

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
August 13, 2024
DRAFT

The regular meeting of the Planning Subdivision Committee of the County of Kaua'i was called to order by Subdivision Committee Chair Francis DeGracia at 8:34 a.m. - Webcast Link: <https://www.kauai.gov/Webcast-Meetings>

The following Commissioners were present:

Mr. Gerald Ako
Mr. Francis DeGracia
Mr. Jerry Ornellas

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 Francis DeGracia: The time is 8:34. I'd like to call to order the Subdivision Committee meeting for Tuesday, August 13th, 2024. Could we get a roll call, please, Mr. Clerk?

ROLL CALL

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

Commissioner Gerald Ako: Here.

Mr. Hull: Commissioner Ornellas?

Commissioner Jerry Ornellas: Here.

Mr. Hull: Chair DeGracia?

Mr. DeGracia: Here.

APPROVAL OF AGENDA

Mr. Hull: You have a quorum, Mr. Chair. Next, we have approval of the agenda. The department doesn't have any recommended changes to the agenda.

Chair DeGracia: Okay. Commissioners, seeking a motion to approve the agenda.

Mr. Ornellas: Motion to approve agenda.

Mr. Ako: Second.

Chair DeGracia: Okay, Commissioners motion on the floor is to approve the agenda. We'll take a voice vote all. In favor say, aye. Aye (unanimous voice vote). Opposed, hearing none, motion carries. 3:0.

MINUTES of the meeting(s) of the Subdivision Committee

Mr. Hull: Next, we have the Minutes of June 4, 2024.

Mr. Ornellas: I move to approve minutes.

Mr. Ako: I'll second.

Chair DeGracia: Commissioners, motion on the floor is to approve the minutes of June 4, 2024. We'll take a voice vote. All in favor, say aye. Aye (unanimous voice vote). Opposed. Hearing none, motion carries. 3:0.

RECEIPT OF ITEMS FOR THE RECORD (None)

UNFINISHED BUSINESS (None)

NEW BUSINESS (For Action)

Mr. Hull: Next on up, would be New Business for action. G.1.

Preliminary Subdivision Map Approval

Subdivision Application No. S-2024-10
Lima Ola Phase 2 Subdivision
County of Kaua'i Housing Agency
Proposed 4-Lot Consolidation and Resubdivision into 70-Lots
TMK: (4) 2-1-013: 044, 052, 053, and 055
'Ele'ele, Kaua'i

- 1) Subdivision Report pertaining to this matter.

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

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

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

Chair DeGracia: Okay. Thank you. Commissioners any questions for the department? Seeing no questions, I'd like to invite the applicant up for a quick overview.

Housing Agency Director Adam Roversi: Aloha. Acting Chair, is that correct, and Commission members. I'm Adam Roversi, the Director of the Housing Agency. This is a project we've been working on for a long time. Phase 1 is currently in vertical construction with the first single family homes being built. As was mentioned in the Director's report, the subdivision was approved through the 201H process. What we are in substance, what we are coming back to you now is to define what we're, in the original subdivision, large block lots into single family lots for Phase 2, that was contemplated in the conceptual drawings and the presentations to the Council, which were approved. We wanted to work through the development of Phase 1, understand the market demand for the single-family homes before we finalize the exact lot number breakdown in Phase 2. So, in substance, what's before you is carving a couple of the large block lots that were left for future design implementation into the single family homes for the Phase 2 infrastructure development. Frank Camacho from CPE is our engineering consultant who's doing the subdivision maps along with the construction and engineering drawings. I'd let him add anything he'd like.

Mr. Frank Camacho: Yeah, so this basically moving on to Phase 2 we want to start with basically a design construction plans for Phase 2 and as part of that process, we wanted to submit the subdivision map to define a single family lots and the roadway lots that we would be required for the single family so that way we can put together the construction plans to continue to build out Lima Ola and that's really what we're trying to do here.

Mr. Roversi: I have been working on this project for so long, I make a lot of assumptions that everyone knows about it, but this is 100% affordable housing subdivision. Comprised of both multifamily and single-family homes, so all of the single-family homes that we're building, 100% of them will be affordable to Kaua'i resident families making 120% of area median income and below, and we're primarily selecting buyers for these homes from the counties home buyer waiting list, which was established back in 2008 as part of our housing policy that we currently have roughly 1100 Kaua'i families on that waiting list. When we did the initial, first initial eight homes in Phase 1, which are getting roofs on as we speak, we had more than 150 people submit letters of intent to, from the home buyers list to acquire those first eight homes. So, our experience in Phase 1 has demonstrated that there is significant resident demand for these affordable homes. I'd be happy to answer any questions from the Commission.

Chair DeGracia: Commissioners, any questions?

Mr. Ako: Yes, I do. Since you're up here, Mr. Roversi. Thank you for all, you know, all the work that you have done putting this project together yeah, but I think as I, just for myself, as we look at so many of these projects about housing, that comes forth and comes before us. The issue

about wastewater always comes up, yeah. And I guess, I'm just looking at it from the point, not looking, wondering about it from the point of view that when we're dealing with wastewater, is this something that we defer to the Department of Health to make the determination whether they can manage this wastewater or how they going hook up and all of that, or is that something that is incumbent upon the Commission over here. Just to make that determination, you know, whether they can manage it or whether they cannot.

