

**TOWN OF HILTON HEAD ISLAND**  
**The Planning and Development Standards Committee**  
**Minutes of the Wednesday, February 24, 2010 Meeting**  
**4:00pm – Benjamin M. Racusin Council Chambers**

**APPROVED**

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

Committee Members Absent: John Safay (*Note: Chairman Ferguson requested that the staff change Mr. Safay's attendance at this meeting from 'Absent' to 'Present'. This change was requested at the March 24, 2010 meeting.*)

Council Members Present: None

Town Staff Present: Jayme Lopko, Senior Planner  
Heather Colin, Development Review Administrator  
Kathleen Carlin, Administrative Assistant

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**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 October 28, 2009 meeting were **approved** as presented with a vote of 2-0-1.

**IV COMMITTEE BUSINESS**

None

**V NEW BUSINESS**

**ZMA100001** - An application has been submitted by Mr. Bret Pruehs, of McNair Law Firm on behalf of 701 Associates, LLC to amend the Official Zoning Map by amending the Sea Pines Master Plan and its associated text to add liquor store as an additional permitted use at 70 Lighthouse Road, common referred to as Sea Pines Center. The parcels are further identified as Parcels 1191, 1197, and 174B on Beaufort County Tax Map #17.

Mrs. Jayme Lopko made the presentation on behalf of staff. The staff recommended that the Planning and Development Standards Committee forward the application to Town Council with a recommendation of approval. The application is consistent with the Town's Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance (LMO).

Mrs. Lopko stated that Mr. Robert Long, from The Club Group, Ltd., met with the staff regarding the Sea Pines Center parcel and the uses that would be permitted on the property. A prospective tenant desired to open a liquor store in Sea Pines Center and was not sure if the use was permitted.

The staff informed Mr. Long that, although commercial uses are permitted on the property, the Sea Pines Master Plan lists commercial uses as: Business Land which shall mean property on which the following kinds of facilities have been or shall be constructed: (1) restaurant and/or bar facilities; (2) warehouse and storage facilities; (3) offices; (4) commercial buildings, including but not limited to retail shops, hotels, motels, inns, banks, theaters, lounges, but excluding family dwelling units; (5) stable buildings; (6) recreation clubhouses; and (7) tennis courts.

According to LMO Section 16-4-209E, liquor store uses are restricted in the PD-1 district to locations where the Town-approved master plan or master plan text specifically states the use is permitted. Since there is no specific language on the Sea Pines Master Plan or associated text, a liquor store is not permitted on the Sea Pines Center property. The staff then informed Mr. Long that he could apply for a Zoning Map Amendment (ZMA) to amend the Sea Pines Master Plan to specifically permit liquor store as a use on the Sea Pines Center parcels.

A liquor store was located in the Sea Pines Center from 1985 to 1998 as a legally nonconforming use. According to LMO section 16-7-107 a nonconforming use which has been discontinued for a period of 12 consecutive months shall not be re-established. Since the liquor store vacated the property more than twelve months ago it cannot be re-established without the amending the Sea Pines Master Plan to allow the use.

The applicant is requesting to amend the Sea Pines Master Plan to add liquor store as a permitted use on property that is already zoned for commercial uses. The area is currently developed with commercial uses. The additional use would be compatible with the existing development and character of the area.

This completed the staff's presentation. Mr. Bret Pruehs, of McNair Law Firm on behalf of 701 Associates, LLC, presented brief statements in support of the application. The Committee discussed the application and agreed with staff's recommendation for approval. Chairman Ferguson requested that a motion be made

Mr. Laughlin made a **motion** that the Planning and Development Standards Committee **forward** Application for Zoning Map Amendment ZMA100001 to Town Council with a recommendation of **approval**. Mr. Williams **seconded** the motion and the motion **passed** with a vote of 3-0-0.

## VI ADJOURNMENT

The meeting was adjourned at 4:07pm.

Submitted By:

Approved By:

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Kathleen Carlin  
Administrative Assistant

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Bill Ferguson  
Chairman