



Town of Hilton Head Island
Planning & Development Standards Committee
Regular Meeting
Thursday, March 6, 2014 at 3:00 p.m.
Benjamin M. Racusin Council Chambers
Agenda

1. Call to Order

2. Freedom of Information Act Compliance

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

3. Review of Minutes - Regular Meeting of January 8, 2014

4. Unfinished Business

None

5. New Business

ZMA130009: A request from Witmer Jones Keefer, on behalf of Palmetto Dunes Property Owners Association, proposing to apply the RFZ (Redevelopment Floating Zone Overlay District) to the existing PD-1 (Planned Development) Zoning District for the property located at 16 Queens Folly Road. The site contains a nonconforming structure (old Fire Station 6) and several nonconforming site features. The Palmetto Dunes POA is proposing to redevelop the property, and has applied for the RFZ to allow flexibility in certain design standards that constrain the redevelopment. The property is further identified on Beaufort County Tax Map 12, Parcel 347A. *Presented by: Nicole Dixon*

6. Committee Business

7. Adjournment

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

TOWN OF HILTON HEAD ISLAND
Planning and Development Standards Committee
Minutes of the Thursday, January 8, 2014 Meeting
3:00p.m. – Benjamin M. Racusin Council Chambers

DRAFT

Committee Members Present: Chairman John McCann, George Williams, and Kim Likins, *Alternate*

Committee Members Absent: Bill Harkins

Council Members Present: None

Town Staff Present: Anne Cyran, Senior Planner
Teri Lewis, LMO Official
Kathleen Carlin, Administrative Assistant

1. Call to Order

Chairman McCann called the meeting to order at 3:00p.m.

2. Freedom of Information Act Compliance

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

3. Approval of Minutes

Mr. Williams made a **motion** to **approve** the December 5, 2013 meeting minutes as presented. Chairman McCann **seconded** the motion and the motion **passed** with a vote of 2-0-1. Mrs. Likins abstained from the vote due to her absence from the meeting.

4. Unfinished Business

None

5. New Business

ZMA130008: A request from Tim Wright proposing to amend the Official Zoning Map by changing the zoning designation of parcels from the IL (Light Industrial) Zoning District to the RM-4 (Low Density Residential) Zoning District. The parcels affected are identified as 147B, 0440, 0438 and 0147 on Beaufort County Tax Map 7. Chairman McCann introduced the application and requested that the staff make their presentation.

Ms. Anne Cyran made the presentation on behalf of staff. The staff recommended that the Planning & Development Standards Committee forward the application to Town Council with a recommendation of *approval*.

Ms. Cyran stated the Planning Commission met this morning to review Application for Zoning Map Amendment ZMA130008. Following the public hearing for this application, the Planning Commission forwarded application ZMA130008 to Town Council with a recommendation of *approval*.

The staff finds application ZMA130008 is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance as based on the Findings of Fact and Conclusions of Law detailed in the staff's report. Ms. Cyran presented an in-depth overhead review of the application including an aerial photo, zoning map, and By Right and Conditional Uses.

Mr. Tim Wright is proposing to rezone the subject parcels and combine them with adjacent parcels in the RM-4 Zoning District to create a residential development on Old House Creek.

The Hilton Head Public Service District recently constructed a lift station in the corner of Parcel 147B, but the parcel is otherwise undeveloped. Santee Cooper-owned power lines are located on Parcels 438, 147 and 440. Parcel 147 also contains an unimproved access road.

The maximum allowed density, maximum impervious coverage, minimum open space, setbacks and buffers, and permitted uses would change as a result of the proposed rezoning. The allowed density would change from 12,000 square feet of warehouse or 10,000 square feet of other nonresidential development per acre to 6,000 feet of nonresidential development or four residential density units per acre. The maximum impervious coverage would decrease by about half and the minimum open space would more than double as a result of the rezoning.

The subject parcels are surrounded by parcels in the IL and RM-4 Zoning Districts. The adjacent use setbacks will decrease from 30 feet to 20 feet where the subject parcels are adjacent to parcels in the RM-4 Zoning District. The adjacent use setbacks will increase from 20 feet to 30 feet where the subject parcels are adjacent to parcels in the IL Zoning District. The adjacent use buffers will decrease from 25 feet to 20 feet where the subject parcels are adjacent to parcels in the RM-4 Zoning District. The adjacent use buffers will increase from 20 feet to 25 feet where the subject parcels are adjacent to parcels in the IL Zoning District. The adjacent street setback and buffer will remain the same for parcels with frontage on Spanish Wells Road.

The permitted uses would change considerably as a result of rezoning from IL to RM-4. Permitted uses will change from primarily commercial and industrial uses to primarily residential and public and civic uses.

The applicant states this application would allow for the subject parcels to be combined with adjacent parcels in the RM-4 Zoning District and developed into an approximately 39 lot residential subdivision, which would be a much needed upscale housing project in the Ward I area. Without the combination of the parcels, most of the subject parcels would be too small to be developed and the adjacent parcels on Old House Creek would remain undeveloped due to inadequate street access.

The applicant states the proposed development would be well separated from adjacent light industrial uses by a 50 foot street right of way, adjacent use setbacks and a drainage easement on Parcel 147B. The applicant states Parcels 438 and 440 are not marketable because they are too small to be developed. Parcel 147 is large, but is too narrow to be developed and therefore it is not marketable. In addition, all of the parcels are covered by utility easements that allow no permanent structures on the parcels. If these parcels are combined with larger adjacent parcels, they could provide access and a storage area for a proposed residential development.

