

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

February 2, 1973 - 1:30 p.m.

Board Room
Queen Liliuokalani Building
Honolulu, Hawaii

COMMISSIONERS PRESENT: Goro Inaba, Chairman
Eddie Tangen, Vice Chairman
Alexander Napier
Sunao Kido
Shelley M. Mark
Leslie Wung
Tanji Yamamura
Stanley Sakahashi

Approved
AUG 30 1973

STAFF PRESENT: Tatsuo Fujimoto, Executive Officer
Ah Sung Leong, Planner
Gordan Furutani, Planner
Benjamin Matsubara, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Chairman Inaba swore in persons testifying during today's proceedings.

ACTION

PETITION BY INTERNATIONAL DEVELOPMENT CO. (A72-330) TO RECLASSIFY 30 ACRES FROM CONSERVATION TO URBAN AT MOANALUA, OAHU

Mr. Tatsuo Fujimoto, Executive Officer, presented the staff memorandum recommending that the petition be disapproved based on staff's analysis and discussion (see copy of memorandum on file).

Vice Chairman Tangen prefaced his motion with comments he wished to share with the Commissioners regarding the subject petition. He recounted that during the two public hearings that were held on this request, many concerns were expressed regarding the physical and social environment, the community's need for park and recreational areas, and the housing needs on Oahu. In reaching a conclusion, all of these points and the relevant testimony opposing the petition had to be weighed.

The presentations made by the petitioner to the Land Use Commission in these matters and other respects were deficient.

Therefore, Vice Chairman Tangen moved that the petition be disapproved. The motion was seconded by Commissioner Wung and unanimously carried.

PETITION BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES (A72-345) TO RECLASSIFY 6 ACRES FROM AGRICULTURAL TO URBAN AT PUPUKEA, KOOLAULOA, OAHU

Mr. Gordan Furutani, staff planner, presented the staff memorandum recommending that the petition be approved (see copy of memo on file).

Commissioner Napier moved that the petition be approved as recommended by staff, which was seconded by Commissioner Yamamura, and the motion was carried with the following votes:

Ayes: Commissioners Sakahashi, Wung, Yamamura, Napier, Kido, Vice Chairman Tangen, Chairman Inaba

Absent: Commissioner Mark

SPECIAL PERMIT APPLICATION BY MOANA DEVELOPMENT CORP. (SP72-140) TO DEVELOP A TENNIS CLUB AND RELATED IMPROVEMENT AT KOLOA, KAUAI

The staff report, presented by Mr. Tatsuo Fujimoto, Executive Officer, recommended that the special permit be approved, subject to the County's conditions and further stipulations by the Land Use Commission (see copy of report on file).

Chairman Inaba noted that the Department of Health had recommended denial of the special permit on the basis of inadequate sewer facilities. Mr. Fujimoto replied that since the County's approval involved only the 4 tennis courts, excluding the other related activities, he did not feel this was relevant to the approval of this special permit.

In response to Vice Chairman Tangen's observations that no provision for parking had been made, Mr. Robert Lloyd, representing the petitioner, replied that 10 to 12 spaces will be required for the courts which will be used only by the people in the immediate vicinity. Mr. Fujimoto noted that this matter had not been considered by the County. Vice Chairman Tangen suggested that provision for 10 parking spaces be included in the approval, and the location of these be subject to the County's approval.

Due to the unresolved nature of the parking facilities, Commissioner Kido questioned the urgency of acting on the special permit request today. Mr. Lloyd expressed the hope that the Commission would recognize the request as an allowable use and act favorably, and the petitioner would be bound by the County's restrictions. He acknowledged that another special permit application would be required for the construction of any additional facilities. He added that the 4 tennis courts were being proposed to primarily accommodate the residents in the petitioner's Moana-Poipu 29-unit condominium development.

At the conclusion of a lengthy discussion centering around the Department of Health's negative recommendation, it was established that their objections were directed toward multi-unit developments adjacent to sensitive waters, in the absence of proper disposal and treatment of sewage. However, since toilet facilities were not contemplated for the tennis courts, this was not relevant. Commissioner Sakahashi expressed concern over the inconvenience of this arrangement.

Regarding the location of the 4 tennis courts and parking area on the 10-acre portion of the property, Mr. Lloyd requested that this matter be left to petitioner's discretion, subject to the County's approval.

