

**Town of Hilton Head Island**  
**Design Review Board** **APPROVED**  
**Minutes of the Tuesday, August 14, 2012 Meeting**  
**1:15p.m – Benjamin M. Racusin Council Chambers**

Board Members Present: Chairman Scott Sodemann, Vice Chairman Deborah Welch,  
Jennifer Moffett and Todd Theodore

Board Members Absent: Tom Parker, Excused  
Galen Smith and Jake Gartner

Council Members Present: Bill Ferguson

Town Staff Present: Jennifer Ray, Urban Designer  
Teri Lewis, LMO Official  
Rocky Browder, Environmental Planner  
Richard Spruce, Plans Review Administrator  
Kathleen Carlin, Secretary

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**1. Call to Order**

Chairman Scott Sodemann called the meeting to order at 1:15p.m.

**2. Roll Call**

**3. Freedom of Information Act Compliance**

**4. Approval of the Agenda**

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

**5. Approval of the Minutes**

The Board **approved** the minutes of the July 24, 2012 meeting as presented by general consent.

**6. Staff Report**

The staff distributed copies of the Town's new 2012 Information Card to the Board members. The wallet-size card contains useful demographic information about Hilton Head Island.

**7. Unfinished Business**

DR120020 Big Chill Ice - Minor External Change

Ms. Ray stated that the Board first reviewed this application on July 24, 2012. Ms. Ray presented a brief summary of the Board's first review. The applicant is proposing to place a 200 square foot ice vending machine at 123 Mathews Drive. The machine is 9' high x 8'- 4" wide x 24' long. The corporate colors are white with a blue canvas awning. Following the initial review, the Board made the following recommendations: (1) the ice machine should be pulled further back from the parking area; (2) the ice machine should be painted to match the adjacent building and the blue canvas awning should be changed to green. Actual samples of the colors and materials are required; (3) the ice

machine should be screened from view; (4) revised site plan and landscaping plan are required. Based on these recommendations, the applicant chose to **withdraw** the July 24<sup>th</sup> application.

Ms. Ray presented an overhead review of the applicant's revised application. Ms. Ray stated that the staff met recently with the applicant on site to review options for the location of the ice machine. Due to the size and the location of an existing 47" specimen live oak tree, fencing and landscaping are not recommended. The applicant has agreed to move the ice machine back. The applicant will place the ice machine on an existing asphalt pad approximately 5-feet forward of the existing building in line with the adjacent sidewalk. The applicant agrees to paint the ice machine to match the adjacent building. The canvas awning on the front of the machine will remain and will be changed to green. The staff recommended that the application be approved. Following the staff's presentation, Chairman Sodemann requested that the applicant make his presentation.

Mr. Bubba Gillis and Mr. Patrick Mason presented statements in support of the application. The Board and the applicants discussed several issues including the potential addition of the awning on the back of the unit. Vice Chairman Welch, Chairman Sodemann, and Mr. Theodore all stated that they would prefer to see the back awning be added on the project. The back awning covers the cooling unit and is important to the project.

Mr. Theodore and Mr. Rocky Browder discussed the back awning's potential interference with the branches of the specimen tree. They also discussed the planting of vegetative material at the base of the ice machine as it relates to protecting the roots of the specimen tree. Mr. Theodore stated that he believes the back awning could be added to the unit without causing a problem to the branches of the tree and perhaps the ice machine could be brought forward a couple of feet. Mr. Theodore and Mr. Gillis also discussed the need for the asphalt pad. Mr. Theodore recommended that the unused portion of the asphalt pad should be removed. The Board recommended that the ice machine be moved forward two or three feet to avoid contact with the tree limbs. The applicant agreed to these recommendations. The applicant will add the back awning and the awning color will be green to match the metal roof of the adjacent building.

Mr. Theodore and the applicant then discussed landscaping for the project. Mr. Theodore stated that additional landscaping is important to screen the project. The other Board members agreed with Mr. Theodore. The applicant should consider a few post holes in the ground for the placement of shrubbery on the side of the ice machine. The Board also discussed the possible placement of a couple of large potted plants in front of the ice machine.

The staff and the Board discussed the issue of signage. Signage requires a separate sign permit application; however, since this is the first ice vending machine to be located on Hilton Head Island, it seems appropriate to discuss signage at this time. Staff recommends that the signage be limited to one sign to be placed on the front of the project. The maximum size of the sign should be 24" x 36". The lettering should be brief. The colors and style should complement the project and the building. The Board agreed and recommended that the applicant work with the staff to finalize these details. Following final discussion by the Board, Chairman Sodemann requested that a motion be made.