The applicant states Parcel 147B has questionable marketability due to the 50 foot wide drainage easement running from the front to the back of the parcel and the lift station in the corner of the parcel. Ms. Cyran reviewed the Findings of Fact and Conclusions of Law contained in the staff's

report. Following the staff's presentation, Chairman McCann requested that the applicant make his presentation.

Mr. Tim Wright presented statements in support of the application. The applicant and the committee discussed several issues including street access. Following the applicant's presentation, Chairman McCann requested public comments and none were received. Following final comments by the committee, Chairman McCann requested that a motion be made.

Mr. George Williams made a **motion** to forward Application for Zoning Map Amendment, ZMA130008, to Town Council with a recommendation of **approval**. Mrs. Likins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

6. Committee Business
None

7. Adjournment
The meeting was adjourned at 3:45p.m.

Submitted By:

Kathleen Carlin
Administrative Assistant

Approved By:

John McCann
Chairman



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Planning & Development Standards Committee
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Nicole Dixon, CFM, *Senior Planner*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE: February 13, 2014
SUBJECT: Proposed Ordinance No. 2014-05
ZMA130009 – Palmetto Dunes POA Office

Recommendation: The Planning Commission met on February 5, 2014 to review the attached application for Zoning Map Amendment (ZMA130009) and after a public hearing voted 7-0 to recommend that Town Council approve the proposed application for rezoning.

Staff recommends that the Planning and Development Standards Committee forward the application for the proposed rezoning to Town Council with a recommendation for approval.

Summary: The purpose of this application is to apply the RFZ (Redevelopment Floating Zone Overlay District) to the existing PD-1 (Planned Development) Zoning District for the property located at 16 Queens Folly Road. The site contains the old Fire Station 6, which is a nonconforming structure, and also has several nonconforming site features. The Palmetto Dunes Property Owners Association (POA) has a contract to purchase the property from the Town when the new fire station building is complete on Dalmatian Lane. The POA will redevelop the property as their administration, security and guest pass office. In order to redevelop the property, the applicant has applied for the RFZ to allow flexibility in certain design standards that constrain the redevelopment.

Background: The Town received this request from Witmer Jones Keefer, on behalf of Palmetto Dunes POA. Staff met with the applicant several times to review their options, and it was determined that the RFZ is the only option that would allow the redevelopment of the site, while still retaining some nonconformities.

The property is currently considered nonconforming for several reasons. The existing building, built around 1983, is located within the minimum adjacent street setback and buffer. In addition, the density permitted for this property according to the Palmetto Dunes master plan is 4,500 square feet. LMO Section 16-4-1604 states that maximum site specific densities shall not exceed the density limits established in approved master plans. The existing building is 7,840 square feet, 3340 square feet over the permitted density. The property contains several other nonconforming site features: lack of vegetated buffers, inadequately sized parking spaces, lack of and inadequately sized medians and drive aisles, and too much impervious coverage.

Approval of the RFZ will reduce the required adjacent street setback and buffer along Queens Folly Road by 50%. The applicant will also be able to rebuild to a density that is greater than what is permitted according to the Palmetto Dunes master plan. This will help facilitate the redevelopment of the property.

The purpose of the RFZ is to allow property to redevelop in a manner that is more flexible than design standards in the Land Management Ordinance (LMO) require of new development. Staff reviewed this request and determined that the application is consistent with the Comprehensive Plan and the RFZ criteria in the LMO.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2014-

PROPOSED ORDINANCE NO. 2014-05

AN ORDINANCE TO AMEND TITLE 16, "THE LAND MANAGEMENT ORDINANCE," OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-4-102, THE OFFICIAL ZONING MAP WITH RESPECT TO THAT CERTAIN PARCEL IDENTIFIED AS PARCEL 347A ON BEAUFORT COUNTY TAX MAP 12, TO APPLY THE RFZ (REDEVELOPMENT FLOATING ZONE OVERLAY DISTRICT) TO THE EXISTING PD-1 (PLANNED DEVELOPMENT) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on July 21, 1998, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a revised Land Management Ordinance ("LMO"); and

WHEREAS, on March 6, 2007, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by adopting amendments to the Land Management Ordinance creating the Redevelopment Floating Zone Overlay District; and

WHEREAS, the purpose of the Redevelopment Floating Zone is to encourage nonconforming properties to redevelop without requiring full compliance with the design and performance standards of the Land Management Ordinance; and

WHEREAS, the Planning Commission held a public hearing on said zoning map amendment application on February 5, 2014, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1607 of the LMO, voted 7-0 to find the application consistent with the Comprehensive Plan and serves to carry out the purposes of the LMO; and

WHEREAS, the Planning and Development Standards Committee held a public meeting on March 6, 2014 to review said zoning map amendment application, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning and Development Standards Committee, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1607 of the LMO, voted to recommend that Town Council <MOTON> the proposed zoning map amendment application; and

WHEREAS, after due consideration of said zoning map amendment application and the recommendations of the Planning Commission and the Planning and Development Standards Committee, the Town Council, upon further review, finds it is in the public interest to <MOTION> the proposed application.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:

Section 1. Amendment. That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-4-102 of the LMO, be hereby amended to modify the zoning designation of that certain parcel identified as parcel 347A on Beaufort County Tax Map 12, to apply the RFZ Overlay District to that specific parcel within the existing PD-1 Zoning District, specifically the Palmetto Dunes master plan. The attached Vicinity Map shows the location of the subject property.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2014.

