The Town of Hilton Head Island

Regular Town Council Meeting

October 3, 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. Land Acquisition:**

     Discussion of negotiations incident to the proposed sale, lease or purchase of property:

     i. Near the Hilton Head Island Airport
   - **b. Legal Matters:**

     The receipt of legal advice related to pending, threatened or potential claim related to:

     i. Bradley Circle Vacation Partners, LLC and Monti Development HH, vs. The Town of Hilton Head Island
   - **c. Contractual Matters:**

     Discussion of negotiations incident to proposed contractual arrangements related to:

     i. Beach renourishment
   - **d. Legal Advice:**

     The receipt of legal advice related to personnel matters and contract negotiations regarding the Town Manager and Town Manager contract.
4. **Pledge to the Flag – 5:00 p.m.**
5. **Invocation**
6. **Proclamations & Commendations**
   - **a.** Fire Prevention Week
   - **b.** Beaufort County Student of the Month

     i. March 2017 - Tariq Lester, Hilton Head High School, 11th Grade

     ii. April 2017 - Johnny Nardi, Hilton Head Island IB Elementary School, 5th Grade

     iii. May 2017 - Jada Brantley, Hilton head Island Early Childhood Center, Kindegarten

7. **Approval of Minutes**

   a. Town Council Meeting, September 19, 2017

8. **Report of Town Manager**

   a. Emergency Beach Renourishment Update, including potential project expansion and funding requirement.

   b. 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 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 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.

   b. Second Reading of Proposed Ordinance 2017-18

   Second 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.

   c. Discussions of Negotiations Incident to Proposed Contractual Arrangements with the Town Manager

12. New Business

a. Introduction to the Mayors' Commission on Homelessness and Affordable Housing and the Housing First Model

Introduction to the City of Charleston Mayor's Commission on Homelessness and Affordable Housing and the Housing First Model as an approach to end homelessness and combat the affordable housing challenge within the community by providing access to permanent housing with no readiness requirements.

b. Consideration of a Recommendation - South Island Dredging Project

Consideration of a Recommendation of the Finance and Administrative Committee to Town Council of the Town of Hilton Head Island, South Carolina, authorizing the Town Manager to enter into an agreement related to the South Island Dredging Project within the limits of the funds set aside for this purpose, $600,000.00.

c. Consideration of a Recommendation from the Community Services Committee regarding the Theatrical Lighting for the Arts Center of Coastal Carolina

Consideration of a Recommendation from the Community Services Committee that Town Council approve the Town funding 85% of the cost to design, acquire, and install a new Arts Center of Coastal Carolina theatre lighting system not to exceed $575,000 with criteria and conditions as outlined in the supporting staff memo and determined by the Committee.

d. Consideration of a Recommendation – Potential Engagement of an Executive Search Firm

Consideration of a Recommendation from the Finance and Administrative Committee that Town Council seek the potential engagement of a search firm for the purposes of the assistance of searching and hiring a new Town Manager with the assistance of the Municipal Association of South Carolina.

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

14. Adjournment

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

WHEREAS*, the Town of Hilton Head Island is committed to ensuring the safety and security of all those living in and visiting our town; and*

WHEREAS*, newer homes are built with lightweight materials that burn faster than older home constructions; and*

WHEREAS*, many of today's products and furnishings produce toxic gases and smoke when burned, making it impossible to see and breathe within moments; and*

WHEREAS*, these conditions contribute to a much smaller window of time for people to escape a home fire safely, with people having as little as one to two minutes to escape from the time the smoke alarm sounds; and*

WHEREAS*, a home fire escape plan provides the skill set and know-how to quickly and safely escape a home fire situation; and*

WHEREAS*, practicing a home fire escape plan twice a year ensures that everyone in the household knows what to do in a real fire situation;*

WHEREAS*, the 2017 Fire Prevention Week theme, "Every Second Counts: Plan 2 Ways Out!" effectively serves to educate the public about the vital importance of developing a home fire escape plan with all members of the household and practicing it twice a year;*

NOW THEREFORE*, I, David Bennett, Mayor of Hilton Head Island do hereby proclaim October 8-14, 2017, as*

Fire Prevention Week

throughout this community. I urge all the people of Hilton Head Island to develop a home fire escape plan with all members of the household and practice it twice a year.

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

_____
David Bennett, Mayor

Attest:

_____
Krista M. Wiedmeyer, Town Clerk

TOWN OF HILTON HEAD ISLAND
Student Recognition Award

presented to

Taariq Lester

Hilton Head High School, 11th Grade

Beaufort County School District
Character Education Student of the Month
March 2017 - Self-Control

"By constant self-discipline and self-control you can develop greatness of character"
Grenville Kleiser

*Presented this **3rd** day of **October, 2017***

David G. Bennett, Mayor
Town of Hilton Head Island

TOWN OF HILTON HEAD ISLAND
Student Recognition Award

presented to

Johnny Nardi

Hilton Head Island International Baccalaureate Elementary School, 5th Grade

Beaufort County School District
Character Education Student of the Month
April 2017 - Forgiveness

"To err is human; to forgive, divine"
Alexander Pope

*Presented this **3rd** day of **October, 2017***

David G. Bennett, Mayor
Town of Hilton Head Island

TOWN OF HILTON HEAD ISLAND
Student Recognition Award

presented to

Jada Brantley

Hilton Head Island Early Childhood Center, Kindergarten

Beaufort County School District
Character Education Student of the Month
May 2017 - Teamwork

"Alone we can do so little. Together we can do so much."
Helen Keller

*Presented this **3rd** day of **October, 2017***

David G. Bennett, Mayor
Town of Hilton Head Island

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, September 19, 2017 **Time: 4:00 P.M.**

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

Present from Town Staff: Steve Riley, *Town Manager,* Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Brian Hulbert, *Staff Attorney*; Brad Tadlock, *Fire Chief*; John Troyer, *Director of Finance*; Tom Fultz, *Director of Administrative Services;* Jenn McEwen, *Arts & Culture Network Director;* Shawn Colin, *Deputy Director of Community Development;* Jennifer Ray, *Planning and Special Projects Manager;* Teri Lewis, *LMO Official;* Emily Sparks, *Project Lead, Hilton Head Island – Our Future;* Jayme Lopko, *Senior Planner;* Erica Madhere, *Finance Administrator;* Cindaia Ervin, *Finance Assistant;* Melissa Cope, *Systems Analyst;* Krista Wiedmeyer, *Executive Assistant/Town Clerk*

Present from Media: Alex Kincaid, *Island Packet*

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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) Legal Matters; receipt of legal advice related to the employment of outside legal counsel, and (c) Land Acquisition; discussion of negotiations incident to the proposed sale, lease, or purchase of property related to property near Shelter Cove.

   At 4:01 p.m. Mrs. Likins moved to go into Executive Session for matters mentioned by the Town Manager. Mr. Harkins seconded.

   Mr. McCann moved to amend the original motion by removing item 3(a), namely, "Discussion of negotiations incident to proposed contractual arrangements with the Town Manager" from executive session and adding the item as an open meeting discussion in the new business section of the agenda as item 12(g). Mr. Grant seconded, the motion passed by a vote of 4-3. Mayor Bennett, Mr. Ames, and Mrs. Likins voted against.

