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COUNTY OF KAUA'I HOUSING AGENCY

LAND USE COMMISSION
STATE OF HAWAII
2017 APR 13 A 8:43

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	Docket No. A17-802
)	
COUNTY OF KAUA'I HOUSING)	NOTICE OF INTENT TO FILE A LAND
AGENCY)	USE DISTRICT BOUNDARY
)	AMENDMENT PETITION
To Amend the Agricultural Land Use)	
District Boundaries into the Urban Land)	
Use District for certain lands situated at)	
'Ele'ele, Kaua'i, Hawai'i; consisting of)	
approximately 75 acres, Tax Map Key)	
No. (4) 2-1-001:054)	
_____)	

**NOTICE OF INTENT TO FILE A
LAND USE DISTRICT BOUNDARY AMENDMENT PETITION**

NOTICE IS HEREBY GIVEN that the Petitioner, COUNTY OF KAUA'I ("County") through its Housing Agency, a political subdivision of the State of Hawai'i, by and through its legal counsel, THE OFFICE OF THE COUNTY ATTORNEY OF THE COUNTY OF KAUA'I and its' special legal counsel, MCCORRISTON MILLER MUKAI MACKINNON, a limited

liability law partnership LLP, intends to file a Land Use District Boundary Amendment Petition with the Land Use Commission of the State of Hawai‘i on June 13, 2017, as provided for in Sections 205-4 and 201H-38, Hawai‘i Revised Statutes, as amended, and Section 15-15-97(b) of the Hawai‘i Administrative Rules, Title 15, Subtitle 3, Chapter 15, Subchapter 13, as amended. The County shall hereinafter be referred to as “Petitioner.”

I. PETITIONER

County of Kaua‘i Housing Agency

4444 Rice Street, Suite 330

Līhu‘e, Hawai‘i 96766

II. PETITIONER’S PROPERTY INTEREST

The subject property is owned in fee by Petitioner.

III. PROPOSED RECLASSIFICATION

To reclassify the subject property from the State Land Use Agricultural District to the State Land Use Urban District.

IV. TAX MAP KEY NO.

(4) 2-1-001:054

V. ACREAGE

The subject property consists of approximately 75 acres.

VI. LOCATION

‘Ele‘ele, Kaua‘i, Hawai‘i

VII. EXISTING LAND USE

The subject property is currently used for agriculture and is bound by agricultural lands to the north and east, Halewili Road to the south, and contiguous to State Land Use Urban District land along a portion of its western boundary with Kaumuali‘i Highway to the west. The property

consists of approximately 75 acres located in 'Ele'ele, Kaua'i, Hawai'i, with a downward slope in the makai direction from north to south from 275 to 175 feet above mean sea level.

VIII. PROJECT DESCRIPTION

Petitioner proposes residential development on the property, to utilize the density for up to 550 residential units (single-family and multi-family) to provide needed affordable housing supply for Kaua'i. All units will be affordable as defined by Chapter 7A of the Kaua'i County Code, and offered for sale or rent to households who earn no more than 140% of the Kaua'i median household income. The proposed project is also anticipated to include a community park, a water storage tank, bike and pedestrian paths, and landscaped areas. Petitioner is using the property for the Lima Ola project. Because all units will be affordable, Lima Ola qualifies as an affordable housing project under Section 201H-38, Hawai'i Revised Statutes, as amended. Petitioner is seeking exemption from State and County land use regulations and is proceeding under the fast tracking procedures provided under HRS § 201H-38.

IX. DATE OF FILING OF PETITION

June 13, 2017.

X. RIGHTS OF INTERESTED PERSONS


All persons who have some interest in the subject property, who lawfully reside on the subject property, or who otherwise can demonstrate that they will be so directly and immediately affected by the proposed change that their interest in the proceeding is clearly distinguishable from that of the general public may submit petitions to intervene to the Land Use Commission up to fifteen (15) days after this Notice of Intent is published, pursuant to Sections 15-15-97(b)(3) and 15-15-97(e) of the Hawai'i Administrative Rules. All other persons who wish to present testimony as a public witness may submit a written request to the Land Use Commission no later

than seven (7) days prior to the published hearing date. The Commission will publish the notice of hearing at a later date.

Any questions or requests for additional information may be referred to:

<p>County of Kaua'i, Housing Agency Attn: Keith Perry 4444 Rice Street, Suite 330 Līhu'e, Hawai'i 96766</p>	<p>MCCORRISTON MILLER MUKAI MACKINNON Attention: David L. Minkin, Esq. Five Waterfront Plaza, 4th Floor 500 Ala Moana Boulevard Honolulu, Hawai'i 96813</p>
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DATED: Honolulu, Hawaii; April 11, 2017.


MAUNA KEA TRASK
Attorney for Petitioner