Drew A. Laughlin, Mayor

ATTEST:

Vicki Pfannenschmidt, Town Clerk

Public Hearing: February 5, 2014

First Reading:

Second Reading:

Approved as to form:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



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

One Town Center Court | Hilton Head Island, SC 29928 | 843-341-4757 | FAX 843-842-8908

**STAFF REPORT
ZONING MAP AMENDMENT**

Case #:	Name of Project:	Public Hearing Date:
ZMA130009	Palmetto Dunes POA Office	February 5, 2014

Parcel Data:	Property Owners	Applicant/Agent
<u>Existing Zoning District:</u> PD-1 (Planned Development) <u>Proposed Zoning District:</u> Same as Above <u>Applicable Overlay District:</u> Corridor Overlay <u>Proposed Overlay District:</u> Redevelopment Floating Zone (RFZ) <u>Parcels Affected:</u> Beaufort County Tax Map 12, Parcel 347A <u>Parcel Acreage:</u> 1.09 Acres	Town of Hilton Head Island One Town Center Court Hilton Head Island, SC 29928	Witmer Jones Keefer 14A Palmetto Way Bluffton, SC 29910

Application Summary:
 Witmer Jones Keefer, on behalf of Palmetto Dunes Property Owners Association, is proposing to apply the RFZ (Redevelopment Floating Zone Overlay District) to the existing PD-1 (Planned Development) Zoning District for the property located at 16 Queens Folly Road. The site contains a nonconforming structure and several nonconforming site features. In order to redevelop the property, the applicant has applied for the RFZ to allow flexibility in certain design standards that constrain the redevelopment.

Staff Recommendation:
 Staff recommends that the Planning Commission find this application to be

consistent with the Town's Comprehensive Plan and does serve 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.

Background:

The property is currently home to the Town's Fire Station 6. The Palmetto Dunes Property Owners Association (POA) has a contract to purchase the property from the Town when the new fire station building is complete on Dalmatian Lane. The POA will redevelop the property as their administration, security and guest pass office.

The subject property is surrounded by property owned by the Greenwood Development Corporation for office, maintenance and storage yard uses for Palmetto Dunes, a water tower site, and has frontage on Dalmatian Lane and Queens Folly Road.

The property is currently considered nonconforming for several reasons. The existing building, built around 1983, is located within the minimum adjacent street setback and buffer. In addition, the density permitted for this property according to the Palmetto Dunes master plan is 4,500 square feet. LMO Section 16-4-1604 states that maximum site specific densities shall not exceed the density limits established in approved master plans. The existing building is 7,840 square feet, 3340 square feet over the permitted density. The property contains several other nonconforming site features: lack of vegetated buffers, inadequately sized parking spaces, lack of and inadequately sized medians and drive aisles, and too much impervious coverage.

The LMO states that a nonconforming structure shall not be expanded, enlarged, relocated or redeveloped, in whole or in part, unless the result is to bring the structure into conformance with the provisions of the LMO. The LMO provides the Redevelopment Floating Zone (RFZ) as a tool to redevelop nonconforming structures and sites.

Staff met with the applicant several times to review their options, and it was determined that the RFZ is the only option that would allow the redevelopment of the site, while still retaining some nonconformities. Approval of the RFZ will reduce the required adjacent street setback and buffer along Queens Folly Road by 50%. The applicant will also be able to rebuild to a density that is greater than what is permitted according to the Palmetto Dunes master plan. This will help facilitate the redevelopment of the property.

Applicant's Grounds for ZMA:

The applicant states in the narrative that Palmetto Dunes POA has a contract to purchase the property from the Town in the fall of 2014. The POA will redevelop the property as their administration, security and community pass office. The applicant states that after studying proposed renovations to the existing fire station building, the POA concluded that it isn't feasible to renovate the existing structure due to the current structural condition. The applicant decided that the redevelopment floating zone was the process they would pursue in order to redevelop the site so that it functions efficiently for their needs. The applicant states in the narrative that the redevelopment will lessen the nonconformities on site, improve site conditions while maintaining island character, and will be compatible with surrounding land

uses.

Summary of Facts and Conclusions of Law:

Findings of Facts:

- Notice of the Application was published in the Island Packet on January 5, 2014 as set forth in LMO (Land Management Ordinance) Sections 16-3-110 and 16-3-111.
- Notice of the Application was posted and mailed as set forth in LMO Sections 16-3-110 and 16-3-111.
- Pursuant to LMO Section 16-3-1603, the RFZ process requires the Design Review Board (DRB) to review and approve a conceptual landscape plan prior to the Planning Commission public hearing. On December 10, 2013, the DRB approved a conceptual landscape plan for this project.
- A public hearing will be held on February 5, 2014 as set forth in LMO 16-3-1606A.
- The Commission has authority to render their decision reached here in LMO Section 16-3-1606.

Conclusions of Law:

- The application, notice requirements, and public hearing comply with the legal requirements as set forth in LMO 16-3-110, 16-3-111 and 16-3-1606.
- The applicant submitted an affidavit stating they met the mailed notice requirements as set forth in LMO Section 16-3-111.

As set forth in Section 16-3-1607, Redevelopment Floating Zone Review Criteria, Planning Staff has based its recommendation on analysis of the following criteria:

Summary of Facts and Conclusions of Law:

Criteria 1: The site plan, design standards, and other design criteria are consistent with the purpose of the Redevelopment Floating Zone as stated in Section 16-4-1101 (LMO Section 16-3-1607A):

Finding of Fact:

- Pursuant to LMO Section 16-4-1101, the purpose of the Redevelopment Floating Zone is “to allow a property to redevelop in a manner that is more flexible than the design standards and other design criteria required of new development. The Redevelopment Floating Zone is designed to promote redevelopment to improve sites while still maintaining island character and encourage owners of nonconforming properties on the Island to redevelop without requiring complete conformance with the current provisions of this Title. The needs and goals of the Comprehensive Plan support the creation of this zone to encourage redevelopment.”

