

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
April 08, 2025
DRAFT

The regular meeting of the Planning Subdivision Committee of the County of Kaua'i was called to order by Subdivision Committee Chair Gerald Ako at 8:00 a.m. - Webcast Link: <https://www.kauai.gov/Webcast-Meetings>

The following Commissioners were present:

Mr. Gerald Ako
Mr. Jerry Ornellas
Ms. Glenda Nogami Streufert (entered meeting at 8:05 a.m.)

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; 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 Gerald Ako: Good morning. Today is Tuesday April 8, 2025. It is 8 o'clock a.m. and I'd like to call to order the Subdivision Committee meeting of the Planning Commission. With that Mr. Clerk, if we can have a roll call.

ROLL CALL

Planning Department Director Ka'aina Hull: Roll call, Mr. Chair. Commissioner Ornellas?

Mr. Jerry Ornellas: Here.

Mr. Hull: Commissioner Streufert is excused; she's running late and in traffic. Chair Ako?

Chair Ako: Here.

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

Chair Ako: Thank you.

APPROVAL OF AGENDA

Mr. Hull: Next, we have up would be Approval of the Agenda. We have no recommended changes to the agenda.

Chair Ako: If we can have a motion to approve the agenda.

Mr. Ornellas: Move.

Chair Ako: I'll second. Voice vote. All those in favor say aye. Aye (unanimous voice vote). All those opposed, no. Agenda is approved. 2:0.

MINUTES of the meeting(s) of the Subdivision Committee

Mr. Hull: Next, we have the Minutes for the Subdivision Committee for December 10, 2024, as well as January 14, 2025.

Chair Ako: If we can have a motion to approve both the minutes of December 10th and January 14, in one motion.

Mr. Ornellas: So moved.

Chair Ako: I'll second that. All those in favor say aye. Aye (unanimous voice vote). All those opposed, no. Motion passes. 2:0.

RECEIPT OF ITEMS FOR THE RECORD (None)

UNFINISHED BUSINESS

Mr. Hull: Next, we have Unfinished Business.

Preliminary Subdivision Extension Request

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 Resubdivision into 51-Lots

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

Koloa, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: Do we have any members of the public that would like to testify on this agenda item? Seeing none, I'll turn over to the planner.

Staff Planner Kenny Estes: Good morning. I'll summarize your report for the record.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: You have any questions for staff, Mr. Ornellas?

Mr. Ornellas: None.

Chair Ako: Is there a representative for the applicant here that would like to add.? If not, if we're for the...

Mr. Ornellas: I move to approve Preliminary Subdivision Extension request, Subdivision Application No. S-2024-6 until January 9th, 2026.

Chair Ako: And I'll second. If there's no other discussions or questions, Mr. Clerk, if we can have a roll call vote please.

Mr. Hull: Roll call, Mr. Chair. Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye.

Mr. Hull: Motion passes, Mr. Chair. 2:0.

NEW BUSINESS (For Action)

Preliminary Subdivision Map Approval

Mr. Hull: Next up we have New Business for action.

Subdivision Application No. S-2025-2

Kukui'ula Parcel Q Subdivision

Makai Koloa, LLC. Et AL.

Proposed 3-Lot Consolidation and Resubdivision into 20 lots

TMKs: (4) 2-6-014: 041 and 046 / 2-6-015: 005

Koloa, Kaua'i

1) Subdivision Report pertaining to this matter.

Mr. Hull: Are there any members of the public that would like to testify on this agenda item? Seeing none, I'll turn it over to the staff planner.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

(Commissioner Glenda Nogami Streufert joined the meeting at 8:05)

Mr. Estes: Chair, we have received agency comments from the County Department of Public Works, Engineering Division, the County Department of Water, the County Housing Agency, the County Fire Department, the U.S. Fish and Wildlife Service, the State Department of Health, comments are still pending from the State Department of Land and Natural Resources, Division of Forestry and Wildlife and the State Historic Preservation Division. The Planning Department is recommending Preliminary Subdivision Map Approval.

Chair Ako: Any questions for staff at this time? If not, do we have a representative from the applicant present that would like to add? Morning.

Mr. Lindsay Crawford: Good morning, Commissioners. For the record, Lindsay Crawford representing Makai Kōloa LLC.

Chair Ako: Is there anything that you would like to add other than what we have in front of us here?

