

TOWN OF HILTON HEAD ISLAND
The Planning and Development Standards Committee
Minutes of Regular Meeting – Wednesday, January 28, 2009
4:00pm – Benjamin M. Racusin Council Chambers

APPROVED

Committee Members Present: Chairman Drew Laughlin, Bill Ferguson and George Williams, Alternate

Committee Members Absent: John Safay

Council Members Present: None

Town Staff Present: Jayme Lopko, Senior Planner
Nicole Dixon, Planner
Kathleen Carlin, Administrative Assistant

I CALL TO ORDER

II 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.

III APPROVAL OF MINUTES

The minutes of the regular December 17, 2008 meeting were **approved** as amended. The minutes of the special December 22, 2008 meeting were **approved** as presented.

IV NEW BUSINESS

ZMA080007 – Application from Helga Lilley on behalf of Thomas and Susan Barnwell to apply for the Planned Development Overlay District (PD-2). The PD-2 Overlay District will incorporate the three Water Front Mixed Use (WMU) properties and sixteen Low to Moderate Density Residential (RM-4) properties to allow for the permitted density and uses from the three WMU parcels to be transferred to three of the RM-4 parcels on the west side of Gum Tree Road. All development will occur on the south side of Squire Pope Road; parcels on the north side will be preserved as permanent open space. The proposed development will consist of single family residential homes, town homes, and mixed use structures where residential units are over commercial space. The subject parcels are located near the intersection of Squire Pope and Gum Tree Road and are further identified on Beaufort County Tax Map #3 as Parcels 2B, 2D, 2E, 2F, 2H, 2I, 14, 14D, 14I, 16, 16A, 16B, 19C, 19D, 19E, 49, 58, 58A, and 223.

Mrs. Jayme Lopko made the presentation on behalf of staff. The staff recommended that the Planning and Development Standards Committee forward Application for Zoning Map Amendment, ZMA080007, to Town Council with a recommendation for approval. The staff recommended that the following conditions be attached to the approval:

- A property management office may be established as an accessory use for the development.
- The residential and commercial uses from the WMU zoning district that are permitted on parcels 14, 14I, 16, 58, and 58A of Tax Map 3 within the RM-4 zoning district are limited to:
 - Mixed Use
 - Other Retail Sales and Services
 - Convenience Store (without fuel sales)
 - Eating Establishment with High Turnover (no drive thru)
 - Bicycle Shop (with outdoor storage)
- Convenience stores, bicycle shops, and mixed use are permitted conditionally within the WMU district. The conditions for all of these uses shall be met in order for these uses to be permitted within this development. The conditions are as follows:
 - Convenience stores are permitted subject to the following standards.
 - A. The site shall have direct access to a minor arterial only, as defined in Sec. 16-5-503. No access to a major arterial shall be permitted.
 - B. No more than two convenience stores shall be located at the intersection of a major arterial with a minor arterial. The two permitted stores shall be located on opposite sides of the major arterial.
 - C. Any fuel sales on the site shall meet the requirements of Sec. 16-4-1223.
 - D. Gross floor area of a convenience store shall not exceed 3,500 square feet.
 - Bicycle Shops with outdoor storage areas are permitted in the SMU, WMU, CFB, RD, CCW, DCW and CC Districts subject to the following standards.
 - A. Vegetation and other buffer materials shall be installed to screen outdoor storage areas.
 - B. Outdoor storage areas cannot occupy any required parking spaces, open space, or buffer areas.
 - In the WMU, CFB, RD, NC, OL, OM and CC Districts, residential uses are permitted above commercial uses (excluding outdoor recreation, resort accommodations and vehicle sales and services uses) subject to the following standards.
 - A. The residential use shall be clearly secondary to the primary commercial use. The gross floor area of the entire building shall include not more than 50 percent residential uses.
 - B. Separate designated parking spaces for use by the residential units are required. Shared parking calculations shall not be permitted.

Mrs. Lopko stated that the Planning Commission met on January 7, 2009 to review the application and after a public hearing voted unanimously to recommend it to Town Council for approval with conditions as presented by staff.

The application is from Ms. Helga Lilley on behalf of Mr. & Mrs. Thomas Barnwell to amend Title 16, the Land Management Ordinance, of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-4-102, the Official Zoning Map, specifically to apply the Planned Development Overlay District (PD-2) to 19 parcels. The PD-2 will incorporate three (3) Water Front Mixed Use (WMU) properties and sixteen (16) Low to Moderate Density Residential (RM-4) properties to allow for the permitted density and uses from the three (3) WMU parcels to be transferred to five (5) of the RM-4 parcels. All development will occur on the RM-4 parcels. The WMU parcels will be preserved as permanent open space. The proposed development will consist of single family homes, townhomes, and mixed use structures where residential units are over commercial space. The subject parcels are located near the intersection of Squire Pope and Gum Tree Roads.

Mrs. Lopko presented the background on the application. Mr. and Mrs. Thomas Barnwell, along with their agent, Ms. Helga Lilley, approached the Town about the possibility of developing the Barnwell family land at the intersection of Squire Pope and Gum Tree Roads. The desire was to develop commercial uses around the existing tabby structure on the site. The area where the tabby structure is located is zoned RM-4 which does not permit the commercial uses desired by the Barnwell family.

In discussions with Town staff, the Barnwell family stated they would be willing to leave the three (3) acres of land they own on the waterfront as permanent open space if they could transfer the development rights from the water front land to property they own on the landward side of Squire Pope Road. The staff suggested the PD-2 zoning overlay as a means to accomplish this goal.

Mrs. Lopko presented the conceptual plan and discussed the required criteria. Agent, Ms. Helga Lilley, also presented statements in support of the application. Ms. Lilley stated that the application strives to maintain the environmental integrity of the land. The application is very sensitive in the preservation of the site's natural beauty and historic elements which is very important to the Barnwell family.

At the completion of the presentation, Chairman Laughlin requested public comments and the following were received: Mrs. Mary Amonitti, citizen, and Mr. Thomas Barnwell, property owner, discussed plans for the community garden that currently exists on the property. At the completion of public comments, Chairman Laughlin requested that a motion be made.

Mr. George Williams made a **motion** to forward Application for Zoning Map Amendment, ZMA080007 to Town Council with a recommendation for approval as presented by the staff. Mr. Ferguson **seconded** the motion and the motion **passed** with a vote of 3-0-0.

Addition to Municipal Code: Section 17-4-114. Prohibited Acts (Noise Control Chapter).

Ms. Nicole Dixon made the presentation on behalf of staff. The staff recommended that the Planning and Development Standards Committee recommend approval of the amendment to Section 17-4-114 of the Municipal Code to add the reference to the CCW and DCW zoning districts to the Noise regulations.

The CCW (Coligy Commercial Walking District) and the DCW (Dunnagans Commercial Walking District) were created and adopted as part of the LMO in March 2007. At that time, it was overlooked to add these two new zoning districts to the Noise Ordinance regulations in the Municipal Code.

At the completion of the staff's presentation and discussion by the Committee, Chairman Laughlin requested that a motion be made.

Mr. George Williams made a **motion** to forward the Addition to Municipal Code: Section 17-4-114. Prohibited Acts - Noise Control Chapter with a recommendation of approval as presented by staff. Mr. Ferguson **seconded** the motion and the motion **passed** with a vote of 3-0-0.

VI ADJOURNMENT

The meeting was adjourned at 5:10pm.

Submitted By:

Approved By:

Kathleen Carlin
Administrative Assistant

Drew Laughlin
Chairman