

TOWN COUNCIL MEETING

Municipal Center Council Chambers

June 6, 2023; 1:00 pm

Minutes

I. **Call to Order:** *Mayor Labriola called the meeting to order at 1:00 pm.*

II. **Pledge of Allegiance**

III. **Roll Call:**

Present at Meeting: John D. Labriola, *Mayor*
John Moffitt, *Mayor Pro Tem*
Russell Berner, *Councilmember*
Brad Belt, *Councilmember*
Michael Heidingsfelder, *Councilmember*

Also Present: Stephanie Tillerson, *Town Administrator*
Joe Wilson, *Town Attorney*
Dorota Szubert, *Finance Director*
Craig Harris, *Director of Public Safety*

Mayor Labriola stated two changes were made to try to be more efficient and timelier in the Town meeting, the Town Council meeting time has changed to 1:00 pm, and the Citizens' Comments items are limited to 30 minutes, which is part of the Municipal Code.

IV. **Approval of Minutes:**

A. Minutes of the Town Council Meeting of May 2, 2023

Councilmember Heidingsfelder made a motion to approve the minutes of the Town Council Meeting of May 2, 2023. Councilmember Berner seconded the motion, and it was unanimously approved.

B. Minutes of the Special Call Town Council Meeting of May 15, 2023

Councilmember Berner made a motion to approve the minutes of the Special Call Town Council Meeting of May 15, 2023. Councilmember Heidingsfelder seconded the motion, and it was unanimously approved.

C. Minutes of the Town Council Public Hearing of May 22, 2023

Councilmember Heidingsfelder made a motion to approve the minutes of the Town Council Public Hearing of May 22, 2023. Councilmember Berner seconded the motion, and it was unanimously approved.

V. **Updates:**

A. **Mayor**

Mayor Labriola stated that in response to the posting of the Town Council agenda on Friday, Council had received many notes, comments, and letters in response to the agenda item dealing with the Upper Beachwalker Drive project. Council will discuss the project but clarified that there is no vote to be taken relative to approval of that project. Those who wish to make a citizens' comment may also want to hold comments until after the discussion.

B. **Council Members**

Councilmember Heidingsfelder re-emphasized the Mayor's statement that the Upper Beachwalker parcel topic will be discussed later in the meeting. The discussion creates a starting point for the process of community involvement and debate, proper review by the Planning Commission, and, if necessary, review by the Board of Zoning Appeals.

Councilmember Heidingsfelder stated it was never intended to be a done deal and that back in March, the Community was told that Council would be considering whether or not it was worth trying to convince the partners to change their concept for these parcels. He indicated that Council had now reached the point of deciding if it was worth moving forward and clarified that the agenda item was that discussion.

Councilmember Heidingsfelder provided updates on the following:

- Members of Town Staff and the Code Enforcement Team are trying to guide traffic at the first gate in the mornings to mitigate traffic backups.
- The leisure trail crossing safety improvements have been made at the Beachwalker Drive crossing by redoing the road signage and the installation of preliminary signage. He and Councilmember Berner have worked on details that are in discussion with KICA and the ARB but also felt that other leisure trail/main road intersections required better signage and safety measures.
- The Code Enforcement Team has been instructed to help mitigate weekend traffic at Beachwalker Park and ensure no parking violations.
- Kiawah Goes Green Initiative has begun.
 - The first meeting included stakeholder representatives from KICA, the Resort, the Kiawah Island Club, the Conservancy, and Riverstone, and we now have developed a very detailed plan of ten projects. The teams will start working on the projects next week with the expectation that some projects will be implemented relatively soon, over the next couple of months, while some will probably take longer to implement fully.
 - A Federal Grant application to get financial support for the EVS charging stations outside the main gate should be submitted by the end of the week.
- Roger Warren and his team removed the fence along the old Inn property.
- Street sweeping along the Kiawah Island Parkway and Beachwalker Drive will start soon.
- Work on several policies and guidelines will be shared with the Community soon.
- Councilmember Heidingsfelder and Mayor Pro Tem Moffitt swapped responsibilities related to the ARB and the ordinance review workgroups.

Councilmember Heidingsfelder personally apologized to the Community for changing his vote on the SATAX funding for the USGA Amateur Golf Tournament at the Kiawah Island Club. He indicated that he was under the impression this money would be used to inform the public the tournament was taking place so that people could come to the island and enjoy the tournament. None of this had been done, so in the aftermath, he clearly believed he made a mistake with that vote.

