



**Town of Hilton Head Island
Planning Commission Meeting
Wednesday, July 18, 2018 – 3:00 p.m.
Benjamin M. Racusin Council Chambers
REVISED AGENDA**

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting.

1. **Call to Order**
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. **Presentation of Crystal Awards to outgoing Commissioners Bryan Hughes and Barry Taylor.** *Presented by Greg DeLoach, Assistant Town Manager*
6. **Swearing in Ceremony for Reappointed Commissioner Todd Theodore.** *Performed by Greg DeLoach, Assistant Town Manager*
7. **Approval of Agenda**
8. **Approval of Minutes** – Meeting of June 6, 2018
9. **Appearance by Citizens on Items Unrelated to Today’s Agenda**
10. **Unfinished Business**
11. **New Business**
 - a. **Public Hearing**
ZA-001482-2018 – Request from Mike Thomas, with Thomas Design Group, LLC, to amend the Official Zoning Map by changing the zoning designation of an undeveloped 3.73-acre parcel located at 107 Leg O’ Mutton Road from RM-4 (Low to Moderate Density Residential) to PD-1 Indigo Run (Planned Development Mixed Use). It is further identified as Beaufort County Tax Map 8, Parcel 123A. The effect of this rezoning will be to increase the available density and to define the allowable uses. *Presented by Taylor Ladd*
- NOTE: This public hearing has been postponed to the Planning Commission’s regular meeting on August 15, 2018 at 3:00 p.m.**
12. **Commission Business**
13. **Chairman’s Report**

14. Committee Report

15. Staff Report

- a. Vision Phase 2 and Comprehensive Planning – *Presented by Emily Sparks*
- b. Quarterly Report – *Presented by Anne Cyran*

16. Adjournment

Please note that a quorum of Town Council may result if four or more of their members attend this meeting.

TOWN OF HILTON HEAD ISLAND
Planning Commission
Minutes of the June 6, 2018 – 9:00 a.m. Meeting
Benjamin M. Racusin Council Chambers

Commissioners Present: Chairman Alex Brown, Vice Chairman Peter Kristian, Glenn Stanford, Bryan Hughes, Barry Taylor, Caroline McVitty

Commissioners Excused: Judd Carstens, Lavon Stevens, Todd Theodore

Town Council Present: None

Town Staff Present: Nicole Dixon, Development Review Administrator; Joheida Fister, Fire Marshal; Brian Hulbert, Staff Attorney; Teri Lewis, LMO Official; Jennifer Ray, Planning & Special Projects Manager; Taylor Ladd, Senior Planner; Anne Cyran, Senior Planner; Teresa Haley, Senior Administrative Assistant

1. Call to Order

Chairman Brown called the meeting to order at 9:01 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. Approval of Agenda

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

6. Approval of Minutes – Meeting of May 16, 2018

Commissioner Stanford moved to approve the minutes of the May 16, 2018 meeting as submitted. Vice Chairman Kristian seconded. The motion passed unanimously.

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

8. Unfinished Business – None

9. New Business

a) **Public Hearing**

ZA-001111-2018 – Request from Janet Spangenberg, Trustee, to rezone Florence Graham Island (north of Old House Creek Drive) from CON (Conservation) to RSF-3 (Residential Single-Family-3). The property is not addressed. It is further identified as Beaufort County Tax Map 10, Parcel 362. The effect of this rezoning will be to increase the density and to increase the number of allowable uses.

Ms. Ladd presented the application described in the Staff Report as provided in the Commission's packet. Ms. Ladd noted the subject property was assigned CON in 1998, not in 1996 as stated on page 2 of the Staff Report. After reviewing the criteria required for the application as set forth by the Town's Land Management Ordinance (LMO), Staff found it to meet only three of the nine criteria. Staff recommends the Planning Commission find the application inconsistent with the Town's Comprehensive Plan and to not 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. Staff recommends that the Planning Commission recommend **denial** of the application to Town Council.

Chairman Brown asked the Commission for comments. The Commission discussed and made various inquiries regarding the application. The Commission asked how the property was given CON designation and what the property was zoned prior to 1998. In the 1998 Official Zoning Map, the property was assigned to the CON district due to the property's natural state and location within the environmentally sensitive tidal marsh system in Old House Creek. The property remained in the CON district when the current zoning map was adopted in 2014. Prior to 1998, Staff believes the property was held under OCRM King's grant. The Commission asked what can be done to property with CON designation. The CON district allows three uses as defined in the LMO: boat ramps; docking facilities; and marinas. The LMO specifies that boat ramps, docking facilities, and marinas in the CON district shall be associated with an approved use in the adjacent zoning district. Since the subject property can only be accessed by boat and the property owners do not own property adjacent to it, they are precluded from developing the island. In order to develop the island with docking facilities and a "modest fish camp" as proposed, the property would need to be rezoned. The Commission inquired about the zoning of the nearby properties. Adjacent and to the west are three other islands. Simmons Island is zoned CON and undeveloped. Sunset Island is zoned CON and was developed with conditions around 2013 with boardwalk access from the nearest adjacent single family property, a dock, and an open air pavilion. Old House Cay Islands, zoned RSF-3, consists of one larger island and two smaller islands. The Commission asked for clarification on the Old House Cay Islands. Old House Cay has always been a residential district. Staff believes a structure was already in place at the time the official zoning map was adopted in 1986, and therefore, it was assigned a residential district early on.

The Commission indicated the timeline suggests the zoning designations followed the Town's incorporation. The Commission asked how the property shows on the County tax records. The applicant will provide that response. The Commission asked if there is anything that would preclude the owner from getting an easement from adjoining property owners. Staff is not aware of anything.

Ms. Ladd then presented an in depth review of the criteria and Staff findings. Chairman Brown thanked Ms. Ladd for her presentation and then asked the applicant to come forward with their presentation.

Lauren Williams, on behalf of the applicant, presented the application and answered questions asked by the Commission.

The Commission confirmed with Ms. Williams the subject property was zoned CON at the time the applicant purchased it in 2004. Ms. Williams indicated the property is currently valued at \$53,000 per the County tax office. The annual property taxes are currently \$10.95.

The Commission made additional inquiries. The Commission asked about the lack of utilities and accessibility and how that impacts the Town's Fire Rescue. Currently and proposed, access to the subject property is by boat. Fire Rescue has no capability to immediately access the subject property via boat. No utilities are available other than electric, which can be installed with required permits and easements. Fire Rescue would coordinate with other local agencies to respond as timely as possible to emergency incidents at this location based on current capabilities and resources. Staff indicated the applicant is well aware the Town cannot get resources to them and the applicant accepts sole liability. The Commission asked about the possibility of placing covenants or restrictions on the property as suggested by the applicant. Staff indicated they would have to research this. The Commission asked if the applicant has any ownership interests in the adjacent area. The applicant does not have any ownership interests in the adjacent area, but owns a home in Port Royal Plantation. The Commission inquired about the property's chain of ownership. At some point in time the property was purchased at a tax sale, but not by the applicant. The applicant purchased the property in 2004 for \$25,000. The Commission asked if the applicant has any other plans for the property at this point in time. The applicant indicated no, only the fish camp. The Commission asked if the property is currently for sale. The applicant stated yes, the property is currently for sale with Charter One Realty.

The Commission expressed concern about the intent of the property owners. The property owners indicated they want to build a fish camp for their personal use, however, the property is for sale. The Commission asked if the owners' intent is to change the zoning to enhance the value of the property for its sale. The applicant indicated the property was listed for sale prior to the idea of building a fish camp and applying for a rezoning.

Chairman Brown asked the applicants if they would like to approach and make any statements. George Brouillard indicated he and his wife, Janet Spangenberg-Brouillard, have a pontoon boat and would like to use it to reach the island.

Chairman Brown opened the meeting for public comments. Two members of the public spoke regarding: safety concerns for habitation; that the subject property was entirely flooded by Hurricanes Matthew and Irma; that the property title is by quitclaim deed; how long of a dock would be allowed to connect the island to an adjacent property; and what the listing price is for the property. The subject property is listed for sale for \$45,000.

The Commission expressed sympathy for the applicant's dilemma to own property that cannot be used. The Commission also stated the applicant purchased the property in 2004 with the CON designation and it would behoove of them prior to any purchase to find out the allowed uses. The Commission reiterated concern for the intention of the property owner, as it appears to be for financial gain rather than personal enjoyment. Chairman Brown noted the Town has purchased property for conservation purposes in the past and asked if the Town could provide the applicant with some options. Staff indicated the property owners would need to send a letter to the Town Manager specifying their interest in selling the property to the Town.

Commissioner Stanford moved that the Planning Commission recommend to the Town Council **denial** of the application based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report. Vice Chairman Kristian seconded.

Commissioner McVitty moved to amend the motion to include the additional Finding of Fact that the property is currently for sale, which possibly reflects a different intent for the property. Mr. Taylor seconded the amended motion.

Staff indicated Findings of Facts and Conclusions of Law must be specified based on LMO criteria. The Commission discussed the amended motion and came to the conclusion that the amended Finding of Fact does not meet any of the criteria. Therefore, the Commission requested that specific comments discussed today are included in their recommendation to Town Council.

Chairman Brown called for a vote on the amended motion. The amended motion failed unanimously with a vote of 0-6-0.

The Commission requested the following comments be included with their recommendation to Town Council for denial of the application:

1. As the subject property is currently listed for sale, the Commission questions the motive of the current property owners, who claim they want to develop the property as a "modest fish camp" for their own use.
2. If the rezoning is not approved, and therefore the property cannot be developed, the property owner could request that the Town consider purchasing this property as part of their land acquisition program.

Chairman Brown called for a vote of the original motion. The motion passed unanimously with a vote of 6-0-0.

- b) Election of Officers to serve the July 1, 2018 to June 30, 2019 term.

Vice Chairman Kristian reported the Nominating Committee unanimously recommended to reappoint Alex Brown as Chairman of the Planning Commission to serve the July 1, 2018 to June 30, 2019 term.

Vice Chairman Kristian moved to approve. Commissioner Stanford seconded. The motion passed with a vote of 5-0-1. Chairman Brown abstained.

Vice Chairman Kristian reported the Nominating Committee unanimously recommended to reappoint Teresa Haley as Secretary. Vice Chairman Kristian moved to approve. Commissioner Stanford seconded. The motion passed with a vote of 6-0-0.

Vice Chairman Kristian reported Commissioner Carstens expressed a desire to be considered for the position of Vice Chairman of the Planning Commission. The Nominating Committee recommended Peter Kristian and Judd Carstens as nominees for Vice Chairman with a vote of 2-0-1. Mr. Kristian abstained from the vote.

Commissioner Stanford moved to approve Peter Kristian as Vice Chairman. Commissioner McVitty seconded. The motion passed with a vote of 5-0-1. Mr. Kristian abstained from the vote.

Chairman Brown thanked the Commission for their recommendation and stated he is honored to be the Chair of the Commission.

10. Commission Business – None

11. Chairman’s Report – None

12. Committee Report – None

13. Staff Report

Ms. Cyran indicated there are no agenda items for the June 20th meeting, except for the Crystal Awards ceremony for departing Commissioners Hughes and Taylor. Ms. Cyran then suggested options to proceed. The Commission was in general agreement to cancel the June 20th meeting and schedule the Crystal Awards ceremony for the July 18th meeting. Additionally, the two new Commissioners will be sworn in at the July 18th meeting.

14. Adjournment

The meeting was adjourned at 10:24 a.m.

Submitted by: Teresa Haley, Secretary

Approved:

Alex Brown, Chairman



**TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT
DEPARTMENT**

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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**STAFF REPORT
ZONING MAP AMENDMENT**

Case #	Name of Project or Development	Public Hearing Date
ZA-001482-2018	Leg O'Mutton Apartments	July 18, 2018

Parcel Data & Location	Applicant & Agent
<u>Parcel ID:</u> R510 008 000 123A 0000 <u>Size:</u> 3.59 Acres <u>Address:</u> 107 Leg O'Mutton Road	Mike Thomas Thomas Design Group, Inc. P.O. Box 21156 Hilton Head Island, SC 29925
Existing Zoning Districts	Proposed Zoning Districts
COR – Corridor Overlay District within ROW ART RM-4 – Low to Moderate Density Residential Density Allowed – 21 units at 6 du per net acre	COR – Corridor Overlay District within ROW ART PD-1 Indigo Run – Planned Development Mixed-Use Density Proposed – 48 units at 13.37 du per net acre

Application Summary
<p>Mike Thomas of Thomas Design Group, Inc. is proposing to amend the Official Zoning Map by changing the zoning designation of an undeveloped 3.59-acre parcel located at 107 Leg O'Mutton Road. The request is to rezone the property from RM-4 (Low to Moderate Density Residential) to PD-1 (Planned Development Mixed-Use) as part of the Indigo Run Master Plan. The effect of this rezoning will be to increase the allowable density from 6 du per net acre to 13.37 du per net acre with the designated use as multifamily residential.</p>

Staff Recommendation
<p>Staff recommends the Planning Commission find this application to be inconsistent with the Town's Comprehensive Plan and to not 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 herein.</p>

Background

The subject property is 3.59 acres, undeveloped and located at 107 Leg O'Mutton Road. The southern and western boundaries are adjacent to the gated, private community portion of the Indigo Run Planned Unit Development (PUD), where the western boundary includes a drainage lagoon and the southern boundary an eight-foot fence separating the properties. The northern boundary is adjacent to Town-owned land currently used as a construction staging site. The eastern boundary is adjacent to Leg O'Mutton Road, which provides the vehicular access into the site. The subject property has never been a part of the Indigo Run PUD Master Plan development and has remained an out parcel with Indigo Run PUD parcels surrounding it since the inception of Indigo Run. Tax records indicate the property has been owned by the Corporation of the Bishop of the Church of Jesus Christ of Latter Day Saints since 1980. Prior to this time, the property was held by South Realty Associates. See Attachment A for a vicinity map and Attachment D for the 2016 boundary survey.

The only known development that has occurred on the property can be seen as a structure in aerial imagery dated 1986. It is noted as "Church in Trailer" on Indigo Run Master Plan documents from the same time period. Today, the property is vacant. In 2012, an easement was granted to the Town of Hilton Head for the bike path along Leg O'Mutton Road.

On the 1986 Official Zoning Map, the property was designated as RM-4, which it has remained through the adoption of the current zoning map in 2014. The purpose of the RM-4 District is to encourage a variety of residential opportunities. The regulations are intended to discourage development that would substantially interfere with, or be detrimental to, residential character. See Attachment B for the vicinity zoning map and Attachment C for the RM-4 District use table.

