



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

RECEIVED

HELEN COX, CHAIR
FRANCIS DEGRACIA, VICE CHAIR
GERALD AKO, MEMBER
DONNA APISA, MEMBER
MELVIN CHIBA, MEMBER
LORI OTSUKA, MEMBER

'22 MAY -3 P1:31

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

Pursuant to Hawai'i Revised Statutes Section 92-3.7, which codified Act 220, SLH 2021, the meetings of the County of Kaua'i Planning Commission will be conducted as follows:

- **The meeting location that will be open to the public with audiovisual connection is:**
 - Līhu'e Civic Center, Moikeha Building
 - Meeting Room 2A-2B
 - 4444 Rice Street, Līhu'e, Kaua'i, Hawai'i
- In addition to attendance in-person, the public may also attend the meeting by phone using the "join by phone" telephone number provided on the agenda.
- The public may also attend the meeting through Zoom using link provided on the agenda.
- Also, the meeting will be live streamed and available as an archived meeting after completion at www.kauai.gov/Webcast-Meetings. Please note that the livestream broadcast does not allow interaction between the viewer and Planning Commission. Also, video production services or enhancements of the recorded video will not be available.
- **Written testimony** may be submitted on any agenda item and submitted to planningdepartment@kauai.gov or mailed to the Kauai County Planning Department 4444 Rice Street., Ste A473, Lihue, Hawaii 96766. Written testimony received by the Planning Department at least **24 hours prior** to the meeting will be distributed to all Planning Commissioners prior to the meeting. Any testimony received after this time and up to the start of the meeting will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.
- **Oral testimony** will be taken during the public comment portions of the meeting **in-person at the public meeting location, by using the 'join by phone' number, or via Zoom link as an additional accommodation** listed on the agenda.
 - All testifier audio and video will be disabled until it is your turn to testify.
 - Per the Planning Commission's and Chairs practice, there is three-minute time limit per testifier, per agenda item.
 - If there are temporary technical glitches during your turn to testify, we may have to move on to the next person due to time constraints; we appreciate your understanding.
- If the remote telephone connection is lost and cannot be restored within 30 minutes during the meetings, the Planning Commission will continue all matters and reconvene at the next scheduled Planning Commission Meeting.

PLANNING COMMISSION TELECONFERENCE MEETING NOTICE AND AGENDA

**Tuesday, May 10, 2022
9:00 a.m. or shortly thereafter**

To Join by Phone:

US: +1 253 215 8782 or +1 346 248 7799 or +1 720 707 2699 or
+1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 898 7197 1718

Participant ID: #

To Join by ZOOM Link:

<https://us06web.zoom.us/j/89871971718>

Webcast Link: <https://www.kauai.gov/Webcast-Meetings>

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Planning Commission

E. RECEIPT OF ITEMS FOR THE RECORD

- F. HEARINGS AND PUBLIC COMMENT.** The Planning Commission will accept written testimony for any agenda item herein. Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted in writing to planningdepartment@kauai.gov or mailed to the County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Written testimony received by the Planning Department before 9:00 a.m. on Monday, May 9, 2022, will be distributed to all Planning Commissioners prior to the meeting. Written testimony received after 9:00 a.m. on Monday, May 9, 2022, will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.

Oral testimony will be taken during the public hearing portion of the meeting in-person at the public meeting location, via Zoom link, or using the "join by phone" number listed on the agenda. After oral testimony has been taken, members of the public may continue watching the meeting via the live stream link found at www.kauai.gov/webcastmeetings.

1. Continued Agency Hearing

- a. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-3)** to accommodate streambank stabilization repair work involving a parcel along the Hanalei River, along the makai side of Kuhio Highway in Hanalei Town, further identified as 5-5016 Kuhio Highway, Tax Map Key: 5-5-010:067, containing a total area of 2.32 acres = **HANALEI TRADERS, INC.** [Director's report received and hearing deferred 4/12/2022].

