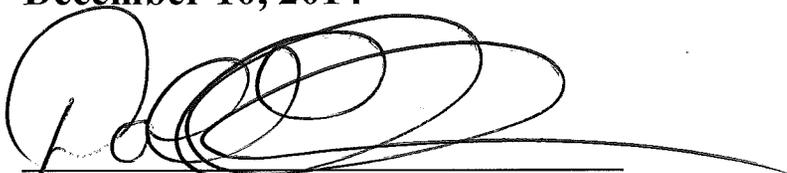


LUC Docket No. SP87-364
Kahili Adventist School
***Landowner Status Report**

Staff Report

***No Action Required**
December 10, 2014

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Daniel Orodener, Executive Officer

Submitted: December 8, 2014

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1. Filing History

On August 13, 1987, the Commission approved a decision and order for the Special Permit for Kahili Adventist School located on approximately 195.673 acres of land within the State Agricultural District in Koloa, island of Kaua'i, Hawai'i. The Special Permit was subject to eight (8) conditions; no annual progress report was required but applicant was required to submit a copy of the education curriculum each Fall to the County Planning Department in order to verify the provision of an agricultural work-study program.

At that time the property was owned by Augustus F. Knudsen Trust and Eric A. Knudsen Trust; with the Hawai'i Association of the Seventh-Day Adventist as lessee.

The Property is also known as Kahili Mountain Park. When the Special Permit was approved, the Property consisted of 36 structures and cabins under construction. Fifty (50) percent of the Property was in pasture and the remainder in steep slopes and gully land overgrown with natural vegetation. The Property is bordered on the North by forest reserve and on the other sides by sugar cane cultivation. According to the State Land Study Bureau (LSB) the lands are rated "C", "D" and "E."

Petitioner proposed the establishment of a school and church uses with a total of 53 housing units (14 faculty housing units and 39 existing or proposed cabins); interior roadway and waterline improvements; roadway improvements as required by State DOT; drainage and flood studies as recommended by the County Public Works; and resolve and comply with any requirements of DOH, County Highways, County Public Works, Fire and Water Departments.

On August 26, 2008, the Commission approved an Order Requiring the filing of Status Reports. This required the applicant to file a status report with the Commission when it submits its application to the County of Kaua'i; a second status report shall be filed one year from that filing date to update the Commission on results of that action.

On April 26, 2010, the Commission approved an Amendment to Special Use Permit. Amendments were made to Conditions 1-3, and 8 with a new Condition 13 being added. Condition 13 required an annual report be filed with the Commission providing a status of the Project's compliance with conditions.

The Commission received annual reports in 2011, 2012, and 2013. The April 26, 2013 Annual Report indicated that Kahili Adventist School was in compliance with all conditions of approval. Condition 10 is interesting in that it reinstated the previously approved density of 20 cabins or units and makes reference to retirement home units (see page 3, of the 2013 annual report). Commissioners may want to ask about this condition in terms of the landowners interpretation about what's allowed and any future plans.

On August 12, 2014, the Commission received a Notice of Ownership Change from representatives of Kahili Adventist School. The Notice indicated that the Hawai'i Conference of Seventh Day Adventists was no longer the lessee or in possession of the Property and they would no longer be filing annual status reports. The Commission was directed to contact landowner – Eric A. Knudsen Trust.

On December 2, 2014, the LUC mailed the Meeting Agenda notice for the December 10, 2014 meeting to be held in Lihu'e, Kaua'i to the Parties, the Statewide and Kaua'i mailing lists. A representative for Eric A. Knudsen Trust will update the Commission on the status of the Property and their intent for future activities on the Property.

2. History of Special Permits on the Property

Special Permit SP67-48 Kahili Mountain Park

On December 15, 1967, the Commission granted a Special Permit to develop a 150-acre rustic camping-recreational facility, with commercial accessory uses, and a golf driving range within the Agricultural District in Koloa, island of Kaua'i on TMK 2-7-01: portion of 001. The Special Permit was subject to five (5) conditions. No annual reporting requirement was included.

On October 31, 1969, the Commission amended the Special Permit by deleting Condition 4 which related to commercial advertising and signs.

Special Permit SP75-214 Kahili Mountain Park, Inc.

On September 22, 1975, the Commission approved a Special Permit that allowed expansion of an existing overnight camping facility on portions of a 215-acre property within the State Agricultural District at Koloa, island of Kaua'i on TMK 2-7-01: portion of 001. At that time the Property contained 15 permanent tent structures, 7 cabins, shower and toilet facilities, a utility building, tennis court, supervisor's residence, central lodge building, stables, and a manager's residence. The Special Permit was subject to four (4) conditions that covered fire protection, required improvements to the drinking water supply to satisfy DOH, addressing flooding issues prior to building permit issuance, and compliance with all State and County requirements. No annual reporting requirement was included.