

NOTICE OF SPECIAL PUBLIC MEETING AND HEARINGS

PLANNING COMMISSION

COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Planning Commission of the County of Hawaii in accordance with the provisions of Chapters 91 and 92, Hawaii Revised Statutes, Section 6-4.3 of the Charter of the County of Hawaii, and the Planning Commission's Rules of Practice and Procedure.

DATE: Friday, June 18, 2004

TIME: 9:00 a.m.

PLACE: King Kamehameha's Kona Beach Hotel, Kamakahonu Ballroom,
75-5660 Palani Road, Kailua-Kona, Hawaii

NEW BUSINESS – 9:00 a.m.

1. **APPLICANT: MARK FABYONIC (SMA 04-005)**

Special Management Area Use Permit to allow the development of a 26-unit residential project with related recreational improvements. The property is located along the mauka side of Puako Beach Drive, immediately east of the Puako Beach Condominium complex, Lalamilo, South Kohala, Hawaii, TMK: 6-9-2:23 and 27.

2. **APPLICANT: WESTPRO DEVELOPMENT, INC. (SLU 04-001/
REZ 04-004)**

a. State Land Use Boundary Amendment for 10 acres of land from the Agricultural to the Urban District.

- b. Change of Zone for 10 acres of land from an Agricultural 5-acre (A-5a) to a Multiple Family Residential 4,000 square foot (RM-4) district.

The property is located on the south side of Kona Palisade Subdivision, approximately 1,200 feet south of the Kaimiani Drive – Kakahiaka Street intersection, Ooma 1st, North Kona Hawaii, TMK: 7-3-10: portion of 3.

3. **APPLICANT: TOM SMITH (SLU 04-005/REZ 04-008)**

- a. State Land Use Boundary Amendment for 4.07 acres of land from the Agricultural to the Rural District.
- b. Change of Zone for 4.07 acres of land from an Agricultural 3-acre (A-3a) to a Residential and Agricultural .5-acre (RA-.5a) district.

The property is located along the north side of Church of God Road, approximately 600 feet west (makai) of the Hawaii Belt Highway (State Highway 190) – Church of God Road intersection, Kohanaiki, North Kona, Hawaii, TMK: 7-3-19:28.

MINUTES

May 28, 2004

ADMINISTRATIVE MATTERS

Status of appeals filed on Planning Commission decisions – Corporation Counsel

Other Commission matters

ANNOUNCEMENT

ADJOURNMENT

The purpose of the public hearings is to afford all interested persons a reasonable

opportunity to be heard on the above requests. According to Rule 1 (General Rules) of the Planning Commission, a person desiring to submit oral or written testimony shall indicate her/his name; residence address; and whether the testimony is on her/his behalf or as a representative of an organization or individual. If testimony is being submitted on behalf of an organization, documentation showing membership ratification should accompany the testimony. Written testimony shall be submitted with an original and nine copies prior to testifying. The Commission would appreciate timely submittal to the Planning Department at least one week prior to the hearing date to allow for mailing and thorough Commission review. The Chairperson pursuant to Rule 1 may limit testimony that is irrelevant or unduly repetitious.

Maps showing the general location and boundaries of the areas under consideration and/or plans of the proposed developments are on file and open to inspection during office hours at the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720 and at the Planning Department Kona Office, 75-5706 Kuakini Highway, Suite 109, Kailua-Kona, Hawai'i 96740.

Pursuant to Rule 4, Contested Case Procedure, of the County of Hawaii Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on item no. 1 above, is required to file a written request which must be received in the office of the Planning Department no later than seven (7) calendar days prior to the Planning Commission's first public meeting on the matter. Such written request shall be in conformity with Rule 4, in a form as provided in Rule 4 Appendix A "Petition for Standing in a Contested Case Hearing." The written petition/request shall be filed

with the Planning Commission at Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720, and accompanied by a filing fee of \$100 payable to the Director of Finance. Any party may retain counsel if that person so desires. Rule 4 may be inspected or purchased (\$2.50) at the above-cited location. Rule 4 may also be viewed at the County of Hawaii website (<http://www.co.hawaii.hi.us>).

Any disabled person requiring special assistance or person requiring auxiliary aid and/or services to participate in the hearing should contact the Planning Department at 961-8288 five (5) working days prior to the hearing so that appropriate arrangements can be made.

PLANNING COMMISSION

Fred Galdones, Chairperson

Earl K. Fujikawa, 1st Vice Chairperson

Hannah K. Springer, 2nd Vice Chairperson

Hawai'i County is an equal opportunity provider and employer.

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(Hawaii Tribune Herald: May 28, 2004)

(West Hawaii Today: May 28, 2004)