

MEETING OF THE
KAUAI COUNTY HISTORIC PRESERVATION REVIEW COMMISSION
THURSDAY, MARCH 21, 2019
3:00 p.m. (or soon thereafter)
Lihu'e Civic Center, Moikeha Building
MEETING ROOM #2A/2B
4444 Rice Street, Lihu'e, Kauai

RECEIVED

AGENDA

'19 MAR 14 P2:09

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF THE AGENDA
- D. APPROVAL OF THE FEBRUARY 21, 2019 MINUTES
- E. HEARINGS AND PUBLIC COMMENT - Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
- F. GENERAL BUSINESS MATTERS
- G. COMMUNICATIONS
- H. UNFINISHED BUSINESS

I. NEW BUSINESS

1. **Kealia Schoolhouse** (Hawai'i Management Service)
TMK: (4) 4-7-003:006, Keālia, Kaua'i
Proposed demolition.
 - a. Director's Report pertaining to this matter.

2. **Aloha Theater**
3795 Hanapēpē Road
TMK: (4)1-9-004:013
Hanapēpē, Kaua'i
Proposed select demolition/renovation of theater and new motel.
 - a. Director's Report pertaining to this matter.

J. COMMISSION EDUCATION COMMITTEE

K. KAUAI HISTORIC RESOURCE INVENTORY UPDATE COMMITTEE

L. HISTORIC PRESERVATION PUBLICITY COMMITTEE

M. ANNOUNCEMENTS

N. SELECTION OF NEXT MEETING DATE AND AGENDA TOPICS (4/18/19)

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes ("H.R.S."), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

Note: If you need an ASL Interpreter, materials in an alternate format, or other auxiliary aid support, or an interpreter for a language other than English, please contact Anela Segreti at (808)241-4917 or asegreti@kauai.gov at least seven calendar days prior to the meeting.

COUNTY OF KAUAI
KAUAI HISTORIC PRESERVATION REVIEW COMMISSION
Mo'ikeha Building, Meeting Room 2A/2B

MINUTES

A regular meeting of the Kaua'i Historic Preservation Review Commission (KHPRC) was held on February 21, 2019, in the Mo'ikeha Building, Meeting Room 2A/2B.

The following Commissioners were present: Chair Aubrey Summers, Vice Chair James Guerber, Gerald Ida, Deatri Nakea (*arrived at 3:01 p.m.*), Anne Schneider and Victoria Wichman (*recused herself at 3:54 p.m. and returned at 3:58 p.m.*).

The following Commissioner was excused: Althea Arinaga.

The following staff members were present: Planning Department: Myles Hironaka, Planning Director Ka'āina Hull, Leslie Tasaki and Alex Wong. First Deputy County Attorney Nicholas Courson. Office of Boards and Commissions: Commission Support Clerk Sandra Muragin.

A. CALL TO ORDER

The meeting was called to order at 3:00 p.m.

B. ROLL CALL

Planning Director Ka'āina Hull: First order of business is roll call. Commissioner Arinaga is excused. Commissioner Guerber.

Mr. Guerber: Here.

Mr. Hull: Commissioner Ida.

Mr. Ida: Here.

Mr. Hull: Commissioner Schneider.

Ms. Schneider: Here.

Mr. Hull: Commissioner Summers.

Chair Summers: Here.

Mr. Hull: Commissioner Wichman.

Ms. Wichman: Here.

Mr. Hull: I believe Commissioner Nakea is running late, but you have a quorum Madame Chair.

C. APPROVAL OF THE AGENDA

Mr. Hull: Next agenda item is the approval of the agenda. The Department would recommend amending the agenda so that agenda item I. New Business, the Faye Vacation House be taken out of order and be taken right after agenda item E. which is Hearings and Public Comment.

Chair Summers: Could I have a motion.

Mr. Guerber: Yes, I move that.

First Deputy County Attorney Nicholas Courson: Move to approve the agenda, as amended?

Mr. Guerber: Amended, yes.

Ms. Wichman: Second.

Chair Summers: Any comments. (Hearing none) All in favor. (Unanimous voice vote) Any opposed. (Hearing none) Motion carried 6:0

Mr. Hull: Motion passes Madame Chair.

D. APPROVAL OF THE JANUARY 17, 2018 MINUTES

Mr. Hull: Next agenda, we don't have the minutes for the January meeting.

E. HEARINGS AND PUBLIC COMMENT

Mr. Hull: The next agenda item is Hearings and Public Comment. Individuals may orally testify on items on any of the items on the agenda at this time or any members of the public would like to testify on any agenda items at this time? Seeing none.

I. NEW BUSINESS

- 1. Faye Vacation House (PMD Hanalei, LLC)
5204 Weke Road
TMK: 5-5-02:12
Hanalei, Kaua'i
Proposed Garage and Guest House.**

a. Director's Report pertaining to this matter.

Historic Planner Alex Wong: Aloha. Commissioners, for your perusal the applicant's designs are in the packet right before my director's report at the very end, I.1., the letter I.1.

Mr. Wong read portions of the Director's Report dated February 21, 2019, for the record.
(*Document on file*)

Mr. Wong: As a brief recap, although this property is not currently on any Register, it does qualify on Criteria A. Sorry, it does meet National Register Criteria A. It has the potential to meet National Criteria B, it does meet National Criteria C and most likely does not meet Criteria D. So, (it) will not yield important information, or history, or prehistory. So, as a side note there is a potential for this property to be nominated for the Register despite the fact that it's not currently on the Register.

Ms. Schneider: Alex, is it on our inventory?

Mr. Wong: It's on our County of Kaua'i inventory, yes. It is not on the State or National Register of Historic Places.

Mr. Wong read the remaining portions of the Director's Report dated February 21, 2019, for the record. (*Document on file*)

Ms. Schneider: So, is this going to go through other public hearings, other than this? Does it go through Special Management Area (SMA Permit)? Does...

Mr. Hull: So, the Regulatory Division is reviewing the application as to whether or not it constitutes (as) an accessory and/or maybe exempt under the public hearing scrutiny because of the cost. We haven't gotten the cost figured out. My apologies to the Committee. The Special Management Area (SMA) Permit that Commissioner Schneider is referring to...there are specific thresholds at which a Special Management Area that has to do with coastal review of projects, comes into the purview of the Planning Commission. And the Regulatory Division hasn't made a determination yet as to what type of SMA review is required. There are two processes, one is a public process and it required a Special Management Area major permit and one that is a minor process. And that minor process goes through minuscule review through the Department but there is no public hearing. So...

Ms. Schneider: Is that, based on cost?

Mr. Hull: That is, based primarily on cost. And the threshold is essentially \$500,000 worth of structure cost, (over) \$500,000 and then it gets bumped up to a public hearing process and with cost below that an SMA review is done; however, it's done minuscule. So that's still, being determined. I can say that I was just approached a few days ago in discussions with the Regulatory Division in the sense that there is some concern as to whether or not this actually would qualify as a guest house, but they're making that analysis right now. The application has

come into the Department and per the, review this is one of the reviewing bodies. So Alex and I felt it prudent that this body still give a historical analysis and ultimately recommendation. Or should, I say an action on the proposal, but...

Ms. Schneider: I can remember when the Faye family stayed in that house.

Mr. Hull: And the applicant is here if you guy's, have any questions for him as well.

Architect Mr. Jon Kagle: I am Jon Kagle. I am the Architect for the project. Yes, I can kind of share, some of my insights into the thought processes behind the design (because) we have tried to compliment, the existing beach house. I do, kind of disagree a little bit with some of the Departments comments on scale and massing, and it being a compliment or not to the existing house. I do feel like we have a very sensitive design in that regard. So that being said, you know, the existing beach house is rather large, you know, it does have a lot of mass to it. It's a big roof on a small house. I think some of our design cues were to take that from an architectural element, which is this steep roof (with) that kind of a big gable ends, as you know, as kind of our primary architectural element as well. But then by reducing that scale and massing by just kind of using that gable portion and not all that other roof that's part of the existing house. And then kind of conceptually in the way we were proposing to place the building on the lot. But yes there are two existing buildings, both of them dwellings.

They were hit by the tsunami in '57 and prior to that both houses were closer to the beach. They moved the one (house) back. It was originally on a cross base and this was a little verbal history that I got from Mike Faye, on it. So at that time they moved the house back they contemplated just demolishing it at that time, because it was in (a) fairly bad shape, after the tsunami. But they kept it, pushed it back, (and) put it on a slab rather than elevating it on a cross base. He said the plan, the overall floor plan, didn't change too much as they were doing those repairs; putting it on a new foundation. The second house on the property, the smaller one, kind of off to the side, originally was a two story house with a garage below it. And after the tsunami, they just got rid of the bottom story, cut it in half and set it on a post and pier. So taking those two buildings that are there (is) kind of where our concept for that whole front half of the property was going to go, was to kind of create, you know, the beach access side. The properties kind of the empty side, as far as kind of creating a courtyard around that entry. So that was kind of where, you know, we would (be) landscaping some site development, just kind of, just to make (it so that) when you come into that gate you're in this little suburban courtyard that's kind of defined by all three buildings. Then the other idea behind our proposed building was it was going to be kind of (a) little brother to the main house. So that's kind of some of the thoughts behind it, as far as from an architects perspective, anyway.

Chair Summers: Do you have any elevations from the street?

Mr. Kagle: I did take a few pictures that I can share with you. I think you have drawings of the...

Chair Summers: Of the actual, I was thinking maybe...

Mr. Kagle: Of the proposed building.

Chair Summers: The existing building to show that yours is a...

Ms. Schneider: Juxtaposition.

Mr. Kagle: And I also got some photos and some drawings of the existing house as well, that I can share with you. So from you know, with this two story concept, you know, the two story part, you know, it would be visible from the street, you know, where we got enough property. There's (a) very tall iron wood hedge along Weke Road and then the beach access side. Once you get kind of, pass our building area, there's some tall trees and stuff so you don't see the neighboring property at all. But probably right there at that corner, where you approach the beach access off of Weke (Road) the vegetation is a little bit lower along the beach access path. So you would definitely see this second story. As for our garage portion below, you know, we are picking up one of the...so the main house kind of has a split pitch roof design, so we're kind of mimicking the lower pitch of the main house on the lower story of our proposed building. And I believe the iron wood hedge would conceal, you know, 80% minimum, and possibly most all of the lower story from the street.

Mr. Guerber: Alex, is that the kind of landscaping you were talking about in your report? Just the iron wood hedge.

Mr. Wong: Shall I defer to the Planning Director for this one?

Mr. Hull: Yes, ultimately on Alex's report it does states that there is an anticipated Adverse Effect. Should it be, constructed as represented? However, the Department would be okay in approving a proposal should something be done to mitigate the massing and either shrinking the building or possibly removing of the building and/or landscaping so that at least from the public thorough fare there may not be that much impact upon the site. No, proposal has been given at this point, essentially, right. I think we're saying we can support it but from our position we would recommend that additional analysis be done to provide either the Department or Commission that ability to determine if its been mitigated.

Mr. Kagle: And we are in our proposal location for the building, you know, we are pushed right to our setback requirements, you know, we're not right at those minimums, you know, we're far enough back from Weke (Road) to allow us to plant, and that is the intention as well. Not only does the buildings got to be attractive in my opinion anyway, I think I added a very attractive building.

Mr. Hull: Yes, and the Department...

Mr. Kagle: Because you can see it from the street, it's like, it's going to be a nice thing to see. You know it's not going to be an eye sore by any means, but we do have, you know, it kind of the other way. You don't want to be sitting in the house looking down over people walking up and down the beach access path. So that is part of the intent, is to you know, pull it far enough

away from the access path that we do have room back there too provide landscaping and screening.

Mr. Hull: Yes and that's why we're looking at somewhat screening as a possibility. I am in agreement with the applicant that the design of the house is – I will say, aesthetically pleasing and in keeping with the form and function of what is, already existing there. But we have that Secretary of Interior Standards, right, that kind of point out that if there is a historic structure on the site, then any proposals near to or adjacent, or by it, should actually be distinctively different from that structure. I don't know if aesthetically I agree with that, but as former Commissioner Griffin would always point out, historic preservation isn't about aesthetic. So it's hard for us to balance and weight, but that's what Alex was including in the report to say. And I didn't mean it to be any comment on the architects work because I think it looks wonderful but it's just...