The RM-4 District allows the following Residential Uses: Group Living, Multifamily, and Single Family at a density of four units per net acre for parcels under three acres in size; six units per net acre for parcels between three and five acres in size; and eight units per net acre for parcels that are five acres or larger. Other uses permitted include Public, Civic, Institutional, and Educational uses; Bed and Breakfasts with conditions; conditional Commercial Services; and Other Uses including Agriculture, Boat Ramps, Docking Facilities, and Marinas. In the RM-4 District the maximum density for nonresidential uses is 6,000 square feet of gross floor area (GFA) per net acre and ten rooms per net acre for Bed and Breakfasts. The maximum building height is 35 feet and maximum impervious lot coverage for all development except single family is 35 percent.

The purpose of the PD-1 District is to allow the continuation of well-planned development within the unique PUDs that are greater than 250 acres in size and comprised of Town-approved Master Plans, such as Indigo Run. The principle uses listed in the LMO for this district are restricted to locations where a Town-approved Master Plan or associated text specifically states such uses are permitted. Residential density and use types are typically defined by each Town-approved Master Plan. The incorporation of a parcel into a Town-approved Master Plan requires that the applicant specify the intended uses and density for the property. Principal uses, buffers, setbacks, maximum height and impervious cover that are more restrictive than the existing standards may also be defined for the purpose of rezoning a parcel into PD-1, so as to restrict development of the property beyond what is characterized by the target Town-Approved Master Plan, in this case the Indigo Run PUD.

Since the rezoning and update to the entire Indigo Run Master Plan in 2000 and the LMO rewrite in 2014, the Indigo Run PUD had three parcels added to its Master Plan through the rezoning process. These include:

- ZMA030008: Rezoned the Christian Renewal Church property from RM-4 to PD-1 Indigo Run with 6,000 GFA per net acre institutional use or four residential du per net acre.
- ZMA060013: Rezoned the 6.7-acre parcel located at 76 Leg O'Mutton Road from RM-4 to PD-1 Indigo Run.
 - This rezoning consisted of two tracts.
 - Tract A would allow a landscape business with 6,000 square feet per net acre.

- Tract B would allow residential development with four units per net acre and a road right of way.
- ZMA080002: Rezoned a 5-acre portion of property located at 80 Jarvis Creek Court from Parks and Recreation to PD-1 Indigo Run to allow the construction of the Children’s Center.

Subsequently, with the 2014 LMO rewrite and adoption of a new zoning map, the parcels north of Pembroke Drive comprising the Wal-Mart eastward to The Preserve at Indigo Run adjacent to Gardner Drive and up to the 278 boundary were zoned out of the Indigo Run PUD and assigned to the Town’s zoning program. A majority were rezoned to the MS (Main Street) District, which has a residential density of 12 du per net acre. The parcel subject to rezoning through ZMA080002 noted above was re-assigned to PR and the Children’s Center located on Nature Drive to a parcel zoned LC (Light Commercial). See Attachment H for the current Indigo Run Master Plan as of the 2014 LMO rewrite.

Prior to this request for rezoning, the subject property was planned for a townhome development following the RM-4 District design standards with 21 three-story town homes at 4,000 square feet each, 46 parking spaces and an amenity building. This development plan was approved by the Design Review Board (DRB) on July 11, 2017. See Attachment F, sheet number C401 of the applicant’s narrative submittal to review the DRB approved plan with townhomes.

For the purpose of this rezoning request, the applicant has defined the following principal use and design standards for the property:

- Use: Multifamily apartments
- Density: 13.37 du per net acre, with 48 units proposed
- Height: 45 feet (75 feet is permitted in PD-1)
- Parking: 106 spaces
- Setbacks and Buffers: A more restrictive 40-foot setback and buffer is proposed for the western boundary adjacent to the lagoon. The required setback and buffer per the LMO is 20 feet.

Design standards for the PD-1 District that will apply to the subject property include the maximum impervious cover at 40 percent and the minimum open space requirement of 50 percent for residential development.

Currently and proposed, access to the subject property is by Leg O’Mutton Road. The Town’s Traffic Engineer has expressed concern over increased demand on the road that could potentially max out its serviceability due to an increase in development. His recommendation is that a condition be put on an approval, if granted, that the developer provide a left-turn lane to serve northbound motorists on Leg O’Mutton Road. This recommendation is anticipating the need for widening Leg O’Mutton Road to three lanes in the next five to ten years to meet the projected increase in demand from growth in this and the Marshland Road area. Electric and water services are currently available for the subject property, and Fire Rescue has the capability to immediately access it.

Applicant’s Grounds for ZMA

This zoning map amendment will rezone the subject property to support the developer’s interest in an apartment-style housing product for the site based on their determined intent to support the island’s affordable housing shortage. A previously approved townhome development was determined by the developer to not be the best use for the site. The current zoning by right allows for 21 dwelling units. Rezoning to increase density would permit the development of a viable apartment community on this site as a certain density is necessary to offset the land costs, construction costs, and other associated fees and expenses. Currently, the site sits undeveloped and provides no economic benefit to the island. This housing could be potentially utilized by those who would help fill the current workforce

employment void on the island.

See Attachment F for the applicant's narrative, which includes the approved DRB plans, as well as a proposed site plan for the apartment development on sheet C1.1, titled "Leg O'Mutton Apartments." The proposed change in zoning will increase the available density to 48 dwelling units and define the type of allowable use for the subject property as residential multifamily.

Summary of Facts and Conclusions of Law

Findings of Fact:

1. The application was submitted on June 18, 2018 as set forth in LMO 16-2-103.C and Appendix D-1.
2. Per LMO 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing.
3. The LMO Official scheduled the public hearing of the application for the July 18, 2018 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
4. Per LMO 16-2-102.E, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date.
5. Notice of the July 18, 2018 public hearing was published in the Island Packet on July 1, 2018.
6. Per LMO 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties within 350 feet of the subject land, no less than 15 calendar days before the hearing date.
7. The applicant mailed notices of the July 18, 2018 public hearing by first-class mail to the owners of record of the properties being rezoned and to the owners of record of properties within 350 feet of the subject land on June 26, 2018.
8. Per LMO 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one notice being visible from each public thoroughfare that abuts the subject land.
9. The LMO Official posted on June 29, 2018 conspicuous notice of the July 18, 2018 public hearing on the lands subject to the application.

Conclusions of Law:

1. The application was submitted in compliance with LMO 16-2-103.C and Appendix D-1.
2. The LMO Official scheduled the public hearing of the application for the July 18, 2018 Planning Commission meeting, in compliance with LMO 16-2-102.E.1.
3. Notice of the public hearing was published 17 calendar days before the meeting date, in compliance with LMO 16-2-102.E.2.
4. The applicant mailed notices of the public hearing to owners of record of the properties being rezoned and to the owners of record of properties within 350 feet of the subject land 22 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.
5. The LMO Official posted conspicuous notice of the public hearing 16 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.

As set forth in LMO 16-2-103.C.2.e, Zoning Map Amendment (Rezoning) Advisory Body Review and Recommendation, the Commission shall consider and make findings on the following matters regarding the proposed amendment.

Summary of Facts and Conclusions of Law

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO 16-2-103.C.3.a.i):

Findings of Fact:

The Comprehensive Plan addresses this application in the following areas:

Culture Resources Element

Implication for the Comprehensive Plan – 2.3 Community Character

- Character preservation and “sensitive renewal” have been identified as key components to guide growth, regulation and control.

Implementation Strategies – 2.3 Community Character

- B. Support development concepts and architectural styles that foster and promote Island and Community Character and that preserve culture or history of the island.

Housing Element

Implication for the Comprehensive Plan – 5.1 Housing Units & Tenure

1. Although an increase in the total number of housing units contributes to the economic tax base for the Town, it is important that both the quantity as well as quality of the housing stock is maintained to sustain the current and future population and overall property values. As the amount of available land declines for new development, it will be very important to maintain a high quality housing stock on residential properties. In addition, the availability of various housing types is important for the housing market viability to accommodate the diverse needs of the Island’s population.

Land Use Element

Implications for the Comprehensive Plan – 8.1 Existing Land Use

- Remaining vacant land, totaling approximately 2,114.6 acres or 10 percent of Hilton Head Island’s land area, represents the remaining pool of land available for development. A major challenge for development will be to maintain the character of the Island while insuring adequate infrastructure is in place and balancing land conservation.

Implication for the Comprehensive Plan – 8.3 Planned Unit Developments (PUDs)

- The location of each concentration of land use category and type is important to consider when determining infrastructure and other service needs, while also ensuring a high standard of quality of life.

Goal 8.1 – Existing Land Use

- A. To have an appropriate mix of land uses to meet the needs of existing and future populations.
- B. To maintain the character of the Island while insuring adequate infrastructure is in place and balancing land conservation to meet future needs.

Goal 8.3 – Planned Unit Developments (PUDs)

- B. To have an appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town’s high quality of life and should be considered when amending PUD Master Plans.

Goal 8.4 – Existing Zoning Allocation

- A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town’s high quality of life and should be considered when amending the Town’s Official Zoning Map.

Goal 8.5 – Land Use Per Capita

- A. To have an appropriate mix and availability of land uses to meet the needs of existing and future populations.

Goal 8.10 – Zoning Changes

- A. To provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

Additional Findings of Fact:

1. The RM-4 District allows six residential units per net acre or 21 residential units total on the 3.59-acre subject parcel.
2. The applicant is requesting to more than double the allowed residential density, from 21 to 48 residential dwelling units total. The proposed rezoning would allow the equivalent of 13.37 units per net acre.
3. The highest residential density allowed in a zoning district (other than the PD-1 District) is 16 units per net acre, which is only available in the Resort Development (RD) and Waterfront Mixed Use (WMU) Districts. The second-highest residential density allowed is 12 units per net acre, which is available in the Moderate to High Density Residential (RM-12), Main Street (MS), Mitchelville (MV), and Sea Pines Circle (SPC) Districts.
4. Residential density can be difficult to calculate in PD-1 Districts because a minimum amount of open space is not required on each parcel, since open space is shared through the master planned area. The areas with high density in PD-1 Districts are located in areas developed for tourists. These areas were designed with accompanying open space that creates an appropriate scale for the development. Harbour Town is an example of a relatively high density residential and commercial development in a PD-1 District. Most residential development in PD-1 Districts is low to moderate density.
5. The subject property is located in a low to moderate density area developed for residents, not tourists. The properties to the west and south are single family residences. The property across Leg O' Mutton Road is a church.

Conclusions of Law:

1. This application is **not consistent** with the Comprehensive Plan, as described in the Cultural Resources, Housing, and Land Use Elements as set forth in LMO Section 16-2-103.C.3.a.i.
2. Per the Cultural Resources Element, the preservation of Island Character should guide growth, regulation, and control. One component of Island Character is that non-tourist residential areas in PUDs are developed with low to moderate density. The proposed rezoning would allow high density in a non-tourist residential area in a PUD, which is inconsistent with Island Character and with the Cultural Resources Element.
3. The Housing Element emphasizes the importance of balancing the need for housing to sustain the current and future population with overall property values. Though the proposed rezoning would allow more housing to be developed on the subject property, the high proposed residential density is out of balance with the low to moderate residential density surrounding the subject property. The proposed rezoning is not consistent with balance required in the Housing Element.
4. Similar to the Cultural Resources and Housing Elements, the Land Use Element emphasizes the importance of balancing the needs of current and future populations with Island Character and the preservation of a high quality of life. Since the proposed rezoning would allow development inconsistent with Island Character and out of balance with the surrounding property, the proposed rezoning is not consistent with the Land Use Element.

Summary of Facts and Conclusions of Law

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO 16-2-103.C.3.a.ii):

Findings of Fact:

1. The properties adjacent to the subject parcel are zoned PD-1 Indigo Run. Properties nearby

and within a mile of the subject parcel are zoned RM-4, MS (Main Street) and PR (Parks and Recreation).

2. The subject property is currently spot zoned RM-4 due to its proximity to low to moderate density residential neighborhoods and other out parcels of the Indigo Run PUD that are zoned RM-4, such as Magnolia Place on Leg O'Mutton Road.
3. The uses permitted in the RM-4 District are similar to the use proposed for the subject property. Multifamily residential is permitted as a by right use.
4. The uses permitted in the PD-1 District are restricted to those listed for each parcel in the approved Master Plan. Multifamily residential is the only use being proposed for the subject property rezoning.
5. Based on the Indigo Run PUD Master Plan approved by the Town in 2000, the approved uses of those properties directly adjacent to the subject parcel are residential and common area. The properties are already developed as single-family neighborhoods and common area within the gated portion of the Indigo Run PUD.
6. Other residential uses within one-half mile of the subject property are the Victoria Square single-family residential development, Magnolia Place townhomes, Bridgetown apartments, Avalon residential community, The Preserve at Indigo Run condos, and Indigo Pines assisted living facility.
7. Other nonresidential uses within one-half mile of the subject property are Christian Renewal Church, and the various shopping, office and educational institutions on Pembroke Drive in the MS District and along Gardener Drive.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.ii.
2. The applicant is proposing multifamily residential as the allowed use for the subject property, which is compatible with the surrounding residential communities and the supporting civic, public, institutional, educational and commercial uses compatible with residential neighborhoods.
3. The multifamily residential use that would be allowed on the subject property as a result of the rezoning will be compatible with the uses on the adjacent and nearby RM-4, MS, PR and PD-1 zoned parcels.

Summary of Facts and Conclusions of Law

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO 16-2-103.C.a.iii):

Findings of Fact:

1. The LMO classifies Leg O'Mutton Road as a Minor Arterial, but there is concern it will be at capacity by 2030 or sooner. Increased density in the area will affect the current traffic demand.
2. There are no known sensitive environmental features on the subject property.
3. The subject property is located within one-half mile to a mile of low to moderate density neighborhood scale community uses and high density commercial services, offices and institutions such as the Wal-Mart and Publix shopping complex, Lafayette Place offices, schools and Jarvis Creek Park.
4. The Town public bike path borders the property along Leg O'Mutton Drive.
5. The closest development to the subject parcel is a single-family residential property line 60 feet from the subject parcel property at its closest point across a lagoon on the western boundary. Along this boundary the applicant has proposed a more restrictive 40 foot setback and buffer to ease the impact of site development on the adjacent homes at Indigo Run.
6. The property is also bound by a vacant Town-owned property used for construction staging, a Minor Arterial roadway and Indigo Run common area, which cannot be developed.

7. The proposed rezoning will be to allow a multifamily residential development at 48 dwelling units, 13.37 du per net acre.
8. Properties in the adjacent MS District can be developed at a residential density of 12 du per acre, but currently there are no proposals to develop properties in this area at this density with residential uses.

Conclusions of Law:

1. This application **does not meet the criteria** in LMO 16-2-103.C.a.iii.
2. The proposed zoning is not appropriate for the land because while the subject property is adjacent to a number of parcels and developments with residential uses, these have been developed with a much lower density.
3. The subject property is located on a road that may not be able to support the residential density proposed for the property. At a minimum, it is recommended by the Town's Traffic Engineer that a turning lane be added to ease the traffic impact should this rezoning be approved.

