



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

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

25 AUG -6 P12:29

- The Planning Commission Meeting will be at:

**Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Kaua'i, Hawai'i**

- 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 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 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 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, August 12, 2025

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

RECEIVED

25 AUG -6 P12:29

THE HONOLULU CITY
COUNCIL FOR KAUAI

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES OF THE MEETING(S) OF THE PLANNING COMMISSION

1. June 10, 2025
2. June 24, 2025

E. RECEIPT OF ITEMS FOR THE RECORD

F. COMMITTEE REPORTS

1. Subdivision Application No. S-2026-1
Hōkūala Resort Subdivision 1
Tower Kauai Lagoons Sub 1, LLC.
Proposed 10-Lot Consolidation and Re-subdivision into 16-Lots
TMK: (4) 3-5-004: 100 to 109
Kalapakī, Līhu'e, Kaua'i
2. Subdivision Application No. S-2026-2
Hōkūala Resort Subdivision 1A
2014 Tower Kauai Lagoons Golf, LLC. /
Tower Kauai Lagoons Land, LLC. /
Tower Kauai Lagoons Sub 7, LLC.
Proposed 2-Lot Consolidation and Re-subdivision into 15-Lots
TMK: (4) 3-5-001: 027 and 168
Kalapakī, Līhu'e, Kaua'i

G. HEARINGS AND PUBLIC COMMENT

1. Continued Agency Hearing

- a. None for this meeting.

2. New Agency Hearing

- a. Amendment to **SPECIAL MANAGEMENT AREA USE PERMIT SMA(U)-88-1 and CLASS IV ZONING PERMIT Z-IV-88-10** to allow guestroom renovations at several ground floor units involving the existing resort facility on a parcel situated on the makai side of Poipu Road, further identified as the Grand Hyatt Resort & Spa, 1571 Poipu Road, Tax Map Key: (4) 2-9-001:002, and containing a total area of 39.725 acres = **KAWAIILOA DEVELOPMENT LLP. [Director's Report Received, 7/24/2025].**

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

3. Continued Public Hearing

- a. None for this meeting.

4. New Public Hearing

- a. None for this meeting.

H. CONSENT CALENDAR

1. Status Reports

- a. 2025 Annual Report on the progress and status of compliance and conditions of the subject permits for Hokualea Resort (formerly Kauai Lagoons LLC. & MORI Golf (Kauai) LLC.) in accordance with Condition No. 28 of Special Management Area Use Permit SMA(U)-2005-8, Class IV Zoning Permit Z-IV-2005-30, Project Development Use Permit PDU-2005-26, and Use Permit U-2005-25, Tax Map Keys: (4) 3-5001: 027 (Por.), 168, 169, 171 (Por.), 172, 175 & 176.

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

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

- a. **CLASS IV ZONING PERMIT Z-IV-2026-1** to allow the construction of a 42,000 square feet warehouse/distribution facility and associated site improvements on Lot 4 of the Ahukini Business Park Subdivision in Lihue, involving a parcel situated on the makai side of Kapule Highway and immediately adjacent to the County of Kauai Ahukini Transfer Station, further identified as Tax Map Key: (4) 3-7-002:021 and containing a total area of 14.671 acres – **BHD LAND DEVELOPMENT LLC.**

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

- b. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2026-1), CLASS IV ZONING PERMIT (Z-IV-2026-2), and USE PERMIT (U-2026-1)** to accommodate improvements to the existing Wastewater Treatment Plant (WWTP) on property identified as the Ching Young Village Shopping Center in Hanalei Town, further identified as 5-5190 Kūhiō Highway, Tax Map Key: (4) 5-5-002:040, containing a total area of 2.485 acres = **Michael G. Ching, Et Al.**

1. Director's Report pertaining to this matter.

3. **Class III Zoning Permits**

- a. None for this meeting.

