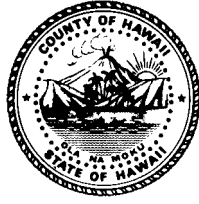


Leningrad Elarionoff
Chairman



J. Curtis Tyler, III
Vice Chair

James Y. Arakaki, *Member*
Aaron S.Y. Chung, *Member*
Fred C. Holschuh, M.D., *Member*
Bob Jacobson, *Member*
Joe Reynolds, *Member*
Gary Safarik, *Member*
Michael Tulang, *Member*

**HAWAI'I COUNTY COUNCIL
COMMITTEE ON PLANNING
34th Session**

DATE: October 5, 2004 (Tuesday)
PLACE: Councilroom
TIME: 1:30 p.m.

(Note: Please turn cell phones, pagers and other mobile communication devices on silent mode.)

CALL TO ORDER

STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA

REFERRALS

Comm 768: AN ORDINANCE AMENDING SECTION 25-8-3 (NORTH KONA ZONE MAP),
(Bill 325) ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE,
BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL
(A-5a) TO FAMILY AGRICULTURAL (FA-3a) AT HONUULA, NORTH KONA,
HAWAI'I, COVERED BY TAX MAP KEY 7-5-24:25.
(Applicant: Mitsugi Komo Revocable Trust) (Area: Approximately 6.069 acres)
From Mayor Harry Kim, dated September 22, 2004, transmitting a letter and the above
bill from Planning Commission Chair Fred Galdones.

**RECOMMENDS PASSAGE OF BILL 325, AS AMENDED (TO DRAFT 2), ON FIRST
READING.**

Comm. 769: AN ORDINANCE AMENDING SECTION 2-8-8 (UPOLU POINT - KAAUHUHU
(Bill 326) HOMESTEADS ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE
HAWAI'I COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION
FROM AGRICULTURAL - 20 ACRE (A-20a) TO FAMILY AGRICULTURAL -
1 ACRE (FA-1a) AT KOKOIKI, NORTH KOHALA, HAWAI'I, COVERED BY TAX
MAP KEY 5-5-4:33.
(Applicant: Alyssa Ackerman) (Area: Approximately 3.936 acres)
From Mayor Harry Kim, dated September 22, 2004, transmitting a letter and the above
bill from Planning Commission Chair Fred Galdones.

**RECOMMENDS PASSAGE OF BILL 326, AS AMENDED (TO DRAFT 2), ON FIRST
READING.**

Comm. 770: AN ORDINANCE AMENDING ORDINANCE NO. 91-71, WHICH AMENDED
(Bill 327) ORDINANCE NO. 89-54, WHICH RECLASSIFIED 2.23 ACRES OF LAND FROM A
MULTIPLE FAMILY RESIDENTIAL 1,000 SQUARE FOOT (RM-1) TO A
RESORT-HOTEL 1,000 SQUARE FOOT (V-1) DISTRICT AT PUA A 2ND, NORTH
KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-5-9:40.
(Request: Time Extension to Condition B - SMA Use Permit Application.) (Applicant:
Kona Oasis, Inc.) (Area: Approximately 2.23 acres)

From Mayor Harry Kim, dated September 22, 2004, transmitting a letter and the above
bill from Planning Commission Chair Fred Galtones.

**RECOMMENDS PASSAGE OF BILL 327, AS AMENDED (TO DRAFT 2), ON FIRST
READING.**

Comm. 770.1: Letter from Planning Director Chris Yuen, dated September 23, 2004, stating that the
Department of Public Works is requesting the wording of proposed new Condition E be
amended relating to the improvements along the Alii Drive/Walua Road frontage of the
property, and noting that the Planning Department concurs with the revised new
Condition E.

FILED.

UNFINISHED BUSINESS

Comm. 564: NOMINATION OF PHIL A. DAVIS, FRANCIS I. KUAILANI, SR. AND
RILEY M. SAITO, ALL OF COUNCIL DISTRICT 8, TO THE KAILUA VILLAGE
DESIGN COMMISSION

From Mayor Harry Kim, dated March 22, 2004, submitting for approval the nomination
of the following individuals to the Kailua Village Design Commission. If confirmed,
their terms will expire on December 31, 2006.

Mr. Riley M. Saito, a 42-year resident of Hawai'i and vice president with the Mauna Lani
Bay Hotel and Bungalows. He will fill the slot representing local business and property
owners. Not affiliated with any political party, he will replace Mr. Jay Hanson, whose
term expired on December 31, 2003.

