



## PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

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

'23 JUL -5 P 4 :23

- The Planning Commission Meeting will be at:

**KAUAI COUNTY COUNCIL CHAMBERS**  
**HISTORIC COUNTY BUILDING**  
**4396 RICE STREET, SUITE 201**  
**LĪHU'Ē, KAUA'I, HAWAI'I 96766**

- Oral testimony will be taken on specific agenda items, at the public meeting location indicated on the meeting agenda.
- **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, Lihu'e, Hawai'i 96766. Written testimony received by the Planning Department at least **24 hours prior** to the meeting will be posted as testimony to the Planning Commission's website prior to the meeting (<https://www.kauai.gov/Government/Boards-and-Commissions/Planning-Commission>). Any testimony received after this time will be retained as part of the record, but we cannot assure the Commission will receive it with sufficient time for review prior to the meeting.

**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 [ADAVIS@KAUAI.GOV](mailto:ADAVIS@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, July 11, 2023**  
**9:00 a.m. or shortly thereafter**  
**KAUAI COUNTY COUNCIL CHAMBERS, HISTORIC COUNTY BUILDING**  
**4396 RICE STREET, SUITE 201, LĪHU‘E, KAUA‘I, HAWAI‘I 96766**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

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

1. April 11, 2023.

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

1. None for this Meeting.

**F. HEARINGS AND PUBLIC COMMENT**

1. **Continued Agency Hearing**

- a. CLASS IV ZONING PERMIT (Z-IV-2023-9) and USE PERMIT (U-2023-6) to allow installation of security fencing, wastewater and associated site improvements at the base yard facility in Lihue, situated along the western side of Wehe Road and immediately adjacent to the County Department of Water, further identified as 4398 Pua Loke Street, Tax Map Key: (4) 3-8-005:002 and containing a total area of 7.319 acres = **State of Hawai‘i, Department of Land & Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW)**. [Director’s Report Received 3/28/2023; deferred 4/11/2023].

1. Director’s Report Pertaining to this Matter.

2. **New Agency Hearing**

- a. AMENDMENT TO CLASS IV ZONING PERMIT (Z-IV-2006-27), USE PERMIT (U-2006-26), and PROJECT DEVELOPMENT USE PERMIT PDU-2006-25 to allow a modification to Condition No. 26 relating to drainage requirement for a development situated on the western side of Kiahuna Plantation Drive in Po‘ipū, situated at the Pau A Laka Street/Kiahuna Plantation Drive intersection and further identified as 5425 Pau A Laka Street, Tax Map Key: 2-8-014:032, and containing a total area of 27.886 acres = **MERIDIAN PACIFIC (formerly Kiahuna Poipu Golf Resort, LLC.)**

1. Director’s Report Pertaining to this Matter.

2. In the Matter of Applications for (1) Preliminary subdivision extension request for application no. S-2021-7, 5425 Pa‘u A Laka, LLC for proposed 2-lot

consolidation and resubdivision into 4-lots; and (2) Amendment to Class IV Zoning Permit (Z-IV-2006-27), Use Permit (U-2006-26), and Project Development Use Permit (PDU-2006-25) for modification to Condition No. 26 relating to drainage requirements for a development situation at the Pau A Laka Street/Kiahuna Plantation Drive, 5425 Pau A Laka Street, Tax Map Key: 2-8-014: 032, and containing a total area 27.886 acres, **Petitioners Friends of Mahaulepu and Save Kōloa’s Petition to Intervene and, Alternatively for Denial of Applications.**

3. In the Matter of Application of MP Elko II, LLC, for an Amendment to Class IV Zoning Permit (Z-IV-2006-27), Use Permit (U-2006-26), and Project Development Use Permit (PDU-2006-25) to allow a modification to Condition No. 26 relating to drainage requirement for a development situated on the western side of Kiahuna Plantation Drive in Po’ipū, situated at the Pau A Laka Street/Kiahuna Plantation Drive intersection and further identified as 5425 Pau A Laka Street, Tax Map Key: 2-8-014: 032, and containing a total area of 27.886 acres, **Pacific Resource Partnership’s Petition to Intervene.**

3. **Continued Public Hearing**

- a. None for this Meeting.

4. **New Public Hearing**

- a. None for this Meeting.

**G. CONSENT CALENDAR**

1. **Status Reports**

- a. None for this Meeting.

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

- a. None for this Meeting.

**H. GENERAL BUSINESS MATTERS**

1. In the Matter of the Petition to revoke: (1) Land Use Commission District Boundary Amendment under Decision and Order A76-418, as amended August 5, 1997; and (2) Class IV Zoning Permit (Z-IV-2006-27), Use Permit (U-2006-26), and Project Development Use Permit (PDU-2006-25) for a development situated at the Pau A Laka Street/Kiahuna Plantation Drive, 5425 Pau A Laka Street, Tax Map Key: 2-8-014: 032, and containing a total area of 27.886 acres, **Petitioners Friends of Mahaulepu and save Kōloa’s Petition for to Intervene and, Alternatively for Denial of Applications.**

**I. COMMUNICATION**

1. None for this Meeting.

**J. COMMITTEE REPORTS**

1. Subdivision Committee

a. Preliminary Subdivision Extension Request

1. Subdivision Application No. S-2021-7

5425 Pa'u A Laka, LLC.

Proposed 2-lot Consolidation and Resubdivision into 4-lots

TMK: (4) 2-8-014: 032

Kōloa, Kaua'i

- a. In the Matter of Applications for (1) Preliminary subdivision extension request for application no. S-2021-7, 5425 Pa'u A Laka, LLC for proposed 2-lot consolidation and resubdivision into 4-lots; and (2) Amendment to Class IV Zoning Permit (Z-IV-2006-27), Use Permit (U-2006-26), and Project Development Use Permit (PDU-2006-25) for modification to Condition No. 26 relating to drainage requirements for a development situation at the Pau A Laka Street/Kiahuna Plantation Drive, 5425 Pau A Laka Street, Tax Map Key: 2-8-014: 032, and containing a total area 27.886 acres, **Petitioners Friends of Mahaulepu and Save Kōloa's Petition to Intervene and, Alternatively for Denial of Applications.**

2. Subdivision Application No. S-2022-6

Kukui'ula Development Company, LLC./

MP Kaua'i HH Development Fund, LLC.