Mr. Theodore made a **motion to approve** the application for Big Chill Ice with the following conditions: (1) the awning is required on both the front and the back of the ice machine. The green canvas awning shall match the color of the roof on the adjacent building; (2) the ice machine shall be painted to match the color of the adjacent building; (3) the ice machine shall be pulled back as far as possible; (4) the asphalt that is left over shall be removed; (5) a dense vegetative screening is required on the side of the ice machine. The applicant shall use an evergreen plant material such as a Wax

Myrtle in a 15-gallon or greater size; (6) the sign for the ice machine shall be limited in size and it shall be placed in front of the ice machine. Only one sign is permitted. The applicant shall work with staff on details for the sign. Vice Chairman Welch **seconded** the motion and the motion **passed** with a vote of 4-0-0.

## 8. **New Business**

### A. Consideration of Amendment of the previously approved Minutes of the meeting on March 27, 2012 meeting.

The staff is recommending that the previously approved minutes dated March 27, 2012 be revised. The staff recommends that the Board consider the proposed amendment to these minutes as they relate to the Airport's Tree Mitigation Plan. The Board approved the Airport's Tree Mitigation Plan (with conditions) on May 22, 2012.

An application for appeal has since been filed in opposition to the Board's approval of the Airport's Tree Mitigation Plan. In preparing for the appeal, the staff discovered an error in the approved minutes. The staff erroneously stated in the minutes that the Airport's Tree Mitigation Plan was withdrawn by the applicant. The proposed amendment corrects the error. Following consideration by the Board, Chairman Sodemann requested that a motion be made.

Mr. Theodore made a **motion** to **approve** the staff's proposed amendment to the March 27, 2012 meeting minutes as submitted. Ms. Moffett **seconded** the motion and the motion **passed** with a vote of 4-0-0.

### B. DR120021 Palmetto Bay Marina – Alteration/Addition

Ms. Ray introduced the application and stated its location, 86 Helmsman Way. Ms. Ray presented an overhead review of the application including the site and the elevations. The retail buildings were built in 1982. The outside wall surfaces are located under the covered walkways, awnings and patio areas. The tabby is painted light beige, white, and grey. The applicant states that most of the existing tabby shell is gone and the walls are in need of repair.

The applicant proposes to repair and paint the lower walls using a light cool grey color. The staff recommended a warmer grey color and this was accepted by the applicant. Ms. Ray distributed paint chip samples of the recommended colors to the Board. The proposed colors are a slighter lighter shade of grey for the corridor walls and a slightly darker shade of grey for the outside walls (SW7064 and SW7065). Staff recommended that the application be approved with the condition that the lower stucco walls be repaired and painted in the warmer shade of grey. Following staff's presentation, Chairman Sodemann requested that the applicant make his presentation. The applicant was present but stated that he had no additional information to offer to the Board. The Board discussed the application. At the completion of the discussion, Chairman Sodemann requested that a motion be made.

Vice Chairman Welch made a **motion** to **approve** the application for Palmetto Bay Marina as presented by the staff. Mr. Theodore **seconded** the motion and the motion **passed** with a vote of 4-0-0.

### C. DR120022 Advance Auto Parts – Alteration/Addition

Ms. Ray introduced the application and stated its location, 120 Mathews Drive. Ms. Ray presented an overhead review of the application including a description of the site. The property currently contains

two metal buildings with elevations that front both Mathews Drive and Shrimp Lane. The applicant proposes to retain the front larger metal building (the one closest to Mathews Drive). The applicant proposes to remove the second metal building (the one that faces Shrimp Lane). Removal of the second metal building will allow the applicant to make improvements to the parking area. The applicant would also like to make improvements to Shrimp Lane.

Ms. Ray reviewed the elevations for the larger metal building. The Mathews Drive elevation will be refaced with wood siding at the bottom with stucco and glass. The bronze lighting will be located at the front of the building. The proposed color scheme is compatible with the Design Guide. The applicant is working with staff to tone down the corporate red accent color. Ms. Ray presented samples of the color palette to the Board. The applicant proposes to paint the wood fence screening the dumpster area a color that will match the building. The staff recommends that the application be approved. Following the staff's presentation, Chairman Sodemann requested that the applicant make his presentation.

Mr. Collins Hertzog presented statements in support of the application. The Board discussed the color palette with the applicant. The applicant has agreed to tone down the red accent color. The Board and the applicant discussed the proposed lighting. The Board recommended that the applicant consider safety lighting in the rear of the building. The Board complimented the improvements that have been made to the site.

The Board discussed the proposed landscaping plan with the applicant. Mr. Theodore recommended that the landscape plan be re-studied so that it matches the quality of the project. The applicant agreed to work with the staff on improvements to the landscape plan. Chairman Sodemann recommended that the applicant consider smaller shrubbery in the parking area based on safety concerns. Following the Board's discussion, Chairman Sodemann requested that a motion be made.

