

## NOTICE OF PUBLIC MEETING AND HEARINGS

### PLANNING COMMISSION COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of the following matters to be considered by the 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:** Thursday, January 15, 2009

**TIME:** 9:00 a.m.

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

#### UNFINISHED BUSINESS - 9:00 a.m.

1. **APPLICANT: HAWAIIAN RAINFOREST WATER CO. LLC (SLU 08-000021/REZ 08-000085)**
  - a. State Land Use Boundary Amendment from the Agricultural to the Urban District for 10.373 acres of land.
  - b. Change of Zone from an Agricultural 20-acre (A-20a) to a Limited Industrial 1-acre (ML-1a) district for 10.373 acres.The property is located on the southeast corner of the E. Milo Street – Railroad Avenue junction, in the vicinity of the current HELCO Keaau power plant site, Keaau, Puna, Hawaii, TMK: 1-6-3: 18 and 23.

#### NEW BUSINESS – 9:30 a.m.

2. **APPLICANTS: MICHAEL & PEGGY KONANUI TOKUNAGA (REZ 08-000087)**  
Change of Zone from a Single-Family Residential 10,000 square feet (RS-10) to a Neighborhood Commercial 10,000 square feet (CN-10) district for approximately 22,500 square feet of land. The property is located on the southeast corner of Manono and Hualani Streets, Waiakea House Lots, Waiakea, South Hilo, Hawaii, TMK: 2-2-34:88.
3. **APPLICANTS: S. RUSSELL & AKIKO ODA (REZ 08-000088)**  
Change of Zone from a Single-Family Residential 10,000 square feet (RS-10) to a Neighborhood Commercial 10,000 square feet (CN-10) district for approximately 22,500 square feet of land. The property is located along the east side of Manono Street, approximately 300 feet north of the Manono Street – Hualani Street intersection, Waiakea House Lots, Waiakea, South Hilo, Hawaii, TMK: 2-2-34:36.
4. **APPLICANT: MICHELLE WALL-O'CONNOR (SPP 08-000070)**  
Special Permit to allow the establishment of a massage therapy business within an existing single-family dwelling on one acre of land situated within the State Land Use Agricultural District. The property is located at 92-8746 Lehua Lane, approximately 150 feet southeast of the Lehua Lane – Luau Drive intersection, Hawaiian Ocean View Estates, Ka'u, Hawaii, TMK: 9-2-80:57.

5. **APPLICANT: T-MOBILE WEST CORPORATION (USE 08-000014)**  
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, Hawaii, TMK: 1-7-6: portion of 31.

NEW BUSINESS – 10:30 a.m.

6. **APPLICANT: K. TANIGUCHI LTD. (SMA 08-000031)**  
Special Management Area (SMA) Use Permit to allow the demolition of an existing commercial structure, construction of a parking lot, and renovation to the exterior facade of the existing KTA Downtown Store. The project site is located on the northeast corner of the Keawe Street and Mamo Street intersection, South Hilo, Hawaii, TMK: 2-3-8:1 and 33.
7. **APPLICANT: HAWAIIAN RAINBOWS DEVELOPMENT, LLC (SPP 1188)**  
Revocation of Special Permit No. 1188, which allowed the removal and sale of stockpiled topsoil on approximately 3.76 acres situated within the State Land Use Agricultural District. The property is located southwest of the former Pepeekeo Power Plant, approximately ¾ mile east (makai) of State Highway 19, Makahanaloa, South Hilo, Hawaii, TMK: 2-8-8: portion of 147.
8. **APPLICANT: HAWAIIAN RAINBOWS DEVELOPMENT, LLC (SPP 08-000071)**  
Special Permit to allow the removal and sale of stockpiled topsoil for a 4.07-acre area situated within the State Land Use Agricultural District. The project site is located along the east (makai) side of the Old Railroad Way and southwest of the former Pepeekeo Power Plant, makai of State Highway 19, Makahanaloa, South Hilo, Hawaii, TMK: 2-8-8: portion of 144.

MINUTES

December 5, 2008

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, 7 and 8 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, 2<sup>nd</sup> 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  
Rodney Watanabe, Chair  
Rell Woodward, 1st Vice Chair  
C. Kimo Alameda, 2<sup>nd</sup> Vice Chair

(Hawaii Tribune Herald: December 26, 2008)  
(West Hawaii Today: December 26, 2008)