



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

GLENDIA NOGAMI STREUFERT, CHAIR
HELEN COX, VICE CHAIR

RECEIVED

26 MAR -4 P3:51

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

- The Planning Commission Meeting will be at:

**Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Kaua'i, Hawai'i**

- **Oral testimony** will be taken on specific agenda items, at the public meeting location indicated on the meeting agenda.
- **Written testimony** indicating your 1) name or pseudonym, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted on any agenda item in writing to planningdepartment@kauai.gov or mailed to the County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Written testimony received by the Planning Department at least **24 hours prior** to the meeting will be posted as testimony to the Planning Commission's website prior to the meeting (<https://www.kauai.gov/Government/Boards-and-Commissions/Planning-Commission>). Any testimony received after this time will be retained as part of the record, but we cannot assure the Commission will receive it with sufficient time for review prior to the meeting.

IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF BOARDS & COMMISSIONS AT (808) 241-4917 OR ADAVIS@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST. UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

SUBDIVISION COMMITTEE MEETING NOTICE AND AGENDA

**Tuesday, March 10, 2026
8:00 a.m. or shortly thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Kaua'i**

RECEIVED

26 MAR -4 P3:51

SWEARING IN OF NEW COMMISSION MEMBER

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. MINUTES of the meeting(s) of the Subdivision Committee**
 - 1. February 24, 2026.
- E. RECEIPT OF ITEMS FOR THE RECORD**
- F. UNFINISHED BUSINESS**
- G. NEW BUSINESS (For Action)**

1. Preliminary Subdivision Map Approval

- a. Subdivision Application No. S-2026-8

Tony T. Brun / Titus T.K. Brun

Proposed 6-Lot Subdivision

TMK: (4) 2-3-004: 011

Kalāheo, Kōloa, Kaua'i

- 1) Subdivision Report pertaining to this matter.

- b. Subdivision Application No. S-2026-9

Visionary LLC

Proposed 2-Lot Subdivision

TMK: (4) 3-7-002: 021

Hanamā'ulu, Līhu'e, Kaua'i

- 1) Subdivision Report pertaining to this matter.

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

G. NEW BUSINESS (For Action) Continued

2. Preliminary Subdivision Extension Request

a. Subdivision Application No. S-2019-8

Stephanie Fernandes

Proposed 5-Lot Subdivision

TMK: (4) 4-2-005: 044

Wailua, Kawaihau, Kaua'i

1) Subdivision Report pertaining to this matter.

b. Subdivision Application No. S-2024-4

George and Patricia Souza Trust /

Kevin and Monique Souza Living Trust

Proposed 2-Lot Consolidation and Re-Subdivision into 4-Lots

TMKs: (4) 4-2-010: 012 and 059

Wailua, Kawaihau, Kaua'i

1) Subdivision Report pertaining to this matter.

c. Subdivision Application No. S-2024-5

Thomas N. and Lisa D. Thompson

Proposed 2-Lot Subdivision

TMK: (4) 1-3-004: 023

Kekaha, Waimea, Kaua'i

1) Subdivision Report pertaining to this matter.

d. Subdivision Application No. S-2024-6

Kukui'ula Parcel HH Subdivision

BBCP Kukui'ula Infrastructure, LLC. /

MP Kaua'i HH Development Fund, LLC.

Proposed 3-Lot Consolidation and Re-subdivision into 51-Lots

TMKs: (4) 2-6-019: 026, 029, and 031

Kōloa, Kaua'i

1) Subdivision Report pertaining to this matter.

e. Subdivision Application No. S-2024-9

Inouye Family Trust Et. Al.

Proposed 2-Lot Boundary Adjustment

TMKs: (4) 2-3-018: 015 and 036

Kalāheo, Kōloa, Kaua'i

1) Subdivision Report pertaining to this matter.

G. NEW BUSINESS (For Action) Continued

3. Final Subdivision Map Approval

- a. Subdivision Application No. S-2024-1
Jiro Yukimura Trust and Jennie T. Yukimura Trust
Proposed 4-Lot Subdivision
TMK: (4) 3-7-006: 002
Hanamā'ulu, Līhu'e, Kaua'i
- 1) Subdivision Report pertaining to this matter.

H. EXECUTIVE SESSION

Pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the County's legal counsel on questions, issues, status and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to the following matters:

1. Subdivision Application No. S-2026-8
Tony T. Brun / Titus T.K. Brun
Proposed 6-Lot Subdivision
TMK: (4) 2-3-004: 011
Kalāheo, Kōloa, Kaua'i
2. Subdivision Application No. S-2026-9
Visionary LLC
Proposed 2-Lot Subdivision
TMK: (4) 3-7-002: 021
Hanamā'ulu, Līhu'e, Kaua'i
3. Subdivision Application No. S-2019-8
Stephanie Fernandes
Proposed 5-Lot Subdivision
TMK: (4) 4-2-005: 044
Wailua, Kawaihau, Kaua'i
4. Subdivision Application No. S-2024-4
**George and Patricia Souza Trust /
Kevin and Monique Souza Living Trust**
Proposed 2-Lot Consolidation and Re-Subdivision into 4-Lots
TMKs: (4) 4-2-010: 012 and 059
Wailua, Kawaihau, Kaua'i
5. Subdivision Application No. S-2024-5
Thomas N. and Lisa D. Thompson
Proposed 2-Lot Subdivision
TMK: (4) 1-3-004: 023
Kekaha, Waimea, Kaua'i

H. EXECUTIVE SESSION (Continued)

6. Subdivision Application No. S-2024-6
Kukui'ula Parcel HH Subdivision
BBCP Kukui'ula Infrastructure, LLC. /
MP Kaua'i HH Development Fund, LLC.
Proposed 3-Lot Consolidation and Re-subdivision into 51-Lots
TMKs: (4) 2-6-019: 026, 029, and 031
Kōloa, Kaua'i
7. Subdivision Application No. S-2024-9
Inouye Family Trust Et. Al.
Proposed 2-Lot Boundary Adjustment
TMKs: (4) 2-3-018: 015 and 036
Kalāheo, Kōloa, Kaua'i
8. Subdivision Application No. S-2024-1
Jiro Yukimura Trust and Jennie T. Yukimura Trust
Proposed 4-Lot Subdivision
TMK: (4) 3-7-006: 002
Hanamā'ulu, Līhu'e, Kaua'i

I. ADJOURNMENT

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
February 24, 2026
DRAFT

The regular meeting of the Planning Subdivision Committee of the County of Kaua'i was called to order by Subdivision Committee Chair Glenda Nogami Streufert at 8:32 a.m. -
Webcast Link: <https://www.kauai.gov/Webcast-Meetings>

The following Commissioners were present:

Ms. Glenda Nogami Streufert
Ms. Helen Cox
Mr. Francis DeGracia

Excused or Absent

The following staff members were present: Planning Department - Director Ka'aina Hull, Planning Department, Staff Planner Kenny Estes, Planning Secretary Shanlee Jimenez, Staff Services Supervisor Leila Kim; Office of the County Attorney – Deputy County Attorney Laura Barzilai, Office of Boards and Commissions – Support Clerk Lisa Oyama.

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Subdivision Committee Chair Glenda Nogami Streufert: This is the Subdivision Committee meeting.

ROLL CALL

Planning Director Ka'aina Hull: Good morning, Chair. First order of business is roll call. Commissioner Cox?

Commissioner Helen Cox: Here.

Mr. Hull: Commissioner DeGracia?

Commissioner Francis DeGracia: Here.

Mr. Hull: Chair Streufert?

Chair Streufert: Here.

Mr. Hull: You have a quorum, Madam Chair.

APPROVAL OF AGENDA

Mr. Hull: The next order of business is Approval of the Agenda. The department does not have any recommended changes to the agenda.

Chair Streufert: Can I have a motion to accept the agenda?

Mr. DeGracia: I move to approve the agenda, as is.

Ms. Cox: I second.

Chair Streufert: It's been moved and seconded. Any discussion on that? Rather than roll call vote, let's just...all those in favor. Aye (unanimous voice vote). Okay, approved. 3:0.

MINUTES of the meeting(s) of the Subdivision Committee

Mr. Hull: Next, we have the minutes for the December 9th meeting 2025.

Chair Streufert: Is there any discussion on this? Do we have a motion to approve?

Mr. DeGracia: I move to approve the minutes for December 9, 2025.

Ms. Cox: Second.

Chair Streufert: It's been moved and seconded. If there's no discussion. All those in favor. Aye (unanimous voice vote). 3:0.

Deputy County Attorney Laura Barzilai: We have two sets, Chair. We have two sets of minutes.

Mr. Hull: Yeah.

Chair Streufert: Oh, I see.

Mr. Hull: Next would be the minutes for January 13th, 2026.

Chair Streufert: Any discussion? Can I have a motion?

Ms. Cox: I move we accept the minutes of January 13th, 2026.

Mr. DeGracia: Second.

Chair Streufert: It's been moved and seconded. Any discussion? All those in favor say aye. Aye (unanimous voice vote). 3:0.

RECEIPT OF ITEMS FOR THE RECORD (None)

Mr. Hull: We have no additional Receipt of Items for the Record.

UNFINISHED BUSINESS (None)

Mr. Hull: We have no Unfinished Business.

NEW BUSINESS (For Action)

Mr. Hull: Moving on to agenda item G., New Business For Action.

Final Subdivision Map Approval

Subdivision Application No. S-2026-1

Hōkūala Resort Subdivision 1

Tower Kaua'i Lagoons Sub 1, LLC.

Proposed 10-Lot Consolidation and Re-subdivision into 16-Lots

TMKs: (4) 3-5-004: 100 to 109

Kalapaki, Lihu'e, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: We have no members of the public signed up to testify on this agenda item. Are there any members of the public that would like to speak on this agenda item? Seeing none, I'll turn it over to the staff planner.

Staff Planner Kenny Estes: Madam Chair, and members of the Subdivision Committee. I'll summarize the report for the record.

Mr. Estes read the Summary, Project Data, Project Description and Use, Additional Findings, Preliminary Evaluation, and Preliminary Conclusion sections of the Director's Report for the record (on file with the Planning Department).

Chair Streufert: Were there any concerns from...were there any concerns from the other departments and their comments?

Mr. Estes: At this time, all the agency requirements have been addressed and the agencies have given their final recommendations on the subdivision.

Chair Streufert: Okay.

Mr. Hull: Ma'am, I see you're raising your hand. Did you want to testify on this agenda item?

Unknown Woman in public audience: I just was going to ask if everybody could talk just a little bit slower and louder. Maybe it's me and my hearing, but I could hardly understand a word that's been said. It would help.

Chair Streufert: We'll try to do that. Thank you.

Unknown Woman in public audience: I'd appreciate it. I don't know about anybody else, but...

Chair Streufert: Okay. Is there any discussion?

Unknown Woman in public audience: I didn't hear what he said, if he wouldn't mind repeating it.

Mr. Hull: Ma'am, the report is on the record. If you'd like to read the report. The report is on the record.

Unknown Woman in public audience: Is it on this?

Mr. Hull: It's on the agenda packet.

Unknown Woman in public audience: Okay. I couldn't even hear what he was...it's the first one, Tower Lagoons?

Mr. Hull: Correct.

Unknown Woman in public audience: Okay. That's what...I couldn't even hear that part. I appreciate it if you could slow down and louder, it would help.

Chair Streufert: Okay. Is there any discussion on this? Any questions for the planner?

Mr. DeGracia: Not at this time.

Ms. Cox: No.

Chair Streufert: Is the applicant here? Would the applicant...would the applicant like to come up to the table?

Mr. Gary Siracusa: Good morning, Chair and Commissioners.

Chair Streufert: Could you turn on your microphone?

Mr. Siracusa: There we go. Good morning, Chair and Commissioners. For the record I'm Gary Siracusa, representing the applicant, Director of Construction at Hōkūala. Happy to answer any questions.

Chair Streufert: Does anyone have any questions for...

Ms. Cox: Not at this time.

Mr. DeGracia: Gary, I had a quick question. I noticed that your application has come in front for subdivision a couple of times. Would you be able to kind of explain, like maybe how this fits into the master plan?

Mr. Siracusa: As to the lots?

Mr. DeGracia: Yeah, the lots.

Mr. Siracusa: Yeah. So, we should probably know we have a 772-unit cap on the overall. And these two subdivisions, we've been in the process of after the rezoning of looking at increased density here, we're not using all of our density at this point throughout the resort. And we ended

up with, rather we started with an R-2 zoning on both of these parcels and with the R-4, it gave us more flexibility. Ultimately, where we are now is essentially one third acre lots and there's no R-3 zoning, but basically that's where we are on this at this point. So, we've got a small net increase on these two subdivisions. We had ten on Subdivision 1 initially. We've now got 15 buildable lots, and we went from, on Subdivision 1A from 9 to 13. So, in terms of count, it's negligible in terms of the overall 772. It's still well within the overall cap that we have. Is that...

Mr. DeGracia: Thank you. Appreciate it.

Mr. Siracusa: Sure.

Chair Streufert: Any other questions?

Ms. Cox: No.

Chair Streufert: I have one. On your application there is a requirement or a condition that a document establishing or informing buyers or residents that there could be, because it's close to the airport, that there could be air disturbances in that area. And a draft document was supposed to be submitted to the Planning Department. Has that already been done?

Mr. Siracusa: Correct. That's been done. Was submitted to Kenny with our package.

Chair Streufert: Thank you. Any other questions? Are we ready for a motion?

Mr. DeGracia: Yep. I move to approve Subdivision Application No. S-2026-1.

Ms. Cox: Second.

Chair Streufert: It's been moved and seconded. Any discussion? If not, can we have a roll call vote, please.

Mr. Hull: Roll call, Madam Chair. Commissioner Cox?

Ms. Cox: Aye.

Mr. Hull: Commissioner DeGracia?

Mr. DeGracia: Aye.

Mr. Hull: Chair Streufert?

Chair Streufert: Aye.

Mr. Hull: Motion passes, Madam Chair. 3:0.

Subdivision Application No. S-2026-2

Hōkūala Resort Subdivision 1A

2014 Tower Kaua'i Lagoons Golf, LLC. / Tower Kaua'i Lagoons Land, LLC.
/Tower Kaua'i Lagoons Sub 7, LLC.

Proposed 2-Lot Consolidation and Re-subdivision into 15-Lots
TMKs: (4) 3-5-001: 027 and 168
Kalapaki, Lihu'e, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: We don't have any members of the public signed up to testify on this agenda item. Are there any members of the public present that would like to testify on this agenda item? Seeing none, I'll turn it back over to the staff planner.

Mr. Estes read the Summary, Project Data, Project Description and Use, Additional Findings, Preliminary Evaluation, and Preliminary Conclusion sections of the Director's Report for the record (on file with the Planning Department).

Chair Streufert: Are there any questions for the planner?

Mr. DeGracia: No questions.

Ms. Cox: No questions.

Chair Streufert: Would the applicant like to come up to the front again, please?

Mr. Siracusa: Again, Gary Siracusa, representing applicant, Director of Construction, Hōkūala.

Chair Streufert: Would you like to present anything, or would you like to say anything about this?

Mr. Siracusa: I think mentioned when I was explaining to Francis a few minutes ago there on 1 and 1A, overall really nothing to add at this time.

Chair Streufert: Any questions for the applicant? If not, I'm ready for a motion, please.

Mr. DeGracia: I move to approve Subdivision Application No. S-2026-2.

Ms. Cox: Second.

Chair Streufert: It's been moved and seconded that we accept or approve these application. Any final discussions before we vote? If not, could we have a roll call vote, please.

Mr. Hull: Roll call, Madam Chair. Commissioner Cox?

Ms. Cox: Aye.

Mr. Hull: Commissioner DeGracia?

Mr. DeGracia: Aye.

Mr. Hull: Chair Streufert?

Chair Streufert: Aye.

Mr. Hull: Motion passes, Madam Chair. 3:0.

Mr. Siracusa: Thank you very much.

Chair Streufert: Thank you.

Mr. DeGracia: Thank you.

EXECUTIVE SESSION (None)

Mr. Hull: It's a wrap for the Subdivision Committee agenda items.

ADJOURNMENT

Chair Streufert: Could I have a motion to adjourn, please.

Ms. Cox: I move, we adjourn Subcommittee.

Mr. DeGracia: Second.

Chair Streufert: All those in favor. Aye (unanimous voice vote). Meeting adjourned. We'll return at 9:00 for the

Chair Streufert adjourned the meeting at 8:43 a.m.

Respectfully submitted by:

Lisa Oyama

Lisa Oyama,
Commission Support Clerk

() Approved as circulated (date of meeting approved).

() Approved as amended. See minutes of _____ meeting.

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

SUBDIVISION REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of Subdivision Application No. S-2026-8 involving a six (6) lot Subdivision

Subdivision Permit No. Application No. S-2026-8

Name of Applicant(s) TONY T. BRUN / TITUS T.K. BRUN

II. PROJECT INFORMATION

Map Title	Subdivision of Lot 101-A Being Portion of Grant 5668 to Mary Brun into Lots 101-A-1 thru 101-A-6 at Kalāheo, Kōloa, Kaua'i, Hawai'i.				
Tax Map Key(s):	2-3-004: 011	Area:	1.617 Acres		
Zoning:	Residential District (R-4)				
State Land Use District(s):	Urban	General Plan Designation:	Residential Community		
AGENCY COMMENTS					
☒ COK DPW-Engineering: 03.04.2026 ☐ State DOT-Highways:					
☒ COK DPW-Wastewater: 01.14.2026 ☒ State Health: pending					
☒ COK Water: pending ☒ DLNR – SHPD: pending					
☒ COK Fire: pending ☐ State CWRM:					
☐ COK Housing:					
EXISTING ROAD RIGHT-OF-WAY(S)					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Pu'u Road	30 feet	56 feet	☒	☐	
			☐	☐	
APPLICABLE FEES					
Environmental Impact Assessment (EIA)	\$1,250.00				
Park Dedication	\$450.00				
Appraisal Report Required	N/A				

Date of Preliminary Map Acceptance:	January 12, 2026
Date of Director's Report:	March 02, 2026
Date of Public Hearing:	March 10, 2026
Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:	April 12, 2026

a.i.a.i.
MAR 10 2026

III. EVALUATION

Project Description

The proposal establishes five (5) residential lots and one (1) roadway lot within the Residential (R-4) zoning district, and involves a total area of approximately 1.617 acres or 70,436.52 sq. ft. The surrounding parcels to the north and south are also situated within the Residential (R-4) zoning district. Parcels to the east consist of a mixture of Residential (R-6) and General Commercial (C-G) zoning, while the adjacent parcel to the west is situated within the Open (O) zoning district.

Property Information

The parcel is presently developed with two single-family dwelling units and a warehouse structure. The first single-family dwelling, constructed in 1911, will be located on proposed Lot 101-A-1. The second single-family dwelling, built in 2012, will be situated on proposed Lot 101-A-4. The warehouse structure will be located on proposed Lot 101-A-2.

Access

The newly created roadway lot (Lot 101-A-6) will obtain access from Pu'u Road which has a present right-of-way width of thirty (30) feet along the property's frontage.

Subdivision and Permit History

The subject parcel (Lot 101-A) was originally created through Subdivision Application No. S-1996-9, that was approved by the County of Kaua'i, Planning Commission on June 27, 1996. The proposal established three (3) residential lots identified as Lots 101-A through 101-C, and one roadway lot (Lot 101-D) that was dedicated to the County of Kaua'i for roadway widening purposes. The intent of the subdivision was to accommodate the Kaua'i Housing Development Corporation's affordable elderly housing project the is situated on Lot 101-B. The project was processed though Project Development Use Permit PDU-1996-4 and Class IV Zoning Permit Z-IV-1996-4, approved by the Planning Commission on September 28, 1995.

