

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2020 - 10	
Acceptance Date:	9/9/19
Website Posting Date:	9/10/19
Determination Date:	9/9/19
Planning Commission Date:	NA
Expiration Date:	9/9/20
Planner Assigned:	SLB/R1

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know that your parcel will require a Certified Shoreline Survey, due to the proximity to the shoreline. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	Kenneth A. Purdy, Architect, For Rosen Unit PS417
Mailing Address:	3738A Omao Rd., Koloa 96756
Phone:	742-6682
Email:	ken@purdyarchitect.com
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date: _____	

Project Information (attach additional sheets, if necessary)	
County Zoning District:	R-20
Tax Map Key(s):	2-8-20-8-49
Land Area:	313,632 SF 7.2A
Nature of Development: (Description of proposed structure or subdivision)	Condo Unit Interior Remodel

**NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)**

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- Property is Abutting the Shoreline
☐ Proposed project's approximate distance from shoreline (based on aerial map): _____ ft.
- Property is Not Abutting the Shoreline
☒ Proposed project's approximate distance from shoreline (based on aerial map): 339 ft.
- Additional Information:
☒ Shoreline Change (Erosion/Accretion) Rate: .5 ft./year
(Information available here: www.soest.hawaii.edu/coasts/kauaicounty/KCounty.html)
☒ Number and description of parcels (including roads, buildings, structures) between Shoreline and this parcel:

2 parcels, trmk 2-9-1-2, trmk 2-8-21-1, 1 timeshare bldg (the Point), driveway parking



PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

slight slope

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

rocky outcropping

- ☐ Artificially armored Shoreline

☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____

☐ Is the armoring permitted/authorized? _____

☐ Date of authorization (attach copy of authorization letter): _____

- ☒ Is property in coastal floodplain (if checked, what zone)? X _____

- ☐ Has this property been subject to coastal hazards (i.e. flooding, erosion, tsunamis, etc.) in the past?

PLEASE NOTE:

Any misrepresentation of information in this shoreline setback application will result in revocation of this determination and may result in fines and criminal prosecution.

Applicant's Signature

Signature

Date

Applicability (to be completed by Planning Department)

- ☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.

- ☐ **Setback Determination is NOT necessary.** Requirements of Ordinance No. 979 are not applicable.

Planning Director or designee

Date

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

- ☒ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))
- ☒ An aerial map/image (ex. Google Maps or Google Earth) with a line drawn from the shoreline/vegetation line (approximate shoreline) to the proposed project and the calculated distance in feet.
- ☐ A detailed Plot Plan to scale with all existing and proposed structures including driveways, visible lot coverage, setbacks and measurement details, fences, gates, and walls, etc.
- ☒ Building Permit Number (If building plans submitted)



PLANNING DEPARTMENT SHORELINE SETBACK DETERMINATION

Exemption Determination

☐

Exemption 1

In cases where the proposed structure or subdivision satisfies the following four criteria:

- (A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;
- (B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;
- (C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and
- (D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☐

Exemption 2

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☒

Exemption 3

Pursuant to §8-27.7, those structures and uses found exempt in Table 3 (see pg. 7) including repairs and renovations to a lawfully existing structure, including nonconforming structures, provided that:

- (A) The repairs DO NOT enlarge, add to or expand the structure; increase the size or degree of non-conformity; or intensify the use of the structure or its impact on coastal processes;
- (B) The repairs DO NOT constitute a substantial improvement of the structure; and
- (C) The repairs are permitted by the Comprehensive Zoning Ordinance, Development Plans, building code, floodplain management regulations, special management area requirements under HRS Chapter 205A and any other applicable rule or law.

- ☐ Letter from the Department of Public Works stating that the proposed project does **NOT** constitute "Substantial Improvement," pursuant to §8-27.2 (If applicable, will require valuation of project).

Exemption Determination (to be completed by Planning Department)

☒

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

☐

Pursuant to §8-27.7 the Kaua'i County Code, 1987 as amended, the proposed structure(s) is permitted within the shoreline setback area. While exempt from those shoreline setback determination requirements established under §8-27.8, the proposed structure(s) is subject to the conditions of §8-27.7(b). (See pg. 8)

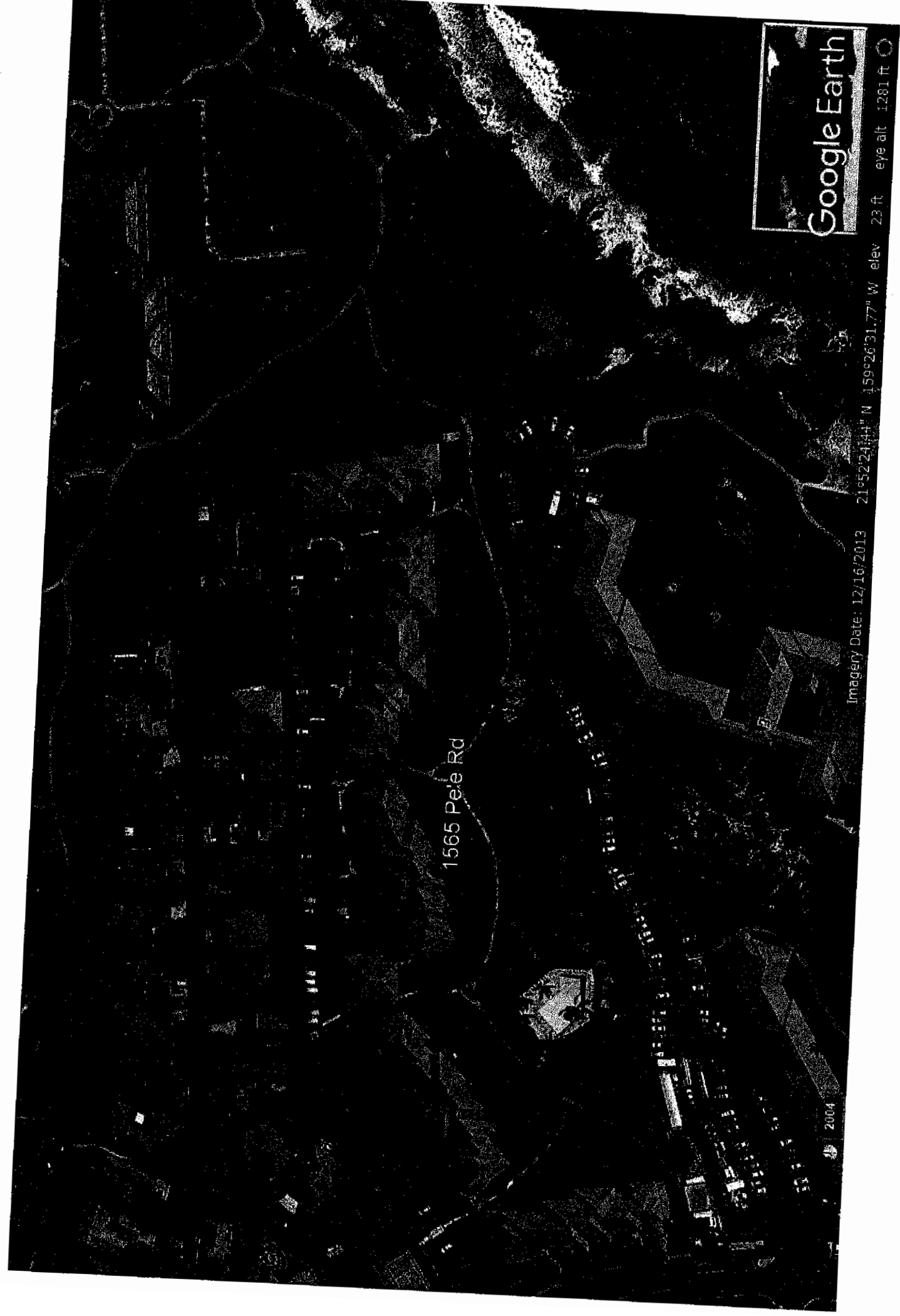
Planning Director or designee

9/19/19

Date

☐

Additional comments/conditions:



April 12, 2019

County of Kauai
Planning Department
Lihue, HI

RE: Authorization

To Whom It May Concern:

As the owner of the property known as POIPU SANDS
CONDOMINIUMS Unit 417 located at 1565 Pee Rd., Koloai,
Hawaii I hereby authorize Kenneth A. Purdy, Architect, to receive
any records or process any materials related to a proposed
alteration.

Owner Henry Rosen Date April 12, 2019
Henry or Sara Rosen
mgr Rosebarker 3, LLC

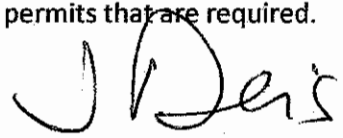
TMK: 2-8-020-008: 0049

Re: Remodel of Poipu Sands 417 and the Poipu Sands Board's compliance with the County's permitting request

August 28, 2019

Dear Mr. and Mrs. Rosen,

Per the Kauai County's request, The Board is authorizing that you must apply for the necessary County permits that are required.

A handwritten signature in black ink, appearing to read "J Deis". The signature is written in a cursive, flowing style.

Jeff Deis

Executive Committee member and co-President of Poipu Sands AOA



Re: PS 417, May 2019 Remodel Request Approval

Dear Mr. and Mrs. Rosen,

The Board of Directors approves your remodel request subject to the following:

1. The work must comply with the Poipu Sands Remodeling Procedures and policies (approved modifications to "as built" condition). Copies of the Remodeling Procedures and policies are available from the Poipu Kai office or from our web site:

<https://secure.associationvoice.com/ResourceCenter/44247/Resource-Center>

2. All work must be done in compliance with applicable regulations using licensed contractors where required. It is the responsibility of the owner to ensure that all necessary permits and inspections are obtained.

3. Any changes to the request as approved must be submitted for Board review

and approval prior to the work being done.

4. This approval is valid for one year. If the work is not completed within this

time frame, a new application is required.

We appreciate the pride of ownership you have taken in your unit and improving

Poipu Sands. If you have any questions or suggestions, please contact our General Manager, Carolyn Caylor, or a member of the Board of Directors.

Sincerely,

The Board of Directors

Poipu Sands Homeowners Association



ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS
THE COUNTY OF KAUAI

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

LYLE M. TABATA
DEPUTY COUNTY ENGINEER

August 9, 2019

Kenneth A. Purdy
3738-A Ōma'o Road
Kōloa, HI 96756

Subject: SHORELINE SETBACK APPLICATION,
SUBSTANTIAL IMPROVEMENT DETERMINATION
Rosegarden 3 LLC, Po'ipū, Koloa
TMK: (4) 2-8-020:008-0049 PW 07.19.044

Dear Mr. Purdy,

The Kauai County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 579) Section 8-27.2 states:

"Substantial improvement' means any cumulative series of repairs, reconstruction, improvements or additions to a structure over a ten (10) year period, where the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the first improvement during that ten (10) year period. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure...."

Improvements are being proposed to Unit #417 located on TMK 2-8-020-008 in Po'ipū, Koloa. To determine if the improvements are considered "substantial," we compare the total cost of all improvements within the past 10 years to the market value of the structure before the start of construction of the first improvement. If the resulting ratio is less than 50%, then the improvements are determined to be "unsubstantial." The first building permit within this ten year cycle is Building Permit (BP) 09-1936 which was issued in November 2009.

Unless a professional appraisal is provided, the market value shall be determined by the County's Real Property Assessment Division. The cost of improvements is determined by the County's Building Valuation Policy.

Market Value

Since BP 09-1936 was issued in 2009, the market value used is the Replacement Cost New Less Depreciation (RCNLD) value for 2009 as determined by the County's Real Property Assessment Division. The market value of the building is \$4,930,200. Fifty percent (50%) of this is \$2,465,100 (or \$4,930,200 divided by 2).



Cost of Improvements

The building permits issued in the past ten years and their values are provided in the table below.

Date	Permit Number	Valuation
4/11/2018	18-0704	\$75,000
6/17/2014	14-1276	\$75,000
9/12/2013	13-2059	\$30,000
10/03/2013	13-1136	\$28,800
5/29/2012	12-1165	\$41,000
11/03/2009	09-1936	\$1,000
Total Improvement Value:		\$250,800.00

The total cost of improvements for the proposed work was estimated to be \$17,616. This was based on a cost estimate prepared by general contractor Griffith Construction dated May 1, 2019. Therefore, the total cost of improvements is \$268,416.

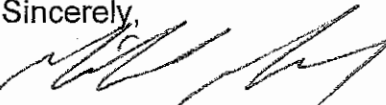
Summary

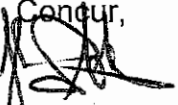
The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$268,416}{\text{Market Value (Real Property): } \$4,930,000} = .0544 \text{ or } 5.4\%$$

Since the total cost **does not** exceed 50% of the market value, **the improvement is considered to be unsubstantial**. Based on our records there were no other permits for the structure within the past ten years. However, if any unpermitted work has been done, or if there are modifications to this application, our determination shall be considered void and the structure must be re-evaluated.

