

SP68-57 HISAO & MATSUE FUJII

AFFIDAVIT OF PUBLICATION

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

Rose Alcomindras being duly sworn  
deposes and says, that he is Ad Traffic 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 19th day of March, 1969, and ending  
on the.....day of....., 19....., (both days  
inclusive), to-wit: on March 19, 1969

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  
19 day of March A. D. 1969

[Signature]  
Notary Public, Second Judicial  
Circuit, State of Hawaii.  
My commission expires August 31, 1971

NOTICE OF PUBLIC HEARING  
SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a public hearing to be held  
by the County of Maui Planning Commission on Tuesday, April  
15, 1969, in the Chambers of the Council, County Building,  
Wailuku, Maui, Hawaii, at 1:30 p.m. or as soon thereafter as  
those interested may be heard to consider the following request  
for SPECIAL USE PERMIT under provisions of SECTION 93H-6,  
REVISED LAWS OF HAWAII 1955, 1961 SUPPLEMENT, AS  
AMENDED BY ACT 205 SESSION LAWS OF HAWAII 1963:

OLOWALU, LAHAINA DISTRICT, MAUI  
To construct a second floor over the present store and  
restaurant building, known as Olowalu General Store,  
to be used as apartment units for rental purposes, in  
Olowalu, Maui, Hawaii, Tax Map Key 4-8-3, parcel 31.

Applicant: Hisao Fujii  
Sketch showing the general location is on file in the office  
of the County of Maui Planning Department at Naska, Kahului,  
Maui, Hawaii, and is open to the public for inspection 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 pre-  
sented in person at the time of the public hearing.

MAUI PLANNING DEPARTMENT  
By Robert O. Ohata  
County Planning Director

(MN: March 19, 1969)

INSTRUCTIONS:

- 1. To be filed in triplicate.
- 2. Use black ink or typewriter with black ribbon.
- 3. Use additional sheets if necessary.

MAUI PLANNING COMMISSION  
 P.O. BOX 1487, KAHULUI, HAWAII

APPLICATION FOR SPECIAL PERMIT  
 Special Permit is hereby requested:

DO NOT WRITE IN THIS SPACE

Appl. & fee received	<u>2-14-69</u>
Notice published	<u>3-19-69</u>
Public hearing	<u>4-15-69</u>
Recommendation to LUC	<u>5-7-69</u>
Action by State LUC	_____
County & Appl. notified	_____

- A. Description of Property: (1) Tax Map Key No. 3-8-03:Parcel 31  
 (2) Lot Area 9,927 sq.ft. (3) Location Olowalu, Lahaina District
- B. Ownership: (1) Owner's name Hisao & Matsue Fujii, dba Olowalu General Store  
 (2) Lessee's name \_\_\_\_\_ (3) Unexpired term      years
- C. Request: (1) State request briefly and exactly: I would like to build a second floor over the present store and restaurant building, known as Olowalu General Store, to be used as apartment units for rental purposes.

(2) Reasons justifying granting of request: The original plan for the construction of the store provided for the second story; however, due to the financial program, the second floor was deferred to a later date. It is my desire to do that now. The construction of the 2nd floor will not affect the zoning or the appearance of that area because the present building will be used, and, secondly, because the large Monkey Pod trees in that area make the addition in such a manner that it will blend with the surrounding area.

- D. Applicant: (1) Name Olowalu General Store  
 (2) Address RR1 Box 820, Lahaina, Maui (3) Telephone 363774  
 (4) Signature *Hisao Fujii*

E. Planning Commission action: \_\_\_\_\_ Date \_\_\_\_\_ Vote:            
 ayes noes

Reasons: \_\_\_\_\_

F. State Land Use Commission's action: \_\_\_\_\_ Date: \_\_\_\_\_

G. Copies to: State LUC      Supervisors      Applicant      Owner & Lessee

MAUI PLANNING COMMISSION  
PUBLIC HEARING  
Tuesday, April 15, 1969

LAND USE COMMISSION  
SPECIAL USE PERMIT

APPLICATION NO. 31  
(Hisao & Matsue Fujii)

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 Yoshikazu Matsui at 1:32 p.m. in the Chambers of the Council, County Building, Wailuku, Hawaii.

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

LOWALU, LAHAINA DISTRICT, MAUI

To construct a second floor over the present store and restaurant building known as Olowalu General Store, to be used as apartment units for rental purposes, Tax Map Key 4-8-3, parcel 31.

Applicant: Hisao Fujii and Matsue Fujii

The Director read the application for special permit filed on March 14, 1969, attached hereto and made a part hereof.

From a blackboard sketch of the area, Director Ohata pointed out that the zoning is Agriculture whereby the use requested is not permitted. Accordingly, Mr. Fujii has applied for a special use permit.

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

COMMISSIONER KAGE: "How many units will you have?"

MR. FUJII: "About nine."

COMMISSIONER KAGE: "Where are the apartment owners going to park?"

MR. FUJII: "In the back of the store."

The Chair then opened the hearing to the public for testimony.

MR. FUJII: "As for the taxes, it is zoned Agriculture, and I am paying urban taxes. So I think it would come under business."

DIRECTOR OHATA: "I think you are taxed because of the store and the restaurant, not because it is urban or agricultural. Because the tax office taxes in accordance with the highest and the best use of that moment, but not contrary to the zoning. Irrespective of the Agricultural zone, you get taxed as a store."

MR. FUJII: "When I built the store in 1963, I didn't have enough money to finish the whole building, and I made a flat top with pitch and gravel for another floor out there. I already had plans."

COMMISSIONER UNEMORI: "Recently you came up for a variance on that restaurant portion."

MR. FUJII: "I came in for a permit."

COMMISSIONER UNEMORI: "I thought you didn't have any more plans for expanding at that time."

MR. FUJII: "For expanding the restaurant."

CHAIRMAN MATSUI: "At that time, we asked whether you had any more plans for the store, and you clearly stated that you only had for the restaurant."

MR. FUJII: "I think it was a misunderstanding."

MR. HAMADA: "What is the size of the lot?"

DIRECTOR OHATA: "9,927 square feet"

MR. FUJII: "The land is divided into three pieces. When I had the old store, I had two parcels in one use. On the Wailuku side, I bought from the plantation 10 or 15 years ago when they were selling property. I bought the old road from the County too. It is over 30,000 square feet."

COMMISSIONER KAGE: "If you happen to go nine units upstairs, all your apartment tenants are going to park in the back?"