Mr. Crawford: No, I have nothing to add. I think Kenny's done a good job in describing the project.

Chair Ako: Any questions?

Mr. Ornellas: I have no questions.

Chair Ako: You have no questions. Okay, so the motion, not the motion on the floor, but for consideration, is the Subdivision Application No. S-2024-2. If we can have a motion.

Deputy County Attorney Laura Barzilai: Tentative approval.

Mr. Ornellas: I move...

Chair Ako: For tentative approval. I'm sorry.

Mr. Ornellas: I move to approve Preliminary Subdivision Map, Subdivision Application No. S-2025-2.

Commissioner Glenda Streufert: Second.

Chair Ako: Okay, any other comments or concerns? If not, Mr. Clerk, can we have a roll call please?

Mr. Hull: Roll call, Mr. Chair. And let the record reflect Commissioner Streufert is present at the meeting. Roll call. Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye.

Mr. Hull: Motion passes, Mr. Chair. 3:0. Moving on to Preliminary Subdivision Map Approval.

Subdivision Application No. S-2025-3

Manuel DeSilva Jr., Trust

Proposed 4-Lot Subdivision

TMK: (4) 4-6-007: 058

Kapa'a, Kawaihau, Kaua'i

1) Subdivision Report pertaining to this matter.

Mr. Hull: Are there any members of the public that would like to testify on this agenda item? Seeing none, I'll turn it over to the staff planner.

Mr. Estes: I'll summarize the report for the record.

Mr. Hull: Lindsay, did you have something? Lindsay, did you have something?

Mr. Crawford: Nothing to add.

Mr. Hull: Okay, we're on the next subdivision.

Mr. Crawford: I'm sorry, Ka'aina I can't quite hear you.

Mr. Hull: We're on the next subdivision.

Mr. Crawford: Okay.

Mr. Hull: Thanks.

Mr. Estes: I'll summarize the report for the record.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: Okay. Do we have any questions for our staff? No?

Ms. Streufert: Is this going to have any impact upon the traffic on that road? To have 4 lots as opposed to one, on Kawaihau Road.

Mr. Estes: It shouldn't have any impact, but the engineering division is still is, the comments are still pending from the engineering division.

Chair Ako: If not, do we have the applicant present to present? Morning.

Mr. Manuel DeSilva Jr.: Morning. For the record, Manuel DeSilva Jr.

Chair Ako: So, if you'd like to add anything else other than what we have in front of us all. You can feel free to, if not...

Mr. DeSilva: No, I do not. I'll just work with whatever comes up.

Chair Ako: Okay. We have any questions for the applicant? If not, thank you. So, are we ready for a motion for a tentative approval?

Ms. Streufert: I so move.

Ms. Barzilai: State your motion for the record. Preliminary Map Approval, that's your motion.

Ms. Streufert: I move to approve Tentative of the Application No. S-2025-3.

Mr. Ornellas: Second.

Chair Ako: Second. Any discussion? If not, Mr. Clerk, if we can have a roll call please.

Mr. Hull: Roll call, Mr. Chair. Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye.

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

Mr. DeSilva: Thank you. Thank you.

Mr. Hull: Next, we have;

Subdivision Application No. S-2025-4
Po'ipu Kai Association / County of Kaua'i
Proposed 2-Lot Subdivision
TMK: (4) 2-8-027: 022
Weliweli, Koloa, Kaua'i

1) Subdivision Report pertaining to this matter.

Mr. Hull: Do we have any members of the public that would like to testify on this agenda item? Seeing none, I'll turn it back over to the staff planner.

Mr. Estes: I'll summarize the report for the record.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: Okay. Do we have any questions for staff?

Ms. Streufert: Just one question. It says it may be, a portion of the future roundabout may be located within special management area. Do we know whether in fact it is or not?

Mr. Estes: At this time the, we, I haven't received or the Planning Department hasn't received any proposed plans for the roundabout but when they do come in and we do our analysis of the (inaudible) or of the development then at that time we'll determine if, how, what the extent of the development within the special management area.

Mr. Ornellas: So, this concerns the roadway only.

Mr. Estes: Correct.

Mr. Ornellas: Thank you.

Chair Ako: Is there anybody on behalf of the applicant that would like to testify? Morning, Mike.