I. **GENERAL BUSINESS MATTERS**

1. Presentation by the State of Hawai'i Department of Transportation, Highways Division, regarding Kaua'i County Road Maintenance and Construction.
2. Petition to Appeal the Planning Director's Decision to Issue a Notice of Violation and Order to Pay Fine, for 1) Illegal Commercial Events Within the Agricultural District (Weddings, Retreats, Spiritual Events and Private Ceremonies) and the Failure to Cease and Desist and Secure the Required Permits; and 2) the Construction of Seven (7) Yurts Without Required Permits, Related to the Property Located at Hui Road, Anahola, Kaua'i, Hawai'i, identified by Kaua'i TMK No. (4) 4-9-003:001 containing 63.3430 acres, KALALEA TRUST, Contested Case CC-2025-1.
 - a. Clerk of the Commission's Recommendation to Accept Hearing Officer's Order dated May 9, 2025, Recommending Dismissal of Contested Case No. CC-2025-1.
3. Petition to Appeal the Planning Director's Decision Related to the Issuance of a Notice of Violation & Order to Pay \$10,000 fine for the advertisement and operation of an unpermitted transient vacation rental, Richard and Holly Schunk, Tax Map Key (4) 46008060, Kapaa, Kauai, received on July 1, 2025.
 - a. Clerk of the Commission's Recommendation to Refer Appeal of the Planning Director's Decision Related to the Issuance of a Notice of Violation & Order to Pay \$10,000 fine for the advertisement and operation of an unpermitted transient vacation rental, Richard and Holly Schunk, Tax Map Key (4) 46008060, Kapaa, Kauai, received on July 1, 2025 to the Office of Boards and Commissions as Contested Case File No. CC-2025-6.

4. Petition to Appeal Action of the Planning Director in the Administration of the Subdivision Ordinance as Provided for in Chapter 9 of the Kauai County Code, as Memorialized in That Certain Letter Dated July 22, 2025, Subdivision Application No. S-2023-1; Kukuiula Parcels A2, F2, F3 for properties located at Lawai Ahupuaa, Kona District, Island of Kauai, Tax Map Key No. (4) 2-6-022:020, BBCP Kukuiula Development, LLC received on July 28, 2025.
 - a. Clerk of the Commission's Recommendation to Refer to the Petition to Appeal Action of the Planning Director in the Administration of the Subdivision Ordinance as Provided for in Chapter 9 of the Kauai County Code, as Memorialized in That Certain Letter Dated July 22, 2025, Subdivision Application No. S-2023-1; Kukuiula Parcels A2, F2, F3 for properties located at Lawai Ahupuaa, Kona District, Island of Kauai, Tax Map Key No. (4) 2-6-022:020, BBCP Kukuiula Development, LLC. to the Office of Boards & Commissions as Contested Case File No. CC-2025-7.
5. Amendment to **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2023-12)** to allow construction of a new single family residential structure on a parcel situated along the makai side of Kuhio Highway in Kapa'a Town, situated directly across the formerly Kojima Store, approximately 200 feet south of the Kapa'a Neighborhood Center and further identified as 4-1542 Kuhio Highway, Tax Map Key: (4) 4-5-012:048, containing a total area of approximately 2,520 square feet = **BENSON C. & ARCELIE A. PERALTA**.
 - a. Letter (7/28/2025) from Nalani Mahelona, NRM ARCHITECT LLC requesting a three (3) year extension to complete the project.
 - b. Director's Report Pertaining to this Matter.

J. COMMUNICATIONS

1. None for this meeting.

K. UNFINISHED BUSINESS (For Action)

1. **CLASS IV ZONING PERMIT (Z-IV-2025-6), USE PERMIT (U-2025-4), and SPECIAL PERMIT (SP-2025-1)** to conduct outdoor commercial events, including but not limited to weddings and public/private gatherings, on a parcel situated along the mauka side of Kaumualii Highway in Kalaheo (formerly Olu Pua Gardens site), situated approximately 0.5 mile west of Kalaheo Town, approximately 3,000 feet mauka of the Halewili Road/Kaumuali'i Highway intersection, further identified as Tax Map Key: (4) 2-4-007:016, containing a land area of 12.285 acres = **OLU PUA GARDENS LLC. [Director's Report Received, 12/24/2024; Hearing Closed, Deferred, 1/14/2025, Deferred, 6/10/2025]**.
 - a. Transmittal of Supplemental Information to Planning Commission.
 - b. Supplement No. 2 to Planning Director's Report.

