



## PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

HELEN COX, CHAIR  
FRANCIS DEGRACIA, VICE CHAIR  
GERALD AKO, MEMBER  
DONNA APISA, MEMBER  
JERRY ORNELLAS, MEMBER  
LORI OTSUKA, MEMBER

RECEIVED

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 through Zoom using link provided on the agenda.
  - If the Zoom connection or audio/visual connection is lost at the public location identified in the Commission's public notice and cannot be restored within 30 minutes during the meetings, the Planning Commission will postpone all matters and reconvene at the next scheduled Planning Commission Meeting.
- Also, the meeting will be available as an archived meeting after completion at [www.kauai.gov/Webcast-Meetings](http://www.kauai.gov/Webcast-Meetings).
- **Written testimony** indicating your 1) name or pseudonym, 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 on any agenda item in writing to [planningdepartment@kauai.gov](mailto: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 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 on specific agenda items, **in-person at the public meeting location or via Zoom link as an additional accommodation.**
  - 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 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](mailto: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.**

**PLANNING COMMISSION MEETING NOTICE AND AGENDA**

**Tuesday, October 11, 2022  
9:00 a.m. or shortly thereafter  
Līhu'e Civic Center, Moikeha Building  
Meeting Room 2A-2B  
4444 Rice Street, Līhu'e, Kaua'i, Hawai'i**

**To Join by ZOOM Link: <https://us06web.zoom.us/j/82249415003>**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

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

1. April 12, 2022
2. July 12, 2022
3. July 26, 2022

**E. RECEIPT OF ITEMS FOR THE RECORD**

**F. HEARINGS AND PUBLIC COMMENT**

**1. Continued Agency Hearing**

- a. None for this Meeting.

**2. New Agency Hearing**

- a. SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2023-1), CLASS IV ZONING PERMIT (Z-IV-2023-1), and USE PERMIT (U-2023-1) to allow an after-the-fact hostel/hotel operation involving a parcel in Kapa'a Town situated approximately 100 feet south of the Kapa'a Neighborhood Center, further identified as 4-1552 Kuhio Highway, Tax Map Key: (4) 4-5-012:013, containing a total area of approximately 7,500 square feet = **BRIAN O'BRIEN (DBA. CASA LAGOA AZUL LLC)**.
- b. CLASS IV ZONING PERMIT (Z-IV-2023-2) and USE PERMIT (U-2023-2) to allow construction of a new aircraft maintenance hangar, storage shed, and associated improvements on a parcel located along the makai side of Ahukini Road in Līhu'e, situated approximately ½-mile north of the Līhu'e Airport terminal, further identified as Tax Map Key: 3-5-001:008, and affecting a portion of a larger parcel containing 720.974 acres = **ISLAND HELICOPTERS KAUAI, INC.**

**3. Continued Public Hearing**

- a. None for this Meeting.

**2. New Public Hearing**

- a. None for this Meeting.

## **G. CONSENT CALENDAR**

### **1. Status Reports**

- a. 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. Commission consideration of Petition for Declaratory Order Regarding Special [sic] Area Use Permit SMA (U)-2015-6; Project Development Use Permit U-2015-7; Variance Permit V-2015-1; Class IV Zoning Permit ZA-IV-2015-8 for **Coco Palms Hui, LLC**

## **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)-2023-1), CLASS IV ZONING PERMIT (Z-IV-2023-1), and USE PERMIT (U-2023-1) to allow an after-the-fact hostel/hotel operation involving a parcel in Kapa'a Town situated approximately 100 feet south of the Kapa'a Neighborhood Center, further identified as 4-1552 Kuhio Highway, Tax Map Key: (4) 4-5-012:013, containing a total area of approximately 7,500 square feet = **BRIAN O'BRIEN (DBA. CASA LAGOA AZUL LLC)**. [Director's Report Received by Commission Clerk 9/26/2022].
  - a. Director's Report pertaining to this matter (see agenda packet).
2. CLASS IV ZONING PERMIT (Z-IV-2023-2) and USE PERMIT (U-2023-2) to allow construction of a new aircraft maintenance hangar, storage shed, and associated improvements on a parcel located along the makai side of Ahukini Road in Lihu'e, situated approximately ½-mile north of the Lihu'e Airport terminal, further identified as Tax Map Key: 3-5-001:008, and affecting a portion of a larger parcel containing 720.974 acres = **ISLAND HELICOPTERS KAUA'I, INC.** [Director's Report Received by Commission Clerk 9/26/2022].
  - 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)-2023-1), CLASS IV ZONING PERMIT (Z-IV-2023-1), and USE PERMIT (U-2023-1) to allow an after-the-fact hostel/hotel operation involving a parcel in Kapa'a Town situated approximately 100 feet south of the Kapa'a Neighborhood Center, further identified as 4-1552 Kuhio Highway, Tax Map Key: (4) 4-5-012:013, containing a total area of approximately 7,500 square feet = **BRIAN O'BRIEN (DBA. CASA LAGOA AZUL LLC)**.
2. CLASS IV ZONING PERMIT (Z-IV-2023-2) and USE PERMIT (U-2023-2) to allow construction of a new aircraft maintenance hangar, storage shed, and associated improvements on a parcel located along the makai side of Ahukini Road in Lihu'e, situated approximately ½-mile north of the Lihu'e Airport terminal, further identified as Tax Map Key: 3-5-001:008, and affecting a portion of a larger parcel containing 720.974 acres = **ISLAND HELICOPTERS KAUA'I, INC.**
3. Commission consideration of Petition for Declaratory Order Regarding Special [sic] Area Use Permit SMA (U)-2015-6; Project Development Use Permit U-2015-7; Variance Permit V-2015-1; Class IV Zoning Permit ZA-IV-2015-8 for **Coco Palms Hui, LLC**
4. Preliminary Subdivision Map Approval
  - a. Subdivision Application No. S-2023-1  
**(BBCP Kukui'ula Development, LLC.)**  
Kukui'ula Parcel A2F2F3 Subdivision  
Proposed 31-lot Subdivision  
TMK: (4) 2-6-022:020  
Lāwa'i, Kōloa, Kona, Kaua'i
5. Final Subdivision Map Approval
  - a. Subdivision Application No. S-2002-25  
**(AOAO of Kūlana, Cy Miyashiro, June & Kris Van Dahm)**  
Hauiki Road Subdivision  
Proposed 3-lot Subdivision  
TMK: (4) 4-3-003:027  
Kapa'a & Waipouli, Kawaihau, Kaua'i
  - b. Subdivision Application No. S-2018-12  
**(AOAO of Kūlana)**  
Kūlana Water Tank Subdivision  
Proposed 2-lot Subdivision  
TMK: (4) 4-4-003:089  
Waipouli, Kawaihau, Kaua'i

