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OFFICE OF THE COUNTY ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII

2UC Docket
SP 64-5
1459

RECEIVED

DEC 4 1964

State of Hawaii
LAND USE COMMISSION

December 3, 1964

Mr. Roy Y. Takeyama
Deputy Attorney General
State of Hawaii
Honolulu, Hawaii

Dear Mr. Takeyama:

This is in response to your letter of November 23, 1964, wherein you inquire whether the conditions imposed by the Maui Planning and Traffic Commission in approving Special Permit Application No. 14 are legal.

We have discussed this matter with Mr. Robert Ohata, Planning Director of the County of Maui, and it is our opinion that the said conditions are legal.

Very truly yours,

Kase Higa

Kase Higa
County Attorney

KH:ko

cc. Mr. Robert Ohata
Planning Director, Maui County
Kahului, Maui

Mr. Myron Thompson
Chairman, State Land Use Commission
Honolulu, Hawaii

Mr. Raymond Yamashita
Executive Officer
State Land Use Commission
Honolulu, Hawaii

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP 64-5 (DPED - Maui Lease)
 DATE 11/20/64
 PLACE DPED Hearing Rm.
 TIME 2:15 pm

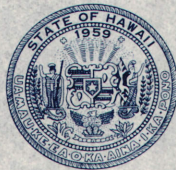
NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.	✓			
INABA, G.	✓			
OTA, C.				✓
WENKAM, R.	✓			
BURNS, C.E.S.	✓			
NISHIMURA, S.	✓			
MARK, S.				✓
FERRY, J.	✓			
THOMPSON, M.	✓			

COMMENTS: Inaba - motion to approve - based on staff report
 wenkam - sec

ADDRESS REPLY TO
"THE ATTORNEY GENERAL OF HAWAII"
AND REFER TO
INITIALS AND NUMBER

397:12b

RYT:ft



CABLE ADDRESS:
ATTGEN

BERT T. KOBAYASHI
ATTORNEY GENERAL

1459
RECEIVED

NOV 23 1964

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
HONOLULU

November 23, 1964

State of Hawaii
LAND USE COMMISSION

Mr. Kase Higa
County Attorney
County of Maui
Wailuku, Maui, Hawaii

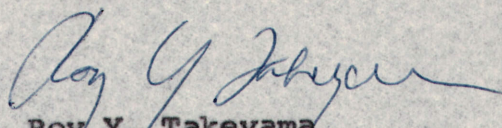
Dear Kase:

The Maui Planning and Traffic Commission approved Special Permit Application No. 14 (State Department of Land and Natural Resources) and imposed the following conditions:

- (a) That the term of the permit be limited to the term of the lease;
- (b) That the term of the permit be automatically renewed to the same party; and
- (c) That the permit may not be transferred.

The Land Use Commission asked me to call your attention as to the legality of said conditions since it is a county matter.

Very truly yours,


Roy Y. Takeyama
Deputy Attorney General

cc: Mr. Myron Thompson
Chairman, State Land Use Commission

✓ Mr. Raymond Yamashita
Executive Officer
State Land Use Commission

Ref. No. LUC 529

November 24, 1964

Mr. Robert Chata, Director
Planning & Traffic Commission
County of Maui
P. O. Box 1487
Kahului, Maui

Dear Mr. Chata:

The Land Use Commission met in Honolulu on November 20, 1964 and voted unanimously to approve a special permit to the Department of Land and Natural Resources for the purpose of constructing an out-door recreational camp in Keanae, Maui, TMK 1-1-02: 9 containing 7.742 acres.

Notwithstanding the questions raised on the legality of the restrictions imposed by the County, the Land Use Commission voted to approve the special permit on the basis of the attached staff report. The particular question raised was whether or not such restrictions on the user, rather than the use, is legal. It was concluded that any question on the legality of the restrictions is a county matter.

Should there be further questions, please do not hesitate to contact this office.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

Enclosure

cc: Mr. Myron B. Thompson
Mr. Jim P. Ferry
Mr. Roy Y. Takeyama

Dept. of Taxation (2)

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

DP&ED Hearing Room

Honolulu, Hawaii

1:30 P. M. - November 20, 1964

Commissioners

Present:

Myron B. Thompson, Chairman
C.E.S. Burns, Jr., Vice Chairman
Charles S. Ota
Goro Inaba
Shiro Nishimura
Jim P. Ferry
Robert G. Wenkam
Leslie E. L. Wung

Absent:

Shelley M. Mark

Staff

Present:

Raymond S. Yamashita, Executive Officer
Roy Y. Takeyama, Legal Counsel
Richard E. Mar, Assistant Planner
Amy Y. Namihira, Stenographer

Chairman Thompson called the meeting to order followed by a short prayer. The members of the staff who would be giving testimonies were sworn in at this time.

