

KAUAI PLANNING COMMISSION  
REGULAR MEETING

Tuesday, May 22, 2018

9:00 a.m. or Soon Thereafter  
Līhu'e Civic Center, Moikeha Building  
Meeting Room 2A-2B  
4444 Rice Street, Lihue, Kauai, Hawai'i

RECEIVED

'18 MAY 16 P4:02

OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. ADDITION OF SUBDIVISION COMMITTEE MEMBER(S)
- D. APPROVAL OF AGENDA
- E. MINUTES of the meeting(s) of the Planning Commission
1. Regular Meeting of March 27, 2018
  2. Regular Meeting of April 10, 2018
  3. Regular Meeting of April 24, 2018
  4. Special Meeting of April 24, 2018
- F. RECEIPT OF ITEMS FOR THE RECORD
- G. HEARINGS AND PUBLIC COMMENT (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) 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.
1. Continued Agency Hearing
    - a. Class IV Zoning Permit Z-IV-2018-6, Use Permit U-2018-5 and Special Permit SP-2018-3 to allow improvements to the Kilauea Wells No. 1 and 2 facility that includes construction of a new generator shelter, and replacement of an existing pump and motor control center, on a parcel situated on the mauka side of Kuhio Highway in Kilauea, approx. 3,500 ft. southwest of the terminus of Kuawa Road, further identified as Tax Map Key: (4) 5-2-002:013, and containing a total area of 2.737 acres = *County of Kauai, Department of Water*. [Director's Report received 3/27/18, deferred 4/10/18.]

**G. HEARINGS AND PUBLIC COMMENT (Cont'd)**

**2. New Agency Hearing**

DC a. Special Management Area Use Permit SMA(U)-2018-7 to construct a single-family residence on a parcel situated on the mauka side of Aliomanu Road in Anahola, approx. 3/4-mile from its intersection with Kuhio Highway, further identified as 4721 Aliomanu Road, Tax Map Key: (4) 4-8-013:018, and containing a total land area of 18,745 square feet = *Gregory A. Strickland & Susan T. Strickland, Trustees*.

1. Director's Report pertaining to this matter.

JG b. Class IV Zoning Permit Z-IV-2018-8 and Use Permit U-2018-7 to allow establishment of a pre-school facility within the Hokulei Village in Lihue, situated on the makai side of the Nuhou Street/Kaumualii Highway intersection, further identified as 4454 Nuhou Street, Tax Map Key: (4) 3-3-003:046, and affecting a portion of a larger parcel containing approx. 22.818 acres = *Keiki Montessori of Hawaii*. [Director's Report received by Commission Clerk 5/14/18.]

1. Director's Report pertaining to this matter.

2. Supplemental No. 1 to Director's Report.

**3. Continued Public Hearing**

**4. New Public Hearing**

**5. All remaining public testimony pursuant to HRS 92 (Sunshine Law)**

**H. CONSENT CALENDAR**

**1. Status Reports**

**2. Director's Report(s) for Project(s) Scheduled for Agency Hearing.**

**I. EXECUTIVE SESSION**

1. Pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with County's legal counsel on questions, issues, status and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to the disaster occurrence of heavy rains and flooding throughout the island of Kauai and the Emergency Proclamations issued by Governor David Y. Ige on March 29, 2018 and April 15, 2018, and Mayor Bernard P. Carvalho, Jr., on April 14, 2018.

**J. GENERAL BUSINESS MATTERS**

ML 1. Withdrawal of Petition to Appeal Decision of the Planning Director Filed Herein on June 10, 2013 = *Victoria A. Leadley*.

**J. GENERAL BUSINESS MATTERS (Cont'd)**

KH

2. Request to Amend Special Permit SP-88-3, Use Permit U-88-23, and Class IV Zoning Permit Z-IV-88-28 to modify Condition No. 9 to allow additional time to construct buildings previously approved through the subject permits, on a parcel situated in Kilauea, further identified as Tax Map Key: (4) 5-2-013:012, and affecting a portion of a larger parcel approx. 46.587 acres in size = *Living Farms, LLC*.

- a. Director's Report pertaining to this matter.