In reviewing the current proposal, the Applicant shall be required to comply with the applicable conditions of Subdivision Application No. S-1996-9, including provisions related to a future road widening reserve along Pu'u Road which was established on Lot 101-A of the foregoing subdivision.

IV. RECOMMENDATION

TENTATIVE APPROVAL	FINAL APPROVAL
☒ Approval ☐ Denied	☐ Approval ☐ Denied
Tentative Approval subject to all requirements as noted on the following pages:	All conditions have been complied with

 Director of Planning	3/4/2024 Date	Director of Planning	Date
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V. AGENCY REQUIREMENTS

1. Requirements of the County Planning Department:

- a. An updated preliminary title report for the existing lot shall be submitted to the Planning Department for review.
- b. All existing and proposed easements, if any, shall be identified in the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
- c. Pursuant to Section 9-3.8(b) of the Subdivision Ordinance, Kaua'i County Code (1987), the Applicant shall submit to the Planning Department an electronic record (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
- d. Pursuant to Section 9-3.8 (c) of the Subdivision Ordinance, Kaua'i County Code, 1987, as amended, the Applicant shall file fifteen (15) copies of the subdivision final map with the Planning Department within one (1) year after approval of the preliminary subdivision map. If no filing is made, the approval of the preliminary subdivision map and construction plan shall become void unless an extension of time is granted by the Planning Commission.
- e. An Environmental Impact Assessment Fee of One Thousand Two Hundred and Fifty Dollars (\$1,250.00) shall be paid to the County of Kaua'i.
- f. A Park Dedication Fee of Four Hundred and Fifty Dollars (\$450.00) shall be paid to the County of Kaua'i.
- g. Relative to the Final Subdivision Map dated February 20, 1996, for Subdivision Application No. S-1996-9 (Joseph S. Brun / Lealani Corporation), a 13-foot future road widening reserve shall be established along the frontage of Pu'u Road. There shall be no new structures permitted within the reserve, and any new structures should be setback from the reserve. The reserve along with its restrictions shall be incorporated into the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
- h. The Applicant is made aware that the street designated within the subdivision must be officially named before the Department approves the construction plans. Street names should be in Hawaiian and be submitted to our Department for review and

approval, along with a request letter and 12 maps (on 8½" x 14" paper). The maps should be detailed such that emergency vehicles, police services, postal deliveries, etc., are able to locate the street. References to roadway, such as the highway and other surrounding roads, should be shown on the street-naming map.

- i. Pursuant to Section 9-2.3(e) of the Subdivision Ordinance, Kaua'i County Code (1987), as amended, curbs, gutters and sidewalks shall be provided on both sides of all proposed or existing streets within or abutting the subdivision in Residential Districts where the density permitted is four (4) units or more per acre. For existing streets abutting subdivisions, sidewalks shall be required on the side of the street fronting the subdivision for the length of the subdivision frontage.

Prior to final subdivision approval, the Applicant shall work with the Planning Department and Department of Public Works to determine whether the provision of curbs, gutters and sidewalks is necessary. If it is determined necessary, the Applicant shall comply with the requirements of Section 9-2.3(e)(3) prior to final subdivision approval. Further, if the requirement of sidewalks is waived, the Applicant shall comply with Sections 9-2.3(e)(3)(C) and 9-2.3(e)(3)(D) prior to final subdivision approval.

Section 9-2.3(e)(3) states:

"(3) Curbs, gutters and sidewalks shall be provided on both sides of all proposed or existing streets within or abutting the subdivision in Commercial, Industrial and Resort Districts; in Residential Districts where the density permitted is four (4) units or more per acre; and in any other Zoning Districts within the State Land Use-Urban District that are located within one-half (1/2) mile from any elementary, intermediate, high school, or college. For existing streets abutting subdivisions, sidewalks shall be required on the side of the street fronting the subdivision for the length of the subdivision frontage.

(A) In Residential Districts, swales may be constructed in lieu of curbs and/or gutters in accordance with the drainage standards and design guidelines established by the Department of Public Works.

(B) In Residential Districts, the requirement of sidewalks may be waived if the Planning Commission determines that sidewalks are infeasible or unnecessary, taking into account local context and sensitivity to community character, and an alternate method of pedestrian circulation exists or will be provided by the applicant.

(C) If the requirement of sidewalks is waived, the subdivider shall be required to pay a fee in lieu of required sidewalk construction. The fee in lieu of sidewalk construction shall not be required for subdivision approvals for less than six (6) lots. The fee in lieu of required sidewalk construction shall be equal to or greater than one hundred percent (100%) of the cost of

constructing the sidewalk as determined by the County Engineer. There is hereby established and created a "sidewalk/shared use path fund" for the deposit of fees collected in lieu of required sidewalk construction. The fees collected pursuant to this Subsection (C) are hereby deemed appropriated upon receipt and shall be expended by the County Engineer for sidewalk or shared use path planning, design, land acquisition, construction and/or repair and maintenance. The County Engineer shall submit an annual written report to the Council of each fiscal year's expenditures and balance of the sidewalk/shared use path fund on or before the 15th day of March of each year. If the 15th day of March falls on a Saturday, Sunday, or legal holiday, the report shall be submitted on the prior working day. The fees collected shall not lapse at the close of the fiscal year.

(D) Payment of said fees shall be made in a lump sum at the time of final subdivision map approval or payment shall be made according to the following schedule: fifty percent (50%) at the time of preliminary subdivision map approval and the balance paid at the time of final subdivision map approval. When funds are needed for sidewalk or shared use path planning, design, land acquisition, construction and/or repair, the County Engineer shall submit a written request to the Planning Director and Mayor for approval. Upon approval, the Finance Director shall be authorized to release monies from the fund."

- j. The Applicant shall prepare and obtain construction plan approvals for necessary road, water, drainage, electrical and telephone utilities and facilities, and either construct the same or post a surety bond for completion.

2. Requirements of the County Department of Public Works (DPW):

- a. The applicant shall comply with all provisions of the "Sediment and Erosion Control Ordinance No. 808" to safeguard the public health, safety, and welfare, to protect property, and to control soil erosion and sedimentation. This shall include, but not be limited to, a grading and/or grubbing permit in compliance with the County's Sediment and Erosion Control Ordinance, which is required if any of the following conditions apply:

- The work area exceeds one (1) acre.
- Grading involving excavation or embankment, or combination thereof exceeds 100 cubic yards.
- Grading exceeds five (5) feet in vertical height or depth at its deepest point.
- The work area unreasonably alters the general drainage pattern to the detriment of abutting properties.

- b. During construction, best management practices (BMPs) shall be incorporated to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to watercourses, natural areas, and other properties. The permittee and the

property owner shall be responsible to ensure that BMPs are satisfactorily implemented at all times.

- c. An intersection sight distance study is required for the proposed County standard roadway (Lot 101-A-6), due to the curvature of Pu'u Road in the vicinity of the subdivision. Engineering Division may impose additional requirements to ensure that sight distance at the future intersection is perpetually maintained; for example, via a condition or easement to ensure that no vegetation will be planted or allowed to grow within the sight triangle on a portion of Lot 101-A-5 at the inside of the adjacent curve.

3. Requirements of the County Department of Water (DOW):

- a. The subdivider shall comply with the requirements of the Department of Water, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.

4. Requirements of the County Fire Department:

- a. The subdivider shall comply with the requirements of the County Fire Department, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.

5. Requirements of the Department of Health (DOH):

- a. The subdivider shall comply with the requirements of the State Department of Health, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.

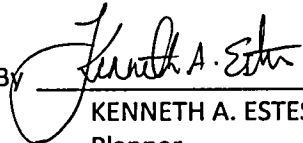
6. Requirements of the State Historic Preservation Division (SHPD):

- a. The subdivider shall comply with the requirements of the State Historic Preservation Division, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.

- 7. The Applicant is advised that should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the applicant shall contact the State Department of Land and Natural Resources, Historic Preservation Division to determine mitigation measures.
- 8. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

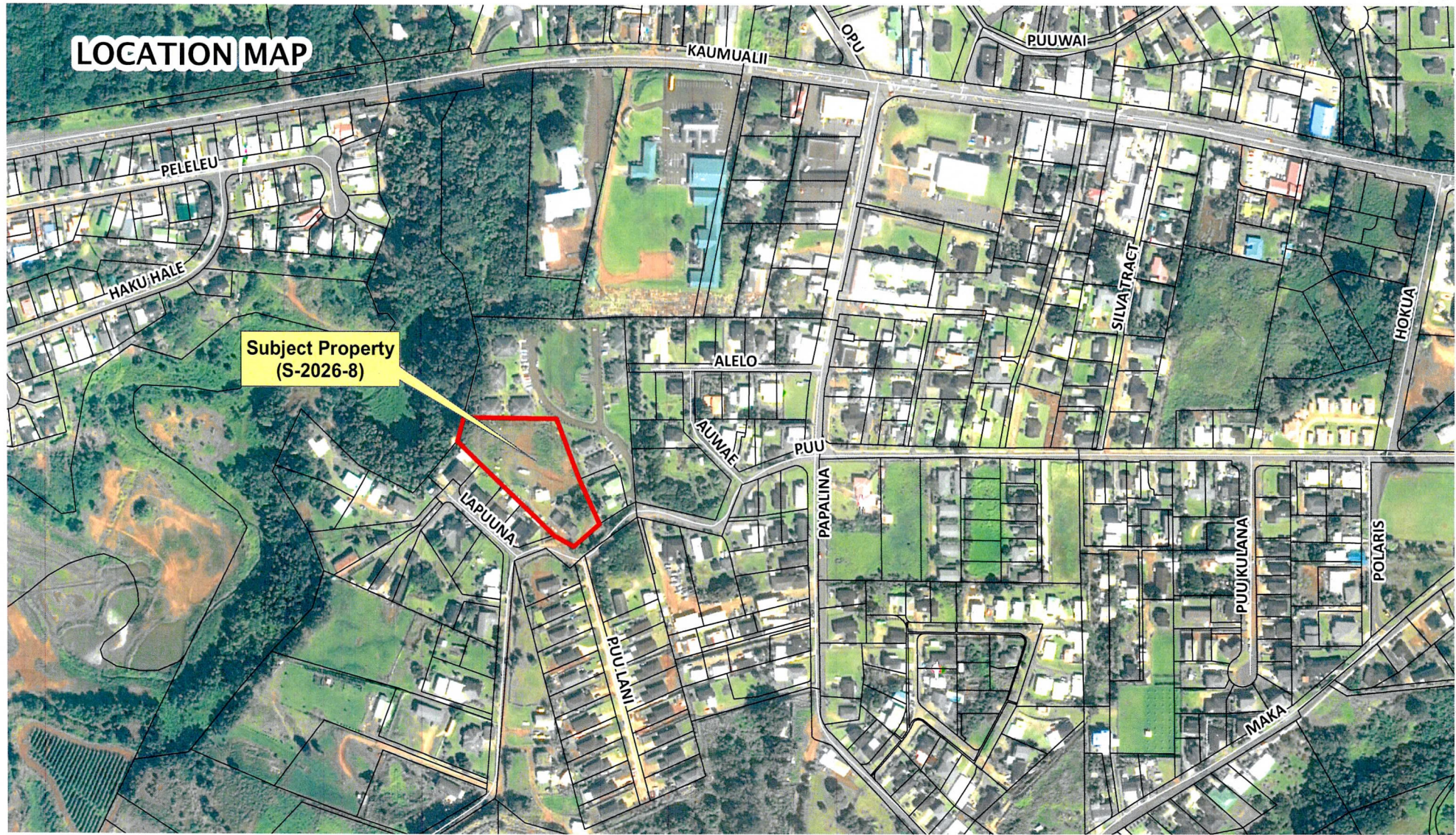
The Planning Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process scheduled for MARCH 10, 2026, whereby the entire record should be considered prior to decision-making. The entire record should include but not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The Applicant's response to staff's report and recommendation as provided herein.

By  _____
KENNETH A. ESTES
Planner

LOCATION MAP

Subject Property
(S-2026-8)





County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaiana S. Hull, Director

Planner: Kenneth Estes

3/04/2026

SUBJECT: Subdivision S-2026-8
Tax Map Key: 23004011
Applicant: Tony T. Brun/Titus TK Brun
Tony T. Brun/Titus TK Brun

TO:

- | | |
|--|--|
| ☒ State Department of Transportation - STP | ☒ County DPW - Engineering |
| ☐ State DOT - Highways, Kauai (info only) | ☒ County DPW - Wastewater |
| ☐ State DOT - Airports, Kauai (info only) | ☐ County DPW - Building |
| ☐ State DOT - Harbors, Kauai (info only) | ☐ County DPW - Solid Waste |
| ☒ State Department of Health | ☐ County Department of Parks & Recreation |
| ☐ State Department of Agriculture | ☒ County Fire Department |
| ☐ State Office of Planning | ☒ County Housing Agency |
| ☐ State Dept. of Bus. & Econ. Dev. Tourism | ☐ County Economic Development |
| ☐ State Land Use Commission | ☒ County Water Department |
| ☒ State Historic Preservation Division | ☐ County Civil Defense |
| ☐ State DLNR - Land Management | ☒ County Transportation Agency |
| ☐ State DLNR - Forestry & Wildlife | ☐ KHPRC |
| ☐ State DLNR - Aquatic Resources | ☒ U.S. Postal Department |
| ☐ State DLNR - Conservation & Coastal Lands | ☐ UH Sea Grant |
| ☒ State DLNR - Commission on Water Resource Management | |
| ☒ Office of Hawaiian Affairs | ☐ Other: |

FOR YOUR COMMENTS (pertaining to your department)

- The applicant shall comply with all provisions of the "Sediment and Erosion Control Ordinance No. 808" to safeguard the public health, safety, and welfare, to protect property, and to control soil erosion and sedimentation. This shall include, but not be limited to, a grading and/or grubbing permit in compliance with the County's Sediment and Erosion Control Ordinance, which is required if any of the following conditions apply:
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Sincerely,

Michael Moule
For Michael Moule, P.E.
Chief, Engineering Division



County of Kaua'i
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

1/13/2026

SUBJECT: Subdivision S-2026-8
Tax Map Key: 23004011
Applicant: Tony T. Brun/Titus TK Brun
Tony T. Brun/Titus TK Brun

TO:

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| ☒ State DLNR - Commission on Water Resource Management | |
| ☒ Office of Hawaiian Affairs | ☐ Other: |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 2/26/2026)

Wastewater Management Division has no comments. This subdivision is not within the county sewer service area.
Donald Fujimoto, Chief Wastewater Management Division, 1/14/26

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

SUBDIVISION REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of Subdivision Application No. S-2026-9 involving a two (2) lot Subdivision

Subdivision Permit No. Application No. S-2026-9

Name of Applicant(s) BHD LAND DEVELOPMENT, LLC.

II. PROJECT INFORMATION

Map Title	Ahukini Makai Subdivision. Subdivision of Lot 4 Being a Portion of Royal Patent 4481, Land Commission Award 7713, Apana 2, Part 7 to V. Kamamalu Into Lots 4-A and 4-B and Designation of Easements AU-4-A-1, AU-4-B-1, and AU-4-B-2 at Hanamā'ulu, Līhu'e, Kaua'i, Hawai'i.				
Tax Map Key(s):	3-7-002: 021	Area:	14.671 Acres		
Zoning:	General Industrial (I-G)				
State Land Use District(s):	Urban	General Plan Designation:	Urban Center		
AGENCY COMMENTS					
☒ COK DPW-Engineering:	03.10.2026	☒ State DOT-Highways:	01.28.2026		
☒ COK DPW-Wastewater:	01.14.2026	☒ State Health:	pending		
☒ COK Water:	pending	☒ DLNR – SHPD:	pending		
☒ COK Fire:	pending	☐ State CWRM:			
☐ COK Housing:					
EXISTING ROAD RIGHT-OF-WAY(S)					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Wai'ale'ale Street		60 feet	☐	☐	
Kualoku Place		44 feet	☐	☐	
APPLICABLE FEES					
Environmental Impact Assessment (EIA)	EIA Fee will be assessed at building permit				
Park Dedication	N/A				
Appraisal Report Required	N/A				

Date of Preliminary Map Acceptance:	January 12, 2026
Date of Director's Report:	March 02, 2026
Date of Public Hearing:	March 10, 2026

A.I.B.I.
MAR 10 2026

Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:	March 28, 2026
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III. EVALUATION

Project Description

The proposal subdivides Lot 4 of the Ahukini Makai Subdivision into Lots 4-A and 4-B. The primary intent of the subdivision is to carve out approximately 5.918 acres of Lot 4, consisting of a detention basin which will remain under the ownership of Visionary, LLC.

The total area involved is approximately 14.671 acres situated within the General Industrial (I-G) zoning district and the State Land Use Urban District. The subject property is part of the larger development associated with the Ahukini Makai Subdivision, where construction is actively underway to complete the required subdivision improvements.

Subdivision and Permit History

The subject property was created through Subdivision Application No. S-2005-41 (Ahukini Makai Subdivision) that received Final Subdivision Map Approval by the Kaua'i Planning Commission on January 9, 2024. The subdivision established a total of 49 lots consisting of 40 lots, four "bulk" lots that can be further developed, two roadway lots, one landscaping lot, one lot designated for a sewer pump station, and one remnant lot.

Prior to final approval of the subdivision, the applicant executed a Subdivision Agreement and bond with County of Kaua'i for the completion of the subdivision's infrastructure improvements after final subdivision approval. The infrastructure improvements include two phases of development: on-site subdivision improvements (first phase) consisting of the installation and construction of the necessary roads, water, drainage, electrical, and telephone utilities and facilities, and off-site subdivision improvements (second phase) which include improvements related to the off-site source, storage, and transmission improvements required by the Department of Water. Construction commenced for the on-site subdivision improvements in early 2025 and is actively underway.

On August 26, 2025, the Planning Commission approved Class IV Zoning Permit Z-IV-2026-1 (BHD Land Development, LLC., Applicant), which allowed the construction and operation of a 42,000 sq. ft. warehouse/distribution facility, along with associated site improvements on the subject property (Lot 4). The warehouse/distribution facility will be situated on proposed Lot 4-A of the current subdivision proposal.

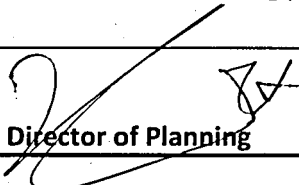
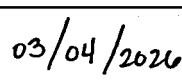
Access

Access to the subject property will be provided via Wai'ale'ale Street and Kauloku Place, both of which are internal roadways within the Ahukini Makai Subdivision and will be constructed as part of the subdivision's infrastructure improvements. Wai'ale'ale Street is classified as a major street with a 60-foot right-of-way width and serves as a through road connecting Ahukini Road to Kapule Highway. Kauloku Place is classified as a minor street with a 44-foot right-of-way width and serves as a dead-end road providing access to Lots 2 and 4 of the Ahukini Makai Subdivision.

In reviewing the current subdivision proposal, it should be noted that curbs, gutters, and sidewalks along the subdivision's frontage will be constructed as part of the on-site subdivision improvements associated with the Ahukini Makai Subdivision. As such, the proposal will not be subject to Section 9-2.3 (e) (3) of the Subdivision Ordinance, Kaua'i County Code relating to the aforementioned requirement.