   The original motion as amended passed by a vote of 4-3. Mayor Bennett, Mr. Ames, and Mrs. Likins voted against.

   Council returned to the dais at 5:02 p.m.

4. **Pledge to the Flag**

5. **Invocation**

6. **Proclamations & Commendations**

   Mayor Bennett presented the National Hunger Awareness Month Proclamation to Ms. Margie Tomczak of Second Helpings.

7. **Approval of Minutes**

   a. **Town Council Meeting, August 1, 2017**

   Mrs. Likins moved to approve. Mr. Harkins seconded. Town Council Meeting Minutes for August 1, 2017 were approved by a vote of 6-0-1, Mr. Grant abstained from the vote as he was absent from the August 1, 2017 meeting.

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8. Report of Town Manager

a. Hilton Head Island – Our Future: Monthly Update

Emily Sparks, Project Lead of the Vision Project Management Team, reviewed the Hilton Head Island – Our Future monthly update discussing the events that took place throughout the month of August and the September events that have been postponed due to Tropical Storm Irma. She said the team is currently looking at dates in October and to keep an eye out for the upcoming event dates. Ms. Sparks noted new Kiosks will be posted for citizens to drop off their surveys, one of them now set up at Town Hall.

b. Fire Rescue – Commission of Fire Accreditation International

Fire Chief Brad Tadlock made remarks as they related to the Commission of Fire Accreditation International reaccreditation Fire Rescue recently received. Chief Tadlock presented Mayor Bennett with the CFAI Accreditation Award, thanking him for his support. Mayor Bennett returned the praises to the members of Fire Rescue for their dedication, especially their efforts during Tropical Storm Irma.

c. Mitchelville Preservation Project Update

Executive Director of the Mitchelville Preservation Project, Ahmad Ward addressed Council providing an update from the last three months. Mr. Ward noted the Project has been making many strides as it continues to grow. He noted the Project continues to work on the funding the goals too. Mr. Ward thanked the Town for its continued support with the Mitchelville Preservation Project, and noted in the coming months Mitchelville would be celebrating its 155th Anniversary with details to come soon.

d. Items of Interest

i. Town News

Mr. Riley reported on Town news including some upcoming public meetings and Committee meetings.

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. Grant thanked the Town for the Commendation for Ms. Gertrude Brown Grant in recognition of her 100th birthday on August 27, 2017. He said having the Commendation made her birthday that much better. Mr. Grant also thanked the Town for their support of the Old Island School Committee and the historical marker placed on Beach City Road for Robinson Junior High School. He said the Town's continued support of this Committee is appreciated as these schools are continued to be recognized.

Mr. McCann reported that the Finance and Administrative Committee met in the previous months where they had approved to bring forward the South Island Dredging Fund for discussion at the October 3, 2017 Town Council meeting. Mr. McCann further reported that the Committee had met earlier in the day and unanimously approved a recommendation for Town Council to seek the potential engagement of a search firm for the purposes of the assistance of searching and hiring a new Town Manager with the assistance of the Municipal Association of South Carolina.

Mayor Bennett reported that the Beaufort County Economic Development Corporation has one candidate that they plan to extend an offer to for the Executive Director role, with the hopes that this individual can start at the beginning to middle of October. He further reported the Board will meet September 20, 2017 to hopefully finalize discussions concerning the agreement with the Southern Carolina Alliance. Mayor Bennett attended a meeting with the Project Safe Task Force which continues to make good progress. He reported that the Community Foundation of the Lowcountry has raised approximately $1.3 million of their $3 million goal, and are continuing to speak with more prospects as they work towards their final goal.

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

No report this week.

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

Mrs. Likins reported to Council that the Venue Committee met on August 16, 2017 to review the Phase 2 scope of work, and have unanimously approved to move forward with having a proposal put together by the Consultant. Mrs. Likins reported that the Accommodations Tax Advisory Committee received a resignation and will being accepting applications to fill the opening quickly.

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

Mr. Ames reported to Council that there will be an important Public Planning Committee meeting on September 28, 2017 at 3:00 p.m. to discuss the possible next steps for affordable housing, and the short and long term action ideas. He reported that these ideas have evolved from meetings and discussions that have taken place with employers, developers, nonprofits and those in need of affordable housing. Mr. Ames reported that the Committee would be moving these matters forward in the coming months.

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

Mr. Grant reported to Council that the Committee will be meeting on September 25, 2017 to begin discussions of what the process is for public events. The intent of this meeting is to have a clear understanding of the policies the Town has in place for the public to have events or peaceful open protests. Mayor Bennett confirmed with Mr. Riley that the Beaufort County Sheriff's Office should be invited to the meeting for this topic of discussion.

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

Nothing further to report.

10. Appearance by Citizens

James Ackerman. Addressed Council concerning the condition of the parks, tennis courts, and property located in the Cordillo Courts area. He wanted Council to note the condition of the parks and said property in hopes that there could be a joint effort between the board he represents and the Town to clean up and repair the area.

Lou Benfante, Linda Piekut, and Barry Riordon. Gave a brief history of Ft. Mitchel and reported that the National Parks Service has added Ft. Mitchel to the National Register of Historic Places. The group further reported of upcoming events at the Heritage Library.

Randy Tardy. Addressed Council about private and public funding for the Arts Center of Coastal Carolina. He explained that he had experienced both situations, stating the organizations that were privately funded succeeded, and those that were publicly funded did not.

Taiwan Scott. Addressed Council regarding his concerns with the Town and his property on 15 Marshland Road. Mr. Scott expressed his support for the final decision made for the properties located on Herron Street.

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.

Mrs. Likins moved to approve the Second Reading of Proposed Ordinance 2017-17. Mr. Harkins seconded the motion.

Mr. Grant moved to amend the motion, to exclude parcels 22G (10 and 12 Bradley Circle), 498 (14 Bradley Circle), and 503 (16 Bradley Circle) on Beaufort County Tax Map #8. Mr. Harkins seconded the motion.

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Mr. Grant addressed the members of Council to explain the reason for the amended motion. He stated that because the three referenced parcels belonged or had belonged to Robert Singleton, a Native Islander who wanted to keep his property within his family and considered it a form of inheritance.

Mr. Grant further stated that these properties should be exempt from the rezoning to keep the properties equity from declining since he had started the renovations to buildings, grounds and properties to reflect the RD zoning codes. He stated that should the Town not be willing to exempt this citizen from the rezone, then the Town should consider compensation back reflecting the potential loss in equity.

Several members of the community including residents of the Bradley Circle area, business owners, attorneys, and developers spoke both in support of excluding the three referenced parcels and against excluding the three referenced parcels.

