

**LANA'I PLANNING COMMISSION  
SUMMARY MINUTES  
NOVEMBER 28, 2018**

**([HYPERLINK TO AUDIO RECORDING OF THE MEETING](#))**

**A. CALL TO ORDER**

The regular meeting of the Lanai Planning Commission (Commission) was called to order by Ms. Caron Green, Chair, at approximately 5:00 p.m., Wednesday, November 28, 2018, in the Lanai Senior Center, Lanai City, Hawaii.

A quorum of the Commission was present (see Record of Attendance).

- B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.**

*(Item B.1. begins at 00:00:22 of the Audio Recording)*

**C. PUBLIC HEARING (Action to be taken after public hearing.)**

- 1. LANAI RESORTS, LLC, doing business as PŪLAMA LĀNA'I requesting a Project District Phase 2 Development Approval and County Special Use Permit for construction and operation of an Adventure Center including zip line facilities, recreational climbing courses, and a welcome center, at the former Experience at Koele Golf Course located on a portion (approximately 30 acres) of the 325.2-acre parcel of land identified by Tax Map Key (2) 4-9-018:003 (POR.), Koele, Lāna'i, Hawai'i (PH2 2018/0001) (CUP 2018/0001) (A. Cua for K. Wollenhaupt) *(Commissioners: Please bring your copy of the [application booklet](#) which was previously mailed to you.)*  
[Report](#)      [Recommendation](#)**

*(Item C.1. begins at 00:30:36 of the Audio Recording)*

*(Public Testimony for Item C.1. begins at 01:28:00 of the Audio Recording)*

*The Lanai Planning Commission recessed at 7:20 p.m., and reconvened at 7:29 p.m.*

*(Motion was made at 02:46:25 of the Audio Recording)*

**It was moved by Mr. John Delacruz, seconded by Mr. Gerald Rabaino, then**

*(Vote was taken at 02:47:24 of the Audio Recording)*

**VOTED:** To defer until the applicant can offer or complete alternate sites to include but not limited to sporting clays, and include noise assessment studies for all recommended alternate sites.

(Assenting: R. Catiel, J. Delacruz, M. Martin, S. Menze, S. Preza,  
G. Rabaino, S. Samonte)

(Excused: C. Trevino)

#### **D. COMMUNICATIONS**

1. **ALICIA ALCANTARA BRANDT** requesting a Short-Term Rental Home Permit in order to operate 444 Lanai, a three-bedroom short-term rental located in the R-1 Residential District at 444 Lanai Avenue, TMK: (2) 4-9-010:014, Lanai City, Island of Lanai. (STLA T2018/0003) (J. Burkett) (The Lanai Planning Commission conducted a public hearing and acted to approve the permit request on October 17, 2018.) [Exhibit](#)

The Commission reviewed the application because there are at least two permitted short-term rental home operations located within 500 feet of the subject property.

Related to the approval of a Short Term Rental Home Permit for 444 Lanai Avenue, Lanai City, STLA T2018/0003, on October 17, 2018, by the Lanai Planning Commission.

The Lanai Planning Commission is being notified of an apparent error made by the applicant in the certified mail notices required pursuant to Sections 19.65.050.B and 19.65.050.D.4, which relate to notification of the owners or lessees of record within the 500 foot radius of a proposed short term rental home. The Planning Department recommends that the Lanai Planning Commission rescind its approval of said permit.

The Lanai Planning Commission may consider rescission of the STRH permit approval for STLA T2018/0003, related to 444 Lanai Avenue, Lanai City.

With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County and the Commission.

*(Item D.1. begins at 02:49:47 of the Audio Recording)*

*(Public Testimony for Item D.1. begins at 03:08:24 of the Audio Recording)*

*(Motion was made at 03:24:18 of the Audio Recording)*

**It was moved by Ms. Shelly Preza, seconded by Mr. Gerald Rabaino, then unanimously**

*(Vote was taken at 03:25:00 of the Audio Recording)*

**VOTED: to defer to the January meeting to give the applicant sufficient time to send out notification to the proper addresses within the 500 feet radius explaining the situation and notifying that agenda item will be discussed at the January Lanai PC meeting.**

*(Assenting: R. Catiel, J. Delacruz, M. Martin, S. Menze, S. Preza, G. Rabaino, S. Samonte)*

*(Excused: C. Trevino)*

**2. Discussion of establishing caps for [Short-Term Rental Homes and Bed and Breakfast Homes on Lanai](#).**

**The Commission may determine whether a cap(s) should be established and if so what the suggested cap(s) should be proposed in future legislation. The Commission may then direct the Planning Department and the Department of the Corporation Counsel to draft such a bill for public hearing at a future Commission meeting.**

**Without objections, the Commission deferred Agenda Item D.2.**

**3. Discussion of allowing no building setback in the Residential District in Lanai City for carports, garages and storage buildings.**

**The Commission may determine whether the front, side and rear yards should be zero feet for carports, garages and storage buildings on properties in Lanai City that are zoned Residential. The Commission may then direct the Planning Department and the Department of Corporation Counsel to draft such a bill for public hearing at a future Planning Commission meeting.**

**Without objections, the Commission deferred Agenda Item D.3.**

**E. DIRECTOR'S REPORT**

**1. Native Hawaiian Law Training**

2. [Open Lanai Applications Report](#) as distributed by the Planning Department with the October 17, 2018 agenda
3. [Open Lanai Applications Report](#) as distributed by the Planning Department with the November 28, 2018 agenda.
4. **Agenda Items for the December 12, 2018 meeting.**

**Without objections, the Commission deferred Agenda Items E.1. through E.4.**

**F. NEXT REGULAR MEETING DATE: DECEMBER 12, 2018 (2<sup>nd</sup> Wednesday)**

**G. ADJOURNMENT**

There being no further discussion brought forward to the Commission, the meeting was adjourned at 8:38 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO  
Secretary to Boards and Commissions II

**RECORD OF ATTENDANCE**

**PRESENT:**

Roxanne Catiel  
John Delacruz  
Caron Green, Chair  
Mililani Martin  
Sherry Menze  
Shelly Preza, Vice-Chair  
Gerald Rabaino  
Shirley Samonte

**EXCUSED:**

Chelsea Trevino

**OTHERS:**

Clayton Yoshida, Planning Program Administrator, Current Planning Division  
Ann Cua, Staff Planner  
Richelle Thomson, Deputy Corporation Counsel