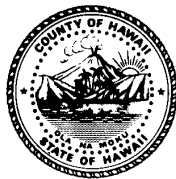


Mitchell D. Roth
Mayor



Barbara DeFranco, Chair
Zaheva Knowles, Vice Chair
Michael Dela Cruz
Clement "CJ" Kanuha III
Mahina Paishon-Duarte

County of Hawai'i

LEEWARD PLANNING COMMISSION

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

AGENDA

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Leeward Planning Commission of the County of Hawai'i in accordance with the provisions of Chapters 91 and 92, Hawai'i Revised Statutes, Section 6-7.5(a) of the Charter of the County of Hawai'i; and Planning Commission Rules of Practice and Procedure.

DATE: Thursday, July 20, 2023 **HEARING CANCELLED DUE TO A
LACK OF QUORUM**

TIME: 9:30 a.m.

LOCATION: West Hawai'i Civic Center, Council Chambers, Building A
74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i

This is an in-person meeting, and the Leeward Planning Commissioners will participate in person. The primary way to view or testify at this meeting is in-person; however, as a courtesy to the public, the Commission provides the following additional ways to view or testify remotely at this meeting.

Optional Alternative to Provide Remote Oral Testimony: The public has the option to provide verbal testimony at the meeting by joining Zoom. To provide verbal testimony via Zoom, please use the link below to register, no later than noon on the day prior to the meeting:

https://www.zoomgov.com/meeting/register/vJIsfuqvrj0qGccobiOg4v_yL-h9nNuM9vw

Optional Alternative to View Meeting:

https://www.youtube.com/channel/UCAFoRMb3rfWLQMPd6TAkEGA?view_as=subscriber

(Please note, as this is an in-person meeting, the hearing will proceed if the Zoom and/or YouTube connections fail.)

The Planning Director's background report (including application) and recommendation report for each agenda item will be available for review at www.planning.hawaiicounty.gov prior to the meeting. This information can also be requested by sending an email to LPCtestimony@hawaiicounty.gov or by calling 961-8288.

CALL TO ORDER

APPROVAL OF MINUTES

Review and Approval of the June 15, 2023 Leeward Planning Commission Minutes.

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

Members of the public may provide public testimony regarding any agenda item now or at the time the agenda item is called to order.

UNFINISHED BUSINESS – 9:30 a.m.

1. **APPLICANT: KAUPULEHU LAND LLC (PL-SLU-2022-000008)**
Application for a State Land Use Boundary Amendment from Agricultural to Rural for 2.653 acres of land. The subject property is located at 64-983 Māmalahoa Highway, approximately one mile east of its intersection with Kawaihae Road, Pu‘ukapu Homesteads, South Kohala, Hawai‘i, TMK: (3) 6-4-024:027 (por.).
2. **APPLICANT: KAUPULEHU LAND LLC (PL-REZ-2022-000039)**
Application for a Change of Zone from an Agricultural-5 acre (A-5a) zoning district to a Neighborhood Commercial-10,000 square feet (CN-10) zoning district for 2.325 acres of land and from an Agricultural-5 acre (A-5a) zoning district to a Residential Agricultural-0.5 acre (RA-0.5) zoning district for 3.024 acres of land. The subject property is located at 64-983 Māmalahoa Highway, approximately one mile east of its intersection with Kawaihae Road, Pu‘ukapu Homesteads, South Kohala, Hawai‘i, TMK: (3) 6-4-024:027.

NEW BUSINESS – 10:00 a.m.

