START

Roll No. 34

Planning Commission Minutes

JANUARY 3, 1973 to MAY 30, 1973

AND

SUPPLEMENT MINUTES

JUNE 20, 1973 and JUNE 21, 1973

Planning Department
City & County of Honolulu

FLASH NO. 1

PLANNING COMMISSION

INDEX TO MINUTES

JANUARY 3, 1973 through MAY 30, 1973

BOOK NO. 133

PLANNING COMMISSION MINUTES

Book No. 133

January 3, 1973 through May 30, 1973

No Minutes for:

February 14, 1973 -- Meeting cancelled

March 28, 1973 ----- No meeting scheduled

PLANNING COMMISSION

INDEX TO MINUTES

JANUARY 3, 1973 through MAY 30, 1973

BOOK NO. 133

CONDITIONAL USE PERMIT:

		PAGE
January 3, 1973	Kahuku - Kahuku General Hospital Expansion and addition to hospital Kahuku Hospital Association CUP and State SUP (72/CUP-20)	22
January 3, 1973	Puu Palailai & Puu Makakilo Sanitary Landfill & Extractive Industry Pacific Concrete & Rock Company, Ltd. CUP and State SUP (72/SUP-1) (72/CUP-15)	41
January 17, 1973	Mokuleia - Farrington Highway Sand Mining Operation - Warren Kobatake dba Warren Corporation (72/CUP-12) and SUP (72/SUP-3)	71
January 24, 1973	Mokuleia - Farrington Highway Sand Mining Operation - Warren Kobatake dba Warren Corporation - CUP & SUP (72/CUP-12) (72/SUP-3)	108
January 24, 1973	Kahuku - Kahuku General Hospital Expansion and addition to hospital Kahuku Hospital Association CUP and State SUP (72/CUP-20)	150
January 31, 1973	Puu Palailai & Puu Makakilo Sanitary Landfill & Extractive Industry Pacific Concrete & Rock Company, Ltd. CUP and State SUP (72/SUP-1) (72/CUP-15)	172
February 7, 1973	Mokuleia - Farrington Highway Sand Mining Operation - Warren Kobatake dba Warren Corporation - CUP & SUP (72/CUP-12) (72/SUP-3)	187
February 21, 1973	Mokuleia - Farrington Highway Sand Mining Operation - Warren Kobatake dba Warren Corporation - CUP & SUP (72/CUP-12) (72/SUP-3)	204

CONDITIONAL USE PERMIT (continued) PAGE

February 28, 1973	Mokuleia - Farrington Highway Sand Mining Operation - Warren Kobatake dba Warren Corporation - CUP & SUP (72/CUP-12) (72/SUP-3)	212
February 28, 1973	Puu Palailai & Puu Makakilo Sanitary Landfill & Extractive Industry Pacific Concrete & Rock Company, Ltd. CUP and State SUP (72/SUP-1) (72/CUP-15)	215
April 4, 1973	Makaha - Amendment to existing CUP Expansion of Waste Stabilization Pond Makaha Valley, Inc. (73/CUP-3)	318
April 4, 1973	Barbers Point - Campbell Industrial Park Establishment of an oil refinery CONOCO--Dillingham Oil Co. (72/CUP-19)	318
April 11, 1973	Hauula - Construction and establishment of a medical doctor's office Marc Shlacter, M. D. (73/CUP-1)	323
April 18, 1973	Makaha - Amendment to existing CUP Expansion of Waste Stabilization Pond Makaha Valley, Inc. (73/CUP-3)	346
May 23, 1973	Barbers Point - Campbell Industrial Park Establishment of an oil refinery CONOCO--Dillingham Oil Co. (72/CUP-19)	460

GENERAL PLAN/DETAILED LAND USE MAP/DEVELOPMENT PLAN (AMENDMENT)

January 3, 1973	Waimalu GP/DLUM (Oceanview Ventures) Residential & Low-Density Apt. to Commercial; Residential to Low-Density Apt.; Residential to Roadway & Drainage Channel. (211/C4/32)	27
January 10, 1973	Sunset Beach GP/DLUM/DP (State DAGS and C&C Parks & Recreation) From (1) Residential & Public Facilities, (2) Residential & Roadway, and (3) Roadway & Flood Control Channel uses to School & Park Use. (115/C2/27) and (227/C2/27)	66
January 24, 1973	Waiawa GP/DLUM (Pearl Harbor Heights Developers) Agriculture to Medium-density Apartment to construct 300 units. (193/C1/32)	107

GENERAL PLAN/DETAILED LAND USE MAP/DEVELOPMENT PLAN (AMENDMENT) cont'd

		PAGE
January 31, 1973	Kaneohe GP (HKH Ventures) Park and Cemetery to Residential and Koa Kahiko Street extension be deleted for development of 311 housing units. (240/C1/25)	152
January 31, 1973	Ewa Beach GP/DLUM (State DAGS, Division of Public Works) Residential & Road Use to School Use--Puuloa (195/C2/31)	175
February 7, 1973	Palolo GP/DLUM/DP (Palolo Land Co.) GP from Public Housing & Residential to Apt. & Public Facilities--School; DLUM & DP from Park to Med. density Apt. and Public Facilities--School. (181/C1/17)	179
February 7, 1973	GP/DLUM Waianae, Lualualei (Oceanview Ventures) From Industrial to Residential, Low-density Apt., School, Park, and Agricultural uses (202/C1/29)	184
February 7, 1973	GP/DLUM Honouliuli, Ewa (C&C Dept. Public Works, Div. of Sewers) from Military and Agricultural to Public Facility use. (242/C2/31)	184
February 7, 1973	Kailua GP/DLUM (International Tel & Tel) from Open Space to Commercial and Low density Apt. use and from Commercial to Open Space use. (160/C4/24)	184
February 7, 1973	Puuloa, Ewa Beach GP/DLUM (C&C Dept. of Public Works, Div. of Sewers) from Residential to Public Facility-Sewer Pump Station use. (267/C2/31)	184
February 21, 1973	Sunset Beach GP/DLUM/DP (State DAGS and C&C Dept. Recreation) Residential, Roadway, Flood Control Channel to School and Park use. (115/C2/27) and (227/C2/27)	197
February 21, 1973	Ewa Beach GP/DLUM (State DAGS, Division of Public Works) Residential and Road use to School use. (195/C2/31)	198
February 21, 1973	Kaimuki GP/DLUM/DP (C&C Building Dept. and Honolulu Fire Dept.) from Fire Station and Park to Residential, Fire Station & Park. (214/C1/16)	207
February 28, 1973	Honouliuli, Ewa GP/DLUM (C&C Dept. Public Works, Div. of Sewers) Military & Agricul. to Public Facility (242/C2/31)	208

GENERAL PLAN/DETAILED LAND USE MAP/DEVELOPMENT PLAN (AMENDMENT) cont'd

		PAGE
February 28, 1973	Puuloa, Ewa Beach GP/DLUM (C&C Dept. of Public Works, Div. of Sewers) from Residential to Public Facility-Sewer Pump Station use. (267/C2/31)	210
February 28, 1973	Kapalama GP (C&C Dept. Recreation) from Residential to Park use. (252/C2/8)	217
March 7, 1973	Waianae GP/DLUM (Oceanview Ventures) from Industrial to Residential, Low-density Apt., School, Park, and Agricultural uses for development with 1,900 units for low-and moderate-income families. (202/C1/29)	222
March 7, 1973	Kaimuki GP/DLUM/DP (C&C Building Dept. and Honolulu Fire Dept.) from Fire Station and Park to Residential, Fire Station & Park. (214/C1/16)	246
March 14, 1973	Puuloa, Ewa Beach GP/DLUM (C&C Dept. of Public Works, Div. of Sewers) from Residential to Public Facility-Sewer Pump Station use. (267/C2/31)	268
March 14, 1973	Waianae GP/DLUM (Oceanview Ventures) from Industrial to Residential, Low-density Apt., School, Park, and Agricultural uses for development with 1,900 units for low-and moderate-income families. (202/C1/29)	269
March 21, 1973	Kailua GP/DLUM (International Tel & Tel) from Open Space to Commercial and Low density Apt. use and from Commercial to Open Space use. (160/C4/24)	281
March 21, 1973	Kaimuki GP/DLUM (Ching/Ching/Kwai) from Residential to Commercial. (204/C4/16)	295
March 21, 1972	Kalihi GP (Herbert Matsuba dba Deelite Bakery) Apartment to Commercial. (249/C4/7)	295
March 21, 1972	Waianae GP (Manoa Investment Co.) from Planting strip, Light Industrial, and Industrial to Commercial. (244/C4/29)	295
March 21, 1972	Pauahi Project DP (C&C HRA) for various designations Mauka-Ewa corner Chinatown neighborhood renewal area. (239/C2/11)	295

GENERAL PLAN/DETAILED LAND USE MAP/DEVELOPMENT PLAN (AMENDMENT) cont'd

		PAGE
April 4, 1973	Puuloa, Ewa Beach GP/DLUM (C&C Dept. of Public Works, Div. of Sewers) from Residential to Public Facility-Sewer Pump Station use. (267/C2/31)	310
April 4, 1973	Kailua GP/DLUM (International Tel & Tel) from Open Space to Commercial and Low-density Apt. use and from Commercial to Open Space use. (160/C4/24)	313
April 4, 1973	Kalihi-Uka GP (C&C Dept. Recreation) from Residential to Park Use. (234/C2/6a)	317
April 4, 1973	McCully GP (C&C Dept. Recreation) from High-density Apt. to Park use. (262/C2/14)	317
April 11, 1973	Palolo GP/DLUM/DP (Palolo Land Co.) GP from Public Housing & Residential to Apt. & Public Facilities--School; DLUM & DP from Park to Med. density Apt. and Public Facilities--School. (181/C1/17)	321
April 25, 1973	Pauahi Project DP (C&C HRA) for various designations Mauka-Ewa corner Chinatown neighborhood renewal area. (239/C2/11)	354
May 9, 1973	Waianae GP (Manoa Investment Co.) from Planting strip, Light Industrial, and Industrial to Commercial. (244/C4/29)	398
May 23, 1973	Moiliili GP (C&C Dept. Recreation) from School and High-density Apt. to Park use. (136/C2/14)	472
May 23, 1973	Makaha GP (C&C Dept. Recreation) from Commercial and Preservation to Park use. (30/C2/29)	472
May 30, 1973	Kapalama GP (C&C Dept. Recreation) from Residential to Park use. (252/C2/8)	473
May 30, 1973	Honolulu, Oahu, Hawaii GP/DLUM/DP (State of Hawaii, Dept. of Transportation) to reflect the final highway rights-of-way for H-1, H-2, and H-3 defense highways, and to make necessary adjustments in land use designations for lands adjacent to or affected by the alignments. (224/C3/Various and 180/C3/5)	491

HAWAII CAPITAL DISTRICT		PAGE
January 3, 1973	(State DAGS) Request for approval of final drawings Phase I, Bldg. 1, of State Capital Complex. (72/HCD-5)	1
January 3, 1973	Three requests for construction activity: 1. State Dept. Transportation Bldg. Repainting of Aliiamoku Bldg. (72/HCD-14) 2. State Tax Office Bldg. Repainting of State Tax Office Bldg. (72/HCD-25) 3. Kamamalu Bldg. Repainting of Kamamalu Bldg. (72/HCD-28)	51
January 17, 1973	Same as above. Public hearing.	67
February 7, 1973	(Charles Chamberland) Application for 33-unit apartment building. (72/HCD-26)	184
February 7, 1973	(Leonard Chun) Application for addition to Chun residence. (72/HCD-35)	185
February 7, 1973	(Toshio Togawa) Application for 13-unit apartment building. (73/HCD-6)	185
February 7, 1973	(Richard K. Tom) Application for 20-unit apartment building. (72/HCD-1)	185
February 21, 1973	(Charles Chamberland) Application for 33-unit apartment building. (72/HCD-26)	201
February 21, 1973	(Leonard Chun) Application for addition to Chun residence. (72/HCD-35)	202
February 21, 1973	(Toshio Togawa) Application for 13-unit apartment building. (73/HCD-6)	203
February 21, 1973	(Richard K. Tom) Application for 20-unit apartment building. (72/HCD-1)	204
February 21, 1973	(C&C Bldg. Dept. for Honolulu Fire Dept.) Repaint portion of existing Kakaako Fire Station Maintenance Bldg. (73/HCD-4)	206
February 21, 1973	(State DAGS) To demolish & clear Vineyard Garage site. (72/HCD-32)	206
February 21, 1973	(Carl Marrero) Construction of a single family dwelling. (72/HCD-30)	206
February 21, 1973	(Kawaiahao Church) Construction of new shelter/bookshop bldg. (73/HCD-3)	206

HAWAII CAPITAL DISTRICT (continued)

		PAGE
February 28, 1973	(C&C Bldg. Dept.) Demolition and replacement Kakaako Fire Station. (72/HCD-6) (73/HCD-5)	217
February 28, 1973	(State DAGS) Air conditioning equipment in Archives Bldg. (72/HCD-34)	217
February 28, 1973	(Arturo Salcedo) Fence and wall. (72/HCD-36)	217
February 28, 1973	(Nuuanu YMCA) Handball court, new lounge and toilet room addition. (73/HCD-1)	217
February 28, 1973	(Queen's Medical Center) Parking Bldg. and Physicians' Office Bldg. (72/HCD-4)	217
March 7, 1973	(C&C Honolulu Fire Dept.) Repaint portion existing Kakaako Fire Station Maintenance Bldg. (73/HCD-4)	219
March 7, 1973	(Charles Thompson) Single-family residence. (72/HCD-30)	220
March 7, 1973	(State DAGS)Land acquisition, demolish & clear Vineyard Garage site. (72/HCD-32)	220
March 7, 1973	(Kawaiahao Church) Construction of new shelter and bookshop bldg. (73/HCD-3)	222
March 14, 1973	(Arturo Salcedo) Fence and wall (72/HCD-36)	250
March 14, 1973	(C&C Bldg. Dept.) Demolition and replacement Kakaako Fire Station. (72/HCD-6) (73/HCD-5)	251
March 14, 1973	(Queen's Medical Center) Parking Bldg. and Physicians' Office Bldg. (72/HCD-4)	255
March 14, 1973	(State DAGS) Air conditioning equipment in Archives Bldg. (72/HCD-34)	276
March 14, 1973	(Kawaiahao Church) Activities Center. (72/HCD-20)	276
March 21, 1973	(State DAGS) Air conditioning equipment in Archives Bldg. (72/HCD-34)	279
March 21, 1973	(Nuuanu YMCA) Handball court, new lounge and toilet room addition. (73/HCD-1)	280
March 21, 1973	(State DAGS) Land acquisition, demolition and clearing Vineyard Garage site. (72/HCD-32)	294
March 21, 1973	Hawaii Capital District Ordinance - SB-1380 Legislation.	297

HAWAII CAPITAL DISTRICT (continued)		PAGE
April 4, 1973	(Kawaiahao Church) Activities Center. (72/HCD-20)	298
April 4, 1973	(Queen's Medical Center) Parking bldg. and physicians' office bldg. (72/HCD-4)	303
April 4, 1973	(Honolulu Medical Group) Ground sign and logo. (73/HCD-9)	317
April 4, 1973	(C&C Bldg. Dept.) Installation of air conditioning equipment - MTL Bldg. (73/HCD-8)	317
April 11, 1973	(State DAGS) Air conditioning equipment in Archives bldg. (72/HCD-34)	320
April 11, 1973	(State DAGS) Demolish and clear Vineyard Garage site. (72/HCD-32)	320
April 18, 1973	(Honolulu Medical Group) Ground sign and logo. (73/HCD-9)	343
April 18, 1973	(C&C Bldg. Dept.) Installation of air conditioning equipment - MTL Bldg. (73/HCD-8)	345
April 25, 1973	(State DAGS) Four window air conditioners on State Library Building. (73/HCD-7)	378
April 25, 1973	(Alakea Properties, Inc.) To relocate one existing aluminum louver at each of Harbor Square Towers (2) (73/HCD-11)	379
April 25, 1973	Hawaii Capital District Ordinance SB-1380 - Legislation - PC Action.	379
May 2, 1973	(Kawaiahao Church) Activities Center. (72/HCD-20)	388
May 2, 1973	(YWCA) Various minor repairs and equipment additions to existing YWCA bldg. (73/HCD-12)	395
May 9, 1973	(State DAGS) Four window air conditioners on State Library Building. (73/HCD-7)	396
May 9, 1973	(Alakea Properties Inc.) To relocate one existing aluminum louver at each of the two Harbor Square Towers. (73/HCD-11)	397

HAWAII CAPITAL DISTRICT (continued)

		PAGE
May 23, 1973	(YWCA) Various minor repairs and equipment additions to existing YWCA Bldg. (73/HCD-12)	459
May 23, 1973	(Mrs. Priscilla Lee) Replace dwelling unit destroyed by fire. (73/HCD-13)	472

MISCELLANEOUS

January 24, 1973	HRA - Proposed Chinatown General Neighborhood Renewal Plan and the first project the Pauahi Urban Renewal Plan.	150
January 24, 1973	General Plan Revision Program (Workshop)	151
February 7, 1973	Outdoor Circle (Kaneohe) meeting dates.	188
February 7, 1973	General Plan Revision Program (Workshop)	188
February 7, 1973	Departmental & Agency Reports (book form)	188
March 21, 1973	Action on Resolution - Chinatown General Neighborhood Renewal Plan and Pauahi Urban Renewal Plan.	296
April 18, 1973	Draft Ordinance relating to "Conditional" or "Contract" Zoning.	351
May 9, 1973	Change of time from 2:00 pm to 1:30 pm for Planning Commission meetings.	422
May 16, 1973	Amendment to Chapter 21, Revised Ordinances of Honolulu (Comprehensive Zoning Code) relating to requirement of providing dwellings for families of low and moderate income.	432
May 30, 1973	Proposed Amendments to Subdivision Rules and Regulations.	475

PLANNED DEVELOPMENT-HOUSING

January 3, 1973	Ewa Beach - Fort Weaver Rd./Hawaii Laborer's Housing Corporation. (72/PDH-3)	30
January 3, 1973	Nanakuli/Shelter Corporation and Pacific Construction Co., Joint Venture. (72/PDH-11)	42
January 10, 1973	Nanakuli/Shelter Corporation and Pacific Construction Co., Joint Venture. (72/PDH-11)	53

PLANNED DEVELOPMENT-HOUSING (continued) PAGE

January 31, 1973	Kaneohe (near Hawaiian Memorial Cemetery) HKH Ventures. (72/PDH-7)	153
January 31, 1973	Ewa Beach--Fort Weaver Rd./Hawaii Laborer's Housing Corporation. (72/PDH-3)	174
February 7, 1973	Kuliouou/ Kuliouou Kai. (72/PDH-15)	184
February 7, 1973	Kahaluu/Parklane PUD. Letter from Hui Malama Aina O Ko'olau/Mrs. Lucy Naluai requesting that the public hearing be held in Kahaluu. (72/PDH-2)	187
February 21, 1973	Kuliouou/ Kuliouou Kai. (72/PDH-15)	199
February 28, 1973	Makakilo/Kapolei Finance Realty, Ltd. (72/PDH-14)	217
March 14, 1973	Makakilo/Kapolei Finance Realty, Ltd. (72/PDH-14)	261
March 14, 1973	Kahaluu/Parklane. Fred Lorenz, Bruce Stark (72/PDH-2)	275
March 14, 1973	Heeia (Haiku Woods)/Joint Venture of Mahinui Estates, Inc. and Harry C. Uhler Development Co., Inc. (73/PDH-1)	275
March 14, 1973	Heeia (Haiku Gardens)/Grant Company (72/PDH-9)	275
April 11, 1973	Kailua--Kaiwa Ridge, Enchanted Estates. Lone Star Hawaii, Inc. (73/PDH-2)	323
April 11, 1973	Kahaluu/Parklane. Fred Lorenz, Bruce Stark and Jay S. Clark. (72/PDH-2)	323
April 18, 1973	Heeia (Haiku Gardens)/ Grant Company (72/PDH-9)	337
April 18, 1973	Heeia (Haiku Woods)/Joint Venture of Mahinui Estates, Inc.;Doug Carty Realty, Inc.; Harry C. Uhler Development Company, Inc. (73/PDH-1)	341
April 18, 1973	Kahaluu/Parklane. Fred Lorenz, Bruce Stark and Jay S. Clark. (72/PDH-2)	352
April 18, 1973	Kaneohe/Capital Investment of Hawaii, Inc. (73/PDH-3)	352

PLANNED DEVELOPMENT-HOUSING (continued) PAGE

April 18, 1973	Kaneohe (Makani-Kai Marina)/Makani-Kai Marine Development Company (72/PDH-17)	352
April 18, 1973	Kalihi Valley (Kuikahi Gardens)/Mid-Pac Development, Ltd., Frank Slavsky and William H. Dodd (72/PDH-16)	352
April 25, 1973	Kahuluu/Parklane. Fred Lorenz, Bruce Stark and Jay S. Clark. (72/PDH-2) Cablegram from 22 residents of Windward Community who were unable to testify in support of the application due to the late hour of the April 11 public hearing.	380
May 2, 1973	Kahaluu/Parklane. Fred Lorenz, Bruce Stark and Jay S. Clark. (72/PDH-2)	395
May 9, 1973	Kahaluu/Parklane. Fred Lorenz, Bruce Stark and Jay S. Clark. (72/PDH-2)	405
May 23, 1973	Kailua--Kaiwa Ridge, Enchanted Estates. Lone Star Hawaii, Inc. (73/PDH-2)	446
May 30, 1973	Nanakuli/Shelter Corporation & Pacific Construction Co., Joint Venture (72/PDH-11)	491

SPECIAL USE PERMIT/CONDITIONAL USE PERMIT

January 3, 1973	Kahuku - Kahuku General Hospital. Expansion and addition to hospital. Kahuku Hospital Association. State Special Use Permit. C/r CUP 20.	22
January 3, 1973	Puu Palailai & Puu Makakilo/Sanitary Landfill & Extractive Industry/Pacific Concrete & Rock Company, Ltd. State Special Use Permit (72/SUP-1) (72/CUP-15)	41
January 17, 1973	Mokuleia - Farrington Highway/Sand Mining Operation/Warren Kobatake dba Warren Corporation (72/CUP-12) (72/SUP-3)	71
January 24, 1973	Mokuleia - Farrington Highway/Sand Mining Operation/Warren Kobatake dba Warren Corporation (72/CUP-12) (72/SUP-3)	108
January 24, 1973	Kahuku/Kahuku General Hospital/Expansion and addition to hospital/Kahuku Hospital Association. C/r CUP-20.	150

SPECIAL USE PERMIT/CONDITIONAL USE PERMIT (continued) PAGE

January 31, 1973	Puu Palailai & Puu Makakilo/Sanitary Landfill & Extractive Industry/Pacific Concrete & Rock Company, Ltd. (72/SUP-1) (72/CUP-15)	172
February 7, 1973	Mokuleia/Farrington Highway/Sand Mining Operation/Warren Kobatake dba Warren Corporation. (72/SUP-3) (72/CUP-12)	187
February 21, 1973	Mokuleia/Farrington Highway/Sand Mining Operation/Warren Kobatake dba Warren Corporation. (72/SUP-3) (72/CUP-12)	204
February 28, 1973	Mokuleia/Farrington Highway/Sand Mining Operation/Warren Kobatake dba Warren Corporation. (72/SUP-3) (72/CUP-12)	212
February 28, 1973	Puu Palailai & Puu Makakilo/Sanitary Landfill & Extractive Industry/Pacific Concrete & Rock Company, Ltd. (72/SUP-1) (72/CUP-15)	215

STATE LAND USE COMMISSION REFERRALS

January 31, 1973	Mokuleia - Agricultural to Urban Mokuleia Properties (72/LUC-10)	171
February 21, 1973	Waianae Valley - Agricultural to Urban E. E. Black, Ltd. (73/LUC-1)	204
March 7, 1973	Waialae-Nui (Wilhelmina Rise) Conservation to Urban/William O. White (73/LUC-2)	248
May 2, 1973	Pupukea - Agricultural to Urban Elaine S. Niimi (73/LUC-3)	387
May 2, 1973	Waianae - Agricultural to Urban Richard R. Clegg (73/LUC-4)	388

STREET NAMES

January 3, 1973	Waipio, Ewa (Crestview) Waipio-Lani Subdivision	50
January 3, 1973	Kaneohe, Koolaupoko/Bayview Gardens Subdivision	50
January 3, 1973	Waipio, Ewa (Units 21 and 22) Mililani	50
January 17, 1973	Kalihi Valley, Kalihi/Mokauea Subdivision	105

STREET NAMES (continued)

		PAGE
January 17, 1973	Kaunala, Oahu/Senset Beach Subdivision.	105
January 17, 1973	Waiau, Ewa (Phase I) Waiau Gardens Kai.	105
January 17, 1973	Kailua (Unit 3-A) Kaopa Subdivision.	105
January 17, 1973	Waialae-Iki (Unit IV) Waialae-Iki View Lots Subdivision.	106
February 7, 1973	Waimalu, Ewa/Waimalu Subdivision.	185
February 7, 1973	Waianae/Maili Sands/Lualualei.	185
February 7, 1973	Waianae/Lualualei/Puu Heleakala PDH.	186
February 7, 1973	Maunalua/Kaluanui Ridge (Unit 4-C) Mariner's Ridge Subdivision.	186
February 7, 1973	Amend Resolution 134 adopted 4/11/67 changing De Russy Place to Paoa Place.	186
February 7, 1973	Ewa/Waiawa/H-1 Interstate Highway Waiawa Road.	187
February 21, 1973	Kahaluu, Koolaupoko (Unit 3) Wailehua Heights Subdivision.	205
February 21, 1973	Maunalua/Hawaii Kai (Phase II) Trans Marina.	205
March 14, 1973	Koolauloa/Makaua/Springer Subdivision.	276
March 14, 1973	Koolauloa/Hauula/Hauula Park Place Sub.	276
March 14, 1973	Honolulu/Waialae-Iki/Unit IV/Waialae-Iki View Lots Subdivision.	276
April 4, 1973	Koolaupoko/Heeia/Unit I/Haiku Park Subdiv.	316
April 4, 1973	Waialua/Paalaa/Haleiwa Hale Subdivision.	317
April 25, 1973	Waianae/Waihona Acres Subdivision.	378
April 25, 1973	Honolulu/Kalihi/Haumana Place/Subdivision.	378
May 9, 1973	Ewa, Waiau (Phase II) Waiau-Kai Subdiv.	422
May 9, 1973	Honolulu, Kalihi, Kalihi Valley View Lots.	422
May 23, 1973	Kahuku (Kuilima) Inscon J-3 Condo. Project.	471

STREET NAMES (continued) PAGE

May 23, 1973 Waimalu/Newtown Industrial Park 472

May 23, 1973 Kahaluu, Kahekili Highway 472

ZONING -- A-1 APARTMENT DISTRICT

January 3, 1973 Waipio/Northeast side of existing Seaview Village Subdivision/HKH Ventures (72/Z-76) 23

April 4, 1973 Mililani Town/From AG-1 Restricted Agricultural to R-6 Residential, A-1 Apartment, A-2 Apartment and P-1 Preservation Districts/ Mililani Town, Inc. (72/Z-69) 318

April 25, 1973 Mililani Town/From AG-1 Restricted Agricultural to R-6 Residential, A-1 Apartment, A-2 Apartment and P-1 Preservation Districts/ Mililani Town, Inc. (72/Z-69) 369

ZONING -- A-2 APARTMENT DISTRICT

April 4, 1973 Makaha/From R-6 Residential District to A-2 Apartment District/Makaha Valley, Inc. (73/Z-23) 318

April 4, 1973 Palama/From R-6 Residential to A-2 Apartment/ HRA, Kyung Ai Cho Est. & Hawaiian Evangelical Assn. (73/Z-24) 318

April 4, 1973 Mililani Town/From AG-1 Restricted Agricultural to R-6 Residential, A-1 Apartment, A-2 Apartment and P-1 Preservation Districts/ Mililani Town, Inc. (72/Z-69) 318

April 18, 1973 Makaha/From R-6 Residential District to A-2 Apartment District/Makaha Valley, Inc. (73/Z-23) 346

April 18, 1973 Palama/From R-6 Residential to A-2 Apartment/ HRA, Kyung Ai Cho Est. & Hawaiian Evangelical Assn. (73/Z-24) 347

April 18, 1973 Mokuleia/From A-3 Apartment to A-2 Apartment Districts/City Council. (73/Z-13) 352

April 25, 1973 Mililani Town/From AG-1 Restricted Agricultural to R-6 Residential, A-1 Apartment, A-2 Apartment and P-1 Preservation Districts/ Mililani Town, Inc. (72/Z-69) 369

ZONING -- A-2 APARTMENT DISTRICT (continued)

		PAGE
May 2, 1973	Mokuleia/From A-3 Apt. District to A-2 Apt. District/City Council.(73/Z-13)	382

ZONING -- A-4 APARTMENT DISTRICT

May 2, 1973	Makiki/From R-6 Residential to A-4 Apt. District/Hawaii Baptist Convention. (72/Z-36)	395
May 16, 1973	Makiki/From R-6 Residential to A-4 Apt. District/Hawaii Baptist Convention. (72/Z-36)	423
May 23, 1973	Makiki/From R-6 Residential to A-4 Apt. District/Hawaii Baptist Convention. (72/Z-36)	471

ZONING -- B-1 NEIGHBORHOOD BUSINESS DISTRICT

January 10, 1973	Palolo/1970 Palolo Avenue/H&I Corp. (72/Z-70)	63

ZONING -- B-2 COMMUNITY BUSINESS DISTRICT

January 10, 1973	Kalihi/2314 N. School St./Leased Stations by Planning Director. (72/Z-73)	65
February 21, 1973	Haleiwa/Abraham Aiau. (72/Z-66)	206
February 21, 1973	Punaluu/Robert M. Kaya. (72/Z-65)	207
February 28, 1973	Maili/Raymond X. Aki & Assoc. (72/Z-72)	216
March 7, 1973	Punaluu/Robert M. Kaya. (72/Z-65)	247
March 14, 1973	Haleiwa/Abraham Aiau. (72/Z-66)	262
March 21, 1973	Maili/Raymond X. Aki & Assoc. (72/Z-72)	278
March 21, 1973	Wahaiwa/McDonald's of Hawaii. (72/Z-39)	296
April 4, 1973	Wahiawa/McDonald's of Hawaii. (72/Z-39)	302
April 11, 1973	Central Business Dist./CW Investment and Development, Ltd. (73/Z-9)	323
April 25, 1973	Central Business Dist./CW Investment and Development, Ltd. (73/Z-9)	371
April 25, 1973	Central Business Dist./Planning Director (to include addt'l TMK's) (73/Z-9)	379

ZONING -- B-2 COMMUNITY BUSINESS DISTRICT (continued) PAGE

May 9, 1973 Central Business Dist./Planning Director. (To include addt'l TMK's) (73/Z-9) 401

ZONING -- I-1 LIGHT INDUSTRIAL DISTRICT

February 21, 1973 Heeia/Philip T. Chun, Atty. (73/Z-3) 206

March 14, 1973 Heeia/Philip T. Chun, Atty. (73/Z-3) 262

March 14, 1973 Kahe Point/Hawaiian Elec. Co.(73/Z-14) 276

March 21, 1973 Moanalua/Hualalai Constr. Co.(73/Z-17) 296

April 4, 1973 Kahe Point/Hawaiian Elec. Co.(73/Z-14) 301

April 4, 1973 Moanalua/Hualalai Constr. Co.(73/Z-17) 303

ZONING -- P-1 PRESERVATION DISTRICT

March 14, 1973 Kahe Point/Hawaiian Elec. Co.(73/Z-14) 276

April 4, 1973 Kahe Point/Hawaiian Elec. Co.(73/Z-14) 301

April 4, 1973 Mililani/Mililani Town, Inc. (72/Z-69) 318

April 25, 1973 Mililani/Mililani Town, Inc. (72/Z-69) 369

ZONING -- R-3 RESIDENTIAL DISTRICT

February 7, 1973 Lanikai (Kailua) Dolores L. Dyer (72/Z-80) 177

ZONING -- R-6 RESIDENTIAL DISTRICT

January 3, 1973 Puunui/Planning Director (72/Z-71) 24

January 3, 1973 Nanakuli/Shelter & Pacific (72/PDH-11) 42

January 3, 1973 Kailua/Kaopa Unit 3-C/Planning Director. (72/Z-84) 52

January 10, 1973 Nanakuli/Shelter & Pacific (72/PDH-11) 53

January 17, 1973 Kailua/Kaopa Unit 3-C/Planning Director. (72/Z-84) 104

January 31, 1973 Puunui/Planning Director. (72/Z-71) 175

April 4, 1973 Mililani/Mililani Town Inc. (72/Z-69) 318

April 11, 1973 Kahaluu/Frank Arita (72/Z-24) 323

ZONING -- R-6 RESIDENTIAL DISTRICT (continued)		PAGE
April 25, 1973	Mililani/Mililani Town Inc. (72/Z-69)	369
April 25, 1973	Kahaluu/Frank Arita. (72/Z-24)	377
May 2, 1973	Kahaluu/Frank Arita. (72/Z-24)	381
May 30, 1973	Nanakuli/Shelter Corp. & Pacific Constr. Co. Joint Venture. (72/PDH-11)	491

File Copy

Meeting of the Planning Commission
Minutes
January 3, 1973

The Planning Commission held a meeting on Wednesday, January 3, 1973 at 2:10 p.m., in the Conference Room of the City Hall Annex. Chairman Rev. Eugene B. Connell presided.

PRESENT:
Rev. Eugene B. Connell, Chairman
Fredda Sullam, Vice-Chairman
Roy R. Bright
James D. Crane
Thomas H. Creighton
Thomas N. Yamabe II

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Calvin Ching, Staff Planner
Henry Eng, Staff Planner
Tosh Hosoda, Staff Planner
Ali Sheybani, Staff Planner

ABSENT:
Antone D. Kahawaiolaa
Paul Devens, ex-officio

MINUTES:
The minutes of November 29 and December 13, 1972 were approved, on motion by Mr. Crane, seconded by Mr. Bright and carried.

PUBLIC HEARING
HAWAII CAPITAL DIST.
MAKAI-WAIKIKI CORNER
OF PUNCHBOWL & BERETANIA
STATE OFFICE BLDG.
DEPT. OF ACCOUNTING &
GENERAL SERVICES
STATE OF HAWAII
(FILE #72/HCD-5)

A public hearing was held to consider a request for approval of the final drawings for Phase I, Building No. 1, of the State Capitol Complex, makai-Waikiki corner of Punchbowl and Beretania Streets, Tax Map Key: 2-1-34: 11.

Publication was made December 24, 1972. No letters of protest were received.

Mr. Ali Sheybani of the staff presented the Director's report of the request. Since the plan is in the final drawing stage, compliance with some of the proposed recommendations may require considerable design modifications. The Director recommends approval of the request, subject to certain modifications as stated in his report. The following is a Summary of Recommendations:

1. Site plan could be modified to make the proposed building less obtrusive by slightly changing the angle of the building.

2. Mauka-makai view corridor could be maintained by shifting the proposed building easterly.

3. Roof material and form need improvement to de-emphasize the building as seen from Punchbowl.

4. The fenestration should either be the same as that for the existing Capitol Building or a totally different design to avoid diluting an important design feature of the Capitol Building.

5. Parking access should be in conjunction with the closing of Kapiolani Boulevard. Hotel Street parking could be accommodated underground.

6. Landscaping should provide a better pedestrian linkage between the proposed and existing structures.

7. Exterior lighting should be in conformity with the existing State Capitol Building lighting.

8. Natural material texture and color are recommended for the exterior of the building.

9. Stained glass artwork, if lit from within the building at night, will display an array of colors foreign to the visual environment of the district.

Questions were raised by the Commission.

CRANE: In discussing the height of the building, did I understand you have a 12-foot elevator and other mechanical devices?

SHEYBANI: That's right.

CRANE: And what's the height limitation?

SHEYBANI: Sixty-five feet height limitation. On top of that they can add 12 feet for elevator and mechanical equipment housing.

CRANE: Then this conforms.

SHEYBANI: That's right.

CREIGHTON: Could you tell us what functions are to take place inside the building?

SHEYBANI: Its mostly the Department of Accounting and General Services, the computer operation, and one other function which I don't have here.

CREIGHTON: Could you explain the drawing a little further? Am I correct in assuming that there seems to be three buildings with passage-ways between them.

SHEYBANI: That's true. The building is in one unit with passage-ways through. The reason for creating these passage-ways were to be able to see through the building at this complex. However, we find it in perspective that the depth of the building is so great that by the time you look through perspective of this, it would not allow you to see much of this building (referring to drawings displayed) behind it.

As I mentioned before, the committee reviewing this complex went through three or four alternative forms of building. One was a cluster of three buildings. The cost was so prohibitive that they chose this alternative. At one point, they were complaining. The committee's minutes show that there was dissatisfaction with the length and size of the building, 300 feet. There is no break. Probably the architects can comment on this. The reason for breaking the building in three parts visually was to reduce the 300 feet slab-type of elevation. Also, by making these portions (referring to drawing displayed) of the building protrude outside, they broke away from having one plain, solid elevation.

CREIGHTON: How high are the passage-ways?

SHEYBANI: The passage-ways seem to be about 50 feet high but I have to ask the architect to further clarify.

CREIGHTON: What kind, shape, size, function building there does the original Warnecke plan for the Civic Center envision? Do you recall?

SHEYBANI: The plan is here. It shows in the report also. Its a complex looking building with a rectangular building attached to another smaller building. It is in the report diagram that you have but at that time it was just a schematic adjustment of the building.

CREIGHTON: What I was getting at is as I recall, it was a much lower complex building than this.

SHEYBANI: That's right. Again, back to the minutes of committee meetings, at one time they were trying to keep the building at a 55-foot height but because of the underground water table and the high basement they have to have for their refuse truck service to go to the basement, they were forced to raise the building out of the ground four feet for the top of the basement, and the other floors on top of that.

SULLAM: I concur with your remarks in the report that the building should be simple. However, I don't think this facade is particularly simple. I think that we should request the architect to work a little harder and try to make a more unified and simplified elevation.

BRIGHT: How many parking stalls will be provided within this complex?

SHEYBANI: I don't have the exact count of it because we received a later plan and the parking was just included in the Phase I section of it, but people from the Traffic Department are here and the architects themselves can answer that.

BRIGHT: I notice the overall height is 84 feet. This is substantially more than the 65 feet plus the 12 feet. What's the differential?

SHEYBANI: If you're referring to the report, I have to mention that that was a mistake in the report. That's 84.7 foot elevation. The building itself is not more than 72 feet, considering this 65 plus 12 feet that they have. Its within the height limit.

(There were no further questions of the staff.)

No one spoke AGAINST the application.

Testimony in SUPPORT of the proposal followed.

1. Mr. Kenam Kim, Comptroller, Department of Accounting and General Services, P. O. Box 119, Honolulu (Written testimony submitted, undated)

KIM: Chairman Connell and members of the Planning Commission, I would like to express my appreciation for giving me the opportunity to address you today.

After reviewing the excellent report prepared by the staff of the Planning Department, recommending the approval of our Proposed State Office Building plans with certain conditions, I believe it incumbent upon me to bring to your attention the efforts of several individuals. I am speaking of the State Capitol Complex Policy Committee established in 1963, which devoted a tremendous amount of time and talent to the project. I can say without reservation that no other State project was ever developed with so much input from a concerned group of people.

I might add that the roster of this group of people is quite impressive: Mr. Aaron Levine, Executive Director of ODC; Mr. Frank Skrivanek, former C & C Planning Director and now with DPED; Mr. Frederick Lee, former C & C Planning Director and now in private practice; Mr. Alfred Preis, former State Planning Coordinator and presently Director of the State Foundation of Culture & Arts; Mr. George Moriguchi and Mr. Herbert Mark representing the C & C Planning Department, and others representing the Honolulu Redevelopment Agency, C & C Traffic Department, State Department of Transportation and Downtown Improvement Association.

Basically, the policy and thinking of the Policy Committee were in complete accord with the Master Plan prepared by the Warnecke firm. Certainly, no one can deny that a tremendous amount of time (close to two years) and energy were expended by well informed, responsible people in reviewing every facet of the building design from siting, massing to exterior design. All points brought out in the planning staff's report were brought up at one time or another and thoroughly explored by the committee. What is shown on the plans today <u>is not</u>, I'd like to repeat, <u>is not</u> one man's effort but the combined efforts of a group of knowledgeable and much respected professional people.

Today, much is said about public participation in planning - establishing citizens' planning advisory groups, etc. - this, I believe, we have done to a degree that no other project has ever gone through. To overrule or otherwise restudy the work of such a group, no matter how well intended, defeats the purpose and certainly will reduce the ultimate value of such advisory groups.

For your information, the initial concept adopted by the Policy Committee for the Capitol Complex was:

1. Ahupuaa, the old Hawaiian method of land subdivision, suggested a complex linking the ocean with the mountain.

2. Capitol District essentially should stress the dominance and continuity of open space and that buildings should become islands in the open spaces.

3. Each of the existing buildings belong to different architectural styles. A heterogeneous, no lookalike pattern is desirable.

4. Structures within the Civic Center should be subordinated to the Capitol in size and visual significance.

5. Some high-rise buildings along the perimeter and within the Civic Center should be encouraged to form a transition between the expected surrounding structures and the low buildings of the Civic Center.

Finally, on the matter of scheduling, I would like to point out that Mr. Shoso Kagawa, project architect, was commissioned by the State in January, 1970 to design the State Office Building. It was anticipated at that time that the plans, under normal conditions, would be completed in October of 1971 with occupancy scheduled for February, 1974. However, because of careful and thorough scrutinization of the Policy Committee, plans were finally completed in September of 1972, eleven months later than anticipated. (Please note that the Capitol District Ordinance went into effect in June, or only three months before our plans were completed.)

In view of the above, I would like to respectfully request that the final plans of the proposed State Office Building, as developed by the Architect and the Advisory Committee, be completely approved without conditions. Your favorable consideration will be sincerely appreciated.

I would now like to call on the following people to present additional testimony on the comments made in the City Planning Department's Report:

Mr. George Walters to explain the landscaping concept, roof treatment and traffic circulation.

Mr. Shoso Kagawa to elaborate on the fenestration, lighting and exterior treatment.

Mr. Alfred Preis to comment on the parameter around which the building was sited, view corridors and finally to elaborate on the art work which is an integral part of the building.

(Before the above-named persons testified, Mr. Kim was questioned by the Commission.)

BRIGHT: Mr. Kim, what coordination was there between your group in the planning of this facility and the Planning Department?

KIM: There were planning members present at every meeting we had on the project.

BRIGHT: Are you aware of the recommendations of the Planning Director?

KIM: Yes, we are.

BRIGHT: Has there been any discussion relative to these recommendations?

KIM: We have discussed them briefly. However, I would like to mention in all frankness that the first time we saw the report was when it was submitted to the Planning Commission.

BRIGHT: I'm interested in how much dialogue there's been with respect to the changes requested by the Planning staff.

KIM: As I mentioned, the first time we saw the report was when a copy of the report was sent to us, the same report that was submitted to you.

CRANE: I'd like to follow up on that. There's two people on this committee from the Planning Department, is that correct?

KIM: Yes.

CRANE: During the development of this plan, was there dialogue or were there hints of the possibility of recommendation of change from the Planning Department. If so, was there discussion on that and were the possible plan changes acceptable to the committee?

KIM: As I mentioned, final approval by the Policy Committee was given in February of 1972, after taking into consideration the various comments including that of the personnel from the Planning Department.

CRANE: Your recommendation is that we accept this without the changes recommended by the Planning Director?

KIM: That is our recommendation, yes.

(There were no further questions of Mr. Kim.)

2. Mr. George Walters, Landscape Architect

WALTERS: Mr. Chairman and members of the Commission, when I was called upon the project, there was no doubt in my mind who my client was. It was the Policy Committee. Immediately, they directed me to use the experience that I had gathered in the Citizen's Advisory Committee that had functioned for some time of the entire Warnecke plan. The next commission that I had was to consider almost the exact duplication of the State Capitol Park, and consider that as the continuity of open space around the State Capitol Building. That drawing up there somewhat indicates what the potential can be. It is true that we're just getting into the

landscape plan but that sketch, rudimental as it is, indicates somewhat the character of that open park as it relates to the State Capitol Building.

We developed a series of sketches, a number of which we presented to the Planning Department staff. What I bring today is one of the early sketches we presented to the Policy Committee. This indicates some of our studies on circulation and the placement of the building. I might add that I was called into the project just about the time that the building was just about consolidating from the various clusters into one building. But, there were concerns about the edge of Punchbowl and Kapiolani as the parking structure which was sort of being pushed down into the water level might also pop up along the sidewalk. We were looking for a pleasant transition between the sidewalk and the open park feeling. The model somewhat belies the fact, you see. But, there's suppose to be a smooth edge of the sidewalk right up to that grass panel that surrounds the entire building.

This drawing might give you some idea of the thinking that took place. For orientation, this is the State Office Building, the State Capitol, Beretania and King Street. Almost immediately you can see that by the closing of Kapiolani Boulevard and Hotel Street, as proposed by the Traffic Department in the Warnecke study, you end up with a major super block around the State Capitol Building, and a major super block lot around Alapai which will now become the South Street divider.

This (referring to drawing) is an indication of the parking structure. The Municipal Office Building is under construction. These yellow lines indicate the major pedestrian corridors. These asterisks indicate possible nodes of circulation. Immediately you see that you have a very interesting prospect. The minute Hotel is closed off, you have the Municipal Building as one terminus, the State Capitol Building being another. This long rectangle, in a meeting with the representatives of the mass transit study, we were told at that time that the Rapid Transit Station was going to be placed there. You can see then that by this drawing, we did study and went into all of the pedestrian circulation systems.

CREIGHTON: The State Office Building shown on the drawing there is not the same size and extent as the one shown above is it?

WALTERS: That's true. The reason for that is that this was an early drawing. The building size and configuration of the building wasn't exactly determined at this time. At this point we knew that specifically, the building would be placed in that area. What we were concerned about was the circulation corridors around the building, the general movement.

CREIGHTON: Your nice green passage makai by the State Office Building and your pink node there are lost, I believe.

WALTERS: Because of the addition here?

CREIGHTON: Yes.

WALTERS: Not necessarily so because you could see that that circulation corridor can continue, and that the node does indeed exist right at that point; that the area has been designed with the idea of public assembly and as a milling around area.

What you're pointing out is that the point from here to here (referring to drawing) appears tighter in that plan, and it does. The building has increased somewhat in size from this early sketch compared to that. What we've gained and what this doesn't show is that we've pushed through some corridors.

CREIGHTON: A more basic question, do you consider it desirable to have one park between this building and the State Capitol, and another park on the other side. You have two parks separate from one another by a massive building.

WALTERS: If I understand your question-- Actually, I envision it all as one large park with a continuity of space around it. It is reflected, almost duplicated by this open space, so that there is the sense almost of continuity of that green space. The only major intrusion, I consider, is Punchbowl.

I will speak now to some of the recommendations that were made. You will find that we are very, very positive about these recommendations.

On the roof material and the form which is under Recommendation No. 3, Page 6, we are in complete accord with the suggestion that the roof be landscaped in a manner that is similar to that of the Capitol Building.

Recommendation No. 5 on Page 6, talks about parking and circulation. The circulation referred to is vehicular circulation. The ramp location and the configurations were the result of a series of meetings with the City Traffic Department. Alternative ramp locations were presented at the Traffic Department by the architect's office. Only after careful deliberation of all of these factors with the Traffic Department has determined the location and the shape of the parking entry ramp. Naturally, safety was the foremost consideration in their decision. They also informed us of the time of the pending closing of Kapiolani Boulevard, and a possible schedule in terms of time.

Mention is made in the report of the obtrusiveness of open parking within the Capitol District, and the Planning Director recommends all open parking to be eliminated. Later he refers specifically to Hotel Street parking, and we're in complete accord that all parking should be in structures or underground. This project, the State Capitol Building, has no open parking. The open parking referred to is, of course, outside the project boundary and is on a city street. Naturally, we encourage the elimination of this parking.

A subsequent Memorandum on December 26th from the Planning Director, reports that the depressed Mass Transit Terminal is to be located in

this area. This should certainly eliminate parking along Hotel Street.

Recommendation No. 6, Page 8, Landscaping. Earlier in the Planning Director's report it is indicated that the planting plans be prepared during the final phase, Phase III. However, preliminary concepts are advanced enough for the final tract to be envisioned. The basic intent is to continue the open park that surrounds the State Capitol Office Building across Punchbowl to envelop the State Office Building. It is as simple and as attractive as that.

As for providing better pedestrian linkage between the proposed and existing structures, the report recommendations deal exclusively with modifications to Hotel Street that would improve pedestrian movement. Again, we're in complete accord. However, the street is out of the state project boundary. This again is a city street.

As for the passage-ways through the building, these connect to broad terraces around the building, that directly connect the major existing and future pedestrian corridors, to underground parking, to future parking structures, to future mass transit stations, to the future Hotel Street Mall, to Beretania and the Kapiolani pedestrian ways, and, of course, to the surrounding park.

That's the end of the elements that I am to comment upon, Mr. Chairman. If there are any questions, I would be glad to answer.

(There were no further questions of Mr. Walters.)

3. Mr. Shoso Kagawa, Project Architect

KAGAWA: The fenestration of the building is closely tied in with the design of the building. During the preliminary design stage of this project, we prepared many, many sketches and many, many study models, and presented them to our Policy Committee for their review. After many meetings with them and after a span of perhaps three months, we finally arrived at a solution which was acceptable to all.

I think we came up with a fairly simple fenestration of the first floor. The second and third floor fenestrations were based on a modular partitioning system since one of the requirements of the program was to produce a selectable interior partitioning system. Now, to cut down the massive windows on the exterior, as you can see from the drawing, we recessed the fourth floor windows from the continuous glazing and added the stained glass mirrors on both sides of that opening of the recess.

The glazing of the Capitol Building especially on the opposite levels is essentially fixed glass with concrete screens installed in front of it producing somewhat tracery effects.

In our building, we have a smaller amount of windows and larger background of masonry which would produce a more solid effect.

The objectives of the Policy Committee and our efforts were directed towards producing a design which is less heavy, less imposing, less monumental, less importance, and subordinated to the Capitol Building. The final design turned out to be a rather quiet, simple design, harmonious to the Capitol Building, expressive of its intended use, and inviting to the public.

I wish to comment on the building color. The color of the building was not intended to attract attention to our building but to tie it in with the Capitol Building, and at the same time to be subordinate to the Capitol Building. To produce concrete face throughout the building and to make it come out uniform in texture and color is a very difficult thing to do. Perhaps you can see that in some of the other buildings in which these types of finishes were applied. We feel that an important building in the Civic Center should have a better finish than exposed concrete which is rather difficult to control. Essentially, we cannot go into more expensive materials but waterproof plaster with a possibility of varying the texture, to us is the best way to handle the exterior. One material covering the entire exterior will produce a very simple effect.

Commenting on the lighting, it is true that we have not completed the studies for the exterior lighting. What we propose to do is to put a line of florescent pictures on the bottom of the tallest portion of the wall which will wash the four-end walls, the solid portion, and the intensity of the lighting will diminish as you go up the building. What we want to do is to be able to show the stained glass mirrors a little more effectively than trying to light the whole building all at once at night. Finally, our intent is to establish the same color of the lighting scheme as the Capitol Building.

Questions were raised by the Commission.

CREIGHTON: Mr. Kagawa, I'm not sure that I read the drawing correctly. The end elements have no fenestration on this facade?

KAGAWA: In the view you're looking at, there are no fenestrations but on the view which is right angle to that is completely glazed.

CREIGHTON: And, those end elements are separated from your central elements by the passage-way through. How high does that passage-way go?

KAGAWA: Its about 48 feet high.

CREIGHTON: Above that?

KAGAWA: We have another full floor of office on the fourth floor.

CREIGHTON: So then you really have five elements.

KAGAWA: That's correct.

CREIGHTON: I don't quite see how you can call that a quiet design.

KAGAWA: Well, we tried one expression when we started from the beginning. It was very quiet but very massive. It overshadows the Capitol Building. After that, we brought in a very well-known architect for consultation, Mr. Holstrum. He came out with the scheme where we create six buildings instead of one to overcome the massiveness of the building. Out of his scheme, we developed a three-part building like this.

CREIGHTON: I would call it a five-part building.

KAGAWA: Well--

WAY: I wondered if you had an opportunity, since the application was submitted, to discuss some of the concerns that were ultimately discussed in our report, you or any members of your staff, had you met with our staff?

KAGAWA: No. You mean after the report was made?

WAY: After the application was made for approval?

KAGAWA: We had some telephone conversation. We had no face meeting.

WAY: You had no face meetings with none of your staff?

KAGAWA: No.

WAY: Had you requested a meeting following the preparation of the report?

KAGAWA: Well, any contact we made with any of the agencies had to go through the State and they didn't feel it was necessary.

WAY: So, the State cancelled the meeting?

KAGAWA: No, there was no meeting planned.

WAY: They didn't feel it was necessary to have a meeting.

KAGAWA: On both sides, yes.

WAY: Our staff had asked for a meeting, is that not correct? Well, possibly you don't know. I have a report that there were two meetings prior to the submission of the report, that there was in fact a request for a meeting following the preparation of the report, that subsequently no one wished to attend. So that's what I'm trying to clarify.

KAGAWA: No, at that time you did not ask the State, you see. We're contracted by the State to do anything.

WAY: I understand. You checked with them and they decided a meeting was not necessary.

KAGAWA: Yes sir.

WAY: So, there were meetings after submission of the application?

KAGAWA: With your staff?

WAY: Yes.

KAGAWA: We didn't have no meetings.

WAY: You did not.

KAGAWA: No.

WAY: And none of the members of your staff attended.

KAGAWA: Not directly.

WAY: Okay. Excuse me, I think Mr. Sheybani wishes to make a comment on this possibly for clarification.

SHEYBANI: After the submission of the application, we had two meetings. At one meeting, Mr. George Walters and the architects were present. Mr. Lau and the DAGS people were there. The first one we had the DAGS people and Mr. Lau without Mr. George Walters. Those are the two meetings we had after the application was submitted. After our report was completed, but before it was sent to the Planning Commission, over the telephone we discussed the point with Mr. Lau of the architect's office. He suggested that we meet. We set up a time and the DAGS people called later on and thought no meeting was necessary at that point. So, we cancelled the meeting.

CREIGHTON: How far along are you in the drawings on this? Are you in working drawings?

KAGAWA: We're through with the drawings and ready to advertise for bids.

CREIGHTON: To the best of your knowledge, I realize this is not your prerogative, was any intent made to submit the design to the Commission and the Council before you started working drawings? It seems a very late stage in which to--

KAGAWA: Well, we were through with most of the design before the ordinance was passed.

CREIGHTON: I see.

(There were no further questions of Mr. Kagawa.)

4. Mr. Alfred Preis, Member of the Policy Committee, and Administrator for the Art work on the State Office Building.

PREIS: I have served on the Policy Committee ever since its inception. As a matter of fact, I had the privilege at that time to organize the Policy Committee. It was composed, as you know, not only of federal representatives, but also of county and state representatives. All decisions, with the exception of detailed decisions, which were architecture in nature or planning, have been done in front of the Policy Committee. I wish they were made a long time ago. It would be interesting to speculate how we would have reacted to them if we would have known what the thinking would be. But, the representatives of the City Planning Commission at that time was somebody else. At that time, the discussion had to do and aimed at the selection of one parti, a plan, out of many. It was commercial. It was competitive. It was thought about and finally this plan was accepted. It was not unanimous but it was the only one which was accepted because it complied with the functional requirements as well as with the environmental requirements, under what we considered the impact of the Warnecke plan.

The recommendation says--

> "The proposed building because of its parallel lines with the State Capitol Building, will attract undue attention. A slight change of angle in orientation of the building will make the building less obtrusive among other historic and significant structures in the Hawaii Capitol District area."

I think its terribly difficult for you who know Hawaii and know Honolulu to remember that it happens to be that every single building in the Civic Center is different. We have a group of historic buildings, each of them being of different architectural style. Then, we have newer buildings. They're all different styles. So, since this is a reality, let's have it become a virtue.

The first plan which was proposed by Warnecke was to put a cluster of buildings, each of them small in mass but related to each other, and permitting some open space to move through. That has been attempted by the architect but was relatively earlier rejected by the Policy Committee, under the influence of the Department of Accounting and General Services because it did not comply with the demands of space flexibility. There are two major departments in it and the experience at that time with the Capitol showed that the forecast of space requirements were throughout too small. That means reality always demanded more space than was forecast.

The architect then came to another meeting with three alternate plans, each of them basically a single unit, uninterrupted, with different roof compositions. The attempts then of the influence was that if we cannot get a pavilion plan, that means a plan composed of different buildings, at least the building should be articulately

divided so that the building would have masses which by themselves would be as mass, subordinated to the Capitol. A similar way as the Capitol respected Iolani Palace--the Capitol is many, many times larger than Iolani Palace--but, because of the void between the cone shapes and between the column space, a compatible relationship has been established there. It was therefore recognized and it was unavoidable, that although the building now was organized into three masses, separated by complete open spaces each 25 feet wide and approximately 40 or 45 feet high, that it was nevertheless a long building, a building of a similar length to the Capitol. It could not be ignored anymore, therefore. We could not approach a relationship to the Capitol in a randum manner because it became a dominant building by mass. So, the choice was that the building should become parallel to it because if the building masses are similar, a parallel arrangement looks more orderly than a slight obscure angle which could look messy, accidental, thoughtless. That relationship is unavoidable.

We also recognized immediately that the placement of a very large building together with the Capitol, and together with the existing City Hall and the Library building, established the opportunity for a major open space which would magnify the open space around the Capitol, and with a certain extent undo what has been in the past criticized that the open space around the Capitol is inadequate. We did not know that Punchbowl Street will remain. The assumption had been for a long time in accord with the Warnecke recommendation that Punchbowl Street would be eliminated, and therefore, the open space between these two buildings--and let me please say that the State Building is an annex to the Capitol. Just as the fourth floor of the Capitol occupies various administrative departments, this building is occupied by two administrative departments which simply didn't have room in the Capitol. There's an affinity between these two buildings.

The point I tried to make is number one, it shows advisedly and by design to hold the building parallel to the Capitol in order to establish a simpler relationship. If two lines are parallel, you don't question them. If they are not parallel, you will ask why, and there we would have been embarrassed to give an answer.

The question of open space, the idea, all of these things are still fluent. The proposal under the Warnecke plan was that Beretania Street would be landscaped. As you know, the building relates to Beretania and has been completed as Warnecke wanted it, that means to keep the vista from Beretania open. If that landscape pattern on Beretania would be retained, the continuous park effect which was desired, would be maintained. It would be enormously magnified in spectrum. The relation of Kapiolani Boulevard, as Mr. Walters already indicated, will increase the open space between the Municipal Building, the Municipal Parking structure, and the State Office Building. It will create an open space of a relatively similar volume to the open space between the State Office Building and between the Capitol. With this design solution, the Policy Committee feels that it succeeded to come very close to most of the expectations of the Warnecke plan, the creation of an open park.

I would like to say that the two passage-ways have been done not only to organize the total building into smaller building masses, but also to create vistas, not vistas as you have shown on the photograph from up, down, but from a pedestrian view. People should be able to step out of a building and will see that because there's an access established, they could look through something and see the Capitol.

Let me say a few words on the work of Art. It has been called constantly a stained glass. Its not really a stained glass. In the contract between Erica Karawina and the State Foundation for the commission of all that work, it has been called a translucent glass mosaic. During the day time, most of the time, the effect leads into the outside. It is not shown as a drawing having vertical lines. The major forms and curves which create essentially Hawaiian images which are done 12 feet and 16 inches wide out of epoxy concrete. It will read directly as a grille. The glass is one inch thick and its faceted, that means its chipped. It diffuses the light therefore. I believe that what the recommendation says that the light should be subdued, will precisely happen. The light will be diffused, will be filtered and will be controlled. The artist will choose warm colors facing the Capitol, and cooler colors from the other side. The four panels by the way depict morning, noon, afternoon, and evening, and the appropriate Hawaiian legends, dates, or thereabouts.

I will be happy to answer questions.

The Commission questioned Mr. Preis as follows:

YAMABE: Would you care to touch upon some of the recommendations if not all of it here, very briefly, as to what might have been the objections if these points were made to the Policy Committee earlier, such as the recommendation that the building to be slightly changed in angle. Also, if there are any recommendations here that might be an improvement.

PREIS: You recognize that what I say is conjectural. Its difficult to now construct how a group would have responded. It would be my thought that the question of the major organization of the open space would have remained pretty much the same way. Although the comments Herbert Mark, who represented the Planning Director, made were not identical to the objections, I don't remember your name made, but they have to do with similar questions.

In a group discussion, it is not always possible to have complete victory. You either have it one way or another. I believe Mr. Mark may not have been completely happy when he left but conceded that there was no other possible solution. I would feel that probably if we would have known precisely the wording or the thought of these objections as far as the parallelity is concerned, as far as the open space around Punchbowl between the Capitol and State Building, that in choosing between the various alternate assets and disadvan-

tages, that we would probably have chosen this, because this is what happened in the discussion of the Policy Committee.

YAMABE: Is it a fair assumption on my part that even if these were presented, the chances are you would have selected this plan here?

PREIS: I would venture to guess that regardless who sits here and would have participated in a group, demands always a certain compromise of your own feelings. I would say that the process simply lead to this proposal.

Mrs. Sullam earlier said the architect would have to work a little harder. This poor architect worked for nine months, constantly responding to the demands of the Policy Committee. He changed and changed and changed. There was no effort spared to come up with an appropriate solution which is fitting to the whole plan. We all participated in the early concept for the Civic Center. We were the only ones at the time to do it. You were not in the act yet. When you finally came into the act, it was too late. The working drawings were practically completed.

YAMABE: I realize there are many constraints. However, I personally, and I think the Commissioners would join me, want to come up with the best possible plan.

PREIS: The only question really has to do with the direction of the building. To move the building now since only a very minor angle would be possible, I can only repeat what I said, as a long practicing architect, I would be very alarmed about this. I would feel this is a wrong way of going about it. To do something artificially acute and uninteresting where a very simple, straightforward solution is the more appropriate one.

SULLAM: I take it you are satisfied with this building. You feel its the best Hawaii can produce for the Civic Center. Do you feel that way and does the Policy Committee feel that way too?

PREIS: I think you should phrase your question a little different. Every single architect would have a different solution. Its terribly difficult to say what somebody else would have done. But, taking the circumstances that we had to work with, I can only say that I myself worked very hard as a liaison between the Policy Committee and the architect. I can only say I don't know of a way how we can improve it.

SULLAM: Does the Policy Committee feel the same way?

PREIS: The Policy Committee to the best of my knowledge, has not seen the architectural plans. You see, the Policy Committee is not a review Committee to see and pursue and to guide architectural development. We've never had the occasion to do that. The Policy Committee goes only up to the selection of a site plan and/or the general parti, that means the general solution. It leaves it up to the architect and the architectural team.

SULLAM: Who's responsible for the architecture of the building?

PREIS: The architect. Shouldn't it be that way?

SULLAM: Well, yes, but also I feel it should be someone who is responsible for the selection of the architect because we all know the various architects work in different ways. Very often you can predetermine what a building is going to look like before you even hire the architect.

PREIS: Mr. Kim is responsible for the selection of the architect. He also has been Chairman of the Policy Committee. He established the Policy Committee and a Citizens Advisory Committee throughout to participate. There are many, many people involved and it is not possible to present every single detail to everybody. The representative of the Citizens Advisory Committee has seen the plans, has participated in discussion, and when that particular parti was accepted, he agreed that that was the best possible solution. Not best solution but best possible solution under the circumstances. The circumstances had to do with the site and with space requirements, with the mandate to create an interesting building which will fit into the environment and at the same time be subordinated to both the new Municipal Building as well as the Capitol. I think that has been achieved.

CREIGHTON: Fred, you said very clearly that the Policy Committee determines policy up to the point of selecting the parti, and the final architectural design then is not reviewed. We had recommended, a number of bodies had recommended--I believe the Council eliminated that from the final ordinance--that there be a Design Review Committee which would be a totally different kind of body. It could be composed primarily of design professionals with citizen input and so forth. This design as we see it now has not been reviewed by any Design Committee--I think that's a correct statement, isn't it?

PREIS: Correct. There was no Design Committee which has been appointed to review the plan. There was a Design Committee on the State level which I headed for three years in which architectural plans had been reviewed and guided to its completion. This is not my role any more but because of my involvement in the work of art, I myself have been involved with the architect, and gave him as much advice and guidance as he wanted. I was in no position to impose it on him and I wouldn't do it anyhow.

CREIGHTON: I understand that. I just want to make clear--I don't think there should be a misconception that this design as we see it today has been approved by a Policy Committee, and certainly not by a Design Review Committee.

PREIS: This is correct. However, I will say that the Policy Committee is more than any other agency has up to now. It is a multiple viewing of a design process up to a certain level. It did not go beyond the detail refinement and so forth.

CREIGHTON: One other thing I'd like to clarify. I think you said that members of the Policy Committee have not seen this final design, and I believe that its true that the Citizens Advisory Committee has not seen or passed on this design that we see here today.

PREIS: Its not that members of the Policy Committee haven't seen it because members of the Policy Committee have seen it. The Policy Committee, in total, has not reviewed the developed, completed architectural plans. It has reviewed only the preliminary drawings and the design presentation, and accepted them. The final drawing has not been seen.

Also, the process in procedures as established between the Policy Committee and the Citizens Advisory Committee was not automatic. Mr. Levine had the prerogative and to a certain extent an obligation to be a liaison between the Policy Committee and the Citizens Advisory Committee. He did in the past and could have and should perhaps have called the Advisory Committee together. Of course, the Advisory Committee has now been replaced by a new City and County Capital District Advisory Committee which by the way is almost identical to the Advisory Committee which served on the Policy Committee.

CREIGHTON: This may not be fair to ask you and perhaps I should have addressed this question to Mr. Kim. I believe you said and it has been said that one of the problems that you faced was the functional requirements and the number of square feet of space required by the State Departments. Who determines what departments were going in here, and what the functional requirements were going to be, and what alternatives--

PREIS: I can't answer that. I don't know. What I told you here, I told you only as an observer and member of this Policy Committee. I simply was informed as all the other members were informed of that fact.

WAY: Mr. Preis, in the parti concept that you discussed that was reviewed by the Policy Committee, did the architectural expression follow the plan that we now see? More specifically, was there this mass of building? Was there the opening corridor passage-way?

PREIS: Yes. This was the parti that was ultimately accepted by the Policy Committee.

WAY: That was reviewed by them?

PREIS: Yes. Whether it was two feet longer, I can't say, but essentially this was the parti. It had already the divisions that fit into three organizations, and it had a horizontal roof. Even the protrusion, a portion of the fourth floor, was already decided at that accepted parti. Basically, it was that solution, the bays, the number of bays, the color distances. I couldn't say as to inches because I'm very sure that the focal length had to be adjusted somewhat to fit the parti and so forth.

WAY: I'd like to address some remarks to comments you made in connection with what I consider to be a fairly significant point here, one which I think you felt is relatively artificial or imposed. That is, maybe it goes back in trying to explain our position a little more basically to the view that we feel the area way, the position at the entrance of City Hall, the side entrance, is a significant pedestrian gathering place, and will be even more so in the future with the construction of the Municipal Office Building. At that location, there are important views to Punchbowl that we are concerned about. I don't think, at least from your remarks, that you are sufficiently concerned with those as we are, and this is the very prime reason for our suggesting the reorientation of the building, to move it away so that there is no question that these views are not blocked. Now, I think that's sort of the basic point that we started from, and one that you seem to find exception to. Now, you're talking about a building sitting in space which to me is sort of an architect's view, if you'll excuse the expression--

PREIS: Well, part of it.

WAY: Rather than a building meeting a need in terms of say the pedestrian, the scenic qualities, that mauka view towards Punchbowl. I would question then, very basically, that this particular bulk of building is being placed because it sits, rather than because it really serves a function in terms of another requirement that has to be met, one of allowing for vistas from this complex to Punchbowl. I think just by way of clarification of my position, maybe we should talk to that point. I don't think we have to do it here and now but partly in rebuttal to what you said because I did hear you say that you didn't think this was that important, or that the recommendation we were making was not as significant as we really feel it is. I think its really quite basic to the circulation pattern of pedestrians, people working in this area, coming into this place which is our seat of government, and one that many people will want to have open to them to appreciate these views of Punchbowl. That's our principal concern here. If the building has to be adjusted, if you in fact, may even in fact need to eliminate some of those passage-ways, to narrow the bulk so that you can turn it, maybe this is an alternative that needs to be taken into account.

PREIS: We could not. We could eliminate the passage-ways, I understand, but we could not limit or reduce the lost area of the fourth floor. This is a basic requirement.

WAY: Okay, then--

PREIS: Please, I would like to rectify. If I created the impression that I was questioning your motive, I questioned only the recommendation. I was not aware of the importance you placed on evidently, the view from the new Municipal Building.

WAY: No, excuse me, Alfred, more from where we are now. The entrance from City Hall we see as ultimately becoming even more a significant gathering place.

PREIS: Which entrance are you speaking of, off King Street?

WAY: No, right here (pointing to map). As you can see, we're looking for a connection between the Municipal Office Building and City Hall. We place quite a bit of importance on what now appears to be a side entrance to City Hall but really is the most important entrance in terms of the place where people go. It might be a side entrance, but if you took a pedestrian count and I haven't, I'll venture to say that the number of people using that entrance is ten fold over that of the main entrance off King Street. However, I would add that with the new Municipal Office Building, I think it will increase because of the pedestrian movement between the City Hall Building and the new Municipal Office Building. So, this was the principal concern of ours, one that we feel, frankly, is not adequately addressed.

One other point--I don't think we need to debate the question, Alfred. Its just so you understand how we were looking at it.

One other point, and that is much has been discussed about procedures in terms of review by groups. I think you clarified very well the true role of the Policy Committee. We're now in a different arena. We're operating under an ordinance which I know you're aware. We are, by law, required to address some of these details. We are required to look at the fenestration, the architectural expression, the art work and so forth. It is incumbent upon us to bring to the Commission and the Council, the observations that we have. I know you respect this as you said in the beginning. But, I think its important, maybe not only for not only yourself but other members of the team and DAGS and other State agencies to know that its quite a different view-point that we're looking at this than maybe we were at the Policy Committee level, more microscopic in some respects. I think that its here that much of the difference of view-point does come into focus. We're not concerned about the location. We have accepted that. We agree with that. We are concerned with the orientation, with the expression of the structure. We are looking for the optimum.

One other point. I recognize you're caught, meaning the agency charged with the responsibility to construct this. You had proceeded without the knowledge that an ordinance would or would not be enacted.

PREIS: We didn't have any. It didn't exist.

WAY: Yes, and so there you are, but at the same time, now its here and we must, of course, do the job that it tells us we must do.

PREIS: I concede that, not only concede but support it. I said that earlier. I do think all of the people who are involved in the project feel and have only the best wishes for the success of this view direction. I do feel, however, that it would be completely unfair not to look at this particular project as a transition project between two different processes. But, to apply now, after

it has been completed, the complete rigidity in detail, as you said, of your new obligation. I also do hope that your new obligation will be tempered by multiple use, that it will not simply become the expression of one single person signed by two or three other people afterwards, but that it will be the result of give and take between the creative people, that means the architect, the landscape architect, and the viewing people, and that you will be satisfied with the end result which will be a compromise of all these forces. This, although I had to answer the question as you posed, that in an official way the Policy Committee did not act in a design-guiding capacity. Both George Walters and I acted as guides afterwards, and we were liaison. There's no reason, of course, to accept my word or my view or my taste, or anything.

WAY: We're in a new arena, Alfred. You can be assured there will be quite a bit of review of this matter. This is the second step with the ultimate decision at the City Council level.

PREIS: I would like to have a chance to discuss with you that process in the future because we learned a great deal.

Thank you.

The public hearing was closed and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mr. Bright and carried.

In determining what action it should take, the Commission had the following discussion:

CREIGHTON: Mr. Chairman, I move that we recommend denial of this application.

BRIGHT: Second the motion.

CREIGHTON: I'd like to expand on that.

I think if there was ever a location in which restrained and dignified, and I would say anonymous architecture was called for adjacent to--to recognize monuments in this area, this particular site, and what we have is an attempt to produce another outstanding design which despite the denials of many people, I think is in competition with the State Capitol. Along with that there are all the problems of site location and so forth.

The Director's recommendation that we approve subject to certain rather major modifications apparently doesn't make sense to me. I think if you have a design with as many faults as this one has, you've got to go back and start over again. I don't think you can take a work of art or the painting or the architecture or whatever and say its okay except that, composition drawings, color drawings are wrong and so forth. You either accept it or you reject it. In other words, I don't believe that it would be possible using this design to meet the objections which the Planning Director, I think, quite correctly has raised.

I recognize the difficulties we would face in a decision of this kind because the work was carried ahead before the Ordinance was adopted for the area, and yet certainly I could never live with myself if I said this is an okay building to go into the State Capitol area in this particular location.

BRIGHT: I second this motion, and I concur wholeheartedly with Commissioner Creighton's comments. I would say that if anything calls for a complete redesign, certainly its evident in the plan proposed that I saw today.

CREIGHTON: May I, Mr. Chairman, add something to that. Thanks for your agreement, Roy.

The redesign may, in fact, require going back to the basic requirements which Alfred Preis says the Policy Committee accepted has given. I think undoubtedly the State is trying to crowd too much into this particular structure in this location. This is what results in a large, bulky, obtrusive building. Maybe they should put some of these things somewhere else.

BRIGHT: It would certainly seem to me that for example, the requirement for a computer center. There's no need in the world for that to be centralized because the information is going to be piped over the lines. So, the computer center could be in any area. I'm sure this could be true of some of the other facilities going into that project.

CHAIRMAN: Any further discussion? Are you prepared for the question?

(Mr. Creighton's motion to recommend DENIAL carried.)

AYES - Bright, Connell, Crane, Creighton
NAYES - None
ABSENT - Kahawaiolaa, Sullam, Yamabe

STATE SPECIAL PERMIT/ CONDITIONAL USE PERMIT (EXPANSION OF KAHUKU GENERAL HOSPITAL) KAHUKU KAHUKU HOSPITAL ASSN. (FILE #72/CUP-20)	A public hearing was held to consider a request for a State Special Use Permit and Conditional Use Permit to expand and add to the existing Kahuku General Hospital, Tax Map Key: 5-6-06: 13 and portion of 6. Publication was made December 24, 1972. No letters of protest were received.

Mr. Tosh Hosoda of the staff presented the Director's report of the proposal. The applicant currently operates a 30-bed hospital on the site. The applicant sensed a growing need for expansion of the facility and commissioned a consultant to assess that need and develop expansion plans to meet the need. The plan developed by the consultants shows a requirement for 6 additional beds by 1975, and a growth to 90 beds by 1990. In this first increment the applicant proposes to construct a new 36-bed wing which will replace the old 30-bed nursing wing which has been condemned by both the State and City fire inspectors. Future increments will be added as the demand occurs and will be subject to further review. The Director recommends approval of the request.

The Commission was reminded of the statutory requirement on the Special Use Permit. After the public hearing is closed, action shall not be taken earlier than 15 days (January 18). 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.

Questioned by the Commission as to whether the conditions were reviewed by the applicant, Mrs. Maiawa, Administrator of Kahuku Hospital, stated that they have reviewed the conditions contained in the Director's report and are in agreement with them.

No one spoke AGAINST the application.

The public hearing was closed, and the matter was deferred for a statutory period of 15 days, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

PUBLIC HEARING ZONING CHANGE AG-1 RESTRICTED AGRIC. DISTRICT TO A-1 APT. WAIPIO HKH VENTURES (FILE #72/Z-76)	A public hearing was held to consider a request for a change in zoning from AG-1 Restricted Agricultural District to A-1 Apartment District for approximately 9± acres of land located on the northeast side of existing Seaview Village Subdivision, approximately 1,000 feet from Kamehameha Highway (end of Lumipolu Street), Tax Map Key: 9-4-07: 19.

Publication was made December 24, 1972. No letters of protest were received.

Mr. Tosh Hosoda presented the Director's report of the applicant's proposal to construct 100 units consisting of 55 three-bedroom townhouses and 45 three-bedroom apartments in three-story walk-up structures. The applicant in their amendment to the General Plan indicated that they will utilize the FHA 236 interest subsidized rental for lower income families. This was subsequently confirmed verbally by the applicant. The proposal will result in a density of approximately 11 units per acre. Approximately 6 acres with 20% or less slope, or the relatively flat portions of the parcel will be utilized. Three acres have 20% plus slope. The Director recommends approval of the request.

There were no questions of the staff concerning the report.

No one spoke AGAINST the proposal.

Mr. George Houghtailing, Project Consultant, concurred with the Director's recommendations and requested the Commission's favorable action of their proposal. Questioned by the Commission, Mr. Houghtailing indicated that all of the 100 units will be under the FHA 236 program. The FHA has responded favorably to their 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: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Bright, seconded by Mr. Creighton and carried.

AYES - Bright, Connell, Crane, Creighton
NAYES - None
ABSENT - Kahawaiolaa, Sullam, Yamabe

PUBLIC HEARING
ZONING CHANGE
A-2 APT. TO R-6
RESIDENTIAL DIST.
PUUNUI
PLANNING DIRECTOR
(FILE #72/Z-71)

A public hearing was held to consider a request for a change in zoning from A-2 Apartment to R-6 Residential District, for land situated in Puunui--mauka of Waolani Avenue, Rooke Avenue and Hawaii Street, Tax Map Keys: 1-8-26: 4, 24, 26, 14, 15, 19, 20 and portion of 25, 5, 12, 13, 16, 17, 18, 21, 22, 23.

Publication was made December 24, 1972 in the Sunday Star Bulletin/Advertiser. Letters of protest have been received and are incorporated in testimony AGAINST the proposal.

Mr. Tosh Hosoda of the staff presented the Director's report of the request. The subject area is situated at the base of Alewa Heights paralleling with Rooke Avenue between the Oahu Country Club golf links and Hawaii Street in Puunui. By rezoning this area as requested, the subject area will conform to the land use designation of the General Plan and the Detailed Land Use Map of the City, and will also bring the subject area into harmony with the existing residential character of the surrounding neighborhood. The fact that this area was zoned for apartment use but designated on the Detailed Land Use Map for residential use, was brought to the attention of the staff by residents in the area who had heard that the Korean National Association, owners of one of the largest parcels of land in the subject area, had preliminary plans for an apartment development of 4-story structures with about 60 units.

The Commission had no questions of the staff.

Public testimony followed.

Testimony AGAINST--

1. Mrs. Aaron A. Soong, Property Owner, 750 Hawaii Street
2. Mr. Edwin S. Soong, Property Owner, 748 Hawaii Street
3. Mr. William F. & Lillian Y. Soong, Property Owner, 742 Hawaii Street
4. Attorney Roy E. Takushi for Mrs. Florence Teruya, Property Owner (Submitted letter dated January 3, 1973)
5. Mr. Garret S. Hokada, Trustee for the Estate of Kinuko Hokada (Submitted letter dated January 3, 1973)
6. Mrs. Kimiyo Mukaigawa, Property Owner, 2728 Rooke Avenue

Objections:

1. Economic loss - There is no question that the proposal to downzone will decrease the value of properties affected and cause a hardship

upon property owners. Properties in the area were purchased with its A-2 Apartment zoning. Should the Planning Commission and the City and County of Honolulu find a way to reimburse property owners affected for the decrease in valuation caused by the downzoning to R-6 Residential, there would be no objection to the proposal. There must be an equitable method whereby properties rezoned from agricultural or residential to apartment or business zoning could be charged for the increase in the value of their property and such funds earmarked for reimbursing the decrease in value to the owners of the property downzoned.

Federal and State taxes also had to be paid with the property valued with its present zoning of A-2 Apartment.

2. Blighting - Apartment districts downzoned to Residential would turn into a blighted area because of the restrictions put upon the repair of apartment buildings. From the economic standpoint, the owners of such property would be forced to retain their apartment buildings even in a run-down condition as long as it is feasible to do so. The 10% allowance annually in repairs on existing apartments is less than sufficient with spiralling of labor costs. Subterranean termites are common in this area and even with routine inspections and treatments, these destructive creatures still cause grave damage. Major destruction of property due to termites would require much more than a mere 10% allowance.

   Residents are proud of their neighborhood and have maintained their properties accordingly. The rezoning withs its 10% allowance would definitely affect their ability to maintain its upkeep.

3. Even though the narrowness of the roadway was pointed out in the Director's report, traffic is minimal because it is a deadend road.

4. The fact that the DLUM designates the area for Residential cannot be denied but the situation is not a unique one. There are many areas in Honolulu where the DLUM and underlying zoning are inconsistent. There is question that the reasons to effect downzoning are sufficient as a result to cause economic loss.

5. They do not believe it is the intent of the Comprehensive Zoning Code to remove the use of a nonconforming lot especially if the statute made it nonconforming.

The Commission questioned Attorney Iwai and Mr. Kim as to the proposed development of property owned by the Korean Community Association. Out of three proposals submitted to the membership for approval, the proposal for an apartment development, which they felt would be most economically beneficial, was approved. Because membership dues are the only source of income, the proposed rezoning defeats their plans to develop the property and will result in an unwillingness of members to make further monetary donations to fulfill the educational, cultural, and relief purposes of the organization.

Formerly the home of the Portuguese Consulate constructed in 1927, the structure though very large in size is unfunctional for club purposes

and difficult to maintain. The property was purchased in 1946 as a meeting place for Koreans rather than for investment purposes. Mortgage payments necessitated sale of various parcels. Previous attempts to develop the property failed due to lack of knowledge. Since then, the aid of more capable people has been sought.

If the property is developed to Apartment or some other use, a portion of the project would be retained for their function, or they would lease a place in town which would be easily accessible to members. In any event, their organization must continue in order to accommodate a continuous influx of Koreans to the islands.

It was requested that the public hearing be continued for a period of four weeks to that property owners affected by the application might consult with each other and make a further study of the application. The possibility of hiring a consultant to review the situation is also being considered.

Testimony in SUPPORT--

1. Mrs. Shield, Property Owner at 2760 Rooke Avenue, Honolulu
2. Mr. Allen Y. Kajioka, 2731 Rooke Avenue, Honolulu

Reasons:

1. The proposed rezoning will bring the area into harmony with the existing residential character of the surrounding neighborhood.

2. A-2 Apartment zoning permits apartment construction up to 40 feet which detracts from the residential neighborhood.

3. No economic hardship will be imposed upon present A-2 lot owners. Based upon current market value for residential lots, a sizeable profit should be realized between the purchase of an A-2 lot several years ago and the sale of an R-6 lot today. The A-2 lot owners should be reminded that they have derived economic gain at the expense of their neighbors who maintain a charitable tolerance of minor annoyances created by them and their tenants. In all fairness to the A-2 lot owners, they work hard at keeping these annoyances to a minimum; however, incidents such as moving vans jumping curbs in an attempt to navigate turns from narrow streets into apartment driveways and digging up our lawns in the process should be realized.

4. Existing two-story apartment dwellings should be permitted to remain, but no further apartment development should be allowed.

5. Existing residents appreciate the stability of the neighborhood; however, future owners may not be as sympathetic, and may develop the A-2 lots based wholly on economic gain, and thereby destroy the stability of the neighborhood.

6. All streets mauka of Wyllie are very narrow, and permit parking on one side. It permits passage of only one car at a time; and in the

case of buses and trucks, the clearances are very small. A check with the Traffic Engineering Section of the State DOT reveals an alarming number of accidents on the major access roads from Wyllie Street during the past 2½ years. It is depressing to note that the majority of accidents involved parked vehicles.

Even at present it is very difficult to walk to the bus stop at certain times without encountering too many cars going in both directions. Because Honolulu does not require sidewalk construction, there are times in rainy periods when one must use the street to walk on. The deadend area is also used as a turnaround and brings much traffic to the end of the street.

MOTION: The public hearing was kept open for a period of four weeks as requested by the property owners, on motion by Mr. Yamabe, seconded by Mr. Creighton and carried.

AYES - Bright, Connell, Crane, Creighton
NAYES - None
ABSENT - Kahawaiolaa, Sullam, Yamabe

✓GENERAL PLAN/DLUM AMENDMENT RESIDENTIAL & LOW DENSITY APT. TO COMMERCIAL, RESIDENTIAL TO LOW DENSITY APT., & RESIDENTIAL TO ROADWAY & DRAINAGE CHANNEL WAIMALU OCEANVIEW VENTURES (FILE #211/C4/32)

A public hearing was held to consider a request to amend the General Plan and Detailed Land Use Map for Waimalu by redesignating lands from Residential and Low Density to Commercial use, Residential to Low Density Apartment, and Residential to Roadway and Drainage Channel, for lands situated in Waimalu--area bounded by Waimalu Stream, Kamehameha Highway, an existing residential community, and Moanalua Road Extension; Tax Map Keys: 9-8-08: 3, 4, 6 and 8 (Residential/Low Density-Apartment to Commercial); 9-8-20: portion of 1 (Residential to Commercial); 9-8-08: 2 (Residential to Low Density Apartment); 9-8-06: 1 (Residential to Low Density Apartment); 9-8-08: 11, portion of 7 (Residential to Drainage Channel); 9-8-08: portion of 3 (Residential to Roadway); 9-8-20: portion of 1 (Residential to Roadway).

Publication was made December 24, 1972 in the Sunday Star Bulletin/Advertiser. No letters of protest were received.

Mr. Calvin Ching of the staff presented the Director's report of the proposal. The applicant intends to develop the site as a commercial center totalling approximately 325,000 square feet of floor area. Justification of the proposed facility is based on development of the site for two commercial types of uses--a shopping center, and a business center primarily for office space uses and commercial services. On the basis of the applicant's report, the Director concludes that the applicant has substantiated the need for additional commercial development in the Aiea and Pearl City area, and that the location of the subject site for a shopping and business center is the most appropriate alternative from the standpoint of access, location, size and need.

The applicant's request is consistent with long range and comprehensive planning. In view of the established need for a shopping and business

center in the area, and the ideal conditions and physical factors involved, the Director recommends that the request be approved.

In addition to the recommendation for approval for the commercial center, the Director also recommends additional changes to the General Plan Detailed Land Use Map in order to reflect existing highway and drainage channel rights-of-way along Moanalua Road and Punanani Channel and to eliminate two constricted pockets of single family residential land within a low density apartment area.

Questions were raised by the Commission.

CREIGHTON: You have an analysis need in the report based primarily on estimated population growth in the area. Were those figures based on the present General Plan for the area? How were population increases estimated? Is it on the basis of the present General Plan or is it based on anticipated change in the General Plan?

CHING: Basically, these population increases were based on a study that we had done previously. It was based on the General Plan and future development in the area.

CREIGHTON: On future development.

CHING: Yes it is.

CREIGHTON: Not on the General Plan? What I'm getting at is, if the General Plan indicates certain population in the area, why didn't the General Plan anticipate commercial needs in the area also?

CHING: This was based on the General Plan. These changes were made recently. In 1971 this particular change took place. We suggested something like 24,000 to 26,000 population in this area, and that there would be a need for commercial services.

CREIGHTON: To pursue the line of questioning a little further and to rub it in week after week, we are again asked to make a change in an area for which we do not have an up-to-date General Plan.

WAY: To elaborate a little on that point, when that initial major General Plan amendment was made, my recollection is that in fact this point was raised and was recognized, that with that extensive an area being amended on the General Plan to allow for future population growth, there would be a requirement for some additional commercial facilities. We also pointed out that we felt it was important to have some of those facilities located in--rather within the apartment areas too. That was not the recommendation favorably received by the decision makers.

Public testimony followed.

Testimony AGAINST--

1. Mr. Dean Taketa, Resident, Kaulike Drive

TAKETA: Changing the Residential area to Commercial, a large majority of the people that live in the Waiau area are for it because it will bring the land value up, and in a sense we need a shopping center. But, the further amendments like low density apartments, we are opposed of it. The whole area is strictly Residential right now except for a couple of lots along Kam Highway. Being that Newtown has developed, which is a residential area and just above the Waiau area-- I feel that the neighborhood we have now is good. You don't have to worry about things being stolen. I'm not prejudiced about people, but the majority of people that rent low density apartments, being they don't own the land, they wouldn't really take care of it. Then again, that would bring the land values down because there would be social problems within the neighborhood.

The Commission questioned Mr. Taketa as follows:

CRANE: Do you represent a community association?

TAKETA: No, I don't. That's just a verbal representation among the neighbors.

CRANE: Have you been authorized by this verbal communication to speak for the neighbors?

TAKETA: Yes.

CRANE: You have no petition of this?

TAKETA: No I haven't.

CHAIRMAN: Any further questions?

WAY: Just a point. I wonder if you are fully aware of the change from single-family residential to low density apartment. In terms of land area, its a very relatively insignificant amount. I understood you to say you are in favor of a commercial change but you were not favoring the addition of the low density apartment area. Just so you understand, its a very small land area that we're talking about in comparison to what is already allowed for apartment use.

TAKETA: What I'm getting at is the community we live in right now, we all get along. The low density apartment which they want to put up if the zoning is changed, I feel that it will bring out more homes for people to live in but you're dealing with people in general.

CHAIRMAN: You can't really say in a low density area the crime rate is going to go up.

TAKETA: True, but statistic-wise, the majority of them have gone up.

CRANE: How close will this shopping center be to your home?

TAKETA: Right behind.

CRANE: Do you think a commercial venture of this nature would change the characteristics of your neighborhood?

TAKETA: In what way?

CRANE: In anyway. You're making the point that low density apartment would change the character of your neighborhood. Would a shopping center change it?

TAKETA: I think it would.

CRANE: For the better?

TAKETA: Yes. The land value would go up.

CRANE: That's not the point. I'm not talking about how much money would be involved. I'm talking about the characteristic of the neighborhood.

TAKETA: It'll be more convenient, I guess.

(There were no further questions of Mr. Taketa.)

Testimony in SUPPORT--

Mr. George Houghtailing, Planning Consultant for the applicant, concurred with the Director's report and requested the Commission's favorable consideration of the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

ACTION: The Commission adopted the Director's recommendation and recommended approval of the request, on motion by Mr. Bright, seconded by Mr. Creighton and carried.

AYES - Bright, Connell, Crane, Creighton
NAYES - None
ABSENT - Kahawaiolaa, Sullam, Yamabe

PUBLIC HEARING ✓PLANNED DEVELOPMENT HOUSING EWA BEACH FORT WEAVER ROAD HAWAII LABORER'S HOUSING CORPORATION (FILE #72/PDH-3)	A public hearing was held to consider a request for the designation of R-6 Residential property as a Planned Development-Housing District in Ewa Beach--Fort Weaver Road (across Ewa Beach Park), Tax Map Key: 9-1-01: 6. Publication was made December 24, 1972 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Henry Eng of the staff presented the Director's report of the applicant's request. Procedurally, the applicant did not establish any pre-application contact with the Planning Department to review the preliminary design proposals for their general compliance with the standard requirements. He has received copies of all agencies' comments on his official application material. The staff is not aware that the concerns raised have been resolved. These problems and others make the present proposal unacceptable.

Questions were raised by the Commission.

CRANE: The supplemental report given us, it was postponed on August 14, October 14, and November 13. How much has the applicant worked with the Planning Department in an attempt to overcome some of the problems?

ENG: As indicated in the supplementary report, two problems still remain, primarily the traffic pattern and the site design. The balance of the engineering and technical problems appear to have been resolved with various agencies.

CRANE: Has the applicant resolved the remaining two problems with the Planning Department?

ENG: No, he has not.

CRANE: Has he expressed an unwillingness to do so?

ENG: He had indicated that the project has progressed too far to entertain any change to the site plan.

YAMABE: What do you mean by site design?

ENG: We're talking about the orientation of the units, the placement of the units on the site, the relationship of the various parts of the site plan, the dwelling units, the parking, the service drive, the recreation areas. Basically what we're saying is the site plan is not acceptable.

YAMABE: What do you mean by saying the project has progressed too far to change it?

ENG: Perhaps I should give you a little background on this part of it. Sometime toward the end of January, the applicant submitted a full roll of drawings to the Planning Department requesting a Building Permit as part of Planned Unit Development. A representative of the applicant was advised that in order to consider Planned Unit Development, we had certain procedures. That was the end of January. Around mid-May we did receive an official application including some of the materials that are displayed here. The project was pre-designed. Working drawings were pretty well on their way at the time he came to us, witnessed by the fact that he did request a Building Permit initially.

YAMABE: A Building Permit for a Planned Unit Development.

ENG: Yes. The applicant was not aware of these various procedures which the code spells out for the processing of Planned Unit Development.

(There were no further questions of the staff.)

Public testimony followed.

Testimony AGAINST--

1. Mrs. Florida Underwood, Resident of Ewa Beach

"...We must protest the housing under consideration because for at least ten years, since 1963 when the Federal Government developed Capehart Housing on Iroquois Point, Ft. Weaver Rd. has been inadequate for the needs of Ewa Beach. Between 1970 and 1972, some 1500 homes (doubling our population) have been constructed in Ewa Beach, and we still have the same horribly over-crowded Ft. Weaver Rd. as our only road to serve the entire Ewa area. While Ft. Weaver Rd. is a state responsibility any other housing in Ewa Beach should be denied until this state-responsibility factor is corrected.

Another factor dictating our plea for denial of this development is our inadequate, state-controlled schools in Ewa Beach. Good city planning cannot fail to recognize that if three elementary schools could not give adequate schools for our population BEFORE THE 1500 HOMES WERE BUILT, the jungle of portables now crowding the Campbell Complex cannot begin to meet the needs of a doubled population. In September of 1972, there were not even toilet facilities, nor janitorial services added for the use of these portables.

Connected with sewage disposal for schools, are the sewage disposal problems of the entire community. It is superfluous testimony to again present the need for adequate sewage disposal that our thorough and careful research has brought from Ewa Beach to city, state, and federal governments, for the past five years. The sewage plants constructed in the dense housing developments are inadequate, and have brought us only filthy, unhealthful and polluted land, air and water. The sewage plant for the entire Ewa area is, again, city, state, and federal responsibility. But we do ask that this housing be denied by the city, until this condition is corrected.

Other unsolved conditions should be considered before more homes are built in Ewa Beach: inadequate water (one line added recently, but not sufficient) for every home; serious drainage problems (study made but not implemented); safe school crossings; woefully overloaded telephone and electric lines (we must often use our cars in Ewa Beach for communication and our TV sets will often not function because of inadequate electricity); updated city and state laws which permit use of public facilities; and very important, are the pathway of planes over the very homes considered today.

If it is important that this development under consideration today should be involved in total planning, the problem of an Ewa Area Council should be considered. More housing in the Ewa area is now being studied, with the cooperation and encouragement of Governor Burns, which will affect Ewa Beach as a whole, including this development. The new City Charter provides for Neighborhood Organizations. We need time in Ewa Beach to build rapport between the 850 homes now in Ewa Estates (soon to be 1200), the five new developments around the community park, and the original homes before these developments began. Each of these developments, except the 130 homes of Ewa acres, by agreement when their homes were sold, required home owners to, automatically, belong to associations within each development, and dues are paid with monthly payments of homes. Again it takes time, to work thru these development organizations, down to individual homeowners, in order to formulate this area-neighborhood council. It is a tremendous undertaking and we are fortunate that city administration is assisting us in our efforts. Some of us question the advisability of adding a unit of housing for just union members. When our needs are also needs of this union group, fine, but we wonder what would happen if union leadership did not support our efforts.

We realize that there is a great need for homes, and EBCA has not opposed development in Ewa Beach when that development is conducive for good family living and good community relationships. We think this is not the time for this development in our community.

Mr. Aki, who is testifying for the development, promised me when I was EBCA President in 1971, that no development would be undertaken until EBCA was contacted. This promise he kept, and there was at least one meeting with the Planning Department and Mr. Aki held in Ewa Beach. I, personally, wish to have this attempt at cooperation recognized.

The Planning Department has even been cooperative with Ewa Beach about our problems. It was most courteous for them to take time to let us know of this hearing today.

Since this testimony was not planned by Ewa Beach organizations, if the Commission thinks it advisable, in keeping with the new Charter efforts to have neighborhood organizations involved, it might help to have this hearing kept open for further testimony about this development."

(The Commission had no questions of Mrs. Underwood.)

Testimony in SUPPORT--

1. Mr. Raymond X. Aki, representing the Hawaii Laborer's Housing Corporation

AKI: I'd like to give you some background on this particular organization. It was begun two years ago by the laborer's union.

Its a wholly owned subsidiary, eleemosynary institution. Its purpose is merely to provide housing for the members at reasonable prices. Subsequent to the foundation of that organization, the union in 1970, two years ago, purchased this site and began their plans for their union members. We're talking about a group of people who let the union know that housing was beyond their particular means. So, the union had sought to alleviate that particular problem somewhat with their membership.

Over a year ago, we asked for a meeting with the Mayor and the Planning Director to help us to facilitate this particular project. Unfortunately, that particular meeting in December of 1971, Mr. Way was not available. The meeting was conducted with the Deputy, George Moriguchi. At that point, we had reviewed the general plans that we had wanted to put through. Under the recommendation that was made at that time by Mr. Moriguchi was that we would complete our plans and then submit it. This we did.

This past summer, when things seemed to be bogged down again, we asked for another meeting with the Mayor, this time attended by the Planning Director. It was agreed at that particular time that the four points would be resolved by us. Those four conditions we have met. The conditions were to clear with the State Health Department, relative to the sewer plant system. In going through that, we had originally requested from the Board of Water Supply for the consumption records as to what our probable sewer requirements would be in this particular area. Our Sewer Engineer then designed to double that particular consumption, and it was approved by the Health Department.

In May of last year, the criteria changed. Instead of our project qualifying with double the consumption expected, the Health Department came up with a triple consumption criteria which we felt we would go along with anyway. After we had agreed to put in a larger plant, we asked the Department the basis of that criteria. It turned out that the criteria they used was based upon a public housing project where free water was given to all of the occupants. Therefore, the system of running water into the sewer system is what they made the difference on criteria. We pointed out to them that our project was not one of free water, and we would not have that kind of experience. Nevertheless, we are building that plant to triple the normal use.

As far as the reduction of the enclosed floor area, we have agreed and we have complied.

The third was to comply with the City Public Works on grading and drainage which we have done.

The fourth was to answer the concerns expressed by the U.S. Soil Conservation Service which we have in our report from our Soil Engineer which is of record.

Now, having met these requirements that we agreed upon at the last

meeting in July, we see no reason now at this point to ask for a denial of the project.

There are a few items which we feel are quite subjective rather than objective. We're told that we have a very hazardous pedestrian traffic situation within the project. We asked the Department, therefore, to substantiate it in data. They tell us we don't have any. Where do you get this idea that its dangerous? Its an opinion. We say well, don't you have any data as to injuries in shopping centers? They say they don't. Then, they tell us if you want to go ahead and research that, that's up to you. So, we did research.

We picked four shopping centers at randum to get the figures on safety within the parking area. From these four, we picked from the date that they started the shopping centers to the present day which at the end of the research was September 20. We found 35 million traffic exposures with not a single injury. We cannot understand with that kind of a volume of traffic exposures showing no injury, why the Department still insists there is a dangerous traffic hazard. This project is not a public project. All of the driveways are private. It will continue to be private. All of the drivers that will be driving in there, it will be their own children that will be crossing the parking area into the recreational area. The large center areas for recreation were made primarily for the older children.

Mr. Aki also presented statistical data on existing housing problems on Oahu. He was questioned by the Commission as follows:

CREIGHTON: You spoke of four points that were at issue which you have resolved in your meeting with the Planning Director. Was the question of the site plan, the arrangement of buildings, the location of recreation areas, the arrangement of the roads and so forth, was that never discussed?

AKI: Yes, they were raised at that meeting. Mr. Way raised those questions himself.

CREIGHTON: Apparently you are not satisfied--

AKI: It was the price that we had agreed upon.

CREIGHTON: What do you mean by that, that you disagreed with the Planning Department at that time?

AKI: It was the points that we had agreed upon, the four conditions; to meet all conditions imposed by the State Health Department relative to our sewer treatment plant, we've met that; the reduction of enclosed floor area not to exceed 100,899 square feet as calculated by the Planning Department, we have met that; to comply with the City's Public Works Department on grading and drainage, we have met that; to answer concerns by the U. S. Soil Conservation, we have met that. We have met all of the requirements.

CREIGHTON: Were the questions of site arrangements and site plan not raised?

AKI: They were raised but that was part of the discussions that we had but it was not placed as one of the conditions that we should do. Back on our own case as was stated by Mr. Eng, we had already poured in too much money.

CREIGHTON: At any time did your architect, site planner, work with the Planning Department staff on site arrangement?

AKI: No. All of the meetings that we've had with the Planning Department was never attended by our architect.

CREIGHTON: You spoke of subjective considerations. I'm sure you realize that one of the aspects of a planned unit development is that because of the higher density that is allowed, a satisfactory site plan and amenities within the site must meet the approval of the Planning Director, and ultimately the Planning Commission and the Council. You certainly must have realized that this is a very important consideration in final approval or disapproval of this project.

AKI: We understand. We have met the four conditions. Now, when we talk about subjective changes, and this is in the area of subjective changes, most of these subjectives are based upon opinions. If opinions can be substantiated, that is fine. If we've got facts, we can work with facts. But thoughts, we cannot work with unless these thoughts are real and they are based on real factors. When we are faced with unknown factors, we can't agree with them.

CREIGHTON: I wouldn't agree with you that these are completely subjective things. When you have a plan which requires the crossing of roads to get to the recreation areas, and when its obviously possible to plan so that you don't have to cross a road to get to recreation areas, because we've approved many developments that have that, certainly the provision of an unaccessible plan in this sense is not purely a subjective opinion.

AKI: I would say that the opinion that says that this is an extremely hazardous situation is very subjective because its unsubstantiated. We have proven that to be unsubstantiated by the very huge amount of research done on this safety point.

Now, if 35 million exposures without a single injury, to reach that number, we would need this project lasting for one thousand years. If within the realm of common sense there are no records to prove that there is no danger, then why insist that there is a danger? This becomes an opinion and a very unfounded opinion.

CREIGHTON: No, I think I would disagree with that. I don't think its an unfounded, subjective opinion of kids running across the road to play in a playground is likely to get hit.

AKI: I agree with you but there's always a chance that a child running across a parking area may get hit by a car. But, in that concept there, we have driveways. We have no streets. They are all parking aisles. Now, how fast does a person go to a parking aisle? There's only one car there.

In the shopping centers we found depths of as many as eight cars through which children would have to pass. Yet, with a preponderance of exposure, there has been no injury. In this particular case we may have an injury, yes, but what are the probable chances of that particular injury happening? I just mentioned we would have to have a traffic exposure equivalent to a thousand years on this parcel to equal the research that we've done. There is no evidence of any injury. In light of that, why do you still take the same stand? Is there any other way or is there any other information that you would want to support this particular point?

CREIGHTON: I just want to know why, knowing that you're going to have to come up for approval and face what you call subjective reaction, you didn't discuss the site plan arrangements. This is just one question I raise. Certainly, another is the arrangement of the units around the perimeter in rows around the four sides. There's another way of arranging the buildings which is more interesting and more attractive than that. These are things, and the various questions that the Planning Director raises, are things which could very easily have worked out if you had some advice on, or if your architect had worked with the Planning Department.

AKI: We understand that.

CRANE: Mr. Aki, since there's been very little communication of the site plan, the arrangement and hazard of the pedestrian situation, would you people be willing to meet with the Planning Department should this public hearing be kept open, and try to solve the remaining problems?

AKI: We're always willing to meet with the Planning Department.

WAY: Mr. Chairman, I think it should be noted that we too find some points that have to be made for the record having to do with the meeting Mr. Aki referred to. July 31 a letter from me to Mr. Aki went out as follows: "Dear Mr. Aki: Based on our recent meetings in the Mayor's office, we wish to confirm our understanding of your intention to make the necessary adjustments and revisions to your planned development application proposal in order to overcome the stated concerns of various City, State and Federal agencies. These concerns were primarily related to the sewage disposal system and the site plan. We understand that you will be in contact with your architect and will advise him to meet with us for the purpose of re-evaluating the site plan design.

Please be advised that we are completing our analysis on your current proposal and will be submitting to the Planning Commission, as required by the zoning code, our recommendations by August 6,

1972. We will be prepared at that time to schedule a public hearing on your application based on the material submitted earlier. If you do not wish us to proceed in scheduling a public hearing pending resolution of the various technical and design problems brought out during the review process, we would appreciate being advised immediately.

We will be pleased to meet with you to discuss these matters. Should you wish to do so, please call Mr. Ali Sheybani at 546-2832."

The point here, Mr. Chairman, our understanding was that there would be an architect available to us to discuss the significant site planning matter. Subsequently, we did not hear that our understanding was incorrect. At least I was not advised. Yet, we did not have an opportunity to discuss this with the architect. In fact, I don't know at this point who the architect or designer was. At a later meeting, just so there's no misunderstanding, there was a local architect, we understood, engaged and who subsequently met with our staff to cover the matters of the overages on the floor area. Some redesigning of the buildings, I believe, was undertaken to reduce the floor area to be within the stated requirements of the CZC. We were further advised that that architect was not commissioned to undertake any site plan analysis. My understanding also is that the architect is not in town. He's in fact from the mainland. This was the concern expressed to us by Mr. Aki. But, again as I say, my letter of July 31 indicated that my understanding certainly was that we would have access to the architect. I think its in this area that some clarification is needed, and the reason that I bring this matter to the attention of the Commission.

CREIGHTON: Mr. Aki, may I ask who your architect is?

AKI: I think the name was given by Mr. Eng.

ENG: For clarification, the architect who prepared these plans is Friel-Linde Associates who is practicing in Redondo Beach, California.

CREIGHTON: Do you intend to use this firm from California to complete the job?

AKI: This job was engaged because this firm was familiar with concrete modular construction. We did not have a sufficiency of architects here in Honolulu that knew the modular construction methods. We were kind of pioneering the concrete modular construction in this particular area from a construction and price standpoint. As a matter of fact, when these plans were submitted to the Fire Rating Bureau, they told us that this was the first plan that they have ever approved for complete fire safety. That's one of the features of this plan.

We have asked other local architects to try to get into the modular planning. I think we have interested a few we would be using in the future.

You see, the plant has already been constructed on Sand Island. The first modulars are out. Its a system under which the units are all made in the plant at one time. Everything is put into the unit at the same time, the plumbing, the electrical work, and so forth. This is something that we thought of introducing here as a very competitive factor in holding the cost down.

CREIGHTON: You certainly should be commended in searching for innovative methods of construction which we do need here. I wonder if its likely that your architect whom you chose for that particular reason, may not have been familiar with site planning problems in Hawaii.

AKI: I don't think he was. For that reason this is why we had called for that first meeting with the Mayor over a year ago to see what we could do in this particular case. The advice that we had received at that time was to complete the plan which is this.

CREIGHTON: Would you be willing, if it should work out that way to retain the local architect to redesign the site plan, of perhaps retaining the construction method and the modular approach?

AKI: Well, we're always open to suggestion. We have retained the services of K. D. Park who was very much interested in this type of work. If there is no drastic course, we would certainly consider it, yes.

WAY: Mr. Aki, I recognize that you're in an area as you said here, pioneering the construction technique. I wonder if you were aware of what the estimates on a per square foot basis were in comparison to construction costs that we found in other planned developments. I question whether, in fact, as on a per square foot basis, this is low-cost housing because the information that we have shows that its very much in the high range on a square footage basis. I don't know if its accountable to the technique you used in the construction of the units, if there are any special problems that you have on the site, but wondered if you could explain why it is a high cost per square foot of building unit for this particular project. Have you any idea why your cost is to high?

AKI: Our price starts running a quarter of a million dollars. To put in the sewer treatment plant, it doubled our cost over what we originally estimated. Our first estimate was based upon a cesspool arrangement which qualifies for that particular area. But, when we went to the State Health Department, they said they would prefer if you'd come out with a treatment plant.

When you talk about cost factors, please bear in mind that the type of materials we use and what goes into the units make for the cost. This is a field that I am very familiar with having been an Appraiser and Building Inspector for the FHA and VA for many years. To make a judgment of that type, you would need to be able to know just exactly what materials are going into one project versus another, and the qualities of that particular material.

For example, in our case, we have lifetime roofs. I wonder if in your case whether that roof is a 10, 12, 13 or 15 year roof. That has a lot to do with cost. We're using epoxy base paints. These are the most expensive paints on the market. They last for 20 years. What kind of paints are you using in your comparison factor?

WAY: Only to say that we did sample 12 relatively recent projects where we had either estimates of construction costs in the case of five of them, including yours, and where we had actual sales prices in the case of five other units. Several things are apparent. One, this one has very small relatively square footage floor area. But for example, the cost that we found here was on the order of $30.20 a square foot. Taking just one out of the blue, and there are all kinds of variables here I recognize and that's why I raise the question why your costs seem to be so high, but some of the more deluxe PDs that we've had are selling at $38,000, $37,000, $36,000 and up, with larger units running at $29.00 at the most, a full dollar per square foot lower, for Clubview Gardens for example, total price in that case.

We have attempted to cancel out as many variables as possible. The ones that we can't cancel out are the points that you made, maybe its the roofing, the site development costs and what have you. Again, I simply make the point I was surprised to see that the actual cost on a per square foot basis of recent projects, this one was the highest, and the square footage was among the lowest. The others, for example, Clubview Gardens is a 1300 square foot unit which sells for $38,000. Its a three-bedroom, on the order of one to two and a half units, and in all cases comparable.

AKI: How many baths?

WAY: One to two and a half baths. The facts are variable, no question about it, but they are basic three bedroom townhouse planned development types of units. We know there are site development problems out there on your particular site. Maybe this is the whole answer.

AKI: The property is $250,000.

WAY: That's not too bad. We've got others where they had to put in a sewage treatment plant, they've had grading problems, soil problems. I think we could pick almost any one of these.

AKI: Well, I'm trying to follow the analysis that you're making because planning costs can be very different.

Also, what are they including in the appliances for another thing? We have a full line of appliances that are included.

WAY: Well, these are some of the points that I'm trying to bring out. Maybe that's the answer.

AKI: Well, we're also using the best quality of nylon carpet. So, with the appliances alone they are running $1500 more than the

usual condominium projects.

WAY: Well, some of these are deluxe projects and they are $38,000, $37,000, $36,000, provide more floor area, and provide the major appliances.

AKI: Well, I think that the MAI appraisals we received should speak for themselves. The lowest appraisal that we had was $40,650 per unit. Our selling price is $34,800. So I should think this is an awful lot. We had offers from real estate companies to sell the whole project for $50,000 a unit.

WAY: Of course, I think that's a general situation. I know these units at any one of these projects, Aikahi Gardens, when they were originally built and sold for $36,000, they're selling for $53,000, $54,000 now.

AKI: Well, we've also put in a 10-year buy-back clause on our sales to assure there's no speculation by union members themselves. If they want to sell, they have to sell it back to the union for the price they purchased them for.

(There were no further questions of Mr. Aki.)

2. Mr. Elmo Samson, Business Agent, Construction and General Laborers Union, 904 Kohou Street, Honolulu

Mr. Samson concurred with the comments made by Mr. Aki, and requested the Commission's favorable consideration of the proposal.

This concluded public testimony.

MOTION: On motion by Mr. Crane, seconded by Mr. Creighton and carried, the public hearing was kept open for 4 weeks to permit the developer and the Planning Department to work out a site plan that would be acceptable, and to permit additional testimony from the community.

AYES - Bright, Connell, Crane, Creighton
NAYES - None
ABSENT - Kahawaiolaa, Sullam, Yamabe

PUBLIC HEARING
STATE SPECIAL PERMIT
& CONDITIONAL USE
PERMIT
(SANITARY LANDFILL &
EXTRACTIVE INDUSTRY)
PUU PALAILAI &
PUU MAKAKILO
PACIFIC CONCRETE &
ROCK COMPANY, LTD.
(FILE #72/SUP-1 &
72/CUP-15)

A public hearing was held to consider the following requests:

a. Request for sanitary landfill operation for all forms of commercial and residential refuse except chemicals, radioactive wastes, or whole animal carcasses on 29± acres of land located at Puu Palailai, Tax Map Key: 9-1-16: portion of 6 and 9-2-03: portion of 12;

b. Request for an extractive industry to be

relocated, to quarry and crush basalt (blue hard) rock for concrete and miscellaneous fill uses on 260± acres located at Puu Makakilo, Tax Map Key: 9-2-03: portion of 12.

Publication was made December 24, 1972 in the Sunday, Star-Bulletin/Advertiser. No letters of protest have been received.

The Director reported that the applicant has requested a four week deferral due to the absence of their consultant who is away in Sydney. He suggested that testimony on this matter could either be taken today or at the next meeting.

To the Chairman's call for testimony, Messrs James K. Kama and Gil Sasaki, Residents of Makakilo, stated that they would testify at the next meeting in four weeks.

Mr. Robert B. Robinson, President of Pacific Concrete and Rock Company, stated that their consultant, Mr. Donald Wolbrink who is in Sydney, has conducted five to six years of study on the ultimate use of the subject site, and should be permitted to testify to this point. They are close to an agreement with the staff concerning alternative sites for a new quarry operation.

MOTION: The public hearing was kept open for a period of four weeks as requested by the applicant, on motion by Mr. Crane, seconded by Mrs. Sullam and carried.

UNFINISHED BUSINESS
CONCURRENT REZONING FROM AG-1 RESTRICTED AGRIC. TO R-6 RESIDENTIAL DIST. & TO ESTABLISH PLANNED DEVELOPMENT HOUSING DISTRICT
NANAKULI SHELTER CORPORATION & PACIFIC CONSTRUCTION CO., JOINT VENTURE
(FILE #72/PDH-11)

The public hearing on this matter was closed December 13, 1972. The Commission at that time requested the presence of a representative from the State Department of Education, a representative from the State Department of Agriculture, and a representative from the Office of Environmental Quality Control.

Mr. Henry Eng of the staff reported the following:

1. The representative from the State Department of Agriculture, Mr. Hanaoka (substituting for Mr. Dollar), had to leave. He was called to a meeting at the Lt. Governor's Office.

2. Due to the lateness of the meeting, the representative from the State Department of Education had to leave.

3. Substituting for Dr. Marland of the Office of Environmental Quality Control who was present but also left for a 7:30 p.m. meeting at the State Legislature, is Caroline Toyama, Environmental Analyst.

4. Also from the State Department of Health, Mr. Paul Aki, Acting Chief of the Air Sanitation Branch, Environmental Health Division.

Mr. Paul Aki was questioned by the Commission.

BRIGHT: Do you feel that the buffer zones are adequate to provide protection for this development?

AKI: The zoning throughout this won't have any detrimental effect. What we are concerned about is the effect of the present condition over the residential zone. We feel that this area is not compatible for residential type zoning. Usually, we look at a development as an impact on the environment, but in this case its the reverse. We have some adverse environmental problems in that they have an impact on the residential area.

BRIGHT: Could you elaborate on that?

AKI: Yes. We do have a cement plant operating in the area upwind of the planned development. We also have many piggeries which contribute an odor problem to the area, especially during calm evenings when you don't have too much wind blowing odors away. Its surprising how far the odors travel. Other problems are dust from open areas and from many unpaved roadways that we have. These are the general type of problems we have in that area and are present right now.

CRANE: During the public hearing, I heard at least conflicting testimony relative to the tradewinds and direction of the air flow in this particular area. One side says tradewinds went away from the project. Residents of the area testified that because of the topography, that particular area, the winds were brought across the proposed housing development. Could you elaborate on that?

AKI: The wind pattern in the valley varies according to many factors. At night you may have your wind coming from your high elevation down to the ocean, then as it warms, it goes back into the valley. Being bound by breezes on both sides, you will have a swirling effect of your trades.

CRANE: If a casual observer went out there to look, what would his indication be if he didn't want to spend a lot of time out there, if the dust from the cement plant did indeed permeate the area?

AKI: As a whole, we have normal tradewinds most of the time, but as I said, because of the topography, dust can go upwind into the valley as well as below the valley. Since this dust is of a very fine and light quality, it will travel for longer distances.

CRANE: So, if a casual observer went out there and saw portions that this proposed housing development is going into, if it was white, would that be an indication perhaps the dust is getting in there?

AKI: Yes.

CREIGHTON: You don't feel then that the distance from this plant is sufficient spacing from the--

AKI: Because of the fineness of the dust, the distance to the plant has to be greater than indicated on the map. We have done some measurements downwind of the plant along Hakimo Road which is well below the Keystone Project. We have found levels to be not high to be in a health effect area, but high enough to be a nuisance problem. In other words, a housewife would come home and find dust on her counters, on her coffee table and would be aggravated by it. It would be a nuisance problem more than a health hazard type of problem.

CREIGHTON: Is there anyway of alleviating that situation?

AKI: Control methods do not indicate 100% control. We don't have any such methods. Its inherent in the industry to emit some amount of dust well below acceptable standard level, and yet will be above what any householder can tolerate.

WAY: Following up on that line of thought, what may the Health Department be requiring of the cement plant in the way of facilities to minimize the problem? Are they meeting your standards at the moment?

AKI: At the moment, whatever regulations we have they are meeting. However, we have a section of the regulations which will be in effect June 1973 which perhaps they will not meet. Therefore, Kaiser Cement has applied for what we call a Compliance Schedule. They have submitted a plan to us stating control measures they will undertake and by when they will complete those measures.

WAY: Have you compared that control plan with the construction schedule for this project? For example what my point is just to elaborate, if say a year from now they were able to meet your requirements, would they be acceptable from the standpoint of the criteria that you are now using which is as I understand it, sort of the householders tolerance? Not a health problem but a kind of a tolerance level for living with the dust situation. If they meet your initial requirement that's the plan, will this level be more acceptable to the householder?

AKI: Yes, as indicated by their plan, their level will be greatly reduced. Let me also indicate that their timetable also calls for completion of installation of all controlled equipment by December 31, 1974.

WAY: Then possibly for a period of time, there would be a less tolerable situation for householders in this project area.

AKI: Right.

WAY: For at least a segment of them. I doubt they could get it all beyond the first increment really, in terms of occupancy in a two-year period. So, there may be some parallel of development here;

that is, the construction could proceed at the housing project and at the same time, the plant could implement its program and more or less come out even to a tolerable level from the standpoint of the dust pollution. You believe this feasible?

AKI: Yes, and if we speak only in terms of the Shelter Corporation's project, the dust pattern will more than likely flow away from that project rather than towards the project. So, if any of those projects have a chance to have the least amount of effect, it would be that project, whereas the Keystone and the Oceanview projects will be more subject to the dust than the Shelter Corporation project.

WAY: Another question along the same line, have you thought to a point of a recommendation for partial implementation, or say an implementation schedule for the project? In other words, should we say that there shall be no construction or no occupancy until such and such a date? Have you explored that possibility?

AKI: Yes, we have explored it and this can be a solution.

WAY: Another one in terms of overall, after the plant operation meets all of your requirements as they now stand or as you can visualize them, what then would be the situation from a health--well, health is no problem, I take that back--from a tolerance level, as I understand you to describe it.

AKI: As far as the dust problem is concerned, it would be greatly minimized but we would not know what the contribution of the piggeries and the chicken farms would have as far as odor is concerned. That problem still exists.

WAY: Is there anyway to overcome that?

AKI: Not to my knowledge except to relocate them.

CHAIRMAN: At the last meeting, I became somewhat confused. When we recommended downzoning of this property, we had reports from the governmental agencies that said that the pollution problems in terms of odors and so forth would not be great because at that time this was being fought by people who had homes in the area. Now, it would seem that within a year's period of time or longer, we have a reverse position. The problem of piggeries has not changed in a year. What I'd like to know is why is the position of the state agencies changing?

AKI: I am not aware of the previous statement. As far as the statements I have now, environmental quality has been on the uprise and people have become more aware of environmental quality. We are getting into the area of odor control. People's tolerance has been lowered because of their knowledge of environmental quality. Time has changed. People are demanding more.

BRIGHT: It would seem to me in that respect maybe we're going to have to do away with either people or pigs if we're going to have housing. At this moment, I don't know which is more important or less

important. Here again, Mr. Chairman, it gets down to the fact that if these facts are made known to the ultimate buyer then he's going to be in the position to make his decision as to whether he's going to buy or not buy.

CRANE: I'm sorry. I'm going to have to disagree with that. I doubt seriously that whoever puts this development up is going to have on their billboard that this may smell of pig droppings. I just doubt that very seriously. Its not a way to sell development. I don't think we're entering into the area of buyer beware. The Commission is here to try to weigh these things. Personally, I think we should give serious concern not to tolerability. Can you tolerate this much dust or this much smell.

CHAIRMAN: The reason that I raise this question is because if facts are possibly going to change, then in terms of long range planning we are constantly going to become a loophole. Now, I've raised a serious question whether pollution control in the last year has changed that radically.

AKI: It changed. As of December 1970 when the three new amendments were enacted, the outlook in pollution control has changed radically. We were faced with timetables and setting standards and new regulations.

CHAIRMAN: Has the requirements as outlined to us by the Department of Agriculture and Department of Health and the University of Hawaii when we downzoned this, have the requirements for the piggeries and the chicken farmers, have those increased? Because, we were told at that time that the regulations which were imposed on them were very rigid and would control this problem.

AKI: The requirements for those piggeries and chicken farms hasn't changed much but the Kaiser Plant has changed.

CHAIRMAN: Do I understand you to say that because of prevailing breezes and so forth that the project before us would probably have the least effect?

AKI: Yes.

CHAIRMAN: Because of the wind currents and so forth, would the same be true in terms of odors?

AKI: Yes.

CHAIRMAN: Let me get back to the criteria of tolerance. Is this measurable?

AKI: This is not a measurable scale. It differs by individuals. This is the difficult thing about odors.

CREIGHTON: Coming back to Mr. Bright's comment, pigs or people. As I read the comments from the Office of Environmental Quality Control, there is a fear that protests from the people living in this development,

if it should go ahead, might result in forcing out undesirable agricultural activities. Has this been considered?

CAROLINE TOYAMA, Environmental Analyst, Environmental Impact Statement Section, Office of Environmental Quality Control: The Department of Health would, as far as the dust problem is concerned, look at the overall impact of this development on the environment.

The first one we had taken a look at, Keystone, these points were brought to our attention. Keystone is located quite further below the piggeries. Although the wind direction is toward Keystone rather than let's say Horita's Oceanview development and Shelter's development, we felt that Keystone did face serious problems. The proximity of Horita's development and Shelter's development also had serious problems. So, I'm looking at all accumulative effects that all the developments will have on the entire area. This includes not only the dust but the odors, the traffic generation out there, and the vehicular use of the roadways.

CREIGHTON: It would seem to me that there are two problems involved; one is the effect on residents, and the other would be the effect on agricultural activity and the potential protests from the residents.

TOYAMA: The Agricultural and Industrial zones of Lualualei Valley are quite close to all of these developments. We looked at that and felt that the Agricultural Department was right in assuming that this type of urban development is an encroachment upon the agricultural areas, and they should be looked at in terms of being preserved.

WAY: A question about the matter of Agricultural usage here which if I understand correctly is one that the various state agencies, particularly Ag. and OEQC are interested in. Are you saying you believe this area is more appropriate for an Agricultural use? If I'm not being fair by raising the question to you two, let me know also. But, isn't this sort of a policy position that seems to be coming through to us from Ag. and from your office, OEQC?

TOYAMA: Our letter of December 13th to Mr. Connell indicated that we are in favor of preserving the Agricultural nature of this valley, although we recognize that it is not in present Agricultural uses and it is open space. We do realize that it is not compatible with Agricultural use now. So, we are looking at two things. One, we're saying that it is incompatible with existing agricultural activities. The second thing we looked at was that we had set up a precedent set by other residential developments into agricultural valleys on the Island of Oahu clearly shows that the encroachments have lead to eventual pressuring out of these industries. This is one of the last cap rock areas left on Oahu that could support the piggeries and animal husbandry operations.

WAY: I assume that means yes. If it does, I suggest, if it hasn't already been suggested to your agencies, that this area is in the Urban district. State policy is articulated through the Land Use Commission. Have you and the Agricultural Department considered this particular issue so serious a matter that you would petition the Land Use Commission to

amend the Urban District Boundary and to place it in Agriculture, if in fact that's the way you feel about it. What I think I'm trying to get at here is, it's kind of late. The State Land Use Commission has placed this in Urban. Our General Plan has designated it for Residential use. The Zoning is practically there and we're dealing with a Planned Unit Development question. This means a grave turnaround of policy at the State and the City and County level if I read what you're saying correctly.

Are you at the State prepared to make this commitment and this policy change? I'm saying back it up with a petition to the Land Use Commission which is where this issue should be decided. Its in that arena. We also have to give a decision down here too. I'm not saying that's the only one, but if you want to articulate State policy for land use, that's the place to do it. I'm asking if you've considered that. Bring that question to them, if you would.

TOYAMA: I will.

CHAIRMAN: Given the fact that we need Agricultural land and given the fact that we also need land for housing, if the State policy is going to take lands that are in private sectors and in a sense freeze them in Agriculture, maybe its time for the State to free up some of the property that it owns that can be used for housing. If we're going to look at all facets of this problem, what I hear you saying is yes, we need housing, yes we need agriculture, but at this point we're going to put it in Agriculture and forget--there's no alternative then how to solve the housing problem.

CREIGHTON: I think what you're saying, Mr. Chairman, and the points that Bob Way has made are well taken. Primarily, the State should determine its policy and the present use of these eventual uses and have a consistent policy. But, I do think there has been a change of attitude and this is a change of attitude taking place now toward recognition of the need for preserving viable agriculture, usable agricultural lands and so forth which we didn't have a few years ago. This partly accounts for the confusion.

WAY: I'm trying to get it out of an ad hoc approach, and get it where it ought to be. Certainly, there's room in our deliberations and procedures here to re-evaluate. Maybe this is the time to stop it. But, I think we should view these kinds of approaches very carefully and then say something else has to happen too. Its like declaring a moratorium, if you will, without having a plan to do something about while you're declaring a moratorium. Its to this point that I'm really trying to seek some direction or some indication of what the State's direction is. Maybe they don't have it yet and that's all right too. Let us know. At least we'll have benefit of the full exposure and full understanding before we make our decision.

CRANE: Is a representative of the DOE here?

CHAIRMAN: I believe someone was here but because of the hour he had to leave.

CREIGHTON: Did someone make a formal environmental impact sutdy of this particular problem or is it more an informal approach to it?

TOYAMA: Well, at present the requirement for an environmental impact study you would have to go through an executive order.

CREIGHTON: I'm aware of that. I was just asking if someone had done it.

TOYAMA: You could request that the applicant prepare an environmental impact statement for the project.

BRIGHT: Mr. Chairman, it seems that this is the procedure that we've been going through since we started the proceedings on this particular hearing. We've been receiving testimony and all of a sudden we have to start all over again. I think this obviates the need for even holding the hearing if this is what we're going to have to go through on these projects. I feel if Shelter Corporation wants to prepare an environmental statement for circulation, that should be left up to them.

CREIGHTON: Mr. Chairman, I disagree. It seems to me that in a complex situation of this kind where a number of environmental questions raised from impact on local traffic and the piggeries, that we need environmental impact statements in order to make an intelligent and mutual evaluation. It isn't required at the present time. What we are going to do is request to the legislature that private developers be required to make that statement. We have a right to ask for it. In this case I would like to ask for it. I think its a very important question here, what should be the development of the Waianae Coast, and what would be the impact of alternative methods, before we make any further decision.

BRIGHT: Mr. Chairman, the thing that concerns me is that we get so much testimony that varies from day to day. This is what I'm concerned about.

CREIGHTON: That's why we need it.

BRIGHT: I'm not objecting to an environmental impact statement but lets set these up as a criteria for any project. If we're going to have to turn to the State and ask them to rule on the environmental impact, I think that should come in as part of the testimony in these hearings. This seems to be a little late at this moment. At this point, I don't know how I'm going to vote on this particular project. I'm not particularly impressed at the testimony that we've received this evening.

There was no further discussion.

MOTION: Mr. Bright moved that the Commission accept the Director's recommendation.

The motion died for lack of a second.

MOTION: The Commission deferred action for one week, on motion by Mr. Crane, seconded by Mr. Bright and carried. The Commission requested representatives from the Department of Education, the Department of Agriculture and the Board of Water Supply, and the presence of Dr. Richard Marland of the Office of Environmental Quality Control.

✓ STREET NAMES — The Commission recommended approval of the following streets names, on motion by Mr. Creighton, seconded by Mr. Bright and carried.

The following suggested street names for the various subdivisions listed below are recommended for adoption:

1. ✓Waipio-Lani Subdivision (Crestview), Waipio, Ewa, Oahu, Hawaii:

   LAMIKULA STREET — Extension of an existing roading situated at the makai end of the subdivision.

2. ✓Bayview Gardens Subdivision, Kaneohe, Koolaupoko, Oahu, Hawaii:

   PUUOHALAI PLACE — Dead-end street situated on the mauka slope off Kaneohe Bay Drive.

   Meaning: Hill of tranquility.

3. ✓Mililani Town Subdivision, Units 21 and 22, Waipio, Ewa, Oahu, Hawaii:

   LANIKUHANA AVENUE — Extension of an existing roadway on the makai side side of Kamehameha Highway, traversing in a southwesterly direction and terminating temporarily at the unit of 22.

   HOKUHELE DRIVE — Roadway off Lanikuhana Avenue, traversing in a southerly direction and connecting with Lanikuhana Avenue in Unit 22.

   Meaning: Planet, wandering star.

   HOKUALA STREET (Unit 21) — Roadway off Hokuhele Drive, forming a loop and connecting with Lanikuhana Avenue.

   Meaning: Planet, wandering star.

   HOKUALA PLACE (Unit 21) — Dead-end roadway off Hokuala Street, mauka of Hokuhele Drive.

   HOKULELE PLACE (Unit 21) — Dead-end roadway off Hokuala Street, mauka of Hokuala Place.

   Meaning: Shooting star, meteor; any moving star.

HOKUILI STREET (Unit 22)	Roadway off Hokuala Street, traversing in a southeasterly direction, forming a loop and terminating at Hokuhele Drive.
Meaning:	When the moon on the night of the full moon sets after daylight.
HOKUHELE PLACE (Unit 22)	Dead-end roadway off Hokuhele Drive.
HOKULEWA PLACE (Unit 22)	Dead-end roadway off Hokuhele Drive.
Meaning:	Moving star, planet.
HOKULEWA LOOP (Unit 22)	Loop road off Hokuhele Drive.
HOKUILI PLACE (Unit 22)	Dead-end roadway off Hokuhele Drive, between Hokulewa Loop.
AO PLACE (Unit 22)	Dead-end road off Hokulewa Loop.
Meaning:	Light, day; world, earth.
AOULI PLACE (Unit 22)	Dead-end road off Hokuhele Drive.
Meaning:	Firmament, heaven.

(The above listed street names are from the selections made by the developer.)

* * * * * * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mr. Bright, seconded by Mr. Crane and carried:

✓ Three requests for construction activity within the Hawaii Capital District:

1. ✓STATE DEPARTMENT OF TRANSPORTATION BUILDING (72/HCD-14)

   Request: Repainting of Aliiamoku Building

2. ✓STATE TAX OFFICE BUILDING (72/HCD-25)

   Request: Repainting of State Tax Office Building

3. ✓KAMAMALU BUILDING (72/HCD-28)

   Request: Repainting of Kamamalu Building

4. KAILUA--Zone Change (72/Z-84)

Applicant:	Initiated by Planning Director
Location:	Kailua--Kaopa Unit 3-C
Area:	31+ acres
Tax Map Key:	4-2-04: portion of 1
Request:	Change in zoning from P-1 Preservation to R-6 Residential District.

ADJOURNMENT: The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Regular Meeting of the Planning Commission
Minutes
January 10, 1973

The regular weekly meeting of the Planning Commission was held on Wednesday, January 10, 1973 in the Conference Room of the City Hall Annex. The meeting was called to order at 2:10 p.m. by Chairman Rev. Eugene B. Connell.

PRESENT: Rev. Eugene B. Connell, Chairman
Fredda Sullam, Vice Chairman
Roy R. Bright
James D. Crane
Thomas H. Creighton
Thomas N. Yamabe, II

ABSENT: Antone D. Kahawaiolaa
Paul Devens, Managing Director, ex-officio

STAFF PRESENT: Robert Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Tosh Hosoda, Staff Planner

UNFINISHED BUSINESS:

CONCURRENT REZONING FROM AG-1 RESTRICTED AGRICULTURAL TO R-6 RESIDENTIAL DIST. & TO ESTABLISH PLANNED DEVELOPMENT--HOUSING DISTRICT--NANAKULI SHELTER CORPORATION & PACIFIC CONSTRUCTION CO., JOINT VENTURE (FILE: #72/PDH-11)

A public hearing was held on December 13, 1972 and closed. Action by the Commission was deferred until the next meeting at which time a representative of the Department of Education and of the Office of Environmental Quality Control would be present; further information would be submitted by the Department of Agriculture and the Board of Water Supply; the Mikilua Farm Bureau would be included on the list of notified people; previous testimony by the Department of Agriculture regarding this area (when downzoned from AG-1 to AG-2) would be provided.

The Planning Director suggested that the Planning Commission invite the Board of Agriculture Chairman, Frederick C. Erskine, to appear first since the public hearing matter was technically closed.

Mr. Erskine presented written testimony to the Commission which he read on behalf of the State Department of Agriculture and also for Dr. Richard Marland of the Office of Environmental Quality Control. He concluded his presentation with, "We feel in the Department of Agriculture, that by planning correctly and working together we can have both the agriculture and the needed housing". (copy of testimony attached)

The same presentation is to be made to the Senate Planning Conference on Thursday, January 11, 1973 at the University of Hawaii. Similar presenta-

tions will also be made for Kahuku and Waimanalo which are other potential areas of affected diversified agriculture--especially Kahuku.

Questions of Mr. Erskine by the Commission:

YAMABE: Would you elaborate on the statement, "if there is adequate assurance that this project will not lead to further expansion of residential use of agricultural lands". What area did you have in mind? What do you consider is acceptable and what expansion is not acceptable?

ERSKINE: As I understand it, the request is for this area here (Shelter) and we wouldn't view that with a great deal of alarm because that would tie in with our concept of an urban belt. But, if we started getting up into this area (upper Shelter) and had you gone out on the site as we have and become aware of the odors and insects that come across from the hog farms, you begin to have problems. That urban encroachment would create tremendous pressure on the farmers in that area.

YAMABE: Do you have a map that might show us a complete picture of this Waianae Coast area where you would consider any change in land use may be detrimental to the agricultural operation? Sort of a boundary drawn through the pink-colored areas? Where you would consider that it might be detrimental?

ERSKINE: We are working on it, but have not finalized such a map. This presentation will be expanded a little bit tomorrow because there is the other problem about where the roads go that will affect it. The road can either run on the old right-of-way or it might conceivably serve as a very effective buffer. And where that line should be drawn might be where it is effectively feasible to run the road.

SULLAM: Mr. Director, are there any other planned developments being proposed in the agricultural land that is designated as pink here, presently in the planning department?

WAY: We don't have anything in this general pink area. There is a zoning change involving a portion, we understand, of this site (Kaiser). The GP does designate about 70+ acres for residential which apparently now is up for zoning. I would assume it is currently an agricultural zoning even though designated on the GP for residential use. Then, of course, the Keystone project--we've had approval. And this one under current discussion--there is consideration here for a planned development of that portion. One other we did have, and this is a matter beforethe SLUC involving redesignation of some Hawaiian Homestead land. Presumably, that one could come back to us. Or, in fact, if the Hawaiian Homestead Commission uses their apparent preemptive rights, they may just simply proceed with urban-type

uses in that area. In other words, we may not have another crack at it.

SULLAM: Mr. Erskine, do you know when this map will be prepared that will designate where you would consider urban development--that is, residential development--appropriate?

ERSKINE: May I first say that we didn't attempt to differentiate in this particular presentation between, in the pink areas, matters that were Land Use matters and matters that were Planning matters for the County. We expect within a few months to have an over-all map of Oahu, not only of this area but all of the areas that concern us on Oahu, completed. It is rapidly approaching completion now. In a couple of months we will be ready.

SULLAM: Will it be detailed enough to give us the boundaries where the urban land will be located?

ERSKINE: Yes it will. Then we'll be making recommendations to you following that, on specific zoning requests.

SULLAM: Can I interpret your recommendation then as being that we should sort of hold tight and wait for this map, rather than grant approval on this application, since you say, "maybe"?

ERSKINE: No, I think that if you have adequate evidence from the developers that that will not eventually lead to encroachment in the mauka area, that perhaps you might proceed to approve it. Also, I should note that on the Keystone project we did not disapprove or recommend against it because it seems to fit in with our urban belt along the makai side.

CREIGHTON: You speak of the need for, and the possibility of, expansion of agriculture of this kind in the area. The land in question, a good deal of that pink-colored land I guess, is zoned urban in the State Land classification. Is it your intention to go to the State and ask for rezoning to agriculture for the mauka parts of these areas?

ERSKINE: We might eventually do that. We're considering it right now. Some of that land that is zoned urban under the State Land Use classification went in there when the land use law passed, so it never did go before them for any kind of a hearing, and it would probably be in Agriculture's best interest to get it before them for a hearing. We haven't progressed that far yet.

WAY: Along similar lines, I had basically the same question. I do think that it is important to assist us that there really are two arenas involved in land use decisions in the communities you know. And I think that it is quite urgent

to again assist the counties in developing and implementing State policies, that we have this kind of direction. I urge, as soon as you find it appropriate, your Department's consideration of these land use changes at the State level. We become under considerable pressures, as you might expect, once the urban boundary is changed. Further, going back a number of years, we have a lot of urban designations on our GP for much of these lands that I rather expect your interest is quite high in, for agricultural purposes. Another point. I understand what you are saying here, if I understand correctly, is that this is kind of a heartland of diversified agriculture. Could you care to elaborate a little bit more on your view of the future of diversified agriculture in this particular location--Waianae region?

ERSKINE: On the first part of your comments, we are very definitely becoming active with the SLUC and will be making a presentation on another issue on Friday. We feel very, very strongly that diversified agriculture does have a tremendous future.

It hasn't, until recently, been given the kind of backing that other kinds of development have. Given government concern, we see growth occurring. A lot of wherewithal was given to the Department of Agriculture and other agencies during the last session of the Legislature to help nurture this kind of growth.

So we have actually set goals--such goals as tripling beef cattle, tripling hogs, approximately doubling broiler production, etc. We've set a specific rule for each commodity or group of commodities and have charted a course and tried to achieve those goals.

People may wonder how we are going to expand production without having more land available. We're just trying to hold our own on land availability. But, there are, if we had another map here, blank spots in the green areas where expansion can take place and we feel very strongly that if we begin holding urban encroachment from pushing into the green areas, or getting too close to them, that those lands that are being held for speculation purposes might, indeed, be put to agricultural use. And this is true, also, in the Waimanalo area.

WAY: Mr. Chairman, to follow up on that question a little bit more explicitly, in two areas--(1) Do you envision a potential of diversified agricultural use in the central Oahu region, for example? And, let me also say, I know you are aware there are considerable pressures for urbanization as pineapple particularly falls back, so to speak. (2) You mention a sort of agricultural self-sufficiency in certain aspects. Could you talk a little bit more about the kinds of crops or agricultural production involved there?

ERSKINE: We visualize more diversified agriculture in the central Oahu area. We don't envision, in the near-distant future, sugar cane phasing out. In fact, given strong pressure from the Counties and the State and even some of our people in Washington, we don't view pineapple as having to leave the State. We think its artificial and that if the industry worked together rather than separately, pineapple will stay in Hawaii. We have a report pointing this out, and making recommendations on how to do it. In the central Oahu area, of course, the Department of Agriculture hasn't worked on that yet, but we will be taking the central Oahu plans put out by the Department of Planning and Economic Development and making recommendations as we are here, as to where housing might indeed make sense or where it might not.

A couple of weeks ago, for example, before the Land Use Commission, there was an application for the expansion of the Campbell Industrial Park. It would go onto sugar cane land. But, that particular sugar cane land was in the lowest productivity class and very rocky and really didn't make much sense to keep in agriculture. So, in that case, we said that that would be a very good candidate for further expansion of the industry. So, right through the whole of Oahu, where we have a conflict, we will be making these recommendations.

As far as the kinds of things that we can become self-sufficient in, we can become virtually self-sufficient in meat; in pork; about 50% self-sufficient in poultry; we are already virtually self-sufficient in eggs and milk; we might, by playing the ballgame right, knock out the 20% of the market that imitation milk holds; we can become about 70%-75% self-sufficient in fresh vegetables and fresh fruit. At this point, we are not aiming at the frozen food market or at the frozen vegetable market or the frozen fruit market or the canned vegetable or fruit markets.

It is possible that we could become self-sufficient on round onions and that type of product; possibly on potatoes. There are a lot of technical problems but there is progress being made. We can become almost self-sufficient in feed grains. We have enough land throughout the State to do that, especially if we make more efficient use of the water, which is another big problem that we face.

I don't hold any hope for things like rice. I don't think that we can compete. We are aiming for self-sufficiency on those items in which we are competitive.

CREIGHTON: Coming back to the specific question before us, could you explain a little further your cautious "maybe" if this particular development were not to expand further mauka? Is that because it may encroach into the mauka agricul-

tural belt but you're not quite sure yet what the definition of that would be? Why the "maybe" there?

ERSKINE: That's right. Because our staff at the moment is working on a recommendation to me which then will become public, about How to Protect the Agricultural Land--What kind of Buffers are recommended--How many feet, depending on the kind of operation. Perhaps we might put, for example, vegetable farms on the fringe. Or cemeteries make good buffers, or things like that. Industrial areas--light industry between noxious-type agriculture and urban areas. So we, together with the over-all map and the recommendations about where agriculture should stay and where urbanization might be allowed, will carry with this a definition of protection for agriculture.

CREIGHTON: You consider that this is sufficient buffer at the present time between this particular parcel we are considering and the present agricultural activity? Would you consider these two compatible or incompatible in the existing situation?

ERSKINE: They are compatible as long as the Oceanview section between the existing agricultural area and the one in question is not the selected site for the agricultural part. Then you might have a conflict. I don't view that with alarm.

YAMABE: I take it that as soon as your plans are put together, a matter of a couple of months, you intend to go to the Land Use Commission to redesignate the areas that you might consider as need for agriculture, or whatever the use may be. I realize the Land Use Commission has no jurisdiction over industrial land but, in such a case, you foresee a plan that might be presented to the City Planning Commission to consider, as part of your over-all change in land use?

ERSKINE: Yes. We are already working with the Land Use Commission.

YAMABE: If you are working with them already, is it just that you haven't applied for, or requested, a change?

ERSKINE: No. We would prefer to do it, instead of on an incremental basis, on an over-all basis for Oahu at one time.

YAMABE: How long might this take?

ERSKINE: Before we are ready? A few months.

CREIGHTON: May I ask the Planning Director whether any over-all GP revision studies are under way for this Waianae Coast area?

WAY: Not for the Waianae area. Basically, we are looking at the island-wide situation first and then we will get down to

more specific planning areas. You may recall, in one of our earlier reports from the GP effort, we sort of redesignated new kinds of planning areas. Beyond that designation there isn't any more specific kind of planning going on. About the only area-type planning study under way involves the Kahaluu region in conjunction with the Flood Control Project and major park areas. And that has ramifications impacting on highways, land use, and all the rest in that region.

YAMABE: Mr. Director, is there any way that the City might defer accepting any change in zoning or change in land in the GP until such time as the State might come up with recommendations as to uses?

WAY: Yes. Should an application for zoning or GP change come before us, we could simply deny it, or it could be recommended to the applicant that it be held in abeyance. If it is a zone change, the applicant does have another option which is to go to the City Council for initiation. So, it is not that it is a positive thing either. If he goes to the Council, say, following our departmental (my) denial, he does have another route. He does not have another route in the case of the GP Amendment under the new Charter.

YAMABE: However, we are able to establish some sort of a cooperative action or reciprocal action on the part of the City and State.

WAY: In the meantime, of course, we solicit the views of the Department of Agriculture in the course of reviewing the application. And, we will be guided considerably by their recommendations, as we would by any other governmental agency posing strong objections or expressing concerns.

CONNELL: Mr. Erskine, you mention that you have similar proposals regarding the Waianae and Kahuku area--or Waimanalo area. I wonder if it would be possible for you to share these with the Commission some time in the near future?

ERSKINE: We would be delighted to, any time.

CONNELL: I wonder if we could set that up.

WAY: We will schedule that.

There were no further questions of Mr. Erskine by the Commission.

The Chairman called on the representative from the Department of Education but there was none present.

ENG: We contacted the Department of Education and were told that their staff is on vacation, and the Head of the Staff had a speaking engagement today. For the Commissioners' clarifi-

cation, if this is a Planned Development application, if you should have any specific concerns, you can also add conditions to the recommendation of approval. I believe there was concern regarding classroom size.

WAY: One other point, Henry, that I think should be mentioned. Apparently, the response was partly along the lines of, If the Commission has specific questions, we would appreciate having them in writing so better able to respond.

CRANE: Mr. Chairman, could we write my questions to the Department of Education? I would like to have these questions answered some time. My questions are on record since about the first time this came up.

I would like to know from the Department of Education:

(1) If indeed they plan to handle the overflow of students that is going to be created by this project by putting portable classrooms on the Elementary level and then moving them up to Junior High or Intermediate and then to High School?

(2) If indeed they did agree with the developer in this instance to provide for a pupil-teacher ratio of 39-1 in Elementary and 40-1 in High School. As I understand the plan that was presented to us, the ratio is 27-1. However, the developer will not be required to expend any monies to provide another classroom until one-half of that ratio has been exceeded. If you add it together, in Elementary 27-1 and half of that, you get 39.

I think this is in direct conflict with the contract they have negotiated and certainly is in conflict with good educational policy. I think we have a right to know the answer to that before we make a vote on this situation. They are going to over-crowd the schools out there in an already overcrowded situation. If they are going to do it and violate their contract, I think this Commission, or I, certainly, would like to have answers. I wish they were here.

CONNELL: In terms of procedure, we have a given period of time after a public hearing has been closed in which to submit a recommendation to the City Council. And we can only extend that period of time with an agreement from the applicant. Andy, what is that period of time? 45 days?

SATO: I think 30 days you are mandated in the case of a planned unit development. But, in the case of a CUP there is by consent it could be extended.

CONNELL: So we cannot extend on a Planned Unit Development?

SULLAM: Even without having our questions answered? We have to give a recommendation? Perhaps we ought to tell the City Council that we haven't had our questions answered and we cannot give a recommendation?

CONNELL: There are two alternatives. One would be to submit the application forward to the City Council with no recommendation. The second is to vote either For or Against the application with whatever conditions we wish to add. The issue Commissioner Crane raised is certainly a valid one. The Commission has to make up its mind which direction it wants to go.

CREIGHTON: Mr. Chairman, what is the procedure? What is the rule if an application were denied. Would the applicant be able to re-submit that application at some time in the future? Or are there any restraints for resubmission?

WAY: Denial by the City Council?

CREIGHTON: No, recommendation of denial by this Commission.

WAY: Your recommendation is only advisory. The Council will make a decision ultimately.

SATO: For clarification, did you, Mr. Creighton, ask if there were a time limit of resubmission or any restraints against resubmission? As far as I know, there are none.

WAY: I think we concur on that, Corporation Counsel. It is possible, I think, for reapplication on the same project.

CREIGHTON: The reason I asked that question is because occasionally we do have a situation where we don't want to deny for all time a certain application, if there are unanswered questions or plans under way, or something which would make an approval wrong at that time. One solution to the situation would be to deny it and then after the problems were open, such as now, and might be resolved in the future, then let him resubmit his application.

WAY: Maybe the approach here might be a recommendation as another option from the Commission to the Council and to make such a recommendation within the 30-day period. Let's assume the recommendation might take the form of denial on the basis of insufficient information, or time to have considered such information, and requesting the Council to hold the matter in abeyance until such time as the Commission does obtain this information, at which time you would then forward your recommendation. In other words, pass it on to the Council. Ask them to hold it while you research the matter. Andy, does this sound technically feasible?

SATO: That would be a solution. It would meet the legal requirements. Another way of doing it, of course, would be to refer the matter to the City Council and let them know of the concern of the Commission regarding the school problem.

CREIGHTON: I am thinking not only of the school question Mr. Crane has raised but the questions the Department of Agriculture has raised and the fact that they are apparently master-planning agriculture in this area and talking with the State about land uses. The Resolution of their planned suggestions may take place in two or three months. I would like to know what that over-all master plan might be before I decide on whether urban encroachment in this particular lot was desirable or not.

CONNELL: The alternatives have been placed before the Commission. The Chair will entertain a motion.

YAMABE: One more question, Mr. Chairman. When is the 30th date of this application?

ENG: The public hearing was closed on December 13, 1972 and the 30-day period would be ended January 13, 1973. Today is January 10, 1973.

CRANE: I move that we recommend denial and pass it to the City Council requesting they hold in abeyance until such time as we have had the information that we requested and the time to study it.

SULLAM: I second the motion.

DISCUSSION:

CONNELL: The information which you are asking for, or that you feel the Council should consider and you feel that we should have, is from the Department of Education and the studies of the Department of Agriculture.

CREIGHTON: I think there are other open questions and if the motion stands as Commissioner Crane made it I would vote for that motion and against recommending approval of the application. For instance, there is the open question of the location of the road. The Department of Transportation indicated that there are options and alternatives to be studied there. The questions raised by the Department of Agriculture are another; the questions to the Department of Education are another; there were questions raised by the Department of Health; there are too many open questions at the present time to approve this application. For that reason, I would like to vote for denial.

CRANE: The intent of my motion is not to do any developing and the whole thing is to be provided with the information that I think is necessary for me to make a vote--an intelligent vote. I don't have that now.

There was no further discussion.

ACTION: Commissioner Crane's motion, seconded by Commissioner Sullam, recommending denial and requesting that the City Council hold it in abeyance until such time as the Commission receives the information requested and has had time to study it, was carried.

AYES: Crane, Sullam, Bright, Creighton and Yamabe.
NAYS: None.
ABSTAINED: Connell.
ABSENT: Kahawaiolaa

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL AND
B-2 COMMUNITY BUSINESS
DISTRICT TO B-1
NEIGHBORHOOD BUSINESS
DISTRICT--PALOLO
H. & I. CORPORATION
(FILE: 72/Z-70)

A public hearing was held to consider a request for a change in zoning from R-6 Residential District and B-2 Community Business District to B-1 Neighborhood Business District in the Palolo area at 1970 Palolo Avenue - 185±' makai of Kilihune Place on the Ewa side of Palolo Avenue; Tax Map Key: 3-3-47: 102 (lots 32-A and 32-B) involving an area of approximately 11,713 square feet.

The notice of public hearing was advertised in the Sunday edition of the Star-Bulletin/Advertiser of December 31, 1972.

No letters of protest had been received.

The Planning Director explained that the proposal covers an amendment to the zoning map in the Palolo area. Staff Planner, Tosh Hosoda, reviewed the staff report, copies of which had previously been mailed to the Commissioners. The Director recommended that the request be approved.

Director Way added one further note: "The B-1 Business District is the least applied district in the commercial district classification and it might be appropriate to review the legislative intent of this district as set forth in Article VIII of the Code, which is as follows: 'Purpose of the B-1 Neighborhood Business District is to provide commercial areas within or adjacent to residential areas to meet the demand for certain types of commercial services which cater to the daily needs of the surrounding population. These areas would provide locations for small commercial operations, especially in new areas where such uses are not located nearby nor are readily available.' The only other addition we could make in terms of understanding of the application of this district is that we feel that it also is intended to take into account the typical small neighborhood store situation or cluster of stores. Ideally, it would be applied to a cluster of smaller shops in the neighborhood but that's a question ultimately for the City Council to decide. We feel this particular application comes close to meeting the intent of the B-1 neighborhood district."

There were questions of the staff by the Commission:

Commissioner Sullam asked the location of the four other small parcels in Palolo Valley which also have commercial zoning and are presently used as such, and if the applicant had indicated his plans forthe subject parcel. The Planning Department had received no plans.

Commissioner Creighton asked if the Planning Department felt that a market analysis was necessary to prove the need for this kind of service establishment in the area, or was it self-evident?

Mr. Hosoda explained that the problem here was different from the normal pattern. There is an existing B-2 zone there now which will permit a certain amount of development and there is also an existing commercial use there now. Discussions had been held with the applicant's attorney and the intent is not to do anything at the present time. The applicant seems to have longer range plans but has not revealed what they are.

There were no further questions by the Commission.

No one appeared to testify AGAINST the application.

Testimony received FOR the application:

Mr. Yoshiro Nakamura, Attorney at Law
702-A California Avenue, Wahiawa

Mr. Nakamura stated that although the property is partially zoned B-2 Commercial, the applicant is agreeable to down-zone it from B-2 to B-1 in keeping with the neighborhood convenience center concept. Presently, the property is entirely devoted to a market operation. The barber shop is no longer in use for the reason that the applicant needs the entire premises for the market operation. The existing building is in need of extensive repair and, therefore, the applicant find it necessary to build an entirely new building. This is the reason he has applied for the zoning change--so that he would be able to take advantage of the entire parcel of land rather than just a portion presently zoned B-2. On behalf of the applicant, Mr. Nakamura urged approval of the recommendation by the Planning Director.

Mr. Way asked if there were a time table as to when the applicant might propose to reconstruct on the property.

Mr. Nakamura replied that if the zoning were granted, the applicant would be in a position to make application to a financial institution and proceed rather immediately although at one time it was a long-range plan.

Mr. Way added, for the applicant's consideration, that more and more both the Commission and the City Council are interested in seeing specific plans for a given project.

The public hearing was closed on the motion by Commissioner Sullam, seconded by Commissioner Bright, and the matter taken under advisement.

ACTION: Commissioner Bright made a motion to accept the Planning Director's recommendation that the request for a change in zoning be approved. The motion was seconded by Commissioner Crane and carried.

AYES:	Bright, Crane, Creighton, Sullam and Yamabe.
NAYS:	None.
ABSTAINED:	Connell.
ABSENT:	Kahawaiolaa.

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL TO
B-2 COMMUNITY BUSINESS
KALIHI
LEASED STATIONS, INC.
By: PLANNING DIRECTOR
(FILE: 72/Z-73)

A public hearing was held to consider a request, initiated by the Planning Director, for a change in zoning from R-6 Residential District to B-2 Community Business District. The subject parcel covers an area of approximately 18,598 square feet, is identified by Tax Map Key 1-3-20: 7, and is located at 2314 North School Street on the Mauka-Waikiki corner of North School Street and Kamehameha IV Road.

Notice of the public hearing appeared in the Star-Bulletin/Advertiser of Sunday, December 31, 1972.

No letters of protest had been received.

Staff Planner, Tosh Hosoda, reviewed the staff report with the aid of maps. The Planning Director recommended approval of the request.

There were no questions asked by the Commission.

No one testified either AGAINST or FOR the application.

On the motion by Commissioner Crane, seconded by Commissioner Bright and carried, the public hearing was closed and the matter taken under advisement.

ACTION: The Commission voted for acceptance of the Planning Director's recommendation that the subject parcel be rezoned from an R-6 Residential District to a B-2 Community Business District on motion by Commissioner Sullam, seconded by Commissioner Crane, and carried.

AYES:	Sullam, Crane, Bright, Creighton and Yamabe.
NAYS:	None.
ABSTAINED:	Connell.
ABSENT:	Kahawaiolaa.

AUTHORIZATION OF PUBLIC HEARING:

Upon the motion by Commissioner Yamabe, seconded by Commissioner Crane, and carried, the Planning Director was authorized to schedule the following application for public hearing:

AMENDMENTS TO ✓GENERAL PLAN, DETAILED LAND USE MAP, AND DEVELOPMENT PLAN TO SCHOOL & PARK USE FROM (1) RESIDENTIAL AND PUBLIC FACILITIES (2) RESIDENTIAL AND ROADWAY (3) ROADWAY AND FLOOD CONTROL CHANNEL USES SUNSET BEACH STATE DAGS AND C&C PARKS & RECREATION (FILE: 115/C2/27 and 227/C2/27)	This is a request to amend the General Plan from Residential and Public Facilities use; the Detailed Land Use Map from Residential and Roadway use; and the Development Plan from Roadway and Flood Control Channel use to School and Park use. The location is Sunset Beach, Oahu. Tax Map Key: 5-9-05: portion of 18, 69 and 70, covering 8.40 acres. The existing zoning is AG-1 Restricted Agricultural District and the State Land Use Designation is Agriculture.

ADJOURNMENT: The meeting adjourned at 3:20 p.m.

Respectfully submitted,

Mary C. King

Mary C. King
Hearings Reporter

File Copy

Meeting of the Planning Commission
Minutes
January 17, 1973

The Planning Commission held a meeting on Wednesday, January 17, 1973 at 2:10 p.m., in the Conference Room of the City Hall Annex. Commissioner Thomas N. Yamabe II served as Chairman Pro Tem in the absence of Chairman Rev. Eugene Connell.

PRESENT:
Thomas N. Yamabe II, Chairman Pro Tem
Roy R. Bright
Thomas H. Creighton
Antone D. Kahawaiolaa

STAFF PRESENT:
Robert R. Way, Planning Director
Andrew Sato, Deputy Corporation Counsel
Tosh Hosoda, Staff Planner
Hal Murphy, Staff Planner

ABSENT:
Rev. Eugene B. Connell, Chairman
James D. Crane
Fredda Sullam
Paul Devens, ex-officio

The following three requests for construction activity within the Hawaii Capital District were considered simultaneously.

1. STATE DEPARTMENT OF TRANSPORTATION BUILDING (72/HCD-14)

   Tax Map Key: 2-1-31: 10 and 12
   Request: Repainting of Aliiaimoku Building

2. STATE TAX OFFICE BUILDING (72/HCD-25)

   Tax Map Key: 2-1-26
   Request: Repainting of State Tax Office Building

3. KAMAMALU BUILDING (72/HCD-28)

   Tax Map Key: 2-1-17: 10
   Request: Repainting of Kamamalu Building

Publication was made January 7, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Harold Murphy of the staff summarized the Director's comments on the three proposals:

1. State DOT Building (Aliiaimoku Bldg.) - The building exceeds the 65-foot height limitation of the Hawaii Capital District Ordinance

for the area by approximately 27 feet. The area is bounded by Ala Moana Boulevard, South Street, Punchbowl Street and Queen Street. Consequently, the visual prominence and the contrasting maroon colored concrete slabs and green tile trim work on the Punchbowl Street elevation would call undue attention to the building. A slightly darker tone of color than the existing paint on the building will harmonize the various architectural elements, and will reduce the visual impact of the multi-color elevation. This impact could be achieved either by sand blasting to expose the natural concrete color or by painting.

The Director recommends:

a. The applicant engage a professional design consultant to prepare at least four color samples ranging from pale to medium beige, and one sample area of sand blasting on the exterior of the building. The area samples should be approximately 60 square feet each.

b. The consultant select the final color or finish in compliance with the comments stated above, and with the approval of the Planning Director, and make a presentation to the City Council for its consideration.

c. An air conditioning unit and a solid window panel on the Punchbowl Street elevation be replacedwith clear glass or an interior cut air conditioner unit.

2. State Tax Office Building (Hale Ohau Bldg.) - This structure lies within an area controlled by a 150-foot height limitation with 50% coverage. Low single-story walls and structures that house transformers and mechanical equipment together with outside wiring and plumbing seriously detract from the architectural character of the building. Window panes that have been painted or obstructed by plywood panels, the window air conditioner units and the exposed air ducts are in conflict with the style of building and the overall setting of the area.

It is recommended that:

a. The removal of all structural additions to the main building (to house transformers and air conditioning equipment) and restoration of the building to its original architectural design be seriously considered prior to any repainting work.

The transformers and the air conditioning equipment could be placed inside the building or relocated to an underground housing, or eliminated altogether.

b. All exposed plumbing and wiring which visually detract from the character of the building be relocated inside the building or concealed.

c. The applicant engage a professional design consultant to prepare at least four color samples of 60 square feet each

for walls and three color samples for window trims.

The specific guideline recommendations to be considered by the consultant are as follows:

d. The colors to range from off-white/beige to very pale sepia tones for walls and medium to dark brown for windows and railings.

e. The consultant select final colors with the approval of the Planning Director and make a presentation to the City Council for its consideration.

f. The flagpole be repainted in off-white color.

g. The paint be removed from all window panes or the painted glass be replaced with clear glass.

h. All exterior precast panels be cleaned. No paint to be used on these panels.

It should be noted that the State Department of Accounting and General Services have proposed repainting of both the Transportation Building and the Tax Office Building in similar colors to what they are already.

3. Kamamalu Building - The Kamamalu Building, due to its height and prominent location (within the core of the Capital District), is very visible from the open spaces around the Iolani Palace and the Federal Building. The adverse visual impact of the building could be reduced through the use of the medium tone organic color instead of the existing pale gray finish.

a. The roof top cooling towner structure be repaired prior to painting.

b. The air conditioner unit and the solid window panel on the makai elevation of the building be replaced with tinted glass that matches other window panes on the building, or an interior type air conditioner unit.

c. The applicant engage a professional design consultant to prepare at least four color samples of 60 square feet each for walls and three color samples for window trims.

The specific guideline recommendations to be considered by the consultant are as follows:

d. The colors to range from pale to medium beige tones for walls and dark gray, dark brown and dark beige for trim work.

e. The consultant select final colors with the approval of the

Planning Director and make a presentation to the City Council for its consideration.

f. The dark stains on precast gray panels makai of the entrance on Richards Street be cleaned or panels replaced.

g. The temporary wooden ramp at the mauka elevation be removed, or replaced with a permanent ramp structure.

There were no questions concerning the staff's presentation.

No one spoke AGAINST the proposals.

Noticing the absence of a representative from the State Department of Accounting and General Services, there was question as to whether the state agency concurred with the Director's recommendations on these matters. Mr. Ali Sheybani of the staff indicated that copies of the report were sent to Mr. Char of the State Department of Accounting and General Services who did question the reason for the recommendations. Mr. Char pointed out that if they have to do anything in addition to just repainting the buildings, they would not have adequate budget for it, even to have a sample made for the selection of colors. DAGS does not agree with the Director's recommendations.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Creighton, seconded by Mr. Kahawaiolaa and carried.

Discussion followed.

CREIGHTON: If DAGS indicates they don't have the money to make the physical changes that are recommended in your three recommendations, isn't that an empty gesture? Can anything be accomplished? I certainly feel these are good changes that are being suggested. It would improve the appearance of all of these buildings. But, can we act on the painting and some changing on structural changes which are not likely to be paint work. I raise this for point of information.

WAY: We thought it was important to bring those matters to the attention of the Commission and to the Council. I don't know that the proposals are all that extensive in terms of change. It may be that somewhere along the line of deliberating the question, DAGS might find a few additional monies to accomplish some of these changes.

I think we should probably expand on what our understanding of the comment is in this connection. Its simply that they don't even have the money to hire anybody but a painter. Frankly, I think that's a little outrageous that it isn't possible to engage the services of someone at least to look at these questions in a design way. It was our hope to improve the process a little bit for DAGS and help them improve it whereby they might hear, and in subsequent applications involving painting take a little broader view whenever they attempt to improve, one way or another, any of the structures that are in the Capital District. I don't know what the cost would be to engage

a qualified color consultant, if that's the right term, but it does seem to me that it would be relatively minimal even in terms of the total cost of simply painting these buildings, and at the same time he or an architect or staff architect from DAGS payroll look into the matter of making some of these other improvements. Maybe they can't be made at this time, but maybe the next step would be to request appropriation. I think in most cases it would be a fairly modest sum to improve the appearance of these buildings. So, that was sort of the thrust and a little bit more of the background. You may be quite right that its impractical, that there may not be an extra $5 in the whole state budget, or $10 or $500. I don't know what it would take. It seems to me that the very painting of these buildings would be very substantial construction cost items, and a few percentage added to that or taken from it might well do the job satisfactorily, at least to get an improved appearance from those buildings.

CREIGHTON: I certainly agree. I think the hesitation I have is hiring a color consultant would be absolutely essential. Perhaps it should not be put in the same category of making structural changes. May I try out a motion, Mr. Chairman.

CHAIRMAN: You may.

CREIGHTON: I MOVE THAT WE APPROVE THE PROPOSED PAINTING CHANGES WITH THE RESTRICTIONS AND CONDITIONS PROPOSED BY THE DIRECTOR, AND THAT WE RECOMMEND STRONGLY THAT THE STRUCTURAL CHANGES OR PHYSICAL CHANGES RECOMMENDED BY THE DIRECTOR BE UNDERTAKEN IF AT ALL POSSIBLE.

BRIGHT: SECOND THE MOTION.

CHAIRMAN: Discussion? All in favor?

(There was no discussion. The motion was unanimously carried.)

AYES - Bright, Creighton, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Connell, Crane, Sullam

PUBLIC HEARING SUP&
CONDITIONAL USE PERMIT
(SAND MINING OPERATION)
MOKULEIA
WARREN KOBATAKE DBA
WARREN CORPORATION
(FILE #72/CUP-12)
and (72/SUP-3)

A public hearing was held to consider a request for a Conditional Use Permit to conduct sand mining operations on property located on both sides of Farrington Highway in Mokuleia, Tax Map Key: 6-8-03: 11, 15-17, 19, 20, 30, 33 and 35.

Publication was made January 7, 1973. Letters opposing the project were received. These comments are included in testimony AGAINST the application.

Mr. Carl Smith of the staff presented the Director's report of the proposal. The requested uses are proposed for sites at two different

locations. The sanitary landfill operation is proposed for the existing quarry at Puu Palailai located just on the Waianae side of Makakilo City. The proposed new quarry operation is for an area located approximately 1-1/4 miles on the Honolulu side of Makakilo City, makai of Puu Makakilo. Although the applicant has filed requests for the two proposed projects on a joint basis, the report discusses the sanitary landfill proposal and the quarry proposal separately. Contained in the report are comments from various public agencies that reviewed the proposal plus the Director's analysis of the proposal and other pertinent information. The Director makes the following recommendation of the requests:

1. That the request for a Conditional Use and Special Use Permit for the proposed sanitary land fill operation be approved subject to the conditions contained in the report.

2. Inasmuch as the proposed site has natural amenities highly desirable for residential development, and sufficient information has not been provided to evaluate alternative sites for a quarry, it is recommended that the request for a conditional use and special use permits to establish and operate a new quarry be denied at this time.

The Director also reported some concern with publication of this hearing. The matter was advertised on January 7 for today's hearing. It was subsequently advertised again on January 14. Initially, the notice that a Special Use Permit was also involved was not mentioned. Corporation Counsel advised the readvertisement. Some members of the public had not seen the earlier advertisement but did see the one of January 14th, and was concerned about the short notification.

Questions were raised by the Commission regarding the proposal.

CREIGHTON: What is the present use of the land?

SMITH: The land makai of Farrington Highway is utilized as pasture. The area in back is in cane, and there is a polo field.

CREIGHTON: What would be the total length of time for the total operation?

SMITH: The applicant is proposing a 15-year time period for the total operation. We do not have an estimate of how long it would take him to do these two increments, although those two increments amount to about one-third of the operation. Its perhaps a five-year operation.

CREIGHTON: Coming back to the present use, who operates the activities out there?

SMITH: Mokuleia Ranch Company.

CREIGHTON: Do we know what happened to the present uses while this is going on?

SMITH: The end use proposal is to return the lands to pasture land. The current uses, the applicant has given no indication as to what happens to the current use other than the fact that the polo field lease expires, and the Crow Bar Ranch lease expires both in 1974. Evidently, there is no intent of renewing those leases.

CREIGHTON: Is the Crow Bar Ranch in Increment 1?

SMITH: No.

CREIGHTON: Could you explain the reasoning behind Recommendation No. 1 to limit this to Increments 1 and 2?

SMITH: The reasoning there is we feel that by limiting it to Increments 1 and 2, we are removing it from close proximity to any Residential use. We can then monitor the operation and determine far better through experience, what limitation should be placed on the operation as it comes in proximity to the Residential uses.

CREIGHTON: Do you know what the reaction of the proposer is to this limitation to two increments, or would that come out later in testimony?