**K. COMMUNICATION (For Action)**

**L. COMMITTEE REPORTS**

1. Subdivision Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

**M. UNFINISHED BUSINESS (For Action)**

**N. NEW BUSINESS**

1. For Action – See Agenda G for Project Descriptions

**O. ANNOUNCEMENTS**

1. Topics for Future Meetings
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawaii 96766 on **Tuesday, June 12, 2018**.

**P. 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 aide support, or an interpreter for a language other than English, please contact Lani Agoot at (808)241-4917 or [lagoot@kauai.gov](mailto:lagoot@kauai.gov) at least seven calendar days prior to the meeting.

KAUA'I PLANNING COMMISSION  
SUBDIVISION COMMITTEE MEETING

Līhu'e Civic Center, Mo'ikeha Building  
Meeting Room 2A-2B  
4444 Rice Street, Līhu'e, Hawaii 96766

**Tuesday, May 22, 2018, 8:30 A.M.**

**AGENDA**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. MINUTES of the meeting(s) of the Subdivision Committee**

1. Meeting of April 10, 2018
2. Meeting of April 24, 2018

**E. RECEIPT OF ITEMS FOR THE RECORD (None)**

**F. 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 may also be accepted when the agenda item is taken up by the Commission 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.

**G. GENERAL BUSINESS MATTERS (None)**

**H. UNFINISHED BUSINESS (None)**

**I. NEW BUSINESS (For Action)**

1. Tentative Subdivision Map Approval
  - a. Subdivision Application No. S-2018-12  
(**Association of Apartment Owners Kulana Condominium**)  
Proposed 2-lot Subdivision  
TMK: (4) 4-4-003:089  
Kawaihau, Kaua'i
    1. Subdivision Report pertaining to this matter.

**I. NEW BUSINESS (For Action) (Cont'd)**

1. Tentative Subdivision Map Approval (Cont'd)
  - b. Subdivision Application No. S-2018-13  
**(COUNTY OF KAUAI – Lima Ola Subdivision)**  
Proposed 53-lot Subdivision  
TMK: (4) 2-1-001: 054  
Eleele, Kaua'i
    1. Subdivision Report pertaining to this matter.
  - c. Subdivision Application No. S-2018-14  
**(Raymond Rapozo Jr & Dorina San Augustine)**  
Proposed 2-lot Subdivision  
TMK: (4) 4-7-005: 033  
Kawaihau, Kaua'i
    1. Subdivision Report pertaining to this matter.
2. Subdivision Extension Request
  - a. Subdivision Application No. S-2017-6  
**(Moloaa Valley One LLC)**  
Proposed 7-lot Subdivision  
TMK: (4) 4-9-011:013  
Moloaa, Kaua'i
    1. Subdivision Report pertaining to this matter.

**J. ADJOURNMENT**

**NOTE: If you need an ASL Interpreter, materials in an alternate format, or other auxiliary aide support, or an interpreter for a language other than English, please contact Lani Agoot at (808)241-4917 or [lagoot@kauai.gov](mailto:lagoot@kauai.gov) at least seven calendar days prior to the meeting.**

Pursuant to Section 8-27.8 (6) of the Kaua'i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

May 22, 2018

SHORELINE SETBACK DETERMINATIONS

| Application No. | Name of Applicant(s)                                  | Property I.D. (Tax Map Key) | Location | Reasons  |
|-----------------|---|-----------------------------|----------|--|
| SSD-2018-46     | Gregory A. Strickland and Sue T. Strickland, Trustees | 4-8-013:018                 | Aliomanu | New Single Family Residence (ADU)              |
| SSD-2018-47     | Timothy & Eliza Smith, Trust                          | 5-8-012:034                 | Wainiha  | New Single Family Residence                    |
| SSD-2018-48     | Peter Eacott  | 4-9-014:015                 | Moloaa   | Interior Renovation                            |
| SSD-2018-49     | Abraham Akutagawa                                     | 3-9-006:004                 | Wailua   | New Washer/Dryer Area                          |
| SSD-2018-50     | Moana Maluhia   | 1-3-005:040                 | Kekaha   | New Single Family Residence and ADU            |
| SSD-2018-51     | Roger & Sharyl Craig                                  | 4-7-007:005                 | Kealia   | New Single Family Residence and Pool Roger & S |