

K. Angel Pilago  
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*Vice Chair*



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Virginia Isbell, *Member*  
Bob Jacobson, *Member*  
Gary Safarik, *Member*

**HAWAI'I COUNTY COUNCIL  
COMMITTEE ON PLANNING  
30<sup>th</sup> Session**

**(PLEASE NOTE DATE, TIME AND LOCATION OF MEETING)**

**DATE:** *June 20, 2006 (Tuesday)*  
**PLACE:** *Sheraton Keauhou Bay Resort and Spa  
78-128 Ehukai Street  
Kailua-Kona, Hawai'i*  
**TIME:** 10:30 a.m.

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

**CALL TO ORDER**

**STATEMENTS FROM THE PUBLIC ON COMM. 931**

**REFERRAL**

Comm. 931: APPOINTMENTS OF THERESA L. ANDREAE, SHEPHEN J. HERBERT, CYNTHIA L. HOPE, FANNY AU HOY, SALLY MARONE AND DAVID M. ROSS TO THE COUNTY OF HAWAI'I KAILUA VILLAGE DESIGN COMMISSION  
From Mayor Harry Kim, dated June 5, 2006, submitting for confirmation the following nominations to the Kailua Village Design Commission:

*Theresa L. Andreae of Council District 8 is a 27-year resident of Hawai'i. From 1992 to 1998, she was a teacher/director at Hawai'i Montessori Schools. Not affiliated with any political party, if confirmed, she will serve a term to expire on December 31, 2007.*

*Stephen J. Herbert of Council District 8, is a 54-year resident of Hawai'i. Mr. Herbert is the owner of Stephen J. Herbert P.E., Inc., and since 1995 has been self-employed as an engineer and construction manager. Not affiliated with any political party, if confirmed, he will serve a term to expire on December 31, 2007.*

(Note: Comm. 931 continues on the next page.)

***Cynthia L. Hope** of Council District 7 is a 5-year resident of Hawai'i and has been involved in resort design and development as an architect, designer and a landscape contractor. Not affiliated with any political party, if confirmed, she will serve a term to expire on December 31, 2007.*

***Fanny Au Hoy** of Council District 8 is a life-long resident of Hawai'i. Ms. Au Hoy is currently the Palace Administrator of Hulihee Palace. Not affiliated with any political party, if confirmed, she will serve a term to expire on December 31, 2008.*

***Sally Marone** of Council District 7 is a 3-year resident of Hawai'i. Ms. Marone retired in 1980 from Western Contract Furnishers where she worked in design and space planning. She states she is a Republican, and, if confirmed, will serve a term to expire on December 31, 2008.*

***David M. Ross** of Council District 7 is a 29-year resident of Hawai'i. Mr. Ross is the owner of Ross Engineering, Inc., and since 1998 has been self-employed as a civil engineer. He states he is a Republican, and, if confirmed, will serve a term to expire on December 31, 2008.*

**Recommends confirmation of all above appointments**

## **STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA**

### **REFERRALS**

Comm. 106.83: PUA A DEVELOPMENT, LLC AND SUFFOLK INVESTMENT, LLC DRAFT SCHOOL AGREEMENT - ORDINANCE NOS. 05-113 AND 05-115 (TMK: 7-5-17:1 and 19)

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From Planning Consultant Sidney Fuke, dated May 17, 2006, enclosing a draft of a conveyance agreement between Puaa Development and Suffolk Investment and the Innovations Public Charter School Foundation, pursuant to Ordinance Numbers 05-113 and 05-115, for the Council's review and approval. States that the draft suggests that the land be conveyed in fee rather than leased to the Foundation. Notes that should school use on the site be terminated, there is a reversion or divestment clause that mandates the transfer of the land and improvements within 30 days to the County of Hawai'i, free of any encumbrances or debts.