SMITH: I assume it will come out later in testimony; however, I did have an opportunity to talk to the attorney for the owner. He expressed some dismay at this. They wanted at least Increment 3 to be included.

BRIGHT: As an alternative to the entire acreage, has the staff come up with a recommendation as to a smaller acreage and as to location of same?

SMITH: Our recommendation is to allow them to pursue the operation in this portion of the total proposal.

BRIGHT: What acreage is involved there?

SMITH: There is approximately 50 acres involved, out of a total of 150.

BRIGHT: As an alternative, this could be scaled down to a 50-acre parcel more or less as the total extent of the Conditional Use Permit.

SMITH: More or less, yes.

CREIGHTON: May I pursue Mr. Bright's question a little further. As an alternative to mining this resource which apparently is becoming a necessity, have other sites and other locations been explored?

SMITH: No. The reason that this is being proposed is that the resource is there and the Dillingham Corporation which is the parent corporation of Mokuleia Ranch and Land has decided it is to their advantage to exploit this resource. We have not looked at other alternatives but we know other alternatives do exist along this coast, as evidenced by previous mining in the area.

Public testimony followed.

1. Mr. Jacob Y. W. Ng, President, Waialua High School PTA (Submitted letter dated January 5, 1973)

   Mr. Ng's letter states in part:

   "There seems to be an apparent lack of concern for the people of the Waialua Community by the sand mining company. An attitude of damn the community--get the sand out because industry needs the sand, seems to prevail.

   The above observation was reached after reviewing the environmental assessment report and because of serious problems that will result from the proposed sand mining operation.

   A. Disruption to Classroom Work. Waialua High and Intermediate School, consisting of classes from 7th to 12th grades, comprising some 1,050 students and 70 faculty and staff personnel, is located on 67-160 Farrington Highway. Most of our facilities are located adjacent to Farrington Highway, a busy highway which has high usage by heavy equipment. Some of our classrooms are located no less than 12 feet from the highway. The auditorium and cafeteria are located some 50 and 200 feet, respectively, from the highway.

   With the anticipated increase in truck-trailer traffic on the highway, as the result of the sand operation, there will be severe disruption to classroom instructions and will create a potential health problem. The sand operation envisions 80 truckloads per day, with each truckload amounting to 20-25 cubic yards. This equates to approximately one truck passing the school each 7-1/2 minutes. This count would become even worse if we include the present traffic from the gravel hauling trucks.

   Presently, everytime a large gravel hauling truck passes the school or stops at the Sagara Store for lunch or snack, all classroom instructions and oral classroom participation must cease until the noise of passing trucks abates. We cannot and will not tolerate any increase to classroom disruptions as education of our youths will be severely affected. It is respectfully requested that other alternatives or corrective actions be vigorously pursued by the Mokuleia Ranch and Land Company, Ltd., the City and the State before approval be granted.

   Suggestions:

   (1) That the Company absorb the cost to air condition and soundproof all classrooms immediately adjacent to Farrington Highway. This will minimize disruption to classes due to the noise problem. This suggestion is

not considered unusual because the noise problem is the direct result of the sand operation.

(2) That an independent study be made to determine if there is a potential health hazard due to dust particles in the air as the result of heavy use of the highway. Particular emphasis should be placed in the cafeteria area where food is prepared and consumed.

(3) That another route be used during school hours.

(4) That sand hauling be made only during night time hours, subject to adherence to noise pollution regulations during these hours.

B. Traffic Hazard. School hours are from 8:00 a.m. to 3:00 p.m. It is noted that the proposed hours of the sand operation are from 7:00 a.m. to 5:30 p.m. Obviously, there is or will be heavy traffic congestion on Farrington Highway during the morning and afternoon hours. Added hazards include students crossing the highway to go to Sagara Store.

Suggestion:

(1) That sand and gravel hauling trucks not be permitted to use the highway fronting the school one-half hour before and after the start and end of school. This suggestion is made with the assumption that suggestion A-1 in the previous paragraph is implemented.

C. Congestion on Kaukonahua Road. The Kaukonahua Road, which parallels the Kaukonahua Gulch and leading up to Schofield Barracks, is a two lane, narrow, winding, and rising highway. This highway serves as a major thorough-fare for many residents who commute to outlying areas. At the present time, gravel-hauling trucks travel up the highway at a speed of of 10 to 15 miles an hour, greatly impeding traffic and creating an extremely hazardous traffic condition for incoming traffic on hills and on curves. The proposed sand hauling operation will increase traffic substantially and if permitted to use Kaukonahua Road, will cause an untenable situation. It is envisioned that travel time to Schofield/Wahiawa will increase 100%. Such inconveniences cannot and should not be tolerated by local residents. Kaukonahua Road by design was not intended for heavy truck use. Since its origin some 50 years ago, Kaukonahua Road has not been improved.

Suggestion:

(1) That Kaukonahua Road be off-limits to all sand, gravel, and heavy hauling trucks and equipment. Instead, these trucks and equipment be required to use Kamehameha Highway.

D. Maintenance of Roads. Due to unusually heavy use of roadways, a maintenance plan be prepared by the City and the State to insure that all roads affected by this operation is adequately maintained. This should include the regular use of a Road Sweeper on the highway fronting the high school."

2. Mr. Fred Rodriguez, representing Mokuleia Beach Colony Unit Owners, 415 Mamaki St., Honolulu (Submitted written testimony dated January 17, 1973)

"...The principal thrust of my statement deals with the application of Warren Corporation to operate a sand mining operation. As you know, the area in question is essentially a recreational area, used as a polo field, but more important to the owners of residences at the Mokuleia Beach Colony, this recreational amenity also constitutes a view amenity which was the original purpose for the establishment of the residential development.

Warren Corporation is applying for a sand mining operation on this site. Does the planning commission incorporate as part of the conditional use permit under application the approvals necessary to conduct such an operation? Under the provisions of Act 100 enacted by the Sixth Legislature of the State of Hawaii, there are environmental considerations remaining unanswered by the applicant.

I address the Commission's attention to these points of interest:

A. As the quarrying operation takes place, what provisions are being taken to prevent or minimize the resulting noise and air pollution?

B. What will the applicant use to replace the sand in this 152± acre operation?

C. As a resource, will the sand removed from this site ever be replaced?

D. Has consideration been given by the applicant of the low water table and potential erosion problem which might and could arise from his quarrying of this area?

E. Should he choose to fill the sizeable hole with some material, has he been cleared by the appropriate government agencies, i.e., State Department of Health and City and County Department of Public Works?

F. What compensation is being considered for the residents who will watch this operation for the time period involved?

G. Will the general public have to endure noise levels of the quarrying operation as well as the trucks moving back and forth during the operations for an indefinite period of time?

H. If it is the intent of the applicant to fill the void with refuse, is it his intent to operate the subsequent land fill operation according to the rules and regulations of the City County Refuse Division?"

3. Mr. Marcus M. Bright, representing Mokuleia Beach Colony, 3103 Pualei Circle

A. The proposal by the applicant for 80 more trucks creates a hazard on the two-lane roadway.

B. Regarding noise, they disagree with the comment that existing berms could buffer the noise of the operation.

C. Land values will depreciate

D. They disagree with the comment that 150 feet back from the ocean frontage is a safe distance for this type of operation. The water has gone in 150 feet during a storm.

E. If the permit is granted, it will start industrial organization which would change the whole aspect of this section of Oahu.

4. Miss Kathleen F. Maurer, State Department of Social Services and Housing

MAURER: The State Department of Social Services and Housing objects to the proposal. Our main objection is based on the fact that not enough study has been completed for the project. Our objections are based specifically on these points.

First of all, the detailed description of the project site which the State OEQC requires in every environmental impact statement is very poor. For example, the environmental assessment or impact statement there seems to be a question by the author which describes present vegetation in these terms:

(1) Present vegetation on the subject land includes various grasses which are no more than one foot, used primarily for grazing.

(2) Another is an inadequate appraisal of reclamation measures. The types of plants are listed which Warren Corporation intends to reclaim the land with; however, there's no discussion of experience with these plants in reclamation of beach areas such as Mokuleia would be. Further, there is no guarantee that such reclamation measures will be monitored by any state agencies or we are not guaranteed that such reclamation measures will in fact take place.

The second stipulation which this environmental assessment is required by OEQC is that alternatives to the proposed action be

listed. According to our state environmental policy, the proposing agency should consider the alternative of no project on this land which would be not mining the sand at Mokuleia. The Warren Corporation in their environmental assessment says that the applicant has no other alternative due to the scarcity of sand. That's not the point. The point is that the State of Hawaii has a vested interest in this area. Further, a particular alternative of sand mining from the sea is not discussed. There's presently a research leasage being undertaken at the UH under the Sea Grant Program which is coming up with an economically feasible method of sand mining from the sea.

Another stipulation with an environmental impact statement is the discussion of the local short term uses of the environment. This is the maintenance and enhancement of long term productivity. In this particular project, apparently sand mining is a short term use. According to a DPED study call "Tourism in Hawaii", Dillingham intends to develop this area of Oahu as a rather massive resort development. We believe that any type of massive development like this must be proceeded by a thorough and complete study of long term effects. In this case they involved, we feel, the effects of a tourism development at Mokuleia.

Furthermore, I'm distressed by what I consider a serious weakness in this impact statement or environmental assessment. Apparently Warren Corporation is not concerned with the aesthetic value of the beach, the ocean area. This is one of the few remaining undeveloped areas of Oahu. Its unfortunate that in Hawaii we sometimes put economics ahead of aesthetics, but we live by aesthetics as well as economics.

In conclusion, the DSS&H believes that this project requires much more thorough long range study before any decision be made, particularly the aesthetic consideration of the area.

Questions were raised by the Commission.

CREIGHTON: You speak of an Environmental Impact Statement. Who was that prepared by?

MAURER: It was prepared by a Fred Hertlein, III, President of Hertlein and Associates, Environmental Consultants.

CREIGHTON: Prepared by the applicant?

MAURER: Yes. Warren Corporation apparently commissioned Mr. Hertlein. It was submitted to OEQC by Warren Corporation.

CREIGHTON: Has OEQC commented on it?

MAURER: Yes. As a matter of fact, OEQC xeroxed copies. It was circulated to all state agencies which is standard procedure. OEQC xeroxed copies of the comments from those state agencies

that went into the environmental control office, sent them back to Warren Corporation, and only two to three days ago distributed to Warren Corporation their own summary of these comments.

CREIGHTON: Was it distributed by OEQC to civic groups?

MAURER: I except it went out. They distributed a hundred copies to various people.

CREIGHTON: May I ask the Planning Director whether that was taken into consideration in the report?

SMITH: This report being referred to was developed by the Warren Corporation at our request and was distributed by OEQC to various state agencies. We do have the report on file. We have made an evaluation of the report.

CREIGHTON: Presumably then the Planning Director's report answers the questions that were raised in this EIS?

SMITH: To the best of our ability, yes. Many of the governmental agencies' comments that are included in our report to you came as a result of this environmental report rather than the normal course of the public agency review committee (PARC).

CREIGHTON: It seems to me that some of the questions Miss Maurer raises on alternatives, for example, are not covered in the Planning Director's report. Am I wrong, Mr. Way?

WAY: What specific ones are you talking about? If you're talking about tourism for example, which I think was one of the alternatives in terms of land use, this is a matter that is covered in our General Plan. As you know, the policy of the area shows for some urbanization indicated in our report, and also Agricultural types of use. From the standpoint of the City's policy, the restoration of the land to an Agricultural type of use is quite in conformity with that Agricultural land use designation and Agricultural zoning. There is no proposal before the city for a tourism destination facility. There may well be such a proposal being considered by the owners but again, in the public policy arena, this is simply not there as an alternative at this time. It won't be until the General Plan is amended.

CREIGHTON: I was thinking rather the alternatives in sand mining alternative locations, alternative methods, the alternative of not sand mining and so forth. Frankly, I would have wished that the Commission members would have recieved a copy of this Environmental Impact Assessment. We've been wishing for such assessments by private developers and when we have one, I would have been very happy to see it. We know that they're required now by public agencies but not by private developers.

WAY: We could make it available.

CHAIRMAN: Did we hear from OEQC?

SMITH: OEQC as I mentioned did accomplish the distr_bution of this report throughout the state agencies. They forwarded the state agencies' comments to us. The OEQC itself did not take a position on this as far as our record shows.

(There were no further questions of Mrs. Maurer.)

5. Mr. Lorrin F. Thurston, Property Owner in Mokuleia (Submitted testimony dated 1/17/72)

"...The Environmental Assessment and Environmental Impact Statement as submitted by the applicant and prepared by F. Hertlein and Associates, Environmental Consultants is, in my opinion, grossly inadequate. It deals primarily only with on-site problems and gives no consideration to major peripheral problems which will be generated and their effects on the community. Since the City and County Planning Department imposed the requirement of an EIS as a part of the application, it follows that the EIS submitted should be comprehensive and meet the specific requirements of the Comprehensive Zoning Code, which in my opinion it fails to do....

The EA and EIS as submitted by the applicant provides no information on truck routing in hauling the sand from the site to its destination or effects upon health, safety or comfort of the residents, school students, or motorists along the routes the loaded and empty trucks will be traversing in delivering the sand to its ultimate destination.

I presume the to/from site truck routing would be east from the mining site on Farrington Highway through a residential area in Waialua and past the Waialua High and Intermediate Schools to Thompson Corner, mauka up Kaukonahua Road to the junction of Wilikina Drive, past Schofield Barracks and Wheeler AFB and into central Oahu through Waikakalau Gulch and Kipapa Gulch.

The effects of noise and safety of the students of Waialua High and Intermediate Schools must be considered.

The potential effects upon the safety, health and comfort of motorists using the existing highways, including the increased potential of injury and damage to property should be investigated in depth prior to granting a permit.

HPD's reply to requested comments on the EIS reflected only on-site traffic control and did not cover the to/from site traffic generation and resulting problems on roads to be used.

C & C Road Department made no comment, and State DOT representatives replied only verbally, to the best of my knoweldge, indicating minimal problems and that the roads could absorb the increased loads.

The most recent traffic survey on Kaukonahua Road by the State DOT was a manual count taken Thurs/Fri. February 10, 11, 1972, for a 12-hour period between 0600 and 1800. The location of this count was the UH Experimental Farm on Kaukonahua Road. This count was taken approximately one year ago:

Total vehicles: 3,570 all types
Percentage and number by classification:
82% or 2,927.4 were passenger vehicles
.3 of 1% or 10.71 were buses
9½% or 339.15 were light trucks, 2 axles (pick-up or van)
8.2% or 293 were heavy multi-axle commercial trucks

293 large commercial trucks passed this point a year ago in a 12-hour period from 0600 to 1800 which would correspond to the weekday hours of operation as proposed by the applicant. The applicant would be adding a maximum of 80 truck loads of sand per day to town and by including the round-trip factor, this would actually be a maximum potential of 160 passages at a given point for a total of 453 heavy multi-axle vehicles. This would be an increase of 54.6% in this category alone, based upon figures of one year ago. I also understand that the Hawaiian Bitumuls Plant at the Kawaihapai Quarry will be providing additional loads of asphalt to surface the reef runway.

The State Highways traffic count one year ago was only a "spot check". It could in no way give any idea to the average figures in a given month, nor reflect the fluctuation in production at the Kawaihapai Quarry in either rock, gravel or asphalt. Since the vehicle count was taken in Feburary 1972, it could not reflect the numbers of vehicles hauling bulk sugar and molasses from Waialua Mill as February is not the peak of sugar cane production.

Kaukonahua Road from Thompson Corner to the Wilikina junction is a C & C road and is narrow, winding, 2-lane, with an estimated average 5-6% gradient on the hill. It is lined with large ironwood trees along both sides, closely spaced, from within 2 to 8 feet of the pavement. Some portions of the road have a 2-3 foot deep ditch within 6-8 feet of the pavement. For practical purposes, this section of road is without safe shoulders on many passing zones. Loaded trucks crawl up this grade at speeds of between five to ten miles per hour and take 15 minutes to climb 2.8 miles. Traffic backs up behind these trucks and inevitably, attempts are made to pass by motorists, exposing both themselves and downhill traffic to extreme hazard. A runaway truck on this route without shoulders or escape routes could be as disasterous as the Likelike Highway disaster of last year or the recent Pali Highway disaster, since the gradients are comparable. At least the latter two routes are divided four-lane highways rather than arrow two-lane roads. Dust from sand and quarry mining operations are notoriously destructive to brake and hydraulic systems.

In summation, I believe that the City Planning Department has initiated excellent requirements of the applicant to protect the welfare of this community. I hope that the Commissioners will

require additional in-depth studies of the peripheral problems in routing, road capacilities, noise in residential and school areas and other environmental effects, and require satisfactory solutions to these problems before any permit for sand mining is granted.

There will be an alternate source of sand available in the near future from sand mining off-shore, resources estimated at one-half billion cubic yards of sand, near Oahu, Molokai, Lanai, and Maui. With those considerations in mind, I feel that any CUP for sand mining at Mokuleia should be limited to annual renewals only and not for a blanket long-term period when the future is unknown.

(There were no questions of Mr. Thurston.)

6. Mr. Jack Morse, Attorney for certain residents in the area, 1060 Bishop Street (Submitted Petition containing 30 signatures of residents in the area AGAINST the proposal, and an outline of his presentation)

MORSE: The application has two basic aspects. Number one is the need for the sand. The last part of this I will suggest that there is not the great need as has been put forth in the application.

The Warren Corporation also had sand mining in Haleiwa. There is a place right now, sunken land of acres that apparently was not fully filled in. This was on Bishop Estate land recently. I understand also that that experience ended up with a law suit with some of the adjoining landowners. I don't know what happened. The law suit apparently was over dust problems.

From Mr. Creighton's comment previously, I understand the commissioners have not seen the statements; number one an Environmental Assessment, and number two, an Environmental Impact Statement which was submitted by the Warren Corporation. Warren submitted something called an Environmental Assessment which I know is in the Planning Department's files. They had hired F. Hertlein and Associates, Environmental Consultants to write what is appended and called an Environmental Impact Statement. I'd like to say that in searching through that statement to find who F. Hertlein and Associates is, it doesn't say. It was signed by Fred Hertlein, III who lists himself as president. There is nothing in there as to his background and as to his qualifications. He may be the most qualified man in the world or he may not. The Commission of course is being asked to rely upon the facts and the generalities, and conclusions that he has in his report. I think certainly his background qualifications should come forth. I know the staff's report is based on many assertions and conclusions made from that report. I did personally try to find F. Hertlein and Associates. They are not listed in the phone book. They are not registered with the Department of Regulatory Agencies. It has no excise tax license. I don't know exactly what it is.

One issue brought up is the noise problem. In the statement from Warren Corporation and from Mr. Hertlein, they talk about noise pollution, they give some suggested cures for noise pollution such as in Mr. Hertlein's statement, he says that from the experience previously in Haleiwa sand mining, the noise created by the equipment which apparently will be the same equipment for Mokuleia, is not bothersome and does comply with the CZC if its at least 1200 feet away from the residences or from whatever it might be bothering. In Mr. Way's report, they talk about if any of this equipment is going to be less than 1200 feet from the residences, then there will be berms to deflect the sound. There's nothing in Mr. Hertlein's report or Warren's report or the Planning Department's report that refers to the problem of noise pollution other than the residences in the area. Nothing as far as people trying to enjoy the beach, people going along the highway. There's no provision for any protection there.

There is a letter in the Planning Department file from Mr. Hirata, the City and County Engineer and he says that in the application, he cannot determine the effect of noise as the location of the houses are not shown on the application at all.

Next problem is dust. I'd like to impress that the only consideration of dust pollution in this application either in the Hertlein statement or the Warren statement and I think also in the Planning Department report, the only thing that is considered is dust from the sand mining. I don't believe there's a word said about the problem of dust from the burrow pit and from the fill that is going to be put back into the hole that is dug in the area. I think with the experience in Haleiwa as I understand it strictly from hearsay, the law suit, the dust problems were created more by fill going in than by the sand being taken out. This is something again that needs to be researched. Warren Corporation does admit that there will be what they call fugitive dust. This is in their report.

Also in the dust, perhaps the basic problem is the wind direction and velocity in this area. Mr. Hertlein in his Environmental Impact Statement appends a table which is called Table 1 where he shows some average winds at various times of the day. He averages something between 6 miles an hour up to 11 miles an hour at different times. He extrapolates from that in his report and says therefore, it is clear that maximum winds of 20 miles an hour will be rare. I think I paraphrased him but that's the essence of what he says. I suggest to the Commission that it is impossible to take a table of mean wind values, average winds, and to extrapolate from that alone what the maximum wind is. We had a very bad experience on Maunakea. This happened where the contractor saw a table of mean wind values of between 20 and 30 miles an hour. He said it can't be too bad. When we got hit with 100 mile an hour winds, he was upset. I suggest the maximum winds here are quite a bit stronger than the 20 miles an hour that Mr. Hertlein thinks occasionally occur.

Again in the Haleiwa experience, the people who wound up suing

because of dust problems were on the beach side of the excavation. Apparently in that area, this means that the winds were blowing in a somewhat - from the southeast to get the dust out to the homes on the beach. Whether that same pattern is same in Mokuleia, I don't know but certainly as you go into the details in Mr. Hertlein's report, there is no backup from which you can guess what the winds will be.

Mr. Hirata the City and County Engineer again says that from the application, he cannot determine the effect of the dust on the homes as the homes are not shown on the application.

There is some discussion in the report of the growth presently on the premises. I think there's a minor error. They say Halekoa is not present and apparently it is present. In the application, the applicant says there will be no removal of pinewood which I assume means the ironwood trees. Yet, in the recommendation from the Planning Director, I think the recommendation is that only certain of these ironwood trees are to be saved.

The applicant says that after the new fill is put in and planted, that the result will be better aesthetically. That of course is a pure value judgment and I think the people who live there would contest that very violently.

Mr. Hertline also speaks on the possible problem of wave erosion. He admits in his statement that he has no facts to go on. He makes several assumptions arriving at the conclusion that a 150-foot setback from the ocean front is sufficient. I point out that Mr. Hertlein has no facts on which he makes his conclusion.

There is an area which is completely flooded and stagnant, which I understand was for the purpose of a silting basin. There is now a large stagnant pool which has created a new nuisance of mosquitoes that they've never had. Now they're apparently going to have a new mosquitoe pond in another area.

There are many unknowns which have been mentioned by the other people. I wish to point out that the Health Department says they are worried about the possible contamination of the ground water table because of the proposed fill material. In other words, its simply an unknown at this point.

In the recommendations of the Director, I believe it says that plans, topography, and so on for the burrow pit up mauka shall be subject to the Planning Director's approval. No offense but I wonder if that wouldn't be proper to again have the public have a chance to know what's going on up there. There's been no detailed plan at this point, rather than just simply having the Planning Director have the right to say how it shall be done. There may be environmental aspects of that also. I simply don't know at this point.

The Department of Transportation which did respond only orally

to the staff stated that they didn't see any problems with the road. There is a comment in the Director's report to you. You should not read that comment which is a little ambiguous, pages 6 and 7 of the report. You should not read that to mean that the DOT has any comment on the safety or hazards. They don't. All they're saying is they don't think this number of trucks will chew up the road too much. I did check that out with Mr. Kam at the DOT.

In the supplemental report dated today, there is a Recommendation 17. Again, this deals with traffic and gives the Planning Director the right to increase the number of loads per day after checking the operation. Again, I suggest this should not be the Planning Director's right without having the public in on such a decision.

Its been stated and described that the roads upgrade are very bad. Just to compare that because the comment has been made that the previous sand mining operation in Haleiwa, they had the same problems, the same two-lane highway going up to Wahiawa. Nothing could be further than the truth. They have a two-lane highway. That's the only similarity. Number one, the Haleiwa Road is straight. Number two, it has shoulders most of the way. Number three, it doesn't have ironwood trees every few feet along the sides. There's a tremendous difference in those two roads.

There is a comment in the original report to you from the Planning Director, "No governmental agency voiced any overwhelming objection to the proposal." I'd like to refer you to the letter from Myron Thompson, Director of Social Services and Housing dated November 3 where he says "We find the project environmentally destructive and aesthetically objectionable. Furthermore, Warren Corporation's impact statement is inadequate. Discussion of the project's wide ranging impact is incomplete." I suggest to you that may be an overwhelming objection.

Finally, the alternatives. In the Warren statement, they refer to a crushing process. They say this is more expensive. It may be very true but I wish to point out that there are no cost comparisons given to you. We don't know if its a penny a ton more or $10 a ton more. This you should have.

There is also reference to deposits on Molokai stating that they will run out shortly. This may be true. The Setback Act that goes into effect in 1975 will restrict some of the beach sand mining, only of course to the setback which is either between 20 and 40 feet as you know along the shoreline. Again, what are the facts on Molokai, I don't know. Molokai is about gone as far as a source for sand.

Finally, you have ocean mining which was briefly mentioned by Kathleen Maurer. I'd like to give to you a recent article from the UH, the Sea Grant Newsletter, January edition. The lead article talks about mining sand from the ocean. I talked to Mr. Kashiano who was one of the people named in this article and

who is doing some of the research in this area. One of the main problems is that we would need new legislation to be able to mine sand in the sea. He told me he understands a bill is going into the legislature this year to allow it. I don't know if its on an experimental basis or commercial basis. He made a statement to me and I quote: "If the legislation goes through, a contractor could be pumping sand for profit this summer." There's a lot of ifs, ands, and buts in this area. The Warren statement doesn't mention this. It says there are no alternatives. I don't think that's correct without some research.

In addition, to the conditions that have been suggested by the Director's report, I would like to suggest four more:

A. The areas that they plan to go into - you had Increments 1, 2, 3 and 4. Increment 1 is perhaps the least objectionable. Its mauka of the highway. It does not have the great number of ironwood trees. It is not close to the beach, of course, so if the 150-foot setback is not enough, you won't have this problem. I would strongly suggest that if you decide to issue the permit, that it be on an experimental basis in Increment 1.

B. The time of work. They have proposed six days a week, beginning at 7 in the morning. The report suggests 7:30 a.m. We would suggest 8:00 a.m. People who go into town would certainly be through by the time. I don't know what time the high school starts.

C. I'm told by the residents that Saturday as well as Sunday are tremendously full of traffic in the Mokuleia area. You have the new park which is just on the Kaena side of the polo grounds heavily used on the weekends. That means Saturday, not only Sunday. It should be a five-day week and not on Saturdays also.

D. On the list, I've suggested a landowner's agreement to reimburse residents for damage. When dust and noise damages come along, the landowner, the person who is damaged, is forced into court to try to enjoin it and perhaps get any damages for it. Its a tough thing to go into court and to hire a lawyer. Its costly. If the Commission is going to issue a permit and will require a landowner's agreement to reimburse these residents for damage, which I'm sure the Attorney General or the Corporation Counsel could draft up for you, I think this might obviate some of the great costs in the damages that will inevitably come up.

(There were no questions of Mr. Morse.)

The testimony of the following people primarily concurred with the comments made by previous speakers AGAINST the proposal:

7. Mr. Sanford Parker, Property Owner, Unit 19-A Mokuleia Beach Colony
8. Mr. Charles Dean Reid, Property Owner, 68-709 Farrington Hwy.
9. Mr. George L. Sheetz, Property Owner, 68-687 Farrington Hwy. (Submitted Petition AGAINST the proposal containing approximtely 163 signatures)
10. Mr. Vincent Mazza, Property Owner, Mokuleia Beach Colony
11. Ms. Thelma Kihano, Property Owner, Mokuleia Beach Colony
12. Mrs. Allen Levear, concerned citizen (Submitted letter dated January 12, 1973)
13. Mrs. Theodore Wrobel, Property Owner, 68-615 Farrington Hwy. (Submitted letter date January 14, 1973)

Testimony in SUPPORT

1. Attorney Allen Marutani, representing Warren Corporation

Mr. Marutani explained that Mr. Gordon Cran, Manager of Mokuleia Ranch; and Mr. Fred Hertlein who prepared the Environmental Statement, would testify today primarily in the area of noise, dust, and overall conditions of the land. Inasmuch as the hearing will be kept open, additional testimony regarding the overall proposal will be presented at the next meeting.

2. Mr. Gordon Cran, Manager, Mokuleia Ranch

CRAN: I've managed Mokuleia Ranch for almost 14 years. There are very few people that live in the community that have been there longer than I have. There are some and I think I know most of them. I'll speak a little about the history of the area, some of the things that maybe people here don't realize as to what has gone on in the past, and how the same thing is going to go on possibly in the future, and how the past has made the future possible.

The area at Mokuleia Ranch Company extends from Kaena Point to the proposed sand mining area. Its not a continuous area. Its broken by several other uses.

The ranch has been in the sand mining business for many, many years. In the old days, it was on the railroad and through Dillingham Corporation. Another thing, I'd like to clear up is that Mokuleia Ranch is not a part of Dillingham Corporation. They do own shares in Dillingham Corporation; however, the Mokuleia Ranch is not a subsidiary of Dillingham Corporation. It is separate. The books are not overlapping at all. We do pay Dillingham Corporation for some services, engineering and legal services.

The ranch has had the history way back in the railroad days of digging sand. We would like to have the permit to dig sand on ranch property again. In the last 7 or 8 years, we have not needed the income and we have not been digging any sand. It

wasn't necessary, and other things being what they were, we were busy. At the present time, it would be very advantageous for the continued maintenance of this beautiful site to have the income.

The property that we have marked here is essentially all the area where there is any sand left at Mokuleia Ranch. All we're asking for is permission to continue what we use to do. Its kind of a different concept. The trucks use to haul sand years ago. I'm one that complained about the sand blowing off the top of the trucks. We use to haul the sand from down the end of the air strip. Now, we're asking for approximately the same thing. We take the sand from another point off of approximately 3 acres at a time. That's been discussed already.

Now, why the big pitch on the sediment basin. We know right away that we have more to lose in this area than anybody. The ranch owns the land. The land is appreciating everyday. The idea is to hang on to it and turn it into something good for everyone. Naturally, the landowner doesn't want to lose money doing it.

The area that the backfill material will come from is from this (pointing to map) canefield. Its a marginal canefield and will not be put into pasture. The soil is rocky. The rocks are about 6 inches in diameter which I'm guessing - but its about 30% lose stone and 70% dirt. You might say how can 30 acres fill 150 acres. Well, we're applying for all the available area where sand may be found, where it wouldn't be digging the entire 150 acres. The other thing is that the depth of the material is substantially deeper. We will only be taking out about 2 yards of depth in the other areas. We recognize that when we start taking dirt from an area where streams come down, we're going to be in an ocean pollution problem.

As someone mentioned earlier, we have a sediment basin here (pointing to map). We had a little trouble with it when we first put it in. It kept breaking the bank. This year it has worked fine and the soil is now packed and its now vegetating very well. The last big rains of 4 inches plus, overflowed with very little silt into the ocean. As those of you who know the area can remember when we had the overflow years ago, the red dirt ran out into the ocean and extended all along past the polo field, and along behind the reef out there like a big arch in front of the houses. The water would be brown and lay there for as much as 4 months at a time. We're attempting to prevent that with a sediment basin that is experimental. The area feeds the stream so we are planning to put the sediment basin to prevent any larger particles from going down to the ocean. There are some particles that will be supported; however, with the success I've seen in the first place, I'm anticipating that there will be a large degree of success.

The material from the berm or backfill area will be hauled on ranch property and would cross the highway at one point to fill makai. There would be a minimum of trucks or no trucks involved

in the sand hauling at any point past the polo field entrance or the Crow Bar entrance.

The mention earlier of highwater. Highwater comes in during storm periods all along the coast. During the heavy seas that went into the Beach Colony, the highwater did not get past these trees (referring to map).

On the point of vegetation, someone mentioned that we didn't seem to have adequate information as to what we're planting. We will replant essentially the same things except we will put some improved varieties in. There are three very large monkey pod trees that will not be disturbed. The rows of ironwood will be left along the beach and along the old railroad. The keawi trees will be removed to get the sand, and some ohai trees also.

The Commission questioned Mr. Cran.

WAY: Mr. Cran, would you care to comment on your opinion on the future of the ranch? You're undertaking some changes to the operation as we see it, as we view your presentation.

CRAN: The area has a master plan as has been previously mentioned. There was one way back that I don't know about. There's been another one made by ABM two years ago. We keep planning the area for overall development. Up till the present time, it hasn't penciled out. The people who seem to be authorities on it say that it is not possible to put it into a higher use as yet. However, this is changing. Its changing fast as we all know. We are continuing with our operational pasture plan. The lands that were in cane are being put into pasture so that it will not affect an overall operation. We can withdraw two to three acres for a development from pasture and not affect the overall operation; where with cane, you have to have it tied up with a lease with the plantation. There is usually a term of a lease which would then prevent any movement of the landowner to use his property. The time when a development is to take place, there will be no time to remove this asset of sand. The cost of holding land is getting to be so high that we need all the income possible to hold this property so that we may some day put it into the higher use.

It is ridiculous to have land of this value being used for agriculture as it is on all of Oahu. So, you say what is the long term plan? The long term plan has to be some higher use or no one will afford it. This is the trend now but we have to keep in business and make ends meet until that time comes.

WAY: Following up that question, would you say that the ranch operation in terms of the future is going through some conversion from the cane to pasture land?

CRAN: That's on the makai land. We've had cattle on the mauka land all the time.

WAY: Is there some economic function? Are you in fact still in the area of economic soundness operating that way?

CRAN: Yes. As cane, we lease the property. As cattle, we take profit. I shouldn't say its substantially more but we can hold it together equally as well with cattle as we could by leasing it out and not having control of the property.

WAY: The problem of mosquitoes in the vicinity was mentioned in the existing silting basin area. Has this come to your attention as a problem and has there been any corrective measures taken?

CRAN: Yes. it is a problem. The problem is not new. Back years ago before the silt filled the mouth of the stream up, there was a pocket there, a basin much smaller than what we've constructed. In the flooding that took place in 1963 due to the construction on the road at Mt. Kaala, this material all came down and filled up the mouth of the stream. So, the natural basin that was there was filled. The area, as long as I've been there, we've had years of lots of mosquitoes and years of relatively few mosquitoes. I put this basin in as an experiment. The Board of Health says we have to put fish in it to keep the mosquitoes out. I said that we had planned to put a drain in it so that it would drain slowly. They say then the fish die, but when the big rains take place, the mosquitoes come down and they will be there. Its best to leave it sealed and let the fish live in it. That's the best that we know right now.

WAY: Would that condition be different in the new basin?

CRAN: We anticipate putting a drain in it so that it drains completely out. It will be just that surge of water that comes down when we have a seven-inch rain in an hour and a half or something like that, will be slowed, puddled, silted. The silt will fall and overflow. On those types of rain, it would go to the sea. After the main flow is slowed, a drain would then carry the remainder of the water that's standing back there slowly out over the next several days.

WAY: In developing the plans for the mauka area with the silting basin concept, what kind of consultation had you on this? Where did you get your advice?

CRAN: I worked quite closely with the Soil Conservationist, Les Williams.

WAY: Did they find that to be satisfactory? Was it their plan? How did the plan evolve?

CRAN: There is no such plan. They recommend silting basins but there's no given set of plans. Its the principle that they okay. In addition to this, until the end of this year I've been on the State Committee of Agriculture Stablization and Conservation which is quite closely involved with this type of thing.

WAY: How about the extraction area? Was the Soil Conservationist consulted in that operation as well, along the beach where sand is being taken out?

CRAN: No.

CREIGHTON: With the scheme you presently have in mind of preparing one acre, working in one acre and selling an acre, what length of time does mining from one acre take, just in general?

CRAN: I guesstimate that there's approximately an average of about 10,000 yards to an acre. That's just my guess having some idea what the area is like, and we've dug a few holes around. I couldn't say. It would depend upon sales, available trucking and available equipment. On my knowledge of farming, I know we're broke down half the time. Just how fast an acre of sand would go down the road, I can't answer.

CHAIRMAN: There's several suggestions made, one of them where you might have a smaller area to see whether some of the concerns expressed by the community people might become so detrimental that the city may decide that they don't wish to continue this type of mining operation. If this recommendation is made, in anyway would this hinder your operation as far as sand extraction is concerned?

CRAN: Well, Warren Corporation is making the application because he's in the business of hauling and handling dirt and sand. The ranch really couldn't get into this business because of the great expenditure necessary in machinery. Its not our line of work. It would be like someone with a carpenter's kit going out to build a skyscraper. We'd have trouble. We are not in the quarrying business. If Warren would see his way clear to moving in all the equipment and getting the set up necessary for a trial without any definite term, it would be his okay. I really couldn't say whether he could justify that or not.

WAY: The connection with the polo field, what are the arrangements that you have with them? Any discussions of continuation of that?

CRAN: Well, the reason the polo field is included is as I said earlier, we have all the lands where there's available sand included in this. It is the fourth increment. The polo field has a lease which is expiring soon; however, they will probably have it renewed to the best of my knowledge. The likelihood of taking sand from that is way down the road. However, in the meantime should the polo field go out of business, should things change, we would like to have this included in the initial studies.

WAY: In connection with that, what are the present terms of the lease? I think it was to 1974 that the lease expires, is that correct?

CRAN: Someone said that

WAY: Yes, its in our report. Beyond that, what would be the

terms and conditions you might foresee if you can answer that question at this time?

CRAN: I can't answer for our Board of Directors; however, I would guess that he would be there for five or ten years more.

WAY: On what arrangement, year to year?

CRAN: I can't answer for the Board of Directors.

WAY: I recognize that but I think its one you will be facing very shortly. 1974 isn't that far away.

CRAN: Well, I do know that they're planning a renewal but the term I do not know.

MARUTANI: Mr. Chairman, may I ask several questions of Mr. Cran?

CHAIRMAN: Surely.

MARUTANI: You testified that you will rely primarily on the income realized from the sand mining operations which Warren Corporation will pay you for the extraction of the sand. Now, if the application is denied, does this mean that the plans for Mokuleia Ranch Company to make the land to a higher and best use be accelerated so that the pasture operation will probably be that much shortened or completely eliminated?

CRAN: That's a very good question and a very broad one. That's kind of like what's going to happen next year in island economics. But, as I said a while ago, the overall plan is for a higher use. Our master plan calls for hotel on the area shown with the trees. The surrounding area, the master plan calls for a golf course. But, how soon that will take place is really an unknown. I really can't say. Right now, ABM is penciling out some 2 acre lots. Scheduling for that is in our master plan. I personally think that unless somebody comes up with a magic wand, its going to price itself out of existence. The cost of putting in water, roads, and meeting all the requirements just puts the cost per lot out of sight.

Now, beach property is easy. Cesspools are easy to put in. The highway is close. We supply water to all the area down below. We already have a Board of Water Supply - meets their main line. We fill it from a well. As you can see, we have the water and its on the highway, and cesspools are cheap. Its easy to build along the beach. But further back, it becomes more costly all the time. How soon any of this will be put into housing depends on the figures.

Now, if we don't have the income from the sale of sand, we'll have to make our money some other way. We're not in the business of digging sand out of the ocean. As much trouble with the reef

runway, I doubt if we would ever get a permit to dig sand out of the ocean. The housing in that area will be a number of years away. As far as financing it, we're trying to hold the land together as best we can. At the present time, its with cattle and other investment. The biggest thing is the sale of land. We keep selling a parcel all the way along. Every few years we sell a parcel to stay ahead of it, trying to hold together that nucleus that is destined for the overall development.

MARUTANI: Let me rephrase the question then. Is it your testimony that you intend to use the income to hold your present use or continued use in the foreseeable future as a pasture operation?

CRAN: The income is necessary to hold the property with the high real property taxes along makai of the highway. The income generated from the livestock business is adequate to hold the rest of the ranch property mauka of the highway.

MARUTANI: You have no cost estimate as to how long you can hold this in the face of rising costs?

CRAN: No. It gets more and more difficult every year to meet your budget. I think everybody is in that problem.

CREIGHTON: I think in a sense that question and your answer is posing a threat. Either we permit this use or there's going to be urban development on this land. This land is zoned Agriculture, I believe.

CRAN: Its an odd situation. We pay taxes on the beach property for Urban land. The state has it zoned Agriculture. No, we're not trying to threaten anybody. This is just the facts of life and trying to run a ranch.

CREIGHTON: But, when you speak of ultimate plans for highest and best use, you're assuming then rezoning from Agriculture to Urban on the part of the State and the City and County. That's a pretty big assumption, I think.

CRAN: It would have to come sooner or later.

CREIGHTON: I think there are some people in the community who are likely to disagree with you.

CRAN: Well, the only solution I could say is that they'll have to somehow take over the taxes that we're paying on that same property.

(There were no further questions of Mr. Cran.)

3. Mr. Fred Hertlein, Head, Hygiene Division at Pearl Harbor Naval Shipyard.

HERTLEIN: I am the Head of the Industrial Hygiene Division at Pearl Harbor Naval Shipyard which is a full-time 8-hour job. Since 1970 and the very end of 1969, I've been conducting more and more of these environmental surveys, specializing primarily in air pollution, dust, gases, vapors, and noise measurements in their evaluation and control. As a result of this, I have begun my own company which is called Fred Hertlein and Associates, Environmental Associates. We don't have to be listed by the Department of Regulatory Agency which is why you won't find me listed there. I don't know who checked into my gross excise tax listing but whoever they talked to at the Tax Department must not have conducted a very thorough search because I've been paying those excise taxes since the beginning of 1970. I suggest the people that investigated it do a more thorough job in their documenting of the evidence from now on.

Concerning the fact that I'm not listed in the phone directory, I hope most of you can understand why I am not. I don't go out of my way to advertise my services primarily because I am employed otherwise full time. I'm afraid if I advertise, I would become so inundated and landslided with work that I may not be able to keep my commitments and not provide a service that apparently is very badly needed here in the community. This I don't want to do.

The other aspect brought up was my background. I have a degree in Chemistry from the University of Nevada. I conducted graduate research training at the University of Hawaii in the Department of Chemistry. I spent two years on board the Department of Interior Oceanographic Research Vessel as a Scientist of the crew. We spent two years at sea conducting intensive physical, biological and chemical analyses of sea water. I have extensive background in the measurement and conducting of air pollution with the Trousdale Laboratory during those years also. In addition to this, my past 14 years at Pearl Harbor Naval Shipyard, I feel has put me in a position to become very capable of conducting almost anything you can measure that is a contaminate in air or in water. When it comes to noise, its just one of our specialties that we're very, very familiar and competent with. Knowing which regulations apply, and which authorities apply is very important. None of these were overlooked here. I hope to bring that out in some of my testimony. I hope to be as brief as I can.

In addition to this, I am certified by the Amercian Academy of Industrial Hygiene in the Comprehensive Practice of Industrial Hygiene which is the scientific evaluation of workers environment. With that as a background, why, I guess we can get to some of these particular aspects of this problem before us.

This report that has been referred erroneously in the past as an Environmental Impact Statement, an Environmental Impact Assessment, is not that at all. I don't pretend it to have gone into any depth. He was not required to go into very broad general

implications. He wanted me to investigate and study the area under consideration, look it over, and concentrate on those aspects which would be detrimental to the environment in a long term future, at the site. This is what we did. I'm sorry you members did not get a copy of this report because many of your unanswered questions would have been very well taken cared of by now. I'm not going to pretend to go through it either because its a fairly lengthy report. I will hit some high spots and summarize it briefly for you.

The three aspects that we finally agreed to comment on were the potential of creating air borne dust on the site by the operation, the noise created by the operations on the site, and the beach erosion of natural and some of the more spectacular type of tsunami and irregular wave action. Let me mention right off before going into any of these in detail, that I did not mention anything about vehicular traffic, the noise resulting from vehicular traffic, primarily because not of an oversight, not by any means. There's a very strict code on vehicular noise control. I think mostly everyone is fully aware of now. Any complaints coming from communities, residents or children, schools or principals or anyone who has complaints along these lines, I don't feel has any recourse if they aren't getting these regulations enforced. The police are enforcing them because I have two current clippings from the newspapers indicating that. Twenty-nine vehicles have been cited for noise violations already. This is only in one week. So, you can't say its not being enforced. I overlooked it on purpose because I could have spent several more pages detailing the noise levels of the trucks, and why they won't be constituting a noise hazard. They will not. I can guarantee you that because of this thing being in effect, they can't go over these levels. Otherwise, they become cited. They're in violation and the police can cite them. That's the purpose for overlooking that aspect of it completely. There won't be any noise from those trucks. They'll comply or they'll be cited. Its as simple as that.

On looking the area over, its apparent that most of this material that will become air borne is not in a size to be of concern because laboratory analyses of the material out there on the beach indicates that the smallest particle out there in a distance are 150 microns in diameter. That's a very, very small particle. Actually, when they talk about particulates, its a very large particle. What I did in this report is to calculate how far a maximum velocity wind would transport such a particle after being air borne from a maximum conceived of height. Their sand mining operations have equipment consisting of conveyor belts, hoppers, and things like that. Using a conservative estimate of 20 feet above ground level, we then determined what the settling velocity of that particle was, by using a physically known law (Stokes Law) which gives you the velocity of which that particle settles in still air. After this velocity is determined, we then put a wind velocity of 20 miles an hour normal to that, exactly perpendicular to that fall to see how far it would push that particle before it hits the ground again. After working these calculations out using the 20-foot

height, using a sand density of 2½, again all from laboratory analysis. This isn't something I pulled out of the air. These are verified laboratory measures. The distance this particle will fall to the ground becomes 105 feet. It was then apparent that you would have to locate this operation at least 105 feet inside your boundary. I am told this can easily be done. As a matter of fact, the sand is usually moist. This will also lend to the characteristics of not enabling it to become air borne because noise particles tend to aggragate or conglomerate into even larger masses. So, this 150 micron particle would be magnified by a much larger grouping, and crawl out even sooner.

Where I got the 25 mile wind was from four years of steady weather observations by the U. S. Weather Service. These admittedly are means, but they are obtained from sampling every single hour, for approximately 4 steady years. You can't tell me that in four years you're not going to get all the dust and the velocity wind that you're going to experience in this area. That's just not conceivable. People may laugh when they say 20 miles an hour winds, but the fact of the matter is this is documented information. Unless someone has measures that go to the contrary, I'm afraid I'm going to have to stick by these. When I see these measurements documented by an authoritative source, I'll update my calculations from 20 miles an hour to whatever velocity they find and see where this puts the sand particle.

This then is the aspect of the dust pollution. We indicated that on this basis, we felt that you would not have a dust pollution problem, mostly because these particles will all fall out in the perimeter of the area. However, there are very well known engineering control methods available consisting primarily of water sprays on conveyor belts and into the entrances of hoppers which will effectively control dust. This I indicated in here probably won't be necessary, but should it be, it is available. Its not going to be left to chance. If dust is being created, it will be controlled by known and approved engineering control methods.

The predicted noise levels were discussed on the basis of two previous operations using the same equipment that will be located at the other site. So again, we're not guessing. We're not extrapolating from other types of sand mining equipment. We're using equipment that the owner has used in other areas on this island. We know the levels of it. We know the distances at which those levels were obtained, very accurately and very carefully. What I did simply was to use the spherical spreading law which indicates that you have a gain of six decibels of noise intensity for every halfing of the distance. So, if you know the intensity of a certain distance from the source and you want to find out what that intensity will be at half that distance, all you do is add six decibels to the reading you have out here. That is a physical law that varies only very, very, little by even fractions of decibels at the very, very most, depending on air conditions, humidity, wind velocity, pressure, things of this nature. You can almost go by that as a very good rule of thumb, the six decibel reduction increase as you're

halfing the distance closer. As you're going double the distance back, you lose six decibels by the same way.

Using this law, we found out very rapidly that in some instances, you don't have any problem with residents nearby. But, when you come to the area near the Mokuleia Ranch property, near the colony, you very definitely will have problems. You can't afford to think and consider them ahead of time. Using measurements that I've conducted previously on the attenuation of sound in all its frequencies by the means of heavy earthen berms - that is nothing more than big mounds of dirt that are 15 to 20 feet high - I indicated that you're going to have an additional reduction in intensity anywhere from 4 to 12 decibels. As a matter of fact, almost all the frequencies are reduced an average of 10. This is a fairly conservative estimate. Most of them are between 9 and 11. The highest frequency, 8 decibels, 8,000 herts is only reduced 4. Using these experimental findings together with that spherical spreading law, we found out that we can construct these berms and have your noise-making machinery 300 feet away from that berm and comply with the Comprehensive Zoning Code. By the way, I think most of you are aware that the noise code in the CZC is extremely stringent. Anyone that can meet this, I can assure you is going to have a quiet operation. You won't get citizen complaints if they comply with this. The usual problems with complaints is that they aren't complying with this. These calculations indicate that if you keep that noisy machinery 300 feet on the side of the operator's berm, you won't generate noise complaints on the other side of the berm because you'll be in compliance with these measurements.

Let me point out also that Environmental Impact Statements don't require classifiable data as I've given in this report here. I've had others review these reports. They feel that the quantification of data which I put in here is much, much more than what is normally required for an Environmental Impact Assessment. We felt it was incumbent to us because of the people in the area. Their complaints notwithstanding, we feel we've covered the ground very thoroughly here. So, if you can position the equipment within 300 feet of the berm, you should be all right, no matter where you operate. In this report I've indicated where the strategic location of these berms must be, where they have to be put up. The equipment can be as close to that or as further away. I think most of you can see that 1200 feet is a little too restrictive. So, we can't do that without berms. That's the meat or the gist of the noise assessment in this particular area.

The last section I considered was the effect of the wave action on the areas to be mined. I've been criticized for not having factual data. The reason I don't have factual data is because a survey of the scientific literature in this area is very scarce. I'm not making excuses. I have not positioned myself on that beach for the last 15 years. I haven't walked where the high tide mark is. I don't know where the low tide mark is. But, I have seen the characteristics of the wave action there over a short period of time. I've seen roughly how far this action can be produced inland.

I also have the observations of Mr. Cran, the previous testifier, who indicated 15 years of observation for him to indicate where the high water mark has been. Its been no where near 150 feet past the vegetation mark in there as been previously reported by the opposition testimony. The water just never goes in that far.

In this report, I've indicated the normal wave action probably goes up something like 3 or 4 feet which is the normal range of the tide here. After that, the slope becomes a little more flat going inland. Rough waves or heavy weather out at sea perhaps generate very, very rough seas and waves that come in a bit further. This is not uncontested. A tsunami or tidal wave would inundate the entire area makai of the highway and perhaps even flood the highway and go mauka of the highway. There's no question about that. Much damage would perhaps occur. But, what effects a sand mining operation would have should something like this occur is really almost just speculation, because as you've been shown, you're only going to be mining one acre at a time using the other two as standbys, one to be filled and one to hold the equipment. So, three acres total being gouged out during the time of a tsunami, I just don't see what sort of an impact you're going to have on the environment in this case.

Most of my observation comes from the people who have been living in this area that are being realistic and objective in their appraisal of the actual wave height, and the inundation of the land back there.

This pretty much summarizes the report that you did not receive. I hope it clarifies that the Warren Corporation is not really just flying by night. We're investigating every possible aspect they could. The traffic on the highway was not obviously in my domain but some of these other points that have come up, I think now have probably been answered. The dust and the health, for example, is completely erroneous because we know from an analysis of the composition of that dust that will become air borne and generated, that no known health hazard can possibly result. This material is classified as a nuisance dust, sand is. No health department official I assure you is going to indicate to you that you're going to have health hazards out there, notwithstanding the testimony of the opposition again. You simply have no documentation of this. Its an inert nuisance type dust. Its a particulate. By the way, the noise can easily be monitored at any time you or other regulatory agencies desire by measuring the noise levels at the boundary as specified by the CZC. The same goes for the air pollution by fugitive dust which this will be called. From the Health Regulations, Chapter 43, has air pollution control regulations. For those of you who aren't familiar with it, this particular instance of fugitive dust requires that the person generating the dust can do no more than add 150 micrograms per cubic meter of air to the upwind concentration before they come on his property. Again, this can be very easily monitored. I've been doing this for several years for various companies and corporations. There's no big problem on that. Should these questions and complaints

arise, its a simple matter to station your equipment and monitor the area.

The Commission questioned Mr. Hertlein as follows:

CREIGHTON: Mr. Hertlein, what are the noise producing factors in a sand mining operation of this kind? What equipment or what activity?

HERTLEIN: Mr. Kobatake could tell you better from past experience of his equipment. He has a front-end loader. This is a diesel operated tractor-like vehicle which scoops up the sand and dumps it into hoppers or storage bins. The required power for the operation of the various components in the conveying system, the screeners come from probably a diesel operated generator which has to be fitted with a muffler, the trucks coming and going on the property are sources of noise. The screeners that screen themselves operating produce minimal noise. We have not individually pinpointed the various sources. We ran the entire complex as a fully integrated unit.

CREIGHTON: You measured the actual decibel results of an operation precisely similar to this?

HERTLEIN: That's right, and there's two reports out on that. In both instances they usually comply with the daytime values of the CZC.

CREIGHTON: Do you know of any instances where noise produced in industrial operations have exceeded the CZC noise levels has been stopped successfully by the City? My impression is that in most cases these violations are very, very difficult to prevent once they're in operation.

HERTLEIN: The Halawa Rock Quarry was threatened with it but they have not been required to stop. I can speak from other operations but I don't think it'd be professionally honest to do that because I have other clients. Well, when adverse conditions come up, they stop the operations of their quarry. This is not exactly being required to close it down but they're doing this out of no real reason. Because, when the Kona winds develop, there is no increase in noise levels at their boundaries anyway. So, its difficult to say why they should have to but they feel its their obligation. To answer your question, I don't know of any single industrial operation that's been closed down because of the CZC.

WAY: Just to comment a little further on that. While not closing down operations, we have had instances of causing the operation to come into compliance under the threat of being closed down, exactly a sand mining situation where the requirement was to improve the machinery to the extent of providing mufflers and sound baffles and other sound-pressing gadgetry that brought it

into compliance with the CZC. In fact, we've had one other instance with that.

Mr. Hertlein, in your judgment professionally, do you think the standards for the vehicle noise law are acceptable? Are they in your judgment sort of minimal, below minimal or optimum or better? This is purely your own judgment I'm talking about. There might be some of us in our professional capacity that are not entirely satisfied with. Its in that vein that I raise the question.

I might also add that we've seen you testify before. You've expressed concern about vehicle noise in other instances. Keep that in mind when you respond.

HERTLEIN: Yes. As a matter of fact, the vehicular noise control law that has been passed for Oahu, is perhaps one of the most stringent vehicle noise control regulations in all of the U.S. This is easy to say because well, I attend conferences on the mainland and associate with people who are intimately concerned with the drafting, the promulgation, and the establishment of such ordinances and such laws. The people in California for example, at the most recent conference in Washington, approached me when they found out we were from Hawaii, and indicated that they were very interested in what the effects of the enforcement of these things are going to be. They're watching ours as an example. We're sort of a showcase.

As a matter of example, the State of California has vehicle code laws which that are much simplified compared to ours. But, they are much less stringent also. You have here a noise code which strikes a happy balance between what industrialists would like who have to operate this heavy equipment, and who have no choice to operate it, and the citizens who require quiet and who insists on quiet. To balance those two extremes and reconcile them is a very difficult situation. But I can guarantee you and assure you that the people you have on your staff headed by Dr. John Burgess from the Mechanical Engineering Department of the University of Hawaii, have done an excellent job. Professionally, I can wholeheartedly recommend these laws. They are not too loose. They are not too tight. As time goes on, undoubtedly they can stand tightening up because people will require more quiet.

As a matter of fact, federal legislation is entering into this area to put this on the manufacturing of all equipment. This is where it should be to make the equipment quieter to begin with. This is the forefront of it now. You and I will end up paying for this in a higher cost for the equipment.

In short, you have very effective laws here for vehicles.

WAY: I happen to be a little bit more familiar with the CZC noise requirements than the vehicle code requirement. Could you give some comparison in a technical sense of the relative relationship there? I do know or feel I understand the CZC

requirements in terms of industrial operations. How does this compare with the vehicle noise level standards assuming a situation of a residential property adjoining a roadway where the types of vehicles that will be hauling sand might be using such a roadway and what would be the sound relationship there.

HERTLEIN: Your comprehensive noise code is one of the most strict ordinances in the country. The reason we don't have better protection against noise is simply because its not being enforced. To compare this with what you have in vehicles is, well not exactly unfair, but I think you understand, you don't take a single measurement like you do on vehicles in your CZC. You break the sound spectrum up into its components. You measure each of them. Each of them have a set intensity. You can't exceed that. As you go into your higher frequencies, the levels become much more restrictive than the lower frequencies. If I took all of those frequencies and summed them up and added them so to speak, you'll come up with an average of about 62 decibels on an A scale reading. I think you can compare this as well as I can to the 86 that's allowed for trucks on the A scale. You can see the very vast discrepancy between that.

The vehicle noise code does not protect all citizens against noise all the time because as I indicated before, they had to strike this happy balance. They're tightening up as the years go along. This is in the vehicle noise code. So, to compare these two, your CZC is a much more restrictive code. I think you can see that now.

WAY: Turning to another point, a problem of the dust situation. If the winds exceed a certain velocity, let's say 20 miles an hour, would it be your recommendation that the operation shut down because of inconveneince, possible additional hazards as a result of higher velocity winds? Have you considered that possibility?

HERTLEIN: Perhaps not as thoroughly as I could have. Yes, I have given that some thought. I would be reluctant to personally because you have to appreciate the difference of the nature of what we're talking about here. We're talking about sand, which is dense. Its no small material that becomes air borne and carries miles and miles before it settles to the ground. So, I personally, my considered professional judgment on this matter is that I would have to do some more calculating and figuring before I would give you a yes and no answer on that. I personally feel that may be a little too restrictive especially if you're going to be much further than 105 feet from your boundary anyway. If you're in 300 to 500 feet, why a much higher velocity wind would project it so much further but it still would be within the boundaries. I haven't figured this out.

WAY: Another point related, and I think you actually brought it up. When we're talking about sand, how about the examination of the potential dust problems related to the burrow area, the area where the filling basin is to be constructed? That's of a different material, we've been lead to believe, with different

characteristics. I have no idea how it relates to the sand but what about that?

HERTLEIN: That would appear to be an oversight on our part. We thought of it but we didn't investigate it in detail because of several reasons.

First of all, that burrowing pit as you can see up there is in the foothills of the mountain area there. There are no residents anywhere near downwind or even the full range of the wind. We felt there would be no residential complaint coming from that sort of an operation down there. On the other hand, when that material is transported back to the site for fill, it comes out of a truck. Because of its low elevation to the ground, you're not going to have a possibility of getting it too air borne. Water sprays can easily take care of this. As you have indicated, I have no analytical data either as to the articulate size of the material we're filling in with. My guess is it perhaps could be smaller than sand.

WAY: Also, might there not be a problem in transporting that material depending on the type of equipment used, from the burrowing site to the fill site, as you backfill the excavation?

HERTLEIN: Yes.

WAY: I find that trucks, for example, always travel in a cloud of dust.

HERTLEIN: Yes, this could become a problem. However, I've been assured by the contractor that such loads prior to being hauled will be wetted down. There will be no insurmountable problem to assure at least the surface layer of the load on the truck is damp. This will aggregate it, pull it together, so that while its being conveyed, you don't have the problem. Discharging it is something else.

WAY: Did you have an involvement in that law suit referred to earlier in connection with the property down at the Bishop Estate tract, Haleiwa, as a professional in anyway involving dust, the noise.

HERTLEIN: Not legally, no. I've conducted noise studies simply to assure that they were complying with the CZC. I know nothing else outside of that.

WAY: You had no involvement in litigation then as to testimony pertaining to noise levels or dust problems.

HERTLEIN: No, I haven't.

WAY: Possibly one of the other representatives might comment if in fact there was such a law suit since the question has been raised. I haven't heard of it.

MARUTANI: To directly answer your question, I believe there has been a complaint that has been filed by a nearby resident. To my knowledge, that litigation has not come to pass as far as the trial aspect is concerned.

WAY: What was the nature of the complaint? Do you recall?

MARUTANI: No. I'm not participating as an attorney for the applicant or for the plaintiff.

CHAIRMAN: Mr. Hertlein, you mentioned earlier in making reference to the CZC if it enforced. You find any problem in this area?

HERTLEIN: Well, when I talk about the enforcement, I'm talking about my personal experience in the past with this. I've noted that there's an abundance of measurement. These can be obtained with almost absolute scientific accuracy. But once you've got the documented results, it happens after that is where the whole process bogs down. Agencies are reluctant to enforce it. There's a lot of buckpassing. The person making the noise should be given a chance to comply with it and correct the problem. This is only fair, I think. This sometimes drags on and on to a point where its almost ridiculous, where you know the person is not trying to correct the problem. That is unjust. If you're complying with it, you more than likely will not have any complaints. A person who would force a complaint, and we find it is in compliance with the codec is an ultra sensitive person.

CHAIRMAN: Well, if you had any information of improving or assisting any of the agencies, we would like to have this information for the overall correction if correction is needed.

HERTLEIN: I think part of the problem is they don't have the people to send out to obtain the measurements themselves. They sometimes have to rely on private consultants like myself who have to be hired by the person making the noise. The enforcing agency takes this data as fairly true. I don't have any reason to suspect that they shouldn't be able to do that.

(There were no further questions of Mr. Hertlein.)

This concluded testimony for the day.

The public hearing was kept open for one week.

The Commission requested the presence of Mr. Aoki from the State Department of Health at the next meeting. Mr. Bright stated, "As I recall at a recent meeting where we had discussions on quarry pollution on the Shelter Corporation project, Mr. Aoki expressed very, very much concern about the proximity of operations such as this to housing areas. He did indicate there was a dust pollution problem. It may be well to get some additional testimony on this."

PUBLIC HEARING
ZONING CHANGE
P-1 PRESERVATION TO
R-6 RESIDENTIAL
KAILUA
PLANNING DIRECTOR
(FILE #72/Z-84)

A public hearing was held to consider a request for a zone change from P-1 Preservation to R-6 Residential District in Kailua, portion of Kaopa Subdivision, Tax Map Keys:
Area I: 4-2-88: portion of 29, 30, 31, 32 & 33 (Land Area: .5 acre)
Area II: 4-2-04: portion of 1 (Land Area: 33.792 acres)
Area III: 4-2-90: 6-20, 37-46, 51-54, 71 and portions of 1, 5, 21-23, 63-69.

Publication was made January 7, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Tosh Hosoda presented the Director's report of the application. The request is to resolve an apparent confict between the City's Preservation District zoning, the City's General Plan usage for Residential, and the State's Urban classification. The change is in consonance with the present land use policy established by the State and City. Areas I and III are bordered by residential development zoned R-6 Residential, and are already subdivided and fully developed with single-family residences under R-6 Residential regulations. Area II is currently vacant and was being reviewed as a subdivision application. The existing P-1 Preservation District makes the subdivision invalid. Because of excessive grades, the parcel is not entirely suitable for residential development. Because the staff has not been able to examine Area II in terms of its extent and proper type of development, a recommendation on Area II cannot be made at this time. The Director recommends that the zoning for Areas I and III be changed from P-1 Preservation to R-6 Residential.

There were no questions of the staff.

No person was present to speak either for or against the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mr. Kahawaiolaa and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Creighton, seconded by Mr. Kahawaiolaa and carried.

AYES - Bright, Creighton, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Connell, Crane, Sullam

STREET NAMES

The Commission recommended approval of the following staff recommendations, on motion by Mr. Kahawaiolaa, seconded by Mr. Creighton and carried.

The street names for the various new streets situated within the following subdivisions are recommended for adoption:

1. √Mokauea Subdivision, Kalihi Valley, Kalihi, Oahu, Hawaii:

EMA PLACE	A cul-de-sac situated on the northwest side of Kalihi Street
Meaning:	Amy

2. √ Sunset Beach Lots Subdivision, Kaunala, Oahu, Hawaii:

MAMAO STREET (Road "A")	A dead-end roadway situated on the mauka side of Kamehameha Highway.
Meaning:	Distant or distance.
MAMAO PLACE (Road "B")	A cul-de-sac off Mamao Street.

3. √ Waiau Gardens Kai Subdivision, Phase I, Waiau, Ewa, Oahu Hawaii:

NOELANI STREET (Road "A")	Extension of existing Noelani Street terminating at Kaahumanu Street.
NOLA STREET	A dead-end roadway off Noelani Street.
Meaning:	Nora.

4. √ Kaopa Subdivision, Unit 3-A, Kailua, Oahu, Hawaii:

KEOLU DRIVE	The portion of Keolu Drive extension between the proposed Kaelepulu Elementary School and Akiahala Street.
AKIAHALA STREET	Extension of an existing street between Akipola Street and Akimona Street.
AKIMONA STREET	Extension of existing Akimona Street, connecting with Akele Street.
AKELE STREET	Roadway off Akiahala Street and traversing through Akipohe Street and dead ending off Akimona Street.
Meaning:	Acre.
AKEA PLACE	Cul-de-sac off Keolu Drive.
Meaning:	Starboard or outer hull of a double canoe.
AKIPOHE STREET	Roadway traversing in a westerly direction between Keolu Drive and Akiahala Street.
Meaning:	Round, compact, concise.

5. ✓ Waialae-Iki View Lots Subdivision, Unit IV, Waialae-Iki, Honolulu, Hawaii:

HANAHANAI PLACE	Cul-de-sac off Kihi Street.
Meaning:	Edge of slope.
ALAWEO STREET	Roadway off Laukahi Street, traversing in a northwesterly direction.
Meaning:	Hawaiian shrub.
LAUKAHI STREET	Extension of existing Laukahi Street to the upper limits of Unit IV.
HAWANE PLACE	Cul-de-sac off Laukahi Street.
Meaning:	Hawaiian palm.
LALEA PLACE	Cul-de-sac off Laukahi Street.
Meaning:	Prominent object or landmark.

ADJOURNMENT: The meeting adjourned at 6:05 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Special Meeting of the Planning Commission
Minutes
January 24, 1973

The Planning Commission met in special session on Wednesday, January 24, 1973, at 2:05 p.m., in the Conference Room of the City Hall Annex with Chairman Rev. Eugene B. Connell presiding:

PRESENT: Rev. Eugene B. Connell, Chairman
Fredda Sullam
Thomas H. Creighton
Antone D. Kahawaiolaa
Thomas N. Yamabe II

STAFF PRESENT: George S. Moriguchi, Deputy Planning Director
John Grant, Deputy Corporation Counsel
Ian McDougall, Staff Planner
Carleton Smith, Staff Planner

ABSENT: Roy R. Bright
James D. Crane

MINUTES: The minutes of January 10, 1973, as circulated, were approved upon the motion by Mrs. Sullam, seconded by Mr. Kahawaiolaa, and carried.

PUBLIC HEARING
✓GENERAL PLAN/DLUM AMENDMENT
WAIAWA
MAKAI OF INTERSTATE HIGHWAY, EASTERLY OF THE LEEWARD COMMUNITY COLLEGE
PEARL HARBOR HEIGHTS DEVELOPERS
MEDIUM DENSITY APARTMENT USE
(FILE #193/C1/32)

A public hearing was held to consider a proposal to amend the General Plan Detailed Land Use Map for Waiawa by redesignating a 6.2-acre parcel of land from Agriculture to Medium Density Apartment use. The subject parcel is situated on the makai side of the Interstate Highway, easterly of the Leeward Community College and identified by Tax Map Key 9-6-03: portion of 39 and 40.

The notice of the public hearing was advertised in the Sunday Star Bulletin/Advertiser of January 14, 1973. No written protests have been received to date.

Mr. Ian McDougall, staff planner, read the Director's report explaining the proposed change in use and the developers' plan to construct seven apartment structures containing a total of 300 apartment units. The Planning Director has recommended approval based upon the conclusion that the area is appropriate for an apartment development and the project would meet the need to provide moderate priced housing units in low rise structures, and further recommending that at the time of rezoning, the applicant be urged to file a planned development proposal for this project.

Responding to questions from the Commission, Mr. McDougall stated that the Department of Agriculture indicated no objection to the use of the 6.2-acre parcel; however, it expressed concern about the retention of the balance of the area presently in the State Agricultural area and containing some

watercress areas and artesian water supply for agricultural purposes. The parcel under consideration presently is not in agricultural production. The watercress areas are farther makai of the subject parcel.

No one testified AGAINST the proposed change in use.

Testifying FOR the change was Mr. George Houghtailing, planning consultant and civil engineer for the developer. He stated that they have reviewed the Planning Director's report and accept it as presented.

Responding to questions from the Commission, Mr. Houghtailing responded as follows:

1. No shopping facilities are planned within the development area because other facilities are available nearby; for instance, in the Waipahu business areas and the Pearlridge Shopping Center in Pearl City.

2. There is a good possibility that the Federal 236 Program would be discontinued. When that happens, the developer/owners have stated that they would finance this project under conventional financing and follow the same criteria established under the 236 Program. The criteria set forth relate to cost and rental.

There was no further testimony. The public hearing was closed and the matter taken under advisement upon the motion by Mr. Yamabe, seconded by Mr. Creighton, and carried.

AYES: Yamabe, Creighton, Kahawaiolaa, Sullam, Connell;
NAYS: None;
ABSENT: Bright, Crane.

ACTION: Upon the motion by Mr. Creighton, seconded by Mr. Yamabe, and carried, the Commission accepted the Planning Director's recommendation and recommended approval of the proposal to amend the General Plan Detailed Land Use Map for Waiawa.

AYES: Creighton, Yamabe, Kahawaiolaa, Sullam, Connell;
NAYS: None;
ABSENT: Bright, Crane.

PUBLIC HEARING
*CONDITIONAL USE PERMIT/SPECIAL USE PERMIT
MOKULEIA
FARRINGTON HIGHWAY
NEAR POLO FIELD
(SAND MINING)
WARREN KOBATAKE
dba WARREN CORP.
(72/CUP-12 and 72/SUP-3)

A public hearing, continued from January 17, 1973, was held to consider an application for a Conditional Use Permit and a Special Use Permit to conduct sand mining operations on property located on both sides of Farrington Highway in Mokuleia, identified by Tax Map Key 6-8-03: parcels 11, 15-17, 19, 20, 30, 33, and 35, and containing approximately 152 acres.

The public hearing was kept open and the application was re-advertised to include the State Special Use Permit portion.

Mr. Carleton Smith, Staff Planner, noted that a supplemtary report from the Director with an attachment which

is an environmental submission by the applicant, was submitted to the Commission today. The report recommends the addition of another condition which relates to the number of truck loads of sand per day that may be taken from the mining area.

Mr. Smith then recommended that the Commission keep the public hearing open since the Department is still awaiting replies from the Department of Social Services and Housing and the Office of Environmental Quality Control. The DSS&H has been asked to further clarify its position taken originally, and the OEQC has been asked to comment on the sufficiency of the environmental submission. In addition, the OEQC has submitted copies of three letters. One is from the State Department of Transportation taking some exception to the environmental report; the second is from the Department of Land and Natural Resources with a "no objection" type of comment; and the third is from the Environmental Center at the University of Hawaii giving a very detailed report which the staff has not had an opportunity to analyze since these were received just this morning. He stated that copies of these letters will be made available to the Commission members.

A short discussion was held whether to keep the public hearing open as requested by the staff. Since there were a number of persons in the audience ready to testify, the Commission decided to receive their testimony and decide later whether or not to keep the public hearing open.

Testimony IN OPPOSITION to the application was heard from the following:

1. Mr. J. C. Morse:

   Mr. Chairman, my representation is already on file from the last time. I have a couple of new things I'd like to bring before this Commission. I've just given to Mr. Smith and I'd like to give copies to the Commissioners of suggested revisions to the conditions that were recommended to you by your staff. This is made up on the same schematic as revisions to legislation. I've kept in all the language that was originally in the staff's recommendation and they suggested revisions to them. This was, of course, assuming that a permit would be granted.

   Last time I mentioned to the Commission that there had been, in connection with the applicant, Warren Corporation's previous sand mining in Haleiwa, a lawsuit filed. Since that time, I've been able to dig out the pleadings on file in court and just to put the facts on the record, it's a lawsuit filed by, I believe, 12 residents next to that sand mining operation, asking a total of $180,000 in damages--$60,000 of which is punitive damages. The basic allegations are noise, dust, damage. And the plaintiffs in that case state that the Warren Corporation disregarded the conditions that were previously--or that were in the previous permit--Resolution 67 that was issued in 1970 by the City Council. There has been no determination of that case, at least, on the record in court. It is simply waiting trial at this point.

   I understand that Mr. Hertlein testified last time. I did not stay

to hear his testimony. One fact that I understand he stated as a fact, was that water never came more than 150 feet inland from the beach--outside of a tsunami, of course. There are people here who can testify that that is not correct. In both 1970 and 1971, wave action from storms--not tsunami--came at least 400 feet back of the beach. I'm sure some of the people here can testify to that. I cannot, from my own personal knowledge, but some of the residents can.

Another subject that came up at the last hearing was the need for mining sand in Mokuleia. One of the alternatives that's been talked about was the research that's gone in ocean sand mining. Since that time, I have seen four different reports that were issued by the University of Hawaii, the Sea Grant Program, which is under a Federal program, as you probably know. I've made a few copies, not enough, unfortunately, for everyone. I've selected pages out of these reports. I'm not representing that they are all the pages involved and I don't have enough copies of the report to give. I'll be happy to give the Commissioners these pages and I've underlined in red, some areas I think are pertinent. Perhaps, if you want to go further, I can get these publications from the University.

The Environmental Center's memorandum which Mr. Smith said he just received today, I did want to comment on that. I assume you will be getting it. This was dated back in November of 1972 and I don't know why it wasn't in the Planning Commission's file. Certainly, Mr. Smith didn't have the advantage of looking at it when he made his initial recommendations to you. It is comprehensive, as pointed out, it has some good points.

The last point I'd like to suggest, and I think probably I would refer this to the Corporation Counsel's office, is whether there is any problem under the National Flood Insurance Program with the proposed mining up here. I don't know the answer to that. I did read some of the regulations briefly in the Supreme Court Library today concerning restrictions. I do know that some or all of this area is in the designated flood prone area. This, as you probably know, is that people in that area can get Federal Flood Insurance at a very cheap rate, perhaps, 10 percent of the rate that would otherwise be charged. As I understand it, if there are violations of whatever land use restrictions in this area, the people would stand to lose the benefit of this insurance. I don't pretend to be an expert, but I think this should be reviewed or perhaps a report from the Corporation Counsel to you. Thank you very much.

(There were no questions of Mr. Morse.)

2. Kathleen Maurer:

Mr. Chairman, I, too, spoke last week but since that time I've been up to the area and have done some further research and my testimony today will be different from last week.

My name is Kathleen Maurer and I'm from the Department of Social Services and Housing. I'm representing Myron Thompson. First of all,

I have a question for Mr. Smith. I just want to know when he requested clarification on DSSH's position because I haven't seen anything about it.

(Mr. Smith's reply was that the letter was sent out last evening so the DSSH probably have not received it yet.)

Warren Corporation proposes to mine 1.67 million cubic yards of sand from 152 acres of coastal land on Oahu's North Shore during the next 15 years. The size of the operation and the time period involved clearly indicates massive potential for environmental change. My department, the Department of Social Services and Housing, feels that those agencies charged with evaluating Warren Corporation's request, as well as the people of the State of Hawaii, deserve to know what these ultimate effects might be. Before action can be taken on a proposal of this magnitude, a thorough and well researched study of this wide-ranging impact must be made. The present information provided by the Warren Corporation is inadequate. It is riddled with inaccurate statements and nebulous generalizations. On the following grounds, we question the validity of Warren Corporation's existing study:

Warren Corporation's study--referring to vegetation in the Mokuleia site--says: "The present vegetation on the subject land includes various grasses which are no more than one foot high; there are no tall bushes or Halekoa trees."

I was up there last Sunday. I walked through the area. The grasses are three to four feet high. There is Halekoa in the subject area as well as Keawe, other tall bushes, several Coconut palms, and Monkeypod trees.

Further, the Warren Corporation report states, "Also scattered throughout are tall pine trees which are concentrated in Area 2." (If you are going from here, it's the first area on the right.)

This report is unclear on the location and the number of the trees and, furthermore, they are not pine trees--they are ironwoods--ironwoods are not pine. And there are many of them in both Areas 2 and 4. The report states, "It is not anticipated that any of the tall pinewood trees will be dug up or cut."

I submit that it is nearly impossible to mine Area 2 without digging up or cutting any tall ironwood trees. Furthermore, digging near the roots can be seriously destructive to these trees.

In addition, Warren Corporation intends to locate berms to hold down noise pollution. According to the Environmental Center report which the University of Hawaii produced, these large berms located near these ironwood trees would probably kill the ironwoods.

On the subject of revegetation, the report from Warren Corporation lists five grasses. According to the UH Environmental Center study, one of these listed species is non-existent. To clear up such confusion, we suggest that both the scientific and common names of revegetation grasses be listed in future studies.

The type of vegetation which Warren Corporation intends to put in the buffer zone is not specified. This is important because the vegetation has to meet certain qualifications to serve as a buffer. Particularly, for view, it has to grow fast and it has to be tall.

In addition, last week, Mr. Hertlein, in fact, testified to the effect that the berms would be made of sand. I wonder if the Warren Corporation has made appropriate plans to vegetate sand berms.

In addition, the dust problem. According to the report by the Warren Corporation, "Since sand mining operations will cease at 5:30 p.m., no dust will be generated after this time." Two problems. At night, because of the coastal area, the breeze is generated from mauka out to the sea. This will bring any dust from any storage piles or from the loose soil in the reclaimed areas and from the area mauka where the soil is being dug up to refill the beach area. The wind blowing mauka to the sea will bring any possible dust into residential areas.

And then the Warren Corporation has failed to evaluate any possible ultimate effects. The Environmental Center report suggests that since this beach area may not yet be stabilized a natural alteration of it may occur through storms or whatever, which would eventually cut through the 150-foot setback zone and erode the dirt backfill. There is no evidence presented in the report that the beach is, in fact, stabilized.

As far as noise is concerned, I was up at Waialua Intermediate and High School two days ago. At present, there are heavy trucks going past there. We've had a decibel meter and in the classroom, at a distance of three feet, I had to shout to communicate with the person who was running the decibel meter whenever a truck went by. Now, the trucks that are hauling out of there now would be similar to those that Warren Corporation would be using to haul their sand.

In addition, one of the alternatives which was already presented is undersea sand mining. One problem here is that at present the law has been interpreted to prohibit such undersea sand mining. However, I spoke with a gentleman today from DPED who has drafted a bill and introduced it in the present legislative session which would, in fact, legalize undersea sand mining. The only problem is you would have to get clearance from DL&R--some sort of permits from them and also from DOT Harbors Division.

The general tone of Warren Corporation's report gives DSSH grounds for questioning its reliability. To quote a few passages: "The improved landscape area will hopefully be the end product." In addition, they state: "We understand that the supply of sand will be exhausted in the not too distant future."

In speaking of offshore sand, they say: "The quality, versatility and cost are highly suspect." So, that just indicates an extremely unscientific approach.

In addition, I have received a reply to my first comments that I sent to OATC which got transferred to Warren Corporation and their replies to my comments are no more soundly based--very disappointed.

Thus, because of these questionable points in the study provided by Warren Corporation on their proposed sand mining project, the Department of Social Services and Housing and its Director, Mr. Thompson, repeats its recommendation that a thorough and detailed scientific study be completed before further action is taken.

In addition, we request that the natural aesthetic beauty of this particularly unique area of Oahu be recognized, considered, and above-all, appreciated. Thank you.

Questioning of Miss Maurer followed:

CREIGHTON: You spoke of taking a decibel count in the classroom. What was the result of that? Did it indicate decibel levels above or below the CZC permitted levels?

MAURER: As far as--I don't know CZC's. I talked with the Department of Health and they said that State Standards now supersede the City and County Standards. In this particular case, the trucks were not in violation of the Standards. The Standards are 94 decibels. The reading that we got, taking random samples and it was a very fine scientific experiment, was 72 decibels. I can give you the citation for it. It says: "Communication at 24 feet distance with above 60 decibels can only be accomplished through shouting." Now, at 24 feet we had 72 decibels. So it's impossible to hold classes there. I was out there at five. You know, in this particular case, the State Standards are simply absurd because it's a special case.

YAMABE: A question of the staff. What is the CZC maximum amount of decibel standard?

MORIGUCHI: This varies, Commissioner Yamabe. It depends on the position of the reading taken. Now, the pertinent question here would be, how, and we might address this to Miss Maurer later--how were their readings taken and from what point, etc. There is a problem, as you know, too--the various experts--there is a problem of isolating other sounds that impact on the meter and this becomes a highly technical type of procedure and we would recommend that such efforts only be conducted by engineers--accoustic engineers--highly versed, technically, in the area. As an example, Commissioner Yamabe, the zoning requirements for industrial areas require that certain readings be taken at the property line. And if we're talking about being actually at the site of activity, this would change the readings considerably. So, the Standards should be viewed under each of the cases, the circumstances, involved.

YAMABE: Is it possible for the staff to take a reading in this particular area before the next meeting to determine as to whether this would exceed the maximum allowed under the CZC, as far as the decibels are concerned?

MORIGUCHI: I'm sure this can be done. We'll have to ask the consultant's accoustics engineer to do this for us, Commissioner Yamabe. Carl, do you have any further information on this?

SMITH: I'd like to make a point that we are not really talking about CZC requirements when we're talking about the noise generated by traffic. This is controlled, as Miss Maurer points out, by the State's statute on traffic noise generated by traffic on the highways. Under the standards now permitted, I hope I can remember this, at 20 feet from the center line of the traveled lane, a heavy vehicle is permitted to generate 96 db. At 50 feet from the center line of the traveled lane, they are permitted to generate 84 decibels. When this was--we have done a little bit of research on this--and when this is laid on a map, on a plot plan of the school, the 50-foot line cuts through a certain number of classrooms. The noise levels can be expected to be up to 84 decibels at that 50-foot line. We have also done some other calculations but, basically, that's the situation.

YAMABE: Mr. Chairman, the reason for my questioning is that I would like to determine in my own mind, weighing the testimony here, as to whether the conformance to the requirement of the State Statute or whether it be the City Ordinance, whether this is sufficient or not. I'm under the impression that we do have a very stringent law in this area. However, the testimony as given to us, inasmuch as it does not exceed the maximum allowed, this is quite a disturbance to the people involved--whether it be classroom or elsewhere. What are we talking about? Are the requirements inadequate? If it is, should we do something about that requirement or the law or the statute or the rules or regulations or what may be? Or, should we rely upon the already established rules and regulations and decide as to the fact as to whether it is detrimental or not? We have to have something to hang onto--something where we can hang our hat on.

MORIGUCHI: I'm sorry, Commissioner Yamabe, is this question directed to the department?

YAMABE: No. I made the statement so that you might consider this. I don't know whether you can take a reading or not but....

MORIGUCHI: You mean to actually take a reading at the school site that we're looking into?

YAMABE: Either that or I'll further discuss it when we take it under advisement. We won't be closing it, but...

MORIGUCHI: Fine.

CONNELL: Is is possible, George, that these are requests that can be made of the State agencies? Commissioner Sullam?

SULLAM: I would like to know--this is a question directed to the staff--whether a plan or a map has been made by either the Department of Land & Natural Resources or some other body indicating where the sand deposits are? Obviously, we need sand for construction and we should be looking at the overall picture and look for the least harmful places as far as the environment and, certainly, the people are concerned, rather than waiting until someone comes to us, to the City, asking for special permits. We should already have a map before us telling us where the desirable places are. Has such a map ever been prepared?

MORIGUCHI: Commissioner Sullam, to our knowledge there is no such map prepared that would indicate sites that might be suitable for sand mining. Of course, we do have information indicating where sand basically underlies the strata but nothing that indicates we should have quarries here or there over the next number of years. I think it's a situation where quarry operators apply to the various agencies for permits as they discover they can mine economically, but there is no such map as you speak of.

SULLAM: Then it's all right to say we have no way of evaluating alternatives? Obviously, sand is needed and if an applicant comes to us and we deny it, that means we are limiting the supply of sand.

MORIGUCHI: Yes. About the only thing we can do at this point and time is to ask the applicants whether or not he has considered other options and whether or not he is free to devulge his findings about these other options to us.

MAURER: Mr. Chairman, may I make two more statements? Number one, I just want to comment. I spoke with the principal out at Waialua Intermediate and High School and he told me that they had been forced to discontinue the use of one entire classroom because of the noise level in this particular classroom. The second thing was about the qualifications of the young man who took the decibel readings. He is a graduate student at the University of Hawaii, worked under Dr. Burgess whom most people recognize as an expert in accoustics, and the readings were taken under scientific basis.

CONNELL: I think the only question that might be asked is, is he an expert?

MAURER: Not himself, but you know, we're on the way up.

CONNELL: So he's an expert on the way up?

MAURER: You've got to get there some way.

3. Joyce Wrobel:

Mr. Chairman, my name is Joyce Wrobel and I am the owner of Mokuleia Beach Colony. You have my letter on file.

My concerns are in the letter regarding the noise, the dust, etc. According to the general standards for Conditional Uses compliances and requirements and the Comprehensive Zoning Code, the proposed Conditional Use "will have no more adverse effect on the health, safety or comfort of persons living or working in the area, and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district. Among matters to be considered in this connection are traffic flow and control; access to and circulation within the property; off-street parking and loading; refuse and service areas; utilities; screening and buffering; signs, yards, and other open spaces; height, bulk, and location of structures; location

of proposed open space uses; hours and manner of operation; and noise, lights, dust, odor, fumes and vibration." I'm sure you know that.

One concern that has commanded very little attention is the danger of the mining area to our children. There are many of us who live at Mokuleia Beach Colony that have youngsters. We live next to the Polo Field and do exercise limits on our children with regard to dangers in the area. However, this is a new one. According to the Comprehensive Zoning Code, there must be a plan showing safeguards for access by children to dangerous areas. "The plans for the exploitation phase shall demonstrate the feasibility of the operation proposed without creating hazards or causing damage to other properties. This plan shall also show the manner in which safeguards will be provided including those for preventing access by children and other unauthorized persons to dangerous areas." I would like to know if such a plan has been submitted by the applicant. And, berms are not a safeguard for children.

CONNELL: Mr. Moriguchi, has the Planning Department received any such plans?

MORIGUCHI: We have no such plans, Mr. Chairman.

(There were no questions of Mrs. Wrobel.)

4. Vincent Mazza:

I'd like to make a brief statement here and I concurred, I believe, the last time I met this Board--last week with what was said. But, I would think that there are a few things that were not brought out. Especially by Mr. Hertlein, he seems to be talking of certain size granule and I believe he was addressing his remarks in the way of sand--that at a 20-knot wind, it would not go further than 170 feet. Now, I think he was addressing his remarks to the sand. And the other people who live out there are concerned with dust--not the sand. I'll agree that scientifically the sand will go, maybe, 150 feet, but we're talking about dust that is deposited and stirred up again by trucks and then deposited and stirred up again and I think this is what people out there are concerned about.

Now, I have listened to the testimony here and one of the things--the primary things--that we should be concerned about is, and I've heard it addressed a little bit more today, "Is this the only place you can get sand?" I think that should be our primary purpose.

From the testimony I've heard, it looks like it's going to cause quite an impact and I would object to this if it was going to be done down at Waimanalo--anyplace on Oahu that would interfere with people in their normal living, peace of mind, and the enjoyment of their property. That's part of the real estate that you're supposed to be able to enjoy--your property, etc. This, I would think, would seriously interfere with this, so I've addressed my remarks as a Hawaii resident, not as anybody that lives out there because I don't

live out there. I own property out there and I'm concerned with the property being downgraded.

I would also like to address my remarks concerning the landowners or the corporation that owns the land out there. As I recall, he said that land on the mauka side of the highway was self-supporting in the way of cattle. In other words, he was able to hang onto this land, pay his taxes--it was self-supporting. So it isn't really any hardship on these owners, I would think, in that area. On the other side of the highway he has some very valuable piece of property that he can sell if there is a drain on his income, at fantastic prices, and I am sure there are a lot of interests who would like to invest in this area. But I don't think he has any hardship that I can see in this area, but he has to do it to make ends meet. I should think that would be one of the considerations in considering or, in my opinion, downgrade this part of the country. I think I will drop the rest of my remarks and save you time here.

(There were no questions of Mr. Mazza.)

5. Sanford Parker:

I testified the last time. I'm Sanford Parker. I heard remarks from one of the people that we really haven't got too big a crowd at these public hearings. I want to let you know what a hard job it is to come in from Waialua and Mokuleia to a public hearing. It's a good hour's drive. You can't find a place to park. The last public hearing, we were here until six o'clock. When we got home finally, it was about 7:30 p.m. or 8:00 p.m. Most of our people who work everyday can't come to a public hearing. Maybe it would be nice if we had a public hearing at the Waialua High School instead of 40 of us trying to get into automobiles and come on in. Since we're going to carry the public hearing over, maybe we could have the next public hearing at Waialua.

CONNELL: Let me respond to that, Mr. Parker. Almost every public hearing that we have, they would like to have it held in their area. The Commission, in the past, has only met every other week except for the last two years where we've met every week and we generally run until six o'clock once a week. Our problem would be that, I think, some of us might have to give up our occupations in order to be able to have these public hearings all over the island. The second point is that the Commission does not make its decision based upon the number of people that show up. We're interested in what the testimony is--for and against a particular application, so if we keep hearing a lot of redundant testimony, that doesn't make it any more true or false.

PARKER: Of course, it is true that you do have public hearings outside of this room. We've had a couple of public hearings in Wahiawa.

CONNELL: Not the Planning Commission.

PARKER: Who would hold the public hearing then?

CONNELL: If it is a Planning Commission public hearing, it is held in this room and with the exception of this, occasionally, we have gone to the City Council Chambers but the Commission does not hold public hearings in various parts of the island. Now, it may be one of the other governmental agencies that may be portions of the City Council but it's not this Commission.

(There were no questions of Mr. Parker.)

6. John Parker:

My testimony is the same as the other gentleman's, concerning the content of the sand. I brought some down. I'd like you to all take a look at it. If you put your hand in it, you'll find a lot of fine particles in it. I did take some while I was down there, shoveling away and threw it up in the air and, of course, the sand goes straight down and then there's the general whit (fine particles) that just kind of floats off and there was just a very slight tradewind.

I've nothing more to say then what the other man said about it, but if you all just would like to take a look at what it sort of looks like. (Submitted two packages of sand.)

Testimony FOR the application was then heard.

1. Allen I. Marutani:

Mr. Chairman and members of the Planning Commission, my name is Allen I. Marutani and I represent the applicant corporation.

With respect to the suggestion that was made regarding keeping the public hearing open, I would like to offer my suggestions to the Commission. My suggestion would be that the public hearing would be closed after the testimony is taken today, subject to the receiving by the Planning Commission of the two requests that Mr. Smith had alluded to, with an opportunity on the part of the applicant corporation, within a reasonable time thereafter set by the Commission, to answer any queries or problem areas that might have been received by the Commission respecting these two communications, and that thereafter, if the period of time within which the applicant corporation is required to answer passes, either without the applicant corporation answering or with the applicant corporation having submitted its comments, that the public hearing be closed. This would be my suggestion inasmuch as it appears that we've already gone one public hearing last week. We are now in the process of going through our second public hearing and that, I understand, there is a provision further that there is a 15-day period after the public hearing is closed before which any action can be taken, and I think Mr. Smith testified that, in effect, this would be 21 days, which would be three weeks. So, as long as the public hearing is kept open, this 15-day period is also and, likewise, kept open. So my suggestion would be that inasmuch as there have been two public hearings, that the public hearing be closed, subject to the lmitations that I have just mentioned.

The other comment that I would like to make is with respect to the public hearing in Waialua High School. The staff of the Planning Department did call a public hearing on this particular application some time in December of 1972 concerning this particular application at Waialua Intermediate and High School which was the place that one of the witnesses had suggested that the Planning Commission hold its public hearing. But, this was an informal hearing held by the staff of the Planning Department.

Now, at the last hearing, we had presented testimonies by Mr. Gordon Cran from Mokuleia Ranch Company and also a testimony by Dr. Fred Hertlein, and we would like to continue on with the testimonies from various parties that we have asked to come here before the Commission to testify. So the first person we'd like to call to the stand to testify is Mr. James Higa who is representing the Home Builders Association.

CONNELL: And this is testimony which the Commission has not previously received?

MARUTANI: It has not.

MR. JAMES HIGA:

My name is James Higa and I am Vice Chairman of the Legislative Committee of the Home Builders Association of Hawaii.

(Mr. Higa read his prepared statement as follows:)

"Our builder/members construct almost 90 percent of all the single-family dwellings on Oahu and the general membership is involved at all levels of residential constructions on all the islands. Our association does not normally take positions on individual requests but we do so when it affects the major segment of our industry. Price of housing in Hawaii is skyrocketing and this is due to many causes, one of which is the scarcity of materials. And, in this particular case, sand--sand which is used in making concrete slabs, blocks, and other purposes.

"We want to point out the effect of lack of mining of inland sand would have on the entire cost of home building on the island if it is prevented. As an example, an 8x8x16 concrete block on the island costs 82 percent more than it would on the mainland. Another example is concrete for a typical house slab costs 46 percent more than it would in California.

"These figures were obtained from a study done by the Planning Committee, the City and County of Honolulu, entitled: "Elements of Residential Policies of Housing Programs and Planning Areas" published in December, 1971.

"One of the determining factors in this price difference is the scarcity of materials and, in particular, lack of sand which is an essential material. There are virtually no other known deposits of

inland sand available at this time on Oahu, as testimony later will show. This means the only source would be expensive crushing of rocks to keep our industry going. There is no cheaper sand than naturally-mined sand which would be obtained by the applicant.

"We feel that the alleged problem of noise, dust, and other problems can be adequately handled by the Warren Corporation. Based on this, we urge favorable action on the application by Warren Corporation.

Legislative Committee
HOME BUILDERS ASSOCIATION OF HAWAII"

(Questioning of Mr. Higa followed.)

YAMABE: Mr. Higa, do you have any idea as to how much sand you will be able to extract from this area? and within what period? I'm trying to get to the point of depletion.

HIGA: I don't have those facts available. I think testimony later on will give you those facts.

YAMABE: Has the Association considered synthetic or whatever substitute that they would probably be needing in the future since the fact has been presented that sand is being depleted, not only on Oahu but also on neighbor islands?

HIGA: No, there has been no study done at the present time.

CONNELL: Any further questions? (There were none.) Thank you, Mr. Higa.

MARUTANI: Mr. Chairman, in response to Commissioner Yamabe's question regarding the amount of sand that is expected from this operation, if it is in order, we have made some very rough calculations. In Area No. 1, we expect to have 213,333 cubic yards of sand. In Area No. 2, 568,889 cubic yards of sand. In Area No. 3, 611,556 cubic yards of sand.

YAMABE: What is the annual use? Do you have any idea of the annual use of sand?

MARUTANI: According to the information that we have, there is an approximate use by the construction industry of 500,000 cubic yards of sand in Oahu, on an average basis for the past three years, 500,000 cubic yards per year. We have no statistics as to the total amount of cubic yards that is used in other areas as well, such as public beaches and other areas. But the information that we have is in the construction industry.

YAMABE: Would it be a reasonable guess on my part if I say that this area, representing three areas--1, 2, and 3,--will probably deplete the sand, giving the industry approximately 2-1/2 years' supply?

MARUTANI: Yes, probably that is true, except that it is not our intent to remove everything within 2-1/2 years. It will be incrementally done over a period of time.

YAMABE: Do you have any idea how much sand is being mined at this time in some other areas?

MARUTANI: I am not in a position to submit this information, but I would imagine that Molokai would be the substantial source of supply of natural sand at this time. There is manufactured sand which is available and which is on the market at this time, but as far as natural sand is concerned, the information that I have is that Molokai is a substantial source at the present time.

YAMABE: You don't have the volume?

MARUTANI: I do not.

CONNELL: Are there any questions the Commissioners would like to ask? (No response.) Mr. Marutani, perhaps you will get to this with additional testimony. Two issues that have been raised--one, is the dust level, and secondly, on protection for children. Mr. Higa indicated that the dust problem had been met to his satisfaction or was going to be met to his satisfaction. Can you tell this Commission how you are going to control the dust problem?

MARUTANI: The control of the dust problem will be by constant watering of the dirt--constant moisture in the digging up of the dirt in the fill area or in the dirt area; watering of the dirt in the transportation of that dirt from the fill area or the silt basin area to the area that the dirt will be used to replenish, and; thereafter, from that point on a constant watering again when that dirt is removed from the truck down into the area. Inasmuch as the area to be worked on, at any one particular time will not exceed three acres, only one of which, about one-third of which will be used for the actual sand mining operation, and the actual refilling of dirt, so in approximation, it will be about one acre at any one particular time, so we feel that by our taking precautions to moisture, to keep the dirt moistened as well as to limit the area of operations to a small, relatively small area within the whole area, that this is the way that we intend to keep the level of dust down. We also would ask Dr. Hertlein to present additional testimony regarding fugitive dust from the dirt which we intend to call later on this afternoon.

CONNELL: He'll have more information on this? Because out of the two questions, in response to what you said, one, after wetting down the operation, whether that moisture level will stay moist long enough on toward the evening when the winds come up? Is that going to keep the dust from moving around? Are you going to have the wetting operation going on all through the night?

MARUTANI: This is a comment that was raised by one of the witnesses and I've asked Dr. Hertlein to comment on that point.

CONNELL: Do you have some comments regarding protection for children?

MARUTANI: The only comments that I have on that point would be that we would have to have some type of signs--big posted signs--in that immediate vicinity to warn children not to enter into this area and to

alert the men and the people there to keep the children out of the area. There will be berms that will be set up and that might be a physical barrier to the actual operations area.

CONNELL: So the protection for the children is going to be depended upon their ability to read?

MARUTANI: Not only that, we have, we intend to instruct the men to be wary of wandering children in that area.

CONNELL: I'm sure the Commission would want to give some thought to that. Mr. Marutani, who else would you like to call?

MARUTANI: I'd like to call Dr. Uehara who is a professor at the University of Hawaii to the stand.

DR. GORO UEHARA:

Like all professors, I've got quite a bit of written material. My name is Goro Uehara and I'm with the Department of Agronomy and Soil Science, and my specialty is Soil Science. I'd like to provide information on the distribution and whereabouts of sand in the State of Hawaii.

There are three major sources of sand in Hawaii, and by sand, I'm referring to beach sand which has got some problem. We do import a very small amount of silica sand from Australia. As you go to Lake Michigan, the sand there is white and it has about the same particle size distribution as Waikiki Beach but it is composed of silica which is quartz sand and has a very different composition. In Hawaii, beach sand is calcium carbonate and the remains of shells and coral so that it has a dual purpose as a building material and as a source of lime. The major source and the most visibile supply of sand is along the beaches and currently we are mining sand from the Island of Molokai. This is going to end in 1975, I understand.

The other area is the deep-sea source. Research under the Sea Grant, the University of Hawaii has about five or six publications on the whereabouts of this sand and they are very intensive publications on the whereabouts. For example, this technical bulletin is entitled: "Hawaiian Shallow Marine And Inventory--Part I." They describe a major sand deposit on Ahu o Laka Sand Deposit, Kaneohe Bay, Oahu.

This second report, "Reconnaissance Sand Inventory: off Leeward Oahu."

Third, "Reconnaissance Sand Inventory: Off Leeward Molokai and Maui."

Fourth, "Potential of Offshore Sand as an Exploitable Resource in Hawaii."

They go off onto Maui, Hawaii, and Lahaina--off Lahaina, Maui, and Molokai. If you read the report, you'll find there are thousands of millions of cubic yards of sand so that there is no limit of how much sand we have. It's a matter of cost, but more important than cost, we have another report written by James Levin and approved by the

Chairman in April 29, 1971, and it is entitled: "A Literature Review of the Effects of Sand Removal on a Coral Reef Community."

Let me read for you page 24, a summary and conclusion of this report. I'll just read the first paragraph and I'll leave this with the Commission, for your information. You think you are going to have problems in approving removal of sand from land, wait until you start getting requests for removal of sand from the ocean.

(Dr. Uehara read from the bulletin mentioned.)

"1.5 Summary and Recommendations

Sand mining and other dredging activities alter the reef environment by producing suspended and deposited sediments, removing the original bottom-water interface and deeper substrate material, creating new deep water areas, and possibly causing the release of chemicals from the sediments. All of these conditions can adversely affect the life of a coral reef community. In some instances the effect may be of short duration with the rapid re-population of an area; in others the effects may be of long duration with the ultimate degradation of the reef community."

They go on and on and on and describe the consequences of mining from the ocean. The alternative to--this is not an alternative. The mining of deep water sand is not an alternative at this point. I am sure that in 25 years or sooner, we will be forced to go to the ocean.

The third alternative--I've mentioned the beach, I've mentioned the offshore which is merely a study, it's not an alternative, is the deposit on land, and the Commission, I think, suggested that we'll just have to take what people have to say about where the sand is. In fact, this is not so.

We have soil survey of the Island of Kauai, Oahu, Maui, Molokai, and Lanai. This is a five-island survey and in this survey, all of the different soils in the State, or at least the islands, are delineated very, very carefully. I have a report for you gentlemen. This is a soil survey map of the Mokuleia area and there are two pertinent soils in this area. No. 1, the "Hauka" sand and the "Batu", the Mokuleia series.

The term "Hauka" comes from Puerto Rico where the similar soil is identified. It is beach sand but it is not on the beach. It is inland and represents an old relic shoreline which developed nearly 30,000 years ago when ice was much lower in the South and North Poles when the sea level was higher. This beach sand extends underneath the Mokuleia soil and mining operation would remove sand from the Hauka soil and the Mokuleia soil. The boundaries are carefully delineated on this map. By the way, this thing came out only about three weeks ago, for your information.

There are other areas where similar soils occur on Oahu and you can look in this map, but I think I can appeal to your own experience to determine where they are. For example, if you go to Bellows Field on a Sunday for a picnic, you'll find that the sand, in fact, does extend quite far inland. In fact, the mining operation in Waimanalo represents an old indurated sand dune. If you drive along Kalaheo Avenue in Kailua, that whole area is beach sand. If you play golf on Kahuku Golf Course, that's all beach sand. But you'll notice that most of the areas on Oahu are already being used and populated. The only open area, relatively open area, represents the point from Haleiwa to Kaena Point. And, here, we have beach sand of sufficient good quality for mining.

So the alternative reduces to, and if I can summarize, three areas. The beach, which we cannot touch any more, and we certainly don't want to mine the beaches; the ocean, which will probably be mined in about 25 years; and now, the beach deposits on land. And if we were to look at the distribution, the large distribution occurs in the Mokuleia-Kaena Point area. Thank you. I'd like to leave these reports with you. (The five reports mentioned were filed.)

(Questioning of Dr. Uehara followed.)

SULLAM: Dr. Uehara, since you say that the ocean sand mining would be very harmful to the environment, and even though you say there is unlimited supplies of sand everywhere, it seems like they are not really accessible for many reasons. Would you, or do you concur with this thinking? Do you feel that we really don't have unlimited resource as we would think at first glance?

UEHARA: I think the supply is adequate. It's simply a matter of economics of mining the material and the effect on the environment, particularly on the existing quarry you are talking--you are referring to the marine sand deposits?

SULLAM: Yes, I'm referring to that, and to this as well. Apparently, there are long-range effects that could take place.

UEHARA: In the ocean?

SULLAM: Well, in the ocean and here as well.

UEHARA: Let me add a point about the mining operation in Mokuleia. The soil is the Hauka sand and the Mokuleia series. In the mining operation, the sand will be removed and the soil material will be replaced in excavated areas. The soil material will come from the soil which we call the Kaena series. Now, by doing so, the long-term effect would be beneficial because you are simply removing inert sand which is good for construction material but which is very poor for crop production, and by doing so, you are going to improve the pasture quality. Sand simply can't hold water. As you know, sand is droughty. Soil has finer particles which--fine pores--which can retain the water so that the droughty conditions can be removed. Then the agricultural potentials of that area would be much improved by removing sand and adding soil.

SULLAM: In your mind, you feel that this is one of the very best places then to mine sand?

UEHARA: I'll have to admit that I haven't made a very thorough study of this area, but if you look around the shorelines of Oahu, and you think, based on your own experience, the unpopulated areas on Oahu, the last remaining area is that point near Kaena Point. And I think that all we have to do is appeal to your knowledge of the population densities on this island. If we did find other deposits, you will find that you will enter areas which are much more highly populated. The problems aren't going to be lessened.

YAMABE: Dr. Uehara, you mentioned that we have ample supply of sand. However, you did also indicate that you did make a thorough study as to what areas may be best, what areas might be mineable, what others may not. Are you at liberty to say that you might work with our staff here in determining what might, or where might be the best area, etc.?

UEHARA: I think so, given sufficient time and resource. The information is here. It's simply a matter of having someone delineate the boundaries and make some rough computations. I might also add that on the island, in the State of Hawaii, we have about 40 million cubic yards of land on the beach--along the beaches. We are currently using a half-million cubic yards per year, and according to this report, if we continue to use sand at this rate, in five years we will have used 25 percent of the sand on the beaches of the State. We simply can't do that, you know.

YAMABE: This is beach sand which we are not able to mine at this time?

UEHARA: Yes, and this is mostly from Molokai and they have the quantity of sand that we mine from Molokai currently. The information is here.

YAMABE: Thank you, Dr. Uehara.

CREIGHTON: I gather from what you say, Dr. Uehara, that you feel that this particular area--Mokuleia to Kaena--is really the only available area on the island for land mining of sand?

UEHARA: I can't say it's the only area but I don't know of any other good areas currently.

CREIGHTON: Then it would seem that we are very rapidly reaching depletion of land-mined sand and we'll have to find some other substitute.

UEHARA: This is true. Once you build a home in an area, no matter how good that deposit, no one is going to remove that sand from underneath your home.

CREIGHTON: So approval of this particular mining operation would simply postpone that day a few years?

UEHARA: That's right. I think, eventually, we would have to go to the ocean, or if we import sand from elsewhere, we will simply have to pay for it from our own pockets.

CREIGHTON: Thank you.

SULLAM: I was just thinking. In view of all that, would you recommend that we start rationing sand, that, perhaps, saying that sand should only be used for ....

UEHARA: If I had to make any kind of recommendation, I would recommend to the State that they utilize, now, those open spaces and utilize those lands quickly before they are covered by man because the mineral resources of the State are very, very limited and we'd better make use of it when we can. Coral sand and basaltic rock, they may seem very common to us, is a very important natural resource for the State and we should use it wisely.

YAMABE: Would you also agree to recommend making a recommendation to the Department of Land and Natural Resources that such an area should be set aside as conservation as far as land use designation is concerned?

UEHARA: They don't have to be conservation areas. They can be used. A conservation area should be up in the mountains.

YAMABE: Well, there's a number of uses that's permitted in conservation. Conservation is primarily to keep developments off this type of natural resources.

UEHARA: Well, that's a recommendation that others can make. I think, from the standpoint of recreation, these are ideal areas for recreation because they are close to the ocean.

YAMABE: As long as it's kept open so that they can be mined?

UEHARA: Kept open, and the land is not going to be--the usefulness of the land is not going to be lessened by adding soil. It's going to be improved. Simply like adding top soil to the area.

YAMABE: Right. Thank you.

CONNELL: Any further questions? (No further questions.)

MARUTANI: Mr. Chairman, at the last hearing we had Dr. Hertlein testify regarding the fugitive dust from sand as well as some noise problem. Now, at the last hearing, some comments were made regarding dust from soil and Dr. Hertlein has made some additional studies in this area and we'd like to ask him to inform the Commission of the result of his findings.

FRED HERTLEIN:

Thank you, Mr. Marutani. Mr. Chairman, Commission members, and interested guests. My name is Fred Hertlein and I guess most of you remember me from last time. Besides being the head of the Industrial Hygiene Unit at Pearl Harbor Naval Shipyard, I have been, the last three years, running my own consulting firm in air, water, and noise pollution, the evaluation of it, and the control of it.

The Warren Corporation originally contacted me in this area to determine what major environmental impact you might have in this area, and I submitted much of my testimony in the way of a summary of the report that you probably have before you now. I think you all have it by now. I have some notes of additional studies and calculations that we've conducted on dirt and noise and I would like to go through these and, as we go along, I have a feeling that many of the questions that have been coming up this afternoon will be answered.

The past--may I go up here? The past testimony I gave indicated that I used, in my calculations, a wind velocity of 20 miles an hour as a maximum and, to date, I still have found nothing in the published literature to indicate that the velocity of the winds out there go anything higher than that on a maximum scale. As a matter of fact, on studying the data a little more critically, we found that the velocity is generally in the area of five miles an hour--more usually between five and ten. I think it would be fair to say that 75 percent of the time, the wind velocity is in this particular range.

Also, the subject came up about the reverse cycle of the wind during the evening. You'll notice in the data before you that it doesn't exactly reverse. It changes roughly from a north-northerly, north-easterly, east-northeasterly, and north-northeasterly, as well as easterly direction over to an east-southeasterly direction from this area. So, the first thing you have going for you is that the wind direction during the daytime is towards the mountain area and away from any residences. Thus, dust, should it be generated, and this is a big IF because I can almost guarantee you it won't be generated by the precautions the contractor will follow and take. It would be blowing into this direction or into over here, this way, and the residences are over here. There will be very little wind direction in this direction here.

In the evening when the operations aren't going, of course, it changes slightly but there will be nothing to be carrying dust in there because nothing will be raising the dust up to make it airborne. Thus, the wind velocity, which we have been bandying around here, please understand, is 20 miles an hour at the very absolute maximum. You're not normally going to have conditions where the wind is 20 miles an hour. It will be generally much below that. So, in my calculations, I have been, what you might call, conservative. And we believe in being conservative because this is the way the recorded data is. As a matter of fact, the maximum is actually 18 miles an hour, which has been recorded. I used 20 because it's two miles higher. Some of the nit-picking that has been coming up from the opposition here is really nothing more than that. They bring up points which seem to appear almost as tiny little crevices in a hill they have to climb. And, almost anything that you can grasp at is being brought up. Some of their points bear little or no weight at all to the major impact on the environment here. Let me go back here now to the rest of the things.

Thus, with the sand particles of 150 micron diameter, as has been brought out, they won't go any further than 105 feet which can easily

be contained in the boundary. Now, people have brought up this matter of dirt and dust that's mixed with the sand. The results from the Pacific Concrete and Aggregate Concrete Laboratories indicate that the smallest size particle in those samples is that size that I mentioned last time. There are none smaller or I would have based my calculations on them. However, when the fill is brought down from the mountain area, we definitely have to consider a different type of material, and when we do this, I have found out from Dr. Uehara, from the University, whom you have just heard, that the aggregate up there is usually in clumps of about 100 micron diameter--the soil is. This is as small as it gets. It's density is 2.5 at the worst and at the best, it gets up to 2.8. So, again, using the worst possible case, we come up with a calculation here of what happens when the dump truck carries this material from the fill area down into the area to be filled by the beach. And, all that will be going on here is a discharge from the back of a dump truck which is conservatively estimated to be approximately 5 feet above the ground.

We can determine again what velocity this particle, of that size which we've indicated is found up there for the fill, will take to settle down in calm air. Then, again, put a 20-mile per hour crosswind tangental to that and using classical trigonometric functions, determine what the vector is, and it comes out that if you have a 20-mile an hour wind, which is again an extremely high velocity wind in this area, that particle will travel 60 feet before it falls down on the ground. Now, what we are saying then is, "Can these operations be maintained within 60 feet before these particles fall out into and beyond the property of the contractor?" We feel it can. We feel it can because there are many procedures and methods in a text of this sort, title: "Air Pollution Engineering Manual" by the U. S. Department of Health, Education and Welfare. The public health service has methods, procedures, engineering controls to take care of this very thing.

And, you've heard Mr. Marutani mention some of these--the business of sprinkling down, watering the area, should prevent any of the material from becoming airborne. To answer your more specific question about watering it down all evening, no, I don't think this probably can be done too practically. However, this material, once it gets wet down and once it gets in place, will fairly well conglomerate with itself and fit together after being wet by the surface. You're not going to find much becoming airborne once it's wet down, in place, in the final fill area.

And, if this isn't enough, let me assure you one more time--I have a feeling I only mentioned it in brief passing last time--that the State Department of Health has Chapter 43 on Air Pollution Control out here which indicates, under the section of Fugitive Dust, that no person (and person is defined in the beginning of the regulation here) shall cause or permit discharge or visible emissions of fugitive dust beyond the lot line of the property on which the emissions originate, or cause or permit to be emitted into the atmosphere, any dust from any source in such a manner that the ground level concentration at a point selected by the department exceeds, (a) 150

micrograms per cubic meter above upwind concentration--and then they indicate the sampling method, using high-volume air sampler or other equivalent methods for a 12-hour period. They also give an alternative here which makes use of a dust-fall method, but they, when you talk with the air sanitation engineers up there, they tell you that they're not going to use that method because it is not as quantitative, it's not as reliable, as reproducible. So the high-volume method will be used. I've been applying this for various clients all around the island and I can assure you that if any of this material does become airborne, this sampling method will surely detect it and pick it up.

Should any of the residents feel that they are being subjected to dust from their operations here, it's a simple matter for the State Department of Health to go out there and sample literally, wherever they want--upwind, and at the boundary, downwind--to assure that it's in this limit of 150 micrograms per cubic meter.

It's a cut-and-dried case, black and white. You either comply or you don't. Ambient levels are variable throughout the island, and so they provide for this by sampling upwind of the operation.

I can assure you that with the procedures that these people intend to take, they will be complying with this. Otherwise, I couldn't, in all honesty, appear before you in this manner. It would be somewhat unethical. Thus, you have this almost quarantee that the dust can't get over these levels and, last but not least, you have one more assurance, and that is that the contractor himself has assured you that he will, in fact, monitor his own operation with this sampling method. The reports, of course, will be given to him and he'll have these in his files.

So, with this, on the matter of dust--why, let me see if there are any comments that came up today that maybe we can mention here. The wind velocity in the early morning hours, I guess, you've noticed in your data is very low. The wind velocity during the daytime hours are what is a higher velocity. It gets sometime over 10 occasionally. But, in the morning hours, it's generally 5 and around in there, so you're not going to be worried about transporting dust in the evening with such low velocity winds. Other dust matters that came up are, well, that's mostly it, I guess.

Concerning the noise, it's pretty obvious from the way questions are being asked and the way some of them are being answered, that there is less than a thorough understanding of what takes place in noise measurement--noise propagation, and noise control. This is very evident on the side of almost everyone.

CONNELL: We've noticed that, or at least, I've noticed it among experts that have appeared before this Commission.

HERTLEIN: That's right. As a matter of fact, the experts that I think appear before you, before the Commission, generally have to couch their explanation with certain qualifications and it's these qualifications that are sometimes forgotten or pushed aside, in the

view of simplifying the statements. That's where the whole problem lies. We'd like to give you a simple, basic, fundamental answer to your question, but it usually requires qualifications and this is where the stumbling block falls in. Like comparing the CZC with the Motor Vehicle Noise Code. Perhaps, we can take this up.

The noise problems can originate from two sources. We didn't mention the trucks, as I mentioned last time very purposely because we thought it was controlled.

Let us mention first the property noise. Noise that will be generated on the property itself. The Comprehensive Zoning Code, which I'm sure you're very, very familiar with, has a penalty of $1,000 and/or 30 days in jail for anyone who does not comply with these values in here--with this code. And the noise code in here is very stringent. I have almost assured you last time, and I'm not going to go into it again, that the operations on land, following the recommendations I proposed here, will comply with this. This is almost a certainty. So, I'd just as soon not delve into that any more.

The calculations that I carried out indicate where these berms should be placed and, by the way, the berms, to me, is irrelevant whether they are made of sand, of sand and dirt, or dirt, or rocks, or almost anything else within reason. You can't use vegetation, of course. You can't make a mound of logs because they become too porous. But anything fairly massive with a good high density, a good high specific gravity, will act as a sound attenuator. These berms attenuate the low frequencies than they are in the high. The higher attenuated greatly. The lower ones, more or less, become refracted and pass over. But the lower ones are much more lenient in the Comprehensive Zoning Code so that's why we can say again, we'll still comply.

And, again, as if that isn't enough assurance for you, the contractor has indicated, in no uncertain terms, he is willing to monitor this noise at his boundary line as indicated in the code itself here, should complaints arise.

Now, the matter of the trucks and the noise from the vehicular operations, I didn't go too much in detail. As a matter of fact, I didn't mention it at all in the report because of the basis--because I thought it was well covered in here and we mentioned it only briefly last time. Perhaps, we can clarify some of your problems here.

The Hawaii Vehicle Noise Code, I indicated to you last time, is one of the tightest in the United States--in any of the states--and I can say this by comparison with California's code because California's code is being used as a guide in many of the other states. This is my basis for that statement. California Noise Code, in here, is not as stringent as the Hawaii's--the Oahu Vehicular Noise Control Code that the State Department of Health has promulgated here. There are reasons for this. The main reason being that Hawaii is a much more open community. We have single-wall construction. I don't have to tell you people that. We usually have our windows open a good piece of the time. We don't keep ourselves cooped up like mainlanders do.

We don't have cold winters where you have to put up storm windows, literally, sometimes. We don't have double-wall construction. So, for this reason, the people on the State committee that developed this code went, what you might call, on the conservative side and went a little tighter than the mainland counterparts. And we felt rightfully so. Therefore, you have nothing to fear in this being, well, a questionable protection device for residents in a community.

The question arises though, in comparing this with the Comprehensive Zoning Code--let me get to that in a moment. The penalties in here are provided by the Hawaii Revised Statutes and these allow a truck to be meausred at 50 feet from its center line of travel to make no more than 86 dba. That is measured on an A scale. And let me be very specific in mentioning how this is measured.

Police officers have been trained, not casually, but in detail, how to use these sound level meters and how to correct for reflections and distortions that can be created in a free-sound field. A free-sound field is what these measurements should be performed in. Now, most of us realize you can't do that out here where there are houses, where there's other obstructions nearby. So, they have been shown how to make these corrections and allow for that. This means, normally, they have to be a couple of--one or two more decibels in excess of the code here. Now, this doesn't mean the residents are being subjected to more intense noise. Not by any means. But, when you start taking measurements inside a classroom and comparing them with the Vehicular Noise Code, they are just not comparable. You can't do that.

When you're talking about speech interference levels and telephone usability, and classroom understandability, with teachers presenting topics and class discussion, that's a whole other ballpark. The means in which those measurements are conducted are completely different than the one for this and they, in turn, are completely different from the ones in the Comprehensive Zoning Code.

Now, the statement has been offhand-made. I don't know how this was arrived at by some of the people against this particular noise aspect, that the Comprehensive Zoning Code has been superseded by the State regulations. This is so, but only to a very limited extent. Let me clarify this for you. The State has the power to supersede any local ordinance, that is correct. But, right now there is none for residential property noise control. This is only for vehicles. So the person who informed the testifier here previously that this overrides everything is just as blatantly false as can be. This Comprehensive Zoning Code is in effect until something supersedes it from the State. Now there is nothing. So this is still applicable and it is much tighter than this one here. When they get around to making something for residential areas, it will supersede the CZC, no question about it, and it'll probably be an easier way of measuring it too.

But, to conduct these inside the classroom like this is just not comparable. You can't do that. Undoubtedly, you're going to have good levels in there.

CONNELL: Or bad levels?

HERTLEIN: That's right. The statement has been made that this classroom is--what--12 feet from the highway? Something like that. You certainly will get levels in excess of what you find in your Oahu Vehicular Noise Code. Why? Because the minimum distance at which it is supposed to be measured is listed here at 20 feet.

Now, I can give you a rough guide as to what it is supposed to be at 12 feet simply by having the 25-foot distance and adding 6 decibels to that value in there. That will be the allowed level at 12-1/2 feet and this is what the people who developed this code will probably tell you because they are basing this on the Spherical Sound Propagation Law. That, in other words, will allow a truck then to go from 80, from 92 at 25 feet up to 98 decibels at the edge of the classroom there. Now, if it's under 98, I know that's an intense noise; that's a very loud noise. There's no question about that. I'm not contesting that at all when you compare it with the CZC. But, you are not being realistic when you talk about noise from a truck.

This committee that studied this in detail was made up with very expert people. Dr. John Burgess who has been mentioned before, he was the author of this thing, literally, and he wasn't trying to make it--to be lenient. He was trying to strike a happy ground between industry and residents. And in trucks, and vehicles, and noise, there are certain limiting things which you have to consider which aren't being considered in the CZC and that's why you have higher levels here. Am I making myself a little clearer here?

CONNELL: I think you've made your point.

HERTLEIN: These levels are higher. There's no question. But because of that that doesn't mean these are inadequate, not by any means.

CONNELL: Can we just--regarding this code--you mentioned that the police are enforcing it. How many police officers are equipped in the Mokuleia area to make readings?

HERTLEIN: I don't know because I'm not on the police staff, of course.

CONNELL: Well, is this code being enforced in the Mokuleia area and to what extent?

HERTLEIN: I don't know about the Mokuleia area. Let me reply that the clippings from the newspaper indicate that vehicles have already been cited by police officers with this code. This is not so with the CZC.

CONNELL: Well, I think that the question being raised is in regard to this area--not the downtown Honolulu or Niu Valley or whatever.

HERTLEIN: Let me answer this then in the following manner. I would

think it would be completely sensible, reasonable, logical, practical, for those people who feel they are being subjected to intense noise levels by the operation of these trucks to call the police department. I have a feeling the police department will bend over backwards to have at least a team out there for this purpose to check it. They either will comply or they will not. I don't think you can put off a community of residents who complain about truck noise to the police department who are the people who receive these complaints. You see what I mean? This should be able to be resolved very easily, in my estimate. They will or they won't.

CONNELL: George, can we get a report from the Police Department regarding enforcement in that area?

HERTLEIN: And, as an aside to this, let me mention that some time ago, I measured almost, the noise output of almost every type of a vehicle, heavy-duty truck that's being used here on the Island of Oahu and the results of this are, in part, the basis of this local Noise Code. You can see the extensive amount of data we made on this.

The Navy, to follow up on this, conducted a similar study for all of their vehicles so I can, with some confidence, assure you that trucks will meet this code when they are properly maintained, and properly operated. You can't have hot-rod truck drivers that will exceed this. You see what I mean? But the company is going to be down on them for doing this so they are going to have a very definite impetus to keep this "rapping of the pipes" down. Well, that's for the noise, then.

The CZC can't be applied in a classroom. Neither can the Vehicle Noise Code be applied in a classroom. And I suggest, in the future, that whoever makes these sort of measurements be aware of the existing statutes and regulations and conduct the measurements in accordance therewith. This is extremely critical and you're going to get just funny answers otherwise.

And, lastly, was the matter of the trucks with their--it would seem to me because of their high taxes these trucks pay every year, that we all experience inconvenience when we end up in back of one. I think I'd be the first one to admit that. But, here again, I think if people in that area will take a little more enlightened attitude as to what service the hauling of this sand around to the other part of the island, or wherever it's going, is performing for the residents of the State of Hawaii, as a whole, this may aid some in cooling down your temper. It's hard for me to say that because I don't go out that way, but I can, nevertheless, experience their problems because I have the empathy for these sort of things myself in similar tieups. In a two-lane road, I don't see how you're going to solve this.

And the problem of appraisal of property came up at the previous hearing about which I'd just like to make one simple comment because I talked to an authority that I'd like to bring this up. I don't ever bring up the matter of appraisal of land in regard to these sort of operations because I found out that appraisers generally will not give you a Yes or No answer, and in this sort of a situation, they

would be very reluctant--I have a feeling--to indicate that land values are going to be knocked down because of this. That's just something they won't agree to. They can't say that.

And, lastly, the matter of the wave action. The comment again came up this afternoon that the wave action, as observed by residents in this area, have inundated land back 400 feet. I, again, talked to a very authoritative source out here who has lived there 14 years and he says that in some areas the maximum from a very, very heavy wind and storm, and sea, generates waves that go inland as far as 250 feet--at the very, very worst--this is the highest possible.

Normally, heavy storms go in only 150 feet and this even requires quite large storms. So, again, they talk about facts that we've dredged up. I indicated before you last time that I don't have facts because I wasn't sitting out there measuring how far it came in. The question is, "Supposing the water did come in 400 feet?" I'd then ask you, "So what then?" I don't see how a sand mining operation in any way, is going to have a deleterious effect on this, by having one acre being dug out, another acre where the equipment is going to be settled on, and another acre that is being backfilled.

What happens when a huge inundation of land by even a tsunami comes in here? What will the effect be just because you've got equipment mining sand out there? It doesn't make sense. There's no logic behind it. It's not going to tear it up any more, certainly. It won't take any more out to sea and, as Dr. Uehara has indicated, the best use of the land will probably be improved as more fertile soil comes in there. The beach sand is not even being touched and I think this is probably most of the comments I would like to make, unless you have--oh, one other thing.

Dr. Uehara mentioned this business of the calcium carbonate versus the silica sand. I think I touched on this lightly the last time. Calcium carbonate, which is coral, when it becomes airborne, it's not considered a health hazard. There's no question about this because it is considered normally an inert-nuisance dust. However, when you start talking about free-silica sand, the kind that he mentioned came from Michigan and from other parts of the mainland, and get this material airborne, you're definitely going to create potentials of health hazards there in the area of silicosis--a non-regenerative lung disease. This, then, is my testimony for you this afternoon.

Questioning of Dr. Hertlein followed:

YAMABE: Mr. Hertlein, what is your expertise limited to or what does it cover? You mentioned industrial hygiene.

HERTLEIN: Yes, industrial hygiene is my specialty and industrial hygiene....

YAMABE: I'm not too familiar with this. I just wanted to know what your expertise might be limited to.

HERTLEIN: My expertise in industrial hygiene comprises a very broad interdisciplinary field. It comprises air sampling in workers--in working environments--radiation measurements, sonar for divers underwater, anything that can be considered a health hazard, ultraviolet radiation, noise, any of a wide variety of airborne pollutants, toxic gases, dust, mist, vapors, fumes, anything that you can possibly imagine that a worker in his environment can be exposed to which is subtle and which the five physical human senses cannot readily see or taste or touch or feel and which require specialized instrumentation as an extension of our physical senses to document scientifically and measure quantitatively what the individual is being exposed to, then compare these measurements with standards that have been developed in this area and determine whether or not controls are necessary.

YAMABE: Thank you.

MARUTANI: Mr. Chairman, at the last meeting, we had Gordon Cran testify on certain areas and some questions were raised regarding some of his comments and he'd like to clarify some of these questions that were raised at the last hearing.

GORDON CRAN:

Mr. Chairman, Commission, the questions that have been raised, I have here listed. I also have some statement of what I gave last week, in a very rambling manner, and this is condensed and much more to the point than I presented it last week and I'd like to leave this with you. I think there is one for each of you.

The question was raised on the benefits of the silting basin. I went into that in quite a bit of detail last week. We have one little silting basin that we constructed a year ago to prevent silt from the land to get in to the ocean. It's sort of a temporary thing located in Area 2 right near the Makaleha Stream entrance into the sea.

The past year has not had the heavy rains necessary to give us full tests but we've had fairly good rains this fall and there has been literally no silt entering the sea.

I have some pictures here that were taken after a moderate rain. I'm sorry the rains came at night and the pictures were taken in the morning so that the big gusher that goes over the spillway had already taken place, but may I pass this around to the Commission?

These first two pictures are water going over the silting basin spillway. The spillway has a concrete core to keep it from eroding below the level desired.

This third picture is a coloration in the sea immediately in the morning immediately after a heavy rain. I have two pictures of the same thing. The rest of the pictures I have here are just views of the basin from various angles. However, as I said, it was after the heavy rain the night before, showing the color of the water and the stillness of the water which allows the sediment to drop to the bottom.

The area that we'll be using for a barrow pit is on the air photo outlined in orange, mauka or on the lower side of the picture, the dark orange color being the area that we have selected for the silting basin or sediment basin. This area is quite large and it will give us a lot of area to have water stand and sediment fall out. The slope immediately mauka of that is where we intend to take the fill material and there's no doubt but when there's heavy rains, we'll have to have some method of catching any runoff that'll go through this area. However, the fill, the area of the fill or the barrow pit will be much smaller even than the sand mining area because the sand will be mined off of approximately one acre at a time and the depth is maybe two yards to two and one-half yards, whereas, in the barrow pit area, we will be going like 25 feet to 30 feet deep. Consequently, the area exposed will be less.

The construction of the newer basin would require that we put a drain into it so that the water would not be left standing. The present small basin down at the mouth of the Makaleha Stream has no outlet and this was a, I shouldn't say a requirement, but a request of the Board of Health so that we don't drain it to the point where the fish die. The fish are there. We've put 40,000 fish into it for the purpose of controlling mosquitoes and there's just lots of fish in there. I haven't gotten a count recently.

I have here two more photographs. One is better than the other. I'll put this better one on the top. There are areas where the sand was removed from and refilled. The refilling was completed in 1964. The vegetation other than the extremely tall trees on one side--ironwood trees on the left side of the second picture--all other vegetation has grown since 1964. The fill material came from the quarry site down at Kaena, the other end of the airstrip, and it is more rocky than the material we will be using. It's the over-cover of the quarry, the material that comes off before they get down to the rock.

Now, it's been discussed quite a bit as to preventing dust and keeping the area moist. In our operation out there, we intend to use it for pasture in the near future, indefinite future, and I anticipate an increased production from this source, after the sand is removed, of an approximate ratio of 1-15. At the present time, the sandy areas or the areas with the most sand will carry approximately one animal unit to five acres. When we're through, we anticipate three animal units per acre with irrigation and fertilization. At the present time, we can't justify intensive use of this land because it's sandy and loses irrigation water.

The present source of water comes from our well here and we have 2.2 million gallons a day that we use or we have available to use for this irrigation purpose. And we have a main waterline that runs under the highway at this point and we can sprinkle at any time Areas 1 and 2 at the present time. In fact, during the summer months, we do irrigate that way now.

The previous testimony on a type of grass that was not known of, I am unaware that we have such a grass. I've spent my life working on

grasses and to the best of my knowledge, the grasses were identified with their common name which I think most people understand rather than their botanical name. The one grass that is in excess of two or three feet in height is an undesirable plant, referred to again, common name "sour grass". The koa in the area definitely was overlooked in the previous statement. We consider it, under those conditions, as weeds.

A previous statement that I would like to bring out here is, just for my own personal satisfaction, there was a gentlemen who said that we could sell the property does not seem to realize that any purchaser would have to develop to a higher use immediately to get his money out of the kind of money that he would have invested.

The last point is that Areas 1 and 2 are presently fenced with cattle fence. They are posted for trespass as being private property. Area 3 will be fenced by this summer. Any liability due to people trespassing is also present right now--all sort of things like climbing trees, getting in the pen with cattle, going down to the beach and drowning or anything else, so equipment is definitely something that children like to get around to play with but the property will be fenced and posted. Areas 1 and 2 are presently fenced. Are there any questions?

Questioning of Mr. Cran followed:

YAMABE: Mr. Cran, Areas 1 and 2, is that cattle fence or....

CRAN: Yes, cattle fence. That's all we would be putting up. Generally, five strand barbed wire.

YAMABE: Will you have barbed wire with fencing in between?

CRAN: The makai side of the road presently we do have old boards from way back. We have truly not maintained that fence or repaired it in anticipation of getting this permit. It has a board on the top with barbed wire below it and in many places the boards are now dropping off and we would have to rebuild them. However, I would hate to do it if we're going to have equipment in the area.

MARUTANI: Mr. Chairman, we have one more testimony. I would like to call Mr. William Hong who is a private consulting traffic engineer.

WILLIAM HONG:

Mr. Chairman and members of the Commission, my name is William Hong and I am a private consulting engineer. I was asked by Warren Corporation to make a traffic study on truck operation and heavy truck movements on a portion of Kaukonahua Road from Thompson Corner to its junction with Wilikina Drive. I have a map here, could you post it up. (Posts map on board.) I also have some data here that I'll pass around to the Commission. This is not a report of any kind. It's just some traffic data that I picked up that I plotted. It might help you to follow my discussion.

Warren Corporation also asked me to assess the effect that his truck runs will have on the existing traffic that now exists on Kaukonahua Road. Understand that Kaukonahua Road is an uphill road from Thompson Corner to Wilikina Drive.

(While pointing on the map) This is Thompson Corner which is at the junction of Farrington Highway and Kaukonahua Road to Waialua and this is also named Kaukonahua Road, and this is the intersection of Wilikina Drive and Kaukonahua Road. The uphill portion of Kaukonahua Road is from Thompson Corner to Wilikina Drive. This area makai of Thompson Corner is on a flat and Waialua Plantation is just about in this yellow area here. We inventoried the existing road condition, the length of Kaukonahua Road is approximately 41/2 miles uphill. The pavement is 20 feet wide, consists of two moving lanes, one mauka bound and one makai bound. The road grade varies from 4 to 7 percent approximately. This area at Wilikina Drive is fairly flat. The hill begins at this point here at 4 percent then drop to 7 percent. This is the steepest part of Kaukonahua Road, down to 6 then back to flat again at Thompson Corner. So this is really the critical area of Kaukonahua Road at 7 percent grade and a little bit at 6 percent grade.

Shoulder conditions. The shoulders on each side of the road are lined with trees and its usefulness is very limited as far as being used by large vehicles are concerned.

Pavement markings. The roads are very well marked, as I can see, and it has many no passing zones as you go up Thompson Corner. There's one here and pretty near all along the curves of Kaukonahua Road and the speed limit is 35 miles per hour up to this point and 25 miles an hour on the flat at Schofield.

My first impression, when I first went out to get the data was that, there was a feeling of emptiness on Kaukonahua Road. Traffic there was very, very light. The streets, most of the time there was nothing really on the street.

I have given you some of the counts that we took. These are 15 minutes counts that we have taken from a station that we established at the University of Hawaii Experiment Station.

In figure three, this graph here, we have plotted these traffic movements by the hour and this chart shows you the hourly variation of traffic on Kaukonahua Road. In the morning, it's going mauka bound, the traffic is high there. The offpeak hour gets lower, and in the afternoon, the makai bound traffic gets high, at just about 4 o'clock. The peak hour that we have determined from these 15 minute counts, the a.m. peak is from 6:45 to 7:45, the heavy movement being mauka bound. The p.m. peak ran from 1600 to 1700, that's 4 o'clock to 5 o'clock in the afternoon. So your offpeak hour ranges from 7:45 in the morning to 4 o'clock in the afternoon.

We were interested in trucks. I have tabulated some figures on trucks as they relate to the total traffic on Kaukonahua Road.

During the 12 hour period that we made some counts, the percent truck as against the total traffic was approximately 3 percent. During the offpeak hours, the percent trucks as against the total traffic was 5 percent. To give you an idea of these values, meaning 5 percent for example, is a very light and very insignificant amount of trucks on the highway. It doesn't affect your highway capacity very much. When you get up to about 10 percent then it sort of becomes a normal percentage of trucks to have on the road. I think we should get concerned when the truck value rises up to 15 or 20 percent of the total traffic.

We also made some speed runs. Up Kaukonahua Road, we found that, although the speed limit was 35 miles per hour, the light vehicles were traveling at about 45 miles per hour.

Accident records. We checked into the accident records for Kaukonahua Road and had the opportunity to inspect 81 accidents. In 1970, there were 20 accidents; in 1971, 31 accidents; and in 1972, 31 accidents. Most of these accidents took place during the early morning hours or late afternoon. Most of these accidents were hitting a fixed object type or running off the highway type. There were no accidents involving semi-combination trucks or single-unit trucks or buses, and there were no accidents that came as a result of a vehicle attempting to pass a semi-combination truck, a single-unit truck, or a bus, so I think from the safety standpoint, the safety record of the trucks is excellent.

Utilizing the data that I have just given you, we will measure the effects of Warren Corporation's additional truck runs on Kaukonahua Road in two ways. First, we will measure it in terms of ratio of truck movements to the total movements and secondly, comparison of overall speeds right through the critical section, the 7 percent grade or the steepest portion. It is at this grade where the speed of your truck is about 17 miles per hour. I might point out something that I forgot. As these truck combinations move up the hill, they could start at about 40 miles per hour but as they go up the hill, their speed would be somewhere about 25 miles per hour. Now, right at this critical section where the grade is the steepest, the trucks, called semi-combination trucks, are operating at about 17 miles per hour. As you get further up the hill, the speeds are increased, but very gradually until you hit at this point, for example, this would be about 25 miles per hour, then it would go up to 30, then as soon as you reach the flat portion near Wilikina Drive, these trucks are able to pick up speed up to 40 to 45 miles per hour. So, what we did, we made a comparison of overall travel speeds that exist right now at the critical section of Kaukonahua Road and tried to compare it with the additional trucks that the Warren Corporation would be adding to the traffic stream.

Percentage-wise, under the existing condition you have a 5 percent truck traffic there. Now, if Warren Corporation did add, say 7 percent, were to add 20 trucks to their run per day, the percent truck would increase to 7 percent. If 35 trucks were added to the traffic stream, then you would have an 8 percent truck traffic.

If 50 trucks were added to the traffic stream, then the percent truck would be about 9 percent. Now, because of the very small increase in percent trucks, your additional trucks should not cause any problem.

Another thing is that the percent truck is directly related to capacity. In other words, if you add 5 percent trucks, for example, you take away from your capacity, 5 percent capacity. You add 1 percent capacity, you take away 1 percent capacity. There is a direct relation to operating levels of the road.

Now, in comparing the overall speeds of Kaukonahua Road through the critical section, I came out with figures where the existing overall traffic speed is 26 miles per hour, and if the Warren Corporation were to add 20 trucks, the overall speed would be reduced to 25 miles per hour, and if 35 truck movements were added, the overall speed would be reduced to 24 miles per hour, and if 50 movements were added, it would be reduced to 23 miles per hour. Now, these reductions of 1 mile per hour or, let's say, 20 trucks added is an insignificant reduction in overall speed.

Because of these percentages, the small reduction in percentage of trucks and also the slight decrease in overall traffic speed, I have concluded that the additional trucks that Warren Corporation wants to put on Kaukonahua Road would have very small effect upon the present traffic conditions. This ends my presentation.

YAMABE: Would you consider this to be an average, vehicles and movements for the year? For example, I don't know whether there might be plantation trucks or construction trucks or whatever it might be, there might possibly be a fluctuation in the number of trucks based on the operation, like harvest time or....

HONG: During harvest time, there will be an increase in truck movements there but I think this is for a limited period of time throughout the year.

YAMABE: Do you have the statistics?

HONG: No, I don't. This was picked up last Friday, for instance, so this is not the harvesting time in Waialua.

YAMABE: I just wanted to know whether you considered this in the overall.

HONG: This situation would occur for the majority of the time during the year.

MARUTANI: I have no further testimony. I would now like to summarize. With respect to the report of the staff of the Planning Department, I would just like to state that we have gone over the list of recommendations that the staff has come up with, consisting of 17 different recommendations. We do concur with 16 of them except for the first one, which is, that Areas 1 and 2 only shall be mined and that Areas 3 and 4 be left alone.

As I had earlier indicated, Areas 1 and 2 would have approximately 750,000 cubic yards of sand. The amount of use or consumption of sand on an average annual basis, of course, would depend on demand, but we anticipate anywhere from 130,000 cubic yards to 200,000 cubic yards a year. Based on that figure, in approximately 4 to 6 years, Areas 1 and 2 would be completely exhausted. Area 3 is approximately 611,000 cubic yards. Area 3 at the same rate of 130,000 to 200,000 cubic yards per year, that would give approximately three years to an additional five years possibly, or four and a half years, so in fact, the recommendation of the Planning Department will be for Areas 1 and 2 would mean that in approximately 4 to 6 years, the operation would be completed.

Warren Corporation intends to expend a considerable sum of money for equipment that is needed for the sand mining operation. The initial capital outlay will come to approximately $150,000 in various equipment and in various starting out cost that Warren Corporation is projecting to expend.

In the light of the lack of sand, natural sand that is expected to occur in the not to distant future, and in the light of the needs of the concrete industry for more sand which has a very direct effect on the cost of housing, and in the light of the total amount of capital expenditure that Warren Corporation intends to spend, we would like to ask the Commission to give consideration to allow and permit Area 3 as well as Areas 1 and 2. We have no objection to Area 4 being completely eliminated at this time. Other than that one recommendation, we concur with the rest of the 16 recommendations presented by the staff.

With respect to the litigation that has been alluded to both at the last hearing and at today's hearing, I would just like to state for the record that the allegation has been denied by the Warren Corporation, but inasmuch as this matter is still in litigation, I don't think that it would be fair to comment before the Planning Commission of all the testimony presented at subsequent hearings before the court.

There has also been some testimony last week that the operation of Warren Corporation in the Haleiwa area had left a big hole in the ground. We have had an opportunity to take some pictures of that so-called hole today and we would like to present these pictures to the Commission for their perusal to see whether or not there actually is a hole. You will note that it is covered up with vegetation. (Submitted two photographs.)

With respect to the need for sand itself, Dr. Uehara testified that the available areas of sand in Oahu are very limited. The source of sand might be there but the economics and the legal problems of extracting sand which is populated and in all different use is a real problem and is not a feasible solution. Sand mining from the ocean, Dr. Uehara testified as to the environmental and harmful effects and presently there is no legislation to authorize sand mining from the ocean so, at this time, this is not an alternative solution. With respect to sand, source of supply of sand from Molokai, Act 136, Session Laws of 1970 would prohibit sand removal from the shoreline setback area starting July 1, 1975, and thereafter, and this is approximately two years from now, so what alternatives do we have? We do have manufactured sand that is available right now. But I understand that manufactured sand does not meet the demands presently

of the concrete industry, and that the total consumption of sand right now is that substantially most of it is coming from natural sand and less than majority is coming from manufactured sand.

As far as the detrimental effects on the environment, the testimony has evolved around noise, dust, and traffic problems. I believe the objections can be more or less categorized in these three areas.

As far as the noise problem is concerned, I believe that Mr. Hertlein testified at the last hearing that the noise regulations of the State of Hawaii promulgated by the Department of Health and the CZC regulations promulgated by the City are probably two of the very strictest type of regulations throughout the nation. We submit that as long as Warren Corporation complies with the requirements of the law regarding noise, this is as much as can be expected under the present circumstances of the applicant's operation. The remedies for violation of the law are present, and as Mr. Hertlein testified, there have been 29 citations issued ever since enforcement has been made.

With respect to the dust problem, Mr. Hertlein testified that there is no real danger as far as fugitive dust from the sand is concerned. Sand is a heavy particle. I believe he testified at the last hearing that a 105 feet setback should be very adequate in terms of creating any problems to the surrounding neighborhood. As far as fugitive dust from the soil is concerned, Mr. Hertlein testified that there is approximately 150 feet setback should be sufficient to prevent any fugitive dust from the soil operations from going to the surrounding areas. Mr. Hertlein also mentioned the fact that we do have very strict requirements, under the Air Sanitation branch, which would requlate any type of fugitive dust and the enforcement remedies are available.

With respect to the traffic problem, Mr. Hong testified that the amount of trucks that would go out to the road would not be an appreciable number. Twenty truckloads would give approximately 2 percent increase over the existing truckloads presently on the basis of studies last Friday.

In summary, I believe that we do have a very strong need for sand to meet the demands of the construction industry, the public beaches, the golf courses, and various other uses. We are all aware of the rising cost of housing and the rising cost of construction. Many elements go into what constitutes cost. At least we know that one element is cement and the element in concrete is sand. We feel that by contributing sand to the concrete industry that we will be providing a very important public service to the State by meeting the demands of the concrete industry and the building industry.

In summary, I would like to state that Warren Corporation intends to take all precautions in complying with the law, intends to take all precautions to minimize whatever environmental effects that might possibly result from this operation, and that we will take additional precautions, such as monitoring the sound, such as putting mufflers on the cars, this type of action over and above whatever requirements that the Planning Commission imposes. Thank you very much.

SULLAM: I have a question. Since you are aware of how scarce the source of sand is becoming, would you object to a provision being placed in the ordinance whereby sand from this quarry could be used only for low cost housing, that it could be sold only to those contractors who are building low cost housing?

MARUTANI: I believe this is going to be a very difficult matter of enforcement. I don't know whether contractors buy material on the basis of what type of housing. For example, the contractor will sub-contract to another sub-contractor to buy concrete ready mix, for example, and the ready mix would purchase the sand from an outfit like Warren Corporation so that the contractor himself would call for ready mix, and it's pretty difficult to segregate the sand that is obtained from this particular source and sand from any other source when the manufacturer of the sand, who mixes all the sand together, sells it as a ready mix to a contractor. I think it's a matter of, it's a practical problem of enforcement, how you are going to enforce this kind of condition.

SULLAM: Well, if it could be enforced, would you object? I mean, I don't know the details but it might be worth looking into.

MARUTANI: I would say that if you limit us to a percentage we might go along, but to say all of it; for example, Warren Corporation intends to bid on the Natatorium job that is coming up--the widening of the beach in the San Souci area. This is a real public need for sand and whether we would be the successful contractor or the sub-contractor is problematical but still then, we would like to be in a position to bid on this job, and we intend to use the sand that we obtain here for this particular purpose, so to say that all of this should be limited to low cost housing, I would say, that we wouldn't be willing to go along; however, if some workable solution can be made, we would be willing to sit down and discuss the percentage of it.

2. ROBERT R. ROBINSON, President of Pacific Concrete and Rock Co., Ltd.

I'm here to testify for the operation, although in testifying for it I may be cutting my own throat because we compete with this kind of operation with our own manufactured sand. But, I feel strongly because of Hawaii's lack of natural resources--no metal, no minerals, only really rock and sand as the natural resources so that the resources should be conserved and should be utilized for mankind purposes, and when a resource is covered over with housing or where a housing or other human use get too close to the resource so it can no longer be extracted, then we've lost something, we've wasted something of that resource and we shouldn't do that. We've done that all too much already, especially on Oahu.

There's been comments with respect to various sources today and I listened to a lot of testimony because I've gone through so much of this in trying to reach a salvation for our own company in how to cope with the current problem, so I'll like to make a few comments. I know it's a late hour and I don't mean to take any longer than necessary so I'll make my comments as brief as I can and if there are any questions, I'll be happy to answer them.

We explored the possibility of sea resource or mining from the sea, dredging operation before we went into sand manufacturing about three years ago and we found that in spite of the work done by the University, to a large extent, that most of, they inventoried quantity but they didn't inventory quality properly. The particle sizes weren't properly inventoried. What we call sand equivalent, in the industry, was not checked upon. That means the amount of sand as compared with silt and other deleterious material. The organism impurities weren't properly studied, but most of all, the absorptive qualities of sand weren't studied. When sand have an absorptive quality of about over 5 percent, it becomes very expensive to use in concrete, almost useless you might say. We call it dead sand. Most of the sources that we found in the ocean site were what we call dead sand--the Kaneohe Bay site is an exception but, I think, environmentally, we have problems in trying to mine in that area. There is quite a resource there though.

There was testimony given that it is illegal to mine from the sea and of course this is not quite correct. There is an ordinance against taking from the ocean, around Oahu, but I don't think that covers, necessarily, the neighbor islands. Now, I know the recent legislation where they are saying, nothing off the beaches. Now, I don't think that goes out into the ocean, however. There has been mining done off the Big Island and a modest amount off Molokai.

With respect to the need for sand, I think 500,000 tons is a reasonable estimate. I don't think that the past years, the last year it was quite that, but I think it was something like 350,000, 400,000, but 500,000 is a reasonable amount to talk towards. Our own company is the largest manufacturer of sand. We manufacture by 150,000 tons a year. We think we have a source that is good for 15 years. This would be of sand and other products that we are taking out of our Waimanalo source and processing, not of sand but other types of aggregates. With respect to increased capacity, we can double that capacity without any particular problem. I think H.C. & D., who is the biggest user of sand, the biggest supplier of sand, we use just as much as they do, but they supply us as well, we suppy them some, but they are the biggest producer. It looks to me as though they are going toward manufactured sand rather than using the natural beach sand in the future Manufacturing is possible out of blue rock. It present some problem in the blue rock area but, in essense, we are doing that now. I don't want to get into any technical detail here unless you really want it, but, the sand we use in concrete here really, even in the blue rock area is a combination of beach sand and blue rock. You can manufacture the beach sand element if you want to go to the trouble of doing it. We find that it's easier out of limestone, but there's no doubt that natural beach sand is the cheapest and easiest source if it's immediately available, and by available, I mean the distance is not too far from the market place and if the quality is the kind of quality. Distance from the market place is a very significant thing and we've looked at sand and, in fact, we take sand from out beyond this deposit here, from mainland source, and that is cheaper than what we are doing now, but nevertheless, it's quite a long ways.

I'm pretty sure that the sand they are talking about there will have to be processed, will have to be washed, I think, to make it suitable. I did not hear prior testimony and I'm really not that familiar with this operation, but I'm somewhat familiar with sand. I would say it will take some processing so I'm not really sure of the economics, but really, you're talking economics in this whole area. You can manufacture or substitute what we find, for our purposes, than the real thing. However, there are certain things it won't do as well as natural sand. For instance, masons like the natural sand better in mortar. For beach restoration, I think, natural sand is superior to man-made sand. Certainly superior to black sand. That wouldn't be acceptable for beach restoration. The particle shape of a natural sand is better--it's rounded and polished. The way we overcome its good characteristics is by better gradation and gradation is very important in sand and I would guess that there's lot you find in the sand here.

Enough on the technicalities of things. As far as creating a cheaper source for the industry, I don't think it will really. I rather doubt that there would be a cheaper source than what we're doing now. I don't think that we, as a company, would meet it in concrete and we provide about 40 percent of all the concrete on Oahu. However, I'm not trying to condemn this operation by saying praise. It is desirable to conserve this product. Our sources are limited in time. Whatever resources we can conserve now should be conserved. The amount of resource planning that has been done on Oahu you could measure and assemble. The City has not done it and the State has not done it. There has not been decent resource planning, and when they say that this may be the only inland source of natural sand, maybe they're right. It could very well be right. If this is the case, and I'm inclined to think it probably is, it ought to be conserved even if it isn't needed in the next 10 or 15 years, if it could possibly be conserved, it should be conserved and used, for beach restoration certainly, and for golf courses, natural sand is much better than black sand would be and I think better than man-made sand, and for masonry as well.

As to the consumption figure that Warren is talking about, I think they're quite questionable in terms of volume, but if he can produce the material cheaper than we can make it, I'll buy it. So, it's a matter of economics and the market place. This is a competitive type of thing. I don't want to dwell any more on this. I have a lot of other comments I could make but an awful lot has already been made and so I'd rather, if there's any questions, I'll be happy to answer them.

Questioning of Mr. Robinson followed:

CREIGHTON: You have clarified a lot of points in my mind. I certainly agree with your comment that we haven't planned for conservation and for use of resources, but I am confused by your use of the word "concur". I don't see that mining and using this resource is conserving them.

ROBINSON: Well, if you go to the definition in the dictionary what conserve means, conserve for the use of man, I think, it becomes pretty clear. It doen't mean just put away and not used. Conserve, as far as use. We are not protecting it for infinitive.

CREIGHTON: Do I understand, from your discussion on the economics of this, your manufactured sand is now in a competitive situation, price-wise, with the mined sand? Are they relatively the same cost to the other?

ROBINSON: We had to make a choice--I've mined hundreds of thousand tons of sand in Oahu actually, and we had to make a choice between this and other alternatives, and we made this choice, so I would say yes, it is competitive.

CREIGHTON: Would you agree with the statement made today that this particular area from Mokuleia to Kaena is almost the only spot left in Oahu for mining of natural sand?

ROBINSON: It's possibly, yes. I couldn't swear to it. In Kahuku there are large amounts of sand there. I think under the golf course out there there is a large quantity which would require probably some kind of a land trade or possibly incremental mining, but there is really vast quantities out in that area, I think, and probably recoverable, I think, they're fairly fine. Again, it's a matter of economics. I don't think it's the only source but I don't think it's really--we don't have an unlimited source. We do need to conserve for the use of man, the sand that we do have and, irrespective of whether it is the only source, it should be.

CREIGHTON: Apparently, you would agree that within a very brief period of time this resource will be utilized.

ROBINSON: Yes, I think speaking of it, yes, brief time.

CREIGHTON: Well, the figures that were given to us would indicate that if the use is, total use is 500,000 yards a year and this area can produce a million and three, that's about a 2-1/2 years' supply.

ROBINSON: Most of the sand is used, the 500,000 is used in concrete. We have successfully found a way not to use any. We haven't been on any of our beach sand for almost three years, but, be that it may, this is a good and maybe preferred source to a manufactured source.

SULLAM: You were talking about conserving for the use of man since there is a limited supply of this resource. You think we should start thinking in terms of allocating the uses of this sand to specific areas, that is....

ROBINSON: Such as beach restoration or something like that?

SULLAM: Yes, where manufactured sand could not be used or for purposes that are very necessary for society?

ROBINSON: It's worth consideration. I'm not prepared to comment on whether it should or shouldn't be done. I don't see it as a real....

SULLAM: Threat at the moment?

ROBINSON: A real terrible threat, but it's worth some consideration.

YAMABE: What is the capacity or capability of an operation such as yours to manufacture sand?

ROBINSON: We are producing about 150,000 tons a year.

YAMABE: What is that in cubic yard?

ROBINSON: You can figure 1.1 ton per cubic yard so it's almost comparable.

YAMABE: So it's 150,000 cubic yards?

ROBINSON: Yes. It's a little less. Maybe a 130,000 or something like that.

YAMABE: Can you increase that production?

ROBINSON: I can double that if there is a market. I'm meeting my own needs and something over that, and H.C. & D., has a very good product coming in from Molokai at the moment. When that is exhausted, I can increase my capacity substantially for concrete use. As I said, it's not a preferred thing on the beaches or golf courses but, a natural sand is a fine sand.

YAMABE: What is the reason for the industry not demanding more of this manufactured sand and preferring the natural sand, understanding your earlier statement made as far as economics, that it was comparable?

ROBINSON: Well, partially, somewhat prejudiced in certain areas for a product that has been used, recognized, and so forth. In the case of mortar sand, the natural sand doesn't dry quite as rapidly and this seems to be desirable in the use of troweling and mortaring for a block lane. On the other hand, for plastering such as to a concrete gun, I think our manufactured sand--to a plastering gun, our manufactured sand, I think is superior. It's somewhat a trade practice that's kept the thing going. Of course, our capacity to produce, we produce for our own use. H. C. & D., has a tremendous investment in Lono (?) Harbor and is going obviously to use their source as long as they have it. They've supplied Lone Star through the years. We are supplying somewhat and I think we could supply their need if it were required. I'm saying, this isn't the only source but a good source of natural sand.

YAMABE: I don't know enough about manufacturing of sand but would you be facing the same problem these people have in extracting natural sand in the future if manufacturing would be using some natural resources, extracting of....

ROBINSON: Yes. Our resources of limestone in Waimanalo are not unlimited. We figure maybe about 15 years left, then we will be going out scrounging too. Then we could go to blue rock manufacturing route

we could go to more distant sources, and there are other sources on this island for manufacture, but then you are adding substantial cost and apparently would not be competitive.

YAMABE: So there is the possibility, you may be running out of....

ROBINSON: Oh, yes, we will. It's not unlimited. I'm not saying 15 years then we'll be scrounging around too. So when I say resource planning, that's what I mean. It's planning out.

YAMABE: That would be blue rock? What is the base you used in your manufactured thing?

ROBINSON: We use limestone; however, blue rock can be used and technically, we are manufacturing some of it now out of blue rock. I really didn't want to get into the details of it. We could go a hundred percent blue rock if we had to. We find we like the limestone better. H. C. & D., seems to be producing 100 percent blue rock aspect of that thing so they must feel that it's more economical than going the natural route.

YAMABE: What other resources can you use to manufacture sand? Is blue rock and limestone the only....

ROBINSON: They are the only kinds of rock we have in the island. We have no choice.

CONNELL: Mr. Robinson, you mentioned the fact that the State and the County have not entered into resource planning. Has the industry entered into resource planning?

ROBINSON: By necessity we've done our own planning, yes.

CONNELL: As an individual company?

ROBINSON: Yes.

CONNELL: As a total industry?

ROBINSON: No. Really not. We are competiting with one another.

CONNELL: Also, it appears from what you are saying that you are also jointly competing for survival?

ROBINSON: I guess that's true.

CONNELL: So, at least it would seem, as a layman, that it would almost behoove your industry, perhaps, to work along with the County and the State in resource planning?

ROBINSON: That is a good thought.

CONNELL: Any further questions? Thank you, Mr. Robinson. Does anyone else wish to testify for this application?

(Someone from the audience, submitted two photographs of the subject site.)

The Commission took this matter under advisement upon the motion by Mr. Yamabe, seconded by Mrs. Sullam, and carried.

AYES: Yamabe, Sullam, Creighton, Kahawaiolaa, Connell;
NAYS: None;
ABSENT: Bright, Crane.

The Commission considered this matter later and noted four possible courses of action it could take: 1) Accept the Director's original report; 2) Modify that report and add additional conditions; 3) Deny the application; or 4) Follow the recommendation of the Director and keep the public hearing open. It further noted the statutory waiting period of 15 days after closing of the public hearing before it could take action.

Mr. Moriguchi explained that the Department's recommendation was in order to provide the Commission with the additional information received just this morning from the three State departments and not necessarily to receive further testimony from the general public. In view of the waiting period of 15 days, the Commission could close the public hearing and in the meantime, the staff would evaluate the comments received this morning and report back to the Commission.

MOTION: Mr. Creighton moved to close the public hearing and to hold the matter under advisement until sometime during the lapse of the 15-day period. The motion was seconded by Mr. Kahawaiolaa.

Mr. Creighton expressed his desire to receive all additional information received, particularly the statements received from the three State departments.

A discussion ensued whether the closing of the public hearing would preclude the Commission from receiving additional comments from the general public or for the applicant and the opponents from being apprised of any additional information received by the Commission.

Mr. Moriguchi stated that any information received is considered public record so that it would be available to whomever asks to see it. The staff will make Xerox copies of the letters received today and send them to the Commission. The three letters are from the Environmental Center of the University of Hawaii, the State Department of Transportation, and the State Department of Land and Natural Resources. The Department has also asked the Department of Social Services and Housing to clarify some of the comments made earlier and upon receipt of a reply would be reporting back to the Commission.

If it finds it necessary, the Commission stated that it could reopen the public hearing to receive additional testimony. The 15-day waiting period is the minimum, and it has sufficient time thereafter for deliberation before taking action.

ACTION: A vote was taken and the motion carried.

AYES: Creighton, Kahawaiolaa, Sullam, Yamabe, Connell;
NAYS: None;
ABSENT: Bright, Crane.

STATE SPECIAL USE PERMIT/CONDITIONAL USE PERMIT KAHUKU KAHUKU HOSPITAL ASSOCIATION EXPANSION OF HOSPITAL USE (FILE #72/CUP-20)

A public hearing was held and closed on January 3, 1973, to consider an application for a State Special Use Permit and a Conditional Use Permit to expand and add to the existing Kahuku General Hospital in Kahuku. Action had been deferred pending a statutory wait of 15 days after the close of the public hearing.

ACTION: Mr. Yamabe's motion to concur with the recommendation of the Planning Director and to recommend approval of the application was seconded by Mr. Creighton and carried.

AYES: Yamabe, Creighton, Kahawaiolaa, Sullam, Connell;
NAYS: None;
ABSENT: Bright, Crane.

MISC. CHINATOWN GENERAL NEIGHBORHOOD RENEWAL PLAN AND PAUAHI URBAN RENEWAL PROJECT HONOLULU REDEVELOPMENT AGENCY

Presented to the Commission for its information was the proposed Chinatown General Neighborhood Renewal Plan and the first project the Pauahi Urban Renewal Plan.

Mr. Moriguchi stated that the Planning Director has reviewed the plan and is recommending approval subject to the review of the necessary amendments to the General Plan and the Development Plan. The plan will now be transmitted to the City Council for a formal public hearing and action. Planning Commission action is not required; however, by being apprised of what is being proposed, the Commission may desire to convey its comments or recommendations to the City Council.

Mr. Willard Lee, Executive Assistant for the Honolulu Redevelopment Agency, presented the proposed Chinatown General Neighborhood Renewal Plan and the first increment of development which is the Pauahi Project. The total project area is bounded by Beretania Street, Nuuanu Avenue, Nimitz Highway, and River Street containing a total area of 36 acres. The General Plan changes for which they have submitted justifications to the Planning Department would be the parking facilities plus a proposed mall on Pauahi Street and a service alley because of the mall within the Pauahi Project.

Mr. Moriguchi confirmed the receipt of the application from the Agency. The Department is presently evaluating the changes to determine whether or not an amendment to the General Plan and the Development Plan is necessary.

The Commission received the report and had no comments or recommendations to offer. The Commissioners stated that they required a more detailed

review of the proposal before they could intelligently comment on it. They stated further that they would have an opportunity to comment on it at the time of the General Plan and Development Plan amendment review.

√MISC. WORKSHOP SESSION GENERAL PLAN REVISION PROGRAM — The Commission was informed of a workshop session to be held on Thursday, February 8, 1973, starting at 1:30 p.m., in the Ala Moana Hotel Carnation Room to discuss the General Plan Revision Program with members of the Planning Department staff and other organizations invited to participate.

ADJOURNMENT: The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Carole A. Kamishima

Carole A. Kamishima
Secretary-Reporter

File Copy

Meeting of the Planning Commission
Minutes
January 31, 1973

The Planning Commission held a meeting on Wednesday, January 31, 1973 at 2:07 p.m., in the Conference Room of the City Hall Annex. Chairman Rev. Eugene B. Connell presided.

PRESENT: Rev. Eugene B. Connell, Chairman
Roy R. Bright
Thomas H. Creighton
Antone D. Kahawaiolaa
Fredda Sullam

STAFF PRESENT: Robert R. Way, Planning Director
John Grant, Deputy Corporation Counsel
Henry Eng, Staff Planner
Ian McDougall, Staff Planner
Charles Prentiss, Staff Planner

ABSENT: James D. Crane
Thomas N. Yamabe II
Paul Devens, ex-officio

Public hearings for the following related matters were held simultaneously. Publication was made January 21, 1973 in the Sunday Star-Bulletin/Advertiser. Comments from letters received in opposition to the proposal are included in Testimony AGAINST the request.

1. ✓ KANEOHE--General Plan Amendment (240/C1/25)

Applicant: HKH Ventures
Ownership: Harold K. L. Castle Foundation and Henry H. Wong
Location: Kaneohe, Oahu
Tax Map Key: 4-5-34: 1, 6, 12
Area: Approximately 11.61 acres
City and County Zoning: R-3 and R-4 Residential District
Detailed Land Use Map Designation: Park and Cemetery Use
State Land Use Designation: Urban
Existing Use: Vacant

Request: Applicant requests that lands designated for Park and Cemetery use on the Kaneohe-Kualoa Detailed Land Use Map be redesignated to Residential use and that the Koa Kahiko Street extension be deleted.

Mr. Ian McDougall of the staff presented the Director's report concerning the request for a General Plan/DLUM amendment. It is the applicant's intent to develop 51.4 acres for housing. The project will consist of 311 units and will house approximately 1,088 persons. The units are expected to be priced between $48,000 and $56,000. The justification for this amendment is the need for housing. At the same time, however, the fact is that at this

point in time, there is no immediate overall solution to this problem. Therefore, some weight must be given to the additional units being proposed in this location even if they will not directly add to the inventory of moderately priced housing. Additional factors to be considered are:

(a) There is no reasonable evidence that the designated use of this land is no longer warranted.

(b) The existing residential character of the abutting area, topography, location and access lead to a conclusion that residential use is the most appropriate alternative use of this land.

(c) The housing problem is of such a magnitude that some consideration must be given to the construction of new units.

In addition, there is evidence that the planned Koa Kahiko Street extension to Mokulele Street is not essential to meet the traffic needs of the area.

The Director recommends that the requested amendment be approved. Further, that approximately 4.4 acres presently designated for Park use be changed to School, thereby recognizing its actual use.

2. ✓ KANEOHE--Planned Development-Housing (72/PDH-7)

Applicant: HKH Ventures
Property Owners: Harold K. L. Castle Foundation and Kaneohe Ranch
Location: Near Hawaiian Memorial Cemetery--Kaneohe
Tax Map Key: 4-5-34: 1, 6, and 12
Area: 51 acres (approximately)
Present Zoning: R-3 and R-4 Residential District
Proposal: 311 dwelling units

Request: Designation of Planned Development-Housing District.

Mr. Henry Eng reviewed the Director's report of the project. In summary, the site plan is acceptable. It provides for the preservation, in its natural state, of a substantial area of the site by the clustering of units. The unit design is readily adaptable to many slope conditions and will reduce the required grading which is proposed only for road areas, service drives, and parking. The units are appropriately scaled near schools, commercial facilities, and major highways.

Approval is recommended subject to conditions contained in the report.

No questions were raised by the Commission on either report.

Public testimony followed.

TESTIMONY AGAINST

1. Mrs. Joan B. Yim, Resident of Pikoiloa, Kaneohe (Submitted testimony dated January 31, 1973)

YIM: I would like to speak regarding the proposed policy change from Park and Cemetery to Residential Use for the land in question. Mr. Way in his memorandum to the Planning Commission dated January 17, 1973, stated: "The applicant responds to the first issue by attempting to substantiate the need for the type of housing units being offered in Kaneohe and indicating that (a) there is an over-abundance of cemetery land in the area; (b) that the topography makes cemetery and park development impossible; and (c) that alternate park sites serve this area."

The slope of the subject designated park are 25-30%. This may not be feasible as a graded play area site, but it is presently a beautiful green belt, wooded area, bordering the school and playground. In effect it is a "natural park"--an eye-pleasing reminder of the once rural character of Kaneohe. Perhaps this is what was in mind when the area was set aside as park land under Ordinance No. 2473 adopted July 29, 1964, for the slope was as evident then as it is now.

The slope adjacent to Kaneohe Elementary School Playground is not as great and there is a possibility of expanding the playground area in this direction. At present, the Kaneohe Elementary School Playground area is a little over 3 acres, whereas the minimum standard for a neighborhood park is 4 acres.

In order for land to be used as a park does not necessarily mean active recreation. There is such a thing as passive recreation, nature trails, animal preserves, etc. Now, too, is the time to move for acquisition as it is still unimproved residential.

As to point (c), the major alternate park site is Kaluapuhi Neighborhood Park (Souza Dairy). It is intended to serve the 5,100 residents within the area bounded by Kaneohe Bay Drive, Kokokahi, Namoku Street, and Kamehameha Highway. The proposed Planned Development Housing is within this service area. Thus the 5.8 acre site will be servicing 6,888 residents. I would like to quote from page four of the above cited memorandum: "This population would exceed the General Plan Standard of one acre per 1,000 population for neighborhood parks."

Nowhere in the report can I find reference to the fact that there is no park area available for the residents on the mauka side of Kamehameha Highway from Likelike to the Pali Golf Course. Are they not also included in this service area?

The report goes on: "However, the Department of Recreation indicates Kaluapuhi Neighborhood Park, Kaneohe Elementary School

Playground, Castle High School basketball courts coupled with the proposed PDH recreation facilities will provide the needed recreational facilities for the residents in the neighborhood."

First, the Kaneohe Elementary School Playground. As was already pointed out, it is under minimum size and is used also by the large and growing population in the Halekou/Mahinui area. These people don't like their children playing in the cemetery (nor do the cemetery people), and so they encourage their children to use the overpass across Kam Highway to the school playground.

In addition, there are no comfort stations and very little maintenance. The City owns the land, but the upkeep is left to the DOE which looks upon this as a low priority item. Therefore, it is mostly the Little League parents who clear away brush and attempt to keep the ball fields in good condition.

Secondly, the Castle High School basketball courts are accessible to us only by way of Mokulele and Kaneohe Bay Dirve. There is heavy use of these courts by organized groups and students. In addition, the area has three tennis courts (blacktop) areas and at present are the only public courts in Kaneohe. It will be some time before we get the 10 courts promised at Kaneohe Regional Park (a good driving distance from our subdivision, by the way).

And finally, the PDH recreational facilities will be completely private and not open to the residents of Pikoiloa, including open space area.

In regard to the Planning Director's recommendation that "...approximately 4.4 acres presently designated for Park use be changed to School, thereby, recognizing its actual use", I would like to ask why the lower slope of this area which is already a grassy area, cannot be used for picnic tables or just as a general open area. I don't believe the school would be able to build anything down there.