MR. FUJII: "Yes, I have land over there. My land is narrow, but long."

CHAIRMAN MATSUI: "We are talking about parking. In your business, you need certain percentage of parking. You have to stay within your area."

MR. FUJII: "Yes, I have enough parking behind the store. I had a contractor over, and he says I have enough area for parking."

CHAIRMAN MATSUI: "Are you taking away parking from your business?"

MR. FUJII: "No"

CHAIRMAN MATSUI: "Did we check the parking on the other special permit?"

MR. NAKAMURA: "We did check the parking. He had enough area in front."

CHAIRMAN MATSUI: "You realize that on parking for apartments, we're going to ask you one for one, and nothing can be taken away from the business portion."

MR. FUJII: "Yes"

CHAIRMAN MATSUI: "But you don't have more than 13,000 square feet of land."

MR. FUJII: "The land is long."

COMMISSIONER MAEHARA: "Is this for transients or permanent residents?"

MR. FUJII: "Permanent residents"

No one else spoke for the granting of the special permit.

No one spoke against the granting of the special permit.

The public hearing was closed at 1:45 p.m. Chairman Matsui announced that since the law provides for a 15-day period before the Planning Commission can render a decision, the matter would be taken under advisement.

EVA M. DUPONTE  
Adm. Ass't. - Planning Reporter

RECORD OF ATTENDANCE:

MAUI PLANNING COMMISSION

Present: Y. Matsui, Chairman  
M. Unemori, Vice Chairman  
G. A. Freeland, Member  
A. Hussey, Member  
I. Maehara, Member  
K. Hamada, ex-officio  
J. Fernandez, ex-officio

Excused: J. Franco, Member

IN ATTENDANCE: Robert O. Ohata, Planning Director  
Howard Nakamura, Deputy Planning Director  
Hisao Fujii, Olowalu  
Cliff Bronson, Maui News  
Robert Johnson, Honolulu Advertiser

RECEIVED

SEP 23 1968

State of Hawaii  
LAND USE COMMISSION

September 19, 1968

Mr. Hisao Fujii  
RR-1 820  
Olowalu, Maui

Dear Mr. Fujii:

The State Land Use Commission approved the special permit request by you to convert portion of your existing building to restaurant and bar. A carbon copy of letter addressed to this office was sent to you.

You may now proceed with the building permit to do the work contemplated. Please understand that the approval of the Maui Planning Commission and the State Land Use Commission contains stipulation regarding enlargement and completion date.

Yours very truly,

*Robert O. Ohata*

ROBERT O. OHATA  
Planning Director

✓ cc State Land Use Commission

September 16, 1968

Maui Planning Commission  
P. O. Box 1487  
Kahului, Maui

Gentlemen:

At its meeting on September 13, 1968, the Land Use Commission voted to approve the grant of a special permit to Hisao and Matsue Fujii to operate a restaurant and bar within a portion of a concrete block building constructed in 1963, at Olowalu, Lahaina, Maui, identifiable by Tax Map Key 4-8-03: 31, subject to the conditions set forth by the Maui Planning Commission and also that the alterations be completed within one year.

Enclosed for your information is the staff report.

Very truly yours,

RAMON DURAN  
Executive Officer

Encl.  
cc: Dept. of Taxation  
Hisao & Matsue Fujii

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Molokai Community Center  
Kaunakakai, Moloaki

September 13, 1968 - 2:30 p.m.

Commissioners Present: C. E. S. Burns, Jr., Chairman  
Wilbert Choi  
Shelley Mark  
Alexander Napier  
Goro Inaba  
Leslie Wung  
Shiro Nishimura  
Keigo Murakami

Commissioners Absent: Sunao Kido

Staff Present: Ramon Duran, Executive Officer  
Ah Sung Leong, Planner  
George Pai, Legal Counsel  
Dora Horikawa, Stenographer

Chairman Burns swore in persons planning to testify before the Commission.

HEARING

PETITION BY MOLOKAI RANCH, LTD. (A68-192) TO RECLASSIFY 6,800 ACRES FROM AGRICULTURAL TO URBAN AT THE WEST END OF MOLOKAI

Prior to the presentation of the staff report, Mr. Duran pointed out on the map the property under discussion and the other land uses on the Island of Molokai.

It was recommended by staff that an area sufficient to accommodate a 10-year growth, 1,460 acres, be rezoned to the Urban District. However, it was further recommended that the consultants be requested to review and comment on this application before final action is taken by the Commission. (See copy of report on file.)

Chairman Burns noted that the Maui Planning Commission had recommended approval of the petition and wondered what the County's responsibilities were in terms of supplying water, etc., to the project.

*See pg. 8*

people, close to urban amenities, free from floods, and abuts an Urban District. (See copy of report on file.)

It was brought out that petitioners' plan involved approximately 35 lots for residential homes with a density of 2 acres per dwelling unit. Furthermore, since a golf course was also being created in the area surrounding the subdivision, which is a permitted use in the Agricultural District, the area in question automatically will be taken out of agricultural use. In this respect, Mr. Duran raised the question of the reasonableness of permitting golf courses in an Agricultural District by the Land Use Commission regulations.

Commissioner Murakami moved to approve the petition as recommended by staff, which was seconded by Commissioner Choi. The Commissioners were polled as follows:

Ayes: Commissioners Choi, Napier, Mark, Inaba, Nishimura, and Murakami

Nays: Commissioner Wung

Abstain: Chairman Burns

The motion was carried.

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APPLICATION BY HISAO AND MATSUI FUJII (SP68-57) FOR A SPECIAL PERMIT TO OPERATE A RESTAURANT AND BAR AT OLOWALU, LAHAINA, MAUI

Mr. Leong presented staff report recommending approval of the special permit as conditioned by the Maui County Planning Commission and also that the alterations be completed within one year. (See copy of report on file.)

Commissioner Wung moved to approve the special permit request, as recommended by staff, seconded by Commissioner Choi and the motion was carried by 7 ayes. Commissioner Napier voted Kanalua.

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DECISION IN THE THIRD CIRCUIT COURT - ALLISON, ET AL VS. LAND USE COMMISSION

Mr. Duran advised that Mr. George Pai, legal counsel, received a court decision by the Third Circuit Court, Ralph Allison, et al versus the Land Use Commission, dated September 3, 1968, reversing the decision of the Commission.

STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM SP68-57 - Hisao & Matsui Fujii DATE September 13, 1968  
PLACE Molokai Community Center TIME 2:30 p.m.

NAME	YES	NO	ABSTAIN	ABSENT
9 CHOI, WILBERT	✓			
NAPIER, ALEXANDER				
MARK, SHELLEY	✓			
KIDO, SUNAO				
INABA, GORO	✓			
M WUNG, LESLIE	✓			
NISHIMURA, SHIRO	✓			
MURAKAMI, KEIGO	✓			
A BURNS, C. E. S.	✓			

COMMENTS:

*Approve*

STATE OF HAWAII  
LAND USE COMMISSION

Molokai Community Center  
Kaunakakai, Molokai

September 13, 1968  
2:30 p.m.

STAFF REPORT

SP68-57 - HISAO AND MATSUE FUJII

The records and proceedings of a Special Permit application submitted by Mr. and Mrs. Hisao Fujii has been forwarded by the Maui County Planning Commission. The petitioners seek permission to operate a restaurant and bar within a portion of a concrete block building constructed in 1963 which is situated in an Agricultural District at Olowalu, Lahaina, Maui. Ichiki general store presently occupies about half the floor space of the structure in question. The Fujiis are the owners of the land which is described by parcel 31 of TMK 4-8-03, and which is located on the mauka side of Honoapiilani Highway leading to Lahaina. Lahaina proper is approximately 6 miles north of the property in question.

The following statement was submitted by the petitioner to justify the request:

"As there is an existing store and gas station on the property and that the proposed restaurant will be inside the existing building, it will not adversely affect surrounding property. Also, the fact that there is existing business with ample parking it will not put any further burden on public agencies or will not change the essential character of the land. Due to the growth of the West Maui area, public demand for a restaurant has risen. Our daily customers have been increasing rapidly and frequently inquire for a restaurant."

At the hearing held by the Maui County Planning Commission, it was indicated that:

1. The restaurant and bar will be leased and operated by Paul and Fernande Kirk and will occupy approximately 1,100 sq. ft. of floor space presently utilized by Ichiki Store for storage.

2. The existing one-story structure comprises approximately 5,500 sq. ft. and is situated on a 9,927 sq. ft. lot. The land immediately surrounding this lot is also owned by the petitioner.
3. Prior to the Land Use Law, County zoning for this area was for general business. Presently, the Lahaina 701 Plan proposes that Olowalu be retained as a reserve for possible future expansion of tourist facilities.
4. There is ample room for parking in the area and additional storage space is not needed by Ichiki Store.

At its meeting of August 20, 1968, the Maui Planning Commission voted unanimously to recommend approval of the Special Permit since:

1. The request is basically to convert a portion of one non-conforming use (retail store) to another (restaurant and bar). Therefore, the granting of the request would not substantially alter the existing character of the land.
2. Existing developments, which maintain some characteristics of an urban area, preclude utilization of the land for permitted (agricultural) activities.

It was further recommended that approval be subject to the condition that there would be no further expansion of the bar and restaurant or the existing Ichiki Store.

#### Analysis

There are approximately two dozen plantation homes and private residences at Olowalu. Ichiki Store is the only general retail establishment in the community serving both the neighborhood residents and commuters between Lahaina and Wailuku. A small gas station is also operated by the store.

The surrounding cane lands are almost entirely owned by the Pioneer Mill Company. This includes the strip of Conservation land on the makai side of the main highway.

The Land Study Bureau has designated the subject site as "U" for Urban to reflect the existing land use. However, the adjacent cane lands are rated "A" or "very good" for overall agricultural use. Median annual rainfall is approximately 10.7 inches in this area.

An evaluation of the request using the Special Permit guidelines established by the Land Use Commission revealed no adverse factors relating to this petition.

#### Recommendation

It is therefore recommended that the Special Permit be approved as conditioned by the Maui County Planning Commission and in addition that the alterations for the restaurant and bar be completed within one year.

September 4, 1968

Mr. Hisao Fujii  
RR-1 820 Olowalu  
Maui, Hawaii

Dear Mr. Fujii:

The Land Use Commission next meets at 2:30 p.m. at the Molokai Community Center, Kaunakakai, Molokai, on September 13, 1968.

At that time, your application for a special permit (SP68-57) will be reviewed.

Although there is no requirement for you to be present, should you wish to attend, please feel free to do so.

Very truly yours,

RAMON DURAN  
Executive Officer

SP68-57 Fiji

① Detailed Land Classification

Classified "U" by LSB

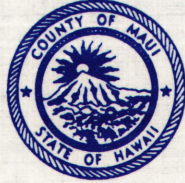
Adjacent lands are A71i = Very good overall suitability; well suited for machinery; non-stony; deep; 0 to 10% slopes; well drained; 10-30" rainfall; major existing uses are sugarcane + grazing.

② Rainfall (Key #296 Olowalu - Elev. 6')

Median annual rainfall = 10.7"

③ Distance to Lahaina = 6 miles.

JOSEPH S. MEDEIROS, JR., CHAIRMAN  
YOSHIKAZU MATSUI, VICE-CHAIRMAN  
G. ALAN FREELAND, MEMBER  
WILLIAM HONG, MEMBER  
ADRIAN HUSSEY, MEMBER  
PETER MATSUOKA, MEMBER  
MOTOHISA UNEMORI, 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, ADM. ASST.

**PLANNING COMMISSION**

**COUNTY OF MAUI**

POST OFFICE BOX 1487

KAHULUI, MAUI, HAWAII 96732

August 21, 1968

RECEIVED

AUG 23, 1968

State of Hawaii  
LAND USE COMMISSION

Mr. C. E. S. Burns, Jr., Chairman  
State Land Use Commission  
426 Queen Street  
Honolulu, Hawaii 96813

Gentlemen:

The Maui Planning Commission at its meeting of August 20, 1968, voted unanimously to recommend approval of the special use permit to Mr. and Mrs. Hisao Fujii of Olowalu. The approval is for using portion of the present building for restaurant and bar. The approval is with conditions as contained in the staff report.