6. Recertification of Final Subdivision Map

- a. Subdivision Application No. S-99-49  
**(AOAO of Kūlana)**  
Kūlana Subdivision  
23-lot Subdivision  
TMK: (4) 4-3-011:001  
Kapa'a & 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 October 25, 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 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**

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.

October 11, 2022

SHORELINE SETBACK DETERMINATIONS

| <b>Application No.</b> | <b>Name of Applicant(s)</b>                              | <b>Property I.D. (Tax Map Key)</b> | <b>Location</b> | <b>Development/Reasons</b>   |
|------------------------|--|------------------------------------|-----------------|--|
| SSD-2023-5             | Monica C. Evslin Trust                                   | 1-3-005:053                        | Kekaha          | New single-family dwelling, Guest house, Garage, Above ground pool, and related site utilities/ Shoreline certified, structures setback at 207 feet.     |
| SSD-2023-6             | SOF-XI Kaua'i PV Hotel L.P. Delaware limited partnership | 5-4-011:004                        | Princeville     | Improvements associated with Class IV Zoning Permit Z-IV-14, Use Permit U-89-4 and SMA(U)-89-4/ Certified Shoreline File no. KA-467 August 11, 2022      |
| SSD-2023-7             | Andrew Torres  | 3-5-002:027                        | Lihue           | Repair of damaged balcony/ 60 foot required setback/ Deck repair located 67 feet from rocky shoreline on elevated cliff.                                 |
| SSD-2023-8             | Rudolph and Dora Tanzi                                   | 5-4-011:011 Unit 53                | Princeville     | Interior renovations/ Required setback 100 feet/ setback 210 feet on high elevated cliff.  |
| SSD-2023-9             | Cellco Partnership d.b.a. Verizon wireless               | 4-3-007:028                        | Kapa'a          | Cell antenna with stealth screen wall/ Stable shoreline with a required setback of 100 feet/ proposed development approximately 388 feet from shoreline. |
| SSD-2023-10            | Douglas and Kim Blackburn                                | 5-5001:010                         | Hanalei         | Chicken coop (288 s.f.)/ Accreting shoreline with a 100-foot required setback/ Proposed set back 340 feet from evidenced shoreline.                      |

|             |                         |             |         |   |
|-------------|-------------------------|-------------|---------|---|
| SSD-2023-11 | Russell and Cori Hayman | 2-6-022:010 | Koloa   | Swimming Pool, hot tub, gas fire pit, and pool equipment slab/ Rocky shore required 100-foot setback, development proposed approximately 400 feet from evidenced shoreline. |
| SSD-2023-12 | Craig Devereaux         | 5-5-003:017 | Hanalei | Kitchen renovation/ Shoreline experiences accretion required 1.5 tenths of a foot per annum required setback of 60 feet, development at 500 feet                            |

## DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR  
MICHAEL A. DAHLIG, MANAGING DIRECTOR

### SPECIAL MANAGEMENT AREA (SMA) Minor Determinations

| Date (Action)        | SMA Minor Permit Number | Location (TMK)        | Activity/Structure   |
|----------------------|-------------------------|-----------------------|--|
| Approved (9.26.2022) | SMA(M)-2023-6           | Hanalei (5-5-002:107) | Construction of an outdoor shower addition, storage area addition, drainage improvements, and related site utilities |
| Approved (9.28.2022) | SMA(M)-2023-7           | Anahola (4-3-002:018) | Construction of new emergency generator enclosure  |