Summary of Facts and Conclusions of Law

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO 16-2-103.C.a.iv):

Findings of Fact:

1. The subject property has the potential to provide the opportunity for more housing in the area.
2. Within a mile of the subject property is the MS district which supports a large employment base that could potentially be supported by more diverse housing opportunities in this area.
3. The applicant has stated the intention for future development on the subject property is for multifamily affordable housing.
4. Town Council has recognized and prioritized the need for more affordable housing on Hilton Head Island.
5. At this time there are no zoning districts or 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.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.iv.
2. The proposed rezoning is meeting a demonstrated community need for more housing because the demand for housing on the island and in this area in particular has increased based on recent developments on Leg O'Mutton Road and the Marshland Road corridor.
3. While there is no way to guarantee the subject property will be developed with affordable housing, there is still a need for housing on the island.

Summary of Facts and Conclusions of Law

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):

Findings of Fact:

1. The subject property has remained undeveloped and vacant as can be determined by aerial imagery.

2. Per LMO 16-3-105.K, the purpose of the PD-1 District is to allow the continuation of well-planned development within the unique PUDs that are greater than 250 acres in size and comprised of Town-approved Master Plans, such as Indigo Run. The Town-approved Master Plans for each PUD define the uses and densities for the property incorporated into the Master Plan.
3. The 2000 Indigo Run PUD Town-approved Master Plan defines “residential” as: *Land uses consisting of single family (full size and patio sized lots and attached and detached single family), and multi-family (attached residential including both short term and long term rentals).*
4. Rezoning the subject property would align with the diverse neighboring residential developments and residential use-designated properties intended to be within the Indigo Run PUD by definition. An example is Summerhouse Condominiums, which are located within a PUD and designated for development with 204 dwelling units.
5. Future plans for the Town support the timely development of diversified housing on the island as expressed by the Comprehensive Plan.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.v.
2. The proposed rezoning is consistent with the overall zoning program as expressed in future plans for the Town because the proposed use is multifamily residential, which offers a diverse housing opportunity already defined by the Indigo Run PUD Master Plan, which was approved by the Town in 2000.

Summary of Facts and Conclusions of Law

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO 16-2-103.C.3.a.vi):

Findings of Fact:

1. The subject property is located directly adjacent to PD-1 Indigo Run zoned parcels.
2. The subject property is currently spot-zoned RM-4.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.vi.
2. Due to the proximity of the PD-1 Indigo Run District, the proposed rezoning would not create an inappropriately isolated zoning district that is unrelated to the adjacent and surrounding zoning district.
3. Rezoning the subject property would create a preferred zoning arrangement by eliminating a spot-zoned RM-4 District.

Summary of Facts and Conclusions of Law

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Findings of Fact:

1. The subject property has never been developed with a permanent use.
2. The applicant is proposing to rezone the subject property to allow 48 multifamily dwelling units.
3. The current zoning allows six dwelling units per net acre, or 21 dwelling units total.
4. The DRB gave approval for a development with 21 units.

Conclusions of Law:

1. This application **does not meet the criteria** in LMO Section 16-2-103.C.3.a.vii.
2. While rezoning would permit a reasonably viable economic use for an otherwise vacant property, the property's current zoning allows for development that could also be a viable economic use.
3. Rezoning for a higher density is not necessary in order to put the property to a viable economic use.

Summary of Facts and Conclusions of Law

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):

Findings of Fact:

1. Leg O'Mutton Road is a Minor Arterial as defined by the LMO and expected to reach capacity that requires road widening in the next five to ten years.
2. The Town Traffic Engineer recommends the developer be required to install a left turning lane on Leg O'Mutton Road to alleviate the impact on the road network should this rezoning be approved.
3. Water, sewer and electric services are available.
4. Hilton Head Island Fire and Rescue has the capability to immediately access the subject property.

Conclusions of Law:

1. This application **does not meet the criteria** in LMO 16-2-103.C.3.a.viii.
2. The proposed rezoning would result in development that cannot be served by the existing road network unless a condition by the Town Traffic Engineer is met. There is not a measure in place through this Zoning Map Amendment process to ensure the developer will install a left turn lane to serve the proposed 48 unit development as recommended; however, this could be enforced with a Traffic Impact Analysis requirement through the Development Plan Review process.

Summary of Facts and Conclusions of Law

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):

Findings of Fact:

1. There are several new residential developments in close proximity to the subject property. Magnolia Place is currently under construction for 27 units. The Marshes at Broad Creek, a recently approved single-family major subdivision on Marshland Road, is approved for 23 units.
2. The more recent development and proposals for residential development near the subject property is construed as a changing condition due to the increased demand for housing. This is evident from the more recent trend of new residential developments on the island.

Conclusions of Law:

1. This application **does meet the criteria** in LMO Section 16-2-103.C.3.a.ix.
2. Rezoning the subject property will be appropriate due to the changing condition of increased development on nearby properties.
3. The use allowed by the proposed zoning district is appropriate due to this changing condition

in the affected area.

LMO Official Determination

Staff determines that this application **is not consistent with the Comprehensive Plan and does not serve to carry out the purposes of the LMO** as based on the Findings of Fact and Conclusions of Law as determined by the LMO Official and enclosed herein.

Staff recommends that the Planning Commission recommend **DENIAL** to Town Council of this application.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

TL

Taylor Ladd
Senior Planner

July 11, 2018

DATE

REVIEWED BY:

ND

Nicole Dixon, CFM
Development Review Administrator

July 11, 2018

DATE

REVIEWED BY:

TL

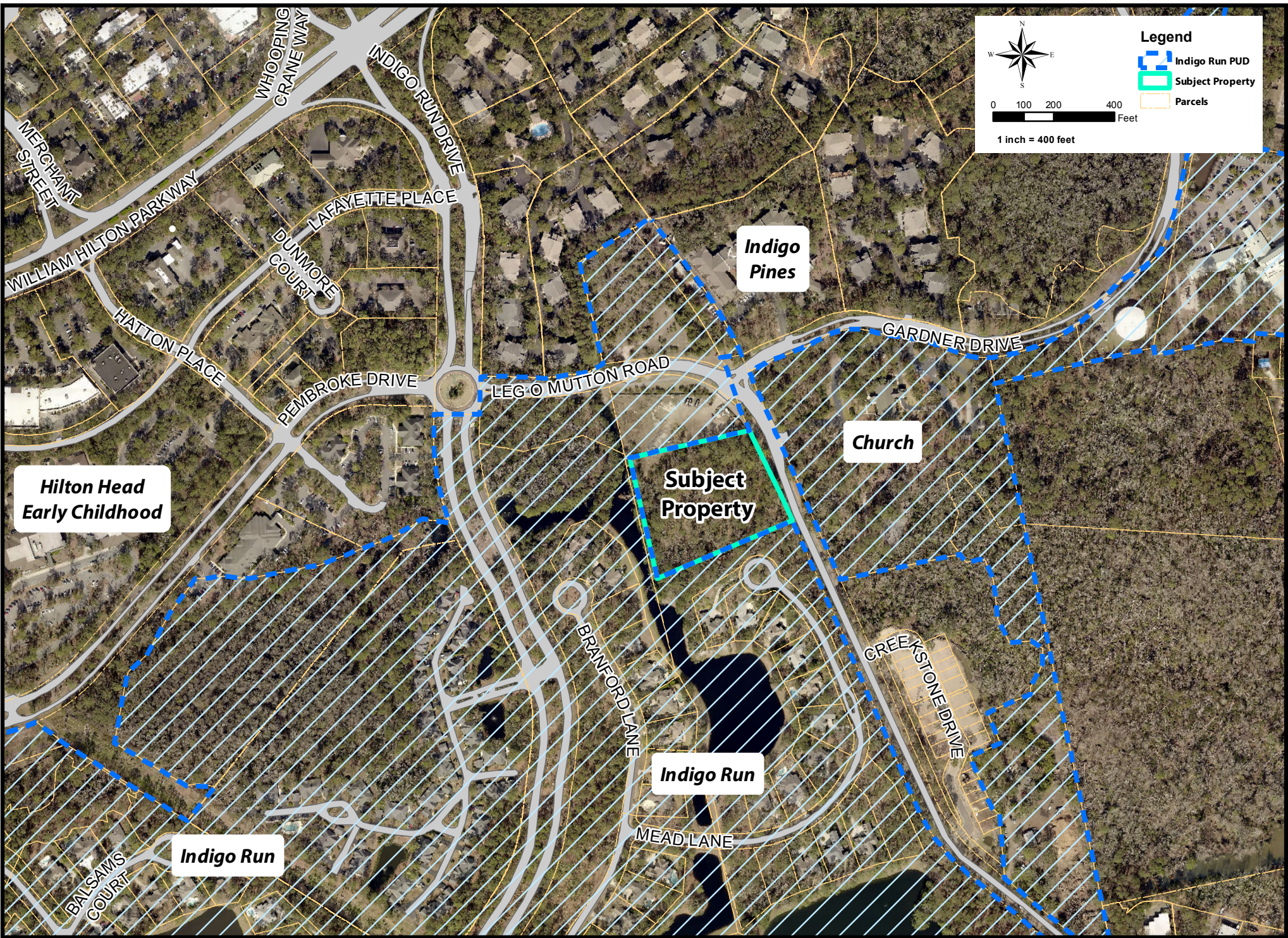
Teri Lewis, AICP
LMO Official

July 11, 2018

DATE

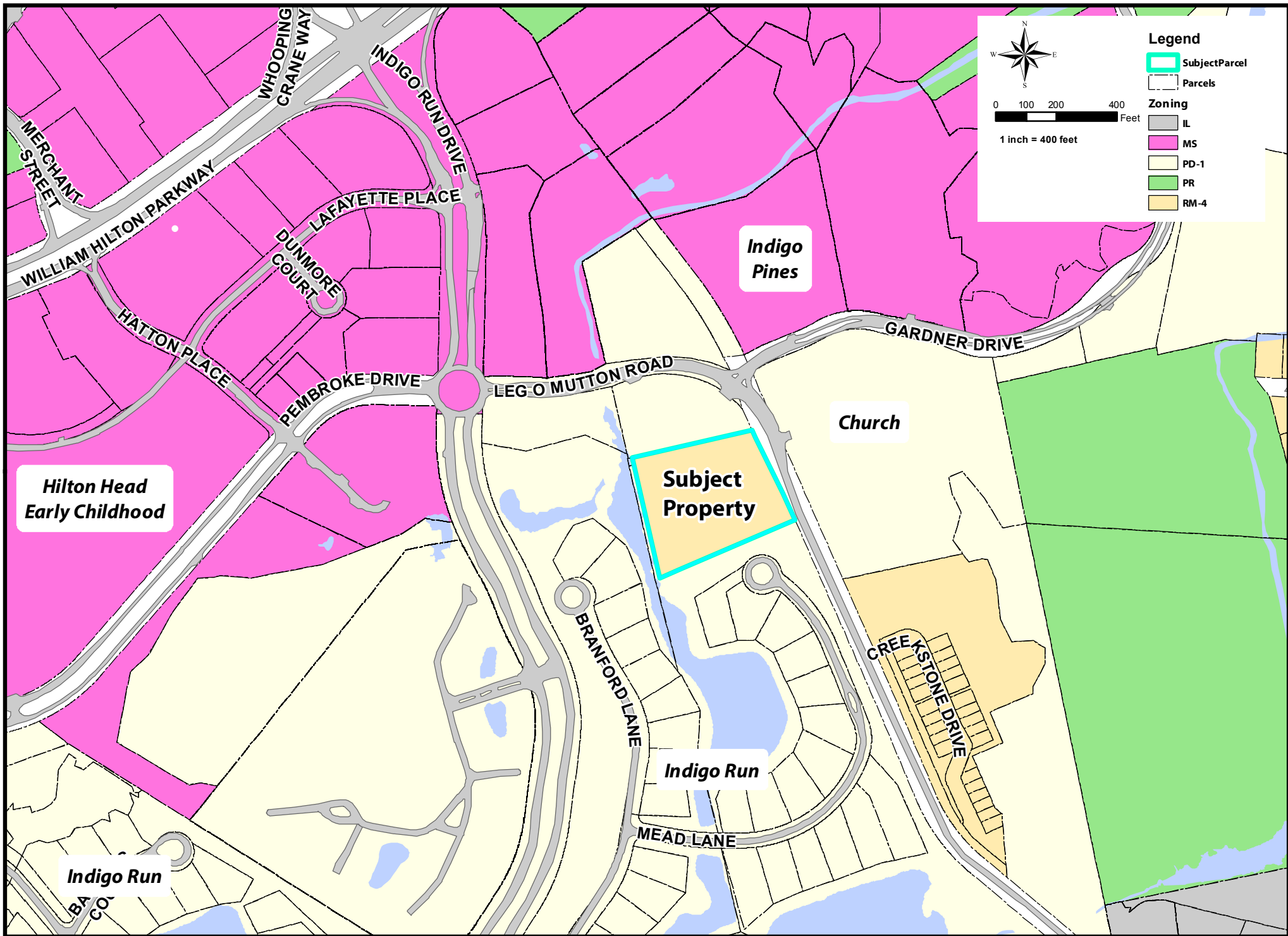
ATTACHMENTS:

- A) Vicinity Map
- B) Zoning Map
- C) LMO Use Tables
- D) Subject Property Aerial Imagery
- E) Boundary Survey
- F) Applicant’s Narrative, DRB-approved plans, and conceptual site plan
- G) Public Comments
- H) Indigo Run Current Master Plan



107 Leg O'Mutton Road and Vicinity

ZA-001482-2018



107 Leg O'Mutton Road Zoning
ZA-001482-2018

RM-4 Low to Moderate Density Residential District

1. Purpose

The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and *neighborhoods* at *densities* up to four *dwelling units* per *net acre* . This district is used to encourage a variety of residential opportunities, including *multifamily* residential units, *single-family* residences, and *group living* . The regulations of the district are intended to discourage *development* that would substantially interfere with, or be detrimental to, residential character.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			
<i>Group Living</i>	P		1 per 3 rooms
<i>Multifamily</i>	P		1 bedroom 1.4 per du
			2 bedroom 1.7 per du
			3 or more bedrooms 2 per du
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA
Public, Civic, Institutional, and Educational Uses			
<i>Cemeteries</i>	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities
<i>Community Service Uses</i>	P		1 per 400 GFA
<i>Education Uses</i>	P		Colleges and High Schools 10 per classroom
			Elementary and Junior High/Middle Schools 4 per classroom
			Other <i>Education Uses</i> See Sec. 16-5-107.D.2
<i>Government Uses</i>	PC	Sec. 16-4-102.B.2.d	Fire Stations 4 per bay + 1 per 200 GFA of office area
			Other 1 per 200 GFA of office area

Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Commercial Services				
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area	
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
Boat Ramps , Docking Facilities , and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE		
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres)	Max. Impervious Cover for All Development Except Single-Family	35%	
Bed and Breakfast	10 rooms			
Nonresidential	6,000 GFA	Min. Open Space for Major Residential Subdivisions	16%	
MAX. BUILDING HEIGHT				
All Development	35 ft ¹			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural				

Resource Protection.