Very truly yours,

ROBERT O. OHATA  
Planning Director

Enclosures:

- 1 - Application
- 2 - Staff Report
- 3 - Transcript
- 4 - Notice of Public Hearing

INSTRUCTIONS:

1. To be filed in triplicate.
2. Use black ink or typewriter with black ribbon.
3. Use additional sheets if necessary.

MAUI PLANNING COMMISSION  
P.O. BOX 1487, KAHULUI, HAWAII

APPLICATION FOR SPECIAL PERMIT  
Special Permit is hereby requested:

DO NOT WRITE IN THIS SPACE

Appl. & fee received	<u>6/12/68</u>
Notice published	<u>6/15/68</u>
Public hearing	<u>7/23/68</u>
Recommendation to LUC	<u>8/21/68</u>
Action by State LUC	_____
County & Appl. notified	_____

A. Description of Property: (1) Tax Map Key No. 4-8-003-031

(2) Lot Area 9927 sq. ft (3) Location Olowalu, Lahaina, Maui, Hawaii

B. Ownership: (1) Owner's name Hisao Fujii and Matsue Fujii

(2) Lessee's name Paul B. & Fernande Kirk (3) Unexpired term 10 years

C. Request: (1) State request briefly and exactly: \_\_\_\_\_

To operate a small restaurant within a portion of the existing building, which is now part of the warehouse of The Ichiki Store in Olowalu, Maui, Hawaii

(2) Reasons justifying granting of request: As there is an existing

store and gas station on the property and that the proposed restaurant

will be inside the existing building, it will not adversely affect surround-

ing property. Also, the fact that there is existing business with ample

parking it will not put any further burden on public agencies or will not

change the essential character of the land. Due to the growth of the West

Maui area, public demand for a restaurant has risen. Our daily customers have been increasing rapidly and frequently inquire for a restaurant.

D. Applicant: (1) Name Hisao Fujii And Matsue Fujii

(2) Address RR-1 820 Olowalu, Maui, Hawaii (3) Telephone 367791

(4) Signature Hisao Fujii

E. Planning Commission action: APPROVED Date 8/20/68 Vote: 4 0

ayes noes

3 absent.

Reasons: Per recommendation of staff in report dated July 2, 1968.

F. State Land Use Commission's action: \_\_\_\_\_ Date: \_\_\_\_\_

G. Copies to: State LUC \_\_\_\_\_ Supervisors \_\_\_\_\_ Applicant \_\_\_\_\_ Owner & Lessee \_\_\_\_\_

July 2, 1968

TO: MAUI PLANNING COMMISSION  
FROM: PLANNING DEPARTMENT  
SUBJECT: LUC SPECIAL PERMIT APPLICATION NO. 28, HISAO AND MATSUE FUJII, OLOWALU.

The applicants, Hisao and Matsue Fujii, are requesting a State Land Use Commission Special Permit to permit the operation of a bar and restaurant within a portion of the existing Ichiki Store building in Olowalu, Lahaina, Maui. The building is located on TMK:4-8-3: parcel 31 which is 9,927 square feet in area. In total, the Fujii's own 21,896 square feet in adjoining parcels. Ichiki Store is located on the easterly (mauka) side of Honoapiilani Highway in Olowalu and is in the State Agriculture District.

The existing structure which is approximately 5,500 square feet in area was constructed in 1963 to replace the then existing store. Approximately 2,600 square feet of the building is being presently utilized for retailing space. The remainder, including the portion proposed to be used for the restaurant and bar, is presently used for storage. The restaurant and bar is to be leased and operated by Paul and Fernande Kirk, and will occupy approximately 1100 square feet, with about 700 square feet of serving area.

The community of Olowalu consists of 19 plantation homes owned by Pioneer Mill Company and approximately 8 other individual residences in the area. Two church camps, Camp Pecusa and Camp Olowalu are located in the vicinity. Ichiki Store is the only commercial activity, and serves the Olowalu community as well as commuters to and from West Maui. In addition to serving as a general retail establishment, a service station is operated at the store.

The Lahaina "701" plan proposes that Olowalu be kept as a reserve for possible future expansion of tourist facilities should full development occur in Lahaina Town, Kaanapali and Kapalua. The previous County master plan proposed hotel and commercial uses in Olowalu, with the commercial district in the vicinity of the Ichiki Store.

#### RECOMMENDATION

It is recommended that the request of Mr. and Mrs. Fujii for a State Land Use Commission Special Permit be approved, inasmuch as:

(1) The request is basically to convert a portion of one non-conforming use (retail store) to another (restaurant and bar). Therefore, the granting of the request would not substantially alter the existing character of the land.

(2) Existing developments, which maintain some characteristics of an urban area, preclude utilization of the land for permitted (agricultural) activities.

It is further recommended that approval be subject to the condition that there would be no further expansion of the bar and restaurant, or the existing Ichiki Store.

MAUI PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, July 23, 1968

The regular meeting of the Maui Planning Commission was called to order by Chairman Joseph S. Medeiros, Jr., at 1:35 p.m. on Tuesday, July 23, 1968, in the Board of Supervisors Chambers, County Building, Wailuku, Hawaii.

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

PUBLIC HEARING:

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 Joseph S. Medeiros. 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 and circulated in the County of Maui, being the County in which said Commission is located, on June 15, 1968:

OLOWALU, Lahaina District, Maui

Operate restaurant and bar within a portion of the existing building which is part of the warehouse of the Ichiki Store in Olowalu, Maui, Hawaii, Tax Map Key 4-8-3, Parcel 31.

Applicant: Hisao Fujii and Matsue Fujii

The Director read the application for special permit filed on June 12, 1968, attached hereto and made a part hereof.

The staff report attached hereto was circulated to the Commission.

From Land Zoning Map No. 8, showing Olowalu and surrounding areas, the Director pinpointed the location and explained that the County of Maui, prior to the Land Use Law, zoned this area to general business. Accordingly, the construction of Ichiki Store was in conformance with the plan. Subsequently, the Land Use Commission zoned the area agricultural, rather than urban, and any further construction now requires a special permit. He pointed out that the 701 plan proposes that Olowalu be retained as a holding zone until the area would be overcrowded and the expansion could occur in the Olowalu area. Presently, the only use shown for the Olowalu area is a park in the vicinity of the pier. Other than that the master plan for the region does not show any commercial use in Olowalu.

The Chair then opened the hearing to the public for testimony.

DIRECTOR OHATA: "May I ask Mr. Fujii a question. The staff in our recommendation to the Commission stated it this way: The reason you are renting that portion to Mr. Kirk is that it is vacant and available for immediate use. Is that true?"

MR. HISAO FUJII: "Yes."

DIRECTOR OHATA: "Sometime after, if Mr. Kirk moves in, would you be faced with a shortage of space for your business?"

