

WINDWARD PLANNING COMMISSION  
COUNTY OF HAWAI'I

MINUTES  
MAY 1, 2009

The Windward Planning Commission met in regular session at 9:05 a.m. in the Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawaii with Chairman Rell Woodward presiding.

PRESENT: Rell Woodward  
Takashi Domingo  
Andrew Iwashita  
Shelly Ogata  
Wallace Ishibashi

Brandon Gonzalez, Deputy Corporation Counsel  
BJ Leithead Todd, Planning Director  
Norman Hayashi, Staff Planner  
Phyllis Fujimoto, Staff Planner  
Jeff Darrow, Staff Planner  
Maija Cottle, Staff Planner

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

ELECTION OF  
OFFICERS

At 9:05 a.m. the Commission took up the following:

Chairman – Commissioner Domingo nominated Rell Woodward for the office of Chairman of the Windward Planning Commission. It was moved by Commissioner Iwashita and seconded by Commissioner Ogata that the nominations be closed. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

First Vice-Chairman – Commissioner Domingo nominated Shelly Ogata the office of First Vice-Chairman of the Windward Planning Commission. It was moved by Commissioner Domingo and seconded by Commissioner Iwashita that the nominations be closed. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

Second Vice-Chairman – Commissioner Domingo nominated Andrew Iwashita for the office of Second Vice-Chairman of the Windward Planning Commission. It was moved by Commissioner Ogata and seconded by Commissioner Domingo that the nominations be closed. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

REZ 09-92  
BETH-AN &  
CARY NISHIJIMA  
WAIAKEA,  
SOUTH HILO

The Commission took this item up at 9:10 a.m.  
with approximately 11 people from the public in attendance.

**APPLICANTS: 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 Kekuaaoa Street-Laukapu Street intersection, diagonally across from the Big Island Candies complex, Waiakea Houselots 1<sup>st</sup> Series, Waiakea, South Hilo, Hawaii, TMK: 2-2-35:1 and 103.

(SEE EXHIBIT A)

REZ 09-90  
DR. TREVOR  
RODRIGUES  
WAIAKEA,  
SOUTH HILO

The Commission took this item up at 10:00 a.m.  
with approximately 18 people from the public in attendance.

**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.

Ms. Cottle oriented the Commission and public of the subject and surrounding properties on the location map and site plan and summarized the request for a veterinary clinic. She noted the Planning Director recommended approval of the application with conditions, with a revised Condition E (as requested by the applicant's representative) to limit access to right-turn in and right-turn out movements on Kawili Street and full movements on Laukapu Street and Condition K amended to have the project connect to the existing sewer line prior to the issuance of a certificate of occupancy, rather than final plan approval.

The applicant, Dr. Trevor Rodrigues, and his representative, Sidney Fuke, were in attendance.

Mr. Fuke agreed with the Planning Director's comment about the lack of available fee simple land in the area. He said Dr. Rodrigues's lease for his current place of business expires 2012, and it would be financially easier for him to do a project on his own property.

Mr. Fuke shared his understanding of the relationship between the Community Development Plans and the General Plan, noting that Community Development Plans are specifically designed to implement the General Plan and it is not to be a separate document necessarily in and of itself. He said by virtue of the kinds of curbs, gutters and sidewalks (pedestrian-oriented) conditions that have been imposed for rezonings in the area, it seems to suggest mixed uses in the area. He added that if the applicant had come in for a heavy industrial zoning he was quite sure that



REZ 09-91  
ESTRELLA C. ACASIO  
WAIAKEA,  
SOUTH HILO

The Commission took this item up at 10:27 a.m. with  
13 people from the public in attendance.

**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.

Mr. Hayashi introduced intern Matthew Ching who prepared the well-written background report and recommendation on this application.

Ms. Cottle oriented the Commission and public of the subject and surrounding properties on the location map and site plan, summarized the request for a real estate office, and noted the Planning Director recommended approval of the application with conditions.

The applicant Estrella Acasio, her husband Elmer, her daughter Norrey, and her attorney Al Konishi were in attendance.