TABLE NOTES:

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = **dwelling units** ; sf = square feet; GFA = **gross floor area** in square feet; ft = feet; n/a = not applicable

1. May be increased by up to ten percent on demonstration to the **Official** that:

a. The increase is consistent with the character of **development** on surrounding **land** ;

b. **Development** resulting from the increase is consistent with the purpose and intent of the **building height** standards;

c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed **development** , or (2) results in improved site conditions for a **development** with **nonconforming site features** ;

d. The increase will not pose a danger to the public health or safety;

e. Any adverse impacts directly attributable to the increase are mitigated; and

f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

(Revised 4-18-2017 - [Ordinance 2017-05](#))

Attachment C

ZA-001482-2018

Town of Hilton Head Island Municipal Code

Title 16: Land Management Ordinance, Section 16-3-105.K

PD-1 Planned Development Mixed-Use District

1. Purpose

The purpose of the Planned Development Mixed-Use (PD-1) District is to recognize the existence within the Town of certain unique **Planned Unit Developments** (PUDs) that are greater than 250 acres in size. Generally, these PUDs have served to establish the special character of Hilton Head Island as a high quality resort and residential community. It is the intent in establishing this district to allow the continuation of well-planned **development** within these areas. In limited situations, some commercially planned portions of PUDs are placed within other base districts to more specifically define the types of commercial **uses** allowed.

2. Included PUDs and Master Plans

The following PUDs are included in the PD-1 District and their Town-approved Master Plans—including associated text and any subsequent amendments—are incorporated by reference as part of the **Official Zoning Map** and the text of this LMO. Amendments to these Master Plans and associated text shall be in accordance with Sec. 16-2-103.D, Planned Unit Development (PUD) District.

1 Hilton Head Plantation	6 Port Royal Plantation (and surrounds)
2 Indigo Run	7 Sea Pines Plantation
3 Long Cove Club	8 Shipyard Plantation
4 Palmetto Dunes Resort	9 Spanish Wells Plantation
5 Palmetto Hall Plantation	10 Wexford Plantation

3. Principal Uses Restricted by Master Plan

The Master Plans and associated text, as approved and amended by the Town, establish general permitted **uses** for the respective PUDs, except as may be modified by an **overlay zoning district**. Undesignated areas on these Master Plans shall be considered as **open space**.

The following **uses** are restricted to locations where a Town-approved Master Plan or associated text specifically states such **uses** are permitted. In addition, the **use**-specific conditions referenced below shall apply to any new such **use** or change to the site for any existing such **use**.

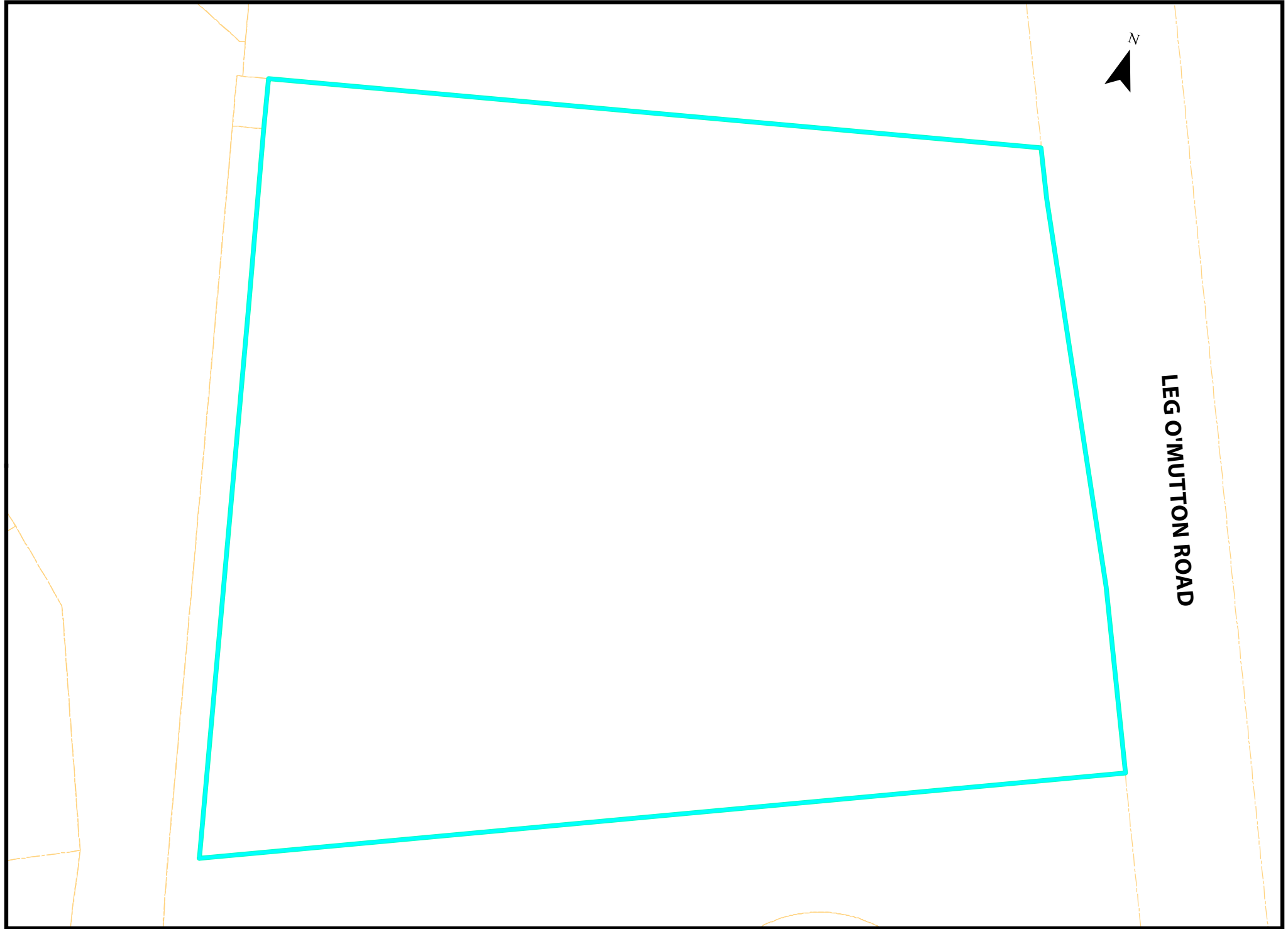
		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Public, Civic, Institutional, and Educational Uses			
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1
Resort Accommodations			

Interval Occupancy	P		1 bedroom	1.4 per du
			2 bedrooms	1.7 per du
			3 or more bedrooms	2 per du
Commercial Recreation Uses				
Outdoor Commercial Recreation Uses Other than Water Parks	PC	Sec. 16-4-102.B.5.b	See Sec. 16-5-107.D.2	
Commercial Services				
Adult Entertainment Uses	SE	Sec. 16-4-102.B.7.a	1 per 100 GFA	
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Liquor Stores	PC	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Tattoo Facilities	PC	Sec. 16-4-102.B.7.k	1 per 200 GFA	
Vehicle Sales and Services				
Auto Rentals	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2	
Auto Sales	P		See Sec. 16-5-107.D.2	
Gas Sales	PC	Sec. 16-4-102.B.8.d		
Towing Services or Truck and Trailer Rentals	P		1 per 200 GFA of office or waiting area	
Watercraft Sales, Rentals, or Services	PC	Sec. 16-4-102.B.8.e	1 per 200 GFA	
Other Uses				
Boat Ramps , Docking Facilities , and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
4. Development Area Densities				
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE		
Site specific densities shall not exceed the density limits established in approved Master Plans and associated text, except as may be modified by an overlay zoning district . Where the approved Master Plans and associated text do not establish a density limit, site specific densities shall not exceed 10,000 GFA per net acre .		Max. Impervious Cover in Areas without Restricted Access and Open to the Public		40% - Residential
				65% - Nonresidential
		Max. Impervious Cover in Areas with Restricted Access		Shall not cause overall impervious cover for the PUD in that PD-1 District to exceed 45%

		Min. Open Space in Areas without Restricted Access and Open to the Public	50% - Residential 25% - Nonresidential
		Min. Open Space in Areas with Restricted Access	Shall not cause overall open space for the PUD in that PD-1 District to be less than 55%
MAX. BUILDING HEIGHT			
All Development	75 ft	Min. Open Space for Major Residential Subdivisions	16%
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			



LEG O'MUTTON ROAD



Attachment D



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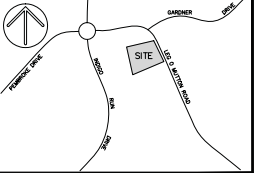
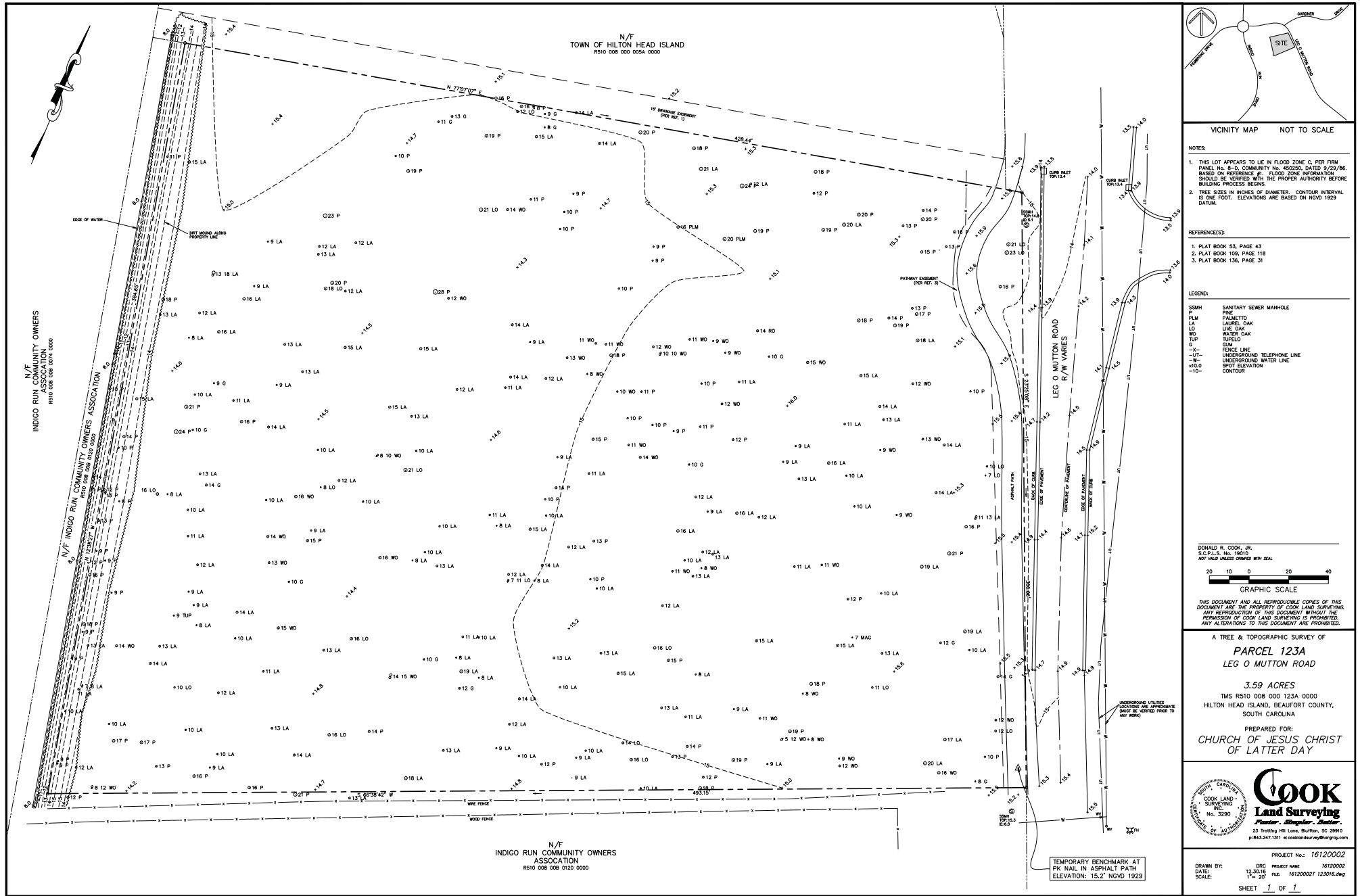
107 Leg O'Mutton Road View East
ZA-001482-2018



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107 Leg O'Mutton Road View North
ZA-001482-2018

Attachment E



NOTES:

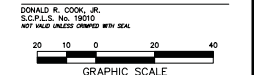
- THIS LOT APPEARS TO BE IN FLOOD ZONE C, PER FIRM PANEL No. 8-D, COMMUNITY No. 450250, DATED 9/29/86. BASED ON REFERENCE #1, FLOOD ZONE INFORMATION SHOULD BE VERIFIED WITH THE PROPER AUTHORITY BEFORE BUILDING PROCESS BEGINS.
- TREE SIZES IN INCHES OF DIAMETER. CONTOUR INTERVAL IS ONE FOOT. ELEVATIONS ARE BASED ON NGVD 1929 DATUM.

REFERENCE(S):

- PLAT BOOK 53, PAGE 43
- PLAT BOOK 109, PAGE 118
- PLAT BOOK 136, PAGE 31

LEGEND:

SSMH	SANITARY SEWER MANHOLE
P	PINE
PLM	PALMETTO
LA	LARGO OAK
LO	LIVE OAK
WO	WATER OAK
TUP	TUPELO
G	GUM
-F-	FENCE LINE
-U-	UNDERGROUND UTILITY LINE
-W-	UNDERGROUND WATER LINE
+10.0	SPOT ELEVATION
-10-	CONTOUR



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A TREE & TOPOGRAPHIC SURVEY OF
PARCEL 123A
LEG O MUTTON ROAD

3.59 ACRES
TMS R510 008 000 123A 0000
HILTON HEAD ISLAND, BEAUFORT COUNTY,
SOUTH CAROLINA

PREPARED FOR:
**CHURCH OF JESUS CHRIST
OF LATTER DAY**



PROJECT No.: 16120002
DRAWN BY: DRC PROJECT NAME: 16120002
DATE: 12/30/16 FILE: 16120002T 123016.dwg
SCALE: 1"= 20'

SHEET 1 OF 1

Leg O'Mutton Road 2016 Boundary Survey
ZA-001482-2018

Attachment F
Applicant Narrative
ZA-001482-2018

THOMAS
DESIGN GROUP, INC

June 18, 2018

Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928

RE: PD-1 Re-zoning for 170 Leg O’Mutton Road, Hilton Head Island, SC
Project # DRB-000203-2017

To Whom It May Concern:

Please accept this letter as a request to re-zone Lot 170 Leg O’Mutton Road, Hilton Head Island, SC from its current zoning of RM-4 and to be included in the Indigo Run PD-1. See location below, site boundary in red hatch:



This site has recently obtained Town of HHI design approvals for a proposed multifamily product to be developed under the current zoning of RM-4. The scope includes a total of twenty one (21) multifamily townhouse units comprised of three (3), five (5) unit clusters and one (1), six (6) unit cluster. It also has letters of service from all local public utilities.