In conclusion, Pikoiloa was built by many different developers--each promising park land. The older homes are over 20 years old and the last major subdivision is 8 years old. Why should we delete park land or any open space in an already fully developed subdivision when the future impact as to such action has not been sufficiently researched?

I have a few questions regarding the PDH and its recreational impact. On page 6 of the Director's report is a letter dated August 4, 1972 from the Department of Parks and Recreation. The note under (c)2 states that there is a proposed park site at Castle High School, "In the event the Department of Education converts this high school facility for intermediate use, we will request that the athletic field be opened for community use." They have it in there as supporting evidence for the reason they don't need this park land. At the December meeting of the Kaneohe Community Council, Mr. Waters, the new District Superintendent, stated that Castle will remain a high school and that a new intermediate school will

be built, at which time he went on to discuss the various sites. In addition, when the park area was designated as such on the DLUM, the PDH concept was probably not thought of, or at best, not well known in Hawaii. They were thinking in terms of park land for a subdivision. In the cited report, it is pointed out that the PDH represents an increase of density of 80% over conventional subdivision, 35% over cluster provision.

Finally, the Director states that these changes appear to be in the general public interest, and we the residents, would like to question that.

2. Mr. Lionel Low, Resident of Pikoiloa, 45-409 Nakuluai Street (Submitted testimony, undated)

LOW: In early November 1964 when the homes at 45-409, 45-413, 45-417 and 45-421 Nakuluai Street were under construction, a large landslide occurred causing extensive damage to the hillside and necessitating reconstruction of several houses. In addition, the developer found it necessary to regrade the slope at his cost (at a cost of about $46,000.00 for the 45-417 site). The City Inspector was involved at that time. Thompson had to remove all the adobe dirt (which expands and moves when wet) and pack it with red dirt. Is there not a possibility that the site in question might have the same soil problem causing another landslide? Have sufficient authoritative studies been done to determine the stability of the hillside?

What will happen when all the trees and plants now anchoring the soil are graded away? Even now when there is heavy rain, the run off is red with mud. With new construction underway, this will be increased. If the drains are able to cope with all the mud without flooding the existing homes in lower Pikoiloa, what will this do to an already polluted dying Kaneohe Bay?

With all the heavy construction equipment and vibrations caused by their movements, the earth will move somewhat. Several houses in this area have cracked ceilings which the original builder Centex has refinished once and some twice already. Blasting in the quarry near the dump and even the helicopters flying overhead can be felt easily in any of the homes in this part of Nakuluai Street. What will happen to our homes when the massive construction planned begins?

We ask the City and County to request a survey on the landslide question by the United States Corps of Engineers.

3. Mrs. Catherine Low, 45-409 Nakuluai Street (Presented testimony of Mrs. Ellen L. Akaka)

"As residents of the Pikoiloa subdivision, we are protesting the proposed changes because we are not satisfied that sufficient study has been done on the possible flooding of Kawa Stream or on the creation of an adequate silting basin.

Based on our personal experience of periodic flooding during periods of heavy rainfall due to an inadequate silting basin, we are particularly concerned with the creation of a silting basin at Kawa Stream. There is a basin on our property at 45-442 Ohaha Street which can adequately handle the run-off during normal rainfall. However, since 1965, we have been flooded at least six times because the silting basin is not equipped to handle the amount of water running off the slope during heavy rainfall. Rather than running into the basin, the water is diverted by it and cascades over the slope and into the yard. Had it not been for the help of many neighbors digging trenches to divert the flow of water in another direction, our home would have been inundated with silt and water. Instead, one section of our yard has had to be replanted periodically.

In a period of several years, the section of our yard most affected built up twelve inches. The City and County maintains there is little they can do to solve the problem. In attempting to prevent future flooding, and at our own expense, we have constructed a retaining wall hoping to divert the water and we have regraded our yard removing approximately ten yards of soil. We will not know, until the next heavy rainfall if our measures have been successful.

In addition to our experience, I would like to quote from a July 21, 1972 letter from the U.S. Corps or Engineers to the Planning Director: "From our viewpoint, possible environmental health problems would be those resulting from floods on Kawa Stream and interior drainage problems. We feel that with careful planning and implementation these problems can be avoided."

In view of the above, we pose the following questions:

a. Have sufficient studies been done of existing silting basins within the subdivision to determine their effectiveness (or ineffectiveness) during heavy rainfall? If not, why not?

b. Who will assume responsibility for maintaining the interior drainage system of Kawa Stream? If it is the City and County, their past record of maintenance has been extremely poor. We acknowledge that this is no doubt due to lack of funds and personnel; however, the fact remains that the record is poor.

c. What are present drainage problems and how are they being resolved? We are aware of prior flooding problems in the Kawa Stream area and we would like these problems to be reviewed.

In addition, the Kawa Stream Flood Project Unit 1A is still in the design stages. The study acknowledges that a flood problem exists. Won't a change in the stream cause any appreciable increase in flow, particularly during heavy rainstorms? Shouldn't the flood project be completed before any additional run-off problems are created?

We are greatly concerned that with the above questions not fully answered, all of these things point to a possible repeat of the

Keapuka tragedy. As residents who would be affected, we are entitled to a more extensive study done under conditions of heavy rainfall and not under the "norm."

4. Mrs. Bettye J. Harris, Resident of Pikoiloa Subdivision (Submitted testimony dated January 31, 1973)

HARRIS: I strongly oppose the rezoning of the Harold K. L. Castle foundation and Henry H. Wong properties for the purpose of building housing because of the traffic situation that will be created in this area.

According to the development plan, the total amount of 311 units will be the maximum and this will mean upward of 600 additional cars added to this community. The proposed plan is to open Mokulele Drive up to join Kam Highway. On the surface this sounds adequate but, no study can be made without the actual road being in existance. The only available information on how many cars will be actually using the extension has to be approximated at this time.

On the map, Mokulele Drive is shown to continue across Kam Highway to join up with Likelike Highway near the proposed water recreational area. Therefore, Mokulele Drive will become a major access road. What consideration has the City and County given to the traffic that will cut through the Pikoiloa Subdivision by way of Mokulele Drive once the extension is completed? Will Mokulele Drive be designated as a four-lane thoroughfare? It does have the width.

Because of the way the school district is set up, approximately half of our subdivision attend Kaneohe Elementary School; and the others attend Puohala. Plus, we have Castle High School and also traffic leading out of the area for King Intermediate School. Consequently, we have heavy foot traffic on Mokulele Drive as well as cars leading to these three schools in particular. What are the plans of the City and County to protect the children walking to and from school? From Nakuluai to Kaneohe Bay Dirve, there are no sidewalks.

As a parent with children in three different schools, I would like to recommend that the Commission defer their decision on this matter because the information from the Transportation Department states that Mokulele Drive <u>should</u> provide adequate access. They did not say it <u>would</u>.

5. Mr. and Mrs. Hideo Tsukayama, 45-407 Pailaka Pl., Kaneohe (Submitted letter dated Jan. 30, 1973)
6. Mr. and Mrs. P. O. Crowell, 45-341 Mealele St., Kaneohe
7. Mrs. Shirley Kanai, Resident of Pikoiloa (Submitted letter dated Jan. 31, 1973)
8. Mrs. Nola C. Brannum, 45-405 Nakuluai St. (Submitted letter dated Jan. 30, 1973)

9. Mr. and Mrs. William N. Rodenhurst, 45-418 Nakuluai St. (Submitted letter, undated)
10. Mrs. Robert Kihune, 45-448 Ohaha St. (Submitted letter dated Jan. 31, 1973)
11. Mrs. Thomas H. Cornette, Jr., 45-175 Ohaha Pl., Kaneohe (Submitted letter dated Jan. 31, 1973)
12. Mr. and Mrs. John D. Bennett, 45-340 Mokulele Dr. (Submitted letter Jan. 26, 1973)
13. Mr. and Mrs. Robert L. Cooley, 45-410 Nakuluai St. (Submitted letter dated Jan. 31, 1973)
14. Mr. Charles White, Resident of Pikoiloa

Letters in OPPOSITION were also received from the above-named individuals. Their objections relative to flooding, drainage, adverse soil conditions, inadequate park and school facilities, and traffic have been covered in previous testimony. An additional concern is the proposed cost of the units ($48,000-$65,000) which they feel is beyond low-moderate income levels, and does not meet existing housing needs of their community.

Recognizing various questions and concerns posed by the opponents, the Chairman called upon representatives from the Parks Department, the Traffic Department, and the Engineering Section of the Department of Public Works for clarification.

1. Parks Department - Mr. Toshiaki Kimura

KIMURA: In regards to what the second speaker said on recreational needs, the department is well aware of the deficiency in this area. About six months ago, the Department of Recreation came before you in regards to a General Plan Amendment for Kaluapuhi Neighborhood Park. Right now we cannot come to a price agreement. However, the department is planning to acquire this approximately 5.79 acres. Land acquisition costs are approximately $425,000. Construction, relocation and all the other items will total approximately $700,000 for this Kaluapuhi Neighborhood Park.

Besides this, about three months ago, we met with the representatives of the Kaneohe Community Council. This was in regards to the improvement of the Kaneohe Elementary School. This is located just adjacent to the proposed PDH development. At this time, we tentatively agreed that possibly the Recreation Department could work with the DOE in improving this site. However, because of our tie up in costs, we have not actually sat down and discussed this problem with the DOE.

With regard to the subject site, as you are all aware, the topography is very rough. Although its designated on the DLUM as Park use, the development costs would be exorbitant. Therefore, on October 5th, we wrote a letter stating that we do not have a plan for this proposed subject site.

The second speaker brought the prospect of a passive recreation nature of this area. Directly across the subject site, we are

presently working with the Soil Conservation group for a 290 acre Kaneohe Reservoir Park. This will not only fulfill our passive recreational aspect but also our active. We plan to put in some active recreation in there. The exact acreage is not available now.

SULLAM: Concerning the construction phase itself, do you feel that it has been explored as far as providing proper recreational facilities?

KIMURA: Yes. Because of the topo conditions, its going to be a high development cost. Usually we come up with an active recreational area of about 3% or 4% slope category. This is going to be much higher than that. In order to bring it down and terrace it to this level, that cost is too much.

SULLAM: What I mean is I don't think there is included in here a tot playground, for let's say in the steeper areas, there could be hiking. I'm talking about the development itself.

KIMURA: We did not include anything in this development.

SULLAM: I'm looking under the portion which is going to be your purview as far as criticizing the development, seeing whether it has the proper recreational facilities.

KIMURA: Actually, we just make comments with regard to the site itself and what the site could provide. We felt such a proposal would meet our recreational needs. We felt it should be constructed and maintained by the home association.

WAY: Maybe the question could be put another way. Is your department satisfied with the provision of recreational facilities within the planned development?

KIMURA: Yes, we are.

WAY: It meets the needs there.

KIMURA: It meets the needs for the subject proposal, yes.

WAY: Henry, would you point out the facilities that are being provided within the PD itself.

ENG: There is a provision for a recreation pavilion, a swimming pool, and within each of the clusters, a tot lot for each 25 units.

SULLAM: Thank you. I wasn't aware of that. That's what I was looking for.

KIMURA: Correct me if I'm wrong but I understand that this subject proposal is approximately 51 acres. Out of this total, 40 acres or so will be in open space?

ENG: I don't know the exact figures but I think probably about

35 would be maintained in open space. The buildings and the roads would cover approximately 17 acres.

CHAIRMAN: Further questions?

CREIGHTON: Have you had enough experience with PDs to indicate to you whether the recreational activities within a project like this would take place within its own confines? What I'm getting at is, granted that there are good recreational facilities being proposed in this plan, will there be additional tax on recreational facilities outside of the site itself?

KIMURA: I don't know that I can answer that.

CREIGHTON: I know its a tough question. In effect, I think what your testimony says is a deficiency in the area, that deficiency will probably remain for sometime until you make further plans, but that this PD would not increase the difficulties that present residents have. Am I correct in saying that?

KIMURA: Yes.

CHAIRMAN: How soon will the department be able to indicate the citizens in the Kaneohe area when these parks will be put in? In other words, when is the fiscal situation going to be such that you can put these parks in?

KIMURA: The Kaluapuhi Park will be in the 1973 fiscal year. We plan construction in 1974.

CHAIRMAN: What about the school site?

KIMURA: We still have not discussed this with the DOE people.

CHAIRMAN: Is there a timetable when that discussion will begin?

KIMURA: Within the next couple of months. There is a possibility that this site could be improved with maybe baseball playing.

2. Department of Public Works, Engineering Division - Richard Nishizawa

NISHIZAWA: I will answer any questions you might have.

CREIGHTON: There were two questions raised within your purview; one was the stability of the soil whether any landsliding might take place as has taken place in adjacent areas, apparently, and secondly, the drainage and possibility of increasing flood problems which apparently also exists in adjacent subdivisions.

NISHIZAWA: Regarding the question on slides, I'm not qualified to give you any answer specifically on drainage. I think the consultant for the developer did submit a thorough report. I believe

no mention of slide problems in the area was contained in that report.

On the drainage and flood problems of the area, the consultants for the developer did submit a drainage study and report which we reviewed and found to be satisfactory. According to the report, I believe the aggravation created by this development would not amount to more than 1%. Also, the natural waterway would be retained in its original state. There would be no diversion of runoff from other basins. As far as the problems downstream of this area, we are aware. We have started on a program to provide flood protection. Fiscal '72, we had appropriations in the budget which we used to complete engineering plans for what we call Kawa Stream, Unit 1-A which is from the contour upstream to this proposed development. Section 1-B, from that section down to Kaneohe Bay Drive, we're asking for an appropriation to do the plans. Construction will be contingent on getting a couple of million dollars for the project. We're also hoping to get some state assistance on this project. Right now our CIP program I think calls for a timetable of fiscal 1977.

CREIGHTON: What work is included in this 1-A section?

NISHIZAWA: 1-A right now is almost entirely unlined, a partly dredged out and eroded waterway. We plan to put in a concrete rectangular section channel. The bridge at the culvert at Na Moku Street will be replaced with a more substantial and larger opening. The total plan is to complete and line the entire waterway from Kaneohe Bay Drive up to the development and also the other leg which we call Unit 2.

CREIGHTON: Another question which I suppose is going to be difficult to answer. How do you calculate that a given development like this will produce a 1% increase in flow?

NISHIZAWA: I believe the way to do it is to determine the runoff before any development or any present condition, and then introduce or transplant the proposed development on this area, increasing the runoff where paved land and homes are going to be built. It will show a certain increase because of the shortness and the time of concentration, or your runoff factor is increasing because of covered or paved areas. This increase is then compared to what is normally the stream flow designed in the main channel. This is not the only tributary to that main stream. It comes out to about a 1% increase.

WAY: Mr. Nishizawa, how do you relate that 1%? Is that in terms of the flow?

NISHIZAWA: I'm not sure what the exact figures are but its a comparison of before and after flows this development has contributed.

WAY: Is there some way of relating that to the potential hazard?

NISHIZAWA: We could go one step and determine the amount of rise as compared to before and after design flow. It gets to be very minimal if you think about the rise in the depth of flow. It doesn't solve the flooding problem. It just compares the degree of aggravation.

WAY: As this project would proceed, there would be construction drawings and further information provided to your office. Would that provide additional information and more in detail that you would be analyzing as the development proceeds, particularly the engineering having to do with the flooding? What I'm saying is, will your department be reviewing that even more so as time progresses, is that not correct?

NISHIZAWA: You mean the downstream flooding?

WAY: Yes, or the specifics of this project as it might pertain to the runoff. You'll examine where the culverts and outfalls would be, and their further impact on the drainage basin.

NISHIZAWA: No.

WAY: Could you explain then what would be the next step as far as the drainage analysis is concerned.

NISHIZAWA: The drainage analysis for this development would probably go into detailed hydraulics and the sizing of their local or internal system. We may reevaluate with the proposed grading whether there would be an encroachment into the natural waterways. I'm not sure whether that has been already determined, building setback lines and minimum flow elevation. Those things would be set up and established.

CHAIRMAN: Mr. Director, when do you feel the final phase of this proposed PD will go in?

ENG: The proposal calls for four development phases, the first phase to be complete by 1974, and the fourth phase to be complete by September 1974.

CHAIRMAN: Considering the drainage problem, Mr. Nishizawa have you taken into consideration that all four phases of this project will go in roughly three years before you are able to take care some of the present flooding problems?

NISHIZAWA: That's the present CIP schedule.

CHAIRMAN: Considering the fact that there is presently flooding in the area, and we have testimony indicating that, and even considering a 1% increase in the runoff and that's considered under normal rain conditions, or is that also taking into account heavy rains?

NISHIZAWA: We design according to standard which is peak discharge.

CHAIRMAN: Peak meaning the heaviest amount that you would have?

NISHIZAWA: I don't want to get to how we determine the peak but its based on recorded peaks of various streams in the area. We have a composite curve to be dammed to determine the runoff for other streams in the same region.

CHAIRMAN: So, you've taken under consideration what's the heaviest amount of rainfall received that would come off this development.

NISHIZAWA: Right.

CHAIRMAN: That would increase the present flooding problem at least by 1%?

NISHIZAWA: I didn't say it would increase the flooding problem. It would aggravate or increase the present flow or the design flow by 1%, the before and after flow, let's say.

CHAIRMAN: Is there a flooding problem? We have testimony that on Ohaha Street and in other areas, homes have been flooded. Apparently the drainage system during certain times is not able to take the flow.

NISHIZAWA: We've had complaints of flooding in the Pikoiloa area, yes. Where we've the opportunity, we've gone in with remedial measures. In fact, we did program and install some local drainage improvements along Mokulele Drive and in the area that drains into Unit 2. We've also had flooding at Na Moku Street, and Kawa Stream in a section, yes. We are aware of these problems.

CHAIRMAN: Will the remedial steps you have taken be able to handle the increased flow?

NISHIZAWA: The remedial steps for the upper Pikoiloa area is not affected by the new development. The flow into the main Kawa Stream will be affected to the extent of a 1% aggravation by this development. It may mean an inch or two of rising in the water surface flowing down the channel.

CHAIRMAN: This is my concern. If some places have not been flooded because it is an inch lower, if you add an inch, you may very well have a flood situation.

NISHIZAWA: Well, the basic problem has been constriction at the Na Moku Street culvert. From all the report and feed back that we've had on flooding, this is where the water overflows the channel or the present waterway, gets on to Na Moku Street and goes one or two blocks down. That has been the source flood as far as the flooding on Kawa Stream.

3. Department of Traffic - Mr. Kenneth Hirata

CREIGHTON: The question raised is whether when the additional work is done on Mokulele Street, whether it will satisfactorily handle the additional traffic impact from the proposed development. Can you expand a bit on your general statement that you believe that it will? How do you calculate that?

HIRATA: The Mokulele extension would be a 60-foot right-of-way. We would have at least 40 feet curb-to-curb pavement. That will give us two lanes of traffic for each direction of travel. The 300 units and the additional traffic that will be attracted can be serviced by these two additional lanes.

CREIGHTON: Is that going to cause any danger for pedestrians in the area? Has there been any study made of the extent to which Mokulele Drive is used as a pedestrian route at the present time?

HIRATA: I imagine today there is no direct connection to Kam Highway. The pedestrian traffic would be going through an indirect route to the shopping center and to the elementary school. This development, I believe, is closer to Kam Highway and the new portion would service this traffic plus whatever is attracted. Naturally there would be an increase incident rate for whatever pedestrians are utilizing the streets there. I think this is a normal thing. I don't see anything unusual about it.

CHAIRMAN: I believe we did have some other questions that arose in the testimony. Could we have those transmitted to the Traffic Department for their reaction.

WAY: Yes.

Testimony in SUPPORT

1. Mr. Frank Brandt, Project Planner for the applicant.

BRANDT: The applicant agrees with and accepts the conditions and recommendations of the Planning Director for approval of the General Plan Amendment and the Planned Development Housing as submitted to the Commission today. If there are questions, our Traffic Consultant, Dave Shoppert from Allan Vorhees and Associates, is here; Walter Lum our Soils Engineer from Walter Lum and Associates is here; and Clarence Tanonaka our Engineering Consultant of Park Engineering is here.

CREIGHTON: I'd like to ask Walter Lum about the soil conditions.

Mr. Lum, I imagine you've heard the questions raised by the community about the possibility of slides similar to those that have occurred in adjacent areas. I presume that you prepared the soil report for the developer. What do you find about the nature of the soil which makes you feel sure that there won't be any instability of that kind?

LUM: We're very familiar with the soils in the area, and are also familiar with the soils where the slides have taken place because we were the consulting engineers on both projects.

On the Pikoiloa project, that is a housing project with individual houses. There was mass grading. The cuts and fills were a little more than what we're doing on the PDH. The cuts are greater than 20 and 30 feet in height. They do cut through drainage paths and did have some slides. But, the soils test indicates that you can drain these areas and they can be stabilized. The slides that they spoke about today have been during the construction period. Those things have been corrected. I haven't heard of any complaints after the slides were corrected.

In a PD project, a different approach is taken; that is, you're not building individual houses and you're not trying to get the maximum number of lots. You are leaving open spaces. You're avoiding the drainage area. In addition to that, you're avoiding the cuts and fills. Slides, in my opinion, is not a problem. We're designing a different concept altogether.

CREIGHTON: Has the project reached the point of design yet where you know what the maximum cut might be?

LUM: Well, I don't think the cut in the area that is close to the cemetery is any problem because its more of a cinder cone. That in there is pretty well drained. On the other side of the older subdivision, again, I don't think heights and cuts are real criteria. If you cut the surface down and you remove the driving sources, the problem of slides is removed because its the driving sources that cause the slides. So, depending on how you make the cut is more of a criteria than the height of cut.

CREIGHTON: On another subject, does your study get into the permeability of the soil? Would you have any comment to make about the possibility of runoff and addition to the drainage and flooding problem we've been discussing?

LUM: Listening to the testimony, I think that 1%, my guess is that you're talking about the site development, say 50 acres relative to the drainage area of maybe 200 or 300 acres. Kawa Stream doesn't only serve the 17 acres. Kawa Stream serves probably somewhere greater than 200 acres. This is just off the cuff. This is how you arrive at the 1%. If you were to say site development, improvements alone on the site itself, your runoff may increase. But, on the total picture, it doesn't increase the total picture at all.

WAY: Mr. Lum, in connection with the proposed site layout that we have before us, in your opinion, are there proper appropriate safeguards with respect to the soils condition in terms of the design? Do you feel that this design is such that it will avoid soils problems?

LUM: I think the principle of the design will avoid soils

problems. We will go into a very detailed unit for unit set up in the construction to analyze the whole thing so that you do not have a soils problem.

WAY: What would that be? Could you just briefly describe the form of such an examination?

LUM: Usually, such an examination would be looking at the grading plans, looking at the drainage plans, also looking at the foundations. We do look for the sufficiency of the foundations, are they deep enough, your rates are such that you're not in a seepage area or the seepage area is corrected before the site is graded.

SULLAM: Could you rather broadly outline which areas are going to be graded on the map, and if you know, how many feet of fill there will be in certain areas? Where are you taking it away? Where are you putting it?

LUM: We only make a reconnaissance, and these are reconnaissance plans. The drainage plans are being prepared by the civils. After that, we will make the detailed analysis for each cut and each fill. But right now, I would say that we wouldn't be able to give you specific information.

CHAIRMAN: Any further questions of Mr. Lum? If not, are there further questions of Mr. Brandt?

CREIGHTON: Mr. Brandt, a number of us are curious about the price level at which the units are planned. Was this the result of a market analysis which indicated the need for prices in this level, or was it getting things as low as you could, considering all of the costs? How did you arrive at this particular price range?

BRANDT: One was the cost was pretty high in developing this piece of property. The number of units we had, we did make a market analysis. Accommodation of the market and the development cost did result in the $48,000 to $56,000 price range. When we started the project, we were anticipating maybe a little lower, $45,000 to early $50,000s. Prices on the units have increased because of some of the costs that we had to undertake in developing the project. We had not expected to provide the low income type of housing as was mentioned today. That area, in our feeling, was suited to a different type of unit. This is the result.

CREIGHTON: I don't quite understand your comment to a different type of unit. We keep hoping that some of the new PDs will be able to provide housing in the low and moderate income levels. I understand your comment about high development costs, maybe. I'm not quite sure what you mean by that.

BRANDT: There are high development costs in the area. We are trying to work it out with planned development, and are incorporating 15% low income housing units. But the size of this project of 300 units, the incorporation of both the low income and moderate and the higher price was not possible in this particular development.

WAY: Mr. Brandt, in connection with your studies which may have been undertaken on this site, do you have any relative costs of what might be the site development cost for an individual or typical subdivision lot and house as against the planned development where you do obtain a considerable benefit in numbers of units? Do you know, in other words, what it would cost for a conventional subdivision lot?

BRANDT: My engineer could better answer that.

CLARENCE TANONAKA: Its difficult to come up with dollars and cents. In a PDH, we put in more amenities such as play areas, a recreation center. Although we have more units, our experience has been--I don't know what the dollar amount is but the difference is not that greater per unit. The other thing is in a PDH, it requires more planning and architectural work which on a conventional subdivision, you will not have that.

CREIGHTON: What you're telling us is interesting because among other advantages which have been presumed when the planned development concept was included in the code, was that there would be appreciable savings in site development over the spread out subdivision with the utility runs, individual foundations, roads and so forth. You're telling us that you don't see that difference as an advantage for the PD.

BRANDT: The front end costs have been very high because we have been working on this particular land development for 15 months now. The carrying charges have amounted to considerable costs.

SULLAM: Is there any possibility, in view of your preliminary cost estimate of holding a certain percentage of these units to a lower price or must they all be sold at this price level you state?

BRANDT: At this time the cost has been worked out. If we did sell at a lower price, it would mean that the difference would have to be made up by higher prices in other instances.

2. Mr. Leonard Moffitt, Resident, 45-215 Koa Kahiko St., Kaneohe

In his testimony, Mr. Moffitt indicated that the request conforms to the General Plan Detailed Land Use Map. He would prefer the proposed PDH which is well planned, attractive, provides for open space and recreational facilities, over a conventional subdivision in which these amenities are not required of the developer. He feels that whatever type of development takes place, flooding will be an important part of it.

3. Mr. Manuel J. Souza, Retired Farmer

Mr. Souza pointed out that his property which was sold to the developer under an agreement of sale, is now proposed for park use. He did not know the property would be used for park purposes, and his neighbors have expressed concern on this point.

The public hearing was closed and the matter was taken under advisement, on motion by Mr. Creighton, seconded by Mr. Bright and carried.

ACTION: The Commission concurred with the Director's recommendation on both requests, and recommended approval of the two requests by the applicant, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa.

Discussion followed.

SULLAM: Has any communication been received from the DOE regarding the selected school site? In the report, there is mentioned that a site is being sought.

WAY: We have no further information from DOE. At this time, about all that's been provided was information that they were seeking such a site. They have not yet, at this moment and to my knowledge, determined exactly where it would be. The matter is still understudy with them. I think they raised it as a question to us simply to alert us. They indicated in no way that they were interested in this site; that is, there would be no conflict with their plans for providing a new site somewhere in the Kaneohe area, as far as this site was concerned. On that basis, we did move ahead.

SULLAM: Another concern I have is, I would like us to recommend to the Council that they consider very carefully, the idea of allocating a certain percentage of these units to low-cost housing, even if it involves raising the cost of the selling price of some units to achieve this. I would like this to be sort of an addendum to our recommendation for approval.

CREIGHTON: Mr. Chairman, I wonder if Commissioner Sullam would be willing to change the intent of our amendment somewhat. I think we all agree that from time to time, questions about the Planned Development provision in the CZC have come up. Questions as to whether a PD below a certain size really works in the sense of giving back amenities of open space and so forth, to the community as it is suppose to.

The question which was raised today in the discussion which I raised of whether this does result in less expensive construction, the question of whether the PD provision should also include conditional zoning requiring certain benefits beyond the physical amenities which the PD presumably provides, and so forth. In other words, it does seem time to reexamine the whole concept of the PD in light of the experience we've had. I would suspect that the Planning Department will agree with that point of view, that it is time to reexamine.

If your specific request were incorporated in a larger reexamination, I think it would be more palatable to everybody.

SULLAM: Yes, I agree with you completely. I would very much like to see it placed before them in that fashion. In fact, perhaps even exploring what the actual costs are in producing these units in a PD. Perhaps this might be the precursor of some form of control on costs or a selling price.

WAY: Mr. Chairman, may I, if I understand what the discussion is about, might I suggest that we deal with the question of the particular General Plan and Planned Development application before us, and then as a separate item, explore the larger concept that Mr. Creighton is talking to of reexamining the whole approach to a PD, particularly as it not only applies to the physical, but other aspects that would be of a community interest. I think it might be more forcefully brought to the attention of the Council, more directly at least, if that were possibly a separate item for their consideration, not necessarily tied to a project that we're looking at.

Any other items that you would like to attach to this one, fine, but I think maybe they are really two matters to bring to the Council's attention; one dealing with this application, and the second, planned developments in general.

BRIGHT: Mr. Chairman, my motion is to accept the Director's recommendation on both items one and two.

CREIGHTON: Perhaps we should make a comment on all the testimony we had from the community. My reaction to it, and the reason I'm going to vote for the motion is, a number of important questions were raised. But, it seems to me that the answers we got from the city departments indicated that there are problems in recreational area, in flooding, and perhaps in traffic, but none of these problems are going to be worsened by this particular PD. That's an unsatisfactory answer to the community, but I think it is a good reason to approve a development which appears to stand well on its own two feet.

SULLAM: It wasn't stated in the report that there has been proven that there is a need for this housing. We all conclude that it will be sold, even at the price proposed, but yet there is no need is there?

WAY: I think there is a need. Maybe while not proven as such, I think part of the question is a little moot. Its not really pointed out as well as it might have been, but the area is already zoned for single-family residential. It would be possible to develop a conventional subdivision now on most of the area. The only question that would come up would probably be one of a challenge to the government as to whether or not it would purchase the land designated for park. In that sense, I think there is somewhat of an agreement on the recognition at least of some need for housing. Then, it becomes a matter of degree. Well, its increasing floor area on the order of some 80%. What this means in terms of our total requirement, its fairly insignificant, although

on this particular site it does increase it substantially. It doesn't double the number but a conventional subdivision presumably could get something on the order of 150 more or less units on that site, right now. I think there would be little trouble in that price range, personally, disposing of the property. Its not at all out of line in terms of the overall market for that type of housing. Its right in it.

CHAIRMAN: The probability of cost in the conventional subdivision is higher.

WAY: Yes, but I was somewhat surprised on the testimony, however, from the applicant on this. Part of it is zoned R-3 which is 10,000 sq. ft. lots. Incidentally, it would be possible to build duplexes on those lots under the CZC. Our figures come up a little closer if this would be the form of development that the owner might wish to undertake. Maybe it would more nearly 200 or 250 units under conventional subdivision with duplexes.

There was no further discussion. The motion carried.

AYES - Bright, Creighton, Kahawaiolaa, Sullam
NAYES - None
ABSENT - Crane, Yamabe
ABSTAINED - Connell

STATE LAND USE COMMISSION REFERRAL AGRICULTURAL TO URBAN MOKULEIA MOKULEIA PROPERTIES (72/LUC-10)	Referred to the Commission for review and comment is a petition from the State Land Use Commission to amend the State Land Use District Boundaries. The petitioner plans to enter in a joint venture agreement with the Hawaii Housing Authority under Act 105 for a Residential Planned Unit Development. However, no agreement exists between the petitioner and the Hawaii Housing Authority. A low density of approximately 700 units to be sold in fee simple is proposed. According to the petitioner, only families that qualify under Act 105 would be eligible to purchase the units.

The Director's evaluation of the petition was made on the following basis:

A. The requirements of Section 205-4, Chapter 205, Hawaii Revised Statutes.

B. The Standards for Determining District Boundaries, Part II, State Land Use District Regulations.

C. The land use policies of the City and County General Plan.

The conclusion is that the information available is inadequate as a basis for amending the State Urban Land Use District. The petitioner does not provide adequate information and analyses to demonstrate that this site is appropriate to meet the identified need. The Director's recommendation is for denial.

Questioned by the Commission as to what assurance there is by the petitioner that this project will be developed in low-cost housing, Mr. Prentiss of the staff indicated that he spoke with Mr. Cooper who is the Administrator of Act 105 programs. Mr. Cooper held a preliminary meeting with the petitioner. At the present time, there is no existing agreement between the Hawaii Housing Authority and the petitioner for low-cost development.

There were no further questions of the staff.

ACTION: The Commission adopted the Director's recommendation, and recommended that the petition be denied, on motion by Mr. Creighton, seconded by Mrs. Sullam and carried.

AYES - Bright, Creighton, Kahawaiolaa, Sullam
NAYES - None
ABSENT - Crane, Yamabe
ABSTAINED - Connell

UNFINISHED BUSINESS STATE SPECIAL USE PERMIT & CONDITIONAL USE PERMIT (SANITARY LAND FILL OPERATION & RELOCATION OF EXTRACTIVE INDUSTRY) EWA: PUU PALAILAI & PUU MAKAKILO PACIFIC CONCRETE & ROCK COMPANY, LTD. (FILE #72/SUP-1 & 72/CUP-15)	The public hearing on this matter was held January 3, 1973 and kept open to permit the applicant to address areas of concern discussed in the Director's report. Public testimony was continued. No one testified AGAINST the proposal. Testimony in SUPPORT-- 1. Mr. Robert B. Robinson, President, Pacific Concrete & Rock Co., Ltd. 2. Mr. Donald Wolbrink, Consultant for the applicant.

Mr. Robinson indicated that the application is vital to the continuation of Pacific Concrete as a corporate entity as well as to the community because it will insure a continued source of concrete on Oahu. It will provide a badly needed location for a sanitary landfill on Leeward Oahu, and will restore their quarry site to usable use.

A slide presentation was made to graphically demonstrate the proposal.

The Commission questioned Mr. Robinson.

SULLAM: How successful has landfill been with regard to stability of soil?

ROBINSON: With respect to that, in the interest of brevity, we did not bring our ultimate use plan for the old site, but I can describe this

28 acres. Don worked out a plan which would have housing surrounding the 28 acres with nothing built on it. There would be no construction on the landfill itself. We're leaving it as an open area. Its amazing how that 70-acre total goes around the 28 acres, with housing around an open area. In direct answer to your question, we're solving the problem by presupposing that there will be some settlement and to leave the area open.

CREIGHTON: How long do you think it will take you to quarry this entire area?

ROBINSON: Our contract is for 20 years. We're counting on a 23 million cubic yard operation.

CREIGHTON: Would you start any landfill operations in some parts that you had quarries before that ultimate date?

ROBINSON: We're scratching the last out of the existing quarry. Until we get assurance that we can move to the new site, we can't start the landfill. We can possibly dig out just a little more rock which will last just a few months. We may be able to stretch it a little longer than that.

CREIGHTON: What about the new quarry site?

ROBINSON: We'll start actual production in July of '76.

CREIGHTON: And your total quarrying time would be some 23 years.

ROBINSON: 20, 23.

CREIGHTON: What I was wondering was if during that period, you would begin refilling some of this new site area?

ROBINSON: There's no refilling.

CREIGHTON: No refilling?

ROBINSON: All removing.

CREIGHTON: Your plan is based entirely on the contours that would be left after the quarrying operation, with no landfill.

ROBINSON: Except for top soil.

CREIGHTON: I see. I didn't quite understand that. Then, that leads to another question. Would it be possible to start using that as residential property before the end of the total quarrying operation?

ROBINSON: The 71 acres in the specific site itself, but we have surrounded it with whatever you have here, its says in the application. I think there's 150 acres. We buffered it. The total is 295 acres. That will remain in agricultural use. Its used for very limited grazing. The rest of it, no. With the environmental restrictions, you just can't be too close to your neighbors.

CREIGHTON: So in other words, these imaginative plans--

ROBINSON: Will have to wait.

CREIGHTON: So really, the plans are 25 years in the future.

ROBINSON: That's right.

CREIGHTON: Are there alternative sites?

ROBINSON: No, there are none.

CREIGHTON: I suppose, until we explore completely the problem of alternatives which is always a tough one, I suppose there is no alternative for this kind of rock for the concrete aggregate. Its not a situation like the sand where you can manufacturer something else.

ROBINSON: No. Its like oil or gold. Its where it is.

(There were no further questions of Mr. Robinson.)

Mr. Gilbert Sasaki representing the Makakilo Community Association stated that at their community meeting, the membership voted in favor of the project, mainly because of the relocation of the quarry to another site.

The public hearing was closed, and the matter was deferred for a statutory period of 15 days, in accordance with the State Special Use Permit regulations, on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

Noting the Director's recommendation for denial on the Conditional Use Permit for the quarry operation, Commissioner Bright questioned what conditions and controls might be placed upon the Conditional Use Permit should the Commission consider to act favorably on it. The Director stated: "Since action cannot be taken for 15 days, and in light of some new information provided to us by the applicant, and we are seeking some further information, at that time we would have more specific recommendations to make to the Commission. This data is now becoming available only recently. Our position would be better outlined to the Commission at that time."

UNFINISHED BUSINESS
PLANNED DEVELOPMENT
HOUSING
EWA BEACH
FORT WEAVER ROAD
HAWAII LABORER'S
HOUSING CORPORATION
(FILE #72/PDH-3)

The public hearing held on January 3, 1973 was kept open to permitt additional testimony from Ewa Beach Community Association, and to permit the architect to submit a revised site plan.

Discussion followed.

RAYMOND X. AKI: I represent the employees of Hawaii Laborer's Housing Corporation. At this time I would like to state that although our architect and the Planning Department has agreed on the scope of the plans, we, ourselves, are not satisfied with questions on the convenience, cost factors, the fire safety, et cetera. So, we would like to withdraw and then resubmit perhaps within the next 30 days.

CHAIRMAN: Fine, Mr. Aki. My understanding is once an application has been withdrawn, there is no necessity of continuing with a public hearing. We will look forward to reviewing your next application.

WAY: Mr. Chairman, would you close the public hearing since we had called a public hearing.

CHAIRMAN: To simplify matters, may I have a motion to close the public hearing.

(On motion by Mr. Creighton, seconded by Mrs. Sullam and carried, the public hearing was closed.)

UNFINISHED BUSINESS PUBLIC HEARING ✓A-2 APT. TO R-6 RESIDENTIAL DIST. PUUNUI PLANNING DIRECTOR (FILE #72/Z-71)	The public hearing held January 3, 1973 was kept open to permit residents the opportunity to engage a consultant. To the Chairman's call for testimony either for or against the proposal, no one appeared. The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

ACTION: The Commission adopted the Director's recommendation and recommended approval of the request, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

AYES - Bright, Creighton, Kahawaiolaa, Sullam
NAYES - None
ABSENT - Crane, Yamabe
ABSTAINED - Connell

* * * * * * * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matter, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried:

✓GENERAL PLAN/DLUM AMENDMENT RESIDENTIAL & ROAD USE TO SCHOOL USE PUULOA EWA BEACH STATE OF HAWAII DEPT. OF ACCOUNTING & GENERAL SERVICES, DIVISION OF PUBLIC WORKS (FILE #195/C2/31)	The request is to amend the General Plan (Detailed Land Use Map) for Puuloa by redesignating a 4.7-acre parcel of land designated for High School use and a 3.7-acre parcel of land designated for Residential and Road use to School use.

ADJOURNMENT: The meeting adjourned at 5:45 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Meeting of the Planning Commission
Minutes
February 7, 1973

The meeting of the Planning Commission, held on Wednesday, February 7, 1973 in the Conference Room of the City Hall Annex, was called to order at 2:00 p.m. by Vice-Chairman Fredda Sullam.

PRESENT:
Fredda Sullam, Vice-Chairman
Roy R. Bright
James D. Crane
Thomas N. Yamabe II

ABSENT:
Rev. Eugene B. Connell, Chairman
Thomas H. Creighton
Antone D. Kahawaiolaa
Paul Devens, ex-officio
Andrew Sato, Deputy Corporation Counsel

STAFF PRESENT:
Robert R. Way, Planning Director
Tosh Hosoda, Staff Planner
Betsy Marcinkus, Staff Planner

MINUTES:
The Minutes of January 3, 1973 were approved on the motion by Commissioner Crane, seconded by Commissioner Bright, and carried.

The Minutes of January 17, 1973 were distributed for approval at the next meeting.

PUBLIC HEARING
ZONING CHANGE
P-1 PRESERVATION TO
√R-3 RESIDENTIAL DIST.
1001 AALAPAPA DRIVE
LANIKAI (Kailua)
DOLORES L. DYER
(FILE: #72/Z-80)

A public hearing was held to consider a request for a change in zoning from P-1 Preservation District to R-3 Residential District for 20,000+ square feet of land located in Lanikai, Tax Map Key: 4-3-07: Portion of 16.

The Planning Director advised that the notice of public hearing was published in the Sunday issue of the Star-Bulletin/Advertiser on January 28.

Tosh Hosoda, Staff Planner, reviewed the Planning Director's report with the Commission. No letters of protest had been received.

The proposal by the applicant is to develop a residence on the site. The State Land Use Commission re-classified, three months ago, from Conservation to Urban District. The various governmental agencies raised no objections to the proposed change.

The Planning Director recommended approval of the requested change from P-1 to R-3 inasmuch as it would be a reasonable extension of the existing residential district, conforms to the General Plan Detailed Land Use Map,

approval will not have any detrimental effect upon existing uses in the area, and further development of the parcel will be limited.

During questions of the staff by the Commission, Commissioner Yamabe recalled this matter coming up five or six months ago and the question of adequate frontage should the applicant decide to subdivide.

Mr. Way read from a Memorandum dated August 14, 1972, File 72/LUC-5, to the Planning Commission, from Robert R. Way, Planning Director, regarding REQUEST FOR AMENDMENT TO THE LAND USE COMMISSION BOUNDARIES AT LANIKAI, KOOLAUPOKO, OAHU, FROM CONSERVATION DISTRICT TO URBAN DISTRICT, page 6, concluding paragraph of COMMENTARY: (A Land Use Commission Referral)

"It should also be noted that even if this request is ultimately approved, there is no assurance at this time that the petitioner's stated objectives regarding the subdivision and the ultimate construction of three residential units can be realized. My recommendation cannot be construed as, for example, a commitment to recommend approval of any subsequent rezoning request or subdivision application. These procedures require the consideration of other factors contained in the Comprehensive Zoning Code and Subdivision Rules and Regulations which are not included in this analysis."

WAY: That is about the only reference except for the fact that apparently the petitioner at that time did have in mind subdividing the parcel into three lots. However, we are not able, nor were we at that time, to judge whether or not it would be feasible or acceptable to do so.

YAMABE: Madam Chairman, I request that the above-mentioned report be filed with the Minutes of this meeting and that the applicant also be advised of this because they may decide to rezone.

WAY: If it is agreeable with Commissioner Yamabe and the Commission, we will attach a copy of this report when we transmit it to the City Council and bring that point to their attention.

There were no further questions of the staff by the Commission.

Testimony AGAINST the proposal:
(No one appeared to testify)

Testimony FOR the proposal:
1. Mr. and Mrs. George (Dolores) Dyer
605 N. Kalaheo Avenue
Kailua, Oahu, Hawaii

Mr. Dyer testified on behalf of his wife (the applicant):
1. They agreed with the filing of the above-mentioned report with the Minutes because they desired to incorporate with this petition the substance of their petition to the Land Use Commission which sets out the facts and characteristics of the property,etc.

2. The proposed residence would be for their personal use.

3. The subdivision question must await the day when they can consult with engineers and when they can satisfy the existing regulations of the Comprehensive Zoning Code and others.

Questioning by the Commission revealed:

The existing house (a rental unit) is in the process of being replaced.

The proposed unit would be for their personal residence.

In the future when the family has grown, they may want to build a smaller cottage or turn the garage into a house.

There were no further questions by the Commission.

No one else testified either FOR or AGAINST the application.

The Public Hearing was closed and the matter taken under advisement on the motion by Commissioner Crane, seconded by Commissioner Bright, and carried.

ACTION: Commissioner Crane made a motion recommending acceptance of the Planning Director's recommendation to approve the request for a change in zoning from P-1 Preservation District to R-3 Residential District.

Commissioner Bright seconded the motion and motion carried.

AYES: Crane, Bright, Yamabe and Sullam.
NAYS: None.
ABSENT: Connell, Creighton and Kahawaiolaa.

PUBLIC HEARING
✓GENERAL PLAN/DLUM AND DEVELOPMENT PLAN AMENDMENT--PALOLO TO APARTMENT AND PUBLIC FACILITIES--SCHOOL
PALOLO GARDENS HORIZONTAL PROPERTY REGIME
(BY: PALOLO LAND CO)
(FILE: 181/C1/17)

A public hearing was held to consider a request to amend the General Plan from Public Housing and Residential to Apartment Use and Public Facilities--School; to amend the Detailed Land Use Map and the Development Plan for St. Louis Heights-Palolo from Park to Medium-density Apartment Use and Public Facilities--School.

The subject area is approximately 97,626 sq. ft.; located at Tenth Avenue (mauka of Kiwila St. and adjacent to Palolo Elementary School); Tax Map Keys: 3-4-02: 5, 40, 41
3-4-03: 6
3-4-02: 1

SLUD--Urban; GP--Public Housing and Residential; DLUM/DP--Parks & Recreation; C&C zoning--R-6 Residential and B-2 Community Business District.

The Planning Director advised that the public hearing notice for this particular proposal was published in the Sunday Star-Bulletin/Advertiser of

January 28. No letters of protest had been received. Betsy Marcinkus, Staff Planner, made the presentation. The Planning Director recommended approval of the requested amendment with minor modification. "The modification includes the parcel utilized as part of the Palolo Elementary School which recognizes the established long-term usage as Public Facilities--Schools."

The Director also recommends, "keeping the portion of the applicant's property lying above the stream in its current Detailed Land Use Map designation of park-playground. The portion of applicant's property, which is stream channel, is to remain in this designation. And the boundaries of the City & County property (Tax Map Key 3-4-02: 1) and the adjacent parcel (Tax Map Key 3-4-03: 6) are to be readjusted in use to accommodate the intent of the current property transactions between the City & County and the Palolo Land Company."

The applicant, in essence, is implementing City Council's Committee Report #996 which requests (1) that a certain piece of the property be purchased for park land and (2) that the land on the Koko Head side of the stream be changed from its park use to Apartment use to reflect the current development.

During questions of the staff by the Commission, it was asked if the staff agreed with City Council's Resolution of 1968. The staff felt it was a reasonable solution to the issue in light of the analysis that they had done in relation to how much playground Palolo Elementary School needed.

It was also felt by the staff that the connection between the park and the school was adequate inasmuch as when the transaction is completed it will be 20' wide rather than 10' wide. The City & County will construct an adequate bridge which will be part of the playground development.

There were no further questions of the staff by the Commission.

Testimony received AGAINST the proposal:

1. Mr. Andrew Chung, Waiomao Community Association
   3626 Halekipa Place
   Honolulu

   Mr. Chung presented a petition containing 196 signatures of residents of the community objecting to the applicant's request because of:
   - Traffic congestion.
   - Population and housing density.
   - Close proximity to the school.
   - Esthetic beauty of the valley will be destroyed.
   - Indirect inflationary costs--land and taxes.
   - Safety of the school children--driveway grade.

Questions of Mr. Chung by the Commission:

Mr. Chung was asked if his organization was different from the Palolo Community Association to which he replied that it was and that while both organizations were in the valley, there were on opposite sides of the valley.

Mr. Chung stated that he was representing the President of the organization who couldn't make the public hearing; he had not seen any correspondence communicating their position on this matter to the Planning Department; he was of the opinion that the membership had decided to wait for a public hearing to present their opposition to the request.

There was no further questioning of Mr. Chung.

Testimony received AGAINST the proposal:

2. Mr. Jeff Borders, resident
   Waiomao area
   Palolo Valley, Honolulu

   Mr. Borders objections were:
   - The esthetically ugly present structure.
   - Traffic congestion.
   - The precedent already set by the present apartment building might continue to set a precedent for other large apartment buildings in the valley.
   - Close proximity to the school.
   - The danger of the large amount of cars in the area already.

There were no questions asked of Mr. Borders by the Commission.

No one else testified AGAINST the proposal.

Testimony received FOR the proposal:

1. Mr. Samuro Ichinose, President
   Palolo Land Company
   (On behalf of the Palolo Gardens Horizontal Property Regime)

   Mr. Ichinose stated that he was aware of the many problems when he built the structure and had taken them into consideration at that time by:
   - Renting to people without children or pets.
   - A 24' driveway and the cars having to stop before reaching the sidewalk.
   - Fencing the property to eliminate pilferage or robbery.
   - Parking for 62 cars although only 37 units, and 30 extra parking spaces with the new addition, thereby eliminating the congestion of street parking.
   - Reasonable rent and sales prices.

Questioning of Mr. Ichinose by the Commission revealed:

The monthly rentals are between $170 and $195 per month and include 9,000 btu noiseless and dripless air conditioners, 14 cu. ft. frost-free refrigerators, garbage disposals, 4-burner electric ranges, drapes, tub and shower combinations, and walk-in closets.

He intends to do nothing, esthetically, to the present

structure but expects to receive ideas on how to make the proposed structure more attractive from Mr. Charles Heen, Interior Decorator for Dillingham Corporation developments.

He has no plans for re-routing the stream.

There would be no reason to re-route the traffic coming out of the apartment house complex (so that it wouldn't be a hazard to people on Palolo Street) because he rents to older people, the majority of whom do not own automobiles, and the bus stops in front of the building.

The excessive parking area is for renters with two cars.

In 2-1/2 years there hasn't been a single accident.

Regarding the visibility and grading coming up out of the apartment, he tells the tenants they must stop before they reach the sidewalk.

There were no further questions of Mr. Ichinose by the Commission.

No one else testified either FOR or AGAINST the proposal.

The public hearing was closed and the matter taken under advisement on the motion by Commissioner Bright, seconded by Commissioner Crane, and carried.

MOTION: Commissioner Bright made a motion recommending acceptance of the Planning Director's recommendation of approval of the amendment to the General Plan with minor modifications as listed in the staff report, page 5.

Commissioner Crane seconded the motion.

DISCUSSION:

YAMABE: I would like to propose that we go back to the City Council and find out if Resolution is of their intended desire at this time since it was adopted in 1968, pre-adoption of the CZC. I feel that if this matter was of urgency in nature and if it were sincerely thought that this change should have been made, the opportunity was there to make it at the time of the adoption of the CZC. I would like to have benefit of the consensus of the City Council.

Another request I would like to make, in lieu of the passage of this motion, is that the staff give us some general idea as to what criteria is involved in making this type of decision.

BRIGHT: Many points that Commissioner Yamabe brings up are valid. It would seem to me that these points should be passed on to City Council along with our vote. Since the final decision is going to be made at that point, it would eliminate

additional red tape.

QUESTION: The motion failed to carry.

AYES: Bright, Crane, Sullam.
NAYS: Yamabe.
ABSENT: Connell, Creighton, Kahawaiolaa.

YAMABE: I again request that my previous requested information be made available. I have no objection to the development per se and I recognize the right of the individual to expand. I am 100% for using State land for any public use. However, I am not satisfied with the information before me. Particularly, the fact that this resolution was passed in 1968.

SULLAM: Mr. Way, what prompted the Resolution to be passed?

Mr. Way then read COMMITTEE REPORT NO. 996, dated May 21, 1968 at Honolulu, Hawaii:

"Mr. Chairman:

Your Committee on Finance and Public Expenditure, to which was referred communication (M-327) from the Palolo Land Company, submitting, in writing, the following agreement concerning the Palolo Playground area: (1) that the Palolo Land Company, Limited will immediately grant a ten-foot wide easement for pedestrian access to the City at the nominal fee of one dollar; and (2) that the Palolo Land Company, Limited grant an option to purchase a portion of land adjoining the Palolo Housing area where the land is level, recommends that the following actions be approved in connection with the above matter:

1) that the City accept the Palolo Land Company's grant of the 10-foot wide easement to the Palolo Playground;
2) that the Mayor be authorized to execute on behalf of the City the option to purchase a portion of land adjoining the Palolo Housing area where the land is level for park purposes;
3) that the Building Superintendent be authorized to issue the company a building permit to construct a home as requested; and
4) that the Planning Department be instructed to amend the General Plan to delete park use of the land below the Waiomao Stream and adjacent to 10th Avenue."

ACTION: Commissioner Bright made a motion recommending deferment of this request to (1) obtain reaffirmation from City Council on their Committee Report No. 996; (2) staff submit criteria in reaching decisions involving park-school use; (3) staff submit criteria involving cost decisions.

Commissioner Crane seconded the motion and motion carried.
AYES: Bright, Crane, Yamabe, Sullam.
NAYS: None.
ABSENT: Connell, Creighton, Kahawaiolaa.

* * * * * * * * * * * * * * * * * * *

On motion by Commissioner Bright, seconded by Commissioner Crane, and carried, the Planning Director was authorized to schedule public hearings on the following nine matters: (1 Planned Development-Housing proposal; 4 General Plan Amendment requests; 4 Hawaii Capital District applications)

PLANNED DEVELOPMENT HOUSING IN R-3 RESIDENTIAL DISTRICT KULIOUOU KULIOUOU KAI (FILE: 72/PDH-15)	1. A request for designation of R-3 Residential property as Planned Development-Housing District where applicant proposes to construct 28 two-bedroom, two-story units.
GENERAL PLAN/DLUM AMENDMENT LUALUALEI, WAIANAE OCEANVIEW VENTURES (FILE: 202/C1/29)	2. A request to amend the GP and DLUM for Waianae by redesignating lands from Industrial to Residential, Low-Density Apartment, School, Park, and Agricultural uses.
GENERAL PLAN/DLUM AMENDMENT HONOULIULI, EWA C&C DEPT PUBLIC WORKS DIV OF SEWERS (FILE: 242/C2/31)	3. A request to amend the GP and DLUM for Honouliuli by redesignating certain areas from Military and Agricultural uses to Public Facility use.
GENERAL PLAN/DLUM AMENDMENT KAILUA INTERNATIONAL TEL & TEL CORPORATION (FILE: 160/C4/24)	4. A request to amend the GP and DLUM for Kailua-Lanikai-Waimanalo from Open Space use to Commercial and Low-Density Apartment uses; and from Commercial use to Open Space use.
GENERAL PLAN/DLUM AMENDMENT PUULOA, EWA BEACH C&C DEPT PUBLIC WORKS DIV OF SEWERS (FILE: 267/C2/~~37~~) 31	5. A request to amend the GP and DLUM for Ewa Beach by redesignating a 0.23± - acre site from Residential use to Public Facility-Sewer Pump Station use. (The City plans to acquire the land through negotiation or by condemnation if necessary)
APPROPRIATENESS TO HAWAII CAPITAL DIST CHARLES CHAMBERLAND (FILE: 72/HCD-26)	6. The application is for a proposed 33-unit Apartment building.

APPROPRIATENESS TO HAWAII CAPITAL DIST
LEONARD CHUN
(FILE: 72/HCD-35)

7. The application is for an addition to the Chun residence.

APPROPRIATENESS TO HAWAII CAPITAL DIST
TOSHIO TOGAWA
(FILE: 73/HCD-6)

8. The application is for a proposed 13-unit Apartment building at Alapai Street.

APPROPRIATENESS TO HAWAII CAPITAL DIST
RICHARD K. TOM
(FILE: 72/HCD-1)

9. The application is for a proposed 20-unit Apartment building at 1463 Lusitana Street.

* * * * * * * * * * * * * * * * * * *

STREET NAMES: The Commission recommended approval of the following street names for the various new subdivision streets situated within the following subdivisions on motion by Commissioner Crane, seconded by Commissioner Yamabe, and carried:

1. Waimalu Subdivision, Waimalu, Ewa, Oahu, Hawaii:

KAAHUMANU STREET	Extension of an existing street between Kamehameha Highway and Moanalua Road.
KULEANA ROAD	The realigned portion of Kuleana Road between Kaulike Drive and Kaahumanu Street.

2. Maili Sands Subdivision, Lualualei, Waianae, Oahu, Hawaii:

MANUULAULA STREET (Road A)	Roadway situated on the mauka side between Farrington Highway and Manuaihue Street. Meaning=Cardinal.
MANUU STREET (Road B)	An "L"-shaped roadway off Manuaihue Street, traversing in a westerly direction, thence in a southerly direction. Meaning=Crane.
MANUNUNU STREET (Road C)	Roadway on the mauka side, between Farrington Highway and Manuu Street. Meaning=Dove.
MANUAIHUE STREET (Road D)	Roadway off St. John's Road traversing in a southerly direction. Meaning=Partridge.

MANUOIOI PLACE (Road E)	Dead-end roadway on the makai side of Manuaihue Street. Meaning=Swallow.
MANULIILII PLACE (Road F)	Dead-end roadway on the makai side of Manuaihue Street. Meaning=English Sparrow.
MANUALIHUE PLACE (Road G)	Dead-end roadway on the makai side of Manuaihue Street.

3. Puu Heleakala Planned Development-Housing, Lualualei, Waianae, Oahu:

HELELUA STREET (Road A)	Roadway off Farrington Highway, traversing in a mauka direction. Meaning=To travel together, of two.
HELELUA PLACE (Road B)	Dead-end roadway off Helelua Street.

4. Mariner's Ridge Subdivision, Unit 4-C, Kaluanui Ridge, Maunalua, Oahu:
(The following names were selected by the developer and reviewed and approved by Bishop Estate, the owner of the property.)

KALUANUI ROAD	Extension of an existing roadway from Unit 4-B to the units of the Mariner's Ridge project.
KAUMOKU STREET	Extension of an existing roadway traversing in a southerly direction.
KAUPAKU PLACE	A cul-de-sac off Kaluanui Road. Meaning=A roof; the ridge pole of a house.
KALUAA PLACE	A cul-de-sac off Kaumoku Street. Meaning=Double jawbone/cheek.
KAMOOKOA PLACE	A dead-end roadway off Kaluanui Road. Meaning=The coral/coral head ridge.
KALIHIWAI PLACE	A dead-end roadway off Kaluanui Road. Meaning=Water's edge.
KAHOOPULU PLACE	A dead-end roadway off Kaluanui Road. Meaning=The wet digger (oo).
KAHOOPULU WAY	A cul-de-sac off Kahoopulu Place.

5. Amend Resolution 134, adopted April 11, 1967, by changing the existing street name of De Russy Place to Paoa Place:

PAOA PLACE	Roadway off Kalia Road between Fort De Russy and Hilton Hawaiian Village. Meaning=Duke Kahanamoku's family name. He resided in this particular area of Waikiki. (continued)

Paoa Place (continued) The request for change was made by Mr. George Taran, one of two property owners fronting on De Russy Place. The other owner, Hilton Hawaiian Village, has no objection to the change to Paoa Place.)

6. H-1 Interstate Highway, Waiawa, Ewa, Oahu, Hawaii:

WAIAWA ROAD The request was made by the residents of Waiawa Road to officially name an existing street from Farrington Highway traversing in a southerly direction makai of Leeward Community College.

INFORMATION - LETTER RE PARKLANE PLANNED UNIT DEVELOPMENT
(72/PDH-2)

The Chairman read a letter addressed to the Commission from Hui Malama Aina O Ko'olau, signed by (Mrs.) Lucy Naluai, Chairman, requesting that when the Parklane Planned Unit Development proposal comes before the Planning Commission the latter part of February that the public hearing be held in Kahaluu.

DISCUSSION:

BRIGHT: We have gone on record in the past to the effect that we would not hold public hearings in the outer areas. However, I would like to recommend to the Planning Director that when this public hearing is scheduled that it be placed as Number One on the Agenda to accommodate the people from Kahaluu who wish to come in. Also in favor of evening meetings.

CRANE: I think we should have these public hearings in their localities to make it more accessible to the people. I would vote in favor of that request.

YAMABE: If necessary, I suggest the meeting be held during evening hours so that the people who are working will be accommodated--in the Council Chambers or elsewhere.

MOTION: Commissioner Crane made a motion to schedule a special evening meeting and to place this particular item as Number One on the Agenda in order that the people may testify and hear the vote.

This motion died for lack of a second.

It was requested that Mr. Way look into the matter, determine the amount of public interest, and schedule an evening meeting if it fits into that category where an evening meeting at City Hall would be appropriate,after reporting back to the Commission.

UNEINISHED BUSINESS:

CUP/SUP

Mokuleia--Conditional Use Permit/Special Use Permit, File Numbers (72/CUP-12) and (72/SUP-3), scheduled for the

meeting of February 21, 1973, was discussed.

Commissioner Bright felt that when a Conditional Use Permit is granted, it is difficult to enforce the provisions. He suggested that the total amount of acreage considered for development be cut from 50 acres to 25 acres.

The Planning Director will explore this as a possibility with the applicant between now and February 21 and report back to the Commission.

A letter from the Kaneohe Outdoor Circle, mentioning future meeting dates, was circulated to the members of the Commission.

The Commissioners were reminded of the luncheon workshop meeting to be held at the Ala Moana Hotel on February 8. (Gen Plan Revision)

Reports (in book form) from the City & County of Honolulu, compiled by the Office of Information and Complaints, were distributed to the Commissioners.

The Planning Commission meeting scheduled for February 14 was cancelled and the next meeting will be held on February 21.

ADJOURNMENT: The meeting adjourned at 3:45 p.m.

Respectfully submitted,

Mary C. King

Mary C. King
Hearings Reporter

Attachment as part of these minutes:
Memorandum dated August 14, 1972
File: 72/LUC-5
From Robert R. Way, Planning Director
Re: Request for Amendment to the Land Use Commission Boundaries at Lanikai, Koolaupoko, Oahu, from Conservation District to Urban District.

Dodge

August 14, 1972
72/LUC-5

MEMORANDUM

TO : PLANNING COMMISSION

FROM : ROBERT R. WAY, PLANNING DIRECTOR

SUBJECT : REQUEST FOR AMENDMENT TO THE LAND USE COMMISSION BOUNDARIES AT LANIKAI, KOOLAUPOKO, OAHU, FROM CONSERVATION DISTRICT TO URBAN DISTRICT

BACKGROUND

Pursuant to Section 205-4, Chapter 205, H.R.S., the Planning Commission has received a petition from the State Land Use Commission to amend the State Land Use District Boundaries.

The information obtained may be summarized as follows:

Applicant: Mrs. Dolores L. Dyer

Owner: Mrs. Dolores L. Dyer

Tax Map Key: 4-3-07: 16

Location: Lanikai, Koolaupoko

State Land Use Commission District: Conservation

Requested Change: Conservation to Urban

Proposed Use: Residential

City and County General Plan: Residential

City and County Zoning: P-1 Preservation

Acreage of Land Requested for Reclassification: .49 acre.

ANALYSIS

We have evaluated this petition in terms of:

Legislative requirements in Chapter 205, H.R.S.

Standards for Determining District Boundaries, Part II, State Land Use District Regulation.

Land use policies of the City and County.

Legislative Requirements

The applicant has submitted APPENDIX II, attached herewith, in response to these requirements.

With regard to the question of need, the petitioner submits three "reasons" why the property is needed for residential development consistent with R-3 zoning.[1]

The first reason (a) addresses the complexities of maximizing the use of the property and the statements are not relevant to the question of need.

The second reason (b) is focused on the demand for Lanikai property for residential development. The points made are that there is very little undeveloped land in Lanikai and the demand "...is very strong as shown by bidding at recent public auctions of Lanikai property." The implication is that scarcity and high prices of land are indicators of need. These are some of the indicators, but they are not the only indicators nor do they necessarily establish need.

---

[1] R-3 zoning permits the construction of a single-family residential unit on a lot with a minimum area of 10,000 square feet. Additional units may be constructed provided that this minimum area per unit is available and provided that the units are laid out in a pattern such that the lot can be properly subdivided. Although there are many other contingencies, this is the basic impact of R-3 zoning in this case.

More fundamental indicators would be data such as projections of housing supply versus demand and in terms of cost, size, type, general locations, and abilities to purchase. Scarcity of developable land in an isolated geographic area and high prices may be indicative of other factors rather than need, e.g., quality, exclusiveness, naturally limited supply, etc.

The third reason (c) relates the use of the property to the need for residential housing on Oahu. This does not appear to be valid proof inasmuch as it would justify the inclusion of any parcel on the island. The existence of such an overall need, however, is of consequence but other reasons as to the appropriateness of the particular site to meet this need is required. The Land Study Bureau Survey (as of December, 1969) indicates that there are 13,198 acres of vacant usable land within the State Land Use Urban District. The particularities of why the need cannot be met by this inventory or why the subject site is more appropriate than lands in this inventory are more pertinent but not addressed by the applicant.

With regard to the second legislative requirement that the land is usable and adaptable, the petitioner submits topographic data (Exhibit B) which indicates that the subject area is "...substantially flat and easily useable and adaptable for residential use."

Petitioner also points out the existence of a similar use, to that being requested, on an adjacent lot and the existence of a dedicated roadway which provides a direct and adequate access to the subject area. Elsewhere in the application, the petitioner also indicates that the lot was graded prior to World War II. This would suggest that the graded area is now stable. However, there is one indication of potential adverse soil condition in the area[2] and expert judgment on the suitability of the site for residential use, in this respect, is desirable. With this exception, the proof for the second requirement is reasonable.

---

[2]With reference to the similar property of Carl Shuler (Tax Map Key 4-3-06: 16) located 130 feet Waimanalo of the subject property, Chief Engineer Yoshio Kunimoto wrote in a letter to Planning Director Frank Skrivanek dated July 26, 1966: "We do not recommend any further excavation within Parcel 16. The natural ground appears to be of talus material and may be subject to slides if disturbed. Under the existing conditions, Parcel 95 is susceptible to erosion from water run-off."

With respect to meeting the legislative requirements then, I conclude that the proof of need is very weak but that the proof that the land is usable and adaptable is reasonable.

Standards for Determining District Boundaries

With two exceptions, I generally concur with the statements submitted with regard to meeting the standards for the Urban District.

The first exception is in reference to 2.7(b)(4), "Goals and Objectives of the State and County." The petitioner states that "changing the district designation is consistent with the goals of the City and County of Honolulu, since the substantial portion of Lot 215, including all of the property, is designated as urban on the General Plan of the City and County of Honolulu, Exhibit D-1." The boundary line separating residential from preservation use on the General Plan does affect Lot 215 in the manner described. However, the General Plan line, in this case, does not attempt to show exact locations or boundaries of the land use designation. This specificity is accomplished by zoning. The zoning of the narrow, lower portion is R-3 while that of the broader, upper portion is P-1 and is in precise agreement with the Urban/Conservation Boundary. This precise agreement, however, is dictated by the Land Use Law which gives sole jurisdiction in the Conservation District to the Board of Land and Natural Resources. This fact is recognized in the Comprehensive Zoning Code which dictates that all lands in the Conservation District at the time of adoption shall also be included in the P-1 Preservation District of the City. Accordingly, the P-1/R-3 zoning is in precise agreement with the Conservation/Urban Boundary line.

The second exception is the statement on 2.7(d), "Lands included shall be those with satisfactory topography and drainage and reasonably free from the danger of floods, tsunami and unstable soil conditions." Since there is an indication of unstable soil conditions in the area, additional expert confirmation of the suitability of the site for residential use would be desirable.

Land Use Policies of the City and County

As previously stated, the Preservation/Residential boundary line on the General Plan does show the subject area in Residential. However, this General Plan line does not attempt to show exact locations or boundaries of the various land use designation in this case. The subject area is zoned P-1 and does, more precisely, reflect the use designation. On this basis, I conclude that the current land use policy for the subject area is for Preservation use.

Excluding the possible question about soil suitability, however, there does not appear any valid reason why the subject area should not have been zoned R-3. There are no discernible reasons except the recognition that the subject area is located in the Conservation District and a P-1 zoning was mandated at the time of the adoption of the Comprehensive Zoning Code to conform to the State statute. The general policy issue of concern, here, to both the State and County appears to be to establish a more appropriate and specific line between lands with predominantly conservation values and lands appropriate for urban uses. In this context and considering the specific characteristics and circumstances of the subject area, approval of this amendment request will not conflict with the land use policies of the City and County. In light of the topographic data, panoramic photo showing visual qualities of the area, type of use, controls in existence and a staff field survey, I do not believe the conservation values will be damaged to an extent which would justify the denial of equity to the petitioner. Similar areas are in residential development.

SUMMARY

I recommend that the Planning Commission recommend approval of this amendment contingent upon more adequate confirmation that the soil conditions of the subject area are satisfactory for the intended use. Although the proof of need is weak, the legislative requirements are reasonably fulfilled when the relative impact of the proposed use and area upon the State and County policies and objectives of the Land Use Law are considered. The proposed use and subject area generally meets the Standards for Urban districting. Although the subject area is zoned P-1, a change to Urban (R-3) would not introduce any conflict with the fundamental land use policies of the City and County.

COMMENTARY

In this analysis, petitioner's statement of reasons about events leading to acquisition, and on the matter of taxes, were considered only to the extent of discerning her personal needs. A fulfillment of this need, as well as a concern for equity in the exercise of ownership rights, was weighed against the public concerns. The absence of any significant conflict, with the exception of possible adverse soil conditions, was a favorable factor in my recommendation. There are no significant adverse impacts on the scenic values, provision of public facilities and services nor adjacent owners.

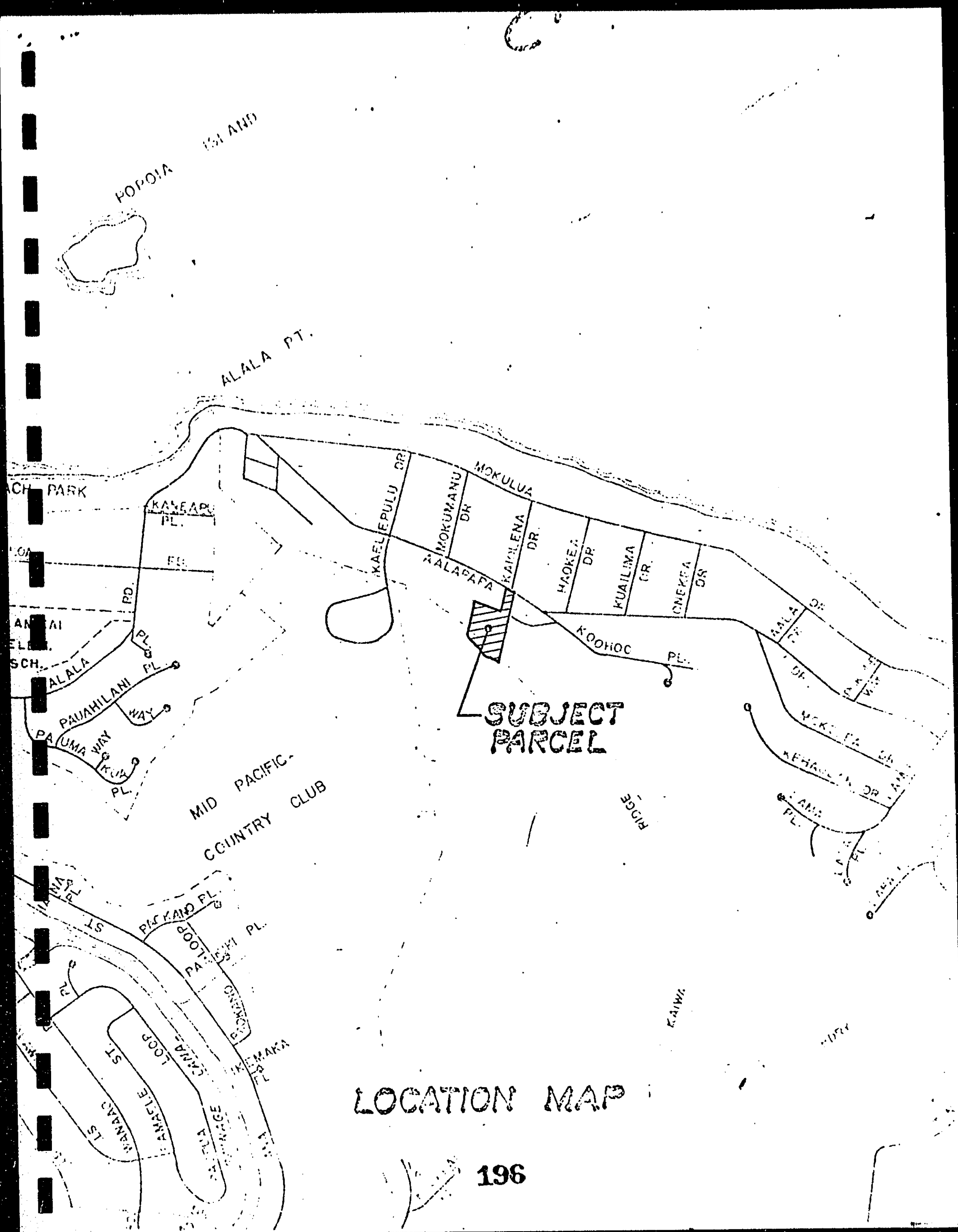
It should also be noted that even if this request is ultimately approved, there is no assurance at this time that the petitioner's stated objectives regarding the subdivision and the ultimate construction of three residential units can be realized. My recommendation cannot be construed as, for example, a commitment to recommend approval of any subsequent rezoning request or subdivision application. These procedures require the consideration of other factors contained in the Comprehensive Zoning Code and Subdivision Rules and Regulations which are not included in this analysis.

Robert R. Way

ROBERT R. WAY
Planning Director

RRW/RSY:dat

Attachs.


POPOIA ISLAND
ALALA PT.
MOKULUA
KAELEPULU DR.
AIMOKUMANU DR.
KAIULENA DR.
HAOKEA DR.
KUAILIMA DR.
ONEKEA DR.
ALAPAPA
KOOHOC PL.
SUBJECT PARCEL
ALALA
PAUAHILANI PL.
WAY
PAUMA WAY
MID PACIFIC COUNTRY CLUB
PINKAND PL.
LOOP
ONEKOI
KEMAKA PL.
LOCATION MAP

File Copy

Meeting of the Planning Commission
Minutes
February 21, 1973

The Planning Commission held a meeting on Wednesday, February 21, 1973 at 2:09 p.m., in the Conference Room of the City Hall Annex. Chairman Rev. Eugene B. Connell presided.

PRESENT:
Rev. Eugene B. Connell, Chairman
James D. Crane
Antone D. Kahawaiolaa
Thomas N. Yamabe II

STAFF PRESENT:
Robert R. Way, Planning Director
John Grant, Deputy Corporation Counsel
Henry Eng, Staff Planner
Gerald Henniger, Staff Planner
Ian McDougall, Staff Planner
Ali Sheybani, Staff Planner
Gary Okino, Observer

ABSENT:
Roy R. Bright
Thomas H. Creighton
Fredda Sullam
Paul Devens, ex-officio

MINUTES:
The minutes of January 17 and 24, and February 7, 1973, were approved, on motion by Mr. Yamabe, seconded by Mr. Kahawaiolaa and carried.

PUBLIC HEARING
GENERAL PLAN
DETAILED LAND USE MAP
DEVELOPMENT PLAN
AMENDMENT
SUNSET BEACH
RESIDENTIAL, ROADWAY, FLOOD CONTROL CHANNEL TO SCHOOL & PARK USE
STATE OF HAWAII
DEPT. OF ACCOUNING & GENERAL SERVICES;
CITY & COUNTY OF HONOLULU
DEPT. OF RECREATION
(FILE #115/C2/27 & #227/C2/27)

A public hearing was held to consider a request to amend the General Plan from Residential use; the Detailed Land Use Map from Residential and Roadway use; and the Development Plan from Roadway and Flood Control Channel use to School and Park use, for 8.40 acres of land situated in Sunset Beach, Tax Map Key: 5-9-05: portion of 18, 69, 70.

The public hearing notice was published in the Sunday Star-Bulletin/Advertiser of February 11, 1973. No letters of protest were received.

Mr. Ian McDougall presented the Director's report of the application. The purpose of this request is to enlarge and relocate the current General Plan School and Park complex designation approximately 600 feet northerly of its present location. The new site is General Planned for Residential use and Roadway. The proposed school and park complex, containing approximately 12 acres, will be situated opposite the existing Ehukai Beach Park.

It is the Director's conclusion and recommendation that--

1. The land use pattern being proposed constitutes an adjustment of existing General Plan land use policy and is in keeping with the guidelines specified in the Dalton Decision.

2. The proposed school and park complex is the best alternative scheme and is in keeping with the objectives of the General Plan.

3. The proposed amendment is basically a site adjustment and relocation of a roadway reflecting a more effective and efficient use of the land.

4. Therefore, it is recommended that the request to amend the General Plan Detailed Land Use Map and Development Plan be approved and that the area vacated by the school and park use be redesignated to residential use.

There were no questions from the Commission concerning the Director's report.

No one spoke AGAINST the request.

The Director reported the receipt of a letter dated February 16, 1973, from Mr. Robert Dale, President of the Sunset Beach Community Association in support of the application.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mr. Kahawaiolaa and carried.

ACTION: The Commission adopted the Director's recommendation, and recommended approval of the request, on motion by Mr. Crane, seconded by Mr. Kahawaiolaa and carried.

AYES - Connell, Crane, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Bright, Creighton, Sullam

PUBLIC HEARING
✓GENERAL PLAN/DLUM AMENDMENT
HIGH SCHOOL, RESIDENTIAL & ROAD USE TO SCHOOL USE
EWA BEACH (PUULOA)
STATE OF HAWAII
DEPARTMENT OF ACCOUNTING & GENERAL SERVICES, DIVISION OF PUBLIC WORKS
(FILE #195/C2/31)

A public hearing was held to consider a request to amend the General Plan-Detailed Land Use Map from High School, Residential and Road use to School use, for approximately 8.40 acres of land situated in Ewa Beach (Puuloa), Tax Map Key: 9-1-1: 22.

The public hearing notice was published in the Sunday Star-Bulletin/Advertiser of February 11, 1973. No letters of protest were received.

Mr. Ian McDougall, Staff Planner, reviewed the Director's report of the request. The purpose of this request is to designate

additional land for school use within the Puuloa section of Ewa Beach. The Department of Accounting and General Services (DAGS) intends to establish a third elementary school in this area which is presently served by Pohakea Elementary School and Ewa Beach Elementary School.

In addition to this request, the applicant requests that the existing boundaries between the elementary, intermediate, and high schools be deleted and the entire area be redesignated as an educational cluster consisting of one high, one intermediate, and two elementary schools so as to comply with the latest educational concept of clustering schools wherever possible to permit more efficient and effective use of facilities. Thus, this request is limited to a change in the internal use of an area designated for school use.

The Director recommends approval of the request, and that the existing boundaries between the elementary, intermediate, and high schools be deleted and the entire area designated as an educational cluster.

No questions were raised by the Commission concerning the Director's report.

No person was present to speak either for or against the application.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Yamabe, seconded by Mr. Crane and carried.

ACTION: The Commission concurred with the Director's recommendation, and recommended approval of the request, on motion by Mr. Yamabe, seconded by Mr. Crane and carried.

AYES - Connell, Crane, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Bright, Creighton, Sullam

PUBLIC HEARING
✓PLANNED DEVELOPMENT HOUSING
KULIOUOU ROAD & SUMMER STREET
KULIOUOU KAI
(FILE 72/PDH-15)

A public hearing was held to consider a request for the designation of R-3 Residential property as Planned Development-Housing District for approximately 2.5 acres of land located in Kuliouou, Tax Map Key: 3-8-03: 9.

Publication was made on February 11, 1973 in the Sunday Star-Bulletin/Advertiser. A letter of protest was received and is included in testimony against the application.

Mr. Henry Eng, Staff Planner, reviewed the Director's report for the benefit of the Commission. In summary, the site plan is acceptable. The units are designed to take advantage of the ocean view. Revisions to the site plan have eliminated minor inadequacies in parking, refuse collection and site design. Approval is recommended subject to the following conditions:

1. Site Plan and Buildings

   a. The number of units not to exceed 28.

   b. Concrete walkways to be a minimum of 4 feet width.

   c. Each unit to be provided with adequate space for exterior storage of bulky items.

   d. The deadend of Kuliouou Road to be provided with a standard barricade of reflectors.

2. Items 2 through 15 of conditions are standard requirements regarding flexibility, documents, utilities, maintenance, covenants, recordation and implementation.

Question was raised concerning the pavement width and right-of-way for Kuliouou Road and Summer Street. Mr. Eng stated that the city-owned roadways have the standard 27-foot curb-to-curb pavement plus a 4-foot right-of-way. Any reduction of this standard would normally be made in the 4-foot right-of-way area, by eliminating the two-foot planting strip.

No one appeared in SUPPORT of the application.

Testimony AGAINST:

1. Mr. George Hanson, 629 Kaumakani Street, Honolulu (Submitted letter dated Feb. 14, 1973)
2. Mr. Ed Correa for Representative Dennis O'Connor

Objections:

1. Cars generated by the project will add to the existing over congestion on Kalanianaole Highway.

2. Off-street parking problems will increase.

3. The proposed development situated at the edge of the lagoon will ruin the characteristics of the area proposed by the state for a bird sanctuary.

4. The proposed PDH will change the nature and character of the neighborhood.

5. Present over development has already caused overloaded telephone circuits. Further development will increase this problem.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mr. Kahawaiolaa and carried.

ACTION: Mr. Kahawaiolaa moved, seconded by Mr. Crane, that the Commission concur with the Director's recommendation and recommend approval of the request.

Discussion followed regarding the width of the pavement and right-of-way. Commissioner Yamabe expressed concern in the difference between the 40-foot right-of-way standards for a PDH, and the 44-foot right-of-way standards for a subdivision. He felt need for uniformity of standards for both, and suggested amending the Subdivision Rules and Regulations on this point.

The Director pointed out that the pavement width of 27 feet is the same in either case. The difference lies only in the four-foot sidewalk area, and whether the sidewalk immediately abuts the curb rather than having a two-foot planting strip intervening the curb and the paved sidewalk.

The motion to recommend approval carried with no one dissenting.

AYES - Connell, Crane, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Bright, Creighton, Sullam

PUBLIC HEARING
HAWAII CAPITAL DISTRICT APPLICATION
(33-UNIT APT. STRUCTURE)
CHARLES CHAMBERLAND
(FILE #72/HCD-26)

A public hearing was held to consider a request for an application for development in the Hawaii Capital District.

Publication was made on February 11, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Henry Eng reviewed for the Commission, the Director's report of the request. The proposal is for a 4-story 38'-0" high masonry structure with 33 studio apartments and 27 ground level parking stalls (22 covered). The Director comments that the Pele Street elevation of the building appears to be monumental and unnecessary for a use and structure of this size and not suitable for the area. The introduction of windows and planter boxes to this facade could provide the interior corridor with needed additional natural light and air and create a more appropriate scale for this residential area.

The project lies in the area designated on the Hawaii Capital District as a formal fountain or landscaped area which appears to be the terminus of the Capital mall vista. The proposal, although in accordance with Code requirements for setbacks, will reduce the privacy of adjacent buildings. The Director recommends approval, based on the following recommendations:

1. Pele Street elevation be modified to reduce its massiveness and dominance, and to be more in character with the residential use.

2. The ground level parking be substantially buffered by planting and berms. The building be buffered from adjacent buildings to insure privacy.

3. A detailed landscaping plan, indicating the type of pavement, outdoor lighting and areas and type of plant material be submitted

for approval by the Planning Director prior to the issuance of the construction permit.

4. The number of compact parking stalls be reduced to 6 to meet the CZC requirements.

There were no questions from the Commission regarding the Director's report.

No person was present to speak either for or against the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Kahawaiolaa, seconded by Mr. Crane and carried.

ACTION: The Commission adopted the Director's recommendation, and recommended approval of the request, subject to modifications stated in the Director's report, on motion by Mr. Crane, seconded by Mr. Kahawaiolaa and carried.

AYES - Connell, Crane, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Bright, Creighton, Sullam

PUBLIC HEARING
✓ HAWAII CAPITAL DISTRICT APPLICATION
(RESIDENCE ADDITION)
LEONARD CHUN
(FILE #72/HCD-35)

A public hearing was held to consider a request for an application development in the Hawaii Capital District, Tax Map Key: 2-2-03: 86.

Publication was made on February 11, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Henry Eng presented the Director's report of the request for an addition to a residence. The proposed addition is consistent with the existing structure, and is within the 40-foot height limit and 50% open space requirements for the district. The Planning Director recommends approval of the proposal as long as Comprehensive Zoning Code requirements are met.

No questions were raised by the Commission relative to the Director's report.

No person was present to speak either for or against the application.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mr. Kahawaiolaa and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Crane, seconded by Mr. Yamabe and carried.

AYES - Connell, Crane, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Bright, Creighton, Sullam

PUBLIC HEARING HAWAII CAPITAL DISTRICT APPLICATION ALAPAI STREET (13-UNIT APT. BLDG.) TOSHIO TOGAWA (FILE #73/HCD-6)	A public hearing was held to consider a request for an application to develop within the Hawaii Capital District (Alapai Street), Tax Map Key: 2-1-37: 12. Publication was made February 11, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Gerald Henniger reviewed the Director's report of the application. A 13-unit apartment building is proposed at Alapai Street. The Director comments that the building design and landscape concept is generally appropriate for the district. The parking aisle width does not conform to the requirements of the Comprehensive Zoning Code. The open space configuration is unsuited for recreational use. The use of two different railing designs results in a somewhat busy south elevation. The Director's recommendation is for approval, based upon the following recommendations:

1. Parking aisle width should comply with the Comprehensive Zoning Code requirement of 22 feet.

2. Recreation space, with adequate storage and landscaping should be located on the third floor roofs.

3. Railing should be provided with consistent design.

4. Natural earth color samples should be submitted for approval by the Planning Director prior to issuance of a building permit.

5. A detailed landscaping plan, indicating the type of pavement, outdoor lighting and areas and type of plant material should be submitted for approval by the Planning Director prior to the issuance of a building permit.

6. Structural provisions should be made to hide future air conditioner units installed by the occupants.

There were no questions from the Commission regarding the Director's report.

No person was present to speak either for or against the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Yamabe, seconded by Mr. Crane and carried.

<u>ACTION</u>: The Commission adopted the Director's recommendation and recommended approval of the request, on motion by Mr. Crane, seconded by Mr. Yamabe and carried.

AYES - Connell, Crane, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Bright, Creighton, Sullam

PUBLIC HEARING HAWAII CAPITAL DISTRICT APPLICATION 1463 LUSITANA STREET (20-UNIT APT. BLDG.) RICHARD K. TOM (FILE #72/HCD-1)	A public hearing was held to consider a request for an application for development within the Hawaii Capital District at 1463 Lusitana Street, Tax Map Key: 2-1-21: 16. Publication was made February 11, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

The Director reported that the applicant has withdrawn his request.

Since the notice for public hearing was advertised, the Chairman called for a motion to close the public hearing.

The public hearing was closed, on motion by Mr. Crane, seconded by Mr. Kahawaiolaa and carried.

UNFINISHED BUSINESS CONDITIONAL USE PERMIT (SAND MINING OPERATION) MOKULEIA WARREN KOBATAKE DBA WARREN CORPORATION (FILE #72/CUP-12) and (SUP-3)	Public hearings were held relative to the subject operation on January 17 and 24, 1973. At that time, Miss Kathleen Maurer, representing the Department of Social Services and Housing, testified at length in opposition to the project. Submitted to the Commission for information are copies of the Director's letter to the Director of the Department of Social Services and Housing requesting clarification of his position, and his reply requesting withdrawal of his testimony as relayed by Miss Maurer.

The Director reported that additional information requested of the applicant was just recently received, and will be compiled by the staff for report to the Commission. He requested a deferral of one week on this matter.

The Chairman deferred the matter for one week.

STATE LAND USE COMMISSION REFERRAL AGRICULTURAL TO URBAN WAIANAE E. E. BLACK, LTD. (FILE #73/LUC-1)	Submitted to the Commission for review and comment is a petition from the State Land Use Commission to amend the State Land Use District Boundaries in Waianae Valley. Mr. Ian McDougall presented the Director's report. Evaluation of the petition was made on the following basis:

1. The requirements of Section 205-4, Chapter 205, Hawaii Revised Statutes.

2. The Standards for Determining District Boundaries, Part II, State Land Use District Regulations.

3. The land use policies of the City and County General Plan.

It is the Director's conclusion that the present Agriculture designation is appropriate, and that the petition fails to provide an adequate basis for amending the State Land Use District boundaries from Agriculture to Urban. The Director recommends that the petition be denied.

No discussion followed.

ACTION: The Commission adopted the Director's recommendation and recommended that the petition be denied, on motion by Mr. Yamabe, seconded by Mr. Crane and carried.

AYES - Connell, Crane, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Bright, Creighton, Sullam

✓ STREET NAMES

The Commission, on motion by Mr. Crane, seconded by Mr. Yamabe and carried, recommended approval of the following staff recommendations:

The street names for the various new subdivision streets situated within the following subdivisions are recommended for adoption:

1. ✓ Wailehua Heights Subdivision, Unit 3, Kahaluu, Koolaupoko, Oahu, Hawaii:

WAIOHIA STREET — A roadway situated on the southerly side of Wailehua Road, makai of Lamaula Road.

Meaning: A variety of sugar canes.

WAIOHIA PLACE — A culdesac situated on the westerly side of Waiohia Street.

PULU PLACE — A culdesac situated on the easterly side of Waiohia Street.

Meaning: Wet, moist, soaked.

2. ✓ Trans-Marina, Phase II, Hawaii Kai, Maunalua, Honolulu, Oahu, Hawaii:

KEAHOLE STREET — A connector road between Hawaii Kai Drive and Kalanianaole Highway.

Meaning: Point in Kona, Hawaii; the ahole fish.

* * * * * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mr. Crane, seconded by Mr. Yamabe and carried:

Four requests within the Hawaii Capital District:

1. HAWAII CAPITAL DISTRICT (73/HCD-4)

   Applicant: City and County, Building Department for Honolulu Fire Department
   Tax Map Key: 2-1-31: 18
   Request: To repaint portion of existing Kakaako Fire Station Maintenance Building.

2. HAWAII CAPITAL DISTRICT (72/HCD-32)

   Applicant: State of Hawaii, Department of Accounting and General Services
   Tax Map Key: 2-1-18: 11 and 2-1-19: 1, 4, 6, 16, 18, 22.
   Request: To demolish and clear Vineyard Garage site.

3. HAWAII CAPITAL DISTRICT (72/HCD-30)

   Applicant: Carl Marrero
   Tax Map Key: 2-2--2: 108
   Request: To permit construction of a single-family dwelling.

4. HAWAII CAPITAL DISTRICT (~~72~~ 73/HCD-3)

   Applicant: Kawaiahao Church
   Tax Map Key: 2-1-32: 17
   Request: To construct a new shelter/bookshop building.

ZONING CHANGE
R-6 RESIDENTIAL TO
B-2 COMMUNITY BUSINESS
DISTRICT
HALEIWA
ABRAHAM AIAU
(FILE #72/Z-66)

5. The request is for a change in zoning from R-6 Residential to B-2 Community Business District.

ZONING CHANGE
R-3 & R-5 RESIDENTIAL
TO I-1 LIGHT INDUS.
DISTRICT
HEEIA
PHILIP T. CHUN,
ATTORNEY
(FILE #73/Z-3)

6. The request is for a change in zoning from R-3 and R-5 Residential District to I-1 Light Industrial District.

ZONING CHANGE R-6 RESIDENTIAL TO B-2 COMMUNITY BUS. DISTRICT PUNALUU ROBERT M. KAYA (FILE #72/Z-65)	7. The request is for a change in zoning from R-6 Residential to B-2 Community Business District.
GENERAL PLAN DETAILED LAND USE MAP & DEVELOPMENT PLAN AMENDMENT FIRE STATION & PARK TO RESIDENTIAL, FIRE STATION, & PARK KAIMUKI CITY & COUNTY OF HONOLULU BUILDING DEPT. & HONOLULU FIRE DEPT. (FILE #214/C1/16)	8. The request involves various changes from Fire Station and Park to Residential, Fire Station, and Park resulting in an adjustment of the areas designated on the Detailed Land Use Map and Development Plan for Fire Station and Park use.

ADJOURNMENT: The meeting adjourned at 4:00 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
February 28, 1973

The Planning Commission held a meeting on Wednesday, February 28, 1973 at 2:10 p.m., in the Conference Room of the City Hall Annex. Chairman Rev. Eugene B. Connell presided.

PRESENT:
Rev. Eugene B. Connell, Chairman
Roy R. Bright
James D. Crane
Antone D. Kahawaiolaa
Fredda Sullam
Thomas N. Yamabe II

STAFF PRESENT:
Robert R. Way, Planning Director
John Grant, Deputy Corporation Counsel
Tosh Hosoda, Staff Planner
Ian McDougall, Staff Planner
Carl Smith, Staff Planner

ABSENT:
Paul Devens, ex-officio

MINUTES:
The minutes of January 31, 1973 were approved, on motion by Mr. Yamabe, seconded by Mr. Crane and carried.

PUBLIC HEARING
GENERAL PLAN/DLUM AMENDMENT
RESIDENTIAL TO PUBLIC FACILITY-SEWER PUMP STATION
EWA BEACH (PUULOA)
CITY & COUNTY OF HONOLULU
DEPT. OF PUBLIC WORKS
DIVISION OF SEWERS
(FILE #242/C2/31)

A public hearing was held to consider a request to amend the General Plan and the Honouliuli General Plan-Detailed Land Use Map by redesignating certain areas from Military use and Agricultural use to Public Facility use.

Publication was made on February 18, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Ian McDougall presented the Director's report of the applicant's request for redesignation of approximately 51.3 acres in Ewa from Military use and Agricultural use to Public Facility use on the basis that (1) there is a need for sewage treatment plant to eliminate direct discharge of sewage, both raw and treated, into Pearl Harbor, and (2) this is the most desirable site to meet this need.

Included in the presentation was a slide presentation by Mr. Chew Lun Lau, Environmental Engineer, Department of Public Works. The slides illustrated the Sewerage Master Plan for Oahu which was just completed in 1972 and was adopted by the City Council. Implementation and construction of the Honolulu system is in consonance with the Master Plan.

Questions were raised by the Commission.

SULLAM: What is the schedule on the STP, when will it be completed, and when will the residents in that area be required to pump into it?

LAU: That is very difficult to say. About a year and a half ago, there was a Pearl Harbor Enforcement Conference. At that time, the Director of the Enforcement Agencies for the Environmental Protection Agencies gave us a mandate that we complete the system by 1974. As things are, there are no federal monies available for that project. As far as we can anticipate, all federal monies within the next three or four years will be earmarked for the Sand Island project and other projects on our neighbor islands.

Our schedule which we had set earlier was the end of 1976. This is the schedule we thought we could meet, and I think we still can meet it if federal funds were available. Otherwise, I don't think we can proceed with the project because of this cost. Estimated costs would be in excess of 50 million dollars. We have studied planning and engineering of the treatment plant and outfall sewerage systems. We are doing ocean current studies now. We are about to engage consultants for the other segments of the Honouliuli system. Within a year or a year and a half, I am sure we will be completed with the plans, but whether we proceed without federal aid or not, is a decision that will have to be made. I really can't answer because I just don't know.

YAMABE: These points might it come in the form of revenue sharing?

LAU: Yes. Another possibility is for the State to make direct grants to the County. I understand the figure of 14 million dollars was mentioned by the planning staff. The bulk of that money is State money. I think something like 9+ million dollars.

YAMABE: Have you received any communication from the administration as to if and when other sources become available or if the federal grants may change these forms of revenue sharing, in what area of priority would these treatment plants be placed?

LAU: The list that I have seen showed that treatment works are priority items that revenue sharing funds can be expended. It is one of the top priorities. I would say that the only restriction would be to move the revenue funds to match the federal scale.

YAMABE: Has the administration embarked on identifying priorities, anticipating where revenue sharing might come into effect?

WAY: We have a program before the City Council on the priorities for first increment of revenue sharing funds. The change in the federal program is fairly recent--that's the freeze--and is causing quite a bit of reconsideration of where funds might be expended. Frankly, we are still hopeful that sewer grants will be reestablished at the federal level, and that we will not have to divert major sums of the revenue sharing money into these kinds of programs but rather review them for other types of programs.

YAMABE: Can we get a copy of that report of priorities?

WAY: Surely.

SULLAM: Does the City own this land as yet?

LAU: No. The site was declared surplus by the Navy for the purpose of providing a site for the City. We have to apply for it like any other surplus government property. What we have done thus far is applied for the 100% health discount for the site. So, other than paying the legal fees, we should acquire the site without a charge.

We have to do some relocation of naval facilities. This would cost in excess of $400,000. We have an agreement with the Navy. This will cost in the neighborhood of $150,000. Other costs relate to the possibility of relocating fuel lines and the road. The actual cost hasn't been determined yet. It depends on the scheme that is adopted. For instance, the road will cost perhaps $80,000-$100,000 because we are acquiring one of the main entrances of the base. But its still, in comparison with the other sites, very favorable in terms of cost.

(There were no further questions of the staff or Mr. Lau.)

No person was present to speak either for or against the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mrs. Sullam and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Crane, seconded by Mr. Yamabe and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

PUBLIC HEARING ✓ GENERAL PLAN/DLUM AMENDMENT EWA (PUULOA) CITY & COUNTY OF HONOLULU, DEPT. OF PUBLIC WORKS, DIVISION OF SEWERS (FILE #267/C2/31)	A public hearing was held to consider a request to amend the General Plan and General Plan Detailed Land Use Map for Ewa Beach by redesignating a 0.23±-acre site from Residential use to Public Facility-Sewer Pump Station use. Publication was made February 18, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Ian McDougall reviewed the Director's report of the proposal. Mr. Chew Lun Lau aided in the presentation with slides illustrating the proposed Site A, and alternative Sites B and C. The slides indicated various design and operational aspects, location and landscaping of other STPs on Oahu.

Analysis of the criteria and findings indicates that the selection of Site A is based on the fact that it is the least costly of the three sites. Cost comparison shows Site A to be $35,000 less than Site B and $985,000 less than Site C. The additional cost incurred by Site B over Site A is the need to acquire a much larger land area and an existing house and the costs of relocation (rental). The additional costs incurred by Site C is for additional length of force main, a $610,000 sewer pump station, additional land cost, and the operation and maintenance costs of that additional sewer pump station. Therefore, based on cost comparison, Site A is preferred over Sites B and C.

The Director's recommendation is for approval, based upon the analysis and recommendation contained in his report.

Noting from the slide presentation, the close proximity of existing STPs to residential units, question was raised regarding complaints from nearby residents. Mr. Lau indicated on the whole, no complaints have been received from residents living near any of the STPs on Oahu.

Public testimony followed.

Testimony AGAINST

1. Letter dated February 28, 1972 from Kinji Kanazawa, Attorney for Mr. Tsukasa Sato
2. Attorney Roy M. Kodani, representing Mr. Tsukasa Sato, Property Owner of Site A proposed for Public Facility-Sewer Pump Station use.

   Mr. Kodani requested that the public hearing be continued to permit Mr. Sato an opportunity to further review the application and the report of the Division of Sewers and the Planning Director, and to continue the conference with the Division of Sewers before final action is taken by the Commission on the application.

Testimony in SUPPORT

Mr. Calvin Ontai, Acting President, Ewa Beach Community Association (Submitted letter dated February 28, 1973)

Mr. Ontai indicated that at a meeting of the Ewa Beach Community Association held last evening, the membership unanimously voted in favor of the STP site chosen by the City. No one dissented. The membership did request that the City provide a "nice building", and that the area be fenced and landscaped.

MOTION: Mr. Yamabe moved to close the public hearing which was seconded by Mr. Bright.

Discussion followed.

Recognizing the request made by Attorney Kodani in behalf of his client, Mr. Sato who is the property owner of the subject site, Mr. Crane suggested that the public hearing remain open for two weeks.

MOTION WITHDRAWN: Mr. Yamabe withdrew his motion, and Mr. Bright his second.

MOTION: The public hearing was kept open for a period of two weeks, on motion by Mr. Crane, seconded by Mr. Bright and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

UNFINISHED BUSINESS
CONDITIONAL USE PERMIT
(SAND MINING OPERATION)
MOKULEIA
WARREN KOBATAKE DBA
WARREN CORPORATION
(FILE #72/CUP-12)
and (72/SUP-3)

Public hearings were held on January 17 and 24, 1973. At the meeting on February 21, 1973, action was deferred one week for the staff to prepare a supplementary report.

Mr. Carl Smith, Staff Planner, presented the Director's Supplemental Report No. 3 on the project. As a result of public hearings held, and subsequent investigation of several points which were raised, it is felt that with some minor revisions, and with the inclusion of two additional conditions, that the original recommendation of approval with seventeen conditions is still valid. Subjects which appeared to be of major public concern at the hearings were as follows:

1. Adequacy of the Environmental Submission: Several questions were raised as to the adequacy of the Environmental Impact Study. The Office of Environmental Quality Control in responding to our direct question to them stated that the original submission and the ensuing dialogue between the applicant and the various agencies are sufficient to provide "an adequate description of the proposed operation and its probable environmental impacts."

2. Scale of Project: The applicant originally proposed to mine a total of 152 acres, and subsequently modified that proposal to include the 129 acres included in Increments 1, 2, and 3, deleting Increment 4. It was originally recommended that he be allowed to mine the 66 acres known as Increments 1 and 2. It was suggested by opponents at the public hearing that he be limited to the 22 acres included in Increment 1. The Director's recommendation remains unchanged.

3. Effect on Waialua High School: At the Commission's request, the Police Department was contacted as to the frequency of enforcement of the Vehicular Noise Regulations in the Waialua area. Up to the date of contact, no enforcement of the regulations had been attempted in the Waialua area. On February 2, 1973, an officer equipped with a noise level measuring device was stationed on the high school site and reported that passing trucks generated 76-78 decibels of noise at a distance of 50 feet. This lies well within the 86 decibels

allowable under the regulations, but would preclude normal conversation or classroom instruction.

4. Suggestions by the OEQC: In their letter, the OEQC makes three suggestions relative to additional conditions to be imposed. They suggest that (1) the Environmental Health Division, Department of Health be requested to monitor the operation for conformity with environmental standards; (2) the Soil Conservation Service be requested to review the final grading plans; and (3) the applicant be required to submit, every six months, a report on his operation including a measurement of noise and fugitive dust levels.

5. Financial Liability of Operator: The suggestions submitted at the hearings as to conditions which would guarantee the operator's financial ability to cover liability for loss or damage resulting from the operation were evaluated. It is felt that sufficient recourse is available through insurance and legal channels. It is not felt that additional conditions are necessary or appropriate.

It is recommended that the Conditional Use Permit be approved with the original seventeen conditions (except as amended) and two additional conditions as suggested by the OEQC.

Questions were raised by the Commission.

BRIGHT: With respect to hours of operation, is the primary concern in relation to trucks on the highway or is this the concern of operation within the area also?

SMITH: Its both. The figures that were developed by the applicant, and also figures that were reported to us from the State Highways people indicated that the peak hours of traffic flow fall outside of the 8:00 a.m. to 5:00 p.m. hours. The peak is definitely over at 8:00 a.m. The fact that the applicant will be garaging his equipment in Honolulu guarantees that his final run of the day would be against the peak flow. That's the rationale in terms of trucks on the highway.

The rationale in terms of the operation itself on site is that you're not starting up so early as to wake people in the morning, and you quit early enough so that people can relax after work without problem of the operation.

BRIGHT: The question I really intended is what is the objection to on site work on Saturdays?

SMITH: Again, this is basically a recreation thing. I think it came out in public testimony that that beach is used by people when they're off work. The idea is just to take knowledge of that fact.

YAMABE: I have a question regarding the validity of Condition 18. Assuming that condition is imposed on the applicant, how valid is this condition where you're requiring the Department of Health Environmental Health Division to conduct field inspections?

SMITH: It would not be valid unless this were a Special Use Permit. The State Land Use Commission takes action on the Special Use Permit, and it would include all the conditions that we would impose. So, that's where it gains its validity.

CRANE: What trucks did they measure?

SMITH: They measured two types of vehicles. The trucks hauling from the Dillingham Quarry would be the most comparable.

CRANE: Have you had any recommendations relative to the noise on Condition 8? I don't understand that.

SMITH: The point is that at the high school, we have two public facilities which are sort of competing against each other. The public has the use of the road, and the public has the high school. The suggestions were that Warren Corporation be responsible for soundproofing the high school. Well, this would be like how do you penalize one individual user in favor of everybody else that's using the road?

CRANE: I would agree. If so, the airline companies have to soundproof all the schools in the flight pattern. The Department of Education is not going to do it.

CHAIRMAN: Has the applicant reviewed the supplemental conditions?

SMITH: The applicant has been informed. I talked to his attorney just the ending of last week.

CHAIRMAN: Has there been a response?

SMITH: There has not.

YAMABE: Have you had a chance to compile information on the total natural resources, particularly sand, that might go into synthetic sand and so forth?

SMITH: No, we have not. We simply have not had the staff time to go into that research.

YAMABE: Might I suggest, Mr. Director, that you might request of the industry, people involved in this type of industry, to compile this information and make it available to the staff for future reference.

(There was no further discussion.)

ACTION: The Commission adopted the Director's recommendation, and recommended approval of the State Special Use Permit and the Conditional Use Permit, subject to the conditions contained in the Director's report, on motion by Mr. Crane, seconded by Mr. Bright and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

UNFINISHED BUSINESS
STATE SPECIAL USE
✓PERMIT & CONDITIONAL
USE PERMIT
(SANITARY LAND FILL
OPERATION & RELOCATION
OF EXTRACTIVE INDUSTRY)
EWA: PUU PALAILAI &
PUU MAKAKILO
PACIFIC CONCRETE &
ROCK COMPANY, LTD.
(FILE #72/SUP-1 &
72/CUP-15)

Public hearings on this matter were held January 3 and 31, 1973. The public hearing was closed on January 31, 1973, and the Commission's action was deferred as required by the State Land Use Rules and Regulations governing the Special Use Permit portion of the request.

In the Director's initial report to the Commission, approval was recommended on the sanitary land fill request but a denial on the quarry request. The recommendation for denial was based on the fact that the applicant had not submitted sufficient geologic information to evaluate alternative sites for the quarry; the configuration of the proposed finished grade of the quarry area does not fully respect the Preservation designation shown on the General Plan for a portion of the area; and the grading plan does not provide the flexibility for a desirable residential development.

The Director's recommendation for the sanitary land fill proposal remains that of approval, subject to the conditions as set forth in the initial staff report dated December 20, 1972.

With respect to the proposed quarry operation, several meetings have been held with the applicant for the purpose of clarifying the geologic aspect of the proposal and to determine whether other alternatives for finished land configurations had been explored. From these meetings, the Director is satisfied that the applicant has conducted a reasonably complete survey of the potential rock deposits on Oahu, and the site selected on the southeastern slope of Puu Makakilo is reasonable.

The proposed quarry site in its present natural state can be developed into a highly desirable residential community. For this reason, the end configuration of the quarry area should be such that the land will be left in a manner which would maximize the potential for residential development that would be consistent with the surrounding natural areas. Such a plan can be developed if the applicant considers the following guidelines:

1. The ridges on the Makakilo side and on the Honolulu side should be left in its natural state because of the visual buffer they provide.

2. The ultimate quarry land forms should be so designed so that the development of this area can be easily integrated with the future development of the surrounding areas to form a total community.

3. Large plateau areas should be created in order to provide for a maximum flexibility for future residential design. These plateaus

should also be arranged to provide for ease of circulation within themselves as well as with the surrounding areas.

4. There should be a gradual sloping of the ultimate quarry land forms in order that the end configuration will be more in keeping with surrounding land forms of Puu Makakilo.

The United States Department of the Navy has expressed concern that their facilities--a water system consisting of two reservoirs, a tunnel and pipeline systems--may be damaged and personal injuries could result if blasting is allowed. Because of this concern expressed by the Navy, approval of the subject permit requests should be so conditioned that, prior to commencement of the quarry operation, the applicant must make a determination that the operation will not adversely affect the Navy's water system. A representative of the Navy indicated that such a condition would be acceptable and, further, that the Navy will work closely with the applicant to develop a quarry operation that will be compatible with Navy interests.

Most aspects of the quarry operation appear reasonable and acceptable. The major concern is with the grading of the quarry area as proposed by the applicant. The Director's recommendation is to approve the request to permit the operation of a quarry, subject to the conditions contained in his report.

Questioned whether it would be desirable to defer action for submission of final grading plans by the applicant, the Director felt this matter could be handled administratively. The applicant has reviewed the conditions and finds them acceptable.

ACTION: The Commission adopted the Director's recommendation and recommended approval of Conditional Use Permits and Special Use Permits for both the sanitary land fill proposal and the quarry operation, subject to the conditions contained in the Director's report, on motion by Mr. Crane, seconded by Mr. Yamabe and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

* * * * * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mr. Bright, seconded by Mr. Yamabe and carried:

ZONING CHANGE
R-6 RESIDENTIAL TO
B-2 COMMUNITY BUSINESS
DISTRICT
MAILI
RAYMOND X. AKI AND
ASSOCIATES
(FILE #72/Z-72)

1. The request is for a change in zoning from R-6 Residential to B-2 Community Business District.

GENERAL PLAN
✓ AMENDMENT
RESIDENTIAL TO
PARK USE
KAPALAMA
CITY & COUNTY OF
HONOLULU
DEPT. OF RECREATION
(FILE #252/C2/8)

2. The request is to amend the General Plan by redesignating a 1.22-acre site from Residential to Park use.

✓ PLANNED DEVELOPMENT
HOUSING
MAKAKILO/KAPOLEI
FINANCE REALTY
(FILE #72/PDH-14)

3. The proposal is the development of 120 townhouse leasehold condominium units.

Five requests for construction within the Hawaii Capital District:

4. ✓ HAWAII CAPITAL DISTRICT (72/HCD-6) (73/HCD-5)

Applicant: Building Department, City and County of Honolulu
Tax Map Key: 2-1-31: portion of 21 and 15
Request: Demolition and replacement of Kakaako Fire Station

5. ✓ HAWAII CAPITAL DISTRICT (72/HCD-34)

Applicant: Dept. of Accounting and General Services, State of Hawaii
Tax Map Key: 2-1-25: 2
Request: Air conditioning equipment to be added to Archives Building

6. ✓ HAWAII CAPITAL DISTRICT (72/HCD-36)

Applicant: Arturo Salcedo
Tax Map Key: 2-2-3: 89
Request: Fence and retaining wall

7. ✓ HAWAII CAPITAL DISTRICT (73/HCD-1)

Applicant: Nuuanu YMCA
Tax Map Key: 2-1-5: 3
Request: Handball court, new lounge and toilet room addition

8. ✓ HAWAII CAPITAL DISTRICT (72/HCD-4)

Applicant: Queen's Medical Center
Tax Map Key: 2-1-35: 3
Request: Parking building and physician's office building.

ADJOURNMENT: The meeting adjourned at 4:10 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
March 7, 1973

The Planning Commission held a meeting on Wednesday, March 7, 1973 at 2:10 p.m., in the Conference Room of the City Hall Annex. Chairman Rev. Eugene B. Connell presided.

PRESENT:

Rev. Eugene B. Connell, Chairman
Roy R. Bright
James D. Crane
Antone D. Kahawaiolaa
Fredda Sullam
Thomas N. Yamabe II

STAFF PRESENT:

William E. Wanket, Assistant Planning Director
John Grant, Deputy Corporation Counsel
Calvin Ching, Staff Planner
Henry Eng, Staff Planner
William Enriques, Staff Planner
Tosh Hosoda, Staff Planner
Ian McDougall, Staff Planner
Stanley Mofjeld, Staff Planner
Charles Prentiss, Staff Planner
Ali Sheybani, Staff Planner

PUBLIC HEARING
HAWAII CAPITAL DISTRICT APPLICATION
(KAKAAKO FIRE STATION REPAINTING)
CITY & COUNTY OF HONOLULU
HONOLULU FIRE DEPT.
(FILE #73/HCD-4)

A public hearing was held to consider a request for an application for development in the Hawaii Capital District for repainting a portion of the existing Kakaako Fire Station Maintenance Building, Tax Map Key 2-1-31: 18.

Publication was made February 25, 1973 in the Sunday Star Bulletin/Advertiser. No letters of protest were received.

Mr. Henry Eng presented the Director's report of the request. The proposed repainting in no way violates the intent of the HCD Ordinance. The color will match the ivory/beige color of the existing building. It will not match the color of the proposed new fire station. This is not critical, however, since the area to be painted cannot be seen from public areas.

The Director's recommendation is for approval.

There were no questions of the staff.

No person was present to speak either for or against the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mrs. Sullam and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Crane, seconded by Mr. Bright and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

PUBLIC HEARINGS
✓HAWAII CAPITAL DISTRICT APPLICATION (SINGLE-FAMILY RESIDENCE)
CHARLES THOMPSON
(FILE #72/HCD-30)

A public hearing was held to consider a request to construct a two-bedroom, one-bath, single-family dwelling in the Hawaii Capital District, Tax Map Key 2-2-2: 108.

Publication was made February 25, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Henry Eng presented the Director's report of the request. The site is on the mauka edge of the Hawaii Capital District, and is designated road on the City's Development Plan. The Department of Transportation Services has no plans to acquire the site. The applicant, on February 17, 1972, was granted a variance to permit construction of a single-family dwelling subject to City Council action on the acquisition of the property for road purposes. The variance is conditioned on not having a concrete slab floor. The proposal is compatible with the character of that portion of the district.

The Director's recommendation is for approval.

No questions were raised by the Commission regarding the Director's 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. Kahawaiolaa, seconded by Mr. Bright and carried.

ACTION: The Commission adopted the Director's recommendation and recommended approval of the request, on motion by Mr. Crane, seconded by Mrs. Sullam and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

PUBLIC HEARING
✓HAWAII CAPITAL DISTRICT APPLICATION (LAND ACQUISITION & DEMOLITION, FUTURE GARAGE)
STATE DEPT. OF ACCOUNTING & GENERAL SERVICES
(FILE #72/HCD-32)

A public hearing was held to consider a request concerning land acquisition and demolition in the Hawaii Capital District, for the Department of Accounting and General Services' Future Garage, Tax Map Keys 2-1-18: 11, 2-1-19: 1, 2, 3, 4, 6, 7, 16, 18, and 22.

Publication was made February 25, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Stanley Mofjeld presented the Director's report of the proposal. The request is for approval of a blanket demolition application so structures can be demolished as they are vacated, without having to wait for a repetitious review process for each structure. The 3.22-acre site contains 30 existing houses, small commercial structures and parking areas. The residential structures are in generally poor condition and should be repaired or demolished. Most of this housing is currently occupied. There are many large trees in the area that should be saved as much as possible.

The Director's recommendation is for approval, subject to certain conditions stated in his report.

The following points were discussed by the Commission:

1. Whether the Director's recommendations were discussed with the applicant.

   The applicant was contacted by phone and commented on the Director's recommendation that "the area be grassed and maintained right after demolition until construction of the garage is begun." The applicant will maintain the area after demolition; however, funds for landscaping the area were not included in their budget.

   The staff pointed out that since the proposed structure has not yet been developed in design form, it might be a year or more before actual building construction occurs.

2. Regarding the relocation of present tenants, no answer was received from the applicant on this issue.

3. Recognizing a potential noise problem due to the close proximity of St. Andrew's Priory School to the proposed demolition site, question was raised as to what precautions might be taken so there is no interference with classroom activity. The staff will look into this matter.

No person was present to speak either for or against the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mr. Bright and carried.

MOTION: The Commission deferred action on this matter for two weeks, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried. The Commission requested the following information:

1. Whether the applicant will landscape the area once it has been cleared.

2. What is the status of homes on site, and what provisions will be made for relocating the occupants? Commissioner Bright commented: "I don't see any reason for a speedy destruction of this area in view of the fact that there are no basic plans completed at the present time."

3. Inasmuch as St. Andrew's Priory School is located next to the subject site, it may be difficult for classes to carry on during demolition and construction periods. A condition on this point should be worked out, or some coordination with the school's principal.

PUBLIC HEARING ✓HAWAII CAPITAL DISTRICT APPLICATION (SHELTER/BOOKSHOP BUILDING) KAWAIAHAO CHURCH (FILE #73/HCD-3)	A public hearing was held to consider a request to construct a new shelter/bookshop building in the Hawaii Capital District, Tax Map Key 2-1-32: 17. Publication was made February 25, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Stanley Mofjeld, Staff Planner, presented the Director's report of the request. The proposal is a shelter/bookshop to replace an existing temporary shelter adjacent to the tomb of Lunalilo. The church has been designated a registered national historic landmark (1963). The structure is well below the 65-foot height limit for the district.

The Director recommends that the request be approved.

There were no questions of the staff.

No one spoke AGAINST the request.

Mrs. Clorinda Lucas, Trustee for Kawaiahao Church, commented that the new structure will be much more attractive and usable. They are in need of space for a bookshop. Mrs. Lucas requested the Commission's favorable consideration of their 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: The Commission concurred with the Director's recommendation, and recommended approval of the request, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

PUBLIC HEARING ✓GENERAL PLAN/DLUM AMENDMENT WAIANAE INDUSTRIAL TO RESIDENTIAL, LOW DENSITY APT., SCHOOL, PARK, & AGRICULTURAL USES OCEANVIEW VENTURES (FILE #202/C1/29)	A public hearing was held to consider a request to amend the General Plan and Detailed Land Use Map for Waianae by redesignating lands from Industrial to Residential, Low Density Apartment, School, Park, and Agricultural uses for lands located in Lualualei, Waianae - area generally bounded by Lualualei Naval Road, Mohihi Street, Ulehawa Drainage Channel, and the Kaiser Cement Plant, Tax Map Keys: 8-7-09: portion of 3 and 8-7-21: portion of 26.

Publication was made February 25, 1973 in the Sunday Star-Bulletin/Advertiser. A letter OPPOSING the proposal was received from the Hawaii Farm Bureau and is included in testimony against the request.

Mr. Calvin Ching, Staff Planner, reviewed the Director's report of the proposal. The applicant intends to develop the subject property with 1,900 residential and apartment units for low- and moderate-income families. The total population generated by this development is estimated to be about 6,650 people. About 1,100 units will be constructed under the planned unit development concept as townhouse units and sold in fee. An additional 800 apartment units will be developed as three-story walk up rental apartments consisting of one-, two-, and three-bedroom units.

In conjunction with this request, a 6.0-acre elementary school site, a community park consisting of 4.0 acres, and three small recreation areas are being planned within the proposed townhouse development. Within the proposed rental apartment area, the applicant will provide a swimming pool, two basketball courts, two sand volleyball courts, and several play areas for young children.

The Director recommends approval based upon a detailed evaluation of the request and primarily on the basis of the need for moderate-income housing and the limited amount of available lands for such development. However, in order to minimize any potential environmental problems between the existing and proposed uses for the subject parcel and the adjoining lands, adequate buffer and transition areas should be provided within the development site along boundary lines adjacent to the drainage channel and the Kaiser Cement Plant.

It is further recommended that lands located on the Makaha side of the drainage channel be amended to eliminate constricted pockets of Industrial lands within an Agricultural area.

The staff was questioned as follows:

SULLAM: Would you review again, where the planned developments are presently being proposed.

CHING: On the Nanakuli side of the proposed development, we have a 600-unit development by Shelter Corporation. Below the development, we have the Keystone proposal which I think has 500 units proposed. These are the other two principal developments in the area.

SULLAM: Could you tell us what income range housing these are? Are they all in one category? Are they diversified income categories?

CHING: Its my understanding they were all originally intended for low and moderate income housing. The situation now is questionable at this point. I'm not familiar with the latest in regards to these particular developments.

WANKET: The Keystone project as you know is now presently before the City Council. They had originally proposed 50% of the project to

be in low-cost housing. However, because of FHA programs no longer being in effect, they are now reconsidering actually how much or how many of those housing units can, in fact, be at the low-cost moderate income bracket. They are presently now working out cost estimates. We have not received them yet. At this point and time, I really don't know whether it will be how much less than 50%, if less at all.

SULLAM: What about Shelter Corporation, has that been finalized yet?

ALI SHEYBANI: Shelter Corporation was designed to be moderate income housing. That's not low-income housing. We don't have at this point, any definite price range for those. Its going to be moderate, definitely not low.

SULLAM: Is this project going to be low-income?

CHING: Moderate.

SULLAM: Then there's no guarantee of low-income housing in this area, really, other than the Keystone, if it comes through.

SHEYBANI: That's true because there's no more federal government subsidy for any housing. That might be one reason.

WANKET: I might add, Mr. Chairman, that most definitely, we will be very concerned and interested in the preparation of plans for the planned development site. We most definitely will be trying to get the cost down as low as possible and hopefully get some low-cost housing in there.

CHING: In light of the situation with the FHA, the developers could probably answer these questions.

SULLAM: In your opinion, do you feel that if this does not go into low-cost housing, that ultimately the possibility of massing large parcels of lands such as this for low-cost housing become eliminated, if you possibly permit large parcels such as these to go into medium or higher cost housing? Isn't it depleting the possibility of finding large parcels for low-income housing if we don't hold this to low-cost housing?

WANKET: I'm not sure really how to answer that except to make reference to the Keystone project. Initially, it was 50% low cost. The testimony given by everyone was this was about the last remaining low-cost site available for low-cost housing. They had proposed then because of FHA pull back, about 15% for low-cost housing of which the Planning Director then immediately withdrew his recommendation of approval. At the present time, his recommendation is for denial unless we can get a heck-of-a-lot more than 15%. In answer to your question, I believe on Keystone anyway, we have all along, the Land Use Commission, the Planning Commission, the City Council, relative to the General Plan been geared ourselves up for low-cost housing. That still is our target and still our recommendation before City Council.

YAMABE: Was the so-called buffer area recommended by the staff?

CHING: At this time, there is no set buffer area recommended by the staff. We do recommend a buffer along the boundary between the cement plant and the development site, and along the drainage channel.

YAMABE: You don't have any specific recommendation?

CHING: The Department of Agriculture did consider a 1200-foot buffer but they rejected this idea because it would not make the site feasible for moderate-income housing. The size of the site would be shrunk so much.

YAMABE: I take it then the Planning Department would decide as to what the width of the buffer is?

CHING: This would have to be worked out in detail because number one, there is some question as to where the channel lies right now. Its not fixed. There are some improvements that would have to be made to the channel. I would feel the buffer would have to come along in that area.

YAMABE: What criteria is the Planning Department going to use in determining this buffer area?

CHING: At this time, I think there is a question in regards to what size buffer we can use. At this point and time, I'm not really sure what size buffer would be appropriate without detailed studies.

YAMABE: Is it possible to make a recommendation if you're not sure what the buffer area ought to be?

CHING: Well, the recommendation by the Department of Agriculture was for a minimum of 400 feet. This was one alternative.

YAMABE: But you have not accepted this recommendation.

CHING: We felt there may be some problems involved with the stream channel and the topography of the site itself, this might be left to more detailed planning of the area.

WANKET: Mr. Chairman, on that point of the buffer zone, the applicant, I believe, is intending to go to the planned development route whereby he will be developing specifics, in terms of building location and in terms of a total site plan. At that time when we do get to that plan, we will be working closely with the applicant as well as with the Department of Agriculture and the Department of Health to try to pinpoint more precisely, the buffer zones and the effects of the buffer zone. To answer your question at this time, we really don't know.

YAMABE: My concern is I think this is a pertinent factor in considering this application. Reading the report here, the Department of Agriculture indicated "any buffer in excess of 400 feet might

certainly reduce the project in size as to make the development unfeasible." I wonder if we should not consider this first because I don't think its right to all parties concerned, the developers and the others included, if we're not certain as to what the actual buffer requirements and size might be.

CRANE: We have a report from the DOE regarding the crowding of schools.

CHING: This was given to the developers this morning. They just handed it to me this afternoon. The original letter we had from the Department of Education approved the development. However, since the developer scaled down their original application for 1900 units to 1600 units, they met with DOE regarding these changes.

CRANE: The second recommendation on the last page of their report confuses me: "Approval of subsequent zoning requests be conditional to the developers' commitment to assist the State in providing temporary school facilities..." Are they suggesting that this developer do that? If so, what formula are they going to use? This is the same question we had on several others. This doesn't make sense to me. If they're going to have all subsequent developers make a commitment, why not this one?

CHING: There may be some details in actually working it out with the developer that they may have. I'm not that familiar with their actual contact with DOE and their understanding with DOE.

CRANE: I wonder, Mr. Chairman, if we might get that information. I'm worried about the formula if there's going to be temporary buildings again. I don't want to see 42 students temporarily, which they'll want to do.

CHAIRMAN: I would imagine that the applicant may be able to shed some light on that. If not, I'm sure we can get a representative from the Department of Education here.

(There were no further questions of the staff.)

Public testimony followed.

Testimony AGAINST--

1. Mr. Franklin K. S. Leong, President, Ulehawa Farm, Inc. (Submitted letter dated March 7, 1973)
2. Mr. Calvin Y. K. Wong, President, Hawaii Pork Industry Association (Submitted letter dated March 7, 1973)
3. Mr. Samuel K. Kakazu, Farmer, 87-1610 Kuualoha Road, Waianae (Submitted letter dated March 7, 1973)
4. Mr. Billy Tokuda, Administrative Director, Hawaii Farm Bureau, Suite 504, Hawaii Building, 745 Fort Street, Honolulu (Submitted letter dated March 7, 1973)
5. Mr. Harry Choy, President, Mikilua Center Farm Bureau (Submitted letter dated March 5, 1973)

6. Letter dated March 7, 1973 from Island Pork Producers Cooperative Assn.

Objections:

1. Use of this land for residential development would create serious problems between the farming community located adjacent to this land and the people who would be moving into the development. The necessary incidents of farming is a certain amount of odor, spray damage, and disturbances caused by livestock and poultry. It is easy to see that if housing is permitted adjacent to farms that, without respect to priority in establishment of farms, the urban dwellers would immediately make many, frequent and loud complaints about farming operations. From past experience, non-farming neighbors will object very strongly to the smell and force an eventual abandoning of operations.

2. If residential development is permitted, it will cause speculation in the adjacent farm lands of Mikilua Valley which would eventually make land there too expensive to farm. Livestock farming would not be nurtured in Mikilua Valley which was especially rezoned to AG-2 in 1971 to accomplish this end. It would be a further encroachment on lands suitable and needed for agriculture.

3. Schools in the community are already full and will be overcrowded if more students are added. Whether the Department of Education can accommodate this population shift seems doubtful in light of the State's present financial plight.

4. Agricultural lands are extremely short on Oahu. Such lands should be preserved for agriculture and future expansion of livestock.

5. Lands adjoining the proposed site zoned AG-2 are the major agricultural areas on Oahu for livestock. From it farmers provide 85% of the broilers, 40% of the eggs, 85% of the pork, 30% of the flowers, 10% of the vegetables, and 60% of the milk sold in the Honolulu market. State-wide, 55% of the pork is produced in this valley.

6. Farming is a natural resource which generates revenue and jobs as the farmer nurses his product from the soil to the consumer, to processing plants and markets.

The Commission questioned various speakers concerning odor control techniques, and what restrictions are placed upon farmers by the Department of Health regarding odor.

The Commission noted from the report by Mr. Fred Rodriguez, Environmental Consultant for the applicant, that the problem of odor could be, if not totally alleviated, certainly minimized with proper odor control techniques, but that perhaps the farmers were not using these techniques.

Mr. Franklin Leong, President of Ulehawa Farm, Inc., testified that odors cannot be totally eliminated, and that it would be impractical to install proper equipment to minimize odor. The cost is too great. He cited as an example, a $60,000 cost on the mainland to install odor-reducing equipment for a herd of 500 hogs. It is economically unfeasible for local farmers to attempt these measures.

Restrictions placed upon farmers by the Department of Health are applied with some leniency, depending on where farms are located. These restrictions become more stringent in densely populated or adjacent urban areas, while in total farming communities, a certain amount of flies and odor is not obnoxious or detrimental. The Department of Health may be lenient with them now since there are no people around them to complain. Eventually though, the situation may arise where installation of odor-reducing equipment may be required and may raise the price of hogs to a point where they will not be able to compete with other hog raisers.

Mr. Billy Tokuda of the Hawaii Farm Bureau stated that one of the restrictions placed upon farmers within the past year is the use of lagoons for control of animal effluent. This system provides various methods of retaining liquid waste. The particular system used in this area is a stabilization pond on site. Two types of lagoons included in this method are the aerobic which produces the least amount of odor, and the antirobic lagoon which is deeper and will produce odors if overloaded.

Mr. Choy, President of the Mikilua Farm Bureau, indicated that farmers would farm the subject land if it were left in Agriculture. The area was proposed at one time by the State for an Agricultural Park, but it did not materialize. In his 20 years of farming, he had received only one complaint which resulted from runoff water after a heavy rain, through no fault of his. The runoff water followed a natural path. He did call an Inspector from the Department of Health.

The Chairman acknowledged the problem farmers are faced with and of the tremendous agricultural need as well. However, he also recognized the housing need for people in this area, and questioned what types of control might be economically feasible for farmers. He corrected a statement by Mr. Choy that the Commission denied a similar request made recently by Shelter Corporation, and later retracted his correction: "I must apologize to you, Mr. Choy. The Shelter Corporation was voted against by the Commission but not on the basis of Agricultural use because it was already Urban zoned, but on the basis of the school situation in the area and the apparent incapability of DOE and/or the developer to produce the classrooms that were needed."

Testimony in SUPPORT

1. Mr. Jack Palk, Realtor-Consultant for the applicant

2. Mr. Fred Rodriguez, President, Environmental Communications, Inc. (Submitted testimony dated March 7, 1973)

"...Our testimony will deal with the environmental considerations which have been discussed relative to the application submitted by Oceanview Ventures to amend the General Plan.

Present in the audience today are members of the technical advisory board who developed the text material which I am presenting this afternoon. They are: Mr. Henry A. Alexander, Dr. Michael Chun, Dr. Gordon Dugan, Mr. Robert Nekomoto. If there are specific questions by Commission members regarding the testimony, these gentlemen would be pleased to answer them. I will address the environmental considerations specifically by area and identify the technical consultant responsible for its development:

A. Air Quality - Mr. Robert Nekomoto

The development site is located downwind, under normal tradewind conditions, of two major point sources of air pollution: The cement production plant and open burning of agricultural waste in the Kunia area. Despite the location being several miles upwind, the burning of pineapple trash has been observed in Lualualei. The cement manufacturing plant is the major source of air pollution in this area and the emissions from the preparation, processing and finishing of cement has a severe environmental impact on the quality of life prevailing in the Lualualei area. The emissions for the present are excessive. However, they are inherent to the type of activity in which minerals are processed and exposed to high temperatures and physical stresses for reduction to small particle sizes. Other sources of pollution which may be defined as area sources are created by people in the valley, including those who work or reside there. In contrast to point sources, the sources of pollution by this group is apportioned over the entire valley area. Activities contributing to the area sources are burning of fuel, open burning of solid waste, incineration of waste and maintenance and operation of motor vehicles.

Wind patterns during the summer months shows three major wind changes. A period of calm prevails from about 7:00 pm and appears to continue until about 7:00 am. The tradewinds pick up during the early morning and early evening hours. On shore, or southerly, winds pick up from 11:00 AM and until 4:00 PM. The change in wind direction and frequencies seem to follow a typical example of drainage wind being offset by onshore breeze mixed in with effects of radiational heating of the valley walls. It can be assumed that these conditions also exist during the winter months but to a lesser degree since a great number of days experience different meteorological conditions. Sampling of the existing air quality of the Lualualei Valley was conducted by the State Department of Health during August 1972. These

samples indicated that data collected along Hakimo Road and Paakea Road show that dispersion of particulates from the cement plant were limited to the direction of the prevailing winds. With reference to the cement plant, the average values shows 114.5 micrograms per cubic meter of air at the upwind station, and 251.6 micrograms per cubic meter of air at the downwind stations. The values at Hakimo and Paakea Roads were 60.3 for Hakimo, and 74.9 micrograms for Paakea, respectively.

Levels measured during the study definitely showed that emissions from the cement plant were in violation of the existing regulations Accordingly, the cement plant has already submitted to the Department of Health a compliance schedule of abatement to meet the requirements of air pollution control regulations. A public hearing is scheduled for this year by the Department of Health with the goals of compliance with its regulations by July 1, 1975. As first scheduled, residential units are planned for sale and occupancy during the summer of 1975. The abatement schedule for the effective control of cement plant emissions can be timed with the actual occupancy of the residential units at Lualualei.

The proposed project will have very limited impact on the environment of the project site and the adjoining vicinity. The present level of pollution from the point source will be reduced in accordance with a timetable of compliance. The new area source of vehicle emissions attributable to the project proper is not expected to be significant. Estimating two cars per townhouse unit and 1-1/2 cars per apartment unit, the additional vehicles will contribute an estimated 592 tons of automobile source emissions to the overall environment, an additional 5% of the existing 10,906 tons of pollutants per year. The expected increase is not a significant deterioration of the atmospheric environment.

The alternate use of the project site is the expanded use for agriculture, with emphasis on agriculture-2 classification. The project site would not be considered viable for general farming since improvements to the existing ground and soil quality would be essential. As far as odors from the animal industry in Lualualei Valley is concerned, the odor threshold has already reached the nuisance level. To assign the project site for further expansion of the Ag-2 classification would increase the odor levels past the nuisance levels for the existing residents who are not engaged in animal agriculture, unless certain measures of animal waste management are effected by the farmers.

In conclusion to this section, the lack of control of odors from the animal agriculture industries can prove to be of nuisance value to potential purchasers of residential units in the valley area. However, the farmers can initiate certain waste management practices that will minimize odors while also improving the operating efficiency of their farm operations.

B. Liquid and solid waste - Michael Chun, PhD., and Gordon Dugan, PhD.

The discussion of this phase of environmental quality within the project proper and the adjoining land areas engaged in animal agriculture will be divided into two major categories: (1) Project proper and the attendant problems, and (2) the adjoining animal agriculture industry areas with their attendant problems.

(1) The Project Proper. Within the proposed project boundaries, the only current sources of liquid wastes are from the surface water runoff generated by rainfall both within and above the project boundaries. The Ulehawa Stream is the present conductor of this surface runoff from rainfall that develops above the project boundaries at approximately the 1600 foot elevation of the Lualualei Valley mountain wall.

New sources of liquid and solid wastes generated by the project proper could be classified into three classifications: Domestic wastewater, potential increase and altered water quality of surface runoff, and finally, solid waste generated by domestic sources.

The estimated population of the project proper is gauged to be approximately 5,600 people, based on 3.5 people per unit x 1,600 units. The estimated wastewater to be generated by the project proper at the nationally accepted waste water "rule of thumb" of 100 gallons per capita per day would be 560,000 gallons per day. As indicated in earlier correspondence by the applicant to the City and County of Honolulu, Department of Public Works, the project will be sewered within completely and anticipating the availability of the County sewage treatment system along Farrington Highway by 1975-76, the developer, together with other proposed projects within the Lualualei section, has discussed the mutual sharing of costs necessary to provide the trunk line to connect the project to the County system. In the event that the timing does not coincide, the applicant has indicated that waste water treatment will be provided on the project site. This treatment will be in accordance with the State Department of Health regulations for the treatment of sewage affluent.

The generation of two major sources of solid waste must be considered from the project proper. The first is the construction and demolition debris and rubble normally associated with major construction projects of this size. This will be handled by removing the organic and burnable items to the City landfill sites since on-site burning is now prohibited. The second major source of solid waste generation will be the residents themselves, who are estimated to generate domestic wastes at the rate of 4-lbs. per day, or approximately 11 tons per day of total solid wastes.

(2) The Adjoining Animal Agriculture Industry Areas. Two major environmental considerations that must be taken into account when locating residential areas near high density animal agriculture operations are the potential nuisances of odors and fly breeding if the animal operations are not properly managed. Odor and fly breeding nuisances are dependent on the type of animals, density of the animals, type of enclosure, climatic conditions and wind patterns. However, the method of manure handling and disposal is generally the governing factor. The potential for odors can best be summarized by quoting one of the nation's foremost authorities in animal wastes, Professor Raymond C. Loehr, who states:

> "Odors are another problem in addition to flies associated with animal production facilities. Some odors are inevitable near such facilities. While odors can be reduced by proper sanitation in production facilities and by proper treatment facilities, odor control and eradication or both is difficult and costly."

In view of the considerations that have to be given to waste handling, odors and fly breeding control, there is presently an increasing trend for animal raisers to work closely with both State and Federal agencies as well as the University of Hawaii in an effort to develop a system that is both effective and economically feasible. The traditional methods employed by the single proprietor animal farmer may be precluded by the more effective systems of combining into cooperatives that can, by their larger size, more effectively meet the challenge of improved marketing costs as well as the capital investments for more sophisticated methods of waste treatment and disease control. In the final analysis, the farmer must look ahead to the future when existing methods of operations will be obsolete due to rising costs of production and operations. A parallel can be drawn perhaps by the advent of the super market chains who have replaced the single owner grocery store in Hawaii. Increased productivity achieved through cooperative effort can provide greater efficiency of operation.

C. Agricultural Economics - Mr. Henry Alexander

Lualualei Valley is a mature valley in geological terms whose streams have leveled the mountain mass giving it a comparatively flat floor. Located in the Waianae District on the western end of the Island of Oahu, the warm and dry climate lends itself to a variety of agricultural industries in both plant and animal categories.

The soil in the upper half of the valley is not particularly fertile due to the older alluvium which prevails, but it is productive if irrigated. In the lower part of the valley, the younger alluvium is of improved quality and has greater moisture retention qualities. This soil is located along the intermittent stream beds in the

central portion of the valley immediately northeast of the coral deposits previously quarried for building materials use.

The rainfall throughout the valley is insufficient for the viable production of crops without irrigation and ranges from 20 to 40 inches annually. There is little ground water within the valley proper due to the insufficient rainfall and also the impermeable floor does not lend itself to transport underground of the basal water sources from the mountain sectors. Because of this low plant industry productivity potential, and because swine production is better suited for dry climates, hog farms abound in the valley together with poultry and dairy farms. The majority of the farmers have selected this area not only for its natural advantages, but also due to the fact that land costs at the outset were consistently lower for fee purchase, or long term lease arrangements were quite favorable.

The hog farms and the other animal farms in the vicinity of the proposed development are, by and large, family owned and operated. Most of the hog farmers are nearly of retirement age because labor is difficult to recruit, even among their own families. In 1966 a survey showed that of a total 50 principals interviewed, only 3 were less than 40 years old. At that time, 20 operators were in the 40-49 age group, 24 were in the 50-59 age group, and 3 were over 60-years old. A closer examination along these lines offers the possibility that due to the age factor listed, the planning horizons of these farmers are not directed towards continuing their operations since labor, land costs, feed costs, replacement stock costs and many other considerations are making them think twice before investing significant capital improvements.

Despite the opportunities for improving their operations and subsequently their productivity through more efficient methods, the farmers are less inclined to pursue this area of improvements since their attitudes are that in a short time they will be retiring from the industry and the significant capital improvements are not warranted. It is to the credit of the farmers that despite the problems which have confronted them due to the traditional techniques they have employed, many of them have sought out and obtained aid and technical assistance from various State and Federal agencies to improve their operations. Many of the modern systems of waste handling and disposal, however, require a minimum amount of capital expenditures that perhaps are over and beyond the abilities of these farmers to meet.

New concepts including the use of slotted floor design for hogs have evolved through long years of experimentation and have proven that correctly utilized the areas of increased productivity through better animal health, lower mortality rates among young animals and improved maintenance of the confinement areas, are investments returned to the farmer. For the livestock farmer who does pay attention to maintenance, the control of parasites and

disease minimize his losses and increase his profit margin. One of the more outstanding examples of this new attitude towards improved methods is the example set by Mr. Tony Salcedo. A dairy farmer, Mr. Salcedo has consistently exceeded the average calf mortality of 30% by installing slotted floors which reduce disease potential. His calf mortality rate is 5%.

In the area of waste management, University of Hawaii staff and Farm Bureau technicians have advocated a proper balance of waste disposal through larger lagoons and ponding areas, thus avoiding the dangers of overloading and the subsequent odor problems that ensue. While odors are inherent in the nature of the animal farming industry, it is conceded that these odors can be reduced and the accompanying fly breeding can also be cut back with proper management of waste disposal.

In conclusion, the tenure of the livestock farmers in the Lualualei Valley is the paramount consideration since these farmers have been shunted from one end of Oahu to the other. They are reluctant to invest in more than the minimum necessary to operate their high density operations, and with few exceptions, are not planning to continue operations if forced to move again. As a paradox, these temporary facilities have in themselves created a problem for the livestock farmers because they do not offer an opportunity for sound solid waste disposal practices which in turn create the nuisance factors of odor and fly breeding. In the final analysis, the makeshift operations do not lend themselves to efficient operations that can improve productivity, cut down operating costs, and reduce odors and fly breeding.

3. Mr. Frank Brandt, Land Use Consultant for the applicant (Presented testimony on the Buffer Zone)

The following are buffer and transitional areas to be provided between the proposed PDH and the existing agricultural and industrial uses.

A. To retain the existing drainage channel in its natural state of approximately 200' to 300' width.

B. To permanently retain the approximately 14 acres of land owned by the development outside the urban boundary as an additional buffer for the planned development.

C. To incorporate a pedestrian greenbelt of varying width as deemed adequate by the PDH staff during detail planning of the PDH. The landscaped greenbelt will run the entire length of the proposed development adjacent to the natural drainage channel and will be heavily planted to afford sufficient filtering of undesirable air pollution.

D. To retain the existing kiawe grove adjacent to the cement plant and add additional landscape buffering to a depth of 250 feet for the length of the property line adjacent to the cement plant.

E. To begin building construction from the makai end of the property away from the cement plant and proceed mauka at which time air pollution control devices required for the cement plant by July, 1975 will be in operation.

F. To inform all prospective buyers and stipulate as a condition of sale, their understanding and acknowledgment of the Environmental Impact Statement prepared on the subject area. The Environmental Impact Statement will include an assessment of the significant effects upon the environment and discuss in detail the project impact of air and other pollution generated by the adjacent land uses.

4. Mr. Kenneth Nakamura (Presented testimony on Pricing of Units)

NAKAMURA: I have made cost projections for this project based on sales for one year from now in which I have added on the 12% increase tax dollar on construction. Our projection shows that 150 homes have been built and we can market under $30,000. We have projected another 500 homes that will be in a price range of from about $30,000 to $33,000. We have another 150 homes that will be within the range of $34,000 to $36,500. There will be approximately 50% of the homes that would be about $37,000 and below.

I would like to comment that in view of the fact that the subsidy program is out right now, we feel that within the next year or so, some sort of program will come out from federal. There has to be to alleviate some of the rising cost of housing that we have right now. What I'm saying is with this kind of price structure, we are trying to leave it so when a program does come out, we will try to implement as much of this as we can.

Questions were raised by the Commission.

CRANE: What is the prevailing wind direction in that valley?

FRED RODRIGUEZ: (Indicated wind direction on map as mauka to makai)

CRANE: The last time we talked about this on a proposal in the same area, citizens from the Waianae area testified that because of the topography, many times the breezes came from just the opposite direction.

RODRIGUEZ: Mr. Bob Nekomoto who prepared that portion of the report can respond to your question.

ROBERT NEKOMOTO: Actually, there is very little information about this. The National Weather Bureau does not have information of this.

During the summer months, there is a period of calm. During the period of calm, the movement of the air within the valley varies depending upon the radiation of heating of the valley floor and the valley wall. At night, you have a calm. In the morning when the land starts to get hot, the air

starts to rise, then you get this on-shore breeze. In between this on-shore breeze, you have the effect of the valley wall radiation. In the morning when the sun is coming in over the east, the western wall would become hot, the air would rise in that area, and as a result, the flow would be opposite to what you described. However, in the afternoon when the sun is now on the other side of the mountain, the flow of air is definitely as you described it, it comes in from the upper section of the valley. It hugs the mountain side of the valley and comes down towards the Nakatani Store area.

CRANE: So in the morning, the wind direction is makai-mauka, and in the afternoon mauka-makai.

NEKOMOTO: Right.

CRANE: How late in the afternoon is the direction mauka-makai?

NEKOMOTO: That depends on the time of the year because the heating of the wall by the sun is the determining factor. According to what information we have, its up to about 4:00 pm or 5:00 pm in the afternoon.

SULLAM: I'd like to ask Mr. Brandt if he submitted his proposal of buffer zones to the Department of Agriculture, and did it meet their criteria?

BRANDT: No, we have not submitted it to the Department of Agriculture. They have been submitted to the Planning Department but as to whether the Department of Agriculture agrees to the finite points, how wide it should be we'd have to get into more detailed planning to find out what our unit configuration of the site will be, and how the buffering will benefit the protection of noise pollution.

SULLAM: Are you familiar with the criteria that has been established by the Department of Agriculture? They do have guidelines. I'm wondering whether you can abide by the guidelines.

BRANDT: The only guidelines I am aware of are the distance factors.

SULLAM: Perhaps we can ask Dr. Dollar from the Department of Agriculture to tell us about the guidelines that have been established.

DR. DOLLAR: I don't have a copy of the guidelines with me, but these were circulated to various agencies and departments in the business, in response to Mr. Yamabe's question at one of the earlier sessions. Subsequently, these have been approved and agreed upon. They will be made available to the Commission and to any individual who wishes to use them.

SULLAM: Do you think your department and the developer could work together and come to a compatible conclusion as to how this development can proceed?

DOLLAR: We've discussed the problem with the developers on site. We certainly feel there is a rationale that can be arrived at.

SULLAM: A question of Mr. Palk. Since you're going the PD route, would you object to holding the rezoning recommendation until you have planned development formulated?

JACK PALK: On previous occasion, we had the application of the General Plan change approved and sent it upstairs subject to working out these kinds of problems prior to getting the rezoning change so that it doesn't sit here. In other words, we can do more work as it goes upstairs. The Agriculture staff is working with Mr. Brandt's staff in terms of PDH plans. Certainly, as the guidelines are published, your staff will have it in their study of the plans.

SULLAM: The reason I say this is somewhere in the report it says that the boundaries established by the Department of Agriculture at 400 feet, the project would not be able to go ahead. It would be too costly.

RODRIGUEZ: If I might address the buffer, the recommendations of the Department of Agriculture as far as whether or not it would be enough to accomplish the anticipated problem or odor, whether you would go 400 feet, 700 feet, 1200 feet, the measurement or the criteria that you have to determine on the objectionable quality of a pollutant such as odor, I don't think you can really determine that. Its an arbitrary determination. Mr. Choy the farmer says he doesn't find it objectionable because he is in this field of raising hogs. Maybe someone coming from the outside may find it objectionable. But, as far as trying to reduce the measurement and the subsequent distances required, what is the buffer zone minimum, maximum, whatever, I just don't feel, and I could ask the people on my staff, that it isn't a scientific process to determine the broadcast area, what buffer zones would be necessary. I know that the requirement they tried to have us accept has been discussed. As far as the land planner section is concerned, the existing channel, the land that would be on the other side of the urban boundary would be retained, the use of vegetation planting, but these are all subject to the wind patterns, periods of calm. But, during the normal day, the odor problem is not that great. We say that it can be reduced. So, whether or not the definition of what is a buffer zone, what could be an adequate buffer zone, that would be very difficult to determine. It really would, on a scientific basis. Its nebulous and its arbitrary.

CRANE: How wide is the channel?

PALK: Two to three hundred feet.

YAMABE: Question of Dr. Dollar. Is it possible that the Department of Agriculture is considering more than 400 feet?

DOLLAR: Under certain circumstances, the federal guidelines were actually held.

YAMABE: Were those guidelines developed arbitrarily?

DOLLAR: The ones on the mainland were developed for mainland use and we have to adapt it to our situation here. The 400 feet here was arbitrarily decided upon. Part of that 400 feet was established because of the topography and the drainage channel.

YAMABE: The question is, is it possible to establish this type of guideline on some scientific basis, not purely arbitrary?

DOLLAR: Its going to have to be arbitrary.

YAMABE: Does any one of you have any idea as to what the comment "efficient operation" mean in actual physical improvement as well as cost?

RODRIGUEZ: I would address that to Dr. Dugan and Dr. Alexander. We can discuss some of the methods that can be utilized to increase the efficiency of the production.

DR. GORDON DUGAN: There are some basic sanitary practices that could be carried out if economics is allowed such as removing manure, such as using lagoons. According to what Mr. Leong said something like 2400 hogs are raised per year and 3500 expected next year. I would imagine this would be a conservative loading pond about 10-acre lagoons. I saw it from the air but I don't know what the total acreage is. Its basically just a matter of sanitation. You keep it cleaned up then the odor won't prevail. There always will be some odors. As far as cost, the prices quoted at a recent seminar was $10 to $50 per home for putting in some of these modern facilities.

YAMABE: Have you had the opportunity to relate the cost to the local situation?

DUGAN: One thing you could assume, the cost in the local situation could be higher, considering mainland prices to Hawaii prices. However, there could be other considerations. You don't need quite an adequate enclosure here as you do on some mainland conditions.

YAMABE: You said if economics permit. Is there a possibility it may not be economically feasible?

DUGAN: I really couldn't address myself to what the farmer's operation is. I think that Henry Alexander could respond to that better than I could.

YAMABE: Dr. Alexander, when you relate economics to the actual operation, does it mean that these people are willing to and can expend the fund that they can come up with a better operation? If they can't, does it mean ultimately these people will be out of hog production?

DR. ALEXANDER: I can only speak to what they can do, not to what they couldn't do. It can be done but it may be on an economic arrangement. I can't speak to the economics of it. On the mainland it has been done. Of course, there they have more land available. I think there is a compatibility between the operation and housing.

YAMABE: Dr. Dollar, if Dr. Dugan is able to extract some information on the cost, maybe your department, will you be able to relate this basic information to the local hog operation from the standpoint of capital investment and feasibility?

DR. DOLLAR: These operators have invested through the farmers financing. We have tried to keep the farmer informed on this.

YAMABE: Dr. Dugan, you're referring to the ponding system?

DR. DUGAN: I can't make a general statement to solve all pollution problems. You'd have to go to each individual situation and take a look at it.

YAMABE: I realize your constraints; however, I'm trying to get the Department of Agriculture involved and see if we can't come up with some kind of an answer.

DR. DOLLAR: Dr. Hugh has been maintaining an active role in the Waianae area on this problem. He is the one that has been working with the hog raisers on this problem.

YAMABE: Well, I did want to get to the answer. I didn't want to just leave it at the point where we might suggest this is possible, this is possible and so on. A number of things are possible but whether its probable or can be effectuated is another question.

To quote Professor Loehr, he too recognizes the eradication is next to impossible, if not very costly. This is the reason why I want to get the facts behind this.

The recommendation is also made that it might be of a greater benefit to all parties if they combined into cooperatives to operate more effectively which would include the disposal question as well as marketing, etc. What disturbs me is I would like to see this happen in the industry, but I don't know whether we can actually implement this or not. Say if we're not able to get these people together--they're no different from residents or land developers--what other alternatives might you have?

DR. DUGAN: The alternative I see is they'll have to go in and pick it up more often. Hog manure is very similar to human manure, coming from a single stomach animal to say the sewage treatment plant. This would be ridiculous as far as economics is concerned, but its the same type of waste.

YAMABE: So, it still goes back to the system. Can you find a system?

DR. DUGAN: Its possible. If economics prevail, maybe you could pick this up, take it off the site and spread it. Maybe it'll fit into adequate lagoons. I really can't say. Like I say, I've only seen this from the air. I don't know the number of hogs there. If you know this information and use certain design criteria, you can come up with pond sites.

YAMABE: Dr. Dugan, what basis might you have used to make this statement: "Many of the modern systems of waste handling and disposal, however, require a minimum amount of capital expenditures that perhaps are over and beyond the abilities of these farmers to meet."

DR. DUGAN: What I'm talking about there has to do with economy scale. If several people can get together, not necessarily on the management of their farm, but just in the waste disposal system, there are certain basic

costs. There are two specific things that I can think about. One is a deeper lagoon. Instead of spreading the area of diffusion on the surface of the ground, its spreading it through a core that goes deeper into the ground for dispersion into the soil and sand without more surface for the odor to come up.

The other is the shape and size of the pen. The animals tend to live at one end and feed, and defecate at the other. They have a tendency of cleanliness themselves.

YAMABE: I assume this statement was also based on the social considera tion, not pure economics.

DR. DUGAN: Yes. I think there's something else. We've taken a lot of general information for that valley. There's a lot of young farmers back there. So, what we said about age may not be true of these gentlemen.

YAMABE: Well, you did say this was taken in 1966, so some changes did take place.

SULLAM: Mr. Brandt, what would happen to this development if it turns out that the requirements of the Department of Agriculture are such that the costs are raised to a point where you can't offer houses at $30,000, $33,000, etc.?

JACK PALK: There's two alternatives. I just feel that reasonable people can establish a buffer at a compromise. If you widen the buffer, the economics of the housing units will price itself out of the market.

SULLAM: That's why I feel for this type of condition it would be desirable to put in the planned development at the same time that you're asking a request for a General Plan change. I think we would avoid the whole problem of having something that would not be able to go ahead.

FRED RODRIGUEZ: I would like to say that from the point of view that we had to review the total development, we are unanimous in that while you have problems inherent in an AG-2 classification area, the development as has been described is definitely not against agriculture. I think the compatibility of the project with its very near proximity to the AG-2 zone and with the natural drainage channel as a buffer zone, with all of these things which we have outlined, which are suggestions which the farmers may take up, there can be compatible use of this project adjacent to the AG-2 zone.

YAMABE: The statement made by Dr. Alexander: "They are reluctant to invest in more than the minimum necessary to operate their high density operations, and with few exceptions, are not planning to continue operations, if forced to move again", would you say this is the general consensus with the hog raisers?

DR. ALEXANDER: I don't have any direct interviews with those people. Others I've talked to both at the University Extension Service and other places, these people have been pushed and pushed and pushed. I don't want them to get pushed too much further. That's the situation. Going by what

Fred says, we think they can be compatible uses. Up in Kona they have the same problem. The Extension Agent reported up there, they worked on the method. They now find that with good sanitation and regular maintenance, the operations are compatible.

YAMABE: Let me summarize this environmental assessment. There are many possibilities of improving the situation, but we come down to the one thing, whether its economically feasible. As far as the development is concerned, I'm sure you're sincere. The ultimate problem as was presented by the earlier witnesses opposed to this development was the people that would come into your development. I realize you don't have any control over this; however, I think the statement was made by Mr. Brandt that buyers would be informed of pollutant factors. I wonder if Mr. Brandt might tell me what effect this might have? What effect would it have as far as assuring the farmers there would be no pressure coming from their new residents and owners of these homes?

BRANDT: There would be in their agreement some fine stipulation that they are aware of air pollution from that AG-2, and knowing about it, there would be no recourse of forcing the farmers out of the area.

YAMABE: The question was not directed in a legal area because I'm not an attorney but I don't think its possible to attach that kind of covenant.

JACK PALK: I think what Frank is trying to say is that we certainly would want to give notice to the residents moving in, public report, disclosure, but beyond that, I don't think we can tell any resident there you cannot do this or that.

CRANE: I would like to know if you have consulted with the Department of Education, and if you've made some agreement with the Department of Education relative to what types of school buildings will be provided to take the overload, and have you made an arrangement with them to provide financial assistance if portable classrooms have to be moved prior to 1977?

BRANDT: Yes, we have met with them quite a few times. We have not worked out all the details as to the types of classrooms, whether they be portables, size, all this. These are all details and will be worked out when the planned development is processed through the Planning Department. At that time, the request will come through as to the specifics of it. We have had meetings with them discussing the student factor generated from the development. That has been reduced from what it was originally in the report, to approximately half.

CRANE: You have not discussed with them any formula when its your financial responsibility for providing portable classrooms.

BRANDT: What year you mean?

CRANE: Well, what I'm saying is they have an ideal number of students per classroom. I've known them in the past to provide this; when that is exceeded by X number, then you are required to give financial assistance in order to provide another classroom. Have you discussed that kind of thing?

KENNETH NAKAMURA: Yes, we have discussed that with them. We have done this on a couple of our previous projects. Not only have we agreed, but we will do this.

CRANE: Could you give me the figures of what you have discussed with them?

NAKAMURA: The last agreement that we had was one portable classroom could house about 25 to 48 pupils. It cost about $30,000 per classroom.

CRANE: My question is, 27 is the ideal figure they usually throw out. Have they made an arrangement with you that when that number 27 is exceeded, when are you required to then provide the financial assistance to get another classroom? Is it 28, 29, 30? I think I know.

NAKAMURA: Well, what they usually do is plan for a school of a certain size. When the population of the pupils exceed that, then we pay over and above what they had estimated.

CRANE: Your answer to me is no, then. They have not told you that a portable classroom is designed to house X number of students, say 27. Its designed for that. When that is exceeded because of the overflow created by this project, you will be required to give financial assistance. They have not told you what number that is?

NAKAMURA: No.

CRANE: Thank you.

YAMABE: Will it be economically feasible for your project to get off the ground if the buffer is 1,000 feet?

NAKAMURA: Well, if we don't get the density, then our house cost would be considerably more depending on how many units we lose.

JACK PALK: I was wondering how long it might take for the Planning staff and our planners just to identify that one area in terms of the PDH buffer area. Part of the problem is processing and timing. PDH does take a long time to process. Whether that item might be extracted and cleaned up within a week, I don't know.

WANKET: Mr. Chairman, I don't think we're going to want to consider the buffer until we consider also, the site plan. The planned development is a total process. The buffer is going to be an integral part of the site plan and vice versa. I don't think that is possible at this time.

CHAIRMAN: In your testimony, Mr. Nakamura, you mentioned 800 units ranging in price from below $30,000 up to $36,000. Do you suppose all 800 units will be built by 1974?

NAKAMURA: We will complete the first houses towards the end of 1974. This is going to be a five-year project.

CHAIRMAN: Your price factor is figured on the basis of 1974?

NAKAMURA: First year, right.

CHAIRMAN: How many will be built in the first year?

NAKAMURA: About 300 per year.

CHAIRMAN: Are you going to use the 12% factor?

NAKAMURA: Right.

CHAIRMAN: For each subsequent year?

NAKAMURA: Right.

CHAIRMAN: What percentage of the 150 will be built in the first year?

NAKAMURA: I would say about 25% to 30%.

CHAIRMAN: 25% to 30% of the 150 or of the total 300?

NAKAMURA: No, of the 150.

CHAIRMAN: So, in order to get a picture of this, we would have to add on 12% up the ladder--

NAKAMURA: In order to meet this, right.

CHAIRMAN: What is going to be the square-foot size of the units under $30,000?

NAKAMURA: It runs in the approximate range of between 700 to 750 per unit.

CHAIRMAN: Those $30,000 to $33,000?

NAKAMURA: About 750 to about 800-850.

CHAIRMAN: Those $34,000 to $36,500?

NAKAMURA: It will run between 850 to 950-1,000.

CHAIRMAN: In one of the agency reports that came back, the concern was raised by the Office of Social Resources regarding rentals. Out of your experience, what percentage of a PUD actually becomes rental property to people buying and turning around and renting them out?

NAKAMURA: Well in this project, we're going to make a stipulation in our contract that you're going to be a home-buyer, that you occupy these units.

CHAIRMAN: In the event the person buys it through a dummy and then rents it out, how are you going to handle that?

JACK PALK: The way its structured is they're putting in a provision

for buyback. You can't sell within X number of years without first offering it back to the developers.

CHAIRMAN: So, no rental apartments will come out of this project.

PALK: There will be no rental apartments to be built as such, right now. These will be all owner-occupants. It may be at the time when they're ready to build, that the federal government through revenue sharing with the state might come up with another 235-236 program. At that time, we would like to take advantage of it and put in some rental units.

CHAIRMAN: Is there any position through the state to do this now?

PALK: I don't know. We're thinking about Act 105. Its very difficult. Right now, they don't want to go on it.

CHAIRMAN: The state through Act 105 does not want to--

NAKAMURA: Well, they'll look at the project after we have passed the General Plan stage. When we have funds to show them, then they'll consider it at that time.

YAMABE: How many areas on the Island of Oahu are already zoned AG-2?

WANKET: I really don't know.

DR. ALEXANDER: I can answer that. In my research, the only other area zoned AG-2 is Zion's property in Laie. They are not at the present time accepting any leases for hog farming. Then, there is a noxious zone adjacent to the Campbell Industrial Park. I've heard recently that there's been some livestock operations moving in there.

YAMABE: That's zoned for AG-2.

DR. ALEXANDER: That's correct.

WANKET: Mr. Chairman, I have a question of Ken Nakamura.

Ken, on the cost figures, I think your application intended to go with the 235-236 program. We don't have that program anymore. The structure of your prices, $28,000 was the low figure. How does that figure in with the FHA 235-236?

NAKAMURA: I am confident that we can meet those qualifications.

WANKET: You are still intending to follow the guidelines and rules of the FHA 235-236 in terms of structuring the pricing of your project?

NAKAMURA: Right. In the event the subsidy program does come out, then we can qualify.

WANKET: Would there be any, as you can see now, any objections if you were to go to planned development route, and such a condition were imposed that would illustrate that intention?

JACK PALK: In the exact words that he said, I would not have any objection whatsoever. In other words, if the federal, state, or county programs has subsidies that would take the place of the 235-236, certainly, we would want to participate in that program. To that extent, I see no reason why that can't be formed as part of the conditions. Is this what you're saying?

WANKET: I think I'm going a little beyond that. Not that if a program were to be established, but that the price structures would reflect what the FHA 235-236 programs are now. In other words, some assurance from your part that that will take place over this period of time that you propose to build your development. Naturally, if other kinds of programs come into being, I would suspect that you probably will take advantage of it. But, in lack of those programs, if you still feel its appropriate on your part to make such a commitment as a condition.

PALK: I'm trying to fully understand what you're saying. Normally, when any new programs come out in subsidies, they will have the subsidies tied to income levels, and also income levels in price range. What he is saying is that within the criteria that are established, he is going to try and meet it. You are trying to say that we should hold to these pricing which is now as they say, for some years down the line, and I think that's very difficult.

WANKET: No. The other thing. What I'm trying to really say is that you would commit yourself to a price structuring as you'd know it today, for the period of your development, and have that as a condition. In other words, no longer an intent, but that your development will proceed on the basis of each price schedule, and that would be listed as a condition in your planned development. I know we're not talking planned development now but I just wanted to get for the record, your views on this.

YAMABE: Mr. Chairman, might that be a fair question because we're not considering the conditional use application, we're considering the General Plan change.

WANKET: I do think its a fair question because of our experience with Keystone where we did go through the General Plan change and an intent was made. Now, we find ourselves in a very difficult position to control the development now because of changing conditions. I just wanted to know when we get to that stage as to whether we're going to still stick by our guns.

NAKAMURA: Okay, I can say this, we can probably hold it for the first two years one PDH development program. Then, as the prices of construction goes up, maybe allow for increase as every year goes by. This will be a yearly five-year project. I don't think that anybody can hold their prices for five years.

WANKET: Ken, it wasn't meant to indicate that you would hold the price. There would be naturally, an increase from year to year. I am not too sure however, that it would have to be on a 12% basis. That seems kind of high, just as an observation.

(The Commission had no further questions.)

The public hearing was closed and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Crane and carried.

MOTION: Mr. Bright moved, seconded by Mr. Kahawaiolaa, that the Commission concur with the Director's recommendation, and recommend that the request be approved.

Discussion followed.

Mrs. Sullam recalled a map prepared by the Department of Agriculture indicating their proposal and preference for Agricultural zoned lands in the Waianae area, and felt the Commission should recognize and relate its action to those lands proposed for Agriculture by the Department of Agriculture. She requested that action be deferred, and that the map be presented at the next meeting.

Commissioner Yamabe spoke AGAINST the motion for approval: "Mr. Chairman, I agree there is a shortage of housing. There is also shortage of land for Agriculture. We need this industry. We have a situation where these group of hog raisers represent a very large percentage of the total State pork production. They have been pushed from place to place. They have nowhere else to go. This is why I place more importance on the preservation of this Agricultural area. As far as housing, I believe there are many other areas that we can develop this type of housing.

I also agree these two uses can be compatible, provided it is economically feasible to install proper sanitation equipment. I say, economically, it is not feasible for the farmer."

MOTION WITHDRAWN: Mr. Bright withdrew his motion to recommend approval, and Mr. Kahawaiolaa, his second.

MOTION: The Commission deferred action for one week, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried. The Commission requested that the map prepared by the Department of Agriculture indicating its proposal for Agricultural zoned lands in the Waianae area be presented at the next meeting.

PUBLIC HEARING
✓ GENERAL PLAN
DETAILED LAND USE MAP
& DEVELOPMENT PLAN
AMENDMENT
FIRE STATION & PARK
TO RESIDENTIAL, FIRE
STATION, & PARK
KAIMUKI
CITY & COUNTY OF
HONOLULU
BUILDING DEPT. &
HONOLULU FIRE DEPT.
(FILE #214/C1/16)

A public hearing was held to consider a request for various changes from Fire Station and Park to Residential, Fire Station, and Park resulting in an adjustment of the areas designated on the Detailed Land Use Map and Development Plan for Fire Station and Park use, for lands located in Kaimuki, Tax Map Key 3-2-36: 7, 8, 9, and 31.

Publication was made February 25, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Ian McDougall presented the Director's report of the proposal. The applicant has petitioned to adjust the current fire station configuration to avoid the acquisition of

residentially improved areas. The applicant indicates that future fire station improvements can be accommodated on City-owned Parcel 7 without condemnation of adjacent residential parcels. In support of the proposal, the applicant has submitted an evaluation of the present fire protection services and future needs of the Kaimuki area which references population and housing, incidences of fire in the area, and present level of fire services as compared with National Board of Fire Underwriters Standards. The applicant has also submitted plans showing future planned expansion of existing fire station facilities and improvements wholly within the City-owned Parcel 7.

Based upon the analysis contained in his report, the Director concludes that the land use pattern being proposed constitutes an adjustmert of existing General Plan land use policy and is in keeping with the guidelines specified in the Dalton Decision. It has been established that residential areas previously set aside for Fire Station expansion are no longer needed for that purpose. The applicant has shown that expansion can be accommodated on City-owned lands. The analysis has also shown that the proposed configuration is appropriate to meet long range expectations and residential use is the best alternative use for the areas to be deleted from Fire Station designation. Therefore, it is recommended that the General Plan be amended as proposed.

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

No one spoke AGAINST the proposal.

Two letters SUPPORTING the change to Residential were received from:

1. Mrs. Geraldine Nagahisa, Property Owner of Lot 9 (Submitted letter dated March 5, 1973)
2. Mr. and Mrs. Ernest LiangLi Moo, Property Owners Lots 8 and 31 (Submitted letter dated March 7, 1973)

The public hearing was closed, and the matter was taken under advisement, on motion by Mrs. Sullam, seconded by Mr. Crane and carried.

ACTION: The Commission adopted the Director's recommendation, and recommended approval of theproposal, on motion by Mr. Crane, seconded by Mr. Bright and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

PUBLIC HEARING
ZONING CHANGE FROM
R-6 RESIDENTIAL TO
✓B-2 COMMUNITY BUS.
DISTRICT
PUNALUU
ROBERT M. KAYA
(FILE #72/Z-65)

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 1.586 acres of land located on the mauka side of Kamehameha Highway--53-534 Kamehameha Highway (Kaya's General Merchandise), Tax Map Key 5-3-06: 49.

Publication was made February 25, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Tosh Hosoda, Staff Planner, reviewed the Director's report of the proposal. The applicant is seeking the requested zoning change so that he would be able to repair, alter and add to his existing store. Since the subject property is presently zoned R-6 Residential District, the store is considered a nonconforming use. As such, he is precluded from making additions to his store. The subject area is presently a a nonconforming commercial use in a residential zone. The change in zoning will bring the subject area in a zoning classification which will be compatible with its present use and also be in consonance with the General Plan for the neighborhood.

The Director recommends that the request be approved.

There were no questions concerning the Director's report.

No person was present to speak either for or against the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Crane, seconded by Mr. Bright and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam, Yamabe
NAYES - None
ABSTAINED - Connell

✓STATE LAND USE COMMISSION REFERRAL CONSERVATION TO URBAN WAIALAE-NUI (WILHELMINA RISE) WILLIAM O. WHITE (FILE #73/LUC-2)

Referred to the Commission for comment and review is a petition from the State Land Use Commission to amend the State Land Use District Boundaries.

