

WINDWARD PLANNING COMMISSION
COUNTY OF HAWAI'I

MINUTES
SEPTEMBER 4, 2009

The Windward Planning Commission met in regular session at 9:03 a.m. in the Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawai'i with Chairman Rell Woodward presiding.

PRESENT: Rell Woodward
Takashi Domingo
Wallace Ishibashi
Zendo Kern
Shelly Ogata

Brandon Gonzalez, Deputy Corporation Counsel
Norman Hayashi, Planning Program Manager
Phyllis Fujimoto, Staff Planner
Jeff Darrow, Staff Planner
Maija Cottle, Staff Planner

ABSENT & Andrew Iwashita
EXCUSED:

The Chair introduced the staff and Windward Planning Commissioners to the public and described the format to be used for today's applications.

The Commission took the following item up at 9:05 a.m. with approximately 14 people from the public in attendance:

APPLICANT: STEVE & NANCY ROBERSON (SPP 09-85)

Special Permit to allow the establishment of a 1-bedroom bed and breakfast establishment within an existing 5-bedroom single family dwelling situated on 0.9 acre of land within the State Land Use Agricultural District. The property is located along the southeastern side of the rim of Waipio Valley, approximately 1,000 feet southwest from its access on Waipio Valley Road, Lalakea, Hamakua, Hawaii, TMK: 4-8-4:16.

Mr. Darrow oriented the members of the public of the subject and surrounding properties on the location map and site plan, summarized the request, and noted the Planning Director

recommended approval of the application with conditions. He pointed out a sign going into the valley says that all vehicles need to be four-wheel drive.

Mr. Darrow said based on comments from the Department of Public Works because of their concern of guests missing the turnoff going down the steep valley road the Planning Department is recommending that all vehicles need to be four-wheel drive.

The applicant, Steven Roberson, requested deletion of the condition regarding vehicles need to be four-wheel drive as their home is accessible without four-wheel drive vehicles and it would hurt their business. He stated he would agree to a condition that the guests will be informed in no uncertain terms they do not want to pass the turnoff and head down into the valley. He said it would be a problem for anybody that does not know how to drive the road, even if they have four-wheel drive vehicle.

In response to Commissioner Domingo's inquiry, Mr. Roberson said he would like to install a directional sign but he was not sure if he would be allowed to do so, noting he would have to seek the landowner's permission. He pointed out that a previous vacation rental owner had a sign up that advertised his business.

Chairman Woodward noted that the Commission was in a difficult position inasmuch as there is a sign that says only four-wheel drive vehicles are allowed. He then proposed the words "and their property" be deleted to proposed Condition 5, to which Mr. Roberson stated it was absolutely acceptable to him.

There was no one from the public wishing to testify on the application.

It was moved by Commissioner Domingo and seconded by Commissioner Ogata that the application be approved for the reasons and with the conditions recommended by the Planning Director, with Condition 5 amended to read, "The applicants shall inform guests of the bed and breakfast operation through advertising and reservations that four-wheel drive vehicles are required to access Waipi'o Valley Road." A roll call vote was taken and motion carried with five ayes (Domingo, Ogata, Ishibashi, Kern, and Woodward) and one absent and excused (Iwashita).

The Commission took the following item up at 9:18 a.m. with approximately 16 people from the public in attendance:

APPLICANT: EDWARD NAGATA (REZ 09-99)

Change of Zone from an Agricultural 3-acre (A-3a) to a Family Agricultural 1-acre (FA-1a) zoned district for approximately 5.50 acres of land. The property is located along the southeast side of Ainaola Drive, approximately 1,200 feet west of the Ainaloa Drive – Ainalako Road intersection, Waiakea Homestead 2nd Series, South Hilo, Hawaii, TMK: 2-4-31:08.

Ms. Cottle oriented the Commission and public of the subject and surrounding properties on the location map and site plan, summarized the request, and noted the Planning Director recommended a favorable recommendation to the County Council with conditions.

The applicant, Edward Nagata, was in attendance.