Councilmember Heidingsfelder stated that over the months that community members would like the Town to work better with other stakeholders. He noted that several attempts have been made to reach out to the KICA Board. Although the efforts have not been successful, he is still working on it.

Councilmember Heidingsfelder stated that the next Community Drop-In meeting would be Wednesday, June 14th from 2:00 pm to 4:00 pm at the Sandcastle. The day, time, and location were changed based on the received requests.

Mayor Pro Tem Moffitt stated that the review of the ordinances would begin in July. He expected a great deal of work to be done during the month and would provide updates as meetings occurred.

Mayor Pro Tem Moffitt recounted an incident while on the Beach with his family where a young boy stepped on a stingray, got a barb stuck in his foot, and despite assurances from the parents that the pain would go away, it only got worse. Michael Sosnowski, a member of the Beach Patrol, was also at the Beach with his family, but because he is never really off duty, he had his radio on his belt. He saw what happened and immediately called Beach Patrol, who was at the spot within two minutes to soak

the foot in hot water. Mr. Sosnowski indicated in the past year, they had had about a hundred of these kinds of injuries on the Beach during the summer, and were very common in the shallows of the water.

Mayor Pro Tem Moffitt cautioned that if you are with a group where that occurs, number one, call the Beach Patrol; they'll be there very quickly and have the provisions to accommodate the injury. Secondly, don't assume it's only going to go away; it's going to get worse, and third, if you can avoid it, don't step on a stingray.

Councilmember Berner also re-emphasized the comment made by the Mayor and Councilmember Heidingsfelder concerning the Upper Beachwalker parcel. With the misinformation that had been circulating, he received a lot of emails and phone calls. He wanted to re-emphasize that a plan was not being approved and had not been the intent, the Planning Commission and BZA are not being circumvented, and most importantly, the Community is not being circumvented.

Councilmember Berner was alerted to the concerns with the pedestrians crossing over the Parkway and indicated that preliminary improvement ideas had been submitted to the ARB. He also noted the decision was made to place an emergency call box in Night Heron Park.

Councilmember Berner added to Mayor Pro Tem Moffitt's comment about Beach Patrol. He was impressed with how courteous and professional members of Beach Patrol were in dealing with an older gentleman with a glass container on the Beach.

Councilmember Belt provided updates on the following:

- Arts Council -
 - The Arts Council program for 2023 has ended and turned out to be a great season.
 - The 2023-2024 season programs are nearly finalized and look exciting.
 - The single issue that continues to be a challenge with programming is the appropriateness and scheduling of venues.
- Performing Arts Center Feasibility Study -
 - Work on the feasibility study continues with a workshop on Thursday with potential users of a performing arts center and the management consultant who will develop a potential site-building plan.
- Charleston Visitors Bureau (Explore Charleston) -
 - A preview of the International African American Museum before it officially opens at the end of the month, with the potential of scheduling a podcast with Dr. Sylvia Mathews to talk about her background, the museum's history, and the vision.
 - Upcoming promotional activities for Kiawah – shifting the focus of promotions to something more related to the environment, sustainability, and resiliency. A campaign entailing print and video focusing on Bobcats, dolphin strand feeding, sea turtle nesting, the Shorebird Festival, and the Red Knot migration.
- Later this month, the Podcast with Herbert Ames, the managing director of Edens, the owners of Freshfields Village, provided an opportunity to talk about Eden's background, vision for Freshfields, and integration into Andell West.
- ARB Workgroup -
 - Workgroup has been meeting periodically to gather information regarding the framework for architectural review on Kiawah and patterns and practices beyond the legal framework to share with the Community.
 - Release a PowerPoint presentation outlining the findings in the coming weeks.
 - The podcast is scheduled to be produced in advance of the presentation.
 - Community meeting to present the findings and get community input
- Development Related Issues
 - On-Island Development
 - Upper Beachwalker
 - Night Heron Park – proposed rezoning public hearing scheduled for next month
 - Plans to develop the Old Inn site within 12 to 18 months
 - Off Island Development – many on the agenda for John's Island Task Force meeting
 - Andell West

- Potential medical village – scheduled to go before Charleston County Planning Commission in August
- Orange Hill development – Kiawah Partners – scheduled to go before Charleston County Planning Commission Workshop on July 10th – Pending DEHC application.
- Bohicket expansion – tentatively on the Seabrook Planning Commission agenda in July for potential annexation into Seabrook
- Seafields – building permit pulled fairly soon
- Main Road Segment "C" Corridor Project – County staff has been working to reduce the number of alternatives to be considered - further delayed until August or September.