The Director's report was reviewed by Mr. Charles Prentiss. The submitted proof that the area is needed for a use other than that for which the district in which it is situated is classified is as follows:

1. The "extra land" is needed so that proposed improvements will conform to the setback requirements of the CZC.

2. A portion of the area will be improved as a picnic area.

3. Acquisition of the area will also ensure privacy along his back boundary.

The proposed improvements consist of an extension to the existing garage up to the property line to provide a workshop and bathroom. The CZC requires a 5-foot setback from the property line. The structure will not actually occupy the subject area. The subject area is rectangular with an average width of 100 feet and a length of 147 feet and is quite excessive for the purpose of meeting the 5-foot setback

requirement. Furthermore, the petitioner may seek a variance from the requirements of the CZC through the Zoning Board of Appeals. In this case, it would seem more appropriate to first utilize the variance process which was developed specifically to address any anomalous situation created by the zoning ordinance. An analysis of the issue at this level should provide a basis for deciding if any further action involving adjustments to the State Land Use District boundaries is necessary.

Improvements related to a picnic area do not appear to be an appropriate basis for amending the Land Use District boundaries since that use is permitted in the Conservation District, although subject to approval by the Department of Land and Natural Resources. The reason for ensuring privacy does not also appear to constitute valid proof inasmuch as this is not a criteria nor objective for establishing any district.

Based upon the analysis contained in his report, the Director recommends that the petition be denied.

No discussion followed.

ACTION: The Commission concurred with the Director's recommendation and recommended that the request be denied, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

AYES - Bright, Crane, Kahawaiolaa, Sullam Yamabe
NAYES - None
ABSTAINED - Connell

ADJOURNMENT: The meeting adjourned at 5:45 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
March 14, 1973

The Planning Commission held a meeting on Wednesday, March 14, 1973 at 2:08 p.m., in the Conference Room of the City Hall Annex. Chairman Eugene B. Connell presided.

PRESENT:
Eugene B. Connell, Chairman
Roy R. Bright
James D. Crane
Antone D. Kahawaiolaa
Thomas N. Yamabe II

STAFF PRESENT:
George S. Moriguchi, Deputy Planning Director
John Grant, Deputy Corporation Counsel
Loretta Chee, Staff Planner
Calvin Ching, Staff Planner
Tosh Hosoda, Staff Planner
Stan Mofjeld, Staff Planner
Francis Lau, Observer

ABSENT:
Fredda Sullam
Paul Devens, ex-officio

MINUTES:
The minutes of February 21, and 28, 1973 were approved, on motion by Mr. Crane, seconded by Mr. Bright and carried.

PUBLIC HEARING
✓HAWAII CAPITAL DISTRICT APPLICATION
(FENCE & RETAINING WALL)
ARTURO SALCEDO
(FILE #72/HCD-36)

A public hearing was held to consider an application to develop within the Hawaii Capital District, Tax Map Key: 2-2-03: 89.

Publication was made March 4, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Gerald Henniger, Staff Planner, reviewed the Director's report of the proposal for a fence and retaining wall addition. The site is not affected by the Development Plan and is shown on the Hawaii Capital District ordinance map as parks and recreation for which there is no plan for acquisition. The Planning Director's recommendation is for approval subject to the following conditions:

1. All fencing should be of the proposed concrete block/redwood design with natural coloring.

2. Plant material should be coordinated with fencing. A detailed landscape plan should be submitted for approval by the Planning Director prior to the issuance of a building permit for the fence.

There were no questions from the Commission concerning the Director's report.

No person was present to speak either for or against the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mr. Bright and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

AYES - Bright, Connell, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Crane, Sullam

PUBLIC HEARING HAWAII CAPITAL DISTRICT APPLICATION (KAKAAKO FIRE STATION) BUILDING DEPARTMENT CITY & COUNTY OF HONOLULU (FILE #72/HCD-6 & #73/HCD-5)	A public hearing was held to consider an application for proposed demolition and replacement of Kakaako Fire Station, Tax Map Key: 2-1-31: portion of 21 and 15. Publication was made March 4, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

The Director's report was presented by Mr. Henry Eng, Staff Planner. The Building Department, through architect Charles Chamberland, proposes to replace the Kakaako Fire Station presently on South Street by a new facility to be located at 555 Queen Street adjacent to the Royal Brewery building which is designated on the National and State Registers as a valuable historic site. The Hawaii Bicentennial Commission is seeking its conversion to a Heritage House. A bill is before the Legislature to consider this proposal. The existing fire station is architecturally distinctive and presently houses some valuable fire fighting relics. The proposal for demolition does not specify where these relics will go. The Historic Buildings Task Force of the Hawaiian Historic Society has suggested its preservation as a museum to house antique fire fighting equipment.

The Director's recommendation is for approval, subject to modifications stated in his report.

The Commission had no questions regarding the Director's report.

Public testimony followed.

Testimony AGAINST--

1. Mrs. Nancy Bannick representing the Citizen's Advisory Committee on the Hawaii Capital District.

BANNICK: I am Chairman of the Historic Buildings Task Force, and also a member of the Citizen's Advisory Committee on the Hawaii Capital District. I'm also on the Advisory Committee on the Hawaii History Center which is a part of the Hawaii Bicentennial Commission.

My background on this fire station goes back some years. I have no quarrel with what's been attempted here, in fact in the last year or

two, to come up with a pretty nice fire station and to do the whole job right. But, so many things have happened in the last six months since this thing has been deferred, that we ought to defer a little longer and just see if there isn't some other way to handle the whole thing.

When this station was first proposed, when the city went after the site next to the brewery, that was because there was to be a widening of South Street, which is now off, at the time, they could have stuck with their present site probably, but there wasn't determined to be enough room there so they had to look for another place. That's how come they came up with this land between that filling station and the brewery.

Our feeling would be if we could back up and live with the existing station, put the money into repairing it and adding on to it. That would be the ideal solution because in a sense, we'd be preserving an architecturally interesting old fire station, and continuing it in good use. It might be possible, since South Street is apparently not going to be taken off of for the widening. If that can't be done, we certainly would go along with the idea of preserving the old fire station as a museum place to house fire department relics. Rather than just tear it down, there must be some other way to provide a black top maintenance or service place for them to drive into on that site other than having to knock down that nice fire station. It is our feeling that it could work out very well with whatever is developed out of the brewery and on the brewery land.

The best thing of all would be not to have to take away that land next to the brewery for a fire station. As part of this Bicentennial Commission proposal, its thought that in addition to the acquisition and restoration of the brewery itself, that over a period of time it would be desirable to add a couple of other buildings, and also provide for parking on the site. The fire station is going to be right in the way. That's the unfortunate thing.

Its too soon to tell, but in our deliberations of a couple of days ago, the staff man on the Bicentennial Commission indicated that much will depend on how the legislature reacts to this within the next couple of months. If they don't buy the idea of buying the brewery and turning it into a Heritage House, all we would have lost is the time. But, we feel this is going to come about. I think that's probably the last hope of rescuing, saving, and doing something with the brewery itself. Its my feeling that we don't have an awful lot to lose to hold off just a little longer either, because I think the City, even if it didn't acquire the land, the amount hasn't been settled, the money hasn't been paid out yet, we'd be down the drain on money that's been spent for plans, and so on.

There is also right across the street, the old Shelly Motors building which is empty. Why couldn't the fire station go there? Then it wouldn't interfere with the brewery land. Somehow these things really ought to be looked at in the next few months before the final decision is made here.

I can't argue that the fire station needs a bigger, better station. Probably so, but the fact that it needs repair doesn't mean that it can't be repaired and added on to right where it is.

Mr. Eng acknowledged the receipt of a letter from Mr. Aaron Levine, Chairman of the Citizens' Advisory Committee to the Capital District, dated March 13, 1973. The letter states:

"...After considerable discussion, the Committee voted to request the Planning Commission and other City agencies to defer action on the demolition and replacement of the Kakaako fire station while alternatives are explored for (1) the future use of the existing building and (2) a new site less obtrusive than the one currently proposed for construction of the new fire station.

The Citizens' Advisory Committee reached these conclusions for the the following reasons:

a. The proposed site is strategically located within the Hawaii Capital District.

b. The existing fire station is architecturally distinctive and should be retained if possible for a new use;

c. Recent consideration of the Royal Brewery as an important structure for the 1976 Bicentennial Celebration is a new factor that was not present when plans for the new Kakaako fire station were prepared.

In view of these factors, the Citizens' Advisory Committee respectfully recommends that the application should not receive approval to proceed immediately and it recommends that another site should be sought for the new fire station, and the existing fire station should be retained to house fire fighting relics."

Testimony in SUPPORT--

Mr. Ernest Yuasa, Director, Building Department

YUASA: We did review the report presented by the Planning Department within the last day or two. Their concerns as far as the recommendations are concerned, are very easy to fulfill.

The first one relative to preserving the existing Fire Station, we have discussed this with the Fire Department. They are in favor at least in concept of the idea as far as trying to renovate it. They haven't gone into the financing end, who's going to run it after the building is restored, and this kind of detail. They haven't gone that far.

Our department did run a cost estimate in 1971. At that time, we talked about what it would take to restore the building to the same size, replacing all the termite eaten things, replacing the windows, replastering,

repainting, the whole works. At that time, we came up with a figure of $114,500. But, all we'd have then is a nice, substandard fire station. Right now, we have an old delapidated fire station. If you're talking about doing that, plus adding to it now, we have the experience of Kailua Fire Station. We did put a ladder truck in it at a cost of $140,000. At today's value, the $114,500 would be more at $150,000 to do the interior work and to bring the building up to standards, and then spend another $140,000 to put the new additions in. So, its going to cost you in the neighborhood of a new station, but you're still going to have an old station that could operate, but we don't feel is as good as a new station. So, as far as preserving the old building itself in its natural form, it is going to cost a lot of money. The Fire Department can explore that.

So, for the first concern, we can hold off the demolition and consider that as a separate issue, and not say whether it is going to be demolished or not, the building will or will not be built. We can handle that as a separate issue.

The second concern about the finish of the flagpole be anodized, that's no problem.

The third concern about a detailed landscaping plan, I believe the plan did show a landscape plan in it. It did show the type of trees, spacing, and what not.

As far as the concern for special caution to be used to prevent any damage to the brewery building, I believe this is pretty standard operation for any contractor that does any construction for the city, that these are things he has to make sure that he doesn't damage anything, other areas except the area he is constructing in. We can work out this concern with no problem at all.

I think you are aware that we did start on this station at one time. Its not a thing that we can just walk away from with no cost at all. We do have the footing for it and sums were put in. I don't know exactly how much.

YAMABE: Would you consider all the suggestions made by Mrs. Bannick?

YUASA: We get into problems here because we are told also that maybe South Street will not be widened, but officially, its still on the General Plan. If we're going to have to wait until the South Street widening is or is not a reality, I don't know how long we'd be waiting. As mentioned earlier, the cost of renovating the station and adding an area for the ladder truck, this is going to take a lot of money, almost comparable to let's say if not the same, equal to if not more than building a new station. So, we can consider all these things but it will be very expensive. We could look into it but is it the wishes of the Commission to look at all the alternates at this time, and come back with a report?

YAMABE: How long would it take?

YUASA: We'd have to go back to Council for study money besides, so we're talking in periods of months, five, six.

YAMABE: Am I to understand that presently your staff can't handle this

YUASA: I think that the type of answer that you need, its very difficult for the staff to do it.

CHAIRMAN: The cost of the new building is how much?

YUASA: We have it at $350,000+ but that includes some of the equipment The existing station is not equipped for a ladder station. We're adding the two costs together which may not be true, but just to get a figure.

As far as the Fire Department is concerned, they just want the facility to house the equipment. Since the trucks are at that station, if you're going to demolish, its going to be a hardship in the meantime for them to cover that station while the new station is being designed and drawn up. We did have plans originally for that exact way of doing it; for them to cover, to demolish and actually replace. The only reason was because of the South Street widening. This plan was abandoned.

For purposes of the record, we hired an architect November 12, 1965 to design that particular station. Plans of these documents were approved December 4, 1967. This is a long period of time but the plans were finally approved. Eventually, the plans were drawn up in 1968 because of the South Street connector. This is why we had to look for a different site. The ultimate is to get a building that they want.

(There were no further questions of Mr. Yuasa.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Crane and carried.

ACTION: The Commission adopted the Director's recommendation and recommended that the request be approved, subject to the modifications stated in the Director's report, on motion by Mr. Bright, seconded by Kahawaiolaa and carried.

AYES - Bright, Connell, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Crane, Sullam

PUBLIC HEARING
HAWAII CAPITAL DISTRICT
APPLICATION
QUEEN'S MEDICAL CENTER
(FILE #72/HCD-4)

A public hearing was held to consider an application to develop within the Hawaii Capital District, Tax Map Key: 2-1-35: 3.

Publication was made March 4, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Stanley Mofjeld, Staff Planner, presented the Director's report of the request for the approval of plans for the construction of an 8-level parking structure and an 8-story physicians' office building on the Vineyard Boulevard side of the Queen's Hospital property. The parking structure is within

the 100-foot height limit of its district (79.81 feet proposed). The physicians' office building is within the 150-foot height limit for its district (114 feet proposed). Overall open space requirements of 40% for the Queen's Hospital parcel will still be met if the proposed structures are built.

The Director's recommendation is for approval, subject to modifications indicated in his report.

There were no questions from the Commission concerning the Director's report.

No one spoke AGAINST the request.

The following representatives of the applicant spoke in SUPPORT of the request:

1. Mr. Will J. Henderson, Executive Director, Queen's Medical Center
2. Mr. George Paulus, Planning Coordinator
3. Mr. Gregg Goetz, Architect

HENDERSON: Mr. Chairman, we will speak of the parking access first. There's a recommendation that the ramp coming off of Vineyard be eliminated. If I could express our philosophy, we feel that the more ingress and egress that you have, you disperse and spread traffic. Therefore, you do not concentrate it in one area.

With regard to the bank-up feature that is stated with a curve coming off of Vineyard, that would be the first take off. The access into that garage would be rather fast from that ramp position. It also has a long view coming down Vineyard Boulevard. If that ramp appears to be closed or filled, it has a bypass that passes around to Lusitana Street in a forward entry from another position into the Center. We feel that dragging off the traffic at two special points reduces the congestion, and the concern of the backup that occurs.

Secondly, by that ramp coming off of Vineyard into Lusitana into the parking facility, it allows a very high percentage of the traffic to go immediately into the parking facility, and eliminate extending that traffic around through the entry of Lusitana back into the center of the Physician's Office Building and back into the garage. Therefore, we feel that direct traffic into the garage eliminates the major burden of traffic. For those people with walking problems, patients, we have the second entry. But, we use them as by-products to each other.

Then, we have a speed ramp out of traffic. Speed doesn't mean 100 miles an hour. It simply means an easier access out of the building rather than going around and around. It reduces traffic within the parking structure. It does given an easier out of the facility and processes off on to Lusitana Street.

At the present time, there are no left-hand turns available on Lusitana Street. Whether or not in the future they are determining that is going to be two-way traffic, its difficult for me to understand why they would develop two-way traffic and generate left-hand turns out of that facility. Vineyard

is a one-way street. Perhaps the Planning Department foresees turning left out of that property. To me, its all right-hand turns.

To those people wishing to go Ewa, they have Lauhala Street which is just half a block down from the entry out of the facility on Lusitana Street. You go another half block down and there is an access street that goes down past the Water Building. Another half block, there's another right-hand turn that goes down Alapai, to Beretania and dispersed.

Does the staff have any recognition why there should be left-hand turns out of there?

MOFJELD: On the drawing that we received, there was an indication of a left-hand turn, of arrows showing traffic. There would be no requirement that that should be that way.

HENDERSON: We understood a left-hand turn because the Traffic Department said sometime in the future they would develop something that would make a left-hand turn.

CHAIRMAN: Its not your intention to have left-hand turns.

HENDERSON: No, it isn't.

The Department of Transportation has helped us a great deal in developing this study. They did not recommend the removal the ramp. They felt it would service the traffic pattern as I have explained it. We put a great deal of confidence in that recommendation at the time.

There has been question raised about internal traffic.

MOFJELD: There are approximately six entries and exits to the structure. Essentially, the total ground plan, the lower and upper levels are devoted to the automobile. There's a very large amount of paved surface involved.

CHAIRMAN: So, there's two concerns, the large amount of paved surface plus the crossing over of traffic.

MOFJELD: Yes. There seems to be sort of a needless complexity for the size of the parking structure to have this many entries and exits, two levels, and crossing of traffic continually within the site.

HENDERSON: Again, our principal position is as much as you can spread, separate, disperse traffic, you reduce jam ups and back ups. This is what we've intended to do.

On the upper level, our hope is that the majority of the traffic will enter the building through the Vineyard ramp. The traffic on the upper level, we hope will be minimal. Indeed, there are some cross-traffics. We hope to control that by appropriate signs and manage controls that are necessary in almost any kind of facility like this.

HENDERSON: Would you review the lower level pattern.

MOFJELD: There's an entry ramp here and exit ramp here (pointing to plan), entries and exits off Miller Street, two-way traffic indicated below the upper level to the service area.

HENDERSON: That traffic pattern goes all the way through that piece of property.

MOFJELD: Is there a building here (pointing to plan)?

HENDERSON: It goes under that building.

MOFJELD: There's no indication on the revised traffic-flow pattern we received from the architect of any continuing circulation.

HENDERSON: That's right because it went outside the pattern. So, we're pleased to provide that additional information. I think it does change the complexity a little bit.

CRANE: Excuse me. I haven't heard you address yourself to the upper level traffic which crosses itself. Is there a way to do it without crossing traffic?

HENDERSON: Our traffic consultant felt this is the best design they could develop on this site. There is another plan which is less accessible and would serve no purpose to view it.

YAMABE: What is the traffic pattern within the parking structure? Do you have a ramp circling up to the various floors?

MOFJELD: There is an interior ramp for upward movement, and a circular ramp for a downward movement. These various ramps connect various levels into the circular traffic pattern. All the entry and exit ramps connect too. There is complete communication between all floors.

CRANE: My only point is, apparently this is one of the Planning Department's criticisms of your internal traffic pattern, that it crossed.

GEORGE PAULUS: If I might answer that. The original traffic pattern was not shown to the Planning Department. The original one proposed indicated no cross traffic. That plan was criticized by the Department of Transportation in their review of the drawings. This plan that you see is a modification as a result of conferences with them in trying to answer their objections.

(At this point, the Chairman called on Mr. Kenneth Hirata of the Department of Transportation for clarification purposes.)

HIRATA: As to that left turn coming out of Lusitana, we alerted the Queen's people that we do have some plans right now to expand Lusitana Street to go mauka across Vineyard, and eventually tie into Punchbowl which would be one way down. That is why we were quite concerned about that entry point at Vineyard. Lusitana and Vineyard would then be converted into

two-way traffic, primarily servicing the mauka bound traffic. But, we would have either one or two lanes possibly, going in the present direction. The present traffic is such that Lusitana is one way makai except for the portion at the trumpet (referring to plan) which serves the local traffic. That is why there is some confusion there.

Our comments, according to Mr. Paulus, were based on a different plan. It does look different with a one way in at Vineyard near Miller. Our concerns would still be that it might be too close to that intersection.

YAMABE: Can you clarify this plan before us? Was it substantially following your department's recommendation?

HIRATA: Generally speaking, in working with the consultants, our primary concern is the city street system. Our comments are generally confined to that area. However, if we feel that the internal system would cause a back up on to our city street system, we then give our comments as to the internal system. As far as my working with the Queen's people, I think we tried to see that all of the access points was compatible with our city street system.

YAMABE: Is this plan before us what you want?

HIRATA: As Mr. Paulus said, the plan has been changed so I cannot give a snap judgment right now.

CHAIRMAN: Was that new plan discussed with the Traffic Department?

GREGG GOETZ: Yes, with Mr. Roy Parker.

HIRATA: I am not aware of that meeting. Generally I do get called in on those meetings, but apparently that time I was not.

YAMABE: If you people could get together and resolve that matter.

CHAIRMAN: Now, if we could go on to some of the other conditions.

MOFJELD: There is one item of eliminating 20 on-level parking stalls, providing landscaping with large trees to screen the parking structure.

HENDERSON: That's correct. I would like to submit that internal traffic pattern is the service area. If you eliminate all of the parking, there's no way to provide an opportunity for service activities to be conveyed to the institution. Therefore, we feel that the 20 parking stalls are important. It would handicap the institution considerably if you remove those parking stalls.

CHAIRMAN: What about the landscaping?

HENDERSON: That's agreeable.

The remaining item is number one, that the proposed parking structure be relocated or redesigned outside of the proposed road widening and front yard setbacks. If this is adhered to, it cuts through one-third of a utility

building. That utility building happens to be our total water supply. It has underground artesian wells and has an enormous pump in it. It would be a tremendous handicap to the institution to try to replace those and to put a street access into that area. We suggest that that item should be reviewed, and in light of that, the Planning Department reconsider with us, that recommendation.

The second item is the matter of the five-foot setback. That is a matter of interpretation. We were informed that they would interpret that favorably. Today, it is interpreted adversely, I would feel. Again, we would like to review that with the Planning Department.

YAMABE: I take it that's a setback requirement. If anybody said they'd interpret this favorably, I don't see how they can interpret it favorably.

MORIGUCHI: You're assuming that we did, Commissioner Yamabe?

YAMABE: No. I said if anyone did, I don't see how they could.

MORIGUCHI: Well, as far as this, this may have occurred because architectural eyebrows are permitted projection. It may be that this is one that can be considered as an eyebrow and not part of the building. We can work with the hospital's architect.

HENDERSON: That is correct, and how this came about.

YAMABE: On item 4 where the staff suggested the 20 stalls be eliminated, are you amenable to the idea of maybe losing a few stalls so that we might have some kind of planting, not necessarily eliminating it all.

HENDERSON: If we could eliminate 5, 7, certainly, we can live with that but it would be a handicap if we eliminate them all.

YAMABE: Incidentally, this is my personal observation. I subscribe to your concept of having a number of exits and entries so that you might disperse the traffic quickly. I think this idea is excellent. We have too many places where the traffic is too congested.

HENDERSON: Thank you. I appreciate that.

(There were no further questions of Mr. Henderson.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mr. Bright and carried.

The Commission deferred action for two weeks so that problems of internal and external traffic circulation, and building setback, might be resolved with the staff, the Traffic Department, and the applicant. The motion for deferral was made by Mr. Bright, seconded by Mr. Yamabe and carried.

PUBLIC HEARING
✓ PLANNED DEVELOPMENT
HOUSING
MAKAKILO/KAPOLEI
FINANCE REALTY, LTD.
(FILE #72/PDH-14)

A public hearing was held to consider a request for a Planned Development-Housing project in Makakilo/Kapolei, Tax Map Key: 9-2-03.

Publication was made March 4, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Stanley Mofjeld of the staff reviewed the Director's report of the applicant's proposal for 120 leasehold condominium townhouse 2-story units with a mixture of 12 two-bedroom, 69 three-bedroom, and 39 four-bedroom units. All units have private patios. Estimated sales prices by the applicant are from $38,000 to $48,000.

The Director's recommendation is for approval, subject to conditions outlined in his report.

There were no questions from the Commission concerning the Director's report.

No one spoke AGAINST the proposal.

Testimony in SUPPORT--

1. Mrs. Marsha German, Vice-President of the Makakilo Community Association indicated that their membership voted in favor of the project. With the added population growth from the proposed development, their community will now qualify for an intermediate school, a post office, a service station, and other public conveniences which they presently do not enjoy. Recently at a CIP Budget Hearing, $436,000 was included in the current CIP for a fire station in Makakilo. If approved by the City Council, bids for this fire station could go out as early as the first of July. Their entire community will benefit by the project.

2. Mr. John Yee, Vice-President of Finance Realty, requested the Commission's favorable consideration of their proposal. They agree with the Director's recommendations, and are confident that the details as to project design can be worked out with the staff.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

ACTION: The Commission concurred with the Director's recommendation, and recommended approval of the request, subject to the conditions outlined in the Director's report, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

AYES - Bright, Connell, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Crane, Sullam

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL TO
B-2 COMMUNITY BUSINESS
DISTRICT
HALEIWA
ABRAHAM AIAU
(FILE #72/Z-66)

A public hearing was held to consider a request for a change in zoning from R-6 Residential to B-2 Community Business District in Haleiwa, Tax Map Key: 6-6-09: 19 and portion of 21.

Publication was made in the Sunday Star-Bulletin/Advertiser on March 4, 1973. No letters of protest were received.

Mr. Tosh Hosoda, Staff Planner, reviewed the Director's report of the request. According to the preliminary site plan submitted by the applicant, the subject site will be developed as a small shopping complex. A single-story structure containing 20,000 square feet for a super market, 7,500 square feet for a drug store, and 4,500 square feet for shops is proposed. The plans also indicate parking for 80 cars.

The Director recommends that the request be approved.

No one spoke AGAINST the request.

Mr. James Dahlberg, Agent for the applicant, agreed with the comments made in the Director's report, and availed himself to questioning by the Commission.

The Commission had no questions of Mr. Dahlberg.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

ACTION: The Commission adopted the Director's recommendation, and recommended that the request be approved, on motion by Mr. Yamabe, seconded by Mr. Bright and carried.

AYES - Bright, Connell, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Crane, Sullam

PUBLIC HEARING
ZONING CHANGE
R-3 RESIDENTIAL &
R-5 RESIDENTIAL
DISTRICTS TO
I-1 LIGHT INDUSTRIAL
DISTRICT
HEEIA
PHILIP T. CHUN,
ATTORNEY
(FILE #73/Z-3)

A public hearing was held to consider a request for a change in zoning from R-3 Residential and R-5 Residential Districts to I-1 Light Industrial District, in Heeia--mauka of Kamehameha Highway on Kahuhipa Street between Kawa Street and Kahekili Highway, Tax Map Keys: 4-6-30: 3-14; and 4-6-31: 1-4.

Publication was made March 4, 1973 in the Sunday Star-Bulletin/Advertiser. A letter of protest was received from Mrs. Virginia Ortorego, President of the Nacion Care Home, Corporation, objecting to the Industrial zoning. Mrs. Ortorego contends that the noise level permitted in a Light Industrial area will be very upsetting to the residents of the care home.

Mrs. Loretta Chee, Staff Planner, presented the Director's report of the request. The land will be consolidated and resubdivided, and the parcels will be leased out to individual developers. Prospective tenants include: a restaurant, automotive parts store, auto sales and repair shop, electrical contractor shop, office and yard space for an underground cable installation and plumbing contractor, service station, and general warehousing facilities. The subject parcels were recently considered as a Detailed Land Use Map amendment. The need for additional land for industrial use has been substantiated in the Detailed Land Use Amendment Report which was reviewed by the Planning Commission at a public hearing held November 8, 1972.

The Director recommends that the request be approved.

Question was raised as to the difference in elevation of the back boundary of the subject site and the adjoining Care Home. Mrs. Chee indicated a difference in elevation of about 25 feet. The majority of the parcel is level; however, the rear portion of the parcel has about a 20% slope down to the rear property line adjoining the residential area. Mrs. Chee also pointed out that the Care Home is a nonconforming use.

Public testimony followed.

Testimony AGAINST--

1. Mr. Gerald Ahmai, Attorney for Nacion Care Home Corporation, Suite 412, 1149 Bethel Street

AHMAI: Mr. Chairman, at this time we would like to formally inform the Commission that we feel that this hearing in the change of zoning is not proper. The area in question on the General Plan and the DLUM indicated that the property was prior to the amendment of the plan, zoned for Medium-Density apartment. In the announcement for amendment for the General Plan, the public announcement, it did not indicate that the area was Medium-Density apartment. We feel the notification was erroneous. We feel the Commission at this time cannot consider changing the zoning unless they first follow the procedure for amendment to the General Plan.

CHAIRMAN: This is the public hearing which the notification of published hearing which was held prior to the passing of the ordinance of the City Council?

AHMAI: That's right. My client was formerly represented by another attorney. When they could not agree with their attorney, they retained me. This was on February 28th of last month. It was only upon my inspection of the records at the files of the Planning Commission that we found this defect in the change of the General Plan and the DLUM.

CHAIRMAN: Mr. Ahmai, if you'd hold it right at that point.

Has Corporation Counsel been informed of this?

JOHN GRANT (Deputy Corporation Counsel): Yes.

CHAIRMAN: May we have a ruling.

GRANT: Yes. We've gone over this. First of all, the basic rule of law in terms of whether or not this hearing should be held, that the ordinance changing the General Plan and DLUM was, in fact, passed by the Council, and is presumptively valid until a Court of law declares it invalid.

Now, regarding the adequacy of the notice given for the public hearing, I question where Mr. Ahmai finds the requirement that states the zoning in the public notice. The property was adequately described both in plain language by street boundaries and by Tax Map Key. There was literal compliance with the notice requirement of the City Charter, the public hearing.

So, it is the City's position that the change was perfectly valid, and the public hearing and notice were proper.

CHAIRMAN: This is the opinion of Corporation Counsel?

GRANT: That's correct.

CHAIRMAN: Therefore, the Chair will rule that this public hearing is in order.

AHMAI: Thank you, Mr. Chairman. For the record, I object to the hearing, but since we're going to go on based upon the Chair's ruling, based upon again, the Corporation Counsel's opinion, we'll proceed with our presentation against the change of zoning.

My client began their business a very long time ago. It was began by Mrs.--let's start again.

The Nacion business began in 1941. They took in their first boarder who was an elderly Filipino man. Since 1941, they have been caring for the elderly, mentally retarded, the mentally handicapped, physically handicapped people. Mrs. Nacion bought the property, which is adjoining the particular property in question, and in 1964, they completed a care home which is a two-story structure, and became licensed to care for residents who were mentally handicapped. At present, there are 13 residents who have been referred to, mostly by Hawaii State Hospital. They have different ailments, but most of them are suffering from mental disorder. Gentlemen, they feel that any kind of industrial use of an adjoining property will, in effect, destroy their business. They feel that the noise, the activity that will go on next to their property will literally destroy their business. Because they are concerned, they take care of people who are mentally disturbed, any kind of noise such as auto repairs, material houses, things of this nature that are place next to their property, will affect the mental capacity of the residents.

We realize that progress must go on; however, we feel that we must make a stand as to the kind of use the land will be used which adjoins their piece of property. We feel that the original plan of Residential use

was proper. When they bought their piece of land in 1950, this was the plan used for that piece of property. We have now gone the route of amending those plans for progress, and by the amendment, changed the Residential to Industrial. We feel that there is a need, more so, for Residential than there is for Industrial use.

CHAIRMAN: The effect of the noise upon those emotionally ill, do you have any testimony from medical authorities or the Department of Health on this?

AHMAI: I have talked to Dr. Holiday who is in charge of licensing care homes. His frank opinion is that there probably will be. This again is speculation on his part. Dr. Graham who is with the Windward Medical Clinic is the Care Home psychiatrist. He has told me there's no doubt about the fact that if noise level increases, that this will cause some kind of agitation. However, he feels again, that he has no hard facts from the past to say that this will happen. He can only speculate.

CHAIRMAN: The type of nursing facility that you have, is it a nursing care home, an extended care facility, an interim care facility? How is it licensed by the Department of Health?

AHMAI: As a care home.

CHAIRMAN: Minimum care home or extended care?

AHMAI: Just a care home.

YAMABE: The staff indicated that the height between the subject Residential property, the back of it, there was substantial difference in elevation, about 25 feet difference in height.

AHMAI: In certain spots, I would say it would be about that high. In other spots, I would say its less.

YAMABE: How much less?

AHMAI: It goes down about six, eight feet.

YAMABE: So it goes in the area from seven, eight feet, to twenty-five feet?

AHMAI: I would disagree with the height of about 25 feet. My estimate would be more 12, 14, possibly 16 at the most.

YAMABE: Okay, take 16 feet, they'd be required to put up a 6-foot wall. Do you believe that with this height, there might be a possibility of the sound traveling? Do you have any expert testimony?

AHMAI: I do not have any expert testimony. I do believe, however, that there will be noise coming from the adjoining property. That all depends, again, on what kind of business that will be directly adjacent to my client's property. If there's a restaurant, for instance, there won't be as much noise than if there's a repair shop.

YAMABE: Have any of the doctors you've consulted indicated to what degree of sound?

AHMAI: No, they did not. They can only base their opinion upon the patient when he comes to visit them on their monthly or semi-monthly visits, or when the staff at the care home feels that the patient is disturbed to a degree that he really has to see a psychiatrist. However, Mrs. Ortorego the President of the corporation is here and can give you an idea herself as to her observations of the disturbances these patients suffer. Right on their property about a year ago, they had to put in a sewer line. When they came in with the heavy equipment, they noticed increased activity as far as the mental stability of their residents were concerned. She could tell you that. Again, it was temporary while the noise was on. The doctors have no documentation of that so they could not help the Commission along that line.

CHAIRMAN: When the doctors came to the conclusion that noise was the major factor for their patients becoming disturbed, did they also take into consideration, the general change in environment? Was it the adding of men on the property, the equipment?

AHMAI: Again I'd say the doctors were not apprised of that condition so they did not observe that.

(There were no further questions of Mr. Ahmai.)

2. Mrs. Virginia Ortorego, President of the Nacion Care Home, Corporation

Mrs. Ortorego felt that the noise level of activity on and surrounding their property would affect their patients. She noticed a change in their behavior on various occasions. For example, during the installation of a new sewer line on their property when heavy construction equipment was used, one patient paced his room continuously, while another remained in bed and began to perspire. She believed these patients regressed, and were not able to say what was wrong with them. On other occasions such as a thunderstorm or the testing of the fire alarm, other patients also became disturbed and confused. It is her feeling that industrial activity will adversely affect the operations of the care home.

It was the Commission's feeling that medical testimony should be presented to substantiate the effect of noise upon the patients.

Mrs. Ortorego also pointed out that the requirement for a 6-foot high solid fence along the rear property line where the Industrial district adjoins the Residential district, would obstruct access off Kahuhipa Street for fire equipment to the Care Home.

Questioned by the Commission on that point, Mr. Moriguchi stated that access for fire equipment to the Care Home is off of Pahia Road. A number of applications for improvements in this area have been denied because of substandard conditions of road facilities.

Attorney Ahmai requested a deferral of two to three weeks to submit the medical information requested by the Commission.

Testimony in SUPPORT

Mr. Philip T. Chun, Attorney for the applicant

CHUN: I would like to make a few comments as to the remarks made by the opponents of the project.

For a little background of this project, Kahuhipa Road was developed by the developers, George Hasegawa, in conformity with the Industrial rezoning of that 17-acre parcel. Members of the staff may recall that years ago when that project first came up, this strip of land, I believe, was also recommended for inclusion in the Industrial tract. However, because at that time the General Plan was not completely completed, it was felt that rather than ask for an amendment to the General Plan at that time, that the rezoning of merely that area which was already general planned for industrial uses, proceed through the Council.

With respect to the comment made that the Industrial use will drive the care home out of business, I object to that statement insofar as there is no testimony as to the types of noises which would emanate from this development. The zoning request is for Light Industrial, I-1. It is subject to all standards imposed by the CZC as to setbacks, height restrictions, and necessity of a solid wall. I believe the Commissioners also are aware that any development would also be subject to the rules and regulations of the Department of Health with respect to noise and air pollution.

The care home is a nonconforming use. The entire area below the industrial tract, I think, is one which would be considered as substandard under the present code today. The comments made that the fire protection would have to come through an industrial tract, is an indication that this tract actually has served to benefit others as well as those within the tract. I heard the Director of the Department mention that the Department itself has turned down applications for improvements in that area because of the substandard conditions of road facilities, and other things.

It is my understanding that the policy of the Planning Department and of the City Council has been in the past that with respect to all nonconforming uses, that such uses, as they become obsolete or fade away, would be done away with, so that we would have a community that would conform with all the provisions of the various codes which are imposed upon all people.

YAMABE: Do you think your client could determine what kind of noise are we talking about.

CHUN: You really can't. There will be noise but as to the extent of noise, I really don't know. We have applications for a restaurant, an auto repair shop. The auto repair shop might possibly be the one with the most noise. But again, this is a question that servicing and heavy repairing is going to happen. Of course, a lot of that would depend on the type of construction with respect to the facility itself.

YAMABE: Well, by what's there now, what kind of sound are we talking about?

CHUN: Its all open now. I don't think we're talking about a heck-of-a-lot of sound. A group of kids playing in a backyard would create more sound.

YAMABE: You don't think you would be able to get this kind of information?

CHUN: I don't think its reasonable. I think you have had that before this Commission before where you have requested sound tests. There again, it depends on the time that you run these tests.

CHAIRMAN: The auto sales and repair shop, is it primarily maintenance of automobiles rather than body fender work?

CHUN: On that kind of thing we would probably want to place them in the center part of the 17-acre subdivision. Most of these would be servicing type operations, warehousing types.

BRIGHT: Mr. Chairman, we've had testimony on noise previously which indicated that constant noise isn't the problem. Its the occasional noise like the ringing of the bell, the helicopter flying over. Its a known fact that a tolerance is developed through a constant level of noise. Under the I-1 zoning as I recall, the level of noise isn't that high. Its well below the tolerance level.

(There were no further questions of Mr. Chun.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

ACTION: The Commission concurred with the Director's recommendation, and recommended approval of the request, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried. The following suggestion by Commissioner Yamabe was included in the motion for approval:

"That we send this application to Council, and since the statement was made by the opponent that they can put together this medical information relative to testing of sound, noise and so forth, that the Council receive this information and consider it at the time of deliberation."

AYES - Bright, Connell, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Crane, Sullam

UNFINISHED BUSINESS
√ GENERAL PLAN/DLUM AMENDMENT
EWA (PUULOA)
CITY & COUNTY OF HONOLULU, DEPT. OF PUBLIC WORKS, DIVISION OF SEWERS
(FILE #267/C2/31)

The public hearing on this matter was kept open from February 28, 1973, at the request of Mr. Roy M. Kodani, Attorney for Mr. Tsukasa Sato, who is the property owner of Site A which is the proposed location of the sewage treatment plant.

Attorney Kodani stated that they received a copy of the Sewers Division's report of this proposal just yesterday afternoon, and have been in commu-

nication with them since that time. There has been no meeting between them and the Sewers Division. Since he will be in court the next two weeks, he requested a 3-week deferral to review the comments of the Sewers Division and to meet with them. Mr. Kodani stated that the Sewers Division has no objection to the deferral.

Mr. Moriguchi agreed to a deferral of two weeks. Mr. Kodani had no objection.

The public hearing was kept open, and the Chairman deferred action for two weeks.

UNFINISHED BUSINESS ✓GENERAL PLAN/DLUM AMENDMENT WAIANAE INDUSTRIAL TO RESIDENTIAL, LOW DENSITY APT., SCHOOL, PARK, & AGRICULTURAL USES OCEANVIEW VENTURES (FILE #202/C1/29)	The public hearing was held March 7, 1973. Action was deferred for one week for presentation of the map prepared by the Department of Agriculture indicating its proposal for Agricultural zoned lands in the Waianae area. The subject map was displayed for the benefit of the Commission. Dr. Frederick C. Erskine, Chairman of the Board of Agriculture, State of Hawaii, commented on the proposal.

ERSKINE: Mr. Chairman, members of the Planning Commission, you have expressed concern about whether a buffer zone could be agreed upon should the projected Oceanview Ventures development be approved. I wish to report that the problem of designating a buffer zone that may effectively deal with the problem of animal waste odors from the Agriculture-2 zone into the proposed Urban development area has been discussed with the developer, and we agree in principle that a probable solution has been reached.

In the discussions held with the developer and his consultant team, the need for a buffer zone over and beyond the limits outlined by their Planner, Mr. Brandt, can be met by development of an Animal Waste Treatment Facility that will effectively deal with the odor and fly breeding potential caused by high density hog raising and dairy farming. The facility can be designed and used by both the developer and the agricultural interests with the following benefits in mind:

1. Allow for both existing needs and the potential future expansion of hog and dairy farming in the area. It is felt that a properly designed and operated waste treatment facility will improve the efficiency of the farmers' operations and allow them the option of future expansion. It is expected that assuring them tenure in the area will also lead to expansion.

2. Examine the costs involved for both parties and, more important, the cost benefit ratios to be achieved for both sides. The design of this facility could prove beneficial to not only the farmer, but also to the developer since he could proceed with the development, and the treated effluent could be used for irrigating and fertilizing the plantings that will be an integral part

of the buffer zone presently planned by the developer. Effective recycling of this effluent will be beneficial since the increased use of water by the farmer to assure efficient operation of the waste treatment facility can prove to be an added expense which should be minimized wherever possible.

3. Greatly reduce the potential for odor and fly breeding by the use of adequately sized, adequately designed and efficiently operated waste treatment facility.

A similar facility is now in operation at Foremost Dairy Farm in Waimanalo. It is a two-stage waste handling system in which solids are removed in the first stage, and the liquid flows into an aerobic reservoir where it breaks down with very little odor. The effluent is then pumped to irrigated pastures. Since the system went into operation, the pollution problem has greatly diminished. This is what we have in mind for Mikilua.

As discussed in Item #2, the developer has agreed that in addition to the buffer zone space he mentioned in testimony on March 7, 1973, the use of correctly selected plantings in this zone could also provide for the control of odors in the sense that the air or wind patterns can be more effectively managed.

The Department cannot assume the responsibility for negotiating an agreement between the developer and the farmers. We can and will, however, provide the liaison to bring the parties together. Of course, we will do our utmost to protect the farmers' interests.

From our meeting with Oceanview Ventures on March 10, 1973, we understand that they will assume responsibility for planning, designing and developing the facility. This would include the installation of main collection lines to the properties located in the AG-2 zone. The farmers should be expected to provide the hook-ups to the trunk line.

Operating cost of the system will be subject to negotiation between the developer and farmers. We believe that the farmers incur some expense for waste handling now and should be expected to continue. However, the recycling system will benefit the developer by using the effluent to irrigate the buffer zone planting, and that cost must ultimately be borne by the residents of the subdivision.

We recommend that a condition for approval of the Oceanview project be successful resolution of the waste handling problem and that before construction begins, the parties reach an agreement. As said before, we will do our best to help.

In conclusion, mutual resolution of this problem can be accomplished. Should successful side-by-side development be demonstrated, then both Urban and Agricultural interests can be compatibly implemented in the future development in the state. We believe this will be a milestone toward good Agricultural and Urban planning.

Dr. Erskine was questioned by the Commission.

YAMABE: Dr. Erskine, did you have an opportunity to discuss this proposal with the farmers in that area?

ERSKINE: Yes. I believe the farmers will be reasonable in their concerns with the development. They are, however, on record opposing any development within the area. If it comes down to actually having development begin, then, I believe, we have a system worked out that will greatly minimize the need for a wide buffer zone, and can make farming compatible with housing.

YAMABE: That is in lieu of, if they can't reach an agreement, your proposal is the substantial buffer zone between the operations, between the farm operation and the housing development.

ERSKINE: Yes. We suggested previously a 1,000-foot buffer zone which would effectively remove the Oceanview Ventures project. It might not remove some other developments in the area. You can greatly remove the need for that kind of a buffer zone by going back to the cause of the odor and working on the elimination of it. This is technically feasible. With the developers being the encroacher in this case, we think it should be the developers turn to bear the cost of putting in the project.

YAMABE: Do you have any idea as to how soon or how quickly they might be able to develop this type of a system?

ERSKINE: I don't quite follow the question. Its technically feasible to do it now. We know how to do it.

YAMABE: How much time does it take to construct something like this?

ERSKINE: It took Foremost about six months.

BRIGHT: Dr. Erskine, in connection with the odor which originates from agricultural use of this area, do you feel that even without this residential development that this odorous condition should be allowed to exist?

ERSKINE: Well, we're faced with a technical problem. If you go back in history, the livestock venture under the law, way back in the early 1900s was required to remove their animal waste from their premises within 24 hours. The way to do that was to build your animal operation either over or next to a stream and let the animal waste flow out to the ocean. Of course, that has since stopped. Now, the way to not have water pollution occur is to put in stock retention ponds for the animal waste. The stock retention ponds can be of several designs. But, because of the small land parcels out in that area, they have to go to the antirobic type which smells very badly, but it is a recommended way to handle animal waste. They're handling their animal waste in the recommended way. In other words, they are technically doing it right. To eliminate the odor will greatly reduce it as has been done in Waimanalo. Then, you'd have

to go to the aerobic type of animal waste treatment facility which they would not be required to do.

Now, if they're handling their waste in the recommended manner, and their odor is not bothering anybody, we feel very strongly that somebody moving in and having a so-called nuisance bother them, the person moving in is doing the encroaching and should take it upon themselves to resolve the problem with the farmers.

BRIGHT: Another question brought up at the last meeting was the fact that perhaps the small individual type of agriculture venture that is presently out there is, the comment was made, a dying entity. What is your comment to that? Do you feel that the piggeries are going to continue to get larger or are we going to see a diminishing of that due to the fact that the majority of people who are in this occupation are getting older and not getting replacements?

ERSKINE: First of all, we've set a goal for every agricultural commodity. One of our goals is to become self-sufficient in the production of pork. We are only producing one-third of it now. This is an area in which it is beginning to happen. There will be other areas throughout the state in which expansion will be taking place. In the Mikilua area, there are younger farmers coming back and taking over their father's operation. Generally, when a youngster comes back, he's going to put in a more modern facility and probably a larger one. I think you'll see a trend toward larger facilities. I think we'll see expansion. You see, the biggest single thing holding back expansion of hog production, our pork production, on the island of Oahu is the fear of tenure. They don't want to put in the capital investment. They're apprehensive about doing it.

One other thing is that under the state's new farmer program and agricultural park's program, we do have some applicants, young people, that are ready to go into hog farming as soon as they can find a piece of land. That problem is being resolved at the moment. We have hired a consultant now, and he has been working for about three weeks to select this first agricultural park site on Oahu.

I believe also, that the survey data on the ages of farmers that was quoted from 1966, yes, we had elderly farmers, but yes, we also have younger people coming in. Whether they go in the Ag park or whether they extend on their dad's property, we do have these people coming in and applying for loans.

CHAIRMAN: Dr. Erskine, you indicate that in your discussion with the developer that they are agreeable to joining and building of this facility?

ERSKINE: Yes, and providing the main trunk line to which the farmers could hook-up.

BRIGHT: Dr. Erskine, in connection with building this facility, if the developer puts this facility in, will it be the requirement of the Department of Agriculture that the farmers hook-up?

ERSKINE: It will be a requirement, I believe, by the Department of Health that they hook-up to the waste handling facility, and we will be sure that we work with the farmers to make sure that they know that they do have to hook-up.

YAMABE: Do you have any idea as to what the cost might be for the farmers to hook-up to this system?

ERSKINE: Not off the top of my head. I wouldn't envision a very large cost in running the hook-up connecting from the farm to a trunkline. The cost as I see it would be minimal. The trunkline and the large pond facility would be more expensive. Off the top of my head, I don't have an idea. We haven't gone far enough in determining future animal population numbers, how big should the facility be planned for. This is what has to be worked out.

YAMABE: The developers are proposing to build something to accommodate all the farmers there?

ERSKINE: All the ones that are of concern. There are a lot of them they are not concerned about. They are over in another area that might more appropriately have another waste handling facility, say on the other side of the mountain or further up the valley.

CHAIRMAN: This is for the immediate area.

ERSKINE: That's correct.

YAMABE: How might we handle this now? We're acting on a General Plan and I assume there's no possibility for us to attach a condition during change on the General Plan.

COUNSEL: I don't see how you can include a condition on the change of a General Plan.

CHAIRMAN: If I might interject, inasmuch as this will be a planned unit development, it is possible to make it a condition of the PD.

COUNSEL: Right.

CHAIRMAN: Part of this may be solved when we question Mr. Palk.

JACK PALK: Mr. Chairman, the applicant developer is prepared to do exactly what was suggested by Dr. Erskine's testimony. I'm glad the point was clarified that it wasn't intended to serve the entire area, but to the immediate area that would create more odor problem. Secondly, we are prepared to work with the committee which consists of both the planning staff, the Department of Agriculture, the farmer representation, and of course, the developer representation.

I would also suggest, and this is the desire of the developer, that the condition of developing this facility be part of the PDH plan. That's the place where the Planning Department can impose conditions. This would be acceptable to the developer. Long before we get to the point of final approval, we would have worked out an agreement.

YAMABE: Your principals, are they planning to go PDH?

PALK: That's correct. I believe its on the record in our application.

YAMABE: If for any reason your clients decide they prefer to pursue subdivision, now do you feel inclined to still honor this agreement?

PALK: The problem doesn't disappear merely when you change the form of development. The odor would still be there and would still have to be taken cared of. As was indicated, over and beyond the buffer which the developer would like to provide, is this additional facility that would minimize the requirements for making it a wider buffer by minimizing the odor through the development of this facility.

YAMABE: So, I take it you'll go along with the concept regardless of what route you take in the development process.

PALK: Yes.

YAMABE: Thank you.

GEORGE MORIGUCHI: Jack, as far as this trunk line is concerned, what range do you anticipate now, from your best knowledge, this would extend? For example, is it up to the cement plant, beyond that, below that?

PALK: George, I was not involved in the technical work. I believe we haven't gone into it that deeply. Its suffice to say that we're talking about the immediate neighborhood. It may be three or four farmers that adjoin the buffer strip. Its locating the site for the ponding area, and of course, trying to measure the distance between each farm that will be serviced by that pond. We don't have that information now, but certainly, within the next couple of weeks.

MORIGUCHI: It would be possible to turn something in as to your understanding of the requirement for the trunk line.

PALK: Correct.

YAMABE: What if it happens that the Department of Agriculture feels maybe you ought to consider six or seven farmers, any farmers in the area of 1,000 feet distance from your development?

PALK: This is going to be kind of a committee effort, Tom. I assume that if everybody agrees it should include six because of the location of the farmers, in relation to the development area, I assume the developer would go along. If it means three, then it means three. But, it was not intended, to clarify the record, to affect the entire valley.

YAMABE: Whatever's required.

PALK: Right. Give the committee a chance to work this out.

CHAIRMAN: We will have a chance to review it when the PD comes in.

PALK: Absolutely.

(There was no further discussion.)

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Crane, seconded by Mr. Bright and carried.

The suggestion was made to the City Council that the waste treatment problem be resolved to the satisfaction of the parties involved before implementation is permitted.

AYES - Bright, Crane, Kahawaiolaa, Yamabe
NAYES - None
ABSENT - Sullam
ABSTAINED - Connell

(Commissioner Crane left at this point of the meeting.)

* * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mr. Bright, seconded by Mr. Yamabe and carried:

✓PLANNED DEVELOPMENT HOUSING (PARKLANE) KAHALUU FRED LORENZ, BRUCE STARK (FILE #72/PDH-2)	1. The proposal is 115 two-story, 5- and 6-unit buildings with a private sewage treatment plant.
✓PLANNED DEVELOPMENT HOUSING (HAIKU WOODS) HEEIA JOINT VENTURE OF MAHINUI ESTATES, INC., & HARRY C. UHLER DEVELOPMENT CO., INC. (FILE #73/PDH-1)	2. The proposal is rezoning from AG-1 Restricted Agricultural and R-6 Residential Districts to Planned Development-Housing District.
✓PLANNED DEVELOPMENT HOUSING (HAIKU GARDENS) HEEIA GRANT COMPANY (FILE #72/PDH-9)	3. The applicant proposes redesignation of the subject property to Planned Development-Housing, under Article 10 of the Comprehensive Zoning Code concurrent with R-6 rezoning over most of the site.

HAWAII CAPITAL DISTRICT APPLICATION (KEKAULUOHI (ARCHIVES) BUILDING) STATE OF HAWAII DEPT. OF ACCOUNTING & GENERAL SERVICES (FILE #72/HCD-34)

4. The request is for air conditioning and security installation.

HAWAII CAPITAL DISTRICT APPLICATION KAWAIAHAO CHURCH (FILE #72/HCD-20)

5. The request is for construction of an Activities Center.

ZONING CHANGE R-6 RESIDENTIAL TO I-1 LIGHT INDUSTRIAL & P-1 PRESERVATION DISTRICT KAHE POINT HAWN. ELECTRIC COMPANY, INC. (FILE #73/Z-14)

6. The request is for a change in zoning from R-6 Residential to I-1 Light Industrial and P-1 Preservation Districts.

STREET NAMES

The Commission, on motion by Mr. Kahawaiolaa, seconded by Mr. Yamabe and carried, recommended approval of the following staff recommendations:

The street names for the various new streets within the following subdivisions are recommended for adoption:

1. Springer Subdivision, Makaua, Koolauloa, Oahu, Hawaii:

KEO PLACE — Culdesac on the mauka side of Kamehameha Highway.

Meaning: The pin.

(The name was submitted by the applicant and he requests favorable consideration for its adoption.)

2. Hauula Park Place Subdivision, Hauula, Koolauloa, Oahu, Hawaii:

HAUULA PARK PLACE — Culdesac on the north side of Kukuna Road.

(The name was submitted by the applicant and he requests favorable consideration for its adoption.)

3. Waialae-Iki View Lots Subdivision, Unit IV, Waialae-Iki, Honolulu, Oahu, Hawaii:

ALAWEO STREET — Roadway off Laukahi Street, traversing in a northwesterly direction.

Meaning:	Hawaiian shrub.
ALAWEO PLACE	Culdesac off Alaweo Street.
LAUKAHI STREET	Extension of existing Laukahi Street from Laukahi Place to the upper limit of Unit IV.
KIHI STREET	Extension of existing Kihi Street from Kumakani Loop to Laukahi Place.
HANAHANAI PLACE	Culdesac off Kihi Street.
Meaning:	Edge of slope.
HAWANE PLACE	Culdesac off Laukahi Street traversing in a northerly direction.
Meaning:	Hawaiian palm.
LALEA PLACE	Culdesac off Laukahi Street traversing in a northerly direction.
Meaning:	Prominent object or landmark.

(The above list of street names were selected by the applicant and have been reviewed and recommended for approval by B. P. Bishop Estate, owner of the land.)

ADJOURNMENT: The meeting adjourned at 6:15 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
March 21, 1973

The Planning Commission met on Wednesday, March 21, 1973 in the Conference Room of the City Hall Annex. Chairman Rev. Eugene B. Connell called the meeting to order at 2:08 p.m.

PRESENT: Rev. Eugene B. Connell, Chairman
Antone D. Kahawaiolaa
Fredda Sullam
Thomas N. Yamabe II

ABSENT: Roy R. Bright
James D. Crane

STAFF PRESENT: Robert R. Way, Planning Director
George S. Moriguchi, Deputy Planning Director
John Grant, Deputy Corporation Counsel
Calvin Ching, Staff Planner
Gerald Henniger, Staff Planner
Stanley Mofjeld, Staff Planner
Ali Sheybani, Staff Planner
Tosh Hosoda, Staff Planner

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL
TO B-2 COMMUNITY
BUSINESS DIST.
MAILI
RAYMOND X. AKI
& ASSOCIATES
(FILE #72/Z-72)

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 in conformity with the Detailed Land Use Map for the area, located at 87-730-A and B Farrington Highway--mauka side of Farrington Highway opposite the Maili Beach Park, containing 5.986+ acres and identified by Tax Map Key 8-7-23: 37, 38, 50 and 59.

Public hearing notices were published March 11, 1973 in the Sunday Star-Bulletin/Advertiser.
No written protests had been received to date.

Staff Planner Tosh Hosoda presented the Planning Director's report explaining the proposed change in use and the applicant's plan for a large discount store operation to measure 350' x 270' and contain approximately 94,000 square feet of floor area. In addition, a separate restaurant facility containing approximately 7,000 square feet of floor area and a service station use are proposed as a part of the commercial complex.

The Planning Director recommended approval of the request and he further recommended that the expanded areas which include Tax Map Key 8-7-23: 39 and Tax Map Key 8-7-24: portion of 1 be approved for a change in zoning from R-6 Residential to B-2 Community Business Districts to eliminate at least a portion of the mixed residential and commercial zoning pattern that characterizes a greater portion of Farrington Highway.

There were no questions of the staff by the members of the Commission.

No one testified either FOR or AGAINST the application.

Mr. Raymond X. Aki, President of the firm, was present to answer any questions. When the Chairman asked if they were in agreement with the Planning Director's report, he replied, "Yes". There were no further questions.

The public hearing was closed and the matter taken under advisement on the motion by Commissioner Sullam, seconded by Commissioner Kahawaiolaa, and carried.

ACTION: Commissioner Yamabe made a motion recommending approval of the applicant's request for a change in zoning from R-6 Residential to B-2 Community Business District for Tax Map Key 8-7-23: 37, 38, 50 and 59 and to include Tax Map Key 8-7-23: 39 (10,211 square feet) and Tax Map Key 8-7-24: portion of 1 (16,688+ square feet) as recommended by the Planning Director.

Commissioner Sullam seconded the motion. Motion carried.

AYES: Yamabe, Sullam, Kahawaiolaa, Connell.
NAYES: None.
ABSENT: Bright and Crane.

PUBLIC HEARING
HAWAII CAPITAL DISTRICT
KEKAULUOHI BLDG (ARCHIVES)
STATE DAGS
(FILE #72/HCD-34)

A public hearing was held to consider an application by the State of Hawaii, Department of Accounting and General Services, for air conditioning and security for the Kekauluohi (Archives) Building, Tax Map Key 2-1-25: 2.

Notice of the public hearing appeared in the Sunday, March 11, 1973 Star-Bulletin/Advertiser. No written protests had been received to date.

Staff Planner Gerald Henniger presented the report of the Planning Director. The site is recommended for demolition in the Hawaii State Capitol Civic Center Master Plan by John Carl Warnecke Associates.

Mr. Walter Tagawa of DAGS advised Mr. Henniger by telephone on March 2, 1973 that they plan to demolish the structure in approximately seven years.

The staff felt it advisable that the economic feasibility of the proposal, in view of an admittedly short life of the building, be seriously considered by the Department of Accounting and General Services.

The Planning Director recommended approval subject to five conditions (listed in the staff report). These conditions were discussed with Mr. Harry Nishimura and Mr. Stanley Murakami on March 5, 1973.

In answer to questions by the Commission, the Staff replied:

The State does not propose to demolish the existing building at this time.
The air conditioning is also requested for reasons of security since the windows are all opened in the morning and closed at night and there is a possibility of someone slipping through the windows.
The State has agreed to demolish the building when other accommodations are found for the archives. (approximately 7 years)
The Letter of Intent has not been received from the State.
The air conditioning is not requested to preserve artifacts and documents since they are on other floors conditioned for humidity.
The Staff has received no estimates of cost.

No one was present from the State Department of Accounting and General Services.

No one testified either FOR or AGAINST the application.

ACTION: Commissioner Yamabe made a motion that the public hearing be kept open and action deferred until such time as a representative of DAGS appears before the Commission to answer questions, and until such time as a response is received from DAGS regarding the "conditions" imposed by the Planning Director.

The motion was seconded by Commissioner Kahawaiolaa and carried.

AYES: Yamabe, Kahawaiolaa, Sullam, Connell.
NAYS: None.
ABSENT: Bright and Crane.

PUBLIC HEARING
HAWAII CAPITAL DISTRICT
NUUANU YMCA
(FILE #73/HCD-1)

A public hearing was held to consider an application from the Nuuanu YMCA for a handball court, new lounge, and toilet room addition to the existing main YMCA building.

The notice of public hearing appeared in the Sunday, March 11, 1973 editions of the Star-Bulletin/Advertiser. No written protests had been received to date.

Stanley Mofjeld, Staff Planner, presented the report of the Planning Director. The structure is below the 40-foot height limit for the district and overall open space requirements will be met.

The Planning Director recommended approval of the request.

There were no questions of the Staff by the Commission.

No one appeared to testify AGAINST the application.

No one appeared to testify FOR the application.

The Director of the YMCA, Mr. Will Pape, was present to answer questions. When Commissioner Yamabe asked if they were in agreement with the recommendations of the Staff, he replied, "Yes".

The public hearing was closed and the matter taken under advisement on the motion by Commissioner Sullam, seconded by Commissioner Kahawaiolaa, and carried.

ACTION: The Commission recommended approval of the request on motion by Commissioner Kahawaiolaa, seconded by Commissioner Yamabe, and carried.

AYES: Kahawaiolaa, Yamabe, Sullam, Connell.
NAYS: None.
ABSENT: Bright and Crane.

PUBLIC HEARING
GENERAL PLAN/DLUM AMENDMENT
KAILUA-LANIKAI-WAIMANALO
FROM OPEN SPACE TO COM'L & APT and FROM COM'L TO OPEN SPACE
INT'L TEL & TEL
(FILE #160/C4/24)

A public hearing was held to consider a request to amend the General Plan and Kailua-Lanikai-Waimanalo Detailed Land Use Map from Open Space use to Commercial and Low-Density Apartment uses, and from Commercial to Open Space use for an area of approximately 9.1 acres in Kailua (northwest of Kailua Road near Kaelepulu Stream bounded by Kawainui Swamp) and identified by Tax Map Key 4-2-16: 1 and 2.

The notice of public hearing appeared in the Sunday, March 11, 1973, Star-Bulletin/Advertiser.

A letter had been received by the Planning Department from the Lani-Kailua Outdoor Circle requesting postponement of the public hearing to allow more time to fully evaluate this change in the light of several alternate traffic patterns for greater Kailua which have been recently proposed, i.e., a "dike road" as well as several other considerations.

Staff Planner, Calvin Ching, presented the Planning Director's report. Approximately one acre of the site is already designated for commercial use on the DLUM with the remaining eight acres designated for Open Space use. The entire site is zoned R-6 and lies within the State Land Use Urban District.

The application requests that the commercial land use boundaries be readjusted slightly to conform to the development proposal and that 8 acres of the land be changed from open space to low-density apartment use on the General Plan and Detailed Land Use Map.

The land is vacant except for old structures originally used as a radiogram station, later as a post office annex, and now temporarily as a youth drug clinic.

The applicant intends to develop the subject property for multi-family housing consisting of 140 two- and three-story walkups and townhouses together with a small shopping complex. The two- to four-bedroom multiple family units will sell for $35,000 to $45,000 and are aimed primarily at medium- and higher-income families in the Koolaupoko District.

The Planning Director evaluated this application (primarily on the basis of housing need, locational factors, and the adequacy of programmed recreational lands in Kailua) and concluded that the request to amend the General Plan is appropriate and consistent with long-range and comprehensive planning. Therefore, it was recommended that the application submitted by International Telephone and Telegraph Corporation be approved.

In response to questions by members of the Commission, Planner Ching explained:

The Open Space was initially designated as Open Space along with the rest of the swampland.

Some fill is required to develop the site.

Research, historically, by the Planning Department did not reveal any evidence as to whether or not it was the intent of the City to have an Open Space on that particular parcel.

It was believed that the designation for Open Space was made on the basis that it was part of the swamp.

A preliminary plan has been submitted and within the swamp area there are going to be waterways. The exact details as to location of ballfields, etc. are not known.

The Parks Department stated in a letter that they could not purchase the property and have no plans to acquire the site.

There were no further questions of the staff by the Commission.

Public testimony received AGAINST the application:

(1) Mrs. Pagi Barber, representing Coconut Grove Residents Association
427-C Manono Street, Kailua

"Reading the Agenda, it appears that the wording I find is somewhat misleading especially where it refers to, 'Request: Change in General Plan-Detailed Land Use Map from Open Space to Commercial and Low-Density Apartment uses and from Commercial to Open Space use.'"

"The applicant is asking for 8 acres to be rezoned to Commercial and

Low-Density Apartment use and giving a very small portion of the total 9 acres for Open Space."

"Our basic concern is that the proposed unit for medium density can open doors to high apartment buildings which we would object to."

"Our schools are already heavily burdened with students."

"The traffic problem in that area is already acute in the mornings and afternoons. On the Dike Road Feasibility Study that is being conducted by Andy Anderson in the Legislature, it is not determined at this time what impact this new proposal will have."

"We would like to share with you our problems in the Coconut Grove area. Basically, our people who live in the community are having a very difficult time paying for the assessments that have been levied for the Improvement District projects. And, as far as we can determine, the highest assessment for one of our residents is $18,000."

"Oneawa Street right now is being so congested by the traffic flow since the opening of the Saddle Road. Because of the delays by the State to implement the traffic signal light on Pali Highway, trucks are continually going on Oneawa and our children are having a difficult time crossing that street."

"We would prefer having no apartments, high or medium units, in that area. We feel threatened by this because of the assumption that in doing so our property taxes will rise. It is difficult enough for our people to afford the assessments, let alone the high property taxes that will come."

"We spoke to our Councilman Mary George about this after listening to the Windward Planning Conference people and reading over the recommendations made by the Oahu Development Conference people. It appears that everyone is pointing to Coconut Grove for high-rise commercial use. Now, I know its difficult for us country people. We prefer living the way we've been living all these years. We prefer having our single-family dwellings and maintaining the very comfortable life style, slow-moving as it might seem to other people. This is the quality of life that is important to us and we feel very threatened by large corporations like ITT with the money to develop these apartment units."

"Another question raised at our meeting last night was, 'For whom are these units being built?' The housing crises on Hawaii points to the fact that low-income people have a very difficult time affording homes or apartments to rent. During our discussion someone said it was proposed by ITT that these housing units would be sold in the area of $30,000 to $45,000. As we are well aware, it is very difficult to come by units like this within that price range. Can we get the developer to guarantee that these units, when completed, will be

sold for that amount, within the reach of people who can't afford anything higher?"

"We have those kinds of questions that we wanted to present to you."

Questions of Mrs. Barber by members of the Commission:

Commissioner Yamabe asked, "Is it correct that you are objecting to this change in the General Plan from the standpoint that you don't want any more apartments?"

Mrs. Barber replied:
"Partly. Other concerns are (1) the impact on the dike road (the study in process by Andy Anderson); (2) determining where we can acquire Federal and State funds to provide for an alternate road to relieve Oneawa Street of the heavy traffic (in consultation with Congresswoman Patsy Mink); (3) the impact the H-3 Freeway will have when it opens; (4) price ranges--securing a guarantee that prices quoted prior to development will be maintained; (5) the height of buildings; (6) high assessment costs and high property taxes; and (7) the retired people don't have the income they had a few years ago."

There were no further questions.

(2) Mrs. Annie Chow, Member of Coconut Grove Association.
2027 Makanani Drive - Honolulu

"I am a property owner in Kailua on Oneawa Street and have been asked to speak on behalf of the property owners in Kailua. We do not want to rezone this area because property taxes will be too high; traffic will be slow and dangerous; there will be crime in Kailua; it will become a concrete jungle like Waikiki; the beauty of the islands is a tourist attraction. Tourists go half way around the world just to see the Pali. Please don't spoil it."

Questions of Mrs. Chow by members of the Commission:

Commissioner Yamabe questioned Mrs. Chow as to where her property is located and if she had occasion to discuss the matter with the tax office. She cited many examples concerning her friends.

Commissioner Yamabe felt it was inconceivable that this type of zoning would increase property taxes and intends to call in the tax people and find out.

There were no further questions.

(3) Mrs. Sandra Braun, Public Affairs Chairman
Lani-Kailua Outdoor Circle
526 North Kalaheo Avenue - Kailua

"Although the park was not my concern, I believe the 1967 Master Plan

shows this property as a Biological Garden and I don't think that the Park Department has indicated they are no longer interested in this property. I believe there is nothing in the CIP Budget at this time to set aside for this property--as there is not for any other park in the whole windward area--for land acquisition. I don't believe that this necessarily indicates that the Parks Department is no longer interested in the property."

"My specific testimony is to request that this hearing be continued until the route transversing Kailua (at the mauka end of town) has been determined. In this way, a change in the General Plan with respect to this property (which is situated adjacent to the Dike Road route now under consideration) will be consistent with the best solution to the Kailua traffic problem."

There were no questions of Mrs. Braun.

The Chairman, as a point of clarification, asked the Staff what information there was on file from the Department of Parks and Recreation regarding this property.

Mr. Ching read the letter from the Department of Parks and Recreation dated February 3, 1972:

".....

The proposed General Plan amendment area adjoins the City-owned property of Kawainui Swamp and falls within the additional land acquisition program for the proposed park. However, because of additional design considerations, budget limitations, and many other higher priority park needs, we do not plan to acquire this property...."

"Therefore, we have no objection to amend the General Plan to redesignate this site from open space/commercial to residential use, provided that the area between the existing dike and the subject property will not become a stagnant pond."

There were no questions from members of the Commission.

The Chairman asked, for clarification, if there were anything from the Department of Transportation regarding this study.

MORIGUCHI: I have had contact with members of the staff. They have indicated that they are, in a very preliminary way, evaluating the matter of a thoroughfare to replace Oneawa and they have indicated to us that they are investigating the situation. That is the extent of their study at this point and time.

CHAIRMAN: There is no timetable?

MORIGUCHI: That is correct. They were not doing a study per se to come up with a final solution. They were investigating, as I was led to believe, the proposal that Senator Anderson had in mind.

No one else testified AGAINST the application.

Public testimony received FOR the application.

(A) Mr. George Houghtailing, Planning Consultant & Civil Engineer
Representing International Telephone & Telegraph Corporation

"We have had the opportunity to review the report of the Planning Director and I want to state at this time that the applicant did make an in-depth study as to the housing needs, performed by Economic Research Associates and filed with the application."

"In reviewing the report of the Planning Director, we find the report has taken all of the items under consideration that might be of concern and has come up with a favorable report. We accept the report of the Planning Director."

Questions of Mr. Houghtailing by members of the Commission:

SULLAM: What sort of financing are you going to use to assure that these homes will be within the $35,000-$45,000 bracket?

HOUGHTAILING: From what I know from ITT and what was in the report, we will be on Conventional Financing. We are not talking about low income. The report states this is for the medium-income and higher-income brackets because there is a need for that type of housing. There may be a need for the lower-income but there also is a need, according to the report, for the medium- and higher-income people for residential and apartment units. The report covers it and I think the Planning Director has taken into consideration those facts.

SULLAM: But they will be within the realm of $35,000 to $45,000?

HOUGHTAILING: At the time the report was made, they were in need at that income. Remember things go up and this is a two-year-old report. This application has been before the Commission for about a year now.

SULLAM: Then I think the next question to be asked is, "What is the price range that you are going to hit?"

HOUGHTAILING: They would still like to meet this range if it is still within the feasibility as far as prices go today. Labor prices go up, material prices go up. These things have to be taken into consideration. They can make a study.

SULLAM: That may be very true and it may also happen that we will be projecting these houses to a need that doesn't exist. Right now, we know there is a need for the lower-income and middle-income people.

HOUGHTAILING: The report states it is for the medium- and higher-income people. They are not saying that this is for the low income per se. Even the Director's report points that out.

SULLAM: Mr. Planning Director. In your opinion, is there a need for housing of that sort in that area?

MORIGUCHI: $35,000 to $45,000 ?

SULLAM: No. He said that figure may not hold. This report was written two years ago and prices have gone up.

MORIGUCHI: Are you suggesting, for example, if these prices went up to $40,000-$50,000 would there be a need for these homes?

SULLAM: They might go up as high as $60,000 or $70,000 because in two years costs have been skyrocketing.

MORIGUCHI: We find that today there is a need in that price range also. This is not to say that there is not a need for low- and moderate-income homes, of course. Outsiders have indicated that the greatest need for housing involves the low-moderate income range. There is also a need for housing in the range you speak of.

YAMABE: I recall Planning Director Way asking an applicant at a hearing if they would consider a certain percentage of the development for the needs of the low- and middle-income people. I believe the answer was that 235/236 was funded for this year. However, they would go along and follow the same formula used under that program and would develop a certain percentage of their parcel for that type of income class.

HOUGHTAILING: We are not looking for 235/236 in this instance.

YAMABE: I realize this.

HOUGHTAILING: That would be trying to take care of the lower-income group. That's a bad question.

YAMABE: Would it be acceptable to your client?

HOUGHTAILING: I would have to talk with them. I couldn't make a statement offhand.

YAMABE: We realize that prices can't be stationary at all times but there is a formula.

HOUGHTAILING: I don't think this area lends itself to the type of houses we generally speak of as "lower income". We are limiting to three stories and are not trying to go into a high density. That should be considered.

YAMABE: Might you discuss this with your principals and see whether they might consider?

HOUGHTAILING: I can do that. They've got another crack at it in zoning anyway, if this goes through.

CHAIRMAN: Mr. Houghtailing, when were you planning to come in for zoning? And when would you go into development?

HOUGHTAILING: If we get a favorable change in the General Plan, we'd be coming in for zoning immediately--within six months. We would like to move as soon as we get zoning.

CHAIRMAN: In the cost of your housing--if your report is two years old--were they using '71 dollars on that or were they projecting ahead, figuring a time lag?

HOUGHTAILING: I think they did have a time lag of a year but, as I said, 1971, 1972 and we are in 1973 now and it will probably be 1974 and everybody realizes materials are going up.

CHAIRMAN: So you are using '72 dollars for the projection on the $35,000 and on up? Have you had an opportunity to look at the comments that came in from the Department of Agriculture, Soil Conservation Service, and also the Corps of Engineers and the Board of Water Supply?

HOUGHTAILING: We don't interfere. Sure, we have looked at them and I'm sure the client will take all of that into consideration.

CHAIRMAN: And their recommendations will become part of your planning?

HOUGHTAILING: We will have to work out with them.

YAMABE: It seems that this project will require considerable fill?

HOUGHTAILING: We're planning on bringing in some filling to take care of it. We even had a Geologist and the Corps of Engineers at the time we were making the study.

YAMABE: If it is possible, can you give us a more current figure, based on all the requirements, as to what your units might be as far as the cost is concerned?

HOUGHTAILING: I think we can take another look at it. We projected to 1972 but I'm only saying we were aiming at $35,000-$45,000 but if this thing is delayed a couple of years or another year, we have no control when materials go up and labor goes up.

YAMABE: That's the reason I would like to have current information.

HOUGHTAILING: This was a pretty good in-depth study made by Economic Research.

YAMABE: I would appreciate the information.

HOUGHTAILING: Alright, we'll do that.

CHAIRMAN: I would imagine that this kind of information would come in at the time of your zoning application?

HOUGHTAILING: Right. It has to come in because this is when we are updating it.

SULLAM: In the report, page 2c, there is a breakdown of the percentage distribution of family income and I wonder which family income you are hitting for? Now, if it is the $25,000 and more, only 2.3% of Oahu's population is in that income.

HOUGHTAILING: It will go from the $15,000 to the $24,999. The Study Area shows 16.8% for family income of $15,000 - $19,999 and it shows 14.5% for $20,000 - $24,999. Oahu is 6.3% for the higher one and for the $15,000 - $19,999 it is 13.3%. So the Study Areas do show that there is a high-income group living in that area.

SULLAM: Now what price do you think that these people could afford?

HOUGHTAILING: I think they can well afford anything between $35,000 and $45,000 but, as we mentioned, if it goes up it will go up percentagewise maybe 7% per year, which I think is a fair way of projecting it.

SULLAM: I see. In other words, you're aiming for houses between $35,000 and $40,000.

HOUGHTAILING: $45,000. We'd like to aim for that.

YAMABE: Do you have any knowledge of Mr. Anderson's Impact Study or research or whatever is being done?

HOUGHTAILING: No I haven't. There is one question that was brought up. We did have contact with the State as far as the traffic problem and they gave us approval on a median opening which we have shown on the plan we submitted.

There were no further questions of Mr. Houghtailing by the Commission.

No one else appeared to testify either For or Against the application.

The public hearing was closed and the matter taken under advisement on the motion by Commissioner Sullam, seconded by Commissioner Yamabe, and carried.

Later in the meeting, a discussion was held by members of the Commission. Some of the highlights follow:

YAMABE: Do you know of this impact study initiated by Anderson, and when it will be completed?

MORIGUCHI: It is not really a study. As I understand it, it is an inquiry that is being looked into by the Highways Division. We believe this to be the extent of it.

STAFF: The Pali Highway is a State Highway.
The City Transportation said that the development would not have any great impact.
The applicant came in a year and a half ago and we held it up on the basis that DOT had not responded. In November 1972, they submitted a letter approving access to the Pali Highway and that was the extent of their comment.
The DOT approval was based on the proposal of changing the General Plan.

SULLAM: Is it possible that we recommend to City Council that they hold up the General Plan change until they have the request for the Zoning change, and process it at the same time, in order that there be some assurance that the houses to be provided will meet the needs as indicated by the study? So that we would be assured that the needs of the community are met? As it stands now, we are not. The applicant can get their General Plan change and then come in for zoning for houses of a price away from the needs specified by the study.

MORIGUCHI: We would generally recommend that the Commission address the matter of the General Plan Amendment prior to looking into any zoning action. In this situation, we felt that unless the matter of the General Plan Amendment is resolved with the Council then there should be no discussion of the zoning change. However, if the Commission feels that this is the recommendation they would like to make, that's an avenue that is always open.

SULLAM: When it comes to housing, I think the two are very closely related, particularly at this point and time. We are facing a housing shortage in a certain area and that is the low- and middle-income groups. We are not faced with a housing shortage in the high-income group although there is a market for housing that reaches the high-income group. I think this would be one way to resolve the problem.

YAMABE: Wouldn't it be beneficial to the developer if we had processed the General Plan and Zoning change simultaneously, as far as time is concerned?

MORIGUCHI: I am sure he would have been delighted at that. The Planning

Director doesn't necessarily recommend this as a procedure, generally, because there is a policy matter to be settled first before we even talk about zoning. Yes, it can be done. We have done this in the past, yes.

YAMABE: In a situation such as this, I don't think it is going to hurt anyone. In fact, it might be helpful to all--even the City. I prescribe to the idea if helpful to all that we might package and process the whole thing together. It will save them 6 to 7 months, easily.

MORIGUCHI: We feel that the effort is, "What is the best policy as far as the General Plan is concerned" and get that settled first because someone might say, as this goes through, that it should not be apartments--it should be residential. These things are wide open. We don't feel that we would like to commit to a Zoning change prior to settling the General Plan Amendment.

YAMABE: Do you have any serious objection to consolidate both procedures into one?

MORIGUCHI: In this particular one, yes. Primarily, because we are not all that clear as to what the policy makers will decide. We are really second-guessing the policy makers if we assume that there's a good probability--a high probability--that apartment zoning and the General Plan Amendment would be accepted by the policy makers. And that would be the only situation where we would go with it together. In fact, in most of the others where they have been processed jointly the Council has given some indication to us as to their attitude and concerns about that particular area. We have no indication from the policy makers relative to this area.

YAMABE: Might you check with the Council, as you might have done with other applications, as to what their consensus might be?

MORIGUCHI: If the Commission would like to address such a letter to the Council, it would be perfectly fine but we would not be in favor of such an effort under this particular situation.

CHAIRMAN: What would be the benefit of running the General Plan Change and the Zoning simultaneously? Is the developer going to be guaranteed that it is going to save him 7 months? What would be the purpose in delaying a recommendation on the General Plan and tying it in with the zoning?

YAMABE: For example, the type of apartment they want to put up. This is a low-density apartment they are recommending. So they can have a single-story, two-story, three-story maximum.

MORIGUCHI: It depends on how they do it. There is a 15' maximum if they get the A-1 low-density zoning. Then, of course, there is the provision based on the design of the setback. However, they can go higher. You would have to have a medium-density designation on the General Plan if you were to go A-2. So this is clearly intended for A-1 zoning--two stories--generally. They were talking about 3 stories and there is that possibility, depending on the site conditions, because it is 15' maximum from the highest point of the lot.

YAMABE: They might be interested in coming in for a PD or something. It would be helpful to know.

CHAIRMAN: Any time you have a General Plan change, it would be nice to know specifically what is going to go in there. Why is this apparent new rule then to be applied in this particular circumstance?

SULLAM: The report by the Planning Director recommends approval primarily on the basis of housing needs. If this is truly based on this need, we should make certain that this need is filled. The housing need. Not the housing market. There is a big difference. The market will take houses way above what the need is, but the need is price. If we want to make sure that the need is satisfied, we should make certain that whatever is built there, that it will.

CHAIRMAN: Then the Commission has come almost to the point of saying, "If we are going to satisfy the housing need, the great housing need is in the low-cost area, and, therefore, the Commission will only entertain applications which help to alleviate that need."

SULLAM: Yes.

CHAIRMAN: Now, we are going to have to define what is "low-cost housing" and then we are also going to have to help find where the money is, and the land, in order to meet the low-cost housing need. If the Commission wants to do that, I'm for it. My other question is, "How are you going to be sure that that need is going to be met since we have no legal framework by which we can require that the developer is going to build units at any given price?" We must have the law to be able to do it.

YAMABE: Inasmuch as we have indicated that we want to provide for the more urgent need, if we can employ a procedure that would help all parties concerned, I think the simultaneous processing of the General Plan and Zoning would be helpful. On the other hand, I think we are taking it too seriously. We will never, I think, meet the needs. Maybe it is wrong to take it seriously.

MORIGUCHI: Mr. Chairman, just so that we are on an even keel as to what we are referring to when we say "need" in the Planning Director's report, that need is based on somewhat different definition than Commissioner Yamabe might have indicated.

The "need" that we indicate is not necessarily one that reflects the person's need from the standpoint of his wanting it, can afford it, and will buy it. It reflects the situation where people can't buy even if they want to--the need for physical shelter is there but they don't have it and can't afford it under the present market situation.

SULLAM: According to the General Plan, what is our duty as Commissioners? Are we to satisfy the needs of the housing and recreation as outlined in the General Plan, or are we to satisfy the needs of the market?

A lengthy discussion was held regarding all of the statistics contained in the Planning Director's report; single-family units, rentals and multi-family units; prices; needs; income; FHA standards; debts and size of families; disposable income; relating income ranges to the cost of living; averages; etc.

MOTION: Commissioner Sullam made a motion to accept the Planning Director's report in which it is recommended that the application be approved, and to also recommend that the Council consider the Zoning and General Plan simultaneously.

Commissioner Kahawaiolaa seconded the motion.

There was no further discussion.

VOTE: AYES: Sullam, Kahawaiolaa, Yamabe.
NAYS: Connell.
ABSENT: Bright and Crane.

Chairman Connell voted against the motion because he could not see simultaneously processing the General Plan and Zoning to serve the desired purposes.

ACTION: Because of the lack of a 4-vote Quorum, the Action was deferred to the next meeting.

UNFINISHED BUSINESS
✓HAWAII CAPITAL DIST.
LAND ACQUISITION &
DEMOLITION FOR
FUTURE PARKING
STRUCTURE
STATE DAGS
(FILE #72/HCD-32)

This is a request for land acquisition and demolition of structures within the Hawaii Capital District for a future parking structure; maintenance of cleared area until landscaping work is started.

A public hearing, held on March 7, was closed and action deferred for two weeks to give the applicant time to respond to three questions.

Staff Planner Ali Sheybani reviewed these questions:

1. The grassing of the site after the demolition of the houses.
2. Relocation of persons who are presently housed there.
3. Coordination with St. Andrew's Priory School for demolition of areas near or adjacent to the school to be least disruptive to the school operation.

The Planning Department received a letter from DAGS on March 20 in response to this request. Two questions were answered:

1. Regarding landscaping, they don't intend to grass the area but will keep all the paved platforms and cover the rest of the area with coral rocks.
2. As to providing housing for those people who are living there, they will coordinate their activities with HRA to find new locations for those who are displaced.

They did not reply at all to the question of working together with the school during demolition of the adjacent houses.

The Planning Department contacted DAGS and requested that they attend the meeting today. However, no one appeared from that office.

ACTION: On the motion by Commissioner Kahawaiolaa, seconded by Commissioner Sullam, and carried, this matter was again deferred until a representative from DAGS appears to provide information.

AYES: Kahawaiolaa, Sullam, Yamabe, Connell.
NAYS: None.
ABSENT: Bright and Crane.

* * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Commissioner Kahawaiolaa, seconded by Commissioner Yamabe, and carried:

GENERAL PLAN/DLUM AMENDMENT RESIDENTIAL TO COMMERCIAL KAIMUKI CHING/CHING/KWAI (FILE #204/C4/16)	1. The request is to amend the Kaimuki Detailed Land Use Map by redesignating a 6,492-square-foot parcel from Residential to Commercial use.
GENERAL PLAN AMENDMENT APARTMENT TO COMMERCIAL KALIHI HERBERT MATSUBA dba DEELITE BAKERY (FILE #249/C4/7)	2. The request is to amend the General Plan for Kalihi by redesignating three parcels of land from Apartment to Commercial.
GENERAL PLAN AMENDMENT PLANTING STRIP, LIGHT INDUSTRIAL, & INDUSTRIAL TO COMMERCIAL WAIANAE MANOA INVESTMENT CO. (FILE #244/C4/29)	3. The request is to amend the Nanakuli-to-Makaha Detailed Land Use Map by redesignating a 13-acre site from 20-foot Planting Strip, Light Industrial and Industrial to Commercial use.
CENTRAL BUSINESS DIST. DEVELOPMENT PLAN--AMENDMENT VARIOUS PAUAHI PROJECT HRA, C&C HONOLULU (FILE #239/C2/11)	4. The request concerns the Mauka-Ewa corner of the Chinatown General Neighborhood Renewal area bounded by Beretania, Maunakea, Hotel and River Streets for: a. Designation of public off-street parking facility; b. Designation of Pauahi Street between Maunakea and River Streets into a mall; c. Designation of a public service alley.

ZONING CHANGE
R-6 RESIDENTIAL TO
✓B-2 COMMUNITY BUSINESS
WAHIAWA
McDONALD'S OF HAWAII
DEVELOPMENT COMPANY
(FILE #72/Z-39)

5. This is a request for a change in zoning from R-6 Residential to B-2 Community Business District.

ZONING CHANGE
R-6 RESIDENTIAL TO
✓I-1 LIGHT INDUSTRIAL
MOANALUA
HUALALAI CONSTRUCTION
COMPANY, LTD.
(FILE #73/Z-17)

6. This is a request for a change in zoning from R-6 Residential to I-1 Light Industrial District.

LATE NEW BUSINESS

✓MISCELLANEOUS
CHINATOWN GENERAL
NEIGHBORHOOD
RENEWAL PLAN AND
PAUAHI URBAN
RENEWAL PROJECT
HONOLULU REDEVEL-
OPMENT AGENCY

The Deputy Planning Director, George Moriguchi, reviewed the matter of the Pauahi Chinatown Urban Renewal Plan which had been previously presented to the Commission at their January 24, 1973 meeting.

At that time, all Commission members were present, reviewed the plan, and had no comment.

Today, Corporation Counsel Albert Jeremiah was present to report that their application for Urban Renewal Grant for the Chinatown General Neighborhood Renewal Plan and the Pauahi Urban Renewal Plan is being held up due to the fact that one of the attorneys in San Francisco reads into Chapter 53 of the Hawaii Revised Statutes that a Resolution should come from the Planning Commission along with HRA's application.

Although the Planning Director submitted a communication with the application to HUD, they are now requesting that it be supplemented by a Resolution from this body stating that the Commissioners did look at the Plan and at that time the Plan was consistent with the General Plan as presented by the Planning Department.

Mr. Jeremiah had prepared a Resolution which he

read to the members of the Commission. He requested action today because the deadline is March 31, 1973 and the next Planning Commission meeting is scheduled for April 4, 1973.

ACTION: Commissioner Yamabe made a motion to approve the Resolution, based on the Planning Director's statement of conformation, and with whatever proper language by Corporation Counsel to reflect the Planning Director's recommendation.

Commissioner Sullam seconded the motion.
Motion carried.

AYES: Yamabe, Sullam, Kahawaiolaa, Connell.
NAYS: None.
ABSENT: Bright and Crane.

MISCELLANEOUS LEGISLATION CONDITIONAL ZONING (HCD Ordinance)

Chairman Connell: I know that Councilman Akahane is proposing some legislation--a City Ordinance--that will have an effect on zoning and the use of zoned land. It would be beneficial to this Commission, Mr. Moriguchi, if the Commission might have copies of that proposed legislation because we may very well be in support of or have some recommendations thereto.

Mr. Moriguchi: Yes. This is the conditional zoning effort that is being investigated by Corporation Counsel's office. We requested a copy of the Bill upon its drafting and Corporation Counsel has indicated that they will send it to us when it is ready. We will certainly make copies available to the Commission.

Chairman Connell: I bring it up because I think it has a direct relationship to some of the discussion we had today, and would supply the legal framework within which we could operate and reach some of the goals that are being talked about today.

ADJOURNMENT: On motion by Commissioner Yamabe, seconded by Commissioner Kahawaiolaa, and carried, the meeting adjourned at 4:35 p.m. The next meeting is scheduled for Wednesday, April 4, 1973.

Respectfully submitted,

Mary C. King

Mary C. King
Hearings Reporter

File Copy

Meeting of the Planning Commission
Minutes
April 4, 1973

The Planning Commission met on Wednesday, April 4, 1973 in the Conference Room of the City Hall Annex. Chairman Rev. Eugene B. Connell called the meeting to order at 2:00 p.m.

PRESENT: Rev. Eugene B. Connell, Chairman
Roy R. Bright
Antone D. Kahawaiolaa
Thomas N. Yamabe II

ABSENT: James D. Crane
Fredda Sullam

STAFF PRESENT: George S. Moriguchi, Deputy Planning Director
John Grant, Deputy Corporation Counsel
Calvin Ching, Staff Planner
Tosh Hosoda, Staff Planner
Ian McDougall, Staff Planner
Stanley Mofjeld, Staff Planner
Ali Sheybani, Staff Planner
Roger Harris, Observer

MINUTES: The Minutes of March 7 and March 21, 1973 were approved on motion by Commissioner Bright, seconded by Commissioner Kahawaiolaa, and carried.

PUBLIC HEARING
✓ HAWAII CAPITAL DISTRICT
KAWAIAHAO CHURCH
(FILE #72/HCD-20)

A public hearing was held to consider an application by Kawaiahao Church for development of an Activities Center in the Hawaii Capital District.

Notice of the public hearing appeared in the Sunday Star-Bulletin/Advertiser of March 25, 1973.

No written protests had been received to date.

Staff Planner Stanley Mofjeld presented the Planning Director's report.

The Planning Director recommends approval of this proposal subject to certain modifications:

1. The elimination of the classroom complex and the provision of surface parking, well screened and landscaped, in its place.

2. All trees within the site area to be saved.

3. A Variance is required from the Zoning Board of Appeals for the deficiency in parking.

Questions of the Staff by the Commissioners:

Commissioner Yamabe asked if the applicant concurred with the conditions. Mr. Mofjeld replied that the applicant has been told of the conditions but it was not known as to whether or not he concurred.

There were no further questions of the staff by the Commission.

No one testified AGAINST the application.

Testimony received FOR the application:

Mr. Arlon W. Richardson, Member of the Board of Trustees
Kawaiahao Church

"I am also the Building Chairman and a member of the Committee for the Activities Center. We request a one-month deferral of the public hearing inasmuch as we have just received the Engineer's report and would like time to study it."

"Which area is the Planning Director referring to when he says 'the elimination of the classroom complex'?" (shown on maps)

Mr. Richardson stated that he would like to have opportunity to discuss the recommendations with the elders of the church before testifying.

Questions of Mr. Richardson by members of the Commission:

YAMABE: Your only reason for request of deferral is that you would like to discuss the conditions with your people?

RICHARDSON: We want the whole complex. We only have the gymnasium. The Engineers may say to drop the school. We want the school together with the gymnasium.

YAMABE: The conditions posed by the staff is merely conforming to the rules and regulations--parking requirements, etc. Do you have an architect working with you?

RICHARDSON: Yes. Mr. Daniel Klein is here.

YAMABE: The staff recommendation is to conform to the parking requirement. Have you had an opportunity to advise these people of the number of parking spaces required?

KLEIN: Yes. This is something we have discussed quite often--the required parking. I wrote a letter on March 29 to the Planning Department stating that of the three functions at the church each one is used at its own time. The pre-school would be 5 days a week from 7:00 a.m. to 5:00 p.m. Monday through Friday. The gymnasium would be used in the evening for basketball practice and for competition in the church league basketball. The entire section of the school wing would be used on Sunday along with the church for Sunday School training of the youths and young adults. Our

thinking here is that since each of these spaces are used at their own time, the existing on-site parking is more than adequate to meet these needs. It may happen some time, but it is not likely that all of these spaces would be used to their ultimate capacity at the same time.

YAMABE: How about the point made here by the Staff that there is inadequate parking for your church as is?

KLEIN: If we go right by the CZC, yes, there is inadequate parking. However, the church-seating, itself, does not conform to the minimum requirements of the CZC. Basically, on Sunday morning at that particular time the streets are empty and the City Hall parking lot is also empty. You cannot use these as exclusion, I understand, but the parking in the downtown area is more than adequate to meet the needs of the church for Sunday services.

By my calculations, the parking required for the pre-school (if the nine staff members each drove his own car) would be nine cars generated five days a week. For the gymnasium, by my calculations of seating capacity, I come up with 31 spaces. Apparently, whoever checked for the CZC went by the floor area requirements which, I believe, is 45 spaces.

We have 71 on-site spaces right now, including grass parking areas and paved parking areas.

YAMABE: I have no further questions. However, it seems that the applicant does wish to construct and go the route of the ZBA for the parking. If the applicant wishes it deferred, I guess its alright, but I think the issue is very clear.

RICHARDSON: The formula used for parking, as I understand, is 1 to 5 and if the City requires us to do that, we would have to use the asphalt paving right outside the front yard to make 300 parking spaces. We are only asking for what is happening now. We use the outside areas during Sundays and in the evenings where there are very few people using them.

Because of the point made in the report that 30 stalls of the Mission House could be eliminated, I give you the evolution of this. There was a gym there 25 years ago and it burned down, after which they put in asphalt and used it for basketball. As time went on and money got tight, they rented the stalls. Mission House now has it on a month-to-month lease following a year's lease. We can cancel them in 30 days.

If nothing is approved, we would have to eliminate them anyway and have basketball there. So 30 people would go out. The point is that Mission House needs 30 stalls.

What we are asking for in the case of the parking is the same situation that we have now--using outside parking.

There were no further questions by members of the Commission.

No one else appeared to testify either FOR or AGAINST the application.

ACTION: The public hearing was kept open and the matter deferred for 30 days on motion made by Commissioner Yamabe, seconded by Commissioner Bright, and carried.

AYES: Yamabe, Bright, Kahawaiolaa, Connell.
NAYS: None.
ABSENT: Crane and Sullam.

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL TO
✓I-1 LIGHT INDUSTRIAL
(expanded area to
✓P-1 Preservation)
KAHE POINT
HAWAIIAN ELECTRIC
(FILE #73/Z-14)

A public hearing was held to consider (1) a request for a change in zoning from R-6 Residential District to I-1 Light Industrial District, an area of 38.067 acres, identified as Tax Map Key: 9-2-03: portion of 27 (Lot 358-A-1) by Hawaiian Electric Company and (2) a change in zoning from R-6 Residential District to P-1 Preservation District, an area of 20.026 acres, identified as Tax Map Key: 9-2-03: 26, an expanded area, initiated by the Planning Director.

The notice of public hearing appeared in the Sunday Star-Bulletin/Advertiser of March 25, 1973.

No written protests had been received to date.

Staff Planner Tosh Hosoda presented the report of the Planning Director which recommended approval of the request by Hawaiian Electric, and further recommended that the area initiated by the Planning Director be approved inasmuch as the owner, Hawaiian Electric Company, has no objection to the recommended change.

There were no questions of the Staff by the members of the Commission.

No one appeared to testify AGAINST the application.

Appearing FOR the application was Mr. Ted Damron of Hawaiian Electric Company who stated that the pertinent facts of the issue had been adequately covered by the Staff and that they were in agreement with the staff recommendations.

There were no further questions.

The public hearing was closed and the matter taken under advisement on motion made by Commissioner Bright, seconded by Commissioner Kahawaiolaa, and carried.

ACTION: Commissioner Bright made a motion to accept the Planning Director's recommendation of approval. Commissioner Kahawaiolaa seconded the motion. Motion carried.

AYES: Bright, Kahawaiolaa, Yamabe, Connell.
NAYS: None.
ABSENT: Crane and Sullam.

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL
✓TO B-2 COMMUNITY
BUSINESS DISTRICT
WAHIAWA
McDONALD'S OF
HAWAII DEV. CO.
(FILE #72/Z-39)

A public hearing was held to consider a request for a change in zoning from R-6 Residential to B-2 Community Business District on property located in Wahiawa covering approximately 17,625 square feet and identified as Tax Map Key 7-4-01: 15, portions of 16, 17 and 18. The applicant proposes to construct a McDonald's restaurant on the premises.

Notice of the public hearing appeared in the Sunday Star-Bulletin/Advertiser of March 25, 1973.

No letters of protest had been received.

Tosh Hosoda, Staff Planner, presented the report of the Planning Director.

Questions of the Staff by the Commission were related to which areas were planned commercial, apartments, etc. and the present uses of the portion designated R-6.

No one appeared to testify AGAINST the application.

Appearing to testify FOR the application were:

Mr. Geoffrey G. Paterson, Architect for McDonald's.
Mr. Edward Y. C. Chun, Attorney for McDonald's.

Neither representative had anything to add to the presentation and there were no questions asked of them by the Commissioners.

No one else appeared to testify either FOR or AGAINST the application.

The public hearing was closed and the matter taken under advisement on the motion by Commissioner Kahawaiolaa, seconded by Commissioner Yamabe, and carried.

ACTION: Commissioner Bright made a motion to accept the Planning Director's recommendation of approval. Commissioner Kahawaiolaa seconded the motion. Motion carried.

AYES: Bright, Kahawaiolaa, Yamabe, Connell.
NAYS: None.
ABSENT: Crane and Sullam.

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL
✓TO I-1 LIGHT INDUS-
TRIAL DISTRICT
MOANALUA
HUALALAI CONSTRUC-
TION COMPANY, LTD.
(FILE #73/Z-17)

A public hearing was held to consider a request for a change in zoning from R-6 Residential to I-1 Light Industrial District on a parcel of land covering 6.709 acres located at 2265 Mokumoa Street, makai of Mokumoa Street between Moanalua Stream and Shafter Flats Industrial Development and identified as Tax Map Key: 1-1-64: 1 (Lot M-1-A-2.

Notice of the public hearing appeared in the Sunday Star-Bulletin/Advertiser of March 25, 1973.

No letters of protest had been received to date.

Staff Planner Tosh Hosoda presented the Planning Director's report. The applicant is requesting the zoning change in order that the existing base yard and office on the premises can continue to operate as conforming uses. Such uses are not permitted in residential districts.

There were no questions of the staff by the members of the Commission.

No one appeared to testify AGAINST the application.

Appearing to testify FOR the application was Mr. Garner Anthony, President and owner of the corporation and property. He had nothing to add to the presentation but was present to answer any questions.

The members of the Commission had no questions to ask of Mr. Anthony.

The public hearing was closed and the matter taken under advisement on the motion by Commissioner Bright, seconded by Commissioner Kahawaiolaa, and carried.

ACTION: Commissioner Bright made a motion to accept the Planning Director's recommendation of approval. Commissioner Kahawaiolaa seconded the motion. Motion carried.

AYES: Bright, Kahawaiolaa, Yamabe, Connell.
NAYS: None.
ABSENT: Crane and Sullam.

UNFINISHED BUSINESS

✓HAWAII CAPITAL
DISTRICT - PARKING
BLDG. & PHYSICIAN'S
OFFICE BUILDING
QUEEN'S MEDICAL
CENTER
(FILE #72/HCD-4)

A public hearing was held and closed on March 14, 1973. Action was deferred to allow the Planning Department, Department of Transportation Services, and the applicant to resolve traffic circulation pattern and building setback.

Staff Planner Stanley Mofjeld presented a report on the meetings held and agreements reached to date.

Representatives of the applicant, the City and County Department of Transportation Services, the State Department of Transportation, the Building Department, and the Planning Department met on March 19 and 29 to re-evaluate the conditions of approval as stated in the Director's report of March 9, 1973.

Since the meetings, the applicant has submitted a revised site plan. Substantial agreement has been reached on items #1, #4, #5, #6 and #7.

The following items still remain unresolved:

2. The Physician's office building setback as proposed is not acceptable by the Building Department. There is approximately 18 inches in the corner of the building that projects into the required front yard setback. Only roof eaves are allowed to project within the setback area.

3. Although one of the Vineyard Boulevard side ramps has been eliminated in the revised plan, the remaining ramp, in the opinion of the Planning Department, will not leave adequate space for planting to screen the garage as seen from Vineyard Boulevard and from Punchbowl. The feeling is that a substantial area should be left there to allow for the planting and maintenance of large trees to form a substantial landscape buffer, in keeping with the intent of the Hawaii Capital Ordinance for a "park-like setting".

<u>Questions</u> of the Staff by members of the Commission:

BRIGHT: What are you suggesting as an alternative to the Physician's office building setback?

MOFJELD: The building would have to be moved back approximately 15" to 18" (or whatever the projection is now) into the setback area.

YAMABE: Where is this being set back from?

MOFJELD: Five feet back from the property line off Lusitana Street.

BRIGHT: What is the effect on the other side if you move the building back?

MOFJELD: The landscaping would be narrower by 15" - 18". It is an interpretation by the Building Department as to what is allowed or not allowed in a required front-yard setback.

BRIGHT: In the event that this objection is rejected by the Planning Commission, would a variance be required now in order to build as the plans are presently arranged?

MOFJELD: Yes, that's correct. We cannot approve it because it is in violation of Building Code interpretation. The applicant could apply for a Variance.

YAMABE: What is the staff recommendation regarding the remaining ramp and landscaping?

MOFJELD: We are suggesting that the ramp be deleted. It is a convenience ramp now, but the internal parking system and structure could function without it.

YAMABE: Looking at the map, there seems to be sufficient space on the mauka side of the ramp where you could plant trees. What kind of trees are you talking about?

MOFJELD: It is probably a matter of 25' as opposed to 10' which narrows down.

YAMABE: Do you require 25' to have a tree? Could you plant a tree on a 10' strip?

MOFJELD: It is a matter of spreading, too, and not interfering with the ramp--spreading and maintenance--particularly as you come down to a narrower point. If the entire area were landscaped, larger trees would form a substantial buffer but they also spread. Certainly, you could plant the tree within 10'.

BRIGHT: What is the width of the driveway?

MOFJELD: It is probably 10' to 12'.

YAMABE: Has the applicant indicated he will have no plantings there?

MOFJELD: No. The applicant is not in agreement with the staff recommendation and is proposing planting as indicated and he would like to have the ramp as a convenience ramp for the parking structure.

YAMABE: Maybe he can have both at the same time.

BRIGHT: How much traffic would this particular ramp eliminate from the other access?

MOFJELD: The internal traffic of the parking building has undergone revision too. I would like to defer to the applicant on the technical use of the ramp and volume, if I might.

CHAI: In discussion with the Traffic Department, was the elimination of the ramp brought up?

MOFJELD: The Traffic Department agreed with the location of the ramp if the State Department of Transportation felt that it could function without hindrance to Vineyard Boulevard. The Department of Transportation did feel that that ramp would not interfere with traffic on Vineyard Boulevard. So, from a

functional standpoint, the ramp is acceptable to the Department of Transportation Services and to the Department of Transportation.

CHAIRMAN: Was it discussed with them, as traffic experts, as to what would happen if the ramp were removed?

MOFJELD: It would have less of an affect because there would be no traffic turning in or possibly backing up.

CHAIRMAN: Do they feel the ramp is needed?

MOFJELD: They were involved with whether or not it would work in terms of the traffic going on Vineyard and Lusitana. They were not asked whether it would work or not work in terms of the structure.

There were no further questions of the staff by the Commissioners.

Mr. Will Henderson, Executive Director of Queen's Medical Center, appeared before the Commission to answer questions:

BRIGHT: Regarding item #2, the building setback, there seems to be a technical problem here. How can this be resolved by you? Can it be resolved?

HENDERSON: This is a very technical problem. When this building was first designed, it was considered with the Planning Department and they felt that there would be a positive acceptance. Such statements are never put in writing, however, and so we accept that we do not have a statement in writing. Therefore, the Planning Department, I think, has a responsibility to refer this to the Building Department.

The Building Department is very human and is responding within the technicality of the law. However, we feel that since the laws are based on having an Appeals System, it is for us to go before the Zoning Board of Appeals.

It is a very technical point because there is no part of the building itself that exists into the 5' setback. The technicality is simple. If that were a one-story building, they would accept an eave extension of 3' into that 5' setback area. But simply because it is a building that is more than one story, they have to follow a technicality of the law. Therefore, we do not think, necessarily, that this is a great difference.

We think that, through the Zoning Board of Appeals, it is a reasonable request to ask for the setback, as I indicated last time.

We are 13 feet above the ground area and we extend only 15 inches into the setback area. So, from this point of view, our position is that we recognize the reasonable position of the Planning Department and the Building Department. I think they have no alternative. It is simply the law as far as they are concerned.

BRIGHT: You are perfectly willing to go before the ZBA?

HENDERSON: We're not comfortable but we are willing to do it.

BRIGHT: With respect to item #3 what is your rationale for wanting this additional entry?

HENDERSON: Our primary concern has been the traffic. A number of years ago when we began the building design of this particular plot, we met with traffic divisions--city, county, and state --and those people were impressed with our planning efforts. They were particularly impressed with an off-ramp coming off that Vineyard Boulevard--that we were taking traffic off of the streets as much as possible and we were dispersing that traffic so that it wasn't backing up.

Contrary to Stan's position, that is not a convenience ramp. To me, that's a primary entry into that parking facility and I would estimate that we would handle at least 50% of the parking that would go into that building. That is a very significant drag-off to me--of taking cars off of the street as quickly as possible and processing them into that unit and getting them parked. They can bypass that and go down into the other entry. But that entry is a sharp right-hand turn and, as any of us know, when you make a sharp right-hand or left-hand turn, you slow to a considerable pace that the traffic will backup behind you.

We think by dragging the traffic into that site into three different entries that we are reducing traffic and we are dispersing that traffic much to the convenience of driving and safety. We are very much concerned about safety and we think that this avenue of that ramp entering into the building offers safety and offers speed in clearing the streets of traffic. It will accomodate, I am certain, towards 50% of the traffic that will enter that building.

We did respond to the Planning Department's request to eliminate an off-ramp although it means a considerable cost in reconstructing the plans for that facility. We are willing to accept this. We think it enhances the building. It takes away an unsightly ramp and adds considerably to the area that we can put into planting and landscaping.

I think we have made considerable effort to reach agreement with the Planning Department. The in-ramp, as it is, is an important adjunct to our building and we think that we have achieved adequate planting and landscaping area.

YAMABE: I take it that, actually, you can accomplish what the staff is attempting to accomplish--to have something that will be screening the building from the bypassers.

HENDERSON: We have some 12' to 13' and we think that we can make a considerable effort to put in high-rise trees. We are as interested as the Planning Department to achieve a scene that is attractive. We do have a need to serve the public as well. I can assure you that we will make every effort to achieve, within the space that is there, a beautiful landscaping.

YAMABE: So you do feel that you can accomplish that?

HENDERSON: Yes, we do.

YAMABE: If the off-ramp weren't eliminated, would it be piggybacking onto the on-ramp?

HENDERSON: Yes.

YAMABE: Why do you have to eliminate it then if that is the case? It is not going to give you any more space for screening or for planting purposes.

HENDERSON: When we established priority, we felt it is much more important to clear the streets quickly and put cars in. For people in a garage who are going out, it takes them a little longer, it does not create an unsafe environment, and it is only the loss of a little convenience. By the elimination of that ramp, it does provide an opportunity for considerable additional land area for trees and landscaping and will beautify the place. So we are willing to consider priorities and live with the off-ramp being eliminated.

YAMABE: A question of the staff. Mr. Henderson feels he can provide plantings there to screen off the building. What is the problem if this can be done?

MORIGUCHI: The Planning Director's concern was in accordance with the Ordinance for adequate screening of the building. If we can do it by maintaining that ramp, we are perfectly amenable to this. Would you consider a condition to this, Mr. Henderson, where a stipulated size tree would be indicated? For example, you indicated in that rendering that you have about 5 palm trees to the height of approximately 35' to be placed in front of the office building. Would you agree to a condition which would require trees to that height, or some height such as that, in front of the parking structure with the ramp in place?

HENDERSON: If you will allow me the same privileges that I allow the Planning Department, I'll say "Yes" but I won't put it in writing.

MORIGUCHI: We would put that in writing, Mr. Henderson.

HENDERSON: I have to stand on an 8-year record. Our organization has done more than is reasonable to achieve everything the Planning Department likes. I think everyone will stand on that. We are giving you our assurance that we will do the same. Now, when you ask me to hold to a 35' tree, I have to be very honest and say that I am a very poor architect and I am a worse landscape artist but I can assure you that we will have people that will work with your department and we will do the very best we can with the plans.

MORIGUCHI: We have had situations where people say they will provide trees but they provide trees to the size of a 5-gallon can. Then it is 25 years before they get up to any meaningful height.

HENDERSON: I am going to have to stand on our reputation that we have made a concerted effort to improve the beauty of the structure. As a matter of fact, when you take a look at the old building, this might be a considerably more attractive environment than exists at the present time.

YAMABE: I think Mr. Henderson is not misconstruing the screening-off to be a potted plant and I am sure he can work it out.

HENDERSON: We will respond to the Code.

CHAIRMAN: Is it one of the conditions that landscaping design be approved by the Planning Director?

MORIGUCHI: Yes. We didn't want to run into any problems in the future where we felt we couldn't get the size trees into this area. We do expect that it will be screened with substantial trees. However, Mr. Henderson says he is willing to attempt that.

There were no further questions of Mr. Henderson by the Commission.

ACTION: Commissioner Bright made a motion to accept the Planning Director's recommendations with respect to Items 1-4-5-6-7. On the unresolved items; #2, point out to Queen's Hospital that they must comply with the Building Code or apply for a Variance and on #3, that we accept the Queen's Hospital's plans with the stipulation that landscaping plans should be approved by the Planning Department.

Commissioner Yamabe seconded the motion.

Motion carried.

AYES: Bright, Yamabe, Kahawaiolaa, Connell.
NAYS: None.
ABSENT: Sullam and Crane.

UNFINISHED BUSINESS
✓GENERAL PLAN/DLUM AMENDMENT
EWA (PUULOA)
CITY & COUNTY OF HONOLULU, DEPT. OF PUBLIC WORKS, DIVISION OF SEWERS
(FILE #267/C2/31)

A public hearing had been held on February 28, 1973 and kept open to March 14, 1973.

On March 14, 1973 the public hearing was again held open and action deferred for two weeks to March 28.

The Planning Commission did not meet on March 28.

Today, Staff Planner Ian McDougall reviewed the application with the members of the Commission for purpose of orientation.

New information submitted was a letter dated April 2, 1973 from Mr. Kinji Kanazawa of the law firm Kashiwa and Kanazawa, representatives of the property owner Mr. Tsukasa Sato, requesting certain assurances from the City & County of Honolulu.

Mr. Chew Lun Lau, Environmental Engineer for the Sewers Division, was present to respond to the letter:

1. ODOR AND NOISE:

"This is covered in our report that in terms of noise we can select the proper equipment and the proper enclosure to control noise. We can control odors by mechanical and physical means."

2. OTHER NUISANCES:

"I really don't know what they are."

3. ARCHITECTURE AND LANDSCAPING:

"We showed you pictures and slides of our other pump station and they compare, I think, most favorably with the surrounding areas. In terms of cost, it is mentioned here that they might build homes there in a cost range of $50,000 to $60,000. Our pump station will cost about $1.3 million and I think it will be a better-looking structure than the proposed surrounding homes."

4. PLANNING COMMISSION APPROVAL:

(no remarks made by Mr. Lau)

Matters to be resolved for the sake of the general public interest and welfare: (page 3)

1. ENGINEERING FACTOR:

"The elevation of the three sites is about the same. This really has very little bearing on it. We said the location of the site would be along the lower end of the Ewa Beach area and all three sites would meet that requirement in terms of elevation. If site (B) were selected our station would be about half a foot lower and that, in rough terms, would cost about $5,000. Otherwise, the engineering would be more or less the same. For practical reasons, you could say the costs are equal in (A) and (B)."

2. RESIDENTIAL EXPOSURE:

"If we selected site (B) it would mean that instead of an area of 10,000 sq. ft. we would require a lot of 15,000 sq. ft. because of the triangular shape of that particular parcel. It would require a larger area and there would be some areas that couldn't be used. Also, in terms of something that would stand out, a structure at site (B) would stand out more than if it were located at site (A). Site (A) would blend with any proposed subdivision. The same number of residents would be affected whether it were at site (A) or site (B)."

"In conclusion, I don't think that the developers brought up any serious points that would alter our choice for this station."

YAMABE: How about site (C)?

LAU: Site (C) would require another pump station on the Barber's Point side of the Ewa Beach drainage area because the lines would be so deep coming from your left. It flows by gravity and because of that extra distance we would have to build another pump station. That was brought out in our earlier testimony. There is quite a difference in the cost."

There were no further questions of Mr. McDougall or Mr. Lau.

No one else appeared to testify either FOR or AGAINST the application.

Mr. Genro Kashiwa, Attorney for the land owner Mr. Tsukasa Sato, appeared before the members of the Commission:

"Mr. Chairman, it is our client's feeling that since this body is a recommending body it should make its recommendation to the City Council after an exhaustive study has been made of all the alternatives. And, if I may, may I pose a few questions to Mr. Lau, if that's permissible?"

CHAIRMAN: Mr. Lau is not on the Commission. You may address your questions to the Chair.

KASHIWA: Since the cost seems to be about the same and the elevation seems to be about the same, for the record at least, we would like to know what the determining factor is in the selection of our client's property as opposed to site (B) since everything seems to be equal at this point.

CHAIRMAN: We have staff reports that indicate why the applicant feels this is where the station should be located.

YAMABE: I think the primary reason given was that site (B) was triangular and also it would cost $5,000 more.

KASHIWA: I can understand that, Mr. Yamabe, but $5,000 against $1.3 million is minimal. Our client has intentions of developing this land into a subdivision. As I understand too, site (B) is adjacent to the Fire Station and its exposure to residents would be less than site (A).

YAMABE: Do you feel we should consider a larger area as far as exposure is concerned?

KASHIWA: We cannot confine ourselves just to the immediate locality because, first of all, odor is not a .....and, as I understand from the Division of Sewers, there may be times when something unusual occurs when we have a mechanical problem or one thing and another that there might be an odor problem which may arise and if that's the case then its not going to be confined to the immediate vicinity. It might carry, depending upon the wind during that problem. And the noise, again, we don't know. It may be more than the immediate vicinity.

YAMABE: You think in the distance between the sites (A) and (B) that the proximity will not make much difference in the carrying of odor? What is the distance between site (A) and (B)?

McDOUGALL: I am not positive but it looks like it might be in the neighborhood of 400' plus.

YAMABE: Mr. Lau, the $5,000 extra, was that for acquisition of land?

LAU: No. That doesn't include land.

YAMABE: Is that besides the $35,000 for acquisition and relocation?

LAU: No. That's not included. We are talking about $5,000 for the larger lot plus the cost of relocation. It costs $35,000 just to be relocated. And that's on the low side.

KASHIWA: Unless you have further questions, we have nothing more to add.

YAMABE: I take it you are not objecting?

KASHIWA: On behalf of our client, I want to go on record as objecting to it. They are not too happy about it. That's my reason for having to appear the number of times that I have before this Commission. For the record, I would like to object to his choice. Thank you very much.

CHAIRMAN: On the Item #4, regarding Planning Commission Approval, you presently have R-6 zoning?

KASHIWA: The matter that our client is concerned with is if this site is approved by the City Council, we do not want to be faced with the problems of a subdivision when the plans are submitted to the Planning Commission.

CHAIRMAN: But you are planning a conventional subdivision so this won't come before the Planning Commission.

KASHIWA: Right. Oh, I see. Not the Planning Commission--the Planning Department. That should have been Planning Department.

There were no further questions.

On motion by Commissioner Yamabe, seconded by Commissioner Bright, and carried, the public hearing was closed and the matter taken under advisement.

ACTION: The Commission concurred with the Planning Director's recommendation that the request to amend the General Plan (DLUM) be approved, on the motion by Commissioner Yamabe, seconded by Commissioner Bright, and carried.

AYES: Yamabe, Bright, Kahawaiolaa, Connell.
NAYS: None.
ABSENT: Sullam and Crane.

UNFINISHED BUSINESS
GENERAL PLAN/DLUM AMENDMENT
KAILUA-LANIKAI-WAIMANALO
FROM OPEN SPACE TO COM'L & APT.
and FROM COM'L TO OPEN SPACE
INT'L TEL & TEL
(FILE #160/C4/24)

A public hearing had been held and closed on March 21, 1973. Action was deferred due to lack of a majority vote.

The Chairman read from the Minutes of March 21, 1973, page 16:

"A motion was made to accept the Planning Director's report in which it is recommended that the application be approved, and to also recommend that the Council consider the Zoning and General Plan simultaneously."

There were three Ayes and one Nay. The issue seemed to be whether or not the simultaneous processing of the General Plan and Zoning would serve the desired purposes.

YAMABE: My position hasn't changed simply because, as I stated at the last meeting, in a situation such as this where it is obvious that the developer will be coming in for a change of Zoning right after the change of General Plan, I find it to be much more desirable to consider them simultaneously for two major reasons:

1. We have been plagued by accusations that the City moves too slowly. I see no reason why we can't handle this much more expeditiously under the circumstances.

2. At the same time, there are a number of questions raised by the opponents. I feel if they are going to be back here for the zoning in a short period of time, by handling them simultaneously we will have much more information before us than we might under a request to change the General Plan. We have had such a situation in the past and for the life of me I can't see why we can't employ the same procedure at this time.

CHAIRMAN: My position has not changed. We have a general policy on General Plan changes and we have both the long-range and the short-range implications. Zoning for short-range planning and implementation should be handled, as in the past, as separate items. When you begin to add zoning and do these things concurrently we may be throwing conditions on a General Plan change. Some of the questions raised by the people who spoke against the application have merit but they were questions which related not to the General Plan change but to Zoning change. My position would remain the same.

ACTION: Commissioner Bright made a motion to accept the Planning Director's recommendation (that the application to redesignate lands in Kailua along Pali Highway from Open Space to Low Density Apartment and to adjust the Commercial land use boundaries be approved). Commissioner Kahawaiolaa seconded the motion.

DISCUSSION

YAMABE: I take it that with the change of General Plan, although the applicant might be returning very shortly for a change of Zoning, it is the consensus of the Commission that they would look at it separately and apart from the General Plan change. As far as permitting the change now, does it mean that the Staff, the Director, and the Commission feel that it concurs with the General Plan change but they may disagree with a change in Zoning? Wouldn't this be a hardship to all parties concerned?

MORIGUCHI: In all our General Plan Amendments we have viewed them, as

you will note from the reports, primarily from the standpoint of policy--a recommendation on a policy change to the City Council--and we have not proceeded to go into the details of the project itself where it would involve actual zoning change because, as you indicate, the plans are not that complete as far as the applicant is concerned. The other major point is that we have no indication from our legislative body as to whether or not they would be in accord with our recommendation. Therefore, to proceed any further and to ask the applicant to proceed any further, we feel, would be a relatively nebulous exercise at this point and time.

So we're not sure when the timing should be. We do recommend that the policy be changed--yes.

YAMABE: Under what circumstances, George, might you employ this simultaneous change?

MORIGUCHI: As an example, we might review briefly the situation that was before this Commission not too long ago relating to the Parkway Planned Development project at Kaneohe. It involved a rezoning and a general plan amendment and included a PDH, in fact. Here is a situation where the General Plan Amendment involved the school property and park property adjacent to the PDH which was shown on the General Plan for expansion of a park. In this instance, the Department of Education had indicated that they had no intention of acquiring more land for the school or the park and did not involve their need for future recreational facilities to the park. In fact, the facilities for the park were already placed next to the Kaneohe Elementary School. And here it was not so much a matter of policy that needed to be decided. The policy was that it still would be urban and park and school. The users were not even ready to come in and utilize these areas for park or school.

Now these lands that we were involved in involved PDH immediately abutting it. And here, the contention was that the policy was clear and we can, therefore, confirm that policy by a General Plan change and a rezoning at the same time.

YAMABE: You might refresh my memory. Does that involve just the parcels where they were designated institutional use such as park and schools?

MORIGUCHI: It was specifically indicated for schools and park--not institutional. But there it was relatively clear and we, by "we" I mean the Director and Commission--not the Staff, processed it.

YAMABE: Mr. Chairman, that being the case, I would accept the explanation and I will concur with the Motion. However, I would like the staff to explore this possibility. We have had much discussion on the possibility of eliminating some of this duplicated process. It may not be considered as a duplicating

process in the Charter itself, but, to handle it more expeditiously, consider some of these areas where we know that these people are coming in for immediate change of zoning where they want to develop it. We might somehow, even if it requires an amendment to the Ordinance or Code or Charter, consider this.

MORIGUCHI: Mr. Chairman, in responding to Commissioner Yamabe's request, we can respond fairly quickly in that the same issue has been raised by the City Council on a very similar matter and our rationale which we developed for the City Council was that it would serve to help you in your consideration of these matters. So we would be willing and able to make such data available to you very shortly, Commissioner Yamabe, on this very same issue. Hopefully, it would help this Commission as well as the Council.

YAMABE: I would appreciate that information. I would be keenly interested if you are going to also do some research in the area, under what possible circumstances this might be workable because I realize a general application may not be the best interest. However, with more specific instances, I think this approach can be employed.

There was no further discussion.

VOTE:
AYES: Bright, Kahawaiolaa, Yamabe, Connell.
NAYS: None.
ABSENT: Sullam and Crane.

Motion Carried.

✓ STREET NAMES
The Commission, on motion by Commissioner Kahawaiolaa, seconded by Commissioner Bright, and carried, recommended approval of the following street names as recommended by the staff:

1. ✓Haiku Park Subdivision, Unit I, Heeia, Koolaupoko, Oahu, Hawaii:

ALALOA STREET	Extension of existing Alaloa Street traversing in a northerly direction, approximately 750 feet beyond Crown Terrace Tract I, Unit I.
ALALOA PLACE	Cul-de-sac off Alaloa Street traversing in a westerly direction.
KALALI STREET	Roadway off Alaloa Street, traversing in a northwesterly direction and terminating temporarily at the upper limit of Haiku Park Unit I. Meaning: Proud; to go quickly, briskly without noticing anyone; to walk or talk in a brisk, haughty way.
KALALI PLACE	Cul-de-sac off Kalali Street traversing in a southerly direction.

KALAUA PLACE — Cul-de-sac off Kalali Street traversing in an easterly direction.
Meaning: To free the rain.

KUPALE STREET — Roadway on the west side of Kalali Street (future roadway to Haiku Park Unit II).
Meaning: Defense; to defend; ward off.

(Names were selected by the developer, reviewed and recommended by the B. P. Bishop Estate)

2. ✓ Haleiwa Hale Subdivision, Paalaa, Waialua, Oahu, Hawaii:

KILIOE PLACE — Cul-de-sac on the west side of Kamehameha Highway.
Meaning: A vine, a native climbing shrub of the Myrzine family.

* * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Commissioner Bright, seconded by Commissioner Kahawaiolaa, and carried:

✓ HAWAII CAPITAL DISTRICT
GROUND SIGN & LOGO
HONOLULU MEDICAL GROUP
(FILE #73/HCD-9)

1. The request is for a ground sign, marquee facia sign; logo on corner of building.

✓ HAWAII CAPITAL DISTRICT
MTL BUILDING
AIR CONDITIONING
C&C HONOLULU
BUILDING DEPARTMENT
(FILE #73/HCD-8)

2. The request is for the installation of air conditioning equipment.

✓ GENERAL PLAN AMENDMENT
RESIDENTIAL TO PARK USE
KALIHI-UKA
C&C HONOLULU
DEPARTMENT OF RECREATION
(FILE #234/C2/6a)

3. The request is to amend the General Plan for a portion of Kalihi-Uka, Oahu, by redesignating a 6.79-acre site from Residential use to Park use.

✓ GENERAL PLAN AMENDMENT
HIGH DENSITY APT. TO PARK
McCULLY
C&C HONOLULU
DEPARTMENT OF RECREATION
(FILE #262/C2/14)

4. The request is to amend the Detailed Land Use Map for the University Community by redesignating a portion of a parcel of land exclusive of road setback for High Density Apartment to Park use.

AMENDMENT TO EXISTING
✓CONDITIONAL USE PERMIT
EXPANSION OF WASTE
STABILIZATION POND
MAKAHA
MAKAHA VALLEY, INC.
(FILE #73/CUP-3)

5. A request for an amendment to an existing Conditional Use Permit (Resolution No. 66, adopted March 4, 1969) to permit an expansion of an existing waste stabilization pond.

ZONING CHANGE
R-6 RESIDENTIAL TO
✓A-2 APARTMENT DISTRICT
MAKAHA
MAKAHA VALLEY, INC.
(FILE #73/Z-23)

6. A request for a change in zoning from R-6 Residential District to A-2 Apartment District.

ZONING CHANGE
R-6 RESIDENTIAL TO
✓A-2 APARTMENT DISTRICT
PALAMA
HONOLULU REDEVELOPMENT
AGENCY, KYUNG AI CHO EST.
& HAWAIIAN EVANGELICAL
ASSOCIATION
(FILE #73/Z-24)

7. A request for a change in zoning from R-6 Residential District to A-2 Apartment District.

✓ZONING CHANGE
AG-1 RESTRICTED AGRICUL-
TURAL DISTRICT TO R-6
RESIDENTIAL, A-1 APART-
MENT, A-2 APARTMENT, and
P-1 PRESERVATION DISTRICT.
MILILANI TOWN
MILILANI TOWN, INC.
(FILE #72/Z-69)

8. A request for a change in zoning from AG-1 Restricted Agricultural District to R-6 Residential District, A-1 Apartment, A-2 Apartment and P-1 Preservation District.

✓CONDITIONAL USE PERMIT
OIL REFINERY
BARBERS POINT
CONOCO--DILLINGHAM OIL CO.
(FILE #72/CUP-19)

9. A request for a Conditional Use Permit for the establishment of an oil refinery on land situated in an I-2 Heavy Industrial District in the Campbell Industrial Park.

INFORMATION: The next meeting is scheduled to start at 4:00 p.m. The public hearing notice for "Parklane" Planned Development Housing has been advertised for 7:30 p.m.

ADJOURNMENT: On motion by Commissioner Yamabe, seconded by Commissioner Bright, and carried, the meeting adjourned at 4:15 p.m.

Respectfully submitted,

Mary C. King

Mary C. King
Hearings Reporter

File Copy

Meeting of the Planning Commission
Minutes
April 11, 1973

The Planning Commission held a meeting on Wednesday, April 11, 1973 at 4:15 p.m., in the Conference Room of the City Hall Annex. Chairman Rev. Eugene B. Connell presided.

PRESENT:
Rev. Eugene B. Connell, Chairman
Roy R. Bright
James D. Crane
Randall Kamiya
Thomas N. Yamabe II

STAFF PRESENT:
George S. Moriguchi, Acting Planning Director
Andrew Sato, Deputy Corporation Counsel
Betsy Marcinkus, Staff Planner
Stan Mofjeld, Staff Planner
Ali Sheybani, Staff Planner
Leroy Hanaoka, Observer

ABSENT:
Antone J. Kahawaiolaa
Fredda Sullam

MINUTES:
The minutes of March 14, 1973 were approved, on motion by Mr. Bright, seconded by Mr. Crane and carried.

The following Unfinished Business items were considered simultaneously:

1. √ HAWAII CAPITAL DISTRICT (72/HCD-34)

Applicant: Department of Accounting and General Services, State of Hawaii
Tax Map Key: 2-1-25: 2
Request: Air conditioning equipment to be added to Archives Building

REMARKS: Public hearing kept open from March 21, 1973 pending response from the Department of Accounting and General Services regarding conditions imposed by the Planning Director and pending the appearance of a representative from the Department of Accounting and General Services to answer questions by the Commission.

2. √ HAWAII CAPITAL DISTRICT (72/HCD-32)

Applicant: Department of Accounting and General Services, State of Hawaii
Tax Map Key: 2-1-18: 11, and 2-1-19: 1, 4, 6, 16, 18, & 22
Request: To demolish and clear Vineyard Garage site.

REMARKS: Public hearing closed; action deferred from March 7, 1973 for further information.

No discussion followed.

ACTION: Mr. Bright moved that the Commission submit NO RECOMMENDATION to the City Council on both items, "due to the fact that anything we might do with respect to this would be meaningless, now that the House and the Senate have voted to give the State Government a freehand in determining how and where State construction shall be built. I think anything that we do has no meaning whatsoever."

Mr. Bright's motion was seconded by Mr. Crane, and carried.

AYES - Bright Connell, Crane, Kamiya
NAYES - None
ABSENT - Kahawaiolaa, Sullam, Yamabe

UNFINISHED BUSINESS
GENERAL PLAN/DLUM AND DEVELOPMENT PLAN AMENDMENT--PALOLO TO APARTMENT AND PUBLIC FACILITIES--SCHOOL
PALOLO GARDENS HORIZONTAL PROPERTY REGIME
(BY: PALOLO LAND CO.)
(FILE: 181/C1/17)

The public hearing was held February 7, 1973 and closed. Action was deferred to (1) obtain reaffirmation from City Council on their Committee Report No. 996; (2) staff submit criteria in reaching decisions involving park-school use; (3) staff sumit criteria involving cost decisions.

Mrs. Betsy Marcinkus presented the Director's report.

A copy of Committee Report No. 331, March 27, 1973, from the City Council was attached to the report. The Council reaffirms the position taken in Committee Report No. 996, dated May 21, 1968.

With reference to the criteria for reaching decisions involving park-school use, the Planning Director is governed by the General Plan. The General Plan states that:

> Since the neighborhood playgrounds serve primarily children of elementary school age, these areas should adjoin the elementary schools which are within walking distance from most homes. A playground should be provided within one-third mile of every home and in extreme cases should not exceed one-half mile. The school-playground facility should not be located on major traffic thoroughfares or highways.
>
> There are many advantages in locating a playground adjacent to public schools, provided there is adequate land area for each.
>
> Size of playground needs vary with the population of the neighborhood. Each neighborhood needs at least one acre of playground for every 1,000 persons. The minimum playground should be large enough to provide one softball field or a minimum area of 2.5 acres.

For new elementary schools the Memorandum of Understanding between the State and City and County, April 19, 1966, concerning the acquisition of school-park complexes is the guiding instrument. The agreement specifies:

3. That in the determination and selection of sites, it is understood that the area requirements for both school and park purposes should normally total at least twelve (12) acres, one-half the area of which will be allocated for school use and one-half will be allocated for park use. It is further understood that any reference to size of total area to be acquired and/or allocated shall merely serve as a guide and shall in no way be construed as a limitation upon the acquisition and/or allocation of a larger or smaller area of mutual advantage to both the State and the City.

4. That wherever feasible, the selection of such sites shall contemplate the acquisition of an area as a whole in order that those portions allocated may be developed simultaneously.

15. That where either party determines that only one of either a school or park can feasibly be established and developed in an area, each party shall be relieved of the obligation of this Memorandum and left free to pursue its own course of action.

The question of criteria involving cost decisions is difficult to respond to. The Palolo Land Company application was evaluated on the basis of the requested use and the determination that the need for the playground was being met. The cost of developing the playground is already established in the Capital Improvement Program and no further cost considerations were appropriate. While the question of the acquisition of the applicant's property was not at issue in our examination of this application, it should be pointed out that the property is developed with a 29-unit apartment building and seven residential buildings and the cost of acquisition by the City and County for park purposes would be substantial.

The Director's recommendation is approval with minor modification. "The modification includes the parcel utilized as part of the Palolo Elementary School which recognizes the established long-term usage as Public Facilities--Schools."

No discussion followed.

ACTION: The Commission concurred with the Director's recommendation, and recommended that the request be approved, on motion by Mr. Crane, seconded by Mr. Bright and carried.

AYES - Bright, Connell, Crane, Kamiya
NAYES - None
ABSENT - Kahawaiolaa, Sullam, Yamabe

* * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mr. Bright, seconded by Mr. Crane and carried:

✓PLANNED DEVELOPMENT HOUSING KAILUA--KAIWA RIDGE, ENCHANTED ESTATES LONE STAR HAWAII, INC. (FILE #73/PDH-2)	1. The proposal is for 136 leasehold condominium dwelling units with estimated sales prices from $55,000 to $85,000.
✓ZONING CHANGE I-1 LIGHT INDUSTRIAL TO B-2 COMMUNITY BUS. DISTRICT CENTRAL BUSINESS DISTRICT CW INVESTMENT & DEVELOPMENT, LTD. (FILE #73/Z-9)	2. The request is for a change in zoning from I-1 Light Industrial to B-2 Community Business District.
✓ZONING CHANGE R-3 RESIDENTIAL TO R-6 RESIDENTIAL DIST. KAHALUU FRANK ARITA (FILE #72/Z-24)	3. The request is for a change in zoning from R-3 Residential to R-6 Residential District.
✓CONDITIONAL USE PERMIT (DOCTOR'S OFFICE IN RESIDENTIAL DIST.) HAUULA MARC SHLACTER, M.D. (FILE #73/CUP-1)	4. The request is for a Conditional Use Permit for construction of and establishment of a medical doctor's office within a residential district.

By request of the community, the Public Hearing for the following matter was held at 7:30 p.m. Due to the number in attendance, the hearing was moved to the City Council Chambers.

PUBLIC HEARING ✓PLANNED DEVELOPMENT HOUSING (PARKLANE COUNTRY HOMES) KAHALUU BRUCE C. STARK, FRED A. LORENZ & JAY S. CLARK (FILE #72/PDH-2)	A public hearing was held to consider a request for a Planned Development-Housing project in Kahaluu--Waihee Road, Tax Map Key: 4-7-06: 20. The request is for 115 two-story, 5- and 6-unit buildings with private sewage treatment plant and a General Plan change for a portion of site from Agricultural to Residential use. Publication was made in the Sunday Star-Bulletin/Advertiser of April 1, 1973. Letters of protest were received, and are included in testimony AGAINST the proposal.

Mr. Stan Mofjeld presented the Director's report of the proposal. A total of 115 leasehold condominium units are proposed in two-story 5- and 6-unit

buildings with a mixture of 84 two-bedroom and 31 three-bedroom units. Ground level units have private decks. Estimated sales prices by the applicant vary from mid $30,000's to mid $40,000's. Community facilities include an upper recreation area with a swimming pool and a lower open space area with a pond. A private sewage treatment plant is proposed. An estimated 28,000 cubic yards of fill will be brought into the site.

The Director recommends approval of this project, subject to the following modifications:

a. Buildings 12, 16 and 18 be eliminated to avoid placing buildings on a muck area over 10 feet deep, and use the area for open space and recreation.

b. Improvement of Ahilama Road according to the Department of Transportation Services recommendations.

c. The driveway connection to the 42-stall parking lot be extended to provide a stacking space for vehicles entering the driveway.

d. Developer be responsible for construction and maintenance of the private sewage treatment plant and deposit adequate bonds with the City for the period of operation of the facility.

e. The home buyers be committed by covenants to the type and operation cost of the sewage treatment plant.

f. Elimination of the loading area next to building 13 to decrease the size of the parking lot.

g. Siting of buildings be modified to optimize the privacy and view for all units.

Questions were raised by the Commission.

YAMABE: What is the acreage that's in Agriculture at this time?

MOFJELD: The site, although it has been used as a taro field, is no longer in agriculture production. Its in grasses at the moment.

YAMABE: What's the underlying zoning for it?

MOFJELD: The zoning is R-6.

YAMABE: What is the general plan?

MOFJELD: The general plan is Residential and Agriculture.

YAMABE: I take it the zoning preceded the general plan change in this area.

MOFJELD: The developer with his present zoning can develop under subdivision, and can process a planned development housing proposal for this site under the zoning.

YAMABE: Without the change for general plan?

MOFJELD: Yes.

YAMABE: So, actually, there's no need for us to consider a change in general plan.

MOFJELD: At this time.

YAMABE: Even if its going to be a planned development?

YAMABE: Going back to my earlier question, did the zoning precede the general plan change in this area or the establishment of the general plan as Agriculture?

MORIGUCHI: The zoning for this area was established way back in April, 1954. However, in the original work of the Land Use Commission, this area was originally classified as Agriculture. In 1968, the Land Use Commission removed this parcel from Agriculture to Urban, and thereby, if you will notice, just this one parcel in the area is zoned Residential, with the remaining areas shown as Agricultural within the Land Use Commission's designation. That is how the present zoning for this parcel came about.

YAMABE: Clarification. This area shown as Agricultural under the general plan map, this is the only parcel that's zoned for Urban use under the State Land Use Commission boundary?

MORIGUCHI: Just mauka of Ahilama Road, yes; except, you may recall the Waihee area mauka which was a PD application. That area is also zoned Urban by the State Land Use Commission.

YAMABE: How about the abutting properties?

MORIGUCHI: They are in Agriculture under the State Land Use Commission District boundary. The area makai of Ahilama Road is zoned for Urban, but everything mauka, excepting the subject parcel and the mauka area where we had that large planned development sometime ago, is zoned Agriculture.

YAMABE: Does the staff have the information from the Land Use Commission's meeting when they designated this specific parcel for Urban, what might have been the rationale behind it?

MORIGUCHI: We don't have their records, no, for the 1968 action of the Land Use Commission.

YAMABE: What's the City's designation for the abutting properties?

MORIGUCHI: The abutting properties are zoned Agriculture by the State Land Use Commission and that determines the City's designation therefore being AG-1 for the surrounding areas mauka of Ahilama Road.

CHAIRMAN: The report that came from the Water Board regarding the

possible effect of the treatment plant on the wells in the area, has that been communicated to the developer?

MOFJELD: I'm not sure. We only received this letter this afternoon. We have not communicated this to the developer. I'm not sure whether they have directly contacted the developer or not.

SHEYBANI: To the best of my knowledge, it hasn't been communicated to the developer.

CHAIRMAN: My second question has to do with the report of the Department of Transportation. The indication of your report states that they have said that Kamehameha Highway, in the vicinity of the subject application is apparently operating near its maximum level, but it would appear that adding 60 more vehicles in the major flow, that that would not bring it to its maximum. What is the maximum level?

MOFJELD: That was not indicated in their response.

CHAIRMAN: Do you think we could find out, and stop using these generalized terms of near maximum, almost a problem, it may be a problem?

YAMABE: In examining this PD application, have you examined the possibility of expanding this Residential use into abutting properties? If you have, to what extent? What might be the best use at this time and in the very near future?

SHEYBANI: This is a study to be done in conjunction with general planning for the whole area. There were studies begun, about a year or two ago, to include an area in Residential at both sides of Waihee Road, but that has not been completed.

YAMABE: I take it then you're saying there's no objection in considering this application simply because whatever decision you might come up with after the study is made, this will not be detrimental to that final plan.

MORIGUCHI: Commissioner Yamabe, if I might respond, Mr. Chairman. As far as the Comprehensive Zoning Code is concerned, the subject parcel has been zoned R-6. The Planning Director has no option but to process any Planned Development application for this parcel. This is notwithstanding the effort that it has underway considering the total Kahaluu area general plan program. We, according to this ordinance, must process this PD application. This must be carried on to the City Council.

YAMABE: If that being the case, is it necessary to consider a Planned Development? Is it mandatory if the underlying zoning is R-6?

MORIGUCHI: If the application is made, then the Planning Director, this Commission, and the City Council must consider that application. Now, I say consider, I don't say approve. They must process the application.

CRANE: Is the Traffic Department here tonight?

MOFJELD: I don't believe they are.

(This concluded questioning of the staff.)

Public testimony followed.

Testimony AGAINST--

1. Mrs. Winifred Ching, adjoining property owner (Submitted testimony, undated)
2. Mr. Leonard C. Moffitt, Executive Director, Windward Regional Council (Submitted letter dated Apr. 10, 1973)
3. Mrs. Faith Salas (Presented testimony of Mr. Edmund Salas, President, Hawaii Rural Housing Development Corporation dated Apr. 11, 1973)
4. Mrs. Helen C. Hopkins, Kahaluu Resident and Member of Hui Malama Aina O Ko'olau (Submitted testimony dated Apr. 11, 1973)
5. Mr. Joe C. Harper, Temporary Chairman, Kahaluu Coalition Committee (Submitted testimony dated Apr. 11, 1973)
6. Mrs. Valerie Humphries (Presented testimony of Mrs. Lois Fleming, Chairman, Public Affairs Committee, Kaneohe Outdoor Circle)
7. Mrs. Lucy Naluai, President, Hui Malama Aina O Ko'olau
8. Mr. Gene Dashiell, 1516-B Nehoa Street, Honolulu (Testimony dated Apr. 11, 1973 presented on behalf of Hui Malama Aina O Koolau)
9. Mrs. Olivia Padeken, Kahaluu Resident and Member of Hui Malama Aina O Ko'olau (Presented testimony dated Apr. 11, 1973)
10. Mrs. Josephine Patacsil, Kahaluu Resident (Submitted testimony, undated)
11. Mr. Sei Serikaku, Kahaluu Resident
12. Pat Dumadag, Kahaluu Resident
13. Mrs. Julia Hottendorf
14. Mrs. Miriam Ryder, Kahaluu Resident
15. Mr. Charlie Minor, Kahaluu Resident
16. Mr. Pete Thompson, interested citizen
17. Daveynee Camara, Waimanalo Village Resident's Association
18. Mr. Virgil Demay, Census Tract 57, People's Movement of Palama
19. Gertrude Humphries, interested citizen and Member, Life of the Land
20. Durell Dauthit

Objections:

1. Flooding and inadequate drainage facilities - The U.S. Soil Conservation Service Hawaii Soils Manual notes that 60 per cent of the site is marshland, and susceptible to flooding. This flooding is not shown on flood plain maps of the area, but residents express concern that flooding may serve to wash away fill proposed by the developer.

2. Overflowing of cesspools have occurred. Sewage and resultant pollution of Kaneohe Bay is already evident. All Windward development should be delayed until sewage is completely removed from Kaneohe Bay.

3. Unstable soil conditions are evident.

4. The proposed sewage treatment plant and injection well effluent disposal system is a temporary measure, and is undesirable by Kahaluu residents who will bear the burden of any malfunction or unexpected side effects, as well as the new home owners who in effect pays for operation and maintenance of the STP.

   There is also concern that viruses can be carried even by chlorine-treated sewage. Research abroad and in Hawaii at the Mililani Waste-water Recycling test site show that viruses survive chlorination. Indeed, viruses survive tertiary treatment.

5. Costs of the STP will prevent those in the low and moderate-income bracket most in need of housing in Kahaluu from qualifying as purchasers.

6. Schools, parks, and other public services are not yet geared for the urban-type development bulldozing into this rural community.

7. Highways on the Windward side are far from adequate for the more than 10,000 dwelling units currently at some stage of planning or development in the Kaneohe/Kahaluu area.

8. It is an established fact that the General Plan is obsolete, but in Kahaluu, it is not only obsolete but devastating and destructing to our lifestyle, and in no way promotes the general welfare of its people.

9. There is an obvious inconsistency in the zoning of these areas that should be determined on the basis of comprehensive land use policy. Any decision that would commit this land to Residential development should be set aside until the basic land use questions are resolved.

   The over-riding consideration in opposition is based upon a strong consensus among residents of Kahaluu that any further development proposals in the area, unrelated to their immediate and urgent needs, should be held in abeyance until an overall development plan is agreed upon and General Plan changes in keeping with them brought about.

10. The developer has no intention of providing low-cost housing for Kahaluu residents which is an urgent need in the community. Twenty per cent of the units should be made available for low-income housing.

11. The proposed development is an infringement on Hawaiian-style kuleana life in the area, and is a first step toward the destruction of a unique people with a unique and rich heritage.

12. The proposal would commit a sizable block of limited developable land to high-priced residential property which the community does not need. The area should be rezoned to Agriculture for 10 to 20 years to limit land speculation in Kahaluu, and reduce the influx of a non-kamaaina population.

Testimony in SUPPORT--

1. Mr. Guy Hotchkiss, Property Owner, 47-351 Waihee Road, Kahaluu (Received letter dated Apr. 2, 1973)
2. Mr. Alan Y. Higa, Property Owner, Tax Map Key: 4-7-06-24 (Received letter dated Mar. 31, 1973)
3. Mr. Lawrence S. Higa, Kahaluu Resident, 47-271 Waihee Road, Kahaluu (Received letter dated Apr. 2, 1973)
4. Mrs. Shizuko Nakama, Property Owner, Tax Map Key: 4-7-06: 27 (Received letter dated Apr. 2, 1973)
5. Mr. Thomas S. Higa, Resident, 45-709 Kam Highway, Kaneohe (Received letter dated Mar. 27, 1973)
6. Mr. John De Ramos, Property Owner, Tax Map Key: 4-7-33: 3 (Received letter dated Mar. 30, 1973)
7. Rachael K. Mattson, Resident, 47-356 Waihee Road, Kaneohe (Received letter dated Mar. 30, 1973)
8. Mr. and Mrs. Toshio Higa, Property Owners, Tax Map Key: 4-7-06: 9 (Received letter dated Mar. 30, 1973)
9. Abigail Aiu, interested citizen, 1069 Maunawili, Kailua
10. Sue Angell, interested potential buyer, Honolulu resident
11. Mr. Duane Omori, possible buyer, Kalihi resident
12. Mr. Ed Oban, interested citizen
13. Mr. George H. Jones, Jr., interested buyer, Nuuanu resident
14. Mr. Henry Lum, interested citizen
15. Mary Paik, Resident, 47-759 Hui Kelu, Kaneohe
16. Mr. Donald P. Bergman, 1111 Mokapu Blvd., Kailua
17. Mr. and Mrs. David B. Mach, interested buyer, Honolulu resident
18. A. K. Arakaki, interested citizen
19. P.R.M. Fowler, 46-306 Haiku Plantation, Kaneohe
20. Mr. Gary Pang, interested buyer, Honolulu resident
21. Violet Sung, interested citizen
22. Mr. Albert J. Floyd, Jr., interested citizen
23. Donna Nakamura, interested buyer
24. Mr. and Mrs. Roy Ishikawa, 1740 Alewa Drive, Honolulu
25. Mr. Dennis M. Ginden, interested buyer, Kailua resident
26. Virginia Kroll, 709 Paopua Lp., Kailua
27. Myrla M. Doston, 279 N. Kalaheo Ave., Kailua
28. Mr. David Irons, Attorney for the applicant
29. Mr. Brian Gray, Consulting Engineer for the developer
30. Mr. Bruce Stark, Developer-applicant

Reasons in SUPPORT--

1. The proposed development is well planned with attractive townhouses and beautiful landscaping, will be a great asset to the community, and will improve the neighborhood considerably.

2. The developers have shown great concern and care to retain and enhance the beauty of the "country" environment in designing this garden-type project.

3. Considering other alternatives and problems of developing this property for housing, a planned unit development would be preferable.

It would provide the best possible solution for open space preservation, offer the residents a decidedly rural environment, and provide much needed housing in this area.

4. They agree with the Planning Director's recommendation for urban development along Waihee Road, a fully improved 60-foot right-of-way with curbs, gutters, sidewalks and lighting.

5. Inasmuch as they cannot afford a single-family residence, the project offers the amenities, and appears to be the best and least expensive housing for the Kaneohe area.

Messrs Bruce Stark, Developer; Brian Gray, Consulting Engineer; and David Irons, Attorney, were questioned by the Commission.

BRIGHT: Are you familiar with the recommendations made by the Planning Director?

IRONS: Yes sir. We're not in complete agreement with them, but we feel we can comply with the recommendations.

BRIGHT: The possible pollution of wells in the area is one of concern to members of the Commission. Are there any assurances that these wells can be kept free from any pollution and seepage?

GRAY: In our preliminary investigation, we were led to believe that there were no active wells in the immediate area of this development. We had consulted with the Board of Water Supply. The Board of Water Supply did recommend approval at that time. This letter only came today to the Planning Department. This is the first we know that there has been any concern expressed. We would, of course, follow through and check it out.

CHAIRMAN: How soon could you get a report back to the Commission?

GRAY: At the next hearing, at least an indication whether there's a potential problem.

CRANE: From your development as you see it in the recommendations made by the Director, is there any possibilities of contamination of Kaneohe Bay?

GRAY: No. The contemplated method of disposal, we'll be putting down wells 150 feet into the ground. The treatment proposed is tertiary which removes phosphorous and nitrogen. The Health Department is concerned about pollution of Kaneohe Bay. They are satisfied with this system.

CRANE: Are you grading to the extent where there will be runoff in Kaneohe Bay in anyway?

GRAY: The grading that's necessary, we will have to bring in fill material which we place in level layers, which is very easy to control so you don't get any silt runoff. The problem from silt runoff comes when you have big cut banks.

YAMABE: Would your client consider subdividing this land if the PD is not approved? If so, you have any idea as to whether it might be economically feasible?

IRONS: It probably would be economically feasible.

YAMABE: I realize there must have been some substantial investment made by your client. I don't know how soon a General Plan Revision in this area would take, but if it were within a reasonable period of time, would it be possible for your client to consider withholding this development until such time the General Plan is established?

Let me first find out how long this might take. Mr. Director, how long would it take the staff to work on the General Plan for this area?

MORIGUCHI: We're not looking at this one particular area by itself. Our effort is to look at the entire area from the valley down to the shoreline. So, it'll be a major undertaking and will take sometime. A very rough guess, within a year we might have it fairly well along, touching the bases with all agencies, the people, all interested. I would say it would take that time.

YAMABE: Mr. Iron, about a year.

STARK: Excuse me, I think I am a little more familiar than our attorney. He's basically handling legal matters.

Number one, we have been in planning for 18 months. We've been in the Planning Department for 18 months. We've had tremendous carrying costs. Our original concept was to go to PUD because we thought that would be more in keeping with the character of the area. This would allow us to develop housing, originally around $29,000 to $38,000, $39,000 for two and three-bedroom apartment units. Well, 18 months time has caused construction costs to raise probably 20 per cent or better. So, we no longer can hold to that budget. In the event of a delay, we would only have one solution. One thing we can't economically afford is to carry the land any further. We've had a substantial investment. Just counting the time, 18 months is a lot of time for anybody. What we would do probably is subdivide the property, and sell off the individual lots, thereby recovering our investment and making some profit. I would not attempt to actually go in and build houses per se. I am not a house builder. I am an apartment builder.

Projects we have done in Honolulu have won awards. We have won awards from the Outdoor Circle, the Honolulu Chapter of the AIA. We have won engineering awards. We deal with the most responsible and competent engineering talents and architect talents available to us in Honolulu. We coordinate our efforts very closely with the Planning Department and with the other governmental agencies that have some right of review.

We feel that we've put together a package that does meet the character of the area. That property now has nothing on it except a lot of weeds and brush. We think we can provide housing for a lot of people in at least a moderate income. Now, we can't probably provide it for low-

income and that is not the intent. I don't know that anybody today can do it for low-income unless you subdivide, practically speaking. This woman who spoke about $34,000 fee-simple, prove it to me. That's a pipe dream. You get a lot of conversation, but you don't get much action. We're ready to act. We cannot wait. If we're forced to wait--I mean a week or two, okay.

This one thing came up by the Board of Water Supply. Originally, they approved it. Either somebody has alerted them to something different, but these are engineering things that are solvable. I take the position that any engineering problem is solvable.

I would like to have your approval to proceed.

YAMABE: I think you've made the point clear, you can't afford to wait.

With this recommendation by the Director, I assume that the Board of Water Supply's concern which arrived later this afternoon, would cause you to abandon this project?

STARK: Well, if the delay were a week or two, no. We feel this would be in our own best interest, and in the interest of the community. We'd simply cover our costs, subdivide and maybe make a $5,000 profit, something like that, but this is really not what our concept is all about. It can be done. As a salvage effort, this is what we would do because we have no other alternative. We can't discriminate. Anybody who has money can buy the lot. What he does with it after that is his business. He can then build a house, speculate and sell it for a higher price later on.

CHAIRMAN: A number of concerns have been raised about potential flooding. What is your reaction to that?

STARK: Well, we feel that we have hired engineers who can solve these concerns and these problems. We do not feel that we have a flooding problem. The Department of Public Works and people who have examined our plan, and the Planning Department have examined our plans in conjunction with Public Works, have agreed with us that we do not have this problem. You can have ghosts come from every area. You can concoct all kinds of false fears. This was the intent and purpose of much of the testimony tonight.

On the other hand, we feel that constructively putting engineering talents to its use, and with every board that reviewed this--its very hard for me to believe that we can get it past all these experts after our efforts. We're responsible. We're very worried about it. We don't want to get into litigations if we develop something that isn't workable. That's insane. If it wasn't workable, we wouldn't even proceed. Life's too short to go all through that. I would just rather subdivide the property.

But, we've gone from the positive approach that our engineers, along with the City and County people are able to review it, and can prevent

these things from happening. Naturally, these are fears, and I respect that. Its certainly one of ours. But, its not insolvable.

CHAIRMAN: At the present time, your engineers have not completed drainage plans.

STARK: That's right. We have not wanted to incur that extra expense until we had approval.

CHAIRMAN: Your plan is to prepare those before you get to City Council?

STARK: I would think we would have those prepared in order to go for our Building Permit. I don't know that there's a requirement to have them prepared for City Council. Frankly, I'm very unsophisticated on PUDs. I really don't know the technical aspects of that question. We do have almost working drawings on the buildings. In fact, you could now build one of the buildings. They are that far advanced. So, we've made considerable investment in architectural drawings.

CHAIRMAN: We haven't gotten around to the buildings yet. The concerns that have been raised are primarily in areas where the engineers, it would appear, are going to have to complete reports before some of these questions can be answered.

STARK: Could not approval be based on receipt of satisfactory reports? By not giving approval would require us to make further investment in the thousands and thousands of dollars because engineering fees are not inexpensive, and planning. It would certainly encourage us.

CHAIRMAN: I imagine these are issues which could be worked out between the Public Works Department, other agencies, and your engineers.

Mr. Iron mentioned there was not total agreement with the Planning Director's report. What are the areas?

STARK: There's really only one area. We requested 115 apartments, and they approved our project based on 100 apartments. They eliminated the 15 units that would be constructed over the area which is considered to have more than 10 feet of muck. Also, they said by eliminating those particular units, that they would then increase the amount of open space. The reason that we disagreed with that is that we felt from the point of view of overall proration of all costs, construction costs, sewage plant costs, maintenance of that sewage plant, lease rent, and each of these items, these extra 15 units would really help the whole project. I'm saying we don't like that but if its their decision, your decision, and the City Council's decision, we will abide by that. It does not totally destroy the feasibility of the project. It does cut into it somewhat. We are now considerably below the density allowed for PUD. Actually, the maximum allowed is 130 units.

We want to make it as aesthetic as possible because of the market. If its not attractive and not well designed, it won't sell. We'll have nothing.

One thing we have done for the community that has not been brought up is that we have donated free of charge, the fire station site. This is something which otherwise would have to be condemned and purchased. We did this as a gesture to the community to show good intent. I don't know how its been received.

YAMABE: Is this your first project in the State of Hawaii?

STARK: This is my sixth. It is my first PUD. It may very well be my last. Its too time consuming, too costly, too much risk, and too much uncertainties to make it really worth your while.

YAMABE: The City does have the authority to place conditions. You do have, in turn, the bonuses. In turn, you must give some amenities to the community, city, state, and so forth.

STARK: Artistically and aesthetically, I am in total agreement with the planned unit concept. As far as the administration of it, we are willing to accept restrictions because we feel its worthwhile. On the other hand, when it takes 18 months in planning, its a little difficult to hold a planned budget. Its very frustrating.

CHAIRMAN: Who will be responsible for maintaining the plant?

STARK: What we'd propose to do is that we would have the manufacturer's representative, or some maintenance company approved by him, maintain it. Normally, right in the construction costs--its very similar to elevators--of the project, we'd build in two to three years, maybe even four years, of guaranteed maintenance. It would be a contract executed the same time you purchase the equipment. Responsibility for overseeing this would be with some property management company. In fact, it would be with a company that I have an interest in called Hawaiiana Property Management. We would intend to manage the property after the buildings are up to make sure the landscaping is maintained, the pool is cleaned, the sidewalks are cleaned, the buildings are painted. They would also have an engineer-type man on the property probably at least once a week. We have in-house mechanical-engineering talent which is very sophisticated. They could probably, with some direction from the manufacturer, understand what it would take to maintain this system. The cost of it would be billed into the maintenance fee. The purchase price would reflect the first four years, two or three, whatever that contract was. The continuing maintenance would have to be renegotiated and would be in the monthly maintenance fee which we don't know. We understand that it is feasible. Its not going to be so high that nobody can afford it.

CHAIRMAN: How large a bond will you be required to post to the City and County?

STARK: I really don't know. I understand they are readily obtainable, if you are a responsible person.

CHAIRMAN: Mr. Moriguchi, once the bond is posted, in the event the system is not carried through, what does the City then do?

MORIGUCHI: If bond is worked out based on such an agreement, for example as with our subdivision bond, the City would then exercise its option to cash in on the bond to use the funds to maintain the project.

CHAIRMAN: Either by hiring an outside concern or--

MORIGUCHI: Yes.

CHAIRMAN: All other conditions are acceptable?

STARK: Yes.

YAMABE: Mr. Stark, I don't know whether this is a possibility, but if there might be runoff from your property into the stream, and in the process it should damage the banana crops and so forth, would you accept this responsibility, or develop your property in such a manner that would avoid this type of runoff?

STARK: I think our plan is to prevent this sort of runoff so that we wouldn't have this problem. My engineer could elaborate on that.

GRAY: There's little water that comes into the project or passes through it. Its just what falls on this area. There are springs in here. It discharges through still rather swampy area back to Waihee Stream. The area of this property as related to the total drainage basin is really quite small. Recognizing that there is some flooding problem, we discussed with the Department of Public Works that we would have some ponding areas within our project site. The reason that we do have an increase in the runoff is due to the paving of roads and parking lots. The ponding available in the site would counteract that so that we did not actually increase the runoff. This was discussed with the Department of Public Works. They refer in their report that we would have to submit the details in the final construction plans.

YAMABE: Testimony was given that without this development, they do have a flooding situation. When you say you're not going to increase the runoff, does it mean that you're going to maintain the present flow, present runoff?

GRAY: Yes Sir. We would compute the ponding capacity. There's a pond in here (referring to site plan). Peak rain would raise the level of the pond during heavy rainstorn, and cut down the peak flow so that it would balance out.

For your information, I understand that the City is preparing plans for the acquisition of lands for the Kahaluu Flood Control Project. I don't know if Waihee Stream is in the first increment of this project. I know plans are underway.

(There were no further questions of the developers.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Crane and carried.

Discussion followed.

Yamabe: I would like the staff to check into the many areas pointed out by the witnesses, particularly the communication by the Board of Water Supply as to what recommendation the Board might have and might consult with the developers on this matter.

Bright: I'd like to amend that motion to have the Board look into Item A that is the deletion of some of the units to determine whether it would be feasible to keep the prices possibly down.

Crane: Hasn't it been established here that we can put this kind of condition relative to drainage that has been brought up by the Board of Water Supply as a condition on this PUD, if it were to pass? As I understand, did not the developer himself say it'd be acceptable as a method of making sure that their concerns were met?

Yamabe: To your first question, I believe that this type of condition is allowed for us to recommend. Secondly, I would like to have more information on that item as well as others, to ascertain some facts. Then, I would like to take action on it.

Chairman: Was one of your primary concerns the fact that the Board of Water Supply indicated the possible pollution of a number of wells in the area?

Yamabe: Yes, the pollution, the runoff, the flooding situation. I consider this to be a very important factor because of the fact of whether it be PD or a normal subdivision, or even if it remains as is, these are problems that I certainly would like to look into because it affects every situation.

Bright: Mr. Chairman, I think it would be in order to express appreciation of that organization to come here. Its important to see that where this kind of interest is evident, we can end up with much better planning.

Chairman: George, can this be communicated to that organization, and to that Coalition organization in Kahaluu.

George, I would like you or Andy to review, to look into the legal ramifications of downzoning, recognizing the fact that the State LUC has got this in Urban.

ADJOURNMENT: The meeting adjourned at 12:00 midnight.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
April 18, 1973

The Planning Commission held a meeting on Wednesday, April 18, 1973 at 2:15 p.m., in the Conference Room of the City Hall Annex. Chairman Eugene B. Connell presided.

PRESENT:
Eugene B. Connell, Chairman
Fredda Sullam, Vice-Chairman
Roy R. Bright
Antone J. Kahawaiolaa
Randall Kamiya
Thomas N. Yamabe II

STAFF PRESENT:
Robert R. Way, Planning Director
Jane H. Howell, Deputy Corporation Counsel
Ali Sheybani, Staff Planner
Tosh Hosoda, Staff Planner
Gerald Henniger, Staff Planner
Stanley Mofjeld, Staff Planner
Richard Lum, Observer

ABSENT: James D. Crane

MINUTES: The minutes of April 4, 1973 were approved, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

PUBLIC HEARING
PLANNED DEVELOPMENT
HOUSING
HEEIA
HAIKU GARDENS
GRANT COMPANY
(FILE #72/PDH-9)

A public hearing was held to consider a request for redesignation of the subject property to Planned Development-Housing, under Article 10 of the Comprehensive Zoning Code concurrent with R-6 Residential rezoning over R-4 Residential and AG-1 Restricted Agricultural District portion of the site, Tax Map Key: 4-6-12: 02, 03. Construction of 113 leasehold condominium units on the upper portion of site and preservation of the pond, stream and vegetation along the stream are proposed.

Publication was made April 8, 1973 in the Sunday, Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Gerald Henniger of the staff presented the Director's report. In summary, the site plan concept is acceptable. Among the advantageous features of the proposal are: Preservation of existing trees and vegetation, minimal grading, separation of pedestrian and vehicular circulation, conveniently located and well buffered recreational facilities, sewer extension and road improvement. On the other hand, the 4-plex unit design proposed for the site with windows all around the building,

tends to restrict the site plan to take advantage of view and trade winds and to provide optimum privacy for all units. The Director's recommendation is for approval, subject to the conditions contained in his report.

Question was raised as to the use of a portion of AG-1 zoned land. Mr. Henniger indicated that the land is not being used for agricultural purposes. The Department of Agriculture was contacted, and they have no objection to the rezoning.

No one spoke AGAINST the request.

Mr. Calvin Chun, Vice-President, Grant Company, indicated their receipt of a copy of the Director's report, and their concurrence with the his recommendations.

Questions were raised by the Commission.

YAMABE: What's the staff rationale in changing it to R-6 instead of R-4?

HENNIGER: I think the concurrent application with density as is proposed, and the site arrangement that they have is reasonable. As a matter of fact, its possible that they might even get that density with R-4 or close to it, because the density that's proposed is not the maximum density that they could achieve under R-6.

YAMABE: What's the percentage of increase?

HENNIGER: I can give you a relationship to the R-6. It would be 134 units under R-6 which would be single-family detached which would be 6.5 dwelling units per acre. You could achieve 178 dwellings units per acre under R-6 if it were duplex as would be permitted by the Code. That would be 8.7 dwelling units per acre. The proposal is for 113 units at 5.94 dwelling units per acre. So, it would seem that it would run higher than it would as R-4. That's substantially what could be achieved under R-6, including one acre in restaurant.

YAMABE: Isn't the restaurant a conditional use?

HENNIGER: It was a conditional use. The general plan was changed within the last five months to Resort. The restaurant would come in under the use that would be compatible, which is about five acres permitted in the CZC.

WAY: If I might comment, the R-4 is a 7500 square foot lot size requirement as against the 5,000 square foot lot size requirement for the R-6. You could probably get, just for purposes of clarification, something on the order of approaching five units per acre which would net around 37,000 square feet for the lots themselves, and allow up to another 6,000 or 7,000 feet for access roadways and what not. So, it might actually approach closer to five units per acre on a conventional subdivision basis which in this case would yield something over 100 since the site is 21+ acres or thereabouts. Deducting for the stream, ponds and

what not, it is a fairly low-density PD. Gross, even 20 acres into 113 is six units per acre. Net is on the area of 10.6.

SULLAM: What is the sewage situation here? Is this going to be connected into the City line?

HENNIGER: Yes. The City line, as I understand it, is on Kamehameha, about a 2700 lineal foot run--

CHUN: Actually about 3500 from the property line on Kahekili, down the gulch. Its not being put in by the City but entirely by Grant Company funds. Actually, its a joint venture between Grant Company and adjoining owners. It will be put in and eventually dedicated to the City, to our City standards, but entirely by private funds. The total amount of expenditures is approximately $160,000.

YAMABE: You have any plans as to how the restaurant will be maintained and operated?

CHUN: The actual operation itself will be retained by the present owner who is also the owner of the propety, Haiku Realty. They presently operate the restaurant and the nursery which is on the property. They would retain the use of the restaurant and also retain the use of the residences, but they will become both entities, a share-paying member of the community association which we will form. They would pay their fair share.

The restaurant would still be open to the public in the same manner it is now open, except that it will no longer be under a Conditional Use Permit. Its allowed to be that way under the convenience facility which is allowed through the planned unit development through ordinance.

HENNIGER: It would be accommodation of the convenience facility for the development, and also compatible use--the 2½% being allowed as convenience for a total of 5% being allowed for compatible use. The Planning Director recommends that it is a compatible use to the development.

YAMABE: This would be a restricted restaurant operation?

CHUN: That's correct.

(There were no further questions of Mr. Chun.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

Discussion followed.

Commissioner Yamabe expressed concern in two areas:

1. DOE's criteria for determining the number of students generated by a particular development, applying the type of structure--single-family dwelling vs. four-plexes, single-family dwelling

vs. townhouses, four-plexes vs. townhouses--rather than establishing the actual number of students that may contribute to an overtaxing school situation.

He questioned the difference in DOE'S comments having no serious objection to this (Haiku Gardens) project, and then their recommendation on the Haiku Woods PDH project for "a reduction in the total number of housing units to that permissible under R-6 zoning."

The Director commented that the point raised by Commissioner Yamabe was brought to DOE's attention. The Director stated: "Possibly, there is a need for them, in light of the General Plan, to take a look at the criteria they apply when they plan for schools. That's the basis for it. If it needs adjustment in terms of number of pupils per family for different kinds of densities that are liable to be developed, their planning effort has to be upgraded."

As to the difference in DOE's comments regarding the two PDH projects the Director indicated that it was just a matter of sequence in which the applications were received and referred to DOE for review. The Haiku Gardens PDH application preceded Haiku Woods PDH application.

Commissioner Bright felt the adequacy of school facilities to be a general problem throughout the island. He stated: "You have to establish or create a need before you can see additional classrooms."

2. Mr. Yamabe questioned the existing restaurant operation as a convenience facility for residents in the project, noting its present patronage mainly by outsiders and tourists. He would have no objection to the restaurant remaining under a Conditional Use Permit as a separate entity, rather than to unfairly tax residents for a use which non-residents will enjoy. He also pointed out parking problems which would result between guests and residents.

   Mr. Ali Sheybani explained that there is no line drawn as to use of the restaurant facility between residents and non-residents. Under the PDH requirements for convenience establishments, one-half of the restaurant operation which occupies one acre should be oriented to the project as a convenience (2½% of total project area). The other half (2½% of total project area) can be completely geared to an outside use, as long as it is compatible with the planned development.

   Regarding parking, the facility has more parking than required through combined guest and restaurant parking in one area. Guest parking, if necessary, could overflow into restaurant parking and vice versa, depending on which use is more prominent at the time. Under the CUP, the parking requirement would be four times the floor area of the restaurant. Under PDH, parking for half of the restaurant facility is not required. It is assumed that the residents will use the restaurant. Also, curb and on-street parking is available within the planned development.

Questioned as to whether there is any objection to retain the restaurant operation under CUP as opposed to PDH, Mr. Sheybani indicated no objection just a question of landscaping maintenance between the community association and the restaurant management. He stated: "It becomes an operational problem to keep both entities separately landscaped, especially when the water from the restaurant ponds run into the rest of the development. It is difficult to separate the two areas of jurisdiction in a workable pattern."

Commissioner Bright felt it would be advantageous "to have the restaurant operation as a combined unit without any separation because it adds to the beauty of the project, and lessens the possibility of use restriction."

There was no further discussion.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the project, subject to the recommendations contained in the Director's report, on motion by Mr. Bright, seconded by Mr. Kahawaiolaa and carried.

AYES - Bright, Connell, Kahawaiolaa, Kamiya, Sullam
NAYES - Yamabe
ABSENT - Crane

PUBLIC HEARING
✓PLANNED DEVELOPMENT HOUSING
HEEIA
HAIKU WOODS
JOINT VENTURE OF
MAHINUI ESTATES, INC.,
DOUG CARTY REALTY, INC.,
& HARRY C. UHLER
DEVELOPMENT COMPANY, INC.
(FILE #73/PDH-1)

A public hearing was held to consider a request for rezoning from AG-1 Restricted Agricultural to R-6 Residential and Planned Development-Housing Districts for land located in Heeia, Tax Map Keys: 4-6-17: 22 and 4-6-14: portion of 1.

