

TOWN OF HILTON HEAD ISLAND
The Planning and Development Standards Committee
Minutes of Tuesday, March 31, 2009 Meeting
5:00pm – Benjamin M. Racusin Council Chambers

APPROVED

Committee Members Present: Chairman Drew Laughlin, Bill Ferguson, John Safay
George Williams, Alternate

Committee Members Absent: None

Other Council Members Present: None

Town Staff Present: Marcy Benson, Senior Grants Administrator
Nicole Dixon, Planner
Shawn Colin, Senior Planner
Kathleen Carlin, Administrative Assistant

I CALL TO ORDER

II 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.

III APPROVAL OF MINUTES

The minutes of the January 28, 2009 meeting were **approved** as presented by a vote of 2-0-1. Mr. Safay abstained from the vote due to his absence from the meeting.

UNFINISHED BUSINESS:

ZMA070006 - An application from Blair C. & Lynette Hennessy to amend the Official Zoning Map to rezone their property from RM-4, Low to Moderate Density Residential zoning district to IL, Light Industrial zoning district. The property is located at 12 Fish Haul Road and is further identified on Beaufort County Tax Map 5 as parcel 192. *The review of this application is postponed to the April 22, 2009 meeting.*

Development Agreement - A development agreement has been proposed between the Town of Hilton Head Island and PVI Shelter Cove Limited Partnership. The property subject to the agreement is that certain 42.45 acre tract known as The Mall at Shelter Cove, located at 24 Shelter Cove Lane, and further identified as Beaufort County Tax Map # 12B Parcel 26. The uses proposed in the agreement include all Commercial Uses, except as limited by LMO Section 16-4-209, Cinema Complex and Community Services.

Chairman Laughlin reported that this item has been removed from the agenda. The Planning & Development Standards Committee will arrange a special meeting within the next couple of weeks for review of this item. Citizen, Mr. Lawrence Meyers, presented public statements regarding the urgency of

moving this item forward as quickly as possible. The staff will notify Mr. Meyers of the date and time of the upcoming special meeting.

Fair Housing Resolution

Ms. Macy Benson made the presentation on behalf of staff. Ms. Benson stated that the month of April is recognized as National Fair Housing Month. The staff requested that the Planning and Development Standards Committee forward the (attached) proposed Fair Housing Resolution to Town Council with a recommendation of approval. The Committee discussed the proposal and agreed with the staff's recommendation for approval. Chairman Laughlin requested public comments and none were received. Chairman Laughlin requested that a motion be made.

Mr. Safay made a **motion** that the Committee should forward the proposed Fair Housing Resolution to Town Council with a recommendation of **approval**. Mr. Ferguson **seconded** the motion and the motion **passed** with a vote of 3-0-0.

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. Ms. Dixon presented the LMO Street Naming Amendments that include revisions to Chapter 3, Articles III and XI. About eight months ago, the Planning Commission directed the staff to review the existing street naming regulations and procedures with the goal of creating a uniform street naming system. A working group was formed to review and recommend a street naming system. The staff proposes to add a Purpose Statement to demonstrate the importance of having a street naming system. The term "renaming" has been changed to "modified street name" to be consistent with the remainder of the Chapter. Vehicular access easements have been included in the street naming guidelines. Up until this time the staff did not follow the street naming procedures for vehicular access easements. Because State law does not otherwise include the naming of access easements distinct from street names, legal counsel directed the staff to follow the same procedure. They are now included in the Articles on Street Naming.

The changes require that the renaming of streets and access easements be reviewed at a public hearing and require public notice while the naming of new streets and access easements only be required to be reviewed at a public meeting (and will not require a public notice.)

The Planning Commission also recommended that staff revise the criteria for new and modified street names. They specifically requested that the criteria be amended to allow streets that cross a major arterial

to have different names. The Planning Commission further requested that the staff add guidelines that will address suffix usage for the street naming and renaming projects. The staff was also asked to add a criteria that would allow the Planning Commission to consider the economic impact a street naming or renaming may have on the number of address points affected.