PETITION FOR SPECIAL PERMIT, SP64-3, BY DEPARTMENT OF LAND AND NATURAL RESOURCES

Mr. Richard Mar presented a summary of the background of the staff report and outlined the area on a map. The Zoning Board of Appeals of the City and County of Honolulu transmitted its approval of the special permit application by Department of Land and Natural Resources "based on the fact that the use sought is a reasonable use within an Agricultural District, and would promote the effectiveness and objectives of Chapter 98H, RLH, 1955, as amended."

Chairman Thompson asked, "What does the Health Department say?" Mr. Mar stated that the Health Department is in favor of this and that this operation is quite desirable.

Commissioner Burns asked whether there were any conflict between the home and the University of Hawaii operations. Mr. Mar replied in the negative.

Chairman Thompson stated this kind of operation relieves the State Hospital from hospitalizing people too long. The State Hospital is becoming acutely crowded and is trying to find additional facilities to place people in. They want the people to get back into the community as fast as possible.

Mr. Mar continued with the discussion and recommendation of the staff report as follows: staff recommended approval of the special permit application for Oahu TMK 5-8-01: 51 containing an area of 12.13 acres. Staff felt that the Department of Land and Natural Resources' application for a special permit substantially met the guidelines of Section 2.24 of the State Land Use District Regulations.

Commissioner Burns moved to accept the application for special permit based on the staff report. Commissioner Inaba seconded the motion.

The Executive Officer polled the Commissioners as follows:

Approved: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura,
and Chairman Thompson.

Disapproved: None.

The motion to approve the special permit application was carried.

PETITION FOR SPECIAL PERMIT, SP64-5, BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES

Mr. Mar presented the background of the staff report and outlined the area on a map. The Maui Planning and Traffic Commission transmitted its unanimous approval of a special permit to the Department of Land and Natural Resources for the purpose of constructing a YMCA recreational camp in Keanae,

Maui, TMK 1-1-02: 9 containing 7.742 acres. He then continued with the discussion and recommendations of the staff report. The staff recommended approval of the special permit application submitted by the Department of Land and Natural Resources on the basis that the YMCA campsite substantially conforms to the guidelines of Section 2.24 of the Land Use Regulations.

The Legal Counsel was called upon in regards to the legality of the conditions imposed by the Maui Planning and Traffic Commission. He stated that there were three legal questions.

1. Maui Planning and Traffic Commission limited the use to the length of the term of the lease.
2. Maui Planning and Traffic Commission limited renewal of this lease automatically to the same party. He stated that this phase was up to the Department of Land and Natural Resources.
3. Whether the Maui Planning and Traffic Commission can condition permits based upon the nontransferability of the permit.

He further stated that the permit of this nature is for a use -- not as to who's going to use it.

Commissioner Ferry felt that this was merely a sympathetic way of giving a wholehearted support to the YMCA by the Maui Planning and Traffic Commission.

Legal Counsel stated that action can be taken on the petition subject to review by county legal staff as to whether such conditions can be imposed on the permit.

Commissioner Burns stated that the Land Use Commission only acts on whether to approve the special permit or not, and not on the fringes around it.

Legal Counsel stated that under the Law, the County imposes a condition, so when the County processes the petition and acts on it with a condition and

then sends it to the Land Use Commission, the Land Use Commission is in effect acting on the condition. He also stated that the Land Use Commission cannot impose its own conditions on the special permit.

Commissioner Ferry asked what was the difference if Maui County imposed those conditions; what will the effect be. Legal Counsel stated that it was unenforceable. Commissioner Ferry said the Land Use Commission will either vote for or against the special permit as it now stands.

Legal Counsel stated that for the records, this illegality appears as far as the Land Use Commission is concerned.

Chairman Thompson asked, supposing they run out of their lease and a commercial venture wants to come in, does the special permit still apply? He was answered in the affirmative.

Commissioner Ferry posed a question to the Legal Counsel - "When we grant a special permit, do we also grant a specified tenure?" Legal Counsel replied in the negative.

It was agreed by the Land Use Commission that the word YMCA will be left out from the staff report.

Commissioner Inaba moved to approve the special permit based on the staff report. Commissioner Wenkam seconded the motion.

The Executive Officer polled the Commissioners as follows:

Approved: Commissioners Wung, Inaba, Wenkam, Burns, Nishimura,
Ferry, and Chairman Thompson.

Disapproved: None.

The motion was carried unanimously.

