



The Town of Hilton Head Island

Regular Town Council Meeting

September 19, 2017

4:00 P.M. EXECUTIVE SESSION

5:00 P.M. REGULAR MEETING

BENJAMIN M. RACUSIN COUNCIL CHAMBERS AGENDA

**As a courtesy to others please turn off/silence ALL mobile devices during the
Town Council Meeting, Thank You.**

- 1. Call to Order**
- 2. FOIA Compliance** - Public notification of this meeting has been published, posted and distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 3. Executive Session**
 - a. Contractual Matters:**
Discussion of negotiations incident to proposed contractual arrangements with the Town Manager.
 - b. Legal Matters:**
Receipt of legal advice related to the employment of outside legal counsel.
 - c. Land Acquisition:**
Discussion of negotiations incident to the proposed sale, lease or purchase of property related to property near Shelter Cove
- 4. Pledge to the Flag – 5:00 p.m.**
- 5. Invocation**
- 6. Proclamations & Commendations**
 - a.** National Hunger Awareness Month Proclamation
- 7. Approval of Minutes**
 - a.** Town Council Meeting, August 1, 2017
- 8. Report of Town Manager**
 - a.** Hilton Head Island – Our Future: Monthly Update – Emily Sparks
 - b.** Fire Rescue – Commission on Fire Accreditation International – Chief Brad Tadlock
 - c.** Mitchelville Preservation Project Update – Ahmad Ward
 - d. Items of Interest**
 - i.** Town News
 - ii.** Noteworthy Events

9. Reports from Members of Council

- a. General Reports from Council
- b. Report of the Intergovernmental & Public Safety Committee – Bill Harkins, Chairman
- c. Report of the Community Services Committee – Kim Likins, Chairman
- d. Report of the Public Planning Committee – David Ames, Chairman
- e. Report of the Public Facilities Committee – Marc Grant, Chairman
- f. Report of the Finance & Administrative Committee – John McCann, Chairman

10. Appearance by Citizens

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2017-17 (Bradley Circle)

Second Reading of Proposed Ordinance 2017-17 to amend Title 16, “The Land Management Ordinance,” of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the Official Zoning Map with respect to those certain parcels identified as Parcels 22G, 22J, 22K, 22L, 22M, 22P, 22R, 22S, 22T, 22U, 22V, 279, 498, 499, 501, 502, 503, 505, 513, 575, 576, 591, 596, 597, 619, 624, 625, 635, 645, 669, 670, 671, 672 AND 673 on Beaufort County Tax Map #8 and as Parcels 11B, 11D, 11E, 264, 896, 1072, 1073, 1075, 1086, 1087, 1088, 1095, 1096, 1097, 1102, 1103 and 1201 on Beaufort County Tax Map #9 to rezone the parcels from the RD (Resort Development) zoning district to the RM-8 (Moderate Density Residential) zoning district; and providing for severability and an effective date.

12. New Business

a. First Reading of Proposed Ordinance 2017-18

First Reading of Proposed Ordinance 2017-18 to amend the budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30 2018, to provide for the budgeted appropriations of prior year budget roll forwards and the expenditures of certain funds; to allocate the sources of revenue for the said funds; and providing for severability and effective date.

b. Consideration of a Resolution – HUD/CDBG Entitlement Program 2016 CAPER

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina to approve the Community Development Block Grant (CDBG) 2016 Consolidated Annual Performance Evaluation Report.

c. Consideration of a Resolution – Dissolution of the Arts and Cultural Strategic Planning Committee

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina to dissolve the Arts and Cultural Strategic Planning Committee.

d. Consideration of a Resolution – Authorizing the Execution of a Gift Agreement for the Acquisition of Public Art Sculpture

Consideration of a Resolution by the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution of a gift agreement with the Community Foundation of the Lowcountry for the acquisition of the “Setting Sun” sculpture.

e. Consideration of a Recommendation – Evaluation of a Community Arts Center

Consideration of a Recommendation for Town Council to authorize the Town Manager to direct staff to engage the consultant (Webb Management Services Incorporated) to move forward with the evaluation of a Community Arts Center as outlined in the Venue Committee’s recommendations from April 20, 2017 and as further updated July 27, 2017 as well as provide input on the Phase 2 Scope of Services for Conceptual Model for a Community Arts Center.

New Business (cont.)

f. Consideration of a Recommendation – Removal of the Theatrical Lighting issue for the Arts Center of Coastal Carolina from the Venue Committee’s Task List:

Consideration of a Recommendation from the Venue Committee that Town Council remove the theatrical lighting issue from its current task list, and further recommending Town Council to continue its evaluation of this issue directly with the Arts Center of Coastal Carolina.

13. Possible actions by Town Council concerning matters discussed in Executive Session

a. Legal Matters:

Receipt of legal advice related to the employment of outside legal counsel.

14. Adjournment

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

WHEREAS, 631,300 children, families, and seniors are at risk of going hungry, including 50 percent who are children and seniors, and September is Hunger Awareness Month, let us commit ourselves to bringing change to the lives of those who suffer from hunger and to preserving the resources we will need in the years ahead; and

WHEREAS, Second Helpings works daily to stamp out hunger in our community and is a non-profit organization formed in 1991 to provide emergency food relief and rescues food daily and distributes it to local food pantries, soup kitchens, and churches. In 2016, Second Helpings served more than 22,000 individuals and delivered over 2.4 million pounds of groceries to hungry people; and

WHEREAS, the mission of Second Helpings is to rescue food and prevent the needless waste of food in the fight against hunger with a vision to reduce hunger in the Lowcountry, prevent waste of food, and raise the standard of living for the needy; and

WHEREAS, Second Helpings with the financial assistance of many local grants and supporters have nine trucks that operate seven days a week and work with local farms and produce wholesalers to increase the amount of fresh produce available to people in need; and

WHEREAS, every year 22,000 citizens receive groceries that allow them to prepare well balanced meals ensuring that each member of the family receives proper nutrition.

NOW THEREFORE, I, David Bennett, Mayor of Hilton Head Island do hereby proclaim September 2017, as

NATIONAL HUNGER AWARENESS MONTH

on Hilton Head Island and ask our citizens to recognize the important work that Second Helpings does in the community to help fight hunger.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this 19th day of September, Two Thousand and Seventeen.

David Bennett, Mayor

Attest:

Krista M. Wiedmeyer, Town Clerk

THE TOWN OF HILTON HEAD ISLAND REGULAR TOWN COUNCIL MEETING

Date: Tuesday, August 1, 2017

Time: 4:00 P.M.

Present from Town Council: David Bennett, *Mayor*; Kim Likins, *Mayor Pro Tem*; David Ames, Bill Harkins, Tom Lennox, John McCann, *Council Members*

Absent from Town Council: Marc Grant, *Council Member*

Present from Town Staff: Steve Riley, *Town Manager*, Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Brian Hulbert, *Staff Attorney*; Brad Tadlock, *Fire Chief*; John Troyer, *Director of Finance*; Jenn McEwen, *Arts & Culture Network Director*; Shawn Colin, *Deputy Director of Community Development*; Jennifer Ray, *Planning and Special Projects Manager*; Emily Sparks, *Project Lead, Hilton Head Island – Our Future*; Shari Mendrick, *Planner*; Rene Philips, *Website Administrator*; Melissa Cope, *Systems Analyst*; Krista Wiedmeyer, *Executive Assistant/Town Clerk*

Present from Media: Alex Kincaid, *Island Packet*

1. Call to Order

Mayor Bennett called the meeting to order at 4:00 p.m.

2. FOIA Compliance - Public notification of this meeting has been published, posted and distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

3. Executive Session

Mr. Riley stated he needed an Executive Session for: (a) Contractual Matters; discussion of negotiations incident to proposed contractual arrangements with the Town Manager, (b) Personnel Matters; appointments to boards and commissions, and (c) Legal Matters; (i) litigation concerning a Town Council member, (ii) Property near the Cross Island Parkway, and (iii) pending rezoning matter.

At 4:01 p.m. Mrs. Likins moved to go into Executive Session for matters mentioned by the Town Manager. Mr. Harkins seconded. The motion was approved by a vote of 6-0.

Council returned to the dais at 5:04 p.m.

4. Pledge to the Flag – 5:00 p.m.

5. Invocation

6. Proclamations & Commendations

Bill Taylor with the Municipal Association of South Carolina presented Mayor Bennett and the members of Town Council with the Municipal Achievement Award for Communications. Mayor Bennett made some remarks and thanked Town Staff for their hard work and efforts.

7. Approval of Minutes

a. Town Council Special Meeting, July 18, 2017

Mrs. Likins moved to approve. Mr. Harkins seconded. Town Council Special Meeting Minutes for July 18, 2017 were approved by a vote of 6-0.

b. Town Council Regular Meeting, July 18, 2017

Mrs. Likins moved to approve. Mr. Harkins seconded. Town Council Regular Meeting Minutes for July 18, 2017 were approved by a vote of 6-0.

8. Report of Town Manager

a. Hilton Head Island – Our Future: Monthly Update

Emily Sparks reviewed the Hilton Head Island – Our Future update, pointing out the upcoming events throughout the month of August and into September. Mayor Bennett made some brief remarks about Ms. Sparks' hard work and efforts for the Vision Project.

b. New FEMA Elevation Maps Update

Shari Mendrick provided an update on the new FEMA elevation maps and the preliminary release in digital format on June 30, 2017. FEMA is planning to host a Community Coordination meeting that date is still pending. After which time, there will be an eighteen month compliance period for the maps to become permanent.

c. 2018 Town Council Regular Meeting Dates

Mr. Riley reviewed the proposed 2018 Town Council meeting dates provided to Town Council. Mrs. Likins moved to accept the 2018 Town Council Regular Meeting Dates. Mr. Harkins seconded. The motion was approved by a vote of 6-0.

d. Semi-Annual Update from the Parks & Recreation Commission

Chairman Mike Ray reviewed the activities of the Parks and Recreation Commission from the past six months. Mrs. Likins made remarks concerning the urgency of the Commission developing a master plan. Chairman Ray insisted that is their primary goal.

e. Semi-Annual Update from the Planning Commission

Chairman Alex Brown reviewed the activities of the Planning Commission from the past six months. Mayor Bennett made remarks concerning the Planning Commission's interest in seeking more information on the plastic bag ban. Chairman Brown indicated that the Commission is interested in seeking information on recycling in general.

f. Items of Interest

i. Town News

Mr. Riley introduced the new Culture and Arts Advisory Committee Director, Jenn McEwen, as well as reported on the meetings taking place throughout the month of August within the Town.

ii. Noteworthy Events

Mr. Riley reported on upcoming noteworthy events taking place in the coming weeks.

9. Reports from Members of Council

a. General Reports from Council

Mr. McCann requested that Mayor Bennett consider adding parking to the Public Facilities agenda in October or November of this year, rather than waiting until spring of next year when parking is a problem. Mayor Bennett confirmed he would have that discussion with the Town Manager, Mr. Riley.

Mayor Bennett reported that the Beaufort County Economic Development Corporation is hosting a meet and greet for the five candidates for the open Director's position being held on August 21, 2017 for the public to meet the candidates, location to be determined. Interviews will take place on August 22, 2017 with placement of that individual shortly thereafter. He further reported the Board continues to meet with the Southern Carolina Alliance, discussions are going well, and the Board is pleased with the progress.

b. Report of the Intergovernmental & Public Safety Committee – Bill Harkins, Chairman

Mr. Harkins reported to Council that the Committee met with officials from the City of Beaufort, and Towns of Bluffton and Port Royal on Friday, July 21, 2017 to discuss the Local Option Sales Tax (LOST). As the host town, the Committee remained relatively quiet, taking in the information that was discussed. Mr. Harkins will provide further information once a decision has been made when to host a public workshop.

Reports from the Members of Council (cont.)

c. Report of the Community Services Committee – Kim Likins, Chairman

Mrs. Likins reported to Council about the Committee's Special Meeting on Thursday, July 27, 2017, where the Committee voted to resend a previous recommendation to create an MOU with the Art Center of Coastal Carolina prior to the creation of the Phase 2 scope of work with the consultant, and to take off the previous cap of \$50,000 since they are not sure what the final price is going to be. Mrs. Likins further reported that the Venue Committee is ready to work directly with the Town Staff to create and approve the Phase 2 scope of work to be brought forward to Council. Mayor Bennett addressed all the members of Council affirming that what Mrs. Likins stated meets with Council's expectations, and that Council would like to review and see the Phase 2 scope of work before moving forward. Mayor Bennett also confirmed with Mr. Harkins that he had noted his comments from a previous meeting, and would like to arrange to meet with him at a later date to talk about those comments.

d. Report of the Public Planning Committee – David Ames, Chairman

Mr. Ames reported to Council about the Committee's meeting on Thursday, July 27, 2017, where the discussion was the housing component of the workforce availability. Mr. Ames said that a variety of local community members were invited to the meeting to take part in the discussion which resulted in the gathering of many good ideas. He compared the conversation and discussion during the Committee's meeting to the same process of the Vision Project Management Team, and the visioning process. Mr. Ames stated that the Committee will meet to discuss the next steps in this discussion related to the matter.

e. Report of the Public Facilities Committee – Marc Grant, Chairman

Nothing to report, Mr. Grant was absent.

f. Report of the Finance & Administrative Committee – John McCann, Chairman

Nothing to report.

10. Appearance by Citizens

Ms. Rikki Parker. Addressed Council regarding the potential plastic bag ban. Ms. Parker provided information for Council to review and consider and she encouraged Council to seriously consider a ban or fee for use.

Ms. Fran Baur. Addressed Council concerning the potential plastic bag ban. Ms. Baur made a request to Council to formally give the Planning Commission approval to begin exploring the banning of plastic bags or a fee for use by drafting an ordinance for review and approval by Town Council. She requested that this be added to Council's work plan as soon as possible since the State Legislature will soon reconsider a bill that could prevent municipalities from enacting ordinances that ban such things as plastic bags.

Dr. Jean Fruh. Addressed Council regarding the potential plastic bag ban. Dr. Fruh discussed her role as the Executive Director of the Outside Foundation, a nonprofit organization dedicated to getting kids outside and protecting the local environment. She requested that Council not let the momentum of the discussions concerning the plastic bag ban slow down.

Mayor Bennett made remarks concerning the State's bill that could prevent municipalities from enacting ordinances that ban item such as plastic bags. Mayor Bennett discussed the upcoming Beaufort County Natural Resource Committee meeting taking place on August 21, 2017, where the plastic bag ban is to be on the agenda. Mayor Bennett also stated that further discussion concerning the plastic bag ban needs to take place, and encourages the members of Council to stand behind this ban.

Mr. Ames asked if it would be possible to get a representative from the Planning Commission as well as Town Council to attend the County's Natural Resource Committee meeting and bring back information for further discussion with the Town. The Mayor asked Mr. Brown, the Chairman of the Planning Commission if this was a possibility. Mr. Brown confirmed.

11. Unfinished Business

None.

12. New Business

a. First Reading of Proposed Ordinance 2017-17

First Reading of Proposed Ordinance 2017-17 to amend Title 16, “The Land Management Ordinance” of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the official Zoning Map with respect to those certain parcels identified as parcels 22J, 22K, 22L, 22M, 22P, 22R, 22S, 22T, 22U, 22V, 279, 499, 501, 502, 505, 513, 575, 576, 591, 596, 597, 619, 624, 625, 635, 645, 669, 670, 671, 672 and 673 on Beaufort County Tax Map #8 and as Parcels 11B, 11D, 11E, 264, 896, 1072, 1073, 1075, 1086, 1087, 1088, 1095, 1096, 1097, 1102, 1103 and 1201 on Beaufort County Tax Map# 9 to rezone the parcels from RD (Resort Development) Zoning District to the RM-8 (Moderate Density Residential) Zoning District; and providing for severability and effective date.

Mrs. Likins moved to amend Title 16, “The Land Management Ordinance,” of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the Official Zoning Map with respect to those certain parcels identified as parcels 22G, 22J, 22K, 22L, 22M, 22P, 22R, 22S, 22T, 22U, 22V, 279, 498, 499, 501, 502, 503, 505, 513, 575, 576, 591, 596, 597, 619, 624, 625, 635, 645, 669, 670, 671, 672 and 673 on Beaufort County Tax Map #8 and as Parcels 11B, 11D, 11E, 264, 896, 1072, 1073, 1075, 1086, 1087, 1088, 1095, 1096, 1097, 1102, 1103 and 1201 on Beaufort County Tax Map# 9 to rezone the parcels from RD (Resort Development) Zoning District to the RM-8 (Moderate Density Residential) Zoning District; and providing for severability and effective date.

Mrs. Likins further moved, that the Town use Pending Ordinance Doctrine and the Town not approve any permit contrary to this Ordinance. Mr. Harkins seconded. Mayor Bennett confirmed with Mrs. Likins that the proposal that came forward from the Planning Commission exempted three parcels, and her motion to amend included those three parcels.

Mr. Robert Singleton, Mr. Ibrahim Abdul-Malik, Taiwan Scott, and Ms. Jennifer Melton spoke in opposition of the rezoning changes, requesting that the change not take place. Mr. Singleton asked that Council reconsider the rezoning because his property was and has been zoned RD for a long time. His intentions are to pass his property down to other generations within his family, if rezoned to RM-8, it could create a financial hardship. Walter Nester, a local attorney, addressed Council on behalf of his clients, in opposition of the rezoning. Mr. Nester referenced the 2010 Mayor’s Task Force and the Circle to Circle Committee both of which encouraged development. Wallace Milling a local businessman spoke on behalf of his client in opposition of the rezoning. Mr. Milling stated since being zoned RD, the values of the properties have improved. Mr. Charles Gibson and Ms. Tamara Becker spoke in favor of the rezoning to RM-8. Both citizens addressed their concerns about safety for the residents that live in the area year round.

Mrs. Likins addressed the citizens, explaining that she was part of the LMO Committee when the rewrite took place to rezone the Bradley Circle area. She further explained that the idea was to encourage development of this area. But after seeing the lack of parking and space for children to play, caused by the larger buildings, Mrs. Likins stated that the character of this area does not support the large infrastructure of these buildings. Mrs. Likins expressed that there are many safety concerns now because of the RD zoning, and they could potentially get worse if the rezone doesn’t take place. She stated that maybe a mistake had been made, and it was time to correct that mistake.

Mr. Ames also addressed the citizens, explaining that he too was part of the LMO Committee when the rewrite took place as well as the Circle to Circle Committee. He indicated that when the rewrite took place it was rushed through at the eleventh hour, and density and/or use in the area had not been considered. Unlike now, consideration has been on density and use flexibility between RM-8 and RD zoning. Mr. Ames felt the central purpose of zoning is to avoid adjacent incompatible land uses and meet the goals of the Town’s Comprehensive Plan. Mr. Ames further explained his feelings about the impact the larger dwelling properties have on the roads, drainage, and marshes within the Bradley Circle area. And lastly, Mr. Ames explained that the final reason for supporting the RM-8 rezoning is because of the greater threat of commercial businesses being permitted in the RD district, which could potentially change the area.

Mayor Bennett addressed the citizens as well, explaining that he was on the Planning Commission at the time and that it was not only a lengthy process, but echoed both Mr. Ames and Mrs. Likins in that the final decision was hurried. The Mayor stated that his greatest concern within this area, with the RD zoning is the impact of the quality of life for those that reside there. He further explained that he had been to the Bradley Circle area, observed the three large homes that have brought this concern to Town Council. He said because of the lack of driveways, guests and visitors would be required to park in the road. Mayor Bennett further explained that he does not support the potential use of any parcel under the RD district for commercial use. If the parcel was adjacent to or located within the Marriott parcel and using the same road network, that might be a different story. Mayor Bennett concluded by saying anything that generates more traffic on the current Bradley Circle road system would not be supported.

Upon conclusion of all discussion, the motion was approved by a vote of 6-0.

13. Possible actions by Town Council concerning matters discussed in Executive Session

Mrs. Likins moved to appoint the following individuals to the newly established Culture and Arts Advisory Committee for three year terms ending June 30, 2020:

Stella-Lee G. Anderson, Karen Attaway, Robert "Tayloe" T. Cook, Jr., Terry Herron, Jane M. Joseph, Miho Kinnas, Carol A. Nelson, Daniel J. Shapiro, and Lisa Snider.

Mr. Harkins seconded. The motion was approved by a vote of 6-0.

Mr. Harkins moved that Town Council for the Town of Hilton Head Island adopt a Resolution modifying the attorney-client arrangement with the Alford Law Firm and the Law Firm of Walker, Gressette, Freeman, and Linton for the representation of Mrs. Likins in regards to her suit against CC Hoagland, Case No. 2015-CP-072937 from an hourly billable arrangement to a thirty (30) percent contingency arrangement with the proceeds of any recovery being disbursed as follows; (i) thirty (30) percent to the attorney's fees, (ii) repayment of all amounts expended by the Town of Hilton Head Island, and (iii) any remaining balance to Mrs. Likins. Mr. McCann seconded. The motion was approved by a vote of 5-0-1. Mrs. Likins recused herself. A copy of the Contingency Agreement and Conflict of Interest form have been attached and made part of record.

14. Adjournment

Mayor Bennett adjourned the meeting at 6:38 p.m.

Krista M. Wiedmeyer,
Executive Assistant/Town Clerk

Approved: 09/19/2017

David Bennett, Mayor

PRIVILEGED ATTORNEY CLIENT DOCUMENT

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF BEAUFORT)	CIVIL CASE NO.: 2015-CP-07-2937
)	
KIM LIKINS)	
)	
Plaintiff,)	
)	CONTINGENCY AGREEMENT
vs.)	
)	
C. C. "SKIP" HOAGLAND)	
)	
Defendant.)	

As of June 31, 2017, the total fees paid to Pratt-Thomas Walker P.A./Walker Gressette Freeman Linton, LLC and Alford & Thoreson, LLC/Alford Law Firm, LLC by the Town of Hilton Head Island are \$183,680.22. It is our understanding that while the Clients remain fully committed to the pursuit of this action to protect the legislative process, Clients desire to amend the original engagement to convert the fee agreement to a contingency fee going forward. This letter is to confirm the terms representation and fee agreement going forward:

1. Clients continue to employ Walker Gressette Freeman & Linton, LLC and Alford Law Firm, LLC, to represent Clients as legal counsel in Kim Likins v. C.C. "Skip" Hoagland 2015-CP-07-2937 (the "case").
2. The Town agrees to pay out of pocket litigation costs on Clients behalf. This amount includes filing fees, expert witness fees, court reporter fees and any other non-attorney fee litigation costs.
3. Clients do hereby agree to pay Walker Gressette Freeman & Linton, LLC and Alford Law Firm, LLC thirty percent (30%) of the gross amount (before deducting any outstanding expenses or previously paid legal fees of \$183,680.22) of any settlement, judgment, or other recovery obtained. **IN THE EVENT NO RECOVERY IS OBTAINED, CLIENTS SHALL OWE NO CONTINGENCY FEE FOR FURTHER SERVICES RENDERED.**
4. Clients authorize and instruct Walker Gressette Freeman & Linton, LLC and Alford Law Firm, LLC to distribute the collected proceeds, if any, by way of settlement, verdict, or judgment, in the following manner: (1) the first \$183,680.22 after deduction for the contingency attorneys' fees shall be paid to the Town as reimbursement for fees and costs expended to date, (2) the Town will be reimbursed for any out of pocket litigation costs going forward, (3) any remaining amounts after deduction for the contingency attorneys' fees shall be paid to Mrs. Likins. A written accounting will be provided to clients explaining the disbursements from any recovery.

5. It is agreed between the parties that any fee dispute arising under the terms of this contract will be resolved by the Resolution of Fee Disputes Board established by the South Carolina Supreme Court.
6. Clients agree that Attorneys have made no promises or guarantees regarding the outcome of Clients' case and that the value of any claims or causes of action is speculative on the date of this contract and is dependent upon the services of Attorneys and Clients cooperation for its potential to be realized.

WE AUTHORIZE ATTORNEYS TO HANDLE THE CLAIM OR THE LOSS DISCUSSED IN THIS AGREEMENT. WE ACKNOWLEDGE THAT WE HAVE READ AND FULLY UNDERSTAND THIS AGREEMENT. WE AGREE TO THE TERMS OF THIS CONTRACT. THIS CONTRACT SHALL BE INTERPRETED ACCORDING TO THE LAWS OF THE STATE OF SOUTH CAROLINA. THERE ARE NO OTHER AGREEMENTS, ORAL OR WRITTEN, BETWEEN ATTORNEYS AND US.

WE HAVE READ AND UNDERSTAND THIS CONTRACT, AS INDICATED BY OUR SIGNATURE BELOW.

Witness Name (PRINTED)

TOWN OF HILTON HEAD ISLAND
By: Stephen Riley
Its: Town Manager

Witness Signature

Client Signature

Date

Date

Witness Name (PRINTED)

KIM LIKINS

Witness Signature

Client Signature

Date

Date

Witness Name (PRINTED)

Witness Signature

Date

ALFORD LAW FIRM, LLC

Gregory M. Alford

Date

Witness Name (PRINTED)

Witness Signature

Date

**WALKER GRESSETTE FREEMAN
LINTON, LLC**

John Linton

Date

Disclosure of Potential Conflict of Interest

To: Chairman, Members of the Committee, and Committee Clerk
From: Kimberly ("Kim") W. Likins, Mayor Pro-Tem
Date: August 1, 2017
Committee: Town Council

Subject matter of Potential Conflict of Interest:

13. Possible actions by Town Council concerning matters discussed in Executive Session.

Town Council for the Town of Hilton Head Island to adopt a Resolution modifying the attorney-client arrangement with the Alford Law Firm and the Law Firm of Walker, Gressette, Freeman, and Linton for the representation of Mrs. Likins in regards to her suit against CC Hoagland, Case No. 2015-CP-072937 from an hourly billable arrangement to a contingency arrangement with the proceeds of any recovery being disbursed as follows; (i) thirty percent to the attorney's fees, (ii) repayment of all amounts expended by the Town of Hilton Head Island, and (iii) any remaining balance to Mrs. Likins.

Description of Potential Conflict of Interest:

Since I am involved as a Plaintiff and have a personal interest (stopping improper harassment) and could have a potential financial interest in the outcome, I feel I have to recuse myself.


Signature

NOTE: A Town of Hilton Head Island Resolution, dated July 1991, requires that persons claiming a potential conflict of interest must "absent themselves" from the regulatory body," in other Words, temporarily leave the dais.



Hilton Head Island – Our Future will create an inclusive vision and roadmap to the future.

Our mission is to protect and enhance our quality of life, respect and reflect our important history, and proactively explore and shape the future fabric of the community.

Town Council Monthly Update

September 2017

Prepared by Town Staff and Future iQ (FiQ)

Last month

- FiQ and staff held a series of nine Engagement Workshops with approximately 450 participants from August 18-24, 2017 at the following locations: Hilton Head Plantation; Boys and Girls Club; Beaufort Co. Library, HHI Branch; Town Hall; The Children's Center; Port Royal Plantation; Public Service District; and Central Oak Grove Baptist Church.
- Staff provided a project update on WHHI on Monday, August 28, 2017.
- FiQ produced two videos featuring the June 23, 2017 Think Tank.
 - Video 1: <https://www.youtube.com/embed/fKrTT1bz41c?rel=0>
 - Video 2: https://www.youtube.com/embed/bMaevev_OS4
- Staff met with the Association of Realtors in support of 'Our Future' and began developing a remote engagement option for second homeowners.

This month

- Staff scheduled the second round of twelve Engagement Workshops to take place, weather permitting, from September 16-20, 2017. Session locations include: First Baptist Church of Hilton Head; Beaufort County Library, HHI Branch; Palmetto Electric, Community Room; Town Hall; Sea Pines, Community Center; Hilton Head High School; First Presbyterian Church; FISH Restaurant; and University of South Carolina Beaufort.
- Staff prepared a postcard mailing and email newsletter to residents announcing the upcoming workshops. Weather permitting the postcard and email newsletter will be sent.
- FiQ and staff developed and sent a newsletter highlighting some 'frequently asked questions' from the workshops. The newsletter can be viewed here: <https://content.govdelivery.com/accounts/SCHILTONHEAD/bulletins/1b48040>
- FiQ produced 2 audio pieces to explain both the Think Tank and Engagement Session phases. Both resources were published on the project website and social media.
- Staff is currently planning for the reconvening of the Think Tank and sent a request to previous Think Tank invitees about the ideal timing for the event.
-

Coming soon

- FiQ will launch the online Data Visualization platform.
- FiQ will deliver the 'Our Future' Engagement Report following the September Engagement Workshops.

Administrative update

- The project is on track with the projected timeline.
- The project budget is on track as budgeted.



MEMORANDUM

TO: Stephen G. Riley, ICMA~CM, *Town Manager*

FROM: Brad Tadlock, *Fire Chief*

DATE: August 7, 2017

SUBJECT: **Hilton Head Island Fire Rescue – Awarded the Status of Accredited Agency**

Hilton Head Island Fire Rescue was awarded the status of Accredited Agency on July 28, 2017. The Commission on Fire Accreditation International voted to award the status during hearings in Charlotte, NC. Fire Rescue became an accredited agency in 2002 and has maintained that status continuously over the last 15 years. Currently there are only 238 other departments worldwide holding this distinction and only 8 others in South Carolina.

The Commission on Fire Accreditation International (CFAI) confers Accredited Agency status for a period of five years, during which the agency must submit four Annual Compliance Reports to demonstrate their continued compliance with core performance indicators and report on progress in executing their plans for improvement. The Commission determines if the reports are acceptable and if the agency may retain its accredited status. At the end of the fifth year, an Accredited Agency must seek reaccreditation and successfully complete the peer review process to remain accredited.

Accreditation is a comprehensive self-assessment and quality improvement model that enables organizations to examine past, current, and future service levels and internal performance and compare them to current research and industry best practices. This process leads to a more efficient and effective emergency service organization. There are 10 categories with 255 performance indicators that departments are measured against and must meet in order to be considered for Accreditation.

Ten Categories:

- Governance and Administration
- Assessment and Planning
- Goals and Objectives
- Financial Resources
- Service Delivery Programs
- Physical Resources
- Human Resources
- Training and Competency
- Essential Resources
- External Systems Relations

This process allows fire and emergency service agencies to compare their performance to:

- Determine community risk and safety needs and develop community-specific Standards of Cover.
- Evaluate the performance of the department.
- Establish a method for achieving continuous organizational improvement.

The Commission on Fire Accreditation International (CFAI) accreditation process provides a well-defined, internationally-recognized benchmark system to measure the quality of fire and emergency services.