Additionally, pursuant to Section 11A-1.4 of the Kaua'i County Code, an Environmental Impact Assessment Fee for the subject property will be assessed at the time of building permit approval. Furthermore, since the subject property is located within the General Industrial (I-G) zoning district, it is exempt from a Park Dedication Fee pursuant to Section 9-2.8 (c) (1) (C) of the Kaua'i County Code.

IV. RECOMMENDATION

TENTATIVE APPROVAL	FINAL APPROVAL
☒ Approval ☐ Denied	☐ Approval ☐ Denied
Tentative Approval subject to all requirements as noted on the following pages:	All conditions have been complied with
 Director of Planning  Date  03/04/2026	Director of Planning Date

V. AGENCY REQUIREMENTS

1. Requirements of the County Planning Department:
 - a. An updated preliminary title report for the existing lot shall be submitted to the Planning Department for review.
 - b. All existing and proposed easements, if any, shall be identified in the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
 - c. Pursuant to Section 9-3.8(b) of the Subdivision Ordinance, Kaua'i County Code (1987), the Applicant shall submit to the Planning Department an electronic record (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
 - d. Pursuant to Section 9-3.8 (c) of the Subdivision Ordinance, Kaua'i County Code, 1987, as amended, the Applicant shall file fifteen (15) copies of the subdivision final map with the Planning Department within one (1) year after approval of the preliminary subdivision map. If no filing is made, the approval of the preliminary

subdivision map and construction plan shall become void unless an extension of time is granted by the Planning Commission.

2. Requirements of the County Department of Public Works - Engineering Division:

- a. The applicant shall comply with all provisions of the "Sediment and Erosion Control Ordinance No. 808" to safeguard the public health, safety, and welfare, to protect property, and to control soil erosion and sedimentation. This shall include, but not be limited to, a grading and/or grubbing permit in compliance with the County's Sediment and Erosion Control Ordinance, which is required if any of the following conditions apply:
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- c. The applicant shall comply with all conditions of the County of Kauai Storm Water Runoff System Manual. In particular, please note the following provisions from the Manual:
 - The drainage concept shall not adversely affect adjacent and downstream properties. Existing drainage conditions, including flow patterns and peak flow rates, shall not create an unreasonable risk to adjacent and downstream properties as a result of subdivision or development project. Flow patterns and peak flow rates shall be controlled by proper grading and drainage facilities.
 - Where there are no downstream drainage systems and/or if the downstream drainage system does not have sufficient drainage capacity, the upstream owner shall install drainage facilities (such as detention basins) to maintain both the 2-year and 100-year storm flows at or below the predevelopment flow rates and conditions.
 - If detention basins are required, they shall comply with Act 281 Stormwater Management Systems, HRS 46-11.7. Furthermore, the applicant shall be required to execute a Stormwater Detention Facilities

Agreement with the County for the perpetual maintenance of the detention basin(s).

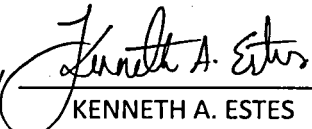
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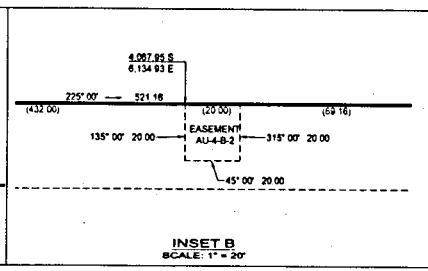
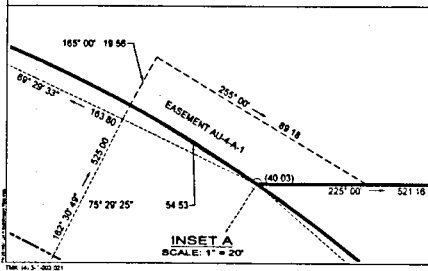
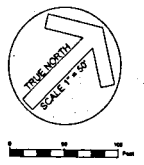
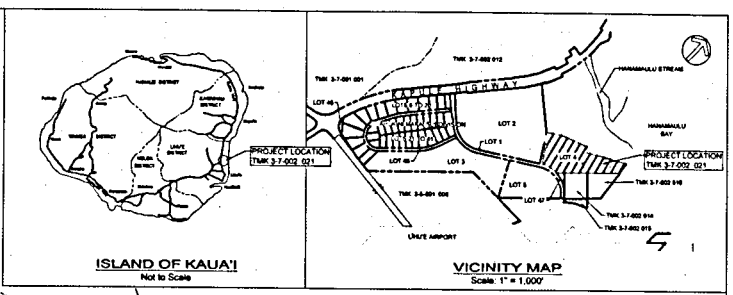
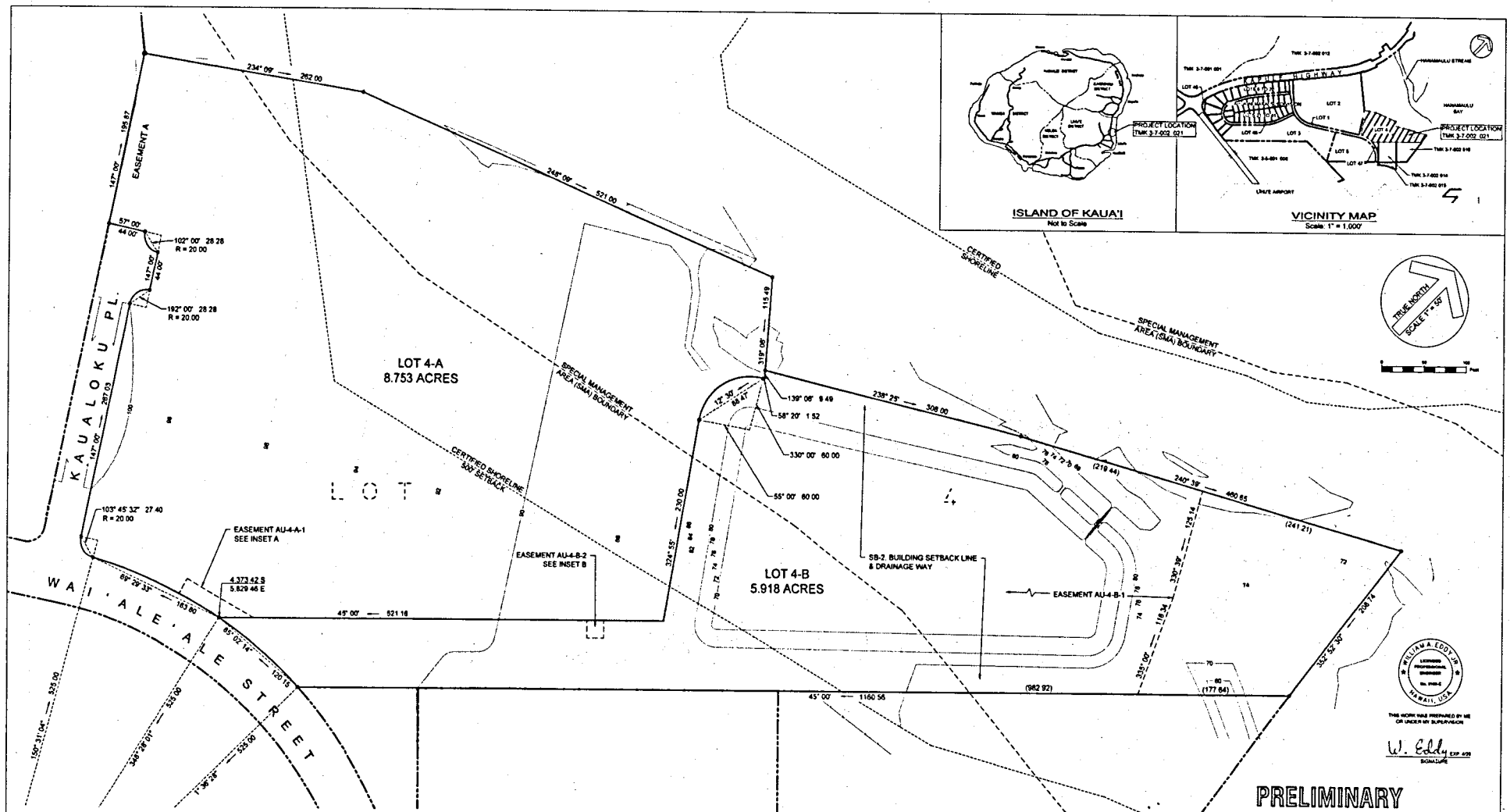
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- b. Testimony from the general public and interested others; and
- c. The Applicant's response to staff's report and recommendation as provided herein.

By 
KENNETH A. ESTES
Planner



NOTES

- COORDINATES BASED ON GOVERNMENT TRIANGULATION STATION "KALEPA".
- ELEVATION CONTOURS ARE BASED ON THE AHUKINI MAKAI SUBDIVISION CONSTRUCTION PLAN'S FINISH GRADE.

AREA OF EASEMENTS
 EASEMENT AU-4-A-1 FOR ACCESS & UTILITY PURPOSES AFFECTING LOT 4-A = 1,401 SQ. FT.
 EASEMENT AU-4-B-1 FOR ACCESS & UTILITY PURPOSES AFFECTING LOT 4-B = 214,567 SQ. FT.
 EASEMENT AU-4-B-2 FOR ACCESS & UTILITY PURPOSES AFFECTING LOT 4-B = 400 SQ. FT.

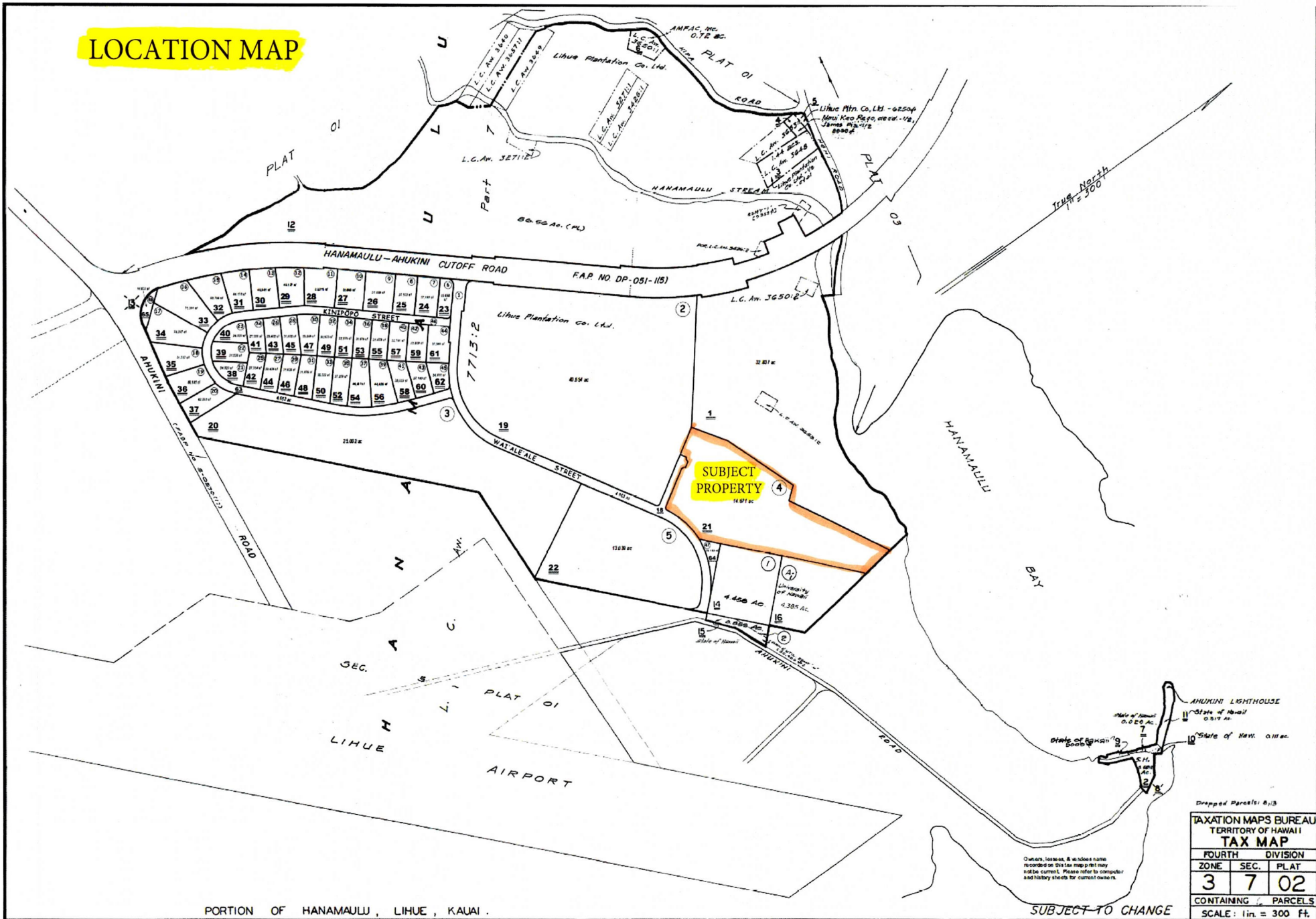
SB-2, BUILDING SETBACK LINE & DRAINAGEWAY = 3.80 ACRES
 AS DELINEATED ON THE AHUKINI MAKAI SUBDIVISION MAP

EASEMENT A = 8,066 SQ. FT. AS DELINEATED ON THE AHUKINI MAKAI SUBDIVISION MAP

PRELIMINARY

AHUKINI MAKAI SUBDIVISION
SUBDIVISION OF LOT 4
 Being a Portion of Royal Patent 4481, Land Commission
 Award 7713, Apana 2, Part 7 to V. Kamamalu
 INTO LOTS 4-A & 4-B
 &
DESIGNATION OF EASEMENTS AU-4-A-1, AU-4-B-1 & AU-4-B-2
 At Hanama'ulu, Lihue, Kaua'i, Hawai'i
 Owners: Visionary LLC DBA Lihue Land Company
 Tax Map Key: (4) 3-7-002: 021
 October 7, 2025

LOCATION MAP



TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP

FOURTH	SEC.	PLAT
3	7	02

CONTAINING 6 PARCELS
SCALE: 1 in. = 300 Ft.



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

3/4/2026

SUBJECT: Subdivision S-2026-9

Applicant: BHD Land Development LLC

TO:

- | | |
|--|--|
| ☒ State Department of Transportation - STP | ☒ County DPW - Engineering |
| ☐ State DOT - Highways, Kauai (info only) | ☒ County DPW - Wastewater |
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| ☒ Office of Hawaiian Affairs | |

FOR YOUR COMMENTS (pertaining to your department)

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Sincerely,


FOR Michael Moule, P.E.
Chief, Engineering Division



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

1/13/2026

SUBJECT: Subdivision S-2026-9

Applicant: BHD Land Development LLC

TO:

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FOR YOUR COMMENTS (pertaining to your department) (Due Date 2/26/2026)

Wastewater Management Division Comments:

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Wastewater Management Division reserves the right to impose any additional requirements prior to final subdivision approval.
Donald Fujimoto, Chief Wastewater Management Division 1/14/26

Kenneth Estes

From: Nikaido, Blayne H <blayne.h.nikaido@hawaii.gov>
Sent: Wednesday, January 28, 2026 10:44 AM
To: Kenneth Estes
Cc: Torres, Natasha P; Murata, Masatomo
Subject: Subdivision S-2026-9 BHD Land Development LLC
Attachments: Subdivision Application_S-2026-9_BHD Land Development LLC.pdf; S-2026-9 Routing form.docx

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Good morning Kenny,

HDOT has reviewed the subject subdivision application and has no comments.

Thank you,
Blayne

Blayne Nikaido
Planner
Statewide Transportation Planning Office
Department of Transportation

COUNTY OF KAUAI
PLANNING DEPARTMENT

TO: Subdivision Committee, Planning Commission

SUBJECT: Extension Request

PURPOSE: ☒ File Final Subdivision Maps
☐ Complete Subdivision Improvements
☐ Other: _____

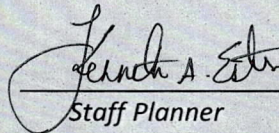
Subdivision Application No.		Applicant(s)	
S-2019-8		Stephanie Fernandes	
Location:	Wailua Homesteads	Tax Map Key:	(4) 4-2-005: 044
Extension Request No. (1 st , 2 nd , etc.)		Tentative Approval Granted On:	Previous Ext. Expired On:
7 th		January 22, 2019	January 22, 2026
Subdivision Bonded: ☐ Yes ☒ No		Deadline to Complete Improvements: Not Applicable	

APPLICANT'S REASONS: Additional time is being requested to comply with the conditions/requirements of tentative approval. The Applicant is currently with the various reviewing agencies in resolving the required infrastructure improvements for the subdivision.

**PLANNING DEPARTMENT
EVALUATION & RECOMMENDATION**

EVALUATION: Please refer to next page...

RECOMMENDATION: Please refer to next page...


Staff Planner

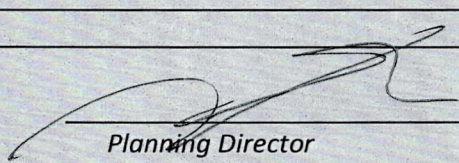
03.04.2026

Date

☒ Approved and Recommended
to Planning Commission

☐ Denied

Comments:


Planning Director

03/04/2026

Date

G.2.a.1.
MAR 10 2026

COUNTY OF KAUAI PLANNING DEPARTMENT

Extension requests are primarily processed for the purpose of continuing a tentative approval for a subdivision application. An extension approval allows an applicant additional time to comply with the requirements in order to obtain final subdivision approval.

In determining whether additional time should be granted, an evaluation is made of the project's progress as well as compliance with the requirements of tentative approval. The evaluation is primarily based on determining whether the applicant is **progressively working** towards obtaining final subdivision approval with the various reviewing agencies. The **tentative approval conditions** are then re-evaluated to determine whether the conditions/requirements are adequate to address the impacts of the proposed development in consideration of the time that has lapsed.

Pending evaluation of an extension request, one of the following can occur:

1. The extension is approved without changes to the tentative approval requirements;
2. The extension is approved with modified time frames but no modifications or additions to the tentative approval requirements;
3. The extension is approved with modifications and/or additions to the requirements; and
4. The extension is denied.

EXTENSION REQUEST:

The Applicant is requesting an extension of time to file the final subdivision map with the Planning Department pursuant to Section 9-3.8(c)(1) of the Subdivision Ordinance, Kauai County Code (1987), as amended. This application was granted Preliminary Subdivision Map Approval by the Planning Commission on January 22, 2019, and the Applicant's extension request is the **seventh** extension of tentative approval. Please refer to the Applicant's request letter dated December 11, 2025, enclosed as Exhibit 'A'.

FINDINGS/BACKGROUND:

The proposed development involves a subdivision of a parcel into five (5) lots in the Wailua Homesteads area. The subject property is situated in close proximity to the Kuamo'o Road/Kamalu Road intersection in Wailua Homesteads and the total area involved is approximately 10.818 acres. The subject property is County zoned Residential District (R-2) and Open (O) District, and is within the State Land Use Rural District. The surrounding parcels to the North and West are also within the County Residential District (R-2) and Open (O) District, and are within the State Land Use Rural District. The parcels to the South and East are County zoned Residential District (R-4) and are within the State Land Use Urban District. The surrounding parcels are developed with single-family residences.