Finally, during the review of the street naming procedures, the staff noticed a discrepancy between Sections 16-3-1102(B) and Sec. 16-3-111 (in regard to mailed notice requirements). The proposed section will make this easier to understand. Ms. Dixon and the Committee discussed the terms of the existing and proposed mailed notice requirements.

At the completion of the discussion, Chairman Laughlin requested public comments on the proposed amendments and none were received. Chairman Laughlin requested that a motion be made.

Mr. Safay made a **motion** that the Committee should forward the proposed LMO Street Naming Amendments to Town Council with a recommendation of **approval**. Mr. Ferguson **seconded** the motion and the motion **passed** with a vote of 3-0-0.

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. Adds 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.

Mr. Shawn Colin made the presentation on behalf of staff. Mr. Colin presented a power point presentation as part of the discussion. This is the second Comprehensive Plan amendment that has come before this Committee in the past four months. The staff recommended that the Committee forward the Comprehensive Plan Amendment to Town Council with a recommendation of approval.

The existing Comprehensive Plan was adopted on March 16, 2004; it outlines the direction for the Town. Certain conditions may arise where the Comprehensive Plan may need to be revised. This is done through the amendment process. In December 2008 a recommendation went to Town Council that directed the staff to review the Comprehensive Plan to provide some flexibility to the PUD master plan density caps. The staff looks to accomplish this by eliminating the absolute prohibition of the increase in density that currently exists in the Comprehensive Plan.

Up until this point, it has been the Town's position to deny any application that requested an increase in density within the PUDs based on the Land Use Goal 2-A of the Comprehensive Plan (the Master Plan cap should be held at or below current levels). The proposed Amendment is a change to that text section of the Plan. It allows Town Council the authority to provide adjustments to the caps when they find that there is a community-wide benefit and the applicant provides a mitigation strategy for any negative impacts on infrastructure that would result from the change to the density cap.

The staff wishes to make sure that they still hold the intent of the goal that was adopted when the Comprehensive Plan was updated in 2004 while still providing flexibility for development. Based on past discussions, the staff recognizes that there are some conflicting needs, goals and strategies within the Comprehensive Plan. Today's discussion will, hopefully, be an exercise in helping to eliminate some of

these conflicting goals. Mr. Colin and the Committee discussed the following: (1) the Town should provide more regulatory flexibility to promote redevelopment of aging structures; (2) look to the LMO to encourage private investment and redevelopment; (3) seek to understand the needs of the business community – facilitate that to the extent practical; (4) create community centers, walkable spaces, and utilize existing infrastructure. Town Council is authorized to modify the Comprehensive Plan by state law.

As a result of the amendment being adopted, an applicant will still be required to demonstrate that there is a community-wide benefit for any increase or any adjustment to the density cap of the PUD. An applicant will also be required to provide Town Council with an acceptable mitigation strategy to negate any negative impacts on infrastructure that result from the adjustments to the density caps.

The Committee and Mr. Colin discussed the proposal with specific attention given to Goal 2-A. At the completion of the discussion, Chairman Laughlin requested that a motion be made.

Mr. Safay made a **motion** that the Committee should forward the proposed Comprehensive Plan Amendment to Town Council with a recommendation for **approval**. Mr. Ferguson **seconded** the motion and the motion **passed** with a vote of 3-0-0.

ZMA080006 - The Town of Hilton Head Island has received a request from James C. Atkins with Court Atkins Architects, on behalf of Sally Warren with the Shipyard Administration Building, to amend the Official Zoning Map and Master Plan for the property located in the PD-1, Planned Development Mixed Use zoning district, to increase the density from a 2,100 sq. ft. administrative office building to a 3,100 sq. ft. administrative office building. The property is located at 10 Shipyard Drive in Shipyard Plantation and further identified as Beaufort County Tax Map #15, Parcel #343.

Chairman Laughlin stated that the review of this application is not necessary today because the Committee had already recommended its approval with the condition of Town Council adopting the amendment to the Comprehensive Plan that was just considered. For this reason and because the application has not changed, the Committee agreed that no further action is required today on the application.

VI ADJOURNMENT

The meeting was adjourned at 5:10pm.

Submitted By:

Approved By:

Kathleen Carlin
Administrative Assistant

Drew Laughlin
Chairman