Mr. Nagata said he agreed with the proposed conditions. He, however, requested that the required 15-foot right-of-way set aside for future road widening in proposed Condition F be part of the fair share contribution in proposed Condition M.

Mr. Gonzalez said the release being requested by the applicant is already available as the last paragraph in Condition M states “In lieu of paying the fair share contribution, the applicants may contribute land and/or...within the region impacted by the proposed development, subject to the review and recommendation of the Planning Director, upon consultation with the appropriate agencies and approval of the County Council.” Mr. Gonzalez said when this ordinance goes to Council it would be up to the Director, in working with the applicant, to recommend whether this 15-foot dedication should be applied to the fair share contribution.

Commissioner Domingo felt the Council should be informed of the Commission’s sentiment that it agreed with the applicant that the 15-foot wide future road widening easement be a part of the fair share contribution as 185 feet is a considerable amount that the County will be taking.

Ms. Cottle at this time amended Condition F to read, “The applicant shall subdivide a 15-foot wide future road widening strip along the entire property frontage of Ainaloa Drive and shall dedicate the future road widening strip within 5 years from the effective date of this ordinance.” Mr. Gonzalez suggested after the word “dedicate” add in “to the County,” to which the staff agreed.

It was moved by Commissioner Ogata and seconded by Commissioner Domingo to send a favorable recommendation to the County Council as recommended by the Planning Director with Condition F amended to read, “The applicant shall subdivide a fifteen (15)-foot wide future road widening strip along the entire property frontage of Ainaola Drive, and shall dedicate to the County the future road widening strip within five (5) years from the effective date of this ordinance,” along with a notation in the transmittal letter to the Council that the Windward Planning Commission looks favorably upon allowing the 15-foot future road widening strip required by Condition F to be credited towards the fair share requirements in Condition M. A roll call vote was taken and motion carried with five ayes (Ogata, Domingo, Ishibashi, Kern, and Woodward) and one absent and excused (Iwashita).

The Commission took the following item up at 9:37 a.m. with approximately 15 people from the public in attendance:

APPLICANT: COUNTY OF HAWAII FIRE DEPARTMENT (SPP 09-84)

Special Permit to allow the establishment of a fire administrative support complex, which includes an administration building, emergency dispatch building, microwave tower, and future fire station, preparation and training building, covered training area, warehouse, dormitory, museum and related uses on 5.357 acres of land situated within the State Land Use Agricultural District. The property is located along the north side of Mohouli Street, approximately 1,050 feet west of the Mohouli Street – Komohana Street intersection, Waiakea, South Hilo, Hawaii, TMK: 2-4-1:176 and 178.

(SEE EXHIBIT A)

RECESSED

The Chair called a short recess at 11:19 a.m.

RECONVENED

The meeting reconvened at 11:26 a.m.

The Commission took the following item up at 11:26 a.m. with 8 people from the public in attendance:

INITIATOR: PLANNING DIRECTOR

Amendment to Land Use Pattern Allocation Guide (LUPAG) Map 11 of the County of Hawaii General Plan (Ordinance No. 05 25, as amended) by changing the land use designation from “Urban Expansion” to “Open” for the area affecting state-owned lands in the vicinity and south of the Honokohau Harbor, Kealahou, North Kona, Hawaii.

(SEE EXHIBIT B)

MINUTES - At 12:11 p.m., the Board took up the August 7, 2009 minutes: It was moved by Commissioner Domingo and seconded by Commissioner Kern that the minutes be approved as circulated. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

ADMINISTRATIVE MATTERS - Mr. Gonzalez noted he is currently revising and updating the Commission rules and solicited questions, comments or suggestions on any aspect of the rules. Mr. Hayashi noted the hearing dates on the rules have not been scheduled as yet.

ANNOUNCEMENTS - Staff announced the next meeting date is October 2nd.

ADJOURNMENT - There being no further business, the Chair declared the meeting adjourned at 12:14 p.m.

A T T E S T:

Respectfully submitted,

Rell Woodward, Chairman
Windward Planning Commission

Sharon M. Nomura, Secretary