Publication was made April 8, 1973 in the Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Hal Murphy reviewed the Director's report. In summary, the proposal has advantageous features such as separation of pedestrian and vehicle circulation, preservation of large existing trees and innovative unit design. Disadvantages are lack of on-site guest parking, inadequate privacy for lanais at some units and inconvenient location of recreation area for some units. The Director's recommendation is for approval, subject to the recommendations contained in his report.

Questions were raised by the Commission.

SULLAM: Has the applicant indicated the price range?

MURPHY: The two-bedroom around $60,000; the three-bedroom around $65,000, with completion by mid '74.

YAMABE: Is the Department of Education's concerns taken cared of?

MURPHY: There's still a difference of opinion between us on our recommendation.

YAMABE: What are we talking about in figures?

MURPHY: Probably no more in the end about 10 units, 12 or 15 units perhaps. The recommendation in this report with respect to privacy of lanais for some units, and the increase in guest parking will definitely result in the omission of some units from the project.

YAMABE: Would that take care of the change for this area?

MURPHY: It probably would bring the number down a little towards 70 but probably not that many. Its 87 at the moment. Its hard to say without studies but I suspect it may remain at 80 or thereabouts.

The point we wanted to get across here was the variety of yield you can get out of conventional development. Actually, if they went the subdivision route and developed duplex housing, they could get more units here than you would under planned development.

YAMABE: Is this all flat land?

MURPHY: No. There's a high and low portion separated by about a 50-foot high escartment.

YAMABE: The number of units possible under the subdivision route, was that based on the total acreage or considered for the topography and buildable area?

MURPHY: The whole site might be considered buildable under the subdivision route. That's the way we massacre the landscaping. There's a tendency to maximize the yield through development of lots and roads, overlooking the topographic features. Chances are they'd be flat out under conventional subdivision to get the minimum of the range we've suggested under regular subdivision, that is 60 lots because of the topography. That site would definitely give him a 60 to 70 lot range. But, without doing a subdivision study and seeing how you could develop it that way, its hard to give you specific figures.

WAY: One more point on that. Its quite likely that if it were conventional subdivision, they would grade out much of those areas that we've identified here as being undesirable for development, unsatisfactory. I think the range is about the best we can do, as Hal indicated, to say that between 60 and 70 is what appears they could do. That range does reflect kind of a net figure that there might even be some areas that are simply too steep to develop. I'm quite certain that in this case, much of the bluff areas there would simply be mass graded. They would be the portions of lots or streets or whatever. They would be developed.

MURPHY: On the high portion there are a lot of interesting specimen trees, including banyan and zacarandas and quite a few trees on the escartment. In nearly all cases, all of the trees are to be left. The buildings have been sited to avoid them.

YAMABE: If they were going to grade it, wouldn't they have to come in for a grading permit?

WAY: Yes, but it doesn't say trees.

KAMIYA: Based on total development of this area, what is the impact of traffic on Haiku Road? Up to now, we had suggestions that we take an analysis of this. We haven't seen anything like that.

SHEYBANI: If I might answer that. We had a comment from the State Department of Transportation that although the traffic that this project generates might be acceptable, they suggest an overall study for the area before we conclude on traffic studies. But, the City and County Department of Transportation Services conducted a recent survey, and their recommendation was that at Kahekili, if Haiku Road is widened one lane to provide for stacking and left turns, that would take care of present problem. That is part of the condition for this project as well as the project across the way. We will jointly do that.

(There were no further questions of the staff.)

Public testimony followed.

No one spoke AGAINST the request.

Mr. Norman Lacayo, Project Architect, indicated their agreement with the Director's recommendation. Questioned by the Commission regarding the Director's recommendation for a reduction in the number of units, Mr. Lacayo stated that this is an economic problem which could be worked out with the staff. Their intent is to keep the unit price down. The reduction would mean an increase in unit price to offset land costs.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Kahawaiolaa, seconded by Mr. Yamabe and carried.

ACTION: The Commission accepted the Director's recommendation, and recommended that the request be approved, subject to the Director's recommendations, on motion by Mrs. Sullam, seconded by Mr. Kahawaiolaa and carried.

AYES - Bright, Connell, Kahawaiolaa, Kamiya, Sullam, Yamabe
NAYES - None
ABSENT - Crane

PUBLIC HEARING
HAWAII CAPITAL DISTRICT
APPLICATION
(GROUND SIGN)
HONOLULU MEDICAL GROUP
(FILE #73/HCD-9)

A public hearing was held to consider an application by Honolulu Medical Group to construct ground signs in the Hawaii Capital District.

Publication was made April 8, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Stan Mofjeld presented the Director's report. The application is for installation of 4 signs for the Honolulu Medical Group building which is currently under construction. The signs type and location are as follows:

1. A marquee facia sign fronting Lauhala Street, consisting of 8-inch bronze letters on the fascia surface of the entrance canopy.

2. A 4-foot tall x 6-foot wide concrete panel ground sign facing Lauhala Street.

3. Two 8-foot tall neon backed logo symbols elevated on the corner of the main building facing Beretania Street and Lauhala Street.

The Director recommends:

1. Approval of the marquee facia sign (Lauhala Street).

2. Elimination of the ground sign. The sign is not permitted by Comprehensive Zoning Code (Section 21-814B) due to inadequate building setback. A 25-foot setback on both frontages is required before ground signs are permitted. Existing building setback on Lauhala Street is only 20 feet.

3. Elimination of the logo symbols on the corner of the building. The 8-foot tall neon lighted logo symbols seem inappropriate to the character of the Capital District.

The Chairman questioned the Director concerning the Commission's action regarding applications for development within the Capital District in view of recent legislation exempting the State from requirements of the Hawaii Capital District. The Director stated: "I think what is really behind your question is the matter of what is appropriate for private sector and what is appropriate for the governmental sector. I must confess that in terms of principal, I find there ought to be a consistency and that the rule should be applicable across-the-board, regardless of the entity undertaking the project in the Capital District."

Commissioner Sullam suggested that a letter be sent to Governor Burns expressing the Commission's concern regarding Senate Bill No. 1380, relating to county ordinances establishing historic, cultural and scenic districts which is specifically directed to the Hawaii Capital District Ordinance. The staff was requested to prepare the letter.

Public testimony followed.

Testimony AGAINST--

1. Mrs. Jack Marnie, Chairman, Sign Committee, The Outdoor Circle (Letter submitted dated April 18, 1973)

   They support the Director's recommendation, and recommend that the applicant consider a "Garden Sign" which they believe would provide adequate identification and be more appropriate to the character of the Hawaii Capital District.

Mrs. Sullam commented that proposals such as this one which are obviously against the sign regulations of the Comprehensive Zoning Code should be referred back to the applicant for restudy. The Director agreed and stated that the violations were called to the attention of the applicant; however, no effort was made to correct them. The application must then be processed as such, with the recommendations as outlined.

The public hearing was closed, and the matter was taken under advisement, on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

ACTION: The Commission adopted the Director's recommendation for approval, subject to certain modifications stated in his report, on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

AYES - Bright, Kahawaiolaa, Kamiya, Sullam, Yamabe
NAYES - Connell
ABSENT - Crane

PUBLIC HEARING
HAWAII CAPITAL DISTRICT
APPLICATION
(AIR-CONDITIONING
EQUIPMENT)C&C BUILDING DEPT.
(FILE #73/HCD-8)

A public hearing was held to consider a request by the Building Department to install air-conditioning equipment within the Hawaii Capital District.

Publication was made April 8, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Gerald Henniger presented the Director's report of the request for the installation of air-conditioning equipment on the roof of the one-story portion of the existing MTL Building, and to screen this equipment from public view with a concrete block screen to be painted to match the existing cream color of the building. The need for this equipment stems from additional staff and additional office space. The proposed work will cost $18,000.

There were no questions regarding the Director's report.

No one spoke AGAINST the request.

Mr. Ernest Yuasa, Director and Building Superintendent of the City and County Building Department, availed himself to any questions the Commission might have. He requested the Commission's favorable consideration of their proposal.

The Commission had no questions of Mr. Yuasa.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

AYES - Bright, Connell, Kahawaiolaa, Kamiya, Sullam, Yamabe
NAYES - None
ABSENT - Crane

Public hearings for the following matters were held simultaneously:

MAKAHA--Amendment to an existing Conditional Use Permit (73/CUP-3)

Applicant: Makaha Valley, Inc.
Owner: Makaha Valley, Inc.
Tax Map Key: 8-4-02: portion of 5
Lot Size: Approximately 8 acres
Request: An amendment to an existing Conditional Use Permit (Resolution No. 66, adopted March 4, 1969) to permit an expansion of an existing waste stabilization pond.

Publication was made April 8, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Tosh Hosoda presented the Director's report of the request. The existing waste stabilization pond was approved as a conditional use permit by the City Council under Resolution No. 66, adopted March 4, 1969. The applicant had requested the waste stabilization pond approval in order that certain developments within Makaha Valley could take place prior to the construction of a public sewer system. The pond was designed to have a capacity which would accommodate approximately 1,100 units, proposed for an area zoned A-3 Apartment District. Of the 1,100 units which were planned to be served by the existing sewage stabilization pond approximately half or 580 units have been built and are being served by the pond. The applicant now proposes to defer the development of an additional 500+ units on the remaining A-3 zoned portion and instead is seeking a zone change from R-6 Residential District to A-2 Apartment District for a 41.6-acre site lying on the opposite side of Kili Drive, for apartment development consisting of approximately 850 units. In addition, the applicant proposes to have the waste stabilization pond serve a 170-lot residential subdivision proposed at the Kaena terminus of Lahaina Street. With the existing 586 units and the number of units proposed under the requested A-2 zoning, plus the proposed residential subdivision, the applicant anticipates that the total number of units to be served by the waste stabilization pond will be in excess of 1,600 units, an amount which is more than the design capacity of the existing waste stabilization pond. He is requesting an amendment to the conditional use permit to increase the capacity of the sewage treatment pond.

The Director's recommendation is for approval, subject to the conditions contained in his report.

MAKAHA--Change in Zoning (73/Z-23)

Applicant: Makaha Valley, Inc.
Owner: Makaha Valley, Inc.
Tax Map Key: 8-4-02: portion of 5
Lot Size: 41.5 acres
Request: Change in zoning from R-6 Residential to A-2 Apartment District

Publication was made April 8, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Tosh Hosoda presented the Director's report. The applicant proposes to construct 851 condominium apartments consisting primarily of 3-story townhouses in three phases--Phase I-285 units, Phase II-288 units, and Phase III-278 units.

Through simultaneous review of both the subject zone change request and the conditional use permit amendment, it is felt that sufficient controls exist to ensure that sewage disposal will be adequately handled. The conditional use permit amendment will serve as a control mechanism that would ensure density of development will be no more than what the applicant has indicated even though the zoning will permit a more intense development.

The Director's recommendation is for approval.

Responding to a question of unit cost, Mr. Hosoda stated that a year ago, $30,000 per unit was proposed. He does not know the present cost per unit.

No person testified AGAINST either request.

Mr. Joseph Kinoshita appeared on the applicant's behalf and complimented the staff on an excellent and complete presentation. He pointed out that the proposed density is roughly half of the maximum possible under A-2 Apartment zoning.

The Commission had no questions of Mr. Kinoshita.

Both public hearings were closed and taken under advisement, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

ACTION: The Commission adopted the Director's recommendation for approval of both requests, subject to the conditions contained in his report, on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

AYES - Bright, Connell, Kahawaiolaa, Kamiya, Sullam, Yamabe
NAYES - None
ABSENT - Crane

PUBLIC HEARING ZONING CHANGE R-6 RESIDENTIAL TO A-2 APARTMENT PALAMA HONOLULU REDEVELOPMENT AGENCY (FILE #73/Z-24)	A public hearing was held to consider a request for a change in zoning from R-6 Residential to A-2 Apartment District in Palama, Tax Map Key: 1-7-31: parcels 28, 29, 50 and 55. Publication was made April 8, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Tosh Hosoda presented the Director's report of the proposal. Three property owners have jointly filed a request to rezone their properties from existing R-6 Residential to A-2 Apartment. The largest of the parcels

which is Parcels 29 and 55 total approximately 30,000 square feet. This area is owned by the B.P. Bishop Estate, however, the Honolulu Redevelopment Agency upon approval of the requested zoning change intends to purchase the property from Bishop Estate. The Honolulu Redevelopment Agency will then lease the property to a Mr. Hei Wai Wong for a dollar a year with the understanding that Mr. Wong will develop the parcels for apartments. The preliminary site plan indicates a proposed four-story structure containing a total of 55 apartment units. Neither the developer nor Honolulu Redevelopment Agency has provided figures as to what the rent structure will be; however, HRA has indicated its agreement with the developer, Mr. Wong, that the project will be non-profit and the rent will be based upon the amount of debt service incurred, and the cost of maintenance and management. HRA through its Model Cities Housing Division has approved a $101,000 seed money loan to Mr. Wong, a part of which will be used to pay for necessary off-site improvements.

The Director's recommendation is for approval.

Concerning a question regarding the boundary line of the subject parcel, it was felt more appropriate to discuss this matter following public testimony.

Public testimony followed.

Testimony AGAINST--

1. Councilman Frank W. C. Loo, 90 N. King Street, Honolulu (Submitted copy of Conflict of Interest Statement dated April 18, 1973 to City Council)

   LOO: I know its extraordinary for a Councilman to appear before the Planning Commission, but circumstances which I will explain in my testimony are extraordinary. I beg your indulgence in making my appearance here in explaining my double conflict.

   As indicated, I have filed a Conflict of Interest Statement with the City Council and have attached the statement I'm making today.

   "My mother, Mrs. Man Kwong Loo (Ngo Wong Loo) of 1203 Palama Street, Honolulu, Hawaii informed me on Sunday, April 15, 1973 that the Planning Department informed her by mail, a few days ago, that you are considering this Palama re-zoning matter today. This did not give us much time to prepare for this hearing.

   The Bishop Estate and others connected with this project did not have the courtesy of discussing the matter with us, adjoining owners before our notification by the Planning Department.

   Our family owns the property adjoining the Bishop Estate property being considered for re-zoning. The Tax Key is 1-7-031-030.

   As the oldest child and lawyer in the family, it is expected and I have been asked to appear on behalf of the family. This may place me in a possible double conflict of interest situation as a City Councilman. Not only is my family involved in this matter but my children attend the Kamehameha Schools supported by Bishop Estate.

As a precaution, I am entering this statement in the record of your proceedings. In addition, since this matter will come before the City Council, I have filed a possible conflict of interest statement with the City Council, a copy of which I am submitting to the Commission for your records.

Obviously, I am not representing my family for a fee or compensation of any kind.

We do not object to re-zoning the area from R-6 Residential to Apartment District. However, we do object to this particular re-zoning because Bishop Estate is claiming part of the land owned by our family as their own in this particular re-zoning application.

It is our understnading that the Bishop Estate is claiming a strip of land at least one foot wide along their boundary and our boundary which actually is our land.

This claim of ownership by Bishop Estate is preposterous. We own this land because of our deed or if not set forth in our deed, we own it clearly by adverse possession. Since time immemorial, there has been a fence and cemented driveway along the boundary. Our family has owned and used the property for our store and residence since about 1935 to date. The fence and cement driveway were there when we purchased the property about 1935 and even before that time. The whole Palama community know it is our property.

The strip of land claimed by Bishop Estate is on our side of the fence and includes part of the cement driveway on our side of the fence. Bishop Estate and their lessee and prospective purchaser of the land, Mr. Hei Wai Wong, could clearly see they were claiming part of our property because of the fence and driveway.

This re-zoning should not be allowed until the dispute of ownership is settled. May I ask that this matter be continued until settlement is effected.

There are indications that Bishop Estate, Mr. Wong and the Honolulu Redevelopment Agency, are willing to settle the matter with our family.

I am also asking the Honolulu Redevelopment Agency not to purchase the property or be involved in the project until ownership is settled. Taxpayer's money should not be jeopardized in a land dispute.

Thank you for your attention and consideration."

(The Commission had no questions of Councilman Loo.)

Testimony in SUPPORT--

1. Councilman Frank W. C. Loo, 90 N. King Street Street, Honolulu (Submitted copy of Conflict of Interest Statement dated April 18, 1973 to City Council, and letter dated April 18, 1973 to Planning Commission)

2. Mrs. Eunice H. Kealoha
3. Mr. David Milotta representing the Hawaii Conference Foundation of the United Church of Christ, owners of Parcel 28

The above-named property owners had no objection to the rezoning from R-6 Residential to A-2 Apartment. Present dilapidated structures could be removed and replaced with new buildings under the proposed zoning. The community would benefit by the proposal.

4. Mr. Hei Wai Wong, Optionee of the property owned by Bishop Estate

WONG: I am the Optionee of the property that belongs to Bishop Estate. This piece of property borders Frank Loo's mother's property. I wouldn't say 'borders it' because there is a roadway between. Mr. Loo, I understand, was here. He claims there is a boundary dispute between his mother's property and Bishop Estate property. Actually, there is none. I have a map here. I have asked the Bishop Estate Engineer to plot the metes and bounds of his property, and also plot the metes and bounds of Loo's property on the map. This shows the relationship between the two properties. In so doing, the engineers have provided this map showing that there is a gap of land, no man's land, of six feet between Loo's property and Bishop Estate property. The Loo's have used that six feet, no man's land, for ingress and egress. The Loo's have also built a fence that encroached upon Bishop Estate property for about two feet more or less. Now, they probably claim this is their property.

I think to penalize Bishop Estate for an encroachment by somebody else is very bad. It's not fair. It isn't Bishop Estate that's encroaching on Loo property. It's Loo that has been building a fence and encroaching upon the Bishop Estate property.

CHAIRMAN: It would seem, Mr. Wong, that the question of whom is encroaching upon whom is not a question for this Planning Commission but a question for the courts.

WONG: I realize that but the penalty to these people who are now applying for rezoning is much greater than the nuisance that Mr. Loo is causing by this thing. I feel this is very, very unjust for him to do that. We are trying to put some moderate-income housing working closely with the Honolulu Redevelopment Agency to provide housing for the moderate income in this area. I have planned 55 units. To delay it would only mean that eventually the cost will rise up and be impossible to do something for the poor people in that section.

Furthermore, I think the boundary dispute has no bearing upon the merits of the zoning. He's throwing a monkey wrench into it. That's what he's doing. It's very bad for him as a councilman to do that.

CHAIRMAN: I don't believe the Commissioners will get into the rights and wrongs of testimony.

WONG: I'm saying it is a penalty to the people who are requesting this change of zoning.

Mr. Wong was questioned by the Commission.

BRIGHT: Has any effort been made to resolve this problem of the boundary conflict? Has there been any discussion prior to this meeting?

WONG: I have talked to Mr. Loo personally. He absolutely refuses to consider anything. I said why don't you let it go just so long as we can measure this number of feet from the boundary line. If you want to use that little strip, fine, you can use it. We will allow you to continue using that roadway.

BRIGHT: You'll let him continue using that strip that he's been using. Is that correct?

WONG: Well, he's using the strip now. He has a fence on one side. I told him why should I stop you from using it. We're not going to do that.

BRIGHT: If I understand you correctly, then I understand that you've already resolved this problem with Mr. Loo by telling him you're willing to let him continue to use this strip as he has in the past.

WONG: I have said that to him but Mr. Loo insist upon testifying against the planning of the zoning. I don't know why.

CHAIRMAN: Just for clarification, Mr. Wong, Mr. Loo testified both for and against.

(There were no further questions of Mr. Wong.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mrs. Sullam and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, and that the conflict of the boundary line be considered by the City Council, on motion by Mr. Yamabe, seconded by Mr. Bright and carried.

AYES - Bright, Connell, Kahawaiolaa, Kamiya, Sullam, Yamabe
NAYES - None
ABSENT - Crane

✓MISCELLANEOUS

A draft of Ordinance Relating To "Conditional" or "Contract" Zoning was circulated for information and discussion.

Commissioner Yamabe questioned Section 21-112 (f): "Failure to fulfill any conditions to amendments within the specified time limitations may be grounds for the enactment of ordinances effecting further zone changes upon initiation by the proper parties in accordance with the Revised Charter." He stated, "I do not want to see government placed in such a powerful position." Deputy Corporation Counsel Jane Howell indicated that that was not the intent of the ordinance, and that the word "may" allows for some flexibility in this area.

Commissioner Sullam felt that this section might remove existing speculation by developers, forcing them to develop land that has been rezoned rather than use it for speculation.

UNFINISHED BUSINESS ✓ PLANNED DEVELOPMENT HOUSING KAHALUU BRUCE C. STARK, FRED A. LORENZ & JAY S. CLARK (FILE #72/PDH-2)	The public hearing was held April 11, 1973. Action was deferred one week for further review and comment regarding the sewage disposal and construction over the marsh area. The Director requested an additional two-week deferral for compilation of the information received.

MOTION: The Commission deferred action for a period of two weeks, on motion by Mr. Yamabe, seconded by Mr. Bright and carried.

* * * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mrs. Sullam, seconded by Mr. Bright and carried:

✓PLANNED DEVELOPMENT HOUSING KANEOHE CAPITAL INVESTMENT OF HAWAII, INC. (FILE #73/PDH-3)	1. The proposal is for 40 fee simple condominium, 2- and 3-bedroom attached and detached dwelling units.
✓PLANNED DEVELOPMENT HOUSING KANEOHE (MAKANI-KAI MARINA) MAKANI-KAI MARINE DEVELOPMENT COMPANY (FILE #72/PDH-17)	2. The proposal is for 81 leasehold condominium units with common facilities including a private marina.
✓PLANNED DEVELOPMENT HOUSING KALIHI VALLEY (KUIKAHI GARDENS) MID-PAC DEVELOPMENT, LTD., FRANK SLAVSKY, & WILLIAM H. DODD (FILE #72/PDH-16)	3. The request is for a concurrent rezoning from R-4 to R-6 Residential District and Planned Development-Housing District and development of 40 townhouse units.
✓ZONING CHANGE A-3 APT. TO A-2 APT. MOKULEIA INITIATED BY CITY COUNCIL (FILE #73/Z-13)	4. The request is for a change in zoning from A-3 Apartment District to A-2 Apartment District.

ADJOURNMENT: The meeting adjourned at 5:04 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

File Copy

Meeting of the Planning Commission
Minutes
April 25, 1973

The Planning Commission held a meeting on Wednesday April 25, 1973 at 2:15 p.m., in the Conference Room of the City Hall Annex. Mrs. Fredda Sullam, Acting Chairman, presided.

PRESENT:
Fredda Sullam, Acting Chairman
Roy R. Bright
Randall Kamiya
Thomas N. Yamabe II

STAFF PRESENT:
Robert R. Way, Planning Director
John Grant, Deputy Corporation Counsel
Tosh Hosoda, Staff Planner
Herbert Mark, Staff Planner
Carl Smith, Staff Planner
Joseph Barientos, Observer

ABSENT:
Eugene B. Connell, Chairman
James D. Crane
Antone D. Kahawaiolaa

MINUTES:
The minutes of April 11, 1973 were approved, on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

PUBLIC HEARING
DEVELOPMENT PLAN AMENDMENT
CENTRAL BUSINESS DISTRICT
PAUAHI PROJECT
HONOLULU REDEVELOPMENT AGENCY, CITY & COUNTY OF HONOLULU
(FILE #239/C2/11)

A public hearing was held to consider the following request:

a. Designation of public off-street parking facility;
b. Designation of Pauahi Street between Maunakea and River Streets into a mall;
c. Designation of a public service alley;

Tax Map Keys: 1-7-03 and 1-7-04.

Publication was made in the Sunday Star-Bulletin/Advertiser of April 15, 1973. Letters received in OPPOSITION to the request are included in TESTIMONY AGAINST the project.

Mr. Herbert Mark presented the Director's report of the proposal. Based upon the analysis contained in his report, the Director concludes that the requirements of the Dalton decision have been met. The proposed conversion of Pauahi Street to a pedestrian mall will have little or no impact on the overall traffic circulation pattern of the Chinatown-Downtown area. The provision of the "public service alley" is needed to service structures fronting

on Hotel and River Streets, as well as Pauahi Street, since Hotel and River Streets malls are already indicated on the Development Plan, but with no provision for servicing structures that front these streets. The public parking structure will provide parking for the proposed residences and new commercial areas, and help to accommodate the long-term parking deficiency of Chinatown.

The Director's recommendation is for approval.

The staff was questioned by the Commission.

YAMABE: You say the proposed number of parking stalls is inadequate at this time?

MARK: Yes. Even with construction of the public parking facility, this parking garage will still not accommodate the long-term deficiency of parking in Chinatown.

YAMABE: This request is merely an amendment to the General Plan--

MARK: To the Development Plan. The General Plan is not being amended. The General Plan indicates Commercial throughout the Chinatown area. According to the text, its considered CBD Commercial.

YAMABE: Does that mean that by amending the Development Plan, we are also establishing the type of use, this parking area?

MARK: I don't quite understand your question.

YAMABE: There's something I don't understand. What is the Development Plan?

MARK: The Development Plan indicates all the public improvements. It does not indicate land use, although the public improvements are related to land use. Land use is not indicated on the Development Plan.

YAMABE: Does that mean that by adopting this public use off-street parking public use, we are establishing the number of parking stalls to be installed in that particular area, 450?

MARK: No. As a matter of fact, the 450 is just an approximate figure at the present time. If you do approve this off-street parking, it is merely the approval of off-street parking on that site but not necessarily the number of stalls.

YAMABE: Its just that that particular site will be identified as public parking.

MARK: That's right.

(There were no further questions of the staff.)

Public testimony followed.

Testimony AGAINST--

1. Mr. Charles Miner, Jr., Chinatown Resident representing the Third Arm Community Organization

MINER: I am a resident of Chinatown and also the spokesman for the Chinatown residents, and a member of the Chinatown Committee.

As to the amendment to amend this project, first, I am here more to emphasize as a point the guarantee of housing on the plan for the people. In the plan of the HRA or the City, it does not guarantee people their rent when they return should there be any kind of building. There's nothing that says that they can come back at a lower-cost rent.

The point is that in the $89.2-1/3 million from the City, there is nothing said about building houses. Our concern is to remind the Commission that they don't forget the residents of their lower rent.

During this process of relocation--and I hope it doesn't take another five years for them to plan to build a house. As I understand, this project was planned for five different increments. The first, second and third would be in A Block and the 4th and 5th in B Block. Now, during the first phase of A Block, they will be relocating people. The building will still be standing there but, when all the people are relocated at the end of Phase I, they will start demolishing buildings. We would also like to see the Planning Commission also consider rehabilitating some of these buildings. Some of these buildings would stand another 20 years of life.

Now, they plan to raise malls and things like that. The kind of people living there are elderly people. If we have malls--you see, they depend on these streets to take them to the hospital. Otherwise, they'll have to walk a pretty long ways to get their taxi or to board their cars. Out of these two blocks, you have 696 elderly people.

Also, I don't think its a very good idea for us small business people. A lot of these small business people when they are relocated, I hope they can come back also at low-cost rent.

Now, if the amendment is approved, that means all concerned here today approves the plan. But, if the amendment is not approved, that would mean the Pauahi Project would not go through.

As a resident and spokesman for the Chinatown people, I disapprove of the public project plan nowhere, because the project will change our community lifestyle, our friendship, and will cause us a lot of hardship. Some of our 1400 residents average about $118-$119 a month, welfare recipients. If these changes come out to change the whole lifestyle of a community, I don't think it should take place.

We also advocate that purchase of federal land should be made available for low-cost housing.

The Commission questioned Mr. Miner.

YAMABE: Just for my personal clarification, you mentioned that you don't wish to see this area changed; however, you did indicate that if it were changed, consideration of the elderly citizens and others there be the prime concern. Are you saying that you don't mind the change, provided these things are taken cared of?

MINER: Yes sir. We do not advocate to do away with everything, no. But, consider not to come into this area to total destruction by rehabilitation, the whole Pauahi Project. In the first place, I don't know why they use Pauahi. There are other more worse areas.

YAMABE: I think in the past, the Commission did indicate concern as to how the people are going to be relocated. We agree with you. We don't want to see a building or structure torn down and the people to be displaced with nowhere to go. I think this concern is expressed although this is not within our jurisdiction, but we did express this.

Now, if you say you don't want any change then you'd be against the renewal program.

MINER: Citizen participation, the Planning Commission, and the people in government should work together and plan this together so that there's no more hassle in these kinds of hearings. But, when you see a plan and something doesn't meet the eye, wow! The main point is housing and rental, wow! I've sat in some of the Council meetings for F Block. They quote some at a $130, $140. I guess that's a two, three-bedroom apartment but that's still kind of too high.

YAMABE: I'm under the impression that much of this preliminary discussion with the people within the Chinatown area did take place, and that we did come to some conclusion as to how this problem could be handled.

WAY: Yes. We do have representatives from the HRA Department of Housing and Community Development who can testify more particularly as to means, methods of providing for relocation, housing and the rest. Basically, the matter before the Commission is not the project per se, although it is clear that these amendments are needed to our Development Plan to take the progress further ahead. We're basically dealing with the Development Plan at this point.

YAMABE: I wanted to clarify that point because this is only to implement a total picture. If they have no objections to this

type of review program, I'm sure we can proceed. But, I certainly would like to have their concern considered by the body with the authority to take this kind of request under consideration.

(There were no further questions of Mr. Miner.)

2. Mr. Russel Nagata, Third Arm Community Center, 121 N. Pauahi St.

NAGATA: I've worked with Third Arm Community Center for the past two years.

First, may I give you some additional background on the Pauahi Project, Urban Renewal Plan. The Pauahi Project can no longer be seen as a first phase of the Chinatown General Neighborhood Renewal area. According to a HUD specialist, there will be no further funding for urban renewal programs after the Pauahi Project.

President Nixon has stated that urban renewal, no matter how well intentioned it first was, it moved the poor out of the community while it benefited the already well-off.

As Councilman Matsumoto pointed out in the March 6th meeting of the City Council, "It seems that HRA does not recognize the needs of the present landowners, businessmen, and residents for whom they are supposedly redeveloping, but rather are providing a project and means for big developers who can afford to purchase the land and develop Chinatown according to HRA's design guides."

If the Commission approves the amendment proposed before you, you would have in effect approved a plan which will not serve the interest of the Chinatown community.

I also add, that in the City Charter, the General Plan as done by the Planning Department is supposed to be a "studies of physical, social, economic and governmental conditions and trends, and shall be designed to assure the coordinated development of the city, and to promote the general welfare and prosperity of the people."

Mr. Way's report to the Commission concerning the proposed amendment did not lay out social and economic trends pertaining to the general welfare and prosperity of the Chinatown people. In fact, Mr. Way agreed that so far HRA's report "Reports are inadequate in a difficult area of assessment of the social impact of extensive clearance projects." This superficial treatment of the Pauahi Project and proposed amendments cannot be called a long range comprehensive plan. Furthermore, the arguments Mr. Way presents in discussing the Pauahi Project are inadequate. He fails to mention President Nixon's moratorium on housing subsidies which is to prevent the construction of low and moderate income housing. Mr. Way fails to mention that HHA has no intention of building elderly housing in Chinatown. He also fails to

mention that even though 100 single non-elderly low-income people may qualify for some federal subsidies, their low priority would give them no assurance that they would be able to move back into Chinatown, even if new units can be built. Finally, Mr. Way fails to give an objective evaluation of the alternatives for redevelopment of the Chinatown area.

The proposed amendment to the CBD Development Plan will not serve the interest of the people presently living and working in Chinatown. Who would a mall and parking structure actually serve? In the HRA's design guide, it says, "The housing above the parking structure on A-3 should be limited to low-income elderly. In the event Hawaii Housing Authority is unable to develop low-income housing for the elderly, moderate income and market housing can be developed."

Who will use the proposed service alley? Councilman Akahane said in the March 6th meeting of the City Council, "If you are to retain the small shops in Chinatown as has been proposed, it may be necessary to consider other innovative zoning concepts. For example, Senator Hulten has indicated in a memo to me that present Chinatown merchants are doing a low volume of business, but are able to survive because of the low rental which averages about 30 cents per square foot per month compared to 70 cents elsewhere."

We have heard that if the Pauahi Project plan is implemented, rents will increase at least 100%. This will mean another Aala Park fiasco where 40% of the businesses never reopened.

Gentlemen, after hearing what Charlie had said, we ask that you give a negative recommendation to the proposed amendment. If this cannot be done, at least delay your vote until HRA, in coordination with the Planning Department, can come up with a plan which would take into account the social and economic impact of the Pauahi Project and the proposed amendment in a comprehensive and long range form.

Remember, if you approve the amendment to the CBD Development Plan, you will be part of a project which will harm the lives of the present Chinatown people.

Mr. Nagata was questioned by the Commission.

YAMABE: Are you representing the residents of Chinatown as well as the property owners? It seems as though you so indicated in your opening remarks.

NAGATA: I represent Third Arm Community Organization, started two years ago as a community organization designed to serve the needs of the people in Chinatown, primarily the residents and small business people.

YAMABE: Does that include the property owners as well?

NAGATA: Not really. We have contacted the property owners but can't say we represent them.

YAMABE: What's your membership like?

NAGATA: We have 250 members. The majority of them are residents of Chinatown.

(There were no further questions of Mr. Nagata.)

3. Miss Beaudine Lee, representing The Busy B Theatre, Maunakea Street

LEE: As far as redevelopment is concerned, I'm all for it. But, as far as having a redevelopment where all businesses are terminated and having no other areas where we can redevelop a new business, its rather hard to start out somewhere else.

I have a question as to why you want to propose a mall? I see no reason to make one when you want to cut out some of these stores. When you have no traffic going by, that would really hamper business.

As far as the parking stalls are concerned, don't you want to preserve the cultural identity of Chinatown? The general atmosphere right now is one of poorness.

I agree to what Mr. Charlie Miner had said. I think maybe he represents me too.

Miss Lee was questioned by the Commission.

YAMABE: Did you have a chance to discuss this matter with the HRA staff when they had gone out to the Chinatown area to discuss this whole redevelopment issue?

LEE: No, I have not. I did attend one meeting at the Chamber of Commerce.

WAY: What business is it that you represent on Maunakea Street?

LEE: Its a partnership consisting of P&B and Romalis Inc.

WAY: What form of business is that?

LEE: This is the theatre located on Maunakea Street, The Busy B Theatre.

We also have another business on the corner of Maunakea and Hotel. If you were to make a rapid transit system, that would hamper the business because you would have to condemn the area and where are we going to move? We have no other property.

WAY: You seem to indicate that by having a street rather than a mall, your business would be somehow enhanced because traffic goes by.

LEE: Right.

WAY: Yet, there is a serious parking problem in this area-- I think you'll probably agree. The proposal is to provide some parking spaces. It seems that from where we look at the problem, its not so much the matter of having street capacity, but rather the problem of having the parking spaces. That may be one of the reasons that businesses are not prosperous. Provision of parking rather than simply more street capacity might actually improve the business operation. Do you disagree with that view? Do you feel that moving traffic is that important to your business?

LEE: Moving traffic does help somewhat. As far as building up a new parking facility, I think maybe you should utilize the area that's around the area of Nuuanu and Vineyard near Safeway. There's a big area. I think they're going to build apartments. But, do we really need those apartments there first?

WAY: Well, are we going to deal with the problem of traffic and parking by simply-- Will this really be beneficial to the business simply by having a street in front that permits traffic to go by if there's no place for the cars to park? That's sort of the problem that I see here. I just kind of question whether you had thought of that sort of reverse to the thought that you now have, that its important to have the traffic going by. This going by I don't see that it actually enhances the business. But, if there's a place where they can park and stop, then there's an opportunity for the business to be enhanced by the customers simply being able to get to downtown and find a place to park.

LEE: I can see your point about having these parking facilities, but for the existing parking facilities, are they being utilized to their capacity?

WAY: Yes. We recently had a study and found there was a deficiency. Essentially, one of the important findings was that there was too much all day or long term parking, and not enough customer parking. One of the programs that the city expects to implement is the program where there will be greater turnover at the parking stalls by changing the meter system to discourage the all-day long term parkers, and to encourage the short term or shoppers coming to the downtown area. The shoppers are the ones having problems finding parking spaces. This is at least the results generally agreed upon as a product of that study as it affects the entire downtown area.

CHAIRMAN: I think it should be clarified. The way I see these drawings, it appears there is not going to be rehabilitation of old buildings. There's a whole new plan for that area. These shops that Miss Lee speaks of are going to be removed, are they not?

WAY: As indicated, the proposal is primarily of redevelopment with some rehabilitation in the Chinatown area.

CHAIRMAN: These shops that Miss Lee speaks of, are they going to be disturbed?

WAY: We are not certain of the precise location. That's one of the questions I had. I think we can more properly ask that question specifically of HRA. They have their architects here who can respond more particularly to the two parcels that were mentioned here.

(There were no further questions of Miss Lee.)

4. Mr. Howard Lum

   Mr. Lum indicated that the location of the proposed parking structure is removed from businesses in the area which leaves them at a disadvantage.

5. Letter dated April 19, 1973 from Mrs. Nancy Bannick, Chairman, Historic Buildings Task Force with testimony attached, presented on Feb. 19, 1973 to the City Council.

Testimony in SUPPORT--

1. Mr. Ray Fisher, Manager, Honolulu Redevelopment Agency
2. Mr. Willard Lee, Redevelopment Executive Assistant, Honolulu Redevelopment Agency

LEE: We will be pleased to answer any questions.

WAY: Willard, do you know the specific treatment of the parcels just mentioned in the discussion, the Busy B Threatre area? What is the disposition?

LEE: The Busy B happens to be right under the Maunakea portion of the proposed service alley.

WAY: In other words, it would be eliminated?

LEE: That's right.

CHAIRMAN: It would be beneficial to us if you might give us a resume of what's going to happen to the businesses that are removed, and what is it you have for relocating them.

LEE: As far as the acquisition of the new parcels that are developed in the project, priority will be given to the property owners who have their property acquired in the project area.

As far as the priority for the businesses to come back in, first priority will be given to the businesses displaced from the project. This will also be a requirement on those developers who develop any property within the project. The same priority will be given to residents. This project is proposed to be developed in five separate phases within the first project so that you would not have any large areas created at one time. So, if developed in phases, by the time you reach the third phase, the building should be completed in the first phase, as far as relocation is concerned.

This project proposes to provide approximately 450 new units within the area. Approximately 390 would be slated for low and moderate income families. Approximately 60 would be for market income people. There will be approximately 60,000 square feet of commercial space within the project, with the 450 parking spaces. In addition, there would be an existing approximately 175 units primarily along River Street between Pauahi Street and Hotel Street that would be retained. That's the Kamiya Hotel and the Winston Hale Apartments.

BRIGHT: Mr. Lee, what assurances will there be that the rentals in this development will be such a nature to prohibit the older residents who are living there and the existing businesses from coming back into the area?

LEE: We have an alternative plan proposed that would provide rental that would meet the incomes below the 221(d)(3) Below Market Interest Rate income for families, and the continued occupancy rates for low income. However, without federal subsidy, you would not be able to help those in the low-income that really are totally on welfare. Our relocation plan which is a separate plan does provide assistance and assurance that they will be placed in a near vicinity in units that they would be able to afford. But, until this moratorium is settled and new programs are again developed, you cannot guarantee rent.

BRIGHT: This seems to be the crux of the matter, the fact that there's absolutely no guarantee that you're not going to force these people into going into other areas. This is what is going to happen unless there can be a substantial guarantee to these people that they are not going to be displaced.

LEE: I think we are speaking of two different things. As far as the permanent placement of people that will be displaced, the relocation plan does provide this within their means, within the vicinity of the project. We're talking about something within the neighborhood of three-quarters of a mile within this project. The area we cannot guarantee is the subsidy that the federal government provides for low-income housing. The federal government is the only one that builds low-income housing. They provide all the funds. This is something the City cannot guarantee.

WAY: Is it possible that because you may not be able to

provide relocation housing, that the project could be in jeopardy in some way?

RAY FISHER: The City Council in approving this renewal plan indicated that if at the end of this first phase if there was not a means of reaching the public housing income, that they wanted to take a look at it as to whether the project would proceed beyond that point. So, the City Council is very cognizant of this. They approved the urban renewal plan and put that safeguard in their approval.

WAY: In effect, its a kind of monitoring of the status as to federal programs for housing that would go along with this project to make certain that it didn't proceed without rather positive means of providing for the housing of the residents.

LEE: The Council did provide that in the resolution adopted.

CHAIRMAN: Have you already divided up the five districts that are going to be developed in increments?

LEE: We have developed the phasing plan for this project.

CHAIRMAN: Which area is the first phase?

LEE: The first increment would take in half of the parking facility, the housing above the parking facility, and the housing on the Nuuanu Stream side would be developed first.

YAMABE: How many businesses will be affected in this first phase?

LEE: There are approximately 27 individuals, and I believe about 4 or 5 families.

YAMABE: And they've been guaranteed placement somewhere.

FISHER: We can't displace them unless we have a place for them. We can't move forward.

YAMABE: At a price they can afford.

LEE: That's correct. We have to recognize some of the concerns of the residents of the area. Their concern is to return at prices they can afford. This is the dilemma we are faced with.

YAMABE: Did you have an opportunity to discuss this matter with the people in Chinatown?

LEE: We have many times but we are still not able to provide that guarantee that the rent will be within what they feel they can afford because of the present moratorium and the lack of federal subsidized programs.

YAMABE: I thought you said you would guarantee them?

LEE: I said as far as finding them a place to go as they are displaced. The problem is they do desire to return to the project. These are two separate things. We can find them a permanent place for them to go but not necessarily within the project itself at this point.

YAMABE: As far as its outside of the project, you can place them in a home where they can afford the price?

LEE: That's right.

FISHER: Within three-quarters of a mile of the property.

LEE: We have other subsidized housing projects. They would have priorities for any units that would become available. We also have agreements with people like Kamiya Hotel, Winston Hale and City Villa that is below the Pauahi Project. There's an agreement for units as they become available.

But, as I said, the basic problem we have is without subsidy programs, there are families that you could not develop units for without subsidies that they could afford.

YAMABE: So, I take it that the first twenty-five or some odd number of people there, the families, you already have located a place for them to be relocated to at a price which they can afford.

LEE: In fact, we can provide that for all the displacees in the project but we are trying to set it so that we can establish something they can return to. But, at this point without a subsidized program because of the moratorium, we cannot guarantee this, to come back to the project. Outside of the project, we can guarantee.

YAMABE: This being the problem, wouldn't it be much more reasonble to abandon the program if you don't have the funds?

LEE: Well, if you do abandon the program, there is a loss of approximately 9 million dollars in federal funds. This is an alternative.

YAMABE: Well, I'm afraid I can't agree with you. Sometimes just using these federal funds may not be the blessing that it might be disguised to be.

FISHER: If I might answer, I think your alternative is probably building code programs wherein they don't get any of the funds that the federal government provides in helping them displace. You don't have the federal programs of housing that we hope will be available again in the next reasonably near future, this sort of thing. Something is going to happen one

way or another to a lot of the old buildings in Chinatown. In this manner, you can do it in an orderly fashion. But, if you turn down renewal, I don't think you have all the tools to do it with. I think we've all seen this happen.

We feel very strongly that the alternative is to the incremental approach we're talking about here where you do very little displacement. Even the federal aid when they become available, the President indicates within 18 months, the Secretary of Land indicates sooner than that. So, that would be about as early as we'd be in position to start construction anyway in that first phase.

YAMABE: Doesn't this also involve other government participation besides federal funds, or is it purely 100% federal funded programs?

FISHER: Two-thirds is federal, one-third local. There really is no other program that can get down to the very low income we're talking about here.

YAMABE: Now, in this first increment, I assume you already got the federal grant to proceed.

FISHER: No, we have not. It is now being reviewed in San Francisco and should be approved between now and the end of May.

YAMABE: You will not proceed until such time you do receive that.

FISHER: No.

YAMABE: Does that mean the federal would give it to you in increments as well?

FISHER: Actually, its more complicated than that but basically that's the way it works. Its on an annual basis for that year. Its not completely for the five increments you're talking about.

YAMABE: How much is the first increment, the federal share?

FISHER: It depends on what we need for the first year's operation.

LEE: Let me explain. We do commit funds for the entire Pauahi Project under this program, but expenditures are established on an annual basis.

YAMABE: It doesn't necessarily mean that you're going to get the money though.

LEE: Once the project is approved then a loan and grant contract is executed with the federal government. The money is there, but in the amount provided for in that contract.

YAMABE: So, although you're going in for the first phase of it, they will commit the entire cost of the total project?

LEE: Their share of that project, yes.

YAMABE: That being the case, why do we have to do it incrementally if its already committed?

LEE: Well, the phase means more so that we don't have the whole block disrupted at one time. Its handling the project where you have the least disruption as possible.

YAMABE: Pardon my ignorance but I can't seem to follow this portion.

If the federal government should commit for the whole project, will there be a problem of not having sufficient federal funds to take care the low-income people?

LEE: The housing is funded under a separate program.

YAMABE: I see.

LEE: We have also asked why we could not commit the housing funds when they approved the project. They said that is not permitted.

YAMABE: I understand the intricacy of federal government which is at the same time very ridiculous. If this can't be done hand-in-hand, I can see there's a dilemma here to have the houses there but people not able to rent it.

LEE: Well, it has happened in the past that in the life of some projects, other subsidized programs have come into existence and ended before the end of the project. Hopefully, there will be sufficient programs that will come into existence.

YAMABE: Is it reasonable to assume that possibly the revenue sharing program might change this whereby you can consolidate total projects?

LEE: This is quite possible, and quite possible that this money can be used for further segments outside of the Pauahi Project.

YAMABE: How soon will you find out?

LEE: They are working on legislation of this type right now. Exactly what will be included, we don't know.

YAMABE: In your first increment, do you have the authority to enlarge the parking areas?

LEE: Within the area this is possible, but at this point,

we are looking at the number in the neighborhood of 450 to 500 spaces. As we go along, this might change.

YAMABE: It was indicated in the report it was still inadequate.

LEE: I think its inadequate insofar as the Chinatown area is concerned but in overall Chinatown plans, there are additional parking facilities proposed to be constructed.

YAMABE: That wasn't considered in the report?

LEE: I think they were trying to address themselves to this project itself and the need that we would show that we would be providing for. We cannot guarantee anything outside of this project, although in our general urban renewal plan, it has been indicated other parking facilities will be constructed.

(There were no further questions of Mr. Lee and Mr. Fisher.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Yamabe, seconded by Mr. Bright and carried.

ACTION: Mr. Bright moved to accept the Director's recommendation of approval, and "pass on to the City Council, our concern about the availability of residence for the people to be displaced, and the availability of business locations for the businesses to be displaced. Include within that motion that if these considerations cannot be taken, that the project be abandoned.

Before voting on the matter, the Chairman requested a presentation of the entire Pauahi Project. The Director indicated that arrangements would be made with HRA.

The motion carried.

AYES - Bright, Kamiya, Sullam, Yamabe
NAYES - None
ABSENT - Connell, Crane, Kahawaiolaa

Following the Commission's action, the Director stated that he would submit to the Council, a similar concern as a supplement to his report "as being my recommendation as well, taking the good counsel and advice of this Commission with particular concern to the residences and businesses that might be displaced."

PUBLIC HEARING
ZONING CHANGE
AG-1 RESTRICTED
AGRICULTURAL DIST.
TO R-6 RESIDENTIAL
DIST., A-1 & A-2
APARTMENT & P-1
PRESERVATION DIST.
MILILANI TOWN
MILILANI TOWN, INC.
(FILE #72/Z-69)

A public hearing was held to consider a request for a change in zoning from AG-1 Restricted Agricultural District to R-6 Residential District, A-1 Apartment, A-2 Apartment and P-1 Preservation District.

Publication was made in the Sunday Star-Bulletin/Advertiser of April 15, 1973. No letters of protest were received.

Mr. Carl Smith of the staff presented the Director's report. The applicant proposes to continue, in accordance with the recent Detailed Land Use Map amendment (127/C1/34, adopted September 12, 1972, the development of Mililani Town. This increment would add a total of approximately 895 dwelling units distributed as follows: 388 single-family detached dwellings; 261 townhouses; 246 apartments. This increment includes a total of 140 acres. Zoning is requested as follows: R-6 Residential-98 acres; A-1 Apartment-22 acres; A-2 Apartment-12 acres; P-1 Preservation-8 acres.

The Director recommends that the zoning request be approved.

There were no questions of the staff regarding the Director's report.

Public testimony followed.

Testimony AGAINST--

1. Mrs. Jane Helliwell, Resident of Mililani Town, Chairman of the Education Committee, Mililani Town Community Association (Submitted graphic illustration of Mililani Town Elementary School projections prepared by the Committee)

OBJECTIONS:

1. Inadequate school facilities - Mrs. Helliwell questioned DOE's projection figures for school facilities in the area, and expressed concern about the location of the proposed school site across the street from Waena School on the rear of the high school site.

2. Traffic - Existing roads in the area are inadequate and congested. Timing has an important role in this development. There should be some coordination between development in Mililani Town and development of the H-3 highway.

Mrs. Helliwell requested a two-week deferment so that they might study the impact of these changes upon their community. She just received notice of this hearing and did not have sufficient time to contact other members of the community association as to their feelings in this matter.

Testimony in SUPPORT--

1. Mr. Wendell Brooks representing Mililani Town, Inc.
2. Mrs. P.C. Greenwood, Home Owner, 95-257 Hoeu Place, Wahiawa

Reasons in SUPPORT--

1. Concerning Mrs. Helliwell's comment as to inadequacy of school facilities, Mr. Brooks indicated that during the review of their General Plan Detailed Land Use Map Amendment (September 12, 1972), their proposal for Mililani Town was presented at an association meeting, well attended by people in the community and a number of DOE officials. At that time, there was disagreement over the school capacity for 1973 and 1974. It was this and additional meetings with the DOE that prompted the position where Mililani Town, Inc. felt they must bear some responsibility for school facilities. As a result, they have agreed to pay the cost of relocating and re-establishing temporary facilities regarding this particular zoning application in the amount of $100,000.

2. Regarding inadequate traffic facilities, they recognize this is a severe problem. However, one particular advantage in Mililani Town is the development of the Waianae Interchange presently underway. Inasmuch as there is a positive program underway, the complaint of traffic congestion should not stand in the way of progress.

Mr. Brooks did not feel that the request for deferment should delay their application as it would jeopardize some of their programs and their ability to develop low-income housing. They must maintain their volume; otherwise, expenses continue to rise, there is no place to cover these costs, and higher priced homes result.
Mr. Brooks stated: "With all due respect to the Chairman of the Education Committee who wasn't the Chairman at that time, all of this material was presented and indicated on our schedule for the five-year plan."

Questioned by the Commission concerning the "buy-back clause", Mr. Brooks stated: "This is a pioneering effort. All new buyers so far have been owner-occupants. We are also working on limit turnaround sales. The 10-year buy back is a step in that direction. We could sell for our re-acqusition cost. Our preference would be to assign this buy back to a governmental agency like HHA or HRA. We have discussed this with HHA. HRA is involved in it. We will pursue it further."

There was no further discussion.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

ACTION: The Commission accepted the Director's recommendation for approval, and recommended to the City Council that it

receive the Community Association's recommendations in connection with educational facilities and traffic, on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

AYES - Bright, Kamiya, Sullam, Yamabe
NAYES - None
ABSENT - Connell, Crane, Kahawaiolaa

PUBLIC HEARING
ZONING CHANGE
I-1 LIGHT INDUSTRIAL
✓TO B-2 COMMUNITY
BUSINESS DISTRICT
CENTRAL BUSINESS
DISTRICT
CW INVESTMENT &
DEVELOPMENT, LTD.
(FILE #73/Z-9)

A public hearing was held to consider a request for a change in zoning from I-1 Light Industrial to B-2 Community Business District for land situated at 789 South King Street--Makai-Ewa corner of South King Street and Archer Lane, Tax Map Key: 2-1-45: 18.

Publication was made April 15, 1973 in the Sunday Star-Bulletin/Advertiser. Letters received both FOR and AGAINST the proposal are included in testimony FOR and AGAINST the request.

Mr. Tosh Hosoda presented the Director's report of the proposal. The applicant proposed to construct a medical and dental office of approximately 50,000 square feet with ancillary facilities and a parking garage. The submitted plans indicate a 9-story structure with the first four levels as parking and the upper five levels for office. The structure will be approximately 110 feet high.

The Director's recommendation is for approval. He has expanded the request to include Tax Map Key 2-1-44: 1, 4, 7, 10, 26, 27, 29, 30, and 32 and Tax Map Key 2-1-45: Parcels 1, 5, 13, 16, 17, 22, and 26 containing an area of approximately 223,656 square feet.

In the discussion that followed, the Commission expressed concern that although existing businesses could function under B-2 Community District zoning, that the B-2 would be too restrictive for I-1 Industrial operations. Mr. Bright commented: "My concern is that by rezoning I-1 usage in that particular area, it has an effect upon all of the I-1 uses throughout the entire general area. By removing this, we remove some of the possible potential for servicing retail businesses throughout the entire downtown area. I am concerned that we're going to put the I-1 usages at a very serious disadvantage by increasing the prices of I-1 uses by removing this area from I-1."

Public testimony followed.

Testimony AGAINST--

1. Letter received May 8, 1973 from Mr. Osamu Nakamine, Tropicana Enterprise, Inc., 1536 Makaloa Street, Honolulu
2. Letter dated April 20, 1973 from Mr. Donald Shiige, President, Tropicana Enterprise, Inc., 2336 Manoa Road, Honolulu
3. Letter dated April 17, 1973 from Mr. Lloyd R. Killam, President, Pacific Properties, Ltd. 802 Kapiolani Blvd., Honolulu

4. Mr. Ted Damron, Assistant Director, Land and Rights-of-Way, Hawaiian Electric Company, Inc., Box 2750, Honolulu
5. Mr. Joseph Chu, Interested Citizen

OBJECTIONS:

1. The zoning change would create traffic congestion in the area.

2. Additional parking problems would result.

3. Clayton Street is a private road. Any changes in zoning will create additional financial problems.

4. Use of the property is essentially light industrial in character and the present I-1 designation is more appropriate and should be retained.

5. Mr. Lloyd Killam, President of Pacific Properties, Ltd., requested that their property be spot-zoned to Apartment use.

Mr. Ted Damron was questioned by the Commission.

WAY: Mr. Damron, could you briefly describe the extent and scope of any of the proposals for rehabilitation of your property? Any changes? Are you going to build anything?

DAMRON: The principal changes that will occur will be construction of a new office facility along the Ward Avenue frontage. It will be as planned now, a 5-story structure. It will house our corporate headquarters when we vacate the downtown site as is now scheduled.

WAY: I know you're familiar with the code. Do you see this zoning change as any jeopardy to that major construction?

DAMRON: The change from B-2 overall?

WAY: No, the change to B-2 as it relates to the project that you just described.

DAMRON: I don't think the change to the B-2 along the Ward Avenue frontage would have any real effect one way or the other. As a matter of fact, it might be more appropriate. We've talked about this with the staff before. Along the Ward Avenue frontage, it may very well be that this is the most appropriate zoning for that.

WAY: Do you forecast any other construction you feel might be disadvantageous to your operation as a result of this change? Anything within the next five years?

DAMRON: Essentially the character will not change but there are a number of things that go on there. It will be the corporate and maintenance of the entire system.

WAY: No changes though that you can see that would cause any

problem to the operation as it involves this zone change?

DAMRON: No, except that as I pointed out before, it is more light industrial in character rather than business use. Everything that occurs there now is appropriate and allowed under the industrial zoning. Because of that and because its going to remain so indefinitely, it just seems to us this is the most appropriate category for it to be in.

WAY: Of course, it also could be viewed the other way, the uses that are permitted in the B-2 district as well. I know you are familiar with this provision of the code. There are two principal provisions that apply. I might, Madam Chairman, just as it pertains to public utility installations--Tosh, could you please read the provisions that apply here?

TOSH HOSODA: In the B-2 district under the principal permitted uses, there is one of the uses. Public utility installations are permitted, provided that storage or maintenance facilities shall be permitted only as conditional uses and structures. Public utility storage or maintenance installations is listed as a CUP.

WAY: Now, in that connection, is there any rough approximation, a breakdown of your ownership that you could give, say between maintenance facilities and others, non-maintenance types of buildings, like the new office you described.

DAMRON: I would say so. The frontage along Ward Avenue is the office character, by definition, commercial. The balance of the property, light industrial in character.

WAY: That order of magnitude, 467,000 square feet involved, are we talking about 20% or 25% in a business category, just roughly?

DAMRON: Looking at the map, about 15%, 10%.

WAY: So about 10% would be about 46,000 square feet an acre. Fifteen percent maybe 60,000 square feet is all that you would categorize as B-2 commercial type. The rest would come under Conditional Use Permit if the zoning is changed.

DAMRON: That is correct.

YAMABE: Do you foresee any problems if you were required to perform under the Conditional Use Permit if this is changed to B-2?

DAMRON: Well, only that its difficult to see the justification for the change to that which the existing zoning allows. In other words, why impose a different category in there? What's the justification for it? This is the only thing we're trying to find out. We can see no point in that. The existing I-1 category covers exactly what happened there in terms of actual use, and the projected use for many, many years to come, with the exception of the Ward Avenue frontage.

YAMABE: Then the Conditional Use Permit would be of some problem to you.

DAMRON: Well, I would view it as an unnecessary thing to happen because as pointed out before, the existing zoning already covers it. This is how we would have to look at it. There would be no point to the conditional use process.

HOSODA: I would like to point out number one, the zoning will implement the General Plan which shows commercial for the entire block.

Number two, through the Conditional Use Permit process, you can regulate the development so that it would be compatible. The use itself would still remain but there might be some standards that you might want to require to make it compatible with the commercial uses that are existing and will be coming in future years surrounding the Hawaiian Electric use.

WAY: I might amplify one point that Tosh made. The policy for the area is established by the General Plan. That is clearly for a commercial kind of designation to the extent that our zoning simply should implement this. It seems to me a kind of key point in a decision at this time as it affects the area. If there is a need for some change in policy of the underlying use, the General Plan use, then maybe that ought to be addressed. But, it seems as though that policy is pretty well established. What we're trying to say here is now we should implement it. It seems kind of reasonable to us. Once having decided that then the zoning controls that would apply--Tosh mentioned of a conditional use nature, provide another evaluation for those uses that are not permitted outright in the district but under Conditional Use Permit where Council may want to provide special provisions for those kinds of uses, mainly the maintenance yard facilities of Hawaiian Electric. It didn't seem to us that there were any other uses in the neighborhood where that would apply, at least with our examination of the existing land uses. It would encourage the development of other properties to a commercial nature, such as the particular application we have at hand, assuming that it ever gets off the ground.

YAMABE: Does Hawaiian Electric have any property downtown that can replace this parcel for the particular use that you have it in now?

DAMRON: No. The investment that's in that piece of ground now, I don't know how we'd ever estimate it. It comprises about 11 acres.

YAMABE: I'm looking at it from the standpoint of the General Plan use. I see there's a major portion of this proposed area for this change, the amendment to the General Plan comprised of two-thirds of it belonging to Hawaiian Electric. They have indicated they are going to keep it in this use at least to the year 2000. The other areas, I am informed by the staff, they are in conformity with I-1 or B-2.

Now, the other ownerships seem to be on the perimeter of this I-1 area. I see no objection where if someone wishes to extend the zoning where they already have a strip zoning of B-2 up in the front, taking it back to the back boundary. But, if there's to be any kind of change, that's the only kind of change I could see here.

Also, it seems to me this whole block, if we had changed it to conform to the General Plan, the primary intent would be to get it into the proper uses identified on the General Plan. I don't think this is going to take place simply because two-thirds is already zoned by Hawaiian Electric.

So, we're not really encouraging any commercial development in this area. As a matter of fact, we might be falsely misleading the public as well as the other property owners that they can come in and have a compatible operation by setting up some sort of a commercial enterprise, hopefully that the whole thing is going to change to commercial, and it may not more likely, up to the year 2000. Considering all these points, I think it may be well for us to consider changing, if we feel that the I-1 operation should continue, more than changing this to B-2 under conditional use, I think it'd be more appropriate to change the underlying General Plan designation from B-2 to Industrial. This is my point.

CHAIRMAN: How come this wasn't brought up on the General Plan when they were built?

WAY: The new building on Ward?

CHAIRMAN: Yes.

WAY: Well, in the old days, it was possible to put commercial type buildings in an industrial classification. You could have, for example, those apartments just mauka of the Hawaiian Electric office complex there. That was a commercial zone. They were permitted in a commercial district whereas now they would not be. So, many of the permits in the area for the relatively new buildings that have been constructed were obtained prior to the CZC.

DAMRON: I don't believe so, Bob. I think the new office building was constructed post CZC, as accessory to the main uses. The new building comprises primarily our computer complex.

WAY: It was permitted as a public utility in the industrial district. The apartment was prior to the CZC. It could not be put in a permit today.

YAMABE: Do you have any objection to changing the General Plan, the area where you have this warehouse operation to industrial, and change the front portion where your building is more than one, to be situated to business.

DAMRON: No. That would reflect what actually the situation is, the Ward Avenue being more commercial in nature and the balance of the site industrial from here to kingdom come.

KAMIYA: Do you have any objection to rezoning of the other adjoining properties?

DAMRON: No sir. We have no objection to this rezoning application, per se, but just that one correction on Archer Lane. The General Plan is in error because it shows Archer Lane as a public street.

WAY: Where does it show public street?

DAMRON: The DLUM for the area shows it as a public street.

WAY: It doesn't even have a DLUM.

DAMRON: You have a street widening plan or something there because we got the additional strip of land from Mr. Schubert. We were required to have a radius at the corner, even though its a flat out driveway. We were required to buy in it 600 square feet for a radius to conform to the street widening plan or whatever plan it was. I was under the impression it was the DLUM for the area.

WAY: That doesn't necessarily mean its public though. Our development plan doesn't necessarily show--there's a distinction between public and private streets.

DAMRON: I understand.

WAY: I guess what I'm saying is there's really no error. Its not a matter of whether its public or private. It isn't even a matter of question.

(There were no further questions of Mr. Damron.)

Testimony in SUPPORT--

1. Letter dated April 3, 1973 from Mr. Angelo Christopher Vicari, President, King Street Car Wash, Ltd.

   Mr. Vicari has no objection to the request for the zoning change.

<u>MOTION</u>: Mr. Bright moved to keep the public hearing open for two weeks, seconded by Mr. Kamiya.

Discussion followed.

YAMABE: Besides the reason given by the staff and the Director, what might be the reason for keeping the public hearing open?

BRIGHT: For further examination of the area, for the staff to come up with answers to some of the questions raised, and to readvertise.

YAMABE: I think the staff should give some direction as to whether the public hearing should be left open to improve the Hawaiian Electric property, readvertise, or if this is your intent we should inform the staff so. If it isn't, whatever the reason may be, I think it should be stated. If you wish, I have no objection to taking this matter under advisement.

There was no further discussion.

The motion failed to carry.

AYES - Bright, Kamiya, Sullam
NAYES - Yamabe
ABSENT - Connell, Crane, Kahawaiolaa

MOTION: Mr. Yamabe moved to take the matter under advisement.

The motion died for lack of a second.

MOTION: Mr. Bright moved to keep the public hearing open for two weeks, seconded by Mr. Kamiya.

The motion failed for lack of a majority vote.

AYES - Bright, Kamiya, Sullam
NAYES - Yamabe
ABSENT - Connell, Crane, Kahawaiolaa

The public hearing was continued. This matter will be re-advertised to include the following Tax Map Keys, and will return to the Planning Commission in two weeks: Tax Map Keys: 2-1-44: 3 and 2-1-45: 2, 3, 7, 14, 15, 21 and 25.)

PUBLIC HEARING ZONING CHANGE R-3 RESIDENTIAL TO √R-6 RESIDENTIAL KAHALUU FRANK ARITA (FILE #72/Z-24)	A public hearing was held to consider a request for a change in zoning from R-3 Residential to R-6 Residential for approximately 1.908 acres of land located in Kahaluu, Tax May Key: 4-7-55: 10. Publication was made April 15, 1973. No letters of protest were received.

Mr. Tosh Hosoda presented the Director's report of the request. The applicant intends to build more homes on the subject property in conformance with the R-6 zoning if the zoning request is approved.

Six additional homes could be built on the subject area if zoning is granted.

The Director recommends that the request be approved, and further that it be expanded to include Tax Map Keys: 4-7-55: parcels 54, 55, 56, 57 and 58.

There were no questions from the Commission regarding the Director's report.

No one spoke AGAINST the request.

The applicant, Mr. Frank Arita, was present to respond to any questions from the Commissioners.

There were no questions of Mr. Arita.

The Director indicated that the public hearing must be kept open until May 2, 1973 for readvertising. The "Request" was not included in the publication.

The public hearing was kept open to May 2, 1973, on motion by Mr. Bright, seconded by Mr. Kamiya and carried.

✓STREET NAMES — The street names for the following subdivisions were recommended for approval on motion by Mr. Kamiya, seconded by Mr. Yamabe and carried:

✓1. Waihona Acres Subdivision, Waianae, Oahu, Hawaii:

PULA WAY — Culdesac off Piliuka Place, approximately 250 feet west of Pilokea Street.

Meaning: Small particle, as dust.

✓2. Haumana Subdivision, Kalihi, Honolulu, Oahu, Hawaii:

HAUMANA PLACE — Culdesac off School Street, approximately 500 feet east of Rose Street.

Meaning: Student; apprentice.

* * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mr. Bright, seconded by Mr. Yamabe and carried:

✓HAWAII CAPITAL DISTRICT APPLICATION (STATE LIBRARY BLDG.) STATE DEPARTMENT OF ACCOUNTING & GENERAL SERVICES (FILE #73/HCD-7)

1. The request is to install four window air conditioners on the State Library Building.

✓HAWAII CAPITAL DISTRICT APPLICATION (HARBOR SQUARE TOWERS) ALAKEA PROPERTIES, INC. (FILE #73/HCD-11)	2. The request is to relocate one existing aluminum louver at each of Harbor Square's two towers.
ZONING CHANGE I-1 LIGHT INDUSTRIAL TO ✓B-2 COMMUNITY BUSINESS DISTRICT CENTRAL BUSINESS DISTRICT INITIATED BY PLANNING DIRECTOR (FILE #73/Z-9)	3. The request is for a change of zoning from I-1 Light Industrial District to B-2 Community Business District.
MISCELLANEOUS PLANNING COMMISSION LETTER TO GOVERNOR BURNS RE SENATE BILL NO. 1380 (HAWAII ✓CAPITAL DISTRICT ORDINANCE)	Submitted to the Commission for action was a letter to Governor Burns regarding Senate Bill No. 1380, relating to county ordinances establishing historic, cultural and scenic districts, specifically directed to the Hawaii Capital District Ordinance. The letter was prepared on the basis of a previous discussion and action by the Commission.

ACTION: The Commission concurred with the letter and authorized the Chairman to sign and to forward the letter to the Governor, on motion by Mr. Bright, seconded by Mr. Kamiya.

Discussion followed.

YAMABE: Madam Chairman, I would think it would be fair to vote on this when we have a fuller Commission; however, I have no objection to acting on this Bill. I would support this statement, however, with some reservation as to--my action is based on the assumption that it will cause the problem that is indicated in this letter. I haven't had the opportunity to look at this Bill. I don't know what the intent of the Committee Report might have been. I just feel that I am not completely qualified to act on it right now. But, if it does what it says it does here, and the problem is going to be created, and with no solutions to those problems, I'm in favor of this letter. My vote is with those reservations.

The motion carried.

AYES - Bright, Kamiya, Sullam, Yamabe (with reservations as stated)
NAYES - None
ABSENT - Connell, Crane, Kahawaiolaa

Parklane Country Homes

~~MISCELLANEOUS~~
CABLEGRAM RE
PARKLANE PDH-2
(File # 72/PDH-2)

The Commission received and placed on file, a Cablegram from 22 residents of the Windward Community requesting approval of the Parklane PDH project. Due to the late hour of the April 11, 1973 public hearing, they could not remain to testify in support of the application.

ADJOURNMENT:

The meeting adjourned at 6:10 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
May 2, 1973

The Planning Commission held a meeting on Wednesday, May 2, 1973 at 2:25 p.m., in the Conference Room of the City Hall Annex. Chairman Eugene B. Connell presided.

PRESENT: Eugene B. Connell, Chairman
Roy R. Bright
Randall Kamiya
Thomas N. Yamabe II

STAFF PRESENT: Robert R. Way, Planning Director
Ian McDougall, Staff Planner
Stan Mofjeld, Staff Planner
Charles Prentiss, Staff Planner
Carl Smith, Staff Planner
Robert Moore, Observer

ABSENT: James D. Crane
Antone J. Kahawaiolaa
Fredda Sullam

John Grant, Deputy Corporation Counsel

PUBLIC HEARING
ZONING CHANGE
R-3 RESIDENTIAL TO
R-6 RESIDENTIAL
KAHALUU
FRANK ARITA
(FILE #72/Z-24)

A public hearing was held to consider a request for a change in zoning from R-3 Residential to R-6 Residential District, for land located in Kahaluu, Tax Map Key: 4-7-55: 10, 54, 55, 56, 57 and 58.

This matter was re-advertised April 22, 1973 in the Sunday Star-Bulletin/Advertiser, due to an omission of the "Request" in the advertisement of April 15, 1973. No letters of protest were received.

Staff Planner Carl Smith presented the Director's report of the request. The applicant intends to build more homes on the subject property in conformance with the R-6 zoning if the zoning request is approved. The Director has expanded the request to include Tax Map Key: 4-7-55: 54, 55, 56, 57 and 58. It is the Director's recommendation that the request be approved.

The Commission had no questions of the staff concerning the Director's report.

No person was present to speak either FOR or AGAINST the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

AYES - Bright, Kamiya, Connell, Yamabe
NAYES - None
ABSENT - Crane, Kahawaiolaa, Sullam

PUBLIC HEARING ZONING CHANGE A-3 APARTMENT TO A-2 APARTMENT MOKULEIA INITIATED BY CITY COUNCIL (FILE ~~#72/Z-24~~) (# 73/Z-13)	A public hearing was held to consider a request for a change in zoning from A-3 Apartment District to A-2 Apartment District for land located in Mokuleia, Tax Map Key: 6-8-11: 1-35; 39-54; 56-66; and 68-71. Publication was made April 22, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Staff Planner Carl Smith presented the Director's report of the proposal. The Director indicates in his report:

> "It is clearly evident that the zoning of the area to apartment in 1965 was premature. There are no public sewerage facilities serving the area, and Waialua Beach Road which is the principal access route has only an 18-foot pavement width. Further evidence of the premature zoning lies in the fact that very few development has taken place during the 8 years the subject area has been zoned for apartments. However, since the area is already zoned for apartments, the only alternatives available under the present Detailed Land Use Map designation for the area are to either retain the existing A-3 District or to change the zoning to A-2. Given these alternatives, the more appropriate would be that of A-2 District because its 40-foot height limit provides greater assurances that development will be more in keeping with the rural character of the area."

The Director recommends that the change of zoning from A-3 Apartment to A-2 Apartment be approved.

There were no questions from the Commission regarding the Director's report.

Public testimony followed.

Testimony AGAINST--

1. Mr. Jack Dubey, Property Owner
2. Mr. J. Richard Jorgensen, Property Owner
3. Mr. Wilson Lau, Real Estate Agent
4. Mr. Leroy Allen, Property Owner

5. Grace Gunn, Property Owner
6. Mr. Hal Whitaker, Property Owner
7. Mrs. Mary S. Enlow, Landlord and Property Owner
8. Mr. Andrew Dolinar, Property Owner

OBJECTIONS:

1. The main objection expressed was one of economics, financial loss to investors who purchased their properties, in good faith, as A-3 Apartment. Development costs have already been incurred for land clearing, structural engineering, architectural fees, soils tests, etc. It was pointed out that even though there is no difference in the number of units possible under A-2 and A-3, except for the height factor, it still would be very difficult to obtain the same number of units under A-2 because of development costs for parking, considering lot size and building setbacks.

2. With the serious demand for housing, the A-2 zoning reduces the number of units and results in increased rental costs.

3. The Director's comment that any high-rise development of the subject area would cause a visual disruption is not justified. The forty-foot height permitted under A-2 zoning should not be used as a criteria for rezoning inasmuch as a 40-foot structure still causes a visual disruption of the area.

Testimony in SUPPORT of the proposal was given by the following Mokuleia residents:

1. Mr. Paul Robinson
2. Mr. Frank Hay
3. Mr. William Paty, President of Waialua Sugar Company
4. Mr. Paul Eveloff (Submitted written testimony, undated)
5. Mr. Allen Segawa
6. Mr. Edward Sylva
7. Mr. Russell Sowers (Submitted written testimony dated May 2, 1973)
8. Mr. Sutoru Fujioka
9. Mrs. Aimee Kimura
10. Mrs. Janet Ongoy
11. Mr. Merl Hawthorne (Submitted written testimony, undated)
12. Mr. Frederick C. Gross, Chairman, Planning Review Committee, Waialua Community Association (Submitted letter dated May 2, 1973)
13. Mr. Frederick B. Forbes

Reasons in SUPPORT--

1. A rezoning to A-3 Apartment would establish a bad precedent for high rises and would have a serious economic draw back for the local community many of whom are immigrant or low-income families. Setting the precedent would make it impossible for even the government to come to terms with the low-income.

2. High rises would magnify existing problems of sewage, low water pressure, and incur upon the community a different life style that would create an adverse environmental impact as well as mar the natural beauty of the area.

3. Efforts should be made to preserve the existing character of the Waialua District as well as the shoreline areas which are unclutter-ed by high rise development.

4. Recognizing the need for housing, the residents of Waialua are not against development. They are for development with good taste and do not consider high rise in the district to be in good taste.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Yamabe, seconded by Mr. Bright and carried.

The Commission ACTED on the proposal in the following manner:

BRIGHT: Mr. Chairman, I move we accept the Director's recommendation.

YAMABE: Second the motion.

CHAIRMAN: Discussion?

I question whether it should be apartment at all. In the testimony, the major issue seemed to be about height. When you take the F.A.R. of 120, 130, plus considering an area that has sewage problems, road problems, water pressure is sometimes low, electrical supply is low, I have a real question. If poor planning was done in making the area A-3 years ago, to what extent are we compounding the same issue by making it A-2 when it should be general planned for apartment but not zoned until there are adequate facilities. It seems to me if we zone A-2, we haven't really solved these problems except the problem of height. I think it is a real question that maybe the General Plan should be changed to Residential, that maybe it should be Residential zoning.

YAMABE: I'm in sympathy if this is conclusively true that the land use designation is wrong, that this action might be called for. However, if this action is taken to go back to R-6, we will be obliged to examine other areas and see whether they need changes, and changes of attitude might require changes on the General Plan. I certainly think this would be the City's responsibility.

Secondly, the fact that whether it be an error or poor judgment, these people did purchase the land for apartment use. Although I feel that A-2 would take care of the height problem, I think we ought to consider the purchaser of that land as well. Since it is acceptible by the community of the A-2 designation, I think it is a good compromise. If we say there is no compromise needed in a situation such as this, maybe its a horse of a different color, but for the moment, this would be the best decision.

CHAIRMAN: Not to prolong it but it seems to me we have two functions, the General Plan long-range needs for a given area. When it comes time

for zoning, we have to determine whether or not there are public facilities in order to be able to handle the problem.

What we heard was that they sought two alternatives, highrises or A-2. What I heard was let's pick the least of the problems. We have had other apartment applications from that area. We have had development applications come to us where they have indicated that the roads are poor, water supply in that area is poor, electrical power is poor. The Health Department for one of the 20-story structures was going to okay cesspools as long as there is one for each unit--where the water table is five feet.

I raise question whether we should allow any kind of apartments out there. If it goes Residential, getting three stories is not a problem. It means land consolidation but at least we've got controls. We can require some of these public facilities.

Its my feeling that we are faced with a real planning issue.

YAMABE: No matter what we go into, they are going to have the same problem with the agencies when they go in to the Board of Water Supply eventually, the electrical, the roads, the sewage disposal system. They make the decision.

If you are saying inspite of what we assume what the other departments might recommend we should hold it back, but again we might be over stepping our responsibility as far as advisers to the Council is concerned. The other elements will be taken cared of.

CHAIRMAN: When the Council initiated downzoning, did they look at other alternatives? I think that's a fair question.

YAMABE: I somehow feel the final analysis will come out A-3 to A-2.

BRIGHT: Perhaps the proper approach should be to recommend downzoning but ask the Council to look into the possibility of downzoning it even further because of some of the problems that exist out there.

As far as the construction of the building, that can be controlled. If the facilities aren't adequate, the Building Department can't issue the building permit.

CHAIRMAN: We're in litigation on that right now.

Its pretty well admitted its poor general planning in this area. We are doing poor planning again for the sake of compromise. Granted they have bought land based upon A-3 but there are ample court decisions that zoning is not a right. For the good of the community, zoning can be changed.

YAMABE: I also feel that some of these statements made about poor general planning, I believe in most cases the city--the Planning Commission, the Council--in a majority of cases, they attempted to do a good job. But, the need changes. The attitude changes.

I recall working on the general plan at that time, everything was based on the tourist destination. Economic development, that was it. This is why the tourist destination is shown as resort, and everything else just fell into line. Recognizing it is a long term general plan, but even my own attitude has changed. These are changes that come about. It is very easy for us to speak where this and that belongs. Because of that situation, I don't like to see the people that might have purchased that land to be overly penalized. We are as much at fault. I don't think they will have problems, or if any, with A-2. But Residential, are we penalizing a certain segment for whether it be an error of the city or misjudgment or what, should we place such a burden on one segment, if it were a mistake?

CHAIRMAN: Let me withdraw the term "poor planning" and say I agree the rationale has changed. The tourist destination, we pretty well agree that we have enough tourist destination. But, the basic rationale doesn't hold up. We have a right to question all of the objectives that came from that rationale.

YAMABE: I'm in favor if and when Bob has sufficient funds to revise the general plan. This is when we ought to do it. Somehow we shouldn't pick one parcel. Take a look at the whole plan. Our present day rationale may be in the process of change.

CHAIRMAN: That's what I'm saying. Let's defer action on it because what we're doing is we're simply answering the issue of height. But, we're talking about the whole general plan. Look at that whole coastal line (referring to map displayed), all the way down to Kaena Point.

I asked the question about Hawaii Kai. I wasn't being facetious. This is what we see coming. What's going in there? How much difference in money are people going to lose from A-3 to A-2? There is a difference. Recognizing parking requirements, setbacks, height, I think you will find there is a difference in money.

YAMABE: But won't R-6 compound the issue?

CHAIRMAN: Well, it may force consolidation, it may force PDs and under R-6 that may be A-1½. They are getting virtually the same density but we're getting more control and improvement of public facilities. Do we allow them now, and then two, three years later say to another one, "No my friend, the public facilities can't take it"?

Well, that's my speech.

There's a motion on the floor.

BRIGHT: Question.

YAMABE: Well, are you for it?

CHAIRMAN: Well, I go for Roy's suggestion, recommend to Council to take a serious look at this whole area. They initiated the zoning change. They can initiate looking into the whole general plan of the area.

Inasmuch as it is general planned, I will go along with A-2, but I have great reservations as to whether it should be general planned for apartment at all.

If the motion is amended, I will go along.

BRIGHT: I agree and accept the amendment.

YAMABE: I agree.

DIRECTOR: For purposes of clarification since I will be drafting the letter to Council, you're talking about two levels. One is in the context of the specific application before us, raising the question about the general plan designation. Secondly, in terms of general planning on an island-wide basis, also raising question to Council for reconsideration of this and similar areas, circumstances along the shoreline where there have been designations for high density, highrise types of useage.

CHAIRMAN: Yes. There is another strategy. We have a general plan which is the policy we are guided by. Given that General Plan, the downzoning from A-3 to A-2 within this area is the best thing. I think the issue beyond that is really the whole general plan, but also specifically, this area.

WAY: This area plus the big question, should the policy be changed.

CHAIRMAN: Yes.

(There was no further discussion. With the acceptance of the amendment to the motion, the motion carried.)

AYES - Bright, Connell, Kamiya, Yamabe
NAYES - None
ABSENT - Crane, Kahawaiolaa, Sullam

✓STATE LAND USE COMMISSION REFERRAL PUPUKEA AGRICULTURE TO URBAN (FILE #73/LUC-3)

The Planning Commission has received a petition from the State Land Use Commission to amend the State Land Use District Boundaries.

Staff Planner Ian McDougall presented the Director's report of the proposal. The petitioner is proposing to build a small shopping center on the subject site. The petitioner has not submitted sufficient "proof" to support her contention that the boundary change should be made. However, a brief review indicates that the current policy of the City and County for a shopping center at this site is now becoming viable and implementation may be initiated. The estimates of population which can support a commercial enterprise can provide only rough guidelines, and the population level has grown slowly over time to a point where the existing policy may be implemented, particularly in view of the very minimal facilities now available to serve the needs of residents.

The petition meets all of the applicable standards set forth in State Land Use Regulations and the request conforms to an existing General Plan policy.

The Director's recommendation is for approval.

No discussion followed.

ACTION: The Commission concurred with the Director's recommendation and recommended that the request of the petitioner be approved, on motion by Mr. Bright, seconded by Mr. Yamabe and carried.

AYES - Bright, Connell, Kamiya, Yamabe
NAYES - None
ABSENT - Crane, Kahawaiolaa, Sullam

✓STATE LAND USE COMMISSION REFERRAL AGRICULTURE TO URBAN WAIANAE RICHARD R. CLEGG (FILE #73/LUC-4)

The Planning Commission has received a petition from the State Land Use Commission to amend the State Land Use District Boundaries from Agriculture to Urban.

Staff Planner Charles Prentiss presented the Director's report of the proposal. The petitioner proposes to develop the parcel for urban residential use. Specifically, he proposes to subdivide the five-acre site into 16 residential lots of 5,000 plus square feet. His plan further implies an intent to improve the lots with dwelling units for rental purposes. The petitioner indicates that there is a need for more housing of the type proposed as evidenced by a specific incident in which he received 26 inquiries on a single unadvertised vacancy for one of the existing residences on the subject parcel.

Based upon the analysis contained in his report, the Director concludes that the petition does not meet the statutory requirements for amending district boundaries, it does not meet the standards for establishing or amending the Urban Districts, and it is contrary to the City and County land use policies. On these bases, he recommends that the petition be DENIED.

No discussion followed.

ACTION: The Commission accepted the Director's recommendation and recommended that the request of the petitioner be DENIED, on motion by Mr. Kamiya, seconded by Mr. Yamabe and carried.

AYES - Bright, Connell, Kamiya, Yamabe
NAYES - None
ABSENT - Crane, Kahawaiolaa, Sullam

UNFINISHED BUSINESS
✓HAWAII CAPITAL DISTRICT APPLICATION (CONT.)

The public hearing held April 4, 1973 was kept open and deferred for one month at the request of the applicant to discuss the recom-

(CONT.)
(ACTIVITIES CENTER)
KAWAIAHAO CHURCH
(FILE #72/HCD-20)

mendations made by the Director with the elders of the church.

Staff Planner Stan Mofjeld reported that since the April 4th public hearing, comment has been received from the State Department of Land and Natural Resources as far as their review of a proposal on a historic site within the Hawaii Capital District. Their comments relative to the architectural character pf tje structure acceptable for the historic site are that the proposal is too massive for the historic site. They would recommend building only the school complex as this could be broken down into smaller scale elements that would not be competitive to the main church.

The Director recommends approval of the project, subject to the following conditions:

1. The elimination of the classroom complex and the provision of surface parking, well screened and landscaped, in its place.

2. All trees within the site area to be saved.

3. A variance is required from the Zoning Board of Appeals for the deficiency in parking.

The Commission had no questions of Mr. Mofjeld.

Public testimony followed.

No one spoke AGAINST the request.

Testimony in SUPPORT--

1. The Rev. Abraham K. Akaka, Pastor, Kawaiahao Church (Submitted testimony dated May 2, 1973)
2. Mrs. Barbara Panui, Youth Director, Kawaiahao Church (Submitted testimony, undated)
3. Mr. Wendell Davis, President, Youth Choir, Kawaiahao Church (Submitted testimony, undated)
4. Mr. Sam Steamboat Mokuahi, Jr., Member, Kawaiahao Church (Submitted testimony dated April 22, 1973)
5. Mrs. Kauilani Ramos, Sunday School Teacher, Kawaiahao Church (Submitted testimony dated May 2, 1973)
6. Mr. Arlon Richardson, Chairman, Building Committee, Kawaiahao Church
7. Mr. Clarence Chu Hing, Chairman, Board of Trustees, Kawaiahao Church

Reasons in SUPPORT--

1. Kawaiahao's Youth Ministry serves a limited amount of young people because of its insufficient facilities. The Adobe Schoolhouse (built in 1835) has a meeting place for 40 young people, a small office for the youth worker, a lounge (partitioned by a bulletin board), space for one pingpong table, space for quiet games, a

small kitchen and one toilet. These facilities are inadequate because only one group can meet at a time.

2. The second floor of the proposed multi-purpose building has been planned to accommodate at least five classes simultaneously, and will provide privacy for individual or group counseling by the youth worker.

3. The multi-purpose room will be providing multi-media, film-making and many new experiences that are not possible now because of limited facilities.

4. Kawaiahao's Youth Ministry is concentrated on satisfying not only the spiritual needs of the young people, but the intellectual, social, emotional and physical needs as well. The multi-purpose building is very important to the youth program of Kawaiahao Church because the future of Kawaiahao is dependent on the training of the youth to become responsible, well-informed, involved christians in the community.

5. Any young person is more inclined to learn in a properly ventilated, well lighted, comfortable room, free from distracting noises which the proposed building is planned to provide.

6. The proposed gym could open new doors not only to the youth but to the community as well. It will not only fulfill a recreational need, but also an emotional and moral need in experiencing fellowship, togetherness and love with other members of different churches and community organizations.

Mr. Daniel A. Klein, Project Architect made the following presentation:

The Activities Center at Kawaiahao Church is primarily a multi-purpose complex for the youth of the Church. It is composed of a basketball court, Locker Rooms, Classrooms, and the other necessary spaces that go with these functions. Next to the Gym and surrounding an open play court are the 2-two story classroom wings that will be used primarily for Sunday School studies. The lower floor only will be used Monday thru Friday as a preschool for children from 2 years to 5 years old. The Gym will be used evenings and weekends for basketball practice and for competition in league basketball.

Last summer, a study was made by the KCAA preschool system as to (1) the need for and (2) the space available for new preschool facilities in various locations on Oahu. In the first study concerning need only, Hawaii-Kai was first and Downtown Honolulu, second. As far as space available to meet this need, Hawaii-Kai was first, but Downtown Honolulu was at the bottom of the list. The result is that KCAA was very pleased to learn of our proposal for the downtown area.

Our goal in the planning and design of the Activities complex at Kawaiahao Church is to design a building that meets the

requirements of Kawaiahao Church in a structure that will blend into the site, reflecting the character of the existing Historical buildings.

We have been aware of our responsibility to design a complex that will not be an overpowering, dominant structure, but instead be something that belongs to the site. It is the policy of Kawaiahao Church that no structure be more dominant than the Church building itself.

We have tried to reflect the material, the character of not only the Church itself but also the Old Adobe School House.

We have planned the Activities Complex in such a manner that it not be a massive structure. It is for this reason that we have provided an open entry court between the 2 wings of the classroom buildings. Also, between the 2 classroom wings we have provided an interior play court opening out to the vast open space of the cemetery. This accomplishes two things. It minimizes the mass of the new buildings and also provides a bright sunny yard where the preschool children will play. The existing buildings cover about 8% of the 308,000 square feet of land of Kawaiahao. The proposed new work will increase the coverage to about 12% of the land.

The exterior design, window treatment, roof lines, roof slope, has been revised extensively from our initial design studies. In the final design we have tried to reflect the detail of the existing work. The windows of the Church itself are slot-type openings set in a deep-wall recess and spaced at a definite rhythm.

We have duplicated the slot windows and the rhythmic pattern in the deep windows of the gymnasium. The lower windows of the Church and the windows of the Mission Houses are square-headed openings with a projecting lintle and with the glass divided into many small panes. These windows are reflected in the similar window treatment that we are proposing for the classroom wings.

The exterior of the Church is rough coral block. The new work will reflect this in the rough texture and color of the stained split-face block.

The roofing will match in color and texture, as much as possible by budget consideration, the slate roof of the Church.

<u>Parking</u> - The Planning Director states in his report that 163 spaces should be provided for the existing and the new work. This is based on the supposition that all spaces will be in full use to capacity all at the same time. The fact is that each space has a separate function and will be in use each at a separate time. This can be illustrated by the letter dated March 29, 1973 to Stan Mofjeld of the Planning Department at his request.

This letter may have been too late for the data to be included in the Planning Director's report and therefore the apparent discrepancy.

Landscaping is one other factor that was considered extensively in the planning of the Activities Center at Kawaiahao. One section of the building site is now densely covered with many trees, cocopalms, poinciana, panax, etc. We have located the buildings in such a manner that most of the trees remain where they are. The buildings are also located so that we will have space for additional planting. There are three trees that will be relocated on site, and we will be bringing in at least 4 additional cocopalms from off site. We are proposing that two trees be removed. One is not a very good plumeria, the other is a poinciana that is in an area that is too crowded with trees for any of them to grow full and round. The largest structure, the gymnasium, has been sited on the existing paved area that has no trees, but, the Gym has been set back far enough from the street so that we have plenty of space in front for new planting. Virtually, when we are complete, the landscaping will be even better than it is right now.

The Planning Director's report recommends approval of the gymnasium only. I have no objections to coordinating my work with the Planning Director to ensure that we have a final project that meets with his approval and with my client's requirements. The report asks that we save all the trees. I will do my best to comply with this request. We have been asked to acquire a variance for parking. This also, we will do.

In summary, we have designed a structure that I believe is very complimentary to the site and fitting to its surroundings. Kawaiahao Church has their needs that will be satisfied by the construction of this project. It will be the completion of a program that has been in planning for many years. There is a need for the gymnasium, for the Sunday School, for the pre-school. And, the design of the structures will be such that they will not detract from their surroundings, but will instead be a pleasant addition to the downtown area.

To the subject of massiveness from the report of the State Department of Land and Natural Resources, I do not believe the structures are massive. There are things that we have done to the building design that add cost strictly to keep down the overpowering mass the gymnasium could have been.

Mr. Klein was questioned by the Commission.

YAMABE: Would you say that the location of the gym may not be as prominent as it might be if it were close to Punchbowl or King Street?

KLEIN: If I move closer to King Street, then I'll be moving closer to the adobe school house which is a historic building, I believe, on the national register.

There are warehouse buildings across the street, only one of which is any good.

YAMABE: You're surrounded by these warehouse buildings as far as the gymnasium is concerned.

KLEIN: Yes. I have tried all sorts of arrangements with the classroom wing after we received additional comments from the staff's report. Anything I do destroys the function. The function of the classroom wing right now works very well. If I turn it, it saves a few trees but it makes the courtyard where the children will play a very dark area. Its really quite pleasant standing where that courtyard will be, looking out across the cemetery. Its a very nice wide open space, good for the children to play in that area.

YAMABE: The Director's recommendation to eliminate that school building, is it your plan to--

KLEIN: I'll continue to work with him. But, if you can do it, I'd like that you recommend approval, based on considerations from the Planning Director so that we can go to City Council. Between now and then, I'll work with the planning staff to arrive at a solution which is mutually satisfactory to both my client and the planning staff.

Kawaiahao Church does need the classroom wing. They do need the gymnasium.

YAMABE: Well, that's a very large portion of this proposal. I was wondering whether you'd like us to authorize the Director to negotiate with you. I think its a very important decision. I think everyone's for it. Its just a question of--I think we'd all like to see a compatible building and something the congregation will be proud of, something that will be very functional and meaningful to everyone concerned.

KLEIN: I plan to live up to any requirements the Planning Director may have upon the structure and upon our planning.

YAMABE: Does that mean you would go along with the elimination of the classroom?

KLEIN: No, they need the classroom. The existing facility, even if they remodeled, would not be adequate.

YAMABE: In other words, you would like the whole project as is.

KLEIN: Yes. I'll do my best to rework the classroom wing to meet whatever requirements they might have. They mention deletion of the classroom. If we cannot delete it, let me rework it to arrive at a solution they will accept and that my client will accept.

YAMABE: Mr. Director, would you accept this suggestion, not really eliminate the classroom but--

WAY: Yes. I think there are some alternatives that we could mutually explore. I'm quite satisfied there is a solution. I think we can move together on this.

YAMABE: If the request for the parking goes to the ZBA, might there be a possibility that they might place conditions as to the time of the activities?

WAY: Yes. This is done from time to time to assure that parking at different times is taken into account.

YAMABE: Yes. I think that's very important from the standpoint of the people who will be utilizing the facility.

KAMIYA: Is it possible for the Commission to pass a project like this with the understanding that both parties will reach a mutual agreement?

WAY: Yes. I think its possible to agree with that understanding. Another consideration might be for the Commission to close the public hearing and then allow a reasonable period of time to ask the applicant to come back. We can discuss the matter at a subsequent meeting. The other approach is as Mr. Klein suggested. He does have a situation involving a variance request also. Technically, I don't think the Council would act on this until the question of the parking had been resolved anyway. There is a bit of time required for consideration by the Zoning Board of the variance request. Even if we did submit it, Council would hold it off.

(There were no further questions of Mr. Klein.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Yamabe, seconded by Mr. Kamiya and carried.

ACTION: Mr. Yamabe moved that the Commission "recommend approval, contingent upon the Planning Director and the staff working together with members of Kawaiahao Church to see how they can accommodate their needs without violation of the ordinance."

Mr. Kamiya seconded the motion.

Before voting on the motion, the Chairman made the following comment: "Listening to the report of the State Department of Land and Natural Resources, I couldn't help but draw a parallel of similar criticisms that were made about the proposed new State Office Building--massiveness, obstruction, etc. I am perfectly willing to go along with the Director's being able to work out a compromise, but I begin to see again, the double standard beginning to arise. One State department couldn't see that the building they were proposing was massive, but somebody in the private sector proposing

a building, another state agency sees it as massive. There is a very interesting parallel."

The motion carried.

AYES - Bright, Connell, Kamiya, Yamabe
NAYES - None
ABSENT - Crane, Kahawaiolaa, Sullam

UNFINISHED BUSINESS
PLANNED DEVELOPMENT HOUSING
KAHALUU
BRUCE C. STARK, FRED A. LORENZ & JAY S. CLARK
(FILE #72/PDH-2)

The public hearing was held April 11, 1973, and action was deferred one week for further study. On April 18th, the Commission deferred action at the request of the Director for compilation of information received from various public agencies.

The Director reported the recent receipt of information from public agencies which up to this time had not responded to questions requested by the Commission. This information will be compiled for presentation to the Commission at the next meeting. He requested a one week deferral.

MOTION: The Commission deferred action for one week, on motion by Mr. Yamabe, seconded by Mr. Bright and carried.

* * * * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mr. Bright, seconded by Mr. Yamabe and carried:

HAWAII CAPITAL DISTRICT APPLICATION (REPAIRS & ADDITIONS)
YOUNG WOMEN'S CHRISTIAN ASSOCIATION
(FILE #73/HCD-12)

1. The request is an application for various minor repairs and equipment additions to the existing YWCA Building.

ZONING CHANGE R-6 RESIDENTIAL TO A-4 APARTMENT DIST.
MAKIKI
HAWAII BAPTIST CONVENTION
(FILE #72/Z-36)

2. The request is for a change in zoning from R-6 Residential to A-4 Apartment District.

ADJOURNMENT: The Commission adjourned at 6:20 p.m.

Respectfully submitted,

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
May 9, 1973

The Planning Commission met in regular session on Wednesday, May 9, 1973, at 2:05 p.m., in the Conference Room of the City Hall Annex with Chairman Eugene B. Connell presiding:

PRESENT:
Eugene B. Connell, Chairman
Roy R. Bright
Randall Kamiya
Fredda Sullam
Thomas N. Yamabe II

STAFF PRESENT:
Robert R. Way, Planning Director
John Grant, Deputy Corporation Counsel
Henry Eng, Staff Planner
Tosh Hosoda, Staff Planner
Charles Prentiss, Staff Planner
Ali Sheybani, Staff Planner
Stanley Mofjeld, Staff Planner
Barbara Moon, Observer

ABSENT:
James D. Crane
Antone D. Kahawaiolaa

MINUTES:
The minutes of April 18, 1973, as circulated, were approved upon the motion by Mr. Yamabe, seconded by Mr. Kamiya, and carried.

PUBLIC HEARING
HAWAII CAPITAL DISTRICT
(INSTALLATION OF WINDOW AIR CONDITIONERS)
STATE LIBRARY BUILDING
(FILE #73/HCD-7)

A public hearing was held to consider an application to install four window air conditioners on the State Library Building (Tax Map Key 2-1-25: 1) situated within the Hawaii Capital District.

Publication of the hearing notice was made in the Sunday Star-Bulletin/Advertiser of April 29, 1973. No written protests had been received.

Mr. Henry Eng, staff planner, presented the Planning Director's report. It was the recommendation of the Director that the application be approved subject to the following conditions.

1. The color (light tan) of the air conditioning unit be changed to match the gray color of the building; and

2. The units be installed in the same location for each window.

There were no questions of the staff from the Commissioners.

No one spoke IN OPPOSITION to the application.

A representative of the State Library spoke on behalf of the library and its users. She stated that the air conditioners would provide relief from heat and humidity.

When asked to comment about the conditions mentioned on color and siting of the units, the representative stated that the conditions are reasonable and would be complied with.

The public hearing was closed and the matter taken under advisement upon the motion by Mr. Yamabe, seconded by Mr. Bright, and carried.

AYES: Yamabe, Bright, Kamiya, Sullam, Connell;
NAYS: None;
ABSENT: Crane, Kahawaiolaa.

ACTION: The Commission recommended approval of the request in concurrence with the Director's recommendation, upon the motion by Mrs. Sullam, seconded by Mr. Bright, and carried.

AYES: Sullam, Bright, Kamiya, Yamabe, Connell;
NAYS: None;
ABSENT: Crane, Kahawaiolaa.

PUBLIC HEARING
✓HAWAII CAPITAL DISTRICT
(AIR CONDITIONING LOUVRE AND SIGN)
ALAKEA PROPERTIES, INC.
(FILE #73/HCD-11)

A public hearing was held to consider an application to permit the relocation of one existing aluminum louvre at each of two towers at the penthouse level, and the installation of a 20-foot long identification sign 9 feet 10 inches above the sidewalk elevation at Harbor Square, Tax Map Key 2-1-16: 15, 17, and 18.

The notice of public hearing was advertised in the Sunday Star-Bulletin/Advertiser of April 29, 1973. There were no written protests.

Staff planner Henry Eng read the Planning Director's report explaining that the projected louvres will help to prevent further water damage to interior service, common and apartment spaces resulting from wind-driven rains. The proposed sign would read "Tokai Land Corporation". It was the recommendation of the Planning Director to grant the request.

There was no one to speak either IN FAVOR of or IN OPPOSITION to the request.

The public hearing was closed and the matter taken under advisement upon the motion by Mr. Bright, seconded by Mr. Yamabe, and carried.

AYES: Bright, Yamabe, Kamiya, Sullam, Connell;
NAYS: None;
ABSENT: Crane, Kahawaiolaa.

ACTION: The Commission recommended approval of the request in concurrence with the Director's recommendation upon the motion by Mr. Bright, seconded by Mr. Kamiya, and carried.

AYES: Bright, Kamiya, Sullam, Yamabe, Connell;
NAYS: None;
ABSENT: Crane, Kahawaiolaa.

PUBLIC HEARING
GENERAL PLAN/DLUM
AMENDMENT
WAIANAE
(INDUSTRIAL TO
COMMERCIAL USE)
MANOA INVESTMENT
COMPANY
(FILE #244/C4/29)

A public hearing was held to consider a proposal to amend the Nanakuli to Makaha Detailed Land Use Map by redesignating a 13-acre site from Light Industrial and Industrial to Commercial use for land identified by Tax Map Key 8-6-01: 5, 34, and 45, in Waianae.

The notice of public hearing was advertised in the Sunday Star-Bulletin/Advertiser of April 29, 1973. No written protests had been received.

Staff planner Charles Prentiss presented the Planning Director's report of the proposal. A community shopping center is proposed for construction on the site.

Based on the conclusion that there is a need for additional commercial space, that the existing industrial designation for the general area is no longer viable, and the site is physically suitable for the proposed use, the recommendation of the Planning Director is for approval of the request.

In the questioning that followed, Mr. Prentiss gave additional information as follows:

--Majority of the area shown in industrial designation on the General Plan is presently zoned R-6 Residential.

--A small portion of the subject site and an adjoining area are presently zoned I-1 Light Industrial.

--There is a small extract line operation by Gaspro in that area immediately mauka of the subject site. This operation is not very active at the present time.

No one spoke IN OPPOSITION to the proposal.

In speaking FOR the proposal, Mr. BRODIE SPENCER, Vice President of Manoa Finance Company, testified as follows:

Mr. Chairman and members of the Commission, we appreciate the work that has gone into this and the fact that the Planning Director has recommended approval of the request. I'll take only a few more minutes to cover some points which I think are pertinent.

While the statistics on present and proposed commercial space justifies our request, they do not give a picture of the strip development that presently exists in Waianae as opposed to the central shopping center area we hope to create. The concept of an attractive planned shopping center complex is supported by the comprehensive economic development plan for Waianae which was compiled under the auspices of the Hawaii Economic Development Corporation. The preliminary draft of this plan states:

"The establishment of the retail sector of the Waianae economic base has not been concomitant with the growth of the area. Retail stores are scattered along the length of Farrington Highway without a central shopping area. The Waianae Community Council should support planned commercial developments throughout the district with emphasis on well-designed centralized shopping areas."

We feel that our proposed center will provide just such a well-designed centralized shopping area. As part of the preliminary planning for this proposed center, we commissioned a market study which was prepared by the John Child Company. This is the report which was completed.

One portion of the study was a survey of the households in the Waianae area from Nanakuli to Makaha to determine current shopping habits and preferences. This survey was conducted by Survey and Marketing Services and encompasses 307 personal in-home interviews using a structured questionnaire and a statistically random selection of households. A good deal of valuable information for planning purposes was obtained but the one survey question that I would like to share with you today was this.

The interviewer showed the respondents, the architectural rendering that you see on the Board up there and the respondents were asked, "Would you be in favor of having such a shopping center built?" Eighty-nine point seven percent (89.7%) of the civilian respondents said yes, 5.9% said no, and 4.4% were undecided.

I think this demonstrates community receptiveness to the project. We believe that the center will benefit the Waianae community in several ways. Primarily, it will provide an attractive, convenient centralized shopping area which is presently lacking and more of the retail dollars that presently leave the area will be spent in Waianae and approximately 250 direct employment jobs will be created in areas which need to create new jobs.

Finally, I would like to comment on the effect of taking this land out of the light industrial classification. The 10-acre parcel adjacent to this, it's shown in green on the lower left hand corner of that rendition, it also fronts on Farrington Highway, has about a 400-foot frontage and a 1,000-foot depth. Our company owns that land. It is zoned light industrial and we have been trying to develop it for light industrial use for several years. We've got a sign on the property and an ad in the paper for the last two years seeking prospective tenants. We've had very little response to this. Most of the parcel, as Mr. Prentiss stated, is vacant. It is available for industrial tenant, but based on our experience, I believe it will be quite some time before it is fully utilized. I don't think that there is a need for this much industrial land in Waianae and the way Waianae is developing, primarily as a residential area, at least along the coastal strip, I think this use would be more appropriate.

One comment I would like to extract from the Director's report on the reaction of the State agency which was, that the Office of Social

Resources has reported that both their office and the Waianae-Nanakuli Resident Research and Planning Center staff support the shopping center proposal. Thank you for your time. If you have any questions, I'll be glad to respond.

Questioning of Mr. Spencer followed:

YAMABE: Mr. Spencer, are you planning to develop this piece of property as soon as you get your change in land designation?

SPENCER: We hope to. We have to wait for that in order to proceed with our detailed plans and leasing arrangement and also our financing.

YAMABE: You will be leasing this land to some developer?

SPENCER: No. We will be developing but we will be leasing to tenants within the project.

YAMABE: You, yourself, will be.....

SPENCER: We will be working with the developer.

YAMABE: The schedule will be something like soon after you get your zoning change?

SPENCER: Yes.

SULLAM: As I understand it correctly, there is going to be a remnant parcel in industrial directly to your left?

SPENCER: As you face that, there is a parcel to the left that is in light industrial. We are trying to develop that in a compatible manner. At the present time, the rear part of that 10 acres has a temporary lumber yard that is leased by a subsidiary reliance industry in connection with a project they are completing around the Waianae Intermediate School. There is a drivein and a Chinese restaurant on the frontage. The rest of it, at this time, is vacant. It would be, hopefully, developed as tenants need the type of things, but it would be compatible. We would keep it--there won't be anything noxious going in there, if that's what you mean.

SULLAM: No. I was wondering about the congruity of industrial so close to a commercial area. Thank you.

There were no further questions or 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, Kamiya, Yamabe, Connell;
NAYS: None;
ABSENT: Crane, Kahawaiolaa.

ACTION: The Commission recommended approval in concurrence with the Director's recommendation upon the motion by Mr. Bright, seconded by Mrs. Sullam, and carried.

AYES: Bright, Sullam, Kamiya, Yamabe, Connell;
NAYS: None;
ABSENT: Crane, Kahawaiolaa.

PUBLIC HEARING ZONING CHANGE FROM I-1 LIGHT INDUSTRIAL TO B-2 COMMUNITY BUSINESS DIST.) CENTRAL BUSINESS DISTRICT INITIATED BY THE PLANNING DIRECTOR (FILE #73/Z-9)	This is a continuation of the public hearing held on April 25, 1973, to consider a proposal to change the zoning from I-1 Light Industrial District to B-2 Community Business District for several parcels of land bounded by King Street, Cook Street, Kapiolani Boulevard, and Ward Avenue. The hearing was kept open for inclusion of several other parcels situated within the same block and identified as Tax Map Keys: 2-1-44: 3 and 2-1-45: 2, 3, 7, 14, 15, 21, and 25. The notice of public hearing was advertised in the Sunday Star-Bulletin/Advertiser of April 29, 1973.

Mr. Tosh Hosoda, staff planner, reviewed the proposal and pointed out on the map displayed, the expanded area which was outlined in red. These parcels are owned by the Hawaiian Electric Company which has its administrative office facilities as well as warehouse and storage facilities in the area. As a result of an initial request for a change in zoning to B-2 Community Business District by C. W. Investment and Development, Ltd., for property situated at the corner of King Street and Archer Lane, containing approximately 12,072 square feet, the Planning Director decided to expand the rezoning by including other parcels in the block but excluding the Hawaiian Electric Company's properties. A further expansion was made to include the Hawaiian Electric Company's properties so that zoning of the entire block for commercial purposes would be in conformity with the General Plan land use designation for the area.

As reported by Mr. Hosoda, the Hawaiian Electric's operations are properly in an I-1 District; however, in a B-2 District, they would be permitted as a conditional use.

The Director then read into the record, a letter received this morning (May 9, 1973) from the architectural firm of Lemmon, Freeth, Haines, Jones & Farrell, representative of C. W. Investment and Development Company, prospective lessee of Tax Map Key 2-1-45: 18, withdrawing the rezoning application for the subject parcel.

He also acknowledged receipt of another letter from the Tropicana Enterprise Inc., reiterating its objection to the rezoning proposal as stated in its previous letter read at the prior public hearing. Reasons given were that the change in zoning would create: a) traffic congestion in the area; b) additional parking problems; and c) additional financial burden upon its property which is leased for I-1 industrial purposes.

Questioned by the Commission, Mr. Hosoda indicated that about 8 or 9 property owners are affected by the proposed change. The staff's recommend-

ation is the same despite the fact that the initial applicant had withdrawn its request.

Speaking IN OPPOSITION to the proposal was Mr. Ted Damron, representative of the Hawaiian Electric Company.

Mr. Damron noted that at the hearing on April 25, 1973, he had reviewed the Hawaiian Electric Company's complex at the particular location by pointing out the existing uses and the proposed uses. He had also pointed out that the area is primarily light industrial in character and will remain so, at least, to the year 2,000 with the exception of the Ward Avenue frontage now occupied by its office structure and a planned office structure to be built within the next few years. In light of this information, they can see no justification for changing the zoning of the area to commercial when logically, the I-1 zoning should remain.

Questioning of Mr. Damron followed:

BRIGHT: Mr. Damron, what would be your objection to operate under the change as long as you can operate as an I-1 area?

DAMRON: The purpose of zoning is to correctly reflect the actual use of the land and the planned use of the land for the foreseeable future. In other words, the basis of all planning is, well, realism, I guess. It's not realistic if there's no point in changing it. It's true, the B-2 designation would continue the uses, but under a conditional use basis; whereas, under an industrial classification, it is a permitted use and we see no justification for the changes. In other words, the zoning that now applies is most accurate, except again, as I said, for the Ward Avenue frontage which, in my opinion, should properly be B-2.

BRIGHT: Mr. Director, under the B-2 zoning classification, the I-1 use by the utility company, the intent, I assume, would be to place control over the type of construction that would go in there?

DIRECTOR: Yes. The public utilities are permitted as a conditional use which would enable the City Council to, along with the Planning Commission, including a public hearing, to review any proposals for expansion or change of the facility. I think that it might reflect on the fact that the area is designated on the General Plan for a business type of use and that this proposal does implement the General Plan, that while it was recognized in the zoning code that it is appropriate to have public utility facilities in a commercial zone, it is also considered appropriate that they be subject to some additional review other than a normal, simple issuance of a building permit upon application because these facilities do have industrial features to them that's clear--they have warehousing characteristics as well as industrial yard kinds of features which, I believe, was the feeling of the City Council on adoption of the Comprehensive Zoning Code that they should be planned and integrated into the business district in a compatible manner in that district and, therefore, they elected to have them permitted, but as conditional uses.

YAMABE: Mr. Damron, if the General Plan is changed in this area from commercial to industrial, would Hawaiian Electric Company cooperate

with the City and County Planning Department in any future construction? I'm not talking about your office building but construction in the industrial operation area, would you cooperate to the extent that you would adhere to whatever requests they might make?

DAMRON: Yes, sir, very definitely. As a matter of fact, the existing zoning allows for this requirement.

YAMABE: Well, the existing zoning would not require you to make some additional conditional changes. The existing zoning would allow you as the ordinance provides, but in addition, if they might want to place certain conditions, which they can't, would you cooperate with them?

DAMRON: Very definitely, of course.

YAMABE: This is primarily to protect the environment of adjacent properties, uses and so forth.

CHAIRMAN: You are suggesting a gentleman's agreement, Mr. Yamabe?

YAMABE: I am not suggesting anything. I just wanted to get their opinion as to what they might do. I can't hold them to it. All this promise to cooperate, they might do it, they might not. I realize this too.

CHAIRMAN: I thought you were getting into placing conditions into zoning.

YAMABE: No. I was just trying to get their attitude, Mr. Chairman.

No one else testified AGAINST the application.

Speaking FOR the application was Mr. Charles Robinson, real estate broker, representing the King Street Car Wash and a drive-in restaurant which are situated on the parcel fronting King Street, Diamond Head of Archer Lane. He stated that his client, Mr. Angelo Vicari is in the process of purchasing land immediately adjacent and to the rear for expansion of his car wash business and restaurant. Since the proposed change would be in conformity with the General Plan and would permit the expansion as planned, he supported the proposed change in zoning as affecting his client's business.

No one else testified FOR the application.

At the request of Mr. Yamabe, Mr. Damron was recalled for questioning.

YAMABE: Mr. Damron, the Spud's Laundry, how much of the Hawaiian Electric's property are they utilizing at this time or if they have a lease and what portion is being leased?

DAMRON: The entire parcel. The entire parcel comprises 31,937 square feet. We purchased it. It was subject to a lease--Spud's Laundry--and it goes to 1978.

YAMABE: The entire parcel?

DAMRON: Yes, sir, the entire L-shaped parcel.

YAMABE: Do you know what the opinion of the Spud's Laundry people might be for this split zoning? Any inconvenience to Spud's Laundry?

DAMRON: The existing zoning?

YAMABE: Yes.

DAMRON: No sir, they haven't. The staff did receive a reply from the people who lease it. They also happen to be the same people who own property on the Kapiolani side, the Pacific Properties, they are the ones who requested apartment zoning on their side, but I don't think they had any specific comment as to Parcel 17 which they lease as Spud's Laundry.

YAMABE: How are they operating, do you have any idea? The front portion is....

DAMRON: The property is pretty well occupied by the structure. As a matter of fact, the widening of King Street just missed hitting the front of their structure.

YAMABE: And this is primarily a laundry operation?

DAMRON: It is a laundry, yes sir.

YAMABE: Do you see any objection to that portion being changed to B-2?

DAMRON: The front part is B-2.

YAMABE: I mean the whole property?

DAMRON: It's part of our planned complex. For the same reason-- in other words, this is planned primarily for the same type of use that exists now on Ward Avenue.

YAMABE: How long a lease do they have?

DAMRON: They go to 1978.

YAMABE: And you plan to retain the area for industrial use after the lease expires? Are you planning to renew it?

DAMRON: No sir, it would not be renewed. It is planned for utility use expansion.

There were no further questions of Mr. Damron or further testimony.

The public hearing was closed and the matter taken under advisement upon the motion by Mr. Yamabe, seconded by Mrs. Sullam, and carried.

AYES: Yamabe, Sullam, Bright, Kamiya, Connell;
NAYS: None;
ABSENT: Crane, Kahawaiolaa.

ACTION: Mr. Yamabe's motion to recommend to the Director that he withdraw his recommendation for the change in zoning was seconded by Mrs. Sullam, and carried.

AYES: Yamabe, Sullam, Kamiya, Connell;
NAYS: Bright;
ABSENT: Crane, Kahawaiolaa.

Since there was testimony in support of expanding the commercial zoning for parcels presently split zoned and in commercial use, Mr. Yamabe suggested that in those cases, the Director might consider reviewing their requests on an individual basis.

UNFINISHED BUSINESS √PLANNED DEVELOPMENT HOUSING (PARKLANE COUNTRY HOMES) KAHALUU WAIHEE ROAD BRUCE C. STARK, FRED A. LORENZ & JAY S. CLARK (FILE #72/PDH-2)	On April 11, 1973, the Commission held a public hearing to consider an application for a Planned Development-Housing project in Kahaluu--Waihee Road, identified by Tax Map Key: 4-7-06: 20, and containing 9.21 acres. The proposal is to develop 115 condominium units in two-story, 5-and 6-unit buildings and a private sewage treatment plant. A concurrent change in the General Plan for a portion of the site from Agricultural to Residential use is also proposed. After closing the public hearing, the Commission raised certain questions and concerns which required further study by the staff.

Mr. Ali Sheybani, staff planner, responded to the Commission's requests as follows:

1. The Board of Water Supply had expressed concern about six water wells that are in the area and the possibility of contamination from the injection wells of the sewage treatment plant proposed.

   When contacted, the Board of Water Supply advised that they merely wanted the Planning staff to be aware of the existence of these water wells and that the owners of these wells should be advised of the proposed development. The staff will do this. The Board of Water Supply further commented that since City's water is available to the area, the wells are not essential as a water source.

2. The staff was advised to notify the Board of Health of the concerns expressed by the Board of Water Supply and Mr. Gene Dashiell regarding these water wells.

   The Department of Health was so informed and it commented that since the distance of the wells from the proposed site is adequate, it did not anticipate any pollution of the wells. The Department also mentioned that since City water is available to the area, it would not be necessary to use the water wells; however, the owners should be notified of the proposed development.

3. Mrs. Josephine Patacsil raised a number of questions about drainage.

   The staff found that her property is situated about 3 miles away from

the project site and in no way is affected by the drainage pattern of the project site. However, in response to her concerns, the Department of Public Works stated that the drainage improvements for the three existing developments near her property did not alter the existing drainage patterns, that water runoff on her property is not increased. Her property is in a low lying area and is flood prone. Another response was that the 24-inch storm drain from Alii Cluster Park has a ditch outlet to Heeia Stream and that the maintenance of this ditch is the responsibility of the developer and the property owner. They will be advised of this comment from the Department of Public Works.

Regarding drainage for the proposed project site, the Department of Public Works commented that it would need detailed construction and engineering plans before it can exactly measure the effect of drainage to the surrounding neighboring properties. The developers requested that the filing of detailed engineering plans be made a condition to the granting of approval since they did not wish to spend money for such detailed studies before the project is approved. Approval of any construction permits could be held up by the City until the Department of Public Works approves the drainage plans.

4. Thank you letters have been sent to the community groups who have participated at the public hearing.

5. The land use history of the subject site is as follows:

Zoning: "Rural Protective" zoning since March 4, 1954, until passage of the Comprehensive Zoning Code in January 1969, when all Rural Protective areas within State-designated urban districts were zoned R-6 Residential.

General Plan/Detailed Land Use Map: Partially designated Residential and partially Agriculture since 1964 when the Oahu General Plan was adopted.

State Land Use: Two major changes were made.

March 1, 1968--a boundary change from Agriculture to Urban was granted to a nearby parcel upon petition by the owners. Upon referral, the Planning Director and the Planning Commission recommended approval for only a portion of the site, approximately 3 acres instead of the 9 acres requested and subsequently granted, since Waihee Road was planned for improvement to a 60-foot residential type roadway.

August 1969--the Land Use Commission further revised the urban boundary by extending it to the hillside to cover an area far beyond the project site.

(For purposes of clarification, the Director reported that the major boundary change resulted from the first 5-year boundary revision review by the Land Use Commission. The matter was not referred to the Planning Commission or the Planning Director for a recommendation. Approximately 735 acres of land shown on the General Plan for

agricultural uses were redesignated to urban. The Planning Department had objected to that change.)

6. To the question asked whether it is possible to dowzone the subject parcel to agriculture, the answer is yes, that this is legally possible through the normal rezoning process.

7. Highway capacity. Data obtained from the State Department of Transportation for Kahekili Highway and Likelike Highway show that:

   Kahekili Highway--maximum capacity 21,000 cars (daily in both directions)
   --current volume 16,077 cars (July 1972 figure)

   Likelike Highway--maximum capacity 40,300 cars (daily in both directions)
   --current volume 37,161 cars (July 1972 figure)

8. On the subject of sewage treatment for the site, the Department of Health has approved the proposed sewage treatment plant but the Department of Public Works would like to see a detailed engineering study before it approves the plant. Its concern apparently is that if later on some problems develop, the City would know exactly how to cope with that problem. This requirement for a detailed engineering study will be made a condition of the ordinance approving the project.

Questioning of Mr. Sheybani follows:

YAMABE: What problems are you talking about--Department of Public Works?

SHEYBANI: They don't mention any problem, but they don't want to approve their plant type because their percolation test on--although their manufacturer's catalogue is acceptable, they would like to see a detailed engineering study to see if that plant would fit with the conditions on the site before they approve the project.

YAMABE: Does it require both Health Department and Department of Public Works approval?

SHEYBANI: Yes, both of them.

YAMABE: By ordinance it requires this?

DIRECTOR: By statutes, State.

SULLAM: You mentioned something about water wells. To whom do these belong and are they presently being used?

SHEYBANI: The Board of Water Supply cautioned us with a map that they sent us that shows six water wells down the valley and they just merely wanted to call the Department of Health's attention to this. By the way, we have some water wells there. Later on they mentioned that they did not foresee any problem on those because piped water is available and those could be done away with. The owners would have to be informed, however.

SULLAM: They are not being used now?

SHEYBANI: I don't think they are being used right now.

YAMABE: I can't understand that. What the government is saying is because we have our water, there is no reason why they should have private water.

SHEYBANI: They are not using that water for drinking water source anyway so there is no danger of contamination. Also, the Department of Health indicated that the distance between the injection wells and the water wells are adequate as long as they are not using for drinking purposes.

YAMABE: The point I'm trying to make is that, are these agencies saying that because they have water; therefore, they have no concern as to whether the private water ownership is taken away by whatever action taken by the governmental agencies?

SHEYBANI: Those water wells would not pass the Department of Health requirement.

YAMABE: For drinking water yes, but water right is water right.

DIRECTOR: This is the letter from the Department of Health. "Reference is made to your letter of May 2, 1973 on the subject development and its relationship to existing potable water wells near the proposed development. Since the sewage from the proposed development is to be tertiary treated and disinfected to remove all pathogenic microorganisms, we do not foresee any problems with the proposed system. Prior to granting approval for the subject project, we recommend that you take appropriate precautions in advising the six well owners of the situation under consideration." Signed by Walter B. Quisenberry, M.D., Director of Health.

YAMABE: They didn't say that there is no need for that water?

DIRECTOR: No, the Health Department didn't report on that. We are simply saying that the people who own these wells actually use Board of Water Supply water for domestic purposes right now, so they really don't have the need for the wells for domestic purposes. They may use it for irrigation or something like that.

YAMABE: Yes. I misunderstood the presentation that they don't need to use it. Did any agency specifically say that there was no reason why they should be using that water?

SHEYBANI: No, I think this is the extent of it. We have repetitious comments from the various agencies that we have summarized.

YAMABE: Did you get any response from these well owners?

SHEYBANI: No, that letter which was read was just received today, so we are going to inform them of this project that we have.

YAMABE: You said the letter didn't go out to the well owners yet?

SHEYBANI: No.

YAMABE: I assume you would be getting them out in the next day or so?

SHEYBANI: Yes.

YAMABE: I wonder if it'd be possible for you to make a telephone call and check with these people and get an immediate response?

SHEYBANI: Yes, if they have phones listed in the book, we would try to.

BRIGHT: With respect to Item No. "a" on the Director's recommendation--elimination of several of the buildings there, what is the condition of the land that makes it necessary to....

SHEYBANI: There is over 10, more like 20 feet of muck in the area and we just don't think that buildings should be there--over this depth of muck area; however, the applicant, the engineer, and the Planning Department staff met with the Department of Public Works and they said that it's possible to build. Nothing impossible, actually, as far as construction is concerned, but as far as the project is concerned, we still think that those are infeasible. The cost would go so far out of proportion that--foundation cost and the constant not being totally sure that those are going to be on a solid ground. Besides, we would need more details for the project, so our comment was for the elimination of the three buildings on the muck area stands still the same in our recommendation.

BRIGHT: Could these buildings be relocated in another area to have the same density?

SHEYBANI: That is possible. We don't want to see any buildings over the muck area. The land in that area is best suited for recreation and when the land settles, it would be usable for that purpose. We are not saying that the number of units be eliminated. We are saying that the three buildings be eliminated because of the possibility of....

BRIGHT: The developer could still build to the....

SHEYBANI: To the density that they want provided the site plan is acceptable again.

BRIGHT: It should be up to the change in the site plan. This would be a matter between the developer and the Planning Department staff.

SHEYBANI: Right.

BRIGHT: And then coming before the Commission.

SHEYBANI: Either that or it could go to the City Council or the Planning Commission if that is desired. One other condition was that the building site be slightly modified to provide better spacing between buildings.

CONNELL: And your recommendation is that they change the site of the buildings?

SHEYBANI: (referring to map) There are two shelves, one an upper shelf and one a lower shelf. Another comment we had from the Department of Public Works was that no buildings be placed between the two shelves because the condition of the land is so that there might be movement--unevenness. One side might settle more than the other.

CONNELL: And the deletion of the buildings is because of two things. One is because of the ground condition and the second because of the need for more recreation space?

SHEYBANI: That was one condition that the Department of Recreation brought up.

CONNELL: Under the present figures, didn't they meet the requirement for recreation space?

SHEYBANI: The open space meet the requirement but for active recreation it's just a matter of judgment and comment that we get from the Department of Recreation. They have proposed a swimming pool, but for example, there is no major ballfield.

SULLAM: If you remove those three buildings, I don't see where you could make up that density unless you push some of the other buildings closer together, then you would have very bad spacing between buildings.

SHEYBANI: That's true, given this form of building, yes, it might be very hard. Some of the buildings are now six units. They were all five units to begin with. To open the spaces a little bit more between the buildings, some of the buildings are six units rather than five. Now, if they eliminate those three buildings and want to keep the same density, they would have a lot more six-unit buildings. I agree that would be hard to arrange with this type of building type but that density is not hard to achieve than any other--I mean, if it were a townhouse plan.

SULLAM: These are all one-story buildings?

SHEYBANI: Two-story buildings.

YAMABE: How much of the residentially designated areas are left in this area for development under our plan?

SHEYBANI: Under this, very little residential. The line would be drawn somewhere along this side of the agriculture. (indicates on map)

YAMABE: In the whole Kahaluu area, all that yellow area, are they completely developed or do we have substantial....

SHEYBANI: No, they are not completely developed. I can't give you the acreage, we have to research that. Of course, we have here urban land use and we have residential, resort, medium density, and a whole gamut of all sort of land use which was a subject of a previous plan development which was discontinued.

YAMABE: In light of the statistics given to us by the Department of Transportation relating to traffic, am I correct that we have reached the peak capacity?

SHEYBANI: That doesn't quite apply to this project because those two capacities were for Kahekili Highway and Likelike Highway. This property has another outlet for getting out to Kamehameha Highway and Pali Highway. The residents would use that but what percentage would use that, we don't know. Also, we don't know the capacity of this too.

YAMABE: Which are the alternate routes and what are the figures?

SHEYBANI: (points out on map) Going down on this to Kam Highway instead of using Kahekili Highway.

MOFJELD: The response we received from the Department of Transportation on January 9, 1973, concerning the outlet which is Kamehameha Highway, I'll read the full paragraph. "The section of Kamehameha Highway in the vicinity of the subject application is currently operating near its maximum level of service of stable flow. This PD-H of 115 dwelling units is estimated to add some 60 vehicles in the major flow during the peak hour period. Although we testified before the Planning and Zoning Committee on January 5, 1973, that the existing right-of-way on Kamehameha Highway at Waihee Road is not sufficient to accommodate the improvements recommended by the consultants for the Kahaluu Development Company (that was the Waihee project, a large project), in our judgment, this additional traffic (which is the Parklane project) will not appreciably reduce the operating condition of Kamehameha Highway."

YAMABE: Will you help me in putting this information together. Now, if Kahekili Highway and Likelike Highway have no application to this development--let's forget the figures, you said they don't apply at all?

SHEYBANI: They do apply but there are more than one way of getting out from the development.

YAMABE: What's the statistics on the alternate route?

SHEYBANI: The closest we could get was....

YAMABE: That's Kamehameha Highway; we are talking about Likelike Highway. Now, which is the alternate route.

SHEYBANI: There are alternate ways to get to Pali. Go on Kamehameha to Pali and use Pali.

YAMABE: Now, what's the capacity there?

SHEYBANI: We don't have that one. We got the comment that both Pali and Kam can handle the project.

YAMABE: That's not the way I understood it. Is that what you're saying, that there is no problem in traffic?

SHEYBANI: That this would not appreciably affect the traffic on Kam Highway. That's the answer we received from them. That's not a very accurate type of comment but that's what we got.

YAMABE: I appreciate the position the staff is in but it disturbs me. What do they mean by not appreciably. We can have a 10-unit development every six months and they would say not appreciably?

SHEYBANI: In terms of percentage, it becomes negligible. It is what is there right now. Sixty cars compared with so many cars, so many thousands of cars, would be very little addition is what I understand is what they mean and these are our assumptions because they haven't taken a reading very recently.

YAMABE: That being the case, would it be reasonable for me to assume that I don't have to take the report too seriously until such time as the people start clamoring?

SHEYBANI: As to whether because of this project or other project or many more?

YAMABE: Any project. Any statistical information given us boils down to what people would be complaining about.

SHEYBANI: Yes. There is one thing you will note from these figures is that Likelike Highway cannot handle any more. Again, it means instead of waiting for the light to change on the highway for about half an hour, they have to wait 45 minutes. It can handle the capacity, but it is the inconvenience.

CONNELL: The incovenience allows for greater capacity?

SHEYBANI: That's right.

CONNELL: So when they talk about increased capacity....

SHEYBANI: It's without the inconvenience.

CONNELL: What's the factor of covenience or inconvenience? Who determines this? What's the running time?

SHEYBANI: I would not like to comment on their word, but usually the capacity, the engineering capacity is so many cars per hour, per day, per lane with certain number of signal lights.

CONNELL: So when we talk about Likelike Highway having reached capacity, this is a relative kind of judgment?

SHEYBANI: Right.

DIRECTOR: I think what they're talking about is capacity in relation to level of service. There are in the consideration of the traffic, examination of traffic problems, we have this so-called level of service and they range from a free flowing condition to a, more or less, a breakdown condition, if you will, of the level of service and where you're talking about capacity here is, more or less, an optimum situation. Now, it would get closer to an adverse level of service with weather condition, with maybe an accident condition on the road, accident condition in heavy traffic volume, maximum kind of situation causes a very serious traffic disruption and a very unsatisfactory level of service to most people and that is probably true to people who have been used to commuting for an hour, an hour and 15 minutes or 45 minutes as against 30 minutes normally isn't really all that bad, but there is that kind of judgment and there are some six or seven levels of service. I think what we are dealing with here is kind of an intermediate level, it's not ultra-optimum nor is it a chaotic traffic condition, but when they reach this maximum of approximately 40,000 vehicles per day on Likelike Highway, and another factor, which hasn't been introduced here but they must have thought of is the peak volume. This is the point I think the Chairman was making is that the peak stretches. Instead of a one-hour peak, there may be delays that will actually cause an hour-and-a-half or a two-hour peak. Instead of what was a 30-minute commuting, there would be a 40 to 45 minute commuting time.

YAMABE: Might it be possible for the Planning staff to establish a point where you would consider is detrimental to future suggested development, more housing increase, like you have in the sewer. I guess this is not a good comparison, but somewhere where you can say we have reached this point and it's impossible to handle traffic. If we can't do it then we would be purely exercising judgment. We're just going to wait and say that no sense having statistics, we might as well go by the complaints of the community. I think that would be a much better indicator than just statistics.

SHEYBANI: Of course, by staggering working hours, for example, you increase capacity considerably, but whether that is possible or not--the temper of the community it changes if you reduce the capacity of the highway, however, if there are certain functions going on, it reduces capacity but it's very hard to draw a hard line to relate it to only the physical lines of the highway.

YAMABE: So I think it makes it less than impossible to determine, that the staff might consider or even use that as a sort of guideline to recommend or not further development. You can't establish this kind of criteria.

SHEYBANI: Observation is the best bet.

DIRECTOR: I think it's possible to do that. I think that it's not so much the highway capacity that oftentimes causes the problem as it is intersection capacity. It's who gets there first. This is where the real time delay enter in. It could be the end of Likelike Highway,

Honolulu side where the problems are really generated and not so much the actual physical capacity of two lanes moving townbound in the morning. There are, of course, improvements being proposed in that regard with interchanges at Kahekili Highway and Likelike Highway, for example. The State is purchasing rights-of-way for that and have purchased some. This can actually improve the capacity on the highway by making intersection improvements, for example.

YAMABE: I think it's going to be more helpful, as far as I'm concerned, because we have placed so much weight on the traffic count and so forth. More and more it seems that it becomes meaningless.

DIRECTOR: Might I suggest, Mr. Chairman, that maybe this might be a topic that the Commission may want to pursue in some depth on an overall basis with, say, representatives of the City Traffic Transportation Service and maybe the Department of Transportation of the State to ask those people what the criteria are, as I touched on it a little generally, quite generally, in terms of level of service, for example.

CONNELL: I thought we did that.

YAMABE: They told us it's just a matter of indoctrination. If people get accustomed to an hour, two hours, that's the normal flow. In the future what we could do, Bob, we don't seriously have to consider traffic count. Like you say, we go by feel.

CONNELL: Then we're gonna get mass transit when we reach complete, absolute capacity.

YAMABE: We're going to have to have a very chaotic situation, then we're going to get mass transit.

CONNELL: That's right and the only way you're going to get that is by removing the highway. Roads, sewers, etc., you get these services when there's a sufficient demand for them, but when you talk about cutting off development because the highway has reached capacity, we might as well declare a moratorium because major arterials virtually aren't at capacity right now but are over capacity at peak hours.

YAMABE: The only trouble is, the definition of capacity is from here to there and the length of time it takes.

SULLAM: Is the applicant in concurrence with the removal of the units designated?

SHEYBANI: Maybe removal of the buildings but not removal of the units. He suggested that he keep the units at that density. He mentioned also that if the buildings over the muck area could not be proven feasible, then those buildings would be removed.

SULLAM: Then it would be a new plan that would be presented to us?

SHEYBANI: Yes.

SULLAM: Then we certainly can't approve this plan if we haven't seen the alternate solution.

SHEYBANI: We understand that it would be a modification of this plan, that the Planning Director would approve it. Of course, it would be that if the change comes in, the City Council would have a chance to look at it.

SULLAM: But, when we grant our approval, we grant approval to the drawings as well as the conditions that are written out. Somehow, I think that we should know what we are approving.

CONNELL: Do you want to clarify this with the applicant?

SULLAM: Yes. If they are going to have major changes to this plan, I don't think that we should approve this. We should wait until the changes are made.

SHEYBANI: Mr. Bruce Stark is here.

BRIGHT: Mr. Chairman, I note that Item 8 of the Director's recommendation that there would be modifications to the site plan.

CONNELL: Mr. Stark?

BRUCE STARK: Yes.

SULLAM: How great are the changes going to be?

STARK: Mrs. Sullam, what we would like to propose is, if you do, approve it with the 15 units subject to the Building Department's and the Department of Public Works' approval of the plan. Now, if they will not approve it--I know, sitting here now and so does anyone with an engineering background that we can design buildings to be build on that property but it's a question of whether or not it would be economically feasible. I obviously wouldn't want to build a building on that that's going to cost me $65,000 to build and I can only sell it for 40, so, realistically, I'll be the first one to eliminate them if it wasn't possible, but once we would design it, we would get the cost estimate put together, particularly the three buildings, and if they are way out on left field, then we would probably say, well, okay, we give in, we won't build them. We don't plan to really revise the plan because we can't be coming back to you folks and taking up your time and our time which is both very expensive and valuable, so I would like this approved based on the fact that we would obtain the approval of the various agencies, I think it's probably Public Works and the Building Department as far as the acceptability of the design for that particular soft ground. We have been told by our engineers and by our professional soils people that it is possible. There are several different ways. Surcharging it, taking and draining that property, putting in very, very short piles with a type of equipment that is quite inexpensive to do so that it may be quite possible. I think the City Planning's main objection is they don't want to allow us to build without protecting themselves, protecting everybody. Of course, we don't want to build something that would end up in litigation. I don't want to build a building that would fall apart on me.

SULLAM: My concern was that if you took out these three buildings, you would be shifting the other buildings in order to make room for the density that you are losing.

STARK: No. At this point, we have to face up to the fact that either we can build those buildings as planned and designed to cover the engineering problems which are evident to us too, and if we can't then we would eliminate those buildings. One other point that is sort of important which was brought out is that, this is going to be a condominium which means that there would be a co-owners association and we would be proposing that our sewage treatment plant would be--we would have a two-year maintenance and operating contract with the manufacturer or the manufacturer's representative to maintain the sewage plant. Now, after that time, and actually even during this time, this contract would be assigned to the co-owners association. Their obligation is one which is very enforceable so that there would be a continuing obligation to maintain it and there are funds available through the association to pay for the maintenance. So, you can build the greatest building in the world and the best elevators, but if nobody maintains them, they're not going to be operational. Same way with a sewage treatment plant. We have a fine plant but it must be maintained. We are willing to do this. I don't think that asking the developer to provide some kind of a bond or a long-term covenant, makes any real long-term sense because a developer is a corporation, an entity which may be around for a number of years, or may not be around for a number of years, but the co-owners association which has an enforceable legal responsibility will be around for many, many, many years. For the length of this development anyway.

YAMABE: Mr. Stark, just for my information. It seems to me that there is room for negotiation, some changes, some compromises. Why didn't this take place prior to coming to the Commission?

STARK: We have discussed this considerably with the City Planning Department and they took a position which I think everybody has a right to take a position, but I disagree with that position as far as those particular 15 units. It's been a friendly negotiation with the City Planning. We've been going back and forth and they say look Bruce--we've been on a first name basis--we don't think you should build here. I say okay, I understand what your argument is, I understand why you're saying it, but on the other hand, I'm worried about something which they may not see. I'm worried about the overall economic feasibility and the amortization of all costs. Now, 15 units really help us to amortize a lot of building cost and a lot of maintenance cost which makes each unit a little less expensive pro rata and this is what we were trying to achieve. If we have to give up those 15, we may have to get even more creative and try to figure out ways to still save cost. That's the name of the game. We're trying to develop something at a certain price range. We're trying to get into that price range, and if we start losing units, pretty soon the individual ones that we do build becomes a little bit more expensive.

YAMABE: I'm trying to seek a fair solution. Now, I take it, from what you tell me that you did reach a point of impass as far as you're concerned and as far as the staff is concerned; therefore, it came to the Commission. However, with the Commission hearing the subject matter,

I don't know whether the staff is willing to compromise or you either, whichever the case may be, it seems to me the door is open again for further negotiation. However, in light of the problem that you had faced previously before coming to the Commission, reaching a point of impass, might it not be more desirable and more equitable to all parties if you had brought this back to the Commission again?

STARK: First of all, I must confess that I'm fairly new at planned unit development so I'm not very sophisticated with procedures. I thought that once the Planning Commission reached an impass--they made the recommendations and that they brought it to you people, and that we would have a chance to speak at the hearing to you people and give you our point of view--I didn't realize that there was anything that happened in between, perhaps, that allowed us to bring to you a compromise solution so we didn't come prepared to make any compromise solution, just a suggestion that you could approve it subject to--put this as a condition to the approval--subject to the various agencies approving of those 15 units. You know, I can't sit here and say, okay, instead of 115, let's compromise, we'll take out two buildings and keep one. Maybe that's a compromise, you know, but without doing a little juggling around, I don't know if that makes any sense either because it's from the top of my head.

YAMABE: The point that I'm making is that, what you are requesting is that you're not coming back to us any more, that this would be forwarded to the City Council and the decision made by the staff of this agency as well as the other agencies, you must conform to, period. You've reached a point of impass. You have to conform or you just don't get it?

STARK: That's right. We're in that position right now where it's now in your hands. You'll have to, in your mind, decide whether or not you will approve it as a hundred unit, that's one decision; whether or not you're going to approve it at all, that's another decision; and the third decision is whether you would approve it subject to an additional 15 units based on the recommendations and then you are changing, the authority then becomes in the hands of the City and County Building Department which ultimately was going to rest anyway because if we have to get building permits to build all these things, and when we're talking about Public Works, we'll have detailed working drawings at that point. We'll have complete engineering drawings, complete topo, complete survey, complete working drawings of all the individual apartments, all the drainage hookups, complete drawings of our sewer plant, complete electrical, mechanical, and so all the agencies will approve these things as a matter of course. And when it gets down to the Building Department, they'll say, look, here are these three units, Bruce, we just don't think these are engineered right, either you re-engineer them or you take them out, we won't give you a permit, and they will be alerted to this by the very fact that the ordinance says this, so they would be pre-conditioned, they are expecting. Anyway, they would have to be extra careful to scrutize it.

YAMABE: Well, I just wanted to point out the many possibilities and to be fair to all parties, whether it be you or anyone else, to be fair to them, of the many alternatives as far as the conditions that you speak of that existed the day you initiated your request.

STARK: We originally had a 126 units, so I want you to understand that we had compromised. The 126 units did meet the Code and did meet all the density requirements of the Comprehensive Zoning Code under the Planned Unit Development approach so we have been compromising. It wasn't all of a sudden 115, take it or leave it. That has not been the situation. I want you to understand that we have gone down from 126 to 115 units.

YAMABE: Please don't misunderstand me. I'm not saying that you haven't compromised. I'm not suggesting that you should compromise, that if there be any changes, it should be mutual. There might be room for even the City to compromise, you know. I'm not speaking specifically of what you have done or what you haven't done. I'm talking about the whole process.

STARK: I understand.

YAMABE: And what you are requesting is exactly what you had before you had come to the Commission?

STARK: That's right.

SULLAM: Parks and Recreation had said that there was a need for additional space for active, is that correct? where exactly?

STARK: I think that is very subjective and that is their opinion. This particular area is surrounded by nothing but open fields. There is a park down the street within five minutes walking distance, maybe ten minutes. There is a school ground across the street, so I wondered just how important that active recreational area is when you've got so many things, almost contiguous, if not contiguous, to the site, so I think, that is, maybe, asking for the ideal situation. We're not achieving it in their estimation, that's for sure, but I don't think that's really necessary, Mrs. Sullam.

CONNELL: Are there any more questions? Thank you.

STARK: Thank you.

YAMABE: Mr. Chairman, is it possible to also--I don't know whether it should be in the condition or not or whether we should consider the well owners' response or whatever demands, not really demands, but, whatever might be detrimental for the well owners as the owners of the wells. I certainly would like to see that taken care of. I don't think that we should take away their rights as owners of the well, whether they have City water or not.

CONNELL: It seems there are nine wells that are not being used for domestic purposes. The opinion of the Board of Water Supply and the Health Department is that this project has no effect on those wells.

YAMABE: From the information that we have right now, I don't see any problem; however....

CONNELL: It seems to me what the agency is simply saying is that we notify the well owners. All they said was that there shouldn't be any effect.

YAMABE: I assume when they say notify, they are expecting a response.

DIRECTOR: We can notify them.

YAMABE: I don't want the governmental agencies to tell these guys that just because we have water there that you don't have ownership to that water.

CONNELL: I don't think that's what is being said.

YAMABE: We don't know until they respond.

CONNELL: Isn't it a general practice that when water supply is brought into an area, the property owner is expected to tap onto that water for domestic purposes but still have use of their own private system for irrigation or whatever?

YAMABE: As I said, based on information I see no problem, but since there've been no responses yet, we haven't communicated with them, I don't know what they might come up with. I doubt it, but I sure would like to consider that.

DIRECTOR: Okay.

BRIGHT: Mr. Chairman, I move that we accept the Director's recommendations subject to modification of Item No. one, which is the removal of Buildings 12, 16, and 18. The motion is that we accept the Director's recommendations, but that in the event Buildings 12, 16, and 18 must be eliminated or have to be eliminated, that the same density requested by the developer be approved and that any modifications of the project be subject to the Director's approval.

YAMABE: For purposes of discussion, I'll second the motion. Bob, do you think that's possible?

DIRECTOR: Yes, that's possible, but I think that there would have to be some changes in some building type in order to achieve that density. It seems to me that's the key issue here. Another point, what I think I understood what Mr. Stark was saying was that if it was not possible to construct these buildings, that they would not change the density, that simply they would agree to their deletion if it was found to be unfeasible, in which case, you wouldn't have to change the building types or modify the site plan very extensively, simply take out the buildings and provide open space in their place. There was a thought that that would be a more reasonable approach to the question of the site plan itself. I would find that quite acceptable.

CONNELL: Following through on Commissioner Bright's motion, doesn't this really give the developer both options that may prove to be more

economical, simply to forget the three buildings rather than go through replanning and redesigning and possibly increasing building costs, so we are giving him both options, on the density?

YAMABE: Mr. Chairman, I think we should give the developer this flexibility, but at the same time, I didn't want to tie the director down to a certain number and not give him any flexibility. As I understand the motion correctly, you are amending to approve on the basis of the present density. Now, if that is possible, fine. If it isn't, I would like to give both parties flexibility.

DIRECTOR: That's my understanding that, as I pointed out, I think that approach, if it's found that these buildings are not feasible of development, would cause a rather substantial change, I think, in the site plan and possibly in the building types in order to accommodate that number; that is, if we are stuck, if the number is agreed as 115, we would have to find a place for them, then I think we would have to find other building types to fit them in and we have a sort of substantial adjustment of the site plan. Maybe, that the Commission is then wanting to relinquish too much review prerogative, in that case.

CONNELL: It would be possible to fall under the area of modification and your hands really would not be tied because you have final approval on that.

DIRECTOR: To a degree, to approach that sort of understanding, final approval, but not recommending the density of 115 units. In other words, don't stick us for that one.

YAMABE: Because it does become a problem for both parties, you know, to require the developer to come in and change the whole plan. I assume that he expended some funds and this may become a very costly item and it might not be possible for him to do it economically, and at the same time, I don't want to jeopardize the health, hazard, and safety of the people, simply because you're mandated, although our mandate probably don't mean a thing.

CONNELL: But the density we are talking about is well within the scope of the PD in this general area. I would imagine that if there is any possibility of design that causes ill health and welfare of the people, the Planning Department, the Board of Health, the Public Works Department, etc., would take care of them.

SULLAM: I have no objection to the motion, but any great change in the design, at that time, I do think that it should come back to us again. I certainly don't want to give approval to something that I don't see. I think it should be placed in such a way that it comes back to us if there are major changes.

YAMABE: Actually, it gives both parties flexibility to the problem.

BRIGHT: I think that in the final review, he, as the Director, in any plan that require a major modification, requiring major changes in the site plan, I think, at that point, perhaps, it should be reviewed

again, but I can't see where there's going to be any major changes in this plan.

YAMABE: Roy, are you willing to amend your motion to not mandating the Director to consider that the full 115 units, but to give both parties flexibility?

BRIGHT: I've been trying to figure out how to rephrase that. I think that the Director should be given the authority to modify the site plan and the number of units, as required, in order to meet the developer's desire for maximum units at the location where it would stand--up to a maximum of 115 units. We just change the wording to "up to a maximum of 115 units". That should cover it.

YAMABE: The second accepts the amendment. One question, Mr. Chairman. It was indicated earlier by the staff that this flooding situation, where the runoff that was part of the condition, that this does not take place, that they would have to submit an engineer's report or something?

CONNELL: There were two additional conditions.

DIRECTOR: Yes, the Department of Public Works, before final approval would be given by them, would require construction drawings to show the whole picture of the drainage for the area.

CONNELL: Those are part of your recommendations now?

DIRECTOR: Yes.

YAMABE: May I make a request of the staff? Bob, would it be possible for you--this is the first time I have been shown this new State Land Use Commission boundary and it takes in the whole valley. Now, there's always the possibility you would be getting a flood of applications--if you have the time, if you could take time to examine the area as to what approach we would apply to have an orderly development, considering all the constraints in that area.

DIRECTOR: Yes, I might comment that this has been an area of our particular concern in Kahaluu, and fortunately, much of the area even though zoned in urban classification is actually still in agricultural designation on our zoning, and as you can see, on the GP as well. There has been some applications, as a matter of fact, come in, several of them, fairly small parcels, which we have not moved on those with great vigor because it is a rather major change and we want to look at it in that context.

YAMABE: I think there are a few parcels that are similar to this parcel here where it is already zoned and I recognize that in already zoned areas, we do have a problem, you know, they can go ahead and build on it. The immediate consideration would be the already zoned areas where you might consider development to come in or if you feel that would be detrimental to the overall development, might consider even changing the zoning. These are some of the considerations. The other areas in agriculture, I think, we still have a holding option.

DIRECTOR: Yes.

CONNELL: You heard the motion as amended. All those in favor signify by raising your right hand? Those opposed? Carried.

(MOTION: We accept the Director's recommendations, but that in the event Buildings 12, 16, and 18 must be eliminated, the same density requested by the developer be approved up to a maximum of 115 units, and that any modifications of the project be subject to the Director's approval.)

AYES: Bright, Yamabe, Kamiya, Sullam, Connell;
NAYS: None;
ABSENT: Crane, Kahawaiolaa.

STREET NAMES: The Commission recommended adoption of the following street names upon the motion by Mrs. Sullam, seconded by Mr. Kamiya and carried:

1. Waiau-Kai Subdivision, Phase II, Waiau, Ewa, Oahu, Hawaii:

KAMAHAO STREET	Roadway connecting Noelani Street and Hoohulu Street.
Meaning:	Wonderful.
KAMAHAO PLACE	Cul-de-sac off Kamahao Street.
KOAHEAHE STREET	Roadway connecting Noelani Street and Kamahao Street.
Meaning:	Blowing gently, as the wind.

2. Kalihi Valley View Lots Subdivision, Kalihi, Honolulu, Oahu, Hawaii:

UKIUKI PLACE	Dead-end roadway off Kalihi Street, mauka of Paoali Street.
Meaning:	Native Hawaiian Lily.

MISCELLANEOUS: An announcement was made by the Chairman that starting with the May 16, 1973, meeting, all Planning Commission meetings will begin at 1:30 p.m., instead of 2:00 p.m.

ADJOURNMENT: The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Carole A. Kamishima
Carole A. Kamishima
Secretary-Reporter

File Copy

Meeting of the Planning Commission
Minutes
May 16, 1973

The Planning Commission held a meeting on Wednesday, May 16, 1973 at 1:35 p.m., in the Conference Room of the City Hall Annex. Chairman Eugene B. Connell presided.

PRESENT:
Eugene B. Connell, Chairman
Roy R. Bright
James D. Crane
Randall Kamiya
Fredda Sullam
Thomas N. Yamabe II

STAFF PRESENT:
Robert R. Way, Planning Director
John Grant, Deputy Corporation Counsel
Jack Gilliam, Branch Head, Development Controls Branch
Tosh Hosoda, Staff Planner
Edmund Young, Observer

ABSENT:
Antone J. Kahawaiolaa

PUBLIC HEARING
ZONING CHANGE
R-6 RESIDENTIAL TO
A-4 APARTMENT DIST.
MAKIKI
HAWAII BAPTIST
CONVENTION
(FILE #72/Z-36)

Before proceeding with the hearing, Mr. Bright disqualified himself from any participation because he owns, in Joint Tenancy, Apartment #1007 at 1702 Kewalo Street. He is the Director of the Owners Association. He filed a Conflict of Interest Statement for submission to the Mayor.

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 located on Mott-Smith Drive, makai of Nehoa, Tax Map Key: 2-4-29: 44 and 45.

Publication was made May 6, 1973 in the Sunday Star Bulletin/Advertiser. Letters received both in FAVOR and AGAINST the request are included in public testimony FOR and AGAINST the proposal.

Mr. Tosh Hosoda presented the Director's report of the proposal. The site of Hawaii Baptist Academy lies adjacent to the subject parcels on the Diamond Head side and within the A-4 High Density Apartment zoning district. The applicant, Hawaii Baptist Convention, is the owner of this site as well as the subject two parcels on Mott-Smith Drive. The Hawaii Baptist Academy property contains 94,315 square feet and is presently zoned A-4. The subject two parcels contain 18,728 square feet and are zoned R-6. The applicant is seeking a change in zoning of the latter parcels to permit consolidation of both areas into one large apartment development with a combined lot area of 113,043 square feet. The applicant has submitted development

plans for a high-rise apartment tower of approximately 30 stories for the center of the site with parking and accessory uses on the lower levels and three vehicular access points.

The Director's recommendation is for approval.

Questioned by the Commission, the following additional information was given:

1. The buffer proposed by the City Council is the one block strip on the makai side of Nehoa Street.

2. The proposed widening of Mott-Smith Drive from a 40-foot right-of way to a 56-foot right-of-way is not known inasmuch as there are no funds projected in the CIP for the proposed widening.

3. Inadequate streets in the area as indicated by the Traffic Department are Liholiho, Poki, and Anapuni Streets.

Public testimony followed.

Testimony AGAINST--

1. Mr. Mark Briggs, representing the Manoa Valley Community Assn., 1975 Ualakaa Street, Honolulu (Letter received May 15, 1973)
2. Mr. M. J. Coy, representing the Association of Apartment Owners of Hale-o-Kalani Towers, 1702 Kewalo Street ((Letter dated May 16, 1973)
3. Mr. Elroy Chinn, Property Owner, 1669 Mott-Smith Drive (Submitted Petition dated May 15, 1973 containing 43 signatures)
4. Morton E. Berk, M.D., Property Owner, 2177 Mott-Smith Drive (Submitted testimony dated May 16, 1973)
5. Mr. Melvin Maunu, Student, Roosevelt High School, 2210 Anianiku Street (Submitted testimony, undated)
6. Mr. Guy Kitagawa, Student, Roosevelt High School, 980-C Prospect Street (Submitted testimony dated May 16, 1973)
7. Marilyn Bornhorst, President of the Makiki Community Association 1525 Oneele Place (Submitted testimony dated May 16, 1973)
8. Mr. P. F. Leong, Property Owner, 1736 Lewalani Street, Honolulu
9. Amy Carole, Resident, 1310 Heulu Street, Honolulu
10. Miss Gertrude Humphries, Makiki Resident
11. Mr. Roy Siu, Resident, 1716 Mott-Smith Drive, Honolulu
12. Mr. Willis H. Moore, 1400-905 Pensacola Street, Honolulu

OBJECTIONS:

1. The overwhelming desire of the Makiki community is to put a stop to high rise apartments above Wilder Avenue in general.

2. The proposed structure is too high, too wide, will be a blight on the landscape, will obstruct views, will have a height equal to the junction of Mott-Smith Drive and Makiki Round Top, will

be in direct contravention to the buffer zone presently under consideration by the City Council to the detriment of private home owners in the area, and be completely out of proportion in upper Makiki.

The City Council just voted a 40-foot buffer zone along Nehoa right next to this property. It doesn't make sense to allow 350 feet right next to a 40foot buffer zone.

3. The Baptist Convention proposal is to acquire enough A-4 ground space to put up not one but two 35-story towers.

4. Traffic - The Baptist Convention proposal has been to utilize the Mott-Smith residential lots as a traffic outlet for the highrise apartments. Testimony by Baptist Representatives indicate business firms are to be included in the guise of apartment services. The additional 400 plus apartments will also multiply the present traffic congestion into one holy mess.

   Access to the Hawaii Baptist Academy property will be provided by Heulu Street, Mott-Smith Drive and Liholiho Street. Of these three, Liholiho Street is particularly inadequate to handle increased traffic. It is presently paved to 24 feet in width and, with one lane of on-street parking, is barely wide enough to handle two lanes of moving vehicles. Compounding the present problem are two high-rise condominiums under construction which will have Liholiho Street as their only access.

   The existing situation is poor. Increased traffic from the additional 70 units will aggravate the situation even more. It will be hazardous to many young children traversing Nehoa, Mott-Smith, Lewalani, and Piikoi Streets on their way to school.

5. Residents to pay for costs if streets are widened, due to traffic - The traffic report on the DLUM for Makiki last year was that the streets would be adequate for A-4 zoning only after several streets were widened. So far this hasn't happened. The City has no money set aside for widening. Further, in the case of this particular Mott-Smith-Clio Street area, the residents are concerned that the extra traffic generated by this high rise would demand an improvement district for street widening that the other residents would have to pay for. Among the couple of dozen lots in the neighborhood, the Baptists would have to pay a disproportionately low share even though they generated most of the traffic.

6. Increased on-street parking problems - There are already a number of cars being parked on the streets because of the heavy density of apartments in the area. In addition, the parking spaces that are available for the faculty and the students at Roosevelt High School will be diminished by the number of cars that will be parked there by the occupants of the church's building.

7. The noise generated by the construction of the proposed high rise will affect the teaching of students in the surrounding schools. Adjoining residential areas will also be affected by the construction noise.

8. Increased air pollution will result from auto fumes. Greeneries that help to keep air clean will be destroyed.

9. Population increase in Makiki - The area of Makiki bounded by Punahou Street, Wilder Avenue, Pensacola Street, and Nehoa Street comprises Census Tracts 34.01 and 34.02. In this area of slightly less than one-third square mile, per the 1970 Census, live 10,646 persons and 5,024 automobiles. On a square mile basis, the population density in 1970 was approximately 34,000 persons per square mile. According to the San Francisco Chronicle, this district is the most densely populated in the United States.

   Three additional high-rise complexes have been completed in this district since 1970, and three more are presently under construction. With the addition of the Hawaii Baptist Convention project, population density is continuing to increase and will far exceed the designed capability of streets. The larger question is the population density proposed for Makiki under the 1964 General Plan. Consideration should be given to existing compact living conditions before allowing these conditions to accelerate.

10. Information obtained from the Sewers Division was that the sewer capacity has never been projected for how much would be needed if the area were built to its fully zoned potential. Consideration is given to each project as the request comes in and it is just too bad about the highrise that comes in next year after this one goes up.

11. The danger from fire in high rises has been demonstrated during the last year by tragic fires on the mainland. The highest fire ladders here are only 100 feet. Streets surrounding this project are narrow and the fire trucks would have trouble getting in. The last legislature failed to pass a high rise safety law. The City should not issue any more building permits until new regulations are written into the law.

12. The idea to eliminate urban sprawl is recognized; however, the luxury, super high rises are not the type of housing that meets existing housing needs. These expensive units are for speculation, not living.

13. The Comprehensive Zoning Code which was intended to implement the General Plan has failed in some areas. The CZC Land Use Intensity Scale permits densities exceeding those prescribed in the General Plan.

Before receiving testimony in support of the request, Mr. James Dwight of the Traffic Department was called upon and questioned by the Commission.

CRANE: In your report on this project, it says certain streets in that vicinity were inadequate. My basic question is, is it the flow of traffic or is it parking? Every witness that's been here this afternoon brings up one of the primary reasons is on-street parking. I wonder which streets are inadequate, how inadequate they are, what's your opinion of how we're going to help this inadequacy by approving the additional 70 units.

DWIGHT: Well actually, the narrow street would be Liholiho and Mott-Smith. Mott-Smith does not support parking now. Liholiho does.

CRANE: The three streets we're discussing right now are inadequate. Is that correct?

DWIGHT: Inadequate with parking.

CRANE: People park there.

DWIGHT: Right. They're parking on them now.

CRANE: So, they are inadequate.

DWIGHT: With parking. It could be alleviated if parking were removed.

CHAIRMAN: Some concern was raised about getting fire equipment up Liholiho in the evening when there is parking.

CRANE: Mr. Chairman, what we're talking about here, I don't know if we have to address it to the Traffic Department. As has been stated here, there are two new apartments, one right on Liholiho. It doesn't have a resident in it at this time. Its a massive operation. They're going to fill it with people very soon. They're going to have automobiles. They're going to put them on the street. So, its not just access for fire equipment to this particular property. They're talking about up and down Liholiho. What I'm concerned about here is if we've got two out of three streets being served now that are definitely inadequate, I don't know what we're doing when we're talking about congesting them more. Its not just access to one piece of property.

SULLAM: When we say these streets are inadequate, in what way do we mean they're inadequate? Is this because of the fire equipment not being able to get to the apartment houses, or is it just because there just won't be enough parking?

DWIGHT: I believe fire equipment can get to the parcel actually. Under emergency situations, people will pull out and give room to the emergency equipment.

What a road like Liholiho doesn't allow is a free flow of traffic when the two sides are full of parked cars. Like I say, this could possibly be remedied by removing parking.

The other streets seem to be quite adequate. They are quite wide. Even though they are parked on, it still has free flow for cars. If its emergency vehicles, I imagine they could get in from that access. Mott-Smith has no parking on it anyhow so its got a free flow of traffic.

CHAIRMAN: In terms of CIP, what part is the Traffic Department recommending widening of roads in the time schedule?

DWIGHT: Actually, we request the Public Works Department to widen streets as the demand shows itself. We requested, and I do believe, plans have been drawn for the widening of Nehoa. Some of the lesser streets, I don't think have them. We also have requested to widen Wilder. This depends upon the financing situation that Public Works is able to provide.

CHAIRMAN: Those are not in the present six-year CIP.

DWIGHT: No, they are not. That's right. But, there's no reason why it couldn't be moved up.

CHAIRMAN: Especially if there's the demand.

DWIGHT: Right.

(There were no further questions of Mr. Dwight.)

Testimony in SUPPORT--

1. Mr. Edmond Walker representing the Hawaii Baptist Convention, 1224 Kewalo Street, Honolulu
2. Mr. Don Chapman, Project Architect (Testimony dated May 16, 1973)
3. Mrs. Walter Arasato (Submitted letter dated May 15, 1973)
4. Maurine King, Resident, 1239 Nehoa Street, Honolulu (Submitted testimony dated May 15, 1973)
5. Miss Cheryl Hashimoto, President, Student Government, Hawaii Baptist Academy (Submitted letter dated May 16, 1973)
6. Mr. Kenneth C. Char, Resident, 1111 Clio Street, Honolulu
7. Mr. Dan H. Kong, Vice-President-Development Director, Hawaii Baptist Academy (Submitted letter dated May 16, 1973)
8. Letter dated May 14, 1973 from Mr. David Raney, Executive Committee, Sierra Club, Hawaii Chapter
9. Letter dated May 16, 1973 from Mr. Richard T. F. Lum, Resident and Realtor
10. Letter dated May 15, 1973 from Mr. Dan Liu, Chairman, Capital Fund Campaign, Hawaii Baptist Academy
11. Letter dated May 15, 1973 from Mr. Malcolm W. Stuart, Makiki Resident
12. Letter dated May 14, 1973 from Mr. Mori Hiratani, Chairman, Hawaii Baptist School Committee
13. Letter dated May 14, 1973 from Mr. Allen Au, President, Hawaii Baptist Convention
14. Letter dated May 15, 1973 from H. R. Tatum, Pastor, Central Baptist Church, 1217 Nehoa Street, Honolulu

15. Letter dated May 16, 1973 from Mr. Stanley A. Sagert, President Baptist Academy, 2850 Paa Street, Honolulu

Reasons in SUPPORT--

1. The project has been well planned and will be an asset to the community rather than a hinderance.

2. There is an increasing need for housing in this part of Honolulu, and the Baptist plans for the development of this property will not only meet this need, but will enhance the beauty of Makiki, as well as the property values of every property owner in Makiki.

3. One of the main considerations in the proposal was that the developer assure maximum open space, and that the quality of living of the condominium owners be the highest possible.

4. Recreational areas will be provided in the project. This will keep children who will be living there off the streets.

5. Education is vitally important and at Hawaii Baptist Academy, the qualities of good citizenship are being instilled in its students. The rezoning will help to support the school and its future expansion.

6. The egress and ingress of the proposed apartment from Mott-Smith, Heulu, Kewalo and Liholiho will make the traffic problem of minimal consideration, as compared with so many other similar projects.

7. The site is part of the area makai of Nehoa Street that was master planned for A-4 apartment use after extensive studies were made to determine highest and best use of residential lands within the city limits of Honolulu.

8. Because of increasingly great demands for housing in Honolulu during the past few years, real estate values have soared to enormous heights and is now a major concern for home seekers. Obviously, the only practical way to meet the demands and keep prices of real estate within a more realistic range would be to increase the supply of living units especially in areas convenient to schools, churches, recreational and shopping facilities. The Makiki district meets all these requirements.

9. Many high rise buildings in close proximity to the subject sites are not in existence and any proposed development within the area should not blight the landscape nor obstruct the view from the upper areas any more than the present time.

10. The proposed development of the school property will envision substantial open spaces and well-landscaped grounds which should be an asset to the immediate area.

11. A substantial increase in tax revenues will be realized from the proposed development.

12. Development of this site will primarily enhance the financial position of the Hawaii Baptist Academy, which is an educational institution in existence for many years. The school is planning for expansion and better facilities to keep abreast of its increasing enrollment since moving into the new campus in Nuuanu Valley. It is therefore urgent that the much needed financing for the new facilities be realized and the only source will be from the development of the old school property.

13. Honolulu cannot afford to remain strictly a low-rise residential area. We are faced with the fact that the only alternative to low-rise urban sprawl into many remaining undeveloped lands is to consolidate higher density into certain designated areas. The Makiki area in question is designated high density on the DLUM.

14. Higher density developments under the constraints of the CZC provide a more habitable space than that provided by many earlier developments built without regard for adequate off-street parking, recreational space and the basic amenities of light and air.

15. A-4 zoning dictates consolidation of smaller lots into larger parcels. This the Hawaii Baptist Convention has done.

16. The proposal is not a new element foreign to the area. The proposed structure will not stand alone. The Camelot directly makai of this project on Liholiho Street is 23 stories in height. There are already four structures in the vicinity that are 20 to 23 stories high and approximately 25 mauka of Wilder Avenue that exceed four stories.

17. The bulk of the property for development owned by the Hawaii Baptist Convention is zoned A-4 and is of sufficient area and shape to support an apartment structure reaching the 350-foot height limit. As shown on the drawings, the tower is located 40 feet in from the rear property line of the subject Mott-Smith lots. This means that with, or without, the rezoning of these two lots, the location and height of the tower will still conform to the CZC.

18. Rezoning does allow the developer more units than without it. However, the low parking structure - approximately 16 feet high - with its 40-foot landscaped setback from Mott-Smith is a far superior buffer than that provided by the proposed A-2 buffer on the makai side of Nehoa. The proposed Nehoa Buffer will allow a 40-foot high structure with a 10-foot front yard setback. On the proposed apartment, the tower is set back 190 feet from Mott-Smith.

Mr. Don Chapman, Project Architect, was questioned by the Director.

WAY: In terms of the floor area, does this project, presently conceived in design, envision the use of the maximum floor area under the A-4?

CHAPMAN: As far as the living units go, we are going to the maximum CZC. However, on the open space, the recreation space, we are quite over. Our parking is over.

WAY: In connection with the parking, what is the relationship in terms of parking spaces?

CHAPMAN: We have 1.7. I think it requires 1.2.

WAY: What also is the amount for visitor parking which is contemplated?

CHAPMAN: That's all visitor parking (referring to plan) off of Mott-Smith. The main entrance is from Mott-Smith for visitor parking. It is also an entrance to one of the parking decks. The other two parking areas enter from the other side of the project.

WAY: What's the rough distribution of unit types of sizes in the project--one bedroom, two bedroom and so forth?

CHAPMAN: The first floor--there are 14 units per floor--has eight one-bedroom units that range from about 657-663. There are two two-bedroom units of 900 feet, two two-bedrooms of 890 feet, one two-bedroom unit of 939 square feet, and one three-bedroom unit of about 1100 square feet.

WAY: What would be the approximate range of price for the various units?

CHAPMAN: The total sales price runs from about $40,000 to about $80,000. That's what they're trying for.

(There were no further questions of Mr. Chapman.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Crane, seconded by Mrs. Sullam and carried.

MOTION: Mrs. Sullam moved to accept the Director's recommendation for approval, with the following addition: "That the Council make note when they review the General Plan to take into consideration the problems that were presented such as view planes and density. Perhaps if necessary, alter the buffer zone so that we do have the best possible visual situation. There is quite a large difference permitted in A-2 and A-4. Perhaps that should be looked into."

Mr. Kamiya seconded the motion.

Discussion followed.

Commissioner Crane spoke AGAINST the motion. His major concern is the existing on-street parking problems and inadequate, congested streets both of which will be compounded by recommending approval of the request. Despite the fact that the applicant may be able to obtain 350+ units under the existing zoning, he saw no need to add another 70 units. He was not satisfied with the Traffic Department's report as to the adequacy of traffic facilities. On various occasions in Makiki, he encountered parking problems, and the congested roadways because of on-street parking are very evident.

Commissioner Sullam felt that by enforcing density, the mass transit system might become more viable.

The motion failed to carry.

AYES - Kamiya, Sullam
NAYES - Crane
ABSTAINED - Connell, Yamabe
ABSENT - Bright (conflict of interest), Kahawaiolaa

MOTION: Mr. Crane moved to recommend that the request be DENIED.

The motion died for lack of a second.

MOTION: Mrs. Sullam moved that the Commission submit NO RECOMMENDATION.

The motion failed for lack of a second.

MOTION: Mr. Yamabe moved to ACCEPT THE DIRECTOR'S RECOMMENDATION FOR APPROVAL.

The motion died for lack of a second.

MOTION: The matter was DEFERRED FOR ONE WEEK, on motion by Mr. Yamabe, seconded by Mr. Kamiya and carried. Mr. Crane dissented.

AYES - Connell, Kamiya, Sullam, Yamabe
NAYES - Crane
ABSENT - Bright (conflict of interest), Kahawaiolaa

✓ Miscellaneous

PUBLIC HEARING AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU (CZC) RELATING TO REQUIRE- (cont.)

A public hearing was held to consider an amendment to Chapter 21, Revised Ordinances of Honolulu (Comprehensive Zoning Code) relating to a requirement of providing dwellings for families of low and moderate

(cont.)
MENT OF PROVIDING DWELLINGS FOR LOW AND MODERATE INCOME

income.