The property exists adjacent to Indigo Run on the southern and western boundaries where the western boundary includes a drainage lagoon separating the properties. Both of these boundaries are

not only heavily wooded, but an 8’ wood fence separates the properties at the southern boundary. The northern boundary of the property is adjacent to Town-owned land formerly owned by Coastal Concrete (commonly referred to as the “concrete plant site”) and is currently used as a construction staging site for equipment and supplies for the Town of HHI mid-island projects. The eastern boundary is adjacent to Leg O’Mutton Road where an easement exits with the Town for an existing public bike path. This boundary provides the only vehicular access into the site. Vehicular circulation for this development was kept simple and works well with most of the existing large trees on the site. An amenity accessory structure has also been provided as shown on the development plan. See Sheets C401 & C101 attached.

RE-ZONING REQUEST:

As with most privately-owned undeveloped sites on Hilton Head Island, land costs are at a premium. Location also impacts the valuation of such properties whereby certain densities are required to offset the land costs, construction costs, and other associated fees and expenses. Such is the case with this site. Currently, and as mentioned earlier, this site is zoned RM-4 whereby only 4 development units (DU's) per acre are allowed. However, since the site is just over 3 acres, the allowable DU's per acre are increased to 6 DU's per acre hence, 21 units per acre are allowed by-right.

After obtaining DRB approval our group re-evaluated whether or not a 4,000 sf townhouse product was the best use for this site and determined that it was not. After review of the surrounding zoning, the Town's Comprehensive Plan, and the housing demands conveyed publicly it was clear that apartment-style housing was a better product to address the island's workforce needs and thereby *demonstrates a solution to a community need*. However, in order to provide apartments on this particular site, the density would need to be increased to allow enough units to make the effort viable.



Upon review of a portion of the existing Town of HHI Zoning Map (left) the subject site (yellow) appears to be isolated by the PD-1 district (white). By allowing the subject site to be included in the Indigo Run PD-1 district, it *would become more consistent with the zoning of the surrounding area and eliminate the existing isolated zoning condition.*

Re-zoning would also allow this site to utilize a variety of building types allowed in the PD-1 district therefore creating the opportunity to take advantage of *a range of uses that are compatible with the uses allowed on other properties in the*

immediate vicinity. Those uses include apartments/condos (The Preserve at Indigo Run), commercial office and retail (Walmart, Publix, Harris Teeter, Walgreens), assisted living (Indigo Pines w/ 118 units), educational (HHCA, HH Early Childhood Ctr), and other uses not allowed in RM-4 district. Other design considerations such as building height, 35' max in RM-4 versus 75' max in PD-1, create value-added opportunities available for consideration which make the apartment product *appropriate since there are no changing conditions in the affected area.* In addition, the subject site is adjacent to the PD-1 district and therefore makes it *consistent with overall zoning program as expressed in the future plans for the Town.*

The site as it exists today will require no special consideration for public utilities for water, sewer, power, cable, etc. As stated above, there are currently letters of service provided from the public utilities in place, therefore, *the development can be served by available, adequate, and suitable public facilities.* The site development planning approach is in accordance with local and state water quality and storm water regulations and therefore *is deemed appropriate for the land.* As well, the site location allows for walking and biking opportunities to shopping amenities and public parks thereby reducing actual vehicular congestion to existing roadways.

Currently, the site sits undeveloped and provides no economic benefit to the island. Re-zoning and eventual development of the site *would allow the property to be put to a reasonably viable economic use.* And “bring workforce housing to the island reversing the challenges for housing in competition with housing off-island.”(Comp Plan). Those utilizing the housing would be able to live on the island thereby using on-island shopping and other service oriented resources. Those dollars would stay on-island and contribute to economic vitality of the community. In addition, the housing would be potentially utilized by those who would help fill the current employment void for local resorts, restaurants, landscape companies, grocers, and other businesses.

COMPREHENSIVE PLAN:

Below are elements from the Town’s Comprehensive Plan that, by allowing the re-zoning, would provide consistency with the future goals set forth in that document:

- To engage in projects that encourage affordable/workforce housing on the Island.
- To look at housing opportunities as a mechanism to maintain its essential workforce.
- To encourage housing options that provide opportunities for residents to age in place.
- To monitor changing demographics and trends in housing development to provide housing options that meet market demands.
- To address housing issues using a systemic approach that integrates other elements such as economic development, transportation and land use.
- To include partnerships and the cooperation with the entire community.
- Consider revising the LMO to include flexible zoning options and tools that allow a mix of uses for residential over commercial or other live work units. This may be a tool to foster both a commercial and housing option as well as a means to provide affordable housing and to reduce the amount of infrastructure necessary to travel from home to work or other basic services. Other LMO revisions may include regulations to facilitate the conversion and redevelopment of empty commercial or office space to residential units or allow for a mix of residential within the redevelopment.
- Encourage owners of small properties to assemble land resources through density bonuses tied to increased property sizes.
- Review inclusionary housing programs within the Town boundaries or the region that foster a mix of housing choices and forms.
- Consider creating development incentives to encourage diverse housing options that may include increased density, reduced parking requirements and increased height standards.

BUILDING TYPE COMPARISONS:

Below is a comparison of the townhouse product (approved) versus the apartment product (proposed through re-zoning).

Setbacks/Buffers:	Location:	Existing:	Proposed:
TOWNHOUSES:	North (Twn parcel)	30'	30'
	South	20'	30'+
	East	40'	40'+
	West (lagoon)	20'	40'+
APARTMENTS:	North (Twn parcel)	30'	30'
	South	20'	20'
	East	40'	40'+
	West (lagoon)	20'	40'+

Square Footage:

TOWNHOUSES: Each townhouse is designed to have 3 levels with the lower level established as the master living suite the upper 2 with 2 bedrooms each and a media room to serve each of these levels. A total of twenty-one (21) townhouses are Heated square footages are as follows:

Ground Level	1,332sf
Middle Level	1,332sf
<u>Top Level</u>	<u>1,322sf</u>
Total	3,996sf

APARTMENTS: Each apartment will be 3 bedrooms and 3 bathrooms or 2 bedrooms, 3 bathrooms and an office. All units shall be 1,470 heated square feet. Each apartment building will be three (3) levels and have twelve (12) apartments per building for a total of forty-eight (48) apartments.

Building Height:	Allowed:	Provided:*
TOWNHOUSES:	35'	38.5'

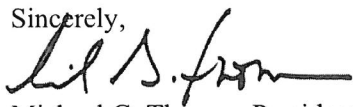
*A 10% increase in the overall building height is requested from the maximum 35' in RM-4 to 38.5' above the existing grade. The site sits in Flood Zone "C" which is not a hazardous flood zone. Floor to floor heights have been minimized to 9'-0" as well utilizing efficient construction detailing.

APARTMENTS:	75'	45' (to roof ridge)
-------------	-----	---------------------

Parking:	Required:	Provided:
TOWNHOUSES:	42 spaces	46 spaces
APARTMENTS:	96 spaces	106 spaces

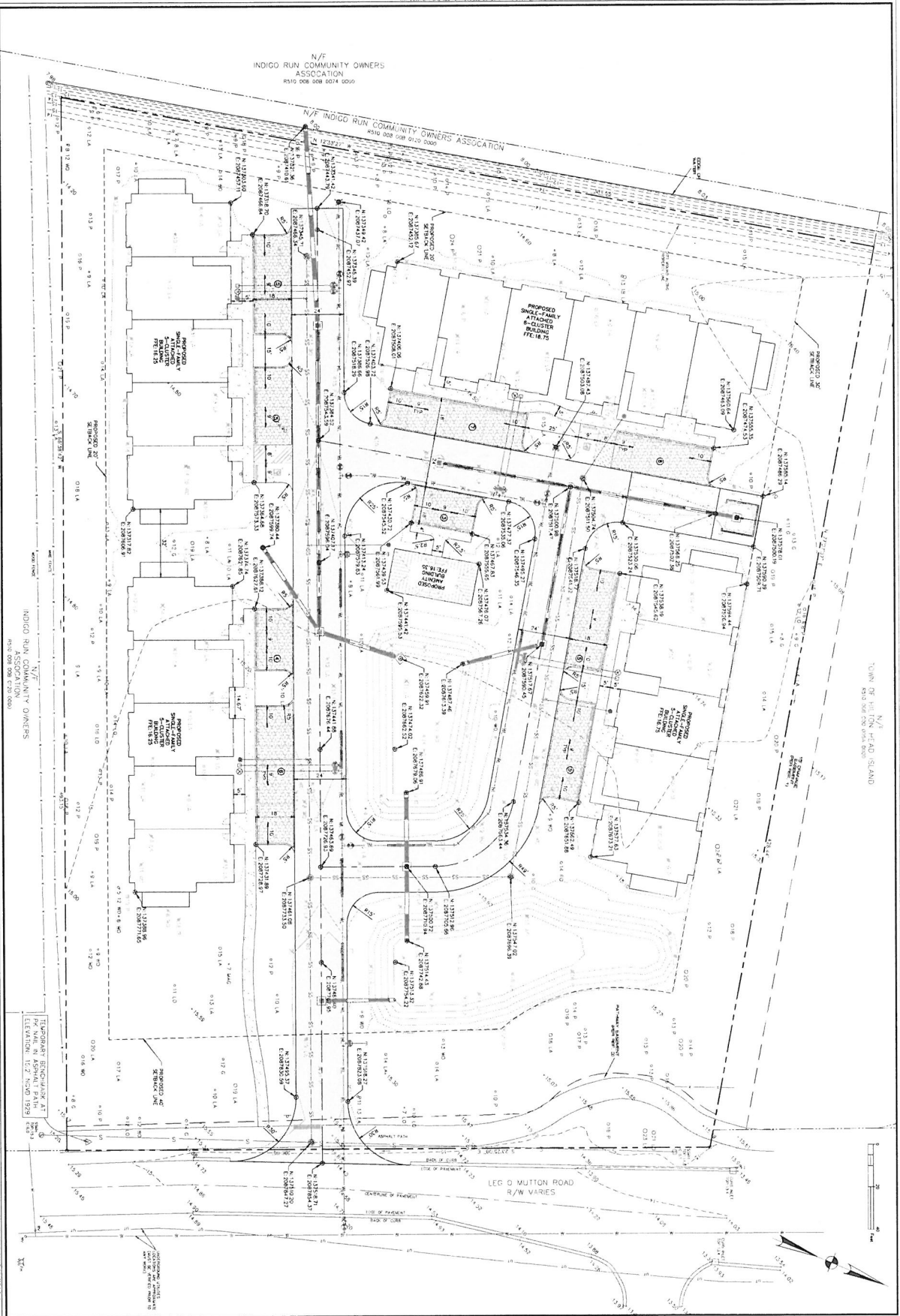
Thank you for your consideration of this re-zoning effort.

Sincerely,



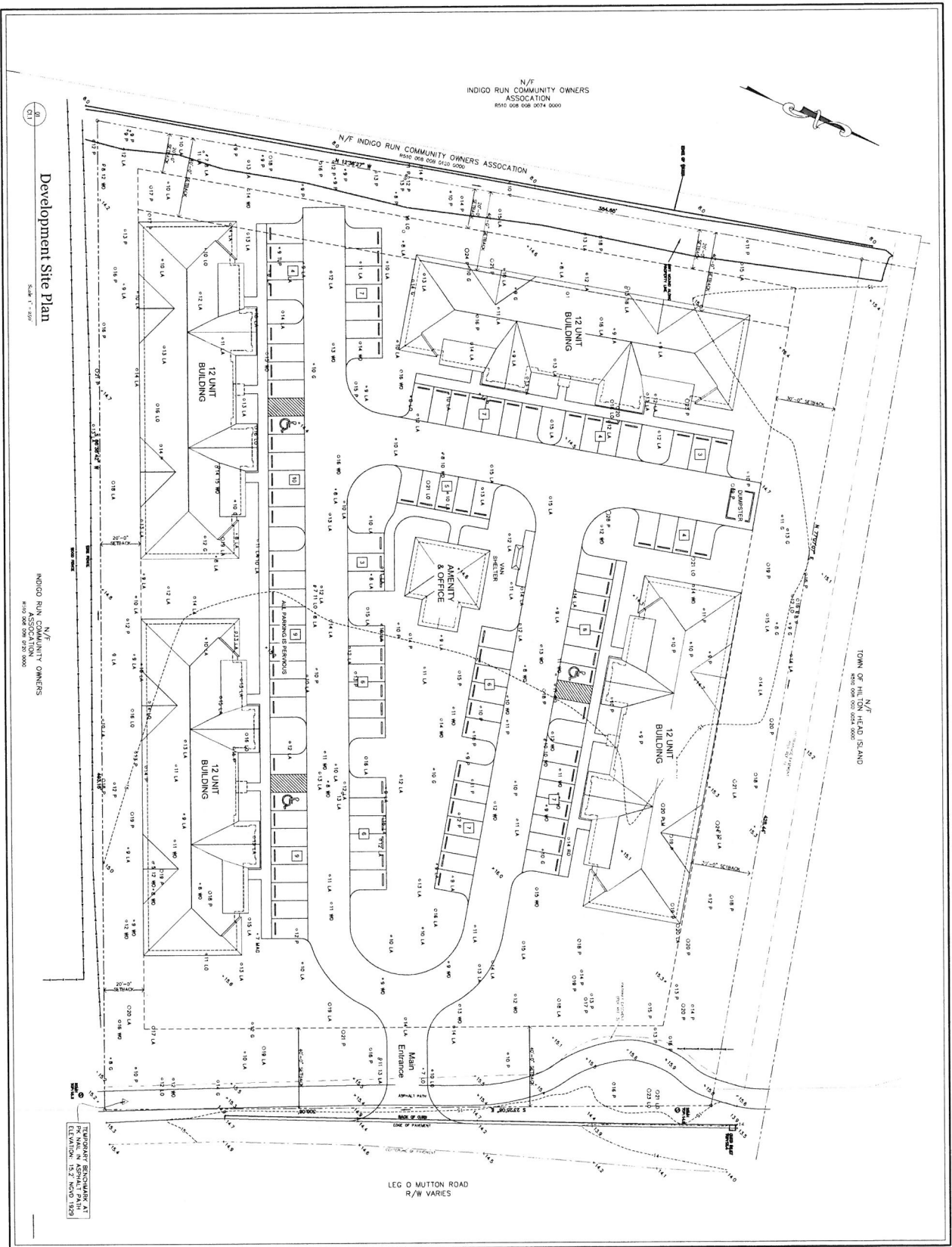
Michael G. Thomas, President
Thomas Design Group, LLC

