

TOWN OF HILTON HEAD ISLAND
Planning Commission
Minutes of the Wednesday, February 16, 2011 Meeting **APPROVED**
3:00p.m. – Benjamin M. Racusin Council Chambers

Commissioners Present: Chairman Al Vadnais, Vice Chairman Loretta Warden, Tom Crews, Jack Docherty, Terence Ennis, Terry Leary, Tom Lennox, Gail Quick and Charles Young

Commissioners Absent: None

Town Council Present: Bill Ferguson

Town Staff Present: Anne Cyran, Senior Planner
Scott Liggett, Public Projects and Facilities Director
Charles Cousins, Community Development Department Director
Jayme Lopko, Senior Planner & Planning Commission Coordinator
Shawn Colin, Comprehensive Planning Division Manager
Kathleen Carlin, Secretary & Administrative Assistant

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. 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.

5. APPROVAL OF THE AGENDA

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

6. APPROVAL OF THE MINUTES

The minutes of the January 5, 2011 meeting were **approved** as presented by general consent. The minutes of the January 19, 2011 meeting were **approved** as presented by general consent.

7. APPEARANCE BY CITIZENS ON ITEMS UNRELATED TO TODAY'S AGENDA

Chester C. Williams, Esq., presented statements regarding the notification of canceled meetings to applicants and the filing of applications for appeal.

8. UNFINISHED BUSINESS

None

9. NEW BUSINESS

Public Hearing

ZMA100009: The Town of Hilton Head Island is proposing to amend the Official Zoning Map for portions of the IL, Light Industrial and OL, Office/Institutional Low Density Zoning Districts, by changing the zoning designation of five properties in the area of the Mathews Drive and Marshland Road intersection. These parcels are further identified on Beaufort County Tax Map 8 as Parcels 11H and 217 and on Tax Map 8A as 104, 106 and 108. The properties will be rezoned to CC, Commercial Center Zoning District. These changes may affect your rights as an owner of land.

Ms. Anne Cyran made the presentation on behalf of staff. The staff recommended 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 Land Management Ordinance based on the Findings of Facts and Conclusions of Law as determined by the LMO Official.

The Town of Hilton Head Island is proposing to amend the Official Zoning Map for portions of the IL, Light Industrial, and OL, Office/Institutional Low Density Zoning Districts, by changing the zoning designation of five properties in the area of the Mathews Drive and Marshland Road intersection.

The purpose of the rezoning is to bring these properties into greater compliance with the Land Management Ordinance and to formalize the existing commercial nature of these street-front properties in the Mathews Drive/Marshland Road area.

The parcels subject to the proposed rezoning are older, developed sites. All of the parcels were initially zoned for light industrial uses. The property addressed at 2 Marshland Road was rezoned in 2003 from IL to OL as a result of a request from the property owner, who found that the property couldn't adequately function as a light industrial property. Each of the parcels has nonconforming site structures or features and four of the five properties have non-conforming uses, which are all commercial uses.

The Town received a request from a property owner to rezone his parcel from OL to CC, a district that would allow greater flexibility in leasing space to tenants. The staff examined this request and determined that, based on their existing uses; five parcels in the area would be more appropriately zoned in the Commercial Center (CC) Zoning District. The rezoning will bring these properties into greater compliance with the LMO without creating new non-conformities. Ms. Cyran reviewed the vicinity map, the aerial photo, and the Use Table. Ms. Cyran discussed the Findings of Fact and Conclusions of Law.

Following the staff's presentation, the Planning Commission and staff discussed traffic issues. Chairman Vadnais stated his concern with potential traffic problems in accessing the Wellness Center (located at the corner of Marshland Road and Mathews Drive.) Chairman Vadnais stated that these traffic concerns are based on the activity level at the Wellness Center.

Ms. Cyran stated that a roundabout is proposed for the intersection of Marshland Road and Mathews Drive with construction planned in Fiscal Year 2012. Mr. Scott Liggett presented

statements on behalf of the Engineering Department with regard to the proposed roundabout's access points. Mr. Liggett briefly described the design of the proposed three-legged roundabout. The staff does not believe that traffic will be an issue at the intersection of Marshland Road and Mathews Drive.

The Planning Commission and Ms. Cyran then discussed conforming and nonconforming uses associated with the area. The Planning Commission and the staff also discussed compliance with public notice requirements associated with commercial and residential properties located within 350-feet of the site. Following this discussion, Chairman Vadnais requested comments from the public.

Chester C. Williams, Esq., presented statements regarding the zoning map. Dr. Wayne Johnson, owner of the Wellness Center, presented statements regarding his business and the zoning of the area. Following these public comments, Chairman Vadnais stated that the public hearing for this application is closed.

At the completion of the Planning Commission's discussion, Chairman Vadnais requested that a motion be made that the Planning Commission finds application ZMA100009 to be consistent with the Town's Comprehensive Plan and does serve to carry out the purposes of the Land Management Ordinance based on the Findings of Facts and Conclusions of Law as presented by staff.

Vice Chairman Warden made the **motion to approve** application ZMA100009 as stated by Chairman Vadnais. Commissioner Quick **seconded** the motion and the motion **passed** with a vote of 9-0-0.

As part of this approval, and for the record, Vice Chairman Warden recommended that "the staff explore further CC designations for the properties that are fronting on Marshland Road, and whether or not that is something that is advisable for us to consider in the interest of consistency."

10. COMMISSION BUSINESS

Chairman Vadnais stated that Mr. Charles Cousins will present comments under today's Staff Reports with regard to the Mayor's recommendation for the establishment of a LMO Rewrite Committee.

11. CHAIRMAN'S REPORT

Chairman Vadnais requested a status update from the CIP Committee, the Comprehensive Plan Committee, and the LMO Committee.

12. COMMITTEE REPORTS

1. CIP Committee Update - Mr. Scott Liggett presented a brief update on CIP activities on behalf of staff.
2. Comprehensive Plan Committee Update – Mr. Shawn Colin presented a brief update on the status of the Comprehensive Plan Committee including the Community Design Element, Energy Element, and Population Element.
2. LMO Committee Update – The LMO Committee will meet on March 16, 2011 at 6:00pm to discuss the proposed amendment to the Water-Oriented Mixed Use district.

13. STAFF REPORTS

Chairman Vadnais prefaced the staff's report by stating that he met recently with Mr. Charles Cousins, Councilman Ferguson, Town Manager Steve Riley, and Mayor Laughlin to discuss the establishment of a new LMO Rewrite Committee.

Mr. Cousins stated that Town Council has established a need to rewrite the Town's Land Management Ordinance. Mr. Cousins briefly described the purpose of the new LMO Rewrite Committee. Town Council will discuss this issue at their March 1, 2011 meeting.

The Planning Commission discussed the process and purpose of the new committee with Mr. Cousins. The Planning Commission recommended that the LMO Rewrite Committee be formed before the start of developing schedules and making presentations to the public (the new committee should have an opportunity to help design the path forward, steps taken, and goals.)

14. ADJOURNMENT

The meeting was adjourned at 4:15p.m.

Submitted By:

Approved By:

Kathleen Carlin
Administrative Assistant

Vice Chairman Loretta Warden on behalf of
Chairman Al Vadnais