Mr. Michael Moule: Morning Chair, members of the committee. Michael Moule, Chief of Engineering. I want to let you know I'm here to answer any questions if you have any. Obviously, I'm with the county and we are working with the Po'ipū Kai Association to obtain a portion of this roadway parcel so that the roundabout we put on the, on the best portion of the parcel would be publicly owned as opposed to private, this is one of the handful of private roadways existing on the island and we're turning a small portion of it into private. We are, as an update we were getting to start this project probably in the next few months. We will be starting the projects with a property adjustment agreement, giving us permission to start the work, while we go through the rest of the process of finalizing this subdivision and having the property dedicated to the county so we will start without the dedication but the dedication will allow that to be county property and the roundabout (inaudible) and the crosswalk there to be fully within public ownership as opposed to private ownership and it's, we've been working with the owner, Po'ipū Kai Association closely and there are amendable to this obviously because they don't want the want the liability of dealing with traffic that's traveling along Po'ipū Road, as opposed to traffic going down their private road. Any questions?

Chair Ako: No, other than that I just love roundabouts, man. I just love them.

Mr. Moule: We're building lots more.

Ms. Streufert: You need one at the tree tunnel. That seems to (inaudible).

Mr. Moule: That's a whole other can of worms.

Chair Ako: Thank you, Mike. Thank you very much. Okay, do we have any further discussions? If not, if we can have a motion.

Mr. Ornellas: I move for approval of Preliminary Subdivision Map, Subdivision Application No. S-2025-4.

Ms. Streufert: Second.

Chair Ako: We have a motion, we have a second. Any discussion? If not, Mr. Clerk.

Mr. Hull: Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye.

Mr. Hull: Motion passes. 3:0. Next, we have up...

Ms. Barzilai: Mr. Clerk, I've been remiss, we have not been calling for testimony on those items.

Mr. Hull: I have.

Ms. Barzilai: We have? I must've missed it.

Mr. Hull: Right after we announced it, I've been, I haven't been going to the sign up list, but we have a small crowd so just calling for it verbally.

Ms. Barzilai: We can presume...okay, thank you.

Mr. Hull: Next up we have;

Subdivision Application No. S-2025-5
State of Hawai'i, Department of Hawaiian Home Lands
Proposed 2-Lot Subdivision
TMK: (4) 4-8-018: 009
Anahola, Kawaihau, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: Are there any members of the public that would like to testify on this agenda item? Seeing none, I'll turn back over the staff planner.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: Okay. Questions?

Mr. Ornellas: Yeah, any comments from DHHL itself?

Mr. Estes: We haven't received, they... so the applicant, DHHL submitted the subdivision application so...

Mr. Ornellas: With no additional comments?

Mr. Estes: No additional comments.

Mr. Ornellas: Thank you.

Chair Ako: If not, do we have a representative for the applicant?

Ms. Maren Arismendez: Good morning. Maren Arismendez from Esaki Surveying, here on behalf of the applicant. Here to answer any questions that Commission may have.

Ms. Streufert: There's a thing in here about, there is no water?

Ms. Arismendez: Right. So, there's conditions from Department of Water, so they can add the water meter prior to getting final subdivision approval or they can add a note on the title that the domestic water service is not available and then they would just need to get that prior or during building permit. At least that's my understanding.

Chair Ako: Okay, if nothing else...if nothing else, thank you very much.

Ms. Arismendez: Thank you.

Chair Ako: No other questions? I'll entertain a motion.

Mr. Ornellas: I move for approval of Preliminary Subdivision Map, Subdivision Application No. S-2025-S.

Ms. Streufert: Second.

Chair Ako: We got a motion, we got a second. Any discussion? If not, Mr. Clerk.

Mr. Hull: Roll call. Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye. Thank you. 3:0.

Mr. Hull: Next up we have.

Subdivision Application No. S-2025-6
Niu Pia Land Company Ltd.
Proposed 2-Lot Consolidation
TMKs: (4) 3-6-003: 017 and 061
Kalapaki, Lihu'e, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: Do we have any members of the public that would like to testify on this agenda item? Seeing none, I'll turn back over the staff planner.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: Any questions for Mr. Estes?

Ms. Streufert: Just a question on this. This was originally the consolidation of Lot 7 and 8 of the Lihu'e replantation residents, residence lots. Does that mean that it was originally a residential area and now it's commercial?

