



**TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA  
LAND USE AND NATURAL RESOURCES COMMITTEE OF COUNCIL**

Thursday, October 7, 2021

Committee met at 8:30am, this date, at Town Hall (2056 Middle St.), all requirements of the Freedom of Information Act having been met. Present were;

Committee members: Gary Visser (Chair), Scott Millimet and Pat O'Neil

Staff: Administrator Andy Benke, Zoning Administrator Joe Henderson and Committee staff member Pam Otto

1. **Call to Order.** Chair Visser called the meeting to order, stating the press and public were duly notified pursuant to state law, and all Committee members were present.

Media: None present

Public: Twenty (20) members present

Chair Visser stated that he wanted to make a slight adjustment to the agenda, allowing for public comments on the consideration of language changes for the proposed Public Facilities Zoning District after the presentation by Town staff.

2. **Public Comments and Correspondence.**

**Karen Coste (322 Station 19)** asked if entire packet could be published with the agenda, so the staff report could be viewed ahead of the meeting. She also stated she was not sure when the public could have input and engage with Council. She asked for the return of public comment to the Council workshop rather than community members having to attend all Committee meetings.

**Rick Graham (2102 I'On Ave.)** expressed his hope that the Land Use and Natural Resources (LUNR) Committee of Council does not get too involved with the short-term parking issue as it has been addressed by the Board of Zoning Appeals (BZA) already.

**Carl Jacobson (1509 Middle St.)** asked if he could go ahead and make his comments as to the Public Facilities Zoning District as he needed to leave at 9:15am.

Chair Visser told Mr. Jacobson to go ahead with his comments.

**Carl Jacobson (1509 Middle St.)** opposes any proposed language changes to the Public Facilities Zoning District with respect to Battery Logan. He feels there is a disconnect between what the Island residents want and the repeated attempts to change the use of Battery Logan. He is asking Town Council to exempt Battery Logan from this district, in order to preserve the green spaces.

**Eddie Fava (2424 Myrtle Ave.)** feels it is a little misleading to call the parking lot at 2107 Middle St. a short-term parking lot as no one knows how long people will park. He feels it should just be called a parking lot.

Mr. O’Neil asked Henderson for clarification on the meaning of short-term parking, that it refers to the duration of the cars in the lot not the use of the property. Henderson said yes, that it means it is for day use only and cars can’t park there for multiple days. Mr. Millimet asked about overnight parking. Henderson said it was prohibited, that occasionally one can expect some who visit the commercial district to leave them overnight, if necessary, but not for days or weeks. Mr. Millimet asked who would be responsible for that oversight. Henderson said the property owner, and that Town staff would oversee compliance of the property owner.

**Allison Bourland (1607 Atlantic Ave.)** asked if this was the meeting to ask about the invasive species in the accreted land.

Mr. O’Neil said she can address correspondence directly to Town Council by sending it to Town Clerk, Bridget Welch, and he gave Ms. Bourland the Clerk’s email address. Henderson also stated that he or Benke could help her with that as well if she wants to reach out to them.

3. **Approval of Minutes from August 23, 2021 LUNR meeting.**

**Motion:** Mr. O’Neil made a motion to approve the draft minutes with the exception of one line; he asked that the last sentence in the third paragraph under **Discussion** on page three (3),” They want to restrict some future Council from misuse of the property.” be stricken from the minutes. Seconded by Mr. Millimet, this motion passed unanimously.

4. **Consideration of language changes for the Planning Commission’s proposed Public Facilities Zoning District.** Chair Visser gave a brief introduction of the history of the Public Facilities (PF) Zoning District. Henderson then gave a presentation of the language changes. He said there were two (2) main sources of opposition, one being the inclusion of Battery Logan in the PF Zoning District and the second was the language involving “for profit” uses allowed in the permitted and conditional uses Table 1.1 in the Comprehensive Plan. Henderson stated that Councilmember Bachman Smith was able to help Town staff craft the language to ensure future Councils that approve special events

using the “for profit” use keep them to civic events with the community in mind. The language adjustments are below:

**Table 1.1 Permitted and Conditional Uses**

Land Use	
<p><del>Community or civic events and services such as public service organizations, music or theater performances, holiday events, farmers markets and any similar events. Such government approved events may be for fundraising, for profit or not-for-profit provided said event is reviewed and approved by the Sullivan’s Island Town Council.</del> Community or civic events and services such as public service organizations, music, or theater performances, holiday events, farmers markets and any similar events. Such government approved events may be for fundraising or not-for-profit. For-profit activity is permissible to the extent it is in support of not-for-profit fundraising or any market type event organized and hosted by the Town of Sullivan’s Island. All events described herein require review and approval by the Sullivan’s Island Town Council or other governing agency.</p>	C

Mr. O’Neil asked if the Town could do any of the mentioned activities at this time. Henderson said that is correct. Mr. O’Neil then stated that the language is not introducing a new use.

