

**TOWN OF HILTON HEAD ISLAND**  
**Planning Commission**  
**Minutes of the August 1, 2018 – 9:00 a.m. Meeting**  
**Hilton Head Public Service District, 21 Oak Park Drive**

Commissioners Present: Chairman Alex Brown, Vice Chairman Peter Kristian, Glenn Stanford, Todd Theodore, Judd Carstens, Leslie McGowan, Michael Scanlon

Commissioners Excused: Lavon Stevens, Caroline McVitty

Town Council Present: Bill Harkins

Town Staff Present: Shawn Colin, Deputy Director of Community Development; Nicole Dixon, Development Review Administrator; Carolyn Grant, Communications Director; Brian Hulbert, Staff Attorney; Taylor Ladd, Senior Planner; Jennifer Ray, Planning & Special Projects Manager; Anne Cyran, Senior Planner; Teresa Haley, Senior Administrative Assistant

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**1. Call to Order**

Chairman Brown called the meeting to order at 9:00 a.m.

**2. Pledge of Allegiance to the Flag**

**3. Roll Call**

**4. 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.

**5. Swearing in Ceremony for New Commissioners Leslie McGowan and Michael Scanlon**

Brian Hulbert, Staff Attorney, performed the swearing in ceremony for the newly appointed Commissioners, Leslie McGowan and Michael Scanlon.

**6. Approval of Agenda**

The Planning Commission approved the agenda as submitted by general consent.

**7. Approval of Minutes – Meeting of July 18, 2018**

Commissioner Stanford moved to approve the minutes of the July 18, 2018 meeting as submitted. Vice Chairman Kristian seconded. The motion passed unanimously.

**8. Appearance by Citizens on Items Unrelated to Today's Agenda – None**

**9. Unfinished Business – None**

**10. New Business**

**a. Public Hearing**

**ZA-001467-2018** – Request from property owners Thomas C. Barnwell Jr. and Perry White to amend the Official Zoning Map by changing the zoning designation of an undeveloped 6.22-acre parcel located at 280 Fish Haul Road. The parcel is bisected by

Fish Haul Road. The request is to rezone the northern portion from RM-4 (Low to Moderate Density Residential) to MV (Mitchelville), and to rezone the southern portion from RM-8 (Moderate Density Residential) to MV (Mitchelville). It is further identified as Beaufort County Tax Map 4, Parcel 16. The effect of this rezoning will be to increase the available density and to increase the number and type of allowable uses.

Ms. Ladd presented the application described in the Staff Report as provided in the Commission's packet. Staff recommends the Planning Commission find this application to be consistent with the Town's Comprehensive Plan and to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report.

Chairman Brown requested comments from the Commission. The Commission discussed and made inquiries regarding: the access easement agreement between the County and the property owners for the portion of Fish Haul Road that bisects the property; current excluded uses should the property be rezoned to MV; sewer and fire hydrants would be required at the owners' expense; criteria for a minor arterial; whether any consideration was given to implications if the easement is abandoned; that the property is subject to the Corridor Overlay District; the purpose of the MV district; other proposed developments in the immediate vicinity; development plans are subject to meet access requirements per the LMO; clarification on the current zoning of the subject property and surrounding properties; the sale of the property is contingent upon this rezoning; the potential buyer wants to develop the subject property and adjacent parcels 9A, 10 and 11; the adjacent parcels are zoned MV, consist of 11.5 acres, and allowed approximately 130 density units by right; the subject property can have approximately 40 units as currently zoned, and 70 units if rezoned to MV; there was some concern for the 75' height and total density allowed under MV; the PSD storage lagoon function; fire hydrants on the property; and the property is subject to setback and buffer requirements on both sides of Fish Haul Road.

The applicant's attorney, Rick Marscher, presented statements regarding the application and answered questions presented by the Commission.

Chairman Brown opened the meeting for public comment. Stefanie Nagid, Passive Park Manager for Beaufort County, indicated she manages the PR zoned properties positioned on the top left of Attachment B of the Staff Report. These properties were co-purchased by the Town and the County in the hopes of creating a passive park. Ms. Nagid stated she has no objection to the rezoning of the property. She asked that consideration be given to connectivity between the parks as this development and other future developments come to the Town. The County would like to collaborate with the Town Planning Department during those development plan reviews.

The Commission made further comments and inquiries regarding: the buyers' development plans; the affordable housing element of the Comp Plan; major developments are subject to the Design Review Board; staff estimates the affordable housing consultant process from hiring to having a finished product will span about 6-9 months plus the process time to change codes and be adopted by Town Council; and the buyer's development history in previous locations.

The potential buyer/developer of the property was not in attendance. However, the buyer/developer indicated to the applicant that they are planning a multi-family housing project with long-term rental units on the subject property and moderately priced single-family homes on adjacent tracts in the Mitchelville District: Parcel Numbers 9A, 10 and 11. The buyer/developer has done as they term “affordable housing” in other areas of the Lowcountry. Staff cautioned that at this time there are no zoning districts nor ordinances in place that require a developer to create affordable housing, thus the Town has no way to enforce affordable housing for residential development. There is no way to guarantee the subject property will in fact be developed with affordable housing. Most of the adjacent property is vacant, so this development could set a precedent. Several Commissioners expressed the desire to address their concerns with the potential buyer/developer prior to making a recommendation on this rezoning.

On behalf of the applicant, Mr. Marscher requested the hearing be held open until the next meeting in order to address the Commission’s concerns.

Vice Chairman Kristian made a motion to leave the hearing open to the next Planning Commission meeting. Commissioner Stanford seconded.

Chairman Brown asked for any discussion on the motion. There were additional comments regarding: acting based upon current law and whether the applicant meets the current LMO requirements; clarity on density units allowed under RM-4 district based on more than 5 acres; the property was drawn incorrectly as two pieces and therefore assigned two different zonings; consideration of RM-12 and spot zoning; concern for commercial uses allowed in the MV District; and addressing affordable housing.

With no further discussion, Chairman Brown called the question on the motion. The motion passed with a vote of 6-1-0.

Mr. Barnwell, on behalf of the Ben White Trust, thanked the Commission and Staff for their work and gave a special thanks to Taylor Ladd.

## **11. Commission Business**

### **a. Appointment of Sub Committees**

Chairman Brown announced the subcommittee assignments and asked Ms. Cyran to send the list to the Commission following the meeting.

## **12. Chairman’s Report – None**

## **13. Committee Report**

### **a. Comp Plan Committee: Discussion of Developing the Process of Phase 2 of Vision “Reinventing Sustainability Again” and Comprehensive Plan.**

Commissioner Carstens reported the Comp Plan Committee met yesterday and had a large turnout. The biggest outcome from that meeting was the importance of

communication. The Commissioners, staff, and public discussed and made suggestions to enhance communication for the next Comp Plan Committee meeting and the overall Vision/Comp Plan process. Staff will coordinate the next Comp Plan Committee meeting for the tentative date of Monday, August 13.

**14. Staff Report**

Ms. Cyran noted the Commission's next regular meeting will return to Town Hall. The meeting is August 15 at 3:00 p.m.

**15. Adjournment**

The meeting was adjourned at 10:23 a.m.

Submitted by: Teresa Haley, Secretary

Approved: August 15, 2018

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Alex Brown, Chairman