Conclusions of Law:

- Staff concludes that the site plan, design standards and other design criteria are consistent with the purpose of the Redevelopment Floating Zone as stated in LMO

Section 16-4-1101.

- The design of the proposed redevelopment incorporates a reduction in density, flexibility in the setback and buffer standards, but also includes the preservation of existing trees within the remaining buffer area as well as the installation of new landscaping and an increase of open space and pervious area on the site.

Summary of Facts and Conclusions of Law:

Criteria 2: The site plan, design standards, and other design criteria meet the definition of redevelopment in Chapter 10 of this Title (LMO Section 16-3-1607B):

Findings of Fact:

- Chapter 10 of the LMO defines redevelopment as: “The renovation of a previously developed site to the density allowed under Section 16-4-1601, or the existing density, whichever is greater.”
- The applicant is proposing to demolish the existing 7,840 square foot building and construct a new building that is 7,500 square feet; therefore reducing the density.

Conclusions of Law:

- Staff concludes that the site plan, design standards and other design criteria meet the definition of redevelopment in Chapter 10.
- The applicant is proposing a building that is slightly smaller in size than the existing density, which meets the definition of redevelopment.

Summary of Facts and Conclusions of Law:

Criteria 3: The area surrounding the proposed redevelopment can be planned and developed or redeveloped in substantial compatibility with the standards and criterion of the proposed redevelopment (LMO Section 16-3-1607C):

Findings of Fact:

- The property subject to the application is surrounded by property owned by the Greenwood Development Corporation for office, maintenance and storage yard uses for Palmetto Dunes, a water tower site, and has frontage on Dalmatian Lane and Queens Folly Road. These properties have all functioned together for years with shared parking and drive aisles.
- LMO Section 16-4-1102 states that “The Redevelopment Floating Zone may be applied for by qualifying parcels island-wide to redevelop with flexibility in design standards and other design criteria....The following parcels qualify: (1) Parcels that contain a nonconforming structure or site feature, or (2) A conforming parcel that redevelops in conjunction with a parcel that contains a nonconforming structure or site feature.”
- The proposed redevelopment includes the following overall site improvements: reduction in number of parking spaces, increase in landscaping and vegetation,

increase in pervious surface coverage, increase in open space, decreases density from 7,840 to 7,500 square feet, provides a bike rack, and improves parking space, median and vehicular circulation.

Conclusions of Law:

- Staff concludes that the area surrounding the proposed redevelopment can be planned and developed or redeveloped in substantial compatibility with the standards and criterion of the proposed redevelopment.
- If the adjacent properties are currently nonconforming, there would be the same opportunity provided for them to redevelop through this RFZ process where similar flexibility could be granted.
- The redevelopment will be an overall benefit to the surrounding area because of the proposed improvements to the site and the way it functions together with the adjacent properties.

Summary of Facts and Conclusions of Law:

Criteria 4: The proposed redevelopment is consistent with the Comprehensive Plan (LMO Section 16-3-1607D):

Findings of Facts:

The Comprehensive Plan addresses this application in the following areas:

Economic Development Element:

Section 7.6 – Potential Strategies with Implication for Comprehensive Plan

Identify and prioritize areas in need of redevelopment, including any obsolete or run down commercial buildings. Incentivize the development of flexibility of streamlining in regulation of density caps, setbacks (and other controls) that enable a qualitative, principle based, asset revitalization that enhances the Island’s positive legacies.

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.

An Implication for Building Permit Trends

Redevelopment of our existing built environment and infill development should be a focus for the future development of our community, while the Town has entered a more mature level of development.

An Implication for Nonconforming Parcels by Use

Current zoning classifications should be reviewed along with the associated regulations for each use. Areas that have high instances of nonconforming uses should be reviewed

closely and revisions should be made where necessary. Creative alternatives to traditional zoning classifications should be considered, such as form based and smart codes to reflect current building and development trends that are indicative of our Island character.

Goal 8.8 – Nonconforming Parcels by Use

B. The goal is to evaluate the locations of non-conforming uses to determine areas to consider for Zoning Map Amendments.

Goal 8.9 – Age of Structures

B. The goal is to encourage redevelopment of properties with aging structures or that no longer meet current market demands.

Implementation Strategy 8.8 Nonconforming Parcels by Use

A. Evaluate the zoning districts or regulations of the districts when high concentrations of non-conforming properties by use exist to determine if amendments are appropriate.

Conclusions of Law:

- Staff concludes that this application is consistent with the Comprehensive Plan, as set forth in LMO Section 16-3-1607D.
- The proposed rezoning will provide the flexibility needed to redevelop a site with nonconformities in compliance with the RFZ standards in the LMO.
- This rezoning will increase the potential for the redevelopment of an aging structure on the Island.

Summary of Facts and Conclusions of Law:

Criteria 5: The proposed redevelopment is not detrimental to the public health, safety and welfare (LMO Section 16-3-1607E):

Finding of Fact:

- The proposed redevelopment includes the following overall site improvements: reduction in number of parking spaces, increase in landscaping and vegetation, increase in pervious surface coverage, increase in open space, decreases density from 7,840 to 7,500 square feet, provides a bike rack, and improves parking space, median and vehicular circulation.

