



**Town of Sullivan's Island, South Carolina**  
**Planning Commission**  
**Regular Meeting Minutes**

**Wednesday, June 9, 2021**

A regular meeting was held at 6:00pm, on Wednesday, June 9, 2021, by way of virtual Zoom platform. All requirements of the Freedom of Information Act were verified to have been satisfied.

**Present:** Commissioners Carl Hubbard, Manda Poletti, David Peterseim, Charles Cole, Gallia Coles and Laura Schroeder, incoming Town Council member Gary Visser was also present.

**Staff Members:** Joe Henderson, Director of Planning and Pamela Otto, Planning Commission Secretary

**Call to Order:** Chair Hubbard called the meeting to order, and it was stated the press and public were duly notified pursuant to the Freedom of Information Act Requirements. There were 12 members of the public and no members of the media present.

A. Approval of Minutes – April 14, 2021

**Motion:** A motion was made by Ms. Poletti, seconded by Mr. Cole, to approve the Planning Commission minutes dated March 10, 2021. This motion passed unanimously.

B. Public Hearing for Zoning Ordinance Text Amendments and Rezoning

Public Facilities Zoning District: Consideration of amending the Zoning Ordinance by establishing a Public Facilities Zoning District, Chapter 21, Article 6, with the intent of accommodating properties owned and used for governmental purposes. The rezoning of nine properties are included with this text amendment.

Henderson stated this was the public hearing to consider text amendments to the zoning ordinance and several changes to the Town's official zoning map with the creation of a Public Facilities Zoning District. Henderson reported that this change would include adding a new chapter to the Zoning Ordinance and rezoning nine (9) government owned and operated properties currently offering public facilities to the residents of Sullivan's Island.

The public notice strategy undertaken by the Town was reviewed by the Commission in preparation for the public hearing:

- Posted signs along public rights of ways adjacent to all nine properties.
- Sent letters to all contiguous property owners and property owners located across the street or right of way, sixty-five (65) properties received these letters.
- Placed news media advertisements at least fifteen (15) days prior to the meeting; in the Post and Courier, Moultrie News and Island Eye News.
- Placed notice on the Town website with all supporting documentation, maps and drafts of the Ordinance language.

Henderson gave a brief timeline of study for the Public Facilities Zoning District

- Recommended in the 2018-2028 Comprehensive Plan
- July 2019 – initiated by the LUNR (Land Use and Natural Resource) Committee and Town Council
- December 2019 – Planning Commission completed draft
- March 16, 2021 – Town Council requested public hearing
- June 9, 2021 – Public Hearing in regular Planning Commission meeting

Henderson then discussed the various reasons for the creation of a new zoning district, which included two primary goals

1. Update the Zoning Map to correspond with the Future Land Use Map

The Future Land Use Map is located in the Comprehensive Plan 2018-2028 and is meant to be a guide for future land uses. When that map is compared to the current zoning map there are inconsistencies. Town Hall Complex and Sullivan’s Island Elementary School are not zoned; Batteries Thompson, Gadsden and Logan, the Fish Fry Shack, Fort Moultrie and the Fort Moultrie Visitor’s Center are all zoned residential. By creating the Public Facilities Zoning District, the Town is assigning a zoning classification that is commensurate with the current use. This will allow for a greater separation between residential properties and the government properties. The nine properties proposed for this are the Town Hall Complex, Sullivan’s Island Elementary School, Battery Gadsden, Battery Thompson, Battery Logan, Fry Shack, Fort Moultrie and Battery Jasper, Fort Moultrie Visitor’s Center and the Sullivan’s Island Post Office.

2. Allow better buffering and screening against public facility uses

Specifically citing the Fort Moultrie Visitor’s Center, Henderson pointed out that multiple properties have been granted variances for taller fences to give them privacy. If the property is rezoned to PF-District, adjacent residentially zoned properties could benefit from taller fences or buffering. Ms. Poletti asked if this would apply to properties across the street or right of way. Henderson stated it would be restricted to properties that were immediately adjacent or sharing

property lines.