Mr. Estes: So, this, these lots were created prior to, I believe 1972 so this is a really old subdivision that, this is a really old subdivision that the department doesn't have record of, but it's referred to as residence lots within the county tax records.

Mr. Ornellas: So, they're going to resolve it by moving the property line, is that correct? Rather than moving the building?

Mr. Estes: They're...all they want to do is consolidate the 2 lots into one lot of record.

Mr. Ornellas: (Inaudible).

Mr. Estes: Yeah to fix the boundary encroachment issue.

Mr. Ornellas: Thank you.

Chair Ako: Okay. Do we have a representative for the applicant, application, I should say? Morning.

Mr. Sam Pratt: Niu Pia Land Company, Sam Pratt.

Mr. Thomas Oi: I'm Thomas Oi, I'm the Land Surveyor on this project. Basically, what it is is they were trying to get building permits to do ADA improvements on the property but then because of this issue with the building straddling two lots they cannot get building permits. They have to remediate the problem and the easiest way is to consolidate both lots. and I get some maps here that during my research, you guys can have it. It showing the Hale Kauai building next to them, which is TSA right now, straddling the lots in the same situation. Then the second map I'm going to give you guys is when they, Hale Kauai subdivided their property, and they sold the portion of the property to Yoneji, used to be Yoneji Jewelers, next door and the Hale

Kauai lot was never consolidated, so if you look at this, it's under the same situation, the lot straddles both properties again. So you know, in the past I guess, you know it wasn't an issue that while they'll...you know the building conditions, rules change and after in the late 60s or whatever so, at that time, this was in the 50s, early 50s so there was no concern about building your building I guess because you own 2 lots, you know, I have a similar situation in Hanapēpē Heights, where the owner owns 2 lots and they built this house on the property and then the daughter took over and now she's trying to get a building permit and she falls into the, she will fall into the same situation.

Chair Ako: In reality right now we have 2 properties, lot in between, right on that line or whatever and if you consolidated it we eliminate that line and just...

Mr. Oi: Yeah and make it one property then it would be legal.

Chair Ako: Yeah. Questions?

Ms. Streufert: I have a question for the planner, I guess. In something like this, where you have, where you're not consolidating into one property, does it, are, since it's...I don't know if it's a residential or something...if it were residential, does that mean that it goes...and if were R1 to begin with and (inaudible) 2 acres or...does that mean that they get 2 residences eligible for that or how does that work out? If you consolidate, what (inaudible) works at that point?

Mr. Hull: Sorry, I was (inaudible). You're asking what the density would be if they consolidate?

Ms. Streufert: Right.

Mr. Hull: So, the properties aren't R1, they're Special Planning Area...

Mr. Estes: D.

Mr. Hull: Rice Street Special Planning Area...

Mr. Estes: And General (inaudible).

Mr. Hull: I believe they have a density of 20 units per acre.

Ms. Streufert: Okay.

Mr. Pratt: And if I could, Commissioner Streufert, it's all commercial use right now, we have no residents to use we don't really have any plans for a residential use so far.

Ms. Streufert: No, this was just a general question for my edification.

Mr. Pratt: Yeah. Sure.

Chair Ako: Any other questions? If not, thank you very much for coming.

Mr. Oi: Thank you.

Chair Ako: Thank you. If not, if we can entertain a motion.

Ms. Streufert: I move to approve the Preliminary Subdivision Application S-2025-6.

Mr. Ornellas: Second.

Chair Ako: We have a motion, we have a second. Any discussion? If not, roll call, Mr. Clerk.

Mr. Hull: Roll call, Mr. Chair. Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye.

Mr. Hull: Motion passes, Mr. Chair. 3:0. Next, we have

Subdivision Application No. S-2025-7
Tink Tank, LLC.
Proposed 2-Lot Boundary Adjustment
TMKs: (4) 2-1-003: 016 and 031
Ele'ele, Kaua'i

1) Subdivision Report pertaining to this matter.

Mr. Hull: Do we have any members of the public that would like to testify on this agenda item? Seeing none, I'll turn it back over to Kenny.

Mr. Estes: I'll summarize the report for the record.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: Questions.

Ms. Streufert: There's the requirements of the Planning Department are to have an updated Preliminary Title Report, doesn't mean that there is no title report on this?