Councilmember Belt stated at the last month's Council meeting, following a presentation by the Town Attorney, he had intended to pose some questions regarding that presentation. At that time, the request was made that the questions be put in writing. Councilmember Belt indicated that he had done so and was now submitting them for the public record but did not intend to substantively discuss it at this time.

C. Administrator

Ms. Tillerson reported on the following:

- The Kestral Court project
 - Working with Carolina Waste to finalize the project
 - Additional signage on equipment operation
- Seafields –
 - The town has completed all the reviews of building drawings
 - Additional zoning information still needs to be submitted to Mr. Taylor

Ms. Tillerson stated that Mr. Taylor could not attend the meeting but asked that she provide the following updates:

- Charleston County's five-year Comprehensive Plan Review Public Workshop is scheduled for June 7th from 5 30 to 7 30 pm at Berkeley Electric Co-op on John's Island
- Night Heron Park Public Hearing scheduled on Tuesday, July 11th
- Traffic counters installed for the annual traffic counts

D. MUSC – Dr. Pat Cawley

Dr. Cawley stated that the new site is at Seafields, across from the original site. The site is a piece of land not being used by Seafields, is owned by Kiawah Partners, and is within the Town of Kiawah. The due diligence process did not produce any significant issues, and the purchase agreement will be completed in the coming weeks. Despite issues with the significant escalation in construction costs, zoning for emergency medicine, and other minor details, Dr. Cawley stressed that MUSC is committed to the site and does not anticipate any problems. Once the purchase agreement is completed, MUSC will start to communicate this project very heavily and anticipate the facility will be up and running two years from this summer.

Councilmember discussion included changes in the building configuration and that, like the original site, the new site would also be a donation by the Partners.

VI. Citizens' Comments (Agenda Items Only): Limited to 15 Minutes.

Each speaker shall be limited to five minutes.

Linda Leffler – 60 Sunset Bend – Inlet Cove

Ms. Leffler stated that Inlet Cove or Riverview residents are vested in what happens in the Upper Beachwalker development. Speaking for the owners of Inlet Cove, height and density are two considerations that must be addressed. She was happy that there would be ongoing discussions and asked that the two concerns are considered in approvals as they go forward.

John Grierson – 109 Bobcat Lane

Mr. Grierson stated that he retired from two national home builders, built homes in six states, all different municipalities, and was a developer. He referred to the developers as a well-oiled machine, and they know what they are doing. He questioned if there had been a fully platted plan that an engineer had looked at to show that the roads work, that the lot coverage works, and with no variances given because he could see just on the drawings there are lines over setbacks and these things that go on. Everything starts with that because that's the economic basis for what the Partners are interested in. I'll throw it at you because I think you know the starting point is 66, and I will say that there's a win-win here for everybody right now. There is a reduced plan, you want that to be one parcel, but it's a negotiation, as you guys have said, but there could be a plan with 44 units on it that is economically more viable than what they can build truly by right, not what the numbers say, but what they can truly build. You need to look at that, not just pick an arbitrary number that's a few units less than what they had and say it will look prettier. It goes back to finding a more economically viable plan for them that suits the Community, and you'll have a win-win there. Before you throw out that we don't need to look at it by right and get onto some arbitrary thing, go through the list of all the things that you're asking the Planning Commission to agree to with setbacks. That seems like you've jumped forward and negotiated what the Planning Commission is supposed to engage everybody in the process, so, unusually, you jumped that whole process. I'd ask you to look at that, and if you've had an engineer look at it, I've never seen one; I'd love to see it; you know this is what I did for a living. Then I'd love to sit down and understand the economic impact of that and then how the new Community of what they can have will benefit them as well as us.

John Todd Bonet - 3532 Ship Watch

Mr. Bonet asked if the Town Council, either today or in a follow-up, could outline what the steps are going to be to move forward on Upper Beachwalker. Obviously, we know that, as Planning Commission and BZA, there is an amendment to the development agreement, so if you could outline the steps and timetable. That would be helpful to channel the community discussion as well.