1. Director's Report pertaining to this matter (see agenda packet).

2. New Agency Hearing

- a. CLASS IV ZONING PERMIT (Z-IV-2022-8), USE PERMIT (U-2022-8) and SPECIAL PERMIT (SP-2022-1) to operate a construction material manufacturing facility on a parcel situated immediately adjacent to the Old Kōloa Sugar Mill site in Kōloa, along the eastern side of Ala Kinoiki, approximately 3,300 feet west of the Weliweli Road/Ala Kinoiki intersection, further identified as Tax Map Key: 2-9-001:001, and affecting a 3-acre portion of a larger parcel = **HPM BUILDING SUPPLY** [Director's report received 4/28/2022].

1. Director's Report pertaining to this matter (see agenda packet).

- b. CLASS IV ZONING PERMIT (Z-IV-2022-9) and USE PERMIT (U-2022-9) to allow construction of a new single-family dwelling unit on a parcel situated at the southern terminus of Leleiona Street in Puhi, situated approximately 800 feet south of its intersection with Puhi Road and further identified as 1811 Leleiona Street, Tax Map Key: (4) 3-3-011:003, containing a total area of approximately 3.401 acres = **HAWKTREE LAND, INC.** [Director's report received 4/28/2022].

1. Director's Report pertaining to this matter (see agenda packet).

- c. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-6, CLASS IV ZONING PERMIT (Z-IV-2022-10), USE PERMIT (U-2022-10), and VARIANCE PERMIT (V-2022-2) to allow installation of a stealth telecommunication structure and associated equipment on a parcel situated on the makai side of Aleka Loop in Wailua, approximately 400 feet east of the Kūhiō Highway/Aleka Loop intersection, further identified as 650 Aleka Loop, Tax Map Key: (4) 4-3-007:028 and containing a total area of 10.377 acres = **CELLCO PARTNERSHIP (DBA. VERIZON WIRELESS)**. [Director's report received 4/28/2022].

1. Director's Report pertaining to this matter (see agenda packet).

3. Continued Public Hearing

- a. None for this Meeting

4. New Public Hearing

- a. None for this Meeting.

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

G. CONSENT CALENDAR

1. Status Reports

- a. Annual status report for Special Management Area Use Permit (SMA(U)-2006-5), Class IV Zoning Permit (Z-IV-2006-10), Use Permit (U-2006-75, Tax Map Key TMK: 4-3-007:027 = **Coconut Plantation Beach Investors, LLC**.

1. Director's Report pertaining to this matter (see agenda packet).

2. Director's Report for Project Scheduled for Agency Hearing

- a. None for this Meeting.

H. GENERAL BUSINESS MATTERS

1. Request to amend Condition No. 10 of Class IV Zoning Permit Z-IV-2011-12, Use Permit U-2011-12, and Special Permit SP-2011-7 relating to commercial botanical garden tour operations, involving a parcel situated approximately 900 feet west of the Ahonui Place Kapa Ka Street intersection in Princeville, further identified as Tax Map Key: (4) 5-3-008:012, affecting an 8 acre portion of 25.303 acres = **Joseph Abbott & Jan Marie Jouflas (formerly William E. Roverson Trust/Lucinda G. McDonald Trust)**.

- a. Director's Report pertaining to this matter (see agenda packet).

2. Request to amend Condition No. 5 of Class IV Zoning Permit Z-IV-1979-30, Use Permit U-1979-21, and Special Management Area Use Permit SMA(U)-1979-14 relating to sales activity involving The Cliffs at Princeville vacation resort, further identified at 3811 Edward Road, Tax Map Key: (4) 5-4-005:039, Princeville = **THE CLIFFS AT PRINCEVILLE**.

- a. Director's Report pertaining to this matter (see agenda packet).

I. COMMUNICATION

1. None for this Meeting.

J. COMMITTEE REPORTS

1. Subdivision Committee

- a. Consideration and Action on all Subdivision matters listed on the Subdivision Committee Agenda.

