

TOWN OF HILTON HEAD ISLAND

The Planning Commission

Minutes of the Wednesday, August 5, 2009 Meeting

9:00am – Benjamin M. Racusin Council Chambers

APPROVED

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

Commissioners Absent: Chairman Al Vadnais

Town Council Present: Mayor Pro Tem Ken Heitzke and Bill Ferguson

Town Staff Present: Jayme Lopko, Senior Planner & Planning Commission Coordinator
Charles Cousins, Community Development Department Director
Anne Cyran, Planner; Jeff Buckalew, Town Engineer
Kathleen Carlin, Administrative Assistant

I CALL TO ORDER

Chairman Warden 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 July 15, 2009 meeting were **approved** as presented by general consent.

VIII SWEARING IN OF RETURNING PLANNING COMMISSIONERS

Mayor Pro Tem Ken Heitzke performed the swearing in ceremony for returning Planning Commissioners, Mrs. Loretta Warden and Ms. Therese Leary.

Mayor Pro Tem Ken Heitzke thanked Mrs. Warden and Ms. Leary for their continued service to the community.

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

Citizen, Mr. Thomas C. Barnwell, Jr., presented an update on the status of his Tabby project located in the area of Squire Pope Road. Mr. Barnwell stated that the new name of the project is Marsh Tacky Village. The Planning Commission thanked Mr. Barnwell for the update.

X UNFINISHED BUSINESS

None

XI NEW BUSINESS

PUBLIC HEARING

LMO Amendments - The Town of Hilton Head Island is proposing to amend Chapters 9 & 10 of the Land Management Ordinance (LMO) to revise the following articles and sections, including:

Sections 16-9-101 & 16-9-103: 16-9-101. This provides a purpose statement to demonstrate the need for emergency permitting after a disaster. 16-9-103. Changing word Chapter to Article.

Section 16-9-209: This section is being changed to be more flexible with the submittal requirements for properties in the Corridor Overlay District.

Section 16-9-211: This change adds that review of applications submitted during a State of Emergency may be suspended up to 18 months.

Sections 16-9-201 through 16-9-211: 16-9-201. This is being combined with 16-9-101. Sections 16-9-202 through 16-9-211 are being moved to Article I and being renumbered to Sections 16-9-104 through 16-9-113.

New Sections 16-9-201, 16-9-202 & 16-9-203: 16-9-201. This provides a purpose statement to demonstrate the need for temporary single family dwellings. 16-9-202. This states when this Article is applicable. 16-9-203. This states the provisions that shall be met in association with this Article.

New Sections 16-9-301, 16-9-302 & 16-9-303: 16-9-301. This provides a purpose statement to demonstrate the need for temporary non-residential units. 16-9-302. This states when this Article is applicable. 16-9-303. This states the provisions that shall be met in association with this Article.

Section 16-10-201: Additional definition(s) related to Disaster Recovery may be proposed.

Mrs. Jayme Lopko made the presentation on behalf of staff. The proposed amendments, also known as Disaster Recovery amendments, affect Chapters 9 and 10 of the Land Management Ordinance. The general premise behind the proposed amendments is to allow both single family homeowners and non-single family businesses to be able to occupy their property while reconstruction and repair efforts take place (allowed only to the extent of what existed on site originally.)

Mrs. Lopko discussed each of the proposed amendments individually. Mrs. Lopko stated that the proposed amendments are island-wide in applicability. At the completion of the staff's presentation, the Planning Commission and Mrs. Lopko discussed the intent of the amendments including possible conflicts with the requirements of gated communities.

Mr. Charles Cousins also presented statements on behalf of staff. The Planning Commission discussed possible concerns with the issue of density. Mr. Cousins stated that the staff will re-study this issue.

At the completion of the discussion, Chairman Warden requested public comments. Statements from the following citizens were received into the record: Ms. Sandra Reid, Representative of Long Cove Club, and Mr. Thomas Barnwell, Jr. The Planning Commission was urged to move forward with the proposed amendments in a timely manner due to the hurricane season.

At the completion of public comments, Chairman Warden stated that the public hearing for this item is closed.

The Planning Commission recommended that the staff ensure that individual POAs and PUDS (within gated communities) are well aware of the amendments as they are an important part of the Town's recovery efforts. The Planning Commission recommended that the staff re-study the language contained within Section 16- 9-203(B) regarding density. At the completion of the discussion, Chairman Warden requested that a motion be made.

Commissioner Crews made a **motion** to **approve** the proposed amendments as presented. The staff is asked to review Section 16-9-203 (B) with consideration of increasing the allowable units by some method. Commissioner White **seconded** the motion and the motion **passed** with a vote of 8-0-0.

