

PLANNING COMMISSION MEETING

Kiawah Island Municipal Center

June 4, 2025, 1:00 pm

Minutes

I. **Call to Order:** *Ms. Hennessy called the meeting to order at 1:00 pm.*

II. **Roll Call:**

Present: Joanne Hennessy, *Chair*
Gene Babinec
John Connolly
Sandy Devine
Maribeth Schmursal
Rob Ryan

Also Present: John Taylor, Jr., *Planning Director*
Daniel Vincent, *Planner 1*
Patrea St. John, *Landscape and Tree Preservation Specialist*
Mac McQuillin, *Town Attorney*

III. **Approval of Minutes:**

A. Planning Commission Meeting Minutes of April 2, 2025

Mr. Ryan made a motion to approve the minutes of the April 4th, 2025, Planning Commission meeting. Ms. Schmursal seconded the motion, and it was approved unanimously.

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

Mr. Permar, 81 Dungannon Hall, representing the Ocean Park Homeowners Association, expressed appreciation for proceeding with their request to rezone the residential platted lots from R-2 to R-1; and requested to participate in the discussion of this when the item is addressed.

V. **Old Business**

A. **KiawahNext Update**

1) **Comprehensive Plan Update:**

Ms. Hennessy noted that a planning workshop was held last month and the Commission have made a lot of progress but did not quite finish the work on the document. A workshop has been scheduled on June 20th to allow the Commission to finish up the revisions and be prepared to vote on the plan at the next Planning Commission meeting, July 2nd.

VI. **Executive Session**

A. **Executive Session** – To receive legal advice protected by attorney client privilege concerning pending litigation regarding Case No 2025-CP-10-018444

Mr. Connolly made a motion for the Planning Commission to go into Executive Session, Mr. Babinec seconded the motion and it was approved unanimously.

Mr. Babinec made a motion for the Planning Commission to come out of executive session. Mr. Ryan seconded the motion. The motion was unanimously approved.

Ms. Hennessy stated that during executive session the only item covered was listed above and no decisions or actions were taken.

VII. New Business

A. Zoning Text Amendment Application(s):

1 #AZO25-000004 | Comprehensive Review of Use Regulations

Request to amend Division 3. – Use Regulations and Sec. 12-374. Definitions. to refine and regulate uses which are compatible with the purpose of that district, with or without conditions or to restrict uses.

Mr. Taylor noted the key factors of the proposed amendment included:

- Eliminating several commercial retail uses as a by-right or conditional use from several zoning districts
- Removing residential uses from the CS-2 Community Support zoning district.
- Modifying the PR-OC Zoning District to incorporate conditional use reference based on current conditions of the zoning district pertaining to dwelling units and the integration of residential and non-residential buildings.
- Qualifying parking areas which are not specifically associated with a proposed development. These include parking facilities as the principal use. Establishes conditions consistent with those of landscaping and parking standards for visual and aesthetic value for such facilities.
- Modifying accessory structure standards pertaining to fences and pools.

Gene Babinec made a motion to amend page 17 (v) Parking Facilities by deleting the Parking facilities shall be of a pervious material as approved by the Planning Director. Mr. Ryan seconded the motion, and it was approved unanimously.

Ms. Schmersal made a motion to amend page 17 (U) Transportation; bus passenger stands and rideshare zones, by adding ride share zones to read as “The design and location of bus passenger stands & ride share zones”. Mr. Babinec seconded the motion, and it was approved unanimously.

Ms. Schmersal made a motion to amend page 19 to add minimum as modifier to four feet. Mr. Babinec seconded the motion, and it was approved unanimously.

Mr. Babinec made a motion to approve the text amendment as amended. Mr. Connelly seconded the motion, and it was approved unanimously.

2. #AZO25-000005 | Communication Towers

Request to amend Sec. 12-103 – Conditions of Use to modify standards regarding communication tower infrastructure to enhance public safety and quality of life issues regarding cellular coverage.

Mr. Vincent provided a timeline and brief presentation of efforts in working with providers, tower owners, and stakeholders, to develop this recommendation to modify the current standards for communication towers. The Town of Kiawah Island Infrastructure and Public Works Committee provided a letter of recommendation to the Planning Commission and Town Council on the proposed Cellular Communications Coverage Improvements.

The Planning Commission entered discussion of the proposed standards and raised some concerns in regard to the height limits and aesthetics of the towers. Town Council member and chair of the

Infrastructure and Public Works committee, Lance Spencer addressed some of the concerns and proposed modifications and emphasized the importance of improving not only the cell coverage but the availability of new bands of service the improved technology would offer. Roger Warren, of the Kiawah Island Resort spoke in favor of adopting the standards and Jonathan Yates, outside counsel for T-Mobile also spoke in favor of approving the recommendations. It was shared that the costs for improving this infrastructure would be on the carriers and tower companies and they would optimize the solutions based on nationwide data.

