

Ref. No. LUC 456

August 27, 1964

Mr. George W. Murphy
P. O. Box 2281
Honolulu, Hawaii

Dear Mr. Murphy:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Kauai on September 11, 1964 at the Coco Palms Hotel, Wailua, Kauai at approximately 8:30 p.m.

As prescribed by SECTION 98H-4 of Act 205/63, your application for Special Permit has been placed on the agenda for consideration by the Commission at this meeting. Final action may be taken at that time.

Please be advised that this notice is simply to inform you as to the status of your petition before the Land Use Commission. It is not necessary for you to be at this meeting. Should it be convenient for you to attend, of course, you may do so at your own discretion.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Myron Thompson
Maui Planning & Traffic Commission

Ref. No. LUC 471

September 18, 1964

Mr. Robert Chata
Planning Director
Planning & Traffic Commission
County of Maui
P. O. Box 1487
Kahului, Maui, Hawaii 96732

Dear Mr. Chata:

The Land Use Commission met on the Island of Kauai on September 10, 1964 at the Coco Palms Hotel, Waialua, Kauai, to consider the special permit application by Mr. George W. Murphy. The petition for this special permit was approved on the bases of the attached staff report. The approval of this special permit by the Land Use Commission includes an area of approximately 200 feet by 600 feet, only, as indicated on the submitted map accompanying the petition; and, the approval is specifically for use of the area as a lodge as has been outlined. Should the Maui Planning and Traffic Commission's approval be subject to protective restrictions as may have been deemed necessary, we would appreciate receiving such restrictions to complete our files.

The motion to approve was made by Commissioner Inaba and seconded by Commissioner Nishimura. The motion was carried by five (5) ayes and one (1) no. Six (6) Commissioners were present and three (3) were absent.

Thank you for your cooperation in this and other matters.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

Enclosure

cc: George Murphy
Gordon MacKensie
Myron Thompson
Roy Takeyama
Department of Taxation

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cc: George Murphy
Gordon MacKenzie
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Department of Taxation

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Coco Palms Hotel

Wailua, Kauai

3:40 P. M. - September 10, 1964

Commissioners

Present:

Myron B. Thompson
Goro Inaba
James P. Ferry
Charles S. Ota
Shiro Nishimura
Leslie E. L. Wung

Absent:

C.E.S. Burns
Shelley Mark
Robert Wenkam

Staff

Present:

Raymond S. Yamashita, Executive Officer
Roy Y. Takeyama, Legal Counsel
Richard E. Mar, Field Officer

Chairman Thompson called the meeting to order.

The Commission had a discussion on the next convention site. Since Dr. Mark was absent, the Commission deferred this matter until after meeting with Dr. Mark for authorization. The Department of Planning and Economic Development will sponsor the next convention pending approval from Dr. Mark.

Chairman Thompson read a letter from Governor Burns, dated September 5, 1964, acknowledging the receipt of the final Land Use District Regulations and Boundary Maps.

APPLICATION OF GEORGE W. MURPHY (SP(T)64-4), FOR SPECIAL PERMIT TO CONVERT A PORTION OF PUUHOKU RANCH FOR A LODGE FACILITY CONTAINING APPROXIMATELY 3 ACRES OF LAND SITUATED IN HALAWA, MOLOKAI: Described as Second Division, TMK 5-8-011: 6 (Portion of).

The Executive Officer presented the staff report on this petition (which is on file). A field investigation of the site and facilities was made by the Chairman and Executive Officer on August 14, 1964. There appears to be no area in which the public's interest would be jeopardized. The land area is not prime agricultural lands, the particular site is not being used for agriculture, the use does not jeopardize the existing agricultural operations, the land will not be blighted

in case of abandonment as the structures already exist, other landowners are not affected and there is no unreasonable burden on public agencies for the provision of facilities and services.

Staff recommended approval of this petition on the basis that the request meets the established guidelines in determining an unusual and reasonable use.

Commissioner Inaba moved to approve the petition on the basis of concurrence with the staff report. The motion was seconded by Commissioner Nishimura.

Executive Officer polled the Commissioners as follows:

Approved: Commissioners Ota, Inaba, Nishimura, Ferry and Chairman Thompson.

Disapproved: Commissioner Wung.

The motion to approve the petition was carried.

APPLICATION OF VIRGINIA S. BROOKS (SP(T)64-4), FOR SPECIAL PERMIT TO CONSTRUCT ADDITIONAL CABINS AND SANITARY FACILITIES IN CONNECTION WITH THE OPERATION OF A RESIDENT CAMP FOR CHILDREN ON 9.417 ACRES OF LAND SITUATED AT EWA, OAHU:
Described as First Division, TMK 9-2-3: 29.