PUBLIC HEARING

PPR090002 – Application for a Public Project Review for the construction of a multi-use pathway along the western side of Mathews Drive from William Hilton Parkway (US 278) to Beach City Road. Also, a roundabout is proposed at the intersection of Mathews Drive and Beach City Road, and the intersection of Cardinal Road and the entrance to Tabby Walk will be aligned. The directly affected properties are those with frontage on the Mathews Drive right-of-way between US 278 and Beach City Road, 1 and 2 Cardinal Road and 1 Cardinal Court.

Ms. Anne Cyran made the presentation on behalf of staff. The staff recommended that the Planning Commission find the application to be compatible with the Town's Comprehensive Plan based on the Findings of Facts and Conclusions of Law contained in the Staff Report dated August 5, 2009.

The need to redevelop Mathews Drive was stated in the *Redevelopment Strategies Workbook – Chaplin/Mathews Drive Area* (adopted August 17, 2004), which included Proposed Project 1.1 to, "Redesign Mathews Drive from Beach City Road to William Hilton Parkway to include a landscaped median with left turn lanes and pedestrian crossings and refuges, and a pathway on one side of the road to improve traffic circulation, pedestrian safety, and enhance the aesthetics of the roadway." Redevelopment has been a priority of Town Council's Strategic Plan since 2001.

The Planning Commission approved Public Project Review Application, PPR080004, for this project in November 2008. The following improvements were presented in the application: building a pathway on the eastern (airport) side of Mathews Drive; widening Mathews Drive to include landscaped medians and left turn lanes; re-aligning the entrance of Tabby Walk with Cardinal Road; and building a new roundabout at the intersection of Mathews Drive and Beach City Road.

At the time of the November 2008 meeting, the project was listed in the Town's adopted Capital Improvement Program (CIP) as being scheduled for fiscal year 2009 and Town staff expected construction to begin in July 2009.

In the process of developing the CIP earlier this year, it was determined that the scope of the project could not be supported by the allotted budget. The revised project does not include widening the road to three lanes with planted medians, installing curb and gutter, or relocating several utilities. Town staff held a public meeting on July 29th to discuss the changes with the property owners affected by the project.

The scope of the project now involves building a pathway on the western side of Mathews Drive instead of the eastern side, re-aligning the Tabby Walk/Cardinal Road intersection, and building a roundabout at the Mathews Drive/Beach City Road intersection.

In revising the scope of the project, the staff determined that widening Mathews Drive would be cost prohibitive. Without the roadway widening, locating the pathway along the eastern side of Mathews Drive would be less desirable and less cost effective. After further research, the western side of Mathews Drive was selected for the pathway because it offers the following benefits: it will require crossing fewer curb cuts; it will be more cost effective; it will impact fewer utilities; it will better serve residential areas and the Northridge shopping center; and it will connect directly to Palmetto Parkway.

The pathway will run along the western side of Mathews Drive and tie into the existing pathways on William Hilton Parkway and Beach City Road. Staff also considered the locations of existing curb cuts and minimizing tree impacts in determining the best alignment for the pathway.

The Tabby Walk/Cardinal Road intersection improvements and the roundabout design have remained the same. Cardinal Road and the entrance to the Tabby Walk complex will be re-aligned to line up with each other and provide a safer, more efficient intersection. The roundabout will incorporate the existing three-way intersection at Mathews Drive and Beach City Road to create a one-lane circle with three access points. Landscaped medians will separate the lanes as they approach and depart the circle. The roundabout will be designed to preserve and encompass many of the mature trees to the east of the existing intersection.

Ms. Cyran reviewed the Findings of Facts and Conclusions of Law. Mr. Jeff Buckalew presented statements in support of the application on behalf of the Engineering Department. At the completion of staff's presentation and discussion by the Planning Commission, Chairman Warden requested public comments. Citizen, Mr. Doug Skelly, Regime Manager for Tabby Walk, presented statements for the record.

Following these comments, Chairman Warden stated that the public hearing for this item is closed. At the completion of the discussion, Chairman Warden requested that a motion be made.

Commissioner Ennis made a **motion** to find Application for Public Project Review, PPR090002, to be consistent with the Comprehensive Plan and the intent of the Land Management Ordinance. Commissioner Docherty **seconded** the **motion** and the motion **passed** with a vote of 8-0-0.

XII COMMISSION BUSINESS

Commissioner Crews presented an update of the Neighborhood Meetings. Commissioner Crews also stated that the Comprehensive Plan Committee will meet immediately after this morning's meeting.

Commissioner Quick stated that the LMO Committee will meet this evening at 6:00pm. The committee will discuss and hear public comments on the proposed OCIL (Office Commercial Light Industrial) Amendments to the Land Management Ordinance.

XIII STAFF REPORTS

Mrs. Lopko presented an update on the Planning Commission's State Mandated Training requirements.

XIV ADJOURNMENT

There being no further business, the meeting was adjourned at 10:00am.

Submitted By:

Approved By:

Kathleen A. Carlin
Administrative Assistant

Loretta Warden
Acting Chairman