

**SP 87-364**  
**Extras**



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the matter of the Petition	) SP87-364
of	)
SP87-364 Kahili Adventist School (Kauai)	) <b>PETITIONER KAHILI ADVENTIST</b>
	) <b>SCHOOL'S STATUS REPORT; EXHIBIT</b>
	) <b>"A"; CERTIFICATE OF SERVICE</b>
	)
	)

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**PETITIONER KAHILI ADVENTIST SCHOOL'S STATUS REPORT**

Petitioner KAHILI ADVENTIST SCHOOL ("School"), by and through its attorneys, CASE LOMBARDI & PETTIT, hereby submits a status report regarding SP87-364.

On January 26, 2010, the Kauai County Planning Commission met to discuss the School's Request to Amend Conditions #1 and #2, and to provide a Compliance and Status Report for Use Permit U-87, Special Permit SP-87-13, Class IV Zoning Permit Z-IV-87-51 ("Application and Status Report"). The Commission approved the Application and Status Report.

The Commission's letter dated January 26, 2010, approving the Application and Status Report, is attached as Exhibit "A."

The School will provide any additional information requested by the Commission.

DATED: Honolulu, Hawaii, February 9, 2010.

LAND USE COMMISSION  
STATE OF HAWAII

2010 FEB -9 P 2:43

Mark G. Valencia  
MICHAEL R. MARSH  
JAMES M. CRIBLEY  
MARK G. VALENCIA  
Attorneys for Petitioner  
**KAHILI ADVENTIST SCHOOL**



**BERNARD P. CARVALHO, JR.**  
MAYOR



**IAN K. COSTA**  
DIRECTOR OF PLANNING

**GARY K. HEU**  
ADMINISTRATIVE ASSISTANT

**IMAIKALANI P. AIU**  
DEPUTY DIRECTOR OF PLANNING

**COUNTY OF KAUA'I  
PLANNING DEPARTMENT**  
4444 RICE STREET  
KAPULE BUILDING, SUITE A473  
LIHU'E, KAUA'I, HAWAII 96766-1326

TEL (808) 241-4050 FAX (808) 241-6699

January 26, 2010

Kahili Adventist School  
c/o Greg Kamm Planning & Management  
P.O. Box 480  
Koloa, Hawai'i 96765

**SUBJECT:** Request to Amend Conditions #1 and #2, and to provide a Compliance and Status Report for Use Permit U-87-41, Special Permit SP-87-13, Class IV Zoning Permit Z-IV-87-51  
Kahili Adventist School  
TMK 2-7-1: 3, Koloa, Kaua'i

The Planning Commission, at its meeting held on January 26, 2010, received and approved the above request. The conditions of approval were amended as follows, utilizing the Ramseyer format:

1. Interior roadway and water line improvements shall be provided and/or extended in order to service all further development on the property[. Such improvements shall be provided prior to the issuance of an occupancy permit] , as may be required by the Fire Department, Water Department, and/or the Department of Public Works .
2. The applicant shall [provide an all weather surface from Kaumuali'i Highway to the school within 5 years from the date of review and approval by the Land Use Commission, or earlier. All weather surface shall mean provision of penetration base treatment or better] manage and maintain the compacted gravel surface roadways to a minimum width of 16 ft, and adjacent drainage ditches to ensure their drainage function. The County of Kaua'i shall be absolved of any liability issues related to these unimproved access roadways and drainage ditches, from Kaumuali'i Highway to and within the school campus and cabin facilities.
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Should there be any questions relative to the above, please contact planner Michael Laureta t 241-4068.

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IAN K. COSTA  
Planning Director

C: Water Department  
Fire Department  
State Dept. of Transportation, Highways Division, Kauai

BEFORE THE LAND USE COMMISSION  
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In the matter of the Petition	)	SP87-364
	)	
of	)	<b>CERTIFICATE OF SERVICE</b>
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SP87-364 Kahili Adventist School (Kauai)	)	
	)	
_____	)	

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of Petitioner Kahili Adventist School's Status Report;  
Exhibit "A" was served upon the following by either hand delivery or depositing same in the  
United States Mail, postage-prepaid on February 9, 2010:

Mr. Dan Davidson  
Land Use Commission  
235 S. Beretania Street, Room 406  
Honolulu, Hawaii 96813

Abbey Meyer, Director  
Office of Planning  
P.O. Box 2359  
Honolulu, Hawaii 96804-2359

Bryan C. Yee, Esq.  
Hale Auhau, Third Floor  
425 Queen Street  
Honolulu, Hawaii 96813

Alfred B. Castillo, Esq.  
County of Kauai  
4444 Rice Street, Suite 220  
Lihue, Kauai, Hawaii 96766

Ian Costa, Director  
Department of Planning  
County of Kauai  
4444 Rice Street, Suite A473  
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Michael D. Tom, Esq.  
Tom Petrus & Miller  
1164 Bishop Street, Suite 650  
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, February 9, 2010.

Mark G. Valencia  
MICHAEL R. MARSH  
JAMES M. CRIBLEY  
MARK G. VALENCIA  
Attorneys for Petitioner  
**KAHILI ADVENTIST SCHOOL**



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DATED: Honolulu, Hawaii, February 9, 2010.