Mr. Ames addressed the members of Council and the audience stating that community impact can be measured by safety. Given the configuration of Bradley Circle, which is actually a horseshoe, with a limited right-of-way, leaving very few options to improve the safety conditions in this area. He further explained that with proper planning, growth of any particular area can be anticipated, and lays the groundwork for infrastructure. He pointed out that in the case of Bradley Circle, proper planning has not been done. Mr. Ames stated that the building mass of Bradley Circle stretches far beyond what is reasonable for the infrastructure that is currently in the ground. Mr. Ames discussed environmental sensitivity stating that he regrets what he sees now at Bradley Circle, as it has been devastating to the marsh, vegetation, any kind of wildlife that was there. He said that the anticipation of adding more density to an area that is already without cover, would be a mistake. Mr. Ames expressed that the main fear he has is the incompatibility of the commercial uses permitted under RD that are not allowed under RM-8. He said from a community impact standpoint, he feels it is clear that the property should be zoned RM-8 until the County and the Town decide what kind of investment they want to make in this area to make a difference in the capacity to accommodate the structures that are already there or any additional structures that are anticipated. Mr. Ames stated that he is of the opinion that the Town has not done a good job in balancing community impact and equity. He further stated that it would be a mistake to zone any property within the Bradley Circle area anything other than RM-8.

Mayor Bennett agreeing with Mr. Ames addressed Mr. Riley asking if it is it reasonable to compensate anyone because of a change in zoning, to try to deal with both the equity and the community impact. Mr. Riley stated that he would caution Council taking steps like that, as there are a lot of variables that go into this kind of process. He further stated that if the Town sets a precedence of writing checks to for rezoning property, it can create further precedence to every property being affected negatively by rezoning. It could create a situation where the Town would never rezone again.

Mr. Grant expressed to the Mayor, that the amended motion pending, and would like to see Council vote in favor of this amended motion. He further stated that before all the houses were built in the Bradley Circle area, the entire area was wooded. After the Town issued the initial zoning requirements, citizens started to build their homes in this area, and built close to the beach, with the understanding that there are some consequences with building close to the beach. Those considerations meant that they would build their living areas on top of their garages, about fifteen feet above the ground, so most flooding damage caused by storm surge would be at the garage level. Mr. Grant stated Mr. Singleton's parcels were deeded to him, and are his wealth. He said that he believes that Mr. Singleton should have the right to use his land how he sees fit to provide for his family. Mr. Grant continued by stating that what the properties are worth today, might not be the value ten years from now.

The motion to amend proposed Ordinance 2017-17 excluding parcels 22G (10 and 12 Bradley Circle), 498 (14 Bradley Circle), and 503 (16 Bradley Circle) on Beaufort County Tax Map #8, seconded by Mr. Harkins; was approved by a vote of 4-3. Mayor Bennett, Mr. Ames, and Mrs. Likins voted against.

The original motion to approve Ordinance 2017-17, as amended, seconded by Mr. Harkins, was approved by a vote of 4-3. Mayor Bennett, Mr. Ames, and Mrs. Likins voted against.

At 7:10 p.m. Mayor Bennett adjourned for a short recess. The Mayor called the meeting back to order at 7:25 p.m.

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.

Mrs. Likins moved to approve the First Reading of Proposed Ordinance 2017-18. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

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 (CBDG) 2016 Consolidated Annual Performance Evaluation Report.

Mrs. Likins moved to approve the Resolution for the approval of the HUD/CDBG Entitlement Program 2016/CAPER. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

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.

Mrs. Likins moved to approve the Resolution to dissolve the Arts and Cultural Strategic Planning Committee. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

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.

Mrs. Likins moved to approve the Resolution authorizing the Town Manager to execute a gift agreement for the acquisition of a public art sculpture. Mr. McCann seconded, the motion was approved by a vote of 7-0.

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.

Mrs. Likins moved to approve the Recommendation to 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 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. Mr. McCann seconded, the motion was approved by a vote of 7-0.

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.

Mrs. Likins moved to approve the Recommendation to remove the theatrical lighting issue from the Venue Committee's current task list, and approve the Recommendation that Town Council will continue its evaluation of this issue directly with the Arts Center of Coastal Carolina. Mr. McCann seconded.

Mr. Harkins moved to amend the Recommendation, by taking under consideration on the next scheduled Town Council Agenda, that being October 3, 2017, the development of criteria, terms, and conditions under which the Town would support the significant portion of the cost of designing, acquiring, and installing a new stage lighting system for the Arts Center of Coastal Carolina. Mr. Grant seconded the amended motion.

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After discussion from Council concerning the matter, Mayor Bennett called to Mr. Riley for comment, who suggested if a discussion was to take place by the next meeting to lay out criteria for the lighting system, this item should go back to committee for a discussion. Mayor Bennett asked Mrs. Likins if the Community Services Committee could meet in time to discuss this item and bring back recommendation for the next meeting, to which she replied she thought the Committee could do so.

Upon conclusion of all discussion, the amended motion was approved by a vote of 7-0. The original motion was approved by a vote of 7-0.

g. Discussion of Negotiations incident to proposed contractual arrangement with the Town Manager.

Mr. Ames made a motion to move Agenda Item 12(g) to the next Town Council meeting. Mrs. Likins seconded.

Mr. Harkins asked, due to the nature of the item, that Mayor Bennett consider holding a Special Meeting rather than holding the item until the October 3, 2017 meeting. Mayor Bennett said he will take it under consideration.

The motion was approved by a vote of 7-0.

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.

Mrs. Likins stated that Town Council previously entered into a professional services agreement with an employment law attorney from the McNair Law Firm to assist with the Town Manager employment contract.

Mrs. Likins moved that Town Council authorize the engagement of legal counsel for the employment law matter, ratify and affirm the agreement that was entered into with the McNair Law Firm, and authorize the Town to pay for the professional services rendered by the McNair Law Firm to Town Council on this matter. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

Mayor Bennett stated that over a year ago Town Council was made aware that the Town Manager was a finalist for a few positions in other municipal management positions around the Country. At that time, because the Town and the Town Manager were and are parties to an employment contract, the Town Council believed it was in the best interest in the Town to engage the assistance of an attorney to determine the best course of action for everyone. Then Hurricane Matthew hit our Island, and these discussions came to an abrupt halt. They restarted this summer when Steve informed us that he was a finalist for the position in San Marcos, Texas, and that he intended to search for another job until he has successfully found one. We have now determined that we should have had an open vote prior to initiating the services of any legal counsel, not a procurement, as the services were never anticipated to exceed that action, but a vote to hire. Today, we have taken that vote.

14. Adjournment

At 7:50 Mrs. Likins made a motion to adjourn the meeting. Mr. Harkins seconded. The motion was approved by a vote of 7-0.

_____
Krista M. Wiedmeyer,
Executive Assistant/Town Clerk

Approved: 10/03/2017

_____
David Bennett, Mayor

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ITEMS OF INTEREST
October 3, 2017

TOWN OF HILTON HEAD ISLAND MEETINGS

- Planning Commission – October 4, 2017, 9:00 a.m.
- Accommodations Tax Advisory Committee – October 5, 2017, 9:00 a.m.
- Community Services Committee – October 9, 2017, 9:00 a.m.
- Pre-Application Meeting – October 9, 2017, 10:30 a.m.
- Design Review Board – October 10, 2017, 1:15 p.m.
- Finance & Administrative – October 17, 2017, 2:00 p.m.
- Town Council Executive Session – October 17, 2017 – 4:00 p.m.
- Town Council Regular Meeting – October 17, 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

Thursday, October 5, 2017 6:00 – 9:00 p.m.	Fall Music & Taste On the Harbour	Shelter Cove Harbour
Saturday, October 7, 2017 11:00 – 5:00 p.m.	Burger, Bacon & Barbecue	Shelter Cove Community Park
Sunday, October 8, 2017 9:00 – 12:30 p.m.	Fire Prevention Pancake Breakfast	Fire Rescue Station 4 400 Squire Pope Rd.
Sunday, October 8, 2017 5:30 – 9:00 p.m.	13th Annual Yacht Hop	Harbour Town
Thursday, October 12, 2017 6:00 – 9:00 p.m.	Fall Music & Taste On the Harbour	Shelter Cove Harbour
Saturday, October 14, 2017 11:00 – 5:00 p.m.	History Day	Honey Horn
Sunday, October 15, 2017 10:00 a.m. – 10:00 p.m.	2017 La Isla Magazine Latin Music Festival	Shelter Cove Community Park

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: September 20, 2017
SUBJECT: ZA-001432-2017 – Bradley Circle Area Rezoning

Town Council reviewed the proposed rezoning at their meeting on September 19, 2017. At that meeting, Town Council voted to approve ZA-001432-2017 but with the exclusion 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)

The above referenced parcels would remain within the RD (Resort Development) zoning district.