ITEMS OF INTEREST

September 19, 2017

TOWN OF HILTON HEAD ISLAND MEETINGS

- Planning Commission – September 20, 2017, 3:00 p.m.
- Public Facilities Committee – September 25, 2017, 10:00 a.m.
- Pre-Application Meeting – September 25, 10:30 a.m.
- Design Review Board – September 26, 2017, 1:15 p.m.
- Construction Board of Adjustment & Appeals – September 26, 2017, 5:30 p.m.
- Public Planning Committee – September 28, 2017, 3:00 p.m.
- Intergovernmental & Public Safety – October 2, 2017, 10:00 a.m.
- Finance & Administrative – October 3, 2017, 2:00 p.m.
- Town Council Executive Session – October 3, 2017 – 4:00 p.m.
- Town Council Regular Meeting – October 3, 2017 – 5:00 p.m.

Additional meetings may be scheduled and all meetings are subject to change and/or cancellation. Please visit the Town of Hilton Head Island website at www.hiltonheadislandsc.gov for Committee meeting dates and agendas.

HILTON HEAD ISLAND EVENTS

Sunday, September 24, 2017 6:30 a.m. – 12:00 p.m.	Pledge the Pink	Shelter Cove Towne Centre & North Beach Areas
Thursday, September 28, 2017 3:00 – 10:00 p.m.	Car Club Cruise-In	Shelter Cove Community Park
Saturday, September 30, 2017 11:30 a.m. – 3:30 p.m.	Kiwanis Chili Cook-off	Shelter Cove Community Park
Sunday, October 1, 2017 11:00 a.m. – 7:00 p.m.	8 th Annual Latinos Unidos Food Festival	Shelter Cove Community Park
Sunday, October 1, 2017 1:00 – 4:00 p.m.	St. Francis Annual Church Picnic	Honey Horn



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Charles Cousins, AICP, *Director of Community Development*
VIA: Shawn Colin, AICP, *Deputy Director of Community Development*
FROM: Teri B. Lewis, AICP, *LMO Official*
DATE: August 11, 2017
SUBJECT: ZA-001432-2017 – Bradley Circle Area Rezoning

Town Council reviewed the proposed rezoning at their meeting on August 2, 2017. At that meeting, Town Council voted to approve ZA-001432-2017 but with the addition of the following parcels:

- Tax Map #8 Parcel #22G (10 and 12 Bradley Circle)
- Tax Map #8 Parcel #498 (14 Bradley Circle)
- Tax Map #8 Parcel #503 (16 Bradley Circle)

Town Council also voted to enact pending ordinance doctrine as it relates to this rezoning.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2017-#

PROPOSED ORDINANCE NO. 2017-17

AN ORDINANCE TO AMEND TITLE 16, "THE LAND MANAGEMENT ORDINANCE," OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-1-107, THE OFFICIAL ZONING MAP WITH RESPECT TO THOSE CERTAIN PARCELS IDENTIFIED AS PARCELS 22G, 22J, 22K, 22L, 22M, 22P, 22R, 22S, 22T, 22U, 22V, 279, 498, 499, 501, 502, 503, 505, 513, 575, 576, 591, 596, 597, 619, 624, 625, 635, 645, 669, 670, 671, 672 AND 673 ON BEAUFORT COUNTY TAX MAP # 8 AND AS PARCELS 11B, 11D, 11E, 264, 896, 1072, 1073, 1075, 1086, 1087, 1088, 1095, 1096, 1097, 1102, 1103 AND 1201 ON BEAUFORT COUNTY TAX MAP # 9 TO REZONE THE PARCELS FROM RD (RESORT DEVELOPMENT) ZONING DISTRICT TO THE RM-8 (MODERATE DENSITY RESIDENTIAL) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and further, would be in conformance with the Land Management Ordinance and Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on July 19, 2017 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed zoning map amendment application; and

WHEREAS, the Planning Commission, after consideration of the staff presentation and the criteria set forth in Section 16-2-103, voted 7-0-0 to recommend that Town Council approve the proposed zoning map amendment application but with the following three parcels excluded from the application (Parcels 22G, 498 and 503 on Tax Map# 8); and

WHEREAS, after due consideration of said zoning map amendment application and the recommendation of the Planning Commission, the Town Council, upon further review, finds it is in the public interest that the subject parcels, excluding Parcels 22G, 498 and 503 on Tax Map# 8, be rezoned to RM-8.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:

Section 1. Amendment. That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-1-107 of the LMO, be hereby amended to modify the zoning designation of those certain parcels identified as Parcels 22G, 22J, 22K, 22L, 22M, 22P, 22R, 22S, 22T, 22U, 22V, 279, 498, 499, 501, 502, 503, 505, 513, 575, 576, 591, 596, 597, 619, 624,

625, 635, 645, 669, 670, 671, 672 and 673 on Beaufort County Tax Map # 8 and Parcels 11B, 11D, 11E, 264, 896, 1072, 1073, 1075, 1086, 1087, 1088, 1095, 1096, 1097, 1102, 1103 and 1201 on Beaufort County Tax Map # 9 to rezone the parcels from RD (Resort Development) Zoning District to the RM-8 (Moderate Density Residential) Zoning District.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2017.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

David Bennett, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

Public Hearing: July 19, 2017

First Reading:

Second Reading:

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



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

One Town Center Court

Hilton Head Island, SC 29928

843-341-4757

FAX 843-842-8908

**STAFF REPORT
ZONING MAP AMENDMENT**

Case #:	Name of Project or Development:	Public Hearing Date:
ZA 1432-2017	Bradley Circle Area Rezoning	July 19, 2017

Parcel Data or Location:	Applicant	Agent
<u>Parcel Numbers:</u> R510 008 000 022G 0000 R510 008 000 022J 0000 R510 008 000 022K 0000 R510 008 000 022L 0000 R510 008 000 022M 0000 R510 008 000 022P 0000 R510 008 000 022R 0000 R510 008 000 022S 0000 R510 008 000 022T 0000 R510 008 000 022U 0000 R510 008 000 022V 0000 R510 008 000 0279 0000 R510 008 000 0498 0000 R510 008 000 0499 0000 R510 008 000 0501 0000 R510 008 000 0502 0000 R510 008 000 0503 0000 R510 008 000 0505 0000 R510 008 000 0513 0000 R510 008 000 0575 0000 R510 008 000 0576 0000 R510 008 000 0591 0000 R510 008 000 0596 0000 R510 008 000 0597 0000 R510 008 000 0619 0000 R510 008 000 0624 0000 R510 008 000 0625 0000 R510 008 000 0635 0000 R510 008 000 0645 0000 R510 008 000 0669 0000 R510 008 000 0670 0000	Town of Hilton Head Island One Town Center Ct. Hilton Head Island, SC 29928	Same as Applicant

R510 008 000 0671 0000 R510 008 000 0672 0000 R510 008 000 0673 0000 R510 009 000 011B 0000 R510 009 000 011D 0000 R510 009 000 011E 0000 R510 009 000 0264 0000 R510 009 000 0896 0000 R510 009 000 1072 0000 R510 009 000 1073 0000 R510 009 000 1075 0000 R510 009 000 1086 0000 R510 009 000 1087 0000 R510 009 000 1088 0000 R510 009 000 1095 0000 R510 009 000 1096 0000 R510 009 000 1097 0000 R510 009 000 1102 0000 R510 009 000 1103 0000 R510 009 000 1201 0000 <u>Size:</u> Approximately 12.18 acres <u>Addresses:</u> <ul style="list-style-type: none"> • 5, 7, 9, 10, 11, 12, 13, 14, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30A, 30B, 31 and 32 Bradley Circle • 3, 4, 5, 6 and 7 Abalone Lane • 3, 4 and 5 Urchin Manor • 4, 6 and 8 Terra Bella Trace • 12, 14 and 16 Whelk Street • 6, 17 and 21 Sweet Grass Manor • 16, 17, 20 and 21 Horvaths Peninsula • 1, 2, 3, 4 and 5 Stella Del Mare Manor 		
<u>Existing Zoning District</u> RD - Resort Development	<u>Proposed Zoning District</u> RM-8 - Moderate Density Residential	
<u>Existing Zoning Design Standards</u> 16 units/net acre - residential and interval occupancy 10 rooms/net acre - bed and breakfast	<u>Proposed Zoning Design Standards</u> 8 units/net acre – residential 6,000 square feet/net acre – nonresidential	

35 rooms/net acre - hotel	35% maximum impervious coverage	
8,000 square feet/net acre – nonresidential	45' maximum height	
50% maximum impervious coverage		
45' maximum height – single-family residential		
75' maximum height – non-single-family development		

Application Summary:

The Town of Hilton Head Island is proposing to amend the Official Zoning Map by rezoning 52 properties (all of the properties in the Bradley Circle Area) from the RD (Resort Development) zoning district to the RM-8 (Moderate Density Residential) zoning district. The effect of this rezoning will be to reduce the allowable residential and non-residential density, reduce the maximum height and eliminate the following uses: Mixed-Use, all Resort Accommodation uses, all Commercial Recreation uses, all Office uses, most Commercial Services uses and Auto Rentals.

Staff Recommendation:

Staff recommends the Planning Commission find this application to be consistent with the Town's Comprehensive Plan and serves to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.

Background:

Several months ago staff and Town Council were approached by some of the residents of the Bradley Circle area. The residents had concerns regarding three homes that were able to be built at a height of 75' and how these homes would change the character of the subject area [the LMO has since been amended to prevent single-family homes from being constructed to a height greater than 45']. Additionally when they reviewed the other design standards for the RD zoning district they were concerned about the additional uses and density that were now permitted in this area and requested that consideration be given to rezoning the properties in the Bradley Circle area back to RM-8. Staff responded to this request by holding a public meeting during the April 5, 2017 Planning Commission meeting. All property owners of record were invited to this meeting through a letter that was sent to them via first class mail. At this meeting, property owners in the Bradley Circle area were able to express their opinions related to the RD and RM-8 zoning districts and Planning Commissioners were able to discuss the issues. The Planning Commission delegated the review of whether the area should be rezoned or not to the LMO Committee and asked the Committee to consider whether or not the property should stay RD, be rezoned back to RM-8 or be rezoned to RM-12 (Moderate to High Density Residential). The LMO Committee met on May 10, 2017 and reviewed the differences between the three zoning districts and heard from the public related to the potential rezoning of the area. The LMO Committee did not make a recommendation as a result of this meeting. At the Planning Commission meeting on May 17, 2017, the LMO Committee Chairman reported the results of the LMO Committee meeting and shared with the Planning Commission charts that illustrated the differences between the three zoning districts. The Commission and the public discussed the potential rezoning of the subject area and the Commission asked planning and legal staff to explore retaining the RD zoning district designation but limiting the height for all uses in this area of the RD zoning district to 45'. The Commission was concerned that

other Town efforts, most specifically the Visioning project and the Gullah-Geechee Land and Cultural Preservation project, might eventually necessitate changes to this area and therefore the Commission was reluctant to rezone the area at this time. Due to growing concerns about the impact that the RD zoning district could continue to have on this area and the fact that the majority of those residents that had reached out to the Town were in favor of the area being rezoned to RM-8, staff submitted an application for rezoning.

Applicant's Grounds for ZMA

The Town is pursuing a zoning map amendment to rezone the Bradley Circle Area which is made up of 52 parcels totaling approximately 12.18 acres. The subject properties are currently zoned RD. Prior to the adoption of a new Zoning Map as part of the overall LMO Rewrite project, the subject parcels were zoned RM-8. On October 7, 2014, the subject parcels were rezoned from RM-8 to RD. As a result of the rezoning the maximum height for the subject area changed from 45' to 75'. Three houses along Bradley Circle are currently under construction at 75' and two others, further down the street, will also be able to be built to 75' in height. The Town has since adopted a change to the LMO to reduce the maximum height for single-family homes from 75' to 45'; however, the 5 homes mentioned previously are vested to the 75' height. As a result of the three new 75' tall houses being built, many of the neighbors in the Bradley Circle Area have contacted their Town Council representative and spoken at public meetings to request that the subject area be rezoned to RM-8.

The change in zoning will reduce the density, uses, height and maximum impervious coverage.

Summary of Facts and Conclusions:

Findings of Facts:

1. The application was submitted on June 19, 2017 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 on the application for the July 19, 2017 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 19, 2017 public hearing was published in the island Packet on July 4, 2017.
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 19, 2017 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 30, 2017.
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, 2017 conspicuous notice of the 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 on the application for the July 19, 2017 Planning Commission meeting, in compliance with LMO 16-2-102.E.1.
3. Notice of the public hearing was published 15 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 19 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 on the lands subject to the application 20 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:

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 Facts:

The Comprehensive Plan addresses this application in the following areas:

Land Use Element

Goal – 8.1 Existing Land Use

The goal is to have an appropriate mix of land uses to meet the needs of existing and future populations.

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. The goal is to have an appropriate mix and availability of land uses to meet the needs of existing and future populations.

Goal – 8.10 Zoning Changes

- B. The goal is to provide appropriate modifications to the Zoning designations to meet market demands while maintaining the character of the Island.

Transportation Element

Implication for the Comprehensive Plan – 9.3 Traffic Planning on the Island

Future development and zoning classifications have an impact on the potential build-out of properties on the Island. Increasing the density of properties in certain areas of the Town may not be appropriate due to the inability of the current transportation network to handle the resulting additional traffic volumes. It may be more appropriate to provide density in areas that have the available roadway capacity and to reduce densities or development potential in areas that do not have the appropriate roadway capacity.

Conclusions:

1. This application is consistent with the Comprehensive Plan, as described in the Land Use and

<p>Transportation Elements as set forth in LMO Section 16-2-103.C.3.a.i.</p> <ol style="list-style-type: none"> 2. The proposed rezoning will provide land for homes that can then be used to meet the needs of the population and market demands consistent with the Land Use Element. 3. The proposed rezoning will reduce the permitted density and development potential in the area by reducing the allowable density and uses which will reduce the number of trips produced by development of property consistent with the Transportation Element.

<p>Summary of Facts and Conclusions:</p> <p><i>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 (LMO16-2-103.C.3.a.ii):</i></p> <p>Findings of Facts:</p> <ol style="list-style-type: none"> 1. The proposed zoning will allow single-family, multi-family, group living and limited commercial services. 2. The subject area is surrounded by properties zoned RD (Marriott's Surfwatch Development), CON (tidal marsh) and PR (Driessen Beach Park). <p>Conclusions:</p> <ol style="list-style-type: none"> 1. The uses that would be allowed on the subject properties as a result of the rezoning will be compatible with the uses allowed on other property in the immediate vicinity in accordance with LMO 16-2-103.C.3.a.ii. 2. The proposed zoning will not change the uses of the properties as they currently function (single-family residential) but will limit some uses that may be incompatible with the uses on the subject properties.
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<p>Summary of Facts and Conclusions of Law:</p> <p><i>Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO 16-2-103.C.a.iii):</i></p> <p>Findings of Facts:</p> <ol style="list-style-type: none"> 1. The lots in the subject area are already platted as single-family lots. 2. There are a total of 50 developable lots in this area. 31 have been developed as single-family properties, 19 are vacant. 3. The average size of lots in this area is .23 acres. <p>Conclusions:</p> <ol style="list-style-type: none"> 1. The proposed zoning is appropriate for the land in accordance with LMO 16-2-103.C.a.iii. 2. The proposed rezoning will allow the use of the properties in the subject area to continue as single-family residential properties.

<p>Summary of Facts and Conclusions of Law:</p> <p><i>Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO 16-2-103.C.a.iv):</i></p> <p>Findings of Facts:</p> <ol style="list-style-type: none"> 1. Since early 2017 several property owners in the area have contacted Town Council members and staff to express concerns about the existing zoning and to request that the area be rezoned back to RM-8.
--

2. The Planning Commission held a meeting on April 5, 2017 to discuss the issue and remanded it to the LMO Committee for consideration of the various suggestions regarding zoning.
3. The LMO Committee reviewed the issue on May 10, 2017 and then made a presentation to the Planning Commission on May 17, 2017. The Planning Commission recommended that planning and legal staff work together to develop a solution.
4. Out of 50 developable properties, 24 have requested that the property be rezoned to RM-8, 12 have asked for it to remain RD and 14 have not responded with their preference related to the zoning of the subject area.

Conclusions:

1. The proposed zoning demonstrates a community need in accordance with LMO 16-2-103.C.a.iv.
2. The rezoning of the property back to RM-8 will meet a request of the majority of property owners that have responded regarding the zoning of the subject area.

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):

Finding of Fact:

1. There are no future plans for the subject area.

Conclusion:

1. There are no future plans for the subject area.

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 Facts:

1. The subject area is 12.18 total acres.
2. Other RM-8 parcels are located within approximately 260 feet of some of the parcels on the northwest side of the subject area and within approximately 480 feet of some of the parcels on the southwest side of the subject area.

Conclusions:

1. The proposed rezoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts in accordance with LMO 16-2-103.C.3.a.vi.
2. Due to the size of the area proposed to be rezoned and the nearby proximity of other like zoned parcels, the proposed rezoning will not create an inappropriately isolated zoning district that is unrelated to nearby zoning districts.

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 property as proposed to be rezoned will allow single-family, multi-family, group living

and limited commercial uses.

Conclusion:

1. The proposed rezoning will allow the subject property to be put to a reasonably viable economic use in accordance with LMO Section 16-2-103.C.3.a.vii.

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. The infrastructure for this area, to include streets, potable water, sewerage and stormwater management, is already in place since it is a platted single-family subdivision.

Conclusion:

1. The proposed rezoning will result in development that will be served by available, adequate and suitable public facilities in accordance with LMO 16-2-103.C.3.a.viii, as it is already developed with such facilities serving the existing neighborhood.

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 Facts:

1. Many of the residents are concerned that the character of the neighborhood is already changing based on the construction of three 75' tall single-family homes.
2. The roads in this neighborhood are narrow.
3. Many of the residents have noticed an increase in traffic in the subject area. Since they have noticed an increase in traffic they are concerned that not rezoning the subject area will result in uses and densities that are inappropriate for the area.
4. Staff has been approached by some property owners in the subject area about developing some commercial uses on their property.

Conclusions:

1. The proposed rezoning is appropriate for this area due to the fact that people are inquiring about developing non-single-family uses on the available parcels.
2. As a platted single-family neighborhood with narrow roads, uses such as commercial services and hotels are not appropriate for this area.

LMO Official Determination

Staff recommends that the Planning Commission find this application to be **consistent with the Town's Comprehensive Plan and serves to carry out the purposes of the LMO**, based on those Findings of facts and Conclusions of Law as determined by the LMO Official and enclosed herein.

Staff recommends that the Planning Commission recommend **APPROVAL** to Town Council of this application, which includes amending the Official Zoning Map.

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:

Teri B. Lewis, AICP
LMO Official

DATE

REVIEWED BY:

Jayne Lopko, AICP
Senior Planner and Planning Commission Coordinator

DATE

REVIEWED BY:

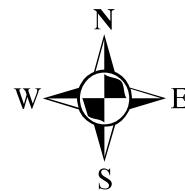
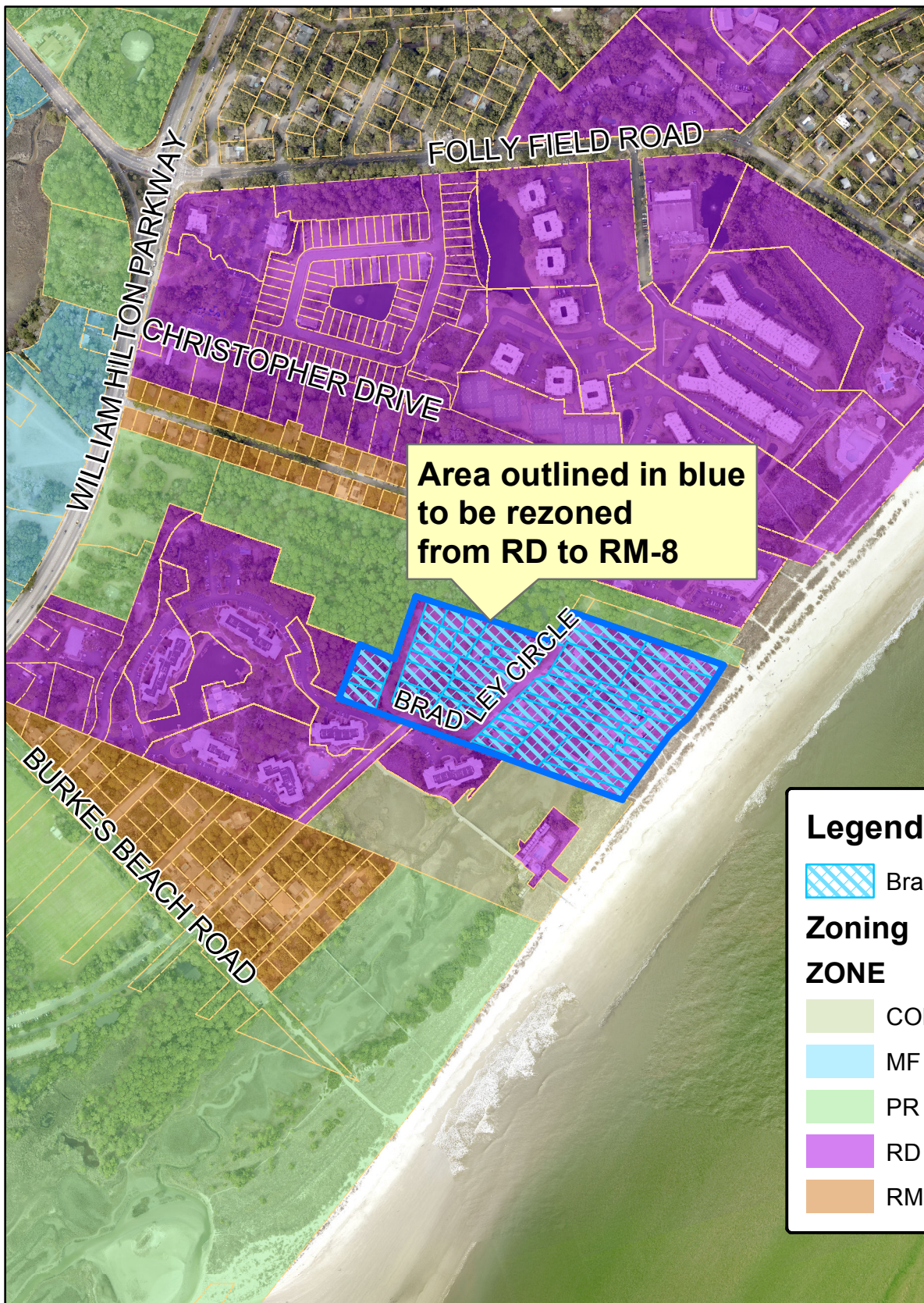
Shawn Colin, AICP
Deputy Director of Community Development

DATE

ATTACHMENTS:

- A) Vicinity Map
- B) Comparison Chart

	Moderate Density Residential RM8	Resort Development RD
<i>Allowable uses</i>	Multi-family, Group Living, Single-family, Public, Civic, Institutional, Educational	Mixed-Use, Multi-family, Single-family, Public, Civic, Institutional, Educational
	Limited Commercial Services (maximum of 1200 square feet) – does not include Restaurants, Bike Shops, Convenience Stores, Liquor Stores, Nightclubs/Bars	Bicycle shops, Restaurants, Liquor Stores, Nightclubs/Bars, Open Air Sales, Other Commercial Services
	Agriculture, Boat Ramps	
		Resort Accommodations
		Commercial Recreation
		Offices
		Auto Rentals
<i>Density - Residential</i>	8 DU	16 DU
<i>Density – Non Res</i>	6,000 GFA	8,000 GFA
<i>Building Height</i>	45 FT	45 FT (single-family) 75 FT (non-single-family)
<i>Max Impervious</i>	35%	50%



Legend

 Bradley Circle Area

Zoning

ZONE

-  CON
-  MF
-  PR
-  RD
-  RM-8



ZA-1432-2017 BRADLEY CIRCLE AREA REZONING VICINITY MAP JUNE 29, 2017

Lewis Teri

From: TC Gibson [REDACTED]
Sent: Thursday, March 23, 2017 11:47 AM
To: Hulbert Brian; Grant Marc; Billh@hiltonheadislandsc.gov; Ames, David; Lennox, Tom; Riley Steve; Lewis Teri; Cousins Charles; Bennett, David; Likins Kim
Subject: Bradley Circle

Mayor, Town Council, City Planner, City Attorney & Others

As a resident of Bradley Circle, I am very concerned with the issues we have as a Resort area. We are strongly recommending that we be zoned back to a Residential area.

The homes at 20, 22 & 24 Bradley Circle should never have been approved. Every variance and compliance that were set in place were allowed to be amended so that now we have these 3 gigantic homes that are sitting on what was originally a single lot. The street sits at a dead end with one way in and one way out and no room to turn around. I have heard each home will have 10 bedrooms. That's 30 bedrooms total. Where will all these people park? Furthermore, they look totally out of place with the rest of the homes in this area.

There are still lots that have not been developed. We do not want to see our quiet residential area to lose what it is - "A Residential Area".

Please support us in changing our area back to Residential!

Thank you.

Terry & Charlie Gibson
30A Bradley Circle

Lewis Teri

From: Keith Sledge [REDACTED]
Sent: Wednesday, March 29, 2017 11:43 PM
To: Hulbert Brian; Grant Marc; Billh@hiltonheadislandsc.gov; Ames, David; Lennox, Tom; Riley Steve; Lewis Teri; Cousins Charles; Bennett, David; Likins Kim; [REDACTED]
Cc: Edward Flynn
Subject: April 5th meeting re: Bradley Circle rezoning

Community leaders,

Please accept this message in lieu of our appearance at the upcoming Town meeting scheduled for April 5, 2017 concerning the zoning of the properties on and around Bradley Circle. My wife and I own 2 of the 3 lots of Terra Bella Trace and are currently building homes on those lots.

It is our desire for the area to be zoned RM-8 to allow our community to have consistency, avoid having very tall rental properties interspersed with homes which are now relatively uniform. Also, we are concerned that the non-residential accommodations, available in the current zoning, would be a detriment to the property values in our neighborhood.

The three tall rental properties currently under construction, being together and relatively close to the Surf Watch, are not nearly as detrimental as others would be, if allowed to be built at odd places throughout the area.

Our request is for those in authority to re-zone the Bradley Circle Area Property to RM-8 for the reasons stated above. Please feel free to contact me at any time, should the need arise.

Respectfully submitted,

Keith and Debra Sledge

Keith and Debra Sledge
1421 Lake Welbrook Drive
Athens, GA 30606
[REDACTED]

Lewis Teri

From: WORK [REDACTED]
Sent: Friday, March 31, 2017 2:41 PM
To: Lewis Teri
Subject: Bradley Circle Area
Attachments: IMG_7843.JPG; ATT00001.txt; IMG_7844.JPG; ATT00002.txt; IMG_7845.JPG; ATT00003.txt; IMG_7846.JPG; ATT00004.txt; IMG_7847.JPG; ATT00005.txt; IMG_7848.JPG; ATT00006.txt

Hi Terri,

I couldn't be happier this is being looked at. Our little neighbor is beginning to look like hotel central. The other large homes in our area are only 3 levels above

Garage and placed back off the road to keep the balance between aesthetics and development. The three buildings that were approved at the corner of Bradley Circle are as tall as the Marriott and with their colossal size, they stick out and are not in line with other buildings in the area. We are hoping by rezoning these things will not continue to happen.

Coming around the corner to three monstrosity of stucco blocking the sun is pretty unsightly and sad. I don't think this is what the town was hoping for either, just an unfortunate oversight that will definitely be controlled by rezoning us!

We appreciate your time and attention to this matter! Thank you very much for keeping HHI beautiful!













Lewis Teri

From: TDB [REDACTED]
Sent: Tuesday, March 21, 2017 5:46 PM
To: Riley Steve
Cc: Lewis Teri; Cousins Charles; Bennett, David; Likins Kim [REDACTED]
Subject: Bradley Circle Zoning

This email is being sent as a formal request to reconsideration regarding the newly assigned zoning designation of Resort Development under the latest version of LMO.

I along with a significant number of my neighbors look forward to an opportunity to quickly move this request forward to a satisfactory conclusion.

Sincerely,
Tamara and Dale Becker
5 Bradley Circle

[REDACTED]

Sent from my iPad

Lewis Teri

From: Richard Munger [REDACTED]
Sent: Monday, March 27, 2017 3:50 PM
To: Lewis Teri
Subject: Rezone bradley Beach

I own a lot at 5 Abalone and have had contact with Tamara who wants me to support going back to rm-8. Without upsetting her, I would think with all the Resort type uses in the area it does not really make sense to go back to that zoning. There may be a few people who reside in the area for their residence however they are the minority and knew when they built in the area what the use was for the area. I did forward a letter supporting her views but prefer to have that removed from the records.

I will not be at the meeting but would prefer zoning remained the same as it presently is zoned. Rick Munger

Sent from my iPad

Lewis Teri

From: TC Gibson [REDACTED]
Sent: Monday, March 27, 2017 8:59 PM
To: Lennox, Tom
Cc: Dale Becker; HHI - Mike / Leigh Ann McGrath 30B; Ronda Carper; Billh@hiltonheadislandsc.gov; Hulbert Brian; Cousins Charles; Ames, David; Bennett, David; Likins Kim; Riley Steve; Lewis Teri; Krista Toddy
Subject: Re: Bradley Circle

Mr. Lennox,

I am responding to your email regarding the size of 20, 22 & 24 Bradley Circle.

You stated, "20 Bradley has 5 BR, and 22 has 3. Don't know about 24"

This is erroneous, please see the building permit attached. I want to make sure that all of the town council has the correct information.

I have attached pictures showing the 5 story structures - 70 plus feet tall. Each home has 10 bedrooms and 12 bathrooms. For the 3 homes, a total of 30 bedrooms. As you can see from the pictures, the street is very narrow and these are built in a curve. The homes are as tall as the Marriott Surf Watch. They take up the entire footprint of the lot. Again, the neighbor's concerns are why is our neighborhood zoned for Resort, since we are clearly a residential neighborhood? We have other lots that have not been developed and we do not want to see more homes like these built on our quiet one-way street. In addition to these concerns, we also wonder where the renters will park? With 30 bedrooms total, I can't even imagine the number of cars.

I would invite anyone, including the City Attorney, to visit the building site to determine if this is what was envisioned when the LMO was developed and what has been established for this property.

Will you please help us to get our street changed from Resort to Residential? We have a meeting scheduled for April 5th at 9:00 am to discuss this.

Here is the link for the building permit of 20 Bradley Circle.

