START

Roll No. 32

Planning Commission Minutes

DECEMBER 4, 1969 to JULY 7, 1971

Planning Department
City & County of Honolulu

FLASH NO. 1

PLANNING COMMISSION

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(Completion of Book No. 127)
(December 4, 1969 thru September 3, 1970)

11/2"

Meeting of the Planning Commission
Minutes
December 4, 1969

The Planning Commission met in special session on Thursday, December 4, 1969, at 8:45 a.m., in the Conference Room of the City Hall Annex with Chairman Philip Chun presiding:

PRESENT:

Philip T. Chun, Chairman
Roy R. Bright
Lewis Ingleson
Fredda Sullam
Thomas N. Yamabe II
Kunio Nagoshi, Acting Budget Director, ex-officio
Richard K. Sharpless, Managing Director, ex-officio

Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Harold Murphy, Staff Planner
Robert Tsunoda, Staff Planner

ABSENT:

Arthur Rutledge, Vice-Chairman
Edward Brennan
James K. Sakai, Budget Director, ex-officio

MINUTES:

The minutes of August 21, 1969 and November 6, 1969, as circulated, were approved on motion by Mr. Ingleson, seconded by Mr. Yamabe.

✓PUBLIC HEARING
ZONING B-5
RESORT-COMMERCIAL
WAIKIKI
MAUKA-EWA CORNER
OF KALAKAUA &
LILIUOKALANI AVE.
NOBORU IHA

A public hearing was held to consider a request for a zone change from H-2 Hotel District to B-5 Resort Commercial for parcels of land situated mauka on Kalakaua Avenue and extending approximately 170 feet Ewa from the corner with Liliuokalani Avenue in Waikiki, Honolulu, containing an area of 26,430 square feet and identified as Tax Map Key 2-6-23: portions of 1, 2, and 3.

The notice of public hearing was advertised in the Sunday Star Bulletin and Advertiser of November 23, 1969. Copies of the hearing notice were sent to the applicable governmental agencies, to various community and civic organizations in the Waikiki area, to adjoining property owners and to interested parties. No letters of protest were received.

The Director briefly reviewed with the Commission the Staff's report, copies of which were circulated prior to the meeting. Questioned by the Commission concerning the report, the Director stated the following:

1. The extent of the applicant's plans as submitted conforms to the Comprehensive Zoning Code regulations although there are areas for modification, which can be corrected at the time of application for building permit.

2. Consideration was given to rezone the subject parcel only at this time, rather than include the entire block, based upon the existing land use along Kalakaua Avenue.

3. The proposed development is contrary to anticipated action by the City Council to establish a moratorium in Waikiki.

There was no further discussion, and no person spoke either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Mr. Ingleson.

In the ensuing discussion, the Director was questioned by the Commission regarding the status of the Waikiki moratorium and reported as follows:

1. An Ordinance is being prepared by the City Council to initiate and support a moratorium on construction in Waikiki.

2. There is a study underway of the Waikiki and Diamond Head areas essentially to recognize problems before any major development takes place which may be harmful to land use, traffic, and other development aspects.

3. Time is an important factor to conduct a careful analysis of the areas and the City Council would prefer not to have any major developments set in concrete before this can be done.

Replying to a question of Mr. Ingleson whether this application could be denied based upon the fact that there is an anticipated moratorium, Deputy Corporation Counsel Andrew Sato rephrased the question and answered as follows: "Whether any action of the Commission would become legally invalid because of the anticipated moratorium, the answer is no. Any action taken here would be legal. The fact that the Council is considering a moratorium will not validate the action taken by this Commission. I also add that the Council might not impose any action regarding the moratorium question."

In view of the foregoing information, the following points were brought out:

1. Due to the anticipated moratorium in Waikiki, the Commission felt any action at this time should be cohesive and consistent with the intentions of the City Council. To act upon this application now, without knowing the objectives of the City Council, would defeat the purpose to establish a moratorium and tend to mislead land owners and developers.

2. Further development should be postponed until a study has been made in connection with development aspects.

Although the Chairman was in complete accord with the Commissioners, he reminded them of the possibility that the moratorium might not materialize illustrating a similar situation in Waipahu that never did. Until a formal directive on the moratorium is referred to this Commission for action, he felt it encumbent upon the Commission to act on this application inasmuch as there is no moratorium yet in effect.

ACTION: Mr. Bright moved, seconded by Mr. Ingleson, that this matter be deferred and held under advisement for a directive from the City Council relating to their intentions on the Waikiki moratorium issue.

✓PUBLIC HEARING
PLANNED DEVELOPMENT HOUSING
HEEIA, KANEOHE
KAHUHIPA ST.
QUALPAC, INC.

A public hearing was held to consider a request for a Planned Unit Development known as Haiku Villa containing 44 two- and three-story townhouses on approximately 6.64 acres of land situated 1,800 feet mauka of Kahekili Highway in Heeia, Koolauloa, and identified as Tax Map Keys 4-6-12: 28 and portion of 31, and 4-6-14: portion of 1.

The Director reported that the Notice of Public Hearing was published in the November 23, 1969 edition of the Star-Bulletin and Advertiser. Copies of the notice were sent to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received.

The staff's report was reviewed and discussed. The following points were questioned:

1. Whether 24-foot wide feeder streets are adequate for a private development. Mr. Way stated that a 24-foot roadway which consists of two moving lanes in addition to off-street parking is sufficient for a private roadway.

2. Whether 24-foot parking stalls are necessary since the Comprehensive Zoning Code generally allows 19-foot parking stalls. Mr. Way stated that this recommendation was made to permit additional vehicle clearance and maneuverability. In this relation too, walkways must also be clear enough so that pedestrians will not have to walk onto the street and back onto the sidewalk.

3. Whether the solid fence (Recommendation No. 6.12 of the staff report) will be visible from Haiku Gardens. Mr. Hal Murphy, Staff Planner, stated that a proposed fence to be constructed along the

entire makai boundary of the site will not be visible from the adjoining Haiku Garden because the area will be properly screened.

4. Drainage. Mr. Clarence Tanonaka, Engineering Division, Department of Public Works, when questioned by the Commission, gave the following report:

   a. The contour of the land slopes from mauka to makai with a gully running midway between the back and front portions of the units abutting Haiku Road. In elevation, Kahuhipa Street is approximately 10 or 12 feet lower than Haiku Road. Because of this, some runoff water will flow towards the street, away from homes, and some will flow directly into the gully.

   b. A 48-inch drainage pipe has been tentatively approved to service the proposed development based upon a recent study of rainfall and drainage calculations in the surrounding area including the upper portion of Haiku Gardens, and the Keapuka area.

   c. Their division did consider the effect runoff will have on resort property and the standard 48-inch sewer pipe is adequate to service the existing stream channel running through the development.

Testimony was heard from the public.

Messrs. Jack Ward, President, Haiku Village Community Association; and Edgar A. Jones, President, Kaneohe Community Council, reported an error in the newspaper publication notice of this hearing. The advertisement described the proposed development as being "...land situated 1,800 feet mauka of Kamehameha Highway in Heeia, Koolauloa,..." when it should have read"...land situated 1,800 feet mauka of Kahekili Highway...".

This error caused some question concerning the specific location of the development. Upon checking with the Planning Department, they discovered that the proposed development would be located in the midst of Haiku Village I and II. Immediately both men tried, unsuccessfully due to the time element, to notify and apprise their membership of the proposal in an effort to determine whether they favored or opposed it. Several questions regarding the development were brought out at a regular scheduled Executive Committee meeting of the Kaneohe Community Council which the Council hopes to resolve at a general meeting: (1) the effect this private development will have on their community being situated between Haiku Village I and II; (2) whether the proposed development could become an integrated part of Haiku Village; and (3) since there were

members who objected to this proposal, whether this is the feeling of the entire membership or just a few. The developers were present at the meeting and discussed the proposal briefly but since this was not a general meeting, the Council voted unanimously to request that the Planning Commission hold the public hearing open for two weeks.

Mr. Robert Miller, architect for Qualpac, stated that the proposal was initiated when a resident of Haiku Village saw the undeveloped area, a huge vacant gully containing five old wooden shacks which was an eye sore to the community, and decided to develop it. He agreed with the recommendations of the Planning Director and in that connection stated that he would need three months to finalize plans in compliance with those recommendations. Questioned by Commissioner Ingleson, he pointed out that it was difficult to provide garages with garage doors for all units because of limited space in certain areas.

Mr. Vernon Luke, Project Coordinator for Qualpac, gave the following testimony:

1. They could comply with all of the Director's recommendations enumerated in the staff's report.

2. Referring to Recommendation No. 6.2 of the staff's report regarding dedication to the State of Hawaii of a portion of the site abutting Haiku Road, he stated that discussions were held between him, Mr. Hinozumi (whose firm has the development rights to the property), and the Bishop Estate, and as a result he could commit the land dedication which involves an 8-foot setback for road widening purposes. He had requested that a representative of the Bishop Estate be present at this hearing to speak on this issue but instead he was asked to relay their message to the Commission.

3. They are aware of the increased density in relation to the area which is permitted under a Planned Unit Development resulting in a bonus to them of approximately 20 units.

4. Since this is a private development, outsiders will not be permitted to use their recreational facilities. Volleyball and basketball courts will be provided in addition to private picnic areas, and a Cabana-type community clubhouse. Space is also being provided for a private washerette.

5. The proposed price range of units in Haiku Villa will be from $32,000 to $35,000.

There was no further discussion or testimony from the public.

ACTION: Mr. Yamabe moved that the public hearing remain open for two weeks, seconded by Mr. Bright and carried.

✓PUBLIC HEARING
ZONING A-3
APARTMENT DISTRICT
KALAUAO-KAONOHI
RIDGE
AMFAC-TROUSDALE

The Commission again considered a request for a change in zoning from A-2 Apartment District to A-3 Apartment District for parcels of land situated mauka of Moanalua Road and makai of the Francis I. Brown Golf Course containing an area of approximately 32.12 acres at Kaonohi Ridge, Kalauao and identified as Tax Map Key 9-8-11: portion of Parcel 3.

At the public hearing on November 20, 1969, the matter was deferred for further study at the request of the Director.

Mr. Way reviewed the staff's report with the Commission and brought to their attention a possible review of this application by the Federal Aviation Agency due to the proposed use of Ford Island as a General Aviation Air Field. The height limitations in relation to the air field may pertain to the subject property. The following points were questioned:

1. Whether there are other A-2 zoned areas, and if so, should they be considered for rezoning at this time to eliminate similar rezoning requests. Mr. Way stated that no other A-2 area are being considered within the immediate vicinity.

2. Whether it is necessary to effect a change on the General Plan. Deputy Corporation Counsel Andrew Sato stated that since the area is already general planned for apartment use, the need for a change is not necessary at this time. Their office is reviewing the recent decision of the Supreme Court on the Swope case which may have some bearing on this case; however, any comments regarding the case should be reserved until they have completed their study.

To the Chairman's call for public testimony, Attorney Morio Omori appeared representing the applicant and discussed the following:

1. He believed that the Supreme Court's decision has no effect upon this application because in 1964 the area from Aiea to Waiawa was designated under the then "Broad Brush General Plan". In 1966 under that same plan, the Detailed Land Use Map was adopted for the whole area covering Aiea to Waiawa including the subject parcels, detailing the "1964 Broad Brush General Plan" being sure that the same study and requirements were followed in adopting the General Plan or Detailed Land Use Map.

2. There were no changes in the General Plan or the Detailed Land Use Map which relates back to 1964 and 1966 as far as the subject parcels are concerned.

3. During the transition to the CZC, Apartment C Districts makai of Moanalua Road were designated as A-2 and Apartment C Districts mauka of Moanalua Road were designated as A-3. He believes that their parcel is mauka of Moanalua Road making it A-3, but accepts the interpretation of the Planning Department that it is A-2.

4. They did not consider a Planned Unit Development due to the vast size of the area, 25-plus acres, and feel an incremental development more suitable. They have no intention of subdividing.

There was no further discussion and no other person was present to speak either for or against this proposal. Mr. Yamabe moved that the public hearing be closed, seconded by Mrs. Sullam and carried.

ACTION: Mr. Yamabe moved that the Commission recommend approval of the change in zoning from the existing A-2 Apartment District to A-3 Apartment District.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KAPAHULU
CARE ANIMAL
CENTER

The Commission again considered a request for a Conditional Use Permit to construct and operate an off-street parking facility located between Kapahulu Avenue and First Avenue approximately 240 feet mauka of Harding Avenue in Kapahulu and containing 15,718 square feet, identified as Tax Map Key: 3-2-01: 82.

At the public hearing on November 20, 1969, the matter was referred back to the Director for consultation with the applicant concerning the elimination of the proposed entranceway on Kapahulu Avenue and the possibility of providing another access fronting 1st Avenue.

The Director called on Architect Paul Jones to make the presentation because of various problems in the existing layout of the facility.

From the floor plan displayed before the Commission, Mr. Jones pointed out the following problems they are confronted with in trying to comply with the Commission's recommendation for an entry to the building fronting 1st Avenue:

1. The movement pattern would be very irregular and cause the patient to proceed through a corridor passing patient and surgical wards, examination and Xray rooms, laboratories and doctor offices before reaching the business office and waiting room.

2. To reposition existing business offices, doctor offices, examination rooms, etc., to provide a more direct pattern would be a major undertaking and create a severe financial burden upon his client who has made a considerable investment in the installation of existing modern hospital and surgical equipment.

Mr. Jones personally felt an imposition upon the applicant to re-plan the facility and believed it to be "far beyond any other animal hospital in the State." They have studied the proposal for a year, working together with the staff, finally being able to submit completed plans, have reached a point of urgency in trying to obtain financing because of rising construction costs; and would appreciate some consideration in this respect.

Questioned by Commissioner Ingleson concerning the possibility of animals accidentally breaking free of the premises, Mr. Jones stated that a gate could be installed at the entry fronting Kapahulu Avenue and assured the Commission of its installation. However he felt it encumbant upon the owner to keep the animals from getting away. He also felt that his client is doing his utmost to comply with the staff's recommendations.

There were no further questions, and no other person spoke either for or against this proposal. The public hearing was closed and the matter taken under advisement, on motion by Mr. Yamabe, seconded by Mr. Ingleson.

ACTION: The Commission recommended approval of the applicant's request for a Conditional Use Permit based upon the following conditions, on motion by Mr. Bright, seconded by Mr. Ingleson:

1. Plans as submitted dated November 17, 1969, entitled "Site Plan - Care Animal Clinic", be made a part of the permit and any major deviation shall be subject to the Planning Director's approval.

2. Lawn and landscaping plans shall be submitted for the Planning Director's approval prior to application for a building permit.

3. A parking layout plan shall be subject to the Planning Director's approval prior to application for a building permit.

STREET NAMES
PUNCHBOWL

The Commission, upon the motion by Mr. Bright, seconded by Mr. Ingleson, recommended approval of the following street names:

Change Captain Cook Avenue and Magellan Avenue to Lunalilo Street. The extension of the roadway situated

on the mauka side of Lunalilo Freeway is to run between Ward Avenue and Iolani Street. The change in nomenclature does not affect the meaning.

Mr. Bright moved that the following matters initiated by the Planning Director be set for public hearing, the date to be determined by the Planning Director. Mr. Ingleson seconded the motion.

✓ZONING B-2 COMMUNITY BUSINESS WAIANAE MAUKA CORNER OF FARRINGTON HWY. & PELANAKI ST. NICHOLAS CHUN	1. A proposal to change the zoning from R-6 Residential to B-2 Community Business for 10,000 square feet of land situated on the mauka corner of Farrington Highway and Pelanaki Street in Waianae.
✓ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT HONOLULU CIVIC CENTER MAKAI RIM OF PUNCHBOWL TO THE SEA, EXTENDING FROM SOUTH STREET TO DIAMOND HEAD EDGE OF DOWNTOWN OF RICHARDS, BISHOP AND PALI HWY. PLANNING DIRECTOR	2. A proposal to establish a Historic Cultural and Scenic District to be designated the Honolulu Civic Center District, under Article 12 of the Comprehensive Zoning Code. The general intent of the ordinance is to regulate and restrict the use of all private, semi-public and public structures, land and waters; regulate and restrict lot coverage, the height, design, and location of all structures in this district.
✓GENERAL PLAN CENTRAL OAHU REQUESTED BY STATE DEPT. OF TRANSPORTATION	3. A proposal to establish a general aviation (small aircraft) airport in central Oahu.
✓ZONING B-2 COMMUNITY BUSINESS WAIANAE FARRINGTON HWY. & OLD GOVERNMENTAL ROAD LAWRENCE SAKATA	4. A proposal to change the zoning from R-6 to B-2 Community Business for 8,135 square feet of land situated at Farrington Highway and the Old Governmental Road.
✓MISCELLANEOUS REQUEST BY CITY COUNCIL FOR A RECOMMENDATION OF PROPOSED SIGN AMENDMENTS	The Director reported that at the City Council meeting on Tuesday, December 2, 1969, the City Council requested a review and recommendation of the proposed sign amendments to the Comprehensive Zoning Code by this Commission. They also requested that this Commission submit its recommendations within five weeks. The Chairman appointed the following Sign Amendment Sub-Committee to conduct the review and to submit

its recommendations to the Commission in two weeks:

Lewis Ingleson, Chairman
Thomas Yamabe II
Roy R. Bright
Fredda Sullam

ADJOURNMENT: There being no further business, the meeting adjourned at 11:09 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
December 11, 1969

The Planning Commission met in regular session on Thursday, December 11, 1969, at 1:45 p.m., in the Conference Room of the City Hall Annex with Chairman Philip Chun presiding:

PRESENT:
Philip Chun, Chiarman
Arthur A. Rutledge, Vice-Chairman
Edward Brennan
Roy R. Bright
Lewis Ingleson
Thomas N. Yamabe II
James K. Sakai, ex-officio

STAFF PRESENT:
George Moriguchi, Deputy Planning Director
Robert Tsunoda, Staff Planner

ABSENT:
Fredda Sullam
Richard K. Sharpless, ex-officio
Andrew Sato, Deputy Corporation Counsel

√PUBLIC HEARING
CONDITIONAL USE
PERMIT
KAHUKU
KUILIMA POINT
INSCON DEV. CO.

A public hearing was held to consider a request for a Conditional Use Permit to construct and operate an 18-hole golf course with accessory uses such as a pro-shop, snack bar, and maintenance yard, makai of Kamehameha Highway in the vicinity of Kuilima Point, Kahuku, Oahu, on approximately 153 acres of land, identified as Tax Map Key 5-7-01: portion of 20 and 22.

The Deputy Director reported that the Notice of Public Hearing was published in the November 30, 1969 edition of the Star-Bulletin and Advertiser. Copies were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received. Correspondence was received from the following people supporting the application: (1) Seiko Shiroma, President Kahuku Supervisors' Club, Kahuku Plantation Company; (2) Eileen Weberg, Chairman, S.B.C.A. Planning Committee, Sunset Beach Community Association; and (3) Lindberg S.H. Ching, President, Kahuku Shopping Center, Ltd.

The Deputy Director reviewed and submitted to the Commission, the staff's report explaining the applicant's proposal, including the staff's recommendations. Copies of the report were circulated prior to the meeting. Replying to a

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question of Mr. Ingleson concerning Recommendation No. 5, Mr. Moriguchi stated that this condition is included just as a matter of formality.

Mr. Fred Kuentz, General Manager, Inscon Development Company, when questioned by the Commission, stated that initially the course will be open to the general public. Another proposed, adjoining 18-hole course may be restricted to club members only.

There were no further questions, and no persons were present to speak either for or against this application. Mr. Bright moved, seconded by Mr. Yamabe, that the public hearing be closed and the matter taken under advisement.

ACTION: The Commission recommended approval of the applicant's request for a Conditional Use Permit based upon the following conditions, on motion by Mr. Bright, seconded by Mr. Rutledge:

1. The plans on file numbered 1 to 4 shall be part of the permit, and any major deviation from it must be first approved by the Planning Director;

2. Where the golf course adjoins along Kamehameha Highway, suitable barrier or chain-link fence should be installed to protect pedestrians and vehicles from stray balls;

3. The premises shall be adequately landscaped and maintained attractively and in good appearance at all times.

4. Landscaping and planting plans for the golf course shall be submitted to the Planning Director for his approval prior to application for a building permit.

5. That after the issuance of the Conditional Use Permit, the City Council may, at any time, upon finding that any of the conditions hereinafter imposed is not being complied with by the applicant, authorize the Planning Director to revoke the permit;

6. That fairways be located in such a manner that golf balls will not be hazardous to traffic on Kamehameha Highway.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KAHUKU
KUILIMA POINT
INSCON DEV. CO.

A public hearing was held to consider a request for a Conditional Use Permit to construct and operate a sewerage pumping station and waste stabilization pond on approximately 408,850 square feet of land situated makai of Kamehameha Highway, in the vicinity of Kuilima Point, Kahuku, Oahu, identified as Tax Map Key 5-7-01: Portion of 20 and 22.

The Director reported that the Notice of Public Hearing was published in the November 30, 1969 edition of the Star-Bulletin and Advertiser. Copies were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area, and to nearby property owners. No letters of protest were received.

The Deputy Director reviewed and submitted to the Commission, the staff's report explaining the applicant's proposal including the staff's recommendations. Copies of the report were circulated prior to the meeting. Questioned by Mr. Brennan on Recommendation #3, concerning the time element effectuating the landscaping plan, Mr. Moriguchi stated that the term "as soon as possible" is to allow the development some flexibility for landscaping. Mr. Brennan felt the time period should be specific. Questioned again by Mr. Brennan as to whether there would be a zone change after the use of the temporary sewerage plant is no longer needed, Mr. Moriguchi stated that since the request is for a Conditional Use Permit rather than for a zone change, the zoning would remain the same unless the Commission advises the City Council that a zoning change be made.

Mr. Fred Kuentz, General Manager, Inscon Development Company, represented the applicant and had no testimony to present. In relation to Mr. Brennan's question on landscaping, Mr. Kuentz stated that they plan to have the area completely landscaped prior to operation.

As a result of past, unpleasant experiences, Mr. Yamabe suggested that the applicant indicate the area designating the sewerage pump operation on some advertising literature, as a precaution against any future misunderstandings or complaints from interested parties who may wish to purchase land in the vicinity. Mr. Kuentz accepted the suggestion.

There was no further discussion, and no other person spoke either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Mr. Rutledge.

ACTION: The Commission recommended approval of the applicant's request for a Conditional Use Permit based upon the following conditions, on motion by Mr. Ingleson, seconded by Mr. Rutledge:

1. The plan on file dated July 25, 1969, (revised November 12, 1969) shall be part of the permit, and any major deviation from it must be first approved by the Planning Director;

2. Landscaping and planting plans for the pump station site and the stabilization pond site shall be submitted to the Planning Director for his approval prior to application for a building permit; and all plant materials shall be mature plants along Kam Highway, the lagoon and the sewer pump station;

3. That the landscaping plan shall be effectuated prior to the operation of the plant and properly maintained thereafter;

4. Yards and other open areas on the site shall be landscaped and maintained according to plans approved by the Planning Director;

5. Such facilities shall be completely fenced so as to be accessible only through a locked gate;

6. Sureties satisfactory to the City shall be provided to insure the proper installation, operation, and maintenance of said facility;

7. That the land covered under this application shall be utilized exclusively for this conditional use;

8. Buildings and other structures shall be set back a minimum of 10 feet from all property lines; provided that when the private utility is located in a zoning lot which is in or abuts a residential, apartment,

or hotel district, the minimum setback shall be 25 feet;

9. That the engineering design capacity, construction and operation of the temporary sewage treatment plant shall be in accordance with the requirements of the Chief Engineer of the City;

10. That the applicant will comply with the applicable provisions of Chapter 11, R.O. 1961, as amended;

11. Performance standards set forth in part D of the Comprehensive Zoning Code shall apply with measurements made at lot lines;

12. The operation of the stabilization pond shall be operated in a manner to minimize the effect from any offensive odor or noise and with due regard to the surrounding properties.

13. That the effluent be utilized for watering the golf course and not be discharged into the stream bed and disposal of such effluent shall comply with the Regulations of the Board of Health, State of Hawaii;

14. When public utilities become available in the area, the subject private system shall be discontinued or combined with the public system and service to the property affected shall be from public system.

15. That the Planning Department be informed when the use of this parcel of land under this permit is terminated;

16. That the applicant will be responsible for the demolishing, dismantling and removing of the treatment plant when the same is no longer needed or when the permit is revoked and thereafter the plant site restored to its original state;

17. That after the issuance of the conditional use permit, the City Council may, at any time, upon finding that any of the conditions hereinafter imposed is not being complied with by the applicant, authorize the Planning Director to revoke the permit.

FEDERAL GRANT PROGRAMS
STATE OF HAWAII
DEPT. OF TRANSPORTATION

In Compliance with Section 204 of the Demonstration Cities and Development Act of 1966, the State of Hawaii, Department of Transportation, has referred to the Planning Commission for review an application for Federal funds for an eastbound on-ramp to Interstate Highway 1 from Kapiolani Boulevard or its environs.

The Deputy Director submitted and reviewed the staff's report for the benefit of the Commissioners.

Questioned by Mr. Yamabe, Mr. Moriguchi affirmed that the necessary action required by the Commission at this time is to certify the proposed study project only, and not the construction phase of it.

ACTION: Mr. Yamabe moved, seconded by Mr. Bright, that this project be certified as implementing the General Plan of the City and County of Honolulu, being in consonance with the long-range proposals of the General Plan and consistent with the areawide transportation planning process, only in relation to the proposed study project and not to construction.

FEDERAL GRANT PROGRAMS
CITY AND COUNTY OF HONOLULU
URBAN RENEWAL COORDINATOR

In Compliance with Section 204 of the Demonstration Cities and Development Act of 1966, the Urban Renewal Coordinator of the City and County of Honolulu, has referred to the Planning Commission for review an application for federal funds for the construction of basic water and sewer facilities at the Coconut Grove area, Kailua, Koolaupoko.

The Deputy Director submitted and reviewed the staff's report. Questioned by the Commission, Mr. Moriguchi stated that extensive meetings were held with the residents of Coconut Grove who completely support this improvement program.

ACTION: It was moved by Mr. Bright, seconded by Mr. Rutledge and carried, that this project be certified as being consistent and in consonance with existing regional planning programs.

STREET NAMES
KUAPA ISLE
MAUNALUA

The Commission, upon the motion by Mr. Bright, seconded by Mr. Rutledge, recommended approval of the following street names:

(1) Extension of private roadways on Kuapa Isle

OPIHIKAO PLACE - Extension of an existing deadend roadway.

OPIHIKAO WAY - Extension of an existing deadend roadway.

STREET NAMES KAILUA (2) Change Lunahooko Loop to Maunawili Road. Also, change that portion of Maunawili Road running between Lunahooko Loop to Maunawili Loop.

Mr. Bright moved that the following matters initiated by the Planning Director be set for public hearing, the date to be determined by the Planning Director. Mr. Ingleson seconded the motion.

CONDITIONAL USE PERMIT KANEOHE 45-181 WAIKALUA ROAD CLIFFORD MILLER

1. An application for a Conditional Use Permit to construct and operate a new addition to an existing care home for female mental patients within an R-4 Residential District at 45-181 Waikalua Road in Kaneohe, Tax Map Key: 4-5-11: 8, 29, and 30.

2. An application for a Conditional Use Permit to construct and operate an off-street parking facility on a parcel of land at 922 Naopala Lane, Tax Map Key: 1-2-01: 75.

MISCELLANEOUS AMENDMENTS TO CZC SIGN PROVISIONS

Copies of the proposed Amendments to the Comprehensive Zoning Code Sign Regulations were distributed to the Commissioners. Mr. Ingleson, Chairman of the Sign Sub-Committee, reported that a meeting will be held within the week to discuss proposed sign amendments.

ADJOURNMENT:

There being no further business, the meeting adjourned at 2:25 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
December 18, 1969

The Planning Commission met in a special session on Thursday, December 18, 1969, at 8:45 a.m. in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:
Philip T. Chun, Chairman
Arthur A. Rutledge, Vice-Chairman
Edward Brennan
Thomas N. Yamabe II
Fredda Sullam
Lewis Ingleson
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Robert Tsunoda, Staff Planner
Harold Murphy, Staff Planner
Henry Eng, Staff Planner

ABSENT:
Roy R. Bright

MINUTES:
The minutes of November 20, 1969, as circulated, were approved on motion by Mr. Brown, seconded by Mr. Ingleson

√PUBLIC HEARING
PLANNED DEVELOPMENT HOUSING
HEEIA, KANEOHE
KAHUHIPA ST.
QUALPAC, INC.

The Commission again considered a request for a Planned Unit Development known as Haiku Villa containing 44 two- and three-story townhouses on approximately 6.64 acres of land situated 1,800 feet mauka of Kahekili Highway in Heeia, Koolauloa, and identified as Tax Map Keys 4-6-12: 28 and portion of 31, and 4-6-14: portion of 1.

The public hearing was held open at the request of Messrs Jack Ward, President, Haiku Village Community Association; and Edgar A. Jones, President, Kaneohe Community Council, to determine whether their respective organizations either favor or oppose this proposal and to resolve other questions concerning this development as well.

The Director reported the receipt of a letter from Mr. Jack Ward, President of the Haiku Village Community Association dated December 15, 1969, stating no objection to the proposal.

There were no persons present to speak either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Brennan, seconded by Mr. Ingleson.

ACTION: The Commission recommended approval of the planned unit development with the conditions

mentioned by the Planning Director, on motion by Mr. Rutledge, seconded by Mr. Brennan. Mr. Yamabe was not present during the public hearing on this matter, and abstained from voting.

PUBLIC HEARING
ZONING B-2
COMMUNITY BUSINESS
WAIANAE
MAUKA CORNER OF
FARRINGTON HWY. &
PELANAKI ST.
NICHOLAS CHUN

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider a proposal for a zone change from R-6 Residential District to B-2 Community Business District for a parcel of land situated on the mauka corner of Farrington Highway and Pelanaki Street in Waianae, Oahu, containing an area of 10,000 square feet and identified as Tax Map Key 8-7-11: 43.

The Director reported the publication of this matter in the December 7, 1969 Star-Bulletin and Advertiser. Copies of the Notice of Public Hearing were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. One letter of protest dated December 16, 1969 was received from Mrs. Adline Apo, P. O. Box 352, Lahaina, Maui, owner of adjoining property designated as Tax Map Key: 8-7-11: 73.

The Director reviewed the staff report. Questioned by the Commission, the Director stated that the City hopes eventually to have commercial frontage for about 600-feet along Farrington Highway. Piecemeal commercial zoning is being done as residential units are phased out.

Public testimony was heard.

Mrs. Adline Apo from Lahaina, Maui, an adjoining property owner who sent in a letter of protest to the Commission, impressed upon the Commission the need for more housing facilities in Waianae rather than for commercial areas as evidenced by the vast housing shortage on Oahu.

Attorney Francis A. Wong, appeared on the applicant's behalf and stated the following:

1. He agreed to the need for housing in Waianae; however, in the development of the Detailed Land Use Map for Waianae, the City Council and Planning Commission set aside sufficient residential lands in other areas that would be more desirable than this particular parcel.

   It would not be realistic to use this parcel for residential purposes (a) because of heavy traffic along Farrington Highway, and (b) because of the commercial nature of the area.

2. He realizes that their plans were submitted prior to the Comprehensive Zoning Code, however they

were advised that it was not necessary to revise their plans. They are in accord and willing to conform to the code.

3. They originally proposed two access points since the property side closest to Pelenaki is of a higher grade than the Honolulu side. However, due to the substandard condition of Pelenaki Street, they were advised and have agreed to provide all access points off of Farrington Highway. To accomplish that, they must fill the property on both sides even with Farrington Highway.

4. They were advised by the Board of Health that the cavitette sewerage system would be suitable for their proposal.

5. They propose a market-restaurant type operation on the 1st floor utilizing the second floor strictly for office space. No kitchen facilities will be installed on the 2nd floor.

There was no further discussion and no other person appeared to speak either in favor or against this proposal. Mr. Ingleson moved that the public hearing be closed and the matter taken under advisement, seconded by Mr. Rutledge.

ACTION: Based upon the Planning Director's recommendations, Mr. Rutledge moved, seconded by Mr. Brennan, that the Commission recommend approval of the applicant's request for rezoning. Mr. Yamabe was not present during the public hearing on this matter, and abstained from voting.

PUBLIC HEARING
ZONING B-2
COMMUNITY BUSINESS
WAIANAE
FARRINGTON HWY. &
OLD GOVERNMENT RD.
LAWRENCE SAKATA

A public hearing was held to consider a proposal for a change in zoning from R-6 Residential District to B-2 Community Business District for parcels of land bounded by Old Government Road and Farrington Highway at Waianae, Oahu, containing an area of 82,931 ± square feet and identified as Tax Map Key 8-5-12: 2, 5, 6, 7, 8, 9, and Portion of 4 and 10.

The Director reported the publication of this matter in the December 7, 1969 Star-Bulletin and Advertiser. Copies of the Notice of Public Hearing were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received.

The Director reviewed the staff report.

Noting the proposed 80-foot roadwidening for Farrington Highway and the possibility that it may later become a speed highway through Waianae town, Mr. Brennan

suggested the possible creation of a marginal access roadway or slow-down area for motorists wishing to effect a right-hand turn off Farrington Highway without causing a hazardous sudden-stop process directly on the highway. This roadway would run parallel to the speed highway. The Director stated that this would not be possible on Farrington Highway because it would result in land acquisition of lots that are already pretty shallow. However, this might be provided on the Old Government Road.

Public testimony was heard.

Mr. Jack Chaffey, Realtor, principal Broker for the subject property, and two-time past President of the Waianae Businessmen's Association, spoke in favor of the proposal and pointed out the following:

1. Their primary reason for supporting this proposal is because Mr. Howard Listronge, owner of the only drycleaning establishment in the entire Waianae district, has been asked to vacate his premises. Unless he can relocate his business within a commercial area in Waianae, there will be no drycleaning establishment in the vicinity.

2. The few remaining residential establishments are old and create an eyesore to the community. Landowners are not improving their properties, hoping to develop commercially if rezoning for the area is approved.

3. The Detailed Land Use Map indicates a medium-apartment zone immediately adjoining the commercial area which blends in with the commercial zoning for the area.

Attorney Francis Wong, appeared in this matter as a concerned citizen of Waianae, and reported the following:

1. Waianae businessmen have worked together with the State Highway Department resisting any attempts to widen Farrington Highway through Waianae town. Recent indications from that department are that there will not be any land condemnation through Waianae town.

2. The legislature, at its last session, provided funds for a highway which in its first increment will begin in the vicinity just below the Capital Investment Company development and end mauka of the Waianae Intermediate School running parallel to Farrington Highway, mauka of public facilities in the area.

3. The timetable for the development of the Makaha portion has been determined by certain conditions

regarding the donation of land by Capital Investment Company if the highway is completed prior to 1972. On this basis, Capital Investment will contribute the land at no cost to the State. The next increment for the development of that portion through Waianae town will come up in the next legislative session.

4. Relative to the extension of the H-1 Freeway beyond the Campbell Industrial Park at Barber's Point, since the H-1 is an interstate highway under the terms and conditions upon which Hawaii was admitted as a State, the highway was restricted to 29 miles beginning at Barber's Point and ending in the Aina Haina area.

   Therefore, all highway development toward Waianae town from the Campbell Industrial Park, for technical purposes may still be classified as the H-1 Freeway but is not an interstate highway because it does not conform to the federal interstate standards of highways. For instance, the development through Nanakuli town provides for no medial strip.

5. Funds appropriated by the legislature have been basically on a fifty-fifty basis.

There was no further discussion and no other person spoke either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Brennan, seconded by Mr. Ingleson.

ACTION: Based upon the Planning Director's recommendations, the Commission recommended approval of the applicant's request for rezoning, on motion by Mr. Rutledge, seconded by Mrs. Sullam. Mr. Yamabe, who was not present during the public hearing on this matter, abstained from voting.

STREET NAMES
WAIPAHU
WAIPAHU ESTATE
SUBDIVISION
UNIT I

The Commission, on motion by Mr. Ingleson, seconded by Mr. Rutledge, recommended approval of the following street names proposed for the Waipahu Estates Subdivision, Unit I:

HIAPO STREET	Continuation and extension of an existing Roadway.
HIAHIA LOOP	Circular roadway off Hiapo Street extension.
Meaning:	Faded, gray, hazy.
HIANA PLACE	Deadend roadway off Hiahia Loop.
Meaning:	Depression or hole, as under water.

HIAHIA PLACE	Deadend roadway off Hiahia Loop and running in a mauka direction.
HIAKU PLACE	Deadend roadway off Hiahia Loop and running in a makai direction.
Meaning:	To cast for bonito.
HEPIA PLACE	Deadend roadway off Hiahia Loop and running in a mauka direction.
Meaning:	Pale yellow, of the domesticated 'ilima flower.

Mr. Rutledge moved, seconded by Mrs. Sullam, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director.

✓ZONING I-2
WATERFRONT INDUS.
& I-2 HEAVY INDUS.
ANUENUE ISLAND
(SAND ISLAND)
STATE OF HAWAII

1. A proposal to change the zoning from R-6 Residential and I-2 Heavy Industrial to I-3 Waterfront Industrial and I-2 Heavy Industrial for 344 acres more or less at Anuenue Island (Sand Island).

   This request is the first of a number of measures which are needed to implement state plans for development of the island. A portion is currently being utilized for industrial use under a variance granted to Seatrain.

✓PLANNED UNIT
DEVELOPMENT
HOUSING
ALII BLUFFS
R-6 RESIDENTIAL
HEEIA
MAUKA OF KAM HWY.
OPPOSITE SAMUEL
KING INTERMEDIATE
SCHOOL
INLAND MARINE
DEV. CORP.

2. A proposal for a Planned Unit Development-Housing known as Alii Bluffs, on approximately 10.5 acres of land situated in Heeia, mauka of Kam Highway opposite Samuel King Intermediate School.

   The applicant proposes a townhouse complex of one and two-story units containing from two to four units per building.

✓CONDITIONAL USE
PERMIT
MOANALUA
AIRPORT INDUSTRIAL
PARK
I-1 INDUSTRIAL
DISTRICT
WAIWAI LOOP
SKYLANE INN

3. An application for a Conditional Use Permit to construct and operate a hotel in an I-1 Light Industrial District on a parcel of land situated between 2612 and 2628 Waiwai Loop in Moanalua within the Airport Industrial Park area, and identified as Tax Map Key 1-1-16: 12.

   The applicant was granted a variance by the Zoning Board of Appeals on August 28, 1969, to allow a waiver of the one-mile restriction to qualify for a Conditional Use Permit for hotel use on the subject property.

FEDERAL GRANT PROGRAMS CITY AND COUNTY OF HONOLULU DEPT. OF PARKS & RECREATION

In compliance with Section 204 of the Demonstration Cities and Development Act of 1966, the City Council has referred to the Planning Commission for review, Council Resolution No. 432 which would transfer the sum of $25,525 from the Improvement Revolving Fund to the Department of Parks and Recreation to finalize the acquisition of Parcels 4, 5, and 6 as an addition to Haleiwa Beach Park on the mauka side of Kamehameha Highway.

The Director reviewed the staff's report.

Mr. Rutledge questioned the difference in the appraised value of $16,350 on the three parcels made in December, 1967, and today's approval of $25,525. The matter was deferred to the next meeting for clarification by a representative of the Corporation Counsel's office.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:45 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
January 8, 1970

The Planning Commission met in regular session on Thursday, January 8, 1970, at 1:45 p.m., in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT: Philip T. Chun, Chairman
Arthur A. Rutledge
Thomas N. Yamabe II
Edward Brennan
Roy R. Bright
Lewis Ingleson
Fredda Sullam
James K. Sakai, ex-officio

STAFF PRESENT: George Moriguchi, Deputy Planning Director
Andrew Sato, Deputy Corporation Counsel
Loretta Chee, Staff Planner

ABSENT: Richard K. Sharpless, ex-officio

MINUTES: The minutes of the December 11, 1969, as circulated, were approved on motion by Mr. Ingleson, seconded by Mr. Yamabe.

✓PUBLIC HEARING
CONDITIONAL USE
PERMIT
KALIHI
922 NAOPALA LN.
MURAOKA LAND CO.

The Deputy Director withdrew, with the consent of the applicant, this application for a Conditional Use Permit to construct and operate an off-street parking facility on 3,200 square feet of land situated at 922 Naopala Lane in Kalihi and identified as Tax Map Key 1-2-01: Parcel 75. This matter will be pursued before the Zoning Board of Appeals.

✓PUBLIC HEARING
PLANNED DEVELOP-
MENT HOUSING
ALII BLUFFS
HEEIA
MAUKA OF KAM HWY.
OPPOSITE SAMUEL
KING INTERMEDIATE
SCHOOL
INLAND MARINE
DEV. CORP.

A public hearing was held to consider a request for a Planned Unit Development-Housing on 10.5 acres of land situated mauka of Kamehameha Highway opposite the Samuel Wilder King Intermediate School in Heeia, Kaneohe and identified as Tax Map Key 4-6-16: Portion of Parcel 1.

The Deputy Director reported that the Notice of Public Hearing was published in the December 28, 1969 edition of the Star Bulletin and Advertiser. Copies of the hearing notice were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received.

The Deputy Director reviewed and submitted the staff's report explaining the applicant's proposal, and the staff's recommendations. These recommendations were discussed with the applicant.

Public testimony was heard.

Mr. Takashi Tohaku, a resident in the surrounding area, did not favor nor oppose this application but rather inquired about the possibility of providing a pathway or backroad for school children walking to and from school without having them walk on the already traffic congested and hazardous Kamehameha Highway. The present school route is indirect leading children first, away from the school to Kamehameha Highway, and then towards the school on the highway.

Mrs. Bridget Silva, owner of a parcel of land identified as Tax Map Key 4-6-16: 20 objected to this proposal because the project area encompasses lands that she owns. She has negotiated unsuccessfully with the developers offering to sell a small portion of the 11,000 square foot lot to them in exchange for access and improvements, provided she could keep a buildable lot for her family. She stated that the area is very beautiful and she wishes to retain the land for sentimental reasons.

Mrs. Josephine Patacsil spoke on behalf of her husband, Mr. Rufino Patacsil, and her mother, Mrs. Frederico Estioko, owners of four parcels adjoining the subject property. They favor this proposal and in that connection have consummated a land exchange with the Bishop Estate and the developer. However, due to the time element involved in their land exchange, she requested that the Commission withhold permission for the developers to clear the area until her family has vacated the premises. She pointed out a severe drainage problem in the area causing road damage and overflowing of cesspools, and erosion.

Mr. Mike McCormack represented the applicant and reported the following:

1. Initially, they tried two other methods of developing the property:

   (a) A Standard Subdivision - Approval was granted by the previous Planning Director for a subdivision but they withdrew their application because they felt the outcome of only 25 lots out of 10 acres of land was not the maximum usage they could

acquire from the land;

(b) Cluster Development - Favorable consideration was given this proposal by the present Planning Director but a requirement of the Board of Health which calls for a 5-foot setback on any buildings in which subdivided lots have property lines hindered that proposal because they could not construct buildings over property lines.

2. Drainage - The City has declared the area to the rear of the subject parcel a flood plain. The development will, in fact, decrease flooding in the area with the installation of proper drainage facilities. Drainage runoff will be diverted to the street. An adjacent stream provides a water catchment for approximately 1200 acres of land so that the effect of water in the area will be minimal. Storm drains are also available.

3. They agree with most of the staff's recommendation but commented on the following:

   (a) Recommendation #14, "A medial strip at the entrance of the project shall be landscaped and maintained in accordance with plans submitted to and approved by the Planning Director." They originally proposed this medial strip but the Planning and Traffic Departments opposed it;

   (b) Recommendation #15, "Provisions for a left-turn lane into the development, traffic lights, and sight clearances on the corner shall be subject to approval of the Department of Traffic and the Planning Director." He felt a precedent would be set upon private developers to undertake this type of condition when it should be within the City's jurisdiction since this is a public highway.

4. Double-car garages are being provided to insure off-street parking facilities.

5. Concerning Mr. Takashi Tohaku's inquiry about the possibility of providing a pathway or backroad for school children, Mr. McCormack stated, "The company has no control of lands adjacent and toward the school area so that we could not control a pathway to school for the children."

6. They have made several offers to Mrs. Silva, none of which were satisfactory. Negotiations with her are still going on. He pointed out that under a subdivision, Mrs. Silva could remain a part of the subdivision. However, under a planned unit development, the developer must acquire all lands.

Commissioner Rutledge disapproved of Mr. McCormack's procedure in this matter and stated that obviously under the circumstances, the Commission could not act on nor permit a development on lands which the developer does not own. Mr. McCormack apologized and assured the Commission that there was no intention to deceive on his part. Since negotiations with Mrs. Silva were carried on for a period of time, he was certain of acquiring the land upon reaching satisfactory settlement with Mrs. Silva. Unfortunately, this was not so.

No other person appeared to speak either for or against this application.

ACTION: In view of the foregoing circumstances, Mr. Yamabe moved, seconded by Mr. Ingleson, that the public hearing be kept open, and that this matter be deferred for a reasonable period of time.

IMPROVEMENT REVOLVING FUND COUNCIL RESOLUTION 432 EXPANSION OF HALEIWA BEACH PARK

This matter was deferred at the last meeting for clarification by a representative of the Corporation Counsel's office in the 1967 appraised value of $16,350 on three parcels of land, and today's appraisal of $25,525.

Deputy Corporation Counsel George Hieda, who handled the negotiations on this matter was present and gave the following explanation:

The City's appraisal in 1967 showed ownership of Parcel 8 by Bishop Estate, Parcel 5, owned by Castle and Cooke, and Parcels 4 and 6 by another owner. This separate land ownership gave lesser value to the subject properties plus the fact that Parcel 8 landlocked Parcel 4, and double-landlocked Parcels 5 and 6, decreasing the value of Parcels 5 and 6 even further. However, when a title search was made, they found that Parcels 4, 5, and 6 were under single ownership and considered as one parcel instead of three separate parcels, thus increasing the land value. Even though Parcel 8 still landlocks Parcels 4, 5, and 6, the land value is not affected because the City, upon checking with the Bishop Estate, learned that it is their policy to sell remnant parcels as

Parcel 8.

In negotiating, the owner of Parcels 4, 5, and 6 suggested $1.25 per square foot to the City's 70¢ per square foot. Both settled for 95¢ per square foot as compared to the market value of $1.55 per square foot.

Other adjoining Bishop Estate-owner lands to be acquired for this same purpose is being settled in Court. A decision will be rendered sometime in April.

ACTION: Mrs. Sullam moved that the Commission recommend the approval of Resolution No. 432 since the proposal conforms to the General Plan. Mr. Bright seconded the motion.

✓IMPROVEMENT REVOLVING FUND COUNCIL RESOLUTION 458 EXTENSION OF KEKAULIKE OFF-STREET PARKING LOT DEPT. OF TRAFFIC

The City Council referred to the Planning Commission for review and comment, Council Resolution No. 458 transferring the sum of $7,387.52 from the Improvement Revolving Fund to the Department of Traffic to finalize the acquisition of Parcels 1 through 3 for addition to the Kekaulike Off-Street Parking Lot.

The Deputy Director submitted and reviewed the staff's report. There were no questions from the Commission concerning the report.

ACTION: On motion by Mr. Bright, seconded by Mr. Brennan, the Commission recommended approval of Resolution No. 458 because the acquisition is meeting a public need.

Mr. Ingleson moved that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director. Mrs. Sullam seconded the motion.

✓PLANNED DEVELOPMENT HOUSING WAIALAE-IKI KALANI IKI RAND PROPERTIES, INC.

1. An application for a Planned Unit Development Housing known as Kalani Iki and a concurrent change of a district classification.

   The applicant wishes a change in zoning from existing R-4 Residential to R-6 Residential. Plans are for about 70 units.

✓MISCELLANEOUS AMENDMENTS TO CZC SIGNS PROVISIONS

Commissioner Ingleson, Chairman of the Sign Sub-Committee of the Planning Commission, reported that two meetings were held for review of the Sign Amendments and public testimony was heard at one of these meetings. He submitted a Summary of the Sign Ordinance Amendments, which the

Commission acted upon in the following manner:

General Amendments

1. Permit all signs except ground signs to be in yard areas. There was no discussion on this amendment.

   ACTION: Mr. Ingleson moved, seconded by Mrs. Sullam, that the Commission recommend the approval of this amendment.

2. Permit all signs except ground signs and projecting signs to overhang the public right-of-way.

   Discussion followed.

   The Chairman pointed out the fact that the City Council, at its meeting two days ago (Tuesday), passed on third reading, an Ordinance "to permit all signs except ground signs to overhang the public right-of-way" compared to the Commission's recommendation now "to permit all signs except ground signs, garden signs, and projecting signs to overhang the public right-of-way." The main difference here is between the sign projection into the yard setback area, and the public right-of-way. The Council's proposal permits signs to project over the public right-of-way, accommodating existing signs on non-conforming buildings built on the property line. The Commission's recommendation differs, prohibiting any further projecting signs on non-conforming buildings to overhang the public right-of-way. The Chairman felt the need for some consistency in this amendment between the Council's proposal and the Commission's recommendation. However, Commissioner Ingleson believed the inclusion of "projecting signs" would not expand a non-conforming use.

   ACTION: Mr. Ingleson moved, seconded by Mr. Yamabe, that the Commission recommend the approval of this amendment "to permit all signs except ground signs and projecting signs to overhang the public right-of-way."

3. Eliminate the requirement that buildings must be set back 50 feet to have a ground sign.

   The Commission felt that this regulation should remain.

   ACTION: On motion by Mr. Ingleson, seconded

by Mr. Brennan, the Commission recommended to maintain the requirement that buildings must be set back 50 feet to have a ground sign.

4. Ground signs to be one of the permitted signs per establishment. No discussion followed concerning this amendment.

   ACTION: On motion by Mr. Ingleson, seconded by Mr. Bright, the Commission recommended the approval of this amendment.

5. Add provision for directional signs.

   There was no discussion on this amendment.

   ACTION: Mr. Ingleson moved, seconded by Mr. Bright, that the Commission recommend the approval of this amendment, with a further provision that there be one directional sign per entrance or exit.

6. Add "Marquee Sign" being a sign above a marquee not greater than 3 feet in height above the marquee.

   Before moving for the deletion of this amendment, Mr. Ingleson explained that this type of sign gives the appearance of a sign that is simply "tacked on" to a building rather than one that is harmonious to the structure. A congested look could also result by the inclusion of this amendment especially in business districts where two signs, a wall sign and a marquee sign, are permitted each establishment. In that case, a string of marquee signs could become evident along an entire street frontage.

   ACTION: On motion by Mr. Ingleson, seconded by Mr. Brennan and carried, the Commission recommended that the marquee sign be deleted from the proposed amendments to the CZC. Mr. Bright opposed.

7. Add Legislative Intent for old regulations.

   No discussion followed.

   ACTION: Mr. Ingleson moved that the Commission recommend the approval of this amendment, seconded by

Mr. Bright and carried.

8. Add Traffic Hazard provisions.

No discussion followed.

ACTION: Mr. Ingleson moved that the Commission recommend the approval of this amendment, seconded by Mr. Bright and carried.

9. Add Permit and Fee section from old regulations.

No discussion followed.

ACTION: Mr. Ingleson moved, seconded by Mr. Bright, that the Commission recommend the approval of this amendment with the addition of a fee schedule to be determined by the Building Department, and further that a penalty fee of $100 be set for work commenced on a sign without a building permit.

10. Add Sign Condition, Construction, and Location sections from old regulations.

No discussion followed.

ACTION: Mr. Ingleson moved that the Commission recommend the approval of this amendment, seconded by Mr. Bright.

11. Modification of provisions for signs above second floor level.

No discussion followed.

ACTION: The Commission recommended that there be no signs above the second floor roof level, on motion by Mr. Ingleson, seconded by Mrs. Sullam.

12. Add provision for nonconforming signs.

No discussion followed.

ACTION: The Commission recommended the approval of this amendment on motion by Mr. Ingleson, seconded by Mr. Bright.

13. Add an amendment to the section on definitions for a Garden Sign to read:

"Garden Sign. A sign not exceeding 6 square feet in area, which may be indirectly illuminated, and of the following types:

1. A free standing sign not exceeding 30 inches in height, or

2. A sign attached to the face of a free standing wall and projecting not more than 6 inches from the face of said wall nor exceeding 6 feet in height above ground elevation."

Mr. Ingleson reported that the sub-committee felt the need for this type of low-garden sign because the 50-foot setback area just to have a ground sign was too restrictive. The following points were brought out during the Commission's consideration of this type of sign:

a. A 6-foot free standing wall could be constructed in the yard setback area in a residential zone just to accommodate this type of sign where presently no walls are allowed. Such walls would not be permitted in commercial districts.

b. Either a string of garden signs or a string of 6-foot wall signs or a mixture of both could become evident along a street or boulevard, i. e., Kapiolani Boulevard.

c. Two signs would be permitted per zoning lot, a wall sign and a garden sign.

d. It would be possible for small lots in residential districts to have large (6-foot) wall signs.

e. Wall and projecting signs are already permitted in yard setback areas. This garden sign increases the number of signs permitted in yard setback areas.

f. It would be possible to have a 6-foot wall sign, with very small lettering identifying numerous (perhaps 50) enterprises. This sign could be limited to identify one product and one tenant.

<u>ACTION</u>: On motion by Mr. Ingleson, seconded by Mr. Brennan, the Commission

recommended the approval of this proposed amendment.

Amendments to Sign Regulations Within Districts

1. Residential Districts

Increase the maximum size for golf course signs from 6 square feet to 12 square feet.

There was no discussion on this amendment.

ACTION: Mr. Ingleson moved that the Commission recommend the approval of this amendment, seconded by Mr. Bright and carried.

2. B-1 Neighborhood Business District

a. Increase maximum sign area from 1 square foot per 1 lineal foot of building frontage to 1-1/2 square feet per 1 lineal foot.

b. Increase maximum ground sign area from 12 square feet to 32 square feet.

3. B-2 and B-3 Business Districts

Increase maximum ground sign area from 24 square feet to 32 square feet.

5. B-5 Resort Commercial District (Waikiki)

a. Increase maximum sign area from 1/2 square foot to 1-1/2 square feet per lineal foot of building frontage.

b. Increase maximum ground sign area from 24 square feet to 32 square feet.

The Commission considered the above amendments relating to the B-1, B-2, B-3, B-5 Business Districts simultaneously. (The B-4 Business District was considered separately.) No discussion followed.

ACTION: On motion by Mr. Ingleson, seconded by Mr. Bright, the Commission recommended that there be no changes in sign areas in the B-1 Neighborhood Business District, the B-2 and B-3 Business Districts, and the B-5 Resort Commercial District (Waikiki).

4. B-4 Business District

Reduce number of signs per establishment from 3 to 2.

Before moving for the approval of this amendment, Mr. Ingleson explained that the subcommittee recognized the fact that there are various differences between business districts and that the signs in those districts should reflect those differences.

ACTION: On motion by Mr. Ingleson, seconded by Mr. Brennan, the Commission recommended the approval of this amendment. The Commission recognizes the fact that there are various differences between business districts and that the signs in these districts should reflect such differences.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:36 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
January 22, 1970

The Planning Commission met in regular session on Thursday, January 22, 1970, at 1:50 p.m. in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:

Philip T. Chun, Chairman
Arthur A. Rutledge, Vice-Chairman
Edward Brennan
Thomas N. Yamabe II
Fredda Sullam
Lewis Ingleson
Roy R. Bright
Richard K. Sharpless, ex-officio

STAFF PRESENT:

Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Herbert Mark, Staff Planner
William Henry, Staff Planner
Betsy Marcinkus, Staff Planner
Harris Murabayashi, Staff Planner

ABSENT:

James K. Sakai, ex-officio

MINUTES:

The minutes of June 26, 1969, as circulated, were approved on motion by Mrs. Sullam, seconded by Mr. Ingleson.

PUBLIC HEARING
CONDITIONAL USE PERMIT
KANEOHE
R-4 RESIDENTIAL DISTRICT
45-181 WAIKALUA RD.
CLIFFORD MILLER
(ANN PEARL CARE HOME)

A public hearing was held to consider a request for a Conditional Use Permit for an extension to an existing care home (dba Ann Pearl Care Home) at 45-181 Waikalua Road in Kaneohe, and identified as Tax Map Key 4-5-11: 8, 29, and 30.

The Director reported that the Notice of Public Hearing was published in the January 11, 1970 edition of the Star-Bulletin and Advertiser. Copies were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received. Correspondence supporting this proposal was received from Mr. and Mrs. Marcelo Britos of 45-593 Paleka Road, Kaneohe, adjoining property owners.

The Director reviewed and submitted to the Commission, the staff's report explaining the applicant's proposal, including the staff's recommendation and condition. The Commission had no questions of the Director concerning the report, copies of which were circulated prior to the meeting.

To the Chairman's call for public testimony, Mr. Edgar A. Jones, President, Kaneohe Community Council, read a statement from their organization, dated January 20, 1970, supporting this proposal.

The applicant, Mr. Clifford Miller, Jr., appeared. Questioned by the Commission, he stated that visiting hours from 10:00 a.m. to 7:00 p.m. will pose no problem since, unfortunately, very few friends and relatives care to visit or show any interest in their patients. He is in accord with the Director's recommendation and the attached conditions.

There were no further questions by the Commission and no other person appeared to speak either for or against this proposal. Mr. Ingleson moved that the public hearing be closed and the matter be taken under advisement.

ACTION: The Commission concurred with the Planning Director to recommend approval of the applicant's request for a Conditional Use Permit based upon the following conditions, on motion by Mr. Bright, seconded by Mr. Ingleson:

1. The plan on file marked Exhibit A, shall be part of the permit, and any major deviation from it must be first approved by the Planning Director;

2. Landscaping and planting plans shall be submitted for the new addition sites to the Planning Director for his approval prior to application for a building permit;

3. All sources of illumination shall be so shielded as to prevent any direct reflection toward the surrounding residential properties.

4. Except for emergency activities, visiting hour activities shall be restricted to the hours between 10:00 a.m. and 7:00 p.m.

5. There shall be no exposed garbage or trash containers or outdoor storage in any outdoor space.

6. After the issuance of the Conditional Use Permit, the City Council may, at any time, upon finding that any one of the conditions hereinafter imposed is not being complied with by the applicant, authorize the Planning Director to revoke the permit.

PUBLIC HEARING
CONDITIONAL USE PERMIT
MOANALUA AIRPORT INDUSTRIAL PARK
I-1 INDUSTRIAL DISTRICT
WAIWAI LOOP
SKYLANE INN

A public hearing was held to consider a request to construct and operate a hotel in an I-1 Light Industrial District on a parcel of land situated between 2612 and 2628 Waiwai Loop in Moanalua within the Airport Industrial Park area, and identified as Tax Map Key 1-1-16: 12.

The Director reported that the Notice of Public Hearing was published in the January 11, 1970 edition of the Star-Bulletin and Advertiser. Copies were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received.

Upon completing review of the staff's report with the Commission, the Director clarified that the Zoning Board of Appeals on August 28, 1969, granted a variance, not for land usage, but rather to permit the applicant to waive the one-mile restriction and apply for a Conditional Use Permit for hotel use on the subject property. According to the Comprehensive Zoning Code, this one-mile restriction is measured from the main entrance roadway to the airport. Although industrially zoned, hotel use was permitted in the area and the structure conformed to requirements then in effect.

Testimony was heard from the public.

Mr. William Clark, representing the Airports Division of the Department of Transportation, opposed this proposal for the following reasons:

1. For the record, DOT objects to any hotels off runway ends of any airport due to adverse noise of over flight aircraft. Civil suits by home owners, hotel owners, and apartment owners adjacent to runway ends have resulted because of aircraft noise. Comparatively, no problem has occurred from hotels beside airports (i.e., Holiday Inn), an area not in the general aircraft maneuvering zone.

2. The subject site is located 2100 feet from the northeastern end of and directly in line with runway 4R-22L, a major and permanent landing area for flights arriving from the mainland U. S., and departure area in Kona wind conditions. Consultants recommended an extension of this runway 1500 feet to the northeast to allow a 10,500-foot runway for departure of heavy traffic in Kona weather. They do not plan to do this now but may in the future which would place the subject site 600 feet from the runway end. This could possibly cause the height of the hotel structure to be in violation of the height requirement of the federal air regulations governing the height distance relationship to the aircraft approach zone.

3. They consider hotel and residential land uses incompatible to airport approach zones and would favor a more logical industrial and recreational type zoning. Although DOT has rules relating to height limitations contained in the federal air regulations, they do not exercise zoning or land use authority over areas surrounding an airport. Even though soundproof facilities could be installed to curb some of the noise, nevertheless, since DOT is against any hotels off runway ends of airports and has not legal means to preclude the proposed construction, they wish to make their position known to the proper municipal body.

4. DOT at one time considered a possible new, expanded entranceway to the airport at Lagoon Drive but the cost of condemnation of land adjacent to Lagoon Drive necessary for this project proved excessive. This matter was not totally resolved.

Speaking for the proposal were Messrs. Oliver Kinney, President of Skylane Inn, Inc.; K. D. Park, Architect; and Attorney Axel Ornellas. Mr. Kinney presented a detailed report of his proposal, copies of which were distributed to each Commissioner. The following points were discussed in support of the proposal:

1. Hotels in airport areas are convenient and enjoy a high rate of occupancy. Skylane Inn's occupancy rate is high, mostly with military (R&R) personnel.

2. The applicants realize that their hotel is

situated in a location that may be hazardous to their guests but so are industrial establishments in the area which employ approximately one thousand persons. This point was discussed with the FAA in their letter dated May 7, 1969, from J. O. Saunders (Skylane Inn Exhibit D) which states that the construction "would not be a hazard to air navigation."

Mr. Clark of DOT clarified that the hotel structure "would not be a hazard to air navigation" but the reverse is possible. Their policies are mainly for the aircraft and operations of the airport and do not necessarily relate to operations in the surrounding areas. They cannot regulate land use other than a noxious industry that would create a hazard to the flying area.

In relation to Mr. Clark's statement that DOT does not concern itself with operations in airport areas, Attorney Ornellas pointed out DOT's letter dated October 7, 1969, to Mr. Kinney signed by O. S. Byrne (Skylane Inn Exhibit C) which states in part, "Our concern is that the operation of aircraft may become a problem in the operation of your hotel business and thereby lead to dissatisfaction on the part of the present or future hotel owners."

3. The noise level at the airport is likely to increase. Their guests are obviously aware of aircraft noise but the hotel management has received no complaints. Architectural precautions are being taken to soundproof the building. Airconditioning will also be installed.

4. Residue left by directly overflying planes has had no effect on the swimming pool or any other part of the hotel.

5. The approximate cost of this hotel expansion is One Million Two Hundred Thousand dollars which will cover construction of a 34-foot four-story structure to house 195 additional rooms and an elevator. An area for landscaping necessitates demolition to the existing cocktail lounge, restaurant, and relocation of the swimming pool.

Mr. Park indicated that a change was made to eliminate the sundeck level reducing the floor height. The Director stated that the change

has no effect upon his recommendations.

6. Even though the area is industrially zoned, Attorney Ornellas believed that the Comprehensive Zoning Code provides the Conditional Use Permit for land uses other than originally general planned which is why they submitted their application. He stated that if this application is denied, the hotel operation, nevertheless, will remain, and the denial will not eliminate the hazard of the existing land use.

There was no further discussion and no other persons appeared to speak either for or against the proposal. The public hearing was closed and the matter was taken under advisement on motion by Mr. Yamabe, seconded by Mr. Bright.

MOTION: Based upon the Director's recommendations, Mrs. Sullam recommended denial of the applicant's request for a Conditional Use Permit, seconded by Mr. Ingleson. The motion failed to carry.

Mr. Yamabe felt that alternative recommendations should be offered the Commission in the event it wishes to recommend approval.

ACTION: Mr. Bright moved, seconded by Mr. Rutledge, that the matter be deferred for a period of two weeks for further staff study, and that the Director submit a subsequent report of conditions that might be imposed upon the applicant in the event the Commission wishes to recommend approval of this application. The motion carried with Mrs. Sullam and Mr. Ingleson dissenting.

CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY NO. 3 FISCAL YEAR 1970

The City Council referred to the Planning Commission for its review and comments, Bill No. 1, Capital Improvement Supplementary No. 3, which would amend the Capital budget and program by lapsing $759,250 from four projects, reappropriating it together with $582,000 in new funds for seven other projects.

Mr. Harris Murabayashi, staff member, submitted the staff's report on this matter which is self-explanatory. There were no questions from the Commission concerning the report.

ACTION: Mr. Rutledge moved, seconded by Mr. Brennan and carried, that the Commission

recommend the approval of Bill No. 1, Capital Improvement Supplementary No. 3.

Mr. Ingleson moved, seconded by Mrs. Sullam, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

✓CONDITIONAL USE PERMIT
WAIMANALO
41-849 KAKAINA ST.
AG-1 AGRI. DIST.
PETER B. KIM

1. The applicant proposes to construct a kennel building which will contain 98 kennel stalls and related accessory facilities such as exercise and training areas.

   The subject parcel is within an agricultural subdivision developed by the State of Hawaii known as Waimanalo Farm Lots.

✓PLANNED UNIT DEVELOPMENT HOUSING
KULIOUOU VALLEY
R-4 & R-5 RESIDENTIAL DIST.
COMMUNITY SYSTEMS CORP.

2. The proposal consists of 11 two- and three-story buildings containing four 12 units per building. The complex will have about 99 townhouse units.

   The density proposed under this PD-H will be approximately 9 units per acre.

✓CONDITIONAL USE PERMIT
HALEIWA
MAKAI SIDE OF KAM HWY.
R-6 RESIDENTIAL DIST.
WARREN EQUIPMENT CORPORATION

3. The request is to allow the continued use and expansion of sand quarrying operations. The operation will be a period of approximately 2 to 3 years to complete excavating the 30-acre site.

✓INFORMATION
PLANNING AREA NO. 13
DETAILED LAND USE MAP FOR MAKIKI-KEWALO-ALA MOANA-SECTION B
(COUNCIL RESOLUTION NO. 17)

On motion by Mr. Yamabe, seconded by Mr. Rutledge, the Commission deferred action on this matter for two weeks, and requested the following information:

1. A clarification from the City Council of the intent of the resolution in view of the Dalton-Swope Supreme Court decision. The Commission was advised by Deputy Corporation Counsel Andrew Sato to withhold any action on Detailed Land Use Maps and General Plan amendments until the Corporation Counsel's office has been able to provide the Commission some guidelines to follow pursuant to the standards invoked by the Supreme Court in the Dalton case.

2. An opinion from Corporation Counsel as to whether the public hearing held by the

Commission in 1968 on the Detailed Land Use Map for the Makiki-Ala Moana area (Planning District No. 13) would constitute compliance with the Charter requirements under Section 5-512, Adoption of the General Plan and Development Plan, and Section 5-515, Public Notice and Public Hearing.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:40 p.m.

Respectfully submitted,

Henrietta B. Lyman
Relee

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
February 5, 1970

The Planning Commission met in regular session on Thursday, February 5, 1970, at 1:40 p.m., in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding. Vice-Chairman Arthur A. Rutledge presided over the first matter of business concerning an application by Warren Equipment Corporation for a Conditional Use Permit inasmuch as the Chairman was unavoidably detained.

PRESENT:
Philip T. Chun, Chairman
Arthur A. Rutledge
Thomas N. Yamabe II
Edward Brennan
Roy R. Bright
Lewis Ingleson
Fredda Sullam
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Herbert Mark, Staff Planner

MINUTES:
The minutes of the December 4, 1969 meeting, were approved as circulated, on motion by Mr. Ingleson, seconded by Mr. Yamabe.

PUBLIC HEARING
CONDITIONAL USE PERMIT
HALEIWA
MAKAI SIDE OF KAM HWY.
R-6 RES.DIST.
WARREN EQUIPMENT CORPORATION

A public hearing was held to consider a request for a conditional use permit to expand and continue operation of an existing quarry site situated at Haleiwa, and identified as Tax Map Key 6-1-04: Parcel 58 and 6-2-01: Parcel 10.

The Director reported that the Notice of Public Hearing was published in the January 25, 1970 edition of the Star Bulletin and Advertiser. Copies of the hearing notice were sent to the applicant, applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. Letters were received from six adjoining property owners stating no objection to the proposal:

1. John J. Hewetson, 61-789 Papailoa Road
2. H. M. Goodman, 61-789 Papailoa Road
3. Charles Fisel, 61-779 Papailoa Road

4. William K. Holt, Tax Map Key: 6-2-01 Parcels 4, 5, and 8.
5. Leonard F. Calistro, Tax Map Key: 6-2-01-5, 4, and 8.
6. James K. B. Fong, 61-703 Papailoa Road

No letters of protest were received.

Public testimony was heard.

Mr. John Hewetson, Assistant Manager, Waialua Sugar Company, residing at 61-789 Papailoa Road, directly across the excavation site, favored the proposal for the following reasons:

1. The sand being excavated is replaced by top soil processed through washing cane material. The mud is pumped into basins, permitted to settle, and then used as top soil to replace the sand. Top soil enriches the land and benefits the property.

2. Permitting the applicant to continue their operation also permits them to continue their soil excavation as well.

3. Noise may be an inconvenience factor to adjoining residents but Mr. Hewetson believed the operation is situated beyond a point which might be injurious to adjoining residents.

Mr. Charles L. Knobel, a Bishop Estate leaseholder residing at 61746 Papailao Road, read his written testimony against the proposal for the following reasons:

"1. The continued use of this site as industrial-type property is in direct conflict with the zoning requirements of the City and County of Honolulu. For a long time now this property has been zoned residentially and in fact has been a residential property until the intrusion in it by Warren Equipment Corporation.

2. For nearly 18 months, the Warren Equipment Corporation has been operating illegally. It is my understanding that the Corporation was originally operating under a grading permit which was issued to Bishop Estate. In fact, they have been conducting a quarry operation that has been removing sand from the area, going to water table heights, 10 to 15 feet below ground surface level. If the City & County of Honolulu were to allow the company to continue to quarry in the area, the City and County would be putting the stamp of approval on an illegal operation, with complete disregard to the County's General Plan.

3. The environmental qualities of the area are being completely destroyed by the continued operation of the area. The noise, dust, and debris that is created on our roads and in our area by the operation is counter to what anyone looks for in a residential area.

4. The operators have, destroyed the ecological balance of the area. The removal of sand which, if left in place, provides for natural drainage of water from the rain and ocean. They are replacing this sand with hard red clay type dirt, which is alien to the area. Trees and shrubbery have been knocked down by large bulldozers with little or no regard for its values for the residents in the area. The California grain grass which is on the western border of our property, and which served in the past as a buffer between the quarry site and our home, was knocked down at the beginning of the quarry operation and has not replaced itself in its entirety to date.

   Further, along Kam Highway and along Papailoa Drive we are left now, because there are few screens of trees and natural shrubbery, with an open ugly scar on the land, which is remindful of the Pennsylvania strip mining operations.

5. I consider it unfair and misleading to future homeowners, if this land is to be developed as Bishop Estates recently indicated. No steps are being taken to assure a uniformity of grading and compaction of the hard red clay that is being used to replace the sand. It would seem only logical that a long period of time be provided, perhaps up to five to ten years, for natural settlement of the land to occur. As I have indicated, the equipment company is not providing uniform grading and compaction at this time; rather it is just dumping and smoothing off the surface of the land. A visit to the area on your part would reveal the lack of uniformity in grading.

6. As Bishop Estate leaseholders, there are requirements in our lease that require the approval of Bishop Estate prior to any changes that we, as leaseholders, might make on our property. For example, were we to add on to our home, we must have their approval. I am certain that these standards and covenants in the lease are provided in order that the esthetic, environmental qualities of the area be maintained. I have no objection to these requirements; however, it seems only fair to me that the opposite be true. Should not Bishop Estate meet similar requirements and accountability to the public if it wishes to change the basic nature of the area? I know of no covenants other than this public hearing, and possibly appeal to the City Council, that would require the accountability of the Bishop Estate if it wishes to change the use of its land. Therefore, as homeowners, for all practical purposes we are being denied due process of law, when large landholders are allowed to change the environment as they see fit. I remind you that this mining operation has been in progress for approximately 18 months now, and that notice of this public hearing was published on January 25, 1970."...

Questioned by the Commission, Mr. Knobel stated that complaints of dust were made to Warren Equipment but no effort was made on their part to curb

the situation until immediately prior to a visit by the City Engineer, at which time huge watering trucks were used to water down the dust. Further, he believed that Warren Equipment is operating beyond the limits of their grading permit.

The Director pointed out that extractive industries in residential areas are permitted. Although the grading permit issued over a year ago has expired, he was aware of the conditions under which it was authorized, visited the site during the course of operations, and found everything in order.

Mrs. Gertrude Humphries testified as a private citizen sympathetic with the views of Mr. Knobel concerning ecological balances and environmental aspects.

Mr. Lawrence Cunha, representing the Trustees of the Bishop Estate owners of the subject property, spoke both for the applicant and residents in the area.

1. For the applicant, he felt that the Commission should authorize the conditional use permit to accommodate an existing sand shortage on Oahu.

2. For adjoining residents, he impressed that the applicant adhere to the regulations under which the permit is issued. Their organization has talked to the applicant about complaints by residents concerning the operation. They also conduct on-site inspections once a week or once every two weeks.

Questioned by the Commission, Mr. Cunha indicated that the existing land condition is suitable for development. Detailed studies for future development of the subject property presently underway do not include a quarrying operation.

There was no further discussion and no other person spoke either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Brennan, seconded by Mr. Ingleson.

In later discussion, Mr. Ingleson believed the ecological and environmental aspects of the site should be considered. For example, the excavation operation might be the cause for beach erosion and the disappearance of plant life from sand dunes on the beach frontage. He believed a geological study should be made of the site as well as an on-site visit by the Commission so that the Commission might be more knowledgeable in its action on this proposal.

ACTION: The matter was deferred for a visit to the site as well as a geological study of the area on motion by Mr. Yamabe, seconded by Mr. Ingleson. The applicant was requested to be present at the next meeting.

CENTRAL BUSINESS DISTRICT ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT HONOLULU CIVIC CENTER MAKAI RIM OF PUNCH-BOWL TO THE SEA, EXTENDING FROM SOUTH STREET TO DIAMOND HEAD EDGE OF DOWNTOWN OF RICHARDS, BISHOP AND PALI HWY. PLANNING DIRECTOR

A public hearing was held to consider a proposal to establish a historic, cultural and scenic district to be designated the Honolulu Civic Center Historic, Cultural and Scenic District under Article 12 of the Comprehensive Zoning Code, the boundaries of the district shall generally run from the makai rim of Punchbowl to the sea; the eastern boundary being approximately South Street (makai of the H-1 Freeway) and Ward Street (mauka of the H-1 Freeway); and the western boundary being approximately the Pali Highway (mauka of Beretania Street) and Alakea and Richards Streets (makai of Beretania Street), and including the Aloha Tower-Irwin Park areas. The general intent of the district is to regulate and restrict the use of all private, to regulate and restrict the use of all private, semi-public and public structures, land and waters; regulate and restrict lot coverage, the height, design, and location of all structures in this district.

The Director reported that the Notice of Public Hearing was published in the January 25, 1970 edition of the Star-Bulletin and Advertiser, copies of which were sent to applicable governmental agencies, to various civic and community organizations throughout the City, and to nearby property owners. Various correspondence received on this subject matter from the following organizations was acknowledged by the Chairman and placed on file:

1. Board of Water Supply, Leroy G. Rathburn, Acting Manager & Chief Engineer. Letter dated February 5, 1970, requesting that the public hearing remain open for two weeks to enable the Board to study and comment on the proposed Ordinance made available to them just yesterday.

2. The Junior League of Honolulu, Inc., Mrs. Robert W. Guild, President. Letter dated February 4, 1970, supporting this proposal.

3. Kawaiahao Church, The Rev. Abraham K. Akaka. Letter dated February 5, 1970, supporting this proposal.

4. State Comptroller, Kenam Kim. Statement dated February 5, 1970, supporting this proposal with one exception to the Ordinance - that Section 21-1213 be modified so that it will be the responsibility of the Commission to develop a list of historic buildings. This is preferable to listing the specific buildings now shown since practically speaking, the list will change from time to time.

5. Armed Services Y.M.C.A., E. Powell Deacon, Executive Director. Letter dated February 5, 1970, requesting that action be deferred inasmuch as copies of the proposal and supporting material were not available to them.

Staff Planner Herbert Mark presented an extensive review of the proposed Civic Center Historic, Cultural, and Scenic District for the benefit of the Commission in the following manner:

1. Review of the staff report entitled the Hawaii Capitol District. Specific parts of the review included a brief summary of the history of the Civic Center development.

2. Review of previous planning studies completed for the development of the Civic Center.

3. Review of the objectives established by the Civic Center Citizen's Advisory Committee.

4. Review of previous legislative action and the administrative mandate by Governor Burns to the City and County of Honolulu to produce a Civic Center Ordinance.

5. Review of background planning data concerning the Civic Center area, specifically review of the following (illustrated by the use of maps):

   a. The Oahu General Plan
   b. Existing Zoning and Existing Land Use
   c. Age of Structures and Building Conditions
   d. Land Tenure
   e. Major Structures
   f. Assessed Land Values
   g. Historic, Cultural and Architecturally Significant Structures and Sites
   h. Accessibility, Circulation, and Parking

6. Visual review through slides and drawings of the following:

   a. Proposed boundaries of the Capitol District
   b. Major design concepts of the proposed ordinance

7. Review of the contents of the Ordinance

   a. General Provisions
   b. Legislative Intent
   c. Objectives

d. Hawaii Capitol Commission

(1) Terms of Office
(2) Meetings and Rules
(3) Powers, Duties, and Functions

e. Applicability of Regulations
f. Issue of Certificates of Appropriateness
g. Historic, Cultural, and Architecturally Significant Structures and Sites

(1) Designation
(2) Mandatory Review by Capitol Commission
(3) Demolition and Moving of Structures

h. Adoption of Ordinance Map
i. Hawaii Capitol District Boundary
j. Use Regulations
k. Height Regulations
l. Open Space Regulations
m. Landscaping Regulations

The following additional information was ascertained during the Commission's interrogation of Mr. Mark concerning the staff's report:

1. Since this is a new district within the Comprehensive Zoning Code, existing structures and uses within district boundaries of this proposed Ordinance would become nonconforming.

2. There is no uniformity on the height allowance of the three highrise exceptions, the Queen's Hospital, the Municipal Office Building, and the Judiciary complex. Projected figures indicate Queen's Hospital-200 feet; Municipal Office Building - 200 feet is rumored however this project is presently involved in architectural competition; Judiciary Complex - three buildings are proposed at heights of 268 feet, 168 feet, and under 100 feet.

3. Although a "layman's" position is not specified in the Ordinance on the Hawaii Capitol Commission, there is provision for non-voting members which might be applied to citizen representation. The President of the Hawaii Foundation for History and the Humanities is supposed to represent professionals as well as the laity.

4. In the preparation of the Ordinance by the Planning Department staff, approximately 20 meetings were held with public groups including the Downtown Improvement Association, the Chamber of Commerce, the Civic Center Citizen's Advisory Committee composed of representatives from over 20 different organizations, and

the planning committee of the Oahu Development Conference. The staff also met with quasi-public groups and nearly all of the private landowners within the central area.

5. The Civic Center Policy Committee endorses the ordinance with the exception under the designation of historic sites. All of their suggestions were incorporated into the Ordinance.

6. When the Civic Center was being proposed several years ago, the Queen's Hospital administration asked the Civic Center Policy Committee whether it should remain or whether the State would buy them out so that they could relocate elsewhere. The Policy Committee requested that they remain in the area and further that they redesign their complex so that it would be compatible with the Civic Center. This was done; however, because of the function of the hospital that the proposed tower provide essential, central services, the tower had to be placed in a central location (its proposed location), in relation to the wards. The exception was made for these reasons.

7. Consideration was given to expand the Civic Center to include the Honolulu Academy of Arts, Thomas Square, the HIC, and McKinley High School. However, it was felt that the Civic Center is a separate area and the inclusion of these facilities could be a weak link to the Ordinance at this time. These facilities could be provided at a later date, if necessary.

8. Cost figures for land acquisition are not covered in the staff's report but are available in the Warnecke study and covered indirectly through the Hawaii Capitol Commission review of the CIP of the State and City.

9. The container yard facility at Fort Armstrong will not be phased out. There are three existing, permanent cranes in this yard and provision for a fourth in the Ordinance.

There were no further questions concerning the staff's report.

Public testimony was heard. Prepared statements supporting the proposal were presented by the following organizations:

1. The Hawaii Foundation for History and the Humanities, statement dated February 1, 1970, signed by O.A. Bushnell, Chairman.

   Mrs. Evelyn Freeth, Vice-Chairman represented the organization. They support the proposed Ordinance but are opposed to the proposed location of the Judiciary Complex, and the proposed construction of a new six-story building upon the site of the Library of Hawaii.

2. The Queen's Medical Center, statement dated February 4, 1970, supporting the proposed Ordinance, signed by Will J. Henderson, Administrator.

Mr. Henderson was present.

Questioned by the Commission, Mr. Henderson stated that they propose the construction of a high-rise tower, approximately 220 feet in height, to house patients and diagnostic facilities. Initially twin towers of approximately 12 stories each were proposed. However, it was believed that these structures would impair the view from the capitol complex so a single tower (approximately 20 stories), and the use of an existing building (approximately 8 stories) were planned. If the proposed Ordinance is adopted, they will plan their hospital operations into the proposed tower. This tower is provided for in the proposed Ordinance as an "Exception."

3. Historic Buildings Task Force, letter dated February 5, 1970, signed by Nancy Bannick, Chairman, supporting the proposed Ordinance.

   Mrs. Bannick was present.

   The Task Force feels that the Brewery Building should be included as a historic building (for preservation), that the Hawaii State Library should be retained, and that Aliiolani Hale and the Kapuaiwa structures remodeled. There should be no height exemptions except for the Municipal Office building and the federal building.

   Mrs. Bannick endorsed the proposed Hawaii Capital Commission and felt that while the proposed Commission's action on Civic Center matters could be overruled, its decision should weigh very highly with the Planning Director, the Planning Commission and the City Council.

4. The Outdoor Circle, letter dated February 5, 1970, signed by Mrs. Dorothy Hargreaves, supporting the proposed Ordinance with exceptions.

   Mrs. Hargreaves appeared.

   They oppose the three exemptions (Queen's Medical Center, Judiciary Complex, Municipal Office Building), and suggest a mandatory review and approval for all proposals by the Capital Commission.

5. Citizens Advisory Committee to the Civic Center Master Plan, statement by Aaron Levine, Chairman.

   Chairman Aaron Levine appeared.

   They support the proposal in principle but are opposed to the proposed location of the Judiciary Complex because of its massive size which will (a) violate the fundamental open space

concept of the Civic Center Master Plan; (b) overwhelm historic buildings such as Kawaiahao Church, Iolani Palace, and the present Judiciary Building; and (c) block views and be harmful to the park setting.

Concerning the Hawaii Capital Commission, they believe it should be a mandatory board whose approval is required for the issuance of the certificates of appropriateness. They also suggest that 1 architect and 1 landscape architect be appointed to the Commission instead of 2 architects, and that alternates be appointed to each position. This provides for a smaller group which could act more effectively.

They recommend the continued use of the present Judiciary Building with interior renovation; the construction of a relatively low-profile structure adjacent to the present Judiciary Building; and that remaining functions and structures of the Judiciary be located along the periphery of the Civic Center where high-rise structures and greater densities of structures are more appropriate. New structures should be subordinate to the State Capitol and Iolani Palace.

Questioned by the Commission, Mr. Levine gave the following additional information:

(a) Now that the Ordinance is prepared, implementation is necessary by one body, a mandatory commission, which must consider all three levels of government as well as historic and private structures to carry out the concept of the Civic Center Master Plan. Mr. Levine felt confident that representation outlined in the Ordinance for the Capital Commission covers various groups most knowledgeable for the establishment of implementation details.

(b) Mr. Levine suggested the establishment of a Citizen's Advisory Committee for two reasons:
(1) The Committee could lend its thinking and its responsibility to the Capital Commission;
(2) The Committee composed of approximately 40 or 50 people could take a reverse position to provide a two-way flow of information for the Capital Commission.
If the Planning Commission recommends establishing a Citizen's Advisory Committee, the Chairman of that Committee should serve as the layman on the Capital Commission.

(c) Some guidelines should be formed for the issuance of certificates of appropriateness rather than by letter or personal discussion.

(d) The need for an urban design staff is essential to consider issues beyond the point of zoning, setting up guidelines or controls as to what the Commission should expect rather than having the Commission consider plans directly from developers.

(e) Speaking as a member of the Policy Committee relating to the reason Queen's Hospital was considered as an exception, Mr. Levine asserted the following:

(1) It is the traditional heart of medical services on Oahu
(2) Its physical condition, its trees, are important as part of the background to public buildings.
(3) At night, the function of the Civic Center continues with Queen's Hospital. It is hoped that some parking lots could remain open to service the public who visit the hospital.
(4) The possibility of the hospital serving as a community college was also mentioned. At one time, the University of Hawaii thought of developing a medical school and the Queen's Hospital considered moving. The Policy Committee requested that the hospital remain.

(f) Mr. Levine believed the function of the container yard very essential and should not be destroyed.

(g) Relating to the City's Office Building, the Policy Committee decided that its location should be on the Waikiki South Street periphery where it would violate as little as possible the open park concept of the Civic Center.

(h) Mr. Levine believed that it is not the intention of the Ordinance to create a "great park" but rather to create a park in which public buildings and office activities will take place which necessitates some high-rise buildings and some activity in the area if governmental function is concentrated in the Civic Center area.

The Commission had no further questions of Mr. Levine.

6. The Garden Club of Honolulu, letter dated February 5, 1970, signed by Mrs. Alan S. Davis, President, and Mrs. James T. Woolaway, Conservation Chairman.

Mrs. Ann Benner spoke on behalf of the Garden Club. They support the proposal and the establishment of a Capital Commission with full authority to protect the dominance of the State Capitol Structure and Iolani Place and which would allow no new buildings or additions to present buildings.

She purposely visited cities such as Edinburgh, Scotland; Stratford, England; and Lucerne, Switzerland which adopted similar proposals and successfully preserved their cities by establishing commissions with mandatory powers.

She felt the need for a lay-person on the Commission because such a person leans toward the human element of planning and contributes a citizen's approach as well rather than professionals who work mainly along professional lines. A Citizen's Advisory Committee could be considered; however, its function merely as an advisory body is not effective if the advice given is not used.

7. The Hawaiian Mission Children's Society, letter dated February 5, 1970, signed by Charles M. Black, Vice-President.

   Mrs. Margaret Schleitz represented the organization. They support the proposal but are opposed to the Judiciary Complex. Since most historic structures are within walking distance of each other, the Civic Center provides a walking tour for history-minded tourists. Mrs. Schleitz personally felt that no height exceptions should be made on any buildings.

8. Central Pacific Bank, letter dated February 5, 1970, signed by Kazuo Ishii,

   Mr. Alvin Sakamoto representing Central Pacific Bank appeared to object to the arbitrary division of their property on Alakea and King Street; however he was assured by Herbert Mark that a drafting error was made on the proposed Ordinance Map of the Hawaii Capital Historic-Scenic-Cultural District. Mr. Sakamoto stated, "I would like the record to show that the error was pointed out and that the error will be corrected on all maps circulated and presented to show that the division of the lot is not cutting through the land but is on the boundary." Staff Planner Herbert Mark affirmed the drafting error as stated by Mr. Sakamoto.

This concluded public testimony for today's hearing. Due to a time element where a number of people wishing to testify had to leave the hearing, the Chairman called for a motion to keep the hearing open for a period of two weeks.

<u>ACTION</u>: The public hearing was kept open for a period of two weeks for further public testimony on motion by Mr. Rutledge, seconded by Mr. Yamabe.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
MOANALUA
AIRPORT INDUSTRIAL
PARK
I-1 INDUSTRIAL
DISTRICT
WAIWAI LOOP
SKYLANE INN

The Planning Commission at the last meeting referred this application back to the staff for conditions that would be imposed should the Commission recommend approval.

The Director submitted five preliminary conditions which are subject to further evaluation of more satisfactory site plans from the applicant. He requested a deferral of two weeks to complete additional studies being made by the staff.

ACTION: Mr. Rutledge moved, seconded by Mr. Yamabe, that this matter be deferred for two weeks as requested by the Director.

INFORMATION
PLANNING AREA
NO. 13
DETAILED LAND
USE MAP FOR
MAKIKI-KEWALO-
ALA MOANA-
SECTION B
(COUNCIL RESOLUTION
NO. 17)

The Commission at the last meeting deferred this matter for two weeks and requested clarification from City Council as to their feelings in connection with the Dalton-Swope case as it relates to the Detailed Land Use Maps, and from the Corporation Counsel as to whether the public hearing held by the Commission in 1968 on the Detailed Land Use Map for the Makiki-Ala Moana area (Planning District No. 13) would constitute compliance with the Charter requirements.

ACTION: The Commission deferred this matter on motion by Mr. Brennan, seconded by Mr. Ingleson.

IMPROVEMENT
REVOLVING FUND
COUNCIL RESOLU-
TION 5
CIVIC CENTER
SITE
BUILDING DEPT.

The City Council referred to the Planning Commission for review and comment, Council Resolution No. 5 transferring the sum of $24,375 from the Improvement Revolving Fund to the Building Department to settle the acquisition of Parcel 17 and an undivided 1/8 interest in and to Parcel 4 in the makai block of the Civic Center site.

The Director submitted and reviewed the staff's report. There were no questions from the Commission concerning the report.

ACTION: On motion by Mr. Rutledge, seconded by Mr. Brennan, the Commission recommended approval of Resolution 5.

Mr. Ingleson moved that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director. Mrs. Sullam seconded the motion.

ZONING A-3 APT. DISTRICT MAKIKI MAKAI-EWA CORNER OF NEHOA & MAKIKI STREETS DONALD C. SMITH	1.	A proposal to change the zoning from R-6 Residential District to A-3 Apartment District for the construction of a 17-story, 96-unit apartment structure. The request is in conformity to the General Plan and Detailed Land Use Map.
ZONING B-COMM. BUS. DISTRICT KAPIOLANI 949 KAPIOLANI BOULEVARD EDWARD D. SULTAN, JR.	2.	Subject to receiving approval of zoning from I-1 Light Industrial District to B-2 Community Business District, the applicant intends to sell the parcel to the Musician's Association of Hawaii to construct a two-story headquarters building. The subject parcel is presently split by Industrial and Business zoning.
CONDITIONAL USE PERMIT KAHALUU AHUIMANU RD. & AHUIMANU PLACE CONVALESCENT HOME ROSE M. GUILLERMO	3.	An application for a Conditional Use Permit to permit the construction and operation of a one-story, 20-bed care home for the aged, and mentally retarded.
ZONING B-2 COMM. BUS. DISTRICT WAIANAE 84-150 MAKAHA VALLEY RD. JOE CORNET, SR.	4.	A proposal to change the zoning from R-6 Residential District to B-2 Community Business District for the construction of a one-story commercial structure having approximately 11,300 sq. ft. of floor area.

ADJOURNMENT: There being no further business, the meeting adjourned at 6:10 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
February 19, 1970

The Planning Commission met in regular session on Thursday, February 19, 1970, at 2:00 p.m., in the Conference Room of the City Hall Annex with Chairman Philip T. Chun, presiding:

PRESENT:
Philip T. Chun, Chairman
Thomas N. Yamabe II
Roy R. Bright
Lewis Ingleson
Fredda Sullam
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Rolf Preuss, Staff Planner
Calvin Ching, Staff Planner
Robert Kirtley, Planning Technician

ABSENT:
Arthur A. Rutledge, Vice-Chairman
Edward Brennan
James K. Sakai, ex-officio

MINUTES:
The minutes of December 18, 1969, were approved on motion by Mr. Ingleson, seconded by Mr. Yamabe.

PUBLIC HEARING
ZONING A-3
MAKIKI
MAKAI-EWA CORNER
OF NEHOA &
MAKIKI STREETS
DONALD C. SMITH

A public hearing was held to consider a request for a zone change from R-6 Residential District to A-3 Apartment District for 42,483 square feet of land situated at the makai-Ewa corner of the intersection of Nehoa Street and Makiki Street and identified as Tax Map Key 2-4-24: 01 and 54.

Publication was made in the Star-Bulletin and Advertiser on February 8, 1960. Hearing notices were sent to pertinent governmental agencies and interested parties.

The Director reviewed the staff's report recommending approval. He also reported that approximately 10 letters of protest were received from residents in the area basically objecting to an already existing inadequate parking situation, traffic congestion, and the introduction of highrise facilities into the area.

Chairman: Any questions of the Director concerning the staff's report?

Ingleson: You say in your report that there are 7 properties designated A-3 in the area that have not been developed. Can you point out the 7? (Director pointed out area on map.)

Sullam: What's happened to the convalescent home on Makiki and Nehoa Street?

Way: The City Council did not choose to approve the CUP for a convalescent home on that property. It's been denied.

Chairman: Any further questions of the Director? If not, is any present to testify against this proposal?

Thomas Goodbody: I represent Hanahauoli School. I only have two points. The first has to do with parking. As I read this report closely, there's no reference of parking in it. The nearest to it is a finding backed up by the Traffic Engineer that the existing facilities can service the additional traffic that would be generated. Regarding the parking I think it's such an important situation in this area as more apartments are going into this block there adjacent to us. It's a residential area and I think it would be helpful to us if there were a survey of on-street parking both for evening and for during the day time. I think it would be very helpful

to gauge this whole project if we had that information. I don't think we have any information like that before the Commission at the present time.

The second point has to do with the height of the building. I think it's 178 square feet. I have not had much occasion to look at this zoning in past years but I would like to ask Mr. Way whether or not height has any criteria in this situation where we have 178-foot building alongside residential areas just across the street where the buildings are only one-story high. If it's permissible I'd like to ask his views on it because it was not discussed in the report at all. I don't know what the feeling of Mr. Way is on that.

Chairman: Mr. Director, would you care to answer that?

Way: First to the question of parking. The CZC would require 1¼ spaces for every unit so that this facility would provide a minimum of 120 off-street parking spaces. Insofar as the zoning is concerned, the height limitation is that which was set in the CZC which as you know could be as high as 350 feet. The plan is a fairly recent one which permits a medium density apartment use in this area. We could find no compelling reason in terms of the major implications on the City's public facilities not to recommend the change in zoning for this area.

It is a circumstance that phasing may have some problems in the neighborhood for some period of time, that is to say, this is the beginning of the implementation of the plan which was rather widely reviewed by people in the community and not too far back in time either for apartment use. This is the land use designation that was adopted as a policy for the City of the area. We feel that the zoning is simply beginning to implement the proposed land uses in the district.

Goodbody: What I was directing my point on this thing is that if we assume that all the buildings along Wilder Avenue were transferred to along Nehoa, we'd have quite a situation where we'd have a large number of 17-story buildings alongside side across the street that are only a few feet high in comparison. I do want to suggest that our plans do take this to a point.

For example, in A-3 the legislative intent, it says it is intended that these areas where it is requested zoning be located where public facilities are adequate. Except for parking, I think that there's water and electricity and that's okay.

Where heights of buildings is not an important criteria. I would like to read first the opportunity of researching that point as to what is really intended by that.

It's quite clear what's intended but I might be wrong. When we look over at another approved apartment house use for this area it says A-1, the purpose is to provide areas, et cetera, this district permitting only low-rise, low-density apartment use is compatible to the adjacent, to the single-family residential districts and is intended as a buffer between those districts and other non-compatible districts. Well I always thought that was the whole reason of this, the apartment area grades down to heights in residential areas. On the other side of Nehoa to my mind it seems terribly unwise to put up 17 stories. Actually if you get enough lots together you can put up 20, I don't know but you can go up to 350 feet under a proper set up.

Now 350 feet or even a 170-foot building across from a person living in a one-story residential thing is a little unusual. I just got into this thing yesterday and in looking at the CZC I don't see why there isn't some real discussion as to why it shouldn't be A-1 rather than A-3. Then A-1 would make it very difficult for the owner of this property. He could only go up 40 feet. I maybe wrong on that but it has a limitation.

They have an A-2 also. It is intended that these areas be located where public facilities are adequate

and where medium density apartment development is desired but where a height limit protection is used seemed to be an important consideration. Here again I don't know that. I've just gotten into this. I think that would probably apply to Diamond Head, the residences along the slopes of Diamond Head and you don't want a 14-story blocking off the view. I don't think it's the view that's so important in this case. I think it's important not to have a high building which blocks off light and brings in all the people and all the problems of having a 17-story building that's next to a one-story building.

We were up before the Council on the convalescent home situation, and you people didn't know some of the factors that were argued there, perhaps. I notice in this Commission there wasn't a sufficient majority to pass it and so it went up without recommendation. There were some against it and some for it but one of the principle things was that this Nehoa Street was to be a line of demarcation between big buildings and small residents. At some time it's going to be broken but until it's broken, business uses should be kept out. This was a debatable thing on the convalescent home. The argument was that it was a business, it was a big concrete block, so many feet high, but you can argue

both ways on that point.

But this is a point I really don't see. I maybe wrong but when this was master-planned for apartment houses, they really mean that you can put up to the full extent of height buildings over the entire area, was this the intention or shouldn't there be when you get to a low adjoining area. I don't have any other points to bring up at this time but I would like time for research on this point because there are flexibles involved here which must be in the books. I think a survey would be helpful.

Chairman: Any questions of Mr. Goodbody?

Yamabe: Would you have any objection if the height of this building were 40 feet?

Goodbody: I am sure that we would not. That's the one thing that came up on the convalescent home, five stories. That's not 40 feet. The 40 feet would be okay.

Ingleson: Then your major objection is height?

Goodbody: Yes.

Ingleson: But with the same number of people and same number of

parking, for example the difference of A-2 and A-3 is only height.

Goodbody: I was thinking of A-1.

Ingleson: A-2 is 40, A-1 is 30.

Goodbody: I think the only objection would be parking. That requires a survey in the whole area and there are more apartments that are going to come up in the area makai of this street. There's a lot of undeveloped land that's going to be developed with apartment houses and I think it's going to be terrible. My only objection would be on-street parking.

Bright: Seems to me when you consider the on-street parking, perhaps one day it's going to be abandoned so that you're always going to have that objection.

Goodbody: I will agree on that point. The residents in there, they have their guests, and they aren't built up for parking areas like are built-in to the apartment house in the code and so they have no way of taking guests but to have them on the street. If the apartment house people are going to park out of their zone, these people won't have parking.

Chairman: Any further questions of Mr. Goodbody? If not, thank

you Mr. Goodbody. Is there anyone else wishing to testify against the proposal?

Allan Sanborn: I'm an architect. I'm representing my Father who is a landowner on the lower portions of Makiki Heights. As I look at this drawing here, I remind you that the terrain slopes up fairly sharply from Wilder Avenue on up the hill. There's been a very definite attempt to grade density and height as one goes up the slope. The Master Plan now calls for anything mauka of Nehoa Street be single family. The intent of the A-1 classification is to act as a buffer. I wonder if perhaps some of the mandates of the Dalton case is involved here. I notice in the very point end corner of the blow-up map, there's an A-4 zone which does not conform with the medium density shown on the recent Master Plan of a smaller scale. I wonder whether this comprehensive review of the General Plan is not going to show that it is indeed best to have an A-1 buffer zone between the single family homes mauka and the higher buildings as one goes down the slope there.

A-2 has a criteria zone there with respect to use. This is another important thing to the parties that have homes on the lower portion of the slopes that do have views. If you add a 17 or 20-story building

at that elevation, I think you're going to start blocking out views from these single-family homes. Perhaps the comprehensive review of the zoning will show that single-family should not be the use mauka of Nehoa, but until such time as that is changed, I think we have a problem here. I would like to request that this be deferred. Sure this is a recent plan but I think some of the items set forth in the Dalton case are missing and perhaps you should wait until that has been reviewed.

Chairman: Any questions of Mr. Sanborn?

Yamabe: Are you suggesting that if the buildings across Nehoa Street on the other side where it's indicated as residential, changed to maybe a low-density apartment, there's a possibility that people may not object to this?

Sanborn: If on the mauka side we're going to have A-1, then the medium density shown here is probably a valid thing. But then we will still have the transition from high to medium to low to single-family uses. This is the intent of the whole CZC to have this gradation. Its very important here in view of the fact that you are also stepping up the hill. To a

degree right now, this reflects the terrain. My comment is that it's still a little too dense. I feel that the medium density on the makai side and then having single-family directly across the street is not a good way to do it.

Chairman: Any further questions of Mr. Sanborn? If not, thank you very much Mr. Sanborn. Anyone else to speak on this proposal?

Jack Sanborn: My son Allan just spoke for me. He didn't bring out one point. My elevation in Makiki Heights is 300 feet. If you go up to 350 feet and the elevation on Nehoa is close to 100 feet, if you put up a building on Nehoa and go up 350 feet, I'll never be able to see over it. I think that all of us on the hillside should have some protection on this thing. It's like saying here's single family on one side and big towers on the other side. If that's the case, let me put up a tower on Makiki Heights. Are you going to see tantalus any more? It's the same thing like Diamond Head and Punchbowl. Let's cut the line somewhere and I hope you folks will go along with us. It's terrible. What are you doing, moving the slums down here and moving them up there? Please give us some thought on the thing because it's a nice district up there and we'd like to keep it that way. Thank you.

Chairman: Anyone else wishing to testify against this proposal?

Gertrude Humphries: I live at 1923 Makiki Street. I think that the height of the building is my main objection. Also, it's too sophisticated and overpowering a structure so near the residential section. I think that in general highrises should be very carefully placed, otherwise its with a higglety-pigglety effect. Noone can plan very well. Even other highrises won't know what they will be looking at.

I attended a hearing on the General Plan for the Makiki District six-years ago and at that time I know that there was a rather vague designation of what was allowed on the makai side of Nehoa. It just said for apartment purposes. Mr. Frederick Lee, the Planner, explained that could mean medium density, low density, high density, or very indefinite. He was proposing that they take the hotel-apartment zoning which so much of Makiki has been set in hotel-apartment zoning and put the whole thing right up to Nehoa in medium density apartment. I think that had something to do with it, looking back at some old notes that I made. He said that the City Charter states that all zoning must conform to the General Plan. Therefore, if we take this proposed step in amending the General Plan, our future zoning must be in conformance to the General

Plan which would mean all future zoning must be for medium apartment use. As far as existing zoning is concerned, the existing zoning remains in effect.

I don't want to make this too long, but mainly the height and the visitor parking. I don't think there's much plan for visitor parking in this high building and I do think there would be an overflow. That doesn't affect me personally. I'm not on this street but it affects other people. I think it's bad planning. I think it's bad for the whole area. I think it's going to deteriorate if there's no control on height. There's little buildings and big buildings. It's all up to the property owner to decide how to plan. I think that's the business of planners to organize it.

Chairman: Any questions of Mrs. Humphries? If not, thank you very much. Is there anyone else present wishing to testify against this proposal? If not, is there anyone wishing to testify for the proposal?

Donald Smith: I'm the owner of the property. This is a recent plan as was pointed out. It was thought over quite well. It is in conformity with the CZC and the detailed use plan and the open space and all that was thought out. This was not done until after the passage of the detailed use plan and the CZC over a year ago. At that time, this was

planned. We're just asking for implementation of the existing law since we are in conformity with everything.

Chairman: Any questions of Mr. Smith?

Yamabe: Mr. Smith, I'm sure you're aware that under medium density you have the A-2 and A-3 where there's substantial difference in height.

Smith: Yes.

Ingleson: How soon do you anticipate that if zoning were or when it is approved for this, how soon do you anticipate beginning?

Smith: Fairly soon.

Ingleson: Will this be a condominium?

Smith: Yes.

Bright: There's a question of parking. How's that parking going to be allocated among the apartment owners?

Smith: Let me say that the Planning Department and the architect were in on this to quite detail. This property is going to be leased out and the exact detail on that I can't answer. I'm going by the limit, 1¼.

Bright: You're not building any extra?

Smith: The architect would have that information.

Ingleson: Mr. Director, the plan that's on the board, is that the maximum height and density allowed under the CZC?

Way: No. Based on the calculations that we have, it is not the maximum that's allowed. On the parking, the proposal is for 120 spaces which is 1¼ times the 96 units. On the height, it could go higher under the A-3 if all of the floor area were utilized.

Ingleson: Mr. Smith, you intend leasing this property to a developer who will then put up this project?

Smith: Yes.

Sharpless: What would be the proposed price range of the condominium units?

Smith: At this point I don't know.

Sharpless: Are you familiar with the parking situation in this area?

Smith: I live on the area now.

Sharpless: Tell us about the parking situation, on street parking.

Smith: It's not as bad as it's built up to be. There's adequate parking. There's empty spaces there every so often down the road day and night. This is on Makiki. There's no parking on Nehoa except Sunday.

Chairman: Any further questions of Mr. Smith? If not, thank you Mr. Smith.

Sanborn: I wish to make a point. Does the Commission know how much traffic there is on Nehoa Street because there's a tremendous amount of traffic especially during peak hours, feeding Manoa and all those districts in there. Has there been any thought to relieve Nehoa because some thought ought to be given to Nehoa being widened. They said 3 feet but what's 3 feet for a car.

Yamabe: Mr. Director, could you elaborate on the report received from Traffic?

Way: The Traffic Department reports that based upon their observations in the intersection at Makiki and Nehoa Street and this survey was undertaken for the CUP for the Makiki Convalescent home, "we feel that the existing facilities can service the added traffic that will be generated from the proposed development." This was signed by the then acting traffic engineer. The letter is directed to our department dated November 19, 1969.

Would also comment that the 3-foot widening is to provide for an ultimate 56-foot right-of-way which is the City standard for apartment districts. My recollection is that the present right-of-way width is 50 feet so there would be 3 feet on this side and 3 feet acquired on the other side.

Yamabe: In the Traffic Department's transmittal did they discuss the parking situation?

Way: No, they did not.

Goodbody: While we're talking on that, has anybody given any thought that both Punahou School and Hanahauoli School on numerous occasions throughout the week have doings going on at the school that generate tremendous amount of on-street parking. Sometimes you have to walk two blocks from the Punahou campus to find your car. Driving up and down Makiki Street, some of the existing towers now did not have the benefit of the 1¼ to 1 parking are experiencing a large amount of overflow parking on Makiki Street now. I hate to disagree with the owner of the property but I very seldom find any parking available on Makiki Street the way it stands now.

Mrs. Moore: I use this street a great deal to get from Manoa to town and have watched it increase steadily especially since the freeway was opened all the way through and it's difficult for people from Manoa to get onto the freeway and off again. This is a very easy way to get to town or to the Straub Clinic. This has become a feeder or secondary street. If you don't want to go all the way down to Beretania, you cannot use the freeway very easily but this is a very easy one to use. You go along it and then turn down Ward. It's a very

handy way to get to the Ward Avenue area. It's use is increasing all time in the middle of the day. It's always used heavily in the morning because people are coming down out of the valley taking their children to various schools along the way. People are coming from the other side bringing their children to Punahou or going to the University. The traffic is just a steady stream in peak hours and I question when the Traffic Department says this is adequate when you look five years ahead. I doubt very much that it's going to be adequate.

Also, I have friends in the Makiki District which I like to visit and I can't find a space to park there right now. I wish you could make a study if it's going to come to a decision.

I think A-3 is very unsuitable zoning for this area at least for the first block or two.

Smith: On the parking, I live in the second house down. True, there's Punahou and Hanahauoli School and everyday these kids will get on their cars put their books in their arms and walk to the school. It's the school that doesn't have the adequate parking. Hanahauoli has none and Punahou doesn't have enough. We've conformed with the CZC and with the DLUM and all we're asking for is

approval because of our conformity.

Sophie Frandsen: Our home is the third house just mauka of Nehoa. If you'll see my letter on file, we've lived in our home for 38 years. We certainly have along with Miss Humphries who lives in back of us are quite aware of the changes in the neighborhood. I will refer to the parking problem which Mr. Smith is not aware of above Nehoa Street. With all of this influx of apartments, we are getting all of these people who don't have parking stalls apparently, maybe they don't want to pay for it. You can see all of these out-of-state parking cars up Makiki Street.

The fact is that during the day the Hanahauoli School teachers are required to park on the Diamond Head side because you have no parking on the Punchbowl side of Makiki Street. They do, Mr. Smith in case you haven't come up above Nehoa Street, we are very good friends, they now have a parking area on their property that has just been completed. There has been a little relief. However we do have Punahou students who have to park even up above where the water department is.

When this notice came out in the paper, of course it was a great concern to us who live in the area and the neighbors up the street said, "Oh no, what are we

going to do for parking?" Members of their own families cannot visit their parents because of this situation. I don't know who's written to you but believe me there's a lot of feeling about this parking. They're just taking the attitude, I'm sorry to say, "Oh what good will it do." That's some of the response we've received.

The point is you have all of this influx of apartments and not space for visitors. In looking at the 120 parking stalls you know as well as I do that most people will have two automobiles. They're going to look for places in our neighborhood. They're going to have parties and visitors. Ninety-six apartments, where are those visitors going to park? It's going to be through the neighborhood. I assure you there's a parking problem and there's a lot to think about. Thank you.

Chairman: Any questions? If not, thank you Miss Francis.

There was no further testimony either for or against this proposal. The Commission closed the public hearing on motion by Mr. Ingleson, seconded by Mr. Yamabe.

ACTION DISCUSSION

Chairman: I would like to take another close look at this thing with respect to a possible study and review of the entire General Plan as to whether or not that buffer

zone is not indicated.

Ingleson: Mr. Chairman, I move that we defer action on this item until the next meeting.

Yamabe: What are we going to do in the meantime?

Chairman: I would like a more detailed report from the Director as to the General Plan philosophy on the question of whether or not there should not be a buffer with respect to cut-off between residential and medium density.

Yamabe: Also add the parking situation be examined with the Traffic Department.

Way: I would suggest that instead of making a motion to defer it for two weeks, that you defer it until we can report back.

Ingleson: So move.

Yamabe: Second.

Chairman: All those in favor raise your right hand? Carried.

✓PUBLIC HEARING
ZONING B-COMM.BUS.
DISTRICT
KAPIOLANI
949 KAPIOLANI
BOULEVARD
EDWARD D. SULTAN,
JR.

A public hearing was held to consider a request for a zone change from I-1 Light Industrial District to B-2 Business District for land situated at 949 Kapiolani Boulevard approximately 357 feet Waikiki of the intersection of Ward Avenue and Kapiolani Boulevard and identified as Tax Map Key 2-3-03: 97.

Publication was made in the Star-Bulletin and Advertiser on February 8, 1970. Hearing notices

were sent to all applicable governmental agencies and interested parties. No letters of protest were received.

The Director reviewed the staff's report of the applicant's proposal.

Noting the location of the subject area, a question was raised as to whether the subject proposal is affected by the "Dalton Case". Deputy Corporation Counsel Andrew Sato stated that since the 1964 General Plan indicates Commercial use and there is no amendment to that General Plan, the "Dalton Case" would not apply.

There being no further question from the Commission, and no person present to speak either for or against the proposal, the public hearing was closed and the matter taken under advisement on motion by Mr. Ingleson, seconded by Mr. Yamabe.

ACTION: Based upon the Director's recommendations, the Commission recommended the approval of the applicant's request on motion by Mr. Bright, seconded by Mr. Ingleson.

✓

PUBLIC HEARING ZONING B-2 COMM.BUS. DISTRICT WAIANAE 84-150 MAKAHA VALLEY RD. JOE CORNET, SR.	A public hearing was held to consider a request for a zone change from R-6 Residential District to B-2 Business District for approximately 25,308 square feet of land situated at 84-150 Makaha Valley Road in Makaha, Waianae, Oahu, and identified as Tax Map Key 8-4-11: Parcel 15. Publication was made in the Star-Bulletin and Advertiser on February 8, 1970. Hearing notices were sent to applicable governmental agencies and interested parties. No letters of protest were received.

The Director reviewed the staff's report. There were no questions concerning the report.

Francis Wong, Attorney for the applicant, appeared FOR the proposal and responded to the following questions:

1. The plot plan indicates ingress and egress off Lahaina Street as well as Makaha Valley Road. Would it be possible to eliminate ingress and egress off Lahaina Street, with the exception of its servicing the loading ramp.

   Their letter to the Planning Director states that in the event their zoning request is approved, ingress and egress will be restricted to Makaha Valley Road, and another request to utilize the Lahaina Street entry would be initiated when that street is widened to 56 feet.

2. Whether they experienced any problems with the existing cavitette sewerage system in their area.

They have had no difficulty with the existing cavitette system in use on the mauka portion of their lot. For information purposes, the main trunk line of the Waianae Sewage Treatment Plant is relatively close to their business operation and should be operational within a year. In this event, they would consider the economic feasibility of a cavitette system for their purpose depending upon the extent of development of the Waianae STP.

There was no further discussion. The public hearing was closed and the matter taken under advisement on motion by Mr. Ingleson, seconded by Mr. Yamabe.

ACTION: Based upon the Director's recommendations, the Commission recommended the approval of the applicant's request, on motion by Mr. Bright, seconded by Mrs. Sullam. Mr. Ingleson abstained from voting.

PUBLIC HEARING CONDITIONAL USE PERMIT HALEIWA MAKAI SIDE OF KAM HWY. R-6 RES.DIST. WARREN EQUIPMENT CORPORATION	The Commission at its meeting on February 5, 1970, closed the public hearing and deferred action for a visit to the site and for a geological study of the area. In view of the Commission's request for a geological study of the area, the following qualified individuals were called upon by the applicant's attorney, Alfred Hee, to testify:

1. J. Frisbee Campbell, affiliated with the Hawaii Institute of Geophysics of the University of Hawaii, and also a consultant as President of the Hydrophysics Corporation (submitted letter dated February 16, 1970 regarding the possibility of beach damage due to the subject sand mining operation).

2. Fred Zobrist, Chief, Department of the Army, Honolulu District, Corps of Engineers (submitted written statement dated February 19, 1970 stating that the proposed operation will not alter the littoral processes along the nearby shore or cause beach erosion)

3. Goro Uehara, Associate Soil Scientist, University of Hawaii, College of Tropical Agriculture, Department of Agronomy and Soil Science (submitted letter dated February 17, 1970 regarding soil material from Waialua Plantation which is being used to replace mined coral sand)

4. Robert Q. Palmer, Consultant and Researcher in Ocean Engineering, also President of Tribars, Incorporated, engaged in engineering on harbor, coastal and airport projects in Japan, Okinawa, Australia, the Bahamas, Puerto Rico and California; and research on development of technology for recovery of minerals from the sea, and ocean pollution and current studies (submitted Statement on Sources of Sand on Oahu)

In addition to written comments by the above-mentioned persons mainly stating that the proposed operation will not have any adverse effect on the beach, the Commission also raised the following questions:

1. Whether the rocks visible on the sand dunes resulted from beach erosion.

   Exposure of the rocks on the beach was caused by the recent high surf which also caused severe damage to homes in the area. The shifting of the sand is a seasonal condition which causes it to disappear and reappear during the various seasons.

2. Whether there is any chemical residue evident in the soil from Waialua Sugar Plantation being used for backfill which could cause a pollution problem.

   The Waialua Sugar Company uses pesticides in the form of herbicides for its sugar cane crop. However, because the soil is allowed to mellow for a period of two years, the residue content would be very low. Further, the soil being used has a very high absorptive capacity for pesticides which minimizes the pollution effect in comparison to coral sand which has no absorptive capacity.

3. In comparison to housing development rather than plant life, whether the soil is conducive to housing development. Areas where soil has a high-clay content are not the prime location for such development.

   Although no information is available on the behavior of Hawaii's tropical soil, studies conducted indicate that the type of soil being used for backfill can adequately support homes up to three stories but not major buildings. Its use would be more conducive to schools, recreation facilities, and home sites.

4. On site inspection of the premises revealed that excavation was done to the water table level. In view of the highwater table, would the placement of a different kind of soil have any resultant adverse effect.

   This is not likely because although local soil texture is of clay, it is a heavy clay, granulated, and behaves like gravel which minimizes capillary action (the action that controls the water table level). In other words, even though its infiltration rate is high and the soil absorbs water rapidly, since its capillary action is low, the water would not rise as quickly.

5. Another question was raised as to how the particular sanding site was discovered.

   The applicant, Mr. Warren Kobatake, stated that he was offered the site by Bishop Estate at the time he negotiated with them to conduct the sale of top soil.

There were no further questions of the applicant.

<u>ACTION</u>: Based upon the recommendations of the Planning Director, the Commission recommended the approval of the applicant's request for a Conditional Use Permit on motion by Mr. Yamabe, seconded by Mr. Bright and carried. Mrs. Sullam abstained from voting inasmuch as she did not visit the site and could not determine the effect the proposed operation might have to homes in the area.

The conditions are as follows:

1. The requirements as set forth under Section 21-248 of the Comprehensive Zoning Code entitled, "Extractive Industries," shall apply.

2. A 10-foot setback buffer strip around the perimeter of the quarry site shall be maintained and the natural growth of brushes and pine trees shall continue as a separation between the proposed industrial use and the general public use.

3. Every precaution should be taken to minimize dust problems by frequent wetting of dry, dust prone areas.

4. Excavation and filling of the area shall be in accordance with the grading plans on file marked Lot A, Lot C-1, and Lots B and C-2. Any major deviation from the plans must be first approved by the Planning Director and the Chief Engineer.

5. If the excavation is by increments, the completed increment shall be filled, graded and planted with vegetated ground cover, plant materials, and trees acceptable to the Planning Department so that the site will not create dust and nuisance problems.

6. Drainage facilities shall be constructed in accordance with requirements of the City Public Works Department.

7. The hours of operations shall be from 7:00 a.m. to 5:30 p.m., Monday through Friday.

8. The quarry operations shall cease during adverse wind weather (upon inspection and determination by the Planning Department) to prevent people living in the area from being adversely affected by dust.

9. Mufflers shall be installed on all trucks and equipment to minimize noise. The performance standards of Section 21-232 shall be applicable to this use.

10. Utilization of additional equipment other than 3 bulldozers, 2 water tank trucks, 1 screening and conveyor belt unit, 1 generator unit, and 1 scale shall be subject to the approval of the Planning Director.

11. A report on noise and vibrations generated by the quarrying operations prepared by qualified personnel shall be submitted to the Planning Director immediately after the quarry operations commence and thereafter on a 6-month basis. Acceptance of the reports shall be subject to the Planning Director's approval.

12. After the issuance of the Conditional Use Permit, the City Council may, at any time, upon finding that any one of the conditions hereinafter imposed is not being complied by the applicant, authorize the Planning Director to suspend such operation until compliance with said conditions is obtained or to revoke the permit.

13. All access shall be restricted to Kamehameha Highway. There shall be no access from Papailoa Road and the residential area.

CENTRAL BUSINESS DISTRICT ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT HONOLULU CIVIC CENTER MAKAI RIM OF PUNCH-BOWL TO THE SEA, EXTENDING FROM SOUTH STREET TO DIAMOND HEAD EDGE OF DOWNTOWN OF RICHARDS, BISHOP AND PALI HWY. PLANNING DIRECTOR	The Planning Commission at its meeting on February 5, 1970, kept the public hearing open for further public testimony, and to permit a more complete review of the Ordinance by the public. Public testimony was continued. The following is a summary of comments made at the hearing by various individuals and organizations. Complete written statements submitted for the record are on file.

1. The Episcopal Church in Hawaii and St. Peters Church (Queen Emma Square), represented by Rev. Eugene B. Connell of the Board of Directors.

   Supports the proposal but requests a change in the height limitation to allow them the freedom to be able to build to the maximum height that can be justified without compromising the view plane or park concepts of the proposed plan as submitted.

2. State Department of Transportation, represented by Adm. E. Alvey Wright, Deputy Director of Transportation (written statement submitted).

   Supports the proposal but requests the following:

   a. Ship movements and moorings, both temporary and permanent, should be exempted from the "0" height limitation within Honolulu Harbor.

   b. An exemption is requested for existing and future container cranes from the proposed 55-foot height restrictions in the area.

   c. Because of landscaping contemplated in certain areas, including the maritime museum ferry terminal area at Pier 5-7 and the waterfront park and park strip at Anuenue, the height restriction should be "tree height" rather than "0". Control of structures in park areas could be exercised by setting density requirements such as 85% open space. The "tree height" limitation would allow pedestrian overpasses and other highway appurtenances to be constructed.

3. Board of Water Supply, represented by Leroy Rathburn, Assistant Manager (submitted letter dated February 19, 1970, signed by George Yuen, Manager and Chief Engineer)

   Supports the proposal but requests the following:

   a. A "grandfather" clause for uses not permitted under the proposed ordinance; i.e., radio and television broadcasting stations and line-of-sight relay devices; public utility installations; and public utility storage or maintenance installations.

   b. That the Board of Water Supply's public service building be allowed 5 additional floors making the ultimate structure 8 stories high or approximately 80 feet high. He stated allowances were made in the building's design for these additional floors.

   c. That the Board of Water Supply's engineering building be allowed one additional floor bringing the maximum building height up to 60 feet.

   d. The Board of Water Supply also questions the 40% open space requirements on the rear of their lot. The Board's property is planned eventually for a one-story terraced parking garage which conforms to the slope of the site and would cover almost their entire lot.

4. Downtown Improvement Association (DIA), represented by M.A. Randolph, (written statement submitted)

   Supports the proposal but opposes height restrictions Ewa of Richards Street. Request architectural (aesthetic) controls on all improvements facing Richards Street.

5. Bishop Estate, represented by Mr. William Van Allan, (written statement submitted)

   Supports the proposed Ordinance but objects to the proposed open space requirements (60%) and the height limitations (55 feet) applying to all their lands lying between Richards Street and South Street on the basis that it is taken without just compensation. They suggest that they be permitted high-rise structures along the Ewa side of South Street, and a system of credits (bonus points) for landscaped public open spaces.

6. Armed Services Young Men's Christian Association, represented by Mr. Robert Lloyd (submitted letter dated February 18, 1970, signed by him)

   Supports the proposal but requests that the property of the Armed Services YMCA be removed from within the proposed Ordinance.

7. Queen Emma Square Planning Committee, represented by Mrs. Frederick W. Koch (written statement submitted, dated February 17, 1970)

Supports the proposal and suggests that the Episcopal Church should not deviate from well-considered height limitation (100 feet) until the church can come up with a clear-cut proposal for the total use of the area.

8. Aaron M. Chaney, Inc., represented by Mr. Francis E. Denis (letter dated February 19, 1970, submitted for the record)

   Supports the proposal and requests a change in height from 55 feet to 86 feet.

9. Hawaiian Mission Children's Society, represented by Mrs. Margaret Schleitz (letter dated February 18, 1970 and signed by Thurston Twigg-Smith, President, submitted for the record)

   Supports the proposal and requests that the Capitol Core Area include everything mauka and Ewa of Queen and South Streets.

10. Hawaiian Trust Company, Ltd., represented by Mr. Wilbur Ing, agent for Mrs. Frances H. Kump, owner of a parcel of land located at 333 Queen Street, Tax Map Key 2-1-26-15 (submitted letter dated February 18, 1970, signed by Wilbur Ing, Property Management Dept.)

    Support and request that consideration be given to permitting a maximum height equal to the new buildings on the abutting properties located on Queen Street, identified by Tax Map Keys 2-1-26-14 and 16.

11. Alakea Development Corp., represented by Judge Mizuha

    Support proposal but request change in height or exception to building known as American Mutual Building on the Diamond Head makai corner of Alakea and Beretania Streets from proposed 55 feet to allow for an addition of one floor to the existing building making it 73 feet 6 inches in height.

12. Central Honolulu Community Association, represented by Mr. Richard Lowe

    Support but request provisions for "just compensation" in regard to Bishop Estate, Campbell Estate, YMCA, etc.

13. Private citizen - Mr. Schrader, concerned about "just compensation" for taking of air rights on Punchbowl.

14. The Estate of James Campbell, represented by Mr. Oswald Stender, (letter dated February 19, 1970, signed by Mr. Wade H. McVay, Trustees' Executive Officer, submitted for the record)

    Support but request change of Sec. 21-1221 Certificate of Appropriateness Item (e) Automatic Issuance from 6 months to 3 months.

15. Private citizen - Mr. James Morgan, Jr., supports the proposal and requests that the "Royal Brewery Building be included as an historical building to be preserved."

16. Wardco Investment Co., represented by Mr. Centeio, (submitted letter dated February 19, 1970)

Support but request retention of 5-foot setback rather than proposed 10-foot setback, Tax Map Key 2-1-44: 31.

17. Straub Clinic, represented by Yoshio Shigezawa, Attorney

Support but suggest that adequate standards which govern design be provided. There is no control discretion for the Planning Director to accept or reject proposals. Reasons for rejection by the Planning Director should be made, and necessary standards and minimum requirements on design established for property owners, architects, and engineers to follow with some degree of assurance that their project will be approved. Before the Planning Director exercises any authority, consultation be made with the Capital Commission or Planning Commission.

18. Cooper Trust, represented by Sidney Hashimoto

Support but request a change in proposed boundaries and requirements

19. Merchandise Mart Property located at Alakea & Hotel Streets, represented by Mr. Robert Teramoto

Supports proposal but requests height exception.

20. Central Honolulu Community Assn., represented by Richard Lowe, President

Support proposal and suggests air rights should be purchased.

There was no further testimony on this matter. The public hearing was closed and the matter taken under advisement on motion by Mr. Ingleson, seconded by Mr. Yamabe.

The Commission deferred this matter for a special meeting with the staff.

HONOLULU REDEVELOPMENT AGENCY AMENDMENTS TO THE REVISED URBAN RENEWAL PLAN FOR KUKUI PROJECT NO. HAWAII R-2	The Honolulu Redevelopment Agency referred to the Planning Commission for review, Exhibit A, "Amendments to the Revised Urban Renewal Plan for the Kukui Project No. Hawaii R-2," and the land use map for the project. According to Section 53-6 of the State Urban Renewal Law, the Redevelopment Plan or amendments to the Plan must be submitted to the Planning Commission for approval prior to a public hearing by the Redevelopment Agency.

Staff Planner Calvin Ching reviewed the staff's report recommending approval of both the land use map for the project and Exhibit A. Mr. Setsuo Izutsu of the Honolulu Redevelopment Agency was also present for the benefit of the Commission.

The Commission expressed concern in the following areas:

1. Once Planning Commission and City Council approval is given, the authority for HRA to proceed from a primary use (if this use is unfeasible to apply) to an alternate one without further review by the Planning Commission or City Council. The Planning Department then has no jurisdiction over the design of proposed developments. The Commission expressed disappointment at the design aspect of some structures in the Kukui Project presently underway.

2. Difficulty to consider various alternate uses in the subject area which uses are already integrated. The Commission felt in some instances that the suggested alternate uses are incompatible with primary uses, and believed that where the City has already acquired land, secondary uses should be eliminated.

   It was pointed out that the land use for the subject area has been adopted and that this is merely an amendment to one block of that area.

3. A change was suggested to paragraph subsection "(d)" of Subsection "b.5.b." (page 2 of the Staff's report) from--

   > "(d) 5.1± acre parcel in Block "G" for off-street parking facilities and other supplemental and compatible uses, including bus and rapid transit terminal uses, and office, hotel and/or apartment uses, or a combination thereof in the air space above the parking garage structure."

   to--

   > "(d) 5.1± acre parcel in Block "G" for off-street parking facilities and other supplemental and compatible uses, including bus and rapid transit terminal uses and office, <u>retail and service commercial</u>, hotel and/or apartment uses, or a combination thereof.

   It was felt that the phrase "in the air space above the parking garage structure" restricts the proposed uses to the area above the parking garage only. Its elimination would permit those uses to be conducted on the ground level along with the parking facility.

   Also, the addition of "retail and service commercial" uses were considered necessary as supplemental uses (i.e., for the parking garage, a service station; for apartments, a pharmacy, beauty salon, etc.).

There was no further discussion.

<u>ACTION</u>: On motion by Mr. Yamabe, seconded by Mr. Bright, the Commission recommended approval of both the land use map and Exhibit A of the "Amendments to the Revised Urban Renewal Plan for the Kukui

Project No. Hawaii R-2", subject to the City Council's acceptance of a portion of this plan which does not conform to the General Plan.

The following two changes to the amendments in Exhibit A of the Urban Renewal Plan for the Kukui project are recommended:

1. The amendment of the first sentence of subsection (4d), paragraph C-2-a, on page 9, to read as follows:

   "(d) 5.1± acre parcel in Block "G" for off-street parking facilities and other supplemental and compatible uses including bus and rapid transit terminal uses and office, retail and service commercial, and/or apartment uses, or a combination thereof."

2. The amendment of the first sentence in the fourth subparagraph of subsection (4d), paragraph C-2-a, on page 10, to read as follows:

   "In the event that Block 'G' designated on the Land Use Map for public use as defined under subsection (4d) of paragraph C-2-a on page 9, is not devoted to such use or after purchase and redevelopment of such site and any time prior to the expiration of the 35-year period of restrictions, the public use ceases or is abandoned thereon and the site cannot be resold for continued public use thereon, then the Agency may without further amendment to this Plan, determine and designate commercial use as the alternate use for this site."

* * * * * * * *

Mr. Ingleson moved, seconded by Mr. Bright and carried, that the following matter initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

ZONING I-1 LIGHT INDUSTRIAL DIST. KAILUA KAPAA VALLEY TMK: 4-2-15: PORTION OF 1&4 HONOLULU CONSTRUCTION & DRAYING COMPANY, LTD.	1. The applicant proposes the construction of two structures to house equipment necessary for the manufacture of precast and prestressed concrete structural members. Another two-story building is proposed for office facilities and a number of small buildings for tool shops and steamboiler.
MISCELLANEOUS	Representative Ernest Heen was to speak re H.C.R. No. 17, relating to the establishment of a joint House-Senate Committee to investigate county compliance with the Administrative Procedure Act, but had to leave. The matter was postponed.

ADJOURNMENT: There being no further business, the Commission adjourned at 6:25 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
March 5, 1970

The Planning Commission met in regular session on Thursday, March 5, 1970, at 1:45 p.m., in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:

Philip T. Chun, Chairman
Edward Brennan (excused at 4 p.m.)
Roy R. Bright
Lewis Ingleson
Arthur A. Rutledge
Fredda Sullam (excused at 4 p.m.)
Thomas N. Yamabe II
James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio (excused at 4 p.m.)

Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner

ABSENT: None

MINUTES: The minutes of June 12, 1969, as circulated, were approved upon the motion by Mr. Yamabe, seconded by Mr. Ingleson.

✓PUBLIC HEARING CONDITIONAL USE PERMIT (COMMERCIAL KENNELS) WAIMANALO 41-849 KAKAINA ST. PETER KIM BY: CHARLES A. SHIPMAN, REALTOR

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider an application for a Conditional Use Permit to construct and operate a commercial kennel on an 8.897-acre parcel of land situated at 41-849 Kakaina Street in Waimanalo, identified by Tax Map Key 4-1-25: Parcels 6 and 7 within an AG-1 Restricted Agricultural District.

The Director read the notice of public hearing published in the Sunday Star-Bulletin and Advertiser of February 22, 1970. Copies of the hearing notice were sent to the applicable governmental agencies, to the various community and civic organizations in the Waimanalo area and to adjoining property owners.

The Director read the staff's report (filed in Folder No. 69/CUP-25) giving the description of the subject parcel, land uses in the surrounding area and the applicant's proposal to construct a "U" shaped kennel building consisting of 98 kennel stalls measuring 4' x 10'. The center area will be used as an exercise and training area. The floor will be of concrete and animal excreta can be washed

down to minimize flies and odors. Since public sewerage facilities are not available, cesspool will be used for sewage disposal. The building is set back 100 feet from Kakaina Street and 100 feet from the side boundary with parking for 30 cars in the front.

The staff had also consulted with several veterinarians and some of their suggestions have been incorporated into the following conditions to be imposed with the granting of the conditional use permit:

1. The plan on file marked Exhibit A shall be made a part of the permit and any major deviation from it must be first approved by the Planning Director.

2. Landscaping and planting plans including adequate screening between the existing cottage and the proposed kennel shall be submitted to the Planning Director for his approval prior to application for a building permit.

3. The operation shall be in harmony, compatible, and with due regard to the adjoining property owners by excluding any retail commercial activities on the premises.

4. The operation shall utilize methods and practices which minimize unnecessary noise, odor, and other nuisances by daily washing of the kennel floor and confining the animals indoors at night.

5. The exercise area shall be increased or partitioned so as to permit the use of the exercise run by more than one animal. Exercising of animals shall be restricted to only those areas so designated on a plan submitted and approved by the Planning Director. In addition, animals shall not be permitted to wander freely outside of those designated areas.

6. Kennels should be segregated into units of 10 or 20 with a break in between to lessen chances of an epidemic of animal diseases.

7. An isolation kennel should be incorporated for diseased animals.

8. The land covered under this application shall be utilized exclusively for which the permit is granted and no other use.

9. After the issuance of the Conditional Use Permit, the City Council may, at any time, upon finding that any one of the above conditions imposed is not being complied with by the applicant, authorize the Planning Director to suspend such operation until compliance with said conditions is obtained or to revoke the permit.

The Director acknowledged receipt and read the following protests received:

1. A petition bearing the signatures of 58 residents of Waimanalo indicating their protest and concern relating to the problems of noise, health, and traffic, and diminishing land values should the commercial kennel be permitted on the subject property.

2. Another petition signed by 65 persons indicating that lands in this area of Waimanalo are to be used for agricultural purposes and as neighbors, strongly objecting to having a commercial kennel next to and near their farms.

3. The Waimanalo Council of Community Organizations, signed by its President K. C. F. Monckton, opposed any commercial enterprises in this area restricted by law to farming use only until the covenant expires.

In reply to the Commission's inquiries, the Director indicated no record on file of any covenant attached to these lands restricting their use for agricultural purposes for 25 years. He stated that a commercial kennel is permitted within an agricultural district but only as a conditional use. The proposed one story structure will not be completely enclosed and sound proofed but it will be constructed of masonry lava rock facing in the front with redwood sidings and vertical louvers with insect screening on the sides.

Testimony from the opponents was heard first.

Mr. Billie Tokuda, Program Coordinator for the Hawaii Farm Bureau Federation, speaking on behalf of the farmers, questioned the use of good agricultural land for kennel purposes. He believed that the State Land Department in 1964 designated four lots in the Waimanalo area for dog kennels. He implored the Commission to retain the land for farming purposes by denying this application.

Questioned by the Commission, Mr. Tokuda brought out additional facts as follows:

1. The subject parcel is presently not being used for agricultural purposes although it was used for this purpose many years ago.

2. The lots set aside for dog kennel purposes are situated against the hillside at the extreme end of the Waimanalo Agricultural Subdivision. Whether or not those parcels are being used for the purpose designated, he does not know, although the lands are leased.

3. The 25 year covenant imposed by the State Land Department will expire in 1981.

4. If the kennels were to be located on lands designated for this purpose, there should be no protest from the farmers.

Mr. Monckton, President of the Waimanalo Community Council composed of 22 different organizations, was opposed to the granting of the request since this would open the door to granting other types of commercial operations, for instance, a commercial dairy. He cited as an example the Campos Dairy operation in Waimanalo which is causing a nuisance.

He indicated that under Restricted Patent Grant No. 13131 dated July 10, 1956, lands in this Waimanalo area have been restricted for 25 years for crop, livestock, poultry and agricultural purposes; therefore, a commercial kennel operation is not in compliance with that restriction.

He then gave the definition of a kennel contained in the Webster's Dictionary as "a place to house a dog, a pack of hounds, a lair for a fox, a street gutter or vile lodging.", indicating that the kennel could be used for lodging of other animals. He believed that the farmers would not object if the kennel operation was small and he noted that the Von Victor Kennels operation in the vicinity is a small operation and they have had no complaints.

In the interrogation that followed, Mr. Monckton was asked what he considered to be a small operation. He was also asked where a kennel should be located if not permitted in an agricultural district. The Commission felt that the restrictions to be imposed by the conditional use permit would greatly improve the appearance of the property which is presently neglected and full of weeds.

Mr. Monckton felt that a small operation for about 25 or 30 dogs could be a profitable enterprise in the area without upsetting the farmers in the area. He was not attempting to say where the kennels should go but merely to point out that the lands in the area have been restricted to agricultural use and should be put to this use as the rest of the farmers have done. Making one exception would open the door to permit other exceptions. The soil on the land is good; therefore, if someone else wants to farm the land, he should be permitted to do so.

Mrs. Frederick Wong of Waimanalo urged the Commission to deny this application for the following reasons:

1. Such a kennel would seriously affect the health of the residents from lack of sleep and irritation to the nervous system.

2. There would be a general nuisance during the day and also at night.

3. Their watch dogs would be ineffective because when dogs bark they all bark in unison.

4. It would disturb livestocks in the area, such as cows, horses, and poultry.

5. This is prime agricultural land; therefore, granting of the conditional use permit for over 8 acres of land for a commercial venture is not putting the land to agricultural use.

In reply to questions from the Commission, Mrs. Wong stated that the nearest poultry farm is two blocks away from this subject property. Other agricultural uses in the area are vegetable crops, nursery, dairy and also grazing of cattle and horses. Even if the kennels were to be sound proofed, she stated that the people in Waimanalo would still oppose the operation because it is a commercial venture and they need the land for agricultural purposes. The agricultural use would also keep their taxes low. She indicated that the farmers are having difficulty making a decent living because speculators are purchasing lands in the area in the hope of urban zoning later, making the price of land so high that people cannot afford to purchase the land for farming purposes. She believed that the asking price for a 10-acre farm lot presently range from $100,000 to $150,000.

Mr. Hideki Okumura, owner of the abutting farm land, stated that he also works for the City and County of Honolulu in developing Koko Crater as a botanical garden for the Department of Parks and Recreation. He rises early in the morning to begin work at 5:30 to get the plants to the Crater and to water them because this is the only time of day when water can be pumped up to the crater. He needs his sleep at night and he is concerned that dogs barking in the nearby kennels will cause other dogs in the neighborhood to bark disturbing his much needed sleep. He raises vegetables, guavas and bananas on his land and he is also afraid of monetary loss resulting from the dog kennel operation nearby because the dogs might get loose and enter his farm and trample his newly planted crops or pollute the crops so that they are not saleable. He was also concerned that insects, birds and rodents might multiply bringing disease and injury to his farm. For the reasons stated, he urged the Commission to deny this application.

Mr. Okumura was asked whether the raising of poultry was any less objectionable than a dog kennel in terms of lice, ticks, etc.

Mr. Okumura felt that both would be in the same category.

Mr. Harry Okabe, President of the Waimanalo Farm Bureau Center, read the petition signed by 58 residents of Waimanalo. This is the petition read earlier by the Director.

Speaking in favor of the application was Mr. Charles Shipman, realtor, representing the owner of the land. He reported that the land in question has not been used extensively for agricultural purposes for many years although it was used as a flower nursery some years ago. The land has been on the market for several months with no particular interest from anyone in the agricultural business. The only offer he received was from Dr. Furumoto, owner of the Care Animal Hospital, who is interested in establishing a commercial kennel on the site. He understands that there is a great need for boarding facilities for animals. Two or three small kennels that exist now are not sufficient and none are modern. He further understands that they are located in the residential areas where the noise problem is more acute. Since a kennel is permitted in an agricultural district under a conditional use permit, Dr. Furumoto chose this site and proposes to establish a modern kennel facilities where the animals can be kept in a good environment. He noted that Dr. Furumoto is present and can answer technical

questions concerning the facility and operation of the kennel.

In view of the existence of the covenant restricting the use of the land for agricultural use for 25 years, Mr. Shipman was asked whether he had discussed this matter with the State Land Department respecting the covenant and possible removal of the covenant from the subject parcel.

Mr. Shipman replied that he had discussed the matter with the staff of the Planning Department and was informed that a kennel is permitted in an agricultural district but as a conditional use permit. He had also checked with the State Department of Land and Natural Resources and was advised by the secretary to obtain approval from the City and County first then the State Land Board would consider his application. The State had no particular objection to the proposed use.

Since a representation was made that the State had set aside some lands specifically for kennel use, Mr. Shipman was also asked whether he had explored that aspect.

Mr. Shipman believed that those lands set aside for kennel use are one acre lots which are too small to sustain the type of operation proposed. In order to provide sufficient buffer areas from the adjoining properties to minimize disturbance, a parcel larger than one acre would be needed.

Replying further to questions from the Commission, Mr. Shipman stated that he has no knowledge as to how many of these one acre parcels would be available and whether or not he could consolidate them in view of difficulties encountered in the past to consolidate several parcels of land. He represents the owner as well as the purchaser of the land. The owner purchased the land in 1954 and attempted to farm it in his spare time while being regularly employed. The land is used for grazing now. The land was placed on the market as farm land and not for a commercial operation but there has been no offers except from Dr. Furumoto.

Mr. Yamabe believed that Mr. Shipman may have been misinformed as to the appropriate procedure necessary to establish the kennel operation. Since under the existing covenant, a kennel operation is not permitted, he believed that the covenant should

be removed first prior to applying for a conditional use permit. He suggested that Mr. Shipman recheck the situation with the State Land Department.

Mr. Okabe informed Mr. Shipman that the State is planning to sell four lots in the upper section and suggested that he possibly could negotiate with the State to purchase those lots.

Mr. Shipman commented that other animals are boarded in the area so that the proposed kennel is not the first commercial enterprise in the area. Because of the dairy operation, the poultry farm and also a piggery, he did not believe that the kennel operation would be that much more disturbing as the people had testified.

Dr. Howard Furumoto explained that a veterinarian hospital and a kennel operation are not compatible to each other for certain obvious reasons. The primary one is of contagion. One would not house a healthy animal in a veterinarian hospital. Secondly, from the standpoint of economics, boarding facilities are not compatible with a veterinarian hospital which is a higher use facility. His chief concern is to his clientele who require boarding facilities for their animals while they are away from the island. Many of these animals are part of a family circle and certainly the owners would not want to leave their animals in an environment that is not good for them. Therefore, in planning his facility, he took into account all the good amenities that should go into a kennel operation. He chose this site because it is ideally situated between the population centers of Oahu and it is within an agricultural area. If the State has available other parcels of land that could be used for kennel facilities, he would certainly check on that.

When questioned by the Commission, Dr. Furumoto gave additional information as follows:

1. He is familiar with the Kaiser kennels which are sound-proof by the fact that they are air conditioned. His kennels will be completely enclosed but not air conditioned or sound proofed. The cost of air conditioning and sound proofing would be too great to make the operation feasible.

2. In preparing the design for the kennels, his instructions to the draftman were that the kennels be well lighted, well ventilated, and must be mosquito proof.

3. Although the building itself will cover only about 5,000 square feet, he requires a much larger area because of the requirements by the Planning Department that there be ample buffer areas from the adjoining properties and plantings surrounding the facility. He probably could operate on a minimum area of 3 or 4 acres.

4. There will be an enclosed exercise area for the dogs.

5. The housing areas for the animals will be enclosed with wood sidings and screens to keep out mosquitoes which are the carriers of heart worm in dogs. If a canine is exposed to the open air for any length of time, he is sure to contact heart worm which is a very serious disease.

6. To maintain good sanitary practices, the kennels will be washed down two or three times a day and thoroughly disinfected. Sewage will be disposed to cesspools approved by the Department of Health.

7. By being very careful about leaving food out, they hope not to attract rodents into the area.

8. The approximate count of 100 kennel stalls was determined through his experience. During peak periods, the demand for kennel facilities exceeds 100 but there presently are not that many quarters to accommodate these animals.

9. The operation will be strictly for boarding purposes and not a hospital.

There being no further testimony from the public, the Commission closed the public hearing and took the matter under advisement upon the motion by Mr. Ingleson, seconded by Mr. Rutledge.

In considering this matter later, the Commission requested the staff to check with the State Department of Land and Natural Resources for information regarding the covenant attached to the land in question and also to determine the exact location of those parcels represented as being set aside for kennel purposes.

ACTION: The Commission deferred action on this matter for receipt of additional information upon the motion by Mr. Bright, seconded by Mr. Rutledge.

✓PUBLIC HEARING
CONDITIONAL USE
PERMIT (CONVA-
LESCENT HOME)
KAHALUU
AHUIMANU ROAD &
AHUIMANU PLACE
ROSE GUILLERMO

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider an application for a conditional use permit to construct and operate a convalescent home on a 1.871-acre parcel of land situated at the mauka corner of Ahuimanu Place and Ahuimanu Road in Kahaluu, and identified by Tax Map Key 4-7-31: Parcel 3.

The Director reported that the notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of February 22, 1970, and copies of the hearing notice were sent to the applicable governmental agencies, to the various community and civic organizations in the Kahaluu area, to the adjoining property owners and to interested parties.

Mr. Bruce Duncan, staff planner, gave a brief analysis of the subject parcel and explained the applicant's proposal as follows:

1. The subject parcel containing 1.871 acres is presently vacant and used for grazing purposes. It is zoned R-3 and R-5 Residential.

2. Adjoining land uses include scattered residences on large lots, limited agricultural uses, and a new residential subdivision.

3. The parcel is affected by a proposed 60-foot roadway running through the makai portion of the parcel.

4. The applicant proposes to construct a 20-bed convalescent home, one story in height, to accommodate the aged, the chronically sick and the mentally retarded as well as to provide general care incidental to old age on the mauka section of the parcel closest to Ahuimanu Road. Access to the facilities is off Ahuimanu Place.

5. Water supply is adequate but public sewerage facilities are not available. A preliminary test of the soil reveals that the soil in the area would be able to accommodate some sort of private sewage treatment facility.

6. The primary concern of the Department is the alignment of the 60-foot access road as shown on the General Plan adopted in 1964. It appears that the road will be going through the area of the parcel with the sharpest contour. In other words, the elevation of the land within the 60-foot right-of-way ranges from a height of 90 feet to approximately 70 feet.

A check made with the Department of Engineering indicates that no accurate determination has been made as to precisely where the access road alignment would go. Construction of the convalescent home at this time could seriously affect the location of the access road at a later time; therefore, the staff's recommendation is denial of the conditional use permit application.

In the interrogation that followed, additional facts brought out were that:

1. There is not even a vague indication as to when preliminary engineering studies could be made to establish the exact location of the proposed access road.

2. In accordance with the General Plan designation, there will definitely be an access road in this general vicinity. Because of the adverse topography of the land, the road would most likely be shifted slightly makai or mauka of the present alignment.

3. If the land had been subdivided into residential lots in accordance with the present zoning, the subdivider would have been required to submit engineering drawings showing the roadway and the subdivided parcels.

4. The proposed plan submitted by the applicant shows that in addition to the convalescent home parcel, three other lots are to be created.

Testimony from the public was heard.

Mr. Joe Harper, President of the Hui Ko'olau Community Association stated the Association's position which is to be able to develop a comprehensive master plan for the Hui Ko'olau area which includes this subject parcel. They feel that any deviation from the existing land use designations of the area should be deferred until such time as the community has completed its studies and determined its long-range goals and plans for the area because other appropriate sites for the convalescent home might be found.

He reported that at a community association meeting held in November to discuss the merits of particular application, the membership voted to support the neighboring residents in their opposition to the granting of the conditional use permit. The consensus of the people was that the area was desirable

for residential use and should be retained for that use; and that other locations more appropriate and compatible to surrounding uses could be found for the convalescent home. They did not wish to have an institutional use located next door.

Speaking as a former administrator of a hospital, Mr. Harper than gave his personal opinion that this particular site is not appropriate for a convalescent home because the area is very damp, humid and wet for people who are convalescing. The area is also remotefrom a hospital and medical attention required for people at the home.

When asked by the Commission as to where he considered to be appropriate for a convalescent home, Mr. Harper could not recommend a specific location but he felt that a convalescent home should be located in an institutional setting near a hospital and in a drier climatic environment.

Mr. Yoshio Kawano, owner of the property immediately adjacent to the subject parcel, had no knowledge as to the type of operation proposed or the type of patients to be admitted to the convalescent home. However, he was opposed to the granting of the conditional use permit because this would open the door to permit other types of conditional uses in this area zoned primarily for residential use.

Mrs. Nancy Spaulding, residing in the Ahuimanu Residential Subdivision, inquired whether the letter and petition submitted by the Ahuimanu Homeowners Association had been received.

The Director acknowledged receipt of the letter and petition just before the meeting started. He read the letter and petition signed by approximately 200 residents in the Ahuimanu area opposing the granting of the conditional use permit. (Letter and petition are filed in Folder No. 69/CUP-11.)

Mr. Lincoln Ishida, attorney representing the applicant, gave the following information:

1. Ahuimanu Road and Ahuimanu Place are presently used by the people using Kahekili Highway in gaining access to this general area. Kahekili Highway extension is presently under construction and is expected to be completed in the very near future.

2. A check with the Division of Engineering indicates that there are no immediate plans for the construction of the proposed 60-foot access road off Kahekili Highway and running through the applicant's property.

3. In designing the "care home", which is the correct definition of the Board of Health for the type of operation proposed, the architect took into consideration the alignment of the access road as indicated on the Detailed Land Use Map. This access road alignment was slightly shifted as a result of a residential subdivision off Kahekili Highway and Ahuimanu Place.

4. This conditional use permit application was made in February of 1969 and much of the discussion with the staff was with reference to public health, that is, health nuisance; therefore, it was a surprise to learn of the Department's concern about the access road alignment.

5. A letter is on file from the Department of Health, Sanitary Engineering Branch, indicating satisfaction with the operation of a private sewage disposal system for the subject project and recommending approval of the project.

6. The home will not cater to people requiring medical attention. The home is strictly for people who need care and attention, such as the aged who are not sick but require someone to care for them. As a licensed care home, they are not required to have a registered nurse or even a doctor on duty 24 hours a day.

7. Because of the type of persons at the care home, this operation should be less of a nuisance to the neighborhood than a residential home with children running around.

8. There should be no constant traffic in and out of the area such as that found at a hospital during visiting hours.

9. He did not believe that the topography of the area is that steep as to preclude the construction of the access road. At its steepest point, the grade would probably be at 30 percent. He assumed that the grade of the road was taken into consideration when the road alignment was designated on the Detailed Land Use Map.

10. A realignment of the access road farther mauka on the property would cut the property in half, making it useless for even residential purposes.

Mr. Hiroshi Abe, architect, then showed to the Commission, a tax map showing the present alignment of the proposed 60-foot access road in relation to Kahekili Highway and the alignment previously shown on the Detailed Land Use Map. As a result of the Ahuimanu residential subdivision, the road alignment was slightly shifted so that there is a distinct curvature of the road then it straightens out through the applicant's property and connects with Kialua Street.

Interrogated by the Commission, Mr. Abe stated that:

1. The subject property contains approximately 54,000 square feet. Approximately 20,000 square feet is needed for the care home; therefore, a slight realignment of the road might still leave sufficient acreage for the care home.

2. The map showing the subdivision of the property into three separate house lots in addition to the care home lot is merely a proposal to show how the rest of the land could be utilized.

3. At this home, there will not be bed-ridden patients or patients requiring intensive nursing care as those provided in a nursing home.

4. The operation will conform to the Public Health regulations governing care homes which are defined as a facility providing general or rehabilitative care incident to old age or disability to two or more persons unrelated to the operator for which care payment is received. These homes exclude admission of residents of less than semi-ambulatory--those needing long-term nursing care. Semi-ambulatory is with reference to a resident having the ability to move about in the establishment assisted by a second person or in a wheelchair and who require food and supervision.

5. The proposed one-story care home will be designed and constructed so that it would blend in with the surrounding residential area. They do not propose an institutional type of character. This site was chosen because it is a quiet area which is most desirable for a care home.

A discussion followed as to whether the conditional use permit is to be applied to the entire 1.871-acre parcel or confined to the 20,000-square foot area designated on the plan submitted as the care home site.

So that there would be no misunderstanding later, the Commission stated that the conditional use permit application involves the entire parcel containing 1.871 acres. The proposed three house-lot subdivision is not a subject of consideration at this time since this plan might not become a reality should the alignment of the access road be changed to affect more of the applicant's land.

Mr. Ishida stated his understanding and that the entire parcel would be subject to various restrictions imposed by the Commission.

Mrs. Rose Guillermo, applicant, stated that all she requires is 20,000 square feet for the care home facility. She doesn't want to operate a convalescent home because it requires 24 hours nursing services and a full-time medical doctor. She indicated that in a care home are found people who are forgotten, such as a mentally retarded child. She had dedicated herself to helping these people and she has been doing this type of services for the past six years.

Mr. Brennan requested clarification on the kind of people qualified to become a patient at the care home since the aged and disabled were mentioned as well as mentally retarded children.

Mrs. Guillermo stated that she presently has at her home two of the mentally retarded people from Waimano Home. They are considered partially retarded and trainable. They help with the house-work and other chores and act like a member of the family. She also has an elderly person who was released from the Kaneohe Hospital. The types of persons she accepts are not the mentally ill who scream and yell and cause disturbances but are those who are recovering from a nervous breakdown or with family problems with nowhere to go. They have families but the families won't accept them.

She has no therapy program for these people because they are not the type who need therapy. She does not accept the chronically ill or the cripple. She presently operates a care home limited to four persons. A doctor from the Board of Health comes once a year and a public health nurse about once

a month for routine checking. Her facility will be a family type operation assisted by her sister, her sister-in-law, and her husband.

(Mr. Brennan was excused from the meeting at about this point of the discussion.)

Mr. Wilbert Yagi, administrator of the Island Nursing Home for the past four years, spoke as an interested observer. He is also the past president and an Executive Board member of the Hawaii State Nursing Home Association and having had experience in caring for the elderly, he gave the following information to clarify the degree of people who are patients in a nursing home:

1. Under the Medicaid Program, the "ecf" hospital type patients are the ones who require intensive care 24 hours a day. More nurses are required on a 24-hour basis. As an example, his facility is the hospital type operation and for his 42 beds, he has 34 nurses.

2. Under the nursing home operation, the law requires one registered nurse on duty for 8 hours, but Mrs. Bennett from the Department of Health is very strict and requires a nurse 24 hours.

3. The intermediate care facility requires an "lpm" of 8 hours only and the rest are nurses aids.

4. The custodial care home, which would be Mrs. Guillermo's type of operation, does not require an "lpm" or a licensed person but just nurses aids although the director or operator of the home could probably have an "lpm" license.

Mrs. Guillermo's proposed operation of 20 beds is considered small and Mr. Yagi did not believe that this would generate much traffic. The parking requirement is only five spaces and delivery by trucks might be only once a day. The patients are considered long-term residents so that there would not be a constant movement of patients in and out of the area as a nursing home.

Regarding the complaint on noise, he indicated that the people are quiet and would not cause disturbances to the neighborhood. He felt that this type of operation is more of a benefit to the neighborhood than having several houses with two-car garages on the property with constant noise from barking dogs, children playing and cars going in and out of the area.

On the wetness factor, he did not believe that this would have any affect on the patients from the medical standpoint. He noted that there are some care homes in the Dowsett Highland area in Nuuanu where it is wet. Because this is Hawaii, the weather does not get that cold as to affect the patients.

Because her operation is more than four beds, he believed that Mrs. Guillermo will need to provide occupational and physical therapy for her 20-bed operation.

A discussion then followed on the need for more nursing home facilities in the State and whether or not government is meeting this need by making money available for these facilities. Mr. Yagi was also asked for his opinion as to where would be the most desirable location for a nursing home in terms of acceptance by the community.

Mr. Yagi did not know of any Federal or State funds available to develop these types of homes but he is aware that the State Department of Social Services has asked the Legislature for $4 million for a 300-bed intermediate care facility. He believed that government should earmark money for loan purposes to private enterprises for operation of these homes instead of government operated homes because the cost factor tends to increase under a government operation.

Mr. Yagi felt that a quiet residential area would be most desirable for these types of homes. However, the main consideration is economics. If located near a hospital or in a high priced residential area like Makiki, the cost would be high.

He indicated that there is a desperate need to provide more beds for these people requiring care. All the hospitals and nursing homes are full and they cannot meet the demand for beds; therefore, anything that can be done by the Commission to provide more beds would be most helpful for the community.

He did not believe that these types of homes would "pollute" a neighborhood. In fact, he believed that the value of lands in the neighborhood would be enhanced. He noted that his operation looks like an apartment and is very attractive.

He then gave some examples of residential care home facilities, such as Pohai Nani and Arcadia. The residents are ambulatory people in wheelchairs. They are not ill enough to require extensive care

but just supervision and care not to injure themselves. This type of care is best in a one story structure rather than in scattered cottages. Most of the patients in these types of homes are the elderly. He did not believe that the Board of Health would permit the mixing of children with the elderly people.

There being no further testimony from the public, the Commission closed the public hearing and took the matter under advisement upon the motion by Mr. Ingleson, seconded by Mr. Bright.

In discussing this matter later, the Commission took into consideration all testimony given pro and con and decided to recommend the granting of the conditional use permit for the operation of a care home facility on the subject property. However, before taking action, the Commission suggested to the Director that he prepare a list of conditions to be imposed with the permit for review by the Commission. One of the conditions should stipulate that the permit is to apply to the entire area of the parcel and not just 20,000 square feet with the sanction of the proposed three house-lot subdivision. In view of the proposed access road going through the property, a greater setback area for the building might also be imposed.

ACTION: Upon the motion by Mr. Bright, seconded by Mr. Chun, the Commission deferred action on this matter for receipt of a list of conditions to be imposed with the conditional use permit.

(Commissioners Sullam and Sharpless were excused from the meeting at about this point of the discussion.)

PUBLIC HEARING
ZONING I-1 LIGHT
INDUSTRIAL DIST.
KAILUA
KAPAA VALLEY
H.C.&D., LTD.

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider a proposal to change the zoning from R-6 Residential District to I-1 Light Industrial District for 22.263 acres of land situated adjacent to the Kapaa Quarry in Kapaa Valley, Kailua, and identified by Tax Map Key 4-2-15: portions of Parcels 1 and 4.

The Director reported that the public hearing notice was advertised in the Sunday Star-Bulletin and Advertiser of February 22, 1970. Copies of the hearing notice were sent to the applicable governmental agencies, to the various community and civic organizations in the Kaneohe-Kailua area and to interested individuals.

The Director acknowledged receipt of one letter of protest. Mr. H. F. Van Ummersen, Jr., of 257 Kuukama Street, Kailua, protested any light industrial zoning in Kailua because of pollution. He suggested that before granting any light industrial zoning near Kapaa Quarry that a guarantee be received in advance from the owner that he would not create any further pollution.

The Director then oriented the Commission to the location of the subject property situated next to the Kapaa Quarry. Access to the site is through the Kapaa Quarry Access Road. The alignment of the H-3 Freeway is nearby. The Quarry Road will be connected to the Mokapu Saddle Road which will connect Mokapu Boulevard with Kaneohe Bay Drive as well as intersect the H-3 Freeway.

The applicant proposes to construct two buildings for the manufacturing of precast and prestressed concrete structural members. A two-story building will be used by the office staff while a series of small buildings will house employee facilities and other equipment.

The Director then gave a brief background report respecting the subject property as contained in the staff's report submitted to the Commission members. (The report is filed in Folder No. 69/Z-71.) The applicant's property involves approximately 27 acres but because zoning is being made in conformity with the General Plan adopted in 1964, the actual zoning will cover only 22.263 acres.

No one spoke in opposition to the proposal.

Mr. Robert Muller, President of Honolulu Construction and Draying Co., Ltd., indicated that the proposed operation is not connected with the quarry operation. Their operation will use rocks and not crush the rocks. The protest filed is unfounded because the manufacturing of concrete blocks and prestressed concrete involves the pouring of concrete in forms so that no dust or pollution is created. They have also agreed to plant ironwood trees along the boundary of their property to shield the operation from the Freeway. The site cannot be seen from Kailua town because of a ridge. This site is right adjacent to the sanitary fill and the old quarry pit which is to be the City's incinerator site. Before they can actually develop the property, they must first level the area and remove a lot of rocks.

The Commission closed the public hearing and took the matter under advisement upon the motion by Mr. Ingleson, seconded by Mr. Rutledge.

ACTION: The Commission recommended approval of the change in zoning from R-6 Residential to I-1 Light Industrial District for 22.263 acres of land situated adjacent to the Kapaa Quarry in Kapaa Valley, Kailua, upon the motion by Mr. Yamabe, seconded by Mr. Chun.

ZONING A-3
APARTMENT DIST.
MAKIKI
NEHOA AND MAKIKI
STREETS
DONALD SMITH

At the request of the staff, the Commission deferred further consideration of a proposal to change the zoning from R-6 Residential District to A-3 Apartment District for a 42,483-square foot parcel of land situated at the makai-ewa corner of Nehoa and Makiki Streets in Makiki.

The public hearing held on February 19, 1970, was closed and the matter was referred back to the staff for further study. The staff requested more time to complete its studies.

ACTION: The Commission deferred this matter for one week upon the motion by Mr. Bright, seconded by Mr. Rutledge.

STREET NAMES

Upon the motion by Mr. Bright, seconded by Mr. Rutledge, the Commission recommended approval of the following street names:

1. KINALAU PLACE -- A deadend roadway running off Ward Avenue and being between Lunalilo Freeway and Kinau Street.
   Meaning: Numerous; very many

2. ILIKEA PLACE -- A deadend roadway running off Maliniu Street in a southwesterly direction and being between Mookua Street and Kuulei Road in Kailua.
   Meaning: Fair skin

3. HALUALANI PLACE-- A deadend roadway off Hoauna Street proceeding in a southeasterly direction between Auna Street and Heeia Street in Heeia.
   Meaning: Halo of heaven

LAND USE COMMISSION PETITION WAIALAE-IKI KALANI-IKI URBAN DISTRICT (RAND PROPERTIES, LTD.)	At the request of the petitioner, the Commission deferred consideration for one week, a petition filed to change the district classification from Conservation to Urban District for approximately 3 acres of land identified by Tax Map Key 3-5-24: portion of Parcel 1 located in Kalani-Iki, Waialae-Iki.

Upon motion by Mr. Ingleson, seconded by Mr. Yamabe, the Commission authorized the calling of public hearings to consider the following changes initiated by the Planning Director:

ZONING B-2 COMMUNITY BUSINESS DISTRICT WAIPIO KAMEHAMEHA HWY AND KIPAPA ROAD HAROLD STEARNS	(1) Change in zoning from R-6 Residential to B-2 Community Business District for land situated at the southeasterly intersection of Kamehameha Highway and Kipapa Road in Waipio, in conformity with the General Plan.
ZONING A-1 APARTMENT DISTRICT MAUNALUA KAMEHAMEHA HIGHWAY NEAR MAY WAY HAWAII-KAI DEVELOPMENT	(2) Change in zoning from R-6 Residential to A-1 Apartment District for approximately 3.82 acres of land situated on the mauka side of Kamehameha Highway near May Way in Maunalua, in conformity with the General Plan.
PLANNED UNIT DEVELOPMENT-HOUSING DISTRICT WAIKIKI 2933 PONI MOI RD. BERT F. WILLIAMS	(3) A request to create a Planned Unit Development--Housing District for a development known as La Pietra on approximately 5.25 acres of land situated at 2933 Poni Moi Road in Waikiki within an R-6 Residential District.
CONDITIONAL USE PERMIT (MEETING HALL FACILITIES FOR A LABOR UNION) KALIHI HOUGHTAILING ST.	(4) An application for a Conditional Use Permit to construct meeting hall facilities for a labor union on a 28,018-square foot parcel of land situated on Houghtailing Street between Halena and Kohou Streets in Kalihi within an A-2 Apartment District.
AMENDMENT TO THE SUBDIVISION RULES AND REGULATIONS NAMING OF STREETS; RIGHT-OF-ENTRY	(5) A proposal to amend the Subdivision Rules and Regulations by amending Section 10-h, subsections 9 and 10-g, relating to naming of streets, by adding a definition of the term "Mall"; and deleting the present Subsection relating to Right-Of-Entry consent to the City and County of Honolulu and requiring the installation of a private road or private street sign at the entrance of such road or street.

✓CONDITIONAL USE PERMIT (SAND QUARRY) LAIE KAMEHAMEHA HIGHWAY GEORGE L. DUERKSEN

The Director withdrew the following request for authorization of a public hearing from the agenda:

> A Conditional Use Permit application to operate a sand quarry on approximately 27 acres of land situated on the mauka side of Kamehameha Highway near the City and County dump site in Laie.

✓MISC. ASPO CONFERENCE AND PLANNING CONFERENCE

The Chairman made the announcement that he and Mr. Rutledge will be attending the ASPO Conference in April.

He also announced that the annual planning conference of Planning Commissioners and Directors will be held on Kauai on July 30, 31, and August 1. The staff will be contacting the members for an indication on attendance so that early reservations can be made.

✓MISC. PHOTOGRAPHS OF WAIKIKI

Displayed for the Commission's edification were several aerial photographs taken of the Waikiki area showing the trend of development and the high rise structures.

ADJOURNMENT:

The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Carole A. Kamishima

Carole A. Kamishima
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
March 12, 1970

The Planning Commission held a special meeting on Thursday, March 12, 1970, at 8:37 a.m. in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:
Philip T. Chun, Chairman
Arthur A. Rutledge
Thomas N. Yamabe II
Fredda Sullam
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Bruce Duncan, Staff Planner
Richard Lum, Staff Planner

ABSENT:
Edward Brennan
Roy R. Bright

MINUTES:
The minutes of January 8, 1970 were approved on motion by Mr. Yamabe, seconded by Mr. Ingleson.

PUBLIC HEARING
ZONING A-1 APT.DIST.
MAUNALUA
MAUKA OF KALANIANAOLE HIGHWAY
HAWAII-KAI DEVELOPMENT

A public hearing was held to consider a request for a zone change from R-6 Residential District to A-1 Apartment District for approximately 3.82 acres of land situated at Maunalua, Oahu, fronting portions of Kawaihae Street, May Way, and Kalanianaole Highway and identified as Tax Map Key 3-9-08: 3.

Publication of this matter was made in the Star-Bulletin and Advertiser on March 1, 1970. No letters of protest were received.

The Director reviewed the staff report with the Commission and was questioned on the following point:

The Commission recently approved an application for a zone change in this area over the protests of the residents as to the adequacy of school facilities. There is a question as to whether this proposal would increase that inadequacy.

The Director reported that the Department of Education in its letter of January 7, 1970, has no objection to this project.

A representative of the DOE was requested to appear at the next meeting for clarification of this point.

There were no further questions of the Director concerning the report.

Public testimony was heard.

Mr. Larry Matsuo appeared representing Kaiser Hawaii-Kai Development Company. Responding to various questions of the Commission, he stated the following:

1. On January 8, 1970, residents within a three-quarter mile radius were notified of this proposal.

2. Concerning the question of adequate school facilities, the DOE has the proposed Kaalakei Elementary School projected in its CIP program.

3. Approximately 1000 to 1200 units exist in the Hawaii-Kai area.

   There was a question as to whether existing street systems are adequate and what effect this project would have on existing streets. Mr. Matsuo reported that construction plans are in progress for a six-lane connection point near May Way to Hawaii Kai Drive. This will occur sometime in October or November of this year.

4. The Commission noted from the developer's LUI computations, that 143,000 square feet of floor area is allowed, and the actual floor area proposed is 98,000 square feet, dispensing of approximately 45,000 square feet of floor area.

   Mr. Matsuo reported that this was done to preserve the aethestic entrance view plain or open space area directly through the pond area upon approaching Hawaii Kai. This condition could be imposed upon a private developer if they decided to contract this project to a developer.

There was no further discussion and no other person appeared to speak either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Ingleson, seconded by Mr. Rutledge.

MOTION: Mrs. Sullam moved, seconded by Mr. Ingleson, that the Commission defer action on this matter for the presence of a full Commission. The following information was requested of the staff:

1. A study be made to ascertain whether there is coordination between public facilities and private facilities such as schools, highways, sidewalks (recognizing that children may be walking from one valley to another going to school).

2. The exact date when the new Kokohead High School will be available so that children at Kokohead will not have to attend Kalani High School in Waialae-Iki.

PUBLIC HEARING
ZONING A-3 APT.DIST.
MAKIKI
MAKAI-EWA CORNER OF
NEHOA & MAKIKI ST.
DONALD SMITH

The public hearing held February 19, 1970, was closed and the matter was referred back to the staff for a study of the parking problem. At the March 5, 1970 meeting, the matter was deferred at the request of the Planning Director.

Because this is a controversial matter, the proceeding is done verbatim.

The Commission deferred action for one week due to the lack of a full Commission.

Chairman: This public hearing was closed and referred to the staff for study of the parking problem. Mr. Director, do you have a report?

Way: In review of the Planning Commission minutes and the Planning Commission's discussion, I think that there was at least one other issue implied that had to do with the third dimensional design aspects of the location of apartment facilities in this area, and we have a report on both the parking and this other feature that we thought the Commission might be interested hearing about. Bruce Duncan will review these additional matters with the Commission.

Bruce Duncan: Mr. Chairman and members of the Commission, after listening to the discussion on this matter, it appeared that the major concern was primarily

one of philosophy of development. So we took a look at it in terms of three stages - one, the General Plan; two, the Detailed Land Use Map, and thirdly, the actual zoning of this parcel.
In reviewing the General Plan, particularly the text of the General Plan, there is a division made between residential and apartment uses. Within the residential part of the General Plan, there is considerable amount with respect to development, not only on new development of residential area but maintenance of existing areas. Within it are a couple of phrases such as, "to provide a buffer between residential area and incompatible uses." There's a second section that requires that attention be given to insure privacy to residential areas.

With that in mind, we then reviewed the DLUM which covered the Makiki area. This particular DLUM was considered during the latter part of 1968 at which time, among the items considered, was the matter of allowing high density development mauka of the freeway. The staff at that particular time recommended almost as shown on

the particular DLUM. There had been a number of zonings in that area of a high density nature which had in a sense pre-committed a greater portion of the area. However, consideration was made to reduce that density somewhat along the edge of Nehoa Street as that was the division between apartment uses and residential uses.

During the discussion and having reviewed the minutes, it appeared at that particular time that the main concern of the people who were interested in this particular area was really one of quality of the life and environment in the area rather than pure medium versus high density. The statement was even made that if there was some way to control, severely control, the high density that it could be preferable to just a "hodge-podge" of medium density development.

The net result of deliberation of both the Commission and the Council was to adopt the Detailed Land Use Map as shown providing the transition of medium density apartment uses along here (pointing to map), in this particular section.

With respect to the particular development we have, that of Mr. Smith at the corner of Makiki and Nehoa Street, we're faced with a structure and a proposal which does, in fact, meet the requirement of medium density - it averages out to a little under 100 units to the acre. The General Plan allows apartment use of 20 units per acre to 160 units per acre - so that this proposal is well within the definition of medium density.

The other aspect of it is whether or not the medium density should be in a high structure or in a lower structure perhaps spread over a greater area. This is really the basic question which has to be answered.

There is rather a severe change in the two zoning designations, A-2 and A-3 which are both considered to be for medium density - the A-2 permitting a maximum height of 40 feet, and the A-3 permitting a maximum height of 350 feet.

I think that we have to consider the zoning change without referring to any particular proposal and

just assume that if we are to apply a medium density or if we wish to have medium density according to the DLUM which is the opinion of Commission and Council having adopted it, then we're at the third and final stage of zoning it to a category of medium density which is going to be well within the intent of the General Plan. In this particular case I think we have to decide whether or not we are going to apply a zoning that will permit the 350 feet or a zoning which would permit only 40 feet in terms of height.

The second aspect of the proposal which we were asked to take a look at had to do with the availability of the on-street parking. The applicant had done a study of the parking in the immediate area and it showed that parking was available during the day but to a very limited extent - a couple of spaces were available out of 19. These 19 that are the subject of the review were taken on this particular stretch of street (pointing to map), on Makiki Street between Nehoa and Dominis. The staff had checked it once before for about a two-hour period to see how the figures we reached coincided with those of

the applicant and they were reasonably close. We did a much more thorough study yesterday to determine how much parking space was available and came up with some figures which basically indicate that during the time period from 8 in the morning until 2 in the afternoon, the most parking spaces that are available would be 4. In fact from between 8 and 10 o'clock in the morning, there are no parking spaces available at all on the street. We expanded the study to go a block in each direction and our study came up with the fact that there were very few parking spaces available except close to Keeaumoku Street. I have the figures available for the two streets which we did.

The staff member observing the area noted that quite a number of the cars were being driven by students who would park them on the street and then head over to Punahou School. One of the conclusions derived from that was that no matter how much parking was provided by any development, they are still going to be used by the students who don't have parking spaces at Punahou School.

The other factor was that from 5 o'clock through 7 o'clock there were only 2 parking spaces

available on the one stretch of Makiki Street. So it appears that at the end of the working day, people are again parking on the street.

That briefly is the rundown.

Chairman: Any questions from the Commission?

Yamabe: I wonder if the staff might elaborate on the statement made that in place of a highrise possibly there might be a lower structure in greater areas. Does that mean if it were to be A-2 designation the building itself would cover a larger area of the parcel?

Bruce Duncan: Yes. That's correct.

Yamabe: Is it possible that the building may not cover any larger area.

Bruce Duncan: No. Because once limited by the height, he could put only so much of a building on. In order to get the maximum number of units he would be required to expand the building almost to the limit of the zoning.

Way: Actually under the A-2, I think that some other factors come into play which tend to lessen the density than would be permitted under the A-3 even though they're both referred to as medium density. One is the height but we find in practical application depending upon the site some of the setback areas, some of the parking requirements, begin to control the actual density that you can get.

I would say the general rule - we can expect a smaller number of units on a typical site if that's the case, under A-2 than A-3 even though the average computations indicate that the density per acre are about the same. What I'm saying is A-2 really tends to give you a lower density than A-3, slightly lower than the A-3.

Yamabe: Well how much more are we talking about taking the maximum density allowed under the two zonings? Say that A-3 we have a height limitation of 350 feet and 40 for A-2. Taking this particular parcel in question, what would the difference in density be like if we should calculate it on the basis of maximum density?

Way: I think the site as planned constitutes about

the maximum density right now, say 90 to 100 units, there's 96 units proposed.

Chairman: May I rephrase the question for the Director in this sense, under an A-2 designation and based on the CZC's FAR limits, is it possible for the developer to build to the full FAR under A-2, considering all the other requirements of the CZC as to parking setback, et cetera.

Way: Probably not. I would estimate that the plan as now proposed represents the maximum that he could get on the site. If he were to go to A-2 there might be a reduction. I don't know what it would be but it might be as much as 10 or 15 per cent in practical application. The reason that I say that is that looking at the configuration of the site, I think that would have a bearing on the intensity that he can get under an A-2 designation for the density. In other words it's a little more difficult to work the A-2 building arrangement on the site that is irregularly shaped than it is to go to a tower or highrise type of construction, and placement of tower on the site.

Yamabe: Am I correct to assume that what you're saying

is whether it be A-2 or A-3 the actual reduction of density, if it happened to be A-2 would be 10 or 15 per cent?

Way: This would be my estimate but again I don't know based on what we've seen in other comparable situations. It would have to be laid out on the site to prove precisely what the reduction would be. I think it might be on that order of 10 to 15 per cent.

Yamabe: On the parking, recognizing that this survey was taken under present, existing situations, I would like the staff to inform me of the built-up condition in this area. How many apartments do we already have constructed in this area? Also, have they considered the eventual maximum build-up for capacity here in relation to parking, a matter of projecting what the problem might be in the future.

Bruce Duncan: Mr. Chairman, we have a list of the areas which are developed, and the survey in checking the immediate area as far as parking was concerned, we found that a number of apartments which had

been constructed prior to the CZC, contained less than what was adequate by CZC standards. In other words, parking standards were not up. There is really no way that we can resolve that problem. They remain as nonconforming uses and will have to remain out on the street.

The other aspect is the fact that we felt that the CZC at the present time, the parking is about the minimum required, so that any new buildings that come in there and just meet the requirements of the code isn't really going to alleviate the situation.

I don't have the map that shows where the exact or how much land is still left that could be developed for apartment, but we had made a check to see where the buildings were. Most of them had a parking arrangement of one per unit, nothing more than that.

Yamabe: Mr. Chairman, I certainly feel that if there's any parking problem here and it has been indicated there is, maybe it isn't as bad as it might be 5 years from today; however, we should consider

adopting some policy in this direction so that we might not be imposing on just one property owner or a couple as to what the parking requirements are to be which naturally is related to the zoning. I think an over-all application should be considered as far as parking requirements are concerned.

Chairman: Has a survey been taken as to how many buildings along Nehoa exceed the 40 feet height limitation?

Bruce Duncan: Not the height.

Way: We have the number of stories. Anapuni has one, and Nehoa has a three story, and Anapuni and Nehoa has a five-story structure.

Ingleson: You were talking about the history of the DLUM and you mentioned the fact that there was some discussion during the time that this was being considered that the density was not a great concern, that there was the feeling that the area could even go high density if there was some way of putting controls on the high density. Now what kind of controls were being discussed at that time?

Bruce Duncan: At that particular time, if my reading of the minutes is correct, one of the implications was that there would be some kind of architectural control or a design review in the area. The expression of the opinion was that if this could be done then conceivably, the high density developments could be preferable to the medium density. There was some talk of a design review but it was expressed that there wasn't much chance of getting that therefore they would rather go with medium density. This was in reference of the entire area mauka of the freeway.

Sullam: In view of the remarks that have been made, and the fact that we don't have a design review, I'm surprised that there was no consideration given to A-1 and low-density apartment in this transition, considering the character of the neighborhood presently and the fact that people would like to have a buffer. Wasn't there any discussion on designating that area as A-1?

Bruce Duncan: It's not A-1. It's really low-density apartment. Unfortunately or fortunately depending on the position, we have the DLUM which we have to go

by. It says medium density. We'd be forced into a DLUM amendment to bring it down to an A-1 zoning.

Sullam: Well I think that in a change in zoning, I do think that when there are residential areas such as that along Nehoa, we should consider a gradual change to apartment, at least until such time as we have design review. Because I think that the type of community that lives in highrise such as this is very different from the type of community in single-family residences. I'm not so certain that they're completely compatible.

Chairman: Any further questions? If not, what is the pleasure of the Commission?

Ingleson: Mr. Chairman, I move that we defer this matter inasmuch as it is a quite important one until there is a full Commission present.

Sullam: Second.

Yamabe: I would like to request that the Director check into the matter of the difference between an

A-2 and A-3. It was given that there was a difference of about 10 per cent to 15 per cent density but if you might quickly make a study of this particular parcel and see what you might come up with.

Sharpless: Perhaps this discussion is not 100 per cent relevant under the motion. I would like to offer a point of view simply for consideration of the Commission.

It seems to me that this is an excellent example of one of the problems which arises in the transition or change in use of an already established district. When you're increasing the density of it you have problems like sewer capacity, street capacity, and parking capacity. Suggestion has been made elsewhere that we have a moratorium to attempt to get a clear view on things of this sort. Perhaps this is an area where we ought to take a pretty long look at the parking situation and the parking capacity in this area. It's something to think about.

Chairman: That's something to think about. Any further discussion? If not, all those in favor of the

motion signify by raising your right hand?

Carried.

LAND USE COMMISSION PETITION KALANI-IKI WAIALAE-IKI RAND PROPERTIES, LTD. — The State Land Use Commission referred to the Planning Commission for its comments and recommendation, a petition submitted by Rand Properties, Ltd., for an amendment to the Land Use Commission District Boundary by changing the district designation from Conservation to Urban for a parcel of land identified as Tax Map Key 3-5-24: Portion of Parcel 1, and located in a narrow gulch at Waialae-Iki, Honolulu, Oahu.

The Director reviewed the staff's report with the Commission and was questioned accordingly:

1. Inasmuch as the subject area is proposed for use as a private "noncommercial park", and park use is permitted in a Conservation District, why is this matter before the Commission?

   The Director explained that in effect, by placing this area in the Urban classification, it would be possible to obtain additional floor area for the Planned Unit Development immediately makai of the subject parcel. The adjoining 8.3 acres is proposed for a Planned Unit Development. If this request is approved, the additional 3.0 acres would be counted toward the allowable floor area under the Planned Unit Development regulations for the site.

2. Whether it is permissible to construct within Conservation zones.

   The Director explained that Conservation zones are under the jurisdiction of the State Department of Land and Natural Resources which has various sub-zone classifications that are highly restrictive. The subject area is in the general use sub-zone and the Land Use Commission and the Department of Land and Natural Resources have not yet fully established policies or regulations covering the kinds of uses or extent of development that should be permitted in Conservation districts. They are handling these situations on an individual case basis.

3. Concerning a question of urban use for the area, the Director related the following pertinent factors which should be considered:

   a. Suitability for development for urban purposes not forgetting the sloping contour of the property;

   b. The General Plan indicates the area for Preservation use;

c. There is no DLUM or DP for the area;

d. At the time the General Plan was developed, the suitability for urban use was for Preservation rather than for intensive development in city-like concentrations.

There were no further questions of the Director.

Messrs. R. A. Svoboda, President, Rand Properties, Ltd.; Harry Jefferson, Planning Consultant; and Attorney Peter Donahoe were present. Mr. Jefferson presented a detailed statement justifying their application in view of the Director's recommendation for denial. (Statement on file, LUC-1 (70) Waialae (Rand Properties, Ltd.)

(Mr. Rutledge left the meeting during Mr. Jefferson's presentation.)

Mr. Jefferson was questioned concerning:

1. The difference in the number of units between the existing 8 acres and the additional 3 acres requested.

   Mr. Jefferson stated that their concern is not a matter of units but rather floor area. To the Planning Department's calculations of 81 units not exceeding a floor area of 1200 sq. ft., they prefer 78 units in excess of 2000 sq. ft. in order to preserve the natural setting, environment, and basic living qualities of the area.

2. The difference in FAR calculated on the applicant's 78 units based on 2000 sq. ft. per unit and the Planning Director's recommendation of 81 units and 1200 sq. ft.

   Mr. Jefferson pointed out that if the PUD were limited to the 8-acre site, an FAR of 116,000 sq. ft. could be generated. They need approximately 150,000 sq. ft., a shortage of 34,000 sq. ft. Also, there would be no construction on the additional 3 acres other than what is permitted under park use which the Director could control since this is a Planned Unit Development.

   They wish to provide sizeable living quarters which would be compatible to the existing family-oriented neighborhood rather than those suited for the single person and request the additional floor area for this purpose.

3. What proof is there to the use they intend to put in the area?

   Mr. Jefferson stated there would be a gentleman's agreement in writing.

4. The extent of proposed park development.

Mr. Jefferson stated there would be selective clearing, recognizing wild bird life in the area, to encourage rather than discourage birds from leaving the vicinity; footpaths; and barbeques installed on plateau areas for picnics. No above-ground commercial structures.

Approximately $130,000 is allocated for landscaping.

There was no further discussion.

MOTION: Mr. Ingleson moved, seconded by Mrs. Sullam and carried, that this matter be deferred for the presence of a full Commission.

✓GENERAL PLAN AMENDMENT TO GENERAL PLAN
MAUNALUA
CORNER OF
LUNALILO HOME RD.
& KALANIANAOLE
HIGHWAY
HAWAII-KAI DEVELOPMENT

At the Director's request, this matter was withdrawn by the applicant. No further action is needed by the Commission.

Mr. Ingleson moved, seconded by Mrs. Sullam and carried, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

✓ZONING A-3 APT.DIST.
MAKIKI
EWA TERMINUS OF
WILDER AVENUE
VERA M. RUSH
TMK: 2-4-31: 2 & 4

1. The applicant proposes to construct a 16-story condominium apartment structure containing approximately 64 units.

   The site is adjacent to two major apartment buildings and the Makiki cemetery.

✓ZONING R-6 RES.
WAIAU
BET. AIEA & PEARL
CITY ABOVE EAST
LOCH OF PEARL
HARBOR
AMFAC-TROUSDALE
TMK: 9-8-02: Portion of 3

2. The applicant proposes to construct 500 single-family residences. This proposal is only a portion of a larger over-all development of the area.

ADJOURNMENT: There being no further business, the meeting adjourned at 10:31 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
March 19, 1970

The Planning Commission met in regular session on Thursday, March 19, 1970, at 2:00 p.m., in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:
Philip T. Chun, Chairman
Lewis Ingleson
Fredda Sullam
Thomas N. Yamabe II
Richard K. Sharpless, ex-officio

Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel

ABSENT:
Edward Brennan
Roy Bright
Arthur Rutledge
James Sakai, ex-officio

PUBLIC HEARING
ZONING B-2
COMMUNITY BUSINESS
DISTRICT
WAIPIO
KAMEHAMEHA HIGHWAY
AND KIPAPA ROAD
HAROLD T. STEARNS

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider a proposal to change the zoning from R-6 Residential to B-2 Community Business District for a 29,589-square foot parcel of land situated at the southeasterly corner of the intersection of Kamehameha Highway and Kipapa Road in Waipio and identified by Tax Map Key 9-5-01: Parcels 21 and 26.

The Director reported that the notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of March 8, 1970. Copies of the hearing notice were sent to the applicable governmental agencies, to adjoining property owners, and to interested individuals. No written protests have been received to date.

The Director oriented the Commission to the location of the two parcels of land and pointed out the existing uses on the land and in the surrounding area. The parcels are triangular-shaped and are designated on the Detailed Land Use Map of Waipio for commercial use. A service station which has been in operation since 1956 and a Dairy Queen store occupy the land. The applicant proposes to demolish the existing service station and replace it with a modern service station. No change is anticipated for the Dairy Queen store.

Kamehameha Highway has limited access at this point and only one ingress through a common driveway is provided to both the Dairy Queen and the service station. Egress

to the highway is through Kipapa Road. No indication has been given of any attempt to change the existing access. By letter, the State Department of Transportation commented that any intent by the property owner to alter the existing driveway will require approval from the Highways Division of the Department of Transportation.

No one spoke in opposition to this rezoning proposal.

Speaking in support was Mr. Les Cox, property representative for the Standard Oil Company of California. He indicated that they are merely tearing down an old dilapidated building and replacing it with a new Hawaiian design service station building. They have faith in the growth potential of this area in view of the Mililani Town development.

Since there was no further testimony, the Commission closed the public hearing and took the matter under advisement upon the motion of Mr. Ingleson, seconded by Mr. Yamabe.

ACTION: The Commission recommended approval of the change in zoning from R-6 Residential to B-2 Community Business District for the subject parcels of land at Waipio upon the motion by Mr. Ingleson, seconded by Mr. Yamabe.

PUBLIC HEARING
ZONING A-3
APARTMENT DIST.
MAKIKI
EWA TERMINUS OF
WILDER AVENUE
VERA RUSH

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider a proposal to change the zoning from R-6 Residential to A-3 Apartment District for two parcels of land containing a total area of 54,657 square feet situated at the Ewa terminus of Wilder Avenue in Makiki and identified by Tax Map Key 2-4-31: Parcels 2 and 4.

The Director reported that the notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of March 8, 1970, and copies of the hearing notice were sent to the applicable governmental agencies, to adjoining property owners and to interested parties.

The Director oriented the Commission to the location of the subject land and made his presentation as follows:

1. The subject parcels are bordered on the makai side by two high density condominium apartments of 12 and 17 stories high, the Waikiki side by a cemetery, and the Ewa side by single family residences.

2. Access to the parcels is from the terminus of Wilder Avenue which has a right-of-way of 36 feet

with a pavement width of 22-1/2 feet in good condition and with no sidewalks, curbs or gutters.

3. A private street extends makai from the end of Wilder Avenue to serve the two existing condominium apartments. Presently, a total of 153 units use the terminal portion of Wilder Avenue. The proposed apartment development will increase this use to 217 units.

4. The proposed structure will have three levels of parking which would be mostly underground and 16 stories of apartments above the parking facilities. The structure will contain 64 two-story units and parking for 128 automobiles or a ratio of two spaces per unit. The height of the structure will be approximately 136 feet.

5. The topography of the land varies. The land slopes uphill from the cemetery until it reaches a maximum elevation of slightly over 186 feet then it drops off sharply on the Ewa side toward a drainage channel. The slope from the makai side to the mauka side of the property is at a more gentle rate.

6. Water supply is adequate. Regarding sewer facilities, the Department of Public Works has submitted an amended report stating that public sewers are available and adequate, provided that connection is made to the Prospect Place Sewer.

7. Approval of the change in zoning is recommended because it does implement the General Plan which designates these parcels for medium density apartment use. The area is in transition from single family residential use to apartment use.

Displayed were an aerial photograph showing the subject parcels and the surrounding developments including the two high rise apartments, architectural sketches showing the profile of the structure, a site plan, and a location map showing the subject parcels in relation to the street system and surrounding developments.

The Commissioners raised certain questions which were answered by the Director as follows:

1. By recommending a high-medium density use for the area, there should be no transitional use problem with adjoining uses because the entire area makai of Prospect Street is designated for medium density apartment use while the mauka section is the slopes of Punchbowl, a Preservation area.

2. No analysis of on-street parking facilities was made in relation to other apartment developments in the area. The nearest on-street parking is available on Wilder Avenue, Spencer Street and Thurston Avenue.

3. A total of 128 parking stalls is provided for the 64 units but whether or not two stalls would be assigned to each unit or what provisions are being made for guest parking he could not say.

4. The Traffic Department reported no objection to the proposed change in zoning which conforms to the adopted Detailed Land Use Map for the area. It contends that even if an unusually high peak hour generation factor were applied to the 64 proposed units, the total traffic generated would be minimal in the upper section of Wilder Avenue. However, it recommended the implementation of street improvements indicated on the Detailed Land Use Map for the area to service the anticipated increase in vehicular traffic resulting from the increase in land use density.

   (Noting that a representative from the Traffic Department was not present for interrogation, the Commission requested the presence of a representative before acting on this matter.)

5. This area is outside of the boundary established for the Capitol Complex.

6. A tabulation was made on the maximum acreage needed for park purposes for this planning area upon ultimate development of the area to medium density apartment use; however, those figures were not immediately available. In light of the large area of high-medium density apartment uses shown on the DLUM of this planning area, there apparently are insufficient areas set aside on the DLUM for park purposes.

Testimony was heard from the public.

Mrs. Robert W. Morse, representing the residents of 1001 and 999 Wilder Avenue, submitted a four page petition signed by the residents of the two apartment projects in opposition to the granting of the zoning change for the following reasons. (Petition filed in Folder No. 69/Z-68.):

1. Fire Hazard:
Because of the narrowness of Wilder Avenue from Thurston Avenue to its terminus at 1001 and 999 Wilder Avenue, when cars are illegally parked on both sides of the street, it is impossible for fire trucks and other large vehicles, such as a garbage truck to get through to the two apartment properties.

2. Parking and Traffic:

The 1001 and 999 apartments have adequate resident and guest parking but other apartments in the area have little or none. Often Spencer Street and Thurston Avenue are almost impassable because of illegally parked cars. Another large apartment building without adequate parking or access would make the situation intolerable.

The residents urged that a moratorium be called on major construction until the traffic situation can be improved. They requested the Commission to deny or to postpone a decision on this zoning change.