Town Government Center ♦ One Town Center Court ♦ Building C
Hilton Head Island ♦ South Carolina ♦ 29928
843-341-4757 ♦ (FAX) 843-842-8908

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 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 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 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 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 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:
Revised 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
Parcel Numbers: 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> • 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 8,000 square feet/net acre – nonresidential 50% maximum impervious coverage 45' maximum height – single-family residential 75' maximum height – non-single-family development	35% maximum impervious coverage 45' maximum height	

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:

<u>Land Use Element</u>

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.

<u>Transportation Element</u>

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

Transportation Elements as set forth in LMO Section 16-2-103.C.3.a.i.

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.

Summary of Facts and Conclusions:

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):

Findings of Facts:

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).

Conclusions:

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.

Summary of Facts and Conclusions of Law:

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

Findings of Facts:

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.

Conclusions:

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.

Summary of Facts and Conclusions of Law:

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

Findings of Facts:

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 <u>ordinance</u> to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by <u>resolution</u>.

<u>PREPARED BY</u>:

Teri B. Lewis, AICP *LMO Official*	DATE

<u>REVIEWED BY</u>:

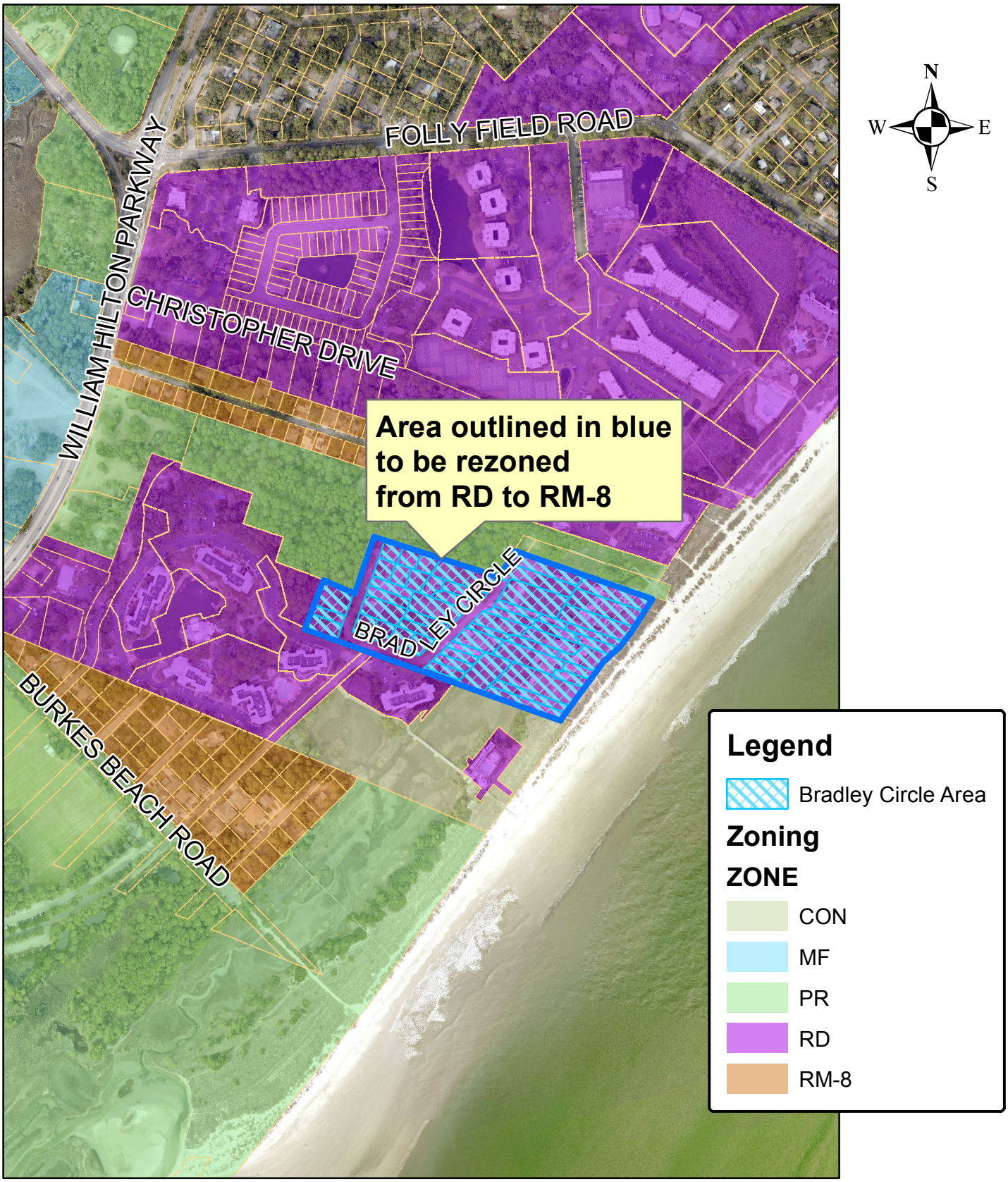
Jayme Lopko, AICP *Senior Planner and Planning Commission Coordinator*	DATE

<u>REVIEWED BY</u>:

Shawn Colin, AICP *Deputy Director of Community Development*	DATE

<u>ATTACHMENTS</u>:

A) Vicinity Map
B) Comparison Chart



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

	Moderate Density Residential RM8	**Resort Development RD**
Allowable uses	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
Density - Residential	8 DU	16 DU
Density – Non Res	6,000 GFA	8,000 GFA
Building Height	45 FT	45 FT (single-family) 75 FT (non-single-family)
Max Impervious	35%	50%

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!

15

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 Res.
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
[redacted]

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 form 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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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 Chaplin 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 Toddy

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] 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: 'teril@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 neighboorhood 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 giganitc 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 a[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 Bradly Circle area, all lots and property that was mistakenly zoned RD in Oct 2014s LMO are included in the application,ordinance ant 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 Towns 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 winon 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: "teril@hiltonheadislandsc.gov" <teril@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

McNAIR
ATTORNEYS

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

McNAIR
ATTORNEYS

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 Commision 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 29938

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.	2004
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.	2013
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	.12 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: September 20, 2017

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

Recommendation:
Staff recommends Town Council approve the second reading of Proposed Ordinance No. 2017-18 which amends fiscal year 2018 budgets for amounts rolled forward from fiscal year 2017 for the General and Capital Projects Funds.