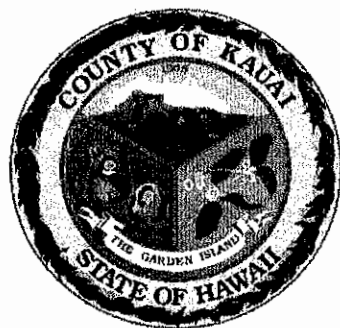
If you have any questions or need additional information, please contact Anthony Chandler at (808) 241-4884 or email at achandler@kauai.gov.

Sincerely,

Michael Moule, P.E.
Chief, Engineering Division

Concur,

Lyle Tabata
Deputy County Engineer

MM/SI/AC
Copy: Design and Permitting
Planning Department (Romio Idica)





PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD	2020- 9
Acceptance Date:	9/9/19
Website Posting Date:	9/10/19
Determination Date:	8/9/19
Planning Commission Date:	7/10/19
Expiration Date:	9/9/20
Planner Assigned:	Jim/KI

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know that your parcel will require a Certified Shoreline Survey, due to the proximity to the shoreline. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	Kenneth A. Purdy, Architect, For Seven Hills LLC
Mailing Address:	3738A Omao Rd., Koloa
Phone:	742-6682
Email:	ken@purdychitect.com
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date:	JULY 2, 2019

Project Information (attach additional sheets, if necessary)	
County Zoning District:	R-10
Tax Map Key(s):	2-8-19-57-04
Land Area:	6,778 SF
Nature of Development: (Description of proposed structure or subdivision)	Interior Remodel, 3 bathrooms

**NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)**

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- Property is Abutting the Shoreline
☐ Proposed project's approximate distance from shoreline (based on aerial map): _____ ft.
- Property is Not Abutting the Shoreline
☒ Proposed project's approximate distance from shoreline (based on aerial map): 353 ft.
- Additional Information:
☒ Shoreline Change (Erosion/Accretion) Rate: 1 _____ ft./year
(Information available here: www.soest.hawaii.edu/coasts/kauaicounty/KCounty.html)
☒ Number and description of parcels (including roads, buildings, structures) between Shoreline and this parcel:

2 parcels with houses, driveways



PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)
undulating slope

☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)
sandy with rock outcropping

☐ Artificially armored Shoreline
☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
☐ Is the armoring permitted/authorized? _____
☒ Date of authorization (attach copy of authorization letter): JULY 2, 2019

☒ Is property in coastal floodplain (if checked, what zone)? A VE
☐ Has this property been subject to coastal hazards (i.e. flooding, erosion, tsunami, etc.) in the past?

PLEASE NOTE:

Any misrepresentation of information in this shoreline setback application will result in revocation of this determination and may result in fines and criminal prosecution.

Applicant's Signature

Signature [Signature] (agent) Date 8/15/19

Applicability (to be completed by Planning Department)

- ☒ Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.
- ☐ Setback Determination is NOT necessary. Requirements of Ordinance No. 979 are not applicable.

[Signature]
Planning Director or designee

9/9/19
Date

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

- ☐ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))
- ☒ An aerial map/image (ex. Google Maps or Google Earth) with a line drawn from the shoreline/vegetation line (approximate shoreline) to the proposed project and the calculated distance in feet.
- ☐ A detailed Plot Plan to scale with all existing and proposed structures including driveways, visible lot coverage, setbacks and measurement details, fences, gates, and walls, etc.
- ☐ Building Permit Number (If building plans submitted)



PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION

Exemption Determination



Exemption 1

In cases where the proposed structure or subdivision satisfies the following four criteria:

- (A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;
- (B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;
- (C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and
- (D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.



Exemption 2

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.



Exemption 3

Pursuant to §8-27.7, those structures and uses found exempt in Table 3 (see pg. 7) including repairs and renovations to a lawfully existing structure, including nonconforming structures, provided that:

- (A) The repairs DO NOT enlarge, add to or expand the structure; increase the size or degree of non-conformity; or intensify the use of the structure or its impact on coastal processes;
- (B) The repairs DO NOT constitute a substantial improvement of the structure; and
- (C) The repairs are permitted by the Comprehensive Zoning Ordinance, Development Plans, building code, floodplain management regulations, special management area requirements under HRS Chapter 205A and any other applicable rule or law.



Letter from the Department of Public Works stating that the proposed project does **NOT** constitute "Substantial Improvement," pursuant to §8-27.2 (If applicable, will require valuation of project).

Exemption Determination (to be completed by Planning Department)



Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.



Pursuant to §8-27.7 the Kaua'i County Code, 1987 as amended, the proposed structure(s) is permitted within the shoreline setback area. While exempt from those shoreline setback determination requirements established under §8-27.8, the proposed structure(s) is subject to the conditions of §8-27.7(b). (See pg. 8)

Planning Director or designee

Date



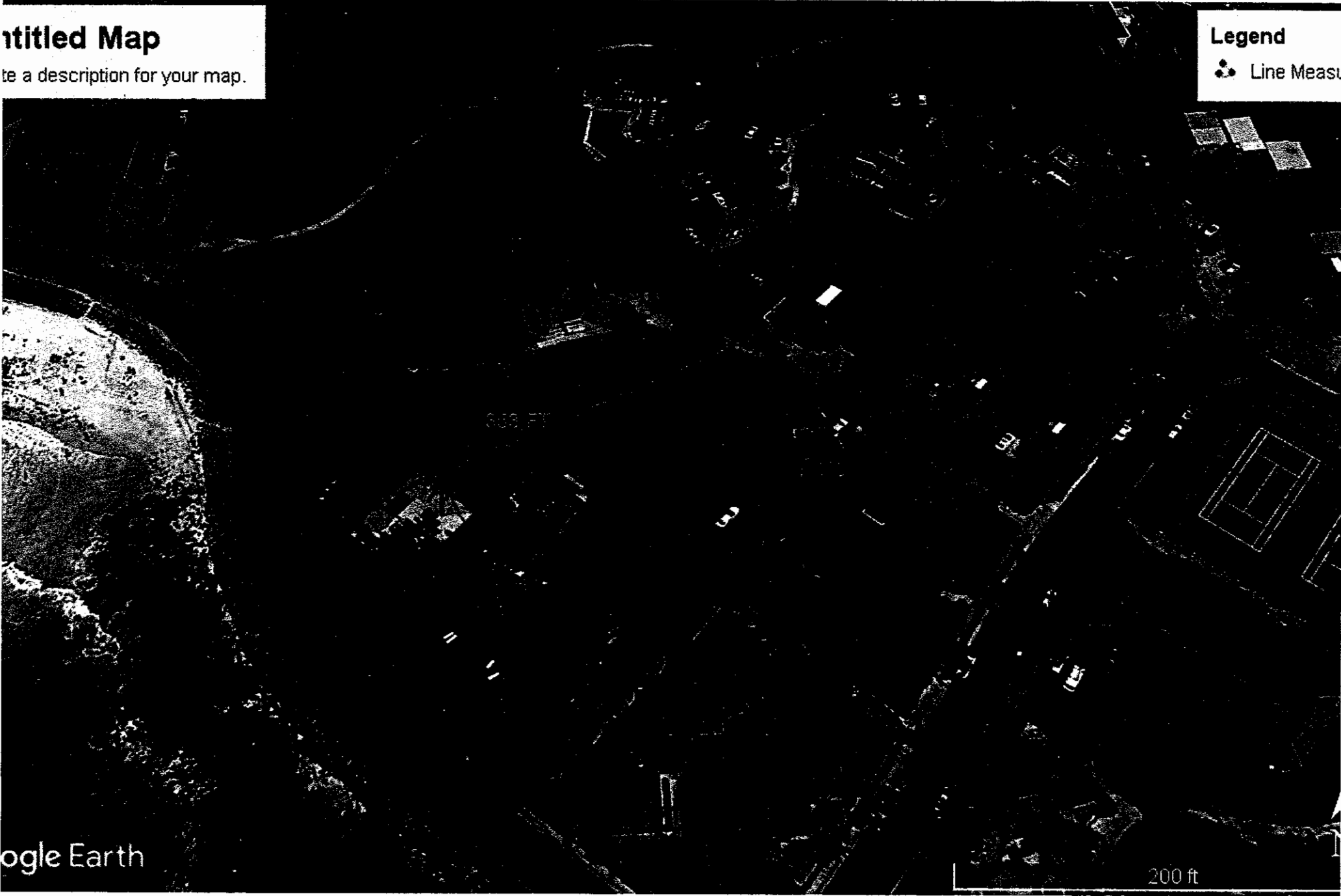
Additional comments/conditions:

Untitled Map

te a description for your map.

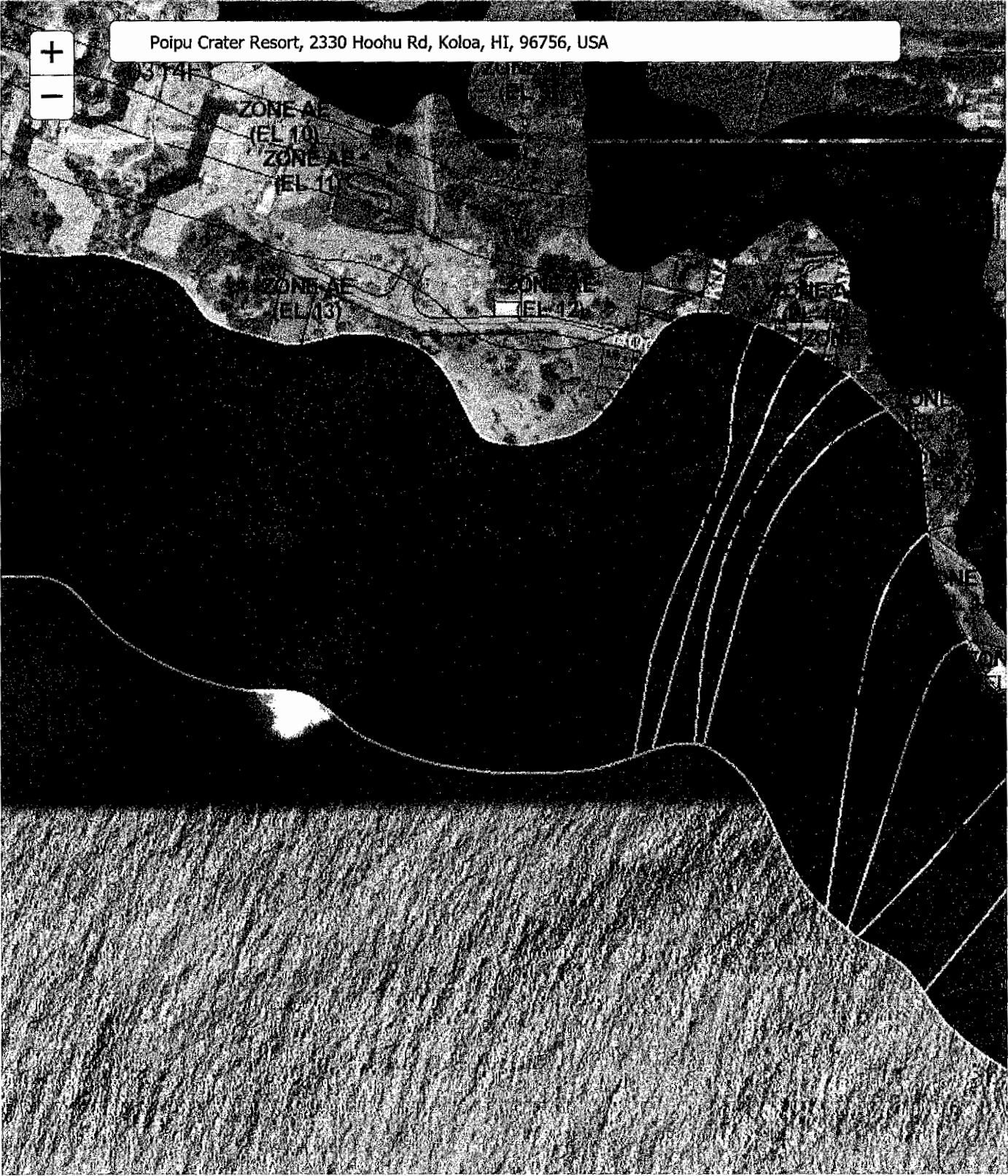
Legend

Line Meas



State of Hawaii, Department of Land and Natural Resources

Flood Hazard Assessment Tool



TO: County of Kaua'i
Planning Department
4444 Rice Street, Suite 473
Līhu'e, Hawai'i 96766

RE: TMK: 2-8-019: 057-4
UNIT: 4
C.P.R. WHISPERING SANDS CM 4829

I (We) Hereby authorize SEVEN HILLS LLC (MALYNNE HILL) to apply for a zoning
(Name of Applicant's)

permit to construct REMODEL 3 BATHROOMS
(Describe Project)

and to obtain a Farm dwelling Agreement if required by the Planning Department.