Mrs. Morse concurred with Commissioner Sullam's concern for more park lands in the area.

Mr. Richard I. Sutton, immediate past commander of the American Legion, expressed concern about the effect of this development upon the National Memorial Park Cemetery of the Pacific. He inquired as to how the height of the proposed structure would fit in with the contour of the land and whether or not it would block the view from the Punchbowl crater.

Referring to the aerial photograph displayed, the Director indicated that the structure would not block any view from the Punchbowl crater. Although the proposed structure may be higher than 1001 Wilder, it would be lower in elevation because it is to be situated on a lower ground level and be farther away from the base of the Punchbowl pali than 1001 Wilder.

Mr. William Bisho earlier had submitted a letter of protest signed by 10 residents of Prospect Place and Prospect Street. He indicated that the proposed building will be right above the people's home on Prospect Place which is at a lower elevation. They question the desirability of further increasing the density of the neighborhood and thus create congestion and loss of privacy in this highly desirable single family residential neighborhood. The residents are presently disturbed at all hours of the night by

cars entering and leaving the garage of the 1001 apartment. He believed that the proposed structure will definitely block the view from the scenic drive to the Punchbowl Cemetery.

Mr. Mike McCormack, real estate developer and representative of the property owner, presented the following points in support of the change in zoning:

1. The change in zoning is in conformity with the General Plan Detailed Land Use Map adopted for the area.

2. The proposed development implements the provisions of the Comprehensive Zoning Code and in fact exceeds the minimum requirements for open space, living open space, recreation space, and parking.

3. Parking spaces for 128 cars have been provided and their intention is to provide two parking stalls for the upper half of the more expensive units and one parking stall for the lower half, leaving approximately 25 percent for guest parking.

4. They located the apartment structure on the Wilder Avenue side of the property so that the recreation and open space areas and the lower parking structure would be next to Prospect Place area. This should avoid any impression of over-crowding the Prospect Place neighborhood.

In reply to questions from the Commissioners, Mr. McCormack believed that by redesigning the structure, they could conceivably go higher and still be within the developable envelope. They recognize the need for guest parking and have made provisions for this.

There being no further testimony from the public, the Commission closed the public hearing and took the matter under advisement upon the motion by Mr. Ingleson, seconded by Mr. Yamabe.

In later consideration, the Commission stated that a larger membership of the Commission should be present to act on this proposed rezoning.

<u>ACTION:</u> A motion to defer further consideration of this matter for one week was made by Mr. Ingleson, seconded by Mrs. Sullam, and carried.

APPENDIX "A"

PUBLIC HEARING
ZONING I-3 WATER-FRONT AND I-2 HEAVY INDUSTRIAL DISTRICTS
ANUENUE ISLAND (SAND ISLAND)
STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES AND DEPARTMENT OF TRANSPORTATION

MEETING OF THE PLANNING COMMISSION • MINUTES • MARCH 19, 1970

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider a proposal to change the zoning from R-6 Residential District to I-2 Heavy Industrial and I-3 Waterfront Industrial Districts for Anuenue Island containing an area of approximately 525 acres and identified by Tax Map Key 1-5-41: Parcels 1, 2, 3, 5, 6, 42, 43, 48, 70, 71, 74, 79, 109, 111, and 114.

The Director reported that the notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of March 8, 1970. Copies of the hearing notice were sent to the applicable governmental agencies, to the various community and civic organizations, and to interested individuals. He noted that several letters of protest have been received.

Displayed were a General Plan map of Anuenue Island and its environ, the existing zoning map, and the proposed zoning map of Anuenue Island.

The request by the State of Hawaii, applicant, is for I-3 Waterfront Industrial zoning for approximately 55 acres of land at the Ewa-mauka portion of the Island presently used as a container yard operation by Seatrain under a variance granted, and I-2 Heavy Industrial zoning for the remainder of the lands with the exception of the Coast Guard Station and a proposed park site.

The Planning Director's recommendation is for I-3 Waterfront Industrial zoning for most of the Island with the designation of a major park area of about 400-foot in depth extending from the Coast Guard Station along the entrance to Honolulu Harbor and along the makai end to the tip of the island and a sewage treatment plant site of approximately 70 acres at the extreme makai end of the Island.

The Director presented the rezoning proposal by giving general information as follows:

1. General Plan designation:
   Industrial uses for the major portion of the Island, a small fire station site, and park use at the makai-Waikiki end of the Island.
   There is no adopted Detailed Land Use Map or Development Plan for the area.

2. Existing zoning:
   R-6 Residential with the exception of three separate areas zoned for I-2 Heavy Industrial uses.

3. Existing land uses:
The Seatrain container yard, a group of small industries, lumber storage yard, the Coast Guard Station, and open storage uses. The remaining lands are vacant.

4. Public utilities:
Water and sewer facilities are not adequate but the State intends to install the necessary water and sewer systems.

5. Sewage Treatment Plant Site:
Schematically, a site for the City and County Sewage Treatment Plant is designated at the most makai portion of the Island. The initial requirement is for approximately 35 to 40 acres of land area, but the ultimate requirement might be approximately 65 to 70 acres.
It is expected ultimately that complete treatment would be provided for sewage entering the treatment plant, but in the interim, primary and secondary treatment would be provided.

6. Park:
The park expansion areas shown on the General Plan at the makai and Waikiki ends of the Island are on existing reef areas which are to be reclaimed.

7. Relationship to adjoining areas:
A park at the entrance channel to Honolulu Harbor is an important factor in connection with the Historic, Cultural and Scenic District of the State Capitol and Civic Center complex. A 55-foot height limitation on Anuenue Island was proposed. In addition, it may be possible for some multiple or dual uses of a portion of the park area that adjoins the treatment plant facility.

Letters in opposition to the rezoning proposal received from the following were summarized by the Director: (Letters are filed in Folder No. 69/Z-55.)

1. Richard N. Dennis, Architect, A.I.A.

2. Downtown Improvement Associaiton

3. The Outdoor Circle

4. Hank Shimogawa, Kalihi-Palama Model Cities

5. Department of Parks and Recreation

All were opposed to the proposed industrial zoning on Anuenue Island and recommended recreational uses.

In reply to questions from the Commission, the Director responded as follows:

1. Displayed a flight pattern map of the Honolulu International Airport and pointed out the existing flight pattern over the City and the new flight pattern over Anuenue Island after completion of the proposed reef runway.

2. Approximately 20 percent of the Island is presently zoned I-2 Heavy Industrial District while the remainder is R-6 Residential with a small portion, actually in water, as P-1 Preservation District. Majority of the lands are vacant.

3. Across the channel on the mainland side, there are very limited lands available for waterfront industrial purposes. Lands so zoned are intensively used.

The Commission received testimony in opposition to the proposed rezoning from the following persons:

(1) Mr. ~~Hank~~ Frank Haines, Chairman of the Design Committee of the American Institute of Architects:

Mr. Haines read a statement from the Design Committee indicating its strong opposition to the rezoning of any portion of the Sand Island area for noxious industrial uses or any such zoning which is inconsistent with the effort to develop our environment in the best possible manner and to avoid further pollution of our atmosphere, water and scenic areas. The Committee further urged that a comprehensive master plan be developed for the Sand Island area and that concerned groups be allowed to review and comment on the plan prior to any rezoning or further industrial development on the Island.

Questioned by the Commission, Mr. Haines stated that:

a. The Committee has not prepared a suggested plan for Sand Island. They do not make such plans.

b. He was not aware of the Director's recommendation for I-3 Waterfront Industrial zoning for the major portion of the Island. The Committee will have to review the proposal again and may be able to submit a comment in about a week.

(2) Mr. Bob Wright, representative of the Kalihi-Palama Community Council and the Kalihi-Palama Model Cities Recreational Task Force:

Mr. Wright displayed a map of Anuenue Island showing a proposed plan for the area as suggested by Senator Sakae Takahashi. The plan designates the makai sections of the Island for recreation activities and the mauka sections for maritime uses and the retention of the Coast Guard Station, with the site of a sewage treatment plant at approximately the center-Ewa portion of the Island.

Mr. Wright stated that the people of the two organizations endorse Senator Takahashi's plan which is contained in Senate Bill No. 1393(70). He then read a Resolution from the two organizations stating that:

a. There are insufficient and inadequate public beach frontages available to the people of the Central Honolulu area, west of Nuuanu Stream;

b. Keehi Lagoon Beach is dangerous and unsafe because of high pollution;

c. Waikiki and Ala Moana beaches are crowded and the traffic and population congestion discourage the residents from the Central Honolulu area to go to those beaches;

d. Anuenue is most desirable for community aquatic recreational activities and will enhance the beauty of the total environment of Honolulu Harbor and Honolulu Airport; and

e. Resolving to correct and protect aquatic recreational activities and to secure desirable land and beach frontages for the betterment of the community as a whole.

(3) Mrs. Elizabeth Anderson of the Outdoor Circle:

Mrs. Anderson indicated that:

a. The Outdoor Circle would like to see the placement of the sewage treatment plant farther back from the beach area. There apparently is no real reason for the plant to be adjacent to the beach.

b. The General Plan map displayed shows a proposed park site which is about half of that proposed under the General Plan made in 1959. Despite the tremendous increase in population, no new park areas have been created and much that was on the General Plan has not even been attempted to be created so there is dire need for recreational land.

c. Senator Takahashi's proposal shows a beach park area extending around the island all the way to the bridge permitting power boating and water skiing in the area.

She asked whether the Planning Department gave any consideration to Senator Takahashi's plan before presenting the proposal now under consideration.

The Director's reply was that he had not seen the plan until just a few moments ago.

(4) Mr. Delos Seeley from the Department of Parks and Recreation:

Mr. Seeley informed the Commission that the Parks Department has given the planning of Anuenue Island considerable attention. They have also worked closely with Senator Takahashi, and the only difference between the Department's and Senator Takahashi's proposal is that Senator Takahashi's plan indicates substantially more park and recreational areas. The Parks Department's plan proposes a golf course also because they feel that any park developed on the Island should be a regional park composed of various elements which include a golf course. They can present this plan at another appropriate time because they were not anticipating that alternate plans were to be considered today.

He reiterated the position taken by the Department, as contained in its letter of March 18, 1970, expressing its opposition to the zoning of Anuenue Island for industrial uses and making a plea that no zoning changes or variances be granted until the public and all interested parties can be made aware of the opportunities which this property has to offer and the best possible plan agreed upon before implementation is undertaken.

He noted that no official development plan has ever been presented or approved for Anuenue Island. Any zoning changes at this time would seem questionable, particularly since the Legislature has under consideration a number of bills which may vitally affect the Island.

In the interrogation that followed, Mr. Seeley replied as follows:

1. Senator Takahashi expressed an interest in the Department's thinking and, therefore, they were glad to provide the Senator with their views on

the matter. They have not taken a lead on this but acted as the resource party.

2. (Displayed a proposed plan of Anuenue Island prepared by the Parks Department and showing a golf course.) He did not recall whether this is the same plan proposed by the Parks Department several years ago. This plan showing the golf course was developed within the last couple of years. The Parks Department has always taken a strong position against heavy and noxious industrial uses on the Island.

3. As a result of the flight pattern of airplanes over Anuenue Island, the noise generated would be a problem to some extent to the park users. However, compensating for that is the fact that the Island can be developed into something of beauty which can be viewed by passengers flying over the City for the first time.

The Chairman called for testimony in favor of the rezoning proposal.

Mr. Richard Wong, a member of the House of Representative, State of Hawaii, read his prepared statement which is filed in Folder No. 69/Z-55.

As Chairman of the Special House Committee investigating the high cost of oil and its derivatives, Mr. Wong supported the plan for a State operated storage facility on Anuenue. The Committee found that "lack of competition" in the oil industry has caused undue economic hardships for all the people of the State. In order to create an atmosphere of competition, he indicated that a public terminal and storage facility on Anuenue would enable independent companies to bring in and store their own supplies from west coast sources and, hopefully, later from foreign sources and market them profitably in Hawaii. Several independent oilmen have indicated an interest in the Hawaii market under these circumstances.

In reply to questions from the Commission, Mr. Wong stated that:

1. Anuenue seems to be the most logical place for the storage facility because of its central location in the industrial areas and access to harbor facilities.

2. It is possible to locate the storage facilities elsewhere, but the problem is of logistics and supply. At the present time, there is only one

refinery and one pipeline coming in from the refinery at Barbers Point running approximately 26 miles. Even if land were made available in the Campbell Industrial Park, transporting the fuel from the area into the central area of town is a problem. The independents have stated that the price for the acquisition of this corridor would be most detrimental and difficult for them to have a feasible operation.

Questioning of the Director brought out the information that a fuel storage facility might be permitted in an I-3 District as a conditional use because of a reference in the ordinance to bulk storage facilities which could be interpreted to include fuel. However, a further detailed investigation would have to be made on this. No refinery is to be located on the Island. He does not know the geologic features of the Island so that he could not say whether or not underground storage is possible.

Representatives of the State then presented their plans for the development of Anuenue Island. Speakers were Mr. Sunao Kido, representing the Department of Land and Natural Resources; Admiral E. Alvey Wright, representing the Department of Transportation; and Mr. Gordon Soh, staff member.

Since a detailed report of the State's request was submitted to the Commission, the speakers summarized their position and plans for the development of Anuenue Island, as follows:

1. The request is for zoning of 55 acres as I-3 Waterfront Industrial and 295 acres as I-2 Heavy Industrial.

2. The 55-acre area is the container yard and the freight bulk storage area. The 295 acres of heavy industrial zone will include areas for fuel storage, ship repair facilities, foreign trade zone, wharf areas, a sewage treatment plant, and other industrial backup uses as recommended by the Honolulu Harbor Task Force. The remaining area of about 175 acres, with the exception of about 49 acres being used by the Coast Guard, is already zoned as heavy industrial. Much of this area is unassigned and a substantial portion will be designated for recreational uses upon finalization of the development plan for the Island.

3. The land tenure pattern of Anuenue Island was delineated on a map and identified as follows:

Land areas Nos. 1 and 7--196 acres--administered by the Department of Land and Natural Resources;

Land area No. 2--202 acres--administered by the Department of Land and Natural Resources but the income derived therefrom goes to the University of Hawaii;

Land areas Nos. 3 and 4--66 acres--under the control of the Department of Transportation;

Land area No. 5--12 acres--set aside by Executive Order to the City and County of Honolulu for a sewage Treatment Plant (a new site for the plant is now being considered);

Land area No. 6--49 acres--retained by the Coast Guard for its operation.

4. Admiral Wright gave a brief report on the comprehensive plan for Anuenue as developed by the Honolulu Harbor Task Force which was formed in July, 1967 and which membership consisted of several officials from the Federal, State and City and County government, several leaders in the maritime industry, and other leaders representing civic organizations.

General information brought out:

a. The plan as recommended was approved by the Governor of the State in August of 1969.

b. The plan is very strongly aesthetically oriented, and particular emphasis was given to the development of the vistas and park areas.

c. Starting from the Ewa-mauka end of the Island and appropriately delineated on the map displayed, the uses recommended were:

Area "A"--container yard and where a second berth is presently under design;

Area "B"--ship repair area;

Area "C"--foreign trade zone and transshipment. The existing foreign trade zone at Pier 39 will eventually be relocated to this area;

Area "D"--Coast Guard Station;

Area "F"--park use in consonance with Piers 4, 5, and 6 which are across the Fort Armstrong Channel and are designated for a maritime museum and the site for the Falls of Clyde;

Area "K"--Sewage Treatment Plant site;

Area "E"--light industrial uses as backup for the dock facilities;

Area "G"--maritime distribution center;

Area "H"--maritime related industries;

Area "I"--bulk fuel storage area;

Adjoining Area "I"--a deep water berth for large bulk carriers which are anticipated to serve Hawaii by the year 1985;

Interface of Keehi Lagoon--recreation and water sports area for boating and water skiing.

d. The Barbers Point area with its prospective harbor was thought to be much more desirable for the refinery and this was the genesis of the energy corridor for which a Bill is presently before the Legislature and planning is proceeding to acquire such a corridor either mauka of the Pearl Harbor area or with the collaboration of the Navy, a close channel at the Pearl Harbor entrance.

5. The State is aware of the communities' concern and interest in meeting the requirements for better environmental qualities, aesthetics and recreational potential of Anuenue. Therefore, in finalizing the details of the land use and development plan for Anuenue, the State will develop a balanced plan which will involve all elements of the communities' needs and interest including recreation, transportation, and industrial needs.

6. The State has engaged the University of Hawaii Ocean Engineering Research Division to conduct a wave study of Honolulu Harbor and Anuenue and the effects of the seaward runway of Honolulu Airport. The result of the study will help firm their thinking in the finalization of the development plan for Anuenue.

7. The long-range maritime facilities study indicates a need for a sizable expansion of the Honolulu Harbor facilities. To satisfy this need, the use of Anuenue Island will be required.

8. Existing industrial uses in the Kewalo-Kakaako areas are being phased out gradually and replaced with commercial and apartment development, effectively removing necessary industrial backup to the port facilities of Honolulu Harbor. Therefore, as much as possible, the necessary industrial backup for port activities will be provided on Anuenue, but keeping in mind, the need for other land uses.

9. The national policy of maintaining water quality and environmental standards requires the provision for a sewage treatment plant on Anuenue and possibly an incinerator site later when both the Kewalo and the Kapalama incinerators are phased out.

10. The development of Anuenue will include proposals for parks, preservation of the surfing areas, and landscaped park buffer strips. The result of the model studies now being conducted by the University of Hawaii will aid in detailing these areas.

11. The State Capital Improvement Program provides for incremental development of Anuenue on a planned basis as follows: (Phasing map displayed)

    Phase I ---development of the big bulk facility, container yard, and the additional land extending to about mid-point of the existing fast land.

    Phase II --development of the remainder of the fast land excluding the Coast Guard Station.

    Phase III -reclamation and development of the offshore submerged areas.

12. (A utilities plan map was displayed.)

    The schematics of the utilities plan showed the existing and proposed extension of the water and sewer lines and also a drainage system.

13. The development plan for Anuenue will consider and relate itself to the many important planning

proposals of the adjoining areas; namely, Honolulu International Airport, Honolulu Harbor, Central Business District land use proposals and the Kewalo area.

15. Lying in the heart of Honolulu and in the hub of the State's transportation system, Anuenue will play a key role in the State's transportation, industrial and recreational systems.

In the interrogation that followed, additional statements made were as follows:

1. The State is committed to set aside an area on Anuenue for a sewage treatment plant. In consultation with the staff of the Department of Public Works, still to be determined is the area requirement and the location of the plant site.

2. It is true that most of the facilities contemplated for development on the Island are maritime related. The I-2 zoning classification was requested because they felt that this afforded a little more flexibility in development; however, they do concur with the Planning Department's recommendation for I-3 Waterfront Industrial zoning for the area.

3. Should this rezoning request be disapproved, it would be very difficult to find alternate sites for the maritime facilities. In effect, by restricting the development of Honolulu Harbor, the economic growth of Hawaii will be suppressed. The State has been fortunate in being permitted the use of Pier 39 and hopefully, Pier 40 shortly, but these are still insufficient and it is necessary to add a second berth on Anuenue. This is the projection for 1985 for the continued growth of the harbor area. As an alternate site, Barbers Point is still too far away.

4. The Barbers Point area will grow in consonance with the central plan and with the Leeward area and the industrial park operation rather than with the general and container cargo characteristics of the Honolulu Harbor area. Continued Federal support is anticipated for both areas.

5. The Task Force is recommending that there be a second Bascule Bridge because by 1975, it is anticipated that 20,000 vehicles a year will be utilizing the access to Anuenue. For this reason, vehicular traffic is being tied in directly to the Interstate System at the forthcoming Keehi Interchange.

6. Development of the park was not scheduled as Phase III for the purpose of generating some income before actual development. The need is present to develop the other facilities first and Phase I is presently in construction. Currently, there are several Bills pending before the Legislature which appropriate monies for the development of a park on Anuenue and should these appropriations be approved, the development of the park could precede any of the other developments proposed. The area of discussion is the park designation shown on existing fast land and not the areas requiring reclamation.

7. The model test study involves only the submerged lands to be reclaimed extending from the Pearl Harbor channel entrance to Kewalo Basin and not of the Island. The nature of the study is associated with the design of the reef runway and involves such considerations as the wave runoff action, conditions during tsunamis, the possibility of sprays, the effect on the surfing areas and how to make these surfing areas not only more accessible but better, and the effect particularly on currents because the scarring action of currents along that coast is a very important factor in the distribution of pollution and runoff. The model test will also show the effect of deepening sections of Keehi Lagoon which in turn reflects on the currents. These lands to be reclaimed should not be zoned at this time but considered concordly with the model test.

8. The second berth is presently in the design stage and the area at the Ewa end of the Island needs to be developed as an energy corridor for Union Oil which can use this easement to supply Honolulu International Airport. The door has now been opened to additional suppliers and access must be provided to them. The capacity of fuel storage will of course be limited.

9. They have been made aware of Senator Takahashi's proposal for Anuenue Island today. His plan will definitely have an effect upon the continued development of Anuenue as recommended by the Task Force.

10. According to Senator Takahashi's plan, the area near the bridge on the makai side of the Island is shown as park, but plans have already been started to utilize that area for fuel storage purposes. It is necessary to continue this use for harbor development purposes. The Federal

Aviation administration has designated that land for such purpose and if it were not so used, the land might revert. This is a condition attached with any land acquired near the airport.

Admiral Wright did not know how many other areas on the Island are under similar restrictions. He would inventory those and report to the Commission later.

11. The area on the Diamond Head side of the sewage treatment plant site was recommended for recreational uses and the area of the plant fully landscaped. The portion at the head of Keehi Lagoon is the water sports area and they are now working with the various boating interests.

12. The estimated cost for reclaiming land is $22 million or about $2.00 to $2.50 a square foot depending on the depth to be dredged. The master plan for the Honolulu International Airport for the year 2000 also provides for the extension of Lagoon Drive in the makai direction and out onto the proposed reef runway.

13. The cost of $2.00 to $2.50 a square foot for reclaiming land seems very expensive but there is turn-on investment. It is estimated that for the $22 million spent on reclamation, there could be income generated of $90 million by the year 1990 if the lands were used for light industrial and aeronautical related purposes.

14. There is no estimated cost or a development time schedule for Phase III.

15. Approximately 9 million cubic yards of fill are required for the reef runway and this same amount could come from the Barbers Point area where a two berth harbor is to be dredged. However, the economic analysis for transporting that fill material from Barbers Point to the reef runway has not been completed.

Other sources of material are available in the immediate area through the deepening of Fort Armstrong Channel to 45 feet, the widening of Kapalama Channel by 60 feet, and the dredging of the Keehi Lagoon area. It is estimated that about 32 million cubic yards of fill can be available from these sources so that the cost should be less than transporting the fill material from Barbers Point.

Surplus fill material can be utilized in areas not required to have structural strength, for example, areas beyond 200 feet from the shoulder of the runway.

Mr. Yamabe expressed concern that the 400-foot park strip might not be large enough to accommodate a baseball field and other sport activities normally found in a regional park. Because of several assumptions and uncertainties regarding the reclamation of land for park purposes, he asked whether the State would consider maintaining temporary parks for those areas not required for immediate development.

It was indicated by the Director that the 400-foot strip area could accommodate a baseball field, but he questioned whether this type of recreational facilities should be provided in a beach park. For park planning purpose, he indicated that this plan should be considered as a schematic indication until more specific park studies can be completed for the area.

Mr. Kido also indicated that the park area shown is only schematic. There are several Bills pending in the Legislature which appropriate monies for the immediate development of a park on the Island with no indication as to its location or size. A final determination will be made later after further studies.

No further questions were asked of Mr. Kido or Admiral Wright.

Mr. Charles Wilson, Vice President of Seatrain Lines, expressed an interest in having the rezoning proposal resolved as soon as possible. He indicated that:

1. Seatrain Lines' entry into the container operation activity has been of benefit to the community as a whole. The best example of this was during the last shipping strike when their operation provided the necessary services between Hawaii and the mainland.

2. They intend to expand their activities in the Pacific with Hawaii as the central focal point to a number of port activities. They are prepared to make substantial capital investment.

3. In order to properly carry out their activity and also to maintain freight rates at the present level without any increase, they require some backup facilities. They have a lease from the State to use a portion of that area earmarked as the Maritime Distribution Center where they would like to develop a tank and other support facilities.

4. A study conducted some years ago, developed the fact that a completely new industry can be brought to Hawaii and this is the industry of transshipment. They feel that this has many sound economic possibilities where many of the trans-Pacific activities can be focused on the State of Hawaii without vessels ever having to go to the mainland.

5. Their operation is located on Sand Island primarily at the request of the Department of Transportation. Another possible container terminal site at Piers 25 and 26 considered by the State was found to be too costly and in a very highly congested area. The State felt that monies available could be put to better use by developing a part of Sand Island for maritime uses.

6. He had no objection to the City's recommendation for I-3 Waterfront Industrial zoning of the Island.

Mr. Chew Lun Lau, representing the Department of Public Works, City and County of Honolulu, presented information on the sewage disposal plans for the City of Honolulu and the need to establish a sewage treatment plant on Anuenue Island as follows:

1. Presently, all the waste from the City of Honolulu extending from Niu Valley to Aliamanu are collected and transported toward and into Anuenue Island where an outfall sewer is located in the central makai tip of the Island and extending out 3,500 feet into the ocean at about 45 feet of water.

2. The waste flow that comes in and goes out untreated amount to 55 million gallons per day from approximately 340,000 people. The ultimate flow is calculated to be about 33 square miles.

3. The present plant site of 12.3 acres can treat only about 50 million gallons per day so that this site is already insufficient to meet present needs.

4. The immediate need is about 35 acres but the ultimate need is about 70 acres to treat the anticipated flow of 110 million gallons per day.

5. The preferred site for the sewage treatment plant is on the southwesterly side of the Island adjacent to the present site.

6. Their needs are based on the degree of treatment and this degree of treatment has not been determined as yet.

7. They intend to collect basic field data in the ocean off Malama Bay which extends from Diamond Head to Barbers Point and make a scientific analysis of how much waste can be dumped into the ocean without causing an ecological and environmental problem. They expect to collect sufficient data by the end of this year for determining the design perimeter for the treatment plant. The designing of the plant will take about a year and they hope to start construction immediately afterwards.

The Commission questioned Mr. Lau about modern methods of treating sewage, the type of treatment proposed, how to avoid odor problem and other such problems related with a treatment plant.

Mr. Lau replied that:

1. The present method of treating sewage has been in practice for the past 50 to 75 years. It is only during the last 5 or 10 years that they have become associated with a new system, the tertiary treatment method, which involves the use of physical and chemicals beyond the secondary or complete treatment. There are no large cities anywhere that treat waste by this method. The largest tertiary plant is at Lake Tahoe and that plant can treat up to 6-1/2 million gallons per day.

2. He agreed that there should be a program geared to use the most scientifically advanced method of treating sewage to keep the water from being polluted; however, their main concern is cost. The cost for the conventional primary treatment which is partial treatment is about 5 or 6¢ per thousand gallons. The cost for the conventional secondary or complete treatment is about 10¢ per thousand gallons. However, the cost for tertiary treatment is about 30¢ per thousand gallons which is almost as much as the cost of water sold by the Board of Water Supply at 34¢ per thousand gallons. They are bound by economics and must be realistic. If they are to treat waste by the tertiary treatment method, then certainly there should be reclamation of this treated water.

3. Consumption of treated water by the people is a situation involving public acceptance. He noted that people living at the headwaters of some of the large rivers on the mainland can be said to be drinking treated waste water which is the best water because the water had been used and treated perhaps a dozen times by the time it reaches the mouth of the river.

4. At this time they just have a general idea of what the treatment requirements would be but they feel that secondary treatment here might be sufficient. Based on secondary treatment, 70 acres should be adequate for the plant.

5. He believed that 70 acres could accommodate a primary, secondary, and tertiary treatment plant by reducing some of the areas between the units. This would also reduce the landscaping and buffer areas around the plant. They usually allow for a planting and buffer area of approximately 150 to 200 feet around the perimeter of the plant.

6. There is always some odor emanating from a waste treatment plant; therefore, the plant should be located in an area where the wind condition is favorable. They will minimize the odor level at all times through good housekeeping, quality control, and if absolutely necessary, chlorination of the waste which is usually the best method against odor problem; however, it is very expensive.

7. The present 12 acre plant site can be abandoned for a new site without any problem.

8. There are three general classes of water. Class AA waters are used for marine research; Class A, primarily for swimming, boating and other water-related sports; and Class B, for small boat harbors or around piers. The waters off Sand Island are Class A.

Additional testimony in opposition to the rezoning proposal was received from the following:

Mr. John Kelly, representing the Save Our Surf Committee, made the following statement:

1. The ocean corridor of Sand Island is the last remaining section of Oahu's South Shore that is available for an ocean beach park for the people of West Honolulu.

2. Compared to its needs, the West Honolulu area is the poorest serviced area of the State. It has no effective access to beach parks.

3. At Sand Island can be found many of the natural attributes of an ocean beach park, such as the fine beaches, fishing areas, swimming, surfing areas, shell hunting, limu gathering, water skiing, potential camping areas, spaciousness, and so forth.

4. The Save Our Surf organization has a particular interest in approximately 15 excellent surfing sites which include safe beginner areas and deep water areas for more experienced riders off the central point of the Island or the makai reefs.

5. Locating a sewage treatment plant or industrial facilities along the shorelines is considered to be an atrocity to defile the natural environment of this ocean corridor. If these uses must be located on the Island, they should be situated well inland, suitably remote from the sea frontier.

6. The entire east and west sections of the Island's sea frontiers should be kept in permanent park zoning without exception.

7. Sand Island is heavily used on desirable weekends for swimming, fishing, limu gathering, camping, surfing, and other activities despite the fact that the shoreline areas are littered with all types of junk. The beach areas should have been cleaned and used as a park a long time ago.

Mr. Kelly then displayed the following maps:

A. A proposed plan for Sand Island as prepared by Senator Takahashi.

He expressed satisfaction that some members of the Legislature are responding to the needs of the people.

B. A map showing the 15 surfing sites off Sand Island.

Clarence Silva, a member of the Kalihi Save Our Surf Club, pointed out these surfing areas and stated that on weekends about 100 youths use the surfing areas.

C. An aerial photograph of the ocean off Sand Island.

The areas of the breaking waves were noted as the good surfing sites. The people are quite concerned because the State's plan for reclamation of the reef areas will completely destroy all of these surfing sites.

D. A map of the City of Honolulu showing the shoreline and the ocean.

Pointed out were the various surfing sites, many of which have names, threatened to be destroyed as a result of the State's plans for a freeway

on the reef off Koko Head to Black Point, ferry docking areas in Waikiki, the Kuhio Beach widening project, the Major Island project, the Sand Island project and the reef runway at the Airport. These threatened areas amount to 80 percent of the surfing sites found along the South Shore of Oahu.

Mr. Kelly reported that the Save Our Surf organization is examining every one of these proposals with the State and private agencies to see whether or not alternate solutions can be found. If necessary, the surfers plan to mobilize as a group and attempt to impress upon the administrators of the State and City government, the legislators, and other officials, the importance of considering the people's rights and needs rather of industry and profit. He felt that alternate solutions can be found without destroying our natural environment.

Responding to questions from the Commission, Mr. Kelly stated that:

1. Mr. Kido and his staff are quite aware of their needs.

2. The State gave no consideration to the people of West Honolulu because no effort was made by the State to meet with the people of West Honolulu and the people who use the area to discuss the proposed plan for Sand Island and to have the people participate in the planning process.

3. He is aware of a study being conducted to determine the number of surfers, the number of surfboards they buy a year, how much wax they buy for the surfboards and so forth, but no study has ever been made to learn who uses or how many use the surfing areas.

4. He is hopeful that the study to be conducted by the University of Hawaii of the surfing perimeter will produce sufficient data on surfing conditions to protect and improve many of the surfing sites.

5. Although not comprehensive and complete, the Save Our Surf organization started a study about 6 or 7 years ago of all the surfing areas around Oahu and to identify them on a map. They estimated then that there were about 600 sites around Oahu but they were able to report on 297 sites, gave them names and spotted them on the map. Checking the areas around Mokuleia and the North Shore, they now estimate about 1,000 surfing sites if a

comprehensive study is made. It is difficult to define a surfing site because depending on the wave conditions, there could be several surfing sites produced by one wave and these sites must be counted as separate sites.

6. The result of their sketchy report was given to Donald Wolbrink and Associates which had a contract with the State to make a study on recreation. He does not know what information is contained in the final report.

7. A copy of the S.O.S.'s report on surfing areas was given to the Planning Department.

Mr. Carl Hanson, a teacher at McKinley High School and involved with the Save Our Surf movement, commented as follows:

1. He is in favor of lower gasoline prices, but sometimes the State, in its zeal to eliminate some of these problems, overlook other problems of importance, one of which today is pollution of our environment.

2. According to testimony given today, the State and the City are uncertain about the area requirement for the sewage treatment plant and whether or not the sewage problem of the City can be effectively met within the land area designated. It is noted that any expansion of this use will reduce the area of the proposed recreational uses.

3. The State is very vague about its plans to reclaim the reef areas which are now the surfing areas and the future uses of the reclaimed lands for recreational purposes; therefore, this plan should be rejected.

4. There is controversy among ocean engineers as to what is the best method to study the wave phenomenon. The younger members feel that they cannot adequately understand the wave phenomenon from a model study. Therefore, it is questionable whether a model study would be adequate.

When asked by the Commission whether the surfers' needs could be met by a strip park at the southeast end of the Island and access provided to the surfing areas, Mr. Hanson preferred not to answer the question because he did not surf in the area. His concern was primarily of overcrowding and pollution of other surfing areas should this area at Sand Island be

destroyed and the rise in juvenile crimes should the youths be kept from participating in their primary activity of surfing. He encouraged the development of much of the areas of Sand Island as a park.

Mr. Herman Lemke, a former member of the City Council and as its chairman, participated in the formation of the General Plan for the City and County of Honolulu and had signed the ordinance adopting the General Plan about six years ago. He stated that the plan for Sand Island looked fine at that time because large areas of green indicating parks and recreational areas were shown but now he has learned that those green areas are actually over reef on land to be reclaimed.

He stressed that the surfing areas of Oahu, especially on the south side, are probably the greatest in the world and comparatively safe all year-round. He was concerned that many of the small wave surfing areas where most of the youngsters and beginners learn to surf are in danger of being destroyed as a result of the various projects by the State. He felt it a horrible shame that here in Hawaii, the home of surfing, there are proposals to destroy many of the find surfing areas.

He urged the Commission to restudy the plan for Sand Island and provide for more recreational areas and preserve the surfing areas by not reclaiming the reef areas. With the increase in population and high density developments, less open spaces are now available in the City; therefore, he stressed that open spaces such as that found on Sand Island should be developed and preserved for the people.

He invited the Commission to attend a meeting of the American Institute of Architects to be held at the Sand Box tomorrow evening and participate in the tour of Sand Island that is scheduled.

In reply to questions from the Commission, Mr. Lemke stated that:

1. His recommendaiton is not for park and recreational uses for the entire Island. The mauka portions of the Island could be developed as the Maritime Distribution Center and other port-related activities.

2. Sand Island seems to be the logical site for the sewage treatment plant because of the existing sewer pipes and outfall. However, he did not believe that the plant should be located right on the beach.

3. There is a sandy stretch of beach on the makai-Diamond Head side of the Island which is heavily used by the people. According to the State's plan for this beach area, the land fill will start from the harbor channel and along this sandy beach completely destroying that sandy beach which seems somewhat full-hardy.

4. The economic rationale for the State's plan for industrial expansion in the area has not been clearly stated. Only general statements were made regarding the growth of our economy which requires certain changes in the area for industrial uses. More stringent facts and figures to meet particular needs, for instance of a 20-year projection, should be given.

5. Despite the unsettled question on the use of the Island, the State had decided to provide a limited fuel storage area for the airport on the Ewa side of the Island. The explanation given was that the land might revert. No evidence has been submitted that there is such a Federal requirement so that a confirmation of this statement should be obtained.

Yasutake Takayesu, a student at McKinley High School, mentioned that for centuries, people have been surfing and for centuries to come, people will still be surfing. He did not wish to see the surfing sites off Sand Island polluted by waste dumped into the ocean or destroyed. He was quite concerned that if the surfing areas are taken away, youths would start going to pool halls or steal cars causing a rise in juvenile delinquency.

No other testimony was given. The Commission closed the public hearing and took the matter under advisement upon the motion by Mr. Yamabe, seconded by Mr. Ingleson.

In discussing this matter later, the commission requested further information which was provided by the Director as follows:

1. In making his recommendation, he did not take into consideration the reclamation potential of Anuenue Island for recreational purposes because of insufficient data upon which he could base his recommendation for such reclamation at this time.

2. The staff is aware of the surfing sites off Sand Island and of the study information referred to by Mr. Kelly.

3. Public facilities can be situated in any zoning district.

4. A map showing the proposed road network and subdivision of land within Sand Island was displayed and explained.

5. The waterfront areas and the immediately adjoining industrial designated areas at Kapalama and Iwilei are intensively used for industrial purposes. Although designated on the General Plan for industrial purposes, the Kalihi-Palama area, mauka of Nimitz Highway, is still predominantly in residential use with a few mixed commercial and industrial uses. However, there are signs of industrial developments gradually going into the area much to the concern of the Department and the citizens in the area.

6. There is no adopted Detailed Land Use Plan for the Kalihi-Palama which is part of a Model Cities area.

7. No in-depth study was made to determine the precise amount of land needed for waterfront industrial purposes; however, over a period of time, the amount recommended by the Department could be justified.

8. The I-3 zoning classification was recommended because of concern respecting the extent of I-2 Heavy Industrial uses requested by the State. There is no other industrial zoning category that the land could be put into without a change in the General Plan; therefore, in this instance, the I-3 zoning provided some control because of very limited permitted uses which are primarily maritime oriented. Other types of industrial uses are permitted but only as conditional uses. The State's plan for phasing of development gives the staff an opportunity to evaluate this further over a longer period of time.

9. The State indicated an immediate need for zoning of the Seatrain container yard area and the proposed fuel storage area.

Comments and suggestions made by the Commissioners were as follows:

Mr. Yamabe suggested to the Director that he:

a. reexamine the whole plan not only from the standpoint of zoning but also from the standpoint of the various needs, especially the open area park need;

b. consider a more balanced use of the Island;

Questions: Is there a need for that amount of park land shown on the General Plan which is actually in water? What were the reasons for designating that amount of park land? Will reclamation of land for park purposes actually occur? If reclamation does not occur, there would be no park, so what happens then?

c. check the areas at Piers 20, 21, 24, and 25 acquired by the State from the Dillingham interest and obtain information on proposed uses of those areas. Also check into other industrial areas shown on the General Plan and look at the whole plan from the standpoint of what exists today; and

d. confirm the statement made by Admiral Wright regarding the reversion clause on land acquired from the Federal government. If this is true, the permitted uses on Anuenue Island would be limited.

Mr. Chun suggested that the Director:

a. reconsider his recommendation for a strip park and provide for a regional park where there could be more utility; and

b. consult with the Division of Sewers and determine the exact area need and location of the sewage treatment plant. Consider also the area requirement for a tertiary treatment plant.

Mr. Ingleson commented that very careful thought should be given to any proposal involving reclamation of wet land. Our shorelines are our most valuable assets; therefore, he was not sure that reclamation of land should be our ultimate goal or encouraged.

ACTION: Upon the motion by Mr. Ingleson, seconded by Mrs. Sullam, the Commission suggested that the Director restudy the plan for Anuenue Island and deferred this matter until the Director is ready to report back to the Commission.

Upon the motion by Mrs. Sullam, seconded by Mr. Ingleson, the Commission deferred consideration of the following items on the agenda until the next meeting of the Commission on Wednesday, March 25, 1970 at 8:30 a.m.:

✓CONDITIONAL USE PERMIT MOANALUA WAIWAI LOOP SKYLANE INN, INC.	(1) An application for a Conditional Use Permit for the operation of a hotel within an I-1 Light Industrial District on a parcel of land situated on Waiwai Loop, within the Airport Industrial District at Moanalua.
✓ZONING A-3 APARTMENT DIST. MAKIKI NEHOA & MAKIKI STS. DONALD SMITH	(2) A proposal to change the zoning from R-6 Residential to A-3 Apartment District for a 42,483-square foot parcel of land situated at the makai-Ewa corner of Nehoa and Makiki Streets in Makiki.
✓LAND USE COMMISSION PETITION KALANI-IKI WAIALAE-IKI URBAN DISTRICT (RAND PROPERTIES, LTD.)	(3) A petition to the State Land Use Commission to change the district classification from Conservation to Urban District for approximately 3 acres of land situated in Kalani-Iki Valley at Waialae-Iki and identified by Tax Map Key 3-5-24: portion of Parcel 1.
✓ZONING I-1 INDUSTRIAL DISTRICT KALAUAO MAKAI SIDE OF KAMEHAMEHA HIGHWAY BETWEEN KALAUAO STREAM AND THE KALAUAO STP	Upon the motion by Mr. Ingleson, seconded by Mr. Yamabe, the Commission authorized the calling of a public hearing to consider a proposal to change the zoning from R-6 Residential to I-1 Light Industrial for lands situated on the makai side of Kamehameha Highway between Kalauao Stream and the Kalauao Sewage Treatment Plant at Kalauao and identified by Tax Map Key 9-8-14 and 9-8-15.
✓MISC LIST OF LEGISLATIVE BILLS	A summary list of Legislation of interest to members of the Planning Commission was distributed to the Commission. At the suggestion of Mrs. Sullam, the Commission decided to discuss at its next meeting, some of these legislative bills pertaining to the General Plan or involving the Commission's line of authority and to take a stand on some of the proposals to support the Planning Director in his testimony. The Commission requested the Director to prepare a revised list summarizing only those bills of interest to the Commission and place this matter back on the agenda of the next meeting for discussion.

ADJOURNMENT: The meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Carole A. Kamishima
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
March 25, 1970

The Planning Commission met in special session on Wednesday, March 25, 1970, at 8:40 a.m., in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:

Philip T. Chun, Chairman
Arthur A. Rutledge
Thomas N. Yamabe II
Lewis Ingleson
Fredda Sullam
Roy R. Bright

James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

STAFF PRESENT:

Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Ralph Ukishima, Staff Planner

ABSENT:

Edward Brennan

PUBLIC HEARING
ZONING R-6
RESIDENTIAL
WAIAU
BETWEEN AIEA AND
PEARL CITY, ABOVE
EAST LOCH OF
PEARL HARBOR
AMFAC-TROUSDALE
(FILE NO. 69/Z-39)

Commissioner Ingleson declared a conflict of interest and left the room.

A public hearing was held to consider, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, a request for a zone change from AG-1 Restricted Agricultural District to R-6 Residential District for approximately 139 acres of land situated in Waiau between Aiea and Pearl City above the East Loch of Pearl Harbor and identified as Tax Map Key 9-8-02: Portion of Parcel 3.

The application represents only part of approximately 350 acres which the applicant hopes to eventually develop into a subdivision and subsequent construction of 500 single-family residences, R-6 Residential, A-1 Apartment, A-2 Apartment, I-1 Industrial and School and Park uses.

The notice of the public hearing appeared in the Sunday Star-Bulletin and Advertiser of March 15, 1970. Copies of the hearing notice were sent to applicable governmental agencies and to interested parties. No letters of protest had been received.

Director Way reported the official notice of this public hearing in the newspapers and introduced Mr. Bruce Duncan, Staff Planner, who reviewed the staff report with the Commission. The final analysis revealed that the major consideration is accessibility and directly related to this is the issue of ultimate development mauka of the freeway.

The recommendation of the staff was that the application of Amfac-Trousdale for a change in zone from AG-1 to R-6 Residential for 139± acres of land in Waiau be denied in part and that only the makai portion from the freeway to the makai limit of the proposed school-park site be zoned R-6 Residential. It was further recommended that no additional changes in zoning for the area mauka of the freeway between Momilani and Waimalu Stream be undertaken until the Detailed Land Use Map has been amended to reflect the ultimate land use and traffic circulation mauka of the freeway.

Questions of the Director and discussion followed regarding:

Access problems and options.

Bridge
Necessary to widen to 80 feet.
No funds available in City or State Capital Improvement Programs.

Road from Austin Estate down to Kamehameha Highway.

Status of the short link between Moanalua Road and the freeway.

Status of the planned roadway under construction at the present time.

Dedication of land for public facilities:
4-1/2 acres committee on the subject parcel. Also have set aside another 14 acres for park in the remainder development in addition to water, street, and sewer improvements totalling $130,000.

Cost of homes -- Hawaii versus mainland.

Circulation.

There was no testimony against the proposal.

Testimony in favor of the proposal:

Mr. Morio Omori, attorney for the applicant George Houghtailing, attempted to clarify misunderstandings between the applicant and the Planning Department staff:

1. Regarding the main objection of "access", Mr. Omori felt, from the testimony of the staff, that they apparently were not aware of the number of changes brought about by the condemnation of the H-1 freeway.

2. Mr. Omori represented the Austin Estate in the condemnation case; has been working with the State Highway, the Bureau of Roads in Washington, San Francisco and Honolulu; the zoning before the State Land Use Commission was joint--possibly the development should be joint.

3. Recommendations have been met by the two developers and the State and Federal government:

   80 feet is available for widening of the bridge.

   4 lanes are available (600 cars per lane per hour).

   An underpass is available as another access on the Austin side.

   The 139 acres are already designated as urban by the State Land Use Commission. There was no transition under the CZC to residential.

4. There is an immediate need for housing and the applicant anticipates breaking ground soon. The longer the delay, the more interest the developer must pay.

The Director was asked if the information presented by the witness was satisfactory, to which he replied:

(a) There is a requirement in the Charter that public funds should not be expended unless in conformity with the General Plan, which includes the development plan and, specifically, the link between the freeway and Moanalua Road.

(b) The Planning Department is not fully satisfied that they know the precise land use designations. This should be discussed with the Traffic Department in order to judge whether an 80-foot right-of-way is appropriate for this area.

(c) There is a need to designate these major streets on the General Plan as well.

The Commission closed the public hearing and the matter was taken under advisement upon the motion by Commissioner Yamabe, seconded by Commissioner Bright.

ACTION: On motion by Mrs. Sullam, seconded by Mr. Rutledge and carried, the Commission deferred action on this matter pending further investigation by the staff of current status of rights-of-way alignment, street widths, condemnation proceedings, and commitments, if any, for development.

CONDITIONAL USE PERMIT WAIMANALO 41-849 KAKAINA STREET (COMMERCIAL KENNELS) PETER KIM BY: CHARLES A. SHIPMAN, REALTOR (FILE #69/CUP-25)	On March 5, 1970, a public hearing was held and closed regarding an application for a Conditional Use Permit to construct and operate a commercial kennel on an 8.897-acre parcel of land identified by Tax Map Key 4-1-25: Parcels 6 and 7, within an AG-1 Restricted Agricultural District. The applicant proposes to construct a U-shaped kennel building which will contain boarding facilities for about 100 dogs to be run by a licensed Veterinarian.

There was a question as to whether the proposed commercial kennel would be permitted within the State's agricultural subdivision.

Chairman Chun reported that there was a question on March 5, 1970, submitted to the Director as to whether or not the covenant covering these lands could be discussed with the Department of Land and Natural Resources.

Director Way stated that the matter has been discussed but there has not been a full report back from the Department of Land and Natural Resources. Since Mr. Luter was expected to appear later this morning, the item was placed at the end of the Agenda to be taken up later.

Mr. George Luter, Department of Land and Natural Resources, testified:

"There is a request for a Conditional Use Permit to put Kennels on one of our Waimanalo farmlands which was sold about 1955. It was sold with certain restrictive covenants and one of those covenants reads:

'For the period of 25 years following the date of its purchase, said land shall be used for the production of crops, livestock or poultry or any or all of them for agricultural purposes.'

We have asked our Attorney General whether the raising of dogs or the caring for dogs could be considered management of livestock under the meaning of this covenant. He has said 'No'."

Commissioner Yamabe was under the impression that the applicant had discussed this matter with someone in Mr. Luter's office and was advised that if they were successful in obtaining a Conditional Use Permit from the City, then this matter of Covenant and Use might be favorably considered by the Land Board. However, no such action may be taken. Anything related to State operations such as Covenants must be first taken up with the State.

Mr. Luter had no knowledge of this incident. It was first brought to his attention by the Planning Department of the City and County. He qualified his remarks by stating:

"There is a mechanism under the law by which a Use can be changed by the applicant paying the difference in value between the use of the restriction and the use of the restriction waived or modified. This has been done in one or two cases of this type even though there are covenants running with the land. But there has been no application by the applicant through our department."

Chairman Chun asked Mr. Luter, "To your knowledge, has there been any waiver of this covenant whatsoever in the Waimanalo Homestead area?"

Mr. Luter replied, "Not of this covenant. There has been a waiver of the covenant requirements in only one single-family residence."

ACTION: Upon the motion by Commissioner Sullam, seconded by Commissioner Rutledge, the Commission denied the application based on the testimony of the representative of the Department of Land and Natural Resources.

CONDITIONAL USE PERMIT KAHALUU AHUIMANU ROAD AND AHUIMANU PLACE (CONVALESCENT/CARE HOME) ROSE GUILLERMO (FILE #69/CUP-11)	On March 5, 1970, a public hearing was held and closed regarding an application for a Conditional Use Permit to construct and operate a one-story, 20-bed, convalescent home for the aged, chronically ill, and mentally retarded in an R-3 and R-5 Residential District on an 1.871-acre parcel of land identified by Tax Map Key 4-7-31: Parcel 3.

At that time, action was deferred to permit the Planning Director to prepare a list of Conditions to be imposed with the Conditional Use Permit, should the Commission recommend approval.

Director Way reported that a memorandum had been sent earlier to the Commission outlining the Conditions:

1. That the building be relocated to the mauka-Koko Head corner of the site.

2. That the structure be not less than 25 feet nor more than 35 feet from the boundary lines.

3. That provision be made for 5 parking spaces along the mauka boundary, not closer than 25 feet to the property boundary nor closer than 25 feet to the building.

4. That there be one loading space for emergency and service vehicles to be located on the mauka side.

5. That there be landscaping of a 5-foot wide buffer street along the mauka property boundary, and the other boundaries to include sufficient plant materials to screen the property from adjoining use.

6. That the maximum number of beds not exceed 20.

7. That the other codes, regulations, and requirements be complied with.

8. That a revised site plan be submitted for review and approval.

9. Other than the foregoing, most of the provisions are more or less of the standard nature pertaining to the Conditional Use Permits.

The Commission, at the previous meeting, had also requested the Planning Department staff to check with the State Department of Social Services and the Federal Social Service as to the proper identification of this type of use -- A Conditional Use Permit for a "Convalescent Home" or a

Conditional Use Permit for "another type of home." However, the Director did not have that specific information available at this time.

The Chairman asked the applicant if he would submit to questions by the Commission at this time.

Mr. Lincoln Ishida, attorney for the applicant, came forward and at the same time introduced Mr. Hiroshi Abe, architect.

Commissioner Yamabe called attention to the fact that the public hearing was called specifically to consider a Conditional Use Permit for a Convalescent Home. He requested, in all fairness to the City as well as the applicant, the identification as to which the Commission is considering -- A Conditional Use Permit for a Convalescent Home or a Conditional Use Permit for a Care Home.

Mr. Ishida explained:

A "Care Home" in general terms is (1) a much more liberal type home; (2) there are no restrictions with respect to physicians or registered nurses; (3) under the laws of the State, the patients are mentally retarded children and older people who can take care of themselves and yet need someone around, but not necessarily a nurse or physician; (4) checking back into the records, in February Mrs. Guillermo had been rather insistent in referring to it as a "Care Home".

A "Convalescent Home" first came up on the Agenda which apparently was a mistake since a communication dated 1969, signed by the Director, refers to the subject matter as a permit for a Care Home.

Commissioner Yamabe asked if they anticipated any problems in view of the fact that this is a Conditional Use Permit which is much more specific and much more stringent and that operations may be controlled and inspections made by Social Service.

Mr. Ishida informed the Commission that if the Conditional Use Permit is granted, they would ask that it be limited to a Care Home, as defined under the Laws of the State of Hawaii, and assured them that they have no objection to inspections. Under the State Law with respect to Care Homes, there is a provision which states, under Section 4 of the Regulations, "Any facility believed to be a Care Home shall be subject to inspection annually and at any other time by persons publicly authorized by the Director (the Director being the Director of Health, Department of Health of Hawaii).

Mr. Ishida stated that he and his client had studied the conditions set forth by the Planning Director and objected to only one, which was the relocation of the building, and were at a loss to understand why the Planning Department would have them move it to an area which has a 20% grade after they had located the flattest area on the parcel.

Commissioner Ingleson requested an explanation of this recommendation which brought about a lengthy discussion and the following suggestions:

Architect Abe -- Perhaps the building could be turned 90° and obtain what the Planning Department is trying to achieve. A 20% grade is more costly and would require railings, ramps, and be a hazard.

Director Way -- Perhaps a more central location, closely related to the proposed roadway on the original plan in which the topography shows it is the most level portion of the site. This again would be subject to the final site plan.

Architect Abe -- Requested that the building not be moved any further than the subdivision property line, as shown presently because the grade starts from approximately that point and drops off very rapidly.

Comm. Sullam -- Requested that the Architect work with the Planning Director and locate the building very exactly before the Commission takes action. She also requested a cross-section through the property which would show elevations when the building is finally located.

Mr. Ishida -- Mr. Abe feels that by early next week he can have the relocation of the building plotted out.

Chairman Chun -- Suggested that Mr. Abe confer with the Planning Department staff as to the location of the building.

ACTION: Commissioner Yamabe motioned that the Commission defer the matter for one week in order that the staff and the architect may get together and plot out a new location for the building. Commissioner Ingleson seconded the motion and the motion carried.

✓ZONING B-5 RESORT-COMMERCIAL WAIKIKI MAUKA-EWA CORNER OF KALAKAUA AVENUE AND LILIUOKALANI AVENUE NOBORU IHA (FILE #69/Z-130)	On December 4, 1969, a public hearing was held and closed after considering a request for a zone change from H-2 Hotel District to B-5 Resort-Commercial for parcels of land containing an area of 26,430 square feet and identified as Tax Map Key 2-6-23: portion of Parcel 1. The Planning Director had also initiated the change for two additional parcels identified as Tax Map Key 2-6-23: portions of Parcels 2 and 3.

Action had been deferred pending the City Council's action on a proposed Waikiki Moratorium. Chairman Chun advised that the idea of a Moratorium has been filed.

Director Way reviewed the request with the Commission:

1. The parcel is a split-zoning situation. A portion is in B-5 classification.

2. The Detailed Land Use Map designates the area for commercial use.

3. The Planning Department recommends the elimination of the split-lot zoning configuration (which it did in the original public hearing but the possible Moratorium held it up.)

4. It is in conformity with the Detailed Land Use Map and permits the applicant to better use the land by deleting this split-zoned matter.

5. There are no unusual or difficult problems with this property that might reflect on other properties.

6. There is a proposal for what is referred to as a Waikiki Sands -- a 4-story building with a combination of hotel rooms, shops and office facilities.

ACTION: Upon the motion by Commissioner Rutledge, seconded by Commissioner Yamabe, the Commission recommended approval of the zoning request.

✓CONDITIONAL USE PERMIT I-1 INDUSTRIAL DISTRICT MOANALUA AIRPORT INDUSTRIAL PARK WAIWAI LOOP SKYLANE INN (FILE #69/CUP-23)	On January 22, 1970, the Planning Commission held and closed a public hearing, referring the application back to the staff for conditions that would be imposed, should the Commission recommend approval. On February 5, 1970, action was deferred at the request of the Planning Director for further review of site plans. The Conditional Use Permit is for hotel use within an Industrial District, I-1 Light Industrial, on a parcel of land containing 21,389 square feet

and identified as Tax Map Key 1-1-16: 12. The applicant wishes to erect a 70-unit, 4-story hotel structure with restaurant and bar facilities.

The Planning Department has made recommendations with reference to the site plans and presented them to the applicant:

1. Since the public hearing, another site plan has been developed for the proposal which indicates a new addition to the front portion of the existing building; it has been relocated closer to the existing buildings.

2. The parking lot is re-arranged substantially and the front portion is to be expanded somewhat.

3. The parking requirement is just met in terms of the total needs.

4. There are questions in detail about the site plan, including the entrance and access points.

5. The fact that loading space is indicated in the driveway.

6. The site plan also shows pretty much optimization of the parking facilities and while we haven't checked all of them in detail, it

seems that some of the standards of the Comprehensive Zoning Code in terms of parking and space between parking structures are not quite to the standard.

7. We had indicated in a report to the Commission some of the revisions to the site plan that we would propose be included which covers some additional plus requirements for some specific architectural drawings, indicating the full treatment in terms of height, bulk and spacing of buildings.

8. We also believe that the applicant has since amended his proposal to delete the recreation area on the roof of the new 4-story addition.

9. Recommendations for landscaping plan, buffer strips.

10. Requirement that the future tenants or hotel owners be informed that the City is not liable for any dissatisfaction, injuries, or problems arising from the hotel operations.

The Director stated that the site plan, primarily, does not fully reflect all of the recommendations or conditions that were proposed--particularly those pertaining to the buffer and screening requirements--and that if the site plan were examined in detail, it would be found that there are some areas where it is not possible to comply with the Comprehensive Zoning Code. Also, in a situation such as this where the Commission requests conditions that would be imposed should the request be granted, presents a problem to the applicant and to the Department and to the Commission. There is also a question as to how far you should go in preparing amended plans when some of the issues as to whether or not the matter would be considered favorably are still open. The conditions imposed by our office can be met. However, there would have to be some re-evaluation of the parking site plan and building arrangement. The basic ones are for setback areas. It may mean that it would not be possible to attain the full 70 units or the maximum area for whatever other additions are proposed.

Mr. Oliver Kinney, President of Skyland Inn, Inc., was asked by the Commission as to whether or not his site plan was intended to meet the conditions of the Director.

Mr. Kinney testified that they most certainly intend to meet the conditions imposed by the Director. In fact, they felt that they had met all of the conditions already. He suggested a chain link fence with plantings to hide the entire area. They already have the plants and coconut seeds. All they need is a Conditional Use Permit and then they will obtain a building permit and comply with the requirements.

Discussion:

Commissioner Sullam addressed the Commission--"There is something much more fundamental here than just meeting the Conditions the Director has outlined. This is a problem of the zoning not being correct. We are short on industrially zoned land, as we learned last week when we discussed Sand Island. We were very reluctant to give Sand Island

over to recreational purposes because of a lack of industrial land. This is zoned Industrial. There are reasons for having Zoning. If we start making exceptions like this, we are going to mess up planning pretty badly."

Commissioner Ingleson addressed the Commission--"I can't support the motion because the location of the hotel is improper. The dangerous situation at the end of a runway, annoying because of the sound, and nothing in the proposal to alleviate the annoyance of sound. The issue is not whether the conditions can be met, but whether or not the hotel should be there and whether or not by the conditions to it we are perpetuating what essentially is a wrong thing in the wrong place."

Commissioner Rutledge felt there was an element of hardship here.

Mr. Kinney further testified that the hotel complex has been in operation since 1960, occupancy rate is good at 75%, but expansion is necessary because the taxes have increased from $6,000 per year to $12,000 per year and other costs have also increased. The operation will have to be closed if the request is not granted. Regarding the matter of an "Industrial" area, 8 out of 30 lots are still unused after 10 years and the last industrial tenant was a junk dealer operating an acetylene torch day and night cutting junk. Next to the public park, the hotel and the highway, there was a "sight pollution".

Commissioner Yamabe, while he felt that the continuation of this operation would not enhance the area but the fact that there already exists a hotel operation and they will have to expand in order to survive, was not in objection to allowing this type of expansion. However, he was in agreement with utilization of the industrial area but in this case it is a different situation and a necessary step.

Commissioner Sullam thought the nonconforming uses should be phased out. If more hotel use is granted in this area, the neighboring owners will feel that it will be a hardship to let his industrial land stand idle. He, too, will want to develop his land to the highest and best use, commercially, which will really not be the best use as far as planning is concerned. She also pleaded with the Commission to think more in terms of the users of the land than as to what benefit the developer will get from the land and to think in broad terms as to what will happen to the community in the future. The Commission should not allow one instance of hardship to prevent implementing something that will be beneficial to public good.

ACTION: Commissioner Yamabe moved, seconded by Commissioner Rutledge and carried, that the Commission recommend to the City Council, approval of this application for a Conditional Use Permit. Commissioners Sullam and Ingleson dissented.

The following conditions were imposed:

1. The applicant must submit written authorization from the present property owner to proceed with this Conditional Use request for hotel development on the subject parcel.

2. After the parcel is purchased, the granting of any building permit for improvements of site will not commence prior to consolidation of the zoning lots - Tax Map Key 1-1-16: Parcels 10 and 12. However, if the lot is to be leased, the applicant shall submit certification of the lease contract.

3. A revised site plan which includes the following items shall be submitted and made a part of the Conditional Use Permit, after it has been reviewed and approved by the Planning Director:

   a. This revised site plan shall be drawn to scale, showing the proposed layout of structures and other improvements, including driveways, pedestrian walkways, off-street parking and off-street loading areas, landscaped areas, fencing and walls. It shall specifically include the exact location of the three loading areas (as required by the Comprehensive Zoning Code) which will not obstruct vehicular passage, and safe, defined walkways around and between buildings and parking areas where pedestrian movement is prevalent.

   b. The site plan shall indicate the locations of entrances and exits and the directions of traffic flow into and out of off-street parking and off-street loading berths, as well as areas for turning and maneuvering vehicles. The circulation system and placement of the new building should be redesigned to facilitate safe one-way vehicular movement around buildings, as well as to reinforce the single use relationship of the existing and proposed hotel buildings to each other.

   c. The site plan will also show the location, size, and type of the recreation facilities and the accessory eating and drinking facility, the latter of which will primarily accommodate the tenants of the hotel.

   d. A landscaping scheme drawn to scale, showing the location, design, and size of the following: a 10-foot wide planting strip fronting the parcels, a 6-foot wide buffer strip along the western boundary consisting of a 3-foot wide vegetative planting wall with an adjoining 3 feet of landscaping abutting the parking spaces, to allow for a bumper overhang with an adequate passageway for pedestrian movement, and any landscaping design work to be provided around recreation areas and buildings, and along the perimeter of the zoning lot.

4. Architectural drawings drawn to scale, shall also be submitted, illustrating the height, bulk and elevations of the proposed structures. The applicant will also provide

schematic floor plans in sufficient detail to permit computation of yard and floor area requirements. These drawings will be approved by the Planning Director and made a part of the Conditional Use Permit. Scale drawings of all signs showing location, size, and material composition will also be submitted and subject to approval of the Planning Director.

5. Prospective tenants and hotel owner(s) shall be informed that the City shall not be held liable for any dissatisfaction, injury, or problems arising from this hotel operation.

6. The applicant shall comply with all additional requirements stipulated within Article 2, Section E (Conditional Uses and Structures), and Article 9, Section A (Light Industrial District) of the Comprehensive Zoning Code, which have not been enumerated above.

7. The applicant shall also comply with the codes, regulations, and requirements of other City and State agencies which are applicable to this approval.

ZONING A-3 APARTMENT DISTRICT MAKIKI MAKAI-EWA CORNER OF NEHOA AND MAKAKI STREETS DONALD SMITH (FILE #69/Z-46)	On February 19, 1970, the public hearing was closed and the matter referred back to the staff for a study of the parking problem. On March 5, 1970, the matter was deferred at the request of the Planning Director. On March 12, 1970, action was deferred one week for lack of a full Commission.

This is a proposal for a 17-story, 96-unit apartment structure covering an area of 42,483 square feet and identified as Tax Map Key 2-4-24: Parcels 1 and 54.

The following transcript is verbatim because this is a controversial matter:

Chairman Chun -- I believe you've all been fully informed. We lacked a full Commission the last time. Gentlemen, what is your pleasure?

Comm. Ingleson-- I believe the issue here is one of whether medium-density apartment, as shown on the General Plan, will be low or high-rise. Obviously, because of the CZC, it makes no difference in terms of the density itself but it does make a difference in terms of the height of the buildings. Whatever action we take on this particular matter will probably set the pattern for the entire length of Nehoa.

My feeling is that inasmuch as the property is immediately across the street from existing residential areas and areas that are general planned to continue as residential, that the line of high-rise along Nehoa would be damaging to the properties across Nehoa. I would recommend A-2 zoning rather than the A-3 for this particular property.

Chairman Chun -- The matter before the Commission at this time, however, is a request for rezoning to A-3. I do not believe that at this time the Commission can take any action with respect to an A-2. The applicant, I believe, is entitled to pursue his efforts to obtain A-3 if the Commission should deny it to the Council.

Comm. Ingleson-- In that case, I move that the application for rezoning to A-3 on the subject parcel be denied.

Comm. Rutledge-- Second.

Chairman Chun -- It's been moved and seconded that the application for rezoning from R-6 to A-3 be denied.

Director Way -- Mr. Chairman, one point of information. It was requested by the Planning Commission that some investigation be made by way of making a comparison between the existing A-3 proposal and A-2 proposal in terms of what kind of site arrangement might be developed for the area. We have worked this out. In effect, it did appear possible to us. There are a number of schemes which could be developed but we have roughly laid out the area with the floor area, apartment sizes indicated on the applicant's proposal, and a parking arrangement.

It did appear that you could get 117 parking stalls and some 92 units under the A-2 CZC requirements. This compares with 96 units and about 120 parking stalls under the A-3 proposal of the applicant. Of course, considerable redesign of the structure is involved. In effect, what it amounts to, as I recall, is about a two-level parking structure and a two-story apartment unit. It does, as indicated on our plan, pretty much fill up the site. What we've shown here is the minimum setback, 10 feet on all site boundaries or whatever is required by the CZC as appropriate. This (pointing to map) would be a bank of units, another and another in this area, in total very much filling up the site and yet giving roughly 92 units or nearly the same density. We were surprised, in fact, to find that with the configuration of the site being somewhat irregular, that that number of units could be placed on it. You may recall that I thought there would probably be a reduction on the order of about 10 or 15 percent in total units.

Chairman Chun -- Any further discussion?

Comm. Sullam -- We must remember that people who live in four-story buildings lead a different life style than those who live in these high rises. One would think that this type would be slightly more compatible, although not completely desirable, with a residential area.

I feel this whole area needs restudy. The DLUM needs study. There isn't enough park, the buffer zone between the residential and the apartment, I don't think has been considered carefully. I'm wondering what the possibilities are of having this restudied?

Director Way -- The possibilities are there. I would point out, however, that this DLUM is the most recently adopted DLUM that we have for the City, the upper portion referred to as Section A adopted by the City Council last year. The Section B portion is currently under study. I think that summarizes where the matter stands at the moment.

Comm. Yamabe -- I recognize that by taking action on this particular parcel we are establishing some sort of a policy. However, I would like to make known to the Commission here that after this presentation here, I'm not certain as to whether A-3 type of structure might not be as well, if not better, considering the large open area; also recognizing the fact that in the high rise area there will be other buildings so I don't know how much open area can be utilized. There might be other buildings coming in between the open area and so forth.

I certainly don't want to establish this as a precedent but there might be some possibility of utilizing A-3 in some areas to maintain these large open areas instead of having buildings side by side. I will vote on this matter but I'd like it understood that not necessarily does this apply to all areas. I realize that this is a reverse of my earlier position.

Chairman Chun -- Is there any further discussion? The motion before the Commission at the present time (made by Commissioner Ingleson and seconded by Commissioner Rutledge) is that the Commission recommend denial of the request for zoning from R-6 to A-3. All those in favor of the motion signify by raising their right hand (Commissioners Chun, Rutledge, Ingleson, Sullam, and Bright concurred with the motion.)

The motion carries.

Did Mr. Yamabe vote?

Comm. Yamabe -- No. I abstain.

Chairman Chun -- We consider that as a "no" vote. The motion has carried.

ZONING A-3 APARTMENT DISTRICT MAKIKI EWA TERMINUS OF WILDER AVENUE VERA RUSH (FILE #69/Z-68)	This matter was deferred by the Commission for a full Commission consideration and since that time there has been additional information provided in terms of the roadway access to the parcel and to the adjoining parcels. The Commission members have each received a copy of a letter from Mr. McCormack, representing the applicant, indicating that there was submitted a topographic map.

The point being developed is that the apparent roadway width is narrower than the actual right-of-way since it may be that it is, according to the topographic map, indicated the walls are situated within the right-of-way located anywhere from 3 feet to 4 feet or more from the boundary line.

This request is for a change in zoning in order to construct a 16-story condominium apartment structure containing 64 units in an area of 54,657 square feet, identified by Tax Map Key 2-4-31: 2 and 4. The site is adjacent to two major apartment buildings and the Makiki Cemetery.

Commissioner Ingleson made a motion that the application for rezoning from R-6 to A-3 be recommended for approval. For the purpose of discussion, Commissioner Yamabe seconded the motion.

Discussion:

Commissioner Yamabe requested from the Director a brief time schedule on the widening of the streets and the sewer connection. The Director did not have the specific timetable with him but recalled that it was an adopted plan and is indicated on the Development Plan and General Plan.

Commissioner Sullam stated, "If we keep approving 350-foot high rises, we are going to be shoe-horning people into a certain type of life style such as New York and Chicago which are now tenements. We are heading in that direction here by allowing so many high rises in one spot."

Commissioner Ingleson agreed with Commissioner Sullam that we are building a proliferation of high rises. However, he felt that the question relates itself more to the General Plan rather than to specific instances of a zoning request and as the Director pointed out, this is the most recently adopted General Plan or Detailed Land Use Map that the City has and, apparently, this is the direction for this portion of what he would consider downtown Honolulu. The applicant is providing a fair and sufficient amount of open space to alleviate recreational needs and although there is a 350-foot height limit, the applicant did indicate that the building presently proposed is for 150 feet which is as high as he can go according to the CZC. He would not be going 350 feet.

Commissioner Sullam asked what the possibility is for obtaining additional park space in this general area.

Chairman Chun answered for the Director that any time the City Council decides it wants more park space, it has the authority to condemn for park space.

The Director added that in the proposed Capital Improvement Program, funds are being requested for acquisition of the major park area shown on the Detailed Land Use Map.

There being no further discussion, Chairman Chun asked for a show of hands in the vote on the motion that the application for rezoning from R-6 to A-3 be recommended for approval. The motion carried by a vote of 5 to 1. (Commission Sullam opposed).

STATE LAND USE COMMISSION PETITION KALANI-IKI WAIALAE-IKI RAND PROPERTIES, LTD. (FILE #LUC-1)	On March 5, 1970, the applicant requested that the matter be deferred for one week. On March 12, 1970, the matter was deferred to March 19, 1970, for consideration by the full Commission. This is a State Land Use Commission Petition to change the district designation from Conservation to Urban District in a P-1 Preservation District

in an area of 3+ acres, identified as Tax Map Key 3-5-24: portion of 1.

A non-commercial park is proposed with comfort station and fresh water facilities in conjunction with a proposed PUD known as Kalani-Iki.

The report has been distributed and, at the request of the Commission, the testimony of the applicant made available to the Commissioners which was another specific request made of the Planning Department staff.

The Director made a brief explanation of the proposal at the request of the Chairman.

The Planning Department staff had recommended the Commission's negative vote be made on this issue and that such recommendation be passed on to the Land Use Commission.

Commissioner Ingleson confirmed the issue -- By the addition of this parcel, this will allow the floor area ratio of the portion presently in urban to be increased.

Commissioner Yamabe pointed out that the issue here is increased floor area ratio which the applicant hopes to accomplish by effecting the change to urban use. He sympathized with the developer who is trying to develop his land to maximum use but did not favor his method to gain increased density. Further, he did not believe the change conducive to the area.

ACTION: It was moved by Commissioner Yamabe, seconded by Commissioner Ingleson and carried, that the Commission recommend denial of this petition, and that the Director transmit the recommendation to the Land Use Commission.

✓INFORMATION LEGISLATION OF INTEREST — A summary list of all planning related bills was prepared and presented to the Commission in compliance with its request. The Commission made the following comments:

1. That the staff inform the Commission of the subject matter and dates of legislative committee hearings;

2. Some consideration be given to amend charter provisions relating to the amendment process so as to avoid duplication of procedures and to reduce the time period involved.

3. State legislature might reconsider the need for County Planning Commissions.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:51 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
April 2, 1970

The Planning Commission met in regular session on Thursday, April 2, 1970, at 1:40 p.m., in the Conference Room of the City Hall Annex with Vice-Chairman Arthur A. Rutledge presiding:

PRESENT:
Philip T. Chun, Chairman
Arthur A. Rutledge, Vice-Chairman
Thomas N. Yamabe II
Edward Brennan
Roy R. Bright
Lewis Ingleson
Fredda Sullam
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner

PUBLIC HEARING PROPOSED AMENDMENT TO THE SUBDIVISION RULES AND REGULATIONS

A public hearing was held to consider a proposal to amend subsection 9 and 10-g of Section 10-H of the Subdivision Rules and Regulations, relating to naming of streets; by adding a definition of the term "mall" and deleting the present subsection relating to right-of-entry consent to the City and County of Honolulu and requiring the installation of a private road or private street sign at the entrance of such road or street.

The Director reported the publication of this matter in the March 22, 1970 edition of the Star Bulletin and Advertiser. Copies of the hearing notice were sent to applicable governmental agencies and to various civic and community organizations. One letter supporting this amendment was received from Mr. M. L. Randolph, President of the Downtown Improvement Association. The letter states that merchants were informed by the Hawaiian Telephone Company that they cannot list their addresses as Fort Street Mall unless it is officially renamed by the City. Fort Street between Queen and Beretania Streets has not been officially renamed the Fort Street Mall although there are appropriate signs labelling it as the Fort Street Mall.

No letters of protest were received.

The staff's report was reviewed by the Director. There were no questions by the Commission concerning the staff's report.

Questioned by the Commission, Mr. Dennis Lau representing the Downtown Improvement Association, informed the Commission that the problem will be resolved as soon as the term "mall" is properly defined and the Fort Street Mall is officially renamed.

The Director commented that he was advised by Deputy Corporation Counsel Andrew Sato that this proposed amendment to the Subdivision Rules and Regulations is subject to the Administrative Procedures Act which requires at least 20-days' notice for a public hearing and should therefore be readvertised. However, since the public hearing was advertised, the Director felt the public hearing should proceed to accommodate people wishing to testify on this matter.

In accordance with counsel's advice, Commissioners Yamabe and Ingleson retracted an earlier motion to close the public hearing and to take the matter advisement.

MOTION: Mr. Yamabe moved, seconded by Mr. Ingleson and carried, that this matter be deferred for readvertising of the public hearing and until the Planning Director and Corporation Counsel can bring the matter back before the Commission.

PUBLIC HEARING ZONING I-1 LIGHT INDUS. DISTRICT KALAUAO MAKAI OF KAM HWY. BET. KALAUAO STREAM & KALAUAO SEWERAGE TREATMENT PLANT	A public hearing was held to consider a request for a zone change from R-6 Residential District to I-1 Light Industrial District for various areas of land situated makai of Kamehameha Highway between the Kalauao Sewer Treatment Plant and Kalauao Stream and identified as Tax Map Keys 9-8-14: 1, 3, 4, 5, 6, 8, 10, 12, 13, 18, 19, 20, 22, 21, 29, 30, 24, and 9-8-15: 45 and Portion 44.
PLANNING DIRECTOR	The Director reported that the public hearing notice was advertised in the Star Bulletin and Advertiser on March 22, 1970. Copies of the

hearing notice were sent to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. A letter of protest was received from Mr. James Y. Ohta, Jr., an adjoining property owner residing at 98-228 Aiea Kai Place, and also representing other adjoining property owners for the following reasons:

1. Current zoning for the area is R-6 although the General Plan indicates I-1 Light Industrial as the best use. (They feel this is subject to debate).

2. The Commission, under the assumption that the zoning was something other than R-6 erroneously granted permits for business establishments apartments, etc.

3. Residents in the area believe property values will be jeopardized by the proposed change and will file suit for just compensation equal to the decrease in property value caused by the proposed change. They understood that the adjoining property would be zoned residential and even contested, though unsatisfactorily, an earlier request for spot zoning.

The Director recommends the approval of this proposal and reviewed with the Commission the staff's report covering the proposal. There were no questions from the Commission concerning the report.

Public testimony was heard.

Mr. James Ohta author of the protesting letter was present. Questioned by the Commission, Mr. Ota stated:

1. Because the subject parcel is landlocked, if the area is rezoned industrial, industrial traffic could result through their neighborhood on Aiea Kai Place to a connecting government service road (an old railway right-of-way) presently used by trucks which leads to the subject parcel. He believes that since this route is the only access to the subject parcel, trucks would not hesitate to use it thus endangering the welfare of the neighborhood, especially their children's lives.

2. Various commercial establishments and apartments such as Shakey's Pizza Parlor, the Beacon Restaurant, an automobile junkyard, and a number of service stations exist in the area which he believed resulted from the zoning mix-up.

The Director questioned the lack of response from property owners in the subject area inasmuch as 92 letters were mailed and approximately 30 were returned. Mr. Ota stated that on a previous and similar application for a zone change in their area, a petition protesting that proposal was signed by every resident. However, because their objections were overruled, the residents were discouraged and lost their feeling of confidence to pursue another attempt against this application now. Upon soliciting support from his neighbors on this particular application, he was told, "You can't fight City Hall."

There was no further discussion. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Mr. Ingleson and carried.

The Commission discussed the following points:

1. Ownership of the Kalauao Spring Ditch and whether it could be put into a culvert. The tax map indicates a public easement which is questionable. The staff was requested to clarify.

2. The Commission expressed concern over zoning industrial land adjoining a residential and apartment district; traffic problems could result.

3. Considering use and ecology factors, whether it would be more compatible to keep the area in residential and to phase out industrial zoned portions as a nonconforming use.

4. The staff should clarify various problems mentioned such as traffic, the need for housing in the area, access through various parcels in the area, a re-evaluation of the General Plan and Detailed Land Use Map.

MOTION: Action on this matter was deferred for further staff study on motion by Mr. Yamabe, seconded by Mr. Ingleson.

PUBLIC HEARING ZONING A-1 APT. DISTRICT MAUNALUA MAUKA OF KALANI- ANAOLE HWY. HAWAII-KAI DEVELOPMENT	The Commission at the last meeting deferred action for additional information from the Departments of Education and Transportation concerning school developments, highways and walkways. This data covered in the staff's report was circulated prior to this meeting. There were no questions of the Director concerning the staff's report.

Mr. Eddington of the Department of Education, Facilities and Service Branch, when questioned by the Commission gave additional information:

1. School facilities both existing and projected are adequate in the area if funds pending before the present legislative session materialize. (He understood that favorable consideration is evident in the legislature.)

2. Until Kaalakei Elementary School is completed in 1974, children will attend Hahaione School which has a maximum design capacity for approximately 1,000 students. The peak year for Hahaione will be 1973-74 with an enrollment of 998 students.

3. They based their calculations for school facilities in Hawaii Kai at onehalf child per family unit, using more conservative figures when considering apartment units. They have worked closely together with the applicant in this connection and are satisfied that educational facilities in the area are adequate both for existing and projected uses.

There was no further discussion.

ACTION: On motion by Mr. Ingleson, seconded by Mr. Yamabe, the Commission recommended the approval of this zoning change.

CONDITIONAL USE PERMIT KAHALUU AHUIMANU RD. & AHUIMANU PLACE CONVALESCENT HOME ROSE M. GUILLERMO	The Commission at the last meeting deferred action for one week so that the applicant could prepare a site plan showing the relocation of the proposed structure. The Director reported that the site plan was received just recently and not reviewed in detail. Attention was called to a future manager's residence indicated on the revised site plan but not on the original site plan.

Inspite of the change, the Director anticipated no change to the original conditions except for a technical point concerning condition number 2 which does not affect the site plan. The Director suggested that this revised site plan be added as a condition.

ACTION: Mrs. Sullam moved, seconded by Mr. Brennan, and carried, that

the Commission recommend the approval of this Conditional Use Permit, based upon the following conditions:

1. The revised site plan received April 1, 1970, and labeled Exhibit A, shall be made a part of the Conditional Use Permit.

   a. Provision of 5 parking spaces along the mauka boundary shall not be closer than 25 feet to the property boundary nor closer than 25 feet to the building;

   b. Provision of one loading space for emergency and service vehicles shall be located on the mauka side; and

   c. Landscaping of a 5-foot wide buffer strip along the mauka property boundary and the Koko Head property boundary shall include sufficient plant material to screen the subject property from adjoining uses.

2. The maximum number of beds shall not exceed 20.

3. Any private sewage disposal system shall be installed to the satisfaction of the Department of Health.

4. The maximum height of the building shall not exceed 25 feet.

5. Only one indirectly illuminated sign, not to exceed 6 square feet, shall be permitted. The sign shall not be situated in any required yard and shall not exceed a height of 8 feet.

6. The applicant shall comply with the codes, regulations, and requirements of other City and State agencies which are applicable to this approval.

7. Upon finding that any of the conditions imposed are not being complied with, the City Council may authorize the Planning Director to revoke the permit or suspend the operation until compliance is obtained.

8. This Conditional Use Permit shall apply to the entire parcel identified as Tax Map Key 4-7-31: 03.

Mr. Chun moved, seconded by Mr. Ingleson, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

ZONING B-2 COMMUNITY BUS.DISTRICT MAKIKI KINAU BET.PIIKOI & KEEAUMOKU STS. TIMES SUPER MARKET, LTD.	1. A proposal to change the zoning from A-4 Apartment District to B-2 Community Business District for approximately 15,000 square feet of land. Times Super Market is presently under construction on an adjoing parcel; a portion of parcel 14 will be utilized for off-street parking facilities for the market.

CONDITIONAL USE PERMIT
AIEA
99-1657 AIEA HTS. DRIVE
AIEA HTS. REST HOME, INC.

2. A proposal for a Conditional Use Permit to enlarge an existing care home.

The proposal is the construction of an addition to the existing building thereby expanding the facilities to accommodate 6 more beds (total of 32) and some office space.

ADJOURNMENT: There being no further business, the meeting adjourned at 2:55 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
April 16, 1970

The Planning Commission met in regular session on Thursday, April 16, 1970, at 1:50 p.m., in the Conference Room of the City Hall Annex with Vice-Chairman Arthur A. Rutledge presiding:

PRESENT:
Arthur A. Rutledge, Vice-Chairman
Thomas N. Yamabe II
Edward Brennan
Roy R. Bright
Fredda Sullam
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:
George Moriguchi, Deputy Planning Director
Andrew Sato, Deputy Corporation Counsel
Robert Moore, Staff Planner
Jack Gilliam, Staff Planner
Sojin Serikaku, Staff Planner

ABSENT:
Philip Chun, Chairman
Robert Way, Planning Director

PUBLIC HEARING
ZONING B-2 COMM.BUS.
MAKIKI
MAKAI SIDE OF KINAU ST., BETWEEN PIIKOI & KEEAUMOKU STS.
TIMES SUPER MARKET, LTD.

A public hearing was held to consider a proposal for a change in zoning from A-4 Apartment District to B-2 Community Business District for approximately 15,000 square feet of land situated on the makai side of Kinau Street between Piikoi Street and Keeaumoku Street in Pawaa and identified as Tax Map Key 2-4-11: Parcel 15 and portion of parcel 14.

The Deputy Director reported the publication of this matter in the April 5, 1970 Star-Bulletin and Advertiser. Copies of the Notice of Public Hearing were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received.

The Deputy Director reviewed the staff report.

Questioned by Mrs. Sullam, the Deputy Director pointed out from the staff's report that consideration was given to changing the zoning for all the lands zoned A-4 Apartment on the makai side of Kinau Street between Piikoi and Keeaumoku Streets to B-2 Business. Such an action was not pursued at this time as the area outside of the subject appli-

cation is occupied by apartment structures, and a change to Commercial would create major nonconforming uses. In addition, objections to changes beyond the subject lands could delay the request of the applicant.

Attorney John J. Uehara represented the applicant and concurred with the staff report.

There was no further discussion and no other person appeared to speak either in favor or against this proposal. Mr. Brennan moved that the public hearing be closed and the matter taken under advisement, seconded by Mr. Bright.

ACTION: Based upon the Planning Director's recommendations, Mr. Bright moved, seconded by Mr. Brennan, that the Commission recommend approval of the applicant's request for rezoning.

CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY NO. 5, FISCAL YEAR 1970

The City Council referred to the Planning Commission for its review and comments, Bill No. 35, Capital Improvement Supplementary No. 5, which would amend the capital budget and program by lapsing $310,000 from the currently authorized Makiki Stream Flood Control, Unit I project, and reappropriating it together with $2,389,000 in additional funds for thirteen other projects.

The Deputy Director reviewed the staff report with the Commission. The Commission questioned the following items:

1. Leeward (Waipio) Golf Course - Questioned by Mr. Rutledge, Mr. Delos Seeley from the Parks Department explained that initially funds appropriated for this project were adequate but due to rising construction costs, additional funding is necessary. The lowest bid, although still higher than estimated costs, was accepted and deletions were then made for items which could be added later.

   Mr. Rutledge felt a higher priority is needed in the Waikiki area which he believed is the primary source of income, the "cash register", for the City and State.

2. Diamond Head Monument Area - Mr. Yamabe felt it more logical to consider the total area involved rather than specific parcels. The Deputy Director explained that owners of these parcels presented plans for the development of their parcels. The City Council felt it desirable to acquire both parcels immediately and by Council Resolution authorized the administration to pursue the purchase of the subject parcels. In this connection, Mr. Yamabe stated that the staff should concern itself and establish standards in relation to the area as a whole.

3. Sand Island - Mrs. Sullam recalled a few hearings ago of people from the Kalihi Palama area requesting park facilities on Sand Island. Mr. Seeley indicated that this issue is not a CIP item. However,

they are investigating what possibilities the City might have of participating on Sand Island and hope to request for CIP funds accordingly.

4. Municipal Stadium, Halawa - Mr. Brennan suggested that the term "working drawings" be deleted from the staff report inasmuch as no decision has been made relating to working drawings for the stadium. Mr. Sharpless assured the Commission that funds appropriated will be used distinctly for demolition and site clearing and nothing else.

Because this item was referred to the Commission on short notice, the Chairman felt that this matter should be deferred for a special meeting and study by the Commission. However, later action by a majority vote of the Commission approved it.

ACTION: Mr. Bright moved, seconded by Mr. Brennan, that the Commission recommend the approval of Bill No. 35, Capital Improvement Supplementary No. 5, and that the words "in addition to working drawings" be deleted from the staff report under item No. 14, Municipal Stadium, Halawa. The motion carried with Mr. Rutledge in opposition.

Mr. Bright moved that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director. Mr. Brennan seconded the motion:

CONDITIONAL USE PERMIT MAKAHA-WAIANAE 84-239 IKUONE PL. CHILD CARE CENTER MRS. ELIZABETH F. GOMES	1. An application for a Conditional Use Permit for a Child Care Center at an existing dwelling unit within an R-6 Residential District.
CONDITIONAL USE PERMIT PACIFIC HTS. 3180 PACIFIC HTS. RD. MRS. ELIZABETH P. FARRINGTON BY: RALEIGH HILLS HOSPITAL, INC.	2. An application for a Conditional Use Permit to establish and operate a hospital devoted exclusively for treatment of alcoholics. The applicant proposes to convert the existing two-story dwelling.

INFORMATION Jack Gilliam, Staff Planner, presented to the Commission, for its information and possible action, a letter of opposition written by the Planning Director to the Hawaii Housing Authority in regard to the proposed 21-story apartment project for the elderly at the corner of Piikoi and Kinau Streets by Piikoi Terrace Associates. This proposed development would be the first to be exempt from the height and the floor area ratio requirements of the Comprehensive Zoning Code as provided under Act 239

(H.B. No. 389) of the 1969 Session Laws of Hawaii. The Planning Director felt that very high density of the proposed development was not in scale with the Makiki area and was in violation of basic planning principles and orderly development.

Questioned by the Commission, Mr. Gilliam stated the following:

1. In response to the Planning Director's letter of opposition which he read at the HHA's public hearing, the HHA requested a compromise. Mr. Gilliam informed the HHA that the Planning Director did not wish to compromise.

2. The HHA staff conducts public hearings and the HHA Commission acts later based on the Director's recommendation.

3. There is no statutory framework from which the Planning Commission can act in this case. This bill came out during the last day of the 1969 legislative session. Another bill pending before the present session (1970), exempts HHA from all regulation.

   Mr. Gilliam stated that similar requests are pending before the HHA and suggested that the Commission might serve in an advisory role to the Planning Director on these issues.

4. No justification data for the extra density was presented at the public hearing. The Planning Department received a notice of public hearing from the HHA about the proposal and upon request, plans were submitted two days before the hearing for approval.

5. This is a "turnkey" project which will be constructed by Piikoi Terrace Associates and sold to HHA for public housing.

The Commission held the following discussion:

1. It deplores the passage of Act 239 and supports the Planning Director in opposing this application.

2. Inasmuch as Act 239 precludes the Commission from any action in this case, the Commission instructed the staff to be sure that these developments conform to the City Ordinance, and that Act 239 be reviewed and possibly repealed.

3. The action taken by the HHA in approving the development nearly negates the need for the Commission's existence.

4. There was a question as to whether the City could issue a building permit to a private developer under Act 239. Mr. Gilliam stated that a request for clarification on this point has already been submitted to the Corporation Counsel's office.

ACTION: Mr. Yamabe moved, seconded by Mr. Brennan and carried that:

(1) The staff extract complete information on this specific case so that the Commission might have a foundation for future statements it might make in reference to Act 239;

(2) The Commission concurs with the Director's position and recommendation in this matter;

(3) The staff inform the Hawaii Housing Authority of the Commission's position on this matter.

MISCELLANEOUS

Mrs. Sullam called the following matters to the Commission's attention:

1. Election of Officers - Realizing the oncoming election of officers in June, Mrs. Sullam requested informational data on the terms of office of each commissioner. She understood that the present practice of the Commission is to vote the existing ViceChairman into the Chairmanship while a new Vice-Chairman is elected from the floor. She felt that data should be made available so that new commissioners could be knowledgeable of each other's service on the commission and select other commissioners if they so desire.

   The Deputy Director stated that a study will be made to determine exactly how officers are supposed to be elected and when.

2. Commissioners attending out-of-state trips - Mrs. Sullam suggested that out-of-state conference trips be discussed and voted upon so that attendance at such conferences could be spread out among the commissioners and perhaps broaden the knowledge of the Commission.

3. Minutes - Mrs. Sullam requested that minutes of each meeting be available at the next Commission meeting.

ADJOURNMENT: There being no further business, the meeting adjourned at 3:45 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
April 23, 1970

The Planning Commission met in special session on Thursday, April 23, 1970, at 8:45 a.m., in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:

Philip T. Chun, Chairman
Edward Brennan
Roy R. Bright
Arthur A. Rutledge
Fredda Sullam
Thomas N. Yamabe II
James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

Robert R. Way, Planning Director
Harris Murabayashi, C.I.P. Analyst

ABSENT: None

PUBLIC HEARING
CONDITIONAL USE PERMIT
AIEA
99-1657 AIEA HEIGHTS DRIVE
DBA AIEA HEIGHTS REST HOME, INC.
BY: ALA WAI PROPERTIES, LTD.
(CARE HOME)

A public hearing had been scheduled to consider an application for a Conditional Use Permit to construct and utilize an addition to the makai side of an existing care home (Aiea Heights Rest Home, Inc.,) situated at 99-1657 Aiea Heights Drive in Aiea and identified by Tax Map Key 9-9-15: 50, within an R-3 Residential District.

The public hearing notice was advertised in the Sunday Star-Bulletin and Advertiser of April 12, 1970.

Upon being informed by the Planning Director that the applicant had withdrawn the application, the Commission did not proceed with the hearing.

The Commission stated that any subsequent application will be processed as an entirely new application.

IMPROVEMENT REVOLVING FUND
LAND PURCHASE, MAKAI BLOCK OF THE CIVIC CENTER SITE

The City Council, by resolution, has referred to the Planning Commission for its review and comment, a proposal to transfer the sum of $43,897.71 from the Improvement Revolving Fund to the Building Department for (1) finalization of settlement of Civil No. 19600, Civic Center Site (Makai Block), Parcel 9 (Tax Map Key 2-1-33: 1); (2) payment for services rendered by Hambleton & Associates, Inc., Civil No. 19600; (3) payment for services rendered by Philip W. Won, Civil No. 19626, Civic Center Site (Makai Block), Parcel 6; and (4) payment for services rendered by Hambleton & Associates, Inc., Civil No. 19626.

Mr. Harris Murabayashi, Staff C.I.P. Analyst, gave a summary of the staff's report which presented in detail the expenditures involved. The subject parcel is situated at the corner of King and Alapai Streets and is improved with the Ideal Finance and Mortgage Building. The settlement price was $248,100. The sum of $213,000 was previously deposited with the courts. The breakdown of expenditures is as follows:

Difference between award and deposit	$35,100.00
Interest on $35,100 between date of summons (7/19/66) and date of verdict (3/5/70)	7,067.71
Payment for services rendered by hired appraisers	1,730.00
Total:	$43,897.71

ACTION: Upon the motion by Mr. Rutledge, seconded by Mr. Bright, the Commission recommended approval of the proposal to transfer the sum of $43,897.71 from the Improvement Revolving Fund to the Building Department for the purpose stated.

The Commission authorized the calling of public hearings to consider the following applications and authorized the Planning Director to set the dates of the hearings upon the motion by Mr. Bright, seconded by Mr. Rutledge:

CONDITIONAL USE PERMIT KANEOHE 45-695 KUAHULU ST. (NURSING HOME)	(1) An application for a Conditional Use Permit to establish and operate a Nursing Home on a 73,926-square foot parcel of land at 45-695 Kuahulu Street in Kaneohe within an R-5 Residential District.
PLANNED UNIT DEVELOPMENT-- HOUSING EWA FARRINGTON HWY. NANAKAI	(2) An application to establish a Planned Unit Development-Housing District for a development known as Nanakai on 30.5 acres of land situated on Farrington Highway, Ewa, and identified by Tax Map Key 9-1-15: 8, within an R-6 Residential District.
MISC. RESOLUTION-- COMMISSIONER LEWIS INGLESON	The Commission, upon the motion by Mr. Yamabe, seconded by Mr. Rutledge, adopted the following Resolution of commendation and appreciation to Mr. Lewis Ingleson who recently resigned as a member of the Planning Commission:

"PLANNING COMMISSION
CITY AND COUNTY OF HONOLULU

RESOLUTION

WHEREAS, COMMISSIONER LEWIS INGLESON, an outstanding architect, has diligently and capably served the people of the City and County of Honolulu as an effective member of the Planning Commission; and

WHEREAS, the said COMMISSIONER has brought his expertise to said Commission in the furtherance of the principles of sound City planning; and

WHEREAS, the said COMMISSIONER has unselfishly contributed his time and energy to the growth, progress and welfare of the City and County of Honolulu and its people; and

WHEREAS, the people of the City and County of Honolulu are grateful to said COMMISSIONER for his untiring efforts; now, therefore,

BE IT RESOLVED by the Planning Commission of the City and County of Honolulu that it express sincere appreciation to COMMISSIONER INGLESON for his generous services to the people of the City and County of Honolulu; and

BE IT FURTHER RESOLVED by the Planning Commission of the City and County of Honolulu that it extend Aloha and best wishes to COMMISSIONER INGLESON for continued success in all his activities; and

BE IT FINALLY RESOLVED that Planning Director be, and he is, hereby directed to transmit a copy of this Resolution to COMMISSIONER LEWIS INGLESON."

ADJOURNMENT: The meeting was adjourned at 8:55 a.m.

Respectfully submitted,

Carole A. Kamishima

Carole A. Kamishima
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
April 30, 1970

The Planning Commission met in regular session on Thursday, April 30, 1970, at 1:30 p.m. with Chairman Philip T. Chun presiding:

PRESENT:
Philip T. Chun, Chairman
Arthur A. Rutledge, Vice-Chairman
Thomas N. Yamabe II
Roy R. Bright
Fredda Sullam
James K. Sakai, ex-officio

STAFF PRESENT:
George Moriguchi, Deputy Planning Director
Andrew Sato, Deputy Corporation Counsel
Loretta Chee, Staff Planner

ABSENT:
Edward Brennan
Richard K. Sharpless, ex-officio
Robert R. Way, Planning Director

MINUTES:
The minutes of July 24, 1969 and February 5, 1970, were approved on motion by Mrs. Sullam, seconded by Mr. Rutledge.

PUBLIC HEARING
PROPOSED AMENDMENT
TO THE SUBDIVISION
RULES & REGULATIONS

A public hearing was held to consider a proposal to amend subsection 9 and 10-g of Section 10-H of the Subdivision Rules and Regulations, relating to naming of streets; by adding a definition to the term "mall" and deleting the present subsection relating to right-of-entry consent to the City and County of Honolulu and requiring the installation of a private road or private street sign at the entrance of such road or street.

The Commission at its meeting on April 2, 1970, deferred action for republication of this matter for 20 days in accordance with the Administrative Procedures Act which this proposed amendment is subject to.

The Notice of Public Hearing was published in the Star Bulletin and Advertiser on April 5, 1970. No letters of protest were received.

The Deputy Director reviewed the staff's report for the benefit of the Commission. There were no questions from the Commission concerning the report.

Mr. Dennis Lau representing the Downtown Improvement Association requested that the Commission give favorable consideration to the amendment. The Commission had no questions of Mr. Lau.

No other person was present to speak either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Mr. Rutledge.

ACTION: The Commission recommended the adoption of the proposed amendment on motion by Mr. Rutledge, seconded by Mr. Bright.

PUBLIC HEARING CONDITIONAL USE PERMIT MAKAHA-WAIANAE 84-239 IKUONE PL. R-6 RES.DISTICT MRS. ELIZABETH F. GOMES	A public hearing was held to consider a request for a Conditional Use Permit to operate a child care center on land situated at 84-239 Ikuone Place in Makaha, Waianae and identified as Tax Map Key 8-4-24: 22.

The Deputy Director reported that the Notice of Public Hearing was published in the April 19, 1970 edition of the Star-Bulletin and Advertiser. Copies of the hearing notice were sent to the applicant, applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received.

The Deputy Director reviewed the staff report. Questioned by the Commission, the Deputy Director indicated that alterations will be made to enlarge the building to meet the area required for 30 children.

Public testimony was heard.

The applicant, Mrs. Elizabeth F. Gomes, testified for the proposal. This project is the first of its kind to be applied in the area as a part of the Model Cities program and is greatly needed.

Mr. Frank Chow, Chairman, Board of Directors, Waianae Coast Development Corporation, the agency incharge of operating the day care center testified as follows:

1. This facility is provided for low-income and unemployed individuals in the area who have not been able to seek employment due to the lack of day care facilities in the area for their children.

2. Hours of operation will run approximately from 6 am to 6 pm to allow parents two hours traveling time to and from work plus a normal 8-hour working day.

3. An educational, social, and recreational program is proposed with the use of a qualified staff.

Questioned by the Commission, Mr. Chow replied as follows:

1. Ages of children attending the day care will be from 2 to 5 years.

2. Mrs. Gomes' residence was selected because of its close location to Makaha Elementary School. Children attending the school could walk to the day care after school with no hazardous traffic conditions.

3. This is one of two day care centers proposed for the area; another is planned for Maili. (Nanakuli also has a day care center under the Model Cities program.)

4. This year's Model Cities budget covers day care facilties for 120 children. The need for more facilities exceeds this budget.

5. They have no objection to limited operational hours from 6 am to 8 pm.

There was no further discussion and no other person appeared to speak either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Mr. Rutledge.

ACTION: Mrs. Sullam moved, seconded by Mr. Rutledge and carried, that the Commission recommend the approval of this Conditional Use Permit, based upon the following conditions:

1. The entire parcel identified as Tax Map Key 8-4-24: 22 shall be covered by this Conditional Use Permit.

2. Protective fencing plans shall be submitted to the Planning Director for his approval prior to the issuance of the building permit. (There shall be a minimum of 75-square foot outdoor space available per child.)

3. The plans on file of the existing single-family dwelling, which show removal of certain partitions for the conversion into the day care center, shall be part of the Conditional Use Permit, and any changes hereto shall be subject to review by the Planning Director. (A minimum area of 35 square feet per child is required for indoor areas excluding the bathroom, kitchen, and hallways.)

4. At least 5 parking spaces, outside of the fences play areas, but within the parcel shall be provided. The parking layout shall be subject to the approval of the Planning Director so as to insure safe pedestrian and vehicular circulation on Ikuone Place.

5. The total number of children cared for shall not exceed 30.

6. The day care center structure shall be used only for activities directly related to the operations of the center

(but not limited to school programs, parent/teacher meetings). It shall not be used for other community activities without prior approval of the Planning Director.

7. This Conditional Use Permit may be terminated upon mutual agreement of the Planning Director and applicant and with the consent of the City Council.

8. This Conditional Use Permit is nontransferable when the person(s) or organization to whom it is issued ceases to operate the center. Proper notification of such changes shall be made to the Planning Department.

9. The Conditional Use Permit shall be subject to review by the Planning Department within one year of the issuance of the permit, or at anytime when it is found that any of the conditions contained herein are not being complied with. The City Council may authorize the Planning Director to suspend operation until compliance with said condition(s) or revoke the permit.

10. In addition, this day care center shall be in operation within one year from the date of this Conditional Use Permit.

11. A copy of the certificate of approval issued by the State Department of Social Services authorizing the operation of the group day care center at 84-239 Ikuone Place in Makaha, shall be filed with the Planning Director.

12. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyance or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

13. A certified copy of the document as issued by the Bureau of Conveyance or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

14. This Conditional Use Permit shall take effect upon authorization of the City Council to the Planning Director to issue the permit.

Although there was discussion on adding another condition to restrict times of operation, it was decided that it was not needed and that it would offer the agency more flexibility in the operations, if needed.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KALIHI
BETWEEN HALENA
& KOHOU ST. ON
HOUGHTAILING ST.
VINCENT H. YANO

A public hearing was held to consider a request for a Conditional Use Permit to construct and operate a headquarters and meeting hall facility for a labor union on a parcel of land situated makai of Damien Memorial High School on Houghtailing Street in Kalihi and identified as Tax Map Key 1-6-04: 10 and 58.

The Deputy Director reported the publication of this matter in the April 19, 1970 Star-Bulletin and Advertiser. Copies of the Notice of Public Hearing were sent to the applicant, to applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. One letter of protest addressed to Mayor Fasi, dated January 12, 1970 from Kenneth Hakoda, 1224 Kapalama Avenue, was referred to the department for consideration. Mr. Hakoda objects for two reasons: (1) groups of 200 to 400 people will congregate in a two-storied union hall in an area zoned for medium-density apartments; (2) an existing traffic problem will be accelerated by the State Department of Transportation's move to permanently close the On-Ramp to the H-1 Freeway.

The Deputy Director reviewed the staff's report for the benefit of the Commission. The Commission had no questions concerning the report.

Public testimony was heard.

The applicant, Senator Vincent Yano, appeared with Architect Warren Chang of Paradise Planning and apprised the Commission of the following:

1. Concerning the letter of protest dated January 12, 1970, since that time two meetings were held with the Model Cities agency at which he and Mr. Hakoda were present, and the matter was settled. The minutes of that meeting will reflect Mr. Hakoda's change of view.

   There is also a letter on file from the Traffic Department stating that the use will not create any traffic congestion because activities will take place during off-peak traffic hours.

2. Another letter from Rev. Br. J.R.Dornbos, Principal of Damien High School, indicates the school's willingness to allow the union membership its parking facilities in the evenings. This will be a reciprocal venture whereby the school will use the union's parking facilities for its main annual project, the school carnival.

3. Mr. Yano did not agree to Conditions 3, 4, 6, and 8 of the Planning Director's recommendation.

   <u>Condition No. 3</u> - (Architect Warren Chang explained.)

   a. Upon inquiry of the Planning Department staff concerning Section 21-256(c) of the Comprehensive Zoning Code which is Condition No. 3, he was referred to the Building Department for clarification of the provision: "(as provided in the Building Code of the City and County of Honolulu)". This portion is not included in Condition No. 3.

b. At the Building Department, reference was made to The Uniform Building Code, 1967 Edition, Volume I, Table No. 33-A, page 411, which resulted in the following discrepancies in relation to page 6, point 2 of the staff's report:

(1) Conference room - Building Department interprets zero occupancy; staff report shows 572 square feet area of occupancy;

(2) Library - The library will have stacks of bookshelves which the Building Department classifies as 100 square feet occupancy; staff report shows 50 square feet;

(3) Classroom - Table 33-A of the Uniform Building Code indicates 20 square feet, staff report shows 50 square feet.

(4) Total Floor Area of Building - Architect believes the stairway constitutes one established area; staff planner took the stairway area twice resulting in 13,920 square feet and 49 parking spaces which they claim is erroneous.

c. Mr. Noboru Fujitani of Paradise Planning apprised Staff Planner Bob Moore of the discrepancies approximately 3 weeks ago.

Condition No. 4 - Maximum building height of 40 feet.

Question was raised whether the measurement would be from ground or basement level. There is a slope which they will utilize as a basement. The Deputy Director assured Senator Yano that the 40 feet is measured from ground elevation.

Condition No. 6

Section 21-202(e) of the Comprehensive Zoning Code (page 20), refers to "Optional yard regulations" which the applicant believes will permit him to deviate from the 10 and 15 feet specified in this condition. He requested the use of this provision.

Condition No. 8

Senator Yano's first impression from the staff's report was to completely eliminate the windows. The Deputy Director clarified that the staff's recommendation is to have openings but constructed in such a manner as to assure privacy for the neighbors.

For architectural and lighting purposes, the applicant wishes to install solar glass windows.

Questioned by the Commission, Senator Yano stated the following:

1. Due to the shape of the lot and placement of the building on the lot, the 10 feet specified in Condition No. 6 will create a hardship

by limiting maneuvering space for vehicles. Although there was some disagreement to raise the building at an earlier staff discussion due to high construction costs, the applicant is receptive to raising it now. If the building is raised, they will have 46 parking spaces which they feel is more than the required amount.

2. In relation to Condition No. 3, they calculated 36 required parking spaces to the staff's 49.

3. Approximately 10 or 15 employes are expected daily at the union hall. The second floor will be unoccupied during the day but utilized at night for evening classes.

4. Parking on Houghtailing is available at night which will provide additional parking areas.

Mr. Rutledge commented that the disagreement in interpretation of certain requirements should be settled before the request is brought before the Planning Commission. Senator Yano felt that there was an honest difference in interpretation of the parking requirement which they will review with the staff. In view of the discussion which occurred here today, he will submit revised plans to the staff for review.

There was no further discussion and no other person appeared to speak either for or against this proposal.

MOTION: Mr. Yamabe moved, seconded by Mr. Rutledge that the public hearing remain open for a period of two weeks, and that this matter be referred to the staff for further study.

CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY NO. 5, FISCAL YEAR 1970	The City Council amended CIP Supplementary No. 5 and referred it back to the Commission for additional comments.

The Deputy Director reported that two amendments were made:

1. Kapaolono Park, Kaimuki - Appropriations for this pool have been dropped. The Parks Department was to plan and construct an olympic-size pool of 50 meters based on a State appropriation of $125,000 which specified a "competition" swimming pool. Council feels that a 25-yard pool is adequate and has been told by Parks that this can be built with the already-available $125,000 plus State funds.

2. Municipal Stadium, Halawa - One million dollars was originally appropriated for planning the stadium but none has been expended or encumbered and none is expected to be spent this fiscal year for this purpose. In the original CIP Supplementary No. 5, the purpose of the appropriation was requested to be changed to cover demolition and clearance of dilapidated buildings as they become vacant. The Planning Commission concurred and recommended that none of the funds be used for planning and engineering. Council wishes to go one step further to reduce the appropriation from $1 million to $25,000 to

cover demolition and clearing only. The funds for planning and engineering are not needed this fiscal year and this move accomplishes the same purpose recommended by the Planning Commission.

The Commission had no questions of the report.

ACTION: Mr. Yamabe moved, seconded by Mr. Bright, that the Commission recommend the approval of the amendment to CIP Supplementary No. 5, Fiscal Year 1970.

✓STREET NAMES

The Commission on motion by Mr. Bright, seconded by Mr. Rutledge, recommended approval of the following street names:

Kipahele Street (Waianae)	Extension of existing roadway northeasterly direction to its terminus past Mohihi Street.
Kipahele Place (Waianae)	Deadend roadway running in a northwesterly direction off Kepahele Street.
Kipaipai Place (Waianae)	Deadend roadway running in a northwesterly direction off Kipahele Street.
Meaning:	To encourage, inspire.
Kipahulu Place (Waianae)	Deadend roadway running in a northwesterly direction off Kipahele Street.
Meaning:	Village, old district, and valley, East Maui; home of Laka, goddess of Hula. Lit., fetch (from) exhausted gardens.
Waihee Place (Kahaluu)	Deadend roadway off 47-401 Waihee Road.
Waihee Road (Kahaluu)	Roadway running in a mauka direction from Kamehameha Highway across Ahilama Road to a new redesignated route to its terminus.
Akumu Street (Kailua)	Extension of Akumu Street in a Pali direction to its terminus past Akupa Street.
Akupa Street (Kailua)	Extension of Akupa Street to its intersection with Akumu Street extension.

Akamai Street (Kailua)	Extension of Akamai Street to its intersection with Akumu Street.
Hahaione Street (Maunalua)	Extension of an existing street running in a southerly direction to its terminus at Hawaii Kai Drive.

Mr. Bright moved, seconded by Mr. Rutledge and carried, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

✓CONDITIONAL USE PERMIT KAIMUKI R-7 RES.DIST. 3107 WAIALAE AVE. JAMES YEE & HUNG NGO MARN	1. The applicant proposes to utilize a parcel of land containing 3,690 square feet off 2nd Avenue for off-street parking facilities in conjunction with a restaurant to be constructed on an adjoining parcel zoned B-2 Community Business District.
✓PLANNED DEVELOPMENT HOUSING WAILUPE MAKAI SIDE OF KALANIANAOLE HWY. CROWN CORPORATION	2. Planned development of 24 units in low-rise town house structures.

ADJOURNMENT: There being no further business, the meeting adjourned at 3:05 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
May 7, 1970

The Planning Commission held a special meeting on Thursday, May 7, 1970, at 9:20 a.m. in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:
Philip T. Chun, Chairman
Thomas N. Yamabe II
Fredda Sullam
Roy R. Bright
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Harris Murabayashi, CIP Analyst
Sojin Serikaku, CIP Analyst
Andrew Sato, Deputy Corporation Counsel

ABSENT:
Arthur A. Rutledge
Edward Brennan

This special meeting was held to consider the City and County of Honolulu's Capital Improvement Program, for Fiscal Years 1971-1976.

CAPITAL IMPROVEMENT PROGRAM FISCAL YEARS 1971-1976

Upon the Director's review of the staff report with the Commission, the following questions were raised:

1. Police Training Center - (Refer to staff report, Recommended Revisions of CIP Requests from Police Department)

Whether there is coordination between the recommendations for additional positions in the operating budget, and CIP's deferral of the Police Training Center.

Mr. Sharpless claimed there is coordination. Additional staffing in next year's operating budget for the Police Department is low. As far as new positions are concerned, provisions will be made only where actual manpower is needed in existing operations.

2. Traffic Department (Staff Report, Recommended Revisions to CIP Requests, Traffic Department, Page 2, Items 5, 6, 7.)

a. Kaahumanu Off-Street Parking - Whether funds provided in the request of $150,000 includes initial planning for utilization of the upper portion of this facility as a district court room; if so, whether there is State participation in this project.

The Director reported that the request does cover plans for a district court room composition, and additional funds for this purpose are provided in the State CIP program.

b. Concerning Block G (parking facility at Fort and Beretania Streets):

(1) No funds are provided in the 1971 CIP program but there is coverage in the six-year CIP program.

(2) The use and the demand for this parking facility is at a minimum. Reasons for its limited use are not available but studies of underlying facts in this relation are being conducted. As a result, any approach to expend major funds in this area must be carefully studied.

c. Multiple use of Parking Structures-Conceptual Study - The extent of studies in this area could relate generally to all parking areas but specifically to certain city-owned sites. Studies also would include larger ramifications such as commercial, office, or housing uses in conjunction with the parking structure.

Principles that evolve from this study could apply to similar situations at Bethel-Hotel Streets and in Waikiki at Seaside and Kuhio Avenues in terms of financing and the placement of the physical structure.

3. Building Department (Staff Report, Recommended Revisions to CIP Requests, Building Department, Page 2, Items 6 and 7.)

a. City Hall Addition - Plans in this area are beyond the preliminary phase (based upon construction plans undertaken by the Building Department) so that actual construction funding can be made.

b. Mini City Hall - The Commission agreed to the need for this item but it was felt that the $100,000 was too excessive for studies alone and that the money should be applied to more urgent areas. Also, whether such studies could be conducted by City staff without having to spend so much for consultant services.

Mr. Sharpless stated that the City administration feels the appropriation for consultant studies should be included and left to the discretion of the City Council to delete.

Mrs. Sullam felt the need for this item due to the rapid growth of Honolulu which tends to alienate citizens from their government. In this way, such centers could provide closer communication services and relationship between citizens and local government.

4. Department of Public Works, Sand Island STP (Staff Report, Recommended Revisions to CIP Requests from Department of Public Works, page 7, item 39.)

Whether the $800,000 appropriation covers the type of facility, secondary or tertiary, and whether park use and the proposal for a sewage treatment plant are compatible.

Mr. Sharpless stated that studies are underway for an overall water quality study program applicable to the whole island of Oahu and to Sand Island. Results of the Sand Island studies in relation to the best use for the island hopefully will be compatible with the long-range plan for Pearl Harbor, Kaneohe, and other areas around the island. Relative to a regional park use and a sewage plant, perhaps an underground facility could be considered.

Mrs. Sullam suggested the development of the area alongside of existing flood channels (for instance in Maili and Nanakuli) to serve a multi-use rather than only a functional one. The creation of bicycle paths, walkways, horseback riding trails should be studied, or in hazardous areas, landscaping should be provided for aesthetic purposes.

There was no further discussion.

ACTION: Mr. Yamabe moved, seconded by Mr. Bright, that the Commission recommend the approval of the proposed Capital Improvement Program for Fiscal Years 1971-1976.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
May 14, 1970

The Planning Commission met in regular session on Thursday, May 14, 1970, at 1:40 p.m. with Chairman Philip T. Chun presiding:

PRESENT: Philip T. Chun, Chairman
Arthur A. Rutledge
Edward Brennan
Thomas N. Yamabe II
Fredda Sullam
Roy R. Bright
Richard K. Sharpless, ex-officio

STAFF PRESENT: Robert R. Way, Planning Director
Bruce Duncan, Staff Planner

MINUTES: The minutes of September 18, 1969, January 22, 1970, April 2, 1970, April 16, 1970, April 23, 1970, and April 30, 1970, were approved as circulated on motion by Mr. Rutledge, seconded by Mr. Brennan.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KANEOHE
KANEOHE
45-695 KUAHULU ST.
(NURSING HOME)
JAMES C. CHING

A public hearing was held to consider a request for a Conditional Use permit to construct and operate a nursing home on land situated at the terminus of Kuahulu Place, containing an area of approximately 73,926 square feet in Kaneohe, Koolaupoko, and identified as Tax Map Key 4-5-26: 77.

The Director reported the publication of this proposal in the May 3, 1970 Star-Bulletin and Advertiser. Copies of the hearing notice were sent to the applicant, applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners.

The Director reviewed the staff's report on this matter and reported that the applicant submitted a letter about his proposal and requested a continuance of this hearing due to an emergency eye operation. The letter also responds to various objections posed by residents. The Director also reported the receipt of the following letters of protest from adjoining property owners:

	Name	Address	Date of Letter
1.	Ah New, Joseph, Jr.	45-622 Kuahulu Way Kaneohe, Hawaii 96744	May 10, 1970
2.	Griffin, Donald E. Acting President	Kaneohe Comm.Council P.O.Box 827 Kaneohe, Hawaii 96744	April 4, 1970
3.	Hamaguchi, Miyako I.	45-676 Kuahulu Pl.	None

4.	Hashimura, Hiroki (M/M)	45-684 Kuahulu Place Kaneohe, Hawaii 96744	May 7, 1970
5.	Ichimura, Nathan M.	45-680 Kuahulu Place Kaneohe, Hawaii 96744	May 8, 1970
6.	Jones, Edgar President	Kapunahala Comm.Assn. 45-661 Keneke St. Kaneohe, Hawaii 96744	None, received Planning Dept. Mar. 12, 1970

(Note: This letter was addressed to Governor Burns and a copy sent to this office)

7.	Jones, Edgar	(same as No. ~~8~~ 6)	March 4, 1970
8.	Kitamura, Harris H.	45-601 Kuapuiwi Pl. Kaneohe, Hawaii 96744	May 10, 1970
9.	Lau, (Mrs.) Loretta S.	45-678 Kuahulu Pl.	May 8, 1970
10.	Nishihara, Kenneth Y.	45-685 Kuahulu Pl. Kaneohe, Hawaii 96744	May 13, 1970
11.	Sue, George J.	45-694 Kuahulu Pl. Kaneohe, Hawaii 96744	May 6, 1970
12.	Ward, Jack H. President	Haiku Village Comm.Assn. 46-374 Kumoo Lp.	May 12, 1970
13.	Watanabe, Howard T.	45-625 Kuahulu Way Kaneohe, Hawaii 96744	May 7, 1970

From the correspondence received, the objections of the residents are:

1. Traffic increase causing a hazard to children. Also, if this parcel is affected by the construction of the new H-3 Highway, there would be costly acquisition of improved land and thus penalize the taxpayers.

2. Flooding and drainage runoff

3. Noise level would increase

4. Prohibition of setting off firecrackers during New Year's, Chinese New Year's and the Fourth of July would affect those residents living within a certain radius of the nursing home.

5. This commercial project serves as a stepping stone for other commercial establishments to begin in a residential community.

6. Pollution of the drainage system resulting from litter and sanitation at the nursing home would spread downstream.

7. Their residential atmosphere will disappear favoring a housing-type condition, a reason some moved away from central Honolulu.

8. With the presence of the home, there will be an increase number of people living in a given area and the caliber of them will more than likely be below the standard in the community.

Relative to the staff's report, the Director was asked to explain point 3 on page 4 concerning an increase of 462 beds to various hospitals and nursing homes throughout the City of Honolulu. The Director referenced the letter from the Health and Community Services Council of Hawaii for the following breakdown:

154 beds	-	current proposal for a nursing home facility on Kam IV Road
78 "	-	plans for extended care facility beds at Castle Hospital
30 "	-	plans for long term care unit at St. Francis Hospital
200 "	-	proposed hospital in Nuuanu Valley, 2nd increment

No priority is given to any hospital facility.

Discussion occurred on the following points:

1. Whether there is federal and state participation in nursing home facilities. According to the applicant's letter, federal and state funds are provided for intermediate care facilities plus medicare.

2. What are the policies of federal and state governments that determine the amount of coverage, the type of coverage, etc. The Chairman believed coverage pertained to the individual patient and his ability to qualify for federal or state aid, rather than to the nursing facility.

There were no further questions of the Director concerning the staff's report.

Public testimony was heard.

Mr. Edgar Jones, President of the Kapunahala Community Association, appeared with Messrs. Ed Lau and Joseph Ah New, Chairman and Co-Chairman respectively, of their Special Committee on this nursing home project, in addition to 18 residents, all opposing this proposal. Mr. Jones presented a petition signed by 1,351 persons from Kapunahala, Keapuka, Haiku Village, Kaneohe, and Kailua, and submitted additional correspondence: (1) letter to Governor Burns on the matter of the proposed highway interchange affecting the property under questions; (2) Governor Burns' reply of April 3, 1970, with a map showing that 50% of the property will be needed for the interchange; (3) State Department of Transportation's letter of April 1, 1970, signed by Dr. Fujio Matsuda, Director, to Mr. Way, Planning Director; and (4) Kapunahala Community Association's letter of March 6, 1970, to the Chairman of the City Council, requesting that the Public Works Committee look into the possibility of a ponding area to hold back flood waters. He re-emphasized the objections already covered by residents and added to their objections the following:

1. Privacy - Since the treatment of alcoholics and drug addicts are permitted in this type of facility, they are concerned of the possible danger for their children and feel there should be adequate buffering and safeguards. Visitors, patients, workers and others associated with such a facility will invade their privacy. Further, because the grounds of the proposed development are not large enough to provide for walking patients, there will be no place for them to go but out into the community.

2. Does Not Meet Criteria --

   a. Such a home should be on the ground of an acute care hospital - the closest is Castle Hospital which already has plans for doubling its extended care beds.

   b. It should be readily accessible to public transportation, which it is not.

   c. It should not be located in such a closed residential community.

   d. It is too small an area to adequately accommodate a good nursing home, especially for care and intermediate care patients.

3. Need - The demand for such facilities are not anticipated until after 1975.

4. Mr. Jones criticized a form letter from Mr. Wilbert Y. Yagi, Administrator of Island Nursing Home, dated April 4, 1970, which was sent to various residents in the vicinity soliciting support for the project. It was the feeling of the association that the letter contained derogatory and intimidating remarks particularly the passage, "Just imagine if the owners were to go ahead with their original plans of moving into the location a dozen of old, second-hand houses and rent them to large families."

Dr. Steven K. Sue, D.D.S., read his letter which called for improving the existing programs by organizing a more proficient home care program and by increasing the number of intermediate care facilities, which could be located within the area of existing hospitals. In a recent survey conducted by Greenleigh Associates, Inc., for the State of Hawaii, only 15.8 percent of nursing care patients required the full range and extent of care available in a skilled nursing facility on a 24-hour basis. The remaining 84.2 percent were described as requiring a lesser level, or different form of care. He believed that plans for a medical complex with a general hospital, psychiatric institute, research hospital and a nursing school could all be integrated with the medical program presently being developed at the University of Hawaii. Such a program will lead to increased opportunity of consultations and cooperation among health facilities.

Both men when questioned by the Commission responded as follows:

1. Mr. Jones stated that Mr. Yagi requested to make a presentation to the community, before he sent his form letter to residents in the area requesting support, but was not permitted to do so. The

association felt they would wait to hear his presentation at the Planning Commission's public hearing on this matter, today.

2. Dr. Sue opposed any proposals for nursing facilities in the immediate future for the Island of Oahu because existing facilities are adequate for existing needs but his views may change five years from now. He believed that patients in nursing homes are overcared for; that such patients should attend intermediate care facilities like dispensary-type operations rather than receiving 24-hour professional nursing attention in a nursing home.

In view of testimony given, Mr. Royce Higa, Deputy Director, State Department of Social Services appeared for purposes of clarification only and did not wish to take a position on this matter. There was confusion between a nursing care home and an intermediate care facility. Mr. Higa made the following distinction:

1. A nursing home requires substantial professional services 24-hours per day and is a skilled nursing operation.

2. An intermediate care facility requires only 8 hours of professional care by a licensed practical nurse and does not require a "live-in nurse."

3. Approximately $800 is expended per patient in a nursing home whereas the applicant applies between $400 and $500 towards patients in his proposed facility, a lesser or intermediate care facility.

Questioned by the Commission, Mr. Higa offered the following information:

1. Over 1,000 patients are presently in nursing homes that should be in intermediate care homes. For this reason, the Department of Health does take the position that there are sufficient skilled nursing homes in Honolulu.

2. There is definite need for lesser care (intermediate care) facilities and in this connection their department requested for and was granted $180,000 by this past legislature for studies concerning feasibility and the long-range need for such facilities.

3. Since there is no private interest to provide intermediate care facilities, their department would establish a building and lease it to a non-profit agency for functional operation.

4. The proposal to add 462 beds to various hospitals and nursing homes mentioned in the staff's report (Page 4, point 3), could relate to skilled nursing homes rather than to intermediate care facilities.

Mr. James Ching, owner of the subject parcel, appeared for the proposal. Questioned by the Commission, he affirmed that he would place second-hand homes on his lot if this application is denied to derive an income from it rather than paying taxes for an otherwise vacant parcel. He applied for and was denied an application to subdivide the parcel into eight lots because of a recommendation by the City Engineer that it be denied because of drainage problems.

Mr. Ed Lau, who made an appearance earlier in the hearing, called the following points to the Commission's attention:

1. If the proposed nursing home is approved and constructed, and if funds are appropriated for the proposed interchange on Kahekili Highway, they will receive a double assessment for the highway and for land acquisition and demolition of the proposed nursing home when the highway is constructed. This is an unnecessary burden to them.

2. Even though Mr. Higa clarified the issue between a nursing home and an intermediate care facility, the Department of Health in its letter of February 5, 1970 recognizes this fact and still questions the need for such a facility at this time.

There being no other person present to speak either for or against this proposal, Mr. Brennan moved, seconded by Mr. Rutledge that the public hearing remain open for testimony by the applicant. The staff was instructed accordingly:

1. The applicant be informed to appear before the Commission prepared to testify on the Planning Director's recommendations for denying this application;

2. A representative from the Health Community Council be present at the next hearing to explain the need for intermediate care facilities since there is a difference of opinion concerning the need between the Department of Social Services and the Health Community Council;

3. A representative from the City Engineer's Office be present at the next hearing to explain whether the subject parcel is usable, whether corrections could be made to make it usable, or under what conditions could it be used.

✓PUBLIC HEARING CONDITIONAL USE PERMIT KALIHI BETWEEN HALENA & KOHOU ST. ON HOUGHTAILING ST. VINCENT H. YANO	At the Planning Commission meeting on April 30, 1970, the public hearing was kept open for two weeks and this matter referred back to the staff for consultation with the applicant on parking discrepancies and a revised plan. The Director reported that revised plans were not received in ample time for staff review and requested that this matter be deferred for further staff study.

<u>MOTION</u>: Mr. Brennan moved, seconded by Mr. Bright, that the public hearing remain open and action be deferred for further staff study.

PUBLIC HEARING ZONING R-6 RESIDENTIAL WAIAU BET.AIEA & PEARL CITY, ABOVE EAST LOCH OF PEARL HARBOR AMFAC-TROUSDALE	At the Planning Commission meeting on March 25, 1970, the Planning Commission referred this matter back to the staff for further study to obtain clarification on the availability of vehicular access to the area. The potential development of the lands of the Bishop Estate and Austin Estate for urban uses will generate considerable traffic, hence, the adequacy of the points of access and connecting streets had to be determined.

The Director reviewed the staff's report with the Commission.

Mr. George Moriwaki from the Traffic Department was present at the request of the Commission. Replying to various questions, he stated:

1. Although access to the subject area is adequate, their department is concerned with traffic on Moanalua Road. Traffic projection for 1985 indicates that Moanalua Road will be inadequate to carry traffic generated by the anticipated development mauka of the H-1 freeway and the Leeward area even though it is presenly being widened to six lanes. Considering also the injection of a mass transit system, the capacity load for Moanalua Road is still questionable.

2. They have reviewed the applicant's plans and are satisfied with their proposal to develop the 140 acres.

3. There is a long-range scheme to alleviate the traffic problem on Moanalua Road but none to do it immediately.

Replying to a question by the Commission, the Director stated that although he feels the proposal could be approved, he would caution subsequent developments in the subject area.

ACTION: The Commission on motion by Mr. Yamabe, seconded by Mr. Brennan, recommended the approval of this application.

PUBLIC HEARING ZONING I-1 LIGHT INDUS. DISTRICT KALAUAO MAKAI OF KAM HWY. BET. KALAUAO STREAM & KALAUAO SEWERAGE TREATMENT PLANT PLANNING DIRECTOR	The Planning Commission at its April 2, 1970 meeting deferred action for further staff study regarding the appropriateness of the General Plan designation for the lands between Kalauao Spring Ditch and Kalauao Stream. The Director submitted and reviewed with the Commission the staff's report reaffirming the recommendation that the lands between the Kalauao Spring Ditch and Kalauao Stream, presently zoned R-6 Residential be rezoned to I-1 Light Industrial in conformance with the General Plan.

The following points were discussed:

1. The possibility to utilize the three parcels of land immediately Ewa of the Kalauao Spring Ditch for a mini-park to service the

apartments now existing on Lipoa Place. The Director stated that procedures to acquire the land are underway.

2. To provide a buffer of vegetation along the Ewa side of Kalauao Stream to screen off the appearance of the industrial area evident to residents across the stream.

Mr. James Ohta, an adjoining resident who appeared at the last hearing on this matter to protest this proposal, was present and requested an opportunity to be heard.

Inasmuch as the public hearing was closed, Commissioner Yamabe advised Mr. Ohta that he would move to reopen the hearing if Mr. Ohta could present new evidence why this proposal should not be approved.

Mr. Ohta requested a deferral of this matter for the following reasons:

1. He was told at the closing of the public hearing that he would be formally notified when this matter would be brought before the Commission again; however, he received notice at 8:55 a.m. today by phone.

2. Since this proposal has no urgency, he would like time to bring this matter before their community association.

3. They are not against change in their community but are hopeful that the Planning Department could propose a plan satisfactory to them which he believes has not been done.

4. He reiterated his objection given at the last hearing that the area was originally zoned R-6 and they established their homes there with the understanding that the adjoining property would be zoned residential too.

The Chairman pointed out to Mr. Ohta that there is basically no change in the Director's views between his report submitted at the previous hearing on this matter and of his report today. Although the Commission is sympathetic with him, they felt that he had presented no new evidence which they could consider.

ACTION: Based upon the Planning Director's recommendations, Mr. Bright moved, seconded by Mr. Brennan, that the Commission recommend approval of the applicant's request for rezoning.

It was the opinion of the Planning Commission that a buffer strip along the Ewa side of Kalauao Stream should be provided and the applicant so notified.

Mrs. Sullam moved, seconded by Mr. Bright and carried, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

CONDITIONAL USE PERMIT KALIHI 2356 KAM HWY. TAJIRI LUMBER, LTD.	The applicant proposes to use approximately 3,000-4,000 sq. ft. of the 3.2 acre parcel for salvaging of construction materials from demolition work and to later haul unsalvageable material to the City dumps.
ADJOURNMENT:	There being no further business, the meeting adjourned at 4:37 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
May 21, 1970

The Planning Commission held a special meeting on Thursday, May 21, 1970, at 8:52 a.m. in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:
Philip T. Chun, Chairman
Edward Brennan
Thomas N. Yamabe II
Fredda Sullam

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Roger Harris, Staff Planner

ABSENT:
Arthur A. Rutledge
Roy R. Bright
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES:
The minutes of July 17, 1969, and May 7, 1970, were approved on motion by Mr. Brennan, seconded by Mrs. Sullam.

✓ PUBLIC HEARING
CONDITIONAL USE PERMIT
KAIMUKI
R-7 RES.DIST.
3107 WAIALAE AVE.
JAMES YEE & HUNG NGO MARN

A public hearing was held to consider a request for a conditional use permit to construct and operate an off-street parking facility on a 3,690 square foot parcel of land situated at 3107 Waialae Avenue in Kaimuki and identified as Tax Map Key 3-2-01: 29.

The Director reported the publication of this item in the Star-Bulletin and Advertiser on May 10, 1970. Copies of the hearing notice were sent to the applicant, applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received.

The Director reviewed the staff report with respect to the application for a conditional use permit to allow off-street parking adjoining a business district at the makai-koko head corner of Waialae and Second Avenues. Approval of the conditional use permit was recommended by the Director.

Questioned by the Commission, the Director stated:

1. The building will occupy approximately 25% of the 13,500 square foot lot with the rest remaining for parking purposes.

2. Question was raised whether the access point off Waialae Avenue is hazardous; the Director stated that although there is no specific answer in the Traffic Department's letter, they reviewed this matter and recommend favorable consideration of this proposal.

Public testimony was heard.

The applicants, Mr. and Mrs. James Marn, were present with their agent, Mr. Mike McCormack. Mr. McCormack briefly explained their restaurant operation which will be a sit-down type operation to accommodate 30 persons. With a two person per car ratio, he believed 15 parking stalls are adequate to serve their purpose.

There was no further discussion and no other person appeared to speak either for or against this proposal. Mr. Brennan moved, seconded by Mr. Yamabe, that the public hearing be closed and the matter taken under advisement.

ACTION: Mrs. Sullam moved, seconded by Mr. Bright and carried, that the Commission recommend the approval of this request for a conditional use permit, subject to the following conditions:

1. The revised site plans, entitled "H. Salt Esq. Fish and Chips" including the parking layout, submitted on May 15, 1970, be made part of the permit.

2. The off-street parking facility shall be used only in conjunction with a restaurant permitted in the adjacent B-2 district. The restaurant shall comply fully with all Comprehensive Zoning Code requirements (e.g. height, set-back, off-street loading space), and shall not be permitted to operate as a drive-in eating and drinking establishment. The parking spaces shall not be used for in-car eating and drinking.

3. A solid wall or fence four feet in height shall be provided along the inner boundary of the 5-foot buffer zone where the subject property adjoins the residential district.

4. Landscaping shall be provided and maintained in the 5-foot buffer zone area on the outer side of the above-mentioned wall and shall include sufficient plant material to screen the subject property from adjoining uses. Plans for landscaping and planting shall be approved by the Planning Director prior to application for a building permit.

5. Any illumination provided shall be so shielded as to prevent any direct reflection toward adjacent residential district.

6. Upon finding that any of the conditions imposed are not being complied, the City Council may authorize the Planning Director to revoke the permit or suspend the operation until compliance is obtained.

7. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

8. A certified copy of the document as issued by the Bureau of Conveyances or the Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KALIHI
BETWEEN HALENA
& KOHOU ST. ON
HOUGHTAILING ST.
VINCENT H. YANO

The Commission at its meeting on May 14, 1970, kept the public hearing open and deferred action on this matter because revised plans submitted were not received in ample time for staff review.

The Director advised the Commission that the new plans submitted by the applicant had been reviewed by the staff and met the requirements of the Comprehensive Zoning Code. Adequate parking as required was provided. The Director recommended that Condition No. 6 be amended to allow the parking areas to be within 5 feet of the adjoining property lines except where the property abuts Houghtailing Street.

There were no questions of the Director concerning the staff's report.

The applicant, Senator Yano, was present and concurred with the findings of the Director and urged approval of his application for a conditional use permit.

There being no further discussion, Mr. Brennan moved, seconded by Mr. Yamabe, that the public hearing be closed and the matter be taken under advisement.

ACTION: Mr. Brennan moved, seconded by Mr. Yamabe and carried, that the Commission recommend the approval of this request for a conditional use permit, subject to the following conditions:

1. The use of the premise and structures shall be restricted to activities of labor unions and union members;

2. No accessory business use open to the general public shall be permitted;

3. Parking shall be provided at a minimum of one (1) space for each ten (10) persons or fraction thereof leased on the occupant load of assembly area, plus one (1) space for each four hundred (400) square feet or fraction thereof of gross floor area of the remaining portions of all buildings;

4. The maximum height of the building shall not exceed 40 feet;

5. A six-foot high masonry wall shall be constructed along the Diamond Head boundary of Parcel 10;

6. No parking area shall be located less than 15 feet from Houghtailing Street nor less than 5 feet from any other property boundary.

7. Landscaping and planting plan for the proposed development shall be submitted to the Planning Director for his approval prior to application for a building permit, and that upon approval, said landscaping and planting plan shall be a part of the permit, and any deviation from it must first be approved by the Planning Director;

8. Windows and openings on the Diamond Head side of the building shall be constructed in such a manner to insure the privacy of the adjoining property.

9. The headquarters and meeting hall facilities shall be operated in a manner to conform to the performance standards applicable to noise regulation of the Comprehensive Zoning Code;

10. There shall be no recreation facilities on the premises; no meetings, gatherings, or events shall be held on the grounds outside the building;

11. The premises shall not be rented or loaned to other groups for social purposes;

12. Prior to issuance of a building permit, plans shall be submitted to the Planning Director for his review and approval, such plans indicating the use and area of all parts of the building, the number of parking spaces and layout of the parking area. The approved plans shall be made part of the Conditional Use Permit.

13. After the issuance of the Conditional Use Permit, the City Council may, at any time, upon finding that any of the conditions hereinafter imposed are not being complied with by the applicant, authorize the Planning Director to revoke the permit;

14. That the recorded owner of the land encompassed by this Conditional Use Permit be required to file with the Bureau of Conveyance or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions;

15. A certified copy of the document as issued by the Bureau of Conveyance or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit;

16. No construction of any type, including grading and foundations, shall commence prior to issuance of the Conditional Use Permit.

17. Prior to issuance of a Conditional Use Permit, a list of the activities of an office, assembly and educational nature to be conducted within the building, shall be submitted for the review and approval of the Planning Director.

Mr. Brennan moved, seconded by Mrs. Sullam and carried, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

✓ PLANNED DEVELOPMENT HOUSING KAHALUU AHUIMANU CLUB VIEW ESTATE DAN OSTROW CONSTRUCTION CO., INC.	1. The applicant proposes to construct 449 dwelling units in townhouse and apartment structures.
✓ CONDITIONAL USE PERMITS EWA BEACH FORT WEAVER RD. (TEMPORARY SEWAGE TREATMENT PLANTS) 3 APPLICANTS: EDMUND YOUNG; MIHO, HIGA, YOUNG & YOUNG; UYEDA & ISLAND INVESTMENT, INC.	2. The proposal is for the installation and operation of 3 temporary sewer treatment plants in conjunction with apartment developments proposed. The area has received tentative approval as an FHA 235 program for low-income housing.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:10 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
June 4, 1970

The Planning Commission held a special meeting on Thursday, June 4, 1970, at at 9:15 a.m. in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT:
Philip T. Chun, Chairman
Arthur A. Rutledge, Vice-Chairman
Thomas N. Yamabe II
Edward Brennan
Roy R. Bright
Fredda Sullam
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Henry Eng, Staff Planner
Bruce Duncan, Staff Planner
Bill Enriques, Staff Planner

ABSENT:
Richard K. Sharpless, ex-officio

MINUTES:
The minutes of March 19, 1970, were approved as circulated on motion by Mr. Rutledge, seconded by Mr. Brennan.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KANEOHE
45-695 KUAHULU ST.
R-5 RES.DIST.
JAMES CHING
(NURSING HOME)

The public hearing on May 14, 1970 was held and kept open at the request of the applicant in order that the operator of the proposed home, who was ill, could appear to testify on the Planning Director's recommendations for denying this application.

The applicant, Mr. James Ching, was present with Wilbert Yagi, Nursing Home Administrator, and William Beech, Engineer. Mr. Yagi explained the following:

1. Under State regulations, there are two types of care homes - the Nursing Home, and the Care Home.

   a. A Nursing Home conducts 3 types of care service

      (1) ECF program which is an extension of hospital nursing care under the medicare program;

      (2) Skilled Nursing Home where the patient is not covered by the higher level of medicare;

      (3) Intermediate Care which was just recently introduced and as yet has no established regulations.

b. The Care Home does not cover Intermediate Care.

2. Because there is no provision in the CZC for an intermediate care operation, he will obtain a CUP for a Nursing Home and then specialize in intermediate care. He has no objection to restrict this permit for that specific purpose.

3. This project will be privately funded; however, their contract with the Department of Social Services provides for a reimbursement program.

4. Under federal aided programs, patients will not qualify for medicare but will qualify for medicaid which is the lower level (ICF) care.

5. The CZC permits this type of development on a minimum of 20,000 sq. ft. however, their parcel is a 73,926 sq. ft. lot which is at least three times the minimum permitted. Although it might be economically feasible to utilize a smaller area, they do not wish to subdivide the land in order to provide land area for their patients.

6. Relative to the acquisition of a portion of their property by the State DOT, Mr. Yagi stated that even with the acquisition of property for a maximum of two traffic lanes, their operation would still be functional in a smaller area.

Mr. William Beech, Engineer, testified for the proposal.

1. The fact that no State or Federal funds are available to develop the proposed highway now, is a violation of the owner's right to develop his property.

2. Drainage --

   a. The adjoining drainage stream is very deep and adequate to carry the flow from the proposed nursing home.

   b. Drainage in the surrounding area is a very emotional problem because of the 1969 Keapuaka flood where a couple of lives were lost. This project will not contribute to the drainage problem in Keapuka.

The applicant, Mr. James Ching, claimed the charge of intimidation against him, made by the community association because of second-hand homes he will place upon the parcel if this proposal is denied, is untrue. He presently has three second-hand homes on the lot and will add more rather than pay property taxes for an otherwise vacant parcel.

Mr. Edgar Jones, President of the Kapunahala Community Association, along with 10 Kapunahala residents, appeared against the proposal and submitted the following:

1. Additional written testimony opposing the the proposal (statement on file). The community feels that this particular type of use is incompatible with the surrounding area and should be located in an area more subjected to its need;

2. Twenty-four additional signatures to their Petition against the proposal, totalling 1,375;

3. A visual slide presentation illustrating flooding in their community.

There was one question of the Director whether there would be objections on the same grounds to subdivide the parcel. He stated that a report from the Chief Engineer's office referred to a previous application for subdivision. Their comments denying that application are identical to those denying this proposal. Additional studies and corrections are proposed for the entire basin.

There was no further discussion and no other person appeared to speak either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Rutledge, seconded by Mr. Yamabe.

In discussing this matter, the Commission recognized the need for the intermediate care facility but did not feel its need in this particular location was justified.

ACTION: Based upon testimony given, and upon the Planning Director's recommendations, Mr. Brennan moved, seconded by Mr. Bright and carried, that the Commission recommend denial of this request for a Conditional Use Permit for the following reasons:

1. The proposed development at the present time will be harmful to the health, safety, and welfare of the surrounding neighborhood because of:

   a. Drainage problems: condition of the subject site, as well as abutting sites, still indicates potential flood problems of the area have not been fully resolved.

   b. Increased density inappropriate to the single-family residential character of the neighborhood, which will generate increased vehicular traffic not only by visitors but by staff and a certain amount of commercial traffic such as laundry trucks, grocery trucks, etc.

2. Preliminary plans to acquire about half of the parcel for an interchange preclude the City from allowing extensive development on this parcel.

   Since funds are not available now to acquire rights-of-way, it appears reasonable to say that such a major development, if granted approval, will permit costly construction or improvements to the property which could raise land acquisition costs.

In addition, when the interchange proposed for the area is effected, the noise from the traffic and the general activity of an interchange would not be conducive for a care home facility.

3. Based on reports from the Health and Community Service Council and the Department of Health, the need for nursing homes of this magnitude is questionable at this time. In an Areawide Health Facilities and Service Plan for the County of Honolulu, it is not anticipated that there will be sufficient demand for additional facilities until after 1975.

✓PUBLIC HEARING CONDITIONAL USE PERMIT KALIHI 2356 KAM HWY. I-2 HEAVY INDUSTRIAL TAJIRI LUMBER, LTD.	A public hearing was held to consider a request for a conditional use permit for the salvaging of construction materials from demolition work and for later hauling of unsalvageable materials to the City dump on land situated at 2356 Kamehameha Highway, containing 3.2 acres and identified as Tax Map Key 1-2-17: 2.

This matter was published in the Star-Bulletin and Advertiser on May 24, 1970. Copies of the hearing notice were sent to the applicant, applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received.

The Director reviewed the staff's report recommending the approval of this proposal. No questions were raised concerning the report.

Mr. Elton Sakamoto, representing the applicant, explained the following:

1. He assured the Commission that 4,000 sq. ft. is adequate to serve their purpose. Unsalvageable material accumulated within 4,000 sq. ft. amount to one or two truckloads and is transported weekly to the City Dump.

2. The quantity of material transported to and from the site fluctuates, depending on their business volume and the type of structures demolished.

   Approximately 20 truckloads of unsalvageable material are transported daily from a demolition site to the City Dump.

   Ten truckloads of both salvageable and unsalvageable material are transported daily from a demolition site to the company yard where it is segregated. Salvageable material is kept and resold. The balance is accumulated to make at least one truckload before a trip to the City Dump is made. To transport only a portion of a truckload is uneconomical.

There was no further discussion and no other person appeared either for or against this proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Brennan, seconded by Mrs. Sullam.

ACTION: On motion by Mr. Brennan, seconded by Mrs. Sullam, the Commission recommended the approval of this request for a conditional use permit subject to the following conditions:

1. The site shall be used for the storage or processing of salvage, scrap or junk.

2. The storage or processing of salvage, scrap or junk shall be limited to material resulting from the demolition of buildings and structures within the City and County of Honolulu.

3. The processing of salvage, scrap, or junk shall be permitted only on the mauka 100 feet of the site.

4. The operation shall be confined only to inorganic material resulting from the demolition of buildings.

5. A buffer zone having a minimum width of 20 feet shall be maintained between the edge of Kalihi Stream and the salvage site; said buffer zone to be clear of all structures.

6. A plan indicating the location of the sorting area and all permanent structures shall be filed with the Planning Director prior to the issuance of a Conditional Use Permit.

7. The operation shall be conducted in such a manner as to comply with the standards of the State of Hawaii Department of Health with respect to dust emission and rodent control.

8. After the issuance of the Conditional Use Permit, the City Council may, at any time, upon finding that any of the conditions hereinafter imposed are not being complied with by the applicant, authorize the Planning Director to revoke the permit.

9. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

10. A certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

PUBLIC HEARING PLANNED DEVELOPMENT HOUSING WAILUPE MAKAI SIDE OF KALANIANAOLE HWY. CROWN CORPORATION	A public hearing was held to consider a request for a Planned Unit Development-Housing District to develop 24 dwelling units in townhouse and apartment form on a site makai of Kalanianaole Highway in Wailupe containing approximately 4.066 acres and identified as Tax Map Key 3-6-03: 1 and 2.

Publication of this proposal was made in the Star-Bulletin and Advertiser on May 24, 1970. The applicant, various governmental agencies and community organizations, and adjoining property owners were also notified.

Staff Planner Henry Eng reviewed the staff's report recommending the approval of this project.

(A verbatim transcript of the proceeding follows. In view of testimony given, the Commission voted to keep the public hearing open to afford other interested parties an opportunity to testify.)

Chairman: Any questions of the staff from members of the Commission?

Sullam: Who were the people that were informed by letter of the public hearing?

Way: Ten property owners were advised, specifically Lenora Bilger, Elsie Caminos, Kelly M. Uyehara, Louis B. Blissard, Arthur R. Marous, Erwin E. Mankus, Carl B. Lyman, William A. Ash, Michael G. Sheehan, and Bryan Shada. The Kuliouou Improvement Association was also notified.

Sullam: Thank you. Generally speaking, I've been told that most of the people do not know that there was a public hearing today. They haven't been keeping track of the newspapers more or less since this is an area that's more than 20 years old. They don't expect new things to happen. So many of them were completely taken by surprise. I think we should make an effort to inform the people in the community.

Way: There was considerable effort made to inform people in the community in terms of the usual procedures insofar as contacting the community associations - the ones that are registered with the Planning Department, the 10 property owners indicated, plus I recall, the efforts of the developers to contact people at our specific request.

Henry Eng: Mr. Lowell Ing, who represents Crown Corporation has made attempts to contact the Aina Haina Community Association. This is the community association most pertinent to this particular property. I think he indicated to me that the possibility for holding a meeting for this project was difficult because the association is inactive.

Way: We also have a letter from the Wailupe Community Association, so they have been advised on this. We received a couple of other letters from people in the community, so that rather clearly, notification aspects of this matter has been substantially complied with.

Sullam: Thank you. What are the general lot sizes around this property?

Eng: The subject parcels are about 2 acres apiece. The land

in this area is zoned R-3 which means a minimum of 10,000 sq. ft. per lot. Most of these, I assume, would be pretty close to the acre and a half, two acres. As you get further over here (pointing to map), you get smaller lots, maybe less than 10,000 sq. ft. Another guide we might use is Wailupe Circle where I think the minimum lot size is 10,000 sq. ft.

Sullam: Am I not correct that when you put 24 units on these four acres you will average approximately 7,260 sq. ft. per unit?

Eng: Yes you will. I haven't checked the figures but I assume--

Chairman: Any further questions from members of the Commission? If not, anyone present to speak against this proposal?

Mrs. George Neuffer: I was never notified. I saw it in the paper. I'm in the real estate business and a member of the Realty Board. A client of mine was interested in that property.

(Mrs. Neuffer read her letter of protest which is on file. No questions were raised.)

Dennis O'Connor: I appear as President of the Niu Valley Community Association. I mailed a letter.

The Niu Valley Community Association is concerned about this development and objects to it for this reason, primarily because it changes the entire concept of utilization of land on the makai side of Kalanianaole Highway between Waialae and Koko Head. This is the first high-density devleopment which has been proposed. If its approved, it will be the first one in on that side of the highway. There are many other land owners along the highway who have parcels of land which may be utilized in the same way.

We object because we feel that the makai side of the highway should be retained in the present situation. The zoning should be retained so that you have large lots with decent homes and a decent looking place so that as you travel along the highway, utilization of the highway does not become one of driving along a series of apartment houses.

The concern of the community association is one of traffic congestion. As you well know, the highway going out in that direction narrows from 3 lanes to 2 in Aina Haina. There is sufficient roadway up to just about where this property is for the additional land. Where this property begins and on down to Niu Valley today, the existing roadway is insufficient

for 3 lanes. Hence the 50-foot demand from the DOT for a setback across these properties if, and we all hope and I think Senator Rolfing will follow me up on this, when the highway is enlarged in Hawaii Kai and it must be for the development of Hawaii Kai, there's going to have to be condemnation along these particular lots. When the 50 feet is taken from these lots, the setback will essentially decrease the size of this lot so that instead of the 7,200 sq. ft., it'll go down to 5,000 sq. ft. of land per dwelling unit. Not only that, but the highway will come in right against the dwelling area and any buffer zone which you may or may not be able to create today, will be non-existent. So you'll have a highly developed area right on the highway.

Today the congestion along the highway is fantastic. It will only get worse. Hawaii-Kai grows everyday. I don't know what the DOT's talking about when they say there is no problem because everyone has a problem getting on to the highway and getting off and turning across traffic. I suggest that if all the people in this area went to work at the same time in the morning, they would have one heck of a time getting onto the highway to proceed in a Honolulu direction. Anybody getting out in the traffic in the afternoon when everybody's going home will be almost impossible.

From the standpoint of our community association, we object to the development because of its character and because of the problems that it will create and because in the area that it's located, it has a direct and pertinent involvement upon our community association.

I would take some issue with, I forget who's comment it was, that the Aina Haina Community Association is the one most concerned about this development, because you'll note from the map that these lots are directly between Aina Haina and Niu Valley. Any congestion and any problems with the highway and any other difficulties which will arise will have a much greater impact on Niu which is just Koko Head of this area than it will have on Aina Haina. That's all I have to say.

Bill Capp: I'm President of the Wailupe Peninsula Association. Denny O'Connor and I have talked this over and Niu and Hawaii-Kai would be more affected by this high density dwelling. On the Wailupe side, we're thinking of the entire coastline and aesthetic view which would be changed by the high density along this area. I'd like to go on record as objecting for the same reasons that Mr. O'Connor. That's all I have.

Bob Stengle: I live on Kirkwood Place. We were neither informed by letter or by the developer. We read it in the paper.

I have a couple of points to be added to it. One is to another phase of the highway safety. If the highway takes about 5 or 6 years to be improved and will remain with the constriction and the jogging the way it is, right now there's an average of one accident per month at this point. This includes a fatality within the past 9 months. By putting a blind driveway that furnishes these units, this would add another scare factor to people coming around that and undoubtedly increase the accident rate and perhaps the fatality rate for this point.

One other point I'd like to make is I object to the view obstruction and the variance of two feet that would be permitted the 4th story highrise. Right now we have a very nice view of the ocean horizon which is more important than being just able to see water. With this 4th story this will effectively block out a portion of our horizon view and not only ocean view. The two-foot variance does nothing but allow an extra story to be built on this.

Going along with what has been said as far as the area being removed when the highway comes along,

perhaps blocking off the 4th story would make it less objectionable as far as the view is concerned. It might help the density problem.

That's all I have.

Senator Rolfing: I appear in response to a reading of the newpaper which was brought to my attention by my wife last nite that the proposal was before you.

I again must reiterate the concern that Mrs. Sullam has expressed with her questions, and several people have observed here, with respect to the notice procedures of the Commission in matters of this kind.

I certainly think that a development of this size, significance, in respect to change of character of this area, the effect it has on people who live on all sides of the development, not only the immediate neighbors but those who are affected by a higher density completely different which has been the case in this area, should be notified ahead of time of these hearings.

I would at this point, before going to the specific points, cause I'd like to summarize, make a request of the Commission that it hold an additional public

hearing on this matter giving additional time for the community organizations and other residents in the area to make their comments known.

When I say I am concerned about the character of the area, I am. I reiterate Denny O'Connor's comments, the nature of this area being one that for years has been single-family residents and the fact that the approval of this project will open the door for the entire coastline to be developed along the same pattern.

I wonder whether we want to develop the areas immediately adjacent to the ocean in this manner. One of the purposes of the shoreline setback fill was an attempt to provide open space, to provide a truly Hawaiian environment along our coastline throughout the State. That bill provides "the counties may set a setback in addition to that which the Land Use Commission establishes by law which is 20 to 40 feet." This City and County could establish a 60-foot setback if it wanted to. The objective and intent of that law was to give the counties the power, and to expand in this area. Now whether this was done in this area is not the question. I'm not advocating that we set the entire area back and that we remove the houses there or we condemn them

for sale. I do raise the question whether this kind of project should not better be located in the upper parts of valleys such as the condominium development in Kalani-Iki and other areas such as that.

With respect to the highway, we do not know at the present time when we will have the funds for the expansion of the highway from the present narrow 4-lane development which abuts the 6-lane widening which was recently accomplished just to the Ewa side of this proposed development. I will say this, that we proposed to get the money for this, along with the widening of the Hawaii-Kai area during the last session of the legislature, but there were insufficient funds for this, but there was plenty of money for the Kaiser Estate. On the other hand, we do expect in the near future to obtain money for widening this area.

The critical point I think is the ingress-egress problem. If you have 24 units, you probably have a minimum of 48 cars. You have a 60-car lot proposed in this development. I can't conceive of how these cars are going to get in and out of that highway during any of the rush hour traffic.

I try to get on the highway at Waialae-Iki which is further down the road toward Ewa, and in the morning

it takes me up to 5 minutes to enter at that point, even with a partial run-up because of the traffic coming there in 3 lanes rather than the 4-lane highway which directly abuts this proposal. It's divided down in the Waialae-Iki area where here it is not. You have to cross two lanes proceeding Koko Head first, and then get into the two lanes proceeding towards town. If you've got that many cars trying to get in and out, I defy anybody to get those people in and out during a rush hour. Without a stop light, a circle, or overpass or some other major traffic control device, and we have enough of those as it is on this highway, I think that you will find people from Hawaii-Kai when they become aware of what's happening, here. They will be up in arms because they will realize that they will again be blocked, delayed, and the congestion will occur because of this development.

Now as I said, this opens the door to further development along this coast. In particular, even if you took the lots adjacent to these lots, some of them are of size similar to some of these. You can multiply the problems of traffic control to those lots. So what you have here is a Pandora's Box of congestion at probably the narrowest point in terms of where the hill abuts the highway, and where the

mountain range is closest to the sea. I think you might describe this as really a choke point of traffic in this entire area.

I would urge that the Commission not approve this proposal because it would create traffic chaos, it would create a change of the character in the area and the environment of this particular area. I would ask and respectfully request the Commission to continue this hearing and to hold a public hearing with ample notice to all parties concerned.

Sullam: I just want to suggest to Mr. Rolfing that the highway be increased to 3 lanes in both directions. I know that has to be done. But at the same time when this is done, I would like to bring to your attention that it would make it almost impossible for the people who presently live on the highway to get in and out of their driveway. As you know, I live on the highway and we have 2 lanes presently. I can barely get into my driveway. I hope when they do design the highway that they will consider this predicament.

Rolfing: Yes. It's a very severe question.

Sullam: We will have no way of getting in and out. I don't know how this can be solved.

Rolfing: I don't either because it may end up that you have condemnation of your property. Really, because if you can't figure how you can't get in and out of your driveway, think of what this is going to do, 48 cars trying to get out?

Sullam: I know that police officers have also stopped people from crossing into their driveway, although when they find out that they live there, they don't ticket them. There is nothing else they can do.

Rolfing: I think there was an ordinance just passed or had a reading where the Council can prohibit left turns into driveways. You may have to go down to someplace else, turn around and come back. I heard that on the radio the other day.

(No other person testified against the proposal.)

Way: We received letters including a letter from Mr. O'Connor representing the Niu Valley Community Association which he did also mention. I don't know whether it was mentioned in his testimony that it would be far better to commit this property to park use for the residents of the area rather than allow the proposed development.

Also, a letter was received from Mr. Stengle. He

raised several points, highway alignment, parking, view obstruction and effect on the neighborhood.

Another was received from a Mrs. Ash stating view obstruction, decreasing the value of their property at 5428 Kalanianaole Highway.

I don't see any others that have not been already covered by testimony. There was one other letter from Mr. Capp of the Wailupe Community Association. They object to the spot zoning to accommodate the Planned Unit Development. They request that development be limited to single-family dwellings.

Chairman: Anyone in favor of the proposal?

Shada Bryan: I own the property Koko Head of this proposal. It may be a little bit advance at this time because of this unfortunate highway situation but I don't think that anyone who would be purchasing an apartment or condominium there at that price is going to be worried about rush-hour traffic. Their entry onto the highway would be much after or before the rush traffic has gone by.

I don't think it would mar the landscape. The view might upset some of the people at Kirkwood Place

but most of the things you see now are trees anyway. I think its an excellent way for future development throughout the island. If you can leave open space as you drive by, you can see the water. If they had it all lined up so that everything was blocked off, that would be very poor but this way the general public can see the water. As you drive out Kalani-anaole Highway, there are very few private homes where you can look through. Most of them have high hedges, walls, tress, or something like that unless it were park all the way. I really don't think the State can afford that.

The highway department may have to do an elevated highway and have turn-arounds at one-mile intervals or some such thing. They seem to move dirt around at great mountains.

I live at Ewa at present and they've moved 3 piles, 3 times, and they've made a mountain on one side and an overpass, and now it's an underpass. They've done a marvelous job and everyone seems to get home although it takes a little longer. But I think the same thing can be done between that area and Hawaii-Kai. I really don't think it'll be that bad at all. I wouldn't mind living next to it in fact I'm going to in August.

Sullam: Have you lived on your property?

Bryan: I'm going to in August.

Sullam: How long have you not lived in the neighborhood?

Bryan: I haven't lived out there for 10 years. I've been living at Ewa. My mother lives there and we spend a lot of time out there. So I'm not aware of sewers, etc. that are going on.

Sullam: We don't have any problems with sewers. I wondered whether you're aware of the traffic.

Bryan: Oh Yes.

(This concluded testimony for today's hearing. Mr. Bright moved to keep the public hearing open for further public testimony, seconded by Mrs. Sullam and carried.)

Chairman: Mr. Director, what type of notice would be forthcoming from the department so as to give adequate notice to all those who might be interested?

Way: It's a little difficult to tell who might be interested in this issue. We feel that a reasonable attempt has been made and reasonable efforts made to contact those in the vicinity and various community associations that may be interested in the issue. I suppose we might examine this further but at the moment I don't have the specific recommendastion for additional contacts that might be made. Let us examine that.

Sullam: I just want to say that I don't want to fault our Director for not having supplied all the people of the neighborhood with the notice. I realize that's almost impossible. But with PUDs and CUPs the people don't know what they are until they come before the Commission and they're explained. Now that it's come before the Commission, and I trust it will be picked up by the newspapers, the people will hear about it or read about it in their papers. I don't think there's anything more the Director has to do.

Brennan: I agree. By the testimony given by the people here today, I would bet there'll be a turnout at the next meeting. I don't think you're going to have to advertise.

Chairman: All right. The hearing is kept open to June 18th.

✓LAND USE COMMISSION PETITION KAHALUU TMK: 4-7-49: 9 NICHOLAS F. GREENER

The State Land Use Commission referred to the Planning Commission for its comments and recommendation, a petition submitted by Mr. Nicholas F. Greener to amend the State Land Use District Boundary at Kahaluu from Conservation to Urban for a parcel of land identified as Tax Map Key 4-7-49, Parcel 9 at Kahaluu.

The Director reviewed the staff's report and pointed out that since the major land use in the area is agriculture, this request would be an expansion of that use. Under the CZC, one dwelling unit is allowed on a 2-acre parcel in an Ag-1 District.

There were no further questions.

ACTION: Mr. Brennan moved, seconded by Mrs. Sullam and carried, that the Commission recommend the approval of this request subject to the conditions requested by the Director.

✓CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY NO. 5, FISCAL YEAR 1970

The City Council referred to the Planning Commission for its review and comments, Bill No. 62, lapsing $662,750 for Aiea Stream Flood Control, Waianae Flood Control and Pensacola Street Relief Drain, Unit I and reappropriating the same amount for Kapaa Incinerator and ash disposal and Waialae-Kahala major drain projects.

No discussion followed.

ACTION: Mr. Bright moved, seconded by Mrs. Sullam, that the Commission recommend the approval of Bill No. 62, Capital Improvement Supplementary No. 6.

✓STREET NAMES

The Commission, on motion by Mr. Bright, seconded by Mr. Brennan, recommended approval of the following street names:

Kipaipai Street	Roadway running between Hooli Circle Road and Acacia Road.
Meaning:	To encourage, inspire.
Hoola Place	Deadend roadway off Kipaipai Street
Meaning:	To save, heal, cure, spare; salvation; healer, salvation.

Mr. Brennan moved, seconded by Mr. Bright and carried, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

CONDITIONAL USE PERMIT
HAWAII-KAI
R-6 RES.DIST.
TMK: 3-9-15: 25
KAISER HAWAII KAI DEVELOPMENT CO.

1. The applicant proposes the Phase III expansion of the existing sewage treatment plant which will increase the treatment of sewage waste from primary to secondary treatment and increase the capacity.

CAPITAL IMPROVEMENT PROGRAM
BILL NO. 52
CAPITAL BUDGET ORDINANCE FOR FISCAL YEAR JULY 1, 1970 TO JUNE 30, 1971

This matter was referred back to the Commission by the City Council on June 2, 1970.

A special meeting for consideration of this item alone will be held on Tuesday, June 9, 1970 at 8:30 a.m.

IMPROVEMENT REVOLVING FUND
RESOLUTION NO.173

The City Council, by Resolution No. 173, referred to the Planning Commission for its review and comment, a proposal to transfer the sum of $131,752.50 from the Improvement Revolving Fund for the following purpose:

Building Department--

1.	Settlement of case in Civil No. 25608, Civic Center Site (Mauka Block) Parcel 21	$ 53,715.00
2.	Settlement of case in Civil No. 25610, Civic Center Site (Mauka Block) Parcel 23	78,037.50
	TOTAL	$131,752.50

ACTION: On motion by Mr. Brennan, seconded by Mrs. Sullam, the Commission recommended the approval of the proposal to transfer the sum of $131,752.50 from the Improvement Revolving Fund to the Building Department for the purpose stated.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:38 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
June 9, 1970

The Planning Commission held a special meeting on Tuesday, June 9, 1970, at 8:30 a.m. in the Conference Room of the City Hall Annex with Chairman Philip T. Chun presiding:

PRESENT: Philip T. Chun, Chairman
Thomas N. Yamabe II
Fredda Sullam
Roy R. Bright
James K. Sakai, ex-officio

STAFF PRESENT: Robert R. Way, Planning Director
Harris Murabayashi, CIP Analyst
Sojin Serikaku, CIP Analyst
Andrew Sato, Deputy Corporation Counsel

ABSENT: Arthur A. Rutledge
Edward Brennan
Richard K. Sharpless, ex-officio

This special meeting was held to consider the City and County of Honolulu's Capital Improvement Program, for Fiscal Year 1970-71.

CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 1970-71

A review of the staff's report was made with each Department Director involved. The Commission concurred with the staff's recommendations with exceptions in two areas:

1. Dept. of Public Works, Engineering Division - Aina Haina Slide Area

   a. Staff recommends approval of Council action to purchase rather than attempt to arrest slides.

   b. Planning Commission recommends continuation of correction program to stop slides.

2. Dept. of Traffic - Off-Street Parking (Multiple Use of Parking Structure Within Central Business Area, Conceptual Study)

   The Commission agrees with the staff's recommendation but also recommends that concurrent to conceptual studies conducted, funds be provided to implement those conceptual studies before P&E monies

are expended for actual design. Conceptual studies would be conducted and simultaneously, the design work as well, where it is deemed feasible. This means that conceptual studies would be mostly completed so that there is a basic plan available what will actually be done.

ACTION: Mr. Bright moved, seconded by Mrs. Sullam and carried, that the Commission recommend the approval of the proposed Capital Improvement Program for Fiscal Year 1970-71, and suggested the following:

1. Dept. of Public Works, Engineering Division - Aina Haina Slide Area

   The correction program to stop the slide action be retained and explored;

2. Dept. of Traffic - Off-Street Parking (Multiple Use of Parking Structure Within Central Business Area, Conceptual Study)

   Funds be provided in the CIP for design of specific projects that may be recommended by the multi-use study.

ADJOURNMENT: The meeting adjourned at 12:05 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter III

Special Meeting of the Planning Commission
Minutes
June 18, 1970

The Planning Commission held a special meeting on Thursday, June 18, 1970, at 8:35 a.m., in the Conference Room of the City Hall Annex with Acting Chairman Arthur A. Rutledge presiding:

PRESENT:
Arthur A. Rutledge, Acting Chairman
Edward Brennan
Thomas N. Yamabe II
Fredda Sullam
Roy R. Bright
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Roger Harris, Staff Planner
Henry Eng, Staff Planner

ABSENT:
Philip T. Chun
Richard K. Sharpless, ex-officio

MINUTES:
The minutes of March 12, 1970, May 14 and 21, 1970, were approved on motion by Mr. Bright, seconded by Mrs. Sullam.

✓PUBLIC HEARING
PLANNED DEVELOPMENT
HOUSING
WAILUPE
MAKAI SIDE OF
KALANIANAOLE HWY.
CROWN CORPORATION

At its meeting on June 4, 1970, the Commission voted to keep the public hearing open to afford other interested parties an opportunity to testify.

The Director reported the receipt of a letter from the applicant, Lowell C. E. Ing, Executive Vice-President, Crown Properties, Inc., withdrawing their request in order to restudy the project after considering the comments made at the last public hearing.

ACTION: On motion by Mr. Bright, seconded by Mrs. Sullam and carried, the Commission closed the public hearing and accepted the applicant's letter of withdrawal.

PUBLIC HEARING CONDITIONAL USE PERMITS EWA BEACH FORT WEAVER RD. (TEMPORARY SEWAGE TREATMENT PLANTS) 3 APPLICANTS: EDMUND YOUNG: MIHO, HIGA, YOUNG & YOUNG: UYEDA & ISLAND INVESTMENT, INC.	A public hearing was held to consider three requests for conditional use permits to construct and operate private sewage treatment facilities on three parcels of land situated along the North side of Fort Weaver Road near its juncture with North Road in Ewa and identified as Tax Map Key 9-1-01: 7, 11, 12, 13, 17, 18 and 20. Publication was made June 7, 1970, and copies of the publication notice were sent to the applicant, applicable governmental agencies, to various civic and community organizations in the area and to nearby property owners. No letters of protest were received prior to this hearing.

The Director reviewed the staff's report relating to the three applications for Conditional Use Permits to install and operate private sewage treatment plants for apartment developments proposed in Ewa Beach. The three sites are in close proximity to each other, will contain similar types of housing and will use the same type of treatment plant. Therefore, the three applications have been considered in one report.

Questions directed to the staff related to the following points:

1. Odor - The amount of odor generated from the plant depends strictly upon the extent of maintenance by the owner of the plant.

2. Prevailing wind direction - Winds blow away from the proposed apartment area toward existing residential units along the oceanfront.

3. Any similar STPs on Oahu - A similar plant operated by the Navy on the Waipio Peninsula is not enclosed (like the proposed one will be), and gives off very little odor because it is well maintained.

4. Type of test conducted by the State Dept. of Health - Testing was performed by the developers professional engineers, and witnessed by the State Department of Health. Drilling was conducted to a depth of 35' and water dispersed into the hole to determine the rate of percolation or gallonage per minute. Rate of dispersal amounted to 55 gpm which qualified the saturation capacity for the hole.

   If the 35' depth proves insufficient, steps would be taken to drill to a deeper depth or to drill another hole.

5. Water seepage and where it goes - The resultant plant water or effluent, seeps into coral in the ground. Comments from the Board of Water Supply indicate no concern of possible contamination as a result of using this sewage plant system.

Mr. Peter Sakai, Chief of the Sanitary Branch, State Department of Health, appeared for informative purposes only and gave the following information:

1. Their concern lies with the effluent. Because of water quality standards, it is economically unfeasible for private developers to provide the "outfall" method where the waste water is disposed of into the ocean. This method is preferred by their department.

2. Discussions were held with the Board of Water Supply on this proposal to be sure that the proposed method does not interfere with groundwater usage. To their knowledge, there are no existing wells in the area for such utilization.

3. Before plans are approved, their Department requires and witnesses a test conducted by a sanitary engineer or a mechanical engineer who must attest to the adequacy of ground assimilation. Based upon the professional engineer's attestation, approval is given; but there is no guarantee that the system will work.

   Failure in operation of the sewerage system results in a citation to correct the situation. If necessary, sewer trucks are dispatched to the plant site to alleviate the situation.

4. No visible observation can determine whether there is additional area available in the vicinity for another system in the event the proposed sewage cavity exceeds its load capacity. This depends upon the ability of ground saturation.

5. Because of a discrepancy in the rate of infiltration between the City and State Engineering Divisions, the Director questioned--

   (a) whether this discrepancy was cleared;

   (b) whether the method of treatment for the project is satisfactory and whether their Department approves of it.

   Mr. Sakai stated--

   (a) The discrepancy was not cleared.

   (b) Approval was given in view of the satisfactory test performance conducted by the consultant who designed the plant and who is also a professional mechanical engineer. Even though their Department has no guarantee that the sewerage system will work, they have no recourse and must approve the system if the test is satisfactorily performed.

   Since this injection type sewerage system is relatively new in the islands, they must proceed on a trial and error basis. Other similar injection-type operations have been successful.

(c) It should be noted that the testing was conducted in clear water and not in effluent which is milky and could possibly seal the porous coral material.

Mr. Chew Lun Lau, Division of Sewers, City and County Public Works Department, also appeared for informative purposes only and gave the following information:

1. They question the percolation rate taken by the State and feel that it is relatively low.

2. Their purpose at this hearing in relation to the proposal is only to comment on two of the three proposed STPs for the area concerning the design and adequacy of the structure; not to make a recommendation on the proposal. The proposed STP is overdesigned which is very important and beneficial to the operation as it provides room for adjustment should any unforeseen circumstances develop.

   Information on the third STP was not submitted in time for a review by their Department.

3. Their experience with similar injection method STPs extends only to subdivisions rather than to the proposed usage. From their experience in subdivisions, injection-type STPs have failed after a period of time.

4. He believed this type of STP very applicable and economical for the proposed usage but was concerned about the effluent disposal.

Testimony FOR the proposal was given by--

1. Robert Miller, Architect, Quality Pacific Ltd.
2. William Foster, Sanitary Engineer, Hydro-Mech Inc.
3. Clarence Nakashima, Mechanical Engineer, Quality Pacific
4. Vernon Luke, Consultant, Quality Pacific
5. William Lum, Vice-President and General Manager, Nat Whiton Drilling Co.
6. William Benge, President, B.L. Snow Enterprises, Inc. and Benge Corp.

for the following reasons:

1. They have complied with various tests and requests made by various governmental agencies;

2. They have supporting data indicating no water contamination from their proposed system;

3. This proposal will help an increasing housing shortage. It is under the Federal Housing Administration 235 program and must be completed within a certain time period.

4. They are willing to comply with all conditions imposed.

The Commission questioned the following points:

1. Plant Maintenance

   a. How much time is required daily and what type of work is involved?

      One hour daily, and there are 3 areas of basic maintenance

      (1) Mechanical - Maintaining proper lubrication of air compressors and motors periodically on a routine basis;

      (2) Routine housekeeping - Keep areas above normal operating water level clean. This prevents odor of that material;

      (3) Routine testing of equipment.

   b. How frequent, and how much time is required to remove sludge off-site?

      Once every 3 months, and approximately 3 or 4 hours for a truck to insert a pump sunction hose to remove the material and haul it away.

   c. Who's responsibility?

      Prospective condominium owners. The City Public Works Department would arrange the maintenance program schedule.

   d. Who enforces, State, City, or Planning Commission?

      By Condition No. 6 of the staff's report, a program for operation and maintenance of the plant must be submitted to the Planning Director prior to the issuance of the CUP. This would be referred to the Public Works Department which would set up the program schedule.

      Monitoring the system would involve the Public Works Department and the State Department of Health.

      The Planning Commission could impose this monitoring system upon the Department of Public Works. Additionally, bonding to insure maintenance is another safeguard, and submittal of periodic reports to the Public Works and Planning Departments could be included.

2. Plant Operation

   a. What happens to the solid waste material?

      Pollutants or solid material entering the plant are converted into a flocculent material through precipitation in the plant by a clarification process. The leftover sludge material is removed by

pumping it into a scavenger-type truck, and is transported for spreading on agricultural land. This spreading is common practice in the use of this particular STP system.

b. In the process of removing sludge material off-site, how much odor is generated?

The process will not give off extensive odor because there is sufficient treatment of the sludge material which deteriorates the odor, resulting in actual odorless carbon dioxide gases.

c. Any experience with similar STP operations?

There are 15 similar operations on the outside islands and all are very successful. This system is effective only in coral and will not work in clay material.

3. Effluent

a. Does it meet federal standards?

Effluent from a well-maintained STP is pure and not polluted. The process of removing the pollution is involved in the plant.

b. What happens to effluent injected into the ground?

It goes through a further filtering system through the porous coral material before dispersing into underground areas. The direction of underground water flowage is not known but studies indicate that various levels of ground strata could control this flowage.

c. What effect, if any, will effluent seepage have upon the ocean and upon marine life?

There is no effect because coral acts as a further filtering system.

4. Was a study made to determine (1) the kinds of material available and at what levels; (2) the extent of usage, whether one cavity could serve a dual purpose rather than drilling another one?

A strata study was conducted which revealed a coral thickness in the vicinity of approximately 93' to 106' which is adequate for their purpose. Experience-wise, at times it was more economical to drill to a deeper depth rather than to bore another hole.

Mr. Brennan commended the developers on the proposed project. However, he pointed out that even though there is an extreme housing shortage on Oahu, the Commission must weigh and consider all areas of development, particularly sewerage systems which is vital before housing developments can occur. If there is possibility that the project might contribute to a blight in the vicinity, Mr. Brennan stated that he would not hesitate to vote against it.

Testimony AGAINST the proposal was given by the following people:

1. Robert Arthur, residing at 91-084 Parish Dr., Ewa Beach
2. Harry K. Ching, 91-555 Fort Weaver Rd., Ewa Beach, submitted written statement dated June 17, 1970
3. Rev. Douglas Olson, private citizen, 5339 Kalanianaole Hwy.
4. Allan Terrell, President, Ewa Beach Community Association
5. Mrs. Florida Underwood, President, 20-12 Precinct Democratic Club, submitted written statement dated June 18, 1970
6. Ewa Beach Lions Club, Resolution dated June 11, 1970, signed by David Tuegh, Secretary, opposing any development which will in any way increase the pollution of the air and waters in the Ewa Beach area.
7. Hawaiian Puuloa Club represented by Mrs. Florida Underwood

Their objections are:

1. Odor - Because the proposed sewerage system is relatively new in the islands and there is no guarantee that it will work, any odor emanating from the plant will be carried throughout the entire community (not forgetting the school complex nearby), by prevailing trade and ocean winds.

   The developer doesn't insure that the plant, aboveground, will be odorless but rather the effluent discharged underground will be odor free. This indicates that odor will associate with the plant (aboveground) during the aerification and biological recomposition phase.

2. Noise - Plant generators will impose a noise problem.

3. Pollution of ground, air, the drainage canal, ocean waters and sealife, caused by the odor, and effluent seepage is detrimental to the health and safety of residents.

4. Flooding - A minimal rainfall takes 3 days for the water to drain inspite of the nearby drainage canal. In fact, the canal irritated the situation and generated a higher water level. This project will irritate the problem further.

5. Erosion - The drainage canal constructed in Ewa Beach 3 years ago, over protests from residents, caused erosion problems on the beach area adjacent to the canal. Before its construction, professional engineers assured the community that no erosion would occur. As a result, for the past 4 years, documentation was made (and will continue to be made) of all pollution and erosion area in Ewa Beach and submitted to Congressman Sparky Matsunaga in Washington.

6. Overall Planning - Consideration should be given to overall planning as to whether or not this proposal is compatible to existing community living. Good planning locates plants outside of communities to avoid

odor contamination to communities they serve. Installation of a permanent plant should be made rather than a temporary one.

7. Housing Shortage - While it is true that Honolulu is experiencing a severe housing shortage, overcrowding in Ewa Beach will result by the proposed project because of limited space. Housing should be provided but not at the cost of polluting the existing community.

8. Maintenance costs - There must be prescribed funds for maintenance from prospective apartment owners. If not, there would be a problem to obtain more funds from the same owners later on.

9. Developers consulted only those who favored the development, not the entire community.

10. Campbell Estate representatives attended one of their community meetings and informed them of plans for a STP in their industrial area which could service Ewa Beach.

11. The Dalton-Swope case might have some effect on this proposal. A homeowner's group in their community is preparing a suit against the City declaring the entire 60-acre apartment zoning illegal inasmuch as it does not conform to the General Plan. The Detailed Land Use Map designates apartment use which conflicts with the General Plan's residential zoning.

12. Reasonable time should be given to the community to study such proposals. Notification should be made as soon as the request is made to the Director so that they might have an equal chance to conduct their study.

Mrs. Florida Underwood was disturbed at the fact that she recently inquired of the Planning Department staff whether there was any proposed development of the subject area, received a negative reply, and then learned of this proposal now.

There was no further testimony.

The public hearing was kept open on motion by Mr. Bright, seconded by Mrs. Sullam.

The Commission directed that the Sewers Division complete their studies of the proposed sewerage system, and submit its recommendation to the Planning Commission at the next hearing on this matter.

PUBLIC HEARING PLANNED UNIT DEVELOPMENT HOUSING KULIOUOU VALLEY R-4 & R-5 RESIDENTIAL DIST. COMMUNITY SYSTEMS CORPORATION	A public hearing was held to consider a request to develop approximately 11.462 acres of land in Kuliouou Valley as a Planned Unit Development-Housing District that will contain approximately 99 units on a parcel of land identified as Tax May Key 3-8-06: 12 and portion of 5. Publication was made in the Star-Bulletin and Advertiser on June 7, 1970. No letters of protest were received.

The staff's report was reviewed by the Commission and points questioned were already covered in the report.

Testimony FOR the proposal was given by:

1. Judge Jack Mizuha, representing the applicant
2. Mr. Bung Yuen Quon, Vice-President and Acting Chairman of the Kuliouou Improvement Club, submitted written statement dated June 17, 1970
3. Mrs. Alice Peterson Medeiros, 30-year resident in Kuliouou

They believe the Planned Unit Development is the ultimate concept of city planning which would up-lift the otherwise morbid atmosphere of the upper portion of the valley. The units will house single individuals.

There were no questions from the Commission.

Testimony AGAINST the project was given by:

1. Mike Miardi, teenage resident in Aina Haina
2. Bobby Price, teenage resident in Aina Haina
3. Victor Boranian, teenage resident, Kuliouou
4. James E. Landrum, Jr., resident, Niu Peninsula, written statement submitted dated June 18, 1970
5. Warren Wolfe, President, Niu Peninsula Community Association, representing 55 families in their association

Reasons for their objections are as follows:

1. School facilities are insufficient and the project would cause an overcrowding condition aggravating the situation.

2. Compatibility of the proposed PUD to the existing community should be considered. Since the community is a rather old one, the introduction of this new PUD will affect their way-of-life.

3. Housing for family living rather than bachelor oriented individuals should be provided to meet the existing housing problem in Honolulu.

4. PUDs are mainland-styled living while Kuliouou has a unique family life which will change if the project is approved. The existing environmental community living and the beauty of the valley should be preserved.

5. No further development should take place until existing traffic problems are resolved. Lack of sidewalks on both sides of Kalanianaole Highway creates a hazard for children proceeding to and from school, walking from one valley to another.

6. Effective controls should be placed upon the developer to insure proper development.

7. The recent Dalton-Swope case has some bearing upon this application which should be considered by the Commission. (Mr. James Landrum submitted written data on this issue dated June 18, 1970. Statement on file).

The Commission pointed out that while single-family units are highly desirable, due to the land shortage on Oahu, other areas of approach to housing must be considered, of which the Planned Unit Development is one.

There being no further testimony, the public hearing was closed and the matter taken under advisement.

MOTION: Mr. Brennan moved, seconded by Mr. Bright and carried, that the Commission defer action on this proposal due to the lack of a full Commission.

The Commission requested that a representative of the State Department of Transportation be present at the next hearing to inform them of the proposed widening of Kalanianaole Highway and of the time element involved in this highway project.

IMPROVEMENT REVOLVING FUND RESOLUTION 192 DEPT. OF PARKS & RECREATION

The City Council, by Resolution No. 192, referred to the Planning Commission for its review and comment, a proposal to transfer the sum of $5,450 from the Improvement Revolving Fund to the Department of Parks and Recreation for settlement of the Haleiwa Park addition.

No discussion followed.

ACTION: Mr. Bright moved, seconded by Mrs. Sullam and carried, that the Commission recommend the approval of the proposal to transfer the sum of $5,450 from the Improvement Revolving Rund to the Parks Department for the purpose stated.

ADJOURNMENT: There being no further business, the meeting adjourned at 12:30 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
June 25, 1970

The Planning Commission met in regular session on Thursday, June 25, 1970, at 1:40 p.m. in the Conference Room of the City Hall Annex with Acting Chairman, Arthur A. Rutledge, presiding:

PRESENT: Arthur A. Rutledge, Acting Chairman
Thomas N. Yamabe, II
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
James K. Sakai, ex-officio

STAFF PRESENT: Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Henry Eng, Staff Planner

ABSENT: Philip T. Chun, Chairman
Edward Brennan
Richard K. Sharpless, ex-officio

MINUTES: The minutes of August 6, 1969, were approved on motion by Mr. Yamabe, seconded by Mrs. Sullam.

PUBLIC HEARING
CONDITIONAL USE PERMIT
HAWAII-KAI
MAUKA OF KALANIANAOLE HIGHWAY
R-6 RES.DISTRICT
KAISER HAWAII-KAI DEVELOPMENT CO.

A public hearing was held to consider a request for a conditional use permit to enlarge and increase the capacity of an existing private sewage treatment plant on a 14.247-acre parcel of land situated across from Sandy Beach and approximately 200 feet south of Ehukai Road in Maunalua and identified as Tax Map Key 3-9-15: 25.

Publication was made in the Star-Bulletin and Advertiser on June 14, 1970. No letters of protest were received.

The Director reviewed the staff's report indicating the applicant's request to construct the Hawaii-Kai Sewage Treatment Plant, Phase III, consisting of an Aerobic Digestion Tank, Settling Tanks, Aeration Tanks, Sludge Drying Beds, Oil Storage Tanks, Air Flow Meter Box, Air Blower and Electrical Control Building, Pipe Gallery, Channel, and Roadways "D" and "E." There were no questions concerning the report.

Mr. Albert Tom, representing the Engineering Firm of Sunn, Low, Tom and Hara, spoke for the proposal and made the following comments:

1. This expansion phase will upgrade the existing system now servicing the Hawaii-Kai area in addition to Portlock, Paiko, and Kuliouou.

2. Their ultimate proposal will be to turn the system over to the City upon completion at the cost of a dollar.

3. Concerning the effect of effluent upon sealife, unless there is a closed system, there is no buildup of toxic elements which contribute to an imbalance of the ecological system.

There was no further discussion and no other person appeared to speak either for or against the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Mr. Yamabe.

ACTION: Mr. Bright moved, seconded by Mrs. Sullam and carried, that the Commission recommend the approval of this Conditional Use Permit, based upon the following conditions:

1. The plans on file, dated May 11, 1970, shall be part of the permit.

2. Landscaping and planting plans for the Sewage Treatment Plant shall be submitted to the Planning Director for his approval prior to application for a building permit;

3. The landscaping plan shall be effectuated immediately upon approval of said plans;

4. Yards and open space areas shall be landscaped and maintained according to the plans approved by the Planning Director;

5. Securities satisfactory to the City and County of Honolulu shall be provided to insure proper installation, operation, and maintenance of said facilities;

6. Buildings and other structures shall be set back as shown on the General Layout Plan;

7. The engineering design capacity, construction, and operation of the Sewage Treatment Plan shall be in accordance with the requirements of the Director and Chief Engineer of the Public Works Department, City and County of Honolulu;

8. The applicant shall comply with the applicable provisions of Chapter 11, R. O. 1961, as amended;

9. Performance standards set forth in Part D of the Comprehensive Zoning Code with respect to measurement relating to conformity with performance standards shall be applied at lot boundaries and shall apply to uses and operations in the lot;

10. The sewage treatment plant shall be maintained and operated in such a manner to minimize the effect of offensive odor or noise with due regard to the surrounding properties;

11. The disposal of effluent shall comply with the requirements of the Board of Health, State of Hawaii;

12. Should an incinerator be used as a means to dispose of dried sludge, approval must be obtained from the Department of Health of the State of Hawaii, and the Departments of Public Works and Planning of the City and County of Honolulu as to the operation and location of the incinerator.

13. When public facilities become available in the area, the private system shall be discontinued or combined with the public system, and service to the property affected shall be from the public system;

14. The Planning Department shall be informed when the use of this parcel of land under this permit is terminated; and

15. After the issuance of the Conditional Use Permit, the City Council may, at any time, upon finding that the applicant has failed or neglected to comply with the conditions hereinafter imposed, authorize the Planning Director to revoke the permit.

16. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

17. The applicant shall file with the Planning Department a certified copy of the document issued by the Bureau of Conveyances or Assistant Registrar as evidence of recordation prior to issuance of a building permit.

PUBLIC HEARING
PLANNED DEVELOPMENT
HOUSING
WAILUPE
MAKAI SIDE OF
KALANIANAOLE HWY.
CROWN CORPORATION

The public hearing held June 18, 1970, was closed and action was deferred pending information from the State Department of Transportation regarding the widening of Kalanianaole Highway.

Mr. Henry Uehara, Head Planning Engineer for the State Highways Division, appeared to answer questions of the Commission and responded accordingly:

1. That portion of highway from Aina Koa Avenue in Waialae to West Hind Drive in Aina Haina, was increased from 4 to 6 lanes. Construction was completed a month ago.

2. Approximately $200,000 appropriated at the past legislative session to increase from 4 to 6 lanes that portion of highway from West Hind Drive in Aina Haina to May Way in Hawaii-Kai is insufficient. Another request for additional funds will be initiated at the next session.

3. The time element involved from actual funding to completion of the subject highway is approximately 4 years, of which 2 involve actual construction.

4. Their department is painfully aware of traffic needs in the area and of limited pedestrian accesses such as footpaths, sidewalks, and even overpasses. Such facilities will be considered; however funds appropriated for the widening do not include pedestrian accesses.

5. Traffic studies in this sector of the island have not been done due to lack of manpower against a voluminous workload. Studies will commence as soon as manpower can be spared.

6. The suggestion of a citizen's planning committee is welcomed and will maximize liaison and dialogue with the community.

7. Other avenues of approach considered into Hawaii-Kai is a proposed seaway or a multi-decked highway.

There were no further questions of Mr. Uehara.

The Commission discussed the following points:

1. Widening of the highway to 6 lanes does not solve the traffic problem inasmuch as the hazardous condition on the highway without pedestrian walkways still remains for children proceeding to school from one valley to another.

2. To insure coordination between the project and the highway system, whether a condition could be imposed, not to commence the sale of any units until adequate pedestrian and highway systems are available; or

   Whether a notification procedure to prospective buyers about traffic conditions could be imposed as a condition upon the developer.

   In both instances, Legal Counsel Andrew Sato advised that such conditions might be unreasonable and involves a question of reasonableness which must be acceptable by the Court. However, if the applicant accepts the condition, there would be no problem.

   Point was also made that such a condition would be unfair to the applicant if it did not apply to other developers in the area.

3. Realizing that PUD is relatively new in housing developments, the Commission requested that a study be made to ascertain how many parcels of land are available that would qualify for PUD from Waialae-Kahala to Kokohead, to acquire an overall picture of PUDs interjected into areas which up-to-now were considered only for single-family dwellings.

4. Comment was also made to stop further developments in the subject area because of inadequate traffic systems. The influx of people into the area by PUDs will increase an already intolerable traffic situation.

There being no further discussion, Mr. Yamabe moved that this matter be deferred for the presence of a full Commission, and for further staff study on two points:

1. The feasibility of the Commission imposing a condition requiring the developer to notify prospective buyers of existing traffic systems, the lack of pedestrian access on highways, and the lack of curbs and gutters;

2. How many parcels of land are available that would qualify for PUDs from Waialae-Kahala to the Kokohead area.

√STREET NAMES

The Commission, on motion by Rev. Connell, seconded by Mr. Bright, recommended approval of the following street names:

Delete Fort Street and substitute Fort Street Mall.

Fort Street Mall (Downtown)	That portion, formerly known as Fort Street, extending from Queen Street to South Beretania Street in a mauka direction.
Hoohoihoi Place (Ewa)	Deadend roadway off Hoohai Street running in an easterly direction.
Meaning:	To entertain, charm, delight, encourage, please.
Hoolaa Place (Ewa)	Deadend roadway off Hoohai Street running in a north-easterly direction.
Meaning:	To consecrate, dedicate, hallow.
Hoolaa Way (Ewa)	Deadend roadway off Hooaa Place.
Hoopuloa Place (Ewa)	Deadend roadway off Hoohai Street running in a north-easterly direction.
Meaning:	Village in Kona, Hawaii.
Hookena Street (Ewa)	Roadway running in a northerly direction being between Hoohai and Hoomalolo Street.
Meaning:	Village and land division in Kona, Hawaii. Lit., to satisfy thirst.

Kalai Place (Pearl City)	Deadend roadway running in an easterly direction off Kalauipo Street being between Kaweloka Street and Palamoi St.
Meaning:	To carve, cut, hew; engrave.
Kuneki Place (Heeia)	Extension of an existing deadend roadway in a south-easterly direction.
Kuneki Way (Heeia)	Deadend roadway running in an easterly direction off Kuneki Place as extended.

Mr. Bright moved, seconded by Rev. Connell, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

ZONING B-5 RESORT COMMERCIAL DISTRICT
WAIKIKI
MAKAI OF PRINCE EDWARD ST. NEAR KAIULANI AVE.
AITS HAWAII, INC.