There have been no changes.

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

Account Description	**Amount**
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

Account Description	**Amount**
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**

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						
CIP Budget	**Budget 2018**	**Code**	**To Date - Frank's Detail**	**To Date - Laurie's Detail**	**Balance**	71063
						$ -
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	
						Park
Special Events Park Improvements	$ 33,000	Park			$ 33,000	70000
Picnic Tables & Trash Cans	$ 7,500	Park			$ 7,500	$ 76,255
Tennis Courts (Chaplin)	$ 30,000	Park			$ 30,000	
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

COASTAL DISCOVERY MUSEUM

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 – Msic.- 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
Discovery House-Floors	$ 5,000.00	$ -	$ 5,000.00	$ 2,500.00	$ -	$ 2,500.00						-
Discovery House-Doors/Hardware	$ 2,500.00	$ -	$ 2,500.00	$ 2,450.00	$ -	$ 2,450.00						-
Discovery House - HVAC	$ 5,000.00	$ -	$ 5,000.00	$ -	$ -	$ -						-
Discovery House - Trellis/Service Yard Repairs	$ 1,000.00	$ -	$ 1,000.00	$ -	$ -	$ -						-
Armstrong Hack House-Exterior Paint	$ 7,000.00	$ -	$ 7,000.00	$ -	$ -	$ -						-
Armstrong Hack House-HVAC	$ 1,500.00	$ -	$ 1,500.00	$ -	$ -	$ -						-
Pavilion- Floors	$ 2,000.00	$ -	$ 2,000.00	$ -	$ -	$ -						-
Pavillion Restroom Building - HVAC	$ 5,500.00	$ -	$ 5,500.00	$ -	$ -	$ -						-
Misc- Boardwalks/Repair	$ 1,800.00	$ -	$ 1,800.00	$ 1,800.00	$ -	$ 1,800.00						-
Misc- Parking Lot/Driveway	$ 15,000.00	$ -	$ 15,000.00	$ 10,000.00	$ -	$ 10,000.00						-
Misc - Well/Field Irrigation	$ 5,000.00	$ -	$ 5,000.00	$ -	$ -	$ -						-
Misc-Fencing Repair	$ 2,000.00	$ -	$ 2,000.00	$ 2,000.00	$ 1,394.03	$ 605.97				1,394.03		1,394.03
Misc - Security Cameras	$ 8,200.00		$ 8,200.00	$ 1,000.00	$ -	$ 1,000.00						-
Bathroom Building Fixture Repair (FY16 rollover req)	$ -	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 502.07	$ 997.93		242.50		259.57		502.07
Bathroom Building Ext Paint Repair (FY16 rollover req)	$ -	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ -	$ 5,000.00						-
Barn Repairs - Exterior (FY16 rollover req)	$ -	$ 4,000.00	$ 4,000.00	$ 22,850.00	$ 22,843.27	$ 6.73			19,750.00	3,093.27		22,843.27
Parking Lot/Road Repairs (FY16 rollover req)	$ -	$ 2,500.00	$ 2,500.00	$ 2,500.00	$ -	$ 2,500.00						-
Misc Well Field Irrigation Repair (FY16 rollover req)	$ -	$ 2,844.50	$ 2,844.50	$ 2,844.50	$ 1,115.50	$ 1,729.00	140.00			975.50		1,115.50
Discovery House - Roof and Wall Repair				$ 12,700.00	$ 11,200.50	$ 1,499.50				11,200.50		11,200.50
Tree Maintenance				$ 7,700.00	$ 7,695.00	$ 5.00	7,370.00	325.00				7,695.00
Lanscape Remediation from Hurricane Matthew				$2,500.00	$ 2,501.75	$ (1.75)				2,501.75		2,501.75
TOTAL	$ 61,500.00	$ 15,844.50	$ 77,344.50	$ 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 A/P 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) **3rd 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**
	$ 137,580

FY17-18 BUDGET ROLL FORWARD REQUEST

COMMUNITY DEVLEOPMENT - 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

MEMORANDUM

TO: Town Council

FROM: John Troyer, CPA, Director of Finance

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

DATE: September 21, 2017

RE: **Finance and Administrative Committee Recommendation**
– South Island Dredging Project

Recommendation:
The Finance and Administrative Committee recommends Town Council authorize the Town Manager enter into an agreement relating to a dredging project within the limits of the funds set aside for this purpose ($600,000).

Summary:
The South Island Dredging Association has made a request to the Town relating to an upcoming dredging project. This project is described in more detail in the letter from Jack Brinkley, President of the South Island Dredging Association to the Mayor (attached). As part of the budget process, the Town has set aside $200,000 per year for this purpose since 2015 -- for a total of $600,000. The Finance and Administrative Committee heard the request, considered its merits, and made a recommendation to the full Town Council in support of this project.

July 26, 2017

Jack Brinkley, President
South Island Dredging Association
46 Gull Point Rd.
Hilton Head Island, SC 29928

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

Re: Dredge Funding

Dear Mr. Bennett:

The purpose of this letter is to request disbursement of funds currently reserved for dredging needs within the Town of Hilton Head Island (Town). This reserve was established as part of the 2015 budgeting process and has a present balance of $600,000.

Background

Some of the sediment carried in the rivers around Hilton Head Island and sediment originating in the uplands of the island itself settles in the tidal creeks. This buildup of sediment requires periodic dredging of waterways to maintain and preserve safe public access and navigation of the creeks and public amenities along the creeks.

In 2001 the South Island Dredging Association (SIDA) was formed by Sea Pines property owners to work on a collaborative basis to preserve waterway access in that portion of Hilton Head and conduct dredging on a programed basis. The importance of dredging was recognized by the Mayor and Council as reflected by Resolution 2012-26 (attached), which was executed prior to the most recent dredge event. This resolution recognizes the need for periodic dredging and without dredging the: "...internationally recognized Harbour Town Marina and other Sea Pines waterways will lose their usefulness and reputation."

Working with DHEC-OCRM and the Army Corps of Engineers, new dredging permits were obtained in 2013 to allow inland open water disposal at a site near the mouth of Calibogue Sound via pipeline. These are the only permits allowing inland open water disposal in SC and are based on Calibogue Sound's unique characteristics that disperse the dredged sediment with no adverse impacts. The practical impact is that this technique substantially reduces dredging costs and eliminates impacts on Hilton Head itself such as upland disposal and potentially 1000s of truck trips taking the sediment off island.

In 2013/14 dredging activities were successfully completed as designed and in accordance with all permit requirements. Harbour Town Yacht Basin was dredged, including the

entrance channel, fuel docks, ship's store, restaurants, and inner basin. Braddock Cove Creek was also dredged, including its entrance and main channels and Gull Point and South Beach Marinas, thereby supporting public access to the commercial attractions at South Beach Marina, as well as allowing the water-focused commercial operators at South Beach to continue to serve the public. Approximately 240,000 cubic yards were removed and successfully transported to the authorized open water disposal site. Post dredging testing and evaluation by state and federal permitting agencies confirmed the viability of the overall inland open water approach and the specific placement site. The project cost was $3.7m including permits, mobilization/demobilization, material removal, and compliance oversight.