The Commission then reviewed the proposed text of the Public Facilities Zoning Ordinance. Henderson reported that the chapter is formatted in the same way as the other chapters of the Zoning Ordinance (Exhibit 1 draft PF-District language):

*Sec. 21.77 – Purpose and Applicability* – The purpose allows an outline of the purpose statement providing a description and the intent of the district. Applicability allows reflection on the official zoning map.

*Sec. 21-78 – Permitted and Conditional Uses*

*Permitted Uses.* Mimics all permitted uses with existing local, state and federal land uses. Included in Table 1.1

*Conditional Uses.* Special events approvable by Town Council and administrative staff on a case-by-case basis.

*Existing Uses.* Covers nonconforming of Grandfathered uses, but if discontinued would have to comply with ordinance. If the Public Facilities zoned property is sold to a private individual, the zoning would change to be compatible with the surrounding area.

Henderson explained that during Town Council’s review of the draft language, they recommended that for profit uses be allowed on a case-by-case basis, and that the language should be changed to allow special events as conditional uses, which would allow community or civic events like the annual Farmer’s Market.

Henderson explained that Sec. 21-79 – Development Standards were intended to remain very flexible for facility development as needed. (Exhibit 1 for table of Development Standards)

*Other applicable requirements* – Standard language to ensure compliance with all applicable building codes, ADA regulations, fire codes and requirements of the Town’s Code of Ordinances. Subject to staff review

**Discussion:** Henderson then asked if the Commission had any questions or concerns. Mr. Hubbard asked if Town Council would still regulate the “for profit” uses. Henderson stated they would review each special event to ensure it met Council’s standards for community or civic benefit. Mr. Hubbard asked if there were any objections to adding the “for profit uses” to the language of the text amendment. There was no opposition from the Commission to adding the “for profit” language. Henderson asked if there were any questions about the proposed text amendment and there were none. Mr. Hubbard prepared to open the public hearing and asked all attending to keep comments concise. He also stated that all of the comments were being recorded and would be passed on to Town Council.

**Public Comments:**

**Jerry Callahan (1655 Middle St.)** asked where was the language that states if the Post Office is sold, it returns to the zoning of the surrounding area. Henderson stated that it was under the existing uses portion of Sec. 21-78 – Permitted and Conditional Uses.

Mr. Callahan commented that Town Council is a politically driven entity and he thought it was unfair to the citizens of the Island for Council to oversee all of the development standards. The Town should be held to the same standard as the private landholders.

**Charles Stockdale (1702 P'On Ave.)** asked if the Commission would be willing to exclude the field at Station 16 and Atlantic Ave. He wanted to know why it should be rezoned for more intensive uses. Henderson said the language is meant to mimic the existing land uses; it would not allow anything more intensive than is already allowed today. The current zoning ordinance allows Town Council to allow public facility uses on residentially zoned properties. Henderson said that there are no land use changes being proposed by Town Council by rezoning these nine properties to Public Facilities Zoning District.

**Barbara Spell (1702 Atlantic Ave.)** that the recent Town Council vote showed a desire for transparency and preserving of green space. She does not understand why a 2.2-acre field of green space would be included in the Public Facilities Zoning District. She also asked about an allocation of funds from the March Town Council meeting to build fencing on that lot. She said the Town must have some sort of more intensive plan for that lot. Henderson said that Battery Logan is incorporated in this district because the Town attorney encouraged only large, contiguous parcels of land to make up the new district. It was also discussed that spot zoning be avoided by not including isolated parcels of government owned land in the district.

Ms. Spell said that there was some discussion related to using the property as boat storage, which is a very different use of the property in discussion. She asked if anybody had considered the storm water drainage issue for that neighborhood, as it is very important for that reason. She felt this lot needed to be removed from the Public Facilities Zoning District as it is a very different property from the others. She said that more intensive uses of these properties are not fair to property holders who purchased here thinking that the land around them was residential. She wondered how many other properties Town Council would place into this category.