**Public Comments**

**Carl Jacobson (1509 Middle St.)** asked why rezone if Council can do already. He wants Town Council to carve out Battery Logan from the PF Zoning District. He said the best use of this property is no use.

**Barbara Spell (1702 Atlantic Ave.)** did not understand what the point of rezoning. She has been discussing Battery Logan with residents for months since she heard that the Town was planning to use it for a heavy equipment parking area during the fire station construction. She agreed that was a prior Council, but that unless Battery Logan was protected, a future Council could open it up as a venue, even for only non-profit events. She wants a conservation easement for Battery Logan.

**Melanie Burkhold (1660 Atlantic Ave.)** had concern about the drainage issue if Battery Logan was changed as flooding is an issue at this time. She also asked the Committee to remove Battery Logan from the rezoning.

**Eddie Fava (2424 Myrtle Ave.)** asked if everything in the proposed PF Zoning District was currently zoned residential.

Henderson said the Elementary School and Town Hall properties are currently not zoned. The purpose in zoning the properties is to identify the properties with non-residential uses and create a district that allows government to continue operating these properties as they are. Mr. Fava then asked about Fort Moultrie to which Henderson replied that it is not being used commensurate with its Recreation/Conservation 1 (RC1) zoning in its current

day to day use. The Fort's current zoning does not encompass its heavily maintained and often visited status as a tourist destination, that is why it needs to be included in the PF Zoning District.

**Eddie Fava (continued)** said he understands the purpose but since most seem opposed, maybe Council could make a special exception for Battery Logan.

Henderson stated that Battery Logan is an exception among all of the properties as it is not currently being used on a day-to-day basis. That provides justification to remove it from the PF Zoning District

**Carl Jacobson (1509 Middle St.)** asked why Battery Logan could not be protected as that is the present use at the present time.

### **Discussion**

Mr. O'Neil asked if Battery Logan could be rezoned as RC1 as it has adjacent property zoned that way. Henderson said yes, if that is the will of Council. Benke said that the lots adjacent to Battery Logan that are zoned RC1 are part of the land trust set up in 2005.

Mr. O'Neil said that this type of zoning district is not new, it is an effort to bring our zoning map into compliance with the current state of affairs. It is not to introduce new uses.

Chair Visser asked if the language adaptations to the conditional uses of the PF Zoning District was acceptable to the Committee. Mr. Millimet liked that it fell under the purview of Town Council and that they would have oversight of any proposed event. Chair Visser shared his opinion that the true danger to this property is to leave it zoned residential. Then this or any future Council could decide to sell it. Rezoning would prevent the sale of Battery Logan for residential purposes. Chair Visser suggested that Battery Logan remain included in the PF Zoning District. Battery Logan can be placed in a conservation easement while in the PF Zoning District.

Mr. O'Neil wanted to clarify that if Battery Logan is to be preserved, there are three (3) options.

- Deed restriction with a land trust where use of the property would be restricted
- Add it to the existing RC1 District
- Leave it as is but in the PF Zoning District

**Motion:** Mr. O'Neil made a motion to recommend to Council that they adopt the newly proposed language regarding uses that can take place in the PF Zoning District and also recommend to Council that they act on this new district as it now stands, including Battery Logan, and recommend to Council to proceed as expeditiously as possible with

either rezoning, as RC1, or a conservation easement for Battery Logan; seconded by Mr. Millimet. This motion passed unanimously.

5. **Short-term auto parking lot at 2107 Middle Street.** Henderson gave a brief presentation and history of the parking lot to be located at 2107 Middle Street, and its approval in the Design Review Board (DRB) and Board of Zoning Appeals (BZA). The lot consists of four (4) golf cart spaces, two (2) Americans with Disabilities Act (ADA) regulation spaces and the other spaces. Payment would be made by scanning a QR code found on signs in the lot, using a text to pay system. Josh Schaap was present to answer any question about the parking lot, representing the lot owner. Chair Visser started a conversation about the ADA spaces and whether they had a non-gravel path to the sidewalk. They do not so Henderson mentioned it could be discussed with the property owner. Mr. Millimet asked about the method of pay. The QR coded signs enable a cashless, touchless system.

**Motion:** Mr. O’Neil made a motion to recommend to Council to give second reading approval to the text amendment to §21-50 B. (3); seconded by Mr. Millimet. This motion passed unanimously.

6. **Adjourn.** There being no further public discussion or new business, the meeting adjourned at approximately 10:03am.

**Motion:** A motion was made to adjourn by Mr. Millimet; seconded by Mr. O’Neil. This motion passed unanimously.

Respectfully Submitted

  
Pamela Otto