

SP71-117 - WAIKOLOA DEVELOPMENT CO. (HAWAII)  
(THIRD TIME EXTENSION)



PERMIT RECEIVED: November 1 1991

SP71-117 - WAIKOLOA DEVELOPMENT COMPANY  
(HAWAII)  
(THIRD TIME EXTENSION)

PETITIONER:

Ken Melrose, Director of Planning  
Waikoloa Development Company  
P.O. Box 3028  
Waikoloa, HI 96743

PH: 385-1000

COUNTY

Norman Hayashi, Director  
Dept. of Planning, County of Hawaii  
25 Aupuni Street  
Hilo, HI 96720

11/25/91

Agenda sent to Norman Hayashi & Ken Melrose, Planning Commission, all persons & organizations on the Statewide & Hawaii mailing lists. Action set for 12/5,6/91.

fl

12/20/91

Served Findings of Fact, Conclusions of Law and Decision and Order to N.Hayashi and K.Melrose.

to



Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Norman Olesen  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-9615

January 13, 1994

Ms. Ann Cobb, Planning Coordinator  
Waikoloa Development Company  
HC02 Box 5050  
Waikoloa, HI 96743

JAN 19 1 56 PM '94  
LAND USE COMMISSION  
STATE OF HAWAII

Dear Ms. Cobb:

Special Permit No. 71-117 (SPP 197)  
Applicant: Waikoloa Development Company  
Annual Progress Report of Quarry Operations and Allied Uses  
Tax Map Key: 6-8-1:portion of 5

We are in receipt of your letter dated December 15, 1993, containing an annual progress report as required by Condition No. 9 of the above-referenced permit.

Thank you for your report. Copies of this report will be transmitted to the Planning Commission for its information. We will respond to your recent submittal of a site restoration plan under separate cover.

Should you have any questions, please contact Rodney Nakano or Daryn Arai of this office at 961-8288.

Sincerely,

*Virginia Goldstein*

VIRGINIA GOLDSTEIN  
Planning Director

DSA:mjs  
2227D

xc w/ltr: Planning Commission  
West Hawaii Office  
TMK File

xc: State Land Use Commission

4SP HI  
694711





LAND USE COMMISSION  
STATE OF HAWAII  
Dec 17 12 11 PM '93

December 15, 1993

Ms. Virginia Goldstein  
Planning Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

RE: Annual Report for Special Permit No. 71-117 (No. 197)  
Quarry Operation and Allied Uses (Makai Quarry)  
Waikoloa, South Kohala, Island of Hawaii  
TMK: 6-8-01:portion of 5

Dear Ms. Goldstein:

As required by Condition 9 of the State Land Use Commission's Decision and Order in the above-referenced docket, please let this letter serve as the annual report to the Planning Director of the Hawaii County Planning Department.

All conditions of approval have been and will continue to be complied with. Noise and dust during operations are kept to a minimum. To the best of our knowledge no complaints have been received.

In compliance with Conditions 2 and 7 of the Special Permit regarding vehicular traffic, and at the request and in compliance with the requirements of the Department of Public Works, reconfiguration and paving of the quarry access road, at its intersection with Waikoloa Road, has been completed.

As required by Condition 6 of the Permit, a site restoration plan was submitted to the Planning Department on December 1, 1993. We await a response to that submittal.

By letter dated January 25, 1993, the Planning Department acknowledged their acceptance of the metes and bounds map of the quarry site which was submitted in compliance with Condition No. 11 of the Permit on January 24, 1992. The Land Use Commission had previously acknowledged receipt and compliance on January 28, 1992.



Ms. Virginia Goldstein  
December 15, 1993  
Page Two

Should you require any further information or have any questions concerning this report, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Cobb", with a long horizontal flourish extending to the right.

Ann Cobb  
Planning Coordinator

cc: Mr. Ken Melrose - Waikoloa Land Company  
Mr. Thos Rohr - Waikoloa Land Company  
✓ State Land Use Commission





## Planning Department

County of Hawaii • 25 Aupuni Street, Room 109 • Hilo, Hawaii 96720 • (808) 961-8288

Stephen K. Yamashiro  
Mayor

Virginia Goldstein  
Director

Norman F. Olesen  
Deputy Director

January 25, 1993

Mr. Ken Melrose  
Vice President/Planning  
Waikoloa Development Company  
HCO2 Box 5100  
Waikoloa, Hawaii 96743

Dear Mr. Melrose:

Special Permit No. 197  
Applicant: Waikoloa Development Company  
Quarry Operations and Allied Uses  
Tax Map Key: 6-8-01: Portion of 5

We are in receipt of your letter dated December 11, 1992, containing an annual progress report in compliance with Condition No. 9 of the referenced permit.