Vice Chairman Welch made a **motion** to **approve** the application for Advance Auto Parts with the condition that the applicant will restudy the landscaping plan. Staff will approve the revised landscaping plan. Mr. Theodore **seconded** the motion and the motion **passed** with a vote of 4-0-0.

#### D. DR120023 Skull Creek Boathouse – Alteration/Addition

Ms. Ray introduced the application and stated its location, 397 Squire Pope Road. The applicant is proposing to convert the existing boat store into two individual retail spaces. One space will be used for the boat store and the other space will be used for a retail annex to the existing restaurant. Both of the spaces will have exterior entries and new restrooms.

Ms. Ray presented an overhead review of the application including photos of the existing site. Staff presented the proposed elevations, floor plan, stairs, ramp, the exterior entrance and the entrance to the restrooms. The applicant proposes to use the same colors, finishes and materials as exist on the restaurant. Ms. Ray stated the staff has some concerns regarding building code issues. Access issues will need to be worked out during the Development Plan Review process. Ms. Ray also stated that there is limited landscaping on the site. The applicant did not submit a landscape plan. t trees can be saved. Staff recommends that if any existing trees and shrubbery are removed due to construction, they should be replaced in kind. Additional shrubbery may also be needed to soften the mass of the large building.

The staff recommends approval of the application with the condition that the existing landscaping be replaced as needed. Following staff's presentation, Chairman Sodemann requested that the applicant make his presentation.

Mr. Dale Johnson presented statements in support of the application. The Board stated some concern

that the access seems a little tight. The Board and the applicant discussed several issues including the picket fence detail. The applicant plans to use the same or a similar picket detail, including color, as existing. Mr. Theodore recommended that additional landscaping be added in the front. The Board also recommended that the applicant consider adding some potted plants along the entry way to soften its appearance. The Board and the applicant discussed the ramp, the stairs, the railing, the awning, the lighting, and signage. The Board stated that some sense of separation is needed. Following the discussion, Chairman Sodemann stated that additional drawings that will reflect today's discussion are required. The staff can approve the applicant's drawings. Following final discussion by the Board, Chairman Sodemann requested that a motion be made.

Mr. Theodore made a **motion** to **approve** the application for the Skull Creek Boathouse with the following conditions: (1) the applicant shall submit revised drawings that clearly show the intent of the project. The staff shall approve the revised drawings; (2) the colors, the materials, and the finishes of the awnings and the railings shall match those of the existing restaurant; (3) an improved landscaping plan is required. The plan shall include the location of the palm trees in front of the building. Staff shall approve the revised landscape plan; (4) the applicant shall work with staff to make sure that clearance to the restaurant is satisfied; (5) lighting is to match the existing lighting at the restaurant. Vice Chairman Welch **seconded** the motion and the motion **passed** with a vote of 4-0-0.

#### E. APL120002 North and Trotter sign - Appeal

Ms. Ray reported that the staff has received an Application for Appeal from Patty North, MD LLC and Robert Trotter, MD LLC. The application for appeal is in regard to a letter to the applicant from the staff dated June 22, 2012. The letter states that their applicant's freestanding sign located at 18 Hospital Center Boulevard does not match the applicant's approved design. The appellant is appealing the Town's decision to not approve a non-permitted background color on the sign face. The applicant is asking that the Board reverse the Town's decision to disapprove the background color of the sign. The background color of the sign is too bright and does not comply with the Town's Design Guide.

The appellants' agent, Howard Wright of Hilton Head Signs, submitted a sign permit application on May 9, 2012. The application included a rendering of the proposed sign. The background color of the sign face was a color equivalent to Pantone 331. The staff determined that the color was too bright and instead suggested Pantone 5425. The revised rendering was later submitted to staff and it was approved on May 11, 2012.

When staff visited the site to take a compliance photo of the freestanding sign, however, it was clear that the sign did not match the approved design. The background color was the equivalent of Pantone 331. The staff determined that the background color does not meet the intent of the Town of Hilton Head Island Design Guide, which states that colors should be nature-blending and reflect the design of the associated structure. Bright colors and reflective surfaces should be avoided or should be very limited in size. The sign's background color does not reflect any color clearly visible on the exterior of the building and the background color is bright, both of which are contrary to the intents of the Design Guide.

Following the site visit, the staff contacted Mr. Howard Wright to discuss the sign. Mr. Wright stated that he was aware that the background color did not match the approved color, but that he painted the sign background a color equivalent to Pantone 331 at the direction of his client. Mr. Wright directed the staff to contact his client via Jeffrey North, LLC.

