



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition )  
for an Extension of Time to )                    SP80-349  
the Special Permit of            )  
    )  
PRINCEVILLE AT HANAIEI        )  
\_\_\_\_\_ )

FINDINGS OF FACT, CONCLUSIONS OF LAW,  
DECISION AND ORDER

The Land Use Commission of the State of Hawaii, having duly considered the entire record in the above entitled matter, makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The Petitioner has filed for a time extension of one (1) year to commence construction of an 18-hole golf course on approximately 329 acres of land situated within the State Land Use Agricultural District at Princeville, Hanalei, Island and County of Kauai: Tax Map Keys 5-3-01: Portion of 2, and 5-3-06: Portions of 14 and 17.

2. The Land Use Commission originally granted the Special Permit to Princeville at Hanalei, a division of Consolidated Oil and Gas, Inc. on March 30, 1981, subject to the condition (Condition No. 5) that construction of the golf course begin within eighteen (18) months. The Petitioner now requests an additional twelve (12) months (to September 30, 1983) to start construction of the golf course.

3. The Petitioner needs additional time to redesign the golf course layout to accommodate the County of Kauai Planning Commission's desire to relocate two golf holes from the mauka to the makai side of Kuhio Highway.

4. The Petitioner would like to develop the golf course simultaneously with its development of a new hotel on nearby makai lands, but has not successfully completed negotiations for a management agreement with a new hotel operator.

5. The County of Kauai Planning Commission conducted a public hearing on the subject time extension request on July 28, 1982 pursuant to a notice published in The Garden Island on July 6, 1982. Based upon the reasons presented by the Petitioner and the findings and recommendations of the Kauai County Planning Department, the Planning Commission voted unanimously to forward a recommendation for approval to the State Land Use Commission.

#### CONCLUSIONS OF LAW

1. The Petitioner has shown that unusual circumstances warrant the granting of a time extension to commence construction of the golf course on the subject property, as provided in Rule 9-3 of the Rules of Practice and Procedure of the Land Use Commission; that is, the Petitioner needs additional time to finalize the design of the golf course and to negotiate a management agreement for the new hotel which the golf course would support.

2. Granting of the time extension will in no way alter the reasons for which the permit was originally approved, will not be contrary to the purpose and intent of imposing time conditions, and will not be violative of Chapter 205-6, Hawaii Revised Statutes, nor of Part V, Land Use Commission District Regulations.

#### DECISION AND ORDER

IT IS HEREBY ORDERED that Special Permit No. 80-349 which allows the construction of an 18-hole golf course and related facilities on approximately 329 acres of land at Princeville, Hanalei, Island and County of Kauai, more particularly identified by Tax Map Keys 5-3-01: Portion of 2 and 5-3-06: Portions of 14 and 17, be and the same is hereby amended such that Condition No. 5 reads as follows:

"5. Construction of the golf course shall begin on or before September 30, 1983, the failure of which shall be reason for termination of the Special Permit."

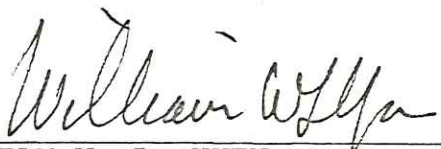
The Special Permit is further amended by the following additional condition:

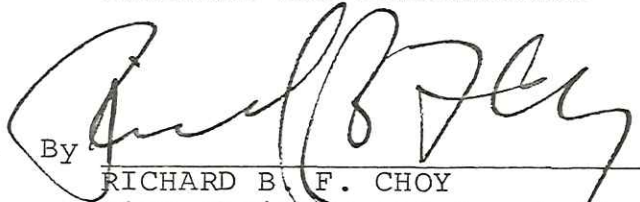
"6. That any further changes to the area of the proposed golf course approved in the Special Permit shall be made through a petition for boundary amendment covering the entire golf course area."

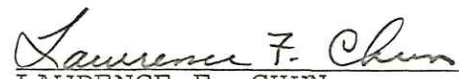
SP80-349 - PRINCEVILLE AT HANAIEI (TIME EXTENSION)

Done at Honolulu, Hawaii, this 19th day of October,  
1982 per motions on September 16, 1982 and September 24, 1982.

LAND USE COMMISSION  
STATE OF HAWAII

By   
WILLIAM W. L. YUEN  
Chairman and Commissioner

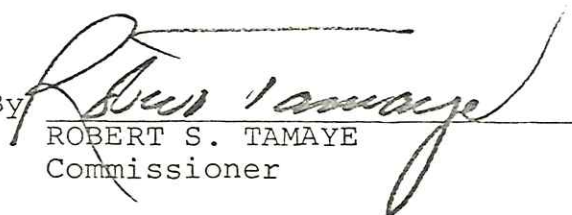
By   
RICHARD B. F. CHOY  
Vice Chairman and Commissioner

By   
LAWRENCE F. CHUN  
Commissioner

By   
SHINSEI MIYASATO  
Commissioner

By   
WINONA E. RUBIN  
Commissioner

By   
TEOFILO PHIL TACBIAN  
Commissioner

By   
ROBERT S. TAMAYE  
Commissioner

By   
FREDERICK P. WHITTEMORE  
Commissioner



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition )  
for an Extension of Time to ) SP80-349 - PRINCEVILLE AT  
the Special Permit of ) HANAIEI  
)  
PRINCEVILLE AT HANAIEI ) (Time Extension)  
)  