Ms. Schneider: So what do we need? A motion now?

Mr. Hull: It's really up to you folks. Essentially what our recommendation is, (is) that it can be approved contingent upon these provisional, and essentially you'd be seeding that authority to the Department to determine whether or not its been mitigated. The Department doesn't always necessarily ask for that authority, if you folks as a Commission are somewhat in agreement that perhaps it can be mitigated but you'd like to see more, than that request should be made from the applicant and they can perhaps come back. So it's really what you folks desire to do next.

Mr. Kagle: My client, you know, is open to suggestions. You know we're not rock solid, stubborn, you know, this is it or nothing kind of a approach here, you know. This is, you know there probably are a couple of features that are pushing the limit of what can be you know defined as garage and guest house of a building. So there are some things that we are very prepared to have dialogue and come to an agreement on.

Ms. Schneider: Can I make a motion that the applicant comes back to the Commission when they've made the revisions that have been suggested.

Mr. Hull: I don't think a motion necessarily, just a deferral request. I would say a motion to defer until...

Ms. Schneider: I would like to make a motion to defer so you come back to the Commission with the changes.

Mr. Kagle: Sure, do you guys have any like comments or stuff you would like to see me address further on...

Mr. Couson: Just for procedure sake, could we get a second to that motion and then discussion.

Mr. Guerber: I second that motion.

Mr. Couson: Thanks.

Ms. Wichman: Now we can ask questions.

Mr. Guerber: No, discussions.

Chair Summers: Any comments.

Ms. Wichman: Go ahead Gerald.

Mr. Ida: Do you see this thing going through State Historic Preservation Division (SHPD)?

Mr. Hull: It will go through SHPD. Whether or not we get a comment is...we haven't gotten a comment from the archaeological branch, if there is an archaeological branch. We'll be, rest assured we would get comments from them, if there's an archaeological impact here. The architectural branch, to be honest and I don't mean to be sully or make any bad comments, we haven't heard back from the architectural branch in over two years, quite honestly. So applications have been, forwarded. My last understanding was that if we do not hear back from them within 30 days, to take it as a no comment. And so it's definitely going to go with SHPD it's just – has it already gone to SHPD, Alex? It has been, submitted to SHPD.

Mr. Kegle: And that's a default thing you need when there's a building over 50 years old. It automatically goes to SHPD, doesn't it?

Mr. Hull: Technically not anymore, when it's just a residential. The State Law, was amended but this one has already been sent and that might be a consequence to the fact that the site is on our historical inventory.

Ms. Wichman: I have a question for Alex. You put this report together, recommendation. And on Criteria D, that it's likely to or you say it's not likely to, yield information about history or prehistory. And that's based from what? From other reports in the area? Or how would, you know that?

Mr. Wong: My comment was mostly based on my reading of the fact that – despite the fact that its over 50 years old. The building, as the applicant pointed out has been, substantially changed. Its been moved. So in terms of architectural history, they uncovered that has not been known. That's where I base that comment on.

Ms. Wichman: Okay, got it. And what about archeological history. What I am thinking about...

Mr. Wong: Below the ground...

Ms. Wichman: Because you're putting a full new structure in a different place on the property and has the area been tested? I mean...

Mr. Kegle: And we haven't done any archaeological survey.

Ms. Wichman: I would imagine...

Mr. Kegle: Often times that's part of the comments we get from historic, you know, their archeological department does come back with comments or recommendations and sometimes requirements for a survey...

Ms. Wichman: Right.

Mr. Kegle: If there are known artifacts, or sites nearby.

Ms. Wichman: Well I would imagine Hanalei Bay. I know where this house is. It's a very sensitive area, so I am just a little concerned about that.

Mr. Kegle: Yes, I've had, you know, in other projects in Hanalei that were, you know, that were involved going into archeological stuff from the State. That's the two other ones I've done up there, where both came back and said, well you know, keep an eye, if you find anything stop and call us.

Ms. Wichman: Of course.

Mr. Kegle: Then there's one of them (that) did want an archeologist on site while they were digging. So things like that, but nothing has been done prior to our digging, or you know, potential digging.

Ms. Wichman: So that could be a recommendation from SHPD.

Mr. Kegle: It very well could be, yes.

Mr. Hull: To that point Commissioner, it could be a recommendation from this body, as well.

Ms. Wichman: This body as well, I would agree.

Mr. Hull: So, and I think the point is well taken. And I think being that the motion is to defer. Should the deferral happen we'd probably look at amending our report to reflect something of that nature. And somewhat also to the Commissioners point, I think as we talked, sometimes as far as how the Department is evolving in its comments and what not and this report writing is we're looking for comments exactly like this. Alex is not a trained Historic Preservation, neither am I. This Commission has been particularly architecturally more focused and strong. We definitely appreciate criticism, constructive criticism from the Commission, where say our analysis may be lacking. Indeed, I think one of our weaker points is how to do an archeological analysis of a property. So the comments are well taken. If you guy's have any more for us that you would like us to consider putting into our reports, we would welcome them.

Mr. Ida: Yes basically, that was my concern too, because I know the focus is always on the building, mutually, but you know, anytime you're going to disturb the ground you could...

Ms. Schneider: Going to find something...

Mr. Ida: Criteria D and I almost guarantee you SHPD is going to require you to do something. Just because of the area.

Mr. Kagle: Yes.

Ms. Schneider: I did several houses in that area and they always found something.

Mr. Hull: Yes, we'll definitely work to amend our report. And yes, like I said the focus has generally been architectural I know, and that's just because I think of the expertise that have served on this panel and...

Ms. Wichman: And that's why...

Mr. Hull: And now we have two. So we'd be really welcome in helping us beef up our archeological analysis.

Chair Summers: Any more comments. All in favor of deferring. (Unanimous voice vote) Any opposed. (Hearing none) Motion carried 6:0

Mr. Hull: Motion passes, Madame Chair. So essentially, it's an open ended deferral. So as soon as the information is provided to us, then we can get the applicant back on the agenda.

H. UNFINISHED BUSINESS

- 1. National Historic Preservation Act, Section 106 and Hawai'i Revised Statutes, Chapter 6E, Memorandum of Agreement Discussion Hanapēpē Bridge Replacement Project, Project No. HI STP SR50(1) Waimea District, Kaua'i Island, Kōloa Ahupuaa TMK: (4) 1-9-007: 001 Hanapēpē Canal, (4) 1-9-007-013, (4) 1-9-007:034, (4) 1-9-007 Kaumuali'i Highway Right-of-Way, (4) 1-9-010:015, (4) 1-9-010:046, (4) 1-9-010:050, (4) 1-9-010 Kaumuali'i Highway Right-of-Way.**
 - a. Final Memorandum of Agreement Among the Federal Highway Administration, The Hawai'i State Historic Preservation Officer, and Regarding the Hanapēpē Bridge Replacement Project.**
 - b. Appointment of investigative Committee members (Permitted Interaction Group) to Interact with the DOT on behalf of the KHPRC as a party to the Memorandum of Agreement for the Hanapēpē Bridge Replacement Project, Project No. HI STP SR50(1).**

Mr. Hull: At the last meeting, I gave a brief update as far as, why the PIG was established and ultimately, it was the Commissions desire to end participation in that PIG, not feeling it was necessary to participate. At the same time the applicant wasn't here to brief the Commission on

the final MOA and we put it back on the agenda because Myles (Hironaka) is a bit more familiar than I am. And he wasn't here as well to be able to brief you folks. So in abundance of caution we decided, with the Chairs approval, that we should bring it back so Myles could give you a brief briefing. If you still feel it's good to put it to bed, we're totally fine putting it to rest. But we just want to...

Ms. Schneider: I think I signed the MOA the last time, which was sometime in 2016.

Mr. Hull: So I'll turn it over, to Myles.

Myles Hironaka: Good afternoon Commissioners. I have to apologize for not being present at the last meeting in January. I just couldn't be here, but I've been working with Lisa Hamisat from the Federal Highway Administration on this for several months. So she's been in contact with our office. So maybe I can just go briefly, over what the Memorandum of Agreement is all about, and I think just for some background purposes. This was several years back the Department of Transportation and the Federal Highway Administration brought this matter before the KHPRC through, what is called, the Section 106 review process. And this is for the replacement of the Hanapēpē Bridge along the state highway. This is not the County Bridge. The County Bridge is the one that it was nominated, just recently nominated to the State Register.

So around that time, I think in 2016, what the Federal Highway Administration was invited the KHPRC to be what is called a concurring party in this Memorandum of Agreement. And what they also requested was if the Commission could designate either a member or members to be, I guess, designated to act in behalf of the KHPRC with respect to the requirements of this memorandum. I think what they had in mind was to see if they could meet collectively with all of the parties, concurring parties, and just for the Commissioners information the parties beside the KHPRC are State Historic Preservation Division, The Historic Hawai'i Foundation, The Department of Transportation as well as the Federal Highway Administration. So again, the intent they had was to try and see if they can collectively meet with the parties to discuss the various – well some of the milestones or requirements of the Memorandum of Agreement. And I think they were trying to do that either through maybe conference calls, if they couldn't collectively meet as a group, as well as through emails.

So, having said that, I guess if you had questions on what are the requirements of the Memorandum of Agreement through the concurring parties. If you, I think all of you have the Memorandum of Agreement in your packet. So if you were to refer to page two of the MOA and this is under stipulations. And if you look at roman numeral one E, this is under mitigated measures. What this stipulation does is the Federal Highway Administration is required to provide the parties with the opportunity to comment on the interpretive materials for the bridge. So this is a mitigated measure because the bridge is to be replaced, yes. So in essence what Lisa Hamisat from the Federal Highway Administration was doing was try to setup a meeting with the parties and she was trying to do this on February 6, and that obviously has come and gone. But she was trying to setup a meeting with the parties to discuss the interpretive materials for the bridge on the same day, the evening they also set up and had a public meeting in Hanapēpē and that put the public on this.

Ms. Schneider: Was in the newspaper.

Mr. Hironaka: Right, right. So that was the whole purpose of us bringing this matter to the KHPRC at the January meeting and basically it was to see, in fact, if the Commission wanted to establish a Permitted Interaction Group. To see if you wanted to interact with the other members of the concurring parties. And I believe the Commission elected not to establish a Permitted Interaction Group. And that's fine because the Federal Highway Administration will continue to work with the other members of the concurring parties and in fact I think at this stage they are looking at possibly creating a draft interpretive plan. The first draft plan sometime in March. So that's pretty much why we had this on the agenda. So it's not being amended or changed.

Ms. Schneider: Thanks Myles.

Ms. Wichman: I have a question Myles, please. I was one of the members on the PIG.

Mr. Hironaka: Correct.

Ms. Wichman: And we never heard anything. I would have went to the meeting if someone told me, but I never heard anything and then I noticed that the people in Hanapēpē, those ladies are really strong and they know what they're doing. So actually, I think they're probably going to do a really good job on their own, but we never heard anything and that's kind of why we moved to dismiss that.

Mr. Hironaka: And that's fine. This is really the first contact we've had from the Federal Highways Administration with respect to this Memorandum of Agreement and if you look at some of the stipulation I think it's primarily, it's on the interpretive plan.

Ms. Wichman: Yes.

Mr. Hironaka: Pretty much. There are some other task which would be more towards the as build drawings for the existing bridge, which I think is also another type of discussion that could happen with the concurring parties. But pretty much it's just really the interpretive plans.

Ms. Wichman: I have another question. To your knowledge, are they already working on interpretive in Hanapēpē on the massacesite? And there's other interpretation going on. That's what I got when we were at the meeting in Hanapēpē.

Mr. Hull: Yes. As far as this project, is the interpretive aspect of the bridge, and what's going to go on over there. There is a separate project going on with the Open Space Commission in looking at acquiring lands in close proximity to this bridge, that are known for the staging grounds for the Hanapēpē massacre and looking as a potential site to memorialize the massacre. They haven't come to any finality – well the acquisition hasn't even happened yet. So they're just looking primarily at the acquisition. Should the acquisition happen, what type of memorialization would happen there after, and should an interpretive aspect be included. So there's something going on, it's still very much in the making at this point, though.

Ms. Wichman: There's a lot of interpretive for Hanapēpē, it's a heavy place.

