

PLANNING COMMISSION MEETING

Kiawah Island Municipal Center

January 8, 2025, 2:00 pm

Minutes

I. **Call to Order:** *Mr. Dowdy called the meeting to order at 2:00 pm.*

II. **Roll Call:**

Present:
Bill Dowdy, *Chairman*
Larry Iwan, *Vice Chairman*
Andy Capelli
Dr. Ronald Curran
Joanne Hennessy

Present via Zoom:
Gene Babinec
John Connolly

Also Present:
Stephanie Tillerson, *Town Administrator*
Boone Aiken Town Attorney
John Taylor, Jr., *Planning Manager*
Daniel Vincent, *Planner 1*
Patea St. John, *Landscape and Tree Preservation Specialist*

III. **Approval of Minutes:**

- A. Planning Commission Meeting Minutes of December 4, 2024
- B. Planning Commission Meeting Minutes of December 18, 2024

Approval of the minutes was deferred to the next meeting.

IV. **Public Comments:** *(Agenda Items Only)*

Cherie Gallagher – 119 Spartina Court

Ms. Gallagher provided feedback on the Comprehensive Plan Update. She expressed excitement about the Kiawah Island Alliance, emphasizing the need for more details on the living with nature philosophy and approach. She was also excited about out-of-the-box projects like a centralized communication channel, the Kiawah Island Historical Society, and a water ferry for transportation.

V. **Old Business**

A. **KiawahNext Update**

1) **Comprehensive Plan Update: Review of Public Comments**

Mr. Taylor stated he would recap the KiawahNext process and the update of the Comprehensive Plan and then review public comments received to date.

Mr. Taylor stated that a public drop-in meeting was held at Town Hall in December to engage the public with the plan as drafted to date and allow for public comments. He noted that public participation was low, as anticipated, with only four online submissions and five attendees at the public session.

A summary of the comments received at the drop-in meeting and via the online portal has been provided in the meeting materials and is broken down by element. He emphasized the importance of engaging the commission with public comments and making modifications to the plan based on the feedback.

After reviewing the comments received in the:

Governance Structure – continues to be of interest to the community. Mr. Taylor asks for the commission's input on the Kiawah Island Alliance and its framework.

Population Element - comments on the mixture of ages on the island

Economic Development – comment related to the commercial village, Freshfields, with a comment encouraging affordable workforce housing on John's Island.

Mr. Taylor clarified the need to value public comments and decide whether they should be considered in the plan.

Discussion of the Kiawah Island Alliance indicated a need for more discussion and a desire not to focus on it in the Comprehensive Plan when it is not guaranteed that the entities will form the alliance.

Future Land Use Map

Mr. Taylor presents the future land use map and asks for the commission's input on modifying it.

Mr. Taylor stated that the Municipal Center is zoned Planned Development, which is Mixed Use. The current future land use designation for the Municipal Center is Civic and Institutional. The Civic and Institutional future land use designation aligns more with the uses of schools, community centers, and government offices.

Mr. Capelli questioned if there would be a vote on whether or not the commission would recommend the document to the Council. Mr. Taylor stated that the current draft still has revisions to be made, including comments and feedback from the Mayor and another workgroup session prior to going forward with a public review and approval process.

Mr. Capelli expressed his concern that comments discussed and agreed to on the structure of the Kiawah Island Alliance were not reflected in the current document.

Mr. Taylor stated that Ocean Park on the current future land use map is identified as medium density to residential and discussed the potential of a staff-level suggestion to modify those properties to low-density residential.

Mr. Taylor also discussed the recommendation for Night Heron Park to go from Active Recreation and Open Space to Commercial for future land use designation and the recommendation that Captain Sam's Spit go to Conservation from Low-Density Residential.

VI. New Business:

A. Election of 2025 Officers

Mr. Babinec stated that it did not seem appropriate for commissioners or members who are stepping down to have an active role in choosing new leadership for the commission.

Mr. Babinec made a motion to postpone the election of our officers until our next scheduled meeting in February and to extend the term of our vice chair until that time so that we have new members vote on who our leadership will be and make sure we have the community interests at heart.

Commissioners debated the motion to table the election.

Mr. Dowdy asked for a legal opinion from the Town Attorney. Mr. Aiken stated that, having done a good

bit of research on the subject, the simple answer is this is a policy question from a legal perspective; state law gives extreme deference to the Planning Commission (PC), and the PC is what we call a self-governing body. You have the ability to make your rules, enforce your own rules, and amend your own rules when it comes to procedure so that motion is certainly acceptable from a legal perspective.

