

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, May 1, 2009

TIME: 9:00 a.m.

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

ELECTION OF OFFICERS – 9:00 a.m.

NEW BUSINESS – 9:00 a.m.

1. **APPLICANT: BETH-AN & CARY NISHIJIMA (REZ 09-92)**
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 22,800 square feet of land. The property is located along the northeast corner of the Kekuanaoa Street-Laukapu Street intersection, diagonally across from the Big Island Candies complex, Waiakea Houselots 1st Series, Waiakea, South Hilo, Hawaii, TMK: 2-2-35:1 and 103.
2. **APPLICANT: DR. TREVOR RODRIGUES (REZ 09-90)**
Change of Zone from Single-Family Residential – 10,000 square feet (RS-10) to Industrial-Commercial Mixed – 20,000 square feet (MCX-20) for approximately 45,800 square feet of land. The property is located at the northeast corner of Kawili Street and Laukapu Street, Waiakea, South Hilo, Hawaii, TMK: 2-2-50:43.
3. **APPLICANT: ESTRELLA C. ACASIO (REZ 09-91)**
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 22,900 square feet of land. The property is located on the east side of Laukapu Street approximately 200 feet south of the Laukapu Street and Hualani Street intersection, Waiakea Houselots, Waiakea, South Hilo, Hawaii, TMK: 2-2-35: 6.

NEW BUSINESS – 9:45 a.m.

4. **RICHARD & CINDY VOGEL (SPP 09-77)**
Special Permit to allow the establishment of a 1-bedroom bed and breakfast establishment within an existing 4-bedroom single family dwelling on 1-acre of land

situated within the State Land Use Agricultural District. The property is located at 13-3357 Hookupu Street, approximately 2,700 feet north of the Hookupu Street – Leilani Avenue intersection, Leilani Estates Subdivision, Keahialaka, Puna, Hawaii, TMK:1-3-31:66.

5. **APPLICANT: DENA & SERGIO RAMIREZ (SPP 06-37)**

Amendment to allow the use of an additional structure for a restaurant and culinary school for Special Permit No. 06-37, which originally allowed the establishment of a restaurant and related activities within an existing building on 2+ acres of land situated within the State Land Use Agricultural District. The property is located on the north (makai) side of the Honokaa-Waipio Road (Highway 240), approximately 1,800 feet west of Nienie Gulch and two miles west of Honokaa, Kulihai, Hamakua, Hawaii, TMK: 4-6-1:19.

NEW BUSINESS – 10:15 a.m.

6. **APPLICANT: ARROW OF OREGON/HAWAII, LLC (SPP 09-76)**

Special Permit to allow a cinder and rock quarry operation on 5.003 acres of land situated within the State Land Use Agricultural District. The properties are located at the corner of Mahimahi Drive and Liliana Lane, Hawaiian Ocean View Estates Subdivision, Kahuku, Ka‘u, Hawaii, TMK: 9-2-148:1 to 5.

MINUTES

March 6, and March 20, 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. 4, 5, 6 and 7 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.

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.

PLANNING COMMISSION
Rell Woodward, Vice Chair

(Hawaii Tribune Herald: April 11, 2009)
(West Hawaii Today: April 11, 2009)