

PLANNING COMMISSION
COUNTY OF HAWAI'I

MINUTES
OCTOBER 1, 2004

The Planning Commission met in regular session at 9:30 a.m. in the Ohana Keauhou Beach Resort, Kahaluu Ballroom 78-6740 Alii Drive, North Kona, Hawai'i, with Second Vice-Chairman Hannah Springer presiding.

PRESENT:	Hannah Springer	ABSENT & EXCUSED:	Fred Galdones
	Christian Alameda		Earl Fujikawa
	Bill Graham		Bill Thibadeau
	Rene's Siracusa		Jeffrey McCall
	Francis Smith		

Ivan Torigoe, Deputy Corporation Counsel
Christopher J. Yuen, Planning Director
Phyllis Fujimoto, Staff Planner
Jeff Darrow, Staff Planner
Kiran Emler representing Department of Public Works

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

All those testifying were duly sworn in.

SMA 04-006 <u>KONA OASIS, INC.</u> KAILUA-KONA, PUAA 2 ND , NORTH KONA	The Commission took the following two items up simultaneously at 9:32 a.m. with approximately 22 people from the public in attendance.
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APPLICANT: KONA OASIS, INC. (SMA 04-006)
Special Management Area (SMA) Use Permit to allow the development of a 93-unit condominium project with commercial office/retail space and related improvements. The 2.23-acre property is located between Alii Drive and Kuakini Highway and adjacent to the Kona Billfisher and Kona Mansions condominium complexes and mauka of the Royal Kona Resort Hotel, Kailua-Kona, Puaa 2nd, North Kona, Hawaii, TMK: 7-5-9:40.

(SEE EXHIBIT A)

RECESSED

The Chair called a short recess at 10:48 a.m.

RECONVENED

The meeting reconvened at 10:58 a.m.

REZ 04-022

KONA HALE ALII, LLC
HIENALOLI 6TH AND
AUHAUKEAE 1ST,
NORTH KONA

The Commission took this item up at 10:58 a.m. with approximately 12 people from the public in attendance.

APPLICANT: KONA HALE ALII, LLC (REZ 04-022)

Change of Zone for approximately 6.2 acres from a Resort – Hotel 1,250-square foot (V-1.25) and an Agricultural 1-acre (A-1a) district to a Multiple Family Residential – 2,500-square foot (RM-2.5) district. The property is located along the south side of Hualalai Road, approximately 1,100 feet from the Hualalai Road – Kuakini Highway intersection, Hienaloli 6th and Auhaueae 1st, North Kona, Hawaii, TMK: 7-5-09: 67 and portion of 54.

(SEE EXHIBIT B)

RECESSED

The Chair called a short recess at 12:05 p.m.

RECONVENED

The meeting reconvened at 12:14 p.m.

SMA 04-008

STEVE HOLMES
KAHALUU BEACH LOTS,
NORTH KONA

The Commission took this item up at 12:14 p.m. with approximately 10 people from the public in attendance.

APPLICANT: STEVE HOLMES (SMA 04-008)

Special Management Area (SMA) Use Permit to allow the conversion of a single family dwelling into a 3-unit multiple family residential structure and related improvements. The 5,419-square foot property is located 230 feet east (mauka) of Alii Drive and Kahaluu Beach Park, Kahaluu Beach Lots, North Kona, Hawaii, TMK: 7-8-14:41.

(SEE EXHIBIT C)

SLU 04-008/REZ 04-020

ARTHUR AND
DIANE MAHER
OULI,
SOUTH KOHALA

This Commission took this item up at 1:08 p.m. with approximately 8 people from the public in attendance.

APPLICANT: ARTHUR AND DIANE MAHER (SLU 04-008/REZ 04-020)

- a. State Land Use Boundary Amendment for approximately 5.006 acres from the Agricultural to the Rural District.
- b. Change of Zone for approximately 5.006 acres from an Agricultural 5-acre (A-5a) to a Residential and Agricultural 2-acre (RA-2a) district.

The property is located between Kawaihae Road (Highway 19) and Kanehoa Street, approximately 2,050 feet east of the Anekona Street-Kanehoa Street intersection, Anekona Estates Subdivision, Ouli, South Kohala, Hawaii, TMK: 6-2-11:9.

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, with conditions to the change of zone application.