Publication was made May 6, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Mr. Jack Gilliam of the staff presented the Director report. The amendment if approved, will require most planned development projects to provide 15 percent of the dwelling units therein to be set aside for families of low and moderate incomes. Exempted from the requirements are applications which have less than 100 dwelling units. Although 16 of the 38 applications which have been approved or are presently pending contained less than 100 dwelling units, and would have been exempted, these applications accounted for only 8 percent of the total dwellings in the planned development applications.

The Planning Department has received some comments on the proposed ordinance which request that it be modified by adding some type of buy-back provisions to ensure reasonable retention to the fixed price units and to delete the mandatory referral of all planned development applications to the specific housing agencies. The Planning Director concurs with these suggestions.

There were no questions of the staff regarding the Director's report.

Testimony AGAINST--

1. Mr. Lewis Ingleson, Architect

I am testifying against the proposed ordinance that would amend the Comprehensive Zoning Code in order to provide low-cost dwelling units in Planned Developments. I dislike taking a position against low-cost housing inasmuch as my social consciousness leads me to favor the intent of the bill. However, my concern is with the details of the bill, not the intent.

Since the passage of the Comprehensive Zoning Code, I have been deeply involved in the planning and design of a number of Planned Developments. I have watched the process evolve from a relatively simple application to a more complicated and time consuming effort. In the beginning, developers were attracted to the concept of Planned Development because it offered an opportunity to develop some lands that were nearly useless, to reduce development costs, to provide a greater level of living amenities as well as the obvious density bonus. However, as time passed, Planned Development seemed to be less and less attractive, despite density bonuses, due to costly delays and, in some cases, thoughtless public opposition. Planned Developments simply became more difficult to do than subdivisions or cluster developments.

Many planners have spoken in favor of the concept of the residential Planned Development. Public officials and others have joined in the chorus. However, the proposed ordinance puts yet another

stumbling block in the way of Planned Development processing. If so many are in agreement that Planned Development is the best way of developing residential land, why is the process made so difficult? A subdivision can be processed in less than half the time of a Planned Development without any concern for public opposition and possible denial of the application. The same is nearly true of a cluster. However, the Planned Development process is fraught with uncertainty from beginning to end. To add the burden of adding low-cost units to Planned Developments alone simply makes less attractive a planning approach that many have agreed is, or should be, the most attractive.

In addition, I am concerned that the definition of a low-cost unit being based on current HUD Guidelines will add to the actual construction cost. The strict interpretation of such guidelines could render many otherwise usable sites unusable for Planned Development, as well as escalating the cost of site development and house construction. Since the burden of the added cost of the "low-cost" units will fall upon the remaining units in a given project, the gap between the "haves" and "have nots" may be widened, while the so-called "gap group" will still go begging for housing.

Providing low-cost units in all Planned Development projects raises serious questions. Should such units be provided in luxury townhouse condominium built adjacent to a golf course? Will the occupants of such units be truly integrated into their community? Should such units be provided in isolated or second-home Planned Developments far from transportation, health and social services? Will the advantages of living in such a community outweigh the financial burden that may be imposed?

Since the proposed bill does not specify qualifications for buyers of the low-cost units and does not provide a "buy-back" or restricted resale clause, there appears to be a golden opportunity for handsome profits by first buyers and no assurance that the "low-cost" units would not soon reach market prices.

It is for the above reasons that I must oppose the proposed bill. I propose that it be amended to include all residential developments (subdivisions, clusters, apartments) rather than just Planned Developments. I propose that limits be placed on the location of Planned Developments required to have low-cost units and that projects that may cause social difficulties for owners of low-cost units be exempted. In addition, the bill should be amended to provide qualifications for buyers as well as re-sale restrictions in order to stop speculation and inflation.

2. Mr. James M. Higa, Home Builders Association of Hawaii (Submitted letter dated May 16, 1973)

Regarding the proposed ordinance, we would like to offer a few general comments on legislating low income housing, which is

the presumed reason for this ordinance.

a. We have noted in this ordinance, an effort to throw the burden of correcting problems of housing distribution solely on the head of the new homebuyer. Obviously, the developer will allocate the cost normally attributable to the 15 per cent to the remaining 85 per cent of the units. Therefore, the 85 per cent must subsidize the 15 per cent. Accordingly, it means increasing the sales price to absorb the cost normally allocable to the 15 per cent. Again, higher cost housing.

b. We have also noted, recently, an increasing tendency to look to non-market solutions to problems that are, essentially, created by market action. As long as we operate in a Capitalistic environment, such solutions will be limited and short term, as the market place will work its way around these impediments. Short of a drastic change in our whole economic system, any lasting solution to housing distribution has to be worked out by bringing market force to work in a positive way. It is not a secret that the major cause of rising housing costs is the increased price of a building site, which in turn is caused by excess of demand over supply. The solution to the housing crisis lies in getting supply and demand back in balance.

We do not think that this proposed ordinance will work. It is questionable that the units will actually get to low and middle income families, for which they are intended, and how many of those that do get into the right hands will stay there after the first sale.

We find it difficult to believe that low income units on, say, Hawaii Loa Ridge would be good planning and in the best interests of the community. We call to your attention the fact that past experiments in trying to force an economic mix of housing on the community have been short lived and noticeably unsuccessful.

The proposed ordinance would tend to discourage the use of the Planned Development especially those of over 100 units, at a time when use of this method of subdivision should be encouraged. In other words, the proposed ordinance would tend to promote development of 99 units or less.

Studies should be given to the mixing of people insofar as it pertains to the social aspects thereof. It might have a tremendous negative marketing effect, but it could have a more damaging effect to the poor misplaced person.

To obtain more low income housing, we offer a number of positive and effective steps that the City can take. Here are a few:

Amend the CZC to provide the following:

a. The building of duplexes on single family lots. This single action would bring more desirable housing located in areas of greatest need faster, and at a lower cost to the community than any other feasible single action we can think of.

While argument can be made that such action will create planning problems, most such problems could be solved by careful qualitative phrasing of a new ordinance.

b. Allow the use of apartments above the first floor in all B-2 Districts. Most European and mainland cities have discovered this. Why not Honolulu?

c. A solution has to be found to the problems created by Sec. 21-506. The community cannot afford to bypass building sites because they do not conform to all present standards for subdivisions.

3. Mr. Leonard C. Moffitt, Executive Director, Windward Regional Council (Submitted letter dated May 16, 1973)

The overall objective of this revision--to provide more low cost housing--is most laudable. Indeed, it falls into the for-motherhood category; no one can oppose its intent. Unfortunately however, the means for achieving that laudable objective appear less certain and hence more questionable.

Those of us, who strongly support the use of Planned Unit Developments and hope the PDs mechanism will eventually replace traditional zoning and subdivision procedures, wonder whether this provision might not delay achieving a far greater use of PDs. Certainly we are aware that the objection to new PDs often voiced by local people is the lack of housing for lower income families. But, will this CZC revision really do the job--given its necessary allowance for exemptions?

The social reasonability of putting low income families in a PD with, say, $100,000 units is probably absurd. But what price units would workably allow the intermixing of lower income families? The general price of PD units may already exceed the level where mixing is socially practical. If so, then this approach is doomed to frustration. It could be a shibai, useful mostly for political mileage.

And, that raises our major concern. Do we now actually know enough about the social dynamics of this well intented legislation to effectively evaluate its likely social costs and benefits? If that information is known, it has yet to be given adequate public awareness. Until we can perform this evaluation reasonably well, it seems premature to enact this code revision--no matter how strongly I or any of us might support its worthy objective.

We believe, therefore, that a thorough study by a competent social scientist is called for first.

4. Mr. Richard R. Hughes, President, Consulting Engineers Council of Hawaii (Submitted letter dated May 16, 1973)

   It is the understanding of the Council that the proposed amendment forces the developer to allocate his costs so that 85% of the development will have to subsidize the 15% lower priced units on all planned developments. In the opinion of our organization, this amendment would appear to be unequitable.

   The Consulting Engineers Council of Hawaii therefore recommends the following:

   a. Follow the present procedures where the Planning Department analyzes each PDH application to determine if 15% of lower priced units would be feasible and compatible for that particular development.

   b. Less stringent requirements on the 15% lower priced units so that the additional costs that have to be subsidized can be minimized.

Testimony FOR--

1. Letter dated May 11, 1973 from Mrs. Mark H. Hastert, President, League of Women Voters, presented by Mrs. Adeline Schutz

   The LWV supports the proposal to require that planned developments include low and moderate income housing as one of the methods to assist in relieving the housing crisis. They recommend the following:

   a. Include appropriate "buy-back" provisions for the low and moderate income housing to curb speculation.
   b. Elaborate guidelines and interpretations on "project feasibility" (Section 21-1004(b)(9)(1)) to guard against excluding low and moderate income housing in most planned developments.

2. Letter dated April 24, 1973 from Mr. Yoshio Yanagawa, Executive Director, Hawaii Housing Authority, State of Hawaii

   They "have reviewed the proposed ordinance and find, from our standpoint, that it would be generally workable and helpful in providing units for low and moderate income families."

3. Mrs. Pat Shutt, Chairman, People's Housing Coalition (Testimony dated May 16, 1973)

   Their comments on the proposed ordinance are as follows:

a. They request that the percentage of low and moderate income units be raised from 15% to 30%. They feel this is entirely reasonable when approximately 60% to 70% of the population cannot qualify for a conventional mortgage loan in today's market.

b. They would favor the ordinance being amended to include standard subdivisions and not be limited to planned development projects.

c. They are concerned that no buy-back provisions are called for and suggest that this be included to help curb the rapid increase of the speculation game. They would favor this buy-back for an indefinite length of time.

d. They are opposed to (1) under section (f) of the proposed ordinance, which deals with the modification or elimination of the requirement to provide units for low and moderate income families. This is such a broad statement that they are concerned that if left to interpretation as to what "adversely affects the projects" it could undermine the intent of the ordinance. They request that this statement be eliminated and exemptions for not complying be tied to proof of inability to finance such units.

Mrs. Shutt was questioned by the Commission.

YAMABE: You say buy-back for an indefinite time. Let's assume we establish a time for say 20 years. What do you think might happen if a person decides to sell before the 20th year and he sells it back to whomever this buy-back--

SHUTT: This would take into consideration inflation, added improvements, various increments in the cost he has actually had to put into it. So, he gets his money back. There are some places, I think, that have a reasonable--like relative to a percentage profit. We haven't been able to agree in our coalition as to whether this is a good idea or not. My own personal opinion I'll not state at this time.

SULLAM: Would you go along with having a buy-back provision for all planned development units?

SHUTT: The Housing Coalition felt that the poor should not be penalized. They should not apply only to subsidized units, in other words. They should provide that provision for all units if we're going to attempt to solve this problem. That's not a popular view I'm sure but that's what this Housing Coalition felt very strongly about, that the poor is always penalized. They get stuck with the buy-backs and the rest of us cash in.

YAMABE: That's an interesting question. Are they being penalized or are they being benefited?

SHUTT: There again you have to get into--its tax and subsidizing this, and therefore we wouldn't want them to make an increased profit so we want a buy-back clause so that we continue the supply. On the other hand, the rest of us cash in and we continue this escalation of price that is based on a very unfounded foundation as far as we're able to decide.

We've had many, many arguments. We have the League, the ILWU, Kokua Senior Citizens, the Legislative Coalition which represents 14 Welfare organizations. We have quite a broad spectrum. We cannot always reach complete agreement but this is one thing that was fairly unanimous.

YAMABE: The thought of being penalized, I would assume the basic attitude is that the profit should be made ignorant to share by it.

SHUTT: Well, or if we're going to talk the other way, we aren't all going to make excess profits. There again, what the discussion was based on was that we were limited only to those units that were subsidized. They in turn had this strict buy-back provision. If they wanted to sell and go some place else or if they finally built their equity up, the rest of us could sell for fifty thousand and they sell for ten. It just didn't seem fair to the people on this coalition. Its a problem that isn't easily solved by any means.

(There were no further questions of Mrs. Shutt.)

4. Mr. Dave Raney, representing the Community Alliance to Stop Housing Inflation (CASHIN), (Submitted testimony dated May 16, 1973)

We are testifying in favor of the proposed ordinance, with some modifications we would recommend for your consideration.

CASHIN is an alliance of individuals concerned with the runaway inflation in Hawaii's housing market, particularly as it affects our families of average income. The widely divergent affiliations of CASHIN's members makes it somewhat unique in the scope and depth of expertise it has been able to focus on the housing problem. Its members include developers, representatives of two major landholding estates, realtors, professional planners, citizen's action groups, and environmental groups. The organization was formed prior to the 1973 legislative session, and it worked toward framing and passing a variety of measures for combatting housing inflation.

One of the measures we worked on was a conditional zoning bill similar in concept to the proposed ordinance before you. Our subcommittee on conditional zoning, which reviewed this ordinance, is composed of two developers, representatives from the Bishop and Campbell estates, and representatives from Citizens for Hawaii and the Sierra Club.

We are encouraged by the recent efforts by the City and County of Honolulu to develop ordinances dealing with development issues. We are testifying today in the hope that the ordinance under consideration may be brought to bear on the problem of housing inflation.

We submit that land in Hawaii is too scarce a resource to be treated solely as a market commodity to be used as the buyer sees fit. Rather, we find it appropriate that government direct the uses to which newly zoned lands are put to assure that adequate amounts of such lands are devoted toward meeting overriding social needs - key among these being a stock of adequate, affordable housing for our citizens.

We support the ordinance before you in the belief that its intent is consistent with our position. Our suggested modifications are to increase the scope and effectiveness of the ordinance. We offer the following suggestions:

1. Broaden the scope of the ordinance to include all zoning changes for significant housing developments, rather than restricting it to only planned developments. Our concerns are twofold here. First, if efforts to create low and moderate income housing are limited to 15% of new planned development units only, then the resulting number of units for the target income groups will be quite modest relative to the need. Even if 15% of all new housing falls within the means of low and moderate income families, we would still be directing 85%, the vast majority, of our new units and the land they occupy to meeting the needs of a fortunate minority of our citizens.

   Our second concern is that developers may be deterred from attempting planned developments by the added economic and organizational constraints which would arise from the proposed ordinance. Our committee members favor the planned development over the conventional subdivision as being a more rational use of land. Despite the advantages of planned developments, some of our committee members have described a reluctance on the part of many developers to attempt a planned development, ostensibly because less risk and complexity is seen in going the subdivision route. We would urge that the ordinance provide some incentives, rather than disincentives, for developers to undertake planned developments.

2. Increase the percentage of units dedicated to the target income group. We would suggest that at least 25% of the units be affordable by people earning the median income or less. A bonus, perhaps in the form of higher densities, is suggested to encourage additional target group units above the minimum percentage stated within the ordinance.

3. Include anti-speculation provisions. The intent of this ordinance could be rapidly subverted unless anti-speculation

measures are included. Otherwise, any gap between the original sales price negotiated with a developer and the market value - which might be considerably higher-would be "raked off" by the first buyer. The new stock of low-priced housing, extracted with some sacrifice by the developer, could easily evaporate soon after it hits the market. We suggest that a buy-back provision be included with wording similar to that in section d.(i) of the proposed ordinance. A public agency could be designated as having first option on any resale - at the original sales price plus reasonable allowance for overall increases in the cost of living and for improvements to the property, or the developer could arrange a similar buy-back arrangement using private funds but subject to monitoring by a public agency. We also recommend an owner-occupancy clause for units intended for sale individually; this would exclude rental housing units.

4. Maximum sale price levels for low-moderate income dwellings should be explicitly related to income levels of the proposed recipients. Perhaps this is implicit in the provisions of section d.(iv) regarding adoption of "Guidelines for Low-Moderate Income Housing", but it is not obvious from the wording, which focusses on costs.

5. We question the use of HUD guidelines regarding qualification of low-moderate income dwellings, as proposed in section c. Some of our members feel that the HUD guidelines may be inappropriate to the Hawaiian environment and that guidelines based on local conditions would yield more optimally designed units, and avoid unnecessary costs.

6. Section f.(1) appears to offer too broad a loophole since it is quite likely that the provisions of this ordinance will have an adverse economic effect on project feasibility unless offset by some economic incentives. The wording should be changed to reflect a significant degree of adversity, e.g. "Such units would render the project infeasible".

7. The wording of section c. should be clarified to exclude non-residential Planned Development Shopping Centers.

8. Specify a time limit for comments and approvals from other departments and agencies in section b. Concurrence with the application would be assumed if no response is received within the deadline, except for those instances where certified documents are legally required.

9. Streamline the application and review process as much as possible, using concurrent applications where possible. This suggestion is to support our concern that the planned development application process not appear unnecessarily formidable.

Mr. Raney was questioned by the Commission.

YAMABE: Listening to the testimony and looking at the ordinance, I somehow feel that we're more and more relying upon government. Government has a lot to do with the socio-economic situation in this community. So, we're relying on them to solve a problem. Are we approaching this problem merely by first-aiding this housing problem? Are we getting to the core of it? Because, regardless if this type of ordinance should pass, its going to be based on the cost factor. The cost rises, a certain amount of profit would be allowed.

We have a situation here where the income may not be commensurate to the cost, particularly in the housing. It may be in some other areas. When we start getting into this area, we may find ourselves where it may be more difficult, I don't know, to build more homes. Maybe if the cost is so high, maybe we don't need this type of homes. These are all the various considerations.

We're asking government to regulate the price. This is the way I see it. Gradually, we're creeping into the area of regulating the price. Might this be a wrong approach? Should we not be attacking the problem of cost? What causes speculators to speculate? What situation exists? What causes the cost to be so high? All of us contribute to it one way or another.

RANEY: CASHIN has spent quite a bit of time to analyze that. We're in a situation of great in-balance of supply and demand. You can attack it from a number of avenues. This is one of the avenues we see. Another we proposed would be some sort of purely public urban development corporation or quasi public which would address the problem of providing housing to people who cannot do it by using public lands if necessary, and trying to get around the cost problem in that particular area.

I think we're also talking about questions of land use. Philosophically, is land a commodity or is it something of valuable recourse? You could approach it from the cost and price standpoint but you could approach it from the land use standpoint also which says this land should not be allowed to go to housing for people for such a small minority housing population. The problem right now is there is a great inbalance between the price of housing units especially for ownership, the demand for it and the supply.

I think you have to approach it from a number of areas, perhaps eliminating the speculative gains that have been possible in the past, and in a large measure we've all been able to participate in. We did suggest such things as graduated gains on property to discourage the role over of property.

Increasing the supply by dedicating more land is quite a concern particularly to the environmentalist. Low-cost housing could probably best be built on agricultural land but we feel it would be short sighted to dig into that very deeply. So, we would encourage increased densities on the land that we do have.

Its a complex problem. This is a nuts and bolts way of getting at it. We don't see it as a complete solution.

YAMABE: I think we all feel the same way. But, are we taking the right step for it or are we creating a situation where we're opening up more governmental mandatory type of regulation whether it be price or anything else, not really understanding the true problem. Are we just creeping up to some sort of a change in the whole philosophy or the enterprise system?

RANEY: Its difficult. It would appear that there's some failure in the existing system of enterprise for it to be in this condition. Maybe increased government intervention is the lesser of the evils, the same way the medical profession is facing similar issues. You get into the situation where the service you're providing becomes unaffordable by a large number of the citizens. I think that industry is open to more regulation than if it had not allowed itself to get into that situation.

I think there is a key thing. Is land a commodity and is real estate an industry to provide economic gain solely, or is it to produce a product and services to meet the needs of the citizens, and perhaps the citizens who have been residing there the longest?

YAMABE: Looking into the future, is this what we're seeking or are we seeking something else?

RANEY: I don't think we're seeking to create a tangled web. We don't see an alternative right now. I think we do have to seriously deliberate on all the peripheral aspects of what we're starting to do. I think there are constitutional issues involved. There are a lot of things that would indicate that you may not foresee all that might eventually come of it.

WAY: On your item number 5, I need a little clarification. You're talking about the HUD guidelines inappropriate to the Hawaiian environment, guidelines based on local conditions would yield more optimally designed units. Really, what we were talking about here, and what it looks like to me you're saying is--what we were talking about is qualifications on income or meeting the low-moderate requirement per family income to get into these dwellings. Yet it seems what you're talking about here has to do with the physical design of the unit.

RANEY: Here is why I got confused. To read section c., it says "Qualification as low-moderate income dwelling units shall be based upon current HUD Guidelines which stipulate minimum requirements of good design, amenities, health, safety, cost limitations, construction standards, and other standards relating to the coordinated development of each Planned Development." It sounded to me like the HUD Guidelines were in fact related to the physical construction of units rather than the income level.

WAY: That wasn't the portion that was intended to tie down to the qualification level thing.

Section c. again you say should be clarified to exclude non-residential planned development shopping centers.

RANEY: It says "An applicant for a PD-H or PD-SC shall provide within the development plan," etc. As I understand, you could have a PD-SC with no housing.

WAY: Right, that's why that's in there; or, that is to say you could have it with housing which is why that's in there.

RANEY: Yes. Some of our members thought it should be interpreted that if you came in with a PD for a shopping center, its pure and simple. This ordinance might be interpreted to mean and thou shalt provide 15% housing along with it, although in the first sentence, it says every planned development providing dwelling units.

WAY: Yes. That's what we were looking for. Its their choice to come in with or without dwellings in their PD shopping center. So, if they come in with a form that doesn't have any, we're not interested.

RANEY: It would not apply to them. Well, some of our members felt that should be stated more explicitly that it would not apply in that case.

WAY: Well okay. I think we have it covered.

Next point, time limits, just to comment. This is difficult from our standpoint--not really from the Planning Department standpoint but from the standpoint of review by public agency, extremely difficult, one we find almost impossible in certain cases to apply time limits where major technical problems are involved in the review process. Case and point, there's a stream study where there's a drainage problem attendant to a given development. I cannot in any clear and good conscious say to an engineer you have X days to report back on a stream study or this project will go ahead. Public safety is involved. I think this is a very difficult one for us. I don't see how we can at all concur with that proposal. We even find difficulties here in responding to the Land Use Commission referrals in the Planning Department. The safe thing for a government agency to do is say deny it, and we don't want to do that because we're faced with a time limit, or that an engineer will say I can't solve the problem of drainage, sewerage or whatever it is. Traffic studies are often times required of a major project.

This one is extremely difficult. Just to point out the question where I think we won't be able to respond to that one. Unless there's some way of saying here's an out. But then, why have it in the first case? Most agencies are trying their darndest to meet an early response any way. Where they can't, its because they, 99 out of 100, they've run into some serious technical problem saying that we simply need X days more or months to do a

traffic analysis, a stream study, soil, whatever the problem may be. Its like telling a doctor he's got so many minutes on the operating table.

RANEY: I think we can understand that it might not apply to all agencies. We're exploring the possibility there where it could be done to accelerate the process or reduce the uncertainty.

I'd like to make another point, environmental impact statements which are extremely crucial issues, often the commenting public bodies are only given 30 to 60 days to respond. I don't want to debate the point. Our concern here is if there is any way in which you can streamline the process and make PDs more attractive, then they should be explored.

CHAIRMAN: I think it would also be possible to place time limits on developers.

RANEY: Surprisingly enough, our committee which includes developers has subscribed to that concept, in conditional zoning testimony. They feel that's justifiable. If there's gains to be made from a particular development, it should be by doing the work and not by obtaining the zoning and land use change on the map. I don't think we'd oppose that idea.

CHAIRMAN: Well, I think its important in terms of the PDs where its taking anywhere from six months to eighteen months, the criticism is aimed at the Planning Department and other governmental agencies. But, when we look at the chronology of events, the time was often spent by the developer having difficulty getting his architect or his engineer to get a report in. There's two sides to the coin.

(There were no further questions of Mr. Raney.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

The matter was deferred for clarification of language by the staff, on motion by Mr. Yamabe, seconded by Mr. Crane and carried.

ADJOURNMENT: The meeting adjourned at 5:25 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
May 23, 1973

The Planning Commission held a meeting on Wednesday, May 23, 1973 at 1:40 p.m., in the Conference Room of the City Hall Annex. Chairman Eugene B. Connell presided.

PRESENT:
Eugene B. Connell, Chairman
Roy R. Bright
James D. Crane
Antone J. Kahawaiolaa
Randall K. Kamiya
Fredda Sullam

STAFF PRESENT:
George S. Moriguchi, Deputy Planning Director
John Grant, Deputy Corporation Counsel
Henry Eng, Staff Planner
Gerald Henniger, Staff Planner
Carl Smith, Staff Planner

ABSENT:
Thomas N. Yamabe II

MINUTES:
The minutes of April 25, and May 2, 1973 were approved as circulated, on motion by Mr. Crane, seconded by Mrs. Sullam and carried.

PUBLIC HEARING
PLANNED DEVELOPMENT
HOUSING
KAILUA
LONE STAR HAWAII, INC.
(FILE #73/PDH-2)

A public hearing was held to consider a request for a Planned Development Housing project in Kailua for 136 leasehold condominium dwelling units with estimated sales prices from $55,000 to $85,000, Tax Map Key: 4-2-02: portion of 16.

Publication was made May 13, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Staff Planner Gerald Henniger presented the report of the Director outlining the proposal. The site plan concept and proposed building types are appropriate. The proposal would restore the previously graded makai portion of the site and would require minimal grading and loss of existing vegetation on the mauka portion of the site. Access would be improved by widening Kaelepulu Drive and public refuse service would be feasible with minor changes in the plan. The mauka portion of the site would benefit from more conveniently located recreational facilities. Approval is recommended subject to the following conditions:

1. Widening of Kaelepulu Drive from the project site to Mokulua Drive.

2. Refuse collection facilities shall meet with the requirements of the Department of Public Works.

3. Provision of separate recreational facilities for the mauka portion of the site.

4. All units be connected to a public sewer.

Public testimony followed.

Testimony AGAINST--

1. Mr. Ralph Kron, Vice-President of Lanikai Association (Submitted testimony dated May 23, 1973)

The Lanikai community desires that all of Kaiwa Ridge be placed in preservation zoning as shown by our 1972 petition bearing 880 signatures and previously submitted to the Planning Commission. The reasons are to prevent compounding unresolved traffic and roadway problems, maintaining needed open space rapidly diminishing in the congested Kailua area, preventing further pollution to Kaelepulu Stream and Kailua Bay caused by construction activity, and to maintain the single family residential character of the Lanikai community.

Although total preservation is our desire, we reluctantly accept with reservations, portions of the developer's current proposal. Our position on traffic safety and security essentially remains the same as presented before the City Council on November 21, 1972, along with the other significant issues contained in our former petition.

Submitted now as Exhibit A (on file), is an updated, annotated map of the affected area for orientation purposes.

Referring to the map, it is essential to note the two areas previously denied rezoning for developments from 1965 through 1971, although, in accordance with the General Plan, they were denied due to inadequate roadways and non-conformance with the single family character of the community. (Mr. Kron read and submitted for the record, excerpts of these denials.)

It is over those same roadways that the Kaiwa Ridge traffic is now proposed to travel as endorsed both by the Traffic Department and Planning Department. In this regard, we submit these photographs as Exhibit B which portray the area of credibility showing typical good weekend traffic congestion at Kailua Beach Park near Buzz's Steak House and the Boat Ramp area.

In fairness and equity, we ask the same consideration for traffic safety be given to the Kaiwa Ridge property as was given to the property owners denied rezoning near Kailua Beach Park.

It has been rumored that the only reason Lanikai does not want Kaiwa Ridge developed is that we don't want people using "our beaches". These are not private beaches, they are public. Our concern is that

safe parking areas and comfort facilities do not exist throughout the beach area. Most surely the future residents of Kaiwa Ridge will ride rather than walk to the beach.

In constructively attempting to find ways to accommodate the inevitable development of Kaiwa Ridge, the Lanikai Association proposed at the Public Information Meeting conducted by the Planning Department on May 1, 1973 that a by-pass road be constructed on Bishop Estate land and some private land near the Mid-Pacific Country Club and Kawailoa Road.

It is understood from the Planning Department report to the Planning Commission dated May 18, 1973 that the proposed by-pass road is "probably economically unfeasible". If this is so, and considering the inadequate and unsafe roadways in-and-around Lanikai and the Kailua Beach Park area, then we propose today in the interest of traffic safety that all Kaiwa Ridge traffic be routed over Kamahele Street in Enchanted Lakes and that the Lanikai end be sealed off by constructing a townhouse on Kaiwa Ridge near the existing end of Kaelepulu Drive to serve as a permanent traffic barrier.

With regard for the above proposal, the cost of constructing a roadway across the ravine area would be defrayed by eliminating the developer's expense of widening all of Kaelepulu Drive. A roadway across the ravine is most certainly feasible from an engineering and economic standpoint in that it has been proposed by the developer and endorsed by the Planning Department in considering previous applications for development of Kaiwa Ridge.

We further propose that a right-of-way to the preservation areas be established in or adjoining the development on both the Lanikai Enchanted Lakes ends to allow unrestricted access.

Questioning of Mr. Kron followed:

CRANE: I want to thank you for your report. I have a couple of questions. What was your objection to the connector road to Lanikai, Enchanted Lakes side? I didn't get that. Will someone point that out for me on the map?

KRON: (Pointed out the connector road on the map.)

CRANE: I'm getting the idea. The purpose of this would be for relief traffic going over to Lanikai and pretty well on the other side. I understand now, and your organization objects to this?

KRON: No, the by-pass road was proposed by us to keep the bulk of the traffic from coming down into Lanikai properly and around Lanikai point, Mr. Crane.

CRANE: So you said something in your presentation, maybe I missed it that you object to a connector road from Lanikai to Enchanted Lakes

because people would be coming over to the beach and criminal elements would have an access, escape route.

KRON: Okay, this was in regard to--several times we heard that even if the fact that this proposal by the applicant goes through and is approved as is, that eventually, the residents and property owners of the development would petition the proper authorities to have the ravine road built which would make a through street from Enchanted Lakes down into the Lanikai community proper, and our reason there, it would bring untold traffic which is not controlled now and various criminal elements--we have a rather high burglary rate in the community, it makes another get away route for criminal element, vandalism, high speed traffic that is uncontrolled and that's why we do not want a connector road between Enchanted Lakes and Lanikai. In regard to civil defense purposes, people have said, what if Kaelepulu Bridge washes out? Well, the community has had a working agreement with the Country Club for many years, and in an actual emergency, we can use their service road to access out into Enchanted Lakes.

CRANE: What was your recommendation relative to a townhouse on some street, the end of it, block it off as a permanent traffic barrier? Will you point that out to me so I know which street you're talking about?

KRON: All right. (Pointed out on map.) This street right here. Naturally, it comes on through Kaelepulu so Mr. Collins has suggested that some arrangement of townhouses be put here in such a way that this road which is proposed as connecting all the way through couldn't ever be extended.

CRANE: You seem to have two basic disagreements with the proposed development. One is traffic, which you have justified very well, and the other one is you don't want to change the nature of the neighborhood.

KRON: Yes.

CRANE: You wouldn't want to tell me which one of them is first, would you?

KRON: I would say traffic is always first. The single-family character of the neighborhood would have to be second.

CRANE: Thank you.

SULLAM: You mentioned the planned development that was turned down, that it was the Traffic Department that had specified rejection. Now, did the Department of Transportation testify that the roadway was inadequate as well?

KRON: The City and County Traffic Department made a recommendation to the Planning Director who in turn turned down the request of the applicant. It never reached any State. It never even went before the Council

any of these applications. This was rather unusual but they were denied without ever getting to the Council level.

SULLAM: Usually we do ask the Department of Transportation for their opinion.

KRON: I would assume so, but, I have, excuse me, go ahead.

SULLAM: What was the opinion of the DOT?

KRON: I have no idea Mrs. Sullam. All we have is the public record here that refers to the correspondence exchanged between Mr. Way and the applicant or Mr. Way and people like Mrs. George, Councilman George, and that. I don't have any other substantiating information. I'm sure it must be available in the archives.

SULLAM: Now, I couldn't catch all the various departments that were turned down. I think there were a few of them. Could you possibly tell me how many units were going to be in each one of these developments?

KRON: I understand that the units in this--I don't have any substantiating evidence here but the units that Mr. Centeio wanted to build was perhaps 146 units, an apartment-type complex, but the applicant, Mr. Kenneth Olds, he only had 20 units, and as I said previously, it was to be a bachelor-type thing which would be limited to two adult occupants per unit, which you could eventually say there would be four adults residing there, again turned down because of the inadequate roadways. We support that. I think our pictures here support the fact that these roadways are quite inadequate because they're right across the street from where the Old's apartment would have been. There were two actual land areas and four applicants over the period from 1965 to 1971.

SULLAM: And there had been no road improvements?

KRON: None whatsoever. Pot holes are occasionally filled and that's about the most you can expect. They did go ahead, of course, and resurfaced the area where they put in the sewer line as far as Lanikai point. That was resurfaced but not the whole road.

SULLAM: I have a question of the Director. Is our General Plan revision program far enough along to have established some guidelines regarding ridges, open spaces, and where are we going to concentrate our densities as far as our new General Plan is concerned?

MORIGUCHI: As far as the General Plan revision program is concerned, we are not involved at present in amending specific DLUMs or any sections of the General Plan. We are primarily concentrating on issues relating to housing needs. Certainly, in that review, which we will be bringing to the Commission in its workshop, we quite, I think it's a matter of, a basic assumption, presumption, if you will, to stay off the ridges. We are not changing, so far, to date, in the efforts we have made on the

revision program, show nothing that says we must get up on the ridges. I think if you are referring to ridges such as Kaiwa Ridge. Certainly, all the ridges along the Koolaus and the Waianae Range, at the moment, we have no indication that we need to get into these areas.

(There were no further questions of Mr. Kron.)

2. Mr. Harvey F. Gerwig, President, Lanikai Association (Presented letter for the Lani-Kailua Outdoor Circle dated May 24, 1973)

The Lani-Kailua Outdoor Circle strongly favors preserving ridge and steeply sloping areas to prevent erosion, to preserve a natural skyline, and to provide open space.

In regard to the proposed development of Kaiwa Ridge, we are also deeply concerned about the traffic problem that will be generated in Lanikai by the increase in residences.

3. Mr. Jack O'Brien, Resident, 122 Kaelepulu Drive

"Mr. Chairman, on the two previous occasions that I testified, it was on behalf of the Lanikai Community Association, and as a resident of Kaelepulu Street, what I would like to do is concur with Mr. Kron on his analysis of the traffic death and I know of no residents on Kaelepulu Street, which is a short street, that wants to see or desires to see the roadway in front of his house torn up and widened with no material benefit to him. In other words, the more I see of traffic, the more I really and truly believe that I'm no expert on it. If a developer actually comes in next year with two or three times the capacity of cars, I know the Traffic Department would concur that the roads could handle the traffic. So, being a reasonable man, I think some place along the line we have to look at it for what it is. Mr. Kron suggested that traffic be routed out to Enchanted Lakes. All you have to do is drive. One way you can make it in five or six minutes and the other way takes anywhere from half an hour to thirty-five minutes. It all depends upon the traffic situation and it's not going to get any better. So, at least, speaking for myself from the beginning, I've always felt that Kaiwa Ridge should be kept in permanent preservation. It's been an albatross to everybody, that's tackled it. I really believe it's not going to bring in that much revenue to Kamehameha School. It's going to assure hardship on the people of Lanikai. It certainly solves no housing crisis when the minimum housing starts at $70,000. I am sure there's not going to be anything up there for $35,000, so again, I would like to recommend, myself, that it be kept in preservation, and I don't say that because I'm against the developer because I've talked to Mr. Hogan of Lone Star, he's been very fair, in fact, he seems to be very concerned about the housing crises here. I am sure that they have tried in every way to work with us but simply, Kaiwa Ridge is a natural barrier between two communities.

The Overview Report pointed out that areas such as Kaiwa Ridge should

be permanently enshrined in preservation and I am fully behind this. Thank you very much."

(There were no questions of Mr. O'Brien.)

4. Mr. Justus Mueller, Resident, 265 Kaelepulu Drive

My name is Justin Mueller. I live at 265 Kaelepulu Drive so I am not impartial in this matter. I'm one of the people who would be directly affected. I would like to go on record, very briefly, as supporting the position of the Lanikai Association and opposing this development. What we've heard today is far from the worst proposal for this area but it's also far from the best, it seems to me. In this room last year we heard Mr. Way present a proposal to place the whole ridge area except for the two makai shelves into preservation, and that I feel is what should be done first and then figure out the best way to develop those two shelves. That's all I could suggest. I feel the priorities here are such that the first priority is to place the ridge in preservation, the whole ridge except for the shelves, and then to consider how the two shelves might best be developed.

The Chairman made the following comment: "One of my concerns is that at the various public hearings we've gone through, it seems to me that we also have to look at the other side, in terms of the landowner and developer's proposal. It seems that many ideas have come up but we have yet heard them costed out by the community association which I think is also part of the responsibility for any community organization. When they make recommendations, what are the costs involved?"

5. Mr. Ted D. Hess, Resident, 1045 Koohoo Place, Lanikai

My name is Ted Hess. I live at 1045 Koohoo Place, Lanikai. I suppose I have less to say than I have to ask. I have, what I think are couple of penetrating questions. I would like to get back to the cost question later on, but I would like to say that in my lifetime, I have lived in 27 cities throughout the world and a number of them become unliveable. To mention a couple specifically, Tokyo and New York city. To mention another one which is more like Hawaii is Corona Del Mar, California, in Orange County. These communities are experiencing great exoduses of people because of poor planning and because of the impact of population and the impact of cars.

The statements I have to make are that I had an opportunity to live any place in the world that I so choose and chose Lanikai. I have been a citizen of Hawaii since 1960 and I very much cherish my place. When I searched for a place to live, I decided on Lanikai, and to be quite candid with you, the reason I chose it was that it was a very, very small community. There were two very narrow streets on it, it was surrounded by hills which, in my opinion, never could be habitated,

never could be built upon, and so I chose that, and I put my life in, to an effort to purchase property there, which I did, and where I now reside, and I hate to see the place spoiled.

The other statement I have to make is that I am vehemently against anything that would set a precedent for multiple dwellings or the type of dwellings here in this area, and I wonder if the Commission and the Council have asked themselves about the precedent that is being established here. You don't have to travel far on the Windward side to see many, many open acres suitable for development and, coincidentally, owned by Bishop.

Now, the questions that I have to ask are these: What is the motivation of the agencies when they say they have no objection to this proposal while the vast majority of the people in the community do oppose it?

The second question I have to make is, had the agencies made suitable impact studies, i.e., traffic, specifically at the bridge, specifically at Lanikai point? What sort of analyses have been made by the City in reference to the traffic situation as it now exists and have they provided this information to you?

The third question I have is, what is the motivation of any agency or this Commission to go along with such a proposal when the vast majority of the people in that particular community are opposed to it?

Questioning of Mr. Hess followed:

CRANE: I'm not gonna try to answer your questions, but you are aware that this Commission is responsible to the entire Island of Oahu. You are aware that this Commission has absolutely no control over the input of people in the State. We don't control the population.

HASS: But, you can control where they go.

CRANE: That's exactly what I'm getting at. Week after week, we sit here and we hear, like Makiki, Aiea, Kaimuki, the people who have bought homes 30 years ago in nice communities, dead-end streets, single-family cottages, a way of life, and all of a sudden they find that their communities are changing. We live on an island and we are responsible to the entire island. We are not responsible just to Lanikai. I think, maybe, if you considered it very deeply, you will see that it might answer some of your questions. There are traffic problems in Hawaii and you might know from some of my questions that I am concerned about it. The traffic problem in Hawaii does not start and end in Lanikai. The problem of PUD's and the problem of multiple dwelling communities does not start and end in Lanikai, and so when you ask the question what is this Commission doing considering something that the vast majority of the people are against, which people are you talking about? We are responsible to people on this island.

HESS: Well, how many people are for this proposal, I would like to know?

CRANE: We haven't gotten to that section of the public hearing at the present time.

CHAIRMAN: Commissioner Crane, if I may break in, as I have indicated at other public hearings, the function of the Commission is not to take votes. Our position and our function is to advise the City Council and the Mayor regarding particular applications. There are times when our share of advice is not shared by the majority of the people for one reason or another. But, if this Commission simply gets to the point of counting votes, then we don't really need public hearings. We simply send ballots out and perhaps the next time we revise the Charter we should put in something like that--the desires of the people through a vote.

HESS: Well, I understand that and I appreciate it but that doesn't answer the question of what would be your purpose, what would be your motive in recommending such a proposal? Are you suggesting that this is going to solve the problems of Oahu by building?

CHAIRMAN: That's strictly an assumption on your part, I think, what we are recommending.

HESS: Well, let's do make that assumption that you will recommend it. Then what would be your motivation in making that recommendation?

CHAIRMAN: I would find that out of order. That's sort of a question like can you stop beating your wife? We have not built it on this particular issue. We are receiving public testimony. If you want to talk about motivations after we voted on it then you can talk to each member and ask him why he voted the way he did.

HESS: Previously, you said a few words about cost which I didn't understand. You said the community should consider the cost and the finances involved. What were you referring to?

CHAIRMAN: Quite often at public hearings, community groups recommend that certain things should be done, roadways put in, sewers, etc. I think it also behooves the community groups to take into some consideration what the cost factor is going to be either to the developer or possibly to the community itself and many of these issues could be solved, not only in Lanikai but in Makiki and other areas, through an improvement district. It is my feeling that such things eventually must have to come. If Lanikai were developed today, certainly, there would be sidewalks. The present Subdivision Rules and Regulations require that you have sidewalks. I think the second thing when you talk about turning the area into parks and so forth, the question comes up, where is the money going to come from? The State hasn't. Perhaps some community organizations concerned enough that they may want to keep land out of the housing market. Some concern should be given to the community association to purchase the land.

HESS: I would suggest that, perhaps, the cheapest thing to do is

do nothing and don't make this change from R-3 basic area to an R-6 area and thereby you would approve a significant saving to the people.

CONNELL: Well, I'm sure this is going to be part of the deliberation.

HASS: Okay. We are in your hands of course, and I do appreciate this opportunity to be heard.

(There were no further questions of Mr. Hess.)

There was no further testimony AGAINST the application.

TESTIMONY FOR THE APPLICATION:

1. Mr. E. M. Michaels, representing Bishop Estate, 111 Ohana St., Honolulu

MICHAELS: I'm the Area Development Manager for Bishop Estate to conclude this project. The Estate is pleased that this project has progressed to the public hearing stage. We believe that the project is well conceived. It will provide badly needed housing in an aesthetic and pleasing area and will have ample open space. The developer has preserved open space in his draft plan, and it complies with the requirements laid down by the City and County agencies and to a large extent, the demands of the community.

The lease rent derived from this project will materially benefit the Kamehameha Schools and their ability to provide educational opportunities to children of Hawaii. We believe the plans for Kaiwa Ridge to be equitable and beneficial to all concerned. We urge that Lonestar's project be approved without further delay.

Questioning of Mr. Michaels followed:

SULLAM: Have you made any analysis as to exactly how much will be rendered by this project to Kamehameha School?

MICHAELS: The short term return is in the order of, I don't know how to say it, I believe, somewhere around 19,000 and in the future, once the developer's participation ceases, it goes up considerably.

SULLAM: 19,000 a year?

MICHAELS: In excess of that.

SULLAM: Is it your information that this development would satisfy the needs of the community? So far the community is opposed to it.

MICHAELS: I find a little bit, of course, discrepancy in their view. For instance, they speak of going ahead putting the balance of the area in preservation and talking about development of the ridges, well, this is exactly what we are going to develop--the ledges. The areas to the right, the mauka area, which opens on to the Enchanted Lakes doesn't affect them at all and you hear no squawk from anybody in Enchanted Lakes. The area being developed here to protect the Lanikai community, is the ledge area which by their own testimony they are ready to consider development, a plan which people in the Planning Department looked at very critically and very harshly, justifiably, but we have come up with a good plan. So, I can't reconcile the statement as being logically irrational, other than my own feeling and everybody's feeling that I don't want this development in my backyard. I don't have to tell the Commission that.

CRANE: Do you agree with the community association relative to the traffic situation?

MICHAELS: Traffic is a problem, yes sir.

CRANE: Do you agree that by the addition of this particular development, it would add to that problem considerably?

MICHAELS: I believe it would add to that. In the long run, we've got much bigger traffic problems. When you talk about ten trips a day from home, that's a lot of driving.

SULLAM: You said that this project would render $19,000 a year. What is the maximum that would come from this project to Kamehameha School in the future?

MICHAELS: Well, once the developer's participation ceases, that figure might even triple. From there on, the Kamehameha School would get the income from this land forever.

SULLAM: You don't have the figure which say five years from now what would be the lump-sum figure for Kam School?

MICHAELS: I don't have that. The $19,000 figure was computed sometime ago. Once the developer's participation ceases, he of course participates in it because it involves his risks and his capital investment. Once that ceases, the trustees would pick up all their leases and rent these out.

SULLAM: Do they increase in amount as inflation takes place or is that fixed?

MICHAELS: It's fixed for 30 years. The lease rent is generally fixed for 30 years. Now, if a homeowner, because he sells and the new owner wants to refinance, he can come in and renegotiate and if we experience inflation as we have in the past, the lease rent would go up. Whether the real value would go up or not is another question.

SULLAM: The reason I ask these questions is, I am trying to weigh the benefit to Kamehameha School and the loss to the community by giving up a ridge, this open space. I was trying to weigh one against the other. Thank you.

MICHAELS: That figure is a rough figure. We could get a better figure as the project progresses.

KAMIYA: Traffic being such a problem here, have you ever discussed the possibility of an access road that was proposed by the association?

MICHAELS: That proposal was looked at by the Traffic Department and they arrived at the conclusion that we arrived at. We didn't study any further. That was that we have to make some tremendous cuts, you see, the people were concerned with cuts, and the erosion that that causes. We would have to acquire right of entry and tear up a lot of the golf course in the area, we have to acquire five homes and some fee simple land in order to build it. Economically, it would just kill the project. The Traffic Department came up with it and we have come to the same conclusion.

KAMIYA: Have you also discussed the possibility of re-routing traffic only through the Enchanted Lakes area rather than having the other access opening?

MICHAELS: That's a question which I would like to leave to the developer to answer because he has studied it with greater depth than we have. It's a good question and could be answered and I would prefer that because he can answer it a lot better than I can.

LEWIS INGLESON:

I'm Lewis Ingleson, architect for the project. I really don't have that much more to say. I believe the proposal before the Commission is in a different form than earlier. The major revision to the project is in the mauka portion, to reduce the number of dwellings there, to provide different type of dwelling units, to provide access to that portion from the Enchanted Lakes area rather than from Lanikai.

The last question that was asked relative to the taking of all traffic out to Enchanted Lakes, we did consider that. It would require in order to do so a fairly difficult engineering project through the ravine which generally divides the site, and beyond that the road leading out to Enchanted Lakes would be much wider than is proposed out of necessity because of the traffic it would be carrying which would require much greater cutting and filling in order to install that road and because of the impact of that kind of grading on the site, we felt that by dividing the site, it's naturally divided anyway because of the ravine, and taking a portion out to Lanikai and a portion out to Enchanted Lakes was a more reasonable approach.

Mr. Ingleson was questioned by the Commission.

CHAIRMAN: Mr. Ingleson, in the event you did take the traffic out to Enchanted Lakes, what would be the additional cost to the project? Have you any cost estimates on it?

INGLESON: I don't believe so. We looked at it from the grading point of view primarily. It appeared to be so horrendous in terms of cuts and fills that we simply rejected it at that point. We felt the visual impact would be just too great. We could put those figures together, I believe, and provide you with them if you wish.

There were no further questions of Mr. Ingleson.

SULLAM: Which houses are going to be sold for $55,000. I wonder if those houses could be pointed out.

CHAIRMAN: Do we have a representative of the applicant?

ALVES: I'm Henry Alves, president of Lone Star Hawaii.

SULLAM: Could you tell me which houses are going to be sold for $50,000 did you say, the lowest figure was?

ALVES: No, we would be starting at $55,000. These are townhouses.

SULLAM: All those in brown would be $55,000?

ALVES: Well, we would be starting the two bedrooms at $55,000 and probably 60, 65,000 up to the four bedrooms. They are rather large homes. Starting about 1800 square feet to 2100.

SULLAM: And these would be condominiums?

ALVES: No, they would be leasehold. This is a Bishop Estate leasehold.

SULLAM: How many units would that be in the 55,000?

ALVES: We are talking about 96 units in the townhouse project. I don't exactly know at this particular instance the count as far as the two, three, four bedrooms. We normally break it up around 25 percent for the two bedrooms.

There was no further testimony.

The public hearing was closed and the matter taken under advisement upon the motion by Mr. Bright, seconded by Mr. Crane, and carried.

MOTION: Mrs. Sullam moved to recommend denial of the request which which was seconded by Mr. Crane.

In the discussion that followed, Mr. Crane and Mrs. Sullam objected to additional traffic problems that would be caused by this project.

Mr. Bright pointed out that the project is well planned and that the developer could otherwise develop the parcel under R-6 zoning and build twice as many units than proposed.

The motion failed to carry for lack of a majority vote.

AYES - Crane, Sullam
NAYES - Bright, Kamiya, Kahawaiolaa
ABSENT - Yamabe
ABSTAINED - Connell

MOTION: The matter was deferred for two weeks, on motion by Mrs. Sullam, seconded by Mr. Bright and carried.

The following information was requested:

a. From the Traffic Department, the number of vehicle trips per day, the number of vehicles on the road, the width of the roads, distances from Kaiwa Ridge to the nearest main roadway (i.e., Lanikai direction as against the Enchanted Lakes direction), and possibilities of alternate routes.

b. How many units are possible under R-6?

c. Report of lands available in the area for development.

PUBLIC HEARING ✓ HAWAII CAPITAL DISTRICT APPLICATION (REPAIRS & ADDITIONS) YWCA (FILE #73/HCD-12)	A public hearing was held to consider a request for various minor repairs and equipment additions to the existing YWCA Building situated within the Hawaii Capital District. Publication was made May 13, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Staff Planner Henry Eng reviewed the Director's report of the request. The proposed work does not violate the intent of the HCD Ordinance. In order to avoid separate applications for each minor repair item, all work is being considered together. The Planning Director recommends approval, subject to the following condition:

Window air conditioners not to be permitted on Richards Street.

There were no questions concerning the Director's report.

No person was present to speak either FOR or AGAINST the request.

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Crane and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended approval of the request, on motion by Mr. Crane, seconded by Mrs. Sullam and carried.

AYES - Bright, Connell, Crane, Kahawaiolaa, Kamiya, Sullam
NAYES - None
ABSENT - Yamabe

PUBLIC HEARING ✓ CONDITIONAL USE PERMIT (OIL REFINERY) BARBERS POINT CONOCO--DILLINGHAM COMPANY (FILE #72/CUP-19)	A public hearing was held to consider a request for a Conditional Use Permit for the establishment of an oil refinery on land situated in an I-2 Heavy Industrial District in the Campbell Industrial Park, Tax Map Key: 9-1-26: parcels 5, 12, 13, 14, 16, 18 and 28 (Parcel A). Publication was made May 13, 1973 in the Sunday, Star-Bulletin/Advertiser. No letters of protest were received.

Staff Planner Carl Smith presented the Director's report of the request. The applicant proposes to consturct a petroleum refinery and associated bulk petroleum storage facilities on a total of 178 acres of land. His total investment in the facility is projected to be in excess of $100 million. The refinery complex will include an off-shore mooring and crude oil off-loading system capable of handling 265,000 dead-weight-5,000,000 barrels of petroleum storage tanks, a products pipeline system, and both off-shore and on-shore product loading and distribution facilities. The Conditional Use Permit is required for and covers only the refinery portion of the operation.

The Director recommends that the Conditional Use Permit be issued, subject to the conditions contained in his report.

Mr. Smith was questioned by the Commission.

CRANE: What is going to be the potential of gallons per day from this?

SMITH: The output of the refinery will be 50,000 barrels per day, each barrel having 42 gallons.

CRANE: And this would go a long way toward meeting our domestic need here?

SMITH: Given the capacity of the existing refinery--in other words, given the 50,000 barrels per day capacity, this refinery, if it were operating today, would probably just about meet the present needs on this island.

CRANE: My question is, if it were in operation today, I don't know if you can answer this, what would it do to the price of gasoline?

SMITH: Probably nothing.

CRANE: Okay. I don't know anything about the petroleum industry but, I listened one time to a lobbyist in California, State Legislature, who, unless I missed my guess, was telling me that we pay here in Hawaii for a gallon of gasoline as if that crude had been shipped to California, cracked and shipped back when indeed we have two cracking plants already in operation. Do you happen to know if that is true or not?

SMITH: I do not know, but I think a representative from Conoco might be able to address to that.

CRANE: What I'm trying to get at is, if we do indeed crack into crude oil here, why should the citizens of Hawaii have to pay for non-shipment of it to California where it is not cracked and shipping it back here. If we do meet our domestic needs, I'll be all for this. I would like to see the price of gasoline go down. Maybe Conoco can answer it.

SULLAM: I am concerned about oil spills from these barges that bring the crude oil in. From what direction do they come to the islands? What are the possibilities of the oil spills?

SMITH: To amplify a little about this offshore operation, these tankers, approximately 1100 feet long and carry these tremendous dead weight ton-capacity, would tie up to a single-point mooring buoy which would be located approximately 6,000 feet out in the ocean. It will pull up and tie to this. The pumping proceeds down through the buoy under the water pipeline into the cruise storage unit. There's a second operation that takes place in that approximately 3500 feet offshore. There is a barge mooring facility where products will be pumped from the refinery site and loaded onto barges. From there they would be taken to the Honolulu International Airport, this would be jet fuel, and would go to the neighbor islands.

Somewhere in the future when the market penetration has been established, Conoco Dillingham would then establish a pipeline through the energy corridor to service the airport.

Now, in terms of oil spillage problem, this has been addressed in two other agency reviews. The Coast Guard has addressed the problem to establish the buoy in the navigational waters. The Department of Land and Natural Resources has addressed it in their Conservation District permit. It would appear that those agencies are satisfied that the engineering of the monobuoy and the handling process as proposed by Conoco Dillingham is the most modern and fail safe that is available on the market. The only reservations that the Coast Guard apparently had was the requirement that a detailed oil spill contingency plan be presented to them and approved by them. That if, by any chance the spill happens, there had to be a contingency plan put into operation immediately.

There were no further questions of Mr. Smith.

Public testimony followed.

Testimony AGAINST--

1. Mr. Paul C. Joy, Vice President, Hawaiian Independent Refinery, Inc. (Submitted letter dated May 23, 1973)

JOY: As User of Foreign-Trade Sub-Zone 9A, we wish to call to your attention that 21.8 acres of land was approved for petroleum processing within the Sub-Zone No. 9A. This approval was granted on March 16, 1971 under an application by Hawaiian Independent Refinery, Inc. Approximately 4.3 acres of this area has been used by the existing processing facilities. Another 3.8 acres of this area will be used for a synthetic natural gas manufacturing plant being installed by Gasco, Inc. Approximately 13.7 acres of land previously authorized for petroleum processing use under the active Conditional Use Permit remain for the just committed completion of the petroleum processing facilities outlined in 1968.

Mr. James F. Gary, President, Hawaiian Independent Refinery, Inc., the primary Sub-Zone No. 9A User, has publicly announced his intention to complete the timely expansion of the existing processing facilities from its present 29,500 bpd (barrels per day) capacity to 125,000 bpd capacity. This building program is to be carried out continuously over a several year period. The first step, the revision of the State's Foreign-Trade Sub-Zone No. 9A application, is now in preparation and the definite engineering and environmental impact statement well along.

The State, as Grantee of the FT Sub-Zone No. 9A, was required to show in its initial application for the subzone that adequate land is available for future expansion of the subzone activities. The State, therefore, as well as the Federal Government, has an interest in enabling the subzone User to carry out its announced refinery completion program.

While we do not oppose the subject application before the Commission, we wish to be assured nothing will be done here which would jeopardize the ability of the subzone User, HIRI, to fulfill its obligation to construct the additional petroleum processing facilities within the granted Conditional Use Permit area. Of course, all such plans by the subzone User must comply with all other established permit and environmental requirements at the national, state and county level.

Basically, what we're concerned about in this present application is that you assume that this refinery will go ahead and be built and supply Oahu's requirements, why should Hawaiian Independent

Refinery expand its capabilities which it had long on the drawing boards to expand their requirements, and which we have finally been able to do.

Questioning of Mr. Joy followed.

BRIGHT: Do I understand that some of the land you are looking at might be restricted from your use if this project goes through?

JOY: I'm concerned that the Commission may disallow the completion of our originally anticipated refinery expansion program because you've enabled more zoning changes to take place, so that we have more than enough refinery capacity, so why should we be permitted to go ahead and utilize our Conditional Use area to expand our facilities when you've already approved somebody else's additional land.

What I'm concerned about is that you're industrially zoning a lot more land than is required to fulfill Oahu's requirements. I'm just concerned that this not be a limitation of our future operations.

BRIGHT: It seems to me there seems to be a little misunderstanding here because this is an I-2 area. The entire area is zoned I-2. Actually, the method for permitting your type of operation is through a Conditional Use Permit in order to place certain controls on the manner on which you operate. This basically is what we're determining right now.

JOY: Yes, I'm aware of that.

SULLAM: Then you're not concerned about there being an excess of refined products being produced?

JOY: Because I am a party to the competition, I don't think I should address myself to that. You question oil spills, if there are three refineries there instead of two, and we're producing more products than can be consumed by pipeline delivery and tank truck delivery, on Oahu it doesn't need any more tanker traffic for example.

SULLAM: I'm concerned about Mr. Crane's question. The more refined oil there is to be, does that bring the price down or is that never affected by it?

JOY: No. The operating cost of HIR at a 30,000 bpd two-foot capacity, paying rent on 120 acres of land, maintaining an offshore mooring, but only processing 30,000 bpd, if we could use those same pipelines, those tanks and put through 120,000 bpd, quite obviously our incremental costs go down.

The only way any refinery can come into Hawaii and market its products is to fill a deficit which is not being met by existing oil companies, and number two, have a dissatisfied customer that gripes about the prices or service, and number three is to cut prices. The way we've gotten in the market is to have to buy our way into the market.

CRANE: Does that mean the answer to Mrs. Sullam's question is yes?

JOY: If the company can generate the same revenue and the same rate of return at a lower per barrel incremental cost. We do not control the retail price by the way. We are not a retailer but strictly a refiner.

We are not talking about prices here but that is how we see it. Competition lowers prices.

CHAIRMAN: I note your concern and when we look at the domestic needs and you're talking only about Hawaii, I notice that the increase in your refinery, Hawaii would no longer be in a deficit position to be a fuel supplier to the rest of the Pacific Basin. Do you have any figures indicating what the per day barrel needs in the Pacific Basin is?

JOY: I can get those figures for the Commission if you're interested. I don't have them on my finger tips. Would you like to have the total Pacific rim countries consumption? I think it would be on the order of 100 times Hawaii's, at least 50.

CHAIRMAN: It seems to me if we're talking about how many refineries we need, we can't simply talk about the domestic need. I would assume that when we use the term domestic, we're not bringing in the mainland United States. At least I understand from my reading, one of the problems we're having is the lack of refineries. This is one of the problems bringing in crude. At least, I might assume that where Hawaii has been dependent upon West Coast refineries, perhaps there would be a market on the West Coast.

JOY: Yes, this is very true. We are not speaking against this project. We are speaking about our personal concerns before this Commission.

CHAIRMAN: Wouldn't you agree that the decision of the City and County of Honolulu regarding expansion of this particular refinery be very much dependent upon what the total market situation is? Not only the local domestic situation but in terms of the increased amount it exports from the State of Hawaii?

JOY: Yes. I am a planner so I share your concerns. I would be glad to address you some other time what I think as a

citizen of Oahu. Right now I represent the refinery.

(There were no further questions of Mr. Joy.)

2. Mr. J. J. Lynch, Citizen, Oahu Resident (Submitted letter dated May 23, 1973)

Mr. Lynch listed Pros and Cons for the project.

CONS--

a. Available and projected refinery zoned land on Oahu is adequate to fulfill its requirements for the next ten years.

b. The neighbor islands need additional industry to replace agricultural cutbacks in both the pineapple and sugar industries.

c. There is a shortage of industrially suitable land on Oahu available and it should preferentially be used for labor-intensive activities, not refineries.

d. The State encourages industry to move to the neighbor islands because of the relative over development of Oahu.

e. Lack of refinery capacity on the neighbor islands results in higher costs of petroleum products which can be alleviated by a new refinery.

f. This new industry will generate new tax revenue for the financially depressed neighbor islands.

g. A new refinery will cause increased highway congestion, housing problems, and add to our growing pollution problems on Oahu.

h. Such a grassroots refinery can be equally well sited, without economic handicap on the outer islands.

i. In the interest of national security, dispersion of essential petroleum processing facilities to national defense has a positive value likewise to the State.

j. Running unnecessary oil tanker congestion not vital to the supply of Oahu's petroleum requirements that would otherwise occur encourages outer-island refinery siting.

PROS--

a. It will create new jobs on Oahu and relieve the unemployment problem.

b. It can draw personnel of all skills necessary for the operation of the refinery from the very large labor pool on Oahu.

c. It will be located in an industrial park specifically planned for such heavy industry.

Testimony in SUPPORT--

1. Mr. W. S. Fenton, President, Conoco, Dillingham Oil Company

FENTON: Because of the testimony by Mr. Joy, I would like to clarify some of the problems that were created here.

There is no change in land availability. There is a representative of the Campbell Estate here who can testify that the land shown on Parcel A and Parcel B is currently leased to the Dillingham Conoco Corporation. It is true that a free trade zone can export products for domestic consumption. Representative Patsy Mink reported in the press the other day the current allocation for Hawaii is 29,500 barrels. So, at this point, it is true that a person export all the products he wants into domestic area but it must be remembered under the present allocation set forth by President Nixon, 29,500 and will phase out over a period of years. This is a stop gap measure designed to do something to alleviate the existing shortage, not only refined capacity, but shortage of sweet crude as well as total crude in general.

The District 5 allocation which Hawaii is part of has had about a 12% import allocation based on total refinery runs.

As far as predictions are concerned, I wish to get into that later.

The question is, what will happen when the Alaskan crude comes in to District 5 which it must, to save the tremendous balance of payment deficit.

There is an Environmental Impact Report that has been submitted by HIR and its worthwhile to note in that the statements in the press which were released last night that are not consistent with the Environmental Impact Report now on file.

The present expansion which we concur with the Gasco group in order to produce cheap, clean, low-cost gas is to produce it out of NAPA in a free trade zone.

When I was assigned to this job, I approached Gasco with the suggestion that this may be something to be considered. We're very happy they're taking that procedure.

Now, when you're talking about total refinery capacity in the State of Hawaii, you must take a look first how you operate in a free trade zone. The only reason we would operate in a free trade zone is because of economic advantage. Prior to this, a disadvantage of a domestic refinery to participate in the free trade zone area was the cost of the import ticket which in District 5 range between 50¢ a barrel and 75¢ a barrel. In addition, there was the duty but under the laws you can always apply for duty rebate. If there is no shield for a company that operates as a free trade zone refinery, then conversely it follows there is no penalty for a domestic refiner to bid or supply the airlines using the Honolulu Airport. With the present Oil Import Administration Regulations as they exist today, then you must look at both domestic areas bonded fuel oils most of which will go through the State of Hawaii.

Certainly, this is a free enterprise system and I think there's a question of prices. I've never seen low prices exist without competition. I think some free competition in the market place is the very basis of your marketing program.

In addition to the prices, there is always the question of retail gasoline prices. I have avoided that in the absolute numbers because on the West Coast from 1970 to 1972, the cost of West Coast crude oil prices has risen 25¢ a barrel. The cost of foreign crude in the meantime has risen 68¢ per barrel. So, if you don't have competition, you won't have low prices. Heretofore, the local price of gasoline has basically been set on a West Coast posting plus a location differential. This has been discussed but has never been brought out on the table. In other words, it is the relative value to an oil company of a gallon of gasoline in California versus the value of the same gallon of gasoline laid down in the State of Hawaii. This is why they do exchange.

Heretofore, the other major oil companies has always run foreign crude oil. They originally ran foreign crude oil in the State of Hawaii because it was 16¢ a barrel advantage. As I mentioned earlier, the major companies have a sliding scale allocation based upon total crude runs. Their 12% which was given to the other major oil company here was primarily run in the State of Hawaii and was substituted by other crudes either from Canada or from the United States.

Once again, it boils down to one of economics. You can make projections. I know you touched earlier on the energy crisis. Its very complicated. There's about a dozen factors. At this point, I couldn't help but include one which should be given a great deal of credit for the energy crisis we're in, and that is off-the-cuff projections, projections as it relates to total refinery capacity, projections as it relates to total market demands in the United States, projections as it relates to, shall

we say some tranquility in the Middle East, and the availability of Middle East crude oil. Projections without support for details of finance are very easy to make. I would state that the proof of all projections, proof of all the needs that have been created by your projections is willingness to invest one hundred million dollars and another hundred million dollars to support activity. Certainly, if we felt that there was any opportunity for a company to run us off this island, we wouldn't stay here two minutes and worry about a hundred million dollars.

The Dillingham Corporation had this concept in 1968. Subsequently, after discussion with five different major oil companies, they selected Continental Oil Company for one reason or another as desirable partners to participate in the Hawaiian refinery project.

Now, there has been comment about oil spills. There are two agencies that do set forth stringent qualifications as it relates to (a) a facility that is geared to transfer hydrocarbon. These are new regulations published in December of 1972 and that is the Coast Guard. This is the operation manual. Also, under the Coast Guard, there is an Oil Spill Contingency Plan which is in the process of being superseded by the Environmental Protection Agency which is now getting ready to issue stringent guidelines as it relates to oil spill contingencies. They don't call it that. Its about five or six words but it means the same thing. As far as oil spill, we have been asked on several occasions, why should we put a monobuoy offshore? There are two existing berths in the present area. Both of them are not what we would call a single-point buoy. In other words, the two existing operations out there use a set of six or eight fixed anchors and the ship is brought in and moored to the various buoys. In the case of single-point buoy system, the tanker comes up very much like they use to anchor a dredge boat, comes up the buoy, makes fast, and then it rotates to the 350 degree circle, primarily because when a ship comes in fully laden, the dominating forces are tidal forces. When the ship is empty, then the wind forces become the dominant force.

In the case of one berth out there, our Marine Department did not feel that satisfactory engineering development went into the berth and we would not use it as a safe berth. One berth is fairly well occupied. We feel, and the Shell Oil Company who has probably moved more crude oil than any other major company using monobuoys, and has not an oil spill using this type of equipment.

In conclusion, we have been in contact with 21 agencies. We have only had two basic oppositions to our program--one has been the Standard Oil Company of California, and the second one here today is from Gasco both of which has been competitive. The Life of the Land on two occasions has presented testimony objecting to that. In all the other 60 or 70 comments put out by unbiased, objective agencies who are delegated to protect the environment,

who are delegated to protect the various operating areas within their jurisdiction, I can quite truthfully say now, we have met all of their concerns with one exception which we hope to take care of tomorrow morning.

Mr. Fenton was questioned by the Commission.

SULLAM: I gather your crude oil comes from some other source, not the United States?

FENTON: Our refinery is designed for what they call uranium light which is Middle East crude, is medium gravity, is medium sulfate. During initial stages, we will probably run uranium light. However, we've always had to watch what happens when Alaskan crude comes on stream. If Alaskan crude comes on stream to the extent of about two million barrels per day, then our refinery will run Alaskan crude. The cheap foreign crude which you've heard about disappeared some time ago. We will continue to use uranium light or Alaskan, either one, whichever becomes most economical and available, and is a function of the Oil Import Administration.

SULLAM: I didn't quite understand what you were saying about California did you say?

FENTON: I think that was the previous testifier but I think I can explain it.

SULLAM: I'd appreciate that.

FENTON: The West Coast has substantial crude production. The West Coast also has substantial demand on products. Therefore, as it relates to Hawaii, the West Coast crude postings as well as West Coast product prices have been fairly dominant in the State of Hawaii. In other words, if you could sell a gallon of gasoline on the West Coast or a gallon in Hawaii, you have to look at the alternate let back. The difference has always been a transportation shield. Its the transportation in American flag tankers. Its rather complicated. If its selling for 15¢ in California or if the cost is 2¢ to take it to Hawaii, then the cost is 17¢ in Hawaii. Its very complicated but this is the simplest explanation.

SULLAM: In other words, your product you produce here since there is no relation to California--

FENTON: No, we will sell competitive.

CRANE: I just want to follow that. You sell it for 15¢ in California or if it cost 2¢ to get it here, shall we sell it for 17¢. But, isn't it a fact that it doesn't cost 2¢ because we

don't have to transport it over here. So, am I not correct in saying we're paying for transportation that does not take place?

FENTON: Correct. Sixty-five percent of the gasoline consumed in the State of Hawaii prior to this has been produced at the Standard Oil Refinery. That is the sum and substance of economics that people have not put on the table.

CHAIRMAN: Not to put you on the spot but does Conoco also plan to go retail?

FENTON: We would like to look at retail operations approximately five years after we get the refinery on the stream. There's two factors to this. Number one is the tremendous cost for land and construction here for retail development. The average service station in the State of Hawaii puts through about 40,000 gallons per month. I would guess if you capitalize your lease as a capital commitment plus the construction of the gasoline station, then you're running between $120,000 to about $225,000. You're just not worth it. You wouldn't put that type of money on the mainland to produce 40,000 gallons a month sales unless there wasn't a higher margin. There are many factors to it.

Our company on the mainland is a crude producer, a retail marketer. I think its very important also that we are a considerable crude producer in our own name. This is going to change many of the projections of independents who do not have some crude sources because this energy situation is not only in the United States. For example, in Rotterdam, the price of premium gasoline has gone from $42 a ton to $85 already. Certainly, the control of crude is going to be the most dominant factor. That is the political weapon that the Arab nations are now threatening and are beginning to use in the Middle East. Without the crude oil, whether you have refineries or not, you cannot produce the product. Therefore, this is the problem.

(There were no further questions of Mr. Fenton.)

The public hearing was closed, and the matter was taken under advisement, on motion by Mr. Bright, seconded by Mr. Crane and carried.

ACTION: The Commission concurred with the Director's recommendation and recommended that the Conditional Use Permit be issued, subject to the conditions contained in the Director's report, on motion by Mr. Bright, seconded by Mr. Crane and carried.

AYES - Bright, Connell, Crane, Kahawaiolaa, Kamiya, Sullam
NAYES - None
ABSENT - Yamabe

UNFINISHED BUSINESS
✓ ZONING CHANGE - A4
MAKIKI--MOTT-SMITH DRIVE, MAKAI OF NEHOA
HAWAII BAPTIST CONVENTION
(FILE #72/Z-36)

Mr. Bright, who had declared a conflict of interest on this matter, left the room.

The public hearing on this matter was closed on May 16, 1973.

MOTION: Mr. Crane moved to deny the request, seconded by Mrs. Sullam.

The motion failed for lack of a majority vote.

AYES - Crane
NAYES - Kahawaiolaa, Kamiya
ABSTAINED - Connell, Sullam
ABSENT - Yamabe, Bright (conflict of interest)

ACTION: Mr. Kamiya moved to accept the Director's recommendation, seconded by Mr. Kahawaiolaa.

Mrs. Sullam stated that she would vote for the motion "with the addition that before the Council grant approval to the project, they take particular attention to the height of the structure, take note of Proposed Bill No. 75 of 1972 (Relating to Heights in Apartment Districts), take note of House Bill No. 1337 (Relating to the Development of Urban Design Plans for each County), and to restudy the area."

Commissioners Kamiya and Kahawaiolaa agreed to the addition to the motion.

With the addition, the motion carried.

AYES - Connell, Kahawaiolaa, Kamiya, Sullam
NAYES - Crane
ABSENT - Bright (conflict of interest), Yamabe

✓ STREET NAMES

The street names for the following subdivisions were recommended for approval on motion by Mr. Kamiya, seconded by Mr. Kahawaiolaa and carried.

✓1. INSCON J-3 Condominium Project (Kuilima), Kahuku, Oahu, Hawaii:

(Private roadways)

WEST KUILIMA LOOP	Loop road on the west side of Kuilima Drive.
WEST KUILIMA PLACE	Dead-end roadway off Kuilima Loop.

2. Newtown Industrial Park, Waimalu, Oahu, Hawaii:

OHIANA PLACE — Dead-end roadway situated on the east side of Kaahumanu Street.

Meaning: A special work, business, tools, profession.

3. Kahekili Highway, Kahaluu, Oahu, Hawaii:

AHUIMANU ROAD — Extension of existing Ahuimanu Road to Kahekili Highway.

LULANI ROAD — Extension of existing Lulani Road to Kahekili Highway.

* * * * * * * * * * * * * *

The Commission authorized the Planning Director to schedule public hearings for the following matters, on motion by Mrs. Sullam, seconded by Mr. Kamiya and carried:

HAWAII CAPITAL DISTRICT APPLICATION (REPLACE DWELLING UNIT DESTROYED BY FIRE) MRS. PRISCILLA LEE (FILE #73/HCD-13)	1.	The request is to replace a dwelling unit that was recently destroyed by fire.
GENERAL PLAN AMENDMENT SCHOOL & HIGH DENSITY APARTMENT TO PARK USE MOILIILI C&C OF HONOLULU, DEPT. OF RECREATION (FILE #136/C2/14)	2.	The request is to amend the University Community Plan Detailed Land Use Map by redesignating a 30,309-square foot site from School use and High Density Apartment use to Park use.
GENERAL PLAN AMENDMENT COMMERCIAL & PRESERVATION TO PARK USE MAKAHA C&C OF HONOLULU, DEPT. OF RECREATION (FILE #30/C2/29)	3.	The request is to amend the Makaha Detailed Land Use Map by extending an existing beach park through the redesignation of 13.7 acres from Commercial and Preservation to Park use.

ADJOURNMENT: The meeting adjourned at 5:05 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

File Copy

Meeting of the Planning Commission
Minutes
May 30, 1973

The Planning Commission held a meeting on Wednesday, May 30, 1973 at 1:45 p.m., in the Conference Room of the City Hall Annex. Chairman Eugene B. Connell presided.

PRESENT:
Eugene B. Connell, Chairman
Randall Kamiya
Fredda Sullam
Thomas N. Yamabe

STAFF PRESENT:
Robert R. Way, Planning Director
George S. Moriguchi, Deputy Planning Director
Ian McDougall, Staff Planner
Arthur Muraoka, Head, Engineering Section
Gary Okino, Observer

ABSENT:
Roy R. Bright
James D. Crane
Antone J. Kahawaiolaa

MINUTES:
The minutes of May 9, 1973 were approved, on motion by Mrs. Sullam, seconded by Mr. Yamabe and carried.

PUBLIC HEARING
GENERAL PLAN AMENDMENT
RESIDENTIAL TO PARK USE
KAPALAMA
C&C DEPT. OF RECREATION
(FILE #252/C2/8)

A public hearing was held to consider a request to amend the General Plan of the City and County of Honolulu by redesignating a 1.22-acre site from Residential to Park use, located in Kapalama, Tax Map Keys: 1-6-4: 5, 6, and 66; 1-6-23: 1 and an abandoned roadway area.

Publication was made May 20, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Staff Planner Ian McDougall presented the Director's report of the request for additional park lands based on (1) the need for additional recreational facilities in the Kalihi-Palama area; (2) the reasonableness of utilizing the mini park as an alternative approach to providing additional facilities; and (3) the desirability and appropriateness of the site for park purposes. Based upon the analysis made of the request, the Director's recommendation is for approval.

There were no questions from the Commission concerning the Director's report.

Public testimony followed.

Testimony AGAINST--

1. Mr. Revocato Medina, 1016 Lowell Place, Honolulu (Submitted letter dated May 30, 1973)

"I am President of the Kalihi-Palama Model City Association. However, I am not testifying today for the KPMCA, which in the previous administration of President Takeshi Uyesugi voted to recommend moderate income housing on this particular parcel land through homeownership, not rent as the City Council decided. Unfortunately, the Honolulu Redevelopment Agency made a poor presentation to the residents living nearby, and they turned down the 3 and 4 bedroom townhouses that were planned under Model Cities and FHA financing. The City Council then turned down the housing proposal, but erred by referring to it as rental units of which Kalihi-Palama had many already.

I am testifying today as an individual. I am personally against amending the General Plan of the City and County of Honolulu redesignating a 1.22 acre site from residential to park use.

While there is a great need for mini-parks in Kalihi-Palama and we have acquired a few through the Model Cities program, there is a greater, more pressing need for housing.

a. The fire yesterday on Kanoa Street leaving nearly 40 people in need of housing, which is non-extent, dramatizes the plight of people in Kalihi-Palama.

b. In that area within short walking distance, the Jonathan Springs Park, initiated and developed in part by the Model Cities program, will soon be open to the public. I urge the City to construct a foot or pedestrian bridge over Kapalama Canal so that it can be accessible from Kohou Street or in back of Damien School. This way the residents of the Bishop Museum Tract and Kapalama Tract of Bishop Estate will have a shorter walk to it instread of by way of School Street. Of course, there is the big park for Kalihi-Palama now beginning construction on Sand Island.

If we keep doing this there would be no point in a general plan, in long range planning. The only time I would be for a change is to accommodate the housing needs of Kalihi-Palama residents and to enable them to improve or expand their homes."

Questioned by the Commission as to whether there are any plans for housing on the subject parcel, Mr. Medina stated that the HRA still has the plans for which Model Cities has expended a considerable sum of money, and which has gone through the process of citizen participation.

Questioned further as to whether Model Cities had reviewed the subject proposal for Park use, Mr. Medina responded negatively inasmuch as the recommendation for Housing was passed over a year ago. He also commented that most of the residents in support of the proposal never attended any of the Model Cities meetings that were held.

Testimony FOR--

1. Mr. Kenneth Hakoda, Resident, Kalihi-Palama

"I did not wish to talk; however, after hearing Mr. Medina, I decided its about time we get things straight. I don't think he lives within the area. I live right in back of the proposed park. The Housing plans they had, the Model Cities plans, I don't think any of the tenants were going to be people living around the area. They were going to be people that are going to be displaced from some other areas.

The plans were going to be a tremendous variance from the R-6 zoning that they had. It was going to be under FHA 235.

Originally, way back when there was a conventional hall proposal for the carpenters union, that was an R-6 zone. The City and County changed that R-6 zone to build a convention hall. My thinking is, if they could do that when there is a tremendous need for housing, then we can do the same. If they could change the zone from R-6 to Convention Hall, then they could change it from R-6 to a Mini-Park. That is my contention.

We live right in the area. We couldn't see how in the world we could support housing that's substandard in our region. We're paying such a tremendous amount for our land use. We're in the process of acquiring it in fee. However, if you bring homes that are going to be on a 20% downpayment, and 80% finance by FHA, you're going to end up with people that are going to be living in standards that are far below our mode of living. We're on the lower-income to the medium-income family type but we'd like to have homes that we can just say 20% down and pay us 80% of our interest for it. Its something that we had hearings on. We had about 350 people living in the direct area that are going to be directly concerned with the type of development we have in our area.

I think, if necessary, we'd like to have the records of the City Council and the Hearings brought before the Commission before any decision is made."

The Commission had no questions of Mr. Hakoda.

The public hearing was closed, and the matter was taken under advisement, on motion by Mrs. Sullam, seconded by Mr. Yamabe and carried.

No action was taken for lack of a quorum. The matter was deferred for one week.

Miscellaneous

PUBLIC HEARING
PROPOSED AMENDMENTS TO
✓SUBDIVISION RULES AND
REGULATIONS

A public hearing was held to consider the proposed amendments to the Subdivision Rules and Regulations.

Publication was made May 6, 1973 in the Sunday Star-Bulletin/Advertiser.

Review of the Director's report conducted by Arthur Muraoka, Staff Engineer, focused primarily on major proposed changes. There are no major deletions proposed to the requirements or standards of the existing rules and regulations. Pertinent sections have been taken from Chapter 22, Subdivision of Land, R.O. 1969, as amended, and incorporated into the proposal in order to clarify the rules and regulations and eliminate confusion and misunderstanding. Minor revisions such as rewording, additional information required, procedural requirements or other minor revisions or additions were not covered.

Comments have been received from approximately 20 organizations on the Fifth Draft, copies of which were circulated to the Commissioners. Comments have also been received on the Sixth Draft. Among these, the Director concurs with the comments made by the Department of Public Works on 11 items of Draft Six.

Public testimony followed.

1. Mr. Edward C. Kemper, Attorney, Save Hawaiiloa Ridge Assn., Suite 1401 Davies Building (Submitted Petition for New Rules)

KEMPER: We have filed petitions under the Administrative Procedure Act to amend the existing Subdivision Rules and Regulations in two portions.

One amendment would permit the Planning Director to require the subdivider to put up a bond assuring not only the City and County but residents of the proposed subdivision and persons surrounding the subdivision, that in the case where there may be flooding, slides, or other areas of concern, the bond could be levied against, and the City and County or the persons residing in the subdivision or the adjoining persons could be paid for any damages as a result of flooding. For example, the Keapuka disaster that occurred three or four years ago, that's what its designed to meet. It would be an area where you could have the subdivision but there's some doubt as to whether there are some problems in the future. That is where the bond requirement would come into effect.

The other amendment to the existing Rules and Regulations would command that the Planning Director cease any work with the proposed subdivision, if he's notified of a change in land use designation, a change in the general plan, or a change in zoning that would adversely affect the subdivision plan that's been submitted to him. In other words, it would freeze it until such time as the Land Use Commission or the City Council or whomever makes a decision on any proposed change that would affect that subdivision.

Under the Administrative Procedure Act, the Planning Commission has 30 days upon which to act upon our Petition. It would be our hope that the existing rules and regulations would be changed in accordance with our Petition, and ultimately, these proposed rules and regulations would also be changed in the same respect. I realize its going to take a considerable amount of time before the Commission adopts these rules and any modifications. We want the existing rules changed immediately. We would like the opportunity at a later time to comment on these rules specifically, particularly as to the matters we raised in

our Petition.

That is our position. We haven't had time to review this sixth draft in any detail. We still are looking to the amendment of the existing Rules and Regulations in the areas that I mentioned.

Questions were raised by the Commission.

SULLAM: Regarding the bond that you're proposing, do you believe this could be posted for all subdivisions?

KEMPER: Not at all. The way the proposed rule reads, it would be left with the discretion of the Planning Director whether he feels this is an area where a bond would be necessary. Its not an area where we'd have to say no, no subdivisions at all. It would be in the situation where there's substantial doubt with future problems with the subdivision. So, it does give the discretion of the Planning Director. Its not an absolute requirement by any means.

SULLAM: After the subdivision is accepted by the City, the bond would be removed?

KEMPER: No, the bond would remain.

SULLAM: How long do you suggest it remain?

KEMPER: I think I put five years in the rule. I think after five years sufficient protection can be made if something comes up. I think Keapuka occurred five years after it was put in. I don't know about the Aina Haina slide area. The idea is to give protection particularly to surrounding residents. They don't have to go to court to prove negligence or fault which is not only time consuming but expensive. Its sort of strict liability. If it occurs, you can go after the bond for your money.

WAY: The question of the bond for a five-year period as you indicated, have you any idea how much this would entail in terms of cost? I don't know exactly what the unit would be on a per lot basis for example. What kind of bond might you have considered for this in terms of amount? How do you bond for something like this, I think is one of the questions more fundamental. How do you do it, what amounts, and what kinds of cost are involved?

KEMPER: I haven't gone to a bonding company to ask that question. I plan to on our Petition itself to get some idea what the cost would be. The amount of the bond is up to the Planning Director. There's no specification. It would depend on his thoughts about the possibility of damages which is part of his general discretion.

WAY: Second point, would not there still possibly be some

litigation involved here? I wonder if in fact you are avoiding the very problem that you see is a great issue at the moment, Is the bonding company just going to roll over and say here's the money?

KEMPER: Well, the only issue we would see is the amount. In other words, as far as proving negligence on prior construction or anything like that - that's what I meant by strict liability. In other words, i.e., if there's an event which causes injury and its within the bond, then the only question is the amount. There could be litigation of the amount. I'm not saying there can't be but that's a good deal easier to handle than the issue of negligence.

WAY: Looking at it at the standpoint of the public agency involved, is there not some burden thereon placed more particularly on the Planning Director where he is subject to litigation where questions arise as to what is the amount, whether in fact is there damage and all the rest? I presume your proposal is somewhat along the line that the bond would be held by the City and therefore administered by the administrative officer, the Planning Director.

KEMPER: No, I don't think so. I think a bond would be posted with a surety, i.e. an insurance company. That's what we're talking about in essence. The only one who would administer it would be the insurance company which is the surety. If someone would go against the contractor who is going to put up the bond, he would turn it over to the insurance company, the insurance company would handle the claims as they see fit.

I might also point out that the City and County itself is also indemnified by the bond. That avoids the Keapuka situation again where ultimately the city is somehow involved and had to pay out money.

WAY: In that situation, I don't know whether its well understood or known but the city also went after other parties too.

KEMPER: Yes. I don't know the details of Keapuka.

Also, the first point of your question, you indicated that you might be subjected to litigation. I think the answer to that is again its the arbitrary and capricious standard in the Charter and in the Rules and Regulations. In that event, it would go to the Zoning Board of Appeals. As you indicated, that's a fair burden for any litigant to overcome.

I don't mean to present testimony today on those Petitions to be filed. We're not at that point. I thought it would be best to mention to the Commission this fact along with their review of this tentative draft. I do think if the existing Rules and Regulations are changed, the proposed ones should be changed in like manner. If it does come to a public hearing, we would be prepared to present more fuller testimony backing up our Petitions.

YAMABE: Question of the Director. Are you going to take these simultaneously or these proposed amendments as your first step, then possibly consider--

WAY: That's correct. We would take them in that sequence. The only matter expressly set forth for public hearing is the rules before you, the proposed comprehensive revision to the rules. This Petition is another question. At this point, I would say I don't know how to handle that. We will be discussing this with our Corporation Counsel.

YAMABE: We just have to consider the Petition whether we should call a public hearing or not?

WAY: Yes. This is a fairly obscure, unused rule. I don't think its been used in the last four or five years. We will be examining the procedures to make sure of the correctness in terms of meeting all applicable requirements. We're not familiar with them.

YAMABE: Mr. Kemper, if you could support it with the detailed information, it would give us greater insight into the situation.

KEMPER: I'd be happy to supply you that type of information.

YAMABE: Thank you.

2. Mr. E. C. Scheon, Chief Engineer, Hawaiian Telephone Company (Submitted testimony dated May 29, 1973)

SCHEON: I would like to touch on a few items that give us a few problems with the rules. We have no problem with the creation of a lot or site for a telephone building or business office or anything like that. Our problem arises with respect to easements, the lines, guys, and anchors that withhold similar installations. We feel that these should be further broken down into two different types.

The first, when someone is creating a subdivision, they plan on easements or similar installations, which is shown on a map filed by the developer.

There is a different kind of easement concerning individual poles, anchors and things like that where we have to get an easement from the landowner. We just can't get on his property and put a pole or an anchor. We need permission and must negotiate with him. We handle a great deal of these easements. Typically, you could have a narrow winding road. In order to properly guy the poles, we have to get anchor easements from each lot owner along the road because the guy wire will go back into someone's private property. This would mean subdivision, in effect, for each one of those easements, and all of the paper work which would be lots of paper work for your staff. Assuming, however, that the landowner and the telephone

company have reached agreement with respect to the line, under the ordinances as interpreted and implemented by these proposed subdivision rules and regulations, it is then necessary for the landowner to go through the proceedings for approval of a subdivision in order that there be a proper grant of easement, just as if he were creating a new Hawaii Kai project, even if all that is involved is an easement to install one anchor and guy wire along the boundary of the lot. Technically, a preliminary map and a final map or at least a final map must be prepared.

We have some suggested language which would take care of that situation by having us file a drawing with you, going under the assumption that if there's nothing wrong with it and we don't hear in ten days, that it is okay.

3. Mr. Donald C. W. Kim, Hawaii Society of Professional Engineers, 2265 Aulii Street, Honolulu (Submitted testimony dated May 30, 1973)

The following revisions are recommended:

Section 1-102 - Purpose: Items (d) and (f) do not belong in these rules and regulations. They are a part of the General Plan and Development Plan.

Section 1-107 - Definitions: Under Agricultural Subdivision, an agricultural subdivision should not be confined only to agricultural districts, but should also be allowed in any zoned district on an interim use basis. In addition, the definitions of types of streets and the definition of a highway should also be added.

Section 1-111 - Dedication: At the preliminary map stage, it is difficult to accurately determine which streets, lands and easements should be dedicated to the City or State.

Section 1-112 - Modifications: In the last paragraph of this section, in lieu of the phrase "the Director may" substitute the phrase, "the Director shall."

Section 2-201 (c): This section provides requirements for the preliminary plan. We believe the following items called for are too detailed for the preliminary plan:

(3) The location of existing streets, street intersections, street lights, and other utilities and improvements immediately adjacent to the proposed subdivision.

(6) Locations, names, widths, gradients, radius of curves and other dimensions of existing and proposed streets. Invert elevations at points of proposed utility connections.

While it may be argued that all of these additional details may be of value in assessing the feasibility of the proposed subdivision, these requirements will place significant time and cost additions on the

developer. Besides the question of whether these additional details can be justified in terms of adding to the developer's preliminary costs, another question that should be asked is, should not some of these detailed information be provided by the Planning Department, such as the features of the General Plan and Development Plan, the General Plan land use designation and the existing zoning on and adjacent to the subdivision?

Section 4-404: We do not believe it wise that the subdivider shall revise, delete, amend, and comply with the design requirements of the Director. Every effort should be made to reduce design requirements, to design standards and guidelines. Otherwise, a zealous Director and staff will be continuously overruling the professional judgment and decisions of consulting engineers, planners and developers.

Section 5-511: The term "other traffic control devises" should be further defined.

Section 5-512 and 5-513: These sections refer to planting and street trees. The exact limits of planting plans should be defined. The terms "as required by the Director" and "to the acceptability of the Director of Recreation" are too general and should be deleted. Further, the size of a development should be a major factor in establishing the extent of landscaping requirements. Exceptions should be noted.

Questioned by the Commission, Mr. Kim indicated the following:

a. Section 4-404 - Review by a Design Review Committee is time consuming and costly. They would prefer design standards to follow or the existing standards could be expanded to cover vague areas, rather than requirements which are imposed by individuals. Although they recognize some flexibility in the rules, still "when its a matter of preference over someone else's preference, that's where the delays and disputes arise most of the time."

b. Section 5-511 - Traffic Controls
Section 5-512 and 5-513 - Planting and Street Trees - Although they are in support of street trees, definitions of these items should be more explicitly defined.

The Chairman requested that Mr. Kim submit their recommended definitions of these terms.

(Mrs. Sullam left the meeting at this point at which time the Commission lost its quorum.)

4. Mr. Kazutaka Saiki, State Land Surveyor, Survey Division, Department of Accounting and General Services (Submitted letter dated May 25, 1973 to Planning Director)

The following comments are based on anticipated problems and difficulties the Survey Division, Department of Accounting and General

Services and the General Public may encounter in adhering to the Subdivision Rules and Regulations (Sixth Draft).

Section 1-103(b):

The inclusion of all Easement Designations within the scope of these Rules and Regulations will lead to conflicts with other State Statutes. The greatest difficulties will occur in dealing with easements designated on lands registered in the Land Court, easements designated over Government Lands and easements designated over public as well as private lands in favor of Public Utilities such as Electric and Telephone.

The Department of Accounting and General Services is opposed to the inclusion of all easement designations as subdivisions. The designation of easements for utilities (electric, telephone, gas, waster, sewer), drainage, slope and avigation should not be included in the Rules. Any easement that would grant access rights such as roadway, right-of-way and pedestrian should be included in the Rules.

Section 1-103(c)

Who will be responsible for the enforcement of this section? The State Registrar of Conveyances does not have the staff to review each of the hundreds of documents that are presented for recordation daily to determine whether the lot or easement being recorded did receive your approval.

The Registrar of the Land Court accepts designation of easements over Registered Lands (Land Court) for adjudication without Planning Department approval. The Rules of Procedure of the Land Court does not recognize the designation of easement as a subdivision. The State Land Surveyor is of the opinion that where County Rules conflict with the Land Court Rules and Procedures, the Land Court Rules will take precedent. However, it's the owner or purchaser of the land that suffers when there is a conflict.

The Land Court also enables a property owner to Grant an easement over his lot by the use of "Documents". These easements are not designated and shown on the Land Court map. Most of the easements granted to the Hawaiian Electric Co., Inc. and Hawaiian Telephone Company are of this nature. These documents are accepted regardless whether they are approved by the respective County Planning Departments.

Under the present system, the State Taxation Maps Bureau is compelled to assign a parcel number to a subdivided parcel of land that is recorded in the Bureau of Conveyances. This is done regardless of whether subdivision approval was obtained for the subdivision. Perhaps a more stringent law at the County or State level should be enacted to deter the sale and recordation of this illegal subdivision.

Section 1-103(d)

The addition of the phrase "and recorded in the Office of the Registrar of Conveyances, State of Hawaii", that was not a part of the Fifth Draft presents a multitude of new problems. This action in effect would compel owners of unregistered lands to prepare and file their maps under the File Plan System of registration. The present Statutes prohibits the Registrar from accepting maps of unregistered lands for recordation unless they conform to Section 502-17, 18 and 19, of the Hawaii Revised Statutes (File Plan). Currently, the filing of maps under the File Plan system is optional. The ordinance as proposed would make mandatory what is optional under the Statutes.

The operations of the Survey Division would also be adversely affected.

The Office of the Department of Land and Natural Resources and the Office of the Survey Division are considered offices of record. All maps of government subdivisions are on file in the Office of the Survey Division with copies in the Land Office. Approval of the respective Planning Commission is obtained prior to the sale or lease of these lands. If the ordinance is adopted in its present form, in effect, you are making mandatory certain subdivision procedures which are at the present time optional.

We are of the opinion that the ordinance seeks to abrogate the discretion of this Department, as reflected in Chapter 107-3 of Hawaii Revised States, with respect to the surveying, locating of boundaries, triangulation, mapping, etc., of State lands. Section 1-103(d) of the ordinance seeks to define the particular manner in which plats must be prepared.

The administrative burden that the ordinance will place upon the Department's survey division, if the File Plan system were pursued, is evident from the statutory duties of the surveyor as enumerated in Sections 502-17, 18 and 19 of Hawaii Revised Statutes. Before any maps are accepted for filing by the Registrar, they must be checked by the State Land Surveyor for mathematical correctness and adherence to form.

The increase in workload will be substantial. It will be necessary to increase the staff of the Survey Office. No such increase has been adequate to handle the greater volume of work. Therefore, the subdivider will suffer additional delays. I am sure that the Bureau of Conveyances will also require extra clerks to handle the expected increase in filings. Another added cost to the State will be the procurement of additional filing cabinets for the preservation of these plans and extra floor space for the use of the added help and files.

Section 1-107

The definition of the word "Subdivision" does not conform to the interpretation currently adhered to by the State. We could not locate any Statute in our Hawaii Revised Statutes that included designation of easements on any parcel of land as being a subdivision of that land. The State contends that an easement is an encumbrance that is appurtenant to the land. A designation of easement does not constitute a subdivision of that land.

Section 1-111

The requirements set forth in this section for the filing of necessary deeds of conveyance of street improvements and required easements, etc., prior to certification of completion would create problems on State subdivisions. On State subdivision developments (Hawaiian Home Lands included), the lots are not put on sale or lease until all of the improvements are completed and approved. The requirements for the filing of deeds would run counter to the policies of the State Attorney General. They will not release or transmit deed documents that are incomplete.

Much of the information would be left blank on these conveyance documents. For example, if the File Plan System is being used, the File Plan number and the date of recordation cannot be incorporated in the deed since completion of the File Plan hinges on the receipt of final approval from your Department. In the Land Court system, when lands are subdivided, the map number, lot number and easement designations would not be recorded until the Land Court map is approved and adjudicated by the Land Court. It would not be feasible to include all of this information in a document prior to adjudication by the Land Court. Should another subdivision map under the same Land Court Application be adjudicated by the Court before your map is approved, all the map numbers, lot numbers, etc., included in the conveyance document would be in error.

Section 2-201(b)

The 8-1/2"x13" and 22"x36" map sizes are not acceptable in both the Land Court and File Plan systems of Land Registration. Should Section 1-103(d) be adopted as proposed, these two sizes should be eliminated.

Section 3-301(c)(2)

The terms "subdivision identification" and "description" should be clarified. Would a simple consolidation of two lots or the designation of an easement require a tract name? By description are you referring to a metes and bounds description of the lot in typewritten form?

Section 5-509

Although accuracy requirements of 1 to 10,000, 1 to 8,000, etc., are compatible with the requirements set forth in the rules of procedure of the Land Court, the setting of the street monuments should be set at a higher accuracy level. In future restaking of lots in any subdivision, most surveyors rely on the existing street monuments within the subdivision. With accurate placements of street monuments, there would be fewer boundary descrepancies and disputes. The Survey Division suggests doubling these ratios to 1 to 20,000, 1 to 16,000 and 1 to 10,000. Since this accuracy requirement will control the placement of the street monuments only, they will not conflict with other standards. The Survey Profession has wholeheartedly accepted the use of electronic distance measuring devices. The suggested accuracy requirements are attainable and would be very desirable.

In dealing with lands registered in the Land Court, the State recommends that the State Supreme Court Decision in Hawaii Reports 50, Page 189, Honolulu Memorial Park, Inc. vs. City and County be reviewed.

In the process of checking the Land Court subdivision maps that are submitted for adjudication, building, roadway and shoreline setback lines that are shown on your approval copy are not shown on the tracing that is filed. These lines are not accepted on the Land Court tracing unless they are designated on the map, similar to an easement and also mentioned in the petition for subdivision. The statement in the last paragraph of Section 3-303(a) may not be compatible with the decision cited above.

5. Mr. John A. Rolfing, Jr., Hawaiian Electric Company

Concurred with the comments by Hawaiian Telephone Company which was prepared by both companies, with two additions:

Section 1-108(b) - Both companies be included in committee meetings on a regular basis.

Section 6-601, Construction Plans (last paragraph) - Both companies be included for consultation.

6. Mr. Ralph Schrader, Home Builders Association (Submitted letter dated May 30, 1973)

Comments were made on the following sections:

Section 1-103(e) - This section provides that "no roadway system shall be opened to the general public and no building shall be occupied for any use permitted in the zoning district until all

improvements required by these rules and regulations have been constructed, installed, and approved by the Director." Although this provision does not prohibit the construction of homes prior to the approval of the Director, it will definitely delay the commencement of the construction of homes inasmuch as purchasers of the completed homes will not be able to occupy the same until the approval of the Director is obtained. Final approval of the constructed improvements requires considerable time. The party who will suffer most by this provision will be the purchaser who may have his financial arrangements completed and may have purchased the property but cannot occupy the same.

Section 2-201(c) - This section provides for the requirements for the preliminary subdivision map. Some of these requirements should not be required on the preliminary maps. For example:

a. Section 2-101 (c)(3): Location of existing street lights and other utilities and improvements immediately adjacent to the proposed subdivision.

b. Section 2-201 (c)(5): Features of the General Plan and Development Plan, etc.

c. The gradients, radius of curves and other dimensions of existing and proposed streets; approximate location of existing and proposed street trees, gas, electric and telephone conduits.

Section 4-404 - Design review shall consider (among other things) bikeways to and within the subdivisions; public and emergency services; and effect on area-wide traffic. These should be considered, however, should not be a basis for disapproval of a subdivision because these services rightfully should be provided by governmental agencies and are beyond the control of the subdivider.

Section 4-405(j) - This section requires the declaration of General Plan or Development Plan right of ways at time of subdivision and before they are needed and Section 4-406 requiring access to an adequate public street will create substantial increased costs, but we have no alternate suggestions at this time. Section 4-408, 5-502(b), 5-503, 5-511, 5-513, and 5-514 have cost increase items in them. Section 60601 would prohibit start of work with grading prior to final approval, thus delaying completion and adding interest charges.

Section 5-511 - This section provides that the subdivider shall install traffic signs, markings, and other traffic control devices. The subdivider should not be required to install traffic signal lights.

Section 5-512 - This section provides that subdivision construction plans include a planting plan to be reviewed and approved by the Director. Exception to this should be made for subdivisions involving only a roadway lot.

Section 6-603 - This section provides that every three months, the

subdivider shall report the status of construction to the Director. This provision serves no useful purpose and only adds to the already burdensome bureaucratic red tape. The City agencies (Board of Water Supply, Division of Engineering, and Division of Sewers) already have construction inspectors who make daily progress reports.

Section 6-606 - The section provides that the subdivider, as a condition for approval of the subdivision improvements, just enter into an agreement with the City to repair and replace the subdivision improvements and post a surety bond conditioned upon faithful performance of such agreement. Inasmuch as all subdivision improvements must be constructed in accordance with the standards and specifications of the City and will be inspected during the progress of construction and upon completion, it appears that the agreement and bond should be limited to the repairing and replacing of improvements resulting from defects caused by defective materials and poor workmanship. The power granted to the Chief Engineer, Traffic Engineer, and Manager to extend the bond for an unlimited period solely within their discretion should be deleted.

The Director should not be granted the overriding authority of approval or disapproval in such areas where the Chief Engineer or Traffic Engineer should make the ultimate determination. Examples of such areas are: (1) Section 2-201 (d) -- Additional informations and reports such as soils report or drainage study; (2) Section 4-403 -- Land Suitability; (3) Section 4-404 -- Design Review; (4) Section 4-405 (f) -- Intersections; (5) Section 4-405 (g) -- Gradients; (6) Section 4-405 (i) -- Property Line Radius.

In conclusion, it has been generally recognized by all studies of the Housing Crises in Hawaii, that high land development costs are a major contributing force. The Marshall, Kaplan study makes several recommendations for lowering these costs.

7. Mr. Carl Cordes, General Contractors Association

Their primary concern after reviewing the Rules is finding that an apparent conflict in authority would exist if the Planning Director is allowed unilateral control over engineering, traffic control and water supply decisions that more properly should remain with the Directors of the various operating departments currently responsible for such functions. It would result in costly duplication since the Planning Department would then have to secure the required staff to cover these various technical areas.

Changes were also recommended in the following sections:

Section 1-103(e) - Delete in its entirety. We feel that the matter of occupancy should not be subject to the Director's approval. As long as improvements have been designed and constructed according to City standards and accepted by the operating departments, the purchasers of completed homes should be allowed to move in. This section would only tend to increase the cost of housing because of the delay involved.

Section 5-511 - Traffic control devices (signals and other automated equipment) should be the responsibility of the City, not the developer. However, traffic markings and signs can be made the subdivider's responsibility.

Section 6-606 - The surety bond coverage of one year as required in this section is justified. However, we feel that to allow the bond to extend beyond a year at the discretion of the operating departments would be unfair and this provision should be deleted.

8. Mr. Arthur Y. Akinaka, Member, Hawaii Section, American Society of Civil Engineers (Submitted testimony dated May 30, 1973)

"...We had studied your previous draft and found then that we were in accord with the same suggestions made by other professional and industry groups.

We note that you have considered and incorporated many of the suggestions offered by the engineering profession into that draft. This we appreciate.

The present rules and regulations now in effect is satisfactory in the consensus view of our section. We note that there is still a further need of improvement in the latest draft of producing a good, workable document and preserving the aim of economy in the process of development. We desire that this aim be adhered to in any new set of rules and regulations.

We feel that the new Subdivision Rules and Regulations should preserve any efficient City administration with a maximum of collaboration and at the same time delegation of specific responsibilities among departments and a minimum of duplication and resulting confusion. The latter situation adversely affects both government and the public by delays in processing and waste of time and money. We also fully concur that the Planning Director should not be placed in a position to make decisions based on engineering experience and judgment."

9. Mr. Kataishi Minomiya, Chairman, Hawaii Section, American Congress on Surveying and Mapping (Submitted letter dated May 25, 1973)

Their comments and recommendations were made on the following sections:

Section 1-102(h) - The promotion of the efficient expenditure of public money is indeed a much desired goal. But one thing about all the private individuals who invest large sums of money to further develop the City. We feel that the protection of private money is also another major item that must be considered.

Section 2-201(b) - We find it extremely unnecessary to restrict the size of a preliminary map. It is agreed that the width should not

exceed 42 inches. This indeed is a very practical restriction but to regulate the size of a preliminary map is unwarranted. A preliminary map contains the barest essentials to convey to your department the intentions of the developer. Also in many cases, the size and configuration of the lot is such that it requires additional work to make such lots fit the required size of map. On the other hand, we whole heartedly agree that the final map should definitely conform to required standards. This map will be on file and for the record, therefore it should naturally require the additional work and cost.

Section 2-201(3) - A vicinity map for a subdivision should be required only in unfamiliar places such as in rural areas. Areas in the City should not need this type of map. All that should be needed are a few land marks, location of major streets, and street intersections.

Section 2-201(6) - This requirement is far too elaborate for a preliminary submittal. Such a submittal requires a great deal of work, time and money. Should this map be rejected, the owner or developer will suffer the loss.

Approval is given on the basis of very detailed design plans so a preliminary map should contain far less. In any subdivision, additional expenses will increase the cost of the subdivision which will eventually be passed on to the buyer. All these expenses would put undue financial strain on private individuals and developers. This would surely be a detriment to the development of this city.

Section 2-201(8) - In dense foliage you may come across a forest of Kiawe or Eucalyptus trees growing relatively close together of which diameter may be 12" or more. If all of these trees will eventually be destroyed and must be included in a topographic survey, it would be a waste to include them. This unnecessary effort will elevate the cost tremendously. Our recommendation would be to include only the exterior limits of such a forest.

Section 3-301(c-5) - At this time, there are no requirements to show the identity of the Surveyor on permanent boundary monuments. On the mainland, many states require the Registration Number of the Surveyor to be on the boundary monuments. We feel that the City and County of Honolulu should take steps towards this requirement of identification on permanent boundary monuments.

Section 5-502(b) - This section is extremely unfair to a property owner who may want to subdivide now, but cannot do so because he does not have the necessary zoning area after excluding the proposed widening area. Due to the lack of funds, the City may never initiate a road widening.

Section 5-509 - We strongly recommend that all street monuments be established under the direct supervision of a Registered Land Surveyor duly licensed under the laws governing the State of Hawaii.

Section 6-601 - Our society feels very strongly that all construction

survey work be done by or under the direct supervision of a Registered Land Surveyor or Registered Engineer duly licensed under the laws governing the State of Hawaii.

10. Letter from Attorney Kinji Kanazawa dated May 30, 1973

"We have reviewed draft copies of revisions to the City and County of Honolulu Subdivision Rules and Regulations and note that the revisions proposed high priority to preliminary map submissions, particularly dealing with engineering standards and requirements.

We believe the detailed engineering standards and design should follow after the granting of tentative approval as presently outlined in the Subdivision Rules and Regulations. This has been the practice on subdivision developments in the past.

The suggested revisions will unreasonably increase the cost to all applicants on all submissions for tentative approval of subdivision plans without assurance that such approval will be granted. This course of requirements will further require greater time before a development can be projected with the resultant undue hardship, delay and cost upon the applicant.

We believe that revisions should be made to meet changing conditions, however, the scope of revisions is so extensive we shall appreciate additional time to review and comment on the proposed changes. The additional time will also provide us an opportunity to meet with various interested groups such as the engineering societies, planners, surveyors and respective government agencies to effect workable Subdivision Rules and Regulations that will be meaningful for economical, efficient and realistic developments that will be in the best interest of both government and the public."

11. Letter dated May 30, 1973 from Mr. Charles Farr, Vice President - Engineering, Amfac Communities Inc.-Hawaii

Concurred with comments made by Attorney Kinji Kanazawa.

This concluded public testiomony.

The staff was requested to review all testimony and to prepare a report on areas of disagreement. This information will be presented to the Commission at a workshop to be set up by the staff.

No action could be taken for lack of a quorum. The matter was continued to the next meeting.

UNFINISHED BUSINESS CONCURRENT REZONING FROM AG-1 RESTRICTED AGRICULTURAL TO R-6 RESIDENTIAL & TO ESTABLISH PLANNED DEVELOPMENT-HOUSING DISTRICT NANAKULI SHELTER CORPORATION & PACIFIC CONSTRUCTION CO., JOINT VENTURE (FILE #72/PDH-11)	The Planning Commission on January 10, 1973, recommended denial, contrary to the Planning Director's recommendation. This matter is being referred back to the Commission pursuant to its request that the City Council hold this application in abeyance until such time as the Commission receives additional information. This matter was continued to the next meeting (June 6, 1973) for lack of quorum.

* * * * * * * * * * * * * * *

The following matter to be authorized for a public hearing was also deferred for lack of quorum:

1. GENERAL PLAN AMENDMENT (224/C3/Various and 180/C3/5)

Applicant:	State of Hawaii, Department of Transportation
Present Uses:	Various
Location:	Oahu, Hawaii (See Map)
Proposed Use:	H-1, H-2, and H-3 Defense Highway alignments
Request:	To amend the General Plan, Detailed Land Use Maps, and Development Plans of the City and County of Honolulu to reflect the final highway rights-of-way for H-1, H-2, and H-3 defense highways, and to make necessary adjustments in land use designations for lands adjacent to or affected by the alignments.

ADJOURNMENT: The meeting adjourned at 5:02 p.m.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter

FLASH NO. 2

File Copy

SUPPLEMENT
Meeting of the Planning Commission
Minutes
June 20, 1973

The following public hearing was held June 20, 1973 from 7:30 p.m. to 10:30 p.m., and continued on June 21, 1973 from 1:30 p.m. to 4:00 p.m. in the City Council Chambers, City Hall. Chairman Eugene B. Connell presided.

PRESENT:
Eugene B. Connell, Chairman
Roy R. Bright
James D. Crane
Randall Kamiya
Fredda Sullam
Thomas N. Yamabe II

STAFF PRESENT:
Robert R. Way, Planning Director
Jane Howell, Deputy Corporation Counsel
Ian McDougall, Staff Planner
Walter Lee, Staff Planner
Bill Enriques, Observer

ABSENT:
Antone J. Kahawaiolaa

PUBLIC HEARING
GENERAL PLAN AMENDMENT
OAHU, HAWAII
TO REFLECT FINAL
HIGHWAY RIGHTS-OF-WAY
& TO MAKE NECESSARY
ADJUSTMENTS IN LAND
USE DESIGNATIONS FOR
LANDS ADJACENT TO OR
AFFECTED BY THE
ALIGNMENTS
STATE OF HAWAII
DEPARTMENT OF
TRANSPORTATION
(FILE #224/C3/VARIOUS
& 180/C3/5)

A public hearing was held to consider a request to amend the General Plan, Detailed Land Use Maps, and Development Plans of the City and County of Honolulu to reflect final highway rights-of-way, and to make necessary adjustments in land use designations for lands adjacent to or affected by the alignments.

Publication was made June 3, 10, and 17, 1973 in the Sunday Star-Bulletin/Advertiser. No letters of protest were received.

Presentation of the Director's report and a slide presentation to illustrate boundary alignments was made by Staff Planner Ian McDougall. The applicant's request is to indicate the final alignment of the Interstate System on the General Plan map, Detailed Land Use Maps, and Development Plans. The Interstate System is partially constructed with the remaining portions under construction or programmed for construction.

The amendment is requested on the basis that the Interstate System is established as policy. The issue being considered is not one of establishing need. It is, rather, to consider a request to amend

the General Plan in order to show the final alignment of the Interstate System. This is important because the right-of-way required by the system is sufficiently extensive so that even slight deviations in the proposed alignment may significantly affect the planned use of abutting parcels.

The Interstate System consists of three major highways designated as H-1, H-2, and H-3. The major portion of those highways which are defined as H-1 and H-2 are now shown on the General Plan while only segments of the remaining highway designated as H-3 is shown on the General Plan map. In some instances, the right-of-way for those portions of the system which has been constructed differs from what is shown on the General Plan map; in other instances, the right-of-way for those sections of the highway programmed for construction will differ from the right-of-way now shown; and finally, some sections of the system, particularly for the H-3, are not now designated on the map. The purpose of the amendment is to accomplish these changes.

The changes in land use designations which must be made are identified in order to amend the General Plan map to show the final alignment of the Interstate System. The Director recommends that these changes be made and that the General Plan be amended to show the final alignment as requested.

The State's presentation by Mr. Herbert Tateishi, Assistant Chief of Engineering, Highways Division, State Department of Transportation followed.

> TATEISHI: Mr. Chairman, I am here to testify on behalf of the application. My testimony will be brief. It will be helpful to provide some historical background.
>
> The Interstate System had its genesis under its Hawaii Omnibus Act of 1960 passed by Congress of the United States, after Hawaii achieved Statehood in August of 1959. Section 17 of the Act provided for the inclusion of the State in the Interstate System. The socalled Interstate System or more properly the National System of Interstate and Defense Highways dates back to 1944 and was limited to the continental United States. In 1956, Congress created the Highway Trust Fund, increased highway taxes and authorized and accelerated programs designed to complete the Interstate System by 1972. The completion date has since been extended to 1976. The taxpayers of Hawaii were subjected to these taxes without enjoying the benefits of the program. In January of 1960, the Secretary of Commerce in response to a mandate from Congress, submitted his recommendations on the extension of the Interstate System within Alaska and Hawaii. The two recommendations read:
>
> Routes in Hawaii meeting the same criteria as those in the presently designated Interstate System in other states, and

approximately 50 miles in length should be added to the Interstate System.

The Secretary's recommendation was the basis for Section 17 of the Hawaii Omnibus Act. The Act also provided the first apportionment of Interstate Funds to Hawaii.

On August 20, 1960, the Federal Highway Administration approved the adjacent H-1, H-2, and H-3 to the Interstate System. There followed a series of studies and public hearings thereafter in order to determine the corridors for the Interstate System. Corridors for the H-1 and H-2 were selected by March of 1965. The corridor for the Kaneohe segment of H-3 presently under construction was determined in September of '64. The Trans-Koolau corridor from Halawa to Halekou was selected in 1965 and approved by the Federal Highway Administration in 1968.

The Oahu Transportation Study, a joint effort of the city, state and federal governments was completed in 1967 and adopted by the agencies involved. The transportation system developed by the Oahu Transportation Study include the Interstate System plus the Mass Transit System. By mutual agreement, the city has been developing the Transit Program while the state has concentrated on the Interstate Program. Both programs are coordinated through the Oahu Transportation Planning Program, the successor to OTS. The Interstate System on Oahu has been, as the name implies, designed as a total system. In order for the system to function efficiently and effectively, all segments must be constructed. Functionally, the system is being designed to the latest standards with controlled access, and without intersections at grade resulting in smoother and safer traffic operations. The benefits of the system include travel timesavings to the driver and occupant of the passenger vehicle, travel timesavings for the commercial vehicle, accident cost savings, and a probable minimization of personal injury and fatality used by vehicular traffic.

Mr. Chairman, that concludes my formal presentation. I have members of the State Transportation Department here as well as consultants retained by the State in order to assist me in answering any questions that you or your members may have.

Both the state agency and the city planning staff were questioned by the Commission.

YAMABE: How much of the required land area for H-3 has already been acquired?

TATEISHI: At the present time as you know, the segment from Halekou Interchange to the Kaneohe Marine Corps Air Station is under construction. Therefore, that portion of the right-of-way has been acquired. The right-of-way for the construction of the Halekou Interchange which is in the vicinity of Kamehameha Highway has also

been acquired. From that portion on, because of the present court injunction--this is from Halekou to Halawa Interchange--we have not proceeded with the right-of-way acquisitions.

YAMABE: Could you elaborate on the court injunction?

TATEISHI: There is an injunction at the present time enforced on the design right-of-way and construction activities for the H-3 central portion which is from the Halawa Interchange to Halekou Interchange on the Windward side. This case is now being heard by Judge King. That litigation is now in process.

Insofar as our Environmental Impact Statement, it has been approved; however, there are certain issues that are still being argued in court. These are procedure requirements.

YAMABE: In the City and County staff report, it indicates that this issue being considered is not to be one of establishing need. What is the position of the State as far as need is concerned?

TATEISHI: As indicated in my testimony, we do feel that the City of Honolulu requires a balanced transportation system including the Interstate System and Mass Transit as well. So, we definitely feel there is a need for both.

YAMABE: Could I get a response from the City on the same question? Does the City concur with the State?

MCDOUGALL: Yes. I think the report later on indicates that the policy for the Interstate System is established by Council Resolution preceding the adoption of the General Plan. Its also contained in the General Plan text itself. So, the position here is that the need for the highway is not an issue. It is already established. Its a matter of updating the map.

CRANE: I'd like to address my question to the State DOT. Is it your position that H-3 is needed in conjunction with Mass Transit?

TATEISHI: That is correct. At the present time, we do have circulated as a preface to our Environmental Statement in which we have indicated that two lanes of a six-lane facility will be devoted to mass transit, initially buses, as we understand.

CRANE: Do you address yourself to the possibility of mass transit development on the other existing highways?

TATEISHI: We have been working with the City Transportation Services Department in terms of the H-2 as well. These plans have not been finalized; however, we have designed certain structures principally the Waikakalau Bridge which crosses the gulch to accommodate future widening to additional lanes for bus transit.

CRANE: What I'm trying to get at is have you addressed yourself to the possibility of a full development of mass transit rather than the building of another highway? In other words, with full development of mass transit, is there in your opinion, a need for a new highway?

TATEISHI: Mr. Ah Leong Kam, our Transportation Planner, could answer that question.

KAM: My name is Ah Leong Kam. I was the Project Director for the Oahu Transportation Study back in 1965. I'm also present head of the continuing phase of that program.

With respect to your question, we did make planning studies pertaining to diversion of traffic between automobiles and mass transit whether you have H-3 or not. Even with the full development of mass transit crossing the Trans-Koolau mountains, the present facilities plus the additional improvements from Likelike Highway would not be sufficient to handle the traffic.

CRANE: What kind of mass transit are you talking about? You're saying that with mass transit on the existing highway, it would not be sufficient to handle the traffic.

KAM: The type of mass transit would be express buses feeding from the trunk line to the outer central areas outside of Honolulu.

CRANE: Did your study go into other types of mass transit?

KAM: Not insofar as the vehicle type, no, not the Oahu Transportation Study.

CRANE: Is there any data available as to the possibilities of mass transit that that could be put in the existing right-of-ways, on the existing highways, which would not necessitate the building of a new highway?

KAM: If you're speaking of what is possible engineering wise, yes.

CRANE: I'm asking if there is any data available which is as certain as the certainty of your present testimony that the mass transit you're talking about is not sufficient? Is there any kind of study that you know of which would show us whether full development of another kind of mass transit would indeed be sufficient to handle the passenger traffic and not necessitate the building of a new highway?

KAM: Its very difficult to answer your question in that respect. There are certain constraints in our studies. We were talking about a target year of 1985 in the original OTS Study. The target date has been extended to 1990. So, we are not talking about a highway year which has no end.

So, the first step would be to estimate the travel demand between Windward Oahu and Honolulu area. What would be the travel demand through the Trans-Koolau corridor for 1990. What we did after that would be to try to estimate the patronage if mass transit were to be developed between Windward Oahu and Honolulu. The only way we describe the type of mass transit in the transportation planning process were characteristics--in other words, the ability of speed to vehicle, the time it would take whether it was by bus or whether it was by some other vehicle type. But, we described the type of facility by speed, time, and so forth. Now, we know that to get capacity, time and speed, any type of mass transit vehicle could perform that. So, it was not a matter of determining the type in our present study. So, by taking a speed of a vehicle, by determining the difference in time it would take for a person to move from one point on the Windward side to the Honolulu side, the difference in time by the transit system and by the automobile, by determining the car ownership on the Windward side and his parking cost on his destination side, we were able to determine the amount of patronage that would occur if you were to provide that type of transit system which would meet that type of criteria.

CRANE: What you're saying then is you have done a projected study on a fast, inexpensive and frequent mass transit system. You have ascertained from that study that all of the factors being equal, it still would not offset the necessity to build a new highway.

KAM: Would you repeat that?

CRANE: You just gave me a formula as I understand it, three factors as I see it--frequency...

KAM: No, the first would be the difference in travel time, if you would provide two different modes of travel.

CRANE: That would speed.

KAM: Well, okay.

CRANE: The other one is frequency, how often do these things go, and three?

KAM: The other is the car ownership at the origin end of the trip, and the third one is the parking cost on the destination end of the trip.

CRANE: Fine. Let's suppose we have a mass transit system that is fast enough and frequent enough--if it were then obviously it would offset the car ownership on the other end because people would be using the facility rather than buying more cars to come across the mountain. Certainly, the parking cost on this end of the situation could do nothing but demand more mass transit. So, what I'm asking you is, if the studies you have done, if you had a mass transit system that was frequent and inexpensive enough and efficient enough and people would use it, would we need a new highway?

KAM: Yes. There's three variables we can control. Let's put it that way. We talked about parking cost. Of course, in our transportation planning process, we estimate a reasonable cost in the destination end. Naturally, you can say we will take away all the parking in the destination end, and also say let's boost it up $2,000 per month if you want to, make it that steep. But, in the transportation planning process, we made a reasonable estimate as to what the parking cost will be for a nine-hour period at the destination end.

In the car ownership end, we have developed ration analysis which can give us a determination of what the car ownership will be on the origin end.

Now, to determine the time difference between the automobile and the transit, we have to structure where the transit line, where the buses, where the trunk line is going to be. We can't say that every road will have a bus. We can't say that every point of destination that a person can get there by bus or by the mass transit line. So, there will be a difference between the time it takes you to go by bus to the transit line, and get off the transit trunk line to another bus again, to where you want to go, as compared if you were to get on the automobile and drive to that particular destination. So, there is a difference.

CRANE: I'm not trying to be argumentive. I'm trying to understand.

KAM: I understand.

CRANE: Are you telling me then there has been a study of other kinds of mass transit other than a bus, and that you have determined from that study the statistics you talk with me about, that mass transit in any form, of all the variables that you have mentioned to me, dictates that we must have a highway. It won't take the traffic.

KAM: Yes. We have not said that we have studied a particular mass transit vehicle per se, because if you're talking about different mass transits, there are different types of vehicles that can perform mass transit characteristics. What we have done in our transportation studies is really try to describe the characteristics of a transit system, not the type of vehicles per se, because you can always get the type of vehicle to meet the characteristics.

CRANE: Now we're down to it. From that, then you have determined no matter what kind of vehicle it is, from the variables that you talk to me about that mass transit in any form will not do away with the necessity of a highway.

KAM: That's correct.

CRANE: That's what I'm trying to get at.

KAM: It will not get the sufficient patronage on the transit system that would make another highway not required.

CRANE: Thank you.

SULLAM: A question of Mr. Tateishi. I don't understand how you're going to get the mass transit to be a viable system if you make a highway that is parallel and ready to accommodate cars.

TATEISHI: Well, Mr. Kam went through the scientific explanation of how he determined that some sort of mass transit system over the Koolaus, any highway would be required. At the present time, the City transit plan envisions buses over the Trans-Koolau route. We have coordinated this with the City. The City is calling for a fixed-rail system on their trunk line. The express buses using, I believe, both the H-3 and the Likelike Highway, would interface into terminals on the rail transit system. So, it is an integrated plan.

SULLAM: And has the State concurrently adopted the proposal with the City?

TATEISHI: We have, in our preface, printed an agreement between Mr. Villegas and Dr. Matsuda in terms of concept for the City transit system. That is available in the libraries. I believe a copy was sent to the City planning staff.

SULLAM: The mass transit plan Mr. Kam speaks of, is it something that's ongoing or is it something that was completed sometime ago? I would like to know how current it is?

KAM: There were several mass transit studies made. Our first mass transit study was undertaken in 1966 as part of the Oahu Transportation Study. In that particular phase, a modal split model was created. In addition to that, there were two mass transit strategies, if you may label them, studied. Out of that, it was concluded that for all future long range planning for Oahu, we should have a strong mass transit system. That was the initial phase of the OTS study as far as the mass transit element was concerned.

In the second phase, the City and County had undertaken what they called a preliminary engineering and evaluation program which took the second step of the Oahu Transportation recommendation and try to describe the system more fully. In addition to that as an interim short range mass transit study, they did a permanent bus study, I think, of the entire Island of Oahu. This was to provide the necessary transit operation system until they're ready for the bigger system, the rapid system. That's three studies so far. Now, the City is undertaking PEEP two. I think Mr. Villegas could tell you more about the second phase of the program.

SULLAM: Nothing final has been established as to what kind of a system this is, how its going to be integrated into the highway?

KAM: Its pretty well final as of the second PEEP (Preliminary Engineering and Evaluation Program) program. The first PEEP program, its been agreed between the City and the State that the future--when I say future, I'm talking about the rapid transit system, that the City should have a rapid transit system described with a trunk line running from Pearl City to Halawa to Hawaii Kai, this is the main trunk line, to be tied in with a bus system which will feed on to our major arterial to places like Wahiawa, Kailua, Waimanalo and so forth.

SULLAM: In other words, you haven't sort of a rail system on a street. You're thinking of a bus system, that this would be a highway without a consideration built in it to accommodate a rapid system.

KAM: Well, in the initial phase, it is anticipated to run express buses, an exclusive rights-of-way on H-3. Its so designed that it can accommodate future rapid systems.

TATEISHI: We have Mr. Mandel, Project Manager for the H-3 Project. Extensive studies have been conducted in terms of transit diversion, in terms of possible accommodation of rail transit on H-3. I believe Mr. Mandel can shed some light on this.

MANDEL: My name is Herbert Mandel.

SULLAM: I'm particularly concerned as to what accounting you've taken into your planning in regard to mass transit. I think that we read your point but we realize that we have to think in those terms.

MANDEL: Its been opposition that of all the Trans-Koolau routes, the H-3 is the one best suited for transit cross the Koolau. Its a new facility and will provide the proper space. The route will be constructed six lanes wide. Its been mentioned earlier that two of those six lanes will be reserved for mass transit. They will be able to accommodate any system of mass transit which the City proposes to put on those lanes.

Grades across the Koolaus are such that typically six percent is the ascending grade which a transit vehicle must negotiate. At the present time, present technology, rubber tires are about the only thing that can negotiate such grade. Steel wheels on steel rails cannot. Now, it happens that the trunk line system being proposed for Honolulu is a rubber tire system. If the City, when they find that its patronages are sufficient that it wishes to put rapid system across the Koolaus, H-3 will accommodate that system on the lanes reserved for transit, in the tunnels, on the structures, and in the interchanges. In the interim, it will accommodate express buses which will interchange with the trunk line at appropriate terminals in Honolulu.

CRANE: From what you've just said then, the answer to my original question a few minutes ago, is it indeed we have not really considered

existing facilities relative to whether mass transit can or cannot supply the needs of the people because from what you just said, the only consideration the mass transit relative to the Koolaus is H-3.

MANDEL: I didn't mean to say that if I said it, Sir. What I said was that route H-3 is the facility best able to accommodate mass transit. But, mass transit on the Pali Highway and the Likelike Highway were both extensively studied in several formats. The conclusion reached was that to accommodate mass transit on either one of those highways would have caused such social upheavals in the corridors themselves in terms of the property that would be required to make space for the facility, that they were socially objectionable. Specifically, the property taking at the terminae where transit would have to interchange with the trunk line, or somehow get down to the city streets, was expensive and was therefore prohibitive. But, certainly they were studied and were covered fully in our Environmental Impact Statement.

CRANE: Then the blunt truth is the only consideration relative to mass transit has to be H-3. The others, the social upheaval, the grades are just too--

MANDEL: If we're talking about a rapid system of mass transit, then H-3 would have to be the future consideration. But, if we're talking about simply putting buses on city streets, that type of facility, of course, either Pali or Likelike could do that today.

YAMABE: What social economic problems do we face if H-3 is not constructed?

TATEISHI: Are you speaking specifically of the Windward side?

YAMABE: The total H-3 project.

TATEISHI: Primarily increased congestion on the Pali and Likelike Highway, accident potential.

YAMABE: How about the cost? How much did you people already expend on the project? What would happen if it stops at this point?

TATEISHI: Presently the H-3 route is estimated at 270 million dollars primarily in the cost of the tunneling. We have expended to date, 30 million dollars on the construction on the Windward side which is from Halekou to Kaneohe Marine Corps Air Station. Our latest estimate is that in order to complete the Interstate H-3 route, it will be in the magnitude of 240 million dollars. We have expended engineering, in terms of development of design plans, until our work was halted by the court injunction.

YAMABE: Was the 30 million dollars federal funds or was it matching; if so, what percentage?

TATEISHI: The interstate system is financed 90 percent by federal funds and 10 percent state funds.

YAMABE: So 90 percent of the 30 million dollars came from the Federal government.

TATEISHI: That's right.

YAMABE: What happens if it stops? Are you required to return 90 percent of the 30 million dollars to the Federal government?

TATEISHI: We have not addressed ourselves to that question. As I indicated, the Environmental Impact Statement has been approved by the Secretary of Transportation of the United States Department of Transportation. That is indicative of their sanction of the project at this time.

YAMABE: But you're not certain as to what might happen if the project is stopped.

TATEISHI: Yes. I would assume that if we have met all of the requirements of the Federal Highway Administration whose function is to administer these funds up to the time that the project for some reason cannot proceed, I would assume they would probably rule favorably insofar as the funding is concerned.

YAMABE: Favorably in what manner?

TATEISHI: Insofar as not asking for reimbursement of federal funds. Of course, this is a supposition. I can check it out with the Federal Highway Administration people here locally, if you wish.

YAMABE: I would appreciate that. What would happen to the portion that you've already started construction on the Windward side?

TATEISHI: Well, facetiously people have said that we will have a super highway from Kaneohe Marine Corps Air Station to the Pali Golf Course. I guess that would be the extent of it. As part of the construction, however, we did construct the Mokapu Saddle Road which is serving a purpose. The only realistic practical outlook to take at this time is that the H-3 route will be constructed.

YAMABE: I suppose that might be practical but we certainly would like to look at all possibilities and at the same time examine the consequences. So, you would say that the portion already constructed will not be a complete waste.

TATEISHI: We could make a connection to Kamehameha Highway by constructing a portion of the Halekou Interchange so that that section will be usable.

There were no further questions from the Commission.

Public testimony followed. All written testimony submitted at the hearing is attached and made a part of these Minutes.

Interrogation of each speaker questioned by the Commission follows.

1. Mr. Rolf Preuss, interested citizen (Testimony dated June 19, 1973 attached) (Attachment #1)

YAMABE: It was established by the State and the City of the need for this highway. You say when the new General Plan adoption takes place, do you feel this might change the course where they might decide there's no need?

PREUSS: I question that need has been established. I don't see the justification for that. They're just saying that its been established. As far as I understand General Plan amendments, we have to look at the consequences of building a highway. It'll tend to encourage more people to travel. What does it mean in terms of the social and economic aspects of the other side of the island? It has all sorts of impact which hasn't really been discussed in the GP amendment.

YAMABE: I know you question the need. Are you suggesting that we might consider to go the other direction where we make it almost unbearable for motor vehicles to be on the streets whereby it might reduce congestion, pollution--

PREUSS: I'm hoping that when the new General Plan comes out, whether it comes out in form of mass of policies or whatever, that land use designations will be arranged in such a manner that they will reduce the need for traveling. In other words, perhaps not all the people on this island will have to come over to go to work. The facilities for employment might also be on the other side of the island. By readjusting our land use pattern, we will be shifting out the need for mobility too. That's another alternative is all I'm saying.

YAMABE: I understand; however, that's easier said than done, to confine people of that size, 200,000 population in one area and attract business and industry to create employment, plus the fact that some people live in the country and prefer to commute to town. Its a good suggestion but its a question whether we could implement this type of program.

To pursue the idea of keeping the automobiles off the streets, I'd sure like to know how many people in this community feel strongly enough where we might encourage people in authority to consider creating such an extreme, unbearable situation where we might reduce the need.

PREUSS: I represent myself. I'm looking for rationale than just to say we have X number of people we have to accommodate. Ten, twenty years it will just be worse. There must be alternatives. I'd also like to see the impact of the freeway looked at in a much broader sense than just the adjacent uses.

YAMABE: I also noted your suggestion of staggered hours. I note from the staff report that they have made a study of it from '63 to '71. They say this is not possible for the reason that the extended time period during which peak direction traffic travels, it is indicated that there is very little time of day left for any more staggering.

PREUSS: Reading one paragraph like that, its very difficult for me to argue because I have to see the study and know whether its possible or not. We may have force it on people if we want to preserve our environment.

YAMABE: I don't think we can force anything on the people. Its the people who decide.

2. Mr. Leonard Moffitt, Executive Director of the Windward Regional Council. (Attachment #2)

CRANE: I don't necessarily disagree with you but I think what we're faced with here may be a choice, and an immediate one of either or. I'm relatively a new member of this Commission but I can assure you that on numerous occasions, the PUDs and this kind of thing has come up on the Windward side for just putting housing there. The human cry has been, and rightfully so, that we must preserve our island way of life. What you're suggesting is that we seriously consider putting industry on the Windward side. I would almost faint to think of the public hearing that would be involved if we were to suggest that.

MOFFITT: If you just say industry, yes there would be but it could be employment centers and doesn't have to be industry at the dirty sense of industry.

CRANE: Well, are we going to do all that on this side?

MOFFITT: No, you do that with regard to ecological problems.

CRANE: I'm trying to be realistic. When you say keep the people on that side of the island, you must provide employment for them. Now, if we have a very rough time trying to build housing on the Windward side, I hesitate to believe that we're we're going to get employment centers there.

Your idea about the transit system around Makapuu makes sense to me but I don't think the others are in the realm of possibility.

MOFFITT: I wouldn't discount them if I were you, Sir. I believe the problem has been a lack of good study. We have map plans but we don't have good policy plans that get into the full ramifications of different alternatives for the development of any area, including the Windward side. We're hoping that the General Plan studies now being done by the City Planning Department

will provide that kind of opportunity for a full exploration of different alternatives. There are many ways to do this. Just because there have been some bad mistakes made in the past doesn't mean it has to continue that way.

The opposition you had this afternoon on the projects was not because of housing per se but because of the condition in the Kaneohe Bay area in particular is not suitable at this time for any kind of development.

YAMABE: Is this the position of your members?

MOFFITT: Yes. We have both a board and a comprehensive planning committee. We're preparing our third book, you've already received two books, along these lines going into different alternatives.

YAMABE: So your members are against this.

MOFFITT: No. We are neither for or against this. We're for good planning. At this stage because there has not been the good planning necessary to make a good decision, we don't feel any decision should be made at this time.

We don't have the General Plan study. The Planning Department will be meeting for the first time in July with the General Plan study. This is the first time we will really get to look at what they're doing. We're developing information, they're developing information. We're far off from a point where this kind of a decision should be made.

Right now we're trying not to have any development because of the big ecological problem we have particularly in the Kaneohe Bay area.

YAMABE: Are you saying create a moratorium?

MOFFITT: I don't like to use that word but--

YAMABE: I don't want to use any word. I'm just trying to understand what you're trying to say here.

MOFFITT: I'm saying until conditions are appropriate and can absorb more development, there shouldn't be any more development on the Windward side. We've got some social problems too.

YAMABE: At what point would you consider the planning to be good?

MOFFITT: When we've fulfilled the Dalton requirements that the alternatives be fairly weighed. They haven't yet.

YAMABE: The report says here they've met all the requirements of the Dalton case. You're saying they haven't.

MOFFITT: Yes. They have accepted the policy statement of the Council some years ago that there is a need. We question that need in the light of present knowledge and general awareness of the ecological damages that have occurred and a greater sophistication by the general public about planning that there might be a different concensus at this time. In five years, there's been a big change in the general public's awareness of planning issues.

YAMABE: What would you suggest? I think your suggestion is a good one. If we don't have good planning, if we don't have complete information, I don't think we should proceed. At this point, it seems to be a matter of opinion, your opinion against the recommendation. Can you assist us by telling us how we might finally reach this point where your people consider that its good planning, how much more investigation is needed where you feel it has met the test of the Dalton case, so that we might consider this.

MOFFITT: Without going into the intricacies of what I've written before you, I would say that our best hope at this stage that we first at least have an opportunity to see what the Planning Department is doing for us at their meeting coming up in a couple of weeks. Until that time, it would be premature for me to make suggestions. I would like to be working with them in their present General Plan Revision.

CHAIRMAN: Is your study based on simply the Windward side or are you doing all of the Dalton decision, a comprehensive study as the Windward side relates to the Leeward side?

MOFFITT: We cannot look simply at the Windward side because the Windward side is part of a larger community. So, we must look at those impacts which are island wide, state wide, and those which can be pretty much a local kind of impact, and relate those one to the other. We cannot look at things in isolation and we do not.

CHAIRMAN: You say by the end of the year you will have looked at all the alternatives?

MOFFITT: Yes. Our schedule is based upon partially having testimony to present to the temporary commission on environmental planning, and also at the next legislative session. We would want our report done before then.

CHAIRMAN: Do you have the various alternatives listed that are going to be studied?

MOFFIT: For the region yes, but not for the local community.

CHAIRMAN: How soon are you going to have the various alternatives?

MOFFITT: Hopefully by September.

CHAIRMAN: We can expect that you will share this.

MOFFITT: We will be glad to.

(There were no further questions of Mr. Moffitt.)

3. Mr. Kent Miller representing the Conservation Council for Hawaii (Testimony undated, attached) (Attachment #3)

CRANE: Is your group backing the idea of reverse bus lanes in mass transit?

MILLER: Most definitely.

4. Lucille Shannon, President, Haiku Village Community Association (Testimony undated, attached) (Attachment #4)

YAMABE: A question of Mr. Tateishi first. Have you had an opportunity to explore the possibility of have the Federal government finance the mass transit system without the construction of H-3?

TATEISHI: That question is a policy type question which I think could be more properly answered by the State Legislature and also the Acting Director of the Department of Transportation. I do, however, want to point out that the express bus lanes have been constructed with Federal Aid Highway Funds. The only provision now is on rail or fixed guideway type system which at the present time cannot be financed by Federal Aid Highway Funds.

YAMABE: If a request is made of the Federal government to participate, they will not if we continue to seek the bus type of system?

TATEISHI: They would participate on an express bus system provided certain warrants are met. The Environmental Impact Statement was approved by the Secretary of Transportation in which a definite commitment was made on the H-3 project for express bus lanes and not buses in mixed traffic.

YAMABE: Mrs. Shannon, would the people in the Windward area be willing to make the sacrifice of inconvenience of traffic congestion, until such time we might be able to seek out funds whether it be federal, state or city.

SHANNON: We have lived with it all this time. I'm sure we can live with it longer.

CRANE: Question of Mr. Tateishi that Mr. Yamabe touched upon. The question that he asked you was have you people done

a study or have you made a request for mass transit funds from the Federal government, not on H-3. Your answer was that is a policy kind of a question that must be answer either by the State Legislature or the Acting Director of Transportation.

TATEISHI: That's correct. The present legislation on Federal Aid Highway Funds does not permit financing of rapid transit or fixed guideway type systems. So, I would doubt even if a request was made that funds could be, say diverted to transit usage under existing legislation.

CRANE: But you haven't asked.

TATEISHI: No we have not because of the existing legislation.

CRANE: The reason I ask is because that's what I was asking over a half hour ago. I wanted to know if you have studied it and if you have asked, and if H-3 was a foregone conclusion tied in very closely with mass transit, and I didn't understand the answer. Now you're saying H-3 is a foregone conclusion, that any mass transit funds that come about here are closely connected to H-3.

TATEISHI: That's correct.

CRANE: That's what I wanted to know. Thank you.

SHANNON: I'd like to ask a question of Mr. Tateishi.

CHAIRMAN: If you'd address the question to me.

SHANNON: I was just interested in wanting to know why the State went ahead with the H-3 plans before asking for the amendment to the General Plan?

CHAIRMAN: The Chair will address that question to the State.

TATEISHI: I do not profess to know the entire concept of the General Plan. I believe the City planning staff would be better able to answer that. However, our understanding is that the H-3 in concept is part of the General Plan. This is reflected in the narrative portion of the General Plan. The narrative form describes the route from the Kaneohe Marine Corps Air Station to Pearl Harbor across the Koolaus.

CHAIRMAN: It is a policy of the State Legislature and the City Council inasmuch as the General Plan is a policy or means by which the decision is of Council and we would certainly expect the Legislature of implementing. Therefore it relates to the General Plan.

YAMABE: I'm thinking possibly a referendum might be a solution to this situation. If it were possible, would you

consider the question I posed would be a fair question?

SHANNON: Yes, I think it is.

(There were no further questions of Mrs. Shannon.)

5. Mr. August Yee, Board Member, Citizens for Hawaii (Submitted testimony undated, attached) (Attachment #5)

WAY: Are you speaking for the Citizens of Hawaii? I noticed your testimony indicates you're representing the Citizens for Hawaii yet the format of your statement is somewhat more on a personal note rather than by that of an organization.

YEE: I should have qualified by saying that I have personal views too. However, I've been directed by the Executive Committee of Citizens for Hawaii to appear here before you and testify on such matters I deem advisable.

WAY: Has action been taken on this statement?

YEE: The Board has authorized me to make the statement. I will present it to them for their final consideration. I have the assurances from members of the Executive Committee that what I do say here tonight is based on information provided to me by the Executive Committee.

SULLAM: In your testimony, you state that Federal Highway Trust Funds are no longer restricted to the building of more highways. Could you elaborate on that?

YEE: Its very important to communities like that of Oahu inasmuch as we have not as yet experienced the type assistance of mass transit like you find in San Francisco or Stockholm, Paris, Mexico City and other areas. The funds now as we know them may be used by way of revenue sharing payments to cities to plan for different modes of transportation.

SULLAM: Do you feel from your knowledge that the State has investigated all the possibilities?

YEE: I'm aware they have written and contacted people in the Transportation Office in Washington D.C..

SULLAM: They seem to feel there is no possibility of getting Federal funds for mass transit.

YEE: I agree with that, yes. My point is that the Federal Highways Trust Fund now provides for payment of moneys to plan different modes of transportation.

SULLAM: If such is the case, we should be able to get some of these.

YEE: I should think so.

CHAIRMAN: You mention the possibility of using bus service between the Windward and Leeward side, that some of this would be free transportation. Who would pay for that?

YEE: I relate the ultimate cost of H-3, the $250,000,000 to what would be a practical solution at least for the immediate future. We're looking down the line say 5 to 10 years and bus transportation might be the solution that we seek rather than say going ahead with the construction of H-3 between Halawa and the Windward side without intense studies of alternative modes of transportation.

CHAIRMAN: Would you see Federal funds being used to help support this or would the Legislature be required to put the funds out or would the City and County?

YEE: I am of the opinion that the members of our Legislature would really like to see other modes of transportation be provided on this island to our people. They are responsive to this community, to the people, and for that reason I feel somewhat confident that they would be willing, that is to say the Legislature, would be willing to partly fund these costs.

CHAIRMAN: And change their own policy.

YEE: Possibly expanding on it rather than changing.

CHAIRMAN: Would the Citizens for Hawaii also be in favor of other of restrictive measures that would possibly make the use of the automobile more difficult, such things as changing our code to require less parking spaces per office space, cutting down on the number of parking spaces required say in PUDs from 2-1/4 back to 1? In other words making it really somewhat difficult to drive an automobile?

YEE: Our membership is mixed. I have ambivalent feelings myself. I was not against those proposals to restrict automobiles usage through taxation or higher prices on say parking.

CHAIRMAN: I notice you used examples of Chicago and other cities which, of course, have a much lower requirement on parking spaces in downtown areas compared to the City of Honolulu.

YEE: It follows. If we look into the Stockholm mass transit system, there are already existing and planned communities that surround Stockholm. These communities have any where from 25 to 50,000 living in these communities. Ninety percent of those people who travel into Stockholm daily use the mass transit system. Only 10 percent drive.

CHAIRMAN: I'm not sure what that means.

YEE: What I'm saying is I would not want to see anyone who owns and wishes to drive an automobile be prohibited from using it.

CHAIRMAN: I'm not suggesting that people be prohibited from using it. I'm raising the question whether we should make it that easy for a person to use the automobile. I'm not saying anything about forcing them to not drive.

YEE: Maybe I used the wrong word, prohibited.

CHAIRMAN: If you have to drive an hour-and-a-half around town looking for a parking space, it might cause you to say maybe taking a bus would be a better idea.

YEE: Especially if its free. I mentioned earlier that gasoline prices are rising. Its conceivable that three to five years from now we will be paying $1 a gallon. People living in the Windward area would, I think, seriously consider alternative modes if that transportation suited their needs and desires.

CHAIRMAN: It seems to me it would be a little less restrictive on people by cutting down on the number of parking spaces. I've heard some people suggesting tonight that since people are going to be told where to live and where to work, so this would be a little less restrictive.

YEE: If there are other ways of providing transportation, not just H-3, to the Windward population into downtown Honolulu and to Pearl Harbor, and these modes are economical, rapid, convenient, frequent, I feel confident a great number of the residents would use that mode of transportation.

CHAIRMAN: So we can expect the Citizens of Hawaii will be lobbying with the State Legislature to implement these ideas?

YEE: I can confidently state that.

KAMIYA: In your alternative proposals, number 1, the consideration of upgrading the existing 4 lanes, Likelike and Pali Highway, do you have any factual plans that can backup a statement such as this?

YEE: Forgive me, I am not knowledgeable in that area. I speak only as one who's now changed his mind about H-3. I can say this, the Likelike corridor as I have recently read could even allow for three additional lanes from the H-1 intersection all the way through the tunnel. Ninety percent of the distance from H-1 to the tunnel would be at grade. Only ten percent of it would be other than at grade. It might be at a viaduct type of highway, one over the other.

As to Nuuanu, I can't really speak knowledgeably. I think some of the people in the Transportation Department might.

KAMIYA: So, actually you have no idea as far as the cost is concerned.

YEE: I heard a moment ago that Likelike or Kalihi Valley might have a total cost upwards of $100,000,000. I just heard that this evening. I really don't know. I feel confident that it will cost far less than the $250,000,000 that H-3 would cost.

KAMIYA: What's your reason for picking the three-lane expressway with only one tunnel? Why not a four lane, five or two?

YEE: I'm trying to be in my thinking, economical. Three lanes of traffic going in one direction in the morning into Honolulu and towards Pearl Harbor would be adequate. I judge this from what I've read about, figures advanced by Dr. Matsuda. As I recall now, H-3 by 1978 would provide a peak hour transportation of less than 3,000 automobiles. Presently, Likelike and Nuuanu both provide for in excess of 3,000 automobiles within the peak hour period per hour.

KAMIYA: The reason I ask is for this H-3, there's a proposal of three six lanes. Two lanes would be for the mass transit and yet there's two lanes that are available for to and fro, so actually four lanes. What I'm getting at is why not instead of three, go down to two if you're going to be using it just one way direction in the morning and the afternoon.

YEE: I would hope that two lanes would be for automobile transportation and one lane would be for express bus lane.

(There were no further questions of Mr. Yee.)

6. Mrs. Luka Naluai representing Hui Malama Aina O Ko'olau (Testimony attached, undated) (Attachment #6)

CRANE: I don't disagree with your statement but it seems that the thrust of your testimony is basically not only against H-3 but really against development of the Windward side.

NALUAI: Yes.

CRANE: Therefore, would your organization be opposed to mass transit which would help alleviate the transportation problem that we're talking about tonight?

NALUAI: In our area in Kahaluu, we do not mind development as long as they go along with what the people there want, not highrises just to accommodate a lot of people. We want something

that is controlled by the people. I have 16,000 square feet of land. I can only build one house on it. But, there is a project that is Parklane, they can build 115 units on 9 acres. I am only a stone throw away from them. These are the things we're opposing. If its good for me, 10,000 square feet for one house, then its good for them. Then, we won't object it. Then, we won't bring that many people into the area. The mass transit will be ideal for the people in Kahaluu.

CRANE: My point here is many of the people testifying against H-3 recognize the fact that there's a transportation on the Windward side over to downtown Honolulu, and that the traffic is a central problem and must be alleviated. One person testified that perhaps we should move places of employment over to the Windward side. If we're going to direct our energies toward alleviating our transportation problem, then we have to do that rather than say we just don't develop anywhere.

NALUAI: The gentleman ahead of me mentioned three lanes to Honolulu during the peak hours. This can be done. I traveled there one morning. I was the only one going down two lanes toward Kaneohe. The people going to town in two lanes were bumper to bumper. I couldn't understand why they couldn't use this other lane towards Kaneohe. In Honolulu on Kapiolani Boulevard, there's only one lane towards Kaimuki. All other lanes go to town.

CRANE: Basically you'd prefer that we not have the traffic problem by not having development on the Windward side.

NALUAI: Yes.

WAY: In your statement was mentioned your concern about a highly urbanized culture and its imposition on a very old rural culture destroying some values, and I heard in response by Commissioner Crane the point being made about the relative difference in density or lot size, that you have a 16,000 square foot lot nearby, homes being built 10 to the acre or something in that order. To preserve this culture that you refer to, can it be presumed that maybe something on the order of 10,000 square foot lots is appropriate?

NALUAI: For the Parklane?

WAY: No, for the area.

NALUAI: No, I don't think the zoning should be one type of zoning in the area but I don't think this type of building, PD, should be put in our area where we're going to have to have too many children coming to school and you're going to need another school. According to your General Plan, in case they need another school, it would be in Kaalaea. In this area that you have a school, we have about 65 homes. This is where the poverty pocket is. There would be about 300 families moved out just to provide schools for the new people that move into the area. This is the

thing we can't see.

WAY: I was trying to put it in some terms of density or zoning relationship. My understanding was you felt R-3 of 10,000 square foot lots would be more or less acceptable to preserve the rural character of the area, but that something of a higher density is not.

NALUAI: The thing we're trying to prevent is to have all different types of people. They won't be people from within the area. We've asked the people if they would build low-income housing for people in the area and they said no. We're trying to control the area. This is the only place on Oahu that is still rural. Being an ecological model, we want it controlled so that people can live the way their living.

WAY: Where is it you reside?

NALUAI: I reside in Honolulu but my son that goes to medical school lives on my property.

WAY: You don't live in Kahaluu then.

NALUAI: No, I don't live there. My son lives in my home.

WAY: How about the position paper that you presented, was that acted upon by the Hui?

NALUAI: Yes.

WAY: In what fashion?

NALUAI: We had a special meeting with our committee about a week ago. This was read, we went through it and took it apart and we came to this conclusion.

WAY: The committee is composed of whom?

NALUAI: You want the names?

WAY: Is it the Executive Committee or the Board of Directors?

NALUAI: The Board of Directors, the Executive Committee and the Chairman of different committees.

WAY: Approximately how many members were in attendance when the action was taken to approve this statement?

NALUAI: About 20.

WAY: How many members in the organization?

NALUAI: I think if you attended our meetings that we've had,

we had about 90 people there.

WAY: Is that the membership that you consider?

NALUAI: No, more than that. We have the Hui Malama Kai which is about 150 or more.

YAMABE: Do you think a referendum might be a fair approach or a solution to this project?

NALUAI: Maybe my attorney can answer that; yes, he thinks so.

(There were no further questions of Mrs. Naluai.)

* *

MEETING RECESSED AT 10:40 P.M.

MEETING RESUMED AT 1:30 P.M.
Thursday, June 21, 1973

PRESENT:	Eugene B. Connell, Chairman Randall Kamiya Thomas N. Yamabe II
STAFF PRESENT:	Robert R. Way, Planning Director John Grant, Deputy Corporation Counsel Ian McDougall, Staff Planner Bill Enriques, Observer
ABSENT:	Roy R. Bright James D. Crane Antone J. Kahawaiolaa Fredda Sullam

7. Mrs. Frances Damon Holt, Vice-President, Moanalua Gardens Foundation (Testimony attached) (Attachment #7)

8. Harriet Damon Baldwin, President of Moanalua Gardens Foundation (Testimony attached) (Attachment #8)

9. Mr. John Dominis Holt, Home Rule Movement; Hawaii Cultural Research Foundation; Author and Historian (Testimony attached)(Att.#9)

10. Mrs. Anna Bond, Executive Director, Moanalua Gardens Foundation (Testimony attached) (Attachment #10)

YAMABE: You say if H-3 is constructed through the valley its not possible to maintain this area for a park.

BOND: The Foundation feels that is correct. The remaining park land available would be about half of the land, its sort of the 47 acres that would be under the viaduct.

YAMABE: What is it like in acreage?

BOND: The entire historic landmark area is 3,000 acres. I believe the valley itself extends from Ala Aolani to the top. There are only 30 or 46 acres outside. The point is that its a narrow valley, the bottom of it. On the top there is land that perhaps is pretty level. If you put this highway up the middle of it, there's no place where you can have any kind of a picnic or enjoy any kind of natural growth at all.

YAMABE: How much land in this 3,000 acres is below 20% grade?

BOND: There is 120 where grade is less than 25%. Of those, the paved portion of the freeway would take 60. I think that statistic was developed when most of the highway was going to be on grade. Now they say two-thirds up on viaduct so they say goody, there's 47 acres more of park land. The question was asked in court whether that park land was under the freeway and it wasn't adequately answered.

YAMABE: You feel the 60 acres will not be sufficient?

BOND: No, because its all chopped up. Its not a contiguous thing at all, no Sir. Its a two-mile long valley with a very narrow bottom.

YAMABE: Do you have any idea what size the parcels are that might be available for park after and if H-3 is constructed? What might be the average size, the largest and the smallest?

BOND: The largest would be possibly 25 acres.

WAY: What would be your appraisal of the area being designated as a natural historic landmark if the highway were constructed? Would it still in large measure meet the criteria for such designation?

BOND: No because the integrity would be irrevocably disrupted, its integrity as part of the Ahapuaa of Moanalua.

WAY: Is that one of the criteria for application?

BOND: Yes Sir. We're seeking an application based on an integrated whole and if you, forgive my colorful language but ram a highway up the middle of it, there's no integrity left.

WAY: What other requirements are there for landmark designation?

BOND: Its in quite broad terms. Basically, they talk about the historic character, the influence of this area as a whole on

the cultural development of the region, whether state, local, or national. One of the reasons for our placing it as a national historic landmark, although we've made application also through the state apparatus, by the basis of our national application. One of the firmest bases is because of the valley's strong association with Kamehameha Nui and his family going back 400 or 500 years.

WAY: Do you have available a copy of the request for designation?

BOND: That's just been handed to you.

WAY: Thank you.

(There were no further questions of Mrs. Bond.)

11. Mrs. Lynn Nakkim, Friends of the Earth (Testimony attached) (Att.#11)

12. Mr. Leslie Nakashima, Resident of Moanalua Valley (Testimony attached) (Attachment #12)

CRANE: How long have you lived in the valley?

NAKASHIMA: 7 years.

CRANE: Since you've been there, has the stream ever gone over?

NAKASHIMA: Its never gone over but close to it.

YAMABE: The subdivision you live in, is that serviced by Ala Aolani Street?

NAKASHIMA: That's right.

YAMABE: There's a comment in the staff report that should the route H-3 not be constructed and that should the redevelopment of Moanalua Valley park take place, significant noise, air pollution and safety problem on Ala Aolani Street is predicted.

NAKASHIMA: The only problem we can feel that is traffic is tourists entering the park. But, pollution and noise problem should be held to a minimum because of the nature of the park. Its not a ball park where you have a whole bunch of people making noise. Its a conservation park. We don't anticipate noise from the park itself. Just traffic on Ala Aolani.

YAMABE: Is it your contention you will have noise, air pollution from the construction of H-3?

NAKASHIMA: Yes. Construction traffic will consist of heavy equipment, trucks, bulldozers. They contribute to litter on the ground whereas cars bringing people to visit is not the same type of traffic.

YAMABE: Your statement directed only during construction of H-3?

NAKASHIMA: No, even after construction considering the amount of traffic predicted by DOT. Their figures run 1,000 cars per day.

YAMABE: The tradewind does come down into the valley.

NAKASHIMA: Down the valley into our subdivision.

YAMABE: Thank you.

(There were no further questions of Mr. Nakashima.)

13. Mr. James Hughes, Life of the Land (Testimony attached) (Att.#13)

14. Mrs. Fred O. Young, interested citizen (Testimony dated June 21, 1973, attached) (Attachment #14)

15. Mrs. Lola Mench representing the Sierra Club of Hawaii (Testimony dated June 20, 1973, attached) (Attachment #15)

16. Mr. Harold Bayer, interested citizen (Testified)

    Mr. Bayer pointed out two problems that will be caused by the construction of H-3--increased population and automobiles. He pointed out that there must be controls on population growth, and alternatives to highways should be weighed.

17. Mrs. Helen C. Hopkins representing Life of the Land (Testimony dated June 20, 1973, attached) (Attachment #16)

    YAMABE: First of all, let me commend you for your excellent research work. Did you have an opportunity to collaborate with anyone who is professional on this particular subject matter?

    HOPKINS: I have a list here of my references.

    YAMABE: Are your conclusions your personal conclusions?

    HOPKINS: No Sir. I snorkel in the Bay. I watch the siltation going on due to highway construction. I go snorkeling out near Chinaman's Hat and can see the destruction of the Bay. Its in the southern end of the Bay now.

    YAMABE: These conclusions, are they personal conclusions?

    HOPKINS: Yes, they are. They're my personal conclusions

before I got the information. I got the information because I was concerned about what was happening to the Bay.

CHAIRMAN: Perhaps, out of your research for the Commission, I think one of the problems this Commission is facing in terms of the ecological system of Kaneohe Bay is that every side has their experts. Its become very difficult for the Commissioners, who are not experts, to find out what's really happening. An example of this is we just recently reviewed two reports on proposed construction. The Department of Health indicated with proper care the ecological system of Kaneohe Bay will not be harmed. We have similar reports from other Federal, State, and City agencies. Yet at the same time, we are aware, in spite of what some people might believe, every Commissioner spends a fair amount of time reading reports, newspaper articles and so forth. So, we have a group of experts on one side who say one thing, and a group of experts on the other side that say something else. Perhaps out of your research and working with some of the experts, perhaps you can suggest to us how we can get the experts together to come out with some kind of definitive statement that will give laymen such as ourselves some guidelines.

HOPKINS: I can't imagine that there would be anymore people that would be more expert about the situation in Kaneohe Bay than the long list of senior marine biologists that have signed the paper that I gave you. My personal opinion is that if the Health Department should be doing what it should do, they would post the southern end of Kaneohe Bay and say that it is too polluted for people to use because people are getting infections, including respiratory infections from going into that water. As I said, if they get the outfall and take the sewage out of the Bay, it will clean it up as far as sewage is concerned but it won't do a thing to help siltation.

CHAIRMAN: This illustrates the problem that we have--one set of experts say if the other experts were doing their job, the other experts say they're fully aware of the situation. This Commission and other governmental groups are caught in the middle. We've got to decide which group of experts are the best.

HOPKINS: Well, I've been seriously considering asking the Board of Health if they would take samples of the water in Kaneohe Bay and tell us what they find there. I have walked along the Bay and the stench is so bad. I don't know what the Board of Health can say about the quality of the water, but its not good, that's for sure.

YAMABE: Would it be possible for you to get something similar with the signatures of all professionals in reference to the drainage and siltation problem in relation to H-3.

HOPKINS: I have a paper that I prepared on soil erosion and

siltation which I sent to Washington to the Department of Transportation to CEQ. Most of the information that I put into that paper was from people who had a great deal of knowledge about that. I'd be happy to give you that. It was on that one subject, siltation.

YAMABE: In relation to H-3?

HOPKINS: In this particular instance it was in relation to H-3 because I felt part of the impact statement on soil erosion and siltation had not been properly done. Obviously, when one sentence says there won't be no problem or the problem won't be so bad, this is inadequate. So, I directed it particularly at H-3.

I intend to call Dr. Banner to ask him what the response was. There was a long list of people this was sent to. Dr. Banner is getting desperate. He's out constantly telling people what's happening and no one seems to be listening.

The siltation is considered by some of the marine biologist more important than the sewage because if we didn't have the problem of siltation, the things that live in Kaneohe Bay could probably handle a great deal of sewage. But, the siltation which piles up on top becomes so thick that the coral cannot clean itself is what's killing the Bay. The combination of the sewage and the soil is what causes the problem. The problem is going to be bad on this side of the island too. Its going to be really bad in Pearl Harbor.

(There were no further questions of Mrs. Hopkins.)

18. Mr. Douglas E. White, Attorney (Mattoch, Kemper, and Brown)

WHITE: I'd like to give a short summary of a statement I intend to file with the Commission at a later time.

There's no need to place H-3 on the General Plan and certainly no need to use the Halawa corridor. The north Halawa corridor avoids the Moanalua Park, has shorter total tunneling, and displaces no families. The Likelike double-deck alternative presented in the final Environmental Impact Statement has been designed to maximize rather than minimize residential and business displacement which as cited by DOT has primary objection to this alternative. We believe that with innovative design, relocation problems can be completely avoided. Either the Likelike or the Pali Highway could be made entirely one way during lunch hour.

Finally, the EIS gives inadequate and in my opinion inaccurate consideration to mass transit alternatives. Specifically, we have conducted studies which show that the average per car

ridership is not 1.2 as the 1967 OTS show but has risen to 1.4. Also, recent studies by DOT indicates that up to 12.4% more mass transit diversion can be achieved on existing highways. Given the State its own formula, these figures would indicate no new construction would be required if only one existing lane was converted to a reversible bus lane.

In conclusion I would urge that consideration of positive incentives to increase rush hour bus ridership. I would also urge the encouragement of car pooling to increase per car ridership.

(There were no questions of Mr. White.)

19. Mr. Boyce R. Brown, Jr., Attorney representing plaintiffs in Stop H-3 et al vs. Brinegar

BROWN: As a result of the law suit, I have the knowledge, its been three years being absorbed in this whole idea of the proposed H-3 freeway. As a result of that absorbtion, I've reach a conclusion and it is out of that conviction that I'm representing the plaintiffs. The H-3 as presently proposed would be a disaster to the State of Hawaii and the Island of Oahu. I am very disturbed at the approach by the City and County of Honolulu and the State of Hawaii which seems to be that incorporating the proposed Halawa Moanalua Haiku corridor alternative on the General Plan is a mere technicality. I hope that this Planning Commission feel its responsibility in the same light. It was just that sort of thinking that necessitated the filing of the stoppage of H-3, the law suit, in July of last year. We repeatedly found instances where the law was clear but the law wasn't being followed. The law mandated an EIS before you proceed with a project like this.

In the meantime, they were merrily building away and spending millions of dollars. It became clear that what we would be faced with was an accomplished fact because its not very likely that they'd tear it down. It was an attempt to force a reassesment of that project in view of the current concerns of the City and County of Honolulu that we have taken the action that we did take in filing the law suit.

More than that, the requirement that the H-3 be a part of the General Plan is not a mere technicality. Federal law requires that any highway project of this sort must mesh with the comprehensive planning process of the locality in which it is proposed to develop that highway. The Honolulu General Plan as it presently exists with regard to the H-3 shows a portion of the proposed alignment, which I understand is not correct, and it has a very short statement of the DLUM that another Trans-Koolau corridor part of the thinking of the planners when they drafted the General Plan, no indication of the specific corridor, certainly nothing mandated that the Halawa Moanalua Haiku corridor

was followed of necessity from either the lines drawn on the map then for that one short paragraph description.

In our law suit we have included a specific count which says that until and if and unless the General Plan is amended in a comprehensive fashion, then the H-3 should not be built. Moreover, we have also included within that a count that as a matter of State law, the Charter of the City and County of Honolulu is a State law, in the cases interpreting that law with regard to planning decisions such as the Dalton case, requires that if you're going to amend the General Plan you have to engage in a planning process at least as comprehensive as the process which resulted in the General Plan to begin with. Now, that's not a technicality.

What have we got today? We have a proposal originally reached in 1965 and you're being asked to approve that decision without regard to whether or not it makes sense according to the comprehensive planning process of the City and County of Honolulu. They don't say here arrange for alternatives, take your pick. They say this is it, come on approve it. I think you'd be advocating your responsibilities if you do. Certainly, its not a technicality to the residents of Moanalua Valley and Haiku Valley, or to the residents of Kahaluu who are ably represented by other counsel.

What we have now before you is an opportunity for you to contribute to changing a decision which I think is narrow, short sighted, destructive, and in terms of solutions, its not going to give us help beyond a short period of 10 or 20 years. You're being asked to approve a decision made by the State Department of Transportation.

I'm urging that you do not advocate your responsibilities and your expertise because if you do, you'll be doing yourself, Oahu and future generations of this island a great disservice. I'm not so naive as to be unaware of the enormous pressure which you gentlemen must face. Whenever an issue involving the expenditure of sums of money such as this one comes before you, cause I understand your function is to give an independent and insofar as possible, a political consideration to prop planning problems. I urge you to reject the proposed General Plan amendment for the Moanalua-Haiku-Halawa alignment of the H-3 if you feel you have enough information to reject it. If you don't feel you have enough information to reject it, I urge that you insist that you be provided with that information. I urge that you insist that you not be asked to merely rubber stamp something placed in front of you. I'm confident that if you do analyze this proposal and you analyze what its going to mean in planning terms for the future of the City and County of Honolulu, I think you'll reject it. Its very clear right now that you don't have enough information. I hope that information is going to be developed as part of the overhauling of the General Plan. Yet, without that information you're being asked, almost like a knee-jerk reflex,

to agree with the determination made 10 or 15 years ago. There has to be a better way. All the citizens can do is ask that you insist that the better way be explored.

YAMABE: Your statement, was that made as an attorney for the plaintiff or as a citizen?

BROWN: Not having discussed the statement specifically with my client, I don't think I can make a representation for my client. Its definitely a personal statement. It reflects the feelings and concerns of my client, certainly as expressed in the law suit and proceedings which I have undertaken on their behalf.

WAY: I appreciate your presentation in terms of the background as an attorney. I do want to observe that the point expression being made that this is a mere technicality, I do think is yours, and that the point we were attempting to express to the Commission is a distinction between the policy and the selection of alternatives, not a mere technicality. It was used several times in your presentation. We do not consider from our perspective that we are dealing with a mere technicality.

BROWN: I very sincerely hope that is the case. The last several years I've been faced with the problem of what seems to be an administrative agency hard headedness and a refusal to reassess a decision made sometime ago merely because it was made. I insist that that's not the way things ought to be done any more. I insist that the duties of a body such as the Planning Commission is to force a reassessment or reevaluation when it appears that it may be a wrong decision. My point was that we're not just drawing a line on a map. We're talking about some very serious considerations for the future of Oahu. It should not be done lightly merely to accommodate a request by the DOT, and merely to overcome a hurdle in a law suit.

CHAIRMAN: I'm sure, Mr. Brown, periodically that the Commission mystifies some people because we don't act as a rubber stamp either for the State, for the City and County Planning Department and the Administration, nor for certain public groups. We will take all the information as we generally do, weigh it, and will give an objective decision.

BROWN: I think, Mr. Connell, you misunderstood me. I did not mean to imply that in fact you are rubber stamping because my experience following the activities of this Commission for some time has made it clear to me you are capable of greater independent action than most comparable bodies of government. All I was urging is that again in this instance, you don't treat this request like something that automatically ought to be granted just because it involves significant decisions and significant sums of money. Give it the attention it deserves and certainly don't be afraid to reject it if that warrants it from the information in front of you.

(There were no further questions of Mr. Brown.)

20. Representative Jean King, interested citizen

KING: I am speaking as an individual. Though volumes could be said about H-3, about the beauty and special significance for Hawaii of the valley itself, and what a joy it would be for all the years to come, about what H-3 will do to us, and about the alternatives to H-3, much can, has been, and will be said about all these things.

I think the power of Helen Hopkins presentation was the feeling we all got that we were only getting in her presentation. There's so much more there.

The only point I want to stress is the matter of unseemly haste. Why this haste in spot amending the General Plan. There's so much at stake. H-3 will not only destroy the valley. Where that highway goes and whither it goes will determine growth patterns, population patterns, transportation patterns, work and play patterns, in other words, the old basic land use and how that use affects the people's daily lives.

What with all we have learned the hard way are our priorities for Hawaii. Do we in mid '73 want to make this further hard commitment to the air polluting energy consuming noise producing land gobbling automobile? Do we want a highway to be the tail wagging the planning dog?

There's an old Pennsylvania Dutch saying, "The faster I go the behinder I get." The more we rush, the less comprehensive we can be.