DocuSigned by:
Christopher White
8/21/2019
AED8759DD1E3428
CHRISTOPHER WHITE
(Date) Owner of CPR Unit 1

DocuSigned by:
Mark White
8/23/2019
E497CDA7626342E
MARK WHITE
(Date) Owner of CPR Unit 2

DocuSigned by:
Kevin Or Teri Mchugh
8/24/2019
81FCA23F63E84EB...
KEVIN OR TERI MCHUGH
(Date) Owner of CPR Unit 3

Owner of CPR Unit
(Date)

July 2, 2019

County of Kauai
Planning Department
Lihue, HI

RE: Authorization

To Whom It May Concern:

As the owner of the property known as WHISPERING SANDS CM
4025 Unit 4 located at 2277 Hale Rd., Koloa, Hawaii I hereby
authorize Kenneth A. Purdy, Architect, to receive any records or
process any materials related to a proposed alteration.

Owner


Kenneth A. Purdy
Savvy HBA LLC

Date

TRK-24-019-057-0004



ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS
THE COUNTY OF KAUAI

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

LYLE M. TABATA
DEPUTY COUNTY ENGINEER

July 30, 2019

Kenneth A. Purdy Architect
3738-A Ōma'o Road
Kōloa, HI 96756
Attention: Kenneth Purdy

Subject: SHORELINE SETBACK APPLICATION,
SUBSTANTIAL IMPROVEMENT DETERMINATION
Seven Hills LLC, Poipu
TMK: (4) 2-8-019:057-0004

PW 07.19.044

Dear Mr. Purdy,

The Kauai County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 579) Section 8-27.2 states:

“‘Substantial improvement’ means any cumulative series of repairs, reconstruction, improvements or additions to a structure over a ten (10) year period, where the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the first improvement during that ten (10) year period. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure....”

Improvements are being proposed to the dwelling located on TMK 2-8-019:057-0004 in Koloa. To determine if the improvements are considered “substantial,” we compare the total cost of all improvements within the past 10 years to the market value of the structure before the start of construction of the first improvement. If the resulting ratio is less than 50%, then the improvements are determined to be “unsubstantial.” There were no permits issued for improvements to this dwelling during the past ten years.

Unless a professional appraisal is provided, the market value shall be determined by the County's Real Property Assessment Division. The cost of improvements is determined by the County's Building Valuation Policy.

Market Value

Since there were no permits within the past ten years, the market value is the Replacement Cost New Less Depreciation (RCNLD) value for 2019 as determined by



the County's Real Property Assessment Division. The market value of the building is \$424,000. Fifty percent (50%) of this is \$212,000 (or \$424,000 divided by 2).

Cost of Improvements

The total cost of improvements was estimated to be \$151,475. This was based on a cost estimate prepared by general contractor Hartsell Construction which was dated July 21, 2019.

Summary

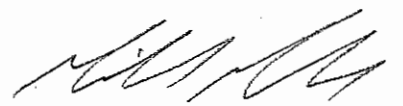
The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$151,475}{\text{Market Value (Real Property): } \$424,000} = 0.35725 \text{ or } 35.73\%$$


Since the total cost **does not** exceed 50% of the market value, the improvement is not considered to be substantial. Based on our records there were no other permits for the structure within the past ten years. However, if any unpermitted work has been done, or if there are modifications to this application, our determination shall be considered void and the structure must be re-evaluated.

If you have any questions or need additional information, contact Anthony Chandler at (808) 241-4884 or email at achandler@kauai.gov.

Sincerely,


Michael Moule, P.E.
Chief, Engineering Division

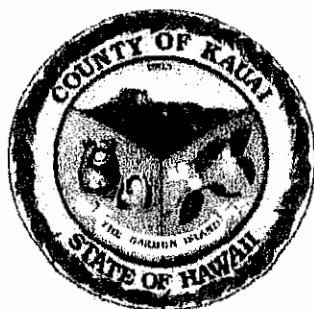
Concur,


Lyle Tabata
Deputy County Engineer

MM/SI/AC

Copy: Design and Permitting
Planning Department (Romio Idica)





PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD	2020 - 8
Acceptance Date:	9/9/19
Website Posting Date:	9/10/19
Determination Date:	9/19/19
Planning Commission Date:	10/22/19
Expiration Date:	10/22/20
Planner Assigned:	JB/R

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know that your parcel will require a Certified Shoreline Survey, due to the proximity to the shoreline. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant: <u>CR Design & Construction</u>	
Mailing Address: <u>P.O. Box 1943</u> <u>Lihue, HI 96766</u>	Phone: <u>(808) 245-4560</u> Email: <u>www.crdc.net</u>
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization <u>SEE EXHIBIT A</u>
Transmittal Date: <u>7/17/19</u>	

Project Information (attach additional sheets, if necessary)	
County Zoning District: <u>Residential R-6</u>	Tax Map Key(s): <u>(4) 1-3-001:047</u> Land Area: <u>6,250 sf.</u>
Nature of Development: (Description of proposed structure or subdivision)	<u>Construct New Covered Patio</u>

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- Property is Abutting the Shoreline
☐ Proposed project's approximate distance from shoreline (based on aerial map): _____ ft.
- Property is Not Abutting the Shoreline
☒ Proposed project's approximate distance from shoreline (based on aerial map): 2240 ft.
SEE EXHIBIT B
- Additional Information:
☐ Shoreline Change (Erosion/Accretion) Rate: _____ ft./year
(Information available here: www.dnr.hawaii.gov/costcoast/landuse/1/landuse.html)
☐ Number and description of parcels (including roads, buildings, structures) between Shoreline and this parcel:

The subject property is separated from the nearest shoreline by: 1) Ulili Road (County); Private Property (TMK: 1-3-001:003); Kaunualii Highway (State); Kekaha Beach Park (County).



PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)
The existing topography is relatively flat. The subject property is at an approximate elevation of 8-10' msl.

☐ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)
The existing shoreline is a sandy beach.

☒ Artificially armored Shoreline
☒ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): rock revetment protecting the state highway
☐ Is the armoring permitted/authorized?
☐ Date of authorization (attach copy of authorization letter):
☒ Is property in coastal floodplain (if checked, what zone)? AE/ATI
☐ Has this property been subject to coastal hazards (i.e. flooding, erosion, tsunami, etc.) in the past?
No

PLEASE NOTE:

Any misrepresentation of information in this shoreline setback application will result in revocation of this determination and may result in fines and criminal prosecution.

Applicant's Signature

Alicia Raco 7.17.19
Signature Alicia Raco, CR Design & Const. Date

Applicability (to be completed by Planning Department)

☒ Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.
☐ Setback Determination is NOT necessary. Requirements of Ordinance No. 979 are not applicable.

[Signature] 9/9/19
Planning Director or designee Date



PLANNING DEPARTMENT SHORELINE SETBACK DETERMINATION

If Part A has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

- ☒ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(c))
- ☒ An aerial map/image (ex. Google Maps or Google Earth) with a line drawn from the shoreline/vegetation line (approximate shoreline) to the proposed project and the calculated distance in feet. **SEE EXHIBIT "B"**
- ☒ A detailed Plot Plan to scale with all existing and proposed structures including driveways, visible lot coverage, setbacks and measurement details, fences, gates, and walls, etc. **SEE EXHIBIT "C"**
- ☒ Building Permit Number (If building plans submitted) **BP # 19-572**

Exemption Determination

☐ Exemption 1

In cases where the proposed structure or subdivision satisfies the following four criteria:

- (A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) "V" or "VE" flood zones;
- (B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;
- (C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and
- (D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☒ Exemption 2

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ Exemption 3

Those structures and uses found exempt in Table 3 (§8-27.7) including repairs and renovations that **DO NOT** enlarge or expand a nonconforming structure. (see pg. 7)

- ☐ Letter from the Department of Public Works stating that the proposed project does **not** constitute "Substantial Improvement," pursuant to §8-27.2 (If applicable, will require valuation of project)

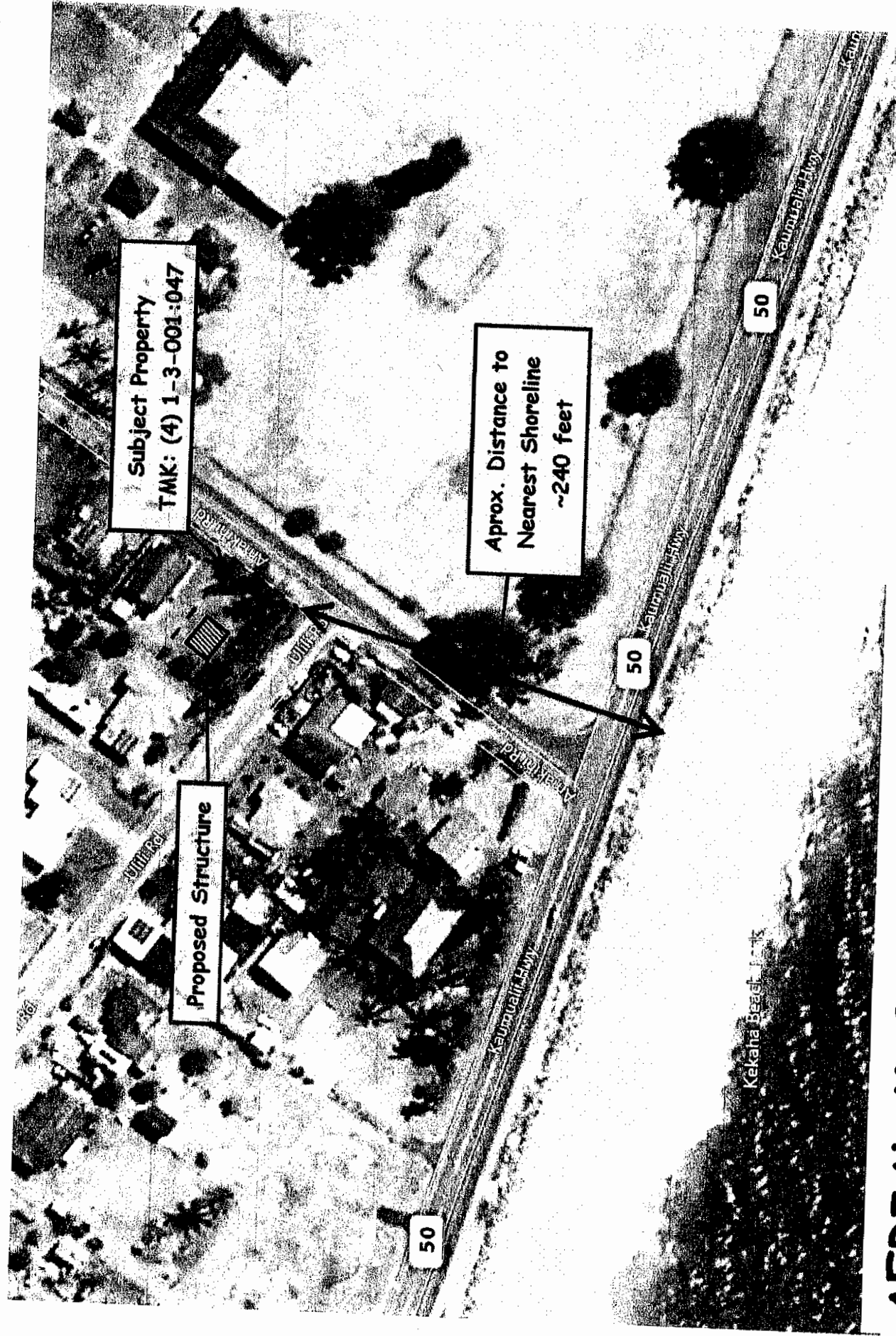
Exemption Determination (to be completed by Planning Department)

- ☒ Pursuant to §8-27.3 the Kauai County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8
- ☐ Pursuant to §8-27.7 the Kauai County Code, 1987 as amended, the proposed structure(s) is permitted within the shoreline setback area. While exempt from those shoreline setback determination requirements established under §8-27.8, the proposed structure(s) is subject to the conditions of §8-27.7(b). (See pg. 8)