PETITION FOR SPECIAL PERMIT, SP64-1, BY MR. & MRS. KIYOSHI MIZUTANI

The Executive Officer presented the background of the staff report and outlined the area on a map. The Kauai Planning and Traffic Commission

STATE OF HAWAII
LAND USE COMMISSION

1:30 P. M. to 4:00 P. M.
November 20, 1964

Hearing Room
Honolulu, Hawaii

STAFF REPORT

Subject: Petition for Special Permit, SP64-5, by Department of Land and Natural Resources

Background

The Maui Planning and Traffic Commission has transmitted its unanimous approval of a special permit to the Department of Land and Natural Resources for the purpose of constructing a ~~recreational~~ recreational camp in Keanae, Maui, TMK 1-1-02: 9 containing 7.742 acres. The Maui Commission stipulated on October 27, 1964, that the special permit "shall be limited to the same period of years as the term of the lease, provided, however, that the period may be automatically extended upon renewal of the lease or extension of the lease period, to the same party."

The land is situated on the makai side of the Hana Highway overlooking Keanae Point and is about 15 miles from the town of Hana.

According to the Department of Land and Natural Resources, the Maui ~~YMCA~~^{YMCA}, through the courtesy of the former Department of Institutions, has been using the area on a periodical basis for camping activities. In order to justify the cost of at least \$25,000 worth of improvements to the campsite, the Maui ~~YMCA~~^{YMCA} is requesting that they be given a 55 year lease of the subject lot for a camping operation. If a 55 year lease is obtainable by the Maui YMCA, they plan to construct six camping-type cabin units with accommodations for 12 persons each. These cabins will be constructed within 3-5 years from the date of lease. They also plan to construct four separate shower units with toilet facilities; two of such units to be constructed upon the completion of the cabins and the remaining units to be

completed in three years. In addition to the cabins and toilet facilities, the Maui YMCA will develop the existing playground area and will repair all existing buildings and enlarge the kitchen and dining room facilities.

The land is being presently used from time to time for recreational camping. Subject land is owned by the State of Hawaii and was set aside by Executive Order No. 1644 to the Department of Social Services formerly Department of Institutions for the Keanae Project Area as a prison campsite. The land formerly was a campsite for CCC camp operations and a number of old buildings are still located on the property.

Aerial photos and U.S.G.S. maps confirm the existence of at least seven main structures including a gymnasium on the land in question. The site commands a spectacular view of Keanae Point because of its location on a high bluff. On Keanae Point, there are 17 single family dwellings and two churches.

Much of the land on the Point is being used for the growing of taro. From the Hana Highway, the taro patches have provided a picturesque view for many photographers. Because of this magnificent scene at Keanae, the Land Use Commission designated the Point as Agricultural on the Final District Boundaries to protect the taro patches which have become a part of Keanae Point.

Access to the ~~area~~ campsite is by the Hana Highway while Keanae Point is served by a dirt road known as the Keanae Homestead Road which branches off from Hana Highway.

The Maui General Plan designates the ~~area~~ campsite as Rural while under the Land Use Commission District Boundaries, the subject land has been classified as Agricultural.

The site of the ~~XXXX~~ camp is relatively flat. Lands mauka of the Hana Highway are steep forest lands while the Point itself is very flat.

Because of the fact that the site is on a high bluff overlooking the Pacific Ocean, the land has been classified by the 1939 Soil Survey of the Territory of Hawaii as very steep rockland adjacent to steep forest lands. Soil conditions on Keanae Point consists of Hauula paddy type soils that is "dark-gray, soft, mucky silt loam that is stirred when the flooded paddies are filled."¹

The rainfall gauge in the Keanae Taro Patch has indicated a maximum of 124.5" to a minimum of 74.3" of rain per annum with a medium of 85.8".²

At present, a 2" - 2½" waterline is available in the immediate area to service the existing homes. The source of this waterline originates from the Wailoa Ditch. In addition to the existing waterline, electric power is also available in the vicinity of the petitioner's land.

Discussion

This application for a special permit substantially conforms to the established guidelines of Section 2.24 of the State Land Use District Regulations which are enumerated as follows:

- (a) Such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations.
- (b) That the desired use would not adversely affect surrounding property.

¹ Soil Survey of Territory of Hawaii, pg. 570.

² Hawaii Water Authority, Rainfall of the Hawaiian Islands, pg. 206.

- (c) Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection.
- (d) Unusual conditions, trends and needs have arisen since the district boundaries and regulations were established.
- (e) That the land upon which the proposed use is sought is unsuited for the uses permitted within the District.
- (f) That the proposed use will not substantially alter or change the essential character of the land and the present use.
- (g) That the proposed use will make the highest and best use of the land involved for the public welfare.

Subsection (d) is not applicable and except for subsection (e), the proposed use is basically in conformance with the remaining guidelines. Although the land area is not considered as prime agricultural land, Section 2.8 (f) of the Land Use Regulations states "Lands which are not suited to agricultural and ancillary activities by reason of topography, soils and other related characteristics may be included in this District." From a negative point of view, only subsection (e) appears to be adverse. Other than subsection (e), there appears to be no area in which the public's interest would be jeopardized.

