

TOWN OF HILTON HEAD ISLAND
Planning and Development Standards Committee
Minutes of Wednesday, October 26, 2011 Meeting
4:00pm – Benjamin M. Racusin Council Chambers

APPROVED

Committee Members Present: Chairman Bill Ferguson, Mayor Pro Tem Ken Heitzke and Bill Harkins

Committee Members Absent: None

Council Members Present: George Williams

Town Staff Present: Anne Cyran, Senior Planner; Nicole Dixon, Senior Planner; Heather Colin, Development Review Administrator
Kathleen Carlin, Administrative Assistant

1) CALL TO ORDER

Chairman Ferguson called the meeting to order at 4:00p.m.

2) 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.

3) APPROVAL OF MINUTES

Mr. Harkins made a **motion** to **approve** the minutes of the September 28, 2011 meeting as presented. Mr. Ferguson **seconded** the motion and the motion **passed** with a vote of 3-0-0.

4) UNFINISHED BUSINESS

None

5) NEW BUSINESS

ZMA110002: The Town of Hilton Head Island is proposing to amend the Official Zoning Map by changing the zoning designation of two properties located at 32 and 40 Marshland Road from the IL (Light Industrial) Zoning District to the RM-4 (Low to Moderate Density Residential) Zoning District. These parcels are further identified on Beaufort County Tax Map 8 as Parcels 8E and 410.

Ms. Anne Cyran made the presentation on behalf of staff. The staff recommended that the Planning & Development Standards Committee forward the application for the proposed rezoning to Town Council with a recommendation for approval. The Planning Commission met on September 7, 2011 and October 5, 2011 to review Application for Zoning Map Amendment ZMA110002 and after the public hearing on October 5th voted unanimously to recommend that Town Council approve the proposed application for rezoning.

The purpose of the application is to amend the Official Zoning Map by changing the zoning designation of two properties located at 32 Marshland Road and 40 Marshland Road from the IL (Light Industrial) Zoning District to the RM-4 (Low to Moderate Density Residential) Zoning

District. Of the properties proposed to be rezoned, one is currently undeveloped and the other contains a single family residence.

The Town initiated this request in order to eliminate a non-conforming use and to ensure that future development on these parcels would be consistent with the adjacent residential neighborhood. Staff examined this request and determined that based on their location, size and the existing residential use, the parcels would be more appropriately rezoned to the RM-4 Zoning District.

Both parcels are directly adjacent to a residential neighborhood, and all of those parcels are located in the RM-4 Zoning District. Parcel 410 contains a single family residence, which is not a permitted use in the IL Zoning District. The rezoning would make this use conforming. Parcel 410 is approximately 0.6 acres in size, which is large enough to develop for two single family residences, but it is not large enough to develop for a light industrial use. Parcel 8E is owned by the Town of Hilton Head Island. This parcel will be exchanged with Mr. Henry Driessen as part of a Town Council approved land swap for property located along Alex Patterson Road in the RM-4 Zoning District.

Ms. Cyran presented an in-depth review of the application including the Summary of Facts and Conclusions of Law. Following staff's presentation and discussion by the Committee, Chairman Ferguson requested public comments and none were received. Following final comments by the Committee, Chairman Ferguson requested that a motion be made.

Mr. Harkins made a **motion** that the Committee forward Application for Zoning Map Amendment ZMA110002 to Town Council with a recommendation of **approval**. Mayor Pro Tem Heitzke **seconded** the motion and the motion **passed** with a vote of 3-0-0.

ZMA110005: A request from Mr. Truitt Rabun, on behalf of Circle K Stores, proposing to apply the RFZ (Redevelopment Floating Zone Overlay District) to the existing OL (Office Institutional Low Intensity) Zoning District for the properties located at 825 and 827 William Hilton Parkway. The site contains a nonconforming structure and several site features and in order to redevelop the property, the applicant applied for the RFZ to allow flexibility in certain design standards that constrain the redevelopment. The properties are further identified on Beaufort County Tax Map 12 as Parcels 19A and 19B.

Ms. Nicole Dixon made the presentation on behalf of staff. The staff recommended that the Planning and Development Standards Committee forward the application for the proposed rezoning to Town Council with a recommendation for approval.

The purpose of this application is to apply the RFZ (Redevelopment Floating Zone Overlay District) to the existing OL (Office Institutional Low Intensity) Zoning District for the properties located at 825 and 827 William Hilton Parkway. The properties contain a Circle K gas station/convenience store and a car wash. The development contains a nonconforming use, a nonconforming structure and several nonconforming site features. In order to redevelop the property, the applicant has applied for the RFZ to allow flexibility in certain design standards that constrain the redevelopment.

Ms. Dixon stated that the Town received this request from Truitt Rabun, on behalf of Circle K. The staff met with Mr. Rabun and representatives of Circle K several times to discuss potential redevelopment options for the site. It was determined that the RFZ is the only option to allow the

redevelopment of the site in this manner, while still retaining some nonconformities. The purpose of the RFZ is to allow property to redevelop in a manner that is more flexible than design standards in the Land Management Ordinance (LMO) require of new development. Circle K currently leases the gas station property and is under contract to purchase the car wash property. Once purchased, Circle K plans to demolish the car wash and expand the gas station by adding a second fueling canopy and improving the vehicular circulation and parking for both sites. The staff reviewed this request and determined that the application is consistent with the Comprehensive Plan and the RFZ criteria in the LMO.

The applicant states in the narrative that the current site is cramped and is in serious need of vehicular circulation and parking improvements. Presently fuel tankers and delivery trucks are forced to back into a busy William Hilton Parkway because there is not an adequate loading space or drive aisle for deliveries. The applicant states that vehicular circulation and access will be greatly improved with the proposed redevelopment.

The applicant also states that the proposed application for the RFZ will decrease nonconformities in land use and design standards and will allow for the overall enhancement of the site. The proposed redevelopment will be no more intense than what exists on site currently because they will be demolishing the car wash and adding a fueling station. While some of the existing construction that remains will still be non-compliant, all new construction and modified existing construction will conform to the standards allowed under the RFZ. The applicant believes that when the proposed project is complete, the redeveloped site will improve the aesthetics, functionality and safety of the site's operations.

Ms. Dixon presented an in-depth review of the application including the Findings of Fact and Conclusions of Law. Following the staff's presentation, Chairman Ferguson requested that the applicant make his presentation.

The applicant, Mr. Truitt Rabun, presented statements in support of the application. The Committee and the applicant discussed the project. Following the applicant's presentation, Chairman Ferguson requested public comments.

Councilman George Williams presented brief comments in support of the application. Following final discussion by the Committee, Chairman Ferguson requested that a motion be made.

Mayor Pro Tem Heitzke made a **motion** that the Committee forward Application for Zoning Map Amendment, ZMA110002, to Town Council with a recommendation of **approval**. Mr. Harkins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

6. COMMITTEE BUSINESS

Approval of the Planning and Development Standards Committee Meeting Schedule for 2012

Mayor Pro Tem Heitzke made a **motion** to **approve** the Planning and Development Standards Committee Meeting Schedule for 2012 as presented by the staff. Mr. Harkins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

7. ADJOURNMENT

The meeting was adjourned at 4:20pm.

Submitted By:

Approved By:

March 28, 2012

Kathleen Carlin
Administrative Assistant

Bill Ferguson
Chairman