3. **APPLICANT: JOAN HUNZIKER (PL-SPP-2023-000036)**
Application for a Special Permit to allow the establishment of a three-bedroom bed and breakfast operation within an existing dwelling on approximately 1.001 acres of land in the State Land Use Agricultural District. The subject property is located at 75-495 Nani Kailua Drive, approximately 0.25 miles east (mauka) of its intersection with Hienaloli Road, Pua‘a 3rd – ‘Auhaukea‘ē 1st, North Kona, Hawai‘i, TMK: (3) 7-5-012:091.
4. **APPLICANT: HĀMĀKUA HEALTH CENTER INC. DBA HĀMĀKUA-KOHALA HEALTH (PL-SPP-2023-000038)**
Application for a Special Permit to establish a transitional clinic and workforce housing, including accessory structures and uses on 4.321 acres of land in the State Land Use Agricultural District. The subject property is located at 54-3793 Akoni Pule Highway, at the northwestern corner of its intersection with Maluhia Road, Ohanaula and Honopueo, North Kohala, Hawai‘i, TMK: (3) 5-4-005:011 (por).

5. **APPLICANT: HĀMĀKUA HEALTH CENTER INC. DBA HĀMĀKUA-KOHALA HEALTH (PL-USE-2023-000010)**
Application for a Use Permit to establish a permanent medical clinic and caretakers' residence, including accessory structures and uses on 1.322 acres of land in the Single Family Residential-15,000 square feet (RS-15) zoning district. The subject property is located at 54-3793 Akoni Pule Highway, at the northwestern corner of its intersection with Maluhia Road, Ohanaula and Honopueo, North Kohala, Hawai'i, TMK: (3) 5-4-005:011 (por).
6. **APPLICANT: WDC PROPERTIES, LLC (PL-SPP-2023-000040)**
Application for a 10-year time extension to Condition No. 4 (life of the permit) of Special Permit No. 538 to extend the life of the permit to June 30, 2035. Special Permit No. 538 was most recently amended in 2015 to allow the continued use of a heliport and related facilities on a 9.8-acre portion of a larger 13.007-acre property until June 30, 2025. The subject property is located at 68-690 Waikoloa Road on the southeast corner of its intersection with Queen Ka'ahumanu Highway, Por. Waikoloa, South Kohala, Hawai'i, TMK: (3) 6-8-001:043 (por.)
7. **APPLICANT: COUNTY OF HAWAI'I DEPARTMENT OF PARKS AND RECREATION (PL-SMA-2023-000031)**
Application for a Special Management Area (SMA) Use Permit to allow improvements to the Miloli'i Beach Park, including the replacement of an existing pavilion and existing comfort station including replacement of a non-potable water storage and booster pump station, ADA improvements to the parking lot and park walkways, resurfacing and fencing of play courts, construction of a new fenced playground facility, designation of a boat turnaround area, and installation of vehicular barriers and related improvements on 1.41 acres of land situated within the Special Management Area. The subject property is located at 89-1151 Miloli'i Road, approximately 5 miles southwest of its intersection with Hawai'i Belt Road, Anapuka and Ho'opūloa, South Kona, Hawai'i, TMK: (3) 8-9-004:001.
8. **APPLICANT: COUNTY OF HAWAI'I DEPARTMENT OF PARKS AND RECREATION (PL-SSV-2023-000003)**
Application for a Shoreline Setback Variance to allow improvements to the Miloli'i Beach Park, including the replacement of an existing pavilion, ADA improvements to the park walkways and designation of a boat turnaround area situated within the 40-foot shoreline setback area. The subject property is located at 89-1151 Miloli'i Road, approximately 5 miles southwest of its intersection with Hawai'i Belt Road, Anapuka and Ho'opūloa, South Kona, Hawai'i, TMK: (3) 8-9-004:001.
9. **PETITIONER: WILLIAM N. MELTON (PL-CCH-2023-000014)**
Consideration of a Petition for Standing in a Contested Case Hearing filed by William N. Melton to contest applications submitted by Ahu Pohaku Ho'omaluhia LLC (formerly Robert Watkins and Jean Sunderland) to amend Special Permit No. 1117 and Special Management Area Use Permit No. 417 to increase the number of guest rooms from sixteen to thirty-six by constructing twenty additional guest rooms at Hawai'i Island Retreat, on an approximately 5.0-acre portion of a 14.5-acre parcel of land situated in the Special Management Area and the State Land Use Agricultural District.