Attachment F
Conceptual Site Plan for 21 Units
ZA-001482-2018



<p>LEG O' MUTTON TOWNHOUSES TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA SRE ACQUISITIONS II, LLC Chicago, Illinois</p> <p>SITE LAYOUT PLAN</p>	<p>Ward Edwards ENGINEERING P.O. BOX 281, BLUFFTON, SOUTH CAROLINA 29910 PH: (843) 837-5300 FAX: (843) 837-2008 WWW.WARDEDWARDS.COM</p>	<p>NO. 1</p>	<p>DESCRIPTION</p>	<p>DATE</p>	
		<p>NO. 2</p>	<p>DESCRIPTION</p>	<p>DATE</p>	
<p>NO. 3</p>	<p>DESCRIPTION</p>	<p>DATE</p>	<p>NO. 4</p>	<p>DESCRIPTION</p>	<p>DATE</p>
<p>NO. 5</p>	<p>DESCRIPTION</p>	<p>DATE</p>	<p>NO. 6</p>	<p>DESCRIPTION</p>	<p>DATE</p>
<p>NO. 7</p>	<p>DESCRIPTION</p>	<p>DATE</p>	<p>NO. 8</p>	<p>DESCRIPTION</p>	<p>DATE</p>
<p>NO. 9</p>	<p>DESCRIPTION</p>	<p>DATE</p>	<p>NO. 10</p>	<p>DESCRIPTION</p>	<p>DATE</p>

Attachment F
Proposed Apartment Plan for 48 Units
ZA-001482-2018



Development Site Plan
 Scale: 1" = 20'

N/F INDIGO RUN COMMUNITY OWNERS ASSOCIATION
 4500 500 000 0000 0000

THOMAS DESIGN GROUP, INC.
 74 SPURWHEEL LANE
 HILTON HEAD ISLAND, SC 29926
 TEL: 843.715.9434

Review Only

NO.	DATE	DESCRIPTION
1	08/11/18	PRELIMINARY PLAN
2	08/11/18	PRELIMINARY PLAN
3	08/11/18	PRELIMINARY PLAN
4	08/11/18	PRELIMINARY PLAN
5	08/11/18	PRELIMINARY PLAN
6	08/11/18	PRELIMINARY PLAN
7	08/11/18	PRELIMINARY PLAN
8	08/11/18	PRELIMINARY PLAN
9	08/11/18	PRELIMINARY PLAN
10	08/11/18	PRELIMINARY PLAN
11	08/11/18	PRELIMINARY PLAN
12	08/11/18	PRELIMINARY PLAN
13	08/11/18	PRELIMINARY PLAN
14	08/11/18	PRELIMINARY PLAN
15	08/11/18	PRELIMINARY PLAN
16	08/11/18	PRELIMINARY PLAN
17	08/11/18	PRELIMINARY PLAN
18	08/11/18	PRELIMINARY PLAN
19	08/11/18	PRELIMINARY PLAN
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30	08/11/18	PRELIMINARY PLAN
31	08/11/18	PRELIMINARY PLAN
32	08/11/18	PRELIMINARY PLAN
33	08/11/18	PRELIMINARY PLAN
34	08/11/18	PRELIMINARY PLAN
35	08/11/18	PRELIMINARY PLAN
36	08/11/18	PRELIMINARY PLAN

A New Residential Project for:
Leg O'Mutton Apartments
 107 Leg O'Mutton Road
 Hilton Head Island, South Carolina

THOMAS DESIGN GROUP, INC
 74 Spurwheel Lane
 Hilton Head Island, SC 29926
 843.715.9434

THOMAS DESIGN GROUP, INC
 74 Spurwheel Lane
 Hilton Head Island, SC 29926
 843.715.9434

C1.1

Letter to Indigo Run COA

ZA-001482-2018

THOMAS
DESIGN GROUP, INC

May 29, 2018

Indigo Run

Community Owners Association
Attn: Vince Dimario, President
103 Indigo Run Drive
Hilton Head Island, SC 29926

RE: Development and re-zoning of 107 Leg O'Mutton Road

Dear Mr. Dimario:

Good Morning Vince, Mike Thomas here, I am a long time local HHI resident, architectural designer, and developer. I am reaching out to you because my development group has completed the town's development permitting process for a new residential development located on Leg O'Mutton Road and adjacent to Indigo Run POA property. Upon completion of the permitting process, we took a step back and re-considered if what we were proposing by-right was actually the right approach to the site. The current zoning for the site is such that we had to be creative with our housing designs but did not actually create a livable product with respect to the site or the occupants. We decided to take a different approach to the site development but it will require our re-zoning such that we would become part of the Indigo Run PD-1 overlay zone. I would like to meet with you since sometimes it's best to meet informally on subjects initially, exchange ideas, then formulate a presentation strategy that works to meet your requirements and with respect to the Indigo Run community. We have to deadline submit the PD-1 docs to the town by June 18 for a meeting with the Planning Commission July 18. I look forward to hearing from you and meeting you.

Kindest regards,



Michael G. Thomas, President
Thomas Design Group, LLC

DRB Approved Townhome Plan for RM-4

ZA-001482-2018

THE TOWN OF HILTON HEAD ISLAND

DESIGN REVIEW BOARD – NOTICE OF ACTION



PROJECT NAME: Townhouses at Leg O’Mutton **PROJECT #:** DRB-001586-2017

PROJECT ADDRESS: 170 Leg O’Mutton

CATEGORY: New Development – Final

ACTION DATE: July 11, 2017 **NOTICE DATE:** July 12, 2017

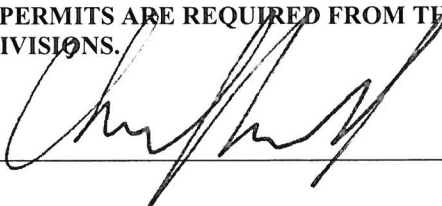
APPLICANT/AGENT: Mike Thomas, Thomas Design Group
74 Sparwheel Lane
Hilton Head Island, SC 29926
Email: mthomas.icon@gmail.com

On the above meeting date your Application received the following action:

- APPROVED AS SUBMITTED
- APPROVED WITH THE SPECIFIC CONDITIONS LISTED BELOW
 - 1) All Southern Magnolias and all Live Oaks shall be a minimum 4” caliper size.
- DENIED
- WITHDRAWN AT THE APPLICANTS REQUEST

PURSUANT TO LMO 16-2-103-I.7, THIS APPROVAL WILL EXPIRE ONE YEAR FROM THE DATE OF THIS NOTICE UNLESS A DEVELOPMENT PLAN (SEE LMO 16-2-103.G) OR SMALL RESIDENTIAL DEVELOPMENT (SEE LMO 16-2-103.H) IS APPROVED OR, WHERE DEVELOPMENT PLAN REVIEW OR SMALL RESIDENTIAL DEVELOPMENT REVIEW IS NOT REQUIRED, THE APPROVED ACTIVITY IS COMPLETED. YOU HAVE THE RIGHT TO APPEAL THIS DECISION TO CIRCUIT COURT IN ACCORDANCE WITH LMO 16-2-103-I.4.c.ii.

NOTICE: APPROVAL BY THE DESIGN REVIEW BOARD MAY NOT CONSTITUTE AUTHORITY TO PROCEED. PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 341-4757 TO FIND OUT IF OTHER APPROVALS OR PERMITS ARE REQUIRED FROM THE DEVELOPMENT REVIEW AND ZONING, BUILDING, OR ENGINEERING DIVISIONS.

BY:  _____, Urban Designer

Attachment F
DRB Approved Townhome Plan for RM-4
ZA-001482-2018

Town of HHI
 DRB Final
 Review Only

DATE	DATE	BY
08/20/18	08/20/18	TT
Pre-Application Plan of 000	08/21/18	WST
000 Change Plan of 000	08/21/18	WST
Pricing (Sheet 000)	08/21/18	WST
000 Final Plan of 000	08/21/18	WST
000 Final Plan of 000	08/21/18	WST



2
 A205
Five-Unit Front Elevation
 (Reference only to show location) 1/8" = 1'-0"



1
 A205
Five-Unit Rear Elevation
 (Reference only to show location) 1/8" = 1'-0"

A New Residential Project for:
Leg O' Mutton Townhouses
 107 Leg O' Mutton Road
 Hilton Head Island, South Carolina

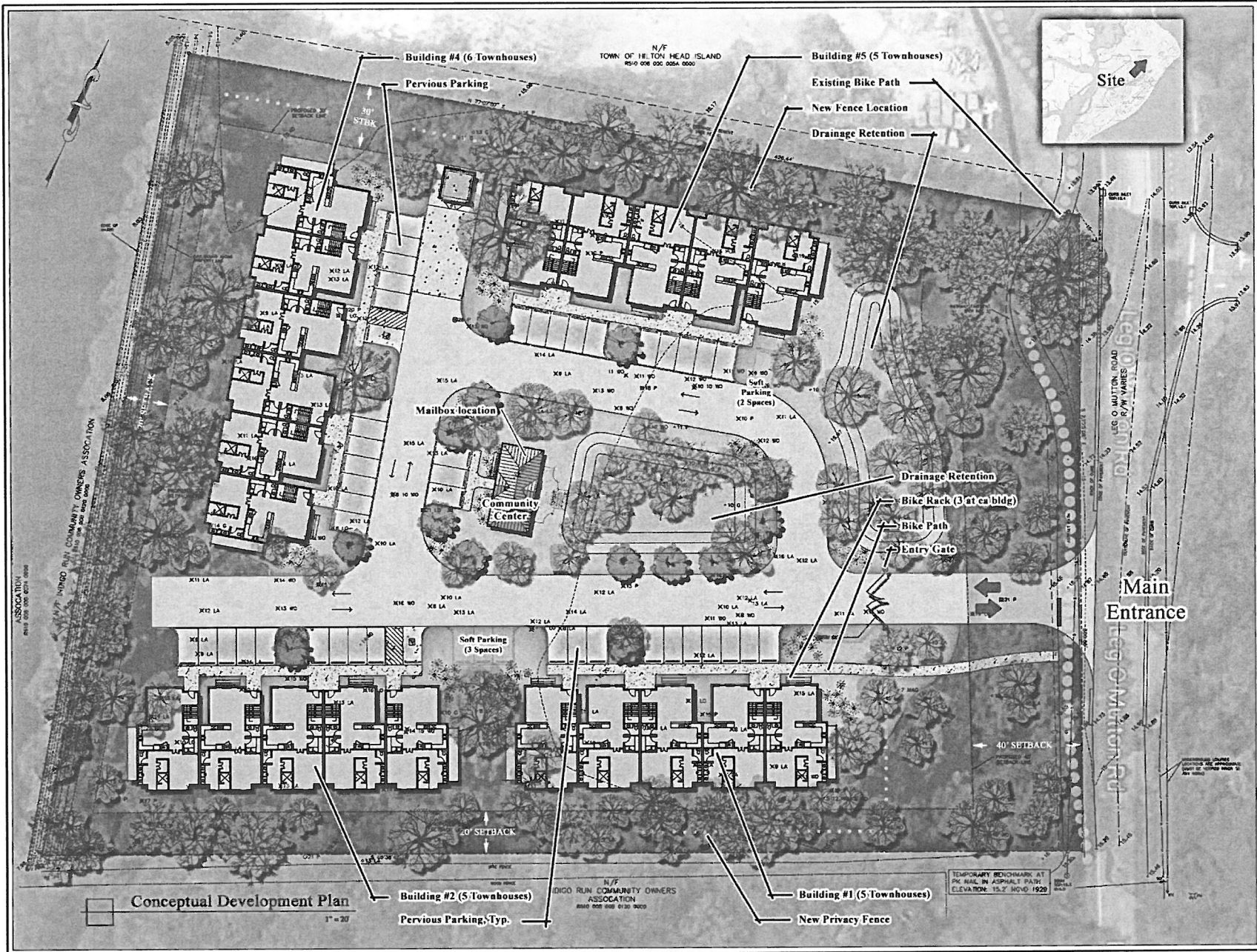
THOMAS
 DESIGN GROUP, INC
 74 Spanish Lane
 Hilton Head Island, SC 29926
 843.715.9434

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A205

Elevations

Attachment F
DRB Approved Townhome Plan for RM-4
ZA-001482-2018



Town of HHI
 DRB Concept
 Review Only

Sheet No.	Sheet Date	By
Preparation Date of DRB	2017.01.24	TDG
DRB Approval Date of DRB	2017.01.24	TDG

A New Residential Project for:
Leg O'Mutton Townhouses
 170 Leg O'Mutton Road
 Hilton Head Island, South Carolina

THOMAS
 DESIGN GROUP, INC
 74 Sparrow Lane
 Hilton Head Island, SC 29926
 843.715.9434

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TDG Project # 2017.02

C101

Attachment G

ZA-001482-2018

From: [brucem](#)
To: [Ladd, Taylor](#)
Subject: Case No# ZA-1482-2014
Date: Thursday, July 05, 2018 1:11:40 PM

Reference: Case# ZA-1482-2014 Development, 170 Leg O Mutton Road

It is my understanding that the company that has proposed a townhouse development at 170 Leg O Mutton Road is requesting a rezoning.

I object to this request and respectfully request the Planning Commission reject the proposal.

I live on property that directly faces the back side of the proposed development. I vehemently objected to this company's proposed development in 2017 because it was and is so grossly intrusive and so terribly out of sync with Indigo Run Plantation property owner's homes.

That the company may now want to increase the number of units and or buildings and or families is doubly objectionable and constitutes an even more disrespectful abuse of Indigo Run Plantation homeowners on Branford and Mead Lanes.

Bruce and Stephanie McLellan
48 Branford Lane
Hilton Head, SC 29926
843-342-6966

Attachment G

ZA-001482-2018

July 7, 2018

Dear Ms. Taylor Ladd:

We would like the opportunity to address the proposed rezoning of property on Leg O'Mutton for the development of higher density apartments. My husband and I reside at Magnolia Place, the townhome community a short distance down the road from this proposed project. We have concerns about allowing this modification in order to build these apartments at this site.

