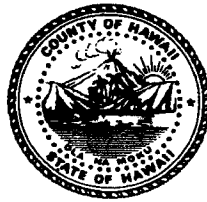


Harry Kim  
Mayor



Michael Yee  
Director

Daryn Arai  
Deputy Director

West Hawai'i Office  
74-5044 Ane Keohokālole Hwy  
Kailua-Kona, Hawai'i 96740  
Phone (808) 323-4770  
Fax (808) 327-3563

**County of Hawai'i**  
**PLANNING DEPARTMENT**

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

May 7, 2018

Katherine A. Garson, Esq.  
Carlsmith Ball LLP  
121 Waiānuenu Avenue  
Hilo, HI 96720

Dear Ms. Garson:

Special Permit No. 724 (Docket No: SPP 89-000024)  
Applicant: PR Mauna Kea, LLC  
Request: Amendment to Condition No. 7 (Life of Special Permit)  
Tax Map Key: 6-7-001:034 (formerly 6-7-001:025)

This is to inform you that the above-referenced request for an amendment to Special Permit No. 724 is scheduled for a public hearing by the Leeward Planning Commission. Said hearing, among others, will be held beginning at **9:30 a.m. on Thursday, June 21, 2018, in the West Hawai'i Civic Center, Community Center, Building G, 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i**. Your presence or the presence of an authorized representative will be appreciated in order that all questions relative to the request may be clarified. A copy of the public notice is attached for your information.

In accordance with the Planning Commission Rule 6 (Special Permits) and pursuant to Rule 4 (Contested Case Procedure), you are required to notify the surrounding property owners and lessees of record within 500 feet of the perimeter boundary of the property of the hearing.

The notice shall include the following information:

1. Name of the applicant;
2. Precise location of the property involved, including tax map key identification, location map and site plan;
3. Nature of the application and the proposed use of the property;
4. Date on which the application was filed with the commission;
5. The date, time and place of the public hearing will be held to consider the application;

**MAY 07 2018**

Katherine A. Garson, Esq.

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May 7, 2018

6. Inform the landowners and lessees of record that they have a right to submit a written request for a contested case procedure. Should they seek to intervene as a party, they shall file a written request no later than seven (7) calendar days, prior to the Commission's first scheduled public hearing to consider the application. Such written request shall be in conformity with the Planning Commission's Rules of Practice and Procedure, Rule 4, relating to Contested Case Procedure, in a form as provided in Rule 4, Appendix A, "Petition for Standing in a Contested Case Hearing." The written request shall be filed with the Planning Commission at 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720, and accompanied by a filing fee of \$200 payable to the Director of Finance;
7. Inform the landowner or lessee that should they choose not to submit a written request for a contested case procedure, they may express their support/opposition in writing or by oral testimony at the Planning Commission public hearing;
8. Contact name and phone number should there be any questions.

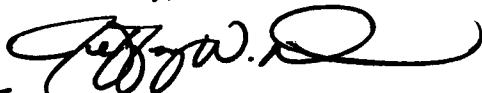
The notice shall be served within ten days after receiving notice from the director of the date, time and place of the scheduled hearing but not less than ten days prior to the date of the scheduled hearing.

Data available from the real property tax office shall be utilized in determining the names and addresses of the affected owners and lessees of record. The applicant shall also provide notice to such other owners and lessees of record when the applicant has actual knowledge of such names or as informed by the Planning Director or Planning Commission.

Proof of service to surrounding property owners shall be submitted to the Planning Commission prior to the date of public hearing. Proof may consist of certified mail receipts, affidavits, declarations or the like. The list of names, addresses and tax map keys of those individuals notified shall also be submitted.

Should you have any questions, please contact Jeff Darrow of this department at 961-8158.

Sincerely,

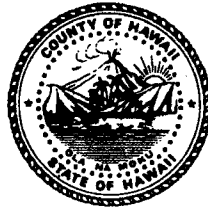


*MY* MICHAEL YEE  
Planning Director

Att.

cc/att: Planning Department – Kona  
PR Mauna Kea, LLC

Harry Kim  
Mayor



Keith F. Unger, Chair  
Oliver "Sonny" Shimaoka, Vice Chair  
Nancy Carr Smith  
Scott Church  
Perry Kealoha  
Barbara Nobriga

## 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 the Commission's Rules of Practice and Procedure.

**DATE:** Thursday, June 21, 2018

**TIME:** 9:30 a.m.

**PLACE:** West Hawai'i Civic Center, Community Center, Building G,  
74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i

**STATEMENTS FROM THE PUBLIC** – Note that statements from the public regarding any particular item on this agenda will be taken at the time the particular item is called to order.