**Recommends approval of conveyance agreement set forth in Comm. 106.83**

Comm. 906: AN ORDINANCE AMENDING THE STATE LAND USE BOUNDARIES MAPS FOR (Bill 289) THE COUNTY OF HAWAI'I BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL TO THE RURAL DISTRICT AT OULI, SOUTH KOHALA, HAWAI'I, COVERED BY TAX MAP KEY 6-2-9:17 (Applicant: Scott Nakahara) (Area: 5.9 acres); and

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**Recommends passage of Bill 289 on first reading**

- (Bill 290) AN ORDINANCE AMENDING SECTION 25-8-7 (NORTH AND SOUTH KOHALA ZONE MAP, ARTICLE 8, CHAPTER 25 (ZONING CODE OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL - 5 ACRE (A-5a) TO RESIDENTIAL AND AGRICULTURAL - 2 ACRE (RA-2a) AT OULI, SOUTH KOHALA, HAWAI'I, COVERED BY TAX MAP KEY 6-2-9:17 (Applicant: Scott Nakahara) (Area: 5.9 acres)  
From Mayor Harry Kim, dated May 8, 2006, transmitting the above bills and the Planning Commission's letter and enclosures.  
**Recommends passage of Bill 290 on first reading**
- Comm. 907:  
(Bill 291) AN ORDINANCE AMENDING SECTION 25-8-2 (NORTH AND SOUTH KONA DISTRICT ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL - 20 ACRE (A-20a) TO THE AGRICULTURAL - 10 ACRE (A-10a) AT KALOKO, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-3-048:005 (Applicant: Thomas E. Shockley) (Area: 21.389 acres)  
From Mayor Harry Kim, dated May 8, 2006, transmitting the above bill and the Planning Commission's letter and enclosures.  
**Recommends passage of Bill 291 on first reading**
- Comm. 927:  
(Res. 381-06) RESOLUTION TO POSTPONE COUNCIL ACTION ON REZONING APPLICATIONS IN THE DISTRICTS OF NORTH AND SOUTH KONA UNTIL THE NORTH AND SOUTH KONA COMMUNITY DEVELOPMENT PLAN IS ADOPTED BY ORDINANCE  
From Councilmember K. Angel Pilago, dated May 25, 2006, transmitting the above resolution. States the resolution is submitted in response to the constituents who strongly believe that rezonings in the North and South Kona should not occur during the critical community development planning process, and until all fact-finding public input and community based vision for future long-term growth of North and South Kona is finalized.  
**Recommends adoption of Res. 381-06, as amended to Draft 3**

## ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **June 16, 2006**. Persons using TDDs may call 961-8521.

Copies of this agenda and items listed on the agenda 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; the Kona Councilmembers' Office, Kailua Trade Center, 75-5706 Hanama Place, Suite 109, Kailua-Kona; and at the Waimea Council Members' Office at the Holomua Center, 64-1067 Māmalahoa Highway, Suite 5, Waimea, Hawai'i. For further information, please call 961-8245.

Videoconferencing is not available for this meeting.

Submitting Testimony: Those persons wishing to testify in person must register with the County Clerk's staff. Those testifying in person and submitting written testimony at the meeting should bring sixteen (16) copies of the testimony for distribution at the meeting. Those persons unable to testify in person may submit testimony (1) by mail to the County Clerk's Office in Hilo at the above address, (2) by facsimile to (808) 961-8912, or (3) by e-mail to [counciltestimony@co.hawaii.hi.us](mailto:counciltestimony@co.hawaii.hi.us). **Please submit a separate testimony for each item.** Copies will be made and distributed at the meeting when transmitted in a timely manner. In any case, both oral and written testimony will be made a part of the public record.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai'i County Code}. A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code}. Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai'i 96720.

VIEWING OF MEETINGS ON GOVERNMENT ACCESS TELEVISION - Channel 52 (Hilo/Kona) - Finance, Environmental Management and Public Works & Intergovernmental Relations Committee meetings - Tuesdays, June 27 & July 4, 2006, at 8:30 p.m.; Planning and Public Safety & Parks and Recreations Committee meetings - Thursdays, June 29 & July 6, 2006, at 8:30 p.m.; and all five Committee meetings - Sunday, July 9, 2006, at 10:30 a.m.

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