With the legality of the motion being clarified, Mr. Dowdy asked if there was a second.

Mr. Connolly seconded the motion.

Mr. Connolly stated that his reason for seconding is that, based on my experience on a lot of different committees, I've never seen an outgoing group elect the next set of officers for a group.

Ms. Hennessy stated that, for the benefit of the community and people who aren't familiar, Mr. Dowdy is right; this is how it has been done. She explained the series of events that created the disconnect between the PC rules of procedure, the way we have done it for 15 years, and how we need to do it going forward.

Ms. Hennessy stated that she agreed with good governance and that outgoing people voting would not be right and is not good governance. One option is to table and vote in February, which is acceptable. If people insist on voting now, she asked that the two outgoing members recuse themselves.

Mr. Dowdy called for a vote on the pending motion.

Ms. Hennessy added that if there is a vote today, there will be a motion to amend the rules of procedure. This vote may be good for this month, but there may be a vote again next month.

Mr. Capelli noted that there was no motion to change the agenda. The agenda calls for a vote today and is based on principles that have been in place for years. Not only that, but if a change was proposed, that would require a vote.

Mr. Capelli also noted that new members would not be able to speak to the abilities of people already on the committee regarding what they know, what their capabilities are, and who should be suggested to lead the future committee.

The motion to table the election fails by a 3 to 4 vote, with Mr. Dowdy, Mr. Capelli, Mr. Iwan, and Dr. Curran voting "No."

The commission proceeded with the election of new officers, with Mr. Iwan making a motion nominating Dr. Curran for the position of Chairman.

Mr. Iwan reviewed the role of the Planning Commission, which operates independently of the Town and the Town Council. He reviewed in detail the five reasons for that: 1) specialized focus, 2) an advisory role, 3) public input and transparency, 4) checks and balances, and 5) a long-term vision.

Mr. Iwan stated that Dr Curran had been on the commission for two years. Dr. Curran has participated in a significant number of the subcommittees and has been involved in all the major decisions. One of the things that Dr. Curran brings to the plate is that he has a balanced approach, takes a look at the entire issue from all the constituencies, and gives a 360-degree view of the issues. Dr. Curran is also a very strong communicator and has a great way of getting people to work together. Mr. Iwan felt it is in the best interest of the Town Council and the best interest of the community to have that independent function and somebody with a balanced approach, like Dr. Curran.

Following Mr. Iwan's reason for the nomination, Mr. Capelli seconded the motion, and it was approved

with 4 “Aye” votes. No additional votes were made.

Dr. Curran made a motion to nominate Mr. Iwan for the position of Vice-Chairman. Mr. Capelli seconded the motion, and it was approved with 4 “Aye” votes. No additional votes were made.

B. Approval of Rules of Procedure

Mr. Taylor stated that the Planning Commission’s Rules of Procedure are approved at the beginning of each year. Based on the previous discussion, he anticipated there would be changes recommended to the one presented in the materials.

Commissioners discussed postponing action on the Rules of Procedure to provide changes to the presented draft based on the meeting and including attorney input on the proposed language. Mr. Taylor recommended that the Commissioners share suggested language edits ahead of the following meeting that could be included in a revised draft.

Ms. Hennessey made a motion to table the approval of the Rules of Procedure to provide additional time for submitting changes for review. Mr. Iwan seconded the motion, and it was unanimously approved.

VII. Correspondence/Staff Comments:

A. Development Project Updates

Mr. Taylor stated that the original schedule for tomorrow’s Charleston County Planning and Public Works Committee was to consider the proposed medical village on Betsy Kerrison Parkway. The applicant requested to remove the item from the agenda, so that meeting has been postponed to March 6th.

B. Ongoing Ordinances

Mr. Taylor provided an update regarding pervious surfaces. He stated that due to the timing of the last meeting and the holidays, staff had not been able to engage with any private sector to provide the additional context requested regarding the potential impacts of changes in the ordinance. The staff has been working internally to provide a little more context to the ordinance that would provide an understanding of the proposals that have been recommended so far. It is the intention to have that information coupled with a few independent studies of collecting cost data directly from some of the private sector providers.

Mr. Taylor stated that the Landscape and Tree ordinance will be on the Town Council's agenda next month for the first reading and a public hearing. He also stated that at the December Town Council meeting, there were presentations from communication and cell tower companies addressing the cellular coverage on the island with the objective of gaining an understanding of the existing cellular coverage challenges and exploring potential strategies that the Town can pursue to improve connectivity on the island. Staff will continue to do internal studies to explore if there were ways to improve cell coverage and to be able to make a recommendation.