Mr. Roversi: So, this particular subdivision is all connected to the county's wastewater treatment system. So, I'll let Frank chime in if he has anything else to add, but I think we primarily work with the County Division of Wastewater to understand the capacity of the plant, and when we go through the building permit process, if any system upgrades are required, larger transmission lines that's incumbent on us to install whatever is required by the Wastewater Division of Public Works, to be sure that we are compliant, then in turn it's waste waters responsibility to ensure that their plant and its operations are compliant with Department of Health regulations.

Mr. Ako: Got it. Thank you.

Mr. Roversi: Did I miss anything?

Mr. Camacho: No, that's it.

Chair DeGracia: Any further questions for the department or the applicant? Okay, I got no questions, just comment, though it's a great project. When's your plans of going vertical actually for Phase 2? I mean what's your target date?

Mr. Roversi: So, I'm going to put Frank on the spot, but we're hoping to have our construction and engineering, final construction and engineering drawings completed and ready to submit for permits before the close of this year, and either at the, as soon as permits are approved, we'll be going out to bid. Based on Phase 1, we expect that the infrastructure, construction, water lines, roads, sidewalks, etcetera will take about a year. So, if we, if we're able to go out to bid early 2025, enter into contracts, we expect all of 2025 to be absorbed by the infrastructure installations, and then hopefully early 2026, we'll see some vertical construction on the newly developed lots.

Chair DeGracia: Thank you very much for that. Housing is in great need looking forward. Okay, no questions, Commissioners?

Mr. Ornellas: Yeah, I'm just curious. Do these projects generate income above and beyond what it cost to construct them?

Mr. Roversi: Not even close. So, no. So, the, to date, the county has invested off the top, off the top of my head to be in Phase 1, just under \$20 million developing all of the Phase 1 infrastructure to create buildable lots for the first three large multifamily projects and the first 38 single-family home lots. The rental projects are all for low and moderate income families, they don't make any money. The only the, only reason they are feasible to even construct is because they receive various state and federal subsidies to make the construction feasible. They essentially cover their operating expenses. The single-family homes we are selling at the cost of construction. So, there is no profit wrapped into the development of the single family homes, but

they at least are, they are at least covering the cost of construction and not costing the county anything.

Mr. Ornellas: Thank you.

Chair DeGracia: If no further questions, I'll entertain a motion.

Mr. Ornellas: I move for approval of the Preliminary Subdivision Map, Subdivision Application No. S-2024-10.

Mr. Ako: I'll second.

Chair DeGracia: Commissioners, motion on the floor is to approve Preliminary Subdivision Application No. S-2024-10. Clerk, could we get a roll call vote?

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

Mr. Ako: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair DeGracia?

Chair DeGracia: Aye.

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

Mr. Ako: Thank you.

Mr. Roversi: Thank you very much.

Preliminary Subdivision Extension Request

Mr. Hull: Next, we have Agenda Item G.2.

Subdivision Application No. S-2023-4
Kukui'ula Parcel J1-A Subdivision
BBCP Kukui'ula Development, LLC.
Proposed 18-Lot Subdivision
TMK: (4) 2-6-023: 040
Koloa (Makai), Koloa, Kona, Kaua'i

- 1) Subdivision Report pertaining to this matter.

Mr. Hull: We don't have any signal to testify on this agenda item, but are there any members of the public hat would like to testify? Seeing none, I'll turn it over to the Staff Planner, Kenny to go over the report.

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 DeGracia: Okay. Commissioners any questions for the department? If not, I'd like to invite the applicant up for an overview. Good morning.

Mr. Mauna Kea Trask: Aloha. Good morning. Mauna Kea Trask on behalf of the applicant. We would rest on what, Kenny says, and the Director's Report. Unless you have any questions.

Chair DeGracia: Okay. Commissioners, any questions? If there's no questions, I'll entertain a motion.

Mr. Ako: Regarding Subdivision Application S-2023-4, I move to approve the request for the extension until July 11, 2025.

Mr. Ornellas: Second.

Chair DeGracia: Commissioners, motion on the floor is to approve Preliminary Subdivision extension Request for subdivision application No. S-2023-4 till July 11, 2025. Could we get a roll call, Mr. Clerk?

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

Mr. Ako: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair DeGracia?

Chair DeGracia: Aye.

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

Mr. Trask: Mahalo.

Chair DeGracia: Thank you.

Mr. Ako: Thank you, Mr. Trask.

Mr. Hull: Next up, we have G.2. Preliminary Subdivision Request.

Subdivision Application No. S-2024-1
Jiro Yukimura Trust and Jennie T. Yukimura Trust
Proposed 4-Lot Subdivision
TMK: (4) 3-7-006: 002

Hanama'ulu, Lihu'e, Kaua'i

1) Subdivision Report pertaining to this matter.

Mr. Hull: I don't have anybody signed up to testify, but is there any member of the public that would like to testify on this agenda item? Seeing none, I'll turn it over to Kenny for the staff report.

