

TOWN OF HILTON HEAD ISLAND
The Planning Commission

Minutes of the Wednesday, March 4, 2009 Meeting
9:00am – Benjamin M. Racusin Council Chambers

APPROVED

Commissioners Present: Chairman Al Vadnais, Vice Chairman Loretta Warden,
Tom Crews, Jack Docherty, Terence Ennis, Therese Leary,
Tom Lennox, Gail Quick and David White

Commissioners Absent: None

Town Council Present: Bill Ferguson

Town Staff Present: Nicole Dixon, Planner
Charles Cousins, Community Development Department Director
Shawn Colin, Senior Planner
Darrin Shoemaker, Traffic & Transportation Engineer
Heather Colin, Development Review Administrator
Teri Lewis, Land Management Ordinance Official
Shea Farrar, Senior Planner & Planning Commission Coordinator
Kathleen Carlin, Administrative Assistant

I CALL TO ORDER

Chairman Vadnais called the meeting to order at 9:00am.

II PLEDGE OF ALLEGIANCE TO THE FLAG

III ROLL CALL

IV FREEDOM OF INFORMATION ACT

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.

V USAGE OF CELLULAR TELEPHONE

Please turn off all cellular phones so that the meeting is not disturbed. Use of the cellular phone is allowed in the hallway outside of Council Chambers.

VI APPROVAL OF THE AGENDA

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

VII APPROVAL OF THE MINUTES

The Minutes of the February 4, 2009 meeting were **approved** as presented by general consent.

VIII APPEARANCE BY CITIZENS ON ITEMS UNRELATED TO TODAY'S AGENDA

None

IX UNFINISHED BUSINESS

None

X NEW BUSINESS

PUBLIC HEARING

Proposed LMO Street Naming Amendments

LMO Amendments - The Town of Hilton Head Island is proposing to amend Chapter 3 of the Land Management Ordinance (LMO) to revise the following articles and sections, including:

Sections 16-3-110 and 16-3-111: 16-3-110. This requires mailed notices for street naming and requires published, posted and mailed notices for the renaming of access easements. 16-3-111. This requires that mailed notices only be sent to owners of properties that are currently or will be addressed off of the street or access easement to be named or renamed.

Sections 16-3-1101, 16-3-1102, 16-3-1104, and 16-3-1105: 16-3-1101. This provides a purpose statement to demonstrate the importance of having a uniform street naming system. 16-3-1102. This requires mailed notices for the naming or renaming of streets or access easements. 16-3-1104. This requires modified street and access easement names to be reviewed at a public hearing. 16-3-1105. This revises the criteria in this section and provides guidelines for the review of street and access easement naming and renaming.

Ms. Nicole Dixon made the presentation on behalf of staff. Staff presented the proposed Street Naming Amendments to the LMO Committee on February 4, 2009. The LMO Committee voted unanimously to forward the proposed amendments to the full Planning Commission for appropriate action. The proposed amendments include changes to Chapter 3, Articles I and XI.

The Planning Commission had directed the staff to review the existing street naming regulations and procedures for adequacy; specifically to create a uniform street naming system. The staff proposed that we include a purpose statement to demonstrate the importance of having a uniform street naming system. The term “renaming” has been changed to “modified street name” to be consistent with the remainder of the Chapter and vehicular access easements have been included in the street naming procedures.

Up until this point, the staff did not follow the street naming procedures when naming vehicular access easements. Legal counsel advised the staff that because state law does not otherwise include procedures for the naming of easements distinct from street names, staff should follow the same procedures for the naming of vehicular access easements.

Ms. Dixon presented a power point presentation with her discussion of the proposed Street Naming Amendments. The Planning Commission and the staff discussed the purpose of the street naming, vehicular access easement and development of the name provisions to create a uniform street naming system.

They also discussed new and modified street names which should now generally use suffixes such as Drive, Lane, Place, Road, Street and Way. The suffixes Manor, Trace and Common will typically be used to name vehicular access easements.

Following the staff's presentation and discussion by the Planning Commission, Chairman Vadnais requested public comments and none were received. Chairman Vadnais thanked the staff for their presentation and requested that a motion be made.

Commissioner Quick made a **motion** that the Planning Commission should **approve** the proposed LMO Street Naming Amendments as presented by the staff. Commissioner White **seconded** the motion and the motion **passed** with a vote of 9-0-0.