It appeared from the Planning Department's slide presentation last night that only uses immediately adjacent to the highway were considered. The consideration should be island wide, including not just environmental but social and economic impact with full exploration of the alternatives. Perhaps the haste is triggered by the current court suits. What Boyce Brown called a knee-jerk reaction is certainly no substitute for planning.

Besides the case before Judge King, I'm sure you're aare of two pending cases in the Circuit Court. That one question whether the Planning Commission has rules and regulations governing amendments to the General Plan which comply with the Environmental Policy Act. If that suit is successful, the attempted General Plan amendment being rushed through now will be invalid and we'll have to go back and do it all over again. Further, the City and County of Honolulu, I understand, is preparing a complete revision of the General Plan. That comprehensive document is expected to be released in politically explosive 1974. That's not all that far away. Then, why do we need now to hastily spot-tax the General Plan?

The General Plan that was adopted the last time showed a small portion of H-3 on the Windward side along with language to the effect that completion of the freeway system including H-3 was an integral part of the General Plan. The Plan, however, did not address itself to any of the questions of location. That decision was made by the Department of Transportation, not by any comprehensive planning process at the Planning Department, traditional apparent rationale planning basis to slap it on the General Plan now other than that the Department of Transportation has decided it should go there.

It seems to me its incumbent upon us, the Planning Department and the Planning Commission with its particular expertise, could make its own evaluation based on its planning processing. This is particularly true in light of the specific statutory requirement, the federal law that Boyce Brown referred to, that highways must mesh with the planning processes of the locality.

I think we were all heartened by the Chairman's statement that you're not rubber stamps and that you can arrive at your own independent decision as you have before.

Therefore, I'd like urge that we proceed with all due speed rather than unseemly haste. That way, we can take into account all the relevant factors and thrust perspectives, so sorely come by, so we don't get behinder, so we do move a happy stride forward for the kind of Hawaii we want.

Thank you.

(There were no questions of Mrs. King.)

21. Miss Gertrude A. Humphries, interested citizen (Submitted statement, attached) (Attachment #17)

22. The Lani-Kailua Outdoor Circle, Sandra Braun, Public Affairs Chairman (Statement attached) (Attachment #18)

23. Mr. Christopher Barthel, interested citizen (Testimony dated June 20, 1973, attached) (Attachment #19)

24. Mrs. Ashby J. Fristoe, President, Kaneohe Outdoor Circle (Letter dated June 20, 1973, and Statement, attached) (Att.#20)

Testimony FOR--

1. Letter from Mr. Donald A. Bremner, President, Kailua Community Council, and Memo dated May 30, 1973, attached (Attachment #21)

No other person was present to speak either FOR or AGAINST the proposal.

The public hearing was recessed indefinitely. The Commission requested the following:

1. Inquire of the Corporation Counsel whether the Referendum route is possible.

2. Inquire of the State for their opinion from the Federal Government, what would happen if development of the H-3 did not proceed?

3. Minutes of this meeting.

ADJOURNMENT: This portion of the meeting adjourned at 4:00 p.m. Thursday, June 21, 1973.

Respectfully submitted,

Henrietta B. Lyman

Henrietta B. Lyman
Secretary-Reporter II

Testimony of Mr. Rolf Preuss, Interested Citizen

ATTACHMENT #1

June 19, 1973

Mr. Eugene Connell - Chairman
City & County of Honolulu
Planning Commission
Honolulu, HI

Dear Mr. Chairman:

Thank you for this opportunity to comment on the State of Hawaii Department of Transportation proposal to amend the General Plan of the City and County of Honolulu, which proposes inclusion of H-1, H-2, and H-3 within the existing General Plan. My comments to the Planning Commission will be limited to the issue which concerns me the most, that is inclusion at this point in time of H-3 as part of the city's General Plan.

As an experienced professional planner and as a concerned citizen interested in the development of our city, I feel that this is an inappropriate time for the Planning Commission to consider an amendment of this magnitude. My reasoning is as follows. The City Planning Department recognizes that the existing General Plan is out of date. The number of times the General Plan has been amended over the past few years attests to its obsolescence. There have been over 200 amendment applications to the General Plan since the new amendment procedures were adopted in May of 1970. Of these 200 applications, 97 have been

acted upon in one form or another. In light of the recognized need for an up-dated plan, the City Planning Department has been working for the last four years to revise it. The revision is expected to be completed within the next six months. Because of the short period of time before the revised General Plan is completed, my suggestion is that the Planning Commission postpone its decision until the General Plan is available. A decision regarding the freeway can, therefore, be made within a clear framework of the city's overall growth policy for the future. The new General Plan should be based on an evaluation of true community needs, resulting in alternative proposals for development. It should tell us, for instance, where the most appropriate areas for Oahu's growth could take place, what our recreational and open space requirements will be, how to deal with our present and future transportation needs, and finally, how to cope with our social and environmental problems.

Why make a decision now on incomplete data? Especially on an issue as important as H-3, which will have vast socio-economic and environmental consequences! You have before you, the State's proposal for an amendment. For the most part, the proposal is based on obsolete data. The proposal, furthermore, doesn't even begin to cope with many of the questions concerning Oahu's future growth patterns. We already know, for example, that our existing regional recreation areas, such as Kapiolani Park and Ala Moana

Park are operating at maximum capacity relative to the size of urban Honolulu's population. It doesn't take too much imagination to realize that with the implementation of a mass transportation network on this side of the Island; we will encourage densities of fantastic magnitude, with no corresponding major recreational sites programmed to serve these densities. Moanalua Valley could, of course, provide just such a site.

We must not look at this amendment as simply a line drawn on a map between two points. The line, once it is adopted, becomes policy and in all likelihood, a freeway. The Valley, as we all know, is an irretrievable asset. It is the last undeveloped valley on this side of the island available for public use. Its future should be evaluated with the utmost care.

There are a number of alternatives to the freeway. The most obvious alternative and also the most feasible at this point is the staggering of working hours. We are particularly fortunate in this respect, because a large segment of Honolulu's population is employed by government. By staggering the working hours of government employees, we could in all probability reduce rush hour traffic by one-fourth; since more than 25% of Oahu's population is employed by government. This idea has been introduced successfully in several European cities. In one German city, all employees have the option of working eight hours of their choice within a twelve hour daily time span. Each employee

selects the time he will begin and end his day, limited only by the stipulation that he must be at his desk between 9 a.m. and 3 p.m. This provides the core period within which all business and communication can be transacted. A second alternative is to provide positive incentives to increase rush hour bus ridership. Free transportation, for instance, as the Mayor has suggested on occasion. A third alternative would be to provide positive incentives to increase per car ridership. And a fourth alternative is safer and more accessible bike lanes. Most of urban Honolulu is situated on flat terrain and could easily accommodate thousands of bike riders.

Finally, one of the best alternatives I can think of has been recently described by none other than Mr. E. Alvey Wright, acting Director of the State Department of Transportation. In an article in the Honolulu Star-Bulletin (February 8, 1973), Mr. Wright stated that the transportation dilemma is three-fold.

"First, the more transportation improves, the more people travel. It's like swimming upstream with the current continually winning. Secondly, the more rapid transit that is built, the greater is urban congestion. Thirdly, transportation facilities must be continually rebuilt to serve a moving target of population and trip destination."

What Mr. Wright is saying, of course, is that he doesn't favor fixed rapid transit systems, and if I understand his article

correctly, neither does he favor more freeways, since they are also very permanent and encourage more people to travel. Mr. Wright's thesis is "that ultimate relief can be achieved only by reducing the need for mobility, and that this solution is more social than it is engineering." What he is suggesting is that we reshape our land use patterns in such a way as to reduce mobility. He is calling for "self-contained modules" or new towns of 200,000 population each. This is, of course, what city planning is all about--to literally design our cities as functionally efficient units, minimizing the need for mobility and maximizing man's social and economic opportunities. It is this kind of thinking which I would hope to see incorporated in the up and coming new General Plan.

Yours very truly,

Rolf Preuss

Rolf Preuss

Testimony of Mr. Leonard Moffitt, Executive Director of the Windward Regional Council

ATTACHMENT #2

12980RP1

WINDWARD REGIONAL COUNCIL

FORMERLY: WINDWARD CITIZENS PLANNING CONFERENCE
46-018 Kam Highway Room 206 Kaneohe, Hawaii 96744 Phone 235-1515

OFFICERS
Bud Aronson, President
Tom Mao, 1st Vice President
Alan Sanborn, Secretary
Priscilla Lau, Treasurer
Ford Coffman, Past President

DIRECTORS
Don Bremner
Dick Clack
Bob Dale
Bill Dunford
Ramon Duran
Harriet Dye
Lois Fleming
Dr. Bob Gibson
Don Griffin
Joe Harper
Rosalie Hermanson
Kurt Johnson
Ed Jones
Helen Kane
Bill Matthews
Francis Morgan
Gordon Potter
Miriam Ryder
Ed Salas
Bruce Stillians

COMPREHENSIVE
PLANNING COMMITTEE
Bob Nelson, Chairman
Harriet Dye
Bill Matthews
Ed Michael
George Moorhead
Gordon Potter
Alan Sanborn
Os Stender
Ron Walker
Carol Whitesell
Kiyoshi Yamada

STAFF
Leonard C. Moffitt, Executive Director
Hannah Corstorphine, Secretary

20 June 1973

Rev. Eugene Connell, Jr., Chairman
City Planning Commission
629 Pohukaina Street
Honolulu, Hawaii 96813

Dear Rev. Connell:

Thank you for this opportunity to submit testimony on changing the Oahu General Plan in relation to H-1, H-2, and H-3. Since all or major portions of those freeways have already been constructed, a hearing to amend the General Plan to reflect what already exists could become a mere exercise in recoloring a map. Any similarity between such an exèrcise and true planning could be somewhat coincidental.

In the case of H-3, however, so little has actually been constructed that we still have the opportunity to consider the fundamental planning questions which never did receive adequate consideration in terms of full environmental impacts. Moreover, in the light of the public's growing awareness of the negative aspects of a continued burgeoning use of automobiles, good planning requires that we think now about eventually demolishing what freeways have been built.

Having faith that our Planning Commissioners would prefer to focus on the major planning issues involved rather than simply adjusting a map after the fact, we would like to take this rare opportunity to look at what is really at stake. With the General Plan supposedly our basic policy document on community change and growth, basic policy questions should take highest priority in our planning efforts. And with the transportation/communications subsystem so crucial to the nature and vitality of a total community system, few topics could be more important to our entire planning process than this hearing on freeways.

Probably the first question that must be asked is what function is served by a road network; why have freeways? Answer: A road network is a part of a larger set of linkage facilities which make possible exchanges of goods, services, people, and messages. And it is this linkage

of interactions which constitutes the life blood of a functioning community. Without effective linkages, we would have merely places, not communities.

It follows then that to curtail these linkages because we might dislike the aesthetic effects of their physical facilities and operational characteristics would likely choke the vitality of the modern system upon which our current life styles and consumption patterns depend. On the other hand, to build parts of the system without regard to the full system -- without adequate regard to the alternative means of accomplishing these same linkages with less total cost to all other subsystems within the community -- asks for imbalances, social disruptions, and even economic disfunctions, not to mention ecological repercussions.

And that is precisely what has happened.

The prospect of getting federal funds for highway construction has at times blinded us from questioning whether more freeways are really the best thing in the long run. Recent prognostications by the federal Environmental Protection Agency with regard to automobiles in Los Angeles and northern New Jersey speak strongly for a thorough reexamination here and now of any proposed but not yet constructed freeway -- such as H-3.

For this reason. Freeways do not just serve existing traffic projections or a static land use map. Freeways are themselves dynamic factors in the growth picture. Freeways everywhere have shown a strong propensity to encourage increased reliance on automobiles for vitally needed community linkages. Before we officially sanctify these freeways, shouldn't we have a rather clear assessment of their impacts upon our total community system -- including social, cultural, aesthetic, and ecological impacts? Instead of expanding our appetite for auto travel, is it not about time to think of shrinking that affinity?

One alternative to more freeways frequently lauded today is mass transit. Possibly it will alleviate some of the negative impacts of our almost total reliance on the automobile. Like the freeway, though, a fixed rail system certainly would be costly to remove if it didn't pan out. Given today's economic system and life style expectancies, fixed guideway rapid transit cannot replace the automobile totally. At most, it can curtail auto useage along a high intensity corridor during rush hours when freeways become bottlenecks.

What about other alternatives? Dispersing employment centers around the island and (with subsidies if need be) requiring that employees live within limited distances from work might accomplish the same facilitation of movement -- and at less public cost after a transitional period had been endured. We are of course not proposing that idea as THE solution. We simply point out that this alternative has never received even a tiny fraction of the study and planning devoted thus far to freeways and to fixed guideway transit. But it certainly deserves consideration.

Another very likely possibility has to date attracted almost no attention in community planning circles. We refer to cable television. As of 1973, CATV gets about as much attention among city planners as the automobile got from city builders in the year 1900. Yet CATV's impact potentials on our entire community of functional linkages could be at least as great as that exerted by the automobile -- and in less time.

People now crowd into central Honolulu for face-to-face communications, especially in the financial activity centers. With cable television, those same interchanges (i.e., linkages) could be accomplished electronically rather than by having people move on vehicles and thereby generate congestion, noise, and air pollution, as well as consume greater amounts of energy. With cable television, far more people could undertake advanced education programs, yet have fewer people congesting the roads into college campuses. Indeed, our entire educational system and even our political campaigns face extensive overhaul.

The point of all this is to emphasize that, in the planning process, freeways must not be looked at in isolation. Comprehensiveness must be uppermost. Not only does the system of transportation -- whether by freeway or by rapid transit -- directly and overwhelmingly determine the distribution and rates of urban growth throughout our island; freeways are but one form of a transportation/communications subsystem which facilitates and alters a functionally satisfying community.

The real question is how to conduct good planning for whatever combination of linkage tools is used. Coloring and recoloring a map is not planning per se. The kind of planning we need on this issue of freeways is one that far more clearly defines the quality and character objectives for Oahu and for each local community on Oahu than our present General Plan does with its glib "goals" and precisely delineated static map. Until that kind of planning exists islandwide <u>and</u> locally, this hearing on H-1, H-2, and H-3 is premature and rather misspent.

Hopefully our Planning Commission and subsequently our City Council will take a far broader view than simply adjusting a few lines on a map. Since planning is supposed to be comprehensive, we should include in our purview the full set of social, cultural, aesthetic, health, welfare, and functional aspects in a concerted manner. We trust that the Commissioners will take this opportunity to re-examine the bigger issues and the more fundamental impacts. After all, what is constructed is supposed to fit a community's plans, instead of as in this case the map being doctored to agree with what is constructed.

We are not speaking for or against freeways or any other particular linkage instrument. We simply contend that enough facts on freeway impacts and on alternative linkage subsystems have not been developed to allow a reasonable judgment on the real issues before us. And decisions that ignore these basic questions are neither worthy of the name planning nor do they fulfill the

intent of our City Charter and various Supreme Court decisions on planning's having to be truly comprehensive.

We respectfully suggest, therefore, that your only action -- at least with regard to H-3 -- be requesting the staff to make the kind of planning study (with widespread public involvement) which would allow you to deal firstly with the fundamental questions about what these freeways are supposed to accomplish for our quality of life now and into the future, and only later deal with juggling around the colors and lines on an archaic, static, land use map.

Sincerely,

Leonard C. Mofflitt
Executive Director

LCM:hc

Testimony of Mr. Kent Miller representing the Conservation Council for Hawaii

ATTACHMENT # 3

12980RP-1

CONSERVATION COUNCIL FOR HAWAII

LAST WEEK WE READ HEADLINES TELLING OF A NATIONAL EFFORT TO SEVERELY LIMIT THE NUMBER OF CARS IN MANY OF AMERICA'S CITIES. SOME OF US HAVE ALREADY EXPERIENCED THE BEGINNINGS OF A NATIONAL ENERGY CRISIS AT THE NEIGHBORHOOD SERVICE STATION. THIS CRISIS WILL ADVERSELY AFFECT OUR NATIONAL ECONOMY, WITH OR WITHOUT THE ALASKA PIPEDREAM, AS WE MUST DEPEND MORE AND MORE ON ARAB OIL IN A COMPETITIVE MARKET. CLEARLY, AMERICA's LOVE AFFAIR WITH THE AUTOMOBILE HAS COME TO AN END. THE TWO-CAR-IN-EVERY-GARAGE DREAM HAS BECOME THE JAMMED-FREEWAY-IN-EVERY-CITY NIGHTMARE. I DON'T HAVE TO TELL YOU THAT HONOLULU IS NO EXCEPTION.

WITHOUT DRAMATIC STEPS TO CURTAIL THE PHENOMENAL GROWTH RATE OF THE AUTOMOBILE, OAHU WILL CHOKE TO DEATH, NO MATTER HOW MANY LANES OF HIGHWAY WE HAVE. BY GOING AHEAD WITH THE H-3 HIGHWAY, WE WILL BE ENCOURAGING MORE CARS ON THE WINDWARD SIDE THAT WILL POUR OVER THE KOOLAUS TO COMPETE WITH THE NEVER-ENDING STREAM COMING IN FROM THE OTHER MAJOR ARTERIES. THERE IS NOT A CHANCE THAT OUR PLANNERS, OR OUR CLEVER MAYOR, WILL FIND A WAY TO FIT 20 GALLONS OF CARS INTO HONOLULU'S 10 GALLON HAT.

WE OBVIOUSLY MUST GO WITH AN ALTERNATIVE WITHOUT DELAY. THE WAY HAS ALREADY BEEN SHOWN IN THE FORM OF THE CITY'S RAPID TRANSIT PLAN AND THE BUILDUP OF THE PRESENT BUS SYSTEM.

THE CONSERVATION COUNCIL IS PLEASED TO NOTE THAT THE CITY AND STATE HAVE AGREED ON A REVERSIBLE EXCLUSIVE BUS LANE ON LIKELIKE HIGHWAY. THIS GIVES US THE ALTERNATIVE TO H-3 THAT WE HAVE BEEN LOOKING FOR. WE MUST PUSH AHEAD WITH MORE EXPRESS BUSES TO OUR MAJOR EMPLOYMENT CENTERS, SUCH AS DOWNTOWN HONOLULU, THE UNIVERSITY, PEARL HARBOR, HICKAM AND FT SHAFTER. IF THESE WERE ORIGINATING NOW IN WINDWARD NEIGHBORHOODS, MANY FAMILIES WOULD NOT NEED A COSTLY SECOND CAR AND THEY WOULD ARRIVE . HOME AT NIGHT IN MUCH BETTER SHAPE. IT IS INFINITELY MORE PLEASANT TO READ A GOOD BOOK ON THE BUS THAN TO FIGHT THE DEMONS ON THE ROAD.

TO GO AHEAD WITH ANOTHER MAJOR HIGHWAY SYSTEM NOW WILL SHAPE THE TRANSPORTATTION AND HOUSING PATTERNS FOR THE NEXT DECADE, A PERIOD WHICH CAN ALTER THE FACE OF OAHU FOREVER. PROPONANTS OF H-3 NOBLY STATE THAT THIS MUST BE THE LAST HIGHWAY ON OAHU. I SAY WE CAN'T AFFORD ONE MORE FOR THE ROAD. WHAT BETTER USE COULD WE FIND FOR A PREVIOUSLY PLANNED HIGHWAY CORRIDOR THAT A 3,000 ACRE PARK IN THE POPULATION CENTER OF OAHU? THIS IS THE PLEASANT ALTERNATIVE IN MOANALUA VALLEY.

LET US NOT ADMIT DEFEAT TO THE DOMINANCE OF THE AUTOMOBILE. BY STOPPING A MAJOR HIGHWAY LIKE H-3 NOW, WE WILL HAVE THE SHOCK THAT IS REQUIRED TO INITIATE OVERDUE ACTION TO LIMIT CARS ON OAHU AND GET ON WITH A FIRST CLASS ISLAND-WIDE TRANSIT SYSTEM.

WE ASK THE CITY AND COUNTY OF HONOLULU, WHICH HAS BEEN THE PROPONENT OF MASS TRANSIT, TO LEAVE H-3 OFF THE GENERAL PLAN TO SHOW THAT THE CITY ADMINISTRATION IS TRULY BEHIND THIS EFFORT. HAWAII, IN THE SHORT TIME IT HAS BEEN A STATE, HAS PROVEN TO BE MORE PROGRESSIVE THAN MOST. LET'S NOT STEP BACKWARDS IN TRANSPORTATION BY BUILDING MORE URBAN HIGHWAYS, WHEN OTHER CITIES ARE SEEKING THE PATH TO MORE EFFICIENT TRANSPORTATION SYSTEMS.

THANK YOU

T Kent Miller

T. KENT MILLER

PRESIDENT, OAHU CHAPTER

CONSERVATION COUNCIL FOR HAWAII

Testimony of Lucille Shannon, President, Haiku Village Community Association

ATTACHMENT #4

12980RP-1

Haiku Valley Comm. Assn.
Lucille Shannon, President

The Impossible Dream

As the President of Haiku Village Community Association, I speak for my village when I say that we are very concerned with the construction of H-3 and oppose it for many reasons. It is true that we have a personal interest, one which anyone who lives there would consider to be a bona fide reason. We are concerned with the noise impact which will resound around the crescent-shaped valley and off the mountainsides. True, that we are very concerned with the aesthetic values of our valley. Visualize if you will, the scene that will greet us if the H-3 would be constructed. It will be ladened with vehicles making its way through historical Moanalua Valley, plunging through the beautiful Koolaus, spilling down its mountainside, like a mile long concrete, lava stream, supported by hundred foot pillars. From the tunnel's ventilating system, fumes will be withdrawn and cast out over the Haiku valley. Can you imagine what will happen on days with Kona winds? This could be come a Los Angeles West, Smogsville USA.

Yes, we are concerned and rightfully so with the homes being as close as 900 feet from the freeway. But most important is will/~~/~~/ will the H-3 , if we sacrifice our serene vallies, clean air and little pollution of any kind, solve our transportation problem? Can it remove the overcrowded cars from the roadways. If anything, it will encourage more people to drive, causing not only noise, air and visual pollution but more gas consumption. If the H-3 is completed which would take about 7 years, it would be very obsolete. We anticipate within the next three years, almost ten thousand new families in the Kaneohe area alone, with an average of two cars per family. This alone will put that many more vehicles on our roads. A six-lane "A" level highway costs $22,518.00 per mile to maintain. Some people are so desperate to secure these Federal funds for an interstate freeway, that they overlook the end result, which is that there will still be too many cars being used on the island for a means of transportation.
Some say we can make a bus lane on the H-3 but I wonder just how many of you realize that if this is done, the State must refund the cost of that lane back to the Federal funds, and again the road will only go between Kaneohe Marine Station and Halewa interchange. Are we thinking about the people on the whole island or just a few?

Who is really going to benefit from the H-3, only those who drive between Kaneohe Marine Station and the Halewa interchange. Additional new residents who work in Honolulu won't use this. Traffic on the secondary roads will be far worse than it is today and once off the

freeway, you will be faced with larger traffic jams that we have right now.

Mass transportation is our only answer to the problem. It must be a good, dependable form of transportation and it is agreed that this mode of transportation can move more people faster and more economically. Your car payments, insurance, gas and maintainance can be cut in half. Many people won't have a need for that second car.
Let us use the already constructed Likelike Highway for Mass transportation People of Hawaii, stop dreaming the impossible dream - the fantasy that the H-3 will solve the ever-increasing transportation problems. Do not be lulled into a sense of false security stimulated and encouraged by money-hundry land developers and over-ambitious politicans. Now is the time to face facts not fiction. We should say NO- STOP- you have already destroyed and desecrated too much of our forefathers land. Our island of paradise is fast becoming a lost paradise. Are you going to stand idly by and see Moanalua Valley traded off for a six-lane monster of ugliness. Let us not give lip service any longer, this should and is the concern of each and every person living here, so I say to those who REALLY care, now is the time to stand up and be counted. Use Likelike for Mass transportation, and save Moanalua Valley for historical preservation.

Testimony of Mr. August Yee, Board Member, Citizens for Hawaii

ATTACHMENT #5

12980RP-1

TESTIMONY BY AUGUST YEE, REPRESENTING CITIZENS FOR HAWAII, BEFORE THE CITY PLANNING COMMISSION, WEDNESDAY, JUNE 20, 1973, REGARDING PROPOSED AMENDMENTS TO THE CITY & COUNTY OF HONOLULU GENERAL PLAN

Mr. Chairman and Members of the Planning Commission, my name is August Yee, and I am a member of the Board of Directors of Citizens of Hawaii.

I speak in reference to the proposed General Plan Amendments as advanced by the State of Hawaii Department of Transportation. I refer you to the land use designations of the Stat's proposed H-3 Highway, and specifically the trans-Koolau section of H-3 between Halawa and Windward Oahu.

Is it fair of me to ask governmental agencies of our state and city to delay final decisions on H-3 until the General Plan is revised and updated? Would it not be prudent to take more time to reconsider some important aspects of the entire H-3 plan in view of changing life styles of our community? I earnestly feel we should take another look.

Until the end of 1972 it was my feeling there be an H-3 type trans-Koolau expressway to ensure adequate transportation by automobile from Windward Oahu to downtown Honolulu and Pearl Harbor. I have changed my mind about H-3....I'm not opposed to growth per se of Windward Oahu. I am concerned about the need to search for alternative modes of transportation.

Under the State's land use laws, all communities now existing and those yet to be built are directly or indirectly affected by decisions we make relating to development and usage of the raw product, namely land.

Existing General Plan provisions for highways are now out of date; no longer can these provisions, in total, be considered as being valid. The emerging social values, continually changing, need to be recognized. Master planning continues to be of primary importance not only for today's resident but for those who will live here after we are long gone from the scene. It is the planning process that enhances environmental quality of the community, that makes life styles livable.

On what premise do I come before you at this relatively late time...H-3 was approved and some construction is already under way. I refer you to provisions of the National Environmental Policy Act of 1969. This act requires federal agencies to provide statements whenever a major federal action is contemplated. Since federal monies would be used for funding H-3, amendments to the General Plan as related to H-3 would be a major action. One provision asks, "Are there alternatives to the proposed action?" Should we then delay decisions on H-3 amendments until the General Plan is revised and updated? I maintain we can and we should.

The Department of Transportation, in its revised impact statement on H-3, might have more fully presented and discussed qualitative differentials between H-3 as planned, and alternative transportation systems to H-3. It is my opinion the revised statement was lacking in this respect. Isn't the citizen and taxpayer entitled to be fully informed by the agencies of all alternatives?

TESTIMONY BY AUGUST YEE

I submit to you this word of prophecy...today's transportation deficit will be Oahu's transportation plague of tomorrow. Must we continue this madness of building highways without comparable provision for other modes of transportation.

Here are a few observations I wish to advance:

1. H-3, if and when completed, will solve only auto congestion problems of the highways. Oahu's population in 1950 was 353,000 persons--in 1970 we numbered 630,000 for a 79% increase. The island's automobile count was 98,000 in 1950, and 314,000 in 1970, a 220% increase. Highway mileage is increasing about 10% per year, while the number of autos expands by over 20%. We are faced with impending disaster if we plan and build only highways.
2. H-3 would cost over $250,000,000. This is far too expensive to solve only auto congestion problems.
3. Federal Highway Trust Funds are no longer restricted to the building of more highways. Cities may now use portions of these funds for expenses related to planning for mass transit modes quite different from highway construction.
4. We have learned from experience -- governmental agencies are not infallible in the decision making process. Responses to community voices are necessary....let's take another look at H-3.

I pose these questions:

Do we really want only highways coursing the city? Are we concerned that the Oahu highway network might someday resemble that of Los Angeles? Mayor Daley of Chicago vowed the crosstown expressway would be the last such limited access highway in that city.

Allow me to cite alternative proposals...none are new.

1. Consider upgrading the existing 4 lanes, Likelike and Pali, to federal highway standards. The costs, when compared to H-3, are extremely low, and the environmental damage, if any, would be nil.
2. Provide bus service at frequent intervals, especially during peak traffic periods, between Windward Oahu communities and downtown Honolulu and Pearl Harbor. Might this bus service be free during peak periods--some of us view rising gasoline prices with alarm.
3. An alternative to H-3 would be a three-lane expressway paralleling Likelike Highway (with only one tunnel). Traffic would go one direction in the morning and the opposite direction in the afternoon. A bus lane could be operable during peak traffic periods.
4. Plan for a Mass Transit corridor through Likelike's present alignment in conjunction with plans and development of the above proposed three-lane highway.

I conclude by this statement. The General Plan proposals and amendments to the H-3 plan are before you. Oahu's future orderly growth, its qualitative development must be considered in light of possible alternative transportation systems.

Testimony of Mrs. Luka Naluai representing Hui Malama Aina O Ko'olau

ATTACHMENT #6

12980RP-1

HUI MALAMA AINA O KO'OLAU

Position Paper on General Plan Amendment for
Interstate Highway H-3

There is "physical planning" and there is "people planning." Physical planning, as we use the term, concentrates on where buildings, and public facilities and things like that should be put on the land, but does not consider what putting them there does to the people who already live on the land. By "people planning," we mean planning that is based on who the people are, what their various interests and needs are and how they will variously benefit or be hurt by physical development.

Physical planning, by itself, can produce monstrosities. It can destroy whole cultures without even knowing it is doing it. Witness Kalama Valley, where a whole community was destroyed. Compare, in your memory, Waikiki 20 years ago with Waikiki today.

We are sorry to report that we are not aware of any good examples of people planning in Hawaii.

The planning for H-3 was only physical planning. The only recognition it gives to the tremendous effects that a major highway has on people are generally conflicting population projections. Starting with the background research for the 1964 General Plan up to the present day, no government agency at any level has thought to consider how this highway will affect the people.

We believe that the highway will have a very bad effect on a great many of the local people, <u>if it is built in ignorance of those bad effects</u>. In return for a slightly faster ride to Central Oahu, we may find that a highly urbanized culture is imposed on a very old rural culture destroying some values of traditional importance to Hawaii; small property owners may be forced off their

land by rising land taxes; more land may be taken out of agricultural production; places of historical a cultural significance may be paved over or turned into tourist traps; rising land costs may result in a lack of replacement housing for the many low and moderate-income tenants whose present homes will be taken to make room for the urban culture; or many of our people may be forced into highrises under circumstances that will cause our families to break apart.

These bad effects do not have to happen. If a major undertaking such as H-3 is based on people planning, government will know what the bad effects are, and will be able to act to prevent them. But to build a highway in ignorance of its bad effects is to guarantee that the bad effects will happen.

We have come to a time in Hawaii's history when physical planning alone will not do. The city now has a magnificent opportunity to show its concern for the welfare of all its people. The proposed general plan amendment before you gives the city that opportunity.

We ask two things of the planning commission:

(1) that you defer action on this general plan amendment proposal until the planning director gives the commission a complete report on every study ever made of the impact of H-3 on social and economic conditions and trends, especially how the highway will affect the social and economic interests of the people of Windward Oahu and an analysis of who the highway would benefit and (without other governmental action) who it would injure; and

(2) if there have been no studies since H-3 (or any part of it) became a part of the general plan, or if there have been only inadequate studies, that you recommend against the general plan amendment until an adequate study is done.

HUI MALAMA AINA O KO'OLAU

Testimony of Mrs. Frances Damon Holt, Vice-President, Moanalua Gardens Foundation

ATTACHMENT #7

1295.0RP-1

MOANALUA GARDENS FOUNDATION, INC.
1352 PINEAPPLE PLACE ** TELEPHONE 839-5334
HONOLULU, HAWAII 96819

Mr. Connell, Mr. Way, members of the Planning Commission, ladies and gentlemen:

Moanalua Valley is richly endowed with the physical concomitants of early Hawaiian culture. Among the two hundred or so species of endemic and indigenous plants found there are many of those which sustained life: *ti*, *loulu*, and *hala* for shelter, *wauke* for clothing, *olona* for nets, *akia* as an aid to fishing, *koa* for canoes and utensils, ceremonial *awa*, *ie-ie* and *halapepe* for the altars to Laka for the *Hula* performances. Remnants of house sites and agricultural terraces, an early shrine and petroglyph rocks, including Oahu's largest, are scattered throughout the Valley.

These assets are surrounded by a natural setting of great beauty, the forested mountain slopes garlanded with red and yellow flowering *lehua*, the rare native white hibiscus, sandalwood, with native birds, the *elepaio*, *amakihi*, *apapane* and *pueo*, still to be heard in the Valley's quiet tranquility.

The feature of the Valley however, which merits special attention in determining the appropriateness of exclusive park use for this land, is the Valley's history and tradition.

Fortuitously, the records of fifty years of research by a resident of Moanalua, Gertrude MacKinnon Damon, detail the historic reasons why Hawaiians, even today, regard the Valley as sacred, as the ancestral seat and resting place of Oahu's ancient and royal house, among them ancestors of the royal houses of all other islands.

It is not necessary to invent or reconstruct the genealogy. It is implanted in place names throughout the Valley, recorded in its sacred chants and prayers. The life and customs, the exploits and religious worship in this Valley were patiently recorded in some two dozen notebooks and folders.

The attached Historical Significance Statement and Map were developed from my mother's notes and the early historical source books as part of the application made by Moanalua Gardens Foundation to the U. S. Department of the Interior for Moanalua to be declared a National Historic Landmark. We expect the decision to be made in October of this year, and request that this commission deter its own decision on the disruption of the historic heart of Moanalua Valley by H-3 until this determination is made.

Frances Damon Holt

Frances Damon Holt
Vice President

June 20, 1973

8. SIGNIFICANCE

PERIOD *(Check One or More as Appropriate)*

- [x] Pre-Columbian
- [x] 15th Century
- [x] 16th Century
- [x] 17th Century
- [x] 18th Century
- [x] 19th Century
- [x] 20th Century

SPECIFIC DATE(S) *(If Applicable and Known)*

AREAS OF SIGNIFICANCE *(Check One or More as Appropriate)*

- Aboriginal
  - [x] Prehistoric
  - [x] Historic
- [x] Agriculture
- [x] Architecture
- [x] Art
- [ ] Commerce
- [ ] Communications
- [x] Conservation
- [x] Education
- [ ] Engineering
- [ ] Industry
- [ ] Invention
- [x] Landscape Architecture
- [x] Literature
- [x] Military
- [x] Music
- [x] Political
- [x] Religion/Philosophy
- [ ] Science
- [ ] Sculpture
- [ ] Social/Humanitarian
- [ ] Theater
- [ ] Transportation
- [ ] Urban Planning
- [x] Other *(Specify)*
  - Ethnobotany
  - Archaeology
  - Ancient Games

STATEMENT OF SIGNIFICANCE

8. Significance I

MOANALUA

Statement on

The Historical Significance of Moanalua

Submitted by

Moanalua Gardens Foundation

Harriet Damon Baldwin, President

Statement of Historical Significance

Prepared by:

Frances MacKinnon Damon Holt

and John Dominis Holt

March 24, 1973

© COPYRIGHT HONOLULU, HAWAII 1973
All Rights Reserved
No reproduction by any means is permitted.

Form 10-300a
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

8. Significance

Table of Contents

MOANALUA

I. Introduction.....Page 1

II. Creation..... " 4

III. Migration & Early Settlement.... " 10

IV. Oahu o Kakuhihewa..... " 19

V. Maui Rule..... " 25

VI. Unification of the Islands..... " 30

VII. Monarchy..... " 45

VIII. Turn of Century..... " 51

I INTRODUCTION

STATEMENT: "The records of their ancestors are still here in that silent stone, in the fragrant Moa'e breeze, or that pool reflecting more than one's image."

Gertrude MacKinnon Damon

The present is still tied to the past of Hawaii in Moanalua. No other valley on Oahu is so richly documented with prehistoric and historic lore reflected in the names of the places and the people and events associated with them.

Myths and legends, chants which tell of creation and migration and the genealogy of persons, prayers and songs, and stories with hidden meaning, all tell of this one place, Moanalua.

This unwritten history embodied in the oral traditions handed down from one generation to the next, was given over the years between 1902 and 1950 to Gertrude MacKinnon Damon,[1] by Namakahelu and other older inhabitants of Moanalua. The last of its historian chantresses, Namakahelu[2], who was born in the 1840's and lived until 1940, was descended from Moanalua's earliest mountain chiefs and chiefesses.

As we walk the land of Moanalua, through the present Moanalua Gardens, by the tabu way of the white standard, Lapakea, to the secret and dread Umi Mua heiau, to the sacred spring of Iemi, to the great ancestral rock Ualuahine at Kahaukomo, up into the far reaches of Kamananui, the valley of the great power, into Waolani, the land of the spirits, or up to Mailehahei, the exalted place which overlooks Keehi Lagoon and Kamanaiki, the valley of the small power, fabled aina e'epa land of the Menehune, we are taken back from modern times into Hawaii's ancient past.

1. Damon, G.M. Collected Notebooks I - XXVI, unpublished 1902 - 1950.
2. Damon, Namakahelu, See Damon Concordance.

I INTRODUCTION

In Moanalua Gardens, with its Kamehameha V Cottage and Chinese Hall, rich memories crowd in around us of the Hawaiians who lived there with the foreigners at the turn of the century or of the Kings and Queens and Princesses from the time of the Monarchy of last century.

This was the rich calabash of Moanalua, long fabled for its lush beauty. Here for centuries during the Kakuhihewa dynasty, Oahu's Kings and Queens who held Moanalua as a royal appanage had guarded their great Oahu gods, their religious culte and system of Kapu. The peaceful and flourishing culture and development they encouraged made Moanalua, the richest valley of Oahu, a coveted prize for the Maui and Hawaii conquerors who came during the latter half of the 18th century.

Iemi and Kahaukomo recall to us the important events in which the Oahuans in Moanalua had recognized the dynastic claims to Oahu of Kamehameha the Great. This was the King whose role in uniting the Hawaiian Islands is given national recognition in the Statuary Hall of the Capitol.

In Kamananui, Kamanaiki and Waolani, sealed off from the bustle of the modern world, one can understand how the lore of the ancients was treasured in this last refuge of the Oahuan bards and seers. For to this beautiful valley had come the tabu princess from Kahiki, Kahikilaulani, voyaging in search of the great Kamawaelualani, the rift in the heaven who was born of Wakea and Papa in Waolani in the upper reaches of Kamananui in the time when the darkness of Po gave way to the light. Their children and grandchildren have all given their names to the valley's mountains, pools and ridges.

As the modern city of Honolulu has reached out with its need for industrial, residential and military space, such places are all but lost to the Hawaii of today's and tomorrow's children. Moanalua's Waolani

I INTRODUCTION

and Kamananui Valley are threatened with three miles of a six-lane highway along their entire length, despite the known existence of feasible alternatives. But the final pages of the epic of Moanalua have not yet been written.

In Hawaii's unique and fragile environment, the land which the ancients left us in the valley of Moanalua tells us how they regarded the land as a precious living thing, to be respected, because it tells us of our roots, about people and their goodness or lack of it.

In Moanalua, more than 3,000 acres are available today as historical and natural parkland, as a unique setting for the telling of the history of Oahu and Hawaii.[1]

In such an atmosphere one is effortlessly linked to the Hawaii of past epochs, to the Hawaii of the Polynesian settlers who worked the land and sang and danced its praises. The earth underfoot still beats with the footsteps of these ancient seers and farmers, chiefs and poets.

---

1. Moanalua Map; Weissich, P. Recommendation for the Conservation of the Ahupua'a of Moanalua 1970; Moanalua Gardens Foundation, Charter, Aims and Purposes, 1970; Weissich, P. Kamananui Project, 1971; Ayres, Archeological Survey of Kamananui, 1970; Barrere, Survey of Moanalua History, 1971; Bishop, E. and Herbst, D. on the Vegetation and Flora of Moanalua Valley, 1970; Damon, G.M. "Moanalua", 1971; Impact of H-3 on Moanalua's Kamananui Valley.

II CREATION

PERIOD: Pre-Columbian. Creation.

LOCALE: In the upper reaches of Kamananui, valley of the great power; in Waolani, the valley of the spirits. Later in lower Kamananui.

AREAS: 1. ABORIGINAL-PREHISTORIC. Period of creation of Oahu, and the birth of a first man in Waolani.

2. RELIGION-PHILOSOPHY. Creation myths beginning with Po, the sweating time; in Waolani, the birth of Kamawaelualani, the first settler, to Papa and Wakea, the progenitors of the Hawaiian people. Later the demi-god Kamapua'a sported with the Volcano Goddess Pele in lower Kamananui (and Salt Lake).

3. LITERATURE. Fragments from the ancient chants, from the myths and legends concerning this period are recorded.

4. CONSERVATION. Waolani conveys a sense of the primeval, a land of elemental grandeur, of mountains, clouds and nature, a place of great quietude, remote. Native flora abounds, along with native birds and stream-life.

5. ARCHEOLOGY. The great Ualuahine Petroglyph Rock[1] at Kahaukomo connects with sacrifices to the ancestral sky-father Wakea.

STATEMENT:

"In the beginning
there were no canoes
nor men in canoes.
It was the time of Pō,
the sweating time,
the time when steam
poured from the earth like sweat.

1. Petroglyph Rock Pohakuluahine or Ualuahine, listed on Hawaii Register of Historic Sites and nominated to the National Register.

II CREATION

There was night
which was followed by night
and rain which was followed only by rain.

When the sweating time had passed
there came a rift in the heavens,
and it was then that Papa, the rock,
who as the wife of Wakea,
gave birth to the boy Mawaelualani."

Namakahelu, Ancient Creation Chant[1]

Moanalua has its own creation and genealogical chants, the Kahikilaulani Chant, as well as fragments of prayers, myths and legends,.told in this century by Namakahelu. In the oral traditions, chants and legends of Moanalua, we are taken back to earlier times, to the legendary, the mythic, to the period of creation and the times of cosmic ancestors.

In the Waolani of Moanalua, sky father and earth mother, Wakea and Papa - and the lore and vestiges of the culture of their descendants - live on for us in this valley of unmatched beauty.[2] The past is captured for us in the haunting lines of these chants, in these names that have come down through the ages linking modern Hawaii with those early Polynesian settlers who lived in the Polynesian Eden setting of upper Moanalua.

In Moanalua, two valleys, one broad and one narrow, reach towards the sea from the tops of the Koolau Mountain range. One was called Kamananui, or the valley of the great power, the other Kamanaiki, the valley where menehune were said to dwell in the aina e'epa, the valley of the little power.

---

1. Damon, Ancient Creation Chant
2. Damon, "Moanalua" 1971.

II CREATION

Certain of the learned elders who kept alive their love for the old traditions, such as the guardian of the royal fishponds, David Malo Kupihea,[1] referred to the waters of these valleys as Wai-o-loli and Wai-o-lalo, the narrow and broad channels, the male and female streams of life which are spoken of in the Hawaiian Creation Chant, the Kumulipo.[2]

"O kane ia Wai'ololi, o ka wahine ia Wai'olola"
Man born for the narrow stream, woman for the broad stream.

In Moanalua Valley, it is in the uppermost reaches of Kamananui, the valley of the great power[3] that we find Waolani, the valley of the spirits.[4] In olden days, Waolani was the "dwelling place of the gods; a wild place, as appears from the compounds".[5]

Moanalua legends and chants tell us that somewhere in Waolani by the head waters of Kamananui, Kamawaelualani, born of Wakea and Papa, dwelt in the time when the Po of universal night was lifting, a time when a mighty river rushed down the valley to spread its waters to the sea.[6] Kamawaelualani, the rift in the heavens, rose from the "Po" of darkness, the sweating time, when the gods lay prone and life was still a nebulous and unknown thing.[7]

The Moanalua legends trace the birth of the first settler of the valley, Kamawaelualani, as the son of Wakea and Papa, after Papa had given birth to Oahulua (Oahulua and Kamawaelualani are also the names for the islands of Oahu and Kauai). They link up with other Hawaiian chants and legends of Wakea and Papa as the venerated progenitors of the Hawaiian people.[8]

1. Damon, Kamananui; Beckwith, 1970, p. 10
2. Beckwith, 1972, p. 51-52
3. Damon, Kamananui
4. Damon, Waolani
5. Andrews, 1865, p. 506
6. Damon, Waolani
7. ibid
8. Damon, Wakea and Papa; Fornander, 1920, p. 360; Kamakau, 1964, p. 3; Barrere, 1970, p. 51.

II CREATION

Furthermore, the Moanalua legends reflect creation and genealogical traditions throughout the Pacific. As Beckwith comments,

> "Wakea in the form of Atea or Vatea, replaced in New Zealand by Rangi (Lani) meaning "Sky", appears as a primary male generative force throughout eastern Polynesia, the name a symbol of the upper regions of air, whence descend sunshine and rain to fertilize earth. The wife Papa, a word applied in Hawaii to a flat surface or layer, symbolizes the warm upper layer of earth, where lies the fertilized seed awaiting the period of maturity to spring into life. But to the Polynesian these functions of sky and earth are themselves direct analogues of the process of human reproduction. Animate nature manifested in the physical universe is equally potent, if properly approached, to insure human fertility. Father Sky and Mother Earth are the first parents of human life on earth as they are of plant life that springs living from earth under the influence of sun and rain from heaven and of animal life that feeds upon it."[1]

In commenting on the Wakea and Papa myth, Emerson elucidates the imaginative genius of the Hawaiians in their specific expression of so universal a myth as this Wakea and Papa sun-myth:

> ". . . the real significance of the narrative, as I understand it, lies not so much in the special human incidents which make up this sun myth, as in the fact that there is a sun myth at all, that the heavenly phenomena which daily and nightly unrolled themselves before these Polynesians, were at one time in the remote past translated by their poets and thinkers into terms of human passion. Granted the myth-making faculty at all - and most races seem to have possessed it at some time - the form the myth shall take and

1. Beckwith, 1970, p. 117.

II CREATION

> the human incidents with which it shall be clothed will be determined by the habits and ruling propensities of the people themselves."[1]

In Moanalua, significantly, it is near the entrance of this valley of Kamananui, where Wakea is said to have dwelled, that we find Oahu's largest petroglyph rock with important associations of ancestral Wakea worship.

Lorrin Andrews in 1865 gives us the older meanings of the very place name, Kahaukomo (also the name of the High Priest),[2] where this rock is situated.

> "Kaha-uko-mo"[3]
>
> Kaha, s. A scratch; a mark; a letter.
>
> Uko, s. An offering which one carried with him before Wakea when he died. Human sacrifices were offered for this purpose; this custom was performed by the Kahunas using chickens and pigs in the ceremony.
>
> Mo, v. To break or to be broken, as a rope; ua mo ke kaula (the breaking open or revealing of the prophecy); the same as moku. 2. Fig. To break or open, as light in the dawn of the morning; ua mo ka pawa.

Following Moanalua traditions, Gertrude MacKinnon Damon defines "uko" as a "special ceremony after death"[4] and records the observation that when the petroglyphs on the rock were brought to light in the early 1900's, scientists from the Bishop Museum who examined the stone and took markings from it seemed to agree that it was used in the ceremonies connected with human sacrifice in an ancient heiau.[5]

1. Malo, 1951, p. 243; ftnote 16, N.B. Emerson.
2. Damon, Kahaukomo, Ualuahine, Wakea.
3. Andrews, 1865, pp. 241, 119, 392.
4. Damon, Kahaukomo, Ualuahine.
5. Damon, Ualuahine, Kahaukomo.

II CREATION

Hawaiian names for the stone include as a stone, 'Laupo', and as a bird, 'Laea',[1] "relating to the practice of the priest offering the yearly sacrifice".[2] The figures on it were said to include alaea bird figures of importance to the ancient priesthood's recognition of knowledge beyond.[3]

Among the many configurations of lines on the petroglyph rock are certain ones similar to those which trace the paths of the sun and other celestial bodies across an axis representing the sky-father (Wakea) in Polynesian Maori lore.[4]

Further reference to Wakea in Moanalua is found in the name chant, Pele o Moanalua,[5] sung to Kekuiapoiwa II, the mother of Kamehameha the Great, when Keaniani the Seer and Prophet of Kamananui Valley accompanied her on her visit to Moanalua and Punchbowl to claim Oahu for her son.[6] It is Wakea in this name chant who calls to her, recognizing her as of the Pele line, descended from those clouds which connect her to the Oahu royal family.

The Volcano Goddess Pele is also associated with Kamananui Valley, where the places of legendary encounters with Pele are identifiable today. The mischievous pig demi-god, Kamapua'a, became enamored of Pele, Goddess of Volcanoes, in the area of lower Kamananui, at the present Golf Course, and in the Salt Lake area. Pele's visit and Kamapua'a's pranks in Moanalua are described in Moanalua traditions.[7]

---

1. McAllister, 1933 Namakahelu, Informant p.100
2. Andrews, 1865, p. 46.
3. Damon, Ualuahine.
4. Makemson, Maud, 1941, p. 156; Hanner, Knudsen 1973
5. Damon, Pele o Moanalua, Wakea.
6. Damon, Kekuiapoiwa II; Genealogy
7. Damon, Pele.

III MIGRATION & EARLY SETTLEMENT

PERIOD: Aboriginal-Prehistoric. Migration to Hawaii.

LOCALE: The Kamananui branch of Moanalua Valley, the stream and the places named Mano and Panae in Kulanaahane, Waiola and the other mountains, ridges or caves named after the first children and grandchildren. In Kamanaiki, aina e'epa, the land of Menehune.

AREAS:

1. ABORIGINAL-PREHISTORIC. Migration legends and chants tell of the arrival of a tabu princess from Kahiki, who together with the first settler established the line of mountain chiefs. Preceding her were the legendary Menehune.

2. LITERATURE-EDUCATION. The Migration Chants and Legends telling of these events and the early life are recorded.

3. RELIGION-PHILOSOPHY. Archeological remnants of pre-Christian shrines, petroglyph rocks and heiaus or temples, together with Moanalua traditions reflect the worship of Hawaiian gods.

4. CONSERVATION & ETHNO-BOTANY. The plants and materials which sustained life in the early years are to be found in these areas.

5. ARCHEOLOGY. Remnants of stone platforms and terraces, heiaus or temples, shrines and petroglyphs exist in both Kamananui and Kamanaiki.

STATEMENT:

The Calling of the Waves

Let the waves come in from Kahiki,
The budding wave, the spreading wave,
Let the wave spread out at Hawaii, island of Keawe.
Stand, harken, and listen.
Listen thou
O Konihinihi the dainty drawing wind
O Konahenahe the gentle breeze.[1]

---

1. Damon, Chants.

III MIGRATION & EARLY SETTLEMENT

Chant of the Wind (Hula Style)

Kahiki . . . lau, comes hither
The winds, the sudden gusts are
Spreading out, spreading out
Standing up are the distant clouds as she travels
the sea, the sea
The lehua blossom is with me
And like a devouring eye, hovering above is the bird.
The fragrant hala flower lingers long with me, it is a
lei for me, a lei for me.[1]

Chant to Makalii, the Guardian Shark of Moanalua

O Makalii, awake,
Receive the strangers to dwell within
O Kahakaaulana, O Molokahana
Take the Parcels unto yourselves.
O Kaoki, awake take a parcel for you,
O Keahialoa, let the sea lie quietly before you,
Let my canoe paddlers go directly to the shore of
Kamawaelualani.
O Moaeku (trade wind) as I am a native of this land
So let you also be a native of this land.
I travel hither together with my fish, the amaama and
the aholehole.[2]

Namakahelu, Ancient Chants

Early chants and legends of migration to Oahu after the time of the legendary Menehune trace this long journey of the tabu princess, Kahikilaulani, from Kahiki-Ku to Moanalua. She came across the sea in her canoe, Opuaa, shaped like a pillar cloud, with her two paddlers, Konihinihi and Konahenahe, the dizzy breeze and the dainty drawing wind. Arriving at the reef of Moanalua, at Keehi, first landing, she left her

1. Damon, Chants.
2. ibid.

III MIGRATION & EARLY SETTLEMENT

paddlers in the surf and sailed up the Valley of Kamananui to the place called Mano, on the left of the divide, which is marked today by old breadfruit and sandalwood trees. There she offered these gifts for her future husband, Kamawaelualani - a bundle of earth wrapped in a ti leaf, a lehua tree growing in the earth, and on its branches an O'o bird. She wore a fragrant hinalo blossom lei.[1]

The children of these first two, who lived in Kulanaahane and Waiola in upper Kamananui, have given their names to the ancient blue mountains at the head of the valley, Hoomoeihikapulani, to the sacred mountain, Maunakapu, and to the ridge or cave of Keana-ka-mano, the man with the mark of the shark on his back.[2]

In turn, their grandchildren and great-grandchildren have given their names to other places, lower down in the valley, as though the pools and caves, ridges and mountains of this valley served as an index to the ancient mountain chiefs who dwelled there.[2] As one descends the valley toward the sea, the names of the places reveal later personages and events so that in historic times, a ruler of Oahu, such as Kaihikapu, who inherited Moanalua from his mother, the Oahu Queen, was to give his name to Kaihikapu fishpond, bordering the Keehi Lagoon of Moanalua.[3]

Thus we find not only in the soil, but in the Moanalua chant of Kahikilaulani, are recorded the legendary first man and woman, their children and grandchildren down through the persons and events which took place in more recent historic times. As it is said in the Kahikilaulani chant, the soles of the footsteps of the great Oahu king Kakuhihewa go down in this Moanalua, through the genealogy and on the earth.[4]

---

1. Damon, Migration Chant.
2. Damon, Kahikilaulani Chant, Kamawaelualani Genealogy; Moanalua Map.
3. Damon, Lelepaua, Kaihikapu; Fornander 1969, II, 270.
4. Damon, Kahikilaulani.

III MIGRATION & EARLY SETTLEMENT

Opening Prayer to the Chant

How the suggestion given in the dream is loved,
The bitter gusts of the Kai-aulu breeze,
The sun is loved, the Kai-aulu breeze from below,
the Naulu wind
That rouses the sea to action.
The leaves of the coconut are bruised by the wind,
I draw near the place where the rainbow spreads like
a curtain, over the plain before the sun,
In the scorching sun of the Makalii,
May love be like an alii to you.

2.

In a misty rain the smoke was borne by the Puulena
breeze,
Rising out of the mountain from the Pit
Helped by Wahine-kapu (the sacred woman)
The beauty and goodness of Puna that lies
yonder suddenly appeared,
Being pelted by the Puulena breeze,
The darkness spread for yonder was the fire,
We arrived in the evening,
We came at dawn,
It seemed that Hoaka, the moon was above,
What about the news of life?

3.

My companion at Mauna Kuakahu (the first mountain),
On the ascent to Mauna Kualua (the second mountain),
Up on the height of Uwekahuna,
The misty rain spread thickly around,
Bitterly cold is the upland of Kauu,
The companions moan, moan because of the cold,
The companions complain, complain of the wet cold,
My companions at Kulolia.

III MIGRATION & EARLY SETTLEMENT

4.

My companions who share with me the breadfruit of
the upland,
Going together through the Waahila rain,
In the swirling winds of the land,
Much wealth has been produced for the heavenly
one,
That is not recognized by those who would not
recognize.[1]

Namakahelu, Opening Prayer

Kahikilaulani Chant

To Kahikilaulani belongs the wind,
For Kamawaelualani was the sacred heavenly kapus.
Here is Mauna-kapu (Sacred Mountain) and here is
Ke-ana-a-ka-mano (The-cave-of-the-shark)
Glance yonder at Wai-ola (Water-of-life),
The sacred foster child of Ka-lehua-i-ka-wai (The-
lehua-blossom-by-the-water).
To whom belongs Ka-hale-pe'a (The-prohibited-house)
The first house of the heavenly one, this is.
Let us go on to Ka-hau-komo (The-hau-grove-to-enter)
The great priest, and Ke-aniani (The-transparent) the
seer,
He who had trodden on the kapu of Kalanikupule.
Beyond lies Ka-moku-lani-alii (The-resting-place-of-
the-heavenly-chiefs)
And this is Ka-mako-o-ka-lani (The-gathering-of-
heaven).
Maile-hahei (Maile-entwined) beckons from above.
Glance down at Wai-a-ka-alaea (Water-of-the-red-earth)
The companion of Waka'ina, (The-loud-proclamation)
The sacred chief of the land.

---

1. Damon, Kahikilaulani

III MIGRATION & EARLY SETTLEMENT

Ka-mana-iki (The-small-branch) is angry because Puu-
kapu (Sacred-hill) stands in the way,
The house site of Kalala-koa (The-koa-branch);
He who closed the roads from one end to the other.
The hero who battled with the man-eating tiger sharks.
Glance at the point of Ka-oki (The-cut),
How strangely Moku-Onini behaves,
For it is amused with Ke-auau who lies stretched out.
Move, hurry, for there lies Wawa-loa (Much-shouting)
and Mapunapuna (Bubbling-forth).
Love wells up within me,
Let us hie forth to Ka-lo'alo'a (The-stony) and to
Ka-ihi-kapu (The-very-sacred)
The sea of Kohola-nui (Big-shoal) and Kohola-iki
(Small-shoal),
Moku-o-eo (Echo-island) lies out in the sea,
And seems to be teasing Wa-hua-ola (Time-of-living-
children or fruit)
That is life for my lords,
For Kamawaelualani and Kahikilaulani.
There lies Kumu-mauu (the grass-roots of the kingdom)
The green sprout of moral power for Lelepaua (Put-
one's-whole-mind-on-it)
Let it (the thoughts) leap till it dashes against the
heavens.
The soles of the feet go down to Kapua'i-ka'ula
(The footsteps of prophecy)
They are footsteps that belong to Kakuhihewa.
There is nothing to worry about, come in,
Here is food, here is fish, and a gourd full of water,
A roll of mats, a sleeping tapa, and a place to rest
the head
A place for my lords to dwell in,
For Kamawaelualani and Kahikilaulani.[1]

Namakahelu, Kahikilaulani Chant

---

1. Damon, Kahikilaulani

III MIGRATION & EARLY SETTLEMENT

Even today, centuries later, and despite some intrusion by modern man, upper Moanalua Valley reflects the extraordinary life available to the early settlers. A detailed description of this life is contained in Gertrude MacKinnon Damon's notebooks.

The lehua tree of the legendary Princess, with its startling red blossoms, the symbol of womankind and perhaps of all plant life, is there in profusion. But ominously the O'o bird, the male symbol, is now extinct in the valley and on Oahu.[1]

Nature was and is still kind in the valley, the forests green and lush, the gentle trade winds bringing rain from the clouds and mists. A myriad of plant life grows unattended on mountain slopes or in gulches descending to the streams. In fact, all the plants and materials needed for food, shelter, tools, and the religious-cultural life are still to be found in Kamananui and Kamanaiki.

A first botanical survey in 1970 revealed 197 endemic and indigenous plants, of which 155 are from Hawaii's unique flora.[2] Those which supplied supports and leafy walls and roofs for shelter, wood for the canoes and the images, bark for clothing, mats, and nets, abound. Food and medicinal plants include dry and wet land taro, the staple of life, bananas, sweet potato, breadfruit, mountain apples, and even the sacred awa grove cultivated by the third-born son, Keanakamano.

Alongside the stream beds, native fish were cultivated. Some are still there. In animal husbandry, dogs and pigs provided meat, and the tremendous bamboo grove still exists in Kamanaiki where the sows go to give birth even today. The sea and an extensive lagoon

1. Damon, Kahikilaulani.
2. Bishop & Herbst, 1970.

III MIGRATION & EARLY SETTLEMENT

and reef at Keehi were nearby for fish and seaweeds. Later extensive fish ponds were established for fish cultivation, along with taro patches and wauke plantations for food, clothing and religious uses, in the lower parts of the valley.

The earlier inhabitants did not have to leave the valley to find the stones used for cooking, for tools and games, for house platforms and paths, as well as for recording their mythology and history near the temples. Remnants, all in stone, of house platforms, a pre-Christian shrine, old temples, petroglyph rocks, and agricultural terracing are scattered throughout Kamananui and Kamanaiki, giving mute evidence of their earlier habitation. The preliminary archeological survey was confined to the floor of the valley of Kamananui. Known sites in Kamanaiki have not been researched.[1]

For the religious-cultural life, the special plants, the ie-ie, lehua and halapepe, which were used for the altars when the chants and hulas were performed, and some of the birds, such as the red iiwi, whose feathers provided the wondrous feather gods and feather cloaks, still are to be seen with their colorful plumage.

With such an abundant good life, it is understandable that cultural and religious development in the valley flourished. Moanalua not only developed as the center for the great hula and chanting schools, in which the oral traditions were passed down, but it provided the setting for a Moanalua religious tradition whose date is uncertain but which nevertheless existed alongside worship of the more commonly known Hawaiian gods of Ku, Lono, Kane and Kanaloa.

1. Ayres, 1970.

III MIGRATION & EARLY SETTLEMENT

Near the place called Mano, where the first tabu princess was said to have arrived, at Panae, where the stream divides into two in the upper part of the valley, one of the mountain chiefs had a vision in which he was taught to pray, not just for food and shelter and the material things of life, but, as the goddesses explained in pointing to their foreheads, to pray for a spiritual element. It was thus in the valley that the first prayers to Io, a supreme spirit, known also in other Polynesian religions, were offered.[1] The meditation stone where this vision took place has been washed out by the floods, but the place at Panae, just below Mano, remains.

---

1. Damon, Io; Emerson, N.B. 1915, p. 79 ftnote (b); Emory 1942, pp. 200-207; Handy 1941, pp. 134-159; Barrere 1967, pp. 108-109; Taylor 1931, Vol. 44, No. 12, p. 78; Stimson 1933-1; 1933-2.

IV OAHU O KAKUHIHEWA

PERIOD: 16th, 17th and 18th Centuries

LOCALE: Oahu. Moanalua generally. Wailele pool in the present Moanalua Gardens, Huluena and Waipuka in Kamanaiki.

AREAS:

1. ABORIGINAL-HISTORIC. Moanalua became the appanage of the royal house of Oahu, the dynasty of King Kakuhihewa, who brought Oahu to its greatest peak of development. This dynasty ruled until the Maui chiefs took over.

2. POLITICAL-RELIGION-PHILOSOPHY. This ruling family inherited the Oahu God images, system of kapu and religious culte, together with Moanalua for its maintenance.

3. POLITICAL-MILITARY. Battles were fought in Moanalua, at Lelepaua and Kapuaikaula, names of places recorded in the Kahikilaulani Chant.

4. LITERATURE-ART-EDUCATION-ANCIENT GAMES. The Kahikilaulani Migration Chant and stories of the exploits of the members of this dynasty are recorded. Moanalua became the center of hula dancing and chanting, and a great sports center.

5. CONSERVATION-ETHNO-BOTANY-ARCHEOLOGY. The plant and animal life, and the archeological remains mentioned above are pertinent to this period.

STATEMENT:

"That is life for my lords,
For Kamawaelualani and Kahikilaulani.
There lies Kumū-mauu (the-grass-roots-of-the-kingdom)
The green bud of moral power for Lele-paua (Put-one's-whole-mind-on-it)
Let it (the thoughts) leap till it dashes against the heavens
The soles of the feet go down to Kapua'i-ka'ula (The footsteps of prophecy)
They are footsteps that belong to Kakuhihewa".

Namakahelu, Kahikilaulani Chant[1]

1. Damon, Kahikilaulani

IV OAHU O KAKUHIHEWA

The first chief to unite Oahu under the peaceful rulership of a single moi (king) was Mailikukahi.[1] He laid the foundations that were to keep his family as the ruling alii of Oahu until the tragic times of Kahekili of Maui in the late 18th Century. Fornander says of him that he occupied:

> "a prominent place for his wise, firm, and judicious government. He caused the island to be thoroughly surveyed, and the boundaries between the different divisions and lands to be definitely and permanently marked out, thus obviating future disputes between neighboring chiefs and landholders. He caused to be enacted a code of laws, in which theft and rapine were punishable with death. He also caused another ordinance to be enacted and proclaimed, which the legend says found great favour with both chiefs and commoners, namely, that all first-born male children should be handed over to the Moi, to be by him brought up and educated. He was a religious chief withal, built several Heiaus, held the priests in honour, and discountenanced human sacrifices. The island of Oahu is said to have become very populous during his reign, and thrift and prosperity abounded."[1]

Mailikukahi was the great grandfather of Queen Kukaniloko, mother of Queen Kalanimanuia who ruled for many years.[2]

After giving the rule of Oahu to her eldest son, Ku-a-Manuia, Kalanimanuia entrusted to her younger son, Kaihikapu-a-Manuia, the charge of the images of the family gods, "Kukalani" and "Kuhooneenuu". These images, in the time of Kamehameha I, were recognized as the visible symbols of Kunuiakea, the great unseen God in the dark clouds of heaven,[3] to whom the first

1. Fornander 1969, II p. 89; cf. Damon Mailekekahi/Mailehahei.
2. ibid p. 91
3. Kamakau 1964, p. 7.

heiau on Oahu was built in Waolani.[1] The family religious culte was also entrusted to Kaihikapu-a-Manuia, along with the kapus which represented the very foundation of the society and its life. Along with this sacred trust, he was given for maintenance the lands of Moanalua and adjacent areas of Halawa and Aiea. Moanalua became his private estate, and, when he became King, an appanage of the royal house.[2]

The elder brother, King Ku-a-Manuia, a hated monarch, had coveted Moanalua and attacked his younger brother Kaihikapu-a-Manuia. In the battle which took place near Kapua'ika'ula at Lelepaua, a large fishpond Kahikapu-a-Manuia was building in Moanalua at Keehi Lagoon, the king was slain,[3] and thus Kaihikapu-a-Manuia united the emblems of sovereignty, the religious practices and moral laws with the actual rule of the land.

The Kahikilaulani chant refers to this event in the lines quoted at the beginning of this section in which the character of the prophetic destiny of the Kakuhihewa dynasty is cast, for Kaihikapu-a-Manuia, unlike his greedy and ambitious brother, preserved the high ideals of the family. Fornander writes: "Tradition has preserved his [Kaihikapu-a-Manuia's] memory as a pious and reverent chief who built new heiaus, repaired the old, and encouraged devotion and religious exercises".[4]

Kaihikapu was succeeded by his son, Kakuhihewa, who inherited Moanalua from his father, and who continued to rule in the spirit of his father and other antecedents. This great dynasty continued until King Kahekili of Maui conquered Oahu.

Kakuhihewa was considered one of the great kings of Oahu, perhaps its greatest.

---

1. Beckwith 1970, p. 26.
2. Fornander 1969 II p. 270.
3. ibid II p. 270-71.
4. ibid II p. 271.

IV OAHU O KAKUHIHEWA

> "The legends speak in glowing terms of the prosperity, the splendour, and the glory of Kakuhihewa's reign. Mild yet efficient in his government, peace prevailed all over the island, agriculture and fishing furnished abundant food for the inhabitants; industry throve and was remunerated, population and wealth increased amazingly, and the cheerful, liberal, and pleasure-loving temper of Kakuhihewa attracted to his court the bravest and wisest, as well as the brilliant and frivolous, among the aristocracy of the other islands. Brave, gay, and luxurious, versed in all the lore of the ancients of his land, a practical statesman, yet passionately fond of the pleasures of the day, wealthy, honoured, and obeyed, Kakuhihewa made his court the Paris of the group, and the noblest epitaph to his memory is the sobriquet bestowed on his island by the common and spontaneous consensus of posterity - 'Oahu-a-Kakuhihewa'".[1]

It was during his reign that Moanalua emerged as the center of hula dancing and chanting. Indisputably, Kakuhihewa played an important role in this development of the arts and culture of Moanalua. One of the stories of Gertrude MacKinnon Damon describes the Hula as it was danced 200 or 300 years ago. This description was obtained from Namakahelu, who had been taught by the last great Hula master, Ua, who lived in Kamanaiki Valley and held a high position in the royal court.[2]

Even into modern times, Moanalua remained the center of learning of the arts of hula and chanting. The greatest living classical hula dancer, Iolani Luahine, received her training from the Moanalua school. The noted living Hawaii scholar, Mary Kawena Pukui, also received training there.

---

1. Fornander 1969, II p. 270-73.
2. Damon, Hula, Ua.

IV OAHU O KAKUHIHEWA

During these centuries of the Oahu dynasty of Kakuhihewa, the ancient games of the ancient chiefs of Oahu took place. At Huluena, the gathering of the feather cloaks, behind Puukapu ridge overlooking Kamanaiki Valley, the warriors were wont to engage in spear-throwing, following which they slid on ti leaves into the Waipuka pools in Kamanaiki.[1] The Makahiki games, involving bowling, wrestling and other feats of prowess, took place on the Puukapu flats overlooking the present Moanalua Gardens (later where the House of Bones stood). From these flats the chiefs slid on their coconut sleds down the Holua slide into Wailele pool in present Moanalua Gardens.[2]

The great great grandson of Kakuhihewa, King Kualii, reigned for nearly as long a period as his illustrious ancestor. An event in his reign connected with Moanalua is recorded by Fornander. During a time of dispute with the district chiefs of Oahu, an event took place that began in Nuuanu Valley and ended in Kamananui.

> "In the valley of Waolani, a side valley from the great Nuuanu, stood one of the sacred Heiaus called Kawaluna, which only the highest chief of the island was entitled to consecrate at the annual sacrifice. As Moi of Oahu the undoubted right to perform the ceremony was with Kualii, and he resolved to assert his prerogative and try conclusions with the Kona chiefs, who were preparing to resist what they considered an assumption of authority by the Koolaupoko chief. Crossing the mountain by the Nuuanu and Kalihi passes, Kualii assembled his men on the ridge of Keanakamano, overlooking the Waolani Valley, descended to the Heiau, performed the customary ceremony on such occasions, and at the conclusion fought and routed the Kona forces that had ascended the valley to resist and prevent him".[3]

---

1. Damon, Puukapu Flats, Waipuka
2. " Puukapu Flats, Wailele, Kauwalua
3. Fornander 1969, II p. 280.

IV OAHU O KAKUHIHEWA

This battle trail that Kualii walked can still be seen and hiked today. This trail was the same on which the Oahu heir Kaneoneo died, in 1785 or 1786, according to Kamakau, "at Kalamake'e on the road leading up to Maunakapu and down to Moanalua"[1] and according to Fornander "at Maunakapu, as one descends to Moanalua".[2] It was described by Gertrude MacKinnon Damon as a well defined trail which she had seen, that descends the ridge that divides Kalihi Valley from Kamanaiki Valley, descends to the floor of Kamanaiki then climbs the hog's back of the Koolau ridge to Mauna Kapu and descends the ridge of Keanakamano into Waolani.[3]

The rule of Oahu remained in this same Oahu ruling family for five generations after Kakuhihewa's death.

What happened to this inheritance when the Maui chiefs took ascendance over Oahu has been left to conjecture. But in the accustomed fashion of leaving hidden meanings behind the stories, Moanalua traditions hint at what is borne out in Fornander's historical writings. Kekuiapoiwa II, the nine-ringed Queen, who was Kamehameha the Great's mother, was descended from the Oahu ruling family. Indeed after the slaying of Kaneoneo, the heir apparent to the throne, by the Maui King Kahekili's forces, she perhaps had the strongest claim to rulership of Oahu by virtue of descent.[4] Certainly the Moanalua High Priest and Prophet Keaniani's actions bear this out.

---

1. Kamakau 1961 p. 140
2. Fornander 1969, II p. 227.
3. Damon, Waolani, Kualii, Kualii trail.
4. Genealogy Chart I Kaneoneo; Genealogy Chart II Kekuiapoiwa II; Genealogy Chart III Kalanikupule, pages 34 - 36 infra.

8. Significance

V MAUI RULE

PERIOD: 18th Century. Maui Rule.

DATES: 1773 - 1795

LOCALE: Present Moanalua Gardens, Kauwalua, Wailele and Lapakea. Kamananui Valley, Maunakapu, Keanakamano and Keaniani.

AREAS OF SIGNIFICANCE: 1. ABORIGINAL-HISTORIC. Oahu ceased to be an independent state during this period, coming increasingly under Maui domination. The Oahu chiefs and chiefesses were massacred when they rebelled. In Moanalua, the harsh Maui rule culminated in the fiefdom of Maui Chief Kalaikoa, with his House of Bones. The Moanalua mountain chiefs, priests and commoners remained in upper Kamananui Valley guarding the Oahu traditions.

2. POLITICAL-MILITARY. RELIGION-PHILOSOPHY. Kahekili, King of Maui, who ruled Oahu, appropriated at least one of the Oahu God images. The heir to the Oahu throne, Kaneoneo, was slain in Kamananui Valley in Moanalua. When his father Kahekili died, King Kalanikupule placed the tabu sticks at the entrance of Kamananui Valley. The Moanalua High-priest and Prophet Keaniani seized them to welcome the mother of Kamehameha the Great, Kekuiapoiwa II, whose claim to Oahu's sovereignty superceded Kalanikupule's.

3. LITERATURE-EDUCATION. The Kahikilaulani and other Chants and stories of this period are recorded.

STATEMENT:

Ka-mana-iki (The-small-branch) is angry because
Puu-kapu (sacred-hill) stands in the way,
The house site of Kalala-koa (The-koa-branch);
He who closed the roads from one end to the other,
The hero who battled with the man-eating tiger
sharks.

Namakahelu, Kahikilaulani Chant.

V MAUI RULE

During the twenty or so years before the conquest of Oahu by Kamehameha, a tragic period unfolded for the Oahu people, their chiefs and priests. Nowhere is this more sorrowfully dramatized than in the Kauwalua House of Bones,[1] which stood near Puukapu heiau, overlooking the present Moanalua Gardens. It was built by the Maui Chief Kalaikoa, who used human flesh as bait to hunt the tiger sharks at Kahala. It was a gruesome reminder of the fate of the heroic Oahu chiefs and chiefesses who had given their lives for the falling Oahu dynasty of Kakuhihewa. For in this grim structure their very bones and skulls were impaled.

The house was dismantled in the early 19th century, and the bones buried nearby, overlooking the pool of Wailele in the present Moanalua Gardens, the same pool where they and their ancestors had sported in happier times and from where their spirits are said to call out on the nights of Kane.[2]

The end of the dynasty of the Kakuhihewa family (see Genealogy Chart I Kaneoneo, page 34) had begun with the Oahu chiefs' disenchantment with their king Kumahana. "He slept late, was stingy, penurious, deaf to the advice of others, and used to take himself off to the plains to shoot rats."[3]

In 1773, the chiefs and the leading kahuna of the time deposed Kumahana, replacing him with the Oahu chief Kahahana, nephew and protege of King Kahekili of Maui, and who had been for many years a scion in that Maui court. With this event, Fornander comments, "Oahu ceased to be an independent state, and became a tributary to the Maui kings."[4]

---

1. Damon, Kalaikoa, Kauwalua.
2 Damon, Kamahalo, Wailele, Kauwalua.
3. Kamakau 1961 p. 128.
4. Fornander 1969 II p. 291.

V MAUI RULE

During the time when Kahahana ruled Oahu, the Oahu and Maui chiefs and priests disputed as to the possession of the emblems of the sovereignty and independence of Oahu. The Oahu high priest's advice to Kahahana not to deliver these emblems to King Kahekili, since he did not possess them by right of conquest, evoked the wrath of King Kahekili and led to the overthrow of Kahahana.[1]

By 1783, King Kahekili had turned Kahahana against his high priest and maneuvered Kahahana into having his high priest executed.[2] King Kahekili invaded Oahu, forcing Kahahana into hiding for over two years (for some time in tunnels adjoining Salt Lake in Moanalua)[1] and Kahekili of Maui ruled Oahu directly.

The injustice of the Maui rule evoked a rebellion, which proved abortive, some time between 1783 and 1785. It was during these battles that the Oahu Chief Kaneoneo, grandson of King Peleioholani and heir apparent after the ouster of King Kumahana, was killed in Kamananui Valley at Keanakamano as one descends the battle trail from Maunakapu.[3] It was the bones of the chiefs and chiefesses who fought alongside Kaneoneo, to reinstate him on the throne of Oahu, which were used in the House of Bones at Moanalua.[4]

Some time during his rule, Kahekili appropriated to himself the revered God images of the Oahu religious culte, obtaining possession of Kuhooneenuu, which had originally been given to King Kaihikapu-a-Manuia of Moanalua by his mother, Queen Kalani-a-Manuia of Oahu.[5]

Thus with the images of their gods appropriated, the Oahu heir apparent slain and their great chiefs massacred and gruesomely displayed in Kalaikoa's House of Bones, the Oahu people's traditions and history assume the posture of a conquered culture.

1. Fornander 1969, II p. 291.
2. Damon, Kahahana.
3. Fornander 1969 II 227; Kamakau 1961 pp. 138-140; Damon, Waolani, Kualii, Kualii trail.
4. Fornander 1969 II p. 226; Kamakau 1961 pp. 138-9; Damon, Kauwalua, Kalaikoa.
5. Fornander 1969 II p. 270; Kamakau 1961 p. 166.

V MAUI RULE

From the fragments of this era disclosed by Namakahelu the last of Moanalua's historian chantresses, we can piece together the impact on the remaining descendants of Kamawaelualani and Kahikilaulani in Moanalua.

As the Kahikilaulani Chant says, Kalaikoa the Maui chief closed the roads "from one end to the other", a reference to the closing of the high road which led from Waikiki to Ewa. Travellers had to go by sea lest they be trapped by he "who battled the tiger shark".[1]

We know from Namakahelu that the mountain chiefs and commoners remained in the upper valley (she herself and her grandparents were born there) and did not come down to lower Moanalua until the time of Kamehameha.[2] There they were able to preserve the ancient chants and daily prayers and guard the memories and bones of the great ones of Oahu's past.

During his reign, Kalanikupule of Maui, whose father made him first regent then King of Oahu, had placed tabu sticks at the entrance of Kamananui Valley. He thus asserted his control over the valley and its sacred ancestral rock Ualuahine at Kahaukomo with its associations with the ancient lore and religion of the Oahu dynasty, but he also thereby showed his respect for his own ancestors for he too was said to have descended from Kamawaelualani.[3]

A dramatic chapter unfolded for the brave mountaineers of Kamananui valley when Keaniani, the great high priest and prophet of that place, that valley and time, seized the tabu sticks at the entrance of Kamananui[4] to release its people from fealty to Kalanikupule and

1. Damon, Kahikilaulani chant, Kalaikoa.
2. ibid, Namakahelu
3. ibid, Kalanikupule
4. ibid, Keaniani

to welcome Kekuiapoiwa II, when she came to assert dynastic claim to Oahu for her son, Kamehameha, a claim which was higher than that of Kalanikupule.[1]

Although the agonizing years of Maui rule had been cruel and harsh ones, they had never succeeded in eradicating the ancient culture and traditions of the Kakuhihewa dynasty, the Moanalua people's proud heritage. Even today the names of the places in Moanalua, the very rocks, mountains, ridges and pools, bear the names of the ancients, and reflect both their genealogy and the events which shaped them.[2]

Once a great center of learning, of chanting and hula Moanalua was able during the reign of the Kamehameha dynasty to emerge once more as a center of the gentler culture associated with the heroic life of the past. But before this was to happen yet another conquering culture, brought with Kamehameha from the island of Hawaii, placed its stamp on the Moanalua traditions.

But the esoteric meanings behind the Oahuan chants and prayers were guarded for the initiated, for well over a century.

As Namakahelu explained to Gertrude MacKinnon Damon,

> "This story is that of my ancestors.
> I could not tell it to others, but I
> will explain it to you".[3]

---

1. Damon, Kekuiapoiwa II, Kalanikupule,
   Genealogy Charts I, II and III, pp. 34, 35 & 36.
2. ibid, Kamananui, Moanalua Map.
3. ibid, Namakahelu.

8. Significance

VI UNIFICATION OF THE ISLANDS

PERIOD: 18th Century. Conquest of Oahu and unification of the islands.

DATES: 1795 - 1796.

LOCALE: Umi Mua in Kamanaiki Valley; Iemi; Keaniani and Ualuahine at Kahaukomo in Kamananui Valley; the present Moanalua Gardens area.

AREAS: 1. ABORIGINAL-HISTORIC. As it is reflected in Moanalua traditions and events, this period is divided into: 1) The visit of Kamehameha's mother Kekuiapoiwa II to Oahu, to Waikiki, Moanalua and Punchbowl, during the rule of Kalanikupule to claim Oahu for her son; 2) The 1795 conquest of Oahu by Kamehameha and his visit, following the Battle of Nuuanu and the skirmishes in Kahauiki, to Umi Mua in Kamanaiki Valley, to Iemi, and to Ualuahine at Kahaukomo in Kamananui Valley; 3) Kamehameha's preparations during the following year on Oahu for the abortive invasion of Kauai, and their effect on Moanalua.

2. RELIGION-PHILOSOPHY. The Moanalua High Priest and Prophet Keaniani seized the tabu sticks of Kalanikupule at the entrance to Kamananui at the place now named Keaniani. Welcoming Kekuiapoiwa II to Moanalua, he hosted the luau for her at Punchbowl recognizing her claim to Oahu for her son.

After the battle of Nuuanu, Kamehameha took the Lapakea road of the white standard to attend the sacrifices at Umi Mua Heiau in Kamanaiki, then rested at Iemi near the present Moanalua Gardens, where the chants affirmed his dynastic claim. He went on to Kahaukomo in Kamananui to offer his battlesword at the great rock Ualuahine of ancestor worship. At some time during this period Kamehameha obtained possession of the two Oahu God images, symbols of sovereignty, the religious culte and the Kapus.

VI UNIFICATION OF THE ISLANDS

During the following year Moanalua traditions reveal a warning to Kamehameha against the ill-fated Kauai invasion with its continuing plunder of the rich lands of Moanalua and Oahu.

3. LITERATURE-EDUCATION. The Pele o Moanalua Chant, the Makalelelele Story of the Flying Eyes, and the Moanalua Chant warning against the Kauai invasion are recorded along with other accounts of this period.

4. ARCHEOLOGY. The Lapakea road of the white standard and the site of Umi Mua heiau in Kamanaiki are known. The Iemi spring, underneath the H-1 Interstate Defense Highway Interchange at Puuloa Road, will be reconstructed and plans call for its public use as an adjunct to Moanalua Gardens a short distance downstream. The place at Keaniani in Kamananui Valley is known but the exact location of the heiau said to be there has not been surveyed. The petroglyph rock Ualuahine is at Kahaukomo in Kamananui Valley.

STATEMENT:

Pele o Moanalua

"Began the heavens began the earth,
The holding, the binding, the tying, the stealthy sounds.
The seething, the continuing
The breaking open, the bursting, the flying
'The sparkling embers above,
The sparkling embers below.'
The flashing lightening, that ran and ran and struck
It flew it struck, it flashed and struck, it crashed and
stopped.
Crashing was the voice of the Thunder
The thunder that struck and hit the dry places.
A thunder in the winter months.
A thunder that noisily rolled.
The noise was heard down at Wakea
Then inquired Wakea.
Who is this god that digs?

VI UNIFICATION OF THE ISLANDS

It is I Pele, the Goddess that devours rocks.
I lead the flames,
Puna is made bright by the Goddess
There were four, these heavy clouds overhung.
From the clouds above, from the vapours above
The voice of the Halulu bird is heard at this season.
The great black birds with the black feathers,
with yellow feathers, with red feathers.
And O ke-kui-apo-iwa, she the nine ringed one,
She was the great Queen.
Now call the name,
It is He, he, he, aha,---ha ha ha,
This is the mantle of
Ke-kui-apo-iwa".

Pele o Moanalua, a name chant for Kekuiapoiwa II, given by Solomon Mokumaia, Namakahelu and Emma Ahuena Ikamakahonu Taylor.[1]

Sometime during 1794, a little known but very important event took place in which Moanalua's high priest Keaniani was to play a prophetic role.[2] This was still while Oahu was ruled by King Kalanikupule of Maui. Suddenly off the shores of Waikiki appeared an awesome fleet of canoes. Receiving permission to land from her nephew, Kalanikupule, this was Queen Kekuiapoiwa II, the mother of Kamehameha I, arriving in her red painted canoe, with its red sails surrounded by the black canoes and black sails of those from her court in Kohala on the Island of Hawaii.[3]

King Kalanikupule, in defiance, stretched his warriors four abreast from Waikiki to Moanalua, hoping thus to stave off the prophecy, was it the same as that of the Halulu bird, heard at this season, the great black bird with red feathers, yellow feathers, the colors of the sacred Queen herself.[3]

---

1. Damon, Pele o Moanalua; Mokumaia, Solomon; Namakahelu; Taylor.
2. ibid, Keaniani, Kekuiapoiwa II
3. ibid, Kekuiapoiwa II

VI UNIFICATION OF THE ISLANDS

Keaniani escorted the aging queen to Moanalua for he had seized the tabu sticks that Kalanikupule had placed at the entrance of Kamananui valley. He welcomed her, for her claim to Oahu for her son could be recognized at the ancestral shrine, the great petroglyph rock Ualuahine at Kahaukomo, the place to which one went before death to make offerings to Wakea, one's ancestor.[1]

In the name of Kalanikupule, Keaniani hosted an all-night luau at Puuowaina, the crater of Punchbowl, overlooking the very plains where Kalanikupule had stretched out his warriors. This great feast, with its dramatic performances of the ancient hulas and chants, was still remembered in Moanalua one hundred and fifty years later.

The blind Namakahelu, already in her nineties in the 1930's, took her great drum to Puukapu overlooking the present Moanalua gardens to chant the "Pele o Moanalua",[2] the mele inoa, name chant which proclaims Wakea's recognition of Kekuiapoiwa II as the Nine Ringed Queen, as the member of the Goddess Pele's family. Solomon Mokumaia, of Moanalua, an old man then in his eighties, also remembered the chant, for he had received it from his grandmother who died in the 1880's at over 100 years of age and had been in her youth a witness to this singular event.[3]

At the luau in Punchbowl, the ancestral claim to Oahu of Nine-Ringed Queen Kekuiapoiwa II was proclaimed in this chant, "Pele o Moanalua," based upon the nine times in which she was embraced by the sacred pio arch. Her mantle was that of the four heavy clouds, represented in her descent, twice each time from her grandmother and great grandmother, the sacred Queens Keakealani and Kalanikauleleiaiwi, the direct descendants of the great Oahu king, Kakuhihewa.[4]

1. Damon, Keaniani, Kahaukomo, Ualuahine, Wakea.
2. ibid, Namakahelu; Pele o Moanalua
3. ibid, Mokumaia, Solomon; Pele o Moanalua
4. ibid, Kekuiapoiwa II, Genealogy Chart II, p. 35.

Form 10-300a
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)
8. Significance

GENEALOGY CHART I

Oahu Dynasty tracing Kaneoneo's descent from King Kakuhihewa

King Kukahiailililani = Kokalola[1]

King Mailikukahi = Kanepukoa[2]

King Kalonaiki = Kikenui-a-Ewa[2]

King Piliwale = Paakanilea[2]

Queen Kukaniloko = Luaia[2]

Queen Kalaimanuia = Lupekapu[2 & 3]

King Kaihikapu a Manuia = Kaunui a Kanehoalani[4]

King Kakuhihewa = Kaea a Kalona[5]

Kanekapu a Kakuhihewa[6] = Kalua a Hoohila[7]

King Kahoowahaokalani[7] = Kawelolauhuki[8]

King Kauakahi-a-Kahoowaha[8] = Mahulua[9]

King Kualii[9] = Kalani Kahimakealii[10]

King Kapiohookalani[11]

King Peleioholani[11] = Lonowahine or Lonokahikini[13]
(Kauai district, then of Oahu when Kanahaokalani dies)

King Kanahaokalani[12]
(Died within one year)

King Kumahana - wife's name not given[13]

Kaneoneo[14]
(Heir apparent. Killed at Maunakapu sometime between 1783 & 1785). According to Kamakau, Kaneoneo was a grandson of Peleioholani but not a son of Kumahana.[15]

Fornander
1. ~~for~~ 1969, II p. 88
2. " " " " 88,91*
3. " " " " 269-70
4. " " " " 270-72
5. " " " " 272-74
6. For. 1969, II p. 274
7. " " " " 275
8. " " " " 277
9. " " " " 278
10. " " " " 284
11. For. 1969, II p. 288
12. " " " " 289
13. " " " " 290
14. " " " " 291
15. Kamakau 1964 p. 22

(*See also Damon Mailekekahi/Mailehahei)

GENEALOGY CHART II

Kekuiapoiwa II's & Kamehameha's descent from King Kakuhihewa of Oahu

King Kukahiailililani = Kokalola[1]
(Of Maweke & Paumakua Oahu lines, 10th or 11th Centuries)

King Mailikukahi = Kanepukoa[2]

King Kalonaiki = Kikenuia-a-Ewa[2]

King Piliwale = Paakanilea[2]

Queen Kukaniloko = Luaia[2]

Queen Kalaimanuia = Lupekapu[2 & 3]

King Kahikapu a Manuia = Kaunui a Kanehoalani[4]

King Kakuhihewa = Kaea a Kalona[5] m Kanaloakuaana = Kaikilani[16]
m Keakealanikane = Kealiiokalani[16]

Kaihikapu a Kakuhihewa = Ipuwai a Hoalani[6]
(Prince of Oahu) (Maui royal family)

Kauakahikuaanaauakane[7] = Iwikauikaua = Keakamahana[8]
(2nd wife, Queen of Hawaii)

Kaneikaiwilani[9] = Keakealaniwahine[8] = Kanaloaikauilewa
(Prince of Oahu) (Queen of Hawaii)

Kauauaamahi = Kalanikauleleiaiwi[10 & 11] Keawe-i-Kekahi-Alii-o-ka-moku
(Queen of Hawaii) (King of Hawaii)

Haae[12] = Kekelakekeokalani a Keawe[11]

Kekuiapoiwa II[13 &=14] Kalanikupua Keoua or Kahekili[15]
(King of Maui)

Paiea Kamehameha[15] Kealii Maikai

1. For. 1969 II p. 88
2. " " " " 88,91*
3. " " " "269-70
4. " " " "270-72
5. " " " "272-74
(*See also Damon, Mailekekahi/Mailehahei)
6. For. 1969 II pp.274-76
" " I p. 249
7. " " II pp.276,
" " " 126, & 127
8. " " " p. 128
9. " " " " 128,129
10. " " " " 129
11. For. 1969 II p. 130
12. " " " " 131
13. " " " " 131*
14. " " " " 136
" " I p. 192
15. Kamakau 1961 p. 188
16. For. 1969 I pp. 192
13.* (*ftnote 3.)

GENEALOGY CHART III

Kalanikupule's connection to the Oahu royal family

Kaneikaiwilani[1] = Keakealani[2]
(Prince of Oahu) (Queen of Hawaii)

Kalanikauleleiaiwi[3] = Kaulahea[4] = Papaikaniau[5]
(Queen of Hawaii) (King of Maui)

Kekuiapoiwanui[4] = Kekaulike[6]
(King of Maui)

Kahekili[7] = Kauwahine
(King of Maui)

Kalanikupule[8]
(King of Oahu)

1. Fornander 1969, II pp. 128, 129; See Genealogy Chart Kekuiapoiwa II
2. ibid., II p. 128
3. ibid., II p. 129
4. ibid., II p. 131
5. ibid., II p. 210
6. ibid., II pp. 210, 211
7. ibid., II p. 213
8. ibid., II p. 261

VI UNIFICATION OF THE ISLANDS

With Kaneoneo, the heir apparent to the Oahu throne, fallen and enshrouded in the mists of Maunakapu, Kekuiapoiwa II could lay the highest claim to Oahu, based not only on her direct lineage from King Kakuhihewa, but by her pio rank which superceded that of King Kalanikupule from Maui.[1]

When she answered the Moanalua High Priest and Prophet Keaniani's request in the dawn following the great feast, she demanded Oahu for her eldest son, Kamehameha.

Kamehameha, the highest chief of the island of Hawaii,[2] was the heir to her mantle, as well as to that of his father Kahekili of Maui. Kamehameha had been told by his uncle Kameeiamoku, on his deathbed, that King Kahekili and not Keoua was Kamehameha's father.[3] Kamehameha had sent his messenger to Kahekili as death approached, demanding Oahu by cession or conquest. Despite the existence of his younger son Kalanikupule on the throne of Oahu, Kahekili had asked Kamehameha to wait till the black kapa covered his body and his funeral rites were performed.[4] This had been done.

By the actions of Keaniani, the Moanalua priests and chiefs recognized in Kekuiapoiwa II, Kamehameha's claim to Oahu. King Kalanikupule in his desperation tried to rally them for his battle against Kamehameha, and traditions tell of Kalanikupule personally smothering the young chief, Kamokulanialii, in the pool near the rock Ualuahine at Kahaukomo for refusing to fight against Kamehameha.[5]

Certainly these last guardians of an ancient Hawaiian culture saw in the coming of Kamehameha the affirmation of the highest claim to the Oahu throne and a liberation from long years of oppression by Maui chiefs.

---

1. Damon Kaneoneo, Kekuiapoiwa II & Kalanikupule, Genealogy Charts I - III, pp. 34, 35 & 36.
2. Fornander 1969 II p. 314
3. Kamakau 1961, p. 188
4. Fornander 1969 II p. 239
5. Damon Kalanikupule, Kahaukomo, Kamokulanialii.

VI UNIFICATION OF THE ISLANDS

They saw in his coming the fulfillment of the prophecy proclaimed in Pele o Moanalua and their own sacred Kahikilaulani chant--the prophecy of the Kaula bird's footsteps, the footsteps that belonged to their great Oahu King Kakuhihewa.

In 1795, Kamehameha arrived on Oahu and overwhelmed Kalanikupule's forces at the historic battle of Nuuanu. He pursued some of the escaping Kalanikupule warriors to the outskirts of Moanalua where final skirmishes were fought alongside the stream of Kahauiki, now at Fort Shafter.

The fighting done, Kamehameha took the path of Lapakea[1], the Road of the White Standard, the high road which descends from the flats of Puukapu and Kauwalua, across Kamanaiki stream near Wailele Pool, now in the present Moanalua Gardens, skirts the hill of Puu o Maui and ascends the tiny valley of Kio'a (Kio'o) to the most secret place in Moanalua, the dread and sacred Po Kanaka Heiau of Umi Mua.[2]

There three dry streams lead from Mailehahei, high point on the ridge between Kamananui and Kamanaiki valleys, from Wai o Kane spring to three horseshoe-shaped pools with their water worn stones, to converge on a waterfall below.[2] This was Umi Mua, now partly hidden by landslides and secreted in a grove of tangled hau trees whose leaves are tinged with red.

There the drums could be heard on the nights of Kane. There Kamehameha attended the sacrifices consecrating the battles ending the conquest of Oahu.

The sacrifices ended, Kamehameha went on to Iemi,[3] the sacred spring from which Moanalua takes its name. The

1. Damon Lapakea, Wailele. Moanalua Map.
2. ibid., Umi Mua. Moanalua Map.
3. ibid., Iemi, Kamehameha, Chants.

sleeping mele or oli for Kamehameha was sung to him as he rested under a coconut tree, the song which deeded the valley, the private possession of the great Oahu Kings and Queens, the refuge of bards and seers, to Kamehameha and his heirs as their private possession.

Namakahelu provided the words of the secret chant sung to him at Iemi:

"Dwell thou as one whose possessions they are
Depend upon their being given to thee
as thou dwelleth upon this earth.
Sleep thou until food is served
Served by these two here.
Answer to thy name chant O heavenly one!
Kamehameha, Kamehameha, who is the lonely one!"[1]

The appeal to Kamehameha contained in this chant suggests that it was a welcome sung in the name of "these two here", namely, Kamawaelualani and Kahikilaulani, and as an introduction to the singing of the Kahikilaulani chant which opens,

"To Kahikilaulani belongs the wind,
For Kamawaelualani was the sacred heavenly kapus."[2]

This Kahikilaulani chant signifies that peace and an end to strife had come.

"Love wells up within me,...
Let us hie forth...
Let it (the thoughts) leap till it dashes
against the heaven.
The soles of the feet go down Kapua'i-ka'ula
(Kaula-bird's-foot-steps)

1. Damon, Meles, Kamehameha.
2. Damon, Kahikilaulani Chant.
3. Damon, Pele o Moanalua.

VI UNIFICATION OF THE ISLANDS

They are footsteps that belong to Kakuhihewa
There is nothing to worry about, come in,
Here is food, here is fish, and a gourd full of water,
A roll of mats, a sleeping tapa, and a place to
rest the head
A place for my lords to dwell in,
For Kamawaelualani and Kahikilaulani."[1]

In this chant the Kaula-bird prophecy, the footsteps that belong to Kakuhihewa, recall the prophetic words sung to Kamehameha's mother in the Pele o Moanalua chant.

"From the clouds above, from the vapors above
The voice of halulu bird is heard
The great black birds with black feathers,
with yellow feathers, with red feathers,
O Kekuiapoiwa, she the nine ringed one,
we call her name."[2]

In chants the halulu bird was envisioned as a creature of prophecy; in poetic usage it is also referred to by Kapuaikaula, the ka-ula bird's footsteps. In the "Pele o Moanalua" chant, Kekuiapoiwa II's claim to Oahu is prophetically recognized by Wakea; in the Kahikilaulani chant, her son is prophetically welcomed by Kamawaelualani, born of Wakea and Papa, and Kahikilaulani.

The Kahikilaulani chant welcomes Kamehameha:

"Let us go on to Ka-hau-komo
(The-hau-grove-to-enter)
The great priest, and Ke-aniani
(The-transparent) the seer,
He who had trodden on the kapu of Kalanikupule".[1]

---

1. Damon, Kahikilaulani Chant
2. ibid., Pele o Moanalua

VI UNIFICATION OF THE ISLANDS

A runner of Kamehameha appeared while he rested at Iemi, announcing the birth of a young chief beside the great ancestral petroglyph rock, Ualuahine at Kahaukomo in Kamananui Valley. This was a good omen. Kamehameha ascertained the ancestry of the child, the last born of the great Moanalua mountain chiefs, descended from Kamawaelualani and Kahikilaulani.[1]

Kamehameha went to Ualuahine at Kahaukomo to name this child Kapahi-kaua-o-Kamehameha, the battle sword of Kamehameha, and he laid his sword from Nuuanu's historic battle beside the child, in a gesture signifying peace and the fulfillment of the prophecy.[1&2] On the rock a figure is traced, beside lines following the curves of Kamananui stream which runs alongside the rock.

It was this young chief, Ka-pahi-kaua o Kamehameha, grandfather or great grandfather of the historian-chantress Namakahelu, who handed down to her those fragments of the ancient lore which speak to us today of the greatness of the first two, Kamawaelualani and Kahikilaulani, and the Oahu, justly called 'Oahu a Kakuhihewa'.[3]

How joyful must have been this time for the mountain people of Kamananui and Kamanaiki valleys. They came down from the mountains and lived with the chiefs in lower Moanalua.[4]

In the year following the Battle of Nuuanu, 1795-1796, Moanalua provided generously for the needs of Kamehameha's court and the attendant warriors. A huge luau was prepared in Moanalua to welcome his wife, Queen Kaahumanu, a feast to cement and heal the ravages of recent wars.[5]

1. Damon Story, the Great King Kamehameha
2. ibid., Namakahelu
3. Fornander 1969 II p. 274
4. Damon Namakahelu
5. ibid., Kaahumanu

VI UNIFICATION OF THE ISLANDS

During this time, however, the Moanalua people began to feel the effects and strain of conquest once again.

In typical traditional form, they enjoyed among themselves the hidden meaning of the story of Makalelelele.[1] This tale, which was told to McAllister, Bishop Museum archeologist in the early 30's, as a simple, rather amusing folk tale, contains a barbed shaft which exposes Moanalua's sufferings during this time.[2]

The events took place at Keanahaki on the hill, just above the Wailele pool in present Moanalua Gardens. Makalelelele lived there with her husband and six children. Devoured with insatiable greed, Makalelelele arranged, with the help of her kahuna, to send her flying eyes (makalelelele), to fish in Keehi Lagoon. She ate the catch, leaving one fish for her husband and children. Betrayed by her sixth child, a baby, who revealed her secrets, her husband trapped her eyes and ended her plunder.

A simple fairy tale, but to the Moanalua people, Makalelelele, referred to Kamehameha and perhaps the sixth child, the sixth island to be conquered, Oahu.[3]

It is known that Kamehameha, whose fishing canoes were later hidden in Moanalua,[4] broke his net Nukumomi in Keehi Lagoon, the catch was so great.[5]

The further details of this story, given by Namakahelu to Gertrude MacKinnon Damon, also refer to the help the husband of Makalelelele (the Moanalua people), was given by two prophets, Lepakea and Kinau, whose names were given to places in Moanalua.[6] These names suggest

1. Damon, Makalelelele
2. McAllister 1933 p. 94; Damon, Namakahelu
3. Damon, Makalele, Kamehameha
4. Damon, Hidden Canoe
5. Damon, Kamehameha
6. Makalelelele, Lepakea, Kinau. Damon

VI UNIFICATION OF THE ISLANDS

that Kamehameha's advisers, John Young and Isaac Davis, counselled Kamehameha to ease the burdens on the conquered Oahuans.

During this year, Kamehameha was preparing for the conquest of the 7th and 8th islands of the Hawaiian chain, Kauai and Niihau.[1] In the notebooks of Gertrude MacKinnon Damon there are two untranslated fragments of a chant obtained from Solomon Mokumaia,[2] which she suggested refers to Kamehameha's planned invasion of Kauai,[3] across the Ka'ie'ie Waho channel.[4] In the chant Kamehameha is warned by the people in Moanalua to desist from his planned invasion of the islands of Kauai and Niihau.

"O Chief, you are brave
In vain your fish-eye is flying
In vain is the chief's war journey
At the cape of Makahanaloa
Stand up and inquire
Since Maui is asking,
And Oahu is questioning
Where is the lonely chief?
He has been visiting
Kauai's Mano ka lani po (the great shark god of Kauai);
It is dark as the smoke rises twisting
Over my land
The people live because of you, oh chief."[5]

Solomon Mokumaia, Oli.

---

1. Kuykendall 1947 p. 47
2. Damon, Chants, Solomon Mokumaia
3. Damon, Kamehameha
4. Kamakau 1961 p. 173
5. Damon, Mokumaia, Solomon; Kamehameha.

VI UNIFICATION OF THE ISLANDS

Following the abortive Kauai invasion Kamehameha returned to the island of Hawaii. Somehow, from King Kahekili of Maui to Kamehameha, went possession of the revered images of the family Gods of Oahu, "Kukalani" and "Kuhooneenuu", the gods which had been given by Queen Kalanimanuia of Oahu to Kaihikapu of Moanalua three centuries earlier.[1] As Beckwith states, "Kamehameha was careful to secure the gods of the islands over which he had gained rule."[2]

---

1. Kamakau 1964 p. 7; Fornander II p. 89.
2. Beckwith, 1970, p. 29.

8. Significance

VII MONARCHY

PERIOD: 19th and 20th Centuries.

DATES: 1796 - end of Monarchy, 1893.

LOCALE: Present Moanalua Gardens. A developed 13 acre park.

AREAS: 1. ABORIGINAL-HISTORIC. Reflecting essentially a place for Hawaiian culture (chant and hula) and for festivities of the royal family.

2. ARCHITECTURE. Kamehameha V Cottage. Built by this sovereign in the 1850's as a summer home, it is a cluster of buildings reflecting architecture of Honolulu over one hundred years ago.

3. LITERATURE & MUSIC. Kamehameha V gave feasts and presentations where the famous hula dancers and chanters of the Moanalua school nearby performed. Other members of the royal family entertained or were entertained in this area. Kamehameha I prepared a luau here for Queen Kaahumanu. Memoirs speak of such festivities for or by Queen Emma, Princess Ruth, Princess Bernice Pauahi Bishop, King Kalakaua, who all enjoyed their stays in Moanalua at Hale Paihi or other summer homes.

4. LANDSCAPE ARCHITECTURE. The Moanalua Gardens park with broad lawns and large shade trees planted in the 19th century, includes a stream, taro patch, native palm grove and other native trees.

STATEMENT: "Kamehameha built heiaus for his gods. Ku-ka'ili-moku was a feather god whose feathers, it was said, had formerly grown on the foreheads of the great birds Halulu and Kiwa'a. Ku-ke-olo'ewa, Ka-haka-iki, or Maku'u was a wooden god from a tree of Paliuli and wore a helmet on its head. Ku-ho'one-nu'u was another god made of the tree with beautiful flowers

brought by Haumea from Ka-lewa-lani. It also bore the flowers, Kani-ka-wi' and Kani-ka-wa', and wore a feather helmet on its head formed out of the feathers of Halulu, Kiwa'a, and Hiapo. These were gods who seized governments, and it was through them that Kamehameha became ruling chief over the islands."[1]

"The Hawaiian people have a long history, especially so those of the island of Oahu. Much of this history has been lost. It has become customary in the schools and among people who take some interest in the islands to commence their knowledge of island history with the remark, and then Kamehameha landed at Waikiki beach and conquered Oahu. This is said as if all things began from that point, much as it was customary generations ago to start the history of the United States with the story of George Washington cutting down a cherry tree.

"Actually the roots of American history go back to the remotest antiquity, and the history of the Hawaiians, although we have it only in fragments today, extend back over the dim ages and across the vast expanses of the Pacific. Why ancient Hawaiian history is relatively disconnected while that of other Polynesian people, notably the Maoris of New Zealand, is rich and well documented came about, I first suspected and am now certain, because of the conquests of Oahu.

"The Oahuans must have been a rather civilized people. They stored their minds with a lore of their ancestors and enjoyed themselves with refinement, but like the obliteration of the middle age provincial culture that centered in Marseilles by ruthless and less endowed invaders, the Oahuans went down in the troubled times that culminated in the Kamehamehan

1. Kamakau, 1961, p. 179.

VII MONARCHY

dynasty. The slaughter of the Oahuan people incident upon the period of strife which extended over a period of decades to 1795 caused a virtual disappearance of the historical legends of very ancient Hawaii, what might be called the pre-Kamehamehan history.

"I first suspected and am now certain that Moanalua Valley became after the conquest by Kamehameha, the refuge of the surviving story tellers and chanters of Oahu. My final conviction on this point came on one rainy day when I went with a Hawaiian scholar to visit Namakahelu.

"Ancient Hawaii, a way of life primitive yet dignified, playful yet serene: the mystery one senses in the eyes of the old Hawaiians, I discovered this that rainy day. Hawaii, you know, in spite of the modern metropolis of Honolulu is a land of plantations, open spaces and of loneliness."[1]

Gertrude MacKinnon Damon

In 1796, after he conquered Oahu, Kamehameha returned to the island of Hawaii to establish his rule over all the islands from there. With political and military authority centralized under the strong rule of Kamehameha, any lingering hopes for the resurgence of an independent Oahu, with its own culture and religion, were doomed. The revered images of the Oahu family Gods "Kukalani" and "Kuhooneenuu," the emblems of national sovereignty, were in the possession of Kamehameha along with the Gods of other islands.[2]

Moanalua, the refuge of the surviving story tellers and chanters of Oahu, was entrusted to one of Kamehameha's staunchest supporters during the wars of

1. Damon, Kamehameha
2. Kamakau 1961, pp. 179-180, 202;
" 1964, p. 7, 12; Beckwith 1970, pp. 15, 29, 110.

VII MONARCHY

unification, a man named Kameeiamoku, who was his uncle.[1] When Kameeiamoku died, the lands went to Kameeiamoku's son, Hoapili Ulumaheihei. Under the terms of the Mahele, the great land division of 1848, the Moanalua lands were granted to Lot Kamehameha, a grandson of the conqueror, who became Kamehameha V.

In the 1850's Lot Kamehameha built a summer residence in the architecture of that period near the present Gardens. This Kamehameha V Cottage now sits in the present Moanalua Gardens and studies are being undertaken with a view toward complete restoration and refurnishing of this unique example of architecture with its influences of the New England missionaries, the Hawaiian grass house and the Samoan round house.

Letters, journals[2] and newspaper articles written in the time of Prince Lot Kamehameha describe his memorable luaus, which were used as an occasion for performances of the hula and chanting. It had been for many years unlawful to dance the hula. Prince Kamehameha's encouragement of chanting and dancing in Moanalua, although severely criticized by some of the local residents of his time[3] (mostly foreign whites), led to a change of the law and a reawakening of interest in the ancient dance art and its accompanying chants, the ancient repositories of lore and history before writing.

In 1863, Lot Kamehameha came to the throne and reigned until 1872. At his death, the great Moanalua estate went to his sister, Princess Ruth Keelikolani.

---

1. Damon, Moanalua; Damon, Mrs. S.M., Historical Data Moanalua.
2. See especially journals in Hawaii State Archives of David L. Gregg, U.S. Commissioner to Hawaii 1854-1857, later Minister of Finance for the Hawaiian Kingdom.
3. Pacific Commercial Advertiser Editorial 7.10.1856.

VII MONARCHY

Princess Ruth was a fascinating personage of the period during the monarchy. She was considered by most of her contemporaries to be the true heiress of the character and style of her royal Hawaiian ancestors. She came into possession of virtually all the lands of the Kamehameha family through survival. She outlived her brothers Kamehameha IV and V, her sister Victoria Kamamalu and their father, Kekuanaoa who lived to a great age.

Hula and chanting continued to be encouraged under Princess Ruth's influence. She built a two-storied house in Moanalua where she retired from time to time to enjoy Moanalua's famed storytelling, its hula contests, and the singing of chants telling from oral traditions the unique history of Moanalua.[1]

In the tradition of the great chiefs from whom she descended she gave lavish native feasts. The entire populace of an area where she gave these luaus were invited. She was personally concerned with the welfare of all the people who lived as tenants or as freeholders within the bounds of her vast estates. This was particularly true of the Moanalua people whom she helped time after time.[1]

Under these latter day Kamehamehas, Moanalua once again became the rich calabash, a repository of ancient ways, struggling to survive the raging influences of alien cultures. It is in this period that Moanalua is regarded by the people of Oahu as a truly sacred place, a place with strong and sustaining links to aboriginal roots.

---

1. Damon Story, Three Women, Princess Ruth Keelikolani.

VII MONARCHY

Princess Bernice Pauahi (Mrs. Charles R. Bishop) inherited the ahupua'a of Moanalua from her cousin, Princess Ruth Keelikolani. According to the lore coming directly from old inhabitants of Moanalua, both Princess Ruth Keelikolani and Princess Bernice Pauahi Bishop were born in Moanalua. Princess Pauahi lived for less than a year after inheriting the Moanalua that she loved visiting. Three weeks before her death in 1883 she added a codicil to her will deeding the Moanalua lands to her friend Samuel Mills Damon.[1]

Mr. Damon was a partner in the banking business created by Princess Pauahi's husband, Charles R. Bishop. Mr. Damon had held official positions in the Hawaiian government for many years. When the monarchy ended in 1893, Hon. S. M. Damon was Finance Minister of the provisional government. He kept this position until the annexation of Hawaii to the U.S. in 1898.

---

1. Damon, Mrs. S. M., Historical Data on Moanalua. See Concordance.

VIII TURN OF CENTURY

PERIOD: Turn of Century.

DATES: 1883 - to present.

LOCALE: Moanalua Gardens, Kamananui and Kamanaiki Valleys.

AREAS: 1. ABORIGINAL-HISTORIC. The development of Moanalua Gardens and Golf Course as a park, maintained for public use and recreation, and the preservation of upper Kamananui and Kamanaiki Valleys, as historic and natural areas, available for public use and recreation as an extension of Moanalua Gardens.

2. ARCHITECTURE-LANDSCAPE ARCHITECTURE. The period of the Monarchy represented in the Kamehameha V Cottage[1] and the turn of the Century in the Chinese Hall,[1] both standing in the present Moanalua Gardens. Plans call for the restoration of the Cottage and Hall. In Kamananui Valley, a turn of the Century Carriage Road with seven Italian stonework arched bridges.

3. HISTORY-EDUCATION-BOTANY-ARCHEOLOGY-ART. The Samuel Mills Damon Collection of Hawaiian artifacts is on loan to the Bernice Pauahi Bishop Museum. Family members have the furnishings, paintings and other historic mementoes of the Hawaiian Monarchy in safekeeping until they can be publicly displayed once more in the Cottage and Hall. The Moanalua Gardens Foundation has started its own collection of paintings concerning Hawaii for eventual display in Moanalua. Under the auspices of the Moanalua Gardens Foundation, educational lectures and tours of the Gardens area and Kamananui Valley are organized for the public.

---

1. Designated as Hawaii Historic Site, Category: valuable, November 15, 1971.

VIII TURN OF CENTURY

STATEMENT: When Samuel Mills Damon inherited the ahupua'a of Moanalua from Bernice Pauahi Bishop in 1883, yet another wholly new era unfolded in Moanalua, one in which American and other foreign influences were to play a dominant role.

As the ancient customs gave way to our present civilization the attendant upheavals in the religious, moral and economic structure of society, were reflected in the personal lives of the individual Hawaiians who still lived in the valley.

The clash of culture which developed during this time formed the background for a series of original stories written by Gertrude MacKinnon Damon.

The changing pattern of daily life, with its joys and sorrows, leaves yet unbroken among these people the spiritual strength drawn from a truly great ancient Hawaiian civilization.

In these stories we learn of the triumph of Tutu Kamaka,[1] hidden daughter, or of John Kulia Mokumaia,[2] rider with Buffalo Bill, and his wife, Clara, principal of the new Moanalua School, of Solomon Mokumaia,[3] the fisherman who had charge of the talking stone or "Antone's Boot," as it was called, of the Sorcerer and I,[4] of Brother Shark and Sister Owl,[5] of Auntie Maala,[6] daughter of Pele, and of Kimona,[7] the shark-rider, who rode the sharks in the pens at Pearl Harbor.

Perhaps the story, The Hidden Canoe,[8] is prophetic for in it, this great fishing canoe of Kamehameha the Great

1. Damon Story, Tutu Kamaka.
2. ibid., John Kulia Mokumaia
3. ibid., Solomon Mokumaia
4. ibid., The Sorcerer and I
5. ibid., Brother Shark and Sister Owl
6. Damon, Maala
7. ibid., Shark Rider
8. ibid., The Hidden Canoe

VIII TURN OF CENTURY

with its gleaming mahogany colored prow was saved from the bulldozers by a young Hawaiian couple. But if the truth were told, it was saved by Moanalua people, by Tom Kealanui and Gertrude MacKinnon Damon, together with Ahuena Ikamakahonu Taylor and Lahilahi Webb. The ways and customs of the ancients are carried on for us today in the very soil of Moanalua and in the lore which was hidden for so long.

From 1883 on, Samuel Mills Damon, the new owner of Moanalua, continued the tradition of maintaining Moanalua as a center of hospitality. The fishponds and taro patches were kept under cultivation. He built the grass house Hale Pili Keawe[1] as a dwelling and museum next to the Hale Paihi at Keawe Malia,[2] the royal house, in accordance with the ancient specifications of grass houses. There he displayed the canoes of Kamehameha the Great, which the Princess Bernice Pauahi Bishop had left to him,[3] before he entrusted them to the Bernice Pauahi Bishop Museum.

Nearby, he maintained the Kamehameha V Cottage and the Chinese Hall which he built, both to entertain and to display the art and mementoes of the ancient culture and the period of the Hawaiian Monarchy.[4]

With the help of Mr. Donald McIntyre,[5] from the Royal Horticultural Society of Edinburgh, he developed the Moanalua Gardens area with its extensive plantings of shade trees and lawns and its rose garden. Mr. Takano Nakamura[5] from Japan, planned for him the Japanese Garden area, with its authentic tea houses, stone bridges, including those still existing in Kamananui Valley.[6]

1. Damon, Halepili
2. ibid.,Hale Paihi Keawe
3. ibid., Kamehameha
4. Damon, Chinese Hall
5. Thrum 1914 pp. 75-84
6. Living informants.

VIII TURN OF CENTURY

A polo field and a golf course, the first West of the Rockies, were developed in lower Kamananui, the golf course still existing.

In Samuel Mills Damon's lifetime, the gardens area and golf course were maintained open for public use and recreation. When he died in 1922, his Will gave the Trustees of his Trust Estate the powers necessary to maintain, develop and extend, in their descretion, those areas open to public use and recreation.[1] In 1972, the Trustees of the Samuel Mills Damon Estate, with the approval of all of the beneficiaries, obtained court confirmation of these powers.[2]

It is the area of the present Moanalua Gardens, which is maintained for public use and recreation, and the upper Kamananui and Kamanaiki Valleys, which have been offered for public use and recreation as an extension of Moanalua Gardens, which are the basis of the present application for National Historic Site or Landmark designation.

---

1. Will of Samuel Mills Damon
2. Bill of Instructions concerning Will of Samuel Mills Damon, 1972.

Form 10-300a
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

9. Major Bibliographical References

Copies attached: A - L

A. Damon, Gertrude MacKinnon
1902-1950 Collected Notebooks and Manuscripts. Bks. AI - XXVI, unpublished. Originals in possession of Damon family, Honolulu. (Xerox copies attached - A)

B. Damon, Gertrude MacKinnon
1973 Concordance to Notebooks and Manuscripts, Bks. AI - XXVI, Honolulu. (Copy attached - B)

C. Moanalua Map
1973 In Moanalua: Moanalua Gardens; Umi Mua Heiau site; Iemi; Kamananui & Kamanaiki (forest reserve) Valleys. Walter P. Thompson, Inc., Engineers-Surveyors, Honolulu. (Copy attached - C)

D. Weissich, Paul
1970 A Recommendation for the Conservation of the Ahupua'a of Moanalua, Moanalua Gardens Foundation, Honolulu. (Copy attached - D)

E. Moanalua Gardens Foundation
1970 Charter, Aims and Purposes. (Copy attached - E)

F. Weissich, Paul
1971 Kamananui Project. Moanalua Gardens Foundation, Honolulu. (Copy attached - F)

G-1. Ayres, William S.
1970 Archaeological Survey and Excavations Kamananui Valley, Moanalua Ahupua'a, South Halawa Valley, Halawa Ahupua'a. Department of Anthropology B. P. Bishop Museum, Report 70-8. Honolulu. (Copy attached - G-1)

G-2. Barrere, Dorothy
1970 Survey of Moanalua History, Department of Anthropology, B. P. Bishop Museum, Report 70-8, Honolulu. (Copy attached - G-2)

Form 10-300a
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

9. Major Bibliographical References

Copies attached: A - L (cont'd)

H. Bishop, L. Earl & Herbst, Derral
1970 Report on the Vegetation and Flora of Moanalua Valley, Oahu. Moanalua Gardens Foundation, Honolulu. (Copy attached - H)

I. Damon, Gertrude MacKinnon
1971 "Moanalua", Moanalua Gardens Foundation, Honolulu. (Copy attached - I)

J. Moanalua Gardens Foundation
1972-3 The Impact of H-3 on Moanalua's Kamananui Valley, Honolulu. (Copy attached - J)

K. Damon, Samuel Mills
1924 Last Will and Testament, Honolulu. (Copy attached - K)

L. Damon, Samuel Mills
1972 Bill of Instructions in the Matter of the Estate of Samuel Mills Damon, deceased. Equity No. 2816-A, Honolulu. (Copy attached - L)

M. Moanalua Photos
1971 In Moanalua Valley: Kamananui Valley; Moanalua Gardens Park.
1973 Hawaiian God Images. Namakahelu, and other older inhabitants of Moanalua. Moanalua Gardens Foundation, Honolulu. (Copies attached M 1 - 47).

9. Major Bibliographical References

Andrews, Lorrin
1865 A Dictionary of the Hawaiian Language. Whitney, Honolulu, H.I.

Ayres, William S.
1970 Archaeological Survey and Excavations Kamananui Valley, Moanalua Ahupua'a, South Halawa Valley, Halawa Ahupua'a. Department of Anthropology. B.P. Bishop Museum Report 70-8. Honolulu. (Copy attached - G1)

Barrere, Dorothy B.
1969 The Kumuhonua Legends: A Study of Late 19th Century Hawaiian Stories of Creation and Origins. Pacific Anthropological Records No. 3. Department of Anthropology. B. P. Bishop Museum Spec. Publ. 56, pp. 103-119, Honolulu.

1970 Survey of Moanalua History, Department of Anthropology, B. P. Bishop Museum Report 70-8 Honolulu. (Copy attached - G-2)

1967 Revisions and Adulterations in Polynesian Creation Myths. Polynesian Culture History. B. P. Bishop Museum Spec. Publ. 56, pp. 103-119, Honolulu.

Beckwith, Martha
1970 Hawaiian Mythology. University of Hawaii Press. Lib. Cong. 70-97998. Honolulu.

1932 Kepelino's Traditions of Hawaii. B. P. Bishop Museum Bull. 95. Honolulu.

1972 The Kumulipo: A Hawaiian Creation Chant. University of Hawaii Press. Lib. Cong. 79-188978. Honolulu.

Bishop, L. Earl and Herbst, Derral
1970 On the Vegetation and Flora of Moanalua Valley, Oahu. Moanalua Gardens Foundation. Honolulu. (Copy attached - H)

Bryan, William Alanson
1915 Natural History of Hawaii. The Hawaiian Gazette Co.,Ltd. Honolulu.

9. Major Bibliographical References

Cox, J. Halley with Edward Stasack
1970 Hawaiian Petroglyphs. B. P. Bishop Museum, Spec. Pub. 60, Honolulu.

Damon, Gertrude MacKinnon
1902-1950 Collected Notebooks and Manuscripts Bks. AI - XXVI. Unpublished. Originals in possession of Damon family, Honolulu. (Copies attached AI - XXVI)

1971 "Moanalua", Moanalua Gardens Foundation, Honolulu. (Copy attached - I)

1973 Concordance to Notebooks and Manuscripts Bks. AI - XXVI, Honolulu. (Copies attached - B)

Emerson, N. B.
1915 Pele and Hiiaka, Star Bulletin, Ltd. Honolulu.

Emory, Kenneth P.
1942 "The Hawaiian God 'Io'". J. Polynesian Soc. 51(3): 200-207. Wellington.

Fornander, Abraham
1969 An Account of the Polynesian Race: Its Origin and Migration. Charles E. Tuttle Co., Inc. (2nd printing). Rutland, Vermont and Tokyo, Japan.

1920 Collection of Hawaiian Antiquities and Folklore, Vol. VI - No. 3, Mem. B. P. Bishop Museum, Honolulu.

Handy, E. S. C.
1941 "The Hawaiian Cult of Io". J. Polynesian Soc. 50 (3): 134-159. Wellington.

Ii, John Papa
1959 Fragments of Hawaiian History. (M. K. Pukui, trans., D. Barrere, ed.). B. P. Bishop Museum Press, Honolulu.

9. Major Bibliographical References

Kamakau, Samuel M.
1964 Ka Po'e Kahiko: The People of Old. (M. K. Pukui, trans., D. Barrere, ed.). B. P. Bishop Museum Spec. Pub. 51, Honolulu.

1961 Ruling Chiefs of Hawaii, Kamehameha Schools Press, Honolulu.

Knudsen Hanner, Ruth
1973 Manuscript on Petroglyphs. Unpublished. Honolulu.

Kuykendall, Ralph S.
1947 The Hawaiian Kingdom 1778 - 1854. University of Hawaii Press, Honolulu.

Macdonald, Gordon A. and Agatin T. Abbott
1970 Volcanoes in the Sea: The Geology of Hawaii. University of Hawaii Press. Honolulu.
and Will Kyselka
1967 Anatomy of an Island: A Geological History of Oahu. B. P. Bishop Museum Spec. Pub. 55. Honolulu.

Makemson, Maud
1941 The Morning Star Rises. Yale University Press, New Haven.

Malo, David
1951 Hawaiian Antiquities. (N. B. Emerson, trans.). B. P. Bishop Museum Spec. Pub. 2. (2nd ed.). Honolulu.

McAllister, J. Gilbert
1933 Archaeology of Oahu. B. P. Bishop Museum Bull. 104. Honolulu.

Moanalua Gardens Foundation
1970 Bishop, Earl & Herbst, Derral, On the Vegetation and Flora of Moanalua Valley. (Copy attached - H)

Form 10-300a
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

9. Major Bibliographical References

Moanalua Gardens Foundation

1970 Weissich, Paul. A Recommendation for the Conservation of the Ahupua'a of Moanalua. Honolulu. (Copy attached - D)

1970 Charter, Aims and Purposes. Honolulu. (Copy attached - E)

1971 Weissich, Paul. Kamananui Project. Honolulu. (Copy attached -F)

1971 Damon, Gertrude MacKinnon. "Moanalua". Honolulu. (Copy attached - I)

1972-3 The Impact of H-3 on Moanalua's Kamananui Valley, Honolulu. (Copy attached - J)

1973 Moanalua Map. Walter P. Thompson, Inc., Engineers-Surveyors. Honolulu. (Copy attached - C)

Namakahelu

1900 - 1940 Chants and Legends as recorded by Gertrude MacKinnon Damon, See Damon, G. M., Notebooks and Manuscripts Bks. AI - XXVI, unpublished (Copy attached -A) and Damon, G.M., Concordance (Copy attached - B)

Pukui, Mary Kawena and Samuel H. Elbert

1971 Hawaiian-English Dictionary. University of Hawaii Press. Lib. Cong. 70-142751. Honolulu.

Rock, Joseph F.

1913 The Indigenous Trees of the Hawaiian Islands. Published under Patronage. Honolulu.

Stimson, J. F.

1933 (1) Tuamotuan Religion, B. P. Bishop Museum, Bull. 103, Honolulu.

1933 (2) The Cult of Kiho Tumu, B. P. Bishop Museum, Bull. 111, Honolulu.

Taylor, Emma Ahuena Ikamakahonu

1931 "The Cult of Iolani". Paradise of the Pacific, Vol. 44, No. 12, p. 78, Honolulu.

Form 10-300a
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

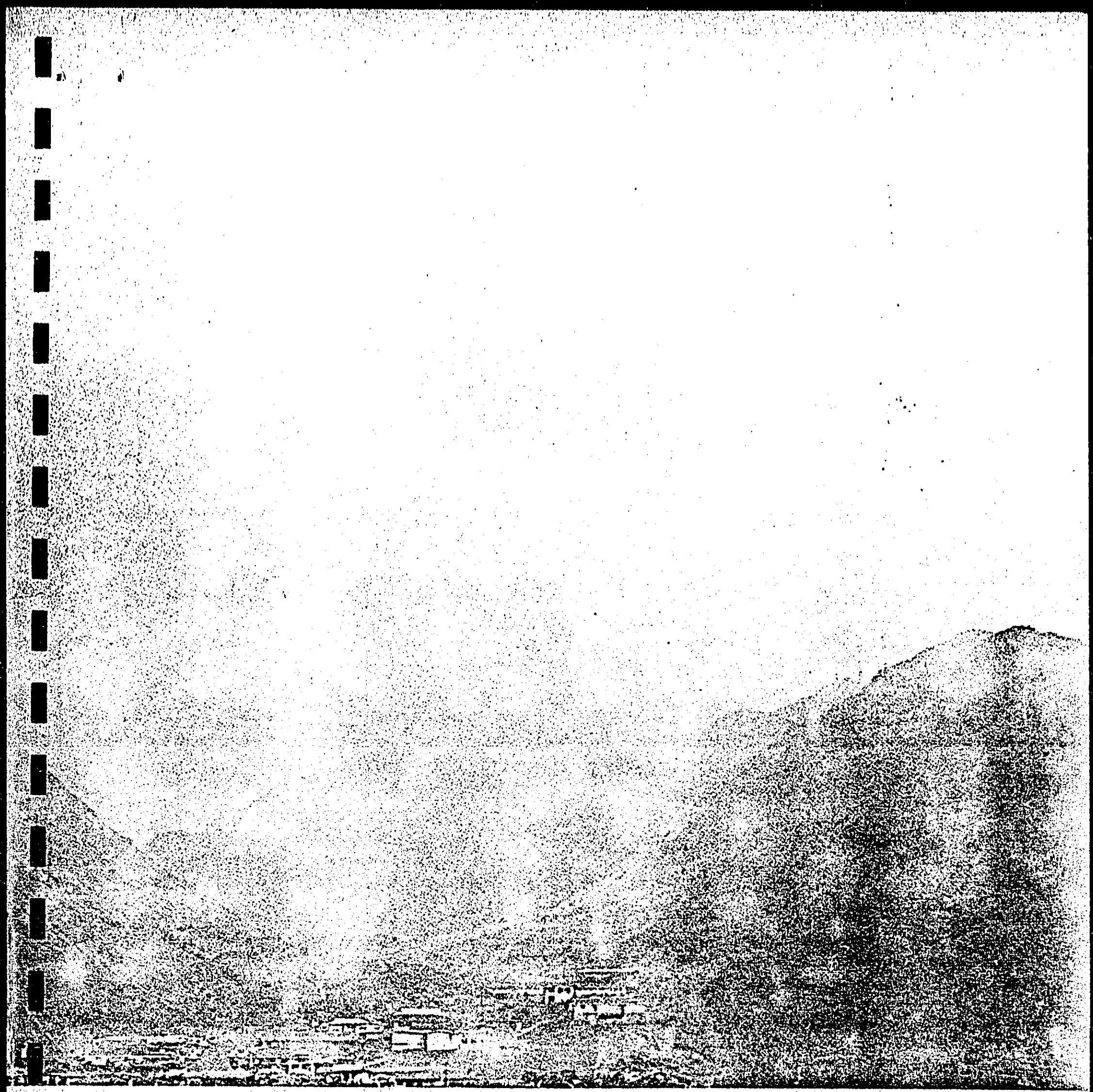
STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

9. Major Bibliographical References

Thrum, Thomas G.
1914 The Hawaiian Annual, Honolulu, T.H.

Weissich, Paul R.
1970 A Recommendation for the Conservation of the Ahupua'a of Moanalua, Moanalua Gardens Foundation, Honolulu. (Copy attached - D)
1971 Kamananui Project, Moanalua Gardens Foundation, Honolulu. (Copy attached - F)



MOANALUA

Moanalua, the valley of peace where I met Hawaiians imbued with aloha for the land and those who came. Namakahelu Maka'ena, Malia Kau, Solomon Mokumai'a, Clara Mokumai'a, people who remain in my memory with affection. I have a bond of aloha with those Hawaiians and Gertrude Damon and Moanalua.

We all owe something to them. That energetic one, Namakahelu. One must know she was blind. She taught her niece, Malia Kau, to chant in the oli style, and it was Malia who taught Iolani Luahine and Pele Puku'i, my daughter.

I worked with Gertrude Damon, gathering the history of these beloved people. I used to come out Saturdays on the street car to the end of the line. Our writing ended the day before Pearl Harbor was bombed.

"Kahalelauki"? Where the ti leaves were used, that was kapu. Yes, "Up the river into the valley," that was pointed out to me. "The stream was wide from the sea." Just what Namakahelu told me. So did Malia Kau. "Kamawaelualani, Kahikilaulani," yes, I remember. We wrote it down exactly as they told us.

I just never can get over the beauty of Moanalua. Many picnics I have had in the Gardens with my family. And the valley, it makes me want to cry; why do they want to put a highway there. Moanalua, the valley of peace, must remain so.

June 1971 Mary Kawena Pukui

MOANALUA VALLEY
KAMANANUI

Text
from the writings of Gertrude MacKinnon Damon
on Moanalua and its unwritten history as told to
her by Namakahelu and other older inhabitants

Pictures
on pages 8, 13, 16, 19, 20, 26, 28
W. Tip Davis and William Carlson
on pages 7, 10, 14, 22, 24
Frances M. Damon

Printing
Mid-Pacific Press, Inc.
Separation
Honolulu Graphic Arts, Inc.
Photo Prints
Master Color Lab.

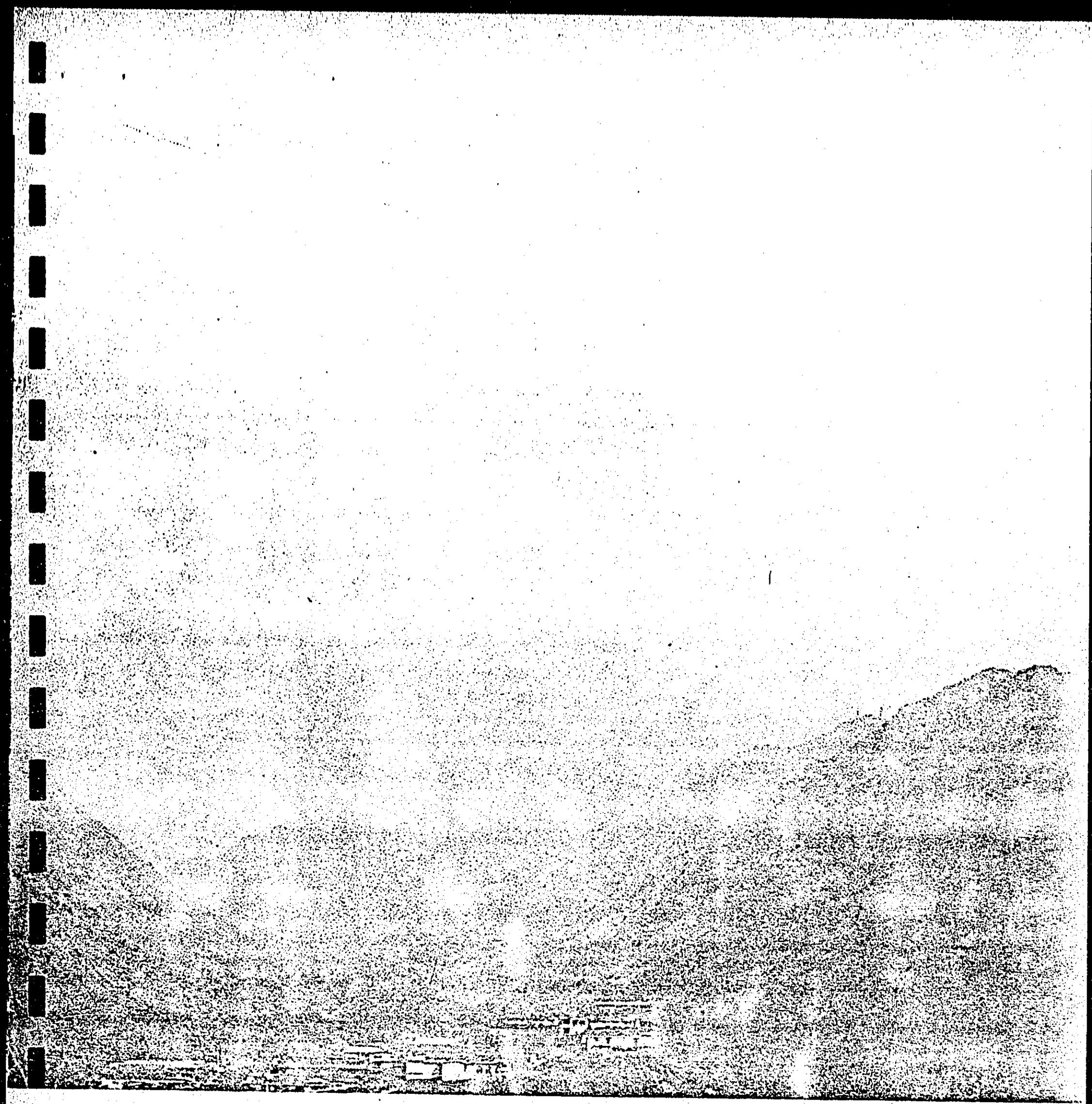
Moanalua Gardens Foundation
1352 Pineapple Place, Honolulu, Hawaii 96819
1971

I draw near the place
where the rainbow spreads like a curtain . . .

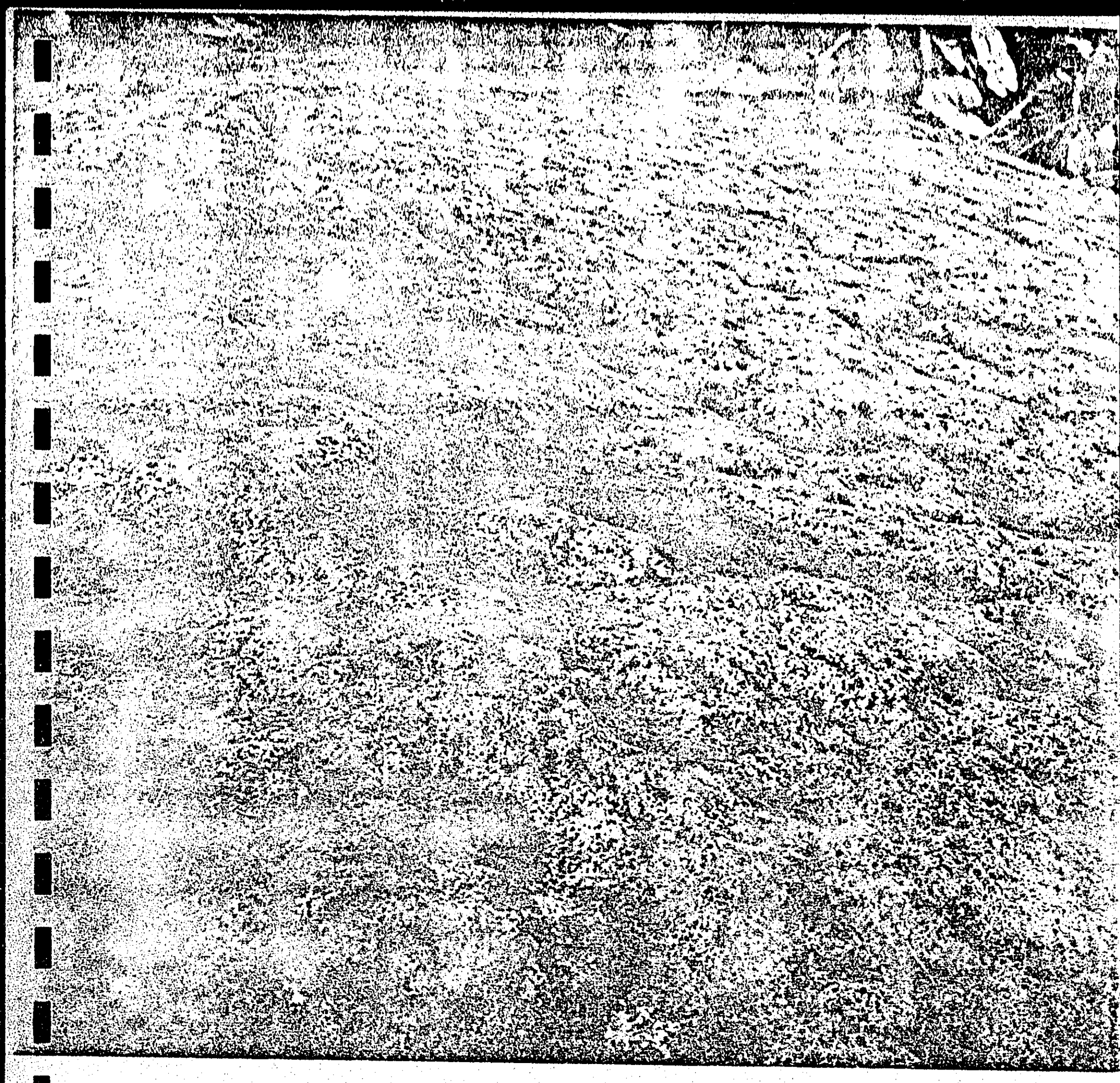
from the Opening Prayer to
the Story of Kahikilaulani and Mawaelualani

Above the dividing waters
at Panae and Mano, far above Kulanaahane,
the village standing above the floating sea,
in the misty upper reaches of Waolani,
dwelt the mountain chiefs of Moanalua
in that part of the land inhabited by
the spirits of a dim age.

It was forbidden to speak of those times or the great chiefs of old, so sacred were they, and the valley they dwelled in. The tabu sticks stood at the entrance of this particular valley. Even in my times, it was difficult to get permission to go up the valley, the gates were always locked. Some echo from the past still lingered. On certain nights, the sacred drums could be heard calling the great ones together . . . If only the past could speak, if the whispering winds would unfold to me the secrets of the past, if the gentle moon would recall the scenes of the ancient culture.

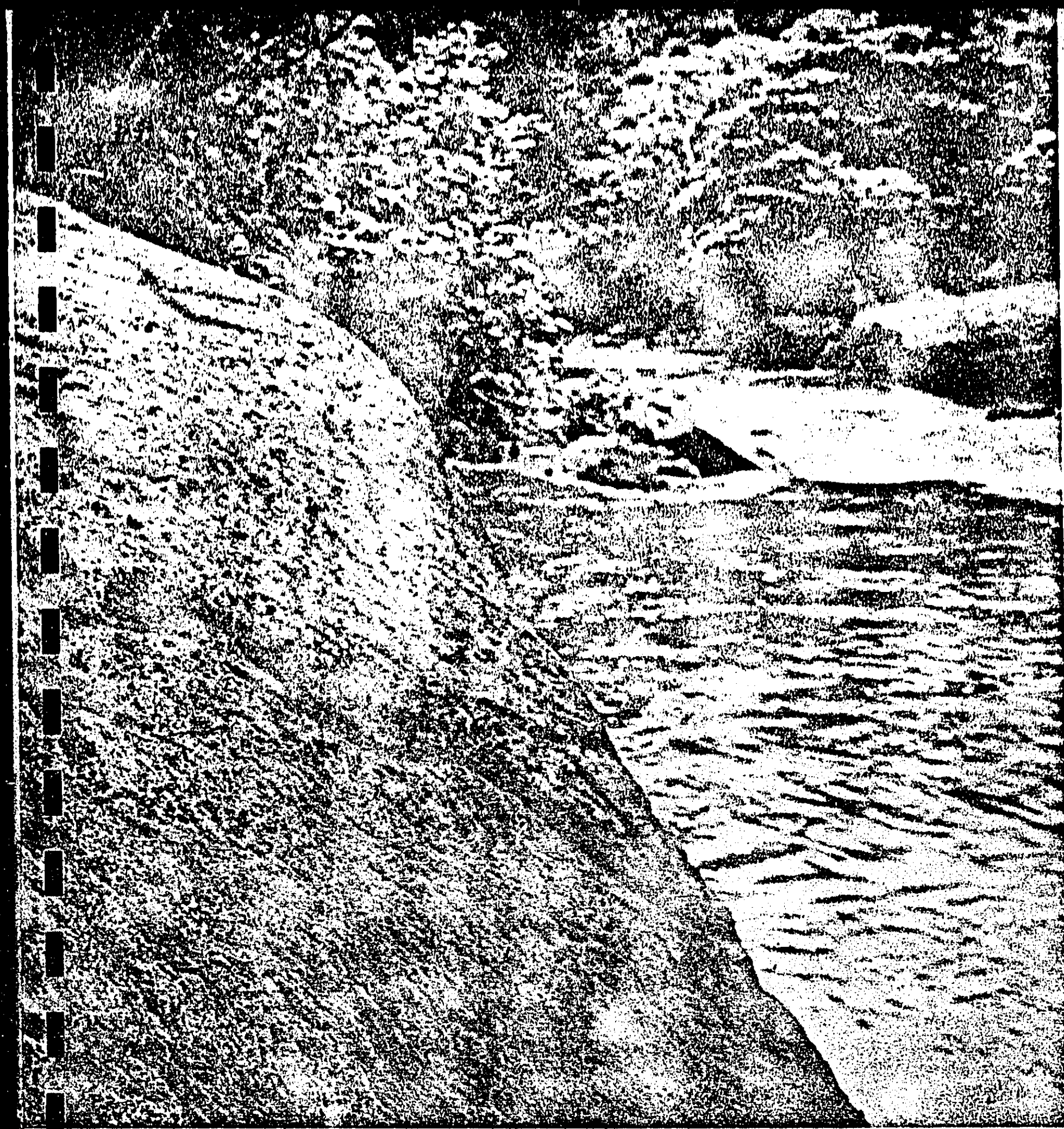


Moanalua Valley
Kamananui

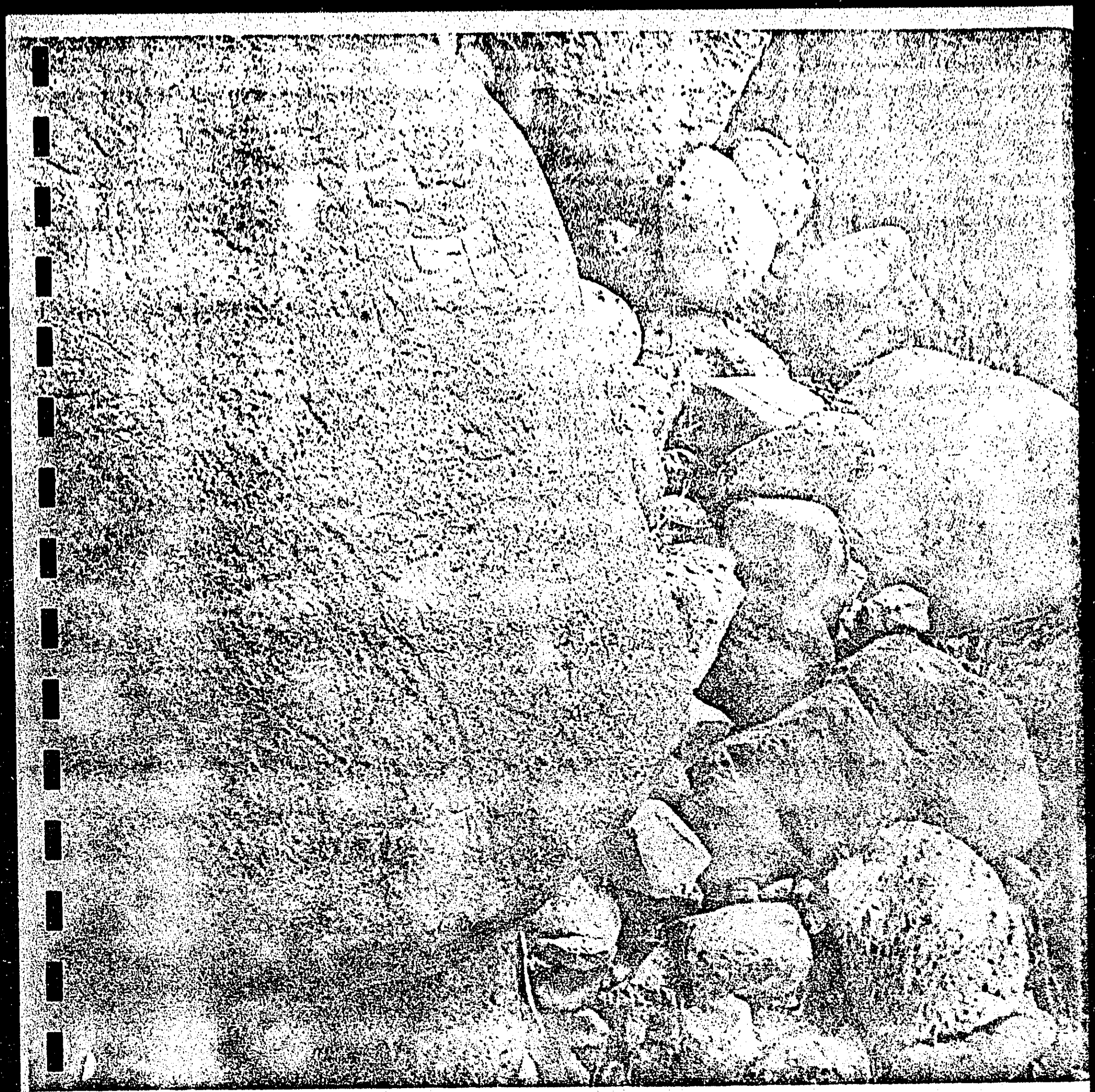


Pohakuluahine at Kahaukomo

The word "tabu" was the external manifestation of the whole magical world concept of *mana* and of totemism, at once the religion, the government and the social order of the islands. The roads to the places of sacrifice were always tabu roads.



To the primitive man, *mana* is everywhere, but especially it is in trees, mountains, stones, rivers, totem animals, warriors, chiefs, the alii, sorcerors, seers, witch doctors, called kahunas, and also in the thunder and lightning.



at the land called Kahalelauki

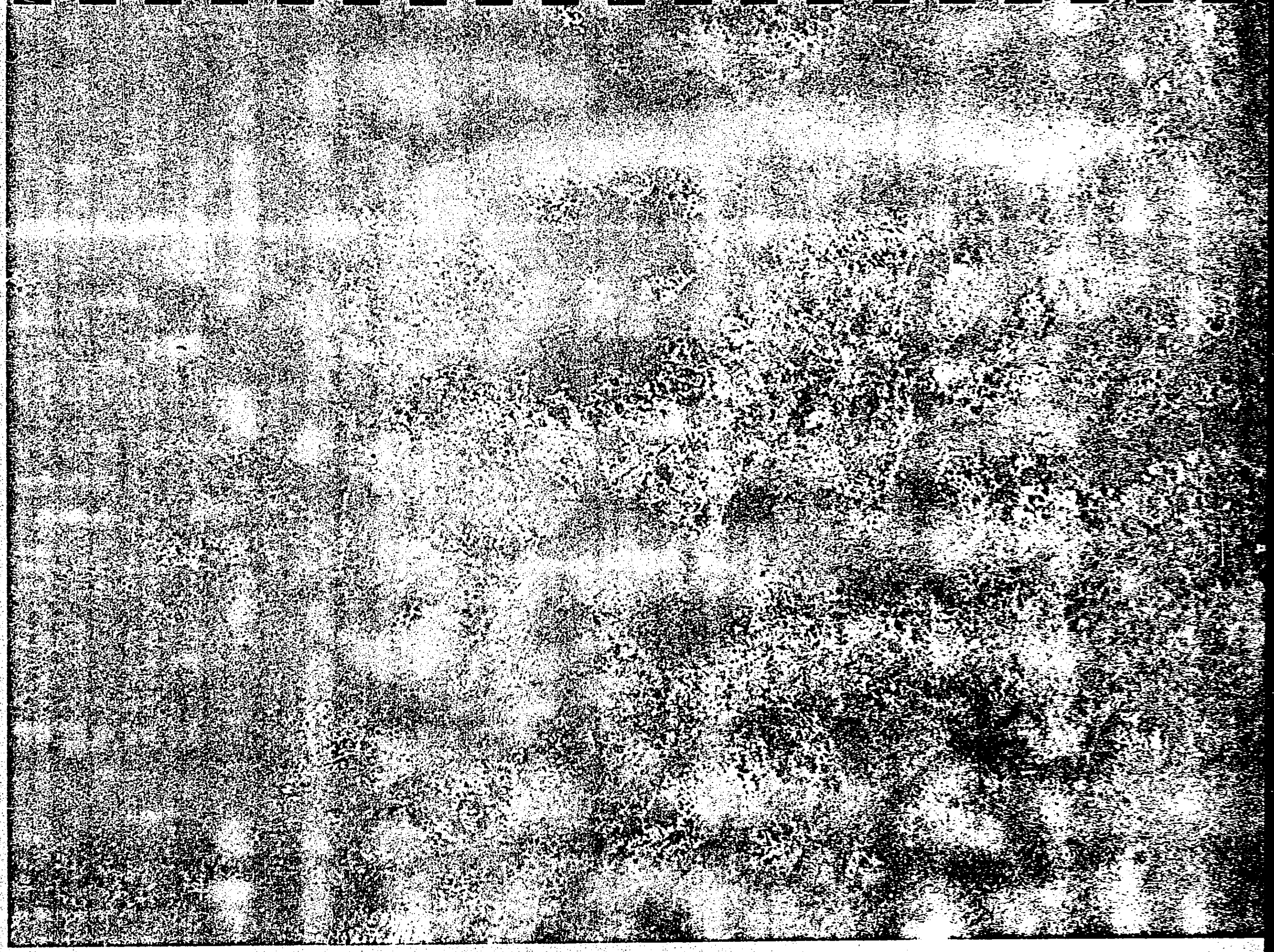
Petroglyph rocks which dot the history of ancient Hawaii and hint of things long lost.

Figures of bird men and turtle men . . . a number of curious figures including some representing the Alaea bird. The Alaea bird had some importance to the ancient priesthood, it signified the questioning, the interrogation point, the kiko, the searcher for truth. It was a symbol of the powerful priests' recognition of knowledge beyond their own.

When the petroglyphs were brought to light in the early 1900's, archaeologists who examined the stone and took markings from it seemed to agree that it was used in the ceremonies connected with sacrifice in an ancient heiau.

The day the battle of Nuuanu was fought, the struggle was still in Moanalua. It was the end of the battle. Kamehameha had come down to rest by the sacred Iemi and offer sacrifices at the Umi Mua. One of the runners brought the news of the birth of a child, descended from the valley's mountain chiefs, to the conqueror as he rested after the bloody sacrifices.

Kamehameha with his retainers came to the stone at Kahaukomo where the child was born. What is this child? A male child? If so, name him after this my sword Ka Pahi Kaua o Kamehameha.

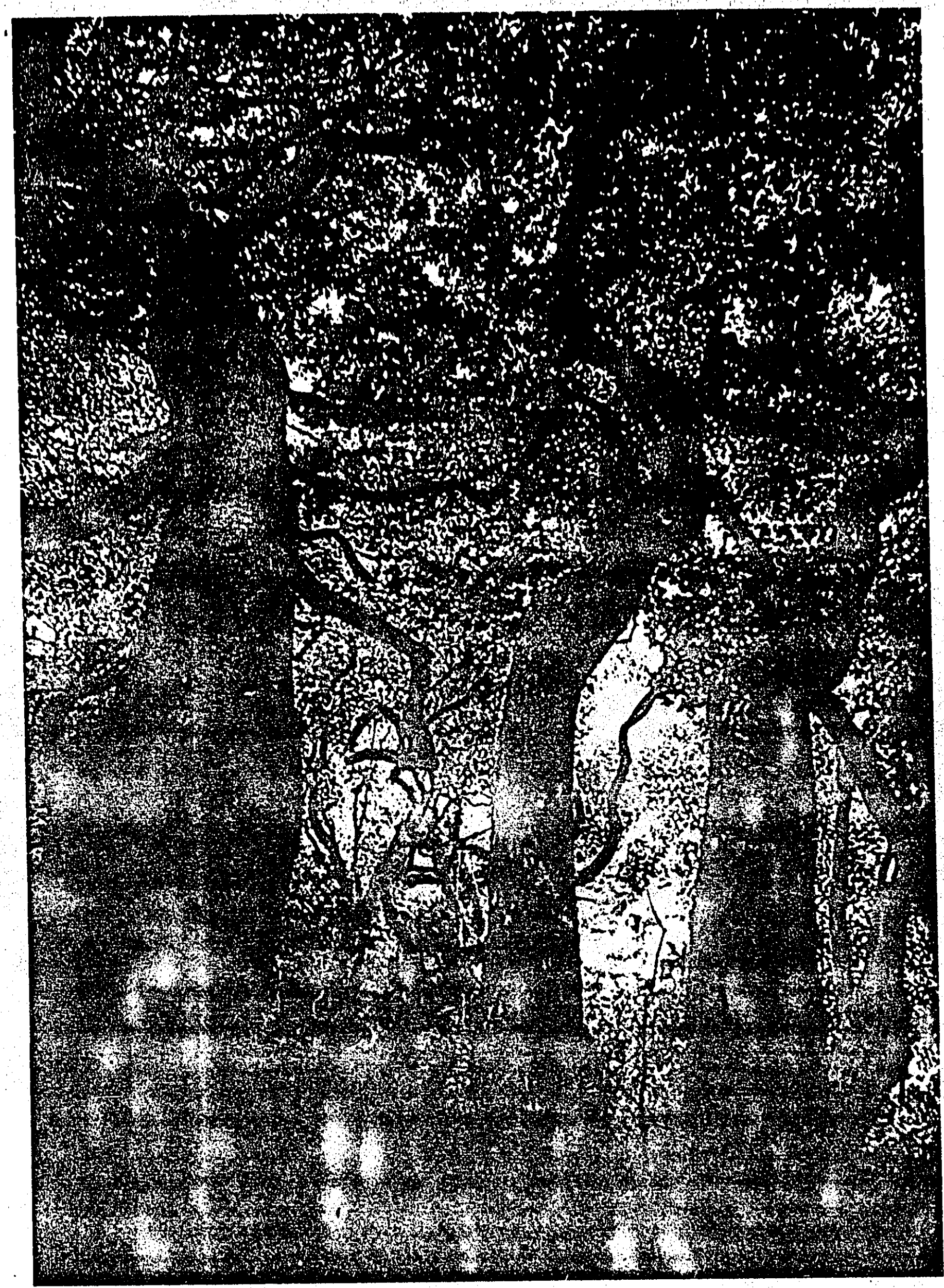


View from Kahaukomo

Kahaukomo, brother to Waiola, one of the children of Hoomoiihikapulani and Mauna Kapu. Later it was the name of the home of the famous kahuna who had controlled the comings and goings of the makaaina in their little farms along the bed of the river.

Also the ancient name for a very gentle and hardly perceptible current of air in the evening and early morning—the dew point.

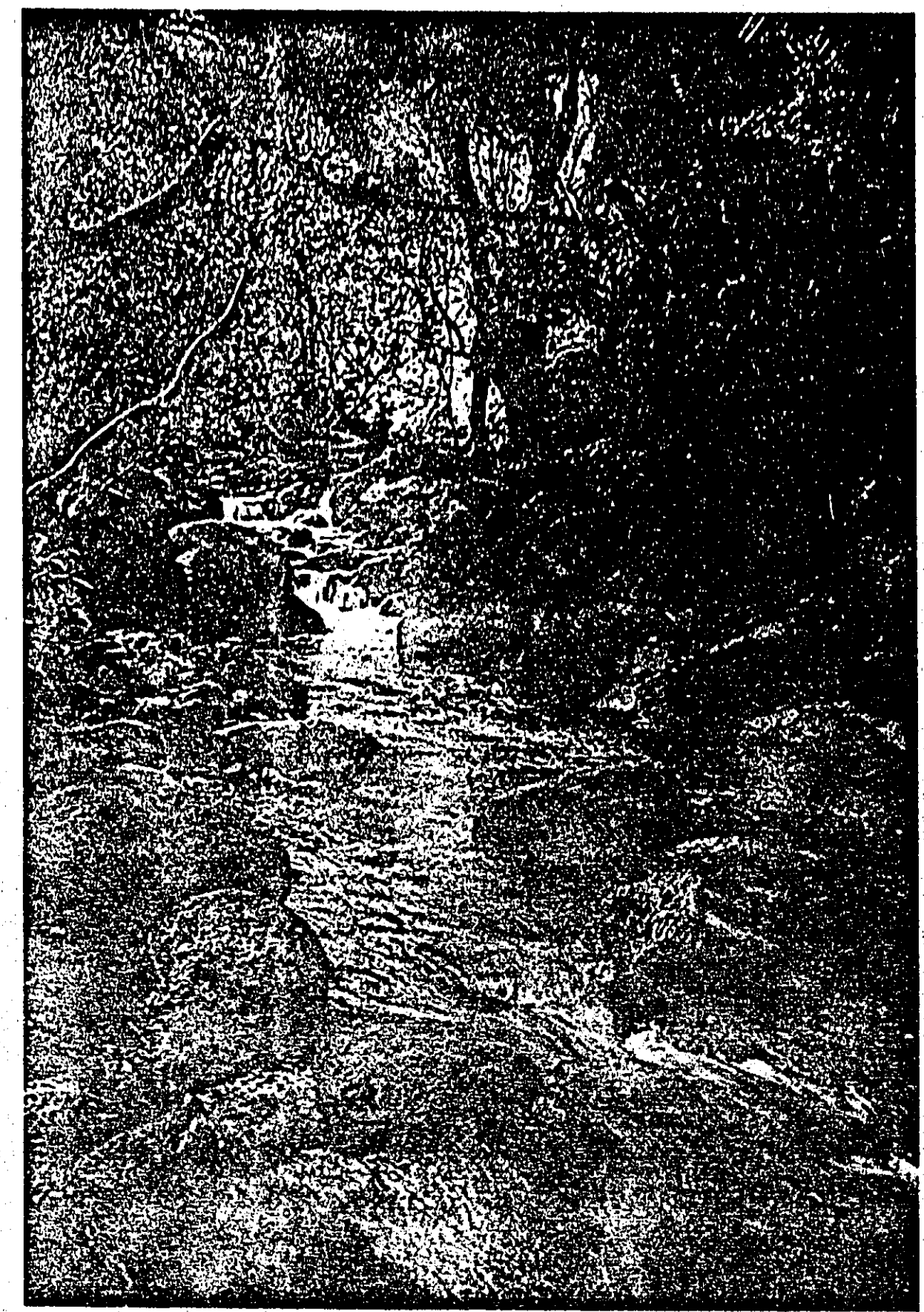
Crisscrossing the stream
with its large water worn boulders
to the beginning of the woods and ferns
the valley opening and narrowing as the steeply wooded sides
revealed folding screens of great beauty.
The squeal of a pig
breaks the silence below
and the graceful white tropic bird
with two long pink tail feathers
circles above the crevices of a thousand foot gash
which gives opening into a ravine.



Kukuis

Further and further where the valley narrows and is walled by steep palis on either side and the bright sunshine is lost in the forest of trees.

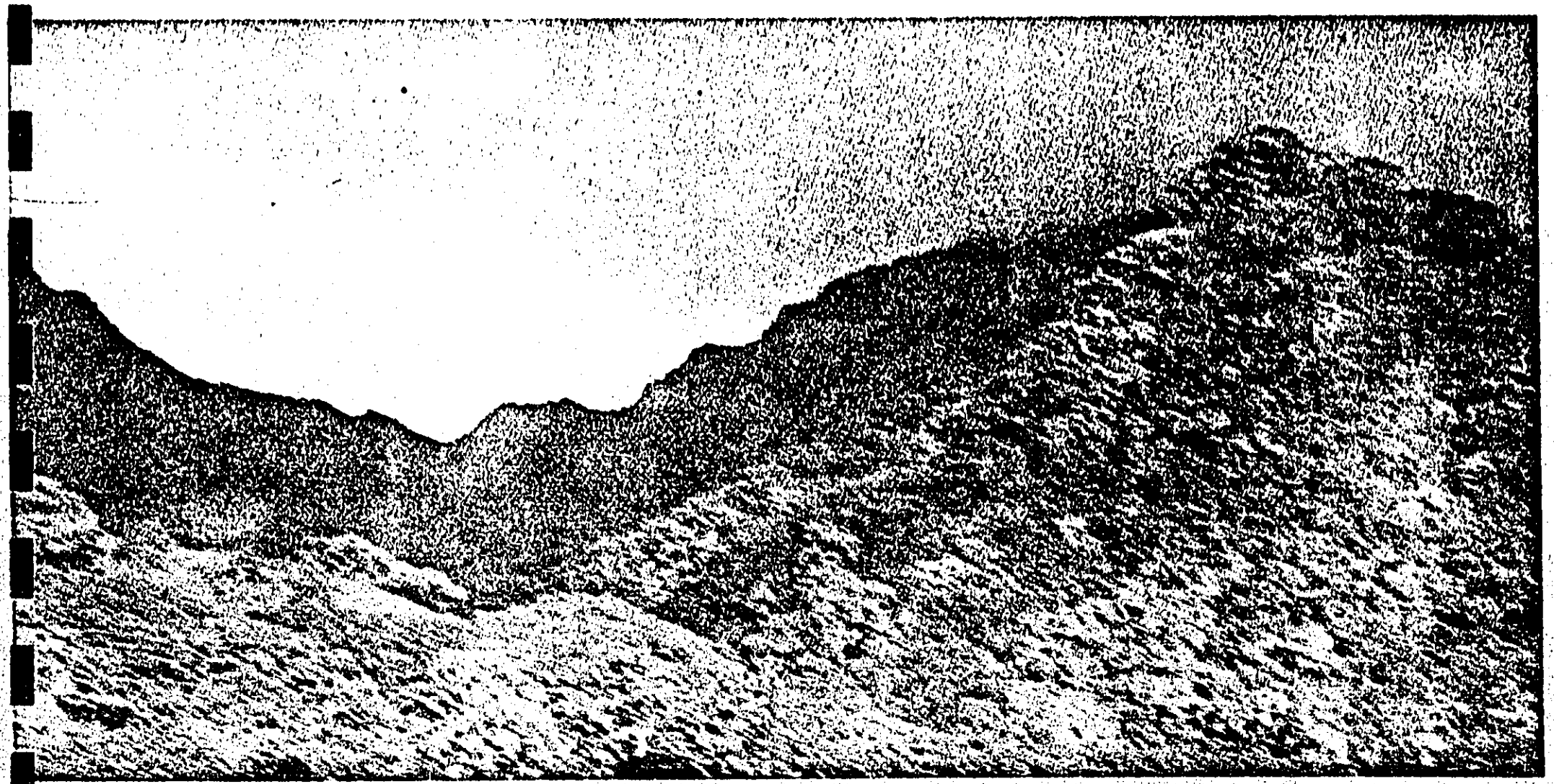
Some pool in a wooded valley, where rainbow falls made eternal music over the mossy stones.



Kamananui Stream

This story is that of my ancestors. I could not tell it to others but I will explain it to you. My father is a descendant of Kahikilaulani, the chieftess who came in her own canoe from Kahiki. The stream as my father said in those days was wide open from the sea to the mountains so that canoes could go up. Mullet and aholehole were found in the stream in those days.

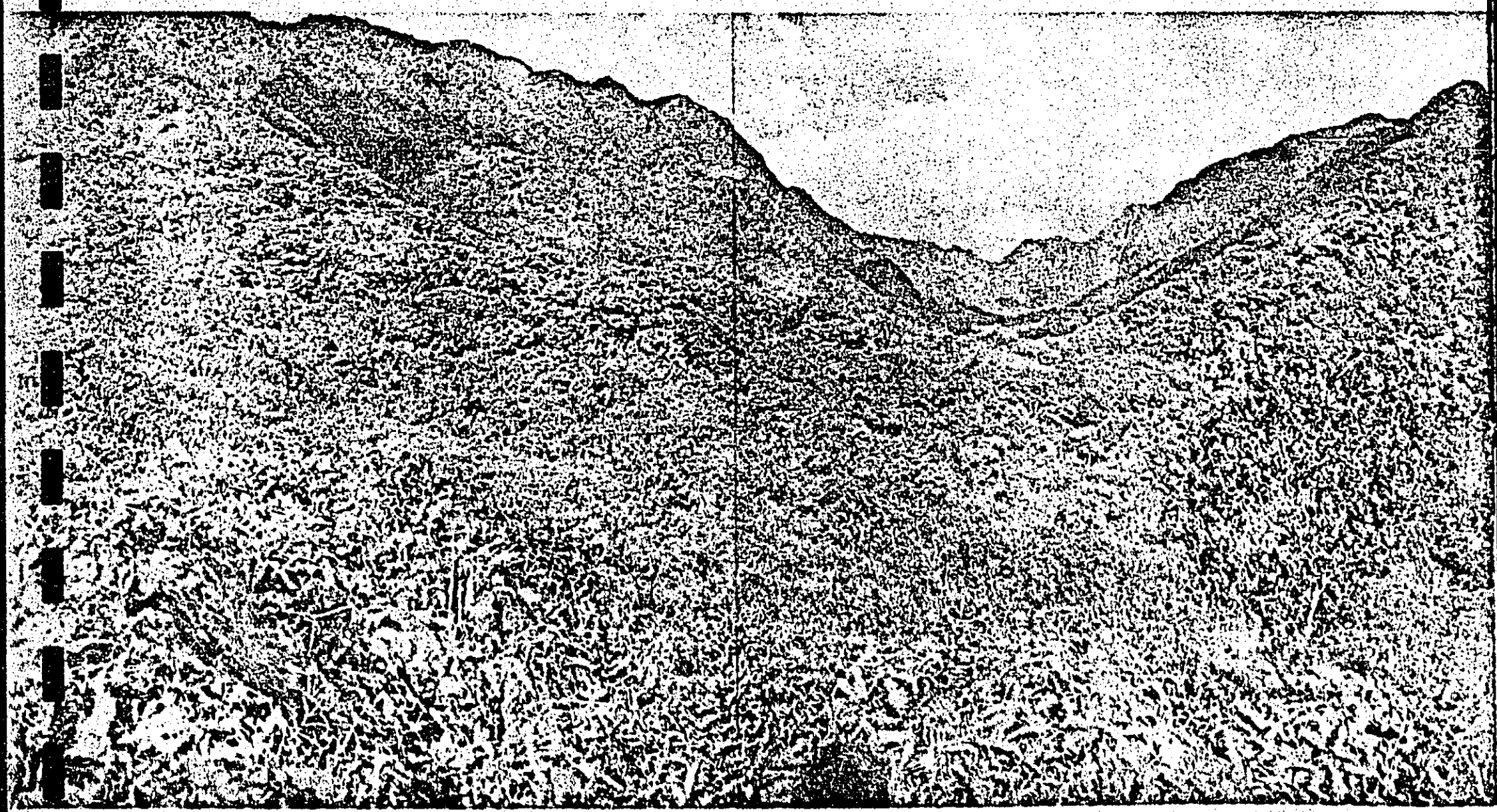
Mr. Bryan of the Bishop Museum promised to give me some data on the river marks showing the height of the stream in ancient times. His knowledge verifies the unwritten history of the valley as told me by some of the older inhabitants.