Planning Director or Designee

Date

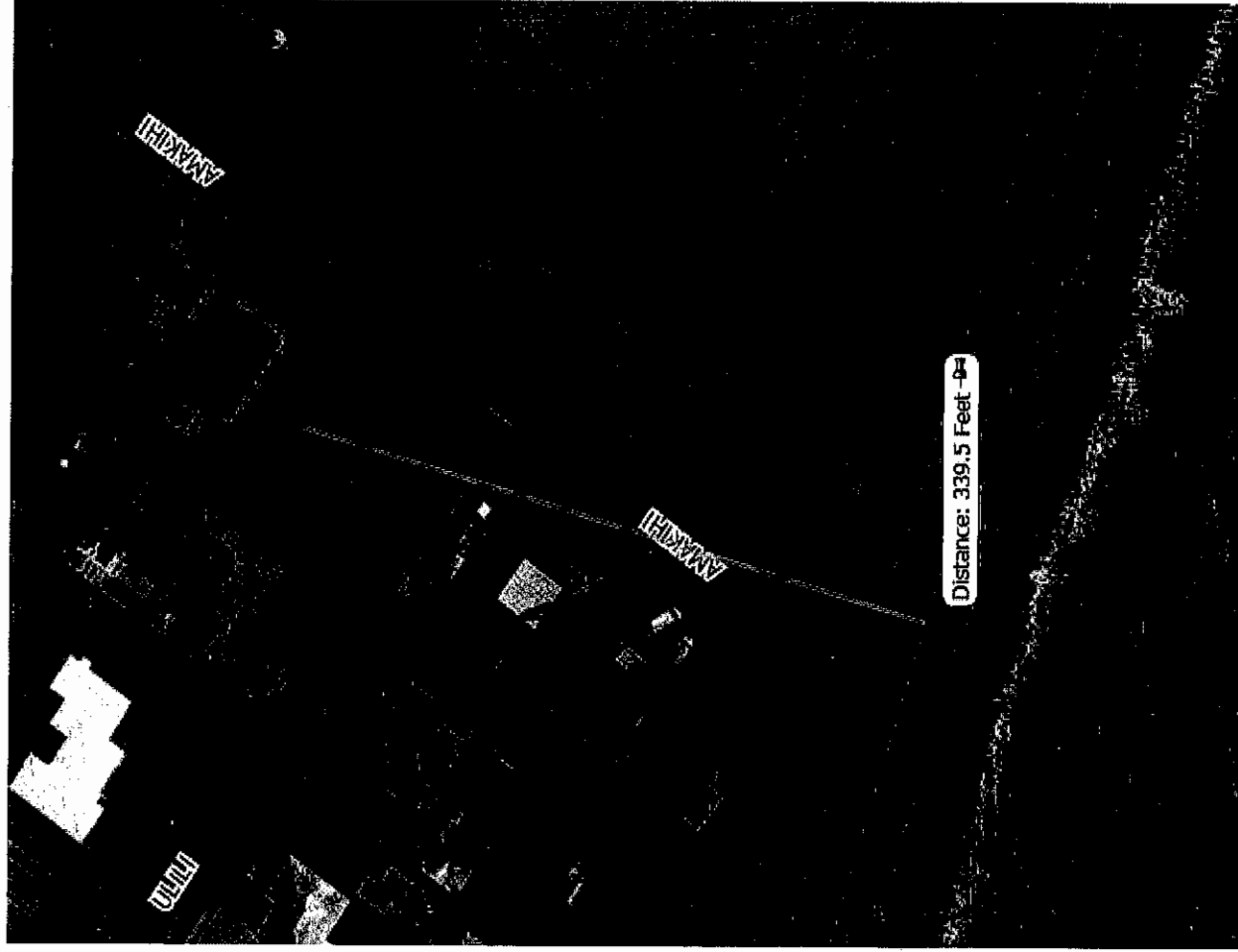
☐ Additional comments/conditions:

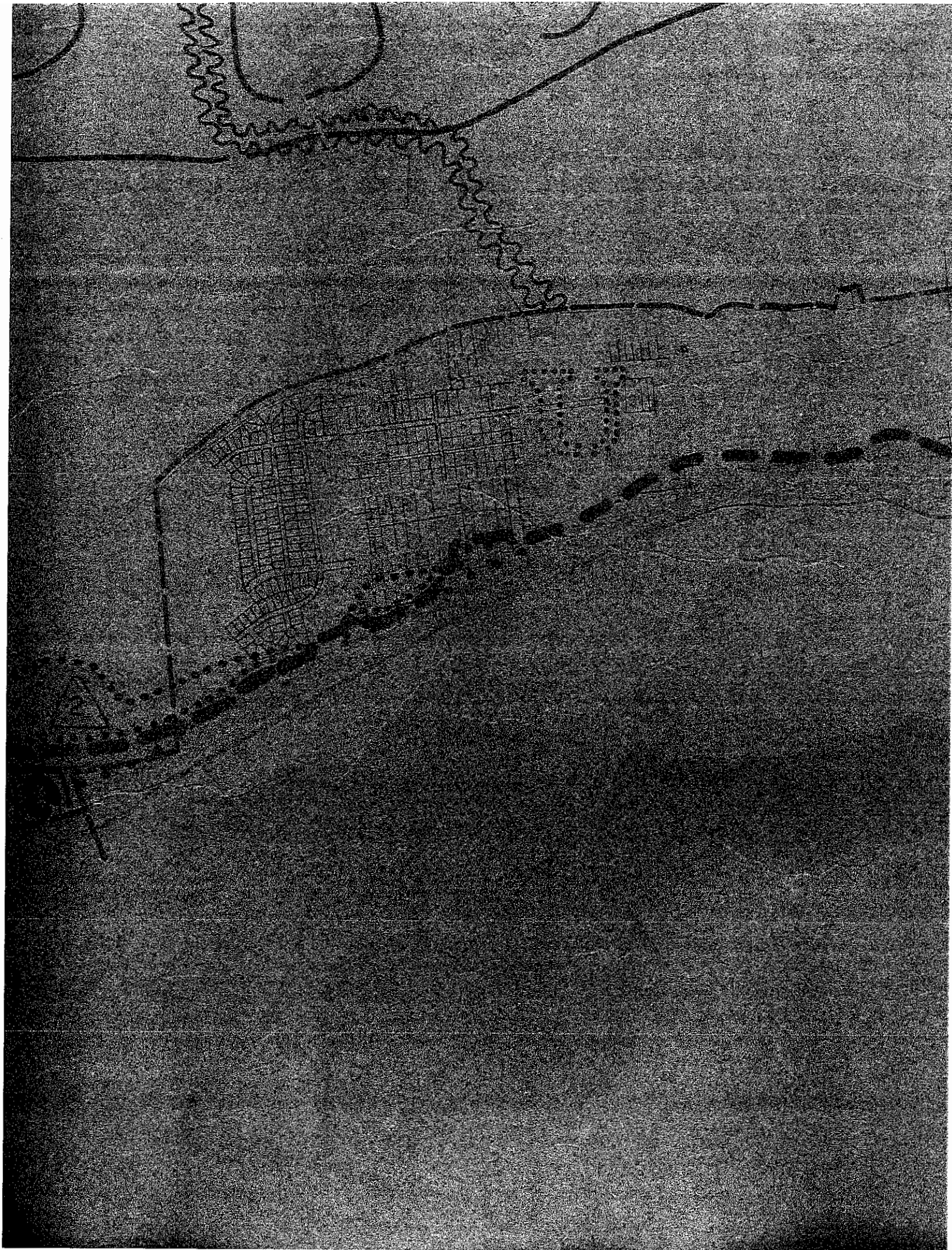


AERIAL MAP - KEKAHA, KAUAI, HAWAII

NTS

Exhibit B





Katz-Lapides Family Trust
C/O Robert Katz & Leola Lapides
314 Capitola Avenue
Capitola, CA 95010-3257

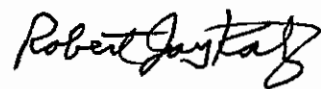
July 16, 2019

Wesley Masumura
County of Kauai
Department of Planning
4444 Rice Street, #473
Lihue, HI 96766

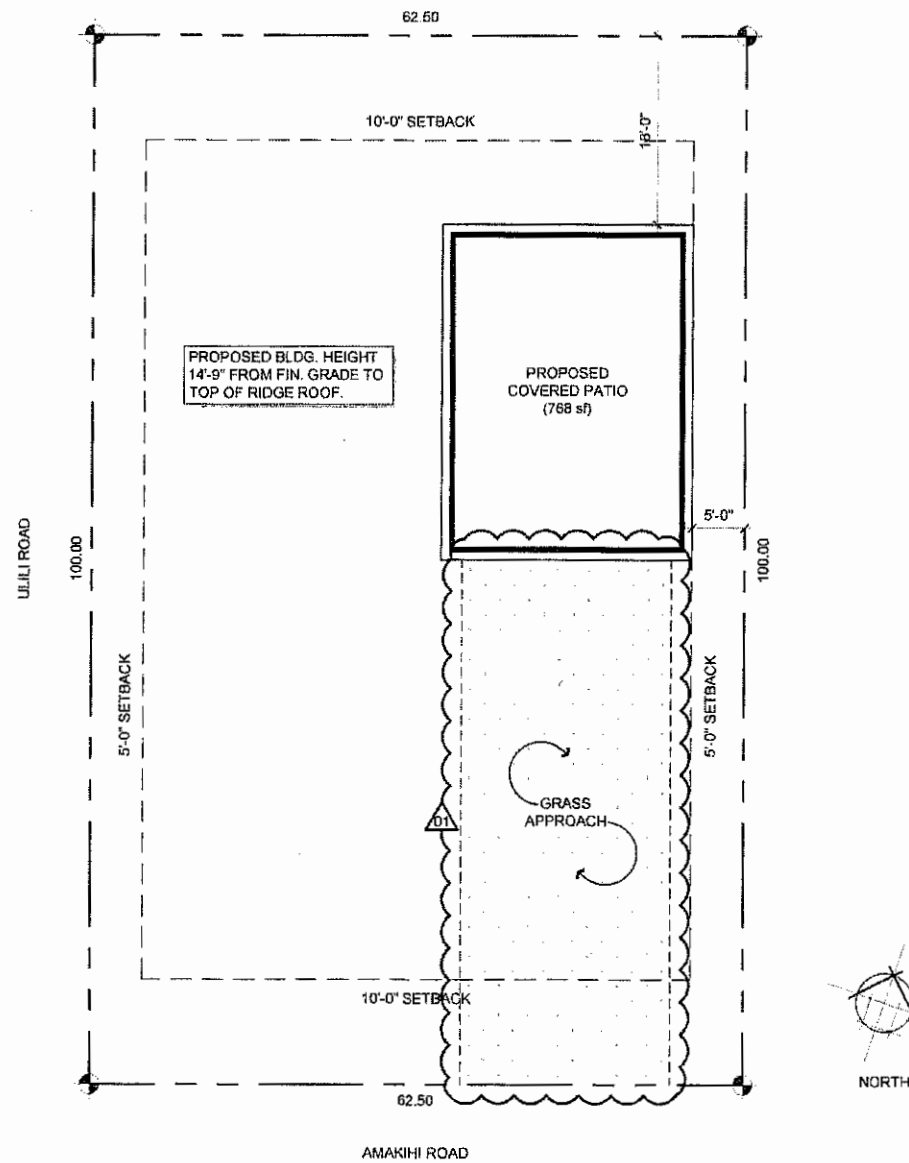
Dear Wesley,

I, Robert Katz, owner at property 4533 Amakihi Road [TMK: (4) 1-3-001-047:0000] authorize the signature of Alicia Raco, Office Manager at CR Design & Construction, on the Setback Shoreline Determination (SSD) Application submitted for project #19-572 associated with my property. Should you have any questions regarding this matter, I can be reached by phone at (831) 419-6981 or by email at robertjkatz@gmail.com. Leola Lapides can be reached by email at leola.lapides@gmail.com. Alicia can be reached by phone at (808) 245-4550 or by email at alicia@crdc.net.

Sincerely,



Robert J. Katz



SITE PLAN

SCALE: 1/8" = 1'-0"

ENERGY CODE STATEMENTS

COUNTY OF KAUAI
CHAPTER 12, KAUAI COUNTY BUILDING CODE
KAUAI COUNTY CODE 1987, AS AMENDED

ARTICLE 6 - ENERGY CONSERVATION CODE

To the best of my knowledge, this project's design substantially conforms to:
Section 12-6.3 Adoption of the International Energy Conservation Code (IECC)
Section 12-6.4 Local Amendments to the IECC
For building envelope components (Section C402).

COMPLIANCE METHOD
2015 IECC as amended, Mandatory & Prescriptive
2015 IECC as amended, Mandatory & Total Building Performance
ASHRAE Standard 90.1-2013, Mandatory & Prescriptive
ASHRAE Standard 90.1-2013, Mandatory & Energy Cost Budget

INFORMATION IN CONSTRUCTION DOCUMENTS	YES	N/A
Roof insulation R-value		
Roof insulation type and location		
Roof membrane solar reflectance and thermal emittance		
Wall insulation R-value		
Wall insulation type and location		
Window SHGC		
Window U-factor		
Skylight SHGC		
Skylight U-factor		

COUNTY OF KAUAI
CHAPTER 12, KAUAI COUNTY BUILDING CODE
KAUAI COUNTY CODE 1987, AS AMENDED

ARTICLE 6 - ENERGY CONSERVATION CODE

To the best of my knowledge, this project's design substantially conforms to:
Section 12-6.3 Adoption of the International Energy Conservation Code (IECC)
Section 12-6.4 Local Amendments to the IECC
For electrical and lighting systems (Section C405 and C408).