Mr. Hull: And the two ladies that you're referring too, right, like I don't know how involved they've been in this process but at least one of them I know is constantly, no, no, no, no our bridge is the other bridge.

Ms. Wichman: Yes. Thank you Myles.

Mr. Hull: So the agenda item was set up this way. And I just had a brief discussion with the attorney outside and he may want to update you but it was setup this way, in that if after giving Myle's brief update, if you guys still wanted to participate in some form or fashion with this review that you could do it through the PIG. I think Nick may have a different analysis than our previous attorney on whether or not – because our PIG has actually been disbanded so that was an action you guys formally took at the last meeting. I think the attorney's going to say that might not have been appropriate to form the PIG in the first place. I'll let him talk.

Mr. Courson: So, my read on the Sunshine laws of Permitted Interaction Group is for purposes of looking into something and then coming back and giving a recommendation to the whole body and then whole body takes action. So it's three steps. One is you figure out the scope – I mean you can delegate some level of authority in order to effectuate some things but really this body is always the decision making thing. And so I was just a little – when Myles was explaining, delegating some decision making power, I was thinking that's not really what a Permitted Interaction Group does. A Permitted Interaction Group looks into things and then comes back to the body. So if, you're wanting to delegate powers, which is always a bit of a chance thing when it comes to a Legislative, or group delegating powers, I would say to just delegate it to two. Any two of you can speak on any matter that's board business anyway there's an exception called the rule of two. But a Permitted Interaction Group really isn't any sort of fast tool to do that. A Permitted Interaction Group would be fine if you just wanted to assign people to monitor, talk to whoever and then come back to this body and give a presentation. But I always caution the Boards that I advise to in terms of time costly, because you need a meeting to set it up, which could be this one. And then you need a meeting where they present their findings and then you need a third meeting to actually act on those findings and the purpose of that is to give the public a chance to be privy to whatever information you're basing your decision on. So yes, I think in the past you've sometimes used Permitted Interaction Groups as kind of a way to get a decision done but I don't think that's proper. Like some small decisions to effectuate whatever their looking into. It's a gray area, so I am not condemning what was done in the past but I wouldn't do it the same way.

Ms. Wichman: So would it be better to call it an advisory committee, I mean a difference in the terminology.

Mr. Courson: No, the semantics. If it's board business, which this would be then you have to be concerned with Sunshine Law. And so, if it's going to be, if you're to deal, if any of you are going to deal with board business outside of a duly agenda meeting you have to be concerned with the Sunshine exception. So the Permitted Interaction Group is one, the rule of two is another, those would really be the only two avenues, I can think of.

Mr. Guerber: Explain the rule of two again.

Mr. Courson: The rule of two just allows any two of you to speak on any item of board business as long as no commitment to vote a particular way is either, sought. But what OIP doesn't like is if you two talk and then you talk with him about her about the same subject, they view that as a serial communication, which evades the point. So once you've paired up with your buddy on a certain subject that's your buddy. So that's, the rule of two. So any two of you can talk about this. So if the board, if the Commission wanted to delegate some level of power, I am not super familiar with the concept of delegating power to individual members but you know. Myself I would just be more comfortable if the thing just came back before the full Commission and you made the decision here.

Mr. Guerber: So it would be a review committee or sub-committee of the Commission, something like that.

Mr. Courson: A sub-committees fine, but a sub-committee would trigger the same requirements as a meeting. It would have to be. An agenda would have to be created, it would have to be posted six days in advance, (and) it would be a public forum. So sub-committees like Planning has a sub-committee that meets every time before the Planning Commission but its (on an) agenda. So in terms of the procedural requirements the sub-committee would be the same as this meeting, just smaller quorum.

Ms. Wichman: I understand. But this is interpretive and we don't usually have people bringing in interpretive panels or kiosk for us to approve, right. So I think what they're trying (is) to get people on, (get) historic minded people on this so we can figure out how to do the panels, right, to design them. But if we don't want to be involved in the design process then that's, you know our prerogative, right.

Mr. Courson: Yes, I mean if you're going to define (it) as not board business, then...

Mr. Guerber: We could meet individually.

Ms. Wichman: As an individual person, but separate from – we wouldn't be signing this agreement, then.

Ms. Schneider: Right.

Mr. Hull: Well no, I think that's what the attorney is getting at is essentially it's fine to participate in the MOU (sic) in so far as you're participating in it as a body. And so, indeed if it is an interpretive aspect and that is part of the Section 106 process is they are required to come before the various bodies of each municipalities when they are doing Section 106 review, to get your input. They seem to be going above-and-beyond what a lot of other Section 106 consultations will entail. And what they're saying is, we'd like to make you a full party to reviewing our proposals, which is a good thing, but then procedurally it can be a bit nightmarish because as Nick is pointing out you're going to have to meet as a whole body to review all the proposals. And so if they have an interpretive set of proposals and designs and signs that they

have them and you folks want to participate in that, I think we can continue to arrange that. And essentially, it would be (that) they would have to submit it to you folks for your review at your next meeting. You would review those interpretive signs as to whether or not they are appropriate or they should be changed or altered in some way.

Ms. Wichman: This has already been, written out a couple times, the memorandum, is it still possible to recommend other bodies that might participate instead of us? Like for instance the Kaua'i Historical Society since they're not on here? I mean can we make a recommendation for that, I mean...

Mr. Hull: There's not anything that would prevent this body from formalizing a recommendation to be sent.

Mr. Courson: One section of it literally...

Ms. Wichman: Especially Section 106 I understand that they have to do this because they're destroying, you know, the existing bridge, as a condition. And I've been on other 106 process community groups...there was one in Wailua, they did. And yes you're right, it is very difficult for people in government. They always have to take everything and then come back later. It's always another meeting and it really, the community, you know wants to move on it. So it might be better, since we are a County agency to have something more like a non-profit on there, I would think. I don't know how...

Mr. Courson: So there's a section in this MOU (sic) that's been executed. Section IV Amendments, "any signatory, invited signatory, or concurring party...", which I believe is what this body is a concurring party, "to this MOA may request it be amended, whereupon the parties shall consult in accordance with 36 CFR Part 800 to consider such amendment.", so you can certainly throw it out there for consideration.

Ms. Wichman: Okay.

Mr. Ida: Do these guys have a contractor working on these interpretive signage?

Mr. Hironaka: Sorry. To answer your question that I don't know. I can inquire with Lisa to see if she can give us that information.

Mr. Ida: I don't know. My personal opinion, I don't think we should be involved in designing this stuff or wording the sign. Just do it and we'll look at it and fine.

Mr. Guerber: I totally agree.

Ms. Wichman: I agree as well. I do. I would like to recommend that we invite the Historical Society to consider this memorandum, as well.

Mr. Guerber: So, we've already pulled out of this, is that right?

Mr. Courson: No, you dissolved your Permitted Interaction Group. You're still a signatory to the MOA.

Mr. Guerber: So, help me form a motion. Help us form a motion here that we include the Kaua'i Historic Society and we don't participate in designing the kiosk and the interpretive stuff ourselves.

Mr. Courson: I think you could move to request the Department...let's see what exactly does this language say.

Mr. Hull: I think if the motion made to the effect that the KHPRC recommends that Central Federal Lands include the Kaua'i Historical Society as a party to the Memorandum of Understanding or Agreement. Memorandum of Agreement and that, and that's it right. You would keep it at that.

Mr. Guerber: That's enough, isn't it?

Mr. Courson: And you might, also to be clear with these folks, just also ask them to say, you know, that so that they're clear on this body's intention. There won't be any feedback but they would appreciate seeing the final results. Come back. There won't be any feedback throughout the process but that they send the final for review that this body would appreciate that. I don't know if they can require it.

Ms. Wichman: Have we done that before?

Mr. Hull: What is that?

Ms. Wichman: Review interpretive.

Mr. Hull: Not that I recall.

Mr. Ida: I think I recall.

Mr. Hull: You do?

Ms. Schneider: Yes, I think so.

Mr. Ida: This is like in the...

Ms. Schneider: 80's or 90's, yes.

Mr. Hull: Yes and I think it's definitely within the purview of this body though, right...

Chair Summers: And wasn't that just the physical construction of the interpretive sign it was the actual verbiage...

Mr. Hull: The content.

Ms. Wichman: Yes, the content, right.

Mr. Courson: Yes, so there's two separate concepts there which you know could. You might want to take two separate motions.

Mr. Hull: Yes.

Ms. Wichman: But we have a motion on the floor right now, right.

Ms. Schneider: Refer to the Historic Society.

Mr. Guerber: Yes to include the Kaua'i Historic Society as a member of the MOA or just as a creator of the (inaudible)

Ms. Wichman: Recommended.

Mr. Hironaka: Concurring party.

Mr. Hull: Concurring party. So I think if because I don't do the second either, so I think if you made a motion to the effect that the KHPRC recommends to Central Federal Lands that the Kaua'i Historic Society be a concurring party to the MOA.

Mr. Guerber: That's exactly it. So just put that down and that's what I move.

Mr. Hull: Okay.

Chair Summers: Is there a second.

Ms. Schneider: I second it.

Chair Summers: All in favor. (Unanimous voice vote) Any opposed. (Hearing none) Motion carried 6:0. Sorry, do I need to repeat everything or is that okay?

Mr. Hull: If there's a desire to make a second motion, (make it) be something to the effect that, the Kaua'i Historical Preservation Review Commission will no longer provide feedback in the process of creating the interpretive signs for the Hanapēpē bridge. However, it would like to convey to the Central Federal Lands that the final product be provided for your review and comment.

Chair Summers: Would it be the final or semi-final, wouldn't we want to comment before?

Ms. Wichman: A final draft or...

Chair Summers: Yes, a final draft.

Mr. Hironaka: The MOA requires the Federal Highway Administration to provide the concurring party's with the 50% and 90% complete the plan...

Chair Summers: That's perfect.

Mr. Hull: The first motion, the first action should suffice. Madame Chair I apologize for clerking this agenda, (because) I skipped over approval of the January 17 minutes, stating that we didn't have them, but of course the packet does have them. So, if we could return to that agenda item to possibly entertain an action to approve those minutes.

C. APPROVAL OF THE AGENDA

Ms. Schneider: I make a motion that we approve the January 17, 2018 (sic) minutes.

Ms. Wichman: Second.

Chair Summers: Any comments. (Hearing none) All in favor. (Unanimous voice vote) Any opposed. (Hearing none) Motion carried 6:0.

H. UNFINISHED BUSINESS

2. National Historic Preservation Act (NHPA) Section 106 Consultation for Hawai'i State Parks Water Bottle Filling Station Project. Project to install 19 water bottle filling stations within 15 Hawai'i State Parks on the islands of Hawai'i, Kaua'i, Maui and O'ahu from August 2018 to July 2021.

Mr. Hull: There was, a member of the public that wanted to address the Commission but...

Ms. Schneider: They got bored.

Mr. Hull: You might want to make the affirmative that you're recusing yourself.

Ms. Wichman: I am recusing myself, since I work for State Parks.

Ms. Wichman recused herself from the meeting at 3:54 p.m.

Ms. Schneider: Is there a presentation?

Mr. Hull: So the presentation, was given at the last meeting, but there was a lack of quorum for action. So you have the documents provided. I don't know...well I leave it to the body. Now you have quorum you can actually have discussion over this.

Ms. Schneider: I make a motion that we accept this application.

Mr. Guerber: And I second it.

Chair Summers: Any comments. (Hearing none) All in favor. (Unanimous voice vote) Any opposed. (Hearing none) Motion carried 6:0.

Mr. Hull: Motion passes, Madame Chair.

3. Hanakāpī'ai Bridge Project

State of Hawai'i, Division of State Parks

Proposal to construct an aluminum truss pedestrian bridge across Hanakāpī'ai Stream in Hanakāpī'ai Valley, Napali Coast State Wilderness Park.