<https://service.hiltonheadislandsc.gov/CitizenAccess/Site/Permit/View/ByPermitNumber/BLDR-002877-2016>

Please see the pictures below.

Sincerely,

Terry Gibson
30A Bradley Circle

On Fri, Mar 24, 2017 at 7:20 PM, Lennox, Tom <toml@hiltonheadislandsc.gov> wrote:
20 Bradley has 5 BR, and 22 has 3. Don't know about 24.

Tom

Thomas W. Lennox
4 Governors Rd.
Hilton Head Island, SC 29928
[843-363-5790](tel:843-363-5790) Res.
[843-816-2700](tel:843-816-2700) Cell

> On Mar 23, 2017, at 11:47 AM, TC Gibson [REDACTED] wrote:

>

> Mayor, Town Council, City Planner, City Attorney & Others

>

> As a resident of Bradley Circle, I am very concerned with the issues we have as a Resort area. We are strongly recommending that we be zoned back to a Residential area.

>

> The homes at 20, 22 & 24 Bradley Circle should never have been approved. Every variance and compliance that were set in place were allowed to be amended so that now we have these 3 gigantic homes that are sitting on what was originally a single lot. The street sits at a dead end with one way in and one way out and no room to turn around. I have heard each home will have 10 bedrooms. That's 30 bedrooms total. Where will all these people park? Furthermore, they look totally out of place with the rest of the homes in this area.

>

> There are still lots that have not been developed. We do not want to see our quiet residential area to lose what it is - "A Residential Area".

>

> Please support us in changing our area back to Residential!

>

> Thank you.

>

> Terry & Charlie Gibson

> 30A Bradley Circle

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Lewis Teri

From: Scott Fletcher [REDACTED]
Sent: Thursday, March 30, 2017 7:50 PM
To: Lewis Teri
Cc: [REDACTED]
Subject: Meeting Regarding Zoning of Bradley Circle

As an owner of two properties (6 and 7 Abalone Lane) in the affected area, I believe that the current zoning of RD from our previous zoning of RM-8 is detrimental to the character and quality of our neighborhood.

Our quiet neighborhood is desirable due to its small amount of high-density housing, with the Marriott Surf Watch serving as the only high-capacity hotel on our street. This enables homeowners and families to enjoy things such as walking or bike-riding down our quiet streets, letting children play without worry of excess traffic that would pose a serious danger to them, and a lack of congestion for those who live here. Allowing higher-density housing to be built in this area will add an undue amount of strain on our streets, and take away from the safe, small feel of our neighborhood.

Within our neighborhood, excess noise or trouble are rarely ever an issue. While the summer tourist crowd may occasionally bring a loud group or two to the area, noisy groups are rarely an issue due to the composition of our area being comprised of mostly single-family homes. We worry that the development of additional high-density resort/hotel properties will tarnish the integrity of our quiet neighborhood. Large groups will be more frequent, and gatherings will create more noise in the area, disturbing the peace of the single-family homes who did not intend to share their space with this number of people.

I have been coming to Hilton Head Island for over thirty-five years now, first as a guest and later as a homeowner. I have seen lots of change, mostly for the better, occur on the island, but still I am unable to support the decision for our zoning to change. Much of what my family enjoys about our properties in this area would be altered or taken away by further large-scale development. Our evening walks and bike rides would be impacted, no longer having a secure feeling of safety due to the limited amount of vehicle traffic on our street. My young grandson is now able to walk freely and explore our neighborhood, but this would change if there were more large developments built. I strongly urge you to reconsider the current zoning, and to revert this area back to its previous RM-8 designation.

Regards,

Scott Fletcher
[REDACTED]

RECEIVED
APR 03 2017
BY: _____

4526 Columns Drive
Marietta, GA 30067

March 30, 2017

Mayor David Bennett
One Town Center Court
Hilton Head Island, SC 29928

Dear Mayor Bennett,

I would like to provide some background in advance of next month's zoning meeting. As an owner of two properties (6 and 7 Abalone Lane) in the affected area, I believe that the current zoning of RD from our previous zoning of RM-8 is detrimental to the character and quality of our neighborhood.

Our quiet neighborhood is desirable due to its small amount of high-density housing, with the Marriott Surf Watch serving as the only high-capacity hotel on our street. This enables homeowners and families to enjoy things such as walking or bike-riding down our quiet streets, letting children play without worry of excess traffic that would pose a serious danger to them, and a lack of congestion for those who live here. Allowing higher-density housing to be built in this area will add an undue amount of strain on our streets, and take away from the safe, small feel of our neighborhood.

Within our neighborhood, excess noise or trouble are rarely ever an issue. While the summer tourist crowd may occasionally bring a loud group or two to the area, noisy groups are rarely an issue due to the composition of our area being comprised of mostly single-family homes. We worry that the development of additional high-density resort/hotel properties will tarnish the integrity of our quiet neighborhood. Large groups will be more frequent, and gatherings will create more noise in the area, disturbing the peace of the single-family homes who did not intend to share their space with this number of people.

I have been coming to Hilton Head Island for over thirty-five years now, first as a guest and later as a homeowner. I have seen lots of change, mostly for the better, occur on the island, but still I am unable to support the decision for our zoning to change. Much of what my family enjoys about our properties in this area would be altered or taken away by further large-scale development. Our evening walks and bike rides would be impacted, no longer having a secure feeling of safety due to the limited amount of vehicle traffic on our street. My young grandson is now able to walk freely and explore our neighborhood, but this would change if there were more large developments built. I strongly urge you to reconsider the current zoning, and to revert this area back to its previous RM-8 designation.

Regards,


Scott Fletcher

Lewis Teri

From: Jack Qualey <jack.qualey@qualeylaw.com>
Sent: Tuesday, April 04, 2017 2:09 PM
To: Lewis Teri
Cc: Radu Chindris
Subject: Zoning of Bradley Circle Area
Attachments: VAR-000352-2016 - Approval.pdf; Deed to Transcon Industries LLC Record Book 3507 at Page 2109.pdf

Dear Teri:

I am responding to your letter dated March 20, 2017, in which you asked for comments about the proposed rezoning of the Bradley Circle area from RD to RM-8.

As you know, I represent Transcon Industries, LLC, which is the owner of Lots 1 and 2 located at 28 Bradley Circle. A copy of the recorded Deed by which Transcon acquired Lots 1 and 2 is attached, and the lots have the following Beaufort County Tax Map Numbers:

R510 009 000 0896 0000 (Lot 1) and
R510 009 000 1102 0000 (Lot 2).

A Variance regarding Lots 1 and 2 was approved on March 28, 2016, by the Board of Zoning Appeals in Case # VAR-000352-2016, a copy of which is attached to this message.

On behalf of my client Transcon Industries, LLC, I hereby notify the Town that Transcon has vested rights regarding the development of this property in accordance with the development approvals previously obtained by it from the Town, including the above-referenced Variance. Accordingly, it is Transcon's position that these 2 lots are exempt from any changes to the RD zoning in effect at the time its development approvals were obtained.

Sincerely yours,

Jack Qualey

Qualey Law Firm, P.A.

(843) 836-3525 office

(843) 836-3526 fax

Mailing address:

Post Office Box 1290

Bluffton, SC 29910

Lewis Teri

From: TC Gibson [REDACTED]
Sent: Tuesday, April 04, 2017 10:06 PM
To: Dale Becker; Lewis Teri
Subject: Fwd: RESIDENTS OF BRADLEY CIRCLE

----- Forwarded message -----

From: [REDACTED]
Date: Tue, Apr 4, 2017 at 9:26 PM
Subject: RESIDENTS OF BRADLEY CIRCLE
To: [REDACTED]

April 4, 2017

From: Robert and Deborah Smith
7 Bradley Circle

We support having our neighborhood zoning changed back to Residential Zoning. Our home is fourth row. These four story residences are like having someone build a tall wall in front of our home. We feel as if we are being punished for not living in a gated community, with built in rules, so we are dependent on the Town of Hilton Head to protect the interests of homeowners like us.

We apologize for not attending the meeting, but we have to be out of town for a prior commitment. Thank you.

Lewis Teri

From: [REDACTED]
Sent: Wednesday, April 05, 2017 8:07 AM
To: Lewis Teri; Cousins Charles; Riley Steve
Subject: Re: Fwd: RESIDENTS OF BRADLEY CIRCLE

Letter forwarded written by owners of 7 Bradley Circle

Begin forwarded message:

From: TC Gibson [REDACTED]
Date: Apr 5, 2017 at 6:25 AM
To: The Becker Family [REDACTED]
Subject: Re: Fwd: RESIDENTS OF BRADLEY CIRCLE

Tammy,

I'm not sure.

Terry

On Tue, Apr 4, 2017 at 11:21 PM, The Becker Family [REDACTED] wrote:
Hey Terri, was this sent to the town as well? Tammy and Dale.

On Apr 4, 2017 10:06 PM, "TC Gibson" [REDACTED] wrote:

----- Forwarded message -----

From: [REDACTED]
Date: Tue, Apr 4, 2017 at 9:26 PM
Subject: RESIDENTS OF BRADLEY CIRCLE
To: [REDACTED]

April 4, 2017

From: Robert and Deborah Smith
7 Bradley Circle

We support having our neighborhood zoning changed back to Residential Zoning. Our home is fourth row. These four story residences are like having someone build a tall wall in front of our home. We feel as if we are being punished for not living in a gated community, with built in rules, so we are dependent on the Town of Hilton Head to protect the interests of homeowners like us.

We apologize for not attending the meeting, but we have to be out of town for a prior commitment. Thank you.

Lewis Teri

From: Hufham, Donny L. [REDACTED]
Sent: Thursday, April 06, 2017 9:14 AM
To: Lewis Teri
Subject: Bradley Circle Area Prop Owner - Rezoning

Hi Teri, we spoke on the phone earlier this week and you said I should email you my vote if I couldn't attend. I am in favor and support the zoning for this area to be RM-8 and am against RD. I also heard considerations for RM-12 as a compromise which I am also against.

When we spoke you said that RM-8 had a 45' height restriction and that it was 45' above flood level. So if your property had a flood level of 5' then you could actually build to 50'. Is this correct? I personally only plan to build a residential home with 2 floors above underground parking plus attic space.

Feel free to contact me if you have any questions or I can be of any help.

Thanks,
Don Hufham

[REDACTED]
3 Abalone Lane

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Lewis Teri

From: Richard Munger [REDACTED]
Sent: Tuesday, April 18, 2017 1:50 PM
To: Lewis Teri
Subject: 5 Abalone redone

Was just following up on the request for rezone in in Bradly Circle area. As I mentioned in past I was not for reverting back to R8. I think most of those who showed up were by the encouragement of just one resident and some of those rent their house out. The whole area is resort and the area that abuts as well.

Please let me know when and what was the decision. Rick Munger owner 5 Abalone

Sent from my iPad

Lewis Teri

From: Richard Munger [REDACTED]
Sent: Thursday, April 27, 2017 7:54 AM
To: Lewis Teri
Subject: Bradley circle

Sent from my iPad

I will not be in Michigan and not available to attend meeting. Tamara again has asked for my support to reverse zoning. My concern from the neighbors who she has asked to attend meeting may support the reversal but they also rent their homes out. The home on Abalone next to me has a sign indicating rental. The area is all about developing the homes for vacation rentals at least by majority of them. Why change back? Rick Munger

Lewis Teri

From: Jean-Rémi Mayrand [REDACTED]
Sent: Sunday, April 30, 2017 7:51 PM
To: Hulbert Brian; Grant Marc; Billh@hiltonheadislandsc.gov; Ames, David; Lennox, Tom; Riley Steve; Lewis Teri; Cousins Charles; Bennett, David; Likins Kim
Cc: [REDACTED]
Subject: Bradley circle zoning

Hello,

I'm the owner of 4 Urchin Manor and I wanted to let you know that I support 100% the change of zoning of the Bradley Circle Area to a residential area. The tranquility and the great ocean views is what attracted us to the area. Without this change in zoning, I'm very concerned that tall structures could be built (up to 75 feet), which would obstruct the view. Also, if more "mega-houses" are built, like the three new ones across the street from our house, this will have an adverse impact on traffic, parking and the noise level. This will hurt house values and rental opportunities.

I will not be in HHI for a while and I'm unable to attend meetings on this matter. But please let me know if there are any votes to which we can participate remotely.

Best regards,

Jean-Rémi Mayrand
[REDACTED]

Lewis Teri

From: Ronda Carper [REDACTED]
Sent: Saturday, May 06, 2017 6:14 AM
To: Lewis Teri
Subject: Re: Land Management Ordinance Committee Meeting regarding Bradley Circle Area Zoning has been scheduled

I realize change is a part of life, but am saddened by the feeling that developers keep taking advantage of our communities, and there is not much we can do to stop them. Don't get me wrong, I do not mind having people come and built invest homes in our neighborhood, in fact I actually enjoy the laughter and giggles that fills the air down on Bradley Circle during tourist season along with the resounding quiet and empty beaches I get in the winter living here. I don't mind all the amenities that I get to appreciate because I live on an island that attracts millions to visit. I know I am blessed. I always thought of our island, as a elegant balance between tourism and residents, that is why we drove past Myrtle beach so many years ago.

There are often whiffle ball games or skateboarders in the road in front of our homes, kids running back and forth across the street to get to the beach walk, or a relatives rental and entire families riding bikes or walking rather slowly :) down the center of our quaint little dead end road. Although the name states differently, it is NOT a circle, there is only one way in and the same way out. Not many people know about Bradley Circle, and the people that visit are excited to come back and give their children a little freedom because they know they are safe and secluded from traffic and crowds. Sounds peaceful doesn't it? well, it is...

.. But now, daily, I am dumbfounded when I come around the corner of Bradley Circle to see three grotesquely out of place hotel-like homes standing 75 feet tall (looking like a part of the Marriott and blocking the blue sky), holding 10-12 bedrooms and as many bathrooms EACH. Over 30 bedrooms! on a property that used to have a single family home? on a narrow street with a blind corner, no less, (that I need to stay way to the edge of the pavement to avoid being taken out by the wide garbage, delivery, or maintenance vehicle that go in and out of our road numerous times a day) Again I ask, How did this happen? How are all the cars going to fit in the driveways, and not endanger the safety of other cars driving into our neighborhood? OR The multiple bicyclists that meander down the middle of the road, in their tourist stupor, distracted by all around them. How are all the visitors in those homes going to stay safe walking down the road to our boardwalk with their beach chairs and small children in tow? How is a ladder truck going to be ensured it can get through to homes in case of a fire (especially if two more huge building go up where 28 stands now) Has that even been thought about? These are the things that have been keeping me up at night. If this construction was happening in any one of your neighborhoods, you would be thinking the same things too. The thing that boggles my minds are the "tricks" and tactics that some developers are getting away with, and it seems, we keep just turning a blind eye. I realize you don't have an easy job either, but how are these decisions making HHI a better place to live OR visit?

" If you don't allow me to build four homes on this lot I will incur financial hardship," was one of the last things I heard spoken by one of them at the last meeting I was in town for and able to attend. You do not need to put 3, 75 foot tall buildings with 30 plus bedrooms on a small lot to make money here, and cover your investment, ask any one of the "fairly" modest, but in character, larger rentals on our street. What's happening here is just gluttonous! Why were we changed to resort district, and allowing this to happen?. Who petitioned to get us deemed resort? I have owned my place for over 5 years and never heard a thing about it? We need to return Bradley Circle back to **Residential Zoning**. Allow people to come in and build rental properties within the confinement of rules that preserve our wetlands, (why do we have pools going in so close to marshes or ON dunes?) ensure safety in the neighborhood (we can't accommodate the additional cars for 30 plus bedrooms (possibly 50 bedrooms or more?), we don't have on street parking where are they going to go? and the how can we ensure the well-being of the residents who have worked their whole lives to make this a permanent home. I hear rumbles of people whose families have been here for generations selling out to developers? or giving up? Again, I ask myself, why is this happening? I am sure a lot of you have been working for the town for years, or live here, or were a tourist at one time and have seen the inevitable changes, but why are we just throwing our hands up? Is this type of developing happening anywhere else on the island? How many residential communities have resort district zoning? I think everyone needs to come and see what is being built on our street. How many of you have ever driven down Bradley Circle, or even know where it is? Let's keep the integrity, and beauty of our island while preserving the cohesiveness between residents and investors (rental properties) because I believe for the most part we have done an amazing job.

I am trying to make the meeting, but I work and have an unpredictable travel schedule so being here sometimes is difficult, but I am working on switching a few things, SO I wanted to write another letter to share my thoughts and appreciate you sharing it with everyone. I strongly oppose keeping our zoning the way it is, and hope the town will return

us back to residential. Let the development continue but on a smaller scale (45 ft homes) , keeping with the character and similar aesthetics of the current homes.

Thanks Teri, I know this isn't an easy job you have, and if it was another few house like the dozen or so already around here, I would have nothing to say :)

Have a great day!

*Ronda Carper
32 Bradley Circle*

-----Original Message-----

From: Lewis Teri <TeriL@hiltonheadislandsc.gov>

To: Lewis Teri <TeriL@hiltonheadislandsc.gov>

Sent: Tue, May 2, 2017 9:55 am

Subject: Land Management Ordinance Committee Meeting regarding Bradley Circle Area Zoning has been scheduled

Please plan to attend a meeting of the Planning Commission's LMO Committee on **Wednesday, May 10, 2016 at 6 p.m. in Council Chambers at Town Hall**. The Committee will be discussing zoning options for the Bradley Circle area and your input is imperative. Please share this information with your neighbors in the Bradley Circle Area.

Regards-

Teri B. Lewis, AICP

LMO Official

Community Development Department

One Town Center Court

Hilton Head Island, SC 29928

(843) 341-4698(p)

(843) 842-8907(f)

teril@hiltonheadislandsc.gov

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Lewis Teri

From: Jackie Ting [REDACTED]
Sent: Monday, May 08, 2017 10:44 PM
To: Lewis Teri
Cc: Bennett, David; Riley Steve; Staffan Wassvik
Subject: Bradley Circle zoning

Hi Teri,

My husband and I, Staffan Wassvik and Jackie Ting, purchased 9 Bradley Circle in July 2016. The reasons we decided on this particular property is the close proximity to the beach, but mainly because of the charming, quiet and secluded neighborhood. You can imagine our surprise when we saw the 3 enormous houses being built just a few doors down. They are not ordinary houses, they are practically skyscrapers and seem out of place compared to the neighboring houses. After some research and discussions with other Bradley Circle homeowners, we were told of the change to resort zoning. I have a few concerns that I hope the town can address. First, the increase in traffic those massive rentals will generate on a street with only a single-entry point. Looking at the location of those houses, will they have enough parking for their guests? It is already difficult squeezing through when somebody parks their cars on the street. And lastly, it would be terrific to look out of our back window and see trees or the horizon instead of sky high houses. We would greatly appreciate the consideration to rezone this area back to residential.

I am in Hilton Head this week and will try my best to attend the meeting tomorrow evening. Unfortunately, I must go to the airport right around the same time. Thank you for any assistance and consideration you can provide.

Warm regards,
Jackie

Jacquelyn Ting
CEO
Akinnovate LLC

Office: 703-348-7086
Mobile: 703-362-1883
Fax: 703-574-4682
Website: www.akinnovate.com

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Lewis Teri

From: Donald Carper III [REDACTED]
Sent: Tuesday, May 09, 2017 2:09 PM
To: Lewis Teri; Bennett, David; Riley Steve; [REDACTED]
Subject: Bradley Circle Zoning ...

Importance: High

Don Carper
32 Bradley Circle

I am writing in support of changing the zoning back to Residential Zoning M-8 (which is what it was prior to 2014) before someone decided for the homeowners that it was a good idea to change it! I never received notice of any kind, I feel as a taxpayer and homeowner in this neighborhood it was imperative to let us know of such a change, at least by mail, a change that will and is having a traumatic effect on our community. The amount of vehicles that will come to this small neighborhood with the addition of 30 bedrooms and 36 bathrooms will be devastating. Homes around as now, with 6 - 7 bedrooms have 5-6 cars come to those homes (which can barely fit in the driveways) The hotel homes that are being built, do not have the spacious garage parking they have spoken about, because they have put stairways in the center cutting off access to the back half of what could be the garage. They have pushed the limits of the property lines to such a point that the amount of driveway space will be limited as well. Where will all these cars go? Did anyone think about that when approving this? I know for certain the answer is no. The first meeting about the variances, there were three new members of the board, swore in before the vote? Did they know the details of this case: that our zoning had been changed? We still do not know the answer to that one? Had they ever seen the proposed property? No one thought it might be a good idea to table it, until someone maybe looked at the ramification it would have on all of us. Did they realize how tall a 75 foot house (that is even with the Marriott) would tower over all the others that at maximum height are around 53 feet? The character of our neighborhood is being jeopardized. These homes do not blend into the neighborhood like the builder stated. He lied. They look absurdly out of place. There are absolutely NO homes in our neighborhood that are 4 floors above the garage. He lied. He spoke up in a meeting saying other homes were the same size? Was he comparing his project to the Surf Watch? This is a mistake to be doing this to our small beach communities. The safety issues that will arise if we keep letting this happen will multiply. We already have issues with the amount of vehicle that go in and out of our neighborhood, damaging personal property to turn around, cutting the corner to almost collide with each other, walkers and bicyclists. What is 36 extra bathrooms going to do to water supply, town sewer issues. Our water pressure already lowers in the summer months when tourists are here AND we have had a few pump outs of clogged lines as well. An example, a beachfront 5-6 bedroom house has had 2 septic backups in the past 2 years from over use and misuse. Was our community designed for such a vast amount of people on a relatively small plot of land? What is this going to do to the marsh lands, and wildlife? We already deal with too much trash in the marsh ... bottles, cans, beach toys and now we are expanding the foot traffic across it? We don't even have town trash cans at the end of our board walks because it was meant to be a small beach neighborhood. The changes to the landscape, bridges, the bulkheads, the houses grouped so tightly together have caused flooding issues in some parts of our community recently because the water has nowhere to go. We built small, within character of the original neighborhood back in 2012, because we loved the quaint, dead end road and history of the area. We love Hilton Head. How it is protected from big lights, big signs, and although development is inevitable (which I understand) it is considered carefully, with such pristine taste, taking into account the environment and the aesthetics of the communities. Aren't we the same town that left a house unoccupied on Singleton Beach because it was 2 feet too close to the OCRM setback? Then Mr Flynn goes and puts a non permitted pool in our neighborhood IN the dunes on an oceanfront home and dumps polluted ground water into the marshes and he gets a slap on the wrist? If this was your neighborhood, you would not let ANY of this happen. That is how Hilton Head has always been, wanting to preserve and protect ... Why did the town decide that this area was not part of "Hilton Head"? That Bradley Circle didn't warrant the same consideration for residential neighborhoods that the rest of the island enjoys. I believe that that leaves the town open for a lawsuit which I

would gladly help to fund. We planned on retiring here. Now, I am not so sure. Build homes similar to the ones that are here, not things that block out the sky and sunlight from our community which are bringing stress and anguish to our residents. Has there ever been such a pushback for anything going up around here? I think not because what was built here kept the community's character intact. Protect the residents, protect the environment, keep us safe, and protect the integrity of a place that is so beloved. Return us to our original zoning, which I thought was still intact when we bought here. Never did I consider this a possibility, and hopefully you will make it not be an option in the future.

The greatest compliment to us is a referral from you!

*Don Carper, III
Member/Manager
Davis & Towle Walnut Hill, LLC
PO Box 1062
27 Route 101A
Amherst, NH 03031
Direct phone: 603-672-4788
fax: 603-672-4031/603-672-5154
dcarper@davistowle.com*



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Lewis Teri

From: [REDACTED]
Sent: Tuesday, May 09, 2017 11:18 PM
To: Bennett, David; Lewis Teri
Cc: The Becker Family
Subject: Rezoning request for Bradley Circle

Dear LMO committee,

As a property owner on Bradley Beach Circle I ask that you please approve the rezoning of Bradley Circle back to Residential RM-8.

We have had homes on Bradley Circle since 2004. We were so excited to find an area that we believed was one of Hilton Head Island's best kept secrets. We love the feel of this quiet beachside culdesac with ocean views, a marsh filled with wildlife, and only the sound of kids playing in the pools and quiet laughter. This is what drew us to this area and this is where we felt confident that we had made a great investment.

Sadly, with the rezoning to RD zoning we have begun to see the impact to our quiet beach community in the most negative of ways. The three 10 bedroom homes are the first infringement to our community. This mega structure blocks not only the beach views but there is barely room for sunlight to make it's way between the homes. The structure has taken over virtually the entire foot print of the lot.

Seeing what just one high density development has already done to our community makes me extremely fearful of our beach communities future. We are just a small confined subdivision simply not suited for commercial high density development. The car congestion will be dangerous, our once quiet community will be noisy, and the loss of our green space has to negatively impact the sanctity of our beautiful marsh and the wildlife that inhabits it.

We want our quiet beach community to be preserved. If you haven't had the opportunity to walk around please do. I think you will quickly see that by providing Residential zoning back to our community you will be providing a safe, environmentally sound, and quiet beach community the chance to continue to grow in the way it was intended.

Sincerely,

Krista Toddy
3 Urchin Manor

Lewis Teri

From: Toddy, Matt [REDACTED]
Sent: Wednesday, May 10, 2017 8:53 AM
To: Lewis Teri
Cc: Harkins Bill; Bennett, David; Grant Marc; Ames, David; Lennox, Tom; Likins Kim; McCann John
Subject: LMO Council Meeting--Bradley Circle Zoning
Attachments: Image.pdf; Image (2).pdf

Dear Ms. Lewis: attached is a letter to the LMO Committee regarding my support for the proposed change of zoning for Bradley Circle back to Residential (RM-8). I would appreciate your including this letter with the materials provided to the Committee. Thank you.

Matt Toddy
[REDACTED]

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and permanently delete the original e-mail, attachment(s), and any copies.

March 9, 2017

VIA EMAIL: teril@hiltonheadislandsc.gov

Town of Hilton Head Island
Land Management Ordinance Committee

Re: Bradley Circle Zoning Agenda Item
May 10, 2017 Meeting

Members of the Committee:

I am an owner of property at 3 Urchin Manor on Bradley Beach Circle since 2004, and would like to express my strong support for the proposal to take the zoning of Bradley Beach Circle back to its original RM-8 zoning designation, consistent with the principles of land use expressed in Hilton Head's 2012 Comprehensive Plan. Bradley Circle has always been a quiet residential area, and remains so today even with the appropriate development since the early 2000s of newer vacation homes. The return to RM-8 zoning (moderate density) would protect a unique residential neighborhood from potential over-construction, including commercial and high density developments, and the resulting environmental impairment and safety issues that would arise, all possible under the current (since 2014) "Resort" zoning. The safe, family oriented, residential feel of Bradley Circle, with its direct access to the "folly" tidal marshland and inlet, is what makes it so attractive to homeowners and vacationers, and such an asset for Hilton Head as a whole.

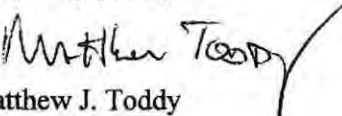
Bradley Circle and surrounding areas were studied extensively by the Town in an appendix to the current (2012) Hilton Head Comprehensive Plan, titled the "Chaplin Area Initiative." The Initiative provides a comprehensive and focused study of and recommendations for the Chaplin Area of Hilton Head, including Bradley Circle. The Chaplin Area Initiative study was developed in 2002 using an extensive "charette" process with substantial direct input and involvement by owners of properties in the area. The Initiative considered the community needs, the historical uses of lands in the area, as well as the need to promote appropriate and balanced development of parks, roadway improvements, resort and commercial areas, and the retention of residential areas. The goal of the Initiative and its resulting plan is to "provide for a high quality of life by planning for population growth and private redevelopment . . . through the proper distribution, location and intensity of land uses with adequate levels of services while maintaining and protecting the natural resources, the residential neighborhood and the overall character of the Island."

After comprehensive study and analysis, and applying the goals described above, the Initiative's Plan, which is incorporated into the Comprehensive Plan, specifically concludes that Bradley Circle should be/remain zoned as RM-8 for moderate density residential development.¹ Other areas in the Chaplin Area were appropriately designated by the Chaplin Area Initiative to remain as Resort zoning, including the land that was later develop into the Marriot Resort.

The re-development of the Chaplain Area in accordance with the well-studied and though out Initiative, including the development of Town-owned land into parks, beach accesses, walkways and allowing for traffic, pedestrian and commercial improvements around William Hilton Parkway, has been a great success. Keeping the unique Bradley Circle neighborhood as residential with R-8 zoning, consistent with the Initiative and the Comprehensive Plan, would allow appropriate private development while preserving natural resources and the overall character of this part of the Island. This change would affect only a very small portion-just the Bradley Circle Street--of the overall Chaplain Area.

I would encourage members of the Committee to visit Bradley Circle to get a sense of its neighborhood feel, and ask the Committee to vote for changing the zoning of Bradley Circle back to its original R-8 residential zoning. Thank you for your consideration of this important matter.

Very truly yours,


Matthew J. Toddy

Cc: DavidB@hiltonheadislandsc.gov
WilliamH@hiltonheadislandsc.gov
MarcG@hiltonheadislandsc.gov
DavidA@hiltonheadislandsc.gov
TomL@hiltonheadislandsc.gov
KimL@hiltonheadislandsc.gov
JohnM@hiltonheadislandsc.gov
Tammy Becker
Teri Gibson

¹ The Initiative states: "RM-8 zoning classification is proposed to expand and include existing residential areas that were platted as long ago as the 1950s where new developments have been recently approved under similar density standards in the current RD, *Resort Development District*. Most of this property has already been developed as residential or is in the process of being developed that way. The RM-8 classification is used elsewhere on the Island when similar development has occurred or is being encouraged. The areas set aside for RM-8 classification are all east of William Hilton Parkway. They include the platted subdivisions of . . . Bradley Circle, Singleton by the Beach, and the remainder of the Seaside Subdivision."

Lewis Teri

From: Mark Davidson [REDACTED]
Sent: Wednesday, May 10, 2017 4:33 PM
To: Bennett, David; Lewis Teri; Dale Becker
Cc: Debbie Davidson; [REDACTED]
Subject: Rezoning request for Bradley Circle

Dear LMO committee,

As a property owner on Bradley Beach Circle I ask that you please approve the rezoning of Bradley Circle back to Residential RM-8.

We have many concerns about the Resort Development zoning. Safety and congestion issues along Bradley Circle being the primary concern and development not consistent with existing homes in the community.

We are traveling at this time but wanted to go record as supporting the zoning back to Residential RM-8.

