

K. Angel Pilago  
*Chair*

Pete Hoffmann  
*Vice Chair*



James Y. Arakaki, *Member*  
Stacy K. Higa, *Member*  
Fred C. Holschuh, M.D., *Member*  
Donald Ikeda, *Member*  
Virginia Isbell, *Member*  
Bob Jacobson, *Member*  
Gary Safarik, *Member*

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

**DATE:** November 14, 2006 (Tuesday)  
**PLACE:** Councilroom (**new location**)  
**Ben Franklin Building**  
**333 Kilauea Avenue, 2<sup>nd</sup> Floor**  
**Hilo, Hawai'i**  
**TIME:** 2:00 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. 1173:  
(Res. 516-06) A RESOLUTION AUTHORIZING APPROVAL OF IN LIEU FAIR SHARE CONTRIBUTION TO SATISFY CONDITION "P" OF ORDINANCE NO. 03-37. (approves the cost of construction of roadway improvements provided by Nani Kona Aina, LLC in the amount of \$455,515.70 in lieu of the support of road and traffic improvements as required by Condition P of the above-referenced ordinance)  
(TMK: (3) 7-5-10:Portions of 52 and 65, Hienaloli, North Kona  
From Planning Director Chris Yuen, dated October 31, 2006, transmitting the above resolution. States that this type of improvement should not qualify as an "in-lieu" for fair share purposes because the Melelina Street extension benefits this subdivision only and should be limited to work that improves the regional road system which in some way benefits the general public. Further, the rezoning ordinance clause submitted explicitly states that Melelina Street extension shall be credited against the fair share requirement. This clause was added during a previous Council's deliberations on the project after it was forwarded by the Planning Commission.

**Recommends adoption of Res. 516-06**

**Votes:**

**In Favor: Hoffmann, Holschuh (Kanalua 2x), Isbell, Jacobson and Chair Pilago**

**Opposed: None.**

**Absent & Excused: Arakaki, Higa, Ikeda and Safarik**

Comm. 1174:  
(Res. 517-06) A RESOLUTION AUTHORIZING APPROVAL OF IN LIEU FAIR SHARE CONTRIBUTION TO SATISFY CONDITION "N" OF ORDINANCE NO. 02-95.

(approves the fair market value of land condemned by the County as provided by Bart T. Calhoun Trust in the amount of \$26,500 to offset the full amount of the fair share contribution in lieu of the support of road and traffic improvements as required by Condition N of the above-referenced ordinance) (TMK: (3) 7-3-5:97, Kalaoa, North Kona)  
From Planning Director Chris Yuen, dated October 31, 2006, transmitting the above resolution.

**Recommends adoption of Res. 517-06**

**Votes:**

**In Favor: Hoffmann, Holschuh, Isbell, Jacobson and Chair Pilago**

**Opposed: None.**

**Absent & Excused: Arakaki, Higa, Ikeda and Safarik**

Comm. 1175:  
(Res. 518-06)

A RESOLUTION AUTHORIZING APPROVAL OF IN LIEU FAIR SHARE CONTRIBUTION TO SATISFY CONDITION "H" OF ORDINANCE NO. 97-91.  
(approves the fair share contribution provided by Douglas and Joseph Deponte in the amount of \$144,080.08 in lieu of the support of road and traffic improvements as required by Condition H of the above-referenced ordinance) (TMK: (3) 2-4-65-4, Waiakea, South Hilo)  
From Planning Director Chris Yuen, dated October 31, 2006, transmitting the above resolution.

**Recommends adoption of Res. 518-06**

**Votes:**

**In Favor: Hoffmann, Holschuh, Isbell, Jacobson and Chair Pilago**

**Opposed: None.**

**Absent & Excused: Arakaki, Higa, Ikeda and Safarik**

Comm. 1176:  
(Res. 519-06)

A RESOLUTION AUTHORIZING APPROVAL OF IN LIEU FAIR SHARE CONTRIBUTION TO SATISFY CONDITION "L" OF ORDINANCE NO. 98-36.  
(approves the fair share contribution provided by Hanaula Village Partners, LLC in the amount of \$131,590.54 in lieu of the support of park and recreational improvements and facilities as required by Condition L of the above-referenced ordinance)  
(TMK: (3) 5-4-6:21 and 36, Hanaula, North Kohala)  
From Planning Director Chris Yuen, dated October 31, 2006, transmitting the above resolution.

**Recommends adoption of Res. 519-06**

**Votes:**

**In Favor: Hoffmann, Holschuh, Isbell, Jacobson and Chair Pilago**

**Opposed: None.**

**Absent & Excused: Arakaki, Higa, Ikeda and Safarik**

**ADJOURNMENT**

The meeting place is accessible for persons with disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **November 9, 2006**. Persons using TDDs may call 961-8521.

Copies of this agenda and items listed on the agenda available at the County Clerk's Office, **333 Kilauea Ave., 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 available at the following locations:

- Kona Council Office at the Kailua Trade Center; and
- Waimea Council Office at the Holomua Center.

If for technical reasons the video connection cannot be made and/or is disrupted, the scheduled meeting will continue.

Submitting Testimony: Those persons wishing to testify in person or by videoconference must register with the County Clerk's staff. Those testifying in person and submitting written testimony at the meeting in Hilo should bring sixteen (16) copies of the testimony for distribution at the meeting. Those testifying by videoconference from the Kona or Waimea Council Offices, should bring one copy of the testimony. Those persons unable to testify in person or by videoconference may submit testimony (1) by mail to the County Clerk's Office in Hilo at 25 Aupuni Street, Hilo, Hawai'i, 96720, (2) by facsimile to (808) 961-8912, or (3) by e-mail to 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: 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, **333 Kilauea Ave., Hilo**, Hawai'i 96720.

VIEWING OF MEETINGS ON GOVERNMENT ACCESS TELEVISION - Channel 52 (Hilo/Kona)  
Finance, Environmental Management and Public Safety and Park and Recreation Committee meetings - Tuesday, November 21, 2006, at 8:30 a.m. and Friday, November 24, 2006, at 10:30 a.m.; and Human Services and Economic Development and Planning Committee meetings - Thursday, November 23, 2006, at 8:30 a.m. and Saturday, November 25, 2006, at 10:30 a.m.; and all Committee meetings - Sunday, November 26, 2006, at 10:30 a.m.

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