Mr. Hull: This also was similar to the last application in that the applicant was here to present, there was not quorum, so while the presentation happened no further discussion could really occur on the agenda item. So it's presented also here for you folks with the documents, just as a light refresher. You know, much of the concern that was, brought up by the applicants themselves is that there are several archaeological sites in and around the area. The trail itself is a historical site and that the bridge, the newly proposed bridge could impact, the view plain of the area. So the packet proposal has a series of mitigation measures to accompany those and it is here for your discussion. What I also realized and forgive me, it has been a hectic month in our adjustment, is that I kind of put this under the same category of Section 106 proposals that I just kind of transmitted to this body ultimately for your cursor review to a certain extent. While other proposals that are going to actually be applying for Zoning Permits or permits from the County, we generally have put in practice of now doing a report for those projects. And we did not provide a report on this application, so I apologize for that. I am only realizing now that I kind of put it into a category that I shouldn't have. If you guys would like to take action today that is totally your prerogative, but also recognizing the new practice we have put in place, of doing reports for projects. If you'd like to defer this so that we can spin up a report for you guys to soundboard off of it, that is completely acceptable as well.

Ms. Schneider: No, they really need this bridge. They're always rescuing people, and people are always getting stuck there. I make a motion that we support the application.

Mr. Guerber: I second that. We don't need a report on this. This was very thorough. The report that we were given was very thorough. There's no sense in making Alex do any more work.

Chair Summers: Any comments. (Hearing none) All in favor. (Unanimous voice vote) Any opposed. (Hearing none) Motion carried 6:0.

Mr. Hull: Motion passes, Madame Chair.

J. COMMISSION EDUCATION COMMITTEE

K. KAUA'I HISTORIC RESOURCE INVENTORY UPDATE COMMITTEE

L. HISTORIC PRESERVATION PUBLICITY COMMITTEE

M. ANNOUNCEMENTS

N. SELECTION OF NEXT MEETING DATE AND AGENDA TOPICS (3/21/2019)

O. ADJOURNMENT

Ms. Wichman returned to the meeting at 3:58 p.m.

Mr. Hull: We have no further agenda item. The Department doesn't have any other announcements. Is there anything the Commissioners have concerning historic preservation that they'd like to announce?

Ms. Nakea: How are we doing with getting Commissioners?

Ms. Schneider: To take my spot.

Mr. Guerber: No, I don't want you to go.

Ms. Schneider: I've already done two terms, I can't.

Mr. Hull: Yes the holdover is until March, after that...it's been in the hands of Boards and Commissions we've hoped to be getting replacements but we are also understanding that you as volunteer Commissioner's that your holdover is just to the end of March. So we appreciate everything you have given and appreciate if you can do one more month with us, so that we can make quorum. And then...

Ms. Schneider: I am on until March.

Mr. Hull: But thank you so much for your commitment.

Chair Summers: Yes thank you.

Mr. Guerber: I've worked on Palmer Hafdahl and twisting an arm and maybe he's...

Ms. Schneider: How about Stephen Long? Has he been off a year?

Mr. Guerber: Stephen's now in California.

Ms. Nakea: I am trying to talk to a couple of people who have a lot of Hawaiian culture background...

Chair Summers: That would be great.

Ms. Nakea: We need that on this commission.

Mr. Hull: Yes, and I've had that conversation with Ellen Ching, who heads Boards and Commissions and I know she has some names on her radar as well. But I think quite honestly the more names, the more potential candidates, the merrier.

Mr. Guerber: Pat Griffin has not said absolutely, no.

Ms. Schneider: She would be terrific.

Mr. Guerber: She would come back.

Ms. Schneider: Particularly if you got the bridge thing.

Mr. Hull: But and to some of the Departments comments earlier in the session, is that I really truly appreciate the comments coming from the Chair, Commissioner Wichman and Ida today about the archeological, because to be honest we are looking for criticism in a good way of how we can beef up some of our analysis. Because we are still in a learning process. I know to a certain degree Commissioner Griffin would whip at us little bit more, which we're totally appreciative of because to a certain degree much of her urging (was) to have report writing done for the projects. (That's why) we do this. We recognize the value behind them but...

Chair Summers: I can't imagine not having it. Having only seen them with the reports and thank you for putting them together.

Ms. Schneider: Report, big help to have the report.

Mr. Guerber: Huge help, yes.

Mr. Hull: But and to my point as we continue progressing on and even with new commissioners, is not to hold back on us. If there are criticism, we welcome that because we feel it makes a much more not just robust but a better process. So thank you for the comments today and we'll be looking forward to them in the future.

Ms. Schneider: Yes, I think any place that's beachfront, that hasn't been excavated, you need to have the archaeology.

Chair Summers: Dismissed.

Chair Summers adjourned the meeting at 4:01 p.m.

Respectfully Submitted,

Sandra M. Muragin
Commission Support Clerk

- Approved as circulated.
- Approved with amendments. See minutes of meeting.

NOTES:

1. Staking Map is based on Preliminary Report provided by Title Guaranty of Hawaii, Inc. Order No. 201444932 dated October 15, 2014 and monuments located in the field as shown on Map.
2. Coordinates based on Government Survey Triangulation Station "KIKOO".
3. (Ex.) Easement "1" for Industrial Track crossing as described in Preliminary Report.
4. (Ex.) Easement "2" for Industrial Track crossing as described in Preliminary Report.
5. Easements as described in GRANT OF EASEMENTS dated June 26, 2001 recorded as Document No. 2001-097106 and assigned by instrument as of March 24, 2006 recorded as Document No. 2006-056603. These easements do not abut the land shown on this map, and are listed here for reference purposes only.

FIRST:

- A. Segment A Infrastructure Easement 1 (40 ft wide for irrigation purposes).
- B. Segment A Infrastructure Easement 1-A (for irrigation purposes).
- C. Segment A Infrastructure Easement 1-B (for irrigation purposes).
- D. Segment A Infrastructure Easement 1-C (for irrigation purposes).
- E. Segment A Infrastructure Easement 1-D (for irrigation purposes).
- F. Segment A Infrastructure Easement 2 (40 ft wide for irrigation purposes).
- G. Kanaha Reservoir Easement (for irrigation purposes).
- H. Kanaha Reservoir Access Easement A (15 ft wide for access purposes).
- I. Kanaha Reservoir Access Easement B (15 ft wide for access purposes).
- J. Kanaha Reservoir Access Easement C (15 ft wide for access purposes).
- K. Upper Spalding Sump Easement 1 (30 ft wide for irrigation purposes).
- L. Upper Spalding Sump Pipeline Easement (for irrigation purposes).
- M. Kealia Ditch Headgate Easement (for irrigation purposes).

SECOND:

Portion of Segment A Easement between the Kealia Ditch Headgate upstream to the Infrastructure Origination Point, at a width described as 30 feet on either side of the bank of Kealia Stream, as described in said Grant.

Point 351: Concrete Monument at Station 15+00

Offset 15.00 Feet Left of Centerline

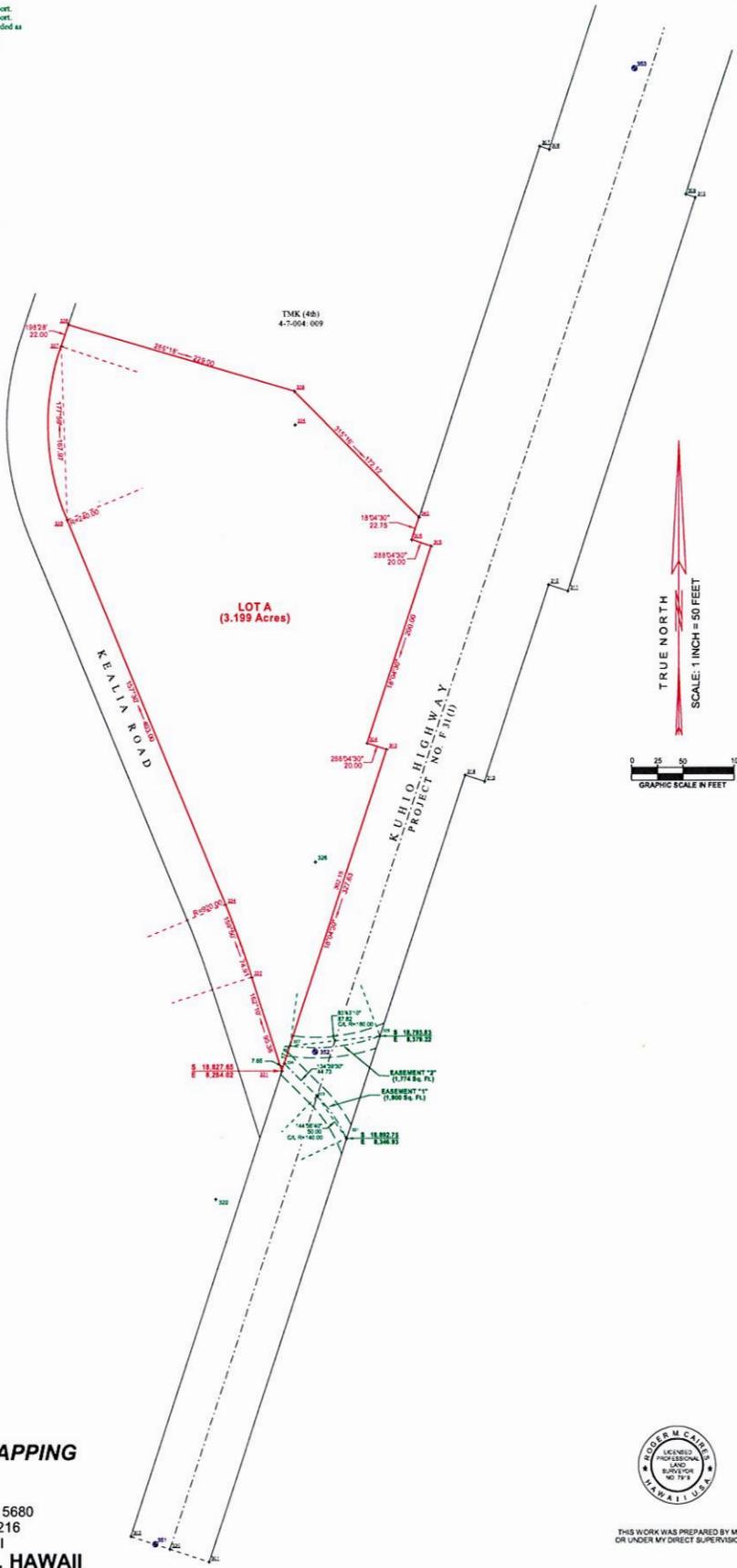
Point 352: Concrete Monument at Station 20+00

Offset 15.00 Feet Left of Centerline

Point 353: Concrete Monument at Station 30+00

Offset 15.00 Feet Left of Centerline

CLS HAWAII
Land Surveying & Mapping
270, Box 777
Kalaheo, Kauai, Hawaii 96741
808.636.3100 Fax 808.592.2475
surveyor@CLS-Hawaii.com



**CLS HAWAII
LAND SURVEYING AND MAPPING
STAKING MAP**

LOT A
PORTION OF ROYAL PATENT No. 5680
LAND COMMISSION AWARD 11216
APANA 6 TO M. KEKAUONOHI
KEALIA, KAWAIIHAU, KAUAI, HAWAII