Sincerely,

Mark Davidson & Debbie Davidson.
5 Urchin Manor

Lewis Teri

From: TDB [REDACTED]
Sent: Thursday, May 11, 2017 2:28 PM
To: Lewis Teri
Cc: [REDACTED] Ronda Carper; [REDACTED] Mark Davidson;
Jackie And Schven; [REDACTED]; Lenny Scott Fletcher;
[REDACTED] Candace Callan; James Callan; [REDACTED]
[REDACTED] Donald Carper III
Subject: Bradley Circle

Hi Teri,

First thank you and the members of the LMO committee for their attention to the serious concerns of the residents of Bradley Circle. Please pass along our appreciation to all.

May I get please the emails and letters received for yesterday evenings meeting as well as any stragglers from the last meeting with the Planning Committee.

I know our community is focused on getting us back to the long held and intended zoning of M-8 and are trying to attend as many meetings as they can make and get their letters in as a timely matter. Though I know they may have missed their timing for one of the discussions and I am hopeful that all are being compiled by your office to be disseminated to each of the committees and town council and Mayor that the town is requiring us to meet with prior to a resolution to the matter. I am hoping we are nearing the end as we've voiced before we do believe that time is of essence to protect our investments and quality of life here.

Another quick question relates to Radu's second mention of "things in the works" re: investment development he plans. Will you please update us on what is in the works as it relates to the Bradley Circle community.

Thank you again for all that you do,

Sincerely,

Tammy

For Concerned Residents of Bradley Circle

Sent from my iPad

Lewis Teri

From: Hufham, Donny L. [REDACTED]
Sent: Monday, May 15, 2017 9:56 AM
To: Lewis Teri
Cc: [REDACTED]
Subject: RE: Bradley Circle Area Prop Owner - Rezoning

Hi Teri, I have learned that this decision has still not been finalized and that another meeting is this Wed (5/17).

Unfortunately I am out of town for work this week, but would like to continue to express my opinion that I am 100% in favor of RM-8. Please let me know if there is anything else I need to do that would help get this decision finalized.

Thanks,
Don Hufham

From: Hufham, Donny L.
Sent: Thursday, April 06, 2017 9:14 AM
To: 'teri@hiltonheadislandsc.gov'
Subject: Bradley Circle Area Prop Owner - Rezoning

Hi Teri, we spoke on the phone earlier this week and you said I should email you my vote if I couldn't attend. I am in favor and support the zoning for this area to be RM-8 and am against RD. I also heard considerations for RM-12 as a compromise which I am also against.

When we spoke you said that RM-8 had a 45' height restriction and that it was 45' above flood level. So if your property had a flood level of 5' then you could actually build to 50'. Is this correct? I personally only plan to build a residential home with 2 floors above underground parking plus attic space.

Feel free to contact me if you have any questions or I can be of any help.

Thanks,
Don Hufham

[REDACTED]
3 Abalone Lane

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Lewis Teri

From: Jim Kaiser [REDACTED]
Sent: Friday, May 19, 2017 1:48 PM
To: Bennett, David; Lewis Teri
Subject: Rezoning

Dear Board Members,

My family and I reside at 36 Bradley Circle No. 4. We purchased the property in April of 2014. To the best of my knowledge we were not notified of the hearing which resulted in the zoning change.

We would respectfully ask that the area be rezoned to residential for the following reasons: 1) Public Safety – The three units being presently built under the new zoning will increase traffic flow and congestion to the point of very limited ingress and egress in particular, for emergency vehicles, but even more importantly will give rise to serious safety concerns for bicyclists and pedestrians. It will, if it hasn't already, create an accident waiting to happen. 2) Quality of Life – During the construction phase of the three new buildings, there are times when Bradley Circle is impassable and residents have to wait up to 10 to 15 minutes to get through. You explain to me how this is fair to the current residents all first in time, that is, property owners prior to the development being allowed in accordance with the zoning change.

We understand the need for development and the pressure on local government to generate revenue. However, controlled reasonable planned development is one of the things for which this island is famous. I ask you to personally visit the area and determine for yourself if our concerns and issues are valid.

Thanks you for your time and consideration.

James E. Kaiser

Lewis Teri

From: Michele Antonelli [REDACTED]
Sent: Friday, May 19, 2017 5:00 PM
To: Bennett, David; Lewis Teri
Subject: Bradley Circle Zoning !!!!!

Dear David Bennett and Teri Lewis,

I am writing this letter to express my extreme concern over the ridiculous over building to our beautiful quiet street !! As I am sure you are aware Bradley Circle is a very narrow dead end street that already has many bikers and walkers headed to the beach on it everyday! Safety has always been the residence main concern on our street! Everyday we have issues with vehicles parked on the side of the road and bicycle riders and walkers !! This area is zoned as **Resort District** !! Currently there are 3 gigantic homes that are being built and there are more under construction . These homes have multiple bedrooms in them and will rent to multiple families in each one of them with vehicles and nowhere to park them. Our quiet street will now become a parking lot for renters of these homes!!!! I am asking you to change our zoning back to **Residential zoning** and therefore forbid any on street parking. We have much invested in our homes and our beautiful quiet neighborhood street. It is only a matter of time until there is an accident, injury or worse on this street. It is not only necessary to change the zoning but also to have signage prohibiting vehicles from parking on the street. I invite you to visit our street and see for yourself what a disaster these gigantic units are going to create for this already dangerous street.

Sincerely,

Richard and Michele Antonelli
5 Stella Del Mare
Hilton Head, SC 29928

Sent from my iPhone

Sent from my iPhone

Lewis Teri

From: WORK [REDACTED]
Sent: Thursday, May 25, 2017 11:24 AM
To: Lewis Teri
Subject: Fwd: Hilton Head Bradley Circle Zoning

Ronda Carper
DAVIS & TOWLE WALNUT HILL
27 Rte 101A
Amherst, NH. 03031
603-261-6379
603-672-4031 Fax
Walnuthillins@aol.com
Rcarper@davistowle.com

Begin forwarded message:

From: "Mike McGrath" [REDACTED]
Date: May 25, 2017 at [REDACTED]
Cc: "'Ronda Carper'" [REDACTED], "'TC Gibson'" [REDACTED]
Subject: RE: Hilton Head Bradley Circle Zoning

My message did not get to Teril. Do I have the correct email?

From: Mike McGrath [mailto:[REDACTED]]
Sent: Wednesday, May 24, 2017 5:41 PM
To: 'teril@hiltonheadsc.gov' <teril@hiltonheadsc.gov>
Cc: 'Ronda Carper' <[REDACTED]>; 'TC Gibson' [REDACTED]
Subject: Hilton Head Bradley Circle Zoning

We bought our home at 30B Bradley Circle a little over three years ago because of the location and the strict zoning laws on the island that differentiates it from other Southeastern US coastal cities. However, to see the monstrous homes going up in our neighborhood (including 3 different 10 bedroom 12 bath homes on one lot) is ridiculous. Almost all of the island is zoned with signing restrictions, strict tree removal laws, and plenty of green space with the exception of ours.

The Bradley Circle community is constructing homes 60+ in height with very little pervious space and almost no parking. Our community has a 90 degree curved road that people drive on with big blind spots and the monstrous homes have no parking except for the streets. This is not zoning and for safety reasons, this must be changed. This is very dangerous and unlike the rest of the island. PLEASE, PLEASE return our community to Residential M-8 zoning. We are not a resort district but a residential district and should be treated as such.

Mike and Leanne McGrath
30B Bradley Circle

Lewis Teri

From: TC Gibson [REDACTED]
Sent: Tuesday, May 30, 2017 12:47 PM
To: Hulbert Brian; Cousins Charles; Ames, David; Bennett, David; Likins Kim; Riley Steve; Harkins Bill; Lennox, Tom; Lewis Teri; Grant Marc; McCann John
Subject: Bradley Circle

Please be advised of our desire to be designated as RM-8 residential. We purchased our home in 2012 with the obvious belief that our home was in a neighborhood not a resort development. All indications based on the home construction, lot size, infrastructure to support the ingress and egress into the community suggested a residential neighborhood. Buyer beware should not apply to purchasing a home in good faith. It doesn't seem reasonable or equitable for a few to profiteer at the detriment of so many others. The safety concerns alone due to the lack of parking and 90 degree turn leading into the neighborhood should supersede any contemplation of economic development. By allowing these massive homes to envelop the entire lot because set back variances have been granted, multiple "blind spots" for both pedestrian as well as vehicular traffic have been created. This is clearly an unsafe environment. An RD designation allows for multi-dwelling homes up to 75' in height. This can only create a further degradation in the safety and security for those of us that make this small neighborhood our home.

We will not be able to attend the meeting but would like this correspondence to be on record in supporting Bradley Beach Circle's return to RM-(residential).

Thank you for your consideration.
Charlie and Terry Gibson
30A Bradley Circle

Lewis Teri

From: Charles Pinter <[REDACTED]>
Sent: Tuesday, June 06, 2017 6:41 AM
To: Lewis Teri
Subject: Re: Bradley Circle Area zoning

Hi Teri

Thank you for the information on Bradley Circle Zoning!

If you could let me know about my immediate neighbors decision on the zoning I would appreciate that! (Ted Whittaker and my neighbor on the corner)that would be nice!

And what about the units going up on Danny Burkes lot are the still allowed to build very high and multiple units? And also what is going up next to the walkover that Dr Craig sold ? I feel that is has already been chopped up from the residential area we should have been left to enjoy thanks to attorneys and greedy builders and the town could have let us make that decision before all this mess!! Also why don't you send out a letter to continue Sandy Beach trail around our circle?? Since we have NO connection to BRADLEY BEACH ROAD!! For EMERGENCY PURPOSES IT MAKES MUCH MORE SENSE TO CONTINUE THE STREET??

I think that should be addressed also!!!

Thank you Teri. I will be waiting for you prompt response on the matter!

Thank you,

Maureen Jamieson Pinter

Sent from my iPhone

On May 25, 2017, at 7:34 PM, Lewis Teri <TeriL@hiltonheadislandsc.gov> wrote:

Hello-

I received a request to provide you with some additional information regarding the above. The properties in the Bradley Circle area are currently zoned RD (Resort Development). The zoning was changed from RM-8 (moderate density residential) in October 2014 as part of the Town's Land Management Ordinance Rewrite project. Several residents of the area approached the Town earlier this year and requested that the property be zoned back to RM-8. The Town has held at least 3 meetings on the topic with some residents in favor of keeping it RD and some in favor of keeping it RM-8. The Town has been asking the property owners to indicate whether or not they would prefer to remain RD or to be rezoned back to RM-8.

I hope this provides you with the information that you were looking for. I have also attached descriptions of both the RM-8 and RD zoning districts. If you would let me know what you would like the zoning on your properties in this area to be, that would be very helpful.

Regards-

Teri B. Lewis, AICP

LMO Official

Community Development Department

One Town Center Court

Hilton Head Island, SC 29928

(843) 341-4698(p)

(843) 842-8907(f)

teriL@hiltonheadislandsc.gov

Lewis Teri

From: Charlie <[REDACTED]>
Sent: Wednesday, June 07, 2017 9:16 AM
To: Lewis Teri
Subject: Re: Bradley Circle Area zoning

Hi Teri

Thanks for the information on the Zoning!!

So i don't understand why the town has the choice to change it just like that but they wouldn't uphold the zoning! The Town Let the attorneys and builders change the whole area since I don't think the neighbors wanted these multi units built to crowd out the Residential Community !! I imagine you could change the Zoning to R 8 from RD and then have a Zoning meeting and they will get the go ahead to do as they please again??

So which one makes the property more valuable could you give me your opinion Teri?

I am on vacation right now but I am able to check my email!

Will be waiting to here from you.

As for the street I think it should be SANDY BEACH CIRCLE OR SINCE YOU TRAVEL DOWN SANDY BEACH TRAIL TO GET THERE IN AN EMERGENCY SITUATION CONTINUEIT AS SANDY BEACH TRAIL!! Thank you for submitting and getting this resolved for us!

Thank you

Teri

Sent from my iPhone

On Jun 6, 2017, at 6:53 PM, Lewis Teri <TeriL@hiltonheadislandsc.gov> wrote:

Ms. Pinter-

I have not received a response from the neighbors on either side of you regarding whether or not they would like to property to be rezoned. The properties across the street (20, 22 and 24 Bradley Circle) are permitted to build to 75' as are the two properties at 28 Bradley Circle. This is because these properties are vested. There are no other properties in this Bradley Circle area that are vested to the 75' height. I will ask upper management about your question related to a connection to Bradley Beach Road. As of this time, the Town is going to pursue a rezoning to rezone this area from RD to RM-8. Once I know the schedule for that rezoning I will let you know.

Regards-

Teri B. Lewis, AICP

LMO Official

Community Development Department

One Town Center Court

Hilton Head Island, SC 29928

(843) 341-4698(p)

(843) 842-8907(f)

teril@hiltonheadislandsc.gov

From: Charles Pinter <[REDACTED]>
Sent: Tuesday, June 06, 2017 6:41 AM
To: Lewis Teri
Subject: Re: Bradley Circle Area zoning

Lewis Teri

From: John Cochran [REDACTED]
Sent: Wednesday, June 07, 2017 10:15 AM
To: Lewis Teri; jhvdavis@gmail.com
Subject: Bradley Circle

I am writing in regards to the current zoning situation on Bradley Circle. When I purchased our property at 3 Stella Del Mare I was comforted by the fact that driving back to our house the streets were generally residential and there were other homeowners that took care of their properties. The Marriot hotel's entrance is back off Burkes beach road and they do not generate any vehicle traffic or block the street. The three houses under construction on Bradley Circle have been a general nuisance with the road being blocked by construction traffic and it's hard to believe that the current zoning is RD Resort and you can force 3 houses on that lot. Where are the rental clients going to park? Have traffic studies been done? In that corner there is going to be a safety issue with cars coming around a 90 degree bend into parked cars and foot traffic. I have heard that there are now two houses planned for another lot? We bought our house at 3 Stella Del Mare to be in a neighborhood not in a resort. We are opposed to any more resort development and support returning our residential area back to the RM-8 zoning that makes sense. Please protect our investment in HHI, but more importantly the safety of our families.

Regards
Mike and Teri Riggs
3 Stella Del Mare

Lewis Teri

From: Dale Becker [REDACTED]
Sent: Wednesday, June 07, 2017 12:25 PM
To: Lewis Teri
Cc: Dale Becker
Subject: RE: Bradley Circle

Thanks.

So I want to be sure that the entire Bradley Circle area, all lots and property that was mistakenly zoned RD in Oct 2014's LMO are included in the application, ordinance and all recommendation to return to the residential M-8 zoning.

To do anything less will leave us no different than we currently are with the prospect of large complexes/ or "single family homes dominating our infrastructure, safety, and destroying our island character and the many many other reasons we've already brought forward to the Town's attention and you've so graciously responded to.

Please assure me that's where we are.

Grateful,
Tammy

On Jun 7, 2017 at 12:06 PM, <[Lewis Teri](#)> wrote:

Tammy-

I will be on vacation the week that the Bradley Circle area rezoning goes before the Planning Commission for a public hearing but I will be here until that time. I will be responsible for preparing the rezoning application and sending out the necessary letters and posting the property. Charles probably explained last night but the process is as follows:

7/19 at 3 pm - Planning Commission Public Hearing

8/1 at 5 pm - Town Council First Reading

9/19 at 5 pm - Town Council Second Reading and adoption

The reason for the delay between first and second reading is that Town Council only has one meeting in August and September.

-----Original Message-----

From: TDB [mailto:[REDACTED]]
Sent: Wednesday, June 07, 2017 11:57 AM
To: Lewis Teri
Cc: [REDACTED]
Subject: Bradley Circle

Hi Teri,

A couple of quick things but first, thank you.

In my brief conversation with Mr. Cousins last evening he mentioned that you are heading off for vacation....have a great time, relax, enjoy....but who in your a sense is our contact? Who will be able to keep us updated on any development plans or permit requests for any of the area within the Bradley Circle area of concern?

I have a couple of other questions but I'm heading out for a dr appointment and will address those later.

Thank and best,

Tammy

Sent from my iPad

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Lewis Teri

From: [REDACTED]
Sent: Monday, June 19, 2017 6:44 PM
To: Lewis Teri
Cc: Charles Pinter
Subject: Re: Bradley Circle Area zoning

Hello Teri,

My name is Charlie Pinter. I am Maureen Jamieson Pinter's husband. I would like to add my comments to the zoning issue at Bradley Circle.

First, I would like to know who is responsible for changing the zoning to RD and what possible reason existed to do so? There WAS a neighborhood feel to the area with homes near the beach being similar in size and design. Why would anyone want to change that and allow monster structures- not homes, but structures, to be interspersed among HOMES that are uniform? Why?

I recall talking to you when the McMansion developer was applying for variations. He was initially turned down and you gave the distinct impression that it would be very difficult for him/them to win an appeal. Next time I call a different woman was involved and bingo, everything is clear sailing for the developer!!

Maureen and I can only hope that the rest of the Bradley Circle owners also write to you to voice their displeasure with what's gone on. Where are all these people who occupy these STRUCTURES going to park or did the town allow a variance for that too!

On Jun 6, 2017, at 12:53 PM, Lewis Teri <TeriL@hiltonheadislandsc.gov> wrote:

Ms. Pinter-

I have not received a response from the neighbors on either side of you regarding whether or not they would like to property to be rezoned. The properties across the street (20, 22 and 24 Bradley Circle) are permitted to build to 75' as are the two properties at 28 Bradley Circle. This is because these properties are vested. There are no other properties in this Bradley Circle area that are vested to the 75' height. I will ask upper management about your question related to a connection to Bradley Beach Road. As of this time, the Town is going to pursue a rezoning to rezone this area from RD to RM-8. Once I know the schedule for that rezoning I will let you know.

Regards-

Teri B. Lewis, AICP

LMO Official

Community Development Department

One Town Center Court

Hilton Head Island, SC 29928

(843) 341-4698(p)

(843) 842-8907(f)

teril@hiltonheadislandsc.gov

From: Charles Pinter [REDACTED]
Sent: Tuesday, June 06, 2017 6:41 AM
To: Lewis Teri
Subject: Re: Bradley Circle Area zoning

Hi Teri

Thank you for the information on Bradley Circle Zoning!

Lewis Teri

From: [REDACTED]
Sent: Friday, June 23, 2017 12:18 PM
To: Lewis Teri
Cc: [REDACTED]
Subject: Bradley Circle Zoning

Dear Ms. Lewis:

Thank you for speaking with me last week regarding the zoning issues relating to Bradley Circle. I am writing this e-mail to officially voice my opinion regarding this topic, especially since our lots are (arguably) the most affected by the towns zoning changes.

My wife and I own two adjacent lots on Bradley Circle:

Lots 19 and 21 Bradley Circle (recently changed by Fire & Rescue from 21 and 23 Bradley Circle)
Lot 5A POR Lot 5 (R510 008 000 022J 0000)
Lot 5B POR Lot 5 (R510 008 000 0619 0000)

Our Lots were purchased on January 15, 2014 when the area was zoned Moderate Density Residential (RM-8). Our plan was to build a retirement home on the lots. Shortly after our purchase, the area was rezoned Resort Development (RD). We were never contacted about this zoning change and were given no chance to voice our opinion regarding this action, which we were strongly against.

To our shock and horror the beautiful single family home directly across the street from our lots was purchased by a developer (very shortly after the zoning change) who then subdivided the single lot into three lots. The developer got permission from the town to erect three 75 foot tall townhomes, each with ten bedrooms strictly for rental purposes (personal conversation with the builder). Our thoughts of building a retirement home in a quiet circle on Hilton Head Island were squashed. Our lots are now in the shadow (literally) of these three behemoths that together serve as the equivalent of a 30 bedroom hotel 30 feet from our lots.

We have since bought land in Georgetown County for our retirement home. The only positive aspect of this zoning change was the impression by multiple real estate agents that the value of our lots had improved, since they now could be sold to a developer to erect similar rental town homes. Unfortunately, apparently, the town has yet again "changed their mind" with respect to the 75 foot height allowance, so as I understand it, even with the RD zoning any structures built on our lots would be restricted to a 45 foot height allowance which decreases the value to a developer (especially since we are so close to the 75 foot high structures in between our lots and the ocean).

Were the town now to "change their mind" again and rezone the area back to RM-8 (without tearing down the 3 structures mentioned above that seriously impact our lots), our interests would be further harmed.

Please do not change the zoning again, and reconsider allowing further structures to be built to the 75 foot height, since you have already allowed that to happen. We feel that we have been treated egregiously by the town of Hilton Head Island, as do several professionals with whom we have

consulted. We hope to salvage what we can from this situation and would appreciate your response. Thank you for your consideration in this matter.

Sincerely,

Russell R. Stewart, M.D.
(Anne E. Stewart, M.D.)
1300 Deer Run
Morgantown, WV 26508
[REDACTED]

Lewis Teri

From: [REDACTED]
Sent: Friday, July 07, 2017 2:41 PM
To: Lewis Teri
Cc: [REDACTED] David Neal Carroll
Subject: Comments on Rezoning of Properties in the Bradley Circle area

Dear Ms. Lewis:

Please include these comments in the decision process regarding the possible rezoning of properties in the Bradley Circle area as we are unable to attend the July 19, 2017 meeting.

Items of fact and concern:

- 1) We own lots located at 19 (R510 008 000 022J 0000, Lot 5A POR Lot 5) and 21 (R510 008 000 0619 0000, Lot 5B POR Lot 5) Bradley Circle, HHI.
- 2) The real issue is why the area was rezoned from RM-8 to RD in 2014/2015. There was NO discussion at the time (that we are aware of), after we purchased the lots on January 15, 2014, when they were listed as RM-8.
- 3) Developers have built three large 10 bedroom town homes on what was a single lot with a single one story home and has now been subdivided into lots at 20, 22, and 24 Bradley Circle, directly across the street from our lots. These buildings were constructed to a height of 75' above flood level, conforming to RD zoning (to the best of our knowledge).
- 4) Were the area to remain within an RD zone, affected home or lot owners have the capacity to sell their properties for a value consistent with RD zoning, and relocate if they are unhappy with living within the RD zone.
- 5) Were the area to be rezoned back to RM-8, affected home or lot owners have no recourse since the damage has already been done. The property can't be sold for development because the RM-8 classification will not allow the type of return on investment the developers need. The property can't be sold for use as a single family home since there are already RD types of structures on (or directly across) the street, and no one wants to build an RM-8 type structure in an area surrounded by higher density rental units, that the RD zone allows. If the town were to rezone AGAIN (see item 2 above) it would effectively significantly DEVALUE the properties within the affected area.
- 6) Were the town to purchase and raze the structures on 20,22 and 24 Bradley Circle and return those lots to one or two lots consistent with RM-8 classification then we might support the rezoning from RD to RM-8. (We have been informed by you that that is not feasible.) Without that commitment we are adamantly opposed to rezoning the area from RD to RM-8.

We strongly oppose rezoning the area from RD to RM-8.

Sincerely,

Russell R. Stewart

Anne E. Stewart

Lewis Teri

From: [REDACTED]
Sent: Monday, July 10, 2017 9:41 PM
To: Lewis Teri
Subject: Rezoning meeting re. Bradley Circle area.

We will not be able to attend the meeting on July 19, 2017 as we will be out of town. This public hearing does concern us as we have 2 pieces of property in the area under consideration. This property has been our full time residence since 2006 and has been owned by us for 5 years more.

We are not in favor of changing the current zoning as we feel that a number of other properties in the area are owned by long time islanders and they should have the opportunity to develop their property in whatever manner meets their needs as others have.

We are of course concerned about safety for everyone as we would be no matter where we lived. We are not concerned about the amount of sun light and air circulation as has been mentioned by others.

Respectfully,

Dr. Frederick Craig and Shirley Craig
21 Sweet Grass Manor
Hilton Head Island, SC 29928
[REDACTED]

Lewis Teri

From: Christopher Abreu [REDACTED]
Sent: Monday, July 10, 2017 10:47 PM
To: [REDACTED] Lewis Teri
Subject: Re: Rezoning meeting re. Bradley Circle area.

Teri,

It's so exciting to see neighbors supporting the betterment of what I believe is a diamond of Hilton Head. As you know I fully support staying RD and will do everything to continue to improve and beautify the Bradley Circle community. Hope you enjoy our presentation of the future Bradley community.

Chris

Christopher Abreu
[REDACTED]

-----Original Message-----

From: Radu Chindris [REDACTED]
To: Christopher Abreu [REDACTED]
Sent: Mon, Jul 10, 2017 10:37 pm
Subject: Fw: Rezoning meeting re. Bradley Circle area.

----- Forwarded Message -----

From: shirley t [REDACTED]
To: "teri@hiltonheadislandsc.gov" <teri@hiltonheadislandsc.gov>
Sent: Monday, July 10, 2017 9:46 PM
Subject: Rezoning meeting re. Bradley Circle area.

We will not be able to attend the meeting on July 19, 2017 as we will be out of town. This public hearing does concern us as we have 2 pieces of property in the area under consideration. This property has been our full time residence since 2006 and has been owned by us for 5 years more.

We are not in favor of changing the current zoning as we feel that a number of other properties in the area are owned by long time islanders and they should have the opportunity to develop their property in whatever manner meets their needs as others have.

We are of course concerned about safety for everyone as we would be no matter where we lived. We are not concerned about the amount of sun light and air circulation as has been mentioned by others.

Respectfully,

Dr. Frederick Craig and Shirley Craig
21 Sweet Grass Manor
Hilton Head Island, SC 29928
[REDACTED]

From: [Terry Gibson](#)
To: [Hulbert Brian](#); [Cousins Charles](#); [Ames, David](#); [Bennett, David](#); [Likins Kim](#); [Riley Steve](#); [Harkins Bill](#); [Lennox, Tom](#); [Lewis Teri](#); [Grant Marc](#); [McCann John](#)
Cc: [Tammy Becker](#); [Dixon Nicole](#)
Subject: Bradley Circle
Date: Monday, July 17, 2017 3:44:07 PM

Please be advised of our desire to be designated as RM-8 residential. We purchased our home in 2012 with the obvious belief that our home was in a neighborhood not a resort development. All indications based on the home construction, lot size, infrastructure to support the ingress and egress into the community suggested a residential neighborhood. Buyer beware should not apply to purchasing a home in good faith. It doesn't seem reasonable or equitable for a few to profiteer at the detriment of so many others. The safety concerns alone due to the lack of parking and 90 degree turn leading into the neighborhood should supersede any contemplation of economic development. By allowing these massive homes to envelop the entire lot because set back variances have been granted, multiple "blind spots" for both pedestrian as well as vehicular traffic have been created. This is clearly an unsafe environment. An RD designation allows for multi-dwelling homes up to 75' in height. This can only create a further degradation in the safety and security for those of us that make this small neighborhood our home.

We will not be able to attend the meeting but would like this correspondence to be on record in supporting Bradley Beach Circle's return to RM-(residential).

Thank you for your consideration.
Charlie and Terry Gibson
30A Bradley Circle



Walter J. Nester, III

wnester@mcnair.net

T 843.785.2171
F 843.686.5991

MEMORANDUM

Via E-mail Only (TeriL@hiltonheadislandsc.gov)

TO: Ms. Teri Lewis, AICP
FROM: Walter J. Nester, III
DATE: July 19, 2017
RE: 5/09/17 Memorandum to Town of Hilton Head (the "Town")
re: Proposed Rezoning of Bradley Circle
(ZA-0001432-2017)

Our File No. 066711.00002

Good morning, Teri:

While reviewing the packet for this afternoon's Planning Commission meeting, it came to my attention that my previous memo (referenced above) to the Town was not included in the meeting packet. I have attached a copy of that memo and respectfully ask that you distribute it to the Commissioners as soon as is feasibly possible, and that the memo also be included in the record for the proposed rezoning.

Please do not hesitate to contact me if you have any questions. Thank you for your time.

Best regards.

WJN:amb
Attachment

McNAIR LAW FIRM, P.A.
Shelter Cove Executive Park
23-B Shelter Cove Lane, Suite 400
Hilton Head Island, SC 29928

Mailing Address
Post Office Drawer 3
Hilton Head Island, SC 29938

mcnair.net

Walter J. Nester, III

wnester@mcnair.net

T 843.785.2171
F 843.686.5991

MEMORANDUM

Via E-mail (teril@hiltonheadislandsc.gov)

TO: Town of Hilton Head Island Planning Commission LMO Subcommittee
c/o Teri Lewis, Town of Hilton Head Island

FROM: Walter J. Nester, III

DATE: May 9, 2017

RE: Proposed Rezoning of Bradley Circle
MLF File #066711.00002

This correspondence is submitted to the LMO Subcommittee of the Town of Hilton Head Island (the "**Town**") Planning Commission concerning the proposed rezoning of the Bradley Circle Subdivision on Hilton Head Island.

We represent owners of property on Bradley Circle. These owners are uniformly in opposition to the change in zoning of this area as proposed at the meeting of the Town Planning Commission on April 5, 2017. As indicated in my comments to the Planning Commission at the April 5th meeting, the current zoning on Bradley Circle, which is part of the Resort Development ("**RD**") Zoning District, was the result of years of meetings, committee work and consideration which has resulted in considerable increase in real estate values and development in Bradley Circle.

This process started with the Mayor's Task Force, created in September of 2010. The mission of that Task Force was to refine the Town's vision and provide key policies and suggestions for implementation. One recommended key first step of the Task Force was to "institute ordinances, policies and procedures that stimulate private sector investment".¹ The tactics identified in the Task Force's 109 page report included recommendations to rewrite, as appropriate, the Town's LMO.² Accordingly, in March of 2011, the Town Council created the LMO Rewrite Committee. From that Committee's work came the total rewrite and adoption of a new LMO in October of 2014. That rewrite included the expansion of the RD District in the Bradley Beach area. The LMO approval process was undertaken in accordance with applicable law and all property owners were provided appropriate notice.

Thereafter, Town Council established the Circle to Circle ("**C2C**") Committee to study certain areas and to develop a vision for the future of the Sea Pines Circle to Coligny Circle corridor over the following 20 years. That committee was to review existing conditions and potential growth to identify challenges to be addressed. One of the C2C

McNAIR LAW FIRM, P.A.
Shelter Cove Executive Park
23-B Shelter Cove Lane, Suite 400
Hilton Head Island, SC 29928

Mailing Address
Post Office Drawer 3
Hilton Head Island, SC 29928

mcnair.net

¹ See Mayor's Task Force Final Report – August 2010, Page 10

² See Mayor's Task Force Final Report – August 2010, Page 16

Committee recommendations, in its 402 page report, was to “promote other beaches” in the Town.³

As a result of these recommendations, there was renewed interest in development and redevelopment in Bradley Circle and substantial development and redevelopment has already occurred.