K. UNFINISHED BUSINESS (For Action)

1. None for this Meeting.

L. NEW BUSINESS (For Action)

1. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-3) to accommodate streambank stabilization repair work involving a parcel along the Hanalei River, along the makai side of Kuhio Highway in Hanalei Town, further identified as 5-5016 Kuhio Highway, Tax Map Key: 5-5-010:067, containing a total area of 2.32 acres = **HANALEI TRADERS, INC.** [Director's report received and hearing deferred 4/12/2022].

- a. Director's Report pertaining to this matter (see agenda packet).

2. CLASS IV ZONING PERMIT (Z-IV-2022-8), USE PERMIT (U-2022-8) and SPECIAL PERMIT (SP-2022-1) to operate a construction material manufacturing facility on a parcel situated immediately adjacent to the Old Kōloa Sugar Mill site in Kōloa, along the eastern side of Ala Kinoiki, approximately 3,300 feet west of the Weliweli Road/Ala Kinoiki intersection, further identified as Tax Map Key: 2-9-001:001, and affecting a 3-acre portion of a larger parcel = **HPM BUILDING SUPPLY** [Director's report received 4/28/2022].
 - a. Director's Report pertaining to this matter (see agenda packet).
3. CLASS IV ZONING PERMIT (Z-IV-2022-9) and USE PERMIT (U-2022-9) to allow construction of a new single-family dwelling unit on a parcel situated at the southern terminus of Leleiona Street in Puhi, situated approximately 800 feet south of its intersection with Puhi Road and further identified as 1811 Leleiona Street, Tax Map Key: (4) 3-3-011:003, containing a total area of approximately 3.401 acres = **HAWKTREE LAND, INC.** [Director's report received 4/28/2022].
 - a. Director's Report pertaining to this matter (see agenda packet).
4. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-6, CLASS IV ZONING PERMIT (Z-IV-2022-10), USE PERMIT (U-2022-10), and VARIANCE PERMIT (V-2022-2) to allow installation of a stealth telecommunication structure and associated equipment on a parcel situated on the makai side of Aleka Loop in Wailua, approximately 400 feet east of the Kūhiō Highway/Aleka Loop intersection, further identified as 650 Aleka Loop, Tax Map Key: (4) 4-3-007:028 and containing a total area of 10.377 acres = **CELLCO PARTNERSHIP (DBA. VERIZON WIRELESS)**. [Director's report received 4/28/2022].
 - a. Director's Report pertaining to this matter (see agenda packet).

M. EXECUTIVE SESSION

Pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the 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 following matters:

1. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-3) to accommodate streambank stabilization repair work involving a parcel along the Hanalei River, along the makai side of Kuhio Highway in Hanalei Town, further identified as 5-5016 Kuhio Highway, Tax Map Key: 5-5-010:067, containing a total area of 2.32 acres = **HANALEI TRADERS, INC.** [[Director's report received and hearing deferred 4/12/2022].
2. CLASS IV ZONING PERMIT (Z-IV-2022-8), USE PERMIT (U-2022-8) and SPECIAL PERMIT (SP-2022-1) to operate a construction material manufacturing facility on a parcel situated immediately adjacent to the Old Kōloa Sugar Mill site in Kōloa, along the eastern side of Ala Kinoiki, approximately 3,300 feet west of the Weliweli Road/Ala Kinoiki intersection, further identified as Tax Map Key: 2-9-001:001, and affecting a 3-acre portion of a larger parcel = **HPM BUILDING SUPPLY** [Director's report received 4/28/2022].