PROGRESS OF THE SUBDIVISION:

In considering the extension request, it should be noted that the Applicant has made some progress in addressing the requirements of the subdivision. As represented, the Applicant is currently to resolve the requirements of the COK Department of Public Works, Engineering Division relating to a flood study to address drainage from the natural drainage swale on Lot 2. Additionally, the Applicant is currently working with the COK Department of Water in resolving the infrastructure improvements associated with the development. Since it is uncertain as to when the Applicant will be in compliance with the requirements of Tentative Approval, another time extension is being requested.

Based on the foregoing circumstances, the Applicant's reasons are justifiable and no problems are foreseen in granting the extension request.

Additionally, the Applicant should demonstrate further progress with the subdivision within one (1) year from the approval of this extension request. As such, the Applicant shall be made aware that in further considering extension requests involving the proposed development, the Applicant shall continue to submit to the Planning Department an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date in order to allow sufficient time to evaluate whether progress have been made and conditions satisfied.

RECOMMENDATION:

It is recommended that an extension until **JANUARY 22, 2027** be granted to obtain final subdivision approval. However, the Applicant is made aware that an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements shall be submitted to the Planning Department for review for further extensions requests. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date.

Exhibit 'A'

(Applicant's Request Letter dated December 11, 2025)

BELLES GRAHAM LLP

ATTORNEYS AT LAW

MAX W.J. GRAHAM, JR.
JONATHAN J. CHUN
IAN K. JUNG

Federal I.D. No. 99-0317663

DYNASTY PROFESSIONAL BUILDING
3135 AKAHI STREET, SUITE A
LIHUE, KAUAI, HAWAII 96766-1191

TELEPHONE NO: (808) 245-4705
FACSIMILE NO: (808) 245-3277
E-MAIL: mail@kauai-law.com

OF COUNSEL

MICHAEL J. BELLES
DAVID W. PROUDFOOT

December 11, 2025

DEC 15 '25 PM 1:53
PLANNING DEPT

Mr. Gerald Ako, Chairperson
Subdivision Committee
Planning Commission
c/o County of Kauai Planning Department
4444 Rice Street, Suite A473
Lihue, Kauai, Hawaii 96766

Re: **Subdivision of Lot 21 A-9 Portion of Lot 21 Wailua Homestead,
First Series also Portion of Grant S-14157 to William E. Fernandes
Wailua, into lots 1 to 5, inclusive,
Kawaihau, Kauai, Hawaii
Kauai Tax Map Key No. (4) 4-2-005-044
S-2019-8, Stephanie Fernandes**

Dear Chairperson Ako and Subdivision Committee Members:

I am writing to you as the court appointed commissioner in Fernandes v. Fernandes-Salling, et al., Civil No. 15-1-0010, Fifth Circuit Court, State of Hawaii, that has been tasked to pursue the above-entitled subdivision. The Planning Commission Subdivision Committee granted Tentative Approval to the above subdivision at its meeting held on January 22, 2019. On March 12, 2024, the Planning Commission granted an extension of the tentative subdivision approval to January 22, 2026.

The January 22, 2026 extension provided that "if further subdivision extension requests are sought, an updated status report on the subdivision that includes a detailed time chronology on the progress of the tentative approval requirements shall be submitted to the Planning Department no later than sixty days (60) from the expiration date of the extension." We apologize for not submitting this updated report earlier. We had hoped that all of the conditions might have been fulfilled by December of this year, but unfortunately, we might not be able to meet the January 22, 2026 date so we are submitting this updated report and request for an extension for the Committee's consideration. As outlined below, we are getting closer to obtaining final subdivision approval. The flood study has been done and is being reviewed and the construction plans for the water improvements are going through a final review by the Department

Mr. Gerald Ako, Chairperson

Page 2

December 11, 2025

of Water and the Department of Public Works. Once all the construction plans have been approved, the Applicant will be working with the Planning Department and the County Attorney's Office to finalize the Subdivision Agreement and submit a surety bond in an amount acceptable to both the Department of Water and the Department of Public Works.

The following are the conditions that were contained in the Commission's Tentative Subdivision Approval and their status:

- a. Payment of a park dedication fee in the amount of \$600.00.

Status: Fee will be paid prior to Final Approval.

- b. Payment of an environmental impact assessment fee of \$750.00.

Status: Fee will be paid prior to Final Approval.

- c. Dedication of an 8' wide strip of line fronting Kamalu Road.

Status: A reserve will be created and shown on the Final Subdivision Map and conveyed to the County of Kauai upon request.

- d. Locate and indicate on the subdivision map the location of the Open and Residential Districts.

Status: Esaki Surveying and Mapping, Inc. has been retained to fulfill the conditions contained in the Tentative Subdivision Approval. Esaki Surveying and Mapping, Inc. ("Esaki") will include the Open and Residential District boundaries on the final subdivision map. Esaki is still working on finalizing the map and we anticipate it to be finished in 2026.

- e. Payment of a Facilities Reserve Charge to the Department of Water in the amount of \$56,460.00.

Status: Fee will be paid prior to Final Approval.

f. Prepare construction drawings for the domestic water service connections for approval by the Department of Water. Show on final subdivision map location of the existing water meter and location of proposed 4 new meters.

Status: Esaki has been retained to fulfill the conditions contained in the Tentative Subdivision Approval. Esaki is preparing the required construction drawings for the Department of Water. We have been informed the final construction drawings are being reviewed by the Department of Water. Esaki will prepare an estimate for the Department of Water for its performance and completion bond. The estimate for this bond, along with an estimate for any other improvements that might be required by the Department of Public Works will be submitted to the respective Department's review for the surety bond required for final subdivision approval.

g. Enter into an agreement with the Department of Water restricting the subdivision to one single family dwelling per lot or one 5/8-inch water meter per lot.

Status: An Agreement Regarding Deed Restrictions And Deed Restrictions dated January 30, 2024 ("Agreement") was executed by the Commissioner and the Department of Water. The Agreement will be recorded in the Bureau of Conveyance, State of Hawaii within 30 days of final subdivision approval.

h. Preparation of a flood study to address drainage from the natural drainage swale that is located on proposed Lot 2.

Status: Esaki has been retained to fulfill the conditions contained in the Tentative Subdivision Approval. The flood study has been prepared and is being reviewed by the Department of Public Works.

i. Address the Department of Public Works' suggestion to consolidate entry points along Kamalu Road and provisions for common driveways.

Status: Esaki has been retained to fulfill the conditions contained in the Tentative Subdivision Approval. Esaki is working with the Department of Public Works regarding any required entry points for the common driveways.

j. Enter into a workforce housing agreement with the Housing Agency to comply with County of Kauai's workforce housing requirements.

Status: The Applicant has discussed this matter with the County of Kauai Housing Agency and on May 7, 2021, a fully executed Workforce Housing Agreement was recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-77970593.

k. Prepare metes and bounds descriptions for final lots.

Status: Esaki has been retained to fulfill the conditions contained in the Tentative Subdivision Approval. Esaki will prepare metes and bounds descriptions for the final lots. We anticipate this work will be completed by Esaki in 2026 once the flood study and water meter plans have been finalized.

l. Install property pins for final lots.

Status: Esaki has been retained to fulfill the conditions contained in the Tentative Subdivision Approval. Esaki will install property pins for the final lots.

m. Prepare final subdivision map for approval incorporating the above conditions.

Status: Esaki has been retained to fulfill the conditions contained in the Tentative Subdivision Approval. Esaki will be preparing the final subdivision map for the County's review and approval. We anticipate this work will be completed in 2026.

We estimate Esaki would need another extension of six to twelve months to complete the work required of it under the tentative subdivision approval. We anticipate that the Department of Water agreement could be approved and recorded by the end of 2026 or January 2027.

Based on the above, the Applicants respectfully request another extension of 12 months to obtain final subdivision approval.

Mr. Gerald Ako, Chairperson

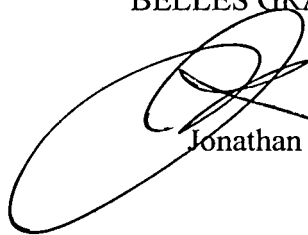
Page 5

December 11, 2025

Thank you very much for your consideration of this request.

Sincerely,

BELLES GRAHAM LLP



Jonathan J. Chun

JJC:so

cc: Esaki Surveying and Mapping, Inc.
Allison Mizuo Lee, Esq.
David J. Minkin, Esq.
Mr. Benjamin B. Fernandes
Mr. W. Kihei Fernandes

Exhibit 'B'

(Preliminary Subdivision Map dated September 10, 2018, and Location Map)

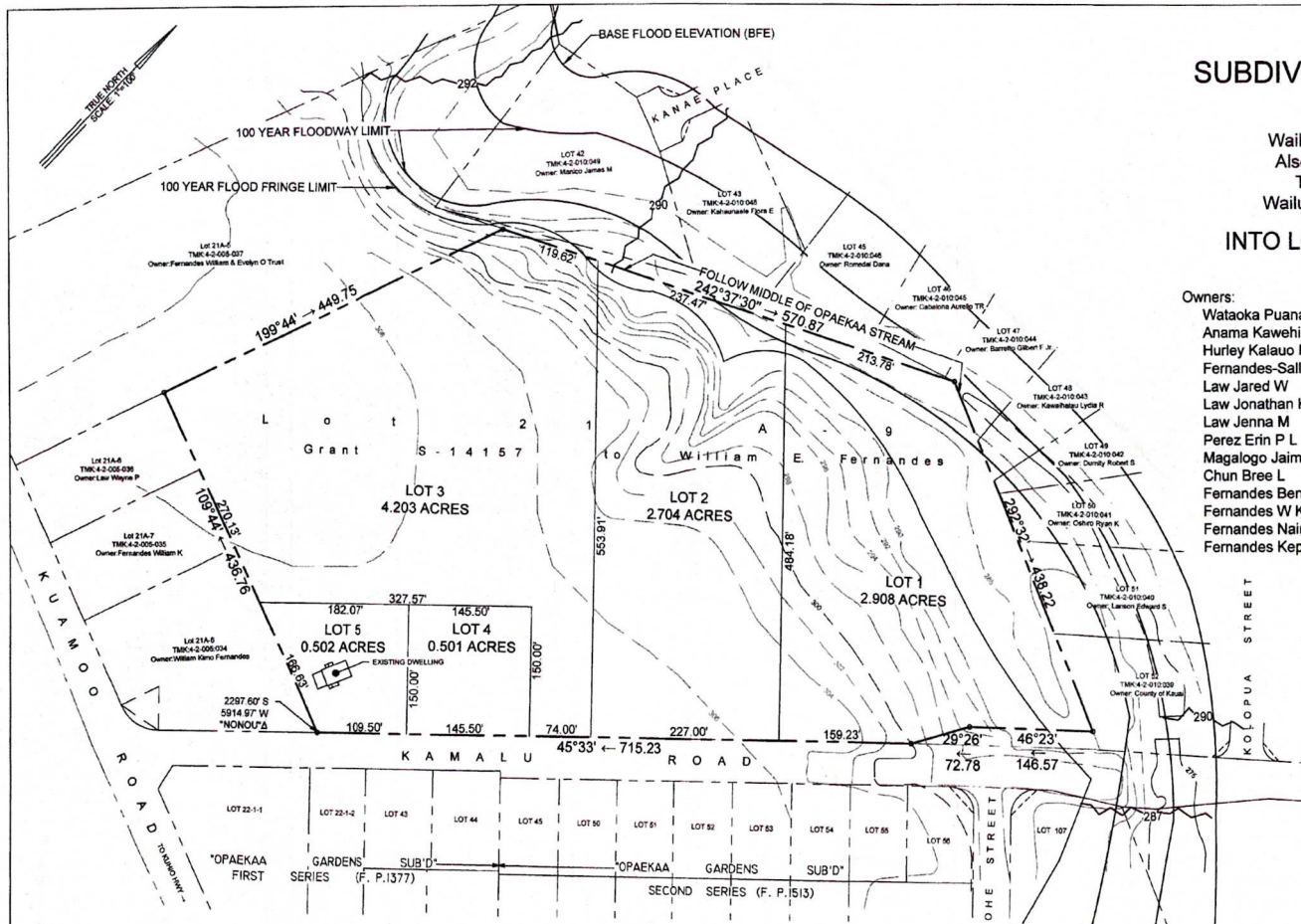
PRELIMINARY SUBDIVISION OF LOT 21 A-9

Portion of Lot 21
Wailua Homestead, First Series
Also portion of Grant S-14157
To William E. Fernandes
Wailua, Kawaihau, Kauai, Hawaii

INTO LOTS 1 TO 5 INCLUSIVE

Owners:

Wataoka Puanani P H: 6231 Hauiki Road Kapaa, HI. 96746
Anama Kawehi K H
Hurley Kalauo K P
Fernandes-Salling John M K
Law Jared W
Law Jonathan K
Law Jenna M
Perez Erin P L
Magalogo Jaime M L
Chun Bree L
Fernandes Benjamin B: 219 Kamalu Road Kapaa HI. 96746
Fernandes W Kihei
Fernandes Nainoa L
Fernandes Kepa K.



NOTES:

1. Origin of azimuths and coordinates are referred to Government Survey Triangulation Station "NONOU".
2. Owners of adjoining lands as shown on plan are from records in the Real Property Mapping Branch.
3. Floodway and flood fringe limits are extrapolated from flood insurance rate map (FIRM) base map.
4. EX. contours and other features are based on aerial orthophoto and google maps.

TMC 4-2-005-004 KAE11-1708
188910 Fernandes Sub Map.dwg

KODANI & ASSOCIATES ENGINEERS, LLC
3128 AKAHU STREET, LILUO, KAUAI, HAWAII 96706



EXPIRES: APRIL 30, 2020
THIS WORK WAS PREPARED BY ME
OR UNDER MY SUPERVISION

C. Kodani
Signature

10" x 21" = 2.19 Sq. Ft.
DATE: 09.10.2018

Subdivision No. S-2019-8_Stephanie Fernandes



12/06/2020

COUNTY OF KAUAI
PLANNING DEPARTMENT

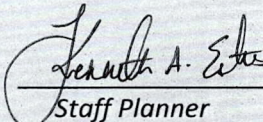
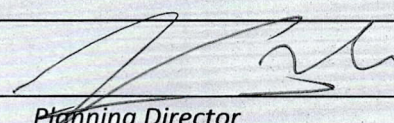
TO: Subdivision Committee, Planning Commission

SUBJECT: Extension Request

PURPOSE: ☒ File Final Subdivision Maps
☐ Complete Subdivision Improvements
☐ Other: _____

Subdivision Application No.		Applicant(s)	
S-2024-4		George and Patricia Souza Trust / Kevin and Monique Souza Living Trust	
Location:	Wailua Homesteads	Tax Map Key:	(4) 4-2-010: 012, 059
Extension Request No. (1st, 2nd, etc.)		Tentative Approval Granted On:	Previous Ext. Expired On:
2 nd		January 09, 2024	January 09, 2026
Subdivision Bonded: ☐ Yes ☒ No		Deadline to Complete Improvements: Not Applicable	

APPLICANT'S REASONS: Additional time is being requested to comply with the conditions/requirements of tentative approval. The Applicant is currently with the various reviewing agencies in resolving the required infrastructure improvements for the subdivision.

PLANNING DEPARTMENT EVALUATION & RECOMMENDATION	
EVALUATION: Please refer to next page...	
RECOMMENDATION: Please refer to next page...	
 Staff Planner	
03.04.2026 Date	
☒ Approved and Recommended to Planning Commission	☐ Denied
Comments: _____	
 Planning Director	
03/04/2026 Date	

A.2.b.1.

MAR 10 2026

COUNTY OF KAUAI PLANNING DEPARTMENT

Extension requests are primarily processed for the purpose of continuing a tentative approval for a subdivision application. An extension approval allows an applicant additional time to comply with the requirements in order to obtain final subdivision approval.

In determining whether additional time should be granted, an evaluation is made of the project's progress as well as compliance with the requirements of tentative approval. The evaluation is primarily based on determining whether the applicant is **progressively working** towards obtaining final subdivision approval with the various reviewing agencies. The **tentative approval conditions** are then re-evaluated to determine whether the conditions/requirements are adequate to address the impacts of the proposed development in consideration of the time that has lapsed.

Pending evaluation of an extension request, one of the following can occur:

1. The extension is approved without changes to the tentative approval requirements;
2. The extension is approved with modified time frames but no modifications or additions to the tentative approval requirements;
3. The extension is approved with modifications and/or additions to the requirements; and
4. The extension is denied.

EXTENSION REQUEST:

The Applicant is requesting an extension of time to file the final subdivision map with the Planning Department pursuant to Section 9-3.8(c)(1) of the Subdivision Ordinance, Kauai County Code (1987), as amended. This application was granted Preliminary Subdivision Map Approval by the Planning Commission on January 09, 2024, and the Applicant's extension request is the **second** extension of the tentative approval. Please refer to the Applicant's request letter dated November 25, 2025, enclosed as Exhibit 'A'.

FINDINGS/BACKGROUND:

The proposal involves a two (2) lot consolidation and re-subdivision into four (4) lots within the County Residential District (R-2) and Open District (O), and within the State Land Use Rural District. The surrounding parcels to the north are within the County Agriculture (Ag) zoning district, while the surrounding parcels to the south, east, and west are within the County Residential (R-2) zoning district and Open District (O). The surrounding parcels are developed with single-family residences.

The subject property is located in Wailua Homesteads and abuts 'Ōpaeka'a Road on its northern boundary and Kalili Place on its southern boundary. It should be noted that there is one (1) existing dwelling on the northwestern side of the property that currently obtains vehicular access from 'Ōpaeka'a Road and two (2) existing dwellings on the southern side of the property that currently obtain

vehicular access from Kalili Place. In reviewing the proposal, Lots 1 and 2 will continue to utilize vehicular access from Kalili Place and Lots 2 and 3 will continue to utilize vehicular access from 'Ōpaeka'a Road.

The subject property was previously reviewed through two prior subdivision applications. Namely, Subdivision Application No. S-2000-3 that received final subdivision approval by the Planning Commission on April 27, 2000, that involved a two-lot subdivision, and Subdivision Application No. S-2011-12 that received final subdivision approval by the Planning Commission on January 25, 2012, and involved a two-lot boundary adjustment. In reviewing Subdivision Application No. S-2000-3, the EIA and Park Dedication Fees were deferred until such time the subject property is further developed. As such, the assessment of an EIA Fee and Park Dedication Fee will be a requirement of this subdivision application and shall be paid prior to final subdivision approval.

PROGRESS OF THE SUBDIVISION:

In considering the extension request, it should be noted that that the Applicant has made some progress in addressing the various conditions of tentative approval. As represented, the Applicant is working to resolve the requirement of the County Housing Agency and is also working to address requirements from the Department of Water. Since it is uncertain as to when the Applicant will be in compliance with the requirements of tentative approval, another time extension is being requested. The additional time will allow the Applicant to address the remaining conditions of tentative approval.

Based on the foregoing circumstances, the Applicant's reasons are justifiable, and no problems are foreseen in granting the extension request.

Additionally, the Applicant should demonstrate further progress with the subdivision within one (1) year from the approval of this extension request. As such, the Applicant shall be made aware that in further considering extension requests involving the proposed development, the Applicant shall continue to submit to the Planning Department an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date in order to allow sufficient time to evaluate whether progress has been made and conditions satisfied.

RECOMMENDATION:

It is recommended that an extension until **JANUARY 09, 2027**, be granted to obtain final subdivision approval. However, the Applicant is made aware that an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements shall be submitted to the Planning Department for review for further extensions requests. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date.

ESAKI SURVEYING AND MAPPING INC.