As a result of those development activities, a few residents in Bradley Circle have requested that this area be rezoned to a lesser density. As you may know, the residential building height in this District has been reduced from 75’ down to 45’ in response to some of these concerns.⁴ Now, these one or two residents are seeking a rezoning which will reduce the density and potentially reduce alternative uses available in this District.

Of course, Bradley Circle is located in an area on Hilton Head Island that already has considerable resort development. Access to Bradley Circle is obtained only through a road which drives through the Marriott SurfWatch resort. Bradley Circle is surrounded by the RD District Zoning and Parks and Recreation (“PR”) Zoning District.

In addition, the majority of the owners in this community have held on to title to their property through the economic downturn with the hope that changes to zoning and land use regulations would be made by the Town to encourage development, redevelopment and an increase in property values. Many of these owners and/or their families have owned this property for generations. Now, when the opportunity exists for them to develop or sell their property, a few new owners, who had knowledge of the current zoning when they acquired their property, now seek to modify the development that surrounds them.

During the Planning Commission meeting, members of the Planning Commission suggested, and there was discussion concerning a change to a zoning classification which provides for less residential density. RM12 was one of the zoning classifications discussed. Unfortunately, a change to a residential district eliminates the opportunities for commercial and retail development that is available under the RD District. For example, bed and breakfast, hotels, bicycle shops and eating establishments are either permitted or conditionally permitted in the RD District, but are not available in the residential districts.⁵ A change to a zoning classification which is solely residential eliminates the opportunity for small retail services that might be developed to support the beach oriented RD District.

In addition, the total area being considered is approximately 14 acres. Arguably a change in such a specific and limited area creates concerns of spot zoning which could jeopardize the Town’s action in the event it elects to change such a limited and small parcel.

Finally, we believe that the dates of purchase are relevant to this discussion and we have attached to this memorandum a diagram depicting the dates of acquisition of all owners of lots in Bradley Circle.

Thank you for your consideration.

Sincerely,

Walter J. Nester, III

WJN:ktp

³ See Circle to Circle Vision Plan, Chapter 9, Page 84

⁴ See LMO Amendments 2016

⁵ See generally Chapter 3 of the Town of Hilton Head Island Land Management Ordinance

±13.7 ACRES

1	.38 AC.	2004
2	.13 AC.	2005
3	.16 AC.	20054
4	N/A	1776
5	.15 AC.	2002
6	.15 AC.	2014
7	.15 AC.	2014
8	.16 AC.	1982
9	.17 AC.	1776
10	.39 AC.	2007
11	.15 AC.	2016
12	.14 AC.	2017
13	.17 AC.	1776
14	.34 AC.	2012
15	.15 AC.	2010
16	.15 AC.	2014
17	.15 AC.	2014
18	.13 AC.	20134
19	.13 AC.	2015
20	.13 AC.	2016
21	.17 AC.	2014
22	.17 AC.	2013
23	.32 AC.	2016
24		
25		



24	.39 AC.	2011
25	.40 AC.	2011
26	.52 AC.	2011
27	.36 AC.	2015
28	.14 AC.	2014
29	.16 AC.	2016
30	.19 AC.	2016
31	.25 AC.	2012
32	.097 AC.	2016
33	.121 AC.	2016
34	.121 AC.	2016
35	.127 AC.	N/A
36	.04 AC.	2016
37	.41 AC.	2016
38	.26 AC.	2008
39	.32 AC.	2016
40	.73 AC.	2016
41	.47 AC.	2005
42	.21 AC.	2002
43	.21 AC.	2006
44	.19 AC.	1776
45	.20 AC.	2010
46	.39 AC.	2006
47	.18 AC.	2014
48	.16 AC.	2013
49	.21 AC.	2011
50	.21 AC.	N/A
51	.51 AC.	2011
52	.63 AC.	2014
53	.53 AC.	2014



MEMORANDUM

TO: Town Council

FROM: John Troyer, CPA, Director of Finance

VIA: Stephen G. Riley, ICMA-CM, Town Manager

DATE: August 24, 2017

RE: **First Reading of Proposed Ordinance No. 2017-18**

Recommendation:

Staff recommends Town Council approve the first reading of Proposed Ordinance No. 2017-18 amending fiscal year 2018 budgets for amounts brought forward for the General and Capital Projects Funds.

Summary:

This budget ordinance amends these two funds by rolling forward budgeted funds from the prior year that were not encumbered by the end of the fiscal year. A roll-forward item is a budget for a capital improvement or General Fund program / technology project that for various reasons was not started or not completed at June 30, 2017. Staff requested these funds be rolled to fiscal year 2018 to complete projects and plans.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2017-18

AN ORDINANCE TO AMEND THE BUDGET FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING JUNE 30, 2018; TO PROVIDE FOR THE BUDGETED APPROPRIATIONS OF PRIOR YEAR BUDGET ROLL-FORWARDS AND THE EXPENDITURES OF CERTAIN FUNDS; TO ALLOCATE THE SOURCES OF REVENUE FOR THE SAID FUNDS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 5-7-260 of the Code of Laws of South Carolina requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

WHEREAS, the Town Council did adopt the budget on June 20, 2017, and

WHEREAS, pursuant to the budget amendment policy as stated in the Town's annual budget document, the Town Council is desirous of amending the budget so as to provide for the budgeted appropriations of prior year budget roll-forwards and certain other commitments from the Fund Balance and other revenue sources.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID TOWN COUNCIL:

Section 1 Amendment. The adopted 2018 fiscal year budget is amended to make the following changes as additions to the funds from prior years and to the projected revenue and expenditure accounts as detailed in Attachment A.

Section 2 Severability. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3 Effective Date. This Ordinance shall be effective upon its enactment by the Town Council of the Town of Hilton Head Island.

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2017-18

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2017.**

David Bennett, Mayor

ATTEST:

Krista Wiedmeyer
Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member:

ATTACHMENT A

Budget Roll Forwards: General Fund

<u>Account Description</u>	<u>Amount</u>
General Fund Revenues:	
Funds from Prior Years	261,086
Total General Fund Revenues	261,086
General Fund Expenditures:	
Townwide Grants	
Island Recreation Center Capital (Transfer out to Capital Projects)	47,755
Coastal Discovery Museum-Capital	27,583
	75,338
Administrative Services	
Information Technology Operating/Capital	132,580
Municipal Court Operating	5,000
	137,580
Community Development	
DRZ Operating	27,168
Fire Rescue	
Support Services Capital	21,000
Total General Fund Expenditures	261,086

Budget Roll Forwards: Capital Projects Fund

<u>Account Description</u>	<u>Amount</u>
Capital Projects Fund Revenues:	
Transfer In	47,755
Total Capital Projects Fund Revenues	47,755
Capital Projects Fund Expenditures:	
Other Capital Expenditures	
Island Recreation Center- Capital (Transfer In)	47,755
Total Capital Projects Fund Expenditures	47,755

ORDINANCE NO.**PROPOSED ORDINANCE NO. 2017-18****ATTACHMENT A, CONTINUED**

The effects of this budget amendment for fiscal year 2018 are presented below.

	General Fund		Cap Proj Fund		Debt Service		Total Governmental Funds	
	Expenditures	Revenues & Transfers In	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In & Other Sources	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In & Other Sources
Current Balance	\$ 40,319,036	\$ (39,758,394)	\$ 16,294,000	\$ (17,159,949)	\$ 24,200,000	\$ (25,914,371)	\$ 80,813,036	\$ (82,832,714)
Amendment	261,086	(261,086)	47,755	(47,755)	-	-	308,841	(308,841)
Revised Balance	\$ 40,580,122	\$ (40,019,480)	\$ 16,341,755	\$ (17,207,704)	\$ 24,200,000	\$ (25,914,371)	\$ 81,121,877	\$ (83,141,555)

Enterprise Fund
Stormwater Fund

	Expenditures & Transfers Out	Revenues & Transfers In
Current Balance	\$ 4,798,043	\$ (4,800,450)
Amendment	-	-
Revised Balance	\$ 4,798,043	\$ (4,800,450)

FY17-18 BUDGET ROLL FORWARD REQUEST

ISLAND RECREATION CENTER

\$47,755

Madhere Erica

From: Frank Soule <reccenter@hargray.com>
Sent: Wednesday, August 23, 2017 4:39 PM
To: Madhere Erica
Cc: Troyer John
Subject: REC CENTER 2018 CIP 8-23-17
Attachments: REC CENTER 2018 CIP 8-23-17 .xls

Good Afternoon...

Per our conversation you'll find the update FY 18 CIP budget for the Island Rec Association...thanks Frank

Frank Soule
Executive Director
Hilton Head Island Recreation Association
843-681-7273 (Office)
843-683-7203 (Cell)

Madhere Erica

From: Frank Soule <reccenter@hargray.com>
Sent: Tuesday, August 01, 2017 11:03 AM
To: Troyer John; Markiw, Steven; Malik Laurie; Madhere Erica
Cc: Liggett Scott
Subject: FY 18 Rec Assoc. CIP Budget
Attachments: REC CENTER 2018 CIP 8-1-17 .xls

Good Morning...

The attachment is an outline of the Island Rec's FY 18 CIP expenditures. Per our conversation, the funding total is ~~\$623,755~~. Rollover funding of \$47,755 from FY 17 and council approved funding of ~~\$576,000~~ for a total of ~~\$623,755~~. *\$597,755 revised 8/23/17.* *\$550,000*

Please let me know if you have any questions. Thanks again for all you support...Frank

Frank Soule
Executive Director
Hilton Head Island Recreation Association
843-681-7273 (Office)
843-683-7203 (Cell)

Island Recreation Association
FY 17/18 Budget
Capital Improvement Projects

CIP Budget 2018

PROJECT	Budget 2018	Code	To Date - Frank's Detail	To Date - Laurie's Detail	Balance	71063
CIP Budget						
CIP Budget-Vehicle						\$ -
Truck - Replacement		Vehicle			\$ -	
		71063				
GENERAL FUND PROJECTS						
Replacement of Educational Equipment	\$ 12,000	Isl Rec Facility			\$ 12,000	70300
Rec Center Building	\$ 30,000	Isl Rec Facility	\$ 262.96		\$ 29,737	166,737
Playground	\$ 125,000	Isl Rec Facility			\$ 125,000	
Dome Replacement	\$ 280,000	Pool	\$ 178,587.48		\$ 101,413	Pool
Windscreens	\$ 8,500	Pool			\$ 8,500	\$ 175,913
Dome Install	\$ 36,000	Pool			\$ 36,000	
Pool Equipment Improvements	\$ 30,000	Pool			\$ 30,000	
Special Events Park Improvements	\$ 33,000	Park			\$ 33,000	Park
Picnic Tables & Trash Cans	\$ 7,500	Park			\$ 7,500	70000
Tennis Courts (Chaplin)	\$ 30,000	Park			\$ 30,000	\$ 76,255
Soccer Goals	\$ 5,755	Park			\$ 5,755	
Total	\$ 597,755		\$ 178,850.44	\$ -	\$ 418,905	

FY17-18 BUDGET ROLL FORWARD REQUEST

COASTAL DISCOVERY MUSEUM

\$27,583



Experience The
Lowcountry Up Close

MAILING ADDRESS:
PO Box 23497
Hilton Head Island
SC 29925-3497

LOCATION:
70 Honey Horn Drive
Hilton Head Island
SC 29926

(843) 689-6767
(843) 689-3035 fax
coastaldiscovery.org

July 21, 2017

Ms. Erica Madhere
Town of Hilton Head Island
One Town Center Circle
Hilton Head Island, SC 29928

RE: Encumbering CIP grant 2016-2017

Dear Erica:

Although the Town has set aside money for some projects in the CIP grant for this fiscal year we have not been able to complete them. We wanted to know if it would be possible to encumber some of these items for FY2017. The total amount is \$27,582.90. We would request to encumber the following:

1. \$2,500 – Discovery House Floors
2. \$2,450 – Discovery House Doors/ Hardwar
3. \$1,800 – Misc.- Boardwalk Repairs
4. \$10,000 – Misc- Parking Lot /Driveway
5. \$605.97 – Misc Fencing Repair
6. \$997.93 – Bathroom Building Fixture Repair
7. \$5,000 – Bathroom Building Exterior Paint
8. 2,500 – Parking Lot Road Repairs
9. 1,729 – Well Field Irrigation

Thank you,

Jennifer Stupica
Director of Finance and Administration
Coastal Discovery Museum

Coastal Discovery Museum-CIP Reimbursements												
Vendor #3014												
10000950-56034												
	FY2017 CIP Budget	\$15,845 Additions	Total Budget	Revised Budget	Expended	Available	OCT REQ#1	FEB REQ#2	April REQ#3	June REQ#4	REQ#5	Total
	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 2,500.00	\$ -	\$ 2,500.00						
	Discovery House-Floors											
	Discovery House-Doors/Hardware											
	Discovery House - HVAC											
	Discovery House - Trellis/Service Yard Repairs											
	Armstrong Hack House-Exterior Paint											
	Armstrong Hack House-HVAC											
	Pavilion- Floors											
	Pavillion Restroom Building - HVAC											
	Misc- Boardwalks/Repair											
	Misc- Parking Lot/Driveway											
	Misc - Well/Field Irrigation											
	Misc-Fencing Repair											
	Misc - Security Cameras											
	Bathroom Building Fixture Repair (FY16 rollover req)									1,394.03		1,394.03
	Bathroom Building Ext Paint Repair (FY16 rollover req)											
	Barn Repairs - Exterior (FY16 rollover req)									259.57		502.07
	Parking Lot/Road Repairs (FY16 rollover req)											
	Misc Well Field Irrigation Repair (FY16 rollover req)											
	Discovery House - Roof and Wall Repair									3,093.27		22,843.27
	Tree Maintenance											
	Landscape Remediation from Hurricane Matthew											
	TOTAL	\$ 61,500.00	\$ 15,844.50	\$ 77,344.50	\$ 47,252.12	\$ 30,092.38	\$ 7,510.00	\$ 567.50	\$ 19,750.00	\$ 19,424.62	\$ -	\$ 47,252.12
WIRE TRANSFER DATE:												
WIRE TRANSFER AMT:												
WIRE FUNDS FROM THE AIP BANK ACCOUNT												
APPROVED BY:												
SCOTT LIGGETT												

FY17-18 BUDGET ROLL FORWARD REQUEST

ADMINISTRATIVE SERVICES

\$137,580

MEMORANDUM

TO: John Troyer
FROM: Tom Fultz
DATE: June 26, 2017
SUBJ: Roll over of FY 17 funds

1. As previously discuss there are several budget line items we would like to roll over from FY 17 to FY 18. The primary reason for this request was the impact that Hurricane Mathew had on our ability to fully execute the FY 17 budget. Each of the attached line items are still critical and required. Some were directly my responsibility but some were not executed because the requiring department did not have time to finalize their requirements so we could execute a purchase.
2. Please advise when this request has been approved.

**ADMINISTRATIVE SERVICES
2017 ROLLOVERS TO 2018**

Maintenance Contracts (11061520-53700) 3 rd Party Software Upgrade Support	\$10,000
Maintenance Contracts (11061520-53700) Public Stuff Mobile App & CRM	\$10,500
Computer Software (11061520-54400) Vmware vSphere 6 Enterprise Plus	\$26,200
Computer Software (11061520-54400) Performance Management Software	\$20,000
Specialized Equipment =>\$5,000 (11061540-55120) Hargray -Coligny Wifi Expansion	\$36,000
Computer Software =>\$50,000 (11061540-55121) Rollover from 2016	\$29,880
Consulting Services (11061220-53350) (Municipal Court) Funding for Public Defender	\$ 5,000
	<hr/>
	\$ 137,580

FY17-18 BUDGET ROLL FORWARD REQUEST

COMMUNITY DEVELOPMENT - DRZ

\$27,168

Madhere Erica

From: Wilson Eileen
Sent: Friday, July 14, 2017 12:07 PM
To: Madhere Erica
Cc: Lewis Teri
Subject: budget roll forward requests

Hi Erica

I was looking in MUNIS and it appears that DRZ Printing & Publishing (11585020-53410) has a balance of \$7,168 and DRZ Consulting (11585020-53350) has a balance of \$20,000.

Can we roll forward those two balances?

We have an unexpected printing cost of another supplement to the LMO which we should receive an invoice for that in August 2017. And for consulting we have an unexpected request that we will need extra funds for.

I see you are out of the Office until Tuesday so I will follow up with you then.

Let me know either way if we can do this and if I need to fill out a form and get signatures.

Thanks so much!

Eileen W 4691

FY17-18 BUDGET ROLL FORWARD REQUEST

FIRE RESCUE – SUPPORT SERVICES

\$21,000

Madhere Erica

From: Nold Laura
Sent: Wednesday, July 26, 2017 10:31 AM
To: Madhere Erica
Subject: FW: FY17 Capital Outlay - Apparatus Category Balance
Attachments: FY17- Capital Outlay Apparatus.docx

Hi Erica,

Below is an email from Chief Boring addressing this issue we discussed yesterday. It looks like we need the remaining \$21,000 rolled to FY18 to finish up the TDA project. Can you let me know what you find out on your end?

Thanks so much!

Laura

From: Boring Edward
Sent: Monday, July 10, 2017 10:05 AM
To: Troyer John; Markiw, Steven
Cc: Nold Laura; Tadlock Brad
Subject: FW: FY17 Capital Outlay - Apparatus Category Balance

Gents:

I wanted to verify something with you all in light of the changes you all are making. I think it's great that you all are cleaning up the accounts, it makes our job easier too. I attached what our capital outlay accounting looks like. My accounting shows that in the vehicles or apparatus there us \$21k remaining. These funds are going to be utilized to finish the tractor drawn aerial project. Since it's the end of the fiscal year and you are moving vehicles to CIP from our operating budget, I just wanted to make sure these funds remain available and where they will reside to best access them. We anticipate expending these funds in July and august of this year.

Thanks for the assistance!

Ed Boring, CFO

Deputy Fire Chief

Support Services & Special Operations

Hilton Head Island Fire Rescue

Cell 843-247-3736

Office 843-682-5152

An Accredited Agency

Our Core Values: *"Take responsibility; Lead by example; Be honest; Help others; Have a passion to serve."*

From: Nold Laura
Sent: Monday, July 10, 2017 9:41 AM

To: Boring Edward

Subject: FY17 Capital Outlay - Apparatus Category Balance

Ed,

Here you go...please let me know if you need anything else.

Thanks,

Laura



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA-CM, *Town Manager*
VIA: Charles Cousins, *Director of Community Development*
VIA: Jennifer Ray, *Planning & Special Projects Manager*
FROM: Marcy Benson, *Senior Grants Administrator*
CC: Shawn Colin, *Deputy Director of Community Development*
DATE: August 25, 2017
SUBJECT: HUD/CDBG Entitlement Program 2016 CAPER

Recommendation:

Staff requests approval by resolution of the attached program year 2016 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER) as required by the U.S. Department of Housing and Urban Development (HUD) for participation in the CDBG Entitlement Program.

Summary:

The 2016 CAPER outlines how CDBG funds were spent and the progress made towards the goals outlined in the Five Year Consolidated Plan and the Annual Action Plan. The 2016 CAPER is a HUD requirement for participation in the CDBG Entitlement Program. The CAPER is submitted to HUD annually within 90 days after the close of the program year. The due date is September 29, 2017.

Background:

In 2015 the Town of Hilton Head Island began participating in the HUD CDBG Entitlement Program. The HUD-required 2016 One Year Action Plan was approved by HUD in July 2016. To meet HUD requirements a CAPER must be prepared each year of program participation and public input must be solicited for the CAPER. The CAPER describes activities implemented and accomplishments related to the goals and objectives identified in the 2015 – 2019 Five Year Consolidated Plan and the 2016 Annual Action Plan.

The CAPER was released to the public on August 7, 2017 for a 15 day public comment period and a public meeting to solicit public input was held on August 15, 2017. At the close of the 15 day public comment on August 22, 2017 one public comment was received. A summary of this comment is included in the CAPER.

Approval of the CAPER at the September 19, 2017 Town Council meeting will allow the Report to be submitted by the September 29, 2017 HUD deadline.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA TO APPROVE THE COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) 2016 CONSOLIDATED ANNUAL PERFORMANCE
EVALUATION REPORT (CAPER)**

WHEREAS, in July 2016 the Town of Hilton Head Island Community Development Block Grant (CDBG) One Year Annual Action Plan for program year 2016 detailing goals and objectives to be implemented to address community needs in low-and-moderate income areas within the Town's jurisdiction was approved by the United States Department of Housing and Urban Development (HUD); and

WHEREAS, as an entitlement community, the Town must prepare and submit a CAPER to HUD within 90 days after the close of the program year; and

WHEREAS, the CAPER is an annual report of activities implemented and accomplishments of goals and objectives identified in the 2016 Annual Action Plan; and

WHEREAS, the Town has adhered to the public participation requirements set forth in the Citizen Participation Plan in the development of the 2016 CAPER by conducting a public meeting and 15 day comment period to solicit citizen input and review for the 2016 CAPER; and

WHEREAS, the Town Manager is authorized to submit the 2016 CAPER to HUD for review and acceptance;

NOW, THEREFORE BE IT, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT The 2016 CAPER as submitted in the attachment to this resolution be approved and submitted to HUD.

MOVED, APPROVED, AND ADOPTED ON THIS 19TH DAY OF SEPTEMBER, 2017.

David Bennett, Mayor

ATTEST:

Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

Town of Hilton Head Island

2016

Consolidated Annual Performance Evaluation Report (CAPER)

For the
U.S. Department of Housing and Urban Development
Community Development Block Grant Program



~DRAFT~

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan.

91.520(a)

At the end of each program year, the Town of Hilton Head Island is required to prepare a Consolidated Annual Performance Evaluation Report (CAPER). This report must be submitted to HUD within 90 days after the close of the program year and includes information on the programmatic accomplishments under the CDBG program. This CAPER is for the second year of the 2015 – 2019 Consolidated Plan. The Town of Hilton Head Island CDBG allocation for 2016 was \$196,123.

Administrative and Planning Activities:

The 2016 Annual Action Plan was submitted to HUD in May 2016. In July 2016 the Town of Hilton Head Island was notified the 2016 Annual Action Plan was approved and a grant agreement for 2016 was executed in August 2016. In March 2017 a substantial amendment to the 2015 – 2019 Consolidated Plan was submitted and approved. This substantial amendment removed the Wiley Road paving activity/goal from program year 2017; moved the Cobia Court paving activity/goal from program year 2019 to program year 2017; and added Alice Perry Drive paving activity/goal to program year 2019. All public notice and meeting requirements were met for this substantial amendment.

Non-Housing Community Development Activities:

The Rhiner Drive dirt road paving project environmental review was completed by Town of Hilton Head Island staff in accordance with requirements in December 2016. The request for release of funds for this project was issued on January 7, 2017. Rhiner Drive paving project plans were completed and the project bid advertisement was published on May 15, 2017 on the South Carolina Business Opportunities website and on the Town of Hilton Head Island website and on May 16, 2017 in the Island Packet, a newspaper with local circulation. The published bid submittal deadline date was June 6, 2017. A mandatory pre-bid meeting was conducted on May 19, 2017. On May 30, 2017 the bid submittal deadline date was moved to June 16, 2017 in order to address questions submitted by potential project bidders. On June 16, 2017 a bid opening was held. One bid was submitted and this bid exceeded available funds by more than 10%. The Rhiner Drive dirt road paving project must be re-bid in order to meet procurement requirements of having two or more responsible bidders and having a bid that does not exceed available funds by more than 10%.

The Blazing Star Lane dirt road paving project funded in the 2015 CDBG program year was successfully completed in January 2017 and all CDBG funds allocated for this project have been expended.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Blazing Star Lane Paving	Non-Housing Community Development	CDBG: \$179,937	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	30	30	100.00%	30	30	100%
Cobia Court Paving	Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	42	0	0.00%	0	0	0%
Development of Consolidated Plan	Administrative and Planning	CDBG: \$22,410	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	37,099	37,099	100.00%	37,099	37,099	100%
Murray Avenue Paving	Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	75	0	0.00%	0	0	0%

Rhiner Drive Paving	Non-Housing Community Development	CDBG: \$196,123	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	20	0	0.00%	0	0	0%
Alice Perry Drive Paving	Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	37	0	0.00%	0	0	0%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The Town of Hilton Head Island used the 2016 CDBG funds to address the priority needs identified in the 2015 – 2019 Consolidated Plan and the 2016 Annual Action Plan. Funds were used for the needs listed with a high priority level. The needs listed with a high priority level were public improvements and administrative and planning. The Blazing Star Lane dirt road paving project which constitutes a public improvement was included as a goal for 2015 and this project was completed in January 2017 and all CDBG funds allocated for this project have been expended. Allowable program administrative costs associated with the 2016 program year and the Rhiner Drive dirt road paving project are funded with 2016 CDBG dollars. Construction of the 2016 Rhiner Drive dirt road paving project has not started and therefore the actual number of persons assisted is shown as zero (0) in the table above.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG
White	2,361
Black or African American	647
Asian	33
American Indian or American Native	10
Native Hawaiian or Other Pacific Islander	0
Total	3,051
Hispanic	978
Not Hispanic	2,644

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The data represented in the table above for the Town of Hilton Head Island Census Tract 105 does not reflect a racial and ethnic total for the categories “Some Other Race Alone” or “Two or More Races”. These two categories total 571 for Census Tract 105.

According to the 2010 U.S. Census the total population of the Town of Hilton Head Island is 37,099. The population composition is as follows: 30,741 persons (82.9%) are White; 2,766 persons (7.5%) are Black or African American; 57 persons (0.2%) are American Indian or Alaska Native; 339 persons (0.9%) are Asian; 22 persons (0.1%) are Native Hawaiian and Other Pacific Islander; 2,713 persons (7.3%) are Some Other Race; and 451 persons (1.2%) are Two or More Races. The total Hispanic population of the Town of Hilton Head Island is comprised of 5,861 persons which is 15.8% of the total Town population. It should be noted in Census data Hispanic is considered an ethnicity and not a race, for example, the race of a person may be White and their ethnicity Hispanic, or their race may be Black or African American and their ethnicity Hispanic.

The table above represents 2010 U.S. Census population for the Town of Hilton Head Island Census Tract 105. This Census Tract is where 2016 CDBG program funds are being used for public infrastructure improvement. The total population for Census Tract 105 is 3,622. The population composition for Census Tract 105 is as follows: 2,361 persons (65%) are White; 647 persons (18%) are Black or African American; 33 persons (0.9%) are Asian; 10 persons (0.02%) are American Indian or Alaska Native; and 0 persons (0.0%) are Native Hawaiian or Other Pacific Islander. The total Hispanic population of Census Tract 105 is comprised of 978 persons which is 27% of the total Census Tract population.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG		196,123	1,012

Table 3 – Resources Made Available

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Census Tract 105	98	0	Funds for infrastructure improvements in Census Tract 105, which meets LMI requirements.
Census Tract 108	0	0	No CDBG funded projects were planned in Census Tract 108 for the 2016 program year.
Town-Wide	2	0.5%	Funds for program administration costs which meet HUD requirements.

Table 4 – Identify the geographic distribution and location of investments

Narrative

Resources available to the Town of Hilton Head Island during the 2016 program year included CDBG funds allocated to the Town from HUD.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

There is no matching requirement for CDBG program funding, however, the Town of Hilton Head Island is the owner of the road right of way located on Rhiner Drive where the 2016 dirt road paving project is situated. The Town of Hilton Head Island acquired this publicly owned right of way and is now being used to address the need for paving a dirt road in a low to moderate income neighborhood. If Rhiner Drive paving construction costs exceed the allocated CDBG funds the Town of Hilton Head Island will use general fund dollars to leverage project construction costs over the CDBG allocation amount. No other state or private funds are being used at this time to assist with the 2016 CDBG funded activity of paving Rhiner Drive.

DRAFT

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	0	0
Number of Special-Needs households to be provided affordable housing units	0	0
Total	0	0

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	0	0
Number of households supported through Acquisition of Existing Units	0	0
Total	0	0

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

In the second year (2016) of reporting on the 2015 – 2019 Consolidated Plan there was no goal to provide rental assistance, production of new units, rehabilitation of existing units or acquisition of existing units. These are not activities the Town of Hilton Head Island typically undertakes. The difficulty in setting affordable housing goals pertains to the high cost and limited availability of buildable property on a coastal barrier island with finite boundaries.

Discuss how these outcomes will impact future annual action plans.

The Analysis of Impediments to Fair Housing Choice prepared in 2016 by the Lowcountry Council of Governments on behalf of the Town of Hilton Head Island identified six (6) recommendations for policy updates related to affordable housing. Those recommendations will be continually reviewed and implemented when possible throughout the remaining years of the Five-Year Consolidated Plan term. In

2017 the Public Planning Committee of the Town Council of the Town of Hilton Head Island will form a task force to study the issue of the availability of workforce housing.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Persons Served	CDBG Actual	HOME Actual
Extremely Low-income	0	0
Low-income	0	0
Moderate-income	0	0
Total	0	0

Table 7 – Number of Persons Served

Narrative Information

The Town of Hilton Head Island locates CDBG funded projects in Census Tracts which meet or exceed the 51% or higher low and moderate income population requirement established by HUD. The public infrastructure improvement listed in this 2016 CAPER is located on Rhiner Drive in Census Tract 105 which has a low and moderate income population of 54.04%.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)
Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Lowcountry Homeless Coalition, based in Charleston, South Carolina is the Continuum of Care working to address the needs of the homeless in a seven county region of the South Carolina lowcountry. Annual point-in-time counts are conducted in the area; however, due to no homeless shelters operating in the Town of Hilton Head Island, there is no homeless data for the Town to evaluate.

In the January 2015 point-in-time count there were 37 persons experiencing homelessness interviewed in Beaufort County. Eight (8) of these persons were living unsheltered. Twenty-nine of these persons were living in shelters and of those, 24 were members of families living with children. In the January 2016 point-in-time count there were 35 persons experiencing homelessness interviewed in Beaufort County. Twenty-five (25) of these persons were living unsheltered. Ten of these persons were living in emergency shelter.

January 2017 point-in-time count results indicate 13 persons experiencing homelessness interviewed in Beaufort County. Nine (9) of these persons were living unsheltered and four (4) were living in shelters. The 2017 point-in-time count also shows one (1) homeless veteran, one (1) chronic homeless person and a total of 32 emergency and transitional beds within Beaufort County. Compared to the 2015 and 2016 point-in-time count results there has been a reduction in homelessness in Beaufort County. This reduction is similar to the statewide decrease in homelessness cited in the South Carolina Coalition for the Homeless 2017 point-in-time report.