Henderson said that Town Council is the deciding authority for land use on Town owned properties, not the Planning Commission or Town staff. The zoning district would not change the actions that Council can take, which could be allowed today under the residential zoning. He said any future property that is proposed for rezoning to Public Facilities would need to correspond with the Future Land Use Map and would require Planning Commission and Town Council approval.

Ms. Spell wanted to know what is to stop Council from adding all of the other Town properties to this district, allowing for those uses, as Council has broad authority over everything that would be in the district.

Henderson reiterated that what allows the Planning Commission and Town Council to rezone any property on the island, is the requirement that the proposal be commensurate with the Town's Future Land Use Map in the Comprehensive Plan 2018-2028. It is also what would stop Council from rezoning other government owned properties on the island. The Future Land Use Map has determined most of them must remain zoned as residential.

Ms. Spell reiterated that she felt that the lot at Station 16 and Atlantic was very different from the other properties and should be removed from this District. She feels that the increased noise, traffic, and activity involved with using this lot as boat storage is an undue hardship for residents in the area just to accommodate ones who don't want to park their boat in their yard.

Mr. Hubbard thanked Ms. Spell and stated that her comments would be passed on to Town Council. Ms. Spell mentioned that she was surprised that more Council Members weren't here to hear the public input, that only one was present. She wondered how the input from this meeting could be presented to Council at their meeting, which was in just four (4) working days.

Henderson stated the first reading is "by title only" and would not require any discussion among Council members. The second reading, scheduled for July, would involve a staff presentation and any comments or questions would be discussed at that time. He said that would be a perfect time for her to attend and voice her concerns to Council.

**Gary Visser (2924 Middle St., Incoming Council Member)** asked about the language that ended in "managed by local government," he asked if it automatically excluded the Fort Moultrie Visitor's Center, the Post Office, etc., properties owned by the federal government.

Henderson said that it does not, it includes federal and state properties as well, and also the Charleston County Schools, an extension of the state.

There being no further comment or questions, Chair Hubbard closed the public comments at approximately 6:54pm.

**Discussion:** Mr. Peterseim asked if the building Battery Logan and the grass lot were one entire parcel or if they could be separated. Henderson said there were two (2) parcels in that area but that the lot under discussion was part and parcel with Battery Logan. Mr. Peterseim asked if that meant removing Battery Logan in order to remove the grass lot. Henderson stated if it was removed from the Public Facilities Zoning District, it would remain zoned residential. Mr. Peterseim asked what the consequences would be if they did remove Battery Logan. Henderson said there would be no consequences related to land use and the use of the property would still be the within the authority of Council to manage the property.

Ms. Poletti asked if any of the residents who were around the lot and Battery Logan have any opposition to the Public Facilities Zoning District. It was stated that staff had received emails from six (6) residents in the area. Ms. Poletti said these were the people who would be most directly influenced and it was important to have their support.

Mr. Hubbard asked if there were any other questions. Mr. Peterseim mentioned that Barbara spell

had her hand raised again. Mr. Hubbard reopened public comment for her.

**Public Comment:**

**Barbara Spell (1702 Atlantic Ave.)** expressed concern about the “for profit” aspect of the conditional uses, as there is no limit listed. She feels that most of the fundraisers around the area are small and local. There could be some consequences to adding “for profit” if there is no plan to place a limit.

There being no further comment or questions, Chair Hubbard closed the public comments for a second time at approximately 7:02pm.

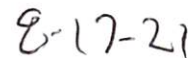
**Motion:** A motion was made by Mrs. Poletti recommending that Town Council approval the language of the text amendment of the Zoning Ordinance by adding a new Public Facilities Zoning District as written, and to rezone the nine properties shown on the draft zoning map. Staff is to present it to Town council for their consideration. Seconded by Ms. Coles. The motion passed unanimously.

C. Adjourn

**Motion:** A motion was made to adjourn by Mr. Cole, seconded by Ms. Schroeder. This motion passed unanimously. The meeting adjourned at approximately 7:08pm.



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Carl Hubbard, Chair



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Date

Respectfully submitted,  
Pamela Otto,  
Planning Commission Secretary