COMPLIANCE METHOD
2015 IECC as amended, Mandatory & Prescriptive
2015 IECC as amended, Mandatory & Total Building Performance
ASHRAE Standard 90.1-2013, Mandatory & Prescriptive
ASHRAE Standard 90.1-2013, Mandatory & Energy Cost Budget

INFORMATION IN CONSTRUCTION DOCUMENTS	YES	N/A
Interior Lighting		
Occupant sensor controls, C405.2.1		
Time switch controls, C405.2.2		
Daylight responsive controls, C405.2.3		
Daylight zones on plans, C405.2.3.2 & C405.2.3.3		
Guest room controls, C405.2.4		
Interior lighting fixture schedule		
Input power for interior lighting fixtures, C405.4.1		
Interior lighting fixture locations		
Lighting control functional performance		
Lighting control requirements, C408.3		
Exterior lighting		
Exterior lighting controls, C405.2.5		
Exterior lighting fixture schedule		
Input power for exterior lighting fixtures		
Exterior lighting fixture locations		
Electrical		
Electrical transformer efficiency, C405.7		
Tenant submetering, C405.10		

COUNTY OF KAUAI
CHAPTER 12, KAUAI COUNTY BUILDING CODE
KAUAI COUNTY CODE 1987, AS AMENDED

ARTICLE 6 - ENERGY CONSERVATION CODE

To the best of my knowledge, this project's design substantially conforms to the Residential Provisions of:
Section 12-6.3 Adoption of the International Energy Conservation Code (IECC)
Section 12-6.4 Local Amendments to the IECC

COMPLIANCE METHOD
Tropical Zone, R401.2.1
Prescriptive, R402
Roof and Wall
Insulation R-value, Table R401.1.2
Construction U-factor, Table R402.1.4
Total UA, R402.1.5
Points Option, R407
Simulated Performance Alternative, R405
Energy Rating Index Compliance Alternative, R406

INFORMATION IN CONSTRUCTION DOCUMENTS	YES	N/A
Envelope		
Roof insulation R-value		
Roof insulation type and location		
Roof membrane solar reflectance and thermal emittance		
Wall insulation R-value		
Wall insulation type and location		
Window and skylight SHGC		
Air leakage testing requirement		
Air Conditioning		
Air conditioning equipment capacity and efficiency		
Programmable thermostat		
Insulation R-value		
Duct leakage testing equipment		
Electrical		
Lighting fixture locations		
Lamp type		
Ceiling fans		
Whole-house fan		

NOTES

SIGNATURE: _____
DATE: _____
NAME: _____
TITLE: _____
LICENSE NO.: _____

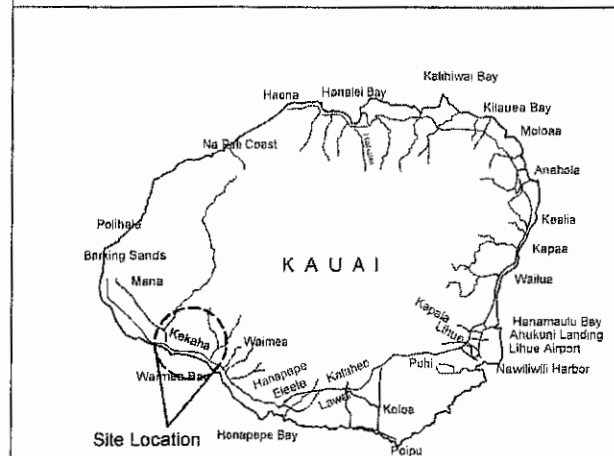
PROJECT INFO

PROPERTY ADDRESS: 4533 Amakahi Road, Kekaha, HI 96752
TAX MAP KEY: (4) 1-3-001-047:0000
PROPERTY ZONE: R-6
LOT AREA: 6,250 SF
EXISTING LOT COVERAGE: 0 SF
NEW LOT COVERAGE: 768 SF
TOTAL LOT COVERAGE: 768 SF < 50%

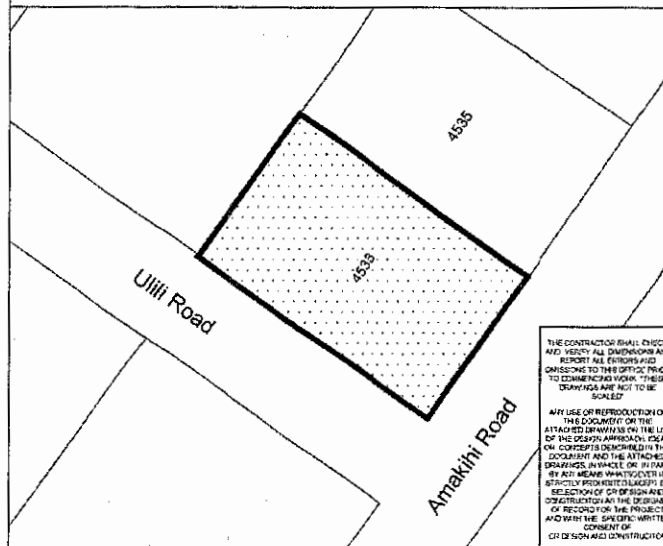
SHEET INDEX

SHEET	DESCRIPTION
SP01	SITE PLAN, PROJECT NOTES, VICINITY MAP
A01	FLOOR PLAN, ELECTRICAL PLAN
A02	FOUNDATION PLAN, ROOF FRAMING PLAN
A03	ELEVATIONS, BUILDING SECTION, DOOR & WINDOW TYPES

ISLAND MAP



VICINITY MAP



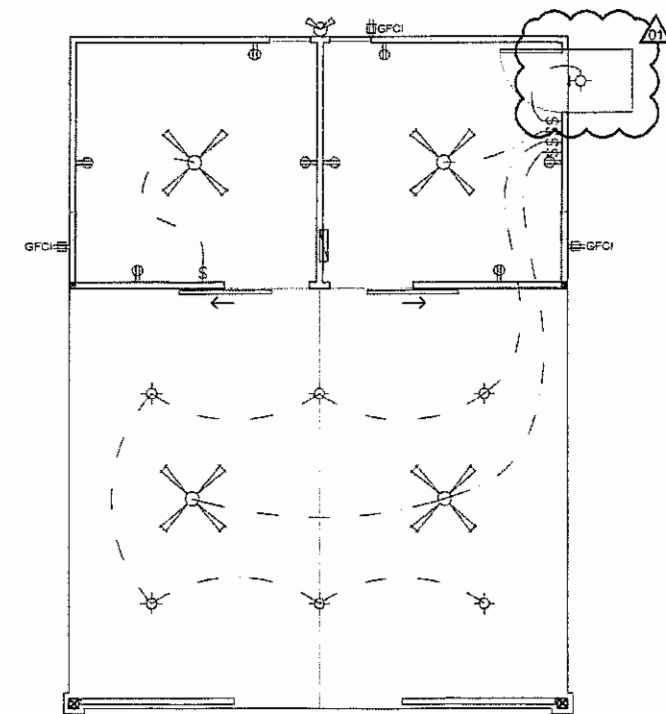
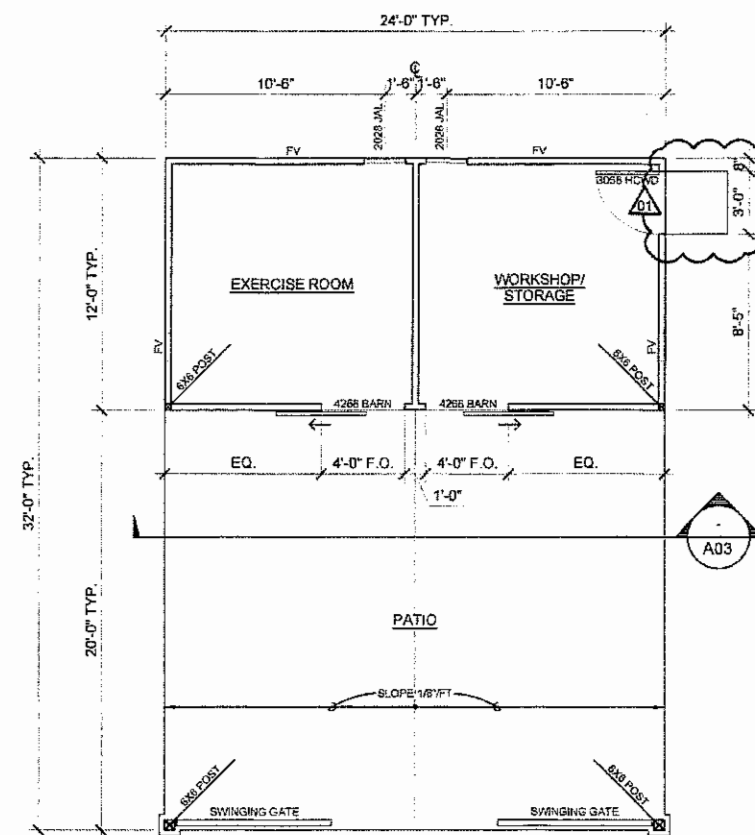
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT ALL DISCREPANCIES TO THE ARCHITECT PRIOR TO CONSTRUCTION. THESE DIMENSIONS ARE NOT TO BE SCALED.
ANY USE OR REPRODUCTION OF THIS DOCUMENT OR THE ATTACHED DRAWINGS ON THE USE OF THE DESIGN ARCHITECT'S SEAL OR CONCEPTS DESCRIBED IN THIS DOCUMENT AND THE ATTACHED DRAWINGS WITHOUT THE DESIGN ARCHITECT'S WRITTEN PERMISSION IS STRICTLY PROHIBITED. VIOLATION OF THIS PROHIBITION MAY BE SUBJECT TO PROSECUTION IN THE DISTRICT COURT OF HAWAII AND/OR THE STATE OF HAWAII.
DRAWING NO. SP01

design + construction
Architectural design and construction firm
Lic. No. 30390
P.O. Box 1963 Lihue, Hawaii 96766 | Phone (808) 245-4550 | Facsimile (808) 246-1091

Katz-Lapides Family Trust
NEW COVERED PATIO
4533 Amakahi Road, Kekaha, HI 96752
TMK: (4) 1-3-001-047:0000