TMK (4) 4-7-003: 006
Area = 3.199 Acres
Date: December 30, 2016

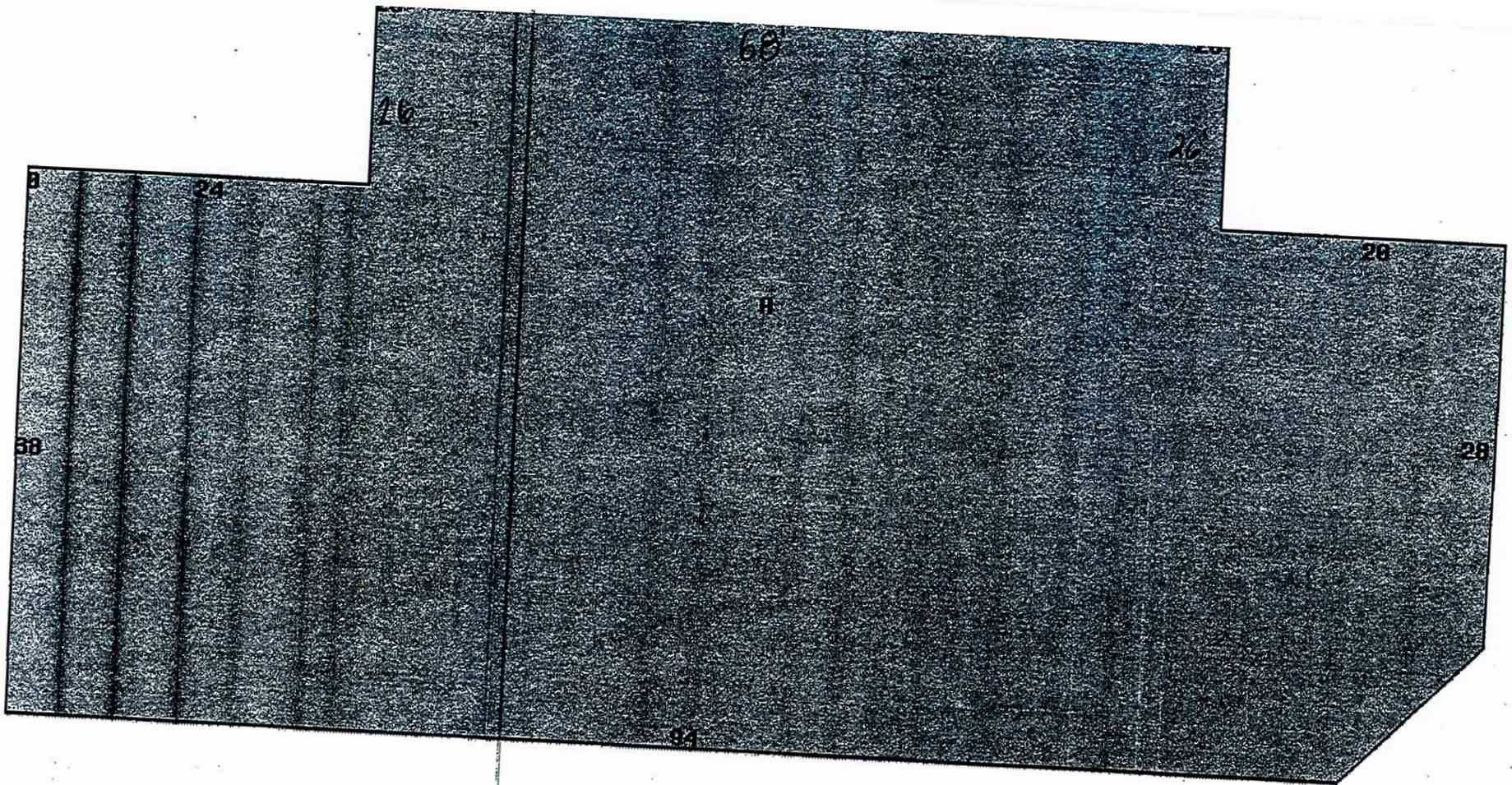


THIS WORK WAS PREPARED BY ME
OR UNDER MY DIRECT SUPERVISION

ROGER M. CARLES
Licensed Professional Land Surveyor
Certificate Number 7919
Expires 04/30/18

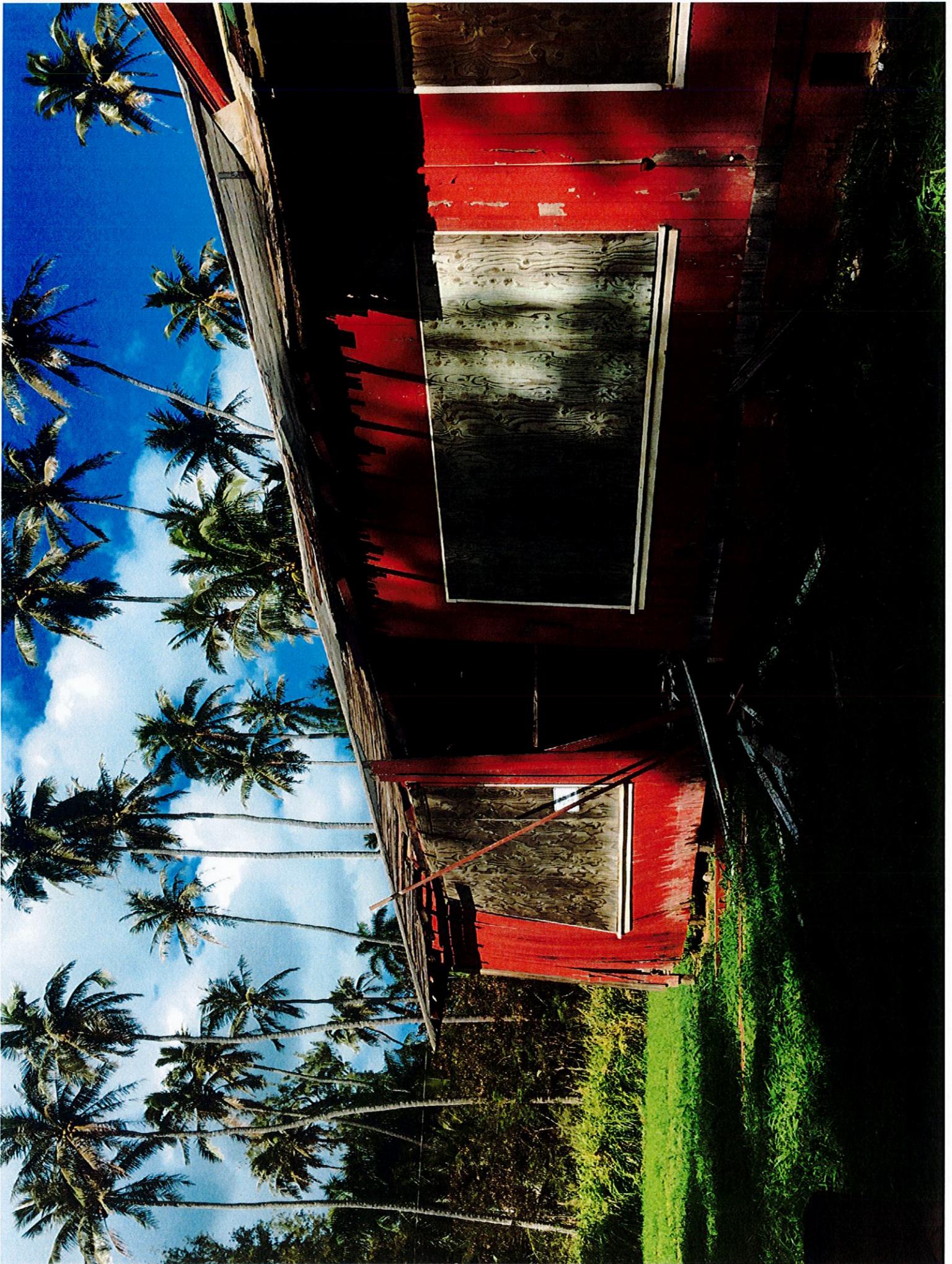
N44852K
22X34

I.I.
MAR 21 2019



Floor plan for former Kealia Schoolhouse



















**COUNTY OF KAUA'I
PLANNING DEPARTMENT**

DIRECTOR'S REPORT
Kaua'i County Historic Preservation Review Commission

I. SUMMARY

Action Required by KHPRC: Consideration of the subject parcel for the proposed demolition and removal of the existing historic structure.

II. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	Kealia		
Tax Map Key(s):	(4) 4-7-003:006	Area:	3.199 ac / 139,348 sqft
LAND USE DESIGNATIONS & VALUES			
Zoning:	Open		
State Land Use District:	Agricultural		
General Plan Designation:	Agricultural		
Owner(s):	Kealia Properties LLC		

III. PROJECT DESCRIPTION AND USE

BACKGROUND

The subject lot of record is located at Kealia Road in Kealia. The subject lot of record is approximately 3.199 acres in size, and it is located in Kealia Ahupuaa, Puna Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Open Zoning District, State Land Use Agricultural District, and General Plan Designation Agricultural.

The subject structure was originally constructed in 1919 as a plantation store. From 1977 to 1991, Island School utilized the subject structure and property as a campus for the independent private school. In 1991, Island School relocated to Puhi where it remains today.

In addition to the red-painted schoolhouse structure, the property also contains a second

I.I.A.
MAR 21 2019

structure that is now the United States Postal Service – Kealia Post Office. The post office building was previously used as the Kealia Store prior to being converted to a post office. The street address for the Kealia Post Office is 2340 Kealia Road, Kealia HI 96751, and the post office structure is adjacent to the existing schoolhouse structure to the southeast.

The Applicant is proposing the demolition and removal of the historic schoolhouse from the subject property.

EXISTING STRUCTURES & PERMIT HISTORY

The Spencer Mason Architects and MLS 1994 Reconnaissance Survey documented that both buildings were in fair condition at the time of the survey. Since Hurricane Iniki, it is apparent that the maintenance and upkeep of the schoolhouse building has been lacking, as the structure is now in a critical state of disrepair.

Below is a list of the recorded permit history for the parcel, Item 1 is the only permit recorded for the subject structure:

1. Permit No. Z-246-2012 – Deck repair.
Applicant: Lopez on November 3, 2011.
2. Permit No. Z-680-01 – Interior renovaton.
Applicant: Faith Lopez on May 9, 2002.
3. Permit No. Z-IV-95-20, U-1995-18, SP-1995-7 – Farm and Feed store.
Applicant: Tony Reis on February 9, 1995.
4. Permit No. Z-1293-87 – Temporary fireworks stand.
Applicant: John Hanson on June 19, 1987.
5. Permit No. Z-1081-85 – Portable and fence.
Applicant: Island School on May 31, 1985.
6. Permit No. Z-1047-85 – Second portable classroom.
Applicant: Island School on May 20, 1985.
7. Permit No. Z-562-82 – Office Addition.
Applicant: Island School on January 19, 1982.
8. Permit No. Z-42-81 – Classroom with bathroom.
Applicant: Island School on July 15, 1980.
9. Permit No. Z-IV-1981-22, U-1981-14, SP-1981-3 – Auto repair shop.
Applicant: Raymond Duarte on May 13, 1981.

10. Permit No. Z-935-80 – Storage shed.
Applicant: ?? on April 28, 1980.
11. Permit No. Z-258-80 – Interior renovation/Alteration.
Applicant: ?? on September 11, 1979.
12. Permit No. Z-927-79 – Interior wall addition and 2 windows.
Applicant: L. Kamm-Warren on March 21, 1979.
13. Permit No. Z-462-78 – Renovation and addition for kitchen.
Applicant: ?? on February 8, 1978.
14. Permit No. Z-IV-1977-4, U-1977-3, SP-1977-1 – Day
Applicant: Na Pua O Kauai on November 3, 1976.

IV. ADDITIONAL FINDINGS

None.

V. AGENCY COMMENTS

None. However, Applicant shall engage with State Historic Preservation Division (SHPD) per HRS 6E-42 with the proposed project.

VI. EVALUATION

In reviewing the proposed project site for historical significance, the following should be considered:

1. The U.S. Department of the Interior, National Park Service, Secretary of the Interior Standards and Guidelines, and the National Historic Preservation Act (NHPA) should be considered when evaluating a property's potential for designation as "historically significant". The U.S. Department of the Interior's four National Register of Historic Places (NRHP) Criteria for evaluation should also be considered to insure that the County of Kaua'i remains consistent with national standards.

Criteria A. That are associated with events that have made a significant contribution to the broad patterns of our history;

- Based on the information provided by Planning Department records, the existing structure is associated with the plantation style traditions and architecture on Kaua'i, an event that has made a significant contribution to the broad patterns of our history. However, it is apparent that the structure is currently in a condition of

disrepair, and the historic integrity has arguably been already lost. Therefore this historic property does not meet National Register Criteria A.

Criteria B. That are associated with the lives of significant persons in our past;

- Based on the information provided by Planning Department records, the existing structure is not associated with any significant persons in Kaua'i's past. Based on the available information, this historic property does not meet National Register Criteria B.

Criteria C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;

- Based on the information provided by Planning Department records, the existing building is associated with a specific type, period or method of distinctive Hawaiian plantation style construction. Therefore, this historic property may meet National Register Criteria C.

Criteria D. That have yielded or may be likely to yield, information important in history or prehistory.

- Based on the information gathered by the Planning Department, it is not likely that this structure, as it stands today, will yield information related to history or prehistory. Therefore, this historic property does not meet National Register Criteria D.