Mr. Konishi stated they have read the staff's report and recommendation, commended Mr. Ching's on his written presentation, and said they had nothing to add.

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

It was moved by Commissioner Domingo and seconded by Commissioner Ogata to send a favorable recommendation to the County Council as recommended by the Planning Director. In light of Mr. Lee's suggestion at this time as the location of the subject property is three lots away from the intersection and as the Planning Director had no comments to offer, Commissioners Domingo and Ogata agreed to include in the motion the deletion of the words "and traffic control devices" from Condition H. As there was no objection, Commissioner Iwashita requested his comments on Beth-An and Cary Nishijima's Rezoning application be duplicated for this subject application (SEE EXHIBIT A). Ms. Cottle clarified for the record that although the applicant has complied with Condition J regarding the submittal of a Solid Waste Management Plan, the Department is recommending the retention of this condition as the application is for a change of zone and there is the possibility that the applicant or a future property owner may propose a different use on the property. A roll call vote was taken and motion carried with five ayes (Domingo, Ishibashi, Ogata, Iwashita and Woodward), with Commissioner Iwashita voting kanalua twice.

SPP 09-77  
RICHARD &  
CINDY VOGEL  
KEAHIALAKA,  
PUNA

The Commission took this item up at 10:38 a.m. with  
8 people from the public in attendance.

**APPLICANTS: 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.

(SEE EXHIBIT B)

SPP 06-37  
DENA &  
SERGIO RAMIREZ  
KULIHAI,  
HAMAKUA

The Commission took this item up at 11:06 a.m. with six people from the public in attendance.

**APPLICANTS: 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, Kulihi, Hamakua, Hawaii, TMK: 4-6-1:19.

Mr. Darrow 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 approval of the amendment with conditions.

The applicants, Sergio Ramirez, briefly explained their request to continue their business as they have over the last 14 years training. He added they are agreeable to the background report and recommendation of the Planning Director.

In response to Commissioner Ishibashi’s inquiry, Dena Ramirez said the students completing their hospitality industry program are trained to do the beginning, middle and ending of a customer’s experience, whether it’s cooking or serving. She said she is currently working on a proposal where the students at Honokaa High School would grow hydroponic vegetables on ag lands below the school and then process it at their facility, clarifying what exactly would be achieved would be determined by the program that is specified within the various agencies as well.

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

It was moved by Commissioner Domingo and seconded by Commissioner Iwashita that the application be approved as recommended by the Planning Director, with conditions. A roll call vote was taken and motion carried with five ayes (Domingo, Iwashita, Ishibashi, Ogata and Woodard).

SPP 09-76  
ARROW OF  
OREGON/HAWAII, LLC  
KAHUKU,  
KA‘U

The Commission took this item up at 11:17 a.m. with two people from the public in attendance.

**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.

(SEE EXHIBIT C)

MINUTES The Commission took up the following minutes at this time, 11:39 a.m.

March 6, 2009 – It was moved by Commissioner Ogata and seconded by Commissioner Domingo that the minutes be approved. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

March 20, 2009 – It was moved by Commissioner Ogata and seconded by Commissioner Domingo that the minutes be approved. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

ADMINISTRATIVE The Commission took up the following under administrative  
MATTERS matters at this time, 11:40 a.m.

Windward and Leeward Planning Commission Rules – Mr. Hayashi said that the rules would have to be adopted for both Windward and Leeward Planning Commissions but until such time they are adopted the Commission will be utilizing the existing rules. He added that as requested by Commissioner Iwashita copies of both agendas will be provided to all Commissioners.

HCPO Conference – Mr. Hayashi said the HCPO Conference is scheduled to be held at the Sheraton Waikiki on Sept. 23-25, 2009.

ANNOUNCEMENTS Staff announced the next Windward Planning Commission meeting is scheduled for June 5<sup>th</sup>.

ADJOURNMENT There being no further business, the Chair declared the meeting adjourned at 11:42 a.m.

A T T E S T:

Respectfully submitted,

Rell Woodward, Chairman  
Windward Planning Commission

Sharon M. Nomura, Secretary