

## Meeting with the Kaua'i County Planning Commission

August 8, 2006

### Participating:

Kaua'i County Planning Commission

Charlier Associates: Jim Charlier, Jacob Riger, Jennifer Valentine, Lisa Malde

Also in attendance: Greg Kamm, Louis Abrams, Ted K. Blake, Hartwell Blake, other members of the public

### Notes:

- Greg Kamm appeared before the Planning Commission requesting consideration of the Historic Koloa Village (HKV) project. The project was originally denied on July 25, 2006.
- Five citizens spoke in favor of the Commission's original decision and did not want to see the project reconsidered.
- Louis Abrams from the Kōloa Community Association spoke in favor of a reconsideration and to support the Kōloa-Po'ipū Area Circulation Plan.
- The Planning Commission asked Charlier Associates to weigh in on the project's relationship to the circulation plan. Jim Charlier thanked the group for the opportunity to appear before the Planning Commission and said he would be glad to answer any questions they might have.
- He explained that the project is on schedule and the plan should be completed by November 1, 2006. He also noted that we have been and will remain in close contact with all three client groups we are working with - the community, the developers/contributors, and the County.
- The Planning Commission asked about the impact on the circulation plan of not approving the applicant's request for a reconsideration of the HKV project. They also mentioned their need for a procedure to handle developments working their way through the planning process before the plan has been completed.
- Jim noted that many of the developers would view the Commission's denial of the HKV project as a de facto moratorium. He noted that impact fees can be charged for new development but other funding sources will also be needed for transportation projects and improvements. Fortunately the anticipated transportation project needs do not appear to be huge, and project cost and funding issues should not be insurmountable.
- The Commission asked how to handle developments that are currently moving forward. Jim mentioned that this scenario is not uncommon and that it's helpful to think of the



three types of development differently (planned/proposed, approved/entitled, and built/existing).

- The Planning Commission was concerned about the timing of development and the infrastructure and facilities needed to support development being in place. The question was asked if the cart is being put before the horse.
- Jim noted that this is the idea of concurrency, sometimes also known as adequate public facilities programs. He noted that timing is indeed important, and something that we have been discussing with the contributors.
- The Commission commented that some people want to halt development until the needed transportation improvements have been constructed. Similarly, the question was asked about when funding for transportation projects will begin to flow.
- Jim responded that the County needs the revenues generated by private development to fund accompanying transportation investments, and that it is unrealistic to expect that all needed projects could be built before development occurs.
- In response to a question about specific potential funding mechanisms, Jim explained that we are exploring the idea of transportation impact fees (TIF) as a way to fairly and equitably quantify fairshare commitments for each new development project. Jim noted that we have floated this idea by several entities, such as the Mayor and our Project Advisory Committee, that have been receptive to exploring further.
- Jim went on to explain the basic features of a TIF system, particularly the legal requirements for rational nexus and proportionality. He also explained that, under a TIF system, the County should have flexibility in designating when fees are paid. Our calculations will assume a certain amount of development to structure impact fees - the timing of development and which developer actually builds on a given tract of land is less important to the overall funding structure.
- A question was then asked by the Commission about the implementation timeline of our plan. Jim emphasized that we design plans so that implementation can begin immediately. We will prioritize projects, recommending that some be built right away and others further down the line. He noted that it's often best to start small to build momentum and work up to more difficult projects.
- The Commission thanked Jim for his helpful comments, and after further internal discussion, voted 4-3 to deny the request for reconsideration of the Historic Koloa Village application. Commissioners voting against the project made clear that their primary reason for doing so related to the applicant's perceived lack of flexibility regarding the timeframe the Commission felt they needed to review the project's accompanying conditions language.