The Planning Commission would like some additional time to review the proposed ordinance and established a subcommittee (Mr. Ryan, Mr. Connolly and Mr. Babinec) to further review and return with a recommendation by July 2, 2025, the next planning commission meeting.

Mr. Babinec withdraws his motion to approve the text amendment which was seconded by Ms. Devine. The matter is tabled until the next Planning Commission meeting.

3. #AZO25-000007 Amendment of Ordinance 2023-23

Request to amend the existing Ordinance 2023-23 to remove the 2013 Amended and Restated Development Agreement as an appendix to the zoning code to refine intent and setback standards.

Mr. Taylor explained that the amendment is to clarify the zoning standards for lands that were subject to the 2013 Amended and Restated Development Agreement. This development agreement has expired, and the lands would now be governed by the Town of Kiawah Island zoning ordinance. Mr. Taylor shared that the proposed amendment does not change any zoning district standards but aims to provide clarity of how setbacks are applied.

Ms. Devine made a motion to approve the amendment, Mr. Babinec seconded the motion, and the motion was approved unanimously.

B. Comprehensive Map Amendment #ACP25-000001 Future Land Use Map Amendment and Zoning Map Amendment #REZ25-000001.

Request to amend the Future Land Use Designation and rezone several parcels within or near the Ocean Park neighborhood.

Mr. Vincent introduced these amendments and listed the TMS numbers affected by the amendments. Mr. Permar requested to speak as the parcels were reviewed by the Planning Commission. Mr. Permar stated he was representing multiple stakeholders including the Ocean Park Homeowners Association, the Kiawah Partners and the Kiawah Island Golf Resort. Mr. Permar stated the origin of this request was from the Ocean Park property owners of the residential lots, noting that when the development agreement expired in December 2023 approximately 65-70 sites were adversely affected as the side setback changed from 10' to 15' per the current Town of Kiawah zoning ordinance. Ms. Hennessey shared that in addition to these requests, the Planning Commission had discussed changing the Future Land use from medium residential land use to the low-density residential land use to better represent the pattern of development for Ocean Park.

Following discussion, Ms. Schmursal made a motion to amend staff recommendations and approve Willet Island TMS # 2651600086 Future Land Use Designation be changed from Medium Density Residential to Active Recreation Residential & Open Space and rezone from Residential District R 2 to Parks & Recreation District – PR – Ocean Course. Mr. Babinec seconded the motion, and it was approved unanimously.

Ms. Devine made a motion to amend staff recommendations and approve Ocean Course Maintenance parcel TMS# 2651600185 to not change the Low Density Residential Future Land Use and rezone from

Residential District R 2 to Residential District R 1. Mr. Babinec seconded the motion, and it was approved unanimously.

Mr. Babinec made a motion to amend staff recommendations and approve Ocean Park Home Owners Association parcel TMS# 2651600165 Future Land Use Designation be changed from Medium Density Residential to Conservation and rezone from Residential District R 2 to Conservation. Mr. Ryan seconded the motion, and it was approved unanimously.

Ms. Schmersal made a motion to defer action on Ocean Park Parklands parcel TMS # 207000015. Mr. Babinec seconded the motion, and it was approved unanimously.

Ms. Schmersal made a motion to accept and approve staff recommendations to change the Future Land Use designations and Zoning designations for Ocean Park parcels, excluding the 4 amended parcels above. Mr. Babinec seconded the motion, and it was approved unanimously.

VIII. Correspondence/Staff Comments

Mr. Taylor provided the Planning Commission with updates from the Town Council meeting as they considered the final reading for the pervious paving requirements. Town Council has deferred back to the planning commission and staff will prepare a workshop and invite members of the private sector and community to participate. Mr. Taylor provided additional updates on development projects, including Ocean Pines and MUSC.

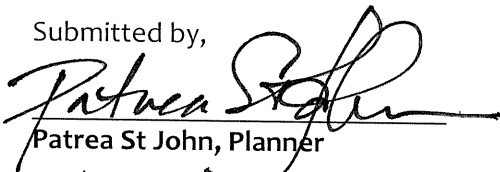
IX. Public Comments: none

X. Commissioner Comments: none

XI. Adjournment

Mr. Babinec made a motion to adjourn the meeting. Ms. Schmersal seconded the motion. The motion was approved unanimously at 3:42 pm.

Submitted by,


Patrea St John, Planner

7.10.2025
Date