

PLANNING COMMISSION  
COUNTY OF HAWAI'I

MINUTES  
MARCH 20, 2009

The Planning Commission met in regular session at 1:38 p.m. in the Waikoloa Beach Marriott Hotel, Ali'i III Room, 69-275 Waikoloa Drive, Waikoloa, Hawai'i, with Vice Chair Rell Woodward presiding.

PRESENT: Rell Woodward  
Lani Bowman  
Takashi Domingo  
Frederic Housel  
Shelly Ogata  
Rodney Watanabe

ABSENT & EXCUSED: Andrew Iwashita

Brandon Gonzalez, Deputy Corporation Counsel  
BJ Leithead Todd, Planning Director  
Norman Hayashi, Planning Program Manager  
Jeff Darrow, Staff Planner  
Maija Cottle, Staff Planner  
Kiren Emler, Engineering Div., Department of Public Works (left at 2:25 p.m.)

The Vice Chair introduced the Commissioners and staff to members of the public, and explained the hearing procedures. He mentioned that this is the last meeting of the current Planning Commission since as of April 1<sup>st</sup> the County will have two Planning Commissions (Windward and Leeward) according to a recently passed ordinance.

The Vice Chair also stated that Chair Watanabe is recusing himself on Agenda Item No. 1 due to a conflict of interest, and that it has been agreed that the Vice Chair shall preside over the entire meeting.

SPP 623  
THE SALVATION  
ARMY- KONA CORPS  
KEOPU 3<sup>RD</sup>,  
NORTH KONA

The Commission took this item up at 1:43 p.m. with six people from the public in attendance.

**APPLICANT: THE SALVATION ARMY – KONA CORPS (SPP 623)**

Amendment to Special Permit No. 623 by replacing a proposed gymnasium with a Thrift Store. Also requested is the deletion of condition nos. 5 and 6 relating to plan approval and construction deadlines for phase II. The property is the site of the existing Salvation Army complex situated between Queen Ka'ahumanu Highway (Highway 19) and Kalani Street, adjacent to and northwest of the Church of Jesus Christ of Latter Day Saints complex, Kailua-Kona, Keopu 3<sup>rd</sup>, North Kona, Hawai'i, TMK: 7-5-3: portion of 25.

Ms. Cottle oriented the Commission and public regarding the subject and surrounding properties on the location map, site plan and aerial photo, and summarized the request noting that the proposed Thrift Store would replace the originally proposed gymnasium for that location and also an existing Thrift Store in the Kona Industrial Subdivision. She stated that the Planning Department recommends approval of the amendment request with conditions.

The applicant's representative, Sidney Fuke, was present. Mr. Fuke raised a question whether it is standard to require applicants to come back before the Planning Commission with an initial time extension request. He addressed a concern of a neighboring property owner about unkempt donated items on property, saying that the items would be set aside and the applicant would do daily removal of them. He mentioned that the amended plan is archaeologically and culturally more sensitive in that it recognizes an existing burial site and leaves it untouched, while the original plan had the gymnasium proposed at the site. He also mentioned that although they have to get approval from the State Department of Transportation, the applicant would like to include an emergency exit out only to Queen Ka'ahumanu Highway in their final design phase.

There was no one from the public wishing to testify on this agenda item.

In response to Mr. Fuke's earlier question, Mr. Hayashi stated that if the Commission so desires, the Department has no objections to revising Condition No. 11, so that an initial extension of time for the performance of Condition No. 3 with respect to construction of the Thrift Store may be granted administratively by the Planning Director, since the Thrift Store is a new request. For further clarification he referred the Commissioners to Condition No. 11 of Agenda Item No. 4, which wording is basically what the Department would recommend as new Condition No. 11 of this permit.

Commissioner Bowman expressed her concern about the revision as precedent setting. Mr. Fuke at this time mentioned that it would accommodate the applicant's financial concern, if the wording in Condition No. 3 could be amended from "shall be completed" to "shall commence."

It was moved by Commissioner Domingo and seconded by Commissioner Ogata that the application be approved with revised Condition No. 11 as presented by staff. Commissioner Bowman proposed an amendment to the motion to keep the initially recommended Conditions, except that "shall be completed" in Condition No. 3 be replaced with "shall begin." The amendment failed with no second. A roll call vote was taken and motion carried with five ayes (Domingo, Ogata, Bowman, Housel, and Woodward) and one absent and excused (Iwashita). Commissioner Watanabe recused himself due to a conflict of interest.

REZ 875 & SPP 1010  
GRACE COMMUNITY  
CHURCH  
HONOKŌHAU 2<sup>ND</sup>,  
NORTH KONA

The Commission took up the following two items simultaneously at 2:05 p.m. with seven people from the public in attendance.

**APPLICANT: GRACE COMMUNITY CHURCH (REZ 875)**

Amendment to Condition C (water commitment payment) and Condition D (final subdivision approval) of Change of Zone Ordinance 98-08, which rezoned approximately 5.055 acres of land from Agricultural – 5 acres (A-5a) to the Residential and Agricultural - .5 acre (RA-.5a) district. The property is located on the east side of Palani Road adjacent to and north of the Kona Christian Academy, Honokōhau 2nd, North Kona, Hawai‘i, TMK: 7-4-006:038.

**APPLICANT: GRACE COMMUNITY CHURCH (SPP 1010)**

Amendment to Condition No. 2 (water commitment payment) and Condition No. 3 (complete construction) of Special Permit 1010, which allowed the establishment of a church and related facilities on approximately 3 acres of land. The property is located on the east side of Palani Road adjacent to and north of the Kona Christian Academy, Honokōhau 2nd, North Kona, Hawai‘i, TMK: 7-4-006: portion of 038.