*(Note: At its meeting of April 20, 2004, the nomination of Mr. Saito was deferred;
however, the nominations of Mr. Davis and Mr. Kuailani were approved, and those
appointments were subsequently confirmed at the Council meeting of May 6, 2004.)*

**RECOMMENDS APPROVAL OF THE APPOINTMENT OF MR. RILEY M. SAITO TO THE
KAILUA VILLAGE DESIGN COMMISSION.**

Comm. 564.1: LEGAL OPINION FROM OFFICE OF THE CORPORATION COUNSEL
REGARDING RILEY M. SAITO'S ELGIBILITY TO SERVE ON THE KAILUA
VILLAGE DESIGN COMMISSION

From Wendell Hatada, Executive Assistant to the Mayor, dated September 15, 2004,
transmitting a formal opinion from Deputy Corporation Counsel Bobby Jean

Leithead-Todd, responding to the query of whether it is necessary to work, reside, or own property in Kailua Village in order to be appointed to the Kailua Village Design Commission.

FILED.

Comm. 560: AN ORDINANCE AMENDING SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL 1-ACRE (A-1a), NEIGHBORHOOD COMMERCIAL - 40,000 SQUARE FOOT (CN-40), SINGLE FAMILY RESIDENTIAL - 7,500 SQUARE FOOT AND 10,000 SQUARE FOOT (RS-7.5 AND RS-10) AND OPEN (O) TO PROJECT DISTRICT AT SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY 2-3-44:19, 2-3-49:53 AND 2-3-37:1.
(Applicant: Western United Life Assurance Company) (Area: 171.504 acres)
 From Mayor Harry Kim, dated February 23, 2004, transmitting a letter and the above bill from Planning Commission Chair Fred Galdones.

SEE DRAFT 2 BELOW.

Comm. 560.10: Letter from Tom and Pat Redican dated May 14, 2004, expressing various concerns over the University Terrace project, disappointment that request for public hearings was not approved, and attaching copies of letters to Mayor Kim dated January 27, 2004, and Jason Alexander, of Hawaiiiana, a firm representing Sunrise Ridge/Sunrise Estates.

FILED.

Comm. 560.11: Letter from Planning Director Chris Yuen, dated May 7, 2004, transmitting a copy of Ordinance 84-111 and letters dated July 19, 2002 and September 11, 2002, which relate to the previous zoning request, and noting that RS-7.5 and A-1a zonings go back to the original zoning for the subject property, so there are no specific conditions of rezoning.

FILED.

Comm. 560.12: From Leningrad Elarionoff, Chair, Planning Committee, Hawai'i County Council, (Bill 248) dated September 21, 2004, transmitting Bill 248, Draft 2; major amendments include (Draft 2) 1) Condition L.1., a provision for an overall landscaping master plan, specifies goals of the landscaping plan; 2) Condition GG., inserts language to prevent further degradation of the water quality of Hilo Bay or the Wailoa Estuary; 3) New Condition DD., provides for an Emergency Preparedness and Response Plan; and 4) Condition NN., inserts Fair Share Language and Figures. Re-alphabetizes and re-numbers where necessary.

DRAFT 2, AS AMENDED (TO DRAFT 3) HELD OVER FOR PUBLIC HEARING TO BE HELD OCTOBER 14, 2004, IN THE COUNCILROOM AT 6:00 PM.

STATEMENTS FROM THE PUBLIC/ADJOURNMENT

The meeting place is accessible for persons with physical disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **October 1, 2004**. Persons using TDDs may call 961-8521.

(Copies of this agenda and the communications are posted and filed at the County Clerk's Office, 25 Aupuni St., Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; and the Kona Councilmembers' Office, 77-6399 Nalani St., Suite 104, Kailua-Kona. For further information, please call 961-8245. Those wishing to testify, please register with the County Clerk's staff prior to the convening of the meeting. If possible, submit fifteen (15) written copies of the testimony to staff prior to the convening of the meeting.)

VIEWING OF MEETING ON GOVERNMENT ACCESS TELEVISION - Channel 52 (Hilo/Kona)
Public Works and Intergovernmental Relations and Finance Committee meetings - Tuesdays, October 12 and 19, 2004, at 8:30 p.m.; Human Services and Economic Development and Planning Committee meetings - Thursdays, October 14 and 21, 2004, at 8:30 p.m.; and all four Committee meetings - Sunday, October 24, 2004, at 10:30 a.m.