

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
December 10, 2024
DRAFT

The regular meeting of the Planning Subdivision Committee of the County of Kaua'i was called to order by Subdivision Committee Vice Chair Gerald Ako at 8:30 a.m. - Webcast Link: <https://www.kauai.gov/Webcast-Meetings>

The following Commissioners were present:

Mr. Gerald Ako
Mr. Jerry Ornellas

Excused or Absent
Mr. Francis DeGracia

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 Vice Chair Gerald Ako: Good morning. Today is Tuesday, December 10th, 2024, and I'd like to call to order the Subdivision Committee meeting of the Planning Commission. It is now 8:30 a.m. 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?

Commissioner Jerry Ornellas: Here.

Mr. Hull: Commissioner Ako?

Vice Chair Ako: Here.

Mr. Hull: Chair DeGracia is excused. You have a quorum.

Vice Chair Ako: Thank you.

APPROVAL OF AGENDA

Mr. Hull: Next, we have Approval of the agenda. The department doesn't have any recommended changes for the agenda.

Vice Chair Ako: Okay. If not, if we can have a motion to approve the agenda.

Mr. Ornellas: Move to approve agenda.

Vice Chair Ako: I'll second that. With that, if we can have a voice vote on that. All those in favor say aye. Aye (unanimous voice vote). All those opposed, no. The agenda is approved. 2:0.

MINUTES of the meeting(s) of the Subdivision Committee

Mr. Hull: Next, we have the Minutes for August 13, 2024.

Vice Chair Ako: If not, if we can...

Mr. Ornellas: Motion to accept the minutes.

Vice Chair Ako: I'll second that. And if there's no other questions, Mr. Clerk. Oh, I'm sorry. We'll just take a voice vote.

Deputy County Attorney Laura Barzilai: Voice vote is fine.

Vice Chair Ako: Yeah. All in favor, say aye. Aye (unanimous voice vote). All those opposed. If not, we have accepted the minutes. 2:0.

RECEIPT OF ITEMS FOR THE RECORD (None)

UNFINISHED BUSINESS (None)

NEW BUSINESS (For Action)

Mr. Hull: Moving on to New Business.

Preliminary Subdivision Map Approval
Subdivision Application No. S-2025-1
SMK, Inc.
Proposed 11-Lot Consolidation into 1-Lot
TMKs: (4) 2-8-008: 020, 022 - 029, 034, 035 Kōloa, Kaua'i
Subdivision Report pertaining to this matter.

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: Before I turn it over to the Subdivision Planner, let me ask if there's any members of the public that would like to testify on this agenda item? We have no one signed up. Seeing none, I'll turn it over to the planner for the report pertaining to the matter.

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

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

Mr. Estes: Chair, the department has received a correspondence from the applicant requesting a 6-month deferral of Preliminary Subdivision Map Approval as a result of comments received from the Department of Public Works Engineering Division. This report was transmitted to the Planning Commission through Supplement Report No. 1 to the Subdivision Report. The applicant has also agreed to waive the 45-day timeline for the Planning Commission to act on the subdivision, pursuant to Section 9-3.4 of the Subdivision Ordinance, Kaua'i County code. With the applicants consent, the department is requesting a deferral of this application to the Planning Commission meeting that will be held on June 10, 2025, or the next available Planning Commission meeting thereafter.

Vice Chair Ako: Okay. Thank you, Mr. Estes. Any questions for staff? Would the applicant like to add?

Ms. Maren Arismendez: Good morning. Maren Arismendez from Esaki Surveying, here on behalf of the owners. We would like to respectfully request a 6-month deferral. The time is to be used by the owner to discuss with Public Works the proposed projects that they have for the adjacent area and how the Sueko Store expansion will be affected or how both projects can work together, so we're just trying to get on the same page, the owners and Public Works. They are also wanting to update the various permits that were listed as a condition, so we just thought it was in the best interest to make sure that we can submit at least a request for those permit updates, so that Planning Commission and county has the full picture of what the project is currently.

Vice Chair Ako: Questions? So, we're looking at June 10, 2025, and with the waiver of the 45 days...

Ms. Arismendez: Yes.

Vice Chair Ako: ...(inaudible).

Mr. Hull: But then I'll just say, definitely by all means we're in support of you working with Public Works to resolve and go over their circulation concerns. Concerning the updates to the zoning permits, your client absolutely has the ability to do that and come before the commission. I can also, just to put on your radar, since the approval of those permits back in like, 2015, the South Kaua'i Community Plan was updated and that some of your proposed expansion (inaudible) can be folded under those Class IV Zoning Permits, but they also can potentially be folded within the Form Based Code under Class I Zoning Permit, so you might also want to take time to meet with staff to go over the Form Based Code potential processes.

Ms. Arismendez: Okay. Thank you.

Vice Chair Ako: Okay, if not, thank you. So, if not, I'll entertain a motion to defer.

Mr. Ornellas: I move to defer Subdivision Application S-2025-1 for a period of 6-months or until scheduled by the department.

Mr. Ako: I'll second. Anything else? If not, Mr. Clerk, if we can have a roll call vote on this.

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

Mr. Ornellas: Aye.

Mr. Hull: Chair Ako?

Vice Chair Ako: Aye.

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

Ms. Arismendez: Thank you.

Vice Chair Ako: Thank you.

EXECUTIVE SESSION (None)

ADJOURNMENT

Mr. Hull: With that, we have no further items for the Subdivision Committee and would be ready for adjournment at your pleasure.

Vice Chair Ako: Ready for adjournment. Is this a new subdivision record? With that, I'll entertain a motion to adjourn.

Mr. Ornellas: Moved to adjourn.

Mr. Ako: Second that. All those in favor say aye. Aye (unanimous voice vote). All those opposed. We are adjourned. 2:0. Thank you.

Committee Vice Chair Ako adjourned the meeting at 8:37 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.