1. The applicant proposes the construction of a resort-commercial shopping area to be known as "King's Alley."

   A portion of the parcel is presently zoned B-5; the applicant's request for zoning will permit a better overall development.

MISCELLANEOUS: In view of various CUP requests for Sewage Treatment Plants, Mrs. Sullam suggested that a field trip be conducted to various STP sites to acquaint the commissioners with such facilities.

The staff will arrange the field trip.

ADJOURNMENT: There being no further business, the meeting adjourned at 2:39 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
July 9, 1970

The Planning Commission met in regular session on Thursday, July 9, 1970, at 1:40 p.m. in the Conference Room of the City Hall Annex with Chairman, Philip T. Chun, presiding:

PRESENT:
Philip T. Chun, Chairman
Arthur A. Rutledge, Vice-Chairman
Thomas N. Yamabe, II
Edward Brennan
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Henry Eng, Staff Planner

ABSENT:
James K. Sakai, ex-officio

PUBLIC HEARING
PLANNED UNIT DEVELOPMENT
HOUSING
KULIOUOU VALLEY
R-4 & R-5 RESIDENTIAL DIST.
COMMUNITY SYSTEMS CORPORATION

The public hearing held June 18, 1970, was closed and action deferred pending a study of potential planned developments in the area from Waialae-Kahala to Koko Head.

The staff's study revealed approximately 1,300 acres of vacant land available for residential development.

Questioned by the Commission, the following additional information was given by the staff:

1. Areas more than 2 acres in size were considered. Smaller lots were not tallied because it would be very difficult to determine what degree of consolidation might take place on these lots.

2. Concerning what criteria might be used by the Planning Director to disapprove similar developments in the area, Mr. Way pointed out the following criteria which he would apply:

   a. Inadequate public facilities. If there is substantial deficiency in particular areas, i.e., street capacity, a recommendation for conventional development would be made.

b. General Land Use patterns and physical features of the area; that is, compatibility of the proposal to the existing neighborhood, adequate buffering between a higher and lower density development.

c. Specific points outlined in the CZC

The Commission discussed the following points before taking action:

1. Ambiguity of the term "residential character" of the neighborhood.

   This term implies single-family dwelling units. If the 99 proposed units are permitted as attached structures, in lieu of single-family units, apartment usage develops which increases, considerably, the number of units from approximately 30-40% to 100-150%. The increase would aggravate the existing intolerable traffic situation. Inconsistent planning decisions could evolve from this project between the Commission and the Planning Department, and action approving this request opens the entire area to PUDs.

   Considering another point, a rezoning of the area to A-1 Apartment, based on the lot size, would allow for a density three times that of a PUD allowed under R-4 & 5 zoning. This PUD approach lessens the amount of units. Discussions with the developer suggested modification of the original number of units and the developer agreed to the modification.

2. PUDs for the subject area should be considered altogether rather than piece-meal for the reason that existing PUDs may possibly affect maximum utilization of the existing utilities precluding other eligible PUDs.

   Mention was made that each PUD must be considered on its merits alone; not in comparison with other developments.

3. Introduction of PUDs into valley areas removes the intrinsic variety of the valley.

4. Cost of the proposed units are high and action approving this application adds an element to an already deflated economy. Bonus units acquired by PUDs should be sold at a price which could be met by moderate income families so that the housing shortage could be eased.

5. Comparing the type of development, PUD against single-family development in relation to traffic and population increase, on a unit to unit basis, PUDs will not increase the amount of traffic because these are single-family attached units. The population might decrease since two-bedroom units are proposed, but not by any great numbers.

<u>ACTION</u>: Based upon the Planning Director's recommendations, the Commission recommended the approval of this Planned Unit Development, on motion by Mr. Rutledge, seconded by Mr. Brennan and carried. Commissioners Sullam and Yamabe dissented.

Mr. Bright moved, seconded by Mr. Rutledge, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

✓PLANNED UNIT DEVELOPMENT HOUSING DISTRICT WAIMANALO KALANIANAOLE HWY. NEAR WAIMANALO VILLAGE HCHA HAWAII DEVELOPMENT CORP.	1. The applicant proposes the construction of 352 units consisting of townhouse structures. This development is proposed under FHA 235 and 203 programs. (Mrs. Sullam declared a conflict of interest on this proposal.)
✓CONDITIONAL USE PERMIT ST. LOUIS HTS. ST. LOUIS-CHAMINADE EDUCATION CENTER CAMPUS TMK: 3-3-01: PORTION OF 6 SCOPE CORPORATION	2. The applicant proposes the construction of a student resident complex, and parking.
✓ELECTION OF OFFICERS	The Commission held an election to select its Chairman and Vice-Chairman for the next ensuing fiscal year. On motion by Mr. Brennan, seconded by Mr. Bright and carried, Mr. Rutledge was elected as the Chairman of the Planning Commission. On motion by Mr. Brennan, seconded by Mr. Bright and carried, Mr. Yamabe was elected as the Vice-Chairman.
✓INFORMATION AMENDMENT TO THE ADMINISTRATIVE PROCEDURES ACT	The Director reported recent legislation which will amend the Administrative Procedures Act transferring the review of Special Permits, presently under the jurisdiction of the Zoning Board of Appeals, to the Planning Commission.
ADJOURNMENT:	There being no further business, the meeting adjourned at 2:36 p.m.

Respectfully submitted,
Henrietta B. Lyman
Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
July 16, 1970

The Planning Commission held a special meeting on Thursday, July 16, 1970, at 8:30 a.m., in the Conference Room of the City Hall Annex with Chairman, Arthur A. Rutledge, presiding:

PRESENT:
Arthur A. Rutledge, Chairman
Thomas N. Yamabe, II, Vice-Chairman
Edward Brennan
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Henry Eng, Staff Planner
Roger Harris, Staff Planner

ABSENT:
James K. Sakai, ex-officio

PUBLIC HEARING
ZONING B-5 RESORT COMMERCIAL DISTRICT
WAIKIKI
MAKAI OF PRINCE EDWARD ST. NEAR KAIULANI AVE.
AITS HAWAII, INC.

A public hearing was held to consider a request for a zone change from H-2 Hotel District to B-5 Resort Commercial District for 16,500 square feet of land situated makai of Prince Edward Street near Kaiulani Avenue and identified as Tax Map Key 2-6-23: portion of 29.

Publication was made July 5, 1970. Copies of the hearing notice were sent to applicable governmental agencies and to interested parties. No letters of protest were received.

The Director reported that due to an error in the publication notice concerning the time of the scheduled meeting, readvertising was necessary. However, he felt the public hearing should proceed to accommodate those prepared to give testimony.

The staff's report was reviewed, and the following points questioned by the Commission:

1. Traffic

   a. Whether the existing system is adequate to service the project - The Traffic Department by letter dated June 8, 1970 and signed by Roy A. Parker, Deputy Traffic Engineer, indicates no major traffic problems inasmuch as the area is totally commercial, and most of the traffic attracted to the vicinity will be pedestrian oriented rather than vehicular. No roadwidening is anticipated.

b. Whether there is any proposed traffic pattern for this section of Waikiki - This section is part of a multi-loop traffic system which the Traffic Department has discussed throughout the community and is hopeful of implementing. It is an extensive change with a number of one-way loops developing in a time period of approximately one year.

2. Parking

a. Location of the nearest major parking facility - The Princess Kaiulani has the nearest major parking operation. Its existing facility doesn't meet CZC requirements (being constructed prior to its adoption) but its new, recently constructed parking structure for public use has surplus parking.

b. Whether the Traffic Department contemplates eliminating parking on Koa, Prince Edward, or Kaiulani Streets - No removal of parking is expected in the near future in view of the Traffic Department's proposed one-way loop system for proper traffic circulation.

3. Overall Planning - Whether mini-shopping centers are intended for Waikiki

Based upon the intent of the B-5 zoning district which permits a mixture of commercial and hotel uses, some shopping facilities would be planned for the area. Beyond that, there is no specific plan indicating location, character, or style of such facilities.

There were no further questions from the Commission.

Testimony FOR the proposal was heard.

Christopher Hemmeter, representing AITS, Inc., as well as the developers of the property, asserted the following:

AITS is the applicant only, not the developers, because it holds the major leasehold interest which is the lease on the 37,125 sq. ft. parcel of land. A nationally recognized major development group (of which Mr. Hemmeter will be a principal individual) will be the developer. AITS purpose is only to acquire proper zoning of the lot so that development might take place. Upon approval of that zoning, AITS will no longer have any interest in the operation.

2. The parcel is consolidated and divided by a zoning district division--a portion is H-2 and another B-5.

3. Type of Project

a. Architects - Moulton, Clark and Lawton in San Francisco were selected for their expertise on early Monarchy and Victorian type architecture, after interviews had been made with architectural firms across the nation.

b. Parking will be underground to meet or exceed the minimum requirements of the CZC.

c. Motif is developed around early Hawaiian history with each of the buildings representing early structures in past Hawaiian history. Eight months research was conducted on early structures in Hawaii. It was felt that a shopping center with historic significance would be more appropriate than a modern facade only as an economic interest. Proposed buildings depict the early post office, courthouses, the bell towers, etc. Interior walkways will of cobblestones, and employees will be dressed in period costumes.

d. A program will outline each building, its historic value as a replica of an early building. Research was conducted by the Disneyland Corporation as to design techniques.

e. The project is very sophisticated on the idea of Ghirardelli Square in San Francisco, yet tying back to early Hawaii.

4. An earlier project submitted would have introduced a 350 ft. hotel which would be the highest in the State of Hawaii, with 420 rooms, and 20,000 sq. ft. of commercial property. The subject proposal is considerably less than what could be placed on the parcel.

5. Economic aspects of the project indicate that it will bring a sufficient return on the development without taking exposure of overbuilding hotel rooms within the Waikiki area. This is the reason for changing the nature for the use of the property.

Questioned by the Commission, Mr. Hemmeter stated:

Parking will be provided in an underground garage but will not be available to employees of the shops. From an economic standpoint, underground construction is a problem. Haas and Haynie estimated $750,000 for 98-100 parking stalls which amounts to $7,500 per stall. To proceed to another floor in dewatering, the cost increases to $15,000-$16,000 per stall making the project useless.

Validated parking is proposed at the cost of a dollar-a-day or $30.00 monthly. A major portion of income will be derived from the shop operations rather than from returns on parking. They expect approximately 80%-90% of the trade to be foot traffic.

There was no further discussion.

The matter was continued for readvertising.

PUBLIC HEARING PLANNED UNIT DEVELOPMENT HOUSING AHUIMANU MAUKA OF KAHEKILI HWY. NEAR VALLEY OF THE TEMPLES DAN OSTROW, CONSTRUCTION	A public hearing was held to consider a request for a Planned Development Housing District which will contain 449 dwelling units on a 65.5 acre parcel of land situated mauka of Kahekili Highway on the Kahaluu side of the Valley of the Temples, opposite Okana Road in Kahaluu and identified as Tax Map Key 4-7-04: portion of 1. Publication was made in the Star-Bulletin and Advertiser on July 5, 1970. No letters of protest were received.

The staff's report was reviewed. Upon questioning by the Commission, the following additional information was given:

1. In relation to building height and the highest point of the site, buildings will be approximately 10 feet above site elevation.

2. The project will be built in four phases. Road "B" will be constructed with a temporary turnaround in the first increment.

3. Sewage Treatment Plant - The existing STP will accommodate 207 units which would carry the developer through Phase II. Phase III will necessitate additional capacity and the Department of Public Works indicates the feasibility to expand the present STP rather than providing another plant. It presently services approximately 500 units and its total capacity is 700 units.

There were no further questions from the Commission.

Testimony FOR the proposal was given by Lewis Ingleson, Architect for the project.

1. Drainage - The lower portion of the property is reserved for drainage. No drainage plans have been worked on until more finalized site planning and engineering drawings are completed. The concept is to carry drainage down towards open area.

2. Their approach is to preserve the natural beauty of the site, setting terraced townhouses and apartments that blend in with the surrounding landscape. PUD was considered because a greater amount of open space could be provided and still insure the density required to make the project financially feasible.

3. Disagreement with Planning Director's recommendations -

   a. "Condition 7.2 - The developer shall set back 80 feet from the present right-of-way of Kahekili Highway in order to permit widening at a future date...."

      This is excessive and unreasonable inasmuch as Kam Highway is presently 120 feet, and the State Department of Transportation indicates, with no timetable available, that it may be necessary to widen it to 160 feet to provide a four-lane divided highway.

Their contention is that federal standards changed in the interim between the time the right-of-way was set from 120 feet to 160 feet. The buildings are now set 40 feet back from the highway; therefore, if the highway is widened, there would be no taking of structures, only land.

Further, the 40-foot taking is inequitable occurring on only one side of the highway. If there is taking, 20 feet should be taken from each side. Preference is set whereby land acquisition would be from vacant areas rather than from areas already built upon.

The Director pointed out that immediately adjoining Kam Highway on the makai side is a major stream channel with a bank lining. There would be serious problems in terms of cost and relocation of over 50% of the highway frontage because of the bank situation. Part of the channel is lined so that there would be serious engineering problems should the highway be widened on both sides of the highway. For this reason, the State DOT proposes widening only on the mauka side of the highway.

b. " Condition 7.7 - The vehicular access closest to Kahekili Highway on Hui Iwa Street shall be eliminated. This portion of the site plan will, with the requested 80-foot setback, become too congested. A dwelling unit reduction appears to be necessary in this area."

The last sentence of this condition is too rigid. Because of available open space, it might be possible to make up for the reduction of dwellings units by placing other units on various slopes without destroying the intent of the project.

As the condition is now with that sentence, it specifically requires a reduction with no flexibility. They would prefer to have it deleted and to work with the staff on this point.

c. "Condition 7.8 - Grading shall be done according to a phased grading plan which shall meet with the Director's approval prior to such work. No fill will be permitted on the 40-foot area immediately adjacent to Kahekili Highway."

The last sentence is stringent. To develop proper drainage for the site, some filling may be necessary. The first sentence would allow the Planning Director to review grading plans along with the State Highways Department in case fill might create a problem for future widening.

Mr. Joe Harper, President of the community association, requested that every precaution be taken by the developer to minimize erosion and runoff during the construction period.

There was no further discussion and no other person spoke either for or against the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Mrs. Sullam.

In view of various questions raised by the architect, the Commission deferred action for further staff study and consultation with the architect.

PUBLIC HEARING CONDITIONAL USE PERMITS EWA BEACH FORT WEAVER RD. (TEMPORARY SEWAGE TREATMENT PLANTS) 3 APPLICANTS: EDMUND YOUNG; MIHO, HIGA, YOUNG & YOUNG; UYEDA & ISLAND INVESTMENT, INC.	At the public hearing on June 18, 1970, the Commission directed the Department of Public Works to complete its study of the proposed temporary sewage treatment plants and system and to submit its recommendation of approval or disapproval to the Commission. The Director reported the receipt of a letter dated July 9, 1970, from Mr. L.C. Fruto, Acting Director and Chief Engineer, Department of Public Works, recommending the approval of the sewage treatment and effluent disposal system provided their comments concerning, among other things, a daily operation and maintenance schedule are adhered to.

Questioned by the Commission whether any investigation was made of a proposed sewage system by the Campbell Estate to service the entire Ewa Beach area, the Director asserted no specific proposals by the Estate. There is a proposal for a public STP in Ewa; however, it will be several years before construction commences.

Mr. Brennan suggested that chlorination of the effluent before its disposal into the injection wells should be provided.

MOTION: Because the system is fairly new in the State, and by testimony presented there is no guarantee that it will work, Mrs. Sullam moved that the Commission recommend denial of the applicant's request. The motion failed due to the lack of a second.

Discussion followed.

Mr. Yamabe appreciated Mrs. Sullam's concern; however, he felt that the proposed method of effluent treatment is an improvement over raw sewage disposed of into the ground by the existing usage of cesspools and septic tanks. Mr. Chun mentioned that the developer could otherwise develop the area with 48 cesspools increasing the flow of raw sewage in Ewa Beach. By the proposal, the effluent will at least be treated.

ACTION: Mr. Yamabe moved, seconded by Mr. Chun and carried, that the Commission recommend the approval of the applicant's request for a Conditional Use Permit, subject to the conditions recommended by the Director. The Commission also recommended chlorination of the effluent prior to its disposal into the injection wells.

The conditions are as follows:

1. The site plan on file, labeled Exhibit A shall be part of the permit and any deviation shall be subject to the approval of the Planning Director.

2. The building and structure comprising the sewage treatment plant shall be set back from any street or property line a minimum of 25 feet.

3. No structure shall be located within 35 feet of the building and structure comprising the sewage treatment plant.

4. The sewage treatment plant shall be enclosed in such a manner as to prevent access except by means of a locked door. Landscaping of area adjoining the building shall be in accordance with plans approved by the Planning Director.

5. The approval of the State of Hawaii Department of Health and the Board of Water Supply shall be obtained and evidence of the approval submitted to the Planning Director.

6. The sewage treatment plant shall be operated in such a manner as to conform to the performance standards for noise as provided in Section 21-232, Noise Regulation, of the Comprehensive Zoning Code.

7. The program for operation and maintenance of the treatment plant shall be submitted to and approved by the Planning Director prior to the issuance of a Conditional Use Permit.

8. Sureties satisfactory to the City shall be provided to insure the proper installation, operation, and maintenance of such facility. Sureties shall also be provided to insure the removal of the temporary system and connection to the public sewage treatment system when it becomes available in the area and the restoration of the site to recreation area.

9. The entire cost of the construction or installation of such sewage treatment plant shall be borne by, and the ownership and possession thereof shall remain in, and the responsibility for its operation, repair, and maintenance shall be that of the owner of such sewage treatment plant.

10. A minimum of two effluent disposal injection wells shall be provided for each of the sewage treatment plant. The wells shall be provided with a perforated lining to prevent their walls from caving in. The wells shall be at least 30 feet in depth and 48 inches in diameter.

11. A bypass consisting of a cesspool or an emergency power generator shall be constructed at the pneumatic lift station to prevent the backing up of sewage into the apartments during power outage.

12. Sufficient space shall be provided near the plant for installation of additional effluent disposal injection wells should the original wells fail.

13. The sewage treatment system shall provide for chlorination of the effluent in accordance with the standards of the Department of Public Works prior to its disposal into the injection wells.

14. When public sewage treatment becomes available in the area, the subject private system shall be discontinued or combined with the public system and service to the property affected shall be from the public system. The temporary sewage treatment plant shall be dismantled and removed by the owner at his own expense when the Chief Engineer of the Department of Public Works finds that such plant is no longer needed. Upon removal, the site shall be used for recreation purposes.

15. Upon finding that any of the conditions imposed are not being complied with, the City Council may authorize the Planning Director to revoke the permit or suspend the operation until compliance is obtained.

16. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

17. A certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

Mr. Yamabe moved, seconded by Mr. Chun, that the following matter initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

✓PLANNED DEVELOPMENT HOUSING DISTRICT MILILANI KIPAPA DRIVE TMK: 9-5-21: 3 MILILANI TOWN, INC.	1. The applicant proposes the construction of 58 Townhouse units.
✓INFORMATION	The Director reported the receipt of a letter from Mr. Moon Chan of the Honolulu Redevelopment Agency inviting the Commissioners to a discussion meeting of the Koko Drive housing project.

Mrs. Sullam volunteered to represent the Commission at the meeting.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:30 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
July 23, 1970

The Planning Commission met in regular session on Thursday, July 23, 1970, at 1:30 p.m. in the Conference Room of the City Hall Annex with Chairman, Arthur A. Rutledge, presiding:

PRESENT:

Arthur A. Rutledge, Chairman
Thomas N. Yamabe, II, Vice-Chairman
Edward Brennan
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Richard K. Sharpless, ex-officio

STAFF PRESENT:

Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Henry Eng, Staff Planner
Roger Harris, Staff Planner

ABSENT:

James K. Sakai, ex-officio

PUBLIC HEARING
ZONING B-5 RESORT
COMM. DISTRICT
WAIKIKI
MAKAI OF PRINCE
EDWARD ST. NEAR
KAIULANI AVE.
AITS HAWAII, INC.

A public hearing was held to consider a request for a zone change from H-2 Hotel District to B-5 Resort Commercial District for 16,500 square feet of land situated makai of Prince Edward Street near Kaiulani Avenue and identified as Tax Map Key 2-6-23: portion of 29.

This matter was readvertised due to a publication error. Copies of the corrected publication were sent to interested parties. No letters of protest were received. The following letters in SUPPORT of the proposal were received:

1. Mrs. Peter George, 730 Hunakai Street, Honolulu, Hawaii 96816
2. Mr. R. H. Deisseroth, President, Waikiki Improvement Association, 2222 Kalakaua Ave., Suite 1410, Honolulu, Hawaii 96815
3. Mr. Robert N. Rinker, Executive Vice President, 2270 Kalakaua Avenue, Honolulu, Hawaii 96815
4. Mr. S.N. Roseberry, Vice President, Finance, AITS, 210 Boylston Street, Chestnut Hill, Massachusetts 02167
5. Mr. Leslie Fullard-Leo, Ala Wai Palms, Suite 705, Ala Wai Boulevard, Honolulu, Hawaii 96815
6. Mr. Gerald L. Allison, Wimberly, Whisenand, Allison & Tong Architects, 2222 Kalakaua Ave., Honolulu, Hawaii 96815

7. Mr. Henry E. Reese, Johnson and Reese Architects, 320 Ward Avenue, Suite 107, Honolulu, Hawaii 96814
8. Mr. Alan C. Beall, C.S.M., President, Hawaii Shopping Center Corporation, 677 Ala Moana Blvd., Suite 208, Honolulu, Hawaii 96813

Reasons given are:

1. The request is in conformance with the General Plan and the DLUM for the area and in harmony with existing zoning and the character of the area.

2. Granting the request would encourage development of the property in other than Hotel use. Waikiki is presently over-zoned for Hotel use, a situation that has led to "overbuilding" of such structures.

3. The proposed development on the rezoned property is low-rise as opposed to what is possible under the zoning ordinance. Although there is no guarantee that the project will be constructed if the property is rezoned, a comparison of the height, bulk and density requirement of H-2 and B-5 indicates that there is not much difference.

4. Parking has been designed to meet the requirements of the CZC. The major auto access to the project is from Koa Avenue which has been designed as a major Waikiki Street which allowed the architect to orient the project toward Kaiulani Avenue, one of the wider streets in Waikiki.

5. The proposal will recreate buildings that reflect the historical victorian structures of Hawaii. Presently, many of the historical buildings in the downtown area are rapidly being lost and this heritage will soon be difficult to recall.

The Director summarized the staff's report presented at the last hearing. There were no questions from the Commission concerning the report.

Mr. Christopher Hemmeter, representing the applicant, reiterated his reasons given at the previous hearing on this issue in support of this proposal and requested the Commission's favorable consideration on it.

There was no further discussion. No person spoke against the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Mr. Bright.

ACTION: Mr. Bright moved, seconded by Mr. Chun and carried, that the Commission recommend approval of the applicant's request for rezoning, based upon the Planning Director's recommendations.

PUBLIC HEARING PLANNED DEVELOP- MENT HOUSING KAHALUU AHUIMANU CLUB VIEW ESTATE DAN OSTROW CONSTRUCTION CO.,INC.	The public hearing was held and closed on July 16, 1970, and action deferred for staff consultation with the developer concerning recommended conditions. Staff Planners met with the architect to resolve differences of opinion regarding recommended conditions of approval. In addition, further inquiries were made regarding the sewage treatment plant which will service this development.

The staff's revised report was reviewed. Some of the conditions contested by the applicant have been agreed upon. They are as follows:

1. The recommended 80-foot setback will now be adhered to with a resultant loss of 6 dwelling units.

2. The requested access to the recreation center from Road "B" has been provided. The dwelling units near this entrance have been relocated.

3. The requested elimination of the curb cut closest to Kahekili Highway and Hui Iwa Street intersection has been agreed to.

The Department of Public Works comments that the existing sewage treatment plant is privately owned and presently has a total capacity to serve 700 units. It is not now operating at capacity and can service up to 207 additional dwelling units from the proposed Planned Development. Additionally, plans have been prepared for the expansion of this plant to include tertiary treatment of sewage and to increase the capacity of the plant to permit the servicing of about 3,700 additional families.

There were no questions from the Commission concerning the staff's report.

ACTION: Based upon the Planning Director's recommendations, the Commission recommended the approval of this Planned Unit Development, on motion by Mr. Yamabe, seconded by Mr. Bright.

Mr. Bright moved, seconded by Mr. Yamabe, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

CONDITIONAL USE PERMIT PALOLO 10TH AVENUE TMK: 3-4-13: 1 PALOLO CHINESE HOME	1. The applicant proposes the construction of a new office and dispensary building as accessory uses to the existing home for the aged. The home has been in operation in this location for the past 50 years. The CZC requires a Conditional Use Permit for homes for the aged.
AMENDMENT TO THE ADMINISTRATIVE PROCEDURES ACT RELATING TO SPECIAL PERMITS	2. The Amendment will transfer the review of Special Permits, presently under the jurisdiction of the Zoning Board of Appeals, to the Planning Commission.

CONDITIONAL USE PERMIT
KAILUA
640 ULUKAHIKI ST.
TMK: 4-2-06: 4
CASTLE MEMORIAL
HOSPITAL

3. The applicant proposes expansion of existing Castle Memorial Hospital facilities.

The CZC requires a Conditional Use Permit for hospitals.

IMPROVEMENT
REVOLVING FUND
RESOLUTION 235
BUILDING DEPT.

The City Council, by Resolution No. 235, referred to the Planning Commission for its review and comment, a proposal to transfer the sum of $120,415.00 from the Improvement Revolfing Fund to the Building Department for settlement of eleven civil actions involving the acquisition of fifteen parcels within the Halawa Stadium Site.

ACTION: Mr. Yamabe moved, seconded by Mr. Chun, that the Commission recommend the approval of the proposal to transfer the sum of $120,415.00 from the Improvement Revolving Fund to the Building Department for the purpose stated.

ADJOURNMENT: There being no further business, the meeting adjourned at 2:30 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
August 6, 1970

The Planning Commission met in regular session on Thursday, August 6, 1970, at 1:55 P.M. in the Conference Room of the City Hall Annex with Vice-Chairman Thomas N. Yamabe II presiding:

PRESENT:
Thomas N. Yamabe, II, Vice-Chairman
Roy R. Bright
Philip T. Chun
Rev. Eugene Connell
Fredda Sullam

James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
George Moriguchi, Acting Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Henry Eng, Staff Planner
Harold Murphy, Staff Planner

ABSENT:
Edward Brennan
Arthur A. Rutledge

MINUTES:
The Minutes of July 10, 1969, June 18, 1970 and July 23, 1970 were approved on the motion by Mr. Bright, seconded by Mr. Chun.

PUBLIC HEARING
CONDITIONAL
USE PERMIT
R-6 RESIDENTIAL
10th AVENUE
PALOLO VALLEY
(PALOLO CHINESE
HOME)
70/CUP-11

A public hearing was held to consider a request for a Conditional Use Permit to expand the existing Palolo Chinese Home by constructing a new office and dispensary building as accessory uses to the existing home for the aged, on a 14.97-acre parcel of land, identified as Tax Map Key 3-4-13: 1.

The home has been in operation in this location for the past 50 years. The Comprehensive Zoning Code requires a Conditional Use Permit for homes for the aged.

The notice of public hearing appeared in the Sunday Star-Bulletin and Advertiser of July 26, 1970.

Copies of the hearing notice were sent to applicable governmental agencies and to interested parties. No letters of protest had been received.

The Acting Planning Director, Mr. George Moriguchi, oriented the Commission by use of maps and reading of the Staff Report. It was noted that a typographical error existed on page 2 of the Staff Report, "Existing Land Use" line 5, which should read 50-bed dormitory rather than 40-bed dormitory.

The staff recommended approval of the request subject to the following conditions:

1. The use of the premises and structures shall be restricted to the normal activities of the Palolo Chinese Home.

2. This Conditional Use Permit shall apply to the entire parcel identified by Tax Map Key 3-4-13: 1.

3. The submitted site plan shall be made a part of the Conditional Use Permit and that any deviation from it shall be subject to the Planning Director's approval.

4. Parking spaces shall be provided at the rate of at least one per four beds in the home.

5. A minimum of two loading spaces with one having a vertical clearance of at least 14 feet and with minimum horizontal dimensions of 12 x 35 feet shall be provided.

6. All parking and loading areas shall be provided and maintained with an all-weather surface; and shall comply with Section 21-204 of the Comprehensive Zoning Code off-street parking requirements.

7. Where parking and loading areas are illuminated, all sources of illumination shall be so shielded as to prevent any direct reflection toward adjacent residential districts.

8. The applicant shall comply with the codes, regulations, and requirements of other City and State agencies which are applicable to this approval.

9. Adequate vegetative screening shall be provided along the makai-Koko Head property line where the Palolo Chinese Home is adjacent to the residential district.

10. A soil survey and enginnering analysis for the building site shall be submitted to the Planning Director for review and approval prior to issuance of a building permit.

11. Upon finding that any of the conditions imposed are not being met, the City Council may authorize the Planning Director to revoke the permit or suspend the operation until compliance is obtained.

12. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

13. A certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

Mr. Moriguchi answered questions presented by the Commissioners:

1. The reason for the soil survey is that the staff felt there should be an engineering analysis before the permit is issued. They wanted assurance that another Waimao slide problem would not occur.

2. There are no key areas within the conditions proposed by the staff which do not meet site requirements of the application. The conditions were set forth to provide coordinated control and a clear understanding of how it should be done.

3. If additional facilities are required, another Conditional Use Permit would be necessary.

No one spoke either in favor of the proposal or against the proposal.

The Commission closed the public hearing and the matter was taken under advisement upon the motion by Mr. Chun, seconded by Mr. Bright.

ACTION: Mr. Bright moved that the Commission recommend approval of the applicant's request, subject to the conditions set forth herein. Mr. Chun seconded the motion and it was carried.

✓PUBLIC HEARING
CONDITIONAL USE
PERMIT
ST. LOUIS HEIGHTS
ST. LOUIS-CHAMINADE
EDUCATION CENTER
DORMITORIES
(SCOPE CORPORATION)
70/CUP-19

A public hearing was held to consider a proposal to construct facilities on the campus of Chaminade College to accommodate 950 students, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, and Article 2, Section E of the Comprehensive Zoning Code, involving 7.270 acres, situated in St. Louis Heights, Ewa-Makai corner of Chaminade College Campus and identified as Tax Map Key 3-3-01: Portion of 1.

The facilities will include seven dormitory structures and a student union building, as well as two parking areas. . All vehicular access will be at a signalized intersection of the main campus drive with Waialae Avenue.

Publication of this item appeared in the Sunday Star-Bulletin and Advertiser of July 26, 1970. Copies of the hearing notice were sent to applicable governmental agencies and to interested parties.

Two letters of protest had been received, were read to the Commission, and placed on file:

1. Mr. William L. Wong, 1342 St. Louis Drive, Honolulu 96816.

2. Mr. Yasunobu Ogami, 1306 St. Louis Drive, Honolulu 96816.

Mr. Bruce Duncan, Senior Staff Planner, oriented the Commission to the site with the aid of maps and read the Staff Report.

The Planning Director and Staff recommends:

1. That the use of the 7.270-acre parcel of land for housing of students and accessory uses be endorsed as an acceptable use of the land.

2. That the proposal of SCOPE Corporation to construct a student union building and dormitories accommodating 950 students in a manner indicated on plans dated May 28, 1970, be denied.

3. That the applicant, SCOPE Corporation, resubmit a proposal for student accommodation on a 7.270-acre portion of St. Louis-Chaminade Education Center and to incorporate items "a" through "p" as listed in the staff report, pages 12, 13, and 14.

4. That the public hearing be kept open in order that new plans may be prepared, reviewed, and presented to the Commission. Once the public hearing is closed, the Planning Commission must submit its recommendation to the City Council within 30 days.

Mrs. Sullam questioned bringing this before the Commission at this time since there are so many kinks that have not been worked out. Mr. Duncan said they were unable to resolve the problems at the staff level to the satisfaction of the staff, the Planning Department and the developer. The basic areas of conflict between the department and the developer are in the area of height. The staff feels that the height is in excess of what is desirable to maintain the character of the campus and also maintain the view which they feel should be maintained, primarily from the Ewa and the makai directions, and also from the campus out toward the sea.

Mr. Chun requested that Mr. Duncan give the Commission the criteria used with respect to height and topographical limitations and how these may possibly compare with the buildings mauka of Bertram Hall, in relation to Bertram Hall, and the others.

Mr. Duncan explained that they attempted to maintain the height of the existing dormitory and draw the line through the entire site. They were not particularly concerned of the area mauka of Bertram Hall because the grade goes up and the view is not lost. The height of Buildings B & C exceed the line at the top of the existing dormitory. They are trying to protect the view of Chaminade College from the Freeway or from Waialae Avenue, and residents along St. Louis Drive.

Mrs. Sullam asked how the problem of the tradewinds and the double-loading of the corridors could be resolved, to which Mr. Duncan replied that they had made a suggestion earlier that it might be possible to redesign the building as single-loaded by changing the configuration of the units within each of the buildings. This was left to the discretion of the architect to handle as he saw best.

Chairman Yamabe felt that the staff has attempted to take action to give the Commission and the developer some indication as to whether this area

is suitable for dormitory purposes. It is a two-phase action, (1) to determine if it suitable and (2) pursue the areas of disagreement, so that it may be presented back to the Commission.

TESTIMONY AGAINST THE PROPOSAL:

1. Mr. Edward Chui, President of St. Louis Heights Community Association, was not sure that he was totally against the proposal but since he was straddling the fence he thought it best to present the views of the association. About a year ago they met with the developers and discussed the project in considerable depth. The members raised a number of objections at that time, many of which have been modified since that time. They do not now object to the use of the site for the intended purposes as stated in the application. However, they wish to recommend their stand on two conditions:

   a. The driveway access at the Kaminaka Drive which at the present time is used by large numbers of people entering the St. Louis-Chaminade Education Center. They understand that SCOPE will not deal with this particular problem because it is outside the project. The association feels that in the construction of the parking lot, physical barriers should be provided to make it impossible for traffic to use that opening. This should be made a condition.

   b. The second condition is a traffic safety problem dealing with foot traffic across St. Louis Drive. Since there are dormitory problems at the University of Hawaii, the St. Louis-Chaminade facility could be used during the summer by the University people and this would aggravate the foot traffic problem across St. Louis Drive. The association recommends a pedestrian overpass be installed at the expense of the developer in some location close to the St. Louis Drive-Dole Street intersection.

The Commission had questions of Mr. Chui and his replies were:

The possibility of an overpass had been discussed with the SCOPE people and it would be an expensive proposition.

If their two objections, "a" and "b," were taken care of they would have no other objections to the project.

There would be some hindrance of the view with 7-1/2 stories but they don't feel it is serious.

If the Staff were to allow ingress or egress from St. Louis Drive, they would very seriously object. They are concerned that the developer "does not" provide any vehicular access to St. Louis Drive. In addition, they are concerned about the one possibility of Kaminaka Drive.

Chairman Yamabe asked Mr. Chui, "If there were a single access on Waialae would it create a greater problem coming off of Waialae on to St. Louis Drive and getting on to Dole Street in relation to having an access directly across Dole Street where they can get out of the parking lot and straight on to Dole Street?"

Mr. Chui thought that SCOPE has worked it out and he concurs with their answer to it, although he thought SCOPE would prefer to answer that question themselves.

TESTIMONY AGAINST THE PROPOSAL:

2. Mr. Harvey L. De Mello, a resident of Chaminade Terrace and before that in St. Louis Heights for a total of 19 years. He was not objecting to dormitory facilities on the site but to the fact that the University students be allowed to use the dormitories--because of the traffic problem. Because of the contiguous nature to Chaminade, there is a natural growth for the college. His main objection is to pedestrian traffic crossing St. Louis Drive. There are no sidewalks in one section of Dole Street and this should be looked into because it is a sheer cliff which would make it difficult to put in sidewalks.

TESTIMONY IN FAVOR OF THE PROPOSAL:

Brother Robert McGuire, President of Chaminade College, pointed out why they would be interested in the project. The new facilities would release the cafeteria and the book store which would release room for more classrooms.

They have two problems - facilities and money. In order to do a better job in education, they need those two things. They do have property and they can deal with the property through leasing. By leasing, they can get their facilities. While they realize it will bring more people into the area, that problem exists in the City, the State and the whole World.

Brother McGuire responded to questions by the Commission:

1. Regarding the adequate ventilation in the rooms, the students have a choice. Be warm and have a great view, or be cold and have no view.

2. Regarding the recreation space, there is the football area, the gymnasium, and the beach which is within walking distance for young people.

3. There will never be a time when they will need all of the bed spaces because they are a community college.

4. In a recent survey, it was learned that one out of ten dormitory students have vehicles.

5. The roadway going around to the parking lot is not that narrow that it requires widening and it is not necessary to make a complete circle as there is a turnaround area.

6. The access north of the mauka parking lot(rear Kaminaka Drive) should be closed if it presents a traffic danger. At the present time, it is used by maintenance people as a service road and chained up at night. It could be a short cut for people living up in the St. Louis Heights and Chaminade Terrace. Dole and St. Louis Drive area has been and still is a very serious spot--although it has nothing to do with the SCOPE project.

Chairman Yamabe felt that the Dole--St. Louis Drive area might have some reflection on the final determination and that Chaminade might consider it and decide whether to leave it open or close it.

Mr. Harold Murphy, Staff Planner, presented slides of the SCOPE project and Mr. Thomas K. Lalakea, Vice President of SCOPE Corporation, also presented

slides. Those presented by Mr. Lalakea were not in direct context with the current testimony but to show the Commission the approximately 6,000 beds in existence today in facilities throughout the Pacific area which they develop for themselves to manage. Low-rise facilities in Sacramento, California; San Luis Obispo, California; University of California at Davis, California; and high-rise (17 stories) at University of California at Los Angeles, (29 stories) at University of Texas.

The Commission questioned Mr. Lalakea at length:

Mrs. Sullam stated that many mainland architects are not aware of the importance of the tradewinds and would they object to having it restudied and find out if somehow you could have cross-ventilation? Mr. Lalakea said they intend to go back and work on this, although double-loaded corridors allow more compact use of the site. Double-loaded corridors, if properly designed, are comfortable. The Queen Emma is an example - with no air conditioning. With the length of time involved, it may be difficult to negotiate further with the staff.

As for the paving of the sidewalk, Mr. Lalakea was hopeful that some of the $150,000 in taxes which they would pay could be diverted to put in sidewalks.

The estimated cost of the project is in excess of $7 million.

Mr. Lalakea objected to an overpass because young adults always take the shortest route between two points and an overpass would probably not be used.

In closing his presentation, Mr. Lalakea stated that while they are very anxious to go back and work with the staff, they may not concur with some of their comments. Some of the areas they would have to try to resolve are (1) Height, (2) Recreation, (3) Design of the parking lots. In particular, the height. They would have no objection to this matter being kept open and referred back to the Planning Staff. SCOPE Corporation is going into debt for the next 25 years and they are here to manage the facilities and will not make a mistake.

Mrs. Sullam asked their objection to breaking up the parking lots somewhat. Mr. Lalakea referred the question to Mr. Brandis Luce, Director of Development for all SCOPE residences and has the expertise of an architect and a planner:

1. Adjustments in the upper parking lot which introduced intermediate planting areas, had continuous berms running up between cars that face each other, in between each of the four isles, were submitted after May 28 and SCOPE is prepared to do that. Will sit down with the staff again.

2. The adjustments to the lower parking lot they are resisting because of the shape and the location and it is already surrounded by landscaping. Will sit down and talk some more.

ACTION: Mr. Chun made a motion, seconded by Mr. Bright, that the public hearing be kept open and the matter referred back to the staff. Motion carried.

PUBLIC HEARING
PLANNED DEVELOPMENT HOUSING DISTRICT
KIPAPA DRIVE
MILILANI
R-6 RESIDENTIAL
(MILILANI TOWN, INC.)
70/PDH-9

A public hearing was held to consider an application for a Planned Development-Housing (PD-H) Project under Article 10, Section 21-1004 of the Comprehensive Zoning Code, to develop 58 residential townhouse units on a site situated on the northeast corner of Kipapa Drive and Moenamanu Street intersection in Mililani Town, in an area of mixed land uses. The subject property consists of 5.166 acres of vacant land, identified by Tax Map Key 9-5-21: 3.

The Detailed Land Use Map designation is for medium-density apartment and park. The 3-bedroom dwelling units are proposed to be sold in fee simple for $30,000 to $34,000.

The notice of public hearing appeared in the Sunday Star-Bulletin and Advertiser of July 26, 1970 and copies of the hearing notice were sent to applicable governmental agencies and to all interested parties. No letters of protest had been received.

The Acting Planning Director, Mr. George Moriguchi, called on Mr. Henry Eng, Senior Staff Planner, to present the staff report. Sketches provided by the developer were shown, depicting design concept, views of interiors, kitchen-dining area, patios, and from the park. The staff recommended approval of the application subject to conditions listed in the staff report.

Questions by the Commissioners were verified:

1. The applicant is in accord with the conditions imposed by the Planning Director.

2. The percentage increase as far as density is concerned is 37-1/2 percent or 8 to 11.

3. Within the staff report, page 6, item 3, the A-1 zoning would provide greater open space than the previously proposed 39 units.

4. The Planning Director has initiated a rezoning of the Finance Factors' property opposite the subject site from A-3 to A-1. However, there is no assurance that this will be done.

No one spoke against the application.

TESTIMONY IN FAVOR OF THE APPLICATION:

Mr. Wendell Brooks, Vice President and General Manager of Mililani Town, Inc., made four comments in behalf of the application:

1. A request for an amendment to the Conditions--7.2-page 10--"The applicant shall align the proposed driveway north of Moenamanu Street with the center line of Wainihi Street."

   They found an existing storm drainage catch basin already constructed in that location.

2. The objective of the project is to reach a moderate-income group and they felt that the combination of architecture and open space and intended design would accomplish that.

3. Regarding the comment that no provision for active recreation on the site was made, Mr. Brooks stated that immediately adjacent to the property is a 5-acre park which Mililani Town did dedicate to the City where baseball and other activities are enjoyed. There is a community-owned pedestrian walkway system that goes along almost to the park.

   This is adjacent to the high school site. There is a community-owned swimming-recreational center in excess of two acres with a large Olympic-size swimming pool.

4. Mr. Brooks thanked the Planning Staff for their excellent cooperation in putting the project together.

The questions from the Commissioners revealed that the staff was not aware of the information presented by Mr. Brooks regarding the alignment of the proposed driveway. Mr. Eng was sure something could be worked out. This was a condition requested by the Department of Traffic in the interest of traffic safety. The driveway alignment is off about 30 feet.

Upon motion by Mr. Bright, seconded by Mr. Sharpless, the Commission closed the public hearing and took the matter under advisement.

The Commission discussed the possibility of restudy and reorienting some of the buildings to provide more open space between the buildings with the park as part of the open space. It was felt that since this project was intended for $35,000-income families who will have many children, they will need more open space to the park.

ACTION: Mr. Chun moved that the Planning Commission approve the application for a Planned Development Housing District subject to conditions imposed by the Planning Director and if there are engineering problems with respect to alignment of the driveway with the street because of the catch basin and utility lines, perhaps adjustments can be made with the Planning Director's recommendations as to location of that driveway. Mr. Bright seconded and motion carried.

NEW BUSINESS:

✓CONDITIONAL USE PERMIT CENTRAL BUSINESS DISTRICT 571 SOUTH QUEEN STREET (STANDARD OIL COMPANY) 70/CUP-29

The applicant proposes the installation and operation of an automatic car wash facility at 571 South Queen Street, an area of 24,636 square feet, currently zoned B-2 Community Business District, and identified as Tax Map Key 2-1-31: 15.

Upon the motion by Mr. Chun, seconded by Mrs. Sullam, the Commission authorized the Planning Director to call a public hearing for a Conditional Use Permit, the date to be determined by the Planning Director.

✓MISCELLANEOUS:

The ASPO Newsletter of June 1970 was mailed to the Commissioners prior to the meeting.

OLD BUSINESS: Chairman Yamabe stated:

"I would like to officially receive this booklet that was sent to us from this class at Punahou. We have had no discussion on it but we should acknowledge receipt and send a letter of appreciation. If there is no objection, I will instruct the Director to do so. I thought it was an excellent publication."

Mr. Bright was desirous of a study to be initiated by the Director to make certain we are not creating another concrete jungle in the downtown Honolulu area with all the new construction planned and now in effect; what is being built; are there going to be any open spaces created; are we going back to the tenement-type construction that we have had for the past century in the downtown area.

Mr. Bright made a motion that we institute a study and have the Director and his staff report back at an early date as to what we can expect of downtown Honolulu area and some specific recommendations and controls that should be put into effect. Mr. Chun seconded the motion. Motion carried.

Mrs. Sullam requested a more definite explanation of the study to be made. It was agreed that it will be a status report--a consolidation of all the plans by private enterprises as well as City, State, etc., including future plans from which the Commission may bring some insight as to just what is happening.

Mrs. Sullam asked what happened to the Park Dedication Ordinance and Mr. Way informed the Commission:

"It is back from the City Council. The Legislature passed an Act that amended the basic enabling statute for the Park Dedication purposes. Matter is presently under study by the Corporation Counsel and the Planning Department for preparation of a new Ordinance. There was some time awaiting the production of a report by the City Council Housing Committee on this subject to see what views they may have. We received our copy last week, so work is continuing on the Park Dedication Ordinance but because of the press of business and because of the "felt" need to wait for the City Council's report on the Housing Committee's

activities, we haven't moved along that fast. It is in the mill, however. At this point, I don't have a specific time when it might arrive back again before the Council or the Commission. I think the changes will be of such a nature that it would be appropriate to have the Commission take another look at it before it goes to the Council."

Mr. Chun wanted to know what happened to the Rules of Procedures for the Planning Commission and Mr. Way said he would have to see the Corporation Counsel regarding the status.

Chairman Yamabe asked Mr. Way if he thought it would be possible for the Corporation Counsel to discuss the Rules of Procedure at one of the Planning Commission meetings, as well as additional procedure which had been submitted to the Commission.

Mr. Sato replied:

"First of all, the Rules and Regulations for the recent Seaside Makekai Land Use Related Rules and Regulations were authorized by a recent Act. Now, the Rules and Regulations for the Planning Commission--our position was that such regulations were not necessary based on the report made by the Legislative Reference Bureau. They issued a report about two years ago stating in effect that the Planning Commission met the requirements of the Administrative Procedure Act but that the Planning Director did not. But the Planning Director matter was corrected by the subsequent adoption of the CZC. So, as far as we are concerned, the Administrative Procedure Act requirements were met and complied with based on that report."

Mr. Chun felt that the intent was that the Corporation Counsel was to prepare a draft of Rules and Procedures by which the Planning Commission could act. Under the APA it is not necessary to have Rules and Regulations but at one time there was a rough draft in the nature of Parliamentary Procedures which could be unofficially adopted by the Commission as guidelines for conducting business.

Mr. Sato will look for the rough draft.

ADJOURNMENT: Upon motion by Mr. Bright, seconded by Mr. Chun, the meeting adjourned at 4:30 P.M.

Respectfully submitted,

Mary C. King

Mary C. King
Acting Secretary-Reporter

Special Meeting of the Planning Commission
Minutes
August 13, 1970

The Planning Commission met in a special session on Thursday, August 13, 1970, at 8:55 A.M. in the Conference Room of the City Hall Annex with Chairman Arthur Rutledge presiding:

PRESENT:
Arthur A. Rutledge, Chairman
Philip T. Chun
Rev. Eugene Connell
Fredda Sullam
Thomas N. Yamabe, II

Richard K. Sharpless, ex-officio

STAFF PRESENT:
George Moriguchi, Acting Planning Director
Andrew Sato, Deputy Corporation Counsel
Dr. Robert Rider, Acting Assistant Planning Director
Henry Eng, Staff Planner

ABSENT:
Edward Brennan
Roy R. Bright
James K. Sakai, ex-officio
Robert R. Way, Planning Director

This special meeting was held to consider:

1. ✓Guidelines and instructions for requesting amendment to the General Plan for the City and County of Honolulu.

2. ✓Proposed amendment to the Comprehensive Zoning Code to permit flag lot subdivisions.

1. GUIDELINES AND INSTRUCTIONS FOR REQUESTING AMENDMENT TO THE GENERAL PLAN FOR THE CITY AND COUNTY OF HONOLULU.

The Acting Planning Director, Mr. George Moriguchi, oriented the Commission:

> "At the last meeting, it was reported to the Commission that the Director has been issuing Guidelines and instructions to applicants interested in the General Plan. These were worked up in the past six months and we are in a period of attempting to test these guidelines to ascertain their workability."

Dr. Robert Rider who heads the General Plans Division was called upon to present the general issues under the instructions and to lead a discussion.

Dr. Rider made a few Introductory Comments:

"I would like to present a very brief discussion of the purpose of the instructions and provide you with some exhibits for your review and questioning. The few introductory remarks I would like to make have to do with the purpose of the General Plan.

We prepared them with two basic processes in mind. The first is to begin to make explicit the information required to support a decision to amend the General Plan. By making these requirements explicit, applicants are informed of what is expected and how the Planning Department will review their request.

Instructions clarify, for all parties including the planning staff, the basis upon which recommendations will be made by the Planning Department. This represents our first step and we recognize there are many improvements that may be made. As we proceed in the next few months to identify where and how the instructions can be improved, we will solicit, and we have in fact solicited, the opinions and assistance of all parties who are concerned.

The second purpose is to provide a more formal pre-application procedure by which the Planning Department and the applicant can confer on the basis required to support a request. In this way, we hope to prevent inappropriate and insubstantiated requests from being made -- to prevent such things as a one-page letter requesting major land use changes -- or being informed by a copy of a letter between two different parties that the Planning Department should amend the General Plan. Our perspective is that the plan represents stated policy with respect to land use and that a reasonable basis must exist before such a policy can be altered. We recognize that there are many legitimate reasons for making changes to the current plan. Reflecting on our experiences so far, I believe that our relationship with applicants has been quite good. There is not necessarily complete agreement on the procedures but there is, I think, an appreciation that the requirements are being made explicit and this alone permits us to proceed more efficiently. There are two steps:

1. Information on the Basis for Change.

2. Formal Pre-application Procedure."

Dr. Rider distributed Exhibits:

1. DISCUSSION OUTLINE FOR AMENDMENT NO. 41/C1/32 - July 22, 1970 (3 pages)

2. CHART - PLANNING DEPARTMENT PROCEDURES FOR REVIEW AND TRANSMITTAL OF GENERAL PLAN AMENDMENT REQUEST TO THE PLANNING COMMISSION.

3. Ruled Form - GENERAL PLAN AMENDMENT CONTROL CHART.

4. Booklet - 10 pages - INSTRUCTIONS FOR REQUESTING AMENDMENT TO THE GENERAL PLAN FOR THE CITY AND COUNTY OF HONOLULU - May 18, 1970 - including:

Sample Forms 160-96 Letter of Intent
Sample Forms 160-97 Application for an Amendment to the General Plan.

IN SUMMARY - This is intended as a Guide, it will provide assistance, and it will vary in each case as to whether it is sufficient.

THE PROCEDURE:

1. Applicant decides to submit an Amendment to the General Plan.

2. He submits a Letter of Intent (formal notice).

3. The Planning Staff meets with the applicant and provides written outline regarding the information the planning staff needs to support his request. (The applicant is not required to follow the outline. It is merely a recommendation on the part of the staff).

4. At that time, the applicant indicates when he will be submitting a formal application.

5. The Planning Staff reviews the application.

6. Submittal of final formal application request by applicant.

7. Upon receipt of the formal request, the planning staff sets a target date.

8. The planning staff prepares a report and submits it to the Planning Director and finally to the Planning Commission.

9. At the same time, we notify the applicant of the recommendation to the Planning Commission and the basis for that recommendation.

The Commission questioned Dr. Rider at length with the resultant information and clarification:

"<u>The Guidelines and Instructions</u>:

Are not mandatory but a recommended way of proceeding.

Were prepared with the intent that they would resolve any request being consistent with the Dalton decision.

In the process of preparation, were discussed with two particular applicants.

Will prove how effective and efficient they are in a six-month period of trial and evaluation when enough applications should be processed. The evaluation will be shared with the Planning Commission.

If the Applicant:

Does not wish to go through the preliminary steps of pre-application or follow the Guidelines, the request is still accepted and processed and the applicant advised of any inaccuracy.

Still feels it is adequate, we will proceed with the review and make recommendation to the Planning Director and the Planning Commission.

Assists the staff by providing all the preliminary information, the application is processed much faster, and the more information submitted, the less time the staff needs for additional study. There is a workload problem at present.

Did not conform to the procedures, under no circumstances will he be denied simply for this reason.

According to the Planning Staff, has not made a justifiable amendment request, he still has the right of defending his application at the public hearing.

Application:

When final application is submitted, we look at (1) the planning criteria and, (2) the justification of the report and the various factors involved.

We are trying to provide the applicant with the kind of basic information he needs to put together a final request.

If, in the application of a small parcel, it may be determined at a preliminary meeting between the applicant and the staff that this is a good amendment to consider, then no further studies are required. However, as you proceed into larger developments, you are less and less free to make such determinations.

There is a 'list of specifics' used to support the request, depending upon the type of land use involved.

Studies:

The staff study will vary with each application. We are gathering information at this time regarding housing or industrial land. Not all information is available to us.

We have a collection of studies that have been done locally.

We are making various studies now, within the general plan section which will take another six months to a year, as to the number of house units available and needed within the next five to ten years, and various other types of uses. Trying to identify now the area where required via survey and census.

When determining whether studies will be required only on large developments or also on those under 5 acres, there are two ways to look at it: (1) In a very small parcel of land, there is a question as to whether we should change the policy and, (2) When you do narrow your concerns down to very small areas, the analyses required are less extensive.

After the review:

If there is a difference of opinion between the staff, the developer, and the applicant, the procedures we now have do not allow referral of the matter to another body -- only from the Planning Director to the Planning Commission. We have been considering the possibility of inputting to the Commission sooner. We would like to discuss this further.

If we do not believe the need is substantiated, all we can do is recommend denial of application.

If there is a problem, it will be our policy to bring it before the Planning Commission.

Miscellaneous:

Additional instructions are being prepared in summary form indicating what the Corporation Counsel's office felt was required under the Dalton decision. The Developer's Bill, #2162, was also reviewed and requirements considered in the drafting of the instructions.

There are a number of established consultants available from the list of American Institute of Planners who could act as a middle-man between applicant and the staff or as a consultant to the applicant."

There was a discussion regarding the time lapse as indicated on the Chart, Exhibit (2).

Commissioner Yamabe suggested that the actual hours of processing be noted on the Chart rather than the time lapse now shown which includes waiting periods in the scheduling of mutually agreeable appointments, workloads, assisting the applicant to his own individual problems, and for the appropriate time to present to the Planning Commission.

Commissioners Chun and Sharpless also suggested that this time lapse be corrected by not holding up the application because of one or two items.

If the applicant and the staff are at odds on one or two issues out of ten, for example, those issues should be extracted and the balance sent to the Planning Commission for review.

Also in the interest of time, Commissioner Chun suggested that the preliminary report of the staff with recommendations be submitted to the applicant so that he may, within a given length of time, decide whether or not he intends to resolve the matter and return to the Planning Department for further processing and final formal application.

Commissioner Yamabe felt that all cases would be a matter of "pure judgment".

Chairman Rutledge expressed the opinion that a good many of the problems could be cleared with the legal department and it wouldn't be necessary to bring them all before the Planning Commission.

There were no further questions or discussions relative to Item #1.

2. PROPOSED AMENDMENT TO THE COMPREHENSIVE ZONING CODE TO PERMIT FLAG LOT SUBDIVISIONS:

Mr. George Moriguchi, the Acting Planning Director, addressed the Commission:

> "At the last meeting of the City Council, they requested a review of the existing code requirements regarding Flag Lots. The present Comprehensive Zoning Code does not allow Flag Lots. The Public Works Committee requested a study and a Bill to be prepared by the Planning Department to be submitted for consideration by the City Council to allow Flag Lots. Our planning staff submitted a Bill to the Public Works Committee and has had a meeting with them and received their reaction. The Public Works Committee has asked their own Advisory Committee on Housing to review this Bill, and our staff has met with them. We felt that the Planning Commission should be made aware of what is going on."

Mr. Henry Eng, Staff Planner, presented the details of the Bill. He read the recommended provisions in the Ordinance, Section 21-207, regarding Flag Lots. In the joint meeting held on Monday, August 10, the Advisory Committee on Housing had comments and criticisms and in general requested revisions on most of the requirements as follows:

(b-1) The Advisory Committee on Housing questions (1) why a Flag Lot must front on a public street and, (2) why it must be a 44' right-of-way.

The Planning Department feels it is not necessary to be a public street. There are private streets which do meet the City and County Standards and would provide adequate access to Flag Lots.

(b-2) The Advisory Committee on Housing raised the question of the use of an average lot width measurement.

We believe this would be exceedingly difficult to administer.

(b-3) The Advisory Committee on Housing questions why an access drive must be part of the Flag Lot.

The Planning Department feels that the access drive, being an integral part of the Flag Lot, would permit an unlimited and complete control over the access to the lot.

(b-4) Minimum setback requirements should be related to the Zoning District.

We are in general agreement with this.

(b-5) We should use established side yard regulations irrespective of considerations for an adjacent access drive (ACH).

The department differs with the committee on this particular proposal.

(b-6) The Advisory Committee on Housing feels the length of an access drive should be related to the width. In other words, a longer drive may be permitted if it exceeds the minimum width.

We are presently in process of restudying this provision.

(b-7) They had no objections.

(b-8) They questioned our intent in limiting the access drive to one dwelling unit. We feel that the width of the access drive would preclude use by more than one lot.

(b-9) The committee claims this is superfluous. They indicated that the Traffic Department already has control over location of access drives.

This, I am not sure of.

(b-10) They don't see any reason for avoiding abutting access drives.

(b-11) Ordinances exist covering driveways and that 10% restriction concludes flag lots and hillside areas where topography would naturally exceed 10%.

DISCUSSION:

Mr. Moriguchi:

There is a proposal that flag lots be allowed in new subdivisions. We are of the opinion that new subdivision designers can eliminate

much of the flag lot requirements. Our concern would be more in the situation of existing older lots where you have no great control over abutting properties. We do get a number of inquiries, primarily when families subdivide with their children. There is no collection of applications. We have no idea how big this problem might be. The study was generated by one particular inquiry. Although the City Council has not formally asked the Planning Commission to comment on this, we are here as the Planning Director's Staff soliciting your comments.

We are generally in favor of a modification to the Code that would allow a single flag lot. We are not in favor of the flag lot that would require 1,000 feet of a driveway or a flag lot, as we have in some instances, that would be stacked. The Ordinance should be set up for all subdivisions and not just an existing older area although the problems are really in the older areas. We don't feel that we should go to the Zoning Board of Appeals each time there is a request for a flag lot. A citizen did go to the Zoning Board of Appeals and was denied and that generated this study. The Charter, page 21, Section 5-507(b), spells out three criteria and the Zoning Board of Appeals can only allow if all three are met.

Commissioner Yamabe:

In other words, you can't subdivide without this Ordinance which will permit the establishment of access. Although it is an undesirable operation under the present subdivision Rules and Regulations, I can't see enacting an Ordinance for a specific group of people. Couldn't we accomplish the same by making some amendments to the present Ordinance in reference to flag lots? Why shouldn't it be handled by the Zoning Board of Appeals?

Chairman Rutledge:

We are an action group. Not a study and discussion group. We take action based on facts. It seems to me that it should be worked out by the staff and submitted to us with recommendations and reasons.

Commissioner Sharpless:

Under the General Plan Amendment, the function of this Planning Commission is:

If proposed by the City Council -
It must be referred by Resolution to the Planning Department and the Planning Commission for recommendation.

If proposed by the Planning Director -
It must be reviewed by this Planning Commission.

Under the General Plan, all Ordinances are referred to the Planning Commission at some stage of the game.

ACTION:

On the motion by Commissioner Chun, seconded by Commissioner Yamabe, the Planning Commission referred the matter back to the Planning Department Staff for a memorandum as to the position of both the Planning Department Staff and the City Council's Advisory Committee on Housing, prior to consideration of the Ordinance by final action of the City Council.

(On Commissioner Yamabe's suggestion, Mr. Moriguchi will obtain information from the Land Use data computer cards as to the number of flag lots involved.)

ADJOURNMENT:

There being no further business, the meeting adjourned at 10:45 A.M.

Respectfully submitted,

Mary C. King

Mary C. King
Acting Secretary-Reporter

Meeting of the Planning Commission
Minutes
August 20, 1970

The Planning Commission met in regular session on Thursday, August 20, 1970, at 1:30 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Edward Brennan
Roy R. Bright

STAFF PRESENT: Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Loretta Chee, Staff Planner

ABSENT: Arthur A. Rutledge, Chairman
Fredda Sullam
Rev. Eugene Connell
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES: The minutes of September 4, 1969 and August 6, 1970, were approved on motion by Mr. Chun, seconded by Mr. Bright.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KAILUA
640 ULUKAHIKI ST.
TMK: 4-2-06: 4
CASTLE MEMORIAL
HOSPITAL

A public hearing was held to consider a request for a conditional use permit under Article 2, Part E of the Comprehensive Zoning Code for the expansion of existing Castle Memorial Hospital facilities on a parcel of land situated at 640 Ulukahiki Street in Kailua and identified as Tax Map Key 4-2-06: 4.

Publication was made in the Star-Bulletin and Advertiser on August 9, 1970. No letters of protest were received.

Staff Planner Bruce Duncan reviewed the staff's report of the applicant's proposal for the benefit of the Commission. There were no questions from the Commission concerning the staff's report.

No person was present to speak either for or against the proposal.

ACTION: Mr. Brennan moved, seconded by Mr. Chun and carried, that the public hearing be closed, and that the Commission recommend the approval of this Conditional Use Permit, based upon the following conditions:

1. The plans on file, dated April 6, 1970, and received by the Planning Department on May 15, 1970, shall be part of the

permit and any deviation must be approved by the Planning Director.

2. Landscaping and planting plans for the yard and open areas shall be submitted to the Planning Director for his approval prior to obtaining a building permit;

3. The landscaping plan shall be effectuated upon completion of the two additional wings;

4. This Conditional Use Permit shall apply to the entire parcel described as Tax Map Key 4-2-06: 4;

5. The Planning Department shall be informed when the use of this parcel under this permit is terminated, and after the issuance of this Conditional Use Permit, the City Council may, at any time, upon finding that any of the conditions hereinafter imposed, are not being complied with by the applicant, authorize the Planning Director to revoke the permit.

6. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

7. A certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

Mr. Chun moved, seconded by Mr. Brennan and carried, that the following matter initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

GENERAL PLAN DLUM AMENDMENT HAWAII-KAI KOKO HEAD SIDE OF LUNALILO HOME RD., MAUKA OF LUNALILO HOME TMK: 3-9-05 STATE OF HAWAII, DEPT. OF ACCOUNTING & GENERAL SERVICES	1. The request is to amend the Hawaii-Kai Detailed Land Use Map to alter the boundary of the present site of the Hawaii-Kai High School to include a 12.2-acre site on the mauka boundary of the school presently designated for park use.

In other business, the Commission considered the following matters:

STATE LAND USE PETITION (URBAN DISTRICT) PAUMALU-KAM HWY.	This petition is to amend the Urban District Boundary to include a 1.019-acre parcel now in the Land Use Commission Agricultural District. The parcel has a dwelling and is currently zoned

TMK: 5-9-15: 14
FRANCIS CHUNG,
ET AL

by the City and County as AG-1, Restricted Agricultural District. The DLUM and DP indicate the area as Residential.

The Commission deferred action on this matter for one week, due to the lack of a full Commission, on motion by Mr. Chun, seconded by Mr. Brennan and carried.

IMPROVEMENT REVOLVING FUND RESOLUTION 264 PARKS DEPT.

The City Council, by Resolution No. 264, referred to the Planning Commission for its review and comment, a proposal to transfer the sum of $133,269.70 from the Improvement Revolving Fund to the Department of Parks & Recreation for settlement of Civil No. 25372 with Queen's Medical Center concerning the 21.986-acre Halawa District Park site, identified as Tax Map Key 9-9-10: Portion of Parcel 2.

ACTION: Mr. Chun moved, seconded by Mr. Brennan and carried, that the Commission recommend the approval of the proposal to transfer the sum of $133,269.70 from the Improvement Revolving Fund to the Parks Department for the purpose stated.

MISCELLANEOUS RESOLUTION RECOGNIZING COMMISSIONER BRENNAN FOR SERVICE ON THE COMMISSION

On motion by Mr. Chun, seconded by Mr. Bright and carried, the Commission adopted the following Resolution:

WHEREAS, EDWARD BRENNAN, served as a member of the Planning Commission of the City and County of Honolulu, from April 5, 1966 through June 30, 1970, except for a few months hiatus in which he managed a political campaign, which results will not be mentioned; and

WHEREAS, Edward Brennan, brought to the Planning Commission a keen recognition of the multitude of problems facing a growing City and County; and

WHEREAS, his knowledge and wisdom of the planning processes greatly contributed to the effectiveness of the Commission; and

WHEREAS, his fellow members on the Commission will miss his wit, humor, and Gold Bond Stamps;

NOW, THEREFORE, BE IT RESOLVED by members of the Planning Commission of the City and County of Honolulu, that it sincerely extends it gratitude to Mr. Brennan for his service on the Planning Commission; and

BE IT FURTHER RESOLVED that the members of the Planning Commission extend to Edward Brennan its sincerest wishes for a success in all his future endeavors politically or otherwise; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be presented to Mr. Edward Brennan.

Dated: Honolulu, Hawaii, August 20, 1970.

Mr. Brennan thanked the Commission and stated that he was most privileged to work with members of the Commission, the Planning staff, and the Planning Director.

MISCELLANEOUS

Mr. Bright called to the Commission's attention a letter from the Downtown Improvement Association, dated August 12, 1970, signed by Mr. James M. Morita, Acting President, supporting a request by Amfac Center for a conditional use permit to construct and operate a helistop atop the second Amfac tower near the Fort Street Mall. He stated that the request is in direct contradiction to the DIA's objectives, policies, and purposes.

Inasmuch as this subject matter was not formally presented to the Commission, the Chairman requested that all action on this matter be deferred until it is brought before the Commission for consideration.

For the record, Mr. Bright expressed his objection to the proposed facility in an already congested downtown area.

ADJOURNMENT:

There being no further business, the meeting adjourned at 1:50 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
August 27, 1970

The Planning Commission met in special session on Thursday, August 27, 1970, at 8:35 a.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Ivanhoe K. Naiwi
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Harold Murphy, Staff Planner
Loretta Chee, Staff Planner

ABSENT:
Arthur A. Rutledge, Chairman
Rev. Eugene Connell
James K. Sakai, ex-officio

MINUTES:
The minutes of July 16, 1970, were approved on motion by Mr. Chun, seconded by Mrs. Sullam.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
ST. LOUIS HEIGHTS
ST. LOUIS-CHAMINADE
EDUCATION CENTER
DORMITORIES
(SCOPE CORPORATION)

The public hearing held August 6, 1970, was kept open and action deferred pending modification of the site plans.

Bruce Duncan presented a revised scheme of the applicant's proposal, satisfactory to both the applicant and the staff, having met with them to discuss disputed areas such as the location of structures, height, and parking layout. Revised plans submitted do not reflect all of the modifications due to the shortage of time; however, the Director recommends approval of the applicant's request subject to modified conditions which would be necessitated by submittal of the new site plan.

There were no questions from the Commission.

ACTION: On motion by Mrs. Sullam, seconded by Mr. Chun and carried, the Commission recommended approval of the applicant's request as recommended by the Planning Director, in addition to any subsequent modifications which would be necessitated by submittal of a new site plan.

PUBLIC HEARING
PLANNED UNIT
DEVELOPMENT
HOUSING
DISTRICT
WAIMANALO
KALANIANAOLE HWY.
NEAR WAIMANALO
VILLAGE
HCHA HAWAII
DEVELOPMENT CORP.

Before proceeding with the Hearing, Mrs. Sullam disqualified herself from any participation in the deliberations because the applicant, HCHA Hawaii Development Corporation, is her husband's client. She filed a conflict of interest statement for submission to the Mayor.

A public hearing was held to consider a request for a Planned Development Housing District under Article 10, Section 21-1004 of the Comprehensive Zoning Code, to develop approximately 348-dwelling units on 38+acre parcel of land situated on the mauka side of Kalanianaole Highway within and adjoining the Waimanalo village area near Poalima and Hihimanu Streets in Waimanalo and identified as Tax Map Keys 4-1-08 and 4-1-09.

Publication was made in the Star-Bulletin and Advertiser on August 16, 1970. No letters of protest were received.

Staff Planner Harold Murphy reviewed the staff's report of the applicant's proposal to provide 348 dwelling units planned under FHA 235 & 203 programs. In view of a number of people present to testify on the proposal, the Commission withheld questioning until the completion of public testimony.

Testimony FOR the proposal was given by the following people:

1. Mrs. Betty Ching, Chairman, Waimanalo Housing Committee
2. Elizabeth Tuttle, Waimanalo Resident
3. Richard Neill, Director, Hawaii Council for Housing Action
4. Charles R. Sutton and Ted Candia, Architects for the applicant
5. Wallace Kim and George Luter, Planning Office, State Department of Land and Natural Resources
6. Dr. Robert Gibson, Waimanalo Resident

Reasons given FOR the proposal--

1. It will greatly improve existing living conditions. Homes are presently overcrowded, rodent infested, and contain leaky roofs. Attempts were made by residents of Hawaiian descent to solicit housing on the Hawaiian Homestead but a requirement to prove Hawaiian ancestry beyond indication on their birth certificates discouraged many residents. Birth certificates do not reveal the degree of racial descent which, in some instances, necessitated a trace into family genealogy seven generations back.

2. It is a solution to an extreme housing problem in the area which has taken approximately 20 years to materialize, and will afford residents the privilege to live with respect and dignity which up-to-now they feel they have been denied.

3. Along with the project, adequate traffic facilities such as sidewalks, traffic lights, curbs, etc. should be provided.

4. Since the project is federally subsidized, various FHA subsidy programs are available to accommodate all families that wish to live in the proposed project. This financial assistance is dependent upon the income level of each family. Displacees within the project area will be given first preference.

Mr. Charles Sutton, Architect, made the following comments in response to the Director's review and report:

1. The Airport

We agree with the Planning Director that the State should determine that no nuisance will result in an area committed to residential use.

We are concerned, however, that final decision on this issue can cause interminable delay in starting to build housing where it is badly needed. FHA has indicated approval with regard to airport. The State has already built new housing in the area and has indicated that more will be built nearby in the future.

The State Department of Transportation has approved the project.

We believe that the priority for housing should be affirmed and that the airport should not hold up the decision to proceed with this housing project.

2. The DLUM Road

When we began planning this project, we pointed out in meeting (Nov. 1969, DLNR, DOE, Transportation, City Planning, at City Planning Conference Room) that the State Land Use Plan which was used to define the site for HCHA did not agree with the DLUM. We were told that the State is revising the State Land Use master plan and that they would eventually propose an amendment to the general plan, therefore, we should proceed on the basis that the general plan will change, generally following the State's requirements.

We proposed the plan which omitted the DLUM road between the proposed freeway and Kalanianaole Highway. We provided alternatively that a right-of-way could be obtained along the Poalima alignment.

We were informed by the Planning Department that this would require a general plan amendment, and were advised by the Corporation Counsel to plot a route nearer the DLUM mapped road so that no amendment would be required. We indicated such a route on the plan.

In this report-- Traffic says the alignment is not feasible. Public Works says that it's not feasible due to its location in the drainage area. The Parks Department says it would not be desirable in the Park. We agree. We do not recommend that it be built.

Alternatively we propose that this project be approved, leaving open the mapped route and an alternative on the Makapuu side of the property, with the provision that the State will revise the master plan to give priority to this housing.

There is adequate time to plan proper connections for future urbanization of the mauka property.

Further, Poalima Street will be improved as required by Traffic to give access to Increment IB, (FHA has indicated approval), and the Makapuu end of the main street is left open for a possible future connection.

The testimony of Mr. Wallace Kim representing the State Department of Land and Natural Resources follows:

KIM: We appear in favor of the plan.

I have worked on the future land use pattern so if there are any questions along these lines, we'd be very happy to answer them. I'd like to add that back in November of last year, we informed the Planning Department staff people and the Waimanalo Community Association that we were going to do such planning and since then we've had several meetings with the Waimanalo Community in studying this plan. We hope by the end of the year to turn these plans over to the Planning Department for their consideration for possible amendment to the existing land use map.

PHILIP CHUN: What about that DLUM road?

KIM: This (pointing to map) is the existing land use map of Waimanalo which was adopted sometime in 1964. Studies, however, resulting in this adoption was done several years prior to that date. At that time, the highway department did not know exactly

where the primary system should go, whether it should follow along existing Kalanianaole Highway or whether it should be off of that improved section and face the road in the back. As a consequence, if you will look at the map closely, you will see a double line which starts here (pointing to map), a major widening on the makai side which stops here - because we couldn't get any information as to which way the major alignment of that highway should be located.

Also, the existing DLUM map indicated a highschool adjoining the Hihimanu Road. This is the area that HCHA is going to develop their proposal. The present drainage runs up in this direction (pointing to map).

In our discussion with the highway people, they have now expressed their comment that most probably that this roadway will be of the express type with no access on abutting properties. As a consequence, the location of the highschool becomes very bad from the traffic standpoint. In order to alleviate this situation, we entered into discussions with the Department of Education and as a consequence we agreed to allocate around 41 acres of land to provide an intermediate highschool complex fronting on Kalanianaole Highway which provides a better opportunity to resolve the traffic problem.

In further discussions also with the Department of Transportation, we had explored the possibility of providing for grade separation

structures on major feeder roads. We were considering, as indicated on this plan, two major roads - one along here (pointing to map), and the other one over in this direction. If you will look on the proposal, it will show the situation better. They indicated that because of the high cost of grade-separated roads, they would be willing to support only one major grade separation road providing all the necessary turning movements and in our choice we located this grade separation (pointing to map) in this area because we felt if we were permitted only one such structure, then we should service the town center area where we would have the heavy traffic generation - that is in the area where we would have the commercial area, the industrial activity, the beach park and the school.

We also talked to them about providing a structure here on this other road and they indicated that yes, they would consider it but only as a simple straight-run structure with no turning movements with an overpass over this.

The existing DLUM road indicated the extension of this existing agricultural road coming over and joining into Kalanianaole Highway. As I stated previously, at the time this was done, there was no knowledge as to whether the extension of the major primary system would be along Kalanianaole or they would be located in the back. Also there was no indication that they would consider a grade-separated road because of the high cost.

We felt that because of these new inputs and these new considerations, that it was time that we updated these maps and this is the reason why we have tried to do so. The Waimanalo community in our several meetings with them have generally concurred to this plan, basically shifting the highschool which was situated here over into the front, shifting the shopping center from the old DLUM to this area (pointing to map), the sewage treatment plant is now situated here providing for light-industrial activity to support the commercial activity in this location, possibly a small low-density apartment on the makai side in the vicinity of the proposed Sherwood Forest Beach Park development.

We also in our studies recognize the desirability of developing the hillside lots in here for estate-type lots. The grade varies from fairly flat to quite steep. In our conceptual design we were thinking about providing for estate-type lots in the steeper areas and possibly a minimum of 7500 to 10,000 square-foot lots in the flatter areas. If this was done, then the concentration of the population would be in this area rather than in the agricultural district. As a consequence, we are going to recommend to the Planning Department that the major feeder roads be this roadway (pointing to map) rather than this.

As to the exact alignment in here, I think that will have to be a decision made as a result of discussions made with the

Planning Department, the Highway Department and the Traffic Department.

CHUN: When will the State start talking with the County?

KIM: We have had a Planning staff member covering most of the meetings. He even covered the meetings held with the Waimanalo Community so at least one staff planner is quite familiar with our proposal. We do plan to go ahead and have serious discussions with the Planning Department before the year is up.

CHUN: When do you think the State will complete their comprehensive planning?

KIM: This represents the beginning. The land use will be culminated as a result of the adoption of this plan by the Council and we are hopeful that it will be sometime next year.

As far as the construction of the highway is concerned, indications are that the Department of Transportation because of pressures to complete the H-1 system and other heavily traveled roadways, they don't think they can do any construction work for this highway before 1975. They do, however, intend to go into studies around 1973.

No other person testified for or against the proposal. The public hearing was kept open for a period of one week on motion by Mr. Chun, seconded by Mr. Bright and carried.

STATE LAND USE PETITION PAUMALU KAMEHAMEHA HWY. TMK: 5-9-15: 14 FRANCIS K.H. CHUNG, ET AL	This matter was deferred for one week, due to the to the lack of a full commission. The staff was requested to prepare a letter to the State Land Use Commission requesting a 15-day extension.
ZONING CHANGE FROM R-6 RES.TO B-2 COMM.BUS. MAKAHA 84-1150 FARRINGTON HIGHWAY STANLEY KANESHIRO	1. The applicant proposes conversion of the existing drive-in located on the parcel into a restaurant. The existing drive-in area would be converted into a kitchen with a restaurant area constructed adjacent thereto. A parking area for the restaurant is part of the proposal.
INFORMATION	The Director reported the receipt of a Draft of Rules of Parliamentary Procedure submitted by Corporation Counsel as requested by the Commission. Copies of the Draft will be submitted to the Commission accompanied by comments from the staff. A suggestion was made to acquire procedures from other Planning Commission so that a comparison could be made. The staff will look into it.
ADJOURNMENT:	There being no further business, the meeting adjourned at 11:55 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
September 3, 1970

The Planning Commission met in regular session on Thursday, September 3, 1970, at 1:40 p.m., in the Conference Room of the City Hall Annex with Chairman Arthur Rutledge presiding:

PRESENT:

Arthur A. Rutledge, Chairman
Thomas N. Yamabe, II, Vice-Chairman
Philip T. Chun
Rev. Eugene Connell
Ivanhoe K. Naiwi
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:

Robert T. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Calvin Ching, Staff Planner
Harold Murphy, Staff Planner
Loretta Chee, Staff Planner

ABSENT:

Fredda Sullam
Roy R. Bright

MINUTES:

The Minutes of August 13 and 20, 1970, were approved on motion by Mr. Chun, seconded by Mr. Yamabe.

✓PUBLIC HEARING
DLUM AMENDMENT
FROM PARK TO
SCHOOL USE
HAWAII-KAI
KOKO HEAD SIDE OF
LUNALILO HOME RD.
& MAUKA OF LUNALILO
HOME
STATE DEPT. OF
ACCOUNTING & GENERAL
SERVICES

A public hearing was held to consider a request to amend a portion of the Hawaii-Kai Detailed Land Use Map from park use to school use by altering the boundary of the present site of Hawaii-Kai School to include 12.2 acres of land situated on the mauka boundary of the school site, below Kapaia Street and between Lunalilo Home Road and Pakala Street and identified as Tax Map Key 3-9-05.

Publication was made in the Star-Bulletin and Advertiser on August 23, 1970. No letters of protest were received.

Staff Planner Calvin Ching reviewed the staff's report. Replying to a question of Mr. Yamabe, Mr. Ching asserted no involvement of agricultural lands in this project.

No person spoke either for or against this proposal.

Mrs. Sally Williams appeared as a private citizen and questioned whether there is a net decrease or increase in the proposed plan. The needs of the community will be met by the new 80-acre park, so there is no decrease.

There being no further question, the public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Mr. Chun.

ACTION: The Commission recommended approval of the proposed amendment on motion by Mr. Chun, seconded by Mr. Yamabe and carried.

√PUBLIC HEARING
PLANNED UNIT
DEVELOPMENT
HOUSING
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KALANIANAOLE HWY.
NEAR WAIMANALO
VILLAGE
HCHA HAWAII
DEVELOPMENT CORP.

(Mrs. Fredda Sullam, who declared a conflict of interest on this proposal earlier, was absent from today's Planning Commission meeting and did not participate in any deliberations.)

The public hearing held August 27, 1970 was kept open for staff consultation with the developer and the architect concerning the staff's recommended conditions.

As a result of those meetings, the Director reported that a supplemental report was prepared reviewing the principle issues - the airport and the major DLUM road through the project site. The staff's initial recommendations remain, with certain modifications mainly to provide the mauka-makai DLUM road as a part of the project, and that agreements be reached whereby the improvements can be provided for this necessary traffic service. Additionally, the staff has been in consultation with the Corporation Counsel's office and they support the staff's position.

Staff comment is also made regarding building design and layout arrangement of the site plan, and the suitability of the site for Planned-Development Housing.

Testimony FOR the proposal was given by the following people:

1. Mr. Charles Sutton, Architect for the project
2. Mr. Bill Cook, Governor's Special Assistant on Housing
3. Adm. E.Alvey Wright, Deputy Director, State Department of Transportation
4. Mr. Richard Neill, Director, Hawaii Council for Housing Action
5. Mr. Henry Nakagawa, Engineering Division, Department of Public Works
6. Mrs. Elizabeth Tuttle, Waimanalo Resident
7. Dr. Robert Gibson, Waimanalo Resident

Mrs. Tuttle and Dr. Gibson re-emphasized their testimony given at the previous hearing.

Mr. Sutton reported that since the last hearing, two meetings were held with the Planning Department to try to resolve outstanding differences in the plan. In general, they have met the detailed requirements of the Department with regard to open space, setbacks, street widths, etc.

1. They have increased the open space in the mauka area, improved guest parking areas, and increased the parking for the apartment area to that required by the Department.

2. Two major unresolved issues remain:

a. The airport - Dr. Matsuda, Director of the State DOT, told him by telephone this morning that if it were finally determined by noise tests, that the airport would create excessive noise in the residential area, the housing would be given priority. He said that the Transportation Department does not believe that the two are incompatible, however, they are willing to conduct tests with the community residents participating. However, residents have not been willing to cooperate in making the tests and they are not yet scheduled.

b. The DLUM Road - The Planning Department has stated that the only acceptable route is just as mapped on the DLUM, contrary to their earlier discussions with the Corporation Counsel. They have further stated that we must build it as part of the project.

This attitude was not expressed in our meetings beginning last November.

The State, in setting this land aside for housing, expected that the City would cooperate in the planning for future change in the General Plan. The Corporation Counsel on June 19, 1970, indicated that the intent of the DLUM could be met by leaving a right-of-way through the project. This right-of-way was mapped and has been presented.

Access has been provided to Increment IB and IC by way of improvements to Poalima and Hihimanu Streets.

The State is continuing the Planning study of the Waimanalo area in order that the General Plan can be amended.

Inasmuch as the Commission based its action on testimony presented by various governmental agencies, the testimony of those individuals is presented verbatim. The Commission's action recommending approval of this proposal is done in the same manner.

TESTIMONY OF BILL COOK, GOVERNOR'S SPECIAL ASSISTANT ON HOUSING

YAMABE: Is there anyone in the audience from the State that might assist us in discussing the possibility of State participation in whatever the cost might be, if the cost happens to be the problem. Also if the Parks Department might remain so that we might discuss this more in depth because we'd certainly like to dispose of this today.

WAY: You want a State representative on what issue?

YAMABE: On the question of whether it might be possible for the State to participate in whatever areas is considered infeasible, whether it be financing or otherwise.

BILL COOK: Mr. Chairman and members, my name is Bill Cook. I'm the Governor's Special Assistant on Housing. Regarding the specific question, and I'm not even sure this is relevant, but we do own, the State owns, considerable lands mauka. They also own some makai of the proposed improved roads, not the connector road but main road which would go through. We've been advised that it's going to require something like 10.5 million dollar flood control program to make these lands developable. We do want to develop them because it's the most vast holdings that we have on Oahu. I would imagine that this 10.5 million dollar flood control program might alleviate some of the cost if that is one of the reasons that it is unfeasible. Anything that massive I'm sure would be due to quite a bit of water. It calls for major improvement of that stream that's shown in the rendering.

Secondly, regarding that road, it is only a paper road. It does not represent detailed planning. In meeting with telephone conversations today with people from the Department of Transportation, I've been informed that they would like to get the road out of that general vicinity entirely. However, by master planning in the PUD as proposed by the Hawaii Council for Housing Action, we are not precluding a mauka-makai

connector running through the project. We feel that we have sufficient land Kailua side of that area to provide a good connector, or even the Koko Head side, additional lands there that might be considered for the mauka-makai connector.

So I think if the Commission could find it possible to approve this plan with that proposed mauka-makai connector in the DLUM, it would facilitate the construction of badly needed housing. This is really a cursory kind of thing. We don't anticipate that it will ever be built there anyway but we are interested in expediting of these housing.

Regarding cost of roadways to provide for housing, Act 105 gives a great deal of latitude to make housing possible. In fact there's an item 7 on page 7 and I can't quite forget which says and any other moneys necessary for implementation of this act can be expended, a total of 60 million dollars. So I should think that where we could come to one of these emphasis where it means housing or no housing because of partly the cost of the road, State funds could be made available in conjunction with the County to build roads. I do know too, that if we develop mauka land as we intend to do, the City would have far more units to bear the cost of this mauka-makai connector rather than the 300 some-odd units planned by HCHA for a pretty desperate group of people.

If I may, now we'll go on to another subject, the airport. I spoke to the Governor this morning, to Fuj Matsuda the

Department of Transportation Director, I spoke to him also. To reiterate what the consultant said, Mr. Sutton, housing does have priority over airports. There would be considerable study by the Department of Transportation to determine if in fact an airport as proposed in Waimanalo and HCHA's housing development are incompatible, compatible. If incompatible, there will be no airport. In any event, in trying to gather the facts for this, there would be every effort made to have citizen participation in determining the fact. In other words, number one priority is housing, not for the sake of housing but in a good environment.

If you have any questions, Admiral Wright is in attendance today. I may be able to help on some and if it gets too detailed, I will turn it over to him.

YAMABE: Bill, I'm satisfied with the explanation given by the airport division or whatever you call it. No if they claim, if they feel housing comes before the airport, this is fine.

On the road, I think a representative from Public Works is here. I wonder if you might remain. Right now I personally feel the matter is very vague. What is considered feasible and what is feasible. What are we talking about? Economics? What is it? We want to determine this. From your explanation, the flooding situation, we might be able to resolve it right here.

BILL COOK: If it's primarily economics, we have a great deal of fiscal muscle with Act 105 which previously was lacking and to no end it's producing housing.

WAY: Mr. Chairman, one question. Bill, on the use of these funds, is it reasonable to expect that the State represented by yourself, as custodian of Act 105 if you will, would be responsive to the suggestion that funds could be made available for roadway service in this vicinity as the service was required or on an incremental development basis?

COOK: We are in the throes of developing rules and regulations for implementation of Act 105. What I would anticipate would probably happen assuming that this is the alignment for the mauka-makai connector is that we would probably try to get some of that cost borne by future development in the area. This seems feasible to me because to my knowledge, the mauka-makai connector is not in anybody's CIP at the moment, nor is the major road that would be mauka of the existing Kalanianaole Highway. I feel that we have ample opportunity to properly plan this area and to properly fund it under Act 105 if need be, under a State development program in which housing units are made available mauka could help bear the cost of this mauka-makai connector. The other road, I believe, will be totally State funded.

CHAIRMAN: Any questions of Mr. Cook? If not, we've got Mr. Nakagawa from the Public Works Department.

Mr. Henry Nakagawa of the Public Works Engineering Division was asked to explain their comment made in their letter of July 16th to the Planning Director, "the proposed DLUM 80-foot road alignment with respect to its location within the flood plain is not feasible."

TESTIMONY OF HENRY NAKAGAWA, ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT

WAY: I think we ought to bring him up on what the issue is. Mr. Nakagawa, we received a letter from the Public Works Department in connection with the proposed planned development area in Waimanalo, and more specifically, a proposed roadway connecting Kalanianaole Highway. Your letter of July 16th in connection with the feasibility, your second paragraph under paragraph one, "the proposed DLUM 80-foot road alignment with respect to its location within the flood plain is not feasible." I think this is one of the questions the Commission had as to what was meant with respect to that word or to that expression, as well as possibly to other statements that have been made in your letter. If you care to elaborate on that, I believe that's the nub of the question.

NAKAGAWA: Bob, I'd like to read a paragraph that we included in the report. It reads, "The proposed future roadway is located in the drainage way, and it is recommended that the roadway be relocated. This is contrary to the recommendations proposed by the Department of Parks and Recreation to keep

the park areas as a natural gully for drainage. The walling as shown on the plan is considered incompatible and unfavorable to park-like character." It is my understanding that that particular drainage area is also to be used as a flood control ponding area.

YAMABE: Just before your appearance, Mr. Cook had testified to the effect that the State had 10.5 million dollars, Bill?

COOK: It's estimated that the flood control program that would be required to make those mauka lands developable, a 10.5 million-dollar program is required.

YAMABE: If this project is undertaken, there might be the possibility that this flood plain would not be necessarily considered as a flood area. In that event, other than the fact that its replacing a strip of park area into a road--

NAKAGAWA: Mr. Yamabe, I have our drainage engineer here with me. He might be able to answer your particular question. Mr. Nishizawa is our Chief Drainage Engineer and I'm sure he can answer your question.

NISHIZAWA: It would be difficult to answer your question without knowing what sort of flood control improvements, or how wide a channel we're talking about. Right now through that green open strip (referring to map), the plan is to utilize

it for open space and park as well as an over-flow flood plain area. If you have enough space, you might be able to put that 80-foot road through there with a flood control channel alongside. I'm not sure. Unless you put it down on a plan, we can't tell whether they have enough space. There is that narrow opening on the mauka portion of that development.

YAMABE: I apologize. I realize my question is very vague, contingent upon anything.

Another question. Is there a matter of high construction of this road involved?

NAKAGAWA: I don't think the road would cost any more than-- It would increase the cost of the drainage channel. Other than keeping it natural-like, we would have to put in a drainage structure that would have to be walled, a vertical-type concrete structure to confine the area of the waterway. That would increase the cost of the drainage channel more than increasing the cost of building the road.

YAMABE: Who will be responsible for constructing the drainage channel if and when it's needed? This is State land.

NAKAGAWA: It would fall with the State. Mr. Cook says they have 10-1/2 million dollars for it.

YAMABE: Am I correct to assume that your letter when you discussed the feasibility of such a road, was primarily taking this park area out of park and put it into a road use?

NAKAGAWA: Yes. That was primarily our concern to keep it like that park-like area rather than like a drainage structure that's all concrete.

YAMABE: Mention was made of that S curve. Is there any problem?

NAKAGAWA: You're talking about the proposed realigned road suggested by the developer?

YAMABE: Yes, that's right.

NAKAGAWA: I don't think there's any difficulty in that S curve.

YAMABE: Thank you Mr. Chairman, I have no other questions.

NAKAGAWA: Anyone else have any questions of Mr. Nakagawa? If not, thank you Mr. Nakagawa.

TESTIMONY OF ADM. E. ALVEY WRIGHT, STATE DEPARTMENT OF TRANSPORTATION

CHAIRMAN: Are you in for or against the proposal?

WRIGHT: In favor, Mr. Chairman. I'm E. Alvey Wright, Deputy Director of the State Department of Transportation. I'd like to

reinforce the remarks of Bill Cook and clarify the remarks of Mr. Sutton as they concern the airport. It is not necessary nor desirable from a transportation standpoint to await the test in the area of sound reverberation from the pali which was one of the questions to give favorable consideration in an environmental standpoint. We feel of course that the general aviation airport is compatible with this proposed residential development and urge that you give favorable consideration from a transportation standpoint. We have, of course, had much close proximity in Ford Island in the past 10 months without any complaint in that area. We do intend fully to answer the questions of the residents before there is any commitment to the airport area.

In regard to the highway system, the mauka freeway as shown on the plan, they are entering the planning stage. It will probably be December of 71 before that is a totally planned system. It does contemplate presently a corridor in the Hihimanu alignment approximately, perhaps with the with the contemplation of future urban development of the mauka land of using Hihimanu as a frontage road in that area. As I recall, a 160-foot right-of-way has been requested for that purpose.

On the mauka-makai connectors as far as transportation is concerned, it doesn't even need to be shown on this proposed development. We feel, as Bill Cook has indicated, that there are other opportunities, perhaps more attractive than of

taking very desirable park-like land for such a residential area. For the mauka-makai connectors, our concern is only that they not be too close. We see no difficulty in making the appropriate tie between those two principle alignments of Kalanianaole and the freeway alignment.

As far as showing on the development concerned, it would be really unimportant in their development plans for that. We would recommend that it not be given primary or undue wait particularly from its desirability for other purposes.

CHAIRMAN: Any questions of Mr. Wright?

CHUN: Admiral Wright, based on that statement and on the basis of the fact that most of the mauka lands are owned by the State, can we then take your statement to be a commitment from the State that the State Development Plan for this entire area will be based and assuming the use of this parcel of land as submitted by the applicant?

WRIGHT: The development of the transportation system for the State is entering the planning stage. We will contemplate these two principle corridors and with the opportunity for location of mauka-makai connectors elsewhere other than the proposed project and contemplating also the urbanization of the mauka lands.

CHUN: Who is doing this transportation study?

WRIGHT: It'll be done by the Department of Transportation.

CHUN: Is this being done in coordination with the Department of Land and Natural Resources with its General Plan for the land uses in the area?

WRIGHT: Of course.

TESTIMONY OF RICHARD NEILL, DIRECTOR, HAWAII COUNCIL FOR HOUSING ACTION

YAMABE: Mr. Sutton, are you in position to tell us whether the State plans to dedicate this park area to the City?

SUTTON: I can't tell you but perhaps Mr. Neill can. However, I can say that it was proposed very early that this be given consideration. In the event that the City did not accept the dedication of that land, the land would remain as a part of the community association's open spaces which are provided for in the balance of the development. It is true that at the time it was first suggested there was no right-of-way in there. Perhaps Dick could further comment on the land dedication.

RICHARD NEILL: Initially this was considered part of the common area but then FHA encourage it to be considered as part of, dedicated to the City. The strategy how you do this at that point, the consideration, the most feasible way will have an Executive Order from the Governor to the City for the defined area. One other point; the reason for this is the attempt

to service not just people here but the residential portion to the Kailua side so they can use this to get back and forth to school. It wasn't just for the people here. It was to serve in effect as a pedestrian way for the Waimanalo residents in general. Also one other point, the people here, the commercial's located on the Kailua side so that there would be walking distance to the supermarket, particularly for the elderly which we are designing to be located in the rental portion on the Kailua side of the project so that they would be close to the meeting of their needs.

YAMABE: Mr. Neill, if this dedication does not take place, who's going to be responsible?

NEILL: This would have to be the community, an association of owners. In other words, there are within the project, common areas. The strategy of FHA was that if you could keep these common areas to the minimum and make meaningful larger areas, that could be part of a public park and linkage with the neighboring community, this is better; but as I said, the final decision would have to be the association of owners.

CHUN: Inasmuch as this project is broken down to both condominium units where you will have owners of units and also rental units, for the rental units will it be held in the name of HCHA?

NEILL: Yes.

CHUN: They will bear the cost of the apartment renters in respect to the common areas?

NEILL: Right. Well the basic program for both projects will be the FHA interest subsidy program. Under the rental portion, 20 to 40 percent of the units will be eligible for added supplement so that we plan to house mostly single filipino, the older population that's not interested in owning. The balance of the project will be mostly 235 PUD. It won't be condominium but there'll be an owner's association and there'll be a common cost of about $30 to $40 a month on top of the basic payment to cover the maintenance, upkeep and other aspects of the common areas. There will be also a pro rated cost to the rental portion for that fairshare of that open area.

CHUN: With respect to that maintenance cost, this does not fall under the federal subsidy program?

NEILL: To tell you the truth, it does under the 236. It does not under the 235, the difference being the 236 - the way it works is you pay 25% of your income so there's an extra payment that you make which covers common costs. Under 235, you pay 20% of your income and you pay on top of that the common cost. It's kind of a push-pull to how it works out.

YAMABE: It seems to me the State should pay this common cost.

NEILL: Not quite. It is and it isn't. What I mean by that is under the 236 you pay it as part of your 25% factor which provides a basic payment. If your 25% income goes above that payment, you pay the larger amount.

Under 235, your basic payment does not include the common cost. The common cost is an added monthly factor. So it's technically where you come in income-wise as to how much of that common cost you pay. Basically you're correct. The common cost would be paid by people living there. The attempt of FHA, and we concur, that you keep the economy cost to a minimum. The whole layout calls for a minimum of common areas that have high maintenance factor with a maximum for the individual homeowner to take care of its own. So the attempt is to keep the common cost to a minimum.

CHAIRMAN: Mr. Neill, these units that are to be built, how large are they?

NEILL: The square foot on that one would be approximately 500 square feet for the one bedroom, going up to 700 for two bedrooms. For the three bedrooms, the area would run up to near 1100.

SUTTON: The three bedroom runs up to 1150. It varies from a little over a thousand to 1150 in different models in the project.

NEILL: The three-bedroom flat would be more like 1000, the three-bedroom townhouse would be more like 1150. The four bedroom

would be around 1250, and the five bedroom would be a little over 1300.

CHAIRMAN: About a $25.00 average square foot of the house. If the house is a three-bedroom house and I heard you mention that they get $25,000 to $30,000. Three-bedroom house with a thousand square feet, I suppose that's the one that's going to cost $25,000. Is that right?

NEILL: This is the goal and this is the target. Twenty-two thousand will be like the two bedroom.

CHAIRMAN: Two bedroom would be less than the 1000 square feet.

NEILL: Originally when this project got started was to be a 236--

CHAIRMAN: I'm talking about cash money for the housing. I'm talking about who's money you get.

NEILL: What I'm saying is that under the original program, the FHA requires you to have a cost-plus contract so that you select the builder. We interviewed several builders. We had the Waimanalo residents participate with us. Of the various builders we interviewed, the firm of Gentry with the experience of similar type projects on the mainland was the one that was selected because they have been concentrating or featuring this type of housing on some other area. We selected them, and the cost - we are going to watch this very closely because though we got faith in them, we feel you have

to have a very careful cost control in the nature that there is no unnecessary cost. For instance we have an agreement that he will receive 7% overhead, 5% profit on his direct input. Anything we secure elsewhere, he does not contribute to the project he does not get any profit or overhead on it. If we get the money to Act 105, construction money fund, he does not get anything for it.

CHAIRMAN: He doesn't need anything if you're going to give him $25 a foot for building a two- or three-bedroom home.

NEILL: Well we don't know if they're going to give them $25 a foot. You have Mr. Rutledge, as you know, tremendous State development cost. The actual unit where foot cost--

CHAIRMAN: That's not what I'm talking about.

NEILL: To tell you the truth this has not been hammered out in final details because we haven't had the final engineering plans, or they haven't had final approval. But this point we can't tell you clearly what the final cost are on these things because we haven't been able to proceed to develop them because the plans have not been finalized. Like the site engineering work, are we going to have to build a road that isn't necessary?

CHAIRMAN: The fact is that you really don't know what you're going to build and you're wishing it's only going to cost $30,000.

NEILL: And we'd like it to cost $20,000.

CHAIRMAN: But you don't know where you're at or how much it's going to cost. I'd say that's awful poor planning.

NEILL: I would say under the present circumstances you cannot nail down cost until you know what kind of road system, what kind of requirements will be made. You can't nail down cost unless you know what your engineering cost is going to be.

CHAIRMAN: Then as far as cost is concerned, the figure mentioned to us, $25,000 to $30,000 is a figure picked out of the air. It really has no bearing, no relation to your application. What you want is the ground to put the home on and the home is going to be negotiated later on with Gentry. You don't yet know what it cost.

NEILL: If I may show you what our experience has been as an organization. We built the Pearl City project at $12,000 a unit cost townhouses. This is the structural part. The base development and other costs increased it to around $7,000 a unit. On top of that was the land cost and FHA carrying charges and then now we converted to condominium there's some points and closing costs up around $25,000 a unit. This is fee simple out in Pearl City. This I can

give you the detail cost. We know basically that this is a reasonable ball park. As far as the land price, we have not finalized the land with the State. Originally we were going to take it on a $1-a-year lease and now the strategy has changed to have the State charge us for the raw land at the price of raw land in Waimanalo, not improved land. That maybe $2,000 a unit or $3,000 a unit. Just raw land uninflated, unspeculative, straight what the appraisal is. That cost factor hasn't been determined yet either.

CHAIRMAN: So the picture is you don't know yet what the land is going to cost you. You're going to have to buy the land from the State. You don't know what it's going to be developed as. You haven't negotiated the cost per foot but you know that Gentry is the contractor that would most likely do it.

NEILL: Yes.

CHAIRMAN: Well that's a different thing altogether from what we're told. I thought this was low-cost housing pursuant to the present program or that we see in the movies but it seems now that the State is in the land business of selling land to non-profit organizations who are going to negotiate on a cost-plus basis with contractors to build homes. If your guess is $25,000 to $30,000 for a three-bedroom home with approximately a 1000 or little better feet,

I don't know where the poor people are going to get land. That's besides here but the point is that we're obviously misinformed, not intentionally, as to the cost. Mr. Sutton mentioned $25,000 or $30,000 I think it was, but that's all out the window. What you want now is land to develop.

NEILL: The implication of what you're saying is quite different than what has actually been developed and worked out.

CHAIRMAN: Elsewhere.

NEILL: And in this particular project will be no different in terms of coming up with the best square-foot price for the dollar. The end result will be, I'm sure, several thousand dollars under the comparable unit done by conventional method. There's no profit in this for us to the developer. The only profit for the builder is a very modest control profit of 5% on what he actually contributes to the process, the actual role that he plays. These are costs that will be probably running from $3,000 to $6,000 under the comparable development under the same FHA program. The maximum under FHA 235 will be around $31,000 for the three-bedroom unit. We expect to be way under the maximum allowed. We expect to be giving the people a far better thing for that price than what other developers are putting up probably near the $31,000 figure.

CHAIRMAN: I don't want to belabor the point but I know that one way that it cost more is to go on a cost-plus basis with any contractor. You tell him we're going to watch you and you give us a cost-plus deal. You're the contractor then you have to get another contractor to watch the first contractor.

NEILL: Let me--

CHAIRMAN: Well anyhow you're buying land from the State, you're going to work all these various things out if you get the approval to proceed by our agreeing and then you've got an opportunity to get the land. Is that where we're at?

NEILL: We'd be very happy to have you help us in making sure that the costs are all legitimate and fair. Because really, I think we're in basic agreement with you that this kind of project must be brought in at the best price possible and we see no reason why we cannot.

CHAIRMAN: I was under the impression the government was cooperating, the State, by making land available, but I didn't know they were selling it.

CHUN: Mr. Chairman, maybe you ought to join HCHA. May I change the subject?

CHAIRMAN: This is why we're not in there. No offense meant.

NEILL: We invited you twice--

CHAIRMAN: I know. No professional jealousy.

CHUN: Mr. Neill, I understand this will be developed incrementally. Assuming that the approvals are granted and the project may proceed at once, could you possibly give us a timetable as to construction of the various increments? Would you mind doing it on the map so that we all can understand a lot easier?

NEILL: Fine. Just to review, existing up in the village in this area (pointing to map) are housing with the famous playground. There is approximately - well here, here, and along here and on the mauka side, 160 families are living in the old Waimanalo Village. The commitment that we've made and we will do our best to fulfill is that this increment here is approximately 122 units, increment down here.

This increment will be homeownership townhouse, under basically 235. Now there will be some families in Waimanalo whose income will exceed 235. We would then use some of the State programs or possibly for the displacees FHA 203B or other programs.

This increment here will be under a separate mortgage under FHA 236. It has already been submitted to FHA. This by the way, the builder will move the bulldozers on probably within 30 to 60 days after we get approval by the City. In fact, he may even move it on before FHA has fundamentally approved the plan and the subdivision.

This 80-unit rental project has been submitted to FHA. They've indicated that the units - allocation has been set aside. It will probably take a little longer to close. There are a certain set of different procedures yet to go through, but it should close within 60 to 90 days to get under construction.

The first units down here should be ready in 45 days. They'll be phased in and in the period of 6 to 8 months, this increment will be completed.

This increment here will probably be completed 9 months from now.

Once these are completed and these people are relocated - now we have a commitment with the landboard that they will give the notice to leave when they are assured of a place over here so that there will be no one pushed out of these units until they have a place here or here to move into. Once this is complete, then this 3rd increment will get underway. It will be approximately a year from now.

One other point, these trees are the existing trees for the most part and the attempt is to leave them standing. So the timing of this will be probably within 30 days of this date and possibly no more than 60. We can proceed with the initial site work.

We have the builder here by the way. Joe, am I safe on those?

JOE RAMIA: Yes.

NEILL: Joe Ramia from Gentry Hawaii.

This one as I said is a matter of FHA different processing procedure. Under here, FHA insures construction money. Under here, they do not. Under here they watchdog you much closer, cost-certified. There'll be no chances to pad or push. Here we have to set up our own cost certification, checks and balances. Here they insure the project upon completion. Here they insure just construction. Same way with the third division. It'll be done pretty much the same as the first one. Does that answer your question?

CHUN: Then the first two increments, the townhouses and the apartment units would proceed at once? They would proceed simultaneously?

NEILL: We would nothing like better than to have them both go simultaneously. The one possibility suggested was could

we hold off on this. In a sense, yes we could, but the problem is these are units that we need for the relocation. These are the rental, the subsidy and so there's a sense that these are needed to move pretty fast.

CHUN: That answers my question.

YAMABE: Mr. Neill, from information received, the open area, if no one accepts that as dedication then the tenants or the purchasers of these units will pay for it. Now this might increase the cost considerably. I think it was mentioned $40 a month.

NEILL: The maintenance cost but not the cost to acquire it.

YAMABE: Wasn't it mentioned somewhere around $40?

NEILL: When I use the figure $40, let me - well it's a little high, maybe more like $30. Common maintenance cost on the Pearl City project is $50 which includes utilities. In this case, you've got similar kinds of expense spaces but you don't have utilities. It'll probably be down near $30. This is set by the association. The main thing is to make sure there is money to maintain the non-dedicated portion of the project.

YAMABE: Well whether it is $30 or $40, the fact remains that if we have this large area, the open area, whether it might be

flood plain or not, it'll have to be paid for as far as the maintenance is concerned. This being the situation plus the fact that we do have the road alignment problem, would it be feasible to exclude that portion so there'll be less cost as far as common cost is concerned?

NEILL: The portion is vital for several points. Now as to who picks up the tab for the common cost, this is the basic concern you're raising now, that portion is necessary for planned unit development as a whole. The density here is the same as R-6, no different if we had gone in there and subdivided in the R-6 zoning but by putting the cluster together and providing the open spaces, you eliminate the side yard and all these extra wastes. So the strategy right from the beginning was to go R-6 planned development but pull the units together to create meaningful spaces. The cost of that space, if it's not dedicated to the Parks Department, this would be borne by the people living there. The actual cost is for - clear open space isn't that great as much as if you get complex gardening and things of that nature. But this is why we are very happy that the Parks Department earlier indicated that they would accept this provided that it is spelled out in certain kinds of requirements and that they not be asked to put in playground equipment. Playground equipment, tot lot and so forth will be included within the various parcels themselves.

YAMABE: Well I'm quite aware of that but nevertheless if you retain the larger area, no matter what formula you use to calculate, the larger area will be a larger maintenance cost. I don't know what you mean by maintenance. If you mean just let it grow and just leave it as it is--

NEILL: Roughly.

YAMABE: Then probably there's just minimal cost.

NEILL: No. Here again, I would say maintenance cost would basically be involved, the mowing process and keeping it in shape. Because there's got to be heavy maintenance shrubbery, things of this nature. It would mainly be the lawn maintenance factor.

YAMABE: And the same application to the flood plain area?

NEILL: Yes. Right now it's done by cows.

YAMABE: You intend to continue that practice?

NEILL: No but it's really very pleasant if you've been there. Down in this area if you look up you've got the pali in the background.

YAMABE: It's just merely a suggestion. I just thought this might cut the cost to the renters in that area, the people.

$30 and $40 means a hell-of-a-lot. Am I correct to assume that as far as your people are concerned who are prospective renters of this area or purchasers of these units, are not objecting to whatever common cost there might be, whether it be $30, $40 or $50?

NEILL: No. Maybe we could have Mrs. Tuttle speak to that from the community. But in talking to them from the beginning, we indicated that the viability and acceptability of this to the Parks Department. We'd never projected the actual cost for monthly maintenance of this large common area but I really think that that aspect, the added cost wouldn't be more than two or three dollars, four dollars a month in terms of - it all depends on how happy are the people in that area. They may decide they want to do more with it, and it would require more. They may decide that they want to keep it more natural, less work and less expense. But we're saying in a sense that if it doesn't go to Parks Department, it's up more or less to the people living there as to what standard and how or what degree they keep it.

YAMABE: Well, I don't think there's further need for discussion. This is a very elusive subject. It could be from two to three to fifty to one-hundred dollars. Just the fact I wanted to establish it, that the people here involved would have to pay for the additional cost. It's an additional cost they'll have to pay.

NEILL: It's not part of their - most of the people--

CHUN: Mr. Chairman, one further question. Mr. Neill, you mentioned that your density was based on this complete area, was it not?

NEILL: Yes.

CHUN: Therefore, if the open space area were dedicated to a park, you will not be able to get the density you presently have in there.

NEILL: Well, actually the original density provided for 400 units at then the PUD R-6 would allow about 10 units per acre. Now we've reduced it to 348 units. There may be a few more units chopped out before the final plan.

On that density, I'm not sure technically what the PUD would allow but the Parks Department and the park area's an interval part of the total density calculation and plan. This is in a sense is similar to the super-block philosophy that started back many years ago but this is what the PUD is supposed to provide for, better accumulation of lands in a residential area for better use of the people living there.

I did prepare a testimony. If I may just read the concluding paragraph. We've covered all the other part. Speaking also for the sponsor, our President, Don Hosford, is also here representing the Board of Directors. In light of this

we feel any further delay is not apt to resolve this question, meaning the DLUM road, to the satisfaction of the Planning Department staff. We would request that the Planning Commission close the public hearing and make its recommendation which we hope would be favorable to the City Council. We especially need the rental portion as soon as possible. We are faced with a major housing crisis in Honolulu and this significant 340-unit project could move ahead immediately to help meet the urgent need of these unfortunate Waimanalo residents who have indicated a strong approval of the project.

We thank you for your consideration and time.

YAMABE: Mr. Chairman, just one last question. Are you confident that some of the areas that have not been resolved such cost and all the details involved can be taken cared of or agreement if necessary consummated in the next 30 days?

NEILL: Hopefully sooner. We can come up with the cost of the structure part very soon. Where the main unknown cost would be the site development cost and this would take some engineering plan first before we can get the bids on the construction. I might say that the plans, I believe, for the builder to go out for bid on the site development aspect of it so that we might get a competitive bid on the site development.

YAMABE: How about the cost of land?

NEILL: The land, this will be up to negotiation on a residual basis. What I mean by that is the - we've been using a figure two to three thousand. Now the final figure, the hope was that this - to make the project feasible, two thousand was all it could support then the State would let it go at that price. Three thousand is what I would estimate as a reasonable raw-land price.

YAMABE: Per unit?

NEILL: Per unit.

CHAIRMAN: How much space would each thousand dollar taken there?

NEILL: Again, if you use the 8-unit per acre density, it ranges between four or five thousand.

YAMABE: Thank you.

CHAIRMAN: That's the developed cost?

NEILL: Raw land.

CHAIRMAN: Raw land.

YAMABE: Thirty thousand an acre.

CHAIRMAN: State owns that?

YAMABE: Right.

CHAIRMAN: Well I thought it belonged to Kahua Ranch. State can't buy land as cheap as Kahua Ranch can they? Thank you Mr. Neill.

COMMISSION ACTION AND DISCUSSION RE HCHA PLANNED UNIT DEVELOPMENT HOUSING DISTRICT

YAMABE: I'll make the motion. Mr. Chairman, I move that we recommend approval of item B-2 with the suggestion that the State Planning Department, Transportation Department, Land Department, Parks Department City and State, et al, Planning Commission to attempt to coordinate expeditiously in this particular area as well as to bring about the earliest development of a plan, a plan that can be concurred by all governmental parties - the lowest cost loan possible at the earliest date possible.

CHAIRMAN: Any second to the motion?

CHUN: I'll second the motion. Mr. Chairman, in discussing this matter, may I also suggest that in transmittal of this recommendation to the Council, that the express intent of this Commission be made in the recommendation to the effect that the recommendation is made based on the statements made by representatives of the State - I'm referring to the State Government - that their plans for the future development of State lands within the area will be coordinated with the City and County agencies involved to the effect that the environment of the entire area will be benefited.

Further, that State money will be used for development of the area as stated by the representative of the Governor's office.

You want to add something Bill?

BILL WANKET: Mr. Chairman, a little clarification. I wasn't here at the beginning of the meeting.

Is the recommendation to approve the plan that has been presented by the developers, HCHA, as they have submitted it today?

CHUN: Yes.

WANKET: What conditions are we speaking of especially with regard to the road situation?

YAMABE: Well, as maker of the motion, I would say that we are assuming at this time that all other matters were agreed upon with the exception of the road and the airport, and we're not considering the airport at this time in conjunction with this particular request based on as Mr. Chun had said on the commitment made by the State government.

However, as far as the road is concerned, well this again is based upon the presentation made by the State representative, we will recommend approval of the alignment as shown by the developer.

WANKET: This is the curved alignment that was shown.

YAMABE: That's correct.

WANKET: I just want to make clear on that point that the Public Works Department had indicated to us that it is infeasible or unfeasible.

YAMABE: Well this is not the case. We got testimony from Mr. Nakagawa and he said there's no problem with the curvature of the road. The only problem that he had indicated was that it was not in accordance with the park development.

WANKET: May I ask another question then regarding the road, and its primarily for our staff to know how exactly to prepare the recommendation on to Council.

Regarding the DLUM road again, I understand that the alignment as shown is the alignment that the Planning Commission will recommend to the City Council. Point number 2, concerning its improvement, did the State department et al, commit the State in building that road or is that issue unresolved?

CHUN: Well let me answer it this way. For the record, my vote is based on the fact that the comments made by the State

representative were to the effect that this road will never be built, and that this paper road - DLUM road - is really unnecessary in that the State will furnish sufficient accesses at some other location to take care of all the mauka portion.

YAMABE: I didn't hear him say it'll never be built, it most likely will not be built. There's more meaning.

Mr. Wanket, I might suggest one thing. You might go through the minutes. I think there's sufficient information there which we are basing our decision on. This is information given to us by the Public Works Department, the representatives of the State, both in relation to the airport and the alignment of the road. So we're not necessarily recommending the alignment itself but I don't know whether we can make such a motion that this would be an interim thing, accepting the State's statement and considering this as a sort of an interim designation as far as the road is concerned.

Can you effectuate such a motion?

WANKET: I believe I can. It was just the question in my mind as to whether the recommendation included the condition that the State, in fact, submit to the Planning Department a plan, justification, supporting data, to change the DLUM. Is this

part of the Commission's recommendation?

CHUN: Yes, very good. Strengthen it so that State will be required to submit justification and alternatives for a change in the DLUM.

YAMABE: You know Phil, we might be confusing the issue. If we require that, that means that this is part of the condition and unless they meet the condition, they can't proceed.

CHUN: It's a recommendation.

WANKET: This would be the condition. In other words, apparently it was stated in the meeting that it may not be necessary to build the road but then again perhaps maybe the data that is submitted to us may show that the road is necessary. My point is if it is necessary, who's going to build it.

YAMABE: Well, I think what you're asking for would require the State another six months, a year, maybe two years to come up with something specific enough where you can exercise this judgment. Therefore, if this is part of the condition, we might be unnecessarily holding up development itself. If this is the recommendation, I have no objection to it.

WANKET: What I meant here is Mr. Neill has mentioned that it would take a matter of a couple of years before the whole project

is developed or completed. Using your estimate of time, the State also be able to submit to us justification to determine whether that road alignment is necessary to be built or whether a different alignment in a different location would take place. So if the condition would include the State submit to us supporting data either to change the plan or supporting data with regard to this particular alignment to be built, that it would be part of the condition for the State to build that road.

YAMABE: No. It is not the intent of my motion. It is not meant to be a condition per se. We will make this suggested recommendation at the earliest date possible. This is the reason why I said we would accept this alignment as an interim measure. We want to know. We want to handle it expeditiously for the whole Waimanalo area. But my motion was not to include this specifically as a condition.

ANDREW SATO: Mr. Chairman, with reference to the DLUM road, the DLUM road was created by Ordinance. Until such time that data is presented to indicate or to make possible an amendment to the Ordinance, that road remains. In the staff report it was stated that Corporation Counsel has in effect stated that minor deviation can be made as to the alignment of this DLUM roadway. That ruling is, I think, agreed by all. But for the present, I would suggest that the DLUM road remain because it's an Ordinance but subject to further change

when proper data is presented indicating that another road in another area is acceptable to the Planning Department. First things first, the Ordinance will have to be amended.

YAMABE: Mr. Chairman, I don't wish to get involved in the technicalities but my assumption was that it was a minor deviation. Its in the very close proximity - the suggested road is in the close proximity of the present DLUM road.

SATO: That is correct.

YAMABE: The curvature. So I felt there was no need for us to get involved in the change of the DLUM road itself.

SATO: The DLUM road - I agree with you Mr. Yamabe. The minor deviation is permissible as stated by Corporation Counsel. I think what Mr. Wanket was referring to as to whether or not this road should remain as a condition or as a requirement. In other words, what would you, in making your recommendation to the City Council, what would you recommend? That the road be placed there or not placed?

YAMABE: Andy, you mean to determine who's going to construct it?

SATO: No, I'm not referring to that. If you say that part of the plan should show the road alignment, that the developer should be required to put in the road--

YAMABE: You're talking about who should put in the road or should they put in the road? I'm assuming that the DLUM is merely a designation of the road.

SATO: That's correct.

YAMABE: And all it requires - correct me if I'm wrong - is setting aside the right-of-way with the future road.

SATO: That's part of it.

YAMABE: Well at this hearing they're setting aside this area for this road so I think there's no reason for us to change the DLUM, considering this also that this is a minor deviation.

SATO: In answer to that, the staff's report today indicates that as one of the condition, the applicant is required to build portions of that highway in increments, not all at one time. Just to meet urgent needs. As to the balance, the commitment should be made by the State of Hawaii to complete the growth improvements at such time as considered necessary by the City and County of Honolulu.

YAMABE: So we're talking about determining construction. So you're saying the State is responsible for constructing this road in the final determination you find that the road is needed.

SATO: No. If it's going to be built in increments, as I understand the report, the applicant would build part of the road and then there would be a commitment that the balance of the road to its full size would be made by way of commitment.

REV. CONNELL: But there's question that the road is even going to be built.

SATO: That's part of the issue but if at a later date, as I indicated earlier, the State government with data showing that a road elsewhere is more desirable, then the present DLUM road Ordinance can be amended. But that would be a City Council matter.

CONNELL: Wasn't this part of the thing that it was hoped that by getting all of the various agencies together who apparently by the hearing today haven't really sat down and talked to one another--

CHUN: Andy, is it possible that within the PUD Ordinance, we provide that within a two-year period if it is determined that this roadway is necessary that the applicant pay for it?

SATO: It could be so conditioned, I'm sure.

CHUN: I'm willing to go along on that basis.

YAMABE: Pay for this portion?

CHUN: Yes. The portion is within their land, just as any other subdivider would have to.

SATO: In further elaboration of that is the other side of the corner I suppose if within the two-year period, the State Government has other roadway plans, then this one may be amended and wiped out, the present DLUM road.

YAMABE: But we're talking about parties, the State and the applicant. The applicant is not the State.

CHUN: That's true but the applicant is getting some land, he's negotiating the purchase. This is State land we're talking about at the present time.

YAMABE: You're talking about the applicant to build the road and not the State?

CHUN: The applicant will be purchasing land from the State and they say they have the fiscal muscle.

CHAIRMAN: The State says they have the money to build it. They have that and we have the Ordinance. So the City and the State have to get together on the modification of the Ordinance. It's their kuliana hereafter.

CHUN: Well it's like the future Waianae project. The State's

going to the give the County land and the County's going to do it all.

CHAIRMAN: They can't do anything with that road until they decide that they want it and slightly modified and they do it.

YAMABE: Well I'm looking at it from the standpoint of how much cost it will raise to the ultimate buyer.

CHAIRMAN: Not if the State pays for the road as the representative said today.

YAMABE: No but there was a suggestion for the developer to pay for it.

CHAIRMAN: But the State representative volunteered to build the road.

CHUN: We can't tell the State what to build but we can tell the applicant. We're only protecting the interest of the County.

YAMABE: I have some reservations because this is something that's going to be used by all parties in that Waiamanalo area.

CHAIRMAN: It seems clear to me that number one, the County passed by Ordinance and provided for a road. We had testimony here by the State representative who said if it's necessary, they have the money with which to build another access if this is not feasible. So in order to get this thing built, they're

going to have to have access, the road will have to be built. The City will not pay for it. The City will have the road designated by Ordinance, or it will be amended upon a showing by the State.

CHUN: Look if they have to come in and build a road, they will be running back to the State government, to get the State government to build that road.

CHAIRMAN: Is the motion clear in your mind so that we can make it all over again?

YAMABE: The thing that I would like to establish, Mr. Chairman, is whether in any other area if we were faced with a similar situation, would we demand of this developer to build such a road.

CHAIRMAN: No, and I'll tell you why. The ultimate developer is the people in the Waimanalo area who are going to use the homes after they're developed and this is a nonprofit organization acting in their behalf. So if they are the developer - and did you hear Mrs. Tuttle it was a heartbreaking presentation - so we cannot penalize them in view of the fact that the State has testified that they have fiscal muscle. They got the money. So we would request under the same circumstances not to penalize the poor people but the State who has the people's money to pay them.

YAMABE: Mr. Chairman, you're more confused than I am. I think the statement made by Mr. Chun - correct me if I'm wrong - to make it a condition where the developer not the State, the developer be required to construct that road if and when the decision is made.

CHAIRMAN: And the developer in this case will be the State.

YAMABE: Not the State. It's the association, a nonprofit association.

CHAIRMAN: Where are they going to get the money?

YAMABE: Well that's a question I have asked.

CHAIRMAN: What about the guy who says he has the fiscal muscle?

YAMABE: Maybe we can refer this to our counsel. Can we mandate the State, the landowner who's not the applicant in this case, to build the road?

CHAIRMAN: Why not? All we have to say is upon the road being built, the project can move.

YAMABE: Can we do that?

SATO: Word it another way that the developers comply with the present DLUM road Ordinance or another way, if the developer

does not come in with new plans, then the developer will be required to build the DLUM road as suggested by the staff.

YAMABE: As far as the alignment, it's going to remain there with a slight deviation. I think the question is can we make it mandatory for someone to build this road when the need arises or when a decision is made.

CHAIRMAN: Well why don't you pass this off in the future so that Mrs. Tuttle and her grandchildren can have a house in the meantime?

YAMABE: I'm in agreement with you 100%.

CHAIRMAN: Let the future take care of itself. When they do want to build it then cross that bridge at that time.

YAMABE: You twisted my arm and I agree with you.

Were there ever instances in the past where we had required the land owner and not the developer to build roads of this size servicing so many?

WANKET: I don't know whether - about this - perhaps Mr. Way can speak, I'm not - but we have had several instances and we'll probably have a lot more than that where the developer or the owner of the land (they may be both the same, developer and owner) and perhaps, I think in one

case in Kailua that was the situation - developer and owner were both the same party and he was required to build a DLUM road 80' wide and that is a requirement all developers and owners have to meet now - this will be a sort of an exception, precedent if you will, away from that policy.

WAY: I agree 100%. We've got examples all over the community - Makakilo for example, Mililani Town, the Enchanted Lakes area - where the 80' roadway is being constructed by the developer as he develops his project wherever that roadway is shown on the Development Plan or General Plan is indicated and they are building accordingly. And also in an increment - on an incremental basis, in the case of Makakilo for example, only partial construction is undertaken on a State basis with agreements having been reached with the City through the Traffic Department's analysis that after a certain number of dwelling units are constructed then the succeeding increment to give a total roadway pavement would be constructed.

YAMABE: Well, Bob, the point that I'm making here that might not this situation be a bit different from those that you have given us because of the fact that the applicant is the developer which is a non-profit corporation and we're not asking the developer to do this but we're asking - not we're asking, but suggested that we ask the State, the landowner - responsible--

WAY: Actually, I don't think it's important who we ask but that the road be provided and that through the developer and with the use of the State funding, fine, as long as it is provided. It's up to the applicant to use his good offices to obtain assurances from the State or from whatever agency he needs to, that the money will be there for a roadway - this is all we're asking - we're not saying that the developer has to commit his money to it. We're saying that some way, through the developer's money, the State's money, a gift donation, what have you, that road gets constructed.

YAMABE: Is that type of condition enforceable, that somebody do it?

WAY: That's right. Because the project could not proceed until the roadway agreement with their funds or - it was in fact in place.

CHAIRMAN: Well why can't we consider the State as the developer? They testified. The nonprofit organization hasn't got the land yet.

CHUN: I don't think we can put a condition in there that the State will build.

CHAIRMAN: Right.

CHUN: I think all we can do is state the condition in there with

respect to the applicant, although they're involved right now. If we do that he's got enough influence and the State is interested enough they're going to give him the land and put up Act 105 money that they will then come in and give them a firm commitment, that they will put up the road if and when its required.

CHAIRMAN: Number one, we now want the road put up and the only one we can ask to do it is the developer, whoever he may turn out to be. Now are you clear on your motion, Mr. Yamabe?

YAMABE: Well I'm right back supporting your position now. Are we going to straddle the people that's going to be--

CHUN: If it comes to that, we again come back to the question, what will these guys be paying for the land, what will they be paying for their units?

Now as far as the rental units are concerned, loans are strictly based on what income they have. Again as to what they're going to pay on the 236, downpayment and monthly payments will be based again on their income. This is a subsidized project. Don't forget that.

YAMABE: I recognize that but the minute we do this, the developer will come right back in and say all right, our project's stymied - we don't have the money - we can't even promise

this will be done - unless they go to the State.

CHAIRMAN: That's what they have to do.

WAY: Excuse me, Mr. Chairman. It seems to me that the testimony of the State representative was such that he supported the fiscal muscle - that the State was prepared to move with the developer on this problem. That's my understanding at what was being said when he testified.

CHUN: That's right.

YAMABE: Let me ask one question. Isn't it possible to handle the situation if and when the needs for this road arises, assuming that the mauka area all belong to the State, they want to develop this road because its needed, they come to the City Planning requesting that this road be placed in and alignment and so forth, now can't we at that time make it a condition that if you want the use of this road, you have to construct it because it's primarily for their use?

CHAIRMAN: They can build it now. Just tell them they can have the permit provided they build the road.

YAMABE: I'm just wondering whether we're going through unnecessary exercise here because if the State wants that road in the future, that at that time it can be mandatory that they build the road.

CHAIRMAN: But you see there's somethingelse again. If there's no mention of the road, the State gives them the land, they've got the homes built, the next thing you know they're over here and they'll want a road built, and it's up to the City to build them that road.

CHUN: You've got another problem, Tom. The State does not own all that land in Waimanalo. A lot of the land is sold. What if both guyh want a road and its shown that that road is required for those people? What then?

YAMABE: Well don't they have to pay for the construction of the road?

CHUN: All right they pay for this section.

YAMABE: Wouldn't this be the same situation where they have to go to the State and ask them to dedicate the land?

CHUN: No. We're talking about private individuals who are willing to pay for their portion of that road. What happens when it reaches the H-1? Your farmer up there who in 10 years can subdivide.

YAMABE: They're not my farmers. I don't want the report to say they're my farmers. The farmers don't belong to me.

CHAIRMAN: You can take the boy out of the country but you can't take the country out of the boy.

YAMABE: You're so right. All right, Mr. Chairman, I believe they might be coming back to us again. I don't want to take any action that might delay this project.

CHUN: They'll be going to the City Council.

CHAIRMAN: They're the ones that passed the Ordinance. What's your motion?

YAMABE: I move that the Commission recommend approval with all the conditions presented by the staff with the exception of the - well there's no exception really - well, without due consideration to the airport development and - what was the word, Andy, the slight deviation of the alignment of the road - I guess that's it, the slight deviation of the alignment of the road, based on information presented us by State representatives, representative from the City Engineer, Transportation, Parks Board and others. All you have to do is refine it from there.

CHUN: Bill knows what he means.

STATE LAND USE PETITION PAUMALU KAMEHAMEHA HWY. TMK: 5-9-15: 14 FRANCIS K.H. CHUNG, ET AL	The State Land Use Commission referred to the Planning Commission for its comments and recommendation, a petition submitted by Francis Chung, et al, to amend the Urban District Boundary to include a 1.019-acre parcel now in the Land Use Commission Agricultural District. The parcel has a dwelling and is currently zoned by the City and County as AG-1, Restricted Agricultural District. The DLUM and DP indicate the area as Residential.

Staff Planner Verne Winquist presented the staff's report recommending that the request be denied on the basis of the lack of evidence of the need for a change in policy with respect to urban use of this land and the inappropriateness of the request.

No discussion followed.

ACTION: Based upon the recommendation of the Director, Mr. Chun moved, seconded by Rev. Connell and carried, that the Commission recommend denial of this request due to the lack of evidence of the need for a change in policy with respect to urban use of this land and the inappropriateness of the request.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:45 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

FLASH NO. 2

PLANNING COMMISSION

INDEX TO MINUTES

SEPTEMBER 10, 1970 TO JANUARY 7, 1971 incl.

BOOK NO. 128

PLANNING COMMISSION

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Special Meeting of the Planning Commission
Minutes
September 10, 1970

The Planning Commission met in special session on Thursday, September 10, 1970, at 8:35 a.m., in the Conference Room of the City Hall Annex with Chairman, Arthur A. Rutledge, presiding:

PRESENT:
Arthur A. Rutledge, Chairman
Thomas N. Yamabe II, Vice-Chairman
Philip T. Chun
Fredda Sullam
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Loretta Chee, Staff Planner

ABSENT:
Roy R. Bright
Rev. Eugene Connell
Ivanhoe K. Naiwi
Richard K. Sharpless, ex-officio

PUBLIC HEARING
ZONING FROM R-6 RESIDENTIAL DIST. TO B-2 COMMUNITY BUS. DISTRICT
MAKAHA
84-1150 FARRINGTON HIGHWAY
STANLEY KANESHIRO

A public hearing was held to consider a change in zoning from R-6 Residential District to B-2 Community Business District for portions of two parcels of land situated mauka of Farrington Highway between Orange Street and Makaha Valley Road and identified as Tax Map Key 8-4-11: 18 and 22.

Publication was made August 30, 1970. No letters of protest were received.

The Director reviewed the staff's report recommending approval of the proposal which allows for more consistent zoning than what is presently split-zoned. The recommendation also included adjoining lots which are split-zoned.

A question was raised concerning the adequacy of commercial zoning in the vicinity. Commercial zoning for the immediate area, the small community is sufficient; however, additional commercial use is proposed for the entire Waianae area.

Attorney Suyeki Okumura represented the applicant and requested the Commission's favorable consideration on this proposal.

There was no further discussion, and no other person appeared to speak either for or against the application.

ACTION: On motion by Mr. Yamabe, seconded by Mr. Chun and carried, the Commission closed the public hearing and recommended approval of the applicant's request for B-2 Community Business District zoning, and the Director's recommendation for rezoning the adjoining parcel as well, from R-6 Residential to B-2 Community Business District.

Mr. Chun moved, seconded by Mrs. Sullam and carried, that the following matters initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

GENERAL PLAN AMENDMENT KANEOHE-KUALOA DLUM HEEIA-KOOLAUPOKO TMK: 4-6-11 and 12 GEORGE M. HASEGAWA, AGENT FOR BISHOP ESTATE	1. The purpose of this amendment is to change the rigid internal roadway pattern, as designated on the DLUM, into an efficient system which effectively meets the needs of the varying topographic and land use features of the area. In conjunction with the request to amend the roadway pattern, a request to realign the boundaries between the Commercial and Industrial uses was made so that these uses may also better reflect the constraints of the topography and insure the contiguous land use development of the area.
ZONING FROM H-2 HOTEL TO B-5 RESORT COMMERCIAL WAIKIKI 342 SEASIDE AVE. TMK: 2-6-19: PARCELS 9 & 55 WAIKIKI SEASIDE INC.	2. Modifications of an existing hotel structure are proposed. The property is presently improved with a new 14-story, 131-room hotel called Waikiki Seaside.

ADJOURNMENT: There being no further business, the meeting adjourned at 8:50 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
September 17, 1970

The Planning Commission met in regular session on Thursday, September 17, 1970, at 1:35 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Ivanhoe K. Naiwi
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Henry Eng, Staff Planner
Loretta Chee, Staff Planner

ABSENT:
Arthur A. Rutledge, Chairman
Rev. Eugene Connell
Richard K. Sharpless, ex-officio

MINUTES:
The Minutes of August 14, 1969, August 27, and September 3, 1970, were approved on motion by Mr. Chun, seconded by Mr. Bright.

PUBLIC HEARING
CONDITIONAL USE PERMIT
CENTRAL BUSINESS DISTRICT
571 SOUTH QUEEN STREET
(STANDARD OIL COMPANY)
70/CUP-29

A public hearing was held to consider a request for a conditional use permit under Article 2, Part E, of the Comprehensive Zoning Code for the construction of a car wash facility on a parcel of land situated at 571 South Queen Street and identified as Tax Map Key 2-1-31: 15.

Publication was made September 6, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The Director reviewed the applicant's proposal and requested that the public hearing be kept open in view of a possible land acquisition of a portion of the applicant's property for expansion of the adjoining Kakaako Fire Station. If this acquisition occurs, question arises whether there will be sufficient maneuvering area for vehicles leaving the car wash.

Mr. Masaru Tsugawa, Chief, Building Department, Public Building Planning and Construction Division, informed the Commission that their department has initiated a request to the Land Acquisition Division of the Public

Works Department for a parcel map which will be submitted with an application for an amendment to the General Plan at a later date. The parcel map indicating property alignment should be completed within a week.

Concerning a question as to the timetable for the widening of Queen and South Streets, the Director pointed out that the South Street connector is not yet in the State's CIP program; however, there are more detailed studies presently being conducted by the State Department of Transportation. This same situation applies to Queen Street.

Public testimony was heard.

Speaking FOR the proposal were James Young, the operator, and Stan Zydel. Reasons given are:

1. Although their existing use is nonconforming, nevertheless, it existed before the CZC and should be allowed to continue. Prior to dismantling the equipment, they applied for a permit to replace it but there was a technicality as to what specific type of permit they were requesting.

2. The delay caused by the issue of possible land acquisition of a portion of their property has already caused considerable financial loss to their business, and the fact that the Fire Department has no plans readily available, further hinders their operation.

3. Relating to land acquisition by the Fire Department and for purposes of the South Street connector, they will still be able to function on the smaller parcel.

MOTION: In view of testimony presented, the Commission kept the public hearing open for a period of two weeks for further staff study, on motion by Mr. Bright, seconded by Mrs. Sullam.

* * * * * * * * * * *

Mr. Bright moved, seconded by Mr. Chun and carried, that the following matter initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

GENERAL PLAN DLUM AMENDMENT AIEA MAKAI SIDE OF ULUNE ST. ADJACENT TO FIRE STATION SITE & AIEA FIELD ANNEX, & OPPOSITE AIEA HIGH SCHOOL TMK: 9-8-29: PORTION OF 1 BLDG. & PLANNING DEPARTMENTS	1. The purpose of this proposal is to provide a safe transition taper between the 80-foot and 56-foot right-of-way boundary along a makai portion of Ulune Street, and To extend general planned fire station site to the resultant street frontage. 3,993 sq. ft. would thereby be removed from Park use.

CONDITIONAL USE PERMIT
MAUNALUA
KUAPA POND ADJOINING HAWAII-KAI SHOPPING CENTER
TMK: 3-9-48: 6
HAWAII-KAI COMMUNITY SERVICES

2. The proposal is the construction of tanks, pumps, fuel lines, fuel dispensers, attendant's shed, and boardwalk within the existing marina.

ZONING CHANGE
FROM AG-1 TO R-6
MAUNALUA
HAHAIONE VALLEY
TMK: 3-9-39, 47&49 & PORTIONS OF 3-9-32, 32, 38, 50, and 52.
(Planning Director)

3. This change in zoning is requested to bring into harmony the existing residential land use which conforms to the Detailed Land Use Map residential designation but is in conflict with the existing AG-1 zoning. The subject area was fully developed as a residential area prior to the Comprehensive Zoning Code. The area was zoned as Farm District in 1943 and redesignated as AG-1 per the CZC.

IMPROVEMENT REVOLVING FUND
RESOLUTION NOS. 305, 310 & 311
BLDG. & PARKS DEPARTMENTS

The City Council referred to the Planning Commission, for its review and comment, drafts of three Resolutions (Nos. 305, 310, and 311), transferring from the Improvement Revolving Fund the sum of $303,450 to the Building Department and $126,502 to the Department of Parks and Recreation for settlement of certain parcels acquired for public use.

The proposed Council Resolutions were referred in advance at the request of the Corporation Counsel's Office to expedite the review process. This is deemed necessary in order to forego interest payment by the City on the balance required to settle the acquisition of these properties.

Resolution No. 305 - Transferring the sum of $204,300.00 from the IRF to the Building Department for the following purposes:

1. Finalization of settlement of Civil No. 25590, Halawa Stadium Site, Parcel 25	$204,000.00
2. Payment for services rendered by Leighton S. C. Louis, Halawa Stadium Site cases, Civil Nos. 25860, 25371, 25603, 25602, 25229, 25228, 25181, 25859, and 26377	300.00
	$204,300.00

Resolution No. 311 - Transferring the sum of $99,150.00 from the IRF to the Building Department for the following purpose:

For settlement of case in Civil No. 28954, Civic Center Site (Mauka Block), Parcel 1	$ 99,150.00

Resolution No. 310 - Transferring the sum of $126,502 from the IRF to the Department of Parks and Recreation for the following purpose:

To obtain possession of real property for Maili Beach Park Addition:

Lots 55 and 56 (Civil No. 31701), additional deposit	$ 52,175.00
Lots 59 and 60 (Civil No. 31633), additional deposit	74,325.00
Lots 61 and 62 (Civil No. 31932), (Rights-of-way)	2.00
	$126,502.00

The Commission, having received and reviewed the staff's report prior to the meeting, felt the report was self-explanatory and needed no staff review; however, two questions were raised:

1. Maili Beach Park - Ownership of the pdoperty between the two the City is purchasing?

   Bonded Investment Company owns the property. The City is in the process of purchasing it but has encountered some problems. The parcel has been sold under an Agreement of Sale and there is difficulty locating all of the members in the Agreement of Sale for the signing of documents.

2. Civic Center Site - What parcels are left to acquire?

   Four parcels remain, all on the Diamond Head side of the parcel being acquired. These include: (a) P. Schnack (61,474 sq.ft.); (b) Honolulu Rapid Transit Company (6,207 sq.ft.); (c) Lester Yee & wife, Winifred (9,417 sq.ft.); and (d) Ng Fat, deceased (7,111 sq.ft.).

ACTION: Mr. Chun moved, seconded by Mrs. Sullam and carried, that the Commission recommend approval to transfer from the Improvement Revolving Fund the sum of $303,450 to the Building Department, and $126,502 to the Department of Parks and Recreation for the purposes stated.

MISCELLANEOUS PLANNING ACTIVITY IN THE WAIANAE DISTRICT

The Commission held an informal discussion on activities related to zoning, conditional use permit, and planned development applications in the Waianae district.

Makaha Reef Proposal--

Sullam: I was under the impression that we were trying to keep the shore open as much as possible. What are setbacks here?

Duncan: In this particular case the yard setback would be 20 feet from the property line. In addition, in this particular case it works out that the State Act 136 for shoreline protection also establishes a minimum of 20 feet. So in any case we would be obtaining a minimum of 20 feet, possibly through the design of any building that goes along there it could be set back even further. Twenty is the minimum.

Chun: With respect to your 83,000 square feet of floor space, how high are you projecting?

Duncan: There would just be a maximum of 70 feet, let us say 8 stories at the most. Whether its possible - I don't think we'll get to that amount but that's according to the zoning, the way its written.

Chun: On that project and on the Fernandez project - when the Fernandez project was before the Commission, at that time I think it was expressed by the Commission that the staff take a good look at that area as to whether or not the General Plan should not be changed. Has the staff made any study with respect to that portion?

Duncan: The study did start at the request of the Commission specifically with this parcel. The study was then expanded

to the South end of Makaha Beach. As it was progressing, we received the Dalton decision and since that time, its hung in abeyance. No additional work has been done on it.

Chun: Are you going to pick it up again?

Way: In terms of priority, it doesn't appear we'll be getting to it very soon.

Chun: Are you satisfied with the General Plan as it stands?

Way: Not until we examine it.

Duncan: That concludes my presentation.

Makaha Surfside Corporation--

Sullam: I have a general question. Aren't the counties being encouraged to set their own shoreline setbacks now?

Ing: I don't know whether that has any relevance here now. The bulk of the parcel is setback considerable distance from the ocean and the developer has agreed not to place any structure on this parcel of land which has ocean frontage.

Sullam: My question is a more general one. I'm thinking of the

higher Makaha area - perhaps I wasn't relating only to this particular parcel. Since Makaha is such a famous surfing spot, I'm just wondering whether its desirable to close it up this way with heavy density. I'm just wondering whether a 20-foot setback is enough. Maybe it should be more so that it will always be acceptable for surfing.

Ing: I think the 20-foot setback may worry you but I think the 20-foot setback is from the zone-of-wave action line which in some cases is set back considerably. So if there exists, for instance a sandy beach here, the State act would require a 20-foot setback from the rootline of vegetation which in many instances is quite a ways from the water.

Sullam: What I'm concerned about is keeping this beach very accessible for the surfing meets, etc. If we build up heavy density, it becomes less accessible. I'm thinking of the overall General Plan terms.

Ing: With respect to this particular project, we requested some comments from the Department of Parks and Recreation and apparently they are satisfied to be able to acquire up to here, from the Maunalahilahi Park up to the Waianae High School.

Chun: Is that density based on the entire parcel or just on the area we're talking about?

Ing: No. The density is based on the parcel requested for apartment zoning. If you included this parcel, the density would not be 77 dwellings units per acre but 63 which we feel is still rather high.

Chun: And our only control on density is FAR, LUI?

Ing: Under Planned Development, yes. I might add that if he had requested rezoning and got the rezoning, he could develop in this fashion with the exception of proposing - if he went straight A-1, he would not be able to exceed, I believe 30 feet in height. There is a height limitation which he is proposing to exceed, under Planned Development in an A-1 zone.

Chun: If it were to remain in R-6 zoning, what would his density be under PUD?

Ing: It would be 28% as opposed to 80%.

Way: In addition, Mr. Chairman, the height situation enters into it too. Of course he's only able to achieve - well if it goes A-1, it's 30, A-2 40 feet. But with the PD, the height can be exceeded for the district. That's how he's permitted to go to 4 and 5 story structures.

Chun: If he went into a PD under R-6, what would be the height limitations?

Way: Under PD there could be exceptions to the height limitations but the normal height requirements for the R-6 would 25 feet. You may recall we've had some in residential districts where we in fact had - I think it was Ahuimanu, we had a 5 or 6 story building even though it was in R-5 district.

Ing: That's my presentation.

* *

Chairman: Have you taken into consideration, the possibility of applying PUD in areas that the staff might feel desirable and deny such a use in some areas where it may not be as desirable. I would imagine that PUD not necessarily would apply to all situations in all areas.

Way: Yes. In that connection, this is the case. Yet when we receive an application we must review it and pass it on with recommendations to this body as well as to the City Council. A recommendation may be that Planned Unit Development not be encouraged to take place. The ultimate decision, of course, being with the City Council, includ-

ing the Commission's recommendation.

Chairman: I have one question. In your earlier statement, Bob, you mentioned that by this type of orientation, the Commission might decide against calling a public hearing. I don't know whether this is possible under the Charter.

Secondly, do you expect us to officially take a position against your recommendation in calling a public hearing?

Chun: If you bring it up and ask us to initiate, I don't think we've got much of a choice.

Way: Well we might view it a little differently, that the Commission might not necessarily wish to authorize a public hearing.

Chun: That was a question I think that was raised that once it comes before the Commission, we're stuck. I mean that was an opinion given us by a former corporation counsel.

Way: We may have to verify this with the present corporation counsel but in addition, this is one of the reasons why we have an informal discussion before bringing this matter to the Commission in an attempt to get some sort of feeling from the Commission about some of the issues that are involved here.

Chun: Bob, I feel this way, that the biggest issue as far as Waianae is concerned is really a revision of the General Plan and another good look at the entire Waianae area. There's not that much development in Waianae but once we start allowing development to go in there, we're going to be faced with another Waikiki maybe in another 20 years. We've got a chance now to stop it.

Sullam: I agree with Mr. Chun. I feel that we should look at the entire DLUM. I'm not convinced that that resort should be at that particular part of Waianae.

Way: Fine. I think this is the kind of expression of interest or view, if you will, of the Waianae General Plan and DLUM that we were looking for. This is again not something that's it taken official position, a vote, but some indication of thought from the Commission.

Naiwi: I go along with Mr. Chun but I would like to see Mr. Way make an on-the-spot inspection of that area, to get a better picture.

Way: If that be the Commission's wish of course we could make arrangements with those Commissioners wishing to make the trip.

Bright: I can't see a hotel on that location.

Chairman: I might point out one fact. It seems to me that during the past few months, there's been a change of attitude in the people out in that particular area. I think this should be given serious consideration.

Way: This was another matter, Mr. Chairman, that we brought this before the Commission to sound out another public view, if you would, that a number of the citizens are concerned about - the area and the way its developing. We share some of these concerns also.

Chairman: Any other statements you Commissioners wish to make?

Bob, my earlier statement, I don't wish this to be misunderstood. I recognize that there should be credibility as far as government operation is concerned. We have designated many of these areas as resort and apartment, etc. We have to protect the rights of the property owners who have received this designation but there are many areas such as PUD where it exceeds much more than what is designated under the General Plan. So I believe that consideration should be given in all areas. It might be a possibility - somehow I feel that some of the zoning ordinance may not - such as the CZC - may not apply in certain areas. But not merely to walk in and by wishes of some - change the whole plan. This is not my position.

I wonder if I might ask the corporation counsel to look

into the matter and get the new administration's position as far as the authority of the Commission, as to whether we are able to recommend denial of a public hearing after it's proposed by the Director. Also check into the authority vested in us in establishing the date. I believe this is the Commission's authority. If we don't establish a date, what happens then?

Any further discussion? If not, we'll proceed with the next item.

ADJOURNMENT: There being no further business, the meeting adjourned at 3:21 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
September 24, 1970

The Planning Commission held a special meeting on Thursday, September 24, 1970, at 8:40 a.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:	Thomas N. Yamabe II, Acting Chairman Philip T. Chun Rev. Eugene Connell Ivanhoe K. Naiwi Fredda Sullam
STAFF PRESENT:	Robert R. Way, Planning Director Andrew Sato, Deputy Corporation Counsel Calvin Ching, Staff Planner Bruce Duncan, Staff Planner Tosh Hosoda, Staff Planner
ABSENT:	Roy R. Bright Arthur A. Rutledge James K. Sakai, ex-officio Richard K. Sharpless, ex-officio
MINUTES:	The minutes of August 28, 1969, and September 10, 1970, were approved upon the motion by Mr. Chun, seconded by Mr. Naiwi.
PUBLIC HEARING ZONING B-5 RESORT COMMERCIAL WAIKIKI 342 SEASIDE AVENUE WAIKIKI SEASIDE, INCORPORATED (FILE #70/Z-24)	A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider a request for a change in zoning from H-2 Hotel District to B-5 Resort Commercial District for an area of land containing 11,700± square feet situated ewa of Seaside Avenue and makai of Waikolu Way in Waikiki and identified as Tax Map Key 2-6-19: Parcels 9 and 55.

The public hearing notice was advertised in the Sunday Star-Bulletin and Advertiser of September 13, 1970. Copies of the hearing notice were sent to the applicable governmental agencies and to interested parties. No letters of protest were received to date.

Mr. Bruce Duncan, staff planner, reviewed the staff report and oriented the Commission to the location of the subject property and the surrounding land uses. He presented the applicant's proposal to replace an existing glass window, separating the existing restaurant and bar from the lobby lanai, with a door to permit more direct entry into and a view of the restaurant from Seaside Avenue. The parking requirements for a B-5 District will be met through a parking agreement with the Marine Surf Hotel located adjacent to the subject property. The subject property is presently improved with a new 14-story, 131-room hotel.

Mr. Duncan presented the following information in reply to questions from the Commission:

1. The parking agreement with the Marine Surf Hotel indicates 20 parking stalls. A check will be made as to whether or not there is a regulation that the parking areas of a hotel structure may be used by other establishments other than for its own operation.

2. A municipal parking structure at the corner of Seaside and Kuhio Avenues is scheduled for construction in 1974. This parking structure is proposed to relieve the inadequate parking areas of nonconforming establishments and to accommodate increased commercial uses in the area. This proposed parking structure is not considered as part of the parking requirements for the applicant's proposal.

3. He did not know whether there were any statistics showing that, with the development of the Waikiki area as shown on the General Plan, that the proposed municipal parking structure would be sufficient to take care of all the needs in the area.

No one spoke in favor or against the application.

The public hearing was closed and the matter taken under advisement upon the motion by Mr. Chun, seconded by Mr. Naiwi.

In later discussion, Mr. Yamabe requested Legal Counsel to check whether there is a regulation which allows the parking spaces of a structure to be utilized by some other establishment. He recalled that this matter was discussed by the Commission a few years ago when a hotel was renting out its parking lot. At that time, he believed it was determined that this could not be done.

Regarding the proposal before the Commission, it was Legal Counsel's understanding that the Marine Surf Hotel has a surplus amount of parking. The parking agreement was approved by his office on the basis of certification from the Planning Department on the number of parking spaces available for the particular facility and since the off-site parking was within 400 feet from the main entrance as required by the Comprehensive Zoning Code.

It was Mr. Yamabe's understanding that the use of parking areas away from the actual site was applied to empty lots or areas which were not being utilized. In this case, he noted that there is an existing hotel structure with parking areas which is not presently being used; however, the parking area has been developed specifically for use by the hotel. He questioned whether the Commission should establish a policy to allow the use of parking facilities away from the actual site, referring specifically to the Waikiki area.

Legal Counsel Sato reported that there is a provision in the Comprehensive Zoning Code indicating that when parking stalls (off-site) are no longer available, the use granted by the Director is discontinued unless other

parking spaces are obtained within 400 feet of the structure. This is the reason a parking agreement is required that in the event the parking spaces are not available, the operation would have to be discontinued.

ACTION: The Commission, upon the motion by Mr. Chun, seconded by Rev. Connell, recommended approval of the change in zoning from H-2 Hotel District to B-5 Resort Commercial District.

PUBLIC HEARING
GENERAL PLAN
DETAILED LAND USE
MAP (AMENDMENT)
KANEOHE-KUALOA
HEEIA-KOOLAUPOKO
TRUSTEES OF THE
ESTATE OF BERNICE
PAUAHI BISHOP
BY: GEORGE M.
HASEGAWA, AGENT

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider an amendment to the Kaneohe-Kualoa General Plan Detailed Land Use Map by changing the internal roadways and the boundaries between the Commercial and Industrial uses for an area of land containing 50± acres situated at Heeia, Koolaupoko, and identified as Tax Map Keys 4-6-11 and 12.

The public hearing notice was advertised in the Sunday Star-Bulletin and Advertiser of September 13, 1970. Copies of the hearing notice were sent to the applicable governmental agencies and to interested parties.

The Director read two letters endorsing the proposal:

1) Kaneohe Community Council, by Edgar A. Jones, President, dated September 18, 1970; and

2) Kaneohe Business Group, by Evans Yim, President, dated September 12, 1970.

Mr. Calvin Ching, staff planner, reviewed the proposed amendment. In response to an inquiry from the Commission, he stated that the developer has not indicated any planned commercial uses for the area.

No one spoke against the proposal.

In favor of the proposal was Mr. Robert Hinazumi, represented Mr. George Hasegawa. He did not have anything to add to the presentation made by Mr. Ching but replied to questions from the Commission:

1) He confirmed that there are no definite plans for the development of the area; however, it is hoped that this area could be developed into a super block or shopping center type of development.

2) The bulk of the land is owned by Bishop Estate along with six other kuleanas. Unless the proposed amendment is granted, no exchange or joint venture can be worked out with the other kuleanas. The area is now served by 3-to 4-foot accesses.

3) He could not say that there will not be any new roadways within the area as they would like to have the flexibility in the proposed development of the area; however, if there is a need for additional

road systems in the area, this will be complied to when the zoning application is made.

4) He had no objections to reflect in the records that there might be a possible need for additional streets in the area.

The public hearing was closed and the matter taken under advisement, upon the motion by Rev. Connell, seconded by Mr. Chun.

In later discussion, the Director believed that any new roadways which might be required need not be shown on the Detailed Land Use Map or Development Plan since the roadways would be considered as local streets or subdivision streets and would not be considered major streets.

ACTION: The Commission, upon the motion by Mr. Chun, seconded by Rev. Connell, recommended approval of the proposed amendment to the Kaneohe-Kualoa General Plan Detailed Land Map by changing the interior roadways and the boundaries between the Commercial and Industrial areas.

CAPITAL IMPROVEMENTS PROGRAM AMENDMENT TO CAPITAL BUDGET ORDINANCE AND CAPITAL IMPROVEMENTS PROGRAM FOR FISCAL YEAR 1971 SUPPLEMENTARY NO. 1

The Commission reviewed Capital Improvements Supplementary No. 1, an amendment to Capital Budget Ordinance and Capital Improvements Program for Fiscal Year 1971 to appropriate $200,000 for parks work:

1. $50,000 for the demolition of the Queen's Surf Building and parking lot, and for restoration of the site, including grading, grassing, and landscaping.

2. $150,000 for the Waikiki Natatorium project. This would include the removal of all decking, plus the bleachers and the makai wall except the memorial area; retention of the swimming area and renovation of the side walls for beach erosion control; construction of a sandy beach at the bleacher area; removal of the driveway; and improvements to the picnic area.

The Director reviewed the staff report and recommended approval of Capital Improvements Program Supplementary No. 1.

Present was Mr. Delos Seeley, Department of Parks and Recreation, to answer questions from the Commission:

1. The widening of Kuhio Beach, as planned, has not gone ahead because of the desire to re-evaluate the effect the beach widening will have on the surfing areas.

2. It is contemplated that the parking spaces which will be removed from Queen's Surf would be compensated for by the parking facilities planned on the mauka side of Kalakaua Avenue to serve the various

activities, such as the new tennis court, archery range, picnic areas, etc. No parking areas are planned on the Diamond Head end of Kapiolani Park because the parking areas will be utilized by the residents living in the high rise structures in that area. They would even like to prohibit parking on the makai side of Kalakaua Avenue and to concentrate all the parking areas on the mauka side of Kalakaua Avenue. The Traffic Department has plans for rerouting traffic which may have some effect on the Kapiolani Park area.

ACTION: The Commission, upon the motion by Mr. Chun, seconded by Mrs. Sullam, recommended approval of Capital Improvements Program Supplementary No. 1.

Before proceeding with a motion to authorize the calling of public hearings for the following applications as initiated and recommended by the Planning Director, the Commission inquired of legal counsel as to whether or not a report was available as to the authority vested in the Commission and the authority vested in the Planning Director. In the past, motions were made to authorize the Director to establish the date for the public hearings; the motion presently before the Commission is to authorize the Director to call a public hearing.

Legal Counsel Sato stated that he did not have a report.

The Commission, upon the motion by Mr. Chun, seconded by Rev. Connell, moved that the Planning Director be authorized to call public hearings for the following applications:

ZONING A-3 APARTMENT DISTRICT McCULLY 1821 BINGHAM STREET HERMAN CHING (FILE #69/Z-76)	(1)	Change in zoning from R-6 Residential District to A-3 Apartment District for an area containing 19,294 square feet situated at 1821 Bingham Street in McCully and identified as Tax Map Key 2-8-10: portion of Parcel 29.
PLANNED DEVELOPMENT- HOUSING KAILUA ENCHANTED LAKES S ESTATE, UNIT 8-B2 MAKAI TERMINUS OF KEOLU DRIVE ISLAND--GENTRY JOINT VENTURE (FILE #69/PDH-8)	(2)	Planned Development-Housing District for an area containing 28.3± acres situated at Enchanted Lakes Estate, Unit 8-B2, in Kailua and identified as Tax Map Key 4-2-02: Parcel 3, within an R-6 Residential District.

ZONING B-5 RESORT COMMERCIAL WAIKIKI HOBRON LANE BETWEEN ENA ROAD AND ALA WAI BOULEVARD MAGOON ESTATE, LTD. (FILE #69/Z-9)	(3)	Change in zoning from H-2 Hotel District to B-5 Resort Commercial District for an area of land containing 45,725 square feet situated on Hobron Lane between Ena Road and Ala Wai Boulevard in Waikiki and identified as Tax Map Key 2-6-13: Parcel 14.
ZONING B-2 COMMUNITY BUSINESS DISTRICT KAPAHULU KAPAHULU AVENUE A & W MARKET (FILE #70/Z-39)	(4)	Change in zoning from R-6 Residential District and A-4 Apartment District to B-2 Community Business District for an area of land containing 8,824± square feet situated on Kapahulu Avenue in Kapāhulu and identified as Tax Map Key 2-7-32: portion of Parcels 30, 31, and 36.

ADJOURNMENT: The meeting was adjourned at 9:53 a.m.

Respectfully submitted,

Mitzie M. Abbott

Mitzie M. Abbott
Hearings Reporter

Meeting of the Planning Commission
Minutes
October 1, 1970

The Planning Commission met in regular session on Thursday, October 1, 1970 at 1:40 p.m., in the Conference Room of the City Hall Annex with Chairman, Arthur A. Rutledge, presiding:

PRESENT:
Arthur A. Rutledge, Chairman
Thomas N. Yamabe II, Vice-Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Ivanhoe K. Naiwi
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Loretta Chee, Staff Planner
Bruce Duncan, Staff Planner
Tosh Hosoda, Staff Planner

ABSENT:
James K. Sakai, ex-officio

MINUTES:
The Minutes of February 19, March 25, and September 17, 1970, were approved on motion by Mrs. Sullam, seconded by Mr. Yamabe.

PUBLIC HEARING
CONDITIONAL USE PERMIT
CENTRAL BUSINESS DISTRICT
571 SOUTH QUEEN STREET
(STANDARD OIL COMPANY)
70/CUP-29

The public hearing held September 17, 1970, was kept open and action deferred until the question of land acquisition by the Fire Department for expansion of their Kakaako Station could be resolved.

Bruce Duncan, Staff Planner, reported the following:

1. Letter dated September 23, 1970 from Edward Y. Hirata, Building Superintendent, states that a 30-foot triangular parcel of land acquisition of a portion of the applicant's property for expansion of the adjoining Kakaako Fire Station is necessary.

2. The applicant was advised of the taking, conducted a site study, and found that the 30-foot taking would not handicap their car-wash operation.

3. The Traffic Department felt there would be no difficulty of cars entering the facility. Also, the exit portion of the car wash could accommodate all cars although larger vehicles (cadillacs) might encounter some maneuvering problems.

Based upon the above additional information, the staff recommends approval of the applicant's request.

Question was raised concerning the location of a car-wash operation, a prohibited use, within the proposed Civic Center area. The staff pointed out that the use is of a temporary nature and is conditioned upon the fact that when the South Street connector is installed, the facility will be removed.

There were no further questions, and no other person appeared to speak either for or against the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Mr. Chun.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request, subject to the following conditions, on motion by Mr. Yamabe, seconded by Mr. Naiwi and carried:

1. Compliance with regulations as specified by the Department of Health, the Division of Sewers, and the Department of Public Works.

2. A minimum of three off-street parking spaces for automobiles shall be provided for each car wash space within the facility.

3. No water produced by activities on the zoning lot shall be permitted to fall upon or drain across public streets or sidewalks or adjacent properties.

4. The applicant shall remove the car wash facility at his own expense and with no compensation paid to him when implementation of the proposed South Street Connector necessitates State acquisition of that portion of land on which the car wash facility rests.

5. Plans for the subject parcel labeled Exhibit A shall be made part of the Conditional Use Permit.

6. The issuance of the Conditional Use Permit and the building permit shall be subject further to the approval of the City Council to build within the area designated for the widening of South Street.

7. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

8. A certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KUAPA POND
ADJOINING HAWAII-KAI
SHOPPING CENTER
TMK: 3-9-48: 6
HAWAII-KAI COMMUNITY
SERVICES

A public hearing was held to consider a request for a Conditional Use Permit under Article 2, Part E, of the Comprehensive Zoning Code for the construction and operation of a boat rental and fuel sales facility on a parcel of land situated at Hawaii-Kai (waterway) makai side of Kalanianaole Highway next to the Hawaii-Kai Shopping Center and identified as Tax Map Key 3-9-48: 6.

Publication was made September 20, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. Two letters of protest were received from Mr. Henry J. Ludwin, 247 Anapalau Place; and Mr. George Hanson, 269 Kaumakani Street. (These letters are included under testimony against the proposal.)

Staff Planner, Tosh Hosoda, reviewed the staff's report. The Commission raised the following questions concerning the report:

1. Parking - Whether 10 stalls are adequate to accommodate the needs of 87 berths.

   Ten parking stalls are sufficient inasmuch as the greatest use of the marina will occur either during the weekends or weekday evenings. This will be at a time when some of the uses within the center itself will be closed. The parking spaces usually assigned to other uses can then be made available to the boating public.

2. Location of storage facilities for fuel - Three fuel tanks will be placed underground, running beneath the docks.

3. Whether the Commission, by allowing the projection of the proposed cantilevered boardwalk 10 feet into the waterway, will in effect be granting a variance to a building setback.

   The boardwalk will be cantilevered from ground level over the water, and not attached to any structure.

The following people testified AGAINST the proposal:

1. George Hanson, Hawaii Kai Resident, 629 Kaumakani Street, Honolulu 96821, (submitted letter dated September 23, 1970)
2. Henry J. Ludwin, Hawaii Kai Resident, 247 Anapalau Place, Honolulu 96821, (submitted letter dated September 23, 1970)
3. Michael Carrick, Hawaii Kai Resident
4. Arthur Kam, Hawaii Kai Resident

Reasons for objecting are:

1. Pollution - The possibility of oil spillage into the marina. Since the marina is a private waterway, there is question whether State laws are applicable.

2. Possible fire hazard - The type of joint usage of the dock, underground for the storage of fuel facilities, and ground level proposed as a parking lot area, could be a fire hazard.

3. Parking - There is question whether 10 parking stalls are adequate. Although there may not be 87 cars at the marina at the same time, more than 10 vehicles will be at the site on weekends, the peak of marina activity. Consideration should be made for additional parking area.

4. Boat Rental Operation -

   a. This type of facility encroaches upon the privacy of marina waterfront owners. Boat owners have paid premium prices for the privilege of living on the marina.

   b. It would cause considerable congestion of the waterways and present additional hazards to the normal users of the area particularly from many operators of water craft who, unlike motor vehicle operators, are not required to be licensed, prove ability or have knowledge to operate a boat safely. This could lead to possible damage to private docks and boats. Further, not being affiliated with the marina, outsiders could violate marina rules and operate their craft at excessive speeds in narrow channels.

   d. Further commercialization of the marine area is a detriment to permanent home owners.

   e. This operation would extend the use of the marina to the public which is unfair to marina residents who must pay maintenance fees.

   f. Lack of security patrol - It is presently difficult to locate marina security officials on weekends. The operation would mean increased security and conceivably an increase of maintenance fees as well.

5. The Commission should not base its decision on a few people who testified but should continue this public hearing and afford other interested parties in Hawaii Kai an opportunity to testify. It is difficult for working people to attend Commission hearings.

Testimony FOR the proposal was given by Mr. Michael Toohey, Vice-President, Hawaii-Kai Community Services Company. Responding to objections made, he stated the following:

1. Concerning pollution and security patrol, 4 men are presently assigned to the responsibility of controlling and maintaining all marina activities. There are rules and regulations which govern its functions, and any infraction of these rules results in a reprimand to the violator, or he could be placed on probation, or his license could be revoked. The applicant is vested with this authority.

2. Relating to fire control, fueling equipment to be installed will first meet all City and County standards.

Questioned by the Commission, Mr. Toohey stated:

1. The cantilever design is to provide an observation deck overlooking marina activity as well as a pedestrian walkway and access point to the boat slips.

2. In the case of a mishap on the marina, it would be the responsibility of the boat owner who created the debris to clean it. Although their role is usually one of assistance, they would not object to include, as a condition of this permit, the responsibility to clear the marina of any debris caused by a mishap.

3. Since the marina is privately owned, he does not believe it is subject to Harbor Board regulations.

4. They are not knowledgeable in the removal of oil from water but would do anything within reason to remove it.

5. Their intent is not to create a commercial facility but to provide a form of recreation which would maximize utilization of the marina for people who enjoy it.

6. If their request as submitted does not permit the rental of boat facilities, as they had assumed, they would only do whatever the conditional use permit allows.

   The Director pointed out that the Comprehensive Zoning Code, under a Conditional Use Permit, does not permit commercial boat rentals.

7. He believes reasonable notification to property owners was given in their Hawaii Kai news bulletin which mentioned their proposal.

8. No additional dock facilities are proposed, although a Federal and State funded project for a boat harbor in adjoining Maunalua Bay is underway.

9. After a number of suggestions to use the marina as an access point for dining at the nearby Chuck Rolles Restaurant, they are arranging to reserve boat slips near the restaurant for this purpose on a trial basis only. The owner, Mr. Chuck Rolles, is skepticle about permitting boaters to dine at his premise because of their informal attire.

There were no further questions. The matter was taken under advisement on motion by Mr. Yamabe, seconded by Mr. Bright and carried.

The Commission kept the hearing open for two weeks for further testimony from interested parties in the subject area, and also for staff study in the following areas:

1. The question of pollution of private waters, whether or not the water quality act affects private waterways. If so, there may be sufficient laws covering private waterways requiring boat owners to clean up any pollution which may occur.

2. Ascertain from the Board of Health whether any legislation has been passed which would affect this type of operation.

3. There is still question as to the adequacy of 10 parking stalls for the specified use.

4. What are the requirements of the Harbor's Board and the Fire Marshall for this type of operation.

PUBLIC HEARING ZONING CHANGE FROM AG-1 AGRICULTURE TO R-6 RESIDENTIAL DIST. MAUNALUA HAHAIONE VALLEY TMK: 3-9-39, 37, 47 & 49 & PORTIONS OF 3-9-32, 38, 50, 52, & 31 PLANNING DIRECTOR	A public hearing was held to consider a request for a change in zoning from AG-1 Restricted Agricultural to R-6 Residential for an area of fully developed residential land which was zoned as Farm District in 1943 and redesignated as AG-1 per the Comprehensive Zoning Code in Hahaione Valley and identified as Tax Map Keys 3-9-39, 47, and 40: Portions of 3-9-32, 38, 50, and 52. Publication was made September 20, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The Director reviewed the staff's report which was circulated among the members prior to the hearing. In order to supplement the initial proposal by including portions of 3 other plats, he requested that the public hearing remain open for one week to October 8, 1970 at 8:30 a.m.

There were no questions concerning the staff's report, and no person appeared to speak either for or against this proposal.

In compliance with the request of the Director, the Commission deferred action on this matter for one week, on motion by Mr. Chun, seconded by Rev. Connell.

PUBLIC HEARING DLUM AMENDMENT AIEA MAKAI SIDE OF ULUNE ST. ADJACENT TO FIRE STATION SITE & AIEA FIELD ANNEX, & OPPOSITE AIEA HIGH SCHOOL TMK: 9-8-29: PORTION OF 1 BLDG. & PLANNING DEPARTMENTS	A public hearing was held to consider a proposal to amend a portion of the General Plan and Detailed Land Use Map of Kalauao by changing the land use designation from park use to a street right-of-way to provide transition taper on Ulune Street in Aiea, and identified as Tax Map Key 9-8-29: Portion of 1; also, designating of additional park use remnant as public facility to extend fire station site to the resultant street frontage and identified as Tax Map Key 9-8-29: Portion of 1. Publication was made September 20, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report which was circulated prior to the hearing, was reviewed for the benefit of the Commission.

No questions were raised concerning the staff's report, and no person appeared to speak either for or against the proposal.

ACTION: The Commission, on motion by Mr. Yamabe, seconded by Mr. Naiwi and carried, closed the public hearing and recommended approval of the proposed Aiea DLUM amendment to the General Plan.

CENTRAL BUSINESS DISTRICT ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT HONOLULU CIVIC CENTER MAKAI RIM OF PUNCH-BOWL TO THE SEA, EXTENDING FROM SOUTH STREET TO DIAMOND HEAD EDGE OF DOWNTOWN OF RICHARDS, BISHOP AND PALI HWY. PLANNING DIRECTOR	The public hearing was held on February 5, 1970 and kept open until February 19, 1970. At that time, the Commission closed the public hearing, but deferred action for further study by the staff. In view of various legal and conflicting issues between the existing CZC (Article 12), and the proposed Civic Center Capital Ordinance, the Commission deferred action on this matter and referred it to sub-committee for further review and consultation with the Planning Director and Corporation Counsel. A verbatim transcript of the proceeding follows:

Way: Mr. Chairman, on item number 5, we'd like to present a staff report.

The item before the Commission has to do with the proposal for a Capital District Ordinance. This is a staff report to the Commission. The staff has had the proposal for Capital District Ordinance under consideration and are returning it to the Commission with some amendments.

We do have three matters of correspondence. One is a request from the State Department of Accounting and General Services, Mr. Kenam Kim, which is a request to

defer presentation to the Planning Commission for two weeks. This was just received yesterday afternoon. The request is from Me. Kim as Chairman of the Civic Center Policy Committee.

I have another letter from E. Lani Hanchett, Bishop of the Episcopal Diocese in connection with this matter as to their position pertaining to the Civic Center Ordinance.

A third letter from Rev. Connell to Mr. Rutledge indicating that it is my understanding that the Civic Center Ordinance will be appearing before the Commission on Thursday, October 1, 1970. As a Commissioner, I feel that I must declare a conflict of interest in this issue and will therefore absent myself from the Commission meeting during the discussion and vote on that Ordinance proposal. My conflict arises out of having appeared before the Commission several months ago on behalf of the Episcopal Church in Hawaii, and the fact that the Episcopal Church will again appear on October 1.

That's pretty much the essence of the correspondence on this matter. Mr. Mark of the Planning Department staff will now present the pertinent features of the revisions to the proposed Ordinance.

Herbert Mark: Mr. Chairman and members of the Commission, you will recall that the Hawaii Capital District Ordinance, presented to you in February, was not necessarily intended by the Planning Department to be its final recommendation but was presented more as an instrument for discussion purposes, to receive the comments and reactions of this body and the interested public. It is hoped that an appropriate Ordinance can be drawn up later with the recommendation of the Department.

You recall that the public hearing was held last February 5th and continued on February 19th on the proposed Hawaii Capital District Ordinance. A great deal of testimony was heard and received at that time. Much of it is in support of the proposed Ordinance and some of it against.

You will recall that a series of workshop sessions were also held with you last spring in an attempt to clarify the issues and problems involved.

In the past few weeks, we have been able to get back to drawing up the Department's recommended version of the Ordinance which is before you today. I'd like to review the changes in the Ordinance with you at this time.

On this chart, we show what had been intended in the original Ordinance that was presented to you in February. Under the Article 12 of the CZC, we had proposed to create a Hawaii Capital District which became part of the body of the CZC. As later H.C.S., Historic Conservation Scenic Districts were created, they would be likewise added into the body of the CZC. The format change at this time proposes that the Capital District be incorporated in the same way under Article 12 of the CZC; however not within the body of the CZC but as separate ordinances, in the same way you have reviewed planned unit development districts. There would be a Historic Cultural Scenic District No. 1, which would be the Hawaii Capital District, and then later as other districts are added, they would be Historic District No. 2, No. 3, etc. This is just a change in the format, mainly because this would create problems in future expansions of other portions of the CZC.

The last Ordinance had boundaries that were basically running from the makai rim of Punchbowl, all the way out to the sea, including the harbor area and Sand Island. The Ewa boundary was bounded by a strip along the Ewa side of the Pali Highway, 160 feet back, down to Beretania Street, over to Alakea including a corridor to Bishop Street along Hotel, then zigzagging into the middle of the block between Richards and Alakea, down

to a corridor - roughly 200 feet mauka of the Nimitz Highway, and then a line connecting to the Aloha Tower going all the way out.

On the Waikiki side, the boundary was roughly Ward down to the freeway, the South Street connector all the way down to the ocean, with corridors at the freeway, Vineyard Boulevard, Beretania Street, King Street, Kapiolani, and also Ala Moana.

Those are the district boundaries. Now within the district, we also had height and open-space areas with restrictions. Basically starting with the capital core area, we had a 55-foot height limitation, going up to a hundred feet in the St. Andrew's and Queen's Hospital areas, and a 40-foot height limitation in the Punchbowl area. Below the capital core area, the height limit was 55 feet with a 200-foot height proposed in the Federal Building area, a 0-height limit in the harbor area, and a 55-foot height limit in Sand Island. In addition, we had a capital core area which is the shaded area.

Now the main differences between the district boundaries and those areas that are within the districts and also have height and open-space controls, you will notice that not all the areas within the district have height and open space requirements. If the property is within the

district but outside of the height and density boundary, the area is subject only to design review - that is of the building - and also to setback requirements along the main avenues of approaches. If the area were within the district, and within the height and density boundary, it was also subject - in addition to design review and setbacks along the major avenues of approach - it was also subject to height restrictions, open-space requirements, land use restrictions, and landscaping requirements.
So if the property is outside of the height, open space district but within the Civic Center district, the underlined regulations would apply. For example, a parcel here on the corner of King Street and Alakea which is a parking lot now, is in the district but it does not have the height and setback and open space, landscaping requirements.

Within the core area, we have designated 14 historic and cultural buildings and 8 architecturally significant structures and sites. These were under the control of the proposed Capital Commission. The historic structures and sites are shown in dark black, and the architecturally significant structures are in the hatched.

In addition to those requirements, we also propose that there should be 9 major avenues of approach. These were

again the Vineyard Boulevard, Beretania, King, Kapiolani, South Street connector, Ala Moana, Richards Street, and Pali Highway. These avenues of approach were to have setback requirements of 10 feet except for Beretania which was to have a setback of requirement of 20 feet. Much of Beretania at the present time has a setback in the area of 20 feet or more.

In addition, the last Ordinance created a Capital Commission. This body was mainly a review committee that reviewed all construction, all building permits within the Capital area. However, it was also proposed that it had final say on the historic, cultural and architecturally significant structures.

There were also some exceptions to the height restrictions. These included the Queen's Hospital tower, it included the Municipal Office Building, and it included the proposed Judiciary Office Building.

The changes in the new Ordinance, the black line is the line that defines the district under the old Ordinance. Where there have been changes, these changes have been indicated in red. We are proposing that the boundary on the Ewa side come down the center line of Pali Highway, eliminating the control area on the Ewa side. The reason for this is that this area, Queen Emma Gardens, the Pali

Shopping Center, and the new park next to the fire station, is already controlled in open space by present development.

The boundary line has been changed along Alakea. Instead of jogging into the middle of the block between Richard and Alakea Street, we felt that the district line can go down the center line of Alakea, to the center line of Queen, including the triangular park at the foot of the Fort Street Mall, then down to the pier head and bulk headline, following that to the limit of Fort Armstrong and then across Fort Armstrong. This is a mistake here. It should go across as it is shown here on this map. The reason why this line has been moved to the center line of Alakea Street, it was felt that we should be consistent of applying a one-block barrier of control area between downtown and the Civic Center. In addition, it was felt that the arbitrary line in the middle was a little difficult to define and may create problems later on.

The boundary change included the triangular park here at the foot of Fort Street Mall because it was felt that since it is an open space, it would provide an open space landmark at the entry into the capital district.

The makai ocean boundary again has been changed to the

pier head bulk headline. The feeling here was that the harbor's already under the control of the Conservation District and should be eliminated from the Civic Center District, and Sand Island is proposed, a good portion is for a park, and it was felt that it was also too far away to be included in the Civic Center District.

The boundaries of the capital core area have been changed slightly. The red areas have been added to the capital core area.

This corner (pointing to map) is at the intersection of Queen and the proposed South Street connector. The remnant parcels here have been spoken of as being a possible historic center. It was felt that this strategic sight along one of the main entries in the capital district and at this critical corner should be included particularly if it does become the Historic Center. The other parcel that has been added this portion along Beretania where a proposed municipal garage is located.

The changes in the height restrictions. The 55-foot height restriction on the side of the proposed Municipal Office Building has been removed in recognition of the fact that the urban design concept of the capital district is based upon a gateway tower structure at the M.O.B. site

The original Warnecke studies, as part of its urban design program, felt that there should be a tower structure, gateway structure, that was part of the overall design. We have removed the height limitation from that parcel.

The exceptions for the proposed Queen's Medical Center tower and the Judiciary Building from the height restrictions have been eliminated, since it was felt that the allowance of height exceptions indicated preferential treatment of certain property owners which would place the entire Ordinance on a very weak, legal footing. The Queen's Hospital site is proposed right in the middle of the hospital complex and the Judiciary Building was proposed right next to the Kamehameha Statue, opposite Kawaiahao Church. These height exceptions have been eliminated.

The height of the block that is just Ewa of Mililani Mall has been raised from 25 feet to 100 feet. This is in recognition of the fact that new buildings on that block have already set the character for the area. These include the HGEA tower, and the Melim building which are next to the vacant lot that is proposed for construction soon.

The height of the proposed Federal Office Building has been reduced from 200 feet to 150 feet. This is to

reflect, more accurately, the proposed height of the new structure which in its last proposal was mentioned at 150 feet.

Within the Ordinance itself, those sections that pertain to issuance of Certificates of Appropriateness were eliminated since the subject is already covered under Article 12 of the CZC. The new Ordinance also provides for provision for the Planning Department to adopt regulations that would establish standards for landscaping and maintenance of yards and structures in the Capital District.

Finally, the new Ordinance also deletes those sections pertaining to the establishment, organization, powers, duties, functions, etc., of the Hawaii Capital Commission. It was felt that the CZC already prescribes limited duties for an Advisory Historic Cultural and Scenic Conservation Committee, and already places the power of building-zoning review and the issuance of Certificates of Appropriateness in the hands of the Planning Director. In addition and also according to the City Charter, these functions have been assigned to the Planning Director.

In addition to the deletion of the Hawaii Capital Commission, we have deleted those portions of the Ordinance that pertain to the Capital Commission's control

of historic, cultural, and architecturally significant sites and structures. This control has been transferred to the Planning Director. However, the new Ordinance still recommends mandatory review of all applications for building permits pertaining to historic, cultural and architecturally significant sites and structures by the H.C.S., Historic Cultural Scenic Conservation Committee.

Basically then, the department has indicated in the present version of the Ordinance that even though our original Ordinance was more in accord with the views of the community, nevertheless, the Hawaii Capital District is being created under Article 12 of the CZC. Therefore, it would be better to work within the provisions of Article 12 rather than propose new provisions that would both overlay and supersede portions of Article 12.

However, our present approach is not without problem. Under our previous Ordinance, the Hawaii Capital Commission was created as a separate body, composed of governmental representatives and representatives of the design protection within the Hawaii Capital District Ordinance. So under the old Ordinance, the Hawaii Capital Commission was created under the Ordinance creating the Hawaii Capital District which was created in Article 12.

Under the new version of the Ordinance, Article 12

mentions a Historic, Conservation, Scenic, Preservation Committee. Now this committee is mentioned three times in the CZC. However, its functions are not well defined. Nowhere in the CZC is there any mention of how this committee is created, who is on it, and actually what its supposed to do. Where it fits into this arrangement we're not sure but possibly it could fit here. One of the problems here is that the CZC mentions in Article 12 under consultations, that upon direction by the City Council or the Planning Commission, no Certificate of Appropriateness shall be issued by the Planning Director until the Historic, Cultural and Scenic Conservation Committee has been consulted.

Now backtracking a little bit, let's assume that a building permit - somebody wants to build a new building in the Civic Center area. The applicant comes in for a building permit. He applies at the Building Department for a building permit. From the Building Department he is routed to the Planning Department where his application is reviewed by the processing section. His application goes to the Planning Director for either issuance of a Certificate of Appropriateness or a denial. This denial of the Certificate of Appropriateness must be in writing. The recourse that the applicant has is to the Zoning Board of Appeals.

Now advisory to the Planning Director is the Historic,

Cultural and Scenic Conservation Committee. As I've just read from the CZC, this Historic Cultural and Scenic Conservation Committee is consulted mainly or possibly only at the time that City Council or Planning Commission has directed that it be consulted. Under this provision in the CZC then, the Planning Commission or the City Council must direct that it review the building application before the building application supposedly comes to it. So in essence, the Historic, Cultural, Conservation Committee is advisory to the Planning Commission and City Council.

The Corporation Counsel has also interpreted that the routing of the building application for building permit would come to the Planning Commission and City Council from the Planning Director. So that what is happening is that all applications for building permits within the Hawaii Capital District must then be routed to the Planning Commission and City Council so that they will know which cases to refer to the Historic, Cultural, Scenic Conservation Committee. Now this could raise several problems, whether the Planning Commission or the City Council wants to be belabored with all the building permits in this area. That may just be a technical problem.

Now the City Charter makes it possible at the present time for the Planning Director to appoint this Historic,

Cultural, and Scenic Conservation Committee. The City Charter says that the Planning Director or any of the department heads may have an advisory committee with the permission of the Mayor. So that this body can be constituted by a departmental regulation or some other means where the Planning Director appoints this committee which is advisory to him. But one of the problems is that since this committee is also advisory to the Planning Commission and City Council, the question arises whether the Planning Director can appoint a committee that is advisory to the Planning Commission and City Council and it does not have the power to do so.

Another problem area within the Article 12 pertains to a provision that would handle conflicts between provisions in the CZC and those in the Historic, Cultural, Scenic District. This provision in the CZC reads as follows: "In addition to the regulations set forth in the Ordinance creating the Historic, Cultural, Scenic District, the underlined regulations of the zoning district within which the Historic, Cultural, and Scenic District area is situated, shall continue to remain applicable provided that if any conflict occurs, the more restrictive provision shall apply. In addition thereto, any proposed development in a Historic, Cultural, and Scenic District shall be subject to all the provisions of this article including the requirements of Certificates

of Appropriateness." Now the problem that arises here - let's take the Queen's Hospital site for example. The present zoning is A-2 which has the height limitation of 40 feet. We have proposed that the height be raised to 100 feet. However, under this provision in the CZC, the more restrictive provision would apply so that the 100-foot allowance may be meaningless, that the Queen's Hospital complex may still be held to a 40-foot height limit which is the more restrictive provision.

Now these are the major problems that have arisen in Article 12 of the CZC. I think its been clear to us that there are many weaknesses in Article 12 since the problem of establishing the Historic, Cultural, and Scenic District had never been approached before. Of course many problems were not anticipated. What maybe necessary then is that Article 12 may have to be amended in order to get around some of this ambiguity.

Another problem to consider concerns a question of whether another public hearing needs to be held in view of the major changes in the present Ordinance. We have already referred this matter to the Corporation Counsel for his advice.

We realize that in the haste in which this revised Ordinance was drawn up, there are still problem areas

in it that have not been resolved. In addition, we know that we have not had the time to discuss the new Ordinance with other governmental agencies, and other interested groups and individuals. As Mr. Way indicated to you in the letter from the Civic Center Policy Committee, from its Chairman, Mr. Kenam Kim, they have expressed a desire to be able to have the opportunity to review the Ordinance with the Civic Center Policy Committee. Those in brief are the major changes and major problems in the present Ordinance.

Thank you.

Chairman: Any questions?

Yamabe: How many are we allowed?

Chairman: Well we know there are a lot of problems.

Yamabe: Mr. Mark, first of all is it possible for you to relate this procedure under Article 12 to what the staff might feel the best approach in clearing up this permit processing procedure, again relating to the Ordinance itself and then come up with a package presentation, maybe even another alternative. Unless we clear this Ordinance itself, as you pointed out, we might not be able to accomplish what's best suited

for this particular area.

Mark: The recommended procedure by the Corporation Counsel was that it would be most desirable to amend Article 12 of the CZC first so that we can get rid of the ambiguities and loopholes in it and then pursue a Hawaii Capital District. However, there's a time factor here. The administration would like to see an Ordinance for the Hawaii Capital District adopted as soon as possible, this year if possible. We feel that further delay could only result in further construction in the area that would undermine the Ordinance. It also stands in the way of the adoption of the Diamond Head Preservation Ordinance. So in view of the time factor, it was felt that we, if possible, the Corporation Counsel's recommendation - whether this could be adopted first and then go back to amend the CZC Article 12.

Yamabe: Is this possible?

Mark: Andy, do you want to comment on that?

Andy Sato: Yes. I would say that that would be possible. First, proceed with the proposed Ordinance and then come in with further amendments. In other words, work within the existing Ordinance, Article 12.

Yamabe: Andy, if we work within the Ordinance, Article 12, then we may not be able to accomplish what was suggested as a better approach or a better plan. This is my understanding from the presentation.

Sato: Well there are the wrinkles that Mr. Mark mentioned. These need to be ironed out but it's a question of which approach at this time. If we try to amend or have the Council amend Article 12, this would mean, of course, further delay.

Yamabe: What if we adopt procedure or this plan which may be contrary to your present CZC Article 12 and pursue that matter later, future amendments or subsequent amendments to that Article 12.

Sato: Actually it's not contrary. As much as possible, we should live within the Article 12. We have to work within Article 12, not be in conflict.

Chun: Can't we do it concurrently, Andy? One with amendments to Article 12 and the same time we go with the Ordinance on this one? It still requires Ordinance.

Sato: I think that's possible.

Chun: It would take just as long. You might have less difficulty in passing an amendment to Article 12 because of its ambiguities and in passing this one.

Sato: Yes, and of course the other rule is that the later expression of the Council therefor it would repeal or supersede any prior Ordinances.

Chairman: Is there anything that we can do under this Article 12 or are we stymied in any move we make?

Bright: It seems to me that some of the difficulties that are occurring as a result of this are due to the manner in which this boundary is set. Perhaps we should review the boundary and cut the size of this Historic District down to take care of some of the objections and problems that we're going to run into and perhaps some of the litigation that we'll run into.

Sullam: I don't know so much the boundaries that's the problem. I think it's the broad concept of who's going to have the design review. I think those are the problems. Are we putting all this mass power into the Planning Director or are we going to have a commission. These are the things that have to be resolved. Now how is this Historic, Cultural and Scenic Commission established? Who's going to be on it? I think these are the major

problems, and apparently we can't work them within the Article of the CZC.

Chairman: That's what it seems like. It seems to me we should operate in the area that the law permits us to operate in. We've got to find out what that area is.

Yamabe: Mr. Chairman, I wonder if I might give a couple examples. For example, the procedure here and the function, the authority which is possibly given to the Historic, Cultural, and Scenic Conservation Committee and so forth. Now, can we go ahead and adopt the previous recommendation where the Commission will have absolute power without violating Article 12? Another example, the Queen's Hospital area where the present Ordinance - correct me if I'm wrong - indicates that there's controversy or difference, whatever the term you use, it'll be the most stringent requirement that we take precedence. So does that mean that we can change that and still be in conformance with Article 12?

Sato: Mr. Chairman, in reference to the applicability of the regulation, in the proposed Ordinance there is this conflict. The present zoning is A-2 which means the height limitation is 40 feet. The proposed Ordinance states that the height limitation is 100 feet. This is where the conflict arises. According to the Article 12, Section 21-1203, the most stringent applies. So

in this case then, 40 feet would be the limitation.

Yamabe: Are you suggesting that we adopt the 40 feet instead of the 100 feet?

Sato: Well this is the decision that the Commission will have to make.

Chairman: Do we have a choice in the matter?

Yamabe: No we don't.

Chairman: Well then what are we talking about? All I want to know is what's the law? What are we supposed to do - don't want so many problems. We've got a showing here of all the problems we've got and all the headaches, but no solutions. Now who's got the authority to do something about that and that's the place we ought to go.

Bright: Mr. Chairman, how were these arbitrary height figures determined, that is the 40-foot limitation and then this proposed change to a maximum of 100 feet. Where did those come from?

Mark: Starting with the 55-foot height limitation, the 55-foot was established in the urban design plan that Warnecke

proposed. The 55 feet is to the executive level of the State Capitol. That is to provide for the dominance of the State Capitol, at least the upper executive portion, in the immediate capital core area.

The underlined zoning again for the Queen's Hospital area was 40 feet. In our view plane studies, siting from the major public areas, including the lawn and front door of the State Capitol, siting to the base line of Punchbowl at both sides, the view plane rode above 100 feet, just at about 100 feet, without being impeded by structures that went up to 100 feet in the Queen's Hospital area. In addition, the foliage - the landscaping - in this area it was found that if buildings were built up to 100 feet, the foliage that exist in this area would camouflage buildings up to 100 feet from the major viewing areas around the capitol. That's how the 100 foot was established.

I wish to point out the Pauahi Wing of the Queen's Hospital, that is now 126 feet in height. If it were at the 100-foot level, it would not be visible at all from the State Capitol area because the tree cover would completely cover. At the present time, the upper two-floors in the roof rise above the tree line.

The 40 feet in the Punchbowl area was also established under the Warnecke plan. It was felt that since one

of the very basic concepts of the Civic Center District was the concept of the ahapuaa, the old Hawaiian division of land where a portion of land extended from the mountains to the sea. This is also basically what an island is, mountains and the sea - that we should preserve Punchbowl in its relatively natural state. So that the 40-foot level would be approximately under tree height and building structures up to 40 feet would not impede the view of Punchbowl. That has already gone through under the new zoning code for this area. Its already established under present zoning at 40 feet.

Bright: Do I understand that you're trying to protect view from a certain spot, from the center of this cultural area, the view looking outward or from the entire area?

Mark: Well in our study , we felt that it was impossible to preserve views from every point in the Civic Center. So what we did in our view studies, we found those public areas - and there are very few of those - the lawn of the capitol, along Hotel Street, and from the lawn of City Hall. These were about the only areas where we attempted to preserve the views.

Yamabe: Mr. Mark, you have expressed concern that if we don't act on this immediately, we might be faced with some problems of further construction, that might not be

compatible to that plan there. Can you point out the areas where property owners can, at this time, build highrise exceeding the limit shown on that plan.