Comprehensive Plan Amendment - The Town of Hilton Head Island is proposing to amend the following section of the Comprehensive Plan: Chapter 8 – Land Use Element, Section: C. Needs, Goals, and Implementation Strategies; Goal 2A. The changes add a provision to allow Town Council to authorize adjustments to the PUD density caps where the Town Council finds that the party seeking any adjustment to the caps has demonstrated that the adjustment will result in a community-wide benefit and that the party has proposed an acceptable mitigation strategy for any negative impacts on infrastructure that would result from development permitted by the adjustment to the caps.

Chairman Vadnais prefaced staff's presentation by reporting that the Planning Commissioners have received copies of a memorandum forwarded to Chairman Vadnais by Councilman Drew Laughlin (with regard to the Comprehensive Plan Amendment). In this memorandum Councilman Laughlin suggested that no incremental changes should be made to the Master Plan. Councilman Laughlin recommended that the sentence in the Comprehensive Plan which states that you cannot raise the caps in Planned Unit Developments (PUDs) be removed. After brief comments by the Planning Commission, Chairman Vadnais requested that Mr. Charles Cousins present statements on behalf of the staff.

Mr. Cousins stated that the staff recommends that the Planning Commission proceed with their review of the Comprehensive Plan Amendment. Mr. Cousins stated that the staff will consider Councilman Laughlin's recommendation, along with recommendations from remaining Council members, as they continue through the process of rewriting the Comprehensive Plan.

After final comments, Chairman Vadnais and the other Planning Commissioners agreed with staff's recommendation to continue with today's scheduled review. Chairman Vadnais requested that the staff make their presentation on the Comprehensive Plan Amendment.

Mr. Shawn Colin made the presentation on behalf of staff. The staff recommended that the Planning Commission adopt a resolution recommending that the Comprehensive Plan amendment be forwarded to Town Council for adoption based on the findings and conclusions stated in the Staff Report.

The Comprehensive Plan Committee reviewed the proposed amendment on February 18, 2009 and voted unanimously to forward the proposed amendment to the full Planning Commission with a recommendation for approval.

The staff, working at the direction of Town Council, has proposed an amendment to the Comprehensive Plan that provides greater flexibility to the density caps within Planned Unit Developments (PUDs).

It has been the Town's position to not allow any increases in the current PUD density caps as prescribed in the Comprehensive Plan. In order to maintain the intent of this goal, while

providing flexibility to accommodate the current situation, staff determined that it would be appropriate to explore options that would provide flexibility by looking at a sensitive approach based upon identifying a community-wide benefit and mitigating negative impacts on infrastructure resulting from an increase in density.

The Comprehensive Plan, adopted on March 16, 2004 serves as a tool for community leaders to strengthen and preserve the Town's structure, culture, image and unique sense of place for residents and visitors. Changes in growth or direction of development, as well as economic setbacks taking place in the community may warrant a review of the Comprehensive Plan. In addition, certain conditions may arise which dictate modifications to the existing plan through the amendment process.

Town Council directed the staff to explore options to remedy the conflict between the Comprehensive Plan's goal of capping density within the PUDs at or below current levels, and requests to increase the allowable density within the PUD Master Plans.

It has been the Town's position to deny requests to increase the current PUD density caps based on the Comprehensive Plan's Land Use Element, Goal 2A.

The proposed amendment is a text change to the Comprehensive Plan, Chapter VIII – Land Use Element, Section C. Needs, Goals and Implementation Strategies, Sustainable Development Section. The change is the addition of the following language: “Adjustments to the caps may be authorized where the Town Council finds that the party seeking any adjustment to the caps has demonstrated that the adjustment will result in a community-wide benefit and that the party has proposed an acceptable mitigation strategy for any negative impacts on infrastructure that would result from development permitted by the adjustment to the caps.”

Amendment Benefit - The proposed amendment maintains the intent of the existing Comprehensive Plan goal while also providing flexibility for development. It remedies existing Comprehensive Plan conflicting goals.

Elimination of Conflicting Statements and Goals - Need 3 of the Economic Development Element of the Comprehensive Plan – “As the real estate inventory ages, and the cost of development rises compared to competing areas, there is a concern that the Town should provide more regulatory flexibility and incentives for redevelopment to prevent aging structures from becoming neglected or abandoned, causing blight.”

Goal 3 of the Economic Development Element – “Continue redevelopment efforts including an analysis of the Land Management Ordinance to identify actions that can be taken to encourage private investment and redevelopment.”

Goal 4A of the Economic Development Element – “Seek to understand the needs and desires of the business community, and facilitate their needs to the extent practical.”

Goal 2A of the Land Use Element – “reduce allowable development densities to ensure that development and redevelopment do not create adverse impacts on the natural resources of the Islands and so not place an unreasonable burden on the community's infrastructure. Further, since 70% of the Town is within areas that were master planned, the master plan caps

should be held at or below current levels to ensure that the intent of those PUDs is not compromised.”