1610 Haleukana Street Lihue, Kauai, Hawaii 96766
Phone: (808) 246-0625 Fax: (808) 246-0229

LETTER OF TRANSMITTAL

DATE: November 25, 2024

PROJECT NUMBER 2021-062

TO: County of Kauai, Planning Department

ATTENTION: Ka'aina Hull, Director of Planning

RE: S-2024-4 Souza Trust

TMK (4) 4-2-10: 12, 59

Kapaa, Kauai, Hawaii

WE ARE SENDING YOU:

- | | | |
|--|---|--|
| ☒ ATTACHED | ☐ FORWARDED SEPARATELY _____ | |
| ☐ prints | ☐ tracings | ☐ shop drawings |
| ☐ copy of letter | ☐ change order | ☐ original |
| ☐ specifications | ☐ other _____ | |

QUANTITY	IDENT. NO.	DATE	DESCRIPTION
1	Letter		Subdivision Extension Request Letter

THESE ARE TRANSMITTED as checked

- | | | |
|--|---|--|
| ☒ For approval | ☐ Approved | ☐ Resubmit _____ copies for |
| ☐ For your use | ☐ Approved as noted | ☐ Submit _____ copies for |
| ☐ As requested | ☐ Returned for corrections | ☐ Return _____ corrected prints |
| ☐ For review and comment | ☐ Other _____ | |

REMARKS:

Copy to:

Signed:



for Wayne Wada

ESAKI SURVEYING & MAPPING, INC

1610 HALEUKANA STREET - LIHUE, KAUA'I, HAWAI'I 96766
(808) 246-0625 ESM@ESAKIMAP.COM

November 25th, 2025

Mr. Ka`aina Hull
Director of Planning
County of Kauai
4444 Rice Street, Suite A473
Lihue, HI 96766

**RE: S-2024-4, GEORGE & PATRICIA SOUZA TRUST/KEVIN & MONIQUE SOUZA LIVING TRUST
SUBDIVISION EXTENSION REQUEST
TMK (4) 4-2-10: 12, AND 59
WAILUA, KAWAIHAU, KAUA'I, HAWAI'I**

The subject subdivision was granted **TENTATIVE APPROVAL** by the Planning Commission at their meeting held on January 9, 2024. And was granted its first extension at their meeting held on January 14, 2025.

The Owners have executed the Housing Agreement that was received from the County Housing Agency to resolve their requirements. The executed document is being sent to County Housing Agency to have it executed by County parties. Once it's returned, it will be recorded with Bureau of Conveyances.

Additionally, a draft agreement has been sent to DOW regarding the restriction of a total of ten (10) existing and proposed water meters/dwellings.

The applicant requires more time to complete the remaining conditions. We respectfully request an extension in time of one year to file the Final Subdivision Map.

Thank you for your consideration,

Very truly yours,

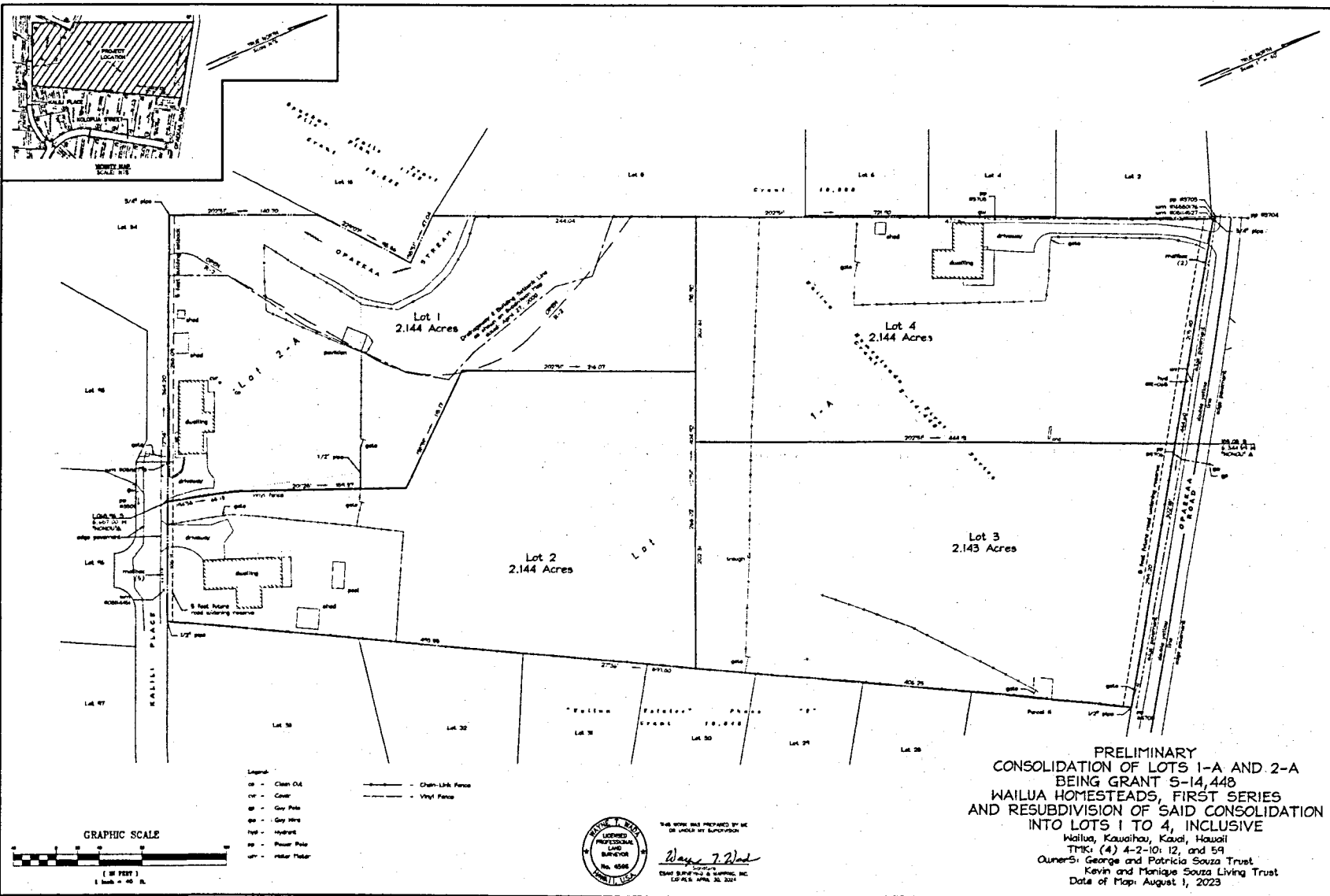

Wayne T. Wada

Exhibit 'A'

(Applicant's Extension Request Letter dated November 25, 2025)

Exhibit 'B'

(Preliminary Subdivision Map dated August 1, 2023, and Location Map)



Job Number: 21-02 00
Drawing File: 21-02 and 7-20-23.dwg

1010 Homestead Street
Lihue, Kauai, Hawaii 96760

Location Map

Subdivision Application No. S-2024-4

Applicant: George & Patricia Souza Trust, Et. Al.



DISCLAIMER: Information contained in these files is derived from public records that are constantly undergoing change and does not replace a site survey. The data and information are not warranted for content or accuracy. The State of Hawaii does not guarantee the positional or thematic accuracy of the data. The data or cartographic digital files are not a legal representation of any of the features which it depicts and the State disclaims any assumption of the legal status which the data represents. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded. The State of Hawaii encourages GIS data users to verify the suitability of the data before use. Please report any discrepancies to gis@hawaii.gov.



COUNTY OF KAUAI
PLANNING DEPARTMENT

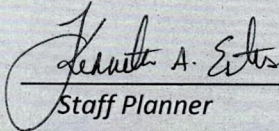
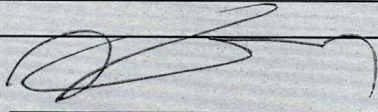
TO: Subdivision Committee, Planning Commission

SUBJECT: Extension Request

PURPOSE: ☒ File Final Subdivision Maps
☐ Complete Subdivision Improvements
☐ Other: _____

Subdivision Application No.		Applicant(s)	
S-2024-5		Thomas N. & Lisa D. Thompson	
Location:	Kekaha	Tax Map Key:	(4) 1-3-004: 023
Extension Request No. (1st, 2nd, etc.)		Tentative Approval Granted On:	Previous Ext. Expired On:
2 nd		March 12, 2024	March 12, 2026
Subdivision Bonded: ☐ Yes ☒ No		Deadline to Complete Improvements: Not Applicable	

APPLICANT'S REASONS: Additional time is being requested to comply with the conditions/requirements of tentative approval. The Applicant is currently with the various reviewing agencies in resolving the required infrastructure improvements for the subdivision.

PLANNING DEPARTMENT EVALUATION & RECOMMENDATION	
EVALUATION: Please refer to next page...	
RECOMMENDATION: Please refer to next page...	
 Staff Planner 03.04.2026 Date	
☒ Approved and Recommended to Planning Commission	☐ Denied
Comments:  Planning Director 03/04/2026 Date	

G.2.C.1.
MAR 10 2026

COUNTY OF KAUA'I PLANNING DEPARTMENT

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1. The extension is approved without changes to the tentative approval requirements;
2. The extension is approved with modified time frames but no modifications or additions to the tentative approval requirements;
3. The extension is approved with modifications and/or additions to the requirements; and
4. The extension is denied.

EXTENSION REQUEST:

The Applicant is requesting an extension of time to file the final subdivision map with the Planning Department pursuant to Section 9-3.8(c)(1) of the Subdivision Ordinance, Kaua'i County Code (1987), as amended. This application was granted Preliminary Subdivision Map Approval by the Planning Commission on March 12, 2024, and the Applicant's extension request is the **second** extension of the tentative approval. Please refer to the Applicant's request letter dated December 10, 2025, enclosed as Exhibit 'A'.

FINDINGS/BACKGROUND:

The proposal involves a (2) lot subdivision within the County Residential (R-10) zoning district and State Land Use Urban District. The neighboring parcels to the south, east, and west are also within the County Residential (R-10) zoning district, while parcels to the north are within the County Residential (R-6) zoning district and the Project Development District (P-D). Additionally, both the subject property and the surrounding parcels are situated within the County Form Based Code Transect Zone (T3VE) and are developed with single-family residences.

The subject property is approximately 33,500 square feet in size and is situated on the eastern side of Kekaha Town at the intersection of 'Elepaio Road and Nene Road, approximately 300 feet from Kaumuali'i Highway. It should be noted that there is one (1) existing dwelling on the northern portion of

the property, which currently obtains vehicular access from 'Elepaio Road. In reviewing the proposal, Lot 132-A will establish vehicular access from Nene Road and Lot 132-B (existing residence) will continue to utilize vehicular access from 'Elepaio Road.

'Elepaio Road and Nene Road have present right-of-way widths of forty (40) feet which are not up to the current County standards of forty-four (44) feet for a Minor Street classification. As such, a two (2) feet wide future road widening reserve shall be established along the frontages of the proposed lots.

PROGRESS OF THE SUBDIVISION:

In considering the extension request, it should be noted that the Applicant has shown some progress with the development and has been working to comply with the various requirements of tentative approval. As represented, the Applicant is currently working on updating the subdivision map to include the various requirements imposed by the agencies and is also addressing the boundary encroachment of a shed on the proposed property line. Since it is uncertain as to when the Applicant will be in compliance with the requirements of tentative approval, another time extension is being requested.

Based on the foregoing circumstances, the Applicant's reasons are justifiable, and no problems are foreseen in granting the extension request. The Departments of Public Works and Water have no objections to the request.

Additionally, the Applicant should demonstrate further progress with the subdivision within one (1) year from the approval of this extension request. As such, the Applicant shall be made aware that in further considering extension requests involving the proposed development, the Applicant shall continue to submit to the Planning Department an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date in order to allow sufficient time to evaluate whether progress has been made and conditions satisfied.

RECOMMENDATION:

It is recommended that an extension until **MARCH 12, 2027**, be granted to obtain final subdivision approval. However, the Applicant is made aware that an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements shall be submitted to the Planning Department for review for further extensions requests. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date.

Exhibit 'A'

(Applicant's Extension Request Letter dated December 10, 2025)

Kenneth Estes

From: THOMAS THOMPSON <nospmohtnt@aol.com>
Sent: Wednesday, December 10, 2025 8:52 AM
To: Kenneth Estes
Subject: Subdivision Extension Request
Attachments: Subdivision_Extension_TT26.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Kenny,
Please see attached Subdivision Extension Request for final approval
.
Please let me know if anything else is need to complete this request.
Kind Regards,
T Thompson

December 10, 2025

Mr. Kenny Estes, Planner
Kauai County Department of Planning
4444 Rice Street, Suite A473
Lihue, Hawaii 96766

Re: Request For an Extension of Time to File
Final Subdivision Map for No. S-2024-5
TMK: 1-3-004:023

Dear Kenny,

We respectfully request a one-year extension to complete our final subdivision map for approval. This request is being made in accordance with Kauai County Code, Section 9-3.8(c)(1), which requires the applicant to timely file a final map or request an extension of time.

Ongoing work requires these things to be completed, and our focus is to complete them within this next year.

These items include:

1. Incorporating into deed description the new setback requirements along Elepaio and Nene Roads.
2. Updating our final subdivision map.

We are still working to satisfy the conditions for subdivision approval and respectfully request an extension of time to enable the progress we are making not to expire.

Thank you for your consideration of our request.

Sincerely,

Thomas Thompson
(808)631-2228

=

Exhibit 'B'

(Preliminary Subdivision Map dated July 12, 2023 and Location Map)



LOCATION MAP
Subdivision Application No. S-2024-5
Thomas N. and Lisa D. Thompson

Kekaha
Neighborhood
Center

St. Theresa Catholic Church

Kekaha Sugar Mill

Subject Property

AKILOA
HOO MAU
IWIPOLENA
AMAKIHI
AKEKEKE
UJULU
KOAE
ALAE
KOKEE
MOLO
PALE
MO
IWIPOLENA
KALA
MAHIKO
ELEPAIO
IWA
MOHO
KOPAA
PALE LIO
OU
KEKAHA
PAULA
KOLEA
KOWEA
MAVU
AKEPA
MANTO
NAVAI PALI
KIKIAOLA



COUNTY OF KAUAI
PLANNING DEPARTMENT

TO: Subdivision Committee, Planning Commission

SUBJECT: Extension Request

PURPOSE: ☒ File Final Subdivision Maps
☐ Complete Subdivision Improvements
☐ Other: _____

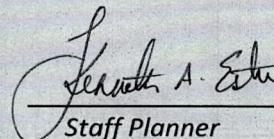
Subdivision Application No.		Applicant(s)	
S-2024-6		BBCP Kukui'ula Infrastructure, LLC. MP Kaua'i HH Development Fund, LLC.	
Location:	Kōloa	Tax Map Key:	(4) 2-6-019: 026, 029, 031
Extension Request No. (1 st , 2 nd , etc.)		Tentative Approval Granted On:	Previous Ext. Expired On:
2 nd		January 09, 2024	January 09, 2026
Subdivision Bonded: ☐ Yes ☒ No		Deadline to Complete Improvements: Not Applicable	

APPLICANT'S REASONS: Additional time is being requested to comply with the conditions/requirements of tentative approval. The Applicant is currently with the various reviewing agencies in resolving the required infrastructure improvements for the subdivision.

**PLANNING DEPARTMENT
EVALUATION & RECOMMENDATION**

EVALUATION: Please refer to next page...

RECOMMENDATION: Please refer to next page...

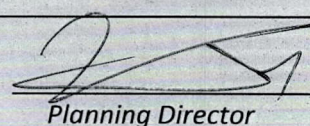

Staff Planner

03.04.2026
Date

☒ Approved and Recommended
to Planning Commission

☐ Denied

Comments:


Planning Director

03/04/2026
Date

G.Z.d.l.
MAR 10 2026

COUNTY OF KAUAI PLANNING DEPARTMENT

Extension requests are primarily processed for the purpose of continuing a tentative approval for a subdivision application. An extension approval allows an applicant additional time to comply with the requirements in order to obtain final subdivision approval.

In determining whether additional time should be granted, an evaluation is made of the project's progress as well as compliance with the requirements of tentative approval. The evaluation is primarily based on determining whether the applicant is **progressively working** towards obtaining final subdivision approval with the various reviewing agencies. The **tentative approval conditions** are then re-evaluated to determine whether the conditions/requirements are adequate to address the impacts of the proposed development in consideration of the time that has lapsed.

Pending evaluation of an extension request, one of the following can occur:

1. The extension is approved without changes to the tentative approval requirements;
2. The extension is approved with modified time frames but no modifications or additions to the tentative approval requirements;
3. The extension is approved with modifications and/or additions to the requirements; and
4. The extension is denied.

EXTENSION REQUEST:

The Applicant is requesting an extension of time to file the final subdivision map with the Planning Department pursuant to Section 9-3.8(c)(1) of the Subdivision Ordinance, Kauai County Code (1987), as amended. This application was granted Preliminary Subdivision Map Approval by the Planning Commission on January 09, 2024, and the Applicant's extension request is the **second** extension of the tentative approval. Please refer to the Applicant's request letter dated January 06, 2026, enclosed as Exhibit 'A'.

FINDINGS/BACKGROUND:

The proposed development establishes forty-seven (47) lots within the County Residential (R-10) zoning district, one (1) roadway lot (Lot 48), one remnant Lot (Lot 50), proposed Lot 49 that encompasses The Club at Kukui'ula facility, and proposed Lot 51 that encompasses the Kukui'ula golf course.

The subject property is located on the *makai* side of the Ala Kukui'ula with its southern boundary being immediately adjacent to Lāwa'i Road. It is noted that the proposed residential lots are outside of the Special Management Area (SMA); however, proposed Lots 50 and 51 have portions of the lots that are within the SMA. Any new "development", as defined in Section 1.4 of the SMA Rules and Regulations of

the County of Kaua'i, may require an SMA Permit and if so, the applicant is subject to all applicable requirements/conditions of the permit.

In considering the project, it is noted that the Public Path and Trails Exhibit dated February 25, 2025, identifies the proposed subdivision as part of the trail system within the Kukui'ula planned community. Prior to final subdivision approval, the Application will be required to resolve with the Planning Department the provision of public access that would be consistent with the previously approved public path and trails plan for Kukui'ula.

PROGRESS OF THE SUBDIVISION:

As represented, the Applicant has been working to resolve the various conditions of tentative approval. Currently, the Applicant has prepared construction plans for subdivision improvements and the plans are awaiting agency review and approvals which has consumed much of the time. Since it is uncertain as to when all of the agency comments will be met, the Applicant is requesting additional time to complete the subdivision. The additional time allows the Applicant to meet all of the requirements of government agencies.

Based on the foregoing circumstances, the Applicant's reasons are justifiable and no problems are foreseen in granting the extension request.

Additionally, the Applicant should demonstrate further progress with the subdivision within one (1) year from the approval of this extension request. As such, the Applicant shall be made aware that in further considering extension requests involving the proposed development, the Applicant shall continue to submit to the Planning Department an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date in order to allow sufficient time to evaluate whether progress have been made and conditions satisfied.

RECOMMENDATION:

It is recommended that an extension until **JANUARY 09, 2027**, be granted to obtain final subdivision approval. However, the Applicant is made aware that an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements shall be submitted to the Planning Department for review for further extensions requests. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date.

Exhibit 'A'

(Applicant's Extension Request Letter dated January 06, 2026)

Kenneth Estes

From: Maren <maren@esakimap.com>
Sent: Tuesday, January 6, 2026 1:52 PM
To: Kenneth Estes
Cc: Laurel Loo; Wayne Wada
Subject: S-2024-6 Kukuiula Parcel HH
Attachments: 20260106135434303.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Hi Kenny,

Attached is the extension request for Parcel HH. Hard copy will also be transmitted to Planning Department.