Jerry McGee - 17 Inlet Cove

Mr. McGee wanted to make sure that the planned medical facility that MUSC is committed to doesn't interfere with the other proposed medical facility and that nothing there would give MUSC pause. I'm sure you will make sure that that happens because we wouldn't like to lose MUSC.

Councilmember Heidingsfelder made mention about working together with the Town. I am the Chairman of KICA, and I want to let everybody know that we will do everything we can to work with you (the Town) work with the Resort, and our objective is to be collegial. We have a lot of issues facing us we will not be able to do them all alone; we're going to have to cooperate, and I want to pledge that KICA will certainly be looking for opportunities to cooperate with you and to work with Mr. Warren and the Resort as the many challenges that we're going to face over the next few years confront us.

Gaye Stathis - 288 Marsh Cove Road

Ms. Stathis, in an email to Councilmembers, perhaps, is there any possibility that the Upper Beachwalker Parcels could be bought and put into Conservancy easement? Is there a way to negotiate with the partners to find out what they perceive their cost basis to be in that property and what profit they think they would make given that it would be developed, at some point, into some number of residential units? It's outside the box but not outside the realm of possibilities, and it would be nice for all of us if we didn't have more traffic coming into Beachwalker Drive. If possible, it would be nice to have some amenities on that parcel other than just more residential units. Also, it seems to me that Beachwalker Drive will become a nightmare if it isn't already once the Cape is completed and if you add these residential units. If there's some miracle that could happen and we could buy, not we but a group of stakeholders, could buy the Beachwalker parcels and put them into Conservancy, that would just be that would be for me the win.

VII. Old Business:

- A. To Consider Approval of *Ordinance 2023 – 05* An Ordinance To Amend The Town Of Kiawah Island Municipal Code Article 15 – General Offenses, Chapter 2. - Offenses Against Public Peace, Section 15-209. - Fireworks and Explosives – *Second and Final Reading***

Mr. Harris stated that for the second reading, the extended time for the 4th of July celebration was changed from 12:30 am to 9:30 pm, and the language was simplified.

Councilmember Heidingsfelder expressed his concern that the 9:30 cutoff was too early and may prevent any of the fireworks displays. Ms. Tillerson suggested that the time be changed to 10:30 pm.

Councilmember Berner made a motion to amend the time for the 4th of July celebration from 9:30 pm to 10:30 pm. Councilmember Heidingsfelder seconded the motion, and it was unanimously approved.

Mayor Pro Tem Moffitt made a motion to approve the second and final reading of Ordinance 2023 – 05 to amend the Town Of Kiawah Island Municipal Code Article 15 – General Offenses, Chapter 2. - Offenses Against Public Peace, Section 15-209. - Fireworks and Explosives, as amended. Councilmember Berner seconded the motion, and it was unanimously approved.

B. To Consider Approval of Ordinance 2023 – 07 An Ordinance To Adopt The Fiscal Year 2023-2024 Budget For The Town Of Kiawah Island, South Carolina (7/1/23 Through 6/30/24) - Second and Final Reading

Mayor Pro Tem Moffitt made a motion to approve the second and final reading of Ordinance 2023 – 07 to adopt the Fiscal Year 2023-2024 Budget for the Town of Kiawah Island (7/1/23 Through 6/30/24). Councilmember Heidingsfelder seconded the motion.

Councilmember Heidingsfelder expressed his concern with the substantial amount of legal expenses accrued in the current budget year and asked to be mindful of the legal expenses in the new budget year.

Following the comment, the motion was unanimously approved.

VIII. New Business:

A. To Consider Approval to Conduct Surveys at the Beachwalker Drive and Kiawah Island Parkway Intersection

The Ways and Means Committee tabled the recommendation to conduct the surveys.

B. Discussion and a Possible Vote of Support

- Andell West Project

Mayor Labriola stated that a couple of months ago, Chris Corrada, Senior Account Representative for Riverstone, representing the Goodwin family on the Andell West project, currently going through the County's approval process, came to the Town and was looking for its support. He gave a verbal report about the changes, the work done with the residents of Cassique and other entities. It was favorably received, and we said it sounds good; everything looks very promising. Now we have a three-page narrative about the Andell West Community update and a graphic on what it would look like. Mr. Corrada contacted us and would now like our support based on what he has provided us.