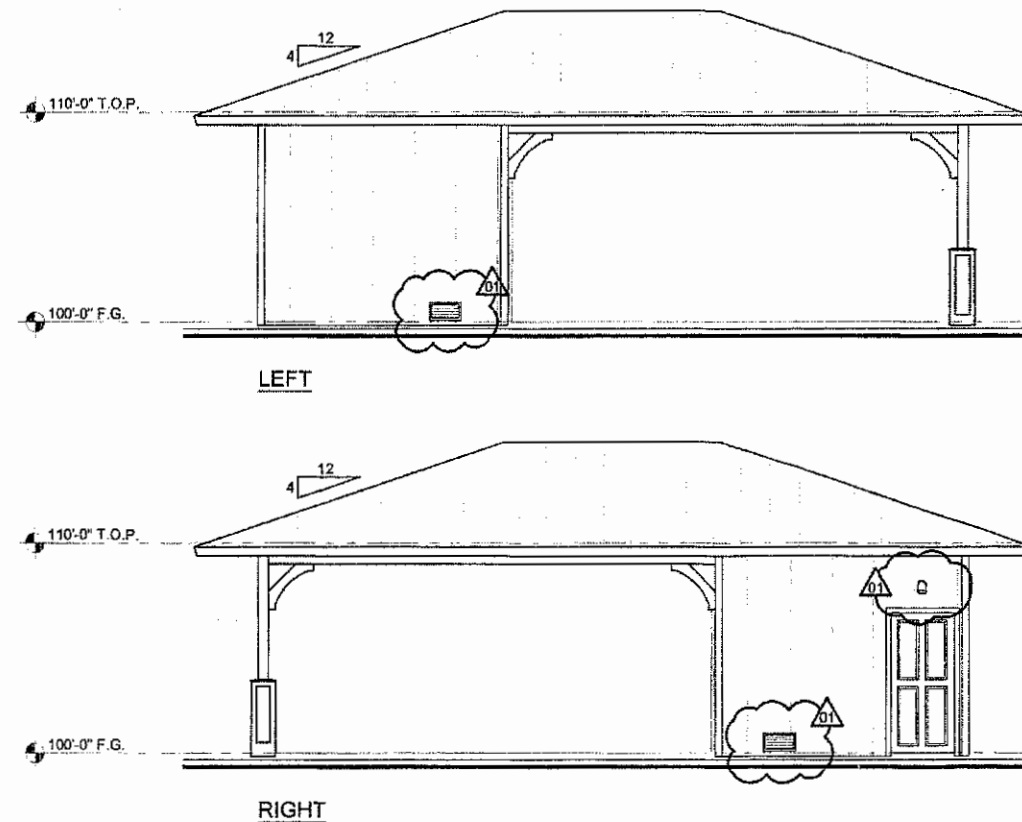
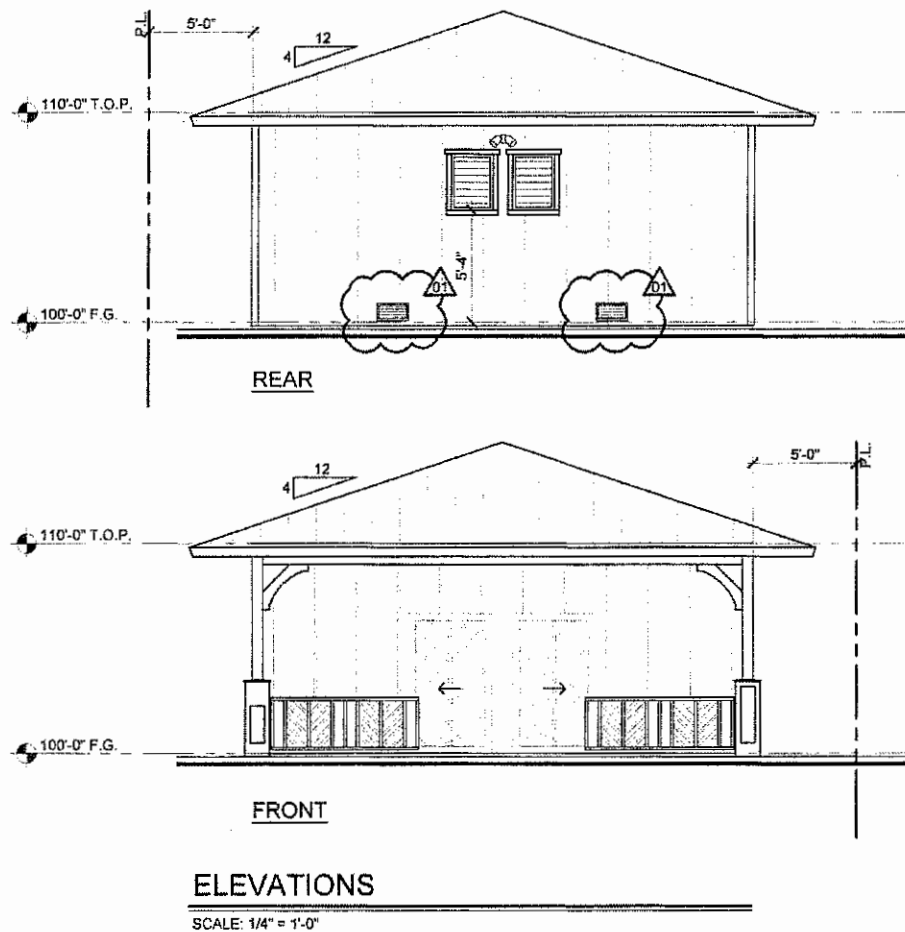
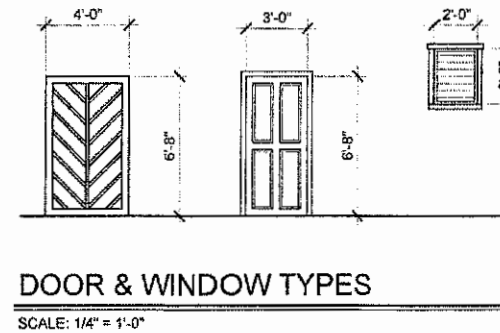
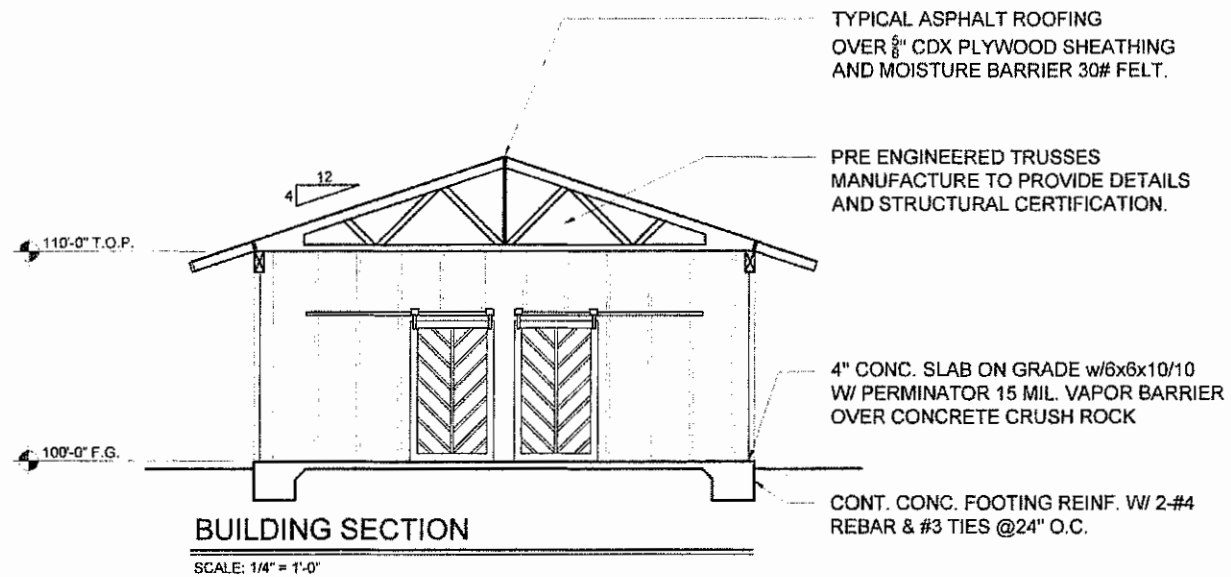


Project No.: 19-072
Drawn by: BA
Date: 05.07.2019
No. 1 Date Description
01 05.07.19 Initial
02 07.12.19 Revised
Drawing No.: SP01



THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THEIR OFFICE PRIOR TO COMMENCING WORK. THESE DIMENSIONS ARE NOT TO BE SCALE!

ATTACH OR REPRODUCE OF THIS DOCUMENT OR THE ATTACHED DRAWINGS FOR THE USE OF THE DESIGN APPROXIM. IDEAS OR CONCEPTS DESCRIBED IN THIS DOCUMENT AND THE ATTACHED DRAWINGS IN WHOLE OR IN PART BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED EXCEPT BY SELECTION OF OR DESIGN AND CONSTRUCTION AS THE DESIGNER OR RECORD FOR THE PROJECT AND WITH THE SPECIFIC WRITTEN CONSENT OF OR DESIGN AND CONSTRUCTION



THE CONTRACTOR SHALL DESIGN AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE DESIGNER PRIOR TO COMMENSAL WORK. THESE DRAWINGS ARE NOT TO BE REPRODUCED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

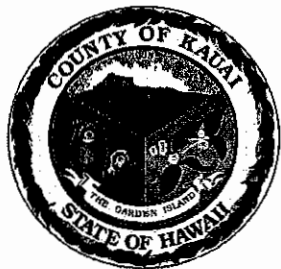
design + construction
Architectural design and construction firm
Lic. No. 30390

Katz-Lapides Family Trust
NEW COVERED PATIO
4533 Anahulu Road, Kalaheo, HI 96752
TMK: (4) 1-3-001-047-0000

THIS WORK WAS PREPARED BY THE ARCHITECT AND HIS FIRM FOR THE CLIENT AND IS NOT TO BE REPRODUCED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

IAN K. COSTA
LICENSED PROFESSIONAL ARCHITECT
No. 6453
HAWAII, U.S.A.

Project No: 18-072
Drawn by: BA
Date: 05/07/2019
No: 01 Date: 05/07/2019 Description: REVISIONS
Drawing No: **A03**



PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2020-11	
Acceptance Date:	9/12/19
Website Posting Date:	9/13/19
Determination Date:	9/12/19
Planning Commission Date:	NA
Expiration Date:	9/12/19
Planner Assigned:	JS

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	Alaka'i Mechanical Corp. for Gerard Hyatt (Kawailoa Dev)
Mailing Address:	2655 Wai wai LP. Honolulu, HI 96819
Phone:	808-834-1085
Email:	pbaltunado@alakaimechanical.com
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date: 9/04/2019	

Project Information (attach additional sheets, if necessary)	
County Zoning District:	Poipu
Tax Map Key(s):	(4) 2-9-001:002 and 003
Land Area:	37.74 Acres
Nature of Development: (Description of proposed structure or subdivision)	The project will replace the existing mechanical systems (exhaust fan, make-up air fan, air handling unit and ductwork) serving an existing kitchen. No new structures will be built.

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)

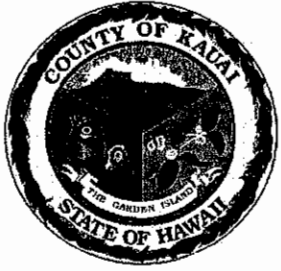
Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- ☒ Properties Abutting the Shoreline
☒ Project's approximate distance from shoreline: 335 feet
- ☐ Properties Not Abutting the Shoreline
☐ Project's approximate distance from shoreline: _____
- ☒ Additional Information:
☒ Closest distance of improvement(s) from Shoreline is approximately 335 ft.
☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

--



PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201	-
Acceptance Date:	
Website Posting Date:	
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

Slight slope

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

Sandy with rocky outcropping. See attached google map of location.

- ☐ Artificially armored Shoreline
- ☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
- ☐ Is the armoring permitted/authorized? _____
- ☐ Date of authorization (attach copy of authorization letter): _____
- ☐ Is property in coastal floodplain (if checked, what zone)? _____
- ☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

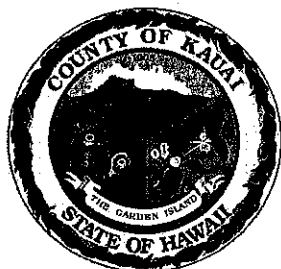
Phil Baltunado

Digitally signed by Phil Baltunado
DN: cn=Phil Baltunado, o=Alaka'i Mechanical, ou=Direct
Sales, email=pbaltunado@alakaimechanical.com, c=US
Date: 2019.09.04 10:05:38 -10'00'

Signature

Date

Applicability (to be completed by Planning Department)	
<input checked="" type="checkbox"/>	Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.
	9.12.19
Planning Director or designee	Date



**PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION**

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

**Part B
Exemption Determination**

☒ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

- (A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;
- (B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;
- (C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and
- (D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☒ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ **Exemption 3**

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

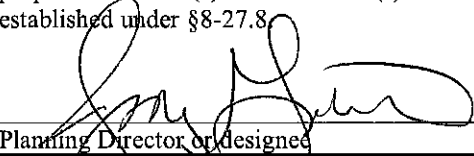
Exemption Determination (to be completed by Planning Department)	
Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.	
 Planning Director or designee	9.12.19 Date

Exhibit "A"

March 12, 2019

Planning Department
County of Kauai
4444 Rice Street, Suite A473
Lihue, HI 96766

RE: Letter of Authorization for the Hale Nalu Mechanical Equipment
Replacement project located at the Grand Hyatt Kauai Resort
1571 Poipu Road, Koloa, Kauai, Hawaii 96756
Tax Key No.: (4) 2-9-001-002

To Whom It May Concern:

Kawailoa Development, LLP, a Hawaii limited liability partnership, is the owner of the above-referenced property and hereby authorizes Alaka'i Mechanical to act as an authorized agent for Kawailoa Development LLP to procure permits from County and State regulating agencies towards construction of the above-mentioned project.

An authorization shall not be construed as providing Alaka'i Mechanical with the authority for any other transaction except as mentioned above.

This letter of authorization shall be void after all necessary permits have been acquired and construction of this project accepted by all agencies and Kawailoa Development LLP.

Sincerely,

KAWAIILOA DEVELOPMENT, LLP

By 
TOSHIAKI SHINDO

Its: DIRECTOR

Dated: March 12, 2019

cc: Phil Baltunado, Alaka'i Mechanical Corporation
Dan Kimura, Grand Hyatt Kauai
Sandi Quinsaat, Grand Hyatt Kauai



ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS
THE COUNTY OF KAUAI

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

LYLE M. TABATA
DEPUTY COUNTY ENGINEER

Exhibit "B"

July 29, 2019

Alakai Mechanical Corporation
2655 Waiwai Loop
Honolulu, HI 96819
Attention: Phil Baltunado

Subject: SHORELINE SETBACK APPLICATION, SUBSTANTIAL IMPROVEMENT
DETERMINATION for Grand Hyatt Kauai Resort
TMK: (4) 2-9-001:002 PW 07.19.009

Dear Mr. Baltunado,

The Kauai County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 579) Section 8-27.2 states:

"Substantial improvement" means any cumulative series of repairs, reconstruction, improvements or additions to a structure over a ten (10) year period, where the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the first improvement during that ten (10) year period. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure...."

Improvements are being proposed for Hale Nalu, Grand Hyatt Kauai at 1571 Po'ipū Road, Koloa. The structure is located on TMK 2-9-001:002. To determine if the improvements are considered "substantial," we compare the total cost of all improvements within the past 10 years to the market value of the building before the start of construction of the first improvement. If the resulting ratio is less than 50%, then the improvements are determined to be "unsubstantial".

Market Value

There were no building permits within the last 10 years for this building.

The market value is taken to be the 2019 assessed building value as determined by the County's Real Property Assessment Division. According to Real Property, the market value of the building is \$507,300. Fifty percent (50%) of this is \$253,650 (or \$507,300 divided by 2).