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CERTIFICATE OF SERVICE

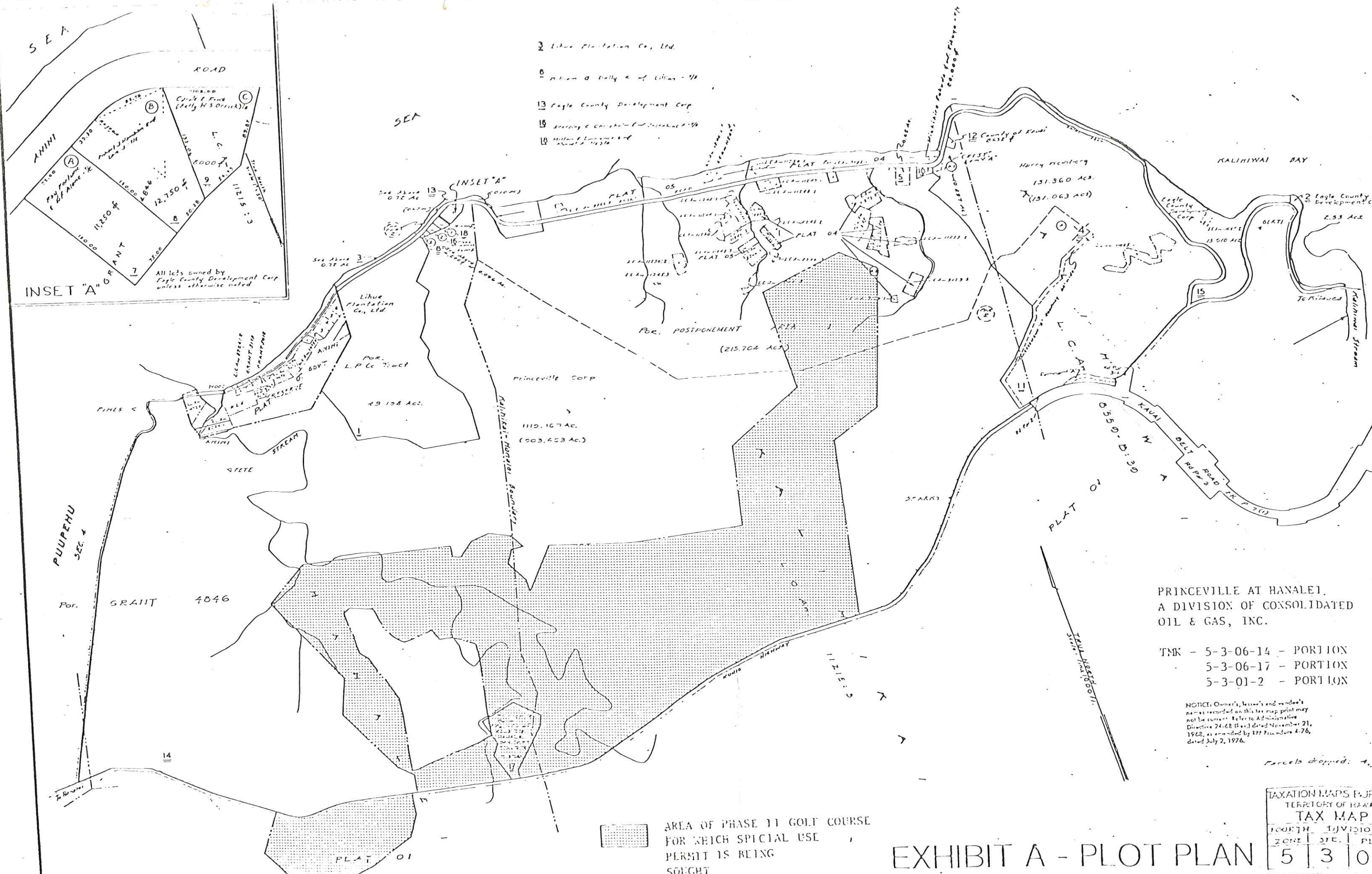
I hereby certify that a copy of the Land Use Commission's Decision and Order was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by certified mail:

BRIAN NISHIMOTO, Planning Director  
Kauai Planning Commission  
County of Kauai  
4280 Rice Street  
Lihue, Hawaii 96766

MICHAEL Y. M. LOO, Development Manager  
Princeville Development Corporation  
P.O. Box 121  
Hanalei, Hawaii 96714

DATED: Honolulu, Hawaii, this 19th day of October, 1982.

  
\_\_\_\_\_  
GORDAN Y. FURUTANI  
Executive Officer



- 2 Lihue Plantation Co., Ltd.
- 6 William O. Dally & W. Lillian - W
- 13 Eagle County Development Corp.
- 15 Harry & Catherine - W. Lillian - W
- 18 William O. Dally & W. Lillian - W

INSET "A" GRANT  
 All lots owned by Eagle County Development Corp unless otherwise noted

PRINCEVILLE AT HANALEI,  
 A DIVISION OF CONSOLIDATED  
 OIL & GAS, INC.

- TMK - 5-3-06-14 - PORTION
- 5-3-06-17 - PORTION
- 5-3-01-2 - PORTION

NOTICE: Owner's, lessee's and vendor's names recorded on this tax map print may not be current. Refer to Administrative Directive 24-08 (Rev.) dated November 21, 1968, as amended by RPT File No. 4-76, dated July 2, 1976.

Parcels dropped: 4.

AREA OF PHASE II GOLF COURSE FOR WHICH SPECIAL USE PERMIT IS BEING SOUGHT

# EXHIBIT A - PLOT PLAN

SUBJECT TO CHANGE

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH DIVISION	ZONE	PLAT
5	3	06