

PLANNING COMMISSION  
COUNTY OF HAWAI'I

MINUTES  
JANUARY 30, 2004

The Planning Commission met in regular session at 9:04 a.m. in the King Kamehameha's Kona Beach Hotel, Kamakahonu Ballroom, 75-5660 Palani Road, Kailua-Kona, Hawai'i, with First Vice-Chairman Earl Fujikawa presiding.

PRESENT: Earl Fujikawa                      ABSENT & EXCUSED: Fred Galdones  
Bill Graham  
Florence Kubota  
Jeffrey McCall  
Hannah Springer  
Aurelio C. Mina, Jr.  
Francis Smith  
Bill P. Thibadeau

Patricia O'Toole, Deputy Corporation Counsel  
Chris Yuen, Planning Director  
Norman Hayashi, Staff Planner  
Phyllis Fujimoto, Staff Planner  
Jeff Darrow, Staff Planner

The Chair introduced the Commissioners and staff to members of the public.

SMA 03-007                      The Commission took this item up at 9:10 a.m. with  
ERIC SOTO                      approximately 22 people from the public in attendance.  
KAHULUI,  
NORTH KONA

**APPLICANT: ERIC SOTO (SMA 03-007)**

Continued hearing on a Special Management Area Use Permit application to allow the construction of a three and one-half story, 45-foot high, 12-unit multi-family residential development and related improvements on approximately 15,203 square feet of land. The property is located on the west (makai) side of Alii Drive, adjacent to and north of the Sea Village Condominium complex, Kahului, North Kona, Hawaii, TMK: 7-5-19:30.

(SEE EXHIBIT A)

SPP NO. 1215  
DOUTOR COFFEE  
HAWAII CO., INC.  
HIENALOLI 2<sup>ND</sup>,  
NORTH KONA

The Commission took this item up at 9:36 a.m. with approximately 20 people from the public in attendance.

**APPLICANT: DOUTOR COFFEE HAWAII CO., INC. (SPP NO. 1215)**

Motion to Amend Something Previously Adopted with regard to Special Permit No. 1215, which allowed public tours of the existing coffee farm, proposed retail sales of non-agricultural products, and related parking area on approximately 12 acres of a 28.47-lot situated within the State Land Use Agricultural District. The request is to delete condition 5.c. of the permit that prohibits use of large tour buses. Condition 5.c. currently states that "Passenger vehicles used to transport visitors to the project site shall be limited to a capacity not to exceed 15 passengers." The property is located on the west (makai) side of Mamalahoa Highway, approximately 300 feet south of the Keopu Cemetery, Hienaloli 2<sup>nd</sup>, North Kona, Hawaii, TMK: 7-5-11: portion of 24.

(SEE EXHIBIT B)

SMA 417/SPP 1117  
ROBERT WATKINS/  
JEAN SUNDERLAND  
HANAULA AND  
HONOPUEO,  
NORTH KOHALA

The Commission took this item up at 11:24 a.m. with approximately 18 people from the public in attendance.

**APPLICANT: ROBERT WATKINS/JEAN SUNDERLAND  
(SMA 417/SPP 1117)**

- a. Amendment to Special Management Area Use Permit No. 417 to allow the use of septic tanks and soil absorption systems field in lieu of an aerobic septic system with leach field for a 16-room Hawaiian Permaculture and Wellness Retreat.
- b. Amendment to Special Permit No. 1117 to allow the use of septic tanks and soil absorption systems field in lieu of an aerobic septic system with leach field for a 16-room Hawaiian Permaculture and Wellness Retreat on approximately 5 acres of land situated within the State Land Use Agricultural District.

The property is located approximately one mile makai of Akoni Pule Highway and Kamehameha Park, Hanaula and Honopueo, North Kohala, Hawaii, TMK: 5-4-9: portion of 1.

Mr. Darrow oriented the Commission and public of the subject and surrounding properties on the location map and site plan, summarized the requests, and noted the Planning Director recommended approval of the applications.

Mr. Graham stated although Dr. Watkins is his personal physician, he did not feel there was any conflict as he has no connection with the subject property.

The applicant's representative, Sidney Fuke, stated the applicants have reviewed the staff's background report and recommendation and found them to be acceptable. He said that with regard to the conditions imposed on the original permits, a copy of the approved archaeological monitoring plan for the property and approval letter from the State DLNR, HPD, along with a listing of individuals who have agreed to sit on the Advisory Board will be made a part of the record. He added that Charles Lincoln Naone was satisfied that their family will continue to have access to the family burial site adjacent to the subject property, noting all existing maps granted final approval of the area provides the family an easement to the site.