It must be noted, the homelessness figures above do not reflect homeless specifically in the Town of Hilton Head Island; these figures are for Beaufort County as a whole.

Addressing the emergency shelter and transitional housing needs of homeless persons

Currently there are no emergency shelter and transitional housing shelters operating in the Town of Hilton Head Island. At this time there is no future plan to own or operate emergency shelters or transitional housing in the Town of Hilton Head Island.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The Town of Hilton Head Island continues to participate in the Lowcountry Affordable Housing Coalition.

This coalition consists of governmental entities, non-profit and private organizations striving to make housing more affordable in the Beaufort County area. The coalition has a focus of assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the Beaufort County Human Services Alliance resources are pooled and community needs are addressed in the areas of economy, education, poverty, and health/environmental issues.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

There are no homeless shelters located within the jurisdiction of the Town of Hilton Head Island and no homeless population count data available specifically for the Town of Hilton Head Island from the Lowcountry Homeless Coalition, which is the regional Continuum of Care servicing the Town. There is the non-profit organization, Family Promise of Beaufort County, located in neighboring Bluffton, South Carolina. Family Promise of Beaufort County is a coalition of Beaufort County churches assisting homeless families through a 60 – 90 day program. The program provides evening accommodations for program participants at host churches and daytime transportation to school for children and educational programs for parents in the program.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The Town of Hilton Head Island does not own or operate any public housing developments or units and there is no future plan to own or operate public housing units. The Beaufort Housing Authority is the agency providing public housing to approximately 723 residents in Beaufort County, South Carolina and there are 293 units of housing located throughout the county. In the Town of Hilton Head Island the Beaufort Housing Authority operates 80 public housing units at the Sandalwood Terrace Apartments. The Town of Hilton Head Island did not set any specific public housing goals in the 2015 – 2019 Consolidated Plan.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The Beaufort Housing Authority works with resident services at each of the public housing developments and through this collaboration promote programs and activities for residents. Some of the programs offered include: the Family Self-Sufficiency Program which is a five year homeownership education program, Sandalwood Terrace Resident Council, free budgeting classes, community garden clubs, and guest speaker sessions on health, nutrition, community living and library use.

Actions taken to provide assistance to troubled PHAs

Not Applicable.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

Public policy changes are not currently planned. Affordable housing is encouraged through the Town of Hilton Head Island's Comprehensive Plan. Building codes do not prevent the provision of affordable housing, but are necessary to providing housing standards for safety and habitability. The inability to produce affordable housing units is largely due to the high cost of property within the Town of Hilton Head Island.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

To reduce the number of obstacles in meeting the needs of the underserved populations Town staff may assist with facilitating collaborations with area service organizations which spearhead community-wide solutions to local needs.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

Data for lead-based paint hazards in the Town of Hilton Head Island is unavailable. At this time actions to address lead-based paint hazards have not been identified.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The Town of Hilton Head Island anticipates continued participation in the Lowcountry Affordable Housing Coalition. This coalition consists of governmental entities, non-profit and private organizations striving to make housing more affordable in the Beaufort County area. The coalition has a focus on assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the Beaufort County Human Services Alliance resources are pooled and community needs addressed in the areas of economy, education, poverty, and health/environmental issues.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The Town of Hilton Head Island will continue to coordinate efforts and partnerships with state and local government entities such as Beaufort County, the Lowcountry Council of Governments, and various State of South Carolina offices to carry out the priority needs listed in the Annual Action Plan.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The Town of Hilton Head Island continues to participate in the Lowcountry Affordable Housing Coalition, which is under the auspices of Together for Beaufort and the Beaufort County Human Services Alliance. This coalition consists of governmental entities, non-profit and private organizations striving to make

housing more affordable in the Beaufort County area. The coalition has a focus on assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the Beaufort County Human Services Alliance resources are pooled and community needs are addressed in the areas of economy, education, poverty, and health/environmental issues.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

The Analysis of Impediments to Fair Housing Choice (AI) acknowledged eight impediments to fair housing choice: housing affordability, high cost of housing, inventory, transportation, small urban area, shelter and homelessness limited facilities, financial illiteracy, discrimination, and other.

Actions to overcome the effects of impediments identified in the AI include:

- In coordination with the Lowcountry Foundation, the Town of Hilton Head Island has committed to \$3.5 million of sewer improvements which will connect lower income areas which rely on septic systems to treat wastewater.
- The Town of Hilton Head Island uses CDBG entitlement funds to pave dirt roads located in low and moderate income areas.
- The Town of Hilton Head Island donated town-owned property for a 10 home Habitat for Humanity development.
- The Town of Hilton Head Island participates as a member of the Lowcountry Affordable Housing Coalition.
- In 2017 the Public Planning Committee of the Town Council of the Town of Hilton Head Island will form a task force to study the issue of the availability of workforce housing.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The Town of Hilton Head Island Community Development Department staff is responsible for ensuring CDBG program requirements and funds are managed and allocated in compliance with federal regulations and guidelines. Town staff adheres to the procurement requirements as stated in the Municipal Code of the Town of Hilton Head Island, South Carolina Title 11, Procurement and Purchasing. Monitoring is conducted on an as-needed basis.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

A public notice advertising the public meeting and 15 day public comment period for the 2016 CAPER was published in the newspaper with local circulation (The Island Packet) and posted on the Town of Hilton Head Island website on Sunday, July 30, 2017. In addition the public meeting notice was sent via email "blast" to individuals who submitted email addresses requesting notification of public notices. The 15 day public comment period began on Monday, August 7, 2017 and ended Tuesday, August 22, 2017 at 4:30pm. A public meeting was held on Tuesday, August 15, 2017 at 6pm in the Benjamin M. Racusin Council Chambers at the Town of Hilton Head Island Town Hall located at 1 Town Center Court, Hilton Head Island, South Carolina. There was one comment received during the 15 day public comment period. A summary of this comment is attached to this CAPER.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The year reported in this CAPER (2016) was the second year of the Town of Hilton Head Island 2015 – 2019 Consolidated Plan and the objectives in the plan to allocate CDBG funding for public improvement projects and program administrative costs did not change.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

DRAFT



Office of Community Planning and Development
U.S. Department of Housing and Urban Development
Integrated Disbursement and Information System
PR26 - CDBG Financial Summary Report
Program Year 2016
HILTON HEAD ISLAND , SC

DATE: 07-05-17
TIME: 15:45
PAGE: 1

PART I: SUMMARY OF CDBG RESOURCES

01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	0.00
02 ENTITLEMENT GRANT	196,123.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	0.00
05 CURRENT YEAR PROGRAM INCOME	0.00
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	0.00
08 TOTAL AVAILABLE (SUM, LINES 01-07)	196,123.00

PART II: SUMMARY OF CDBG EXPENDITURES

09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	160,491.27
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	160,491.27
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	1,012.07
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	0.00
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	161,503.34
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	34,619.66

PART III: LOW/MOD BENEFIT THIS REPORTING PERIOD

17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0.00
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	160,491.27
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	0.00
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	160,491.27
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	100.00%

LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS

23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%

PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS

27 DISBURSED IN IDIS FOR PUBLIC SERVICES	0.00
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	0.00
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	0.00
32 ENTITLEMENT GRANT	196,123.00
33 PRIOR YEAR PROGRAM INCOME	0.00
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	196,123.00
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	0.00%

PART V: PLANNING AND ADMINISTRATION (PA) CAP

37 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	1,012.07
38 PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
39 PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
40 ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	0.00
41 TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 + LINE 40)	1,012.07
42 ENTITLEMENT GRANT	196,123.00
43 CURRENT YEAR PROGRAM INCOME	0.00
44 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45 TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	196,123.00
46 PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	0.52%



Section 3 Summary Report

Economic Opportunities for Low- and Very Low-Income Persons

U.S. Department of Housing and Urban Development

Office of Fair Housing and Equal Opportunity

OMB Approval No. 2529-0043
(exp. 11/30/2018)

Disbursement Agency
HILTON HEAD, TOWN OF
1 TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928
57-0752325

Reporting Entity
HILTON HEAD, TOWN OF
1 TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928

Dollar Amount	\$161,503.34
Contact Person	Marcy Benson
Date Report Submitted	08/25/2017

Reporting Period		Program Area Code	Program Area Name
From	To		
7/1/16	6/30/17	CDB1	Community Devel Block Grants

Part I: Employment and Training

Job Category	Number of New Hires	Number of New Hires that Are Sec. 3 Residents	Aggregate Number of Staff Hours Worked	Total Staff Hours for Section 3 Employees	Number of Section 3 Trainees
The expenditure of these funds did not result in any new hires.					

Total New Hires	0
Section 3 New Hires	0
Percent Section 3 New Hires	N/A
Total Section 3 Trainees	0
The minimum numerical goal for Section 3 new hires is 30%.	

Part II: Contracts Awarded

Construction Contracts	
Total dollar amount of construction contracts awarded	\$170,231.00
Total dollar amount of contracts awarded to Section 3 businesses	\$0.00
Percentage of the total dollar amount that was awarded to Section 3 businesses	0.0%
Total number of Section 3 businesses receiving construction contracts	0
The minimum numerical goal for Section 3 construction opportunities is 10%.	

Non-Construction Contracts	
Total dollar amount of all non-construction contracts awarded	\$0.00
Total dollar amount of non-construction contracts awarded to Section 3 businesses	\$0.00
Percentage of the total dollar amount that was awarded to Section 3 businesses	N/A
Total number of Section 3 businesses receiving non-construction contracts	0
The minimum numerical goal for Section 3 non-construction opportunities is 3%.	

Part III: Summary

Indicate the efforts made to direct the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs, to the greatest extent feasible, toward low- and very low-income persons, particularly those who are recipients of government assistance for housing.

No	Attempted to recruit low-income residents through: local advertising media, signs prominently displayed at the project site, contacts with community organizations and public or private agencies operating within the metropolitan area (or nonmetropolitan county) in which the Section 3 covered program or project is located, or similar methods.
No	Participated in a HUD program or other program which promotes the training or employment of Section 3 residents.
No	Participated in a HUD program or other program which promotes the award of contracts to business concerns which meet the definition of Section 3 business concerns.
No	Coordinated with Youthbuild Programs administered in the metropolitan area in which the Section 3 covered project is located.
No	Other; describe below.

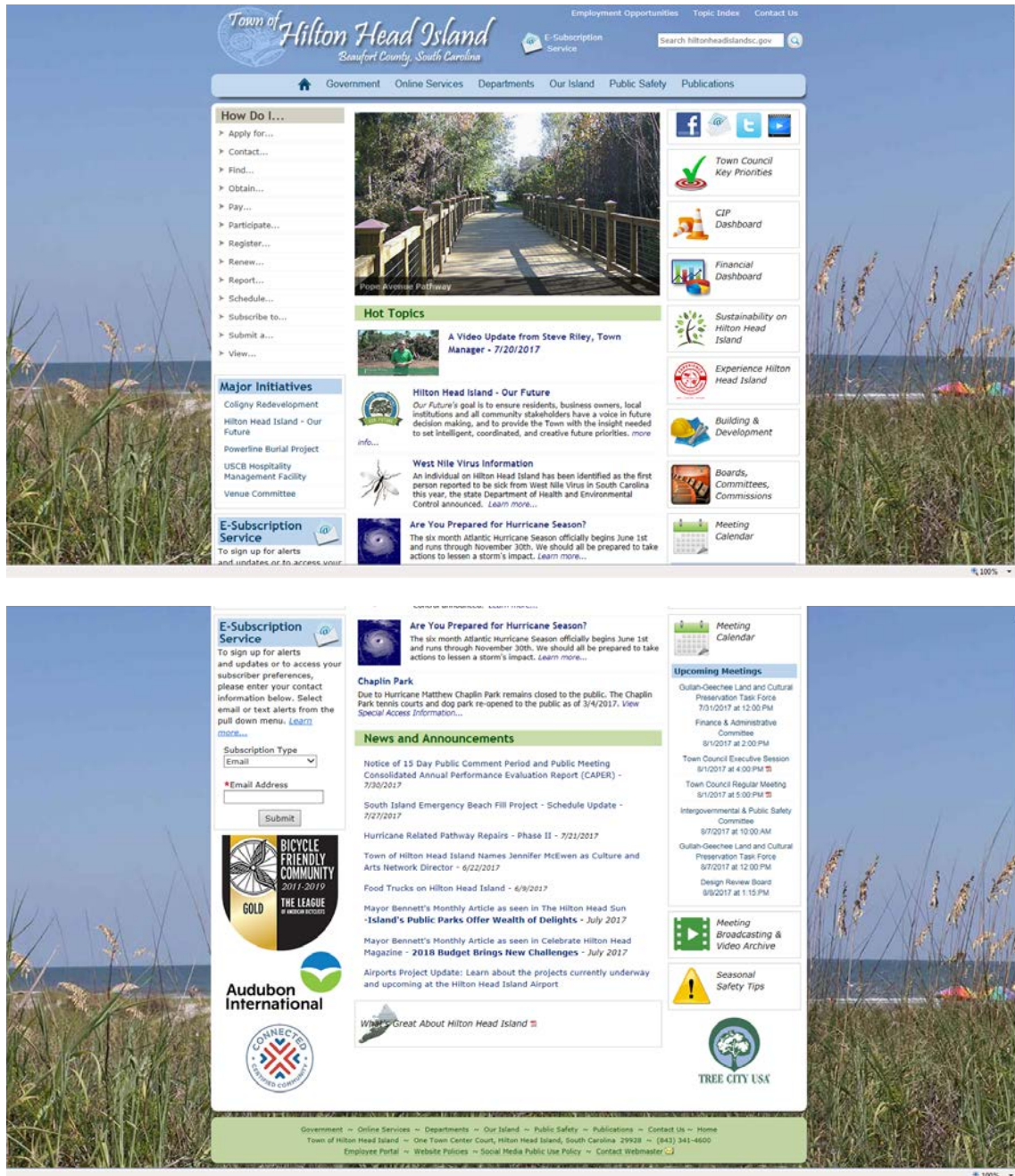
All procurement procedures were followed in the invitation to bid solicitation for the construction contract listed in this report. Three local contractors submitted bids for this construction contract and the lowest bid was selected per procurement procedures. In an effort to reach as many bidders as possible advertisements were published in the Island Packet, a newspaper of local circulation, the South Carolina Business Opportunities weekly publication and on the Town of Hilton Head Island website.

**NOTICE OF 15 DAY PUBLIC COMMENT PERIOD
AND PUBLIC MEETING
CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT
(CAPER)**

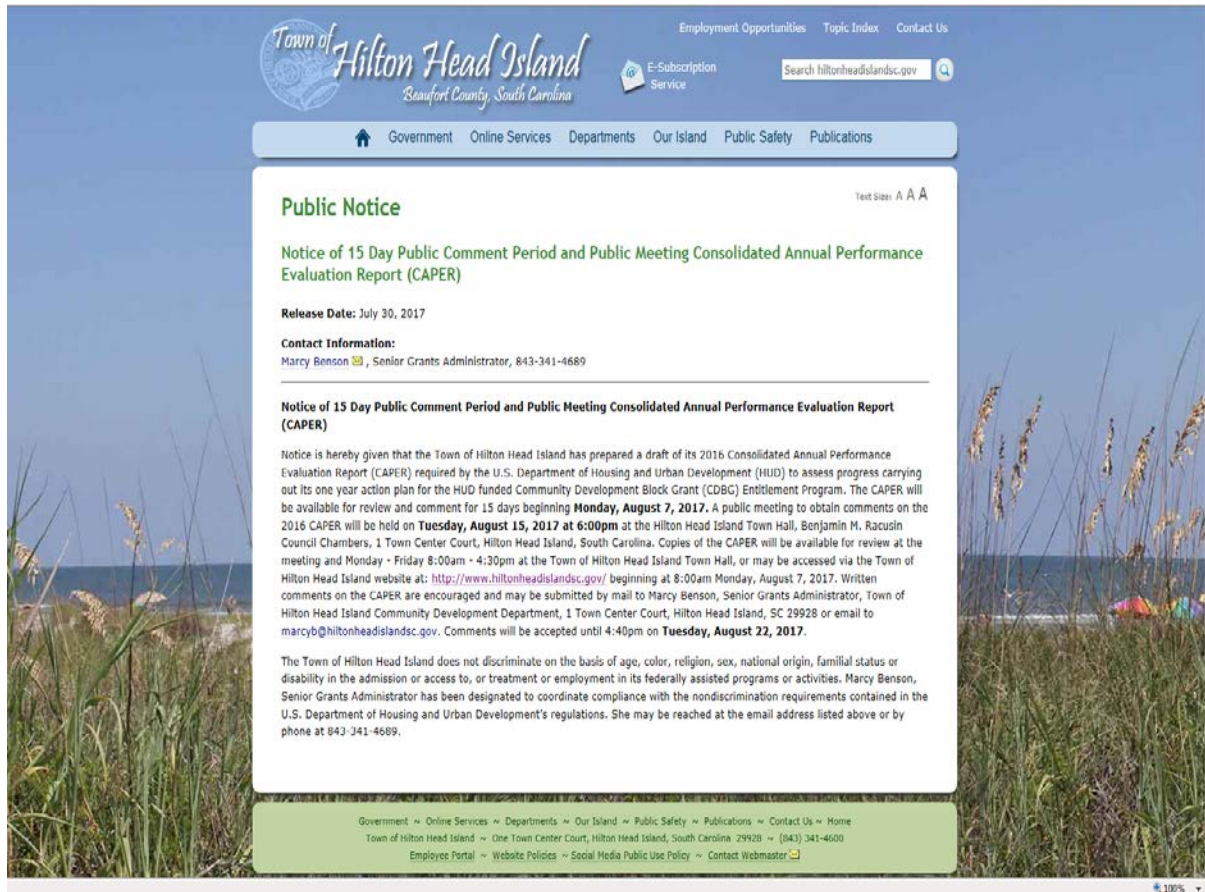
Notice is hereby given that the Town of Hilton Head Island has prepared a draft of its 2016 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning **Monday, August 7, 2017**. A public meeting to obtain comments on the 2016 CAPER will be held on **Tuesday, August 15, 2017 at 6:00pm** at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the CAPER will be available for review at the meeting and Monday – Friday 8:00am – 4:30pm at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at: <http://www.hiltonheadislandsc.gov/> beginning at 8:00am Monday, August 7, 2017. Written comments on the CAPER are encouraged and may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to marcyb@hiltonheadislandsc.gov. Comments will be accepted until 4:40pm on **Tuesday, August 22, 2017**.

The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at (843) 341-4689.

Town of Hilton Head Island Website – Main Page
July 30, 2017
2016 CAPER Public Comment Period and Public Meeting Notice



Town of Hilton Head Island Website
July 30, 2017
2016 CAPER Public Comment Period and Public Meeting Notice Page



The screenshot shows the official website of the Town of Hilton Head Island, Beaufort County, South Carolina. The header includes the town's logo, navigation links for Employment Opportunities, Topic Index, and Contact Us, an E-Subscription Service icon, and a search bar. A secondary navigation bar lists Government, Online Services, Departments, Our Island, Public Safety, and Publications. The main content area features a 'Public Notice' section with a green title. The notice text, dated July 30, 2017, is from Marcy Benson, Senior Grants Administrator. It announces a 15-day public comment period for the 2016 Consolidated Annual Performance Evaluation Report (CAPER), starting Monday, August 7, 2017, and ending Tuesday, August 22, 2017. A public meeting is scheduled for Tuesday, August 15, 2017, at 6:00pm at the Hilton Head Island Town Hall. The notice also includes a disclaimer about non-discrimination.

Town of Hilton Head Island
Beaufort County, South Carolina

Employment Opportunities Topic Index Contact Us

E-Subscription Service

Search hiltonheadislandsc.gov

Government Online Services Departments Our Island Public Safety Publications

Public Notice

Text Size: A A

Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)

Release Date: July 30, 2017

Contact Information:
Marcy Benson, Senior Grants Administrator, 843-341-4689

Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)

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Government ~ Online Services ~ Departments ~ Our Island ~ Public Safety ~ Publications ~ Contact Us ~ Home
Town of Hilton Head Island ~ One Town Center Court, Hilton Head Island, South Carolina 29928 ~ (843) 341-4600
Employee Portal ~ Website Policies ~ Social Media Public Use Policy ~ Contact Webmaster

100%

From: [Phillips Rene](#)
To: [Benson Marcy](#)
Subject: Fwd: Courtesy Copy: Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)
Date: Sunday, July 30, 2017 4:44:04 PM

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Town of Hilton Head Island <updates@secure.hiltonheadislandsc.gov>
Date: 7/30/17 8:15 AM (GMT-05:00)
To: "Spinella, Kelly" <kellys@hiltonheadislandsc.gov>, Phillips Rene <renep@hiltonheadislandsc.gov>, Smith Faidra <FaidraS@hiltonheadislandsc.gov>
Subject: Courtesy Copy: Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)

This is a courtesy copy of an email bulletin sent by Rene Phillips.

This bulletin was sent to the following groups of people:

Subscribers of Legal Notices or Media Releases (3018 recipients)

Town of Hilton Head Island



Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)

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Hilton Head Island, SC 29928 or email to marcyb@hiltonheadislandsc.gov.
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STAY CONNECTED:



Questions for the Town of Hilton Head Island? [Contact Us](#)

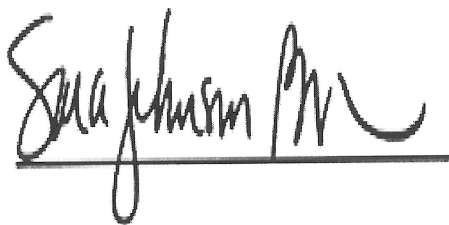
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THE ISLAND PACKET
The Beaufort Gazette

STATE OF)
SOUTH CAROLINA) **AFFIDAVIT**
COUNTY OF BEAUFORT)

Personally appeared before me a Notary Public, in and for State and County, aforesaid, Sara Johnson Borton who being duly sworn according to law, deposes and says that she is the Publisher and President of *The Island Packet and The Beaufort Gazette*, newspapers published Sunday through Saturday every week in Beaufort County, **TOWN OF HILTON HEAD ISLAND, Notice of 15-Day Comment Period And Public Meeting** was published in the issue of *The Island Packet/The Beaufort Gazette* on July 30, 2017.



Sara Johnson Borton,
Publisher and President
The Island Packet/The Beaufort Gazette

Subscribed and sworn to before
me this 30th day of July, 2017



Amy L. Robbins
Notary Public for South Carolina
My Commission Expires on November 27, 2022

SUNDAY JULY 30 2017

ISLANDPACKET.COM BEAUFORTGAZETTE.COM



NOTICE OF 15 DAY PUBLIC COMMENT PERIOD AND PUBLIC MEETING CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)

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From: [Phillips Rene](#)
To: [Benson Marcy](#)
Subject: FW: Courtesy Copy: Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)
Date: Monday, August 07, 2017 8:14:00 AM

FYI-

*René Phillips, CIW, Website Administrator
Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
843-341-4792
www.hiltonheadislandsc.gov*

From: Town of Hilton Head Island [mailto:updates@secure.hiltonheadislandsc.gov]
Sent: Monday, August 07, 2017 8:13 AM
To: Spinella, Kelly; Phillips Rene; Smith Faidra
Subject: Courtesy Copy: Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)

This is a courtesy copy of an email bulletin sent by Rene Phillips.

This bulletin was sent to the following groups of people:

Subscribers of Legal Notices or Media Releases (3025 recipients)

Town of Hilton Head Island



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and may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to marcyb@hiltonheadislandsc.gov.

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View the draft report and comment at

<http://services.hiltonheadislandsc.gov/publiccomment/>



STAY CONNECTED:

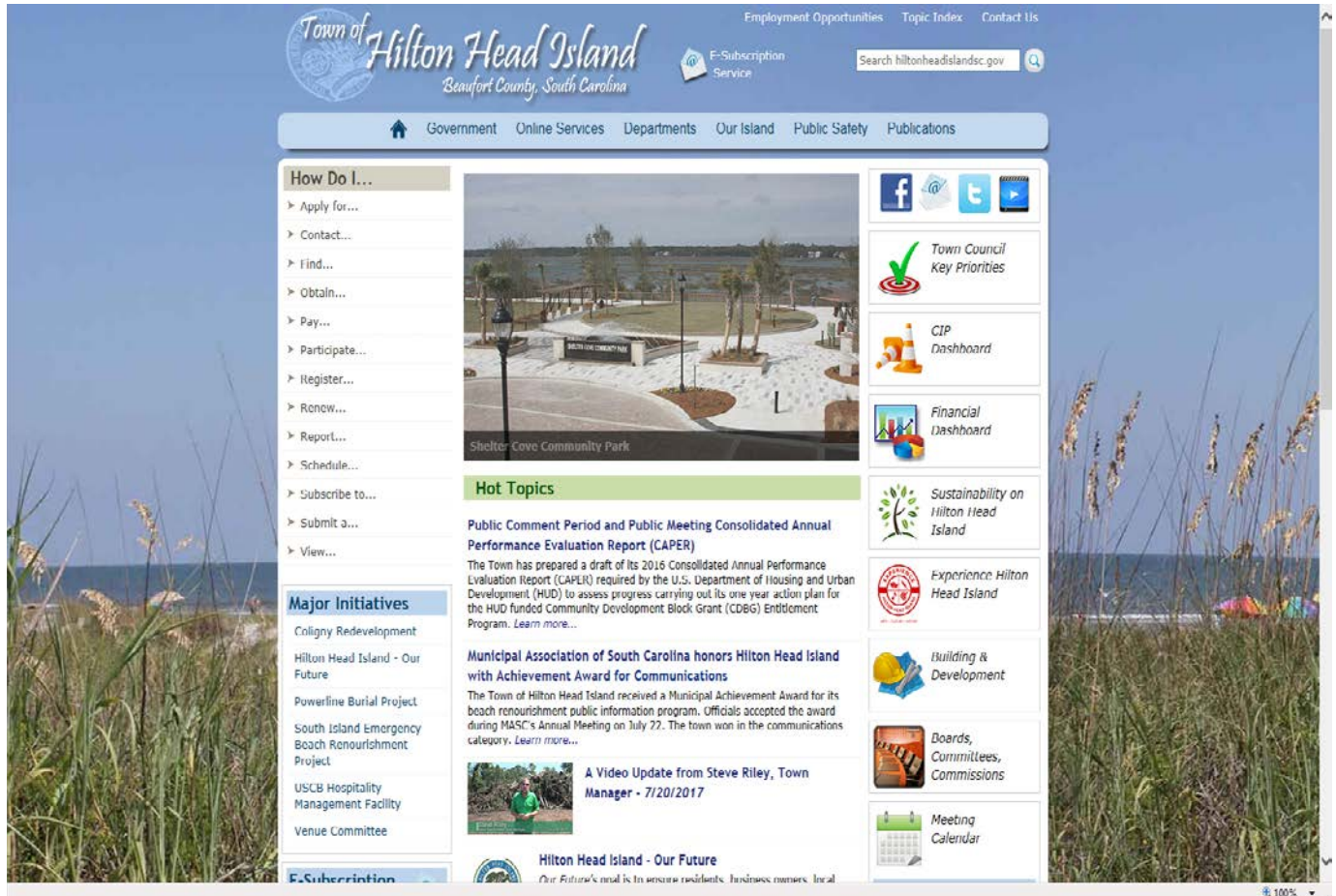


Questions for the Town of Hilton Head Island? [Contact Us](#)

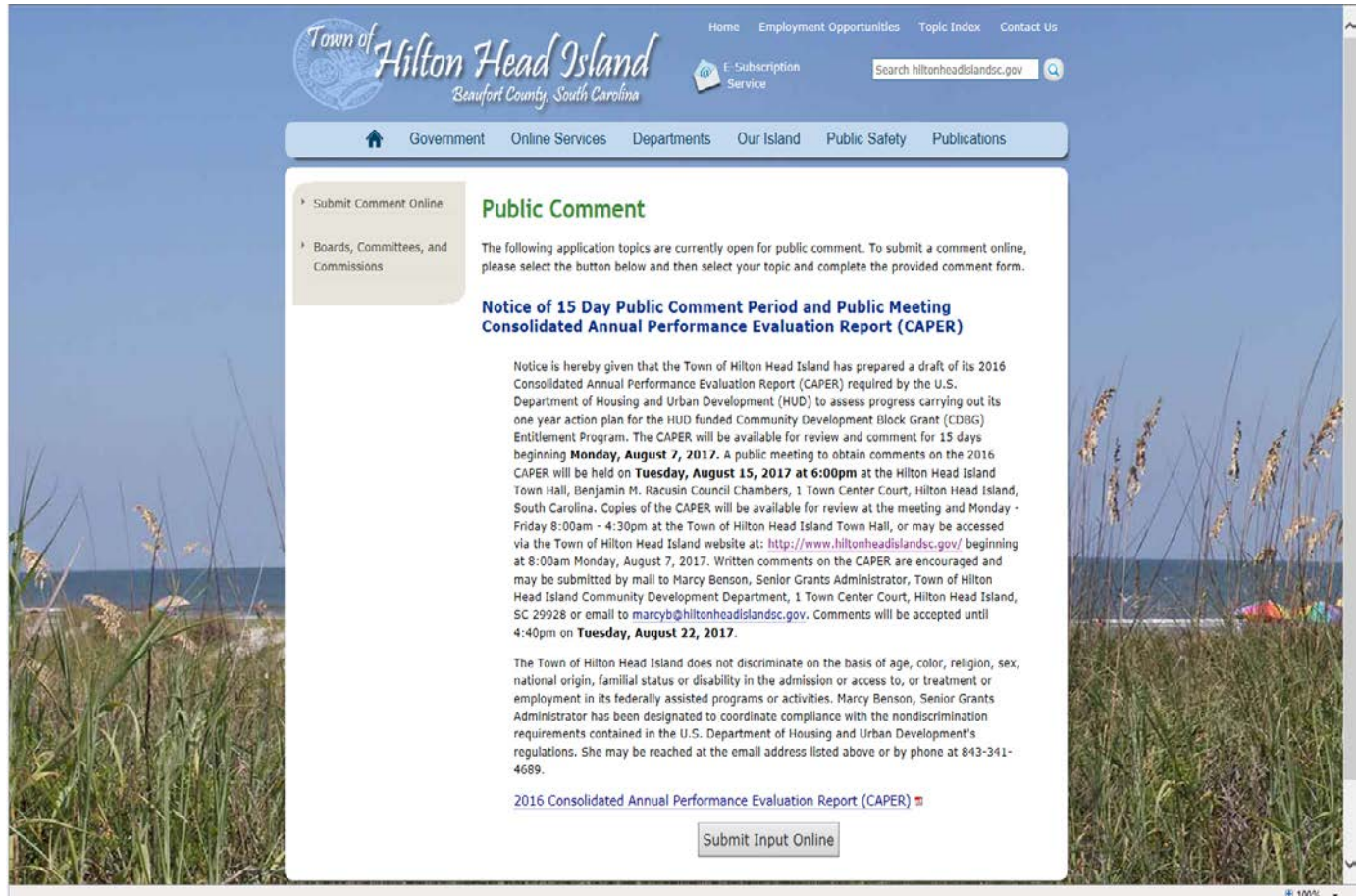
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Town of Hilton Head Island Website – Main Page
August 7, 2017 – Start of 15 Day Public Comment Period
2016 CAPER Notice



Town of Hilton Head Island Website
August 7, 2017 – Start of 15 Day Public Notice Comment Period
2016 CAPER Notice Page with Document Linked for Comments



The screenshot shows the official website of the Town of Hilton Head Island, Beaufort County, South Carolina. The header includes the town's logo and navigation links for Home, Employment Opportunities, Topic Index, and Contact Us. A search bar is located in the top right corner. Below the header, a secondary navigation bar lists Government, Online Services, Departments, Our Island, Public Safety, and Publications. The main content area is titled "Public Comment" and features a sidebar with links to "Submit Comment Online" and "Boards, Committees, and Commissions". The central text provides a notice regarding the 2016 Consolidated Annual Performance Evaluation Report (CAPER), detailing the 15-day public comment period from August 7 to August 22, 2017. It includes information about the public meeting on August 15, 2017, and provides contact information for Marcy Benson, Senior Grants Administrator. A link to the CAPER report is provided, and a "Submit Input Online" button is located at the bottom of the notice.