Commissioner Sakahashi moved to grant the special permit on the 10 acres ±, for the construction of 4 tennis courts in the area on the map, and 10 parking spaces in the area on the map, subject to the County's conditions and the further conditions stipulated by the Land Use Commission. The motion was seconded by Commissioner Wung and carried with the following votes:

Ayes: Commissioners Sakahashi, Wung, Yamamura, Napier,
Vice Chairman Tangen, Chairman Inaba

Nays: Commissioners Mark and Kido

SPECIAL PERMIT APPLICATION BY BOISE CASCADE (SP72-140) TO
CONSTRUCT AND OPERATE A GOLF COURSE AT WAIKOLOA, SOUTH
KOHALA, HAWAII

It was the staff's recommendation that the special permit be approved, subject to the conditions set forth by the Hawaii County Planning Commission (see copy of report on file).

Mr. Walt Southward, Manager of Special Affairs, Boise Cascade Recreation Communities, submitted that work had commenced in the makai area but was terminated due to litigation pending in the Supreme Court against Mr. Richard Smart by a Mr. McCullogh over the ownership of the property, making it impossible for Mr. Smart to pass title to the petitioner. Therefore, the condition that construction of subject use begin within one year of date of final approval may present a problem.

Both Commissioner Napier and Vice Chairman Tangen suggested that the approval be subject to the condition that construction commence within 1 year of the Court's decision, if in favor of Mr. Smart.

Another alternative offered by Mr. Fujimoto entailed the approval of the special permit as conditioned by the County, and depending on the disposition of the pending litigation, the permit may either be terminated or the petitioner could request an extension at the end of a year.

Commissioner Kido moved to approve the special permit subject to the conditions set forth by the Hawaii Planning Commission, which was seconded by Commissioner Yamamura. The Commissioners were polled as follows:

Ayes: Vice Chairman Tangen, Commissioners Mark, Kido, Sakahashi, Yamamura, Chairman Inaba

Nays: Commissioners Napier and Wung

The motion to approve the special permit was passed.

SPECIAL PERMIT APPLICATION BY AVIS RENT A CAR (SP73-141) TO CONSTRUCT AND OPERATE A U-DRIVE BUSINESS IN HOOLEHUA, MOLOKAI

Mr. Leong, staff planner, presented the staff memorandum recommending that the request be approved, subject to the conditions imposed by the County (see copy of report on file).

Commissioner Yamamura moved to approve the special permit as recommended by staff, which was seconded by Vice Chairman Tangen.

Commissioner Sakahashi felt that the addition of another U-drive business in the area may affect the profit factor of the other two existing U-drive establishments.

Vice Chairman Tangen argued that petitioner was already operating the business from Kaunakakai and ferrying the cars to the airport so that this was not the case. It would merely make it more convenient for the petitioner to conduct his business from a location closer to the airport. Commissioner Kido added that this could also stimulate competition and result in better service to the consumer.

Chairman Inaba called upon the Executive Officer to poll the Commissioners on the foregoing motion. The votes are recorded as follows:

Ayes: Commissioners Wung, Napier, Yamamura, Kido,
Vice Chairman Tangen, Chairman Inaba

Nays: Commissioners Sakahashi and Mark

The motion to approve the special permit was carried.

SPECIAL PERMIT APPLICATION BY ROBERT GOUEYTES (SP73-142) FOR MINOR IMPROVEMENTS AND OPERATION OF A RESTAURANT AT KIHEI, MAUI

It was the staff's recommendation that this request be approved subject to the conditions imposed by the Maui Planning Commission, and with the added stipulation (under condition #6) that any extensions of the special permit also be reviewed by the Land Use Commission (see copy of report on file).

Upon motion by Commissioner Yamamura, seconded by Vice Chairman Tangen, the special permit was unanimously approved as recommended by staff.

APPLICATION BY LIHUE PLANTATION CO., LTD. (A72-335) TO RECLASSIFY 26.4 ACRES FROM URBAN TO AGRICULTURAL AT KAWAIHAU, KAUAI

Mr. Fujimoto presented the staff memorandum recommending approval of the subject petition (see copy of report on file).

Commissioner Napier moved to approve the petition, which was seconded by Commissioner Wung and unanimously passed.

NEXT MEETING DATE

Mr. Fujimoto advised that the next meetings of the Land Use Commission will be held on February 16 on Maui and Lanai.

Since there was no further business, the meeting was adjourned.