Conclusions of Law:

- Staff concludes that the proposed redevelopment is not detrimental to the public health, safety and welfare.
- The proposed redevelopment will be an overall benefit to the surrounding area and the public health because of the proposed improvements to the site and the way it

functions together with the adjacent properties.

Summary of Facts and Conclusions of Law:

Criteria 6: The proposed redevelopment will produce an overall result that is equal to, or will lessen the current nonconforming nature of the site (LMO Section 16-3-1607F):

Findings of Fact:

- LMO Section 16-4-1604 limits the density to what is established in an approved master plan, or where no density is established in a master plan it is limited to 10,000 square feet per net acre. The Palmetto Dunes master plan has 4,500 square feet of office assigned to the subject parcel. The existing fire station building is 7,840 square feet. The applicant is proposing a 7,500 square foot building, which will be a reduction in the nonconforming density.
- LMO Section 16-5-704B requires a 20 foot adjacent street setback from Queens Folly Road.
- LMO Section 16-5-806B requires a 20 foot adjacent street buffer from Queens Folly Road.
- The site plan submitted by the applicant for the proposed redevelopment illustrates the adjacent street setback and buffer along Queens Folly Road reduced by 50 percent of the required width, which is allowed with the RFZ overlay.
- LMO Section 16-5-1209 requires 1 parking space for every 350 square feet of gross floor area. The proposed building is 7,500 square feet, requiring 21 parking spaces on site. There are currently 46 parking spaces on site. The applicant is proposing to reduce the number of parking spaces to 37 and change 16 of them from impervious to pervious materials, which will reduce that nonconforming site feature.
- LMO Section 16-5-1207 requires 15 foot landscaped medians at the ends of parking bays and 12 foot medians within parking bays separating parking spaces of 10 in a row. The site currently lacks adequate landscaped medians. The proposed redevelopment includes the addition of landscaped medians.
- LMO Section 16-5-1207 requires drive aisles behind parking spaces to be at least 24 feet in width and drive aisles that are not behind parking to be at least 20 feet in width. The proposed redevelopment includes improvements to the drive aisles and vehicular circulation.
- LMO Section 16-4-1607 requires a maximum impervious surface coverage of 65%. The site currently has an impervious surface coverage of 71%. The applicant has worked with staff and revised the proposed site plan to reduce the impervious coverage to 64%, which will eliminate that nonconforming site feature.
- LMO Section 16-4-1606 requires a minimum open space coverage of 25%. The site currently has 36% of open space, so it is conforming. The applicant is proposing to increase the open space to 39%, which is another improvement to the site.

Conclusions of Law:

- Staff concludes that the proposed redevelopment will produce an overall result that will lessen the current nonconforming nature of the site.

- The nonconforming density will be reduced.
- Through the redevelopment of the property, even though the adjacent use and adjacent street buffer along Queens Folly Road will be decreased in width, it will contain increased vegetation and therefore will still function as a buffer.
- Some of the non-compliant parking, medians and drive aisles will be improved, making the site less nonconforming.
- The overall impervious surface coverage will be reduced and the open space will increase as a result of the proposed redevelopment, which is an additional improvement to the property because it improves the storm water conditions.

Summary of Facts and Conclusions of Law:

Criteria 7: The applicant has demonstrated that every effort has been made to meet the current standards of Chapters 4, 5 and 6 (LMO Section 16-3-1607G):

Findings of Fact:

- The property is currently nonconforming because it exceeds the density allowed on the approved master plan.
- The property currently exceeds the maximum impervious surface coverage requirements.
- The site is currently nonconforming because it lacks conforming parking, medians, drive aisles and buffers.
- The applicant has been working with staff to revise the proposed site plan to bring it into as much compliance with the LMO as possible.

Conclusions of Law:

- Staff concludes that the applicant has demonstrated that every effort has been made to meet the current standards of Chapters 4, 5 and 6.
- The applicant took the concerns of staff into consideration and redesigned the proposed redevelopment plan to make it more in compliance with the LMO for items such as providing pervious parking and providing an adequate stacking depth for the drive thru facility.
- The applicant is proposing to make the following overall improvements to bring the property more into conformance with the current standards of Chapters 4, 5 and 6: reduction in density, reduction in number of parking spaces, increase in landscaping and vegetation, increase in pervious surface coverage, increase in open space, provides a bike rack, and improve parking space, median and vehicular circulation.

Summary of Facts and Conclusions of Law:

Criteria 8: If the site contains nonconforming density, the applicant has demonstrated that redeveloping the site with that nonconforming density causes an inability to meet current standards (LMO Section 16-3-1607H):

Findings of Fact:

- LMO Section 16-4-1604 limits the density to what is established in an approved master plan, or where no density is established in a master plan it is limited to 10,000 square feet per net acre. The Palmetto Dunes master plan has 4,500 square feet of office assigned to the subject parcel. The existing fire station building is 7,840 square feet; therefore it is considered nonconforming to the density standards. The applicant is proposing a 7,500 square foot building, which will still be considered nonconforming.
- The applicant states in the narrative that they are tearing down the old fire station building and building this one smaller to make every attempt to meet the design standards but even with the smaller footprint and better placement of the structure, all standards cannot be met.

Conclusions of Law:

- Staff concludes that the property does contain nonconforming density, and that the applicant has demonstrated that redeveloping the site with that nonconforming density causes an inability to meet current standards.
- By demolishing the fire station building, the applicant will be able to redevelop and improve the site through the RFZ process at an even lower density than what currently exists.