Project Scope

Maintenance dredging is now required in these same venues to preserve access and maintain safe navigation at all tides. A competitive bidding process was managed by project consultant GEL Engineering LLC and the low bidder was determined to be Marcol Dredging located in North Charleston, SC. In accordance with the dredge permits, final contractor selection is subject to review and approval by the Army Corps of Engineers and the Corps' acceptance of a detailed Dredge Plan. As a well-known and well-qualified dredge firm, Marcol should have no issue meeting this requirement. Preliminary surveys indicate 154,000 cubic yards require removal from the same venues as the 2013/14 event. Dredging is scheduled to commence November 1, 2017, and be completed no later than April 30, 2018. Attached are figures of the dredge areas (3 pages) and estimated costs per area (1 page including Exhibits 2 and 3).

Project costs based on preliminary volumes total $2,953,403 with mobilization and demobilization accounting for $1,180,700 regardless of volume. Final dredging and disposal costs are subject to a final survey and are expected to be slightly higher based on sedimentation that will occur between the time of the preliminary survey and the actual dredging. Cost details are shown in Exhibits 2 and 3. SIDA holds valid permits with the CORPS permit expiring 6/30/23 and DHEC-OCRM permit expiring 04/29/18. Project management and oversight will be provided by GEL Engineering to include full time inspection and verification, hydrographic surveying and monitoring as required by permits. Daily reports will be filed with the CORPS and available on a public website. Based on recent experience of spoils accumulation it is estimated by GEL Engineering that maintenance dredging should be planned on a 4-6 year cycle with longer intervals being more likely if the full permitted dredge area is dredged from the creek entrances as is planned for the upcoming dredge.

Economic and Community Benefit

The Sea Pines Waterways are an integral component in maintaining Hilton Head Island as a highly desirable community and resort destination. Tourism is by far the single largest

financial contributor to our local and state economies. The importance of these waterways to the public and to the Hilton Head economy was reflected by then Governor Haley and DHEC Director Templeton holding a press conference on Hilton Head in 2013 to announce the issuance of SIDA's current dredge permits.

Similar to our beaches, routine maintenance is required to maintain this public attraction. In the case of these waterways, the maintenance takes the form of dredging to offset siltation which can restrict navigation 12+ hours each day and block access to and from Calibogue Sound. Harbour Town and South Beach Village attract thousands of tourists each year. Both provide dining, shopping, water oriented activities and fuel docks servicing the public regularly. Harbour Town is a major fuel and overnight destination along the Intracoastal Waterway for large watercraft which require unlimited access. Braddock Cove Creek is an extensive waterway which is freely accessible for boating, kayaking, and fishing.

Conclusion

SIDA members will fund the remaining project costs (~$2,400,000) and proof of funds will be provided to ensure project completion. SIDA requests disbursement of $600,000 which can be linked to staged completion. Typical milestone disbursements to coincide with contractor invoices might be:

- $100,000 – mobilization
- $200,000 – completion of Harbour Town Entrance dredge
- $200,000 – completion of Braddock Cove Creek Entrance dredge
- $100,000 – demobilization

We appreciate your consideration of this request. Please contact me with any questions.

Sincerely,

Jack Brinkley, President
South Island Dredging Association

C: Stephen Riley, Town Manager
Thomas Lennox, Council Member, Ward 5, Hilton Head Island

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ENDORSING THE SOUTH ISLAND DREDGING ASSOCIATION INC'S PROJECT TO PERFORM MAINTENANCE DREDGING IN HARBOUR TOWN MARINA, BRADDOCK COVE CREEK (INCLUDING GULL POINT AND SOUTH ISLAND MARINA) AND PORTIONS OF BAYNARD COVE CREEK SUBJECT TO THE SOUTH ISLAND DREDGING ASSOCIATION INC'S COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATORY REQUIREMENTS SUCH AS ENVIRONMENTAL, SAFETY, AND STRICT MONITORING OF THE PROJECT.

WHEREAS, Town Council is aware of the need for dredging creeks and marinas in Sea Pines Resort as a result of silt and sand from Calibogue Sound which naturally moves through them with the tides; and

WHEREAS, Town Council recognizes that at low tide, some of these waterways are not navigable and others only by vessels with minimal drafts; and

WHEREAS, unless dredging occurs, internationally recognized Harbour Town Marina and other Sea Pines waterways will lose their usefulness and reputation; and

WHEREAS, South Island Dredging Association, Inc. has asked Town Council to consider endorsing its permit application before the U.S. Army Corps of Engineers to perform maintenance dredging in Harbour Town Marina, Braddock Cove Creek (including Gull Point and South Island Marina) and portions of Baynard Cove Creek.

NOW THERFORE, BE IT, AND IT HEREBY RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT it endorses the following:

1. South Island Dredging Association Inc's project to perform maintenance dredging in Harbour Town Marina, Braddock Cove Creek (including Gull Point and South Island Marina), and portions of Baynard Cove Creek subject to the South Island Dredging Association, Inc's compliance with all federal, state, and local regulatory requirements such as environmental, safety, and strict monitoring of the project; and
2. The South Island Dredging Association Inc's conclusion that alternative means of disposal are not available; and
3. Inland open water disposal is the only practicable and feasible alternative to maintain navigability of the subject creeks and marinas; and
4. That all appropriate regulatory agencies take into account comments made by residents.

MOVED, APPROVED, AND ADOPTED THIS 16th **DAY OF** October, **2012.**

[redacted]

Drew A. Laughlin, Mayor

ATTEST:

By: [redacted]

Victoria L. Pfannenschmidt, Acting Town Clerk

APPROVED AS TO FORM:

[redacted]