VII. CONCLUSION

Based on the information contained in the Report's Findings and Evaluation, and photographs provided by the Applicant, the Planning Department concludes that the current condition of the historic schoolhouse is beyond repair and that the proposed demolition and removal of the decaying structural materials **will not have an adverse impact** on the historic integrity of the existing property.

VIII. RECOMMENDATION

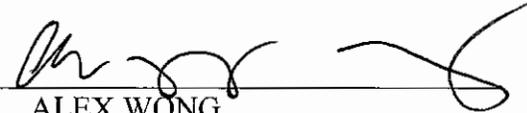
Based on the foregoing evaluation and conclusion, the Planning Department recommends that the Kaua'i Historic Preservation Review Commission SUPPORT the proposed demolition and removal of the historic schoolhouse on the subject parcel, provided that:

1. Applicant shall be cognizant of HRS 6E-42 Review process as it pertains to privately owned properties over 50 years old, with the exception of single family residences or town homes not listed on the Hawai'i or National Registers of Historic Places.

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

- a. Government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response.

By



ALEX WONG

Planner

Approved & Recommended to Commission:

By



KA'AINA S. HULL

Director of Planning

Date:

3/15/19

AGOR JEHN ARCHITECTS, LLC

County of Kaua'i,
Planning Department
Attn: Alex Wong, Planner

4444 Rice Street
Lihue, HI 96766

8 March 2019

HANAPEPE ALOHA THEATRE

3795 Hanapepe Road
Hanapepe, HI 96716
TMK: 1-9-004:013

To the KHPRC Commissioners,

This letter has been prepared by Agor Jehn Architects, under the Architecture License of Ron Agor, 5921, to announce our intention to provide architectural services for the Aloha Theatre in Hanapepe. The historic theatre was built in the 1936 in an Art Deco Style. Much of the original character and design of the main street facade persists today. Economic resurgence in Hanapepe has provided an opportunity to revitalize the theatre. The theatre has not been in operation since 1981 and damage from Hurricane Ewa and Iniki rendered it abandoned. As an assembly space for the community the theatre was a cornerstone of activity and can be once again.

Plans for the theatre are best described as a historical adaptation. Portions of the structure and design are salvageable, this includes the main façade, columns and roof trusses. The design shall stabilize and embrace these elements. The original signage, and signature salmon color shall be preserved while other elements such as the store fronts, and awning shall be reproduced and replaced. The redwood boards that clad the back 2/3 of the building shall be salvaged and reused or replaced. The Art Deco style will be embraced and revitalized.

Functionally the structure shall retain its theatre use, as well as, include retail and hospitality units arranged around a two-story open-air atrium. The theatre shall be an 60-80 seat space. The main street store fronts will once again serve the community. On the interior, in the atrium, there will be a water feature that will house canoe plants and many interior elements designed by local artisans. There will also be a restaurant and event venue within the structure.

I.2.

MAR 21 2019

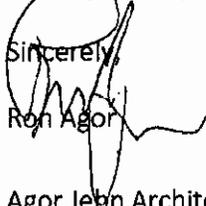
Sustainable design and principles shall be implemented in this project, the extent to be determined. However, at this time solar panels, sustainable materials, energy efficient systems, and water-use reduction principles shall be implemented.

The design concept hopes to simultaneously save the theatre's history, character, and use while providing an opportunity for local artisans, new jobs, and a community gathering space.

We are also proposing and additional stand alone six hospitality units.

We are requesting to present the project to the KHPRC on their next hearing date. Attached please find a site plan, floor plans, and elevations of the project. At the KHPRC hearing we will be presenting a power point presentation with renderings and photographs of the structure as it exists.

Thank you for your time and consideration, and we look forward to future.

Sincerely,

Ron Agor

Agor Jehn Architects

Kauai | 3728 Nawiliwili Rd, Lihue HI 96766

Oahu | 460 Ena Road Suite 303, Honolulu HI 96815

Contact | 808.947.2467



**Malcom Street Properties LLC
DBA Aloha Theatre
Lynn Danaher
PO Box 830
Hanapepe, HI 96716
4islandlynx@gmail.com
360-472-1050**

March 11, 2019

County of Kauai Planning Dept & Building Division
Historical Commission awong@kauai.gov
4444 Rice Street Lihue, HI 96766

RE: Aloha Theatre 3795 Hanapepe Road
 Hanapepe, HI, 96716 TMK: (4) 1-9-004:013

Dear Alex,

Please find this letter as an authorization for Ron Agor and Sara Jehn of Agor Jehn Architects, LLC to speak on my behalf, sign and file all County required applications for the renovation of the Aloha Theatre. The following is a summary of our plans;

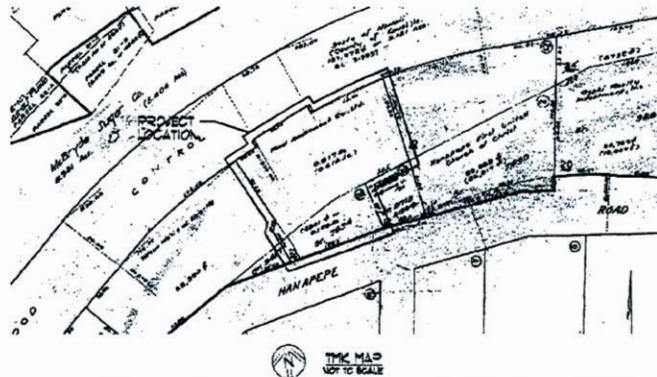
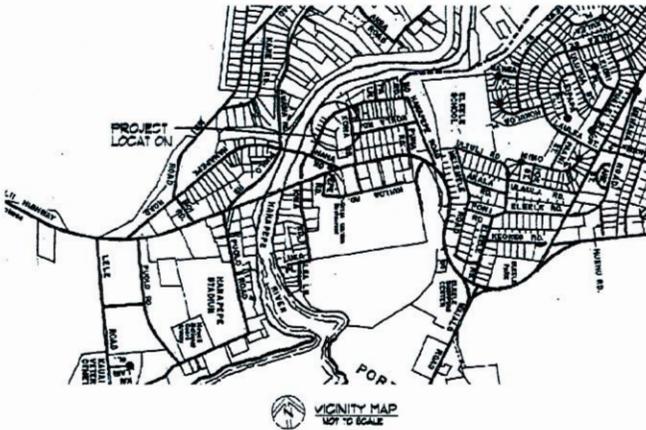
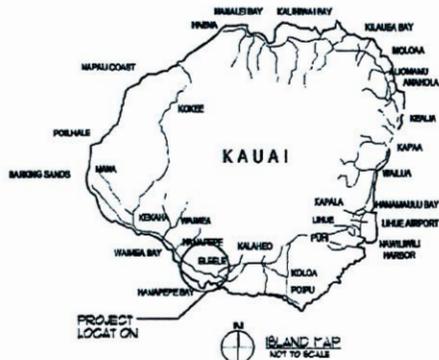
The historic Aloha Theatre was completed in the 1936 and represents a great deal of the history and charm of Hanapepe. Because of its unique Art Deco architectural style there is a strong desire by the community to see it restored. Restoration of this important structure will affect a resurgence of interest in Hanapepe, as the Aloha Theatre is the centerpiece of the town. This will lead to further revitalization of the downtown core, creating more economic opportunities for local residents of the west side. The Theatre portion ceased operation in 1981 as it was rendered inoperable from damages caused by hurricane Ewa in '82. Until hurricane Iniki in '92, the façade portion supported a barbershop, candy shop, and bar. Many local and long-time residents have felt that it is the cornerstone and essential to the town's re-development.

Much of the building is salvageable but a large portion is in extreme decay. Fortunately, the theater's concrete foundation is sound and will be utilized during the rebuild, and the steel super-structure is in good shape and many materials are salvageable. The front façade, marquee and sign will be restored true to its original Art Deco style, including painting it a coral pink similar to the color of our logo above. Our intention is to surgically dismantle the portions of the building that need to be repaired and stabilized. Each piece will be carefully stored on site for reuse during the reconstruction. The theatre is almost 8,000 SF, and used to hold 400+ seats. There is no market for a Theatre of that size any longer; therefore the overall plan is to build 2 stories within the footprint with a center open atrium. Provide commercial shop/gallery space, a smaller 60-80 seat theatre, an area for a restaurant overlooking the Hanapepe River, a museum dedicated to the history of Hanapepe and create a small Inn. All intended uses comply with all current zoning regs.

I have completed 8 previous restoration/conversion of historical structures. While maintaining original character, creating viable commercial endeavors. My concept is simple; save the historic structure by restoration and adapting it to contemporized needs by using sound environmental and economic principals. There will be solar installation on the new roof. An open-air atrium will run down the approx. 60% of the middle of the roofline. It will be planted with all 14 of the canoe plants with information as to their significance. The design will enhance natural airflow and eliminate the need for air conditioning. It is an exciting project. I look forward to working with all of you towards our common goal of preserving, restoring and creating economic viability of this significant historic building in Hanapepe.

Sincerely,

Lynn Danaher



ALOHA THEATRE

3795 HANAPEPE ROAD

TMK: (4) 1-9-004:013

ABBREVIATIONS:

AC	ASPHALT CONCRETE	KD	KILN DRIED
ARCH	ARCHITECTURAL	KT	KITCHEN
BD	BOARD	KO	KNOCK OUT
BD + BATT	BOARD AND BATTEN	LAV	LAVATORY
BOOM	BROOM	LN	LINE
BF	BOTTOM OF FOOTING	LF	LINEAL FEET
BS	BOTTOM GRADE	MET	METAL
BM	BENCHMARK	OC	ON CENTER
BLDG	BUILDING	PH	PAPER HOLDER
BLC	BLOCK	R	RADIUS
BOU	BOTTOM OF WALL	RF	ROOF
BRG	BRAKING	SG	SCALE
BTM	BOTH SIDES	SGRN	SCREEN
CLD	CELLS	SH	SH-ELF/SHELVES
CM	CONCRETE MASONRY UNIT	SHR	SHOWER
CONC	CONCRETE	S/P	SHELF POLE
CONT	CONTINUOUS	SS	STAINLESS STEEL
CJ	CONTROL JOINT	STL	STEEL
CTR	COUNTER	TB	TOWER BAR
CS	COLD WATER	TB	TOP OF BANK
DP	DEEP	TG	TOP GRADE
DBLE	DOUBLE	TF	TOP OF FOOTING
DM	DIMENSION	TOU	TOP OF WALL
DR	DOOR	LNDR	LINDER
DISP	DISPOSAL	VERT	VERTICAL
DW	DISHWASHER	V.O.A.	VENT TO OUTSIDE AIR
EA	EACH	WD	WASHER/DRYER
EB	EACH WAY	WASH	WASHER
EXT	EXTERIOR		
FF	FINISH FLOOR		
FN	FINISH		
FLR	FLOOR		
FG	FLOOR FINISH		
GLB	GLUED LAMINATED BEAM		
GB	GRAB BAR		
GYP	GYPSUM BOARD		
HDR	HEADER		
HDR	HARDWARE		
HGT	HEIGHT		
HORIZ	HORIZONTAL		
HV	HOT WATER		
INT	INTERIOR		
INSUL	INSULATION		
JNT	JOINT		
JST	JOIST		

DRAWING CONTENTS:

DCS-01	COVER SHEET
SP-01	SITE PLAN
A-01	NEW FLOOR PLANS
A-02	EXTERIOR ELEVATION

PROJECT NOTES:

LOT SIZE	52 Acres (22,571 SF)
LOT COVERAGE	33 Acres (14,600 SF)
COVERAGE BREAKDOWN:	
THEATRE	7,100 SF
RETAIL	1,700 SF
RESTAURANT	1,400 SF
KITCHEN	275 SF
MOTEL	150 SF
THEATRE	1075 SF
VENUE	870 SF
PARKING LOT	6,500 SF
MOTEL UNITS (10)	1,600 SF
ZONING	COMMERCIAL
FLOOD ZONE	ZONE X PROTECTED BY LEVEE

This document is prepared by the architect and is not to be used for any other purpose without the written consent of the architect.

