

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

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

November 3, 1977 - 9:00 a.m.

Approved
3/7/78

COMMISSIONERS PRESENT: Stanley Sakahashi, Chairman
Charles Duke, Vice Chairman
James Carras
Colette Machado
Shinsei Miyasato
Mitsuo Oura
Carol Whitesell
Edward Yanai

COMMISSIONER ABSENT: Shinichi Nakagawa

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

Ray Russell, Court Reporter

ACTION

SP77-278 - COUNTY OF HAWAII POLICE DEPARTMENT
Special Permit Application to establish a pistol range at
North Kohala, Hawaii

Mr. Daniel Yasui, staff planner, pointed out the location of the subject parcel on the maps and reviewed the County's recommendation as reported in the staff report.

Mr. Yasui responded to questions concerning the location of the pistol range, the egress and ingress into the property, the exclusive use of the range by the police department, etc.

Commissioner Carras moved that the Special Permit be approved, subject to the conditions imposed by the County Planning Commission, which was seconded by Vice Chairman Duke and unanimously carried.

A76-424 - FOSTER PETROLEUM CORPORATION (cont.)

Upon motion by Vice Chairman Duke, seconded by Commissioner Whitesell, it was unanimously agreed to add to the agenda the

continuation of action on the petition by Foster Petroleum, A76-424.

Chairman Sakahashi excused Commissioner Machado from the deliberation on this petition since she had not been present during the hearing proceedings.

The Commission's continued discussion of the documents filed by all of the parties relative to the findings and conclusions on the subject petition revolved around the following areas of concern:

1. The probable adverse effects on agriculture from the intrusion of residential development in the area.
2. Long-range future of agriculture--loss of gross annual income from cessation of agriculture and elimination of permanent jobs.
3. Projected population growth for the Waianae Coast and the availability of sufficient urban lands to accommodate the projected growth.
4. Price range of the residential project at today's prices.

The Commission was in recess from 12:05 p.m. to 1:30 p.m.

1:30 p.m.

Vice Chairman Duke suggested that the Commissioners indicate their positions on the basis of the findings of fact that have been established.

Commissioner Whitesell moved to deny the petition since it had not been shown that the proposed boundary amendment was reasonably necessary; there were large reserves of vacant urban lands in the area; the proposed selling prices will not meet the needs of most Waianae residents. The motion was seconded by Vice Chairman Duke and the Commissioners were polled as follows:

Ayes: Commissioners Oura, Carras, Miyasato, Whitesell,
Duke and Chairman Sakahashi

The motion to deny the petition was carried.

A76-425 - REX FINANCIAL CORPORATION

In the matter of the boundary amendment petition by Rex Financial Corporation, Docket A76-425, on which a hearing was held on May 18, 1977, the Commission discussed the following documents which had been previously distributed to the Commission members, prior to taking action on the petition:

1. Petitioner's Findings of Fact and Conclusions of Law
2. County of Kauai's Responses to Petitioner's Proposed Findings of Fact and Conclusions of Law
3. DPED's Response to Petitioner's Proposed Findings of Fact, Conclusions of Law and Decision and Order

The Executive Officer recalled that at the time of the hearing on the subject petition, the Chairman had indicated that the Commission could seek reclassification of the Titcomb's Cemetery and the crescent-shaped sliver owned by the petitioner which had been inadvertently omitted from the petition, from the Agricultural District into the Urban District, in the event subject petition is approved.

Chairman Sakahashi noted that the Commission lacked a quorum to render a decision on this petition today. Therefore, since it will be necessary to issue a proposed decision, the Commission will proceed today with the adoption of the Findings of Fact, Conclusions of Law, and issue a proposed decision which will be sent to all the parties prior to November 14, 1977, the deadline for action on the petition. All parties will be afforded an opportunity for written or oral arguments on November 14, 1977.

During the discussion, the following matters were reviewed:

1. Development costs and the number of lots projected for the subdivision.
2. The need for additional urban services.
3. Water availability for the proposed development.
5. Traffic increase on Kuhio Highway.
6. Various accesses to the proposed site.
7. Selling prices of other surrounding subdivisions.
8. Population growth and the question of continued demand for house lots.
9. Soil productivity for agricultural pursuits.
10. Number of vacant lots available.

Vice Chairman Duke moved that the Commission approve the petition with the understanding that it is only a proposed approval. The motion was seconded by Commissioner Miyasato and the Commission was polled as follows:

Ayes: Commissioners Machado, Whitesell, Miyasato, Duke
Chairman Sakahashi

The motion was carried.

Counsellor Kawada advised that he will prepare Findings of Fact, Conclusions of Law, which will be served on all parties by November 9, 1977, which will give all parties an opportunity to view the document and file exceptions, if any, at the action meeting on November 14, 1977.

The meeting was adjourned at 5:15 p.m.