The existing use or future improvement and/or expansion of the recreational campsite is reasonable and would promote the effectiveness of Act 205.

The use sought is compatible with and will not affect any of the surrounding uses. As the main structures already exist, the land will not be blighted in case of abandonment of the recreation camp.

Except for the provision of more water to the area by the Board of Water Supply, the contemplated use would not create an unreasonable burden upon public agencies to provide public facilities. Mr. Koichi Hamada, Board of Water Supply Manager and Chief Engineer, said "Most likely we will be able to get water. It is a wet area."¹

As mentioned before, the land is not class A land, it is not being used for agricultural purposes at this time, and will not prove harmful to the taro patches at Keanae Point.

Finally, the proposed use will make the highest and best use of the land involved for public welfare. This special permit application is similar to the Virginia Brooks petition for a summer recreational camp in the Waianae mountains on Oahu which was approved by the Land Use Commission on September 10, 1964. The Maui YMCA campsite has been operating on the site for the past several years and for the 1962-1963 academic year, the following organizations have utilized the facilities at Keanae:

Hi-Y Officers' Training Camp.....	180	Camping Days
Jr. Membership Camp.....	165	" "
Model Legislature Delegates Training Camp....	195	" "
Sr. Membership Camp.....	180	" "
Imperials and Hi-Liters Work Camp.....	105	" "
Y's Men's Work Camp.....	14	" "
Continental and Starliters Work Camp.....	90	" "
Kahului Jr. Hi-Y and Triangles.....	30	" "
Hi-Y Summer Camp.....	180	" "
Jr. Hi-Y Summer Camp.....	280	" "

In addition to the above groups, the Boy Builders Club and the Methodist Church have utilized the facilities of the camp.²

¹ Maui Planning and Traffic Commission Public Hearing, October 6, 1964.

² See letter from J. P. Ferry, Chairman, Department of Land and Natural Resources, to Mr. R. O. Ohata, dated September 18, 1964.

Thus, the successful operation of this camp has proven to be a benefit to the public and any improvement and/or expansion of the camp would provide for the higher and better use of the land involved for the public welfare at very little cost to the public.

Recommendation

On the basis that the ~~area~~ campsite substantially conforms to the guidelines of Section 2.24 of the Land Use Regulations, the staff recommends that the special permit application submitted by the Department of Land and Natural Resources for the land situated at Keanae, Maui, TMK 1-1-02: 9 containing 7.742 acres be approved.

cc: Thompson
11/12/64

Ref. No. LUC 527

November 12, 1964

Mr. Jim P. Ferry, Chairman
Department of Land & Natural Resources
State Office Building
Honolulu, Hawaii

Dear Mr. Ferry:

The Land Use Commission of the State of Hawaii will hold a meeting in Honolulu, Oahu on November 20, 1964 at the Department of Planning and Economic Development Hearing Room at approximately 1:30 p.m.

As prescribed by SECTION 98H-4 of Act 205/63, your following applications for Special Permits have been placed on the agenda for consideration by the Commission at this meeting and final action may be taken at that time:

1. TMK 5-8-01: 51, Waialea, Oahu
2. TMK 1-1-02: 9, Kease, Maui

Please be advised that this notice is simply to inform you as to the status of your petitions before the Land Use Commission. It is not necessary for you to be at this meeting. Should it be convenient for you to attend, of course, you may do so at your own discretion.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Planning Department, City & County of Honolulu
Planning & Traffic Commission, County of Maui

MAUI PLANNING AND TRAFFIC COMMISSION
PUBLIC HEARING
SPECIAL USE PERMIT, ACT 205, S.L.H. 1963
Tuesday, October 6, 1964

APPLICATION NO. 14
State Department of Land and Natural Resources

The public hearing on the following request for SPECIAL USE PERMIT under provisions of SECTION 98H-6, REVISED LAWS OF HAWAII 1955, 1961 SUPPLEMENT AS AMENDED BY ACT 205, SESSION LAWS OF HAWAII 1963, was opened by Chairman pro tem Yoshikazu Matsui, in the absence of the regular chairman and vice-chairman, at 1:40 p.m. on Tuesday, October 6, 1964, in the Board of Supervisors Chambers, County Building, Wailuku, Maui, Hawaii.

KEANAE, MAUI

The use of certain parcel at Keanae situated on the north side of Hana Highway and the south side of Keanae Road, being Parcel 9 of Tax Map Key 1-1-02, for the purpose of constructing a recreational camp site by the Young Men's Christian Association (YMCA).

Applicant: State of Hawaii Department of Land and Natural Resources
Area: 7,742 acres

A quorum of the Commission was in attendance. (See record of attendance.)

