



McCORRISTON MILLER MUKAI MACKINNON LLP
ATTORNEYS AT LAW

Laurel Loo, Partner
ll@m4law.com

December 5, 2023

Ka'aina Hull, Director
Kauai County Planning Director
Via e-mail: KHull@Kauai.gov

Re: Kauanoë O Koloa
P.D. U-2006-25, Use Permit U-2006-26,
Class IV Zoning Permit Z-IV-2006-27
5425 Pau a Laka LLC
Tax Map Key 2-8-014:032

Dear Mr. Hull:

As you know, this firm represents Meridian Pacific, developer of the above-referenced project.

Enclosed for Planning Commission approval is the master drainage plan as referenced in Condition 26 of the applicable zoning permits. Please schedule agenda time on the next available commission meeting.

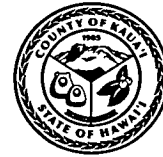
Sincerely yours,
McCorriston Miller Mukai MacKinnon

Laurel Loo

Enclosure

LL; vct

H.1.
Dec 12, 2023



MEMORANDUM

TO: Ka'aina Hull, Planning Director

FROM: Michael Moule, PE, Chief of Engineering

Digitally signed by Michael
Moule
Date: 2023.12.05 16:42:07 -10'00'

DATE: December 5, 2023

RE: Master Drainage Plan for Lands Mauka of Po'ipū Road Rezoned under Ordinance No. PM-31-79

My office has completed our review of the subject master drainage plan, dated December 5, 2023, as submitted by Esaki Surveying and Mapping, Inc. The Planning Department issued a letter dated September 25, 2006 documenting the approval by Planning Commission of Project Development Use Permit P.D.U-2006-25, Use Permit U-2006-26, and Class IV Zoning Permit Z-IV-2006-27. Condition number 26 documented in this letter states:

"Prior to building permit approval, the Applicant shall submit a master drainage plan for all lands mauka of Po'ipū Road rezoned under Moana Corporation Ordinance No. PM-31-79 for Planning Commission review and approval, including Kaneioulouma Heiau."

The subject master drainage plan was submitted to address condition number 26.

We have reviewed the subject master drainage plan and find the final version dated December 4, 2023 acceptable with respect to the County of Kaua'i Storm Water Runoff System Manual.

The master drainage plan does the following:

- Summarizes information from detailed drainage reports within the master plan area, for development projects that have already been completed or have already been designed.
- Discusses and provides estimated stormwater runoff information for properties within the master plan area that have been rezoned but for which no specific developments have been proposed or constructed.
- Indicates which properties within the master plan area drain to Kaneioulouma Heiau and discusses methods to mitigate stormwater runoff to the heiau.

If you have any questions, please contact me at 808-241-4891.

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



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

DIRECTOR'S REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of Master Drainage Plan for approval, pursuant to Condition No. 26 of the subject permits

Permit Application Nos. Class IV Zoning Permit Z-IV-2006-27
Use Permit U-2006-26
Project Development Use Permit PDU-2006-25

Name of Applicant(s) MERIDIAN PACIFIC (Formerly KIAHUNA POIPU GOLF RESORT, LLC.)

II. PERMIT INFORMATION

PERMITS REQUIRED	
<input checked="" type="checkbox"/> Use Permit	A Use Permit was necessary since the project warranted a Project Development Use Permit.
<input checked="" type="checkbox"/> Project Development Use Permit	Pursuant to Article 10, Chapter 8 of the KCC (1987) as amended, a Project Development Use Permit was required to allow comprehensive site planning and design, and to allow "diversification in the relationships of various uses, buildings, structures, open spaces and yards, building heights, lot sizes, and streets."
<input type="checkbox"/> Variance Permit	
<input type="checkbox"/> Special Permit	
<input checked="" type="checkbox"/> Zoning Permit Class <input checked="" type="checkbox"/> IV <input type="checkbox"/> III	Pursuant to Section 8-10.5 of the KCC (1987) as amended, a Class IV Zoning Permit was a procedural requirement for obtaining a Project Development Use Permit.
<input type="checkbox"/> Special Management Area Permit <input type="checkbox"/> Use <input type="checkbox"/> Minor	
AMENDMENTS	
<input type="checkbox"/> Zoning Amendment	
<input type="checkbox"/> General Plan Amendment	
<input type="checkbox"/> State Land Use District Amendment	