Thanks,
Happy New Year!

Maren Arismendez-Herrera
Esaki Surveying & Mapping, Inc.

ESAKI SURVEYING & MAPPING, INC

1610 HALEUKANA STREET - LIHUE, KAUA'I, HAWAI'I 96766
(808) 246-0625 ESM@ESAKIMAP.COM

January 6th, 2026

Mr. Ka`aina Hull
Director of Planning
County of Kauai
4444 Rice Street, Suite A473
Lihue, HI 96766

**RE: S-2024-6, BBKP KUKUI`ULA INFRASTRUCTURE, LLC.; MP KAUA'I HH DEVELOPMENT FUND, LLC.
2ND SUBDIVISION EXTENSION REQUEST
TMK (4) 2-6-19: 26, 29, AND 31
KŌLOA, KAUA'I, HAWAI'I**

The subject subdivision was granted **TENTATIVE APPROVAL** by the Planning Commission at their meeting held on January 9th, 2024. It was granted a one-year extension (1st extension request) by the Planning Commission at their meeting held on April 8th, 2025.

December 2024 Phase 1 and Phase 2 construction plans approved and signed by Department of Health (DOH).

April 2025 Phase 1 and Phase 2 construction plans approved and signed by Hawaii Gas.

September 2025 Phase 1 and Phase 2 construction plans approved and signed by Kauai Department of Water (DOW).

The applicant requires more time to complete all the conditions. We respectfully request an extension in time of one year to file the Final Subdivision Map.

Thank you for your consideration,

Very truly yours,

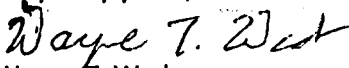
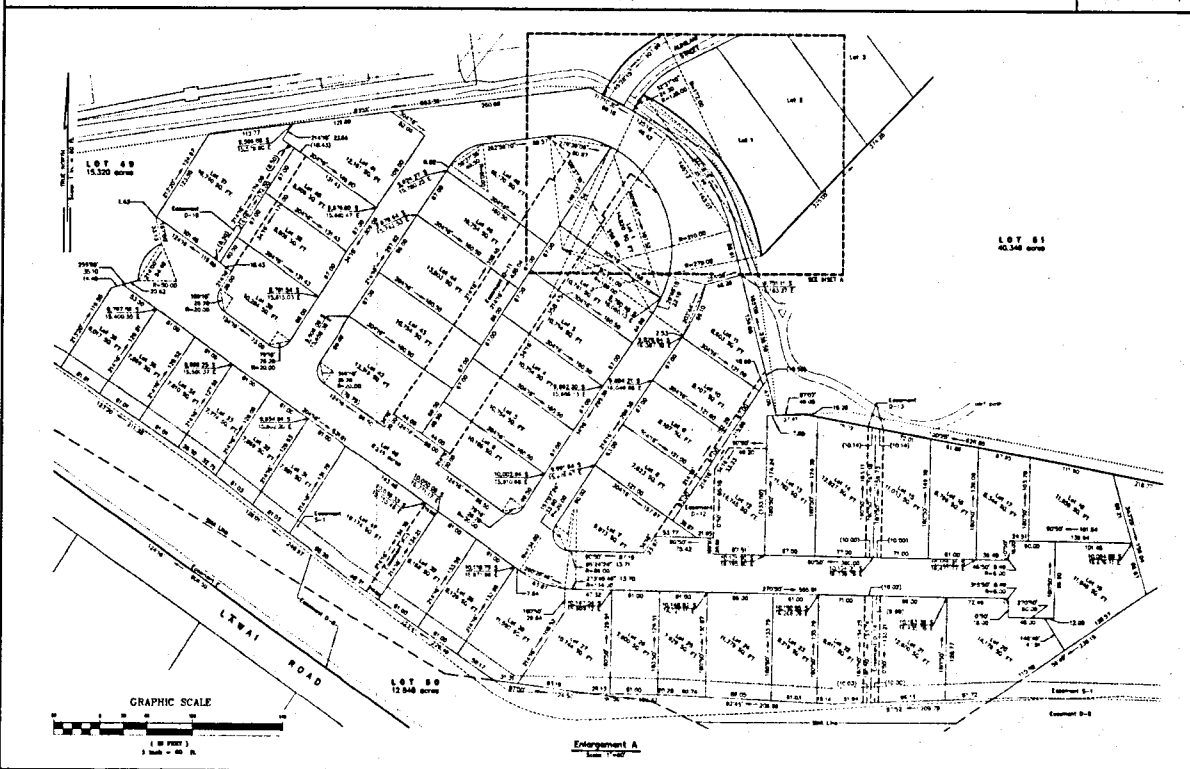
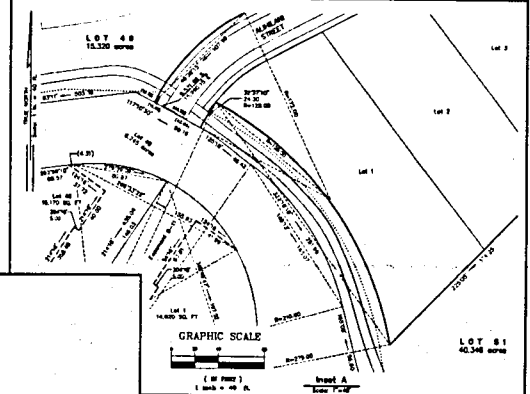
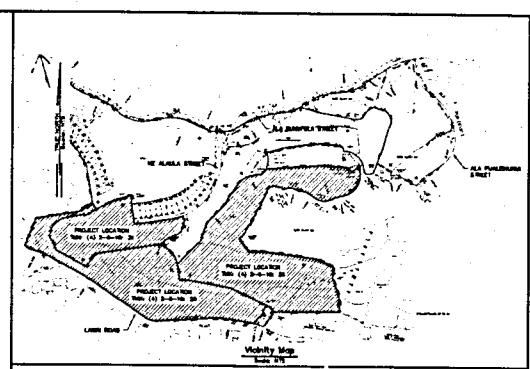
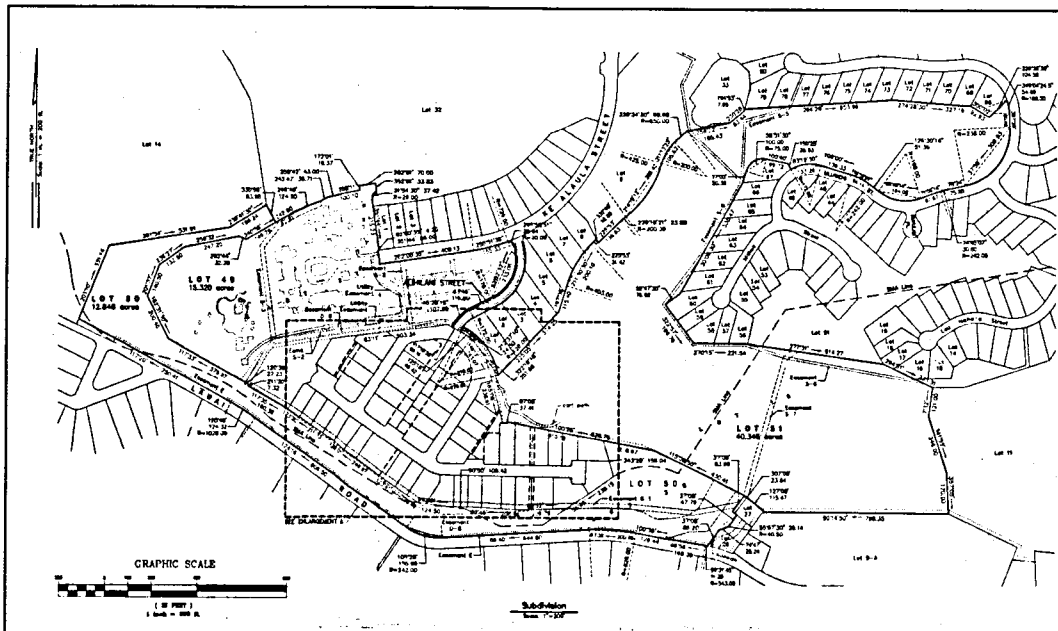

Wayne T. Wada

Exhibit 'B'

(Preliminary Subdivision Map dated September 01, 2023, and Location Map)



NOTE:
Coordinates based on Government Survey Triangulation Station "KALANIANA'OLA".



THE WORK WAS PREPARED BY ME
OR UNDER MY SUPERVISION
Wayne T. Wai
Wayne T. Wai, P.E.
2005 Wai'anae Blvd., Suite 200
Wai'anae, HI 96791

(Parcel HH)
PRELIMINARY
CONSOLIDATION OF LOTS 10, 29, AND 31
Kukui'ula Residential Subdivision, Phase III-A
Being Portion of R.P. 6714,
L.C. Aw. 7714-B, Ap. 2 to
M. Kekua'wa no M. Kekua'nao
RESUBDIVISION OF SAID CONSOLIDATION INTO
LOTS 1 THROUGH 51
AND DESIGNATION OF EASEMENTS
D-10 THROUGH D-14, AND P-1
KŌLOA, KAUAI, HAWAII
Owners: BBOP Kukui'ula Infrastructure LLC
and MP Kaula HH Development Fund LLC
TWK: (4) 2-6-19: 26
(4) 2-6-19: 29
(4) 2-6-19: 31
Date: September 1, 2023

Prepared: 9-1-23
Drawing: 9-1-23

1:000 SCALE PLAN & MAPS, INC.
200 Wai'anae Blvd., Suite 200
Wai'anae, HI 96791

1:000 SCALE PLAN & MAPS, INC.
200 Wai'anae Blvd., Suite 200
Wai'anae, HI 96791

LOCATION MAP
Subdivision Application No. S-2024-6
BBCP Kukuiula Infrastructure, LLC.
MP Kauai HH Development Fund, LLC.

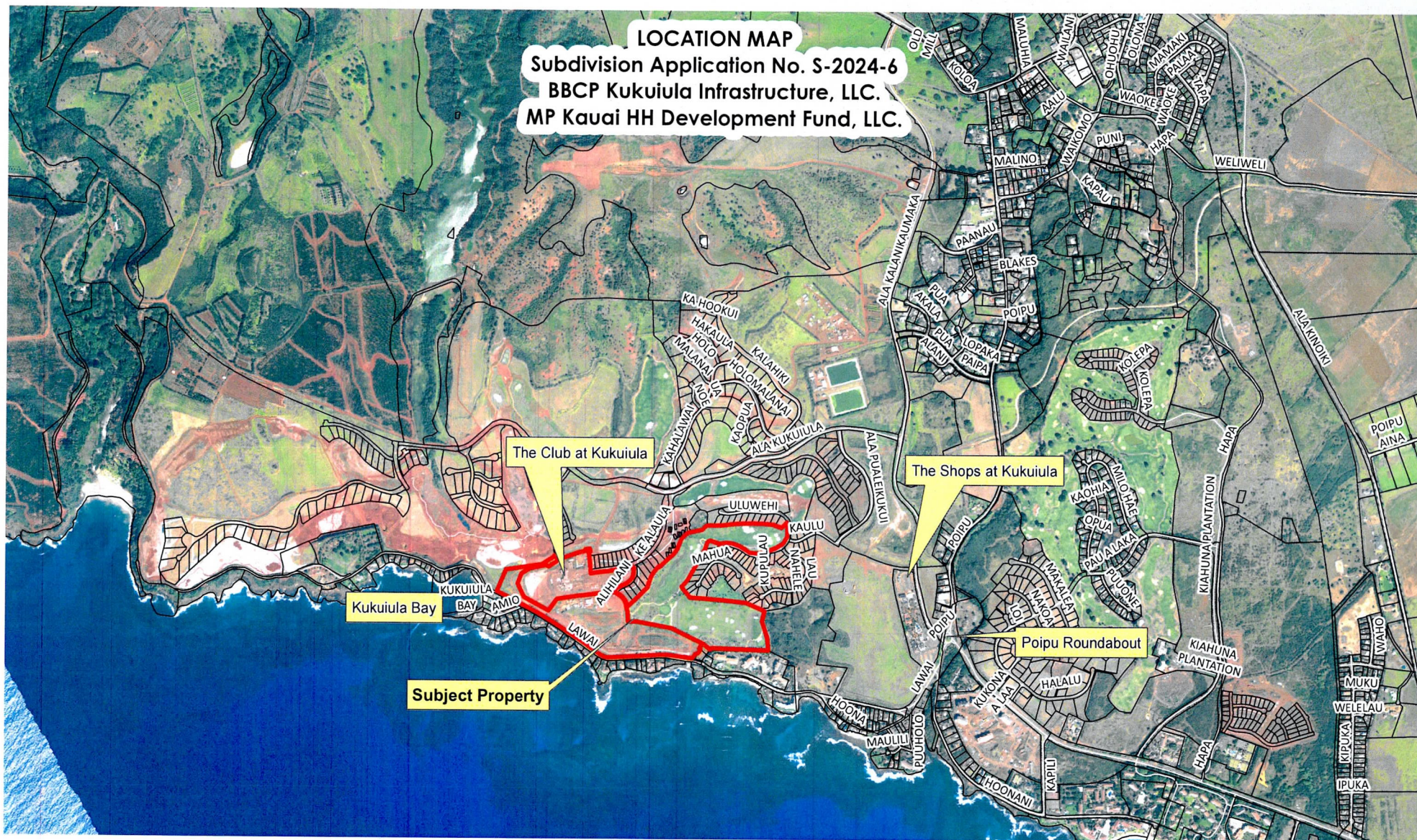
BBCP Kukuiula Infrastructure, LLC.

The Club at Kukuiula

The Shops at Kukuiula

Kukuiula Bay

Subject Property

 Poipu Roundabout

COUNTY OF KAUA'I
PLANNING DEPARTMENT

TO: Subdivision Committee, Planning Commission

SUBJECT: Extension Request

PURPOSE: ☒ File Final Subdivision Maps
☐ Complete Subdivision Improvements
☐ Other: _____

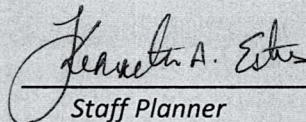
Subdivision Application No.		Applicant(s)	
S-2024-9		Inouye Family Trust Et. Al.	
Location:	Kōloa	Tax Map Key:	(4) 2-3-018: 015 and 036
Extension Request No. (1 st , 2 nd , etc.)		Tentative Approval Granted On:	Previous Ext. Expired On:
1 st		January 14, 2025	N/A
Subdivision Bonded: ☐ Yes ☒ No		Deadline to Complete Improvements: Not Applicable	

APPLICANT'S REASONS: Additional time is being requested to comply with the conditions/requirements of tentative approval. The Applicant is currently with the various reviewing agencies in resolving the required infrastructure improvements for the subdivision.

**PLANNING DEPARTMENT
EVALUATION & RECOMMENDATION**

EVALUATION: Please refer to next page...

RECOMMENDATION: Please refer to next page...

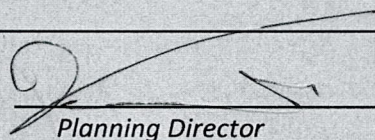

Staff Planner

03.04.2026
Date

☒ Approved and Recommended
to Planning Commission

☐ Denied

Comments:


Planning Director

03/04/2026
Date

A.2.e.1

MAR 10 2026

COUNTY OF KAUAI PLANNING DEPARTMENT

Extension requests are primarily processed for the purpose of continuing a tentative approval for a subdivision application. An extension approval allows an applicant additional time to comply with the requirements in order to obtain final subdivision approval.

In determining whether additional time should be granted, an evaluation is made of the project's progress as well as compliance with the requirements of tentative approval. The evaluation is primarily based on determining whether the applicant is **progressively working** towards obtaining final subdivision approval with the various reviewing agencies. The **tentative approval conditions** are then re-evaluated to determine whether the conditions/requirements are adequate to address the impacts of the proposed development in consideration of the time that has lapsed.

Pending evaluation of an extension request, one of the following can occur:

1. The extension is approved without changes to the tentative approval requirements;
2. The extension is approved with modified time frames but no modifications or additions to the tentative approval requirements;
3. The extension is approved with modifications and/or additions to the requirements; and
4. The extension is denied.

EXTENSION REQUEST:

The Applicant is requesting an extension of time to file the final subdivision map with the Planning Department pursuant to Section 9-3.8(c)(1) of the Subdivision Ordinance, Kauai County Code (1987), as amended. This application was granted Preliminary Subdivision Map Approval by the Planning Commission on January 14, 2025, and the Applicant's extension request is the **first** extension of tentative approval. Please refer to the Applicant's request letter dated December 30, 2025, enclosed as Exhibit 'A'.

FINDINGS/BACKGROUND:

The proposed development redefines the boundaries between two (2) parcels identified as TMKs: (4) 2-3-018: 015 and 036. Currently, Parcel 15 contains approximately 3.143 acres and is situated within the County Agriculture (Ag) and Open (O) zoning districts, and State Land Use Agricultural District. Parcel 36 contains approximately 0.968 acres and is situated within the County Residential (R-4) zoning district, and State Land Use Urban District. The surrounding parcels to the north are within the County Residential (R-4) zoning district and the parcels to the south, east, and west are within the County Agriculture and Open zoning districts.

PROGRESS OF THE SUBDIVISION:

In considering the extension request, it should be noted that the Applicant has made some progress in addressing the requirements of the subdivision. As represented, the Applicant is currently working to resolve the requirements of the COK Department of Water regarding infrastructure improvements associated with the proposed development. Since it is uncertain as to when the Applicant will be in compliance with the requirements of Tentative Approval, another time extension is being requested.

Based on the foregoing circumstances, the Applicant's reasons are justifiable and no problems are foreseen in granting the extension request.

Additionally, the Applicant should demonstrate further progress with the subdivision within one (1) year from the approval of this extension request. As such, the Applicant shall be made aware that in further considering extension requests involving the proposed development, the Applicant shall continue to submit to the Planning Department an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date in order to allow sufficient time to evaluate whether progress have been made and conditions satisfied.

RECOMMENDATION:

It is recommended that an extension until **JANUARY 14, 2027** be granted to obtain final subdivision approval. However, the Applicant is made aware that an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements shall be submitted to the Planning Department for review for further extensions requests. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date.

Exhibit 'A'

(Applicant's Request Letter dated December 11, 2025)

Kenneth Estes

From: Maren <maren@esakimap.com>
Sent: Tuesday, December 30, 2025 10:38 AM
To: Kenneth Estes
Cc: Vanessa C
Subject: S-2024-9 (1st extension)
Attachments: S-2024-9 1st extension.pdf

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Hi Kenny,

See extension request for Inouye subdivision, hard copy will be mailed out.

Thanks,

Maren Arismendez-Herrera
Esaki Surveying & Mapping, Inc.

ESAKI SURVEYING & MAPPING, INC

1610 HALEUKANA STREET - LIHUE, KAUA'I, HAWAI'I 96766
(808) 246-0625 ESM@ESAKIMAP.COM

December 30th, 2025

Mr. Ka'aina Hull
Director of Planning
County of Kauai
4444 Rice Street, Suite A473
Lihue, HI 96766

**RE: S-2024-9, INOUE FAMILY TRUST
SUBDIVISION EXTENSION REQUEST
TMK (4) 2-3-18: 15, AND 36
KĀLAHEO, KŌLOA, KAUA'I, HAWAI'I**

The subject subdivision was granted **TENTATIVE APPROVAL** by the Planning Commission at their meeting held on January 14, 2025.