Councilmember Heidingsfelder stated he had no questions about the concept. Having been involved in it, I think this is a great concept, and I believe there has already been a lot of support from the Community. But I would like to see Riverstone come to the Community, present the plan themselves and give the Community further opportunity to provide input and commentary. I think that was an agreement we had with Riverstone; I haven't seen that being the case yet. Whether this will be going as a development through the Charleston County processes or otherwise, I think that Riverstone still would be advised to have that community meeting with these new plans.

Councilmember Belt indicated that it might be August that it would go before the County Planning Commission since the project was replated and the process restarted again.

Councilmember Heidingsfelder indicated he was trying to say he would appreciate it if Mr. Corrada came to the Town before it goes into the August County Planning Commission meeting. That's what I think he promised us; he certainly promised it to me, so we still need to see that before August.

Councilmember Belt stated that this was framed on the agenda as a discussion and possible vote of support on the Andell West project. I don't think we intend to take a vote on this. Mayor Labriola stated that we've not had a vote of support because we're not approving the project. I think we're just responding reacting to his request.

Councilmember Belt indicated that he would be very comfortable publicly conveying my support for it. I'm not sure if we need to take any official action. I fully support how it has evolved and think it has been a remarkable testament to the Community and the developer working together to achieve a really good compromise outcome. What I might suggest is, in kind of an appropriate time when this is really before the County Planning Commission for formal consideration, that we consider sending a letter from the Council at that time.

Mayor Pro Tem Moffitt stated that he agreed with Councilmember Belt on this. If you think about the timing and the sequence of events, once he gets it scheduled for the County and potentially comes to the Town to present kind of, what they're going to show the County, that would be the appropriate time for us as a community to voice our support. The way to do that is, as Councilmember Belt suggested, a letter to the County Planning Commission that Councilmembers support what's about to be presented to them would seem to make the most sense to me.

Councilmember Belt indicated his support along with Councilmember Berner, Mayor Pro Tem Moffitt, Councilmember Heidingsfelder, and Mayor Labriola. With the Council's support documented and memorialized in the minutes, he asked Ms. Tillerson to share with Mr. Corrada, and certainly, with those caveats, we want them to come back, the timing of coming back, and the timing of the letter.

- Upper Beachwalker Drive Project

Mayor Labriola began the discussion by referring to page seven of the discussion presentation. We put this page in as a touchstone; rightfully or wrongfully, it can be debated whether or not 97 dwelling units can be built on that site, be that as it may, the maximum allowable development entitlements on these five properties are 97. The aggregate can be debated, but what's important is looking at parcel 8, parcel 9, parcel 10, parcel 11, and partial 12, the 10, 4, 60, and 23 become important. Remember that the maximum allowed development entitlements are on the books.

Mayor Labriola continued to page eight - I thought we made it clear on October 5th of last fall that the Planning Commission approved a preliminary subdivision plat for this possible layout: option one, option two, and key parameters; this was approved. It did not and does not require Town Council approval; it does not require Community involvement; this is approved. The next steps from a preliminary subdivision plat development; are site plan review, which is done by John Taylor, and final plat review, which is done by the Planning Commission. It does not require Town Council approval. This plan, this project, this site plan is on the books right now.

Mayor Labriola and Councilmember Heidingsfelder asked for a meeting with the Developers right after the holidays, letting everyone know that the intent was to see if we could improve that plan. We have had four to five months' worth of meetings with the developers to see how they could respond. They've been very constructive, they've been very positive, they've been very cooperative, and outlined on pages nine, ten, eleven, and twelve are eight concept designs, or concept features that we felt could represent a baseline for a **new** Plan Development District in place of what you saw on page eight.

Mayor Labriola continued to page thirteen - In all the emails I received, no one asked, "Does the developer have to respond and proceed with the application for a Planned Development District" They do not. If the Council overwhelmingly supports the four bullets on page 13, "Does the developer have to respond to our request for support and encouragement," no, they do not. They have already received

preliminary approval in October. They are proceeding in every way toward site plan approval and final plat approval. They have not slowed down their processing to get approval for that project. We are asking them to, not demanding them to; we are encouraging them to have meetings with the Community, the neighborhoods, the HOAs, and all those types of things.