The Engineering Division has used a Replacement Cost New Less Depreciation (RCNLD) as determined by the County's Real Property Assessment Division in its calculations. If the owner chooses to dispute this value, then an appraisal of the structure must be provided at the owner's expense. The appraisal shall be prepared by a professional appraiser licensed in the State of Hawai'i and the market value shall be based on the "Cost Approach" (or Replacement Cost New Less Depreciation).

Cost of Improvements

The total cost of improvements was estimated to be \$554,191. A cost estimate dated July 19, 2019 was prepared by contractor Alakai Mechanical Corporation and is was submitted to the Engineering Division of the Department of Public Works.

Summary

The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): \$554,191}}{\text{Market Value (Real Property): \$507,300}} = 1.092 \text{ or } 109.2\%$$

Since the total cost **does** exceed 50% of the market value, the improvement is considered to be **substantial**. Based on our records there were no other permits for the structure within the past ten years. However, if any unpermitted work has been done, or if there are modifications to this application, our determination shall be considered void and the structure must be re-evaluated.

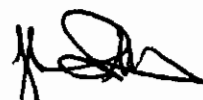
If you have any questions or need additional information, contact Anthony Chandler at (808) 241-4884 or email at achandler@kauai.gov.

Sincerely,



Michael Moule, P.E.
Chief, Engineering Division

Concur,



Lyle Tabata
Deputy County Engineer

MM/SI/AC

Copy: Design and Permitting
Planning Department (Romio Idica)



Exhibit "C"

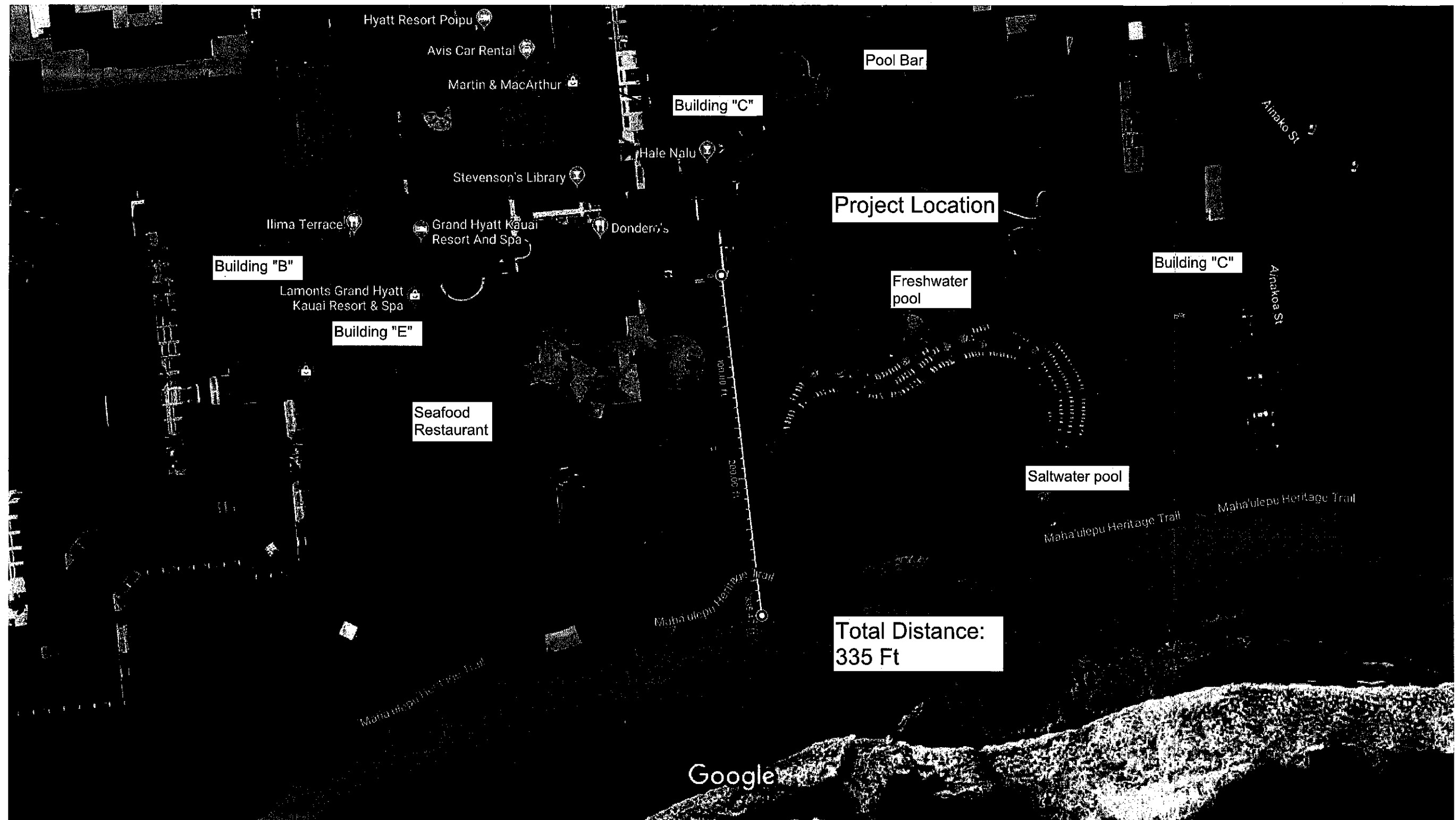


Exhibit "D"



Overview



Legend

- ☐ Parcels
- ☐ Roads

Parcel ID	290010020000	Situs/Physical Address	1571 POIPU RD	Total Market Value	\$244,634,300	Last 2 Sales		
Acreage	37.742	Mailing Address	KAWAIILOA DEVELOPMENT	Total Assessed Value	\$244,634,300	Date	Price	Reason
Class	HOTEL		PO BOX 369	Total Exemptions	\$0	n/a	0	n/a
			KOLOAHI 96756	Total Net Taxable Value	\$244,634,300	n/a	0	n/a
Brief Tax Description n/a								
(Note: Not to be used on legal documents)								

The Geographic Information Systems (GIS) maps and data are made available solely for informational purposes. The GIS data is not the official representation of any of the information included, and do not replace a site survey or legal document descriptions. The County of Kauai (County) makes or extends no claims, representations or warranties of any kind, either express or implied, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose, as to the quality, content, accuracy, currency, or completeness of the information, text, maps, graphics, links and other items contained in any of the GIS data. In no event shall the County become liable for any errors or omissions in the GIS, and will not under any circumstances be liable for any direct, indirect, special, incidental, consequential, or other loss, injury or damage caused by its use or otherwise arising in connection with its use, even if specifically advised of the possibility of such loss, injury or damage. The data and or functionality on this site may change periodically and without notice. In using the GIS data, users agree to indemnify, defend, and hold harmless the County for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data.

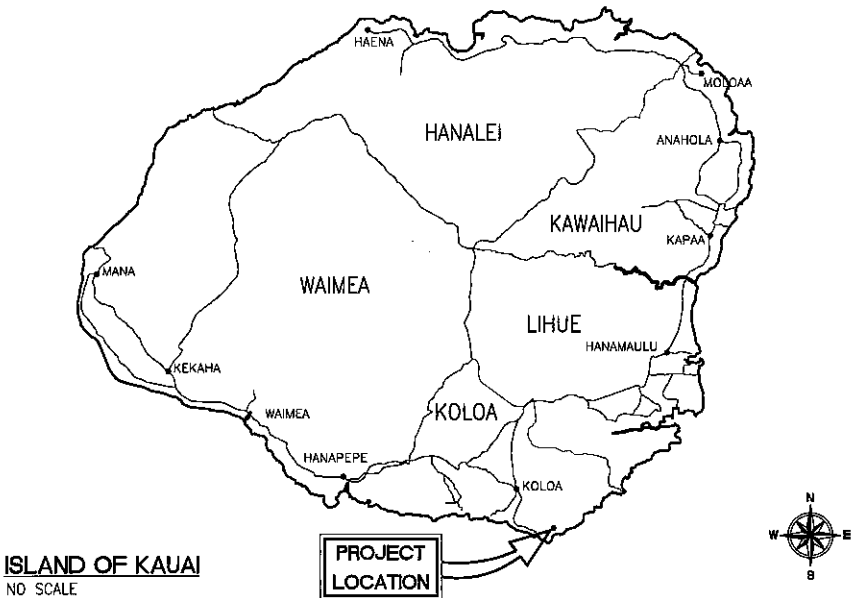
GRAND HYATT KAUAI
HALE NALU MECHANICAL
EQUIPMENT REPLACEMENT

Exhibit "E"

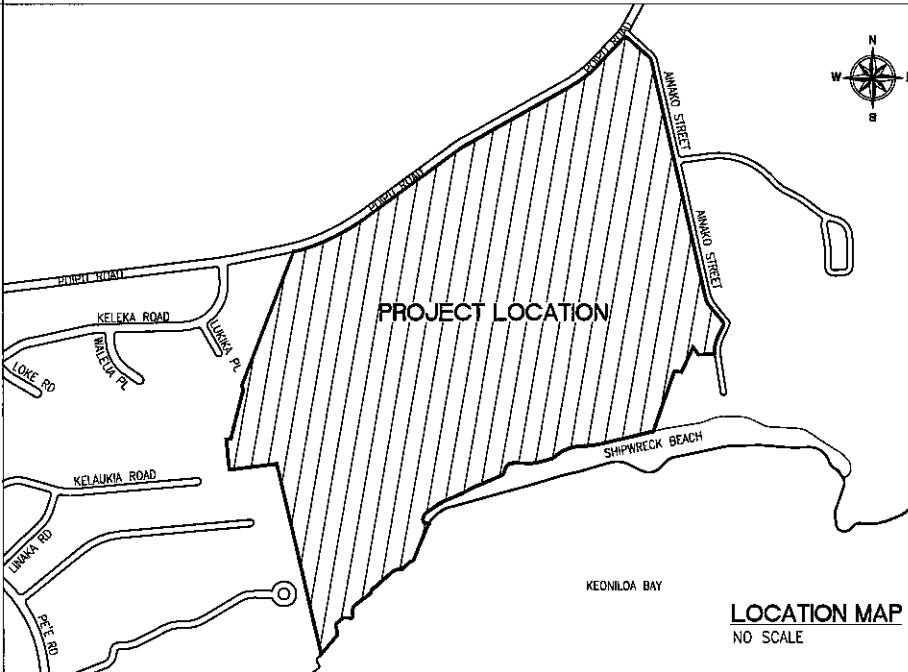
1571 POIPU ROAD
KOLOA, KAUAI, HAWAII
T.M.K. 2 - 9 - 001 : 002

ANBE, ARUGA & ISHIZU, ARCHITECTS, INC. ARCHITECTS
MIYASHIRO AND ASSOCIATES, INC. MECHANICAL ENGINEERS
BENNETT ENGINEERS, INC. ELECTRICAL ENGINEERS

VICINITY MAP



LOCATION MAP



PROJECT SCOPE

REMOVE AND REPLACE EXISTING MECHANICAL VENTILATION EQUIPMENT IN EXISTING HOTEL KITCHEN.
WORK INCLUDES ELECTRICAL.

PROJECT INFORMATION

TYPE OF CONSTRUCTION: TYPE 1A
OCCUPANCY (PROJECT AREA ONLY): A2 ACCESSORY
FLOOR AREA (PROJECT AREA ONLY): 980 S.F.

*NO CHANGE IN FLOOR AREA UNDER SCOPE OF THIS PROJECT

MIYASHIRO
AND ASSOCIATES, INC.
CONSULTING MECHANICAL ENGINEERS



850 RICHARDS STREET, PENTHOUSE HONOLULU, HAWAII, 96813

REVISIONS
1/23/2019

SIGNATURE
THIS WORK WAS PREPARED BY ME OR
UNDER MY SUPERVISION AND
CONSTRUCTION OF THIS PROJECT
WILL BE UNDER MY OBSERVATION.