C. Comprehensive Marsh Management Plan

Mr. Taylor stated that at yesterday’s Town Council Meeting, Council Member Kaye identified that there would be a potential restructuring of the format of the Marsh Management Workgroup. The workgroup may take a new form, identity, and structure so that it will hold off on any new meetings or recommendations. It is anticipated that at the February meeting, the Marsh

Management Workgroup will introduce its report on evaluating the current buffer ordinance and its recommendation to increase buffers from ten to fifteen feet.

Mr. Taylor stated that a year ago, a goal was set to complete the Comprehensive Plan, Kiawah Next. In 2025, that will still be the priority for Planning Staff, at least for the 2025 first quarter, and once KiawahNext is in an approvable state, an overhaul of the Town's Zoning Code will be the next big project.

On behalf of the Planning Department, Mr. Taylor thanked Mr. Dowdy and Mr. Capelli for their years of service to the Planning Commission and the community, stating that it had been a pleasure working with them.

Mr. Babinec asked if the studies Councilmember Kaye mentioned she would be doing regarding the pervious surfaces were independent of the Planning Commission. Mr. Taylor confirmed that her studies were independent, but the data will be included in the information that will be coming back to the Commissioners.

Commissioners asked for updates on the following projects:

- Andell West property and status of permits – no formal updates have been received.
- Mingo Dock – the project was approved last year – work began in December, but It was not known if the work had been completed.
- Settlement agreement approval and release – the update at the Town Council meeting indicated that the settlement regarding the Timbers was approved; the other has not been approved at this stage; working through the final exhibits of that consent order, which would then be filed with the courts. The release will not occur until it has been formalized through the courts.
- Ocean Pines – one of the site plans included in the consent order awaiting formal approval.

VIII. Public Comments:

Cherie Gallagher - 119 Spartina Court

Ms. Gallagher expressed disappointment in the election process. She felt that the two new members should have had input into the leadership of the group they would be participating in. She also requested more updates on the Upper Beachwalker development projects.

Stephanie Tillerson, Town Administrator, read the following thank you message: I want to take a moment to sincerely thank you, both Mr. Dowdy and Mr. Capelli, for your dedication and service to this Commission over the past 10 years. Your commitment, expertise, and leadership have made a lasting impact on our community, shaping its growth and future. We truly appreciate the time, effort, and thoughtfulness you've brought to every decision. While we will miss your presence on the Commission, your contributions will not be forgotten. Thank you for your years of service and all we've done to make a difference. Thank you both and thank you on behalf of the Town.

IX. Commissioner Comments:

Commissioners Connolly and Babinec expressed their gratitude to Mr. Dowdy and Mr. Capelli for their service to the Planning Commission and the Town, and they also congratulated the new officers.

Mr. Capelli appreciated the comments and thanks received for his 20 years of service. In his final

comments, he emphasized respecting the law with respect to the role of the Planning Commission and the importance of staying objective, independent, and working for the best interests of the Town.

Mr. Iwan indicated that serving on the Planning Commission is a difficult job, and Mr. Dowdy and Capelli did a wonderful job of trying to execute the Commission's role. He described Mr. Capelli's role as the Commission's archivist, and for the last several years, as being the minority view and having the courage to defend that view. He described Mr. Dowdy as always allowing people to have their say, along with his openness and commitment. He stated it had been a pleasure to serve with them and thanked them both.

Dr. Curran also thanked Mr. Dowdy and Mr. Capelli for their many years of service and dedication to the Town and residents of Kiawah Island. He also added endurance to the characteristics already described by Mr. Iwan.

Dr. Curran felt that it had been a productive two years, learning a lot by listening to the people who came to the meetings. One of the biggest jobs was to listen and serve the community, and he looked forward to working with everyone on the commission, working together as a team, and being productive over the next year.

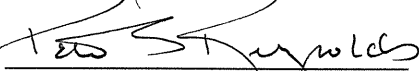
Ms. Hennessy stated that she looked forward to working with the new Commission. She spoke to earlier remarks by stating that the Planning Commission was an independent body of independent thinkers and that she did not see the Commission or Town Council as political but as having a goal of working for the best interests of Kiawah.

Mr. Dowdy expressed his pleasure in working with the commissioners, noting the hard work and dedication he had seen over the past 12 years. He also felt that the two individuals being sent to the Town Council for approval would be great additions to the Planning Commission.

X. Adjournment:

Dr. Curran made a motion to adjourn the meeting at 3:10 pm. Ms. Hennessy seconded the motion, and it was unanimously approved.

Submitted by,



Petra S. Reynolds, Town Clerk

3-11-2025

Date