their annual workshop in early December. During the workshop, Council will determine their Action Agenda and priorities for FY 2016. I propose and request that this committee’s CIP recommendations be presented to the November 19, 2014 Planning Commission. Anticipating no significant changes, and with the support of Scott Liggett in the presentation, the CIP, once approved, would then go the Town Council before their workshop and would allow them to review in advance.

cc: Town Council
Stephen G. Riley, CM, Town Manager
Scott Liggett, Director of Public Projects & Facilities
Susan Simmons, Director of Finance
Charles Cousins, Director of Community Development
Chief Brad Tadlock, Fire & Rescue Department
Jeff Buckalew, Town Engineer
Shawn Colin, Comprehensive Planning Manager

Fiscal Year 2016 – Proposed Priority Projects

A. Pathways

- Main Street (Whooping Crane Way to Wilborn Road) – (survey and concept development)
- US 278 – B (William Hilton Parkway) Shelter Cove/Chaplin to Mathews Drive-north - (design, construction)
- US 278-B (Gardner Drive to Jarvis Park / Honey Horn) – (concept development, design)
- US 278 (westbound between Gum Tree Road to Squire Pope Road) – (concept development)
- US 278-B (Village at Wexford to Arrow Road) – (design, construction)
- US 278-B (Jarvis Park/Honey Horn to Graves Bridge) – (survey)

B. Roadway Improvements

Pope Avenue Corridor/Coligny Area Improvements **

- Office Park Road Intersection Improvements (FY 15 funding for survey, concept development and design, FY 16 funding for potential R/W acquisition)
- Heritage Plaza Road Extension (FY 15 funding for survey, concept development design and land acquisition)
- Extension of Lagoon Road – (survey, concept development, design)
- Reconstruction of Nassau Street – (survey, concept development, design)

- Wm. Hilton Parkway Intersection Improvements
 - at Squire Pope Road (FY15 funding provided for survey and design)
- Intersection Improvements at Shelter Cove Town Center including pedestrian crosswalks - (survey, concept development and design)
- Traffic Signal Mast Arms
 - Shelter Cove Lane @ William Hilton Parkway - (construction)
- Private Dirt Roads Acquisition (property acquisition only - no paving, upgrades or maintenance)
- Miscellaneous Turning Lane Improvements - (survey and design)
- Bluffton Parkway – Phase 5A (Flyover) Beautification

C. Park Development

- Town Parks Upgrades
 - Crossings Park Field Drainage Improvements
 - Public Art foundation (concrete base/stand for art work)
- Island Recreation Center Expansion - (design development, permitting, construction)
- Chaplin Linear Park – (construction)

D. Existing Facilities & Infrastructure

- Fire Station #2 Replacement – (design development, permitting)
- Town Hall Office Space Reconfiguration – (design, construction)
- Fire/Rescue Training Center Enhancements – (construction)

E. New Facilities

- USCB Hospitality Management Program Building (funding for activities per pending MOU)
- Coligny Area Improvements – parking improvements, park/playground/performance shell, children’s museum ** - (survey, concept development and design)
- Sewer Project(s) – TBD, pending request of HHPSD

F. Beach Maintenance

- Beach Management and Monitoring – (survey, data collection)
- Island-wide Beach Renourishment – (construction)

** Note that the Coligny Area Improvements consist of several roadway improvement projects plus conventional, parcel based development (parking lot, park/playground and children's museum). Please see the attached conceptual masterplan. It is envisioned that concept development, design and permitting for multiple components will occur simultaneously in any given year and that the phasing of project construction will likewise take place over several successive years. Initially, it is recommended that design attention be focused on the side street roadway network improvements, the parking lot and park. And that construction first proceed with the roadway network elements in order to provide both access to the parcels to be developed and to serve as alternate routes during the time of construction on the primary routes (Pope Avenue and South Forest Beach Drive) improvements.

Additionally, the construction phasing plan will consider seasonal restrictions so as to be the least disruptive on visitor season. As a result, it is expected that roadway and parking lot construction windows are no more than 6 months.

The fiscal year 2016 priorities recommended for the Coligny Improvements are as follows:

Roadway Improvements:

Pope Avenue/Office Park Road Intersection Improvements

Survey, concept development, design, land acquisition and permitting

Heritage Plaza Road

Survey, concept development, design and land acquisition

Extension of Lagoon Road

Survey, concept development, design, land acquisition

Reconstruction of Nassau Street

Survey, concept development, design, land acquisition

New Facilities

Parking, Park, Children's Museum

Survey, concept development and design

CAPITAL IMPROVEMENTS PROGRAM
FISCAL YEARS 2016- 2025
(proposed FY 16)

