

NOTICE OF PUBLIC MEETING AND HEARINGS

WINDWARD PLANNING COMMISSION COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Windward 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, August 7, 2009

TIME: 9:00 a.m.

PLACE: County of Hawaii Aupuni Center Conference Room
101 Pauahi Street, Hilo, HI 96720

NEW BUSINESS – 9:00 a.m.

1. **APPLICANTS: CONRAD & JOANNE DAKUJAKU (REZ 09-97)**
Change of Zone from Single-Family Residential – 10,000 square feet (RS-10) to Industrial-Commercial Mixed – 20,000 square feet (MCX-20) district for approximately 22,300 square feet of land. The property is located along the west side of Kalanikoa Street, approximately 100 feet north of the intersection of Kalanikoa Street and Hualani Street, Waiakea Houselots, 1st Series, Waiakea, South Hilo, Hawaii, TMK: 2-2-35:34.
2. **BORTHWICK HAWAII FUNERAL HOME (USE 09-15)**
Use Permit to allow the establishment of a crematorium on 24,572 square feet of land situated within the General Commercial - 7,500 square feet (CG-7.5) zoned district. The property involved is the site of the existing Borthwick Hawaii Funeral Home located at the western corner of Kinoole Street and Kukuau Street, Kukuau 2nd, South Hilo, Hawaii, TMK: 2-3-18:34 and 54.
3. **APPLICANT: NANI MAU, INC. (LUC DOCKET NO SP 73-159)**
Amendment to allow the conversion of a maintenance building and former salon into a charter school facility on a 23-acre area within the State Land Use Agricultural District. The property is a part of the Nani Mau Gardens complex located along the north side of Makalika Street, Panaewa Farm Lots Subdivision, Waiakea, South Hilo, Hawaii, TMK: 2-2-48: portion of 13.
4. **INITIATOR: COUNTY COUNCIL**
Amendment to Section 15.1 (Community Development Plans) of the Hawaii County General Plan by changing all references to Planning Commission to the Leeward and/or Windward Planning Commissions. These housekeeping changes are the result of a County Charter amendment, which became effective in April of 2009.

5. **INITIATOR: PLANNING DIRECTOR**

Amendment to Chapter 25 (Zoning Code), Article 4, Division 1, Section 25-4-15 (f) and (g) by extending the amnesty period for unpermitted agricultural tourism operations from twelve months (November 20, 2009) to eighteen months (May 20, 2010).

MINUTES

July 1, 2009

ADMINISTRATIVE MATTERS

ANNOUNCEMENTS

ADJOURNMENT

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the above matters.

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 the item nos. 2 and 3 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, Hawaii 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>).

Submitting Testimony: 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. Testimony that is irrelevant or unduly repetitious may be limited by the Chairperson pursuant to Rule 1.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawaii County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawaii 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), Hawaii County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 333 Kilauea Avenue, 2nd Floor, Hilo, Hawaii 96720.

The draft amendments and maps showing the general locations 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, Hawaii and at the Kona office of the Planning Department, 75-5706 Kuakini Highway, Suite 109, Kailua-Kona, Hawaii.

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.

Hawai'i County is an Equal Opportunity Provider and Employer.

WINDWARD PLANNING COMMISSION
Rell Woodward, Chair

(Hawaii Tribune Herald: July 18, 2009)
(West Hawaii Today: July 18, 2009)