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AGOR VEIN ARCHITECTS, LLC
ARCHITECTURE • PLANNING • ENGINEERING
1000 KANOA AVENUE, SUITE 100
KAPAA, HAWAII 96741
TEL: (808) 833-1111
WWW.AGORVEINARCHITECTS.COM

HANAPEPE THEATRE
3795 HANAPEPE RD
HANAPEPE, HI 96741
TMK: (4) 1-9-004:013

Design By:
Date:
Scale:
Sheet No. 001 of 001

HANAPEPE ROAD

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TMK: 1-9-004:016

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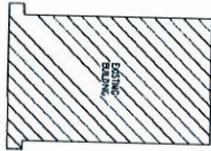
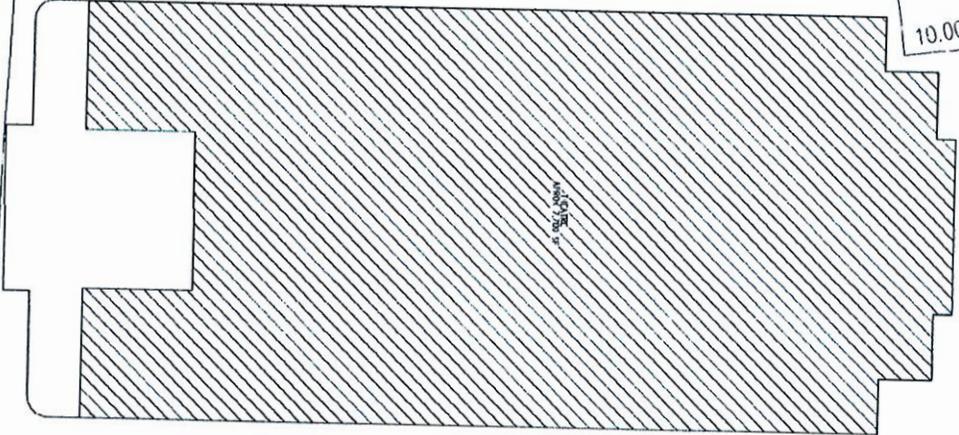
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55.10

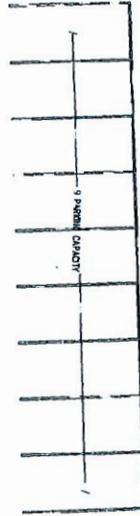
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TMK: 1-9-004:010

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10.00

83.80

SITE PLAN
SCALE: 1/8" = 1'-0"

DATE	NOV 15 2011
PROJECT	HANAPEPE THEATRE
CLIENT	AGOR JEBIN ARCHITECTS, LLC
DESIGNER	AGOR JEBIN ARCHITECTS, LLC
CHECKED	AGOR JEBIN ARCHITECTS, LLC
APPROVED	AGOR JEBIN ARCHITECTS, LLC
SCALE	1/8" = 1'-0"
SHEET NO.	1
TOTAL SHEETS	1

HANAPEPE THEATRE
3785 HANAPEPE RD
HANAPEPE HI 96716
TMK: (47-9-004:013)

AGOR JEBIN ARCHITECTS, LLC
ARCHITECTURE • PLANNING • ENGINEERING
4815 E. Street, Suite 202, Honolulu, HI 96815
1728 Kalia Road, Suite 101, Honolulu, HI 96815
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PH: 813 2491-0000 FAX: 813 2491-0000

Project No. _____
 Date _____
 Scale _____
 Drawing No. _____
 Revision _____

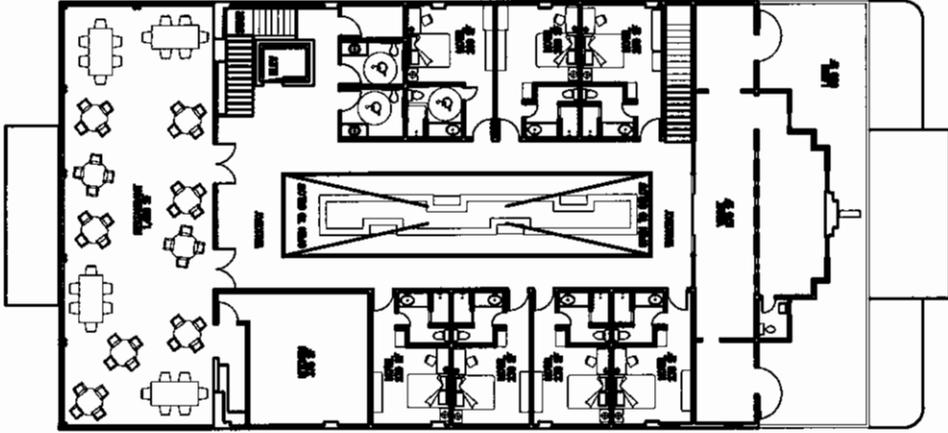
AGOR JEHN ARCHITECTS, LLC
 ARCHITECTURE • PLANNING • ENGINEERING
 400 THE ROCK BUILDING SUITE 200
 1775 HANCOCK STREET
 WASHINGTON DC 20004-4400
 TEL: (202) 775-1100 FAX: (202) 775-1101

3755 HANCOCK STREET
 WASHINGTON DC 20004-4400
 TEL: (202) 775-1100

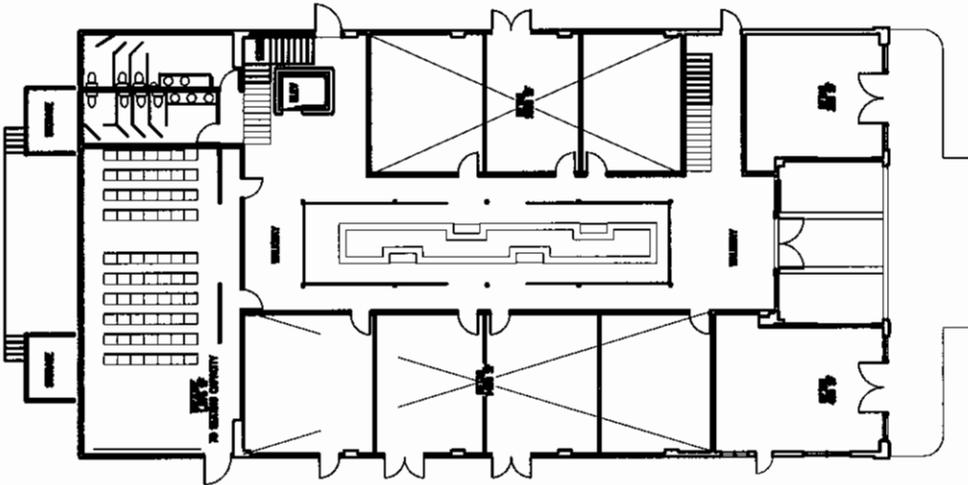
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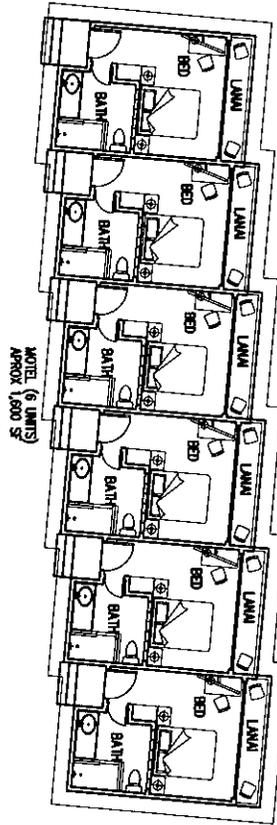
THEATRE SECOND FLOOR PLAN



THEATRE FIRST FLOOR PLAN



HOSPITALITY FLOOR PLAN



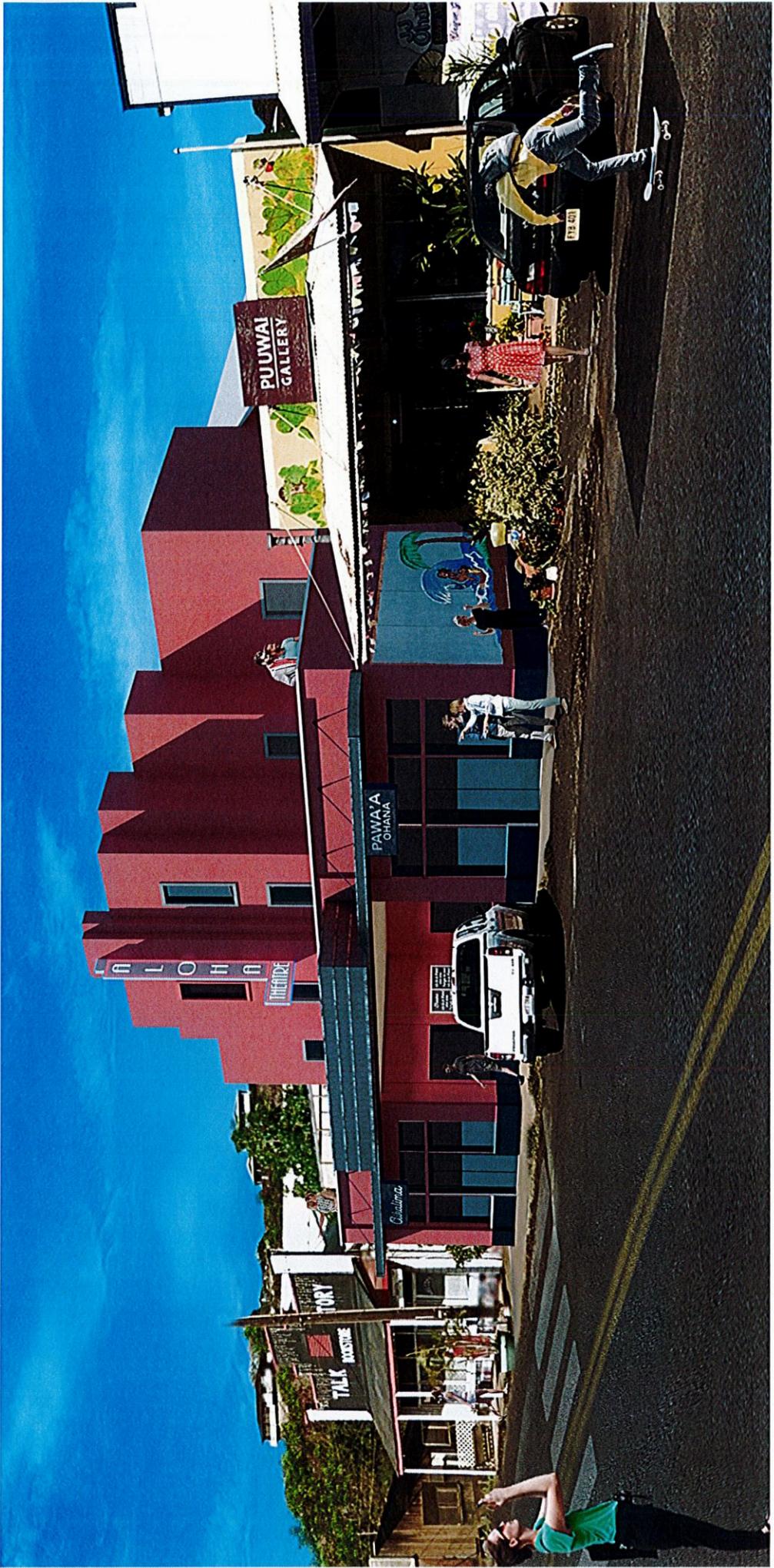
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Checked By	
Project No.	
Scale	
Date	

HANAPEE THEATRE
3765 HANAPEE RD
HANAPEE, MI 48710
TEL: (413) 684-9131

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DATE: 11/11/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]
 SHEET NO.: [Number]















**COUNTY OF KAUA'I
PLANNING DEPARTMENT**

DIRECTOR'S REPORT

Kaua'i County Historic Preservation Review Commission

I. SUMMARY

Action Required by KHPRC: Consideration of the subject parcel for the proposed renovations of the existing historic structure, including exterior and interior demolition and construction of a new motel structure with associated parking lot.

II. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	Hanapepe Town		
Tax Map Key(s):	(4) 1-9-004:013	Area:	0.517 ac / 22,521 sqft
LAND USE DESIGNATIONS & VALUES			
Zoning:	Commercial General		
State Land Use District:	Urban		
General Plan Designation:	Neighborhood Center		
Owner(s):	Wolf Von Falkenburg Trust c/o Malcom Street Properties LLC c/o Lynn Danaher		

III. PROJECT DESCRIPTION AND USE

BACKGROUND

The subject lot of record is located at 3795 Hanapepe Road in Hanapepe. The subject lot of record is approximately 22,521 square feet in size, and it is located in Hanapepe Ahupuaa, Kona Moku, Kaua'i Island, Hawai'i. It is located within the County of Kaua'i's Commercial General Zoning District, State Land Use Urban District, and General Plan Designation Neighborhood Center.