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 DeGracia: Thank you, commissioners, any questions for the department? Okay, seeing no questions, I'd like to invite the applicant up for a quick overview.

Ms. Maren Arismendez: Good morning. Maren Arismendez from Esaki Surveying, here on behalf of the owner. We respectfully request approval of the one-year extension. Okay, now, yes now. I'll just start over. Maren Arismendez from Esaki Surveying, here on behalf of the owner, we would like to respectfully request the one-year extension. The construction plans have been prepared and reviewed and we've addressed review comments from the reviewing agencies. Right now, the status of the plans is that they have gone out for signature from the agencies, so we need more time to allow the agencies to sign off and approve the plans.

Chair DeGracia: Commissioners, any questions?

Ms. Arismendez: Any questions?

Mr. Ako: Yeah, currently there's a house, yeah, on the...

Ms. Arismendez: Yes.

Mr. Ako: ...what are...I should know because I know you've come before us, but what are the plans for the house?

Ms. Arismendez: So, the plans for...there's various structures, some are going to be demolished. I believe the house is going to be removed. So, there's also permits that the owners are waiting for that and then some are going to be relocated to the, one of the new existing lots. So, some demolished, some moved off property, that's a house, and then two of the smaller ones are going to move to Lot 3.

Mr. Ako: Is that a historic house?

Ms. Arismendez: It was reviewed. I don't believe it was of historic significance, but it was documented just for preservation, but it got reviewed.

Mr. Hull: I believe it may be categorized as a...

Ms. Arismendez: I'm trying to remember...

Mr. Hull: ...historic house, but I think it has to go through our Historic Preservation Division to determine whether or not Kaua'i Historic Preservation Review Commission needs to review either the moving or demolition of the house, but that's still pending.

Ms. Arismendez: It's still pending.

Mr. Hull: Yeah.

Ms. Arismendez: My apologies on that.

Mr. Ian Jung: Good morning, commissioners, Ian Chang, on behalf of the applicant. Just to address the SHPD issue, there is a exemption for residential or residential structures that are over 50 years old that aren't on the local register or on the local inventory. So, in this case, it's neither, but when the house is relocated, if someone wanted to put it on the register, some of the other structures that get relocated there is that potential, but it there is an exemption and the way that I understand the Planning Department is dealing with it now is they ask for documentation, evidence and photos to be uploaded at the time of the demo permit. So, there's an archival system set in place to capture photos of the structure, see what it is, and then put into the file. But the structure will be relocated to another lot, so it'll remain partially intact and then reassembled.

Mr. Hull: Just to (inaudible) off of Ian's comments. Indeed, there's a is a HRS exemption from historical structures and review by SHPD, but from a historical ordinance standpoint for the County of Kaua'i, the Historic Preservation Review Commission will review structures that are being proposed to demolish or altered that are on its inventory or qualified to be on its inventory, and I don't want to speak out of turn, but I'm almost certain this is a structure that would qualify to be on the inventory.

Deputy County Attorney Laura Barzilai: Mr. Clerk, when will that decision be made?

Mr. Hull: The (inaudible), the demolition or removal application's in with building permit, it's done during the building permit process.

Chair DeGracia: No follow up, Commissioner Ako?

Mr. Ako: I'm good.

Chair DeGracia: Okay.

Mr. Hull: Ultimately for the purposes of the application here before you folks, whether or not it's determined that KHPRC review is necessary or is not, that has to be finalized before they come back for a final subdivision.

Chair DeGracia: Okay.

Mr. Hull: So, it's not going to hold up the final subdivision, but it's one of many of the agencies that needs to be followed through prior to the final.

Ms. Arismendez: Right, so that would also come into that one-year extension to allow county to process that or make the determination.

Chair DeGracia: Okay. Thank you. Commissioners, any further questions for the department or the applicant? If not, I'll entertain a motion.

Mr. Ako: I so move to approve the extension request of Subdivision Application S-2024-1 until September 12, 2025.

Mr. Ornellas: Second.

Chair DeGracia: Commissioners motion has been made and seconded. Motion on the floor is to approve Preliminary Subdivision Extension Request for Subdivision Application No. S-2024-1 till September 12, 2025. Could we get a roll call vote, Mr. Clerk?

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

Mr. Ako: Aye.

Mr. Hull: Commissioner Ornellas?

Mr. Ornellas: Aye.

Mr. Hull: Chair DeGracia?

Chair DeGracia: Aye.

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

Ms. Arismendez: Thank you.

Chair DeGracia: Thank you.

Mr. Jung: Thank you.

EXECUTIVE SESSION (None)

Mr. Hull: We have no further agenda items for the Subdivision Committee.

ADJOURNMENT

Chair DeGracia: Okay. Commissioners, I'll entertain a motion to adjourn.

Mr. Ornellas: So moved.

Mr. Ako: Second.

Chair DeGracia: Motion on the floor is to adjourn this meeting. All in favor. We'll take a voice vote. Say aye. Aye (unanimous voice vote). Motion carries. 3:0. Thank you.

Committee Chair DeGracia adjourned the meeting at 8:59 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.