The Executive Officer presented the staff report on this petition (which is on file). Timberline Camp has been in operation for two years. This application substantially conforms to the established guidelines for determining an "unusual and reasonable use." Staff recommended approval of this application for special permit on the basis that it is not detrimental to the public interests or to the intent and purposes of the Land Use Law.

Commissioner Ferry moved to approve this petition on the basis of concurrence with the staff report. The motion was seconded by Commissioner Inaba.

Executive Officer polled the Commissioners as follows:

Approved: Commissioners Ota, Inaba, Wung, Nishimura, Ferry and Chairman Thompson.

Disapproved: None.

The motion to approve this petition was carried.

ADOPTION OF MINUTES

Commissioner Ferry moved to adopt the minutes of April 11, 1964; May 15, 1964; May 22, 1964; June 12, 1964; July 31, 1964; and August 1, 1964. Commissioner Nishimura seconded the motion. The minutes were adopted as circulated.

The Commission discussed the schedule of meetings for Maui and Hawaii. The Commission decided to meet with the Planning and Traffic Commissions of the County of Maui and Hawaii. The meeting with the County of Maui was tentatively set for Friday, October 23, 1964; and the meeting with the County of Hawaii was set for Thursday, October 22, 1964.

Commissioner Ferry felt that the Land Use Commission should meet with the Kauai Planning and Traffic Commission, also. The Land Use Commission agreed with Commissioner Ferry and specified that the staff should make the necessary arrangements to meet during the week following the Hawaii - Maui trip.

Chairman Thompson brought up the point of the Land Use Commission's jurisdiction over the location of public institutions and buildings. After a period of discussion, the Commission decided to table this matter for further research and study.

The meeting was adjourned at 4:45 p.m.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM George W. Murphy SP17164-4
 DATE September 10, 1964
 PLACE Coco Palms Hotel, Kauai
 TIME 3:40 P.M.

NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.		✓		
INABA, G.	✓			
OTA, C.	✓			
WENKAM, R.				✓
BURNS, C.E.S.				✓
NISHIMURA, S.	✓			
MARK, S.				✓
FERRY, J.	✓			
THOMPSON, M.	✓			

COMMENTS:

Comm. Inaba moved to accept the petition.
 Comm. Nishimura seconded the motion.
 Carried - 5 aye, 1 no

STATE OF HAWAII
LAND USE COMMISSION

September 11, 1964
Coco Palms Hotel, Kauai

STAFF REPORT

Subject: Petition for Special Permit, SP(T)64-4, by George W. Murphy.

Background

The Maui Planning and Traffic Commission has transmitted its unanimous approval of a special permit to George W. Murphy, owner of Puuohoku Ranch, Molokai. A copy of the application, transcript of the public hearing, Affidavit of Publication and a map have also been transmitted and are enclosed.

These transmittals are attached for your information.

A field investigation of the contemplated site and facilities was made by the Chairman and Executive Officer on August 14, 1964. Mr. Gordon MacKenzie, manager of the ranch, was also present. The field inspection and discussion with Mr. MacKenzie disclosed the following additional information:

1. Initial operations will be confined to use of two existing buildings and possibly a third. The two buildings are substantial structures and would require only limited renovation for conversion of use. The main structure is a former residence and would contain the offices, lobby, dining room and bar, kitchen, and about 8 units. Renovation of this structure has been initiated. The second building is apparently a former servants' quarters and garage but of similar architecture (ranch style) and construction as the main building. This second building will be converted into about 7 units. The third building is about 300 feet away from the other two and is a former small single family cottage. This cottage would probably accommodate a family or small groups. The architecture and condition of this cottage is not as good as the other two buildings

but, apparently, can be made suitable. All three buildings are located on the 3.8 acre site involved.

2. The following construction or improvements are contemplated:
 - a. A swimming pool adjacent to the two main buildings.
 - b. A dam to provide a reservoir of several million gallon capacity.
This reservoir might provide fishing and other water sports to guests but would also be a water source for the ranching activities.
 - c. Paving the quarter-mile access road from the unpaved government main road.
 - d. An 18-hole golf course is contemplated but plans are not firm.
(The golf course, however, would occupy about 200 acres of the best pasture lands.)
3. The ranch manager would also manage the lodge. About 6 full time employees would be directly associated with the lodge activities. Ranch employees would serve as guides for hiking, horseback riding, sightseeing, fishing and hunting. Since the contemplated facility is located some 30 miles from the commercial airport, some additional business would be generated for the local U-Drive enterprises. (The landing strip associated with the contemplated lodge is located on a plateau about a quarter mile from the lodge.)
4. The lodge facility will add some pressure for limited improvements to the existing unpaved government main road in this section of the island.
5. The 3.4 acre site is part of an approximate 6 acre area which has always been a residential area and not used as grazing land.
6. The land use is grazing for several miles in all directions. Some improvements to marginal land areas in the vicinity, for pasture use, was noted.