Mark: In the parcel that is adjacent to the Armed Forces YMCA, there's a parking lot there now. That's where an old building use to stand. Also in the area that Honolulu Iron Works occupies, the area below Queen Street which is industrial at the present time, that would be 350 feet. Also, this sector between Alapai and Ward Street is zoned A-3, so that is also 350 feet. Those are the major areas.

Yamabe: Has anyone in these areas applied for a building permit?

Mark: Yes. In fact there is construction going on at the present time. In this area, for example, a new apartment is going up, I believe, on this corner which would have the same effect that that very large eight-story apartment has on Punchbowl now. It's right in the center and goes all the way up to the rim.

Yamabe: Do you have any suggestions as to how we might - well, deter isn't the word but to keep these people from constructing the highrises.

Mark: Other than buying them, I don't know how we could.

Yamabe: Well, if that be the situation, Mr. Chairman, no matter what course of action we might decide on, I think we'll be spending as much time. If that being the case, the earlier suggestion made by Commissioner Chun that we work on the Ordinance, Article 12 and the adoption of this Ordinance simultaneously, I can see that's the only solution.

Chairman: Why do we have to be given this can of worms?

Chun: Because you like to negotiate.

Chairman: But I can't in this case.

Raymond Yamashita: Mr. Chairman, I'm a member of the Planning Department staff. May I elaborate on one point?

Chairman: I wish you would.

Yamashita: My name is Ray Yamashita. I'm in the Planning Department. I've been somewhat involved in this project here.

A point that I'd like to elaborate on is on what is before you is workable. Working within Article 12 of the CZC on an administrative basis, if the Ordinance is passed somewhat as it is now before you, it is possible for the Planning Director, rather than to avoid this problem of

deluging the Council and the Commission with all of the building/permits or issues that may come up in the district, it may administratively elect and write out in procedures which would guarantee that all of these applications that come in do go to this Historic, Cultural and Scenic Conservation Committee. Now that is one possibility that eliminates considerable problem of the flow of information and working out the mechanics.

The second thing too--

Chairman: May I interrupt you before you go any further. Does that mean that the Planning Department is abdicating some of its responsibility to a committee who is appointed by the Director and voluntarily gives us services? Is this on a voluntary basis?

Yamashita: Well, you used the word "abdicate" and I think perhaps that would be one ligitimate view of what might be done. Another view might be that Article 12 does indicate the desirability of having this group review certain of the applications that come to them that would not be a violation of that rather an extension of the functioning of this committee. I would not look upon it as an abdication. As it is now set up in the Article 12, the committee is advisory, and it would continue even if they got only certain applications or whether they got all, their role is

defined in the CZC, Article 12. It's still an advisory one.

Now as to the--

Chairman: I'm not at all relieved on this because if you're going to share some of the applications, then which ones do you take and process, and which ones do you give the committee, and if the committee's going to be advisory, shouldn't they be advisory to the staff instead of the director, or shouldn't you work together? What's the purpose of this committee? Advisory is a broad word.

Yamashita: That's true; however, I'm trying to point out what's now in the CZC and the way it's now set up there. I'm not trying to argue the pros and cons.

Chairman: I understand. I'm trying to find out. In your opinion, there is a way to circumvent or get around what has been explained. Well that's just like stirring the whole can of worms some more.

Yamashita: No. One of the pdoblems raised was that if the procedures were set up according to Article 12 - and that's all the black line (pointing to chart) - well, how would the - Article 12 also says the Planning Commission and the City Council may direct this committee to respond to review

certain of these applications for them. The problem posed was that well, in order for the Planning Commission and City Council to be able to determine which ones of these applications they want this committee to respond to for them, then you would have to route all of these applications that come in here (pointing to chart). I'm only addressing that particular problem.

Chairman: Does this Planning Commission and City Council mean and/or or does it mean both of them together? Just how is it meant to be interpreted?

Sullam: Couldn't it be just a matter of form that automatically which something comes in that relates to this capital complex, that it go through the Planning Commission - it goes right through them to the Historic, Cultural, and Conservation Committee. Why can't it go directly to that Committee? Just because article (d) there says through the Council--

Yamashita: That's exactly the point. Administratively, the Planning Director could direct all to that committee. This is what I'm saying.

Sullam: Just like our advice goes through the Office of the Mayor, to the Council. Well, it doesn't really go through the Office of the Mayor. We could do the same thing with the

Planning Commission and City Council here.

Yamashita: Yes.

Yamabe: Can this be implemented without adopting any part of this plan? We're talking about this implementation follow the adoption of this plan.

Yamashita: That's the second point. I think it's clear that in the prior discussions the more restrictive regulations would apply; that is, this versus the existing zoning for an area. However, there is another way of looking at what is being proposed in the way of height limitations here. It might be a policy statement as to what is desired, having viewed the more specivic concerns of the public in this area and let that be a guide to zoning changes that may eventually occur to conform to what may be adopted here. So that's a way of looking at the so-called conflict between the existing zoning and what is being proposed here. Which is the more restrictive? Why propose something that we cannot follow? I think what is important is that it does propose the long-run intent of what is to be accomplished. Zoning changes can then follow that intent. In other words, 40 feet is now the limitation here. By current zoning, you folks say well I want to set it at 100 feet. Then, you may consider zoning changes which would permit them to go to that

height. You have a basis of making that change.

Yamabe: Am I correct to assume then that there's no need for any passage of any Ordinance at this time? Under Article 12 we can follow the suggestions that you've made in this area and also the adoption of plans without any passage of Ordinance?

Yamashita: Subject to the approval of counsel, I am suggesting that this is possible, and that what is before you is a workable scheme.

Chun: Andy, concerning the Certificates of Appropriateness. In looking at Section 21-1204, there is really no requirement that the Planning Commission or the Council be brought into this.

Sato: We're talking about 21-1204(d) regarding consultation.

Chun: True. It's upon direction by the City Council or the Planning Commission; but in order for that to take effect, then the Council or the Commission would by prior resolution direct the Director to that with respect to all applications. But we would not be acting on specific applications because we would not know what they are, nor would the City Council.

Sato: That's true. What we're talking about is that no Certificate of Appropriateness shall be issued unless the con-

dition is met.

Chun: No but it's only upon direction of the Council or Commission.

Sato: That's correct.

Chun: And if there's no direction by Council or Commission, the Director may operate on his own under the present statute. And there is no requirement for review.

Sullam: Well, that's the problem. We would like to see review on all times. Can't we have a blanket directive where applications that come in automatically go to the Historic, Cultural, and Scenic Committee?

Chun: The Ordinance as drafted provides for a mandatory review but this does not necessarily have to bring in the Planning Commission or the City Council. I don't think it's required. It's a mandatory review by the Historic, Cultural, and Scenic Committee only. Now, is there anywhere in the CZC which spells out procedures for appointment of that committee?

Sato: No, there is none.

Chun: So that is the other requirement that could possibly be built into this Ordinance.

Chairman: Did I hear someone to way that this committee is to be

appointed by the Mayor?

Chun: That's a ad hoc committee. This committee would never serve as an advisory committee to the Planning Commission, except in the case of general certificates of appropriateness.

Chairman: Then wouldn't it be a good idea to set up a sub-committee for the Planning Commission to consult with the Corporation Counsel, instead of us trying to wrestle with something that I don't mind trying to make a decision, but certainly to do the research is somethingelse again. To sit here and beat our gums about something that is unclear, I think it belongs in the Corporation Counsel's office. He should tell us what our jurisdiction is, and what authority we have, so that we can move and act.

Sullam: I think we ought to give them some general direction with such things as whether we want this Historic, Cultural, Scenic and Conservation Committee to have mandatory review. Perhaps we should say just generally what we would like to see - that we would like to see this Historic, Cultural, Scenic and Conservation Committee established and how it should be established, and responsible to whom, and accountable to whom? That sort of thing. Then they would know how we want them to work.

Chairman: We're all in favor of knowing what we're supposed to do.

Yamabe: Mr. Chairman, I'm in agreement with Commissioner Sullam. However, I think first of all we have to determine what route we're going to take, what action. Are we going to take the recommendation presented today by Mr. Mark, or Ray Yamashita's recommendation or what? As soon as we can establish this direction, I'm sure we can come up with some recommendation.

Chairman: Do we move on these things and take our own route or can we be told that this is the quarter in which you can act, this is your area, your jurisdiction. Frankly, I'm confused.

Chun: Mr. Chairman, I'm in complete accord with your suggestion to have a sub-committee go to work with this with the staff and the Corporation Counsel and bring it back to the Commission.

Yamabe: I'll second the motion.

Chun: I don't think a motion is necessary. The Chairman has the authority.

Chairman: That's fine. I think with your experience, you can watch the Corporation Counsel, ask him the appropriate questions. I know Mrs. Sullam has the time to put in, and you as

the senior member, Mr. Vice-Chairman.

Yamabe: Mr. Chairman, I'd be very happy to serve with you.

Chairman: At least with the three of you as a sub-committee, you will do very well because at least you'll come back with an answer.

Sullam: I recommend that Mr. Chun be on this committee so that he can stand to support our goals.

Bright: Why don't we make this a committee of the whole.

Chairman: Fine. Seeing no objection, that's the way it will be entered in the minutes.

Sullam: After we come up with our proposal, I think we should hold it open to the public to review.

Chairman: Absolutely. Mr. Director, will you arrange the meetings?

Way: Yes.

Chairman: There being no further business, a motion to adjourn is in order.

Chun: So move.

Chun: So move.

Yamabe: Second.

Chairman: The meeting is adjourned.

* * * * * * * * * *

The Commission, on motion by Mr. Yamabe, seconded by Rev. Connell, moved that the Planning Director be authorized to call public hearings for the following applications:

ZONING CHANGE FROM R-4 RES. DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT KANEOHE 45-773 KAM. HWY. TMK: 4-5-28: 4 DR. MIYOZO KAGAWA	1.	The proposal is for a two-story commercial structure.
CONDITIONAL USE PERMIT R-3 RESIDENTIAL DIST. MAKIKI 2411 MAKIKI HTS.DR. (SPAULDING PROPERTY) TMK: 2-5-8: 1 HONOLULU ACADEMY OF ARTS	2.	The proposal is for a Branch Museum of the Honolulu Academy of Arts for exhibition of oriental objects and educational activities.
CONDITIONAL USE PERMIT AHUIMANU TMK: 4-7-04: 6 AHUIMANU INVESTMENT CO.	3.	The proposal is for the Phase I expansion of Ahuimanu Sewage Treatment Plant.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:26 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
October 8, 1970

The Planning Commission held a special meeting on Thursday, October 8, 1970, at 8:35 a.m., in the Conference Room of the City Hall Annex with Chairman Arthur A. Rutledge presiding:

PRESENT:
Arthur A. Rutledge, Chairman
Thomas N. Yamabe II, Vice-Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Loretta Chee, Staff Planner

ABSENT:
James K. Sakai, ex-officio

MINUTES:
The minutes of September 24, 1970, were approved on motion by Mr. Yamabe, seconded by Rev. Connell.

PUBLIC HEARING
ZONING CHANGE FROM AG-1 AGRICULTURE TO R-6 RESIDENTIAL DIST.
MAUNALUA
HAHAIONE VALLEY
TMK: 3-9-39, 37, 47 & 49 & PORTIONS OF 3-9-32, 38, 50, 52, & 31
PLANNING DIRECTOR

A public hearing was held to consider a request for a change in zoning from AG-1 Restricted Agricultural to R-6 Residential for an area of fully developed residential land which was zoned as Farm District in 1943 and redesignated as AG-1 per the Comprehensive Zoning Code in Hahaione Valley to include consideration of the following Tax Map Keys: 3-9-37 and 3-9-49 in addition to 3-9-39, 47, and portions of 3-9-31, 3-9-32, 38, 50, and 52.

Publication was made September 27, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Staff Planner Bruce Duncan reported that the public hearing was readvertised in order to supplement the initial proposal, by including portions of 3 other plats. This change in zoning is requested to bring into harmony the existing residential land use which conforms to the Detailed Land Use Map residential designation but is in conflict with the existing AG-1 zoning. The subject area was fully developed as a residential area prior to the Comprehensive Zoning Code. The area was zoned as Farm District in 1943 and redesignated as AG-1 per the CZC.

There were no questions from the Commission concerning the staff's report. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Mr. Chun.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the proposed zone change.

PUBLIC HEARING ZONING CHANGE FROM R-6 RESIDENTIAL & A-4 APT. DISTRICT TO A-3 APT. DISTRICT MCCULLY 1821 BINGHAM ST. TMK: 2-8-10: PORTION OF 29 HERMAN CHING	A public hearing was held to consider a request for a change in zoning from R-6 Residential and A-4 Apartment District to A-3 Apartment district for a parcel of land situated at 1821 Bingham Street in Lower Manoa-Makiki, and identified as Tax Map Key 2-8-10: 29. Publication was made September 27, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Staff Planner, Bruce Duncan, reviewed the staff's report. Questions from the Commission were raised concerning the following:

1. Considering the minimal size of the subject parcel, would the Commission in effect be spot zoning.

   Since the subject parcel is contiguous to A-4 zoning, this is merely a step-down in zoning to A-3 so it would not be piece-meal. Consolidation of various adjoining parcels could provide for another change encompassing a larger area.

2. Does the staff consider the size of the property as a criteria to zone?

   In this particular instance, size was considered. To zone the entire area to A-3 now, destroys the intent of gaining maximum land use as far as medium density is concerned.

3. Were the areas Waikiki and Ewa of Artesian Street considered in this zoning change?

   From an overall planning standpoint, the staff considered both areas to be sound, single-family neighborhoods. Based upon the character of the area, A-3 zoning would be premature at this time.

4. Whether off-street parking facilities are adequate; if inadequate and on-street parking causes a problem, is there any street widening proposed for Bingham Street?

   Bingham Street is considered adequate and no widening is proposed. Difficulty arises when the applicant, who provides sufficient parking spaces according to the CZC, charges the occupant for the space, and the occupant, who is unwilling to pay for the space, parks on the road.

Testimony FOR the proposal was given by Mr. Richard T. F. Lum, Realtor, representing the applicant. He believes that the request is in harmony with the zoning of the surrounding vicinity plus the fact that a portion of the subject parcel is already zoned A-4. They have been confronted by the Building Department to remove delapidated homes on the lot and in this connection would appreciate the Commission's favorable consideration as soon as possible. The new structure will enhance the neighborhood.

There were no further questions, and no other person appeared to speak either for or against the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Rev. Connell.

Discussion followed.

1. Mr. Yamabe felt that a larger area should be considered and a broader planning approach applied to the surrounding area rather than to the subject parcel only. If the position of those property owners Waikiki of Artesian Street were known, perhaps a larger area could be considered which could possibly affect and change the recommendations of the Planning and Traffic Departments.

2. Contrarily Mr. Chun felt that each parcel should be zoned when it is ready for development. The size of adjoining parcels in relation to existing parking, LUI and FAR requirements of the CZC, does not lend itself to apartment development economically. To accept the philosophy of the General Plan and Detailed Land Use Map as to the use of the area, rezoning of adjoining parcels might occur when consolidation of those parcels is made.

3. Mrs. Sullam agreed with Mr. Chun's view and encouraged the development of urban lands designated for apartment use to facilitate an existing housing shortage evident in Hawaii.

<u>ACTION</u>: Based upon the Director's recommendations, the Commission recommended approval of the change in zoning from R-6 Residential District and A-4 Apartment District to A-3 Apartment District on motion by Mr. Chun, seconded by Rev. Connell and carried.

Mr. Yamabe dissented giving the following reason: "For the record, my objection is not on the basis that this should not be put into apartment use but should take a larger area into consideration. I still urge the staff to do so in the future."

ZONING B-5 RESORT COMMERCIAL WAIKIKI HOBRON LANE BETWEEN ENA ROAD AND ALA WAI BOULEVARD MAGOON ESTATE, LTD. (FILE #69/Z-9)	A public hearing was held to consider a request for a change in zoning from H-2 Hotel District to B-5 Resort Commercial District for a parcel of land situated at Kalia, Waikiki, on Hobron Lane and identified as Tax Map Key 2-6-13: 14. Publication was made September 27, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties.. No letters of protest were received.

Staff Planner, Bruce Duncan, reviewed the staff's report. The Commission questioned the adequacy of traffic facilities in the immediate vicinity. Mr. Roy A. Parker, Deputy Director, Traffic Department, responded to questions from the Commission accordingly:

1. Is the Traffic Department aware of the serious traffic problem existing in the immediate and surrounding area because of continuous hotel development being carried on, and are any studies being conducted to curb the situation?

   A completely State funded 3-phase proposal for a one-way multi-loop system has resulted from studies which began a year ago:

   a. Phase I is a plan to place a one-way multi-loop system into effect during the first half of 1971. By this plan, Kalakaua Avenue will become one-way in the Koko Head direction to Kapahulu Avenue, proceeding to Ala Wai Boulevard which will be one-way in the Ewa direction, ending at the proposed signalized intersection of Ala Wai Boulevard and Kalakaua Avenue.

   b. Phase II would be an intermediate phase, still in a preliminary stage of planning and presently being coordinated with the State DOT who generally agree with the plan but has no specific agreement as to construction date.

      The portion of Ala Wai Boulevard between Kalakaua Avenue and Ala Moana Boulevard will be made one-way, and a ramp constructed linking Ala Wai Boulevard with Ala Moana Boulevard. Parking on both sides of this section of Ala Wai Boulevard will be removed during peak traffic hours. Ala Moana Boulevard will remain a six-lane divided highway.

   c. Phase III would be the extension of Phase II including a bridge across Ala Wai Canal approximately opposite Pau Street, a new roadway on the mauka side of the canal proceeding along the Palolo Drainage Stream and connecting to the Lunalilo Freeway at the Kapiolani Interchange area.

      This provides for a high capacity major street connection from the Lunalilo Freeway to Ala Moana Boulevard. The intent is to bypass activity on Kapiolani Boulevard and to eliminate the need for grade separation at Kapiolani Bouelvard and Kalakaua Avenue. No time period is projected but it is hoped to be within the next 10 years, if not sooner.

      (The tentative Waikiki Mass Transit route extends from Kuhio Avenue, along Kalakaua Avenue, to Young Street.)

2. What basis was used to determine the adequacy of streets in relation to the subject proposal?

   While the Traffic Department is fully aware of Waikiki's congested traffic, it cannot charge any one particular development for the

problems caused by increased development, nor can it overlook the fact that this proposal will increase the existing traffic congestion. Realizing that Waikiki will never be free of congestion again, the one-way loop system will reduce the present congestion level bringing the situation within tolerable limits, or to a condition five years ago.

Peak periods were also considered. Waikiki has 12 to 14 hours of congestion, rather than an a.m. and p.m. peak hours evident in other parts of the City.

3. What criteria is used to determine whether or not a project should be deferred?

   The question is whether local traffic can leave their immediate area, realizing that people already on the streets have the right-of-way. Normal calculations are based on vehicles per lane per hour, from the subject site out to the immediate surrounding streets, to the first tier of signalized intersections. If this cannot be done, a recommendation is made to delay the project and improvements made to solve the problem.

4. Are there any plans to signalize the intersection of John Ena Road and McCully?

   This will not be done mainly because it is an irregular, dog-leg intersection. Instead, the one-way pattern for Kalakaua plus signalizing the McCully-Kalakaua intersection provides an alternate route for through-traffic which are presently using interior roads. Moving through-traffic to major roads reduces interior road service to local traffic only.

Testimony FOR the proposal was given by the applicant, Mr. Robert Magoon, and Mr. Richard Rainalter, Planning Consultant. Reasons given are:

1. The proposed 30-story tower will contain shopping facilities and a 660-car parking garage which might be operated jointly as a tenant-parking garage and commercial-parking facility, maintained by a 24-hour attendant. Both facilities will be a convenience to approximately 2,000 families within a one-block walking radius, eliminating vehicular traffic in and out of the area, and curbside parking.

2. Price ranges of studio and 1-bedroom apartments will be approximately $20,000 to $30,000, well within the financial range of hotel workers in Waikiki. Two-bedroom apartments will cost approximately $40,000.

3. The rezoning will permit consolidation of parcels which would provide for the placement of the tower so as not to obstruct views from adjoining apartment buildings. The project was designed with a concern for the surrounding area in that the density is less than permissible. Present zoning would allow 700 apartment units but the irregular shape of the lot in addition to its split zoning does not present the best placement for that number of units.

No other person was present to speak either for or against the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Rev. Connell.

ACTION: For purposes of discussion, Mr. Chun moved that the Commission recommend approval of the change in zoning from H-2 Hotel District to B-5 Resort Commercial District, seconded by Mr. Yamabe.

The following points were discussed:

1. Because of increased development in Waikiki, some policies should be established to implement the new Waikiki plan.

2. This matter be tabled, and a meeting be held with the Mayor's Waikiki-Diamond Head Advisory Committee to ascertain the direction of their plans for Waikiki.

3. Based upon the General Plan which sets policy guidelines, immediate Commission action should be taken. The problems of Waikiki have existed for a period of time with no immediate solution at hand. The proposal is permissible, and the proposed one-way traffic system is a solution to the existing traffic situation.

   Delaying the project penalizes the developer and under present zoning regulations, another proposal that is undesirable but permissible, may result.

Mr. Chun's motion was tabled.

MOTION: On motion by Mr. Chun, seconded by Mrs. Sullam and carried, this matter was deferred for a meeting with the Mayor's Waikiki-Diamond Head Advisory Committee.

PUBLIC HEARING
ZONING B-2 COMMUNITY BUSINESS DISTRICT
KAPAHULU
KAPAHULU AVENUE
A & W MARKET
(FILE #70/Z-39)

A public hearing was held to consider a request for a change in zoning from A-4 Apartment District to B-2 Community Business District for parcels of land situated in Kapahulu (site of A & W Market and Loves Bakery) and identified as Tax Map Key: 2-7-32: portions of 30, 31, 36, 38 and 39.

Publication was made September 27, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The Director reviewed the staff's report. There were no questions from the Commission concerning the report.

Mr. Robert Teruya, representing the applicant, requested the Commission's favorable consideration on this proposal.

No person testified against the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Yamabe, seconded by Rev. Connell.

ACTION: Mrs. Sullam moved, seconded by Mr. Chun and carried, that the Commission recommend approval of the change in zoning from R-6 Residential District and A-4 Apartment District to B-2 Community Business District.

STREET NAMES

The Commission, on motion by Rev. Connell, seconded by Mrs. Sullam and carried, recommended approval of the following staff recommendations:

Recommend deletion for the following street names:

WAIALAE-HAWAII KAI AREA:

AKU ROAD	Nonexisting roadway formerly off Kalanianaole Highway one block above Lunalilo Home Road.
APE PLACE	Nonexisting private roadway formerly off Oili Road.
KALEO ROAD	Nonexisting roadway formerly off Lunalilo Home Road running in a mauka Direction to terminate at Kaluanui Road.
KULEPEAMOA PLACE	Nonexisting deadend roadway for the roadway running off Haleola Street within the Niu Valley Subdivision.
KULEPEAMOA ROAD	Nonexisting roadway originally running off Halemaumau Road, mauka of Kanau Road within the Niu Valley Farm lots.
WAWAMALU ROAD	Nonexisting roadway formerly running off Lunalilo Home Road.

PALOLO AREA:

CONNECTICUT AVENUE	Nonexisting roadway formerly running between Maine Street and Vermont Street in the Palolo Housing area.
DELAWARE AVENUE	Nonexisting roadway formerly running between Vermont Street and Massachusetts Avenue in the Palolo Housing area.
MAINE STREET	Nonexisting roadway formerly running between Palolo Avenue and Massachusetts Avenue in the Palolo Housing area.

MASSACHUSETTS AVENUE	Nonexisting roadway formerly running between Vermont Street and Kalua Street in the Palolo Housing area.
NEW HAMPSHIRE STREET	Nonexisting roadway formerly off Palolo Avenue running to Massachusetts Avenue in the Palolo Housing area.
NEW JERSEY AVENUE	Nonexisting roadway formerly in the Palolo Housing area.
NEW YORK AVENUE	Nonexisting roadway formerly off Palolo Avenue running to Maine Street in the Palolo Housing area.
RHODE ISLAND AVENUE	Nonexisting roadway formerly off Vermont Avenue running to Maine Street in the Palolo Housing area.
VERMONT STREET	Nonexisting roadway formerly running between Delaware Avenue to Connecticut Avenue in the Palolo Housing area.

MANOA-KAIMUKI AREA:

AALII PLACE	Nonexisting deadend roadway off Huelani Drive.
ALAA STREET	Nonexisting roadway formerly off Metcalf Street running in a Ewa Direction.
EDMONDSON ROAD	Nonexisting roadway formerly situated on the University of Hawaii campus Running mauka-makai off the end of McCarthy Road.
KAAHA PLACE	Nonexisting deadend roadway off Kalo Street being one block mauka from King Street.
KALELE ROAD	Portion of Kalele Road off 2874 Waialae Road.
KAMILO STREET	Nonexisting roadway formerly proposed off Kahele Road.
KEHENA PLACE	Deadend roadway off the Ewa corner of South King Street and Waialae Avenue.
MALIKO WAY	Nonexisting roadway connecting Kalei Road off Kamilo Street parallel to Kalele Street.

McCARTHY ROAD	Nonexisting roadway formerly extending from the circle behind Hawaii Hall to Edmondson Road, crossing Keller Road on the University of Hawaii campus; changed to mall.
ONO LANE	Deadend roadway off 2939 East Manoa Road.
PALIKEA STREET	Nonexisting roadway formerly proposed off Kalele Road.
ROCK ROAD	Nonexisting roadway formerly off Keller Road, parallel to McCarthy Road on the University of Hawaii campus.
WAAHILA STREET	Nonexisting roadway formerly extending from Kalowalu Street.
WRIGHT STREET	Nonexisting roadway formerly off the junction between Waialae Avenue and King Street. Construction of the freeway has deleted the street.

WAIKIKI AREA:

AKEA WALK	Nonexisting walkway formerly within the Kalakaua Housing Project off Kalakaua Avenue.
DEWEY COURT	Nonexisting roadway off Kalia Road and Dewey Way (Dewey Way changed to DeRussy Place). This is now part of the Hawaiian Village area.
HUMMEL LANE	Nonexisting roadway formerly off Kalia Road, now incorporated into the Hawaiian Village area.
INAMOO WALK	Nonexisting walkway formerly within the Kalakaua Housing Project off Kalakaua Avenue.
KAAIHUE PLACE	Nonexisting roadway formerly off Makanoe Lane running to Kelii Place.
KAU WAY	Nonexisting roadway formerly off Kalia Road, now incorporated into the Hawaiian Village area.
KELII ROAD	Nonexisting roadway formerly off 1836 Makanoe Lane.

KIKANE WALK	Nonexisting walkway formerly within the Kalakaua Housing Project off Kalakaua Avenue.
LAAU PLACE	Deadend roadway off the makai side of Date Street on the Ewa side of Manoa-Palolo Drainage Canal.
LUHI WAY	Nonexisting roadway formerly off Kalia Road, now incorporated into the Hawaiian Village area.
MAKANOE LANE	Nonexisting roadway formerly called Magoon Lane off Ena Road.
MALU PLACE	Nonexisting roadway formerly off Kalakaua Avenue running to Makanoe Lane.
MOKUAHI PLACE	Nonexisting roadway formerly off Malu Place.
NANO WAY	Nonexisting roadway formerly off Kalia Road, now incorporated into the Hawaiian Village area.

DOWNTOWN AREA:

AIONA LANE	Nonexisting roadway formerly off South Beretania Street running to Kinau Street and being Ewa of Keeaumoku Street.
AHOLO LANE	Changed to Printers Lane, now nonexisting.
ALOE LANE	Nonexisting roadway formerly off 591 South Beretania Street.
ARCHER LANE	Existing deadend roadway off 795 South King Street (makai side of King Street) and being between Cooke Street and Ward Avenue.
BITOU PLACE	Nonexisting deadend roadway formerly off the mauka side of Hotel Street and being between Nuuanu Avenue and Bethel Street.
FARIA LANE	Nonexisting roadway formerly off 629 South Beretania Street.

GRAVIER LANE	Nonexisting deadend roadway formerly running off Queen Street and being between Kekaulike and Smith Streets.
KAAHUMANU STREET	Nonexisting roadway formerly off Queen Street running to Merchant Street, now incorporated into the Municipal Parking lot.
KEKAULIKEPA LANE	Changed to Ninihua Lane.
KUKULE PLACE	Nonexisting deadend roadway (once known as Maluhia Street) formerly running off South Hotel Street and being Ewa of Roland Lane.
LAUAHI LANE	Nonexisting roadway (once called Hustace Lane) formerly running off Curtis Street.
LUNALILO TERRACE	Nonexisting roadway formerly running off 803 Lunalilo Street to Kinau Street.
MAMO WAY	Deadend roadway off King Street, formerly running to South Hotel Street.
MELROSE LANE	Nonexisting roadway formerly running off South King Street to Young Street, now absorbed by Pawaa Annex parking lot.
MILLER LANE	Roadway off Miller Street, now incorporated into the Liliuokalani Building parking lot area.
MILLER STREET (ONLY A PORTION)	That former portion of a roadway between Hotel and Beretania Streets and a portion running mauka of Beretania Street--no longer existing due to redevelopment resulting from the construction of the State Capitol Building and the parking area.
NONPARIEL LANE	Nonexisting roadway formerly off 619 South Beretania Street.
OBA LANE	Nonexisting roadway formerly off 1441 South King Street being between Sheridan Street and Kaheka Lane (now known as Kaheka Street).
PIONEER STREET	Nonexisting roadway formerly off 1507 Lusitania Street.

PRINTERS LANE	Nonexisting roadway formerly off 560 South Hotel Street between Kapiolani Boulevard and Punchbowl Street.
PRIORY LANE	Existing walkway off 1349 Emma Street--no longer utilized.
SANTOS COURT	Roadway off Vineyard Street running makai between Miller and Queen Emma Streets.
WALKER LANE (PLACE)	Nonexisting roadway formerly off South King Street running in a mauka direction being between Kapiolani Boulevard and Alapai Street.
WEAVER LANE	Nonexisting roadway formerly off 612 South Beretania Street, now incorporated into the present Board of Water Supply area.
ZEN LANE	Nonexisting roadway formerly running off 1480 South King Street being one block Ewa of Kalakaua Avenue.

PAUOA AREA:

BOTELHO PLACE	Nonexisting roadway formerly off 46 Funchal Street due to redevelopment resulting from the construction of the Pali Highway.

NUUANU AREA:

BURNINGHAM TERRACE	Nonexisting roadway formerly off 2843 Nuuanu Street.
HIGH STREET	Nonexisting roadway formerly proposed off 246 Laimi Road.
HUAMOA PLACE	Nonexisting deadend roadway formerly proposed off High Street.
PALIA PLACE	Nonexisting deadend roadway formerly proposed off High Street.

LILIHA-PALAMA AREA:

CHUNG-HOON LANE	Nonexisting roadway formerly running off North School Street makai to South Vineyard Boulevard Ewa of Kauluwela Lane.

DESHA LANE (ONLY A PORTION)	A portion of roadway nonexisting due to redevelopment resulting from the construction of the Mayor Wright Housing Project; remainder of street still existing.
DWIGHT LANE	Nonexisting roadway formerly off 574 North King Street due to redevelopment resulting from the construction of the Mayor Wright Housing Project.
HAUHAUKOI LANE	Nonexisting roadway formerly off Desha Lane due to redevelopment resulting from the construction of the Mayor Wright Housing Project.
KAMAKELA LANE	Nonexisting roadway formerly running off Kukui Street in a mauka direction; one called Akana or Broad Lane.
KAULUWELA LANE	Nonexisting roadway formerly running off North Vineyard Boulevard to North School Street and being between Nuuanu Stream and Chung-Hoon Lane.
LUAKIO LANE	Nonexisting roadway formerly running off the end of Io Street.
PANANA STREET	Nonexisting roadway formerly running off Ihe Street in a makai direction to Panui Street being one block Ewa to Liliha Street.

KALIHI AREA:

AHI STREET	Nonexisting roadway formerly called Kealia Avenue running from Skyline Drive to Kula Street.
AHUA ROAD	Nonexisting roadway formerly running off Main Road and situated Waikiki of Puuloa Road.
AIRPORT ROAD	Nonexisting roadway formerly running off Nimitz Highway to Honolulu Airport (formerly known as John Rodgers Airport).
APILI ROAD	Nonexisting roadway formerly off Puuhale Road, now incorporated into the American Factors storage area.

KAEWAI PLACE	Nonexisting deadend roadway formerly off 1570 Kamehameha IV Road.
KALEPA PLACE	Nonexisting roadway formerly in the Kamehameha Heights area. It has since incorporated into Skyline Drive.
LAULIALAA WALK	Nonexisting walkway formerly in the Kamehameha Housing area located mauka of Kaiakamilo Street.
LEILANI PLACE	Nonexisting deadend roadway formerly off Leilani Street being makai of the intersection of Leilani and Owawa Streets.
MAIN STREET	Nonexisting roadway in the Kalihi Valley Homes formerly running off Kamehameha IV Road.
MARKHAM LANE	Nonexisting roadway in the Kalihi district formerly running off 1570 Kamehameha IV Road.
MAWEKE WALK	Nonexisting walkway formerly in the Kamehameha Housing area.
WAIKAHE DRIVE	Nonexisting roadway changed to Waikehe Street running off Kalihi Tunnel Approach Road in a mauka direction.
WAIKAHE PLACE	Nonexisting deadend roadway formerly running off Waikahe Street.
WAIKAHE STREET	Nonexisting roadway formerly called Waikahe Drive.

UNKNOWN AREA:

HUAMONA PLACE	Nonexisting deadend roadway.

KANEOHE AREA:

HANAWEKE ROAD	Nonexisting roadway formerly running between Kaneohe and Heeia.
PRATT ROAD	Nonexisting roadway formerly running off Kapalai Road and proceeding in a northerly direction.

KAHALUU AREA:

LIHIKAI PLACE	Nonexisting deadend roadway formerly off Lihikai Drive in the Kahaluu Peninsula lots subdivision.

AIEA AREA:

PAMOHO STREET	Nonexisting roadway formerly called Eagle Street running off Hoopono Street and proceeding mauka to Mikalemi Street.

PEARL CITY AREA:

LOKE WAY	Nonexisting deadend roadway formerly running between Lehua Avenue and Ilima Drive.

WAIPAHU AREA:

AA LANE	Nonexisting deadend roadway formerly situated across of August Ahrens School running off Waipahu Street and proceeding makai from Waipahu Street.
KAHALE ROAD	Nonexisting roadway near the Waipahu Stream formerly off Waipahu Street and running in a mauka direction.
KAHOLA STREET	Nonexisting roadway formerly running parallel to Waipahu Street located on the makai side of Waipahu Street and joining Oneha Street to Ii Street.
KAPEKA LANE	Nonexisting deadend roadway formerly off Waipahu Street running in a mauka direction.
KULANI LANE	Nonexisting deadend roadway formerly across August Ahrens School running off Waipahu Street in a makai direction.
LAHELA LANE	Nonexisting deadend roadway formerly running between Kulani and Ana Lanes in a makai direction.
PAHU PLACE	Nonexisting deadend roadway formerly running off Pahu Street.

EWA BEACH AREA:

AIKANAKA ROAD (ONLY A PORTION)	That portion of the roadway in the Puuloa Farms area now nonexisting running off Fort Weaver Road in a Honolulu direction being between Papipi and Kimopelekane Roads.

HANAHAUOLI ROAD	Nonexisting roadway in the Puuloa Farms area formerly running off Fort Weaver Road in a Honolulu direction and being between Noni and Kaanohi Roads.
HARBOR ROAD	Nonexisting roadway in the Puuloa Farms area formerly running off Kimopelekane Road in a makai direction.
KAANOHI ROAD	Nonexisting roadway in the Puuloa Farms area formerly running off Fort Weaver Road in a Honolulu direction and being between Kimopelekane and Hanahauoli Roads.
KAMOAE ROAD	Nonexisting roadway in the Puuloa Farms area formerly running off Papili Road in a makai direction and being between Malaai and Puakea Roads.
KIMOPELEKANE ROAD (ONLY A PORTION)	That portion in the Puuloa Farms area formerly running betweet Fort Weaver Road in a Honolulu direction to Harbor Road. This portion is now known as North Road.
MALAAI ROAD	Nonexisting roadway in the Puuloa Farms area formerly off Papipi Road running in a makai direction and being between Meakanu and Kamoae Roads and diagonal to Fort Weaver Road.
MEAKANU ROAD	Nonexisting roadway in the Puuloa Farms area formerly off Papipi Road running in a makai direction and being between Malaai and Harbor Roads and diagonal to Fort Weaver Road.
NONI ROAD	Nonexisting roadway in the Puuloa Farms area formerly running off Wiliwili Road in a Honolulu direction and being between Fort Weaver and Hanahauoli Roads.
PAPIPI ROAD (ONLY A PORTION)	That portion of the roadway in the Puuloa Farms area now nonexisting running off Fort Weaver Road in a Honolulu direction being mauka of Aikanaka Road.
PUAKEA ROAD	Nonexisting roadway in the Puuloa Farms area formerly running off Papipi Road in a makai direction and being between Kamoae and Wiliwili Roads.

WILIWILI ROAD	Nonexisting roadway in the Puuloa Farms area formerly running off Papipi Road in a makai direction.

The following are recommended for approval.

Proposed street name for a roadway leading to Leeward College, Waiawa, Ewa, Hawaii.

Delete Navy Drum Storage Road and insert the name:

ALA IKE	Roadway off Waiawa Street running in an Ewa direction terminating at Leeward Community College.
Meaning:	Road to knowledge.

Proposed street names for Ewa Acres, Unit 2, Puuloa, Ewa, Hawaii.

(Road A) KILAHA STREET	Roadway running in a mauka direction being between North Road and Fort Weaver Road.
Meaning:	Broad, wide, ample.
(A PLACE) KILAHA PLACE	Dead-end roadway off Kilaha Street being between North Road and Kilipoe Street.
(Road B) KILIPOE STREET	Roadway running in a mauka direction off Kilaha Street terminating at North Road.
Meaning:	Name of a wind.
(Road C) KILINAHE STREET	Roadway running in a mauka direction being between Kilipoe Street.
Meaning:	Light, soft, gentle rain.
(Road C-1) KILINAHE PLACE	Dead-end roadway off Kilinahe Street.

Proposed street names in the Kaopa Subdivision, Kailua, Hawaii.

AKAAKAAWA STREET	Roadway running off Keolu Drive extending in a southerly direction.
Meaning:	An endemic begonia (Hillebrandia sandwicensis), a succulent herb with oblique, rounded, lobed leaves four to eight inches in diameter and with sprays of small pink flowers, found only in shaded, damp ravines.

AKAAKOA STREET	Roadway running off Akaakaawa Street extending in a mauka direction.
Meaning:	A variety of seaweed (Ectocarpus).
AKAAKOA PLACE	Dead-end roadway off Akaakoa Street being between Keolu Drive and Akahele Place.
AKAHELE PLACE	Dead-end roadway off Akaakoa Street in an easterly direction.
Meaning:	Slow or moderate in doing anything, cautious, careful.
KEOLU DRIVE	Extension of an existing roadway in a northerly direction terminating beyond Akialoa Street.
AKAKE PLACE	Dead-end roadway running off Keolu Drive extending in a mauka direction.
Meaning:	Spry, quick, nimble, especially about getting into people's way or into trouble.
AKAKE WAY	Dead-end roadway off Akake Place.
AKAKI WAY	Dead-end roadway off Akake Place.
Meaning:	Agate.
AKANAHE PLACE	Dead-end roadway running off Keolu Drive extending in a mauka direction.
Meaning:	Careful, gentle in behavior or speech.
AKEKE PLACE	Dead-end roadway off Keolu Drive extending in a mauka direction being between Akanahe Place and Akekeke Place.
Meaning:	Cindery or pebbly soil; cinder.
AKEKEKE PLACE	Dead-end roadway off Keolu Drive extending in a mauka direction being between Akeke Place and Akiahala Street.
Meaning:	Bird. Ruddy turnstone (Arenaria interpres interpres) a winter migrant to Hawaii, occurring in small flocks which rise and wheel together.

AKIAHALA STREET	Roadway running off Keolu Drive in a mauka direction terminating beyond Akimona Street.
Meaning:	Small endemic trees.
AKIAHALA PLACE	Dead-end roadway running off Akiahala Street extending in a northerly direction.
AKIALOA PLACE	Dead-end roadway running off Akiaha Street extending in a southerly direction.
Meaning:	Bird. A group of Hawaiian honey creepers with long curved bill, olive or yellow-green above, lighter above.
AKIALOA WAY	Dead-end roadway off Akialoa Place.
AKIIKII PLACE	Dead-end roadway running off Akiahala Street.
Meaning:	Dip net as used in fishing uhu.
AKIMONA STREET	Roadway running off Akiahala Street extending in an easterly direction.
Meaning:	Kukui nut relish.

Proposed street name for North Shore Heights Subdivision, Pupukea, Hawaii.

The following street name is recommended in accordance with Section 10-H (10) of the Subdivision Rules and Regulations of the City and County of Honolulu, dealing with private roads.

KANALANI PLACE	Dead-end roadway off Pupukea Homestead Road running in a southerly direction and being mauka of Maulukua Road.
Meaning:	In great numbers, abundance.

Proposed street names in Waipahu Estates, Unit 2, Waipio, Ewa, Hawaii.

HIANAKIU STREET	Roadway running off Waipahu Street extending to Hiapaiole Loop.
Meaning:	Stems by which tubers are attached to vines.

HIAPAIOLE LOOP	Roadway off Hialoa Street running in a loop to terminate at beginning point.
Meaning:	Foremost, expert.
HIAPAIOLE PLACE	Dead-end roadway off Hiapaiole Loop extending in an northeasterly direction.
HIE PLACE	Dead-end roadway off Hiapaiole Loop proceeding in a northerly direction being between Hialoa Street and Hiena Place.
Meaning:	Attractive, distinguished, noble, becoming.
HIENA PLACE	Dead-end roadway off Hiapaiole Loop in a southeasterly direction being between Hię Place and Hialoa Street.
Meaning:	Kind of soft porous stone used to smooth and polish utensils; it is harder than the 'ana stone which is used on wood.

Proposed street names in the Kamiloiki Valley Subdivision, Unit 3-A, Maunalua, Hawaii.

LUNALILO HOME ROAD	Extension of an existing roadway in a mauka direction terminating beyond Kalapaki Street as extended.
KALAPAKI STREET	Extension of an existing road in a mauka direction terminating in its intersection with Lunalilo Home Road.
KALAPAKI PLACE	Dead-end roadway running off Kalapaki Street in a westerly direction.
Meaning:	Land location on the island of Kauai.
ELEELE PLACE	Dead-end roadway running in a southwesterly direction off Lunalilo Home Road being between Wainiha Street and Kalapaki Street.

CAPITAL IMPROVEMENT PROGRAM
PROPOSED AMENDMENT
TO 1971 C.I.P.

The Commission reviewed the following proposed amendment to the current CIP which was submitted by the Department of Public Works:

Provide funds for Sewer Tunnel Relief - Honolulu, $286,000

Engineering	$ 18,000
Construction	250,000
Inspection	18,000

This project will include the rehabilitation and reconstruction of the Manoa-Kaimuki Sewer Tunnel and the construction of relief sections. The first phase of the proposed work will be the rehabilitation of the Manoa portion of the 40-year old tunnel.

There were no questions from the Commission.

ACTION: The Commission recommended approval of the proposed amendment to the 1971 C.I.P., on motion by Mr. Chun, seconded by Mrs. Sullam and carried.

* * * * * * * * * * * *

The Commission, on motion by Mr. Yamabe, seconded Rev. Connel, moved that the Planning Director be authorized to call public hearings for the following applications:

ZONING from R-6 & I-1 Light Indus. To I-3 Waterfront Indus. RESIDENTIAL DISTRICT SAND ISLAND ACCESS ROAD APPROXIMATELY 500 FEET PAST PAHOUNUI STREET STATE OF HAWAII DEPARTMENT OF TRANSPORTATION	1. The proposal is a marina oriented commercial operation which will include wet mooring slips for about 200 boats, boat dry storage area, support facilities for construction, maintenance repair and overhaul of boats, and marine service facilities for the sale of fuel and supplies.
CONDITIONAL USE PERMIT R-3 RESIDENTIAL DISTRICT NUUANU VALLEY WAOKANAKA ST. BEVERLEY ENTERPRISES, INC.	2. The proposal is for a new parking structure, medical center with staff facilities, sub-acute hospital.
MISCELLANEOUS	Mrs. Sullam inquired as to the status of the park dedication ordinance. The Director stated that a report is forthcoming at the next meeting.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:08 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
October 15, 1970

The Planning Commission met in regular session on Thursday, October 15, 1970 at 1:45 p.m., in the Conference Room of the City Hall Annex with Chairman, Arthur A. Rutledge, presiding:

PRESENT:
Arthur A. Rutledge, Chairman
Thomas N. Yamabe II, Vice-Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Tosh Hosoda, Staff Planner

ABSENT:
Ivanhoe K. Naiwi
Richard K. Sharpless, ex-officio

MINUTES:
The minutes of October 1, 1970, were approved on motion by Mr. Chun, seconded by Mr. Bright.

PUBLIC HEARING
CONDITIONAL USE PERMIT
KUAPA POND
ADJOINING HAWAII-KAI SHOPPING CENTER
TMK: 3-9-48: 6
HAWAII-KAI COMMUNITY SERVICES

The public hearing held October 1, 1970, was kept open and action deferred for further staff study concerning pollution and parking usage.

The Director gave the following report:

1. Concerning pollution, the following governmental agencies were contacted:

   a. State Department of Health - Correspondence dated October 14, 1970, was received from Shinji Soneda, Executive Officer, Environmental Health Division, stating, "Construction of boat docking facilities and use of the subject area as a marina are not incompatible with its present classification, Class A. Therefore, our legal counsel advises us that the project can be constructed in Class A waters without resort to a reclassification to Class B.

   However, this marina facility must not cause the quality of the water to fall below those requirements for Class A. If examination of the water indicates that it does not meet Class A standards, the marina owners are subject to prosecution under provisions of

Chapter 37 of our Public Health Regulations. The removal of the facility is a distinct possibility under the above condition of violation."

b. The United States Army Corps of Engineers
c. Division of Airports, State Department of Transportation

To date, no written response has been received from the above two agencies which feel they might have some jurisdiction over private waters. In view of this, Commission action can either be deferred until response is received, or approval recommended with the condition that all requirements of governmental agencies be met.

2. Parking - Depending on the type of marina, public compared to private, approximately 1 to 1¼ spaces may be required in a public marina which utilizes other extensive boat launching facilities. Since the proposal is merely for boat slips, parking facilities for this purpose is adequate inasmuch as the greatest use of the marina will occur during the weekends or weekday evenings, a time when regular uses within the shopping center will be closed. The parking spaces usually assigned to other uses aids in creating a parking surplus which can then be made available to the boating public.

   In view of the surplus, the staff recommends that not less than 25 parking spaces be allocated to the marina use. This is a change from minimum requirements of the CZC which requires 10 parking spaces.

Questioned by the Commission, the Director indicated that Class A waters are those waters available for boating and commercial fishing uses. Class AA is the most restrictive, while Class B includes a more commercial use and encompasses harbor and waterfront facilities.

The Director also reported the receipt of 75 letters FOR the proposal, two of which were retractions to earlier protests. (Letters on file-File No. 70/CUP-28). Reasons given FOR the proposal are:

1. Provides maximum utilization of the marina waterways enabling people to shop using the marina.

2. The facility will alleviate the long-waiting list that presently exists in the Ala Wai Yacht Harbor.

3. The boat slips and fuel facilities are normal and necessary adjuncts to a water-oriented community.

4. The proposal will decrease a hazard factor, eliminating the purchase of fuel at gas stations, transporting it, and storing it at home.

5. It enhances the entire Hawaii-Kai development.

Two letters AGAINST the proposal were received.

1. Louise McDonald, 6370 Hawaii Kai Drive #33. (Included in Louise McDonald's letter opposing the proposal are the names of Mr. and Mrs. Arthur Moss, 6370 Hawaii Kai Drive, and Mrs. Paul Larouche, 226 Opihikao Place.

2. Mrs. Edwin R. Curphey, M.D., 6370 Hawaii Kai Drive, Apt. 34

Their reasons for objecting are:

1. Such a facility would dangerously overcrowd the marina.

2. Silting, wall damage, and pollution. Barren banks all along the marina and canals are allowing silt to drain into the marina with every rain. Since the completion of Marina Palms, large amounts of paper cups, garbage and debris float by.

Testimony FOR the proposal was given by Mr. Michael Toohey, Vice-President, Hawaii-Kai Community Services Company.

1. With over 650 stalls available in the shopping complex, plus the fact that most of the shopping center uses will be closed during weekday evenings and weekends, over 180 stalls are available for use.

2. A water test was conducted by the Department of Health about a month-ago, and the quality of the marina water is well-above the standards established for Class A water.

No person testified AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Mr. Chun and carried.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request, on motion by Mrs. Sullam, seconded by Rev. Connell.

Discussion followed.

Questioned by the Commission, the Director explained that the 25 parking spaces should be set aside as a means to control computations on other commercial uses which could be placed in the shopping center area.

There was no further discussion, and the motion carried, subject to the following conditions:

1. That none of the proposed structures (attendant's shed, flag pole, light standards, and fuel dispensers) shall exceed 12 feet in height above the high water mark;

2. That lights shall be shielded so that there shall be no direct illumination to any residential lot;

3. That the sale of fuel and oil shall be limited to a period between 7 a.m. and 9 p.m. daily;

4. That there shall be no outdoor display of oil and other accessory goods;

5. That advertising signage shall be limited to the oil company emblem on a flag, and the area of such flag shall not exceed 6 square feet;

6. That a minimum of 25 additional parking spaces shall be provided within the Hawaii-Kai Shopping Center complex for the proposed use;

7. That parking and repair of boats within the shopping center shall be prohibited;

8. That no portion of the proposed cantilevered boardwalk and/or railing shall extend more than 10 feet into the water area nor exceed a height of 12 feet above the high water mark and that final plans for the boardwalk shall have the review and approval of the Director of Planning;

9. That living on board moored boats shall be prohibited;

10. That the applicant shall have the approval of all applicable governmental agencies for the construction and operation of the uses proposed under the subject permit and shall submit proof of such approval to the Planning Director prior to obtaining a building permit;

11. That the provisions of the plans submitted by the applicant shall be followed except as otherwise noted in the conditions herein;

12. That upon finding that any of the conditions imposed are not being complied with, the City Council may authorize the Planning Director to revoke the permit or suspend the operation until compliance is obtained;

13. That the recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions; and,

14. That a certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

PUBLIC HEARING
CONDITIONAL USE PERMIT
R-3 RESIDENTIAL DIST.
MAKIKI
2411 MAKIKI HTS.DR.
(SPAULDING PROPERTY)
TMK: 2-5-8: 1
HONOLULU ACADEMY OF ARTS

A public hearing was held to consider a request for a Conditional Use Permit under Article 2, Part 2, of the Comprehensive Zoning Code for use of an existing building to exhibit Asian arts on a parcel of land situated at 2411 Makiki Heights Drive in Makiki Heights and identified as Tax Map Key 2-5-08: 1.

Publication was made October 4, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. Three letters in support of the proposal were received. (These are included under testimony FOR the proposal.) No letters of protest were received.

The staff's report was reviewed, and the following questions raised by the Commission:

1. Whether educational facilities of the site will be limited to a subscription basis only or will there be other types of educational purposes similar to those carried on now?

   This will be on a subscription basis only.

2. Based on the traffic analysis, would the traffic generated by the use of this site pdeclude the use of tour buses at the site in connection with the educational programs of our public schools?

   Inasmuch as tour buses presently proceed through this area, the problem would be minimal.

Public testimony was heard.

Speaking FOR the pdoposal were:

1. J. Scott B. Pratt, President, Honolulu Academy of Arts
2. James Foster, Director, Honolulu Academy of Arts

Reasons given:

1. An opportunity to preserve one of Honolulu's most magnificent estates while broadening the Academy's educational program at the same time.

2. The proposal will enable the exhibition of material in the Academy's storage vaults which up-to-now has not been shown due to the lack of space.

3. Educational program

   a. Will relate only to Asian Arts and Culture, providing lectures about various aspects of Asian Art - possibly a demonstration in flower arranging, or even a course on oriental landscaping design.

b. Will not be involved in the teaching of painting or sculpture.

Questioned whether a major and permanent transfer of oriental display into this site would make it less accessible to the general public, specifically the school children, Mr. Foster stated that school visits to the Academy will be acceptable under special conditions to small groups only. There is already traffic of tour buses at the site and they would not enlarge on the problem. They would prefer to have tour groups transported in limousines.

Testimony AGAINST the proposal was given by Mr. Mack Y. Kamikawa of 2310 Makiki Heights Drive. He does not object to the usage of the property but questions traffic generation from the activity. On a daily basis, there are presently 20 to 30 tour buses along the property. The museum activity may create a greater influx of traffic into the area.

No other person was present to speak either for or against the proposal.

The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mrs. Sullam and carried.

The Commission discussed the following points:

1. In view of various social functions held in the past at the Academy which caused traffic and parking problems, whether such functions should be conditioned to museum sponsored activities only.

   Because the Director of the Academy resides on the site, the distinction between functions of the home and of the academy becomes a problem. However, this condition was not added.

2. The Commission was concerned about the parking and traffic situation in the area and felt the need for a review of this problem after one year. This condition was added.

<u>ACTION</u>: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request, subject to the following conditions, on motion by Rev. Connell, seconded by Mrs. Sullam and carried:

1. That a minimum of 26 parking spaces and 1 loading space shall be provided, the plans for which shall be submitted to and approved by the Planning Director prior to obtaining a building permit;

2. That the use of the museum by the general public shall be limited to the hours between 9 a.m. and 6 p.m.;

3. That, in order to retain the present beauty and character of the site, there shall be no additions to or exterior modification of the existing main structure;

4. That the existing trees and shrubs shall not be removed except as may be required by the provisions and conditions of the approved plan and for the safe operation of the proposed use;

5. That the applicant shall prepare a landscaping plan which shall pdovide for the location of trees and shrubs in such a manner as to maximize the buffering and screening of the proposed use and the parking area from adjacent residential uses and from Makiki Heights Drive;

6. That a sign identifying the proposed use shall be limited to six (6) square feet in size and its location shall be approved by the Planning Director prior to obtaining a building permit;

7. That families residing on the premises shall be limited to those of the Director of the Academy and the resident caretaker;

8. That one (1) year after the Conditional Use Permit is issued, the Planning Director shall review the proposed use with respect to its effect upon parking and traffic circulation. If in his review the Planning Director finds problems arising from the proposed use with respect to parking and/or traffic circulation, he shall report such findings to the Planning Commission and City Council and shall submit any recommendations which he may deem necessary to resolve such problems;

9. That the subject Conditional Use Permit shall be declared null and void if the applicant fails to exercise the use of said permit within one (1) year from its date of issuance;

10. That the applicant shall submit to the Planning Director annually from the date the permit issued, a statement and supporting evidence which demonstrate the applicant's continual compliance with the conditions of the subject permit;

11. That, in the event the proposed use is terminated by the applicant during any period for which this permit is issued, the applicant shall submit notification of same to the Planning Director. Upon submission of such notification, the subject permit shall be declared null and void;

12. That the Conditional Use Permit shall be granted for a period of five (5) years after which the applicant

may petition the City for an extension of the permit;

13. That the provisions contained in the submitted plans dated May 18, 1970, shall be followed except as otherwise noted in the conditions herein;

14. That if any of the conditions are not complied with, the City Council may authorize the Planning Director to revoke the permit or suspend the operation until compliance is obtained;

15. That the recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions; and

16. That a certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

PUBLIC HEARING ZONING CHANGE FROM R-4 RES. DISTRICT TO B-2 COMMUNITY BUSI- NESS DISTRICT KANEOHE 45-773 KAM. HWY. TMK: 4-5-28: 4 DR. MIYOZO KAGAWA	A public hearing was held to consider a request for a change in zoning from R-4 Residential to B-2 Community Business District for a parcel of land situated at 45-773 Kamehameha Highway in Kaneohe and identified as Tax Map Key 4-5-28: 4. Publication was made October 4, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Staff Planner Bruce Duncan reviewed the staff's report recommending denial of the applicant's proposal.

Public testimony was heard.

Speaking FOR the proposal were:

1. Mr. Matthew S. K. Pyun, Jr., Attorney for the applicant, Dr. Miyozo Kagawa
2. Dr. Richard Yokoyama, 45-781 Kam. Hwy.

Reasons given are:

1. They have attempted to meet the objections of the staff and desires of the community in general. Initially, a multi-story structure was planned; however, in order to conform to environmental aspects of the area, a single story building is now proposed.

Mr. Pyun stated that he encountered communication problems with the staff. The Chairman believed this to be based on the staff's recommendation of denial and called for both parties to resolve their areas of disagreement.

Mr. Pyun stated that since the staff's position was set and could not be changed, he requested that the Commission act on this matter in view of a time element.

2. Since Kam Highway is a divided highway, traffic movements will be restricted to right turns in and out of the site. They preferred to develop ingress and egress points on Mele Place; however, they were unsuccessful in acquiring easement rights.

3. They believe they are relatively close to the existing commercial use, specifically the police station and library.

4. Concerning traffic increase, their proposal is for a single-story medical clinic rather than a multi-story structure which would generally increase traffic.

5. Unsuccessful attempts were made to obtain the use of existing and vacant commercial-zoned parcels. Inquiry was also made at the shopping center but the 2nd increment will be used for general merchandise. There are no plans for an office building, especially for medical use for the reason that patients tend to monopolize parking facilities over a period of time.

6. A recent survey conducted by a subsidiary of John Hancock Mutual Life Insurance Company indicates that Kaneohe is one of the primary areas in need of office space and medical facilities.

Testimony AGAINST the proposal was given by Mr. Allan Sanborn, representing the Windward Citizen's Planning Conference. He reiterated the recommendations of the staff and added that he did not believe commercial landowners were merely holding their lands. With the recent widening of Kam Highway, landowners are now developing their properties for commercial use.

There was no further discussion, and no other person was present to speak either for or against the proposal. The public hearing was closed and the matter taken under advisement.

Action on this matter was deferred for the presence of a full Commission.

PUBLIC HEARING PLANNED DEVELOPMENT HOUSING KAILUA ENCHANTED LAKES ESTATE, UNIT 8-B2 MAKAI TERMINUS OF KEOLU DRIVE ISLAND--GENTRY JOINT VENTURE (FILE #69/PDH-8)	A public hearing was held to consider a request for a Planned Development-Housing district under Article 10, Section 21-1004, of the Comprehensive Zoning Code to develop 218-dwelling units on a 28.3± acre site abutting and northeast of Enchanted Lake in Kailua in an R-6 Residential District and identified as Tax Map Key 4-2-02: Portion of parcel 3, and portion of 4-2-04. Publication was made October 4, 1970. Hearing notices were sent to pertinent governmental agencies

and interested parties. No letters of protest were received.

Staff Planner Hal Murphy reviewed the staff's report.

Public testimony was heard.

The following persons, on behalf of their associations, requested that the public hearing remain open for a period of 30 days in order that they might carefully analyze the proposal:

1. Roger MacArthur, representing a number of residents but no specific association
2. Clyde Cox, Chairman of the Committee for Legislation for the Kailua Community Council. (They also submitted a letter requesting a 30-day deferment.)
3. Bill McIlhenny, representing owners living on the perimeter of the proposed development.
4. Allen Sanborn, representing the Windward Citizen's Planning Conference

Mr. Joseph Ramia, representing the applicant, agreed to the deferment. However, if all matters are resolved between the applicant and the various associations, Mr. Ramia requested that the matter be considered sooner than 30 days.

MOTION: On motion by Mr. Chun, seconded by Mr. Bright and carried, the Commission kept the public hearing open for a period not to exceed 30 days, but subject to being placed on the agenda sooner than the time specified.

CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY NO. 2 PROPOSED AMENDMENT TO 1971 C.I.P.

The Commission reviewed the staff's recommendations recommending the approval of ten supplementary items and the disapproval of two new projects. The two projects are (1) Kamehameha Highway, Unit I I.D., Lilipuna Road to Haiku Road; and (2) Waikele Road I.D., Waipahu to Pupukupa Street. A total of $95,000 for Planning and Engineering is being requested for these two items. The description and justification for each project are contained in the staff's report and on file.

No discussion followed.

ACTION: On motion by Mr. Chun, seconded by Rev. Connell, the Commission recommended approval of the staff's recommendations.

CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY APPROPRIATION REQUEST FOR THE WAIPIO GOLF COURSE DEPT. OF PARKS & RECREATION

The Commission reviewed the CIP Supplementary appropriation request for the Waipio Golf Course made by the Department of Parks and Recreation. The Department has requested that a sum of $30,000 be included in the next Supplementary Budget Ordinance for the modification and installation of additional sprinkler systems for the Waipio Golf Course. The golf course encompasses approximately 150 acres and the recently installed system has

been found to be inadequate to properly cover all the areas in need of watering.

No discussion followed.

ACTION: On motion by Mr. Chun, seconded by Rev. Connell, the Commission recommended approval of the staff's recommendations.

* * * * * * * * *

Before considering matters initiated by the Director to be authorized for public hearings, Mr. Chun declared a conflict of interest on an application by American Factors, Incorporated for a conditional use permit to operate a helistop. He signed a Conflict of Interest State for submission to the Mayor.

The Commission, on motion by Mr. Bright, seconded by Mrs. Sullam and carried, moved that the Planning Director be authorized to call public hearings for the following applications:

ZONING CHANGE FROM R-6 RES. DIST. TO A-4 APT. DISTRICT MAKIKI 1630 & 1640 LIHOLIHO STREET TMK: PORTION OF 23 AND 68 KEKUKU EST., INC.	1. The proposal is the construction of an apartment structure which will contain 160 studio and one-bedroom apartment units. The subject parcels consist of 45,960 sq. ft. of which 41,850 sq. ft. are already zoned A-4 Apartment District. The request is to change the zoning, in conformity to the Detailed Land Use Map for the remaining 4,110 sq. ft.
ZONING CHANGE FROM R-6 RES. DIST. TO B-2 COMMUNITY BUSINESS DISTRICT KAIMUKI MAUKA-EWA CORNER OF WAIALAE & 6TH AVENUES TMK: 3-3-03: 25 & PORTION OF 37 WAIALAE AINA, CORP.	2. The proposal is the extension of the existing business zone to include the rear portion of parcels 37 (1,000 sq. ft.) and all of parcel 25. Both areas are designated commercial on the Detailed Land Use Map.
ZONING CHANGE FROM R-7 RESIDENTIAL DIST. TO B-2 COMMUNITY BUSINESS DIST. KAIMUKI 3057 WAIALAE AVE. TMK: 3-2-01: PORTIONS OF 51 & 52 AHIA & KAWAOKA	3. The proposal is a two-story stucture for Yamaha sales and service outlet and miscellaneous office space.

ZONING CHANGE FROM R-6 RESIDENTIAL DIST. TO B-2 COMMUNITY BUSINESS DISTRICT AIEA MAUKA-EWA OF MOANALUA ROAD & KAUHALE ST. TMK: 9-9-40: 58 C. K. AMONA	4.	The proposal is a fast food restaurant known as Jack-In-The-Box Drive-Thru restaurant. Proposed is a 900 sq. ft., 1-story structure.
CONDITIONAL USE PERMIT CENTRAL BUSINESS DISTRICT EWA-MAUKA CORNER OF BLOCK BOUNDED BY FORT, QUEEN, BISHOP, AND NIMITZ AMFAC INCORPORATED	5.	The proposal is a private heliport facility on the penthouse roof of Amfac Center Tower No. 2
CONDITIONAL USE PERMIT KAILUA 310 AUWINALA RD. TMK: 4-2-20: 53 HONOLULU GAS COMPANY	6.	The proposal is for two structures for storage of tools and equipment in conjunction with an existing gas utility installation.
ZONING CHANGE FROM AG-1 AGRICULTURAL DISTRICT TO R-5 RESIDENTIAL DIST. WAIMALU MAUKA OF H-1 FREEWAY TMK: 9-8-02: PORTION OF 2 HERBERT HORITA	7.	The proposal is a residential development of approximately 237 housing units.
ZONING CHANGE FROM R-6 RESIDENTIAL DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT LUALUALEI MAUKA SIDE OF FARRINGTON HWY. TMK: 8-7-03: 11, 65, and 75 JAMES AKI	8.	The applicant proposes to construct two one-story structures with approximately 40,640 sq. ft. of retailing shopping area.

ZONING CHANGE FROM R-6 RESIDENTIAL DISTRICT TO H-1 RESORT HOTEL DIST. WAIALAE MAKAHA VALLEY TMK: 8-4-02: PORTION OF 5 MAKAHA VALLEY, INC.

9. The applicant proposes to construct two, two-story buildings and one eight-story building for a total of 341 units with 452 parking stalls.

ZONING CHANGE FROM R-6 RESIDENTIAL DISTRICT TO H-1 RESORT HOTEL DIST. MAKAHA MAKAI SIDE OF FARRINGTON HWY. TMK: 8-4-01: 7, 14, 15, and 16 MAKAHA REEF, INC.

10. No plans have been submitted.

ADJOURNMENT: There being no further business, the meeting adjourned at 5:25 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
October 22, 1970

The Planning Commission held a special meeting on Thursday, October 22, 1970, at 8:45 a.m., in the Conference Room of the City Hall Annex with Chairman Arthur A. Rutledge presiding:

PRESENT:
Arthur A. Rutledge, Chairman
Thomas N. Yamabe II, Vice-Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell

STAFF PRESENT:
George Moriguchi, Acting Planning Director
Andrew Sato, Deputy Corporation Counsel
Mrs. Ruth Hood, Deputy Corporation Counsel
Larry Morishita, Observer
Harris Murabayashi, CIP Analyst

ABSENT:
Ivanhoe K. Naiwi
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES:
The minutes of October 8, 1970, were approved on motion by Mr. Bright, seconded by Rev. Connell.

PUBLIC HEARING
ZONING from R-6 & I-1 Light Indus. To I-3 Waterfront Indus.
RESIDENTIAL DISTRICT
SAND ISLAND ACCESS ROAD
APPROXIMATELY 500 FEET PAST PAHOUNUI STREET
STATE OF HAWAII DEPARTMENT OF TRANSPORTATION

A public hearing was held to consider a request for a change in zoning from R-6 Residential and I-1 Light Industrial District to I-3 Waterfront Industrial District for parcels of land situated off Sand Island Access Road and identified as Tax Map Key 1-2-23: 30, 31, portions of 29, and 32.

Publication was made October 11, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed. Question was raised concerning the vast difference between parking requirements under the CZC which are considerably less than parking standards set by the State Department of Transportation for small craft marinas. In comparison, the CZC requires 23 parking stalls for a combined total floor area of approximately 22,150 sq. ft. while the State DOT's standard ratio of 1.1 to 1.5 stalls per berth exceeds 300 stalls. The Deputy Director pointed out that the State's standards are not official but are used as their own guide, and applied as necessary within certain areas.

Public testimony was heard.

Mr. David Higa, Planning Engineer, State Department of Transportation, Harbors Division, represented the applicant and stated the following:

1. The proposal will relieve existing demands for boating facilities. Presently there are 720 valid applications on file for boat moorings on Oahu - 582 for the Ala Wai Boat Harbor, 90 for the Keehi Boat Harbor, and the remainder elsewhere on the island.

2. Private development of berthing facilities is encouraged due to the heavy demand for State funds on other projects.

3. The proposed facilities will maximize the full recreational potential of those portions of Keehi Lagoon not required for airport and commercial use.

Questioned by the Commission, Mr. Higa stated:

1. Their parking ratio is flexible depending upon boat capacity. For a 25-foot boat, an estimated ratio such as three and a quarter to one may be applied; for larger boats, the ratio increases.

2. Upon successfully rezoning the subject parcel, their lease will be submitted for private auction. No development plans will be available until the successful bidder is known. Even though development plans are not available, one of the requirements of the auction will be that all requirements of governmental agencies be met.

3. This is the first instance in which the State will lease this particular type of facility.

No person spoke AGAINST the proposal.

ACTION: On motion by Mr. Yamabe, seconded by Mr. Chun and carried, the public hearing was closed, and the Commission recommended approval of the applicant's request based upon the Director's recommendations.

AYES - Yamabe, Chun, Rutledge, Sullam, Bright, Connell
NAYES - None
ABSENT - Ivanhoe K. Naiwi

PUBLIC HEARING
ZONING CHANGE FROM
R-4 RES. DISTRICT TO
B-2 COMMUNITY BUSI-
NESS DISTRICT
KANEOHE
45-773 KAM. HWY.
TMK: 4-5-28: 4
DR. MIYOZO KAGAWA

The public hearing held October 15, 1970, was closed and action deferred for the presence of a full Commission.

Mrs. Sullam reported the receipt of a letter dated October 21, 1970, from Alan T. Sanborn, Planning Director, Windward Citizen's Planning Conference, reiterating their objection to strip commercial development along Kam Highway, and

stating their willingness "to work with the doctors and the Kaneohe Business Group to find a site for their proposed clinic, which would be in keeping with sound planning principles for the development of Kaneohe town...."

The Commission discussed the following points:

1. Mrs. Sullam felt the Director's recommendation should be upheld for the following reasons:

   a. There is question as to which direction the commercial zoning in this area should go; whether it should remain centralized or whether expansion is necessary along Kam Highway. The staff's chronological report indicates that similar applications in this area were constantly denied.

   b. The Windward Citizen's Planning Conference will assist the applicant in locating presently zoned commercial area for their development.

   c. Traffic proceeding from Mele Place to Kaneohe must effect right turns and would have to compete with heavy traffic already on Kam Highway, creating a traffic hazard.

2. Mr. Yamabe pointed out that the direction of the expansion of any particular development should be considered as an amendment to the General Plan and not as a zoning issue, for the reason that the General Plan sets the policies for zoning, and zoning is implementation of the General Plan.

   If the area is ready for development, and the development creates no hazard to the community, the Commission should not stymie development if there is no real reason to do so.

3. Mr. Chun corrected an error in the staff's chronological report indicating the Commission's recommendation of denial on June 3, 1968. He stated that this was merely a letter from the Planning Director to the City Council but is not a recommendation of the Planning Commission. The only action by the Commission is a recommendation of approval of DLUM land use changes, November 27, 1968.

4. The Chairman pointed out the need for medical facilities in Kaneohe.

There was no further discussion.

<u>ACTION</u>: The Commission recommended approval of the applicant's request on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

AYES - Bright, Yamabe, Rutledge, Chun, Connell
NAYES - Sullam
ABSENT - Ivanhoe K. Naiwi

Before proceeding with the rest of the items on the agenda, the Chairman declared a five-minute recess, and left the meeting. Mr. Yamabe, Vice-Chairman, conducted the rest of the meeting.

CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY NO. 3 AMENDMENT TO CAPITAL BUDGET ORDINANCE & PROGRAM FOR FISCAL YEAR JULY 1, 1970 TO JUNE 30, 1971	The Commission reviewed the staff's report recommending the approval of an amendment to the Capital Budget Ordinance and Program for Fiscal Year 1971 by appropriating a total of $1,409,647 for various land acquisition purposes. No discussion followed.

ACTION: Mr. Bright moved, seconded by Rev. Connell, that the Commission recommend approval of the staff's recommendations.

AYES - Bright, Connell, Yamabe, Chun, Sullam
NAYES - None
ABSENT - Arthur A. Rutledge, Ivanhoe K. Naiwi

CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY NOS. 4 & 5, AMENDMENTS TO THE CAPITAL BUDGET ORDINANCE & PDOGRAM FOR FISCAL YEAR 1970-71

C.I.P. Supplementary No. 4

Amendment to Capital Budget Ordinance and Program for Fiscal Year July 1, 1970 to June 30, 1971. Supplementary appropriation request totalling $2,000,000 for partial payment for the acqusition of the Honolulu Rapid Transit Company.

C.I.P. Supplementary No. 5

Amendment to Capital Budget Ordinance and Program for Fiscal Year July 1, 1970 to June 30, 1971. Supplementary appropriation request totalling $1,000,000 for the purchase of 20 new buses as part of the City's mass transit program.

The Acting Chairman reported the receipt of a letter dated October 21, 1970 from Eileen K. Lota, City Clerk, stating: ..."The Council respectfully requests that in your consideration of these two items, you coordinate your deliberations with the Administration and especially with the Corporation Counsel, bearing in mind that the Council has a question as to whether or not the subject matter should be discussed by the Council and the Administration in executive session. The reason for our questioning is that the subject matter will probably end up in litigation and the Council does not want to jeopardize the City's position in the litigation by any premature disclosure."

Deputy Corporation Counsel Andrew Sato advised the Commission of the following statute relating to Minutes, Hawaii Revised Statutes, Sec. 92.5:

"...The minutes of all boards shall be deemed public records; provided that the minutes of any executive session may remain secret so long as their publication would defeat the lawful purpose of the executive session, but no longer."

Questioned by the Commission, the Deputy Director stated that the Commission would receive additional information on both items, not known to the public.

MOTION: Mr. Chun moved, seconded by Mr. Bright and carried, that the Commission resolve to an executive session.

The minutes of this session will not be disclosed.

AYES - Chun, Bright, Yamabe, Sullam, Connell
NAYES - None
ABSENT - Arthur A. Rutledge, Ivanhoe K. Naiwi

STATE LAND USE PETITION AMENDMENT TO STATE LAND USE DIST. BOUNDARIES HALAWA CONSERVATION TO URBAN

The State Land Use Commission referred to the Planning Commission for its comments and recommendation, a petition submitted by the State Department of Accounting and General Services, to amend the State Land Use Commission District Boundary.

The Deputy Director reviewed the staff's report. There were no questions from the Commission concerning the report.

ACTION: Based upon the recommendation of the Director, Mr. Chun moved, seconded by Mr. Bright and carried, that the Commission recommend approval of the request.

AYES - Chun, Bright, Yamabe, Sullam, Connell
NAYES - None
ABSENT - Arthur A. Rutledge, Ivanhoe K. Naiwi

STREET NAMES

The Commission on motion by Rev. Connell, seconded by Mrs. Sullam and carried, recommended approval of the following staff recommendations:

Deletion and Change of Street Names in the Surf & Sand Subdivision, Lualualei, Waianae, Oahu, Hawaii, Tax Map Key 8-7-35: 1

1. The following deletion of a street name is recommended;

KIPAHELE STREET — Roadway running from Mohihi Street to the Channel.

2. The following change in name of a roadway is recommended:

From KAHAU PLACE to KAHAU STREET.

Roadway running from Farrington Highway to Mohihi Street.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:30 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
October 29, 1970

The Planning Commission met in regular session on Thursday, October 29, 1970 at 1:30 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Roy R. Bright
Rev. Eugene Connell

STAFF PRESENT: Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Mrs. Ruth Hood, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Ralph Kawamoto, Staff Planner

ABSENT: Arthur A. Rutledge, Chairman
Ivanhoe K. Naiwi
Fredda Sullam
James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

MINUTES: Mr. Chun corrected the Minutes of October 15, 1970, re Hawaii-Kai Community Services, to include the condition that the applicant comply with all regulations of governmental agencies having jurisdiction over the Kuapa Pond area. This condition was not listed.

The Minutes were then approved as corrected on motion by Mr. Chun, seconded by Mr. Bright and carried.

PUBLIC HEARING
ZONING CHANGE FROM
R-6 RES. DIST. TO
A-4 APT. DISTRICT
MAKIKI
1630 & 1640 LIHOLIHO
STREET
TMK: PORTION OF 23
AND 68
KEKUKU EST., INC.

A public hearing was held to consider a request for a change in zoning from R-6 Residential to A-4 Apartment District for land situated at 1630-1640 Liholiho Street in Makiki and identified as Tax Map Key 2-4-29: portions of 23 and 68.

Publication was made October 18, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed. The Commission had no questions concerning the report.

No one appeared to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mr. Bright and carried.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the proposed zone change, on motion by Mr. Bright, seconded by Rev. Connell and carried.

AYES - Yamabe, Chun, Bright, Connell
NAYES - None
ABSENT - Rutledge, Sullam, Naiwi

PUBLIC HEARING
ZONING CHANGE FROM
R-6 RES. DIST. TO
B-2 COMMUNITY BUS.
DISTRICT
KAIMUKI
MAUKA-EWA CORNER
OF WAIALAE & 6TH
AVENUES
TMK: 3-3-03: 25 &
PORTION OF 37
WAIALAE AINA, CORP.

A public hearing was held to consider a request for a change in zoning from R-6 Residential District to B-2 Community Business District for property situated on the corner of Waialae Avenue and 6th Avenue in Palolo and identified as Tax Map Key 3-3-3: 25 and a portion of 37.

Publication was made October 18, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed. There were no questions from the Commission concerning the report.

No one appeared to testify either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mr. Bright and carried.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the proposed zone change, on motion by Mr. Bright, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Bright, Connell
NAYES - None
ABSENT - Rutledge, Sullam, Naiwi

PUBLIC HEARING
ZONING CHANGE FROM
R-7 RES. DISTRICT
TO B-2 COMMUNITY
BUSINESS DIST.
KAIMUKI
3057 WAIALAE AVE.
TMK: 3-2-01: PORTIONS OF 51 & 52
AHIA & KAWAOKA

A public hearing was held to consider a request for a change in zoning from R-7 Residential District to B-2 Community Business District for property located at 3057 and 3065 Waialae Avenue in Kaimuki and identified as Tax Map Key 3-2-01: portions of 51 and 52.

Publication was made October 18, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed, and the following questions raised by the Commission:

1. Whether noise emanating from the repairing of motorcycles would be more excessive than from automobile repairing.

   The noise level would be similar to a service station in the repair of automobiles. Excessive noise could be controlled under the noise regulations of the CZC.

2. Would the servicing of motorcycles be permitted in a B-2 Community Business District?

   The proposal would be permitted as it is similar to the automotive repair use permitted in the B-2 Community Business District. Motorcycle repairing was considered accessory to the principal use. Additionally, the repair function would probably be a small part of the entire operation, as the plans for the development indicate sales on the main floor and offices on the second floor.

There were no further questions concerning the report.

No one appeared to testify either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mr. Bright and carried.

ACTION: Based upon the Director's recommendaitons, the Commission recommended approval of the proposed zone change, on motion by Mr. Bright, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Bright, Connell
NAYES - None
ABSENT - Rutledge, Sullam, Naiwi

PUBLIC HEARING ZONING CHANGE FROM R-6 RESIDENTIAL DIST. TO B-2 COMMUNITY BUSINESS DISTRICT AIEA MAUKA-EWA OF MOANALUA ROAD & KAUHALE ST. TMK: 9-9-40: 58 C. K. AMONA	A public hearing was held to consider a request for a change in zoning from R-6 Residential to B-2 Community Business District for land situated at 99-175 Moanalua Road and identified as Tax Map Key 9-9-40: 58. Publication was made October 18, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received. The staff's report was reviewed.

Question was raised concerning the effect future widening of Kauhale Street might have on the subject parcel. No development plan is available for this part of the city. Roadwidening is shown for Moanalua Road only, for which no further property acquisition is necessary.

There were no further questions from the Commission.

No person was present to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mr. Chun and carried.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the proposed zone change, on motion by Mr. Chun, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Bright, Connell
NAYES - None
ABSENT - Rutledge, Sullam, Naiwi

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KAILUA
310 AUWINALA RD.
TMK: 4-2-20: 53
HONOLULU GAS CO.

A public hearing was held to consider a conditional use permit under Article 2, Part E, of the Comprehensive Zoning Code for a storage yard in conjunction with an existing utility installation on a parcel of land situated at 310 Auwinala Road in Kailua and identified as Tax Map Key 4-2-20: 53.

Publication was made October 18, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed, and the following question was raised:

Whether, by including the entire parcel into consideration for this Conditional Use Permit, the City could revoke the permit and require the removal of the tanks for any violation incurred.

The staff's concern relates more specifically to the proposed facility rather than the tanks. Inasmuch as fuel storage facilities are permitted under the CZC, it would be difficult to enforce the removal of the tanks unless they have an offensive character. Another activity on the site which is contrary to those under the Conditional Use Permit could result in the removal of the tanks.

There were no further questions from the Commission.

No person was present to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mr. Chun and carried.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the proposed zone change, on motion by Mr. Chun, seconded by Mr. Bright and carried, subject to the following conditions:

1. All structures shall be located in accordance with the plans received by the Planning Department on September 18, 1970.

2. A landscaping plan and program of maintenance shall be submitted for review and approval of the Planning Director prior to the application for a building permit.

3. No exterior storage of materials shall be permitted.

4. Repairs on the site shall be limited to maintenance of storage tanks, transmission lines, and equipment directly related to the substation installation.

5. This permit shall apply to the entire parcel identified as Tax Map Key 4-2-20: 53.

6. The Planning Department shall be informed when the use of this parcel under this permit is terminated, and after the issuance of this Conditional Use Permit, the City Council may, at any time, upon finding that any of the conditions hereinafter imposed, are not being complied with by the applicant, authorize the Planning Director to revoke the permit.

7. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

8. A certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to the issuance of a building permit.

AYES - Yamabe, Chun, Bright, Connell
NAYES - None
ABSENT - Rutledge, Sullam, Naiwi

PUBLIC HEARING
GENERAL PLAN
DLUM AMENDMENT
FROM MEDIUM-DENSITY
TO HIGH DENSITY APT.
MAKIKI
ALEXANDER ST. BET.
S. BERETANIA &
BINGHAM STS.
(LUNALILO FREEWAY)
KUNIYUKI BROS. INC.

A public hearing was held to consider a proposal to amend a portion of the General Plan and the General Plan Detailed Land Use Map for the University Community by designating Tax Map Key 2-8-10: Parcels 24 and 26 for high-density apartment uses.

Publication was made October 18, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Authorization for a public hearing was given by the Planning Commission on November 20, 1969. This application had been pending the Supreme Court decision on amendments to the General Plan.

The staff's report was reviewed. The Commission raised the following questions:

1. What was the reason for changing the designation from medium to high density as opposed to changing the density that was already high to medium since the two subject parcels are split-zoned according to the Detailed Land Use Map?

   The Ewa portions of the site were already zoned A-4 and as these are only relatively small areas involved, the change to high density to allow the entire parcel to be zoned under one zoning category was not considered as a significant change. In effect, this could be considered as a boundary adjustment.

   The Director felt that the land use designation should not be extended to Artesian Street as it appears that the intention at the time of the adoption of the Detailed Land Use Map was to have high density on both sides of Alexander Street. This permits some flexibility of setting the boundary on the rear property line. When boundary adjustments intrude upon other areas, a line of demarcation is considered, possibly where properties front on other streets, as well as the effect of further encroachment. Firmer basis must also be shown for adjustment of the General Plan in terms of the need for more housing and higher density use in a given area.

2. With the number of adjustments and minor changes in the area, would the Commission in effect be gradually increasing the density beyond the point where public utilities and facilities may not be able to accommodate the increase, specifically parks?

   The Commission felt that the Department of Parks and Recreation should give consideration to a plan for the McCully-Moiliili area with the view towards providing sufficient recreation area. The multiple use of Moiliili Park by groups outside of the immediate area reduces its ability to serve the subject area.

There was no further discussion.

No person was present to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mr. Bright and carried.

<u>ACTION</u>: Based upon the Director's recommendations, the Commission recommended approval of the proposed amendment, on motion by Mr. Bright, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Bright, Connell
NAYES - None
ABSENT - Rutledge, Sullam, Naiwi

The Commission also requested that the Department of Parks and Recreation submit plans for park development in the McCully-Moiliili area.

* * * * * * * * * *

The Commission, on motion by Mr. Chun, seconded by Rev. Connell and carried, moved that the Planning Director be authorized to call public hearings for the following applications:

SPECIAL PERMIT/CONDITIONAL USE PERMIT WAIANAE PUUHULU ROAD TMK: 8-6-8: 23 MARVIN B. BUDREAU	1. The proposal is the construction of a dog kennel facility adequate to handle 55 dogs.
GENERAL PLAN DLUM & DP AMENDMENT TO WAIKIKI (SECTION A) WAIKIKI WAI NANI WAY, KUHIO AVENUE, KAPAHULU AVE. & ALA WAI BLVD. STATE OF HAWAII, DEPT. OF ACCOUNTING & GENERAL SERVICES	2. The proposal is the amendment to the Waikiki (Section A) Detailed Land Use Map and Development Plan. The application has been previously reviewed and approved by the Planning Commission and the City Council. However, in light of the Traffic Department's new proposal for a one-way system in Waikiki, the roadway pattern was revised.

ADJOURNMENT: There being no further business, the meeting adjourned at 2:52 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Informal Meeting of the Planning Commission
Minutes
November 2, 1970

The Planning Commission held an informal meeting on Monday, November 2, 1970, at 9:40 a.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Reverend Eugene Connell
Roy R. Bright
Fredda Sullam
James Sakai, ex-officio

George Moriguchi, Deputy Planning Director
Ruth Hood, Deputy Corporation Counsel
Andrew Sato, Deputy Corporation Counsel

Donald A. Bremner
Aaron Levine
Roy Parker
George Villegas

ABSENT: Ivanhoe Naiwi
Arthur A. Rutledge
Richard K. Sharpless, ex-officio

Mr. Yamabe reported that the purpose of this informal meeting was to be informed of the progress of the Mayor's Planning Advisory Committee for Waikiki-Diamond Head in view of the fact that the Planning Commission is faced with many requests in the Waikiki area.

Mr. Moriguchi introduced Mr. Donald A. Bremner, Chairman of the Mayor's Planning Advisory Committee for Waikiki-Diamond Head, to make the presentation.

On behalf of the Mayor's Planning Advisory Committee for Waikiki-Diamond Head, Mr. Bremner appreciated the opportunity to present the recommendations of the Committee to date. He presented a brief background of the Committee which was formed in October, 1969, by Mayor Fasi, consisting of a Policy Committee of 12 members and an Advisory Committee of 31 members. The Policy Committee has been meeting once a week for the past nine or ten months and is in the process of completing its final report for submission to the Mayor. The Committee is aware of its role as an advisory body; however, recommendations have been proposed to hopefully provide the basis for action.

The Committee basically felt that the problems of Waikiki, basically within the core area from Ala Wai Boulevard to Kapahulu Avenue, could be described by two factors:

1. Overzoning. The present zoning and densities have produced crowding, elimination of open space, and have overtaxed public facilities to accommodate the people and activities that development produces.

2. Provision of public facilities and improvements has not kept pace with the demand due to this rapid growth.

Since the Committee believed that the first area of concern was the problem of overzoning, it suggested that the area be rezoned to meet the following:

1. Rezoning which would relate the potential ultimate development of the area to that area capability to handle people and activities.

2. Rezoning which would relate the potential ultimate development to market factors to have Waikiki continue to function as a visitor destination area.

3. Rezoning which would establish the proper relationship between buildings and open space which the Committee believes does not presently exist.

4. Rezoning which would reduce the unit density.

The Committee based its determination of how many people and the type of activities could be accommodated adequately and appropriately within this core area, comprising approximately 7/10 of a square mile, on studies prepared by the previous Mayor's Advisory Committee formed in 1966. This basis was essentially the foundation for the Detailed Land Use Map adopted in 1968 which showed a population figure of 50,000 persons. The Committee noted that the population was nearly at this level when it was formed in 1969.

The work of the Committee was separated into eight areas of concern and the recommendations and proposals in each of these areas would suffice to provide a comprehensive foundation for action proposed for the problems and to prevent other problems from occurring.

The following recommendations by the Land Use Subcommittee and the Traffic and Transportation Subcommittee have been approved by the Policy Committee and the Advisory Committee.

Mr. Aaron Levine, Chairman of the Land Use Subcommittee, was called upon to make the presentation.

Mr. Levine reported that the Land Use Subcommittee members consisted of Messrs. Robert Way, George Moriguchi, Frank Skrivanek, and Clifford Melim, Jr.

In observing the land use pattern in Waikiki, it was found that there are approximately 285 acres of privately owned land with 40% of the land saturated with development under the present zoning of B-5 Resort Commercial and H-2 Resort Hotel Districts. If development is permitted

to continue under the present zoning, a potential of 68,000 hotel rooms could be realized in lieu of the projected number of hotel rooms which indicates a possible need for a maximum of 33,000 hotel rooms by 1985. The 68,000-hotel rooms would result in twice the number of people in Waikiki; the facilities, such as streets, beaches, parks, sewers, drainage, etc., will be inadequate.

The Subcommittee made the following recommendations:

Recommendation No. 1: Waikiki should be planned to accommodate a maximum daily census of 65,000 persons consisting of approximately 42,000 visitors and 23,000 residents.

Recommendation No. 2: There should be separate areas for hotels and separate areas for apartments. Kuhio Avenue and Ala Moana Boulevard should serve as the dividing line between the hotel zones and the apartment zones in Waikiki. The area mauka of Kuhio Avenue and Ala Moana Boulevard to the Ala Wai should be zoned for low density apartments; the area makai of Kuhio Avenue and Ala Moana Boulevard should be zoned primarily for hotels with limited resort-commercial uses. Existing commercial and hotel uses along and mauka of Kuhio Avenue and Ala Moana Boulevard should be permitted to remain.

Recommendation No. 3: The B-5 Resort-Commercial District should be retained along Kalakaua Avenue but altered to make certain that the commercial uses it permits in Waikiki complement the primary functions of Waikiki as a visitor destination area or place of residence. Commercial uses not essential to these functions should be discouraged.

Recommendation No. 4: Adequate open space in Waikiki must be provided. This could be achieved through increased setbacks and lower lot coverages as well as a system of public open space amongst buildings and mini-parks. Remnant lots, too small or poorly located for development, should be considered for the mini-park system.

Recommendation No. 5: Expansion of Kapiolani Park and the designation of the area from Poni Moi Road to the Lighthouse as a Historic, Scenic, Cultural District.

Recommendation No. 6: Waikiki Beach must be widened to provide ample beach area.

Recommendation No. 7: A system of "ribbon parks" should be planned for areas between the Ala Wai and the beach. These parks would be narrow strips provided wherever availability of land affords, primarily along streets but possibly on occasion in the middle of a block, lined with trees, pavings, and benches.

Recommendation No. 8: Additional shore areas and beach rights-of-way should be acquired along the shorefront from the Ala Wai to the Lighthouse.

Recommendation No. 9: A program of reconstruction and preservation of historic landmarks and heiaus should be established.

Recommendation No. 10: Enhancement of the City's street tree planting program with requirements to provide trees on private properties when construction is completed.

Recommendation No. 11: The open space character of Fort DeRussy be preserved and none of the land to be used for any commercial uses.

Regarding Recommendation No. 1, the Committee utilized the projections prepared by the State Department of Planning and Economic Development on the visitor's length of stay at the hotel, occupancy rates of the hotel, and the total anticipated tourist attractions in Hawaii. These projections were based on a 15-year period.

Regarding Recommendation No. 2, Mr. Levine pointed out that the existing land uses which are not consistent with the recommendations of this Committee remain as it is nonconforming and should be recognized by the Planning Department as the appropriate land uses.

The Committee suggested that the existing zoning of B-5 Resort Commercial and H-2 Resort Hotel Districts be examined for consideration of reducing the permissible development densities in Waikiki.

Mr. Bright believed that in order to prevent any further blighting of Waikiki, the Committee should pursue the possibility of having a moratorium placed on any future construction.

Mr. Bremner reported that the Committee's work was confined only to the areas outlined by the Mayor; the issue of the moratorium was not included as part of the study. In order to stop further blighting of Waikiki, the recommendations of the Land Use Subcommittee in reference to rezoning of the Waikiki area should be instituted as soon as possible.

In response to an inquiry as to whether the Committee had considered the possibility of treating Waikiki as a special district which standards might not necessarily apply to any other area, Mr. Levine replied that the H-2 Resort Hotel District applies only to Waikiki. He stated that the Planned Development-Housing concept was not considered because of the small lot sizes and the difficulties involved in getting the property owners to consolidate their lots.

Mr. Bremner added that the Committee is recommending the concept of a design-zoning approach whereby the Planning Commission or Zoning Board of Appeals will be given the power to review each specific project and the design elements. Once approved, the plans may not be altered or amended unless approval is received from the appointed Board.

Mr. Roy Parker presented the recommendations of the Traffic and Transportation Subcommittee by referring to the map displayed on the wall entitled "Immediate Proposed Waikiki Multi-Loop Traffic Circulation System." He stated that this proposed system is not directly related to the Committee's projected population of 65,000 persons.

The Subcommittee proposed the following recommendations:

Recommendation No. 1: A total one-way system called the Waikiki Multi-Loop Circulation System using Kalakaua Avenue and Ala Wai Boulevard as the primary one-way street pair be implemented immediately. This is proposed to be implemented by July 1, 1971, costing approximately $350,000. Minor traffic changes and modifications will be made; however, no purchase of any rights-of-way are required.

Recommendation No. 2: Kuhio Avenue from Kaiulani Avenue to Kapahulu Avenue be widened to a 70-foot right-of-way. Following the widening of Kuhio Avenue, make any changes in the one-way system that would be appropriate due to new capability of Kuhio Avenue.

This is necessary to:

(1) provide a distributor-type street within Waikiki;

(2) provide a trunk route for bus transportation in the area;

(3) permit a "spur" for the Waikiki mass transit branch in the future; and

(4) the above may also allow Kalakaua Avenue from Kuhio to Kapahulu Avenues to be converted into a mall.

Recommendation No. 3: Kalia Road from DeRussy Place to the end and Lewers Street should be evaluated in terms of the efficiency of the one-way system before a decision to widen either is finalized.

Recommendation No. 4: Develop an "Ala Moana" or "Waikiki" By-Pass route.

This could be a split facility from the Ala Moana Bridge to the intersection of Ala Wai Boulevard and Pau Street with the kokohead bound lanes along the existing Ala Moana Boulevard-Pau Street and the ewa lanes along the existing Ala Wai Boulevard.

The selection of the most appropriate alternative scheme and actual development of the By-Pass should be based on the following objectives:

1. Minimize the takeover of existing open space.

2. Consider solutions to reduce traffic congestion by better utilization of existing facilities or through minimum construction or channelization.

3. Capacity of by-pass should be compatible with Ala Moana Boulevard ewa of Atkinson Drive.

4. Recognize the provision of existing H-1 connection near Kapiolani interchange by extending By-Pass between Waikiki and area mauka to H-1.

This recommendation was also based on a license plate study which was conducted on March 18, 1970, from 3:00 p.m. to 6:00 p.m. to determine the proportion of traffic passing through Waikiki. This study revealed that of the 22,300 vehicles that crossed the Ala Wai Canal during the three-hour study period, 2,600 or 12% were through traffic that could have been removed from the streets in Waikiki if the Ala Moana By-Pass had been in operation. This points up the fact that the principal function of the Ala Moana By-Pass would not be to provide relief for Waikiki, but for Kapiolani Boulevard and, more particularly, for the Kapiolani-Kalakaua intersection.

Recommendation No. 5: University Avenue should be extended across the Ala Wai into Waikiki and a makai-bound off-ramp provided at University and the H-1 Freeway. This extension should serve pedestrians as well as vehicular access to Waikiki.

This will provide an additional access into Waikiki from the mauka side of the canal and from the H-1 Freeway. As such, it is desired to lessen traffic on McCully Street and Kalakaua Avenue. The bridge structure over the Ala Wai should be designed to allow underpassage for small boats.

Recommendation No. 6: Concerted efforts by local government and private enterprise to develop additional off-street parking sites under a multi-use concept. Priority should be given to the completion of the first of four proposed municipal parking garages which are as follows:

1. Seaside and Kuhio Avenues

2. Liliuokalani and Kuhio Avenues

3. Kuhio Avenue and Lewers Street

4. Fort DeRussy at Saratoga Road

Recommendation No. 7: Continue the curb parking ban on Kalakaua Avenue and expand this restriction to a 24-hour period seven days a week. Parking and loading restrictions on other streets should be implemented as is necessary to achieve successful operation of the one-way street plan.

Recommendation No. 8: Amend the Waikiki Development Plan and Detailed Land Use Map to eliminate the street widening setback on Kalakaua Avenue.

Recommendation No. 9: Waikiki should be served by a branch of the proposed Oahu Rapid Transit system. Kuhio Avenue should be the location for this branch line in Waikiki.

Recommendation No. 10: The concept of self-propelled water transportation between the Honolulu International Airport and Waikiki should be explored and detailed planned for the system prepared for evaluation.

Recommendation No. 11: Physical separation of the vehicle and pedestrian should constantly be sought wherever possible in Waikiki.

On behalf of the Planning Commission, Mr. Yamabe appreciated the opportunity to be informed of the Committee's plans and looked forward to work with the Committee in the future. However, since the Planning Commission is only an advisory body, the problem is the implementation of these recommendations. He inquired whether such organizations as the Waikiki Improvement Association, the Oahu Development Conference or other organizations might be able to pursue this plan to its adoption and to assist in implementation of this plan.

It was Mr. Bremner's belief that the Waikiki Improvement Association would fully endorse this plan and would assist in the implementation of the plan. He noted that the Committee has devoted an entire section to implementing the various proposals by providing a step-by-step procedure.

ADJOURNMENT: The meeting was adjourned at 11:05 a.m.

Respectfully submitted,

Mitzie M. Abbott

Mitzie M. Abbott
Hearings Reporter

Special Meeting of the Planning Commission
Minutes
November 5, 1970

The Planning Commission held a special meeting on Thursday, November 5, 1970 at 8:35 a.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:

Thomas N. Yamabe, II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Ivanhoe K. Naiwi
Richard K. Sharpless, ex-officio

STAFF PRESENT:

Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Mrs. Ruth Hood, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Tosh Hosoda, Staff Planner
Roger Harris, Observer

ABSENT:

Arthur A. Rutledge, Chairman
James K. Sakai, ex-officio

MINUTES:

The minutes of October 22, 1970, were approved on motion by Mrs. Sullam, seconded by Mr. Naiwi.

PUBLIC HEARING
CONDITIONAL USE PERMIT
CENTRAL BUSINESS DISTRICT
EWA-MAUKA CORNER OF BLOCK BOUNDED BY FORT, QUEEN, BISHOP, AND NIMITZ
AMFAC INCORPORATED

(Mr. Chun, who had declared a conflict of interest on this item, absented himself from deliberations on this matter.)

A public hearing was held to consider a request for a conditional use permit under Article 2, Part E, of the Comprehensive Zoning Code to construct and operate a helistop atop the Amfac Building (Hawaii Tower) located near Queen Street and the Fort Street Mall and identified as Tax Map Key 2-1-13: 6.

Publication was made October 25, 1970. Hearing notices were sent to pertient governmental agencies and interested parties. A total of six letters were received; three FOR the proposal, and three AGAINST it. (These letters are included in testimony given FOR, and AGAINST the proposal.)

The staff's report was reviewed for the benefit of the Commission, and the following questions were raised:

1. If this proposal is to be used as a potential for further public helicopter transportation, whether or not an alternative site should be considered now in view of the confined landing area on the Amfac rooftop plus the limited passenger capacity of the helicopter.

   An alternative site was not considered. Inquiry was made at the Airports Division of the State Department of Transportation for plans for a public helicopter system. None are proposed.

   The Commission felt consideration should be given to the effect the proposed facility might have on the community; if there are adverse effects, and site relocation is necessary, under what conditions should the site be relocated. Some policies in this relation should be set.

2. What could be benefited from this private and relatively small operation (a total of 5 passengers), as compared to a public helicopter facility?

   Depending upon the success of this proposal, the need for a public helicopter service could be determined as well as a suitable location for it.

3. Condition No. 3 - That any helicopter landing or taking off at the helistop shall observe an approximate makai to mauka approach and mauka to makai departure, <u>and normally shall not fly over any residentially developed areas</u>;"

   Whether the underlined portion is necessary inasmuch as helicopters presently fly over residential areas.

   The path of the helicopter, mainly between the airport and the Amfac tower, must be observed; however, the clause was added in the case of unforeseen barometric and weather conditions.

4. Condition No. 5 - There was question as to the reason for not permitting helicopter operations on Sunday.

   This was based on a noise factor and the location of the Harbor Square Residential Condominium development approximately 750 feet Diamond Head of the Amfac Tower, presently under construction.

   It was pointed out that in a recent newspaper article (Honolulu Advertiser, 11/5/70-"Police to get Patrol Helicopter"), a low noise level was generated by a modern Hughes 300C Whirlybird hovering at a height of 500 feet and above. However, the Amfac Tower is approximately 280 feet.

For purposes of information, the Honolulu Police Department has been operating a heliport on the Pawaa Annex for a period of time. Also, readings of noise levels in the Amfac area should also measure the degree of noise caused by low flying passenger and cargo jets on take off from the Honolulu International Airport.

The Director stated that the performance standards of the CZC would serve as a means of noise control, and that performance standards of the CZC for adjoining residential areas are more stringent.

6. Whether there is a condition relating to liability in the case of a mishap.

   None is provided.

Public testimony was heard.

Testimony FOR the proposal was given by:

1. Mr. K. Yamato, President, International Consultant Company, Ltd., 602 Capital Investment Company, Honolulu 96813
2. Mr. Dean T. W. Ho, Vice President, Makaha Valley, Inc., 239 Merchant Street, Honolulu 96813 (submitted letter dated October 2, 1970)
3. Mr. Robert H. Hurst, Kenai Helicopters, Inc. (submitted memo dated September 15, 1970)
4. Mr. William Stricklin, Attorney
5. Mr. Jack Pequegnat, Bell Pacific Corporation, 1111 Bishop Street, Honolulu 96813
6. Mr. William Klopp, State General Aviation Officer, Airports Division, State Department of Transportation
7. Mrs. Beverly Chapman, interested citizen

Reasons given:

1. The proposal will enhance the image of the City of Honolulu as a modern, international city with modern conveniences.

2. Private development of this type of facility will minimize government expense and involvement.

3. It is not intended for Amfac tenants alone, but will service a wide range of users. Inasmuch as no financial arrangements are involved, and there are no arrangements for helicopter service, the applicant would suffer no financial loss if this request is denied. Various issues regarding the cost per ride, who can ride, etc., are not known. The applicant's intent is first to provide a landing pad.

4. Concerning the noise factor, noise tests were conducted both by the State Airports Division and the applicant. Notification was given to parties within the Amfac building that the helicopter would be in the area for the purpose of noise tests. As a result, only those contacted were aware of the helicopter's presence. No complaints were received.

Additionally, Makaha Inn has a heliport located approximately 100 feet from its main clubhouse entrance. They have encountered no objection to its hampering hotel operations or annoying guests at any time during the day or evening.

The Commission questioned Mr. Stricklin concerning the use of the heliport noting a discrepancy between his testimony and the contents of the staff's report. Mr. Stricklin stated:

1. It was not their intent to limit the use of the heliport to Amfac tenants alone, as the staff report indicates, but to provide service for a wide range of users.

2. He scanned the staff's report given to him sometime last week, but did not review it in detail. Mr. John Zeazeas of their staff worked together with Mr. Tosh Hosoda of the Planning Department staff.

3. While he is not officially authorized to speak for Amfac, he is one of three owners, and could give general information. Concerning critical issues, he would seek the permission of his two colleagues.

Testimony AGAINST the proposal was given by:

1. Mr. Walter J. Deptula, Jr., Assistant Secretary and Director, Administrative Services, C. Brewer and Company, Limited, P. O. Box 3470, Honolulu, 96801 (submitted letter dated August 21, 1970)
2. Mrs. Joan Hayes, representing Citizen's Against Noise, an organization of approximately 300 Honolulu residents combating noise pollution
3. Mr. John Cater, 4987 Kolohala St., Honolulu 96816, (submitted letter dated November 5, 1970)
4. Mr. John M. Murphy, 4947 Poola St., Honolulu, future resident of Harbor Square Condominium

Reasons given:

1. The proposed flight operations of a helicopter atop the structure is contrary to the best interest of the health, safety and comfort of persons living or working in the area and will be injurious to property and improvements in the surrounding area.

2. The noise and vibration associated with the operation of a helicopter from the platform would create a public inconvenience and disturbance and would have to be classified as a public nuisance.

3. A precedent would be set. If the helistop were approved, there would be no reasonable grounds for the denial of future, similar uses on other structures in the downtown area. The noise problem which would then be present by increased uses would be overwhelming.

4. This flight service is solely for the benefit of tenants of the Amfac Building which will be for the benefit of a few and to the detriment of many.

5. There are certain hazards inherent in the operation of helicopters which are greater particularly upon landings or take-offs. Since helicopters are sensitive to wind, the high winds and venturi turbulence which exists between and over the buildings in downtown Honolulu would adversely affect the safety with which helicopter operations can be conducted. It does not take very much imagination to realize the peril to life and safety which could result from the slightest mishap in the operation of these crafts in close proximity to so large a concentration of persons.

6. Honolulu is one of the noisiest cities in the U.S.

Questioned was raised as to possible helipad location at water level in Honolulu Harbor. Mr. Klopp of the State Airports Division indicated that unless helipads are removed from public thoroughfares, they are distracting to motorists.

There was no further discussion, and no other person was present to speak either for or against the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Rev. Connell.

ACTION: On motion by Mr. Bright, seconded by Rev. Connell and carried, the Commission recommended that the applicant's request be denied.

AYES - Bright, Connell, Sullam, Naiwi
NAYES - Yamabe
ABSENT - Rutledge, Chun

For the record, Mr. Yamabe stated that his vote is neither for nor against the application but that he merely wanted additional information pertaining to the staff conditions imposed upon the applicant.

PUBLIC HEARING
ZONING CHANGE FROM AG-1 AGRICULTURAL DISTRICT TO R-5 RESIDENTIAL DIST.
WAIMALU
MAUKA OF H-1 FREEWAY
TMK: 9-8-02: PORTION OF 2
HERBERT HORITA

A public hearing was held to consider a request for a change in zoning from AG-1 Agricultural to R-5 Residential District for land situated at Waimalu mauka of the H-1 Highway containing 51± acres and identified as Tax Map Key 9-8-02: Portion of 2.

Publication was made October 25, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed. Mr. Sharpless commented about drainage studies in the subject area and was informed that such studies are subject to routine subdivision review.

There was no further discussion concerning the staff's report.

Attorney Roy Takeyama and Mr. George Houghtailing represented the applicant and requested the Commission's favorable consideration of this matter.

Replying to a question of Mr. Sharpless, Mr. Houghtailing stated that upon completion of the 53 acres, approximately 250 vehicles would generate from this development.

There being no further discussion, and no other person present to speak either for or against the proposal, the public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Rev. Connell and carried.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request on motion by Mr. Bright, seconded by Rev. Connell and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Naiwi
NAYES - None
ABSENT - Rutledge

PUBLIC HEARING ZONING CHANGE FROM R-6 RESIDENTIAL DISTRICT TO H-1 RESORT HOTEL DIST. WAIANAE MAKAHA VALLEY TMK: 8-4-02: POR- TION OF 5 MAKAHA VALLEY, INC.	A public hearing was held to consider a request for a change in zoning from R-6 Residential to H-1 Resort Hotel district for a parcel of land situated in Makaha Valley and identified as Tax Map Key 8-4-02: Portion of 5. Publication was made on October 25, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed, and there were no questions concerning the report.

Public testimony was heard.

Mr. Dean Ho, Vice-President of Makaha Valley Inc., requested the Commission's favorable action upon this matter. Questioned by the Commission, Mr. Ho stated that the proposed 8-story structure was always considered in their plans for development of Makaha Valley. In March 1965, presentation was made to both State and City agencies reviewing the DLUM at least five times to cover their plan in its entirety. Their master plan contained six hotel sites, all of which contain one highrise building.

Testimony AGAINST the proposal was given by:

1. Mrs. Beverly Chapman, speaking for Mr. Michael Dwight, Chairman, Waianae Model Cities Planning and Urban Design Task Force
2. Mrs. Marie Klausmeyer, Vice-Chairman, Waianae Model Cities Planning and Urban Design Task Force

Both women informed the Commission that approximately seven months ago their organization voted to disapprove the construction of an 8-story structure in the middle of the valley although they have no objection to

highrises along the mountain side. They prefer that any proposed structures remain the same height as existing buildings.

There was discrepancy between the women's testimony disapproving the proposal and the staff's report indicating the same organization's supporting position. The staff will clarify this point.

There was no further discussion and no other person appeared to speak either FOR or AGAINST this proposal. The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mr. Chun and carried.

Mr. Naiwi requested that a field trip be made to the Waianae area in view of various proposed hotel developments occurring in the area.

MOTION: The Commission, on motion by Mrs. Sullam, seconded by Mr. Bright, deferred action on this matter for two weeks for a field trip to the Waianae area.

PUBLIC HEARING ZONING CHANGE FROM R-6 RESIDENTIAL DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT LUALUALEI MAUKA SIDE OF FARRINGTON HWY. TMK: 8-7-08: 11, 65, and 75 JAMES AKI	A public hearing was held to consider a request for a change in zoning from R-6 Residential to B-2 Community Business district for a parcel of land situated on the mauka side of Farrington Highway at Lualualei, Waianae, and identified as Tax Map Key 8-7-08: 11, 65, and 75. Publication was made October 25, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed. Comment was made whether the parcel immediately makai and adjoining the subject parcel is commercially zoned. The staff indicated that the parcel is General Planned for commercial use but not zoned as such.

There was no further discussion and no person was present to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mr. Bright.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request on motion by Mr. Chun, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Naiwi
NAYES - None
ABSENT - Rutledge

ADJOURNMENT: There being no further business, the meeting adjourned at 11:25 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
November 12, 1970

The Planning Commission met in regular session on Thursday, November 12, 1970, at 1:30 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:	Thomas N. Yamabe II, Acting Chairman Philip T. Chun Fredda Sullam Rev. Eugene Connell Richard K. Sharpless, ex-officio
STAFF PRESENT:	Robert R. Way, Planning Director Andrew Sato, Deputy Corporation Counsel Tosh Hosoda, Staff Planner Henry Eng, Staff Planner
ABSENT:	Arthur A. Rutledge, Chairman Roy R. Bright Ivanhoe K. Naiwi James K. Sakai, ex-officio
MINUTES:	The minutes of October 29, 1970, were approved on motion by Mr. Chun, seconded by Mrs. Sullam.
PUBLIC HEARING SPECIAL PERMIT/CONDITIONAL USE PERMIT WAIANAE PUUHULU ROAD TMK: 8-6-8: 23 MARVIN B. BUDREAU	A public hearing was held to consider a request for a Special Permit under the Hawaii Revised Statutes, Section 205-6, and a Conditional Use Permit under Article 2, Part E of the Comprehensive Zoning Code, to construct a dog kennel facility adequate to handle 55 dogs on an 1.8-acre parcel of land situated on the Makaha side of Puuhulu Road, approximately 300 feet mauka of Puhawai Road, and identified as Tax Map Key 8-6-8: 23.

Publication was made November 1, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

The staff's report was reviewed. Questioned by the Commission, the staff indicated that there is a distance of approximately 200 feet from homes in the area to the proposed site.

Public testimony was heard. No one spoke AGAINST the proposal.

Testimony FOR the proposal was given by:

1. Anthony Kim, Attorney for the applicant
2. Mrs. Lois Matthews, President of the Hawaii Council Dog Club, and a member of the Board of Directors for the Hawaiian Humane Society
3. Mrs. Mary Leser, Secretary-Treasurer of the Hawaii Council Dog Club, and member of the Board of Directors for the Hawaiian Humane Society

Reasons given:

1. No kennel facilities are available on Oahu. The applicant solicited and received letters from the following individuals confirming that there is a definite need for dog kennels on Oahu:

   a. Mrs. Mary Scott, owner of the past Pine Hedge Kennels, 623 Ehukai Street, Waimanalo. Because of age, Mrs. Scott retired from the business although offers were made to persuade her to continue her operation.
   b. Mr. Arthur P. McCormack, Manager, Hawaiian Humane Society
   c. Mr. Wallace T. Nagao, Chief, Livestock Disease Control Branch, Quarantine Station, Department of Agriculture, State of Hawaii

2. The applicant requested a declaratory ruling from the State Land Use Commission ruling that kennels are permissible uses in agricultural districts rather than subject to a special use permit. The SLUC submitted the matter to the Attorney General's Office for an opinion approximately a month and a half ago.

   Comment was made that even though this proposal might be a permissible use in the State Agricultural District, it is still subject to the Comprehensive Zoning Code of the City and County with respect to Agricultural Districts 1 and 2.

3. Concerning the noise factor:

   a. The applicant consulted Mr. Robert Hamilton, a mechanical and acoustical engineer. Although noise tests were not conducted, Mr. Hamilton reviewed the applicant's plans and in a letter to the applicant stated that practical modifications and remedial action can be implemented at a future date should it be necessary to do so to meet the technical performance standards of the CZC.

   b. Some preventive measures against noise have been taken.

      (1) The design of the kennels with 3½-foot hollow-tile barriers blocks the view of each animal and eliminates cause for them to bark at one another.

      (2) Music by Muzak will be provided for the dogs. This approach is to keep outside noises down, and to quiet the animals.

      (3) The applicant's contract will contain conditions that permit him to take whatever measures may be necessary to prevent barking; i.e., muzzling the dog or admitting it to an animal hospital.

(4) In addition to Mr. Budreau residing on the premises, there will also be a 24-hour attendant.

c. Relating to noise pollution, animal noises are rated very low.

Questioned by the Commission, Mrs. Lois Matthews informed the Commission of the following:

1. Dogs are kept mainly because they give a warning and bark at the intrusion of a stranger. Perpetual barkers must be placed in a sound-proof animal hospital. There is a veterinary process for perpetual barkers called debarking which is rarely used, and reduces the voice of the dog to a low squeak.

2. The presumption that one dog makes less noise than a kennel of dogs is not necessarily true. One perpetual barker or unattended dog chained to a fence can be more of a problem than a kennel of dogs under proper supervision.

Due to procedural requirements under Section 21-241(d) of the CZC whereby the Commission must submit its recommendation to the City Council within 30 days after the public hearing, the attorney for the applicant stated that they are willing to waive the 30-day requirement inasmuch as the special permit has to be acted upon by the State Land Use Commission.

Comment was also made that the Commission could not act on this matter until 15 days after the public hearing, according to State Land Use Regulations.

The Director suggested that the public hearing be kept open for more definitive and expertise information regarding noise.

MOTION: Mr. Chun moved, seconded by Rev. Connell, that the public hearing remain open for a period of three weeks.

PUBLIC HEARING GENERAL PLAN DLUM & DP AMENDMENT TO WAIKIKI (SEC. A) WAIKIKI WAI NANI WAY, KUHIO AVE., KAPAHULU AVE. & ALA WAI BLVD. STATE OF HAWAII, DEPT. OF ACCOUNTING & GENERAL SERVICES	A public hearing was held to consider a proposal to amend a portion of the General Plan, Detailed Land Use Map and Development Plan for Waikiki (Section "A"), by expanding the boundary of the Jefferson Elementary School to include a 4.16-acre site located on the makai side of the school presently designated for Apartment use and a 0.75-acre site Diamond Head of Makee Road designated for Park use. A change in the street pattern is also proposed by eliminating a portion of Kaneloa Road, connecting Wai Nani Way to Kaneloa Road, and retaining Makee Road.

The staff's report was reviewed, and there were no questions concerning the report.

Public testimony was heard.

Senator Percy Mirikitani representing the Parkview tenants, testified FOR the proposal:

1. This proposal is their original recommendation which they favored in October, 1969. It eliminates a previous traffic problem which would have created more intense traffic flow and a hazardous condition for school children.

2. The school benefits by usage of the 4.16-acre site on the makai side of the school. This area is already grassed and extensively used.

3. The school will utilize Kapahulu and Makee Avenues during morning and afternoon hours for parents to discharge and pick up their children. Another access point off Pualani Way will be provided for delivery trucks.

No one testified AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mr. Chun.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the proposed amendment, on motion by Rev. Connell, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Rutledge, Bright, Naiwi

PUBLIC HEARING
PLANNED DEVELOPMENT
HOUSING
KAILUA
ENCHANTED LAKES
ESTATE, UNIT 8-B2
MAKAI TERMINUS OF
KEOLU DRIVE
ISLAND-GENTRY
JOINT VENTURE
(FILE #69/PDH-8)

The public hearing held October 15, 1970, was kept open for a period not to exceed 30 days to permit various community organizations time to analyze the proposal.

The staff reported that subsequent to the public hearing of October 15, 1970 the developers have made revisions in an effort to satisfy the staff's recommendations regarding the site plan. (These are specifically outlined in the report.)

Questions raised by the Commission related to the following:

1. Condition 8.2(a) - Common open areas and private roadways shall be so arranged that hazardous inter-relationships now existing are greatly reduced, or omitted altogether. Open space within the two major portions of the project shall interconnect throughout, without penetration of roadways through pedestrian circulation areas. Attachment 2 indicates recommended site-planning guidelines.

   The applicant wishes to contest this recommendation and contends that the site plan has already undergone several major changes. The staff

feels that too many roadways cut the site, and in this connection has provided guidelines which would eliminate various roadways and furnish more open space. This is a general condition which relates to the entire site rather than to one specific area. This condition is also the one remaining area of disagreement between the staff and the applicant.

2. Condition 8.15 - All conditions set forth herein shall be subject to amendment only by the City Council.

   Whether amendments to an Ordinance which adopt PUDs can be made only by the City Council upon recommendation of the Director and the Planning Commission?

   Deputy Corporation Counsel Andrew Sato advised the Commission that the City Council need not refer the matter back to the Planning Commission. Questioned by the Commission, Mr. Sato stated that this condition is not necessary.

3. Whether the 4.5 acres of land for an alternate ponding area was examined by the Public Works Department and whether it will be used as such?

   The staff referenced letter dated November 11, 1970, from Albert C. Zane, Director and Chief Engineer, Department of Public Works, which states in part:

   "Please be informed that we have met with Mr. Joseph Pao to clarify his proposals on the Enchanted Lake Boundaries. We are agreeable to the developer's proposal to utilize approximately 4.5 acres of land presently within the 125 acres of land presently within the 125 acre ponding area for the subject development and to replace a like amount of area upon completion of negotiation with the Robert Wong el al Trust. We have informed Mr. Joseph Pao that all new areas to be included within the 125 acre ponding area must conform to the conditions agreed upon by the 'letter of agreement,' dated February 19, 1970.... We also recommend that the construction plans for the Town House Project not be approved until the new ponding area satisfies the drainage requirements."

Public testimony was heard.

Testimony AGAINST the proposal was given by the following people:

1. Mr. Alan T. Sanborn, Planning Director, Windward Citizens Planning Conference (submitted letter dated November 11, 1970)
2. Mr. Clyde Cox, representing the Kailua Community Council (submitted letter, undated)

Reasons given:

1. There is concern that presentations made by the developers have not been sufficient in scope to indicate the impact of the development on the community.

2. The proper relationship of the project to streets, schools, parks and other community facilities, and the adequacy of these facilities to handle a major increase in use, has not been demonstrated.

3. They suggest a thorough documentation of the way in which the proposed project would relate to the surrounding residential neighborhood and to future CIP projects which might be necessary to support this development, inasmuch as density would be increased 55% over single-family residences similar to those which now exist.

4. This PDH approach opens the door to developers to put in other types of uses such as union halls, neighborhood commercial, and medical offices and clinics under conditional use permits.

5. Very little information has been provided to indicate how the developers plan to provide greater concentrations of open space which is one of the purposes of the PUD approach.

6. Existing school facilities in the area already exceed their capacity plus the fact that projected figures for additional facilities do not include the proposed development.

7. The Traffic Department indicated that the internal street system is adequate; however, external street systems in relation to the surrounding vicinity should be recognized in view of a similar development proposal for the immediate adjacent 200 acres, understood to be controlled by the same developer. Additional traffic arteries in and out of the site, particularly Hamakua Road which was proposed for development two months ago, should be considered.

Testimony FOR the proposal was given by:

1. Tom Gentry, the applicant
2. Joseph Ramia, Project Manager for the applicant
3. Henry Alves, President, Hawaiian Pacific Industries

Mr. Ramia asserted one correction concerning Condition No. 7.8(d), page 16, last paragraph: "Townhouses are proposed on concrete slab bases, as timber framed structures with shake roofs. Multi-family structures are proposed as reinforced concrete structures." Mr. Ramia stated that the structures will be built on reinforced concrete foundations but as woodframe buildings.

Reasons given FOR the proposal are:

1. Concerning Condition 8.2(a) relative to hazardous inter-relationships existing in the subdivision, Condition 6.2(b)(page 8) made by the Traffic Department indicates that the internal street system appears to be adequate for the proposal and that drop driveways be constructed where they connect with proposed public streets. There is no mention that there are hazardous inter-relationships of road systems.

2. Concerning Mr. Cox's statement that internal traffic systems were realized rather than the relationship of the project to external road systems, while the comments by the Public Works Department, under routine subdivision review, are restricted to internal road systems, it must also consider proposed developments in relation to external traffic problems. In this relation, they are aware of the influx of population from proposed subdivisions and developments in the area, and alter proposals accordingly.

3. Request modification of Condition No. 8.11 in view of FHA requirements. Suggest that this condition be subservient to FHA conditions. The condition reads: "The developer shall be required to incorporate all of the restrictive conditions set forth herein as part of the restrictive covenants running with the land and made a part of the sales agreement with future owners."

4. The developer on the adjacent 200 acres is not the same developer making this submission. One developer in this joint venture will continue with the adjoining development.

5. With due respect to the staff, several changes have already been made in accordance with the staff's recommendations. The applicant feels that further changes are not justifiable. Development plans for this project have been continuously reviewed and altered for a 20-month period.

   The Director commented that various plans were submitted to the staff within the 20-month period. In November 1969, 132 units were proposed; in June, 1970, new land computation figures and densities were submitted with approximately 270 units. Site boundaries brought up by the State Land Use Commission were reconciled during the last 30 days. Drainage problems which concerned the Public Works Department (now resolved), may also have affected the site plan arrangement and layout. Substantial change in the area of the site itself plus the total number of units involved caused a re-examination of the proposal by various governmental agencies.

6. Relative to Mr. Sanborn's comment relating to inadequate school facilities, experience-wise, townhouses depict a different style of living which has resulted in a substantial decrease in the number of children per townhouse unit. There is a reduction of school children by type of dwelling unit. For example, there are less children in the higher income single-family style living than in the lower and moderate income single-family living.

Questioned by the Director as to the use of the new area to replace the filled area, Mr. Alves stated that the substitute portion of land which is now swamp, will be used as a ponding area.

There were no further questions, and no other person appeared to speak either FOR or AGAINST the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mrs. Sullam.

ACTION: Based upon the Planning Director's recommendations, the Commission recommended the approval of this Planned Unit Development, on motion by Mr. Chun, seconded by Rev. Connell.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Rutledge, Bright, Naiwi

PUBLIC HEARING
ZONING B-5 RESORT COMMERCIAL
WAIKIKI
HOBRON LANE BETWEEN ENA ROAD AND ALA WAI BOULEVARD
MAGOON ESTATE, LTD.
(FILE #69/Z-9)

The public hearing was closed and action was deferred at the October 8, 1970 meeting to permit the Planning Commission to meet with the Mayor's Planning Advisory Committee on Waikiki-Diamond Head in order that they might have some indication of the direction in which the Mayor's Committee is proceeding.

Mr. Rick Rainalter, Planning Consultant for the applicant, was permitted to present additional design plans of the development which he reviewed for the benefit of the Commission. No questions were raised concerning his presentation.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request on motion by Rev. Connell, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Rutledge, Bright, Naiwi

CAPITAL IMPROVEMENT PROGRAM
SUPPLEMENTARY NOS. 4 & 5, BILLS 128 & 129 (DRAFT NO. 3)

C.I.P. Supplementary No. 4

Amendment to Capital Budget Ordinance and Program for Fiscal Year July 1, 1970 to June 30, 1971. Supplementary appropriation request totalling $2,000,000 for partial payment for the acquisition of the Honolulu Rapid Transit Company.

C.I.P. Supplementary No. 5

Amendment to Capital Budget Ordinance and Program for Fiscal Year July 1, 1970 to June 30, 1971, Supplementary appropriation request totalling $1,000,000 for the purchase of 20 new buses as part of the City's mass transit program.

The staff's report was circulated prior to the hearing. There were no questions concerning the report.

ACTION: On motion by Rev. Connell, seconded by Mrs. Sullam, the Commission recommended approval of the staff's recommendations.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Rutledge, Bright, Naiwi

ADJOURNMENT: There being no further business, the Commission adjourned at 5:01 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
November 19, 1970

The Planning Commission held a special meeting on Thursday, November 19, 1970, at 8:45 a.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Roy R. Bright
Philip T. Chun
Reverend Eugene Connell
Ivanhoe K. Naiwi
Fredda Sullam (present at 8:55 a.m.)

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Ian McDougall, Staff Planner
William Bartlett, Staff Planner

ABSENT:
Arthur A. Rutledge
James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

MINUTES:
The minutes of November 5, 1970, were approved upon the motion by Mr. Naiwi, seconded by Mr. Bright.

ZONING H-1 RESORT HOTEL DISTRICT
WAIANAE
MAKAHA VALLEY
MAKAHA VALLEY, INC.
(FILE #70/Z-9)

The Commission again considered an application for a change in zoning from R-6 Residential District to H-1 Resort Hotel District for an area of land comprising 11.201 acres situated in Makaha Valley in Waianae and identified as Tax Map Key 8-4-02: portion of Parcel 5.

The applicant proposes to construct 2 two-story buildings and 1 eight-story building for a total of 341 units with 452 parking stalls.

The public hearing held on November 5, 1970, was closed and action deferred for two weeks for a field trip to the area.

MOTION: A motion to deny the application was made by Mr. Bright, seconded by Mr. Naiwi.

Before discussing the motion, the Chair recognized the applicant's representative, Mr. Dean Ho, to present testimony not presented at the public hearing.

Mr. Ho was not aware that this was not a public hearing; however, noting that the motion was to disapprove the request, he stated such action is disappointing to a developer who embarks on a long-range program which received approval from the various City and State agencies. This involved no less than six public hearings; each hearing covering not only the application under submission but covering the entire development, and each time there has been testimony in opposition and in favor of the proposal. Based on the plans approved by the City and State agencies, approximately $25 million will be expended for the entire development. Also, a 2-million gallon water reservoir costing $2.5 million will be completed on December 1 and improvements, such as ingress and egress through the area will be provided.

Regarding the 70-foot height limitation in the H-1 Resort Hotel District, Mr. Ho reported that the applicant is conforming to this height restriction.

Regarding the Commission's request for photographs or schematics showing what effect the eight-story structure would have on the view plane of the valley, Mr. Duncan reported that no photographs are available; however, photographs of the valley could be taken from various points along Kamehameha Highway and enlarged with the eight-story structure superimposed to show this relationship.

The Commission recalled that this request was made as a result of the field trip to the area to determine whether or not the proposed eight-story structure would have a detrimental effect on the view of the valley. It also noted that the Waianae District Neighborhood Planning Committee voted to recommend disapproval of the request.

Mr. Bright explained that his motion for disapproval was based on the 70-foot height limitation as he saw no necessity for the creation of "concrete empires" in the area. He stressed the need to lower the height limitation and noted that this may require an amendment to the Comprehensive Zoning Code.

Since the rezoning request is in conformance with the General Plan and the proposed eight-story structure will be constructed within the 70-foot height limitation, Mr. Chun did not concur with the motion for disapproval. It was his belief that the Waianae

District Neighborhood Planning Committee is not objecting to the change in zoning to H-1 Resort Hotel District, but to the 70-foot height limitation.

Mr. Yamabe reminded the Commission that it is not authorized to attach any conditions on zoning. Rather than denying this application, he suggested that action on the application be deferred to discuss with the applicant, the possibility of considering a planned unit development.

Mr. Chun preferred to act on the application and, at the same time, discuss possible alternatives for amendments to the Comprehensive Zoning Code.

A vote taken on the motion to deny the application failed to carry due to the lack of four affirmative votes.

AYES: Bright, Naiwi, and Sullam
NAYS: Chun, Connell, and Yamabe
ABSENT: Rutledge

Mr. Yamabe suggested that the matter be deferred for two weeks and, in the meantime, the possibility of a planned unit development which permits the imposition of conditions by the Planning Commission could be discussed with the applicant. This would give the staff time to prepare a profile drawing of the 8-story structure in relation to the area. The staff should also work with Legal Counsel Sato on possible amendments to the Comprehensive Zoning Code.

ACTION: The Commission, upon the motion by Mr. Chun, seconded by Mrs. Sullam, deferred action on the application for two weeks.

AYES: Bright, Connell, Chun, Naiwi, Sullam, and Yamabe
NAYS: None
ABSENT: Rutledge

Mr. Chun requested an inventory of all H-1 Resort Hotel Districts in the City and County of Honolulu so that whatever standards applied will be uniform in all H-1 areas.

Mrs. Sullam, however, believed that standards to be applied should not be uniform for all areas. Standards applied in valleys should not be the same for coastal areas.

STATE LAND USE COMMISSION PETITION KAHALUU WADCO, INC. (URBAN DISTRICT) (FILE #70/LUC-5)

The State Land Use Commission referred to the Planning Commission for its comments and recommendation, a petition submitted by Wadco, Inc., to amend the State Land Use District Boundary from Conservation to Urban for 11.2 acres of land situated at Kahaluu and identified by Tax Map Key 4-7-01: portion of Parcel 2.

Mr. Ian McDougall reviewed the staff report and the supplemental data.

Reverend Connell requested information on the amount of urban zoned land still undeveloped at this time. This data should be provided because of the possible overabundance of urban lands.

The Director stated that this information will be submitted to the Commission. He added that the Planning Department staff has updated the land use inventory for the City and the State in connection with the Oahu Transportation Study base data which was prepared in 1964 and has been underway for a year and possibly could be processed and printed out by districts. These data are on computer tapes. However, he felt that the basic question is the topography of the land in reference to the guidelines under the State Land Use Law. In this case, the average slope of the land is in excess of 20 percent which is considered inappropriate for development.

ACTION: The Commission, upon the motion by Mr. Chun, seconded by Reverend Connell, recommended that the petition be denied in accordance with the recommendation of the Planning Director.

AYES: Chun, Connell, Naiwi, Yamabe, Sullam, and Bright
NAYS: None
ABSENT: Rutledge

The Commission, upon the motion by Mr. Bright, seconded by Mr. Chun, recommended that the Planning Director be authorized to establish dates for the public hearings for the following items:

GENERAL PLAN DEVELOPMENT PLAN (AMENDMENT) ALA MOANA-MAKIKI-KEWALO (SEC. A) C & C OF HONOLULU DEPARTMENT OF PUBLIC WORKS

(1) Amendment to the Ala Moana-Makiki-Kewalo Development Plan, Section A, by reducing the proposed width of a portion of Pensacola Street from 80 feet to 76 feet for an area of land consisting of approximately 0.59 acre and identified by Tax Map Keys 2-4-02, 03, 12, and 13.

GENERAL PLAN DETAILED LAND USE MAP (AMENDMENT) KAHUKU-PUPUKEA-KAWELA INSCON DEVELOPMENT COMPANY

(2) The Director was instructed to establish the public hearing date subsequent to a field trip to the area.

CAPITAL IMPROVEMENT PROGRAM SUPPLEMENTARY NO. 5 BILL 128

The City Council referred back to the Planning Commission for recommendation and report, Draft No. 3 of Bill 128 because of further amendments included therein. Previous recommendations by the Commission for approval of Bill 128 were made at its meetings on October 22 and November 12, 1970.

Bill 128 pertains to the acquisition of 55 buses for an Integrated Island-Wide Bus System for the City and County of Honolulu. The new amendments increases the appropriation from $1.5 million to $1.7 million. This revised figure is based upon the recommendation and report of Councilman Mary George on her trip to Dallas to secure additional information regarding the possible purchase of the buses.

Funds for financing this project will come from the General Fund or Highway Fund or General Improvement Bond Fund or Highway Improvement Bond Fund or any combination thereof or all of the foregoing funds.

ACTION: The Commission, upon the motion by Mr. Chun, seconded by Mr. Bright, recommended approval of Supplementary No. 5, Bill 128.

AYES: Chun, Bright, Sullam, Connell, Naiwi, and Yamabe
NAYS: None
ABSENT: Rutledge

MISCELLANEOUS MEETING ON CIVIC CENTER COMPLEX

Complying with the request of Mrs. Sullam, the Director will schedule a meeting to discuss the Civic Center Complex. The Commissioners will be notified on the time and date of this meeting.

MISCELLANEOUS STATUS OF REPORT ON PROPOSED PARKS IN McCULLY-MOILIILI

Regarding the report requested by the Department of Parks and Recreation on proposed park sites in McCully-Moiliili, the Director indicated that this report was forwarded to the Parks Department. A status report will be given to the Commission at the next regular meeting.

In this respect, Mr. Yamabe suggested that a status report on all requests by the Commission be noted on the agenda.

ADJOURNMENT: The meeting was adjourned at 10:00 a.m.

Respectfully submitted,

Mitzie M. Abbott

Mitzie M. Abbott
Hearings Reporter

Special Meeting of the Planning Commission
Minutes
December 3, 1970

The Planning Commission held a special meeting on Thursday, December 3, 1970 at 8:40 a.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Ivanhoe K. Naiwi
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Calvin Ching, Staff Planner
Tosh Hosoda, Staff Planner

ABSENT:
Richard K. Sharpless, ex-officio

MINUTES:
The minutes of November 12, 1970, were approved on motion by Mrs. Sullam, seconded by Mr. Bright.

PUBLIC HEARING
SPECIAL PERMIT/CONDITIONAL USE PERMIT
WAIANAE
PUUHULU ROAD
TMK: 8-6-8: 23
MARVIN B. BUDREAU

The public hearing was held November 12, 1970. At the Planning Director's request, the public hearing was kept open for a period of two weeks to allow the applicant time to submit a noise report.

After this public hearing is closed, in accordance with Chapter 205.6 of the Hawaii Revised Statutes, action cannot be taken earlier than 15 days. Therefore, this matter has been rescheduled for the next regular Planning Commission meeting of January 7, 1970, at 1:30 p.m.

The Director reported the receipt of one letter of protest dated November 1, 1970 from Joseph U. Lee and Wayne Lee, adjoining property owners. (The contents of this letter is summarized under testimony given against the proposal.)

The staff reported that the applicant has not conducted noise tests yet for the reason that the dogs must be present and barking before testing can be done.

Additional public testimony was heard.

Mr. Joseph Lee reiterated his comments contained in his letter AGAINST the proposal:

1. Depreciation of nearby property values

2. Noise pollution - Only a person who has experienced living next to a dog kennel knows the problem of mental health involved, a situation that only a totally deaf person can tolerate. He lived next to a dog kennel in Palolo and moved because of the noise situation.

3. If the permit is granted, it should be subject to review annually to review the noise factor.

The Commission had no questions of Mr. Lee.

Testimony FOR the proposal was given by the applicant, Mr. Marvin B. Budreau, and his attorney, Anthony Kim. Reasons given:

1. Property values will not depreciate inasmuch as the area is already agriculturally zoned with various animals kept either as livestock or pets, i.e. cows, horses, pigs, chickens, ducks, hunting dogs, etc. There is also a drag strip nearby which hot rodders and motorcyclists frequent. In essence, the noise situation already exists.

2. The fact that the applicant must conform to noise standards of the CZC is discriminatory because hunting dogs and other animals kept by neighbors already make a lot of noise.

   The Director asserted in a sense, this is a discriminatory approach because the Conditional Use Permit may not be permitted at all by the City Council, and the Commission could recommend that it be denied entirely. The proposal is not an outright permitted use like those ordinarily permitted in agricultural districts. Rather, it is subject to very special consideration, and the staff places what it feels are reasonable conditions to insure its compatibility in the neighborhood.

   The Acting Chairman advised the applicant that differences should be cleared with the staff. The Commission bases its action on the staff's report and recommendations. By the staff's representation, the Commission assumes that the applicant is willing to conform to the recommended conditions.

3. The staff's recommendation for a noise consultant at the applicant's expense, three months after the operation is in progress is unreasonable for the following reasons:

   a. From a practical standpoint, noise controls are established to protect neighbors in the immediate vicinity. However, there have been no complaints from their neighbors. Therefore, to require the applicant to conduct a noise test at his own expense when at this point no complaints have been received, is procedurally unreasonable.

b. Even if noise tests conducted by the consultant indicates that the applicant has complied with the performance standards of the CZC, there is no assurance that the consultant's report will settle issues on subsequent complaints. The staff would be obligated to verify any complaints following the testing. In this respect, the noise test accomplishes nothing.

c. A Conditional Use Permit is not something that is purely discretionary with the Commission but rather is based upon the applicant's ability to meet certain conditions.

No other person appeared to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter deferred to January 7, 1971, on motion by Mr. Bright, seconded by Rev. Connell.

PUBLIC HEARING GENERAL PLAN DEVELOPMENT PLAN (AMENDMENT) ALA MOANA-MAKIKI- KEWALO (SEC. A) C&C OF HONOLULU DEPARTMENT OF PUBLIC WORKS	A public hearing was held to consider a proposal to amend a portion of the General Plan, Development Plan for Makiki-Kewalo-Ala Moana, Section "A", by reducing the proposed width for a portion of Pensacola Street between Luanlilo Freeway and South King Street from 80 feet to 76 feet. Publication was made November 22, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Staff Planner, Calvin Ching, reviewed the proposal with assistance from Mr. William Ling of the Public Works Department, Division of Engineering. Questioned by the Commission, Mr. Ling stated the following:

1. The widening affects both sides of Pensacola Street, but it varies to avoid the demolition of a number of buildings that would be affected.

2. The possibility of decreasing the sidewalk width to avoid some of the structures is unlikely. The proposed 8-foot sidewalk is already nominal in size and fully utilized by a 3½-foot planting strip including existing trees in the area.

3. This reduction from the original 80-foot right-of-way to 76-foot right-of-way considerably lessens the land cost to provide improvements by over 50 percent.

Public testimony was heard.

The following people testified AGAINST the proposal:

1. Mr. Francis Chun and Mrs. Marilyn Maruyama, property owners of that portion of land situated on the makai-ewa corner of the Lunalilo Freeway

2. Mr. Francis Izumi, Attorney and owner for that parcel of land situated on the ewa side of Pensacola Street bounded by Beretania and Young Streets.

Reasons given:

1. They were unaware of the 80-foot roadwidening adopted June 26, 1969 and questioned notification procedures to property owners conducted at that time. They feel they are at a loss since the ordinance has already been adopted.

   The Director commented that the 80-foot widening was subjected to all procedures that apply to adoption of such a plan which includes, among other things, publication of the proposal in our local newspaper, a public hearing at the Planning Commission level, and three readings with the City Council.

2. The garage portion of their apartment structure and the parking area will be eliminated entirely, creating a hardship for them and for their tenants.

3. The staff's representation that no timetable is available as to the construction date of the proposed realignment (since the improvement is not budgeted in the City's 6-year CIP program) makes it difficult for property owners to determine the extent of repairs which should be done to existing structures knowing that their buildings will be acquired.

   Mr. Ling pointed out that appraised values will reflect the condition of buildings affected so that maintenance of these structures remains optional to the property owner. Concerning Mr. Izumi's parcel, acquisition will be less on Beretania Street but more on Young Street.

Before closing the public hearing, the Commission expressed concern whether proper notification had been given to adjoining property owners. Discussion followed as to who should be notified, and the procedures which should be applied. However, Deputy Corporation Counsel Andrew Sato reminded the Commission that the Charter only requires that hearing notices be published "in a daily newspaper of general circulation in the city." Problems may arise if the Commission deters from this regulation to the extent of an amendment to the City Charter. The staff was directed to study the matter.

It was moved by Rev. Connell, seconded by Mr. Chun and carried, that the public hearing be closed.

<u>ACTION</u>: Based upon the Director's recommendations, the Commission recommended approval of the proposed amendment, on motion by Mr. Chun, seconded by Rev. Connell.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Naiwi
NAYES - None
ABSENT - None

PUBLIC HEARING
ZONING H-1 RESORT
HOTEL DISTRICT
WAIANAE
MAKAHA VALLEY
MAKAHA VALLEY,
INC.
(FILE #70/Z-9)

The Commission again considered an application for a change in zoning from R-6 Residential District to H-1 Resort Hotel District for an area of land comprising 11.201 acres situated in Makaha Valley in Waianae and identified as Tax Map Key 8-4-02: portion of Parcel 5.

The staff presented various photographs of the valley taken from various points along Kamehameha Highway and enlarged with the eight-story structure superimposed to show the relationship.

Mrs. Sullam commended the developer for a fine development but still felt that highrise buildings should be placed along the mountainside rather than obstruct the valley range and vertical view plain in the center of the valley.

Mr. Dean Ho, Manager of Makaha Inn, when questioned on this point indicated two ways in which the expanse of the valley could be developed; one by having a highrise structure with acres of open ground, and another with low structures which would completely obliterate the ground but preserve the vertical view plain. They felt the latter approach was too confined, and that the closeness of low structures tends to invade upon the privacy of individuals.

There were no further questions.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request on motion by Mr. Chun, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Naiwi
NAYES - None
ABSENT - None

CAPITAL IMPROVEMENT
PROGRAM
AMENDMENT TO THE
1971 CIP
KANEOHE STP
DEPT. OF PUBLIC
WORKS

The Commission reviewed the staff's recommendations recommending approval of $220,000 for the Kaneohe Sewage Treatment Plant. The proposed project is for the installation of approximately 15,000 linear feet of sewage transmission lines plus the construction of pump stations and force mains necessary for redirecting the effluent from the Kaneohe STP towards Kailua Bay. The new lines will replace the existing Kaneohe Bay STP outfall sewer which is currently discharging its effluent into the southern portion of Kaneohe Bay.

Mr. Mike Moriarty representing Save Our Surf, was permitted to make a short presentation and called to the Commission's attention the ecological effects

the outfall system is having on coral life in Kaneohe Bay, and on adjoining beach recreational areas. He presented for the Commission's information and perusal, a report entitled "Coral Reefs and Pollution" by R. E. Johannes, Department of Zoology, University of Georgia, Athens, Georgia, U.S.A. Concerning technical questions relating to the operation of the STP, the Chairman referred Mr. Moriarty to Mr. Chew Lum Lau, Division of Sewers, Planning Section, Department of Public Works, who was in attendance.

The Chairman thanked Mr. Moriarty for his concern and interest on this matter.

ACTION: On motion by Mr. Bright, seconded by Rev. Connell, the Commission recommended approval of the staff's recommendations.

* * * * * * * * * *

The Commission, on motion by Mr. Bright, seconded by Rev. Connell and carried, moved that the Planning Director be authorized to establish dates for public hearings on the following items:

PLANNED DEVELOPMENT HOUSING-DISTRICT KAALAEA WAILEHUA ROAD TMK: 4-7-14: 2 & 4-7-43: 1 TYRELL & SCHRADER CORPORATION	1. The proposal is the development of 180-dwelling units and construction of a sewage treatment plant.
PLANNED DEVELOPMENT SHOPPING CENTER DISTRICT ALIAMANU SALK LAKE BLVD. & ALA LILIKOI ST. BRADLEY INVESTMENT CORPORATION BY: MORIO OMORI	2. The proposal is the construction of a planned shopping center providing convenient shopping establishments, including a Safeway Market, a variety store, service station, restaurant, and other service shops. Total building area will be approximately 77,000 sq. ft.
ZONING B-2 COMM. BUSINESS DISTRICT PEARL CITY KAM. HIGHWAY & LEHUA STREET (SITE OF PEARL CITY TAVERN) TMK: 9-7-22: 7&21 RICHARD C. MASSEN	3. The existing restaurant facilities are nonconforming.

ZONING AG-1 RESTRICTED AGRICULTURAL DIST. KALAUAO MAKAI OF MOANALUA RD. (NEAR THE SUMIDA WATERCRESS FARM) TMK: 9-8-13: 9 B.P.BISHOP ESTATE	4. The request is in conformity with the Detailed Land Use Plan. The entire parcel is presently being used as a taro farm.
ZONING B-2 COMM. BUSINESS DISTRICT PEARL CITY SOUTHEAST CORNER OF LEHUA AVE. & THIRD STREET TMK: 9-7-21: 3&52 WALTER JOHNSON, ET AL	5. The applicant proposes construction of three 2-story commercial structures.
CONDITIONAL USE PERMIT A-3 APT. DIST. EWA BEACH FORT WEAVER RD. TMK: 9-1-01: 19 QUALPAC, INC.	6. The proposal is for a 175,000 gallon per day sewage treatment plant to service 210 two- and three-bedroom townhouse units under the FHA 235 program.
ZONING AG-2 AGRICULTURAL DIST. WAIANAE MIKILUA VALLEY TMK: 8-7-09, 10, 18, 19, 21, 22, AND PORTIONS OF 3 & 4 PLANNING DIRECTOR	7. The major difference between the AG-1 and AG-2 districts is that the AG-2 district, in addition to all the uses permitted in the AG-1 district, permits the raising of bees and swine.
GENERAL PLAN DETAILED LAND USE MAP AMENDMENT MAUKA-HONOLULU CORNER OF THE INTER- SECTION OF KUNIA RD. & THE H-1 HIGHWAY TMK: 9-4-02: 17 HSM VENTURES	8. The applicant proposes to develop the area for urban uses, primarily residential. Development will consist of 2,000 units of single-family housing and 1,000 apartment units. In addition to a neighborhood shopping center and two school-park complexes are also proposed.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:14 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
December 10, 1970

The Planning Commission met in regular session on Thursday, December 10, 1970, at 1:45 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Rev. Eugene Connell
Ivanhoe K. Naiwi

STAFF PRESENT:
Robert R. Way, Planning Director
Dr. Robert Rider, Staff Planner
William Bartlett, Staff Planner
Ralph Kawamoto, Staff Planner
Roger Harris, Observer

ABSENT:
Roy R. Bright
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES:
The minutes of November 19, 1970, were approved on motion by Mrs. Sullam, seconded by Rev. Connell.

PUBLIC HEARING
GENERAL PLAN
DETAILED LAND USE MAP (AMENDMENT)
KAHUKU-PUPUKEA-KAWELA
INSCON DEVELOPMENT COMPANY

A public hearing was held to consider a proposal to amend a portion of the General Plan Detailed Land Use Map of Kahuku-Pupukea-Kawela, by changing the land use designations from agricultural, resort and golf course uses to various land uses including resort, apartment, residential, golf course, beach park, and commercial uses for areas of land situated generally between Kawela Bay and Kahuku Point and identified as Tax Map Keys 5-7-01 and 5-6-03.

Publication was made November 29, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. Various letters opposing this proposal were received and are incorporated into the following verbatim transcript of the hearing.

Way: Mr. Chairman, Mr. Robert Rider of the Planning Department Staff will make the presentation that will explain more in detail the specifics of the proposal.

Rider: Mr. Chairman and members of the Commission, the request before you is an amendment to the Kahuku Detailed Land Use Map. The applicant proposes to develop an integrated resort complex as is displayed on this map (pointing to map displayed). The applicant is following a plan submitted previously to the city which provided the basis for the designation of initial segments of this area for resort use. These segments are shown here and here (pointing to map).

The request encompasses a fairly extensive area of 881 acres on which the applicant proposes to develop some 7,000 units - approximately 4,000 hotel, 2,000 apartment, and roughly 480 single-family units.

The condominium--the apartment units are intended as an integral part of the resort complex. The anticipated market for these units would be local, mainland investors, and purchasers of second homes. There would be a small secondary market of individuals seeking permanent homes, presumably individuals living upon the windward coast, working in the Kailua, Kaneohe areas.

The proposal is consistent with the prior decision to designate this area for resort use--that is, the proposal is consistent with existing land use policy for the Kahuku area. The basic studies which provided a basis for the intial land use map indicated that resort development could become

the dominant form of economic activity in this area and provide the dominant basis for employment, offsetting the possible closing of the Kahuku Plantation. In fact, it does represent the most feasible alternative form of non-agricultural employment. In view of the fact that the basic decision for resort development of the area has been made in prior decisions, the applicant's proposal is an extension of those decisions into adjacent areas. The question is one of - to what extent should the area be developed? This is partly dependent upon the nature of the demand or need for the units being proposed, and partly upon the necessary area for the efficient and effective development and implementation of the plan.

The applicant has undertaken analyses of demand for the various types of units he proposes. These estimates are generally reflected in the construction schedule which is attached to the staff report. There is a considerable amount of uncertainty in the projection of demand for these kinds of units. The applicant's schedule would generally include the anticipated construction of units in the areas of (pointing to map) J-1a, J-1b, 2, 3, and 4. Through the 1970s - in the latter part of the 1970s and 1980s, construction in these areas is proposed, but this remains in the distant future.

The question, what area would the applicant require, in order to economically and efficiently develop this area -

implement his plan, includes the block of areas indicated by the J-1a, J-1b, J-2, 3 and 4. This means an engineering cost. This means efficient placement of utilities. It means also, efficient flexibility in marketing strategy. It would be inefficient to develop this area, then move to this area and hence to this area. The applicant's proposal, if it is undertaken in an efficient way, would have to include a fairly extensive portion of the proposed plan.

Other kinds of issues related to the application include employee housing. The applicant proposes to construct - review the need to construct employee housing in Kahuku town if this should become necessary when the need for such housing becomes firm.

The applicant has been in discussion with the Department of Education regarding a school. At this time, the need for a school site is not immediately apparent. There remains available land within the proposal or within the general area for a school site should this become necessary. In general, the Department's recommendation in view of the existing decision for the resort development of this area, and the consistency of the proposal with existing land use policies and studies is for approval, but limited to those areas which can be anticipated to be constructed and which are reasonably economically viable over the next several years. This would include J-1a and b, J-2 and 3, J-4, the resort area A-2, and the golf course. This would also provide the appli-

cant with the necessary block of area for the economical and efficient development of the implementation of the plan. The remaining areas can be reviewed at a later time when the need for further development is more evident.

In addition, there is another issue relating to the development of parks. With the agreement of the city, he is proposing three public parks, L-1, 3, and 2 (pointing to map), which constitute an area of about 68 acres. The applicant and the Planning Department, and the estate, have been and are now in the process of specifying the details for the acquisition of the park, and access to public beaches.

Our recommendation would be for the Planning Commission's approval of the proposal, but with the further recommendation to the City Council that the total project not be approved until the details of the park program have been worked out.

Mr. Chairman, that concludes my presentation.

Chairman: Any questions from the commission members? Mrs. Sullam?

Sullam: Would you point out in general what was designated as resort in the General Plan as adopted in 1964?

Rider: The '64 General Plan was amended. That contained no resort designation in the immediate project area. The Detailed Land Use Map was revised in 1968 to include these two areas which are indicated on the map here.

Sullam: The reason for my asking this question is that when the General Plan was adopted in 1964, tourism was really reaching

a very high priority, and I wonder why such a small portion was designated then?

Rider: I'm not certain that I can properly answer that. I think embodied in the decision to revise the Detailed Land Use Map at that time was, I would believe, a consideration of the need for decentralization of resort facilities. At that time, it became evident that the increasing pressures in Waikiki warranted policies to encourage decentralization of this industry.

Sullam: Could you point out which lands are presently being farmed, if any, in that area?

Rider: I do not believe there is ongoing agricultural activity. The land use map shows barely extensive area vacant in this particular section here (pointing to map). The Kahuku Plantation is shutting down.

Chairman: Any other questions, commission members?

Just for the people in the audience, the procedure is to ask for questions of the commission members. Then you will be given an opportunity to discuss this matter as a proponent or as an opponent of the application.

Mr. Director, do we have on file any letters of protest?

Way: Yes, Mr. Chairman. We did receive several letters of protest just immediately prior to the meeting, approximately 6 or 7.

The first from a C. M. Ricketts. Dear Sir, I am opposed to such a large chunk of land in Kahuku being rezoned from agricultural to urban. The land is lost for agricultural purposes thereafter. Hawaii may find she needs it. Surely, more of the land could be reserved for the people's use from an agricultural point of view as well as from a recreational point of view than has been requested by the Del Webb organization. Sincerely, C. M. Ricketts.

The second received is To Whom It May Concern. I would like it to be known that my family and I are strongly opposed to the planned rezoning of land from Kahuku to Kawela Bay from agriculture to urban usage. As a concerned resident of this area, I feel that the future abortive efforts upon our natural environment, by the Del Webb Corporation in particular, is a major ecological catastrophe from which all Hawaii will eventually suffer. Sincerely, James D. Hoffman, Lot 229, Kawela Bay.

This one is to the City Planning Commission, from Mrs. Kimo Andrews, reference acquisition of land for urban development by Del Webb in Kahuku area. Comment, Hawaii doesn't need him, his urban development or the type of economy he says will result from this development. We are all concerned about jobs for Hawaiians, and a strong state economy, but Del Webb and developers like him are interested in their own financial gain only.

Chairman: The Chair certainly appreciates the expression; however, we

do have quite a number of things on the agenda, and we'd like to handle this matter as expeditiously as possible. I certainly would like to have you people come up here and testify and express yourself, but I certainly would appreciate it if you would refrain from applauding. This is the best way to approach this thing, don't you agree? Thank you.

Way: Continuing Mr. Chairman. What kind of persuasion does the city commission need to convince them that Hawaiians and the people who come to see Hawaii want Hawaii left alone? Kahuku and North Shore areas are still beautiful. Please don't sell out to Del Webb who will destroy what is left. Mrs. Kimo Andrews, 1105 Keolu Drive, Kailua.

Another letter to the City Planning Commission, reference resort development at Kahuku. Dear sirs, my purpose in writing is to register opposition to the proposed change in the Oahu General Plan regarding a resort development at Kahuku. The General Plan was originally conceived for the protection of the land and for future assurance that the land would be put to the best use in the interest of Hawaii's people.

Hawaii has been a leader in land use laws. We are the envy of every other state as we are the only state among fifty which has a master plan for land use. We are throwing away our cherished leadership in this field by gradually allowing developers to chip away at the agricultural and

conservation areas. Soon there will be no need for a master plan.

Given the background of the land use law, it would seem that in weighing the merits of a change of land zoning to urban use, there can be only one criterion, the benefit to the people of Hawaii. This proposed plan has failed to pass this test. Have we not yet learned that progress is not synonomous with growth in the sense of bigness. What benefit to the people can we find in the plans of this mainland outfit to cash in on the beauty of the Hawaiians' land.

The developers, of course, argue that this will create jobs, but are these the right kinds of jobs for the people in the area? Can a middle-aged man be trained as a chambermaid? Or should he stay home and keep house while his wife cleans hotels and serves meals? The types of jobs created will attract strangers to the area and to Hawaii, intensifying the already threatening population problem of Oahu. Or are you still of the opinion that economic growth is automatically equated with progress. These are but a few of the soul-searching questions you must ask yourself, before taking the awesome step of selling the birthright of the Hawaiian people to an outside developer for the sole purpose of increasing the island's economic base.

If, in your wisdom, you determine that this development is in the best interests of Hawaii's people, then it is imperative that you make exacting demands on the developer to prevent desecration and unplanned commercialization of the North Shore. Public access rights of way should be numerous

and convenient with adequate provisions for parking, and they should be under city-county jurisdiction. Plans should be formulated by impartial experts for disposal of wastes, including an ironclad requirement for eventual completion of tertiary sewage treatment facilities to prevent the inevitable pollution. Adequate transportation to, from, inside of, and around the area must be planned before the final go-ahead is given. It is the very least that you can do for the citizenry whom you represent, to see that every aspect is carefully planned, since it is not unlikely that this development will be used as an example for further development on the North Shore.

Thank you for your kind attention and for your thoughtful consideration of the questions I have raised. Sincerely, Mrs. Carolyn C. Jones.

Another letter directed to the Planning Commission. As long time residents of Hawaii, we are firmly opposed to the development of the Kawela Bay area for hotels or other complexes as is being proposed by certain mainland interests. If this scenic area has to be developed at all it should be as a park for public recreation. Sincerely yours, John W. Balock.

Another letter to the Planning Commission. We, as residents of the islands, feel that the development of the Kawela Bay area as is now being proposed, would not be in the best interest

of the people of Hawaii. If this area has to be developed, it should be used as a recreational area for all the people of Hawaii. Sincerely, Mr. and Mrs. Kenneth Olds, Jr., 1318 Mokulua Drive, Kailua.

Another letter to the Commission. Sirs, I wish to protest the proposal to amend the general plan detailed land use map for Kahuku-Pupukea-Kawela, Tax Map Keys 5-7-01 and 5-6-03. I protest any change in the land use designations which would include apartment, residential, and commercial uses for areas of land situated between Kawela Bay and Kahuku Point. The above protests are based on the following grounds: (1) the people in the general area have not been notified of the proposed changes through their local media; (2) there is no sewage system within the area to handle a large influx of people; (3) the present road system in the area cannot handle, on a safe bases, any increase in volume. Any change in the present land use designations would be a disservice to the people which you represent. Sincerely, Gary P. Beals, 59-052 Huelo Street, Sunset Beach.

A letter from the Waialua Community Association, to my attention. Reference to your letter dated September 17, 1970, the Waialua Community Association has no objection to the proposed rezoning of the Kahuku Lands Development Project, Tax Map Keys 5-7-01 and 5-6-03. However, we are keenly interested in all changes of land use and zoning of any form that occur in the Waialua District.

We have just learned that a trailer camp is to be established on the Magoon property tax key 6-6-31-15, and we are not at all sure that this fits the best use of this land. We will be in further contact with the Planning Department at an early date. Very truly yours, the Waialua Community Association, Frederick C. Gross, Vice President.

Those represent the communications we have on file, Mr. Chairman.

Chairman: Thank you, Mr. Director. I assume there was just one letter of support?

Way: Yes.

Chairman: Turning to the audience, is there anyone here that wishes to speak against the proposal? Please take a seat and may we have your name for the record.

Bruce Howard: My name is Bruce Howard and I live in Haleiwa. I have a couple of questions.

Mr. Rider made a couple of references to the plantation closing down. I wonder if this is in spite of the proposed development or is it because of the proposed development that the plantation is closing down?

Chairman: Mr. Director?

Way: I don't know that I can answer that quite specifically. I would comment that the plans for the closing of the plantation were made a couple of years ago.

Howard: Is this speculative or is Kahuku Plantation going to close down?

Way: To our knowledge, that is the fact. I believe we have representatives here that could testify more specifically to that question, the Campbell Estate particularly. We would direct that question to them since they are the owners of the land.

Chairman: Why don't you go ahead and ask the questions and we'll make note of the questions. We'll ask the questions of the estate representatives.

Howard: The second question that I would like to ask Mr. Rider is that you stated earlier that there were a number of serious decisions made in this proposed redevelopment. I'm pretty much in the dark as to what these decision were. Are these Planning Commission decisions? Am I lead to believe that the purple area up there on the map shown as resort have already been confirmed? As far as the Planning Commission is concerned, they have nothing more to say about that?

Way: Mr. Chairman, might I comment that the implication is that there is a Planning Commission decision here. The decision is with the City Council. The Planning Commission is an advisory body that will make a recommendation to the City Council.

The changes that Dr. Rider will refer to here are adopted by the Council as Ordinance. Certain decisions have been made, some in 1964, subsequently in 1968, and these, I

think are the ones they're referring to. We could point to those quite specifically as an indication of the city's policy to the City Council as to what the land use in that area is to be; what the plan is for the area.

Rider: The existing policy for the land use in this area is identified on the Detailed Land Use Map which is adopted by ordinance. This is the map. Unfortunately, this overlay indicates the current recommendation, but under the overlay, you can see these two areas in pink (pointing to map), which are identified for resort use on the map. Underneath of the overlay there is the golf course also indicated which is a related use to the resort designation.

Chun: Dr. Rider, may we have the date of adoption of that map?

Rider: March 16, 1967. The amendment from agriculture to resort, the date is 7/16/69.

Howard: Thank you very much.

Chairman: Do the Commission members have any questions of Mr. Howard? If not, thank you Mr. Howard.

Is there anyone else in the audience that wishes to speak in opposition to the proposal?

You might explain what you have prepared and how you plan to present it for the benefit of all.

Krista Ijames: My names is Krista Ijames. There's five of us from Save Our Surf.

Chairman: How do you spell that?

Ijames: I-J-A-M-E-S.

First of all, I would like to ask the gentleman that was speaking, representing this Commission--

Chairman: Miss Ijames, if you would direct all of your questions to the Chair, I will have the appropriate party to answer you.

Ijames: One comment I would like to make is that reading the letters, a few of them were from Kailua. I noticed in his presentation he said that the plans would benefit Kailua. I just wanted to point out the discrepancy here. The Kailua residents obviously don't seem to benefit.

Another thing, I don't think this is going to happen so I'm really not that worried about it right now, but in looking at these plans, I see the beach areas. They look like another Hayes Guard set up to me through the golf course and through the hotel.

The purpose of the following data is to question the basic assumption that there is a greater need for more resort areas as opposed to other less powerful needs such as agricultural use.

On July 2, 1928, this is a long time ago but I think this is important, the Governor of Hawaii, Wallace R. Farrington, addressed the Committee on Trade Commercial and Industrial Development, Chamber of Commerce of Honolulu. He was concerned with the opportunities for local pursuit of a life

in agriculture for the island's youth. It was indicated that one of the reasons for the failure to interest the young people in the agricultural industries of the territory was found in the inability of young farmers to obtain land of their own to cultivate. The inference was drawn that once given pride of ownership, a larger portion of our young people will return to the land.

In this same 1928 report in the Summary for Oahu, the remaining homestead lots were considered. They were very optimistic then about Hawaii's future; and if their foresight would have been heeded, the agricultural diversification crisis we have today would not exist.

Let us again recall that the Organic Act specifically provides that this land shall be held - this is in reference to the homestead lands then - practically in trust for the small homesteader. The present owner may not sell to a corporation or to an alien without the consent of the governor and the commissioner of public lands. That consent is given only in exceptional cases. The reason for this is that the spirit of the law is very plainly to protect the holder of small areas, and also protect the territory against future consolidation of its public lands in the hands of a few. Isn't this 881 acre planned takeover such a consolidation?

The students of agriculture in our schools today have no future without land on which to build it. The more land we

reserve for resort complexes, the more land we are robbing from our more basic human needs.

Every awake citizen of Oahu is painfully aware of our dependence on the pineapple and sugar cane industry. Diversification is a necessity to our future. We can't ignore our total dependence on mainland resources. With railroad strikes and dock-worker walkouts - and this is happening right now - the possibility of a crisis of isolation in Hawaii cannot be ignored. The point is that we cannot provide diversification of agriculture without open land.

In the Agricultural Development Plan, State of Hawaii 1970, the problem is defined. This is what is right into what is happening today. The most important problem faced by the Hawaii livestock and agricultural industry is the competition for land, labor, capital for livestock and farm production, and the resulting increased cost for these resources. While this general problem exists for all sectors of the Hawaiian economy, the position of livestock producers and farmers is worsened by their inability to compete effectively for resources due to only a small profit potential.

The report points out the tourist industry has increased the demand for livestock and agricultural products. At the same time however, the tourist industry - represented here today by Del Webb - competes for the use of scarce land, labor, and capital, thereby raising the price for these resources. Thus, while this major problem may be identified as agricultural in this report, the solution must come from outside

as well as within the agricultural sector.

This is one reason we are here today - to help fight for the agricultural needs of Oahu, to combat the profit force of the tourist industry with the real need to Oahu's future in mind.

It appears that the State Department of Agriculture is fighting a losing battle trying to compete for much needed land and resources, capital and labor. I strongly suggest the state's competing for these 881 acres and devoting them to agricultural use. This would not destroy the natural aesthetics of the land, nor would it isolate the beaches and land from the local people as resort complexes inevitably do.

Chairman: Commission members, are there any questions of Miss Ijames? If not, thank you Miss Ijames. May we have a copy of your presentation?

Ijames: You can have it.

Chairman: Thank you.

Mike Moriarty: My name is Mike Moriarty of Save Our Surf. In the first place, we've been kind of coming out of the isolation and just talking about the way. We've gotten to the point where now we realize that the total environment which surrounds the ways affects us. That's why we're offering these other areas, okay?

First of all, the purpose of my presentation is - I think we should look at the total picture of Hawaii. You can't just look at Del Webb, and go over and look at Makaha, and go down and look at Waimanalo. We have to look at the whole thing. So, we'll start off with a few facts here. Dave?

That there is a chart - a distribution of landownership over the total population. Two percent of Hawaii's population are owners, okay? Ninety-eight percent do not own any land at all. There are 3,551 separate landowners in the State. Of this, according to the book called "Public Land Policy in Hawaii, Major Landowners," Report No. 3, by Horwitz and Finn of the University of Michigan, published by the Legislative Reference Bureau in 1967, 90.3 percent of all privately owned land or 46.88 percent of all Hawaii is owned by 72 corporations or individuals. Further, some 42.82 percent of Hawaii's land is owned by 26 corporations or individuals. That leaves 4.6 percent of that remaining 90.3 percent owned by 46 individuals or corporations. If by some chance you may believe in peoples' capitalism being the theory that people control corporations through the ownership of stocks thereby sharing in any of its profits, that would justify perhaps these few corporations.

In 1963, the National Bureau of Economic Research Study, Robert J. Lampman pointed out that 1.6 percent of the adult population of the United States hold, and is going toward more consolidation, 82.4 percent of the shares of corporate stock. I guess that establishes the fact that most of the people do not own land or share in the profits

of the large company. But what are the people earning, and what are the profits in the industry? We are talking about here, namely, the tourist industry?

According to a periodical called 'Hawaii Labor Force Development" prepared by the Research and Statistics Office, the State Department of Labor and Industrial Relations records received in September, hotel workers, average statewide wage per week was $79.99. Honolulu's average wage was $77.78. Compare this with the U. S. Department of Labor dated in 1966, a city-worker family of four - man, wife, boy 13, and girl 8 - needed $219 per week to maintain a moderate standard of living. That was in 1966. This is four years later now. Three members of the family would have to work at full time at this wage to obtain a moderate standard of living. These are obviously poverty wages.

You may think that this may be justified. Perhaps this is all the tourist industry can afford to pay its employees. Not so. According to an Article in the August 13, 1970 issue of the Star Bulletin, a study by Harris, Care, Foster and Company shows that after real estate tax deductions, the average profit per room per year for the tourist industry in Hawaii is $3,206 or 27.5 percent of the total sales and income. Apparently the workers are getting the short end of the stick here.

So far then, we have proved that the people of Hawaii do not own land, do not share in the profits of these corporations, and are not paid adequate wages.

What about the profits to be had by the construction industry and their workers? They do represent other interests. Construction workers get an average of $200.84 per week. This is according to the labor - the one I previously - okay - This is above the level set as adequate for moderate standard of living okay? From this we know that it is very important to the people who want these buildings built that they be built. Remember those profits? This is why they pay so well, obviously. But where does this money come from? Remember the wages that are so low? The only reason they have money to build these resorts is they underpay their workers.

As far as the employment problem goes, if the workers have adequate wages, they would spread their money around and create new markets, better houses, better schools, better food, you know. Those people now employed in the construction industry why you could give them jobs like - just assign a few of them to a school and they could take the kids out into the world instead of leaving them locked up in jail like they are now.

There are so many things - like we get this thin bread, this tissue bread, its got nothing to it. The reason we get it is because it is easily preserved. Those people could be put to work making good healthy bread - anything. This is so stupid. Let's see, what else is there? God! Wow! Somehow I think taking care of children and eating wholesome food is more important than making a lot of money for a few people.

I have some things I'd like to propose. I'd like to propose that you people make it a standard policy not to zone up any agricultural land from now on.

Thirdly, I'd like to point out - this was disucssed at the last meeting I came to. You're not getting across to the public. The reason these people are here is because we went out and put out a leaflet and got some announcements on the radio. I want to know how you get the law changed so that the announcements have to go out two months ahead of time, one month ahead of time, ten days ahead of time, and everyday for the week before. I also want to know why you guys don't put service announcements on the radio when they're free?

Chairman: Are these questions directed at us at this time, Mr. Moriarty?

Moriarty: Yes.

Chairman: I don't think I'm in a position to answer all of your questions. However, we are very much interested in receiving your questions. I'm sure you will be given an answer whether it be satisfactory to you or not. We recognize that there are some faults.

Moriarty: Don't worry. I won't let up. I'm not going to walk away from here. There's some other people who's going to talk.

Chairman: Any questions of Mr. Moriarty? Mrs. Sullam?

Sullam: It was stated by Miss Ijames that the pride of ownership would encourage people to return to the land. Do you feel

that amongst your friends here, there are many who will be willing to farm the land?

Moriarty: Oh sure.

Chairman: Next?

Vic Boranian: My name is Vic Boranian. I register my opposition to this plan. One, agricultural land is at a premium. I have a quote taken from the Economic Review, March-April 1970. The article's entitled "The Agricultural Plan." There is a shortage of good land for farming and farm labor. There are marketing problems inherent in a mid-ocean state. Recognizing these factors, the master plan recommends emphasis on making more agricultural land available and on protecting existing farm land from conversion to urban use, and as a means of preserving a sound, balanced, urban-rural relationship.

I have another quote taken from the Star Bulletin, Wednesday, December 9, 1970. The article was entitled "High Hopes for Isle Open Space Plan." It was pertaining to the land use laws. The article stated that the legislative intent is to preserve prime agricultural land. Well, it doesn't seem apparent that you're trying to preserve prime agricultural land right here. So, it looks like the administration is kind of hypocritical on this point.

Going back to what I said on my first quote where it said there are marketing problems inherent in a mid-ocean state, why should there be marketing problems because our crop

isn't diverse enough. We have two major crops, sugar cane and pineapple. Okay, why don't we cut the food prices by diversifying our agricultural crop for a different type of vegetables, fruits, all types of food that we need right here instead of making one major crop and exporting it, when we have so many problems finding markets for it.

Another thing is when we take a look at these plans, they don't study the overall picture. They take a look at one plan at a time. They say this will have little effect or no effect on the overall picture. When they put all the different plans together, you have a hell-of-an-effect.

We went down to the Department of Transportation and talked to Clarence Yamamoto who is the new Director of the Planning Department. He said that this development itself will create the need for a four-lane highway. There's only a two-lane highway out there right now.

Okay, where are the employees coming from? A representative of the Planning Commission said that there might be a housing project out there for employees. That would take up more prime agricultural land. If they came into town everyday, that would make a hell-of-a traffic jam on a two-lane highway.

So I don't think these guys really take a look at the overall picture before they come in for something. There are so many projects going up all over the island that if you just look at one spot, it may not look so big. But when you look at all the spots converging on one another, it looks like the

whole island is going to be one big city, you know, no open space or anything.

Thank you.

Chairman: Any questions of Mr. Boranian? If not, thank you Mr. Boranian.

David Hartness: My name is David Hartness. The first bit that I have to say, I'd like to say it to these people back here. I went and found a book in the University of Hawaii Library called "Race Against Famine."

Chairman: Mr. Hartness, I think if you take a seat and use the mike, they will get the message.

Hartness: In a book that I found called "Race Against Famine" by Dr. Melvin N. Bernarde, Associate Professor in the Department of Community Medicine at the Hahnemann Medical College in Philadelphia, I found the following information - some of it may seem boring but eventually I'll get into the real meaty stuff.

For the United States, the 1968 population was 200 million. By the year 2000 this will be up to 300 million. If you can imagine this, this is like two people for every space that you are now occupying. There is now a general agreement that unless world food production increases significantly, as ex-president Johnson put it-- I'd like you to listen to this very closely. All the combined production, of all the acres, of all the agriculturally productive nations, will not meet food needs of the developing nations by 1985. Now

if this is so, how come Hawaii is continuously rezoning agricultural land into resort areas such as this plan, and such as the one that was carried out about a year ago and was rezoned out in the Pearl City-Aiea area which involved over a thousand acres which is presently being bought by a hui out there for 19.6 million dollars. It involved the land transaction of over 900 acres. This has already been rezoned.

The third world food survey in 1963 clearly showed that 10 to 15 percent of the world's undernourished people suffer from undernourishment, and 15 percent of them suffer from malnutrition and hunger. This isn't just being hungry because supper's coming up. This is being hungry 365 days a year and nothing you can do about it. Right now somebody dies of hunger every 8.6 seconds. That's 420 people every hour or 10,000 a day. Think of that. Most of them are children, and conditions are getting worse.

There have been predictions made by experts in India of a world-wide famine by 1975. Now of course this won't hit here. It will only affect your underdeveloped nations, but it will only be a matter of time.

I have some figures taken out of this same book "Race Against Famine." It gives some statistics about the annual gross rate needed in the world to catch up with production. The annual gross rate required in developing countries should balance demand with need for food by 1985 are as follows: Demand at present is at a 3 percent gross rate, by then it will be at a 4 percent gross rate because of the increase of

population. The increase in production is presently moving at a 2.7 percent increase per year. By then it will have to be moving at a 4.0 percent increase. The increase in the gross national product of the country involved will have to go from 4.5 percent to 5.5 percent per year. The capital investment will have to go from 15 percent to 19 percent. Now to break this down, what this means, and I got these facts from Mr. Bernarde's book, is that we will have to spend approximately 12 billion dollars per year, per underdeveloped country to keep demand up with need for food. Of course, where is the money going to come from?

The doubling of population at least doubles the need for food, housing, fuel, sanitary installation, sewage treatment plants, schools, hospitals, and many things that make a decent life.

Now we are talking about bringing in resort areas in Kahuku. This is going to bring more people into the State of Hawaii from outside the State of Hawaii, not to mention the fact that Hawaii's population itself without bringing people in will double. How are we going to build all of these places that we'll need to service them. We just don't have the land.

The population as it's directly related to the food. The U.S. is reaching a point where it will not be able to export an increased amount of food each year. Now what this means is that the U.S. exports a lot of food to a lot of the other countries because we have food surpluses. What's happening is that year after year our export amount is becoming smaller

and smaller because our population is growing and our production is not growing fast enough so we have to keep more food to feed ourselves and eventually we won't be able to export food.

Now, I read this morning's paper and I have something here. I'm really pessimistic on this food thing because it really scares me because I like to eat. This is in this morning's paper, "Emergency Food Measures Aired. Measures to protect Hawaii's food supply in event of national emergency were discussed recently in Honolulu. The Hawaii State Defense Board discussed food-stock planning and the evaluation of operating sites for use by the Agriculture Department at State and County levels. The Defense Board worked closely with the State and County Civil Defense Units to effectively manage Hawaii's agricultural resources in the event of national emergency." Well, at the rate we're going, they won't have much of a job to do because we won't have any agricultural resources to control or distribute.

What I said is like a preliminary thing to my presentation. I just want you to realize the gravity of the problem we are now faced with. Since Hawaii is an island, if any of you know about the railroad strike, if any of you know about the dock and shipping strike, airline strike, walkouts, etc., across the country, I don't know. I don't have a boat. I can't get to the mainland. I'm not going to have any food to eat because there's not going to be anyway to get it here. If we were producing some food, we might have a little

bit of a chance.

From a booklet, "Trends in Hawaii Diversified Agriculture, Public Affairs Series No. 1," published in May 19, 1960, comes the following: "The acreage of major diversified crops on Oahu has declined during the past decade except for a crop of macadamia nuts." They say this is relatively unimportant. The reason for this is because if any of you know about macadamia nuts, not only would it be a pretty bad diet, but it takes about 7 years for it to mature before you can make money off of it. A lot of our macadamia corporations have only been started up recently.

Oahu's acreage has declined considerably as a percentage of the state. The state's overall agricultural land is bad enough but Oahu has like 90 percent of the population of the state. Oahu's land area for agriculture is declining faster than any other areas in the state and yet we have the largest population.

The Governor's Agricultural Coordinating Committee, Department of Planning and Economics, in 1970 brought forth an agricultural development plan. They recommended - now I wasn't able to find out where these things were incorporated - that agricultural would be reclassified from Class 4 to Class 2. What this means is that instead of just being an element, a topic, it would be reclassified to a major program. What this means is that it would provide a more satisfactory basis for relating agricultural programs to analysis and decision making. Now, what this means is that it would give agriculture more

priority in areas such as this which up until today I really haven't heard very much about the agricultural side of it. We've heard about protecting the people but not the food or the growing quality of the land. This classification was based on recommendations by William A. Carlson, and in a report and recommendations by planning, programming, and budgeting for agriculture in the State of Hawaii, April-1969. The statewide agricultural classification would make it possible to evaluate compatibility of problems, goals, objectives, and aspirations of agricultural interests with the state planning, goals, and programs. Now, what this is implicating to do is to make it easier for agricultural fashions to work with the state so that they both work in the same direction and complement each other rather than detracting from each other.

Another thing that I got out of here was that the most important problem faced by the Hawaii livestock industry is competition for land. This was brought up once before but I'd like to bring it up again. Competition for land, labor and capital for livestock production and the increase in cost for these resources. Now presently, Oahu is a leading livestock producer in the state, that was for 1969. But the tourist industry which has increased the demand for livestock products, takes the land, the resources and the capital away from the farmers, therefore making more imports needed. The more imports you need, the more its going to cost you to get it in from the mainland. So we're bringing the tourists over here and charging them more than they really have to pay.

Like one thing that prevents you from taking a trip is the high cost of taking that trip.

A program evaluation for the five-year period from 1971 for the Department of Agriculture, State of Hawaii. It was done by the Department of Agriculture. The purpose of it was to establish a plan and coordination office initially recommended in the report on Survey of Organization Structures by Booz, Allan and Hamilton, Management Consultants, dated February 15, 1961. The report suggested that the office be organized as a line or operating function entitled the Agricultural Development and Planning Division to undertake responsibility for agricultural development. In other words, they finally realized that they'd better get a committee together and start working on agriculture because nobody seemed to be interested. They finally realized that Hawaii's agriculture was really in danger.

The Planning and Coordination Office. I feel funny reading this because this is State publication. Some of the things I'll be reading to you are recommendations and proposals, sound ones that were made. Apparently they haven't been listened to. The Planning and Coordination Office was assigned the major responsibility of developing a comprehensive, long-range, agricultural plan for the State of Hawaii. The purposes of this long-range plan were to establish practical guidelines for integrating all federal, state, and private actions required to achieve a healthy agricultural development within the State; to design the framework within which inter-

agency activities pertaining directly or indirectly to agriculture can be coordinated toward State objectives which are broader than the purview of a single, state agency. In other words, what they're trying to say is that we should be working together. In other words, the Land Use Commission shouldn't just be concerned with land use and the people who are developing it, etc., but they should be working in conjunction with people who are doing things etc. - like with population, agriculture, immigration, future projected transportation - they should all be integrated and working together. Because what happens if you have one faction making decisions and not being fully aware of the other faction. A good example is land use and development doesn't really know sometimes from my opinion anyway, complete ideas about things that are being incorporated. Like in other words if you're going to make a sewage plant, then you should know everything about that plant from the bottom up and every kind of component that can be put in it, and it should be advertised as such.

It talks about past program achievements. In other words, before they integrated this commission. Although various needs of the development of diversified agriculture in Hawaii has been recognized, it has failed to formulate an acceptable action program to accomplish the state's objectives in agricultural development, the objectives of which I just mentioned. The nature of Hawaii's human resources, its motivated forces, its capacity for competitive production, and its desire to remain competitive with outside sources

are important adjuncts to the expansion potential of diversified agriculture in Hawaii. Only the government is equipped to engage in such a complex program - the main reason for this being the amount of money that's involved.

Program objectives. Developing and implementing a unified plan for the strengthening of our diversified agricultural economy. Such a plan considered land availability and use, research, demonstration, farming practices, water resources, use of fertilizers and chemicals, transportation, marketing, promotion, and financing. Now I don't see where they left anything out. You know, everything was laid down but apparently no attention was paid to it. It would provide for close coordination of program and effort among the public and non-governmental agencies. Now, I don't think Del Webb is government. I think it's non-governmental, working to promote diversified agriculture. In other words, you got to get everybody working together.

I just got through doing a paper in relation to the ghettos. Like one of the things I said to do there, you got to get big business, you got to get the people to work together man, because like you know people are living here. Big businessmen live in Hawaii, a lot of them do, and they're messing over where they live. Pretty soon it's not going to be easy to go home and just go to a nice house but it's going to be affecting them too. Because if there's no food to eat, it doesn't matter whether they got 10 million dollars man. They can't make a potato out of thin air.

Program activity. Maintain a constant awareness of all factors affecting agricultural development and recommend policies and plans to deal with them through systematic analysis of departmental activities and responsibilities.

Means employed of developing the state agricultural plan. These are things that can be done to implement the plan. Identify areas and products conducive to production and market development. I think we're talking about agricultural land. I wonder if there's been a study made that will show per acre output of agricultural products in this area. Is there a study which shows how much food per acre and how many people it would feed to be accomplished in Kahuku? I think this is rather important, considering how grave the world crisis is coming as far as food population goes especially when Hawaii's population is going to double in about 10 or 15 years. Also, recommend to the Governor's Agricultural Coordinating Committee, action program to attain desired objectives, which I had mentioned before. Evaluate the need and draft necessary legislation to further accomplish the objectives of the State Agricultural Act.

The main basis of the program is to reverse some of the trend in revenue losses to agricultural commodities imports by the following: Devise ways and means of maintaining a competitive edge over mainland and foreign agricultural imports through production and marketing efficacies. Now what this means is see we import a lot of food. Now a

lot of it we can grow here like island beef. Some of it's really good and better than the mainland. There's no reason why this couldn't be done in a lot of other agricultural areas such as jam, jellies, fruits, produce. It's never been looked into.

Develop an export trade geared substantially to the tropic and sub-tropical agricultural products - flowers and foliage. The market is unbelievable. This could be turned into a profit making venture - tropical fruit, pharmaceutical plants and forages, processed and by-products. People talk about industrialization. There's no telling what could be done with the by-products of some of these things. Like when you process corn, you get the husk. Who knows what it can be used for? Research should be done in this area then you got industry from right there from our own land.

Now this gives you an idea of how much money Hawaii loses. Import values of beef, pork, eggs, vegetable and melon show that Hawaii's income loss in 1964 totalled approximately 20-25 million dollars. This is money that went out of the people of Hawaii's pocket to pay for food that they had to get from the mainland that they could have gotten cheaper if they grew it here. With the present trend of an expanding population in the islands, the in-shipment demands for agricultural products will continue to grow with the resultant drain of dollars to Hawaii. This loss in revenue is sufficient cause for a program directed toward the improvement in the production and marketing of diversified agriculture in Hawaii.

The export of off-season commodities should be seriously investigated since there are indications that Hawaii's competitive position are favorable due to tremendous improvements in air and surface transportation technology and reduction in shipping costs.

Chairman: Excuse me, Mr. Hartness. I appreciate your commentary. It's most interesting. As far as the statistical reports are concerned, I think many of us have received and have read the agricultural--

Hartness: The main reason I'm giving this statistical report is because I'm sure that the Land Use Commission is aware of this, and I'm sure a lot of the large corporations are aware of this, but I've never read in any papers or received any publications to inform me. There's a lot of public people here. So the people here who don't know anything will be informed.

Chairman: You may proceed.

Hartness: The advantages of concerted effort toward increasing exports are three-fold. The commodities are of semi-tropical or tropical nature and are adaptable to Hawaii - the vast potential market for the major commodities such as papaya, pineapple, macadamia, floral materials, and processed products. Hawaii is the only state in the union with the climate and environmental conditions conducive to tropical agriculture. Well, when this was written down, it was true but the way it's going, it won't be for long.

I have just one thing here that I'd like to end with. I feel my basic stand should be that the state's main concern should be as a major goal, or just put forth by the State Agriculture Planning, Programming, and Budgeting System is to improve the standard of living for all people by promoting the development of an efficient and profitable agricultural industry for present and future generations of Hawaii.

Thank you.

Chairman: Incidentially, the Chair is certainly most envious of the energy of the young people and we certainly feel a tremendous dedication here. I think this is an excellent situation. It's very well organized. But as I always tell my daughter, don't blow it. Let's have an orderly meeting.

Jeff Boyer: I'm Jeff Boyer from Save Our Surf. Have you read the pamphlet that Mike Moriarty gave you of the effects on siltation of coral?

Chairman: We did receive it but we haven't had a chance to read it.

Boyer: Well I have some information here from a book called "Psychology of Hawaii Corals." When 23 Hawaiian corals were completely covered with four inches of sand and silt for five days, only three of the different Hawaiian corals lived. Another test is when the sand and silt is in the water, it makes the water darker and then no sun can reach the coral. In another test of 17 Hawaiian corals were in total darkness for 45 days, only 4 out of the 17 lived.

I don't see why you didn't read the pamphlet that Mike gave you because it's all what happens after you dredge and I don't see how the permit can be passed to have the 50 acres from Kuilima dredged.

Chairman: Mr. Boyer, I personally apologize for not reading the material. However, there will be opportunity for us to read it. The rest of the members might have read it; however, if you wish to continue to point out the highlights of the report itself, you may proceed to do so.

Boyer: No. Thank you.

Chairman: Any questions of Mr. Boyer? If not, thank you very much.

Gladys Alaima: Beaches, open space, and nature means a lot to me. It's a place to unwind. That's why I go to places like Makapuu or Bellows where there's nobody around and I feel like an individual. It's a place where I can sit down and think. I wouldn't go to a place like Waikiki because a beach like Waikiki is just not a place to unwind myself because of the development and the hotels. It's so crowded on the beach and you feel so tight up. I think that this is where we're heading, where you can't get out to some place where you become an individual. When you look at these hotel resorts, they look like beehives. You can't feel like a real person. I'm afraid that when you zone something like for resort, it'll be like another Waikiki. The developers don't care about how it blends in with the environment. This really upsets the community and it upsets me to see some hotel pop right in front of my house blocking me off from the sea and nature.

When you make your decision, I want you to think of people and how this thing is going to affect the community. That's all. Thank you.

Chairman: Any questions of Miss Alaima? If not, thank you.

Doris Moa: My name is Doris Moa, M-O-A. This meeting is really upsetting me. This is all I want to say.

It's obvious right now that the people of the primary interest to the - who own the majority of the land and exploit it - and the people for their own benefit - money. Of course, you say that locals and mainlanders have the opportunity to buy houses but how many locals can afford the houses for $40,000 and $50,000 or even $25,000. My parents can't afford it and I know a lot of people that can't afford it either. So you say the mainlanders can come in. Well, that's cool but tourism now is destroying the whole island. The locals can't afford anything anymore. The prices go up and the mainlanders come in and so you forget the local people and you push them out. Where are they going to go? I'm sure all of you are local.

You must understand that most of the people don't have a choice. They're forced to live in conditions that they are living in. When you consider it, the profits of companies like Del Webb and then you look at the poverty and struggle and survival by ordinary people who don't have the money, who don't live in Kahala or in rich places, then I think we should consider that people are humans. They aren't machines like a lot of the corporations because they have no humanity left in them.

Trying to stop this continual exploitation by capitalists - that's exactly what they are. They own the land. They have the money. They don't give a shet about people. What are the locals going to do? I can see it now. There's no use in even trying to stop this, but we're going to try and if we don't, when the legislature starts in session, my proposal is that Hawaii should be a national park, a monument and that no hotels, no condominiums, no apartments, nothingelse should be built on this island to ruin it.

You can't talk sense to the corporations and driving capitalists who make money off the poor. That's all.

Chairman: Any questions of Miss Moa? If not, thank you Miss Moa.

I'd like again to request that you refrain from applause. I don't blame you. These statements made here, I felt like applauding myself. However, we'd like to have an orderly meeting and handle this phase of it expeditiously as possible. We do have other items on the agenda. The Chair would certainly appreciate your cooperation.

Robert Moncrief: My name is Robert Moncrief and I'm a resident of this island. I don't have anything prepared and so I'm really going to be speaking from the gut. I hope for a while I can be rationale and not become too emotional.

For a little background, about 26 years ago, my father bought a lot up there (pointing to map), in the resort area, in Kawela, on the beach in front of the little rock island. I spent my

childhood there. It is a beautiful place. It's virgin. It's something you only find on the North Shore of this island. In four years our lease will be up and I'm sure we will be kicked out, all of us who have been fortunate enough to have little lots on the North Shore. It's going to be this area that's going to be developed by Del Webb. We won't have it any more, but who should have it? Should Del Webb and a million crapping tourists? I don't believe this. If this area has to be disposed of, if we can't produce and make a profit in agriculture, I feel it should be turned into a state park. At least all of the coast line will be for our people.

Tell me, do any of you on this commission, do you fish? Do you enjoy water sports on weekends, especially 3-day weekends? Do you ever go out and try to find a spot where you can fish without pushing the next guy aside to throw your pole into the water or get your boat launched? We need this space on the water. We need beach parks.

Our governor not too long ago, bless him, decided to buy Niihau for umptium millions. Well I say if he has that kind of money in his corporate, he should buy that from Campbell Estate and turn it into one of the nicest parks in the state or in the country. Make an example of it. Do something positive for his people. Somebody spent one-million dollars to get him into office. Why can't he spend a few million on the people he's representing?

We still go out to our place out here. We go out as often as we can on weekends. Right now, I can look across from my

front window and see Kuilima Point. I can see that monstrosity that they are building there on this beautiful point. It should have been left alone. It shouldn't have been destroyed. Have any of you people been out there to see what Del Webb has done? Do you have confidence in him? Are you going to turn over more land to him to do the same sort of thing? After seeing him pop out one of the foothills in back to build his god-damn golf course, he's actually destroying by taking one of the tops off the foothills and bringing in red dirt. He's doing that. Do you people know that? You going to turn more land over to him? I can't believe it.

Again I say, I've lived here all my life. I've gone away a couple times. I was gone when they rezoned it in 68. I wasn't here. I couldn't attend the meeting. I didn't even know what happened. When I got back, I couldn't believe it. When they took those great big earth movers and started crunching up the coral and destroying that area that's so beautiful. It's one of the most beautiful spots on this island. Not any more. He's destroyed it.

The little kid was talking about coral. There's going to be a problem with runoff. There's going to be so much red dirt cause he's dredging out in back. We have a few good rains and that whole ocean is going to be purple. It has been before. Kahuku Plantation was screwed up back there. For a couple of years everything suffered. There's nothing but red dirt in the water. So he's going to spoil the whole area for his own people because he's an outsider. He doesn't know anything about this place.

Already there's a lot of red dirt out there. This summer was nothing but red dirt. I can't believe you're going to turn more land over to him. I can't believe it.

I have two options. I love this place. I want to live here but if you people, in whom we put our trust, continue to do this sort of thing, I'm moving someplace else. I'll go to New Zealand where we don't have to sit here and be frustrated and become alcoholics because everybody around us is just screwing up our environment.

Chairman: Mr. Moncrief, I'd like to make another request. We'd certainly like to receive your testimony if it's worth listening to. However I'd certainly like to keep it on the level where it's acceptable. Maybe I'll be referred to as a square but I would appreciate if you'd refrain from becoming over emotional to use unneccessary words and expressions.

Moncrief: Yes, I was profane. I apologize. I'm sorry.

Chairman: I realize it wasn't your intention.

The Chair will declare a five-minute recess.

(RECESSED FOR TEN MINUTES)

The City Planning Commission will reconvene. May we have your name for the record?