Mayor Labriola stated that he is asking this Council to support the basic parameters discussed and outlined as a positive starting point for the community involvement process to begin, to support the basic parameters as discussed with the Partners towards a Planned Development District solution. They have to apply for that; if they don't apply, it will not happen. We must encourage them to organize various Community input sessions and educate them. All we can do is encourage them. I can't demand it; they don't have to. The last one, we asked them to proceed with the procedures for a Plan Development District with the Town's Planning Commission. I appreciated all the letters and the notes saying don't do this, and I will sit here and tell you I don't know why because if we don't, they will proceed with the site plan and final plan approval.

Councilmember Heidingsfelder - Over the weekend, we've seen so many comments and references also made to Andell West, and I don't understand how these two things compare properly to each other. Here we have five parcels with entitlements that were given to the owners long ago. Nobody in this room was probably even on this island when these entitlements were given. The developer can build on whatever they want, whatever they feel fits their financial statement; that's what it is, period. Andell West is different because everybody in the room will be a future customer of Andell West's properties, restaurants, and supermarkets. It's a different thing, and we should not forget that. As a side note, I think what matters is for us to understand how we can make a productive impact on these Parcels so that we don't drive by the first gate and are ashamed of ourselves for allowing that to happen. That was our starting point; that's why the Mayor and I called on the partners, sat down with them, and had good open discussions and debates. We threw around many different ideas, including the idea of buying the property, and we came to a point where we feel now it's worth starting the regular process; that's what we want, nothing else. But to have the chance to go through the different steps of community involvement, Planning Commission scrutiny, and maybe BZA, and come to a planned development agreement with the property owners. The only thing that is yet is missing and also missing to what the Mayor said; yes, we had open, constructive, productive, and responsible meetings, but never a final agreement from the Partners that they will drop page eight and go to a new and better concept. We still don't have that, and to some degree, I think it's good that we don't have it because this should be part of the process that now follows. As the Mayor said, if we don't find support and agreement for this starting point to bring the Partners to the table, to have them organize these various Community meetings with the neighboring HOAs and with the overall Community of this town, if we don't get to that agreement with the Partners, then I think we all have lost because then it will be built as they like. So let's sit down and debate if this is a starting point we agree upon and if we see a benefit. I have received quite a few emails over this busy weekend that support many of these eight parameters as being better than what we can see on page eight. Let's take them, go to the partners to say, now is the time to start to serious about this, bring into the Community, and bring in the process we must follow as a Town.

Mayor Pro Tem Moffitt - Number one, talk is cheap. Everybody in this room would agree that what we want is three things; we want more setback, less height, and less density, that's it. Nobody here will disagree with that being our desire and until the partners decide that they're willing to come forward and make some adjustments to their process. We can see that they are doing that; we're just talking to hear ourselves talk. The partners have the next step; they've got to be willing to come back and show us that they hear what we're saying and are willing to take action in those three areas. As the Mayor said, we can't force them to do any of that. We've told them what we want and been very clear. Councilmember Heidingsfelder and the Mayor have done a great job of making them understand where we want Improvement or change. To me, the ball is in the developer's court to actually show some change in their process, to schedule some meetings, maybe draw some bubble diagrams of a new layout of the project, or document that no setback is going to be less than 100 feet, whatever they do but I

think it's up to the developer at this point to do that. I think we've done what we can and either need to be stuck with what they originally had, or we need to think that they're taking us at our word and that we do want to work with them to have something, and that's an improvement.

Councilmember Berner - Remember what I said in the opening statement; the entire purpose is to improve what is already approved, and that's the key. The preliminary plat is approved; that is already accomplished. What we are trying to do is get increased setbacks and lower heights. None of us here, and I'm going to say this once again, none of us are approving any plan. There's no plan here that we're voting on to be approved; we're voting on going back and restarting the process. That's where we are; it's that simple; we're restarting the process. But remember, there's a fallback plan that's already approved.

Councilmember Belt - I first want to commend the Mayor and Councilmember Heidingsfelder for their initiative in working with the partners to try to develop a potential solution to the Upper Beachwalker Parcels that would be an improvement over what the Partners can develop by right. I would also note at the outset that I think the outlined approach framework is demonstrably superior to what the Partners first presented a year and a half ago when they wanted to consolidate and upzone all five Parcels. Whether you call them parameters, potential negotiating points, or a framework for discussion, what has been outlined, with one critical exception, is a reasonable starting place for discussing what may be possible on Upper Beachwalker Parcels.