The Director read the Notice of Public Hearing, a copy of which is hereto annexed and made a part hereof with "Affidavit of Publication" published in the Maui News, a newspaper published and circulated in the County of Maui, being the County in which said Commission is located, on September 16, 1964, as required by Section 98H-6 of Act 205, S.L.H. 1963.

The Secretary read the letter of application for Special Permit dated September 9, 1964, signed by James J. Detor, Head, Division of Land Management, State Department of Land and Natural Resources, attached hereto and made a part hereof.

Planning Director Ohata presented a map of the area designating the campsite, and explained in detail the circulated staff report recommending approval, attached hereto and made a part hereof.

There were no letters of approval or protest as of 12:45 p.m. this date.

The chair then opened the public hearing for testimony.

Mr. Eugene Apolliona: "I am a staff member with the Department of Land and Natural Resources, which Department manages State lands in the State of Hawaii. I am here today to ask for a special use permit from the Land Use Commission. For many years this land was set aside by Executive Order to the Department of Social Services, formerly the Department of Institutions.

"As stated by your Director, this area was also used by the CCC Camp operation. The YMCA, through the Department of Social Services has been using this area for camping activities. The YMCA, because they wanted to do some extensive repairs or improvement on the premises, came to the State requesting a lease. The YMCA will be awarded a direct lease for a period of 55 years. They will have direct control. We are assessing the YMCA a lease rental. In order to safeguard the campsite because of the improvements to be done, and because according to statute we have to come to your Commission for special, we are here today. We have received in-
consentment for the project from certain governmental and private institutions. That is what I would like to present now."

Public Hearing, 10/6/64 -- 2
LUC Spec. Use Per. No. 14,
State Dept. of Land & Nat. Res.

When asked to mention which government agencies had endorsed this project, Mr. Apoliona replied that the Department of Institutions have gone on record favoring the project, and other agencies voiced approval when approached by Department of Land and Natural Resources staff members.

He informed members that the YMCA camp facilities would be available to other organizations without segregation, as mandated by law.

Mr. Homer Ing: "All I want to say about use of the camp is that we also have Honolulu groups coming over the later part of the summer. The local Boy Builders and other groups have used it from time to time. It is quite open to anyone who wishes to use it as long as it is not in conflict with other schedules. At this point we are just assuming the responsibility."

When queried about the adequacy of water for the project in the future, and whether he would be asking the Board of Water Supply for improvement to the present supply, Mr. Ing replied: "We think so. For a while we have been using our own water facility. We find that it is rather inadequate. With the help of the County Waterworks we have ample supply. Once the YMCA assumes full responsibility we will operate towards that end."

Mr. Koichi Hamada, Water Board Manager and Chief Engineer: "Most likely we will be able to get water. It is a wet area."

Mr. Frank Crockett: "We are putting up a camp that will be open to the public on such terms as the Department of Land and Natural Resources prescribes. Something that will be made use of by the public in general. Many people from Honolulu have come up from time to time to use the campsite. The people from the outside islands prefer to really get back to nature rather than spend the time at luxurious hotels. I don't think you can find a more suitable site for it. We are using the streams nearby for swimming, which is something out of the ordinary. We are expecting to put in about \$25,000 worth of improvements in cabins and things like that. It will not only be of great value to the YMCA, but also it will be a resource for Maui, at no expense to the State and the people will enjoy it at nominal cost. That is about all I have to say."

No one else spoke for the granting of the Special Use Permit.

No one spoke against the granting of the Special Use Permit.

The public hearing was closed at 2:00 p.m.

Eva M. Duponte

EVA M. DUPONTE
Administrative Assistant

RECORD OF ATTENDANCE:

Planning Commissioners Present: Yoshikazu Matsui, Chairman pro tem
Willard Eller, Member
William Hong, Member
Masao Nagasako, Member
Robert Ueoka, Member
Koichi Hamada, Ex-Officio
Hideo Hayashi, Ex-Officio
Jean R. Lane, Ex-Officio
Masao Sone, Ex-Officio

Absent Mr. Joseph S. Medeiros, Chairman
Mr. Kazuo Kage, Vice-Chairman

JOSEPH S. MEDEIROS, JR., Chairman
KAZUO KAGE, Vice-Chairman
WILLARD ELLER, Member
WILLIAM HONG, Member
YOSHIKAZU MATSUI, Member
MASAO NAGASAKO, Member
ROBERT UEOKA, Member



KOICHI HAMADA, Ex-Officio
HIDEO HAYASHI, Ex-Officio
JEAN R. LANE, Ex-Officio
MASAO SONE, Ex-Officio
ROBERT O. OHATA, Planning Director
MRS. EVA M. DUPONTE, Secretary