Goal 4B of the Land Use Element – “Promote redevelopment and infill that offers opportunities to form community centers and interesting, walkable places designed for pedestrian traffic and that better utilize existing infrastructure.”

Effect of Change – Properties that may qualify as a result of this proposed Comprehensive Plan amendment, must satisfy the following requirements: Demonstrate that the increase would provide a community – wide benefit; and have a mitigation strategy addressing negative impacts on infrastructure accepted by Town Council; and receive approval of a Zoning Map Amendment (ZMA) to increase the existing density cap for its respective PUD.

Legal Authority - The Town may amend the Comprehensive Plan based on changing conditions that warrant modifications to the existing plan through the amendment process as set forth in SC Code of Law 6-29-520, 6-29-530.

At the completion of the staff’s presentation and discussion by the Planning Commission, Chairman Vadnais requested that a motion be made.

Commissioner Ennis made a **motion** that the Planning Commission should adopt a resolution recommending the amendment be forwarded to Town Council for **adoption** based on the findings and conclusions stated in the Staff Report. Commissioner Leary **seconded** the motion and the motion **passed** with a vote of 9-0-0.

List of Engineering Consulting Firms Pre-Qualified to Perform Traffic Impact Analysis Plan Studies within the Town of Hilton Head Island.

Mr. Darrin Shoemaker made the presentation on behalf of staff. The staff recommended that Stantec Consulting Services, Inc., of Charleston, South Carolina be added to the existing list of consulting firms pre-qualified to perform traffic impact analysis plan (TIAP) studies within the Town of Hilton Head Island.

The Town maintains a list of engineering consulting firms that are pre-qualified to undertake TIAP studies as required by LMO Sec. 16-3-1305. A TIAP is currently being undertaken for the Town by Thomas & Hutton Engineering, Inc., of Mount Pleasant, South Carolina for the Children’s Center, a daycare center proposed for construction near Jarvis Creek Park. Mr. Shoemaker briefly reviewed Santec Consulting Services, Inc. Mr. Shoemaker stated that the staff recently reviewed all of the consulting firms on their list to ensure that they are still active and that they remain qualified.

At the completion of the staff’s presentation, Chairman Vadnais stated that no formal action by the Planning Commission is required for this item. The Planning Commission **approved** the staff’s recommendation by general consent.

CHAIRMAN’S REPORT

Chairman Vadnais reported that the staff is arranging a joint Planning Commission/Town Council meeting to be held sometime in April. The primary purpose of this meeting will be for the Planning Commission to provide a progress report and path forward for the development of the Town’s Comprehensive Plan.

COMMITTEE REPORTS

Commissioner White reported that the Capital Improvements Program Committee will meet on March 10, 2009 at 3:00pm. All Planning Commissioners are encouraged to attend this important meeting.

Commissioner Crews reported that the Comprehensive Plan Committee will meet this morning at 11:00am immediately following this morning's meeting. This will be a joint meeting with the Disaster Recovery Commission and Town staff.

At the completion of Committee Reports, Chester C. Williams, Esq., presented public statements in regard to the proposed amendments to the Comprehensive Plan.

STAFF REPORTS

Ms. Teri Lewis presented statements in regard to the issue of distance separation requirements for liquor stores. These comments were provided in response to the request of Ms. Kim Lutian, citizen (January 4, 2009 meeting).

Ms. Lewis stated that for purposes of this section of the LMO, the distance between any two liquor stores shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

These distances shall be measured from the nearest property line of the affected use to the nearest property line of the proposed liquor store or any parking lot designated to be used by patrons of the store. The Planning Commission and Ms. Lewis discussed the existing distance requirements and the possibility of revising the existing language of the LMO. The Planning Commission requested that Ms. Lewis research this issue further and present her findings at the next meeting.

Chester C. Williams, Esq., presented public comments in regard to the distance separation requirements for liquor stores.

XIII STAFF REPORTS

Ms. Heather Colin presented the first session of the Subdivision Training. Ms. Colin explained what constitutes a subdivision application, the submittal requirements, and the submittal procedure.

Ms. Colin will continue her training on March 18th on the specific technical aspects that the staff reviews when reviewing a subdivision. Ms. Colin will also provide sample documents and submittal requirements.

XIV ADJOURNMENT

There being no further business, the meeting was adjourned at 10:40 am.

Submitted By:

Approved By:

Kathleen A. Carlin
Administrative Assistant

Al Vadnais
Chairman