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**ANSWERS TO COMMUNITY QUESTIONS FOR TOKI
ABOUT THE DEVELOPMENT OF PARCEL 13 LOT 2 (THE CAPE)
(AS SUBMITTED TO THE TOWN, 4/25/22)**

Does the ARB function independently from the TOKI? Yes, TOKI is a municipality. The ARB is a private entity created by the master developer.

Who approves the Site Plan for a proposed commercial development? TOKI and the ARB have two separate review processes independent of each other in which both entities approve a site plan. The Town's Planning Manager reviews proposed commercial developments via the Town's site plan review process for consistency with zoning and land use regulations and entitlement provisions in the Development Agreement. The site plan review process involves various entities and other government agencies. The ARB has its independent review and site plan process that they approve. However, the ARB review process ensures specific zoning and land use regulations and entitlements are consistent with the Town ordinances and regulations. This occurs through coordination via the Town's site plan review process.

Does the ARB have exclusive approval of a proposed site plan? No, TOKI has a site plan review process that involves various entities and other government agencies in the site plan review process. The ARB has a separate (internal) site plan review process that gives them exclusive authority to approve based on its rules and regulations.

Did the ARB make an "error" in computing the lot coverage for The Cape project? No, it is the Town's position that the ARB interpreted the language used in calculating lot coverage consistently with previous beachfront projects.

Is the language used in computing the lot coverage consistent with existent documents from the Development Agreement, Town Ordinances, and Design by Nature? Unfortunately, there can be questions on interpreting the referenced documents, but the ARB has consistently applied the lot coverage language.

Did the contractor remove more trees than were approved? Yes, the ARB stated at the April 5 Town Council meeting that 50 saplings were removed as an "unapproved design change."

Was the owner contacted, and actions were taken? Yes, the ARB contacted the owner, and the owner and the ARB are working through a final landscape plan to mitigate the "unapproved design change."

Has the ARB and Kiawah Partners violated the Development Agreement? No, it is the Town's position that no error has been made and no breach of the Development Agreement.

Has the term "Highland" been interpreted correctly? Yes, the term is used in several documents and has been used correctly based on calculations of lot coverage.

Has the Town taken steps to deal with the traffic problems confronting the residents of Kiawah? The Town recognizes the increase in traffic that has occurred over several years. There are more homes on Kiawah, continued construction traffic from the over 150+ active single-family residential permits, commercial construction, and just an uptick in tourists to many of the wonderful amenities on the Island, including the 10-mile stretch of public beach.

The Town has taken several steps to review and understand Kiawah Island traffic. Last year, the Town contracted with Kimley-Horn, a Planning and Design consulting firm, to complete a Comprehensive Kiawah Island Parkway Intersection and Corridor Study ("[the Study](#)"). The Study considered the development of remaining parcels along Beachwalker and future development beyond the Town limits. In March of this year, these findings were presented to the community at the Town Council meeting. This month, the final Study will be presented to the Town Council at its regularly scheduled June 7 Town Council meeting.

The Study results indicated that additional development of current vacant parcels along Beachwalker Drive would not significantly exacerbate an existing traffic concern based on projections. The proposed intersection improvements will improve traffic flow at the Kiawah Island Parkway and Beachwalker Drive intersection. Furthermore, during the early planning stages for the Cape, the Kiawah Island Community Association and the developer entered into an agreement to assist with the disbursement of traffic for a portion of Parcel 13 through Southern Pines Ln/Duneside Ln. This arrangement was part of the approval process for the site plan review of the Cape.

Kimley-Horn recommended an intersection improvement plan to the Town Council, which was approved, and the project is currently under design by Kimley-Horn. A copy of the approved Intersection plan is [attached](#).

The Town's Public Safety Department continues to coordinate with entities on the Island to best address traffic issues.

Has the Town taken steps to monitor "Traffic" on and off the Island? Embedded in the Development Agreement is a requirement of the Town to take traffic counts on the Bridge and Parkway three (3) times per year. The traffic counts will evaluate the existing traffic conditions during the summer peak and during time periods on each side of the peak season. Each traffic count will be conducted for a two-week period.

Traffic counts will be conducted during the first two weeks of June (June 1-14), the second and third week of July (July 8-22), and the last two weeks of August (August 17-31) at each of the intersections along the Parkway to key intersections along Governor's Drive.

Is the developer responsible for any mitigation if the traffic counts exceed the guidelines in the Development Agreement? Yes, there are provisions in the Development Agreement that would apply, as long as the Development Agreement is active.