LMO Official Determination

Determination: Staff determines that this application is consistent with the Comprehensive Plan and does serve to carry out the purposes of the LMO as based on the Findings of Fact and Conclusions of Law detailed in this report.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

ND

Nicole Dixon, CFM
Senior Planner

1-24-14

DATE

REVIEWED BY:

TBL

Teri B. Lewis, AICP
LMO Official

1-24-14

DATE

REVIEWED BY:

JL

Jayne Lopko, AICP
Senior Planner & Planning Commission Board Coordinator

1-24-14

DATE

ATTACHMENTS:

- A) Vicinity Map
- B) Applicant's Narrative
- C) Proposed Redevelopment Plan
- D) As-built Survey
- E) Photographs
- F) Aerial



Proposed Rezoning - 16 Queens Folly Road


TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341-6000

Town of Hilton Head Island
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.

ATTACHMENT B



December 18, 2013
Revised January 20, 2014

Palmetto Dunes Property Owners Association Office zoning map amendment request for redevelopment floating zone:

This project consists of a new Property Owners Association (POA) office along Queens Folly Road in Palmetto Dunes. Palmetto Dunes has contracted with the town to purchase the property (the site of Fire Station Number 6) with an anticipated closing in the fall of 2014. The site will provide Palmetto Dunes POA a presence at the entry/gateway to Palmetto Dunes, while bringing administrative, security, and community pass services together in one centralized facility. After studying updates to the existing fire station building, Palmetto Dunes concluded that renovating the existing structure was not feasible, but that utilizing a redevelopment floating zone would allow the site to function efficiently for their needs. The zone designation would also eliminate concerns regarding the existing fire station's structural condition.

Below find our findings on the criteria listed in Section 16-3-1607

- A. **The site plan, design standards, and other design criteria are consistent with the purpose of the Redevelopment Floating Zone as stated in Section 16-4-1101.**
Yes; they are consistent. The redevelopment improves site conditions while maintaining island character.
- B. **The site plan, design standards, and other design criteria meet the definition of redevelopment in Chapter 10 of this title.**
Yes; redevelopment density is less. . Redeveloping allows a more efficient plan, reducing the impervious area by +/-2484 square feet and lessening the current nonconforming nature of the site (The existing impervious area is +/-33,640 square feet and the proposed impervious area is +/-31,156 square feet). The current building footprint is 7,840 sf, while the proposed new footprint is 7,001 sf (an impervious area reduction of +/- 839 square feet). Please note the building square footage is 7500 sf; there is a 499 square foot meeting room on the second floor.
- C. **The area surrounding the proposed redevelopment can be planned and developed or redeveloped in substantial compatibility with the standards and criteria of the proposed redevelopment.**
Yes; this use is compatible with surrounding uses, with some current adjacent uses (pass office and security offices) moving to this site.
- D. **The proposed redevelopment is consistent with the Comprehensive Plan.**
Yes it is.
- E. **The proposed redevelopment is not detrimental to the public health, safety, and welfare.**
No; the redevelopment of this property should improve efficiency and safety.
- F. **The proposed redevelopment will produce an overall result that is equal to, or will lessen the current nonconforming nature of the site.**
Yes; it reduces the nonconforming nature of the site (see B. above).
- G. **The applicant has demonstrated that every effort has been made to meet the current standards of Chapters 4, 5, and 6.**
We are meeting all of these standards with the few exceptions needed to achieve Palmetto Dunes goal of bringing administrative, security, and community pass services together in one centralized facility at the entry /

ATTACHMENT B

gateway to Palmetto Dunes. The few exceptions (allowed in the redevelopment floating zone) being requested are:

1. Reduce the setback along Queens Folly to 10' to maximize the stacking space length to the pass office window. We are also requesting the buffer along Queen's Folly Road be reduced to 10' to match the setback request.
2. Building square footage of 7500.
3. Setbacks and buffers adjacent to the access easement and Palmetto Dunes Maintenance area should not apply per section 16-5-704 (adjacent use setbacks between adjoining parcels that are functioning as one development may be eliminated as deemed appropriate by the administrator); they currently function together and with the proposed POA office, this relationship will increase.

H. If the site contains nonconforming density, the applicant has demonstrated that redeveloping the site with that nonconforming density causes an inability to meet current standards.

Yes; the existing and proposed building square footage are nonconforming densities.

Other items of note are:

With total site acreage of 1.09 acres, the provided open space is 39%. The setback on Dalmatian Lane and on the northern portion of the property remains unchanged at 10'. The 10' buffer remains on Dalmatian Lane. Refer to the site plan for open space, parking calculations, and impervious area coverage. Please note we are requesting 16 parking spaces beyond the minimum requirement. These spaces will be needed for various types of meetings and guest coming to the pass and security offices. After reviewing section 16-3-1505 we believe this site meets all criteria (A. thru F.) for the zoning amendment, and if approved, will allow Palmetto Dunes to redevelop this property in a safe and efficient manner.

Sincerely,

Witmer ♦ Jones ♦ Keefer, Ltd.