Gregory M. Alford, Town Attorney

Introduced by Council Member: KENNETH S. HEITZKE

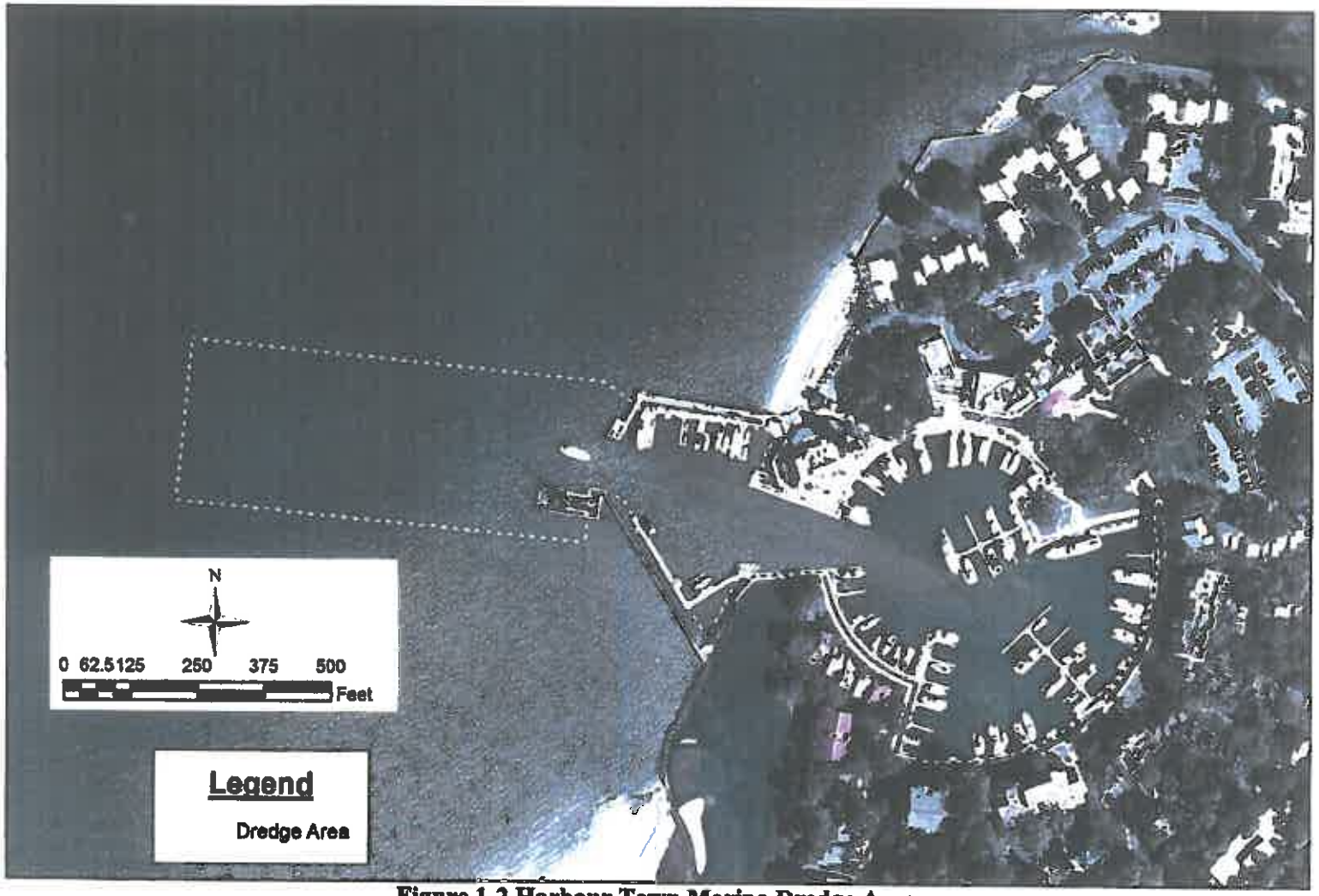

Figure 1-2 Harbour Town Marina Dredge Area

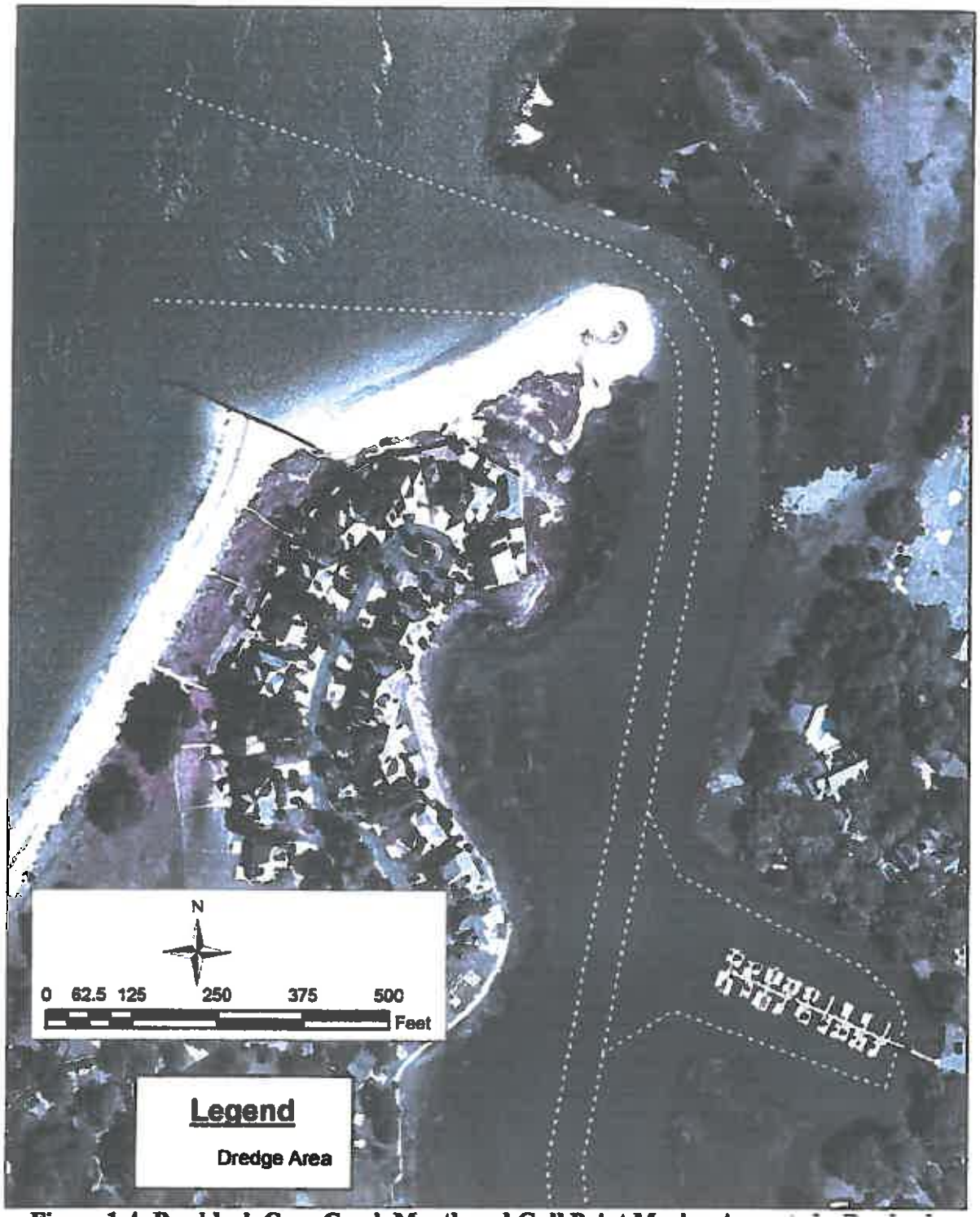

Figure 1-4: Braddock Cove Creek Mouth and Gull Point Marina Areas to be Dredged

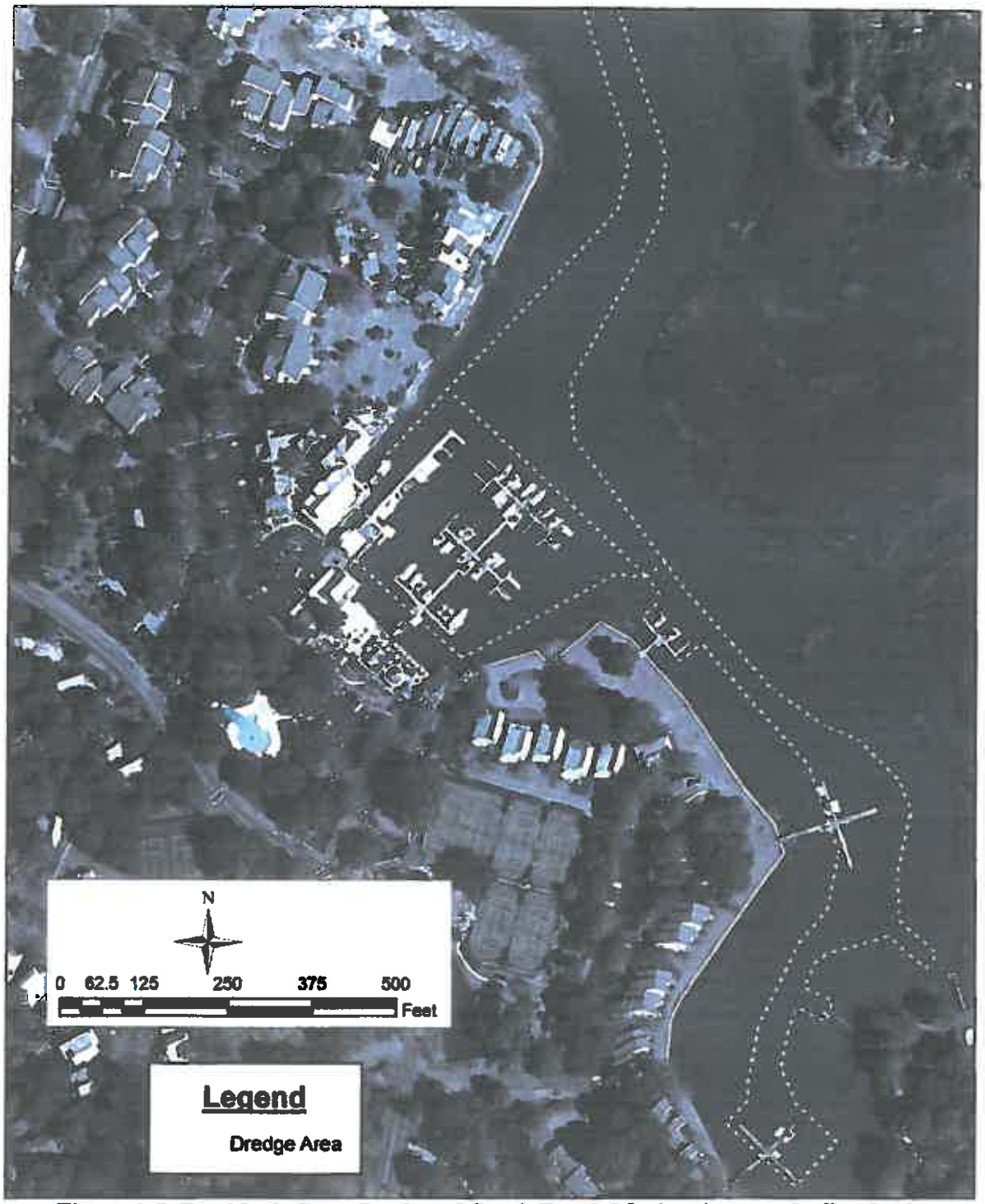

Figure 1-5: Braddock Cove Creek and South Beach Marina Areas to be Dredged

Example: Dredge Costs Per Area Based On Preliminary Volumes

Exhibit 2

Harbour Town

• Entrance channel	9,293cy	$260,111
• Outer basin	11,421cy	$319,674
• Marina basin	6,837cy	$191,366

Braddock Cove Creek

• Entrance channel	30,840cy	$518,420
• Main channel	44,090cy	$741,153
• Upper channel	12,719cy	$213,806
• Gull Point marina	20,747cy	$348,757
• So. Beach marina	18,300cy	$307,723

Notes: Harbour Town removal costs - $17.39 per cy

Braddock Creek removal costs - $6.21 per cy

Product management, survey,etc. -$2.84 per cy

Mobilization & demobilization $7.76per cy

Example: Project Costs exhibit#3

• Project preparation, management, oversight	$437,756
• Mobilization/demobilization	$1,180,700
• Performance bonds	$14,770
• Dredging and disposal	$1,320,177

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 27, 2017
SUBJECT: Lighting System for the Arts Center of Coastal Carolina

Recommendation: That Town Council approve the Town funding 85% of the cost to design, acquire, and install a new Arts Center of Coastal Carolina theatre lighting system not to exceed $575,000 with the following criteria and conditions:

1. This process comply with the Town's procurement policy and procedures.
2. The Arts Center shall show proof of funds necessary to cover 15% of the total project cost.
3. The Arts Center shall provide detail of the disposition of the existing light system.
4. The Arts Center provide a schedule and timeline of design, acquisition, and installation.
5. The Arts Center shall provide a fiscal year 2018 budget along with assumptions.
6. That the Arts Center provide Town Council with a CPA prepared financial statement for the most recent fiscal year when completed.
7. That Town Council ask the Arts Center to provide the most recent internally prepared year-to-date financial statements.
8. Should the Town and the ACCC ever enter into an agreement whereby the Town acquires the real property owned by the ACCC within the next 5 years, that amount of funding herein will represent a credit towards any consideration.
9. Lastly, that the Arts Center continue to provide senior level board member participation with the Town Venue Committee to support the Committee's work.

