

PLANNING COMMISSION
COUNTY OF HAWAI'I

MINUTES
JANUARY 15, 2009

The Planning Commission met in regular session at 9:08 a.m. in the Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawaii with Chairman Rodney Watanabe presiding.

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

ABSENT & EXCUSED: C. Kimo Alameda
Andrew Iwashita

Ivan Torigoe, Deputy Corporation Counsel
Daryn Arai, Acting Planning Director
Norman Hayashi, Staff Planner
Phyllis Fujimoto, Staff Planner
Jeff Darrow, Staff Planner
Maija Cottle, Staff Planner
Kelly Gomes representing Director of Department of Public Works

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

SLU 08-000021 AND REZ 08-000085 The Commission took these items up at 9:10 a.m. with approximately 14 people from the public in attendance.
HAWAIIAN RAINFOREST
WATER CO. LLC
KEAAU, PUNA

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.

(SEE EXHIBIT A)

REZ 08-000087
MICHAEL & PEGGY
KONANUI TOKUNAGA
WAIAKEA, SOUTH HILO

The Commission took this item up at 11:33 a.m. with approximately 15 people from the public in attendance.

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.

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 application with conditions.

The applicant's representative, Sidney Fuke, stated the staff's report adequately covered the request. Besides an ingress/egrees on Hualani Street, he renewed their request to also allow an ingress only on Manono Street. He said it was only a question of time before Manono Street becomes commercialized with possibly a third lane with dedicated left- and right-turn lanes like on Kaumana Drive, Kilauea Avenue and Kinoole Street. He noted Manono Street has a right-of-way of 50 feet and eventually through acquisition of additional rights-of-ways, 5 feet on each side, there would be a 60-foot right-of-way. He pointed out Manono Street has a good sight distance as the roadway is straight in that area and it was the primary access point to the property before the house was torn down.

Mr. Arai noted that Manono Street was designed as a local street to service the residential area and not designed as a collector road to service a commercial area. He, however, questioned how allowing a right-turn in access on Manono Street would hamper the effectiveness of Manono Street to operate as a thoroughfare. He clarified his only concern is whether the access point on Manono Street would create a potential traffic concern, and that he would defer to the Department of Public Works to comment.

Mr. Fuke said in a perfect world the applicant would want to have full movements on Manono Street but if there has to be some limitation the applicant would be acceptable to a right-turn in movement only. He said part of the rationale for an access from Manono Street is to capture some customers wanting a drive-through service wherein they do not have to get out of their cars.

Kelly Gomes said Manono Street is designated as an arterial for high volume traffic and Hualani is designated as a minor or collector street which collects traffic and send them to arterial streets. He agreed that if there is a right-turn lane only on Manono Street as proposed, traffic concerns would be limited to the subject property. He said, however, as Manono Street is designated as an arterial on the zoning map, and roads are based on traffic standards and are part of the Subdivision Code, he is unable to withdraw their recommendation of not allowing access on Manono Street. He noted that ultimately it was up to the Commission to recommend conditions to the County Council and the Council to impose whatever conditions they wish.

In response to Mr. Arai's inquiry regarding allowing full-turning movements on Manono Street, Mr. Gomes said someone wanting to turn left on Manono Street may back traffic up, which would be a potential for more accidents occurring.

In response to Commissioner Bowman's inquiry, Mr. Tokunaga explained that the main purpose for the right-turn in movement on Manono Street is to allow, as an example, someone or an elderly person who just wanted a Size 10 tabi to just go to the little window to pick up the tabi and drive on through without getting out of the car, which would be very convenient for the quick shoppers. Mr. Fuke then indicated on the presentation map its traffic pattern of entering Manono Street and exiting on Hualani Street. Mr. Tokunaga clarified that they do not do marine or boat repairs.

For Commissioner Housel's information, Mr. Darrow indicated on the location map the surrounding properties that have direct access onto Manono Street.

For Commissioner Bowman's information, Mr. Darrow indicated on the presentation map the locations of Piilani and Hinano Streets which are collector streets; and the location of Don's Grill and the Credit Union where there were reports of traffic problems. Mr. Fuke noted that what complicates the traffic problem near Don's Grill and the Credit Union is that Hinano Street currently allows for on-street parking, whereas there is no on-street parking on Manono Street.

It was then moved by Commissioner Woodward and seconded by Commissioner Bowman to send a favorable recommendation to the County Council as recommended by the Planning Director, with the following replacement of proposed Condition F as recommended by Mr. Arai: "Primary access to the project site shall be from Halani Street with only one right turn restricted access point allowed on Manono Street." A roll call vote was taken and motion carried with six ayes (Woodard, Bowman, Domingo, Housel, Ogata and Watanabe) and two absent and excused (Alameda and Iwashita).

REZ 08-000088 The Commission took this item up at 11:56 a.m. with
S. RUSSELL & 8 people from the public in attendance.
AKIKO ODA
WAIAKEA, SOUTH HILO

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.

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 application with conditions.

The applicant, S. Russell Oda, and his representative, Sidney Fuke, were in attendance.

Mr. Fuke explained the request and said the applicant is agreeable with both the Staff's background report and recommendation, with conditions.