Ed Rael: My name is Ed Rael, R-A-E-L. I'm a resident in Kawela Bay. I live on probably one of the nicest lots on this whole island, Kawela, on the point. That point was one of the nicest spots

in the world at a 363 degree up and down. Forty-five degrees of that view has been destroyed by the hotel. Reading from the beginning of this paper it says that the men reviewed the Kahuku area planned development presented by Del Webb Corporation. It seems that there was careful planning done at the planning of the hotel which may be in the structure but not on the environment.

On the point that I exist, it's exactly the same type of point the hotel exists on. There are caves underneath. Some are 12 or 6 feet in diameter. They riddle the whole point. Since they started, the point on which they're putting the hotel - maybe millions of pounds - is beginning to sink. The foundation sank. The commission went up there once. I don't know who it was, but they condemned it. They poured more cement. This is from one of the workers but before they covered the full foundation, they saw more tunnels that hadn't been filled in. If this is the type of planning that they plan for the whole area, that's the result of Kawela Bay and on my point, they're not even considering the people that they're serving - the tourists, their lives.

Their hotel line, they have fences on the other point all the way to the right. All along the edge of the coral, there's a state law existing at the moment that says all the public, the public facilities and public right-of-way it says within 10 feet of the water line. Was it changed? Excuse me, 20 feet. I suggest at the moment that a lot of people should exercise this right by walking the beach and trying to go as far as you can and you'll be stopped. I have an indian extraction and I

get personally upset, especially outraged when the other people especially the local residents that have been using that area for generations, far longer than this place has ever been a state, far longer than maybe even the white man have even been here, and now they're refused. They can't even walk on the edges within their own rights by state law.

This plan isn't the only plan. I'm aware of it. I'm not sure. I don't have any official statistics, status or papers saying exactly which ones are where but I know of one in Waimea Bay, Haleiwa, Pupukea, and they all come together.

I'm pretty sure everybody's aware of what's really happening. The whole island has been exploited. For once the people are getting together to try to stop it. The local people are going to be rising together along with the other people that are residents, regardless of what their extractions are. You're going to see a lot more of it.

I suggest you read the paper right in front of you very carefully. I know within yourselves and I feel your sincerity that you're really concerned for the people. It makes me upset when I hear a radio announcer saying that due to endangering of our economy by scaring the tourist away because of our pollution, I think we better do something about it. What about the people, the people who are that land, who made the land what it is? Don't they have any consideration upon their health, their well-being, the harmony in their own minds, and their lives that they live? Del Webb doesn't care. He lives on the mainland. When this place is polluted, he can go to Europe. He's got the money.

What about the pig farmers in Kalama? What about the Hawaiians in Waimanalo, or the ones in Kahana Valley, that are slaving their brains out just to make a living and trying to get to their brothers and just live a decent life? They don't want to steal. They don't want to have to support any social structure. All they want to do is live in Hawaii as their ancestors have done for the past thousand years.

There's all kinds of land on the island. Let's preserve the shores. There's very little of it. Without the North Shore the tourist just won't have any place to go on Oahu. Right now there's a slump. The hotels can't even half fill themselves in Waikiki, and we want to put more hotels up. We want to take the resources that we have-- We've been partially ruined. That's about all. Thank you very much.

Roland Nip: I didn't intend to speak today but I sort of feel that I have to. You talk about efficiency, about making this meeting efficient, but you forget one important point in talking about efficiency. You forget the point of people.

I just overheard Del Webb and Company, his executives, debate about whether or not to speak here today. They didn't want to speak here because they felt that it was just a bunch of loose talk. They were afraid to get into some kind of debate because it would just be a debate and that they wanted to leave here on a friendly basis. They say they're concerned about the environment, the culture, the local people. I would suggest that the people who are involved in the local environment and the local people that are here, and that if you don't want to communicate

with them on a person to person basis, and just communicate them over having a TV plugged and narrated by some other guy, then you're far off in communicating with the local people.

I'd just like to talk about my background, and the background of the local people here. One of these officials commented that he's been here for 10 years and therefore he knows what the island culture is, and who the local people are, and that in fact he is a local person. He may be local physically but I don't think he's local deep in his heart because if you can realize the kind of struggle that our ancestors went through and where we are now, then maybe he would understand.

There was this man once a long time ago that lived in Canton, China. This haole guy went there and said, "You know, you're starving here. Why don't you come to Hawaii because you have a lot of good food. People will like you. It's a very beautiful place." So he came. He got dropped off at Honomu on the big island. He worked and he worked on Honomu on the big island on the plantation. He realized that all the promises that he was promised was not reality, that everything that he had hoped for was not coming true, that he had to live in camp where the beds were just two-feet wide, packed into a little house with all the other men. He worked when the sun came up all the way till dawn but still he didn't have enough money to make. He lived. He had a wife and a child. His son also worked on the plantation. Finally he was able somehow to get off the plantation. He got married and he bore me. I'm his son. All his life he's been telling me to work hard and get a good education and maybe someday, someday by some chance, if I spoke good English and if I

listened, and if I pledged allegiance to the flag, and I studied American history, that one day that I would truly be a good American; and that one day that I would truly be accepted by the white man; that one day, suddenly somehow, I would be as good as the white man. This is the kind of mentality that I grew up with, that one day all the local people who worked on the land, who toiled the land will some day be accepted, and that someday this land that they worked so hard on, this land that's just wet with all of their sweat, be theirs. But, this has not come to pass. If you look at what's happening on the island that I came from with Boise Cascade and the Gold Coast and other developments, like the extension of the runway in Hilo, and too, the Hawaiian Homes in the district of Keaukaha, and if you look at the conditions that the Hawaiians who have--

You know, Captain Cook didn't discover Hawaii. It was the Hawaiians and they've been here for a long, long period. Somehow the people have forgotten that the Hawaiians were the first people here. If there's any person that deserves the land that they've lived on for so many years, it's the Hawaiians. If you look at the Hawaiians now, where are they living? They're living in Nanakuli. They're living in Kakaako. They're living in Waimanalo. Even in Waimanalo they're trying to move the Hawaiians out.

Look at the Filipinos and how they're living on the coffee plantations in Kona. They came here hoping to go back to the Philipines, hoping to make some kind of money that they were promised. Yet you have the Filipinos running away from

the plantations. The conditions were so hard that they went to the coffee farms in Kona. Now you have this little guy looking at a faded food wealth of his family that he left in the Philipines or his fiance, now long dead, and he just one day goes to sleep and never gets up again. He dies in a coffee shack, never realizing the dreams that he was promised.

If you look at the culture and you look at the people, and you look at the island-- From where I came from there's this place called the Mauna Kea Beach Hotel developed by Rockefeller. We can't even go on the beach there. Anytime we try to go on the beach - see, they own all the land surrounding the beach. Anytime we try to go on the land to get on to the beach they tell us we can't go there. I would suggest to you that somehow the security guards, the manager there seems to be able to discriminate, to distinguish, to tell who is a tourist and who is not. Apparently the person who is not a tourist is not welcome there. I ask you if you think very hard about it, what makes it about the way I talk, the way I look, the way I walk, what makes them able to distinguish or not whether I am one of the privileged persons who should be there and one of the local people who shouldn't be there. In fact, this beach is just for the benefit of the tourist.

You talk about responding to the local people. One famous sociologist phrased it this way, man's inhumanity to man. When man can no longer look at his fellow man and say that we can provide for the maintenance of the environment of the social, political and economic structures, not for the benefit of transients

who's going to come here for a few days, not for the benefit of the tourist who's going to come here to spend his money and will make more money, but first of all the priority to lie with the people.

Recently there was a youth congress. At this youth congress, delegates came there from everywhere from boyscouts, girlscouts, from all over the islands. The one thing that they agreed on is very significant which I think you should listen to, instead of saying that well, we're glad that you young people have so much energy, so much spunk. The thing that you should really listen to is their feeling that ran so deep that they passed a resolution to secede from the United States of America. This is one segment of the population who realize where the source of the problem was and what it was doing to our island.

All I can say in ending this is many of you are local. Think about it and let the people decide their own destiny and their own lives.

Thank you.

Sullam: You talk about the land belonging to the people and you have convinced me. It does belong to the people but could you work out a plan and show how we can get it to the people?

Nip: A good start is the action you take on this Kahuku thing.

Chairman: Are there any further questions? If not, thank you, Mr. Nipp.

Dr. Richard Gregg: My name is Dr. Richard Gregg. I'm at the University of Hawaii. I represent myself here. I don't know if much more needs to be

said against this plan at Kahuku but I'll say a little against it anyway.

As a surfer and a marine biologist, I feel the area is a very poor one from many standpoints. One, from the standpoint of tourists, its extremely dangerous. They're going to lose tourist up there because five or six months of the year there are heavy waves from the north and northeast that hit Kahuku. Less than ten days ago, there were 25-foot waves up there. How are they going to regulate the tourist to keep them in and out of the water at the right time? I've seen the surf come from two feet to thirty feet in eight hours.

Two, Kahuku is one of the last good reefs for spear fishing on the island of Oahu. I'm a spear fisherman. I'm also interested in studying ecology professionally in its natural state. Kahuku is one of the few areas left. Why? Because it is inacessible. You open it up and it's not going to be that way. This is going to be lost. If superimposed upon that are the effects of the silt running off those hillsides which we've heard about, it's going to even magnify the problem.

That's the extent of my testimony. Thank you.

Chairman: Any questions of Mr. Gregg? If not, thank you Mr. Gregg.

Hale Hitchcock: My name is Hale Hitchcock. Has anyone on this commission obtained a legal opinion as to the validity of the original rezoning of the two parcels of land with respect to the Master Plan?

Chairman: Our corporation counsel is not here with us, but you may proceed

to make your point.

Hitchcock: Your entire assumption and recommendation are premised on the fact that the original rezoning was valid; therefore, the contiguous land would just be in line with your proposed future planning. If you have not a legal opinion as to its validity with respect, and I might add to the Dalton decision, then perhaps the only way that this type of action could be taken other than the pleas of the people here on ecology might be to bring an action declaring the original rezoning invalid. If you have such a legal opinion either by independent counsel or by the corporation counsel, I think certain individuals might be interested in it. I make it plain that I speak for myself. I'm a lessee in Kawela Bay. If such information is available, I certainly would appreciate access to the opinion.

Chairman: Mr. Hitchcock, you may discuss this matter here with the director later or with the corporation counsel. My assumption is that the action was legal.

Hitchcock: But it hasn't been tested.

Chairman: It has not.

Hitchcock: Thank you.

Craig Dowden: My name is Craig Dowden. I'm a student at the University of Hawaii. I'm in the survival plus college. I represent myself.

Some of the things I've been getting into at Save Our Surf - I've appeared at hearings before, seems like the same thing everytime. Everytime I come to a hearing, somebody like

Herman Lemke at the Kuhio Beachway, or George Downing at the Waikiki Beach, they get really mad because those men all of their lives have been working the way a lot of us young people are starting to right now to try to save Hawaii from what it is.

A few of the things that have been presented thus far are agricultural land. It's been pointed out by the few people that spoke before me that Oahu doesn't have the adequate agricultural land to sustain itself if shipping strikes come up or anything like that.

One of the areas that interest me directly is the surfing. On this area, as Mr. Gregg knows and he testified, there's a lot of good surfing, fishing, waves come up every year. I heard they were going to dredge - I don't know if my source is right but like Campbell Estate. Why don't those people sit up here so when we talk to the commission, they might be able to help answer so that all the people here would know what's happening and would be able to have an answer on the spot. So many times we've come to these hearings and asked questions and there's no one to answer them. They talked about leaving. Well I'm talking about for once sitting down and talking with us. It hasn't been done in the past and I'd like to see it done today if it's possible.

The pollution of this reef from the foothills-- I have an art class at the University and they've taken pictures of the foothills up behind Kahuku where Del Webb has raped in order to make his golf course which is currently all red dirt. Every time it rains, it was pointed out that the dirt washes down into

the sea. Well, there's been a study as early as 1938 they've known that siltation kills coral. Why hasn't this been taken into consideration? Why hasn't the local people been called in before they start to build these projects? Why must it come through our papers so that we can see the little two by two clipping in the paper that says there's going to be a hearing on a matter that's important to us and to our lives. They fly in their PR man from California who don't know anything about the housing crisis here, about people who have been leasing their lots around Kawela Bay and the Kahuku area, and who are losing their leases as they run out.

I heard questions about planning, what can we do to get this together? What needs to be done. I think what needs to be done is for you people, the commission, to call on people like Mr. Gregg, without him having to come down here on his own, looking in the newspaper. You should call him up. You should ask Mr. Gregg and the local people living around the area, the Del Webb people, all of them sitting in on the same meeting at the table like this. If nothingelse, then representatives, and have them talk over things and plan things. This hasn't been done. They present a plan and then we have to come down and say okay these are all the negative aspects of it. There's a lot of negative aspects that could be knocked out of the way or talked over before you have a public hearing. Why should we waste all this time. You want it efficient? Get the people that can make it efficient. That's all I have to say.

Chairman: To your suggestion to have the people here, Mr. Dowden, that is not part of the process. We're not here to listen to debate.

Unfortunately or maybe fortunately, this is the process. I think it's an excellent suggestion. I'm sure the representatives from Del Webb heard your suggestion. I think this might be possible. If there's any discussion that you'd like to get in with the staff, I'm sure they'd be able to set up a meeting for you people to discuss these matters, but not at this public hearing. There will be no debate at this public hearing.

Dowden: My point was not to have it at this public hearing. My point was to have it before the public hearing, and if it's possible to have someone here today. I think the Del Webb people should go to the local people and see what they think about it because they're the ones who's going to be directly affected.

Chairman: I apologize for misunderstanding your suggestion.

Trudy Moncrief: I represent myself and also a small group that is just starting called Windward Ecology.

It's after the fact now, but I for a long time objected the idea of Del Webb's resort development on Kuilima Point. I was in Micronesia at the time of the first hearing and unable to voice my feeling. The area that is being developed is the last country on Oahu, by country I mean an unspoiled area, near the beach. It is windy and rainy most of the year there. It is vulnerable to high surf and rough ocean. It's not really the kind of condition that a tourist coming to Hawaii would enjoy. It would be much better to be turned into a vast recreation area for the people of Oahu and State.

Does Hawaii or Oahu really need another resort development?

In Del Webb's counting they are told what good things this development will bring to Hawaii and the North Shore. He mentions jobs. What kind of jobs? Office workers, maintenance workers, housekeepers, waitresses, snack bar attendants, shop clerks? People that are presently employed with Kahuku Plantation, are they going to be able to do these jobs? Most of these jobs are jobs that women would take, women who will leave their children to take low-paying, not particuarly enhancing or interesting jobs.

I think the economic concern which Del Webb's planners have expressed are especially interesting. He has employed mainland architects and other consultants in his planning. He is importing his own construction people. The state loses a great deal of revenue in sales tax with this kind of practice. Do these outside planners have a feeling for Hawaii? A 5-story 500-room sorethumb on Kuilima Point? Grading down a mountainside to put red dirt on the point for a golf course? Dredging a cove? All of this does not really fit on the North Shore's special, natural beauty. This kind of thing should not occur in Hawaii.

A developer is today again asking that conservation land and agricultural land be rezoned for urban use. This is another example of the slow, eroding away of such lands which will never again, forever, be conservation or agricultural. This is the trend on Oahu. This should not occur. Must our children inherit a Hawaii of resort developments, condominiums, and urban sprawl? If this land cannot profitably support sugar cane, what about the Kahuku corn? What about delpeppers, tomatoes, watermelon, bananas, papayas? I know all these things grow well there.

I have real fears for the wanton development of Oahu and Hawaii. There should be no changes in the general plan. This kind of thing must stop.

Chairman: Thank you Miss Moncrief.

Steve Beardsley: My name is Steve Beardsley. I hadn't planned to speak here today but I will state my piece. I've lived in Hawaii for 16 of my 21 years. I've seen it grow from a paradise to a honky-tonk, jingle-jangle type of place. People come to Hawaii. They dream of coming to Hawaii. Of course, developers live and make their money from the dreams these people have. What are we doing to our island to have these people come here? They come here to see beauty. The travel posters on the mainland have beautiful waterfalls, nice mountains. Local people are realizing that if we don't revise our values, we're going to lose what's Hawaii. Most of the people in this room are against the development in Kahuku. This is a government for the people, by the people, and of the people. If this is truly a government by the people, of the people, and for the people, then I think the Planning Commission, as part of this government, should scratch the whole thing off the map and make a public park out of it and put it back into agricultural zoning. This would be a giant step into the direction of living up to our image of Hawaii.

Not only in Kahuku but I've seen massive resort developments not only for Oahu but for the other islands. There's one for Maui, and one for the west end of Molokai. Let's preserve the image of Hawaii. Let's build hotels but let's build them in

the right places. Kahuku's not the place to build. Let's keep Waikiki a Waikiki. Now as David Brauer says about California, let's only have one Los Angeles in a state that deserves only one Los Angeles and let's not have another Los Angeles in the San Francisco Bay area. I would say the same thing for Hawaii. I would say this. Let's have one Waikiki in a state that deserves only one Waikiki.

Thank you.

Chairman: Any questions of Mr. Beardsley? If not, thank you Mr. Beardsley.

Kimo Farm: My name is Kimo Farm. I'm half Hawaiian. I go to Punahou School. I've lived here all my life. Right now I'm studying Hawaiian history and I'm learning about the Hawaiian people who use to be a self-contained race. We thought we were the best before any man set foot on this island. With the arrival of Captain Cook, we became too involved because he had things we had never seen before. As history went on, I can see where we are right today. The majority of the Hawaiian people have things that they'd like to have or they want. This is all against this hotel. I didn't know there was a meeting today. I just got out of school and they asked if I wanted to come down and listen into this. I haven't prepared anything. I'm just speaking from what I feel inside of me.

When I was small, I use to go down to my grandfather's place in Waialua and play during the summer's. We use to climb the mountains and it's all part of Hawaii. It's beautiful. Now when I go out, I notice so many changes, apartments. Just to

get away from Waikiki, all of this mass media out there. Just to appreciate something beautiful, I swim at Ala Moana in the surf. I look up to see the valleys of Manoa which is beautiful today, but what's in my way, apartments. I can't see the whole view. I have to look above the apartments. Same thing with Waikiki. I look up to Diamond Head and apartments are in my view. Now what? To escape all this I go out to the country. I go out there and sit off in Kahuku and look up at the mountains, and have to look over apartments there too. Where shall I go next? To Molokai, Kauai, and then finally get pushed off the island to be flondering off in the water looking at apartments? I love the islands. Maybe I'm one local person who cares. This is part of the society we live in. Maybe this is why I go to Punahou. Maybe if I can help some way from the education I receive, I will.

I really wish if you guys have the authority to that, you wouldn't push this project into position. I guess that's where the mistake was. You have to let others come. As of yet I haven't seen any apartments on the North Shore. If you put one there, I'm bound to see 10 or 15 within the next couple of years. I guess these Del Webb guys, they don't realize that things are changing in Hawaii. I have to live by the kind of society that Americans presented to the Hawaiian people a long time ago. I'm learning and I'm trying to make it but it's a dog-eat-dog race. It's all based on competition where I have to fight my brother to get ahead. I don't want that either. I want to love him but how can I do this?

My point is let's keep some of the beauty in the islands. Let's

not have a big thing of concrete. If I want to climb a mountain, I want to climb on earth, not a hotel building. I wish if you guys have the power you don't let it go through. We have enough of Waikiki. I go to the other islands to visit my relatives and they tell me I just came from the mainland. I feel like it. This island is the mainland to me. Why should I go to the mainland? Everything up there is down here now, syndicate, mafia, crime. In order to escape it, I'm forced to go to the other islands, but that's not the point. All the other islands together are Hawaii. Why should we exclude Oahu just because it has the city? It's happening on all the islands.

That's all I have to say.

Chairman: Any questions of Mr. Farm? If not, thank you, Mr. Farm.

Stan Moncrief: My name is Stan Moncrief. I just want to know where the 19 acres of conservation land is. This article in the Honolulu Star Bulletin, December 8th, says 19 acres of land are in conservation.

(Staff Planner, Ralph Kawamoto, pointed to area designated L2, Beach Park, 19 acres, colored in green.)

Moncrief: Thank you.

Chairman: Thank you for your question, Mr. Moncrief.

Dave Strauss: I wasn't planning to say anything here today. I was just planning to listen. I have a procedural question to ask you. Under your procedure, would you take the vote which would decide which type of recommendation would be made to the Council at this meeting or at another time?

Chairman: It is possible that the decision may be made at this meeting, or that it may be deferred. It is also possible that the public hearing may be closed or kept open. There are many possibilities. However, our decision will be made eventually as an advisory body to the council through the mayor. The final decision will be made by the council.

Strauss: In that connection, I'd like to suggest that whether you take the vote today or whether you take it another time, what I've been listening to this afternoon from the young people here, the research that they've obviously done, the sincerity that they've shown, to me is nothing short of magnificent. I would like to say that I feel that each member of this commission as a representative of the public should respond, not briefly but at some length, each one of them should respond at some length to these presentations, giving their response whether they agree or disagree and why. I think that they owe them to these people who have made these presentations.

Chairman: Mr. Strauss, we have received some preliminary information. However, we don't have the complete picture. That's the reason for holding a public hearing. I don't think we're in a position to respond at this time but we'd like to hear everybody.

Strauss: Absolutely. I feel this, that they have made so many points and brought up so much material that it wouldn't be fair to ask the commission to respond just on the spur of the moment. I'd to recommend that the commission take time to think over what they have heard, and if necessary, defer taking a vote

when they have thought over what they have heard today. Then, come back and speak to these same people and tell them how they feel about the presentation they have heard.

Thank you very much.

Chairman: Any questions of Mr. Strauss? If not, thank you very much for your suggestion.

Paul Campbell: My name is Paul Campbell. I'm a student of Leeward College. I'm married and I have a son. I don't know if you have any children. I don't know how you feel about it but I want what's best for my son. I try to live by example. I try to put the best example out for other people. I pay $150 a month for a two-bedroom house on Sunset Beach. I share it with another couple. When I moved into that house, the backyard was nothing but weeds, thrown-out lumber and stuff like that. I cleaned it out and I made a garden. I grow most of my own food to support my own family.

I'd like you to consider this. In Haleiwa, the Army Corps of Engineers dredged the bottom of the Haleiwa River to fill in the beach that was washed away by the waves last December. Eight miles up the road by the Kuilima Hotel, they're using the finest sand in the world to make their cement. I don't know if this makes any sense to you, because it doesn't to me. I just want to voice my opposition to the proposal. That's all I have to say.

Chairman: Any questions of Mr. Campbell? If not, thank you, Mr. Campbell.

Anyone else in the audience that wishes to testify? Mr. Rael, I wonder if you might give the others a chance?

Ed Rael: I have a question. How can you close a public hearing?

Chairman: By taking a vote.

Rael: Does this make it an un-public hearing amongst yourselves?

Chairman: No. This is a public hearing. The only time we close it is only after receiving all the information and if we're satisfied, by a majority vote that we have received all the information possible.

Rael: I thought you were closing the public hearing.

Chairman: No. All our meetings are open to the public. You're welcome to attend.

Eric Soderholm: My name is Eric Soderholm. I've been working to fight Joe Pao who's developing the other side of Olomana. All my life I've been told that I should get out and work within the system. Don't use violence, it's not necessary. We've been running into a lot of deadends. He just cleared off several acres of land without a permit. He got the urban zoning on that land to a private hearing for the public hearing. This was very tricky. He's famous for Pao's cut-up in Manoa where he was 16 degrees off and he was fined for only $150 What I'm driving at is that's what's happening here. This whole island is going to get screwed.

Sometimes I get to tears because I've lived here over 13 years now. I use to walk the beach of Kahuku and we use to find

glass balls and all sorts of things when we were kids. The local people use to really be cool to us and let us walk up and down the beach. Now, are we going to be locked out like over at Hawaii? Are we going to be screwed with apartments all over the place? It doesn't seem right to me.

Now in Kailua we have a big huge apartment building. You look out and see all these pine trees and in the middle, this big 20-story building. That doesn't seem natural to me. We use to call Kailua country. Now what is it? It's a dump.

That's all I have to say. I'm really scared.

Chairman: Any questions of Mr. Soderholm? If not, thank you Mr. Soderholm.

Jack Lynch: I'm Jack Lynch. I teach at Chaminade College but I'm here on my own behalf. One of the nice things while teaching in college is working with young people. I think the young people here today are certainly a credit to themselves. This should be acknowledged.

I'm acquainted with the Del Webb people. I'm acquainted with some of the Campbell Estate people. I know what their interests are and know some of the legal restrictions that there are on them.

You have a law here in Hawaii that requires that the land be developed to its maximum utilization - this means in order to expand maximum revenue for Hawaii. This is the so-called Pittsburgh Law. What we're seeing happen here is an application of this Pittsburgh Law on the North Shore. The only way you can get compliance with the Pittsburgh Law is to put it into

resort. No one else can afford that land but once you put it into urban development, it has to go to resort types that we see here. I hate to see this happening any further than what is taking place now. I feel that the public has a right to these beaches. What you see behind you there is a very interesting map. It shows that those green areas that presumably the people can traverse to get to those beaches.

I understand in talking with the park people that the city and county funds are to be used for purchasing certain lands for park. In trying to examine the access to these parks, there will be roads in there. Yes, the people that want to use the beach near the hotel, they can drive in and park in the hotel parking lot. The company hasn't yet decided whether they will pay parking fees but I understand this is to be similar to the Kahala Hilton. If you want to use the beach at the Kahala Hilton, you can go in and use the beach and pay for parking. How many people do this? If you want to use the other beaches here, how many people will take the access road and go in and park in somebody's yard and go down and use those public beaches? What you end up with is the utilization of the city and county funds to acquire these park areas and yet those park areas will become virtually, the private domain of the very condominiums that are closing out the entire area. I think this should be looked into very carefully.

I've lived a good deal up there and I'm well acquainted with the weather. I think that the amount of rain, wind, and so forth will discourage people from living there unless this is what they're seeking. I think tourists coming over from the

mainland are seeking more than rain.

There isn't an economic gamble that is being taken by this company in building 10,000 units, condominium-hotel combination. If this does not succeed, does this mean that sometime in the future city and county funds will be utilized to take this off the developer's hands as theyare now taking the Diamond Head properties off the speculator's hands at speculative prices? I hate to see my tax money go to this purpose as it's now going for a similar purpose on Diamond Head.

There's another feature. I know a lot of the people in Kahuku. I go to church there in Kahuku and these people live in that town. They've lived there all their life. This is their environment. The mill is dying. The plantation is dying. The plantation has been nice enough to say that you people can stay there until 1983. Then, there's some vague reference that after 1983, there'll be some other homes built. This is ample notice that they can build homes elsewhere.

Again getting back to the Pittsburgh Law, will the new homes, the redevelopment of Kahuku town itself require that these people have to pay for tourists rates, the developer rates? Or will homes be provided there, or at least the means to acquire homes, based on some reasonable base that people who do this type of work that will be done in the hotel and on the golf course, will they be able to afford to own their home out there in Kahuku? Or is the community going to die? Or will it be replaced by something else?

There's an additional feature, agriculture. I'm not convinced that because there's been a curtailment of agricultural land up there - Zion Properties withdrew their land and some of the others withdrew their land. I'm not convinced that there is the need therefore to say well it's no longer economical to raise sugar cane there. The point that I want to make is I don't think adequate research has yet been done to say it's no longer economical to raise sugar cane up in that area. I think that before this land is taken out of sugar cane use, pretty careful research should be made. If it's not possible to operate the mill there, perhaps with modern technique, the sugar could be carried to the next mill on down the line on the North Shore area. These are questions which should be answered before any further rezoning.

The hotel is being built up there. Well, fine. Go ahead and build it. It'll provide jobs for some of the people in Kahuku. You can't stop it now, but they're being displaced as the mill closes down.

One of the ladies talked about the types of jobs to be given there. Consideration should be given to train these people to work in these hotels. I know the Del Webb people and the city and county people have this in mind.

There's also the problem of breakup of the families. Surveys that have been made down in Kona have demonstrated that a lot of the youth problems has grown out of the breakup of the families. The mothers left their families and went to work in the hotel. I would hate to see this start to happen in Kahuku.

I would hate to see the family discipline begin to break down because the father ceases to be the breadwinner because his job is gone, and the mother has to go out and work in the hotel.

I've raised a number of questions here today. I think you people have the difficult thing of deciding it. I ask that you give them your attention.

Chairman: Thank you Mr. Lynch. We are attempting to do the very thing you're suggesting that we extract the information. We do have witnesses that will testify for the development. At that time, we will have many of the questions posed today, answered.

Any questions of Mr. Lynch? If not, thank you very much.

Barbara Hanchett: My name is Barbara Hanchett. I feel like most of the others have already spoken. I haven't planned anything either. I guess I'm just as emotional as anybody else right now.

First of all, I'm a student at the University of Hawaii. I was born and raised on the island of Molokai. I live on a homestead with my parents, so you could say that we live a Hawaiian life-style. Although I may not look it, I am half-Hawaiian. My appearance is not like most of my Hawaiian friends but my heart is still in the Hawaiian heritage.

The reason that I feel so strongly about this public hearing is that I don't want this kind of development reaching into the other islands, particularly Molokai which is my home. Most of the time during vacations I go back to Molokai because I like that kind of peace and quiet rather than the rush of the city.

I'm not saying that I don't enjoy the city when I'm here but I always find it nice to go back home to someplace peaceful.

Right now at the University, I'm doing a project on the Hawaiian homesteads on Molokai in particular. One of the problems of the homesteaders there is they do not have the funds to go into agriculture. One of the types of land for homesteading is agricultural land. My father has one but unfortunately we don't have the money to develop this land to agricultural type of use. Instead, we lease our land to the pineapple company, around 35 acres of our land. In return, we get $90 a month. This may not seem a lot to you people but $90 for land nobody is using seems a lot to the homesteaders. I would hope that there would be some way that money could be appropriated by government subsidy for agricultural use for the land.

That's about all I have to say.

Chairman: Any questions of Miss Hanchett?

Sullam: Thus far you have proposed one of the first proposals. I wonder whether you could do some more research and perhaps come back to us and tell us precisely how we can implement such a program where we would subsidize people to farm the land, and make farming economically feasible.

I would like it if you could come forth with a proposal that we could show people who are in the positions of power and positions of doing something, that is of implementing the proposal.

Chairman: Any other questions? If not, thank you very much Miss Hanchett.

John French: My name is John French. I'm a resident of Kawela Bay and so am directly involved in what's happening here today. I'm sorry that I don't have a presentation. I didn't know about it. I'll make this very brief. I know for a fact that the people who live by me, the vast majority of them did not know about this. Many of them, if not all of them, share my views. I'd like to speak for them as well as I can.

I just want to say that a lot of people have talked here today and expressed their honest views. When you people make your decision, I'd please like you to - as you will undoubtedly use the economic values - to determine what will be best for the land, if this is right. Also bear in mind what these people have said here today. Utilize also some humanistic values and ecological values. The land is beautiful and should be preserved as much as possible.

Chairman: Your suggestion is an excellent one for we expect to do the very thing. We will consider all aspects. Thank you.

Any questions of Mr. French? If not, thank you very much.

Kimo Farm: Can I say something to end this?

Chairman: There's no one else so go ahead.

Farm: This is the point about this whole discussion, "Ua mau ke ea o ka aina i ka pono" (the life of the land is perpetuated in righteousness). If you can say that this building will preserve righteousness for the land, then go ahead and build it. But, as far as I can see, it cannot.

Chairman: Is there anyone else against the proposal? If not, go ahead

Mr. Rael.

Ed Rael: If you go back in American history, the bargains that were made were I guess you can call rip-offs. In a sense they weren't their bargains. They had ulterior motives. There could be a proposal made and you could check the validity of ownership by the Campbell Estate. Who had the estate at that time, and whoever had the authority to give that land away, when it was owned by people under the same conditions or circumstances as the man who gave it to Mr. Campbell.

Second, if there was a proposal, it should go to the people. In all fairness, people have lived on it and farmed it until they were moved off. There was one man who lived there for 25 years and he grew a pine forest. Part of it Del Webb is keeping for his own aesthetic values. The rest of it they ripped out. They didn't bother to take the trees for firewood or try to preserve them, or try to preserve the area, or try to take them to different places or anything. They ripped them out. I walked those beaches. I walked that land. I walked that coral.

The 65-foot waves came up and hit my house. My house is approximately 150 feet back from the edge of the point. The hotel is going to be up within maybe 50 feet of that point. I know one of those waves came over that.

The stability of the point, the foundation that they're building the hotel on, every year a piece of my point falls off from erosion. With the natural force of that thing, it's going to go down. At the moment, there is no work continuing on that

site because they're still waiting for it to settle. It's going to have a long time before it gets all the way down. They're continuing to put dirt in there without going into any research to solidify the foundation other than to keep pouring cement in it. All it's going to do is put more weight on it and let it go down further.

In considering the safety of not only the general public that you'll be allowing to go onto the beaches in that area and the tourists, there's a common element in the water called sharks. They swim and breed on that side of the island. From Kahuku, it's like a hop, step and a jump for a barracuda that's out for dinner. Think about that when you're in that water. Go take a look at it for your own eyes. You're the Planning Commission. You know the state laws about the public rights-of-way. Try to walk along that point. Try to get your public right. See what happens.

Thank you.

Chairman: Thank you, Mr. Rael.

Craig Dowden: I'd like to say just a little further. I've been surfing Kahuku and that area for quite a while now. The things that keep people out of there a lot is sharks. They don't know the currents and the waves in that area. Even though it's surfed by a lot of people, it's not like Sunset is now where you go off to Sunset now and there's 60 people there. It's not a safe condition. I'd rather have all the sharks than all those people.

If they cut access off even to just a limited degree, this

area will be surfed less and less. This has been proven. Kahuku and Hauula is the only place that I can find peace unless I go out on the Mokuleia side. Every other place is already taken over by crowds. These areas are kind of uncrowded. By the growing population, a lot of people don't have access and they don't know how to get into the area. That's why they're not there now but they will be. If you open it up to a park, it will be better for all the people, not just for the tourist or the people that use it now. I admit it's kind of exclusive now but it should be for all the people.

Chairman: Thank you, Mr. Dowden.

Is there anyone in the audience who wishes to speak for the proposal? If not, we'll take a five-minute recess for our secretary.

(RECESSED FOR TEN MINUTES)

I believe there's a young lady who wishes to ask a question. She is neither an opponent nor a proponent. Would you give us your name for the record?

Paula Waterman: My name is Paula Waterman. I'm a research associate at the University of Hawaii. I'm speaking for myself.

First of all, I'd like to recommend to the Planning Commission, if they haven't read it already, Ian MacHarg's book "Design In Nature." A lot of what's been discussed today has been discussing the uses of the land. He discusses proper development of the land. It's very easy and very quick to read.

My question is this. I'm a daughter of an attorney and so perhaps more than most, I'm aware of things called liability. This proposed hotel will be built very close to shore to a place that I know personally especially in winter to be very vulnerable and dangerous. I've had several friends who have had their houses washed away and a great deal of their belongings destroyed. If the state allows this hotel to be built on this land, and one of the bad storms comes up, and people staying at the hotel are hurt or lose property, is the state liable if it allows this hotel to be built somewhere where it's known to be dangerous. That's my question.

Chairman: Miss Waterman, I'm afraid our corporation counsel is not with us today. Even if he were, there might be some problem in giving you a quick answer. However, much of the areas concerned and expressed by you and others, the foundation, etc., I'm sure we have laws that will take care of these matters. I don't think the law is perfect but we do have laws that will take care of these matters.

Waterman: I just naturally have an objection of paying damages for tourists belongings when perhaps they shouldn't have been allowed to have been there in the first place.

Thank you.

Chairman: Thank you, Miss Waterman.

I believe we've heard from all of the opponents. I would like to call the people who wish to support the proposal.

Testimony FOR the proposal--

Robert Won: My name is Robert Won. I was born and raised in Kahuku for 47 years and still living there.

In regards to this resort-hotel, one of the fellows mentioned that because of resort-hotel, Hawaii will increase in population. Even without the hotel, I feel that the influx of people will come in and the population will increase. One fellow mentioned that within 10 or 15 years, the population will double. The question is how are we going to place these people if we're going to restrict the agricultural land?

Another thing is this. Within that project area is underlined with rocks and coral. It is not prime land and not suitable for farming. When the plantation liquidated, the cane field area can be utilized for farming. There are thousands and thousands of acres there that can be utilized. I have toured that area from Kualoa Point to Kahuku. Since I was born and raised there, I'm familiar with this whole area and situation there. That particular area is rocky and dangerous for swimming. Someone mentioned that there are sharks and barracudas.

I feel that if they develop that area for residential and commercial, the specific beach area will be open for the public for fishing. This I feel will alleviate the whole situation, what these people have mentioned and talked about adverse things and so forth.

Now, Mr. Nip mentioned that his father came from Canton, that he's an immigrant. Before I go further, I'd like to say that I'm a businessman in Kahuku. I have a general merchandise

store, a restaurant, and a First Insurance agent.

Chairman: I would appreciate it if you might extend common courtesy to all witnesses. Go ahead, Mr. Won.

Won: I've lived on the plantation proper, right in the camp. I've talked to a majority of my customers. They are so enthusiastic what they anticipate from this development, with the understanding that they will be employed. I have this assurance that the plantation employees will be conveyed employment by Del Webb. The thing is this, when the plantation liquidated, they are going to have a difficult time of seeking employment because the specific average age will be from 45 to 55. This particular age bracket has a difficult time of finding employment. With this development coming on and assurance of them getting employment, the people are very happy and very enthusiastic.

I feel, sincerely, that this development will not affect the beauty of that area. The particular area shown on the map does not cover all the area up to Kahuku. The beautiful spot is somewhere within the area of Kahuku and the golf course. The surfers, I've found, utilize an area where the golf course is located. Up on that area between Kuilima and the golf course, as far as surfing is concerned, they cannot surf there because it's not an ideal area. Within that specific spot shown on the map to the golf course, that's another beautiful area that the public can utilize later on.

In order to make the particular area ideal for the public to use, someone has to get in there and invest and develop the area if you want the public to use it.

Another thing, in closing I'd like to say this. When you expect a big firm like Del Webb to get in there and invest 20 million dollars to develop an area and put up a resort-hotel, anyone that has gumption enough to invest that amount of money would more or less look forward to develop the area like an artist would do, perfection. This is part of the perfection that they are looking for, the residential and commercial areas that would help out economically, the situation within our area such as Hauula, Laie, Kaaawa, and Kahuku. This area, Hauula, Laie, Kaaawa, has a lot of welfare recipients. If they develop that area as they planned, this would alleviate the state's financial situation. Some of the welfare recipients can seek employment there. You can check on me and I'm correct on that.

I feel that Del Webb and Campbell Estate is doing something that is economically judicious to our community. Some of the people who have contested to the situation, I know are not permanent residents there. I feel that I am qualified to speak for the people in our area because I have lived there for 47 years.

Chairman: Any questions of Mr. Won? If not, thank you Mr. Won.

Ailene Weaver: My name is Ailene Weaver. I'm from the Sunset Beach Community Association. The Sunset Beach Community Association is a group of permanent residents and landowners in the area.

As far back as 1964, our planning committee has worked for, and been involved in this development, that was before the passage of the Detailed Land Use Map. I know that Campbell Estate feels

that we are pretty hard to get along with. We have insisted on parks. We have insisted on rights-of way. We have insisted on a great many things that they have come through with. We have always found them accessible. We have talked our problems out. We have presented our concerns. We have told them of our needs. More recently, we have talked with Inscon Corporation representatives, and discussed our needs with them. We have worked with the City and County Planning Department to assure the orderly growth of Sunset Beach Community. It is for this reason that we are in favor of this development because it helps us to grow in a more orderly fashion.

Also, I have sat here this afternoon and heard this land called prime agricultural land. If it were prime agricultural land, I believe that they would still be in Kahuku and would not be phasing out. Waialua on the other side of us has a very fine operation going and I don't think they have any intention of putting any resort in. There is agricultural land there that is good, but the land being used for this development is not, in my opinion, prime agricultural land. I haven't been able to find anybody else who believes that it is.

We have reached complete understanding with all groups, the city and county, Campbell Estate, and with Inscon. We feel that this project is in the best interest of Sunset Beach Community Association. All of these groups have been very kind to come out and talk to us. They have met with us in town and we have discussed all of the problems. We have finally arised at this over a number of years that this development is in the best interest of the Sunset Beach Community Association.

Chairman: Any questions of Mrs. Weaver? If not, thank you very much. Anyone else who wishes to speak for the proposal?

DeLos Seeley: I'm DeLos Seeley, Acting Deputy Director, Department of Parks and Recreation.

I believe it should be explained that obligation and responsibility as a department is to try to find orderly park development on the island of Oahu. Right now we are faced with a great many situations throughout the island that require our attention and the attention of the community, in terms of preserving and setting aside property for future parks in the immediate need. In other words, its not just a matter of determining the need but of setting the priority.

This afternoon it was very heartening for me to hear remarks recognizing the importance of parks in our community and in our way of life. There was a time when I came to this room and it was very difficult to get someone to speak up for a park. Now with our greater recognition and sensitivity to ecology and environment, parks have never had it so good. We must remember that this all takes money so that it is a matter of priority and trying to do what is best for the most number of people and within the framework of our abilities and the budget. We want to plan as far ahead as possible and have to do this within the legal means available to us.

We do not have on the books any law requiring dedication of parks. This is something we're working toward. After we get such a law, it may not apply to beach parks. The dedication of

park property is primarily a recognition of the benefit that such a park development would be to the immediate need of the property around it - a playground, a subdivision. It's definitely an amenity to that community or neighborhood. As such, a developer who proposes a new subdivision would want to have a playground. It will be an asset to the sale of his lot. In that situation, it's very likely that we will eventually receive a requirement for dedication on our subdivision ordinance. This will not touch beach parks because the significance here is that a beach park is attracted to the people-at-large on the entire island. It doesn't only benefit the immediate people. In fact, you'd be surprised at how many complaints we get from people who live next to beach parks. It's not always a welcome thing to the immediate property owner.

So I would believe it would be safe to say that the obligation to provide any recreational facility to serve the entire island is an island-wide responsibility to provide. The most common way is through general taxation. We are faced on Oahu with millions of dollars needed for parks. We have only a limited amount. This is not to say that we do not recognize the growing need for our population expanse for more and more parks. We're trying to do the best we can.

To come back to the immediate situation, after the 1964 General Plan was adopted, we began in the Parks Department to prepare a comprehensive longrange park plan. This does not have the effect of law but it does have a great deal of use to our department because it is a blueprint that we use to try to set the priorities, to try to determine the need. Prior to that,

we inventory the assets. What do we have to work with in terms of potential parks. This longrange park plan was based on quite a large extent on the city's General Plan of 1964. Since then the General Plan has been amended many times, and we have tried to keep in step with it.

More recently as developments came in, we have tried to make some major changes. The most recent is now in Kahuku. Both the Campbell Estate and the developer have come in and worked with us. They have presented their ideas to us and we have commented on them. We have worked closely with the Planning Department. We are aware of the elements that go into general planning and reconcile those with our specialty of parks. We do not have all the answers, and we welcome public hearings such as this one. It brought out some good points, and we are going to take them into consideration in the present situation and in future deliberations.

I would say from a department standpoint that the proposal of the three major beach parks, and the equal numbers of beach rights-of-way, plus the private golf course which provides open space, plus provision for the continuation or relocation of the present golf course at Kahuku, a community recreation park at the highschool, these and other park proposals do provide for this section of the island, a reasonable amount of park acreage. True, we would like to see even more but at what expense? If we concentrate our efforts here, as I say, it means an outlay of more money. This means that other sections that are closer to the center of our population that happen to have better beaches, better climate, safer beaches, these must be given a certain

priority. I hope you will bear with us as we try to work out the difficulties involved. It's not that we do not want as much as we can possibly give the public, it's only that we have to spread this equally around this whole island.

Thank you.

Chairman: Any questions of Mr. Seeley?

Rev. Connell: When Mr. Lynch testified, he indicated that at least in some of the park areas, there would be a problem in the parking system. To turn some of these park areas into a virtual private use for a condominium, have you seen the parking plans or does the city plan to provide parking facilities within the park?

Seeley: We have about three types of park that would serve coastal areas. We have a beach park - any acreage large enough to accommodate an off-street parking area, comfort stations of the certain picnic areas, and all of the other amenities that go with a day at the beach. These are our larger facilities.

Next we have a beach access park, a smaller acreage that would provide something more than a right-of-way. It could provide a limited amount of parking, probably not a comfort station although if there were enough acreage maybe 2 or 3 acres, perhaps a comfort station, but certainly very limited picnic areas.

Last is the so-called beach right-of-way. This is a 10-foot strip that is nothing more than a pedestrian walkway to the beach. To attempt to provide parking with this acreage is of course impossible. The philosophy behind the beach right-of-way is basically for those who would walk to the beach, such as

those beach rights-of-way at Kahala or other areas that have community living close by. It's true that because we are a mobile society that they will drive to places on the coast where they want to fish. There's nothing we can do here except hope that the on-street parking will be adequate. Otherwise, the only other alternative again is to make every access to the water a beach park. This could be fine if we could afford it. I would hope that a solution as to the funding of these would come forward. I must say that in my 29 years in the park business, we have done remarkably well with funding. We use to get our funding for development from the territorial legislature before we were a county department. We've been funded much better under the city and county. Nevertheless, we have to recognize whether we need all the other needs that makes life a pleasant place on Oahu to live.

Chairman: Does that answer your question?

Connell: No.

Seeley: We have to depend on curbside parking to some extent for beach accesses. Only the larger acreage has off-street parking.

Connell: The question I would then ask is have you gotten together with the Traffic Department which apparently has reviewed the internal street pattern of the proposal. Have you reviewed with them the internal parking if there are going to be people who are going to be coming into this area and would have to depend upon off-street parking if this thing goes through?

Seeley: Now with our present provision for subdivision roads, very few do not allow curbside parking. You are limited in the way of

driveways. There is no other way to solve the parking problem except that its been noted that beaches are not the type that bring hundreds of people to the area. Some beaches do. For instance, Sunset Beach when the surf is up, there are hundreds of cars. We are providing in those areas, the beginning of additional beach parks and parking areas off the road because the buses have stopped there with the tourists, and because of the many cars that are out there. We have to provide parking where there is sufficient need for them. I've yet to hear that there are thousands of surfers needing access to this particular surf. It's a dangerous surf. I would say too that the fact that this is not the safest beach will put the department in a difficult position to provide the safety that is needed here. We would have to provide lifeguard service, emergency telephones, on beaches that have dangerous surfing situations.

Chun: Mr. Seeley, does the Parks Department have any standards with respect to where the parks may be located as to the safety factors involved?

Seeley: We started out years ago to develop the beaches that were the most popular, and the most safest. Our first exception was Makapuu. The bodysurfing there has been most popular though precarious at times, but we did develop that as a full-fledged park. Since then, we have done more on the North Shore. Sandy Beach was another area. How can you ignore the fact that a beach, no matter how dangerous, attracts a lot of people. Our philosophy finally had to be if there was enough people that wanted to go there, we would try to make it as safe as possible for them.

Chairman: In your opinion, do you feel there might be a possibility, as indicated by some of the earlier witnesses, that this park may be put into private use, essentially be a public park but because of the physical condition there, is it a possibility that it may become private?

Seeley: I would think not in a serious way. It would depend on the detailing that would follow later. The conditions that might want to be imposed by the developer which would have to be reviewed and possibly objected to if it put the park in a situation that intimated the public from using it. We have other situations that haven't discouraged the public. I think it's a situation that needs watching. I'll agree to that but I don't see anything that will necessarily follow in this situation that the public would be excluded.

Mention has been made that the road leading into the main highway at the offset certainly will not be dedicated. It will be a private road. We have discussed this with the developer and the Campbell Estate, that as private roads though, they will not be controlled by any guardhouse. From a park standpoint, I would say that a situation where the developer or the owner of the property has an interest, he will help the government in policing the situation. Heaven knows, we have enough problems trying to take care of this problem of control of the public by ourselves. Any help we can get is appreciated. I'm not about to say that we would turn that down.

Chairman: Recognizing some of the financial problems of the city, have you explored the possibility of having the developers themselves

develop a public park?

Seeley: Yes. Many of our recreational parks are going that route such as subdivisions, private recreation centers. There are two kinds where you pay something extra and you belong because you live in the area, and the other kind where you happen to belong because that's part of your agreement in moving in. We like the latter situation better because that doesn't exclude anyone. All the community that lives in that area belongs to that private facility.

When you get into beach parks, that's where the general public is interested and has a right to use the beaches. There's very little opportunity for privately owned beach parks. Off-hand I can think of none that we have been a party to. Some of the plantations have their own for their employees, Dole Pineapple. They have a private beach club for their employees. This is certainly a contribution and takes care of some of their people. This is no answer to the general public recreation beach.

Chairman: Is this type of arrangement where the developer or the landowner may develop their own park, a public park? I don't mean a semi-public park. Was this ever discussed with the developers or is this a possibility?

Seeley: You're referring to the beach park shown there (pointing to map)?

Chairman: Right.

Seeley: No. The fact that these beach parks, although not in this particular configuration or exact location, were to some extent

shown on the General Plan and more recently a part of our longrange park plan, indicates that we have for a long time felt that there should be public beach parks in this area. This was long before such a development as this was proposed. To answer your question, I don't think we considered that possibility because we felt that the public would have frankly more to complain about if we took a piece of beach park and allowed it to become a private beach park - a beach potential, and allowed it to become private. There's only a limited amount of ocean frontage. When you come inland and you're talking about a recreation park, you've got a lot more property to work with. So that you can have a private park--

Chairman: I wasn't speaking of a private park. I was speaking of a public park to be developed by the developers themselves.

Seeley: A contribution of development--

Chairman: It might be a contribution of development or contribution of use of the property, etc.

Seeley: A dedication.

Chairman: Right.

Seeley: No. There's no requirement on the books. The offer was not made. We are trying to pioneer the idea of dedication in areas where we felt we had the strongest case.

Chairman: Any further questions of Mr. Seeley?
Commissioner Sullam?

Sullam: Are you happy with the configuration of these parks? I notice

that park number L-3 is very long and has very little frontage on the ocean.

Seeley: The configuration in most cases is still not defined by metes and bounds to my knowledge. In general, the proportions are usable in those shapes. Again, this is not to say they're ideal but we've tried to put the larger acreages where potential was the greatest. The smallest one leads to a much larger park on the other side of the road where all the parking and picnic areas are. Otherwise if we ask for the same acreage out in Kawela Bay, it would take practically the whole section of the bay.

Chairman: In your professional opinion, do you feel that where the rights-of-way located on the map is what you might consider to be the most desirable location?

Seeley: Yes. We worked with the Campbell Estate and the developer. We tried to locate them where they would lead to beaches that would allow the public to spread out. There are a few points, I'm advised, where foot traffic around a certain point is very difficult, it's not possible. Each right-of-way complementing the various beach parks will allow the public to reach all of the accessible beach frontages. As far as I know, there are no beach frontages that are inaccessible from the number of beach parks plus the number of beach rights-of-way that are provided in this proposal.

Chairman: Any further questions of Mr. Seeley, commission members? If not, what I might suggest to the audience is if you have any questions, you might write them down and pass them down

to the Chair. I would appreciate this.

Mr. Seeley, would you remain in case there are further questions.

Is there anyone else in the audience who wishes to speak for the proposal?

Oswald Stender: My name is Oswald Stender. I'm here on behalf of the Estate of James Campbell. I will try to answer many of the questions raised today.

Chairman: Excuse me, Mr. Stender. I realize there's a lot of interest here but I would appreciate it if you might keep as quiet as possible so that the rest of the audience might get the benefit of the testimony. Go ahead, Mr. Stender.

Stender: There were many questions raised today. I couldn't possibly note down every question that was asked or a statement made that would require some answer that perhaps I could give. The best way that I could approach this is to tell the commissioners and those present of the plans that we have developed for the lands in Kahuku. I think in trying to establish some bases for understanding what we're trying to do, and also to point out to witnesses before us that we recognize the problems and the questions that were raised today. These have all been considered. Before going further, there were a number of credentials made or presented to indicate the familiarity of each individual with the area, with Hawaii, or with Oahu.

I've lived with the problems of Kahuku. I've been with the Campbell Estate for more than 10 years. I grew up in Hauula and

so I know Kahuku. I use to catch a train to get to the theatre there. I fished all of that coast line. So I think that my familiarity with the land-- I want to bring this out so that you can understand that I know a little about the property.

The lands of Kahuku extends from Laie to Kawela Bay. The planning for this area started about 15 or 17 years ago. At the time that the discussion of the plantation in trying to make up their minds whether they would continue with the sugar operation, is more than 10 years old. Unfortunately, everything depends on economics. At that time, the trustees felt that if and when the plantation did go out of operation, some plan should be implemented to fill the gap or do something with the area.

Some years ago the study that was made by the state and the city indicated the resort potential for Kahuku. The primary objective was to try to develop those lands which were marginal agricultural land. The lands being considered contains about 150 acres of what you might call agricultural land. This 150 acres in the total 881-acre area remains underwater for three or four months out of a year because it a low plain with very little drainage in the area.

Of the 15,000 acres, before embarking on any program, we felt that the total project should be studied. We are concerned with the environment of the ocean, of the hillside, and of what happens to Kahuku. They undertook studies to indicate the conditions of the currents off shore to determine the best methods to re-route the dredging channels that enter into the

ocean. We also determined the areas that could be used for truckfarming, how much of these could be used for bananas and papayas. In fact, the hillsides were in conservation at one time until the army took it over for training purposes.

The plantation decided about two or three years ago to discontinue sugar operation. The comment was made that perhaps sugar can continue to be grown out there economically. I think if you realize that with the mill as it is, studies have been made by the people involved to determine whether the sugar operation could be continued at Kahuku. We would like to see it continue. It's unfortunate that the lands that we don't control were taken away and not permitted to the plantation to make it possible for them to continue sugar operations. So the decision to go out of cane cultivation was one made after serious study, because what do you do with the sugar mill? It's a white elephant. So after the decision was made, the trustees moved forward to try to fill the loss and the economic gaps that would be created at Kahuku.

As far as the scars on the hillside, the trustees did some years ago, start a report station program, erosion control. They planted grass and trees. This program has continued for many a year and will continue until we can cover the hillside. We don't want to see the mud in the ocean. There's been some in Kawela Bay, some at Kuilima, and some at Kahuku. We're trying to correct it as all a total part of the development program.

We have to concern ourselves with the employees in Kahuku town. When the plantation announced its intention to go out of busi-

ness, a survey was made among the employees working for the plantation. Many of the people there had lived there for years. They had determined that they did not want to be relocated. There was an opportunity for them to go to Kauai or Maui with some other plantation. They felt that living in Kahuku for so many years, and their fathers before them, that they did not want to move. So we met with them on several occasions, and joyfully with the Inscon Development Company to see if we could fit them into the hotel construction and operational program. There are right now on the way, programs for retraining such as the sugar people. They know how to till the land and cut the cane and mill it but they don't know how to run the boilers in the hotel, or work in the office, or chambermaids, or this sort of thing. There is a retraining program now going on.

Concerning ourselves directly with the resort project, comment was made about the scar on the hillside from the very material that is being used to fill the lowlands. This site was selected very carefully in consultation with the U.S. Soil and Conservation Service. The agreement which we have worked out with the developer for the removal of the material has been properly engineered in conjunction with the U.S. Soil and Conservation Service. The site was carefully selected. The program is that once the burrow operation is discontinued, the area will be replanted to grass and trees as we have done with the other scarred area.

There was comment made about the runoff from this burrowing area into the ocean. There has not been any because the outfall structures have not been built. In fact, the berms on the beach

have been closed and there's been no runoff into the ocean from this particular project.

I'm trying to answer these questions in a general way to indicate that there was careful thought every step of the way.

There has been a cooperative housing program. There's been a cooperative agreement made with the people living in Kahuku town and who will continue to live there as a co-op in order to keep the rentals as low as possible. They will continue to pay the present rent that they do to the plantation but this fund will go into their own operating funds to be used by them for the management and operation of the town. This is like a condominium on a broad scale at the lowest cost possible.

We have plans for the redevelopment of Kahuku town in order to provide additional housing for those individuals who want to move up from the plantation housing to something perhaps better and also to supply the housing for anyone who wants to move to Kahuku and might want to live in that area.

We have worked closely together with the Police and Fire Departments as part of their education, and the various governmental agencies that would require land areas for government facilities in Kahuku. We've tried to contact every agency and every group along the way to see that the plan that is developed, is developed with enough input from the various agencies and the people involved. We've had several meetings going back 5, 6, 8, 10 years ago with the various committee groups out there. Unfortunately, it seems that we missed

quite a few. We've met at Sunset Beach, the North Shore line, the Kawela Bay people, the Kahuku Plantation people, the Kaaawa people, and the Punaluu people. We tried to go as far as we could. I want to say that the problems we're facing today are people problems. We're all people. As long as people love people, there'll be more people. We've got to solve this problem somehow. It seems to us that the best way is to a balanced program. We can't stop the people from coming to Hawaii. You can't stop people from having more people. We have to do something about this. The best way I know is to work together to develop a balanced program to preserve all the things that are natural for the area. We're trying to do this. I wish we had the opportunity to meet with all of you. I know we've met with some of you.

That's about what I have to say. There was considerable thought that was put into this project. We're not only concerned with the Del Webb area. We're concerned with the entire area and the region as it not only affects Kahuku, but as it affects Kaaawa, Sunset Beach, and the North Shore. I don't know what else to say. There's been a lot of time spent on it. We've been very careful with what we've been trying to do. I have nothing more.

Chairman: Any questions of Mr. Stender? Commissioner Chun?

Chun: Is there any off-shore work projected for this area?

Stender: The only off-shore work considered was in the little cove at Kuilima. The thought there was to try to remove some of the coral heads that was close in shore to protect the swimmers.

When the tide is up, you can't see the coral below the surface of the water. The Del Webb people could answer better what is proposed.

Rev. Connell: How much agricultural land is being retained by Campbell Estate in this area?

Stender: Actually, of the lands that were under lease to the plantation, about 4,000 acres.

Connell: In this area?

Stender: No. That particular area only has about 150 acres. We've been negotiating in agricultural uses. We'd like to see as much of that land kept in sugar cane. We're hopeful that we can keep 1500 acres in sugar cane. That's the extent of their requirement, and even then, it's not certain. We like to see a green belt of cane on the mauka side of Kam Highway. Much of the land in Kahuku will be retained in agriculture. We would like to see truck crops grown out in that area to supply the local market and the hotel operation. In that respect, we did have a study made in conjunction with the University Experiment Station and the University Department of Tropical Sciences in trying to determine the soil conditions, wind and water conditions to allocate this area for truck-crop farming, and also to determine the economics of these things.

Much of the statistics that was quoted on the 5-year agricultural plans that was prepared by the state about 3 years ago, we're familiar with that and have looked into it. I think the paper that was read today contains a lot of information which we

believe in, but the direction should be worked out with the State Department of Agriculture. We've given them our input and they've given us our input. If there's anymore input, it should be made available to them. They would appreciate it. There's opportunity for those who have knowledge on how this might be developed and could be handled. I hate to see that paper filed. I think it should be used.

Connell: Could you off the top of your head indicate how many lease requests you've had for agricultural land in the last five years?

Stender: I'd say about 10 or 15. Some were truck-crop raisers, hog raisers, cattle raisers, horse enthusiasts. We've kept these on file. You could generalize that farming land is needed in Hawaii. I think the economics of farming is a little more complex than just putting a seed in the ground and watering it.

Connell: Then will the estate try to promote agricultural growth in the area?

Stender: Yes we will. We're working closely to fill the economic gap in Kahuku town as a result of the closing of the plantation. In talking with the people in the town, of course a lot of them don't want to work in the hotel. Some of them want to be farmers, and some of them want to be electricians. Of those who want to be farmers, we've been discussing with them the possibilities of how this might be worked out. We'll make every effort to satisfy their requirement in order that they can go into farming.

Sullam: Much of the testimony here prevails the feeling that this was a mainland firm that was coming here [illegible] standards

and feelings that really wasn't fitting into our Hawaiian environment. The work that has been done thus far, has it been here locally or has it been done on the mainland?

Stender: All of the engineering work, the topographic survey and the offshore study has all been done locally. The drainage pattern, the study of the drainage area and all of the engineering, in fact 90 percent of the work has been done locally. Wolbrink Associates have done the master planning, and they're also doing the landscaping. R. M. Towill Corporation did all of the topo work. Marine Advisers did the offshore studies in conjunction with Mr. Palmer who is one of the foremost authorities on shoreline studies along with and in cooperation with the University of Hawaii. There is Sunn, Low, Tom and Hara who's doing all of the specific engineering, drainage ways, sewer treatment plants, and man-made structures that must go on the property.

Sullam: The architecture which is so important as it relates to the general area, is that done locally?

Stender: I think the Del Webb people would have to answer that. Some of it was done locally and the bulk of it was done on the coast.

Sullam: The plumbing? The electrical engineering?

Stender: I'm not familiar with the interior design.

Sullam: This is not with the interiors. This is the physical layout of the building, the design. I mean we would like to see pictures of it to see whether if it truly doesn't fit as the people here have been proclaiming.

Concerning the liability of people who might be injured because of the heavy waves and sharks, etc., do you have any idea who will be liable for the visitors at the hotel?

Stender: I guess that's a matter of law, but we're concerned. We don't want anyone hurt because then we've got a problem, not only a moral problem, but legal responsibility. I might say that the offshore studies were done very carefully to coordinate with the design of any structures that go on the property to make every protection available. We've considered high waves, tidal waves, it's all been considered.

Sullam: Experts say that it could be in the way of tsunamis. I'm wondering who is liable?

Stender: If you follow the inundation line and you find the tsunami line, it encircles the entire island. It encircles most of Waikiki and most of Kailua. I think there's a balance here. You can design the best that you possibly can. The inundation line goes to the Ala Wai Canal. You can't say that all of those buildings shouldn't be there. In Kailua, the inundation line goes as far as Oneawa Street, but there are houses. I think everything has to be done within reason.

Chairman: Mr. Director, you have a question?

Way: Yes. In connection with the subject having to do with the coastal area, a little bit more information with reference to the building design that now exists there, possibly you could answer that, Mr. Stender. Is this building in the tsunami zone, and what if you can recall are the precautions that may have

been taken to allow for this condition?

Stender: Precautions have been taken, the details of which I couldn't answer because I don't know that much about the structural portion of the building. I know it was considered and it was designed with this in mind.

Connell: Have any provisions been made for those whose leases are running out in terms of providing other attractive leases in the area?

Stender: In the Kawela Bay area, most of the residents there are traditionally a summer-home type arrangement. Naturally this area would be redeveloped. If we could find something else we would provide it but I couldn't say offhand.

Connell: There are no definite plans?

Stender: No. There's a farmer in Kawela Bay that we're relocating.

Chairman: Mr. Director, do you have some questions there that you might have jotted down that Mr. Stender might be in position to answer?

Way: One of the early questions had to do with the termination of the mill operation and its relationship to the proposal for resort development. I think the question was probably one that has to do with the time phasing of this. You may have covered it in your opening remarks, but probably you'd want to elaborate a little more about what came first. I think that was the question, when for example were the resort plans conceived or developed or evolved, and then what point of

time was the termination of the mill operation brought about.

Stender: The situation is this. The plantation has been in financial difficulty for more than 10 years. Their decision to go out of business had been made before our concentrated efforts to develop the property for resort use. The basis of this decision was made because the leases which they had. They leased from us about 3500 acres that was cultivable. The rest of the land was provided by Zion Securities and the Bishop Estate in the Punaluu, Hauula, and Laie area. Those leases ran out. The plantation had to make a decision whether they could operate the mill with only the sugar lands that they have from us. It was determined that it was not feasible, nor economical because they had lost lands in other areas. Their lease with us ran to 1983.

Way: There was reference that this land was prime agricultural land and I think you commented that there are roughly 150 acres within the area under consideration. Is this in fact, a prime agricultural land?

Stender: It's hard to define what's prime agricultural land. It was good for sugarcane growing because that area flooded and was underwater much of the time. Sugarcane can stand that. If you recall some years ago, they had the John Brown farming operation out there where they grew melons, cabbages and what not. The problem then was the soil and wind conditions, and irrigation problems. In this particular area, it was good cane land but it wouldn't be good crop land because whenever it rained, the crop would be underwater.

Way: Was there any grazing down there, Mr. Stender?

Stender: There was some grazing on the shore line and on the air base area.

Way: That's all the questions I have.

Chairman: We have a few questions here. I would also request the people submitting these questions to confine it to questions. I find many statements. I appreciate your statements; however, there is nothing we can do about your opinion. We respect your opinion and we'll consider it.

Mike Moriarty: Those are completely relevant.

Chairman: Mike, I requested questions and if they are questions, I will accept it.

Sullam: May I ask a question while you go through those?

Chairman: I'll probably take as much time. Go ahead.

Sullam: I wondered, Mr. Stender, would you people object to changing the park configuration in anyway because there are some, particularly the area marked L-3, I somehow feel that park area could be improved to go a little more along the beach.

Stender: I think that could be studied along with the plan. In fact we had preferred earlier to leave the configuration or even the exact location of the park very flexible because much of that will be determined after detailed engineering studies are made with the specific topography of the land - where the roads would go, and the sewers, and the street lights. Even after, the

configuration might change. It should be flexible.

Chairman: A question is asked of you, Mr. Stender, how long is this lease arrangement with Del Webb, if it is a lease arrangement?

Stender: 75 years.

Chairman: Here's a statement made to the fact that inasmuch as your resort development is intended to attract tourist by having this development you might be possibly destroying the very thing the tourist is seeking. The question is, what would the tourist come to Kahuku for?

Stender: Well, they could for anything. I think we're all tourists. I go places too. I think the decision to go ahead with the resort development in Kahuku, of course, was made after extensive study. It was based on the advice of experts. The development of the property will be done as carefully as possible to retain those attractions that tourists come to Hawaii for.

Chairman: There's a statement here in reference to tourist development versus agriculture. There's an assumption here that the rich travel and the poor people pay the penalty of not possibly being fed because of the lack of agricultural production.

Stender: Could you go over that again?

Chairman: I'll read it as it is. Are you aware that you are saying that it is more important for rich Americans to travel than it is for poor people to eat by asking for any rezoning of agricultural land?

Stender: Well really what I said was that there must be a balance. I'd be happy to find the balance if somebody knows what it is.

Chairman: I believe you made a statement earlier that out of so many thousand acres, what portion would be left in agricultural production, what portion in development, and also the portion of the development - I believe was something like 650 acres that was really not cultivable at this time?

Stender: Actually of the 3500 acres, we hope to be able to retain as much as we can in sugar production. They have indicated a requirement for only 1500 acres, so that leaves 2000 acres. Some of it will be required, perhaps in small amounts, 600 acres. I think we discussed this for the expansion of Kahuku town to provide additional housing that would be required in that area. There is a demand for housing. That takes up the 600 acres. Then, the rest of it, we have right now under study. Let me backtrack a bit.

There will be approximately 1000 acres or more, I'm not certain as to the exact number, that will be put into truck-crop farming. We have on the way now a detailed study as to the relationship of the various uses in and around Kahuku town. This study will be completed sometime next year.

Chairman: There are a few questions or notes here that actually just make statements. I appreciate the statements. Much of this was discussed by earlier witnesses stating their position. This is for the people in the audience. As much as we appreciate that, no decision has been made. There's seems to be some misconception

that a decision has already been made.

I don't know to whom this memo was directed to. The only question in this note is where is your heart? If this is directed to me, I assure all of you that myself and the rest of the commissioners, share all of your concern. We have to balance all of the facts presented to us. Eventually a decision will be made but no decision has been made.

Mr. Stender, are you familier with the sewage system to be employed?

Stender: I am familiar but I would refer that to the engineer who designed it.

Chairman: Another question. They would like to have the road access to the beach park, direct access to be pointed out, also school locations, fire stations, and so forth. They are all necessary facilities. Mr. Director maybe we're in a position to point out these.

Way: Yes. In the area under consideration, there are no proposals for specific locations of schools or fire police stations. However, in the vicinity of Kahuku town, the General Plan does allow for the location of these public facilities where there is planned to be a concentration of residents. As far as the access ways, Bob could you indicate to the beach parks the approximate access ways that are better shown on this plan here. (Area was pointed out on map displayed.)

In the course of development, one point we'd make is that there may be temporary road easements provided to these public facili-

ties to be assured that the city and the Parks Department particularly would be concerned that proper access to their public facilities would be provided.

Mr. Chairman, I have a couple of questions of Mr. Stender. Is there any indication to how much it would cost to play on the golf course. Secondly, do you think people living in that area will be able to play on that course? What we're getting at is could people at a lower income be able to play on the course?

Stender: I know it will be open to the public. What it would cost, I'm not sure. I think the developer could answer that. There is a public course at Kahuku which is operated by the city.

Way: Here's another one related to an earlier question. The question, "Who would be held liable if visitors at the resort area are hurt" was not answered. I believe you commented that it is a legal question.

Stender: That's right. I read the papers everyday and somebody falls down the stairs in some hotel and it includes everybody in sight.

Chairman: I don't know whether this is a relevant question but nevertheless, it is a question. I don't believe it's necessary for you to answer it; however, the question is posed. How much money do you anticipate to accumulate by leasing the lands at Del Webb?

Stender: What was that?

Chairman: How much money do you intend to accumulate by the lease?

Stender: The lease rent? I really think I'll have to defer on that. It's a private matter really, between us and the lessees.

John Kelly: It's not a private matter. It's a public matter.

Chairman: Sir, I would appreciate it if you'd confine this meeting to an orderly public hearing meeting.

Kelly: It's the most relevant question, Mr. Yamabe. Where is the rezoning of our land going? I think it's your job to insist that he answer that kind of question, otherwise you're in completely with the landowners. It's a highly relevant question.

Mr. Yamabe, excuse me. If the mainland corporations can come in here and are robbing the people of the land within the last 100 years--

Chun: Move for recess, Mr. Chairman. Mr. Chairman, I move for recess.

(RECESSED FOR 10 MINUTES.)

Chairman: Incidentally, on these questions, I know there's going to be more coming. We would like to receive all the questions. We'll refer this to the staff. I don't think the public hearing will be closed, this depends on the vote taken by the commission members. We certainly have many areas that we'd like to explore and extract further information. In the meantime, these questions will be received by the staff. Wherever possible, the staff will get the questions answered.

I'd like the audience to understand that there are certain procedures that the Planning Commission follows. This may not be in agreement with you people; however, that procedure must be followed. Therefore, I would like to request that there be some understanding. I also apologize for becoming a bit weary, but

if there is no objection, this is the way we will handle all of the questions.

Any further questions of Mr. Stender? Are the developers here to testify?

Stender: They are.

Chairman: If there are no further questions of Mr. Stender, thank you. Will you remain, Mr. Stender, in case there are further questions by the Commission?

Stender: Sure.

Chairman: Is there anyone else in the audience who wishes to testify for the proposal? Do we have the representative from Inscon?

Joe Aubin: My name is Joe Aubin. I represent Inscon Development Company. We would also like to make a statement today. We feel that a lot of the testimony today has been very heartwarming, that there is this much interest, and I think a lot of good points have been raised. We have submitted all of our necessary submittals and information. We really don't have any formal statement to make at this time. We would be very happy to answer any questions that the Commission might have.

Chairman: Any questions of Mr. Aubin?

Mr. Aubin, there was concern that if there is no public access or rather public roads through the parks, might there be a possibility that you people might close this road or street from public use?

Aubin: Well, as we have discussed with the City Planning Department and also the Parks Department, we're prepared to grant an easement over the main access road and designate the other roads whereby access may be available. Now during the period of the project, there are probably four main access roads that will be developed between now and 1989. As we develop into these areas, of course we will designate which access is available. We also have a series of beach roads that will run adjacent to the beach areas and along the golf course. From those roads we will also designate access to those areas that we have discussed with the city and county and Parks Department. There will be an easement granted to the access roads to, in the case of the parks, right into the park.

Chairman: Will this be a covenant to the lease?

Aubin: Actually, as far as the developers are concerned, we can grant a 75-year access. I believe that the estate would have to be consulted. I think it would have to be a perpetual type of situation as far as the beach parks are concerned. I think they are agreeable to this. I think we ought to have their comments on it though.

Chun: Mr. Aubin, is it the intent of the developers that the roadways in the project area will be kept as private roadways rather than dedicated to the county?

Aubin: Yes. We are designing the roads to dedication standards so that at anytime down the road we would want to dedicate it then, we could. In other words, the county would accept them if we bring them up to the standards. At the present time, we do

plan on leaving it as a private road.

Chairman: Any further questions? Mr. Director?

Way: Going back to an earlier question about the golf course, there was a question regarding the fee aspect. Is there any information you can provide on that, Mr. Aubin?

Aubin: Mr. Way, we haven't set the fee as yet. It will be open to the public. We're very hopeful that we will get some local play and from all over Oahu as far as that's concerned. At a later date we also plan on possibly having a membership type situation for locker privileges but we haven't gotten into that deep either. We don't have definite rates set as yet.

Way: One other question, Mr. Chairman. In connection with the specifics of the development along the shoreline, could you shed any further light on this? I believe Mr. Stender did give some testimony there but possibly you might be able to elaborate on that.

Aubin: I can give you the general elements. If we have to get into the technicalities, our engineers, Sunn, Low, Tom, and Hara, are here.

Basically, we have three channels. Even though there have been some comments made about the silt, all of those channels are plugged. We cannot cut through the dune area until such time as we have the planting available and seeded. Basically we've had all the approvals necessary for the area that would fall within the shoreline area. We have the Corps of Engineers permission, the Department of Land and Natural Resources, and the

Harbors Division of the Transportation Department. I believe the Marine Biology Division of the University of Hawaii also approved it. We have all of the necessary approvals for the shoreline work.

Chairman: How do you intend to handle the sewage? This is one question in which I'd be interested in too.

Aub n: Well, what we will have will be a sewage treatment pond situation. From that, we will drain the effluent into our golf course lagoon on a periodic basis. Anything from the lagoon will be dissipated on the golf course so that there is no runoff into the ocean. In fact the condition of our conditional use permit with the City and County of Honolulu is that we cannot discharge the water into the stream for runoff. Another conditional use permit condition is that we have to bond the operation and the construction so that I'm sure that the necessary agencies will see to it that we operate and maintain the sewage system as per their specifications and approvals.

Chairman: You say the runoff. Will it be going directly to the pond or is this after treatment?

Aubin: It's after treatment, and it will be dissipated onto the golf course in our sprinkler system.

Chairman: Any further questions?

Aubin: I can't remember all of the comments that were made but there have been a few articles in the papers. The sand that we're using is not beach sand. We cannot use the sand for anything else. I believe the misunderstanding there is we do have some

sand stockpiled that came from the interior, maybe two or three hundred feet back that we wanted to save. It was in the path of the fill area. Rather than fill the dirt over sand, we saved the sand to recreate the beach grading. The sand we're using comes from the batch plant near the Mormon Polynesian Center. We are not using beach sand for cement.

Also, another comment was made that we'll try to clarify on the importing of employees from the mainland. We have possibly five people on the project that have come over from the mainland. All of the other people are hired locally and in lot of cases, they are right on the North Shore area.

Chairman: Any other questions of Mr. Aubin?

Sullam: Do you have any renderings of the buildings because there were some statements made here indicating that the feeling was that the buildings didn't really purvey a Hawaiian feeling.

Aubin: We don't have any with us today but we do have renderings. We do have them available. Even though it was a mainland architect, they spent quite a bit of time over studying the design. This is the only mainland firm that we contracted. On all our future phases, everything will be done locally. Our architects for the condominiums are Lemmon, Freeth, and Haines. All of the other work has been done by local people.

Chairman: Any other questions? This is the usual situation, Mr. Aubin, communication. It's a very nebulous thing; however, too often we're confronted with this problem of properly communicating. I might suggest that the developers in anyway possible might

continue to communicate with all parties concerned. I think we might resolve the unnecessary confrontation, maybe I shouldn't use that word, but unnecessary grief in the future.

Aubin: We will try to do so. We thought we worked with all of the community planning associations on the North Shore, the windward assocations, but we would be very glad to discuss any future plans if anybody would like to talk about it. We've put a lot of time and effort in it. We really have thought about the problem out there. We're very concerned about ecology. I think we should make the comment that if we don't take care of the property, and if we don't maintain the property, it's going to be more a detriment to us than to anybody else. We're very aware of the situation. Even though at the present time we do have a lot of bare space, it will all be landscaped. We will have at least 300 palm trees. At the present time we're out looking for the trees.

Another comment that was made was that we negligently tore the trees out. We tried to save all the trees we could. In fact, some of the palm trees we did save. Keep in mind that some of the trees were in a three and four-foot fill, so that if we filled, the trees would die anyhow. We had to fill the area because, as Mr. Stender said earlier, that was a low area and floodable.

We will do all we can in the future to communicate with all of the groups. In fact, we'd be very glad to.

Chairman: Are there any further questions from the commission members? If not, thank you very much, Mr. Aubin.

I just realized that we haven't established contact with all the people that submitted all these questions. We don't have the names on the questions. I wonder if you could tell me with whom we should keep in contact with in reference to the questions that we received today. Is it possible for you people to decide a representative for your organization so that we might contact the representative.

Yes, Miss?

Woman in Audience: Some of us don't belong to any organization. I myself am here observing as a member of a class of Ethnic Studies on Contemporary Hawaiiana at the University of Hawaii.

Chairman: Well, might we do this. Will you come up, if you have submitted a question, and identify your question and leave your name and address? The people representing or members of the S.O.S. to select a representative we might contact. You might do this after the meeting.

Are there any other questions?

Person in Audience: Yes. I'd like to know when is the next meeting of the Planning Commission?

Way: The next meeting of the Planning Commission is a week from today. On this matter, the Commission will decide to either hold the hearing open, or close it, or take the matter under advisement, or whatever is their pleasure. Following that, the next regular meeting of the Commission will be January 7th.

Chairman: I believe we should vacate this place by 7:30 p.m. I'm told

there's another meeting here. I wonder if we might take action on this subject matter. What is your pleasure?

Chun: Question, Mr. Chairman.

Chairman: Commissioner Chun?

Chun: Mr. Director, how long will it take the staff to compile all the testimony heard today?

Chairman: Are you thinking in terms of minutes?

Chun: Yes.

Way: A minimum of two weeks to transcribe virtually verbatim.

Chun: That will take us to the January meeting, will it not?

Way: Yes, since there's only one meeting remaining this month.

Chun: Next question, Mr. Chairman. Is there any further testimony to be taken?

Chairman: I've asked the people in the audience if there were any further testimony. At this point, there is no further testimony. We have questions which we'll work on.

Chun: If a motion is in order, Mr. Chairman?

Chairman: Yes, if you'll entertain a motion.

Chun: Mr. Chairman, I move that the public hearing be closed and the matter be deferred until compilation of all testimony today has been prepared and circulated, and the matter be deferred until the January 7th meeting.

Connell: Second.

Chairman: It has been moved and seconded that the public hearing be closed and any action be deferred to the January 7th meeting. Any discussion on the motion? If not, all in favor?

AYES - Yamabe, Chun, Sullam, Connell, Naiwi
NAYES - None
ABSENT - Bright

Chun: Mr. Chairman?

Chairman: Commissioner Chun?

Chun: I move that the Director be authorized to initiate public hearings on all matters on the agenda, and all other matters be deferred until the next meeting.

Connell: Second.

Chairman: It's been moved and seconded that the Director be authorized to initiate public hearings on all matters on the agenda, and that all other matters be deferred until the next meeting. All in favor?

AYES - Yamabe, Chun, Sullam, Connell, Naiwi
NAYES - None
ABSENT - Bright

Chun: Also that the Director be requested to notify all governmental agencies of the extension of time required.

Chairman: The secretary will so note the request.

Chun: Move for adjournment, Mr. Chairman.

Connell: Second.

Chairman: The meeting is adjourned.

* * * * * * * * * * * * * * *

STATE LAND USE PETITION HONOULIULI JAMES CAMPBELL ESTATE (URBAN USE)

The State Land Use Commission had referred to the Planning Commission for its comments and recommendation, a petition submitted by the James Campbell Estate to amend the State Land Use District boundary from Agricultural to Urban.

The Commission has 45 days in which to forward comments to the Land Use Commission.

This matter was deferred to the next Commission meeting to be held on December 17, 1970, at 8:30 a.m.

* * * * * * * * * * * * * * *

The Commission, on motion by Mr. Chun, seconded by Rev. Connell, recommended that the Planning Director be authorized to establish dates for the public hearings for the following items:

GENERAL PLAN AMENDMENT CENTRAL BUSINESS DISTRICT MAUKA OF THE EXISTING KAKAAKO FIRE STATION TMK: 2-1-3: PORTIONS OF 15 & 21 BUILDING DEPT. & HON. FIRE DEPT.

1. The amendment is necessary for expansion of the existing Kakaako Fire Station.

ZONING B-2 COMMUNITY BUSINESS DISTRICT KALAUAO EWA SIDE OF KAONOHI ST. BETWEEN KAM. HWY. DRIVE-IN THEATER & MOANALUA RD. TMK: 9-8-13: 14 STATE OF HAWAII, DEPT. OF LAND & NATURAL RESOURCES

2. A small shopping complex for two- to three-retail businesses is proposed.

ADJOURNMENT: The meeting adjourned at 7:07 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Special Meeting of the Planning Commission
Minutes
December 17, 1970

The Planning Commission held a special meeting on Thursday, December 17, 1970 at 8:40 a.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Roy R. Bright
Rev. Eugene Connell
Ivanhoe K. Naiwi
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Mrs. Ruth Hood, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Henry Eng, Staff Planner
Larry Morishita, Observer

ABSENT:
Fredda Sullam
Richard K. Sharpless, ex-officio

MINUTES:
The minutes of December 3, 1970, were approved on motion by Mr. Chun, seconded by Mr. Bright.

PUBLIC HEARING
ZONING B-2 COMM. BUSINESS DISTRICT
PEARL CITY
KAM. HIGHWAY & LEHUA STREET
(SITE OF PEARL CITY TAVERN)
TMK: 9-7-22: 7&21
RICHARD C. MASSEN

A public hearing was held to consider a request for a change in zoning from R-6 Residential District to B-2 Community Business District for parcels of land situated at Kamehameha Highway and Lehua Street (site of the Pearl City Tavern) and identified as Tax Map Key 9-7-22: 7 and 21.

Publication was made December 6, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Staff Planner, Bruce Duncan, reviewed the staff's report of the proposal. No questions were raised concerning the report.

Mr. Dwight Rush represented the applicant. The commission had no questions of Mr. Rush.

No one testified AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Rev. Connell.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request on motion by Mr. Chun, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Bright, Connell, Naiwi
NAYES - None
ABSENT - Sullam

PUBLIC HEARING
ZONING B-2 COMM.
BUSINESS DISTRICT
PEARL CITY
SOUTHEAST CORNER
OF LEHUA AVE. &
THIRD STREET
TMK: (9-7-21: 3&52
WALTER JOHNSON, ET AL

A public hearing was held to consider a request for a change in zoning from R-6 Residential District to B-2 Community Business District for parcels of land situated at the Southeast corner of Lehua Avenue and Third Street and identified as Tax Map Key 9-7-21: 3 and 52.

Publication was made December 6, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Staff Planner, Bruce Duncan, reviewed the staff's report indicating the proposal. There were no questions concerning the report.

Senator Francis Wong represented the applicant. The commission had no questions of Senator Wong.

No one testified AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mr. Bright.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request on motion by Rev. Connell, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Bright, Connell, Naiwi
NAYES - None
ABSENT - Sullam

PUBLIC HEARING
ZONING AG-1
RESTRICTED
AGRICULTURAL DIST.
KALAUAO
MAKAI OF MOANALUA RD.
(NEAR THE SUMIDA
WATERCRESS FARM)
TMK: 9-8-13: 9
B.P.BISHOP ESTATE

A public hearing was held to consider a request for a change in zoning from B-2 Community Business and R-6 Residential Districts to AG-1 Restricted Agricultural District for a parcel of land situated at Kalauao, makai of Moanalua Road and mauka of the Sumida watercress farm, and identified as Tax Map Key 9-8-13: 9.

Publication was made December 6, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Staff Planner, Bruce Duncan, reviewed the staff's report. There were no questions from the commission concerning the report.

No persons were present to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mr. Bright.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the applciant's request on motion by Rev. Connell, seconded by Mr. Bright.

AYES - Yamabe, Chun, Bright, Connell, Naiwi
NAYES - None
ABSENT - Sullam

PUBLIC HEARING
ZONING AG-2
AGRICULTURAL DIST.
WAIANAE
MIKILUA VALLEY
TMK: 8-7-09, 10, 18, 19, 21, 22, AND PORTIONS OF 3 & 4
PLANNING DIRECTOR

A public hearing was held to consider a request for a change in zoning from AG-1 Restricted Agricultural District to AG-2 General Agricultural District for 845± acres of land situated at Waianae, Mikilua Valley, and identified as Tax Map Keys 8-7-plats 10, 18, 19, 22 and portion of 21. The subject area is generally bordered by Ulehawa Road, Ulehawa Stream, Lualualei Naval Road, U.S. Naval Reservation, Paakea Road, Kaiswer Cement and Gypsum Corporation, George H. Holt Trust Estate, and Hakimo Road.

Publication was made December 6, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. Five letters and a telephone call were received AGAINST the proposal, and four letters were received in SUPPORT of the proposal. (These letters are included and summarized together with testimony given FOR, and AGAINST the proposal.)

Staff Planner Bruce Duncan reviewed the staff's report. Questioned by the Commission, Mr. Duncan indicated (1) no proposed development for the residential area immediately makai of the subject parcel; (2) a proposed buffer of approximately 1600 feet deep; and (3) if this request is denied, existing swine raisers will be permitted to continue operating as a non-conforming use.

Testimony AGAINST the proposal was given by:

1. Joe Drake, Chairman, Waianae District Neighborhood, Planning Committee (submitted letter dated Nov. 10, 1970)
2. Joe Drake, Landowner, TMK 8-7-21 Lot 19, (submitted letter dated Dec. 17, 1970)
3. Land Associates by John A. Eagle, Landowners, TMK 8-7-09, Parcel 1, (submitted letter dated Dec. 17, 1970)
4. Bishop Trust Co., Ltd., Trustee of the George H. Holt Trust Estate, by R. Eugene Platt, Vice-President, owner of 432.7 acres immediately makai of subject area, (submitted letter dated Dec. 15, 1970)
5. Fong T. Mau, Landowner, TMK 8-7-19-12 (submitted letter dated Dec. 17, 1970)
6. Agnes Cope, Chairman, Waianae Resident Housing Program Committee, HCHA Model City Housing Development Corporation (Nonprofit), (submitted letter dated Dec. 16, 1970, signed Agnes Cope by Henry Peters)
7. Herman Sakata, private citizen

OBJECTIONS:

1. A change in use from Ag-1 to Ag-2 would "permit a wider range of agricultural uses" but sepcifically it would permit the raising of pigs. Recognizing that there presently exists nonconforming uses, the rezoning, however, would permit such operations to expand and continue. There are residential subdivisions surrounding the area proposed for rezoning that would be seriously affected, in ways other than an olfactory sense, by such uses as are permitted by Ag-2.

2. Such a change would be a violation of the CZC, section 21-410 which states, "Accordingly this district should be located away from urban areas and in areas where urbanization is not expected in the foreseeable future".

   Proposed developments by the following indicate increased urbanization of the area rather than agricultural usage:

   a. A proposal by the U.S. Financial Corporation for development of a planned residential community on a major portion of plat 09.

   b. A proposed development of 227 acres for the Clarence C.T. Loo Estate which would utilize plat 22 and a portion of plat 21.

   c. The Bishop Trust Company as Trustees of the George H. Holt Trust Estate has negotiated with a number of developers interested in developing the area for a residential subdivision.

      Park Engineering, Inc., has developed two plans for the area. One plan is in accordance with the State Land Use Classifications and would consist of 264 lots on 60 acres of the urban classified land; 101 agricultural lots on the 271 acres of agricultural land and an 11 acre school and park site. The other plan calls for 1,396 residential lots on 331 acres and an 11-acre park and school site. In October (1970), Bishop Trust solicited sealed bids for the property which according to most of the prospective developers would be an ideal property for a low-cost housing development. Proposals are to be submitted no later than January 29, 1971.

   d. A proposed development of approximately 1200 homes on 398 acres of land by Land Associates, TMK 8-7-09, Parcel 1.

3. The need for housing is more evident rather than increased swine raising.

4. The change would compound environmental health problems such as noxious odors, liquids, and solid waste from animals which attract insect breeding such as flies and mosquitos polluting the air and streams. It affects the ecological environment of the area.

   The area near the Campbell Industrial Park is a noxious zone where swine, poultry, and cows are being raised. Anyone who wished to raise more swine or bees should not have any problem if space is available rather than create a common nuisance in Mikilua Valley.

5. Downzoning creates a loss in property value. Additionally, property taxes are paid for lands which yield no financial return.

6. While the Model City Housing Development Corporation is against the influx of new piggeries into Waianae, it believes that existing hog raisers should be granted a sanction to operate their farms with immunity from prosecution due to zoning. Further, as a temporary solution, that the granting of some new conforming designation might be granted as a compromise between wholesale rezoning and total denial.

Mr. Henry Peters was quite purturbed that the City and State had imposed such a situation upon residents of the Waianae coast stimulating resentment between farmers and residents; neighbors against neighbors. He requested that the Planning Commission and the Planning Department immediately take the initiative to resolve the basic conflict between homes and pigs. Also, that a thorough examination of lands throughout Oahu be made to locate areas suitable for the AG-2 classification, earmarked away from urbanization.

Testimony FOR the proposal was given by:

1. Ernest Adaniya, Vice-President, Mikilua Farm Bureau Center (submitted letter dated Dec. 8, 1970)
2. Ray Saito, Member, Waianae District Neighborhood Planning Committee
3. Tokio Okudara, Manager, Island Pork Producers Cooperative Association (submitted letter dated Dec. 18, 1970)
4. Mr. T. Jackson, Resident, 87-1884 Holomalia St., Nanakuli (submitted letter dated Dec. 15, 1970)
5. M. A. Glover, M.D., Resident, 87-1884 Holomalia St., Nanakuli (submitted letter dated Dec. 15, 1970)
6. James Aki, Representative Elect, 21st District (submitted letter dated Dec. 16, 1970)
7. Harry Choy, Farmer, Mikilua Valley
8. George Oshiro, Resident, Mikilua Valley
9. Billy Tokuda, Administrative Director, Hawaii Farm Bureau
10. Mrs. Peggy Choy, Farmer, Mikilua Valley
11. Bill Hugh, University of Hawaii Extension Swine Specialist

Reasons given in SUPPORT--

1. Agriculture still plays an important role in the State of Hawaii. It contributed 383.5 million dollars last year to the Gross State Product. It is estimated that agriculture purchased goods and services amounted to more than 230.1 million dollars.

2. There has been a decline in the pork industry. On Oahu, in 1960, there were 500 hog farms with 10 or more hogs. By December 1969, there were 310 farms or a drop of 60%. In January 1960 a farm inventory disclosed 52,900 hogs which decreased to 39,900 by December 1969 or a 33% reduction. The marketed dressed weight total for 1960was 7,135,000 pounds compared to 6,618,000 pounds in 1969.

3. With rising operational costs, increased living expenses, inflationary pressures, production volume must be increased to help farmers go above their break-even point. However, rigid restrictions of the AG-1 district has handicapped the industry with no room for expansion.

4. Mikilua is ideally situated for intensive livestock production. It is served by good roads, has a good climate, enough water, is close to its markets, and isolated from urban areas by natural buffers such as mountains, streams, and open spaces.

5. Hog farmers invested their life's savings in fee-simple land and new facilities while others made loans from federal and state farm loan agencies with 40-year mortgages.

6. Hog farmers have constantly been moved from one place to another - from Waialae, Koko Head, Kalihi Valley - finally seeking refuge in Mikilua.

7. Concerning sanitation and health comments made against swine raising, farmers work very closely with State and Federal agencies and the University of Hawaii to keep such problems under control. Farmers expend various sums of money on chemicals and equipment to aid them in modern sanitation systems.

8. Other agricultural lands have been sought from the Campbell Estate in Kahuku, due to the phasing out of the Kahuku Sugar Plantation; however, no commitments have been made by Campbell Estate.

9. There is question as to the validity of Mr. Drake's letter from the Waianae District Neighborhood Planning Committee AGAINST the proposal. At a meeting held last evening, the letter was not presented to the committee for consideration. Messrs Ray Saito and Harry Choy testified that the Waianae District Neighborhood Planning Committee FAVORS the proposal. Minutes of their meeting will be forwarded to the Commission.

There was no further testimony. The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Mr. Naiwi.

MOTION: On motion by Mr. Chun, seconded by Mr. Bright, the Commission deferred action to its next meeting on January 7, 1971.

PUBLIC HEARING
PLANNED DEVELOPMENT
HOUSING DISTRICT
KAHALUU
KAALAEA
WAILEHUA ROAD
TMK: 4-7-14: 2 &
4-7-43: 1
TYRELL & SCHRADER
CORPORATION

A public hearing was held to consider a request for a Planned Development Housing District to develop approximately 180 dwelling units and construct a sewage treatment plant for parcels of land situated at Wailehua, Ahilama and Lamaula Roads, and identified as Tax Map Keys 4-7-14: 2 and 4-7-43: 1.

Publication was made December 6, 1970. Hearing notices were sent to pertinent government agencies and interested parties. Various letters OBJECTING to the proposal were received and are included, in summary, as testimony against the proposal.

Staff Planner Henry Eng reviewed the staff's report. He commented that additional changes are being made to the site plan which would affect the density and the number of units.

Public testimony was heard.

Testimony AGAINST the proposal was given by the following people:

1. Joe C. Harper, President, Hui Ko'olau (submitted letter dated Dec. 15, 1970)
2. Austin M. Karnuth, Architect with the Naval Facilities Engineering Command (submitted letter dated Dec. 15, 1970)
3. James E. Maragos, Kahaluu Resident (submitted written testimony)
4. Harry Duarte (submitted letter from Kaalaea View Acres Community Assn.)
5. Jacques Hough, Kahaluu Resident
6. Herbert Asato, Kahaluu Resident
7. Mrs. Violet Wasson, 47-740 Lamaula Place, Kahaluu (submitted letter dated Dec. 15, 1970)
8. Henry Thomas, Kahaluu Resident (submitted letter dated Dec. 16, 1970)
9. Edgar Alexander, Kahaluu Resident
10. Don Schultheis, 47-705 Ahilama Place, Kaneohe (submitted written testimony)
11. Leonard Wong, Kahaluu Resident
12. Mrs. Caroline Iseri, Kahaluu Resident
13. Mrs. Helen Hopkins, 47-130 Uakoko Place, Kaneohe (submitted written testimony)
14. Miss Cynthia Yokono, Kahaluu Resident
15. Mrs. Doris Aronson, representing the Sierra Club (presented written testimony)
16. Mrs. Sue Gagne, Kahaluu Resident
17. Solomon Naluwai, Kahaluu Resident
18. Archie Ericson, Member of the Kaneohe Outdoor Circle

OBJECTIONS:

1. Flooding - The area of land being proposed for development stands on the brink of a flood plain, actually a swampy area, poorly drained with no run-off control. Rainwater rushes down natrual streams and swales, and the narrow roads, particularly Wailehua Road, become torrential rivers. Another Keapuka situation could result. The thin topping of asphalt is torn loose, and gravel base material is gouged up leaving treacherous rough potholes on the roads.

2. Inadequate drainage - There are no storm drains or sewers. Overflowing cesspools, sewage treatment effluent, waste oil, herbicides, sediment and plain trash are all contained in the flood plain. The proposed sewage treatment plant would dispose large quantities of effluent in an area already swampy in nature.

3. Inadequate road systems - Access roads are poor and inadequate. Wailehua Road, serving most of the Kaalaea area is approximately 20 feet wide, with no curbs, gutters or sidewalks. It intersects Kam Highway at the outside of a long-dangerous curve, and is almost inaccessible during peak traffic hours.

One main objection is the continued bottleneck crossing at Likelike Highway, although they are aware of a proposed overpass. Meantime, autos are backed

up to the Valley of the Temples in a traffic snarl. Also, vehicles turning left, Honolulu bound on Kahekili Highway into Haiku Road, proceeding makai, create a bumper-to-bumper tieup. There is no way to avoid the tieup by taking side roads.

Due to the lack of sidewalks, school children must walk either in the middle of the road, or in tall grass along the road side, creating a hazardous situation.

4. School and recreational facilities are lacking.

5. Adding low-cost housing units to a neighborhood that already has more than its share of low-income people is contrary to their community goal of mixed housing, and would tend to compound the human problems that already exist in the area. Further, the proposed development with two-bedroom units offers limited relief for housing shortage of predominantly large families in the low-income group.

6. Pollution - Overflowing cesspools are a rule rather than an exception in three low-cost housing areas on the flood plain near the proposed development. The polluted nature of the flood plain and its affect upon the quality of water in Kaneohe Bay cannot be questioned and would not bear public scrutiny as it now exists.

7. The proposed sewage tertiary treatment plant is new and still largely at an experimental stage. It is a costly technique and only large communities can afford it since the cost is shared by more people. Whether 180 proposed units can support the maintenance of such an operation is seriously doubted. Who bears the cost of the STP installation was not included in the original plan. This might conceivably result in an added maintenance cost for the low-income housing tenants.

   The odor factor is also involved. Mr. Jacques Hough objected to the proposed location of the STP in the front of his home.

(Maps and photographs were also displayed by members of the Hui Koolau Community Association.)

Because of limited time, no further testimony could be taken. The Commission kept the public hearing open and deferred action to its next meeting on January 7, 1971, on motion by Mr. Chun, seconded by Rev. Connell.

PUBLIC HEARING
PLANNED DEVELOPMENT
SHOPPING CENTER
DISTRICT
ALIAMANU
SALT LAKE BLVD. &
ALA LILIKOI ST.
BRADLEY INVESTMENT
CORPORATION
BY: MORIO OMORI

Due to a time element, the Commission deferred this matter to its next meeting on January 7, 1971, on motion by Mr. Chun, seconded by Rev. Connell.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
A-3 APT. DIST.
EWA BEACH
FORT WEAVER RD.
TMK: 9-1-01: 19
QUALPAC, INC.

For the reason aforementioned, this matter was also deferred to the next Commission meeting on January 7, 1971, on motion by Mr. Chun, seconded by Rev. Connell.

STATE LAND USE
PETITION
AMENDMENT TO
STATE LAND USE
DIST. BOUNDARIES
FROM AGRIC. TO
URBAN
HONOULIULI
JAMES CAMPBELL
ESTATE

This matter was also deferred to the next commission meeting on January 7, 1971, on motion by Mr. Chun, seconded by Rev. Connell.

On motion by Mr. Chun, seconded by Rev. Connell, authorization of the following public hearings was DEFERRED to the next Commission meeting on January 7, 1971:

CONDITIONAL USE
PERMIT
UNION HALL
SALT LAKE, END
OF ALA NAPUAA ST.
TMK: 1-1-61: 11
HAWAII MACHINIST &
AEROSPACE WORKER'S
BLDG. ASSN., INC.

1. The proposal is the construction and operation of a two-story union headquarters for the Hawaii Machinist and Aerospace Worker's Building Association.

ZONING CHANGE
FROM R-6 RES. TO
I-1 LIGHT INDUS.
DISTRICT
WAIAU-KAM HWY.
TMK: 9-7-18: 12, &
9-8-04, & PORTIONS
OF 9-8-03
HAWN. ELECTRIC CO.

2. The proposal is the installation of two General Electric series 7,000 heavy duty industrial type gas turbine generating sets designed for electric utility service.

ZONING CHANGE
FROM R-6 RES. TO
B-2 COMM.BUS.
DISTRICT
WAIANAE
FARRINGTON HWY.
(cont.)

3. The proposal is a one-story office structure.

(cont.)
& LUALUALEI
HOMESTEAD RD.
TMK: 8-5-08: 18
MAKAHA MKT., INC.

ZONING CHANGE
FROM R-6 RES. TO
A-1 APT. DIST.
MAKAHA
MAKAI OF FARRINGTON
HWY. & EWA OF
WAIANAE HIGH SCHOOL
TMK: 8-5-17: 8-16
& 19
MAKAHA SURFSIDE
DEV. CO.

4. The proposal is the construction of an apartment development to include 87 studio units, 229 one-bedroom units, and 8 two-bedroom units.

ZONING CHANGE
FROM R-4 RES. TO
R-6 RES. DIST.
WAHIAWA
TMK: 7-4-13 THRU
16, 21, PORTION OF
18, & 7-3-05: 6&7
CITY COUNCIL

5. Area 1: Bounded by California Avenue, Leilehua High School, and Schofield Barracks.

Area 2: West of Kam Hwy between Kaukonahua Stream and a private right-of-way fronting Nihiwai Place.

MISCELLANEOUS-
RESOLUTION
COMMENDING THE
SERVICE OF
ARTHUR A. RUTLEDGE,
PAST CHAIRMAN OF
THE COMMISSION

The Commission unanimously adopted a resolution commending Mr. Rutledge for his service on the Commission, on motion by Mr. Chun, seconded by Rev. Connell.

ADJOURNMENT:

The meeting adjourned at 1:10 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
January 7, 1971

The Planning Commission met in regular session on Thursday, January 7, 1971, at 1:35 p.m., in the Conference Room of the City Hall Annex with Rev. Eugene Connell, Chairman pro tem, presiding:

PRESENT:
Rev. Eugene Connell, Chairman pro tem
Philip T. Chun
Fredda Sullam
Roy R. Bright
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Henry Eng, Staff Planner
Tosh Hosoda, Staff Planner
Loretta Chee, Staff Planner

ABSENT:
Thomas N. Yamabe II, Acting Chairman
Ivanhoe K. Naiwi

MINUTES:
The minutes of December 10, 1970, were approved on motion by Mr. Chun, seconded by Mr. Bright.

PUBLIC HEARING
PLANNED DEVELOPMENT
HOUSING DISTRICT
KAHALUU
KAALAEA
WAILEHUA ROAD
TMK: 4-7-14: 2 &
4-7-43: 1
TYRELL & SCHRADER
CORPORATION

Due to a time element at the last hearing on this matter, the Commission kept the public hearing open, and action was deferred.

Staff Planner Henry Eng reported that since the public hearing of December 17, 1970, the Department has re-evaluated the subject application in light of new testimony received. At this time, the staff recommends DENIAL of the subject application for the following reasons:

1. The proposed mode of sewage treatment is not acceptable to the State Department of Health.

2. The location of the treatment plant is not acceptable in view of its proximity to the proposed North Waihee Stream channel alignment. The staff was informed that 35-40 feet of the subject site will be necessary for the construction of the proposed stream improvements. The location of the plant is also at an elevation substantially lower than that which is indicated on the submitted drawings. This portion of the site lies within an established flood plain.

3. The surveyor's topography map on which the site plan was presumably based contains a number of errors as well as omissions. Neither the site plan nor the staff's analysis can be valid unless based on accurate information.

4. Tax Map Key 4-7-14: 2, the lower parcel lies within a district designated by the Federal Insurance Administration as having special flood hazards.

5. The Corps of Engineers has suggested that the Water Quality and Fish and Wildlife agencies review this proposal also.

6. The staff's revised report is not complete because response requested after the public hearing has not been received, nor any revised drawings from the applicant which would attempt to rectify some of the inaccuracies as well as to resolve some of the problems.

Mr. Ralph A. Schrader represented the applicant, and submitted written testimony in SUPPORT of the proposal:

1. To the comment that the area is in a floodplain, photographs were exhibited indicating that the proposed lot area is out of the floodplain. They have managed the Wailehua Apartments located at the lower point on Wailehua Road for the past four years. The flood elevation of the apartments is 7' above sea level. At no time has the water risen above the 6' level. No land in the proposed development is below 7'.

   Out of a total perimeter of 4,500' there is only 300' or 6.5% over which water comes from an adjacent lot. That adjacent area drained is less than 2 acres, and water from it can easily be handled. Contrary to adding to flood danger of lower lots, they will be able to channel most of the water from their project now going on to Wailehua Road, directly to the stream by placing a swale at the makai edge of the property.

2. To the objection that Wailehua Road is inadequate because of traffic capacity, a traffic count was conducted on Tuesday, December 15th between 6:25 a.m. and 7:25 a.m. In that time period, 59 cars came down Wailehua Road and turned into Kam Highway from Wailehua Road. At no time were cars stacked at the intersection more than one deep, nor did any wait more than 15 seconds before turning. The capacity of Wailehua Road intersection could be easily increased by building an acceleration lane along Kam Highway on the Kaneohe side of Wailehua Road to accommodate traffic generated from the proposed development. They will improve Wailehua Road by (1) widening it to 8' over 1/3 of its length; (2) paving the Lamaula intersection; (3) connecting Wailehua Road to Ahilama Road, providing for better traffic circulation.

3. Concerning the objection that Wailehua Road is inadequate because of flooding, they realize that in heavy rain, water often flows on the road. This is due to (a) its low elevation, approximately 4' above sea level; (b) the surrounding land has been filled to a higher elevation; and (c) the storm drain is not working because of silting and lack of fall. Photos taken on Thanksgiving morning after heavy flooding the night before were circulated.

4. Relative to the Sewage Treatment Plant, they are prepared to install a three-stage plant and enclose it. The proposed location for the STP is

50' from the closest building, 500' from the closest house, 700' from the closest public road. The effluent will be dissipated through their sprinkler system.

5. The land is above flood plain and has sufficient natural slope for adequate drainage and will provide different elevations for buildings. It is adjacent to the North Waihee stream for which channel improvements are scheduled under the Kahaluu Flood Control Project.

6. Their intent is to keep the unit price within the range of the "young married" group whom they consider the prime market.

7. The PUD approach will yield 50% common open space and another 10% in private yards.

8. By pooling the parking and keeping streets to a minimum, they will do much less grading minimizing runoff and soil damage.

9. Increased density allowed will enable them to keep the price of the units to a minimal $23,000, considerably lower than the cost of a single-family dwelling.

Questioned by the Commission concerning the staff's comment that the STP is not acceptable to the State Department of Health, Mr. Schrader referenced a letter from Mr. Doak C. Cox, Director, Office of Environmental Control, University of Hawaii to the Health Department. In the letter, Mr. Cox mentioned that a secondary treatment plant will allow a large number of nutrients into Kaneohe Bay. To avoid this, a tertiary plant is necessary plus diversion of the effluent.

The applicant has no objection to the installation of a tertiary plant but feels that the effluent from a secondary plant is purer than streams in the area. The installation of a tertiary plant would not alter the price range of units. Their only recourse would be the construction of single-family dwellings with cavitettes.

There were no further questions of Mr. Schrader.

The Director reported the receipt of a letter AGAINST the proposal from Mr. Archie Erikson, 44-722 Alakai St., Kaneohe, reiterating the same objections expressed by Kahaluu residents.

No other person was present to testify either FOR or AGAINST the proposal. The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mrs. Sullam.

ACTION: Based upon the staff's recommendation, the Commission recommended denial of the applicant's request on motion by Mr. Bright, seconded by Mr. Chun.

AYES - Connell, Chun, Sullam, Bright
NAYES - None
ABSENT - Yamabe, Naiwi

PUBLIC HEARING
PLANNED DEVELOPMENT
SHOPPING CENTER
DISTRICT
ALIAMANU
SALK LAKE BLVD.
& ALA LILIKOI ST.
BRADLEY INVESTMENT
CORPORATION
BY: MORIO OMORI

A public hearing was held to consider a request for a Planned Development-Shopping Center District for a parcel of land situated at Salt Lake Boulevard and Ala Lilikoi Street and identified as Tax Map Key 1-1-63: 2.

Publication was made December 6, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Due to insufficient time, the public hearing for December 17, 1970 was kept open until the next regular meeting.

The Director reported the receipt of a letter from Morio Omori, Attorney for the applicant, requesting that the public hearing be kept open again to allow the applicant time to conduct a traffic study (presently underway), and market analysis indicating the need for the proposed neighborhood shopping center, pursuant to the recommendations of the staff.

MOTION: The Commission, on motion by Mr. Chun, seconded by Mr. Bright, kept the public hearing open and deferred action.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
A-3 APT. DIST.
EWA BEACH
FORT WEAVER RD.
TMK: 9-1-01: 19
QUALPAC, INC.

A public hearing was held to consider a request for a Conditional Use Permit under Article 2, Part E of the Comprehensive Zoning Code, for the construction of a sewage treatment plant on parcels of land situated at Ewa Beach and identified as Tax Map Key 9-1-01: 7, 17, 18, 19, and 20.

Publication was made December 6, 1970. Hearing notices were sent to pertinent governmental agencies and interested parties. Various letters received OBJECTING to the proposal are included, in summary, as testimony given against the proposal.

Due to a time element at the Commission's meeting on December 17, 1970, this matter had to be deferred, and the public hearing was kept open.

The staff's report which was reviewed by Bruce Duncan, Staff Planner, recommended the approval of the proposal with conditions as enumerated.

Questioned by the Commission, the staff pointed out the following:

1. The height of the proposed STP from ground level will be 9 feet, with another building extending 17 feet above the plant. Estimated capacity is 175,000 GPDs (gallons per day), to service 1,074 persons.

2. Land area encompasses 6 lots, either in sole ownership or under agreement of sale, for which 205 units are proposed - 127 3-bedroom units, and 78 2-bedroom units.

Public testimony was heard.

Testifying AGAINST the proposal were:

1. Mrs. Florida Underwood, President Elect, Ewa Beach Community Association (written testimony on file)
2. Mr. Harry K. Ching, Chairman, Ewa Beach Coordinating Council
3. Mr. Allen Terrell, 91-622 Onelua Street, Ewa Beach
4. Petition signed by 231 residents of Ewa Beach protesting the granting of any and all requests for the construction of STPs in Ewa Beach

Objections given:

1. Any odor emanating from the plant will be carried throughout the entire community by prevailing trade and ocean winds in Ewa Beach. Underground facilities are possible and should be considered.

2. Further pollution of ocean waters, the nearby drainage canal, and the air. Photos were presented illustrating water oozing out of seepholes in the canal.

3. Since the proposed STP system is fairly new in the State, experts have not guaranteed that it will work, but rather base their approval on a satisfactory test performance.

4. The Ewa Beach Community Association has been in contact with Congresswoman Patsy Mink who supports their position concerning sewage facilities in Ewa Beach.

5. Development of the site presently being conducted by the applicant. (Pictures were submitted.)

   The Director clarified that the applicant was granted a conditional use permit for another plant facility so that construction is permissible under that permit. Subsequently, the site was enlarged, and this request was initiated for a larger plant to accommodate the increased development.

Mrs. Underwood requested that the Planning Commission avail itself at one of their community meetings in Ewa Beach inasmuch as many residents who have wished to attend commission hearings opposing STP facilities in Ewa Beach have not done so due to their employment and responsibilities of the home. She stated that court action against the City and the applicant relative to sewage facilities has commenced (Civil No. 31362). An Order denying a motion by Qualpac, Inc., for an order authorizing and permitting aboveground enclosed sewage treatment facilities in Ewa Beach, was signed by Judge Yasutaka Fukushima, dated December 29, 1970.

Testimony FOR the proposal was given by--

1. Vernon Luke, Administrative Assistant, Project Development, Qualpac, Inc.
2. James Danner, STP equipment manufacturer representative

Reasons given:

1. The civil suit is a matter in itself and should have no bearing on this application. They are proceeding with their development because of

the existing housing shortage on Oahu.

2. On a consolidated approach, they are applying for one STP, rather than to install two separate STPs.

3. It would be possible for them to construct cesspools as residents wish, but the Health Department prefers that the sewage be treated before discharged into the ground.

The Commission questioned the following points:

1. Whether it is the intention of the applicant to construct a plant above-ground and thus violate the mandate of the civil suit?

   This is not the applicant's intention. Their new plans are to build 8 feet underground. Due to a highwater table in the vicinity and its pressure their engineers advised against going any deeper because of the possibility that the pressure could push up the tank.

2. Whether any alternative systems were considered?

   Cesspools, septic tanks, and cavitettes were considered; however, these are against FHA regulations because of problems which they have experienced. The FHA has approved their project as far as sewage standards are concerned, and has imposed a condition that the plant be enclosed.

4. Odor - Odor is caused by hydrogen sulphide. There is no odor as long as the tank is properly maintained and a sufficient supply of air is pumped into the plant which they propose to do. In the aeration process, the hydrogen sulphide is eliminated.

5. What happens when the holes in which effluent is discharged are filled to capacity?

   This is more a matter of solid material sealing the pores, as well as the type of STP involved. The proposed 175,000 gallon plant provides an abundant water supply for better treatment of the sewage rather than a smaller STP with less water gallonage.

There was no further testimony. The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Mr. Chun.

<u>MOTION</u>: Based upon the Director's recommendations, the Commission recommended approval of the applicant's request, on motion by Mr. Chun, seconded by Mr. Bright.

Discussion followed.

Mrs. Sullam pointed out that she was opposed to the granting of an STP in Ewa Beach on a similar application by this applicant, and that her position on this request is the same. Although she feels that 1 STP is better than 2 or 3 separate STPs, she preferred to abstain from voting.

Due to the lack of 4 affirmative votes, this matter had to be deferred for a full commission. Commissioners Chun and Bright retracted their earlier motion for approval.

The Commission deferred action for the presence of a full Commission, on motion by Mr. Chun, seconded by Mrs. Sullam.

STATE LAND USE PETITION AMENDMENT TO STATE LAND USE DIST. BOUNDARIES FROM AGRIC. TO URBAN HONOULIULI JAMES CAMPBELL ESTATE

Mr. Yamabe had declared a conflict of interest on this matter and submitted a letter to the Mayor indicating the same. He was not present during deliberations on this item.

The State Land Use Commission referred to the Planning Commission for its comments and recommendation, a petition submitted by the James Campbell Estate to amend the State Land Use District boundaries from agricultural to urban use.

The Director summarized the staff's report of the applicant's petition requesting that a master plan encompassing an area of approximately 3,400 acres be accepted, and an urban designation be approved for the total 3,400-acre area based upon an incremental approach. In this instance a first increment of 690 acres is proposed for immediate rezoning from Agriculture to Urban by the applicant. However, the Planning Commission must evaluate the reasonableness of an urban designation for the total master plan area since the incremental approach, if accepted, provides for rezoning of subsequent increments within that area upon indication of substantial completion of urban development in preceding increments accomplished in accordance with approved incremental plans.

The Director recommends that the amendment be denied for the following reasons:

1. The applicant's total concept recognizes the basic needs of people and has the potential for creating a desirable living environment.

2. However, the applicant's anticipation of the pressure of urban development in Central Oahu has proven to be inflated. There also already exists considerable planned developments to meet the need for additional residential units during the 1970's.

3. The applicant's intent to meet the need for "gap-group" housing is desirable. But the proposed 100 acres devoted to this use is not an adequate basis for making a decision that would have a very significant impact on regional growth in Central Oahu.

4. The applicant's inclusion of the new campus within his proposed development is premature. Furthermore, a decision on an initial increment of the proposed development should not be made without also determining the location of the University campus.

5. The decision to locate the University campus should be made within the broadest context. The desirability of alternative development patterns must first be examined and within that context alternative campus sites evaluated.

6. The petition does not meet criteria of the State Land Use Commission for determining the boundaries of Urban Districts. More specifically, the applicant has not shown that sufficient reserve areas for urban growth do not exist in appropriate locations based on a ten-year projection. The petition also fails to meet the related criterion that lands with a high capacity for intensive cultivation shall not be included in the urban district when other lands are available that can adequately serve the urban needs.

The Director also reported the receipt of a letter dated January 6, 1971, from Mr. William Cook, the Governor's Special Assistant on Housing. Mr. Cook does not specifically endorse all of the planning aspects of the project but tends toward a favorable recommendation by the Commission.

The Commission commended the Director on his report.

The following points were discussed:

1. Assuming the population projection at its most optimistic, and considering requirements of sound, general planning, the Director did not believe the central area of Oahu could support a development of 3400 acres, nor of two communities of 3400 acres.

2. Recognizing high development costs in mauka regions, question was raised as to what percentage in the general leeward area as outlined on the State Land Use Map could be developed for low-cost housing.

   The Director indicated that most of the area could be used. If higher development costs exists in mauka areas, low-cost housing could be placed there and development costs subsidized. Low-cost development is not necessarily placed in the makai region due to soil, drainage, or water table problems which occur very often.

MOTION: For purposes of discussion, Mr. Chun moved--

(a) that the Commission adopt the report of the Director without his recommendation;

(b) that the Commission's recommendation be one indicating that the concept of the plan although good, is one based on many assumptions - principally as set forth in the report, the University campus. Until these assumptions and facts are made clear, the Commission will have no recommendation at this time.

Lacking a second, the motion died.

MOTION: Mrs. Sullam moved that the Commission concur with the recommendation of the Director, opposing the petition for Land Use District rezoning as requested by the applicant.

Lacking a second, this motion also failed.

MOTION: Mr. Chun moved, seconded by Mr. Bright, that the Commission submit no recommendation to the State Land Use Commission.

Discussion followed.

Mr. Chun stated: "My original motion was made on the basis that we have been presented with a concept of a development plan for the creation of a new city in central Oahu. The plan as brought up by the Director is good in its basic concept but again because of the many assumptions, basically these assumptions being that there would be a University campus located within that area, believing full-well that if the campus were to be located anywhere in central Oahu, there would be a community of approximately 100,000 people living around that campus area. I do believe that within some date in the very near future, we will have a community within central Oahu which will be based upon a campus community.

However, I am not willing at this time to state or to put this Commission in the position of endorsing one University campus site over any other that might be proposed to the body who has the final responsibility of selecting a University campus.

It was on that basis that I made the motion to adopt the Director's report without a recommendation."

Mrs. Sullam felt that a recommendation should be submitted to the Land Use Commission, rather than no recommendation at all.

Lacking four affirmative votes, the motion again failed.

MOTION: On the basis that there would not be a sufficient quorum of votes, Mr. Chun moved, seconded by Mr. Bright, that the matter be deferred indefinitely.

Lacking four affirmative votes, the motion failed.

The Commission deferred action on this matter for one week, for the presence of a full Commission, on motion by Mr. Chun, seconded by Mrs. Sullam and carried.

PUBLIC HEARING SPECIAL PERMIT/CONDITIONAL USE PERMIT WAIANAE PUUHULU ROAD TMK: 8-6-8: 23 MARVIN B. BUDREAU	Public hearings on this item were held on November 12 and December 3, 1970. Action on the request was deferred to January 7, 1971, in compliance with the requirement of Act 136 that "...the planning commission shall act on the (special permit) petition not earlier than fifteen days after the public hearing..." which was closed on December 3, 1970.

The staff presented a supplemental report indicating that since a special permit request is involved, Act 136 requires that findings, in addition to those of the conditional use permit presented in an earlier staff report, must be made. Act 136 states that certain "unusual and reasonable" uses within State Agricultural Districts other than those for which the district is classified may be permitted. In determining whether a commercial dog kennel is an "unusual and reasonable" use, it must be shown that the use is in general compliance with the established guidelines of the Act. The report elaborates on the use with respect to the established guidelines.

There were no questions concerning the report.

ACTION: Based upon the Director's recommendations, the Commission, on motion by Mr. Chun, seconded by Mrs. Sullam, recommended approval of the applicant's request subject to the following conditions:

1. The provisions indicated on the plans marked Exhibit "A" shall be adhered to except as otherwise noted in the conditions hereunder;

2. There shall be no more than fifty-five (55) dogs boarded on the premises at any time;

3. The proposed access driveway shall have a minimum width of 25 feet;

4. The proposed cesspool shall be provided in a manner acceptable to the State Department of Health;

5. The applicant shall utilize methods and employ practices controlling odor and health nuisances as may be required by the Department of Health. A certified copy of the Department of Health's requirements shall be submitted to the Planning Director prior to obtaining a building permit;

6. Within three (3) months following the occupancy of the kennels and thereafter as may be determined necessary by the Planning Director, the applicant shall have a consultant conduct a noise study in a form and under conditions acceptable to the Planning Director. Said study shall be submitted to the Planning Director for his review and approval. Where a noise violation is found, the applicant shall take such corrective actions as may be determined necessary by the Planning Director to abate the noise source including but not limited to enclosing and sound proofing the facility;

7. Within one year, the applicant shall properly file an application for a building permit with the Building Department;

8. The applicant shall submit annually a statement with supporting evidence including photographs showing compliance with all conditions stated herein, to the Planning Director for his review and approval;

9. In the event the approved use of this permit is terminated by the owner for a period of more than six consecutive months, or land use patterns or zoning within the area have changed from that at the time of approval, the Planning Director may take action to revoke the permit;

10. The recorded owner of the land encompassed by these permits shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions;

11. A certified copy of the documents as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation prior to issuance of a building permit;

12. Any modifications to the conditions of this permit shall be approved by the City Council; and

13. If any of the conditions imposed are not met, the Planning Director shall take appropriate action to revoke the permits or suspend the operation until compliance is obtained.

PUBLIC HEARING
GENERAL PLAN
DETAILED LAND USE
MAP (AMENDMENT)
KAHUKU-PUPUKEA-
KAWELA
INSCON DEVELOPMENT
COMPANY

The public hearing held on December 10, 1970 was closed and action deferred for a field trip.

The Director reported that the field trip was made. Subsequently, the following letters were received:

For--

1. Koolauloa Lions Club, Kahuku, dated 12/29/70, signed by Thomas S. Nakayama, Secretary
2. I.L.W.U., Junior Primacio, P.O.Box 179, dated 12/29/70

Against--

1. Sunset Beach Community Association, Peter V.Z. Cole, President, Box 356, Haleiwa, dated 1/6/71
2. James B. Walfish, 786-B Punahou Street, dated 12/30/70

The Commission also received a report from the developer in connection with certain questions that had been raised. The staff prepared a summary of inquiries made at the public hearing and of responses to those inquiries which have been distributed to the Commission.

Questioned by the Commission as to any changes in the staff's recommendations, since the last hearing, the Director asserted no changes to those recommendations.

ACTION: Based upon the Director's recommendations, the Commission recommended approval of the proposed amendment, on motion by Mr. Bright, seconded by Mr. Chun.

Discussion followed.

Chun - "On December 10th, we had a very lengthy meeting at which many people testified. Testimony received, I believe, was very relevant to the question of land usage. However, I do believe that much of the testimony received at that meeting is one which dealt primarily with the basic uses of the land with respect to

the question of urban or agricultural uses of the land. I believe the issue before this Commission today, is how should use of the land be placed in an urban manner. The decision to place this land into an urban category was made at the Land Use Commission. Definitely I do not know whether the testimony we received on December 10th was received by the Land Use Commission in its determination for the placement of this land into an urban category. Because of the fact that it is in an urban category and because of the plans and recommendations that we have received from the staff, I will vote in favor of the motion."

The motion carried.

AYES - Connell, Chun, Sullam, Bright
NAYES - None
ABSENT - Yamabe, Naiwi

MOTION: In a separate motion, Mrs. Sullam moved, seconded by Mr. Chun and carried,

(a) that lands which are not in the urban category be re-evaluated and studied for the purpose of placing it back into agricultural usage in a productive manner;

(b) that the development be contained and not expanded over its full course as originally proposed, that the extent of the resort development be re-evaluated.

PUBLIC HEARING
ZONING AG-2
AGRICULTURAL DIST.
WAIANAE
MIKILUA VALLEY
TMK: 8-7-09, 10, 18, 19, 21, 22, AND PORTIONS OF 3 & 4
PLANNING DIRECTOR

The public hearing held December 17, 1970 was closed and action was deferred.

The Director reported another letter of protest from the Department of Navy stating that the raising of hogs in the area would interfere with navy employees' abilities to perform their jobs safely and efficiently.

Also, by telephone call, a representative of Model Cities has requested that the Commission defer action on this matter until a poll can be made of the position of concerned residents in the Waianae area.

In view of the Commission's concern relative to the buffer zone and the close proximity of the proposed Ag-2 designation, the staff indicated that the boundary was moved on the makai side so that the new line would run down on Hakimo Road to its intersection with Kanahele Road, proceed in the Ewa direction, and continue to the original boundary.

The matter was then deferred until a report is received from Model Cities, on motion by Mrs. Sullam, seconded by Mr. Bright.

C.I.P. SUPPLEMENTARY APPROPRIATIONS

C.I.P. Supplementary appropriations request by the Building Department for two projects totalling $61,000.00:

a. Renovation of prosecutor's office building..... $51,000
Planning and Engineering..... $ 6,000
Construction..... 45,000
b. Kailua Fire Station expansion..... 10,000
Planning and Engineering..... $ 10,000

The staff's report was circulated prior to the hearing. No discussion followed.

ACTION: The Commission recommended approval of the staff's recommendation on motion by Mr. Chun, seconded by Mr. Bright.

AYES - Connell, Chun, Sullam, Bright
NAYES - None
ABSENT - Yamabe, Naiwi

C.I.P. Supplementary No. 6 - Three projects are proposed:

a. Kuhio Avenue Improvement..... $100,000
Land Appraisals..... $ 80,000
Planning and Engineering..... 20,000
b. Sewer Tunnel Relief - Honolulu..... 286,000
Engineering..... $ 18,000
Construction..... 250,000
Inspection..... 18,000
c. Waipio Golf Course - Modification and installation of additional sprinkler systems..... 30,000

The staff's report was circulated prior to the hearing. No discussion followed.

ACTION: The Commission recommended approval of the staff's recommendation on motion by Mr. Chun, seconded by Mr. Bright.

AYES - Connell, Chun, Sullam, Bright
NAYES - None
ABSENT - Yamabe, Naiwi

C.I.P. Supplementary appropriation for widening and improvement of Waipahu Depot Street..... 47,000
Planning and Engineering..... $ 5,000
Construction..... 42,000

The staff's report was circulated prior to the hearing. No discussion followed.

ACTION: The Commission recommended approval of the staff's recommendation on motion by Mr. Chun, seconded by Mrs. Sullam.

AYES - Connell, Chun, Sullam, Bright
NAYES - None
ABSENT - Yamabe, Naiwi

C.I.P. Supplementary No. 4 and No. 7

a. CIP Supplementary No. 4, Bill No. 129 (1970) Draft 3 - An Ordinance amending Ordinance No. 3570, as amended, relating to capital improvement appropriations of the City and County of Honolulu for the fiscal year July 1, 1970 to June 30, 1971.

   Integrated Island-Wide Bus System (acquisition of HRT, Ltd.).....$2,338,762.00

b. CIP Supplementary No. 7, Bill No. 1 (1971) - An Ordinance amending Ordinance No. 3570, as amended, relating to capital improvement appropriations of the City and County of Honolulu for the fiscal year July 1, 1970 to June 30, 1971.

   Integrated Island-Wide Bus System (acquisition of Wahiawa Transit System, Inc., including buses legally owned by Honolulu Scenic Tours, Inc.).....$2,407,135.00

The staff's report was circulated prior to the hearing. No discussion followed.

ACTION: The Commission recommended approval of the staff's recommendation on motion by Mr. Bright, seconded by Mr. Chun.

AYES - Connell, Chun, Sullam, Bright
NAYES - None
ABSENT - Yamabe, Naiwi

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The Commission, on motion by Mr. Chun, seconded by Mr. Bright, moved that the Planning Director be authorized to call public hearings for the following applications:

ZONING FROM R-6 RESIDENTIAL TO B-2 COMM. BUS. DISTRICT
WAIANAE
FARRINGTON HWY. & LUALUALEI HMSTD.RD.
TMK: 8-5-08: 18
MAKAHA MARKET, INC.

1. The proposal is for a one-story office structure.

BILL 157

2. An Ordinance to amend Chapter 21, Revised Ordinances of Honolulu, as amended (Comprehensive Zoning Code), by deleting various sections. Public hearing for this matter would be set for an evening meeting and possibly in the Council Chamber.

ZONING FROM APT.
TO COMMERCIAL
KALAUAO
BET. KAM HWY.&
MOANALUA RD., EWA
TO KALAUAO STREAM
TMKS: 9-8-16&17
WATERCRESS ASSN.

3. This acreage would be used for nonretail commercial activity including medical, financial, and miscellaneous offices; a post office, theatres, and restaurants.

ADJOURNMENT:

There being no further business, the meeting adjourned at 4:50 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

FLASH NO. 3

PLANNING COMMISSION

INDEX TO MINUTES

JANUARY 14, 1971 THROUGH JULY 7, 1971

BOOK NO. 129

PLANNING COMMISSION

INDEX TO MINUTES

JANUARY 14, 1971 THROUGH JULY 7, 1971

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Special Meeting of the Planning Commission
Minutes
January 14, 1971

The Planning Commission held a special meeting on Thursday, January 14, 1971, at 8:30 a.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Ivanhoe K. Naiwi
Richard K. Sharpless

STAFF PRESENT: Robert R. Way, Planning Director
George Moriguchi, Deputy Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Tosh Hosoda, Staff Planner
Ralph Kawamoto, Staff Planner

ABSENT: James K. Sakai, ex-officio

MINUTES: The minutes of December 17, 1970, were approved on motion by Mr. Chun, seconded by Mr. Bright.

PUBLIC HEARING
GENERAL PLAN AMENDMENT
CENTRAL BUSINESS DISTRICT
MAUKA OF THE EXISTING KAKAAKO FIRE STATION
TMK: 2-1-3: PORTIONS OF 15 & 21
BUILDING DEPT. & HON. FIRE DEPT.

A public hearing was held to consider a request to amend a portion of the General Plan and the Development Plan of the Central Business District from Industrial Use to Public Facilities Use (Fire Station site).

Publication was made January 3, 1971. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

Staff Planner Ralph Kawamoto reviewed the staff's report of the proposal. There were no questions from the Commission concerning the report.

Mr. Masaru Tsugawa, Chief, Public Building Planning and Construction Division, Building Department; and Fire Chief Leo M. Kwaitkowski, Fire Department, were present. Both men concurred with the staff's report and requested the Commission's favorable consideration of their proposal.

There were no questions from the Commission.

The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Rev. Connell.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the proposed amendment, on motion by Mr. Naiwi, seconded by Mr. Bright.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Naiwi
NAYES - None
ABSENT - None

PUBLIC HEARING ZONING B-2 COMMUNITY BUSINESS DISTRICT KALAUAO EWA SIDE OF KAONOHI ST. BETWEEN KAM.HWY. DRIVE-IN THEATER & MOANALUA RD. TMK: 9-8-13: 14 STATE OF HAWAII, DEPT. OF LAND & NATURAL RESOURCES	A public hearing was held to consider a request for a change in zoning from R-4 Residential District to B-2 Community Business District in Kalauao, Ewa, on the Ewa side of Kaonohi Street between Kamehameha Highway Drive-In Theater and Moanalua Road, Tax Map Key 9-8-13: 14. Publication was made January 3, 1971. No letters of protest were received. Staff Planner Tosh Hosoda reviewed the staff's report of the proposal. There were no questions from the Commission concerning the report.

Public testimony was heard.

Mr. Lorrin Dolim, President, Hawaii Holsum Bakery, Inc., the adjoining property owner, OBJECTED to the business zoning of the parcel and its proposed use as a shopping center. The shopping facility directly across the street and presently under construction, plus the Waimalu Shopping Center about a half mile away is sufficient for the area. Considering environmental and ecological aspects, he believed the area should rather be zoned light industrial to accommodate such uses as a bakery or a potatoe chip factory.

No one spoke FOR the proposal.

The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mr. Bright.

MOTION: Rev. Connell moved, seconded by Mr. Naiwi and carried, that the matter be deferred one week for the presence of the applicant.

Deputy Corporation Counsel Andy Sato reminded the Commission that the public hearing had already been closed.

MOTION: Mr. Chun moved, seconded by Mr. Bright and carried, that the Commission reconsider its action taken on this item.

The public hearing was then kept open on motion by Mr. Chun, seconded by Mr. Bright and carried.

PUBLIC HEARING
CONDITIONAL USE
PERMIT-SEWAGE
TREATMENT PLANT
A-3 APT. DIST.
EWA BEACH
FORT WEAVER RD.
TMK: 9-1-01: 19
QUALPAC, INC.

The public hearing on December 17, 1970, was deferred to January 7, 1971. After hearing all testimony, the Commission closed the public hearing and voted to recommend approval of the proposal. However, due to the lack of 4 affirmative votes, the matter was deferred for the presence of a full Commission.

Discussion followed.

Mrs. Sullam reiterated the concerns of residents that the plant will be constructed above ground and in the center of their community. She questioned the following points:

1. Whether it would be possible to design a more sophiscated plant which would not involve the dispersing of effluent into cavities in the ground since there is no guarantee that this system will work. There is no assurance that this system will not pollute the nearby drainage canal nor is there any assurance that it will not do other damage in the area.

   Acting Director George Moriguchi stated that the department bases its recommendation on studies conducted by mechanical engineers involved in the design of the sewage plant.

2. Whether there is possibility of advancing CIP funds for a sewer connection in Ewa Beach.

   Mr. Moriguchi asserted that this would mean setting back other improvement projects already in the CIP program.

Mrs. Sullam recalled the testimony of Mr. Peter Sakai, Chief of the Sanitary Branch, State Department of Health, given at the Commission's hearing on the first two STPs whereby Mr. Sakai wrote a letter approving the sewerage system but could not guarantee that it would work. In view of the proposal for low-cost housing, she felt that the Commission should be doubly careful of its action on this item. She stated: "We are working with unknowns and I'm reluctant to work with an unknown for such a circumstance. I feel that I will have to abstain from voting."

Mr. Bright shared the concern of Mrs. Sullam; however, he believed the issue is whether there should be a single sewage treatment plant or two separate plants. He felt that the single plant is more sufficient and practical than the use of cesspools throughout the entire community.

<u>ACTION</u>: Mr. Bright moved, seconded by Rev. Connell and carried, that the Commission recommend the approval of the applicant's request for a Conditional Use Permit for a sewage treatment plant, subject to the conditions recommended by the Director.

AYES - Yamabe, Chun, Bright, Connell
NAYES - Naiwi
ABSTAINED - Sullam
ABSENT - None

The conditions are as follows:

1. The site plan on file, labeled Exhibit A shall be part of the permit and any deviation shall be subject to the approval of the Planning Director.

2. The building and structure comprising the sewage treatment plant shall be set back from any street or property line a minimum of 25 feet.

3. No structure shall be located within 35 feet of the building and structure comprising the sewage treatment plant.

4. The sewage treatment plant shall be enclosed in such a manner as to prevent access except by means of a locked door. Landscaping of area adjoining the building shall utilize mature plants and shall be in accordance with plans approved by the Planning Director.

5. The approval of the State of Hawaii Department of Health and the Board of Water Supply shall be obtained and evidence of the approval shall be submitted to the Planning Director. Constant compliance with all current and future pollution control standards as they are adopted is required.

6. The sewage treatment plant shall be operated in such a manner as to conform to the performance standards for noise as provided in Section 21-232, Noise Regulation, of the Comprehensive Zoning Code.

7. The program for operation and maintenance of the treatment plant shall be submitted to and approved by the Planning Director prior to the issuance of a conditional use permit.

8. Qualpac, Inc., shall provide sureties satisfactory to the City to insure the proper installation, operation, and maintenance of such facility. Sureties shall also be provided to insure the removal of the temporary system and connection to the public sewage treatment system when it becomes available in the area and the restoration of the site to recreation area.

9. The entire cost of the construction or installation of such sewage treatment plant shall be borne by, and the ownership and possession thereof shall remain in, and the responsibility for its operation, repair, and maintenance shall be that of Qualpac, Inc., owner of the sewage treatment plant.

10. A minimum of two effluent disposal injection wells shall be provided for each of the sewage treatment plant. The wells shall be provided with a perforated

lining to prevent their walls from caving in. The wells shall be at least 30 feet in depth and 48 inches in diameter.

11. A bypass consisting of a cesspool or an emergency power generator shall be constructed at the pneumatic lift station to prevent the backing up of sewage into the apartments during power outage.

12. Sufficient space shall be provided near the plant for installation of additional effluent disposal injection wells should the original wells fail.

13. The sewage treatment system shall provide for chlorination of the effluent in accordance with the standards of the Department of Public Works and the State Department of Health prior to its disposal into the injection wells.

14. When public sewage treatment becomes available in the area, the subject private system shall be discontinued or combined with the public system and service to the property affected shall be from the public system. The temporary sewage treatment plant shall be dismantled and removed by the owner at his own expense when the Chief Engineer of the Department of Public Works finds that such plant is no longer needed. Upon removal, the site shall be used for recreation purposes.

15. Upon finding that any of the conditions imposed are not being met, the City Council may authorize the Planning Director to revoke the permit or suspend the operation until compliance is obtained.

16. The recorded owner of the land encompassed by this conditional use permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

17. A certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

CENTRAL BUSINESS DISTRICT ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT HONOLULU CIVIC CENTER MAKAI RIM OF PUNCHBOWL TO THE SEA, (cont.)

The public hearing was held on February 5, 1970, and kept open until February 19, 1970. At that time, the Commission closed the public hearing, but deferred action for further study by the staff.

The staff has been working with the Commission thru special workshop sessions. The latest proposal was brought back before the entire Commission on October 1, 1970.

(cont.)
EXTENDING FROM
SOUTH STREET TO
DIAMOND HEAD EDGE OF
DOWNTOWN OF RICHARDS,
BISHOP AND PALI HWY.
PLANNING DIRECTOR

Chairman: I am advised by the Director that he will take the mater of organizational structure and the committee operations at this time. We will be acting on the other facets at some later date which is primarily the determination of height, boundaries, design, etc.

Way: Mr. Chairman, we would like to discuss primarily the Historic, Cultural, Scenic Committee aspect of the proposal. We have a report for the commissioners in conjunction with this matter which summarizes much of the background to the discussion of the subject. In addition, Mr. Mark of the planning staff who has been working with the Commission on this assignment will make a presentation to the Commission covering this subject.

Mark: Mr. Chairman and members of the Commission, at both your November 11th and 14th workshop meeting, the commissioners discussed at length the concept of the Historic, Cultural, and Scenic Conservation Committee. Since this issue appears to be a rather lengthy and controversial one, we would like to discuss this issue mainly today, and reserve for the following week, the discussion on the height and open space control, and the proposed regulations.

In very quick summary, the Planning Department's position. In the revised ordinance that you received in October, the intent of this ordinance was mainly to establish the district strictly under the provisions of Article 12 of the CZC. There's no intent to amend, revise, or otherwise change Article 12. Under Article 12, the Planning Director has been very clearly assigned the power to issue Certificates of Appropriateness, "No building permits shall be issued for the construction, alteration or repair of any structure within a Historic, Cultural and Scenic District, and no permit shall be issued for the relocation or demolition of any structure within a Historic, Cultural and Scenic District, unless and until the Planning Director has issued a Certificate of Appropriateness therefor."

Article 12 also mentions a Historic, Cultural and Scenic Conservation Committee, but it assigns to it very limited functions. The department proposes to establish this HCS Conservation Committee by departmental regulation. This is permitted under the City Charter, that the mayor or the department head with the approval of the mayor may appoint advisory committees. The department then proposes that all matters pertaining to the Historic, Cultural, Scenic District would be referred to this HCS Committee for its review prior to the issuance of the Certificate of Appropriateness.

Article 12 also sets up the normal appeal procedure for variances. It states that appeals and decisions of the Planning Director shall be to the Zoning Board of Appeals.

That very quickly summarizes the departmental approach in this ordinance.

In the workshop sessions, the discussion was very well summarized by Commissioner Sullam in her written statement that she presented at the December 14th session. I'd like to quote her: "There are no provisions concerning the composition of the Scenic, Historical, and Cultural Committee outlined under Article 12 of the CZC." Here she refers to the fact that although Historic, Cultural, Scenic, Conservation Committee is mentioned, there is no mention however of its composition and for the most part does not assign to it very extensive duties.

Again quoting from Mrs. Sullam's summary. "According to the Charter, the HCS Committee can only be an advisory body composed of members who serve without pay and are appointed either by the mayor or planning director. This makes it impossible for landscape architects or planners in private practice to serve due to conflict of interests - that is, they are prohibited from appearing before another government body for a fee. If there were some way in which they could be hired as consultants on a contractural basis, this could be avoided." Here she refers to the Code of Ethics where at the present time people serving on city commissions are not permitted to deal directly with the city government.

"The Planning Director receives all requests concerning building permits in the capital district; however, only when directed by the Planning Commission do these requests get processed by the HCS committee. The Planning Director can then adhere to or ignore the advice of the HCS committee." Here Mrs. Sullam refers to the statement in Article 12 which states that the HCS Committee may be consulted at the direction of either the Planning Director or City Council.

"If the request is turned down by the Planning Director, the applicant can go to the Zoning Board of Appeals. The members of that board are not qualified to make judgment of an aesthetic nature or judgment that would require historical expertise." Here she is referring to the three stipulations in the Charter under which the Zoning Board of Appeals can grant a variance. Her feeling is that these three stipulations do not concern themselves with aesthetic or historic matters.

"The problem of enforcing the protective maintenance provisions of the ordinance was expressed. Even though regulations may be carefully spelled out, how could the city force the owners of the buildings to abide by the regulations?" Here I believe she is referring to the weakness in the CZC in enforcing and policing building permits.

It was generally felt by the members of the Planning Commission and the Planning Staff that matters dealing with aesthetic judgment or matters requiring historical expertise be left to specialists and that their judgment be of a mandatory nature.

Some of the other commissioners also expressed their views. I'd like to quote some of their statements. Pertaining to the

matter of aesthetics, "Planning decisions to be made on aesthetics they should not be left to the decision of just one man. I question the Director having the whole authority, particularly in this area where he has to exercise quite a bit of judgment." Here again referring to the HCS Committee that it should be possibly a group that has the professional expertise particularly in the area of aesthetics and history, that one does not normally find present in the Planning Department.

"The problem is this, the question of how much authority should be given to the HCS Committee. Based on the fact that it is merely an advisory committee under the present version of the ordinance, the Director can be free to consult with anyone and there would still be the question of whether he will use this information."

"If the committee has absolute authority or if the committee's advice is adhered to by the Director, then there is no problem." This refers to the fact that the committee as set up in the ordinance is - the committee that would be set up by regulation by the department would be mainly a review body. It would not have mandatory control over the area.

"Under the present framework, should there not be established a group of people who are hired by the city for a certain period of time who would serve at the advisors, and they would be paid a fee so there would be no conflict. When problems come up, the Planning Department would consult these experts who would get paid by the hour or by a retainer fee, etc." This, of course, refers again to the fact that the commissioner recognizes the conflict with the Code of Ethics, trying to get proposed a solution that would somehow overcome the limitation there.

"Can we set up rules and regulations in the area of aesthetics."

"What we might try to do is to try immediately amending Article 12 to take care of some of the areas that need taking care of. The area of aesthetics seems to be the biggest problem."

That very generally summarizes some of the issues. As far as your request at the workshop session for samples of rules and regulations in the areas of aesthetics, in the staff's studies of other ordinances at other municipalities on the mainland, we find that in historic and scenic areas, there are generally boards composed that does have mandatory review powers, not only mandatory review powers but also all conclusive, all powerful decision-making power within the district.

The Savannah, Georgia historic area is an example. Here the historic area board is created within the ordinance that sets up the district. It also sets up an application review procedure. It also states that a certificate of appropriateness is required. Then it establishes what procedures are to be followed by the director of inspections and the review board. Standards are also given for designating historic structures. As far as

aesthetic review is concerned, these are very general in order to leave to the discretion of the board itself the power to make a decision. Broad guidelines are given for aesthetic review. Some of the areas covered are height, proportion of buildings' front facades, proportion of openings within the facility, rhythm of solids to voids in front facades, rhythm of spacing of buildings on streets, relationship of materials, relationship of textures, color, architectural details, roof shapes, landscaping, general scale.

These are described by very short sentences. As an example, relationship of color: Consideration shall be given to a predominant color that may be of a natural material or a patina colored by time, insofar as the mass and details such as trim are concerned. I think you can see that the statement is very general and can provide a great deal of latitude for the decision of the determining board.

Philadelphia also has a very general approach to aesthetic rules and regulations. Again a powerful board is set up that has complete jurisdiction over the historic area. The Independence Mall and Independence National Historical Park is an example. Here the law is very short and the guidelines very simple. There are guidelines and requirements for signs. The building restrictions are also very simple.

The last example is Oklahoma City. Here the ordinance also sets up a powerful historic commission again with conclusive powers over the district. It's powers and duties are spelled out generally. The rules and regulations for aesthetic review are also spelled out very generally. Here are some of the considerations: In determining the recommendation to be made concerning the issuance of a certificate of appropriateness, the Commission shall consider the following criteria: (a) the effect of the proposed change upon the general historical and/or architectural character of the structure or area; (b) the architectural style, arrangement, texture, materials used, and color of existing and proposed structures, and their relation to other structures in the area; (c) the effects of the proposed work, in creating, changing, destroying, or affecting otherwise the exterior architectural features of the structure upon which such work is to be done; (d) the effects of the proposed work upon the protection enhancement, perpetuation, and use of the structure or area; (e) the use to which the structure or area will be put; (f) the condition of existing improvements and whether or not they are a hazard to public health or safety. If the commission recommends that the certificate of appropriateness not be granted, it will advise the applicant of any changes which would secure the approval of the commission and will withhold denial of the certificate of appropriateness not to exceed thirty days.

In summary, you can see that rules and regulations pertaining to aesthetic, architectural and historical controls in this area are generally written to be very broad to allow the commission, normally a powerful commission, a great deal of latitude in its judgment.

Finally at your workshop session, you also asked and discussed what the commission should do in regards to the review committee. These were the four ways that you discussed in which to manage this problem. One, to follow through with the present ordinance. Here the Planning Commission would ask that all building permits be sent to the review committee for at least its review. Although their decision would not be binding, still all building permits would come under their review.

A second means would be to amend Article 12 where Article 12 would specifically say that all buildings permits are to be directed to the HCS Conservation Committee. Again for review only.

A third method would set up a mandatory review committee. We believe that this would probably require a charter change. The charter, although it states that the mayor and the department heads with the consent of the mayor may appoint advisory committees, the charter does not say whether a mandatory, powerful group can be set up.

Finally a fourth method would be to recommend that legislation be enacted at the state level, enabling legislation that would make it possible for the city and county to establish such powerful review committee.

Thank you.

Chairman: Mr. Mark, what is the staff's recommendation?

Mark: The staff's recommendation is to follow through with the present ordinance in its present form. We feel that we do have the mechanism in Article 12, and we do also have the mechanism in setting up an advisory committee which was granted under the city charter. At least we can establish the district, set up a review committee, particularly in view of the urgency of the need for enacting this ordinance at the present time.

Chairman: Based on your recommendation, have you prepared standards that might apply to the operation of the joint advisory committee and the department's action?

Mark: Again we feel that the committee should have a very broad set up so that they can make their own rules and regulations and they will not necessarily be hampered by strict standards in their decision.

Chairman: Are there standards already prepared?

Mark: A regulation establishing the committee at the present time?

Chairman: No, including also the standard that you apply to the committee members and the director, sort of a guideline standard rules and regulations?

Mark: No. We don't have established standards. What we do propose now is only by departmental regulations, establish the membership of this committee, and establish that it would be set up, however not limiting it to specific duties and regulations.

Chairman: Is your request approval on the part of the Commission on a conceptual basis as far as the committee operation is concerned?

Mark: Yes. At the present time, the ordinance is before you. This has to pass through the legal procedure while concurrently we can set up the departmental regulations to establish the review committee.

Sullam: In other words we can recommend that this ordinance be adopted and at the same time work on perhaps getting some legislation through on the state level that would make the committee have mandatory review. Also perhaps firm up what type of people serve on the committee.

Mark: Yes. That's one way of doing it. However, we feel if we move the ordinance up in its present form at the present time, we can concurrently establish an advisory committee by our own departmental regulations. It would be an advisory review committee.

Sullam: Until we have some enabling legislation passed on the state level.

Mark: If that is your desire. I think what you're saying is instead of an advisory review committee, you are seeking a powerful commission. This will require additional legislation.

Yamabe: For the commission's information, I think there's a recommendation from the staff to work within the scope of Article 12. The commission as a body has authority to make further recommendations. As pointed out, its purely on a conceptual basis made by the staff or to recommend an alternative. I don't think they have any intention of pursuing an amendment to the charter at this time.

Mark: That is right.

Way: In that connection, we would, of course, receive any recommendation from the Commission, if that be one of them or if the commission would develop any alternatives to meet whatever objectives they might have - amending the charter, introducing other legislation, amending Article 12 - I think there's a number of options open in that fashion. You may not even have to be that specific, one option being to express the concept if you wish and then to make the recommendation that the appropriate city agency pursue that, assuring that all legal and other legislative steps are taken.

Chairman: I take it, Mr. Director, that this action taken by the staff in making its recommendation is purely to have a starting point. So that we might move along on this matter, the Chair would entertain a motion to either accept or reject the recommendation made by the staff. Then we will open up the discussion.

Chun: Herb, on a couple page of the ordinance, we do mention the committee. Is it the feeling of the staff that this committee will be appointed to regulations of the department itself?

Mark: That's right.

Chun: What regulations are you speaking of?

Mark: Specifically, under section 4-105 of the City Charter where it states that the mayor or the department heads with approval of the mayor may each appoint advisory committees, so that in order to establish this committee, the department may go to the process of setting up departmental regulations that would establish this committee.

Chun: In reading portions of the ordinance, it would appear that this committee will be more than an advisory committee. We talk about their permitting specific uses which would otherwise be denied, if it finds that it conforms to the requirements of the section set forth in the ordinance, this actually gives them more authority than merely being advisory. I'm wondering therefore if that particular charter is one which would not conform to the functions of the committee as spelled under the ordinance.

Mark: That section that you're referring to has been amended. The present version of the ordinance very clearly eliminates any mandatory review or any type of power attributable to this committee. That is the intent.

Chun: I'm wondering therefore whether or not we should not eliminate any reference to this committee at this point.

Sullam: I don't quite follow Mr. Chun. I don't see why one would desire to eliminate the advisory committee. Advice is better than no advice, is it not?

Chun: No. I'm referring to the fact that if there is no function at all of the committee at the present time, if there is no actual creation of the committee in the ordinance, it really doesn't make sense to mention an advisory committee if there is no such animal. Unless we spell it out in the ordinance, there may never be such an animal. I think this has to be provided for in the ordinance or make no reference of it.

Sullam: I follow you now. In other words the ordinance does not mention an advisory committee?

Chun: No.

Chairman: If there's no objection, the Chair would entertain a motion on the conceptual basis whether we should or should not have this committee operation. I think Mr. Chun makes a valid point.

Chun: I move for the conception. I buy the idea of a committee.

Sullam: You mean in the ordinance?

Chun: No. This is just for the conception. I do believe that there should be a committee. Specifically how we work that out is another problem but I think it'll come out in the ordinance.

Bright: Second.

Chairman: Its been moved and seconded. Discussion?

Chun: My feeling is that this would be an advisory commission. If we are to proceed under the basis of Article 12 at the present time, I think we should spell out the creation of such a committee within the ordinance, and making reference after that within the ordinance to the appointment of a committee through the various provisions of the charter. I think there we have a framework of reference so that something can be done rather than leaving it hanging in the air, as to whether the direction in his discretion would even appoint such a committee.

Sullam: I concur with Mr. Chun. I didn't realize the committee was omitted in the ordinance. However I do feel - I'm interpreting his motion to encompass the entire ordinance that we are recommending approval of this ordinance.

However, I would also like to recommend that city government pursue changing the enabling legislation in such a way that the committee can become a mandatory one.

Chairman: Commissioner Sullam, we have decided that this morning we will be taking up the subject matter of the HCS structure. At a later date we will consider the other portions of the ordinance.

Any further discussion? If not, all in favor of the motion? Contrary minded? Carried.

Mr. Director, will you advise me as to what action you want to take at this time other than the present adoption of the motion buying the concept of the committee operation?

Way: That's satisfactory.

Chairman: I think what we would require would be some standard rules and regulations applicable to a committee operation.

Chun: No, that's something for Bob to work on. All I want in the ordinance is provision in the ordinance that there will be a

committee; that it does not leave the creation of a committee to the discretion of the director. As long as we do know there will be a committee, I'm satisfied.

Sullam: I would like to see the committee set up its rules and regulations. I think they are more qualified to write their rules in which they are able to work in.

Way: We left that open so that when the committee is created, it could establish whatever rules it felt were appropriate for the operation. In the way of standards, if anything, it would be in general context like those described in the sample ordinances covering for example materials, the texture, colors, etc., that such a committee would operate under.

Chairman: Taking the advice of Commissioner Chun, unless there is any objection, we will dispose of this matter with the action already taken.

STATE LAND USE PETITION AMENDMENT TO STATE LAND USE DIST. BOUNDARIES FROM AGRIC. TO URBAN HONOULIULI JAMES CAMPBELL ESTATE

In view of a conflict of interest on this matter, the Acting Chairman excused himself from deliberations on this item. Mr. Chun was elected Chairman pro tem.

The Planning Commission was granted a 15-day extension by the Land Use Commission, which expired January 9, 1971, to forward their comments and recommendations. Action at the January 7, 1971 meeting was deferred for one week for a full Commission.

Commission action was taken in the following manner:

Bright: Mr. Chairman, I would like to move that we approve the recommendation for amendment to the State Land Use District boundary from agriculture to urban for this particular area.

Connell: Second.

Chairman: It's been moved and seconded that the Planning Commission recommend approval to the Land Use Commission of the application made with respect to Honouliuli. Is there any discussion?

Sullam: I think this petition is premature. First of all I think the University campus is a significant element in this decision. We all know that has not been decided as yet. We do know that this area could be urbanized without the University campus but do we want to designate it as urban until we know just where this campus is. Right now we have an urban sprawl in the center valley where these lands are located. I think its time we think of pulling those communities together. We need, in essence, a plan before we start designating these areas as urban. There will be ultimately some of these areas designated as urban but what form they take we don't know. I think we have to wait.

I'm not saying that ultimately we may not designate this as urban but at the moment we need more information. We also need some projection about population growth in that area. I think we've reached a point and time where we know above a certain point the value of when a community starts diminishing. It becomes over populated, and there's problems of smog, and then a social breakdown. The time is not right.

Bright: Mr. Chairman, I feel that one of the pressing problems that we have in this entire state, particularly on the island of Oahu, is that of creating some areas that will be developed into housing that will be available for people who desperately need housing. The director and the planning staff have mentioned that there is an inventory of land that can be used for housing but unfortunately this inventory of land is being sat on and isn't being turned over for development. My personal feeling is that if we create some areas that are going to be made available for housing, we're going to break this blockage of land development. I don't see how we can possibly sit on these potentials for housing in view of the tremendous need for housing. This is the primary requirement in this state, to find housing for the people who don't have adequate housing. Certainly with the subsidation on the part of the government to make housing possible, this to me looks like a very sound project. This is an overall broad development. I don't think you can boil it down to specifics. It's my impression that this embraces a development that will take place over the next 25-year period. What is being asked for right now is a small increment of six or seven hundred acres to get this thing off the ground.

Irrespective of where we're going to have a University campus or an extension of the University campus, I don't really think that this has too much bearing on this. My own personal feeling is that perhaps we should start thinking about preventing University sprawl by considering highrise-university development at the present area.

Chairman: I wonder whether or not the Commission would like to include in its recommendation, other than a mere recommendation of approval which is before us at the present time, a finding of fact or adoption of the director's report. It would appear that if this Commission is to make a recommendation of this nature, that there should be a finding of fact made by members of the Commission to support its recommendation. I believe the Commission members have received certain factual information regarding population projections. I wonder whether or not someone would care to have that included in the record as a finding by the Commission.

Sullam: If we adopt the report of the Planning Department, then in essence aren't we recommending disapproval?

Chairman: Not necessarily. I do not think that the Director's report as such necessarily leads to a recommendation of disapproval, not in my reading of the report.

Bright: My motion was to approve recommendation to the State Land Use Commission rather than to approve the Director's report. I'm in favor of the granting of this change to urban development.

Chairman: Based on what? This is what I'm getting at. I think a recommendation of this nature should include with our recommendation a finding of fact to support our recommendation. If we could have some statement for the record within our recommendation rather than merely transmit to the Land Use Commission a mere blanket statement saying we recommend approval.

Connell: I would certainly have no objection to including the report of the Director. It is also my understanding that an additional amount of testimony has been given to the Planning Director from Campbell Estate. Many of the points within the new testimony refer directly to points which were made by the Planning Director. It seems to me that if we're going to turn over a body of data to the Land Use Commission that we should have both reports submitted.

Chairman: I wonder, Mr. Bright, whether we could take that motion first?

Bright: I would certainly include it in my motion his recommendations that the testimony of the staff be turned over to the Land Use Commission together with the additional testimony supplied by Campbell Estate.

Sullam: But the testimony is somewhat contradictory in those reports. One says the other hasn't projected correctly. I don't know what the value is.

Chairman: I think that's about what the Land Use Commission will use it for.

Sullam: I would like to add to what Mr. Bright has said. I don't disagree that there is a need for housing and I don't disagree that we have to properly urbanize more land. I do concur that Campbell Estate has put up a very attractive proposal. However, how does this proposal fit in with all the neighboring land? What are the other people doing with this valley? There has to be some coordination between development and that's what's lacking. That's why I say wait until we know what everyone else is doing. Wait until we have a plan so we don't have urban sprawl.

Chairman: Mr. Director, the application before us is for 3400 acres is it not, rather than the 690?

Moriguchi: It's for 690 acres, not for the 3400.

Chairman: It's for 690 not for the 3400.

Moriguchi: That's right.

Chairman: Is there any further discussion?

Connell: It would seem to me that it would be nice if we could wait until we have information from all landowners and development planned. That's a rather open time frame. We do have the pressing issue of housing. This issue is constantly before us. There's been a great deal of talk about it but very little action. It seems to me that somewhere along the line we're eventually going to have to take some bold steps so that we do have some low-cost housing in this state.

Secondly, it seems to me that we have before us a longrange plan for a community. It is something that we want. I have some concerns that if we constantly say wait, the developers may very well say then why should we plan communities? Why shouldn't we simply continue things on a piece-meal basis? I think we have before us an opportunity of saying that this Planning Commission really supports planned communities.

Chairman: Is there any further discussion? Before asking for the question I would like to make a statement.

With respect to my position on this matter, I do feel that the requirement for housing in the state is important. I wholeheartedly adopt the report of the director, not necessarily his recommendation because I do feel that his report is such that based on the assumption of his report that the planned community in this area is a good planned community. Any vote this Commission would take on this thing will not make any assumptions that a University site will be located within this area. With or without the University site, based on the plan submitted to this Commission and the facts that we have received, a decision can be made on the basis of general plan review. We will take the other matters of general plan amendments and zoning as they come forth before this Commission. The vote at this time is merely a recommendation to the Land Use Commission.

Is there any further discussion?

Sullam: Yes. I don't want to belabor the point but it says here in the report of the Planning Department, "The applicant's anticipation of the pressure of urban development in central Oahu has proven to be inflated and there does exist considerable planned developments to meet the needs for additional residential units during the 1970s." Now how can we accept the report of the Planning Department and not accept this statement? If we accept this statement then I don't see how we can approve this urbanization.

Chairman: I think that is one of many statements made in the Director's report which can be considered as a whole rather than as an individual statement. I think if we're to take one statement only, then I think we could go back and forth, aye-naye, aye-naye, maybe, perhaps, but I think we would have to consider the entire report as a whole, looking at the entire general picture of how Oahu should be developed. However, this is a matter of personal opinion.

Sullam: Perhaps we need further study before we take action. Perhaps we ought to verify these population projections and find out also how much is available for urbanization presently.

Chairman: I keep thinking of Councilman Kaito's comments as to the Planning Commission being a body of indecision and I kind of wonder whether or not we can ever get anything settled if we're going to completely study all subject matters that are brought before this Commission until the end.

Is there any further discussion?

Connell: If it's in order, Mr. Chairman, I'll call for the question.

Chairman: It's been moved and seconded that the Commission submit to the Land Use Commission a recommendation of approval based on the facts presented before the Commission, and based also on the Director's report including therein no assumption that the University site will be located within the area. All those in favor raise your right hand.

AYES - Chun, Bright, Connell, Naiwi
NAYES - Sullam
ABSENT - Yamabe

The Commission, on motion by Mr. Bright, seconded by Rev. Connell and carried, moved that the Planning Director be authorized to call public hearings for the following application:

CONDITIONAL USE PERMIT UNION HALL SALT LAKE END OF ALA NAPUAA STREET TMK: 1-1-61: 11 HAWAII MACHINIST & AEROSPACE WORKER'S BLDG. ASSN., INC.	1. The proposal is the construction of a two-story union headquarters for the Hawaii Machinist and Aerospace Worker's Building Association, Inc.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:25 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
January 21, 1971

The Planning Commission met in regular session on Thursday, January 21, 1971, at 1:40 p.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Roy R. Bright
Philip T. Chun
Rev. Eugene Connell
Ivanhoe K. Naiwi
Fredda Sullam

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Robert Rider, Branch Head, General Plan
Bruce Duncan, Staff Planner
Harold Murphy, Staff Planner/Architect

ABSENT:
James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

PUBLIC HEARING
ZONING B-2 COMMUNITY BUSINESS DISTRICT
WAIANAE
FARRINGTON HIGHWAY AND LUALUALEI HOMESTEAD ROAD
MAKAHA MARKET, INC.

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider a request for a change in zoning from R-6 Residential District to B-2 Community Business District for an 8,870-square foot parcel of land situated at Farrington Highway and Lualualei Homestead Road in Waianae and identified as Tax Map Key 8-5-08: 18.

Notification of this public hearing was published in the Sunday Star-Bulletin and Advertiser of January 10, 1971. Hearing notices were sent to applicable governmental agencies and to interested parties. No letters of protest were received.

Mr. Bruce Duncan, staff planner, reviewed the staff's report.

No one spoke in favor or in opposition to the proposal.

The public hearing was closed and the matter taken under advisement on motion of Mr. Bright, seconded by Mr. Naiwi.

ACTION: Upon the motion by Mr. Chun, seconded by Mr. Bright, the Commission approved the application for a change in zoning from R-6 Residential District to B-2 Community Business District.

AYES: Yamabe, Chun, Bright, Connell, Naiwi, Sullam
NAYES: None

PUBLIC HEARING ZONING B-2 COMMUNITY BUSINESS DISTRICT KALAUAO EWA SIDE OF KAONOHI STREET BETWEEN KAM HIGHWAY DRIVE-IN THEATER AND MOANALUA ROAD DEPARTMENT OF LAND AND NATURAL RESOURCES	A public hearing, continued from January 14, 1971, was held to consider a request for a change in zoning from R-4 Residential District to B-2 Community Business District for 3.7 acres of land situated on the Ewa side of Kaonohi Street between Kam Highway Drive-In Theater and Moanalua Road in Kalauao and identified as Tax Map Key 9-8-13: 14. The public hearing was kept open to provide the applicant an opportunity to present testimony.

Mr. Bruce Duncan, staff planner, presented a summary of the request.

A letter submitted by Mr. Lorrin Dolim, President of Holsum (Hawaii) Baking Inc., adjacent property owner to the subject parcel, was read by the Chairman. Mr. Dolim requested that any zoning action on the subject property be deferred as he is presently negotiating with the State Land Office for a lease on the subject parcel.

Mr. Raymond Hee represented the applicant. Since the request was submitted on May 28, 1970, for a change in zoning, numerous applications have been received to utilize the property for both residential and commercial development. However, after conducting a detailed study, it was decided that the area should be developed for commercial purposes since the General Plan and Detailed Land Use Map designate the parcel for Commercial use and that utilization of the property for Commercial use is appropriate and compatible with the surrounding uses. Approval of the rezoning request will enable the applicant to proceed with a public auction sale of a commercial lease for the parcel.

Regarding the letter submitted by Mr. Dolim, it was Mr. Hee's understanding that inquiries were made; nothing concrete had occurred.

Mr. Lorrin Dolim testified that approximately five years ago, he was informed by Mr. Detor of the State Department of Land and Natural Resources that he would be notified of any plans which the State may have for the subject property. A later check with the State revealed that a supermarket is to be located on the subject property. He pointed out that no formal application was submitted because the State had indicated that it could not consider a formal application. He is interested in expanding his industrial operation.

The public hearing was closed and the matter taken under advisement, on motion of Mr. Chun, seconded by Mr. Bright.

ACTION: The Commission, on motion by Mr. Chun, seconded by Mr. Bright, recommended approval of the change in zoning from R-4 Residential District to B-2 Community Business District.

AYES: Sullam, Chun, Yamabe, Bright, Connell, Naiwi
NAYES: None

PUBLIC HEARING
GENERAL PLAN
DETAILED LAND USE
MAP (AMENDMENT)
WAIPAHU
MAUKA-HONOLULU CORNER
OF INTERSECTION OF
KUNIA ROAD AND
H-1 HIGHWAY
RESIDENTIAL, MEDIUM-
DENSITY APARTMENT,
COMMERCIAL, SCHOOL
AND PARK, AND ROADS
HSM VENTURES

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider a request for an amendment to the General Plan and Detailed Land Use Map from Agriculture to Residential, Medium-Density Apartment, Commercial, School and Park, and Roads, for an area containing 316.4 acres situated in the mauka-Honolulu corner of the intersection of Kunia Road and the H-1 Highway in Waipahu, and identified as Tax Map Key 9-4-02: 17.

Publication was advertised in the Sunday Star-Bulletin and Advertiser of January 10, 1971. Copies of the hearing notice were sent to the applicable governmental agencies and to interested parties. No letters of protest have been received.

Dr. Robert Rider reviewed the staff's report.

Mr. George Nobunaga, President of the Waipahu Community Association, read a letter from the community association urging that the request to permit medium-density development which would include clustered type homes, apartments, and commercial uses be denied and to allow development of single-family units which Horita Realty originally made in their application for urban uses at the Land Use Commission hearing.

Questions were asked whether the sewage and storm drainage facilities were adequate to take care of the proposed development as well as the existing developments. Examples were cited of the problems in the area.

Referring to the report of the Department of Public Works, the Director stated that public sewers are adequate to accommodate the increased flow. Regarding the roads and drains, the down stream waterway is fully lined in accordance with City and County requirements. The Director assumed that the Department of Public Works anticipated additional flow from this area and that the drainage improvements to the development would be constructed by the developer. He further stated that there is another study underway by the Department of Public Works on sewage treatment facilities. He requested that the community association contact the Department of Public Works for further information.

Mr. Roy Takeyama, attorney representing the applicant, introduced Mr. Jack Palk, land consultant who studied the need problem for the applicant, and Mr. Clarence Tanonaka of Park Engineering.

Mr. Takeyama reported that the applicant's proposal to develop mixed uses is to provide the potential buyer an opportunity to either rent or purchase the units. A comprehensive study conducted by Mr. Palk clearly indicates that there is a definite need in the Leeward area for moderate-priced housing. As an example, there are 38,350 families within the "gap" group, defined to be families earning between $6,000 and $15,000 per year. The estimated inventory of apartment units available to these families is 28,300; a deficit of 10,050 units. This deficit was based on a vacancy factor of 2% as against a normal vacancy factor of 5% for the population size of Oahu. Since the greatest expansion of population needs outside of the Honolulu area is in the Ewa-Waipahu area, there is a definite need for 2,110 apartment units; presently there exists 2,041 apartment units. The proposal will be developed under FHA subsidized 236 program to permit qualification of lower-income families for rental units.

Replying to questions from the Commission, Mr. Palk presented the following information:

1) A study was made of the areas which are zoned for apartment uses or designated for apartment uses; however, the problems involved with the vacant parcels in Waipahu are (a) the cost of acquisition which he understands is $5.00 per square foot; (b) the factor of density; and (c) many of the lots are only 5,000 square feet.

2) Makakilo was considered as an alternative site; however, this area would be costly to develop because of the rocky land. Consideration was also given to developing in Makakilo vs. Waipahu in terms of distance to employment centers. Ewa Beach, Pearl City, and Mililani Town were also considered; however, all of these areas could not be developed economically to meet the "gap" group families.

The public hearing was closed and the matter taken under advisement, on motion of Mr. Chun, seconded by Mr. Bright.

A motion was made by Mr. Bright, seconded by Mr. chun, that the Commission recommend approval of the request as recommended by the Planning Director.

AYES: Connell, Bright, Chun
NAYES: Sullam, Naiwi, Yamabe

Since the motion failed to carry, a new motion was made by Mrs. Sullam to defer this request for one week to enable the Commission an opportunity to read the material distributed by the staff. The motion was seconded by Mr. Chun and carried.

AYES: Connell, Bright, Chun, Sullam, Naiwi, Yamabe
NAYES: None

Mr. Yamabe noted that he had wished to make a few amendments to the Director's recommendations however, he will forego the recommendations in view of the fact that the Commission deferred the matter for further study.

ZONING AG-2
GENERAL AGRICULTURAL
DISTRICT
WAIANAE
MIKILUA VALLEY
PLANNING DIRECTOR

The Commission again considered a request for a change in zoning from AG-1 Restricted Agricultural District to AG-2 General Agricultural District for 845+ acres of land situated at Waianae, Mikilua Valley, and identified as Tax Map Keys 8-7 plats 10, 18, 19, 22, and portion of 21. The subject area is generally bordered by Ulehawa Road, Ulehawa Stream, Lualualei Naval Road, U.S. Naval Reservation, Paakea Road, Kaiser Cement and Gypsum Corporation, George H. Holt Trust Estate, and Hakimo Road.

The public hearing held on December 17, 1970, was deferred.

The Director acknowledged receipt of the following letters which were placed on file:

1. Waianae District Neighborhood Planning Committee, by Joe Drake, Chairman, against the application.

2. Mikilua Community Association and Mikilua Landowners Association, consisting of 150-200 signatures, against the application.

3. Harry Choy, in favor of the application.

4. Mary A. Glover, M.D., and Frances Jackson. Although not residents nor property owners, inquired whether it would be possible to consider alternative "spot zoning" for the area under consideration and leave the other parcels under the present AG-1 zoning for consideration of rezoning at a later date.

5. Ronald Gabriel, requesting that a final decision be postponed until such time when a more reputable recommendation can be had by responsible citizens of our respective communities, referring to the meeting held on January 19, 1971, of the property owners in Mikilua.

At the request of the Commission, staff planner Bruce Duncan presented a summary of the meeting held on January 19 of the Waianae District Neighborhood Planning Committee which was held from 7:30 p.m. to 10:30 p.m. Those who voted in favor of the change in zoning pointed out the difficulties because of their nonconforming status. The primary concern of those who opposed the zoning change was that the amount of swine raising would be increased. It was his recollection that the vote taken resulted in 79 persons in opposition to the zoning change and 67 persons in favor of the zoning change.

For the Commission's information, Mr. Chun noted that at the public hearing held in December 1970, opposition was cited by the representative

from the Waianae District Neighborhood Planning Committee. However, the minutes of the general meeting of the Waianae District Neighborhood Planning Committee held on December 16, 1970, show that a motion was made and carried to support the zoning change from AG-1 to AG-2. The vote was 14 persons in favor and 7 persons in opposition.

ACTION: Mr. Bright moved to accept the recommendations of the Planning Director to approve the zoning request from AG-1 to AG-2. The motion was seconded by Mr. Chun and carried.

AYES: Chun, Bright, Sullam, Connell, Yamabe
NAYES: None
ABSTAINED: Naiwi

Mr. Way informed the Commission that the boundary line has been raised to be used as a buffer to separate the residential district from the agricultural district.

PLANNED DEVELOPMENT-HOUSING DISTRICT NO. 3, "HAIKU VILLA" HEEIA	Before proceeding with the request, Mr. Chun declared a conflict of interest, filled out the necessary form and left the room.
OWNER: TRUSTEES OF THE ESTATE OF B. P. BISHOP (DECEASED) APPLICANT: QUALITY PACIFIC, LTD.	The Planning Director submitted for review and recommendation an amendment to a Planned Development Housing project governed by Ordinance No. 3589, Bill No. 87 (1970) to permit subdivision within the development.

Mr. Harold Murphy, staff planner, reviewed the staff's report. He stated that the initial recommendation of the Planning Director and the Planning Commission, and action of the City Council did not include a provision for subdivision. The applicant now wishes to subdivide in order to create lots of record in accordance with Article 10 of the Comprehensive Zoning Code. The Planning Director must prepare a report on the extent to which the proposed subdivision varies from the provisions of the Comprehensive Zoning Code and the Subdivision Rules and Regulations. The Planning Director has been advised by the Corporation Counsel's Office that a public hearing would not be necessary, but for the Planning Director and the Planning Commission to submit their recommendations to the City Council on this request.

The staff recommends that Planned Development-Housing District No. 3 be amended to permit subdivision within the development subject to certain conditions. Such conditions shall be adopted as part of an ordinance to amend Ordinance No. 3589 (1970) which presently governs the Planned Development-Housing Project.

Legal Counsel Sato requested that this matter be deferred for one week for further consultation with staff.

ACTION: On motion of Mrs. Sullam, seconded by Mr. Naiwi, the Commission deferred action for one week at the request of Legal Counsel.

AYES: Sullam, Chun, Connell, Naiwi, Yamabe, Bright
NAYES: None

GENERAL PLAN DETAILED LAND USE MAP (AMENDMENT) KAILUA, LANIKAI, MAUNAWILI, WAIMANALO, KOOLAUPOKO RESIDENTIAL USE MRS. RICHARD D. KEPNER	The Commission considered a request to amend the General Plan Detailed Land Use Map for Kailua, Lanikai, Maunawili, Waimanalo, and Koolaupoko from Sewer Pump Station to Residential use, for land identified as Tax Map Key 4-3-08: portion of Parcel 27. The total parcel area is 13,560 square feet: however, the portion under consideration involves 4,187 square feet.

Dr. Robert Rider reviewed the staff's report. The applicant, owner of the abutting property consisting of 15,813 square feet, would like to expand her lot to 20,000 square feet in order to construct a second single-family dwelling. The staff recommended denial of this request since the General Plan sets forth policy regarding the use of land. In view of that, this plan is not an appropriate tool for redesignating a portion of a lot from non-residential to Residential use. Furthermore, such a change would not be in accord with zoning regulations which require minimum standards for lot area.

Although this was not a public hearing, the Chair recognized that the applicant had requested to present testimony; however, he believed that no testimony was needed as it was pointed out in the staff's report that granting of this request would be in violation of the Comprehensive Zoning Code as the area remaining would become less than minimum required.

The Chair instructed the Planning Director to adhere to the Comprehensive Zoning Code.

* *

Mr. Bright moved, seconded by Mr. Chun and carried, that the following matter initiated by the Planning Director be set for a public hearing, the date to be determined by the Planning Director:

ZONING A-1 APARTMENT DISTRICT WAIANAE MAKAI SIDE OF FARRINGTON HIGHWAY ON THE KAENA POINT SIDE OF WAIANAE HIGH SCHOOL	Change in zoning from R-6 Residential District to A-1 Apartment District for an area of land containing 242,012 square feet or 5.5 acres situated on the makai side of Farrington Highway on the Kaena Point side of Waianae High School in Waianae and identified as Tax Map Key 8-5-17: Parcels 8 to 16 inclusive.
CIVIC CENTER HISTORIC, CULTURAL AND SCENIC DISTRICT	Before considering the proposal, Rev. Connell declared a conflict of interest and left the room.

The Commission again considered a proposal to establish a Civic Center Historic, Cultural and Scenic District under Article 12 of the Comprehensive Zoning Code.

The public hearing held on Feburary 5, 1970, was kept open until February 19, 1970. At that time, the Commission closed the public hearing, but deferred action for further study by the staff.

The staff has been working with the Commission through special workshop sessions. The latest proposal was brought back before the entire Commission on January 14, 1971. Action was deferred at that meeting for further discussion.

Mr. Herbert Mark, staff planner, distributed Draft No. 7 of the Ordinance to Establish "Historic, Cultural and Scenic District No. 1, the Hawaii Capital District." The draft has been revised to incorporate some of the items that were discussed at the workshop session in November and December 1970, and also to incorporate recommendations made at the meeting of January 14, 1971.

In reviewing the ordinance, Mr. Mark noted the addition of a new section: "Section VI. Hawaii Capital Advisory Committee."

In later discussion, it was Mr. Chun's belief that establishing a committee through this ordinance would be in conflict with Section 4-105 of the City Charter whereby discretion is given to the Mayor and Department Heads, with approval of the Mayor, to create Committees and Ad Hoc Advisory Committees. This ordinance gives the Council the authority to create an advisory committee.

In checking through the City Charter, Legal Counsel Sato stated that there is no provision which authorizes the Council to create an advisory committee. He will check into the matter to see whether something can be worked out, such as changing the wording in the ordinance.

A question was raised whether the words "continued use" in Section VII, Historic, Cultural and Architecturally Significant Structures and Sites, Subsection 1, meant prohibition against expansion or a change in use. Legal Counsel Sato was requested to check into the language.

In the workshop sessions, Mrs. Sullam recalled that the Brewery Building was to be retained as a historic building and which is not noted in the proposed ordinance. Therefore, she moved that the Brewery Building be added to the list of architectural significant buildings. The motion was seconded by Mr. Naiwi.

AYES: Naiwi, Sullam
NAYES: Bright, Chun
ABSTAINED: Yamabe

Since four affirmative votes are required to carry the motion, the motion failed to carry.

Mr. Way stated that the Department has no opinion as to whether or not the Brewery Building should be added to the list of architectural significant buildings.

In reply to an inquiry relating to Conditional Uses and Structures (page 8, Subsection 2), Mr. Mark stated that the Advisory Committee would review the application for uses as listed in Subsection 1; however, the granting of the Conditional Use Permit is within the power of the City Council. The Director added that there is nothing to prevent the Advisory Committee from making recommendations to the Planning Commission and similarly send its recommendations to the City Council.

ACTION: The Commission, upon the motion by Mr. Chun, seconded by Mrs. Sullam, deferred action for one week.

AYES: Sullam, Chun, Bright, Yamabe, Naiwi
NAYES: None

ADJOURNMENT: The meeting was adjourned at 4:43 p.m.

Respectfully submitted,

Mitzie M. Abbott

Mitzie M. Abbott
Hearings Reporter

File Copy

Special Meeting of the Planning Commission
Minutes
January 21, 1971

The Planning Commission met in special session on Thursday, January 21, 1971, at 7:30 p.m., in the Council Chamber, City Hall, Honolulu, Hawaii, with Vice Chairman Thomas N. Yamabe II presiding. A public hearing was held on Bill No. 157, an Ordinance to amend Chapter 21, Revised Ordinances of Honolulu, as amended (Comprehensive Zoning Code), by amending various sections.

PRESENT:

Thomas N. Yamabe II, Vice Chairman presiding
Roy R. Bright
Philip T. Chun
Rev. Eugene B. Connell, Jr.
Ivanhoe Naiwi
Fredda Sullam

Robert R. Way, Planning Director
Jack Gilliam, Branch Head, Development Controls
Andrew Sato, Deputy Corporation Counsel

ABSENT:

James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

PUBLIC HEARING
BILL 157
(AN ORDINANCE TO AMEND CHAPTER 21, R.O.H., AS AMENDED, [CZC] BY AMENDING VARIOUS SECTIONS

Pursuant to the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, a public hearing was held to consider Bill 157 which is an Ordinance to amend Chapter 21, Revised Ordinances of Honolulu, as amended (Comprehensive Zoning Code), by amending various sections.

Notification of this public hearing was published in the Sunday Star-Bulletin/Advertiser of January 9, 1971.

The Planning Director acknowledged receipt of letters of comment from the following. Copies of the letters will be circulated to the Commission members:

1. Board of Water Supply;
2. Hawaiian Electric Company, Inc.;
3. Kalihi-Palama Model City Association; and
4. Home Builders Association of Hawaii.

The Director presented a summary report of the proposals contained in Bill 157. There are 20 amendments proposed. The four major items contained in the Bill are:

1) Deletion of cross slope;

2) Establishment of flag lots;

3) Reduction of parking standards; and

4) Reduction of the Living Open Space Ratio.

Public testimony was heard from the following:

(1) Aaron Levine, President
Oahu Development Conference

Mr. Levine read his prepared statement which was placed on file.

The ODC's conclusion was that most of the changes proposed in Bill 157 would not significantly lower the cost of housing, but they would definitely lower the quality of housing and the safety and attractiveness of our neighborhoods.

Mr. Levine was questioned by the Commission and the following conversation transpired:

Commissioner Chun: Mr. Levine, does your organization have any alternatives to offer to solve the problems that the recommendations of Bill 157 are trying to alleviate?

Levine: Yes, I suggested at the end that the solution to the problem is not to provide less of a house for people because we think that the price will remain the same, that the construction and the facts that go into the house are relatively a small part compared to the land cost of the house. It would mean that the consumer would be getting less house than he is getting today at the highest price in the country, outside of the State of Alaska. Possibly, we believe that the single-family house on a lot, 3500 sq. ft. lot is not the most efficient use of land. We suggest that townhouses, these are row houses in clusters of two, four, six, or eight make far more efficient use of land. We suggest that twin houses also would provide greater, semi-detached, would provide greater use of land. We don't think that the answer is in whittling down the quality of the house that now has the sad distinction of being the highest in the land.

Chun: Mr. Levine, I was thinking in terms of amendments to the CZC to possibly alleviate some of the problems mentioned. I agree with you that townhouses, perhaps, is the answer,

and probably do agree that 3500 sq. ft. lots are not the answer either. The question is, do we go to the divided wall concept or the common wall concept in building houses on perhaps bigger lots where the density of the units involved would come up possibly to the 3500 sq. ft. level.

Levine: Yes, the R-7 District permits townhouses, as you know, in that district, as I recall. Certainly, for semi-detached that permits the 3500 sq. ft. lots, 7,000 combined, and the 7,000 for two-family detached house. We think that that is one definite answer. We think that better utilization of the land which is the most costly, is certainly the biggest component compared to all the other components, is the way to solve it, rather than cutting and whittling away a foot here and a foot there. We don't think that's the answer. I think one of the great answer really is the expeditious processing of zoning applications which I think your staff is now doing; that time is a tremendous factor. I am sure the Home Builders will agree to this. That is the tremendous factor. That is the kind of expeditious handling that could save money.

Yamabe: Mr. Levine, just one question. The use of slope land, do you see whether there might be the possibility if we amended our Building Code as well as the code in reference to cuts and so forth, that we might possibly put the slope land into better use without necessarily requiring a larger area for the slope based on the degree of the slope?

Levine: The moment you don't require the larger lot for a house on a slope, you are running into serious problems, both the access to it as well as the construction problems. We think that the subsequent construction problems of building the house on a very small lot on a slope. I've lived in one of these and I think some of you have. These create problems and this is not meeting the housing problem, housing dilemma, in terms of cost problem. I think a luxury house can be built, probably on a 30, 40 degree slope, but that's not the kind of housing we are seeking to solve through this Bill.

(2) Richard L. Summers, Vice President
Hawaiian Electric Company, Inc.

Mr. Summers read the letter submitted by the Hawaiian Electric Company, Inc., which requested that public utilities installations be exempted from meeting the requirements on minimum lot area, width, and yard as contained in the Comprehensive Zoning Code.

Questioned by the Commission, the following transpired:

Commissioner Bright: Mr. Summers, in conjunction with installation of these transformer vaults that just take a few square feet of area, what is the possibility of having those installed at the

level of the ground or underground rather than projecting up two or three feet as they do at the present time?

Summers: There is the possibility of that. The underground transformers have to be submersible transformers because when it rains and things like that, you have a lot of trouble with them if you do. In some areas we do have the submersible ones but in general we don't. It has to do with the question of service--reliable service.

Bright: It seems to me that from the standpoint of practicability and the question of small areas, that it would create much less a problem if this were to be in a concealed position rather than up. My objection to the small transformers is that they are unsightly and they can be concealed in a few square feet of ground that are allotted to them with the limited amount of landscaping that goes around them and it does present an objectionable appearance to the home owner or the lot owner.

Summers: We normally get 6' by 6' and these are on a pad of about 2' by 3' which does give you some area for planting around it. It's possible to get more areas or submersible, yes.

Yamabe: Mr. Summers. I assume that Section 21-201, that section applies to public utilities operations. However, do you know of any other section of the Comprehensive Zoning Code that might apply to the utility operations where you might be given the permission or a permit to operate on a smaller parcel?

Summers: At the present time, in the CZC, there is in all of the various zoning areas, a provision that the Director of the Planning Commission can give a variance to our building or requiring twice the size of the principal use. That is in there now, but we have had difficulty in getting this permission in several cases that has held us up and makes it much more expensive for us to build.

Yamabe: You are suggesting here to amend the section by excluding the public utility installations. Does this mean that the public utility companies themselves would determine the size of the lots?

Summers: Normally when we go into a subdivision, we'll buy a standard subdivision lot. Right now in the CZC we have had to buy two lots which we don't need because it is not the principal use within that area. For example, in an A-3 zone, the principal use is, say an apartment, and it takes a 10,000-square foot lot with an 80-foot frontage. We have to now, we could put a standard substation on that 10,000 sq. ft. lot, provide the setbacks that are called for in that zoning thing, meet all the requirements of the CZC, but, no, we have

to buy 20,000 square feet and have a 100-foot frontage. We find a lot of time that these lots are not available in these areas and we do also have to be in a particular location within the subdivision so that we can get our transmission lines into the substation without running it completely through the entire subdivision. So we are restricted in where we can get our land because of our facility.

Yamabe: Am I correct to assume that under your suggestion here, that you will still be meeting all of the other requirements other than the size of the lot?

Summers: Under this proposal, no, we didn't say that. Just that we wanted an exemption from that. I think that we have proved throughout all of our existence that we do landscape our substations and we do provide the proper plantings. In fact, it is our policy to make it better, if not better looking than the surrounding area.

Director: Mr. Summers, I wonder if you might comment on the number of applications Hawaiian Electric has had before the Planning Department in the last two years, which of course is the period the CZC has been in effect, and the extent to which you find that there has been serious problems with reference to the location of your facilities by number of incidences, for example, or cases?

Summers: I have Mr. Damron here who's more familiar with that. The one that I am referring to and which you are very familiar with, we discussed it at great length, is the one at Salt Lake Boulevard. At Salt Lake Boulevard, it's an A-3 zoning. The new road that goes along that Salt Lake Boulevard, that was zoned for residential originally, and then they rezoned it for A-3. We could take care of that subdivision when it was a residential subdivision but when it became A-3 and when we went in to buy our substation in order to take care of it, we could only buy one lot. The lot adjacent to it was already built on, and the other one had plans at that time. We went to the Planning Commission and we told them that we had to be next to the highway where our service was and therefore we wanted a waiver of this requirement to buy two lots. Incidentally, these lots cost over $50,000. We showed plans where we had the planting areas and everything. They then suggested that we go to another place within the Department of Education. I went to the Department of Education. We tried to get land. We couldn't get any. We couldn't find another lot that we could build on, still we could not get an exemption from the Planning Commission in this instance. We have another area, as I mentioned, out in Waikiki. We have a 5,000 sq. ft. lot. We cannot get an exemption to build on that lot. Those are two I know of that have happened recently.

Chun: Mr. Summers, with respect to your transformer site, when you speak of 6 x 6 lots, it is my understanding that some of these lots are easements and some of these lots are owned in fee by Hawaiian Electric. How does Hawaiian Electric get pass the CZC with respect to those lots?

Summers: Well, at the present time, we have gotten exemptions for those 6 x 6 lots from the Director of the Planning Commission.

Chun: Irrespective of zoning?

Summers: Irrespective of zoning, yes.

Yamabe: I assume Mr. Summers that Hawaiian Electric will not make selection of site where it is so tight that it might affect the abutting properties or the aesthetics of that?

Summers: Well, I don't think so. I mean, we have our substations in Waikiki, we have them in Kapahulu, we have them throughout the entire island, and we've always provided with the planting areas and the setback areas. In fact, all of these substations we have a landscape architect come in and landscape them. We don't do it ourself. We have a landscape architect. We follow their direction.

Chun: Mr. Summers, the proposal submitted by Hawaiian Electric, if plans are complete waiver, will the company be receptive to a provision that all of the setbacks required for principal uses be met?

Summers: I think that this would be very helpful in our case but still, there's going to be places in Waikiki and things like that, that you just can't do it with that amount of land. We recently had to buy another substation in Waikiki and because of this we had to pay $106,000 for additional land that we don't need. And all this is going to go into the rate base and affect the price of your electricity, I can assure you of that.

Chun: I do understand that there is a request for a fee increase.

Summers: Yes.

Yamabe: Mr. Summers, are these requirements--will you feel that it might be prohibitive to Hawaiian Electric Company if the setback can't be met? In lieu of the setback, some other requirements be imposed, maybe by further planting or higher fence?

Summers: That would be a solution. There may be other solutions on this. As I said, I am willing to sit back and see if we can work it out. As it is right now, the delay in providing this electrical service is often quite critical too because when

we go into a subdivision, we have to order the transformers. We don't keep those all in stock--these large transformers. We have to order them. It takes time to get them in. We have to go out and get the land when you can get it. We don't want to order the substation, I mean the equipment until you get the land and we don't want to plan on the land until you know you can build on it, and it just goes round and round in a circle, and it takes up a great deal of our engineering time, and all of our other people's time trying to get it squared away--whether we can build or we can't, and we want somewhere so that we can provide reliable electrical service to the community without all this delay.

Yamabe: I'm certainly in sympathy, as far as purchasing of additional land if it's not required. I am sure there must be some room for some understanding or some mechanics worked out so it might meet some of your objections.

Summers: I would be pleased to work with anyone on that so that there would be some control. I have no objection to that. It's just a question of getting our work done.

(3) T. K. Chun of 1653 Hakuaina Place testified as follows:

My name is T. K. Chun. I am a registered civil engineer and structural engineer in Hawaii and also a registered civil engineer in California. My occupation is an engineer.

I believe the present Comprehensive Zoning Code is too restrictive in regard to lot size because of the cross slope requirements. I just want to point out one example in the present CZC. I am living in a R-4 residential zoning district. On page 69, Section 21-533, Lot Area requirements, it says:

(a) If the cross slope of the lot is 20% or less, the lot area required is 7,500 sq. ft., but,

(b) If the cross slope exceeds 40%, the lot area required is two acres.

Two acres is equal to 87,000 sq. ft.--12 times as much land as required for the basic lot size of 7,500 sq. ft.

We do not have too much flat land for housing development here in the island state. I believe we should preserve some of our flat land for sugar cane and pineapple farming. Sugar cane and pineapple are our basic industry and the so-called bread and butter to the state. Hillside development can be ecologically attractive if it is done properly. Most of our mountains are stable to build houses. I believe the amendment to Section 21-201(a) is desirable to aid the critical housing shortage. It reads:

Section 21-201(a)--Lot area.

The area of a zoning lot shall be the total area within the lot lines of the zoning lot without regard to cross slope.

I want to make it clear that I do not object to the basic lot size. What I do object to is the requirements of the tremendous increase in lot size because of the cross slope of a lot.

No questions were asked of Mr. Chun.