Our concerns are as follows:

- 1) We are well aware of the need for affordable housing on the Island. However, we highly doubt that the developer's motive in changing the project to a higher density zoning has to do with fulfilling a much needed void. Developers are in the business of making a profit, which they are certainly entitled to do, but in this case the developer sees an opportunity to use this void to his advantage in order to convince the Town to modify the zoning so he can maximize the profit.
- 2) The project could potentially bring 100 more vehicles on the roads in this immediate area with the majority likely to be using Leg O'Mutton for access to mid-island and south island employment. Leg O'Mutton as it stands now is a very busy and potentially dangerous road given that many drivers will exceed the posted speed limit of 35mph. One of the egresses from our development is situated at a bend off and creates a blind spot in which someone very quickly can come up upon you while trying to exit. Add to that more vehicles coming along and you have an accident ready to happen.
- 3) There is also the concern for degradation of our property value to have such a complex here and the increased barrage of cars coming along with it. There cannot possibly be any control as to how these apartments will be used or even if the new residents will be those who have been commuting from off island or those who have had to quit their HHI jobs due to the commute issue.
- 4) Have any other locations even been considered for this type of project? It is my understanding that other locations do exist which are much more appropriate for such a development. Let's not try to put the square peg into a round hole so the developer can profit handsomely.

We thank you for your time and consideration.

Regards,
Iris & Frank Shedlock



INDIGO RUN

July 9, 2018

Town of Hilton Head Island
Planning Commission
One Town Center Court
Hilton Head Island, SC 29928

RE: **Zoning Map Amendment ZA-001482-2018 for 107 Leg O Mutton Road**

Dear Members of the Planning Commission:

The Indigo Run Community Owners Association (IRCOA), as immediate adjacent property owners of the above referenced property is strongly in opposition to any change in its existing land use rights. The proposed change of density from 21 to 48 units is not just a 130% increase in the density on this parcel, it changes the entire character of Leg O' Mutton Road and will have damaging effects on the value of surrounding properties and the quality of life.

Further, changing the existing RM-4 zoning to PD-1 opens up a Pandora's Box of possibilities and potential unintended consequences of uses if this zoning change is permitted to proceed. We cannot succumb to the clear and present challenges of affordable housing or workforce shortages only to pay the price of how this decision could effect this area into the future.

The purchase of a home, or property upon which a prospective owner intends to build a home, is a tremendous investment which for most, is one of the most important decisions they make. Buyers looking to invest, and owners seeking to preserve, protect and enhance the value of that investment, count on the good faith of those overseeing the uses of surrounding property to keep in mind and defend the interests of the existing property owners. If we cannot trust in the integrity of the land use codes, we as "One Island, One Community, One Hilton Head" will continue to witness an erosion for the respect and trust of our elected officials and those charged to assist them in the execution of their duties.

EXISTING APPROVED ZONING

From the Town of Hilton Head Island Land Management Ordinance:

*"The purpose of the Low to Moderate Density Residential (RM-4) District is to **protect and preserve the character** of these areas and **neighborhoods** at **densities** up to four **dwelling units per net acre**. This district is used to encourage a variety of residential opportunities, including **multifamily** residential units, **single-family** residences, and*

group living. *The regulations of the district are intended to discourage **development** that would substantially interfere with, or be detrimental to, residential character.”*

The property owners and residents of this area are counting on this parcel being developed in a way that is consistent with the existing zoning. Many expected this to be a church or a cemetery given that the owner is the Church of Jesus Christ of Latter Day Saints. Many were shocked when the approval of 21 townhomes came along, especially with the development of Magnolia Place and its 37 units. Those, along with Victoria Square and the potential of other development at 67 Leg O’ Mutton Rd. already push to-the-limits the amount of traffic and congestion that road can stand, not to mention the correlating effects on Marshland Rd., Gardiner Drive and Indigo Run Drive. Anyone that regularly drives Leg O’ Mutton knows that it has already become a shortcut for those wishing to avoid the traffic on Hwy 278 by accessing a back way to Marshland Road and the Matthews/Folly Field intersection. The news of the existing townhome development was a surprise, but the use-by-right exists and we accept that - even if we prefer that the land remains in a natural state.

PROPOSED ZONING

From the Town of Hilton Head Island Land Management Ordinance:

*“The purpose of the Planned Development Mixed-Use (PD-1) District is to recognize the existence within the Town of certain unique **Planned Unit Development s** (PUDs) that are greater than 250 acres in size. Generally, these PUDs have served to establish the special character of Hilton Head Island as a high quality resort and residential community. It is the intent in establishing this district to allow the continuation of well-planned **development** within these areas. In limited situations, some commercially planned portions of PUDs are placed within other base districts to more specifically define the types of commercial **uses** allowed.”*

When the Indigo Run PUD was being conceived, the town considered the best uses of not just the Indigo Run PUD, but also of the surrounding property and ultimately, the north end of the island. Leg O’ Mutton Road (which was unpaved at the time) was seen as a quiet through street with residential units, schools, churches, and small commercial uses. The residential development along this short stretch of road was intended to be low to moderate density, in buildings not to exceed 35 feet in height. This rezoning is not a continuation of well-planned development within this area, and would in fact allow a highly dense residential development with the potential of building heights of up to 75 feet. Yes, this developer states that the intent is to “only” build to 45 feet in height – which is way too tall to remain in character with the surrounding properties. And who is to say that this developer or another comes back and proposes something even worse – claiming a “use-by-right”? This parcel was intentionally left out of the Indigo Run PD-1 for that very reason.

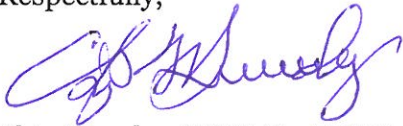
OVERRIDING CONCERN

The recent episode of clamor and unrest related to another property on Leg O’ Mutton Rd – the Arbor Nature parcel at 76 Leg O’ Mutton has left many of the residents along this stretch of road with festering wounds of skepticism and distrust. The IRCOA does not wish to exacerbate existing wounds or promulgate opening of any new ones. We wish to hold true to the existing

land uses, or better still, to evaluate whether this parcel isn't already in its "best-use" state as a naturally wooded area – providing habitat for wildlife, a visual and sound buffer to the adjacent residences, and an aid to the drainage and control of runoff water through the Otter Creek system. The existing approved 21 townhome development included a setback from the shores of Otter Creek and some enhanced landscaping mitigation. That is now being replaced with very little in the way of separation/buffer between existing homes in Indigo Run and this new proposed development. The footprint of the proposed 48 apartments completely fills the building envelope and removes the buffer provided in the 21 unit townhome development. The height of the structures would visually take the place of the tall pines and replace them with a façade of apartment windows looking down on the once-private single family residences of Indigo Run. [See photos where Otter Creek divides Indigo Run residential units from the proposed development parcel.]

Providing a development of 21 townhomes is consistent with the allowable uses to the maximum allowed, and it does address a need to provide more housing for our workforce on the island. Any change to allow an apartment development adding 130% to the approved density is out of character and out of scale with the surrounding community and transportation infrastructure. Now, the developer doesn't see that the project he worked hard to gain approval in 2016/2017 as profitable enough. It is our position that the developer find a suitable location which is true to the character of the community it wishes to build within and not ask the Town of Hilton Head Island to approve something that is out of character with a community just so they can improve their bottom line.

Respectfully,

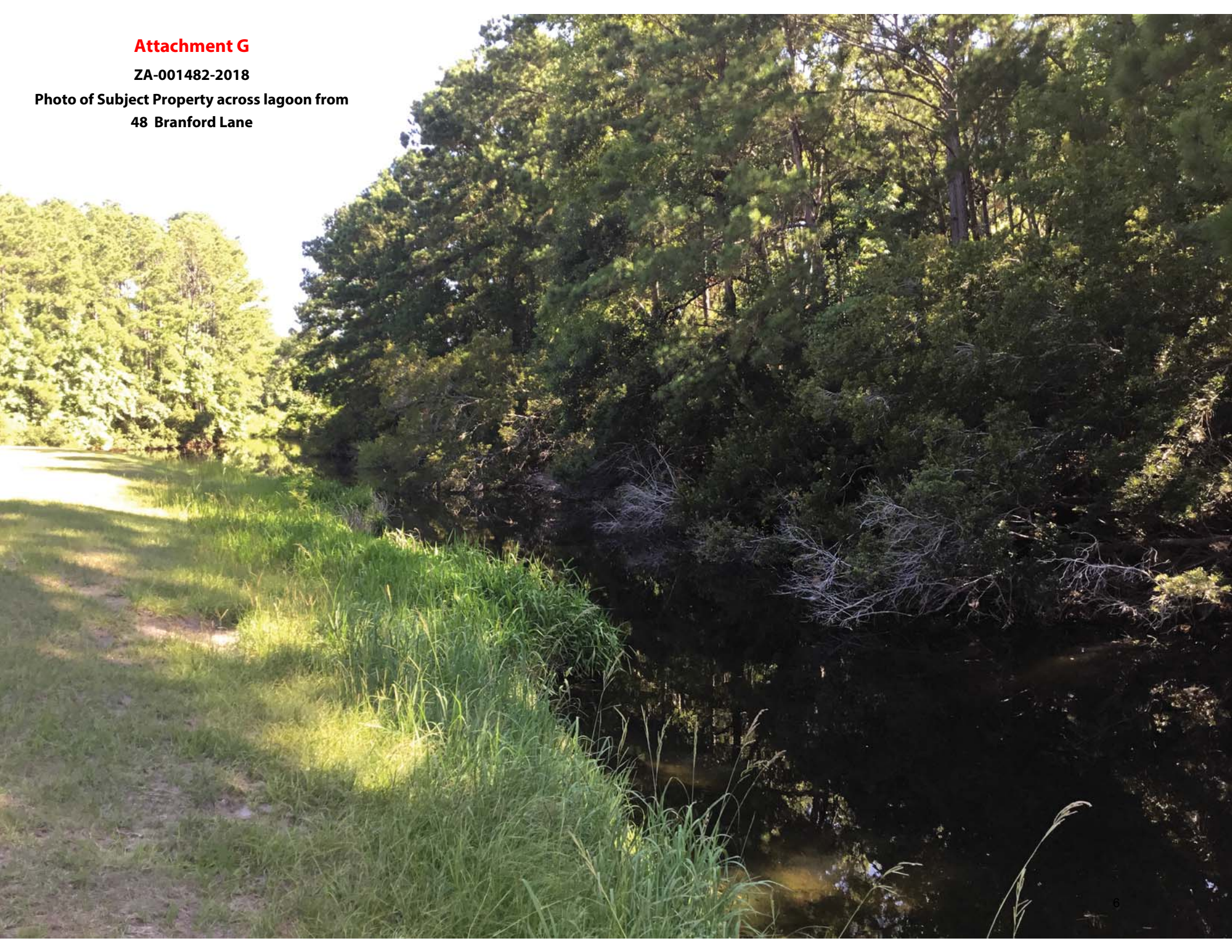


Chip Munday CMCA®, AMS®, PCAM®
General Manager

Attachment G

ZA-001482-2018

**Photo of Subject Property across lagoon from
48 Branford Lane**

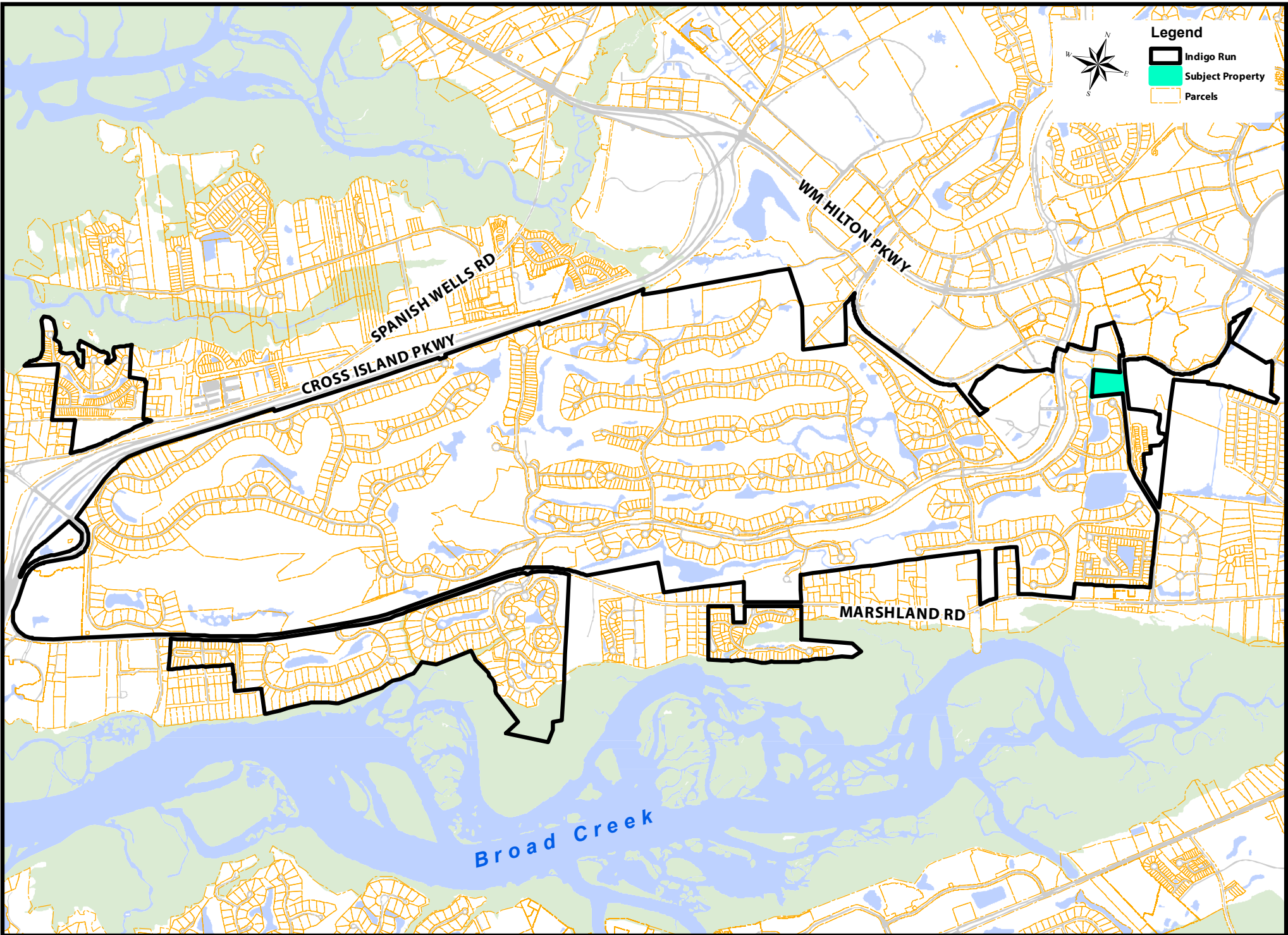


Attachment G

ZA-001482-2018

Photo of Subject Property across lagoon from
48 Branford Lane







TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Planning Commission
VIA: Charles Cousins, *AICP, Director of Community Development* *OC*
VIA: Jennifer Ray, *ASLA, Planning and Special Projects Manager* *JBR*
FROM: Emily Sparks, *Project Lead* *ES*
CC: Shawn Colin, *AICP, Deputy Director of Community Development*
DATE: July 12, 2018
SUBJECT: Vision Phase 2 and Comprehensive Planning

On June 28, 2018 staff presented a proposed process and principles to direct Phase 2 of the Vision to the Public Planning Committee. The proposed approach is consistent with the Town Council adopted Vision recommendation to utilize the community Vision as the framework for the evolution to a more focused, strategic and creative comprehensive planning process.