Mr. Estes: Yes, so that's a, that's a standard requirement that required for, that we require for all subdivision applications prior to final subdivision approval.

Ms. Streufert: But it doesn't mean that there's a problem with the title.

Mr. Estes: Not at this time.

Mr. Ornellas: So, the same parcel comes up again under Request to Terminate Subdivision Application, can you explain?

Mr. Estes: Yes so, so this is a new, a brand new subdivision application of the proposed 2 lot boundary adjustment. The subdivision application noted at the end of the agenda for termination is Subdivision Application No. S-2022-7, that subdivision has expired so for clean up purposes we are scheduling, that's an item on the agenda to be terminated and the applicant is coming in before the Planning Commission for a brand new subdivision application through this subdivision application, S-2025-7.

Mr. Ornellas: So, we can proceed with this without first terminating the existing application because it's expired.

Mr. Estes: We could do that, yeah.

Mr. Ornellas: Thank you.

Mr. Hull: Yeah, it's a small but somewhat arbitrary rule whereby we faced some litigation a couple years ago where applications were being terminated, so Kenny 's very on point now, he's going to terminate every single application that doesn't meet the deadline. But that's why it was kind of treated somewhat as like, off to the side because the applicant can just easily and readily just apply for a new application as well. So, it's a formality we need to make sure we take care of now because of previous litigation.

Mr. Ornellas: I was just curious as to what came first, do you terminate first and then reapply or do you apply first and then terminate. Thank you.

Chair Ako: Representative from the applicant. Morning.

Mr. Zack Breckenridge: Morning. For the record my name is Zack Breckenridge, I'm the Land Surveyor for the project.

Chair Ako: Anything you'd like to add?

Mr. Breckenridge: I think he's covered it, I mean the whole reason why we're doing this is we have, I think we ran through this with the zoning variance application we have this lot 1-N, that's basically useless it's a tank lot basically it's, can't do anything with it so we're trying to make accommodations so we have 2 useful lots in the, in this application.

Chair Ako: Thank you. Is there any other questions? Entertain a motion.

Ms. Streufert: I move to approve the Preliminary Subdivision Application S-2025-7.

Chair Ako: Is there a second?

Mr. Ornellas: Second.

Mr. Hull: Roll call, Mr. Chair. Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye.

Mr. Hull: Motion passes, Mr. Chair. 3:0. Next, we have

Preliminary Subdivision Extension Request

Subdivision Application No. S-2021-5
Lot 19 of Kukui'ula Parcel H Subdivision
Kukui'ula Vistas, LLC.
Proposed 8-Lot Subdivision
TMK: (4) 2-6-022: 055
Koloa, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: Is there any public testimony on this agenda item? Seeing none, I'll turn it back over to Kenny.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: Questions? Do we have a representative from the applicant?

Ms. Arismendez: Good morning. Maren Arismendez from Esaki Surveying, here to answer any questions. The main purpose of the extension request is to allow enough time for county to process the bond because that intention for this subdivision is to bond the subdivision improvements in order to get the subdivision finalized.

Chair Ako: Thank you.

Ms. Streufert: Is that the last county requirement before it finalizes?

Ms. Arismendez: Yes, for the subdivision, I think it's one of the last, if not the last.

Ms. Streufert: So, is that, is one year enough time? I guess is my question. Or do we do extensions only for one year at a time?

Mr. Hull: Unfortunately, you're only allowed to go one year.

Chair Ako: Okay.

Mr. Ornellas: So, the request is April 11th 2026, is that correct?

Ms. Arismendez: Yes, one year. I think it goes one year from the original date of the tentative approval.

Mr. Ornellas: Thank you.

Chair Ako: Okay. Thank you.

Ms. Arismendez: Thank you.

Chair Ako: We ready for a motion?

Mr. Ornellas: I move to approve Preliminary Subdivision Extension Request until April 11, 2026, Subdivision Application No. S-2021-5.

Ms. Streufert: Second.

Chair Ako: We've got a motion and a second. Any other discussion? Seeing none, Mr. Clerk.

Mr. Hull: Roll call. Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye.

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

Ms. Arismendez: Thank you.

