

KAUAI PLANNING COMMISSION
REGULAR MEETING

RECEIVED

Tuesday, January 8, 2019

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

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

AGENDA

SWEARING IN OF COMMISSIONERS

- A. **CALL TO ORDER BY CHAIR PRO TEM**
- B. **ROLL CALL**
- C. **SELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**
APPOINTMENT OF SUBDIVISION COMMITTEE CHAIRPERSON, VICE
CHAIRPERSON
- D. **APPROVAL OF AGENDA**
- E. **MINUTES of the meeting(s) of the Planning Commission**
 - 1. Meeting of November 26, 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-2019-4, Use Permit U-2019-2, and Special Permit SP-2019-3 to demolish and replace the existing water tank with a new 0.5 MG tank on a parcel situated on the makai side of Kuhio Highway in Moloaa, approx. 1,500 ft. north of the Koolau Road/Kuhio Highway intersection, further identified as Tax Map Key (4) 4-9-009:009, and affecting a portion of a larger parcel containing an area approx. 1.882 acres in size = *Moloaa Irrigation Cooperative (MIC)*. [Director's Report received 10/9/18, Deferred to 1/8/19 on 10/23/18.]

G. HEARINGS AND PUBLIC COMMENT (Cont'd)

1. Continued Agency Hearing

a. Class IV Zoning Permit Z-IV-2019-4, Use Permit U-2019-2, and Special Permit SP-2019-3 = *Moloaa Irrigation Cooperative (MIC) (Cont'd)*

1. Moloaa Farms LLC and Jeffrey S. Lindner's Petition to Intervene; Memorandum in Support of Petition to Intervene; Exhibits "1" through "7"; Certificate of Service (10/15/18). [Deferred to 1/8/19 on 10/23/18.]
2. Letter (12/20/18) from Timothy H. Irons, Esq., requesting deferral for 30 days as parties are still in discussion to resolve the Petition to Intervene in this matter.
3. Letter (12/19/18) from Galen T. Nakamura, Esq., requesting deferral for 30 days as parties are still in discussion to resolve the potential Intervenor's Petition to Intervene in this matter.

2. New Agency Hearing

a. Special Management Area Use Permit SMA(U)-2019-2 for a development involving the construction of two (2) single-family residences on a parcel located on the makai side of Kuhio Highway in Wainiha, at its intersection with Mikala Place, further identified as 5-7196 Kuhio Highway, Tax Map Key: 5-8-008:009, and containing a total area of 15,588 sq. ft. = *Lon Malapit*.

1. Director's Report pertaining to this matter.

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 for Project Scheduled for Agency Hearing on Tuesday, 1/22/19.

a. Class IV Zoning Permit Z-IV-2019-8, Use Permit U-2019-6 to construct a new gymnasium on the Kauai High School campus in Nawiliwili, and Variance Permit V-2019-2 to deviate from the height requirement within the Residential zoning district, situated approx. 1,800 ft. east of the Nawiliwili Road/Lala Road intersection, further identified as 3577 Lala Road, Tax Map Keys: 3-2-005:010, 011 and 3-3-003:007, 015, and containing a total area of 28.978 acres = *State of Hawaii, Department of Education*.

1. Director's Report pertaining to this matter.

H. CONSENT CALENDAR (Cont'd)

2. Director's Report for Project Scheduled for Agency Hearing on Tuesday, 1/22/19.

- b. Class IV Zoning Permit Z-IV-2019-9, Use Permit U-2019-7, and Special Permit SP-2019-4 to allow installation of a stealth telecommunication structure and associated equipment on a parcel located along Koloa Road in Omao, situated approx. 1,000 ft. east of its intersection with Manahema Place, further identified as Tax Map Key: 2-7-003:024, and affecting an area approx. 1,200 sq. ft. in size = *Verizon Wireless*.

1. Director's Report pertaining to this matter.

I. EXECUTIVE SESSION

J. GENERAL BUSINESS MATTERS

1. Request to Amend Condition No. 2 of the subject permits to allow co-location for multiple carriers through Class IV Zoning Permit Z-IV-2003-19 and Use Permit U-2003-18, Tax Map Key: 4-3-002:018, Wailua, Kauai = *Voicestream PCS II Corporation*.

- 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 F 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, Hawaii 96766 on **Tuesday, January 22, 2019**.

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)241-4910 or 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, January 8, 2019, 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 November 26, 2018
2. Meeting of December 11, 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 (For Action)

1. Tentative Subdivision Map Approval

- a. Subdivision Application No. S-2019-1
(Alexander & Vivian Youn Trust)
Proposed 8-lot Subdivision
TMK: (4) 4-2-003:023
Wailua, Kaua'i

1. Subdivision Report pertaining to this matter.

I. NEW BUSINESS (For Action)

1. Tentative Subdivision Map Approval

- a. Subdivision Application No. S-2019-6
(Krausz Kauai One LLC)
Proposed 2-lot Subdivision
TMK: (4) 4-3-008:002
Kapaa, Kaua'i

1. Subdivision Report pertaining to this matter.

- b. Subdivision Application No. S-2019-7
(Raymond Rapozo Jr. / Dorina San Augustine)
Proposed 2-lot Subdivision
TMK: (4) 4-7-005:033
Kealia, Kaua'i

1. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

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