L. NEW BUSINESS (For Action)

1. Amendment to **SPECIAL MANAGEMENT AREA USE PERMIT SMA(U)-88-1 and CLASS IV ZONING PERMIT Z-IV-88-10** to allow guestroom renovations at several ground floor units involving the existing resort facility on a parcel situated on the makai side of Poipu Road, further identified as the Grand Hyatt Resort & Spa, 1571 Poipu Road, Tax Map Key: (4) 2-9-001:002, and containing a total area of 39.725 acres = **KAWAIILOA DEVELOPMENT LLP. [Director's Report Received, 7/24/2025]**

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. Subdivision Application No. S-2026-1
Hōkūala Resort Subdivision 1
Tower Kauai Lagoons Sub 1, LLC.
Proposed 10-Lot Consolidation and Re-subdivision into 16-Lots
TMK: (4) 3-5-004: 100 to 109
Kalapakī, Līhu'e, Kaua'i
2. Subdivision Application No. S-2026-2
Hōkūala Resort Subdivision 1A
2014 Tower Kauai Lagoons Golf, LLC. /
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TMK: (4) 3-5-001: 027 and 168
Kalapakī, Līhu'e, Kaua'i
3. Amendment to **SPECIAL MANAGEMENT AREA USE PERMIT SMA(U)-88-1 and CLASS IV ZONING PERMIT Z-IV-88-10** to allow guestroom renovations at several ground floor units involving the existing resort facility on a parcel situated on the makai side of Poipu Road, further identified as the Grand Hyatt Resort & Spa, 1571 Poipu Road, Tax Map Key: (4) 2-9-001:002, and containing a total area of 39.725 acres = **KAWAIILOA DEVELOPMENT LLP. [Director's Report Received, 7/24/2025].**
4. 2025 Annual Report on the progress and status of compliance and conditions of the subject permits for Hokuāla Resort (formerly Kauai Lagoons LLC. & MORI Golf (Kauai) LLC.) in accordance with Condition No. 28 of Special Management Area Use Permit SMA(U)-2005-8, Class IV Zoning Permit Z-IV-2005-30, Project Development Use Permit PDU-2005-26, and Use Permit U-2005-25, Tax Map Keys: (4) 3-5001: 027 (Por.), 168, 169, 171 (Por.), 172, 175 & 176.

