

**TOWN OF HILTON HEAD ISLAND**  
**Planning and Development Standards Committee**  
**Minutes of the Wednesday, November 6, 2013 Meeting**  
**3:00p.m. – Benjamin M. Racusin Council Chambers**

**DRAFT**

Committee Members Present: Chairman John McCann, Bill Harkins and George Williams

Committee Members Absent: None

Council Members Present: Kim Likins, *Alternate*

Town Staff Present: Jayme Lopko, Senior Planner  
Teri Lewis, LMO Official  
Anne Cyran, Senior Planner  
Heather Colin, Development Review Administrator  
Kathleen Carlin, Administrative Assistant

---

**1. Call to Order**

Chairman McCann called the meeting to order at 3:00p.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 Town of Hilton Head Island requirements.

**3. Approval of Minutes**

Mr. Harkins made a **motion** to **approve** the August 28, 2013 meeting minutes as presented. Mr. Williams **seconded** the motion and the motion **passed** with a vote of 3-0-0.

**4. Unfinished Business**

None

**5. New Business**

**a. ZMA130007:** A request from Chester C. Williams on behalf of HSSC, LLC proposing to amend the Official Zoning Map by changing the zoning designation of the property located at 1-16 and 20-70 Beach City Road from the RM-4 (Low Density Residential) Zoning District to the RM-8 (Residential Moderate Density) Zoning District. The properties are further identified on Beaufort County Tax Map 5, Parcels 8, 336 through 342, and 344 through 375. Chairman McCann requested that the staff make their presentation.

Mrs. Jayme Lopko made the presentation on behalf of staff. Mrs. Lopko began her presentation by correcting an error contained in the staff's report. The subject property was purchased by HSSC, LLC on September 3, 2013 and is no longer in foreclosure. Mrs. Lopko then presented an in-depth overhead review of the application including the zoning map, vicinity map, and the use table.

The residential density would increase from 4 units per acre in the RM-4 district to 8 units per acre in the RM-8 zoning district. The number of permitted uses would decrease from the RM-4 to RM-8 district. Mrs. Lopko briefly reviewed the list of changes in the permitted uses. The maximum impervious coverage and permitted commercial density will not change as a result of the rezoning. There are other requirements that will change as a result of this rezoning such as minimum open space and maximum height.

The subject properties are currently platted as a 32 lot single family subdivision with only one lot that has been sold and developed. This lot has been excluded from the rezoning application. The existing subdivision was approved in June of 2009. Since that time one house has been completed within the subdivision. These properties were the subject of previous rezoning application (ZMA130003) that was withdrawn by the applicant. The previous request was to rezone the properties from RM-4 to RM-12.

The applicant states in the narrative that the Beach City Place subdivision is a failed single family residential development.

The purpose of this application is to rezone the properties to support the successful redevelopment of the property. The applicant currently has the right to redevelop the property for multi-family residential at a density of 4 units per net acre; however, this scenario is not seen as any more economically viable than the failed single family residential development. The effect of this rezoning will increase the permitted density to 8 units per net acre and reduce the number of permitted uses on the property.

Mrs. Lopko distributed copies of the public comments that have been received by the staff since the meeting packet was posted and distributed to the committee. At the completion of the staff's presentation, Chairman McCann requested that the applicant make his presentation.

Chester C. Williams, Esquire, agent for the applicant, presented statements in support of the application. Mr. Williams presented a brief history of the previous application. Mr. Williams then presented an overhead review of the application stating the applicant's desire to rezone the property from RM-4 to RM-8. The applicant would like to develop the property in an economically viable manner that provides workforce housing on the island. Mr. Williams stated that the applicant prefers to build residential housing that is aesthetically pleasing rather than manufactured housing.

At the completion of the applicant's presentation, Chairman McCann requested public comments. The following citizens and residents of The Spa community presented statements related to the application:

- (1) Mr. Shelby Baker presented statements in opposition to the application due to concerns with the increased density. Mr. Baker stated that the property should remain a single-family subdivision.
- (2) Curtis Coltrane, Esq., attorney for Mr. David and Mrs. Althea Jackson, property owners of the single family home within the Beach City Place subdivision, presented statements in support of the application on behalf of his clients.
- (3) Mr. John Van Horn presented statements in opposition to the application due to his concerns with increased density and safety issues.
- (4) Mr. Doug James presented statements in support of the need for affordable housing on the island.