MR. HISAO FUJII: "No."

COMMISSIONER MATSUI: "Is there ample parking?"

DIRECTOR OHATA: "Yes."

CHAIRMAN MEDEIROS: "You understand that our staff recommendation, recommending approval, is on the condition that there be no further expansion to the bar and restaurant or Ichiki Store...you will not be allowed to expand your business area."

Minutes, meeting of 7/23/68 -- 2

MR. HISAO FUJII: "I won't need any more room for my store."

COMMISSIONER FREELAND: "That was used for storage. Will you have enough room now?"

MR. HISAO FUJII: "I used that when I built half of the new store. I don't need all that space."

MR. KIRK: "I am the one to open the small restaurant. The bar is to complement the food with. We are going to be open at night, so it won't conflict with his hours."

COMMISSIONER MATSUOKA: "Where are you going to get the liquor to serve."

MR. KIRK: "I will have to get a liquor license."

No one else spoke for the granting of the special use permit.

No one spoke against the granting of the special use permit.

The Chair closed the public hearing at 1:51 p.m. and informed the applicant that the law provides for 15 days before any action can be taken by the Commission. He pointed out that the final decision rests with the Land Use Commission.

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The Chair then opened the public hearing on the following request for CHANGE IN ZONING under provisions of SECTION 8-1.21 of the PERMANENT ORDINANCES OF THE COUNTY OF MAUI:

FRONT STREET, LAHAINA

From R-2 Residential District to H-1 Hotel District of parcel situated on the northeasterly corner at the intersection of Front Street and Papalaua Street, being the site of the old Lahaina Dispensary, Tax Map Key 4-5-02, parcel 9.

Applicant: Harry Weinberg

Area: 11.761 acres more or less

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 and circulated in the County of Maui, being the County in which said Commission is located, on July 3, 1968.

The Director read the letter of application signed by Harry Weinberg, dated June 20, 1968, attached hereto and made a part hereof.

From Land Zoning Map of Lahaina, the Director indicated the location, and explained that presently the area is zoned R-2 but is shown in blue (Public Use) on the map because the dispensary is there.

Deputy Director Nakamura from the adopted general plan for the Lahaina district pointed to the subject parcel situated on the northerly side of the Lahaina Shopping Center. He explained that the 701 recommendation was that the uses below the highway be restricted to two stories. This hotel district is H-1 and conforms to the adopted master plan for the Lahaina area. He pointed to the special treatment district for which exact measures have not been fully worked out, but will when completed, have some controls like the Historic District.

CHAIRMAN MEDEIROS: "Would this be premature for us to act on this application?"

AFFIDAVIT OF PUBLICATION

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

.....Rose Alcomindras.....being duly sworn  
deposes and says, that he is Adv. Traffic.....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 15th day of June....., 19 68., and ending  
on the.....day of....., 19....., (both days  
inclusive), to-wit: on.....  
.....June 15, 1968.....

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  
19 day of June A. D. 19 68..

*Notary Public*  
.....

Notary Public, Second Judicial  
Circuit, State of Hawaii.

My commission expires August 31, 1971

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a public hearing to be held  
by the County of Maui Planning Commission on Tuesday, July  
23, 1968, in the Board of Supervisors Chambers, Wailuku,  
Maui, Hawaii, at 1:30 p.m. or as soon thereafter as those in-  
terested may be heard to consider the following request for  
SPECIAL USE PERMIT under provisions of SECTION 98 H-6,  
REVISED LAWS OF HAWAII 1955, 1961 SUPPLEMENT, AS  
AMENDED BY ACT 205, SESSION LAWS OF HAWAII 1963:

LOWALU, LAHAINA DISTRICT, MAUI

Operate restaurant and bar within a portion of the existing  
building which is part of the warehouse of the Ichiki  
Store in Olowalu, Maui, Hawaii, Tax Map Key 4-8-3,  
parcel 31.

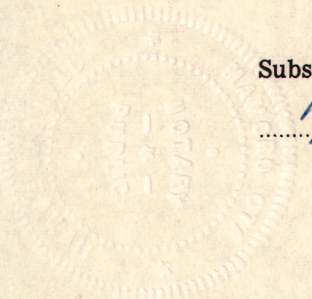
Applicant: Hisao Fujii and Matsue Fujii

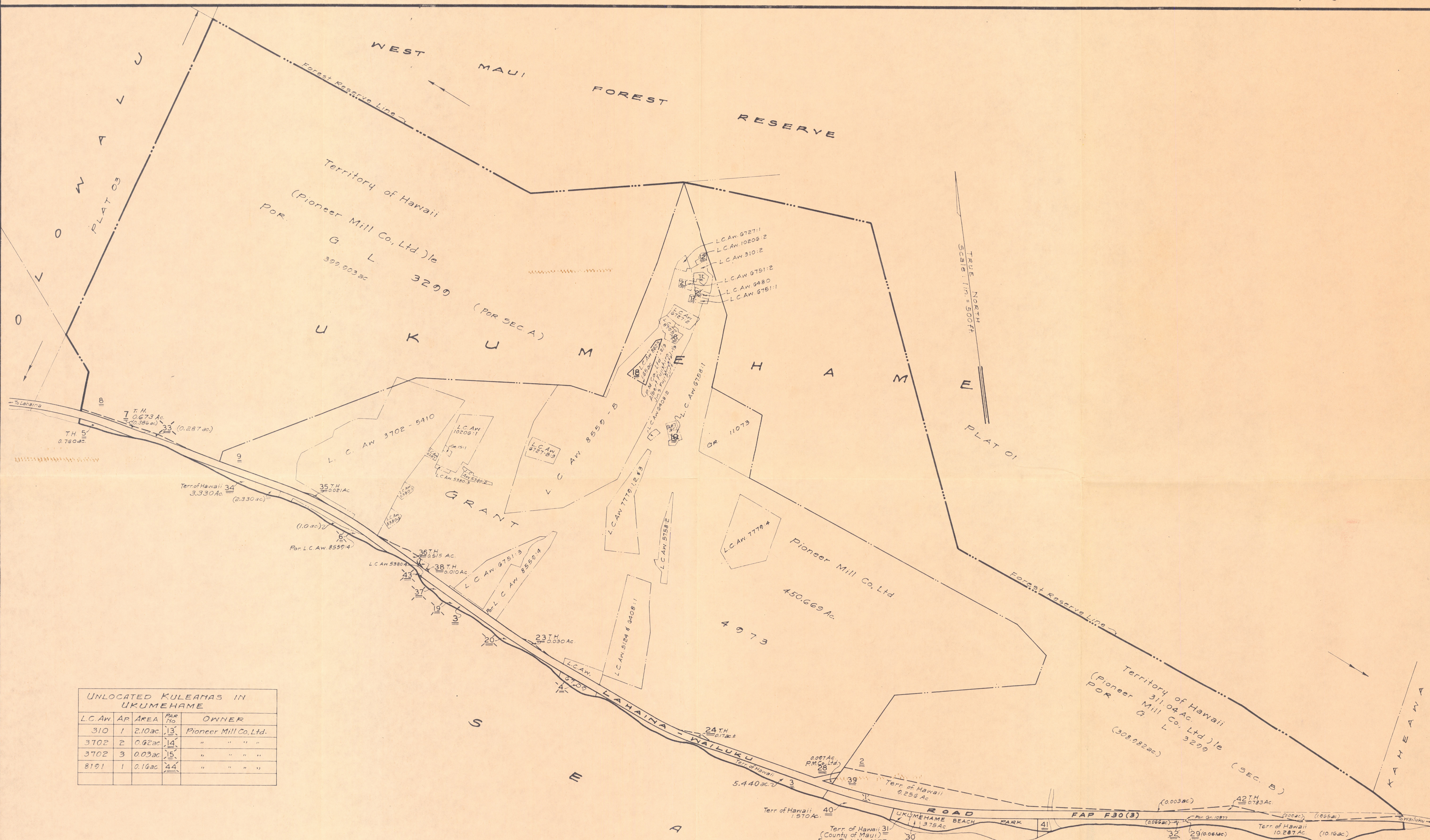
Sketch showing the general location is on file in the office  
of the County of Maui Planning Commission at Naska, Kahu-  
lui, Maui, Hawaii, and is open to the public for inspection dur-  
ing office hours.

