

PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF THE APPLICATION)

OF)

GRACE PACIFIC CORPORATION)

2007/SUP-6

FOR A STATE SPECIAL USE PERMIT)

FINDINGS OF FACT, CONCLUSIONS, AND DECISION

I. PROPOSAL

The Planning Commission, at its public hearing held on August 20, 2008, pursuant to Section 205-6, Hawaii Revised Statutes and Subchapter 4, Rules of the Planning Commission, City and County of Honolulu, considered the application of Grace Pacific Corporation to modify Special Use Permit (SUP) File No. 72/SUP-1. The applicant proposes a 24-year time extension and an expansion to the existing quarry and processing site totaling approximately 540.7 acres to allow the continuation of rock excavation, aggregate processing, manufacturing of asphaltic concrete, and a concrete and asphaltic pavement recycling operation to the year 2032. The proposed expansion includes excavation and berm areas, processing and manufacturing, buffer, and a driveway located within the State Land Use Agricultural District on the slopes of Puu Makakilo, Ewa, Oahu. The project area is identified by Tax Map Key 9-1-16: 4, 9-2-3: portion of 74 and portion of 82, and 9-2-2: Portion 6.

II. FINDINGS OF FACT

On the basis of the evidence presented, the Commission hereby finds that:

1. The subject expansion area is identified by Tax Map Key 9-1-16: 4, 9-2-3: portion of 74 and portion of 82, and 9-2-2: Portion 6. Parcels 4 and 82 are owned by James Campbell Company LLC. Parcel 74 is owned by Puu Makakilo, Inc. Parcel 6 is owned by D R Horton – Schuler Homes LLC, and is part of this request only for driveway purposes.
2. The site is located on the slopes of Puu Makakilo, Ewa, Oahu. The site is bisected by the H-1 Freeway.
3. Parcel 4, hereinafter the “processing site”, is located makai of the H-1 Freeway. Parcels, 6, 74, and 82, hereinafter the “quarry site” is located mauka of the H-1 Freeway.
4. The Makakilo residential community and undeveloped open space zoned P-2 General Preservation District are located to the west and northwest of the quarry site. Open space zoned for agricultural use is located to the northeast. The H-1 Freeway abuts the quarry site on the east and southeast.
5. The processing site is located between H-1 Freeway and Farrington Highway. Kapolei Knolls, Kapolei Villages residential community, Kapolei Golf Course, Farrington Highway, the proposed University of Hawaii West Oahu Campus, and related support residential/commercial uses are located to the east and southeast.

6. The processing site is used for finish crushing, stockpiling of aggregate, concrete and asphaltic concrete manufacturing, maintenance activities, employee training, laboratory, and other support services.
7. The quarry site is used for rock excavation, primary crushing and stockpiling, recycling of concrete and asphaltic pavement, support services, and open space buffer.
8. A tunnel and rock conveyor, located beneath the H-1 Freeway, facilitates transport of rock from the quarry site to the processing site.
9. The site is within the State Land Use Agricultural District and within the Urban Growth Boundary of the Ewa Development Plan. The quarry site is zoned AG-2 General Agricultural District. The processing site is zoned AG-1 Restricted Agricultural District.
10. The quarry site is rated under the Land Study Bureau Master Productivity (LSBMP) as "E" on a scale of "A" to "E" with "E" being the lowest agricultural productivity rating. The processing site contains a combination of lands rated LSBMP as "A", "B", "D", and "E" with a majority of the processing site falling within the "A" and "B" productivity ratings.
11. The Agricultural Lands of Importance to the State of Hawaii ("ALISH") rating system rates a small portion of the quarry site as "Other Important Agricultural Land". The majority of the processing site is rated a combination of "Prime Agricultural Land" and "Other Important Agricultural Land". Buffer areas within the quarry site are not rated under the ALISH system.

12. The Planning Commission received a Report and Recommendation dated August 13, 2008 from the Director of Planning and Permitting providing an analysis of the Special Use Permit amendment request and a recommendation for approval subject to thirteen (13) conditions.
13. The Director of Planning and Permitting also recommended that the instant Special Use Permit amendment request be processed as a new Special Use Permit, superseding the existing Special Use Permit approval and associated conditions of approval relating to the establishment of the quarry and processing site referenced in Special Use Permit File No. 72/SUP-1.
14. At the public hearing of August 20, 2008, 2 persons presented public testimony in opposition and 5 persons presented public testimony in support of the proposal. The Commission also received 17 written testimonies. In addition, 2 persons presented expert testimony on behalf of the Applicant relating to the area's prevailing wind patterns and the quality of atmospheric emissions as a result of quarry operations.
15. The Planning Commission closed the public hearing on the Special Use Permit application on August 20, 2008.

III. CONCLUSIONS OF LAW

The Planning Commission hereby concludes that:

1. The proposed use would not be contrary to the objectives of the State Land Use Law. The proposed quarry site expansion is located on soils that have very poor potential for crop production. Although the processing site's soil is rated "Prime" and "Other Important Agricultural Land" by the State of Hawaii Agricultural Lands of Importance to the State of Hawaii rating system, the processing site will be returned to open space and landscaping by 2012. At that time, the site will be available for agricultural uses should the City's development plan policies for Ewa designate the site for agriculture.
2. The proposed quarry site expansion would not adversely affect surrounding property if operated in accordance with relevant governmental approvals and requirements, including conditions of the Special Use Permit. Concerns relating to impacts on the surrounding community and the environment are being addressed as conditions of Special Use Permit approval.
3. The proposal will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection. Government agencies did not object to the proposed project.
4. Unusual conditions, trends and needs have arisen since the Agricultural District boundaries and regulations were established. Good quality rock in the existing approved area of the quarry has been depleted, and there are no reasonable

alternatives on the island that can be timely established to provide quality rock that is economical, reliable, and which meet construction standards.

5. The quarry site's soil quality is not conducive to crop production and the lack of an economical source of irrigation water reduces the site's agricultural potential. The existing Special Use Permit approved in 1973, allowed the removal of the site from agricultural use. Circumstances relating to use of the property for agriculture have not changed since the original SUP was granted. The State Department of Agriculture has no objections to the proposal.

IV. DECISION AND ORDER

Pursuant to the foregoing Findings of Fact, Conclusions and attachment, it was the decision of the Planning Commission, at its meeting of August 20, 2008, to recommend approval of the Special Use Permit Application No. 2007/SUP-6, as recommended by the Director of Planning and Permitting in its Report and Recommendation dated August 13, 2008, subject to the following additional condition:

14. The Applicant shall, for the life of the Special Use Permit, establish and disclose to the community, a telephone number dedicated to receiving and recording complaints relating to quarry and recycling operations. A continuous volume of complaints shall warrant reconsideration of the Special Use Permit by the Planning Commission.

Dated at Honolulu, Hawaii this 12th day of September, 2008.

PLANNING COMMISSION

CITY AND COUNTY OF HONOLULU

By 
for  _____
JAMES PACOPAC, Vice Chair