Additional time is requested to allow Esaki Surveying and Mapping Inc. time to submit construction drawings to Department of Water and receive DOW's approval of said constructions drawings. The construction plans are currently being prepared by Esaki Surveying and Mapping, Inc. and are anticipated to be submitted to DOW sometime in January 2026.

The applicant requires more time to complete the remaining conditions. We respectfully request an extension in time of one year to file the Final Subdivision Map.

Thank you for your consideration,

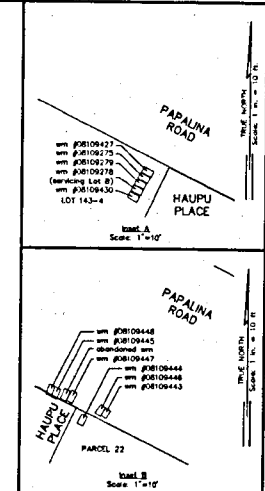
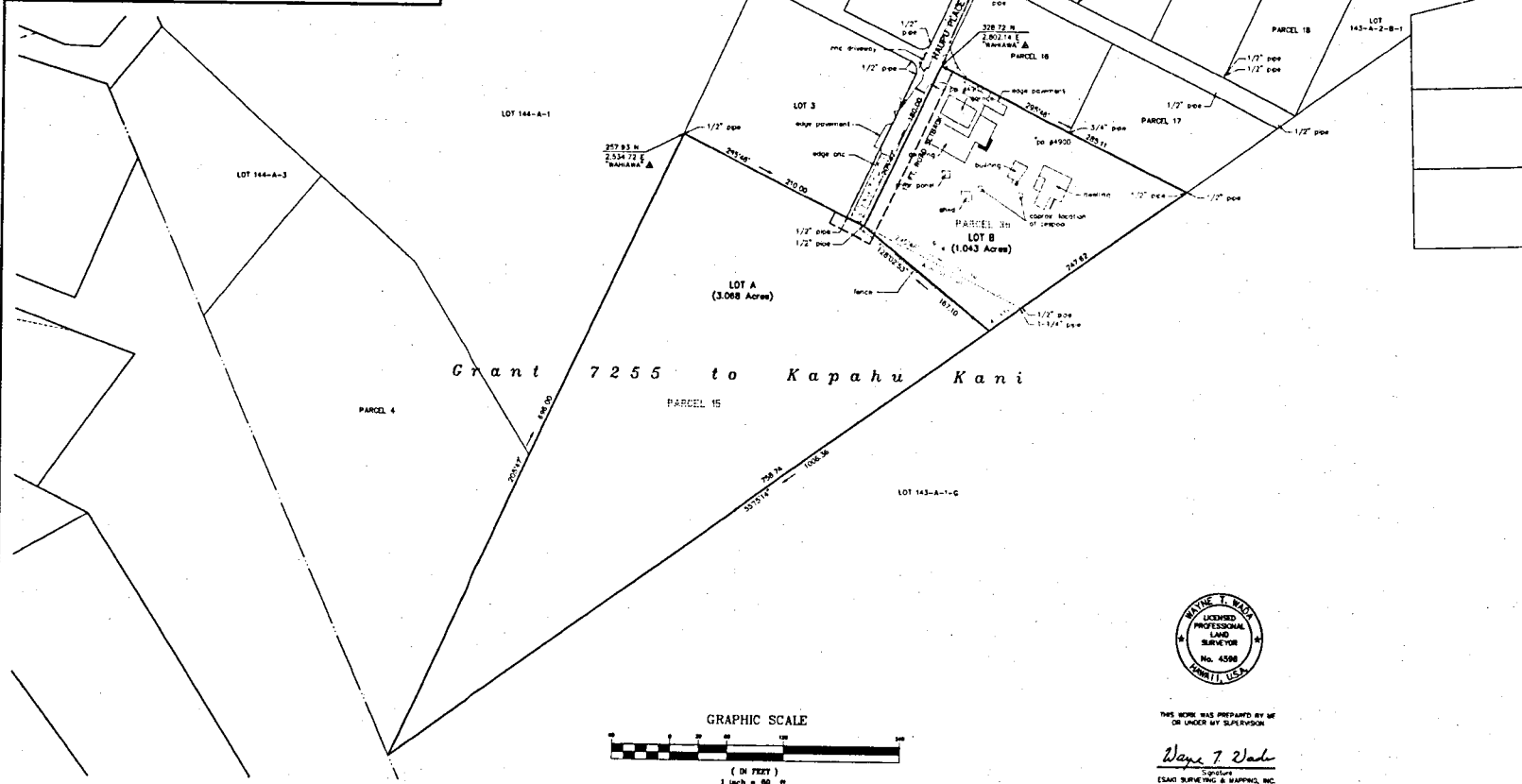
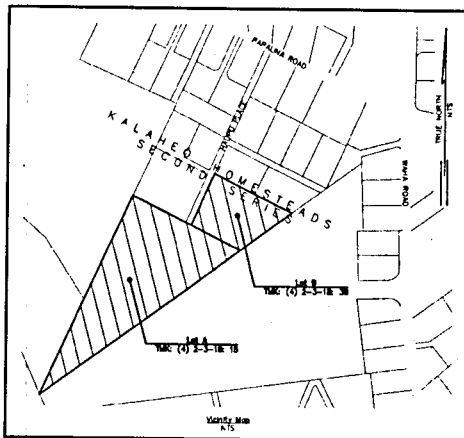
Very truly yours,



Maren Ariamendez-Herrera

Exhibit 'B'

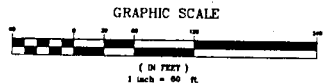
(Preliminary Subdivision Map dated September 10, 2018, and Location Map)



PRELIMINARY
CONSOLIDATION OF
PARCELS 15 AND 36
Being Portions of Grant
7255 to Kapahu Kani
AND RESUBDIVISION OF
SAID CONSOLIDATION
INTO LOTS A AND B
KALAHEO, KOLOA, KAUAI, HAWAII
Tax Map Key: (4) 2-3-18: 15 & 36
Owners: Inouye Family Trust, et. al.
Date: March 26, 2024



THIS WORK WAS PREPARED BY ME
OR UNDER MY SUPERVISION
Wayne T. Wade
Signature
ESAKI SURVEYING & MAPPING, INC.
EXPIRES: APRIL 30, 2028



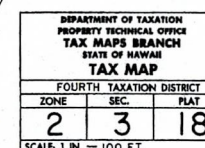
Job Number: 20-242 - BP KH
Drawing: 14a - 20-242 SUBDIVISION.dwg

ESAKI SURVEYING & MAPPING, INC.
Civil Engineers - Land Surveyors - Planners

1610 Haleakala Street
Honolulu, Hawaii 96816

INOUYE FAMILY TRUST ET AL.

GR. 70BG
PLAT 15



DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

SUBDIVISION REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of Subdivision Application No. S-2024-1 that involves a four (4) lot subdivision.

Subdivision Permit No. Application No. S-2024-1

Name of Applicant(s) JIRO YUKIMURA TRUST AND JENNIE T. YUKIMURA TRUST

II. PROJECT INFORMATION

Map Title	Subdivision of Lot 2-A-1 Being a Portion of L.C. Aw. 7713:2, Part 7 to V. Kamamalu into Lots 1 thru 4 and Designation of Easement AU-1 at Hanamā'ulu, Līhu'e, Kaua'i, Hawai'i.				
Tax Map Key(s):	3-7-006:002	Area:	28,208 sq. ft.		
Zoning:	Residential (R-6)				
State Land Use District(s):	Urban	General Plan Designation:	Residential Community		
AGENCY COMMENTS					
☒ COK Public Works	08.30.2023	☒ State DOT-Highways:	pending		
☒ COK Water:	pending	☒ State Health:	pending		
☐ Other(s)		☒ DLNR – SHPD:	pending		
EXISTING ROAD RIGHT-OF-WAY(S)					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Luhina Street	12 feet	30 feet	☒	☐	
Ho'ohuki Street	28 feet	40 feet	☒	☐	
			☐	☐	
APPLICABLE FEES					
Environmental Impact Assessment (EIA)	\$750.00				
Park Dedication	\$600.00				
Appraisal Report Required	No				

G.N.A.I.
MAR 10 2026

G.N.A.I.
9/12/2023

III. EVALUATION

The proposal involves a four (4) lot subdivision within the County Residential (R-6) zoning district and State Land Use Urban District. The subject property is located in the Hanamā'ulu area and is situated approximately forty (40) feet from Kūhi'ō Highway. The surrounding parcels to the north, east, and west are also within the County Residential (R-6) zoning district and the parcels to the south are within the County (R-4) zoning district. The surrounding parcels are developed with single-family residences.

The proposal involves the demolition of an existing single-family residence, carport, greenhouse, and storage shed, as well as relocating a building to accommodate the four-lot subdivision. According to the County of Kaua'i, Real Property Tax records, the existing residence was built in the year 1888. After further research, the residence is not listed on the National or State Historic Register of Places as well as the Kaua'i Historic Preservation Review Commission (KHPRC) inventory list. However, the historic structures on the property may be subject to the review of the State Historic Preservation Division pursuant to HRS 6E-42. The Applicant should be made aware that the proposed subdivision may affect all historic property whereby additional mitigation conditions aimed at mitigating or minimizing impacts to historic structures may be imposed for any proposed demolition of the single-family residence, carport, and/or storage shed at the time of building permit and zoning permit review. In addition, the Applicant should also be made aware that prior to final subdivision approval, the Applicant should remove and/or relocate the existing single-family residence, greenhouse, and building so that they do not encroach upon the respective boundaries of the proposed lot lines.

In addition, the subject property currently obtains vehicular access from Luhina Street that will continue to be utilized for vehicular access to both proposed Lots 1 and 2. Luhina Street has a present right-of-way width of thirty (30) feet which is not up to the current County standard of forty (40) feet for a dead-end street classification. A such, a future road widening reserve should be established along the frontages of proposed Lots 1 and 2 subject to the specifications of the Department of Public Works for a dead-end street. Further, proposed Lots 3 and 4 will obtain vehicular access from the northern terminus of Ho'ohuki Street in a cul-de-sac, which was previously established through the Wiliko Homes Subdivision, Unit 2 (Subdivision No. S-73-34). Ho'ohuki Street is an improved roadway with a right-of-way width of forty (40) feet.

IV. RECOMMENDATION

TENTATIVE APPROVAL	FINAL APPROVAL
☒ Approval ☐ Denied	☒ Approval ☐ Denied
Tentative Approval subject to all requirements as noted on the following pages:	All conditions have been complied with
 Director of Planning	 Director of Planning
8/21/2020 Date	03/04/2026 Date

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V. AGENCY REQUIREMENTS

1. Requirements of the Planning Department:

- a. An updated preliminary title report for the existing lot shall be submitted to the Planning Department for review.
- b. All existing and proposed easements, if any, shall be identified in the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
- c. Pursuant to Section 9-3.8(b) of the Subdivision Ordinance, Kaua'i County Code (1987), the Applicant shall submit to the Planning Department an electronic record (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
- d. An Environmental Impact Assessment Fee of Seven Hundred Fifty Dollars (\$750.00) shall be paid to the County of Kaua'i.
- e. An Park Dedication Fee of Six Hundred Dollars (\$600.00) shall be paid to the County of Kaua'i.
- f. A future road widening reserve shall be established along the frontage of Luhina Street subject to the specifications of the Public Works Department for a dead-end street. There shall be no new structures permitted within the reserve, and any new structures shall be setback from the reserve. The reserve, along with the restrictions, shall be incorporated into the deed descriptions of the affected lots, of which draft copies shall be submitted to the Planning Department for review and approval.
- g. The Subdivider shall comply with the requirements in Section 9-2.3(e) of the Kaua'i County Code (1987) relating to the provision of curbs, gutters and sidewalks. The extent of improvements shall be resolved with the Planning Department and Department of Public Works prior to final subdivision map approval.

Section 9-2.3(e)(3) states:

"(3) Curbs, gutters and sidewalks shall be provided on both sides of all proposed or existing streets within or abutting the subdivision in Commercial, Industrial and Resort Districts; in Residential Districts where the density permitted is four (4) units or more per acre; and in any other Zoning Districts within the State Land Use-Urban District that are located within one-half (1/2) mile from any elementary, intermediate, high school, or college. For existing streets abutting subdivisions,

sidewalks shall be required on the side of the street fronting the subdivision for the length of the subdivision frontage.

(A) In Residential Districts, swales may be constructed in lieu of curbs and/or gutters in accordance with the drainage standards and design guidelines established by the Department of Public Works.

(B) In Residential Districts, the requirement of sidewalks may be waived if the Planning Commission determines that sidewalks are infeasible or unnecessary, taking into account local context and sensitivity to community character, and an alternate method of pedestrian circulation exists or will be provided by the applicant.

(C) If the requirement of sidewalks is waived, the subdivider shall be required to pay a fee in lieu of required sidewalk construction. The fee in lieu of sidewalk construction shall not be required for subdivision approvals for less than six (6) lots. The fee in lieu of required sidewalk construction shall be equal to or greater than one hundred percent (100%) of the cost of constructing the sidewalk as determined by the County Engineer. There is hereby established and created a "sidewalk/shared use path fund" for the deposit of fees collected in lieu of required sidewalk construction. The fees collected pursuant to this Subsection (C) are hereby deemed appropriated upon receipt and shall be expended by the County Engineer for sidewalk or shared use path planning, design, land acquisition, construction and/or repair and maintenance. The County Engineer shall submit an annual written report to the Council of each fiscal year's expenditures and balance of the sidewalk/shared use path fund on or before the 15th day of March of each year. If the 15th day of March falls on a Saturday, Sunday, or legal holiday, the report shall be submitted on the prior working day. The fees collected shall not lapse at the close of the fiscal year.

(D) Payment of said fees shall be made in a lump sum at the time of final subdivision map approval or payment shall be made according to the following schedule: fifty percent (50%) at the time of preliminary subdivision map approval and the balance paid at the time of final subdivision map approval. When funds are needed for sidewalk or shared use path planning, design, land acquisition, construction and/or repair, the County Engineer shall submit a written request to the Planning Director and Mayor for approval. Upon approval, the Finance Director shall be authorized to release monies from the fund."

- h.** Relating to Condition 1.g., the applicant shall prepare and obtain construction plan approvals for necessary road, water, drainage, electrical and telephone utilities and facilities, and either construct the same or post a surety bond for completion.
- i.** The Applicant shall be cognizant that the proposed demolition of the existing historic structures may be subject to review by the State Historic Preservation

Division pursuant to HRS 6E-42. The Applicant shall provide more information relating to any proposed ground disturbance relating to the proposed demolition.

- j. The Applicant should be aware that additional mitigation conditions aimed at mitigating or minimizing impacts to historic structures may be imposed for any proposed demolition of the single-family residence, carport, and/or storage shed at the time of building and zoning permits.
- k. Prior to Final Subdivision Approval, the Applicant shall remove and/or relocate the existing single-family residence, greenhouse, and building so that they do not encroach upon the respective boundaries of the proposed lot lines. Further, with respect to the proposed lot lines, all relocated structures shall meet the setback requirements specified in Section 8-4.3 of the Comprehensive Zoning Ordinance (CZO), Kaua'i County Code (K.C.C.), 1987, as amended.
- l. In *Ka Pa'akai O Ka'aina v. Land Use Commission*, the Hawai'i Supreme Court established a three-part analytical framework to fulfill the constitutional duty to preserve and protect traditional and customary native Hawaiian rights and resources while reasonably accommodating competing private interests. Prior to final subdivision approval the Applicant shall describe the actions taken and examination conducted to analyze the following:
 - 1) Identify whether any valued cultural, historical, or natural resources are present within the project area, and identify the extent to which traditional and customary Native Hawaiian rights are exercised. This part may include but not be limited to the following analyses:
 - o Describe the project area in relation to traditional and customary practices that occurred in the region or district.
 - o Describe the extent that traditional and customary practices were practiced in the ahupua'a and project area.
 - o Describe the community members you consulted with including their genealogical ties, long-standing residency, and relationship to region, ahupua'a and project area.
 - o Describe the Land Commission Awards provided on the property?
 - o Describe the prior archaeological studies that were conducted for the property.
 - o Are you aware of any resources that found any evidence of subsurface habitation or excavation on the property?

- Does the property contain any evidence that trails were in existence on the property?
 - Have any individuals ever requested access to the property for any reason?
- 2) Identify the extent to which the identified resources and rights will be affected or impaired by the proposed project.
 - 3) Specify any mitigative actions to be taken to reasonably protect native Hawaiian rights if they are found to exist.

2. Requirements of the Department of Public Works (DPW):

- a. Should the applicant grade and/or grub the site prior to the subdivision of Lot 2-A-1, the applicant shall comply with all provisions of the "Grading, Sediment, and Control Ordinance No. 808" to safeguard the public health, safety, and welfare, to protect property, and to control soil erosion and sedimentation. This shall include, but not limited to, a grading and/or grubbing permit in compliance with the County's Grading, Sediment, and Control Ordinance No. 808 which is required if any of the following conditions apply:
 - The work area exceeds one (1) acre.
 - Grading involving excavation or embankment, or combination thereof exceeds 100 cubic yards.
 - Grading exceeds five (5) feet in vertical height or depth at its deepest point.
 - The work area unreasonably alters the general drainage pattern to the detriment of abutting properties.
- b. Best Management Practices (BMPs) shall be incorporated to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to watercourses, natural areas, and other properties. The permittee and the property owner shall be responsible to ensure that BMPs are satisfactorily implemented at all times.
- c. Ho'ohuki Street has an existing curb; therefore, no further drainage improvements are required within the County right-of-way.
- d. Within the Luhina Street right-of-way, a swale may be installed in lieu of a curb to satisfy the drainage standards and design guidelines established by the Department of Public Works.
- e. A 5 feet wide Road Widening Reserve shall be included along the proposed subdivision frontage along the Luhina Street right-of-way.

3. Requirements of the Department of Water (DOW):

- a. The subdivider shall comply with the requirements of the Department of Water, if any, prior to final subdivision approval.

4. Requirements of the Department of Health (DOH):

- a. The subdivider shall comply with the requirements of the Department of Health, if any, prior to final subdivision approval.

5. Requirements of the State Historic Preservation Division (SHPD):

- a. The subdivider shall comply with the requirements of the State Historic Preservation Division, if any, prior to final subdivision approval.

6. Requirements of the State Department of Transportation (DOT):

- a. The subdivider shall comply with the requirements of the State Department of Transportation, if any, prior to final subdivision approval.

7. The Applicant is advised the should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the applicant shall contact the State Department of Land and Natural Resources, Historic Preservation Division and the Planning Department to determine mitigation measures.