(SEE EXHIBIT A)

SPP 09-74  
COUNTY OF HAWAI‘I  
DEPARTMENT OF  
PUBLIC WORKS  
KAUPULEHU-KAU,  
NORTH KONA

The Commission took this item up at 2:37 p.m. with five people from the public in attendance.

**APPLICANT: COUNTY OF HAWAI‘I DEPARTMENT OF PUBLIC WORKS (SPP 09-74)**

Special Permit to allow the establishment of a fire station and related uses on approximately 2.80 acres of land within the State Land Use Agricultural District. The project site is located along the east side of Māmalahoa Highway (Highway 190), immediately north of the Highway 190 – Makalei Drive junction, Kaupulehu-Kau, North Kona, Hawai‘i, TMK: 7-2-007: portion 001.

Ms. Cottle oriented the Commission and public regarding the subject and surrounding properties on the location map, site plan and aerial photo, and summarized the request, and noted that the Planning Department recommends approval of the application with conditions.

The applicant’s representative, David Yamamoto, was present to answer questions, and indicated that the recommended conditions are acceptable to the applicant.

Joel Gimpel testified on behalf of the Kona Traffic Safety Committee. Mr. Gimpel said that while they appreciate the proposed fire station in the area, they recommend that careful study be made to assure that the traffic on Māmalahoa Highway has adequate warning when emergency vehicles exit the fire station driveway. He further suggested that consideration be given to reducing the southbound speed limit to 45 mph at least a quarter mile earlier than the point where it already is reduced to 50 mph, so as to afford motorists sufficient time to stop in response to the flashing warning lights; he mentioned that the northbound speed limit toward that area is 45 mph. He responded to Commissioner Watanabe’s comment, saying that even if Māmalahoa

Highway falls under the State's jurisdiction, the County could certainly draw attention to the fact that that needs to be looked at because of this new use.

It was moved by Commissioner Watanabe and seconded by Commissioner Ogata that the application be approved subject to all the conditions as specified by the Planning Department. A roll call vote was taken and motion carried with six ayes (Watanabe, Ogata, Bowman, Domingo, Housel and Woodward) and one absent and excused (Iwashita).

SPP 09-75  
KAHUA RANCH  
LIMITED  
KAHUANUI,  
NORTH KOHALA

The Commission took this item up at 2:48 p.m. with six people from the public in attendance.

**APPLICANT: KAHUA RANCH LIMITED (SPP 09-75)**

Special Permit to establish the retail sales, service and training of All Terrain Vehicles (ATV's), Utility Vehicles (UTV's), and other agriculturally useful vehicles on 1.269 acres of land in the State Land Use Agricultural District. The project site is within the existing Kahua Ranch operational headquarters area, approximately ½ mile east from the Kohala Mountain Road (Highway 250) between the 11.5 and 12 mile markers, Kahuanui, North Kohala, Hawai'i, TMK: 5-9-002:Portions of 2 & 3.

(SEE EXHIBIT B)

USE 08-14  
T-MOBILE WEST  
CORPORATION  
KURTISTOWN,  
PUNA

The Commission took this item up at 3:03 p.m. with nine people from the public in attendance.

**APPLICANT: T-MOBILE WEST CORPORATION (USE 08-14)**

Action on an application for a Use Permit to allow the construction of a 150-foot monopole telecommunication tower and associated equipment on approximately 900 square feet of land situated within the Single-Family Residential 20,000 square feet (RS-20) zoned district. The property is the site of the Kurtistown Assembly of God Church, which is located on the mauka (northeast) side of Highway 11 directly across the Highway 11- Kuauli Road Junction, Kurtistown, Puna, Hawai'i, TMK: 1-7-6: portion of 31.

(SEE EXHIBIT C)

WORKSHOP FOR  
PLANNING  
COMMISSIONERS

The Commission took up this item up at 3:20 p.m. with three people from the public in attendance.

- Status and discussion on the new Leeward and Windward Planning Commissions.

Director Leithead Todd reported that although a number of names have been submitted to the Mayor for consideration, as it stands, the new Leeward Planning Commission has only three members and cannot hold a meeting, while the new Windward Planning Commission has four members, which is the bare quorum. She added that one of the difficulties is that the ordinance requires the Commissions to have one member, but no more than two, from each judicial district, and most of the applicants happen to live in the same district.

- Update of Planning Department activities.

No report was made.

MINUTES

The Commission took up the following minutes at this time, 3:25 p.m., with three people from the public in attendance.

February 19, 2009 – It was moved by Commissioner Watanabe and seconded by Commissioner Domingo that the minutes be approved as circulated. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

ADMINISTRATIVE  
MATTERS

The Commission took up the following at this time, 3:26 p.m., with three people from the public in attendance.

Status of appeals filed on Planning Commission decisions - Corporation Counsel – Mr. Gonzalez had nothing to report to the Commission.

ANNOUNCEMENTS

Mr. Hayashi announced that there are no meetings scheduled in April for either the Windward Planning Commission or the Leeward Planning Commission.

ADJOURNMENT

There being no further business, the Vice Chair declared the meeting adjourned at 3:30 p.m.

Respectfully submitted,

Noriko Sauer, West Hawai'i Secretary

A T T E S T:

Rell Woodward, Vice Chair  
Planning Commission