

OFFICE OF PLANNING

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BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A11-791
)	
HG KAUAI JOINT VENTURE, LLC)	OFFICE OF PLANNING’S STATEMENT
)	OF POSITION; CERTIFICATE OF
)	SERVICE
To Amend the Land Use District Boundary)	
of Certain Lands Situated at Kapaa, Island)	
of Kauai, State of Hawaii, Consisting of)	
approximately 96 Acres, From the)	
Agricultural Land Use District to the Urban)	
Land Use District, Kauai Tax Map Key 4-3-)	
03: por. 01)	
_____)	

OFFICE OF PLANNING’S STATEMENT OF POSITION

Pursuant to Hawaii Administrative Rules (“HAR”) § 15-15-55, the Office of Planning (“OP”) submits this Statement of Position in tentative support of the reclassification of the Petition Area, subject to certain conditions and pending further OP review and assessment of comments, issues, and recommendations that may be raised by reviewing agencies. This Statement of Position summarizes OP’s position based on information currently available, including the representations of HG Kauai Joint Venture, LLC (“Petitioner”), documents filed in these proceedings, coordination with the Petitioner and affected government agencies, and the statutes and regulations applicable to these proceedings. Any additional information that becomes available to us may subsequently be reflected in OP’s written testimony.

PETITION OVERVIEW

General Information

The Petitioner requests that the Land Use Commission (“Commission” or “LUC”) reclassify approximately 96 acres of land from the State Agricultural District to the State Land Use Urban District at Kapaa, Island of Kauai.

The Petitioner is the fee owner of the parcel, Tax Map Key (“TMK”) No. (4) 4-3-03: por. 1, being proposed for reclassification under this Petition.

Proposed Use of the Petition Area

Petitioner proposes to establish the proposed HoKua Place project as a single-family and multi-family residential community. Petitioner proposes to develop 86 single-family lots by subdividing approximately 69 acres into lots ranging in size from 7,500 to 10,000 square feet. Petitioner also plans to develop approximately 683 multi-family units on approximately 13.25 acres. According to Petitioner, the overall density of the project is about 8 dwelling units per acre. The residential community will also contain a 1.4-acre neighborhood commercial center and a 3.1-acre community park. The Kapaa community’s County swimming pool will be relocated to this park site. Within the Petition Area, on the makai side of Kapaa Bypass Road, a one-acre site may be used for police or a fire substation or additional neighborhood commercial space. A multi-modal main roadway through HoKua Farm lots (remaining in State Agricultural Land Use District) and the Petition Area, will include areas for bus stops, sidewalks and bicycle and walking paths from Olohena Road, adjacent to the Kapaa Middle School and the Kapaa Bypass Road.

Petitioner indicates that the project will have completed all backbone infrastructure within 10 years of the Land Use Commission’s (“LUC”) Decision and Order.

According to the Petition, the Petition Area is consistent with the County of Kauai’s Updated General Plan, Kauai Kakou, which designates the area for Neighborhood General use. Access to the site is through the Kauai Bypass Road and Olohena Road.

Petition Area Description

The Petition Area is shown in Petitioner’s Exhibit 1.

KEY ISSUES OF CONCERN TO THE STATE

OP's testimony will summarize the key issues related to areas of State concern in Hawaii Revised Statutes ("HRS") §§ 205-16 and 205-17. OP's written testimony will recommend appropriate conditions, as necessary, to address any reasonably foreseeable impacts from the proposed project that have not been addressed by commitments made by Petitioner to avoid, minimize, or mitigate these impacts. OP referred the Petition to the following State and Federal agencies for review and comment on potential impacts to State facilities, programs, and policies applicable to these proceedings: Department of Transportation, Department of Land and Natural Resources, Department of Health, Department of Accounting and General Services, Department of Defense, Department of Agriculture, Department of Defense, Hawaii State Energy Office, Hawaii Housing, Finance Development Corporation, and U.S. Fish and Wildlife Service. Comments received from agencies will be summarized and provided in OP's forthcoming testimony.

CONCLUSION

Based on our preliminary assessment of the proposed project with respect to the Commission's decision-making criteria, OP tentatively supports the proposed boundary amendment, subject to conditions to address the concerns to be provided in OP's forthcoming testimony. The proposed boundary amendment is consistent with HRS Chapter 205 and generally meets the Commission's decision-making criteria contained in HRS Chapter 205 and HAR Chapter 15-15. OP's position is contingent on the Petitioner's commitment to avoid, minimize, or mitigate Project impacts identified by the State herein and in this proceeding to the satisfaction of the relevant State agencies prior to the close of the Petitioner's case-in-chief, or by agreed-to conditions of approval.

OP distributed the Petition to State and Federal agencies for their review and comments; additional information or concerns may be forthcoming. Specific impacts on areas of State concern and recommendations on conditions to mitigate Project impacts will be discussed further in OP's written testimony.

DATED: Honolulu, Hawaii, October 19, 2020.

OFFICE OF PLANNING
STATE OF HAWAII

Mary Alice Evans

MARY ALICE EVANS
DIRECTOR

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by regular mail.

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DATED: Honolulu, Hawaii, October 19, 2020.

OFFICE OF PLANNING
STATE OF HAWAII

Mary Alice Evans

MARY ALICE EVANS
Director