The staff sent a letter to Mr. North dated June 22, 2012 stating that the sign was not compliant with the approved design and, therefore, was in violation of the Town of Hilton Head Island Land Management Ordinance (LMO). The letter offered two options to resolve the violation: (1) submit an alternative background color or colors to the staff for review; or (2) submit an application to the Design Review Board for review of the existing sign.

Mr. North contacted the staff to discuss the letter and requested that the staff reconsider approving PMS 331 as the background color. The staff explained to Mr. North the reasoning behind the decision and informed him that the background color did not have to be Pantone 5425 (as approved). The staff would consider other background colors that met the intent of the Town's Design Guide.

Mr. North requested that the staff meet with Ms. Patty North and Ms. Billie Trotter on site to discuss the sign. On July 5, 2012, the staff met with Ms. North and Ms. Trotter, who stated that the background color was mandated by their parent company (MD VIP). Ms. North and Ms. Trotter stated that the color matched the interior design of the facility and the porch roof.

The staff stated that they have worked with several businesses including McDonald's and Dunkin' Donuts with franchise or corporate color restrictions and have been able to approve signs with toned-down color palates. To that end, the staff suggested a more neutral background color, such as one of the beige colors on the building, with Pantone 331 as an accent color. Ms. North and Ms. Trotter stated they did not want to change the background color and said they would apply for Design Review Board Approval.

On July 9, 2012, Mr. North requested that the staff extend the deadline to resolve the sign violation. On July 10, 2012, the staff sent a letter to Mr. North extending the deadline from July 13, 2012 to August 10, 2012. The letter stated that the same options to resolve the violation were still available: (1) submit an alternative background color or colors to the staff for review; (2) to submit an application to the Design Review Board for review of the existing sign.

On July 23, 2012, Ms. Trotter met with the staff to discuss the sign. Ms. Trotter stated that she had painted the colors of the copy brown to tone down the sign's color. The staff informed Ms. Trotter that the sign's background color must be toned down, but the copy could remain Pantone Cool Grey 1 as approved. The staff suggested a few alternative background colors, but Ms. Trotter stated that she did not want to change the sign's background color. The staff informed Ms. Trotter that she should apply to the Design Review Board since she did not want to change the background color and the staff would not approve the background color.

On July 24, 2012, Ms. Trotter sent an email to the staff stating that she would submit an application for appeal to the Design Review Board. On the same day, Mr. North contacted the staff to discuss a way to resolve the sign issue. Again the staff suggested some alternative background colors that would meet the intent of the Design Guide and informed Mr. North that Ms. Trotter's options are to select an alternate background color or appeal to the Design Review Board at its August 14, 2012 meeting.

At the completion of staff's presentation, Ms. Ray stated that the staff recommends denial of the application since the sign's background color does not meet the intent of the Design Guide. Following final comments, Chairman Sodemann requested that the appellant make her presentation.

Ms. Billie Trotter presented statements in support of her application. Ms. Trotter presented each Board member with a folder that contained photographs and other information in support of her appeal. Ms. Trotter discussed her reasons for wanting to keep the brighter color for the background of the sign. The

Board discussed a couple of background color and lettering color alternatives with the applicant. The applicant stated that she prefers to keep the background color as it exists now even though the staff has not approved the color. The applicant does not believe the background color is too bright.

The Board discussed the sign with Ms. Trotter. Vice Chairman Welch stated that she visited the site to view the sign and she does not object to the background color. Vice Chairman Welch did, however, state her concern with setting a precedent for the future. Mr. Theodore stated that he believes that the background color for the sign is a little too bright. Chairman Sodemann stated his agreement with Mr. Theodore.

The Board discussed the fact that the background color of the sign was not approved. The appellant stated that she preferred the brighter shade of color over the other nature blending color options.

Following final comments by the Board, Chairman Sodemann requested a show of hands of Board members who support the staff's decision to disapprove the background color of this sign. Mr. Theodore, Ms. Moffett and Chairman Sodemann all raised their hands in favor of supporting the staff. Chairman Sodemann requested a show of hands of members who believe that application for appeal APL120002 should be upheld. Vice Chairman Welch raised her hand in support of the application for appeal. The decision to support the staff's decision to disapprove the sign **passed** with a vote of 3-1-0. Chairman Sodemann directed the appellant work with staff to select a background color for the sign that complies with the Town's Design Guide.

## **9. APPEARANCE BY CITIZENS**

None

## **10. ADJOURNMENT**

The meeting was adjourned at 3:20p.m.

Submitted By:

Approved By:

September 11, 2012

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Kathleen Carlin  
Secretary

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Scott Sodemann  
Chairman