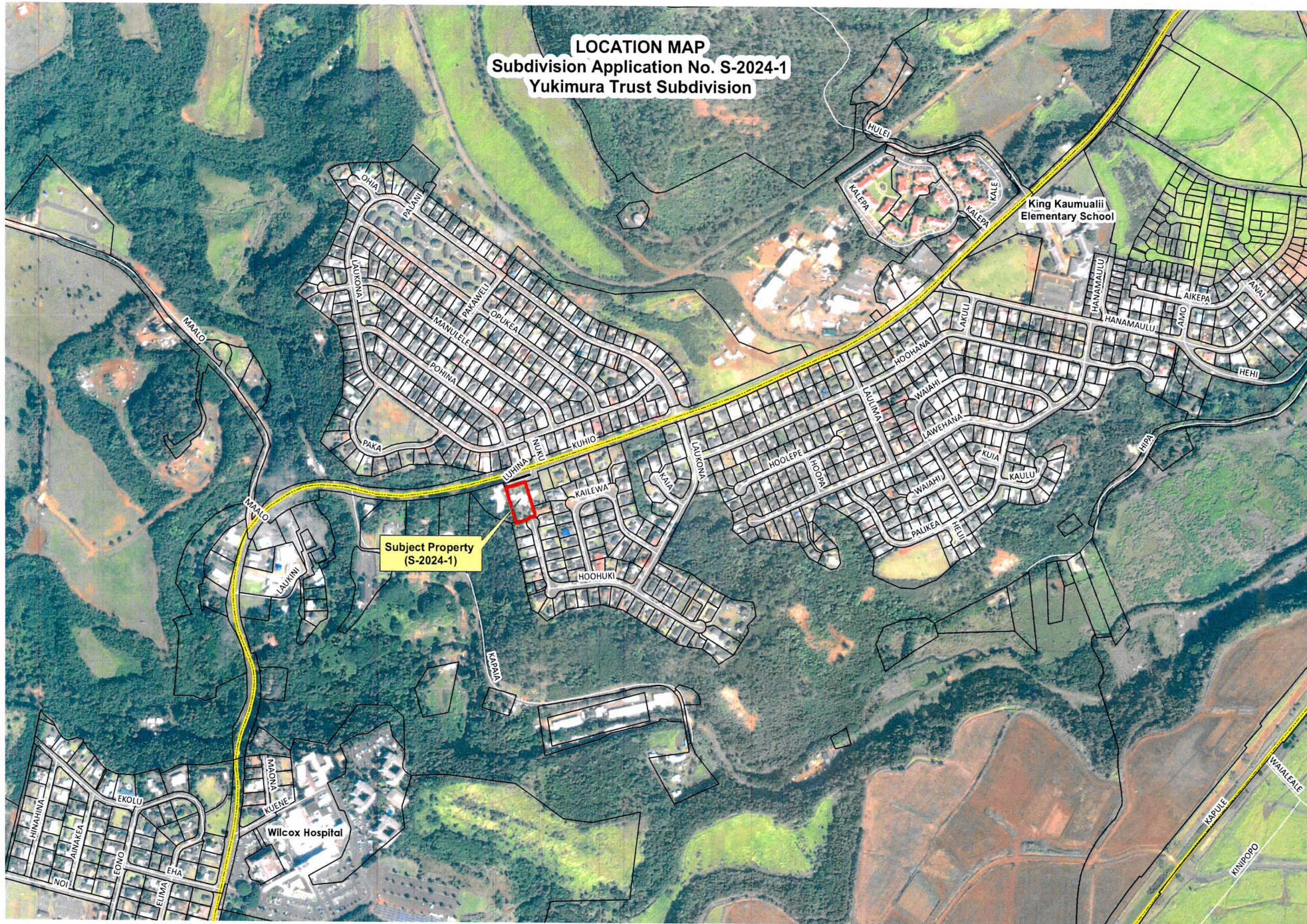
8. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

The Planning Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process scheduled for September 12, 2023 whereby the entire record should be considered prior to decision-making. The entire record should include but not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The Applicant's response to staff's report and recommendation as provided herein.

By 
KENNETH A. ESTES
Planner

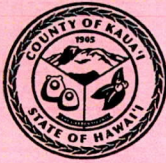
LOCATION MAP
Subdivision Application No. S-2024-1
Yukimura Trust Subdivision



King Kaumualii
Elementary School

Subject Property
(S-2024-1)

Wilcox Hospital



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

FRANCIS DEGRACIA, CHAIR
DONNA APISA, VICE CHAIR
GERALD AKO, MEMBER
HELEN COX, MEMBER
GLENDA NOGAMI STREUFERT,
MEMBER
JERRY ORNELLAS, MEMBER
LORI OTSUKA, MEMBER

September 13, 2023

Mr. Max W. J. Graham, Jr.
BELLES GRAHAM LLP
Dynasty Professional Building
3135 Akahi Street, Suite A
Līhu'e, Hawai'i 96766-1191

Subject: Subdivision of Lot 2-A-1 Being a Portion of L.C. Aw. 7713:2, Part 7 to V. Kamamalu into Lots 1 thru 4 and Designation of Easement AU-1 at Hanamā'ulu, Līhu'e, Kaua'i, Hawai'i. (S-2024-1, Jiro Yukimura Trust and Jennie T. Yukimura Trust)

Dear Mr. Graham,

Please be advised that the Applicant's request for a waiver to deviate from the requirement to construct curbs, gutters, and sidewalks along a roadway, pursuant to Section 9-2.3(e) of the Kaua'i County Code (1987), has been approved, and the subject subdivision was granted **PRELIMINARY SUBDIVISION MAP APPROVAL** as amended by the Planning Commission at their meeting held on SEPTEMBER 12, 2023. Final approval will be granted subject to the following conditions:

1. Requirements of the Planning Department:
 - a. An updated preliminary title report for the existing lot shall be submitted to the Planning Department for review.
 - b. All existing and proposed easements, if any, shall be identified in the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
 - c. Pursuant to Section 9-3.8(b) of the Subdivision Ordinance, Kaua'i County Code (1987), the Applicant shall submit to the Planning Department an electronic record (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
 - d. An Environmental Impact Assessment Fee of Seven Hundred Fifty Dollars (\$750.00) shall be paid to the County of Kaua'i.

Mr. Max W. J. Graham, Jr.

Belles Graham LLP

S-2024-1, Jiro Yukimura Trust and Jennie T. Yukimura Trust

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- e. An Park Dedication Fee of Six Hundred Dollars (\$600.00) shall be paid to the County of Kaua'i.
- f. A future road widening reserve shall be established along the frontage of Luhina Street subject to the specifications of the Public Works Department for a dead-end street. There shall be no new structures permitted within the reserve, and any new structures shall be setback from the reserve. The reserve, along with the restrictions, shall be incorporated into the deed descriptions of the affected lots, of which draft copies shall be submitted to the Planning Department for review and approval.
- g. The Applicant should be aware that additional mitigation conditions aimed at mitigating or minimizing impacts to historic structures may be imposed for any proposed demolition of the single-family residence, carport, and/or storage shed at the time of building and zoning permits.
- h. Prior to Final Subdivision Approval, the Applicant shall remove and/or relocate the existing single-family residence, greenhouse, and building so that they do not encroach upon the respective boundaries of the proposed lot lines. Further, with respect to the proposed lot lines, all relocated structures shall meet the setback requirements specified in Section 8-4.3 of the Comprehensive Zoning Ordinance (CZO), Kaua'i County Code (K.C.C.), 1987, as amended.

2. Requirements of the Department of Public Works (DPW):

- a. Should the applicant grade and/or grub the site prior to the subdivision of Lot 2-A-1, the applicant shall comply with all provisions of the "Grading, Sediment, and Control Ordinance No. 808" to safeguard the public health, safety, and welfare, to protect property, and to control soil erosion and sedimentation. This shall include, but not limited to, a grading and/or grubbing permit in compliance with the County's Grading, Sediment, and Control Ordinance No. 808 which is required if any of the following conditions apply:
 - The work area exceeds one (1) acre.
 - Grading involving excavation or embankment, or combination thereof exceeds 100 cubic yards.
 - Grading exceeds five (5) feet in vertical height or depth at its deepest point.
 - The work area unreasonably alters the general drainage pattern to the detriment of abutting properties.
- b. Best Management Practices (BMPs) shall be incorporated to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to watercourses,

Mr. Max W. J. Graham, Jr.

Belles Graham LLP

S-2024-1, Jiro Yukimura Trust and Jennie T. Yukimura Trust

Page | 3

natural areas, and other properties. The permittee and the property owner shall be responsible to ensure that BMPs are satisfactorily implemented at all times.

- c. Ho'ohuki Street has an existing curb; therefore, no further drainage improvements are required within the County right-of-way.
 - d. Within the Luhina Street right-of-way, a swale may be installed in lieu of a curb to satisfy the drainage standards and design guidelines established by the Department of Public Works.
 - e. A 5 feet wide Road Widening Reserve shall be included along the proposed subdivision frontage along the Luhina Street right-of-way.
3. Requirements of the Department of Water (DOW):
- a. The subdivider shall comply with the requirements of the Department of Water, if any, prior to final subdivision approval.
4. Requirements of the State Department of Health (DOH):
- a. The subdivider shall comply with the requirements of the Department of Health, if any, prior to final subdivision approval.
5. Requirements of the State Historic Preservation Division (SHPD):
- a. The subdivider shall comply with the requirements of the State Historic Preservation Division, if any, prior to final subdivision approval.
6. Requirements of the State Department of Transportation (DOT):
- a. The subdivider shall comply with the requirements of the State Department of Transportation, if any, prior to final subdivision approval.
7. The Applicant is advised that should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the applicant shall contact the State Department of Land and Natural Resources, Historic Preservation Division and the Planning Department to determine mitigation measures.
8. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

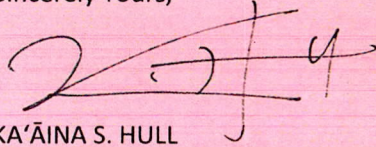
Mr. Max W. J. Graham, Jr.

Belles Graham LLP

S-2024-1, Jiro Yukimura Trust and Jennie T. Yukimura Trust

P a g e | 4

Sincerely Yours,

A handwritten signature in black ink, appearing to read 'KA'AINA S. HULL', written over a horizontal line.

KA'ĀINA S. HULL

Clerk, Kaua'i Planning Commission

xc: COK Public Works Dept.
COK Water Dept.
COK Real Property – Assessment Div.
State Dept. of Health



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

SUBJECT: Subdivision S-2024-1

Tax Map Key: 370060020000

Applicant: Jiro Yukimura Trust & Jennie Yukimura Trust

Jiro Yukimura Trust & Jennie Yukimura Trust

TO:

- | | |
|---|---|
| ☐ State Department of Transportation - STP | ☒ County DPW - Engineering |
| ☐ State DOT - Highways, Kauai (info only) | ☒ County DPW - Wastewater |
| ☐ State DOT - Airports, Kauai (info only) | ☐ County DPW - Building |
| ☐ State DOT - Harbors, Kauai (info only) | ☐ County DPW - Solid Waste |
| ☒ State Department of Health | ☐ County Department of Parks & Recreation |
| ☐ State Department of Agriculture | ☒ County Fire Department |
| ☐ State Office of Planning | ☒ County Housing Agency |
| ☐ State Dept. of Bus. & Econ. Dev. Tourism | ☐ County Economic Development |
| ☐ State Land Use Commission | ☒ County Water Department |
| ☒ State Historic Preservation Division | ☐ County Civil Defense |
| ☐ State DLNR - Land Management | ☒ County Transportation Agency |
| ☐ State DLNR - Forestry & Wildlife | ☐ KHPRC |
| ☐ State DLNR - Aquatic Resources | ☒ U.S. Postal Department |
| ☐ State DLNR - Conservation & Coastal Lands | ☐ UH Sea Grant |
| ☐ State DLNR - Commission on Water Resource Management | |
| ☐ Office of Hawaiian Affairs | ☒ Other: Office of Hawaiian Affairs |

FOR YOUR COMMENTS (pertaining to your department) 2/18/2026

We have completed our review and offer the following comments:

- Should the applicant grade and/or grub the site prior to the subdivision of Lot 2-A-1, the applicant shall comply with all provisions of the "Grading, Sediment, and Control Ordinance No. 808" to safeguard the public health, safety, and welfare, to protect property, and to control soil erosion and sedimentation. This shall include, but not be limited to, a grading and/or grubbing permit in compliance with the County's Grading, Sediment, and Control Ordinance No. 808 which is required if any of the following conditions apply:
 - The work area exceeds one (1) acre.
 - Grading involving excavation or embankment, or combination thereof exceeds 100 cubic yards.
 - Grading exceeds five (5) feet in vertical height or depth at its deepest point.
 - The work area unreasonably alters the general drainage pattern to the detriment of abutting properties.
- Best management practices (BMPs) shall be incorporated to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to watercourses, natural areas, and other properties. The permittee and the property owner shall be responsible to ensure that BMPs are satisfactorily implemented at all times.
- Ho'ohuki Street has an existing curb; therefore, no further drainage improvements are required within the County right-of-way. Within the Luhina Street right-of-way, a swale will not be required to satisfy the drainage standards and design guidelines established by the Department of Public Works.

We recommend proceeding to final subdivision map.

Sincerely,

Digitally signed by Michael Moule
Date: 2026.02.18 07:44:00 -10'00'

Michael Moule, P.E.
Chief, Engineering Division



4398 PUA LOKE STREET
LIHU'E, KAUAI, HAWAII 96766
PHONE: (808) 245-5400 / FAX: (808) 245-5813

Water has no substitute.....Conserve it!

SUBDIVISION REPORT

TO: PLANNING DEPARTMENT
FROM: DEPARTMENT OF WATER

TMK: 3-7-006-002 NAME: Jiro Yukimura Trust & Jennie Yukimura Trust SURVEYOR: Wayne Wada REPORT NO: S-2024-1

1. Tentative approval is recommended. ☐
Water Requirements are not affected. Tentative approval is recommended. ☐
2. All requirements have been fully met and; therefore, Final approval is recommended. ☒
3. Before final approval can be recommended, the subdivider must: ☐
 - A. Pay the Department of Water the following charges in effect at the time of receipt. At the present time, these charges include: ☐
 - 1) The Facilities Reserve Charge (FRC): ☐
_____ 5/8-inch = \$ _____
 - 2) Payment to install one, service connections(s) at the fixed cost of \$ 2,850 . If the subdivider causes a delay in the service connection installation after one year since final map approval, the subdivider shall be charged the increase in the fixed cost, if any. ☐
 - 3) Deposit (the subdivider will either be billed or returned the difference between this deposit and the actual cost of construction of \$ _____ for construction by the Department of Water. ☐
 - B. Submit to the Department of Water a copy of the subdivider's permit to perform work upon a State highway from the State Highways Division ☐
 - C. Prepare and receive Department of Water's approval of construction drawings for the necessary water system facilities and either construct said facilities or post a performance bond for construction. These facilities shall also include: ☐
 - 1) The domestic service connection.
 - 2) The fire service connection, if applicable. ☐
 - 3) The interior plumbing with appropriate backflow prevention device, if applicable.
 - D. Prepare and convey to the Department of Water a Right-of-Entry and Temporary Grant of Easement for the purpose of construction, repair, maintenance and operation of the subdivision water system improvements installed in other than County-owned property. ☐
 - E. If a bond is filed, to secure final subdivision approval, the subdivider shall clearly letter the following on the approved construction plans, final subdivision map, and deeds: ☐

"Domestic water service will not be available until the required construction improvements for this subdivision are completed and accepted by the Department of Water, County of Kaua'i."

This deed restriction shall be recorded with the Bureau of Conveyances within ninety (90) days of final subdivision approval by the Planning Department.
4. Installation of service connections will not be required until a request for water service is made. The applicant for service will be charged the applicable service connection charges at that time. ☐
5. Other (or remarks): ☐

Regina Reyes-Flores

Regina Reyes-Flores, P.E.
Water Resources and Planning Section
Engineering Division

02/27/2026

Date

SUBDIVISION REPORT NO. S-2024-1



**STATE OF HAWAII
DEPARTMENT OF HEALTH**
3040 Umi St. Lihue
Hawaii 96766

DATE: Feb 6, 2026

TO: Kenneth Estes, JoAnn Yukimura

FROM: Ellis Jones
District Environmental Health Program Chief

SUBJECT: Pre-Final Subdivision Map Review and Approval
Subdivision No. S-2024-1

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.

3. Standard comments for the Clean Air Branch are at:
<https://health.hawaii.gov/epo/landuse/>

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standardcomments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at:
<https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program:
<https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at:
<https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the

- electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
 4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

By Revised Statute 11-62-31.1 If the parcel is less than 10,000sq feet, an individual onsite waste-water unit may not be possible for future construction. Please contact DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation / Local DOH Comments:

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

Other

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

Ellis Jones

Ellis Jones

District Environmental Health Program Chief
Office Phone: (808) 241-3326

JOSH GREEN, M.D.
GOVERNOR



**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
KAUAI DISTRICT
1720 HALEUKANA STREET
LIHUE, HAWAII 96766**

EDWIN H. SNIFFEN
DIRECTOR

Deputy Directors
FORD N. FUCHIGAMI
DREANALEE K. KALILI
TAMMY L. LEE
ROBIN K. SHISHIDO

IN REPLY REFER TO:

HWY-K 4.230238

September 15, 2023

Mr. Kaaina S. Hull
Director
County of Kauai
Planning Department
4444 Rice Street, Suite A473
Lihue, Hawaii 96766

Dear Mr. Hull:

Subject: Preliminary Subdivision Map Review
Subdivision No. S-2024-1
Lihue, Hawaii
Tax Map Key: (4) 3-7-06:002

We have reviewed the Preliminary Subdivision Map for S-2024-1 and have the following comment to offer:

1. No additional accesses to Kuhio Highway shall be permitted.

If you have any questions, please contact Eric Fujikawa, Highways Kauai District Design Engineer at (808) 241-3015 or by email at eric.i.fujikawa@hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence J. Dill".

LAWRENCE J. DILL, P.E.
District Engineer

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

November 28, 2023

Ka'āina S. Hull, Director
County of Kaua'i
Planning Department
4444 Rice Street., Suite A-473
Līhu'e, Hawai'i 96766

Dear Mr. Hull:

SUBJECT: **HRS Chapter 6E-42 Historic Preservation Review – REVISED**
County of Kaua'i Subdivision Application – S-2024-1
3784 Luhina St., Lihue – Demolition
Hanamā'ulu Ahupua'a, Puna District, Island of Kaua'i
TMK: (4) 3-7-006:002

IN REPLY REFER TO:
Project No.: 2023PR01021
Doc. No.: 2309LS17
Archaeology

This letter provides the State Historic Preservation Division's (SHPD's) revised comments for the subject permit application for the proposed demolition of two single-family dwellings and accessory structures at 3784 Luhina Street. The scope of work has changed since SHPD's initial review of the project. The revised scope will include construction of a new dwelling. However, at this time, the owners are only proposing to demolish 2 dwellings located on Lots 1 and 2, and a carport and greenhouse on Lots 3 and 4. No construction will be done at this time limiting the project to only demolition with minimal subsurface disturbance.

Our records indicate that no archaeological inventory survey has been conducted for the subject parcel. According to our geographical information system, no historic properties have been identified within the vicinity of the subject parcel. The USDA (Foote et al. 1972) identifies the soils as Līhu'e silty clay, 8 to 15 % (LhB). Low potential exists for the demolition scope to impact subsurface historic properties.

Based on the new information provided, SHPD's determination is **No historic properties affected** for the proposed demolition. Pursuant to HAR §13-284-7(e), when the SHPD agrees that the action will not affect any significant historic properties, this is the SHPD's written concurrence and historic preservation review ends. The historic preservation review process is ended. The permit issuance process for the demolition only may proceed.

SHPD requests the opportunity to review the future project involving new construction.

Attach to permit: In the event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division, at (808) 692-8015.

Please contact Susan A. Lebo, Archaeology Branch Chief, at Susan.A.Lebo@hawaii.gov for any matters regarding this letter.

Aloha, *Alan Downer*

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: Kenneth Estes, kestes@kauai.gov

DAWN N.S. CHANG
CHAIRPERSON
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