Phase 1 of the Vision was a very successful effort in gathering community input, educating the community, and fostering public involvement in developing a path for the Town's future.

The existing Comprehensive Plan, adopted following community engagement in 2010 and updated in 2017, is the Town's policy guide. The plan gives authority to the Land Management Ordinance and other regulatory tools, including guiding zoning and capital improvement decisions, and should guide all decision making within the Town. The Town, through the development and recommendation of the Planning Commission, is required by State Code to adopt a new plan by May 2020.

Enclosed are slides demonstrating the process and engagement from Phase 1 of the Vision, information about the Comprehensive Plan, and the proposed draft principles and draft process to direct Phase 2 of the Vision. The Public Planning Committee raised questions regarding the proposed principles and process. Staff will work with the Planning Commission to address those questions, and return to the Public Planning Committee in August 2018.

Attachment:

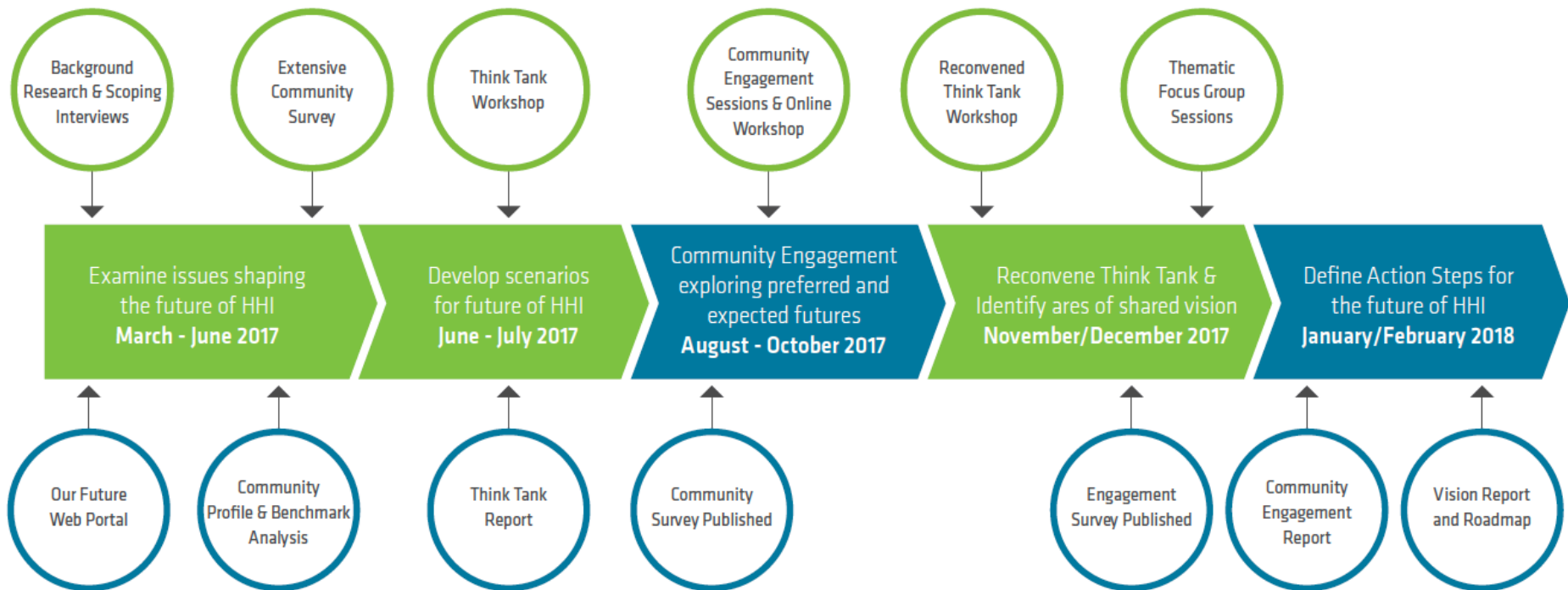
Exhibit A, *selected slides from a presentation to the Vision Project Management Team on February 16, 2018 by Future iQ.*

Exhibit B, *selected slides from a presentation to the Public Planning Committee on June 28, 2018 by Staff.*



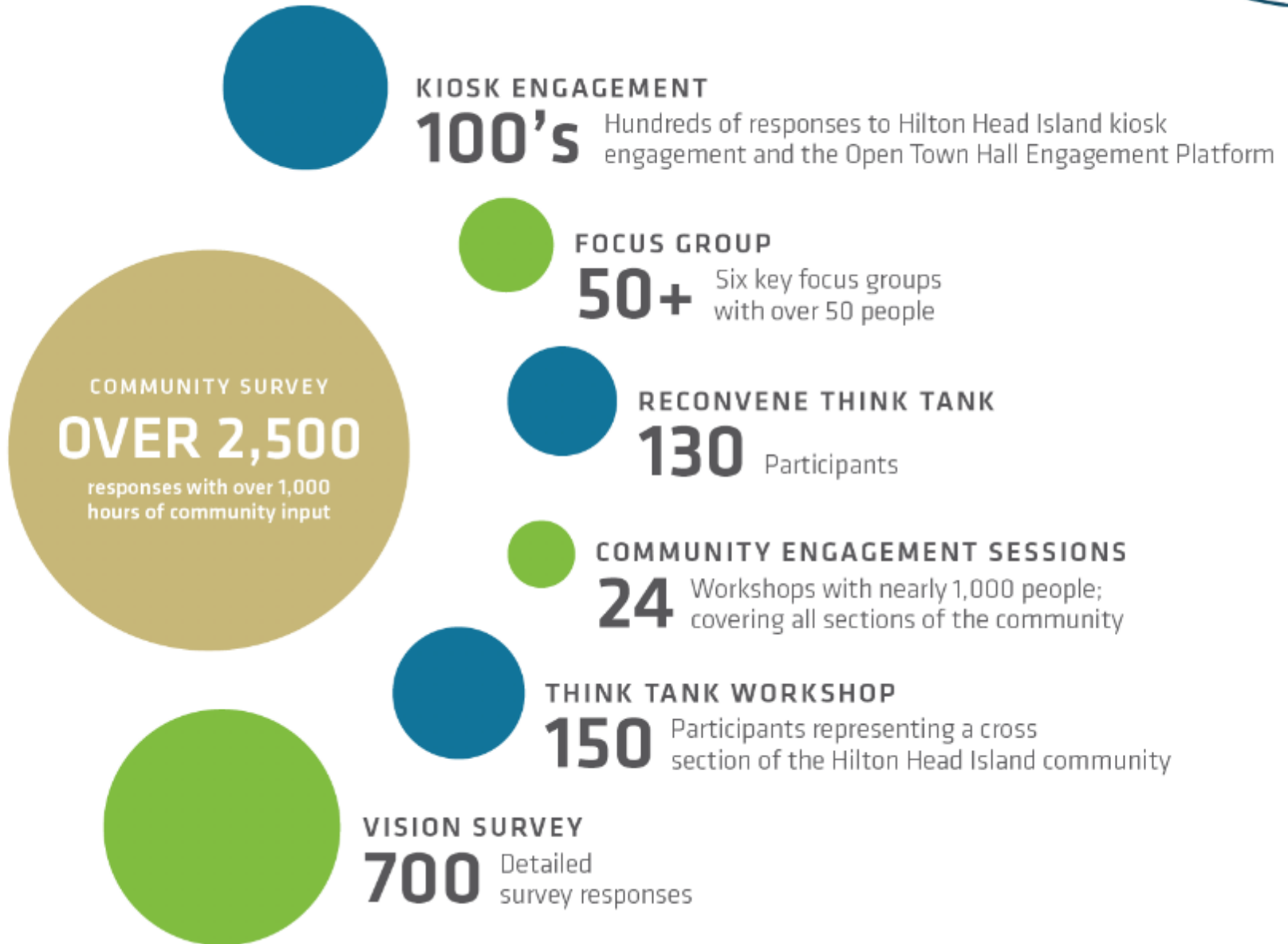
Vision Phase 1

HHI – Our Future Vision Development



Key metrics of the Community Engagement Process

Vision Phase 1



Comprehensive Plan

Planning Commission is charged with developing and recommending the Comprehensive Plan to Town Council.

- The Comprehensive Plan is the essential first step in the planning process (State requires a new plan every 10 years)
- Gives authority to have Land Management Ordinance and other Regulatory Tools
- Provides direction for policymakers to make decisions



Comprehensive Plan Process

- The Comprehensive Plan contains 3 main components and nine elements.
- Required Planning Process Components
 - *Inventory of existing conditions*
 - *A statement of needs and goals*
 - *Implementation strategies with time frames*
- Nine required* elements of a Comprehensive Plan:
 1. Population*
 2. Economic Development*
 3. Natural Resources*
 4. Cultural Resources*
 5. Community Facilities*
 6. Housing*
 7. Land Use*
 8. Transportation*
 9. Priority Investment*
 10. Recreation

2010 Comp Plan Schedule (31 Months)	
Plan Element Meetings	November 2007- October 2008
Comp. Plan Committee of Planning Commission - Recommended	January 20, 2010
Planning Commission – Public Hearing and Approved	February 17, 2010
Planning and Development Standards Committee – Approved	March 24, 2010
Town Council – First Reading	April 20, 2010
Town Council – Second Reading, Public Hearing and Adopted	May 4, 2010



Proposed principles:

- continue to be open, inclusive, and transparent;
- continue to include public involvement and input;
- encourage and foster anchor institution support and participation to advance the community Vision;
- utilize key metrics for decision making as identified in *Vision and Strategic Action Plan* both by the Town and anchor institutions
- ensure alignment of the Comprehensive Plan with the community Vision;
- ensure communication strategies continue the conversation about the Vision within the community and anchor institutions; and
- attract, recruit and leverage talent and resources to support the process (i.e. Staff, experts within the community, external stakeholders, and/or consultants).



Proposed process:

- Staff to immediately begin work with the Planning Commission to launch the rewrite of the Comprehensive Plan.
- Staff will produce educational materials about the Vision, how it aligns with current priorities, and how it is being used to guide the Comprehensive Plan rewrite.
- Staff will continue the use of the communications tools from Phase 1.
- Staff will lead the effort and attract, recruit and leverage the public, experts, and other resources as needed.
- Staff will leverage the extensive community feedback, data and resources from Vision Phase 1 to create the foundation of the Comprehensive Plan.
- The renewed Comprehensive Plan will be structured around the Vision pillars, as opposed to the State required elements that anchored previous plans.

2020 Proposed Comp Plan Schedule (22 Months)	
Project Kickoff with Planning Commission	July 2018
Working Groups Continued Public Engagement Inventory of Existing Conditions Statement of Needs and Goals Implementation Strategies with Timeframes	August 2018-November 2019 (15 months)
Final Draft Plan	December 2019
Review, Revision and Adoption of Final Plan	December 2019 – May 2020



PLANNING COMMISSION QUARTERLY REPORT

2nd QUARTER 2018

Previously Reviewed Applications and Documents

CIP Fiscal Year 2019 Priority Projects	Status
The Capital Improvements Program (CIP) Committee briefed the Commission on each of the items listed in the Fiscal Year 2019 Proposed Priority Projects. The Commission approved a motion to accept the Fiscal Year 2019 – Proposed Priority Projects recommendation with the addition to include the verbiage on items A5 and A6 per Circle to Circle recommendation.	<u>Approved</u> April 4, 2018

Street Naming & Street Name Modification	Status
<u>STDV-0546-2018, 140 Fish Haul Road:</u> Proposal to name a new street Mangrove Court.	<u>Approved</u> April 4, 2018
<u>STDV-0706-2018, USCB Street Name:</u> Proposal to name a new street Sand Shark Drive.	<u>Approved</u> April 4, 2018
<u>STDV-0999-2018, Marshes at Broad Creek:</u> Proposal to name a new street Broad View Lane.	<u>Approved</u> May 16, 2018

Subdivision Applications	Status
<u>SUB-000273-2016 Beach City Commons:</u> 7 single family lots located at 206 Beach City Road.	<u>Approved</u> October 16, 2017
<u>SUB-001381-2016 Wild Horse Road:</u> 3 single family lots located at 226 Wild Horse Road.	<u>Under Review</u> Waiting for applicant's resubmittal
<u>SUB-001759-2016 The Marshes at Broad Creek:</u> 23 single family lots located off Marshland Road.	<u>Approved</u> May 23, 2018
<u>SUB-000291-2017 Hudson Property:</u> 3 single family lots at 307 & 311 Gumtree Road.	<u>Under Review</u> Waiting for applicant's resubmittal
<u>SUB-002253-2017 618 Spanish Wells Road:</u> 12 duplex lots and 1 single family lot located at 618 Spanish Wells Road.	Under Review
<u>SUB-002748-2017 The Glen Phase II:</u> 16 single family lots located off Alex Patterson Road.	<u>Approved</u> June 15, 2018

July 13, 2018

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<u>SUB-001079-2018 Ocean Breeze Cottages:</u> 39 single family lots located off of 66 Mitchelville Road.	Under Review
<u>SUB-001102-2018 Mitchell Subdivision:</u> 5 single family lots located at 90 Marshland Road.	Under Review
<u>SUB-001507-2018 4 Barnacle Road:</u> Deconsolidate lot into two original lots in Port Royal Plantation.	Under Review

Zoning Map Amendments	Status
<u>ZA-001111-2018 Florence Graham Island:</u> Request from Janet Spangenberg, Trustee, to rezone Florence Graham Island (north of Old House Creek Drive) from CON (Conservation) to RSF-3 (Residential Single-Family-3).	<u>Denied</u> June 6, 2018

Ongoing Capital Improvement Projects

Pathways	Status
South Forest Beach (SFB) from Coligny Circle to Tanglewood and Tanglewood from SFB to Cordillo.	On hold.

Roadway Improvements	Status
Office Park/Pope/New Orleans Intersection – USCB Roadway Improvements	<ul style="list-style-type: none"> • Construction underway. • Anticipated completion July 2018.
Coligny Road Projects: <ul style="list-style-type: none"> • Lagoon/Pope Intersection • Nassau Extension 	On hold.
Mast Arm – William Hilton Parkway and Pembroke Road	<ul style="list-style-type: none"> • SCDOT permit pending. • Anticipated start of construction winter 2017.

Park Development	Status
Island Recreation Center Expansion	<ul style="list-style-type: none"> • Under construction. • Target completion Mid-2018.

Existing Facilities and Infrastructure	Status
Fire Station #2	On hold.

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New Facilities and Infrastructure	Status
F&R Computer Systems Upgrades	Ongoing.