(4) B. J. Hedemark
Home Builders Association of Hawaii

Mr. Hedemark read the letter submitted by the Home Builders Association of Hawaii which supported Bill 157.

Questioned by the Commission, the following transpired:

Commissioner Yamabe: Mr. Hedemark, I believe you heard the presentation made by the Director. There are a couple of areas I can recall, flag lots, at this time. We are informed that possibly the drafting of the Bill itself didn't necessarily carry out the intent, such as for a flag lot subdivision.

Hedemark: I guess I'm naive. I can't just conceive of anybody putting up a subdivision that is nothing but flag lots. I am sure the Planning Department would look, ask it upon themselves the intent of the Committee, and of course the intent of this Bill would be to allow them to be used where possible, where necessary. In some instances, there have been subdivisions that came about after the instigation of the CZC and without being able to utilize flag lots, not bumper to bumper throughout but, I have one case in mind, and I may be wrong in my numbers but, I think there's 200 lots in the subdivision. They lost 40 I believe that could have been flag lots, and I won't stick to these figures completely but it added about $1,000 per lot to the end result, and they are not that undesirable. I live in an area that has two or three on a double deadend street in Kailua and the people that have moved into them have chosen them and preferred them for the added privacy that they do get. I don't think anybody would advocate a complete flag lot. They have their place, the same as small lots and large lots have their place. It's just primarily a matter of making them available I think.

Yamabe: I assume that you are in agreement with the Director's assumption of the intent inspite of the poor drafting of the ordinance or possible misunderstanding. You're not talking about a flag lot subdivision? All flag lots?

Hedemark: Not at all, no sir. We're talking about, this is a possibility of tool, if you want to call it that. A means of what we feel,

in some instances, of being a better use of a lot. I think a flag lot can sometimes be considerably better than what is now available in part of an Ewa subdivision where a lot is almost a pie shape. I believe that if a flag lot had been allowed, whether it's a 16 or a 20-foot access to an inside lot, the other lots on that cul-de-sac would have had more street frontage and the shape of the lot would have been more conducive to better placement of the house, perhaps even a larger house, so that there are advantages both ways, actually. It's primarily desirable to make these available where they create a better layout of land. Better use of it. In no way shape or form trying to devalue anything, believe me.

Yamabe: Mr. Hedemark, do you care to comment on the testimony presented by Mr. Levine?

Hedemark: Any particular section?

Yamabe: The fact that there was mentioned that he did not feel that this would necessarily lower the cost, much of the amendments before us.

Hedemark: I may not have understood him completely. The way I heard it sounded to me like it was the cost of the house. I don't believe there's too much in these amendments that would affect the house itself. There might be some but I think the bulk of them are aimed at trying to get the land down in price. This is the aim of the thing. What the end result is anybody's guess. You might have a point that they turn around and climb right back up again. The buying public seems to determine the price. I don't know what there is in the way of control there. As far as the cost of the house itself, there are many new techniques coming up which you will be seeing in the future that would affect that and keep the quality up and the cost down.

Director: Mr. Hedemark, I wanted to comment that on one of your observations having to do with flag lot subdivision, to improve your understanding of a little bit of this, we have had complete flag lot subdivisions presented to us.

Hedemark: Like I said, maybe I'm naive.

Director: That is something to improve your sophistication a little bit in that field. Secondly, whether we look at them as scans or not, if the Code permits them, there doesn't seem to be much alternative but for us to approve them if they otherwise meet all of the standards in the Code. Another point, I'm curious about the position of the Home Builders with reference to the construction of new houses, new subdivision, if you will, on 3500-square foot lots?

Hedemark: Taking raw land and subdividing them into 3500-square foot? I would have to speak off the top of my head and say I would

assume that anything in that size would be aimed at the row or townhouse, cluster or what have you.

Director: It isn't the way the Bill is drafted. It is permitted. It is creating a new district for single family dwelling on a 3500-square foot lot.

Hedemark: I would have to see what the street frontage would be. It'd be a rather interesting set of houses. You're getting awfully small on lot size. I think itself you might be getting right close to either zero lot line or row type townhouse, what have you. I don't know whether there's possibility that this limitation be put in there for that purpose or not, I don't know.

Director: It's for the purpose of single-family dwellings in a typical subdivision.

Hedemark: Maybe I'm misunderstanding it. I'm assuming it's row house or zero lot line would be considered single family. How about townhouse, is that considered single family?

Director: No.

Hedemark: I didn't think so. The townhouse actually lands on even smaller doesn't it or does it?

Director: Under the provisions of the .....

Hedemark: I don't build townhouses itself.

Director: Planned Unit Development, it's possible to have exceptions to the CZC for smaller lots, for purposes of conveyance. Another question with reference to the flag lots. Well, let's take one on the parking standards. This is something that is of concern to all builders and developers. I wonder if there was a specific position you had with reference to the reduction in the standards for requirements of parking spaces?

Hedemark: When you say reduction of standards, are you referring to the 3-foot overhang, for example?

Director: Take either one. First the total number of spaces per unit which is being reduced and secondly, take the reduction in dimension for parking aisles, for example, the allowance of the overhang, the reduction of the width of stalls.

Hedemark: The reduction of width of stalls, I'm not too sure what our stand is there. We obviously feel that it is within reason. As far as the width of aisles at 25 to 22, this was aimed primarily, I think, at making the existing property, a lot of this I think probably tags back to lots that are zoned apartment but are still quite small--5,500, 6,000-square foot

lots. I would hazard the guess that the desire there was to make these lots more usable if they are, since they are apartment zoned, the 3-foot differential there made it a lot easier to get the parking. It's a little tighter on the aisles but I believe that--doesn't that go back to what we had before, Mr. Way?

Director: No, I think it reduces it.

Hedemark: Below what was there before? I don't remember it.

Director: Another point in connection with the front yards on both street frontages. I think Mr. Levine commented on this. From the standpoint of the Home Builders and practiced throughout the country, have you any comments to make allowing only a side yard on one frontage and a front yard on the other frontage and not requiring both street frontages to be treated as front yards? What is the practice? What is your observation on this?

Hedemark: For one thing, with most of our states, they pretty well control that in their own requirements. They have a corner lot. They have a setback on both and I think in most instances that is equal to if not exceed the Code requirements on fee simple property. I haven't discussed this particular item with anyone in particular on it, but in the past, we have gone along with what has been in the Code. The feeling in favor of having the single street frontage would be to allow some of that other street frontage area be in the back yard. In other words, for private yards, if there is too much of a setback on a relatively small lot, you end up with all of your yard facing the sidewalk with very little in the back and this could be the controlling factor as far as our desires there are concerned.

Director: In effect, if I may, you are saying that some of the owners of land where a lease is involved already requires the frontages on both street frontages to be equal?

Hedemark: Yes.

Director: And presumably this has been a reasonably satisfactory arrangement since apparently it seems to be fairly common. What about the common practice, as you are aware of it, throughout the country. I am sure the Home Builders have, as a National Association, have some positions on this. Maybe it is in variance with one of the local association, but I wonder if you care to comment on the National position with reference to this point?

Hedemark: Unfortunately I'm not equipped to answer that. I really don't know. I know they're active in it throughout the country because the housing problem is not peculiar to Hawaii

by any stretch of imagination. It's nation wide. I do not have any information at hand myself in answer to that.

(5) Takeshi Uyesugi, President
Kalihi-Palama Model Cities Congress

Mr. Uyesugi read the letter submitted by the Kalihi-Palama Model Cities Congress. Presented were actual problem cases in the area. Also stated were their objectives and suggested amendments to Bill 157.

Introduced were Mr. Robert Freitag from Research and Planning which assists the Model City Community Association, Mr. Robert Kamalu, Director of the Housing Development Corporation, and Mr. Merritt Sakata, staff, Model City Housing Program.

In the interrogation that followed, the following transpired:

Commissioner Yamabe: Mr. Uyesugi, I take it that your primary concern is in the Kalihi area or similar area where we already have existing 3,500 and possibly as low as 1,500-square foot lots where this be considered as conforming lots and not to be considered as nonconforming and to establish the rules and regulations pertaining to such lots?

Uyesugi: Yes. In essence, what we're trying to do is to have the neighborhood, if the residents prefer to possibly hook up into common wall from the 1,600, if they can, for this kind of leeway also. I think by governmental action, at one time, I think the problem here is back 30, 40, 50 years ago if they had been at that time conforming uses for all these particular small lots, but because of the change in time, now they are all becoming nonconforming and it's difficult, the homes are right on the street area and hopefully these small lot owners could get together to join up to make better use of their land.

Yamabe: What might be your thoughts on creating a new subdivision in a new area, of lots of this size--3,500, 1,500 square feet?

Uyesugi: You are talking about nonconforming districts, possibly?

Yamabe: No. What your thoughts might be in creating this type of sized lots--whether 1,500 or 3,500-square foot lots in a new subdivision?

(Mr. Freitag replied to this question.)

Freitag: My name is Bob Freitag. Our concern is with developed areas more than the developing areas. We've had examples where houses have been built on 3,500 or less and it seems adequate. We think it's little bit discriminatory to have such a large

zoning for developed areas. The cases that we have read are not isolated examples, by any means, but they tend to be the norm. For instance, one example area. Out of a sampling of 162 houses, we found out that 75 percent of the people living there have nonconforming lots and this is typical, so.

Yamabe: Mr. Freitag. Do you have any thoughts on not new subdivision of 3,500-square foot lots?

Freitag: Not new?

Yamabe: New. A new subdivision.

Freitag: Yes, I have thoughts here. I think it can be done. I think it can be done fairly adequately. It's whom you're trying to price your house for. We've been suffering with developing areas or developed areas with this, more than thinking about new subdivisions, but....

(Mr. Sakata interposed as follows:)

Sakata: If you ask me personally, I say, what's good for the goose is good for the gander. The main point being, if you look in the R-7 provision as they exist in the zoning code today, it says the conforming lot width minimum is 50 feet which is no smaller width size than the R-6, and that the only difference then would be in the length of the lot which would be 70 feet, and when you consider the kind of houses they put in subdivisions now, they are all put on the long way anyway. I would say you can very definitely get all your requirements into that lot and perhaps what we are talking about is, maybe recompacting some of the subdivisions. Also they may look more like urban areas which, maybe, they should be anyway.

I'm not--I wouldn't speak of the merit of the Hawaii-Kai subdivisions. I don't think that is necessarily a pleasant way to live, and maybe to have smaller lots in variation to them as another option may not be an unwise decision and I think that since a lot of people do not want to live on small lots, there would be a separate market for smaller lots for people that has commensurate smaller incomes, and that consequently, that the cost would have to be reflected in the price. You see, not everybody builds for the same market. Would that not be true?

In addition, it may also be true, from some of the things we are pointing out and I would like to make this point very clear, the comments of the Director has made on the possibilities of doing two family common wall duplex structures are not allowed under the existing zoning code in no way shape or form. It cannot be done. The point that Mr. Uyesugi made, and I think it should be made very clear, when you're grouping,

if you look at the zoning code, it says that in order to get one-half of your common wall duplex, in other words, this side of a common wall duplex, you have to have a lot that is the same size of the duplex and with the same frontage as the duplex lot, which doesn't make sense.

You will find, I think Mr. Evangelista will be speaking later on. He will be testifying to the fact and we are trying to help him and he has only a 1,700-square foot lot, and we think it will work, and we would like to try it. But for lots of 3,500 or any single family lots, according to the way the zoning code is written, you have to put one-half of this common wall duplex on the duplex side lot. There's no way out.

In addition, if you also look at one point we didn't cover is the section on joint development. If you were to joint develop that lot, that complete lot that you are talking about would have to be considered as one lot and not two lots for purposes of the zoning code which we haven't studied the impact and may have relationship on what can be done eventually. So, like I say, if you ask me about 3,500-square foot lots, I say fine. That's a personal thing.

(6) Antonio Evangelista of 2105 Kealoha Place testified as follows:

My name is Antonio Evangelista. I'm speaking for myself and for my neighborhood. For myself alone, I am trying to get together with my neighbors to make a common wall. I understand me and my neighbor is not conforming lots because my neighbor, he got 1,700 square feet and I got 1,610 square feet. What can we do with that? I suggest that we can make common wall, that's how. What about those people on commercial, industrial, something like that, and those people over there? They're just like me. They cannot plan either way. If they can do something, we want to get out there, but what can we do? We cannot do anything, because they are there. They are poor people like me. So I think we must consider about that, too. Thank you.

No questions were asked of Mr. Evangelista.

(7) Mrs. Sally Williams,
The Outdoor Circle

Mrs. Williams read the letter submitted by The Outdoor Circle. The letter was placed on file.

The Outdoor Circle expressed concern that some of the amendments proposed will be detrimental to our city and urged that no changes be made at this time which might affect the natural beauty of our islands.

No questions were asked of Mrs. Williams.

Mr. Uyesugi was recalled to the stand and the following conversation ensued:

Commissioner Yamabe: Mr. Uyesugi, Mr. Way wishes to clarify certain points and certain questions raised by you and your group, primarily in the area of common wall type of construction.

Director: I'll have Mr. Gilliam report on the common wall matter. He has double checked the reference in the CZC. He can give you the precise sections that pertain to this subject. And I might comment that Mr. Gilliam is the administrator in the Development Controls branch which includes, one of the things, zoning.

Gilliam: I might add that on the business of nonconformity, particularly where it involves single-family dwellings, I think there's a stigma attached to nonconformity or nonconforming lots in single-family dwellings is somewhat of a figment of imagination, and that Section 21-107(e)(4) provides very specifically, language which constitute the amendments that are being recommended. This says "Any provision to the contrary notwithstanding, a single-family dwelling and customary accessory buildings may be erected on any nonconforming lot located in any district in which single-family dwellings are permitted.", which erases any type of stigma that maybe, so called, on any nonconforming lot in a residential area, so the language is already there and it is already specific. And when you look at one family semi-detached dwellings, by definition in the Code, on a semi-detached dwelling, is one or two units, and in this case, it would be one single-family dwelling in a section of a building. Now, a single-family dwelling is defined as a building containing a single-family dwelling. Now, one family semi-detached building is a building containing two sections, each section containing a single-family dwelling under separate ownership. Therefore, with the combination of definition of one family semi-detached and the nonconforming provision in Section 21-107(e)(4), if you had two nonconforming lots that wished to go together and put up a semi-detached building with a common property wall, this would be permitted and has been permitted since the adoption of the CZC.

Kamalu: My name is Bob Kamalu and I'd like to make a remark on the earlier part of Mr. Gilliam's statement with regard to the fact that nonconformity is a reality in Kalihi-Palama, and I think there has been reference made to it in our recommendation this evening, primarily in the case of providing financial assistance to families wanting to make improvements and families wanting to get insurance coverage on their home. And the mere fact that there is a nonconformity on their property limits the resource of financial help available to them as banks are not likely to make loans to a family whose lot is in a nonconforming area. And the second point has been, that due to the low possibility of replacement of a new unit if you put one up

there, insurance has been a real problem for many of these families, so the reality of nonconformity do exist in the Kalihi-Palama area and my remarks would be just to that point. I think Mr. Sakata has other areas to speak on.

Sakata: To clarify one more point, I think that Mr. Gilliam did point it out and I think it's quite true that this provision does apply to many nonconforming situation, but if you look again, it does make one point and it says that in any district in which a single-family dwelling may be permitted, and we deal with many areas which are residential in character in which single-family dwellings are not permitted. Typically, the B-2 district and the I-1 district in which the complexion of the neighborhood remains residential. This is typical of an area near Rose and Middle Street. This is also typical of an area in the vicinity makai of King Street in the vicinity of Puuhale Road, Kopke Street, Gulick Avenue, Bannister, and areas in that vicinity.

There are reasons why this thing came about, but I wish to point out that this is not a simple situation that can easily be corrected. You may have noticed in the paper sometime back where we pointed out the fact in which we had to go and get a variance which normally would not be granted for a family who lived off of Gulick Street in this exact same situation where, according to the zoning code, the house could not be reconstructed on that property. And what we would like to point out is not so much that we are not for nonconformity as such, but in an area where residential was there first, it may turn out to be that even if the City should wish to rezone that area, the people that are there ought to be allowed to remain should they wish to do so. And this I think is the crux of the argument on nonconformity and how the provision in the zoning code as it exists right now does not apply to an area that we are discussing.

The other point on the single-family semi-detached. When I asked sometime ago, about a year or so ago or maybe a little more, on exactly what the statement meant, the interpretation I gave you was the interpretation I got. I believe it was from Mr. Gilliam. And if he interprets it in a different way today, then maybe it's the proper interpretation which we have no argument. However, I still do not see how we can use the argument, perhaps, to apply to the situation of Mr. Evangelista, for instance, where he has a very, very small lot, and the lot minimum for two family then being 7,000 sq. ft. He still cannot do it. And this is not--this thing, there are many, many situations like this, and we believe that if we can prove it with this case then we can do it for a number of them. And, we do not wish and we do not believe that the Zoning Board of Appeals would want to hear a whole slew of them one after the other like that. Consequently, we feel that maybe a clarification in the terms to more clearly point

this out so that a combination of these provisions could be easily applied and interpreted to allow single-family rebuilding, whether single-family attached, semi-detached, or detached on a single-family lot or adjoining lots can be made without any problem or special consideration other than maybe a joint development on a special permit basis. I think just the speed of the processing and making it simpler is what we are asking for.

Are there any other questions because if there aren't, I would like to clarify our position on the R-7, cluster, and planned development provisions that we are requesting?

Yamabe: Why don't you proceed Mr. Sakata?

Sakata: On the R-7, while a point that we made earlier was purely on striking the statement under the R-7, where it says no more districts of this kind should be created in the City of Honolulu. The point, I think the Planning Commission can make their own decision on that whether or not it's a desirable provision to make. However, the point remains that there are existing lands in Kalihi, especially, and also in Kapahulu, I believe, that are zoned R-7. And the R-7 designation relates to 3,500-sq. ft. lot minimum. And the problem being, that if the City does not choose to maintain R-7s into the future, and has, in fact, general planned much of Kalihi into apartment districts, it would seem the logical consequence to have included R-7s into the cluster development and planned development vehicles so that there might be a logical transition to the apartment type development of single-family semi-detached, and attached dwellings which are allowable in other districts; typical, R-4, R-5 and R-6.

As it so happens, I think more out of oversight it was eliminated out of the existing zoning code so that we are having a problem with a particular area in Kalihi which is about an acre and a half that could conceivably be developed into a townhouse complex at a feasible cost for low and moderate income people, but because of the zoning code and coupled with the general plan, in order to get this thing into a planned development vehicle, which we would like to use, it would have to go to an A-1 planned unit development which would then entail improving Kam 4th Road into a 56-foot wide right-of-way which would entail much condemnation. And if you can understand this point, you will know why we would like to have an R-7 PDH at a logical land use intensity ratio so that this turnover can be made very business-like and we can start this thing off in a logical way.

Yamabe: Mr. Sakata, I assume that the areas you speak of are, possibly are faced with this situation where you have a 3,500 sq. ft. lot in an apartment designated area, this creating your problem. I think this might be helpful to you, as well as

the department, if you can compile the names of all the people, land owners, who are caught in such a situation, and to see whether there might be sufficient interest in whether they represent the majority of the land owners in the particular area, and possibly bring in some changes. It's always possible to change the zoning or the land use.

Sakata: I think that we have looked into this and....

Kamalu: Yes, Mr. Chairman, we have actually made a very extensive survey of a selected area in the model neighborhood consisting of 153 families, and these 153 families, we have spoken to 89 percent of them and out of these 153 families, we have at least 147 that are in a nonconformity state, and do want to do something about it. Primarily our proposal speaks itself to the older areas, like Kalihi-Palama that was mentioned before, and what we are trying to do here is trying to get the stigma of nonconformity away from them. And, they definitely have problems that have come up. We will publish this report. We hope to present this to you and members of the Commission with a copy of this report. We expect it out of press tomorrow. This, I think will give you some very definite statistics and background, in one area, which is typical of Kalihi-Palama.

Yamabe: Will you be relating this information to a map?

Kamalu: Yes, we will.

Yamabe: And the acreage covered?

Kamalu: That we can and make them available to you.

(8) Edward M. Michael
<u>Bernice Pauahi Bishop Estate</u>

Mr. Michael read his prepared statement which was placed on file.

The Trustees of the Bishop Estate indicated those amendments they support and those amendments they oppose.

Interrogated by the Commission and the Director, the following ensued:

Commissioner Yamabe: Mr. Michael, I believe you discussed some of the reasons for the objection as well as your agreement to the amendments.

Michael: The objections are based on, in the parking of and also in the density, in the degradation of our environment, the downgrading of the entire area. In the three areas we support, the Trustees do not feel that those areas affected the quality of subdevelopments and of the entire community. We get better

land use in, for instance, in the limited use of flag lots, we get a better use of the land in regard to elimination of cross slopes. We feel that this will enable us to better use the land. We recognize the points that Mr. Way brings out, that of engineering problems, erosion control, road construction, etc. However, we feel that those can be handled by the developer and the City.

Director: Mr. Michael, in connection with the cross slope situation, I would recall a subdivision that we have before us, has been before the Planning Department. It was subdivided prior to the CZC on an extremely steep terrain in the 5,000 sq. ft. lots. A number of these lots were sold off and a number were remaining. Recently, the developer and the Trustees of the Estate have come back to the Planning Department requesting a reconsolidation of those 5,000 sq. ft. lots simply because it was not feasible, practical, in any way shape or form, to construct on those sized lots. However, when they were recombined in the 15,000, 20,000 and 25,000 sq. ft. lots, then it did become feasible to construct on them. I am somewhat surprised at the position of the Trustees on the cross slope situation in light of that specific instance where it was obvious to the developer and apparently the Trustees since they supported the position for consolidation, that now their position is that they would be willing to eliminate the cross slope requirement. I know this affects other owners as well, but in this case, we have a kind of an interesting turnabout situation that we've seen. No cross slope and than a recognition later that you simply couldn't build on those properties because they were too small and you asked for reconsolidation of the properties again.

Michael: There is no question, Mr. Way, that under very steep conditions, and the proof of the pudding is right there in the eating, that we cannot stick to our 5,000-square foot lots. However, on a 40 percent cross slope, as I recall, the CZC requires an area, I believe, it's two acres. We can live with something less than two acres, possibly more than the 5,000 square feet, yes, but something less than the two acres.

Director: May I interpret that to mean that you would support some sort of cross slope provision? Am I putting words in your mouth?

Michael: That's what it adds up to. I cannot speak for the Trustees on that requirement. They were opposed to this very stringent application which we have presently in the CZC which gives very, very large lots on steep slopes.

(9) <u>Gertrude Humphries</u> stated as follows:

My name is Gertrude Humphries. I just wanted to ask a question. I do live on a flag lot and I like it very well.

I have no idea how it affects the City as a whole, but I think sometimes that it's all right. There's a neighbor that lives on a lot which I think, I know it's less than the required 5,000 sq. ft. in the R-6 District, but it's attractive looking, it has a yard, it's a two-story house with four people living in it. I don't know what's wrong with it. Again, I don't know how it would affect the City as a whole, to allow small lots. But using that as an example, there is a street in front, there's a driveway on one side, and there's Makiki Drainage Ditch at the back so it doesn't look crowded. What I am saying is I understand that 3,500 sq. ft. lots or quite small lots are at present not allowed at all. Is that correct? In the present zoning code?

Yamabe: There is a provision for 3,500 sq. ft. lots.

Humphries: Only in the older neighborhoods.

Yamabe: R-7 District.

Humphries: I meant in new subdivisions. Is a tiny lot always bad?

Yamabe: In the new subdivisions, I am informed that 5,000 sq. ft. is the minimum.

Humphries: I am merely asking you, or maybe the Planning Director, is it possible to have the amenities and still have a, say tiny house on a tiny lot if you adjust the size of your house so you have just as much open space? Is it permissible to live in a doll house on a small lot?

Director: The minimum lot size under the CZC now for new subdivisions is 5,000 sq. ft. You might construct a doll house on that size lot if that's the minimum size for a single-family dwelling in a new subdivision.

Humphries: What I am really getting at is, then, is it impractical to allow tiny houses on tiny lots? Say a two-story house on a 3,500 sq. ft. lot?

Director: I think that for single-family dwellings personally that we are at about the minimum now for the kinds of living units that are being constructed. It is possible under a cluster development approach or planned unit development approach, to permit the units to be constructed, in effect, on smaller lots. However, then we do feel that it's appropriate that there be some space in a common area for everybody's use, for recreation, for example. In that case, I guess, you could say it is possible to have smaller lots, but when taking into account in terms of an overall design, I think then it may be satisfactory. For example, we have had planned unit developments where the densities actually increased, maybe 50 percent over that normally permitted in that district or even higher,

and given certain controls, design controls, and provision of other amenities, it is possible to cluster the homes closer together.

Humphries: I didn't mean any less yard space. I meant a smaller house if the people are willing to live in a smaller house with a big yard.

Director: That's fine. They can build any size house they wish. It's the lot size that we are concerned with.

(10) Mr. Haldorson's statement is as follows:

My name is Haldorson, I represent myself. I am in the construction industry; however, and I have lived in Kalihi. In fact, that's where I grew up. I wanted to allude to a comment that Mr. Hedemark had brought up in his conversation and that was the idea of zero lot line and also the row house type of construction. And having lived in San Francisco for a period of two years, it seems to be that the requirements there, the general thinking was that the old type of row house under the zoning that they had before, had zero lot line where almost in essence considered almost a detached type of house except for the side lot area. And I was wondering if there is any provision under the existing CZC for row housing of this nature where there are identical lots rather than, I have seen a lot of townhouse projects in the islands but I have never seen today, a proposal for what I conceive to be a row house or the zero lot line type of concept. I haven't seen it yet myself. Does it exist? Is there a provision for it?

Director: There is provision for it in the CZC, at least the zero lot line. When you talk about townhouse and row house, I'm not quite sure what the distinction is. I'm using the term interchangeably so I'm not real sure of your question as to whether row houses per se are permitted here. I think the answer would be, yes, in the apartment district. They could be permitted as a type of, if you are saying three, four, or more units attached, side by side, physically attached, side by side, in a row, then I would say, yes. In that context, row houses are permitted under the CZC, and secondly, the zero lot line concept is also permitted.

Haldorson: What areas are they in because I've never seen any townhouse project, I mean row house.

Director: We have what I think, in some places, might be considered row houses, but more recently as part of the planned unit developments, we have been getting more of them. Since the CZC has been in effect for roughly two years now, I believe the Commission has authorized over 2,000 units, approximately, for most of them in townhouse or row house types of units.

Some are under construction right now. They are arranged a little bit differently. They are not in a typical City lot block pattern but they are grouped around common parking areas or common recreation areas. In effect, they are really row houses. At least, that's the way I classify the.

The other, yes, we have had a couple of zero lot line type of development through, I believe, cluster plan that we recently approved finally, and again, the provision is there. It hasn't yet been utilized very fully. There was a problem after the adoption of the CZC, not so much as it related to the zoning ordinance, but there was a Building Code provision that made it difficult and, in fact, impossible really for about a year or so after the adoption of the CZC, to utilize the zero lot line approach, but now that problem has been cleared up. It was one of fire wall, as I recall, and I think it's pretty well squared away.

Jack (Gilliam), do you have anything to add on that point? Any of these points? Have I interpreted it nearly correctly?

Gilliam: Yes, I think so. I would assume that a row house is a single house. The distinction between a row house and a townhouse may be in the ownership. We have used them in our planned development, going down to 1,000-sq. ft. lots where the ownership of the townhouse, you may call it townhouse, but the ownership is there, even though all the houses do not front on a street, they front a parking lot, but they have individual lots.

Haldorson: That's what I was primarily making the distinction between because that is a considerably more economical way of building even townhouses, in overall cost and financing.

Director: Yes.

Haldorson: Since I haven't seen any projects yet, I was thinking that perhaps, I am sure there might be demands for that type of construction. Maybe there is no provision.

Director: It is permitted.

Haldorson: The second thing was to make a comment, and that was as to the quality aspect of the environmental concepts that have been considered tonight, and actually, I don't think that increasing the size of the lot or the ratio of the slope of the land has in effect increased or maintained the quality of housing per se. We have today a great number of houses which have been built, which are generally in line with what the CZC was attempting to direct its attention to with respect to environment, and yet with respect to creation of slums, the quality of materials that have been utilized in these homes, the type of design has in essence created slum conditions.

Economically, it might be feasible and stimulate the economy by going into smaller lots and yet create actually, better quality housing, at least offer the people a choice which would be more commensurate with the overall, shall we say, philosophy of developing the land. I don't think that, I think that in instances of quality housing, the purchaser would still demand larger lots. But in fact, we have many housing developments that are being built today which are very low quality in this particular respect.

Then having lived in Kalihi, I'm quite sure some of the comments that had been made earlier where people are running into problems of economically improving their properties. We've had several clients come to our office faced with this problem. They have invested their life savings. They went into this particular house. Many of them are quite mature in age and yet they are faced with a paradox where the valuation of their property has reduced to a point where it was no longer saleable at the price they would have to acquire in order to relocate. Neither can they rebuild economically on the land or get the possible zoning. A great number of the problems relate back to flag lots where they had existing--they were in areas perhaps four houses were built on a piece of land and according to the existing zoning, they've been required to cut down to two homes on which one can't be a flag lot. Both must be built on the same lot because they don't meet the minimum requirements for area primarily.

So I think, in combination, when we are talking about existing Honolulu areas in getting the highest possible use out of what we already have and reclaiming the values of some of the older areas in Honolulu, that the proposals for changes in the CZC would, in that particular respect, actually upgrade the community rather than create other problems.

As far as new areas are concerned, perhaps more attention can be directed toward Honolulu proper in upgrading and reclassifying the land rather than directing attention outward, and if people are concerned about ecology and higher quality, I think economics will dictate that in outlying areas, perhaps better quality housing with larger lots would be an economic necessity in these cases.

(11) Mr. Minami stated as follows:

My name is Minami, I just want to ask you one question. I do have a flag lot and my right-of-way is just about 20 feet. The whole area, I have about 40,000 sq. ft. and, according to the CZC, I only could build two houses on that lot and yet I am being taxed over $1,000. Do you think that's fair? I have asked the Planning Commission if I could cut it into two and they said that that would be subdividing so that is impossible. But I really don't need that large

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area. I only want, just to make, just enough to build one house, that's about all. I can't dispose of the rest of the land too, in fact. So if the City Planning could figure out a way for me to subdivide my land with a 20-foot, I would be very grateful. In fact, I have seen Mr. Gilliam for help, but it's three months already and I still haven't received any answer from him yet. That's about all.

Bright: Mr. Minami, where is your property located? What is the zoning?

Minami: My property is located at 22nd Avenue. As far as CZC, I don't know what the zoning is, but I know it's 5,000 square feet per house.

Mr. Hedemark gave additional statement as follows:

I just wanted to clarify our stand on the 3,500 square feet. I am sure that one of the main points that we had in mind in favoring this, would be in line with the need for the low cost housing. The idea being a smaller lot cost less in looking at the end package itself.

The other thing, Mr. Way asked what might be forthcoming from National. I know one thing National is working on and I believe some of the developers are trying a test subdivision now. They are on a mixed basis. In other words, low cost medium cost, and high cost, all within the same area. The idea being that we have to work together, we might as well start learning to live together and get out of or away from developing the gettos, whether its high priced, medium or low priced gettos. Those are the only two points I have here. Thank you.

ACTION: Since there was no further testimony from the public, the Commission closed the public hearing and took the matter under advisement upon the motion by Rev. Connell, seconded by Mr. Bright, and carried.

AYES: CONNELL, BRIGHT, CHUN, NAIWI, SULLAM, YAMABE.
NAYS: NONE.

In the discussion that followed, the Director was asked to check on how soon the Commission is expected to submit its recommendation on Bill 157 to the City Council. The Director was also asked to prepare a summary of the testimony given tonight with the inclusion of the staff's comments and recommendations for review by the Commission at its next meeting.

ACTION: The Commission deferred action on this matter for one week upon the motion by Mr. Chun, seconded by Rev. Connell, and carried.

AYES: CHUN, CONNELL, BRIGHT, NAIWI, SULLAM, YAMABE.
NAYS: NONE.

The meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Carole A. Kamishima

Carole A. Kamishima
Secretary-Reporter

Special Meeting of the Planning Commission
Minutes
January 28, 1971

The Planning Commission held a special meeting on Thursday, January 28, 1971 at 8:40 a.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:	Thomas N. Yamabe, Acting Chairman Philip T. Chun Fredda Sullam Roy R. Bright Rev. Eugene Connell Ivanhoe K. Naiwi
STAFF PRESENT:	Robert R. Way, Planning Director Andrew Sato, Deputy Corporation Counsel Dr. Robert Rider, Staff Planner Bruce Duncan, Staff Planner
ABSENT:	Richard K. Sharpless, ex-officio James K. Sakai, ex-officio
PUBLIC HEARING GENERAL PLAN DLUM AMENDMENT KALAUAO BET. KAM HWY.& MOANALUA RD., EWA TO KALAUAO STREAM TMKS: 9-8-16&17 WATERCRESS ASSN.	A public hearing was held to consider a proposal to amend the General Plan of the City and County of Honolulu and the Detailed Land Use Map for Waiawa, Pearl City, Waiau, Waimalu, Kalauao, Aiea, and Halawa, Ewa, Hawaii, from Apartment to Commercial use. Publication was made January 17, 1971. No letters of protest were received.

Staff Planner Dr. Robert Rider reviewed the staff's report. No questions were raised concerning the report.

No one spoke AGAINST the proposal.

Mr. George Houghtailing, Consultant and Agent for the applicant, was present. He concurred with the staff's report and requested the Commission's favorable action on this matter.

Mrs. Harriet Purdy, a representative of the Leeward Hospital, spoke neither for nor against the proposal but was concerned about the timetable for the development of an unnamed roadway fronting the hospital, and its effect if any, on the hospital.

The Director stated that the roadway will not change in location or alignment as a result of the proposed amendment to the general plan. It is presently

understudy by the staff awaiting comments from various governmental agencies, after which approval will be forthcoming. Relatively, Mr. Houghtailing stated that depending upon approval by the staff, Commission, and City Council, the road could be under construction within a year. It would provide direct access to the Leeward Hospital.

No one spoke AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Bright, seconded by Mr. Chun.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the proposed amendment as requested by the applicant, on motion by Mr. Bright, seconded by Rev. Connell.

AYES - Yamabe, Chun, Sullam, Connell, Naiwi
NAYES - None
ABSENT - Bright

GENERAL PLAN
DETAILED LAND USE
MAP AMENDMENT
MAUKA-HONOLULU
CORNER OF THE INTER-
SECTION OF KUNIA RD.
& THE H-1 HIGHWAY
TMK: 9-4-02: 17
HSM VENTURES

The public hearing held January 21, 1971, was closed and action deferred for one week.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the proposed amendment as requested by the applicant, on motion by Rev. Connell, seconded by Mr. Bright.

Discussion followed.

The Acting Chairman questioned whether there were any amendments to the staff's recommendation which the Commission wanted to consider. Rev. Connell asserted that based upon discussion at the last hearing, he did not believe any amendment to the staff's recommendation was necessary.

The motion carried.

AYES - Chun, ~~Sullam,~~ Bright, Connell, Naiwi
NAYES - Yamabe
ABSENT - ~~None~~ Sullam (This correction stated in Feb. 11, 1971 Minutes.) HBT

MISCELLANEOUS
HAIKU VILLA-PLANNED
DEVELOPMENT HOUSING
HEEIA-HAIKU ROAD
TMKS: 4-6-12: POR-
TION 28 & 4-6-14:
PORTION 1

Mr. Chun, who had declared a conflict of interest on this matter, was not present during its deliberation.

Action at the January 21, 1971 meeting was deferred at the request of Corporation Counsel.

No discussion followed.

ACTION: Based upon the Director's recommendation, the Commission recommended that the proposed subdivision within the planned development housing project be permitted, subject to conditions as enumerated in the staff's report.

AYES - Yamabe, Sullam, Bright, Connell, Naiwi
NAYES - None
ABSENT - Chun

CENTRAL BUSINESS DISTRICT ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT HONOLULU CIVIC CENTER MAKAI RIM OF PUNCH-BOWL TO THE SEA, EXTENDING FROM SOUTH STREET TO DIAMOND HEAD EDGE OF DOWNTOWN OF RICHARDS, BISHOP AND PALI HWY. PLANNING DIRECTOR

Rev. Connell had declared a conflict of interest on this item and was not present during deliberations on this matter.

The public hearing was held on Feb. 5, 1970, and kept open until Feb. 19, 1970. At that time, the Commission closed tne public hearing, but deferred action for further study by the staff.

The staff has been working with the Commission thru special workshop sessions. The latest proposal was brought back before the entire Commission on Jan. 21, 1971. Action was deferred at that meeting for further discussion.

Way: We didn't cover a complete review of the current thinking in connection with the map for the district. In fact, I think there are still questions with reference to the text of the ordinance as well. I think an orderly approach would be to try to wrap up the decisions with reference to the text and go on to the map. This is the intent when we started to review the program, to go through the ordinance, the text material and then take on the map questions.

Chairman: Wasn't the subject matter under discussion the creation of an advisory committee or council? Is this the particular area you wish to touch upon or do you have other areas that you might want to discuss?

Way: That's right. There are other areas. We'll wrap up the textural part of it.

Mark: Mr. Chairman, members of the Commission, we reviewed the last draft, Draft 7, with the Corporation Counsel with reference to the recommendation that this Commission made at the meeting last week. The one major change is on page 5 of the present ordinance. You have Draft 8 before you. Under Section 6, Hawaii Capital District Advisory Committee. There was some question about whether the wording in Draft 7 may contradict Section 4-104 of the Charter which specifically assigns to the mayor and to departments heads with the permission of the mayor, the function of creating advisory committees to the departments. Having reviewed this with the Corporation Counsel, the wording has been changed in an attempt to clarify this issue. The section now reads: "All matters relating to the implementation of this Ordinance for the Hawaii Capital District shall be reviewed by the Hawaii Capital District Advisory Committee; the creation thereof shall be prescribed by Section 4-105 of the Charter of the City and County of Honolulu." The Corporation Counsel believes that this new wording would overcome the implications made in the previous ordinance.

Is there any discussion on this point. Mr. Chun, do you think this is sufficient?

Chun: I yield to Commissioner Sullam.

Sullam: Yes, that's fine.

Mark: The other major item that was brought up at your meeting last week was under Section 7 on the same page. The previous wording had under Section 7, "1. Designation. The following structures and sites are hereby designated as historic, cultural and/or architecturally significant, therefore worthy of protection, preservation, enhancement, perpetuation, and continued use:..." The only contention here was that "continued use" had implication that may not be desirable in this ordinance. We felt that the wording could be changed by dropping "and continued use" so that the wording now reads: "1. Designation. The following structures and sites are hereby designated as historic, cultural and/or architectually significant, therefore worthy of protection, preservation, enhancement, and perpetuation:..." That wording conveys enough of the intent of the ordinance to provide some safeguard for the historic structures.

Are there any questions on that?

Chairman: Are you taking item by item?

Mark: I'm only taking the changes that you requested since we went through it item by item last week.

Sullam: In connection with this item, I would like to know whether the Commission members have received the information that was sent to me by various communities regarding the Brewery Building.

Mark: Yes. This information was sent to all of the Commission members.

Sullam: In light of this new information, I wonder whether anybody here would be interested in reviving the motion that I had made to add the Brewery Building to the list of buildings to be preserved.

Chairman: Would you like to make a motion to that effect?

Sullam: So move.

Naiwi: Second.

Chairman: It's been moved and seconded that the Brewery Building be included. Any discussion?

Sullam: When I made the initial motion, I wasn't aware truly of the significance of this Royal Brewery. I just went on my own feelings that it would fit into the landscape and add because of its unusual shape, etc., but now I see it is truly a historical building. It's going to be on the historical register

of the state. It certainly would behoove us to put it into this ordinance, because it is sort of inconsistent seeing it on the historical register of all buildings within the state and not to include it in here.

Chairman: Any further discussion?

Bright: I still maintain that the building is a monstrosity. We have one brewery building in this town that's already been restored and pretty representative of an era that's long been past. I think the building is an eyesore, a dangerous building, and I believe it's structurally unsound, and unsafe. I would question whether any private group would be willing to invest the money to rebuild that particular building. I personally don't feel that the taxpayers should be inflicted with the penalty of paying for the restoration of that building. I'd like to see it razed.

Chairman: Are the people interested in restoring this building speaking of restoring this building themselves or is it just interest in the site itself?

Way: From the material that was submitted to us, it's not my understanding that there's a proposal at this time to restore it by any group or individual, certainly not a concrete proposal.

Chun: Has the department changed its recommendation in any way with respect to this parcel?

Way: No. We have not.

Sullam: How will the discrepancy be resolved ultimately with the state and the city and county where the building will be marked as historical on the state level and we on a county level?

Way: I don't think that there is a conflict, if you will. The state might have historic sites, and the county might have additional historic sites. For example, we have differences in designation of monuments. In fact the federal government has its own level of interest, a different basis upon which to make a designation as to whether a site is historic. It is possible for the state to have it historic if they so wish, and we either recognize it or not. I really don't see any conflict there.

Chairman: Mrs. Sullam, I believe you have a valid point, and so does the opponent. We can have the staff work with the state instead of acting on the motion at this time.

Sullam: I'm receptive to that provided if you feel the effort will be fruitful.

Chairman: There's sufficient time to check this matter further. For the moment I think if we take a vote on your motion to determine whether the Royal Brewery building will be or will not be

included, I think it will not be. Mr. Chun?

Chun: I'm in no hurry.

Chairman: Do you withdraw your motion, Mrs. Sullam?

Sullam: Yes.

Chairman: The second agrees?

Naiwi: Yes.

Chairman: The motion is withdrawn.

Way: For purposes of comprehension understand that the Commission will be reconsidering this matter and that they would like to have from the staff, a report with reference to the state's position on this as to the designation of the site for historic purposes?

Chairman: Would it be possible for you to check with the state department that did declare this area a historical building. In discussion, the state and county may come to some agreement. I realize there's many areas of consideration. If there's restoration to take place, can this be done by the state, county, or developer, considering the practicality of preservation and so forth.

Bright: I assume you're asking the staff to investigate the structural soundness and cost of renovation of the building as part of the study?

Chairman: Some of this has already been determined as far as being structurally sound. It's to determine whehter it would be worth the while of the state, county, or anyone who wished to restore it.

Way: Mr. Chairman, only if there's data on structural cost would we be getting into that. It would be beyond the capacity of the staff and in a specialized area, architectural and engineering work, would we be able to come up with cost estimates. Only if information is available from previous survey, that would be the kind of data that we would supply. There will be no analysis made on this whatsoever by the department. In my judgment its a much more extensive study than is warranted for this case. I don't feel it's appropriate. We'll seek out information and report back.

Sullam: The American Institute of Architects, Hawaii Chapter, I think they do believe that it is structurally sound. I doubt that they would recommend that it be preserved if it weren't.

Chairman: This is the information that we're requesting. Mr. Mark, would you continue?

Chun: Mr. Chairman, I'm informed that former Commissioner Rutledge is in the back room. May we interrupt this proceeding at this time?

Chairman: Oh sure. Rather than recess, we'll take the action at an official meeting. We won't take a recess but we'll have Mr. Rutledge join us.

At this point, the Commission recognized former Commission Chairman Arthur Rutledge, and presented him with the following Resolution adopted December 17, 1970:

WHEREAS, ARTHUR A. RUTLEDGE, Chairman of the Planning Commission of the City and County of Honolulu from July 1, 1970 to November 23, 1970, without duress or influence, has resigned from the Planning Commission; and

WHEREAS, Mr. Rutledge's resignation leaves a void on the Commission which will be impossible to fill; and

WHEREAS, during his term as a Commissioner from 1968 to 1970 on said Commission, he has innovated, motivated, and created numerous unique concepts of planning and planning applying administration to the delight of all of us; and

WHEREAS, Mr. Rutledge's perceptive vision, inquisitive mind, revealing questions, sensitivity to people, and persuasive powers of negotiation have futhered the knowledge of his fellow commissioners; and

WHEREAS, Mr. Rutledge has forsaken planning and his fellow commissioners for politics;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City and County of Honolulu that it hereby expresses to Mr. Rutledge its sincerist regret at his resignation; and

BE IT FURTHER RESOLVED that the Planning Commission expresses to Mr. Rutledge, its gratitude for the opportunity of serving with him, its heartfelt wishes for success in his future transient-political endeavors; and

BE IT FURTHER RESOLVED that a duly certified and engrossed copy of this Resolution be presented to Mr. Arthur A. Rutledge, Past Chairman of the Planning Commission, City and County of Honolulu.

Mr. Rutledge expressed his appreciation and enjoyment of working together with his fellow Commissioners. He requested that the Commission continue to "pursue the proposition of large estates and developers to contribute land to the city in return for zoning."

The Commission continued its hearing on the Civic Center Ordinance.

Chairman: Mr. Mark, will you continue?

Mark: The next major change is on page 11. Under item (c), you will notice that we have added "decorative or recreational features." This is under excepted architectural features from the height limitation. We have excepted mechanical equipment, necessary features such as skylights and ventilators, and here we're

excepting decorative or recreational features on roof-tops, including roof-top gardens, planter boxes, flag poles, shuffle-board courts, and putting greens. The words "or recreational" is new here.

On page 12, under section 13, we've added item (c) "The Planning Director may require landscaping and maintenance of any yard as is reasonably necessary to implement the intent of this ordinance. Here again, it was felt that we should insert the word "reasonably necessary" from a legal standpoint. Also, since one of the main purposes of the ordinance is to create a park-like setting, that the Planning Director should be able to require some kind of landscaping in the yards in the district.

Chairman: Do you foresee any problem with the term "reasonably necessary?"

Mark: Not any more problem than we have now in similar areas. This is the same approach that we use for planned unit developments where the Director has considerable say as to the appearance and certain minimum requirements.

Chairman: There might be a slight difference. On the planned unit development, the Director has the clear-cut authority to establish the requirement. In this case, does the ordinance give the Director this authority whatever he decides is reasonably necessary to be mandatory on the part of the property owners?

Mark: Yes. We're trying to give the Planning Director this authority to be able to set up minimum standards as to aesthetics and type of landscaping. There are several points in the ordinance where we do repeat this general statement where the Planning Director may require some landscaping or maintenance, again as is reasonably necessary.

The next change is on page 14, at the end of section (d). We've inserted the statement "and the Planning Director may require maintenance of such planted screening as is reasonably necessary to carry out the intent of this section."

There are a few word changes like the word "etcetera" to clarify the ordinance.

We have reviewed this ordinance with the corporation counsel. We feel that it is in shape now for adoption. We'd like to recommend your approval of the ordinance at this time.

Sullam: I would like to ask Mr. Mark whether he prepared any statement that will go along with our recommendation that steps be taken to make the advisory committee mandatory.

Mark: We're preparing that right now. We'll have that ready when you're ready to refer the whole package to City Council.

Chairman: Any further questions? If not, the Chair would entertain a motion to recommend approval of this ordinance.

Sullam: I move that we recommend approval of the language portion of the ordinance before us, excluding the boundaries at this time.

Naiwi: Second.

Chairman: Its been moved and seconded. Any discussion? If not, all in favor raise your right hand.

AYES - Yamabe, Chun, Sullam, Bright, Naiwi
NAYES - None
ABSENT - Connell

Mark: Mr. Chairman, we'd like to go through the map at this time. Since this was last submitted to you last October 1st, the staff has attempted to clarify many of the problems that have come up concerning the boundaries that we thought could be dealt with, without jeopardizing the intent and objectives of the I'd like to start with a general description of the boundaries.

On the mauka end, we have the boundaries going up to the rim of Punchbowl, coming down Madera Street.

On the ewa side, it follows the center line of the Pali Highway, down to Beretania, to Alakea with a corridor to Bishop, down Alakea, Queen, back to the extension of Fort Street, to the Aloha Tower, following the pier head and bulk head line of the harbor.

On the Waikiki side, Prospect Street, Ward, and a 200-foot corridor along the old South Street connector, with corridors to Ward on Beretania, South King Street, Kapiolani and Ala Moana Boulevard.

The height and open space boundaries are delineated by your red line (pointing to map). Anything outside of the red line do not have height and open space restrictions beyond the zoning restrictions of the underlined district.

Within the capital core area, no building or structure shall be erected and no addition shall be made to existing buildings other than in the location presently occupied by the existing building or in specified sites designated for proposed new buildings on the Hawaii Capital District Ordinance Map. Here the intent is that we want to preserve as much as possible, the open space and park like character. Since this is the location of almost all of the historic structures, the setting around them and the views to them and from them should be preserved. The new buildings proposed for this area include the judiciary building, the new state office building, the municipal garage along Beretania Street opposite the Board of Water Supply, a

new state office building on the mall. These are the only new buildings that will be permitted.

In the ordinance, however, we have a stipulation that says, "exceptions may be made to the siting of new structures on a lot within the Capital Core after the review and approval of the Planning Director, that the proposed siting of the structure is compatible with other buildings in the Capital Core Area and particularly with structures and sites designated as having historic, cultural and/or architectural significance, with open spaces and places to which it may be visually related, and does not impair views and vistas of Punchbowl and the sea from the public open spaces within the Capital Core Area." So there is a way of providing the Planning Director with some flexibility to be able to locate other buildings in this area.

Any questions concerning the Capital Core Area?

Chun: On the corner of Hotel and Richards, on the makai side, isn't there a parking structure planned on the makai side of Hotel Street, Richards, Alakea, and Hotel?

Mark: Yes. At one time there was a plan to expand the garage at Richard Street to a five-story garage that would come almost to Hotel Street. However, I believe these plans are influx at the present time. HRA is considering some alternatives.

Chun: Is one of the alternatives open space?

Mark: I don't know.

In the area immediately mauka of the Capital Core area, you will notice that we've tried to maintain a 55-foot limit surrounding historic structures and along the major avenue of approach which is Beretania Street. Moving mauka, we have a 100-foot corridor around the Queen's Hospital site, and 150-feet in the Queen's area.

The recommendation that we made last year had a 100-foot limit with an exception for a very large tower for Queen's Hospital, 240-feet. We felt that a 240-foot tower would so dominate the Capital Area which is only only 111-feet high. This tower would become the main focus of the Core Area that the Contessa has in its environment. We worked with them and tried to come to agreement with as low a height ceiling as possible, and possibly spreading out the exceptions to a larger area. We felt that 150-feet would pop up above the tree tops, the upper 4 stories. From the front of the State Capitol building, fortunately the view would have the towers off to the side of the Punchbowl view.

What we have done is chopped Queen's from 240 to 150 feet. Queen's feels that it is a workable arrangement.

Chairman: Why can't we consider 150 feet to the property right of the Queen's Hospital?

Mark: We have tried to maintain a corridor up to Punchbowl. You will notice that the State Office building has been moved over as far as possible from the State Capitol building, clearing the mauka view from City Hall. The 150-foot height would extend all the way across and damage the corridor that we've tried to maintain in this area. Also, the Medical Group is orienting its building mauka-makai, in order to achieve this corridor.

The Queen's has its two physicians office buildings that extend up to roughly 120 feet. They also want to expand the Ward facility beyond the 100-foot limit.

Chairman: Is it necessary for the applicant to come in to the Planning Department if they should meet the height requirement, if 150 feet or below?

Mark: Yes. Their plans would be required to be reviewed by the Hawaii Capital Advisory Committee, the Building Department and the Planning Director. The review would have no authority of limiting it further other than advisory to Queen's.

Sullam: There will be no exceptions to this map once it is adopted?

Mark: That's right.

Chairman: What I'm saying is the city has no authority to require them to go any lower. I'm not saying this will ever happen but there's the possibility they might cover this whole area with a 250-foot building. They can.

Way: In this connection, when there would be a proposal in this area, it would seem that the Commission might wish to have a look at the total arrangement of buildings in the area at the initial inception of a new structure to be constructed there. Even though they may not feel that anything can be done with reference to the height except an advice, I think that they'd want to look at it.

For example, if there were 10 buildings of 150 feet proposed there, I think from an overall design standpoint they might comment very strongly on that in a negative way. On the other hand, if they could see that 3 or 4, some reasonable number if that's the appropriate term, from the design standpoint could be constructed there, and then approve a plan for that 150-foot, 40% area, I would point out too that we do have the 40% factor which does impose some limitations on the extent of the bulk of buildings that could be imposed on that land that would be at a 150-foot height. I think this is another control that needs to be taken into account here.

Mark: I'm sorry I didn't mention that. We do have the open space requirement. Forty percent of this area is required to remain in open space to prevent a blanket covering of the area.

Chairman: I would look at it as an exception. If it were on the perimeter it wouldn't be too bad. We ought to be able to justify it.

Way: On that point, there is still a corridor from say the mall in back of City Hall which is an important public place in the plan. The placement of the State Office building on the Waikiki side relates also to this question of still preserving the view corridor through. For the most part, the public concerns are reflected here, and at the same time recognition of some of the requirements of Queen's Hospital for some consideration of higher buildings. It didn't seem to us that all of that was quite that damaging to the public.

Sullam: Did you recommend 150 feet because you couldn't get it down to 100 feet? Is it a bargaining situation where you would have preferred 100 feet?

Mark: Yes. We would have preferred that the hospital had moved out of there 10 years ago but since the civic center policy committee had suggested that they stay there, and it is the major medical facility in the islands, we have to accommodate some means of expansion for them. We worked within this context and what would be the least damaging condition that we could provide and still permit them to expand. This is the solution that we came up with that 150 feet would not damage the view and the relationship of the Capitol building as seriously as a 240-foot single tower.

Chairman: Do you also have control of the use of these buildings?

Mark: Yes. The ordinance permits the use of the underlined zoning district with certain exceptions.

Chairman: For example, if Queen's Hospital decides to build an office building for doctors and the Planning Department says that building has been set aside for expansion of its hospital facilities itself, can you in any way direct this type of use?

Way: I don't think so.

Mark: It's A-2 and I don't think office buildings are permitted in A-2. In order for Queen's to build the central medical facility, the zoning would have to be changed anyway to B-2 which would permit office buildings.

Chairman: I'm in sympathy with Queen's Hospital. I certainly don't want future expansion of the hospital to be hampered by what people consider is the immediate need at this time.

Sullam: Are we giving other landowners special consideration such as we're giving Queen's?

Mark: We tried to work with as many major landowners as we could to resolve the problem that had arisen. St. Andrew's is another

one. This sector was also 100 feet; however, on examining the relationship of this site to the major buildings in the Capital Core and to Punchbowl and to the B-4 zoning around it, we felt that this area could go into 150 feet without having a damaging effect. There is heavy tree cover which would block off most of the 150 feet.

Chun: Would the same apply to the area along Alakea Street?

Mark: Yes. Again, the relationship of this site to the Capitol building was used.

On page 10, item (c), "In the 55-foot height zone mauka of Beretania Street, between Alapai Street and the Waikiki boundary of the Mable Smyth Memorial Building, additional height may be permitted provided that for each 1 foot of additional height permitted the minimum yard requirement along Beretania Street shall be increased by 1 foot. In no event shall such permitted additional height exceed 100 feet. In providing this section, we felt that what we've gained in terms of open space and setback, offset the additional height in this area.

Down on the makai side of the Capital Core Area we have a 100-foot designation in the block that presently has the Melim building, the HGEA building, and the proposed federal garage site. Both the Melim and HGEA buildings are beyond the 100-foot level. We felt that this block should be placed at the 100-foot height.

On this side (pointing to map), we have a 55-foot height regulation with 60 percent open space requirement. This area includes the Tax Office, the GSS building, the Transportation building, the Royal Brewery, and the industrial area of Kakaako.

The Federal building we propose at 150 feet with 60% open space requirement. This reflects the height that is proposed by the federal government for their building. The urban design concept here is that the federal building would become the dominant element in this lower part of the Capital area.

In the Punchbowl area, the present zoning is A-2 predominantly to Alapai Street. We are suggesting that the 40-foot height limitation be extended to Emerson Street, cutting through the middle of this block (pointing to map), and then to Prospect Street, at this bend of Punchbowl. The reason that this area has been excluded from the height limitation is that we have taken the Kamaaina Apartment building as our landmark delineating the Waikiki side of Punchbowl. You still get the sweep of the edge of Punchbowl; however, the Kamaaina terminates that sweep.

We have included this portion above Prospect Street. Here we have the Kahale Moe which is the large structure that obstructs

the view of Punchbowl at the present time. Immediately Waikiki of that property are the low structures and this is the area that we feel must be included in the Civic Center District in order to prevent obstruction that the Kahale Moe has in the middle of Punchbowl at the present time. We want to prevent a wall of structures going across the Waikiki section of the Punchbowl area.

The ordinance also includes avenuesof approach. Again these are Beretania which is our main avenue of approach. It has a 20-foot setback requirement starting at Alapai Street and contingent to the Pali Highway. We feel that the 20-foot setback can be maintained. The Board of Water Supply is setback 45-feet at the present time. The new municipal garage is supposed to be setback 150-feet along this edge. Medical Group plans to setback 53 feet. The Mable Smyth structure is setback well beyond 50 feet at the corner although this corner (pointing to map) it is 15 feet. The Department of Health building is set back well beyond 20 feet, as well as Washington Place and St. Andrew's complex.

The only structure that would not have the 20-foot setback is the office building on the corner of Beretania and Alakea Street. This is a parking lot at the present time.

The other street that we proposed a 20-foot setback is Hotel Street and the Hotel Street Mall from Alapai Street to Bishop Street. Here there is no difficulty in maintaining a 20-foot setback.

The other avenues of approach are South King, Kapiolani, Richard Street, the South Street connector, and Ala Moana have 10-foot setback requirements.

Sullam: Would it be possible for you to bring some overlays or perhaps photographs so that you might show us how much of the view would be obstructed if the 150-foot height is retained as shown on the map for the Queen's Hospital area.

Mark: Yes. We'd be glad to do that.

Chun: Show it on the ewa perimeter also.

Chairman: Any other requests? I take it that you don't intend to take any action at this time on this matter?

Sullam: It would be advisable to delay this in view of the fact that there is more material that will be brought to us concerning the possible amendments to the proposals set forth by the department such as adding the Brewery building if we decide to do so.

Chairman: If there's no objection and no further question, the Chair will defer this matter with no action to be taken at this time.

BILL 157
(AN ORDINANCE TO
AMEND CHAPTER 21,
R.O.H., AS AMENDED,
(CZC) BY AMENDING
VARIOUS SECTIONS

The public hearing held Thursday evening, Jan. 21, 1971, was closed and action deferred one week for a staff summary of all testimony presented.

The Director reviewed the staff's report of issues resulting from the public hearing. He reported that the Planning and Zoning Committee of the City Council is hopeful of receiving the Commission's comments the first week of February.

This matter was deferred for a Planning Commission Workshop set for February 1st at 1:30 p.m.

* * * * * * * * * * * *

The Commission, on motion by Mr. Bright, seconded by Mr. Naiwi and carried, moved that the Planning Director be authorized to establish dates for public hearings on the following item:

GENERAL PLAN
DETAILED LAND USE
MAP (AMENDMENT)
HAWAII KAI
KAMILOIKI
ELEMENTARY &
INTERMEDIATE
SCHOOL & PARK
TMK: 3-9-14: 9,
101-104 INCLUSIVE
Dept. ACS
(File #102/C2/22)

1. The purpose of this request is to consolidate the school sites designated on the Hawaii Kai DLUM so as to comply to the latest educational concept of clustering schools wherever possible to permit more efficient and effective use of facilities.

ADJOURNMENT:

There being no further business, the meeting adjourned at 11:25 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
February 4, 1971

The Planning Commission met in regular session on Thursday, February 4, 1971, at 2:05 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Ivanhoe K. Naiwi
Richard K. Sharpless, ex-officio

STAFF PRESENT: Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Herb Mark, Staff Planner

ABSENT: James K. Sakai, ex-officio

MINUTES: The minutes of January 7 and 14, 1971, were approved on motion by Mr. Chun, seconded by Mrs. Sullam.

PUBLIC HEARING
ZONING CHANGE
FROM R-6 RESIDENTIAL
TO A-1 APT. DISTRICT
MAKAHA
MAKAI OF FARRINGTON
HWY. & EWA OF
WAIANAE HIGH SCHOOL
TMK: 8-5-17: 8-16
& 19
MAKAHA SURFSIDE
DEV. CO.

A public hearing was held to consider a request for a change in zoning from R-6 Residential District to A-1 Apartment District for a parcel of land situated on the makai side of Farrington Highway on the Kaena Point side of Waianae High School and identified as Tax Map Keys 8-5-17: 8 through 16 and 19.

Publication was made January 24, 1971. No letters of protest were received.

Bruce Duncan, Staff Planner, reviewed the staff's report. The following question was raised:

Whether this low-rise apartment proposal could be developed as a planned unit development in the state that it has been presented.

It could. The original planned unit development plan submitted was for a greater density in terms of the number of units. However, under A-1 zoning, the applicant is dealing with floor area as opposed to the number of units. The planned unit development approach is at the option of the applicant who has already applied and withdrawn it. Under A-1 apartment zoning, he could build to a height of 30 feet.

There were no further questions from the Commission.

Public testimony was heard.

The following people testified AGAINST the proposal:

1. Mrs. Beverly Chapman, representing Waianae Model Cities, Makaha Civic Association, and herself as a resident, 84-725 Hanalei St.
2. David O. Klausmeyer, Vice-President of the Makaha Civic Association, and Secretary of the Waianae District Council, 84-445 Farrington Hwy.
3. Dr. A. L. Palafox, property owner and landlord, 5276 Kimokeo St., Honolulu 96821
4. William D. Crabbe, resident, 85-202 Farrington Hwy.
5. Mrs. Sally Williams, private citizen, 4469 Kahala Avenue, Honolulu
6. Samuel K. Leialoha, 89-272 Maia St., Model City Housing Director
7. Richard A. Burt, 84-1072 Lahaina, Nickel Publishing Co., Nifty Nickel weekly newspaper from Kahe Point to Kaena Point

Reasons:

1. When this application for zoning was made in 1969, the urban design task force of Model Cities resolutely rejected any highrise development on the makai side of Farrington Highway along the Waianae coast. They would have no objection to residential development but would object to apartments or hotels.

2. Existing schools are already filled to capacity. This proposal would lead to an overcrowding situation.

3. There is already a shortage of water pressure in the evenings when the majority of people are using water. The proposal will increase this problem.

4. At the outset of the General Plan in 1960, park designation was proposed. However, at a subsequent Planning Commission meeting at McKinley High School in 1960, developers requested to reopen the Makaha zoning matter and successfully obtained low-density zoning at that time. Residents felt this was unfair.

   This is spot zoning and sets a precedent over other development which could occur.

5. With the expansion of Makaha Valley, the parcel should be used for a beach park to service a growing population rather than for a commercial enterprise.

6. The proposal would encroach upon the privacy of residents in the area and restrict access to public beaches.

7. Although housing is a critical issue in Waianae, the cost of these homes does not meet the income level of Waianae residents who presently cannot qualify for the 230-235 FHA federal subsidy program. Approximately 2,000 homes are scheduled for Waianae by the end of 1972. Of 328 condominiums built in Waianae, 150 are available. Rentals for such units are between $250 and $325 which residents cannot afford. There are none below $200.

8. Increased development with no market available to meet the level of Waianae residents will encourage outsiders to come in while the existing problems of housing and employment in Waianae remain unsolved.

9. Only a few people could qualify for jobs offered by the proposal.

10. The project will create speculation.

The following people spoke FOR the proposal:

1. A. Daniel Klein, 300 Foster Tower, representing A. Daniel Klein Associates, Architects
2. Hiroshi Sakai, Attorney, City Bank Building
3. David Awong, 87-330 Farrington Hwy., Resident
4. Donald Awong, 87-137 Keilikipi St., Maile Son's Club
5. Naomi Corjasso, P.O.Box 2185 Nanakuli, Resident
6. Leonard Olion, 87-220 Farrington Hwy., Resident
7. Eduardo Corjasso, P.O.Box 2185
8. Emerson W. Kahoano, 87-334 Farrington Hwy., Resident
9. Glenn Kanae, 89-316 Pua Ave., representing The Council for Hawaiian Men

Reasons:

1. The proposed building will be lower than existing tree height. They will not utilize the full degree of FAR and LUI requirements:

	Proposed
Allowable floor area 214,000 sq.ft. -	196,000
Open space required 180,000 sq. ft. -	195,000
Living space req. 105,000 sq.ft. -	128,000
Recreation space req. 19,000 sq.ft. -	25,000

2. The cost of these units will be between $20,000 and $50,000 ranging in size as follows: studios-350 sq.ft. to 500 sq.ft.; 1-bedroom-570 sq.ft. to 625 sq.ft.; 2-bedrooms-800 sq.ft. and 1200 sq. ft.

3. The project will enhance and compliment the area. The subject property presently contains keawe trees and is used as a dumping area and hideaway for juvenile delinquents.

4. It will ease the housing problem and provide fee simple housing for individuals who wish to live close to the beach.

5. This is not an individual interest but approximately 351 persons have invested in this proposal. The property is being purchased under an agreement of sale from the Manoa Finance Company who are the landowners.

6. Relative to spot-zoning, the area was general planned for A-1 Apartment in 1964, and should be developed to its full use as such.

7. Concerning a shortage of water pressure, the developer will install a 16-inch water line at his own expense.

8. It will open a competitive business field and provide jobs for Waianae residents eliminating the need for them to commute to town.

9. Increased development promotes better utilities, and only through progress did Waianae acquire improved lighting, sewage system, highways, and a better transportation system.

10. There are more than sufficient parks in Waianae plus a proposed 68-acre park site about a quarter mile from the subject property.

There was no other person present to speak either for or against the proposal. The public hearing was closed and the matter taken under advisement.

ACTION: The Commission recommended that the request for a change in zoning be denied on motion by Mr. Naiwi, seconded by Rev. Connell.

Discussion followed.

The Acting Chairman pointed out that the area is already designated on the General Plan Detailed Land Use Map for apartment use and as such, "if we deny this application, we must be prepared to delete this portion from the Detailed Land Use Map as apartment use. It will be unfair on the part of the City if it is designated as a land use policy and not meet the request."

Commissioner Chun stated: "I agree, Mr. Chairman, and again request that the department consider possibly initiating a General Plan amendment just as we have done in other areas on the Waianae coastline where we have rejected zoning for resort purposes upon application."

The motion carried.

AYES - Chun, Sullam, Connell, Naiwi
NAYES - None
ABSTAIN- Yamabe
ABSENT - Bright

CENTRAL BUSINESS DISTRICT ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT HONOLULU CIVIC CENTER MAKAI RIM OF PUNCH-BOWL TO THE SEA, EXTENDING FROM SOUTH STREET TO DIAMOND HEAD EDGE OF DOWNTOWN OF RICHARDS, BISHOP AND PALI HWY. PLANNING DIRECTOR

In view of a conflict of interest on this matter, Rev. Connell excused himself from deliberations on this item.

The Commission discussed Draft 9 of the proposed ordinance.

As requested by the Commission at its last meeting, Staff Planner Herb Mark presented a report on the construction, condition, and feasibility of future use of the Royal Brewery Building.

ACTION: Based on the new data submitted by the staff, Mr. Chun moved, seconded by Mr. Bright and carried, that the Royal Brewery Building

be included on the list of Architecturally Significant Structures and Sites.

AYES - Yamabe, Chun, Sullam, Bright, Naiwi
NAYES - None
ABSENT - Connell

Mr. Mark also indicated that changes were made to subsection "a. Historic and Cultural Structures and Sites" (page 5), and subsection "b. Architecturally Significant Structures and Sites" (page 6), to make this section consistent with the ordinance map in view of some inconsistencies which were not detected previously. In this area, the following changes occurred:

1. A description of the Honolulu Hale Annex was added as well as the wording Urban Renewal Coordinator, Civil Service, and Traffic Department Buildings

2. "King Street" was added to Hawaii State Library to specifically designate the King Street library.

3. The YWCA on Richards Street was added. This building was already designated on the ordinance map but a typing error eliminated it from earlier drafts.

4. The St. Andrew's buildings - Davies Hall, Parke Chapel, Tenney Theater Complex - have also been designated previously on the ordinance map as architecturally significant structures and were added to the list to make the ordinance consistent with the map.

Another change was made to subsection b. (page 10.) A small portion of the waterfront is in the civic center district, including the area where the Falls of Clyde is docked. Therefore exception was made for ships that would be permanently or temporarily anchored in the portion of the harbor that is a part of the civic center district.

ACTION: The Commission approved of the above-mentioned changes on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright, Naiwi
NAYES - None
ABSENT - Connell

There was discussion relating to the maintenance and demolition of historical structures. Mr. Mark pointed out that the ordinance does not prevent any historical building from being completely demolished. The ordinance only recognizes and accords a special designation to historic and architecturally significant structures, and encourages preservation. The original ordinance contained a provision that prevented demolition of historical structures; however, this section was removed in view of a provision already contained in Article 12, Section 21-1204, subsection (e) "Demolition", which would apply.

Discussion on the boundaries of the Civic Center followed. Photographs with scaled graphic overlays were used to depict the height impact of various buildings in the district upon the capital complex. Areas involved were the Queen's Hospital where two towers are proposed, one at 150 feet, and lots fronting along Alakea Street including the Armed Forces YMCA.

Commissioner Sullam questioned the raising of the height restriction on St. Andrew's from 55 feet to 150 feet. Mr. Mark explained that this will occur on the mauka portion of Queen Emma Square. The square is heavily landscaped and provides a barrier that effectively separates a highrise from St. Andrew's. Also, the 150-foot height is not directly in the line of sight from Punchbowl to the capitol.

MOTION: Commissioner Chun felt that the height restriction on Alakea Street should be raised from 100 feet to 125 feet, and made a motion to that effect.

The motion failed due to the lack of a second.

MOTION: Mrs. Sullam moved, seconded by Mr. Naiwi that the Commission adopt the boundary plan as submitted by the staff.

This motion also failed due to the lack of 4 affirmative votes.

This matter was deferred for one week, for the presence of a full Commission.

BILL 157 (AN ORDINANCE TO AMEND CHAPTER 21, R.O.H., AS AMENDED, (CZC) BY AMENDING VARIOUS SECTIONS

The public hearing held Thursday evening, January 21, 1971, was closed and action deferred one week for a staff summary of all testimony presented. Action at the January 28, 1971 meeting was deferred pending additional studies.

The following transpired:

Chairman: Item number 3, Bill 157.

Bruce Duncan: This is a continuation of Bill 157 being a number of amendments to the Comprehensive Zoning Code. We did go over the items in the workshop sessions. Four members of the Commission were present. The items were discussed thoroughly. If you wish, we could go through them clause by clause or item by item, each of the 20, depending on your preference.

Chairman: What's your pleasure?

Sullam: The subcommittee went into great detail. We had indicated to Mr. Duncan how we felt about the amendments. There were a few words--

Duncan: There was some discussion, for example, on item number 1, concerning nonconforming lots of record under one owner. I did check with the subdivisions that we have approved or were

approved prior to the CZC, in other words major areas that would be affected by this. Most of the subdivisions which were approved prior to the CZC are under development already. There are no outstanding major subdivisions so that this particular provision is not really working a hardship on already approved subdivisions but not totally developed so that the present provision in the code that is referred to in number 1 would be affecting primarily existing lots and in most cases smaller parcels of land.

Sullam: Mr. Duncan, in Section 21-205, Flag Lots, did you add under a-2, the new subdivision for existing street patterns?

Duncan: No. Our proposal as submitted to the Council and presented to you stands as it is. If the Commission wishes to add that, then that would go up as a recommendation and addition to the particular bill. We have not changed anything that we did submit to Council. If it were to be changed, that would be a change proposed by the Commission.

Sullam: I think there's another item under that section, 4, it says that the minimum yard setback for Flag Lots shall be required, and we wanted to add side yard setbacks of zoning districts. Do you recall that?

Duncan: Yes. We have to amend the wording so that it was clear that a yard would be provided around the entire parcel. That would require clarification. I think that was on the first one as well as the flag lot. Those were the major concerns that you had, at least as far as changing the material that had already been submitted by the department.

Chairman: What's your pleasure?

Chun: What were the amendments that you guys talked about at the workshop?

Duncan: One of the amendments was in the flag lot ordinance which was proposed by the department.

Chairman: Do you think it is necessary for him to go through all of the amendments and touch on the highlights?

Sullam: We had two workshops and we went through it at great detail. I think we more or less approved the recommendations of the staff in our discussion. I know it will take time to go through it again.

Chairman: How about the rest of the Commissioners? Are you familiar with the recommendations of the staff?

Connell: There were two amendments mainly; one on flag lots and the other on the 5-foot setback.

Sullam: Right. Those are the only two corrections we had that we wanted to see in the ordinance.

Chairman: The staff's recommendation was discounting the poor drafting of the bill itself which is quite a large area. We had two primary amendments. Isn't this what you're saying?

Sullam: No. Well--

Duncan: We had discussed the wording of the proposed draft amendments that the department had put forward. I think it was the feeling of the Commission that when we're talking about the street pattern for new subdivisions, we wanted to make sure that people did not design subdivisions that would create flag lots. The idea was to put in the phrase existing street patterns so that if the street pattern on the side or on adjoining subdivisions was such that it almost forced a flag lot in the subdivision being proposed, that that would be acceptable but not to allow a street pattern in a new subdivision that would create a necessity for flag lots.

Chun: Bruce, what is the definition of a new subdivision? What's to prevent a subdivision from coming in? I'm assuming we're talking about quite a large subdivision of 2 or 3 acres where we do have a street pattern. An approval of subdivisions of that sort with the street patterns do indicate that there are no flag lots but it may contain certain lots of sufficient area; that at some future date, perhaps the owner of that lot may possibly come in asking for a flag lot subdivision.

Duncan: Yes. In other words, if your frontage is lets say--

Chun: Say 100 feet, talking about R-3 or R-5, in fact 2500 square feet and there is a lot of sufficient width and area that could possibly be divided into two lots, after the basic subdivision has been approved and developed, a large enough size lot could come in for a flag lot situation which I think is how most of our flag lots have come about.

Duncan: Yes. I think many of the new flag lots that would be created would be in that kind of situation. We saw a couple of instances where we might get a flag lot in a new subdivision, for example, at the end of a deadend street or a culdesac where it wouldn't be too bad. The basic trust of that number 2 was on brand new subdivisions of raw land, basically where you're putting down s subdivision for the first time, that you don't want to arrange the street pattern so that you would be forced into flag lots.

Way: Maybe it could be something to the effect where subdivisions created subsequent to the adoption of this ordinance. It is the intent we're trying to get at here.

Chun: Maybe the size would limit the subdivision of more than two lots shall not provide street patterns which would permit flag lots.

Way: We're saying we would permit it even in a new subdivision, the topographic, or the street patterns, or the regular boundaries, to present an optimum for the use of the land. We would permit a few flag lots under those conditions.

Chairman: That's the staff recommendation, Phil. It is not whether it's old, but all subdivisions. They can consider flag lots based on the requirements as stated.

Way: What we trying to get to in terms of the intent, that it is not the intent to permit adjoining, abutting, or confused arrangement of flag lots in new subdivisions.

Chairman: The staff's recommendation is to allow flag lots whether it is new or old based on the existing situation as stated there if there is a topographic situation or street pattern or extreme hardship, or boundary lines, or something to that effect.

Chairman: I think that was the intent of the original draft as far as flag lots are concerned. I don't think anyone's talking about a complete flag lot subdivision.

How do you people wish to handle this item?

Duncan: There was discussion also of reducing the area for PUDs from 2 acres to 1 acre which was not staff recommendation. We were going for a uniform 2 acres.

Chairman: I think there was further discussion on that matter. The greater problem is not the size itself but what's allowed under PUD, bonuses. I think this was of greater concern to the Commission members at that time.

Sullam: Weren't we going to direct the staff to investigate the amount of bonuses and re-evaluate them? We felt there were some areas that might be too excessive?

Chairman: Right. It might take sometime for the staff to make this type of research or investigation into the matter. If you wish to, we might expedite it by making such a recommendation to the Council. Before consideration of this amendment, these areas should be looked into. This is one way to get the bill up to Council.

Sullam: Do you want to do the same with the Kalihi-Palama area? I think the same applies to the Kalihi-Palama area although the Kalihi-Palama was related to the amendment where we would allow 3500 square foot lot type of subdivision.

Chun: Must our recommendation be approval or denial? Could not our recommendation be made in the suggestive manner?

Chairman: As a matter of fact, many of those areas I think this is about the best we can do because if we're going to consider 3500 square foot lots, it is arbitrarily - or to consider other changes.

Chun: Mr. Chairman, I will admit honestly that I have mixed feelings about Bill 157, and also mixed feelings as to some of the amendments proposed by the Director. It is my feeling that a recommendation should be made to the Council to the effect that we recognize many of the inadequacies of the CZC; that Bill 157 does not take care of these things in total. The Director's recommendation makes sense in the areas in which he has submitted recommendations as to amendments, just as the Council's Housing Committee makes sense in the areas in which it submits its recommendation.

Further, we have to take into consideration the fact that the Council's Housing Committee in preparing Bill 157 had one thought in mind and that was to possibly reduce the cost of housing, and perhaps didn't take into consideration all the other aspects of planning that went into the Director's recommendations. I think both theories have merit. The question is to find the proper formula to include these various concepts so that the CZC becomes a workable document.

I don't think we can solve all the revisions of the CZC at once. It will take a considerable length of time and money on the part of the staff for a complete revision. Maybe we can add a plug in there for the staff's general plan money.

I'm trying to formulate a motion.

Chairman: I thought that was the motion?

Chun: No. I'm just taking notes.

Sullam: The staff did recommend approval of the suggestion of the Housing Committee such as the reduction of the area required for a PUD.

Chairman: Is there a motion?

Chun: Motion, Mr. Chairman.

I move that the Commission adopt the report of the Planning Director and staff, without specific recommendations; and that the Commission recommends to the Council consideration of the recommendations made by the Director, in light of the planning concepts upon which those recommendations were made;

That further, this Commission recognizes the reasons for the suggested amendments made by the Council's Committee on Housing, and that the Council in its deliberation of Bill 157 include the recommendations of both the Council's Committee on Housing and the recommendations of the Planning Director;

And further, the Commission would recommend the institution of a comprehensive study of the CZC by the Planning Director in his general plan revision study, and that sufficient funds be made available therefore.

Naiwi: Second.

Chairman: It's been moved and seconded. Let me make a suggestion here for your consideration. I think we are in a position to make this specific recommendation, you mentioned the fact without any specific recommendation. We've had enough time in the workshop where we can make such a recommendation not to reject or adopt any specific amendment simply because there's merit both sides, but these should all be pointed out. Like slope land, I think that slope land can be put into housing but there's many problems that was presented by Bob. Let's work it out so that we can utilize it but at the same time, the points that were raised by the staff, the pertinent facts.

Chun: That's why I said adopt the staff's report and send his recommendations up there. All that would go up, I would presume. The Director's recommendations would go up to the Council but without our opinion except that we do adopt the Director's report.

Chairman: Well, these would be the specific recommendations.

Chun: Well, if we were to adopt the specific recommendations, Mr. Chairman, my feeling is this, that in adopting the Director's recommendation we would be in fact then rejecting whenever there is a conflict between the Director's recommendation and Bill 157 or the report of the Housing Committee which would in effect be rejecting the thoughts of the Housing Committee. I do not feel that at this time we should do that even though we do adopt the Director's report and recognize justification for his recommendations.

Chairman: Phil, what I'm talking about, when I say we can make a specific recommendation it is not the recommendation of the Director whether this should be denied or whether this should be adopted but there's so much, so many areas that we have to get into. Why not spell all this out.

Chun: Well this is the part I think we can. We can do this without spelling it out in that there is no conflict. It's only in the area of conflict would we have a problem in deciding whether or not we're going one way or the other. This is where I would have my problems in that if I were to take one and lay it against the other, I would attempt to come out with a solution that would be satisfactory to both problems. In doing that, we could be here forever.

Chairman: Were there any conflicts in the presentation made by the Director, some of the rationales that were presented to us?

Chun: I think the Director will admit that there are certain areas of conflict.

Way: We do conflict with the Housing Committee as represented by the bill itself.

Sullam: The only conflict that I recall was some inflexibility regarding the size of lots in areas that have been subdivided that have very small lots like in Kalihi-Palama where they were not able to get federal funds. We wondered whether there was a way of making exceptions in certain instances. That was one of the major areas.

Chairman: So actually some agreement we came to was the fact that we might be needing R-7 zoning for some specific areas.

Sullam: No, I think we needed some special treatment for certain areas like the capital complex, maybe there might be special zoning in that area. But we did feel generally speaking that 5,000 square foot lots were minimal.

Chairman: Well this is an example. In the Director's recommendation, as far as the amendment relating to 3500 square foot lots, it was complete denial because this wasn't warranted. However, after much discussion we found that there might be a possibility that we can utilize such a zoning particularly in areas where we already have existing 3500 to 1500 square foot lots. Remember we also discussed that 3500 may be too large an area if we're considering such an area where it's already built out of 1500. What can we do with the 1500 square foot lot? Now this would be our position. This would be in conflict with the Director's position.

Sullam: I don't know whether - we didn't really want small lots but we felt that we didn't really know how to handle these small lots, that there must be another way in tailoring the code to take care of this very special area. I think it should be an exception to the rule and I thought we could make a recommendation to the Planning Department to come back with a method of handling the problems in Kalihi-Palama.

Way: A point of clarification. Our recommendation on this subject and the R-7 district and the 3500 square foot lot was in fact that it not be approved. In our comment however, we did observe if the intent is to provide assistance to owners of small lots other than the present zoning is needed, such as a building permit review. In other words, we did try to explore that maybe there were other ways at the problem. We didn't think this was the way on a wholesale basis which in effect would permit even new subdivisions to be subdivided on a 3500 square foot modular.

Chairman: This is the point I'm trying to make. Your recommendation is specific but you do have suggestions or you presented what action you had taken of seeking ways and means. Now taking that portion of it, I don't think you're in disagreement or we're not in conflict with you either. We're in agreement. But if say we adopt the recommendation, the recommendation is another thing. We're not really in conflict or we're not in complete agreement because none of us at this point know which direction we ought to follow.

Chun: That was the reason for my motion, that we adopt the Director's

report which would include his recommendation but we make no specific recommendation ourselves as for various points.

Sullam: There are decisive points that we make known, and we do make a recommendation.

Chun: This is where I think we run into trouble because we are not able at this time to do that and we are faced with a deadline. In the areas where there is no conflict, we have no trouble. Where there is an area of conflict, I say this, that we do adopt the Director's report recognizing his recommendations are his which he will support at the Council level. But we also recognize the justification presented by the Housing Committee. What we are saying is we want a compromise of these things, a solution of these various problems raised.

Chairman: Let me correct just one word. Instead of saying "compromise" let's say "solution." The Committee was looking at it from a different point of view, and Bob was looking at it from a professional or detailed point of view.

Naiwi: If there's still doubt in our minds, is it too late to refer back to the workshop and really get it out and know where we're going. There's no use arguing here.

Chairman: We could do that but I don't think we'd resolve the matter.

Chun: What's our timetable, Bob? When does Council request our action?

Chairman: We're on the right track. I don't think there's as much conflict as it might seem on the surface but to find that solution is not something that we can bang out in the next week or so. It's not going to be that simple.

Way: Action was called for last week.

Chun: Mr. Chairman, I move for the question.

Chairman: Any further discussion?

Sullam: I'm not sure I understand the motion.

Chun: All we're doing is asking the Council to take a look at Bob's recommendations and Council's recommendations and come out with a solution that reaches the standards of both.

Sullam: That's not a recommendation.

Chun: No, that is a recommendation because we recognize all the factors involved realizing there's a separate solution.

Sullam: Maybe we have to take each item at a time. Maybe we can go through it very quickly. We did have a workshop and we did say whether we approved or disapproved. We definitely approved of slope lots.

Chun: Not even on that from what I gather, on certain cross slope lots will construction be permitted.

Mr. Chairman, I move for the previous question.

Chairman: If there's no further discussion, all in favor of the motion signify by raising your right hand.

AYES - Yamabe, Chun, Naiwi
NAYES - Sullam, Connell
ABSENT - Bright

We have a deadlock.

Chun: Mr. Chairman, I move we defer one week.

Connell: Second.

Chairman: Before we act on that motion, Bob, what's the situation now? You said we had to report back last week.

Naiwi: Mr. Chairman, if we defer one week by golly we'd better get our heads together and get it out. The Council has asked for some recommendation. Let's get it out.

Chairman: If there's no objection, with deferment we'll set a time and if necessary go through the item again but come to some conclusion.

Chun: Mr. Chairman, I don't have any objection on that other than regular scheduled meetings. I have scheduled my time to make sure that I will be available at Commission meetings. With the legislature in session at the present time, my time is limited.

Connell: Inasmuch as there was general agreement in the workshop among those Commissioners that were there, wouldn't it be possible to follow the direction that Phil is recommending but include in this the recommendation from the Commissioners that were made at the workshop.

Chun: In other words, the Director's recommendations as amended.

Chairman: I must say at least this would be some action. Because much of the recommendation that we discussed took into consideration the points that the Director had made. Unless those problems are resolved, we might have some problem with the amendment itself.

Connell: We could check with Bruce if he has those amendments.

Chun: What we could do is this, leave the motion as is but add a supplement to the motion that the recommendation included in the report of the Director were amended by the Planning Commission as such. Let it go up like that.

Connell: So move.

Chairman: There's already a motion on the floor.

Chun: I withdraw my motion to defer.

Connell: I withdraw my second.

Chairman: Father Connell, you have the floor.

Connell: So move for Phil's motion as amended.

Sullam: Second.

Chun: My motion and add thereto the recommendation of the Director as amended by the Planning Commission.

Chairman: Everyone understand the motion and the amendment? All in favor? (The motion carried.)

AYES - Yamabe, Chun, Sullam, Connell, Naiwi
NAYES - None
ABSENT - Bright

* * * * * * * * * * * * * * *

The Commission on motion by Mr. Bright, seconded by Mrs. Sullam and carried, moved that the Planning Director be authorized to establish dates for public hearings on the following items:

CONDITIONAL USE PERMIT PETROLEUM PROCESSING I-2 INDUS.DIST. WITHIN THE CAMPBELL INDUS.PARK, APPROXIMATELY BOUNDED BY MALAKOLE ST., BARBERS POINT AIRPORT, OLAI ST., & KALAELOA BLVD. TMKS: 9-1-31: 3 and 9-1-32: PORTION OF 1 HAWN. INDEPENDENT REFINERY, INC.	1.	The proposal is the construction of a refinery for petroleum processing facilities.
CONDITIONAL USE PERMIT LAIE MAUKA OF KAM.HWY. & LAIE BAY R-6 RESIDENTIAL, AG-1 & AG-2 AGRIC.DIST. TMKS: 5-5-05: PORTION OF 1 & 18, 5-5-09: 10, 45, & PORTION OF 23 GEORGE DUERKSON	2.	The proposal is the operation of a quarry for the excavation and removal of sand. Commissioner Chun disqualified himself from any participation in the deliberations of this item because he represents the applicant. He filed a conflict of interest statement for submission to the Mayor.

GENERAL PLAN
DLUM AMENDMENT
HAWAII-KAI
MAKAI-KOKO HEAD
CORNER OF LUNALILO
HOME RD. & KAUMAKANI
ST. IN HAWAII KAI
TMK: 3-9-40: 9-11,
PORTION OF 40
STATE OF HAWAII,
DEPT. OF ACCOUNTING
& GENERAL SERVICES

3. The proposal is to designate the subject property for Public Facility use on the General Plan (DLUM). This would allow construction on the proposed Hawaii Kai Community Library to proceed.

ADJOURNMENT: There being no further business, the meeting adjourned at 6:30 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Special Meeting of the Planning Commission
Minutes
February 11, 1971

The Planning Commission held a special meeting on Thursday, February 11, 1971 at 8:35 a.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Roy R. Bright
Rev. Eugene Connell
Fredda Sullam
Ivanhoe K. Naiwi

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Bill Bartlett, Staff Planner

ABSENT:
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES:
Mrs. Sullam corrected the Minutes of January 28, 1971 regarding action taken on HSM Ventures (page 2). She was not present when action was taken on this matter.

The Minutes of January 21, 1971 (Special Meeting-Public Hearing on Bill 157) and January 28, 1971 were approved as corrected, on motion by Mr. Chun, seconded by Mrs. Sullam.

PUBLIC HEARING
GENERAL PLAN
DETAILED LAND USE
MAP (AMENDMENT)
HAWAII KAI
KAMILOIKI
ELEMENTARY &
INTERMEDIATE
SCHOOL & PARK
TMK: 3-9-14: 9,
101-104 INCLUSIVE
STATE OF HAWAII
DEPT. OF ACCOUNTING
& GENERAL SERVICES
(File 102/C2/22)

A public hearing was held to consider a proposal to amend a portion of the Hawaii Kai General Plan Detailed Land Use Map by switching the school (Kamiloiki Elementary and Intermediate School sites) and park locations so that the school sites may be consolidated.

Publication was made January 31, 1971. No letters of protest were received.

The purpose of this request is to consolidate the school sites designated on the Hawaii Kai DLUM so as to comply to the latest educational concept of clustering schools wherever possible to permit more efficient and effective use of facilities.

Mr. Bill Bartlett, Staff Planner, reviewed the staff's report of the applicant's proposal. There were no questions from the Commission concerning the report.

The following persons requested a deferment of this matter for the reasons stated below:

1. Mrs. Donna R. Ikeda, 918 Wainiha St., Honolulu, Member of Kamiloiki School PTA Executive Committee
2. Mr. Morris A. Schwalb, Chairman, Member of Kamiloiki School PTA Legislative Committee
3. Mrs. Lily Wong representing the Hawaii Kai Community Council

Reasons for requesting deferment:

1. They wish to clarify issues relating to the proposed complex in view of conflicting information presented to them by DOE officials. They were told that plans for the proposed facility had been approved and could not be changed; that a change in plans would result in great financial loss because all of the existing plans would have to be scrapped and a new set made. Further, that if the DOE was forced to revert to the original school site, the intermediate school now set to open in 1975 would be delayed at least one year and as much as two years.

2. Lack of communication on the part of the DOE resulted in their not being informed of the fact that the Planning Commission had not approved changes to the General Plan, nor of today's public hearing on this matter.

3. At a PTA meeting scheduled for March 4th, they hope to resolve--

   a. Their position either for or against this proposal

   b. Whether they favor DOE's school combination concept placing elementary children with intermediate and high school levels.

   c. Curriculum

   d. Whether administration by one principal and two vice-principals are adequate for DOE's clustering concept.

Testimony FOR the proposal.

Messrs. Tom Nakai, Honolulu District Office, State Department of Education, and Stanley Shinn of the State Department of Accounting and General Services appeared FOR the proposal. Both men had no objection to a deferment as long as it did not exceed the month of March, otherwise the construction timetable would be affected.

Questioned by the Commission, Mr. Nakai stated the following:

1. Their lack of communication with the Kamiloiki School PTA was due to an escalation in school development which occurred a year earlier than originally scheduled.

2. The DOE hopes to establish as a policy, this clustering, combination concept when planning future school sites throughout the State. At a time when efficient utilization of land is a necessity, this system will provide joint usage of school facilities and result in savings to the State. For instance, where there was normally an administration building and a library building for each school, there will now be one administration building and one library building for both schools.

3. Concerning social problems which could develop in combined schools, and the advantages that might be gained from the social development aspect of students, Mr. Nakai stated that problems like drug abuse (which is evident in every school), is a society problem whereby the DOE would solicit community interaction and assistance for schools to cope with such social problems.

4. Regarding the location of public libraries in Hawaii-Kai away from school sites which in other areas are contiguous with school sites, Mr. Nakai indicated that there are two distinct library systems each with a particular purpose - school libraries which are geared for school children, and public libraries oriented both for school children and adults.

   In Hawaii-Kai, the subject school site could not accommodate both needs, children and adults, and so another site was acquired on Kaiser property for a public library intended for the adult community.

Mr. Stanley Shinn, representing the State Department of Accounting and General Services was questioned by the Commission on the construction and planning phase of the proposed facility:

1. Regarding the construction time schedule, they are proceeding with the City and County and Kaiser Development Company in a joint project to improve Hawaii-Kai Drive which will provide access to the school. Construction has commenced on a permanent 16-classroom building. The design phase of a joint elementary-intermediate school library is being delayed until a decision is made on this clustering proposal.

   Following construction of the library will be construction of a kitchen and dining area, an 8-classroom building, and another 8-classroom structure with an administration building which would complete the construction of the elementary school portion.

2. Total enrollment for this development would be 1,000 elementary students from K-6, and 1,500 intermediate students in grades 7 and 8.

There were no further questions from the Commission.

On motion by Mr. Bright, seconded by Rev. Connell, the public hearing was kept open, action deferred, and the matter is to be rescheduled by the Planning Director sometime within the month of March.

CONDITIONAL USE PERMIT UNION HALL SALT LAKE END OF ALA NAPUAA STREET TMK: 1-1-61: 11 HAWAII MACHINIST & AEROSPACE WORKER'S BLDG. ASSN., INC.	A public hearing was held to consider a request for a Conditional Use Permit under Article 2, Part E, of the Comprehensive Zoning Code to construct a 2-story union headquarters to be used by the Hawaii Machinists and Aerospace Workers' Building Association, Inc., in an apartment area. Publication was made January 31, 1971. Various letters were received AGAINST the proposal and are included under testimony in opposition to the proposal.

Bruce Duncan reviewed the staff's report. There were no questions from the Commission concering the report.

Letters, petitions, and testimony AGAINST the proposal are listed as follows:

1. Mr. Kenneth L. Boyd, President, Board of Directors, Association of Apartment Owners, Kahana Kai Condominium (submitted letter dated February 8, 1971, signed by him as President, Robert Barnes, Vice President; Wayne Arakaki, Secretary; Melvyn Izumi, Treasurer; and Van Benham, Director)
2. Mr. and Mrs. Kenneth L. Boyd, Residents, Kahana Kai Condominium, 3020 Ala Napuaa Place, Honolulu (submitted letter dated Feb. 7, 1971)
3. Mr. Donald L. Krump, Resident, 3020 Ala Napuaa Place, Honolulu (submitted Petition containing 28 signatures)
4. Mr. and Mrs. James R. Dickison, Residents, Kahana Kai Condominium, 3020 Ala Napuaa Place, Honolulu (submitted letter dated Feb. 8, 1971)
5. Mr. William Jordan, President, Lakeside Community Association, 3221 Ala Laulani St., Honolulu (representing 500 families)
6. Mr. Raymond W. Sweeney, Jr., Lakeside Holiday Owner's Association, 1047 Ala Nanu St., Honolulu (submitted written statement dated Feb. 11, 1971)
7. Mr. H. E. Benham, President, VanLan Corp. (Developers of Kahana Kai Condominium)
8. Mr. and Mrs. Wayne S. Arakaki, Residents, Kahana Kai Condominium, 3020 Ala Napuaa Pl., Honolulu (submitted letter dated Feb. 10, 1971)
9. Mr. Michael P. Rossman, Vice-President, Lakeside Holiday Owners Association (submitted Petition containing 25 signatures)
10. Petition containing 8 signatures
11. Mr. Kenneth Nekota, 45-677 Kam. Hwy., Kaneohe (submitted letter dated Feb. 10, 1971)
12. Mr. Richard S. Higa, 1568 Laukahi St., Honolulu (submitted letter dated Feb. 10, 1971)

13. Mr. Shizuye K. Higa, 1568 Laukahi St., Honolulu (submitted letter dated Feb. 10, 1971)
14. Mr. Melvyn A. Izumi, 3020 Ala Napuaa Pl., Honolulu (submitted letter dated Feb. 10, 1971)
15. Mr. M. Kimber Moulton, Jr., 3020 Ala Napuaa Pl., Honolulu (submitted letter dated Feb. 11, 1971)
16. Miss Amy W. Colvin, 3020 Ala Napuaa Pl., Honolulu (submitted letter dated Feb. 8, 1971)
17. Mr. and Mrs. Michael Y. Nakahara, 3020 Ala Napuaa Pl., Honolulu (submitted letter dated Feb. 10, 1971)

OBJECTIONS given:

1. Traffic

   a. Since Ala Napuaa is a dead-end street and the location of the proposed building is adjacent to the closed end, all vehicular traffic in connection with the union headquarters would travel the entire length of the street both going to and coming from the proposed site.

   b. Ala Napuaa Street was not constructed to a width that would readily accommodate the extra vehicular traffic that would be generated by the projected use of the proposed building. Further, it would create a much greater hazard to school children, in particular, who must use this street.

   c. With the addition of new apartments presently under construction, the traffic situation increases as well. The proposed union headquarters will add to the problem.

   d. Traffic congestion in and out of the "bowl" area is very heavy during peak hours and continues throughout the day. The accompanying noise evident in this situation intrudes upon the privacy of residents.

   With no access or egress points planned for Salt Lake in the immediate future, the only access points now servicing the area are Ala Lilikoi Street abutting Likini and Ala Ilima Streets on the Diamond Head end, and an unnamed street abutting the same two streets on the Ewa end. As a result, it takes approximately 45 minutes to an hour to exit from the area during peak traffic hours.

2. Parking, which is barely adequate at present, would not accommodate large meetings such as conventions, strike vote conferences, and social gatherings normally held at most union headquarters. The location this landowner wishes to build upon is already seriously over-burdened with parking problems.

3. Zoning

a. A major concern that affects the entire Salt Lake area is something that has been labeled as "creeping zoning". The issuance of a conditional use permit for any commercial firm establishes a form of precedent that opens the door for others. There are many pieces of property in the Salt Lake area that could be negotiated on a speculative basis for commercial use, should a conditional use permit be granted in this situation. The conveniences of grocery shopping, automobile servicing, etc., can be accomplished by traveling a few blocks.

b. Although the general plan for the area was laid out several years ago and adjustments may be made, those adjustments should be made to the benefit of residents in the area, and not for a property owner whose interests are purely commercial.

c. The proposed facility should be properly located in nearby business and industrial zoned lands which are abundant in the airport area where such uses are permitted.

4. Residents chose the Salt Lake area and paid a premium price to be in a residential area away from business buildings, traffic and noise levels of a "through" street. The business building would be extremely detrimental to the quality of living expected in this area.

The Director questioned Mr. William Jordan of the Lakeside Community Association concerning the area which their association encompasses.

Mr. Jordan asserted that the association covers all of the Salt Lake area but does not penetrate the Aliamanu district. There are approximately 580 families or 2,000 people in the organization, the majority of whom are situated on the Ewa side of the Lake which is the older or original section of the community.

There were no further questions.

Testimony FOR the proposal was given by--

1. Mr. George Lee, Architect for the project
2. Mr. Carl J. Guntert, Secretary, Hawaii Machinists and Aerospace Workers Building Assn., Inc. (submitted written testimony)

for the following reasons:

1. The structure will be of residential character to blend in with adjoining dwellings, only large enough to accommodate personnel of two business agents, a secretary, and room for files. It will not be a commercial building.

2. The public has the misconception that union halls usually have thousands of people milling around it. There will be no assembly meetings at this site. In such an event, a school cafetorim or hall will be rented for the particular purpose. Business activities

of the union are conducted by mail.

3. The subject property was acquired long before developers began speculating in the area. As a result, their proposal is not the cause for existing traffic problems but rather poor planning, and the fact that developers who were aware that traffic problems would be created knowingly proceeded with their proposals.

4. The union's office function is unlike a business operation but similar to a church, a lodge or a private club. Its purpose is to keep track of the members standing, record their dues payments and report their standing to the international office once a month, prepare an occasional newsletter, keep records of agreemtns with employers and other documents.

   The office operates between 8:30 am and 4:00 pm Monday through Friday, and meetings held generally from 7:00 pm to 9:00 pm. There may be some classes on Saturday and Sunday.

5. The applicant disagrees with the staff's report as follows:

   a. Staff reports that the site selected is not suitable, especially at the end of a dead-end street.

      The applicant contends that the lot is only 520 feet from the intersection of Ala Ilima Street with ample parking furnished and a good turnaround area just beyond.

   b. Staff indicates that it would not be in the best public interest of the general public to introduce a non-residential activity in a new apartment area where present development trend is apartment use.

      Applicant contends that the CZC was amended twice so that a labor union could be situated in an apartment district.

   c. The facility may have an adverse effect, economically, on adjoining properties.

      The staff does not know for a fact that this is true. The facility may improve the area.

   d. The union headquarters is not centrally located.

      The applicant believes it is centrally located. Their members live all over the island, and some have homes in the Salt Lake area too.

   e. Staff states that it is not in close proximity to major employment centers.

The lot is close to the international airport where some 1500 members are employed, a distance of approximately 2.5 to 4 miles away. At Pier 41, approximately 3.2 miles from the lot, 250 members are employed. The balance of the membership work within 5 to 7 miles from the subject parcel.

f. Staff indicates inadequate access to major transportation and bus routes.

Applicant contends that the lot is located within easy reach of the two main highways going to all parts of the island. Puuloa Road which is just five-tenths of a mile from the lot, connects Moanalua Road, Kam Highway, and Nimitz Highway which service all parts of the island. Bus service is available although very few members depend on buses for transportation.

g. The proposal is not compatible with the adjoining land uses.

The applicant states that most of the lots in the apartment area at Salt Lake are vacant. The staff has no way of knowing what type of uses might be established on these lots; however, their proposal complies with all of the requirements of the CZC.

h. The applicant does not show that the particular site is necessary or desirable, and that its facilities will contribute to the well being of the neighborhood or community.

The design of their building will enhance the area, not detract from it.

i. The proposal is not in accord with the purpose of the General Plan and the applicable development and zoning regulations.

The Legislative Intent as stated in Section 21-620 indicates that the purpose of the A-3 Apartment District is to provide areas for multi-family and compatible non-residential uses of a medium land use intensity.

Mr. Guntert urged that the Commission act favorably on their proposal. Unjustified delays have cost the organization a lot of money and deprived them of the use of their property.

Commissioner Sullam questioned the similarity between the operation of a union hall and a church as illustrated by Mr. Guntert in his testimony. She felt that the functions of the establishment would be purely of a business nature unlike a church which services the social needs of a community. She recalled that union organizations in other areas provide recreational facilities such as swimming pools and handball courts which its members and the community enjoy.

In reply to statements made by the applicant, the Director pointed out the following:

1. The main issue is the issuance of a Conditional Use Permit. Under the CZC, authorization may be granted by the City Council upon the recommendation of the Planning Commission, or it may be denied in whole or in part. It should be clear that this type of facility was recognized by the City Council in its adoption of the Ordinance as being one that is unique in an apartment district, and subject to careful scrutiny by the Department, the Commission, and the City Council.

2. Concerning the objections of the applicant, testimony expressed by neighbors are reasonable attitudes to be weighed both by the Commission and the City Council. Some points brought out by the applicant are questionable as to whether they are valid in the sense that they are repercussions drawn by applicant.

There being no further questions, and no other person present to speak either for or against the proposal, the public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mr. Bright.

ACTION: Based upon the recommendation of the Director, and for the reasons listed below, the Commission recommended that the applicant's request for a Conditional Use Permit be denied, on motion by Mr. Bright, seconded by Mrs. Sullam.

1. At this time when apartment zoning is very necessary to alleviate our housing shortage, it would be unwise to use premium land for a small union building which would be used sporadically during the day.

2. As presented by the applicant, the building will be used for business purposes only and provides no service for the people in the community. Such a facility more appropriately belongs in a business area.

3. Although the applicant has complied with all legal requirements under the CZC, the criteria to be applied to this application have not been met.

The motion carried.

AYES - Chun, Sullam, Bright, Connell
NAYES - Naiwi
ABSTAIN- Yamabe
ABSENT - None

CENTRAL BUSINESS DISTRICT
ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT
HONOLULU CIVIC CENTER
MAKAI RIM OF PUNCH-BOWL TO THE SEA, EXTENDING FROM SOUTH STREET TO DIAMOND HEAD EDGE OF DOWNTOWN OF RICHARDS, BISHOP AND PALI HWY.
PLANNING DIRECTOR

Due to a time element, this matter was deferred to the next Commission meeting, on motion by Mrs. Sullam, seconded by Mr. Naiwi.

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The Commission on motion by Mr. Chun, seconded by Mr. Bright and carried, moved that the Planning Director be authorized to establish dates for public hearings on the following items:

SPECIAL USE/CONDITIONAL USE PERMIT
AG-1 RESTRICTED AGRICULTURAL DIST.
HAUULA
HALAI STREET
MYRA WATTS

1. The proposal is the establishment of a child care center for 50 preschool age children.

SPECIAL USE PERMIT
WAIPIO SEWAGE STABILIZATION POND
WAIPIO PENINSULA
WAIPAHU DEPOT ROAD
CITY & COUNTY OF HONOLULU
DEPT. OF PUBLIC WORKS

2. The proposal is the construction of two stabilization ponds.

RECONSIDERATION OF COMMISSION ACTION RE MAKAHA SURFSIDE DEV. CO.
(Zoning A-1 Apt.)

Mr. Chun moved, seconded by Mr. Bright and carried, that the Commission reconsider its action taken regarding the Makaha Surfside Development Company application for a change in zoning from R-6 Residential District to A-1 Apartment District.

AYES - Yamabe, Chun, Bright, Connell
NAYES - Sullam, Naiwi
ABSENT - None

Discussion on this matter was deferred to the next Commission meeting on motion by Mr. Chun, seconded by Mr. Bright.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Naiwi
NAYES - None
ABSENT - None

ADJOURNMENT: The meeting adjourned at 11:00 am.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File copy

Meeting of the Planning Commission
Minutes
February 18, 1971

The Planning Commission met in regular session on Thursday, February 18, 1971, at 2:20 p.m, in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:

Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell

STAFF PRESENT:

Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner
Tosh Hosoda, Staff Planner
Hal Murphy, Staff Planner
Bill Bartlett, Staff Planner

ABSENT:

Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES:

The minutes of February 4, 1971, were approved on motion by Mr. Chun, seconded by Rev. Connell.

PUBLIC HEARING
CONDITIONAL USE PERMIT
PETROLEUM PROCESSING
I-2 INDUS.DIST.
WITHIN THE CAMPBELL
INDUS.PARK, APPROXI-
MATELY BOUNDED BY
MALAKOLE ST., BARBERS
POINT AIRPORT, OLAI
ST., & KALAELOA BLVD.
TMKS: 9-1-31: 3 AND
9-1-32: PORTION OF 1
HAWN. INDEPENDENT
REFINERY, INC.

A public hearing was held to consider a request for a Conditional Use Permit under Article 2, Part E of the Comprehensive Zoning Code, for a petroleum processing facility within the Campbell Industrial Park at Barbers Point and identified as Tax Map Key 9-1-31: 3 and 9-1-32: portion of 1.

Publication was made February 7, 1971. Hearing notices were sent to pertinent governmental agencies and interested parties. No letters of protest were received.

An indepth report of the applicant's proposal was presented by Mr. Paul Joy, Vice President of the Hawaiian Independent Refinery, Inc. (report on file), followed by a summary review of the staff's recommendations by Mr. Tosh Hosoda, Staff Planner. There were no questions from the Commission.

No one spoke in favor or in opposition to the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Mr. Bright.

ACTION: Based upon the recommendations of the Director, the Commission recommended approval of the applicant's request, subject to the following conditions, on motion by Mr. Bright, seconded by Rev. Connell:

AYES - Yamabe, Chun, Sullam, Bright, Connell
NAYES - None
ABSENT - None

Conditions:

1. That prior to constructing the off-shore mooring facility, the applicant shall acquire the necessary approvals and permits from all applicable governmental agencies and shall submit proofs of such approvals and permits to the Planning Director;

2. That waste water and sanitary waste disposal systems shall be provided in a manner acceptable to the Department of Health. A certified copy of the Department of Health's requirements shall be submitted to the Planning Director prior to obtaining a building permit;

3. That the proposed use shall operate in a manner consistent with all existing air pollution control requirements as may be imposed by the Department of Health, and shall be required to meet any future requirements as may be promulgated by any applicable agency.

4. That the proposed use shall adhere to the noise and vibration regulations under Performance Standards, Article 2, paragraph D, of the Comprehensive Zoning Code and to any future regulations as may be promulgated by the Department of Health. In the event adherence to noise and/or vibration standards is questioned, the Planning Director may require the owner to conduct studies deemed necessary and appropriate. Results of said studies shall be submitted to the Planning Director for his review and approval. If studies indicate that the use does not comply with applicable standards, the owner shall be required to take corrective actions in a manner acceptable to the Planning Director;

5. That a minimum of 50 parking spaces shall be provided. Said parking spaces shall conform to the off-street parking requirements set forth under Section 21-204 of the Comprehensive Zoning Code.

6. That the off-street loading facilities shall be provided as required under Section 21-205 of the Comprehensive Zoning Code;

7. That a landscaping plan shall be submitted to the Planning Director for his review and approval prior to obtaining a building permit;

8. That any sign or signs to be proposed shall meet the requirements under Section 21-905 of the Comprehensive Zoning Code. In no event shall signs be permitted to be placed on the atmospheric distillation unit, the flare stack, or the storage tanks;

9. That the provisions of the plans approved as part of this permit and on file with the Planning Department shall be followed except as may be altered by the conditions stated herein;

10. That, in the event the approved use of this permit is terminated by the owner for a period of more than six (6) consecutive months, the Planning Director may take action to revoke the conditional use permit;

11. That the applicant shall properly file for a building permit with the Building Department within one (1) year from the date the conditional use permit is approved. If necessary, the time limit may be extended by the Planning Director provided the applicant makes a request in writing and submits reasons which the Planning Director feels justifies the time extention;

12. That the applicant shall submit to the Planning Director annually, a statement with supporting evidence indicating compliance with all conditions stated herein and said statement shall be provided in a manner acceptable to the Planning Director;

13. That, in the event all conditions as set forth herein are not being met, the Planning Director may take action to terminate the use or halt its operation until such time as full compliance is obtained;

14. That the recorded owner of the land encompassed by this conditional use permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions;

15. That a certified copy of the documents as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation prior to issuance of a building permit; and

16. That any modifications to the conditions stated herein shall be approved by the City Council.

GENERAL PLAN DLUM AMENDMENT HAWAII-KAI MAKAI-KOKO HEAD CORNER OF LUNALILO HOME RD. & KAUMAKANI ST. IN HAWAII KAI TMK: 3-9-40: 9-11, PORTION OF 40 STATE OF HAWAII DEPT. OF ACCOUNTING & GENERAL SERVICES	A public hearing was held to consider a proposal to amend the General Plan Detailed Land Use Map for Hawaii Kai on the Makai-Koko Head corner of Lunalilo Home Road and Kaumakani Street in Hawaii Kai from Residential to Public Facilities Use (Community Library), and identified as Tax Map Key 3-9-40: 9-11, portion of 40. Publication was made February 7, 1971. No letters of protest were received. Mr. Bill Bartlett reviewed the staff's report. There were no questions from the Commission concerning the report.

Mr. Clarence Rawhouser appeared on behalf of the Hawaii Kai Communities Council and presented a letter supporting this proposal, dated and signed by Mr. Tim Ewald, President of the association. As an individual resident, he also requested the Commission's favorable consideration of this matter.

No one spoke AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Rev. Connell, seconded by Mr. Bright.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, on motion by Mr. Bright, seconded by Rev. Connell.

AYES - Yamabe, Chun, Sullam, Bright, Connell
NAYES - None
ABSENT - None

PUBLIC HEARING
PLANNED DEVELOPMENT
SHOPPING CENTER
DISTRICT
ALIAMANU
SALT LAKE BLVD. &
ALA LILIKOI ST.
BRADLEY INVESTMENT
CORPORATION
BY: MORIO OMORI
(File #70/PD-SC-10)

The public hearing held January 7, 1971 was kept open and action deferred for a market analysis and traffic study by the applicant.

The Director reported that the applicant has submitted a market study, and a traffic analysis for the intersection of Ala Lilikoi Street and the proposed widening of Salt Lake Boulevard. A letter of protest was received from Mrs. Lorna W. Over, Manager of the Moanalua Shopping Center. (Contents of this letter are included under comments AGAINST the proposal.)

In reviewing the staff's supplemental report, Staff Planner Hal Murphy pointed out the following:

1. The staff supports the market study conducted by the applicant.

2. The Traffic Department supports the traffic study that was required of the applicant.

3. Two major modifications suggested by the staff have not been met by the applicant:

   a. To retain the knoll abutting Ala Ilima Street to provide a natural buffer for the existing residential area from the proposed shopping center.

   b. Modification of design plans to break-up the large expanse of asphalt flat roof, approximately 80,000 feet, which would be exposed to adjoining residential areas.

   The staff's main concern is since this is the first PDSC, the proposal, design-wise, should be an attribute to the area and not be in anyway detrimental to it.

The Commission questioned the staff concerning landscaping--

1. What assurance is there that increased landscaping as suggested by the staff will be effected?

2. Whether there are controls over areas designated for landscaping?

The staff is satisfied that these points are covered in the recommended conditions. After the City Council reviews and adopts these condtions, then the Director has the authority to require additional landscaping, and to designate specifically what areas are to be landscaped.

The staff is particularly looking for increased landscaping in the parking lot area in more finalized plans than the applicant has presented.

The applicant has made a point that they are providing more parking spaces than actually required. This is an opportunity to reduce the number of parking stalls and to increase landscaping accordingly.

Testimony AGAINST the proposal was given by--

1. Mrs. Lorna W. Over, Manager, Moanalua Manor/Terrace Shopping, Inc. dba Moanalua Shopping Center (submitted written statement)
2. Harry Tanaka, Attorney for More, Inc., dba Gibson's (submitted written statement of associate Ralph T. Yamaguchi who could not be present at hearing)
3. Mr. Francis Sugai, Jumbo's Drive-In (submitted letter dated Feb. 11, 1971)
4. Mr. Masa Uyejo, Proprietor, Masa's Cafeteria (submitted letter dated Feb. 11, 1971)
5. Mr. Kenneth Sugimoto, Owner, Pokey's Restaurant and Delicatessen (submitted letter dated Feb. 12, 1971)
6. Mr. Neil Sutherland, representing Foodland Supermarket (presented written statement dated Feb. 18, 1971, signed by Maurice J. Sullivan, President, Foodland Super Market, Ltd.)

Reasons for objecting:

1. The services and shops offered by the Moanalua Shopping Center and other shopping facilities in the Aliamanu area are ample to serve the community.

2. The high percentage of military personnel evident in the area, the crux of the area's marketing and trading field, enjoy commissary and post exchange privileges, and are serviced by nearby military facilities such as Tripler, Shafter, Hickam, and Pearl Harbor. This eliminates a major portion of the population that would patronize the proposed shopping center.

3. In addition to the Mapunapuna business district, the residents of Aliamanu may shop at Pearl Ridge Shopping Center only a short distance away.

4. Substantial investment was made to provide goods and services to people in the Aliamanu and Mapunapuna area. Granting of the application would:

   a. Reduce the value of the Mapunapuna shopping area both from the standpoint of the buying public and the operator.

   b. Place an economic burden on all businesses now located in the two existing shopping centers as well as the tenants of the new center.

There are not enough bodies or consumer dollars to economically justify a third civilian shopping center in this trading area.

5. Salt Lake Boulevard is narrow, not well-maintained, and inadequate to service the proposed shopping center. Plans to develop Salt Lake Boulevard may take an extremely long time.

The following people testified FOR the proposal:

1. Morio Omori, Attorney for the applicant
2. Mr. Alan C. Beall, C.S.M., President, Hawaii Shopping Center Corp. (submitted Market Study covering the proposed shopping center)
3. William Hong, Traffic Consultant

Reasons in SUPPORT--

1. This proposal is for a neighborhood shopping center which covers 2 acres or more, and conforms to all legal requirements under Article 10-D, of the CZC. In his review of each pertinent section, Mr. Omori pointed out that the allowable floor area under PDSC is 168,000 sq.ft. Their plan proposes 78,500 sq.ft. which is way below 50% lot coverage.

2. Despite the staff's supplemental report, the applicant has followed most of the staff's recommendations. Because of stringent requirements under PDSC, various alternative concepts were suggested and this is the best plan they arrived at from the standpoint of efficiency and aesthetics.

   Disagreement lies in the area of aesthetics. While the staff does have the authority of design aspects under PDSC, the applicant feels that some reasonable consideration should be given to the needs and philosophies of tenants, and not to the philosophies of architects alone.

3. A Market Study conducted for the proposed shopping center shows that a need exists for a neighborhood shopping center in the subject vicinity. The study encompasses the analysis of the population and number of households in the primary trade area, income levels, consumption patterns, and expected sales volumes at the proposed center, and investigates the effect of the proposed center on nearby retail operations. Analyses were based on the existing population and number of households residing in the trade area. If the expected increases were considered, more favorable findings would have resulted.

   Only a nominal impact on sales will be felt by merchants at Moanalua Shopping Center and Gibson's if the shopping center were developed and operating at the present time, as households at Lakeside Subdivision are not a part of Moanalua Shopping Center's primary trade area and because Gibson's has an effective trade area which extends far beyond the trade area of the subject center.

The following data was presented:

a. Definition of a Neighborhood Shopping Center - As defined in Robert Kratovil's Real Estate Law, 1964 Edition, neighborhood shopping centers "are sometimes known as convenience centers, since they primarily handle convenience merchandise used for daily living needs, such as groceries, drugs, variety items, and cleaning and pressing, and barber and beauty shops. Such centers require a minimum of 1,000 families within a one-mile radius and require from five to ten acres for the site area. The principal store should be a supermarket. This type of center usually has from ten to fifteen stores."

b. Function - The market area is not a simple function of the population or the household but a combination of household, number of households, the income levels of those households, and the spending patterns of those households.

c. Study considered--

(1) Military population in primary and secondary market areas
(2) Existing and projected sales of existing commercial facilities in and around the market area

d. Conclusion and support for the proposed shopping center encompassed an analysis of types of goods offered in the center, and size of the center.

It would take approximately 2,600 households in the primary area and 3,000 within the secondary to support the center with an adequate sales volume.

Facts--

(1) Number of households in primary and secondary areas

There are 3,395 households in the primary area as opposed to 2,600 used as the criteria; 1,635 military and 1,760 non-military households

Secondary area contains 3,965 households as opposed to a criteria of 3,000; 698 military and 3,267 non military

Total households for combined areas is 7,360; 2,333 military and 5,027 non military

(2) Income levels and spending patterns of households--

$79,576,000 - spendable income
62,863,000 - available for consumption

$ 6,400,000 anticipated sales from primary and secondary areas going to proposed shopping center
56,463,000 balance of consumption dollars spent elsewhere in other projects

(3) Summary of total number of households projected to 1974 and 1979 (current figures)

1970 - 7,360
1974 - 9,481
1979 -10,470 anticipate none of this to be military

$181,576,000 - spendable dollars in 1979 from primary and secondary areas alone
17,400,000 - anticipate acquiring
126,022,000 - balance to be spent in other commercial facilities from primary and secondary areas alone

The Commission questioned the applicant on the following areas:

1. Is there an economic threat to the existing Gibson and Moanalua Shopping Centers as a result of the proposed neighborhood shopping center?

   No. The market area contemplated is very conservative. They recognized the existence of both shopping centers and narrowed their market so that they minimized the overlap with their market area. If the total market included areas around Gibson, on the makai side of Nimitz Highway, and Aiea, the figures would be substantially increased.

2. To what extent were military families considered in the study?

   They considered each military household, total persons in the household, the total number of households, income levels of each household, spending patterns separately for military and non-military. They allocated a level of spending by each category of merchandise to determine what types of merchandise they would carry. They estimated how much of each of those categories they would acquire. The overall figures for the military, and the percentage they hoped to obtain in spending dollars were nominal.

3. To what extent did they count on the military expenditure patterns contributing to the economic viability of the proposed shopping center?

   For a comparison between civilian and military families in the primary area, their sales would be $4,353,000 from non-military, and $516,000 from military households which means that 11% of their total sales volume would be military. In the primary trade area, approximately one-half of households are military.

4. Was the proposed shopping center at Pearl Ridge considered in their study?

   It was. Pearl Ridge is a regional shopping center dealing primarily in comparison goods. Its economics are based on population of the entire region.

5. What effect would the availability of the Pearl Ridge shopping center have on some of the secondary shopping areas and on the subject project?

   There is no effect beyond what has already been indicated. The applicant will capture only a small portion from the secondary area with the remainder going to other facilities of which Pearl Ridge is one.

6. Is there any geographical criteria as to how large an area a neighborhood shopping center should serve?

   There have been geographic areas set out in standard definition; however this depends on the shopping center as a matter of convenience and its accessibility. For instance, a narrow winding road limits the market where a wide accessible road increases it.

   Another psycological point is that people tend to shop in a familiar area which in this case would be people in the immediate area.

7. Why are there two access points for ingress and egress, on Salt Lake Boulevard?

   This was requested by the Traffic Department. One of the requirements was that the applicant have a driveway plan which would have built-in capabilities of relieving Ala Lilikoi and Salt Lake intersections. When Salt Lake Boulevard is improved, a medial strip will be constructed so that left turns into driveway B will be prohibited.

   On the Ewa end of the shopping center, a sheltered left turn will be protected by the Salt Lake medial strip. In effect, the left turn in will bleed off any left turns which may be forced to execute a left turn to Ala Lilikoi. The driveway will relieve the Ala Lilikoi and Salt Lake intersection.

8. Were pertinent communities contacted?

   There was a meeting with the Salt Lake Community Association at which time the proposal was presented. The reaction was that the proposal would be a good convenience center for people in the area.

There were no further questions, and no other person was present to speak either for or against the proposal.

<u>MOTION</u>: Mrs. Sullam moved that the Commission defer action until the following problems have been resolved:

1. Some of the questions posed by the Planning Department as outlined are met by the applicant, particularly landscaping and roofline design;

2. The applicant work together with communities in the immediate area as far as amenities are concerned.

The motion failed due to the lack of a second.

MOTION: Mr. Chun moved, seconded by Mr. Bright, that the public hearing be closed and the matter taken under advisement.

AYES - Yamabe, Chun, Sullam, Bright, Connell
NAYES - None
ABSENT - None

MOTION: The Commission deferred action for one week, on motion by Mr. Chun, seconded by Mr. Bright.

AYES - Yamabe, Chun, Sullam, Bright, Connell
NAYES - None
ABSENT - None

RECONSIDERATION OF COMMISSION ACTION RE MAKAHA SURFSIDE DEV. CO. (Zoning A-1 Apt.)

Chairman: Next item on the agenda, reconsideration of an application from Makaha Surfside Development Company.

Does any of the Commission members wish to have any further discussion or presentation from the staff? This matter was put up for a vote for reconsideration and the motion carried.

Commissioner Sullam?

Sullam: At one time there was material brought to us showing us what was happening along the coast here, and also telling us what was outlined in the general plan. We were solicited for our feelings. Most of us said that we felt that all lands makai of Farrington Highway should be kept low density as possible in order to insure accessibility to the ocean. With that thinking in mind, I feel that our decision on this application was consistent, that is when we denied the request for rezoning.

I'm wondering, in view of the fact that the general plan indicates apartment, should we not recommend to the Director that he amend the general plan?

Chairman: Mrs. Sullam, that is your prerogative or anyone else's prerogative. This recommendation can be made individually or as a body. That is very much in order.

Any further discussion?

Chun: Mr. Chairman, I wonder if the Director may possibly give us a little history or a little background as to the size of the area makai of the park, its present ownership, and its future plans with respect to utilizing it for park purposes.

Way: Mr. Chairman, I believe Mr. Chun is talking about the area immediately in front of the parcel. The general plan does indicate the detailed land use map for park purposes. In effect, it's an extension of Mauna Lahilahi Park on the Makaha side of the parcel over to the Waianae High School. The one bit of history that comes to mind is that this area has been proposed by the administration and in fact was proposed in the budget request, the CIP request of 1970-71, for acquisition. Also, that recommendation was favorably considered by the Commission. I would like to note that the City Council deleted this from the CIP request. It is likely that the administration will renew that request for park acquisition.

In terms of size, the parcel is somewhere between - somewhat over a hundred to possibly 200 feet in depth. In area, roughly 5 to 7 acres in a range of park land is what we're talking about in that portion only, that's immediately fronting the parcel. Mauna Lahilahi Park is somewhat larger, of course. That I think represents a bit of history with reference to the administration's concern about the park needs in the vicinity.

As far as ownership, I observe that there are some parcels in that frontage portion in the makai park presently owned by the applicant, Makaha Surfside. There are some other parcels in there owned by others. I don't know that there's any public ownership of land in that area. Do you recall Bruce?

Bruce Duncan: I believe there's one area of land that's owned by the federal government.

Way: In the frontage area?

Duncan: Here (pointing to map).

Way: Okay.

Chairman: Are there any other questions?

I believe this question was asked one time before, but are you in position at this time, Mr. Director, to tell us whether the staff is prepared to make a recommendation eliminating all the development on the makai side other than single family units?

Way: No. We're not prepared to make such a recommendation, Mr. Chairman.

Chairman: What is your pleasure?

Bright: Mr. Chairman, I move that we recommend the change in zoning from R-6 Residential to A-1 Apartment district. At the same time we'd like to have the planning staff make a detailed review of the detailed land use map with respect to this area and come up with some specific recommendations.

Chun: Second the motion, Mr. Chairman.

Chairman: It's been moved and seconded that the Commission recommend approval of the change in zoning from R-6 to A-1 Apartment, and also to have the staff to make a detailed study of this area to determine the actual need, more specifically speaking of eliminating all - anything other than residential single-family unit development on the makai side of the highway.

Discussion?

Sullam: Yes. Why are we doing this? Actually the applicant can come in with a planned unit development, can he not?

Chairman: Yes he can.

Sullam: And the very proposal that he presented to us at the public hearing could come under a planned unit development?

Chairman: The answer's yes.

Sullam: So I see no need to change the zoning. That's the way I see it.

Chun: Mr. Chairman, question of the Director. With respect to planned development housing in an R-6 district, will those densities be greater than those under an A-1?

Way: Mr. Chairman, it's a complicated question but there could be a range of densities under the R-6, and it would depend on the distribution of unit sizes. For example, if it were predominantly one-bedroom or studio-type units, it could have quite a number of units. As I remember, the figures we have under an R-6 about 80,000 square feet, we did make an analysis under R-6 for a planned unit development. Unless the unit were fairly small, there could be possibly as many as 220 or 230 units. If they were medium size, maybe 150 or thereabouts.

Under A-1 zoning, for smaller units we could get 300 and for larger units maybe 350. I'm thinking of some allowed for 2-bedroom units in the distribution.

If incidentally it went to A-1 PD, you could get upward of 300 to 400 units. Those are approximate figures but it would depend on floor size.

Sullam: Didn't we at one time request that the planned unit development be studied and that we have certain guidelines for areas such as along the beach and areas against mountains, that we felt there should be certain restrictions on height and density relating to the planned unit development and its specific location?

Way: I'm sorry. I don't remember that that was a specific request. It may well have been.

Sullam: Yes. I do remember when we had a planned unit development proposed along Kalanianaole Highway, the Crown Corporation. We had a similar feeling that it wasn't consistent with the feeling of the land and the community.

Chairman: I do believe Mr. Way said there might have been such a request. Any further discussion on this?

Chun: One question of the Director, Mr. Chairman. In light of all testimony that has been presented before the Commission, Mr. Director, is the staff recommendation still the same?

Way: Yes, Mr. Chairman.

Chairman: Any further questions? Discussion? All in favor signify by raising your right hand. (The motion carried.)

AYES - Yamabe, Chun, Bright, Connell
NAYES - Sullam
ABSENT - None

CENTRAL BUSINESS DISTRICT ESTABLISHING HISTORIC CULTURAL & SCENIC DISTRICT HONOLULU CIVIC CENTER MAKAI RIM OF PUNCH-BOWL TO THE SEA, EXTENDING FROM SOUTH STREET TO DIAMOND HEAD EDGE OF DOWNTOWN OF RICHARDS, BISHOP AND PALI HWY. PLANNING DIRECTOR

Rev. Connell had declared a conflict of interest on this matter and was not present during its deliberation.

Chairman: Next matter on the agenda is the Civic Center Ordinance. We've had sufficient discussion on the matter. Is further information or orientation from the staff necessary?

Chun: Mr. Chairman, the last time this matter was deferred for a larger Commission. We're reduced to the minimum available to even have a discussion on this matter. I just wonder if it's going to be fruitful at all.

Chairman: For the benefit of the Commission members, I might point out that we do have a couple of communications here, one in particular from the Honolulu Medical Group requesting that we move on this matter expeditiously because there is some problem related to their development if this is further delayed. There's also another one from the lay Episcopalians.

Sullam: I wish to ask Mr. Mark a question. This is in relation to the communication we had from the Episcopalians. Why is the area mauka of St. Andrew's designated 150 feet when during our original discussion it was 100 feet?

Mark: The original ordinance did show 100 feet in this area. We changed it to 150 feet. The Episcopal Church objected to the 100-foot limitation. Actually, the Episcopal Church asked for 130 feet in that area. On examining the relationship of this area to the capitol, and the view corridors from the capitol, we felt that the Punchbowl area was outside of the views that would cross St. Andrew's property, and also there was a barrier in the Queen Emma Square area, enough tree cover there that would provide enough of the cover even if we did go up to 150 feet. Although the St. Andrew's people asked for 130 feet, we made this 150 feet consistent with the area for Queen's, rather than create a different zone.

Sullam: In other words, you were mainly considering the height views from the capitol, not thinking of what that height will do to abort the feeling of this park concept.

Mark: Yes, that's a good point. Our main concern was the relationship of a 100-foot building here to the capitol, whether a 100-foot building here would dominate the capitol. The answer to that was no.

Two, if the 100-foot building was here, how much of it would be seen from the capitol. Yes, upper floors would be seen from the capitol; however, there was enough tree cover to at least block out the lower part of it.

We did not consider the internal aspects of St. Andrew's itself. The impact of a 100-foot building to the park concept, yes, we have to admit that the 150 feet would rise above the treeline so that it would have a negative effect upon the concept for the park center.

Sullam: I feel if we're going to have a feeling of a park and open space, we really can't allow buildings of 150-foot height

encroaching upon this feeling of openness. I do feel we should go back to our original stand of 100 feet limitation on all land mauka of the capitol building.

Chun: Fredda, is this the only hangup with you, the 150 feet on the area just mauka of St. Andrew's?

Sullam: I even feel Queen's should be 100 feet and no more because actually from the capitol itself, treeline would be about 150 feet. I feel if we are going to have the feeling of a park, we just have to keep out the taller buildings. We have to look up to the sky, the sky is part of this concept. If you put these tall buildings, you don't have that feeling of sky, the openness.

Chun: Mr. Chairman, I come back to the comment I made a few moments ago that this matter was deferred the last time for lack of a full Commission. I don't think we're going to reach any solution at this time. I don't think the Commission should waste any more time on this matter. I move we defer.

Sullam: Why?

Chun: Because I don't think we'll reach a solution at this point, Mr. Chairman.

Chairman: I recognize the impasse, however I would like to once more inform the Commission that there might be some development relying very heavily on the option of the--

Chun: Mr. Chairman, I retract my motion. May I at this time offer a motion to the Commission with its bear quorum. I move we recommend the height restrictions as submitted on the map, with the exception of that area listed as 150 feet just mauka of St. Andrew's Cathedral and the area marked 100 feet on the ewa perimeter of the capital civic center complex, and that those two matters be deferred.

Bright: Second the motion.

Chairman: It has been moved and seconded - what's those two exceptions?

Chun: The 150-foot area mauka of St. Andrew's Cathedral and the 100-foot limitation on Alakea Street.

Chairman: Does everyone understand the motion that has been moved and seconded?

Sullam: Can we have a discussion?

Chairman: Yes. It's open for discussion.

Sullam: I wonder whether Mr. Chun would be amenable to an addition to his motion. Instead of having 150 feet in that entire designation, perhaps make some exceptions for the particular building that is presently being proposed at 150 feet?

Chun: I don't know of any proposal at the present time.

Sullam: The reason I say this is that presently, I understand there is a proposal for a building and I would prefer that there just be this one building because if at any time that building is taken down, they still can cover--

Chun: My motion, Mrs. Sullam, would be that we defer. We do not take action at the present time on those two parcels but let the rest go up to the Council as such.

Sullam: What I'm trying to say is that it would be better just to have a single building at 150 feet rather than to have 150 feet and just 40 percent open space.

Mr. Mark might be able to show us how much of that area could be covered at 150 feet. I think it's a fairly large area.

Chairman: Are you speaking of the Episcopal Church area?

Sullam: No. The Queen's Hospital area.

Chun: My motion did not include that area at all.

Sullam: Everything except those.

Chun: I'm talking about - we approve everything except the two parcels, the one just mauka of St. Andrew's and the other parcel. That's the only two.

Sullam: But I would like to add that we make an exception over in Queen's too.

Chun: I am not amenable to that amendment.

Sullam: You aren't.

Chun: No.

Mark: What Mrs. Sullam is suggesting is that instead of 150 feet for this entire area at Queen's, you approve a 100-foot limitation in this area with the exceptions of these structures.

Sullam: The reason I say that is because one never knows. Maybe 75 years from now these buildings will be removed and new buildings put up, and they could actually go 150 feet and just leave 40 percent open space and we'd have that large structure.

Chairman: Mrs. Sullam, it was my understanding that the 40 percent requirement precluded the possibility of any additional building regardless of considering the existing building, the possibility of tearing down the building. This was my understanding.

The question is whether the requirement of the 40 percent open space would allow any construction other than what is proposed at this time.

Mark: At the present time, it probably would allow future buildings in that area that could conceivably go up to 150 feet. However, two weeks ago Queen's Hospital stated that their plans at present call for only these two structures that we have shown here, the central facilities building would be in this location (pointing to map), and the existing office buildings would be in this location.

Chairman: The maker of the motion indicated that he is not amenable to your suggestion.

The motion is to recommend approval of the total package with the exception of two areas - the 100-foot limitation referring only to the height limit on the Alakea side, and the 150 feet mauka of the Episcopal Church.

Sullam: Well could we recommend that they be particularly sensitive to the 150-foot and 40 percent open space designated around Queen's Hospital?

Chairman: I didn't get your question.

Sullam: We could recommend that even though we recommend approval, that they look into the matter a little further.

Chun: I would approve that, Mr. Chairman. In fact, I would also suggest that with our recommendation to the Council, they be extremely sensitive to all height restrictions placed within this area.

Sullam: There was no second to the amendment and I certainly won't second that amendment, to be sensitive to all areas. I'm just interested in the one area. The one area in question is around Queen's Hospital, and that is the only area which I feel should be viewed with sensitivity.

Chairman: Will the maker of the motion accept Commissioner Sullam's amendment?

Chun: I agree.

Chairman: You accept it.

Chun: One further statement, Mr. Chairman.

Chairman: Not another amendment.

Chun: No, merely a statement for the record which I assume will be going on to the Council eventually. I think the Commission has considered with due consideration, all of the problems involved in the civic center complex, and that although we may not personally approve of all of the restrictions and the height placed on these matters, that this was the recommendation of the Commission.

Chairman: Is that statement an amendment or just an accompanying statement for the record?

Chun: Accompanying statement for the record.

Chairman: Anyone else wish to make a statement for the record?

Bright: I wish to support Mr. Chun's stand.

Chairman: Mr. Director?

Way: I would like to say that I do think the Commission has worked diligently and hard on a difficult issue. There has been a number of extensive and extended meetings considering many difficult problems in reaching a decision in this matter. I would like to express my appreciation to all of the Commission members, particularly on this matter, for their very serious consideration of this subject.

Chairman: Mr. Director, on behalf of the Commission, we accept your - what was it--

Way: Expression of appreciation for work well done.

Chairman: I'm sure the rest of the Commission joins me in extending the same to the staff.

Chun: I move for the question, Mr. Chairman.

Chairman: All in favor? (The motion carried.)

AYES - Yamabe, Chun, Sullam, Bright
NAYES - None
ABSENT - Connell

* * * * * * * * * * * * * *

The Commission, on motion by Mr. Chun, seconded by Mr. Bright and carried, moved that the Planning Director be authorized to establish dates for public hearings on the following item:

ZONING CHANGE FROM R-6 RES. TO B-2 COMM.BUSINESS WAIANAE MAUKA SIDE OF FARRINGTON HWY. AT LUALUALEI DAVID OKIMOTO	1. The proposal is the construction of a one-story grocery store with approximately 23 parking spaces and a loading area.
IMPROVEMENT REVOLVING FUND DEPT. OF PUBLIC WORKS	The City Council referred to the Planning Commission for its review and comment, a proposal transferring $125,000.00 from the Improvement Revolving Fund to the Department of Public Works for acquisition of certain parcels connected with the extension of Pensacola Street.

No discussion followed.

ACTION: Mr. Bright moved, seconded by Rev. Connell, that the Commission recommend the approval of the proposal for the purpose stated.

AYES - Yamabe, Chun, Sullam, Bright, Connell
NAYES - None
ABSENT - None

ADJOURNMENT: There being no further business, the meeting adjourned at 5:30 p.m.

Respectfully submitted,
Henrietta B. Lyman
Henrietta B. Lyman
Secretary-Reporter II

File copy

Special Meeting of the Planning Commission
Minutes
February 25, 1971

The Planning Commission met in special session on Thursday, February 25, 1971, at 8:45 a.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Roy R. Bright
Philip T. Chun (present from 9:05 a.m. to 9:55 a.m.)
Rev. Eugene Connell
Fredda Sullam

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
William Bartlett, Staff Planner
Bruce Duncan, Staff Planner
Tosh Hosoda, Staff Planner

ABSENT:
James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

MINUTES:

The minutes of January 21, 1971, as circulated, were approved upon the motion by Mr. Bright, seconded by Rev. Connell, and carried.

The minutes of February 4, 1971, although approved, were corrected as follows:

Page 13--the last line of Mrs. Sullam's statement was corrected to read: "of the Planning Director's recommendation that the present CZC requirements concerning cross slope lots be maintained."

The correction, as stated, was approved upon the motion by Mrs. Sullam, seconded by Rev. Connell, and carried.

PUBLIC HEARING
SPECIAL PERMIT/
CONDITIONAL USE
PERMIT
HAUULA
HALAI STREET
MYRA WATTS
(FILE #70/CUP-34)

A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider an application for a Special Permit under Section 205-6, Hawaii Revised Statutes, as amended, relating to the Land Use Law, and a Conditional Use Permit under Article 2, Part E, of the Comprehensive Zoning Code, to permit the establishment of a child care center for 50 preschool age children on a parcel of land containing an area of 43,670 square feet situated on Halai Street in Hauula and identified by Tax Map Key 5-3-15: Parcel 8. The subject parcel is zoned AG-1 Restricted Agricultural District and is situated within the Agricultural District of the State Land Use Commission.

The notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of February 14, 1971. Copies of the hearing notice were sent to the applicable governmental agencies and to interested parties. No written protests or comments have been received to date.

Tosh Hosoda, staff planner, presented the highlights of the applicant's proposal and the staff's analyses. Based upon the staff's findings and comments from other governmental agencies, the staff's recommendation is for denial of this particular application for the following reasons:

1. Halai Street, which has a pavement width of 17 feet with no curbs, gutters, and sidewalks, and serving the site, is inadequate to accommodate the anticipated traffic generated by the proposed use. The street is constructed to agricultural standards.

2. The use of cesspool for the disposal of sewage may cause problems because of the high water table in the area. The Department of Health has experienced problems in the past because of surcharging of cesspools in this general area.

3. The land is appropriate for agriculture and agriculturally related activities; therefore, the proposed use would be contrary to the objective sought to be accomplished by the Land Use Laws.

4. An open drainage ditch that runs along the rear portion of the subject site could be a hazard to the small children.

5. The proposed use would be better located in an area that is within or near the residential areas it is to serve and is easily accessible.

Testimony was heard from the public.

Mrs. Myra K. Watts, applicant, gave testimony as follows:

1. She is the owner of the subject parcel upon which the day care center is to be located. She purchased the adjacent parcel to meet the lot frontage requirement.

2. The drainage ditch referred to is the same drainage ditch that runs directly in the back of Hauula School which is located only a short distance away from her property.

3. There should not be much problem with cesspools because the 3 to 4 year old children that she will be caring for would not generate that much waste. Hauula School, whereas, uses cesspools which are constantly being pumped out by the City. The School has an enrollment of about 600 children in the older age group.

4. Hauula Homestead Road which provides access to her property is considered to be a Civil Defense Road and used by the residents for evacuation purposes during tidal wave alerts.

5. She checked all over Hauula looking for an appropriate site for the day care center. Available residential zoned lands were found to be unsuitable because of steep terrain.

6. Because she believed that her proposed program qualified under the Community Action Program, she enrolled 96 children covering the ages from 2 to 5, about three years ago, because they were not included in the City and County Summer Recreation Program. She later learned that the CAP does not handle this type of program.

7. She decided to cease the program but found that she could not because, in the meantime, some of the mothers had obtained employment while others had gone back to school. These people had no place to leave their children.

8. Different agencies, such as the Community Red Feather, the Ford Foundation, and even Kamehameha School and the Liliuokalani Trust were asked for help because the children she services are all Hawaiian. She was appalled at the conditions that existed in the area. Liliuokalani Trust has agreed to sponsor the program.

9. Her enrollment was reduced to 12 children because there are no facilities to care for them. She has a waiting list of 20. Selection was restricted to children of parents who actually are working or are in school.

10. Recently, the Methodist Church in Kahuku asked her to start such a child care center in Kahuku but she declined because she wanted to work with the Hawaiian people in the Hauula area.

11. The cooperation she is now receiving is overwhelming. The Congregational Church and the Evangelical Association now have funds to help the Hawaiian people.

12. The proposal for construction of a house was to be prepared for the day when the State, Federal, or some other group or agency should assume control over child care services. When that happens, she would be able to convert to a conventional home loan and the center would become her home.

13. The financing of this project will be through the Small Business Administration Loan because this is a poverty area. Her group was incorporated as a nonprofit organization but they had to make a switch to a profit making venture because SBA funds are not released for nonprofit ventures.

(Commissioner Chun was present from about this point of the meeting.)

There was no one to testify against the application. No one else spoke in support of the application.

Mrs. Sullam expressed her desire to keep the public hearing open for one week to see how much enthusiasm could be generated for the project. She noted the lack of publicity and limited testimony on the proposal.

ACTION: Mrs. Sullam's motion to keep the public hearing open for one week was seconded by Rev. Connell and carried.

AYES: Sullam, Connell, Bright, Chun, Yamabe
NAYS: None

PUBLIC HEARING SPECIAL PERMIT WAIPIO PENINSULA WAIPAHU DEPOT ROAD DEPT. OF PUBLIC WORKS, C & C OF HONOLULU (FILE #70/SUP-3)	A public hearing was held, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, to consider an application for a Special Permit under Section 205.6, Hawaii Revised Statutes, as amended, relating to the Land Use Law, to construct two sewage stabilization ponds on a 10.2-acre site situated on Waipio Peninsula, off Waipahu Depot Road, identified by Tax Map Key 9-3-2: portion of Parcel 1, zoned AG-1 Restricted Agriculture and situated within the Agricultural District of the State Land Use Commission.

The notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of February 14, 1971. Copies of the hearing notice were sent to the applicable governmental agencies and to interested parties. No written protests or comments have been received to date.

Mr. Chew Lun Lau, representative from the City and County Department of Public Works, gave a brief background report on studies made of the Waipahu Sewerage System dating back to 1922, the present method of sewage disposal, and the new proposal to construct two sewage stabilization ponds at Waipio Peninsula to provide biological treatment of raw sewage from the Waipahu Sewage Pumping Station Force Main before the effluent is discharged into Middle Loch, Pearl Harbor. This treatment facility would be an interim measure until a permanent sewage disposal system is developed and completed for the Pearl Harbor area.

The time schedule for construction of the interim facility is April, 1971 with completion in October, 1971. Funds for the construction have been appropriated by the City Council and the contract for construction will be awarded when the City obtains the Special Permit from the State of Hawaii and a right-of-entry from Oahu Sugar Company. This proposal is a step forward in upgrading the water quality of Pearl Harbor. Within five years they hope to terminate all discharge of sewage effluent into Pearl Harbor by transporting it to Ewa for treatment and disposal.

Bruce Duncan, staff planner, pointed out the site of the proposed stabilization ponds. The land is owned by the military and used for cultivation of sugar cane. The nearest residential development is located approximately 2,000 feet mauka and upwind from the site.

The staff's recommendation is approval of the Special Permit subject to the following three conditions:

1. Construction shall commence within six months of issuance of the Special Permit.

2. Requirements of the Department of Health including but not limited to chlorination of effluent and termination of ponds upon construction of new facilities shall be met.

3. Following the elimination of the need for waste stabilization ponds, the area shall be returned to its original condition prior to construction.

Questioned by the Commission, Mr. Lau gave additional information as follows:

1. The effluent from the pond is of sufficient quality that there is no reason why it could not be utilized for irrigation purposes. The consultants for the City will recommend that the secondary treated effluent be utilized wherever and whenever possible. There is a possibility in the Ewa plains for reclamation of waste for cane irrigation purposes.

2. The use of the effluent for irrigation of the nearby municipal golf course was brought out at one time, but because the amount of waste presently being discharged into Pearl Harbor--about 2 million gallons a day--is far in excess of need, the problem then becomes of storage of the excess.

3. The facility will actually cover approximately 13.571 acres. The 10.2 acres mentioned cover only the water surface area of the ponds.

4. The Corps of Engineers has submitted a letter stating that a permit to discharge into Middle Loch is not required.

5. No fence will be provided around the ponds because the area is restricted with locked entrances.

6. Within five years they hope to eliminate all discharge into Pearl Harbor and provide sewer service in the Ewa Beach and possibly the Barbers Point area. However, completion of the entire project within that time period will depend on funding from the Federal, State, and City and County government because of need for sewer services in other areas of the island.

7. The cost of this particular project will not be more than half a million dollars, but the estimated cost of the entire program for the area is $50 million.

No one spoke in opposition to or in support of the application.

<u>ACTION</u>: The Commission closed the public hearing and took the matter under advisement upon the motion by Mr. Bright, seconded by Rev. Connell, and carried.

AYES: Bright, Connell, Sullam, Chun, Yamabe
NAYS: None

Since by statutory provision the Commission cannot take action until after 15 days from the close of the public hearing, no action was taken on this matter.

PLANNED DEVELOPMENT-SHOPPING CENTER
ALIAMANU
SALT LAKE BOULEVARD AND ALA LILIKOI ST.
BRADLEY INVESTMENT CORPORATION
BY: MORIO OMORI
(FILE #70/PD-SC-10)

The public hearing held on February 18, 1971, to consider an application to establish a Planned Development-Shopping Center District on a 7.6 acre-parcel of land situated at the corner of Salt Lake Boulevard and Ala Lilikoi Street in Aliamanu was closed and the Commission had deferred action for one week for further study of the proposed project. Because of opposing views on some of the conditions and design concepts recommended by the staff, the staff was requested to discuss the matter with the applicant.

The Director reported no significant change or alternate proposals by the applicant other than what had been previously presented. The staff is not imposing any further conditions but is adhering to the original recommendation made in the staff's report.

The Commission expressed a desire to discuss this matter more thoroughly.

ACTION: Mr. Bright's motion to defer this matter for one week was seconded by Mr. Chun and carried.

AYES: Bright, Chun, Connell, Sullam, Yamabe
NAYS: None

LAND USE COMMISSION PETITION
URBAN DISTRICT
WAIPIO
HKH VENTURES
(FILE #71/LUC-1)

A petition to the State Land Use Commission requesting an amendment to the State Land Use District Boundary from Agriculture to Urban District for land situated in Waipio was reviewed by the Commission. The subject area is identified by Tax Map Key 9-4-07: portion of Parcel 19, and contains 9 acres.

William Bartlett, staff planner, presented the staff's findings and analyses of the request. Essentially, the evaluation revealed that the subject area is:

a. adjacent to an existing urban development to which all essential services are provided;

b. in proximity to basic urban services and centers of trading and employment; and

c. designated on the General Plan for urban use.

The applicant supports his petition by indicating that there is a shortage of housing units for the moderate income families and that he would attempt to reach this market through the FHA 236 Program. The proposal is to develop low density apartments in an arrangement of three story buildings and townhouses.

The staff is in agreement that there is a shortage of housing units for the low and medium income families; however, it has not evaluated the specific proposal for the low density apartment development. Since the applicant must apply to the City for a General Plan amendment to implement the apartment development should the boundary change be approved by the Land Use Commission, the staff could analyze the proposed use much more carefully at that time. Based upon studies conducted, the staff feels that the proposed change meets the standards set forth by the Land Use Commission for an Urban District and recommended that the petition be approved.

ACTION: Upon the motion by Mr. Bright, seconded by Mr. Chun, and carried, the Commission concurred with the Director's recommendation that the petition be approved and the subject area be placed within the Urban District, but without an evaluation of the proposed use of the area for low density apartments.

AYES: Bright, Chun, Connell, Sullam, Yamabe
NAYS: None

(Mr. Chun was excused and was not present during consideration of the following matters.)

PLANNED DEVELOPMENT HOUSING DISTRICT KAHALUU, KAALAEA WAILEHUA ROAD TYRELL & SCHRADER CORPORATION

The Chairman read the letter submitted by Tyrell & Schrader Corporation requesting a reconsideration of its application made for a Planned Development-Housing District for parcels of land situated on Wailehua Road in Kaalaea, Kahaluu. The letter cited the bases for the reconsideration. The Commission had recommended denial of the application at its January 7, 1971, meeting.

It was reported by the Chairman that the application is presently before the City Council Planning and Zoning Committee for consideration.

The Commission stated that the new testimony given is no different from that reviewed at the public hearing. The basic objections raised by the opponents regarding flooding, inadequate sewage disposal facility, and inadequate road system remain the same. The Commission noted that the applicant is not precluded from making another application based on new set of plans.

ACTION: Mr. Bright's motion not to reconsider this particular application was seconded by Rev. Connell and carried.

AYES: Bright, Connell, Sullam, Yamabe
NAYS: None
ABSENT: Chun

MISC.
ASPO CONFERENCE

The annual conference of ASPO will be held in New Orleans from March 27 to April 1, 1971. A few members of the staff and representatives from the Planning Commission usually attend these conferences.

Since the ASPO conference would be extremely rewarding and educational for the members of the Commission, the Chairman encouraged attendance by all members and as many staff members as possible if the budget permits.

Mr. Bright who had attended one of these conferences excused himself from attendance and stated that others should be given the opportunity to attend. Rev. Connell also excused himself since the conference dates conflict with another conference that he must attend.

ACTION: Rev. Connell's motion to recommend that three members of the Commission be sent to the conference was seconded by Mr. Bright and carried.

AYES: Connell, Bright, Sullam, Yamabe
NAYS: None
ABSENT: Chun

Upon the motion by Mr. Bright, seconded by Rev. Connell, and carried, the Commission authorized the Planning Director to establish the public hearing date to consider the following item:

GENERAL PLAN DLUM AND DP AMENDMENT WAIKIKI KUHIO AVENUE CITY AND COUNTY OF HONOLULU (FILE #148/C3/15)

A proposal to amend the General Plan Detailed Land Use Map and the Development Plan for Waikiki, Section "A", by varying the alignment of Kuhio Avenue between Kaiulani Avenue and Kapahulu Avenue.

ADJOURNMENT: The meeting was adjourned at 10:20 a.m.

Respectfully submitted,

Carole A. Kamishima

Carole A. Kamishima
Secretary-Reporter

Meeting of the Planning Commission
Minutes
March 4, 1971

The Planning Commission met in regular session on Thursday, March 4, 1971, at 2:05 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Richard K. Sharpless, ex-officio

STAFF PRESENT: Jack Gilliam, Branch Head, Development Controls
Roger Harris, Observer

ABSENT: Robert R. Way, Planning Director
James K. Sakai, ex-officio

PUBLIC HEARING
ZONING CHANGE
FROM R-6 RES. TO
B-2 COMM.BUSINESS
WAIANAE
MAUKA SIDE OF
FARRINGTON HWY.
AT LUALUALEI
DAVID OKIMOTO

A public hearing was held to consider a request for a change in zoning from R-6 Residential to B-2 Community Business District for a parcel of land situated in Waianae on the mauka side of Farrington Highway between Lualualei Naval Road and Haleakala Avenue and identified as Tax Map Key 8-7-08: 62.

Publication was made February 21, 1971. No letters of protest were received.

Mr. Gillam reviewed the staff's report. There were no questions from the Commission concerning the report.

No person was present to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on motion by Mr. Chun, seconded by Rev. Connell.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, on motion by Mr. Chun, seconded by Mrs. Sullam.

AYES - Yamabe, Chun, Sullam, Bright, Connell
NAYES - None
ABSENT - None

PUBLIC HEARING
SPECIAL PERMIT/
CONDITIONAL USE
PERMIT
HAUULA
HALAI STREET
MYRA WATTS
(File #70/CUP-34)

The public hearing held February 25, 1971, was kept open and action deferred for one week.

After the public hearing is closed, action shall not be taken earlier than 15 days. The Commission must act on the Special Permit and forward its recommendation to the State Land Use Commission within 10 days after the decision is rendered. A decision in favor of the applicant shall require a majority vote of the total membership of the Planning Commission.

No discussion followed.

No person was present to speak either in FAVOR or in OPPOSITION to this proposal.

The public hearing was closed and the matter was deferred for a period of 15 days, on motion by Mrs. Sullam, seconded by Rev. Connell and carried.

PLANNED DEVELOPMENT
SHOPPING CENTER
DISTRICT
ALIAMANU
SALT LAKE BLVD. &
ALA LILIKOI ST.
BRADLEY INVESTMENT
CORPORATION
BY: MORIO OMORI
(File #70/PD-SC-10)

The public hearing was closed on February 18, 1971. At the February 25, 1971 meeting, action was deferred for further discussion.

The Commission discussed the following points:

1. Traffic - There is no definite schedule given by the Traffic Department when Salt Lake Boulevard will be improved; only that they hope it will be by 1973.

   The staff informed the Commission that engineering drawings for the improvement of Salt Lake Boulevard are underway in the Traffic Department. Actual funding for the project depends upon completion of those drawings, and upon construction priorities given either by the City or the State.

2. Request was made for revised and more detailed plans.

   The staff indicated that meetings were held with the applicant and the architect. General agreement was reached as to concept scheme; however, detailed drawings have to be made of the concept scheme to show what the revised parking layout would be, the number of stalls that would be lost, and floor area that might be lost because of the redesign.

   The major factor in redesign is retention of the knoll area as a buffer between the shopping center and residential area. The applicant agreed in concept to meet the requirements of the department subject to finalizing of details of the site plan.

3. There was objection to the proposal based upon policy guidelines of the CZC. Recognizing the fact that the CZC provides for PDSCs within residential districts, if the proposal is to be a neighborhood shopping center, the neighborhood should be defined more definitively.

As to actual site location, neighborhood shopping centers should not be placed on the perimeters of the neighborhood, on major arterials, but rather within the neighborhood itself. By the market study presented, the proposal reflects a community shopping center. Rather than use the means of a PDSC to get within a neighborhood or residential district, proper zoning should be sought by an amendment to the General Plan. There is still question whether the proposal is a neighborhood shopping center.

There was no further discussion.

The Commission deferred action on this matter for the submission of more detailed plans by the applicant, on motion by Mrs. Sullam, seconded by Mr. Chun.

*C.I.P. SUPPLEMENTARY APPROPRIATIONS — Three C.I.P. items were reviewed by the Commission:

a. Amendment to C.I.P. supplement No. 1 - Waikiki Natatorium project and Queen Surf Building.

b. Amendment to C.I.P. supplement No. 8 - Deletion of funds for Waipahu Depot inputs.

c. C.I.P. supplementary appropriation request for $123,000 submitted by Building Department for:

Municipal office building	$123,000
Planning & Engineering	$123,000

The staff's report was circulated prior to the hearing.

Mrs. Sullam questioned the discrepancy of $123,000 involved relating to the Municipal Office Building.

Mr. Masaru Sugawa of the Building Department stated that design plans submitted in the design competition were acceptable, preliminary, schematic drawings which have to be developed and expanded, taking into consideration, the requirements of various departments. He felt that the design competition was a misnomer because it was mainly for the selection of an architect. The time allotted in competition was inadequate for competitors to submit more finalized, detailed plans.

The staff pointed out that in the design submittal, provision was made for preliminary space needs. Subsequently, a more detailed study was conducted by a consultant which resulted in the expansion of the preliminary estimate.

ACTION: The Commission recommended approval of the staff's recommendation on motion by Mr. Chun, seconded by Rev. Connell.

AYES - Yamabe, Chun, Sullam, Bright, Connell
NAYES - None
ABSENT - None

AN ORDINANCE TO AMEND ORDINANCE NO. 3622 PLANNED DEVELOPMENT HOUSING DISTRICT NO. 4 AHUIMANU CLUBVIEW

The request is an amendment to Condition No. 9 of the Planned Development-Housing District No. 4 - Ahuimanu, for the purpose of permitting subdivision within the planned development, subject to the approval of the Planning Director. This would be necessary for implementing phased development of the project, and for financing purposes.

The staff recommends approval of the proposed amendment.

The following discussion occurred:

Chun: With respect to the subdivision, will they be considered as separate lots of record?

Jack Gilliam: No, because they would be subdivided specifically for financial purposes. They would be lots of record as long as the mortgage was covering it. However, the planned development still maintains it as one development.

Chun: Would the common areas of development remain the same and would they be crossing the subdivided lot line?

Gilliam: No. The common areas still would have to be self-contained within each unit as the increment phasing. The first increment that goes in would have to meet the recreation requirements and common areas for that unit. As a 2nd increment comes in, they each have to again meet those requirements. So, the subdivision would not be permitted where it would fail to meet the requirements.

Chun: What I'm getting at is this, if we are to consider it as one planned unit, the entire thing as one planned unit, and we're going to subdivide it into increments, will the common areas' piece of increment be appertinent only to those units within that increment, or will they be appertinent to all units within the planned unit development?

Gilliam: They may just be within that unit. Here we get into the maintenance. If they apply only to the unit itself, then there would be separate maintenance agreements with each unit.

Chun: Then, my next question is, do we have one planned unit development, or do we have separate planned unit developments by increments rather than as one whole - as the other one was when they started dividing units, one lot included all of the areas. In this sense, you may possibly have 3 separate common areas, if you have 3 separate increments.

Gilliam: That could be possible.

Chun: The question is then, do we have one planned unit development?

Gilliam: I think so because the total package is planned as a unit. It is all integrated as a unit. Where the money comes from directly, whether it comes from everybody's pocket into one pot, or if you have 3 different pots for maintenance, you still have the total concept being maintained as a unit on your maintenance of your common area.

Chairman: Was this matter checked out with corporation counsel?

Gilliam: Yes it was. They have approved a proposed ordinance on this thing.

Sullam: In other words, if this is the first increment, it is the only increment that will be built, meeting all the requirements and designs - all of the requirements of a planned unit development will have been met?

Gilliam: That is correct. Actually, on the first increment, they will exceed the requirement quite a bit.

Chairman: And every increment will meet the requirement separately?

Gilliam: Right.

Chairman: Not necessarily one increment using the facilities of the open area of another increment?

Gilliam: That's correct. Actually, in this portion, the last unit is the higher density portion - the highrise portion area. The first unit would include the big community center area.

Chairman: Does the last unit also meet the requirement of open area and so forth?

Gill: Yes. As the last unit comes in, it would be consolidated with the other units.

Chairman: You mean the subdivision will be dissolved at that time?

Gilliam: Yes. It becomes a necessary element for financing.

Chun: If in approving the planned unit development, we have in effect approved a complete concept of the entire planned unit development, in subdividing at this time in order to give the developers more leeway with respect to financing so that he can do it on an incremental basis, if he completes only the first increment and does not complete the rest, would he not be in violation of the planned unit development ordinance?

Gilliam: Not necessarily. I would say no because say the first goes in, and the other falls. Those restrictions as such still apply to the remainder area. To do anything with the remainder area other than what was approved, he would have to come back in to remove the planned unit development. In that case, we would still end up with a planned development, first increment.

Chun: That is true, but have we not really approved a complete planned unit rather than one on incremental basis? Because if that is the situation, aren't we doing it in reverse? Should we not really have approved only the first increment and let the rest wait until he came in for them?

Gilliam: No. I think we want to look at the whole site.

Chun: That's what I'm getting at. If we look at the whole site and we approve the planned unit development as a whole, and if he does not complete that planned unit development, actually I think he would have breached the ordinance in the sense that we approved one thing, whereas he intended another, and has only completed the other.

Gilliam: Yes, but to do another he would then have to come back before the Commission with something that would fit in.

Chun: That is true but yet at the same time, we have been led to believe that he is planning one thing but has never completed that development.

Gilliam: This would be in the same type of concept that if you zone something commercial and he never built, and then 5 years later he came in for apartment designation.

This would be the same concept, coming in with a planned development and then something falling off, and then coming in with a revised site plan, but only its a different classification.

The controls are still there even more so than any zoning change that might take place.

Chun: What are the details of that first increment, and what would the lot lines be?

Gilliam: They have not pinned down the lot lines yet because they have not gotten into financing. They asked that this be at the discretion of the planning director.

Chun: On that basis, I move we defer this matter until we know exactly what we're approving.

Connell: Second.

Chairman: It's been moved and seconded that the matter be deferred until the boundaries are drawn by the director for further clarification as to the subdivision.

You might have the corporation counsel also check into the possibility of - say if the staff or the administration changes, and say that they are through with their first, two, three increments, and they have the last increment, if this is subdivided land of record, what possible action might be taken by the administration in the case say if you have a highrise as a last increment, and they don't have sufficient open areas, would they deny such future development as a result of not meeting the qualifications as far as open area and other requirements under planned unit development.

Sullam: Is this something that came up after the whole concept was put together?

Gilliam: Yes.

Sullam: They weren't aware of the need to do this at the outset?

Gilliam: Yes.

Chairman: Any further discussion? If not, all in favor of the motion?

(The motion to defer carried unanimously.)

*STREET NAMES — The Commission, on motion by Mr. Chun, seconded by Rev. Connell and carried, recommended approval of the following staff recommendations:

Proposed street names for Ahuimanu Knoll, Kahaluu, Koolaupoko, Oahu, Hawaii, Tax Map Key 4-7-31: 16.

AHUIMANU PLACE	Dead-end roadway off Ahuimanu Road running in a southeasterly direction.
Meaning:	Birds looking for water.
AHUIMANU WAY	Dead-end roadway off Ahuimanu Place.
KINANA WAY	Dead-end roadway off Ahuimanu Place.
Meaning:	Off-shoot of mother hen.

Proposed Street names for Lunalilo Home Subdivision, Maunalua, Oahu, Hawaii, Tax Map Key 3-9-05: 29.

HOANUANU STREET (Road A) Meaning:	Roadway off Lunalilo Home Road running in a southeasterly direction. Old name for Makaweli, Kauai, Lit., to make cold.
HOANUANU PLACE (Road B)	Dead-end roadway off Hoanuanu Street running in a northeasterly direction.
KAPALAE PLACE (Road C) Meaning:	Dead-end roadway off Hoanuanu Street running in a southwesterly direction. Upper cave at Haena, Kauai. Lit., the pala'e lace fern.
KEWA PLACE (Road D) Meaning:	Dead-end roadway off Hoanuanu Street running in a northeasterly direction. Land section near Wailua, Kauai. Lit., anticipation.
MAKUAIKI PLACE (Road E) Meaning:	Dead-end roadway off Hoanuanu Street running in a southwesterly direction. Ridge, Napali Coast, Kauai. Lit., small parent.
MOKOLEA WAY (Road E-1)	Dead-end roadway off Mokolea Place.

Proposed street names for Ewa Estates, Unit 3, Ewa, Oahu, Hawaii, Tax Map Key 9-1-01: portion of 1.

KEHUE STREET	Extension of an existing roadway to terminate at Kaunolu Street.
KAUWILI STREET	Extension of an existing roadway to terminate at Kaunolu Street.
KAUIKI STREET	Roadway off Kehue Street running to Hanakahi Street being between Kaunolu Street and Laupapa Street.
Meaning:	Point at Hana, Maui., Lit., the glimmer.
KAUNOLU STREET	Roadway off Kehue Street running to Hanakahi Street in a northeasterly direction.
Meaning:	Land division on island of Kauai.
HANALOA STREET	Roadway off Kaunolu Street running

	to Hanakahi Street being in a westerly direction from Kaunolu Street.
Meaning:	Point and fish pond, Waipio Peninsula, Oahu. Lit., long bay.
HANALOA PLACE	Dead-end roadway off Hanaloa Street.

Proposed street names for Waiau View Estates Subdivision, Unit 1-A Waiau, Oahu, Hawaii, Tax Map Key 9-8-02: 3.

NOELANI STREET (Road A)	Extension of an existing roadway proceeding in a southeasterly direction to terminate past Hoohiki Street.
HOOHIKI STREET (Road B)	Roadway running between Noelani Street and Hookaui Street.
Meaning:	To vow, swear.
HOOKANI STREET (Road C)	Extension of an existing roadway proceeding in a southeasterly direction to terminate past Hoohiki Street.
HOOHONUA STREET (Road D)	Roadway off Hoohiki Street running in a semi-loop terminating at Hoohiki Street.
Meaning:	Firmly established.
HOOHULILI STREET (Road E)	Roadway running between Hoohiki Street and Hoohonua Street.
Meaning:	To blaze, dazzle, vibrate, swell.
HOOHUALI PLACE	Dead-end roadway off Noelani Street running in a southwesterly direction.
Meaning:	To polish.

Proposed street name for Frank Antone Subdivision, Heeia, Koolaupoko, Oahu, Hawaii, Tax Map Key 4-5-12: 17.

MAEHA PLACE	Dead-end roadway running off Haiku Road in a southeasterly direction.
Meaning:	Family name.

Proposed street name for Surfside Gardens, Makaha, Waianae, Oahu, Hawaii, Tax Map Key 8-4-17: 7 and 8.

KIAPA PLACE	Dead-end roadway off Farrington Highway running in a northeasterly direction being between Jade Street and Water Street.

Meaning: Swift-sailing canoe.

Naming of proposed streets in the Waimanalo residence lots, 5th series, Tax Map Keys 4-1-08 and 4-1-16, Waimanalo, Koolaupoko, Oahu, Hawaii

KAAIAI STREET	Roadway running between Nakini Street and Huli Street.
KALAU STREET	Roadway running off Nakini Street proceeding in a southeasterly direction being between Hekiliiki Street and Poliala Street.
HEKILIIKI STREET	Roadway running off Nakini Street proceeding in a southeasterly direction being between Hekilinui Street and Kalau Street.
HEKILINUI STREET	Roadway running off Nakini Street and proceeding in a southerly direction being between Hekiliiki Street and Huli Street.

Proposed street name for a private roadway in the La Pietra Condominium Townhouse area, Tax Map Key 3-1-29: 1 and 33, Lot 2, Waikiki, Oahu, Hawaii

LA PIETRA CIRCLE	A looped roadway off Poni Moi Road running in a northerly direction.

Proposed street names for Makaha Valley, Makaha, Waianae, Oahu, Hawaii, Tax Map Key 8-4-02: 5.

KILI DRIVE	Roadway running off Farrington Highway in a mauka direction to terminate beyond Huipu Drive.
Meaning:	Raindrops, fine rain, to rain gently.
HUIPI DRIVE	Roadway running off Kili Drive proceeding in an easterly direction terminating at Ala Holo Loop.
Meaning:	Joined together.
ALA HOLO LOOP	Looped roadway running off Huipi Drive.
Meaning:	Promenade for pedestrians and autos.

Proposed street names for Ewa Estates, Unit IV, Ewa, Oahu, Hawaii, Tax Map Key 9-1-01: Portion of I

KAUIKI STREET	Extension of an existing street in a northeasterly direction to terminate beyond Hanaloa Street.
HAIAMU STREET	Extension of an existing street in a northwesterly direction being between Kauiki Street and Hanaloa Street.
HAEHAE PLACE	Dead-end roadway off Kauiki Street being between Haiamu Street and Hulumanu Street.
Meaning:	Land division near Kumukahi, Puna, Hawaii.
HAHANUI STREET	Roadway running between Hanaloa Street and Kauiki Street.
Meaning:	A native shrubbery lobelia (Cyanea horrida) from Maui with thorny branches and rough, lobed leaves.
HAINOA PLACE	Dead-end roadway off Kauiki Street being between Hulumanu Street and Haipu Place.
Meaning:	Crater at Kona, Hawaii.
HAIPU PLACE	Dead-end roadway off Kauiki Street being Hainoa Place and Halalii Street.
Meaning:	Stem of a gourd leaf, as used in medicine.
HALALII STREET	Roadway extending from Hanaloa Street and Kauiki Street and being between Haipu Place and Hamiha Place.
Meaning:	A variety of sugar cane, vigorous, large, of the Lahaina type, perhaps named for Halalii, Niihau, where a famous sugar cane once grew in the sand dunes. This cane was used in ceremonies for remission of sins.
HAMIHA PLACE	Dead-end roadway off Kauiki Street being between Halalii Street and Hanaloa Street.
Meaning:	Calm, quiet.
HANALOA STREET	Extension of an existing roadway from Hanakahi Street terminating at Kauiki Street.

HAMOA PLACE	Dead-end roadway off Hanaloa Street running in a northerly direction.
Meaning:	Village, beach and land division, Hana, Maui.
KAUNOLU STREET	Extension of an existing roadway from Hanakahi Street running in a north-easterly direction to terminate beyond Haiamu Street.

ADJOURNMENT: There being no further business, the meeting adjourned at 3:10 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Special Meeting of the Planning Commission
Minutes
March 11, 1971

The Planning Commission held a special meeting on Thursday, March 11, 1971, at 8:45 a.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:	Thomas N. Yamabe II, Acting Chairman Philip T. Chun Fredda Sullam Roy R. Bright Rev. Eugene Connell
STAFF PRESENT:	George S. Moriguchi, Acting Planning Director Andrew Sato, Deputy Corporation Counsel Jack Gilliam, Staff Planner Bill Bartlett, Staff Planner Bob Moore, Observer
ABSENT:	Robert R. Way, Planning Director Richard K. Sharpless, ex-officio James K. Sakai, ex-officio
PUBLIC HEARING GENERAL PLAN DLUM AND DP AMENDMENT WAIKIKI KUHIO AVENUE CITY AND COUNTY OF HONOLULU (FILE #148/C3/15)	A public hearing was held to consider a proposal to amend the General Plan Detailed Land Use Map and the Development Plan for Waikiki, Section "A", by varying the alignment of Kuhio Avenue between Kaiulani Avenue and Kapahulu Avenue. Publication was made February 28, 1971. Two letters of protest were received, and are included in testimony given AGAINST the proposal.

Mr. Roy Parker, Deputy Director of the Traffic Department, requested a deferral of this matter in view of recent data received, indicating a possibility of avoiding the taking of two buildings. They would like to determine cost-wise, whether it would be cheaper to realign the project further in the mauka direction to avoid the buildings.

The Commission had the following questions:

1. Whether the major portion of traffic remains or passes through Waikiki?

   A recent traffic study conducted by the department revealed only 12% <u>through</u> traffic, while 88% of the traffic remained in Waikiki.

2. Since Kalakaua Avenue and Ala Wai Boulevard are already main perimeter thoroughfares, why then is Kuhio Avenue necessary as another main thoroughfare?

Two reasons:
(a) As the Waikiki area develops, Kalakaua Avenue and Ala Wai Boulevard will not be able to handle any additional traffic. Presently, both avenues are quite heavily loaded.

(b) Kuhio Avenue is the tentative location of the rapid transit line. A subway is presently being considered, but even with an underground transportation system, a wider right-of-way for the rapid transit line is still necessary.

3. In view of the realignment, will other interior cross streets be able to handle the traffic with development presently going on?

   They are inadequate at existing widths, but adequate at designated DLUM widths.

4. How many parcels would be adversely affected?

   Approximately 14 properties either with the existing alignment or the modified alignment.

5. There was discussion sometime ago of a moratorium on all further construction in Waikiki so that a detailed study could be made with the thought of a long-range plan. In that connection, isn't this project premature?

   As far as the proposal itself to move the alignment, it is merely an adjustment to the policy which already has been set by the City Council. This is just a refinement of the alignment.

6. Was any study made of the net savings of the proposed amendment, taking into account the costs or losses which would be incurred by private properties adversely affected by the plan in relation to the direct monetary savings to the City by the new road alignment?

   A study was conducted in which a savings resulted for the City.

There were no further questions from the Commission.

Public testimony was heard.

Testimony AGAINST the proposal.

1. Mrs. Samuel D. Allison, 4240 Kaikoo Place, Owner of Little Prince Apartments at 2418 Kuhio Avenue (submitted letter addressed to Mayor Fasi on the proposal, dated March 10, 1971)
2. Mrs. Olga Yankoff, owner of property situated on the mauka-Diamond Head corner of Kuhio and Paokalani Avenues.
3. Miss Judy Bell appeared for her mother, Mrs. Thelma Soueira, owner of property at 2424 Kuhio Avenue
4. Miss Mary Roulette, property owner at 2411 Kuhio Avenue
5. Mr. Ulrich H. Huber, residing at the Hale Hui, 2406 Kuhio Avenue

Objections:

1. Unfair land acquisition only on the mauka side of Kuhio Avenue incurs a hardship upon some residents by destroying their homes and the economic security of others, making very difficult the development of properties on the mauka side of the Avenue. Plans proposed in the late 1950s which involved property owners on both sides of the street should be reconsidered.

2. Wider thoroughfares encourage increased traffic. Efforts should be made to keep traffic movement in Waikiki at the lowest possible level. The utilization of existing small-street grids should provide adequate traffic lanes without tempting the use of Kuhio for fast traffic. Since the designation of a 56' Kuhio Avenue in the late 1950's, there has been no substantial effort to improve many of these small streets. Utilization of these existing streets for traffic rather than for parking would provide all of the lanes needed for local traffic but would keep fast traffic out. There now exists a grid of five parallel streets between Kaiulani and Liliuokalani in addition to the Ala Wai and Kalakaua Avenues. The adequate utilization of Tusitala, Cleghorn, Kuhio, Koa, and Prince Edward, and the similar grid at the Diamond Head end of Kuhio should solve most present and future needs.

3. If Kuhio is to become a major traffic arterial, it would seem that the portion of it with the greatest expected traffic - the Ewa end - should be at least as wide or wider than the Diamond Head or "feeder" end. Apparently no plans exist for the widening of the long section of Kuhio from Royal Hawaiian Avenue to the Kalakaua intersection. The widening of the Diamond Head end of Kuhio would create a major bottleneck.

4. Beauty and charm must be preserved, rather than increased concrete development. A 70' right-of-way with 56' pavement and two 7' sidewalk areas do not provide much greenery.

The Commission questioned Mr. Ling of the Public Works Department concerning the problems encountered by property owners as to acquisition of portions of their properties for roadwidening purposes. Mr. Ling pointed out that it must be understood that the information given to property owners at this hearing concerning acquisition of their parcels is estimated only, not final. Parcel maps indicating exact metes and bounds of affected parcels will be reviewed, and the precise acquisition will be determined. Concerning the following properties:

1. Mrs. Olga Yankoff owns a two-story concrete building on the mauka-Diamond Head corner of Kuhio and Paokalani Avenues. (It was pointed out that this property is already affected under the adopted DP alignment.)

   Mr. Roy Parker of the Traffic Department stated that in this case, the City might purchase the underlying right-of-way,

narrow the sidewalk area from 7' to 5', and permit the building to remain for the life of its use. A new building would not be permitted.

Mr. Ling of the Public Works Department indicated that regarding buildings affected, it has been their department's policy that if there is to be a minor encroachment into the right-of-way, the acquisition can be made with the building remaining as is. If the building is in the sidewalk area where the right-of-way will have sufficient room for a 7' sidewalk area, the building may remain. A more precise determination will be made upon examination of parcel maps.

2. The property of Mrs. Thelma Soueira located 2424 Kuhio Avenue will be completely acquired. In this situation, if the property is declared unbuildable, it is encumbered upon the City (if the property owner elects) to purchase the entire parcel. If the owner does not wish to sell, eminent domain proceedings follow.

3. Mr. Ulrich H. Huber of 2406 Kuhio Avenue expressed interest in saving the tree fronting their property. Mr. Ling indicated that the tree is in the pavement area, and will have to be removed.

There were no further questions from the Commission.

Testimony FOR the proposal:

1. Mr. Peter G. Drewliner, property owner, 3027 Pualei Circle-Apt.209

   Mr. Drewliner represented the Curry Trust. He stated that the proposed realignment is more beneficial to their interests than the existing one. He retracted his letter (undated) opposing this proposal.

2. Mr. Don Bremner, Executive Vice President, Waikiki Improvement Association

   Their organization is vitally interested in the long range future security and adequacy of the Waikiki community. The proposal is one remedy toward solving existing traffic deficiencies in the area, realizing also implementation of the one-way road system which is the backbone for the proposed mass transit system for Waikiki.

   The question of whether the right-of-way should be decreased from 70' to 56' was discussed by the Mayor's Advisory Committee. From a long range planning standpoint, the 70' width is necessary at this time for it would be much more difficult and costly to obtain later. Much deliberation went into re-orienting the right-of-way alignment so that the least amount of land acquisition would be made. The aesthetics of expanding roadways, and the impact of new road facilities upon community amenities are other concerns.

No other person was present to speak either for or against the proposal.

MOTION: Mr. Chun moved, seconded by Mr. Bright and carried, that the public hearing be closed, and that the matter be deferred for three weeks for further study, as requested by the Traffic Department.

PUBLIC HEARING GENERAL PLAN DETAILED LAND USE MAP (AMENDMENT) HAWAII KAI KAMILOIKI ELEMEN- TARY & INTERMEDIATE SCHOOL & PARK TMK: 3-9-14: 9, 101- 104 INCLUSIVE STATE OF HAWAII DEPT. OF ACCOUNTING & GENERAL SERVICES	This matter was again considered by the Commission. The public hearing held on February 11, 1971 was kept open and action deferred at the request of the Hawaii Kai community groups. The staff reported a request for deferral from the Department of Education for the purpose of working together with community groups and to continue further discussions with them. Public testimony was heard.

Testimony AGAINST the proposal.

1. Rev. Stan Hansen, President, Kamiloiki School PTA
2. Mrs. Donna R. Ikeda, 918 Wainiha St., Honolulu, Member of Kamiloiki School PTA Executive Committee

Objections:

1. The K-8 clustered concept of approximately 2500 children for one school is too excessive. They would favor a park between schools. By dividing the elementary and intermediate levels, students will get more individualized attention than an overcrowded situation presents.

2. The major emphasis of DOE is being placed on a financial issue, a saving to the State by joint usage of the library and administration buildings, rather than for the educational welfare of the students.

   The financial aspect has always been in question because DOE claims that the money used for the grading that has already proceeded, cannot be transferred to the Parks Department because the Parks Department would have to regrade the land for their own particular purpose.

3. The community is willing to try this proposal but there is no concrete evidence available of academic advantages under this clustering concept.

   Instead of giving specific examples of similar operations on the

mainland and other areas in the United States as DOE was instructed, they presented as examples, Kaewai and Dole Schools, Kalihi-Uka and Kalakaua Schools (both which are separated by parks), and Lincoln and Stevenson Schools. Only Lincoln and Stevenson are on adjoining campuses without a park dividing them.

4. The schools should be separated basically for utilization of responsible leadership and creative education from the standpoint of administration and teacher-student ratio.

The Commission raised the following questions:

1. Whether DOE indicated when they would meet with the PTA group again.

   No date was set; however, DOE did state that they would try to resolve the situation with the Department of Accounting and General Services from the standpoint of finances, hopefully within another month.

2. Has construction commenced?

   Construction has begun on the elementary school (upper level), because it was better to have the elementary level situated further away from the congested corner. The three-story building for the three-on-two program is constructed to the second floor level in a concrete shell. There is no construction yet on the library or office which would be joint-purpose buildings. Grading has been done.

   One of the concerns on expenses was that there would be ways to minimize the cost difference greatly. There would be a minimal cost difference in keeping the schools separated.

3. Was there a change by the DOE in the midst of construction where they were apprised of a new philosophy in education and felt that the schools should be combined?

   The original plan called for a park between schools but during the last two years before the final plans were adopted, the DOE switched from a separated to a merger concept. The DOE has had plans for combined schools since 1969, which was scheduled to open in 1971, but the needs of the area required that it be opened in September 1970.

   At the time DOE had met with legislators, Representatives Buddy Soares and Tennyson Lum to request 1½ million dollars to get the school started a year in advance, they failed to apprise the representatives of the combined school concept. No one from DOE could explain the reason for this.

   When the Kamiloiki Executive Board met with DOE officials to determine the reason for joint schools, they presented it as

a new concept in education having K-8 together on one location. Studies which DOE conducted indicated that children 12 and 13 years of age had more in common with 10 and 11 year olds than with older children. They changed their approach later and presented separate but adjoining schools.

4. Did DOE have any reason for not giving proper notification to the Kamiloiki PTA?

   This was unintentional. DOE informed the Kamiloiki PTA that when they started planning for the school, there were no homes in the valley at the time and proceeded with their plans.

There were no further questions from the Commission.

Mrs. Ikeda questioned how the DOE was permitted to proceed with their combination school system without first acquiring Planning Commission approval. The Chairman informed her that the Commission has no jurisdiction in the type of school facility or educational program proposed by DOE but considers only the request for a change in the General Plan.

Commissioner Chun questioned corporation counsel regarding the need for readvertising the public hearing if there is a change by DOE as to the use of the land. Mr. Sato stated that republication should be made.

<u>ACTION</u>: Mr. Chun moved, seconded by Mr. Bright and carried, that the public hearing be kept open, and the matter be deferred. If further action is taken by the Commission, before the matter is brought before the Commission, a new hearing notice should be published.

PLANNED DEVELOPMENT SHOPPING CENTER DISTRICT ALIAMANU SALT LAKE BLVD.& ALA LILIKOI ST. BRADLEY INVESTMENT CORPORATION BY: MORIO OMORI (File #70/PD-SC-10)	The public hearing was closed on February 18, 1971. At the February 25, 1971 meeting, action was deferred for further discussion. Attorney Morio Omori indicated that since the last hearing, a number of meetings have been held with the staff whereby issues relating to the retention of the knoll area, landscaping, and traffic problems, have been resolved.

1. Retention of the knoll - To do this, the previous service road proposed on the knoll will be eliminated, and will now be effected from Salt Lake Boulevard with a turn around area in the shopping center.

2. Landscaping - Not less than 2% of the area in the parking lot is required for landscaping. The applicant proposes 2% or more landscaping in this area.

3. Traffic - A study conducted by the applicant and the Traffic

Department revealed that the widening of Salt Lake Boulevard might coincide with the development of the shopping center. In case of a delay, however, an interim plan has been developed, the cost of which will be borne by the developer. At the request of the Traffic Department, the applicant submitted recommendations in three areas that would minimize traffic at the intersection of Ala Lilikoi, Camp Catlin, and Salt Lake Boulevard, with the idea that these recommendations will be incorporated into the construction plans for the improvement of Salt Lake Boulevard.

a. The first area is the realignment of the Camp Catlin Road approach to the intersection at Ala Lilikoi, Camp Catlin, and Salt Lake Boulevard so that this would be as near to a cross-intersection as possible with the thought that the City would signalize this intersection before or together with the improvement of Salt Lake Boulevard.

b. The second area of concern is the congestion at the school entries of Aliamanu Elementary and Intermediate Schools. The applicant has recommended combining both parking lots, plus provision of a service road that would intersect Camp Catlin Road instead of Salt Lake Boulevard. This would eliminate egress and ingress off of Salt Lake Boulevard. This was discussed with the Planning staff and the Department of Education, and was satisfactory to both agencies.

c. Another issue involved a driveway plan that would relieve congestion at this same intersection. In this connection, two driveways were recommended on the makai side of the shopping center abutting Salt Lake Boulevard at two points - one on the Ewa side, and one on the Diamond Head end.

   This would relieve traffic at the intersection first by bleeding off left turns that would otherwise be needed at the intersection into the parking lot of the shopping center. Secondly, the Diamond Head driveway will have right turns in and right turns out to relieve Ala Lilikoi because vehicles will then be bypassing the intersection.

d. If Salt Lake Boulevard is not improved, an interim plan will be effected which is to have right turns in and right turns out of the Ewa driveway, and to close the Diamond Head access. A short deceleration lane will be constructed to remove traffic off of Salt Lake Boulevard.

Commissioner Connell was not satisfied (inspite of the Traffic Department's approval) that traffic facilities in the Salt Lake area are adequate in view of testimony given by residents that facilities are inadequate. Mr. Hong pointed out that there are two peak periods in this area, morning and afternoon. While it is true that traffic is very congested in the morning especially with left turns that need to be effected to gain access to Aliamanu Elementary and Intermediate Schools, the afternoon situation is quite different. Since both

schools are closed during afternoon peak traffic hours, there are no left turns to contend with, and the traffic flows rather smoothly.

Questioned by Commissioner Sullam, Mr. Moriguchi stated that the staff has not seen the traffic plans illustrated by Mr. Hong but it is an effort to comply with the staff's recommendation.

There was no further discussion.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the proposed Planned Development Shopping Center, subject to the following conditions, on motion by Mr. Bright, seconded by Mrs. Sullam, and carried.

AYES - Yamabe, Sullam, Bright, Connell
NAYES - Chun
ABSENT - None

The conditions are as follows:

1. Building Design.

   Design of all buildings and accessories shall be architecturally consistent.

2. Screening of Abutting Residential District.

   The applicant shall construct a fence along the entire Ewa boundary of consistent design and as approved by the Planning Director.

3. Site Accessibility at Salt Lake Boulevard.

   Access to and egress from the site at Salt Lake Boulevard shall not be permitted until such time that Salt Lake Boulevard improvements have been completed by the City and County of Honolulu. Such access and egress shall also be permitted only upon written approval of the Director of the Department of Traffic.

4. Salt Lake Boulevard Improvements.

   Should the improvements of Salt Lake Boulevard by the City and County of Honolulu cause a need for alterations to portions of the subject project, cost of such alterations shall be borne by the owner.

5. Utilities.

   All utilities shall be underground.

6. Maintenance of Common Areas and Structures.

   All landscaped areas and structures shall be maintained.

7. Amendment of Conditions.

All conditions set forth herein shall be only subject to amendment by action of the City Council.

8. Approval of Documents.

The Planning Director and appropriate governmental agencies shall review and approve final detailed documents covering all building and site improvements, including but not limited to parking, subdivision, grading, drainage, sewers, water, and electrical utilities, communications, walkways, roadways, street and area lighting, fire hydrants, refuse storage and collection areas, fences, screens, signs, landscaping plans and recreation facilities. This review and approval shall be prior to commencement of work.

AN ORDINANCE TO AMEND ORDINANCE NO. 3622 PLANNED DEVELOPMENT HOUSING DISTRICT NO. 4 AHUIMANU CLUBVIEW

The Commission deferred action on this matter at its meeting on March 4, 1971.

The following transpired--

Mr. Moriguchi: Mr. Chairman, as you may recall, the Commission deferred this matter on comments made by Mr. Chun. We have the bill as drafted, and would like to have Mr. Gilliam explain the provisions of the bill as it applies to the subdivision.

Gilliam: The amendment is to one of the conditions that was applied to the Clubview Planned Development. As you remember, the total project was approved in four different phases.

The change in wording to the existing condition is: "In order to accommodate phase development, the project may be subdivided from time to time into two or more parcels as may be authorized and approved by the Planning Director."

We also added "or subdivisions" in the following sentence - "In no case, however, shall the above alterations or subdivisions harm the general intent of the design of the project, nor will there be any attempt to increase the density" and so forth; the other language relates to modifications that would be permitted after they get into detailed construction drawings of the site, in the event some buildings have to be shifted.

The applicant in this case has asked that the area be permitted to be subdivided as the phasing takes place in order to make the financing commitments according to presales that are required by the financing people. We are using this type of language in all of our proposed developments in the future in order to permit this. This would become

a standard type condition in all planned developments. We are recommending that it be inserted in this one to permit the flexibility necessary for financing.

Chairman: Didn't we have a discussion on preparing such an ordinance at our previous meeting?

Gilliam: Yes. You brought up the point at the last meeting--

Chairman: No. The fact is that we're going this route to amend our ordinance to accommodate this application. I did question some of the legal problems. However, are you saying there are no means to take care of the legal problem other than to amend the condition?

Gilliam: That's right. Since this one has been approved by ordinance, it takes an ordinance to amend it. Otherwise we would include it orginally in the condition.

Chairman: Any questions of Mr. Gilliam?

Sullam: What happens if for some reason phase 4 does not go ahead? Does that mean that it will revert to the underlying zoning?

Gilliam: No. They would have to get some type of approval. To do anything different they would have to have a modification to the planned development by ordinance.

Chairman: Did you take care of the problem that if this incremental subdivision takes place for this type of planned development, if the developer is not in a position to complete this total development, what happens in this case?

Gilliam: It would take an ordinance amendment to do anything else. The planned development becomes the zoning restrictions of that lot. He must build in accordance with that plan. Say if he does not do the third and fourth phase, then to do anything with the plan with that area in the third and fourth phase that's not in conformance with this would take another ordinance. It would take another review.

Chairman: What happens if the other requirements like open space are not met in the first increment?

Gilliam: In all of our phase developments, the open spaces are required to be in the first increment. In the first increment here, the recreation center project will be required. That's a condition of approval. Even as the increments progress, they still have to be completely within the requirements for open space. In all cases, the first phase has more recreation space than is required. This is a standard condition in all planned developments.

Chairman: Each phase must meet this?

Gilliam: They don't meet it individually but collectively they do from the first phase on. The first phase will have more than is required. When the second phase comes in there will still be more than required but not as much more than the original. At all times, as building permits are signed off, they will be meeting the requirements.

Chun: Is there any proposal that upon completion of additional phasing, that there will be a reconsolidation?

Gilliam: The attorney for the applicant is here.

Asa Akinaka: No, there would not be a consolidation. As you recall, the high density phase is the last. It's last in the timetable and as far as feasible development is concerned.

At first when we developed, both from the Planning Department's problem and our own financial problem with FHA, this thing had to be substantially done, the recreation center, because the primary open space plus the clubhouse, swimming pool - and we're trying to deal with the FHA not to put in the tennis courts - will all be developed first.

We would be developing phase one, and the lines are not yet certain. We would be having one small lot here with 11 units which will be used as models. We'll probably subdivide that off as a little unit, the reason being that FHA on a condominium development will not take pre-existing units. Well, we'll obviously have to build our models in order to sell. They will be a cutoff and then be added to phase one which would be a separate condominium.

Unfortunately, this is a fee simple condominium and will be sold in fee simple. Because it will be sold in fee simple, the type of merger and expanding condominium contract which can be used by leasehold cannot be done. We would in effect, after we issue deeds for condominiums of phase one, if we would have any merger we would have to take back all the deeds and amend the deeds.