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 pre-  
sented n person at the time of the public hearing.

MAUI PLANNING COMMISSION  
JOSEPH S. MEDEIROS, JR., CHAIRMAN  
By Robert O. Ohata  
County Planning Director

(MN: June 15, 1968)





UNLOCATED KULEANAS IN UKUMEHAME

L.C. AW.	AP. No.	AREA	PAR. No.	OWNER
310	1	2.10ac	13	Pioneer Mill Co., Ltd.
3702	2	0.62ac	14	" " " "
3702	3	0.03ac	15	" " " "
8191	1	0.16ac	44	" " " "

Dropped Parcels: 1, 11, 12, 16, 17, 21, 22, 25, 26, 27, 30, 32, 29, 10, 13, 14, 15, 44.

PIONEER MILL PLTN CO., LTD., UKUMEHAME, LAHAINA, MAUI

SUBJECT TO CHANGE

DEPARTMENT OF THE TAX COMMISSIONER  
TAXATION MAPS BUREAU  
TERRITORY OF HAWAII

**TAX MAP**

SECOND		DIVISION
ZONE	SEC.	PLAT
4	8	02

CONTAINING PARCELS  
SCALE: 1 IN. = 500 FT.

DWG. NO. 2016 Revised  
SOURCE: T & Right-of-Way Map, FAP No. F30(3)  
BY: R.D.Y. Revised, August 1952

FEB 15 1939  
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2020  
2021

SEC. 7  
N I U P O K O

WEST FOREST RESERVE  
PLAT 01  
KUMEHAME  
PLAT 02

State of Hawaii  
852.48 Acs.  
(Pioneer Mill Co. Ltd.-Le.)  
POR. G L 3299 SEC. A.  
(851.79 acs)