PLANNING AND TRAFFIC COMMISSION
COUNTY OF MAUI

P. O. BOX 1487
KAHULUI, MAUI, HAWAII 96732

October 28, 1964

RECEIVED
OCT 29 1964
State of Hawaii
LAND USE COMMISSION

Mr. Myron B. Thompson
Chairman
Land Use Commission
426 Queen Street
Honolulu, Hawaii 96813

Dear Mr. Thompson:

Re: Special Permit Application No. 14,
from State Department of Land and
Natural Resources

The Maui Planning and Traffic Commission at its meeting of October 27, 1964, voted unanimously to approve a special permit to the State Department of Land and Natural Resources for the use of a certain parcel in Keanae, situated on the northerly side of Hana Highway and the southerly side of Keanae Road, being parcel 9 of Tax Map Key 1-1-02, for the purpose of constructing a recreational campsite by the Young Men's Christian Association. The approval contains the following stipulation: That the approval and term of the permit shall be limited to the same period of years as the term of the lease, provided, however, that the period may be automatically extended upon renewal of the lease or extension of the lease period, to the same party. In other words, the special permit is for the Young Men's Christian Association only, and it may not be transferred.

Pursuant to Section 98H-6, Revised Laws of Hawaii 1963, as amended, further approval of your Commission is required. Accordingly, we hereby transmit this decision together with: 1) transcript of public hearing, 2) Affidavit of public hearing, and 3) staff report.

Yours very truly,

ROBERT O. OHATA
Planning Director

Encls.

cc: Charles Ota
cc: Jim Ferry, Dept. of Land & Nat. Res.

AFFIDAVIT OF PUBLICATION

STATE OF HAWAII, }
County of Maui. } ss.

Rose Alcomindrasbeing duly sworn
deposes and says, that he is **Adv. Traffic Clerk** of the
Maui Publishing Co., Ltd., publishers of the MAUI NEWS, a newspaper
published in Wailuku, County of Maui, State of Hawaii; that the or-
dered publication as to **NOTICE OF PUBLIC HEARING**

.....
of which the annexed is a true and corrected printed notice, was
published **1** times in the MAUI NEWS, aforesaid, commencing
on the **16th** day of **September**, 19**64**, and ending
on the.....day of, 19....., (both days
inclusive), to-wit: on
September 16, 1964

.....
and that affiant is not a party to or in any way interested in the above
entitled matter.

Rose Alcomindras
.....

Subscribed and sworn to before me this
16th day of **Sept.** A. D. 19**64**.....

G. H. Miyajima
.....
Notary Public, Second Judicial
Circuit, State of Hawaii.

**My commission expires
June 30, 1965**

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a public hearing to be held
by the County of Maui Planning and Traffic Commission in the
Chambers of the Board of Supervisors at the County Building
in Wailuku, on Tuesday, October 6, 1964, at 1:30 p.m. or soon
thereafter as those interested may be heard to consider the fol-
lowing request for SPECIAL USE PERMIT under provisions of
SECTION 98H-6, REVISED LAWS OF HAWAII 1955, 1961 SUP-
PLEMENT, as amended by Act 205, Session Laws of Hawaii 1963:
KEANAE, MAUI

The use of certain parcel at Keanae situated on the north
side of Hana Highway and the south side of Keanae
Road, being Parcel 9 of Tax Map Key 1-1-02, for the
purpose of constructing a recreational camp site by
the Young Men's Christian Association (YMCA).

Applicant: State of Hawaii Department of Land and Nat-
ural Resources.

Area: 7,742 acres

Sketch showing the general location is on file in the office
of the County of Maui Planning and Traffic Commission at Nas-
ka, Kahului, Maui, Hawaii, and is open to the public for inspec-
tion during office hours.

All protests against the SPECIAL USE PERMIT should be
filed in writing to said Commission, P. O. Box 1487, Kahului,
Maui, Hawaii, before the date of the public hearing or present-
ed in person at the time of the public hearing.

MAUI PLANNING AND TRAFFIC COMMISSION

JOSEPH S. MEDEIROS, Chairman

By **Robert O. Ohata**

County Planning Director

(MN: September 16, 1964)

