

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room 322 (B & C)
New State Building
1151 Punchbowl Street
Honolulu, Hawaii

Approved
9/27/78

July 18, 1978 - 9:30 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
James Carras
Shinsei Miyasato
Mitsuo Oura
George Pascua

COMMISSIONERS ABSENT: Colette Machado
Carol Whitesell
Edward Yanai

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Ray Russell, Court Reporter

ACTION

A77-433 - ENCHANTED LAKE PARTNERS

In the matter of the boundary amendment petition by Enchanted Lake Partners, Docket A77-433, on which a hearing was held on February 27, 1978 by the Hearing Officer, a resume of his prepared report to the Commission was presented by Hearing Officer Benjamin Matsubara. It was Mr. Matsubara's conclusion that reclassification of the approximately 2.8 acres of land at Enchanted Lakes, Kailua, Oahu from Conservation to Urban was reasonable, non-violative of Section 205-2 of the Hawaii Revised Statutes, and consistent with the Interim State-wide Land Use Guidance Policy.

All of the parties to the petition submitted that they had no objections to the Hearing Officer's report.

Vice Chairman Nakagawa moved that the Hearing Officer's report be accepted and the petition to amend the land use

district boundaries for 2.8 acres from Conservation to Urban be approved. The motion was seconded by Commissioner Oura and unanimously passed.

Chairman Duke commended both Counselor Minn of the City and County and Mr. Matsubara for their excellent reports and directed the Hearing Officer to prepare the Decision and Order on this docket.

Executive Session

Upon motion by Commissioner Pascua, seconded by Vice Chairman Nakagawa, it was unanimously agreed to go into executive session for the purposes of receiving a status report from Mr. Matsubara on appeals pending in court.

The Commission was in executive session from 10:00 a.m. to 10:29 a.m.

10:29 a.m.

Chairman Duke outlined the procedure which will be followed by the Commission in considering all Special Permit requests. He explained that the Commission was merely an appellate body and will only review the record developed at the County's proceedings. Therefore, the Commission will be unable to receive any new testimony or arguments.

SP77-261(B) - BOISE CASCADE HOME & LAND CORPORATION TO AMEND SPECIAL PERMIT TO ALLOW THE CONSTRUCTION OF A CENTRALIZED PARKING AREA FOR HOTEL USE AT WAIKOLOA, S. KOHALA, HAWAII

Mr. Fuutani pointed out the location of the property on the maps and reported on the relevant facts involved in the petitioner's request. The conditions stipulated in the original Special Permit were also reviewed.

Some clarification was requested of the Executive Officer concerning the time constraints stipulated in the original conditions, more specifically in terms of construction and completion dates of the facility.

Commissioner Carras moved, seconded by Commissioner Oura, to approve the amendment to Special Permit 77-261(B), subject to the conditions imposed by the Hawaii Planning Commission. The motion was unanimously passed.

SP77-265 - GEOTHERMAL EXPLORATION & DEVELOPMENT CORPORATION TO ALLOW A ONE-YEAR EXTENSION OF TIME TO COMMENCE DRILLING OF EXPLORATORY GEOTHERMAL WELLS AT OPIHIKAO, PUNA, HAWAII

The Executive Officer presented a resume of the staff report

and oriented the Commission to the location of the subject property.

Upon motion by Commissioner Carras, seconded by Commissioner Oura, the request for a one-year extension to commence drilling of exploratory geothermal wells was unanimously approved, subject to the conditions imposed by the Hawaii County Planning Commission.

SP78-300 - CAL-GA-CRETE HAWAII, INC.
TO ALLOW THE RETAIL SALE OF BUILDING MATERIALS AT WAIKOLOA,
SOUTH KOHALA, HAWAII

Mr. Furutani reported on the details of the request by the petitioner and also pointed the area involved on the maps.

Commissioner Pascua moved to approve the Special Permit, subject to the conditions imposed by the Hawaii Planning Commission. It was seconded by Commissioner Carras and unanimously carried.

SP78-301 - THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
TO ALLOW THE ESTABLISHMENT OF A CHURCH AT KEAAU, PUNA, HAWAII

A resume of the subject request was presented by Mr. Furutani.