Brian Witmer, ASLA,

Principal

cc: Andrew Schumacher

Daniel Keefer

Attachment



PALMETTO DUNES RESORT
MAINTENANCE AREA

PARKING SUMMARY

EXISTING PARKING SPACES	46 SPACES (2 HANDICAP)
PROPOSED PARKING CALCULATION	PARKING SPACES REQUIRED (1 SPACE PER 350 BUILDING SF)
PROPOSED PARKING SPACES	21 SPACES (1 HANDICAP)
	37 SPACES (2 HANDICAP)
	21 ASPHALT SPACES
	16 PERVIOUS SPACES (GRANITE FINES)

BUILDING SUMMARY

BUILDING SQUARE FOOTAGE	±7,500 SF
MEETING ROOM (INCLUDED IN BUILDING SQ. FOOTAGE)	1,030 SF
CONSTRUCTION TYPE: V	
BUILDING HEIGHT	26'-2"

TREE REMOVAL SUMMARY

TREES TO BE REMOVED (MEASURED IN CALIPER INCHES)	23" LIVE OAK
	23" LIVE OAK
	14" LAUREL OAK
	23" LAUREL OAK
	23" LAUREL OAK
	106" TOTAL REMOVED

PROPOSED REPLACEMENT TREES
(11 CATEGORY I TREES REQUIRED)

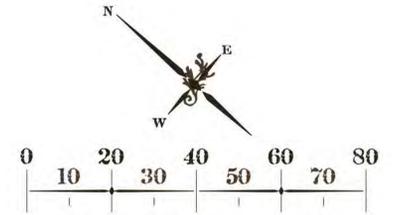
CATEGORY I	7 - 3" CAL LIVE OAKS
CATEGORY IV	16 - 10-14' HT. SABAL PALMETTOS (EQUAL 4 CATEGORY I TREES)

IMPERVIOUS AREA CALCULATIONS

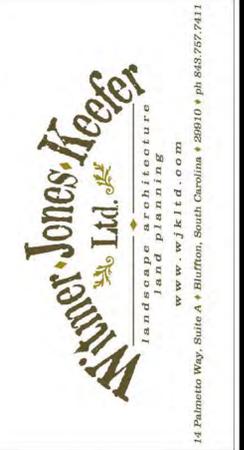
EXISTING IMPERVIOUS AREA:	71% (33,640 SF)
PROPOSED IMPERVIOUS AREA:	64% (30,436 SF)

OPEN SPACE CALCULATIONS

EXISTING OPEN SPACE:	36% (17,092 SF)
PROPOSED OPEN SPACE:	39% (18,517 SF)



Scale ♦ 1 inch equals 20'
SUBMITTAL PLAN
NOT FOR CONSTRUCTION
TOPO AND BOUNDARY SURVEYS, EXISTING TREES AND SURVEY DATA WERE TAKEN FROM DIGITAL PROVIDED BY:
SURVEYING CONSULTANTS
HILTON HEAD ISLAND, SC
(803) 842-3304



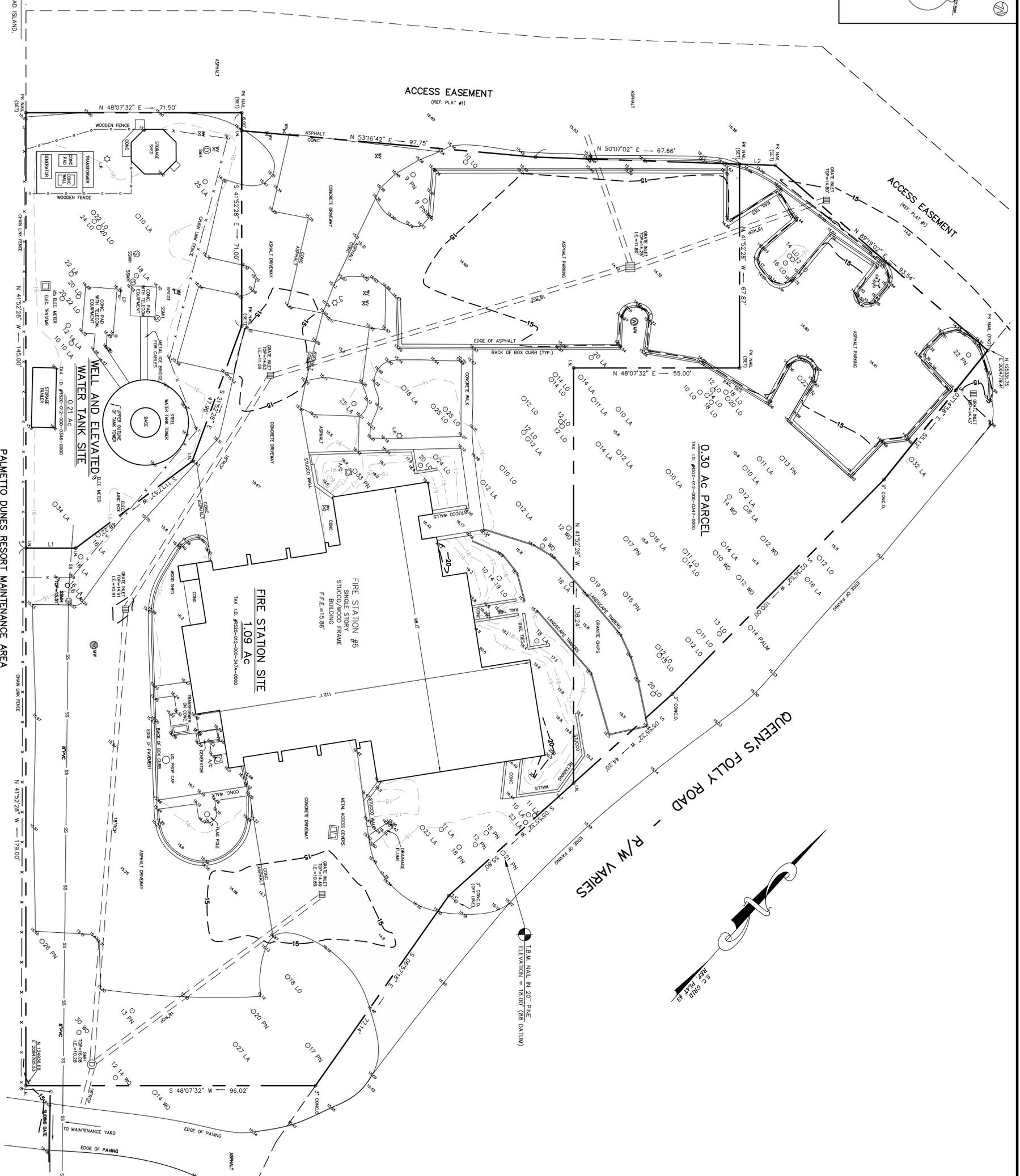
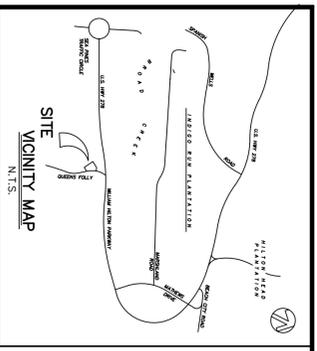
LANDSCAPE DEVELOPMENT PLAN
FOR
**PROPERTY OWNERS ASSOCIATION
OFFICE**
PALMETTO DUNES
HILTON HEAD ISLAND, SOUTH CAROLINA