The Community Services Committee met on September 26, 2017 and voted 2-1 to make a recommendation to Town Council that the Town fund 85% of the cost to design, acquire, and install a new Arts Center of Coastal Carolina theatre lighting system not to exceed $575,000 and make sure that it is on the next Town Council agenda. If it is the Town Council's decision to proceed then include the criteria and conditions listed above.

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."

At the September 19, 2017 Town Council meeting, Council voted to recommend that the development of criteria, terms and conditions under which the Town would fund a significant portion of the cost of designing, acquiring, and installing a new stage lighting system at the Arts Center of Coastal Carolina be added to the next Town Council agenda. The Mayor assigned this item to the Community Services Committee to provide a recommendation on criteria, terms, and conditions back to Town Council at the October 3, 2017 Town Council meeting.

MEMORANDUM

TO: Town Council

FROM: Facilities and Administrative Committee

DATE: September 22, 2017

SUBJECT: Recommendation – Engagement of Executive Search Firm

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Recommendation:
The Finance and Administrative Committee recommends that Town Council engage the services of an executive search firm to support the recruitment and selection process to hire a new Town Manager, if required.

Summary:
On September 19, 2017 Staff presented the Finance and Administrative Committee with three options to consider for conducting the process of hiring a new Town Manager. The Committee voted unanimously to recommend that Town Council approve the use of a Request for Proposals (RFP) to procure executive search firm services, with those services to be supplemented by Town Staff and Municipal Association resources as needed.

Background:
In response to a request from the Finance and Administrative Committee, Staff researched various options to identify highly qualified candidates for the Town Manager position if a vacancy occurs. The three options evaluated included hiring an executive search firm, relying on the combined support of Town Staff and Municipal Association resources, or using Town Staff to administer the process. Following an initial review of these alternatives, Staff concluded that the services of a search firm specializing in recruitment and selection of chief administrative officers for municipal or county governments would best serve the Town's needs. Staff then prepared background information describing the options to be considered and provided that information to all Town Council members for review in advance of the Finance and Administrative Committee meeting on September 19.