An Equal Opportunity Employer

H.I.B.
DEC 12 2023

Date of Receipt of Completed Application: N/A
Date of Director's Report: December 6, 2023
Date of Planning Commission Review: December 12, 2023
Deadline Date for PC to Take Action (60TH Day): N/A

III. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	The project site is located along Kiahuna Plantation Drive in Po'ipū, Kaua'i.		
Tax Map Key(s):	2-8-014:032	Area:	Approx. 27.886 acres
ZONING & DEVELOPMENT STANDARDS			
Zoning:	Residential (R-10) & Open (O) Districts		
State Land Use District:	Urban		
General Plan Designation:	Resort		
Height Limit:	55 feet		
Max. Land Coverage:	60% of lot area		
Parking Requirement:	N/A		
Front Setback:	10 feet min.		
Rear Setback:	10 feet min,		
Side Setback:	5 feet min.		
Community Plan Area:	South Kaua'i Community Plan (SKCP)		
Community Plan Land Use Designation:	NA.		
Deviations or Variances Requested:	NA.		

IV. PROJECT DESCRIPTION AND USE

On August 22, 2006, the Planning Commission approved the subject permits to allow for the construction of a 280-unit multi-family resort residential project (refer to Exhibit 'A', Planning Commission approval letter). As represented, the project would involve:

- Front desk and rental offices;
- 4,800 SF restaurant and pool bar;
- Permanent project real estate sales offices & administrative offices;
- Small gift shop;
- Meeting rooms;
- Fitness & Business Centers;
- Two (2) on-site swimming pools;
- Retreat center with poolside bar and massage palapas;

- Logo shop
- Keiki pavilion & playground;
- Sand volleyball court area;
- Tennis court; and
- 9-hole putting course

In addition, two (2) single-family residential dwellings would be located within the Open (O) zoning district portion of the parcel. A total of 554 parking stalls would be provided on-site within parking garages and parking lots, and there will also be 6 parking stalls along Kiahuna Plantation Drive and designated for public use for Hapa Trail users.

The parcel is a portion of the 457-acre Moana project area that included single and multi-family residential zoning, open zoning for recreational uses and archaeological preserves, and Neighborhood Commercial zoning to serve the Po'ipū area.

The subject parcel is primarily zoned Residential District (R-10) with a portion that's zoned Open District (O) that's adjacent to the golf course along its western boundary. The project is situated within the Po'ipū Visitor Destination Area (VDA).

V. APPLICANT'S REASONS/JUSTIFICATION

The Applicant is requesting the Commission to review and approve the Master Drainage Plan pursuant to Condition No. 26 that relates to drainage requirements for the project. The condition currently reads:

"26. Prior to building permit approval, the Applicant shall submit a master drainage plan for all lands mauka of Poipu Road rezoned under Moana Corporation Ordinance No. PM-31-79 for Planning Commission review and approval, including Kaneioulouma Heiau."

As stated, the condition requires the developer to prepare a master drainage plan that would include the project area, the lands that were rezoned through Ordinance No. PM-31-79, commonly referred to as the "Moana Ordinance," and the land encumbered by Kaneioulouma Heiau. It is noted that the parcel containing the heiau was not a part of the Moana Ordinance and it is physically separated from the "Moana" lands since it is on the makai side of Poipu Road.

The intent of the document is to study the stormwater effect on the heiau as a result of the developments within the Moana lands. In consideration of the plan, it should be noted that the Applicant does not have any control of the lands that are situated across and along Kiahuna Plantation Drive, as well as those lands immediately mauka of the heiau parcel since they are under a different ownership. The drainage plan would evaluate its impacts to surrounding parcels as well as potential impacts to Kaneioulouma Heiau.

It is finally noted that the drainage plan has been submitted to the County Department of Public Works (DPW), Engineering Division for their review and comment. Attached for the Commission's consideration, through a separate transmittal, is a copy of the COK DPW comments dated


December 5, 2023.

VI. AGENCY COMMENTS

Under separate transmittal.

VII. PRELIMINARY RECOMMENDATION

Based on the correspondence received from the County DOW, it is recommended that the Commission **approve** the Master Drainage Plan dated December 5, 2023. Additionally, the Applicant is advised that all applicable conditions of approval shall remain in effect.

By 
DALE A. CUA
Planner

Approved & Recommended to Commission:

By 
KA'ĀINA S. HULL
Director of Planning

Date: _____