DRAWING TITLE:
LANDSCAPE PLAN

DATE: 12-18-13
PROJECT NO.: 1042.03
DRAWN BY: BK
CHECKED BY: BW/DK

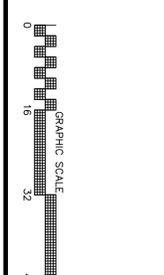
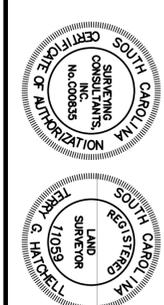
REVISIONS:

DRAWING NUMBER:
11 OF 1



- 1) PLAT OF PORTION OF PALMETTO DUNES, HILTON HEAD ISLAND, FOR BROAD CREEK PUBLIC SERVICE DISTRICT, BY: BOB ZWISLOCKI, SCROLLS 8/11/2013, RECORDED: P.B. 30, PG. 185, DATE 8/16/82.
- 2) BOUNDARY, TREE & TOPOGRAPHIC SURVEY OF 1.09 ACRES, QUEEN'S FOLLY ROAD, A SECTION OF PALMETTO DUNES RESORT, BY: TERRY G. HATCHELL, SCROLLS No. 11099, DATED: 11/24/1997.
- 3) ASBUILT BOUNDARY, TREE & TOPOGRAPHIC SURVEY OF: PALMETTO DUNES, HILTON HEAD ISLAND, DATED: 3/20/2012, BY: MARK R. RENNEW, SCROLLS No. 25437.

PREPARED FOR: PALMETTO DUNES POA
 ADDRESS: #12 & #16 QUEEN'S FOLLY ROAD
 TAX PARCEL I.D. NO. R520-012-000-0346, 0347 & 347A-0000



- NOTES
- 1) I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOUTH CAROLINA SURVEYING ACT AND THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO OBVIOUS APPARENT OR VISIBLE ENCUMBRANCES OR PROJECTIONS OTHER THAN SHOWN.
 - 2) AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE A-2, A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) MAP DATED 02/22/88. BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT.
 - 3) BUILDING SETBACKS WHICH EXIST FOR THIS LOT, SHOWN, OR NOT SHOWN ON THIS SURVEY, ARE EXPLAINED IN THE COVENANTS, EASEMENTS & ARCHITECTURAL REVIEW BOARD OR BUILDING AGENCY.
 - 4) UNDERGROUND UTILITIES NOT LOCATED EXCEPT AS SHOWN.
 - 5) SURVEYING CONSULTANTS AGENTS TO THE BOUNDARY, TOPOGRAPHIC, TREE & TOPOGRAPHIC SURVEY PERFORMED HEREON AS OF THE DATE OF SURVEY. THIS DOCUMENT IS PROVIDED AS A BASE MAP FOR OTHER INFORMATION ADDED AFTER THE DATE OF SURVEY IS NOT THE RESPONSIBILITY OF SURVEYING CONSULTANTS.
 - 6) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
 - 7) BEARINGS ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATES TAKEN FROM REFERENCE PLAT #3. SEE REFERENCE PLAT #1 FOR RECORD BEARINGS.

LINE TABLE

LINE	LENGTH	BEARING
L1	16.50'	N 48°07'32" E
L2	11.88'	N 50°07'02" E

- LEGEND:
- THREE SIZES ARE INCHES IN DIAMETER
 - SPOT ELEVATION
 - CONTOUR
 - CONCRETE MONUMENT, OLD (FOUND)
 - CONC. O.
 - TEMPORARY BENCH MARK
 - T.B.M.
 - LIVE OAK
 - LO
 - PLUM
 - PALM
 - PN
 - WATER OAK

ASBUILT, BOUNDARY, TREE & TOPOGRAPHIC SURVEY OF

FIRE STATION #6
1.09 AC

WATER TANK PARCEL & 0.30 ACRE PARCEL
QUEEN'S FOLLY ROAD

A SECTION OF
PALMETTO DUNES RESORT

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
 SCALE: 1/16" = 1'-0" DATE: 8/30/2013 JOB NO. SC97282A

SURVEYING CONSULTANTS
 17 Sherington Drive, Suite C, Bluffton, SC 29910
 GA Telephone: (803) 892-2772 FAX: (803) 892-2725
 COMPANY # BY SURVEYING CONSULTANTS

ATTACHMENT E



ATTACHMENT E