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

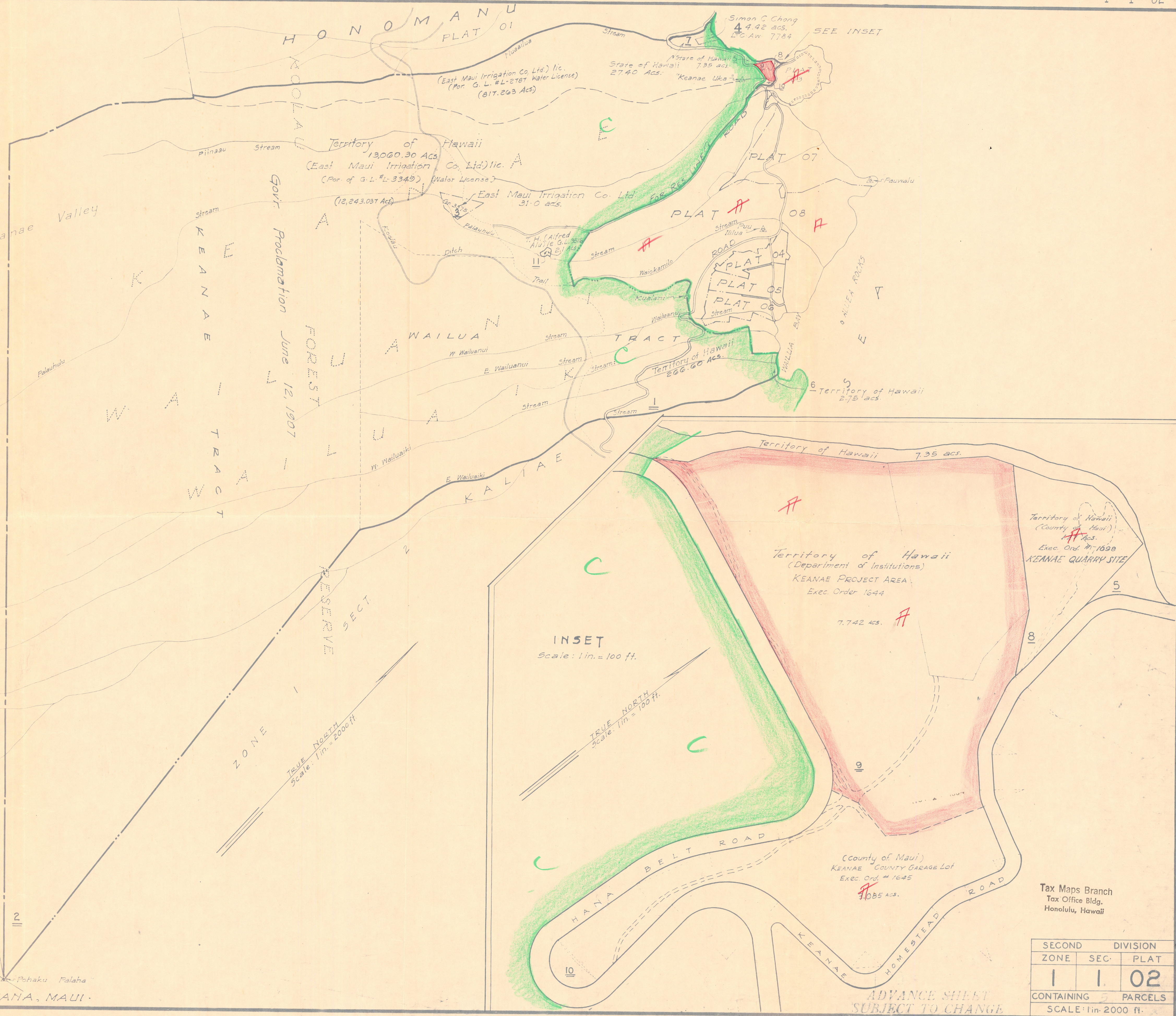
ITEM SP 64-5 DL & NR
DATE December 18, 1964
PLACE RP & ED
TIME _____

NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.		✓		
INABA, G.	✓			
OTA, C.	✓			
WENKAM, R.	✓			
BURNS, C.E.S.				✓
NISHIMURA, S.		✓		
MARK, S.	✓			
FERRY, J.				✓
THOMPSON, M.	✓			

COMMENTS: Comm. Wenkam moved to deny the petition on the basis of the staff report. Comm. Inaba seconded the motion. The motion was carried.

Dwg No. 2134
Revised to:
By: M.A.
Source: Tax Maps Bureau

MAKAWAO ZONE
DISTRICT
SEC. 4
HAIKU UKA



Por. of KOOLAU FOREST RESERVE, HANA, MAUI.

ADVANCE SHEET
SUBJECT TO CHANGE

Tax Maps Branch
Tax Office Bldg.
Honolulu, Hawaii

SECOND DIVISION	
ZONE	SEC. PLAT
1	1 02
CONTAINING 5 PARCELS	
SCALE: 1 in. = 2000 ft.	

PRINTED NOV 23 1964

7462



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P. O. BOX 621
HONOLULU, HAWAII 96809

September 18, 1964

Mr. Robert O. Ohata
Planning Director
Planning and Traffic Commission
P. O. Box 1487
Kahului, Maui, Hawaii 96732

Dear Mr. Ohata:

We thank you for your letter of September 14, 1964, advising that a public hearing will be held on October 6, 1964, at 1:30 p.m., regarding our request for a special permit to use certain Government lands located at Keanae, Maui (Tax Map Key 1-1-02:9), as a recreational campsite.