Waolani

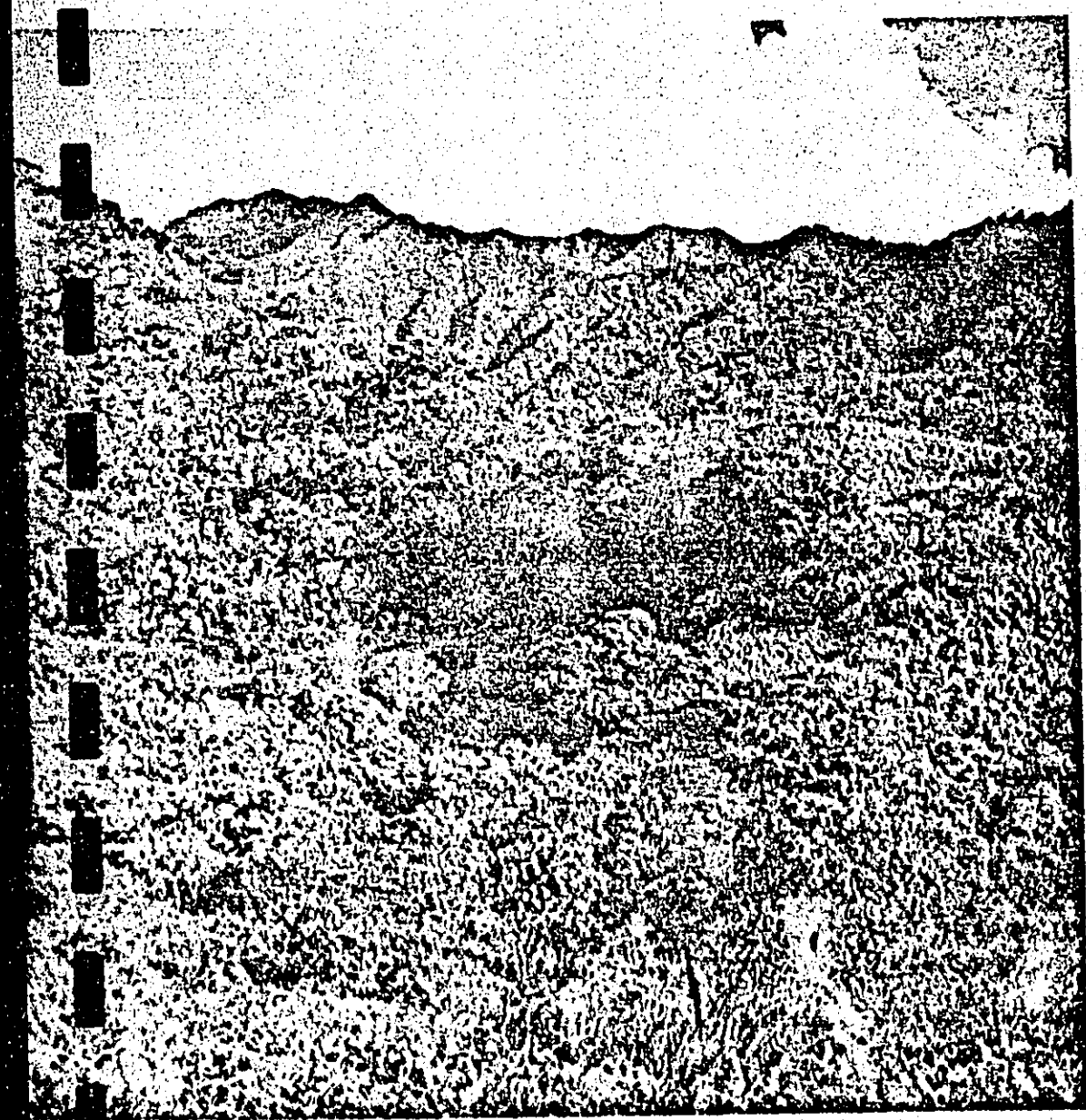
In the beginning
there were no canoes
nor men in canoes.
It was the time of Po,
the sweating time,
the time when steam
poured from the earth like sweat.
There was night
which was followed only by night
and rain which was followed only by rain.

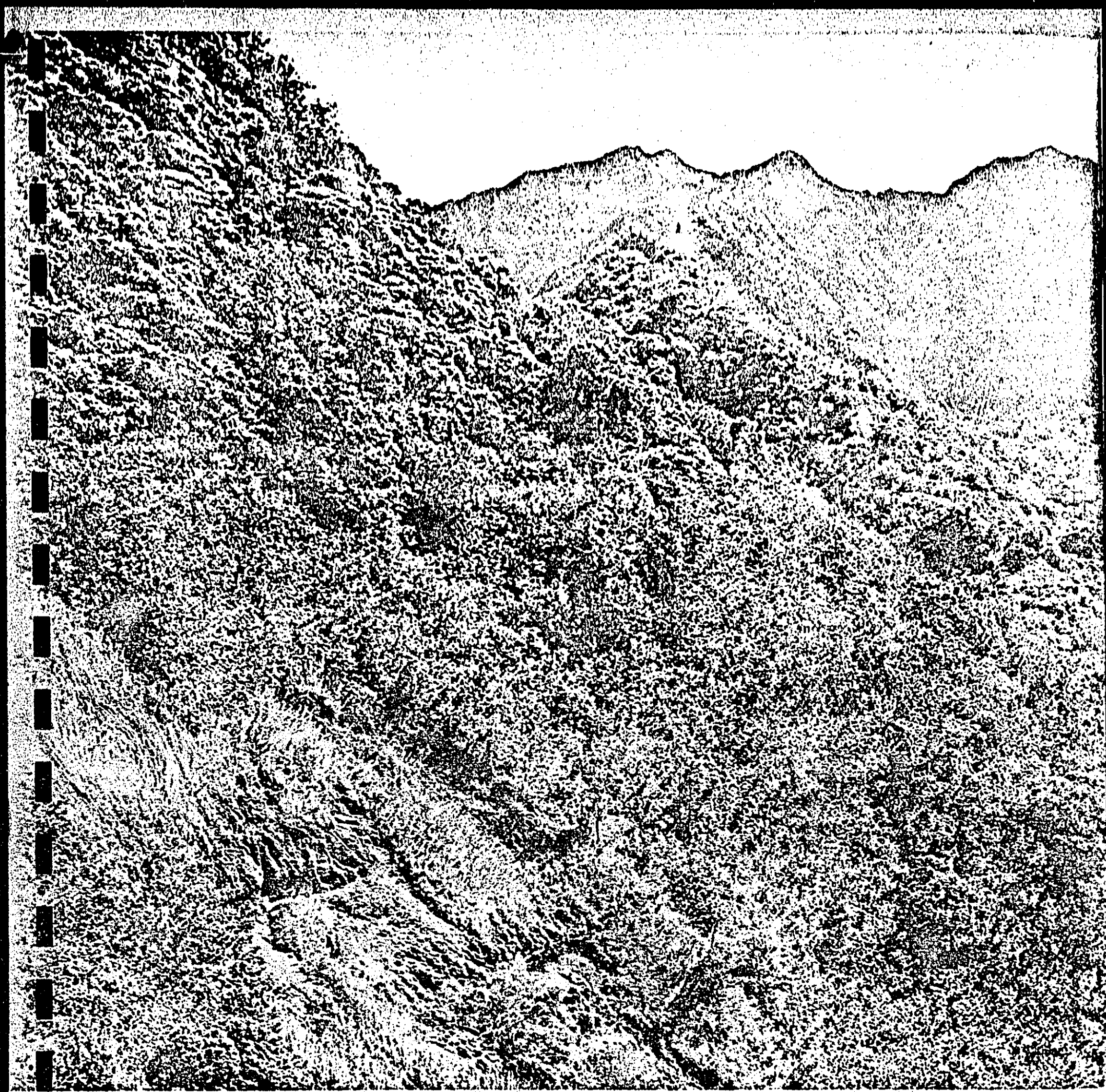
When the sweating time had passed
there came a rift in the heavens,
and it was then that Papa, the rock,
who as the wife of Wakea,
gave birth to the boy Mawaelualani.



Waolani

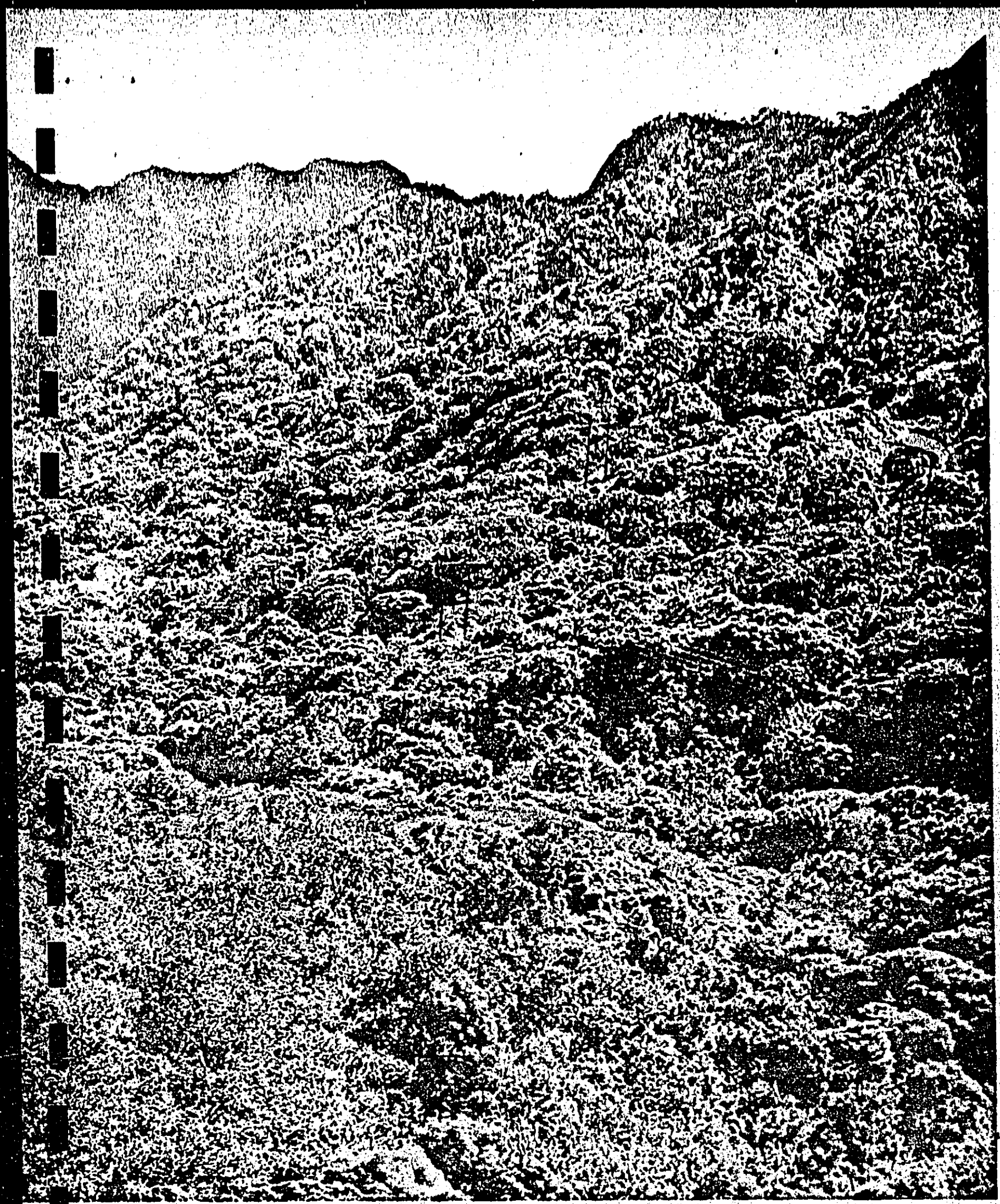
From the sea there came Kahikilaulani
riding in her white canoe
pointed like the pillar clouds
she called to Konihinihi the dainty drawing wind
and to Konahenahe the dizzy breeze
and with Konihinihi and Konahenahe as her paddlers
it bore her through the Keehi channel
up the big river in the valley
far up to the abode of Mawaelualani.
She bore three gifts for her future husband
earth which she carried in a bundle of ti leaves
a lehua tree planted in this earth
and perched on the topmost branch of the tree
a web-footed Oo bird.





Waolani

Kamawaelualani was betrothed to Kahikilaulani and she took up her abode at Waiola. They had three children—Hoomoiihikapulani, first-born, who gave his name to the blue mountains at the head of the long valley, Maunakapu, a girl, and Keanakamano who bore the mark of a shark on his back and gave his name to the shelter cave on the left hand side of the divide where Kahikilaulani had brought her canoe to rest.



Waiola

Glance yonder at Waiola, the water of life,
The sacred foster child of Kalehuaikawai, the lehua
blossom by the water

The records of their ancestors are still here
in the fragrant Moa'e breeze, in that silent stone,
or that pool reflecting more than one's image.

Testimony of Harriet Damon Baldwin, President of Moanalua Gardens Foundation

ATTACHMENT #8

THE PARK IN MOANALUA VALLEY AS IT RELATES
TO THE DAMON ESTATE AND ITS TRUSTEES

MR. WAY, MR. CONNELL, LADIES AND GENTLEMEN:

My name is Harriet Damon Baldwin; I am the senior beneficiary of the Estate of Samuel Mills Damon, the President of Moanalua Gardens Foundation, Incorporated, and a plaintiff in Stop H-3 et al. vs. Brinegar.

The lands of Moanalua were part of the heritage of the Kamehameha dynasty, ceded to Kamehameha the Great before his conquest of Oahu. They passed through the Kamehameha family to the Princess Bernice Pauahi Bishop, whose lands form the largest private estate in Hawaii. In her will, the Princess gave the lands of Moanalua to her friend Samuel Mills Damon, my grandfather. The entire ahupua'a, or land division, reached from the crests of the mountains to the ocean, and beyond it to the reef, as did most Hawaiian land divisions. The Valley of Kamananui, now known as Moanalua Valley, was a part of that ahupua'a.

During his lifetime, Samuel Mills Damon encouraged public use and enjoyment of the Garden areas and Golf Course, at the mouth of Kamananui. In his Will, he made provision both in the powers granted and the distribution of income for the continuance of public recreation and enjoyment of these privately held and maintained areas. This tradition has continued for over half a century.

To prevent or forestall any questions from future beneficiaries or remaindermen of Damon Estate, the Trustees, with the UNANIMOUS approval of all beneficiaries, went to court and obtained confirmation of the powers of the Trustees to take this action. A copy of the Will of Samuel M. Damon and of the Court Confirmation are here, and will be given to you. There is no question: Park it is and park it shall be.

HOWEVER, when the Impact Statement seeks to give the impression that the Trustees welcomed the highway, this is NOT TRUE.

In 1965, when the corridor was first proposed, the Trustees thought that condemnation was inevitable. There was no NEPA then. Condemnations were absolute. But when the history of the Valley became known to them in 1970, the Trustees and the beneficiaries went to the State Department of Transportation to get the highway moved elsewhere. The Trustees and the beneficiaries voted to establish the Moanalua Gardens Foundation, which has both enabled the public to visit the Valley park and has encouraged wider citizen participation in Park planning.

Federal law states that a highway cannot go through a public park unless there is no feasible alternative. We do not have a publicly owned park, but we have a publicly <u>used</u> park, carrying on the 70 year tradition of a privately owned public park.

Our plans for exclusive park use in the Valley are in keeping with its historic worth. They envision a tranquil setting, freed from man's further encroachment, where the general public, student or researcher can enjoy and learn from Hawaii's lore and natural history, its lessons for ecology and conservation.

The total program for the Valley is of a stature international in scope, combining the features of a Kew Gardens, a Bois de Bologne, and a Yosemite. The miracle is that it is within minutes for the majority of Hawaii's own people and visitors, and that it is within possibility of achievement.

We recognize the need for solving our traffic woes, whether by mass transit or new and better roads, but we are aware that one cannot undo a

freeway nor make a sacred historic Valley whole when its heart is broken.

We have seen, in the past few years, a significant change in the human condition. We have evolved to such a degree that a man who sinks a bulldozer blade into the earth anywhere in Hawaii affects everyone in the State. The growth of our population and our economy, and even our power, means that we must look upon ourselves as the caretakers of the values we cherish in these our Hawaiian Islands, not only for ourselves but for unborn generations.

Mrs. Richard H. Baldwin

June 20, 1973

Testimony submitted by Mr. John Dominis Holt, Home Rule Movement; Hawaii Cultural Research Foundation; Author and Historian

ATTACHMENT #9

A STATEMENT CONCERNING
MOANALUA VALLEY

BY JOHN DOMINIS HOLT

NA AINA:

1. LAND WAS HELD SACRED BY MY ABORIGINAL POLYNESIAN ANCESTORS.
2. LAND WAS "THE MOTHER OF MEN, THE HEARTH OF THE GODS, THE ABIDING RESTING PLACE OF PAST GENERATIONS."
3. LAND WAS A DYNAMIC RESERVOIR OF LIFE-GIVING SUBSTANCES, INSURING THE SURVIVAL OF MAN AND HIS FELLOW CREATURES.
4. LAND WAS A SOURCE OF BEAUTY AND WONDERMENT.

AS SUCH, LAND MUST BE CHERISHED; IT MUST BE USED WITH LOVE AND RESPECT.

MALAMA KA AINA: RESPECT THE LAND WAS WELL UNDERSTOOD IN OLD HAWAII. THIS WAS A NATIONAL IDEAL AMONG ANCIENT HAWAIIANS FOR IT WAS FROM THE LAND THAT MOST THINGS CAME THAT WERE USED BY PEOPLE IN THE FLOURISHING HAWAIIAN CIVILIZATION OF OLD.

FROM THE LAND THESE PRODUCTS CAME: WAUKE AND MAMAKI TO MAKE TAPA CLOTH; THE TARO FOR MAKING POI, THE OHI'A AND KO'U AND KOA TREES FOR THE MAKING OF CANOES, THE BUILDING OF HOUSES AND PROVIDING LOGS OUT OF WHICH WERE FASHIONED THE GREAT WORKS OF SCULPTURE REPRESENTING ANCIENT GODS. BIRDS FROM WHOM FEATHERS WERE TAKEN TO MAKE THE EXQUISITE CLOAKS, HELMETS AND LEIS--BIRDS CAME FROM THE LAND. FOREST AND THE CULTIVABLE KULA LANDS ON WHICH BANANA, SWEET POTATOE, GOURDS AND PILI GRASS USED FOR THATCH IN HOUSES WERE EXTENSIVE IN MOANALUA.

IN KAMANANUI VALLEY MANY INDIGENOUS HAWAIIAN PLANTS TO THIS DAY SURVIVE. IT HAS BEEN A REFUGE OF NATIVE FLORA FOR THE VALLEY WAS PROTECTED FROM DESTRUCTION. IT WAS NOT DEVELOPED BY THE DAMON FAMILY. IT WAS HELD IN TOO MUCH RESPECT FOR THIS TO HAPPEN. AS A RESULT KAMANANUI VALLEY IN THE SPLENDOR OF ITS UNSPOILED LOOK EXISTS TODAY. WE CAN ALL ENJOY IT IF IT IS NOT RUINED. THE BUILDING OF GREAT HIGHWAYS IS AN ENORMOUSLY DESTRUCTIVE PROCESS. LOOK AT WHAT IS HAPPENING AT RED HILL AND IN MOANALUA GARDENS TODAY.

MY ABORIGINAL ANCESTORS WERE WHOLLY CONSCIOUS OF ENVIRONMENT AND ITS LIMITATIONS. TO CONTINUE THE LIFE OF THE LAND, THE LAND ITSELF MUST BE GIVEN BOTH HUMAN AND COSMIC QUALITIES.

THEY LOVED THE LAND FOR ITS GENEROUS SUPPORT OF HUMAN SUBSISTENCE, THEY RESPECTED LAND AS THEY DID HUMAN LIFE VIEWING LAND AS A LIVING BREATHING ENTITY--A CONTINUUM OF THE HUMAN PROCESS.

THEY CHERISHED IT FOR THOSE MYSTERIES AND SECRETS CELEBRATED IN LEGEND AND MYTH.

MOANALUA VALLEY IS AN EXISTING MONUMENT TO THE OLD HAWAIIAN WAY OF LIFE. IT WAS PERHAPS THE MOST CHERISHED AHUPUA'A OF OAHU ISLAND; "THE PRIZED APPANAGE" AS PRINCESS PAUAHI CALLED IT OF THE ROYAL HOUSE OF OAHU. FROM THE MOUNTAIN BOUNDARIES OF MAUNA KAPU IN THE KOOLAUS TO THE SEASHORE FRINGE OF KEEHI LAGOON, MOANALUA ABOUNDED IN TREASURES OF THE SEA, THE LAND. FROM THIS AHUPUA'A LEGEND, MYTH, HISTORY, AND THE EXTOLLING OF ITS NATURAL BEAUTY BLOOMED FROM THE GENIUS OF ITS RESIDENT STORY-TELLERS AND CHANTERS. IT IS A VITAL LINK BETWEEN OURSELVES AND OUR ANCESTRAL ROOTS.

MANY OF MY FELLOW HAWAIIANS STAND IN HORROR OF THE INTRUSION OF H-3 INTO THIS BEAUTIFUL PLACE. IT IS AN ACT OF RAPE, AN ACT OF SACRILEGE, FOR TO US MOANALUA IS SACRED.

WE PROTEST ANY FURTHER DESTRUCTION OF OUR HERITAGE AND OUR LANDS. WE HAVE GIVEN GENEROUSLY TO OTHERS OF THE LAND OF OUR ANCESTORS. IT IS TIME SOME OF OUR WISHES REGARDING THE NATURAL TREASURES OF HAWAII ARE REGARDED, WITH LESS THAN ARROGANT DISDAIN FOR OUR VIEWS AS THE ABORIGINAL DESCENDANTS OF THE EARLIEST OF HAWAII'S SETTLERS. WE HAVE GIVEN MUCH TO EVERYONE WHO CAME TO SETTLE IN HAWAII FROM THE 18TH CENTURY ON. GIVE US SOME VOICE IN THE DESTINY OF THESE ISLANDS; A VOICE NOT RIDDEN WITH SENTIMENTALITIES AND PATRONIZING CRUMBS OF SUPERFICIAL RESPONSE TO OUR PROPOSALS. AS A PEOPLE WE STILL HAVE A GREAT DEAL TO OFFER THESE ISLANDS IN TERMS OF OUR CULTURE, OUR WAY OF LIFE.

MOANALUA VALLEY IS ONE OF THE LAST PURELY HAWAIIAN PLACES ON OAHU, AND IT IS BEING OFFERED TO THE PEOPLE OF HAWAII TO ENJOY AS A LEARNING CENTER, AS A PLACE OF RECREATION, AS A PLACE TO BE ONCE AGAIN IN TOUCH WITH ANCIENT HAWAII.

WE DEMAND ITS PRESERVATION AS A HISTORIC SITE AS WE DEMAND OUR RIGHT TO HAVE MORE TO SAY ABOUT WHAT HAPPENS EVERYWHERE ON THESE ISLANDS, WHERE OUR ANCESTORS LIVED AND TOILED TO CREATE THE FOUNDATION TODAY OF WHAT IS THE STRONGEST COMPONENT OF HAWAII'S HERITAGE AND THAT WHICH BEST EXPRESSES WHAT MAKES HAWAII A PLACE THAT IS UNIQUE IN THE EYES OF THE WORLD.

JUNE 20, 1973

John Dominis Holt

Material submitted by Mrs. Anna Bond, Executive Director,
Moanalua Gardens Foundation

ATTACHMENT #10

RECORDED TRIPS

UP MOANALUA VALLEY

1971

Families & Individuals:	48
Elementary students:	40
Environmentalists:	4 groups
Government:	1
Scouts:	2 groups
Civic clubs:	50
TOTAL:	139 plus 6 groups

1972

Families & Individuals:	499
Moanalua residents:	20
Summer Fun:	310
University students:	198
Scouts:	394
Clubs:	171
Government:	200
Intermediate & High S:	594
YMCA:	202
Salvation Army:	20
Elementary students:	298
TOTAL:	2,886

ILLUSTRATIONS

Fig. 1 Topographic map of highway and tunnel in valley and cross sections for diffusion calculations.

Fig. 2 Areal view of an automobile plume at time T.

Fig. 3 Geometry for a continuously moving line of vehicles.

Fig. 4A - C

One-hour CO-predictions (mg/ m^3) for Moanalua Valley at sections 1 - 3 for a wind speed of 1 m/sec and for 1975/76 CO-emission rates and car densities.

Fig. 4D - F

One-hour CO-predictions (mg/m^3) for Moanalua Valley at sections 1,000, 2,000, and 7,000 ft downwind for a wind speed of 1 m/sec and for 1975/76 CO-emission rates and car densities.

THE OUTDOOR CIRCLE 200 No. Vineyard, Honolulu, Hawaii 96817

June 13, 1973
rec'd June 15

Mrs. Anna D. Bond
Moanalua Gardens Foundation, Inc.
1352 Pineapple Place
Honolulu, Hawaii 96819

Dear Anna:

We all appreciated the drive up Moanalua Valley and your running commentary on all aspects - historic, botanical, future plans, highway threat, etc. It was fascinating. Mahalo nui loa from us all.

A few thoughts on the importance of the valley from a recreation standpoint. If you examine the DLNR map showing trails, hunting and park areas for Oahu you will see how little mountain and upper valley land is accessible to the general public. To these areas access for the general public is blocked by private land owners or the military (permission must be obtained for access) over three roads into Kaena State Park, Nanakuli Forest Reserve, the Wahiawa Forest area, Poamoho, Waiahole Watershed, Haiku Gardens area, Honolulu Forest Reserve above Laukahi Street and Waimanalo Forest Reserve. The trend is for increasingly stricter controls on access into forest reserve areas privately owned, such as Honouliuli and Helemano.

The cost of land acquisition and development for our mountain state parks is substantial. The State Parks Division could well be asked to provide the cost figures for Kahana Valley Park, Kaena State Park, Makiki Valley Park, Keaiwa and Waahila Parks. Land acquisition costs for Kaena over two million dollars. Improvements at Waahila over $135,000. Kahana Valley over five million to acquire the land, much of it too wet for extensive use. The time schedule for development also should be provided.

As far as the City and County program goes. They are park poor and will continue not to meet the standards set in the Oahu General Plan. Although Moanalua will not provide the amenities found in the usual neighborhood or regional or district park, it will provide other recreational opportunities, alternatives for recreational needs which cannot be provided for because the City and County will always be park poor.

Hope that this is of help.

Sincerely,

Margaret

Mrs. Baird Kidwell, Chairman, Parks

KANEOHE OUTDOOR CIRCLE
BOX 32—KANEOHE, HAWAII 96744

KONA OUTDOOR CIRCLE
KAILUA-KONA, HAWAII 96740

LAHAINA OUTDOOR CIRCLE
LAHAINA, MAUI, HAWAII 96761

LANI-KAILUA OUTDOOR CIRCLE
BOX 261—KAILUA, HAWAII 96734

MAUI OUTDOOR CIRCLE
BOX 402—KAHULUI, MAUI, HAWAII 96732

WAI-MOMI OUTDOOR CIRCLE
BOX 435—AIEA, HAWAII 96701

100% Recycled Bond

RECORDING TRIPS OF MOANALUA VALLEY

Date	Name	Phone #	Moanalua residents	Families Individuals	Elementary Students	Intermediate & High School	University Students	Environmental Education Groups	Government	Agency Girl Scouts, Boy Scouts, etc.	Civic Clubs and Groups	Summer Kids
1/5	Aaron Mahi w/friends		4									
1/7	Leatrice Yamamoto + U of H						15					
1/7	Moir w/friend		2									
1/13	AAUW Group	30								30		
1/14	Farrington High + Castle High Sierra Club w/ adb.					30						
1/20	Unitarian Group	30									30	
1/22	Maryknoll Students	180				180						
1/23	McKinley High Sierra club					6						
1/25	ADB w/ 10 NRPA	10							10			
1/27	Girl Scouts w/ Leslie Nakashima									30		
1/27	Cub Pack 19 Kapalama School / Jack Yam									30		
2/3	Girl Scouts w/ Linda Hoogs									25		
2/9	Iolani Activity Day					30						
2/11	Dr Lum	18 or 19		18 or 19								
2/14	Bob Burrell w adb								2			
2/17	Brownies									20		
2/17	Max Fain + friends	6 or 8		6 or 8								
2/23	Floyd Larson					22						
[redacted]	[redacted]											
2/28	Varah on 6th grade / + 2 teachers				56							

GUIDED TRIPS UP MOANALUA VALLEY

Date	Name	Phone #	Moanalua residents	Families & Individuals	Elementary Students	Intermediate & High Schools	University Students	Environmental Education Groups	Government	Agency Groups Girl Scouts, etc.	Civic Clubs and Groups	Summer Fun Kids
3/2	HSG					200						
3/2	Gov W/ADB								5			
3/4	10 Govt								10			
3/19	Hanna Jigion Beverly Brueckner	395-3006		2								

RECORDED TRIPS UP MOANALUA VALLEY

Date	Name	Phone #	Moanalua residents	Families & Individuals	Elementary Students	Intermediate & High School	University Students	Environmental Education Groups	Government	Agency Groups such as Scouts, YMCA	Civic Clubs and Groups	Summer Fun Kids	
27/73	Lynn Smith / Hale Mohala School	949-8178			14								
26/73	Mrs Kent Robinson			6									
3/23	Hanahauoli Club				18								
22	Dexter Cate / Pearl City HS					18							
21	Hawaiiana Class - Bobbie Mills												26
25	Bill Taylor - Outdoor Education (High School / Secondary School Teaching)	845-5741						45					
17	University Art Class & Hallie Cox						13						
9	Waipahu Intermediate					160							
11	Doty - 2 families	839-8166 373-3080		10									
April 22	Easter Egg Hunt - MV Comm Assn		500										
27	Allen Napoleon + Pacific Dynamics (Dorothy Napoleon)												2
April 1	Napoleon Family			5									
	Lorin Gill						20						
4/6	Kamehameha					25							
4/6	Kamehameha					25							
4/11	David Boynton			1									
4/17	Dorothy Kim Highland Int. (with Patches)					32							
4/18	Mrs Tobita + 7 kids + 2 friends	373-4841		10									
4/18	David Boynton + 3						4						

RECORDED TRIPS UP MOANALUA VALLEY

1977	Name	Phone #	Moanalua residents	Families & Individuals	Elementary Students	Intermediate & High School	University Students	Environmental Education Group	Government	Agency Group such as Scouts, YMCA	Civic Club and Group	Summer Fun Kids	
4/19	Mrs Tobita (again!)	373-4841		8									
4/20	Brownie Troop Mrs Leong	8395259								35			
4/20	Group 70 Lab						30						
4/21	Human Ecology Mr Davison Windward Community College						15						
4/22	Murray Family			8									
4/26	Chad Klinger Iolani School (allday)					22							
4/28	Congress Man Matsunaga + Party		7					8	8 ~~15~~				
4/28-29	411th Army Reserve Engineer Battallion	40 each Day							80				
4/29	Ethel Mori								9				
4/28	Monica Evans	839-2634	5										
5/3	Roosevelt H.S. (Mrs Lin)					38							
5/5	Brownies - Troop 183 Mrs Reynolds	4224217								24			
5/6	Paul Meyer Kaan School					20							
5/6	June Boyle			4									
5/8	art academy Barbara Jackson												15
5/9	Mae Mae School 6th Grade				31								
5/9	Mr Anderson + Family	923-8253		3									
5/10	Roosevelt High School					50							
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
5/11	Ken Tapman + Anne Webster Smith + gang												

RECORDED TRIPS UP MOANALUA VALLEY

Date	Name	Phone #	Moanalua residents	Families & Individuals	Elementary Students	Intermediate & High School	University Students	Environmental Education Groups	Government	Agency Groups such as Scouts, YMCA	Civic Clubs and Groups	Summer Fun Kids	
5/12	Girl Scout Troop 103 Mrs Holland												
5/12	Girl Scout Troop 443									20			
5/13	Architecture Students U of H												
5/15	David Boynton + 10 students					11							
5/18	Moanalua Elementary Mrs. Oyye				138								
5/18	Kalani Highschool Mr. Otaki					20							
5/19	Opera Chorus (Lorraine Pang)	548-6592									35		
5/20	MCC Wendall Chang										30		
5/20	Nu'u Valley Elementary (Jack Prasada)				25								
5/23	Mark Smith + 1 friend			2									
5/24	Training Summer Fun leaders												
5/25	Dr + Mrs Sennon			2									
5/26	Mgr Ridge Kamehameha Girl School (Planting)				25								
5/27	Rock & Mineral Society Mr Meenkoff	949-5305									135		
5/28	Cathy Wyoma (Punahou) + 3 students				4								
5/31	Mrs Mills + 20 Tour Drivers Class	548-6314											20

C+ Bill Birchall) mcf

MOANALUA GARDENS FOUNDATION, INC.

1352 PINEAPPLE PLACE ✻ TELEPHONE 839-5334
HONOLULU, HAWAII 96819

November 11, 1971

Dr. Fujio Matsuda, Director
State of Hawaii Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii - 96813

Dear Dr. Matsuda:

In replying to your correspondence of September 14 and 29 the Moanalua Gardens Foundation would like to point out that its plans and programs are not detailed to the degree required by your questions. Our answers, therefore, are approximations. Working plans will not be finalized until the threat of H-3 is removed from Moanalua since its fifty acres whether on the valley floor, elevated or to one side, render the remaining sixty acres distributed along a three mile strip unsuitable for any enjoyable or realistic park purpose.

All use statistics anticipate intensive development of the valley's approximately 110 acres of level or moderately sloping land (25% slope or less) for cultural-historical area developments, picnic groves, access and parking. The balance of the valley acreage will be developed for hiking trails, botanical-conservation areas and wilderness preserve. Entry and access to the valley will be accomplished by up-grading the existing carriage road into a curving park road to accommodate slow moving vehicles (ultimately electrically operated), with supplementary horse trails, and walking and bicycle paths.

May we forward the following relevant to your questions of September 14:

1. How many visitors per annum are expected at the redevelopment of Moanalua Valley as proposed by the Moanalua Gardens Foundation? In which year may this number of visitors be expected?

PARK USE PROJECTION

year	1972	1973	1974	1975	1976
cultural-historical development	10,000	25,000	60,000	110,000	125,000
school children	500	2,500	5,000	10,000	25,000
picnic areas-valley hiking	20,000	40,000	80,000	150,000	250,000
wilderness area	2,500	2,500	2,500	2,500	2,500
totals	33,000	70,000	147,000	262,500	402,500

year	1977	1978	1979	1980	1981
cultural-historical development	140,000	155,000	175,000	225,000	250,000
school children	30,000	35,000	40,000	45,000	45,800
picnic areas-valley hiking	250,000	255,000	260,000	265,000	270,000
wilderness area	2,500	2,500	2,500	2,500	2,500
totals	422,500	447,500	477,500	537,500	568,300

Forecasts for the use of cultural-historical developments are based on use statistics for comparable facilities in the State for 1969 and 1970, and on annual population growth predictions. Population and population growth statistics are furnished by the Department of Planning and Economic Development, State of Hawaii. These statistics include the resident military census. Additionally, these forecasts include out-of-state visitors. Current tourist population figures and annual growth predictions are furnished by the Hawaii Visitors Bureau.

Projections for school tour use, including population growth factors, are based on information derived from the Department of Education, State of Hawaii, and the Bishop Museum.

The Department of Parks and Recreation, City and County of Honolulu, and the Division of Parks, Department of Land and Natural Resources of the State of Hawaii supplied data upon which the valley's picnic use projections are based.

The wilderness area will be operated at a controlled capacity based on standards of the National Park Service for the conservation and management of wildlands. Although revisions may be made in the carrying capacity estimate as experience is gained, such revisions will not materially affect use totals for the entire project.

2. On a typical visiting day (weekend or holiday) how many visitors to the redevelopment may be expected? To which year do these figures apply?

Based on our 1976 projection we foresee an average weekend single day use as follows:

area	annual use	distribution	one day	number of use hours	extension
cultural-historical	125,000	even	344	4	1376
picnic	250,000	mostly weekend	2104	6	12,624
wilderness	2,500	erratic	50	8	400
			2498		13,400

This usage reflects the low density (24 per acre) consistent with the nature of the cultural-historical development combined with natural park.

3. What is the maximum number of visitors to be expected on a single day in any given year?

The Foundation anticipates a series of annual special events of historical, cultural, religious, ethnobotanical or conservation interest which will attract up to 10,000 persons in a single day.

From your letter of September 29:

1. What is the schedule of development of the proposed Moanalua Valley Park as envisioned by the Moanalua Foundation?

The Foundation regards the park as already operational. Many groups and individuals currently use the valley in its undeveloped condition for picnicking, recreation and education. Developments, which will be undertaken as early in 1972 as possible, are summarized as follows for the initial five year program:

1972: main park road and turnaround, basic picnic areas and parking, water, toilet facilities for picnic areas, nursery complex; initiate landscaping of major cultural-historical areas; continue archaeological survey;

1973: picnic areas, parking, water, toilets, wilderness trails, continue archaeological survey, continue landscaping of cultural-historical areas; initiate reforestation;

1974: picnic areas, parking, water, toilets; construct entry-information center; continue landscaping of historic sites;

1975: complete picnic complex and parking; continue planting program;

1976: complete basic development of cultural-historical areas; continue planting program.

By the end of 1976 the Foundation proposes to have completed sufficient developments to provide the basic educational and recreational activities and experiences afforded by Moanalua's resources. Subsequent developments will represent refinements and extensions of the basic increment to accommodate the increasing number of valley users.

2. What is the estimated capital cost of the development:

The Foundation foresees the following capital expenditures for the first construction increment:

1972	$ 400,000
1973	350,000
1974	250,000
1975	250,000
1976	250,000
total	$1,500,000

3. What are the sources of funding and to what degree have final plans been carried forward?

The Foundation anticipates that all capital and operational funds will be derived from private sources including the Estate of S. M. Damon, individual donors and educational, historical and conservation foundations. Although a program of funding has been organized, no effort will be made to effectuate it until the major current effort of the Foundation, i.e., removing the threat of H-3 in the valley, has been realized.

4. What do you estimate the operational costs of the proposed development will be and how will these costs be met?

The Foundation anticipates the following operational costs during the first increment of development:

1972	$ 100,000
1973	150,000
1974	225,000
1975	250,000
1976	275,000
total	$1,000,000

Operational costs will be met as noted in item 3 above.

5. In whose hands will ownership of the development be placed?

Questions regarding ownership of Moanalua are not properly addressed to the Moanalua Gardens Foundation. Speaking, however, as beneficiaries of the S. M. Damon Estate with beneficial ownership, we can point out that ownership is vested in the S. M. Damon Trust Estate operating under the Will of S. M. Damon, who made provision for expenditures for both the maintenance and extension of Moanalua Gardens devoted to the use and the joyment of the public.

6. Will the initial ownership retain ownership over the years or will ownership change in time?

Our desire as beneficial owners of Moanalua Gardens is to see no change in ownership which would result in a highway through the extension of Moanalua Gardens in the valley. Our wish is that this whole sacred valley which was left to our grandfather by the Princess Pauahi, the last of the Kamehamehas and which we hold in trust, be forever and exclusively available for the use and enjoyment of the public as an unspoiled historical natural park.

Should there be any question regarding this information please do not hesitate to contact the Foundation office.

Yours very truly,

Mrs. Richard H. Baldwin

Mrs. Richard H. Baldwin
President

Frances M. Damon

Miss Frances M. Damon
Secretary

STATE OF HAWAII

DEPARTMENT OF EDUCATION
P. O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF INSTRUCTIONAL SERVICES
GENERAL EDUCATION
BRANCH

June 15, 1973

Ms. Anna Bond
Executive Director
Moanalua Gardens Foundation
1352 Pineapple Place
Honolulu, HI 96819

Dear Anna:

This letter will confirm that, in addition to National Park Service teacher training for the Department of Education in Environmental Education in Moanalua Valley, March 25, 1973, as well as groups from 24 public and private schools and colleges using the undeveloped park in Moanalua Valley for field trips from January to June, a Department of Education Science Education Program Specialist has been cooperating with Moanalua Gardens Foundation and a group of interested teachers in developing environmental education materials for use in Moanalua Valley.

If these materials meet the requirements of the Department of Education, they will be made available to all Oahu public secondary schools during the school year 1973-74. We understand also that the Foundation will present these materials to the National Park Service and the United States Office of Education as part of its application to establish a National Environmental Study Area in Moanalua Valley.

Aloha,

Dr. Richard Barnhart
Program Specialist, Science Education

cc: Mrs. Emiko Kudo
Dr. Patsy Saiki

IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
HAWAII GROUP
677 ALA MOANA BLVD., SUITE 512
HONOLULU, HAWAII 96813

June 21, 1973

Mrs. Anna Bond
Executive Secretary
Moanalua Gardens Foundation, Inc.
1352 Pineapple Place
Honolulu, Hawaii 96819

Dear Mrs. Bond:

On behalf of the National Park Service, I wish to commend the Moanalua Gardens Foundation for the use to which they are putting Moanalua Valley. Mr. William Taylor, Environmental Specialist from the National Park Service Western Regional Office, agrees with me in the assessment of Moanalua Valley as a superb environmental study area.

It is very rare that any extensive land area with attributes similar to those of the valley is found close to a major city in the United States. A catalog of values is not necessary here, but would certainly include the wild aspect of the valley, its high proportion of native and endemic plant species, and, most particularly, its important role in the history and pre-history of Hawaiian life in this state.

As you know, a "natural" area can be very useful as a study laboratory in which students of all ages can gain an understanding of the changes and interactions that occur in our evolving environment. But man is part of that environment, too, and when that same area portrays the values from which a people drew the essential elements of their relationship to the land, it broadens the potential of the area to develop a present-day land ethic.

Moanalua, as a source of legends which became part of the fabric of Hawaiian life, and as a place visited for spiritual sustenance by the rulers of Hawaii, beginning with Kamehameha the Great, can have a tremendous effect on the future quality of life on Oahu. You are using it this way, and the great numbers of children who are already finding an understanding of their physical and cultural environment from their experiences in the valley attest to this.

Parkland for physical recreation is common; parkland offering an opportunity to sense the basis for a successful culture, and thereby gain environmental understanding and spiritual re-creation is rare. The National Park Service is using units of the National Park System

for environmental study and awareness, but few portions of that System possess the potential value of Moanalua Valley for this purpose.

I look forward to the day when potential has become accomplishment, and the role of Moanalua Valley in shaping attitudes and developing better adjusted people can be recognized nationwide.

Sincerely yours,

Robert L. Barrel
State Director

Testimony of Mrs. Lynn Nakkim, Friends of the Earth

ATTACHMENT #11

LYNN NAKKIM HONOLULU CHAIRMAN, FRIENDS OF THE EARTH
3140 Huelani Place, Honolulu 988-2488; 923-2283

In 1971 Friends of the Earth joined with other local citizen groups in sending a spokesman to Washington to ask Congress to abandon the H-3 project in favor of a system that would truly answer the transportation needs of the Windward side. We said then that the automobile had had its heyday, but that population growth had ruled out the further expansion possibilities of that mode of transportation. Advised by local experts that this state could expect 70% federal participation in financing a true rapid transit system, or even more, especially if the request came in early enough so that it might serve as an exemplary pilot project, we asked that Hawaii's special character be considered. H-3 is not a defence highway--to plead that is an indefensible argument. Nowhere in the records of the planning of this highway can one find a request from the military, either at the Pearl Harbor end or at the Kaneohe end, for the construction of an H-3. Even Dr. Fujio Matsuda has admitted to me in private conversation that the "defense highway" title is a more pragmatic justification, and that the highway was so aligned to be a commuter highway and nothing more.

Our answers came slowly through the mails. Certain congressmen and Senators were persuaded by our arguments, but all said that it was in the hands of the department of transportation.

On September 24, 1971 John Volpe, then director of the U.S. D.OT, made a statement that there should be no more expressways on the eastern seaboard, and that rapid transit was definitely the transportation mode of the future.

In the same year, in conjunction with the SST controversy, scientists reported to a Senate hearing in Washington that petroleum fuel supplies would be depleted, worldwide, in from 20 to 30 years, if 1971 consumption trends continued. We used this information to make the point that in the absence of gasoline, H-3 would indeed be a little used highway, as would the Pali highway and the Likelike. (Please note here that upon inclusion in the land use plan H-3 still cannot be constructed overnight, and projections have never put it any closer than 1977. That was two years ago they were saying that and they don't say anything about a date these days).

The energy crisis is already upon us, and it is only 1973. It will get worse before it gets better. Gasoline will go to $1 a gallon (as it has been in parts of Europe for many years) and there will not be enough of it to fuel one-passenger trips to the office and back. All the cities of the United States will be forced to tool up for the change, to get public transportation rolling again. Those cities with the foresight to set up fixed rail rapid transit, smooth, fast, efficient people moving systems, will make the transition with ease. Those who insist on proceeding by the rules of the past, using studies based on factors extant in the past, will end up with political rancor and economic chaos, in a community essentially grounded by the lack of a fuel supply for unlimited person trips.

Despite repeated efforts to work with the Hawaii State Department of Transportation to urge them to ask Far reform their engineering slights on the issue, we were repeatedly dismissed. In June of 1971 we were one of four groups that proposed the use of reversible commuter lanes on either Likelike or Pali highway. Mr. Matsuda scolded our committee, saying that it had cost the state an extra $10,000 to have Parsons (the outside consultants) do a quickie study to show that this proposal was not feasible. First, the study did not show that it was unfeasible to build a few on ramps cross-overs, and lane dividers, and second, with an employee force of 1000 in the department of transportation itself, we wondered why Parsons had anything to do with them matter in the first place. The costs were said to be "prohibitive", in the neighborhood of "from $1,000,000 to $5,000,000". That neighborhood is a good deal cheaper than the $250,000,000 to $300,000,000 that H-3 will cost, if built.

Having studied the publications of the Hawaii State Department of Transportation, we can attest to the fact that the department is in the business of paving, and not in the business of transportation. In some smoke-filled room a number of years ago, it was determined that Rapid Transit is not the kuleana of the DOT. Bearing witness, the 1970-71 report to the Hawaii State Legislature from the DOT devotes 30 to 100 pages each to the areas of Harbors, Airports, and Highways. The entire matter of rapid transit is dismissed in one sentence in that volume.

This planning commission is in a position to take a most positive step in the development of our community today. By simply denying the petition to include this archaicly sanctioned freeway on the Oahu General Plan you can effectively take the first step to right all the wrongs perpetrated in the holy name of "Federal Funding" to date.

The sacred Highway Trust Fund is no longer untouchable. Funds can be made available for planning rapid transit.

There are other federal sources for transit money, and up to 70% federal participation can certainly be anticipated. One should remember that 30% of a lesser figure (and a rapid transit line to windward could indeed cost less than H-3, the Likelike alignment would make it a good deal shorter, for starters) could well be less than 10% of $300,000,000. Maintenance is much less for ~~rapid~~ fixed rapid transit than the current $4000 per lane mile of highway. In 1970 there were 613 lane miles on Oahu--by 1977 the D.O.T. has projected 891. The length of H-3 itself would be 17 miles. ~~The spaghetti exchange at Halawa and the Kalihi 29 miles, altogether~~

Please act for Hawaii's future by denying the proposed general plan change.

Speaking just for Lynn Nakkim,
I would like to add a few personal observations to this testimony, Having spent last evening listening to presentations and questions and answers, ~~I would like to point out~~ First, Mr. May said that all that is needed here is approval of a technicality, to adjust city plans to conform to state plans.

Mr. Way and members of the commission, this may iddeed be a technicality, but it is just exactly what citizens concerned with this issue have been praying for.
Throughout the period of heavy controversy starting in 1970, when the Hawaii League of Conservation Voters proposed a moratorium on all freeway construction until a Rapid Transit system was operational, we citizens have been repeatedly told that the process had been set in motion, that all the papers were signed, and that there was nothing we could possibly do to stop this highway. When we pointed to the fact that aside from bulldozers cutting into Kaneohe hillsides, no construction had yet commenced, we were told that that was of no importance, it was the paperwork that was completed, signed, and sealed.
Then it turned out that there was no environmental impact statement.
One was quickly ground out, and soon ground to smithereens by all and sundry. one
More versons follwed, and this has finally been approved in Washington.
But today's hearing is proof that the papers are NOT all in order, after all. The highway does not appear on Oahu's general plan. Therefore, using the criterion set up by the Department of Transportation itself, this highway is NOT a foregone conclusion. The physical construction in Kaneohe is as irrelevant to your decision today as its absence was to our arguments two years ago---they have nothing to do with one another.
In the light of todays facts, todays energy crisis, todays population needs for open wild areas near Honolulu, and todays need for an efficient people moving transportation system for the windward side, ~~we ask that you turn~~ we think it is obvious that the proposal to plan an H-3 is out of date, unwise, and wasteful of this community's resources.

We agree with the trend of this commisions chairman's suggestions regarding a slight pressure on automobile users to ease the ~~xxx~~ traffic crisis between now and whenever an arm of rapid transit can reach the windward side. We suggest a system of commuter tolls, charged only in the peak direction of traffic for the two hour morning and afternoon busy periods. For instance, charge all Honolulu bound cars $1 each from 6 to 8 am on Pali and Like Like every morning, and all windward bound cars $1 each from 3:30 to 5:30 pm. Any car with three adult passengers could be exempted from the toll, thus giving carpoolers the necessary economic incentive to ride together. All monies could be directed toward a fund to supply rapid transit to the windward side. According to the DOT's 1971 figures, the highways are not fully utilized outside of commuter rush hours, so traffic diverted to later hours by the threat of a toll would not be penalized. This would encourage employees to ask for staggered work hours, and there is no other way in our free society that we are going to get staggered work hours than by demand from within.

Testimony of Mr. Leslie Nakashima, Resident of Moanalua Valley

ATTACHMENT #12

12980RP-1

E. B. Connell, Chairman, Planning Commission
Robert R. Way, Planning Director
Public Hearing, Planning Commission

Chairman Connell, Mr. Way, members of the Planning Commission, I Leslie Nakashima, resident of Moanalua Valley, member and recent past president of the Moanalua Valley Community Association, wish to present to you, in opposition to the proposed alignment of H-3 through Moanalua Valley, this statement.

The Moanalua Valley Community Association is made up of residents of Moanalua Valley, or also known as Kamananui Valley. The subdivision extends from Moanalua Road to about one and one half miles into the valley. There are at present over 500 homes in this valley.

Our objections to H-3 are based upon the following reasons:

1. The topography of the valley suggests that the community will be adversely affected by noise and air pollution. The prevailing trades blow from the valley toward our homes. The steepness of the valley sides and the narrowness of the valley itself will serve as a channel to direct noise and exhaust over our homes.

Plantings suggested by the Highway Department does not seem to be an answer to the noise problem. The highway will be elevated in portions of the valley and at the portal to the Halawa tunnel. Trees planted to act as sound barriers will have to be extremely tall and certainly will take many years to grow to effective heights.

2. Our second and greater concern is Kamananui Stream. Proposed lining of the stream with concrete wherever the highway crosses it suggests that the stream will flow faster than it does now. Drainage from paved areas and ground denuded of vegetation on both sides of the highway during construction will permit faster drainage of water into the stream. Re-planting

again will take many years of growth to equal the soil and water retaining capacity of the original vegetation, if it ever does.

During periods of heavy rain the stream comes perilously close to overflowing its banks. In some instances the water actually splashes over the banks in outside curves. With a faster flowing stream and faster drainage which suggests a higher peak, the possibility of the stream flooding over seems greater.

Kamananui stream meanders through the length of our subdivision and there are over 150 homes built along its banks. We are quite forcefully reminded of Keapuka.

Thank you for allowing me to present this information to you.

Leslie Nakashima

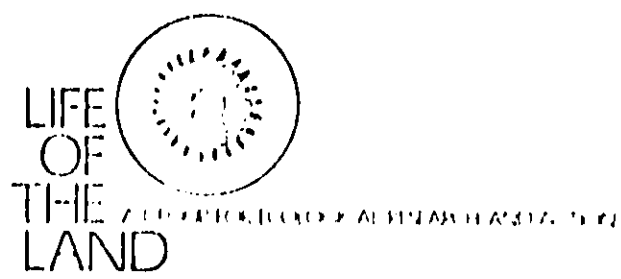
June 20, 1973

Testimony of Mr. James Hughes, Life of the Land

ATTACHMENT #13

12980RP-1

June 20, 1973



City and County of Honolulu
Planning Commission

Chairman and Commissioners,

My name is James Hughes and I am testifying in behalf of Life of the Land and myself.

Life of the Land requests close examination by the City and County of Honolulu of H-3's need and purpose. Public hearings should be held to consider the need and purpose of Interstate Route H-3 prior to any hearings by the City and County regarding the exact alingment. This present hearing should be postponed.

Even though it is alleged that there is City and County policy favoring construction of H-3, Life of the Land requests that the purpose and need be closely examined by the City and County before approval is given to the requested amendment of the General Plan. We ask for examination of the need and purpose by public hearings, new traffic demand studies, and new population projections made with citizen input and citizen approval, especially by those citezens living in the Windward area.

The state Department of Transportation has applied for highway alignments to be shown on the General Plan. The present hearing assumes "the Interstate System is established as policy. The issue being considered is not one of establishing need." That came from Bob Way's planning department report of June 18, 1973. We submit that the issue at these hearings is to consider the need of the interstate freeway system.

The General Plan is a statement of the policy of the county of Honolulu for long range, comprehensive development of the County. The change requested by the DOT is a request for change of policy in the alingment of the interstate defense system. The system is not completely shown on the present map. The system is not a part of the policy for the long range, comprehensive development of the County.

The written part of the General Plan which applies to the interstate highway system reads: "Of primary importance to the development of the highway system affecting the city and county of Honolulu will be the planning for the defense highway systems from Pearl Harbor to Diamond Head and from Pearl Harbor to Kaneohe Naval Station on the Windward side. These two routes will play an important part in providing additional freeway facilities for the city."

404 PIIKOI STREET HONOLULU HAWAII 96814 TELEPHONE 521-130

LIFE OF THE LAND
A NON-PROFIT CONSERVATION FOUNDATION

The General Plan talks of the importance of the project not the need of the project. It is General Plan Policy that the interstate highway system planning will be of primary importance to the city, and not that the interstate highway system is needed or neccessary for the city.

A change of policy in the General Plan must consider more than what parcels of land will be directly affected by the construction. A change in policy of the General Plan must consider the need and purpose of the proposed change. Life of the Land requests a close examination of the need and purpose of the H-3.

Sincerely Yours, James Hughes for Life of the Land

404 PIIKOI STREET HONOLULU HAWAII 96814 TELEPHONE 521-1300

1295ORP-1

June 21, 1973

LIFE OF THE LAND

City and County of Honolulu
Planning Commission

Chairman and Commissioners,

My name is James Hughes, and I am submitting more testimony today in behalf of Life of the Land and myself.

Page 5-3 of the H-3 e.i.s. preface says "The first and most important of the tools in the Oahu Transportation Planning Process is the population forecast in the target year. This forecast, together with the forecast of future economic activity, provides the basic input for the land use and travel forecasts." The population forecasts used in the planning of the H-3 were not made with citizen input. Such an important part of the planning process should have some citizen input.

Volume one, pages 12-13 of the H-3 e.i.s. justifies the need of the H-3 by using traffic forecast across the Koolau mountains by the OTS which has since become the Advanced Transportation Office of the state DOT. The DOT submittal to the City and County states that "The Interstate System is a part of the total transportation system resulting from the Oahu Transportation Study,". The OTS gave the justification for the H-3. Yet, page 5-7 of the preface to the H-3 e.i.s. states "the Oahu Transportation Planning Program, in projecting its population figures for Windward Oahu, assumed the existence of additional Trans-Koolau traffic lanes provided by Route H-3." The projections and the forecasts that were made to justify the H-3 are the same ones that assume the H-3 will be built. I hope the City and County government will not use the same forecasting the State does to justify the H-3.

Pages 2-3 of volume of the H-3 e.i.s. states: "With the extension of the National system of Interstate and Defense highways to Hawaii on July 12, 1960, and the approval of an Interstate route across Oahu through the Koolau range of mountains by the Federal Highway Administration on August 20, 1960, Corridor studies for what was to become Interstate Route H-3 had begun." Almost 13 years ago the H-3 was started. These thirteen years have seen tremendous changes in Hawaii. Changes in public attitude towards freeway construction, land use, gasoline consumption, and so forth. The need and purpose of H-3 must be shown again to be sufficient for justifying its expense. A close examination of the need and purpose of H-3 must be initiated by the City and County before any decisions are reached regarding the submitted General Plan amendment by the DOT.

Sincerely Yours,

James Hughes for Life of the Land

401 PIIKOI STREET HONOLULU HAWAII 96814 TELEPHONE 521-1369

Testimony of Mrs. Fred O. Young, Interested Citizen

ATTACHMENT #14

12980RP-1

Testimony of Mrs. Lola Mench representing the Sierra Club of Hawaii

ATTACHMENT #15

1298DRP-1

SIERRA CLUB, HAWAII CHAPTER

%BISHOP MUSEUM, P.O.BOX 6037,
HONOLULU, HI 96818 (808) 847-6279

"Mālama i ka honua"
"cherish the Earth!"

Nuuanu Pali, by Fisquet, 1837

June 20, 1973

Ladies and Gentlemen of the Planning Commission:

I am Lola Mench representing the Sierra Club of Hawaii. I wish to speak against any amendment to the General Plan which will facilitate completion of construction of H-3.

The Sierra Club has long taken the position that efficient mass transit is the direction in which we should be going, in planning and in money expenditures. While it is true that mass transit lanes have been promised on H-3, we take the position that it can be accommodated with the use of less precious land than will be required to complete this out-dated freeway. H-3 was planned before there was thought of energy shortages. H-3 was planned as a defense highway before cut-backs at Pearl Harbor and at Kaneohe Marine Corp Station. The whole concept of accommodating more private automobiles is becoming ridiculous before the most expensive segments of this highway are even begun. H-3 is an outmoded highway. Detailed explanation of the General Plan makes it all too clear the tremendous amounts of land involved in interchanges alone. The money involved would go a long way towards establishing mass transit. We should be spending our energy convincing the federal government of this.

To speak objectively about the matter of H-3 if difficult for a person who loves Windward Oahu and has lived almost 30 years in Kahaluu. Clearly, H-3 will not solve traffic problems, but rather it will increase the number of affluent people who can pay high prices for their homes and who travel to Honolulu for work, school and recreation. Generally most people do not realize what a threat H-3 is to a way of life that has long existed in the Kahaluu--and beyond--vicinity. Until recent building in the Ahuimanu area, growth has not been in the direction of suburban-type mass

SIERRA CLUB, HAWAII CHAPTER

%BISHOP MUSEUM, P.O.BOX 6037,
HONOLULU, HI 96818 (808) 847-6279

"Mālama i ka honua"
"cherish the Earth!"

Nuuanu Pali, by Fisquet, 1837

developments. Much of the land is in small holdings owned and occupied by people who have long made this place their home. Another highway--Likelike, Kahekili--began a change toward suburbia. H-3 will accelerate this middle to high-income type of development, where land values jump, property taxes go up and soon the fellow without this income base is forced to sell because he can no longer afford to keep his property even though it has long been his home. Developers thrive on this situation, but should the government be sponsoring and encouraging a movement which provides homes for the higher income people at the expense of those with modest incomes?

It is interesting to note that at least one California city (Palo Alto) did some research and found that the city did not actually profit from the increase in tax collections brought about by development. They found that the cost of services far exceeded the increased tax collections. We have only to look to mainland cities to see that freeways have never solved traffic problems.

Lola Mench

Lola Mench

SIERRA CLUB, HAWAII CHAPTER

%BISHOP MUSEUM, P.O.BOX 6037,
HONOLULU, HI 96818 (808) 847-6279

"Mālama i ka honua"
"cherish the Earth!"

Nuuanu Pali, by Fisquet, 1837

Note:—

Re siltation of Kaneohe Bay.

I made an investigation of a portion of the reef for a marine biology class. Because I have lived on Kaneohe Bay for 27 years, I can testify to the change due to siltation in that period of time. I found only dead coral where coral had once been live. I measured siltation and found it to be from 1 to over 5 cm. Since those measurements, there has been much construction. Coral is very sensitive and specific in its growth and survival requirements. Siltation is one of its most lethal enemies.

Lola Mench.

Testimony of Mrs. Helen C. Hopkins representing Life of the Land

ATTACHMENT #16

June 20, 1973

Mr. Chairman and Members of the Planning Commission,

I am speaking for Life of the Land and for myself as we are both plaintiffs in the Stop-H-3 Association law suit against the highway. My complaint is based on my use of Kaneohe Bay and the fact that I live adjacent to it. However, I feel that I am also acting on behalf of all those who live in the Kaneohe Bay Watershed area, both those who know a great deal about the proposed highway and those who think it is going to be constructed over there somewhere----not looming over their heads. It is also important to me and to others, that future generations have someone to represent them.

If you are going to make a decision as a result of this hearing it is important too that you do so only after you are thoroughly aware of all the social, economic and ecological considerations. Few people have taken the time to read the three Environmental Impact Statements written regarding H-3 (and that is understandable as they are formidable documents just to look at) or the comments and critiques of the statements.

For more than two years I have been gathering information regarding H-3, studying the impact statements, trying to get others to learn how it would affect them and in the process, have spent approximately a thousand dollars. This might be a conflict of interest but it hasn't been fun.

Helen C. Hopkins

Helen C. Hopkins
47-130 Uakoko Pl.
Kaneohe, Hawaii 96744

June 20, 1973

SOIL EROSION AND SILTATION

I want to protest the request for a General Plan Amendment (224/C3/Various and 180/C3/5) because the need for the amendment is based on an Environmental Impact Statement that is inadequate and a project that would be an ecological and sociological blunder of the highest magnitude for the Island of Oahu. Of all the inadequacies of the E.I.S., one of the most glaring is Vol. V., Appendix 4(h) Stream Flow and Siltation.

You are aware of the deep concern expressed by both marine scientists and laymen regarding Kaneohe Bay, because it is dying due to sewage and siltation, and that the Legislature has appropriated $12,000,000 for the Mokapu deepwater outfall. If that outfall was in operation now, the bay would still be endangered. Vol. VI, pg. 6 of the E.I.S., in response to remarks regarding siltation of the bay, says: "The potential siltation problem on the Windward side is not as acute." Here is a copy of a press release by the senior investigators at the Hawaii Institute of Marine Biology regarding, the threat of impending ecological disaster in the bay because of projected increases of sewage and silt. You may or may not have read this release, but I would like to enter it into the records. It should have serious consideration.

Dr. Doak Cox, Director of the University of Hawaii Environmental Center stated in a review of the E.I.S.: "In the Kaneohe area, the situation is similar to that in Moanalua, but the problem is likely to be aggravated by the extensive grading required for the interchange....in the Luluku Stream drainage basin.....Prevention of erosion and sedimentatinn is impossible and even prevention of accelerated erosion and sedimentation is likely to be found completly impractical." During a conversation on September 20, 1972 with members of Life of the Land, Dr. Cox said he believes that H-3 ranks first with respect to the magnitude of environmental effects of those projects covered by Federal E.I.S. to date in Hawaii.

The E.I.S. refers several times to the planned Kaneohe reservoir and says that most streams on the Windward side in the vicinity of H-3 will drain to the reservoir. The Department of Transportation and Parsons, Brinckerhoff, Hirota, etc. have known since December 1971 that the reservoir will not be constructed until 1979. Therefore, H-3 would not only affect the various branches of the two intermittant streams, Luluku and Kamo'oali'i, but also the perennial streams, Kaneohe (north and south branches), Kawa, Kea'ahala and He'eia.

There are other factors involved beside the cuts and fills for the interchange. All of H-3 would affect soil erosion and siltation for the reasons that:

1. Grading changes drainage patterns, and construction affects flows on old drainage. Erosion hazard varies in different parts of the valleys depending on rainfall slope and soil types. Tests of

erosion control in one area are not usually valid in other areas.

2. Rainfall gradients are very steep. Over a distance of 3 miles, the mean annual rainfall may increase 100" or more. Rainfall fluctuates greatly from year to year, often exceeding 300%. Extreme rainfall intensities are very high with falls of 12" or more in a day at least once a year in one part of the island or another and the maximum rainfall zones lie along the crestline of the mountains facing into the tradewinds.

3. Fluctuations in monthly rainfalls are especially great October through March when Kona storms are likely to occur, but there are also wide variations during summer months. Torrential rains are moderately common and cyclonic-type storms bringing heavy rain may occur several times a year. On the Windward side heavy rains cascade in waterfalls over high cliffs and down streams directly into the sea. There are relatively small drainage areas and most streams have only a few branches in their upper reaches. The stream flows are flashy in nature. In addition to major storms, Windward sections are subjected to intense local storms which are pronounced during winter and spring months, and there are flows from groundwater seepage and spring discharges.

4. Typical soils are silty clay and loam with fluctuating water tables; silty clay soils with underlying peat or muck with permanent water tables at depths of 20 to 50" which drain poorly are found from the bottomlands near the ocean and along streams to elevations of 600 ft. The alluvial and colluvial well-drained soils have weathered, gravelly substratum and other soils are friable or easily crushed, or they have soft weathered rock at depths from 3 to 5 ft. These various soil types do not necessarily cover large contigous areas and may change as rapidly as the rainfall patterns.

During the storm of Feb. 1, 1969 Kamo'oali'i Stream samples projected discharge from that one day probably consisted of 2,178 tons of sand, 4,072 tons of silt and 3,220 tons of clay----a total discharge of 9,470 tons of sediment. This sediment, 9,470 tons, washed into the bay by Kamo'oali'i Stream alone in one day were enough to carpet the entire bay with 2 lb. per sq. yard if evenly distributed. H-3 was under construction at that time and to concerns of people along Kaneohe Bay Drive about the siltation, one official of the Department of Transportation's answer was: "We will learn as we go."

Sediments from highway construction during a storm run ten times greater than from cultivated land, 200 times greater than from grassed areas and 2,000 times greater than from forested areas. It is obvious in reading Sections 639 and 680 in Vol. V, Appendix 4(h) of the E.I.S. on soil erosion and siltation, why it was not discussed in depth in regard to Windward Oahu. The new grading ordinance passed by the City and County and signed into law by the Mayor, is a good ordinance, but for reasons previously stated, it could only alleviate, not prevent massive soil erosion and siltation

due to construction of H-3. During torrential rains, it is nearly impossible to find out where siltation is coming from, equipment becomes bogged down and in many cases it even becomes dangerous for people to be in the area.

Kahekili Highway extension in Kahalu'u is only one mile long; it is on level ground and away from the mountains where the rainfall is extremely heavy. However, it was under construction for two years and three months. Rains resulted in the loss of 166 work days, not counting weekends and holidays. The roadbed sat for over six months to allow for settling. In November of 1970 the highway construction caused a flood where there had been no floods before, and there was heavy siltation of the bay due to the highway and adjacent construction.

In Sections 639 and 680 of Vol. V, Appendix 4(h) there are numerous phrases regarding soil erosion and siltation control such as: "To the extent practicable to assure economical, effective and continuous control", "the engineer has the authority to limit the surface area of erodible earth material exposed", "Such work may involve construction of temporary berms, dikes, dams", "cut slopes shall be seeded and mulched as the excavation proceeds to the extent considered desirable and practicable", "the contractor will be required---at the earliest practicable time as outlined in his accepted schedule to incorporate all permanent erosion control features", "where erosion is likely to be a problem, clearing, grubbing operations should be scheduled and performed if the project conditions permit", "The engineer will limite the area of excavation, borrow, etc. in progress commensurate with the contractor's capability and progress in keeping .....permanent control measures current in accordance with the accepted schedule, etc., etc....." (Underlining added.)

These are loopholes or escape clauses. The primary concern of both the engineers and the contractors would naturally be meeting construction deadlines and rising costs. Even if all the specifications could be and were fulfilled, the delays would be impractical. As Dr. Cox said: "Although the control measures adopted by the Highways Division obviously represent an improvement.....they cannot be considered to eliminate the problem, even in Halawa." As anyone knows who drove over the first segment of H-3, even the access roads to the construction sites would cause a great deal of siltation.

Coral reefs are among the most biologically productive and taxonomically diverse of any ecological community. The reefs are a very important resource of the Hawaiian Islands for food, recreation, science and ecology classes and probably most important, for the protection of the islands against erosion. Sediment interferes with the ciliary self-cleansing of the coral polyps; it can clog and damage the gills of fish and inhibit the feeding activity by filter-feeding shellfish. It also reduces photosynthetic production of aquatic plants essential to many fishes for egg attachement and shelter and it can entrap phytoplankton and carry them to the bottom.

I am not talking here about beautiful lacy coral or exotic colored fish, but about the destruction of an important segment of a complicated and delicate ecological system upon which man is dependent.

Governor Burns said on Sept. 1, 1971: "Kaneohe Bay is one of Hawaii's greatest natural assets.....It has also become a sink for the wastes and refuse of a short-sighted society and has suffered from the development of land for homes, businesses and highways.... The bay, itself, and the whole area surrounding it is a single environment. Actions which are taken in any part of this region have ramifications in the whole area."

We can take the sewage out of the bay, but we cannot restore the reefs and the coral that make the bay one of our greatest natural assets. Only time can do that and it could take decades----decades that we cannot afford.

References:

The University of Hawaii Environmental Center Memorandum of January 6, 1972 to Marvin Miura, OEQC, from Doak Cox, Director of the Environmental Center.

"Rainfall and Streams in Hawaii", Hawaii Water Authority, March 1959.

"Watershed Work Plan, Kahalu'u Watershed", City and County of Honolulu, Hawaii, July 1969.

Honolulu Advertiser article, "I Can't Go Back Now", November 28, 1970.

"Community Action Guidebook for Soil Erosion and Sediment Control", Powell, Winter, and Bowditch National Association of Counties Research Foundation, pg. G3;[1] and Senator Jennings Randolph, "Proceedings of the National Conference on Sediment Control", Washington, D. C., September 14-16, 1969.[2]

"The Effects of Urban Pollution Upon a Coral Reef System", pg. 13 (A Preliminary Report) by Albert H. Banner and Julie H. Bailey, Department of Zoology, University of Hawaii (Hawaii Institute of Marine Biology, Technical Report No. 25, December 1970. "Changes in Kaneohe Bay".

"A Literature Review of the Effects of Sand Removal on a Coral Reef Community", by James Levin, December 1970, prepared under the National Science Foundation Sea Grant Program, Department of Ocean Engineering, University of Hawaii.

NOISE POLLUTION

In reading the addendum on noise in the E.I.S. on H-3, one gets the impression that nothing so drastic as a riot is expected as a result of noise from the proposed freeway. The report is based on the assumed noise environment estimates for 1993 traffic. The preface to the E.I.S. says that some noise reduction can be anticipated from the decision to build only four auto lanes on H-3. The selection of alignment Scheme C, "indicated the possibility of an over-all nominal improvement in noise environment resulting from this selection. The subsequent studies by Bolt Beranek and Newman have sustained this opinion". (Underlining added).

As would be expected, again the mainland consultants to the State DOT and to Parsons, Brinckerhoff, Hirota, et al, have come up with a report satisfactory to their clients. In commenting on "Noise Assessment of Interstate Route H-3 from the Halawa Interchange to the Halekou Interchange", Bolt Baranek and Newman Report 2099, November 1971 (Appendix 4(a) to Ref. (1), Dr. John C. Burgess of the University of Hawaii Department of Mechanical Engineering stated:

"Some of the conclusions reached by the consultant and used by the DOT are based upon questionable assumptions. These assumptions and the predictions of probably impact based upon them, deserve further evaluation."

"1. The assumption of unstated criteria for sleep interference.

"2. The apparently hidden assumption that the ambient levels will not change as a result of Federal and state regulation of motor vehicle noise emissions.

"3. The assumption that 12 dB attenuation can be assumed between outdoor sounds and their corresponding indoor levels.

"4. The assumption that the public response to noise characteristics of mainland areas can be applied to Hawaii

"5. The assumption that the public response to noise in the past will be the same in the future.

"6. The apparent assumption that a uniform attenuation can be applied to the noise emitted by all vehicles operating on an elevated roadway.

"7. The criterion of 'how much noise will the public take before they overtly react' rather than 'what noise level will be acceptable to people when they are engated in activities normal to the time and location of that activity.'"

The replies in Vol. VI of the E.I.S. to the remarks of comments on the conclusions in the statement were, in most cases, answered by references to their original statements and their sources. In appendix 5 of Vol. VI, replying to Dr. Burgess remarks it is stated that the criteria used by Bolt Beranek and Newman was taken from NCHRP Report 117 "Highway Noise", a "Design Guide for Highway Engineers", (1971) prepared for the Highway Research Board by-----Bolt, Baranek and Newman. It is also stated: "With regard to some important human

activities, selection of noise criteria is difficult because research is as yet, incomplete.....Thus, one must choose, rather arbitrarily, in some cases from among differing results." If you are looking for the kind of conclusions you want, obviously you choose a source that will supply that conclusion. The E.I.S. contains many such rationalizations------how could it be otherwise.

The Preface to the E.I.S. says that areas of "great impact" are defined as those having noise levels exceeding 60 dBA; areas of "some impact" as those having noise levels between 50 dBA and 60 dBA: and areas of "no impact" as having noise levels below 50 dBA. Dr. Burgess says there are several sources of estimates of what are acceptable sound levels for bedroom areas. "Kryter surmises that sound levels reaching 27 dB(A) will be resented. Burns identified recommended maximum night-time sound levels in sleeping areas as: Country, 25 DB(A); Suburban, 30 dB(A); Urban, 35 dB(A); Busy Urban 40 dB(A)".

Using 30 dB(A) as a criteria for maximum noise level in sleeping areas during the night, Dr. Burgess goes on with his critique and concludes with: "The substance of this memorandum is that the impact statement (Ref. 1) appears to understate significantly the probably impact of noise. I believe the noise estimate should be re-evaluated". He was not satisfied with the replies to the questions he posed regarding noise and H-3 and wrote a second critique. This paper was sent to Washington, D. C. but was not made available to the public in Hawaii.

On Pg. 57 of Vol. VI, Appendix 5, regarding noise criteria for sleep interference, the authors quote data from experiments from Canada and the USSR. It is doubtful that two more desparate climates (with resultant differences in building standards) could be found to compare with the situation in Hawaii.

Allowable noise levels under the City and County of Honolulu ordinance for cars are in part: at 35 m.p.h. at a distance of 50 ft. 73 dB; at 40 mp.h. 75 dB; at 45 m.p.h., 77 dB and at 50 m.p.h., 79 dB. Even if the allowable level of noise is reduced by 7 or 8 dB in 1977, when presumably, the automobile industry will be manufacturing "quieter" cars, noise will be a problem. For heavy vehicles, allowable noise levels are: at 50 ft., 86 dB from 6 a.m. to 6 p.m., 84 dB from 6 p.m. to 10 p.m. and 73 dB from 10 p.m. to 6 a.m. and on Sundays. According to Dept. of Health's chief of occupational and radiological health branch, Mr. Sadamoto Iwashita, there are no trucks in the world that can meet the standard of 73 dB from 10 p.m. to 6 a.m. at this time. The allowable noise levels are all higher than the 30 dB maximum used as a criteria in sleeping areas by Dr. Burgess.

The comments on Noise Pollution in the E.I.S. are based on visual inspection of residents and buildings rather than from inside.

No mention of noise levels in areas other than Moanalua Valley is made in the Preface. Much of the traffic on H-3 would originate in the area of Campbell Industrial Park and other industrial areas such as Kapunapuna or from the airport. Vechicles moving slower than 25 m.p.h. are prohibited from using the highways between 6 a.m. and 9 a.m. and between 3 and 6 p.m. The result is that heavy vehicles such as loaded dump trucks, oil and gas tankers, pump trucks, flat-bed trailers, cement mixers and other heavy equipment are traveling to construction sites before 6 a.m. The steep grades in Moanalua and Haiku valleys would necessitate constant changing of gears by these vehicles and by buses and the heavy rainfall would increase the tire-roadway action of both heavy vehicles and automobiles.

No mention is made in the E.I.S. of the Halawa Stadium, which will result in heavy traffic, including buses, on H-3 at night and on weekends as a result of sports and other events at the stadium. Tour buses and rented cars would go direct from the airport to tourist destinations now in existence and being planned for Windward Oahu. Vehicles returning from the Polynesian Cultural Center between 10 and 11 p.m. already create a noise problem on Kahekili and Kamehameha Highways.

Along the route of the proposed highway in the Kaneohe area are Hawaii Loa College, where the dorms under construction would be in the vicinity of the Halekou Interchange; part of the housing in Halekou wolld be near the interchange and much of Halekou and Keapuka would be above and in line of sight of H-3, the Kaneohe and Kahekili Interchanges. The proposed park near the planned Kaneohe reservoir would be affected. Kapunahala housing, which now has Likelike on one side and Kahekili dividing the area, would in addition have Kahekili and Kaneohe Interchanges and H-3 looming above.

Kaneohe State Hospital in Haiku Valley is being converted to a community college and H-3 would run on viaducts and fill above and close to the dorms and classrooms. The viaducts would be above and close to Haiku Village and four more housing developments either under construction or planned for the valley.

Dr. Meyer S. Bogost, a Hawaii State environmental engineer, when speaking at the E.P.A.'s Federal Noise Control public hearings in San Francisco, Sept. 28, 1971, said that most of the published noise standards and codes originate in areas that are cold most of the year. He said: "Such standards, if imposed on Hawaii, can interfere with our efforts to provide a quality of life appropriate for Hawaii. Not only do many of Hawaii's residents prefer to live in close relationship with our mild environment; the success of our tourist industry is fundamentally based on our ability to offer such an experience to our visitors".

AIR POLLUTION

On pg. 4, Para. B, the Preface to H-3 says the State DOT recommended Scheme C for H-3 through Moanalua. This would elevate approximately 2 miles of the highway and "As a result....some 47 additional acres of developable land will become available to the lower park in the valley". Now you and I would assume that no one would wish to picnic or play ball or rest under a four-lane high-speed highway, especially with dense 200 ft. wide belts of heavily planted trees and shrubs at least 15 ft. tall, running along side the highway.

However, Gerald M. Sturman, Assistant Vice-President of Parsons, Brinckerhoff, Quade and Douglas, Inc. says the elevation of the highway would bring the traffic into an area of higher wind velocity and turbulance, therefore "creating a better situation for rapid pollution difussion", and that "moving the pollutant source away from the critical receptor,"..."those using the park area beneath, increases the diffusion length between source and receptor and thereby decreases the received concentration".

When the pollutant source is moved away from the "critical" receptor, where will it go? Would it be deposited into the air over Salt Lake, Pearl Harbor, Halawa, Red Hill? Perhaps it would just evaporate. Mr. Mandel of Parsons, Brinckerhoff and Hirota says we do not have smog in Honolulu.

The Preface to H-3 confines itself to a discussion of air quality in Moanalua and on Pg. 7, Para. C. claims a 1/3 reduction in carbon-monoxide from the previously calculated one-hour concentrations and a 5% reduction of the eight hour concentrations.

Dr. Anders Daniels, Dept. of Meteorology, University of Hawaii and Dr. Wilfrid Bach, Chairman, University of Hawaii Air Quality Task Force, in a paper dated November 1971, "Review of the E.I.S. of Interstate Route H-3, Emission and Pollution Study", (pre-final) "Conclusions and Recommendations", states: "The lack of understanding of the basic physical processes and the inadequate statistical treatment of the data results in many misconceptions and grave errors. The presented results and conclusions drawn therefrom must be rejected as utterly inadequate. Since the impact of H-3 on the environment must be considered of critical importance, we strongly recommend that a new study be conducted that will produce physically sound, unbiased and realistic results."

The answers to the comments by Daniels and Bach in the final E.I.S. were the usual prefunctory dismissals. Daniels and Bach were not satisfied and prepared a paper "Environmental Impact Statement on Interstate Route H-3 Related to Atmospheric Pollution (Sept. 1971) and together with a paper "Prediction of Downwind Air Pollution Concentrations from Moving Highway Traffic" send it to Washington. I submit here a copy of these papers for the record.

Much of the data in the E.I.S. submitted by G. M. Sturman et al, Parsons, Brinckerhoff, Quade and Douglas, Inc. for the State of Hawaii DOT on air pollution and H-3, is based on figures from the two stations, Kaneohe Marine Corps Air Station and the Honolulu air-

port. The author claimed there were no other adequate figures available. Both of these stations are on windswept peninsulas.

The paper "The Air We Breath...", sponsored by the School of Public Health, Pacific Urban Studies and Planning Program, University of Hawaii, compiled in December 1969 during a study of Hawaii's air pollution, says: "When the wind speed is less than 7 m.p.h. or during calms, which are 35% of the time, pollutants are slow to disperse. About 15% of the time the speed of the trades is less than 4 m.p.h. Winds from other quarters than the trades are less frequent and more variable in speed. 'Kona' winds may range from near gale to near calm. In addition to times when the trades are weak, these other winds contribute periods of gentle breezes and generally poor ventilation. During weak trades, local circulations over Honolulu may cycle air over the city."

During Kona periods of calm weather or when the trades are weak or variable, the deep valleys on Oahu trap pollutants and this is particularly true of the lee side. On the Windward side, moisture laden air is often responsible for trapping pollutants.

Oahu has one of the highest densities of cars per square mile in the nation. In the first half of 1972, there were 332,000 registered cars, 8,400 motorcycles, 7,700 trailer-type vehicles and an undetermined number of military vehicles on Oahu. This was a ratio of 274 cars per mile of street. The national average was 30 cars per mile of street. The number is still increasing and could double by 1985.

In 1971 about 657,000 tons of pollutants were emitted into the air over Oahu----69% of it from motor vehicles. Hawaii has lots of sunshine and the natural land cover is increasingly being replaced by asphalt and concrete. Masses of concrete and the consumption of energy released as heat increases temperatures both day and night. Higher temperatures speed up photo-chemical reactions among pollutants, sunlight and air. The resulting pollution is not only dangerous to humans and animals, but also to plants, including agricultural crops.

Why did the State establish a commission to study the feasibility of limiting the number of cars on Oahu while at the same time encouraging the proliferation of cars with more freeway construction? If there is an energy crisis and it continues to worsen, what will we use the freeways for?

MASS TRANSIT

In the additions to the Preface to H-3 is an undated memorandum to the Acting Federal Highway Administrator, from John E. Hirten, Assist. Secretary for Environment and Urban Systems, U. S. Department of Transportation, in which Mr. Hirten says: "...the additional highway (H-3) capacity would be so extensive that it would effect the feasibility of mass transit in the Trans-Koolau corridor for a considerable time".

In the agreement between the Federal and State DOTs that only four lanes of H-3 should be constructed at this time and that tunnels, viaduct structures and similar improvement that cannot be easily modified in the future are constructed at this time to full width to accommodate transit, the implication is that the two extra lanes will be used for mass transit and that the transit will be buses.

The DOT cannot agree that there should be an agreement between the City and the State to implement bus service on Likelike on a permanent basis at a future date. Dr. Matsuda said that H-3 was conceived and accepted as a part of a transportation system over ten years ago, while "the mass transit system has been under active study for only the last two years". The slide show the DOT has been presenting for the last two years begins with pictures of the sophisticated BART and similar fixed transit systems. The implication was that when H-3 was completed a similar system would be used. However, one of the early criticisms of H-3 was that the Halawa Interchange was not designed to accommodate ingress or egress of even buses, much less a fixed transit system.

We still do not know if we would ever have any exclusive lanes for any kind of mass transit on H-3. It would only be possible if the Federal Highway Trust Fund is busted. The E.I.S. speaks only of buses in mixed traffic until and when the demand becomes great enough to devote one or more lane to buses. This time would not arrive until it is impossible to move in individual automobiles.

Exhibit No. 1 of the Preface, "a memorandum of agreement between the State and the City, to provide the interim transit system, says: ".....augmented and facilitated bus service through the Pali and/or Likelike....<u>will be considered</u>", and ".....use of a non-peak direction lane for exclusive peak-hour express bus service <u>will be examined</u>." We do not know if there are any definite plans for reversible bus lanes on Likelike and if there are, what financial assistance, if any the City and County will receive for implementation and maintenance from the State and Federal governments. (Underlining added.)

In answer to a question regarding the planning of either exclusive bus lanes or fixed guideway rapid transit on H-3 in preference to Likelike, <u>in view of the fact that the H-3 terminus would</u> feed into Honolulu traffic several miles from the center of Honolulu, Dr. Matsuda replied: "H-3 might be more effective for a fixed guideway system when and if the center of activity of the Honolulu area moves further Ewa in the future." (Underlining added).

The business and financial interests apparently do not invision the center of activity of Honolulu moving Ewa, as witness

the proliferation of high-rise commercial and housing buildings, the new State capitol, plans for a new State office building, the new City and County building under construction, urban renewal, the recently completed malls.

In view of the fact that between 50,000 and 60,000 additional housing units are planned for Central Oahu and that 70% of the people who work at Campbell Industrial Park, live in the leeward area and the longer they work there the closer they move to it[1]; that a large new shopping center has been constructed at Pearl City, it would seem that the majority of the people who work leeward, would prefer to live leeward.

Will the people of the Windward side find themselves with a bus system on H-3 that will not suit their needs? The majority of Windward commutors go to central Honolulu or further east. Mr. John Detlie, of Daniel Mann Johnson and Mendenhall, transit consultants to the City, has publicly stated that if the population predicted for the Windward side becomes a reality, the best transportation system would be a fixed 'round the island route.

The E.I.S. and the DOT refer again and again to the Oahu Transportation Study. On pg. 8 of Vol. VI, Appendix 5 of the E.I.S. Mr. DeSimone (former Assitant Secretary for Enrionment and Urban Systems, DOT, Washington), notes that: "....the transit usage estimation procedure utilized by the Advanced Transportation Planning Office of the Hawaii State DOT is basically the same method as developed in 1966-67 for the Oahu Transportation Study, <u>which has been subjected to criticism.</u> (Underlining added).

The E.I.S. on H-3 compares the estimated transit diversion on H-3 with buses in mixed traffic----7.1% over a 24-hour period and 21.9% during the peak-hour direction in 1990---with one reversible exclusive bus lane on Likelike and concludes that the transit diversion on Likelike would be 34.3%. This figure, 34.3%, was then compared with so-called "gateway" cities on the mainland (none of which have situations comparable to the proposed trans-Ko'olau corridor) with the purpose of showing that it is difficult to divert people from cars to rapid transit.

Mr. DeSimone replied to this and said in part "....figures given for Washington, D. C. are for 1968; for Philadelphia, 1970; for Cleveland, 1963; for San Francisco, Oakland and Seattle, 1970 and for San Diego, 1971. It would be more meaningful if all the figures were more recent and if we knew how these cities would solve their transit problems if they had more funds for rapid transit. It is also interesting to note that in comparing predicted person trips by transit, peak-hour, peak-direction with an exclusive lane for bus transit, trans-Ko'olau, the predicted figure is 34.3% (on Likelike) <u>only exceeded by San Francisco without BART</u>. The systems on which the figures are based for the other cities are not given so we do not know if they were single or multiple exclusive lanes or bus transit in mixed traffic as in the case of Seattle."

1) John Holstrom, Concultant U. of H. and Frederick Trotter, Campbell Estate Trustee at the seminar "The Public Cost of Private Development", Jan. 11-12, 1970.

ALTERNATIVES

In his memorandum regarding the E.I.S., Mr. DeSimone suggested that a reevaluation should be made of a mass transit alternative, i.e. installation of a mass transit system by constructing an exclusive bus lane and perhaps an additional auto lane on Pali or Likelike Highway.

The State DOT has objected vigorously to the City and County's planned fixed rapid transit system in the recent past and also to suggestions for reverse lanes or additional lanes on Likelike Highway to accommodate permanent mass transit. Obviously a modus vivendi has been worked out to accommodate all parties concerned. The arguments that reverse lanes on Likelike would be too expensive, too dangerous, too difficult, impractical and unacceptable to the public have apparently all been resolved.

If the State really tried, what could be done with the arguments for extra lanes on Likelike? Now that reversible lanes have become acceptable perhaps we could go one step farther. The pros and cons should be put before the public before any final decision is made on H-3.

Mr. DeSimone suggested in his reply to the E.I.S. that if the exclusive bus lane system on Pali or Likelike appeared infeasible, upon further analysis, an explicit cost benefit analysis should be made of the Kalihi and or Kalihi Alternate corridors as contrasted to the proposed route.

A great deal of space in the E.I.S. was devoted to the problems and objections to reverse lanes but that problem has seemed to have evaporated.

What are the arguments aginst extra lanes on Likelike. Many of them are the same as for reverse lanes, but the following are regarding additional lanes:

1. Traffic would be severely disrupted during construction and the route would present difficult engineering and construction problems. H-3 has presented even more difficult engineering and construction problems and I surmise they have not all been worked out yet. H-3 would also severely disrupt traffic due to the widening of Likelike above and below the Kaneohe Interchange and because of construction of the Kahekili and Kaneohe Interchanges. Construction of Halekou Interchange would disrupt traffic on Kamehameha.

2. Pali and Likelike Highways cannot carry the predicted 1990 volume of traffic. The Impact Statement itself proves that transportation needs for the next 20 years could be met simply by adding two lanes to Likelike.

3. Traffic congestion close to the points of origin and inaccessibility of the highways from residential areas on peak directions are discussed at length. How H-3 would relieve traffic congestion close to points of origin is not explained nor is the need for Likelike to be any more accessible at peak direction sides. Most of the people who would use H-3 would still enter from the

present highways, Pali, Kamehameha, Likelike and Kahekili on the Windward side (the only exception would be those along part of Kaneohe Bay Drive, and if H-3 joined Kamehameha in the Halekou area, these people would have access to both Pali and Likelike).

On the lee side traffic flow is to Pali and Likelike and with the increased congestion on H-1, only those coming from Ewa of Halawa would use H-3. There is a presumption that greatly increased numbers of commutors from Ewa and central Oahu would be going to Windward----an "iffy" assumption. The Impact Statement says the character of Likelike remains essentially rural throughout its length because of limited direct access.

4. The Statement objects to the aesthetics of overhead viaducts or additional lanes on viaducts on Likelike. However, to all objections to interchanges, viaducts, cuts and fills across the face of the pali and to 100 ft. high viaducts in Haiku, the reply is that these feelings are subjective or that landscaping will soften the effect. If the effect of H-3, especially the 100 ft. high viaducts can be softened, why is the same not true of Likelike?

5. The statement says 41.9% of all trips Kailua-Kaneohe to urban Honolulu are entirely west of downtown Honolulu, but the question is, how much of the trans-Ko'olau traffic destination is to east of Halawa?

6. Comments are made on the increased traffic on H-1 if extra lanes are added to Likelike, but ignores the increased traffic that would be carried to and on H-1 for an even longer distance by H-3.

7. The E.I.S. says that with exclusive bus and additional auto lanes on Likelike, transit's share of total trans-Ko'olau person trips, peak-hours in 1990 would be higher than with any other practical scheme tested; that this plan would provide convenient transit connections to each major portion of urbanization on Windward Oahu; that on the lee side a single terminal station could transfer vertually all bus passengers to and from the rapid transit system and that an exclusive roadway for autos would probably add about 50% to existing capacity of Likelike peak-directions, peak hours.

Much of the discussion regarding the use of reverse lanes or additional lanes on Likelike is about buses and automobiles on these lanes. Cars and buses do not belong on the same lanes together if it is to be a rapid transit system. Such a situation would discourage bus ridership.

8. The authors of the Statement have gone to great lengths about increased air pollution if additional lanes are used on Likelike, while at the same time trying to prove that H-3 would not generate air pollution. Either Likelike with additional lanes or

H-3 would generate additional air pollution, but obviously buses on exclusive lanes on Likelike would generate less air pollution than four additional lanes of automobile traffic in Moanalua--- especially since the later is a much more narrow valley than Likelike.

9. The disadvantages of cutting trees and clearing dense foilage in the watershed for lanes on Likelike are discussed. The same problem, a 100-ft. wide swath through Moanalua is not considered a serious problem. Honolulu and the Windward side are supplied with 4,000,000 gal. of water a day from the Haiku-Moanalua area.

10. The E.I.S. says that to shorten the trip time for the first leg of the journey on Likelike it would be necessary to extend viaduct structures into Kaneohe in both directions on Kamehameha Highway and north along Kahekili. Eight to ten miles of viaduct construction would be necessary in Kaneohe.

What does the state propose to do with the buses it says can be used on the two reserved lanes of H-3?

11. The E.I.S. says the needed viaducts for additional lanes on Likelike would be from 30 to 50 ft. high. This is compared to 100 ft. high in Haiku. The length of an additional tunnel on Likelike would be 3,900 ft. and the width, 28 ft. The Haiku bores for H-3 would be 4,752 ft. long and 90 ft. wide and the Red Hill bores, 2,112 ft. long and 90 ft. wide.

12. The estimated cost for additional lanes on Likelike, including terminal facilities, land acquisition, buses, ramps, etc. is estimated at $105,697,000. This compares with, we are told $300,000,000 for H-3.

What is the need for H-3? Is it for the convenience of the people? Is it for development? Is it a pork-barrel project? A relatively small number of people on Oahu have any knowledge about this project that would help them decide if it is what we need or not. The people depend on the advice of the "experts". The people on the Windward side were told: "The inescapable conclusion is that mass transit is not an alternative to H-3 but is inseperable from it. There is no flexibility; the checkerboard is full. Basically, the commutors of Windward Oahu must face up to the fact that unless the H-3 is completed, there will be no rapid transit for them".

Once the backing of Windward community groups was assured for H-3, much to their chagrin they were virtually ignored and their objections to the sociological and ecological ramifications of H-3 were brushed aside. Now they are dependent on the decision-makers, starting with this commission and they can only hope that their best interests will be the paramount factor.

UNIVERSITY OF HAWAII

Hawaii Institute of Marine Biology

(For Press Release 14 March 1973) 8 March 1973

TO THE CITIZENS OF HAWAII:

Continued housing development around Kaneohe Bay under present conditions will destroy the values of the Bay that the people presently cherish.

Kaneohe Bay is a priceless and unique asset to the people of Hawaii, a part of our heritage. The decision of the citizens for its safeguard was expressed over the years at the hearings and in the rulings on the water quality of the Bay.

We, the senior investigators at the Hawaii Institute of Marine Biology, now warn of further deterioration of the waters and the life of the Bay. Our scientific studies upon the Bay have confirmed that which is apparent to any observer: the last decade has changed the water from clean and clear to turbid, the coral and the associated life from lush to dead and dying.

This change has been primarily caused by increased sewage discharge and siltation, the result of increased urbanization of the land surrounding the Bay. The City and County Division of Sewers reports a three-fold increase in discharge from their Kaneohe plant in the last nine years. The flow is now over 3 million gallons a day. No comprehensive figures on siltation are available, but the heavy discharge of mud during rain storms is obvious. The killing effects of silt upon corals has been reported by biologists for over a century.

According to the compilations of the Hawaii Environmental Simulation Laboratory of the University of Hawaii, the population within the Kaneohe Bay watershed increased from 27,913 in 1960 to 46,299 in the 1970 census. The City and County Planning Department has records of 10,700 projected housing units that developers hope to erect within the watershed. This number was compiled from actual requests or plans submitted to them; more plans are being laid for which no papers have been submitted. Of the 10,700 units, 8,200 are still in the process of obtaining changes in zoning or in the master plan. If all recorded units are approved, they will constitute a doubling of the number of the 1970 units and a doubling of the 1970 population in the watershed.

We recognize that not all of the housing is scheduled for completion in the next decade, but the housing crisis will accelerate the building. We recognize that plans call for the discharge of the Kaneohe sewage outside of the narrow confines of the Bay, but, according to the Chief Engineer of the City and County, this diversion

Coconut Island · P. O. Box 1067 · Kaneohe, Hawaii 96744 / Cable Address: UNIHAW

which was originally scheduled for completion in August, 1975 now will be delayed at least until 1977-1978. Finally, we recognize that Honolulu has a new grading ordinance, but its effectiveness and enforcement have not yet been tested.

The ever-accelerating rate of dumping of sewage and silt into the waters of the Bay will further disrupt its ecological system. In Pearl Harbor today all of the waters are unfit for water-contact sports, the fish and shellfish are unsafe to eat, and blooms of "red tide" and fish kills have coincided. Already we have seen some parallel developments in parts of Kaneohe Bay. We cannot predict exactly at which subdivision, or during which year, such crises will afflict large portions of Kaneohe Bay, but we know that the capacity of the waters to accept pollutants has already been exceeded. The projected massive increases of sewage and silt seriously threaten impending ecological disaster.

As marine biologists, it is not our role to comment on other aspects of the housing explosion for we are not experts in transportation or in related socio-economic problems. As citizens we recognize the impelling need of low cost housing on Oahu. However, we question the effectiveness of some of the planned Kaneohe subdivisions in alleviating the problem.

The problems of the land are the problems of the water; therefore, as marine biologists working in Kaneohe Bay, we ask the people of Hawaii: Do we wish to imperil the waters of Kaneohe Bay, Hawaii's largest body of enclosed water, with the immediate and headlong development of subdivisions without adequate safeguards for the Bay? The alternative would be to slow or even stop developments until we can be assured that public facilities and regulations will protect the waters of the Bay for us, the people of Hawaii, and for our children.

Signed:

Wayne J. Baldwin, Assistant Marine Biologist

Albert H. Banner, Professor of Zoology

John E. Bardach, Director, Hawaii Institute of Marine Biology

John Caperon, Associate Professor of Oceanography

S. Alan Cattell, Assistant Professor of Oceanography

Thomas A. Clarke, Assistant Professor of Oceanography

Keith E. Chave, Chairman and Professor of Oceanography

Richard W. Grigg, Assistant Professor of Oceanography

Philip Helfrich, Associate Director, Hawaii Institute of Marine Biology

E. Alison Kay, Chairman and Professor of Biology

Robert A. Kinzie III, Assistant Professor of Zoology

John M. Miller, Assistant Professor of Oceanography

Garth I. Murphy, Professor of Oceanography

Sidney L. Townsley, Professor of Zoology

S. Arthur Reed, Associate Professor of Zoology

Ernst S. Reese, Professor of Zoology

For additional information, contact Dr. A. H. Banner, 247-6631 or 948-8619.

Distribution List:

Governor John E. Burns
Mayor Frank F. Fasi

Senator Hiram L. Fong
Senator Daniel K. Inouye
Representative Spark Y. Matsunaga
Representative Patsy T. Mink

State Senator D. G. Anderson
State Senator John J. Hulten
State Senator George Mills
Senate Committee on Ecology, Environment and Recreation,
Senator Kenneth F. Brown, Chairman
State Representative Peter Aduja
State Representative Ralph K. Ajifu
State Representative Richard H. Wasai
House Committee on Environmental Protection, Representative
Jean S. King, Chairman

City Council Chairman George Koga
Councilman Toraki Matsumoto
Councilwoman Mary George

Director, U. S. Environmental Protection Agency
Commanding Officer, Kaneohe Marine Corps Air Station
Chairman, Hawaii State Department of Health
Chairman, Hawaii State Department of Land and Natural Resources
Chairman, Hawaii State Environmental Council
Director, Hawaii State Office Environmental Quality Control
Chairman, The Governor's Task Force on Kaneohe Bay
Dean of Marine Programs, University of Hawaii
Director, Environmental Center, University of Hawaii
Director, Water Resources Research Center, University of Hawaii
Principal Investigator, Hawaii Environmental Simulation Laboratory,
University of Hawaii

City and County Director of Building
City and County Director of Planning
City and County Director of Public Works
City and County Chief of Sewers Division

Editor George Chaplin, Honolulu Advertiser
Editor Bud Smyser, Honolulu Star-Bulletin
Editor, Windward Sun Press

President, American Association of University Women
Chairman, Citizens for Hawaii
President, Congress of Hawaiian People
President, Conservation Council for Hawaii
President, Hawaii League of Conservation Voters
President, League of Women Voters
President, Life of the Land
President, Save Our Surf
Executive Secretary, Hui Koolau
President, Hui Malama Aina O Koolau
Chairman, Kaneohe Bay in Crisis
Chairman, Kaneohe Community Council
President, Kaneohe Outdoor Circle
Executive Director, Windward Regional Council

ENVIRONMENTAL IMPACT STATEMENT ON INTERSTATE ROUTE H-3

RELATED TO ATMOSPHERIC POLLUTION

Prepared by

Anders Daniels, Ph.D. and Wilfrid Bach, Ph.D.
University of Hawaii
Honolulu, Hawaii

September 1972

An air pollution impact statement for Interstate Route H-3 was prepared by G. M. Sturman et al., Parsons, Brinckerhoff, Quade & Douglas, Inc., for the State of Hawaii, Department of Transportation. Their analysis is based solely on the Sutton diffusion equation, which they modified for a moving source. The validity of their conclusions must therefore be judged on the correctness of this modification.

In order to modify the Sutton expression which holds for stationary sources, the consultants transformed the expression to a coordinate system moving with the individual car. However, in making a coordinate transformation of an equation or expression, one must make sure that none of the inherent assumptions are violated. Such an investigation of the underlying assumptions was not performed by the consultants. Therefore, their modification is incorrect, as shown in the following analysis:

For stationary point sources, the standard deviations σ_y, σ_z for the plume spread are evaluated at the distance x between source and receptor. One of the underlying assumptions in the Sutton expression for a stationary point source is that the distance x is equal to $\bar{u}t$, where t is the travel time of the particle between source and receptor, and $\bar{u}$ is the mean wind speed. This assumption is, however, violated in a moving coordinate system, since the distance between the car and the receptor has changed by the time the pollutant reaches the receptor. Therefore, the standard deviations σ_y, σ_z should not be evaluated at the distance x between the car and the receptor, but rather at $x/|v/u-1|$ (see figure 2 in the paper by A. Daniels and W. Bach).

In the accompanying paper the proper diffusion expression for a moving source is developed. It is used to predict the proper estimates of 1-hour

CO-concentrations for the H-3 section in the Moanalua Valley. In contrast to the consultants, we are furthermore using:

1. the empirically determined standard deviations rather than those that are theoretically obtained. Our approach is the one in general use in the U.S.A.;
2. wind analysis based on nocturnal gravitational drainage flow as opposed to the consultants' use of some average wind speeds recorded over a flat plain far away from the valley;
3. an initial mixing due to car turbulence corresponding to a travel distance of 50 m;
4. an accepted expression for the surface reflection of pollutants;
5. emission rates and car density projections for 1975/76 instead of 1962 emission rates and 1993 car densities, as has been done by the consultants;
6. Realistically measured 1-hour values for the standard deviations, instead of instantaneous values multiplied by a fictitious factor of 10.

Conclusions

In conclusion the two cardinal questions, 1) whether the State of Hawaii's prediction of air pollutant levels from Interstate H-3 are accurate and thus valid, and 2) whether the State of Hawaii and the Federal primary and secondary ambient air quality standards will be exceeded or not, must be answered as follows:

1. By violating the inherent assumptions in the Sutton expression when modifying it for a moving coordinate system, the State evaluated the spread of the exhausts for the wrong distances. In doing so, it considerably underestimated the pollutant concentrations to be expected. Since the sole equation used has been incorrectly applied, also all

conclusions drawn from its calculations relating to the ambient air quality standards are invalid.

2. The correct application of the diffusion expression for a moving source has been demonstrated in the accompanying paper. Regarding the Hawaii and the Federal ambient air quality standards for 1-hour CO-concentrations of 10 mg/m^3 and 40 mg/m^3, respectively, the correct results in Figures 4A-F show that:

   a. in 1975, when these standards will go into effect, at a distance of 600 ft downwind of H-3 (i.e., section I, Figure 1), the CO-levels in Moanalua Valley will exceed the Hawaii standard more than 7 times on the valley floor, and more than 11 times on the valley slopes. The Federal standard will be exceeded between 2 - 3 times;

   b. at cross-sections 2 and 3 (Figures 4B and C, i.e., 3400 ft to 5400 ft away from the H-3, the Hawaii air quality standards are still exceeded across the valley. One has indeed to get away more than 7000 ft from the proposed highway, before the CO-levels decrease below the Hawaii standards. These calculations can be applied to most other narrow valleys on the island.

   c. most of the densely built-up Moanalua Valley will thus be subjected to air pollutant levels that are above State and Federal air quality standards.

Prediction of Downwind Air Pollution Concentrations from Moving Highway Traffic *

by

Anders Daniels and Wilfrid Bach
University of Hawaii
Honolulu, Hawaii 96822

submitted for publication
to the

Journal of the Air Pollution Control Association

B-2

September 1972

*Contribution number 72-13 of the Department of Meteorology, University of Hawaii.

Prediction of Downwind Air Pollution Concentrations

from Moving Highway Traffic

by

Anders Daniels and Wilfrid Bach

ABSTRACT

Many environmental impact statements must deal with air pollution predictions from moving traffic. For this purpose the common Gaussian diffusion model has been modified, replacing the wind speed u by $|u-v|$, where v is the vehicle speed, and evaluating the standard deviations σ_y, σ_z at the downwind distance x, divided by $|v/u-1|$. These modifications will produce a much narrower plume trail from moving than from stationary sources. Example predictions for CO-concentrations for a proposed highway are presented.

Prediction of Downwind Air Pollution Concentrations from Moving Highway Traffic

by

Anders Daniels and Wilfrid Bach

The National Environmental Policy Act requires an environmental impact statement for federal projects, such as the construction of new highways. In contrast to conventional air quality modeling, where one deals with stationary point or line sources, moving highway traffic requires special modifications of the diffusion equation. These modifications are presented and applied for a proposed highway project as shown in Figure 1.

Diffusion Expression for a Moving Source

Consider Figure 2 showing an areal view of an automobile plume at time T when the car is at point B. At the time T-Δ t the car was at point C, where it emitted exhausts which reached point A at time T. The solid lines in Figure 2 show the extent of the plume at time T, and the expansion trajectory for the exhausts emitted at point C is shown by the dotted lines. Since the plume at time T looks like that from a continuous point source, we conveniently use the continuous point source approach with the appropriate modifications.

The concentration at any downwind point A from the car can be written as the product of three independent probability functions and the total amount emitted between the origin B and the point under consideration. Assuming a uniform downwind probability density function and normal distributions in the crosswind and vertical directions, then

$$f(x) = \frac{1}{x}$$

$$\text{and } f(y) = \frac{1}{\sqrt{2\pi}\ \sigma_y} \exp - \frac{y^2}{2\sigma_y^2}$$

$$\text{and } f(z) = \frac{1}{\sqrt{2\pi}\ \sigma_z} \exp - \frac{z^2}{2\sigma_z^2}$$

The total amount of pollution emitted by a car going from point C to B is $Qv\Delta t$, where Q is the emission per vehicle distance. Thus, we can write for the concentration at point A:

$$\chi(x,y,x) = \frac{Qv\Delta t}{2\pi x\sigma_y\sigma_z} \exp -\left(\frac{y^2}{2\sigma_y^2} + \frac{z^2}{2\sigma_z^2}\right) \tag{1}$$

From Fig. 2 it follows that $x = (u + v)\Delta t$. The standard deviations must, of course, be evaluated for the distance the exhausts have actually travelled, i.e., from point C to A = $u\Delta t$ and not for the whole distance x, as would be appropriate for a fixed point source. Fig. 2 shows also that the distance from C to A = $u\Delta t = x/(v/u + 1)$. Rewriting equation (1) we get

$$\chi(x,y,z) = \frac{Qv \exp -\left(\frac{y^2}{2\sigma_y^2} + \frac{z^2}{2\sigma_z^2}\right)}{2\pi(u + v)\sigma_y(x / (v/u + 1))\sigma_z(x / (v/u + 1))} \tag{2}$$

For illustrative purposes above, u and v were defined as positive in opposite directions. With u and v defined positive in the same direction the above expression becomes:

$$\chi(x,y,z) = \frac{Q|v| \exp -\left(\frac{y^2}{2\sigma_y^2} + \frac{z^2}{2\sigma_z^2}\right)}{2\pi\ |u - v|\ \sigma_y(x/|v/u - 1|)\ \sigma_z\ (x/|v/u - 1|)} \tag{3}$$

For a continuously moving line of vehicles, such as on a highway, expression (3) becomes

$$\chi(x,y,z) = \sum_{i=1}^{N} \frac{Q|v| \exp -\left(\frac{y^2}{2\sigma_y^2} + \frac{z^2}{2\sigma_z^2}\right)}{2\pi|u - v|\ \sigma_y(x_i/|v/u - 1|)\ \sigma_z(x_i/|v/u - 1|)} \qquad (4)$$

where $x_i = xD + (i - 1)$ HEW; and N is the number of cars upwind on the highway; and xD is the distance between the projection of the receptor point on the extension of the highway and the closest car; and where HEW = v/cars per hour is the distance between two consecutive cars.

The concentrations at the receptor point will vary periodically in time, which depends on the distance between B and the closest car (Fig. 3). These pollution variations are, however, small enough to be neglected for reasonable car densities.

In the actual calculations one should also multiply the concentrations by a surface reflection factor. In our calculations we used $(1 + \alpha)$ where $\alpha = 1/u$ for wind speeds < 7 m sec^{-1}, and $\alpha = 1$ for wind speeds > 7 m sec^{-1}, which implies perfect reflection (Csanady.)[1]

Predicted Concentrations for a Proposed Highway Project

The theory presented above was applied to predict the CO-concentration from a proposed highway along the Moanalua Valley across the island of Oahu, Hawaii. Fig. 1 shows the topography of the highway section studied and the coordinate system with cross sections for which the calculations were performed. The tunnel entrances were treated as fixed point sources assuming no accumulation of pollutants inside the tunnels. The tunnel

portals were 50 ft above the valley floor. The 1975 emission rates were used (McGraw and Duprey)[2] together with the 1976 projected traffic densities and speeds for the morning rush hour as shown below (State of Hawaii):[3]

	Traffic	
	Honolulu-bound	Kaneohe-bound
cars per hour	2,663	470
speed (mph)	10	50
headway (m)	18	513
emission rate (g/mile)	126	31.5
tunnel emission (mg/sec)	18,535	818

Valley wind studies have shown that a nighttime down-valley drainage wind of 2 to 6 m/sec can be expected (Davidson and Rao).[4] Since annual 1-hour maximum concentrations had to be predicted, a 1 m/sec wind speed was considered to be appropriate for the calculations. Measurements have shown that in the valley under investigation intense morning-hour inversions develop more often than not (Taylor and Daniels).[5] Stable conditions were therefore assumed for the calculation of the standard deviations of σ_y, σ_z (Smith).[6] To account for the initial mixing caused by the turbulence from the moving vehicles an additional 50 m was added to the downwind distance, x . Air pollution for cars travelling on highway sections not perpendicular to the wind direction, was neglected because in this case there is no accumulative effect.

Figures 4A - C show the crosswind profiles of the predicted annual maximum 1-hour CO-concentrations for different downwind distances. It is of particular interest to note that the plume expansion from the moving source is much less than that from the stationary point source (tunnel). Over an

approximate downwind distance of 800 m the centerline concentration of the moving source has only decreased by a factor of 3.5, whereas that from the stationary point source shows a tenfold decrease, as one would expect from the theory.

Primary and secondary federal air quality standards of 40 mg/m^3 for carbon monoxide are predicted to be exceeded at the first cross section (Fig. 4A). The State of Hawaii standards of 10 mg/m^3 are predicted to be exceeded up to 2km downwind of the highway within the built-up portion of Moanalua Valley (Figs. 1 and 4C).

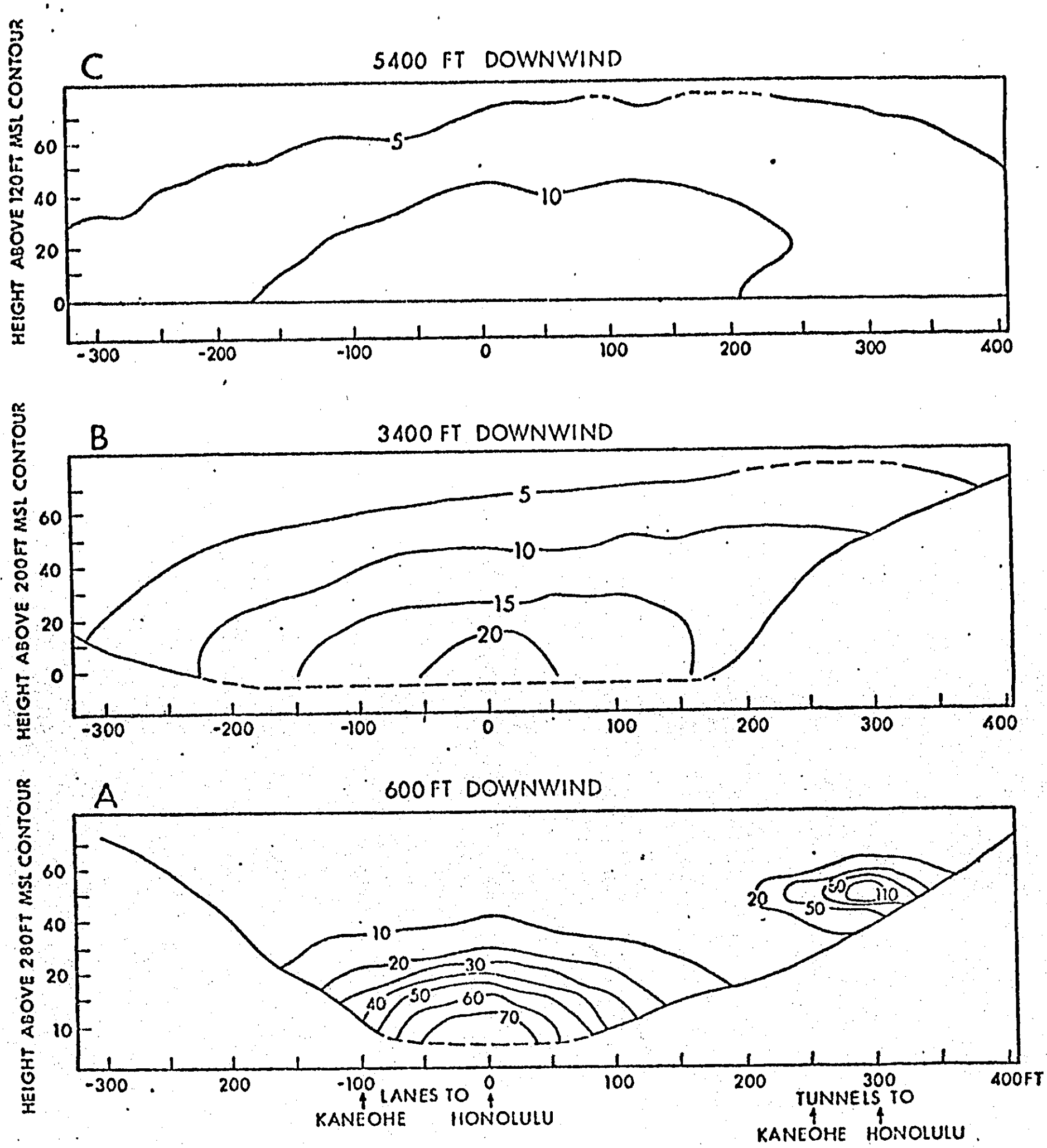
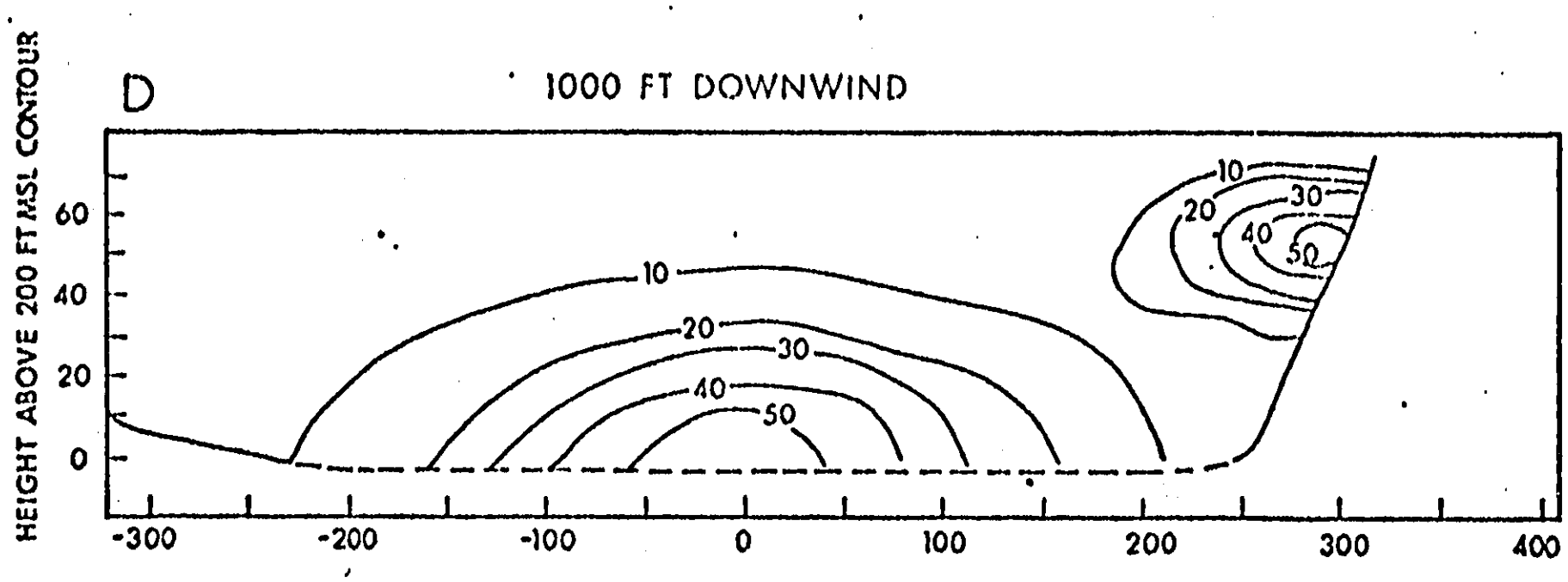
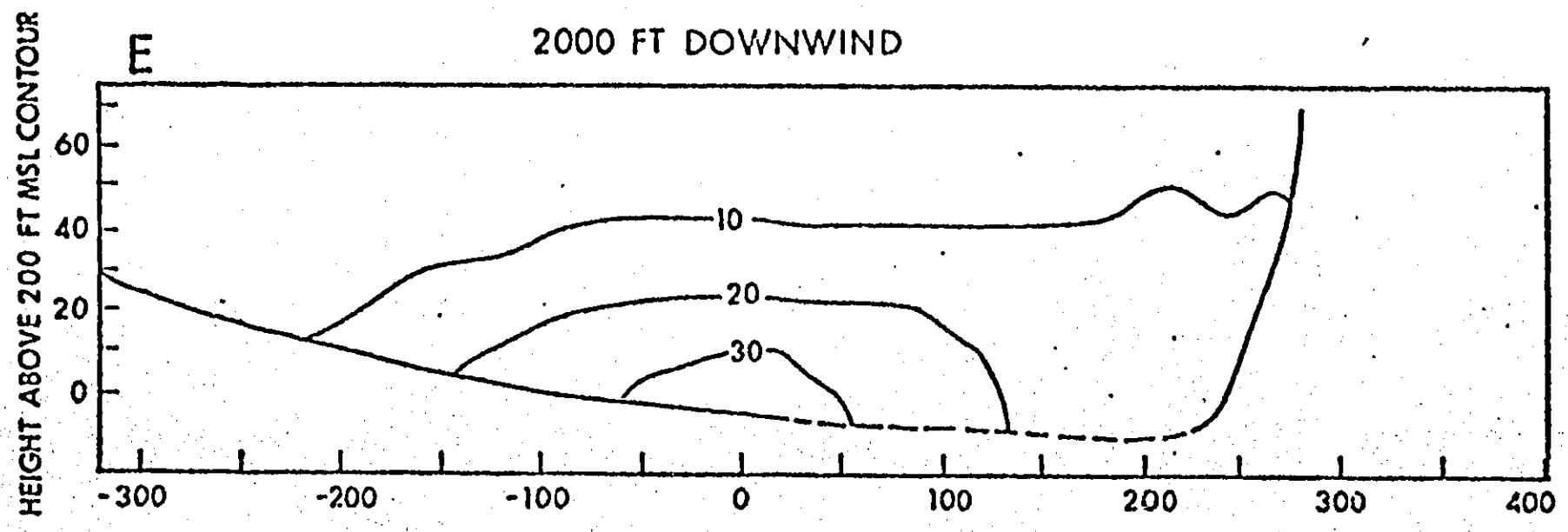


Fig. 4A-C One hour CO- predictions (mg/m^3) for Monalua Valley at sections 1-3 for a wind speed of 1 m/sec and for 1975/76 CO-emission rates and car densities.





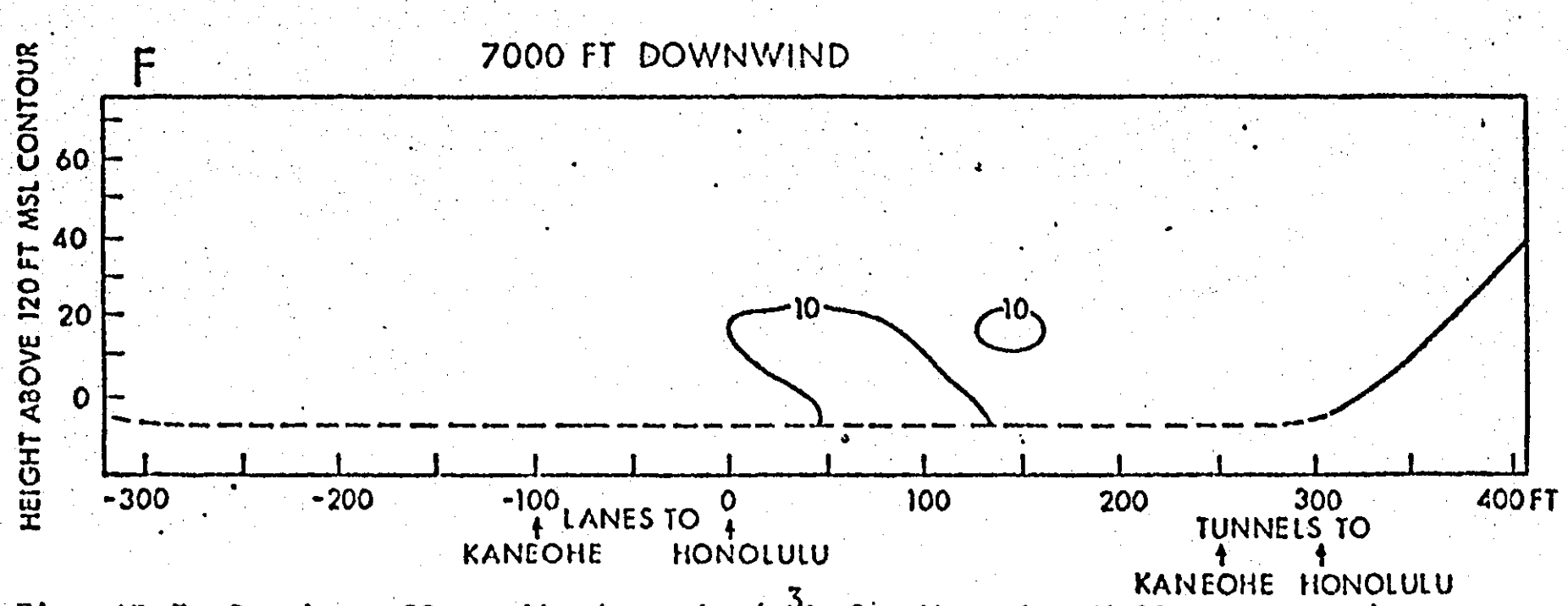


Fig. 4D-F One-hour CO-predictions (mg/m^3) for Moanalua Valley at sections 1,000, 2,000, and 7,000 ft downwind for a wind speed of 1 m/sec and for 1975/76 CO-emission rates and car densities.

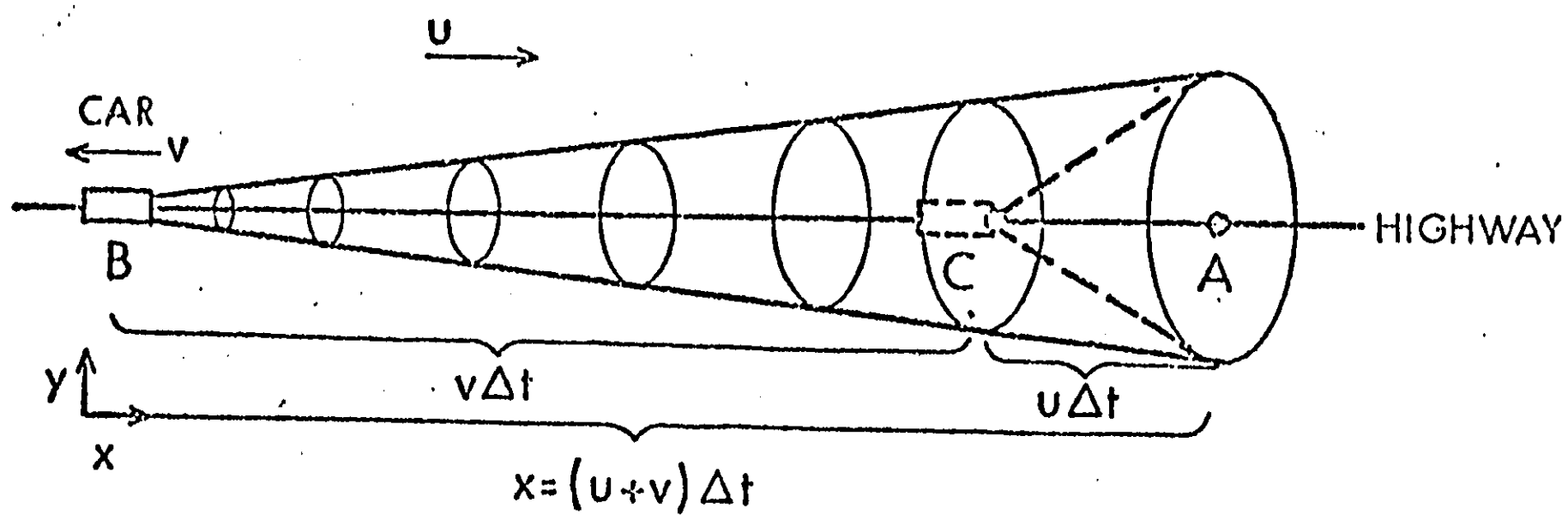


Fig. 2 Areal view of an automobile plume of time T.

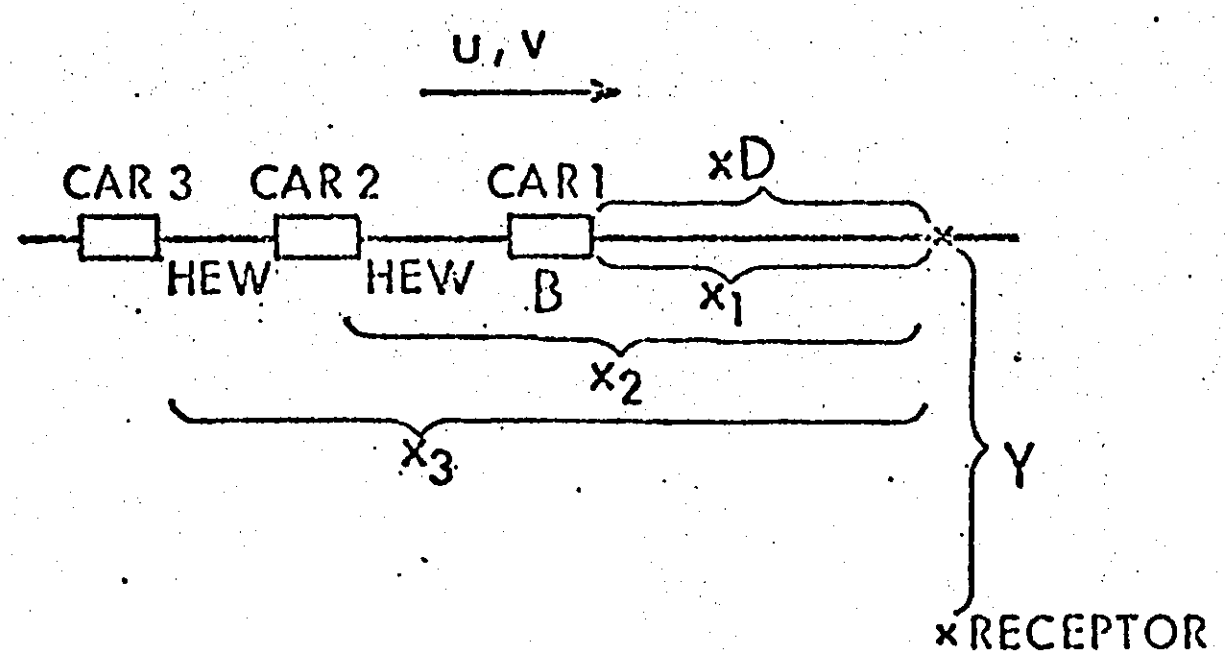


Fig. 3 Geometry for a continuously moving line of vehicles.

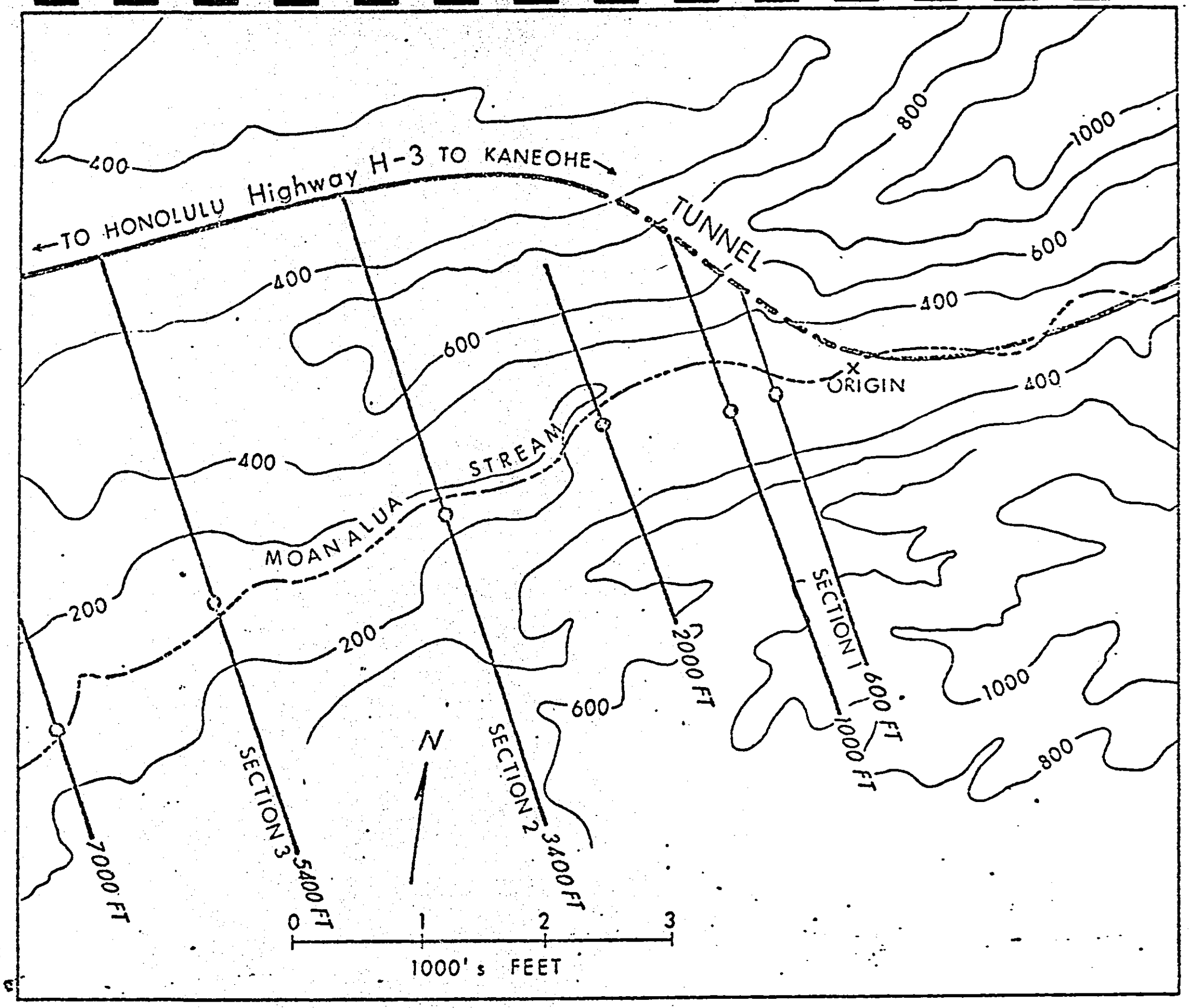


Fig. 1 Topographic map of highway and tunnel in valley and cross sections for diffusion calculations.

Statement of Miss Gertrude A. Humphries, Interested Citizen

ATTACHMENT #17

12980RP-1

Public hearing by Planning Commission June 20 and 21, 1973

Re: General Plan amendments concerning
Interstate Highway System

This is simply to say I agree with those who think there needs to be more of an understanding by everyone as to what the proposed routes are and what their various effects would be. It is not clear from the presentation last evening (June 20) based on colored maps.

I feel that people who live in Hawaii have a responsibility to preserve the qualities that have made it beloved and world-famous as a place, and that this responsibility is worth sacrifices in convenience, comfort, and economic advantages.

Gertrude Humphries

One proposal I am against is H-3.

Testimony submitted by Sandra Braun, Public Affairs Chairman of The Lani-Kailua Outdoor Circle

ATTACHMENT #18

1298QRP-1

TESTIMONY: AMENDMENT OF THE GENERAL PLAN FOR THE H-3 HIGHWAY ALIGNMENTS

SUBMITTED BY: The Lani-Kailua Outdoor Circle, Sandra Braun, Public Affairs Chairman

The Lani-Kailua Outdoor Circle, through participation in public consideration of the H-3 Defense Highway alignments, wishes to express its opposition to the construction of the H-3 Highway. The visual desecration to the windward side of the Koolau Mountains by this highway under question would be irreparable.

We are on record as urging the full consideration of alternatives to this highway which would serve the people of this island and would not further destroy its natural beauty.

Testimony of Mr. Christopher Barthel, Interested Citizen

ATTACHMENT #19

80RP-1

June 20, 1973

TESTIMONY REGARDING GENERAL PLAN AMENDMENT

FOR INTERSTATE H-3

Members of the Planning Commission,

My name is Christopher Barthel and I wish strongly to express my protest concerning the proposed plans for H-3. My protest stems from my belief that we are focusing much too much on concrete, cars, and economics in our planning and far too little on people and the changing needs of our society. I say this first as a private citizen and secondly as an individual who works within our criminal justice system.

I have lived in Hawaii for twelve years and I own a home in Kaneohe on Kaneohe Bay Drive and am very close to the Mokapu segment of H-3. After having lived in Honolulu, I returned to the Windward side three years ago, primarily for the peace and quiet of country life. During the first year of living in my home, peace and quiet seldom existed what with heavy machinery and regular blasting. In fact the blasting opened up cracks in the brick walls of my home. Obviously, such highway construction has not been aimed at my needs. Such noise and blasting damage would undoubtedly be detrimental to numerous citizens residing along the entire H-3 system even prior to its completion.

If it should ever open, its use will add even greater dangers of noise and other environmental hazards to residents of the Windward side. Surely other alternatives must be available that will meet the needs of the people of Hawaii more effectively.

My most serious protest arises from my role as a social scientist--as a clinical psychologist assigned to Hawaii's Family Court system. From working with delinquent youth, school dropouts, drug abusers, and troubled people of many backgrounds, I have found that much of criminal behavior and other social problems are only symptoms of more basic social ills -- of alienation, of dehumanization, of unadequate social planning. The advent of H-3 as currently planned, will undoubtedly bring upheaval: Urbanization, high property costs and taxes, displacement of rural and low-income citizens. Alienation, bitterness, and loss of dignity can only result if adequate social planning does not occur. Crime will increase and our youth will become even more angry and lost. This is already happening along our Windward coast. H-3 will only intensify this trend. Surely there must be alternatives that will meet the needs of the people of Hawaii more effectively.

In conclusion, I think that it is imperative that our planners--all of us--put our people first and place money, concrete, and power, much farther down the ladder.

Christopher E. Barthel III

CHRISTOPHER E. BARTHEL, III, Ph. D.

Testimony submitted by Mrs. Ashby J. Fristoe, President, Kaneohe Outdoor Circle

ATTACHMENT #20

980RP-1

Submitted for record, no one to testify

Kaneohe Outdoor Circle
P.O. BOX 32 • KANEOHE, OAHU

June 20, 1973

Reverend Eugene B. Connell, Jr. Chairman
Planning Commission
Planning Department
City and County of Honolulu
629 Pohukaina Street
Honolulu, Hawaii 96813

SUBJECT: General Plan Amendment, H-3 Alignments

Dear Reverend Connell:

The Kaneohe Outdoor Circle appreciates this opportunity to submit testimony on the General Plan Amendment, H-3 Alignments.

We can best present the position of the Kaneohe Outdoor Circle by giving you some earlier concerns of our organization.

Enclosed is copy of statement made by the Kaneohe Outdoor Circle, February 7, 1972 presented to House of Representatives' Committee on Transportation. Quoting directly from this statement on the visual impact of H-3 on Windward Oahu:

H-3 Visual Impact Negative

The Kaneohe Outdoor Circle believes that the Ko'olau Mountain Range is unique. Visitors from the Mainland and other parts of the world marvel at the sight of the deeply grooved, almost perpendicular sides of these rocky slopes and the waterfalls that flow after heavy rains down the gorges. If the Windward segment of the H-3 as presently planned should be completed, the famed Nuuanu Pali view with the panorama of open space lands including the banana and dairy farms will be marred irrevocably by the six lanes of concrete divided highway, the double and triple decked interchanges, and the viaducts leading to the tunnel portals defacing the mountain sides above Haiku Valley. It is impossible to estimate the cost to replace what has taken Mother Nature thousands of years to create through volcanic action, wind, and rain storms.

H-3 Wasteful of Precious Land

Our "Island Paradise" does not have a limitless resource of land as do many Mainland States. Yet, here on Oahu we have built highways as if we would never run out of land. In the opinion of the Kaneohe Outdoor Circle, the H-3 highway is out of proportion in its size to the needs of Windward Oahu that already has two major highways. Approximately 18.2 acres of land is needed for every mile of the H-3 that is built. Therefore, the 2.7 mile Windward segment would use up nearly 50 acres for the road lanes and nearly 200 acres for access roads and interchanges or in other words over 250 acres of our precious land would be covered with impermeable material.

Another major concern is that any construction that disturbs the existing ground cover and increases the impermeable area in the watershed, will increase soil erosion. This process leads to increased silt loads being deposited in Kaneohe Bay and a general degradation of this aquatic environment that is presently being seriously stressed.

In conclusion no matter what alignment is chosen these impacts are still going to be imposed upon this most spectacularly beautiful Ko'olau Mountain Range. There still remains the need for concerted efforts to explore alternate means of a public transportation system on existing highways to serve the Windward communities' needs.

Sincerely,

Susan L. Fristoe

Mrs. Ashby J. Fristoe,
President

SF:aa

STATEMENT OF THE KANEOHE OUTDOOR CIRCLE

H-3 VISUAL IMPACT NEGATIVE

The Kaneohe Outdoor Circle believes that the Ko'olau Mountain Range is unique. Visitors from the Mainland and other parts of the world marvel at the sight of the deeply grooved, almost perpendicular sides of these rocky slopes and the waterfalls that flow after heavy rains down the gorges. If the Windward segment of the H-3 as presently planned should be completed, the famed Nuuanu Pali view with the panorama of open space lands including the banana and dairy farms will be marred irrevocably by the six lanes of concrete divided highway, the double and triple decked interchanges, and the viaducts leading to the tunnel portals defacing the mountain sides above Haiku Valley. It is impossible to estimate the cost to replace what has taken Mother Nature thousands of years to create through volcanic action, wind, and rain storms.

H-3 WASTEFUL OF PRECIOUS LAND

Our "Island Paradise" does not have a limitless resource of land as do many Mainland States. Yet, here on Oahu we have built highways as if we would never run out of land. In the opinion of the Kaneohe Outdoor Circle, the H-3 highway is out of proportion in its size to the needs of Windward Oahu that already has two major highways. Approximately 18.2 acres of land is needed for every mile of the H-3 that is built. Therefore, the 2.7 mile Windward segment would use up nearly 50 acres for the road lanes and nearly 200 acres for access roads and interchanges or in other words over 250 acres of our precious land would be covered with impermeable material.

H-3 IMPACT ON KANEOHE BAY'S POLLUTION PROBLEM FROM SILTATION

The still beautiful, but much endangered Kaneohe Bay is surrounded by the Ko'olau Range, whose sheer fluted cliffs rise 1,700 - 1,800 feet, within one or two miles as the crow flies, from the Bay's shoreline. Thus, the Bay is the unfortunate reception center of the surface water run-off by way of the streams that feed into the Bay from the very top of the mountains. Marine biologists tell us that fresh water, which is lighter than salt water, floating on top of the Bay, smothers the marine life beneath the surface.

Dr. Robert E. Johannes, an oceanographer who is an authority on reef ecology and has been interested in Kaneohe Bay research through the Hawaii Institute of Marine Biology at Coconut Island since 1963, stated at the Hawaii's Shoreline in Crisis Conference in December, 1971: "So much soil erosion has occurred (due in great part to housing developments) that the Bay is about six feet shallower

than it was in 1929." Reports from the Kaneohe Bay Task Force's Erosion Control Committee headed by William J. Matthews and the Water Quality Committee chaired by Peter Nottage have agreed that surface water runoff carried down streams, driveways, drainage ditches, etc., from housing and highway construction pose the most severe threat to the quality of the Bay's waters. Heavy silt deposits in the Bay's southern portion have killed off the coral, clam and oyster beds even before the segment of the H-3 at the Marine Corps Air Station was begun. Abatement by means of settling basins succeeds in dealing only with water carried particles of relatively large size -- but is ineffective in preventing most of the finer, flocculant material from reaching the Bay. According to United States Geological Service reports, the major portion of Kaneohe Stream sediment loads may fall in this latter category -- too fine for settling basin treatment.

The examples of the environmental protection measures for the prevention of silt run off at the Halawa and Kaneohe Marine Corps Air Station segments of the H-3 have not proven entirely successful when the first heavy rains of this season were received. We ask what will happen when the highway builders start crisscrossing streams above Keapuka with heavy equipment and installing the concrete pilings before the flood control project on Kamo'oali'i Stream is begun? (The money for that flood control project has not yet been appropriated by Congress.) If Congress does appropriate funds for the construction of the dam and the two projects -- H-3 and the reservoir -- were to be constructed in the same time frame, the overall impact of sediment generated during the extensive construction period would be especially severe. On the other hand, if the reservoir is <u>not</u> built, the Highway will be crossing five or six streams or branches of streams, where no provision has been made for control of the siltation problem -- according to the "Pre-final Impact Statement." There is already more bare land subject to run-off and erosion in the Kaneohe Watershed Area than there ever has been in history due to the intensified "building boom," and the predictions for the coming years are for many more housing subdivisions to satisfy the demand.

<u>FINAL RECOMMENDATION</u>

The Kaneohe Outdoor Circle recommends that further urban development in the Kaneohe Bay Watershed Area and in many other parts of our Windward Coast be halted until an adequate Environmental Control Plan has been adopted.

Susan F. Fristoe

Mrs. Ashby J. Fristoe, President
Kaneohe Outdoor Circle

Iris L. Fleming

Mrs. B. R. Fleming Public Affairs

SUPPORT TESTIMONY

Letter from Mr. Donald A. Bremner, President, Kailua Community Council, and Memo dated May 30, 1973, attached

ATTACHMENT #21

12980RPH

May 30, 1973

Enclosed please find a memo which supports the position of the Kailua Community Council in favoring the expeditious but tasteful completion of the H-3 Freeway.

The analysis is of the original Environmental Impact Statement, but we believe it is still valid and forward it for your information as this issue begins to surface again.

The Kailua Community Council is a civic organization consisting of the various neighborhood association, civic groups (i.e. Chamber of Commerce, Rotary, BPW, AAUW, local Outdoor Circle, Hawaiian Civic Club) and other community oriented organizations (i.e. church coalitions, recreation advocates) etc.

Very truly yours,

DAB/bg

Enclosure

Donald A. Bremner
President

RECEIVED
'73 JUN 21 AM 11:16
PLANNING DEPARTMENT
CITY AND COUNTY
OF HONOLULU

MEMO

To: Board of Directors
Kailua Community Council

From: D. A. Bremner, Chairman
Planning Committee

Re: The H-3 Matter

I. Abstract of Environmental Impact Statement.

Studies for H-3 route began in 1960. Five (5) alternate corridors were studied. They were: North Halawa - Moanalua - Kalihi (Likelike) - Nuuanu (Pali) - Manoa.

Public hearings began January 1965. State favored Kalihi but this was opposed by others.

Preponderance of statements at public hearing favored Moanalua Corridor, including Chamber of Commerce and the Oahu Development Conference. The ODC said, "The ODC believes that the State has a rare opportunity to design and construct through Moanalua Valley a scenic freeway that could be one of the most dramatic in the nation."

The Central Labor Council also favored the Moanalua Valley route.

The Outdoor Circle, while refraining from starting a preference for any corridor, said that "A great scenie highway through a practically virgin area can be created."

A petition (242 names) supported the Moanalua Valley route.

State proposed Halawa corridor which starts in Halawa Valley, north to Red Hill Naval Reservation, then through Red Hill to Moanalua Valley.

A total of 5 public hearings were available for discussion of this project since January, 1965. Halawa corridor satisfied majority of interests and was therefore adopted by the State.

Environmental impact discussed in sections:

a. Halawa Interchange to Red Hill Tunnel:

Unpopulated area - minimum of vegetation - no significant wildlife - contains such facilities as Red Hill Naval Reservation - Halawa Jail - Animal quarantine - stone quarry and sod nursery.

b. Red Hill Tunnel:

Underground - exhaust emission vented to prevailing winds through structure at south Halawa Valley portal.

c. Moanalua Valley - Red Hill to Koolaus:

Only facilities in valley now are power transmission lines and supporting towers. Valley is not open to public and virtually impenetrable. Damon Trustees notified of road route - combined with State and Federal government to finance archaeological survey of Valley. Study conducted by Bishop Museum identified 57 sites. Of these, 50 appear to be prehistoric; 21 are possible agricultural terraces; 12 may be house platform remains; 2 are petroglyphs; 1 is possible ceremonial site; 6 are mounds and the others are undetermined.in nature. Museum recommends preserving petroglyphs by removing them. Other sites were found to be not unique or exceptional and without archaeological significance.

Trustees also conducted a vegetation study. During 1970 and 1971, consultants recommended that Moanalua Valley be redeveloped into a botanical garden. Damon Trustees indicated their intention to pursue such a project. They met with State to coordinate redevelopment of the Valley with H-3. State agreed to include (1) entrances and exits to scenic parking areas along Valley routes leading to paths for viewing flora and archaeological sites of interest; (2) pedestrian walkways over or under the highway where needed in the Valley and (3) to re-examine plans for reservoir at south branch of Moanalua stream. Trustees agreed to surrender valley land needed for highway.

Trustee's Redevelopment Plan for Moanalua Valley proposes eradication of secondary growth and reintroduction of native species and species from other islands. Highway will occupy generally the area containing secondary growth and not disturb the valuable specimens.

All but 4 identified historical sites are not affected by the highway. The 4 sites in the path of the road will be relocated for preservation.

In addition:

- all slopes for cuts and fills to be planted.

- median strips heavily planted.

- acoustical consultant will recommend program of noise minimization.

- exhaust emissions will be vented in tunnels and dissipated by trades.

- no families are displaced by roadway.

- no businesses are displaced by roadway.

- State will assist relocation of few agriculturally cultivated areas affected by roadway.

- no schools or religious institutions are affected by roadway.

- no public recreation facilities are affected by the roadway. Two such facilities are planned in conjunction with the road - (1) Moanalua botanical garden; (2) City park in conjunction with flood control project around Kaneohe stream.

Conclusions:

Analysis of the Environmental Impact Statement and other aspects of H-3 planning and design, lead me to conclude that:

1. The Highway is necessary and desirable if traffic demands are to be adequately served now and in the future. Mass transit may eventually provide a supplementary alternate to passenger vehicle traffic but realization of such an alternate, especially to adequately serve the windward side is probably 2 decades away. Service for this need of the next 20 years must be provided soon.

   H-3 will relieve the Pali Highway and Likelike Highway by providing an additional facility across the Koolaus linking heavy origin and destination desires with a direct route. By this same token, feeder and distribution streets in Kaneohe, Kaulua and downtown Honolulu used by people who could better use H-3 will be relieved.

2. There are some routine "traffic engineering" approaches that can be instituted to improve flow and help relieve congestion presently on Pali Highway and Likelike Highway. The proposed peak one-way system is not one of these approaches. Such a system would

increase the capacity of the existing highways to deliver more traffic faster to the bottleneck at the Honolulu end where it is fed into the Honolulu street system. This would merely overwhelm the Honolulu end and cause complete breakdown of that end's ability to distribute the traffic delivered to it by the two existing highways. The way to solving the dilemma is to divert additional traffic which has no desire to wind up in central Honolulu, away from the Pali and Likelike Highways. This also is why H-3 is needed and why the one-way proposal is not a substitute for the new road.

3. Many alternates for H-3 routing have been studied. The one chosen not only is considered the best to do the job technically, but also that requested by a preponderance of public opinion during the planning stages of the project. It is also a route that is acceptable to the Damon Estate Trustees.

4. There always will be competing needs and desires for the use of land. In this case a conflict has arisen between the need for a roadway and the desire for a large natural open-space park.

Rarely are we able to have the luxury of satisfying both concerns, but I believe the H-3 Moanalua Valley situation is one of them. The valley area is about 3000 acres in size. The roadway will consume about 50 acres of this while providing a needed traffic facility in an aesthetic manner. The roadway will not only provide access to the valley by the public and allow them to enjoy the landscape and botanical garden planned by the Estate but offer a scenic route, use of which will relieve the Pali and Likelike Highways.

The alternatives without H-3 are traffic jams and a huge piece of land that only a few can get to and enjoy or a well-developed botanical garden generating large-scale traffic flows jamming already inadequate facilities.

H-3 and the desire for a public park or botanical garden in Moanalua Valley, however, seem to be mutually compatible. The environmental impa ct of the roadway is minimal. Its benefits are substantial. Rather than a desecration of the landscape H-3 will allow enjoyment of the landscape.

5. The roadway is under construction on the windward side already. Further delays will cause unnecessary nuisance for windward citizens as well as inconvenience. If the roadway is now shifted, individuals will suffer loss of property and impact. If the roadway is halted completely because of a concern for the preservation of Moanalua Valley, the general public will be tremendously disadvantaged for the benefit of a very select few.

It appears, therefore, that the greatest benefit to the most people would be achieved by proceeding with H-3 as planned while p eserving the bulk of Moanalua Valley as scenic open space as a botanical garden with especially designed access and convenience facilities in the valley to afford public use and enjoyment.

I suggest that the Kaulua Community Council recommend such a position as the one that will best serve the citizens of Kailua.

CITY AND COUNTY OF HONOLULU

PLANNING DEPARTMENT

MICROFILM CERTIFICATION

REEL NUMBER: 34

Number of Images: 762

FLASH	TITLE PLANNING COMMISSION MINUTES
START	
1	Book #133 January 3, 1973 to May 30, 1973
2	Book #133-A - Supplement Minutes June 20 & 21, 1973
3	
4	
5	
6	
END	

CERTIFICATION

I HEREBY CERTIFY THAT THE MICROPHOTOGRAPHS APPEARING IN THIS REEL OF FILM ARE TRUE COPIES OF THE ORIGINAL DOCUMENTS.

January 16, 1974
Date

Charles R. Wahinehookae
Signature of Operator

END

RETAKE

RETAKE

PLANNING COMMISSION SUPPLEMENT MINUTES-
June 20 & 21, 1973-

Testimony from Mrs. Fred Young, Lynn Nakkim
and Mr. James Hughes- Unclear

4353 Round Top Drive
Honolulu, Hawaii 96822
June 21, 1973

To the City Planning Commission:

I speak as an individual fourth generation kamaaina. My great grandfather grew sugar cane at Ahuimanu over a hundred years ago before there was any Pali road. My interest is long standing in developments that will keep Hawaii a beautiful, healthful place to live.

Through fairly regular attendance at City Council meetings, Council committee meetings, and some Planning Commission meetings I feel reasonably well informed.

Previous speakers have stressed the need to withhold your decision on H-3 General Plan changes until after the Revised Oahu General Plan is completed. But they are optimistic in stating that this will be completed and gain City Council approval in six months. There are many debatable areas and public hearings such as this must be held Island-wide. These must be preceded by information meetings at neighborhood levels. Don't count on six months!

Mrs. Hopkins gave a masterful summary of transit statistics.

How many of you Planning Commissioners have been out on a conducted tour of the proposed fixed rail 22-mile route which is supposed to tie in with H-3? Not even all City Council members had been as of two months ago when I queried some of them.

They are being "sold" by DMJM consultants (who are earning fees for extended studies a year away from completion, I believe.) There are slides, printed reports slanted toward fixed rail, a strong administration PR department, and a fanciful film which assumes we are buying the package.

But all this build-up for fixed rail (19 miles of it elevated to mar our environment and beautiful views) has down-graded the less expensive express buses. It is claimed that buses too must run on wide new elevated concrete monstrosities.

You as planners will be faced by horrified citizenry when they finally wake up to an elevated fixed guideway system, computer operated, planned to pass their third floor windows every six to ten minutes.

And there are hundreds of homes and businesses which will be displaced to provide rights of way, elaborate stations, and parking for connecting cars and buses.

Likelike has an already established corridor which can provide two more lanes and morning/afternoon reverse use for Windward residents with not too much dislocation of homes and businesses. Let us see if we can sell them the idea of bus riding and leaving their cars at home before we upset a 22 mile stretch of our city.

This can be done at far less financial and aesthetic cost than desecrating 3000 acres of Moanalua Valley offered us as a park.

We all learned in school a straight line is the shortest distance between two points. Likelike is the closest to a straight line across the island.

H-3, besides being unsightly and a desecration, is slanted in the wrong direction.

Nobody in his right mind is going to come from Punaluu or Kahuluu and pass the Likelike intersection to get to the H-3 interchange only to ride clear to Halawa(car, bus, or fixed rail) on a zigzag route away from Honolulu proper when he can turn off on Likelike and come almost straight through to town.

Just because we can get more Federal money by connecting two military bases is no reason to spend it for something which won't get full use--as well as being a blot on the landscape. DJMJ even says those who drive H-3 will park their cars at Halawa Stadium and transfer to the fixed rail monster to town. Would you, if you lived at Kahaluu and worked downtown?

Mayor Fasi has stated that H-3 (if built) will be the last tunnel through the Koolaus. He is very short sighted. Twenty years from now there will be small farms and homes and apartments(hopefully garden type construction across the road from the beaches) all along the Windward coast to the North Shore.

There will be need for a tunnel to bring those residents more directly to town--say through Waianae to Waipio and then use already planned and building H-1 and H-2 the rest of the way.

It is too late to save Mokapu Peninsula and that hideous interchange at Moanalua Gardens, but by dropping H-3 now we can plan a better corridor angled correctly. And we can have a beautiful park in Moanalua Valley and more accessible homesites on the northern Windward side..

Using the Likelike corridor to its full extent as soon as possible with express buses on reverse lanes and later with added lanes is the only way to go right now.

Don't approve General Plan changes which affect the whole transit picture without further study on an impartial basis.

The Planning Department's slide presentation last night was too confused to follow-- a school site here and a library site there giving way to ruthless development.

You are responsible for putting in focus for grass roots citizens a real General Plan Revision to benefit all of Oahu.

Start by Stopping H-3!

Sincerely,

Mrs. Fred O. Young
(Margaret S. Young)
signed on original

LYNN NAKKIM HONOLULU CHAIRMAN, FRIENDS OF THE EARTH
3140 Huelani Place, Honolulu 988-2488; 923-2283

In 1971 Friends of the Earth joined with other local citizen groups in sending a spokesman to Washington to ask Congress to abandon the H-3 project in favor of a system that would truly answer the transportation needs of the Windward side. We said then that the automobile had had its heydey, but that population growth had ruled out the further expansion possibilities of that mode of transportation. Advised by local experts that this state could expect 70% federal participation in financing a true rapid transit system, or even more if the request came in early enough so that it might serve as an exemplary pilot project, we asked that Hawaii's special character be considered. H-3 is not a defense highway--to plead that is an indefensible argument. Nowhere in the records of the planning of this highway can one find a request from the military, either at the Pearl Harbor end or at the Kaneohe end, for the construction of an H-3. Even Dr. Fujio Matsuda has admitted to me in private conversation that the "defense highway" title is a more pragmatic justification, and that the highway was so aligned to be a commuter highway and nothing more.

Our answers came slowly through the mails. Certain congressmen and Senators were persuaded by our arguments, but all said that it was in the hands of the department of transportation.

On September 24, 1971, John Volpe, then director of the U.S. D.O.T., made a statement that there should be no more expressways on the eastern seaboard, and that rapid transit was definitely the transportation mode of the future.

In the same year, in conjunction with the SST controversy, scientists reported to a Senate hearing in Washington that petroleum fuel supplies would be depleted, worldwide, in from 20 to 30 years, if 1971 comsumption trends continued. We used this information to make the point that in the absence of gasoline, H-3 would indeed be a little used highway, as would be the Pali highway and the Likelike. (Please note here that upon inclusion in the land use plan H-3 still cannot be constructed overnight, and projections have never put it any closer than 1977. That was two years ago they were saying that and they don't say anything about a date these days).

The energy crisis is already upon us, and it is only 1973. It will get worse before it gets better. Gasoline will go to $1 a gallon (as it has been in parts of Europe for many years) and there will not be enough of it to fuel one-passenger trips to the office and back. All the cities of the United States will be forced to tool up for the change, to get public transportation rolling again. Those cities with the foresight to set up fixed rail rapid transit, smooth, fast, efficient people moving systems, will make the transition with ease. Those who insist on proceeding by the rules of the past, using studies based on factors extant in the past, will end up with political rancor and economic chaos, in a community essentially grounded by the lack of a fuel supply for unlimited person trips.

Despite repeated efforts to work with the Hawaii State Department of Transportation to urge them to refocus their engineering sights on the issue, we were repeatedly dismissed. In June of 1971 we were one of four groups that proposed the use of reversible commuter lanes on either Likelike or Pali highway. Mr. Matsuda scolded our committee, saying that it had cost the state an extra $10,000 to have Parsons (the outside consultants) do a quickie study to show that this proposal was not feasible. First, the study did not show that it was unfeasible to build a few on ramps cross-overs, and lane dividers, and second, with an employee force of 1000 in the department of transportation itself, we wondered why Parsons had anything to do with them matter in the first place. The costs were said to be "prohibitive", in the neighborhood of "from $1,000,000 to $5,000,000". That neighborhood is a good deal cheaper than the $250,000,000 to $300,000,000 that H-3 will cost, if built.

Having stuided the publications of the Hawaii State Department of Transportation, we can attest to the fact that the department is in the business of paving, and not in the business of transportation. In some smoke-filled room a number of years ago, it was determined that Rapid Transit is not the Kuleana of the DOT. Bearing witness, the 1970-71 report to the Hawaii State Legislature from the DOT devotes 30 to 100 pages each to the areas of Harbors, Airports, and Highways. The entire matter of rapid transit is dimissed in one sentence in that volumn.

This planning commission is in a position to take a most positive step in the development of our community today. By simply denying the petition to include this archaicly sanctioned freeway on the Oahu General Plan you can effectively take the first step to right all the wrongs perpetrated in the holy name of "Federal Funding" to date.

The sacred Highway Trust Fund is no longer untouchable. Funds can be made available for planning repid transit.

There are other federal sources for transit money, and up to 70% federal participation can certainly be anticipated. One should remember that 30% of a lesser figure (and a rapid transit line to windward could indeed cost less than H-3, the Likelike alignment would make it a good deal shorter, for starters) could well be less than 10% of $300,000,000. Maintenance is much less for fixed rapid transit than the current $4000 per lane mile of highway. In 1970 there were 613 lane miles on Oahu--by 1977 the D.O.T. has projected 891. The length of H-3 itself would be 17 miles.

Please act for Hawaii's future by denying the proposed general plan change.

Speaking just for Lynn Nakkim

I would like to add a few personal observations to this testimony. Having spent last evening listening to presentations and questions and answers, first, Mr. Way said that all that is needed here is approval of a technicality, to adjust city plans to conform to state plans.

Mr. Way and members of the commission, this may indeed be a technicality, but it is just exactly what citizens concerned with this issue have been praying for.
Throughout the period of heavy controversy starting in 1970, when the Hawaii League of Conservation Voters proposed a moratorium on all freeway construction until a Rapid Transit system was operational, we citizens have been repeatedly told that the process had been set in motion, that all the papers were signed, and that there was nothing we could possibly do to stop this highway. When we pointed to the fact that aside from bulldozers cutting into Kaneohe hillsides, no construction had yet commenced, we were told that that was of no importance, it was the paperwork that was completed, signed, and sealed.
Then it turned out that there was no environmental impact statement.
One was quickly ground out, and soon ground to smithereens by all and sundry.
More versions followed, and one has finally been approved in Washington.
But today's hearing is proof that the papers are NOT all in order, after all. The highway does not appear on Oahu's general plan. Therefore, using the criterion set up by the Department of Transportation itself, this highway is NOT a foregone conclusion. The physical construction in Kaneohe is as irrelevant to your decision today as its absence was to our arguments two years ago--they have nothing to do with one another.
In the light of todays facts, todays energy crisis, todays population needs for open wild areas near Honolulu, and todays need for an efficient people moving transportation system for the windward side, we think it is obvious that the proposal to plan an H-3 is out of date, unwise, and wasteful of this community's resources.

We agree with the trend of this commissions chairman's suggestions regarding a slight pressure on automobile users to ease the traffic crisis between now and whenever an arm of rapid transit can reach the windward side. We suggest a system of commuter tolls, charged only in the peak direction of traffic for the two hour morning and afternoon busy periods. For instance, charge all Honolulu bound cars $1 each from 6 to 8 a.m. on Pali and Lilelike every morning, and all windward bound cars $1 each from 3:30 to 5:30 p.m. Any car with three adult passengers could be exempted from the toll, thus giving carpoolers the necessary economic incentive to ride together. All monies could be directed toward a fund to supply rapid transit to the windward side. According to the DOT's 1971 figures, the highways are not fully utilized outside of commuter rush hours, so traffic diverted to later hours by the threat of a toll would not be penalized. This would encourage employees to ask for staggered work hours, and there is no other way in our free society that we are going to get staggered work hours than by demand from within.

June 20, 1973

LIFE OF THE LAND
A GROUP FOR ECOLOGICAL RESEARCH AND ACTION

City and County of Honolulu
Planning Commission

Chairman and Commissioners,

My name is James Hughes and I am testifying in behalf of Life of the Land and myself.

Life of the Land requests close examination by the City and County of Honolulu of H-3's need and purpose. Public hearings should be held to consider the need and purpose of Interstate Route H-3 prior to any hearings by the City and County regarding the exact alingment. This present hearing should be postponed.

Even though it is alleged that there is City and County policy favoring construction of H-3, Life of the Land requests that the purpose and need be closely examined by the City and County before approval is given to the requested amendment of the General Plan. We ask for examination of the need and purpose by public hearings, new traffic demand studies, and new population projections made with citizen input and citizen approval, especially by those citezens living in the Windward area.

The state Department of Transportation has applied for highway alignments to be shown on the General Plan. The present hearing assumes "the Interstate System is established as policy. The issue being considered is not one of establishing need." That came from Bob Way's planning department report of June 18, 1973. We submit that the issue at these hearings is to consider the need of the interstate freeway system.

The General Plan is a statement of the policy of the county of Honolulu for long range, comprehensive development of the County. The change requested by the DOT is a request for change of policy in the alingment of the interstate defense system. The system is not completely shown on the present map. The system is not a part of the policy for the long range, comprehensive development of the County.

The written part of the General Plan which applies to the interstate highway system reads: "Of primary importance to the development of the highway system affecting the city and county of Honolulu will be the planning for the defense highway systems from Pearl Harbor to Diamond Head and from Pearl Harbor to Kaneohe Naval Station on the Windward side. These two routes will play an important part in providing additional freeway facilities for the city."

404 PIIKOI STREET HONOLULU HAWAII 96814 TELEPHONE 521-130

LIFE OF THE LAND
A GROUP FOR ECOLOGICAL RESEARCH AND ACTION

The General Plan talks of the importance of the project not the need of the project. It is General Plan Policy that the interstate highway system planning will be of primary importance to the city, and not that the interstate highway system is needed or neccessary for the city.

A change of policy in the General Plan must consider more than what parcels of land will be directly affected by the construction. A change in policy of the General Plan must consider the need and purpose of the proposed change. Life of the Land requests a close examination of the need and purpose of the H-3.

Sincerely Yours, James Hughes for Life of the Land

404 PIIKOI STREET HONOLULU HAWAII 96814 TELEPHONE 521-1300

June 21, 1973

City and County of Honolulu
Planning Commission

Chairman and Commissioners,

My name is James Hughes, and I am submitting more testimony today in behalf of Life of the Land and myself.

Page 5-3 of the H-3 e.i.s. preface says "The first and most important of the tools in the Oahu Transportation Planning Process is the population forecast in the target year. This forecast, togehter with the forecast of future economic activity, provides the basic input for the land use and travel forecasts." The population forecasts used in the planning of the H-3 were not made with citizen input. Such an important part of the planning process should have some citizen input.

Volume one, pages 12-13 of the H-3 e.i.s. justifies the need of the H-3 by using traffic forecast across the Koolau mountains by the OTS which has since become the Advanced Transportation Office of the state DOT. The DOT submittal to the City and County states that "The Interstate System is a part of the total transportation system resulting from the Oahu Transportation Study,". The OTS gave the justification for the H-3. Yet, page 5-7 of the preface to the H-3 e.i.s. states "the Oahu Transportation Planning Program, in projecting its population figures for Windward Oahu, assumed the existence of additional Trans-Koolau traffic lanes provided by Route H-3." The projections and the forecasts that were made to justify the H-3 are the same ones that assume the H-3 will be built. I hope the City and County government will not use the same forecasting the State does to justify the H-3.

Pages 2-3 of volume of the H-3 e.i.s. states: "With the extension of the National system of Interstate and Defense highways to Hawaii on July 12, 1960, and the approval of an Interstate route across Oahu through the Koolau range of mountains by the Federal Highway Administration on August 20, 1960, Corridor studies for what was to become Interstate Route H-3 had begun." Almost 13 years ago the H-3 was started. These thirteen years have seen treamendous changes in Hawaii. Changes in public attitude towards freeway construction, land use, gasoline consumption, and so forth. The need and purpose of H-3 must be shown again to be sufficient for justifying its expense. A close examination of the need and purpose of H-3 must be initiated by the City and County before any decisions are reached regarding the submitted General Plan amendment by the DOT.

Sincerely Yours,

James Hughes for Life of the Land

James Hughes

404 PIIKOI STREET HONOLULU HAWAII 96814 TELEPHONE 521-1300

INSPECTION REPORT

Description of Documents	Nature of Defect	Action Required
Supplement Min.-June 20 & 21, 1973-	Unclear	Retake-End of Roll
Testimony from Mrs. Fred Young, Lynn		
Nakkim, & Mr. James Hughes(Book #133-A)		

INSPECTED BY: Charles R. Wahinehookae

DATE: March 5, 1974

END