Chester C. Williams presented follow up comments with regard to the proposed construction of

duplexes on the property. Following these comments, the committee discussed the application.

Mr. George Williams stated his concern with the original application that increased the density from RM-4 to RM-12. At that time the committee was being asked to bail out individuals who had made some bad financial decisions. With this application we have the sole owner of a failed single family subdivision that is not likely to improve. Mr. Williams stated that he supports today's application increasing the density from RM-4 to RM-8.

Mr. Harkins stated that he is concerned with today's application for many of the same reasons that he was opposed to the first application. This is a special part of our community and it should probably remain a single family subdivision. Mr. Harkins stated that he is opposed to the application due to the increased density in this area. Chairman McCann stated that he agrees with the statements provided by Mr. George Williams.

Following final comments by the committee, Chairman McCann stated that he would like to make a motion to forward application for zoning map amendment ZMA130007 to Town Council with a recommendation of **approval**. Mr. George Williams **seconded** the motion and the motion **passed** with a vote of 2-1-0. Mr. Harkins was opposed to the motion.

**b. LMO Amendments** - The Town of Hilton Head Island is proposing to amend Chapter 4 of the Land Management Ordinance (LMO) to revise Section 16-4-1305 to remove the standard that auto sales are not permitted on sites within 1,500 feet of an existing residential use. Chairman McCann requested that staff make their presentation.

Ms. Anne Cyran made the presentation on behalf of staff. The staff recommends that the committee forward the proposed amendments to Town Council with a recommendation of *approval*.

The staff recommends amending LMO Section 16-4-1305, Auto Sales, to remove the standard that sites where vehicles are sold cannot be located within 1,500 feet of an existing residential use. This amendment will allow new development and redevelopment of sites in the Commercial Center (CC) and Light Industrial (IL) Zoning Districts for a relatively benign retail use.

On August 6, 2013, Town Council approved Resolution #2013-15 which directed the staff to pursue an amendment to the LMO to eliminate the distance requirements between an auto sales site and an existing residential use.

This amendment was prompted by a discussion with a property owner whose tenant, an auto repair shop, wants to also sell vehicles but cannot due to the site's proximity to Hilton Head Plantation. The property owner brought to our attention that auto repair and auto sales uses are complementary uses that are frequently offered by the same business. It makes sense to allow some flexibility in Auto Sales use standards so that Auto Sales can be offered along with Auto Repair on appropriate sites.

Ms. Cyran stated the Planning Commission held a public hearing for the proposed amendment earlier today and voted to recommend forwarding the proposed amendment to Town Council with a recommendation of *approval* with the condition that the separation requirement be changed from 1,500-ft. to 200-ft.

Following the staff's presentation, Chairman McCann requested public comments and the following were received:

- 1) Mrs. Francine Tobin, business owner of an auto repair shop, presented statements in support of the application.
- 2) Mr. Doug James presented comments in overall support of the proposed amendment removing the 1, 500 foot distance requirement.

Following public comments, the committee discussed the proposed amendment. The committee stated that they are in favor of approving the proposed amendment including eliminating the distance requirement. Following final comments, Chairman McCann requested that a motion be made.

Mr. Williams made a **motion** to forward the proposed LMO Amendment to Town Council with a recommendation of **approval**. The motion includes eliminating the 1,500 foot distance requirement. Mr. Harkins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

#### 6. **Committee Business**

The committee presented brief comments regarding the P&DS Committee's 2014 Meeting Schedule. Chairman McCann then requested that a motion to adopt the 2014 Meeting Schedule be made.

Councilman Williams made a **motion to adopt** the P&DS Committee's 2014 Meeting Schedule as presented. Councilman Harkins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

#### 7. **Adjournment**

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

Submitted By:

Approved By:

December 5, 2013

\_\_\_\_\_  
Kathleen Carlin  
Administrative Assistant

\_\_\_\_\_  
John McCann  
Chairman