Additional data regarding this request is being furnished for your information:

1. The subject premises, shown outlined in yellow on the attached map, are owned by the State of Hawaii and was set aside by Executive Order No. 1644 to the Dept. of Social Services, formerly the Dept. of Institutions, for the Keanae Project Area as a prison campsite. At one time, the area housed the CCC camp operations and several old buildings are still located thereon.
2. For the past several years the Maui YMCA, through the courtesy of the then Dept. of Institutions, has had the use of this area from time to time for camping purposes. They now desire a definite term lease on this area.
3. The Maui YMCA, in accordance with Act 203 of the Session Laws of Hawaii 1963, has made application to lease the subject area for a campsite for a period of 55 years.

They plan to construct on the premises not less than 6 camping-type cabin units suitable for summer camping, each to accommodate 12 persons. This to be completed within 3 to 5 years from the date of lease and more will be constructed if there is sufficient demand for the same. They also plan to construct not less than 4 separate shower units with adequate toilet facilities; two of such units to be constructed within 3 years and 2 or more upon completion of the cabin units. They plan to clear and develop the playground area, or as much of it as is necessary, for camping activities. In addition, they would (a) repair the present gymnasium and other buildings, (b) repair all windows and screens of existing buildings, and (c) enlarge the kitchen and dining room within the present administration building.

4. Act 203 provides measures whereby the Board of Land and Natural Resources may directly award a lease to any eleemosynary or religious organization for campsites, providing that the lessee shall permit the public to use the campsites at rates established by the Board.
5. We have on record letters from the Director of the Dept. of Social Services which advise that his department consents to the lease as applied for by the Maui YMCA.
6. The Board of Land and Natural Resources, at its meeting of February 28, 1964, approved the lease as applied for by the Maui YMCA. The Maui YMCA, upon being advised of this approval, requested the Board of Land and Natural Resources to reconsider some of the terms and conditions imposed in the lease document. Accordingly, the Board of Land and Natural Resources reconsidered and approved the request made by the Maui YMCA for modification of certain conditions recited in the original lease terms.
7. For the academic year of 1962-1963 the Maui YMCA allowed the following organizations to use its facilities at Keanae:

Hi-Y Officers' Training Camp	-	180	camper	days
Jr. Membership Camp	-	165	"	"
Model Leg. Delegates Training				
Camp	-	195	"	"
Sr. Membership Camp		180	"	"

Mr. Robert O. Ohata

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September 18, 1964

Imperials & Hi-Liters Work Camp	-	105	camper days
Y's Men's Work Camp	-	14	" "
Continental & Starliters Work Camp	-	90	" "
Kahului Jr. Hi-Y & Triangles	-	30	" "
Hi-Y Summer Camp	-	180	" "
Jr. Hi-Y Summer Camp	-	280	" "

Groups other than YMCA affiliates using the facilities are the Boy Builders Club and the Methodist Church.

8. The Maui YMCA in order to justify the cost of constructing substantial permanent improvements on the lot is requesting that they be given a 55-year lease of the area for camp operations.

We feel that the request by the Maui YMCA to use the subject premises as a recreational campsite is a well-deserving one and therefore strongly recommend that favorable consideration be given to our request for a special use permit.

Very truly yours,

BOARD OF LAND AND NATURAL RESOURCES

JIM P. FERRY
Chairman & Member

Attach.

cc Mr. T.S. Yang
Mr. Y.H. Char
YMCA

September 30, 1964

TO: Maui Planning and Traffic Commission

FROM: Planning Director

SUBJECT: Special Use Permit Application No. 14 from State Department of Land and Natural Resources to use 7.742 Acres in Keanae, Maui, (TMK 1-1-02:9) as Recreational Campsite

1. Present condition: The subject parcel is generally bounded by the Hana Highway, Keanae Road, and the sea. The YMCA has been using this site for camping purposes. At one time, CCC Camp operations was based here. There are several old buildings on the site. The land is classified as "C", being fair to marginal in capability.
2. The request: The State would like to lease this parcel to the YMCA for a 55 year period. The YMCA plans to construct: camping cabins, shower and toilet facilities, playground and other facilities; repair present gym, other buildings, and enlarge kitchen.
3. County's General Plan: The County's plan shows this area in the agricultural district. Certain open space recreational uses on marginal lands are in conformance with the plan.
4. Recommendation: Approval recommended, limited to the same period of years as the lease, and automatically renewed should the lease be renewed or extended to the same party.

ROBERT G. OHATA
Planning Director