Mr. Hull: Next, we have

Subdivision Application No. 5-2022-8
Kukui'ula Parcel X Subdivision
BBCP Kukui'ula Parcel X, LLC. Et Al.
Proposed 2-Lot Consolidation and Resubdivision into 4-Lots
TMKs: (4) 2-6-015: 010 and 011
Koloa (Makai), Koloa, Kaua'i

1) Subdivision Report pertaining to this matter.

Mr. Hull: Are there any members of the public that would like to testify on this agenda item? Seeing none, I'll turn it back over to Kenny.

Mr. Estes: I'll summarize the report for the record.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: Any questions?

Mr. Ornellas: Yes. I'm just curious, does the consolidation increase density or did density already exist, 4-lot density already exists on the property?

Mr. Hull: So, Kukui'ula's a weird little ordinance, (inaudible) R10 and R6 and R4, yet the overriding ordinance requires them to construct at a ratio of R4 despite the R10 or R6 zoning, so the overriding ordinance caps their density so they're subdivisions can't really increase or decrease the density.

Mr. Ornellas: So, in this case, they have 2 lot existing subdivision, they were allowed 2 units each.

Mr. Hull: What are the sizes, Kenny?

Mr. Ornellas: Because now we're going to 4 units, right?

Mr. Hull: Yeah. What are the sizes on these?

Mr. Estes: So, the property that is zoned RR10 and R10 is 24.926 acres.

Mr. Hull: Oh, okay, this is on the resort side actually.

Mr. Estes: Yes.

Mr. Hull: So, it shouldn't increase the resort density though.

Mr. Ornellas: I was just (inaudible). Needed clarification on that.

Mr. Hull: Yeah they, Kukui'ula caps out...do you know the number off the top of your head?

Mr. Estes: No. I think 1500 units.

Mr. Hull: 1500 units from when that ordinance was originally adopted by council there was a certain development strategy if you will for these parcels, it would look like the market has shifted around somewhere, I wouldn't anticipate anywhere at least in the near future or even the far, 5 to 10 year future them coming anywhere close to that amount.

Mr. Ornellas: So, along those lines is there a built out date?

Mr. Hull: There is not a deadline.

Mr. Ornellas: Alright. Thank you.

Mr. Hull: I can say to that shortly here we will be looking at a presentation from the landlord and some community driven aspects that were required of the ordinance that did not have hard and fast deadlines particularly the 28 year community park as far as situating timelines in which it's anticipated to get some of those improvements made even though the council didn't require hard and fast deadlines, we've been in discussions (inaudible) that providing a specific set of timelines is prudent to continue these subdivision proposals, so shortly you should folks should be having a presentation on that.

Mr. Ornellas: Yeah, because obviously you know over a 20 year, 30 year timeline, conditions change, the community mix changes, peoples needs changed and you know we hear a lot about where's the housing for the local folks.

Mr. Hull: Yep, absolutely.

Mr. Ornellas: Where are the rubbah slippah folks in all of this, right? Yeah, so I think going forward to we need to be cautious about open-ended...

Mr. Hull: Yeah.

Mr. Ornellas: ...subdivisions.

Mr. Hull: Absolutely.

Mr. Ornellas: Thank you.

Chair Ako: If we have a representative from the applicant present.

Mr. Chris Rivera: My name is Chris Rivera with BBCCP Kukui'ula Development.

Chair Ako: Morning.

Mr. Rivera: We apologize for being late. Thank you, commissioners. We appreciate your consideration for an extension of this map. We're just working through some of the details associated with each of the pieces. And it's just taking us some time at this point. Nothing further than that, unless there's questions for me.

Ms. Streufert: Do you anticipate that in the year you will be able to accomplish what you set out to accomplish or is this, or are we going to see a fourth extension after this?

Mr. Rivera: I know it is, yes. That's our hope. Perhaps with this particular extension I made, I maybe should have requested 2 years, just considering market conditions and what's planned for that site. It's just taking some time to work through.

Ms. Streufert: But that's not allowed, right? Extensions are only for one year at a time.

Mr. Rivera: One year only?

Mr. Hull: Yeah.

Mr. Rivera: Okay.

Mr. Hull: Yeah, I think we're all in agreement that we're somewhat pigeonholed for larger subdivision application instead of one year time line, where one year might be reasonable for somewhat smaller subdivisions large scale subdivisions multi \$1,000,000.00 dollar bonding requirements some generally take longer than a year to meet so, just kind of is what the code is.