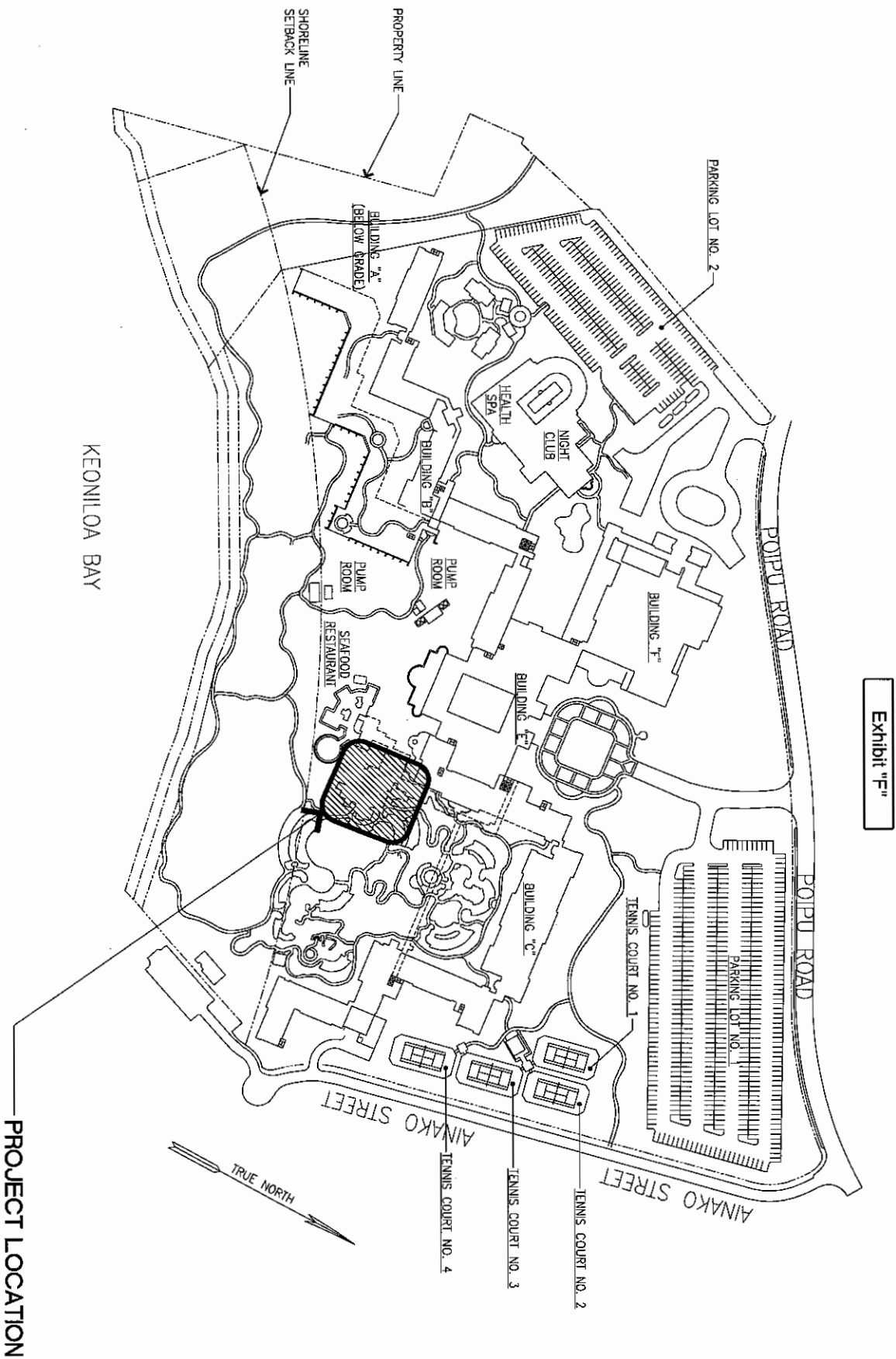


HALE NALU MECHANICAL EQUIPMENT REPLACEMENT
GRAND HYATT KAUAI
1571 POIPU ROAD
T.M.K. 2 - 9 - 001 : 002
KOLOA, HI 96756
TITLE: VICINITY MAP, LOCATION MAP, PROJECT SCOPE

CHECKED BY: DS
DRAWN BY: AG
SCALE: AS NOTED
JOB NO.:
DATE:

DRAWING NO.

0cs1
- OF - SHEETS



A ARCHITECTURAL SITE PLAN

A01 SCALE: 1/128" = 1'-0"

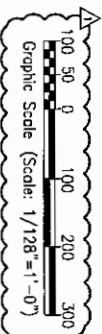


Exhibit "G"

VOGAWA & DESIGN, LLC
CDMCOUNTY OF KAUAI
DEPARTMENT OF PUBLIC WORKS
BUILDING DIVISION
BUILDING PERMIT APPLICATION

Valerie Ogawa

IMPORTANT - COMPLETE ALL ITEMS, MARK BOXES WHERE APPLICATION

I. LOCATION OF BUILDING	JOB ADDRESS: <u>CRABBY HAVEN KAUAI</u>	DIVISION	ZONE	SEC	PLAT	PARCEL	UNIT NO.
	<u>RESORT # 908 1571 POUPU RD.</u>	<u>4</u>	<u>2</u>	<u>001</u>	<u>002</u>	<u>002</u>	<u>001</u>

II. TYPE AND COST OF BUILDING	<u>908, 1571 POUPU RD.</u>	<u>9</u>	<u>001</u>
-------------------------------	----------------------------	----------	------------

A. TYPE OF IMPROVEMENT	C. PROPOSED USE FOR "DEMOLITION" MOST RECENT USE	NONRESIDENTIAL
1 () NEW BUILDING	USE RESIDENTIAL	18 () AMUSEMENT, RECREATIONAL
2 () ADDITION (IF RESIDENTIAL, ENTER NUMBER OF NEW HOUSING UNITS ADD, IF ANY, IN PART C, 13)	12 () ONE FAMILY	19 () CHURCH, OTHER RELIGIOUS
3 () ALTERATION (SEE 2 ABOVE)	13 () TWO OR MORE FAMILY - ENTER NUMBER OF UNITS	20 () INDUSTRIAL
4 () REPAIR, REPLACEMENT	14 () TRANSIENT HOTEL, MOTEL OR DORMITORY - ENTER NUMBER OF UNITS	21 () PARKING GARAGE
5 () DEMOLITION (IF MULTIFAMILY RESIDENTIAL, ENTER NUMBER OF UNITS IN BUILDING IN PART C, 13)	15 () GARAGE	22 () SERVICE STATION, REPAIR GARAGE
6 () MOVING (RELOCATION)	16 () CARPORT	23 () HOSPITAL, INSTITUTIONAL
7 () FOUNDATION ONLY	17 () OTHER - SPECIFY <u>Replace HVAC SYSTEMS</u>	24 () OFFICE, BANK, PROFESSIONAL
8 () FENCE		25 () PUBLIC UTILITY
9 () OTHER		26 () SCHOOL, LIBRARY, OTHER EDUCATIONAL
		27 () STORES, MERCANTILE
		28 () TANK, TOWERS
		29 () OTHERS - SPECIFY: <u>Hospitality</u>

B. OWNERSHIP	D. ESTIMATED VALUE: <u>\$54,191.00</u>
10 () PRIVATE (INDIVIDUAL, CORPORATION, NON-PROFIT INSTITUTION, ETC.)	
11 () PUBLIC (FEDERAL, STATE OR LOCAL GOVERNMENT)	

III. SELECTED CHARACTERISTICS OF BUILDING - FOR NEW BUILDINGS AND ADDITIONS, COMPLETE PARTS E-J, FOR DEMOLITION, COMPLETE ONLY PART H, FOR ALL OTHER SKIP TO IV.

E. PRINCIPAL TYPE OF FRAME	G. TYPE OF MECHANICAL	I. NUMBER OF OFF STREET PARKING SPACES
30 () MASONRY (WALL BEARING)	WILL THERE BE CENTRAL AIR CONDITIONING?	44 () ENCLOSED:
31 () WOOD FRAME	37 () YES 38 () NO	45 () OUTDOORS:
32 () STRUCTURAL STEEL	WILL THERE BE AN ELEVATOR?	J. RESIDENTIAL BUILDINGS ONLY
33 () REINFORCED CONCRETE	39 () YES 40 () NO	46 () NUMBER OF BEDROOMS:
34 () OTHER - SPECIFY		47 () NUMBER OF (FULL):
F. TYPE OF SEWAGE DISPOSAL	H. DIMENSIONS	BATHROOMS (PARTIAL):
35 () PUBLIC OR PRIVATE COMPANY	41 () NUMBER OF STORIES:	
36 () INDIVIDUAL (SEPTIC TANK, ETC.)	42 () TOTAL SQUARE FEET OF FLOOR AREA ALL FLOORS, BASED ON EXTERIOR DIMENSIONS	
	43 () TOTAL LAND AREA, SQ. FT.	

IV. IDENTIFICATION	NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
OWNER	<u>CRABBY HAVEN KAUAI RESORT</u>	<u>1571 POUPU RD. Koloa HI</u>	<u>96756</u>	
PLAN MAKER	<u>KAYASHIRO & ASSOC.</u>	<u>350 PICHARD ST. HAWAII</u>	<u>96813</u>	<u>(808) 536-8317</u>
CONTRACTOR	<u>ALAKAI MECHANICAL CORP</u>	<u>2655 WYMAN LANE HAWAII</u>	<u>96819</u>	<u>(808) 834-1085</u>

I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE IS CORRECT AND AGREE TO COMPLY WITH ALL KAUAI COUNTY ORDINANCES AND STATE LAWS REGULATING BUILDING CONSTRUCTION.	<u>Valerie Ogawa</u>	<u>12-13-18</u>
	SIGNATURE (OWNER OR APPLICANT)	DATE

V. APPROVAL OF OTHER AGENCIES	<u>12-18-18</u>
-------------------------------	-----------------

PLANNING DEPARTMENT	DATE	PERMISSION IS HEREBY GIVEN TO DO WORK ACCORDING TO CONDITIONS HEREON AND ACCORDING TO APPROVED PLANS AND SPECIFICATIONS. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS, OR IF CONSTRUCTION OR WORK SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED. SEPARATE PERMITS MUST BE OBTAINED FOR SIGN, ELECTRICAL PLUMBING, AND GAS.
DEPARTMENT OF WATER	DATE	
HEALTH DEPARTMENT	DATE	
FIRE DEPARTMENT	DATE	
DIVISION OF ENGINEERING	DATE	
FLOOD REVIEW	DATE	
WASTEWATER DIVISION	DATE	
FOR BUILDING OFFICIAL	DATE	

POST PERMIT PLACARD ON SITE OF WORK	
FEE RECEIVED:	PLAN REVIEW FEE: \$ PERMIT FEES: \$ PERMIT NO. <u>18-2913</u>

MIYASHIRO AND ASSOCIATES, INC.

MECHANICAL ENGINEERING CONSULTANTS

MEMORANDUM 19 SEP -9 P3:06

Date: September 4, 2019

To: Jody Galinato
County of Kauai, Planning Department

From: Timothy McArthur
Miyashiro and Associates, Inc.
mail@mai-hawaii.net
Phone: (808) 536-8317
Fax: (808) 536-8768

Subject: Shoreline Setback Determination (Exemption)

Project: Hale Nalu Mechanical Equipment Replacement
Grand Hyatt Kauai
Poipu, Kauai

RECEIVED

Ms. Galinato:

On behalf Alaka'i Mechanical Corporation I am submitting a Shoreline Setback Application (exemption 2) pursuant to Kauai County Code for the repair and replacement of the mechanical equipment serving the Grand Hyatt Hale Nalu Kitchen and Bar. Please see the attached letter of authorization.

The purpose of this project is to replace the existing mechanical equipment that serves the kitchen. The scope of the project is limited to just the work necessary to replace the mechanical systems and thus the proposed project will not impact public beach process or be affected by or contribute to coastal erosion or hazards due to the following:

1. The project site is located a minimum of at least 335 feet from the approximate shoreline. See attached Google map plan.
2. The project does not affect the existing structure of the building and will have no impact on its current vulnerability or impact to coastal erosion or hazards.

Since the project is to replace the existing mechanical equipment there is no work to the existing structure hence the project will not adversely affect the coastal beach process, we request that the exemption provided in Kauai County Code, 1987 as amended, chapter 8, section 8-27.3(a)(2), be granted for this application.

A copy of the County Planning Department Shoreline Setback Application form is attached along with exhibits as listed on the following page.

EXHIBIT LIST:

EXHIBIT	DESCRIPTION
Exhibit “A”	Letter of Authorization.
Exhibit “B”	Shoreline Setback Application Substantial Improvement Determination.
Exhibit “C”	Google satellite map of the Grand Hyatt showing project location and distance to the apparent shoreline.
Exhibit “D”	Parcel Plan Map of Grand Hyatt Kauai showing land parcel, Parcel ID and TMK number.
Exhibit “E”	Project title sheet with island map showing project location.
Exhibit “F”	Project Architectural site plan sheet.
Exhibit “G”	Estimated Project Cost.

The following is a description of the work performed:

1. Replace the existing kitchen exhaust hood with a new stainless-steel kitchen exhaust hood, size of hood to match the existing.
2. Replace the existing make-up air system with new pre-conditioned make-up air unit with new stainless-steel ductwork. Pre-conditioned make-up air unit to match exhaust fan capacity.
3. Replace the existing kitchen hood exhaust fan and ductwork with new stainless-steel ductwork and new exhaust fan. Capacity of exhaust fan to match kitchen hood size.
4. Replace the existing air conditioning system (chilled water air handling unit and ductwork) serving the kitchen area with new chilled water air handling unit and ductwork.
5. Replace the chilled water piping, valves and control valve for the air handling unit and pre-conditioned make-up air unit.
6. Replace the controls, thermostat and associated sensors.
7. Demolish and replace the existing ceiling in order to replace the ductwork.
8. Provide new insulation on all cold surfaces (i.e. chilled water piping and ductwork).
9. Reinstall existing duct smoke detector and tie into the existing fire alarm panel.