#### NEW BUSINESS – 9:30 a.m.

- 1. APPLICANT: WEST HAWAII BUSINESS PARK, LLC (AMEND REZ 1049)**  
Application to amend Condition K (Roadway Improvements) of Ordinance No. 04-110, which reclassified approximately 196.634 acres of land from an Open (O) to an Industrial-Commercial Mixed-20,000 square feet (MCX-20) zoning district and reclassified approximately 85.733 acres of land from an Open (O) to a General Industrial-1-acre (MG-1a) zoning district. The property is located along the east (mauka) side of Queen Ka'ahumanu Highway (State Highway 19), Honokōhau 1<sup>st</sup> and 2<sup>nd</sup>, North Kona, Hawai'i, TMKs (3) 7-4-008:013, 030, 074, 076-78 inclusive, 084 and 085.
- 2. APPLICANT: SUNSTONE KONA, LLC (AMEND SMA 05-005)**  
Application for a 10-year time extension to comply with Condition No. 9 (Completion of First Phase of Block D) of SMA Permit No. 05-005, which was issued in 2007 to allow the development of approximately 289 multiple-family residential units, commercial improvements and related parking and landscaping improvements on about 46.3 acres of land, and road improvements on about 1.089 acres of land. The subject property is located east of Ali'i Drive and west of Kuakini Highway, about 1,100 feet south of the Ali'i Drive – Lunapule Road intersection, Kahului 1<sup>st</sup> and 2<sup>nd</sup>, North Kona, Hawai'i, TMKs: (3) 7-5-019:049, 050, 054 and por. 7-5-020:001.

3. **APPLICANT: PR MAUNA KEA, LLC (AMEND SPP 724/LUC SP 90-374)**  
Request for amendment to Special Permit No. 724, which was originally approved to allow for the operation of a quarry and related uses on approximately 143.48 acres of land situated within the State Land Use Agricultural District. The applicant is requesting an amendment to Condition No. 7 (Life of the Permit) to allow a time extension to run coterminous with the current lease between the applicant and WHC, Ltd., dba West Hawai'i Concrete, which expires on September 3, 2037. The affected property is located approximately 3.7 miles north east of the Māmalahoa Highway/Waiki'i Road intersection, Waikoloa, South Kohala, Hawai'i, TMK: 6-7-001:portion of 034 (formerly 6-7-001:portion of 025).

### MINUTES

Approval of the Minutes of the February 15, 2018 Leeward Planning Commission meeting.

### ADMINISTRATIVE MATTERS

Discussion of recent Special Management Area (SMA) determinations and minor permits issued by the Planning Director.

### ANNOUNCEMENTS

### ADJOURNMENT

The purpose of the public hearing is to afford all interested persons a reasonable opportunity to be heard on the above matter.

Pursuant to 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 No. 2 and 3 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 by the Planning Department entitled "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, Hawai'i 96720, and accompanied by a filing fee of \$200 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 Hawai'i Planning Department website under Resources and References (<http://www.hiplanningdept.com>)

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; 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 fifteen 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 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.

Copies of the applications are on file and open to inspection during office hours at 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, 2<sup>nd</sup> Floor, Kailua-Kona, Hawai'i.

Anyone who requires an auxiliary aid or service, other reasonable modification, or language interpretation to access this meeting, please contact the Planning Department at 961-8288 as soon as possible, but no later than five working days prior to the meeting date, to arrange for accommodations. "Other reasonable modification" refers to communication methods or devices for people with disabilities who are mentally and/or physically challenged.

*Hawai'i County is an Equal Opportunity Provider and Employer*

LEEWARD PLANNING COMMISSION  
Keith F. Unger, Chair

(Hawai'i Tribune Herald: Friday, May 11, 2018)  
(West Hawai'i Today: Friday, May 11, 2018)