H. Kanoekalani Cheek representing Hoomana Naauao o Hawaii, expressed the church's concern of this structure being rented to someone whose use would be unbecoming to a church, such as an adult video or liquor store. Mr. Fuke assured Ms. Cheek that the applicant has no such intention; however, he pointed out that if there is any proposal for sale of liquor, surrounding property owners would have to be notified and they would have adequate opportunity to comment before the Liquor Commission.

In response to Commissioner Housel's inquiry, Mr. Oda agreed with Mr. Fuke that he currently does not have plans to add on to the existing structure as the whole idea is to minimize the cost, noting just to convert the existing dwelling is relatively expensive because they have to comply with ADA requirements.

Commissioner Bowman commented she likes uses that give her the feeling of walking into a home which this project emanates.

It was moved by Commissioner Bowman and seconded by Commissioner Woodward 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 six ayes (Bowman, Woodward, Domingo, Housel, Ogata and Watanabe) and two absent and excused (Alameda and Iwashita).

RECESSED

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

RECONVENED

The meeting reconvened at 1:30 p.m.

SPP 08-000070

MICHELLE

WALL-O'CONNOR

HOVE, KA'U

The Commission took this item up at 1:30 p.m. with 4 people from the public in attendance.

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.

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 Department recommended approval of the application.

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

The applicant, Michelle Wall-O'Connor, stated she reviewed the Planning Department's Background Report and Recommendation and was agreeable with the proposed conditions. She

noted that her potable water will be purchased ionized water and that as she owns the surrounding three acres she did not feel her neighbors would be affected by her application.

Commissioner Bowman thanked the applicant for going through the Special Permit process to establish her business rather than operating without a permit.

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

USE 08-000014 The Commission took this item up at 1:36 p.m. with
T-MOBILE WEST 5 people from the public in attendance.
CORPORATION
KURTISTOWN, PUNA

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.

(SEE EXHIBIT B)

RECESSED The Chair called a short recess at 2:17 p.m.

RECONVENED The meeting reconvened at 2:21 p.m.

SMA 08-000031 The Commission took this item up at 2:21 p.m. with
K. TANIGUCHI LTD. approximately 11 people from the public in attendance.
DOWNTOWN HILO,
SOUTH HILO

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.

Mr. Darrow oriented the Commission and public of the subject and surrounding properties on the presentation maps, summarized the request, and noted the Planning Director recommended approval of the application, with conditions.

The applicant's representative, Jeff Melrose, was in attendance, along Vice President of KTA Andrew Chun, the architect Rochelle Nagata-Woo, the contractor Gerald Yamada and the

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.

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 revocation of Special Permit No. 118 and approval of Special Permit 08-000071 with conditions.

The applicant's representative, Richard Johnson, was in attendance.

Chairman Watanabe and Mr. Darrow reviewed the recommendations of the Director and the proposed conditions of approval with Mr. Johnson, as his partner who was called out of town at the last minute did not provide that to him. Mr. Johnson then stated the applicant agreed with the proposed conditions of approval.

For Commissioner Bowman's information, Mr. Johnson said the area they are looking at right now is subdivided into four 23-acre lots and has approximately 4,000,000 cubic yards of soil that have been washed off the cane. He said their intent is selling three of the lots as farms and using one lot for a continuing soil operation.

Commissioner Bowman felt the applicant should include additional acreage in this proposal rather than applying again in the future. Ms. Johnson said as they purchased a total of 550 acres, it was possible they may apply for another permit in the future, but with this special permit and an additional permit on an adjacent lot, they already have several years' worth of excavation to be done.

In response to Commissioner Housel's inquiries, Mr. Johnson said after the soil is removed they will seed the soil with annual rye, noting submitted maps show existing and final contours prepared by a licensed civil engineer. He said after the soil is removed the grade of the land will be relatively shallow or flat, noting he has not seen any erosion problems.

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

Regarding Special Permit No. 1188, it was moved by Commissioner Woodward and seconded by Commissioner Domingo that the permit be revoked. A roll call vote was taken and motion carried with six ayes (Woodward, Domingo, Bowman, Housel, Ogata and Watanabe) and two absent and excused (Alameda and Iwashita).

Regarding Special Permit No. 08-000071, it was moved by Commissioner Woodward and seconded by Commissioner Domingo that the application be approved with conditions. A roll call vote was taken and motion carried with six ayes (Woodward, Domingo, Bowman, Housel, Ogata and Watanabe) and two absent and excused (Alameda and Iwashita).

MINUTES

At 2:48 p.m., the Commission took up the following minutes:

December 5, 2008 – It was moved by Commissioner Woodward, seconded by Commissioner Domingo, that the minutes be approved. Motion was unanimously carried by a voice vote of all Commissioners in attendance.

ANNOUNCEMENTS The following announcements were made:

Meetings – Staff announced there will be no February East Hawaii Meeting, and the subsequent meetings are February 29th at the Marriott, and March 6th at Aupuni Center.

ADJOURNMENT There being no further business, the Chair declared the meeting adjourned at 2:49 p.m.

Respectfully submitted,

Sharon M. Nomura, East Hawai'i Secretary

A T T E S T:

Rodney Watanabe, Chairman
Planning Commission