We are contemplating a series of separate condominiums but in order to permit and guarantee to each unit holder in each separate condominium, the right to use the recreation facility, we are going to go with what they call a homeowner association concept and a condominium.

The recreation center itself will be deeded to a non-profit corporation, the homeowners association. That means when a person becomes a holder of a condominium unit, he also becomes a member of the homeowners association which owns the recreation center.

We would be having cross easements back and forth as to use of the common elements in each of the separate condominiums.

It is a little complicated but because we're giving the public fee simple ownership rather than leasehold, some of the devises that we've used in the past of enlarging a condominium in a merger later cannot be done, unfortunately. I do say that the combination of the home ownership, the homeowners association, with separate condominiums, with cross easements with respect to use of the common elements between condominiums, will in effect be the same as though you had one single condominium.

We did spend some time on this thing. I would be glad to try to elaborate more. We've had the cooperation of FHA and the staff of the Planning Department. I do think certainly that the aesthetics or anything else would not be jeopardized by any proposal legally put together.

Chairman: You will come in for further subdivision?

Akinaka: Oh yes. This is the way we'd be going actually. The first subdivision will be the recreation center. We have that as a separate lot to be deeded to the homeowners association, plus we would separate our facet which at the present time would be the first phase, the single condominium. Then, when we are ready, we will then subdivide and make another lot out of that remainder which would be the 2nd condominium, the 3rd, right on down the line. We may have 5. We may have 6. But, in any event, we cannot jeopardize and we cannot enfringe upon the general layout. We may be changing the model but we cannot change the density, the total number of units.

Before we even get to phase 2, phase 1 this recreation center, which will be supporting most of the open space which justifies the planned unit, will already be there.

Chairman: You have to have the recreation center before--

Akinaka: No. We have to do it simultaneously. For evaluation purposes, these units aren't worth anything unless the recreation center is developed.

Chairman: How about the road?

Akinaka: The road will go in. We just have to check this with the staff. Very fortunately the way this turned out, from the traffic standpoint, there is only one way to go.

Chairman: I wonder, as far as the legal question is concerned if corporation counsel might digest it.

Gilliam: I might add that the document for the community association, the bylaws, the rules and regulations, again have to be approved by our corporation counsel. All of these community documents, maintenance documents, by condition have to approved by corporation counsel. That's taken cared of by other conditions.

Chairman: I take it you're aware that they have no intention of leasing some of these.

Gilliam: Yes. Some would, some wouldn't. Here again it gets into the leasehold-fee simple. They're obviously going fee simple. But still, the cross easements, all of these documents that give the right to the community center, in essence, it's bound together by this document which again requires our approval. We have sufficient documents to maintain it.

Chairman: Any further questions? If not, thank you very much Mr. Akinaka.

There was no further discussion.

ACTION: The Commission recommended approval of the applicant's request for an ordinance to amend Ordinance No. 3622, Planned Development-Housing District No. 4 to permit subdivision within the development, on motion by Mr. Chun, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell
NAYES - None
ABSENT - None

* * * * * * * * * * * * * * *

On motion by Mr. Bright, seconded by Rev. Connell, and carried, the Commission authorized the Planning Director to establish the public hearing date to consider the following item:

CONDITIONAL USE PERMIT
CAR WASH FACILITY
KANEOHE
45-620 KAM. HWY.
(NEAR WINDY'S DRIVE-INN)
TMK: 4-5-39: 27 AND 28
HIKOHARU UYESATO
(70/CUP-30)

1. The proposal is the expansion of the service station facilities by adding new pumps and a car wash facility.

MISCELLANEOUS ADOPTION OF COMMISSIONER NAIWI'S RESOLUTION

The Commission unanimously adopted the following resolution recognizing former Commissioner Ivanhoe K. Naiwi, on motion by Mr. Chun, seconded by Mr. Bright:

WHEREAS, COMMISSIONER IVANHOE K. NAIWI, President of the AFL-CIO Meat Cutters' Union, Local No. 594, has served the people of the City and County of Honolulu as an effective member of the Planning Commission; and

WHEREAS, the said Commissioner supports the furtherance of the principles of sound city planning; and

WHEREAS, the said Commissioner has unselfishly contributed his time and energy to the planning of our City; and

WHEREAS, the people of the City and County of Honolulu are grateful to said Commissioner for his dedication;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City and County of Honolulu that it extends its Mahalo and Aloha to Commissioner Naiwi for continued success in all his activities and endeavors; and

BE IT FINALLY RESOLVED that the Planning Director be, and he is, hereby directed to transmit a copy of this Resolution to COMMISSIONER IVANHOE K. NAIWI.

ADJOURNMENT: The meeting adjourned at 12:30 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

Meeting of the Planning Commission
Minutes
March 18, 1971

The Planning Commission met in regular session on Thursday, March 18, 1971, at 2:14 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell

STAFF PRESENT:
George S. Moriguchi, Acting Planning Director
Bruce Duncan, Staff Planner
Tosh Hosoda, Staff Planner
Bill Bartlett, Staff Planner
Harris Murabayashi, CIP Analyst

ABSENT:
Philip T. Chun
Robert R. Way, Planning Director
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES:
The minutes of February 11 and 18, 1971, were approved on motion by Mr. Chun, seconded by Mr. Bright.

PUBLIC HEARING
CONDITIONAL USE PERMIT
LAIE
MAUKA OF KAM.HWY. &
LAIE BAY
R-6 RESIDDENTIAL, AG-1
& AG-2 AGRIC.DIST.
TMKS: 5-5-05: PORTION
OF 1 & 18, 5-5-09: 10,
45, & PORTION OF 23
GEORGE DUERKSON

A public hearing was held to consider a request for the operation of a quarry for the excavation and removal of sand at Laie, mauka of Kamehameha Highway adjoining the City and County dump site, Tax Map Keys: 5-5-05: portion of 1 and 18, 5-5-09: 10, 45, and portion of 23.

Publication was made March 7, 1971. No letters of protest were received.

The staff's report was presented by Tosh Hosoda. Commission questions related to the following:

1. Does mining and hauling between 7 a.m. and 6 p.m. refer to activities on the premises, and will hauling be permitted on the highway after those hours?

   The staff's recommendation relates to on-site activity. The intent is that no activity take place after the scheduled hours of operation. For example, if a loaded truck is already on the road at approximately 5:45 p.m., he would be permitted to make his delivery. However, trucks loaded the day before would not be permitted to leave the premises until 7:00 a.m.

2. Concerning noise and dust problems which may be caused by changing wind conditions, the staff is satisfied that the recommended conditions covering this point give adequate control.

Public testimony was heard.

Testimony AGAINST the proposal was given by:

1. Mr. Haruo Tashiro, adjoining resident
2. Miss Gertrude Humphries, interested citizen

Objections:

1. Pollution of Laiewai Stream

   Questioned by the Commission concerning this point, the staff pointed out that a 50-foot excavation setback will be maintained along the banks of Laiewai Stream, and that a 100-foot setback will be maintained along the perimeter of the site abutting residentially developed properties.

2. Noise and dust problems

   Questioned on this point, the staff indicated that the conditions as outlined in the report are sufficient to control this area. The applicant must comply with the noise performance Standards of the CZC.

   Relating to dust, the proposed site is wet and marshy so that actual mining operations should not create adverse dust problems. To protect adjoining residential properties, a 100-foot buffer of trees and shrubs will be retained.

3. The nearby cemetery will be affected.

   Questioned by the Commission, the staff pointed out that one of the conditions is that a 40-foot excavation setback be maintained around any grave site found within the subject area.

Mr. Tashiro was disturbed at the fact that the map displayed did not indicate adjoining residential areas, and questioned whether those residents were notified of this hearing. Question was also raised over the effect the operation might have on the area from an ecological and environmental standpoint.

The Director clarified that the staff is well aware of adjoining homes in the area and that it was not their intent to imply otherwise. The staff conducted a meeting with the community association at which time the residents had no objection to this proposal. From an environmental standpoint, the residents were more concerned over the borrow pit located on Zion Securities property approximately a halfmile mauka of the proposed site

from which soil will be taken to backfill excavated areas.

There was no further discussion.

Messrs. George Duerksen, the applicant, and Marvin Stone, representing Zion Securities Corporation, appeared in SUPPORT of the proposal to answer any questions the Commission might have. The following questions were raised:

1. How long would it take to excavate and refill 3 acres?

   This would depend upon the market for sand.

2. Will backfill material used possibly add an element to the existing filtering process which might pollute ocean waters?

   It was pointed out that soil which will be used for backfill, is less porous than sand and would be more effective in the filtering system to control the flow of underground water.

There was no further discussion and no other person was present to speak either for or against the proposal. The public hearing was closed and the matter was taken under advisement on motion by Rev. Connell, seconded by Mrs. Sullam and carried.

<u>ACTION</u>: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request only for that portion of the site lying mauka of Wahinepee Street, subject to the conditions imposed by the Director, on motion by Rev. Connell, seconded by Mrs. Sullam.

AYES - Yamabe, Sullam, Bright, Connell
NAYES - None
ABSENT - Chun

The conditions are as follows:

1. The conditions imposed by the State Land Use Commission on the Special Permit shall apply. These conditions are:

   a. "That security measures be maintained on a 24-hour basis and that fencing be constructed along the east and south boundaries of the subject property;

   b. "That mining operations be done in increments of 3 acres and filling operations be completed before the next 3-acre increment is started;

   c. "That the excavated area be backfilled in

accordance with the terms contained in the lease agreement between the petitioner and Zions Securities. In no case shall the backfill be a sanitary fill;

d. "That a 40-foot excavation setback be maintained around any grave site found to be within the subject area;

e. "That the hours of operation, including excavation, loading, hauling, and filling, be from 7 a.m. to 6 p.m., Monday through Friday only;

f. "That the operation be in compliance with all State and County regulations governing air, noise, and water pollution, vibration, drainage and safety;

g. "That a small area measuring approximately 20 feet x 200 feet situated at the intersection of the access road and Kamehameha Highway be deleted from the area proposed for excavation;

h. "That the special permit shall expire 5 years from the date of Land Use Commission approval; and

i. "Upon finding that the above conditions are not met, the enforcement agency shall suspend or revoke the privileges granted under this special permit."

2. The requirements as set forth under Section 21-248 of the Comprehensive Zoning Code entitled "Extractive Industries" shall apply;

3. The course and/or the cross-section of Laiewai Stream shall not be altered in any way;

4. A 50-foot excavation setback shall be maintained along the banks of Laiewai Stream and a 100-foot setback shall be maintained along the perimeter of the site abutting residentially developed properties. The existing trees, shrubs and other vegetation within these setback areas shall be retained;

5. The finished grade of each backfilled increment shall be in accordance with the map marked "Exhibit A" and entitled "Finished Contour Plan," on file with the Planning Department;

6. The applicant shall submit a landscape plan to the Planning Director for his review and approval. Each increment of excavation, upon completion of the

backfill operation, shall be landscaped in accordance with the approved landscape plan;

7. The access roadway at its intersection with Kamehameha Highway shall be widened and paved with all-weather surface in a manner acceptable to the Department of Traffic;

8. Dry, dust prone areas shall be sprayed with water when necessary and in a manner acceptable to the State Department of Health;

9. Within 60 days after the quarry operation begins and every 6 months thereafter, a noise study report in accordance with the performance standards and criteria of the Comprehensive Zoning Code shall be prepared by the applicant and submitted to the Planning Director for his review and approval provided where State regulations supersede the noise provisions of the Comprehensive Zoning Code, said study shall be prepared in accordance with said regulations;

10. Where a noise violation is found, the applicant shall take such corrective actions as may be determined necessary by the Planning Director to abate the noise source;

11. The applicant shall be required to conform to pollution standards as may be developed by the State Department of Health including but not limited to noise;

12. If the quarry is not in operation within one (1) year from the date the conditional use permit is granted, or the operation ceases for six (6) consecutive months, the subject permit shall be declared void;

13. The subject conditional use permit shall automatically expire upon the expiration of the special permit granted by the State Land Use Commission;

14. The applicant shall submit to the Planning Director annually, from the date the quarry operation begins, a statement with supporting evidence indicating compliance with all conditions stated herein and said statement shall be provided in a manner acceptable to the Planning Director;

15. The recorded owner of the land encompassed by this conditional use permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions;

16. A certified copy of the documents as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation prior to issuance of a building permit;

17. In the event the conditions as set forth herein are not being met, the Planning Director shall take action to terminate the use or halt its operation until such time full compliance is obtained;

18. Any modification to the conditions stated herein shall have the approval of the City Council; and

19. The applicant may transfer the rights granted under this conditional use permit to another party provided, however, that the applicant notifies the Planning Director in writing of the name and address of the transferee and the date of transfer. The transferee shall comply with all conditions herein.

SPECIAL USE PERMIT WAIPIO PENINSULA WAIPAHU DEPOT ROAD DEPT. OF PUBLIC WORKS, C&C OF HONOLULU (FILE #70/SUP-3)	The Commission again considered this proposal to construct two sewage stabilization ponds on a 10.2-acre site situated on Waipio Peninsula, off Waipahu Depot Road, identified by Tax Map Key 9-3-2: portion of Parcel 1, zoned AG-1 Restricted Agriculture and situated within the Agricultural District of the State Land Use Commission.

The public hearing held February 25, 1971, was closed and the matter was taken under advisement. By statutory provision, the Commission cannot take action until after 15 days from the close of the public hearing.

No discussion followed.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, subject to the conditions imposed by the Director, on motion by Rev. Connell, seconded by Mrs. Sullam.

The conditions are as follows:

1. Construction shall commence within six months of issuance of the Special Use Permit.

2. Requirements of the Department of Health including but not limited to chlorination of effluent and termination of ponds upon construction of new facilities shall be met.

3. Upon elimination of the need for waste stabilization ponds, the area shall be returned to the condition which existed prior to construction.

AYES - Yamabe, Sullam, Bright, Connell
NAYES - None
ABSENT - Chun

LAND USE COMMISSION PETITION AGRIC. TO URBAN LAIE (VICINITY OF POLYNESIAN CULTURAL CENTER) POLYNESIAN CULTURAL CENTER (FILE #71/LUC-3)	A petition to the State Land Use Commission requesting an amendment to the State Land Use Boundary in Laie was reviewed by the Commission. The staff's report was reviewed. Mr. Dennis F. Shipley, Assistant Director for Administration of the Polynesian Cultural Center was present and explained various phases of their development.

Commission discussion followed both in support and against the application.

Reasons against:

1. The availability of adjacent urban lands which were part of the original planned development have not been fully developed. Even though there is an expansion, the need for that particular portion of land is not immediate. Space is available for the applicant to expand, and if he does not wish to do so in the area that is already zoned, then an analysis should be made as to the use of those vacant areas.

2. This is prime agriculture land. Although the Kahuku Plantation is being phased out and land is not being used, there is no assurance at the moment whether there might be other types of agriculture that could be very viable in this location. The land should be rezoned when it is actually needed. This request is premature.

3. Relating to the applicant's planning phase, an irregular boundary designation would result. Since further development is proposed, perhaps a larger area should be designated.

   Additionally, it would have been more logical if the applicant had requested for additional lands after his supply was exhausted. He should not have initially applied for that portion of urban land if he did not intend to use it.

   More specific development plans should be reviewed, and alternatives considered.

Reasons in support:

1. The request for urban use is consistent since the portion of land fronting Kam. Highway is already designated for residential use on the detailed land use map. This residential zone would limit further agricultural development.

2. The adjacent position of the subject area to the particular development for expansion is a logical extension.

3. In considering other agricultural uses for the area, this would require highly specialized types of farming, and the subject land area is limited in size and usage.

4. With the phasing out of the Kahuku Plantation, this proposal affords employment opportunities for the people who were affected.

5. The staff's report indicates that the boundary adjacent is relatively minor and involves a small percentage of prime agricultural land.

There was no further discussion.

MOTION: On motion by Mr. Bright, seconded by Rev. Connell, the Commission concurred with the Director's recommendation that the petition be approved.

The motion failed to carry.

AYES - Bright, Connell
NAYES - Yamabe, Sullam
ABSENT - Chun

MOTION: Mr. Bright moved, seconded by Rev. Connell and carried, that this matter be deferred for further review.

Due to a time element, request will be made to the State Land Use Commission for an extension of 15 days.

AYES - Yamabe, Sullam, Bright, Connell
NAYES - None
ABSENT - Chun

C.I.P. SUPPLEMENTARY APPROPRIATIONS — The following items were reviewed by the Commission:

a. A CIP supplementary appropriation request for $5,000 has been submitted by the Department of Public Works for the following project:

Overhead lighting of access road to Wilson Tunnel Ventilation Building.....$5,000
Labor.....$1,800
Material..... 3,200

The staff's report recommending approval of this item was circulated prior to the meeting.

ACTION: The Commission recommended approval of the staff's recommendation on motion by Mr. Bright, seconded by Mrs. Sullam.

AYES - Yamabe, Sullam, Bright, Connell
NAYES - None
ABSENT - Chun

b. CIP supplementary appropriation requests totalling $691,000, $480,000 from the Department of Public Works and $211,000 from the Department of Parks and Recreation have been submitted for the following projects:

Department of Public Works

Miscellaneous Land Acquisitions and Clearances for General Plan Streets and Setbacks.....$480,000

The staff report recommending approval of this request except for the purchase of land for Kuhio Avenue Widening through the Jungle area was circulated prior to the meeting.

ACTION: The Commission recommended approval of the staff's recommendation on motion by Rev. Connell, seconded by Mr. Bright.

AYES - Yamabe, Sullam, Bright, Connell
NAYES - None
ABSENT - Chun

Department of Parks and Recreation

1.	Kawainui Model Plane Airport.....	$ 10,000	
2.	Aala Triangle Park.....	20,000	
3.	Ala Wai Clubhouse.....	75,000	
4.	Makakilo Park.....	100,000	
5.	Pacheco Park (change in project description only).....	-------	
6.	Haleiwa Beach Park Addition.....	6,000	211,000
	TOTAL.....		$691,000

The staff's report was circulated prior to the meeting.

Mr. George Tamashiro from the Parks Department was present and requested to make a presentation in view of the staff's recommendation for disapproval of all of the above projects with the exception of item No. 5, Pacheco Park, which involved only a change in project description. The staff based its recommendation on the fact that these projects are not critical and will be considered by the City Council at its regular budgetary hearings very shortly.

The Commission deferred action on this matter until the next Commission meeting.

* * * * * * * * * * * * * *

On motion by Mr. Bright, seconded by Mrs. Sullam and carried, the Commission authorized the Planning Director to establish the public hearing date to consider the following item:

CONDITIONAL USE PERMIT (HOSPITAL FOR THE TREATMENT OF ALCOHOLICS) PACIFIC HGTS. 3180 PACIFIC HGTS.RD. TMK: 2-2-32: 7 RALEIGH HILLS HOSPITAL, INC. (FILE #70/CUP-5)	1. The proposal is to establish and operate a hospital devoted exclusively to the treatment of alcoholics in an existing two-story dwelling within an R-3 Residential District.

ADJOURNMENT: The meeting adjourned at 4:50 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

Special Meeting of the Planning Commission
Minutes
March 25, 1971

The Planning Commission held a special meeting on Thursday, March 25, 1971, at 9:05 a.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam

STAFF PRESENT: George Moriguchi, Acting Planning Director
Andrew Sato, Deputy Corporation Counsel
Bruce Duncan, Staff Planner

ABSENT: Roy R. Bright
Rev. Eugene Connell
Robert R. Way, Planning Director
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES: No action could be taken on the approval of minutes for February 25 and March 4, 1971, due to the lack of a quorum.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KANEOHE
45-620 KAM. HWY.
(NEAR WINDY'S
DRIVE-INN)
TMK: 4-5-39: 27&28
HIKOHARU UYESATO
BY: ALFRED H.H. HEE
(File #70/CUP-30)

A public hearing was held to consider a request for a conditional use permit to operate a car wash facility at Kaneohe, 45-620 Kamehameha Highway (near Windy's Drive-Inn), Tax Map Key 4-5-39: 27 and 28.

Publication was made March 14, 1971. No letters of protest were received.

The staff's report was presented by Bruce Duncan. Commissioner Yamabe inquired as to the access to the subject property and was informed that access would be permitted only from Kam Highway.

There were no further questions of the staff.

Mr. Alfred H. H. Hee, agent for the applicant, appeared and made himself available for any questions the Commission might have.

No questions were raised.

MOTION: On advice of Deputy Corporation Counsel, Andy Sato, Mrs. Sullam moved that the public hearing be closed and the matter be taken under advisement, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Sullam
NAYES - None
ABSENT - Bright, Connell

SPECIAL PERMIT/ CONDITIONAL USE PERMIT HAUULA HALAI STREET MYRA WATTS — No action could be taken on this matter due to the lack of a quorum.

CAPITAL IMPROVEMENT PROGRAM — Discussion was held regarding CIP supplementary appropriation requests totalling $691,000, $480,000 from the Department of Public Works and $211,000 from the Department of Parks and Recreation. The Planning Commission at its March 18, 1971 meeting, recommended approval of the Department of Public Works projects, however, action was deferred on the following projects:

Department of Parks and Recreation - (Messrs. George Tamashiro and Miyuki Matsuno from the Parks Department were present and justified their requests in view of the Planning Department's recommendation of denial on all items.)

1. Kawainui Model Plane Airport.....$10,000

   The Parks Department agreed with the position of the Planning Department recommending denial of this request since there is no urgency for funding at this time.

2. Aala Triangle Park.....$20,000

   The Aala Park funds requesting $20,000 would be for planning additional facilities including comfort stations, a sprinkler system, and landscaping for the existing park. The Planning Department staff's position is that this park is presently usable, and the requested improvement is not necessary at this time.

3. Ala Wai Clubhouse.....$75,000

   Funds for the Ala Wai Clubhouse are to replace the roof which is leaking. The Parks Department has made improvements within the building and needs the funds to protect its improvements. The Planning staff's position is that this is a repair and maintenance item which is more a subject for the operating budget.

In response to a question from Commissioner Yamabe, Deputy Corporation Counsel Andrew Sato advised that there had been an opinion from their office concerning CIP items and operating budget items. The Commission requested that the Planning Department, the Parks Department, and the Corporation Counsel's Office review this matter.

4. Makakilo Park.....$100,000

The intention of the Parks Department is to improve the unimproved adjoining lands. They indicated that this is a heavily used park, and they hope to obtain the funds so that construction of the enlargement would be completed prior to the commencement of the school year. During discussion, it was noted that the enlargement of Makakilo Park is not in the present CIP program but is a priority of No. 31 in the submission by the Parks Department for the forthcoming capital improvement program.

There was no further discussion.

No action could be taken due to the lack of a quorum.

IMPROVEMENT REVOLVING FUND — Two proposed Council Resolutions transferring funds from the IRF have been referred to the Planning Commission for its review and comments:

1. Transferring $2,000 from the IRF to the Department of Traffic for payment to the appraisers for services rendered in connection with the acquisition of a certain parcel within the Alakea-Hotel Off-Street Parking project; and

2. Transferring $238,100 from the IRF to the Department of Parks and Recreation for acquisition of three parcels in connection with the Maili Beach Park addition.

The staff's report was circulated. No questions were raised.

No action could be taken due to the lack of a quorum.

STREET NAME — Recommend approval of the following street name:

Proposed street name for Ewa Apartments Unit I, II, and III, Ewa Beach, Oahu, Hawaii

KULANA PLACE — Dead-end roadway off Kimopelekane Road

Meaning: Station, rank, condition, position, place, patch, site, stance, attitude, situation, reputation, outstanding, prominent.

No action could be taken due to the lack of a quorum.

* * * * * * * * * *

No action could be taken on authorization of public hearings for the following items due to the lack of a quorum:

CONDITIONAL USE PERMIT EXPANSION OF PRIVATE HOSPITAL FACILITIES LILIHA ST. FRANCIS HOSPITAL TMK: 1-8-18: 3 ST. FRANCIS HOSPITAL (File #71/CUP-1)	1. The proposal is to allow construction of a building to house the radiation therapy unit at St. Francis Hospital. The proposed structure will be located 100 feet from Mahalo Street between the two five-story wings of the main hospital building.
ZONING CHANGE A-4 APT. TO B-2 COMM. BUS. DIST. MAKIKI-ALA MOANA MAUKA ON YOUNG ST. BETWEEN PENSACOLA ST. & VICTORIA ST. TMK: 2-4-02: PORTION OF 18 MAURICE J. SULLIVAN	2. The applicant proposes to utilize approximately 30,000 sq. ft. as the site of a new McDonald's Drive-In restaurant and the remainder area for a low-rise office building.
ZONING CHANGE R-6 RES. TO I-1 LIGHT INDUS. DISTRICT WAIAU MAKAI SIDE OF KAM HWY. IN THE VICINITY OF EAST LOCH HAWN.ELECTRIC CO., INC.	3. The proposal is the installation of two General Electric Series 7000 heavy duty industrial type gas turbine generating sets specifically designed for electric utility service.
ZONING CHANGE A-1 APT. TO R-6 RES.DISTRICT WAHIAWA VICINITY OF CANE ST., NEAL AVE., & PEACH & LEMI STS. TMKS: GENERALLY 7-4-19 & 7-4-20 PLANNING DIRECTOR	4. Change in zoning from A-1 Apartment to R-6 Residential District

ZONING CHANGE
R-4 RES. TO R-6
RES.DISTRICT
WAHIAWA
TMKS: GENERALLY
7-4: 13 to 16,
21, & PORTION OF
18 & 7-3-05
PLANNING DIRECTOR

5. Change in zoning, R-4 Residential to R-6 Residential District.

(Area 1) California Ave., Leilehua High School, Schofield Barracks, and the rear property lines of properties fronting Rose Street and Circle Drive.

(Area 2) Located west of Kam Hwy bounded by Kaukonahua Stream, a private roadway fronting Nihiwai Place.

ADJOURNMENT: The meeting adjourned at 10:30 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File copy

Special Meeting of the Planning Commission
Minutes
April 6, 1971

The Planning Commission held a special meeting on ~~Thursday~~ Tuesday, April 6, 1971, at 8:50 a.m., in the Conference Caucus Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Rev. Eugene Connell

STAFF PRESENT: Robert R. Way, Planning Director
George S. Moriguchi, Deputy Planning Director
Bruce Duncan, Staff Planner
Harris Murabayashi, CIP Analyst

ABSENT: Roy R. Bright
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES: The minutes of February 25, 1971, and March 4 and 25, 1971, were approved on motion by Mr. Chun, seconded by Mrs. Sullam.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
KANEOHE
45-620 KAM.HWY.
(NEAR WINDY'S
DRIVE-INN)
TMK: 4-5-39: 27&28
HIKOHARU UYESATO
BY: ALFRED H.H.HEE
(File #71/CUP-30)

Because of the lack of a quorum, no action was taken at the March 25, 1971 meeting.

MOTION: Although the public hearing was closed at the March 25th meeting without a quorum, to settle any possible question on the matter, Mr. Chun moved, seconded by Rev. Connell and carried, that the public hearing be closed and the matter be taken under advisement.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

No discussion followed.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, subject to the conditions imposed by the Director.

AYES - Yamabe, Chun, Sullam Connell
NAYES - None
ABSENT - Bright

The conditions are as follows:

1. The waste water disposal plan, dated January 13, 1971, and the site plan dated September 15, 1970, both on file with the Planning Department, shall be made part of the permit, and any deviation from said plans must be approved by the Planning Director.

2. The car wash facility shall be maintained and operated in accordance with the Performance Standards specified in Article 2, Part D, Sections 21-231, 21-232, and 21-233 of the Comprehensive Zoning Code, and other applicable City and State health requirements.

3. Three off-street parking spaces shall be provided for the car wash facility.

4. No waste water produced by the activities on the zoning lot shall be permitted to fall upon or drain across public streets, sidewalks or adjacent properties.

5. The wash water must undergo pretreatment through the waste water disposal system as shown on the plans filed with the Planning Department, dated January 13, 1971, marked Exhibit A, and by reference made a part hereof.

6. The location of the new pumps and office structure as shown on the site plan filed with the Planning Department, dated September 15, 1970, marked Exhibit B, and by reference made a part hereof, shall be included as part of the site development plan.

7. Signs shall be restricted to wall signs not to exceed one and one-half square feet for each lineal foot of building frontage.

8. Landscaping plans for the parcel shall be submitted to the Planning Director for his approval prior to application for building permit.

9. Hours of operation on Mondays to Fridays shall be limited to the hours between 8 a.m. and 8 p.m., and on Saturdays and Sundays between 8 a.m. and 10 p.m.

10. Construction of the car wash facility shall commence no later than 90 days after the approval of the Conditional Use Permit. If necessary, the time limit may be extended by the Planning Director provided the applicant submits written justification.

11. The applicant shall submit to the Planning Director annually, a statement with supporting evidence indicating compliance with all conditions stated herein, and said statement shall

be provided in a manner acceptable to the Planning Director.

12. In the event all conditions as set forth herein are not met, the Planning Director may take action to terminate the use or halt its operation until such time as full compliance is obtained.

13. The recorded owner of the land encompassed by this conditional use permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

14. A certified copy of the documents as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation prior to issuance of a building permit.

15. Any modifications to the conditions stated herein shall be approved by the City Council.

SPECIAL PERMIT/ CONDITIONAL USE PERMIT HAUULA HALAI STREET MYRA WATTS	This proposal for the establishment of a child care center for 50 pre-school age children was again considered by the Commission. Public hearings were held February 25, 1971 and March 4, 1971.

The public hearing was closed March 4, 1971, and action deferred for 15 days in accordance with Chapter 205 Hawaii Revised Statutes. The Commission must act on the Special Permit. A decision in favor of the applicant shall require a majority vote of the total membership of the Planning Commission. Such a decision shall be forwarded to the State Land Use Commission within 10 days.

Because of the lack of a quorum, no action was taken at the March 25, 1971 meeting.

No discussion followed.

ACTION: Based upon the recommendation of the Director, the Commission recommended denial of the applicant's request for a special permit, on motion by Mr. Chun, seconded by Mrs. Sullam.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

It was noted that the request for a conditional use permit was invalidated by the denial of the special use permit.

C.I.P. SUPPLEMENTARY APPROPRIATIONS

C.I.P. supplementary appropriation requests totalling $691,000, $480,000 from the Department of Public Works and $211,000 from the Department of Parks and Recreation. The Planning Commission at its March 18, 1971 meeting recommended approval of the Department of Public Works projects, however, action was deferred on the following projects:

Department of Parks and Recreation

1.	Kawainui Model Place Airport	$ 10,000	
2.	Aala Triangle Park	20,000	
3.	Ala Wai Clubhouse	75,000	
4.	Makakilo Park	100,000	
5.	Pacheco Park (change in project description only)	--	
6.	Haleiwa Beach Park Addition	6,000	211,000
	TOTAL		$691,000

Due to the lack of a quorum, no action was taken at the March 25, 1971 meeting.

ACTION: The Commission recommended approval of the staff's recommendations, on motion by Mr. Chun, seconded by Mrs. Sullam--

a. Recommend approval only of item No. 5, Pacheco Park
b. Recommend deferral of item Nos. 1, 2, 3, 4, and 6, for consideration by the staff in the 1971-72 C.I.P.

Discussion followed concerning the Makakilo Park project which is listed as a priority of No. 31 by the Parks Department for the forthcoming capital improvement program. It was noted that if the Parks Department felt the Makakilo project warranted a higher priority, this recommendation could be made to the Planning Department's C.I.P. staff for inclusion in the 1971-72 C.I.P.

The motion carried.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

IMPROVEMENT REVOLVING FUND

Two proposed Council Resolutions transferring funds from the IRF have been referred to the Planning Commission for its review and comments:

a. Transferring $2,000 from the Improvement Revolving Fund to the Department of Traffic for payment to the appraisers for services rendered in connection with the acquisition of a certain parcel

within the Alakea-Hotel Off-Street Parking project; and

b. Transferring $238,100 from the Improvement Revolving Fund to the Department of Parks and Recreation for acquisition of three parcels in connection with the Maili Beach Park addition.

Because of the lack of a quorum, no action was taken at the March 25, 1971 meeting.

No discussion followed.

ACTION: Mr. Chun moved, seconded by Rev. Connell, that the Commission recommend the approval of the proposal for the purpose stated.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

STREET NAME

The Commission on motion by Mr. Chun, seconded by Rev. Connell and carried, recommended approval of the following staff recommendation:

Recommend approval of the following street name:

Proposed street name for Ewa Apartments Unit I, II, and III, Ewa Beach, Oahu, Hawaii

KULANA PLACE — Dead-end roadway off Kimopelekane Road

Meaning: Station, rank, condition, position, place, patch, site, stance, attitude, situation, reputation, outstanding, prominent.

* * * * * * * * * * * * * * *

On motion by Mr. Chun, seconded by Mrs. Sullam, and carried, the Commission authorized the Planning Director to establish the public hearing dates to consider the following items:

CONDITIONAL USE PERMIT
EXPANSION OF PRIVATE HOSPITAL FACILITIES
LILIHA
ST. FRANCIS HOSPITAL
TMK: 1-8-18: 3
ST. FRANCIS HOSPITAL
(File #71/CUP-1)

1. The proposal is to allow construction of a building to house the radiation therapy unit at St. Francis Hospital. The proposed structure will be located 100 feet from Mahalo Street between the two five-story wings of the main hospital building.

ZONING CHANGE A-4 APT. TO B-2 COMM.BUS.DIST. MAKIKI-ALA MOANA MAUKA ON YOUNG ST. BETWEEN PENSACOLA ST. & VICTORIA ST. TMK: 2-4-02: PORTION OF 18 MAURICE J. SULLIVAN	2.	The applicant proposes to utilize approximately 30,000 sq. ft. as the site of a new McDonald's Drive-In restaurant and the remainder area for a low-rise office building.
ZONING CHANGE R-6 RESIDENTIAL TO I-1 LIGHT INDUS. DISTRICT WAIAU MAKAI SIDE OF KAM. HWY. IN THE VICINITY OF EAST LOCH HAWN.ELECTRIC CO., INC.	3.	The proposal is the installation of two General Electric Series 7000 heavy duty industrial type gas turbine generating sets specifically designed for electric utility service.
ZONING CHANGE A-1 APT. TO R-6 RES.DISTRICT WAHIAWA VICINITY OF CANE ST., NEAL AVE., & PEACH & LEMI STS. TMKS: GENERALLY 7-4-19 & 7-4-20 PLANNING DIRECTOR	4.	Change in zoning from A-1 Apartment to R-6 Residential District
ZONING CHANGE R-4 RES. TO R-6 RES.DISTRICT WAHIAWA TMKS: GENERALLY 7-4: 13 to 16, 21, & PORTION OF 18 & 7-3-05 PLANNING DIRECTOR	5.	Change in zoning, R-4 Residential to R-6 Residential District. (Area 1) California Ave., Leilehua High School, Schofield Barracks, and the rear property lines of properties fronting Rose Street and Circle Drive. (Area 2) Located west of Kam Hwy bounded by Kaukonahua Stream, a private roadway fronting Nihiwai Place.
PLANNED DEVELOPMENT- HOUSING DISTRICT & CONCURRENT CHANGE IN ZONING FROM R-6 RES. TO A-1 APT. FOR PORTIONS OF THE SITE DESIGNATED LOW (cont.)	6.	The proposal is the construction of 700 dwelling units.

(cont.)
DENSITY APT. ON THE
DLUM
WAIPIO
KAM.HWY., WAIKALANI
DRIVE & WAIHONU ST.
TMKS: 9-5-12: 17 -
19 and 22
HEADRICK DEVELOPMENT
CORP.-MELEMANU
WOODLANDS

* * * * * * * * * * * * * * *

C.I.P. SUPPLEMENTARY APPROPRIATIONS

Two C.I.P. supplementary appropriation requests totalling $2,010,000 - $95,000 from the Building Department and $1,915,000 from the Department of Public Works have been submitted for the following projects:

Building Department

Police and Fire Training Facilities.....$ 95,000

Department of Public Works

1.	Punahou Street Improvement District - King Street to Wilder Avenue.....	$150,000	
2.	Sheridan Tract Improvement District.....	190,000	
3.	South King Street Improvement District - South Street to Pensacola Street.....	400,000	
4.	Keaahala Road Drain.....	75,000	
5.	Lilipuna Road Drain.....	115,000	
6.	Uuku Street - Nakula Street Drainage.....	660,000	
7.	Keaahala Stream Flood Control.....	325,000	1,915,000
	TOTAL.....		$2,010,000

The staff's report was circulated prior to the meeting, and reviewed again by Harris Murabayashi, staff C.I.P. Analyst.

Discussion occurred regarding the Police and Fire Departments' training facilities, noting that both departments were desirous of separate facilities. Mr. Murabayashi stated that the funds will be used to determine actual facilities necessary to accommodate both departments, and to proceed with preliminary planning in that respect.

ACTION: The Commission recommended approval of the staff's recommendations, on motion by Mr. Chun, seconded by Rev. Connell, and carried--

a. Recommend approval of item Nos. 1, 2, 3, 4, 5, and 6.
b. Recommend deferral of item No. 7, Keaahala Stream Flood Control until all monies can be made available to complete the project without resorting to incremental construction. Because of the City's limited financial resources, it is unlikely that additional funds needed to complete the project will be provided next year even if this supplemental request is granted.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

ADJOURNMENT: The meeting adjourned at 9:10 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

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Meeting of the Planning Commission
Minutes
April 14, 1971

The Planning Commission met in regular session on Wednesday, April 14, 1971, at 2:10 p.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Roy R. Bright
Rev. Eugene Connell
Fredda Sullam

STAFF PRESENT: Robert R. Way, Planning Director
William Bartlett, Staff Planner
Robert Rider, Branch Head, General Plans

ABSENT: Philip T. Chun
James D. Crane
James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

MINUTES: The minutes of April 6, 1971, as circulated, were approved upon the motion by Mrs. Sullam, seconded by Mr. Bright, and carried.

GENERAL PLAN DEVELOPMENT PLAN AND DETAILED LAND USE PLAN AMENDMENT WAIKIKI, SECTION "A"
KUHIO AVENUE, BET. KAIULANI AND KAPAHULU AVENUES
(FILE #148/C3/15)

The Commission again reviewed the proposal to amend the Waikiki General Plan Development Plan and Detailed Land Use Plan, Section "A", by varying the alignment of Kuhio Avenue between Kaiulani Avenue and Kapahulu Avenue, in order to minimize the expense of cutting and refacing multi-story structures that would otherwise be affected by the present alignment.

The public hearing held on March 11, 1971, was closed and the Commission had deferred action pending further study of the proposals made by the Traffic Department and the Department of Public Works.

Mr. William Bartlett, staff planner, reviewed the proposed amendment and responded to the proposals of the Traffic Department and the Department of Public Works, as follows:

1. Traffic Department proposal--To move the alignment of Kuhio Avenue between Uluniu Avenue and Kapuni Street slightly more mauka to cut into the parking garage of the Kuhio Plaza high-rise structure rather than to cut into residential living quarters within a 6-story concrete building on the makai side.

   The cost estimates showed an insignificant difference between the two alignments. The cost

was $354,300 for the initial proposal as against $354,750 for the new proposal.

In view of the insignificant difference in cost, the Traffic Department recommended that its proposal be accepted to avoid disrupting the living quarters.

The Planning Department concurs and the plan has been revised to reflect the Traffic Department's proposal.

2. Department of Public Work proposal--To move the alignment of Kuhio Avenue between Paoakalani Avenue and Kapahulu Avenue approximately 3 feet makai at the Paoakalani intersection and approximately 5 feet makai at the Makee Road intersection to avoid two multi-story buildings.

   Further investigation revealed that the change would affect a 14-story apartment building now under construction on the makai-Diamond Head corner of Paoakalani Avenue and Kuhio Avenue and a proposed structure with approved plans on the makai-Ewa corner of Kuhio Avenue and Makee Road.

   The recommendation, therefore, is to retain the alignment presented originally and as reflected on the plan.

3. A question was raised regarding the cost to the property owners in the event Kuhio Avenue widening is accomplished through the Improvement District Project.

   Past experiences have shown that the cost is usually divided equally between the property owners and the City. Although it varies from property to property, the City's share has been from 40 to 60 percent of the total cost while the property owners' share has been from 60 to 40 percent of the total cost.

In the questioning that followed, Mr. William Ling from the Department of Public Works and Mr. Roy Parker, Deputy Director, from the Traffic Department responded as follows:

1. The cost estimate for Kuhio Plaza taking does reflect the loss of the parking stalls.

2. The mauka alignment will affect only the garage structure of the Kuhio Plaza building; whereas, the makai alignment will affect, not only the

first two floors of the 6-story residential building at the corner of Kuhio and Uluniu Avenues, but one, 2-story concrete building, and two, 1-story concrete buildings, all of which require cutting and refacing of the buildings. Therefore, the comparative cost between the two is about the same.

3. In order to avoid cutting into the 6-story building at the corner of Kuhio and Uluniu Avenues, there is some thought of modifying the curb return only and not rounding the property line corner.

Three persons in the audience complained that they were not notified about the public hearing regarding the proposal under discussion and inquired how the new proposal affected the Kapuni Development Company property on the mauka side of Kuhio Avenue at Kapuni Street.

Upon being advised by Mr. Parker that no change in alignment is proposed at that particular location, that the taking of 15 feet from both sides is the same alignment agreed upon in 1968, the three persons were satisfied with the information given and had no testimony to present.

ACTION: Upon the motion by Mr. Bright, seconded by Rev. Connell, and carried, the Commission concurred with the recommendation of the Planning Department staff regarding the new alignment of Kuhio Avenue between Kaiulani and Kapahulu Avenues in Waikiki.

AYES: Bright, Connell, Sullam, Yamabe;
NAYS: None;
ABSENT: Chun, Crane.

LAND USE COMMISSION PETITION LAIE POLYNESIAN CULTURAL CENTER URBAN DISTRICT (FILE #71/LUC-3)

The Commission reviewed again the petition filed by the Polynesian Cultural Center with the State Land Use Commission requesting a change in the district designation from Agriculture to Urban for 7 acres of land situated in Laie in the vicinity of the Polynesian Cultural Center, identified by Tax Map Key 5-5-06: portion of 1.

At its March 18, 1971 meeting, the Commission deferred action for further staff study.

Mr. William Bartlett, staff planner, read the staff's report responding to questions raised by the Commission on development alternatives that were available to the applicant.

A map showing a preliminary proposal for development of lands in Laie owned by the Zions Securities Corporation was displayed. The development proposal included lands in the mauka section scheduled for expansion of the Church College facilities, lands on the makai side proposed for expansion of Laniloa Lodge, the commercial areas, the existing and the expansion areas of the residential uses in the Kahuku and mauka directions, and also the expansion area of the Cultural Center facilities toward the Hauula direction. In view of these future plans, the current proposal to expand the Cultural Center in the Hauula direction seems to be the most logical proposal.

Also displayed was an artist's conception of the new facilities proposed in the 7-acre expansion area of the Cultural Center.

Mr. Marvin Stone, General Manager of Zions Securities Corporation, and Mr. Verne Hardesty from the Polynesian Cultural Center were questioned. They gave additional information as follows:

1. The expansion area of the Cultural Center actually involves about 16 acres. The district boundary change involves only the 7-acre area because the remainder is in the Urban District although designated as agriculture on the General Plan Detailed Land Use Map of the City and County of Honolulu.

2. The new facilities in the expansion area will include a 2,500 seat theater, a main entry pavilion, an 800-seat restaurant, extension of the existing lagoon, and several small curio shops and snack bars.

3. The commercial operations within the Cultural Center are entirely separate from those commercial operations within the existing commercial zoned areas.

4. The expansion of the Cultural Center is needed to accommodate the terrific influx of visitors to the Center. The present facilities can accommodate approximately 2,000 visitors a day but the present number is reaching 2,800 visitors a day. The growth is oriented to accommodate about 5,000 visitors a day.

5. The Laniloa Lodge operation is also a separate entity from the Cultural Center operation. There is a proposal to expand this hotel facility through a planned development concept and an

application is presently pending in the Planning Department for expansion of the lodge operation.

The Commission deferred this matter to the end of today's calendar upon the motion by Mrs. Sullam, seconded by Rev. Connell, and carried.

AYES: Sullam, Connell, Bright, Yamabe;
NAYS: None;
ABSENT: Crane, Chun.

ACTION: In later consideration, the Commission recommended that the petition to change the district designation of 7 acres of land in Laie, identified by Tax Map Key 5-5-06: portion of 1, from Agriculture to Urban District be approved, upon the motion by Mr. Bright, seconded by Rev. Connell, and carried.

AYES: Bright, Connell, Sullam, Yamabe;
NAYS: None;
ABSENT: Crane, Chun.

LAND USE COMMISSION PETITION WAIANAE, LUALUALEI URBAN DISTRICT (KEYSTONE INVESTMENT, INC. AND OCEANVIEW VENTURES) (FILE #71/LUC-5 & #71/LUC-2)

The following two items were considered together since they are in the same geographic area:

1) Petition from the Keystone Investment, Inc., requesting an amendment to the State Land Use District Boundary by changing the district classification from Agriculture to Urban for land situated in Lualualei, Waianae, identified by Tax Map Key 8-7-07: 4, containing 50.8 acres.

2) Petition from the Oceanview Ventures requesting an amendment to the State Land Use District Boundary by changing the district classification from Agriculture to Urban for land situated in Lualualei, Waianae, identified by Tax Map Keys 8-7-21: 26; 8-7-09: 3; and 8-7-19: 1, containing 227.8 acres.

Dr. Robert Rider, staff planner, presented the staff's report explaining the applicants' proposals and the staff's findings, conclusions, and recommendation.

In general, both applicants desire to develop the two sites to meet the need for moderate priced housing. They supported their petitions by citing several sources to substantiate this need to provide housing for the low and moderate income groups.

The staff concluded that:

1. There does exist, in general, a deficiency of low and moderate priced housing; however, the timing and the location to meet this deficiency are not certain at this time.

2. An estimate of about 3,000 units currently in various stages of development and planning in the Waianae area over the next 5 years will meet some of this deficiency.

3. Every effort should be made to meet the housing need but this need should not be met to the detriment of the people who would be living in those houses. An abandoned quarry site does not make a desirable living environment. This is contrary to the City's goal to provide housing in a wholesome, convenient, and attractive living environment.

4. There might be an appropriate time in the future when some of these areas, exclusive of the quarry itself, could be converted to residential use; however, this should be done only when all other alternatives have been exhausted and the need for housing becomes so critical that providing housing units becomes predominant to the need for providing an adequate, desirable, living environment.

5. Based upon its findings and conclusions, the staff recommends that both petitions be denied.

The Chairman acknowledged receipt of a letter from Mr. Roy Takeyama, attorney for Oceanview Ventures, requesting a deferral of its request for two weeks in order that additional supporting data may be submitted.

Questioned by the Commission, Dr. Rider responded as follows:

1. At this time, the Planning Department has no recommendation to make regarding a realignment of the urban boundary. There is a need to provide housing in the moderate priced range, but the staff does not see this as an immediate pressing requirement to create additional urban district areas. Housing units being developed and planned within the existing urban boundaries over the next 5 years give sufficient time for further study and consideration for any modifications to the urban boundaries.

2. The method used to determine the number of homes needed in the low and moderate priced range

varies from applicant to applicant, including the staff; however, no one has a definitive number to present. Therefore, the staff can only say that some of this need is being met by projects under development and in the planning stages.

3. The staff is concerned that while the issue of location of this type of housing is being debated, the housing need is not being met. However, the staff is also concerned that it might be placed in a position of providing inappropriate solutions to this problem of housing. There are a number of efforts underway to provide appropriate solutions and the staff has made this the substantiating basis for recommending approval of a number of similar requests, but where necessary, it has taken a stand against approval of others.

4. Since this is an urban boundary change request, no detailed study was made regarding the availability of public facilities and utilities. This type of study is usually made during General Plan amendment considerations. It is his understanding that the Department of Education has plans for a school site somewhere in this vicinity.

A representative from Keystone Investment, Inc., challenged the statement made by the staff that the timing is not right to develop the 50-acre area for residential use. He declared that there is an urgent need for low cost housing and that this 50-acre area is suitable for this use because it is completely surrounded by residential uses.

The Chairman advised him to submit his information to the staff for consideration by the Commission at its next meeting since there is a request for deferral of this matter from the other applicant.

ACTION: Mr. Bright's motion, seconded by Mrs. Sullam, to defer both applications for two weeks, carried.

AYES: Bright, Sullam, Connell, Yamabe;
NAYS: None;
ABSENT: Chun, Crane.

LAND USE COMMISSION PETITION WAIAWA NEAR WAIAWA INTERCHANGE URBAN DISTRICT (BERNICE P. BISHOP ESTATE) (FILE #71/LUC-4)

Prior to consideration of the following item, it was first determined by check with the State Land Use Commission staff that the 45-day time limit expired on April 7 and that the 15-day extension granted will expire on April 22, 1971, and not April 23, 1971, as indicated on the agenda.

The Commission considered a petition filed by the Bernice P. Bishop Estate with the State Land Use Commission requesting an amendment to the State Land Use District Boundary by changing the district classification from Agriculture to Urban for approximately 4,500 acres of land situated near the Waiawa interchange in Waiawa and identified by Tax Map Key 9-6-04: portion of 1.

Mr. William Bartlett, staff planner, read the staff's report explaining the applicant's proposal and the supporting data for the request, and the staff's findings, conclusions, and recommendation.

The petitioner has requested that its master plan of development encompassing an area of approximately 4,500 acres be accepted and that the boundary changes be undertaken on an incremental basis. The first increment covers an area of 620 acres. Two alternative master plans are proposed. One plan includes a site for a second campus of the University of Hawaii while the other does not. The petitioner basis its request upon evidence that it is desirable to accomplish its long-range goal adopted to meet the demands of a growing population by making lands available in the Leeward area, and to implement plans directed towards overcoming an immediate and critical shortage of housing priced below $30,000 or renting for less than $230 a month.

The staff concluded that:

1. The applicant's supporting argument is misleading. A decision must be made on the total project and not a relatively small segment, as stressed by the applicant, to meet the need for "gap group" housing.

2. The applicant has failed to show that existing urban district lands are inadequate to meet the overall need for housing.

3. Approximately 10 percent of existing lands are vacant and available for development; therefore, land availability is becoming tight, and some expansion of the urban boundaries may be warranted by the end of the present decade.

4. Major commitments for the urbanization of open space and agricultural lands should not be made until a reevaluation of the policies of the City and County regarding the utilization of lands within the urban district is completed.

5. In view of other requests for urban district lands in the Central Oahu area, a decision of this magnitude should not be made until it has been analyzed together with other major decisions affecting urban growth, and the basic alternatives clarified.

6. There is a potential inventory of land to provide for the housing needs for at least the next five years; therefore, there is no critical urgency to make major decisions at this time.

7. A selection of a University site should not be made in Central Oahu at this time until adequate consideration has been given to all alternatives.

Based upon its analyses and conclusions, the staff recommended that this petition be denied.

Attorney Francis Izumi, representing Bishop Estate, owner of the land, and Amfac-Trousdale, developer, rebutted by testifying as follows:

1. The staff report incorrectly implied that the boundary change from Agriculture to Urban was being requested for 4,500 acres. The actual acreage involved is 1,762 acres.

2. The initial increment involves 624 acres which is slightly over one-third of the area requested for urban use. This is a substantial area to which their efforts are being devoted to meet the demands of approximately 65 percent of Oahu's need for the "gap-group".

3. A major portion of the consultants' report is addressed to the "gap-group" housing demand without a University site. As an afterthought, consideration had to be given to the possibility that the University might locate on the Waiawa property, and therefore, approximately 5 to 10 percent of the area is set aside for this use.

   The consultants were instructed to address themselves strictly to the standards required for an urban change as established by the land use regulations and not be presumptuous by planning a University community in anticipation

that the University would locate on the Bishop Estate property. Based on their report, there is in fact a demand for gap-group housing.

4. The joint venture of Amfac-Trousdale and Alcan-LSI has invested over $3 million in a factory capable of producing and meeting the demand for housing for the gap people. They estimate that they can build factory homes on an annual basis of 1,400 to 1,800 units below the $30,000 category. Within 5 years, they will have produced 7,000 to 9,000 units, meeting only part of the demand for gap-group housing.

Mr. Ronald Waranch of Lear-Siegler Properties, Inc., gave information on the production capabilities of the factory for producing homes in the price range indicated for the gap group need and other information as follows:

1. He indirectly represents four entities--Bishop Estate, owner; Amfac-Trousdale and Lear-Siegler Properties, the developers of the property; Alcan-LSI, joint venture in the production of the factory houses; and Lear-Siegler Properties, Inc., marketeer of the factory houses.

2. Through past developments, the three companies have demonstrated their abilities and capabilities, both financially and physically, to be able to develop this land at Waiawa ridge.

3. Alcan-LSI recently constructed a 135,000-square foot modular home manufacturing plant in the Campbell Industrial Park. This plant has a production capability of 2,600 to 3,000 units a year.

4. They have made a financial commitment to the State to meet the gap group or low-income housing need.

5. According to Housing Act 105, approximately 40,000 to 50,000 residential units are presently needed in Hawaii and that by 1985, the estimated need would be 250,000 units.

6. The estimate made by Economics Research Associates is 71,000 units as against 58,000 units estimated by the Planning Department staff during the 1970's. Although their estimate is higher, one cannot deny the fact that there is a need for low cost housing.

7. They can produce the gap-group housing but they must have large parcels of land in order to develop economically. They must also be able to run their plant at maximum production capabilities.

8. These factory built houses cannot be considered "ghetto" housing. They are for people with a family income of $11,250 a year, or less, which represents approximately 65 percent of the population of Oahu.

9. From the construction standpoint, the factory houses are conventional houses, using conventional building material, constructed in the plant under semi-automatic and automatic method of assembly, except for certain architectural constraints.

10. As pointed out by the staff, if there are some 7,000 acres of urban land available for development on Oahu, why are they not being developed for the gap group?

11. To illustrate the demand for low cost housing, they received over 500 inquiries from people wanting housing as a result of two newspaper articles publicizing their plant operation. This was without any advertisement or promotion of their homes.

12. Waiawa ridge is ideal for urbanization because:

    a. It is directly in the path of urban growth,

    b. It will become the transportation hub for the Island of Oahu with the H-1 Freeway fronting the southerly portion of the property, the H-2 Freeway to the west, and the H-3 Freeway at Halawa.

    c. It is in close proximity to high employment centers.

13. Although the statistics contained in the report indicated a lesser number of dwelling units being demolished between 1961 and 1968, they believe that there will be a rise in demolition as houses built immediately after World War II become 30 years of age in the early 1970's.

14. It was reported that other urban lands in close proximity to the Waiawa property are capable of being developed, but the conjecture is that these lands would cost more so that they are not going to meet the gap-group housing.

15. Obviously, someone in the State thought that Central Oahu should be the area of growth; otherwise, so many millions of dollars would not have been committed to the transportation system and a study which reflected a rapid transit system that goes within a mile and five-tenth of the Waiawa property.

16. They believe that their prices might stimulate more competitive spirit to influence the building of more low cost housing.

Commissioner Sullam expressed the desire to look at the land requested for urban use.

Mr. Izumi offered to take the Commissioners on a tour of the manufacturing plant at the same time of the field inspection.

ACTION: Upon the motion by Mrs. Sullam, seconded by Rev. Connell, and carried, the Commission deferred this matter for a field trip to the area under consideration.

AYES: Sullam, Connell, Bright, Yamabe;
NAYS: None;
ABSENT: Chun, Crane.

MISC.
HOUSE RESOLUTION
NO. 273
TANTALUS SLOPES
OF MANOA VALLEY

Transmitted to the Planning Commission was a certified copy of House Resolution No. 273 which was adopted by the House of Representatives of the Sixth Legislature of the State of Hawaii, Regular Session of 1971.

This resolution related to the zoning of land on the Tantalus slopes of Manoa Valley and requested that the Commission revoke the residential zoning on the subject land owned by the Bishop Estate.

The Commission were oriented to the location of the subject land and given information relating to the zoning and topography of the land. The land area involved is approximately 28 acres and is quite steep. The upper slopes are in the Conservation District and designated as Preservation on the General Plan Detailed Land Use Map while the lower slopes just above Huelani Drive is in the Urban District and designated for residential use.

Because of an announcement by Bishop Estate to sell the land, concerned residents had petitioned the Legislature to take some action to prevent the development of the area for residential purposes. The residents had expressed concern that development of

the hillside would create soil erosion and water run-off problems and endanger the homes below.

ACTION: Upon the motion by Mrs. Sullam, seconded by Mr. Bright, and carried, the Commission recommended to the Director that he take appropriate action to change the General Plan designation and the zoning on the subject land to the Preservation District category.

AYES: Sullam, Bright, Connell, Yamabe;
NAYS: None;
ABSENT: Chun, Crane.

MISC.
REPORT ON C.Z.C.
AMENDMENTS

For its perusal, the Commissioners were provided with a copy of the report from the Planning Director to the City Council regarding a review and recommended amendments to the Comprehensive Zoning Code.

The Commission requested that workshop sessions be scheduled with the staff to review the report.

The Director will make the proper arrangement to schedule these workshop sessions.

Upon the motion by Mrs. Sullam, seconded by Rev. Connell, and carried, the Commission authorized the Planning Director to establish the public hearing dates for consideration of the following matters:

CONDITIONAL USE
PERMIT
AIEA
99-1657 AIEA
HEIGHTS DRIVE
AIEA HEIGHTS
REST HOME, INC.
(FILE #70/CUP-32)

(1) An application for a Conditional Use Permit to construct an addition to an existing rest home within an R-3 Residential District on a 43,522-square foot parcel of land at 99-1657 Aiea Heights Drive in Aiea.

ZONING B-2
COMMUNITY BUSINESS
DISTRICT
WAIPAHU
FARRINGTON HIGHWAY
AT AWALAU STREET
POLICARPIO PADRON
(FILE #71/Z-4)

(2) A proposal for a change in zoning from R-6 Residential to B-2 Community Business District for various parcels of land situated on Farrington Highway between Awalau Street and the drainage canal in Waipahu.

ZONING B-2
COMMUNITY BUSINESS
AND A-2 APARTMENT
DISTRICTS
WAIPAHU
AWALAU STREET AND
THE DRAINAGE CANAL
(FILE #71/Z-20)

(3) A proposal to change the zoning from R-6 Residential to B-2 Community Business District and from A-3 Apartment to A-2 Apartment District for land situated at Awalau Street and the drainage canal in Waipahu.

ADJOURNMENT: The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Carole A. Kamishima

Carole A. Kamishima
Secretary-Reporter

File Copy

Special Meeting of the Planning Commission
Minutes
April 21, 1971

The Planning Commission met in special ~~regular~~ session on Wednesday, April 21, 1971, at 2:00 p.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT: Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Rev. Eugene Connell
Roy R. Bright
Fredda Sullam (excused at 5:00 p.m.)

STAFF PRESENT: Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Tosh Hosoda, Staff Planner
Henry Eng, Staff Planner
William Bartlett, Staff Planner
Harold Murphy, Staff Planner
Gerald Henniger, Staff Planner

ABSENT: James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

PUBLIC HEARING
CONDITIONAL USE
PERMIT
LILIHA
LILIHA STREET
ST. FRANCIS
HOSPITAL
(FILE #71/CUP-1)

A public hearing was held to consider an application for a Conditional Use Permit to expand the facilities of St. Francis Hospital by the construction of a radiation therapy unit on land situated at 2260 Liliha Street in Honolulu and identified as Tax Map Key 1-8-13: 3.

The public hearing notice was advertised on April 11, 1971. No written protests have been received.

Tosh Hosoda, Staff Planner, explained the proposal on behalf of the Planning Director. Approval was recommended with the attachment of six conditions which were read.

Questioned by the Commission, Mr. Hosoda confirmed that the Conditional Use Permit will encumber the entire land area in use by the St. Francis Hospital. The Hospital was initially constructed in the 1920's and there is no Conditional Use Permit attached to this property at this time.

No one spoke in opposition to this application.

Speaking in support of the proposal was Sister Maureen, Administrator of the St. Francis Hospital. She indicated their willingness to comply with the six conditions mentioned. It is also their intention to fully utilize the canopied area as indicated on the plan submitted. She asked for clarification of the Permit which was reported as applying to the entire parcel.

The Planning Director explained that a hospital can be established in this district through a Conditional Use Permit; therefore, any amendment or alteration of this plan or any other type of construction involved in the entire hospital grounds would require another Conditional Use Permit.

Questioned by the Commission, Sister Maureen stated that funds for this project have been totally donated by the family of a deceased patient at the Hospital.

Mr. Jack Lipman, Regional Manager of Daniel, Mann, Johnson, and Mendenhall, agent for the applicant, was present to answer any questions from the Commission.

There was no further testimony. The public hearing was closed and the matter taken under advisement upon the motion by Rev. Connell, seconded by Mr. Chun, and carried.

AYES: Connell, Chun, Bright, Sullam, Yamabe;
NAYS: None.

ACTION: The Commission concurred with the Director and recommended that a Conditional Use Permit be issued to the applicant with the following conditions, upon the motion by Mr. Bright, seconded by Rev. Connell, and carried:

1. The uses proposed shall be in accordance with the plans dated February 12, 1971, and filed with the Planning Department.

2. The proposed radiation therapy unit shall be established in a manner acceptable to the Department of Health.

3. This Conditional Use Permit shall be applicable to the entire parcel identified as Tax Map Key 1-8-18: parcel 3.

4. In the event the conditions as set forth herein are not met, the Planning Director may take action to terminate the use or halt its operation until such time full compliance is obtained.

5. The recorded owner of the land encompassed by this Conditional Use Permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii a declaration of the above-mentioned restrictive conditions.

6. A certified copy of the documents as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation prior to issuance of a building permit.

AYES: Bright, Connell, Chun, Yamabe;
NAYS: None;
ABSENT: Sullam.

PUBLIC HEARING
CONDITIONAL USE
PERMIT
(HOSPITAL)
PACIFIC HEIGHTS
3180 PACIFIC
HEIGHTS ROAD
RALEIGH HILLS
HOSPITAL, INC.
(FILE #70/CUP-5)

A public hearing was held to consider an application for a Conditional Use Permit to establish and operate a 28-bed hospital devoted exclusively to the treatment of alcoholics in an existing two-story dwelling situated within an R-3 Residential District at 3180 Pacific Heights Road in Pacific Heights and containing an area of 3.28 acres.

The notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of April 11, 1971.

Henry Eng, Staff Planner, explained the applicant's proposal on behalf of the Planning Director. The recommendation was denial based on findings that the proposed use would be more injurious to property and improvements in the surrounding area than would any use generally permitted in the district.

The Director responded to questions asked by the Commission, as follows:

1. The total number of persons at any one time is estimated at 40 to 45 persons. This is at full capacity and including staff members.

2. If the property were to be subdivided, only about five to ten lots at the most could be created because of the cross slope requirement.

3. Under the Planned Unit Development density, it might be possible to obtain from 30 to 35 units on the subject parcel.

4. The proposed operation will be under the purview of the State Health Department at all times.

The following persons spoke in OPPOSITION to the application:

1. Douglas Lee, 3000 Pacific Heights Road; President of the Pacific Heights Community Association
2. Edwin W. Peterson, 2881 Pacific Heights Road
3. J. Garner Anthony, 3251 Pacific Heights Road
4. Vivia B. Lee, 3083 Pacific Heights Road
5. Marcus H. Asch, 3215 Pacific Heights Road
6. Akira Ishida, 2668 Haili Road
7. Mrs. Helen N. White, 3002 Pacific Heights Road
8. Robert K. Richardson, 2578 Pacific Heights Road
9. W. T. Spalding, 3340 Pacific Heights Road
10. T. C. Yim, member of the State House of Representative.

Approximately 60 other persons in the audience raised their hands in opposition to the application.

The reasons for objection were given as follows:

1. Adverse effect upon their safety due to increased traffic on this narrow, steep, and winding Pacific Heights Road.

2. Adverse effect upon their comfort through fear that the patients would be wandering around their neighborhood. Abutting property owners would also be restricted in their use of their property, because they cannot make noise next to a hospital.

3. Adverse effect upon their property value by lowering it because the proposed use is a commercial enterprise. There is also danger of other commercial enterprises establishing in this strictly residential neighborhood.

Questioned by the Commission, additional statements were given by the protestants as follows:

1. It has been their experience that the operations of the existing convalescent home located at 2630 Pacific Heights Road and the Hospitality Home operated by Christian Reformed Church of Honolulu at 2875 Pacific Heights Road have been quiet and do not bother the residents. However, these types of operation are totally different from the type of operation proposed by the applicant.

2. Their concern is the proposal involving the treatment of alcoholics.

3. They have no opinion as to whether or not the State should operate such a hospital for alcoholics. They are aware of a nonprofit organization called Alcoholics Anonymous which is doing an outstanding service in the treatment of alcoholics.

4. Pacific Heights Road is a public road which was never officially deeded to the City.

5. The residents do not mind the narrow road and several turns because this tend to make drivers more careful and go slower. No further increase in traffic should be allowed on Pacific Heights Road.

Speaking FOR the proposal were Mr. Norman H. Johnson, Secretary and Director of Raleigh Hills, Inc., and Mr. Morio Omori, attorney for the applicant.

Mr. Omori quoted from the applicable sections of the Comprehensize Zoning Code relating to conditional uses to indicate that the proposed operation is a permitted use under certain conditions in a residential district.

Mr. Johnson explained the actual operation of the hospital to clarify some of the misconceptions given to the residents and gave other information as follows:

1. They are the operators of two other similar facility on the mainland. The 22-bed facility in Portland, Oregon, in operation since 1942, and the 12-bed facility at Spokane, are located in the residential sections with no disturbances caused to the residents. The soon to be opened facility at Newport Beach is located next to a public junior high school, churches, and one of the nicer residential sections of Newport Beach.

2. There is a wide range of alcoholics. They are very selective in admission and they do not accept the so-called "wino" of Skid Row or someone who becomes violent after a few drinks. They single out only those people they have been successful with and these are the businessmen, housewives, professional people, people from all walks of life. Approximately 50 percent of the alcoholics fall into this category.

3. One of the doctors from the Mental Health Center has projected that approximately 20,000 to 25,000 people on these islands need help.

4. They had made the statement that approximately 75 percent of their patients would come from the mainland. Actually, this percentage was anticipated to be at the initial stage of operation because this program is new in Hawaii. However, with the number of persons requiring treatment in Hawaii, the opposite may be true where 75 percent would be local while 25 percent would be from out of State.

5. People hear about their facility by word of mouth. Admission is on a voluntary basis by referral through a family physician, a minister, or other knowledgeable groups or individuals. All contacts must be made either by phone or letter at which time they learn more about the patient. They must be self-motivated people. No one referred there by the court or a judge as a condition to avoid a jail sentence would be accepted.

6. An interview is scheduled at which time the patient is screened by a screening committee composed of a consulting psychiatrist, the administrator and the doctor in charge. They single out those persons who are responsible people who realize that they have become addicted to alcohol and who are looking for a responsible treatment program.

7. These people stay for approximately 12 to 14 days at a cost of about $1200 to $1500. Of the 28 beds available, 4 to 6 are held in reserve because of their after-care program where the patients will return 4 to 6 times during the succeeding 12 months and for the rest of their lives without additional cost.

8. They are also very selective in choosing their staff. They select trained counselors all of whom must be former alcoholics with special training. They have employed several former priests who have done an excellent job in their counseling program. They will have food service personnel, housekeeping and maintenance personnel, registered nurses, and also a medical staff of about 5 to 10 doctors.

9. Maximum staff would probably be 28 people. On the day shift, which is from 8 a.m. to 4 p.m., there will be between 12 and 16 people; on the evening shift from 4 p.m. to 12 a.m., between 5 and 8 people; and on the night shift from 12 a.m. to 8 a.m., between 2 and 4 people. They do not think this would conflict with the heavy peak traffic time on the road but the shifts can be changed to 7 a.m. to 3 p.m., 3 p.m. to 11 p.m., and 11 p.m. to 7 a.m.

10. The Farrington property was selected because they wanted a large residence which could be converted to a hospital. They wanted a nice setting, lovely grounds, and an anticlinical place.

11. Rather than a convalescent home operation, they selected the acute hospital operation because 75 to 80 percent of their patients are paid by their major medical benefits.

12. Upon approval of the Conditional Use Permit, they will spend approximately $85,000 to meet fire code requirements for an acute hospital which means a sprinkler system and certain safety precautions of stairs, walls, ceiling, etc. Certain rooms will be changed and they will add a number of baths. Parking to meet the ratio requirement will be provided. They will paint inside and outside of the house and do landscaping to retain the residential character of the property.

13. Property values do not depreciate nor would traffic increase appreciably by the operation. As shown on several photographs submitted, residential homes costing $65,000 to $75,000 are located across the street from Raleigh Hills Portland. They have had no incidences concerning the safety of their neighbors or that traffic had increased appreciably. They have submitted letters from some of these neighbors attesting to these facts. The Commission may check out this information with the Portland officials and the neighbors.

Questioned by the Commission, Mr. Johnson and Mr. Omori gave additional information as follows:

1. It is possible to have this facility located somewhere outside of a residential district; however, they are not aware of any facility available to them outside of a residential district. They would prefer a nonclinical atmosphere for these people by having them stay in an area with other people rather than isolated. From experience, they learned that isolation does not cure people. They keep these people with other people and show personal concern for curing their problem.

2. Upon acceptance of a patient, generally one to two days is spent to completely rid his system of toxin from any drinking he had done. During this time, a vitamin program is started and a special food program and meals planned and served. Counseling starts immediately. On the second or third day, the aversion part of the treatment begins by the injection of a chemical followed by the drinking of all his favorite liquor which makes him violently ill. Mornings are spent in bed while the afternoons are devoted to individual counseling and the evenings, group counseling.

3. During this time, the patients are allowed to walk around the grounds. These are not the violent or antisocial type of people so there is no need to guard them. However, the patients are not allowed to leave the premises and they agree to this restriction at the initial interview.

4. The range of 12 to 14 days depends on how soon the patient's system is rid of the toxin.

5. The feeling among the patients is that they do not wish to enter a hospital. For this reason, they place great emphasis on counseling and personal relationship with the staff. This can be done more easily in a homelike atmosphere than in a hospital. The internal atmosphere relating to color scheme, furnishings, the food that is served as well as the abutting environment is all part of the anti-clinical atmosphere.

6. Raleigh Hills Portland was established before the surrounding homes were built and before the use permit procedures were established. Raleigh Hills Spokane was established after most of the homes were built, and since it was already a licensed hospital which was purchased and converted to their use, no use permit was necessary. A permit for the third facility at Newport Beach was recently obtained. At the beginning, the people in the surrounding area were concerned but after checking with the neighbors surrounding their other hospitals, they had no objection.

7. There is no one cure for alcoholism. It's all based on arrest as long as they do not drink. They are an arrested case in 12 to 14 days, never shorter or longer because it is part of this standardized concept. This program has been successful in 68 to 73 percent of the cases.

8. Generally, there are two kinds of alcoholism--primary and secondary. The primary alcoholic is someone who for some unknown reason and without any kind of aversion or antisocial act becomes addicted to alcohol. A great deal of research is going into the physiology of this matter and this is the kind of patient they accept. The secondary alcoholic is one who uses alcohol as part of a symptom of underlying emotional problem and his behavior tends to be anti-social, especially with alcohol, and these they do not take. Their facility is not a dumping ground to dry out the alcoholic with his shouts and fears while undergoing treatment.

9. There should be no significant difference in traffic generation resulting from this facility as compared to a residential development under the planned development concept.

Mr. Omori responded to the Planning Director's comments as stated in his report to the Commission as follows:

1. The Director admits that the site is suited to the proposed use by virtue of its size, natural buffers, and size of the existing structure. It also meets the size and setback requirements for a conditional use.

2. There should be no problem about off-street parking and loading space because the requirements of the Code will be met.

3. Regarding comments on traffic, as stated in the report, the Traffic Engineer has indicated no objection to the proposed conditional use permit to operate a hospital. From the traffic standpoint, he commented that the proposed operation will not create a heavier concentration of vehicles for Pacific Heights Drive because no appreciable increase in traffic generation is anticipated from the proposed use. The Traffic Engineer is suppose to be the expert in this field, therefore, any differences of opinion regarding traffic should be in his favor.

4. The Director admits that there is a local need for an alcoholic rehabilitation facility. As stated previously, with the 20,000 to 25,000 alcoholics in Hawaii needing treatment, the 22-bed hospital will be kept busy by local people.

5. Their operation is different from the other type of alcoholic rehabilitation center proposed by the State government at Barbers Point.

Mr. Omori then submitted a letter of support from Mr. B. K. Murphy which was read by the Chairman and filed.

Since there was no further testimony, the Commission closed the public hearing and took the matter under advisement upon the motion by Mr. Bright, seconded by Mrs. Sullam, and carried.

AYES: Bright, Sullam, Connell, Chun, Yamabe;
NAYS: None.

In a later consideration, Mr. Chun's motion to accept the Planning Director's recommendation for denial died for lack of a second.

The Commission deferred this matter until its next meeting.

PUBLIC HEARING PLANNED DEVELOPMENT HOUSING DISTRICT ZONING CHANGE FROM R-6 RESIDENTIAL TO A-1 APARTMENT WAIPIO KAMEHAMEHA HIGHWAY, WAIKALANI DRIVE AND WAIHONU STREET HEADRICK DEVELOPMENT CORP.--MELEMANU WOODLANDS (FILE #70/PDH-13)	A public hearing was held to consider a request for a Planned Development-Housing District and concurrent change in zoning from R-6 Residential to A-1 Apartment for those portions of the site designated for low density apartment on the Detailed Land Use Map for land containing approximately 30 acres bounded by Kamehameha Highway, Waikalani Drive and Waihonu Street in Waipio, identified by Tax Map Key 9-5-12: 17-19 and 22. The notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of April 11, 1971.

Mr. Robert Hampton, Development Coordinator for the Headrick Development Corporation's project called the Melemanu Woodlands, gave testimony as follows:

1. The planned development approach was selected in lieu of a conventional subdivision plan or a cluster development because it permits the retention of the desirable features of the natural hillside and at the same time permits a variety of housing type, an integrated recreational center, several tot lots, and the necessary and convenient commercial facilities.

2. The project was planned to meet the socio-economic requirement of the moderate income families which make up the majority of the gap group requiring housing.

3. The first phase of development will consist of 277 units including the recreational area on Parcel 17.

4. Sixty percent of these initial units is to be one bedroom units priced at about $26,500. The balance of 40 percent will be two bedroom units priced at about $28,500. These will be conveyed in fee simple, and the price is established at the anticipated 1972 market rate.

5. The three bedroom units will be located in another section of the project area within easy accessibility to the tot lot and the common recreational area.

6. Out of the total 698 units proposed, 42 percent will be one bedroom units with one bath; 45 percent, two bedrooms with one bath; and 13 percent, three bedrooms with two baths.

7. They are able to achieve this moderate cost structure because of the following:

   a. The land was appraised at double the actual purchase price; therefore, development at 50 percent of its appraised value permits the lower price structure.

   b. The profit structure normal to the construction industry would be low because there would be no sharing of profits with a separate contractor and developer. The land owner will not only be the developer of the area but also the contractor.

   c. Construction cost will be reduced as a result of the use of the modular home concept.

   d. The higher density permitted by the planned unit development will lower the per unit cost for off-site and on-site construction.

8. Assuming that they are able to introduce the units to the market in June, 1971, they would be able to deliver occupancy of approximately 100 units by June, 1972.

9. They are in general agreement with the Director's recommendation for modifications and conditions of the development except for the following two:

   a. The Director had recommended that the location of the swimming pool be maintained in the general area shown on Parcel 19.

      They had proposed an alternative site on Parcel 22a because their development team felt that the area provided a much more natural pool site because of its natural surroundings. They are not opposed to the original site selected but would like to study the situation further.

   b. The Director had recommended that the roadway serving Lot 22 be made a dedicated public street.

      They would like to offer this special amenity of privacy and security usually available only to the higher income group to the moderate income people. The 421 families who would reside there will share in the maintenance cost of this special feature at an estimated additional cost of $8.31 per month. Since they are not absolutely sure that the homeowners would want this type of privacy and security at an additional monthly cost, they would like to have an opportunity to study the matter further.

Mr. Harold Murphy, staff planner, presented the Department's findings on behalf of the Director.

The Commission asked the following questions which were answered by Mr. Murphy:

1. With respect to the recommendation that the tower structures on Parcels 22b and 17 be reduced to four stories and not extend more than 30 feet above the high point of the site, how many units would be lost by the reduction?

   It is doubtful that any units would be lost because through rearrangement of the structures, the same number of units would be obtained. No reduction in unit count is being proposed. The lower height was recommended to avoid any massive concentration of structures in one area and to keep the height at the maximum limitation allowable in that zoning district.

2. What is the department's comment on the response made by the applicant about the private road and the location of the swimming pool?

   Private road--The advantage of a private road is that it could be a two-lane pavement road with a separate car parking area so that the danger of children running out from between parked cars would not be present. However, it could be a four-lane road with parking on both sides of the road. The question of whether it should be a public road relates to such issues as refuse collection and fire fighting. Such services might not be possible on a private roadway.

   Swimming Pool--The present site seems more appropriate than the alternative site which is away from the general center of the entire project and right next to Kamehameha Highway.

The following persons spoke AGAINST the proposal:

1. Max R. Velasco, resident of the adjoining area
2. Dale B. Dawson, resident
3. Wilton Freddie, resident
4. Charles Chun, resident
5. Howard Baker, resident
6. Richard Roadebush, President of the Hawaii Fresh Water Fishing Assn.
7. William D. Crabbe, resident (written testimony was submitted)
8. Mrs. Dale Dawson, resident

Their objections related to:

1. Traffic--The only exit from the area is from Waikalani Drive. Waikalani Drive and its intersection with Kamehameha Highway are wholly inadequate to handle the additional traffic resulting from the proposed 698-unit development. The traffic situation is intolerable now and will become worse, thus jeopardizing the safety and welfare of the people living there. There is no median opening at this intersection so that town-bound traffic must first make a right turn then a U turn right at the slope of the hill into high speed traffic on Kamehameha Highway.

2. Recreational facility--There are no public recreational facility in the area. Available recreational facilities have been developed exclusively for those living in that particular development. Outsiders are prevented from using these facilities. There are more children living outside than inside these developments.

3. Schools--Existing Kipapa School is operating at capacity and some of the parents are sending their children to Wahiawa.

4. Density--The density is too great and should be reduced to about 300 units. Owners of the adjacent one-acre lots are being affected by a high density development immediately adjacent with no buffer areas.

5. Sewage disposal--The possibility that effluents might be discharged into Wahiawa Reservoir was mentioned, and if this should happen, it will seriously affect fish life in the lake. In past years, there have been serious fish kills because of low oxygen. The lake cannot withstand any more disposals.

There was no further testimony.

ACTION: The Commission voted to keep the public hearing open until the next meeting to receive testimony from the applicant as well as the various agencies responsible for traffic, school, and other public facilities in response to some of the issues raised upon the motion by Rev. Connell, seconded by Mr. Chun, and carried.

AYES: Connell, Chun, Bright, Yamabe
NAYS: None
ABSENT: Sullam (Mrs. Sullam was present during the major portion of the hearing but left just before the testimony by Mrs. Dawson.)

LAND USE COMMISSION PETITION WAIAWA NEAR WAIAWA INTERCHANGE URBAN DISTRICT (BERNICE P. BISHOP ESTATE) (FILE #71/LUC-4)	The Commission again considered the petition of Bernice P. Bishop Estate to change the district classification from Agriculture to Urban for approximately 4,500 acres of land situated near the Waiawa interchange in Waiawa and identified by Tax Map Key 9-6-04: portion of 1. Action was deferred at the April 14, 1971, meeting for a field trip to the site. The petitioner has requested that its master plan of development encompassing an area of approximately 4,500 acres be accepted and that the boundary changes be undertaken on an incremental basis. The first increment covers an area of 620 acres. Two alternative master plans are proposed. One plan includes a site for a second campus of the University of Hawaii while the other does not.

ACTION: Upon the motion by Rev. Connell, seconded by Mr. Bright, and carried, the Commission recommended approval to amend the Land Use Commission District Boundary by changing the district classification from Agriculture to Urban for approximately 620 acres of land situated at Waiawa, identified by Tax Map Key 9-6-04: portion of 1.

The Commission stated that its approval recommendation is based upon the high priority need for low cost housing on Oahu, and that this recommendation should in no way be interpreted as including a recommendation on the future site of the second campus of the University of Hawaii. The Commission is merely being consistent with prior recommendations made for large acreage of land being changed from Agricultural to Urban land.

AYES: Connell, Bright, Chun, Yamabe
NAYS: None
ABSENT: Sullam.

Upon the motion by Rev. Connell, seconded by Mr. Chun, and carried, the Commission authorized the Planning Director to establish the public hearing dates for consideration of the following matters:

CONDITIONAL USE PERMIT (CHILD CARE CENTER AND EXPANSION OF RECREATION CENTER) HAWAII KAI 6808 HAWAII KAI DR. KAISER HAWAII KAI DEVELOPMENT CO. (FILE #70/CUP-2)	(1) An application for a Conditional Use Permit to construct and establish a child care center and expand the facilities of an existing recreation center at 6808 Hawaii Kai Drive, Hawaii Kai.
ZONING CHANGE I-1 LIGHT INDUST. TO A-2 APARTMENT WAIPAHU LEOWAHINE ST. RICHARD COOKE, JR. (FILE #71/Z-10)	(2) Change in zoning from I-1 Light Industrial to A-2 Apartment District for approximately 165,745 sq. ft. of land situated at Leowahine Street in Wahiawa.
GENERAL PLAN AND DLUM AMENDMENT ZONING CHANGE R-4 RESIDENTIAL TO A-3 APARTMENT WAIPAHU WAIKELE ROAD M. MIYAMOTO, INC. (FILE #PA#33, AMEND. #3 & 71/Z-8)	(3) Amendment to the General Plan and the Waipahu Detailed Land Use Map from Institutional and Elementary School to Medium Density Apartment use; and change in zoning from R-4 Residential to A-3 Apartment District for approximately 24,539 sq. ft. of land situated on Waikele Road, between Waipahu Street and Farrington Highway in Waipahu.

ADJOURNMENT: The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Mitzie M. Abbott

Mitzie Abbott
Hearings Reporter

File Copy

Meeting of the Planning Commission
Minutes
April 28, 1971

The Planning Commission met in regular session on Wednesday, April 22, 1971, at 2:20 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Bruce Duncan, Staff Planner
Harold Murphy, Staff Planner

ABSENT:
Rev. Eugene Connell
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

PUBLIC HEARING
PLANNED DEVELOPMENT-HOUSING DISTRICT
ZONING CHANGE
R-6 RES.TO A-1 APT.
WAIPIO
KAM. HWY., WAIKALANI DR. & WAIHONU STREET
HEADRICK DEVELOPMENT CORP.-MELEMANU WOODLANDS

The Commission again considered this request for a Planned Development-Housing District and concurrent change in zoning from R-6 Residential to A-1 Apartment for those portions of the site designated for low density apartment on the Detailed Land Use Map.

The public hearing held on April 21, 1971 was continued to permit representatives of governmental agencies to respond to questions raised by property owners.

1. Traffic Department represented by Mr. James Dwight - The Commission at the last hearing requested clarification regarding the construction of traffic improvements at the Waikalani-Kam Highway interesection which fronts the subject parcel, and the number of units which would be permitted to be built prior to such highway construction.

   Without any alterations to the Waikalani-Kam Highway intersection, they would recommend that 300 units be built. If there is any further development, they would recommend, with the concurrence of the State Highway Department, that the intersection by the median be physically closed to traffic, and that the traffic be redirected to a safe, relatively flat area at the top of the hill, where a U-turn could be safely conducted.

Additional questions were raised:

a. Is there room for a sufficient turning radius to effect a safe U-turn at this location, even during peak traffic hours?

   Even though there will be a sufficient turning radius, a vehicle may have to cross two lanes of traffic to effect such a turn. It is the Traffic Department's contention that a safe U-turn can be made at this location in peak traffic hours. A recent peak morning traffic count taken for an hour revealed 900 vehicles traveling to Honolulu and 1,414 from Honolulu.

b. Which is safer, a left turn or a U-turn?

   Normally, a left turn is safer. However, in this particular case, a U-turn is safer because the operator is confronted with only one side of the divided highway, rather than having to contend with both sides of the highway at the same time.

c. Will acceleration and deceleration lanes be constructed to the subject property? If so, has consultation been made with the State Department of Transportation as to who will do this construction?

   Acceleration and deceleration lanes to the subject property are are recommended, to be done, presumably, by the developer. Mr. Dwight did not know whether preliminary discussions were held between the developer and the State DOT concerning this construction.

There were no further questions relating to traffic.

2. State Department of Health represented by Mr. Shinji Soneda, Exec. Officer and Chief Sanitary Engineer, Environmental Health Division

   There was concern over effluent discharge into Wilson Lake, whether this is satisfactory to the Health Department, and what environmental problems there might be in that connection.

   In studying this problem, various alternative proposals were considered:

   a. Their department objected to the original proposal to discharge effluent from a secondary treatment plant (Waipio STP) into Kipapa Stream.

   b. Another alternative was to reuse the effluent for irrigation by intermixing it with the Waiahole waters in the Oahu Sugar irrigation system. This was rejected by the Board of Water Supply because it would affect the underground aquifer.

c. Their department has approved the proposal to pump the effluent from the Waipio STP to the Wilson Reservoir. Subsequent to this approval, however, the Fish and Game Division brought to their attention "fish kill" in the reservoir during low-flow periods. The Fish and Game Division suggested the alternative of bypassing the Wilson Reservoir, and discharging the effluent into the Waialua irrigation system. The State Health Department also favors this method.

In trying to resolve the issue, their department considered (1) to reject the water because of its pollutants; or (2) to reuse the water as much possible. The advantages to reuse water outweighed their reasons for rejection. The proposal to pump the effluent from the Waipio STP to the Wilson Reservoir provides three functions - its original use (Waipio STP), a recreational function (Wilson Reservoir), and irrigation purposes (Waialua irrigation system).

It should be noted that other areas are reusing water to its maximum capacity.

Recognizing the pollution problem on the other hand, opens a new dimension to the issue. When considering alternatives to relieve the situation, Mr. Soneda pointed out that the major source of pollution in the area is the city operated Wahiawa Sewage Treatment Plant.

The Commission raised the following questions:

a. Is there any concern of overloading the Wilson Reservoir?

Wilson Reservoir presently services the Wahiawa STP, and additional sewage connections are being performed.

It was brought out in testimony that water in Wilson Reservoir is low. The proposed development will bring in more water. The issue here is the need for selective water compatible with the reuse facet developed for the area. To do this, some of the pollutants must be removed. Since the city is introducing the major portion of the pollutants, the city should exercise some leadership in eliminating the material from its own system.

Wilson Reservoir is classified as Class 1 fresh water, which is comparable to Class AA oceanwaters.

b. What types of sewage systems are discharging effluent into the Wilson Reservoir?

In all cases secondary systems which vary only in sophistication are being used.

There were no further questions.

3. State Department of Education represented by Mr. Edgar Hamasu

There was question at the last meeting relating to the adequacy of existing educational facilities, and the need, if any, for additions.

Approximately 100 to 150 pupils will be generated from the proposed development which will increase the capacity of Kipapa Elementary School to 780 students. Upon completion of the Waianae Elementary School, the enrollment will be lessened to 600. The enrollment projected for Kipapa by 1976 is 1,000 students and above which the site can accommodate.

Their calculations were based on the type of unit--

2 and 3 bedroom apts. - 9 pupils per 100 units
Studios - 9 pupils per 100 units or lower
Townhouse and 2 bedroom units - 3 pupils per 100 units

This calculation system has been in use for the past two years, and has been quite successful.

Additional public testimony was heard.

1. Mr. Richard Yoshida, Fish and Game Division, State Department of Land and Natural Resources.

For purposes of clarification, Mr. Yoshida indicated that their department supports the proposal of sewage effluent disposal into the Waialua irrigation system. They object to effluent discharge into the Wilson Reservoir.

2. Mr. Bill Cook, Chairman, Hawaii Housing Authority

Mr. Cook pointed out that although urban lands are available, stiff development and improvement costs create a housing market difficult for people to pursue. State and City CIP efforts could assist in this area. Mr. Cook explained the specifics of Act 105 whereby the HHA could literally write down the cost of a $30,000 home by $5,000, and then try to recover the amount within a 20-year period.

While the availability of lands helps to resolve a portion of the housing situation, all planning aspects must be weighed before any housing development can occur. The fact that housing costs never remain as originally proposed is another concern.

There was no further discussion. The public hearing was closed and the matter was taken under advisement on motion by Mr. Chun, seconded by Mr. Bright.

ACTION on this matter was taken in the following manner:

Chun: I move that this Commission recommend approval of the Planned Unit Development as modified by the recommendation of the Director, in that we recommend the development at the present time of 300 dwelling units,

And, upon completion of improvements necessary to resolve the traffic problems involved - to wit, the improvements of that area mauka on the highway for a U turn - that a maximum number of 500 dwelling units be approved;

It is further recommended to the Council, that the final development plan be re-submitted to the Commission for review.

(The motion carried.)

AYES - Yamabe, Chun, Sullam, Bright
NAYES - None
ABSENT - ~~None~~ Connell

The Commission held the PUBLIC HEARINGS for the following items simultaneously:

1. Applicant: Jesse T. Baker & Planning Director
   Proposal: Change in zoning--A-1 Apartment District to R-6 Residential District
   Location: Wahiawa--Vicinity of Cane Street, Neal Avenue and Peach and Lemi Streets
   Tax Keys: Generally 7-4-14 and 7-4-20
   Area: Approximately 27 acres

2. Initiated by Planning Director
   Proposal: Change in zoning--R-4 Residential District to R-6 Residential District
   (Area 1)
   Location: Wahiawa--General vicinity bounded by California Avenue, Leilehua High School, Schofield Barracks, and the rear property lines of properties fronting Rose Street and Circle Drive.
   Tax Keys: Generally 7-4 Plats 13, 14, 15, 16, 21, and Portion of 18
   Area: Approximately 123 acres

3. (Area 2) R-6
   Location: Wahiawa--located west of Kam Highway bounded by Kaukonahua Stream, a private roadway fronting Nihiwai Place, portion of Nihiwai Place, the interior property lines of Parcel 3, Kilani Avenue, and the back property line of the parcels facing Holoku Place.
   Tax Keys: Generally 7-3-05
   Area: Approximately 11.4 acres

Publication was made April 18, 1971. No letters of protest were received.

Bruce Duncan, Staff Planner, reviewed the staff's report.

No discussion followed.

Public testimony was heard.

Mr. Les Reynolds, Realtor for Mr. James Yamane, property owner in Area 2, questioned whether Kaneohe Ranch Company, the landowner, was notified. The staff indicated that notification was made. The staff also held a community meeting in Wahiawa with approximately 50 residents in attendance. At that time, there was no dissention expressed to the proposal.

The Director pointed out that Mr. James T. Baker, the applicant, could not be present at this hearing but did wish to indicate his support of the proposal.

No other person was present to speak either for or against any of the three aforementioned proposals.

The public hearings were closed, and the matters were taken under advisement on motion by Mr. Bright, seconded by Mr. Chun and carried.

ACTION: Based upon the recommendation of the Director, the Commission on one motion, acted simultaneously to recommend approval of the three aforementioned proposals, on motion by Mr. Chun, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright
NAYES - None
ABSENT - Connell

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL TO
I-1 LIGHT INDUS.
DISTRICT
WAIAU
MAKAI SIDE OF KAM.
HWY. IN THE VICINITY
OF EAST LOCH
HAWN.ELECTRIC CO.,INC.

A public hearing was held to consider a request for a change in zoning from R-6 Residential to I-1 Light Industrial District for approximately 51 acres of land situated at Waiau, the makai side of Kam Highway in the vicinity of East Loch and identified as Tax Map Keys: 9-7-18: 12, 9-7-19: 2, 9-8-04, and Portions of 9-8-03.

Publication was made April 18, 1971. No letters of protest were received.

Bruce Duncan, Staff Planner, reviewed the staff's report. To a query relating to pollution problems, the staff indicated that the requirements governing noise under the CZC plus those of the State Health Department relating to air and water standards, give sufficient control.

There were no further questions concerning the staff's report.

The Director reported the receipt of a letter dated April 28, 1971, from Betty Snowden, Executive Secretary, Pearl City Community Association, questioning the installation of the generators. These issues are covered in the staff's report, and a reply will be prepared by the staff accordingly.

No person was present to speak either for or against the proposal.

The public hearing was closed and the matter was taken under advisement on motion by Mr. Bright, seconded by Mr. Chun.

ACTION: Based upon the recommendation of the Director, the Commission recommended approval of the applicant's request, on motion by Mr. Bright, seconded by Mrs. Sullam.

AYES - Yamabe, Chun, Sullam, Bright
NAYES - None
ABSENT - Connell

PUBLIC HEARING ZONING CHANGE A-4 APT. TO B-2 COMM.BUS.DIST. Makiki ~~WAIKIKI~~ ALA MOANA MAUKA ON YOUNG ST. BETWEEN PENSACOLA ST. & VICTORIA ST. TMK: 2-4-02: PORTION OF 18 MAURICE J. SULLIVAN	A public hearing was held to consider a request for a change in zoning from A-4 Apartment to B-2 Community Business District for approximately 32,112 square feet of land situated at Makiki-Ala Moana, mauka on Young Street between Pensacola and Victoria Streets, and identified as Tax Map Key: 2-4-02: portion of 18. Publication was made April 18, 1971. One letter of protest was received and is included in testimony given against the proposal.

The staff's report was reviewed. The Commission had no questions of the staff.

Public testimony followed.

AGAINST the proposal--

1. Mr. Kenneth Lum, Chairman, Church Board, The First Chinese Church of Christ in Hawaii, 1054 S. King Street (submitted letter dated April 25, 1971)

Reasons:

1. The retention of the present apartment zoning is desirable for the better development of the community. The area already possesses a suitable neighborhood environment. It is convenient to schools, playgrounds, shopping centers, library and places of employment.

2. There is a critical housing shortage and more emphasis should be given to housing problems and the planning for good housing. This planning should include relief from traffic congestion, freedom from noise and nuisances and pleasant surroundings for dwellings.

3. Orderly development can be accomplished by maintaining the existing good features and eliminating those which have an unfavorable influence on the community.

Mr. Ted Ogoshi, representing the Central Honolulu Community Association appeared neither for or against the proposal. Their association requested justification for the zoning change. He was informed that the change is in accordance with the General Plan which their association supported upon review approximately two years ago.

There was no further discussion, and no other person was present to speak either for or against the proposal.

The public hearing was closed and the matter was taken under advisement on motion by Mr. Chun, seconded by Mr. Bright and carried.

ACTION: Based upon the recommendation of the Director, the Commission recommended approval of the applicant's request, on motion by Mr. Bright, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Sullam, Bright
NAYES - None
ABSENT - Connell

LAND USE COMMISSION PETITION WAIANAE, LUALUALEI URBAN DISTRICT (KEYSTONE INVESTMENT, INC.) (FILE #71/LUC/5)	The Commission again considered this Petition from Keystone Investment, Inc., to redesignate 50.8 acres of land from Agriculture to Urban Use. The petitioner proposes to develop the site for residential use in a planned unit development consisting of 400 dwelling untis. Action at the April 14, 1971 meeting was deferred. The Planning Department has requested a 15-day extension from the State Land Use Commission which ends May 1, 1971.

The following transpired--

Chairman: Mr. Director, what was your recommendation?

Way: Our recommendation to the Commission was for denial of the petition for the land use boundary change.

Chun: Mr. Chairman, I move that the Commission adopt the recommendation of the Director, and based upon such recommendation, recommend denial of the application.

Bright: Second the motion.

Chairman: It's been moved and seconded that the Commission agrees to the Director's recommendation. Discussion?

Sullam: Yes. These requests that come from the Land Use Commission, in my mind, we're giving opinions that are based on very superficial and hollow findings. We don't relate these as far as our scope of the General Plan is concerned - that is, the trends, the conditions that are prevailing, and examine lands to satisfy these trends and conditions. We really haven't examined the land available for housing. We haven't done a thorough study on this.

In this instance we're denying this application but in an instance of Bishop Estate, approval was granted. I don't feel that we had a basis on which to grant approval. I feel all of this is related.

Any decision we make must be done comprehensively. I think that when the Land Use Commission requests us to make a recommendation to them, we are not planning comprehensively.

Bright: If you're referring to this specific portion of land, I'd like to remind Commissioner Sullam that we looked at these quarries just a week ago.

Sullam: I agree with that but I feel that whenever we make a recommendation to the Land Use Commission, it should be not on that parcel itself. It should be on that parcel that relates to all land that is available for urban usage. I don't think we're looking at this in a comprehensive manner.

Bright: I think our area of interest can only be that which we're requested to reply on. We have no other choice in this matter but to make our recommendation on a specific area, in this or in any other instance. If you want to make a broad, general recommendation right now, this is your prerogative.

Chun: Mr. Chairman, I think the only answer to that comment is that we are bound by the law as it reads today. I think the Director will agree with me that under the law as it presently exists, our jurisdiction is limited only to those areas that are within the urban uses as designated by the Land Use Commission. The provision of the Land Use Law which requires the Land Use Commission to submit to the Planning Commissions of various counties, recommendations on various applications. We are stuck by the terms of that law. If

the law is amended to provide that the Land Use Commission must conform to the General Plan of the counties, then that is another matter. Until the law is amended towards that direction, I think we're stuck.

Sullam: Can't we indicate to the Land Use Commission that in view of the fact that we have a charter that indicates that planning must be done comprehensively, that perhaps we should amend our General Plan first, and then send our decision up to the Land Use Commission? Reverse the process. Let the Land Use Commission come to the county first.

Chairman: Unfortunately that is not possible under the present law, unless our staff is well-equipped and wishes to do all the studies in this area where we're contemplating requests from the Land Use Commission.

Sullam: But we're not acting according to the intent of the charter which is to plan comprehensively.

Chairman: However, I might make one point here. The Land Use Commission request is whether to take it out of agricultural use and put it into urban use. That doesn't necessarily mean that we can't make further studies of this change when it comes back to us for change of the General Plan. At that time, I'm certain that it will be required of the city to make a reasonably comprehensive study of whether the need might exist or not. There's going to be a lot of areas in conflict with the Land Use Commission's designation and the City's use. We will have another crack at it if it's not already general planned.

Sullam: Yes, I realize that but I feel that our recommendation is a very shallow and superficial one.

I just want to make those remarks because I feel this is the appropriate place to make them.

Way: Might I make a couple of comments in this connection.

One is that we are guided by the criteria in the Land Use Law regarding changes. I think this is a basis for it. While it might be viewed that they are not all as encompassing and comprehensive as they might be, they do represent the standards under which we and the Land Use Commission operate.

Secondly, I've already expressed to the Land Use Commission - and in a specific instance involving a major proposal to rezone the 3400 acres at Ewa - for their consideration on major changes, considera-

tion of the county's view as expressed in the General Plan change where that was appropriate.

I'd also like to comment that in the staff report on land use changes, while we used as a guideline the standards of the Land Use Law, additionally you will find quite a bit of supplementary information concerning land availability on an island-wide basis, housing market data, other kinds of economic support information usually furnished by the applicant - and if so done, its reviewed by our department with commentaries we feel appropriate as to its applicability to the case at hand.

I don't think that the comprehensive aspect is missed entirely in the staff's review and report on a given land use application. Maybe that's one of the reasons they get to the Commission rather late because we do give them an overall review as they pertain to our General Plan particularly, and try to deal with them on a comprehensive basis.

We take into account other developments imminent in the area as well. In this specific instance, you'll find that we summarized the low-cost housing development proposal in the Waianae district. We looked at the land availability in the Waianae district. I might add that we started from the island as a whole and worked down. We have developed a research report early this month, first the comprehensive one by the city on land availability for residential development, again as a guideline, a bench mark if you will, to measure some of these proposals again.

So, while admittedly the process is not perfect, that many of these aspects of dealing with the comprehensiveness of the question are taken into account. Any suggestions anyone has for improving the process and adding to the criteria, increasing our knowledge on the subject, we're certainly open to.

Chairman: Am I correct to assume then that whatever your recommendation may be on requests made by the Land Use Commission, you feel that subsequently you can immediately take action if the request is made to change the zoning to your recommendation?

Way: No. I don't think it's necessary to take immediate action.

The most typical case for a major change involves first the land use boundary change, and then usually a general plan change, followed by the zoning change.

So we, at the county level, really have three cracks at the question.

In this instant case, I might comment that the General Plan does reflect an urban-type use for the project. However, I believe our report emphasized primarily the question of suitability of this site as a former quarry - having been ravaged by that quarry operation - for development and for housing particularly as an environment. We question whether it could be done or should be done in its present condition.

Chairman: As you pointed out, this area is already indicated on the General Plan as residential but as far as the topography or what have you, you feel at this moment there should be no change. Also the fact was pointed out that this is merely changing the land use designation at State level.

Now this will come back to us again for zoning. At that time, is there a possibility that you might consider making some recommendation to the developer or making the very point that you're making now so that there will be a certain amount of credibility with our General Plan? It is residential but it doesn't mean it's going to get the zoning. Its a long range plan. The General Plan is a 20-year plan. Why can't we designate it or have the state designate it to conform with our General Plan. If subsequently they should come in for the zoning, at that time, these points that you have raised be considered.

Way: I think the problem there is a matter of conditioning the zoning. Until these other questions are satisfactorily resolved, our feeling is that it shouldn't even be considered for inclusion in the urban district at this time. Once the question of whether or not its suitable for development as a site, and then as an environment for homes is resolved, then I think we could take another look at it to reclassification in the urban district, and further to consideration in the appropriate zoning at the county level.

Chairman: That being the case, would you consider it desirable for the city to initiate a change in the General Plan for this particular parcel for the moment?

Way: No, I don't feel that is essential at this time. I think we'd be kind of gerrymandering a piece out of the General Plan. It would be a little difficult to find the basis for it. I might say, that's just an observation, not a recommendation.

Sullam: Mr. Chairman, my remarks really were not directed particularly to this petition as much as to the whole philosophy of the county's giving recommendations to the Land Use Commission. I do feel, despite what Mr. Way has told us, that we in a way, are more responsive rather than initiative of what is the best use of land. We respond rather than initiate.

When all the petitions are granted, we react but we don't necessarily consider them all at once. Where is the best place for housing? Where is the best place for commercial development and so forth? We wait until they come to us. I'm not sure this is really planning. If you plan, you should have an idea of what the whole thing is going to be like.

Chairman: I agree with you on the thought of being a bit more comprehensive. I think Bob has pointed out that he feels the staff has made comprehensive study.

However, my thoughts in any application that we have been requested to review by the Land Use Commission, whatever action taken on that doesn't necessarily have to be the same if they come back to us for the final zoning. My personal thoughts on the matter is you can plan for a large area to show some possible residential area. However, if it's really not ready for development, when it comes back to us, if it really doesn't meet the needs, we don't have to agree to the change of the General Plan or grant zoning. This doesn't mean you're being inconsistent. There's two different steps - one is the State, and we have at least two steps right here.

Are we ready for the question? All in favor?

(The motion failed due to the lack of four affirmative votes.)

AYES - Chun, Sullam, Bright
NAYES - Yamabe
ABSENT - Connell

Chairman: I still feel, Mr. Director, that I don't think we should be too concerned with the Land Use Commission designation specifically on this parcel. We have it shown as residential. If its shown as residential, I think its only right for the City to conform or request conformance on the part of the State Land Use Plan. Whatever the reason for the denial, I still feel that it can be taken up at the time when they come in for the zoning.

LAND USE COMMISSION PETITION WAIANAE, LUALUALEI URBAN DISTRICT (OCEANVIEW VENTURES) (FILE #71/LUC-2)	The Commission deferred action on this matter at its April 14, 1971, meeting. The Director reported that the applicant has requested a two-week deferral, and that the State Land Use Commission is acceptable to such a request.

At the request of the applicant, the Commission again deferred action on this matter for a period of two weeks.

CONDITIONAL USE PERMIT (HOSPITAL FOR THE TREATMENT OF ALCOHOLICS) PACIFIC HGTS. 3180 PACIFIC HGTS. RD. TMK: 2-2-32: 7 RALEIGH HILLS HOSPITAL, INC. (FILE #70/CUP-5)	The Public hearing held April 21, 1971, was closed, and action deferred. The Director reported that the applicant has requested a 30-day deferral. At the request of the applicant, the Commission again deferred action on this matter for a 30-day period.

STREET NAMES	The Commission, on motion by Mrs. Sullam, seconded by Mr. Bright and carried, recommended approval of the following staff recommendations:

Recommend approval of the following street names:

Proposed street names for Aikahi Gardens, Tax Map Key 4-4-11: Portion of Parcel 3, Koolaupoko, Oahu, Hawaii.

HALIA STREET	Roadway running from Kaneohe Bay Drive in a mauka direction being between Kuau Street and Ilihau Street terminating beyond Puwa Place.
Meaning:	Sudden remembrance, especially of a loved one; fond, recollection; premonition; to recall, recollect fondly.
KUAU STREET	Roadway running from Kaneohe Bay Drive in a mauka direction being between Halia Street and Lale Street terminating at Oko Street.
Meaning:	Rock at Mokapu, Oahu, known today as Pyramid Rock, believed to have given birth to other stones. Lit., handle.
LALE STREET	Roadway running from Kaneohe Bay Drive in a mauka direction being between Kuau Street and Molo Street terminating at Oko Street.

Meaning:	To hasten, hurry, push on; to encourage, urge on, stir up to action.
MOLO STREET	Roadway running from Kaneohe Bay Drive in a mauka direction being between Lale Street and Kauinohea Place terminating at Oko Street.
Meaning:	To turn, twist, spon; to interweave and interlace, as roots; to tie securely.
NOKE STREET	Roadway running from Halia Street in a northwesterly direction terminating beyond Molo Street.
Meaning:	To persist, continue, persevere.
OKO STREET	Roadway running from Kuau Street in a northwesterly direction terminating beyond Molo Street.
Meaning:	To move ahead of others; to try to be better than others.
PUWA PLACE	Deadend roadway running Halia in a southeasterly direction.
Meaning:	To shine, glitter, reflect brightly, as a night fire.

Proposed street name for a roadway for Akumu Street extension, Lot 14, Tax Map Key 4-2-04: 1, 19, and 20, Kailua, Koolaupoko, Oahu, Hawaii.

AKUILA PLACE	Dead-end roadway off Akumu Street running in a northerly direction.
Meaning:	Same as Kihe, a red seaweed (Chylocladia sp.) with narrow cylindrical, branching stems.

Proposed name for mall in the Kauluwela area, Tax Map Key 1-7-26:11, Lot 3, Kauluwela, Honolulu, Oahu, Hawaii.

HOOHAUOLI MALL	Walkway extending between College Walk and Aala Street.
Meaning:	Place of happiness, comfort, pleasure.

Proposed street name for roadway in the Kauluwela Project, Tam Map Key 1-7-22 and 23, Kauluwela, Honolulu, Oahu, Hawaii.

KAULUWELA PLACE	Dead-end roadway off Liliha Street running in a Koko Head direction being between Lunalilo Freeway and Johnson Lane.
Meaning:	Lit., festively adorned.

Proposed street names for Mililani Town Units 14, 15, and 16, Tax Map Keys 9-5-01: portion of 1 and 9-4-05: portion of 3, waipio, ewa, Oahu, Hawaii.

MEHEULA PARKWAY	Roadway running off Kamehemeha Highway in an easterly direction being between Kuahelani Avenue and Lanikuhana Avenue terminating before Hookelewaa Street.
Meaning:	Path of the sun; first feeting rays of the morning sun.
LANIKUHANA AVENUE	Roadway running off Kamehemeha Highway in an easterly direction being south of Meheula Parkway terminating at Meheula Parkway.
Meaning:	A Hawaiian star name. Lit., sky-standing-erect.
ANANIA DRIVE	Roadway running off Meheula Parkway in a southerly direction being between Kamehemeha Highway and Lanikuhana Avenue.
Meaning:	North star; pillar to fish by.
PUANANE LOOP	Looped roadway off Anania Drive being between Meheula Parkway and Kiaha Loop.
Meaning:	A Hawaiian star of destiny.
PUANANE PLACE	Dead-end roadway off Puanane Loop being between Anania Drive and Mahau Place.
MAHAU PLACE	Dead-end roadway off Puanane Loop being between Anania Drive and Puanane Place.
Meaning:	Twins; a Hawaiian name for Gemini.
HAKAMOA STREET	Roadway running between Anania Drive and Puanane Loop.
Meaning:	Chicken-roost; a Hawaiian constellation important to the astrologers.
KIAHA LOOP	Looped roadway running off being between Puanane Loop and Lanikuhana Avenue.
Meaning:	Radiant; a Hawaiian name for the Big Dipper.
KAUKALIA STREET	Roadway running between Anania Drive and Kiaha Loop.

Meaning:	Sojourning; a Hawaiian star which was the patron of foreigners.
KIAHA PLACE	Dead-end roadway running off Kiaha Loop.
NOHOLOA LOOP	Looped roadway running off Anania Drive.
Meaning:	Eternal; a hawaiian name for the North Star.
MAKALU LOOP	Looped roadway running off Noholoa Loop.
Meaning:	A variant of Makulu, a Hawaiian name for Saturn.
OLOLU STREET	Roadway running between Anania Drive and Noholoa Loop.
Meaning:	A Hawaiian star listed in the Kumulipo.

Proposed street names for Mililani Town, Unit 9, Tam Map Key 9-5-01: portion of parcel 35, Waipio, Ewa, Oahu, Hawaii.

KUAHELANI AVENUE	Extension of existing roadway terminating beyond Kahoea Street.
HOKUIWA STREET	Roadway off Kuahelani Avenue running in a southwesterly direction being between Kahoea Street and Kupuku Circle.
Meaning:	Stars-of-the-frigate bird, a Hawaiian constellation which guided Hawaii-loa back to Hawaii after a voyage to the South Pacific and must therefore be situated in the northern sky.
KAHOEA STREET	Roadway off Kuahelani Avenue running in a southwesterly direction being between Hokuiwa Street and Meheula Parkway.
Meaning:	Tutelary star of Puna, Kauai.
KAULUA STREET	Roadway off Kawau Street running in a southerly direction terminating at Kahoea Street.
Meaning:	One of the many Hawaiian names for Sirius. It is also a Hawaiian month name (February-March).
KAWAU STREET	Roadway running between Hokuiwa Street and Kahoea Street.
Meaning:	A Hawaiian star.

Proposed street names for Momilani Suburb, Unit 9A, Tax Map Key 9-7-86: 1, Manana-Uka and Waimano, Pearl City, Ewa, Oahu, Hawaii.

KOMO MAI DRIVE	Extension of an existing roadway running in a northwesterly direction terminating at its intersection with Hoohulu Street.
HOOMALU STREET	Extension of an existing roadway running in a northeasterly direction terminating at its intersection with Komo Mai Drive.
HOOIA STREET	Extension of an existing roadway running in an easterly direction being between the extension of Hoomalu Street and Hoohulu Street terminating at its intersection with the extension of Komo Mai Street.
HOOHEKE STREET	Extension of an existing roadway running in a northeasterly direction terminating at its intersection with the extension of Hooia Street.

Recommend the deletion and renaming of existing street, Tax Map Key 1-4-17, Kalihi, Honolulu, Oahu, Hawaii.

DELETE:

KUALAPA STREET (Resolution 79, February 20, 1971)

RENAME:

EMMALINE PLACE	Existing dead-end roadway off Likelike Highway.

On motion by Mr. Chun, seconded by Mrs. Sullam, and carried, the Commission authorized the Planning Director to establish the public hearing dates for consideration of the following matters:

SPECIAL PERMIT/ CONDITIONAL USE PERMIT WAIAMANALO MAUKA TERMINUS OF MAHAILUA ST. STATE OF HAWAII DEPT. OF LAND & NATURAL RESOURCES BY: THE VALIANTS (FILE #70/CUP-35)	1. The request is for simultaneous review of a petition for a special use permit and conditional use permit to construct and operate a private recreation camp.

ZONING CHANGE R-6 RES. TO B-2 COMM. BUS.DISTRICT HAWAII KAI 25-FT.STRIP ALONG THE EAST SIDE OF HAHAIONE CHANNEL KAISER HAWAII KAI DEVELOPMENT CO. (FILE #71/Z-19)	2. The request is for a zone change from R-6 Residential to B-2 Community Business District.
ZONING CHANGE A-1 APT. & R-6 RES. TO B-2 COMM.BUS. DISTRICT KALAUAO MAUKA OF KAM.HWY. BETWEEN THE DRAINAGE CHANNEL & KALAUAO STREAM BELOW LEEWARD HOSPITAL B.P.BISHOP ESTATE BY: COMMUNITY PLANNING, INC. (FILE #71/Z-22)	3. The request is for a zoning change from A-1 Apartment and R-6 Residential to B-2 Community Business District.
GENERAL PLAN DLUM AND DP AMENDMENT SECTION "A" MAKIKI C&C OF HONOLULU DEPT.OF PARKS & RECREATION OWNERSHIP: HAWN. SUGAR PLANTERS ASSN. (FILE #118/C2/13	to 4. The request is/amend the Ala Moana-Makiki-Kewalo Detailed Land Use Map and Development Plan, Section "A," by redesignating a 4.5-acre site from school to park use.
GENERAL PLAN DP AMENDMENT CENTRAL BUS.DIST. STREET SECTION OF QUEEN ST.BET.FORT & BISHOP STREETS C&C PLANNING DEPT. OWNERSHIP: AMFAC, INCORPORATED (FILE #15/C3/11)	5. The request is to amend the Central Business District Development Plan by deleting street setbacks on Queen Street between Fort and Bishop Streets.

GENERAL PLAN
DLUM AMENDMENT
KANEOHE-KUALOA
KAHUKU SIDE OF
WAILEE RD.BET.
AHILAMA RD.& KAM
HIGHWAY
C&C BLDG.DEPT &
HON.FIRE DEPT.
OWNERSHIP: DR. &
MRS. PHILIP CHOCK-
C&C PLANNING DEPT.
OWNERSHIP: HAWN.
TELEPHONE COMPANY
(FILE #33/C2/25)

6. Two proposals--

a. To amend the General Plan Detailed Land Use Map for Kaneohe-Kauloa by changing the land use designation from Residential and Agricultural to Public Facility, Fire Station.

b. To amend the General Plan Detailed Land Use Map for Kaneohe-Kualoa by changing the land use designation from Public Facility fire station to Industrial.

ADJOURNMENT: The meeting adjourned at 5:07 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

File Copy

Special Meeting of the Planning Commission
Minutes
May 5, 1971

The Planning Commission held a special meeting on Wednesday, May 5, 1971, at 2:10 p.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:	Thomas N. Yamabe II, Acting Chairman Philip T. Chun Fredda Sullam Rev. Eugene Connell Richard K. Sharpless, ex-officio
STAFF PRESENT:	Robert R. Way, Planning Director Bruce Duncan, Staff Planner Bill Bartlett, Staff Planner
ABSENT:	Roy R. Bright James D. Crane James K. Sakai, ex-officio

PUBLIC HEARING ZONING B-2 COMMUNITY BUSINESS DISTRICT WAIPAHU FARRINGTON HIGHWAY AT AWALAU STREET POLICARPIO PADRON (FILE #71/Z-4)	A public hearing was held to consider a request for a change in zoning from R-6 Residential to B-2 Community Business District for land situated at Waipahu (Area 1)--Farrington Highway between Awalau Street and the drainage canal, and identified as Tax Map Keys: 9-4-19: portions of 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 (portion of alleyway), and 23.

Publication was made April 25, 1971. No letters of protest were received.

The staff's report was reviewed. There were no questions of the staff regarding the report.

Public testimony followed.

Mr. Kingo Yamada, property owner residing at 94-877 Farrington Highway, spoke AGAINST the proposal. He pointed out that presently by deed agreement, the front portion (the first 74-foot portion) of properties in the subject area is restricted to off-street parking purposes only. Upon being advised by the staff that structures would be permitted within 5 feet of property lines, Mr. Yamada stated that such construction would be within the parking area and would obstruct access to his property and to other properties.

The staff pointed out that the property owners in this area have a deed in common reserving the first 74-foot front portion of

their lots for off-street parking with no right to permit other uses than that for off-street parking. However, the deed is a private matter of the property owner, and not within the City's jurisdiction.

The Commission raised the following questions:

1. If the deed did not contain the off-street parking covenant, would the property owner have the same objection?

   Mr. Yamada stated that he would still object for the reason that the landowner could still build in the area and obstruct his right-of-way. At least with the covenant, he still has some protection.

2. Has the applicant presented any development plans for the front portion?

   Plans were submitted, and the applicant did take into account the requirements of the deed.

Mr. George K. Nobunaga, representing the Waipahu Community Association indicated that their association would have no objection to the proposal as long as the applicant does not construct any building in the front portion of the lot. It serves as a main thoroughfare. This was stipulated between the applicant and the association.

The Commission requested a copy of the deed for review by Deputy Corporation Counsel Andy Sato.

There was no further discussion. The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Chun, seconded by Rev. Connell, and carried.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, on motion by Rev. Connell, seconded by Mr. Chun.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

PUBLIC HEARING ZONING CHANGE FROM R-6 RES., B-2 COMM. BUS., & A-2 APT. DIST. TO A-3 APT. DISTRICT WAIPAHU/AWALAU ST. & THE DRAINAGE CANAL PLANNING DIRECTOR (FILE #71/Z-20)	A public hearing was held to consider a request for a change in zoning from R-6 Residential, B-2 Community Business, and A-2 Apartment districts to A-3 Apartment district for land situated at Waipahu (Area 2)-- Awalau Street and the drainage canal, and identified as Tax Map Keys: 9-4-19: 14 to 17, 19 to 22, and portion of 13 (alleyway).

Publication was made April 25, 1971. Due to an error in the publication notice, legal counsel Andrew Sato advised that the matter be readvertised, and that the public hearing be kept open. The notice indicated, in error, a change in zoning from A-2 Apartment to A-3 Apartment. It should have read A-3 Apartment to A-2 Apartment.

Testimony was received from those prepared to testify.

Upon hearing the explanation given by Andy Sato, Messrs. George K. Nobunaga (representing the Waipahu Community Association), and Kingo Yamada (representing his brother Teruma Yamada), had no objection to the zoning change from A-3 Apartment to A-2.

There was no further discussion. No other person was present to speak either for or against the proposal.

The public hearing was kept open and the matter was deferred for readvertisement, on motion by Mr. Chun, seconded by Rev. Connell and carried.

PUBLIC HEARING CONDITIONAL USE PERMIT AIEA 99-1657 AIEA HEIGHTS DRIVE AIEA HEIGHTS REST HOME, INC. (FILE #70/CUP-32)	A public hearing was held to consider a request for a conditional use permit to construct an addition to an existing rest home at Aiea, situated at 99-1657 Aiea Heights Drive and identified as Tax Map Key: 9-9-15: 50. Publication was made April 25, 1971. Letters received protesting the proposal are included in testimony given against the proposal.

The staff's report was reviewed by Bruce Duncan. Questioned by the Commission, the staff pointed out the following:

1. Access and egress to the subject property is provided by Parcel 54 which is also partially used for parking.

2. Access to the rear portion of the applicant's parcel (Lot 1-A2) would be off Aiea Heights Drive through Puliki Place, or over a 16-foot easement which is shared by various property owners including the applicant.

3. The staff referred to Puliki Place as a 32-foot partially improved private roadway with a 203.66-foot frontage.

4. The applicant's revised plans were received after the completion of the staff's report and consequently, provisions for drainage were not reviewed by the Public Works Department. However, there is provision that plans must be approved by the Chief Engineer as well as the Planning Director.

Public testimony followed.

AGAINST the proposal:

1. Mr. and Mrs. Martin L. Rutter, 99-1635 Puliki Place, Aiea, adjoining property owner (testified and submitted letter dated May 4, 1971)
2. Mrs. William M. Smith, 99-1647 Aiea Hts. Drive
3. Mrs. J. L. Walker, 99-1660 Aiea Hts. Drive, adjoining property owner
4. Mr. Herman J. Thober, 99-1661 Aiea Hts. Drive, adjoining property owner
5. Mr. and Mrs. Herman Asato, 99-1678 Hoapono Place, adjoining property owner
6. Mr. John Walker (son of Mrs. J. L. Walker)
7. Mrs. Billy D. Lovern, Beneficiary of the Will of the late Albert F. Bily who owned the property at 99-1643 Puliki Place, Aiea (submitted letter dated April 30, 1971)
8. Mr. Drue T. Dial, 99-1750 Hoapono Place, Aiea (submitter letter dated April 29, 1971)
9. Mrs. Sarah E. Richard, adjoining resident

The OBJECTIONS of the residents are:

1. Drainage problems due to sloping lot topography
2. Further expansion of facilities which would lead to increased traffic congestion
3. Devaluation of property values
4. Intrusion upon their privacy
5. Patients wandering off the premises

Speaking FOR the proposal were:

1. Mr. William T. Silva (the applicant)
2. Mr. James Silva (applicant's brother)

Questioned by the Commission, the applicant had only one objection to the conditions enumerated in the staff's report which relates to the consolidation of properties.

No other person was present to speak either for or against the proposal. The public hearing was closed and the matter was taken under advisement on motion by Mr. Chun, seconded by Mrs. Sullam.

ACTION: Based upon the recommendation of the Director, the Commission recommended approval of the revised site plan subject to the following conditions, on motion by Mrs. Sullam, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

The conditions are as follows:

1. The plan submitted and dated April 28, 1971, and labeled Exhibit A shall be part of the permit, and any deviation from that plan shall be subject to the approval of the Planning Director.

2. The parking area shall conform to all requirements of the CZC. The parking area plan, including the provisions for drainage, shall be approved by the Planning Director and the Chief Engineer prior to the issuance of a building permit. All studies for drainage analysis as may be required by the Planning Director and Chief Engineer shall be provided by the applicant.

3. The boundaries of the premises as shown in green on Exhibit A shall be fenced with a solid 4-foot high fence/wall and vegetative screening to discourage patients from wandering off the premises. Plans for the fence/wall and vegetative screening shall be subject to the Planning Director's approval. All plans as may be required by the Planning Director for the landscaping and the maintenance of the front portion of the subject property, including, but not limited to the designation of trees, lawns, ground cover and screen planting, shall be approved by the Planning Director prior to the issuance of a building permit.

4. All exterior sources of illumination shall be so shielded as to prevent any direct reflection toward the surrounding residential properties.

5. Except for emergency activities, visiting hour activities shall be restricted to the hours between 10:00 a.m. and 7:00 p.m.

6. Lots 1-A-1 and 1-A-2 shall be consolidated prior to obtaining a building permit for the addition.

7. The maximum number of patient beds shall not exceed 32.

8. The maximum height of the building shall not exceed the height requirements as set by the Comprehensive Zoning Code within R-3 Residential districts.

9. Upon finding that any of the conditions imposed are not being met, the Planning Director may revoke the permit or suspend the operation until such conditions are met.

10. This conditional use permit shall apply to the applicant's entire two parcels identified as Tax Map Key 9-9-15: 50 and 54. The building permit shall not be issued until Parcels 50 and 54 are consolidated.

11. That the recorded owner of the land encompassed by this conditional use permit shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court

of the State of Hawaii, a declaration of the above-mentioned restrictive conditions.

12. A certified copy of the document as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation, prior to issuance of a building permit.

PUBLIC HEARING ZONING CHANGE I-1 LIGHT INDUS. TO A-2 APT.DIST. WAIPAHU LEOWAHINE ST. RICHARD COOKE (FILE #71/Z-10)	A public hearing was held to consider a request for a change in zoning from I-1 Light Industrial to A-2 Apartment District at Waipahu, Leowahine Street, and identified as Tax Map Key: 9-4-28: 26 and 28. Publication was made April 25, 1971. No letters of protest were received.

The staff's report was reviewed by Bruce Duncan. There were no questions from the Commission concerning the report.

No one spoke AGAINST the proposal.

FOR the proposal:

1. Mr. George K. Nobunaga, representing the Waipahu Community Association - The association has no objection to the proposal.
2. Mr. Richard Cooke, Jr., the applicant

The applicant was present to answer questions the Commission might have.

No discussion followed.

The public hearing was closed and the matter was taken under advisement on motion by Rev. Connell, seconded by Mrs. Sullam and carried.

ACTION: Based upon the recommendation of the Director, the Commission recommended approval of the applicant's request on motion by Rev. Connell, seconded by Mrs. Sullam and carried.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

PUBLIC HEARING (1) GENERAL PLAN DLUM AMENDMENT FROM INSTITUTIONAL & ELEM.SCHOOL TO MED.DENSITY APT.	A public hearing was held to consider (1) a proposal to amend a portion of the General Plan and the Detailed Land Use Map of Waipahu, by changing the land use for a certain area of land from Institutional/Elementary School use to Apartment

(cont.)
(2) ZONING CHANGE
R-4 RES.TO A-~~3~~2
MED.DENSITY APT.
DISTRICT
WAIPAHU
WAIKELE RD.BETWEEN
WAIPAHU ST.AND
FARRINGTON HWY.
M.MIYAMOTO, INC.
(PA#73, Amend#3 + 71/Z-8)

(medium Density) use; and (2) a request for a zone change from R-4 Residential District to A-3 Apartment District for this area of land identified as Tax Map Key: 9-4-10: 94.

Publication was made April 25, 1971. No letters of protest were received.

Staff Planner Bill Bartlett reviewed the staff's report. It was pointed out that the staff's recommendation for zoning is for A-2 Apartment. The applicant's proposal is for A3 Apartment zoning.

Public testimony followed.

Mr. George K. Nobunaga, representing the Waipahu Community Association, supports the staff's recommendation for A-2 Apartment zoning.

Mr. Harold Miyamoto, the applicant, informed the Commission that their plans were based on A-3 zoning requirements, and that a restudy would have to be made for feasibility and economic reasons, if A-2 zoning is approved.

Questioned by the Commission, the staff pointed out:

1. Its recommendation was based on the existing character in the immediate area, and that A-2 zoning would accommodate similar structures.

2. Under A-3 zoning, even though the applicant's intention is not to exceed 40 feet in height, he nevertheless could construct an 8-story building.

3. The applicant's proposal can be accomplished under A-2 zoning.

There was no further discussion, and no other person appeared to speak either for or against the proposal.

The public hearing was closed, and the matter was taken under advisement on motion by Mr. Chun, seconded by Rev. Connell.

<u>ACTION</u>: (1) Based upon the recommendation of the Director, the Commission recommended approval of the applicant's request to amend the General Plan and Waipahu Detailed Land Use Map from Institutional and Elementary School to Medium Density Apartment, on motion by Mr. Chun, seconded by Mrs. Sullam and carried.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

(2) The Commission concurred with the recommendation of the staff for a change in zoning from R-4 Residential to A-2 Apartment district, on motion by Mrs. Sullam, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

STATE LAND USE REFERRALS (FIVE-YEAR REVIEW RELATING TO SIX PARCELS OF LAND)

The State Land Use Commission referred to the Planning Commission a petition involving a re-examination of certain boundary changes made during the Five-Year review relating to 6 parcels of land.

Staff Planner Bill Bartlett reviewed the staff's report covering land characteristics for each area which meet State Land Use criteria for determining boundaries for various districts, and the staff's recommendation in that connection.

a. Lahilahi Point, Waianae

Classification being reconsidered: Urban to Conservation
Area: 9.66 acres Ownership: John T. Waterhouse
Existing State Land Use Designation: Conservation
Existing General Plan Designation (DLUM): Resort
City and County zoning: R-3 Residential

MOTION: Mrs. Sullam moved, seconded by Rev. Connell, that the Commission concur with the Director's recommendation to retain the existing Conservation District designation.

Discussion followed.

Chun: Mr. Chairman, I think the question for the recommendation is not to retain in Conservation, but to change from Urban to Conservation as proposed by the Land Use Commission. The question is the validity of their change from Urban to Conservation, and that is the requirement of a new hearing. It was Urban prior to the 5-year designation.

My feeling is perhaps the Land Use Commission recommendations should be in conformity with the General Plan of various counties. I am wondering whether our recommendation to the Land Use Commission should not follow the General Plan recommenda-

tion of our county. In the event the Director recommends possible changes in the DLUM, that we inform the Land Use Commission of possible changes in the DLUM, and ask that they defer any action until we can take the proper action at the county level.

Chairman: Are you raising a question of procedure?

Chun: I'm raising the question of procedure and the question of philosophy of the Land Use Commission as to how they go about making land use designation changes without regard to the General Plan of the counties.

Chairman: The Chair's opinion is also that we should consider the procedure. However, I feel in the area where the city is ready to act in changing the General Plan, based on the facts before them, the recommendation can be made consistent to the subsequent action to be taken on the city level.

Chun: That's very true, Mr. Chairman, but I feel very presumptuous in assuming what the city is going to do.

Chairman: Just for information, I raise one point. Mr. Chun's point is well taken. However, it is not within our accepted procedure - the relationship between the state and the county. However, if we establish this, we have to be consistent all the way, in all areas where the General Plan reflects use contrary to the land use designation by the state.

Chun: That's my position, Mr. Chairman.

Sullam: There is something in that. That's the way I have been thinking. We really should not make any recommendation to the Land Use Commission until we are certain that this change is in conformance with our General Plan. Even though I would like to see this land in conservation, we will have to put it in our General Plan as urban.

Chun: Mr. Chairman, I will be the first to admit that I have been inconsistent in the past. But after occurrences in the past few months and weeks, I think something had to be done. Unless we start pushing, it's going to continue in the same manner.

I would like to hear the Director's comments.

Way: Mr. Chun raises a good point, one that I have been talking about in connection with certain kinds of

land use changes. In my own mind, I don't think I have sorted these out as to which are the most significant ones, and therefore ones that should be addressed very particularly to the General Plan, and which are not. In other words just in a very brief way, a major land use change - something on the magnitude of several thousand acres - yes, this is definitely something that should be considered first as a General Plan subject.

A boundary adjustment for some reason or other a very small number of acres that really does not have a significant impact on the county's General Plan, then maybe that's something that could be treated in a different fashion.

What I'm suggesting is that there maybe two standards or maybe even more - I'm not that well certain about - as to when you would apply the rule, if that be the proper definition, that the matter should be considered first, as a General Plan issue, and then as a land use issue, rather than the other way around.

The second point, in talking on this item, I would note that in the Conservation district it is possible to have Resort type development. There may not be an inconsistency here with the General Plan. I'm not suggesting that the Resort development on the General Plan is correct either. That needs to be looked at.

I only point out that some of the problems that do come up when we approach this on the basis of the land use, or on the basis of the General Plan change in relation to a land use boundary change. Specifically here, Resort could be part of the Conservation district. Just because it appears on our general plan that the uses are urban-like in nature, that may not always be so.

Chun: The Director raises a good point, that Resort development may occur in the Conservation district. If it should occur in Conservation for land uses of the Department of Land and Natural Resources, we have no further control over those developments.

I strongly urge that the motion be withdrawn.

Sullam: I believe that's very true what Mr. Chun says. Conservation is an area over which the county has no control. I would like to withdraw my motion.

Connell: I withdraw my second.

Chairman: I make one point here though. The Resort designation under the county designation, and Resort under Conservation of the state land use designation, we're talking about an entirely different type of development.

Chun: Mr. Chairman, I move that we recommend to the Land Use Commission that the General Plan of the County of Honolulu designates the area as Resort. However, stating to the Land Use Commission that the entire Waianae coast is being reviewed as to General Plan uses by the Planning Department, and ask that any changes in the area be deferred pending that review.

Chairman: I don't know whether we can recommend to keep this in abeyance because actually there would be no advice to the Land Use Commission.

Chun: We're telling them what our General Plan says and what we intend to do with our General Plan. We ask that they hold it up and give more credence to our General Plan.

Sullam: Second the motion.

Chairman: You all realize that they can go ahead and proceed inspite of our recommendation. They have met the legal requirements.

All in favor of the motion?

(The motion carried.)

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

b. <u>Kahuku, Koolauloa</u>

Classification being reconsidered: Agriculture to Conservation
Area: 132 acres Ownership: Campbell Estate
Existing State Land Use Designation: Conservation
Existing General Plan Designation (DLUM): Agriculture, Beach Park and Air Strip
City and County Zoning: AG-1 Restricted Agriculture District

Staff recommends that the existing Conservation District designation be retained.

Due to a conflict of interest declared by the Acting Chairman, this matter had to be deferred due to the lack of a quorum.

c. Hauula, Koolauloa, Oahu

Classification being reconsidered: Agriculture to Urban
Area: 2.5 acres Ownership: Various Owners
Existing State Land Use Designation: Urban
Existing General Plan (DLUM): Residential
City and County Zoning: R-6 Residential District

Staff recommends that the existing urban district designation be retained.

ACTION: The Commission concurred with the Planning Director's recommendation to retain the Urban designation because it is consistent with the General Plan, on motion by Mr. Chun, seconded by Mrs. Sullam.

d. & e. Makiki, Honolulu

Classification reconsidered: Urban to Conservation
Area: Item D = 18,000 square feet
Item E = approximately 29 acres
Ownership: Item D = Wilbert Choi
Item E = State of Hawaii and various owners
Existing State Land Use Designation: Conservation
Existing General Plan Designation: Residential
City and County Zoning: R-3 Residential District

These two separate items have been combined because Item E abuts Item D on three sides. Therefore, any recommendation regarding Item D would be affected by the recommendation for Item E.

Staff recommends that the existing Conservation District designation be retained for both Items D and E.

ACTION: The Commission recommended that the Land Use Commission defer reconsideration of the change from Urban to Conservation pending consideration of a General Plan change for the same area, on motion by Mr. Chun, seconded by Rev. Connell, and carried.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

f. Waikiki Area

Classification reconsidered: Urban to Conservation
Area 4.0 acres Ownership: State of Hawaii
Existing State Land Use Designation: Conservation
Existing General Plan Designation (DLUM): Preservation
City and County Zoning: R-6 Residential District

The subject parcel is the swimming lagoon abutting the Hilton Hotel complex in Waikiki.

Staff recommends that the existing Conservation District designation be retained.

ACTION: On motion by Mr. Chun, seconded by Mrs. Sullam, the Planning Commission concurred with the Planning Director's recommendation to retain the Conservation designation because it is consistent with the General Plan.

AYES - Yamabe, Chun, Sullam, Connell
NAYES - None
ABSENT - Bright

MAYOR'S PRELIMINARY CIP FISCAL YEARS 1971-1977

The Planning Commission met and reviewed on April 27, 1971, the Mayor's Preliminary Capital Improvement Program for Fiscal Years 1972-1977. No action was taken due to the lack of a quorum.

The following transpired:

Way: On this, the Commission has had a study committee considering this matter. My recollection was that there was one item that the Commission was going to request modification to, that had to do with the City Hall building and the beautification project proposed therefor. I believe the general feeling of the Commission was concurrence with reference to the other projects proposed in the CIP. I feel that a motion is in order to so recommend with whatever other modifications the Commissin might feel appropriate.

Chairman: The Chair will now entertain a motion.

Connell: I move for approval.

Chun: I second the motion.

Chairman: Complete approval including the modification?

Connell: Yes.

Sullam: As a matter of fact, I made an on-spot investigation of the proposal. I decided that City Hall looks very nice the way it is. This additional beautification might detract rather than add to it at this time.

I would like to make an amendment to the capital budget and propose that the Parks Department take the initiative and look into establishing a bikeway somewhere in the county that could be used by people who would want to get away from the traffic, or who just want to cycle for pure recreational purposes, and that this bikeway be developed with those funds.

Chairman: There's an amendment. I take it that's a deletion of the beautification of City Hall?

Sullam: Right.

Chairman: Is there a second?

Chun: I'll second the motion for discussion purposes.

Chairman: It's been moved and seconded that the Commission advise the Mayor of the deletion of the beautification portion of the CIP amounting to $68,000 to be used instead by the Parks Department for a specific bikeway.

Discussion?

Chun: My second does not indicate approval of the motion. I'll go with you on the bikeways, but leave the $68,000 and recommend an additional $100,000 for the specific bikeway.

Sullam: That's fine. I withdraw my motion on the amendment.

Chun: I withdraw my second to the amendment.

Sullam: I move that we approve the budget with the amendment that $100,000 be allocated for a specific bikeway to the Parks Department.

Chun: I second.

Chairman: Commissioner Sullam, I hope you realize that you're doing exactly what we're asking the departments not to do. It's an arbitrary figure. We don't even know whether it's going to cost $100,000, $50,000, a million.

Way: Mr. Chairman, may I suggest that the funds be for the purpose of examining the proposition and possibly

including proceeding with initial plans and development, so that it covers examination of the problem and whatever implementation might be appropriate after due examination of the matter.

Chairman: Well, I'm told that the transportation studies will cover this area to some extent. To what extent I don't know but just to mention this.

Way: This is why some these funds could be used to examine what has been done, what programs have been developed, if there are not sufficient programs developed then this is what part of the money could be used for.

Chairman: So the motion would be in fact not to initiate a study but to supplement it with whatever studies are being made. You want to put a $100,000 price tag on it?

Sullam: Well is there another way to approach this?

Way: You have to have an amount.

Chairman: Any further discussion? All in favor?

(The motion was unanimously carried.)

* * * * * * * * * * * * * * *

On motion by Rev. Connell, seconded by Mr. Chun, and carried, the Commission authorized the Planning Director to establish the public hearing dates for consideration of the following matters:

ZONING CHANGE
R-6 RES.TO A-4 APT.
DISTRICT
MCCULLY
ALEXANDER STREET
KUNIYUKI BROS., INC.
(FILE #71/Z-17)

1. The proposal is a change in zoning from R-6 Residential to A-4 Apartment District.

ZONING CHANGE
R-3 RES.TO B-2
COMM.BUS.DISTRICT
HEEIA
MAUKA OF KAM.HWY.
BET.HAIKU RD. &
LILIPUNA RD. EXIT
MAU, FUJIEKI, & YIM
BY: CHUN, KERR
AND DODD
(FILE #70/Z-57)

2. The proposal is a change in zoning from R-3 Residential to B-2 Community Business District.

ZONING CHANGE
R-3 RES.TO I-1 LIGHT
INDUS. DISTRICT
HEEIA
MAUKA OF KAM HWY.
HEEIA INDUSTRIAL
SUBDIVISION (LOTS
1235 TO 1238)
RURAL INVESTMENT,
INCORPORATED
BY: GEORGE M.
HASEGAWA
(FILE #71/Z-11)

3. The proposal is a change in zoning from R-3 Residential to I-1 Light Industrial District.

ZONING CHANGE
FOR 6 AREAS OF
LAND WITHIN MILILANI
TOWN, WAIPIO
✓(5—A-1
1—A-2)

4. The proposal is a change in zoning for 6 areas of land within Mililani Town, Waipio.

Area 1

Request: R-6 Residential to A-1 Apt.
Location: Kipapa Dr. & Kauamea Pl.
Tax Key: 9-5-23: 3
Area: 69,687 sq. ft.

Area 2

Request: R-6 Residential to A-1 Apt.
Location: Kipapa Dr.
Tax Key: 9-5-24: 91
Area: 62,271 sq. ft.

Area 3

Request: R-6 Residential to A-1 Apt.
Location: Kipapa Dr.
Tax Key: 9-5-21: 15
Area: 198,546 sq. ft.

Area 4

Request: R-6 Residential to A-2 Apt.
Location: Kipapa Dr. & Moenamanu St.
Tax Key: 9-5-21: 05
Area: 151,502 sq. ft.

Area 7

Request: R-6 Residential to A-1 Apt.
Location: Kaloapau St. & Kuahelani Ave.
Tax Key: 9-5-01: portion of 7
Area: 224,465 sq. ft.

Area 8

Request: R-6 Residential to A-1 Apt.
Tax Key: 9-4-05: portion of 3
Area: 435,600 sq. ft.

DIAMOND HEAD HISTORIC, CULTURAL & SCENIC DISTRICT NO. 2

5. The proposal is to establish a Diamond Head Historic, Cultural and scenic district no. 2 under Article 12, Section 21-1202 of the Comprehensive Zoning Code.

Location: Generally described in a clockwise direction beginning at the intersection of Kapiolani Boulevard and McCully Street and proceeding along Kapiolani Boulevard to the mauka boundary of Ala Wai Park to Hihiwai Street (extended) to the Manoa-Palolo Canal to Date Street to Mooheau Avenue, following the mauka boundary of the Kapahulu Avenue B-2 District to Brokaw Street to Alohea Avenue to 11th Avenue to Maunaloa Avenue to 12th Avenue to Kilauea Avenue to 22nd Avenue to Fort Ruger boundary to Kahala Avenue to Diamond Head Road, to Koko Head boundary of Kuilei Cliffs State Park to the Ocean to Kapahulu Avenue (extended to Makee Road to Kaneloa Road; to the Ewa boundary of Jefferson Elementary School to Ala Wai Boulevard to McCully Street to Kapiolani Boulevard, the point of beginning.

Intent: (1) to preserve existing prominent public views of Diamond Head by preventing public or private construction projects which would diminish existing prominent public views.
(2) to preserve the existing natrual appearance of Diamond Head by preventing public or private construction projects which would alter the existing natural appearance of Diamond Head from prominent public vantage points.
(3) to preserve and to enhance cultural and historic sites.

ADJOURNMENT: The meeting adjourned at 6:00 p.m.

Respectfully submitted,

Henrietta B. Lyman
Secretary-Reporter

File Copy

Meeting of the Planning Commission
Minutes
May 12, 1971

The Planning Commission met in regular session on Wednesday, May 12, 1971, at 2:10 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Thomas H. Creighton
Richard K. Sharpless, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Bruce Duncan, Staff Planner
Tosh Hosoda, Staff Planner
Bill Bartlett, Staff Planner

ABSENT:
James Crane
James K. Sakai, ex-officio
Andrew Sato, Deputy Corporation Counsel

PUBLIC HEARING
ZONING CHANGE FROM A-1 APT.& R-6 RES. DISTRICTS TO B-2 COMM.BUS.DIST. KALAUAO MAUKA OF KAM HWY. BET.THE DRAINAGE CHANNEL & KALAUAO STREAM BELOW LEEWARD HOSPITAL
B.P.BISHOP ESTATE
BY: COMMUNITY PLANNING

A public hearing was held to consider a request for a change in zoning from A-1 Apartment and R-6 Residential districts to B-2 Community Business district for 23+ acres of land situated at Kalauao, mauka of Kamehameha Highway between the drainage channel and Kalauao Stream below Leeward Hospital, and identified as Tax Map Keys: 9-8-16 and 9-8-17.

Publication was made May 2, 1971. No letters of protest were received.

The staff's report was reviewed by Bruce Duncan. There were no questions from the Commission concerning the report.

No discussion followed.

No person was present to speak either for or against the proposal.

The public hearing was closed and the matter was taken under advisement on motion by Mr. Chun, seconded by Mr. Bright and carried.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, on motion by Mr. Chun, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

PUBLIC HEARING
ZONING CHANGE FROM
R-6 RES.TO B-2 COMM.
BUSINESS DISTRICT
HAWAII KAI
25-FT.STRIP ALONG
THE EAST SIDE OF
HAHAIONE CHANNEL
KAISER HAWAII KAI
DEVELOPMENT CO.
(FILE #71/Z-19)

A public hearing was held to consider a request for a change in zoning from R-6 Residential to B-2 Community Business District for approximately 14,020± square feet of land situated at Hawaii Kāi--25-foot strip along the east side of Hahaione Channel.

Publication was made May 2, 1971. No letters of protest were received.

The staff's report was reviewed by Bruce Duncan. The Commission had no questions concerning the report.

No discussion followed.

No person was present to speak either for or against the proposal.

The public hearing was closed, and the matter was taken under advisement on motion by Mr. Bright, seconded by Rev. Connell and carried.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, on motion by Rev. Connell, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

PUBLIC HEARING
CONDITIONAL USE PERMIT
(CHILD CARE CENTER)
HAWAII KAI
6808 HAWAII KAI DRIVE
KAISER HAWAII KAI
DEVELOPMENT COMPANY
(FILE #71/CUP-2)

A public hearing was held to consider a request for a conditional use permit to construct and establish a child care center and expand the facilities of an existing recreation center for 6.023 acres of land situated at Hawaii Kai--6808 Hawaii Kai Drive, and identified as Tax Map Key: 3-9-08: 5.

Publication was made May 2, 1971. Letters both in support and against the proposal were received and are included in testimony for and against the proposal.

The staff's report was reviewed by Mr. Tosh Hosoda. No questions were raised concerning the report.

Public testimony followed.

AGAINST the proposal--

1. Mr. Corbett O. Roy, Sr., Resident, 6799 Hawaii Kai Drive, Honolulu
2. Dr. George A. Stephenson, Resident, 6715 Hawaii-Kai Drive, Honolulu (submitted letter dated May 10, 1971)
3. Mr. and Mrs. Lawrence H. Look, 6761 Hawaii Kai Drive, Honolulu (submitted letter, undated)

4. Petition dated March 8, 1971, containing 24 signatures of residents on Hawaii Kai Drive

The main OBJECTIONS of the residents are--

1. Traffic increase in an already congested area

   a. Parents discharging their children at Holy Trinity School located nearby already cause a traffic tie up. The proposal will compound the problem.

   b. A proposed 35-story development for the immediate vicinity will also add to the traffic situation.

2. Inadequate parking facilities especially during swim meets at the recreation center. Traffic excess in the parking lot overflows into the adjoining residential area.

3. The proposal will be a commercial, profit-making venture rather than be a service to the community.

4. Realizing the traffic and parking situation in the immediate vicinity, a smaller day care operation (50 to 75 children) would be more appropriate in another location in Hawaii Kai.

Testimony FOR the proposal--

1. Mr. Michael L. Toohey, Vice President and General Manager, Marina Division, Kaiser Hawaii Kai Development Company
2. Mrs. Louis A. Rodrigues, Resident, 5633 Kalanianaole Highway, Honolulu (submitted letter, undated)

Reasons in SUPPORT--

1. Relating to traffic--

   a. The applicant has already applied for a construction permit to construct Transmarina Road Phase II which extends from Hawaii Kai Drive to Kalanianaole Highway. This construction will take place in approximately 45 days and be completed in about a year's time.

      Traffic will then be redirected to the new roadway alleviating the existing congestion on Hawaii Kai Drive. Transmarina Road Phase II would also eliminate traffic which now passes the recreation center, with the exception of parents who would discharge their children at the proposed day care center.

   b. Relating to the existing traffic congestion at Holy Trinity School which fronts Kalanianaole Highway, it should be realized that Holy Trinity contains an enrollment of 350 students who are discharged and picked up off of a major thoroughfare which has no sidewalks, creating a traffic hazard.

      The proposed day care center presents an entirely different traffic situation because it is situated within a residential district away from a main highway, and has sidewalks so that residents could easily walk to the center if they so desired.

2. Concerning objections made that the proposal was mainly a profit-making venture, Mr. Toohey pointed out that there is still question as to what the cost will be per child because all of the cost factors are not known. A recent survey conducted in this connection revealed that out of 500 families in Hawaii Kai--

61% favored the proposal
6½% opposed the proposal
36% favored an estimated fee of $80-$95 per child per month. (The applicant felt it would have to charge that amount to run the operation.)

As evidenced by the survey, preschools have been very successful community amenities, and are in no way commercial activities because they are too expensive to operate.

3. Relating to the objection that a 35-story development proposed for the adjoining parcel (Hahaione 1-D parcel) will add to the traffic situation, this matter was considered by the Commission and was zoned for medium-density apartment. At the time this area was zoned, a commitment was made to the Planning Director that the buildings would not exceed 20 stories.

The Commission raised the following questions:

1. Will the child day care center be using any of the recreation center facilities?

   The children's access will be limited to the preschool building, and under supervision only, to the fenced-in play yard area as well. They will not be permitted to roam the entire recreation center.

2. Were studies made as to the need for a 200-student day care center?

   Are 200 students considered a maximum enrollment for this type of operation or is there a possible lower maximum?

   The applicant's studies with the State Department of Health and a number of people in the business both locally and on the mainland, as well as their own economic studies indicated that such an operation must be done on a very small, individual scale (20-30 children) or on a larger one (165-200 children). It was felt that a 200-student enrollment could properly provide sufficient funds to pay for equipment and qualified professional instruction to function a qualified operation. It would be economically unfeasible for them to pursue a smaller facility.

3. What voice does the membership have in deciding recreation policy?

   The membership takes part regarding operational policies of the recreation center in the selection of the types of programs conducted at the center, but it has no say in management policies. These are set by the applicant.

4. How often are special events held?

   Two swim meets are the major events in a year, usually held on a Saturday or Sunday from approximately 7:00 a.m. to 3:00 p.m. or 4:00 p.m.

5. What are their comments concerning the 10:00 p.m. tennis time limit?

   They would prefer that it extend beyond 10:00 p.m.

6. Was consideration given to disperse smaller child care units (approximately 40-50 children) in different locations in Hawaii Kai?

   Smaller units are usually located in facilities which serve other purposes, or in a community oriented type facility, i.e. churches, because they are economically unrewarding and cannot pay for the land value of the property on which they are situated.

   No matter how small the operation, space or play area both indoors and outdoors, is another factor that must be realized.

   The applicant believes that the proposed facility is centrally located in a residential area where parents could discharge their children with a reasonable amount of safety.

7. Recognizing the large turnout for swim meets, is the parking area still adequate?

   The applicant feels that parking is adequate. Only during their two major swim meets is the lot filled to its maximum; otherwise a half-filled lot is the normal capacity.

There were no further questions, and no other person was present to speak either for or against the proposal. The public hearing was closed, and the matter was taken under advisement.

The following transpired regarding the Commission's action on this matter:

Sullam: Mr. Chairman, I move that we defer our recommendation on this request and ask the Planning Department to consult at least three people who have been involved with child rearing with children between the age group of three years old and school age, and find out whether sending them to day care centers that accommodate 200 students is detrimental or advantageous. I question the desirability of having a 200-student day care center.

Once we allocate lands for a day care center of this size, there will be no smaller ones in that area.

Chairman: Is there a second to the motion? If not, the motion dies for the lack of a second.

Chun: I move we recommend approval of the Conditional Use Permit subject to the conditions imposed by the Director.

Bright: Second.

5. What are their comments concerning the 10:00 p.m. tennis time limit?

   They would prefer that it extend beyond 10:00 p.m.

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Chairman: Is there a second to the motion? If not, the motion dies for the lack of a second.

Chun: I move we recommend approval of the Conditional Use Permit subject to the conditions imposed by the Director.

Bright: Second.

Chairman: Discussion?

Chun: I yield to Rev. Connell who has had experience in 200-student day care centers.

Sullam: I would like to abstain because I feel I don't have enough information. I feel it is important enough to warrant further study. The staff report and the testimony only spoke of the economic feasibility of the project and it sounds very good. I would like to be certain that it has worth as far as human value is concerned as well as economic reasons. It might be very fine but I don't know at this point.

Chairman: Commissioner Connell?

Connell: I have a general feeling that an operation of that size is beneficial to a 3 and 4 year old child. If you run a smaller operation, what happens is that quite often you can't afford the capital expenditure which is necessary for the equipment that you need for the small-muscle, large-muscle development. Consequently, you generally plan aiming for a day care center of well over 100 to 200 students.

The Department of Social Services has quite a bit of data on this on regular experience within the community on 3 and 4 year olds for facilities of this size. So, this would not be a concern that I would be sharing in.

Sullam: I would like to add that I just recently read some articles by someone by the name of Sotherstone. He speaks of the infant schools in England. If my interpretation of his remarks are correct, he disapproves of this type of day care center. In light of his remarks, I feel we should investigate further and hear what others have to say who have devoted their lives to rearing children.

Chairman: Mr. Director, how much reasearch might have been done by the staff on the size of this type of day care center.

Way: Mr. Hosoda?

Tosh Hosoda: As far as a center of this particular size, I would have to say that there aren't very many. Most of them are in the 50-75 category.

I might add that the Department of Social Services has a set of regulations that govern the number of students per teacher.

Chairman: The Chair would like to make a suggestion and the inclusion of an additional condition here. In view of the fact that there might be a possible parking

and traffic congestion in light of the expanded program which was discussed by the applicant, we might include in the condition that the area that they would like to set aside as a reserve for parking space - it was indicated that they have the space available - to be set aside for that specific use.

Chun: I wonder about the advisability of that recommendation in that if that is imposed as a condition, I think that the applicant would be forced to develop it into a parking area. That area at the present time is actually a buffer between the street and the recreational area and is left open. I would prefer to see that remain open rather than being black topped at the present time. If the need should arise for additional parking, then a request will have to come back before this Commission for an amendment to the Conditional Use Permit at which time it can be considered whether that area should be black-topped or left green.

Chairman: I wonder if the amendment might be a general intent where it will not identify any specific area but to have them set aside whatever possible for any future need. This is a suggestion merely on the basis that they too recognize the possibility of additional need and they are setting it aside.

Chun: I think the only danger we're really worried about is that if they were to develop that additional area at the present time but I don't think that's possible on a Conditional Use Permit. Is this correct, Mr. Director?

Way: It would not be possible to develop it because we're adopting the plans as part of the permit which shows it as an open area or an undeveloped portion of the site.

Chairman: Commissioner Sullam?

Sullam: I don't want to belabor the point about the 200 students but has the staff done any investigation to find whether there is really a need for that large a day care center for the Hawaii Kai area?

Hosoda: We did do a study. We found out how many licensed day care centers there are in Hawaii Kai - and there are two that handle 76 children. We compared them to the Aina Haina, Niu Valley, Kuliouou area which has four day care facilities. I don't know how big they are.

Part of the reason here, we felt there was a demand because Hawaii Kai is a younger community and a growing community. The 200 figure is based on what the demand is at the present time and future projection.

Way: I might indicate that the Department of Social Services has indicated to us very specifically that there is a need for additional facilities of this nature.

Chairman: Since there is no amendment on the floor, would the Commission object to the idea of the record reflecting the fact that it might be a possible need of parking area in any future conditional use permit, we'd consider this? If there's no objection, the secretary will so note.

Any further discussion? All in favor?

(The motion carried unanimously with Mrs. Sullam abstaining for the reasons mentioned.)

AYES	- Yamabe, Chun, Bright, Connell, Creighton
NAYES	- None
ABSTAINED	- Sullam
ABSENT	- Crane

PUBLIC HEARING
SPECIAL PERMIT/
CONDITIONAL USE
PERMIT
WAIMANALO
MAUKA TERMINUS OF
MAHAILUA ST.
STATE OF HAWAII
DEPT. OF LAND &
NATURAL RESOURCES
BY: THE VALIANTS
(FILE #70/CUP-35)

A public hearing was held to simultaneously review a petition for a special use permit and conditional use permit to construct and operate a private recreation camp in Waimanalo.

Publication was made May 2, 1971. Three letters received in SUPPORT of the proposal are included in testimony given for the proposal.

The staff's report was reviewed by Mr. Tosh Hosoda, Staff Planner. Questioned as to the legal entity of The Valiants, Mr. Hosoda stated that it is an incorporated organization. Another question with respect to funding the operation of the camp was deferred for reply by the applicant.

Public testimony was heard.

Testimony AGAINST the proposal.

1. Mrs. Frederick Wong, adjoining property owner
2. Mrs. Edward Sultan, Mr., adjoining property owner

Objections:

1. Increased traffic and congestion will be introduced into the neighborhood. The existing roadway (Mahailua Street) is so narrow that it is difficult for two cars to pass at the same time.

2. Potential noise - The site is presently secluded and quiet. The introduction of vocational activities such as an automobile shop, and social functions including rock-and-roll music will be detrimental to the peace and quiet of the neighborhood.

3. Vandalism to areas adjacent to the camp site may occur.

4. Weather conditions in the area are not conducive to the outdoor activity proposed especially during the winter months. Another area should be selected.

5. Inadequate space - If parking areas must be provided, camping and play areas will be inadequate.

Testimony FOR the proposal.

1. Mr. William Y. Thompson, Deputy Director, State Department of Land and Natural Resources
2. Mr. James J. Detor, Program Administrator, Land Management Division, State Department of Land and Natural Resources
3. Mr. Clarence K. F. Hoe, Executive Director and General Manager of The Valiants
4. Mr. Ken Monckton, President, Waimanalo Council of Community Organizations
5. Miss Linda Lauz, First Vice-President, The Valiants
6. Mr. Joseph Kaneaupio, President, The Valiants
7. Mrs. Margaret Myers, Resident
8. Mr. Lowery L. Roobian, Representative, Chamber of Commerce of Windward Oahu, 146 Hekili St., Room 201, Kailua, Oahu, 96734 (submitted letter dated May 3, 1971)
9. Mr. Richard L. Young, President, Lions Club of Waimanalo, P.O.Box 107, Waimanalo, Hawaii (submitted letter dated May 7, 1971)

Reasons in SUPPORT:

1. The proposal is a betterment for the Waimanalo community.

2. The members and it's leadership have the required qualities and abilities to secure the necessary financing to execute and complete the comprehensive camp facilities plan, fully aware that it is a bold venture and one which will require much moral and financial support.

3. Existing limited camping facilities such as those at Camp Erdman and Kokokahi, are in demand but insufficient to satisfy present needs.

4. Although there will be more traffic created on the access road serving the premises, the overall good and worthiness of the project should be recognized.

Messrs. William Thompson and James Detor of the State Department of Land and Natural Resources were questioned. The following discussion occurred:

Thompson: Mr. Chairman, our department will grant the lease with the approval of the Planning Commission to the Nalo Valiants. We have worked for a long time on this; it wasn't an easy task. It's an ambitious plan but in going over this plan with the group and their adult leaders, we cannot help but be impressed with their approach and feeling of making this camp a success.

This park is just one part of the overall picture of Waimanalo that the State is participating in. There was a social problem in this area which existed for many years, the Sherwood Forest area. One of the problems was getting something for the young people to do, and a place to go where they can use their energies and creative talents. This is one reasons why we support The Valiants. We urge that you approve this request.

In listening to the presentation by the planning staff, I would like to make one recommendation. This is in regards to the 10-year period of the permit. The Nalo Valiants just started recently. They have gone out to raise funds and have some available. It may become necessary for them to borrow funds and the 10-year limitation may work a hardship on them. Preferably the ideal situation would be for the permit to coincide with the lease term. We have checks and balances also in our lease agreement with the Nalo Valiants.

Chun: I agree with you that the plan is an ambitious one. My question might be a little off the subject matter, but looking at a plan like this and looking at the various social elements involved in regional and state parks, what plans does the Department of Land and Natural Resources have for a regional park similar to this on the Island of Oahu?

Thompson: Insofar as the State is concerned, we go more for the park sites for general public use not specifically oriented towards age groups. We may provide such facilities in a section of the park.

Chun: I realize that but my question is more pointed in the sense that we do have state parks on the islands of Kauai, Maui, and Hawaii but we have nothing on the Island of Oahu where citizens of Oahu may go to and enjoy the facilities that our neighbor islanders have.

Thompson: Well, on Oahu we have the Keaiwa Park at Aiea; a new park being developed at Waahila Ridge; Magic Island hopefully will be completed before too long; the Sherwood Forest area is under design right now; we have 60 acres at Wahiawa ajoining Lake Wilson - we have a consultant doing the drawings; we have funds for expanding the park at the Makiki Round Top area;

we have over a million dollars appropriated by the legislature to be used in getting matching funds under the People's Park Program that congress has approved - Kahana Valley 5,000 acres; we have plans for the Makua-Kaena Point area for a large regional park.

Not criticizing the lack of parks on Oahu but we hope the Honolulu people enjoy the neighbor islands. That is one of the goals of the neighbor island park development.

Way: Mr. Thompson, you mentioned in your lease agreement you had certain safeguards. Could you elaborate on that?

Thompson: I didn't realize about the 10-year thing, otherwise I would have brought the lease agreement. We do have where they have a certain minimum expenditure to make and a certain timetable to meet in constructing the facilities.

Way: I might comment on a point for your information and to assist the Commission. Your lease term is 65 years. We looked at the General Plan and felt that there is a policy commitment or determination with reference to a public park as we interpret the intention of the City Council here. It was anticipated that this would be a state regional park facility. While we didn't feel these facilities were totally incompatible with park use - and one of the reasons we're supporting them - there was a possibility, we felt, that development of that state park might in fact take place. We felt it could take place in a much shorter time than 65 years. Therefore, we felt it might be appropriate to have some review period of a lesser period of time that we would reconsider this matter.

I was wondering whether the state had any feelings about inserting similar kinds of provisions in their lease agreement.

Thompson: Let me put it this way, insofar as the parks along the foothills there, we do have a proposal. We are considering the entire foothills of the mountain as a park having hiking, horseback riding trails. If we need the area, I'm almost sure our lease has a condition that we can get it back for a public purpose.

Way: Is that a provision of the lease?

Thompson: It's a provision of the law.

Way: We didn't see that specifically in the arrangement.

Thompson: I would like to bring the document.

Way: I believe we're looking for the same thing, that the public not pay twice or more than twice for what is essentially public property to start with right now. We wanted to have some option for reconsideration of public interest in this land.

Thompson: I agree with that. My point was that financially, it will be a big challenge to them. Rather than hamper their efforts in trying to secure funds, we would like to assist them as much as possible.

Chun: In line with the Director's comments, I think, Mr. Thompson, perhaps it might be easier that the department find support in the legislature wherein the legislature will take over this entire development rather than The Valiants financing this; that this should in effect be a state project wherein not only The Valiants but groups similar to them may be able to enjoy such a facility on Oahu.

Thompson: I agree. We hope to have some of our state parks include facilities like this but again its a matter of priority. There are groups that would like to work it out on their own, and I think there is room for something like this in the overall recreational plan of the state.

Mr. Luter worked out the lease arrangements. Perhaps he could add something.

Luter: In answer to your question, Phil, primarily we have a provision in the lease that these facilities will have to be made available to other groups at rates that will be established by agreement with ours.

Chairman: Mr. Thompson, I don't know much about the financing of this project; however, if you do have a withdrawal clause in your lease agreement, understanding the conditional use permit which may disallow future continuance of the operation, would this be as much of a detriment as the limitation established by the Director of 10 years?

Thompson: You mean our withdrawal provision?

Chairman: Yes.

Thompson: No, I don't think so if it hasn't worked. There must be a great public purpose for our department to make such a withdrawal. If the need should arise, we do have that right. It hasn't affected any loan that I know of.

Chairman: If withdrawal takes place, what happens to the property owner? Is there reimbursement?

Thompson: Yes. If there is a withdrawal, we do have to pay liquidated damages or pay for the improvements on the area.

Chairman: In the case of conditional use, there's no such provision. If they should violate any portion of the condition, they would be an automatic withdrawal. Would this affect the capability of securing credit?

Thompson: Something like that is a valid part of any agreement. If they don't comply with certain things they must comply with, this is a reason for cancelling the lease.

Luter: I would like to comment on Mr. Yamabe's question. Mr. Thompson made a comment that isn't quite true. There will be no withdrawal clause in the agreement as far as I know. Usually when we require improvements like this, we don't put in the withdrawal clause except for such public purposes as roadways, utilities and so forth. I believe there will be no withdrawal clause except for house lot developments and something like that.

The second thought that I had in that connection is that the regional park proposed there is primarily natural area. We have already converted it into agricultural use. It's being used for farm land and we'll probably keep it in farm land as long as we can so that it will be quite a long while before it will be developed into a regional park as far as our present plans are concerned.

One other point you made - what happens if we do cancel our lease. Under the law, all mortgagees are fully protected so either we have to let the mortgagee take over and liquidate, or we have to payoff the mortgage and re-lease the property.

Way: One other question following up on the withdrawal. Does this then mean that should the state decide to move ahead with the park development, that they would be compensating the lessees for the value of the lease or improvements only?

Luter: Under the terms of this lease, we would have the right to withdraw it for park development.

Way: It could be condemned, of course.

Luter: Yes.

Way: Then you would payoff the remaining leasehold interest as well as acquiring the improvements on the land?

Luter: If we condemn, we have to pay full value on the land.

Chairman: Was this particular parcel ever put up for bid or offered to the farmers?

Luter: That lot was one of four that were combined, lots 17, 19, 20, 21, into one lot and leased at public auction to Mr. Sullivan of Foodland who was going to put in a dairy. He had a proposition to put in a dairy with Arden Farms but Arden Farms backed out so Mr. Sullivan forfeited his lease. We re-offered it at public auction for agricultural use. Between the time we advertised the four lots and put it up for sale, The Valiants came to us with their proposition. The Chairman agreed with their philosophy and agreed to withdraw that one lot from the auction. Announcement was made at the auction that that lot was being withdrawn and the reason for it. So, the people who bid on the other lots did know that we were contemplating putting in a camp at the time the auction was held.

We will lease directly to The Valiants without public auction because now we have the right to do so under the new law provided the governor signs it.

Chairman: Then this will be on a negotiated basis, not a bid basis.

Luter: Well it was an administration bill so I assume the governor will sign it.

Incidentally, it's not just for a camp. It's for camp and educational purposes.

Chairman: Do you know of other areas that might be much more suitable for this type of operation?

Thompson: One of the reasons for selecting this site was that The Valiants live in the area and will be working on much of the land themselves so that it can't be on the other side of the island.

Luter: I think it would be next to impossible to find another area on this island that we control that could be suitably used for this purpose.

This concluded the interrogation of Messrs. Bill Thompson and George Luter.

Questioned by the Commission, Mr. Hoe indicated $1500 in their club treasury. They realize the challenge before them and intend to make the project a success. In addition to fund raising projects, they will solicit donations from community organizations. One of their fund drives held a year ago by their membership composed of 475 youths (9-19 years of age) realized a profit of $14,000.

There were no further questions from the Commission. The public hearing was closed, and the matter was deferred for a statutory period of 15 days, on motion by Mr. Chun, seconded by Rev. Connell and carried. The Commission requested a copy of the lease agreement between the State and The Valiants for review by the staff.

STATE LAND USE REFERRAL (FIVE-YEAR REVIEW RELATING TO SIX PARCELS OF LAND)	The Acting Chairman had declared a conflict of interest on this matter and was not present during its deliberation. The State Land Use Commission referred to the Planning Commission, a petition involving a re-examination of certain boundary changes made during the Five-Year review relating to 6 parcels of land.

(The Commission acted on five of the six boundary changes at the last meeting. However, due to a conflict of interest declared by the Acting Chairman at that time, this matter had to be deferred for a lack of quorum.)

Kahuku, Koolauloa

Classification being reconsidered: Agriculture to Conservation
Area: 132 acres Ownership: Campbell Estate
Existing State Land Use Designation: Conservation
Existing General Plan Designation (DLUM): Agriculture, Beach Park and Air Strip
City and County Zoning: AG-1 Restricted Agriculture District

Staff recommends that the existing Conservation District designation be retained.

ACTION: The Commission recommended that the Land Use Commission defer reconsideration of the change from Agriculture to Conservation pending consideration of a General Plan change to Preservation, on motion by Mrs. Sullam, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

STATE LAND USE COMMISSION PETITION WAIANAE, LUALUALEI OCEANVIEW VENTURES (FILE #71/LUC-2)	The Commission again considered a petition from the Oceanview Ventures requesting an amendment to the State Land Use District Boundary by changing the district classification from Agriculture to Urban for land situated in Lualualei, Waianae, identified by Tax Map Keys 8-7-21: 26; 8-7-09: 3; and 8-7-19: 1, containing 227.8 acres.

The Commission deferred action at the April 28, 1971 meeting at the request of the applicant for submission of additional supporting data.

In a memorandum to the Planning Commission dated April 7, 1971, the Director had recommended that the petitioner's request be denied in view of the undesirable environment for housing.

The petitioner, in his supplemental report, pointed out the two major causes for this undesirable environment:

1. The existence of an abandoned quarry in the project area.

   In order to eliminate this problem, the petitioner intends to "fill, level, and compact the excavated area in accordance with approved standards." Furthermore, he claims that this can be accomplished while still meeting his goal of providing "gap group housing."

2. The existing cement plant and the recently designated AG-2 zone which borders the development.

   The petitioner proposes to establish "reasonable" buffer areas between the residential development and these non-residential, and largely incompatible, activities.

Based upon review of the supplementary information submitted by the petitioner, there is sufficient new evidence to warrant a change in the staff's recommendation on this petition. It is the staff's recommendation that the Planning Commission request the State Land Use Commission to approve the change in the Urban District boundary as requested for the 213-acre site only; not to include the 14-acre site which is designated for agricultural use, and lies north of an existing cement plant.

The Director reported the receipt of a letter from the State Farm Bureau in opposition to this request.

ACTION: On the basis of new evidence, the Commission concurred with the Planning Director's recommendation, and further, that it is consistent with the General Plan, on motion by Mr. Bright, seconded by Rev. Connell, and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

ZONING CHANGE FROM R-6 RES. TO I-3 WATERFRONT & I-2 HEAVY INDUSTRIAL DISTRICTS
ANUENUE ISLAND (SAND ISLAND)
STATE OF HAWAII DEPT. OF LAND & NATURAL RESOURCES & DEPARTMENT OF TRANSPORTATION

The public hearing held March 19, 1970, was closed and action deferred pending additional study by the Planning Department.

The following transpired:

Chairman: What is your pleasure?

Sharpless: I have a suggestion for consideration, a discussion among all people involved as to whether or not there's any necessity for taking some action on this application now. If the Commission decides there is some necessity, then you can decide how you're going to do it - whether you're going to have another public hearing, whether you can do it on the present record, or what. The first question is, is it necessary to do anything now. Maybe we need more information than we have.

Chairman: You mind defining all people interested?

Sharpless: Anybody that can contribute to the question of urgency.

Chun: I agree. I believe what Mr. Sharpless is referring to are the various departments of the state and county.

In looking at the map, I think we are pretty well in agreement as to the fact that there will be a park on Sand Island of up to 270 acres. At least 270 acres will be held in reserve. Whether it will be developed or not is something else. That question is pretty well resolved by everyone.

The question now is the great urgency of rezoning a portion of Sand Island for industrial uses when we really don't know what the total plan for Sand Island will be in the eyes of the state itself.

Sullam: I support Mr. Sharpless' suggestion. It wouldn't hurt to have a meeting with all parties involved to hear what their ideas are.

Creighton: I'd like to support Mr. Sharpless' suggestion too because there is a question of whether there is any real urgency. Under a normal procedure, one would certainly wait for a master plan to be developed. The rezoning which is requested pre-determines that master plan and would prevent certain configurations that have been suggested by both the state and groups in the locality.

Chairman: We're all in agreement. When do you want to do it, now?

Chun: No. Mr. Chairman, if a motion is in order?

Chairman: A motion is in order.

Chun: I move that this matter be deferred and that the Director be directed to meet with the various state and county agencies involved to determine and to report back to this Commission within two weeks as to the urgency of the rezoning in this matter.

Creighton: Second.

Chairman: It has been moved and seconded that this matter be deferred, and that the Director be instructed to meet with the people involved that might assist us in determining the urgency of this action.

(The motion was unanimously carried.)

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

* * * * * * * * * * * * * * *

On motion by Mr. Chun, seconded by Mr. Bright and carried, the Commission authorized the Planning Director to establish the public hearing date for consideration of the following matter:

GENERAL PLAN
DLUM AMENDMENT
KAWAILOA-WAIALUA
BETWEEN HALEIWA &
WAIMEA BAY
CITY & COUNTY
DEPT. OF PARKS &
RECREATION

1. The request is an amendment to the Waialua Detailed Land Use Map to redesignate a 6-acre site from Agriculture to Park use.

ADJOURNMENT: The meeting adjourned at 6:14 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

File Copy

Special Meeting of the Planning Commission
Minutes
May 19, 1971

The Planning Commission held a special meeting on Wednesday, May 19, 1971, at 2:25 p.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:
Rev. Eugene Connell, Chairman Pro Tem
Philip T. Chun
Fredda Sullam
Rev. Eugene Connell
Roy R. Bright
Thomas H. Creighton

STAFF PRESENT:
Robert R. Way, Planning Director
Bruce Duncan, Staff Planner
Bill Bartlett, Staff Planner
Herbert Mark, Staff Planner

ABSENT:
Thomas N. Yamabe II
James Crane
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES:
The minutes of March 11 and 18, 1971 and April 14, 1971, as circulated, were approved on motion by Mrs. Sullam, seconded by Mr. Creighton, and carried.

PUBLIC HEARING
ZONING CHANGE FROM R-6 RES., B-2 COMM. BUS., & A-3 APT. DIST. TO A-2 APT. DISTRICT
WAIPAHU
AWALAU ST. & THE DRAINAGE CANAL
INITIATED BY THE PLANNING DIRECTOR
(FILE #71/Z-20)

A public hearing was held to consider a request for a change in zoning from R-6 Residential, B-2 Community Business, and A-3 Apartment districts to A-2 Apartment district for land situated at Waipahu (Area 2)--Awalau Street and the drainage canal, and identified as Tax Map Keys: 9-4-19: 14 to 17, 19 to 22, and portion of 13 (alleyway).

The public hearing notice was readvertised May 9, 1971, because of an error in the notice of May 5, 1971.

Bruce Duncan, Staff Planner, reviewed the staff's report. There were no questions from the Commission concerning the report.

No person was present to speak either for or against the proposal.

The public hearing was closed and the matter was taken under advisement on motion by Mr. Bright, seconded by Mrs. Sullam, and carried.

ACTION: Based upon the recommendation of the Director, the Commission recommended approval of the applicant's request on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

AYES - Connell, Chun, Sullam, Bright, Creighton
NAYES - None
ABSENT - Yamabe, Crane

PUBLIC HEARING
GENERAL PLAN
DLUM AMENDMENT
KANEOHE-KUALOA
KAHUKU SIDE OF
WAILEE RD.BET.
AHILAMA RD.& KAM
HIGHWAY
(a) C&C BLDG.DEPT. &
HON.FIRE DEPT.
OWNERSHIP: DR.& MRS.
PHILIP CHOCK
(b) C&C PLANNING
DEPARTMENT
OWNERSHIP: HAWN.
TELEPHONE COMPANY
(FILE #33/C2/25)

A public hearing was held to consider the two following proposals:

a. To amend the General Plan Detailed Land Use Map for Kaneohe-Kualoa by changing the land use designation from Residential and Agricultural to Public Public Facility, Fire Station.

b. To amend the General Plan Detailed Land Use Map for Kaneohe-Kualoa by changing the land use designation from Public Facility Fire Station to Industrial.

Item A

Publication was made May 9, 1971.

The Director reported that the Building Department has requested a 4-week deferral on this matter.

Since publication was made, testimony was taken from those prepared to testify.

No one spoke AGAINST the proposal.

Mr. Joe C. Harper, President, Hui Ko'olau, spoke in FAVOR of the proposal. They firmly believe that provisions should be made on the site for an emergency-ambulance and first aid station, eventually a field station for the Honolulu Police Department, and also for an emergency rescue unit. In this regard, they respectfully request that the land designation be increased from 20,000 sq. ft. to 40,000 sq. ft.

There was no further discussion.

The public hearing was kept open, and the matter was deferred for a period of four weeks, on motion by Mrs. Sullam, seconded by Mr. Bright, and carried.

Item B

Publication was made May 9, 1971. No letters of protest were received.

Staff Planner Bill Bartlett reviewed the staff's report. There were no questions from the Commission concerning the report.

No person was present to speak either FOR or AGAINST the proposal.

The public hearing was closed and the matter was taken under advisement on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the proposed amendment as requested by the applicant, on motion by Mrs. Sullam, seconded by Mr. Creighton and carried.

AYES - Connell, Chun, Sullam, Bright, Creighton
NAYES - None
ABSENT - Yamabe, Crane

PUBLIC HEARING GENERAL PLAN DP AMENDMENT CENTRAL BUS.DIST. STREET SECTION OF QUEEN ST.BET.FORT & BISHOP STREETS C&C PLANNING DEPT. OWNERSHIP: AMFAC, INCORPORATED (FILE #15/C3/11)	A public hearing was held to consider a request to amend the Central Business District Development Plan by deleting street setbacks on Queen Street between Fort and Bishop Streets. Publication was made May 9, 1971. No letters of protest were received. Staff Planner Bill Bartlett reviewed the staff's report, copies of which were circulated prior to the hearing. There were no questions from the Commission regarding the report.

No person was present to speak either FOR or AGAINST the proposal.

The public hearing was closed, and the matter was taken under advisement on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the proposed amendment as requested by the applicant, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

AYES - Connell, Chun, Sullam, Bright, Creighton
NAYES - None
ABSENT - Yamabe, Crane

PUBLIC HEARING
DIAMOND HEAD
ESTABLISHING HISTORIC
CULTURAL & SCENIC
DISTRICT
GENERALLY DESCRIBED IN
A CLOCKWISE DIRECTION
BEGINNING AT THE INTER-
SECTION OF KAPIOLANI
BLVD. & MCCULLY ST. &
PROCEEDING ALONG
KAPIOLANI BLVD. TO THE
MAUKA BOUNDARY OF ALA
WAI PARK TO HIHIWAI ST.
(EXTENDED) TO THE
MANOA-PALOLO CANAL TO
DATE STREET TO MOOHEAU
AVE., FOLLOWING THE
MAUKA BOUNDARY OF THE
KAPAHULU AVENUE B-2
DIST.TO BROKAW ST. TO
ALOHEA AVE. TO 11TH
AVE.TO MAUNALOA AVE.
TO 12TH AVE.TO KILAUEA
AVE.TO 22ND AVE.TO
FORT RUGER BOUNDARY
TO KAHALA AVE.TO
DIAMOND HEAD RD., TO
KOKO HEAD BOUNDARY OF
KUILEI CLIFFS STATE
PARK TO THE OCEAN TO
KAPAHULU AVE.
(EXTENDED) TO MAKEE
RD. TO KANELOA RD.;
TO THE EWA BOUNDARY OF
JEFFERSON ELEM.SCHOOL
TO ALA WAI BLVD. TO
MCCULLY ST.TO
KAPIOLANI BLVD., THE
POINT OF BEGINNING
INITIATED BY THE
PLANNING DIRECTOR

A public hearing was held to consider a proposal to establish a historic, cultural and scenic district generally described in a clockwise direction beginning at the intersection of Kapiolani Boulevard and McCully Street and proceeding along Kapiolani Boulevard to the mauka boundary of Ala Wai Park to Hihiwai Street (extended) to the Manoa-Palolo Canal to Hihiwai Street (extended) to the Manoa-Palolo Canal to Date Street to Mooheau Avenue, following the mauka boundary of the Kapahulu Avenue B-2 District to Brokaw Street to Alohea Avenue to 11th Avenue to Maunaloa Avenue to 12th Avenue to Kilauea Avenue to 22nd Avenue to Fort Ruger boundary to Kahala Avenue to Diamond Head Road, to Koko Head boundary to Kuilei Cliffs State Park to the Ocean to Kapahulu Avenue (extended) to Makee Road to Kaneloa Road; to the Ewa boundary of Jefferson Elementary School to Ala Wai Boulevard to McCully Street to Kapiolani Boulevard, the point of beginning.

The general intent of the district is (1) to preserve existing prominent public views of Diamond Head by preventing public or private construction projects which would diminish existing prominent public views, (2) to preserve the existing natural appearance of Diamond Head by preventing public or private construction projects which would alter the existing natural appearance of Diamond Head from prominent public vantage points, (3) to preserve and to enhance cultural and historic sites.

Publication was made May 9, 1971. Letters received as a result of publication are included under corresponding public testimony given either FOR or AGAINST the proposal.

The Director made the following statement to the Commission regarding the Diamond Head Ordinance:

"It would probably be a gross understatement to say that the Diamond Head Preservation Ordinance before you today has been 'a long time coming' -- but this is certainly true. We look upon the Diamond Head Ordinance as a product of a long succession of public action through many years. Let me quickly recall some of these expressions of public concern to you:

1. In 1962, the Governor of Hawaii, under Executive Order No. 2000, established the Diamond Head State Monument.

2. In 1965, Act 249 was enacted that reconfirmed the establishment of the Diamond Head State Monument, which was to consist of such lands as the state "considered essential to the unimpaired preservation of the visual and historic aspects of Diamond Head.' This act also provided the funds for the important study that was subsequently completed, 'a plan for the visual preservation of Diamond Head' -- more commonly referred to as the 'Van Dorpe Study.'

3. In 1968, the Federal Government designated Diamond Head as a Registered National Natural Landmark.

4. In 1969, the Comprehensive Zoning Code (CZC) came into effect. As you know, Chapter 12 of the CZC provided the legislative means by which historic, cultural and scenic districts could be established.

5. Also in 1969, Ordinance No. 3443 was adopted by the City Council, which amended the General Plan by extending parks and recreation land uses designations from Kapiolani Park to the lighthouse.

6. Finally, in 1970, the State Legislature adopted Senate Concurrent Resolution Nos. 43 and 44. Resolution No. 43 requested the Divsiion of Stae Parks to develop historic preservation plans for the Diamond Head State Monument, and Resolution No. 44 requested the City and County of Honolulu to create an historic, cultural and scenic district for the urban environs of Diamond Head for the protection of the Diamond Head State Monument. It was specifically in response to Resolution No. 44 that the present Ordinance was prepared.

As you can see, the broad public objective of preserving Diamond Head is well authenticated. Based upon the public actions and declarations of public policy at each level of government, we have based the present Diamond Head Ordinance on the following public objectives:

1. To preserve and to enhance cultural and historic sites;

2. To preserve the existing natural appearance of Diamond Head; and

3. To preserve existing prominent public views of Diamond Head.

I welcome this public hearing as an opportunity to sample public opinion on the merits of the proposed Diamond Head, historic, cultural and scenic district.

With this brief background, I would like to call upon our staff to discuss the details of the Ordinance and the study that produced it."

Staff Planner Herbert Mark in his opening remarks explained that two of the public objectives Mr. Way mentioned--

(a) To preserve and to enhance cultural and historic sites;
(b) To preserve the existing natural appearance of Diamond Head;

more properly fall within the jurisdiction of the State. Senate Concurrent Resolution divided the duties between the Department of Land and Natural Resources and the City and County of Honolulu. In addition, Diamond Head is also a state monument which was, of course, under State Park jurisdiction. The laws of Hawaii also delegated to the State Department of Land and Natural Resources (State Parks) jurisdiction under historic sites.

Mr. Mark devoted his presentation to the remaining public objective--

(c) To preserve existing prominent public views of Diamond Head

He conducted his review in the following manner:

1. An orientation tour of the boundaries of the proposed district on the district map, also point out the prominent public vantage points (public streets and public viewing sites) that were indicated on the ordinance map.

2. A discussion of the visual survey studies that were performed in 1970 which lead to the definition of the boundaries. A summary of the inventory of existing public views in the immediate environment of Diamond Head was given along with the criteria for the selection of the viewing sites. The results of background studies were summarized on a "view map".

3. Review through slides of--

   (a) Boundaries and viewing sites and streets
   (b) The quality of the views that exist

4. Discussion of the General Plan and zoning for the Diamond Head area, indicating the areas of stability, the areas of change, areas devoted to public facilities, and the major problem areas which are the B-2 and A-4 districts.

   The problem posed by the planned development regulations of the CZC to the Diamond Head district was also discussed.

5. Visual review through drawings and photographs of the following:

   (a) Kapahulu Avenue - B-2
   (b) Monsarrat Avenue - B-2

(c) Campbell Avenue at Duval Street - B-2
(d) Alohea Avenue at Edna Street - B-2

6. Review of Article 12 of the CZC, pointing out specifically the following:

   (a) Legislative intent
   (b) Applicability of Regulations
   (c) Certificate of Appropriateness
   (d) Appeals to ZBA
   (e) Review by an Advisory Committee

7. Review of the contents of the ordinance, emphasizing the following sections:

   (a) Applicability of Regulations
   (b) Height regulations with its "escape clause"

      (1) 40 feet - B-2 area on Kapahulu area
      (2) 25 feet - Residential, apartment, and other business area, Honolulu Zoo
      (3) 0 feet - Ala Wai Golf Course, Kapiolani Park area

8. Closing remarks emphasizing the need for the Ordinance, and its importance to preserving an important aspect of the environment of Honolulu.

Questions raised by the Commission:

1. Was a study made to include views of Diamond Head from an airplane inasmuch as Diamond Head is included in various airline itineraries, and is pointed out to tourists in flight?

   To preserve the view around Diamond Head would involve an extension beyond the immediate district. The plane view of Diamond Head encompasses the entire monument which is surrounded by a low cluster of landscaped scenery.

2. Did the staff consider the inclusion of Black Point within the district as well as ocean views of Diamond Head?

   Black Point was not considered in the staff's study.

   Commissioner Sullam felt that from a geological standpoint, the Black Point area should be included in the district because of its location at the base of Diamond Head. Its inclusion in the ordinance would impose a 25-foot height restriction in the area and prevent the occurrence of high-rise development.

There were no further questions of the staff.

Public testimony followed.

Testimony AGAINST the proposal:

1. Mr. Carl H. Williams, President, Diamond Head Apartments, Ltd. 2969 Kalakaua Avenue, Honolulu
2. Mr. Verne Hass, Diamond Head Terrace Association, 3002 Hibiscus Drive, Honolulu
3. Mr. James V. Hall, President, Diamond Head Terrace Community Association, 3023 Kiele Avenue, Honolulu (submitted written statement)
4. Mr. John Zapotocky, Diamond Head Terrace Association, 3030 Hibiscus Drive, Honolulu
5. Mr. and Mrs. Gerald F. Moynihan, 3002 Kiele Avenue, Honolulu (submitted letter dated May 17, 1971)
6. Mr. Daniel F. Buckley, Chairman, Board of Trustees, Honolulu Lodge #616, Benevolent and Protective Order of Elks (submitted letter dated May 18, 1971)
7. Mrs. Roy W. Ahrens, Diamond Head Terrace Community Association, 3008 Kalakaua Avenue, Honolulu (submitted letter dated May 19, 1971)
8. Mrs. Dan F. Wallace, Diamond Head Terrace Community Association, 3015 Kiele Avenue, Honolulu (submitted letter dated May 15, 1971)
9. Mr. James C. Ching, 1806 South King Street, property owner of Diamond Head Ambassador Apartment located at 2957 Kalakaua Avenue, Honolulu (submitted letter dated May 19, 1971)
10. Miss Gwenfread E. Allen, 3020 Kalakaua Avenue, Honolulu
11. Mr. Ben Takayesu, Room 594, Alexander Young Bldg., Honolulu (Attorney representing his father who owns property in Waikiki)
12. Mr. John A. Holbrook, Apartment Complex Director, 3055 Pualei Circle, Honolulu
13. Mr. Anthony Brayton, Castle Surf Apartment Owners, Inc., 2937 Kalakaua Avenue, Honolulu (submitted letter dated May 21, 1971)
14. Mr. and Mrs. Frederick Berg, property owners, 3144 Monsarrat Avenue, Honolulu (submitted letter dated May 19, 1971)
15. Mr. Richard T. Goo, 1928 Pauoa Road, Honolulu, owner of property at 3020 Kiele Avenue, Diamond Head Terrace area (submitted letter dated May 19, 1971)
16. Mrs. James C. Haynes, resident, Diamond Head Terrace Tract (submitted letter dated May 18, 1971)
17. Lily A. Center, 2987 Kalakaua Avenue, Apt. 104, Honolulu, property owner at 2987 Kalakaua Avenue (submitted letter dated May 18, 1971)
18. Mrs. T. G. Fisher, 84-229 Makau Street, Waianae (submitted letter, undated)
19. Mr. Allen R. Johnson for KAINEHE a registered partnership of Mr. and Mrs. Allen R. Johnson, and Mr. and Mrs. Thomas D. Perkins, owners of the land at 2943 Kalakaua Avenue (submitted letter, undated)

The main OBJECTIONS of the residents are:

1. Unconstitutional taking of private property without reasonable public benefit or justification.

2. Taking of air rights without just compensation.

3. Down-zoning decreases property values and restricts full use of property which is already heavily taxed creating undue hardship for property owners.

4. The highrise structures in existence at the base of Diamond Head be exempted from the non-conforming provision of the CZC, Article 1, Section 21-107, Paragraph D2 which states that repairs on a non-conforming structure may extend beyond 50% of the replacement value of the building.

5. Since Diamond Head is 760 feet tall, a developer should be able to build up to that height without obstructing views of Diamond Head.

6. If the Diamond Head Ordinance protects existing views then existing buildings should be permitted to remain, and to be replaced.

7. Scenic and aesthetic controls cannot be defended in the courts.

8. Acquisition of the Diamond Head Terrace Tracts for the extension of Kapiolani Park.

Testimony FOR the proposal--

1. Mr. Gene Renard, State Parks, Department of Land and Natural Resources
2. Mr. Aaron Levine, President, Oahu Development Conference (submitted letter dated May 17, 1971)
3. Mr. Lawrence M. Johnson, President, Waikiki Improvement Association (submitted letter dated May 19, 1971)
4. Mr. Sidney E. Snyder, Architect, American Institute of Architects, Hawaii Chapter, 1210 Ward Avenue, Honolulu (submitted letter dated May 19, 1971 signed by Mr. Joseph Farrell, President, AIA)
5. Mrs. Dorothy W. Lindley, Legislative Chairman, Historic Buildings Task Force, 2163 Mott-Smith Drive, Honolulu (submitted letter dated May 16, 1971)
6. Mrs. Robert Creps, Diamond Head Chairman, The Outdoor Circle, 50 Kaiholu Place, Kailua (submitted letter dated May 18, 1971)
7. Mr. Bud Aronson, ILWU, 451 Atkinson Drive, Honolulu
8. Mr. Robert Wenkam, Friends of the Earth, 1372 Kapiolani Blvd., Honolulu
9. Miss Gertrude A. Humphries, interested citizen, 1923 Makiki Street, Honolulu
10. Mrs. Diane Beardmore, Conservation Chairman, Garden Club of Honolulu, 4645 Waipahee Place, Honolulu (submitted letter dated May 19, 1971)
11. Mr. and Mrs. L. W. Schutz, property owners of two lots on Kaalawai Place, Honolulu (submitted letter dated May 18, 1971)
12. Mr. Daniel F. Herbert, resident, 223 Kaalawai Place, Honolulu (submitted letter May 24, 1971)
13. Mrs. Dorothy Lum, President, The League of Women Voters of Honolulu (submitted letter dated May 18, 1971)

14. Mr. Walter K. Collins, President, Save Diamond Head Association (submitted letter dated May 17, 1971)

Reasons in SUPPORT--

1. The proposed ordinance would protect Diamond Head from further highrise construction. Existing residential areas on the slopes surrounding Diamond Head would be protected from inharmonious and uncompatible high-density development causing congestion and rising property taxes.

2. The ordinance would preserve the tree cover along the slopes of the crater and provides an opportunity for future enhancement of the district by encouraging landscaping programs for the streets, boulevards, parks and open spaces.

3. Authoritative commissions should be established for this historic, cultural, scenic district rather than be merely advisory bodies.

4. A Design Review Committee should be appointed by the Planning Director to advise the Director on the suitability of projects which seek a variance from district height regulations. The Director would be required to consider the Committee's recommendation prior to issuing or denying a "Certificate of Appropriateness" as described in Article 12 of the CZC.