Councilmember Belt indicated that his one critical exception in the approach was related to the density. It provided a detailed outline of the reasons why starting with 76 units is too high, noting that except for the density parameter, this is a great place to start a discussion with the Community to achieve something beneficial economically beneficial for the partners and beneficial for the Community to hold and I do think there's an opportunity for a win-win.

Councilmember Heidingsfelder made a motion for a resolution to encourage the developer to pursue a Planned Development District through the normal channels of the Planning Department, Planning Commission, and the BZA to achieve a decreased overall density, lower height, and increased setbacks compared to current entitlements and prior concepts that have been shared with the Council and the Community, to pursue Community input based on these parameters or framework, to pursue Community input in terms of HOAs and the whole Community to discuss these parameters of framework, and commit themselves to a better project than what the Planning Commission has seen. Councilmember Berner seconded the motion for a resolution.

Mayor Pro Tem Moffitt appreciated what was trying to be done but was very uncomfortable voting on something that directed the Partners to do something. He indicated that he could not support the motion for the resolution, thinking it was inappropriate.

Mayor Labriola indicated there was no need for a motion or a resolution if all the Councilmembers supported what they heard and talked about. He noted that the comments relative to dwelling units had been expressed many times, but if everyone supports encouraging the Partners to proceed with submitting an application for Plan Development District to the Town's Planning Commission would be good enough for the Town and the Partners.

Following further discussion, Councilmember Heidingsfelder withdrew his motion for the resolution.

Councilmembers expressed their desire to support and encourage the process.

IX. Council Member Comments:

None

X. Citizens' Comments: Limited to 15 Minutes.

Each speaker shall be limited to five minutes.

Todd Boney – 3532 Shipwatch – PreserveKiawah Board

Mr. Boney stated there were a lot of comments about Andell West. If there were a presentation by Riverstone, he would encourage Riverstone to spend some time talking about how it was a constructive process and not just a constructive outcome. It might be a good opportunity for the Community to understand how to dialogue effectively.

Carol Middendorf

Ms. Middendorf stated that on a different subject, she wanted to talk about the 2000 pieces of stuff left on the Beach every night. The Beach has a different look from ten years ago. At that time, nothing could be left on the Beach, and now it seems that the amount of items or bins left overnight keeps growing. The Club, the Resort, and Island Beach Services leave their chairs out and wonder if there are contracts with them and if there is a limit on how much they can leave out. She asked if the Cape development would be able to leave stuff out, and then if you let that happen, can Windswept, Duneside, and all the other housing developments along the Beach leave equipment out on the Beach? She also wondered if any consideration had been given to limiting how much stuff could be left on the Beach.

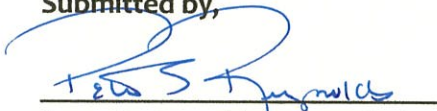
Mark Permar - 81 Duncannon Hall - Representative of Kiawah Partners

Mr. Permar stated that he did not want the days to end without saying we're (the Partners) very encouraged about the discussion and the next steps. I've taken copious notes here, but I want to take the reference to re-engage the area homeowners' associations and cottage owners' associations seriously. We think that is an important first step and used that technique on the first pass, the 1.0 version, and learned certain things during that process. KICA sponsored a remote presentation, it wasn't a discussion because of its nature, but we would encourage that to any venue. Like all of you, we learn something each time and look forward to re-engaging. Where we end where we don't know yet, but the general framework presented represents the more appropriate topics, and there are a couple more that were added, and we're likely to hear others from the Community. Our collective effort, and I use the term we for all of us, is that we continue to get better at what we do together in terms of creating a community or, many times, recreating a community, so we view this as a positive day and look forward to the next step. Not that it will be easy because creating and recreating Community is messy, but that's okay. We look forward to that, and I say that to everyone in the audience.

XI. Adjournment:

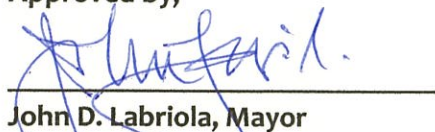
Councilmember Berner made a motion to adjourn the meeting at 3:50 pm. Mayor Pro Tem Moffitt seconded the motion, and it was unanimously approved.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



John D. Labriola, Mayor

B.4.2023
Date