3. CLASS IV ZONING PERMIT (Z-IV-2022-9) and USE PERMIT (U-2022-9) to allow construction of a new single-family dwelling unit on a parcel situated at the southern terminus of Leleiona Street in Puhi, situated approximately 800 feet south of its intersection with Puhi Road and further identified as 1811 Leleiona Street, Tax Map Key: (4) 3-3-011:003, containing a total area of approximately 3.401 acres = **HAWKTREE LAND, INC.** [Director's report received 4/28/2022].
4. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2022-6, CLASS IV ZONING PERMIT (Z-IV-2022-10), USE PERMIT (U-2022-10), and VARIANCE PERMIT (V-2022-2) to allow installation of a stealth telecommunication structure and associated equipment on a parcel situated on the makai side of Aleka Loop in Wailua, approximately 400 feet east of the Kūhiō Highway/Aleka Loop intersection, further identified as 650 Aleka Loop, Tax Map Key: (4) 4-3-007:028 and containing a total area of 10.377 acres = **CELLCO PARTNERSHIP (DBA. VERIZON WIRELESS).** [Director's report received 4/28/2022].
5. Annual status report for Special Management Area Use Permit (SMA(U)-2006-5), Class IV Zoning Permit (Z-IV-2006-10), Use Permit (U-2006-75, Tax Map Key TMK: 4-3-007:027 = **Coconut Plantation Beach Investors, LLC.**
6. Request to amend Condition No. 10 of Class IV Zoning Permit Z-IV-2011-12, Use Permit U-2011-12, and Special Permit SP-2011-7 relating to commercial botanical garden tour operations, involving a parcel situated approximately 900 feet west of the Ahonui Place Kapa Ka Street intersection in Princeville, further identified as Tax Map Key: (4) 5-3-008:012, affecting an 8 acre portion of 25.303 acres = **Joseph Abbott & Jan Marie Jouflas (formerly William E. Roverson Trust/Lucinda G. McDonald Trust).**
7. Request to amend Condition No. 5 of Class IV Zoning Permit Z-IV-1979-30, Use Permit U-1979-21, and Special Management Area Use Permit SMA(U)-1979-14 relating to sales activity involving The Cliffs at Princeville vacation resort, further identified at 3811 Edward Road, Tax Map Key: (4) 5-4-005:039, Princeville = **THE CLIFFS AT PRINCEVILLE.**
8. **Preliminary Subdivision Map Approval Pursuant to Kaua'i County Code Chapter 9, Article 3.**
 - a. Subdivision Application No. S-2022-9
(Tower Kaua'i Lagoons Sub 1, LLC.)
Hōkūala Resort Subdivision 1
Proposed 10-lot consolidation
TMK: (4) 3-5-004: 100 - 109
Kalapakī, Līhu'e, Kaua'i
 - b. Subdivision Application No. S-2022-10
(2014 Tower Kaua'i Lagoons Golf, LLC., Tower Kaua'i Lagoons Land, LLC., and Tower Kaua'i Lagoons Sub 7, LLC.)
Hōkūala Resort Subdivision 1A
Proposed 2-lot consolidation and resubdivision into 3-lots
TMK: (4) 3-5-001: 027 & 168
Kalapakī, Līhu'e, Kaua'i

- c. Subdivision Application No. S-2022-11
(Kaua'i Habitat for Humanity, Inc.)
Proposed 6-lot consolidation
TMK: (4) 4-3-009: 051 & 071
Waipouli, Kawaihau, Kaua'i

N. 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, on May 24, 2022. The Planning Commission anticipates this meeting to be held in-person at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Hawaii 96766. The Commission also anticipates providing telephone and a virtual platform capability for members of the public to testify remotely. The Commission will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

O. ADJOURNMENT

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF BOARDS & COMMISSIONS AT (808) 241-4917 OR ASEGRETI@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

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 10, 2022

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2022-39	Quentin and Beth Gillette	2-6-022:012	Kōloa	New Single family dwelling, pool, and spa/ Proposed development on 50 foot high cliff bluff, rocky shoreline-required setback is 100 feet. Development proposed setback is 331 feet.
SSD-2022-40	Brad and Elizabeth Burns	4-5-002:002 Unit #2	Kapa'a	New single family dwelling/ Required setback 100 feet, Dwelling proposed setback 250 feet.
SSD-2022-41	3 Palms, LLC	5-5-002:107	Hanalei	Uncovered deck addition/ Accreting shoreline, development 400 feet away from approximate shoreline.
SSD-2022-42	3 Palms, LLC	5-5-002:107	Hanalei	Garage renovations/ Accreting shoreline, development 335 feet away from the approximate shoreline.
SSD-2022-43	Kapa'a Shores	4-3-009:004	Kapa'a	Roof repair to existing condominium-Bldg. A/ Non substantial improvements/ repairs