10. **PETITIONERS: DALE AND DON FRANZEN (PL-CCH-2023-000016)**
Consideration of a Petition for Standing in a Contested Case Hearing filed by Dale and Don Franzen to contest applications submitted by Ahu Pohaku Ho‘omaluhia LLC (formerly Robert Watkins and Jean Sunderland) to amend Special Permit No. 1117 and Special Management Area Use Permit No. 417 to increase the number of guest rooms from sixteen to thirty-six by constructing twenty additional guest rooms at Hawai‘i Island Retreat, on an approximately 5.0-acre portion of a 14.5-acre parcel of land situated in the Special Management Area and the State Land Use Agricultural District.

PLANNING DIRECTOR’S REPORT

Report on Special Management Area (SMA) determinations and minor permits issued by the Planning Director for the month of June 2023.

AGENDA ITEMS FOR NEXT MEETING

The Commissioners will comment on matters not on the current agenda, for consideration for the Commission’s next meeting.

ANNOUNCEMENTS

The Leeward Planning Commission’s next monthly meeting is scheduled for Thursday, August 17, 2023 at the County Council Chambers in Kona and the public can also testify via Zoom. The date and venue of the meeting are subject to change.

ADJOURNMENT

Submitting Written Testimony: Pursuant to Hawai‘i County Planning Commission Rules of Practice and Procedure (PC), Rule 1, General Rules, a person desiring to submit written testimony shall indicate her/his name; 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. Public testimony can be submitted by mail or email. Those submitting written testimony by mail should provide one copy for distribution. Public testimony submitted by mail, should be mailed to the Leeward Planning Commission at the Planning Department office addresses in Hilo and Kona listed below under Board Packet. It is preferable that mailed testimony should be provided at least one week prior to the hearing date to allow for thorough Commission review. Public testimony that is submitted by email to, should be submitted before 4:30 p.m. two (2) business days prior to the Commission meeting to LPCtestimony@hawaiicounty.gov. Public attendees may present written testimony at the meeting without prior submission. Additionally, pursuant to Rule 1, the Chairperson may limit testimony that is irrelevant or unduly repetitious.

Contested Case Procedure: Pursuant to PC Rule 4, Contested Case Procedure, of the County of Hawai‘i Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on Agenda Item Nos. 1 through 6 above is required to file a written request which must be received by 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 conform with the PC Rule 4-6(a), relating to Prehearing Procedure on a form as provided by the Planning Department entitled “Petition for Standing in a Contested Case Hearing.” The notarized petition form and a filing fee of \$200 shall be submitted online via County of Hawai‘i Electronic Processing and Information Center (EPIC) at the following website:

<https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home>.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai‘i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai‘i 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), Hawai‘i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 25 Aupuni Street, Room 1402, Hilo, Hawai‘i 96720.

Board Packet. Pursuant to Hawai‘i Revised Statutes Section 92-7.5, the board packet provided to members of this board for this meeting is available for public inspection forty-eight (48) hours before the meeting date during regular business hours at the Hilo office of the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai‘i and at the Kona office of the Planning Department, West Hawai‘i Civic Center, 74-5044 Ane Keohokālole Highway, Building E, 2nd Floor, Kailua-Kona, Hawai‘i.

Anyone who requires an auxiliary aid or service, or other accommodation due to a disability, please contact the Planning Department at 961-8288 or LPCtestimony@hawaiicounty.gov as soon as possible. If a request is received later than five working days prior to the meeting date, we will try to obtain the auxiliary aid/service or other accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

Hawai‘i County is an Equal Opportunity Provider and Employer

LEEWARD PLANNING COMMISSION
Barbara DeFranco, Chair

(Hawai‘i Tribune Herald: Friday, June 23, 2023)
(West Hawai‘i Today: Friday, June 23, 2023)