It was moved by Commissioner Carras and seconded by Commissioner Pascua to approve the Special Permit, subject to the conditions imposed by the Hawaii Planning Commission. The motion was unanimously approved.

SP78-305 - HIROSHI MATSUYAMA
TO ALLOW THE ESTABLISHMENT OF A COUNTRY GENERAL STORE AND A
SERVICE STATION AT KALAOA 5TH, NORTH KONA, HAWAII

Mr. Daniel Yasui, staff planner, described and identified the area under petition and summarized the information contained in the staff report.

Commissioner Carras moved to approve the Special Permit, subject to the conditions stipulated by the Hawaii Planning Commission. The motion was seconded by Commissioner Oura and unanimously carried.

SP78-306 - KONA CHURCH OF GOD
TO ALLOW THE ESTABLISHMENT OF A CHURCH AT KOHANAIKI, NORTH
KONA, HAWAII

Staff Planner pointed out the location of the property on the maps and presented a summary of the staff report.

It was moved by Commissioner Pascua, seconded by Commissioner Carras and unanimously agreed to approve the Special Permit, subject to the conditions imposed by the Hawaii Planning Commission.

sp78-307 - DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
TO ALLOW THE ESTABLISHMENT OF A GEOTHERMAL RESEARCH FACILITY
AND TO CONDUCT FLOW TESTS AT KAPOHO, PUNA, HAWAII

Mr. Yasui presented the staff report and identified the area under petition.

Commissioner Carras moved to approve the petitioner's request, subject to the conditions stipulated by the Hawaii Planning Commission. Commissioner Oura seconded the motion and it was unanimously passed.

SP78-303 - ARTHUR KUWAHARA, ET AL
TO ALLOW THE CONSTRUCTION OF A SECOND DWELLING UNIT AT KULA, MAUI

Mr. Yasui reported on the pertinent facts contained in the staff report and also oriented the parcel under petition with various surrounding landmarks.

Commissioner Miyasato moved to approve the application, which was seconded by Vice Chairman Nakagawa and unanimously passed.

SP78-304 - KAPALUA LAND COMPANY, LTD.
TO ALLOW THE DEVELOPMENT OF A GOLF COURSE AT KAPALUA, MAUI

A resume of the staff report was presented by Mr. Yasui. The area under petition was also identified and located on the maps.

Commissioner Miyasato moved and Vice Chairman Nakagawa seconded to approve the Special Permit, subject to the conditions imposed by the Maui Planning Commission. The motion was unanimously carried.

SP78-308 - AMERON HC&D MAUI
TO ALLOW THE ESTABLISHMENT OF A CONCRETE BATCHING PLANT AT
KIHEI, MAUI

Staff planner oriented the Commission to the area under petition with the aid of the maps, and read pertinent excerpts from the staff report.

It was moved by Commissioner Miyasato, seconded by Commissioner Oura, and unanimously agreed to approve the Special

Permit, subject to the conditions imposed by the Maui Planning Commission.

SP78-302 - PACIFIC CONCRETE & ROCK COMPANY, LIMITED
TO ALLOW THE EXPANSION OF A QUARRY OPERATION AT WAIMANALO, OAHU

A summary of the staff report was presented by Mr. Yasui and the area under petition was pointed out on the various maps.

Chairman Duke noted that it was not clear what "Resolution" the County was referring to in its condition #13. It was Deputy City Corporation Counsel Moseley's contention that this was a typographical error and the phrase "except as otherwise prohibited by provisions of this Resolution" in condition #13 should be corrected to read "subject to the other conditions in the Special Permit".

Chairman Duke ordered that condition #13 be corrected as submitted by Mr. Moseley.

Vice Chairman Nakagawa moved that SP78-302 be approved, subject to the conditions stipulated by the City Planning Commission and as amended by the Land Use Commission. Commissioner Pascua seconded the motion and it was unanimously carried.

ADOPTION OF MINUTES

Upon Vice Chairman Nakagawa's motion, seconded by Commissioner Oura, the minutes of April 13, 1978 and May 11, 1978 were adopted as circulated.

Since there was no further business, the meeting was adjourned at 12:59 p.m.