Is the Town committed to protecting the natural beauty of Kiawah? Yes, all members of the Council and staff are committed to ensuring the environment is protected.

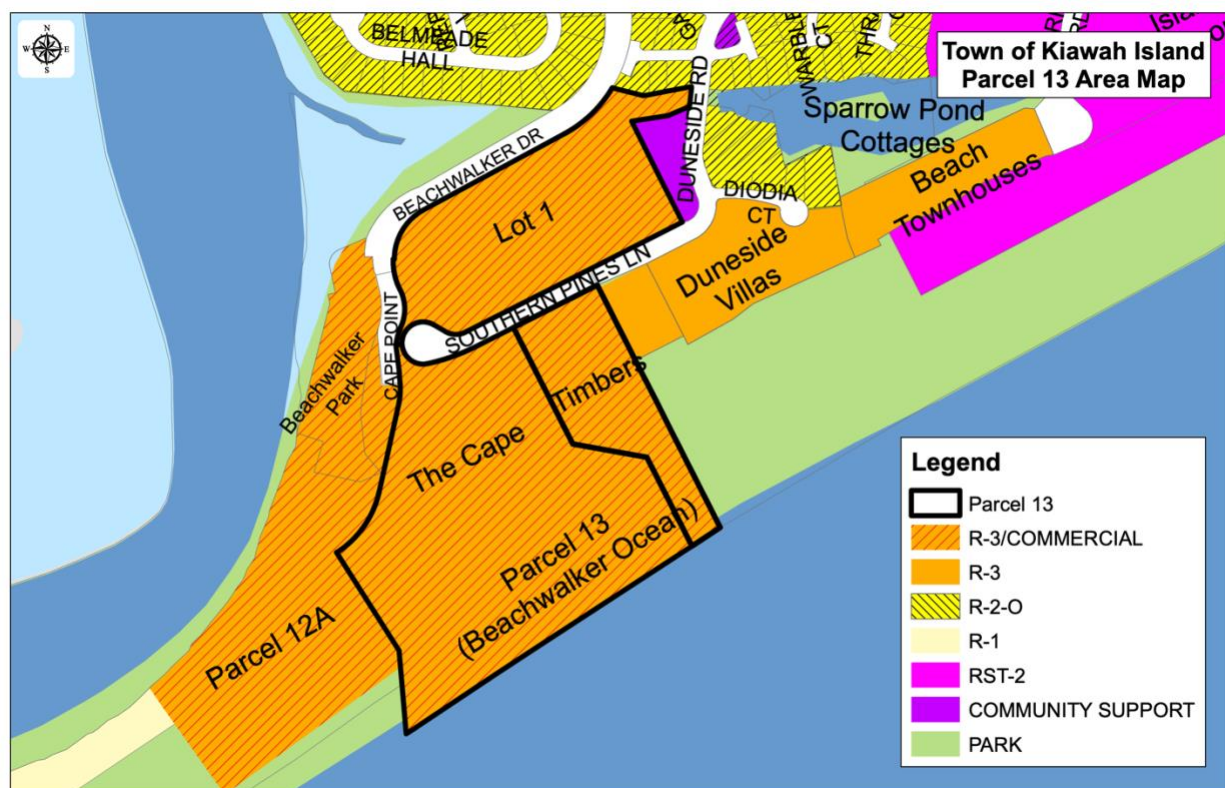
Are we getting close to the end of Development on Kiawah? Yes, the Town has detailed the [remaining entitlements](#) to Kiawah Partners in a document published last month. In addition, the Kiawah Island Golf Resort provided an overview of its plans during a presentation last month to the community by Roger Warren.

Finally, the proposed plan for a portion of the Andell Tract has just been announced, which is not located within the Town limits of Kiawah but adjacent to Freshfields Village. But these are large developments that will take many years to complete.

The Development Agreement with Kiawah Partners is scheduled to expire in 2026. The Development Agreement with the Kiawah Island Golf Resort is scheduled to expire in 2027.

Does the Town feel it needs additional professional support? No, the Town uses a variety of experts in planning to assist staff, such as traffic engineers and land use professionals, and land use attorneys.

Where is Parcel 13 located, and what is the future use of Parcel 13 Lot 1? See map showing all three parcels comprised of Parcel 13. At this time, the Town has not received any plans from the developer for Parcel 13 Lot 1.



What is the intent of the former Inn site behind Cougar Golf Clubhouse? The Resort owns that parcel. The future plan is for another hotel. Additional questions should be directed to Roger Warren, President, Kiawah Island Golf Resort.