LAND USE COMMISSION  
STATE OF HAWAII  
2010 FEB -9 P 3:03

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MICHAEL R. MARSH  
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Attorneys for Petitioner  
**KAHILI ADVENTIST SCHOOL**



A

**BERNARD P. CARVALHO, JR.**  
MAYOR



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**GARY K. HEU**  
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January 26, 2010

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LAND USE COMMISSION  
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2010 FEB -9 P 203

Mark G. Valencia  
MICHAEL R. MARSH  
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Attorneys for Petitioner  
**KAHILI ADVENTIST SCHOOL**



A

**BERNARD P. CARVALHO, JR.**  
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January 26, 2010

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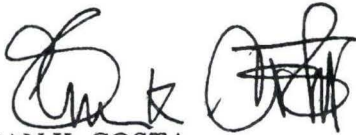
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2010 FEB -9 P 204

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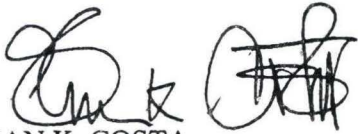
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IAN K. COSTA  
Planning Director

C: Water Department  
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LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
KAUAI DISTRICT  
1720 HALEUKANA STREET  
LIHUE, HAWAII 96766

BRENNON T. MORIOKA  
DIRECTOR

Deputy Directors  
MICHAEL D. FORMBY  
FRANCIS PAUL KEENO  
BRIAN H. SEKIGUCHI  
JIRO A. SUMADA

IN REPLY REFER TO:

HWY-K 4.100174

April 7, 2010

Mr. Orlando Davidson  
Executive Officer  
Land Use Commission  
235 S. Beretania Street  
Honolulu, HI 96813

Attention: Bryan C. Yee

Dear Mr. Davidson:

Subject: Docket No. SP87-364  
Kahili Adventist School (Kauai)

LAND USE COMMISSION  
STATE OF HAWAII  
2010 APR -7 P. 3:46

The Department of Transportation (DOT) recommends that Condition No. 3 of Docket No. SP87-364 be amended to read:

"As recommended by the State Department of Transportation, the applicant shall conduct and submit to the State Department of Transportation for its approval a Traffic Operational Analysis at the intersection of Kaumualii Highway and the roadway to Kahili Mountain Park every five years to determine if improvements at the intersection such as a left turn lane, acceleration lane, and deceleration lanes are required. The applicant shall be required to pay for and construct all improvements recommended by the approved Traffic Operational Analysis.

The DOT is recommending that Condition No. 3 be modified due to the following reasons:

1. The DOT's comments were based on the amount of additional traffic that would be generated due to the applicant's expansion plans. In meetings between the DOT and the applicant's agent, the applicant has stated that amount of growth initially hoped for has occurred and that the applicant believes there will not be significant expansion in the near future
2. Kahili Adventist School has initiated a school bus program that the majority of the students use to commute to the school.

Mr. Orlando Davidson  
Page 2  
April 7, 2010

HWY-K 4.100174

3. The applicant has provided the DOT with copies of a Traffic Operational Analysis Report performed by the applicant's consultant, Wagner Engineering. That analysis concluded that improvements recommended by the DOT in its 1987 memo were not required for the traffic conditions currently experienced at his intersection.

If you have any questions, please call Stanford Iwamoto at 241-3015.

Sincerely,

A handwritten signature in black ink, appearing to read 'RJM', followed by a horizontal line.

RAYMOND J. MC CORMICK, P.E.  
District Engineer

SMI:JI

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
KAUAI DISTRICT  
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HWY-K 4.100174

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Attention: Bryan C. Yee

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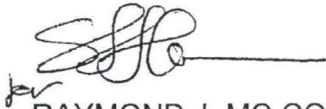
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DIRECTOR

Deputy Directors  
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IN REPLY REFER TO:

HWY-K 4.100174

April 7, 2010

Mr. Orlando Davidson  
Executive Officer  
Land Use Commission  
235 S. Beretania Street  
Honolulu, HI 96813

Attention: Bryan C. Yee

Dear Mr. Davidson:

Subject: Docket No. SP87-364  
Kahili Adventist School (Kauai)

LAND USE COMMISSION  
STATE OF HAWAII  
2010 APR -7 P. 3:46

The Department of Transportation (DOT) recommends that Condition No. 3 of Docket No. SP87-364 be amended to read:

"As recommended by the State Department of Transportation, the applicant shall conduct and submit to the State Department of Transportation for its approval a Traffic Operational Analysis at the intersection of Kaumualii Highway and the roadway to Kahili Mountain Park every five years to determine if improvements at the intersection such as a left turn lane, acceleration lane, and deceleration lanes are required. The applicant shall be required to pay for and construct all improvements recommended by the approved Traffic Operational Analysis.

The DOT is recommending that Condition No. 3 be modified due to the following reasons:

1. The DOT's comments were based on the amount of additional traffic that would be generated due to the applicant's expansion plans. In meetings between the DOT and the applicant's agent, the applicant has stated that amount of growth initially hoped for has occurred and that the applicant believes there will not be significant expansion in the near future
2. Kahili Adventist School has initiated a school bus program that the majority of the students use to commute to the school.

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3. The applicant has provided the DOT with copies of a Traffic Operational Analysis Report performed by the applicant's consultant, Wagner Engineering. That analysis concluded that improvements recommended by the DOT in its 1987 memo were not required for the traffic conditions currently experienced at his intersection.

If you have any questions, please call Stanford Iwamoto at 241-3015.

Sincerely,

A handwritten signature in black ink, appearing to read 'RJM', followed by a horizontal line.

RAYMOND J. MC CORMICK, P.E.  
District Engineer

SMI:JI