RECESSED

The Chair called a recess at 1:14 p.m. to allow Commissioner Siracusa to review the files, which she did not receive.

RECONVENED

The meeting reconvened at 1:20 p.m.

After reviewing the files, Commissioner Siracusa thanked Mr. Darrow and Mr. Yuen as she now felt comfortable with moving forward with the applications today.

The applicant's representative, Gregory Mooers, stated he did receive the background report and recommendation and noted that the requests were similar to 28 other approved applications for the area.

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

Regarding SLU 04-997 – It was moved by Commissioner Graham and seconded by Commissioner Alameda to send a favorable recommendation to the County Council as recommended by the Planning Director. A roll call vote was taken and motion carried with five ayes (Graham, Alameda, Siracusa, Smith and Springer), and four absent and excused (Fujikawa, Galdones, McCall, Thibadeau).

Regarding REZ 04-020 - It was moved by Commissioner Graham and seconded by Commissioner Alameda to send a favorable recommendation to the County Council as recommended by the Planning Director, with conditions. A roll call vote was taken and motion carried with five ayes (Graham, Alameda, Siracusa, Smith and Springer), and four absent and excused (Fujikawa, Galdones, McCall, Thibadeau).

SPP 04-013
RT'S SERVICE, LLC
PUUKAPU HOMESTEADS,
SOUTH KOHALA

The Commission took this item up at 1:28 p.m. with approximately 6 people from the public in attendance.

APPLICANT: RT'S SERVICE, LLC (SPP 04-013)

Special Permit to allow office and storage uses for investigative/collection services, towing service, and short term parking for repossessed or disabled vehicles on approximately 14,273 square feet of land within the State Land Use Agricultural District. The property is located along the west side of Kauakea Road, approximately 400 feet north of the Kauakea Road – Mamalahoa Highway (Highway 19) intersection, and abutting the Nani Waimea Subdivision, Puukapu Homesteads, South Kohala, Hawaii, TMK: 6-4-17: portion of 64.

(SEE EXHIBIT D)

ADMINISTRATIVE
MATTER

The Commission took up the following under administrative matter at this time, 2:05 p.m.:

Doutor Coffee Co., Hawaii, Inc. – Deputy Corporation Counsel Torigoe briefly explained Judge Ibarra’s decision on Civil No.03-1-060K/Appeal of Dean Yokoyama and Kulana Huli Honua, noting the Judge has required that the application be refiled with a more precise explanation of the area involved. Mr. Torigoe said the Commission needed to consider whether they wanted to instruct the Office of the Corporation Counsel to take an appeal from this matter. Mr. Yuen noted the Commission and any of the parties may appeal the judge’s decision and it was up to the Commission to decide whether it wants to appeal to defend the integrity of its own decision. Mr. Yuen said he did not feel comfortable advocating one way or the other for the Commission, noting he will make a decision for the Department on whether they would appeal. As the decision was just distributed this morning, the Commission decided to take up the question on whether or not to file an appeal on the Judge’s decision at its next Hilo meeting.

The Chair stated the following two items would be continued due to a lack of quorum:

**APPLICANT: GRAJAN WILLKENROB PROJECT LLC (SLU 04-006/
REZ 04-009)**

- a. State Land Use Boundary Amendment for 6.223 acres from the Agricultural to the Urban District.
- b. Change of Zone for 6.223 acres from an Agricultural 5-acre (A-5a) to a Single Family Residential 20,000-square foot (RS-20) district.
The property is located immediately north of Kealoha Subdivision, approximately 400 feet north of the Aloha Kona Drive – Kakalina Street intersection, Hienaloli 2nd, North Kona, Hawaii, TMK: 7-5-10:89.

APPLICANT: HOAWE, LLC (REZ 04-018)

Change of Zone for approximately 4.006 acres from an Agricultural 1-acre (A-1a) to a Single Family Residential 15,000-square foot (RS-15) district. The properties are located at the western end of Pamahoa Place, approximately 600 feet from the Palani Road – Pamahoa Place intersection, Pamahoa Estates Subdivision, Kealakehe Homestead Lots, North Kona, Hawaii, TMK: 7-4-4:80 – 83.

ADJOURNMENT

There being no further business, the Chair declared the meeting adjourned at 2:09 p.m.

Respectfully submitted,

Sharon M. Nomura, Secretary

A T T E S T:

Hannah Springer, Second Vice-Chairman
Planning Commission