FY- 16_ post committee		ACCEL	In Bid or Obligated	SLIDE or CNAP?	New	Change	TIF
PROJECT		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021-2025
A PATHWAYS							
1	US 278-B (Shelter Cove / Chaplin to Mathews North) (up to 1/2 Traffic Impact Fees, Hosp Tax)						
	a. design						FY14
	b. legal						30
	c. construction						1170
	TOTAL PATHWAY IMPROVEMENTS	0	0	0	0	0	1200
ROADWAY IMPROVEMENTS							
1 OFFICE PARK ROAD INTERSECTION IMPROVEMENTS							
	a. survey/concept/design	FY15					
	b. legal	FY15					
	c. land acquisition	FY15					
	d. construction		1000				
2 HERITAGE PLAZA ROAD EXTENSION							
	a. survey/concept/design	FY15					
	b. legal	FY15					
	c. land acquisition	FY 14					
	d. construction			1500			
3 EXTENSION OF LAGOON ROAD							
	a. survey/concept/design	120					
	b. legal	TBD					
	c. land acquisition	TBD					
	d. construction			1200			
4 RECONSTRUCTION OF NASSAU STREET							
	a. survey/concept/design	100					
	b. legal	TBD					
	c. land acquisition	TBD					
	c. construction			760			
5 WM. HILTON PARKWAY INTERSECTION IMPROVEMENTS AT SQUIRE POPE ROAD-westbound third lane							
			300				
6 INTERSECTION IMPROVEMENTS AT SHELTER COVE TOWN CENTER (including WHP crosswalks)							
		125		1250			
7 TRAFFIC SIGNAL MAST ARMS (TIF Funded in District)							
	a. Shelter Cove Lane / US 278 Replacement	100					
	b. Pembroke Drive / US 278 Replacement		96				
	c. Gum Tree Road / US 278 Replacement			150			
8 PRIVATE (DIRT) ROADS ACQUISITION							
		50	TBD	TBD	TBD	TBD	TBD
9 MISCELLANEOUS TURNING LANE IMPROVEMENTS							
	a. EB Wm. Hilton Pkwy @ Queens Folly	15	150				
	b. WB Wm. Hilton Pkwy @ Beach City Road	10	75				
	c. Arrow Road at Palmetto Bay Road	10	75				
10 BLUFFTON PARKWAY- Phase 5A BEAUTIFICATION							
		250	500				
POPE AVENUE IMPROVEMENTS							
	a. survey/concept/design		100				
	b. legal		TBD				
	c. land acquisition		TBD				
	d. construction				1000		
11 SOUTH FOREST BEACH DRIVE IMPROVEMENTS							
	a. survey/concept/design			100			
	b. legal			TBD			
	c. land acquisition			TBD			
	d. construction					750	
12 ARROW /TARGET ROAD IMPROVEMENT							
					TBD		
TOTAL ROADWAY IMPROVEMENTS		780	2,296	4,960	1,000	750	0

CAPITAL IMPROVEMENTS PROGRAM
FISCAL YEARS 2016- 2025
(proposed FY 16)

PROJECT	FY	FY	FY	FY	FY	FY
	2016	2017	2018	2019	2020	2021-2025
C PARK DEVELOPMENT						
1 PARKS UPGRADES	175	200	200	200	200	1,000
a. Crossings Park Field Drainage Improvements	TBD					
b. Public Art Foundation	25					
c. Crossings Park Soccer Field sod replacement			TBD			
2 RECREATION CENTER EXPANSION						
a. Feasibility Study / Preparation of a Business Plan	complete					
b. Masterplan	complete					
c. design	250					
d. Construction	5,000	2,500				
3 CHAPLIN LINEAR PARK	FY15					6,500
TOTAL PARK DEVELOPMENT	5,450	2,700	200	200	200	7,500
D EXISTING FACILITIES & INFRASTRUCTURE						
1 FIRE STATION # 2 REPLACEMENT (Sea Pines) (Hospitality Tax)						
a. design	150					
b. construction (including provision for temporary quarters)		2,700				
2 TOWN HALL OFFICE SPACE RECONFIGURATION (Hospitality Tax)	50	50	50			
3 FIRE/RESCUE TRAINING CENTER ENHANCEMENTS	40	175				
TOTAL EXISTING FACILITIES & INFRASTRUCTURE	240	2,925	50	0	0	0
E NEW FACILITIES & INFRASTRUCTURE						
1 USCB HOSPITALITY MANAGEMENT PROGRAM BUILDING						
a. Memorandum of Understanding	TBD					
b. Land Acquisition and Demolition of Buildings	FY15					
d. Develop Conceptual Plan	FY15					
e. Traffic Plan	FY15					
f. Design/Permits	FY15					
g. Parking, Landscaping and Entry Feature	2500					
h. Construction of Building		17500				
2 COLIGNY / POPE AVE INITIATIVE AREA IMPROVEMENTS with COMMUNITY PARK						
a. survey/concept/design	750					
b. legal		50				
c. construction - Beach Parking Area Improvements			750	2,100		
d. construction - Central Park					5,800	
e. construction - Children's Museum						1,000
3 SEWER PROJECTS	TBD					
TOTAL NEW FACILITIES & INFRASTRUCTURE	3,250	17,550	750	2,100	5,800	1,000

CAPITAL IMPROVEMENTS PROGRAM
 FISCAL YEARS 2016- 2025
 (proposed FY 16)

PROJECT		FY	FY	FY	FY	FY	FY
		2016	2017	2018	2019	2020	2021-2025
F BEACH MAINTENANCE							
1	BEACH MANAGEMENT & MONITORING (Beach Fee)	500	500	500	500	500	2,500
2	BEACH RENOURISHMENT (Beach Fee)						
	a. Island-wide project	20,000					
	TOTAL BEACH MAINTENANCE	20,500	500	500	500	500	2,500
A PATHWAYS		0	0	0	0	0	1200
B ROADWAY IMPROVEMENTS		780	2,296	4,960	1,000	750	0
C PARK DEVELOPMENT		5,450	2,700	200	200	200	7,500
D EXISTING FACILITIES & INFRASTRUCTURE		240	2,925	50	0	0	0
E NEW FACILITIES & INFRASTRUCTURE		3,250	17,550	750	2,100	5,800	1,000
F BEACH MAINTENANCE		20,500	500	500	500	500	2,500
TOTALS (THOUSAND OF DOLLARS)		30,220	25,971	6,460	3,800	7,250	12,200
31-Oct-14							