5. **CLASS IV ZONING PERMIT Z-IV-2026-1** to allow the construction of a 42,000 square feet warehouse/distribution facility and associated site improvements on Lot 4 of the Ahukini Business Park Subdivision in Lihue, involving a parcel situated on the makai side of Kapule Highway and immediately adjacent to the County of Kauai Ahukini Transfer Station, further identified as Tax Map Key: (4) 3-7-002:021 and containing a total area of 14.671 acres – **BHD LAND DEVELOPMENT LLC.**
6. **SPECIAL MANAGEMENT AREA USE PERMIT (SMA(U)-2026-1), CLASS IV ZONING PERMIT (Z-IV-2026-2), and USE PERMIT (U-2026-1)** to accommodate improvements to the existing Wastewater Treatment Plant (WWTP) on property identified as the Ching Young Village Shopping Center in Hanalei Town, further identified as 5-5190 Kūhiō Highway, Tax Map Key: (4) 5-5-002:040, containing a total area of 2.485 acres = **Michael G. Ching, Et Al.**
7. Presentation by the State of Hawai'i Department of Transportation, Highways Division, regarding Kaua'i County Road Maintenance and Construction.
8. Petition to Appeal of the Planning Director's Decision to Issue a Notice of Violation and Order to Pay Fine, for 1) Illegal Commercial Events Within the Agricultural District (Weddings, Retreats, Spiritual Events and Private Ceremonies) and the Failure to Cease and Desist and Secure the Required Permits; and 2) the Construction of Seven (7) Yurts Without Required Permits, Related to the Property Located at Hui Road, Anahola, Kaua'i, Hawai'i, identified by Kaua'i TMK No. (4) 4-9-003:001 containing 63.3430 acres, KALALEA TRUST, Contested Case CC-2025-1.
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10. Petition to Appeal Action of the Planning Director in the Administration of the Subdivision Ordinance as Provided for in Chapter 9 of the Kauai County Code, as Memorialized in That Certain Letter Dated July 22, 2025, Subdivision Application No. S-2023-1; Kukuiula Parcels A2, F2, F3 for properties located at Lawai Ahupuaa, Kona District, Island of Kauai, Tax Map Key No. (4) 2-6-022:020, BBCP Kukuiula Development, LLC received on July 28, 2025.
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12. **CLASS IV ZONING PERMIT (Z-IV-2025-6), USE PERMIT (U-2025-4), and SPECIAL PERMIT (SP-2025-1)** to conduct outdoor commercial events, including but not limited to weddings and public/private gatherings, on a parcel situated along the mauka side of Kaumualii Highway in Kalaheo (formerly Olu Pua Gardens site), situated approximately 0.5 mile west of Kalaheo Town, approximately 3,000 feet mauka of the Halewili Road/Kaumuali'i Highway intersection, further identified as Tax Map Key: (4) 2-4-007:016, containing a land area of 12.285 acres = **OLU PUA GARDENS LLC. [Director's Report Received, 12/24/2024; Hearing Closed, Deferred, 1/14/2025, Deferred, 6/10/2025].**

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 26, 2025. 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, Kauai, Hawaii. The Commission will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

O. ADJOURNMENT

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

SPECIAL MANAGEMENT AREA (SMA) Minor Determinations

Date (Action)	SMA Minor Permit number	Location (TMK)	Activity/ structure
7.22.2025 (Approved)	SMA(M)-2025-16	Princeville (5-4-003:004)	Construction/ Utility enclosure, associated decking/stairs, niched retaining walls, landscaping walls, gravel trough, landscaping, individual wastewater system, grading, and associated site-related utilities.
7.22.2025 (Approved)	SMA(M)-2025-28	Hanalei (5-8-009:039)	Grading/ Grading and fill of property to address flooding.
7.23.2025 (Approved)	SMA(M)-2025-29	Hanalei (5-9-002:028)	After the fact construction/ Fence and driveway.

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.

August 12, 2025
SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Development/Reasons
SSD-2026-1	BHD Land Development	3-7-002:021	Lihue	New warehouse/ Development is located on a high rocky cliff bluff and an additional 400 feet from the required 100-foot setback.
SSD-2026-2	Bruce Parisi	5-8-011:049	Hanalei	Deck repairs and roof finish repairs. / Work has been deemed unsubstantial (5.07%) per DPW letter dated June 5, 2025.
SSD-2026-3	Benson Peralta	4-5-021:048	Kapaa	Three-story Single-family dwelling and CMU privacy wall. / The required shoreline setback is 249 feet, and the structure is located an additional 30 feet inland from that requirement. Between the parcel and the shoreline lies a county park, another parcel, and an existing seawall.
SSD-2026-4	Teresa Stewart	5-2-004069	Kilauea	Reconstruction of an existing residence, garage, and new pavilion. / The proposed development is set approximately 118 to 280 feet further inland from the required 111-foot shoreline setback. In addition, the site is located on a high coastal bluff with an elevation of around 250 feet.
SSD-2026-5	Hawai'i Preservation Trust	5-3-005:004	Kilauea	Repairs/ Work deemed unsubstantial (19.69%) per DPW letter dated July 25, 2025
SSD-2026-6	Po'ipū Shores	2-8-019:004	Po'ipū	Repairs/ Building A plumbing work deemed unsubstantial (27.8%) per DPW letter dated July 24, 2025