7. With the possible exception of some isolated kuleanas, the entire surrounding area is owned by the ranch.
8. The manager stated that all improvements and necessary facilities are to be provided by the Ranch. An existing private water system will be used. There are no government sewage collection or disposal facilities on the island so that necessary improvements must be provided by the owner. The extension of the power transmission line will be the responsibility of the owner.
9. There are no prime agricultural lands in the vicinity.
10. The rates would be, roughly, \$250 per week.
11. No study has been made of the possible market for the contemplated facility. Some expectation of getting some of the Kaanapali, Maui, visitors was indicated. Kaanapali is located about 10 or 12 miles across the channel and is visible from the site.

Discussion

This application for a special permit substantially conforms to the established guidelines with one significant exception -- the lack of a market study which would reveal whether or not the contemplated use is truly "reasonable".

The established guidelines are as follows:

- (a) Such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations.
- (b) That the desired use would not adversely affect surrounding property.
- (c) Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection.

- (d) Unusual conditions, trends and needs have arisen since the district boundaries and regulations were established.
- (e) That the land upon which the proposed use is sought is unsuited for the uses permitted within the District.
- (f) That the proposed use will not substantially alter or change the essential character of the land and the present use.
- (g) That the proposed use will make the highest and best use of the land involved for the public welfare.

Guideline (d) is not applicable and (e) is adverse. The contemplated use is basically in conformance with the remaining guidelines.

Although the lack of a market study raises a serious question on the reasonableness of the use, there appears to be no area in which the public's interest would be jeopardized. The land area is not prime agricultural lands, the site is not being used for agriculture, the use does not jeopardize the existing agricultural operations, the land will not be blighted in case of abandonment as the structures already exist, other landowners are not affected and there is no unreasonable burden on public agencies for the provision of facilities and services.

On the positive side, the successful operation of the lodge would provide for the higher and better use of the land involved for the public welfare with practically no risk (to the public) involved.

The climate and scenic quality of the area is quite similar to the Kamuela area on Hawaii -- without the urban developments. There are several small, sandy coves along the nearby shore ideally suited for quiet relaxation. Scenic Halawa Valley is located 2 miles away and is entirely accessible. Its waterfalls, swimming pools, easy trail through lush vegetation and along streams and remnants

of taro culture would provide for interesting exploration activity. Both shore and offshore fishing is satisfactory. Deer hunting is excellent. Bird hunting can be successfully regenerated as it once was. The surrounding rangelands and nearby forests and mountains provide for good riding or hiking. There even appears to be little necessity for the development of a golf course as an attraction -- which would require about 200 acres of the best pasture lands.

Recommendation

On the basis that the contemplated use substantially meets the established guidelines in determining an unusual and reasonable use, staff recommends approval of this petition. Although there is no market study, there appears to be small risks to the public interests.

JOSEPH S. MEDEIROS, JR., Chairman
KAZUO KAGE, Vice-Chairman
WILLARD ELLER, Member
WILLIAM HONG, Member
YOSHIKAZU MATSUI, Member
MASAO NAGASAKO, Member
ROBERT UEOKA, Member



KOICHI HAMADA, Ex-Officio
HIDEO HAYASHI, Ex-Officio
JEAN R. LANE, Ex-Officio
MASAO SONE, Ex-Officio
ROBERT O. OHATA, Planning Director
MRS. EVA M. DUPONTE, Secretary

PLANNING AND TRAFFIC COMMISSION
COUNTY OF MAUI

P. O. BOX 1487
KAHULUI, MAUI, HAWAII 96732

July 29, 1964

RECEIVED

JUL 30 1964

State of Hawaii
LAND USE COMMISSION

Mr. Myron B. Thompson
Chairman
Land Use Commission
426 Queen Street
Honolulu, Hawaii

Dear Mr. Thompson:

Re: Special Permit for Puu-O-Hoku
Ranch, Molokai, Hawaii

The Maui Planning and Traffic Commission at its meeting of July 28, 1964, voted unanimously to approve a special permit to Puu-O-Hoku Ranch, as further described in the application attached herewith.

Pursuant to Section 98H-6, Revised Laws of Hawaii 1963 as amended, further approval of your Commission is required. Accordingly, we hereby transmit this decision of the Maui Planning and Traffic Commission together with: (1) Transcript of the public hearing; and (2) Affidavit of Publication.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert O. Ohata".

ROBERT O. OHATA
Planning Director

Encls.
cc: Mr. Charles Ota