5. The following geographical areas are important to the site lines of Diamond Head and should be included in the district:

   a. Black Point area
   b. Kaimuki High School and Crane Park
   c. The flank eruption formation of high ground including the Kaimuki Fire Station and residential areas on the high ground leading toward Diamond Head.

6. The naturalness of Diamond Head should be preserved.

7. Concerning the objections made by property owners over their air rights, these property owners acquired their air rights at no cost when the City zoned the area.

No other person was present to speak either for or against the proposal. The public hearing was closed and the matter was taken under advisement on motion by Mr. Chun, seconded by Mr. Bright and carried.

This matter was deferred for one week for further staff study in the following areas on motion by Mr. Chun, seconded by Mr. Bright and carried:

1. The inclusion of the Black Point area within the district
2. Study be made of ocean views of Diamond Head

* * * * * * * * * * * * * * * *

On motion by Mrs. Sullam, seconded by Mr. Chun, and carried, the Commission authorized the Planning Director to establish the public hearing dates to consider the following items:

1. Amend GP
File (120/c 2/7)

Applicant: City & County of Honolulu, Dept. of Parks and Recreation
Ownership: Mr. and Mrs. Kyugo Watanabe, Mr. and Mrs. James Hara, and City & County of Honolulu
Request: To amend the General Plan for a portion of Kapalama, Oahu, from Apartment to Park use.
Location: Kapalama, Oahu
Tax Key: 1-6-05: 6, 15, 31, and 61
Area: 2.3± acres
City & County Zoning: R-6 Residential
Existing General Plan Designation: Apartment
Existing State Land Use District Designation: Urban

2. PARK DEDICATION ORDINANCE

An ordinance to amend Chapter 22, R.O. 1961, by adding thereto a new article to be numbered Article 6, relating to the dedication of land or the providing of land in perpetuity for parks and playgrounds as a condition precedent to approval of a subdivision.

ADJOURNMENT: The meeting adjourned at 6:04 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

File Copy

Meeting of the Planning Commission
Minutes
May 26, 1971

The Planning Commission met in regular session on Wednesday, May 26, 1971, at 2:14 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:	Thomas N. Yamabe II, Acting Chairman Philip T. Chun Fredda Sullam Roy R. Bright Rev. Eugene Connell Thomas H. Creighton
STAFF PRESENT:	Robert R. Way, Planning Director Bruce Duncan, Staff Planner Bill Bartlett, Staff Planner
ABSENT:	James D. Crane Richard K. Sharpless, ex-officio James K. Sakai, ex-officio Andrew Sato, Deputy Corporation Counsel
MINUTES:	The minutes of April 28, 1971 were approved on motion by Rev. Connell, seconded by Mrs. Sullam, and carried.
PUBLIC HEARING ZONING CHANGE R-3 RES.TO B-2 COMM.BUS.DISTRICT HEEIA MAUKA OF KAM.HWY. BET.HAIKU RD. & LILIPUNA RD. EXIT MAU, FUJIEKI, & YIM BY: CHUN, KERR AND DODD (FILE #70/Z-57)	A public hearing was held to consider a request for a change in zoning from R-3 Residential to B-2 Community Business District for land situated at Heeia--mauka of Kamehameha Highway between Haiku Road and Lilipuna Road exit, and identified as Tax Map Key: 4-6-11: 8, 9, 26, 34, and 35. Publication was made May 16, 1971. No letters of protest were received. The staff's report was reviewed by Mr. Bruce Duncan. Questioned by the Commission, Mr. Duncan stated that the applicant has agreed to put in improvement services as required under the subdivision rules and regulations.

This request relates to the next proposal (agenda item 2). This is a subdivision for industrial purposes which has been granted tentative approval by the Planning Director. Part of the condition of approval is construction of Lilipuna Road extension. Construction plans have been submitted indicating a 60-foot right-of-way for the entire section.

Attorney Edward Chun and Mr. Robert Hinazumi represented the applicants and were present to answer any questions the Commission might have. The Commission had no questions.

Mr. Edgar Jones, President, Kaneohe Community Council, presented a letter dated May 26, 1971, in support of the proposal.

No one spoke against the proposal.

The public hearing was closed, and the matter was taken under advisement on motion by motion by Mr. Bright, seconded by Rev. Connell and carried.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, on motion by Mr. Bright, seconded by Rev. Connell, and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYS - None
ABSENT - Crane

PUBLIC HEARING ZONING CHANGE R-3 RES.TO I-1 LIGHT INDUS. DISTRICT HEEIA MAUKA OF KAM HWY. HEEIA INDUSTRIAL SUBDIVISION (LOTS 1235 TO 1238) RURAL INVESTMENT, INCORPORATED BY: GEORGE M. HASEGAWA (FILE #71/Z-11)	A public hearing was held to consider a request for a change in zoning from R-3 Residential to I-1 Light Industrial District for land situated at Heeia--mauka of Kamehameha Highway, Heeia Industrial Subdivision (Lots 1235 to 1238), and identified as Tax Map Key: 4-6-11: portion of 1. Publication was made May 16, 1971. No letters of protest were received. The staff's report was reviewed by Mr. Bruce Duncan. There were no questions from the Commission concerning the report.

Mr. Edgar Jones, Executive Secretary, Kaneohe Business Group, submitted a letter dated May 26, 1971, in support of the proposal.

No one spoke against the proposal.

The public hearing was closed and the matter was taken under advisement on motion by Mr. Bright, seconded by Rev. Connell, and carried.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the applicant's request, on motion by Rev. Connell, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYS - None
ABSENT - Crane

PUBLIC HEARING ZONING CHANGE FOR 6 PARCELS OF LAND WITHIN MILILANI TOWN, WAIPIO MILILANI TOWN, INC. (FILE #70/Z-71)	A public hearing was held to consider a request for a change in zoning for 6 parcels of land within Mililani Town, Waipio.		
	Parcel 1	Request:	R-6 Res. to A-1 Apt.
		Location:	Kipapa Dr. & Kauamea Pl.
		Tax Key:	9-5-23: 3
		Area:	69,687 sq. ft.

Parcel	Request	Location	Tax Key	Area
2	R-6 Res. to A-1 Apt.	Kipapa Drive	9-5-24: 91	62,271 sq.ft.
3	R-6 Res. to A-1 Apt.	Kipapa Drive	9-5-21: 15	198,546 sq.ft.
4	R-6 Res. to A-2 Apt.	Kipapa Dr. & Moenamanu St.	9-5-21: 05	151,502 sq.ft.
5	R-6 Res. to A-1 Apt.	Kaloapau St. &	9-5-01: portion of 7	224,465 sq.ft.
6	R-6 Res. to A-1 Apt.	Kipapa Drive	9-4-05: portion of 3	435,600 sq.ft.

Publication was made May 16, 1971. Various letters received in opposition to this proposal are included in testimony given against the proposal.

The staff's report was reviewed by Mr. Bruce Duncan. No questions were raised concerning the report.

Public testimony was heard.

Testimony AGAINST the proposal--

1. Mr. Carl O. Clever, Board of Directors, Mililani Town Association
2. Mrs. Martha Clifford, Resident, 95-331 Hakupokano Lp., Wahiawa 96789
3. Mr. Michael B. Creagh, Resident and Chairman of the Lands Committee, Mililani Town Association
4. Mr. Carl O. Clever, Board of Directors, Mililani Town Association
5. Dr. Kenneth G. Rohrbach, Resident, 95-217, Alaalaa Loop, Wahiawa 96789
6. Mr. George M. Church, Resident
7. Mr. Gordon Taylor, Resident

Their main objections are:

1. Inadequate school, traffic, and park facilities
2. There will be a loss in open space
3. No room for commercial expansion
4. Population overcrowding
5. They question the integrity of the developer because at the time they purchased their homes, no highrise development was proposed.

Mr. Creagh requested a deferral of this matter for a period of 14 days in order that their membership might be apprised of the proposal, and to obtain a general concensus of the group in support or in opposition to the proposal. They also hope to have answered some

questions regarding the use of open space and park areas inasmuch as these areas are deeded to the association and they maintain them. It is their feeling that this loss in open space has resulted without due process to the community association. Such questions will be clarified with the developer at tomorrow night's meeting.

The association did meet with the developer and the staff of the Planning Department, but because the turnout was minimal, the association requested a deferral for a larger attendance. The planning staff indicated that a map of the proposal could be prepared and posted in the nearby shopping center to give people adequate information. A map was prepared by the staff, and posted accordingly.

Testimony FOR the proposal--

Mr. Wendell Brooks, Vice-President and General Manager of Mililani Town, Inc., represented the applicant. He explained the following:

1. Apparently, residents do not understand the scope of Mililani Town, and its intent. Mililani Town is planned as a 3500 acre development master planned for a population of 63,000 to be housed in 17,000 dwelling units, one-half in single-family dwellings units, and the other in multi-dwelling units.

   The request implements the planning principle which has been adopted for the 3500-acre master plan.

2. One reason that residents are unaware of highrise development is that hearings for the General Plan amendment were held at the initial phase of the application. Due to changes in the plan for Mililani Town, the Waipio DLUM was amended in 1966, 1968, and November 1970. These changes plus the time lapse involved in processing the amendments may have caused misunderstanding of the proposal among the residents.

3. Their principle objective regarding multi-family sites are to service three functions:

   a. It seeks to create visual relief within various neighborhoods by creating different roof scapes, and different mappings of buildings.

   b. Multi-family sites should be placed in such a way to create buffers where there is a change of use (i.e. active commercial uses)

   c. Multi-family sites are located in areas next to park or school sites where there is opportunity to enjoy the adjacent open space.

4. Relative to the residents' request for deferral, Mr. Brooks felt that the previous meeting with the association, the developer, and the Planning Department staff was sufficient. He met with Mr. Creagh and reviewed the master plan for Mililani Town, and also attended the last Board of Director's meeting of the homeowner's association. Maps were displayed by the Planning Depart-

ment staff, and subsequently posted in the shopping center. Residents with questions could have contacted the Planning Department directly, or Mr. Creagh, Chairman of the association's land committee. He would prefer not to defer this matter; however, he would have no objection if in the Commission's judgment a deferral is necessary.

No other person was present to speak either for or against the proposal.

The public hearing was kept open, and the matter was deferred for a period of one week, on motion by Mr. Chun, seconded by Rev. Connell, and carried.

PUBLIC HEARING
GENERAL PLAN DLUM
AND DP AMENDMENT
SECTION "A"
MAKIKI
C&C OF HONOLULU
DEPT.OF PARKS &
RECREATION
OWNERSHIP: HAWN.
SUGAR PLANTERS ASSN.
(FILE #118/C2/13)

A public hearing was held to consider a request to amend the General Plan, the Ala Moana-Makiki-Kewalo Detailed Land Use Map and Development Plan, Section "A," by redesignating a 4.5-acre site from School to Park use, for land situated in Makiki, identified as Tax Key: 2-4-22: portion of 1.

Publication was made May 16, 1971. No letters of protest were received.

Mr. Bill Bartlett, Staff Planner, reviewed the staff's report. To a question whether the proposed park could accommodate the population for the apartment district according to the general plan, and projected densities for this area, the staff indicated that although it could not fulfill all of the projected population needs in the area, it would add to the betterment of the community since no other park areas are available. A study is underway by the Parks Department as to the availability of park lands in this vicinity.

No person was present to speak either for or against the proposal.

The public hearing was closed, and the matter was taken under advisement on motion by Rev. Connell, seconded by Mr. Bright and carried.

ACTION: Based upon the recommendation of the Director, the Commission recommended approval of the applicant's request, on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

ZONING CHANGE FROM R-6 RES.TO I-3 WATERFRONT & I-2 HEAVY INDUSTRIAL DISTRICTS ANUENUE ISLAND (SAND ISLAND) STATE OF HAWAII DEPT.OF LAND & NATURAL RESOURCES & DEPARTMENT OF TRANSPORTATION

The public hearing held March 19, 1970, was closed and action deferred pending additional study by the Planning Department. The matter was brought back before the Commission on May 12, 1971. Action was again deferred for two weeks.

The following discussion transpired:

Chairman: Are there any questions?

Chun: At the last meeting, with respect to this item, a question was raised as to the fuel storage area requested by the Department of Transportation. I believe a request was made to the Director as to a study of other possible sites within the vicinity for such a fuel storage area. Do you have anything to report on that matter?

Way: As reported to us by the Department of Transportation, there were alternative sites investigated and their conclusion was that there were no other feasible alternative sites suitable for those purposes.

Further, it was pointed out to us that this site had a relationship to the Master Plan for the airport. I think in general the summation would be other sites were examined, and for various reasons were not found acceptable, and that this was the most suitable location based upon those studies.

Chairman: The Chair will now entertain a motion.

Chun: Mr. Chairman, I'm looking for a map that I can refer to.

Chairman: While you're looking for a map, might I ask a question of Adm. Wright. The 11 acres which is to be used for that bulk fuel storage, that is not considered at this moment. Would that be of any great hindrance to your program?

Wright: The 11 acres is minimal and it would be used now if it were available. We shall seek from you zoning for the area just across the channel in order to move ahead with the MG corridor.

Chairman: This is not on the Sand Island. You have another area?

Wright: Right. On the other side. It can be deferred. A minimum area would be required. Hawaii Manufacturer's Association recommended 48 acres; the Task Force 24; and this is 11 acres being transferred by Executive Order.

Chairman: Then if we don't consider at this moment, the 11 acres on Sand Island for this Bulk Storage will not necessarily hinder your operation.

Wright: It's not as urgent.

Chun: I yield to Mr. Creighton.

Creighton: I'd like to move that we request the Planning Director to consider withdrawing his initiation on this subject rezoning request at the present time.

Connell: Second.

Chairman: It has been moved and seconded that the Commission request the Director to withdraw this request. Mr. Creighton, might I point out just for my own information, I don't think the Director is making any recommendation. He has presented this matter to us for our consideration and has given us several alternatives. I don't know whether this might be the proper course.

Bob?

Way: It's one of the alternatives.

Chairman: I stand corrected. Your motion is in order. Commissioner Sullam?

Sullam: I would like to say that this would be an appropriate move at this time. There is a study underway for the entire island. We might as well wait until that's completed.

Chairman: Commissioner Chun?

Chun: Mr. Chairman, I recognize the intent of the motion and the sincerity of the motion because I think every member of this Commission is fully aware that if any zoning action is taken at this time, that whatever action is taken with respect to positive zoning, will in fact perpetuate the use of that land for that particular use for quite a long time to come.

However, I am concerned that in some areas of Sand Island, considerable expenditures have been made for industrial purposes necessary to the economy, not only of this county but of this state.

I think the testimony that has been brought before this Commission and before other public bodies have indicated no argument as to certain uses which have been put on Sand Island. I am thinking in terms of a second container yard on the mauka westerly portion of Sand Island which is presently in existence as the foreign trade zone, and as a container yard for, I believe, Seatrain. I do not think that these uses will be continued for quite a length of time.

My concern with respect to this area has been the additional industrial uses which are requested under this application. I am in doubt as to that as to what further planning studies will bring out as to those uses. I do not feel at this time that we should, by our action, hinder any possible implementation of industrial uses which we expect to continue on Sand Island.

It is my feeling, and this is my own personal feeling at the present time, that perhaps the zoning of that westerly portion of Sand Island that has been requested west of the coast guard station, however not including that area requested for the bulk fuel storage area be recommended at this time. In order that those uses of the 140-acre park site, the 110-acre reserve, the question of the location of the sewage treatment plant be deferred until the study is completed.

Creighton: To explain my motion further, it would not preclude any of these industrial uses. I am not arguing against the uses and the additional uses proposed. I'm simply suggesting that for the time being, this request be deferred until a total master plan for the island is completed.

Last week we felt that the immediate urgency of this rezoning had not been established, and we had meetings with the various departments in the meantime. For me, that urgency has not yet been established; that is, postponing this action until the master plan is completed would not seem to do any harm to any of these uses or to any of the purposes for which the rezoning is requested.

The legislature did appropriate $870,000 for development of a long-range master plan for land use, access, utilities for a state park, industrial, waterfront industrial and park access, including roads, water and drainage facilities. It seems to me that if we do rezone to a specific configuration at this time, we are in a sense precluding possible adjustment relocation of some of these uses and an overall master plan. That was the intent of the motion rather than saying we don't want these uses.

Chairman: I think we have a couple of questions before us. Number one, this master plan that the state is developing, how long might this take to be completed. Also, the master plan in relation to what subsequent action might be taken by the legislature. This might be another consideration.

Mr. Kim, (referring to Mr. Wallace Kim, repesenting the State Department of Land and Natural Resources) how soon do you anticipate the master plan for this area might be completed?

Kim: We have committed ourselves in doing a recreation study for the Keehi Lagoon area and for Sand Island itself. Hopefully, this study will be forthcoming by the end of the year so that we can make a report to the next legislature. We have another commitment to do a land use study for Sand Island which would incorporate the proposals of the recreation study. It is my opinion that the two studies will have to jive together, and a report will be prepared for the next legislature.

However, my understanding is that any master plan effort that we do will have to be backed up substantially so that we can accomplish a general plan change. This is going to require much more indepth study than what we ordinarily would provide just for this area. As a consequence, it could develop into a long-drawn-out affair before we can go ahead and develop all of these necessary data for the general plan change unless the Planning Department is willing to give us a hand in doing this supporting data work.

I would say that to go through the general plan change, we're not going to get it until probably the end of 1972.

Chairman: Commissioner Creighton, as you can see, this is a consideration as far as the completion of the general plan. I think there's an area of compromise, the area that's needed for this container yard we might just draw a line not necessarily following this boundary, where we can say we're reasonably certain that it'll remain in that operation in view of the fact that we do have the facilities as far as the state line.

Mr. Director?

Way: Mr. Chairman, just so there isn't any confusion, I'm sure that's not the case, but as far as the specific parcel now operated as the ship container handling area, that totals approximately 55 acres, that area is operated under a variance. There is no time constraint on that variance, I might add, so that in effect, it enjoys the privileges of industrial zoning for that specific area. Because it is operating under a variance, it almost in effect has zoning.

Sullam: Which are the areas that have any degree of urgency that need attention right away?

Chairman: My impression from attending the meeting was the container yard area and also the foreign trade zone was in some immediate need.

Sullam: Where is the foreign trade zone and under what situation is it presently existing? Does it have a variance?

Way: No. It's a nonconforming use.

Sullam: How long can it remain in this nonconforming use?

Way: Indefinitely.

Sullam: What is the desire now, to expand it?

Way: Yes, although I might comment, Mr. Chairman. My recollection was that the urgent priorities were those concerned with first the 11-acre fuel storage area, and secondly the 10-acre break-bulk area. As last described to us during the meeting with representatives of the state agencies, my understanding, subject to correction, was that there was not the same level of urgency on the foreign trade zone area that there was for the other two. If I might verify that with Mr. Hosoda of his understanding, since he attended that meeting?

Hosoda: That is true.

Kim: Mr. Chairman, if I might be permitted to speak on this subject, perhaps I can provide a clearer picture on the present situation?

Chairman: Any objection? If not, Mr. Kim?

Kim: As Mr. Way has indicated, as far as urgency is concerned is with particularly the 10-acre break-bulk area. That would be part and parcel of Seatrain's operation. At the present time, they're providing container service for the entire container. They do not break the container for smaller consignees. To protect their interest in this activity, they have entered into a lease with the Department of Land and Natural Resources fully knowing that they could not utilize this until they receive proper zoning, but they felt that with their container operation this became a necessary part of it. They took the chance of getting this zoning.

The foreign trade zone is presently being operated somewhere else, and it is bulging at the seams. It has been so successful that they are looking for a very, very large new area. We have been receiving inquiry from the Department of Planning and Economic Development from time to time to see what the zoning status was to find out what kind of acreage they could utilize for this purpose. So, there is some urgency. That area comprising some 40 somewhat acres is not a nonconforming use. It is vacant now. It is not being used for foreign trade zone at all. So, they cannot use that area until it is properly zoned for foreign trade purposes.

Chairman: Is there a possibility to move that break-bulk area from where it's designated on this map to somewhere else?

Kim: Oh, as I stated, the two uses are tied very tightly together. The present container operation that Seatrain has there now, nearby they need an area so that they can break the bulk and pass the packages on to the smaller consignees.

Chun: How about this area, Wally?

Kim: There's not enough room in there really because in order for us to get the additional 110 acres, we have to shift the road alignment a little bit mauka to make sure that about 110 acres would be kept in fallow. There is some flexibility for some movement but not very much. The plan that we have indicated there on the board indicates the necessity for moving that 10-acre parcel toward the Bascule bridge.

Chairman: That 10 acres is protruding into the area where you're reserving for park use?

Kim: That's correct, so we will have to move that toward the Bascule bridge.

Chairman: This is what you're intending to do?

Kim: Yes. It will mean that we will have to sit down with Seatrain and re-describe this 10-acre which they now have with us, but I'm sure they will be willing to do this.

Chairman: So it's not as shown on that plan. You intend to move it up?

Kim: That's correct.

Sullam: Now the break-bulk area, it cannot or it has no desire to be operated under a variance? Is this not possible or are the improvements are such that you feel--

Kim: I guess they could apply for a variance, but I think the last time we went through the procedure of getting a variance, there was quite a furor raised as to the propriety of that action. I don't think we would want to go through that all over again.

Adm.Wright: Mr. Chairman, may I?

Chairman: Adm. Wright? (Adm. E. Alvey Wright, Acting Highway Safety Coordinator, State Dept. of Transportation, was present.)

Wright: The Department of Transportation concurs in the three urgent items that have been brought up by the Planning Director. All three are urgent. There might be some slight variation between them on the trans-shipment and trade center area. For example, if the legislature saw fit to allocate capital improvement funds to proceed

with the planning and implementation of that, we could not do so without any assurance unless we knew your pleasure of the use of that area. Since they all border on deep water areas, since the master planning will look principally at the recreational aspects rather than industrial aspects which have already been thoroughly plowed and considered by the harbor taskforce, it is not anticipated that either the function nor the relative areas that have been recommended for them, now at their contiguous location to the harbor areas, will change, so that Transportation strongly recommends that you consider all three areas - the break-bulk, the 11-acre fuel storage, and the trade center area - in this total industrial package.

Chairman: The funds that you speak of, is that for planning?

Wright: For planning, yes sir, but in order to plan it we need to know both its location and its probable confines.

The freight that has been spoken of by Mr. Kim, as far as this need is concerned, because that is now overflowed at Pier 39. Fortunately, the army's been permitting us to use it on a space-available basis, Pier 40.

The trans-shipment aspect is of a growing importance. We've already had requests for more land than is available at the airport for trans-shipment, and its conjunction with the surface transportation and maritime aspect. So, the trade center and the trans-shipment aspects of the 40 acres indicated, are of current importance.

Chairman: However, I take it that with this study to be made by this independent company, there might be a possibility that there might be substantial change, recognizing that there may be no change, as well, but a substantial change in the boundaries of these various uses. What would happen if we take action if the master plan might show that boundary designation with some drastic changes?

Wright: It's my understanding that the master planning will not, because it has been so thoroughly considered, go into the industrial and the maritime areas. These are, of course, proposed not for I-2 as I believe the original application, but for I-3 the non-noxious kinds of operations are there, and strictly for maritime purposes. It would seem that all maritime lands in deep water would be utilized for maritime industrial purposes rather than recreational purposes. I think the only exception to that would be the seaplane runway on the Ewa side which we recommend and propose be utilized for watersports, and that that area be planned in conjunction with recreational aspects of the makai portions that are now shown on the map on the board.

Way: Adm. Wright, in connection with the break-bulk area which is I notice where it's situated, it's pretty much across the existing road from the Seatrain operation. I presume that the proximity to the main container yard is a consideration in the location. I wondered if there is a possibility of a temporary location in another spot, for example, more specifically, the I-2 area which is not immediately adjacent to the container yard but is within a reasonable distance from anything else on Sand Island, and I'm not even certain that that kind of use would even be permitted in the I-2 but am simply suggesting this for a possibility. I'm merely suggesting this for your reaction. It may not be an entirely fair question. You may feel that additional research is necessary for some examination of the problem. It is a thought that occurred to me for consideration.

Wright: Two maritime concerns in the container operations of Seatrain and Matson are highly competitive. Having the break bulk immediately adjacent to the container staging area is extremely important from an operational economy standpoint. Matson is a part of it. Rather than the spot there, it could be possible perhaps to locate it over on the makai end of the area indicated for repair right between the trade zone. This is near the roadway of Seatrain, and it might work in that area.

This would certainly need further examination.

Way: My thought was that in that I-2 area, and strictly on a temporary basis - and I don't know if this is at all practical, I don't know the extent of development that may be involved in preparing the site for the break-bulk operation - but it occurs to me that on that basis of an interim nature, something like that could be considered.

Wright: It would require permanent building structures in order to handle the break-bulk operation so that from a temporary standpoint it might not warrant the investment. In a particular sense, I think that area is separated by the R-6 from the present 65-acre area.

Creighton: Mr. Chairman, it seems that several alternatives have been suggested which indicates that the urgency may be for planning rather than for rezoning at this point.

Chairman: The representation made is that they can't proceed with planning until they have something concrete such as zoning.

Well, we have a motion on the floor. Ready for the question?

(The motion failed to carry.)

AYES - Sullam, Connell, Creighton
NAYES - Yamabe, Chun, Bright
ABSENT - Crane

Chairman: I wonder if it might be possible for Adm. Wright once more to examine the suggestions made by the Director, mainly the I-2 area, and also on the Waikiki side of the container yard. Also, if there be any change in the bulk area shown on this plan, how do you intend to bring about the change. As Mr. Kim indicated, they will bring it up above away from that park area. If you can examine this, maybe we can come to some conclusion.

A motion is in order.

Chun: Question of the Director. Is there any conflicting issue as to the use of the container yard and the foreign trade zone area for industrial purposes, eliminating the bulk-storage area at the present time?

Way: I don't think from a use standpoint I can see any offhand. I would suggest, however, that the configuration of the 55-acre variance portion - I'm not certain exactly on what basis it was established, and that there may be some road alignments or some other adjustments that would ultimately suggest another configuration to that property.

Chun: Another question. Is that 55 acres totally mauka of the roadway at the present time?

Way: Yes, I believe it is.

Sullam: I would like to say if we establish the location of the various elements, there will hardly be a need for planning studies.

Chairman: That is true. However, that situation already exists because it was pointed out to us at the meeting with the departmental people that they're having someone make a study. However, there seems to be very little change in the boundary. I don't know what study they're going to make but--

Sullam: But there's $870,000 allocated for the study, and with everything located in place, I don't see--

Chun: Adm. Wright, could you give us a timetable as to how long it might take to determine whether or not it would be feasible to move that bulk-storage area into the portion of the container yard?

Wright: Within a week.

Chun: Can we hold you to that?

Wright: Yes.

Chun: On that basis, Mr. Chairman, I move that we continue this matter one week.

Bright: Second the motion.

Chairman: It's moved and seconded that the Commission continue this matter for one week. Any further discussion? All in favor?

(The motion was unanimously carried.)

AYES - Yamabe, Chun, Sullam, Connell, Bright, Creighton
NAYES - None
ABSENT - Crane

CONDITIONAL USE PERMIT (HOSPITAL FOR THE TREATMENT OF ALCOHOLICS)
PACIFIC HGTS.
3180 PACIFIC HGTS.RD.
TMK: 2-2-32: 7
RALEIGH HILLS HOSPITAL, INC.
(FILE #70/CUP-5)

The public hearing on this matter was closed April 21, 1971, and at the request of the applicant, the Commission deferred action for 30 days.

The Director reported that the applicant has again requested for a deferral until June 16, 1971.

At the request of the applicant, the Commission again deferred action on this matter until the time specified, on motion by Mrs. Sullam, seconded by Mr. Chun and carried.

The Commission indicated that this will be the final deferral request of the applicant that it will entertain, and that the applicant be so notified.

DIAMOND HEAD HISTORIC, CULTURAL & SCENIC DISTRICT NO. 2

The public hearing was held and closed on May 19, 1971, and action deferred.

The Commission again deferred action on this matter for a period of one week, on motion by Mr. Chun, seconded by Mr. Bright and carried.

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On motion by Mr. Bright, seconded by Mr. Bright and carried, the Commission authorized the Planning Director to establish the public hearing dates for consideration of the following items:

ZONING CHANGE FROM R-6 RESIDENTIAL TO I-3 WATERFRONT INDUS. SAND ISLAND ACCESS RD.-MAKAI OF THE KAPALAMA MILITARY RESERVATION (FILE #71/Z-7)

1. The request is for a change in zoning from R-6 Residential District to I-3 Waterfront Industrial District.

ZONING CHANGE FROM R-4 RESIDENTIAL TO P-1 PRESERVATION DISTRICT MANOA TANTALUS SLOPES OF MANOA VALLEY TERMINUS OF KUMULANI STREET PLANNING DIRECTOR

2. The request is for a change in zoning from R-4 Residential District to P-1 Preservation District. The zoning is initiated as requested by House Resolution No. 273.

MISCELLANEOUS COMMISSIONER SULLAM'S INQUIRY RE CZC REVIEW WITH CITY COUNCIL

Mrs. Sullam mentioned that it would be advantageous for the Commission to meet with the City Council to discuss ways and the scope of reviewing the CZC inasmuch as the Commission reviewed Bill 157 in great detail and found that there were many ramifications which needed some indepth thinking. She pointed this out because the Council has already passed Bill 157 on 3rd reading.

The Director reported that the Council is aware of a previous suggestion by the Commission for a joint meeting with them to discuss the CZC amendments, but that the matter has not been decided upon at this time. There is question as to whether the Council wishes to pursue the course as described in his report to Council. As yet, no word has been received from the City Council regarding this matter.

The Commission requested that the Director communicate with the Council regarding their request for a joint meeting to discuss the CZC amendments.

ADJOURNMENT: The meeting adjourned at 6:00 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

File Copy

Special Meeting of the Planning Commission
Minutes
June 2, 1971

The Planning Commission met in regular session on Wednesday, June 2, 1971, at 2:21 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Thomas H. Creighton

STAFF PRESENT:
Robert R. Way, Planning Director
Bruce Duncan, Staff Planner
Bill Bartlett, Staff Planner

ABSENT:
James D. Crane
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio
Andrew Sato, Deputy Corporation Counsel

MINUTES:
The minutes of May 5, 1971 were approved on motion by Mr. Chun, seconded by Rev. Connell, and carried.

PUBLIC HEARING
GENERAL PLAN
DETAILED LAND USE
MAP (AMENDMENT)
HAWAII KAI
KAMILOIKI
ELEMENTARY &
INTERMEDIATE
SCHOOL & PARK
TMK: 3-9-14: 9,
101-104 INCLUSIVE
STATE OF HAWAII
DEPT. OF ACCOUNTING
& GENERAL SERVICES
(FILE #102/C2/22)

A public hearing on this matter was held February 11, 1971. Acting was deferred pending further study by the Department of Education.

The Planning Commission recommended that when the item was brought back before the Commission, a new public hearing be held.

In compliance with the Commission's recommendation, a new public hearing was held.

Publication was made May 23, 1971. Various letters received against the proposal are included in testimony given against the proposal.

The Planning Director's report was reviewed by Staff Planner Bill Bartlett. The purpose of this request is to consolidate the school sites designated on the Hawaii Kai DLUM so as to comply to the latest educational concept of clustering schools wherever possible to permit more efficient and effective use of facilities.

No questions were raised concerning the Director's report.

Public testimony was heard.

TESTIMONY AGAINST THE PROPOSAL--

Dr. Deal Crooker: Mr. Chairman, my name is Deal Crooker. I'm a member of the Hawaii-Kai Community Association. I'm also President of the Spinnaker Isle Association, and Chairman of the Education Committee of the Hawaii Kai Community Council.

I came to Hawaii 30 years ago as Principal of Punahou School, and for 15 years was State Director of Curriculum, and Assistant Superintendent for Curriculum Instruction and Guidance for the Department of Education which I think set some kind of a record, as my successors, 12 years longer than they have been able to stay on the job.

I have been instructed by my council to appear before this body as Chairman of their Education Committee. Our committee members, Mr. Morris Schwab, who is President of the Kamiloiki PTA; Donna Ikeda, who is Vice-President; Jacqueline Miller, past President of Hahaione PTA as well as Vice-President of the Honolulu District PTA. Mr. Edward Brantz was not able to be here today. He is the Pastor of the United Church of Christ in Hawaii Kai.

As many of you know, the Hawaii Kai Association is broadly representative of the entire community on the eastern end of the island. It consists of representatives from the Portlock Community Association, Hawaii Kai Boys Club, Hawaii Kai Jaycees, Koko Head Community Association, Moorings Association, Moanalua Triangle Community Association, Hahaione Elementary PTA, the Koko Isle Association, Spinnaker Isle Association, Hawaii Kai Merchants Association, Mariners Cove Association, the Koko Head Villa Association, the Village Green, Koko Head Terrace, Koko Head PTA, Kimilonui Farmers Association, the Kamiloiki PTA, the United Church of Christ, and the Department of Parks has a member that sits with us, as does a member of the Bishop Estate. This group unanimously opposed this plan which has been presented here. They have requested me to appear to present their position.

I have only one personal reason for interest in this school. My grandson, Scott Anthony Crooker, will attend this school in some four years.

Now, this is not the first opportunity to present our views. Previous meetings have been held with the Department of Education people - one in Koko Head School at which a large number of people attended. The overwhelming sentiment of that group was that this plan was not satisfactory. Fortunately,

we had many of our representatives in our legislature present there. They spoke strongly against this proposal and raised serious questions as to why the original planning was changed in this particular plan. At that time, we ended the meeting with the feeling that the Department of Education was, as one of them said, "Well, back to the drawing board" on this proposal. Unfortunately this seems not to have taken place.

The parents in this community have a basic underlying distrust of bigness.

The elementary school of 1,000 is already too large. There has been a trend in the past and a trend which is continuing towards smaller, less confusing learning environment for young children - a place where the child is known by the teachers and other educators, where the atmosphere is warm and friendly, and the child himself can understand the environment, and not feel hopelessly confused by a large buzzing bigness, so that real learning can take place.

Many of our people send their children to a school called Hanahauoli where there are only seven classrooms, is small, and everyone is extremely well-known. It is one of the finest schools in the state.

Now, with an elementary school of 1,000 which is at least twice what most educators would agree is an optimum size for an elementary school, we're further compounding the problem by adding 1,500 more pupils directly next to this entire group. These pupils are older, they have different interests, and they are bringing in one of the real problems of public education in Hawaii.

Our elementary schools and our high schools by-and-large have done a satisfactory job. But, one of the real problem areas is the junior high school or the intermediate group as we now know. We feel that placing these so close to the elementary school is really bringing these problems to us.

Public education at best is a mass enterprise. It has to be because of the huge number of people involved. It seems to me the Department of Education if further compounding it by massing them even more than is necessary by this clustering.

The Department of Education points out many so-called advantages like switching pupils upward and downward in this clustering thing so a 6th grade child may go to a 7th grade class, and a slow 7th grade may come back to take some 6th grade experience. We feel,

however, and we have asked these people for research and what experience they have had which would justify this particular practice. We have not been able to get anything in the way of this experience or research justification.

I'd like to point our that Hawaii already has two dozen such schools in existence from Waimea Elementary School on the Island of Kauai, to Kau which is on the other end of the island chain. These schools consist of elementary, junior high school, and senior high school youngsters. They have been there for years and years. We have on this island, Kahuku High School. In addition, you can think of Kohala High School, Honokaa, Kona, Hana, and Kapaa. All of these schools have elementary, intermediate, and senior high school youngsters.

Now, I am unaware - and certainly they didn't give us any evidence - that all of these educational advantages which would be present in this clustering are being practiced in any of these schools which are already in existence. What it usually amounts to is they are still separate, distinct schools as far as curriculum and administration is done. None of these innovations have been done.

There's a general feeling on the part of Hawaii Kai residents that there are too many education and curriculum changes taking place with too little validity or even rudimentary evaluation of the changes which are taking place. If the Department of Education wants to experiment, why not take one of these 12 to 15 or so consolidated schools, go into this kind of a program, have a proper evaluation of its effectiveness, print the results and convince us that this kind of a program makes sense, but not with our children out at Hawaii Kai with the clustering plan.

The concept of integrating park and school planning originated when I was State Director of Curriculum. I argued strongly in favor of the idea of placing these facilities together. This was more simple in the old days because the city controlled both the school building program as well as the park program. The idea was that the park would be central, and the schools on the periphery of each one, with a sharing of the facilities in these particular two different phases of our government. This would be a shared facility and a separating facility.

The way this plan is set up now, there is no room for expansion of the elementary school. If you want to, the only way to expand this is to continue to add to the one little play area they have, additional portable units. You have yet to walk around the

schools in our state without seeing 3, 4, 5, 6 or more of these portable units placed on the campus, so that the floor area that we have there is going to be utilized probably for expansion. The estimates in population in regard to schools, particularly in Honolulu, have been by-an-large too low. The result is when more pupils emerge, the only solution is portables. Where is the children's play areas? This undoutedly is going to take place in this area as well.

What we feel is that this plan will mean that there will be no play area within five years with the expansion of our population.

We have some indication from people throughout the state regarding the traffic problem, which is a very real one in this particular case. Here is a letter from Reginald Lau, President of the Hawaii District PTA in which he strongly supports the Kamiloiki people, and the Hawaii Kai people in trying to stear away from this cluster concept (letter on file).

One point in this particular plan is that they are now proposing to place one library for 2,500 pupils for this entire school. In addition to being in education, I happen to be the pacific area of the school and library division for one of the largest publishing copies in the country. I make my living selling them encyclopedias. Let me tell you, I visit 4, 5, and 6 libraries a day; I know the school library program; I know the principals; and I know how the librarians feel.

The school library should be the center of the instructional program. It should be placed dead center where the children can learn quickly to use, and move in a new direction of education which is more and more independent study skills, independent research, making the child able to find answers to his own problems to using research techniques involving a great variety of media. By putting one library for both schools, it must of necessity be on the periphery of both institutions. As a result, we feel this concept of having 2,500 pupils with one school library is completely poor thinking.

Also, we'd like to point out that schools like Punahou, for instance, has a large enrollment but it's widely scattered. They have a library for the younger children, specifically set up for the younger children. Bishop, where the upper elementary children go, they're building a beautiful, brand new library which will be in operation in a few months. At the same time, they have the Cooke library - three separate libraries to handle that student body which isn't too much bigger than what

we're talking about here.

I called at random 10 school librarians and asked them one question "Can one library effectively serve a 1,000 and a 1,500 intermediate school?" Their unanimous answer was "It won't work."

It is interesting to notice that the School Libraries and Instructional Materials Branch of the Department of Education was never consulted on the plans for placing one library in this particular school complex. If this is an example of the utilization of staff which has taken place in the rest of the school building planning, I say it's pretty sloppy. To set up in an office with secretarial assistance, the most competent people in the field of school library work and then never consult them on such a revolutionary new concept shows to be poor staff utilization. It leaves me to feel that they should go back to the drawing board.

Frankly, the people in Hawaii Kai and various school PTAs are pretty desperate. Gentlemen, we beg that you as our last resort, delay approval of this plan and send it back to the Department of Education and ask them to find valid argument to counteract what we feel are certainly valid concerns. Hawaii Kai does not want this plan. The last hope we have are you gentlemen.

Thank you.

Chairman: Any questions of Dr. Crooker?

Did you have an opportunity to discuss this new plan, I suppose it's somewhat new because it was taken back to the Department of Education.

Crooker: I have at some length. When I talked with Teddy Harada about this plan, he said the first concept of this plan was to keep the elementary school here (pointing to map displayed), with a connecting link down here, then opening up into the intermediate school level. I said, "Jimmy fine. We'll buy this concept." He said, "Then you can put the other administration and so on here." I said, "We don't agree on the library concept but this thing makes sense." This was at the very beginning of the meeting. This is his original concept. The rest of the meeting was spent showing why he didn't like it as well as the other plan. Basically, we feel that plan wouldn't be too bad. This was the original thinking of the department. Why they threw it out, we do not know.

Chairman: So you people had a subsequent meeting with the department after the last public hearing.

Crooker: Yes we did. Frankly what we want to do is set up a committee that will not try to solve these problems at this level. We want to solve them before they reach you so that we can go as a united group.

Chairman: Any further questions of Dr. Crooker? If not, thank you very much Dr. Crooker.

Mr. Morris Schwalb.

Morris Schwalb: Members of the Planning Commission, my name is Morris Schwalb, President of Kamiloiki School PTA.

The parents of the area are greatly concerned with the proposed contruction of an intermediate school alongside an elementary school. I might add that many individuals not directly affected have voiced their concern and support for us. Their fears are varied and certainly well founded.

We the parents, for the most part, are in a similar situation as perhaps many members of the Commission. We are not educators. Just as you, we ask questions on rationale and past experience. We do not have to be educators to feel that there must be something wrong when-- (1) Mr. Hirata, the former District Superintendent, was not advised of the major change in the master plan of an 8 to 10 million dollar facility until February, 1971, well after we knew it. This is a statement that he made at a public hearing; (2) the Planning Commission suggests to the DOE that they do more research as was stated in the February meeting here, and the DOE is silent; (3) when the Curriculum Specialist attends our meeting in which all of the educational virtues are to be detailed and she first states that she left her speech at the office, then proceeds to tell us in words such as good ideas can be developed, good possibilities. We know she once taught and can't help but wonder what marks would have been given to students who answered her questions in those words.

What do other educators say, and what is the record? Although clustering has been used on the outer islands, the DOE has not implemented these alleged benefits, nor can we determine that they tried to. Some spotted attempts have been attempted on Oahu but have either failed miserably or have been discontinued by the DOE, such as at Lincoln-Stevenson.

Crowding 2500 students into the area is just too much crowding. We have a letter here from the National Education Association in which they state: "The National Association of Secondary School Principals has not reached a firm consensus on

school size, but there is a noticeable degree of agreement that the middle school should range between 750 and 1100 students." The DOE is planning 1500 students at our. "Research indicates that after a school size of 1,000 is reached, the cost per pupil shows little or no decrease with additional students, while educational effectiveness begins to decrease. If circumstances are compelling for the placement of 2500 children on the same campus, then a way to help satisfy the social, psychological, and educational needs of these learners, who vary considerably in age and maturity, is by capitalizing on our knowledge of the break in growth and development around age ten by providing means in buildings and grounds for degrees of separation in housing. For example, the two schools could be separated by a park or playground."

By the DOE's occasional admissions to the public, they have not been able to cope with problems in schools of much smaller size, but they dream of larger school populations. It kind of reminds me of a client I once had who bought merchandise for $100, sold it for $80 losing $20 for every item sold. But he felt he made it up on volume.

I have a letter here from Hawaii which Dr. Crooker had mentioned. I also have a letter from the Hawaii PTA from Arlie Carson, President, in which he says a similar situation exists in Kailua where the elementary and intermediate schools are in close proximity.

What are the people saying? For one, most of the people in the area purchase their homes expecting the park to be in the center where it is not exposed to traffic hazards. Two, I have here approximately 1,000 signatures from individuals throughout Oahu who are interested in our problem. These were obtained in the last 10 days only and we're still obtaining more.

Another question asked is why has grading continued when the DOE knew that substantial numbers of people objected to the plan? Why has the contract for constructing Hawaii Kai Drive been let, when the DOE kept telling us that we are holding up progress.

If clustering is beneficial, why is the DOE denying this to two-thirds of Hawaii's children?

What do we want? We believe that the DOE has not sufficiently researched the ramifications of this educational concept, nor has it adequately studied the traffic patterns to warrant a change at this time. We do not want no more, nor no less for our children than any other child of Hawaii. We are

questioning the policy making procedures for the State of Hawaii. At this time, we ask this Commission to deny the change in DLUM.

Chairman: Are there any questions of Mr. Schwalb?

Mr. Director?

Way: I wonder, Mr. Schwalb, if you might comment on the proceedings between your organization and the DOE since the last public hearing on this matter which I recall was back in February or thereabouts. One of the points of the Commission's concern at that time was that the various parties get together and discuss the matter. From the testimony given thus far, it's obvious that there hasn't been a meeting of minds, but I'd be interested in having some clarification as to exactly what happened during this interim period.

Schwalb: We have had many meetings with the DOE. They appear to be cordial. They've certainly given a lot of their time and have taken a lot of our time. They did change their concept of administrators separating the two schools, although I have now found out that that too has been a miserably failing concept in other areas, and they have switched to two administrators in other areas. That's another question we have also as to why they came in with the one administrator again when they had found out that it wasn't working.

We thought that we were reaching to a general consensus of the minds, and for some unexplained reason the whole thing blew up just this past few weeks.

Way: Apparently then as I understand from your comments, you don't have an explanation of what the differences or the reasons why there hasn't been a change in the DOE's position or maybe you do--

Schwalb: No I don't. As a matter of fact I guess the DOE thinks they get bothered. I get calls all the time because people are getting frustrated. We keep telling them to come to a meeting and the DOE's going to be there and explain the whole idea but then they just bomb out. They won't explain the rationale. They will not tell us experiences, and why they made these decisions, how it's working in other communities, whether it's in another state or another island here. They will not do it and we believe it's because it hasn't worked.

Chairman: We might direct the same question to the representative of the Department of Education as well.

Any further questions of Mr. Schwalb? If not, thank you, Mr. Schwalb.

I wonder if I might make this request of subsequent witnesses. In any way possible, summarize your presentation eliminating repeating facts. You might touch upon facts that were not presented by previous witnesses. I would appreciate this in the interest of time, your time as well as ours.

Mrs. Pat Summers representing the Kamiloiki PTA Safety Chairman.

Mrs. Pat Summers: I am Mrs. Summers. I am Chairman of the Kamiloiki School PTA's Safety Committee. We have petitions signed by families living in the community. These petitions request that the park be kept between the schools and away from Lunalilo Home Road. We make this request for several reasons. I would like to touch upon just one of those reasons at this time.

If the park is located next to Lunalilo Home Road it will be next to a main thoroughfare. After Hawaii Kai Drive is extended it will be bordered by two main thoroughfares. This is of great concern to parents and it makes all of us very, very nervous. Regardless of how many times you tell a child, "Don't go into the street," when a ball rolls into the street or any other item for that matter, their first impulse is to retrieve their precious toy and they will run after it without thinking about traffic. Locating the park on this corner is courting trouble.

Children will be riding their bicycles to the park and this is another concern. If the park is kept in the middle of this site as shown on the existing map, Maniniholo Street would be an access road to the park. This would mean that many children will be able to avoid using Lunalilo Home Road to get to the park. This would lessen the chances of an accident.

The speed limit changes at the corner of Hawaii Kai Drive and Lunalilo Home Road from thirty miles to twenty-five miles per hour. There are stop signs located on Lunalilo Home Road but we have seen several motorist run these stop signs. Motorists coming from Hawaii Kai Drive have no stop signs at all and they swing around the corner into Lunalilo Home Road without slowing down. Also, some motorists use Lunalilo Home Road as a race track, they speed. The current situation at this intersection is dangerous. It will be worse when Hawaii Kai Drive is completed. Traffic will be heavier and continuous throughout the day.

When a driver is going twenty-five miles per hour it takes him fifty-nine feet to come to a complete stop. When traveling thirty-five miles per hour it takes him one-hundred and one feet to come to a complete stop. This is a proven fact taken from the drivers training manual. It takes only one precious second to snuff out a child's life.

Have you ever seen a child hit or dragged by a car? Have you ever heard a child scream out in the night from horrible nightmares as a result of such an accident? Have you ever tried to wake a child from such a nightmare and try to reassure him that everything is alright; that he is safe? Well, I have. When my oldest child was only five years old she was dragged forty-five feet by a car. Fortunately she came out of the accident with only bruises and abrasions, physically that is. May I add, the doctor stated at the time if the driver had been going the speed limit, twenty-five miles per hour, she would have been sucked under the wheel of the car and hurt very seriously, possibly killed. It took several months for the nightmares to cease, it took several years to get her nerves settled. It isn't a pleasant sight to witness and it isn't pleasant to go through the aftermath of such an accident. I hope and pray none of you ever have to go through such an experience.

Our children are lent to us by God, to do the very best we can by them. It is our duty to protect them at all cost.

I ask you to stop and think very carefully on changing the site of this park. Since we have a choice, lets keep the park where it will be best for the children. The park can be built away from the main street where children will be safe.

The Planning Commission must have considered safety factors when they decided to locate the park in the middle of this site. Lets not lose sight of these factors now.

Chairman: Any questions of Mrs. Summers? If not, thank you Mrs. Summers.

Shirley Lum?

Shirley Lum: I am Shirley Lum, mother of a Kamiloiki kindergartner and secretary of the PTA this year and next. I have been intensely involved in resisting the clustering at Kamiloiki. I have attended all of the meetings where it has been discussed by the DOE and the PTA. I have spent many hours

and heard probably over a million words on the subject--and said a few myself.

I have always been a person who "let the professionals do it." I had confidence that they knew much more than I. I began the inquiry into the clustering proposal in exactly this frame of mind. I soon developed a sincere conviction that clustering is wrong. But more than that. My experience with the DOE does not allow me the luxury of non-involvement any more. I believe, from what little concrete answers we have had from them, that the decision to cluster our schools has been based on a whimsical notion. They have said "Try this--we think it will work." The building of a school plant is far too important and too costly to proceed on such a whim. They can build the schools divided by a park and implement every program they have proposed for clustered schools. Experiments are very interesting and very beneficial oftentimes. but they must be carefully planned and controlled--and provisions must be made in the event of failure. Is the DOE willing to bulldoze the buildings and rebuild them on the other side of the park when their notion doesn't prove out? No. We, the parents, and the administration and staff will be stuck with trying to make the most of a bad idea. It need not happen.

Let me give you some of the highlights of the past 5 months:

I have heard various representatives of the DOE--from Mr. Nakai to Mr. Izu to Mr. Hirata--tell us over and over in public meetings and in private that if we, the people, truly wanted the schools separated by a park we could have it. So we--inexperienced in dealing with a bureaucracy, meek and mild, open, naive, honest, direct--have kept saying "We do want the schools separated by a park, you know. We really do want it." And the DOE has continued to work on the site at top speed, all the while meeting with us and giving us the impression it was a negotiable question. This went on from around Christmastime until April 22nd, at which time the bomb was dropped. The DOE had decided on clustered schools. Such a surprise. I have come to feel that we were led down the garden path--that they did not intend at any time to give us separate schools with the park in between. I, for one, resent being dealt with in this manner by people who are being paid with my tax money and who are charged with spending my money. They counted on the fact that the farther along they got on the site preparation, the more money they invested--the less likely any agency we appealed to would be inclined to go against them.

The DOE has not been entirely straightforward in their handling of the Planning Commission change. After contritely apologizing about their initial lack of communication with us, they nonetheless, did not inform us of their request to the Planning Commission to amend the DLUM--we learned of it when parents in our area received notices of the public hearing. Finally, 3 days before, a representative of the DOE called us to see if we would oppose them on the change. If so, they would prefer to ask for a postponement. We wanted a postponement but the DOE called us back and said it was impossible to remove it from the agenda. We went in ourselves and requested a postponement.

At that hearing, Mr. Shin of DAGS testified that the bidding for the paving of Hawaii Kai Drive extension would be delayed until the Planning Commission ruled on the request to amend the DLUM. In this week's Hawaii Kai Log we note that bids for this extension were opened May 6th and construction will begin in mid-June.

At a PTA general meeting March 4th, Mr. Izu was asked if he would change the plan and build the schools separate. His reply was that it was up to the Planning Commission. If they denied the request to amend the DLUM, the schools couldn't be built together.

Another Planning Commission hearing was scheduled for March 11th. The DOE sent a note requesting a postponement. No one appeared for the DOE to explain their request. The DOE claimed they were unable to get the matter dropped from the agenda the first time around, though the PTA needed more time to prepare. The second time the DOE simply wrote a note asking for a postponement. Interesting strategy.

The legislators have had interesting dealings with the DOE on Kamiloiki as well. They met with the DOE in early 1970 in order to advance the opening date of our elementary school by one year. They were not informed of the proposed clustering at that time. And after a March 4th general meeting of the PTA, which our legislators attended, some of them met with the DOE representatives afterward and the DOE agreed to come up with alternative plans. None have been forthcoming.

A multi-classroom building is under construction now and will be ready in September. It was supposedly designed for 6 on 4 groupings. We now learn we will have only 5 teachers for the 4 classrooms.

We were originally told by the DOE that the 7th and 8th grades would be phased in at Kaiser High in '73 and '74. This has now been changed and the 7th grade will not enter Kaiser at all but will have to wait for Kamiloiki Intermediate to open in '75. The 8th grade will be phased in at Kaiser a year later than originally scheduled as well. This leaves many of our children caught in a gap. They must attend Niu, which is overcrowded and some distance away.

The DOE has announced a change in the boundary lines so that our intermediate enrollment will decrease. Two thoughts occur: If boundary lines are so easily changed to support one argument, they are easily changed back to support another. Also, the school will be built to handle 1,500 students. Are schools ever built and then not utilized to capacity? No.

Our last dealings with the DOE came on May 13th when Sen. Lum arranged an informal meeting with Mr. Adachi, who represented the Board of Education, and several members of the DOE and our PTA. After the meeting we learned that a possible compromise had been reached between Mr. Izu, Mr. Nakai, Mr. Adachi and Sen. Lum. We have since been informed that the compromise will not happen. Strange, isn't it? All along we've been told that it was Mr. Izu's decision. Mr. Izu was a party to the compromise talk--but there will be no compromise.

We have heard from representatives of the DOE the estimates for delay in opening the intermediate school range from not at all up to 2 years. We have heard the difference in costs to construct separate and clustered schools range from hundreds of thousands of dollars to approximately $27,000.

The DOE has shown an apparent disregard for conscientious planning, accountability to the community and our legislative representatives and even to their own commitments, which they have made and then failed to produce on.

We have rebutted all of their arguments of educational benefits to be derived by clustered schools. They have all conceded at one time or another that the park would not prevent utilizing any of their proposals. We are today presenting you with some excellent planning, traffic and safety arguments against siting the schools where the DOE wants them. I, therefore, respectuflly request that you deny the request for the change in the DLUM.

Thank you.

Chairman: Any questions of Mrs. Lum? If not, thank you Mrs. Lum.

Mr. Paul Hooper?

Paul Hooper: My name is Paul Hooper. I am the First Vice President of the Kamiloiki School PTA.

What I would like to do is to summarize the general nature of the opposition to the proposed change on the part of the people of the area.

The opposition of the PTA and the parents in the Kamiloiki area to the DOE's clustering plan ranges from the general to the specific and from the philosophic to the practical. Further, this opposition is based upon issues ranging from education to planning and zoning. In short, we simply do not feel there is good reason for the DOE's proposed changes and we hope you will find it possible to agree with us.

While we admit that we are not experts on many of the questions we have raised, we have, nonetheless, done our homework, we have uncovered very real problems which the DOE has yet to answer in a generally satisfactory manner and we feel, hence, that an adequate case has yet to be made for the requested DLUM change which we are discussing here today.

Thank you.

Chairman: Any questions of Mr. Hooper? If not, thank you Mr. Hooper.

Representative Buddy Soares?

Representative Buddy Soares: I have been concerned about the DOE's decision to cluster the Kamiloiki Elementary and Intermediate School from the very beginning. I have been very fortunate in attending practically every meeting regarding the change.

By way of background, I would like to repeat again that we had two sessions ago met in an emergency situation regarding the school program at Hahaione Valley area as well as the total Hawaii Kai area. In funding this program we were never advised of any change coming up.

I'd like to also say that we attended this first meeting at Koko Head School with the DOE and I was one of the representatives stating along with the group here against this clustered development. We met until 11:30 pm at which time I was informed that there was a possibility for alternatives. We dis-

cussed possible alternatives which have not transpired. We've had meetings with the DOE, both at the school, at the head office, as well as at the State Capitol during the last session with a resolution looking into this problem.

I have read through all of the material, Mr. Chairman, and I have yet to find any evidence of any advantages to this development. I think its wrong to compare Honokai High and Elementary School and others like it in the rural areas primarily because students in those little communities begin in the first grade level and go all the way through. Hawaii Kai's case is different. We have Koko Head Elementary School, Hahaione, Kaalakei coming and another in the Kalama Valley area. So these elementary students will be coming from four different schools; not from the same one all the way through. There's a big difference here in my opinion. All along we've brought these points up and I don't find any answers from the DOE yet that satisfy me proving this to be an asset.

Also, on May 1st, Senator Rolfing and myself in an informal discussion with the Parks Department Director, Mr. Ko, discussing this park problem being on the corner of the new Hawaii Kai Drive extension to be a main thoroughfare into Queen's Beach as pointed out by the Hawaii Kai Log, and Lunalilo Home Road. I would like to find out whether or not the Director of the Planning Department has discussed this park with the Director of the Parks and Recreation division. Because, it is my impression in our discussion with him that he would prefer the site of the park to be between both schools, the elementary school on one end as originally planned, with the intermediate school on the other end.

I want to conclude by saying that I have stood with the residents and I am with them 100%. I feel they have had problems because this is the only total portable school in the state. The sudden surge of people moving into the area was too fast to construct a full-scale school. They are a very organized and patient community and PTA group. They've done their homework and done it well. They've done a great job and are a credit to the community. I am against this clustered development, and I fail to find some of DOE's testimony to date, any real evidence of benefit in putting all these kids together.

Thank you, Mr. Chairman.

Chairman: Mr. Director, do you have the answer to the question?

Way: We have a letter from the Department of Parks and Recreation concurring with the proposal.

Soares: What date was that?

Bartlett: August 24th, 1970.

Soares: Mr. Chairman, the discussion that we had with Mr. Ko, the new Director who was not in charge in August, on May 1st was that he did not agree with the plan. I'd like to have that checked out.

Chairman: We'll have that checked out. Any further questions of Representative Soares? If not, thank you.

Senator Rolfing?

Senator Rolfing: Mr. Chairman, Mr. Way, and members of the Planning Commission, this is not the first time I'm afraid and probably not the last that I will appear in connection with some of the planning decisions that have been made and are being made and will be made in the future in connection with developments on the eastern part of the Island of Oahu. I represent the 7th District and have represented this area when it was still fish pond and farming area.

During the past months, I too have been concerned about the potential clustering of the Kamiloiki Intermediate and Elementary Schools. I have attended meetings where contending viewpoints on this question have been presented. Evaluation of the various arguments has convinced me that the clustering plan is a mistake and that it should be dropped forthwith. This plan is not supported by the people who will use the school and the park. It will cost these people and the children in social and educational terms more than it will ever save in dollars from combination of facilities.

I would reaffirm Representative Soares' remarks with respect to our conversation with Mr. Ko which took place while watching the May Day celebration at Koko Head School. I would also like to concur with the comments made with respect to the efforts made by the legislators of this area Representative O'Connor, Representatives Soares, and Senator Lum with respect to trying to get the DOE to change its irreconcilable views with respect to this particular project. I think that what Mrs. Lum has brought out, we have really focused upon a department of government that is not interested in performing for the benefit of the people who are going to use the facilities that it is supposed to provide.

I urge that this Commission halt this irresponsible plan here and now.

Chairman: Questions of Sen. Rolfing? Thank you Senator.

Dr. Charles Sueishi?

Dr. Charles Sueishi: Members of the Commission, I'm Dr. Charles Sueishi, the Dentist at the shopping center. I just decided to give my opinion. I'm getting fed up with the DOE. All of this talk of clustering, I think it's a by-product of the cluttered brains.

I grew up in a clustered complex on the big island. We had big trouble. One troublemaker disrupted the whole school. Later on when some of these bullies started bullying the younger kids, we had to form a gang and wipe those guys out.

There's a lot of good children at Hawaii Kai but we've got a lot of mixed-up idiots. Their parents are also mixed-up so that you're not going to get control over these people. These people don't want to get involved. Well I'm involved and I'm getting fed up with the DOE.

Chairman: Any questions of Dr. Sueishi? Thank you Doctor.

Clarence Rawhouser.

Clarence Rawhouser: I don't have a written statement but I wish to present a single idea. Oft times in a decision such as this, there is an unvoiced reason for the decision. Perhaps one of the unvoiced reasons for this decision is that it is a better plan to put the park on the corner. We have heard little testimony this afternoon that that might not be a good plan but I sincerely believe that it is a better plan. Yet I am inclined to think that if anyone in responsible charge came up and said that that was the reason he would like to make this clustering of the school facilities, he would be immediately clobbered with the idea that he is thinking of park and not as schools or the children who will attend these schools. Now that I have voiced their reason, I hope we can forget about that possibility and think in terms of the schools, the facilities for the children for which the schools are intended.

Chairman: Mr. Rawhouser, am I correct to assume that you're saying the location of the park as shown on this map is desirable?

Rawhouser: Yes sir. I do think that that would be a better choice for the park location as an engineer, as a planner of sorts, that is my opinion. I have heard it implied in several instances by people who are interested in park facilities.

Chairman: I note on this slip that you've noted you're against the plan. What portion of the plan are you against?

Rawhouser: I am against the plan of clustering. Therefore, I submit that as an unvoiced reason for this clustering they wish to put the park in a better location.

Chairman: Any questions of Mr. Rawhouser? Thank you Mr. Rawhouser.

Donna Ikeda?

Donna Ikeda: Members of the Commission, my name is Mrs. Donna Ikeda. I am second Vice-President of Kamiloiki School PTA. I would like to make just one point at this time. They wish to change the DLUM so as to comply with the latest educational trend. Somehow though, the DOE has failed to show us that clustering is educationally beneficial to our children. The DOE also agrees that there is no real extra cost involved whether the schools be built together or apart. Therefore, I can't see why the people cannot have what they want, separate schools divided by a park. The community has indicated their wishes. The principal and the teachers of the school have also indicated that they would prefer to have the school separated by the park. This being the case, and the fact that the DOE cannot substantiate clustering on good sound educational benefits, I respectfully request that you deny the request to change the DLUM.

Thank you.

Chairman: Any questions of Mrs. Ikeda? Thank you very much Mrs. Ikeda.

Is there anyone else who wishes to speak against the proposal?

If not, is there a representative from the Department of Education, Mr. Director?

Way: Yes, there is. I might comment that we do have one written communication in connection with this matter from the Kaneohe Community Council, Mr. Edgar A. Jones, President, to the Commission: "The Kaneohe Community Council recognizes the need for adequate recreation throughout all areas of our island and strongly supports organizations that are striving for more and better recreation facilities. Therefore, as President of the Kaneohe Community Council and on behalf of our Kaneohe community, we wholeheartedly support the Hawaii Kai organizations in their efforts to obtain a suitable recreation facility."

Chairman: If there's no objection, the Chair will receive the communication and place it on file.

(This concluded testimony AGAINST the proposal.)

The Acting Chairman, Mr. Yamabe, left at this point of the meeting. Mr. Chun acted as Chairman pro tem during Mr. Yamabe's absence.

TESTIMONY FOR THE PROPOSAL

Chairman: Any representatives of the DOE? May we have your names for the record?

Izu: My name is Jimmy Izu, presently Acting Superintendent of the Honolulu District.

Nakai: My name is Tom Nakai, Business Staff Specialist at the Honolulu District.

Chairman: Are there any questions from members of the Commission to the representatives of the DOE?

Izu: Mr. Chairman, we hadn't come here prepared with testimony. Basically we came here to answer any questions that you people might have regarding the requests for change in DLUM. Therefore, we would like to entertain any questions that you might have regarding this.

We have met with the Kamiloiki Executive Board, and some of the Hawaii Kai Council people. We have met at the Koko Head School. We've met at the district office. We've met at a regular hearing of the House of Representatives Education Committee. We also met once more in the DOE Board Room as indicated with Mr. George Adachi, a member of the board just two weeks ago.

I would like to indicate that some of them still do not see the rationale for it. If they haven't, I can't go beyond the rationale that we have indicated to them during the last four or five meetings.

We're here to answer any questions you might have of us.

Chairman: Mr. Izu, at these various meetings the various parties may have been given the benefit of your explanation of the rationale for the clustering concept. However, I do not believe that this Commission has had that benefit. I wonder if you could enlighten us about it.

Izu: I smile a little, Mr. Chairman, because it will take quite a bit of time. If you will bear with us, we might have to expend much of the afternoon explaining. If this is necessary, we would like to go ahead and do so. This is up to the Commission.

Chairman: I wonder maybe perhaps with respect to that question, with the lack of a full Commission today, I doubt very much if any decision will be forthcoming today. However, I do believe that the members of this Commission want to be fully informed on all premises and issues concerned with this problem before any decision is made.

May I ask this, whether or not you or members of your staff are amenable to a workshop session with the Planning Commission so that they may be informed of the various concepts pending before the Department of Education with respect to this new concept of clustering?

Izu: Mr. Chairman, we would be very happy to do so. We'll plan this and will schedule this at your convenience.

Chairman: Going back to the present construction timetable, could you possibly tell us at this time just what phases of construction are presently going on at the site.

Izu: I will have Mr. Nakai answer that for me.

Nakai: Presently we have a 16 classroom building being constructed, completion time slated for September, 1971. We do have in the way of CIP apropriations this session and previous sessions, moneys, part of funds for the construction of a classroom, library, and kitchen-dining room facilities.

Chairman: Are these open appropriations or were they specifically intended for a specific intermediate school or a specific elementary school?

Izu: They were specifically for the elementary school with the library being open in terms of design facets. We do not have enough funds to construct all at the present time.

Chairman: Under the present construction, is that intended for the intermediate school or is this part of the cluster concept?

Izu: This is part of the cluster concept and its intended for the elementary school.

Chairman: Does this coincide with the original plans of separated schools?

Izu: This would meet either demands at the present time from the standpoint that if the school is placed in between, we will probably have to go for another change in DLUM to switch the elementary and the intermediate site. I think the elementary site is now located towards Lunalilo Home Road and the intermediate on the upper portion of the acreage. As such we would have to go for another DLUM change to switch the sites.

Chairman: Why would that be necessary?

Izu: I don't know. I am asking if this is necessary, then we would have to do that.

Chairman: One further question, in light of the Director's report stating that the site is inadequate as separate sites with two schools, what would the feelings of the department be with respect to a possible relocation of one or the other?

Izu: We would have to look for a suitable site in this area to accommodate the needs of the Hawaii Kai students for an elementary site. We do have, as Representative Soares pointed out, two other additional sites in this Hawaii Kai area - the Kalama Uka and the Kalama Kai sites.

Chairman: What is the boundary for the intermediate school district?

Izu: Presently the Kamiloiki Intermediate is scheduled to accommodate the students from Koko Head, Kamiloiki, Kalama Uka, and Kalama Kai. The Hawaii Kai High School will accommodate all of the students from these areas plus Hahaione and Kaalakei which is slated to open in 1974. This is another elementary school in that area.

Chairman: What would the geographical district be though?

Izu: Intermediate boundary?

Chairman: Yes.

Izu: Actually its hard to show you without a map but the intermediate boundary would service the schools that I just mentioned. Hahaione and Kaalakei would go to Niu Valley now for the 7th and 8th grades, and go back for 9th, 10th, 11th, and 12th. This would be the boundary.

Chairman: Any further questions of the DOE? Mr. Director?

Way: In connection with the grading underway on the site, could you describe a little more specifically if - this was made reference to earlier - exactly what was involved, when was the concept set on this, and what's the extent roughly, and the geographic area of that grading?

Nakai: The grading as such at the present time encompasses all of the upper portion of the school site. This was necessitated because we wanted to grade and move the dirt rather than taking it out and bringing it back. I think there would be an approximate loss for the state, of approximately $120,000 or so.

Way: The $120,000 represents what?

Izu: Initial CIP money.

Way: What is the loss that you're speaking of?

Izu: If the park is situated between the two schools, then this would definitely be a loss to the DOE and a gain to the county. It could be a gain to the county.

Way: Oh really. It's not very often that we get that out of the state.

Another question. When were the plans formulated for the grading of the site? I'm trying to picture the relationship between that and our last hearing which was in early February.

Izu: I believe the plans were formulated in December '69 or thereabouts.

Way: In other words, the grading was moved ahead and moved forward on the basis of the premise that there would in fact be a clustered school complex?

Izu: Yes.

Way: Without at that time having a general plan or a DLUM amended?

Izu: Yes. I think at that point, we in the district, the DOE did not realize that the DLUM change would be necessitated by the idea of the clustering concept. The feeling here was that because the entire complex of the 25 acreage would still be used as school and park site, the configurations of these three units would not necessitate the DLUM change, but we found out otherwise during the month of February.

Chairman: Is the concept of clustering a policy concept of the Department of Education?

Izu: The idea of it, yes. The concept of it is a departmental concept. But, the manner in which this has been planned is basically a Honolulu district concept.

Chairman: Is this going to be a basic policy for the Honolulu District in future school construction?

Izu: That concept has already been accepted in the manner in which schools are presently operating. What we're saying is that the proximity would enhance the concept as we practice it today.

Way: In following up on that point, on what basis is this concept accepted? By that, specifically is this a departmental--

Izu: It's within the educational specifications and the master plan for building specifications.

Way: What official action follows to adopt that as a concept for the Honolulu District? For example, would then the Board of Education take an action on that educational concept, or does the department by some administration order accept it as a premise for the operation of this school system?

Izu: The Board generally looks at the educational specifications and accepts that as a broad, general guideline.

Way: Is this on a school-by-school basis? I'm not sure I understand this. Is it on a--

Izu: There is a broad, overall educational specification for school buildings and school sites. The Board accepts that as a general guideline for schools districts and schools to build upon that. We, within the district or the school, can implement it according to the guideline.

Way: Is it done then on a district basis would you say? Like you've indicated for the Honolulu district this seems to be an accepted concept here. Now, does the Board have any position on accepting this concept?

Izu: Yes, if-- What I'm saying is there is a broad, general specification for buildings for the entire state. This the Board accepts and approves, and we work within that broad, general guideline.

Way: Is the question or the objection of clustering of schools one of the accepted premises in the specifications that the Board then accepts?

Izu: Yes.

Way: In reference to the relationship to the park site, to what extent might you describe the coordination with the City Department of Parks on this aspect?

Izu: I believe there was a meeting of the minds between the DOE, DAGS, and Parks and Recreation. Mr. Nakai can clarify that.

Nakai: The only thing we did was meet with them. As far as their decision is concerned, they did not make any at that time. They did state that because we are involved in the Kamiloiki problem as such, they will abide by it and build their park accordingly. However, I believe that their planning, as you had indicated, that they would rather in cases like this be located in an area that is readily accessible to the community - in this case being Lunalilo Home Road as well as Hawaii Kai Drive.

Way: Do you have any recent information from the Department of Parks on this or recent discussions on this? This goes back to - prior to previous hearing then?

Nakai: Yes.

Chairman: Any further questions of Mr. Izu or Mr. Nakai? If not, thank you very much. We'll probably get in touch with you or someone in your staff.

Members of the Commission, what is your pleasure?

Bright: Do I understand that you're proposing a workshop perhaps within the next few days so that we can answer some of these basic questions so that we can come to a decision?

Chairman: I think at the present time we're all in the dark as to what this conceptual concept is of grouping. I think perhaps until we get a fair idea of what we're really talking about in an educational nature, we really don't have very much to act upon other than on the straight physical planning function of land use. I would suggest closing the public hearing and the matter be taken under advisement at this time.

Bright: I so move.

Connell: Second.

(The motion carried unanimously.)

In deciding what action it should take regarding this proposal, the Commission held the following discussion:

Chairman: Next item, B-1, Department of Accounting and General services request for school site in Hawaii Kai. What is your pleasure?

Rev. Connell: Mr. Chairman, I would move that we deny this application.

I do so on the fact that this matter has appeared before us for many months and I think we should be concerned about the efficient use of school facilities.

At the same time, I think we should also be concerned about the feelings of the residents who send their children to those schools. It seems to me that some of the basic questions raised were not answered to their satisfaction through many meetings.

On this basis I would move that we deny this proposal.

Creighton: I second.

Chairman: It's been moved and seconded that the Commission recommended denial of the State's request. Any further discussion?

Chun: Mr. Chairman, one statement. I may have given the Department of Education an indication that perhaps a workshop would be held on this matter, but I think after clarification by Commissioner Connell, it has been brought to my attention that the Department of Education has appeared before this Commission many times with respect to this particular application. At all of these meetings, the Department of Education and its staff have been found lacking with respect to any concrete studies or any firm position as to the reasons for their application. They have left us in doubt as to the procedures followed by the Department of Education with respect to planning and the planning coordination required between state and county agencies.

It seems there has been a lack of communication throughout this project by the action of the Department of Education with respect to the Parent Teachers Associations, their own school administrators, the legislators, and the City and County of Honolulu.

Chairman: Anyone else wish to state their position? If not, all in favor? Contrary minded? Carried.

AYES - Yamabe, Chun, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane, Sullam

PUBLIC HEARING
GENERAL PLAN
AMENDMENT
KAPALAMA, OAHU
APT.TO PARK USE
C&C OF HONOLULU,
DEPT.OF PARKS &
RECREATION
OWNERSHIP: MR.& MRS.
KYUGO WATANABE, MR.
& MRS. JAMES HARA, &
CITY & COUNTY OF
HONOLULU
(FILE #120/C2/7)

A public hearing was held to consider a request to amend the General Plan for a portion of Kapalama, Oahu, from Apartment to Park use, for land situated in Kapalama, Oahu, and identified by Tax Map Key: 1-6-05: 6, 15, 31, and 61.

Publication was made May 23, 1971. No letters of protest were received.

Staff Planner, Mr. Bill Bartlett, reviewed the Director's report of the applicant's proposal. There were no questions from the Commission regarding the report.

No one spoke against the proposal.

Mr. DeLos Seeley, Deputy Director of the Parks Department was present to support the proposal. The Commission raised the following questions:

1. Is there a timetable for the construction of adequate pedestrian footpaths and accesses?

   The construction of the pedestrian foot bridge would be scheduled by the Public Works Department after the DLUM is finalized. Their

department would assist in anyway possible. Mr. Seeley pointed out that adjoining properties will benefit from these park accesses. He estimated a time period of two years for completion of this project.

2. What will the $181,000 CIP appropriation be used for?

   This amount will take care of the park program itself. It will not cover lane widening or access improvements.

3. If this park is to be a tourist attraction, doesn't this make it less useful as a neighborhood park? Will it really serve the need of the neighborhood?

   The proposed park will meet two needs--

   a. For the neighborhood it will provide open space and passive recreation. There will be no active recreation.

   b. For the tourists, it will provide a botanical garden of various Hawaiian plant life which they can become knowledgeable of. Its usefulness as a tourist element will depend upon the promotion given.

      The park may also prove to be a unique attraction valuable to school groups.

There was no further discussion.

The public hearing was closed, and the matter was taken under advisement on motion by Rev. Connell, seconded by Mr. Bright and carried.

ACTION: Based upon the Director's recommendation, the Commission recommended approval of the proposed amendment as requested by the applicant, on motion by Mr. Bright, seconded by Rev. Connell and carried.

AYES - Yamabe, Chun, Bright, Connell, Creighton
NAYES - None
ABSENT - Sullam, Crane

PUBLIC HEARING
ZONING CHANGE
R-6 RES.TO A-4 APT. DISTRICT
MCCULLY
ALEXANDER STREET
KUNIYUKU BROS.,INC.
(FILE #71/Z-17)

A public hearing was held to consider a request for a change in zoning from R-6 Residential to A-4 Apartment District, for land situated at McCully--Alexander Street, identified as Tax Map Key: 2-8-10: portion of 24.

Publication was made May 23, 1971. No letters of protest were received.

The Director's report was reviewed by Mr. Bruce Duncan. The Commission had no questions regarding the report.

No person was present to speak either for or against the proposal.

The public hearing was closed, and the matter was taken under advisement on motion by Mr. Bright, seconded by Rev. Connell, and carried.

ACTION: Based upon the recommendation of the Director, the Commission recommended approval of the applicant's request, on motion by Rev. Connell, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Bright, Connell, Creighton
NAYES - None
ABSENT - Sullam, Crane

PUBLIC HEARING ZONING CHANGE FOR 6 PARCELS OF LAND WITHIN MILILANI TOWN, WAIPIO MILILANI TOWN, INC. (FILE #70/Z-71)

The public hearing held May 26, 1971, was kept open and action deferred for one week in order that a community meeting might be held to apprise the membership of the proposal and to clarify various issues about it.

Public testimony was continued.

Testimony AGAINST the proposal.

1. Mr. Mark J. Sturm, Resident
2. Mr. Michael B. Creagh, Resident and Chairman of the Lands Committee, Mililani Town Association (presented letter from Mr. Carl O. Clever, dated June 1, 1971)
3. Mr. Ming Fu Lu, Resident, 95-310 Ikaloa Place, Mililani Town, Wahiawa (submitted letter dated May 26, 1971)
4. Resident, 95-252 Kailiula Loop, Mililani Town, Wahiawa (submitted letter dated June 2, 1971, signature not clear)
5. Mr. Philip Yung Lee, Pastor, Mililani Church (submitted letter letter dated June 1, 1971)
6. Mr. and Mrs. Theodore E. Majoros, Residents (submitted letter dated May 28, 1971)

Objections:

1. Opposition to any zoning other than the present R-6 Residential zoning because the area was planned for single-family dwellings. Multi-dwelling units lead to increased traffic.

2. The proposal will increase dwelling units in the area by 300%. This accounts for poor planning, and overdevelopment of the area on a short-range basis.

3. The shortage of park areas creates a hazard for children who now play on the street.

4. The developer has a commitment to the homeowners. They were promised a unique, quality environment in their community, not to be caught in the economic climate since Mililani Town is very attractive in the real estate sales market. This proves beneficial to the developer but it deteriorates their quality of living, and their property values as well.

6. Out of 68 questionnaires which were prepared by the association and circulated to residents who were knowledgeable of the zoning changes which transpired, 66 protested the proposal, and two were undecided. Responses from other residents claimed a lack of knowledge of the events leading up to the zoning as well as inadequate information given to them prior to the first public hearing on this item.

   Residents also complained of the time schedule for Commission public hearings inasmuch as many of them are working people and cannot attend these hearings.

7. Maps were displayed which indicated various changes in the General Plan and to show density increases and decreases in residential and apartment development, as well as open space and park areas available.

Testimony FOR the proposal--

Mr. Wendell Brooks, Vice-President and General Manager of Mililani Town, Inc., represented the applicant, and explained the following:

1. Regarding traffic, the roads meet the criteria to service the various densities, and exceeds the requirements.

2. Concerning park areas, lands have been dedicated to the City without cost which follow the criteria of the existing general plan and that of the Parks Department.

3. Relative to the point that Mililani Town is a sales attractor, it should be pointed out that the purchase of a home is a distinct privilege enjoyed only by individuals who can afford it because it is the largest expenditure in a person's life.

4. The circulation of the questionnaires does not register a majority against the application. The showing at today's hearing indicates that perhaps the majority of the community is not against the proposal.

5. Although Mr. Creagh pointed out changes on the general plan, the master plan for Mililani Town does not significantly deviate from the general plan.

No other person spoke for or against the proposal.

The public hearing was closed and the matter was taken under advisement on motion by Mr. Bright, seconded by Rev. Connell and carried.

<u>ACTION</u>: Based upon the recommendation of the Director, the Commission recommended approval of the applicant's request, on motion by Mr. Bright, seconded by Mr. Chun and carried.

AYES - Yamabe, Chun, Bright, Connell, Creighton
NAYES - None
ABSENT - Sullam, Crane

The Acting Chairman, Mr. Yamabe, returned at this point and chaired the balance of the meeting.

SPECIAL PERMIT/
CONDITIONAL USE
PERMIT
WAIMANALO
MAUKA TERMINUS OF
MAHAILUA ST.
STATE OF HAWAII
DEPT. OF LAND &
NATURAL RESOURCES
BY: THE VALIANTS
(FILE #70/CUP-35)

The public hearing held May 12, 1971 was closed, and the matter was deferred for a statutory period of 15 days.

No discussion followed.

ACTION: Based upon the recommendation of the Director, the Planning Commission--

(1) Recommended to the State Land Use Commission, that the applicant's request for a special permit be approved.

(2) Recommended approval of the applicant's request for a conditional use permit, subject to the following conditions:

1. The provisions of the plans approved as a part of these permits and on file with the Planning Department shall be substantially followed except as may be altered by the conditions stated herein;

2. A minimum of 75 automobile parking spaces shall be provided. Said spaces shall be provided in conformance with the off-street parking requirements as set forth under Section 21-204 of the Comprehensive Zoning Code. Additionally, a minimum of two bus parking spaces measuring 10 feet by 40 feet shall be provided;

3. A private sewage disposal system shall be provided in a manner acceptable to the State Department of Health;

4. Only one identification sign shall be permitted. Said sign shall not exceed 12 square feet in area and its type and location shall be approved by the Planning Director prior to obtaining a building permit;

5. The rifle range shall not be permitted as a part of the proposed development;

6. If any traffic problem arises which the Department of Traffic determines to be the result of the proposed recreation facility, the Planning Director shall take whatever action he deems necessary to abate or reduce the problem. The Planning Director's action may include, but is not limited to, requiring the applicant to reduce the use of the facilities and/or to improve Mahailua Street in a manner as may be deemed necessary and appropriate by the Department of Traffic;

7. All construction plans shall be submitted to the Planning Director for his review and approval. Said plans shall include, but are not limited to:

   a. a Landscape Plan showing existing and proposed plant

material by type and location;

b. a Grading Plan indicating existing and proposed contours; and

c. a Drainage Plan containing adequate provisions for the disposition of surface water run-off.

Prior to final approval, these plans shall be approved by other government agencies as deemed appropriate by the Planning Director;

8. Fencing may only be permitted for reasons of safety. In no event shall fencing be permitted which in the opinion of the Planning Director would disrupt the continuity of the proposed Waimanalo Regional Park chain;

9. On-site improvements shall be provided in a manner that will not affect the existing Maunawili Drainage ditch on the makai boundary of the property;

10. Prior to constructing each increment of the proposed development, the applicant shall submit plans for the increment to be developed to the Planning Director for his review and approval;

11. The subject Conditional Use and Special Use Permits shall terminate at the end of ten years from the date of their approval at which time the applicant may petition the Planning Commission and City Council for a time extension on the permits;

12. The Planning Director may impose additional conditions which he may deem necessary and appropriate to protect the health, safety or comfort of persons living in the area;

13. In the event all conditions as set forth herein are not being met, the Planning Director may take action to terminate the use or halt its operation until such conditions are met;

14. The recorded owner of the land encompassed by these permits shall be required to file with the Bureau of Conveyances or the Assistant Registrar of the Land Court of the State of Hawaii, a declaration of the above-mentioned restrictive conditions;

15. A certified copy of the documents as issued by the Bureau of Conveyances or Assistant Registrar shall be presented to the Planning Department as evidence of recordation prior to issuance of a building permit; and

16. Any major modifications to the conditions stated herein shall be subject to approval by the City Council. The Planning Director may approve modifications which in his determination are minor in nature.

The motion was made by Mr. Chun, seconded by Mr. Bright and carried.

AYES - Yamabe, Chun, Bright, Connell, Creighton
NAYES - None
ABSENT - Sullam, Creighton

ZONING CHANGE FROM R-6 RES.TO I-3 WATERFRONT & I-2 HEAVY INDUSTRIAL DISTRICTS ANUENUE ISLAND (SAND ISLAND) STATE OF HAWAII DEPT.OF LAND & NATURAL RESOURCES & DEPARTMENT OF TRANSPORTATION (FILE #69/Z-55)	The public hearing held March 19, 1970, was closed and action deferred pending additional study by the Planning Department. The matter was brought back before the Commission on May 12, 1971. Action was again deferred for two weeks. Action on May 26, 1971, was deferred for one week. The Commission again deferred action for one week.
DIAMOND HEAD HISTORIC, CULTURAL & SCENIC DISTRICT NO. 2	The public hearing was held and closed on May 19, 1971, and action deferred. On May 26, 1971, action was deferred for one week for further staff study.

The staff responded to the following questions raised by the Commission at the last meeting:

1. The inclusion of Black Point and the Kuilei Cliffs into the proposed ordinance.

   Although there are some views from this area, the viewing sites are limited. The Kuilei Cliffs and Black Point extends from Kahala Avenue to Royal Avenue. It was felt that the district should encompass only the essential areas necessary to preserving views. Since this particular area did not have views, and is already protected by the existing residential zoning, it was excluded from the ordinance.

   The staff recommends that the Commission hold to the proposed zoning and given boundaries, and that Black Point and the Kuilei Cliffs not be included.

2. The point that nonconforming highrise structures in A-4 Apartment areas be exempted from the following provision:

   Section 21-107(d)(2) Nonconforming structure, Damage or destruction. "If a nonconforming structure is destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Chapter."

   The staff pointed out that buildings in A-4 Apartment areas are already nonconforming as far as shoreline setbacks are concerned. Since most of the highrise buildings are already nonconforming,

a precedence would be set if these buildings are exempted in the Waikiki-Diamond Head area alone, inasmuch as there are nonconforming highrise structures throughout the city. To exempt this area from nonconforming structures would also defeat the purpose of the Comprehensive Zoning Code. A provision that the height regulation be limited only to new buildings would defeat the objective of the Diamond Head ordinance.

The staff recommends no changes to the proposed ordinance, and that the application of height regulations be made to all buildings; not just to new structures.

3. Concerning the definition of "new structure"

The staff felt that the definition of "structure" as defined in the CZC covers "new structures": "'Structure' is anything constructed or erected with a fixed location on the ground, or requiring a fixed location on the ground, or attached to something having or requiring a fixed location on the ground."

No discussion followed.

ACTION: Rev. Connell moved, seconded by Mr. Chun, and carried, that the Commission recommend approval of the proposal to establish a Diamond Head Historic, Cultural and Scenic district No. 2 under Article 12, Section 21-1202 of the Comprehensive Zoning Code, as presented by the staff.

For the record, Mr. Creighton was not entirely satisfied with the staff's reasons for not including the Black Point area within the ordinance. Both he and Mr. Chun support its inclusion.

AYES - Yamabe, Chun, Bright, Connell, Creighton
NAYES - None
ABSENT - Sullam, Crane

MISCELLANEOUS
HOOLULU PROJECT
KAPAHULU GNRP AREA

In accordance with the Urban Renewal law, the Redevelopment Agency submitted to the Commission for study and approval, its plan for the Hoolulu Project-Kapahulu GNRP Area.

The Director reported that the staff has reviewed the project, and that it is in conformity with the General Plan Detailed Land Use Map and Development Plan for the area. The staff supports the project.

Mr. Setsuo Izutsu, representing the Honolulu Redevelopment Agency, stated that the project is in cooperation with HRA and Kapahulu residents. Street improvements are made by the agency, and residents improve their properties according to recommended improvements by city inspectors. Two-thirds of the project is federally funded and one-third is at local cost.

Mr. Tamotsu Tanaka, President of the Kapahulu Community Association, was present in support of the project.

No discussion followed.

ACTION: Based upon the recommendation of the Director, the Commission recommended approval of the project, on motion by Mr. Bright, seconded by Rev. Connell and carried.

AYES - Yamabe, Chun, Bright, Connell, Creighton
NAYES - None
ABSENT - Sullam, Crane

IMPROVEMENT REVOLVING FUND DEPT.OF PUBLIC WORKS

The City Council referred to the Planning Commission for its review and comment, a proposal transferring the sum of $22,505 from the Improvement Revolving Fund to the Department of Public Works for the following purpose:

Department of Public Works, Division of Land Survey and Acquisition

Waimalu Stream Flood Control, Unit 3 Project:

Total amount required for Parcels 1 and 5	$75,640
Total amount presently available for above parcels	- 53,135
Amount required from Improvement Revolving Fund	$22,505

The Director reviewed the staff's report. There were no questions from the Commission concerning the report.

ACTION: Mr. Chun moved, seconded by Mr. Bright and carried, that the Commission recommend the approval of the proposal for the purpose stated.

AYES - Yamabe, Chun, Bright, Connell, Creighton
NAYES - None
ABSENT - Sullam, Crane

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The Commission, on motion by Mr. Chun, seconded by Rev. Connell and carried, moved that the Planning Director be authorized to establish dates for public hearings on the following item:

GENERAL PLAN DLUM AMENDMENT MAKAHA MAUKA-WAIANAE CORNER OF FARRINGTON HIGHWAY & MAKAHA VALLEY ROAD HERBERT Y.C.CHOY (File # 142/c4/29)

1. The request is an amendment to the General Plan/Detailed Land Use Map for Makaha to change the land use designation from Residential Use to Commercial Use.

ADJOURNMENT: The meeting adjourned at 5:55 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
June 9, 1971

The Planning Commission met in regular session on Wednesday, June 9, 1971, at 1:00 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Rev. Eugene Connell
James D. Crane
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Bill Bartlett, Staff Planner

ABSENT:
Roy R. Bright
Thomas H. Creighton

MINUTES:
The minutes of May 19, 1971 were approved on motion by Mr. Crane, seconded by Rev. Connell, and carried.

CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 1972 (COUNCIL'S BUDGET STUDY REPORT)

The meeting convened at 1:00 p.m., prior to the scheduled 2:00 p.m. public hearing, in order to review the Council's Budget Study Report.

The Director reported that the City Council's proposed amendments to the Mayor's CIP for Fiscal Year 1972, has been referred to the Planning Commission for its review and recommendation. A response is due in ten calendar days or by June 14, 1971. The Commission is requested to act today or arrange a special meeting for its action. The Council has until its regular meeting on June 15th to adopt the program in its final form.

The Director reviewed the staff's report as follows:

Way: Mr. Chairman, our report has some general observations concerning the Council's proposal.

First, it will be recalled that the report from the Administration to the Council indicated a total funding of city funds on the order of 44 million dollars. The Council's Budget indicates funding for City funds of approximately 29 million dollars. This results in a reduction of about 15.1 million dollars, which does need some clarification.

The principal items that have been modified or deleted from the Administration's Budget would include the Sand Island Sewage Treatment Plant and Outfall, combined two projects there of well over 14 million dollars which is a substantial portion of the total 15 million dollars. Actually, I think the Council deleted not quite that full amount but that was the single most significant project held out of the budget. I'd like to explain further my understanding of the Council's position on this matter which is essentially that they are withholding these funds somewhat on a temporary basis, if you will.

In the case of the Sewage Treatment Plant and Outfall as a specific example to make the point, it is my view of Council's position that they feel the City may not be able to complete it's engineering construction drawings in time to actually require the amount for construction during the next fiscal year. Now our Public Works Department advises us that in April or May or thereabouts of next year, their scheduling does call for the completion of the construction funds and receipt of bids, and that they would in fact, be able to and in fact have need for the money in the next fiscal year.

This then is the explanation of the two different positions. It's a matter of Council's feeling that if the work cannot be completed in time to actually alot and appropriate the funds, that they wouldn't be needed in this fiscal year. If, however, we are able in the Administration to make the schedules, then Council would entertain a supplementary request to replace the funds.

We would observe that this is a matter which required additional effort, including review by the Council's Study Committee, a referral back to this body for consideration, and could in fact result in a loss of time in proceeding with the projects that are treated in this fashion by the Council.

Another point is that the Council has in fact, really added projects to the total amount by about 2-1/2 million dollars. If we start from the premise that the City will be able to complete the drawings, engineering works and what have you, in such fashion as to actually require all of the money for a given project, what we really have, I think in an oversimplified fashion, is an Administration Budget on the order of 44 million dollars, City funds, plus the addition of 2.531 million dollars by the City Council for certain projects that they feel were significant or important.

Our report on page 2 covers matters having to do with the fact that the Budget Committee report had some errors in it. Pages 2 and 3 deal with these technical matters. Starting on page 3, we have reviewed some major projects, 8 of them in total where there were significant deletions from the Administration's proposal. The first one, Salt

Lake Boulevard, $132,000, construction and inspection funds were deleted. The second one, the Ala Moana Park Drainage Canal-Kalia, $1,615,000 deleted, again construction funds.

Three and four, the Sand Island Sewage Treatment Plant, and the Sand Island Outfall - I've already talked on this subject. The total there is roughly 14 million dollars, construction and inspection funds deleted. You will please note that under the Outfall Sewer, there is a problem that unless funds are provided this year, construction of both projects may be delayed for two or three months. Further, two million dollars in State funds may not be available unless the City's share is appropriated, which means that we do have problems in dealing with the State, if we don't have the money on hand for which they have appropriated matching funds.

The next item, Kawainui Regional Park, down $275,000, land and construction funds deleted.

Next, Lighting Systems, the Council has indicated this deletion in error. Harris (referring to Harris Murabayashi, Staff CIP Analyst), does this mean they will keep this one?

Murabayashi: Yes.

Way: Okay. In the haste of preparing the documents, there were a number of errors that crept into Council's additions, multiplications and deletions.

Item number 7 has to do with miscellaneous land acquisitions and clearances, $300,000. This one, we would observe that there will be unnecessary effort through the supplementary, and also the Improvement Revolving Fund approach for some of these to provide the funds that will be needed. We point out in our report that approximately $700,000 will have been encumbered from this account in the current fiscal year. We have requested the sum of $300,000 that was deleted all together. You may remember that this one comes in bits and pieces too, a street corner widening here, and a widening there, kind of thing. If it's treated as a supplementary, there will be a massive flow of unnecessary paper work in our judgment. A number of them could be held and treated as one supplementary, but again, I think this is a matter of causing inconvenience in Administration, and also to the public who's property is being acquired, because they will have to wait months and months for settlement. These are some of the problems that go with the general concept.

Item number 8, Diamond Head Monument Area, we've commented on, a half-million dollars, reduced totally, indicating apparently Council's unwillingness to proceed with acquisition even though we have proceeded with acquisition of some parcels in the area under prior CIP, and of course,

the area has been designated on the General Plan by the Council for public park purposes.

Council has, on page 8 of your report, made a number of additions, again we're selecting the ones of major magnitude in dollar amount--

The Keaahala Stream Flood Control added $694,000. Our observation on this one is contained in the report.

The University Avenue Extension and Bridge over the Ala Wai Canal, $215,000. We feel that deferral on this one would be more appropriate until the Waikiki Improvement Plan is completed. It will be remembered that the State Legislature in one of its recent bills just signed by the Governor did provide to the City, a million dollars to do planning for the Waikiki area. We think this is a most significant need before we begin to commit funds for major public work projects that we may need or may not need, but we want to be assured are fully coordinated with other projects in that area.

The same applies to item number 4 which is an off-street parking facility in Waikiki. Again it relates, we think, to the need for some planning here. Some questions are raised about this proposal.

Bethel-Hotel Off-Street Parking relates to our proposal now underway on the rapid transit program which we have pointed out, we think it might be properly related to that project, and deferral, we feel is a more appropriate course of action. There's also the possibility that financing to a private person may be obtained by the multiple-use concept.

Beach Park Right-of-Way at Koko Kai, $200,000 added. This item, like others, has not ever before appeared in our six-year CIP. We think it should be reviewed in relation to other projects, and do have an objection on that basis.

Six, McCully Recreation Center, $100,000 added. On this one, we would concur or do not have serious objection to this project, the fact that it did not appear in our CIP but it was inadvertently left out. It was simply an oversight during the initial CIP.

Our special comments are contained on page 13 having to do with preplanning, we agree there, that's a return to previous practice, and a couple of other observations.

There are some recommendations for your consideration. First, that the Commission reaffirm its position on the Mayor's CIP; secondly, the Commission express its concern about the supplementary method of appropriating construc-

tions funds, since we feel it can unnecessarily place a burden on funding, programming, manpower time, and convenience to the public. You may be concerned about some of the unprogrammed insertions into the six-year plan, as part of your evaluation.

That is our summary report to you. We are prepared to respond to whatever questions you might have.

Chairman: Any questions of the Director?

Mr. Director, do we have the transcript of the Council's deliberation on this subject matter or is this available?

Way: The answer is no. As to whether it is available, I am not sure. The Council's deliberations starting from the beginning commenced about April 15th when we transmitted the Administration's CIP. There were hearings that involved the Planning Department staff and all other agencies having CIP projects. It extended over a number of weeks. The final deliberation of the Council on the matter, I'm not sure were actually the subject of a meeting wherein minutes were kept. The final package, of course, was brought out to the Budget Study Committee for adoption of the transmittal.

Chairman: I take it much of the information provided us is the same information provided the Council.

Way: Yes.

Chairman: Were you able, before final draft, to point out the many possible hardships that might be placed on the Administration as well as the community, if this adopted?

Way: No. This department was not, specifically. The matter, however, in general and on a conceptual basis, and I don't know the specifics, was discussed between the Administration and the Council. More specifically, I think the Mayor and the Council Chairman met to cover some of the concepts of the Budget that are new, particularly with reference to the general idea of the supplemental approach. I think most of this has probably been covered in the newspapers.

Chairman: Well, the Chair's observation is primarily I think the CIP matter is a matter of determined policy, whether it should be on the old system where CIP developed and administered by the Administration after the funds are approved of, or the supplemental approach. Now, I don't see for myself how I can determine as to what project is appropriate in view of this difference in opinion as to what the policy ought to be. I assume that it is not a case where the deletion means complete lack of funds for the specific project but to be followed by supplemental request. I assume this from what I've read in the paper and from information gathered from the media. If this

being the case, I believe it puts the Commission in a very precarious position. I think it's a matter of policy and process, and under what procedure must we follow in determining what our advice might be to the Council and the Mayor. Also, if we are to take any action under two different concepts, we should be given the opportunity to examine the deliberation on the part of the Council. I think it would require a lot more than 10 days. After establishing direction, I personally feel that I will not be able to take any action based on insufficient information and direction.

Way: One point, Mr. Chairman, that bears on your earlier remark and maybe would be worth repeating is the fact that assuming the position of the Council is that they will entertain and act favorably on supplementals, we will seem to still be dealing with a budget on the order of 44 million dollars - in other words, 44 million dollars including the recognition that supplementals might be favorably acted upon by the Council, plus 2-1/2 million dollars that have been added. So, in effect what we're really talking with City funds, is a budget of say 46.6 million dollars.

Chairman: That's the point I'm making. Where do we go? We must rely upon an adopted accepted policy. There's no common denominator here. We could actually be talking about an actual increase in CIP. This actually may not be a reduction as shown here. However, it may be the intent of the Council to reduce, they'll entertain a supplemental request but they may not approve. Now, if they don't approve, what portion will be deleted and what portion will be approved, and the changes?

Way: The only thing is these supplementals will be referred back to the Commission for their consideration. I recognize that you have considerably more flexibility--

Chairman: Under what rules do we play the game? I think this is the dilemma we're caught in.

Sullam: Is it still the wish of the Council to retain the construction funds for projects until the planning and engineering is completed on all projects? Is this their policy or just for certain public projects that they have pulled out of the budget?

Way: Not all of them, again we're not real sure. I made the point on the Sand Island Sewage Treatment Plant and Outfall is the single biggest item. My understanding is that if the Administration and the Public Works Department particularly can demonstrate that they can have the plans and specifications ready by spring of next year, that Council would entertain a supplementary in the amount of 14 million or thereabouts to proceed with the construction. But, I don't think this is an across-the-board position of Council. Some projects are in fact deleted, and others

are in limbo until it can be demonstrated that certain other things can be accomplished to put them into the next fiscal year's program.

Chairman: Mr. Director, I believe the function of the Commission is not to establish the policy as to the process of developing a CIP and administering the funds and so forth. I'm sure the Council recognizes this function as well. This moment again as a personal observation, I feel I don't see how we can give any conclusive decision as to a single item. I think there's a greater question before us. The only action I can see at this time would be to communicate as such to the Council, and also to the Mayor.

Sakai: (James Sakai, Budget Director) I'd like to throw this in for consideration. You're talking about perhaps the Commission cannot make a decision based on the information it has at this moment?

Chairman: Primarily in a policy matter area.

Sakai: There are a couple of small deletions here on page 17 of the Budget Study Committee Report that I'd like to call to your attention, the last two items, Contract Adjustments and Miscellaneous Projects. In the last complete fiscal year while using these accounts, we were able to go through with the implementation or the construction phase of about 33 projects which would normally, I would think, would have to go back to the Council for supplemental appropriation because the appropriation itself was insufficient. We're talking about small amounts - $2,000, $3,000, $4,000, $6,000 for a project. This device here enabled the Administration to take surplus funds from projects that have been completed and put it into this account and then transfer it back into a project in which the construction funds were insufficient. I think this is an important addition, well not an addition so much but possibly a recommendation that could be made.

Chairman: Is it possible to secure this amount through the revolving fund?

Sakai: The revolving is for land acquisition. This is for construction costs.

Chairman: Is that the same for the second item, Miscellaneous Projects $25,000?

Sakai: No. On the Miscellaneous Projects as I recall, this is for engineering, planning, land acquisition, which doesn't mean much with $25,000 in it. It hasn't been used as extensively but Contract Adjustments definitely will throw a monkey wrench--

Chairman: Do you recall whether this information was given to the Council?

Sakai: They know what it is. It's been in for years. I can't understand in the case of Miscellaneous Projects because normally before it can be spent it has to go back to the Council anyway for approval. Contract Adjustments are done administratively but only on those projects obviously that have been approved by Council previously, and not a substantial addition. It's just a few thousand that's short from time to time when bids come in over the amount.

Chairman: This is all after completion, not pre-construction but after completion?

Sakai: We're talking about construction costs before this contract is awarded.

Chairman: The item such as the one you pointed out, Jim, I think it warrants some action; however, I'm sure you understand my position too. We're talking about the whole CIP. If they don't understand what you've just explained, try giving them some understanding. They're aware of it. What was the purpose?

Sakai: I would assume they are following the original proposal because it's obviously not the money.

Chairman: I think that's quite clear, the supplemental approach. Can you handle this situation through a supplementary request?

Sakai: Yes, but my point is the shortage of a few thousand, it will delay a project say up to a month because the supplementary goes through the same three readings, referral to the Planning Commission and so on.

Chairman: You think they're trying to be consistent all the way?

Sakai: I don't know.

Chairman: Any further comments?

Chun: Question of the Budget Director. On these deletions and if we knocked off 15 million dollars at the present time, will this affect your bond sales program in any way?

Sakai: Mr. Chairman, that's a question that's better addressed to our Finance Director. I don't sell the bonds.

Chun: Can the Managing Director answer that question?

Sharpless: No. That's strictly within the Finance Department.

Chairman: May we assume that the Council is aware of this if there's any problem in the sale of bonds?

Sharpless: Yes. They're aware.

Chairman: Any further discussion? If not, what is your pleasure?

Chun: Mr. Chairman, I notice that we have many members of various adminstrative staffs present. I wonder if we might get an explanation of the various projects added by the Council.

Chairman: Is this necessary at this time?

Chun: If we don't do it now, I don't think we're ever going to do it.

Chairman: At this time I'd like to call upon the various department heads to comment on the additions, not the deletions.

Way: Mr. Chairman, on page 8, these are only the major additions of which there are six projects.

The first, Keaahala Stream Flood Control. We have a written statement on this that pretty well covers the view of the agency and input of the planning staff. It could be taken from that point on if there are questions. Bill Ling is here.

Chairman: You might start with a brief comment.

Ling: If you remember, the Department of Public Works in one supplementary request had recommended that certain monies that were lapsed be transferred to the Keaahala Stream Flood Control project. The recommendation to the Council was that it be deleted. We just want to inform the Planning Commission that the plan for the Keaahala Stream Flood Control project has been engineered, and the plans and specifications are ready. As soon as money for the construction of the project is appropriated, we can proceed to construct the project.

For further amplification, we wish to note that the land acquisition for the project has already begun and is pretty nearing completion. So the plans and the land acquisition have been completed, and the project could proceed as soon as monies for the project is appropriated.

A point also is the complete project cost is in the neighborhood of 1.3 million dollars. It seems that if the Council appropriates the $710,000, it is intended that the construction will proceed to about half of the project. That is the only thing that we can read from the appropriation as set forth by the Council.

Chun: What's the timetable for construction of that project?

Ling: Anytime the construction money is programmed.

Chun: How long?

Ling: I would guess in about a year or a year and a half.

Way: Bill, when did you have it in the six-year program, what year?

Ling: I think it was suppose to be this year.

Way: It's not.

Ling: Let me check. It would have been in fiscal '73, according to the Mayor's Budget. It intended to appropriate 1.7 million dollars for fiscal '73 for construction. I stand corrected. The construction costs is 1.7 instead of 1.3.

Sullam: Is the thinking still the same regarding this stream, the desire to channelize it?

Ling: Well, there are two schools of thought. It is well to have a stream in its natural state, but there are several factors involved. First, the volume of flow; secondly, the velocity of flow; thirdly, the bends in the stream. Let me go one by one.

The existing stream is small and has to be widened and deepened. If we go to a natural stream, it will be that much greater, wider and deeper because of the hydrolic factor involved. In a natural stream you don't have the hydrolic facility to pass the water through as easily as through a concrete channel.

It has been found that the velocity in a natural stream cannot exceed 5 feet per second before erosion begins. Therefore, if you have a very low velocity - and by simple evaluation I can give you the cue, the capacity is equal to the area or the waterway times the mean velocity. Therefore, you have two variables, av. You have a low velocity, you have to have a greater waterway area. If you have a greater waterway area, you need a lower velocity because you have to pass the same amount of water. That will give you a simple form whereby if you're thinking of a massive stream, unless the people involved are willing to having a wider stream and deeper stream, a lower flow type of stream, it seems more feasible to have a lined channel.

In the Keaahala Stream there is a depth. You would have to have a lined channel in that area just above Wailele Road.

Chairman: What about the next item, University Avenue Extension?

Ling: Item 2, from our viewpoint, your present development plan doesn't show a vehicular bridge across the Ala Wai. We contend that has to be first put on the development plan before we can start. Coupled with that, we do not feel that the funds would be adequate. As pointed out by the Planning Department, this $215,000 by the State is a State appropriation and the City will have to match the funds to even get the appropriation.

Way: Do you know how much a bridge would cost across the Ala Wai?

Ling: No.

Way: A multi-million dollar undertaking though?

Ling: It would be. As I recall there is one that would go along the extension of University Avenue, one suggested by the Department of Traffic. We feel that first, this should be resolved after alignment and width before we even begin.

Chairman: What was estimated, 2-1/2 million?

Way: We got that from Public Works.

Ling: It could be from our department but as I say, if you adopt the Traffic Department's alignment, it's sort of askew to the Ala Wai and the cost will be increased substantially.

Chairman: The State appropriation, does it lapse?

Ling: That's good for 4 or 5 years, 1976.

I wish to transmit the concern of our land division regarding the Miscellaneous Land Acquisition. As was noted by the Planning Director, we would encumber approximately $700,000 this fiscal year relating to these land acquisitions. Essentially these are for your what we call the Ordinance 2412 land acquisition projects. Normally, upon the upzoning and the application for a building permit on Ordinance 2412 as amended, the property owner may be required to improve the street fronting his property to be developed. Under this situation, under the proposed budget, there is money for Ordinance 2412 but for construction and engineering only. This would mean that for every project for Ordinance 2412, as Mr. Way pointed out, will have to come back for an appropriation.

Chairman: Do you folks see any problem as far as a supplementary request other than delay?

Ling: It could be very high. It depends on the building permit for certain projects. Ordinance 2412 provides for any building permit other than residential and agricultural purposes. We make an evaluation and then we go to Council whether we should proceed to acquire the land and apply on a 2412. That means that with every approval of that recommendation, automatically we would have to have an amendment to the Capital Budget Ordinance to provide the land acquistion money. I would feel that if in this particular area, and assuming that I'm reading the news media correctly, if they wish to withhold construction money, but there's a question of whether they want to withhold the land acquisition money. This is the area where maybe the Planning Commission could help clarify because whatever money is not used to acquire land would not be used, notwithstanding. This money is not for any specific project. It is for many projects along that category.

Chairman: Can you communicate with Bob for some of the questions that you have posed?

Ling: We have already transmitted our comments to the Planning Department.

Way: You mean to Council?

Ling: No. We have not appeared before Council. Budget Study Committee Report Number 1 has been referred to the Planning Commission. It has not been referred to the specific departments.

Way: I might comment that the Budget Committee Report was received in the Planning Department's offices at 5:50 p.m., Friday of last week so that there really hasn't been much time to react, even to this Commission, inasmuch time as we would have liked to have.

Ling: We wish to only note that one of the substantial construction moneys that has been deleted is the Ala Moana Drainage Canal. We wish to reiterate that this canal serves the outlet for the Piikoi box drain which is existing plus the Pensacola Street relief drain which is presently out for bids, and which will be under construction next fiscal year. We also want to clarify that this outlet serves the Sheridan Tract Improvement District which is presently under construction and would, to put it this way, would not be operating to its efficiency unless the outlet is actually constructed. That's the only area that I would want to inform the Council to help them in their deliberation.

Sullam: Each time the Council chooses to delete construction funds from a particular project, that is to withhold it, how does that affect the six-year CIP program? Like if they withhold it this year when it was scheduled to go on, do they revise the whole CIP at the time they are making this holdback?

Ling: I don't know. It seems as if they are withholding the construction money while still observing the Mayor's Budget. In addition to that, they have increased till the amount of 2.4 million dollars. On the other hand, they could also not budget the construction if they saw fit. We're only second guessing what they're thinking about at this stage.

Way: Mr. Chairman, the Council may reconsider a project at anytime through the supplementary route. They may also at the next budget time consider the project again. It may never see the light of day of any budget at any time, or it may be reconsidered at any year subsequent. These are some of the options open to the Council. If it is deferred or set aside as this 1.6 million is on the Ala Moana Drainage Canal, again it may never happen or maybe happen next year or anytime along the way whenever

they see fit. Probably the Administration would come back with this project since we did have it on a high priority this year. If we felt construction funds should be included, we would bring it up again before the Council because next year it will become even more urgent, as Mr. Ling has pointed out because of completion of improvement districts, relief drains, box drains and what have you, something is going to have to be done at the outfall and of this whole system of drainage ways.

Ling: I think I can further clarify the situation. I don't think anybody would program planning and engineering money if it isn't intended not to complete the project at all. They would stop the project at its initial conception. That would give some indication of the route they seem to take.

Chairman: Any further questions of Mr. Ling? If not, thank you very much, Mr. Ling.

Anyone here from the Traffic Department?

Villegas: (George C. Villegas, Director of Traffic Department) Mr. Chairman, we only have two items, 3 and 4, both relating to off-street parking. I believe the Director's report covers our feelings on these two very adequately. I don't think there's any need to add anything more. I concur with his report.

Chairman: Any questions of Mr. Villegas? If not, thank you very much, Mr. Villegas.

Anyone from the Parks Department?

Taketa: (Mr. Yukio Taketa, Advance Planning, Parks Department) Is there any particular item that you want to discuss?

Chairman: We can start with the Beach Right-of-Way at Koko Kai.

Taketa: This project was first brought to our attention by the City Council. They asked us for some study on this project to see whether it was feasible and desirable. We made a report to the Council giving then this information on the appraisal and the land costs. We have no objection to this particular project especially since its land acquisition, because many times in land acquisition if we don't move ahead as soon as possible, it either gets developed or prices go way up. We don't object to projects like this.

Sullam: Do you have people looking out for areas along the sea coast that go up for sale, particularly along Kalanianaole Highway. There are constantly lots and houses that are getting old and you see lots of it for sale. Does the Parks Department consider buying these properties in the hope of keeping the seashore open?

Taketa: No. We don't have any particular project like this. In a general sense, we look at properties for sale on the beach front in areas we have a specific project in mind, for example, Kailua Beach Park where we have additions that we want to acquire.

Chun: In referring to the Budget Committee's Report, I note that there are quite a number of new projects which do not appear in the department's CIP. Actually, your department would really have no objections to acquisition of any of these would it?

Taketa: I wouldn't say that in general. I'd say where there's a desirable park area which we have in mind, in all of these cases we have some long-range plan for a park proposal. I don't think we would have any opposition or objection to acquisition of land in these areas.

Chun: Looking at the number of items in the Budget Committee's Report, are there any particular items which the department would object to in implementing or acquiring?

Taketa: I don't recall any particular project that we were objecting to except for the mass of these projects. We're not staffed to handle all these projects in one year, I think. A lot of these, State funds require City matching funds and the State will not release the funds unless the City's matching funds are appropriated.

One big one is the Kualoa Fish Pond Regional Park. The State has appropriated 1-1/2 million dollars and made a requirement for 1/2 million dollars of City matching funds. We're not going to get it unless we can put up the 1/2 million.

Sullam: Does this Koko Kai Beach Right-of-Way fit in with our General Plan since you say that you don't have anyone assigned to look out for parcels that are available just to buy and make into park merely because they are for sale and are located near the water? As you say, they have to fit into your general scheme of things.

Taketa: Well on this particular project, City Council had asked us to look into the matter, this possibility of acquiring this land for a beach access type of park, a little one about less than an acre. We looked into it, we thought it was feasible and desirable, so we are prepared to acquire this land. Its presently vacant. The surrounding properties are built up and so we feel it will be built up pretty soon if we don't move on it.

Chairman: Mr. Taketa, I assume you don't have a priority listing of acquisition of park land.

Taketa: We have some priorities. We submitted a program to the City Council about three-months ago, a total land acquisition program for parks and recreation for the next three years. We have the priorities for those three years. We

have long-range programs which we haven't placed priorities on.

Chairman: Was the priority reflected in the Administration's proposal, the final draft of the CIP, your acquisition program?

Taketa: In the six-year CIP, yes, there is a program.

Chairman: It has been reflected.

What about the McCully Recreation Center?

Taketa: As the statement by Mr. Way says, we did overlook this project. It was planned to have the first increment of the project this fiscal year but by oversight it was deleted from this seven-year budget. The $100,000 is planned for P&E. It's not required. We would need about $75,000 for P&E. The State appropriation of $850,000 would require 1/2-million dollars by the City.

Chairman: Any other questions? If not, thank you very much Mr. Taketa.

What is your pleasure?

(The matter was deferred to the end of the agenda, on motion by Mr. Chun, seconded by Rev. Connell and carried.)

No action could be taken on this matter today due to the lack of a majority vote. Mrs. Sullam had to leave the meeting, and Mr. Yamabe felt that without an established policy and direction, he could not act on the matter.

The following transpired:

Chun: Mr. Chairman, I move that the Planning Commission totally recommend to the Council that the items and amounts deleted from the Mayor's recommendation be reinstated other than those two items referring to the Sewage Treatment Plant at Sand Island, and that we further recommend the addition in the Capital Improvements Budget of all items added by the Council.

Connell: Second.

Chairman: It has been moved and seconded that the Commission recommend reinstatement of all items deleted with the exception of Sand Island, units 1 and 2, and also including all the additional items added to the Mayor's Budget by the Council.

Discussion?

Chun: Mr. Chairman, my motion is based on the fact that the requirements for preparing and adopting the Capital Improvements Budget is that of the Council. The Council

in its judgment has seen fit to add additional projects and delete some and if, in their judgment, this is the balanced budget, I think, since it is their responsibility, we should concur. I feel there is a further check and balance in that the various expending agencies are under the direct responsibility of the Mayor, and the Mayor in his judgment may withhold expenditure of certain projects.

Chairman: Any further discussion?

Chun: I move for the question.

Chairman: I have already made my position earlier. I just wish to add that inasmuch as we are an advisory body to the Mayor and the Council, I would like to think that my action may be considered as a responsible action, possibly without authority.

All in favor, signify by raising your right hand?

Mr. Director?

Way: May I just discuss a little bit, the Sand Island Treatment Plant facility, possibly this being the only item that Commissioner Chun proposed for deletion. So that the Council will have a firmer grasp on the firm recommendations of the Commission, maybe some discussion for the basis for not including the Treatment Plant and Outfall at this time might be enlightening to the Council, and a guidance to them.

Chun: My reason for approving the deletion made for the Sand Island Sewage Treatment Plant is based on the requirements and the knowledge that this Commission has of the present or future study with respect to various uses of the makai portion of Sand Island with respect to the 140 or 250-acre park to be developed in that area. The exact location of the Sewage Treatment Plant has never been brought to our attention, and that matter is still up for discussion.

Further, the Public Works Department has indicated that it will be close as to whether or not they will meet the construction deadline of the next fiscal year. I believe the project is of significant size and nature that such may be the subject matter of a supplemental appropriation.

Chairman: Any further discussion? All in favor, raise your right hand.

(The motion failed to carry.)

AYES - Chun, Connell, Crane
NAYES - Yamabe
ABSENT - Sullam, Bright, Creighton

Chairman: The Chair will entertain another motion if you care to do so.

(The matter was deferred for a special meeting to be held on Monday, June 14, 1971, at 9:00 a.m., on motion by Mr. Chun, seconded by Rev. Connell and carried.)

PUBLIC HEARING GENERAL PLAN DLUM AMENDMENT KAWAILOA-WAIALUA BETWEEN HALEIWA & WAIMEA BAY CITY & COUNTY DEPT. OF PARKS & RECREATION	A public hearing was held to consider a request for an amendment to the Waialua Detailed Land Use Map to redesignate a 6-acre site from Agriculture to Park use, for land situated at Kawailoa--Waialua--between Haleiwa and Waimea Bay, and identified as Tax Map Keys: 6-1-05: Portion of 14--B. P. Bishop Est.; 6-1-09: Portion of 5--Castle & Cooke; 6-1-10: Portion of 18--Castle & Cooke.

Publication was made May 30, 1971. No letters of protest were received.

The Planning Director's report was reviewed by Mr. Bill Bartlett, Staff Planner. There were no questions from the Commission relative to the report.

Public testimony followed.

No one spoke AGAINST the proposal.

Mr. Ray Benlehr, Manager of Meadow Gold Farms spoke FOR the proposal, and pointed out the following:

1. The park in its present plan will not achieve its purpose because--

   a. The location of the proposed park across the highway or near the highway is hazardous.

   b. The bridge which is proposed for a pedestrian underpass is situated away from most of the beach activity. People who park on the mauka side of the highway do not use it because it is always filled with sludge and sand, especially during winter months.

   Mr. Benlehr suggested--

   a. All efforts should be made to situate the park on the makai side of the highway, even though the staff pointed out that the financial burden to acquire properties on the makai side is great. If it is costly, then Meadow Gold would make more of their land available (on the mauka side of the highway) to at least permit a continuous stretch of park to service both beach areas, rather than to create a single park in an area that is scarcely used by the public. In exchange, they request the use of the site formerly proposed for a golf course.

      Mr. Benlehr pointed out, however, that the portion of land they would be willing to exchange is immediately adjacent to their grazing operation which is a manure disposal area. The waste is pumped in an irrigation spray system which sometimes gives off odor, especially in the winter. He questions the compatability of their grazing operation and park use.

He also pointed out that the golf-course site is marsh land and would be more suited as part of their waste settling area.

b. Parking and comfort stations should be located on the makai side of the highway. Meadow Gold has supplied comfort stations on the mauka side for the public which are not used.

Questioned by the Commission, Mr. Benlehr stated:

1. That running the highway in the mauka direction would be more appropriate.

2. That both beach areas are used year round, continuously during the summer months for fishing and surfing, but especially during the winter for surfing.

The Commission felt that Mr. Benlehr's suggestions had merit, and questioned Mr. Yukio Taketa, representative from the Parks Department:

1. To the suggestion that the park service both beach areas, Mr. Taketa stated that they have a long range plan for two separate park sites. Their reason for acquiring this site first is because of its open beach frontage. The other site is somewhat enclosed due to adjoining homes in the area.

2. The location of park facilities on the beach side of the highway is desirable but they would prefer not to condemn homes on that side for park purposes. They are hopeful for the realignment of Kam Highway by the State.

There was no further discussion.

The public hearing was closed, and the matter was taken under advisement on motion by Mr. Chun, seconded by Mrs. Sullam and carried.

The matter was referred back to the Parks Department for further staff study.

ZONING CHANGE FROM R-6 RES.TO I-3 WATERFRONT & I-2 HEAVY INDUSTRIAL DISTRICTS ANUENUE ISLAND (SAND ISLAND) STATE OF HAWAII DEPT.OF LAND & NATURAL RESOURCES & DEPARTMENT OF TRANSPORTATION	The public hearing held March 19, 1970, was closed and action deferred pending additional study by the Planning Department. The matter was brought back before the Commission on May 12, 1971. Action was again deferred for two weeks. Action on May 26, 1971, was deferred for one week. Action on June 2, 1971, was also deferred. At the May 26, 1971 meeting, the Commission requested the Department of Land and Natural Resources and the Department of Transportation to examine the feasibility of relocating the site of the proposed break-bulk container operation.

The State has examined the matter and has submitted a report of the break-bulk operation plus additional information on the proposed bulk fuel storage, foreign trade zone and transshipment facilities. It is

their conclusion that there is sufficient area outside of the I-3 waterfront zone to accommodate a park of from 140 to 250 acres and a sewage treatment plant of 50 acres.

The Commission discussed the following issues:

1. Whether any progress has been made on the study that was scheduled for development of a long-range master plan for land use, access, utilities for a state park, industrial, waterfront industrial and park access, including roads, water and drainage facilities.

   Very little work has progressed since the $870,000 study appropriation was made by the past legislature.

   Mrs. Sullam felt that the request should be delayed because there is question whether the study and the request would dovetail.

2. Whether there is a Detailed Land Use Map for Sand Island.

   There is no DLUM for the island. The General Plan indicates industrial and park use. The park area designated on the General Plan is ocean.

3. There was question as to the use of vacant areas indicated on the map displayed by the State Department of Land and Natural Resources. These areas will be used for the container yard.

4. Is there general agreement among the State agencies as to the portion to be set aside for park and the proposed sewage treatment plant?

   There is general agreement that a park in the mauka area could extend into industrial use. The location of the proposed sewage treatment plant is questionable.

The following is the Commission's ACTION on this matter:

Chun: I move that we recommend approval of all areas requested for zoning for I-3 excepting the area requested for the fuel storage area, and approximately one-half of the proposed 10-acre break-bulk site.

Chairman: Does that maintain the 600-foot strip setback all the way on the makai side?

Tosh Hosoda: That would.

Connell: I second.

Chairman: It has been moved and seconded that the Commission recommend approval of change in zoning from R-6 Residential to I-3 for the area indicated on the plan submitted by the Department of Land and Natural Resources with the deletion of the portion designated as fuel storage area and approximately one-half of the area designated for the break-bulk site.

All in favor of the motion?

Chun: Mr. Chairman, the basis for the motion is that I think from the testimony we have received from the various parties, including all the proponents of the park and park area, have indicated that there is no great objection to the use of this portion for industrial purposes, the fact being that the container yard is an existing facility and will probably remain a permanent facility for a great length of time in the future; that there is no argument that there is a need for this facility and the accessory uses required of such a facility.

The trade zone is one, I believe, that the legislature has fought for, and the prior administration were instrumental in creating.

I do not believe at this time that there is any conflict of interest in the rezoning of this area for industrial purposes.

The motion was unanimously carried.

AYES - Yamabe, Chun, Sullam, Connell, Crane
NAYES - None
ABSENT - Bright, Creighton

DISCUSSION & RECOMMENDATION PLANNED DEVELOPMENT-HOUSING DISTRICT ZONING CHANGE R-6 RES.TO A-1 APT. WAIPIO KAM.HWY., WAIKALANI DR. & WAIHONU ST. HEADRICK DEVELOPMENT CORPORATION-MELEMANU WOODLANDS (FILE #70/PDH-13)

Per Committee Report No. 622, the Council's committee on Planning and Zoning referred this matter back to the Planning Director for further detailed analysis of the traffic generated by their project, and also proposed additional development of Mililani Town. Such study is to be submitted to the Planning Commission for their consideration and firm recommendation before being referred back to Council.

The following discussion was held--

Chairman: Next on the agenda, Headrick Development Corporation, Melemanu Woodlands. Mr. Director?

Way: Mr. Chairman, this matter has been referred back to the Commission based upon Committee Report 622. We have copies of that report which can be distributed at this time. It's fairly brief, and for your consideration.

In substance, the request seemed to concern itself with some further analysis of traffic. We do have today, a representative from the Traffic Department for discussion or for response to your questions should you have any.

I would comment that in the original consideration of this matter by the Planning Department and by

the Traffic Department, also including the Department of Transportation, the factors raised by the Committee Report were taken into account; specifically the concern for the additional development of Mililani Town, and the corridors and problems of traffic in the Pearl City-Waipahu area. The second point is the detailed analysis of the traffic situation as this project itself might affect the adjoining roadway system. In fact, as I recall, the Commission gave considerable attention to this matter, particularly the access out onto the highway and the receipt of testimony from a number of persons and individuals expressing their views on that subject.

With that, and you do have the Committee Report plus we do have a representative from the Traffic Department here who could discuss further any point that you may be concerned about after reviewing the Committee Report on the traffic generation of the Melemanu Woodlands project.

Chairman: Any questions of the Director?

Way: In the meantime, I might comment on a couple of items further.

First, the potential of fact of the traffic generated by the PUD was included in capacity studies of the Wahiawa and Pearl City corridor. These studies were based fundamentally on the Oahu Transportation study which further indicated that the corridors do have sufficient capacity to satisfy the traffic demands to 1985. The capacity used in the study is also based upon a completed integrated transportation system which would take into account mass transit as well.

Local traffic congestion I think can be experienced along certain corridors if there is urbanization concentrated at any one point, but the total corridor capacity, according to the Department of Traffic, indicates that it is ample. As I mentioned earlier, we did consider the local congestion or traffic problem and it was taken in account in the Traffic Department's recommendation for Melemanu Woodlands.

Part of the Council's concern was generated out of the fact that some major developments have been proposed in the Pearl City-Ewa-Waiawa region. These proposals were before this body as referrals from the Land Use Commission. In testimony prepared that I made before the Land Use Commission, and based on information provided by the Traffic Department, we did observe that the addition of these major urban areas would create significant traffic problems in the Pearl City area. I think it was basically based upon those views that the concerns were raised by the Council. But, I would point

out to the Commission that these are extra, added urban developments, not taken into account in the OTS study. The OTS study and report was related to the 1964 General Plan and the anticipated urbanization as set forth in that Plan. It did not recognize or take into account extensive areas; more specifically in the case of the 3400 acres at Ewa, on the Campbell Estate lands, and the 4500 acres of the Bishop Estate lands. When you add those in, yes, we do have a serious traffic problem in that corridor area. But, our General Plan did envision Mililani Town, and it did envision a degree of urbanization in the Melemanu area; not a PUD I might say, but it did envision total urbanization actually rather substantially in excess of the 500 or 700 units proposed for this one PUD.

Substantially, that presents our explanation and our views and understanding of the Council's concern on this area. However, the matter has been referred back to the Planning Commission for your further consideration.

Jack, do you have anything you'd like to add here more specifically?

Jack Gilliam: As you will note in the Committee Report, that they wanted studies of the Pearl City corridor traffic problem and submit this to the Planning Commission for their consideration and firm recommendation on this matter.

One of the discussions at the committee which is not completely reflected in the Committee Report being the firm recommendation with one of the conditions or modifications in the Commission's recommendation to Council - if you remember, your recommendation was to permit 300 units with the addition of 200 additional units with the completion of H-2, and then a third statement saying that if you agree with items one and two, send back a revised site plan for us to look at. They were in somewhat of a feeling that this wasn't a firm recommendation as to making a recommendation on the specific proposal where you are asking for something to be returned, that something hasn't been completed and you were leaving it up to the Council to make some decision rather than being caught with a recommendation of sending something back. There was some discussion along those lines which they did not feel this was a complete, firm recommendation.

Chairman: I think there must have been some misunderstanding. That wasn't my understanding as far as the motion was concerned.

Let me just give you my understanding. The maker of the motion might correct me. I thought the

recommendation was that we would allow 300 units. Then, for them to proceed any further than 300 or the next 200, they would have to come back to us with the new plan - primarily involving the traffic problem.

Phil?

Chun: No. I believe the recommendation was made based on the Traffic Department's report that the existing highway could handle 300 units. That upon improvements being made with respect to the turnaround further up the highway, that that would then be able to carry the 500 units. The recommendation was thus made that at the present time he be permitted to construct 300 units. Upon completion of improvements, he be allowed to extend to 500 units. However, we did want to review the site plan inasmuch as if the project were to be redesigned for a 500 unit capacity, those plans were not presently available to either the Planning Department or the Planning Commission for review.

Chairman: That's essentially what I had in mind. You're not asking for these plans to be submitted if they agree. I assume it was recommended granting 300. It's not contingent upon resubmittal of the plan.

Chun: I believe, Mr. Chairman, with all PUD projects, the Planning Department and the Planning Director must approve the site plan, architecturally as well as with respect to the planning aspects. I thought it would only be fair that should the project proceed on a 300 or 500 unit basis, that those site plans also be shown to the Planning Commission for its review.

Chairman: Commissioner Chun, do you agree that the statement made by Mr. Gilliam is not exactly the way the motion was made?

Chun: No. That's what I said.

Gilliam: He repeated what I said.

Sullam: Was it a matter of changing the plans or was it a matter of not building the multi-story building going into the townhouses and delaying the highrise?

Chun: We don't know.

Gilliam: We wouldn't know if the Council approves 500 units, what they would approve. I think this is the situation they were faced with. They had two different recommendations, one from the department and one from the Commission. Our recommendation was for approval of the 698 units.

Chairman: I wonder, Mr. Director, if we might handle this to eliminate the confusion. We're approving this 300 unit anyway. This matter of bringing the plans back, they're going to come in for the additional 200 units. The normal process is for them to come back with the plans on a PUD application.

Way: Mr. Chairman, I think really what you're saying is a 500-unit project but with the conditions that they only proceed on 300 now and 200 later providing that certain highway improvements could be made. So on an overall basis, my understanding is that you were recommending a 500-unit project in the valley, rather than a 700-unit project.

The other thing is that once having done this, you were so advising the Council, you felt that you needed to see a copy of what the 500-unit plan would look like before - and make available to the Council any recommendations on the details of the site plan, and the arrangement of architectural elements, because the only one you had before you at that time was a 700-unit plan. In other words, you were offering to the Council further assistance should they decide to agree with you that 500 units would be the maximum in that area. That's the way I understood it.

Chairman: Well, I don't think the Commission limited it to 500 units. Didn't you go further, Phil?

Chun: No. A question of the Director. Mr. Director, isn't it a normal policy that the site plans be included as a part of the ordinance?

Way: Yes, that's correct. So there would need to be a revision if the Council adopted the 500-unit plan. You were simply saying we want to have another look at it and we may have some more input to help Council in its final deliberations on this matter.

Chairman: Well, the question was recognizing this as the procedure - whether it might not be redundant for us to point out the fact that they should come back to us with a plan.

Way: Well, they may not have to in a strict sense. The Council, for example, could adopt a 500-unit plan and you may not ever see it again.

Chairman: Well that's in any case no matter what we do. But, just to eliminate the confusion, if it were redundant for us to point out that, then I say let's eliminate it. Make it clear. I don't know whether its necessary. I think this is where some of the misunderstanding may have taken place.

Chun: I think that perhaps the confusion has been in this respect that the Planning Department has attempted

to expedite many planned unit developments when they have reached a crossroad with the applicant, and have brought these plans even though they may not fully agree, before the Commission. As such, if there is nothing before the Commission, there would be nothing to act upon. By bringing the plans before the Commission at an earlier stage, at least we have an opportunity to indicate to Council, the recommendations of the Planning Commission.

It was that, Mr. Chairman, or a complete denial of the plan as such.

Chairman: Is there anyone here from the Traffic Department?

James Dwight: I'm James Dwight from the Traffic Department. Any questions that I can help you with?

Chairman: Was the communication transmitted to the Traffic Department, the request from the Council to make a further study? Would you like to touch upon the resolution submitted by the Council to the Planning Department?

Dwight: Well actually, I think the Council is concerned with the corridor between Wahiawa to Pearl City. We feel that, with the help of the OTS study, there is sufficient capability for these corridors to handle all traffic that has been anticipated in the 1964 General Plan. If for instance, the urbanization goes beyond the general plan, then we do feel there will be some congestion. Right now, we feel that the traffic can be handled through these corridors. The only possible congestion that they could probably have would be local congestion if everything were concentrated all in one point, all of the urbanization, let's say.

Chun: I wonder whether or not your traffic studies included the various amendments made since the adoption of the 1964 General Plan on the entire area between Waiau and Wahiawa?

Dwight: It's my opinion that they are pretty much following the general plan. Specifically which one are you speaking about?

Chun: Robinson Estate, Bishop Estate, Campbell Estate--

Dwight: You mean the ones above Kunia Road and those would probably add more traffic to the corridor than anticipated.

Chun: Would the corridor still be sufficient?

Dwight: We would be pressing.

Chairman: Pressing with which development, the Robinson?

Dwight: No. I do believe it could handle the Robinson development. There are areas of capacity. It just gets a little more congested but not to the point where you're going to end up being completely stopped or end up in a stop-and-go situation.

Crane: Mr. Chairman, I wasn't here when the corridors were put up but I want to clarify this, our contingent that the traffic corridor from the Wahiawa-Waipio-Pearl City area is presently sufficient? Is this what we're saying?

Dwight: Let me expand on that a little. This corridor and these projections and these capacities are based upon a completed transportation system. Right now we're in a state of a partially incomplete system. In other words, H-1 is incomplete. At the completion of H-1 and all the other facilities, we do feel that this corridor will be sufficient to carry the traffic anticipated or is supposed to be generated from the areas that are shown on the general plan today.

Chairman: Any further questions? I take it that the traffic problem as it was presented by your department at our last hearing was primarily the ingress and egress?

Dwight: Right. What we were discussing basically was the local traffic congestion rather than the overall traffic problem because we felt that the overall system could handle it in its final analysis.

Chun: Mr. Dwight, is your report still the same?

Dwight: Yes it is.

Chairman: Any further questions? If not, thank you very much Mr. Dwight.

The Chair will now entertain a motion.

Chun: Mr. Chairman, I just wonder if this-- I've got another question on that basis.

Mr. Director, I notice that beside being referred back to the Planning Commission, it was also referred back to the Planning Director. Has the Planning Director a new recommendation or additional information to be placed before the Commission?

Way: On both counts, no. Our recommendation stands. In our judgment what the Traffic Department has done so far following this referral is simply reaffirmed their original position. Therefore, we see no reason to change our position.

Chairman: I take it, Mr. Director, that we did have all of the information on hand as far as whatever questions raised by the Council.

Way: Yes. I believe that to be quite correct.

Chairman: What is your pleasure?

Chun: Mr. Chairman, I move the Planning Commission reaffirm its action taken at the prior meeting on this matter.

Connell: Seconded.

Chairman: It's been moved and seconded that the Commission reaffirm the position taken earlier, and transmit-- With it I think we should transmit the discussion that has taken place to the Council, if there's no objection.

Sullam: I just want to make it clear in my mind. In other words, we are again recommending 500 units, and we are recommending that the planned unit development be designed in accordance with 500 units rather than 700--

Chairman: Upon certain happenings.

Sullam: It would be expected to come back to us for review.

Way: You've asked that.

Chairman: Any further discussion? If not, all in favor?

(The motion was unanimously carried.)

AYES - Yamabe, Chun, Sullam, Connell, Crane
NAYES - None
ABSENT - Bright, Creighton

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On motion by Mrs. Sullam, seconded by Rev. Connell and carried, the Commission authorized the Planning Director to establish the public hearing dates to consider the following items:

GENERAL PLAN/
DLUM AMENDMENT
HAWAII KAI
DEPT. OF PARKS
& RECREATION
(FILE #125/C2/22)

1. The request is an amendment to the General Plan and Detailed Land Use Map for Hawaii Kai to redesignate land from Residential to Park use.

GENERAL PLAN/
DLUM AMENDMENT
KAILUA, LANIKAI,
MAUNAWILI, &
WAIMANALO
MOUNT OLOMANA AREA
HAWN. PACIFIC INDUS-
TRIES, INC.
(FILE #61/C1/24)

2. The request is to change the General Plan and the Detailed Land Use Map for Kailua, Lanikai, Maunawili, and Waimanalo from Agriculture, City and County Corporation Yard, and Open Space to Residential.

ADJOURNMENT: The meeting adjourned at 5:05 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

Special Meeting of the Planning Commission
Minutes
June 14, 1971

The Planning Commission met in a special session on Monday, June 14, 1971, at 9:00 a.m. in the Conference Room of the Planning Department, with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Rev. Eugene Connell
James D. Crane
Roy R. Bright
Thomas H. Creighton

STAFF PRESENT:
Robert R. Way, Planning Director
William Wanket, Assistant Planning Director, Implementation Division
Harris Murabayashi, Staff CIP Analyst

ABSENT:
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 1972 (COUNCIL'S BUDGET STUDY REPORT)

At the June 9, 1971 meeting, this matter had to be deferred for the lack of a majority vote.

The Chairman again reiterated his position made at the last meeting that policy guidelines should be established.

Mr. Chun stated that he would again make his same motion made at the last meeting for the following reasons:

Because construction funds for the Sand Island Sewage Treatment Plant and Outfall are quite substantial (14 million dollars), this item could be deleted and treated as a supplementary, and still retain its project priority as a supplementary item.

Many of the projects added by the City Council are park projects which have merit, but whether they will actually be undertaken within the next fiscal year is an area where the department would have some leeway as far as preparation of plans, contracts, etc. Also, there are projects that are either added or deleted at the end of the fiscal year.

MOTION: Mr. Chun moved, seconded by Mr. Bright, that the Commission recommend to the Council that the items and amounts deleted from the Mayor's recommendation be reinstated, other than the Sand Island Sewage Treatment Plant and Outfall, plus the addition of all items added by the Council.

The motion failed to carry.

AYES - Chun, Bright, Crane
NAYES - Yamabe, Connell
ABSENT - Sullam, Creighton

Discussion followed.

The Commission recognized the importance of including the Sand Island Sewage Treatment Plant and Outfall project in the CIP, and that projects of lesser priority should be deleted. However, there was question as to completion of planning and engineering studies in the Public Works Department by the end of the fiscal year, otherwise a deficit of 14 million dollars could result.

It was pointed out that if the Sand Island projects/are recommended by the Council to be included, then an item by item review would have to be undertaken for which the Commission felt there would be insufficient time. In this case, the Commission felt that it should endorse its recommendation made on the original CIP.

ACTION: On motion by Mr. Chun, seconded by Mr. Bright and carried, the Commission recommended to the Council that due to the lack of time, the recommendations made by the Council could not be considered, and therefore the Commission has no other recommendation other than that which was submitted with the original CIP.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Crane
NAYES - None
ABSENT - Creighton

ADJOURNMENT: The meeting adjourned at 10:10 a.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

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Special Meeting of the Planning Commission
Minutes
June 16, 1971

The Planning Commission held a special meeting on Wednesday, June 16, 1971, at 2:21 p.m., in the Conference Room of the City Hall Annex with Acting Chairman, Thomas N. Yamabe II, presiding:

PRESENT:	Thomas N. Yamabe II, Acting Chairman Philip T. Chun Fredda Sullam Roy R. Bright Rev. Eugene Connell Thomas H. Creighton Richard K. Sharpless, ex-officio James K. Sakai, ex-officio
STAFF PRESENT:	Robert R. Way, Planning Director Andrew Sato, Deputy Corporation Counsel Robert Rider, Branch Head, General Plan Melvin Murakami, Staff Planner
ABSENT:	James D. Crane
PUBLIC HEARING GENERAL PLAN DLUM AMENDMENT MAKAHA MAUKA-WAIANAE CORNER OF FARRINGTON HIGHWAY & MAKAHA VALLEY ROAD HERBERT Y.C. CHOY (FILE #142/C4/29)	A public hearing was held to consider a request for an amendment to the General Plan and the Makaha Detailed Land Use Map to change the land use designation from Residential Use to Commercial Use for land situated at Makaha--mauka-Waianae corner of Farrington Highway and Makaha Valley Road, and identified as Tax Map Key: 8-5-18: 18. Publication was made June 6, 1971. No letters of protest were received.

Dr. Robert Rider reviewed the Director's report recommending a denial of the applicant's proposal to construct a Shell Oil Company service station on the site, based upon the following conclusions:

1. The proper focus of the General Plan is on the provision of adequate commercial area in appropriate locations to meet the needs of residents. There is no evidence that the area designated for commercial use in Makaha is inadequate.

2. There is no clear evidence that the market at Makaha is sufficient at this point in time to require an additional service station.

3. Even if there did exist evidence that an additional service station may be supported by the present market, this is an insufficient basis for amending the General Plan with respect to commercial policy stated for this area. Such policy has not been shown to be inadequate.

4. The fact that the proposed site is a desirable location for a service station is an inadequate basis for amending the General Plan. There may be many other desirable sites and there is no evidence that the proposed site is so superior to either existing or proposed commercial areas to warrant a change in policy.

5. The objectives for clustering commercial services in order to inhibit or prevent strip development mean that specific facilities must be located according to the guidelines set forth by the plan even though there may be the possibility that, at times, some locational advantages must be foregone. The benefits attained from following the policies set forth in the plan far outweigh the loss of such locational advantages.

There were no questions from the Commission concerning the report.

Public testimony followed.

No one spoke FOR the proposal.

Testimony AGAINST the proposal--

1. Mr. Raphael Christ, Chairman of the Waianae District Neighborhood Planning Committee (represented by Mrs. Marie B. Klausmeyer, written statement dated June 16, 1971 was submitted)
2. Mrs. Betty Chapman, Waianae District Neighborhood Assistant
3. Mr. Henry Peters, Model Cities Community Advocate (represented by Mrs. Beverly Chapman)

OBJECTIONS--

1. This will constitute spot zoning, and open the door to commercial strip development along Farrington Highway over which traffic problems already exist.

2. There are adequate commercial areas in Makaha to meet the needs of the community.

3. Recommend that commercial development be between Makaha Valley Road and Orange Street in a mauka direction of Farrington Highway.

4. The Waianae Coast already has 18 gas stations along a 7-mile span of Farrington Highway, the first station being situated in Nanakuli, and the last in Makaha. Motorists from Honolulu would pass 16 service stations on route to the proposed station.

   Waianae Coast residents, with the professional assistance of the Resident Research and Planning Center staff are currently working on a development and planning concept which suggests satellite commercial clustered development in the mauka areas except for Waianae which already has a heavily built-up commercial area.

No discussion followed.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Rev. Connell and carried.

ACTION: On motion by Mr. Bright, seconded by Mrs. Sullam and carried, the Commission concurred with the Director's report recommending denial of the request for the reasons stated.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

PUBLIC HEARING
GENERAL PLAN
DLUM AMENDMENT
KANEOHE-KUALOA
KAHUKU SIDE OF
WAIHEE RD.BET.
AHILAMA RD.& KAM.
HIGHWAY
C&C BLDG.DEPT. &
HON.FIRE DEPT.
OWNERSHIP: DR.& MRS.
PHILIP CHOCK
(FILE #33/C2/25)

The public hearing held May 19, 1971, was kept open and action deferred at the request of the Building Department.

Public testimony was heard.

Testimony AGAINST the proposal

1. Mr. Bob Hampton, Attorney, representing Mr. Robert H. Gutcher, Vendee on an Agreement of Sale between Dr. Philip Chock and Mr. Gutcher
2. Mr. Leighton Louis, Attorney for Dr. and Mrs. Philip Chock

OBJECTIONS:

1. Site location--

   a. The site should be located in an area that would not create a nuisance to residential neighborhoods. It was the analysis of the staff at the time of application that the site would serve that purpose because it is zoned agriculture. Mr. Hampton contended that the property is R-6 and R-3 Residential, and that the property owners will develop it as such.

   b. The State Department of Education in its letter to the Planning Department (dated Feb. 5, 1971) states: "...A fire station located across a narrow street from an elementary school ground, especially in time of emergency, may detract from the efficient operation of the school...." This could create a very hazardous condition of mass confusion, to children and people using the school.

2. Two alternate sites suggested took into account adequate accesses, and location away from Waihee School; one at the Kam Highway-Waihee Street interesection which is zoned industrial, and another site from Kam Highway towards Waihee School, approximately 300 or 400 yards before the ascent uphill which is also zoned industrial and relatively flat unlike the proposed site which is situated on high ground.

Testimony FOR the proposal

Mr. Boniface Aiu, the Deputy Fire Chief, was questioned by the Commission:

1. What is the service area for the proposed station?

This station will service the Kahaluu, Kaalaea, and Ahuimanu areas now being covered by stations at Kaneohe and Kaaawa, a distance of 14 miles. The proposed station will break this 14-mile span; between Kaneohe and Kahaluu by approximately 6 miles, and from Kahaluu to Kaaawa, by approximately 8 miles.

2. Would the location of their station off a main highway be more appropriate?

   They do not like to locate right off a main highway. Near the subject site, a new highway is proposed. With one highway mauka, and another highway makai, they can provide service between both highways, and effect a better approach to calls within the vicinity.

3. In their examination of alternative sites, what is their basic objection to locating elsewhere other than the proposed site?

   a. The proposed location is pretty centralized between the Kaneohe and the Kaaawa Fire stations.

   b. They were advised by the Building Department that the steep land contour of the other sites would be too costly to develop.

4. Mr. Aiu gave their reasons for selecting this particular site:

   a. The already constructed improvements as well as the improvements to be constructed in the future as shown on the General Plan, would fall within the optimum service radius for this site.

   b. The site is near facilities with the greatest fire protection needs such as the commercial and industrial areas, schools, hotels, and apartments.

   c. This site is located in the high area and consequently, most fire responses will be made on a downhill approach rather than uphill.

   d. The site is vacant and available. The adjoining agricultural land will serve as a buffer zone.

5. Regarding the comment made about locating near schools, Mr. Aiu stated that they are very much concerned about schools. The Kalihi-Uka, Wylie, Waialua, and Kailua Fire Stations are immediately adjacent to schools. They add to the surveillance of the school grounds against vandalism (and to parks as well), and for this reason they try to locate near public facilities. They are surprised at the DOE's comment because the DOE has taken a stand in their support of locating near school facilities.

There was no further discussion. The public hearing was closed, and the matter was taken under advisement on motion by Mrs. Sullam, seconded by Mr. Creighton.

The Commission discussed the following points:

1. Whether consideration of all alternative sites have been exhausted?

The Director stated that all reasonable alternatives which meet the criteria set up by the Fire Department in this general location have been met. Other available sites in the area could be unnecessarily costly to develop due to lot topography. This site does represent a reasonable solution.

2. Is cost alone the main reason for obtaining this particular parcel?

   The Director replied negatively, and explained that in acquiring approximately 20,000 sq. ft. of land in this vicinity, there is possibility of obtaining more parcels of land upon which homes are already constructed in which case cost does become a factor.

The Commission requested further information from the Building and Fire Departments regarding--

1. Consideration of cost and severance damages relative to acquiring the five sites identified as alternatives.

2. Examination of other possible alternative sites in the general vicinity.

MOTION: Mr. Bright moved for the denial of this request inasmuch as there are other alternative sites available, and the property owner does not wish to relinquish his property. Mr. Creighton seconded the motion.

It was pointed out that in view of the Commission's request for additional information from the Building and Fire Departments, the time element involved to acquire this information could exceed the transmittal period to the City Council, in which case an incomplete transmittal from the Commission to the City Council would result.

Mr. Bright withdrew his motion, and Mr. Creighton his second.

MOTION: On motion by Mr. Bright, seconded by Rev. Connell and carried, the Commission deferred action on this matter for a period of two weeks, for further information from the Building and Fire Departments, as requested.

CONDITIONAL USE PERMIT (HOSPITAL FOR THE TREATMENT OF ALCOHOLICS) PACIFIC HGTS. 3180 PACIFIC HGTS.RD. TMK: 2-2-32: 7 RALEIGH HILLS HOSPITAL, INC. (FILE #70/CUP-5)	The public hearing was held and closed on April 21, 1971, and action was deferred for one week. Subsequently, on April 28, 1971, the applicant requested and was granted a 30-day deferral. On May 26, 1971, the Planning Commission granted the applicant a final extension until June 16, 1971. The Director reported the receipt of a resolution in support of the proposal which was adopted by the Hawaii Council on Alcoholism and Drug Dependence on June 15, 1971. The resolution was received and placed on file.

In a letter to the Commission, dated June 8, 1971, Mr. Omori, Attorney for the applicant, requested that the proposal be judged on its merits and not on the emotional and political issues surrounding the application.

No discussion followed.

ACTION: On motion by Mr. Chun, seconded by Mrs. Sullam and carried, the Commission concurred with the recommendation of the Director that this request be denied.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

IMPROVEMENT REVOLVING FUND DEPT. OF PUBLIC WORKS

The Planning Director's Report on Draft Resolution Transferring $30,000 from the Improvement Revolving Fund to the Department of Public Works for Settlement of Parcel 19, Honolulu Watershed Forest Reserve Area (Western Section) for the Likelike Highway project, was submitted to the Commission for review and recommendation.

The report was circulated prior to the meeting.

No discussion followed.

ACTION: Mr. Chun moved, seconded by Mr. Bright and carried, that the Commission recommend approval of the proposal for the purpose stated.

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

ADJOURNMENT: The meeting adjourned at 3:40 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

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Meeting of the Planning Commission
Minutes
June 23, 1971

The Planning Commission met in regular session on Wednesday, June 23, 1971, at 2:10 p.m. in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Roy R. Bright
Philip T. Chun
Rev. Eugene Connell
James D. Crane
Thomas Creighton

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
William Bartlett, Staff Planner
Tosh Hosoda, Staff Planner

ABSENT:
Fredda Sullam
James K. Sakai, ex-officio
Richard K. Sharpless, ex-officio

MINUTES:
A motion was made by Mr. Chun, seconded by Rev. Connell, and carried, to defer approval of the minutes of May 12, 1971, since copies of the minutes have not been circulated.

PUBLIC HEARING
GENERAL PLAN
DETAILED LAND USE
MAP (AMENDMENT)
HAWAII KAI
KOKO HEAD SIDE OF
THE INTERSECTION
OF ANAPALAU STREET
AND KAUMAKANI
STREET
DEPARTMENT OF
PARKS AND
RECREATION
(125/C2/22)

A public hearing was held to consider, under the provisions of Section 5-515(2) of the Charter of the City and County of Honolulu, an amendment to the General Plan Detailed Land Use Map for Hawaii Kai by redesignating a 6,600-square foot parcel of land from Residential to Park use and identified as Tax Map Key 3-9-45: 12. The parcel is located on the Koko Head side of the intersection of Anapalau Street and Kaumakani Street in Hawaii Kai.

The public hearing notice was published in the Sunday Star-Bulletin and Advertiser of June 13, 1971. Copies of the hearing notice were sent to the applicable governmental agencies and to interested community organizations. No letters of protest have been received.

Mr. William Bartlett, staff planner, reviewed the Director's report. In general, the proposal is to provide an additional access to the proposed district park from within the Hawaii Kai Subdivision to accommodate the Hawaii Kai residents.

Speaking in opposition to the proposal was Mr. Vincent Sam-Wing Yueng of 422 Kaumakani Street, present lessee of the subject parcel. He stated that he purchased the home in August, 1970, and was not informed of the Department of Parks and Recreation's proposal. If the request is approved, he would like to be compensated for the fair market value of his home and for moving expenses.

Legal Counsel Sato confirmed that just compensation will be made.

Speaking in favor of the proposal was Mr. DeLos Seeley of the Department of Parks and Recreation. The following points were made:

1. The staff's presentation clearly indicates that the redesignation of 6,600 square feet of land from Residential to Park use is considered the best alternative to provide an additional access to the proposed Koko Head District Park for the Hawaii Kai residents.

2. The original plans were to develop an 30-acre park within the Hawaii-Kai Subdivision; however, this site was lost to the Department of Education which could not find a suitable site to develop a high school in this area. As a result, this new site within the Koko Head Regional Park is to be utilized as a district park, thereby necessitating the need for an additional access to the proposed park. Presently the only access to the proposed park is off Kalanianaole Highway which denies direct access to the residents of Hawaii Kai Subdivision who must use Kalanianaole Highway.

3. Funds have been encumbered for the first increment of the proposed park; however, this does not include the roadway passing over the subject property. The second increment is programmed in Fiscal Year 1971-1972 CIP; therefore, there is sufficient time to settle the details with the property owner.

4. The Department of Parks and Recreation hopes to retain the Kalanianaole Highway entrance leading into the Job Corps Center and into the proposed park area, but they are aware that the intersection is located on a knoll and a redesign of the entrance will have to be made. They will work with the State Highway Department and the City's Department of Traffic for a better design.

5. Under the City's policy, they are prepared to provide all the relocation assistance possible to the property owner involved. Every consideration will be extended by the Department of Parks and Recreation to the property owner.

In response to questions from the Commission, Mr. Seeley responded as follows:

1. It is felt that the access off Kalanianaole Highway and the proposed access will be adequate.

2. No parking will be allowed on the roadway. An adequate roadway with sidewalks and plantings could be provided. The adjacent two properties will be adequately screened.

3. The master plan for the first increment provides adequate parking within the park area. As the need arises,more parking areas will be provided. Many of the residents in the vicinity will not be driving their cars to the proposed park.

4. There will be some additional traffic through Anapalau Street; however, the traffic on Kalanianaole Highway will not be as detrimental once Kalanianaole Highway is realigned across Kuapa Pond bypassing the section around Koko Head Crater. The present Kalanianaole Highway through the Koko Head area will then become a scenic route.

   This realignment is a State Highway project. Although he does not know the timetable for this realignment, sections have already been completed and the planning is underway with the right-of-way determined.

5. Acquisition of the subject parcel is essential to serve as an additional access to the park since the park will be utilized by a large number of people. Only one access to serve the proposed park is considered undesirable.

In response to a question as to whether a study was conducted to determine what portions of the 1,000-acre park site could be utilized for park purposes, Mr. Seeley gave a negative reply. However, he stated that areas of suitable topography will be developed for park purposes in the future.

Mr. Yamabe suggested that it might be desirable to separate park use from preservation use within the 1,000-acre park site.

The public hearing was closed and the matter taken under advisement upon the motion by Rev. Connell, seconded by Mr. Chun, and carried.

MOTION: Mr. Bright moved that the proposal be denied until all avenues have been explored to determine whether there are other alternatives of providing access to the proposed district park. The motion died for lack of a second.

MOTION: A motion to recommend approval of the amendment request was made by Mr. Chun and seconded by Rev. Connell.

AMENDMENT TO THE MOTION: Mr. Creighton moved that approval of the amendment request be accompanied with a strong recommendation of the Department of Parks and Recreation that it prepare a more detailed master plan of the entire designated park area indicating proposed future uses and means of access.

At the request of Mr. Chun, Mr. Creighton withdrew his motion for incorporation into one motion.

ACTION: With respect to his motion for approval, Mr. Chun also recommended that in the correspondence to the City Council, the recommendations of other additional information which have been presented today be included, such as that made by Mr. Creighton as to a general master plan of the entire park site which would include proposed additional accesses so that the accessibility of this regional park will be made easier for all the proposed and possible uses, taking into further consideration the future construction of the Trans-Marina Highway directly into the mauka portions of the park.

Mr. Chun further recommended that the Department of Parks and Recreation and the Department of Traffic give considerable thought to better access off Kalanianaole Highway.

AYES: Chun, Connell, Yamabe, Crane, Creighton
NAYS: Bright
ABSENT: Sullam

MISCELLANEOUS
KUKUI PROJECT URBAN RENEWAL PLAN (AMENDMENT)
HONOLULU REDEVELOPMENT AGENCY

In accordance with the Urban Renewal Law, Chapter 53, Hawaii Revised Statutes, as amended, the Honolulu Redevelopment Agency has submitted to the Planning Commission a revised redevelopment plan for the Kukui Project for study and approval.

The proposed amendments to the Kukui Project Plan include revisions to land use density, height, and spacing. They bring the Urban Renewal Plan requirements of Blocks E, F, G, H and J in conformance with the regulations of the F-4 Central Business District contained in the Comprehensive Zoning Code.

The Planning Director recommended approval of the proposal since it conforms to the General Plan, zoning map, and the provisions of the Comprehensive Zoning Code.

Mr. Willard Lee of the Honolulu Redevelopment Agency briefly summarized the proposal as follows:

1. The Kukui Project, encompassing 75 acres, is an L-shaped area bounded by Beretania Street, King Street, Liliha Street, Vineyard Boulevard, College Walk, Kukui Street, and Queen Emma Street. The amendments pertain to those portions ewa of Nuuanu Stream which is bounded by Nuuanu Stream, Kukui Street, Liliha Street, and Beretania Street.

2. This Urban Renewal Plan was initiated by the City Administration as part of the housing program.

3. The Plan must be approved by the Planning Commission and the City Council. Any major changes to the Plan must also be approved by the Planning Commission and the City Council.

4. The proposed amendments to the Urban Renewal Plan involve revisions to land use density, height, and spacing requirements to conform to the requirements of the Comprehensive Zoning Code, rather than to the Federal Urban Renewal regulations.

   The requirements under the Urban Renewal Plan and the Comprehensive Zoning Code differ; the Urban Renewal Plan would permit a higher density in the area of housing units and does not cover such areas as setbacks for commercial uses in this area.

After a brief discussion, Mr. Yamabe inquired whether it would be possible to defer this matter for one week for staff to make a comparison of the regulations in the Urban Renewal Plan and the Comprehensive Zoning Code, to which Messrs. Way and Lee responded in the affirmative.

ACTION: Upon the motion by Mr. Chun, seconded by Mr. Bright, and carried, the Commission deferred action for one week.

AYES: Chun, Bright, Connell, Crane, Creighton, Yamabe
NAYS: None
ABSENT: Sullam

DISCUSSION AND RECOMMENDATION RESOLUTIONS 167 AND 168 AMENDMENTS TO THE GENERAL PLAN FOR LANDS MAKAI OF FARRINGTON HIGHWAY

By Resolutions 167 and 168, the City Council has requested that the Planning Commission and the Planning Director review within 30 days amendments being proposed to the General Plan for lands makai of Farrington Highway.

One of these amendments involves the area in the vicinity of the Makaha Surfside Development Company's property. The second proposed amendment involves all potential park sites makai of Farrington Highway now designated on the General Plan for other uses. In addition, Committee Report 624 requests the Planning Director to submit a report identifying parcels in these areas in order that the Council may schedule a program and timetable for acquisition of lands for park use.

The Director stated that the required analyses to support an amendment to the General Plan cannot be developed within a 30-day period. It is estimated that a recommended program, including the appropriate amendments to the General Plan, will take 12 to 18 months.

Summary tabulations showing the distribution of zoning districts and the Detailed Land Use Map land use distribution on the Waianae Coast from Kaena Point to Nanakuli, makai of Farrington Highway, were distributed to the Commission. A Detailed Land Use Map and zoning map of the areas under consideration were displayed on the wall which were reviewed by Mr. Tosh Hosoda, staff planner.

The Director indicated that there are about two applications for land use changes in this area although the applicants are not pressing their cases pending resolution of the Waianae General Plan.

Mr. Yamabe expressed an opinion that the purpose of the study will not be accomplished if applications are acted on. In this respect, the Director indicated that perhaps applications could be denied and the applications sent directly to Council.

Legal Counsel Sato expressed an opinion that the deferring of action on applications is not possible and that he concurred with the recommendation of the Planning Director to deny applications and refer the applications to Council on a case-by-case basis.

The Director believed that another avenue of approach would be to advise Council that as a matter of policy or direction, no further requests for zoning changes will be entertained until completion of the appropriate analyses -- the effect would be to declare a moratorium on zoning applications in the area.

It was suggested that the Director discuss the matter with Council indicating that the Planning Commission is concerned about possible actions that might have to be taken as a result of Resolutions 167 and 168. The Director inquired whether the Commission wished to make this a specific recommendation.

In an inquiry as to whether applications not affected by the General Plan problems could be processed, the Director responded that he was not certain since there is a question even on building permits. As an example, if an owner of a lot designated R-6 Residential District wanted to construct a building meeting all the requirements, he would still be obliged to take the matter to Council for resolution as if the lot was redesignated for public use in light of the subject resolutions.

To be more specific, Mr. Chun indicated that in areas such as Waianae Town, where someone might have an unzoned lot within a commercial area, there would be no reason for deferring zoning for that type of situation merely because there is contemplated a General Plan change in the future.

The Director agreed unless Council accepts the moratorium as a concept which, based on past actions, Corporation Counsel has indicated is a valid way to proceed particularly if some action such as the examination of the problem by appropriate City bodies is underway. Legal Counsel Sato concurred with the Director.

ACTION: Upon the motion by Mr. Chun, seconded by Rev. Connell, and carried, the Commission deferred action for one week.

AYES: Chun, Connell, Bright, Crane, Creighton, Yamabe
NAYS: None
ABSENT: Sullam

Upon a motion by Mr. Chun, seconded by Mr. Bright, and carried, the Commission authorized the Planning Director to establish a public hearing date for consideration of the following matter:

GENERAL PLAN (AMENDMENT) DIAMOND HEAD-WAIKIKI CORNER OF KANAINA AVENUE AND MONSARRAT AVENUE, ADJACENT TO WAIKIKI ELEMENTARY SCHOOL COMMERCIAL USE THOMAS A. SOFOS	Amendment to the General Plan by redesignating a 21,182-square foot parcel of land from School use and Residential use to Commercial use located on the Diamond Head-Waikiki corner of Kanaina Avenue and Monsarrat Avenue, adjacent to Waikiki Elementary School, and identified as Tax Map Key 3-1-25: portion of 6.

ADJOURNMENT: The meeting was adjourned at 3:45 p.m.

Respectfully submitted,

Mitzie M. Abbott

Mitzie M. Abbott
Hearings Reporter

Special Meeting of the Planning Commission
Minutes
June 30, 1971

The Planning Commission held a special meeting on Wednesday, June 30, 1971, at 2:05 p.m., in the Conference Room of the City Hall Annex with Acting Chairman Thomas N. Yamabe II presiding:

PRESENT:
Thomas N. Yamabe II, Acting Chairman
Philip T. Chun
Fredda Sullam
Roy R. Bright
Rev. Eugene Connell
Thomas H. Creighton

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Rolf Preuss, Staff Planner

ABSENT:
James D. Crane
Richard K. Sharpless, ex-officio
James K. Sakai, ex-officio

MINUTES:
The minutes of May 12, 1971 were approved on motion by Rev. Connell, seconded by Mr. Chun and carried.

GENERAL PLAN
DLUM AMENDMENT
KANEOHE-KUALOA
KAHUKU SIDE OF
WAIHEE RD.BET.
AHILAMA RD.& KAM.
HIGHWAY
C&C BLDG.DEPT. &
HON.FIRE DEPT.
OWNERSHIP: DR.& MRS.
PHILIP CHOCK
(FILE #33/C2/25)

Public hearings were held on May 19 and June 16, 1971. On June 16, 1971, the public hearing was closed and action deferred for two weeks, pending a report from the Building and Fire Departments with regard to consideration of cost and severance damages relative to acquisition of five alternative sites. Additionally, it was requested that other possible alternative sites be examined.

The Director reported that the Building and Fire Departments have requested an additional three weeks to complete their study of issues raised by the Commission at the last meeting.

This matter was deferred for a period of three weeks, as requested.

MISCELLANEOUS
KUKUI PROJECT URBAN
RENEWAL PLAN
(AMENDMENT)
HONOLULU REDEVELOP-
MENT AGENCY

Action at the June 23, 1971 meeting was deferred for one week for further study of the plan with respect to the Comprehensive Zoning Code regulations.

The Director reported that the Urban Renewal agency has prepared and submitted to the commissioners, a report on the comparison between the Regulation of the Kukui Urban Renewal Plan and the Comprehensive Zoning Code.

Mr. Willard Lee of the Honolulu Redevelopment Agency explained that in their report, they cited a two-acre parcel for comparison purposes as to lot size, bulk and number of units, between the Urban Renewal Plan and the Comprehensive Zoning Code, for the reason that two acres is the minimum lot size on which a planned unit development with mixed uses can be permitted within the project. Other than that, residential uses are not permitted in commercial areas of the Kukui project.

Mr. Jack Gilliam of the planning staff stated that basically, the comparison is valid although it does not get into some of the bonus aspects of which there are numerous variables available under the CZC, depending on design aspects, such as:

1. 10 square feet of floor area may be added for each square foot of open space at ground level. Relative to the subject project, a 350% bonus factor could apply depending on the design of the project.

2. Greater land area and floor area for lots abutting intersecting streets which is determined by the center line extensions of the abutting streets. In connection with the subject project, street bonuses derived by this provision would vary because of varying street widths on each block. In this regard, street bonuses in relation to the net land area could be very substantial.

The staff supports the Urban Renewal Plan.

Discussion followed.

Chairman: I notice in the Urban Renewal Plan there is a requirement of Planned Development and none in the CZC.

Way: That needs explanation. We still have quite a measure of control over the specific site plan that would be proposed by a developer through the Redevelopment Agency.

Jack Gilliam: The planned development under HRA is quite different than our planned development. Our planned development is a housing, shopping center, or resort planned development. Our planned development would not be applicable to any of the Kukui area because it's a commercial district.

HRA has their planned development which is a procedure in which they go into mixed-type uses, as I understand it, and adopt a specific plan as the Urban Renewal Plan for a given lot. They did this in the original Chinese Cultural Building which I believe came before this body several years ago. That became a planned development project under HRA. Normally, all of their planned development projects that are within our B-4 Central Business zone, will fit in with our zoning regulations.

Chun: Mr. Director, is it my understanding then that within an Urban Renewal Plan, if such a plan is adopted, the requirements of the CZC has no effect on that plan?

Way: If I understand the question correctly, the requirements of the CZC would pertain to the plan.

Chun: Looking at his bulk, when they go five times the lot area, and the CZC provides four times the lot area, their plan would be in excess of what is permitted under the CZC.

Way: This is one of the conflicts that we're attempting to resolve here. Although it was an adopted plan, a plan that was adopted prior to the CZC, what we're trying to do is to bring it into conformity with the requirements of the CZC, and not have a separate kind of entity that operates under a different set of rules.

However, as Jack has pointed out, there are other factors or bonuses that apply but at the same time there are certain restrictions too. For example, the Urban Renewal Plan did not have a yard-spacing requirement whereas the CZC does have a five-foot yard requirement. So there are some compensating adjustments throughout depending on which specific regulation you're looking at here.

We do feel that the CZC provides a better set of standards under which to plan than in fact the Urban Renewal Plan did. It was prior to the CZC, it was partly in anticipation of some of the requirements of the CZC, but it didn't work out precisely that way when it was finally adopted. The CZC did not precisely reflect the Urban Renewal Plan requirements of that time.

Gilliam: I might add that at the time it was adopted, to clarify the 500%, under the zoning ordinance at that time, there was no limitation. So, the Urban Renewal Plan at 500% was more restrictive than the zoning.

Chun: Coming back to the present amendment to the Urban Renewal Plan however, what affect would it have on your plan, Mr. Lee, for this Commission to adopt the more restrictive of the two? Would it endanger the plan in any way?

Lee: It would not endanger future development in this particular area of the project since the only area is being developed under the PUD provisions of the Urban Renewal Plan has already been approved. We would be talking about those blocks where no plans have presently been developed. There would be no problem that when these plans do come in, they would be reviewed under the new standards.

Chun: Bob, maybe you or Jack can answer this. If we were to take the limitations of the CZC, and noting also that HRA's bonus provision is more restrictive than the CZC bonus restriction, whether or not they may not possibly come out with the same type of floor-area ratio as they would under the heavier one?

Way: Again it gets to the design of the project. The CZC does offer a rather substantial bonus for open space. It might be that there would be more design attention to providing open space at the ground level under the CZC than there

would be under the Urban Renewal Plan. I think that the developer's economics would enter into that but I do feel that the CZC provides, really, a little better assurance that we're going to get substantial open space on the ground floor level.

Chun: I agree with you there. My concern is looking at the comparison, we're not really that far apart but I would hate to recommend an amendment which would be in direct conflict and violation of the CZC because in effect what we're doing is we're forgetting about the CZC with respect to those particular amendments, and notwithstanding the CZC, we're recommending approval of a plan.

Chairman: Bob, can you tell me which regulation takes precedence over the other?

Way: At the moment, the HRA would have to move or should they move under the provisions of the adopted Urban Renewal Plan. In other words, the plan that now exists is in effect, a kind of covenant with that property that supersedes any other regulations where its more restrictive.

Chairman: However, if it's required of the urban renewal people to come to the Planning Commission and the Planning Department for their approval, is there a possibility where the Planning Department may impose a stricter regulation based on the CZC? If this is done, must they conform to the request and demands of the city?

Way: Well, in this case - and Willard you might correct me - I believe its the more restrictive that would apply.

Lee: Not exactly, the way the Urban Renewal Plan is now written. The problem was that the Urban Renewal Plan was adopted prior to the CZC. When the CZC was adopted, they made certain grandfather clauses for urban renewal projects then in existence. This is why there are some provisions in the Urban Renewal Plan that are less restrictive. Where there is a conflict between the Urban Renewal Plan and the CZC, we have been going in accordance with the Urban Renewal Plan. However, in all Urban Renewal Plans that are adopted subsequent to the CZC, we cannot make the Urban Renewal Plan less restrictive than the CZC.

Chairman: You have a grandfather clause but yet you cannot make it less restrictive?

Lee: No. The new Urban Renewal Plan. I'm speaking of the present CZC does have an exemption clause which exempts Urban Renewal Plans that have previously been adopted.

Chairman: Whatever you might be coming before us from here on--

Lee: Cannot be less restrictive than the CZC.

Chairman: Essentially what Bob says is correct then, whichever is more strict, for the new ones?

Lee: That's right. So what we're attempting to do here is for this portion of the Kukui Project to allow the CZC provisions to apply to whatever development is proposed.

Chairman: Am I correct then that this being the situation, what you're asking for is to get the benefit of the less restrictive regulation to apply to your development?

Lee: In certain areas it would be less restrictive. This is why we try to point out that for lot areas, as far as provision of residential uses, the CZC would be more permissive in that it would permit uses on lots of 15,000 square feet. On the Urban Renewal Plan, you would have to have a minimum lot of two acres, and it would have to be under planned unit development provisions of the Urban Renewal Plan.

Chairman: So I am correct that this change, the final analysis if it takes place, you will be getting the benefit of the less restrictive.

Lee: In this area, yes.

Chai: As far as being more strict, you would have to conform anyway without this change?

Lee: No, because there are certain provisions in the CZC that are more restrictive than the plan but because of the exemption clause in the present CZC, we would not have to conform, or the developer would not have to conform. This is why there is a lot of confusion when you try to compare certain areas.

Chairman: But you just told me a minute ago that any new project--

Lee: New urban renewal project. We're talking about say the China Town or the Pauahi Project within the China Town. This would be a new project.

Chairman: On new projects - I might have misunderstood you but I thought you had indicated that you will, or you must conform to the more restrictive--

Lee: On a new project.

Chairman: But again you just told me that you don't have to conform.

Lee: We're talking about developments within the Kukui Project. The Kukui Project is that 75-acre project that is on both sides of Nuuanu Stream.

Chairman: What are we discussing?

Lee: The Kukui Project, an amendment to the Kukui Urban Renewal Plan.

Sullam: What other projects do you have that still will fall under the purview of the Urban Renewal Plan before the CZC was adopted, other than the Kukui Project?

Lee: We have four projects presently in execution where the plans were adopted prior to the CZC. We have two clearance types of projects downtown; Kukui is one, and the Kauluwela Project is the other. We have two rehabilitation projects in the Kapahulu area - Paki and Hinano. These are the only four projects that are presently being covered by this exemption clause in the CZC.

The Hoolulu Urban Renewal Plan Project I believe the Commission approved last month, conforms to the CZC.

Chairman: If the Kukui Project is already initiated, what is the reason for the request?

Lee: There are certain provisions permitted by the CZC that we wish to take advantage of, primarily the provision of residential use within some of these parcels. Our Urban Renewal Plan is quite restrictive when it comes to provision of housing units.

Sullam: I'm under the impression that either you follow one outline or the other. Do you mean to say you would take the one that is most desirable?

Lee: No. We're asking to change in this portion of the Kukui Project, to the CZC requirements because the rest of the project is fairly well completed.

Sullam: But the way the CZC is written, won't there be certain discrepancies because for instance, there's two square feet for one square foot of open space. There's a difference in the CZC as related to the Urban Renewal Plan. There are other bonuses that you can get that will make up for it. I think you have to follow one requirement, either the CZC or the Urban Renewal.

Lee: This is what we're asking, to use the CZC requirements and eliminate the present Urban Renewal requirements in this area.

Sullam: Well isn't this for the entire Kukui Project?

Lee: For this portion of the project that is being amended. Substantially, the Kukui Project has already been developed.

Chairman: Actually under the circumstances, what your request essentially does would be to give the urban renewal projects a little more leeway than what you might find in the CZC. As far as being more stringent, you don't have to conform to it because as you said this is already initiated.

Lee: Once we change the plan, we will fully be under the control of the CZC in this area. We would no longer be able to choose the less restrictive. We would entirely be changed to the CZC requirements to this portion of the site. The reason we're not changing the rest of it is that the development is already completed, and there are covenants that run for 35 years. So to change the requirements on this, perhaps would be disservice to those developers.

Chairman: Jack, you don't see any problem?

Gilliam: The density problem is going to depend on the design. It could go up to 750% depending on the design of the commercial facility where they have the 500% limitation now. So, there is the possibility they could get higher density under CZC. This eliminates the either or situation that we have now whereby where the Urban Renewal Plan presently is silent in some areas, where they have that silence, the CZC provisions control.

Chairman: You see no objection in this increase or less stringent - whether it be the height of the building, or density, as far as the change that might come about?

Gilliam: Basically, we went into that particular density question for the lands between Vineyard and Beretania at the time we were adopting the CZC because there was a request at that time not to permit the Central Business, the B-4 District which is the high density. They wanted to stop it at Beretania. There was considerable discussion at that time that it should not stop at Beretania but that in fact the Kukui Project should be integrated in with the CBD. We extended the B-4 District up to Vineyard specifically for that reason.

Chairman: Any further questions of Mr. Lee? If not, thank you Mr. Lee.

Any further discussion? If not, what is your pleasure?

Commissioner Sullam?

Sullam: I move for approval.

Connell: Second.

Chairman: It has been moved and seconded that the Commission recommend approval. Discussion? All in favor?

(The motion was unanimously carried.)

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

DISCUSSION AND RECOMMENDATION RESOLUTIONS 167 AND 168 AMENDMENTS TO THE GENERAL PLAN FOR LANDS MAKAI OF FARRINGTON HIGHWAY

Action at the June 23, 1971 meeting was deferred for one week.

The Director submitted an addendum report covering Resolutions 167 and 168 to clarify and to indicate some of the land use changes. The position of the Director is that he does not have the bases for recommendations in accordance with the Charter, as interpreted by the Dalton case, nor can such bases be produced in 30 days. He recommends that the specific analysis to produce the bases be undertaken.

To clarify, the nature of the amendments included in Resolution 167 and 168 is quite different in magnitude and nature and, though an appropriate analysis is required in each case, the intensity of the analyses can be expected to vary accordingly. Resolution 167 proposes to change the land use designation of 5.56 acres from low density apartment to park. This policy change may be viewed as being substantially more limited in magnitude in comparison to the policy change proposed in Resolution 168. The latter Resolution includes many more different kinds of changes, substantial land areas, many more people and considerably more public and private investments. The types of land uses and approximate associated acreages makai of Farrington Highway and not designated as park and recreation or preservation are as follows:

General Plan Land Use Category	Approximate Acreage
Residential	141
Low Density Apartment	13
Commercial	7
Resort	60
Public Facilities	108
Military	11
	340

With further respect to Resolution 167, the Planning Department is currently processing an application for a General Plan amendment which includes precisely the same parcels of land in Resolution 167. This amendment is also to change the land use designation from "low density apartment" to "park" and as an expansion of Mauna Lahilahi Park. The applicant is the Department of Parks and Recreation. The application was initiated after the Council's action to deny the zoning request of Makaha Surfside, and prior to Council's adoption of Resolution 167. The applicant is proceeding to develop the required analysis in line with the Director's recommendations on the subject Resolutions.

What Resolution 168 does is call into question the entire Park program. The changes proposed are so significant as to have a major influence on the nature of the overall program and especially along the Waianae coast.

The Commission raised the following questions:

1. Concerning a timetable to process the parks application, the Director stated that it may be four to six months before it might be before the Commission but he could not be sure inasmuch as he did not know its priority assignment in the Parks Department.

2. Would the study to be undertaken relate only to Resolutions 167 and 168, or will it be a comprehensive study of open space along the coastline?

The Director pointed out that in connection with Resolution 167, 5.56 acres would be changed from low density apartment to park use which is substantially less in comparison to the total program, and problem being addressed along the Waianae coast. In terms of the policy change, it does not compare with the 340 acres of land general planned for other uses along the coastline. The analysis in relation to Resolution 167 would not have to be as extensive as it would be for Resolution 168.

The Commission acted separately on each Resolution.

Resolution No. 167

Connell: I move that we concur with the City Council on Resolution 167 on the assumption that sufficient data can be developed to satisfy the Dalton decision.

Chun: Second.

Chairman: All in favor?

(The motion was unanimously carried.)

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

Resolution No. 168

Connell: I move that we take no action on Resolution 168 at this time because of the amount of land that is involved, the different types of land. It seems to me that we don't have enough data upon which to make a decision on this at all. Therefore I would move that we take no action.

Chun: Second the motion.

Chairman: It has been moved and seconded that the Commission take no action on Resolution 168 on the basis that there is insufficient information.

Discussion?

Mr. Director, what is your opinion on Resolution 168 recognizing the resolution is requesting that the Commission and the staff consider the examination, or is this to be considered a mandatory directive from the council that we do it immediately?

Is it a mandatory directive or is it a suggestion for us to consider?

Way: The paragraph in the resolution having to do with the resolution of the council is that the Planning Commission be requested to review the amendment to the General Plan proposed by the council of the coastline hereinabove mentioned which is that entire area makai of the highway from Kaena Point to Nanakuli. That's the proposal before the Commission. Council is simply asking for your recommendation on this.

My recommendation as to the other part of your question is that in effect we feel there are some additional analyses that should be undertaken and we have given some specific points that should be addressed in this analyses, and recommended that the program be undertaken to proceed before the council takes final action on their proposal.

Chairman: The Chair's observation is that I personally feel there's no objection to reviewing the matter. I recognize it can't be done in 30 days. I wonder if we might communicate with the council informing them that to establish anything in 30 days is not possible but we would have no objection to reviewing it. As a matter of fact, I think it's an excellent idea, to review the coastline of Waianae.

Creighton: Adding to your observation, I think the Planning Director pointed out in his memorandum last week that the problem is reviewing just this one area very quickly would not be a reasonable thing to do in view of the problems involved, the changes in the general plan involved, the fact that it does require looking at the entire recreational needs and plans as well as open space needs for a larger area than this. For those reasons, it could not be possible to do this within 30 days.

Sullam: Is it possible for us to recommend to the council that we support Resolution 168 but we would like to have it extended to such a time until a study can be completed?

Connell: I would have no objection to incorporating that into the motion. The reason I made the motion is that we do have insufficient time. As I remember, we do have one day left. The Planning Department certainly could not come up with the data that is necessary nor do we have the time. However, if the council wishes to extend the time to the Commission and the Planning Department, I would be in favor of it.

Sullam: However, I would like to make it quite definite that we're in complete agreement with Resolution 168.

Chairman: Well that's the suggestion that the Chair's made. I think we should clarify our position. I don't think anyone here is objecting to the study per se. The mover and the seconder will incorporate that portion as part of the motion.

Any further discussion? All in favor?

(The motion carried unanimously.)

AYES - Yamabe, Chun, Sullam, Bright, Connell, Creighton
NAYES - None
ABSENT - Crane

DISCUSSION RE REQUEST FOR PUBLIC HEARING IN KAILUA (61/C1/24)

The Director reported the receipt of a letter to the Commission from Mr. Leon Kahn, President of the Kailua Community Council, requesting the Planning Commission to consider holding a public hearing in the evening in Kailua on the request of Hawaiian Pacific Industries, Inc., for an amendment to the General Plan and Detailed Land Use Map (Mount Olomana area).

Rev. Connell stated that while he sympathized with the Kailua people on such an important issue, the Commission would be setting a precedent if if entertained a public hearing in the Kailua area.

The Commission recognized the need for an evening hearing on this matter and suggested that it hold an evening meeting in the City Council Chambers, the date and time to be determined by the Planning Director.

ELECTION OF OFFICERS

The Commission held an election to select its Chairman and Vice-Chairman for the next ensuing fiscal year.

On motion by Mr. Bright, seconded by Mr. Chun and carried, Rev. Connell was elected as the Chairman of the Planning Commission.

On motion by Mr. Bright, seconded by Mr. Chun and carried, Mrs. Sullam was elected as the Vice-Chairman.

ADJOURNMENT: The meeting adjourned at 3:03 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

File Copy

Meeting of the Planning Commission
Minutes
July 7, 1971

The Planning Commission met in regular session on Wednesday, July 7, 1971, at 2:00 p.m., in the Conference Room of the City Hall Annex with Chairman Eugene B. Connell presiding:

PRESENT:
Eugene B. Connell, Chairman
James D. Crane
Thomas Creighton
Fredda Sullam
Thomas N. Yamabe II
James K. Sakai, ex-officio

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
William Bartlett, Staff Planner

ABSENT:
Roy R. Bright
Philip T. Chun
Richard K. Sharpless, ex-officio

MINUTES:
The minutes of April 21 and May 26, 1971, as circulated, were approved upon the motion by Mrs. Sullam, seconded by Mr. Yamabe, and carried.

PUBLIC HEARING
GENERAL PLAN
AMENDMENT
WAIKIKI-KAPAHULU-
DIAMOND HEAD
KANAINA AND
MONSARRAT AVENUES
COMMERCIAL USE
(THOMAS A. SOFOS)
(FILE 152/C4/15B)

A public hearing was held to consider a proposal to amend the General Plan by redesignating from School and Residential uses to Commercial use, a 21,182-square foot parcel of land situated at the Diamond Head-makai corner of Monsarrat and Kanaina Avenues, adjacent to Waikiki Elementary School, in the Waikiki-Kapahulu-Diamond Head area, and identified by Tax Map Key 3-1-25: portion of 6. Presently, 8,199 square feet of the property is zoned B-2 Community Business District while the remainder is zoned R-6 Residential District.

The notice of public hearing was advertised in the Sunday Star-Bulletin and Advertiser of June 27, 1971.

Mr. William Bartlett, Staff Planner, presented the proposal on behalf of the Planning Director. Detailed information about the proposal, analysis, and conclusions are contained in the Director's memorandum to the Planning Commission. The Director concluded that there is no evidence of need for an additional service station in the area. There is also no evidence that commercial services in the area are inadequate; therefore, there is no basis for amending the existing policy as expressed by the General Plan. A denial of the applicant's request was recommended.

The following comments were received from the community groups:

A. Save Diamond Head Association did not look with favor on the proposed amendment for the following reasons:

1. Zoning could permit high-rise construction which would block the views of Diamond Head.

2. The proposed use would increase traffic congestion at the intersection of Monsarrat Avenue, Diamond Head Circle, and Kanaina Avenue.

3. The proposed development would be located next to Waikiki Elementary School and within a residential area. The proposed use does not appear to be appropriate or complimentary to the development of the district.

B. Kapahulu Community Association stressed that:

1. There are sufficient properties in the Kapahulu area already zoned for commercial use.

2. This request appears to be an application for spot zoning. If granted, it would set a bad precedent.

3. It is the desire of the organization to keep certain uses out of the Kapahulu area. The proposed change could conceivably permit incompatible uses, such as bars, nightclubs, dancehalls, and funeral homes.

C. The Outdoor Circle opposed the proposal because:

1. It would be contrary to the intent of the proposed Historic Cultural Scenic District Ordinance.

2. The B-2 zoning would permit a potential height of 350 feet.

Questioned by the Commission, Mr. Bartlett stated that approximately 6,700 square feet of the commercial zoned area would remain after taking for the street widening.

Speaking AGAINST the proposal was Mrs. Sally William, representing the Outdoor Circle. She read the letter submitted by the Outdoor Circle.

Speaking FOR the proposal was Mr. Thomas A. Sofos, applicant and owner of the subject parcel and of approximately 3 acres of land in this Diamond Head area. He gave the following testimony:

1. Approximately 8,200 square feet of this subject property containing a total area of 21,182 square feet is zoned B-2 Community Business District and on it presently exists a Dairy Queen Drive-In operation. He is interested in eliminating this use and constructing an automobile service station on the entire parcel of land.

2. He also plans to construct apartments behind the service station. Under the transitional use provisions of the Comprehensive Zoning Code, he is allowed to construct apartments on the Monsarrat Avenue frontage of the property between the Dairy Queen and the School, but he believes that this area is too noisy and dangerous for the occupants of the apartment units by being too close to a main highway.

3. A frontage strip of 16-1/2 feet was taken for Monsarrat Avenue widening but there is still a proposal to take another 20 feet for widening of Monsarrat Avenue to an 80-foot right-of-way. This would leave a very small business zoned parcel of only about 6,200 square feet, creating a hardship on him.

4. Two oil companies refute the information obtained by the Department that gasoline sales in the immediate area are not very high. The oil companies state that the area definitely needs another gasoline station. The competitors do not want another service station there because it will have the advantage of being the first station on Monsarrat Avenue to draw the homebound traffic and it is the nearest one to Waikiki.

5. As rebuttal to the objections registered:

   a. The commercial zoning will not permit any high-rise construction due to the recent passage of an ordinance limiting all heights of buildings in the area to a maximum of 25 feet.

   b. The proposed use would not increase traffic congestion in the area. The Drive-In generates much more traffic than a gas station would. The Drive-In has only a 100-foot width while the gas station would have a 205-foot width, thus eliminating any bottlenecking situation.

   c. It would be more appropriate to have a commercial use than an apartment use between the existing business zone and the school. He prefers building the apartments behind the service station. The oil company has promised to erect a 6-foot brick wall behind the service station with plantings of flowers, trees and bushes to make a nice separation.

   d. The statement was made that there are sufficient properties in the Kapahulu area already zoned for commercial use. However, two oil companies have expressed an interest in this property to serve the traffic that goes through this area.

   e. This proposal does not appear to be spot zoning because of the existing business zone. It is more sensible to extend the business zone to cover a larger area.

   f. Because of an existing church nearby, it is doubtful that anyone would be granted a liquor license to operate a bar, nightclub, or dance hall.

6. He submits that if an oil company is willing to make a substantial investment to the extent of half a million dollars, the oil company is either crazy or there definitely exists a need for another service station.

In the questioning that followed, Mr. Sofos was asked for some figures on gasoline sales to support the need for another service station in the area.

Mr. Sofos had no figures available since he obtained his information from the oil companies over the telephone. The companies stated that the service stations in the area could pump much more than 30,000 gallons a day. He could obtain a letter from one of the oil companies for a statement of its opinion that X number of gallons of gasoline could be pumped in the area.

The Commission did not pursue the matter further.

Questioned by the Commission, Mr. Bartlett believed it feasible to have a commercial operation on the reduced sized parcel after taking for the street widening, but he could not say what that type of business should be. At the present time, the Department is not contemplating any change in zoning of the business zoned parcel. As long as the Dairy Queen structure is not affected by the road widening, it can remain.

There was no further testimony from the public.

The public hearing was closed and the matter taken under advisement upon the motion by Mrs. Sullam, seconded by Mr. Crane, and carried.

AYES: Sullam, Crane, Creighton, Yamabe, Connell;
NAYS: None;
ABSENT: Bright, Chun.

ACTION: The Commission voted to recommend denial of the request for an amendment to the General Plan upon the motion by Mr. Crane, seconded by Mr. Creighton, and carried.

AYES: Crane, Creighton, Sullam, Yamabe, Connell;
NAYS: None;
ABSENT: Bright, Chun.

SPECIAL USE PERMIT & CONDITIONAL USE PERMIT KAHUKU (HISTORICAL THEME PARK) PACIFIC GROUP, LTD.

The Commission was informed of the receipt of an application for a Conditional Use Permit to develop a Historical Theme Park on 140 acres of land at Kahuku.

The applicant had requested an opportunity to present background information on the proposal to the Commission, but the Director noted that this same subject matter will be brought to the Commission through the Special Use Permit procedure of the State Land Use Commission since the land is in the Agricultural District. Upon receipt of the Special Use Permit application, the Commission will have the opportunity to review the matter together with the Conditional Use Permit application. He anticipated the receipt of the Special Use Permit application within the next 30 days.

The Commission suggested to the Director that he coordinate the processing and review of the two applications simultaneously at one hearing.

MISC.
MEETING DATES

The Commission was informed that it will not meet on July 14, 1971, but will meet the following week on July 21, 1971.

In view of the fairly light agendas lately, the Commission suggested the possibility of holding biweekly meetings instead of the present weekly meetings. The Director is cognizant of the fact and will schedule biweekly meetings when appropriate.

Upon the motion by Mrs. Sullam, seconded by Mr. Creighton, the Commission authorized the calling of public hearings to consider the following items:

ZONING CHANGE FROM R-6 RES. TO A-2 APART. NUUANU KUAKINI ST. THOMAS K. LALAKEA

(1) A proposal to change the zoning from R-6 Residential to A-2 Apartment District for a 28,264 sq. ft. parcel of land situated on Kuakini Street in Nuuanu.

ZONING CHANGE FROM R-6 RES. TO B-2 BUSINESS HAUULA KAMEHAMEHA HWY & KAWAIPUNA ST. KAHUKU SHOPPING CENTER, LTD.

(2) A proposal to change the zoning from R-6 Residential to B-2 Community Business District for land situated at the corner of Kamehameha Highway and Kawaipuna Street in Hauula and containing 105,618 sq. ft.

ZONING CHANGE FROM H-1 RESORT-HOTEL TO R-6 RESIDENTIAL WAIALUA INITIATED BY CITY COUNCIL

(3) A proposal to change the zoning from H-1 Resort Hotel to R-6 Residential District for land identified as Tax Map Key 6-6-06: 5 in Waialua.

GENERAL PLAN & DLUM AMENDMENT WAIPIO, EWA MILILANI TOWN MILILANI TOWN, INC.

(4) A proposal to amend the General Plan and the Detailed Land Use Map of Waipio by changing the land use designation from residential use to school/park use for land identified as Tax Map Key 9-4-05: portion of Parcel 3 situated in Mililani Town at Waipio, Ewa.

ADJOURNMENT: The meeting was adjourned at 2:50 p.m.

Respectfully submitted,

Carole A. Kamishima

Carole A. Kamishima
Secretary-Reporter

CITY AND COUNTY OF HONOLULU PLANNING DEPARTMENT MICROFILM CERTIFICATION	REEL NUMBER: 32 Number of Images: 1,082

FLASH	TITLE PLANNING COMMISSION MINUTES
START	
1	Book #127 December 4, 1969 to September 3, 1970
2	Book #128 September 10, 1970 to January 7, 1971
3	Book #129 January 14, 1971 to July 7, 1971
4	
5	
6	
END	

CERTIFICATION

I HEREBY CERTIFY THAT THE MICROPHOTOGRAPHS APPEARING IN THIS REEL OF FILM ARE TRUE COPIES OF THE ORIGINAL DOCUMENTS.

Dec. 12, 1973
Date

Charles R. Wahinehookae
Signature of Operator

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