Town of Hilton Head Island
Beaufort County, South Carolina

Home Employment Opportunities Topic Index Contact Us

E-Subscription Service

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Government Online Services Departments Our Island Public Safety Publications

Submit Comment Online

Boards, Committees, and Commissions

Public Comment

The following application topics are currently open for public comment. To submit a comment online, please select the button below and then select your topic and complete the provided comment form.

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[2016 Consolidated Annual Performance Evaluation Report \(CAPER\)](#)

Submit Input Online

TOWN OF HILTON HEAD ISLAND

2016 Consolidated Annual Performance Evaluation Report (CAPER)

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ENTITLEMENT PROGRAM**

August 15, 2017 6:00PM

AGENDA

- Welcome and Sign-in
- CDBG Entitlement Program & CAPER Overview
- Proposed vs. Actual Outcomes
- Resources Available and Geographic Distribution
- Public Discussion
- Next Steps in CAPER Process

PLEASE SIGN IN:

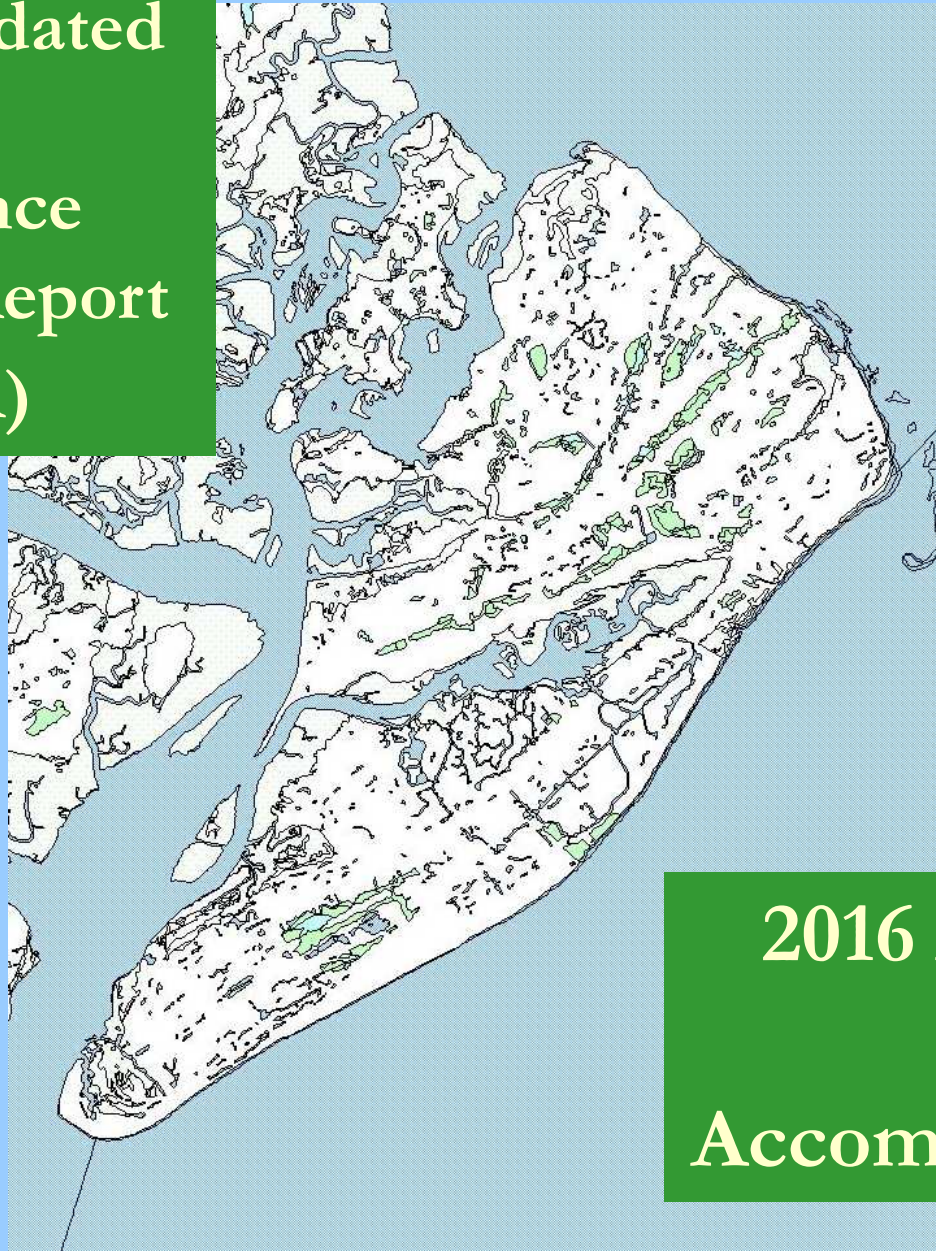
NAME	MAILING ADDRESS	EMAIL ADDRESS

No Meeting Attendees

2016 Consolidated Annual Performance Evaluation Report (CAPER)

TOWN OF
HILTON
HEAD
ISLAND, SC

August 15, 2017
PUBLIC
MEETING



2016 Activities and Accomplishments

Community Development Block Grant Entitlement Program (CDBG)

- Federal grant program administered by the U.S Department of Housing & Urban Development (HUD).
- Provides annual grants on a formula basis to entitled cities and counties based on population data from the U.S. Census Bureau.
- Funds are to be used to benefit low and moderate income persons based on HUD guidelines and U.S. Census data.

2016 Consolidated Annual Performance Evaluation Report (CAPER)

- Requirement of the CDBG Entitlement Program.
- Reports expenditures, accomplishments and progress towards achieving goals & objectives identified in the 2015-2019 Five Year Consolidated Plan and 2016 Annual Action Plan.
- Due annually 90 days after the close of the program year (September 29, 2017).

Proposed vs. Actual Outcomes

Goal	Category	Source/ Amount	Indicator	Unit of Measure	Expected Strategic Plan	Actual Strategic Plan	Percent Complete	Expected Program Year	Actual Program Year	Percent Complete
Blazing Star Lane Paving	Non-Housing Community Development	CDBG: \$179,937	Public Facility or Infrastructure Activities other than Low/ Moderate Income Housing Benefit	Persons Assisted	30	30	100%	30	30	100%
Development of Consolidated Plan	Administrative & Planning	CDBG: \$22,410	Public Facility or Infrastructure Activities other than Low/ Moderate Income Housing Benefit	Persons Assisted	37,099	37,099	100%	37,099	37,099	100%
Rhiner Drive Paving	Non-Housing Community Development	CDBG: \$196,123	Public Facility or Infrastructure Activities other than Low/ Moderate Income Housing Benefit	Persons Assisted	20	0	0%	0	0	0%

Resources Available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	HUD	\$196,123	\$1,012.07

Geographic Distribution

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Census Tract 105	98	0	Funds for infrastructure improvements in Census Tract 105, which meets LMI requirements.
Census Tract 108	0	0	No CDBG funded projects were planned in Census Tract 108 for the 2016 program year.
Town-Wide	2	.5%	Funds for program administration costs which meet HUD requirements.

What Will Be Done Next?

- Public comment period ends August 22, 2017.
- Comments will be summarized and included in the draft CAPER.
- The draft CAPER will be presented at the September 19th Town Council meeting.
- The final CAPER will be submitted to HUD by September 29, 2017.

~ Thank you for participating ~

Public Meeting Minutes
Public Meeting to Solicit Comments and Discuss
Community Development Block Grant (CDBG) Entitlement Program
2016 Consolidated Annual Performance Evaluation Report (CAPER)

Tuesday, August 15, 2017 6:00pm
Benjamin M. Racusin, Council Chambers of the Town Hall
1 Town Center Court, Town of Hilton Head Island

Present: No members of the public attended. See attached sign-in sheet.

Marcy Benson, Senior Town Grants Administrator was present in the Benjamin M. Racusin, Council Chambers of the Town of Hilton Head Island Town Hall at the noticed 6pm meeting start time. A PowerPoint presentation was prepared and ready for presentation describing the Town of Hilton Head Island Community Development Block Grant (CDBG) 2016 Consolidated Annual Performance Evaluation Report (CAPER). Copies of the 2016 CAPER were available for distribution at the meeting and via the Town of Hilton Head Island website. No members of the public attended this public meeting.

Town of Hilton Head Island

2016 Consolidated Annual Performance Report (CAPER)

Public Comment Form

<http://services.hiltonheadislandsc.gov/publiccomment/>



Progress Appreciated by those
are residents on Blazing Star Lane!

Optional:

Name:

Address:

Phone:

Email:

Return to:

Marcy Benson, Senior Grants Administrator
Town of Hilton Head Island – Community Development Department
1 Town Center Court
Hilton Head Island, SC 29928
(843) 341-4689
Marcyb@hiltonheadislandsc.gov

Public Comment Summary
For the Town of Hilton Head Island
2016 Consolidated Annual Performance Evaluation Report
(CAPER)

Public Comments Received During 15 Day Comment Period (August 7 – August 22, 2017):

1. Progress appreciated by those are residents on Blazing Star Lane!

Public Comments Received at August 15, 2017 Town of Hilton Head Island CAPER Public Meeting:

No comments were received.



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Charles Cousins, AICP, *Director of Community Development*
VIA: Jennifer Ray, ASLA, *Planning and Special Projects Manager*
FROM: Anne Cyran, AICP, *Senior Planner*
CC: Shawn Colin, AICP, *Deputy Director of Community Development*
DATE: September 1, 2017
SUBJECT: Arts & Cultural Strategic Planning Committee Dissolution

Recommendation: Staff recommends that Town Council adopt a resolution to dissolve the Arts & Cultural Strategic Planning Committee.

Summary: Adopting a resolution to dissolve the Art & Cultural Strategic Planning Committee will officially conclude the work effort assigned to that group by Town Council.

Background: The Arts & Cultural Strategic Planning Committee, which was established on April 21, 2015, met 19 times over a six month period. The Committee, tasked with determining the role of Town Government and other entities in supporting the island's arts and cultural organization, met up to four times a month in an effort to complete the task assigned to them. The final report accomplishes the task set out for the Committee by Town Council.

The Committee worked quickly to present their findings at Town Council's workshop. They reviewed documents from previous studies, identified and interviewed constituents and organizations, documented the current state of arts and cultural organizations, develop possible actions to be taken by Town Council to support the Arts & Cultural Mission Statement with supporting financial data, and developed and presented a statement of prioritized recommendations to Town Council.

The members of this Committee worked diligently throughout the process and are to be publicly commended for their tireless efforts related to this project.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SC TO DISSOLVE THE ARTS & CULTURAL STRATEGIC PLANNING COMMITTEE.

WHEREAS, the Arts & Cultural Strategic Planning Committee was established on April 21, 2015, as a temporary committee under the oversight of the Community Services Committee to determine the role, if any, of Town government and other entities in supporting the island's arts and cultural organizations; and

WHEREAS, the Arts & Cultural Strategic Planning Committee has completed their task by issuing their report; and

WHEREAS, Town Council was presented the report on January 19, 2016; and

NOW, THEREFORE, BE IT, AND IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA:

SECTION 1: THAT THE TOWN EXTENDS ITS THANKS TO THE MEMBERS OF THE ARTS & CULTURAL STRATEGIC PLANNING COMMITTEE FOR THEIR EFFORTS IN COMPLETING THEIR TASK AND DOES HEREBY PUBLICLY COMMEND THEM FOR THEIR EFFORTS.

SECTION 2: THE ARTS & CULTURAL STRATEGIC PLANNING COMMITTEE IS TO BE DISSOLVED ON SEPTEMBER 19, 2017.

MOVED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2017.

David Bennett, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

Approved as to form: _____
Gregory M. Alford, Town Attorney

Introduced by Council Member:_____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO:	Stephen G. Riley ICMA~ CM, <i>Town Manager</i>
VIA:	Charles Cousins, AICP, <i>Community Development Director</i>
VIA:	Jennifer Ray, ASLA, <i>Planning and Special Projects Manager</i>
FROM:	Jayne Lopko, AICP, <i>Senior Planner</i>
CC:	Shawn Colin, AICP, <i>Deputy Director of Community Development</i>
DATE:	August 29, 2017
SUBJECT:	Public Art Agreement

Recommendation: That Town Council adopt a resolution authorizing the Mayor to execute and deliver a gift agreement with the Community Foundation of the Lowcountry (CFL) for the acquisition of the “Setting Sun” sculpture.

The Public Facilities Committee met on August 28, 2017 and voted unanimously to recommend that Town Council adopt a resolution authorizing the Mayor to execute and deliver a gift agreement with the Community Foundation of the Lowcountry (CFL) for the acquisition of the “Setting Sun” sculpture.

Summary: The Public Art Committee of the CFL held a Public Art Exhibition at Honey Horn from October 1, 2015 through December 31, 2015. During this exhibition, a jury selected one of the art pieces for CFL’s Public Art Fund to purchase and donate to the Town for placement on a location to be approved by Town Council. “Setting Sun”, an aluminum and steel sculpture that depicts the radials of the setting sun was selected by the jury and announced during a ceremony held on November 17, 2015. The Public Art Committee requested that “Setting Sun” be placed within the new Coligny Park.

Background: The Community Foundation of the Lowcountry created a Public Art Fund for the purpose of funding and acquiring public art and outdoor sculpture to be placed in the public realm on Hilton Head Island.

Since 2010, Town Council has continued to give financial support each year to the biennial Public Art Exhibition held at Honey Horn. During each exhibition a jury is formed by the Public Art Committee of the CFL to select the winning piece from the exhibition for purchase by the CFL’s Public Art Fund. The selected piece is then donated to the Town for installation at an approved location.

The jury for the 2015 Public Art Exhibition chose “Setting Sun” as the winning piece of the exhibition. “Setting Sun” was purchased by the Public Art Fund and slated for installation within the new Coligny Park when it was completed.

The construction timing for the new Coligny Park is projected for next fiscal year. The CFL would like to place this piece temporarily at Honey Horn until the construction of the park will allow for the piece to be permanently installed. A temporary location will be determined by the Public Art Committee, Town staff, and the Coastal Discovery Museum.

Town Council adopted the Fiscal Year 2018 budget, including the Capital Improvement Program (CIP), which included funding for the installation and maintenance of public art.

Execution of the Foundation's attached Gift Agreement does hereby donate the artwork to the Town of Hilton Head Island and its citizens.

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF A GIFT AGREEMENT WITH THE COMMUNITY FOUNDATION OF THE LOWCOUNTRY FOR THE ACQUISITION OF THE “SETTING SUN” SCULPTURE.

WHEREAS, the Community Foundation of the Lowcountry (hereinafter called “Foundation”) created a Public Art Fund for the purpose of funding and acquiring public art and outdoor sculpture to be placed in the public realm on Hilton Head Island (hereinafter called (“Town”), and;

WHEREAS, the Town acknowledges the value of public art and has committed to support art in the public realm, and;

WHEREAS, the Town in partnership with the Foundation’s Public Art Fund Committee have developed the Town’s Public Art Program, and;

WHEREAS, the Public Art Fund Committee evaluates and approves all pieces of art suggested for acceptance into the Town’s Public Art Program, and;

WHEREAS, the Town accepts pieces of art that are recommended by the Public Art Fund Committee to be included in the Town’s Public Art Program, and;

WHEREAS, “Setting Sun” will be purchased by the Foundation’s Public Art Fund Committee for inclusion in the Town’s Public Art Program;

NOW, THEREFORE, BE IT, AND IT HEREBY IS, RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT:

1. The Mayor is hereby authorized to accept the gift including the agreement and the Town Manager is hereby authorized to execute and deliver a gift agreement with the Community Foundation of the Lowcountry for the acquisition of the “Setting Sun” sculpture, a copy of which is attached hereto.

2. The Mayor and Town Manager are hereby authorized to take such other and further actions as may be necessary to complete the actions authorized hereby.

**MOVED, APPROVED, AND ADOPTED BY TOWN COUNCIL THIS ____
DAY OF _____, 2017.**

David G. Bennett, Mayor

Attest:

**By: _____
Krista Wiedmeyer, Town Clerk**

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

adequate site preparation, including construction of a suitable base for the Artwork prior to delivery and installation.

4. Maintenance, Repairs, and Restoration. The Town will not intentionally destroy, damage, alter, modify, or change the Artwork in any material way. The Town shall be responsible for the periodic maintenance of the Artwork. The periodic maintenance shall include the cleaning of the Artwork, as described in Exhibit A, and otherwise keeping the Artwork in good condition and repair.

5. Insurance. The Town shall be responsible for maintaining property insurance on the full value of the Artwork. The Town and the Foundation agree that the current value of the Artwork is Forty Thousand dollars (\$40,000.00). In the event of loss or damage, the insurance proceeds shall be used to repair, restore, or replace the Artwork. If after such loss or damage the Town determines that the loss or damage is so material and substantial as to require abandonment of the Artwork rather than repair, restoration, or replacement, then the insurance proceeds shall be paid to the Foundation, less any costs paid by the Town for prior maintenance, repairs, restoration and the cost of insurance of the Artwork.

6. Right of Repurchase. In the event the Town determines that it is unable or unwilling to continue to maintain, repair, or restore the Artwork, or if the Town decides to no longer publicly display the Artwork, the Town shall offer the Foundation the right to repurchase the Artwork for the sum of One dollar (\$1.00).

7. Miscellaneous.

(a) This Agreement constitutes the entire understanding between the parties. Its terms may be amended only by an instrument in writing signed by both parties.

(b) It is intended that each paragraph and subparagraph of this Agreement shall be viewed as separate and divisible; and in the event that any paragraph or subparagraph shall be held to be invalid or unenforceable, the remaining paragraphs and subparagraphs shall continue to be in full force and effect.

(c) This Agreement constitutes an enforceable legal obligation and is binding upon, and shall inure to the benefit of, the parties to it and their respective legal representatives, successors and assigns.

(d) This Agreement shall be construed in accordance with, and shall be governed by, the laws of the State of South Carolina.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures hereto the date first written hereinabove.

WITNESSES:

**COMMUNITY FOUNDATION OF THE
LOWCOUNTRY, INC.**

By: _____

Its: _____

WITNESSES:

TOWN OF HILTON HEAD ISLAND

By: _____
Stephen G. Riley

Its: Town Manager

EXHIBIT A

DESCRIPTION AND MAINTENANCE OF THE ARTWORK

EXHIBIT A

Description and Maintenance of the Artwork

"Setting Sun" is a steel sculpture measuring 19 feet tall, 19 feet wide and 19 feet deep. The structure is designed to bolt to a concrete surface.

This is a steel sculpture with an epoxy primer, finished with car paint and is intended for outdoor use. It can be washed like a car for dirt as needed.



EXHIBIT B

LOCATION OF PUBLIC ART IN COLIGNY PARK

EXHIBIT B
Location of Public Art in Coligny Park

The sculpture is located on Town owned land in the new Coligny Park. The specific location will be determined by the Town of Hilton Head Island in conjunction with the Community Foundation of the Lowcountry's Public Art Committee. The attached "Overall Schematic Park Plan" shows the proposed location within the expanded pond.



COLIGNY PARK

OVERALL SCHEMATIC PARK PLAN

PREPARED FOR:

TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

DATE: 09-9-15



4 Northridge Drive, Suite A • Post Office Box 23019 • Hilton Head Island, SC 29925

P: 843.681.9100 • F: 843.681.9101 • cf-lowcountry.org

August 14, 2017

The Honorable David Bennett
Mayor, Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928

Dear Mayor Bennett,

During each Public Art Exhibition on Hilton Head Island, our jury selects one Purchase Prize winner. That piece is then donated to the Town of Hilton Head Island for its growing public art collection.



In 2015, our Purchase Prize Winner was "Setting Sun," by artist Tom Holmes of Pennsylvania. The piece was slated for permanent installation in the new Coligny Park. However, construction issues and Hurricane Matthew have caused delays.

Since the mission of the Public Art Fund is to encourage the community's exposure to – and enjoyment of – public art, and since the permanent installation site for "Setting Sun" will not be ready for many months, the Public Art Advisory Committee, working with Coastal Discovery Museum, has agreed to temporarily install the piece at Coastal Discovery Museum until Coligny Park is completed.

Our plan is to install the piece at Coastal Discovery Museum in late October, to commemorate the anniversary of Hurricane Matthew.

Therefore, we now request that at their September 19, 2017 meeting, Town Council accept "Setting Sun" into the Town's public art collection.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean M. Heyduck", with a long, sweeping horizontal line extending to the right.

Jean M. Heyduck
Vice President for Marketing and Communications



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Charles Cousins, AICP, *Director of Community Development*
VIA: Jennifer Ray, ASLA, *Planning and Special Projects Manager*
FROM: Jayme Lopko, AICP, *Senior Planner*
CC: Shawn Colin, AICP, *Deputy Director of Community Development*
DATE: September 7, 2017
SUBJECT: Venue Phase 2 - Evaluation of a Community Arts Center

Recommendation: Town Council authorize the Town Manager to direct staff to engage the consultant to move forward with the evaluation of a Community Arts Center as outlined in the Venue Committee's recommendations (Exhibit A) and to provide input on the attached scope (Exhibit B).

The Community Services Committee met on July 27, 2017 and made a recommendation that Town Council authorize the Town Manager to direct staff to engage the consultant to move forward with the evaluation of a Community Arts Center as outlined in the Venue Committee's recommendation (Exhibit A).

Summary: The proposed action by Town Council would provide clarity and direction for Phase 2 Venue effort which at this point is authorization to complete an evaluation of a Community Arts Center as outlined in the Venue Committee's recommendations (Exhibit A).

Background: The Venue Committee has been working over the past year researching and gathering information on entertainment, arts, culture, and heritage in our area and areas similar to ours. The Committee reviewed the recommendations of Webb Management along with the information they had collected and researched to respond to each of those recommendations. In addition, the Venue Committee suggested steps that could be taken with the consultant to advance some of the recommendations in Phase Two of the project. On April 20, 2017, the Venue Committee voted unanimously to recommend to the Community Services Committee that Town Council approve the Venue Committee's recommendations on Phase One: Needs Assessment.

On May 22, 2017 the Community Services Committee voted to forward a recommendation of approval to Town Council on Phase One: Needs Assessment. On June 6, 2017, Town Council voted to accept the Venue Committee's recommendations from the Phase One: Needs Assessment.

The Community Services Committee met June 5th and again on June 27th to provide clarity on this item and made a recommendation that Town Council authorize the Town Manager to direct staff to engage the consultant to move forward with the evaluation of a Community Arts Center as outlined in the Venue Committee's recommendations.

Evaluation of a Community Arts Center

September 7, 2017

Page 2

Town Council asked the Town Manager to have staff coordinate with the Venue Committee and the consultant to develop a scope of work and once completed provide it to Town Council for information.

Town Staff coordinated with consultant Duncan Webb and a core group of Venue Committee members including, Cindy Creamer, Jane Joseph, Tim Ridge and Bob Lee to develop a draft scope of work for the evaluation of a Community Art Center as recommended by the Venue Committee and Town Council for Phase 2 of the Venue effort.

The Venue Committee met on August 16, 2017 to review the draft scope of work, provide input and recommend revisions. The Committee voted unanimously to approve an agreed upon scope and to send it to the consultant to develop a final proposal for the evaluation of the Community Arts Center element. This effort has been completed and the final document is ready to share with Town Council (Exhibit B).

Attachment:

Exhibit A – Venue Committee Recommendations

Exhibit B – Phase 2 Scope of Services

EXHIBIT A

Venue Committee Recommendations

From April 20, 2017 Meeting

Community Arts Center

The most basic facility which Hilton Head as a community needs, is a Community Arts Center which can provide a combination of rentals, presentations, educational programs, outreach activities. Visual artists in particular lack space for teaching and related programs and continue to need space for exhibiting.

The Arts Center of Coastal Carolina has the physical attributes to become this space and was designed to serve a set of community based groups.

It would seem reasonable for the Town to invest in the Arts Center if that organization is prepared and able to re-formulate its business model to become more of a community arts center rather than being dominated by self-produced theatre. Certainly, the request for funding for technical equipment upgrades, which is valid, is easier for the Town to justify if the Arts Center is able to respond to the community's need for an arts center.

If the Arts Center is not prepared to make that change, we would encourage the Town to consider other options and possibilities for a community arts center, ideally through the adaptive re-use of some other existing structure.

The Committee agrees that we need a Community Arts Center. The definition of organizations that are potential renters/users of the Center should be expanded and could include non-Entertainment, Arts, Culture and History (EACH) organizations, such as business meetings and community organizations as well as summer youth programs, visual artist studio space and rehearsal space. Right now there is insufficient space that is available and/or affordable for many smaller EACH organizations.

The Arts Center of Coastal Carolina (ACCC) was designed to serve community based organizations. In addition, plans exist for potential additions to the complex that were never implemented but the additional required parking is no longer available (vertical parking option might resolve this issue).

We don't know that the building currently has the physical attributes to become a community center. The Committee believes that a review of the building needs to occur based on the agreed upon usage model for the building and that all costs to repair, redecorate, functionally enhance (e.g. modifications to make it effective for the designated uses) and bring to Hilton Head "standard" need to be identified. This would be a follow-on activity done by Webb Management subsequent to an agreement on Community Arts Center business model (see next item).

The Arts Center Building is the Committee's first choice for a Community Arts Center for Hilton Head if the both the Arts Center organization and Town can agree to a business

model for a “Community Arts Center”. We recommend that Webb should conduct this work and that it is a high priority. It should include a space usage recommendation (e.g. rehearsal space in the building vs. finding space outside), programming recommendation, staffing/expertise requirement and financing information (revenue, expense, rental pricing) to ensure that it is a sustainable model. The contract should also include clear expectations, measurement and oversight requirements. A timeframe for this agreement should be put in place so both parties can move forward.

We recommend that the Webb Phase II Scope of Work contain a requirement that the timeframe for resolution of the decision by the Arts Center of Coastal Carolina to meet the necessary model as a Community Arts center be completed within 90 days of the start of Webb’s Phase II contract.

If the Town and Arts Center come to such an agreement, the Town should financially assist the Arts Center with the lighting issues that were previously requested. This assistance should include a re-evaluation of the technical equipment upgrade in terms of the new programming model.

A recommendation addressing the sale/leaseback of the Arts Center property should be included during the 90 day Phase II scope.

If no agreement is reached, the Committee will make a recommendation within the 90-day timeframe regarding other options or possibilities for a community arts center.

A large hall in Beaufort County

We would recommend the development of a new mid-size multi-purpose hall for music, dance, theater, film, speakers and other events with a capacity range between 1,200 and 1,500 seats.

There are over 100 days of demand from key groups on the island (Hilton Head Symphony, Hilton Head Choral Society, Hilton Head Dance, and the World Affairs Council of Hilton Head) for such a hall. In addition, the University of South Carolina- Beaufort has interest in expanding its arts programs and could be a potential partner in the development of such a project.

A mainland location, in proximity to I-95, would provide increased access to touring product traveling between Charleston and Savannah and as well as the growing populations in Bluffton and, potentially, Jasper County. Discussions of such a facility are already taking place in Bluffton, as the community and Beaufort County consider the future of Hilton Head National Golf Club.

The Committee fully agrees that a large hall is needed to serve the growing Hilton Head Island (HHI) organizations lacking a suitable venue. A multi-purpose, flexible space design would expand its usage beyond formal performances.

- Accommodates commercial rentals, social group events, and exhibitions.
- Hosts weddings, business seminars, art showings in a well-designed lobby with food & beverage catering available.
- Allows for more performances/more flexible programming and improves potential for audience growth
- Facilitates broader audience participation through more ticket pricing options
- Improves audience experience (facilities, catering options)
- Provides the opportunity to attract groups in the shoulder seasons when outdoor events are not viable - e.g. Historical, Educational, and Religious gatherings.

The demand assessment takes into consideration only organizations based in Hilton Head Island as they currently stand. However, if a hall of this size were developed, we can see much additional demand:

- HHI-based organizations are planning to alter their programming when this space comes to fruition, increasing demand.
- Other off-island organizations would likely have interest in utilizing this space as well.
- A myriad of programming is available from promoters, or other organizations in the county, including presenting shows & business gatherings needing space beyond hotel ballrooms.
- Lobby bookings increase usage.

The Committee also agreed that the building concept/design must be done first in order to determine the amount and type of space needed to accommodate the planned uses for the Hall. That information will provide data to identify locations that would be appropriate and available.

The Committee is concerned about making the decision to locate such a hall on the mainland at this point in the evaluation process. We recommend that both on-island and off-island options should be kept open:

Bluffton:

We support any location off-island that is no further than the intersection of highways 46 and 278. There is strong feedback that HHI residents will not attend events at any site further out than “just over the bridge”. If located at the USCB Hilton Head gateway, there is a concern that few current subscribers would drive past SC-170 for concerts. We have had feedback from groups which would like to utilize a new facility expressing concern over the locations of an off-island venue.