Chair Ako: Alright. Nothing else? If nothing else, thank you very much.

Mr. Rivera: Thank you.

Chair Ako: Yeah. Okay, so we have a request for extension request. Looking for a motion.

Mr. Ornellas: I move to approve Preliminary Subdivision Extension Request, Subdivision Application No. S-2022-8, until March 22, 2026.

Ms. Streufert: Second.

Chair Ako: We got a motion, we got a second. Any other discussion? If not, Mr. Clerk.

Mr. Hull: Roll call. Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Chair Ako: Aye.

Mr. Hull: Motion passes. 3:0. Next, we have.

Subdivision Application No. 5-2024-5
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.

Mr. Hull: Are there any members of the public that would like to testify on this agenda item? Seeing none, I'll turn it back over to Kenny.

Mr. Estes: I'll summarize the report for the record.

Mr. Estes read the Subdivision Report for the record (on file with the Planning Department).

Chair Ako: Any questions for Mr. Estes? If not, do we have an applicant here? Morning.

Mr. Thomas Thompson: Hello. Good morning.

Mr. Ornellas: Morning.

Mr. Thompson: My name is Thomas Thompson. I'm the owner and hopeful subdivision applicant.

Chair Ako: Do you have anything that you'd like to add other than what we have in front of us?

Mr. Thompson: Not necessarily, unless there's a specific questions that I can address, I'd be happy to.

Chair Ako: You have any questions?

Mr. Ornellas: No questions.

Ms. Streufert: No questions.

Chair Ako: If not, thank you very much.

Mr. Thompson: Okay. Thank you.

Chair Ako: Okay. There's no questions, can we have a motion?

Ms. Streufert: I move to approve the extension of the Preliminary Submission Application until March 20, Subdivision Application No. S-2024-5 until March 12, 2026.

Chair Ako: Got a motion, a second?

Mr. Ornellas: Second.

Chair Ako: If there's no other discussion, Mr. Clerk.

Mr. Hull: Roll call. Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Commissioner Ako?

Chair Ako: Aye.

Mr. Hull: 3:0. We have one last agenda item, and I have a standing bet with Mr. Estes that the committee couldn't get through this agenda by 9 a.m. Any chance anybody want to take a 10 minute recess? No?

Mr. Ornellas: Nope.

Chair Ako: Sorry, Mr. Clerk.

Request to Terminate a Subdivision Application

Mr. Hull: Last and final agenda item.

Subdivision Application No. 5-2022-7

Tink Tank, LLC.

Proposed 2-Lot Boundary Adjustment

TMKs: (4) 2-1-003: 016 and 031

Ele'ele, Kaua'i

- 1) Applicant's request letter dated May 10, 2024.

Mr. Hull: Are there any members of the public that would like to testify on this agenda item? Seeing none, I'll turn it back over to Kenny.

Mr. Estes: The applicant has submitted a letter dated May 10th, 2024, requesting the withdrawal of Subdivision Application No. S-2022-7. The department has no objections to the applicants request and recommends termination of the subdivision application.

Chair Ako: Any questions for Mr. Estes? No? Do we have the applicant that would like to add? If not, we can go into a 5-minute filibuster right now.

Ms. Streufert: Don't know how to use my phone yet.

Chair Ako: If not, no other discussions, if we have a motion.

Mr. Ornellas: I move to terminate Subdivision Application No. S-2022-7.

Chair Ako: Can I have a second.

Ms. Streufert: Second.

Chair Ako: We have a motion and a second. No other questions. Mr. Clerk, roll call please.

Mr. Hull: Roll call. Commissioner Streufert?

Ms. Streufert: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Commissioner Ako?

Chair Ako: Aye.

Mr. Hull: Motion passes, Mr. Chair. 3:0. With that, item wise this concludes the committees longest subdivision agenda in the history of the Planning Commission of Kaua'i. (Inaudible).

EXECUTIVE SESSION (None)

ADJOURNMENT

Mr. Ornellas: Move to adjourn.

Chair Ako: We have a motion to adjourn

Ms. Streufert: Second.

Chair Ako: There's a second. All those in favor say aye. Aye (unanimous voice vote). All those opposed? We are adjourned. 3:0.

Committee Chair Ako adjourned the meeting at 8:56 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.