Mr. Graham expressed his personal opinion that he felt the Planning Department and applicant did the right thing in coming before the Commission for approval as in the future there may be complaints or bad feelings amongst the community on why a certain method was used.

It was moved by Commissioner Kubota and seconded by Commissioner Mina that the Commission approve Amendment to Special Management Area Use Permit No. 417 and amendment to Special Permit No. 1117 as recommended by the Planning Director. A roll call vote was taken and motion carried with (Kubota, Mina, Graham, McCall, Smith, Springer, Thibadeau and Fujikawa) and one absent and excused (Galdones).

SLU 03-012/REZ 03-028  
BAY PACIFIC  
DEVELOPMENT LLC  
WAIKOLOA,  
SOUTH KOHALA

The Commission took this item up at 11:24 a.m. with approximately 18 people from the public in attendance.

**APPLICANT: BAY PACIFIC DEVELOPMENT LLC  
(SLU 03-012/REZ 03-028)**

- a. State Land Use boundary amendment for 14.902 acres from the Agricultural to the Urban District.
- b. Change of Zone for 14.902 acres from an Open (O) to a Limited Industrial 1-acre (ML-1a) district.

The area involved is a portion of a former quarry site situated approximately 2,000 feet south of the Waikoloa Road and approximately 200 feet south of the Waikoloa Utility Baseyard, Waikoloa, South Kohala, Hawaii, TMK: 6-8-2: portion of 33.

(SEE EXHIBIT C)

RECESSED

The Chair called a short recess at 12:24 p.m.

RECONVENED

The meeting reconvened at 12:31 p.m.

REZ 03-027  
U OF N BENCORP  
WAIAHA,  
NORTH KONA

The Commission took this item up at 12:31 p.m. with  
2 people from the public in attendance.

**APPLICANT: U OF N BENCORP (REZ 03-027)**

Change of Zone for 61.949 acres of land from:

- a. Agricultural 1-acre (A-1a) to Multiple Family Residential 4,000 square feet (RM-4): 32.489 acres.
- b. A-1a to Village Commercial 1-acre (CV-1a): 24.098 acres.
- c. Double Family Residential 3,750 square feet (RD-3.75) to CV-1a: 2.442 acres.
- d. Single Family Residential 7,500 square feet (RS-7.5) to CV-1a: .073 acre.
- e. RS-7.5 to RM-4: 2.847 acres.

The property is located between Kuakini Highway and the Hualalai Road – Queen Kaahumanu Highway junction, adjacent to and south of the University of the Nations-Kona campus and north of the Kona Hillcrest Subdivision, Waiaha, North Kona, Hawaii, TMK: 7-5-10:85 and 7-5-17:6.

Mr. Hayashi oriented the Commission and public of the subject and surrounding properties on the location map and site plan, and summarized the request. He said that the Planning Department is recommending the matter be continued to address the 2003 State Land Use Boundary amendment Condition 9 requiring the applicant to enter into an agreement with State Department of Transportation and Department of Public Works regarding roadway improvements and Condition 10 requiring a revised TIAR to be reviewed by the State Department of Transportation and Department of Public Works.

The applicant’s representative, George Ata, asked that the matter be continued until they resolve several pending issues.

The Chair noted Sandra Doherty and Lunakanawai Hauanio signed up to testify but were not in attendance.

As requested by the applicant, it was moved by Commissioner Kubota and seconded by Commissioner Mina that the hearing be continued as requested by the applicant. A roll call vote was taken and motion carried with eight ayes (Kubota, Mina, Smith, Springer, Thibadeau Graham, McCall, and Fujikawa) and one absent and excused (Galdones).

ADMINISTRATIVE At 12:43 p.m, the Commission took up the following under MATTERS administrative matters:

Status of appeals filed on Planning Commission decisions – Corporation Counsel – Ms. O’Toole reported that the appeals of Fire Mountain and Doutor Coffee were still pending.

ANNOUNCEMENTS The following were made under Announcements.

Selection of Hearings Officers – Mr. Hayashi noted that the Vice-Chair Fujikawa, Roy Takemoto and himself will be meeting on Tuesday to select the various hearings officers for several pending contested cases.

PC Meeting - Mr. Hayashi announced that the subsequent meeting is scheduled for February 6, 2004, in Hilo, noting Western United Life Assurance Company's rezoning is scheduled on the agenda.

ADJOURNMENT

There being no further business, the Chair declared the meeting adjourned at 1:43 p.m.

Respectfully submitted,

Sharon M. Nomura, Secretary

A T T E S T:

Earl Fujikawa, First Vice-Chairman  
Planning Commission