The Applicant is seeking a permit for select demolition and renovations to the existing theater building. The new renovation and restoration project for the historic theater will be

I. 2.a.
MAR 21 2019

within the same building footprint and will include a center open atrium, commercial shop/gallery space, a smaller 60-80 seat theater/screen, an area for a restaurant, and a museum. The Applicant is also proposing the demolition of the existing 600 sq ft dwelling unit (2 bedroom, 1 full bath) and the construction of a new 6-unit motel in its place. According to Real Property Assessment records, the dwelling unit was originally constructed in 1993.

EXISTING STRUCTURES & PERMIT HISTORY

Per the Spencer Mason Architects & KHS files (1994), Fred Fujioka was the architect of the original theater building, and Shigematsu Honjiyo was the contractor. The Aloha Theater and Sweet Shop opened on October 10, 1936. The Art Deco style movie theater was constructed with a stucco false front with horizontal siding on the rest of the building. The façade above the canopy is stepped in plane and elevation. Other Art Deco elements include the theater name sign and rounded canopy corners, symmetrical storefronts to either side of the recessed foyer, and central ticket booth counter. Originally, there were plate glass store windows, wood frame glass double doors, and Hopper transom windows. The other windows were large wood louvers. Behind the false front (façade) is an asphalt-shingled truncated-hip roof, with shed and gable roof forms on the rear and sides of the structure. The theater structure has concrete wall foundations.

Below is a list of the recorded permit history for the parcel, Item 1 is the only permit recorded for the subject structure:

1. Permit No. Z-III-1984-6, U-1984-16 – Bar with stage and dance floor.
Applicant: Shirley Barret on December 7, 1983.

IV. ADDITIONAL FINDINGS

None.

V. AGENCY COMMENTS

None. However, Applicant shall engage with State Historic Preservation Division (SHPD) per HRS 6E-42 with the proposed project.

VI. EVALUATION

In reviewing the proposed project site for historical significance, the following should be considered:

1. The U.S. Department of the Interior, National Park Service, Secretary of the Interior Standards and Guidelines, and the National Historic Preservation Act (NHPA) should be considered when evaluating a property's potential for designation as "historically

significant". The U.S. Department of the Interior's four National Register of Historic Places (NRHP) Criteria for evaluation should also be considered to insure that the County of Kaua'i remains consistent with national standards.

Criteria A. That are associated with events that have made a significant contribution to the broad patterns of our history;

- Based on the information provided by Planning Department records, the existing structure is associated with the post-WWII modernization and commercialization of local traditions on Kaua'i, an event that has made a significant contribution to the broad patterns of our history. Therefore this historic property does meet National Register Criteria A.

Criteria B. That are associated with the lives of significant persons in our past;

- Based on the information provided by Planning Department records, the existing structure is not associated with any significant persons in Kaua'i's past. Based on the available information, this historic property does not meet National Register Criteria B.

Criteria C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;

- Based on the information provided by Planning Department records, the existing building is associated with a specific type, period or method of distinctive style construction. Therefore, this historic property does meet National Register Criteria C.

Criteria D. That have yielded or may be likely to yield, information important in history or prehistory.

- Based on the information gathered by the Planning Department, it is not likely that this structure, as it stands today, will yield information important in history or prehistory. Therefore, this historic property does not meet National Register Criteria D.

VII. CONCLUSION

Although the Applicant is proposing demolition of selected features of the historic Aloha Theater for purposes of maintaining the structural integrity and safety of the building, the

Applicant and the architect have provided detailed plans that depict a faithful preservation and restoration of the theater's façade, style, and feeling.

Based on the information contained in the Report's Findings and Evaluation, the Planning Department concludes that the proposed demolition and renovation, and the demolition and construction of a new motel, **will not have an adverse impact** on the historic integrity of the existing property or historic Aloha Theater building.

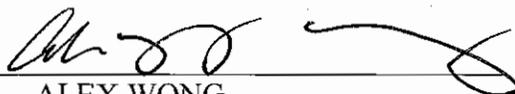
VIII. RECOMMENDATION

Based on the foregoing evaluation and conclusion, the Planning Department recommends that the Kaua'i Historic Preservation Review Commission SUPPORT the proposed demolition and renovation of the historic Aloha Theater, and demolition and construction of a new motel on the subject parcel, provided that:

1. Applicant shall ensure that the architectural form, style, and material used for the proposed renovation is consistent with the U.S. Secretary of Interior Standards & Guidelines, and does not detract from or significantly alter the historic integrity of the existing property.
2. Applicant shall be cognizant of HRS 6E-42 Review process as it pertains to privately owned properties over 50 years old, with the exception of single family residences or town homes not listed on the Hawai'i or National Registers of Historic Places.

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

- a. Government agency comments;
- b. Testimony from the general public and interested others; and
- c. The land owner's response.

By 
ALEX WONG
Planner

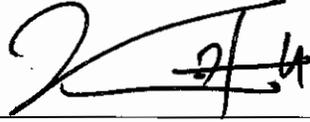
Approved & Recommended to Commission:

TMK: (4) 1-9-004:013

March 21, 2019

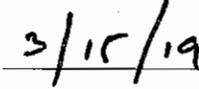
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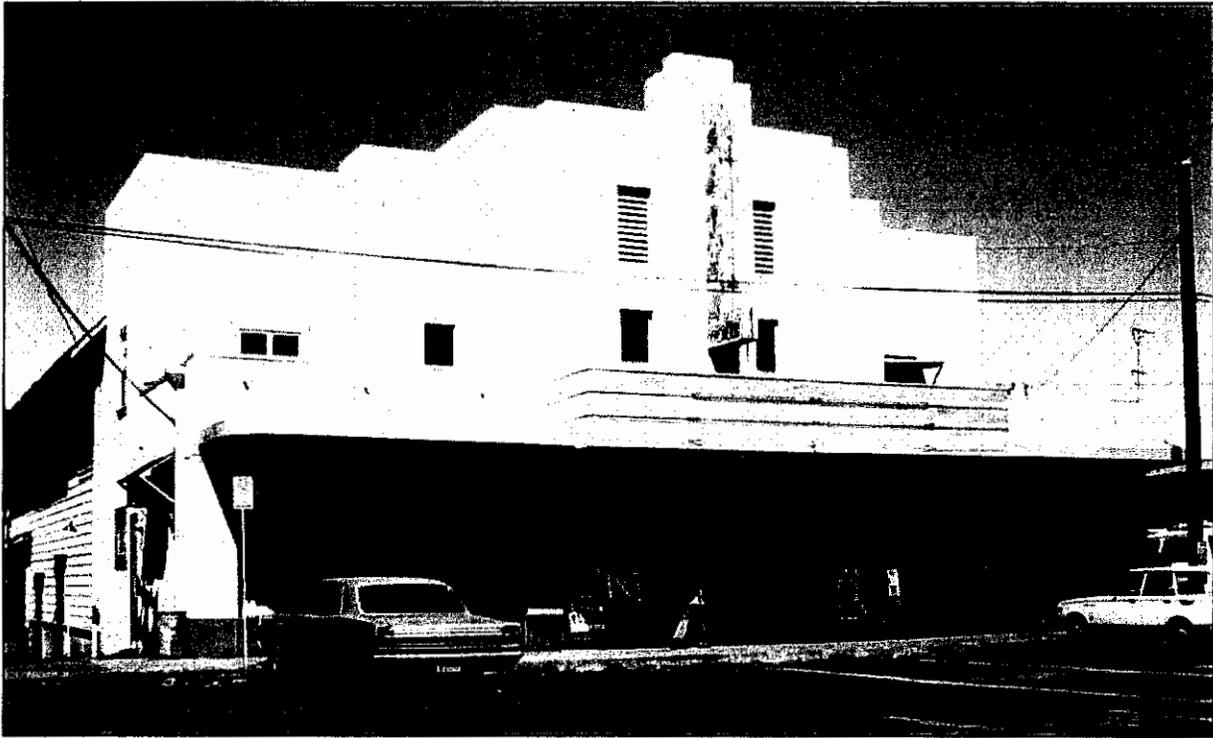
By

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KA'AINA S. HULL
Director of Planning

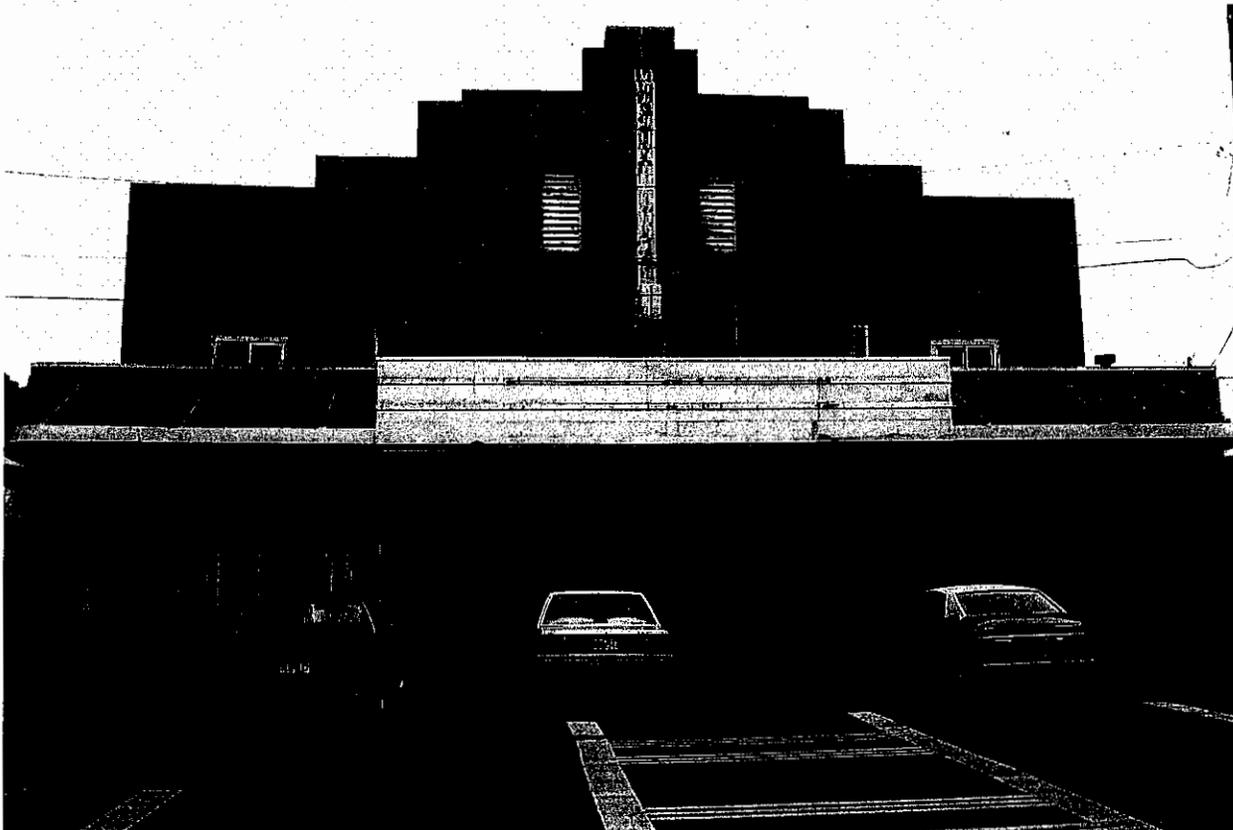
Date:

A handwritten date '3/15/19' written in black ink over a horizontal line.



The Aloha Theatre in the little town of Hanapepe, Kauai, opened in 1934. Seen here around 1970, it is one of many rural theatres that dotted the small communities on the Garden Island. Though it still stands today, it is closed. (Courtesy Historic Hawai'i Foundation.)

Taken from *Theatres of Hawaii* by Lowell Angell (2011)



Taken from the Spencer Mason Architects & KHS files (1994)