STEEP VACANT LAND

SP 68-57 FUJII

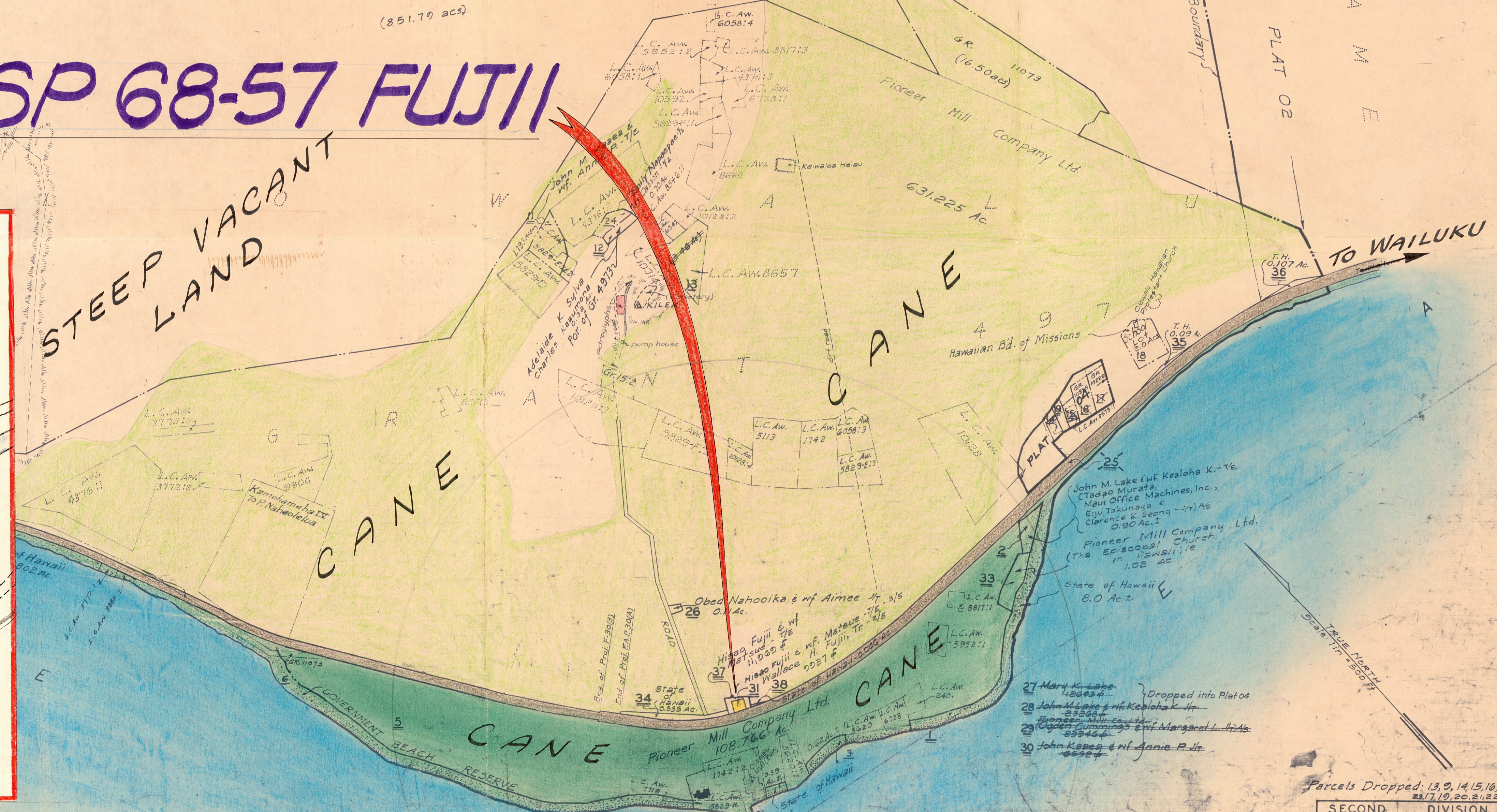
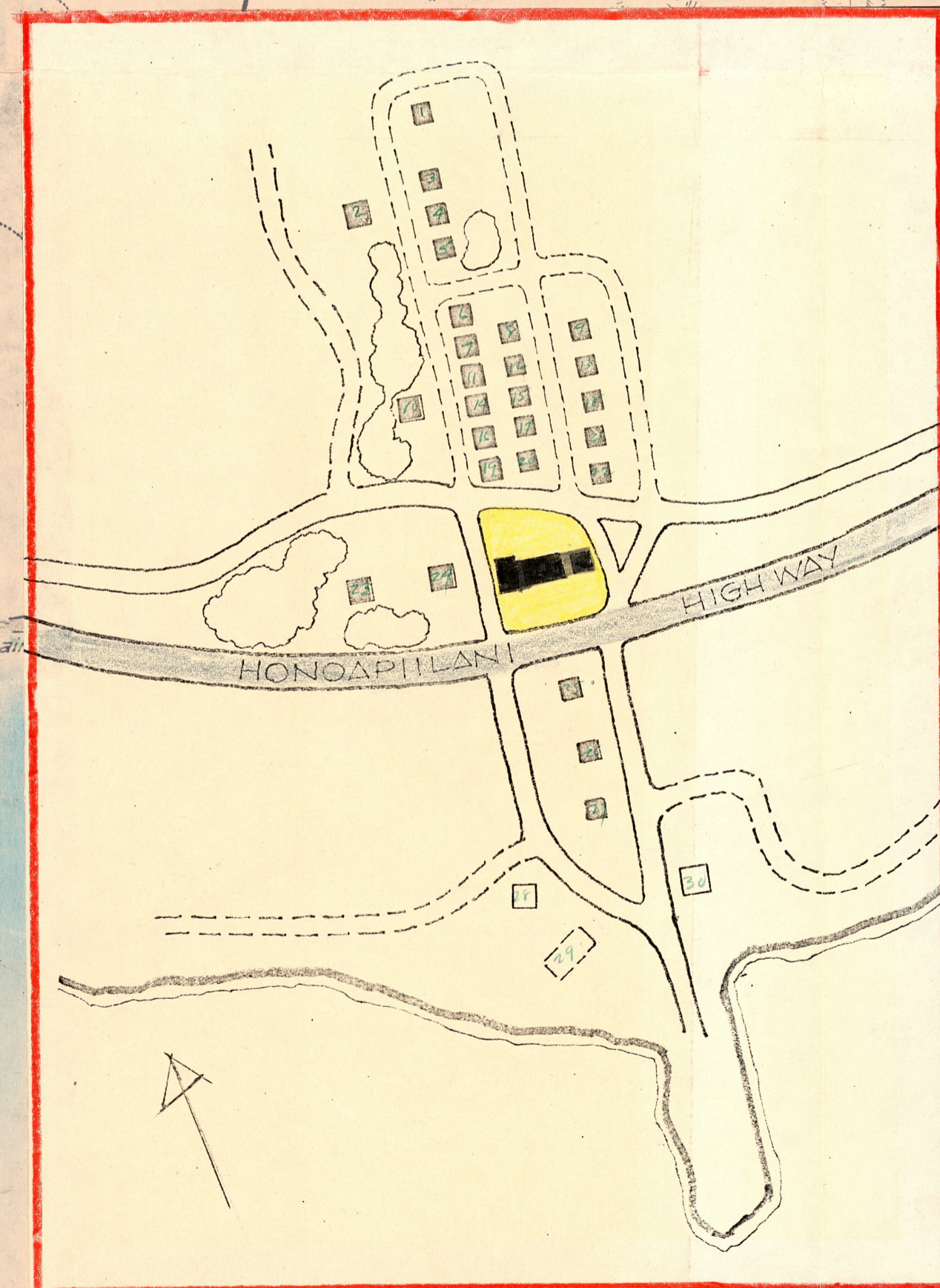
STEEP VACANT LAND

CANE

CANE

CANE

OLOWALU WHARF



Parcels Dropped: 13, 9, 14, 15, 16, 21, 19, 20, 21, 22

SECOND DIVISION		
ZONE	SEC	PLAT
4	8	03
CONTAINING 2 PARCELS		
SCALE: 1 in. = 500 ft.		

DWG. No: 2021  
By: L.K.H. - May 1934  
Source: Tax Maps Bureau & Survey Department

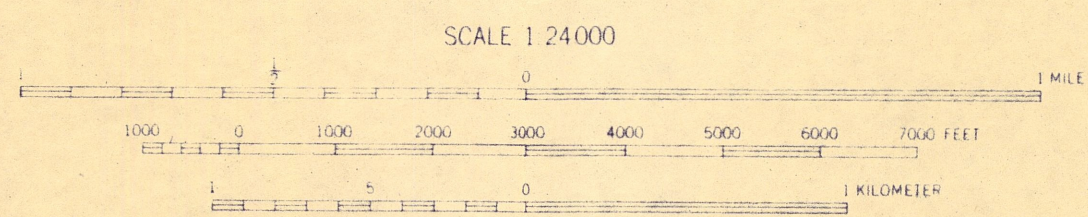
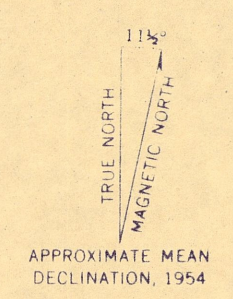
PIONEER MILL PLANTATION, OLOWALU, MAUI.