We support Hilton Head National as an option to explore but have great concerns over its viability as a location due to public resistance and lack of serious development plans for the facility. We also have the following caveats:

- The developer will meet certain minimum standards regarding seating and functionality
- It must be built early in the development project
- The Town of HHI must retain some governance/control over the usage of this venue to ensure our island organizations are protected and can use this space at a reasonable cost and have schedule allowance.

Other concerns about an off-island site include:

- Affects Hilton Head Island Accommodations Tax (ATAX) funding for occupants moving from HHI
- May negatively impact revenue from subscribers/donors
- Negatively impacts Island businesses (restaurants, etc.)
- Hilton Head Island loses some branding advantage by not having a resident symphony
- It may be very difficult to bring HHI, Bluffton and Beaufort together to get this done although we believe that having a facility available to the whole Region is very valuable.

Hilton Head:

- Experience supports the notion that being closer to I-95 than HHI for performers is negligible.
- Although population growth is off island, 2.5 million visitors come to HHI. This is a major source of Arts revenue and economic impact for HHI.
- HHI has the affluent senior population who support EACH providers.
- HHI has the infrastructure, hotels and beach that attract visitors, who prefer Island-based events – such as festivals, shows, and concerts.
- Local organizations need a venue for large events, such as large dinners because the Island hotels give priority to bookings for multi-night usage or to events with clients staying at the hotel.

Concerns about a Hilton Head location:

- Limited land options for a major venue

- Road and bridge traffic issues which would need to be validated
- Parking issues

Therefore, key criteria for determining location will be the availability of land/parking and minimizing traffic issues.

We recommend that Webb Management proceed with a Phase II activity to define the programming, facility building concept, location and financial model for a multi-purpose facility. This activity should be completed in a four-month window.

A review of Hilton Head Island ATAX rules affecting local organizations that might be performing at an off-Island site needs to be done during Phase II to allow Webb to evaluate the financial impact of ATAX funding on the organizations. This should be part of a larger financial analysis of this multi-purpose hall.

In parallel with Webb's Phase II work, the Venue Committee should contact large venue management companies to obtain their evaluation of the feasibility of a multi-purpose hall in Beaufort County and including facility features, market demand, location and their interest in helping to design and manage such a facility.

Mitchelville and other heritage assets

Mitchelville is widely recognized as Hilton Head Island's 'hidden gem'. The park, on its own, has significant local, regional, and national importance. Combined with other regional heritage sites, it could become part of a greater regional trail network within the larger Gullah Geechee Heritage Corridor, also connecting to the National Park Service and their recent work on the Reconstruction Era Monument. These efforts could strengthen the island's connection with its own history and heritage and impact visitation to the island in significant ways.

Yet, despite this potential, little progress has been made in recent years. The Town has committed to provide two years of financial support for an Executive Director for Mitchelville and is leasing the park to the Mitchelville Preservation Project for a nominal amount.

We would endorse the idea that the Town proceed with various investments in Mitchelville. However, we would encourage a more active partnership that ties those investments to a series of Town-mandated goals around program development, organizational development, and partnerships.

Mitchelville is a strong option to attract a significant national audience and would improve our reputation as a diverse and welcoming community, attracting a new segment of visitors. Additionally, having a key historical attraction on the Island could open up another source of tourism revenue for the Town. A key first step is to bring the new Executive Director on board. A key skill for this individual is getting grant funds. There is a great deal of competition for these funds but it will be a critical element. Funding for children's programming is easier to obtain.

We recommend that it should be included in the overall Venue plan. We recommend that Webb management work with the Town and the Mitchelville leadership to agree on measureable goals for the Town and Mitchelville partnership. We recommend that the Town support any requests from the Mitchelville leadership to contact representatives from the National Park Service and/or other historically themed attractions or a consultant specializing in Heritage sites, to obtain their input on how to successfully develop and market this site.

We also believe that there should be a continued close collaboration between the Mitchelville Project and the Coastal Discovery Museum in order to utilize their expertise and resources in this area.

For the longer term the Town plan should add other heritage assets such as the Civil War and Reconstruction sites, Gullah/Geechee culture, and Native American archeological sites.

Coastal Discovery Museum

The Coastal Discovery Museum is an important cultural asset for Hilton Head Island as it speaks to such critical issues as the environment, land, and the culture of the Lowcountry. The Museum runs many programs of interest to full-time and seasonal residents and their families. And, they are an attractive and well-run destination for visitors to the island, effectively becoming a clearing-house for a range of other attractions and amenities.

Within the recently completed strategic plan are goals to add and improve facilities that will allow the Museum to accept touring exhibitions made possible by its Smithsonian affiliation.

We endorse this plan and would encourage the Town to consider how it might support the expansion, as and when the Museum's needs become more defined.

The Committee fully supports Coastal Discovery Museum's (CDM) current strategy of a flexible, large exhibition space at Honey Horn to bring in world class exhibits during the high tourist season, which can be broken down during the shoulder seasons into smaller spaces for local groups (e.g. art shows, art for sale, chamber music). Also the strategy includes a space to accommodate 200 theater type seats. The space should be self-sustainable or profitable from an expense standpoint, achievable by selecting the appropriate exhibitions. CDM could also consider making it a unique Visitor Center. Current estimate is 10,000 sq. ft.

In addition, the CDM is pursuing a strategy of Responsible Development: the intent to be a collaborator and partner with the town and use the property to serve the community in ways that don't impact the natural beauty of the community. Examples would be pop-up concerts, including outdoor symphony performances such as Symphony under the Stars.

The Committee believes this should be a joint partnership between the CDM, Town of Hilton Head Island and Beaufort County since it would serve the population within a three-hour drive.

We recommend that Webb management work with the Town and CDM leadership to agree on measureable goals for the Town and CDM partnership.

The CDM should continue to refine the plan and work with other arts/cultural organizations on the island to identify potential users of the space and their specific usage needs.

The financials for this project should be considered along with the other recommendations to ensure that appropriate funding can be allocated to this museum space.

Community Gathering and Event Areas

There is a recognized need in the community for gathering space. While Coligny and Shelter Cove have been successful, the Town could go further in its attempt to create public gathering space, with more integrated planning that can support the local art and music scene, local retailers, and festivals.

We are thinking particularly of younger people and families and the different ways that they might choose to participate in the arts and culture.

Such spaces might include more formal performance and festival locations, less formal park-settings, and more village or urban gathering places.

This is a longer-term effort for Town and Village planners, thinking about how open space might be protected and used for events, how other areas might be upgraded, and how commercial concentrations might be planned and developed to include a Village square.

This recommendation involves short and long term planning and implementation for three different types of spaces: Performance/festival locations, park settings and village gathering places.

The Committee agrees that the highest priority of these spaces is the performance/festival location, or outdoor event space for several reasons.

- Could be used for multiple organizations; festivals, events, symphony, other groups
- Provides opportunity for residents and visitors to experience community outdoors - Multi-generational appeal – youth, adults, families – informal
- Would accommodate wide variety of musical genres – classical, pop, contemporary, jazz, Latino, African-American, Gospel
- HHI has a proven track record for successful outdoor presentations
- Simple construction – raised pad/covered stage, power, parking - A quick build, modest cost
- “Lock it and Leave it” feature
- High revenue potential – 5000 lawn capacity, major performers. Can be an economic engine for the entire EACH program, following the model that as many other Towns have used
- Serves as Community Park for festivals needing 5000+ capacity
- When events are not booked, can revert to athletic fields
- Hilton Head’s climate provides up to eight month’s usage
- This could be located by itself or paired with another venue depending on location and space requirements.

We recommend this Committee look at creating a permanent outdoor performance space on Hilton Head to attract the potential for different kinds of entertainment and audiences, addressing the interests of more diverse members of our community.

To accomplish this, we recommend Webb and local experts form a task team to look into the venue possibility, including determining what would be needed to build, considering permanent seating and a covered stage, and where to locate.

- Our Committee already has a list of available properties.
- Honey Horn should be considered for “pop up” (temporary) event space. Although this temporary space is more expensive for setup and cleanup for each show, this venue has already been successful in serving concerts for audiences of 5,000 to 7,000. It also includes parking.
- We suggest and favor a beachfront/waterfront location to create a unique experience that would fit well into the Hilton Head brand if such a site were available.

Hilton Head needs to have a fun gathering space – a place where people “must” go.

In the longer term, the Town should be looking at creating gathering spaces as areas of the Island are developed or redeveloped. We recommend this goal become a consideration in every Town review of development/redevelopment on the Island, as well as an integral part of the Town’s visioning process.

- We need to be creative in our thought processes - for example, looking at the roof lines as an area of potential development/use.
- We recommend exploring the concept of a cultural district/area, potentially completed as a private endeavor with Town support and encouragement. This would help rejuvenate pockets of the Island.

Culinary Heritage

Finally, we see a tremendous opportunity to rediscover Hilton Head Island's food and farming heritage; firstly, by re-planting portions of the island and, secondly, through the establishment of a regional farm-to-table program.

From a facility perspective, perhaps the best first step would be to attract a culinary institute to the island. This could serve as a catalyst for a series of food-as-culture initiatives, all of which could have a significant impact on the quality of life for full-time and senior residents and form the basis of new cultural and heritage tourism.

The University of South Carolina at Beaufort is developing a facility on Hilton Head specifically for hospitality management. It will have a kitchen, but is intended more for internal teaching uses.

We support the concept of food-as-culture and culinary arts as a quality of life benefit and tourism attraction, improving the HHI brand. This could also fill in for reduction in golf tourism and support the idea of HHI as eco-friendly. Rediscovering the Island's food and farming heritage and farm-to-table programs is also a positive idea. Some time in the future, it could be desirable to have a culinary institute on the Island, but this would not be a priority for the Committee now.

Our approach would be for the Town to support an initiative to bring together for profit and non-profit organizations with an interest and capability to spearhead and develop this type of project. There are many opportunities work with the Restaurant industry, health institutions and schools to put this in motion which should provide the financial commitment. Later if University of South Carolina, Beaufort (USCB), Technical College of the Lowcountry (TCL) or other organization is interested in creating a Culinary Institute on the Island, the Town should support them.

This project of expanding food/cuisine offerings and visibility should be part of the Town's visioning process which could then help to gather the interested people and organizations. Members of the Venue Committee are interested in this project and have volunteered to represent the Venue Committee in that process.

Examples of ideas to consider might be:

- A 501[c] 3 non-profit (e.g. within the Community Foundation of the Low Country).
- A town sponsored Think Tank or Forum to solicit a "team".
- To be successful, Native Islanders and members of the Latino community need be involved.
- Celebrate Hilton Head as a farming community (to include historic crops such as indigo, rice and cotton) while exploring maritime farming (shrimping oyster harvesting fishing, etc.).

A Vision for New Facilities

Note: The following five bullets are the final summary items that Webb presented as a justification for moving forward and taking action on his recommendations.

- *Recommendations are not a menu but set of investments to be viewed together.*
- *These investments will increase property values, enhance quality of life, and make HHI profile a destination.*
- *Opportunity for HHI to be part of regional planning, locating facilities sensibly, working with public/private partners for greater good.*
- *Build a capital project plan with funding and sustainable over time for the collective group of projects.*
- *Set priorities and define Town role in advancing plan.*

The Venue Committee adds:

- The Webb report has brought great positive excitement about the subject of EACH venues and demonstrated that the potential economic impact for our Island is enormous.
- Other resort towns and communities are doing this successfully.
- We have a solid base of EACH providers in place that are primed for growth.
- The Arts & Culture Destination goal is an excellent fit for HHI.

We believe it is critical to consider these recommendations as a long term set of investments that must be viewed as a package.

These recommendations have different time elements. Some can be brought to fruition more quickly and easily, while others will take some time to develop. It is important to ensure that any action does not preclude the completion of other items listed.

We should not assume support of this vision means that the Town will take on full financial responsibility for these venues. These must be public/private partnerships and we should be working with the County and the State as well as businesses and individual donors to develop financial support.

Together, these recommends cover diverse members of the population and helps solidify Hilton Head's brand. There is ample evidence from the Arts & Cultural Strategic Planning (ACSP) Committee report and anecdotal evidence to support these benefits, including the increase to property values.

Recommended Next Steps

Additional investigation is necessary to move these ideas forward and prioritize recommendations.

Many of the recommendations can progress concurrently, as they will be multi-year projects.

The Committee recommends moving forward with a Phase II* (see definition below) contract with Webb Management as quickly as possible to include the following:

1. Resolve the Arts Center recommendation. This has been an urgent need for some time. Webb should participate in discussion between Arts Center and Town to provide objectivity and achieve timing. Key tasks include:
 - a. Defining Business Model with ACCC and Town
 - b. Determining Repair/Upgrade Cost for New Usage
 - c. Evaluate the sale/leaseback proposal
2. With input from potential regional partners, determine the concept design and future location (Bluffton or Hilton Head Island) of a mid-sized multi-purpose hall. Once this is determined, proceed with planning, fundraising and development, in collaboration with regional partners.
3. Work with the Town and Mitchelville leadership to define measureable goals for the partnership between the Town and Mitchelville as they proceed with their planning/fundraising/development activities.
4. Work with the Town and CDM leadership to define measureable goals for the partnership between the Town and the CDM.
5. Determine the infrastructure requirements and future location of an outdoor event space.

*“Phase Two, if needed, includes concept development, physical planning, the beginning of site discussion, a business plan for new and/or improved facilities, and beginning the work of testing the capacity in the community to support the project that has been recommended. The purpose of this work is to provide the information and confidence to move forward with a decision.”

The Committee and Town should proceed with the following:

1. Continue with joint plan between the Town and the Coastal Discovery Museum for building expansion. (Town)
2. Incorporate plans for “Village Squares” into the Town’s long-term strategic plan. (Town)
3. Participate in the Visioning process to work with other Town stakeholders to advance the Culinary Heritage initiative. (includes Venue Committee representation)
4. Clearly define the Towns vision with regards to EACH in branding and future planning. (Culture & Arts Network Director and Culture & Arts Advisory Committee)

The Committee believes that Phase II should be completed as quickly as possible due to the urgency especially of moving forward on Recommendations for a Community Arts Center and Large Hall. For this reason, the contract for Phase II with Webb should have the following time parameters all measured from the beginning of Phase II:

- Recommendation on Community Arts Center: 90 days
- Recommendation on Large Hall: four months
- Recommendation on Outdoor Event Space: four months

- End of Phase II: five months (allowing time for a reconciliation between the previous three recommendations so that the conclusions of Phase II make sense as a whole)

The subject of surveying citizens for community input on these recommendations has been an issue since the inception of the Venue Committee. The Committee has several questions about such a survey which include:

- The advisability of doing a survey of current citizens for projects that could take many years to complete
- The question of who should be surveyed: HHI citizens, Beaufort county citizens, current visitors, and/or potential visitors.
- The question of when a survey is valuable, i.e. What level of detail needs to be needs to be available about the projects? What is the appropriate time in the process?
- The type of survey which might be appropriate: phone, internet, and/or in person
- Is there a better vehicle than a survey to gather and evaluate community input?

The Committee recommends seeking guidance from Webb management, Dr. Salazar (of USCB) and the Town's Visioning consultant to better evaluate the action that should be recommended for this subject as work on Phase II proceeds.

proposal

to: Town of Hilton Head Island
from: Duncan Webb, Webb Management Services
regarding: Phase 2 Scope of Services for Conceptual Model for a Community Arts Center
date: August 28, 2017

We are pleased to propose a second phase of work related to the development of cultural facilities for Hilton Head Island. This phase of work responds to the following objectives laid out by the Town:

Webb Management Services building upon/utilizing the information, data, functional requirements and recommendations compiled during Phase One that were developed in partnership with the Venue Committee shall develop a “Conceptual Model” for a Community Arts Center sized appropriately for the Hilton Head Island Community. This information shall be the basis for determining the facility’s size/shape/functionality and will be the foundation for developing a fully integrated cost effective/efficient programming/business model.

This conceptual model is being developed for two primary purposes. The first purpose is to develop a facility plan and a complimentary business/programming model that fully addresses the space needs and the functional/programming requirements of the prospective occupants for this facility gathered during Phase One and updated as appropriate in Phase 2. The second purpose is to utilize this conceptual model to conduct a comparative analysis of the Arts Center of Coastal Carolina to determine if it has the physical attributes to become this space and the flexibility/willingness to adjust its business and programming plans to align as closely as possible with the conceptual model, while remaining financially sustainable. Hence, this phase will include a financial feasibility of the conceptual model to study the financial impacts on the entertainment, arts, culture, and heritage (EACH) groups proposed to be included in the model, as well as the current venues and the Town.

This will be an iterative process involving all key parties. The physical plan, the business plan and the comparative analysis of the Arts Center will be done concurrently in an effort to maximize our chances of reaching an end result that is acceptable to all parties. It shall include weekly project meetings that will include multiple checkpoints and opportunities along the project critical path to discuss, vet, assess and adjust the both the physical plan and the business plan models in a joint effort to address/incorporate as many the conceptual model attributes/requirements as practical, while at the same time considering concerns of the Arts Center.

Once the details regarding the physical and business plan have been determined, a complementary fundraising strategy should be developed.

If we are successful in achieving these objectives and reaching a solution that is acceptable to a majority of the parties and in particular the Arts Center of Coastal Carolina the Town Council should then have the information they need to make a decision.

Here are the services Webb Management Services and our partners will provide in response to that study brief.

part one: physical plan

1. space programs: Building on the Phase One analysis and recommendations, prepare functional space program that outline the types, sizes, seat count, and general configuration for a conceptual model for a community arts center for Hilton Head. This will also include a discussion of expectations regarding the quality of these spaces, including the theatrical and acoustical components, as this will have an effect on the anticipated construction costs. Then consider what alterations are required at the Arts Center of Coastal Carolina (ACCC) to accommodate that program. Parking and traffic need to be addressed for any sites that are considered. This will be done with the assistance of Town staff.

2. site analysis: Evaluate the current ACCC site for opportunities for facility expansion and renovation. Evaluate repurposing of an existing vacant building(s) for opportunities to provide additional facilities.

3. equipment plan and budget: Prepare a plan and budget for all recommended equipment systems.

4. order of magnitude capital cost estimates: Based on the space program, site analysis and current regional cost information, prepare order-of-magnitude budgets for the conceptual model community arts center and for the renovation of the existing ACCC. Under separate contract, the Town has access to architectural services with FWA Architects; who can be called upon for conceptual input or assistance verifying construction costs based on their knowledge of the local market.

5. presentation + report: Present the findings and recommendations of the physical plan. Incorporate feedback from the Town and Venue Committee and deliver a final written report that includes all findings, conclusions and recommendations.

6. Weekly Calls: Robert Long will participate in seven of the planned weekly calls with Venue Committee leadership at key points during his work.

part two: business plan

7. define goals and practices: Define the vision and operating goals for a community

arts center, covering such areas as providing access and support for local entertainment, arts, culture, and heritage (EACH) groups, maintaining sustainable operations, supporting economic development and maximizing community benefits.

8. scheduling charrette: Invite potential users of a community arts center to participate in an operating charrette at which operating plans for the center are proposed and tested. At this meeting, users will also be asked to confirm or modify activity estimates.

9. governance models: Consider the pros and cons of various management structures for the conceptual model community arts center, including public sector management, a new or existing nonprofit operator, existing commercial operators and other third-party options. Identify options and propose operating model(s) for the recommended facilities, addressing ownership, governance and operating issues such as community access, scheduling and public events. Critical within this will be discussions of how the ACC management structure might be adjusted to support the functions of a community arts center.

10. comparable models: Research comparable facilities nationwide to inform the business plan. Key areas of research are governance and operating models, the scheduling of facilities, levels of utility and cost, balancing producing, presenting and rental demand for facilities, revenue-generating activity, and key factors that led to successful operation of new and similar projects.

11. programming plan: Prepare a multi-year activity profile for a community arts center, listing types and level of use related to producing, presenting, rentals and any other activity. Also include any additional programming opportunities and positioning strategies, based on the market analysis and competitive analysis.

12. staffing + leadership plans: Identify staffing requirements for a new community arts center, also considering the need for a modified ACCC staff to support this model. Set compensation ranges for those positions and recommend hiring dates relative to the development and opening of the conceptual model center.

13. pro-forma operating budgets: Develop a multi-year pro-forma operating budget for a community arts center based on the programming plan and agreed assumptions about who will operate these new facilities, starting the year before conceptual model facilities open and then through the first four years of operation. Project attendance and other levels of participation. Identify and estimate all sources of operating revenues (including new and existing revenue streams) and expenses, appropriate capital reserves and the likely result of operations with and without an operating endowment. Then conduct a similar exercise with the current operating

budget of the ACCC, adjusting revenues and expenses based on the community arts center operating model.

14. review of options: The work done to this point will allow the Town and ACCC leadership to engage in discussions and a negotiation as to whether the ACCC is prepared to adjust their business model to become Hilton Head's community arts center in return for direct financial support and potentially the sale and leaseback of the facility.

15. economic impacts: Forecast the economic and fiscal impacts of the community arts center including the impacts of construction, operation, and ancillary spending associated with attendance. Use the RIMS II model developed by the Bureau of Economic Analysis, along with recent regional data from Americans for the Arts' Arts + Economic Prosperity, to estimate the direct and indirect impacts of the project on the market area, including outputs, increased earnings, and employment. Also identify and describe the more qualitative economic impacts of the conceptual model center, including impacts on commercial development, cultural tourism, and the recruitment of new businesses.

16. organizational and facility impacts: Interview and/or survey key local arts groups and cultural facilities to suggest the financial impact of the community arts center project on their operations, addressing such issues as facility rental costs, marketing support, competition for audiences and both fundraising opportunities & challenges.

17. critical path plan: Create a critical path plan for the Town and Venue Committee that identifies key milestones and deadlines towards the development and operation of a community arts center or the alteration of the ACC to fulfill this role.

18. presentation + report: Present the findings and recommendations of the business plan. Incorporate feedback from the Town and Venue Committee and deliver a final written report that includes all findings, conclusions and recommendations.

19. Weekly Calls: Duncan Webb will participate in thirteen weekly calls with Venue Committee leadership over the course of the study.

part three: fundraising plan

20. best practices on funding financing: Conduct research on best practices in the funding and financing of community arts centers comparable to our recommendation. Consider financing mechanisms, funding sources, length of project development, overall capital costs, resources required to raise the funds and key partnerships.

21. financing structures: Identify and review the pros and cons of financing options to support the development, ongoing operations and capital maintenance of the community arts center. This will include public and private options as well as possible public/private partnerships.

22. fundraising environment: Conduct research that informs a discussion of the potential impact that any new capital campaign might have on existing campaigns and fundraising efforts for local arts groups. Also review and comment on broader issues (such as economic conditions or local or regional initiatives) that may affect fundraising for the project.

23. fundraising strategy: Develop basic elements of a plan to approach public and private sector donors for funds to support the development and ongoing operation of the community arts center. This will include work to identify and evaluate opportunities to approach various government agencies, foundations, corporations and individuals through such tools as naming rights, event sponsorship, capital grants, special events, membership programs and annual campaigns. Specifically identify possible grant funding opportunities as well as evaluation criteria. Also suggest the people, skills and tools required to pursue support, and recommend how those resources should be organized.

24. presentation + report: Present the findings and recommendations of the physical, business and fundraising plans. Incorporate feedback from the Town and Venue Committee and deliver a final written report that includes all findings, conclusions and recommendations.

25. Weekly Calls: Halsey and/or Alice North will participate in seven of the planned weekly calls with Venue Committee leadership at key points during his work.

Deliverables

We will deliver the following work over the course of this assignment:

1. Excel-based space programs, equipment budgets and renovation budgets, together with a narrative explanation.
2. An Excel-based pro-forma operating budget.
3. A narrative business plan, including the economic impact analysis, community benefit, and critical path plan.
4. A narrative fundraising plan, including chapters on best practices, the environment and strategy.
5. Powerpoint presentations on the physical planning, business planning and fundraising work.

Financial Proposal

Following are fixed fees and expense allowances for each phase of work.

	<u>Fee</u>	<u>Expenses</u>	<u>Total</u>
Physical Plan	\$12,140	\$1,600	\$13,740
Business Plan	\$25,100	\$3,275	\$28,375
Fundraising Plan	<u>\$20,460</u>	<u>\$4,000</u>	<u>\$24,460</u>
Total	\$57,700	\$8,875	\$66,575

Fees will be billed each month as the work progresses. Expenses will be billed monthly as incurred with no mark-ups.

Hilton Head Phase 2 Fee Worksheet	Task #	Staff	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13	Total	Rate	Current Proposal
Phase Two: Concept Development for Community Arts Center Project																		
Part One: Physical Planning																		
Space Program	1	Long	3	3	1									3		10	\$180	\$ 1,800
		TCC Staff	3	3	1									3		10	\$140	\$ 1,400
Site Analysis	2	Long			2	2										4	\$180	\$ 720
		TCC Staff			2	2										4	\$140	\$ 560
Equipment Plan and Budget	3	Long				2	2							2		6	\$180	\$ 1,080
		TCC Staff				1	1	2						2		6	\$140	\$ 840
Capital Cost Estimate	4	Long						4						2		6	\$180	\$ 1,080
		TCC Staff						4						2		6	\$140	\$ 840
Report + Presentation	5	Long							8							8	\$180	\$ 1,440
		TCC Staff												8		8	\$140	\$ 1,120
Weekly Calls	6	Long	1	1		1	1	1						1	1	7	\$180	\$ 1,260
																	Total Fee	\$ 12,140
Person-trips					1				1								Total Person-Visits	2
Cost					\$ 800				\$ 800								Total Expenses	\$ 1,600
Presentation					1				1								Total Presentations	2
																	Total Cost	\$ 13,740
																	Total Hours	75
Part Two: Business Planning																		
Operating Goals	7	Webb		2				1								3	\$180	\$ 540
		Kruise		3												3	\$100	\$ 300
Scheduling Charrette	8	Webb			8											8	\$180	\$ 1,440
Governance Models	9	Webb			6									2		8	\$180	\$ 1,440
		Kruise			4											4	\$100	\$ 400
Comparable Projects	10	Webb		2	2											4	\$180	\$ 720
		Kruise		2	10											12	\$100	\$ 1,200
		Benolken		4	4											8	\$80	\$ 640
Programming Plan	11	Webb				4										4	\$180	\$ 720
		Blake				4										4	\$140	\$ 560
Staffing + Leadership	12	Webb				4								2		6	\$180	\$ 1,080
		Kruise				6										6	\$100	\$ 600
Pro-forma Operating Budget	13	Webb			4	6								4		14	\$180	\$ 2,520
		Benolken				1								1		2	\$80	\$ 160
Review of Options	14	Webb					8							4		12	\$180	\$ 2,160
		Benolken					2							2		4	\$80	\$ 320
Economic Impacts	15	Webb						4						4		8	\$180	\$ 1,440
		Benolken						2						2		4	\$80	\$ 320
Organization and Facility Impacts	16	Webb												6		6	\$180	\$ 1,080
		Kruise												6		6	\$100	\$ 600
Critical Path Plan	17	Webb						4						2		6	\$180	\$ 1,080
Report + Presentation	18	Webb							6						6	12	\$180	\$ 2,160
		Blake							2						2	4	\$140	\$ 560
		Kruise							2						2	4	\$100	\$ 400
		Benolken							2						2	4	\$80	\$ 320
Weekly Calls	19	Webb	1	1	1	1	1	1	1	1	1	1	1	1	1	13	\$180	\$ 2,340
																	Total Fee	\$ 25,100
Person-trips					1				1						1		Total Person-Visits	3
					\$ 1,000				\$ 1,000				\$ 275		\$ 1,000		Total Expenses	\$ 3,275
Presentation					1			1	1						1		Total Presentations	4
																	Total Cost	\$ 28,375
																	Total Hours	169
Part Three: Fundraising Strategy																		
Funding and Financing Best Practices	20	North						6								6	\$180	\$ 1,080
		North Staff						6								6	\$140	\$ 840
Financing Structures	21	North							12							12	\$180	\$ 2,160
		North Staff							12							12	\$140	\$ 1,680
Fundraising Environment	22	North								12						12	\$180	\$ 2,160
		North Staff								12						12	\$140	\$ 1,680
Fundraising Strategy	23	North									9	9				18	\$180	\$ 3,240
		North Staff									9	9				18	\$140	\$ 2,520
Report + Presentation	24	North											6	6		12	\$180	\$ 2,160
		North Staff											6	6		12	\$140	\$ 1,680
Weekly Calls	25	North					1	1		1	1	1	1	1		7	\$180	\$ 1,260
																	Total Fee	\$ 20,460
Person-trips									2						2		Total Person-Visits	4
									\$ 2,000						\$ 2,000		Total Expenses	\$ 4,000
Presentation									1						1		Total Presentations	2
																	Total Cost	\$ 24,460
																	Total Hours	155
Total for Three Parts																		
																	Total Fee	\$ 57,700
																	Total Person-Visits	9
																	Total Expenses	\$ 8,875
																	Total Presentations	3
																	Total Cost	\$ 66,575
																	Total Hours	399



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Charles Cousins, AICP, *Director of Community Development*
VIA: Jennifer Ray, ASLA, *Planning and Special Projects Manager*
FROM: Jayme Lopko, AICP, *Senior Planner*
CC: Shawn Colin, AICP, *Deputy Director of Community Development*
DATE: September 5, 2017
SUBJECT: Arts Center of Coastal Carolina Lighting Request

Recommendation: The Venue Committee recommends that Town Council remove the lighting issue from their tasks and evaluate it independently of the Venue Committee.

Summary: The request from the Arts Center of Coastal Carolina for funding to replace the main theatre lighting system has been discussed by several committees and Town Council over the last year and a half. A Town Council decision on this request would provide clarity and direction for this item.

Background: On February 16, 2016, Town Council approved a Resolution creating the Venue Committee with one of their goals being:

- Recommend, if substantiated, the Structure Cost and Funding of Venue(s) and operational sustainability which satisfy the needs of the Community and the Arts, Cultural and History organizations, maximizing the return on investment for the Town and its citizens, and fulfilling the Capital Sales Tax requirements, if so available. This should include specific recommendations regarding the Arts Center of Coastal Carolina's venue requirements.

At the November 11, 2016 Town Council meeting, the Mayor assigned the review and recommendation of Town funding to assist the Arts Center of Coastal Carolina with the replacement of the main theatre stage lighting system to the Venue Committee.

The Venue Committee met on August 16, 2017, and approved a motion "to send the lighting issue back to Town Council and to remove the lighting issue from the Venue Committee's task list stating the lighting issue is between Town Council and the Arts Center of Coastal Carolina not the Venue Committee."