Kukui'ula Parcel HH Subdivision

Proposed 3-lot Consolidation and Resubdivision into 51-lots

TMK: (4) 2-6-019: 026, 029, 031

Kōloa, Kaua'i

b. Final Subdivision Map Approval

1. Subdivision Application No. S-2023-4

**BBCP Kukui'ula Development, LLC.**

Kukui'ula Parcel J1-A Subdivision

Proposed 18-lot Subdivision

TMK: (4) 2-6-023: 040

Kōloa (Makai), Kōloa, Kaua'i

K. UNFINISHED BUSINESS (For Action)

1. None for this meeting.

L. NEW BUSINESS (For Action)

1. CLASS IV ZONING PERMIT (Z-IV-2023-9) and USE PERMIT (U-2023-6) to allow installation of security fencing, wastewater and associated site improvements at the base yard facility in Lihue, situated along the western side of Wehe Road and immediately adjacent to the County Department of Water, further identified as 4398 Pua Loke Street, Tax Map Key: (4) 3-8-005:002 and containing a total area of 7.319 acres = **State of Hawai'i, Department of Land & Natural**

**Resources (DLNR), Division of Forestry and Wildlife (DOFAW).** [Director’s Report Received 3/28/2023; deferred 4/11/2023].

2. AMENDMENT TO CLASS IV ZONING PERMIT (Z-IV-2006-27), USE PERMIT (U-2006-26), and PROJECT DEVELOPMENT USE PERMIT PDU-2006-25 to allow a modification to Condition No. 26 relating to drainage requirement for a development situated on the western side of Kiahuna Plantation Drive in Po’ipū, situated at the Pau A Laka Street/Kiahuna Plantation Drive intersection and further identified as 5425 Pau A Laka Street, Tax Map Key: 2-8-014:032, and containing a total area of 27.886 acres = **MERIDIAN PACIFIC (formerly Kiahuna Poipu Golf Resort, LLC.)**
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#### **M. EXECUTIVE SESSION**

1. CLASS IV ZONING PERMIT (Z-IV-2023-9) and USE PERMIT (U-2023-6) to allow installation of security fencing, wastewater and associated site improvements at the base yard facility in Lihue, situated along the western side of Wehe Road and immediately adjacent to the County Department of Water, further identified as 4398 Pua Loke Street, Tax Map Key: (4) 3-8-005:002 and containing a total area of 7.319 acres = **State of Hawai’i, Department of Land & Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW).** [Director’s Report Received 3/28/2023; deferred 4/11/2023].
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situation at the Pau A Laka Street/Kiahuna Plantation Drive, 5425 Pau A Laka Street, Tax Map Key: 2-8-014: 032, and containing a total area 27.886 acres, **Petitioners Friends of Mahaulepu and Save Kōloa’s Petition to Intervene and, Alternatively for Denial of Applications.**

- b. In the Matter of Application of MP Elko II, LLC, for an Amendment to Class IV Zoning Permit (Z-IV-2006-27), Use Permit (U-2006-26), and Project Development Use Permit (PDU-2006-25) to allow a modification to Condition No. 26 relating to drainage requirement for a development situated on the western side of Kiahuna Plantation Drive in Po’ipū, situated at the Pau A Laka Street/Kiahuna Plantation Drive intersection and further identified as 5425 Pau A Laka Street, Tax Map Key: 2-8-014: 032, and containing a total area of 27.886 acres, **Pacific Resource Partnership’s Petition to Intervene.**
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5425 Pa’u A Laka, LLC.  
Proposed 2-lot Consolidation and Resubdivision into 4-lots  
TMK: (4) 2-8-014: 032  
Kōloa, Kaua’i
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TMK: (4) 2-6-019: 026, 029, 031  
Kōloa, Kaua’i
5. Subdivision Application No. S-2023-4  
**BBCP Kukui’ula Development, LLC.**  
Kukui’ula Parcel J1-A Subdivision  
Proposed 18-lot Subdivision  
TMK: (4) 2-6-023: 040  
Kōloa (Makai), Kōloa, Kaua’i

**N. ANNOUNCEMENTS**

1. Topics for Future Meetings.

The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter, on August 8, 2023. The Planning Commission anticipates this meeting to be held in-person at the Līhu'e Civic Center, Office of Boards and Commissions, 4444 Rice Street, Suite 300, Līhu'e, Kaua'i, Hawai'i. The Commission will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

**L. ADJOURNMENT**

**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 (06.29.2023)	SMA(M)-2023-20	Waimea (1-6-006:001)	To comply with levee requirements as outlined by the U.S. Army Corp of Engineers/ Designated tree removal.



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.

July 11, 2023

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-2023-55	Gerald Sarmiento, Bowers & Kubota LTD.	(4) 4-3-009:023	Kapa'a	Tenant Improvement/ Required setback 95 feet, Development approximately 480 plus feet from evidenced shoreline.
SSD-2023-56	Ian K. Costa	(4) 5-8-012:034	Hanalei	New addition to existing dwelling. / Shoreline Certified, required setback 81 feet, addition setback outside of shoreline setback area.