SUBJECT TO CHANGE

PRINTED: 7/16 3 0 1988



Mapped, edited, and published by the Geological Survey  
Control by USGS, USC&GS, and Hawaiian Territorial Survey  
Topography by multiple methods from aerial photographs taken 1950,  
by USGS plane-table surveys 1923, and by  
Hawaiian Commercial and Sugar Co. 1951. Field check 1954  
Hydrography compiled from USC&GS Charts 4104 and 4130  
Polyconic projection. Old Hawaiian datum  
10,000-foot grid based on Hawaiian coordinate system, zone 2  
Unchecked elevations are shown in brown



SCALE 1:24,000  
CONTOUR INTERVAL 40 FEET  
DOTTED LINES REPRESENT HALF INTERVAL CONTOURS  
DATUM IS MEAN SEA LEVEL  
DEPTH CURVES IN FEET—DATUM IS MEAN LOWER LOW WATER  
SHOULDER SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER  
THE AVERAGE RANGE OF TIDE IS APPROXIMATELY 2 FEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U. S. GEOLOGICAL SURVEY, FEDERAL CENTER, DENVER COLORADO OR WASHINGTON 25, D. C.  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

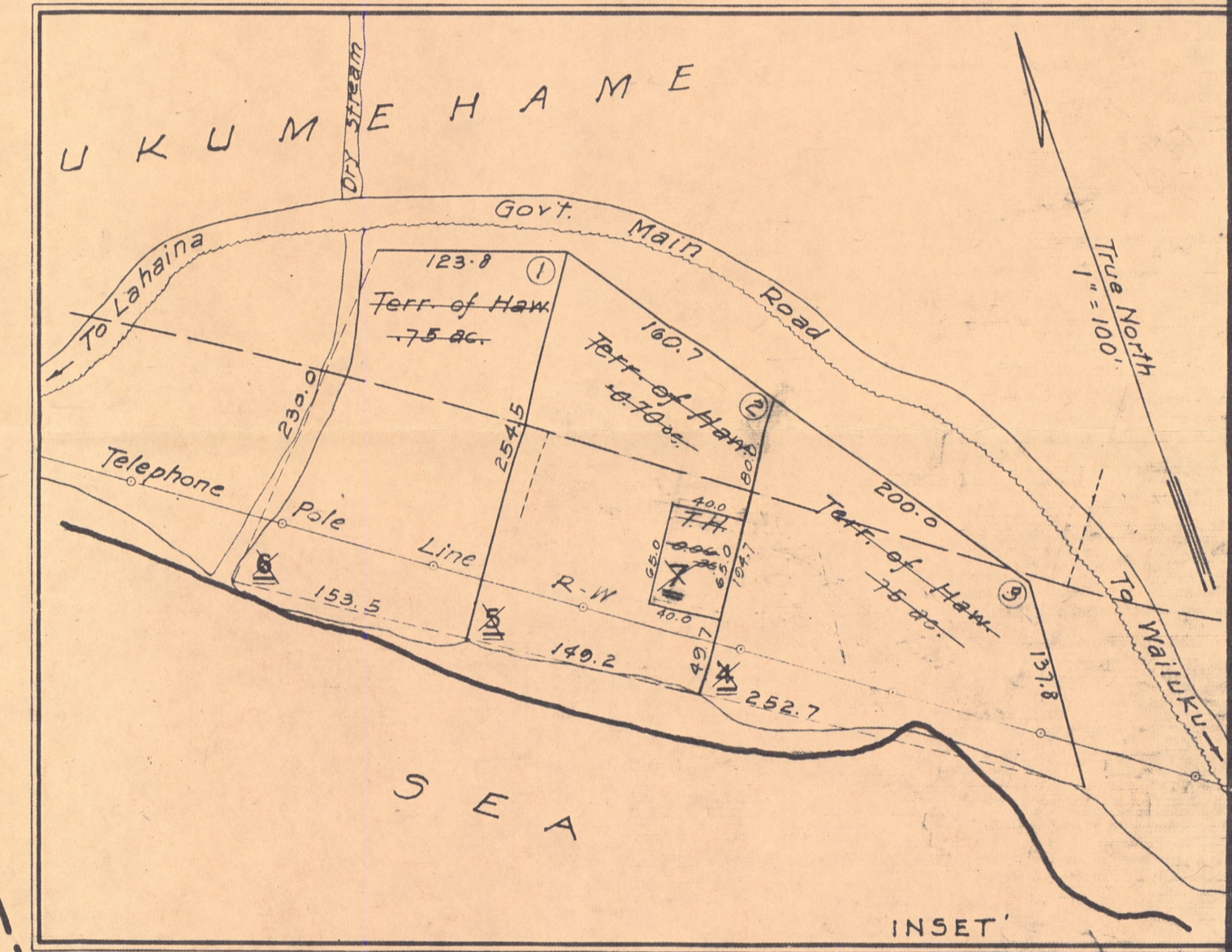
ROAD CLASSIFICATION  
Heavy duty ——— Light duty ———  
Medium duty ——— Unimproved dirt ———

Map of the island of Maui, scale 1:62,500, from an earlier survey, is available

HAWAIIAN ISLANDS  
QUADRANGLE LOCATION

**M-6** MAALAEA, HAWAII  
N 2042.5—W 15627.5/7.5  
1954

CORRECTED  
 07 JAN 26 1950  
 MAR 16 1950  
 APR 12 1950  
 DEC 12 1950  
 JAN 10 1951  
 JAN 19 50



**SP 68-57 FUJII**

Note:  
 This Section Map to be used  
 as Plot 01.

Dwg. No. 202  
 By: G.B.  
 Source: Survey Dept.  
 Appr. by: U.K.H. May 1934  
 Revised by: U.K.H. May 1934  
 Appr. by:

Olowalu-Ukumehame Lahaina, Maui

Dropped: 4, 5, 6, 7.

SECOND DIVISION		
ZONE	SEC.	
4	8	01
Scale: 1" = 2000'		

ADVANCE SHEET  
 SUBJECT TO CHANGE