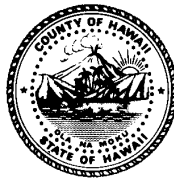


Mitchell D. Roth
Mayor



Barbara DeFranco, Chair
Dean Au
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, January 18, 2024

TIME: 9:30 a.m.

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

Public Participation: 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/vJlIc-GoqDsJGkBFaubofX3B4GULbpIqXQ8>

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 (808) 961-8288.

CALL TO ORDER

APPROVAL OF MINUTES

Review and Approval of the August 9, 2023 and August 17, 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.

NEW BUSINESS

1. APPLICANT: LILI'UOKALANI TRUST (PL-REZ-2023-000051)

Application to amend Change of Zone Ordinance 00 90 by deleting Condition B (time to submit and secure Final Plan Approval), Condition C (time to commence construction), Condition D (Eho Street extension improvements), Condition F (Eho Street/Queen Kaahumanu Highway intersection improvements), and Condition K (Administrative Time Extension) . If deletion of Conditions B and C is not possible, the applicant is requesting a 10-year time extension to Condition B to Secure Final Plan Approval and to amend Condition C to allow construction to commence within 2 years of receipt of Final Plan Approval and be completed within 5 years thereafter. Ordinance No. 00 90 was a successor ordinance to Ordinance No. 91 27, which reclassified approximately 0.874 acres of land from an Open (O) to a Village Commercial-10,000 square feet (CV-10) zoning district. The subject property is located along the makai side of Queen Ka'ahumanu Highway between Eho Street and the Kona Coast Shopping Center, Keahuolu, North Kona, Hawai'i, TMK: (3) 7-4-015:015 (portion).

2. APPLICANT: PHIL TINGUELY, MANAGING MEMBER OF WALUA PARTNERS, LLC (PL-SMA-2023-000036)

Application for a Special Management Area Use Permit to develop eighteen (18) multiple-family residential units in two (2) two-story townhouse buildings, and three (3) one-story duplex buildings, and includes three (3) private pools, an office building, and related development on a 3.0-acre parcel situated in the Special Management Area. The subject parcel is located at 75-5885 Walua Road, approximately 600 feet southeast of its intersection with Ali'i Drive, Portion of Pua'a 3rd – Wai'aha 2nd, North Kona, Hawai'i, TMK: (3) 7-5-018:095.

3. APPLICANT: KONA HAWAI'I DEVELOPMENT, LLC (PL-SMA-2023-000038)

Application for a Special Management Area Use Permit to develop a 100-room hotel and related improvements using a partially completed foundation structure on a 1.76-acre parcel situated in the Special Management Area. The subject parcel is located at 75-5868 Ali'i Drive, approximately 370 feet southwest of its intersection with Walua Road, Portion of Pua'a 3rd – Wai'aha 2nd, North Kona, Hawai'i, TMK: (3) 7-5-018:011.

4. **APPLICANT: WAIKŌLOA VILLAGE CENTER, LLC (PL-REZ-2023-000052)**
Application for a Change of Zone from an Open (O) zoning district to an Industrial-Commercial Mixed-20,000 square feet (MCX-20) zoning district for a 26.052-acre portion of a larger 29.610-acre property . The subject property is located on the south side of Pua Melia Street, approximately 0.2 miles southeast of its intersection with Waikōloa Road, Waikōloa, South Kohala, Hawai‘i, TMK: (3) 6-8-003:041 (por.)

PLANNING DIRECTOR’S REPORT

Report on Special Management Area (SMA) determinations and minor permits issued by the Planning Director for the months of August, September, October, November, and December 2023.

ELECTION OF OFFICERS

Election of Officers for 2024.

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, February 15, 2024 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. 2 and 3 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 (808) 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, December 22, 2023)
(West Hawai'i Today: Friday, December 22, 2023)