This is to also confirm the acceptance on January 27, 1992, of the metes and bounds description of the project site as required by Condition No. 11 of the Permit. We apologize for our oversight in not responding earlier to your submittal.

Should you have any questions, please contact Daryn Arai or Susan Gagorik of this office.

Sincerely,

*Virginia Goldstein*  
VIRGINIA GOLDSTEIN  
Planning Director

DSA:mjh  
LWaiko01.DSA

cc w/rpt: Planning Commission  
: West Hawaii Office  
: Land Use Controls Section

cc: Land Use Commission

JAN 29 12 38 PM '93  
LAND USE COMMISSION  
STAFF OF HAWAII



## Planning Department

County of Hawaii • 25 Aupuni Street, Room 109 • Hilo, Hawaii 96720 • (808) 961-8288

Stephen K. Yamashiro  
Mayor

Virginia Goldstein  
Director

Norman F. Olesen  
Deputy Director

January 21, 1993

Ms. Virginia Goldstein  
Planning Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, HI 96720

Dear Ms. Goldstein:

Re: Annual Report for Special Permit No. 71-117 (No.197)  
Quarry Operation and Allied Uses (Makai Quarry)  
Waikoloa, South Kohala, Island of Hawaii  
TMK: 6-8-01: Portion of 5

As required by Condition 9 of the State Land Use Commission's Decision and Order in the above-referenced docket, please let this letter serve as the annual report to the Planning Director of the Hawaii County Planning Department.

All conditions of approval have been and will continue to be complied with. Noise and dust during operations are kept to a minimum. To the best of our knowledge no complaints have been received.

In compliance with Conditions 2 and 7 of the Special Permit, and at the request of the Department of Public Works, improvements to the quarry access road at its intersection with Waikoloa Road are in process. The proposed improvements have been verbally approved by the Department of Public Works and are expected to be completed in 1993, after submittal and approval of a Driveway Permit for work within the County right-of-way.

Site rehabilitation is an ongoing process, being incorporated into the methods of excavation. A formal site restoration plan for the entire quarry area will be submitted for approval no later than December 20, 1993, as required by Condition 6 of the Permit.

In compliance with condition 11, a metes and bounds map of the quarry site was submitted to both the Planning Department and the Land Use Commission on January 24, 1992. The Land Use Commission



Ms. Virginia Goldstein  
January 21, 1993  
Page Two

acknowledged receipt and compliance on January 28, 1992. We are still awaiting Planning Department acknowledgement.

Should you require any further information or have any questions concerning this report, please do not hesitate to contact me.

Sincerely,

KEN MELROSE  
Vice President/Planning

AC:je

cc: Mr. Carl Cordes, Senior Vice President-Development, Waikoloa  
Land Company  
State Land Use Commission



December 11, 1992

LAND USE COMMISSION  
STATE OF HAWAII  
DEC 14 10 45 AM '92

Ms. Virginia Goldstein  
Planning Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

RE: Annual Report for Special Permit No. 71-117 (No. 197)  
Quarry Operation and Allied Uses (Makai Quarry)  
Waikoloa, South Kohala, Island of Hawaii  
TMK: 6-8-01:portion of 5

Dear Ms. Goldstein:

As required by Condition 9 of the State Land Use Commission's Decision and Order in the above-referenced docket, please let this letter serve as the annual report to the Planning Director of the Hawaii County Planning Department.

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Site rehabilitation is an ongoing process, being incorporated into the methods of excavation. A formal site restoration plan for the entire quarry area will be submitted for approval no later than December 20, 1993, as required by Condition 6 of the Permit.

PLANNING OFFICE

HC02 Box 5100 Waikoloa, Hawaii 96743 Phone (808) 885-0023 Fax (808) 885-8565



Ms. Virginia Goldstein  
December 11, 1992  
Page Two

In compliance with Condition 11, a metes and bounds map of the quarry site was submitted to both the Planning Department and the Land Use Commission on January 24, 1992. The Land Use Commission acknowledged receipt and compliance on January 28, 1992. We are still awaiting Planning Department acknowledgement.

Should you require any further information or have any questions concerning this report, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Melrose', with a long horizontal line extending to the right.

Ken Melrose  
Vice President/Planning

ac

cc: Mr. Carl Cordes, Senior Vice President-Development,  
Waikoloa Land Company  
✓ State Land Use Commission



STATE OF HAWAII  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
LAND USE COMMISSION  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813  
Telephone: 587-3822

February 14, 1992

Ms. Elizabeth Ann Stone  
General Delivery  
Naalehu, HI 96772

Dear Ms. Stone:

SUBJECT: A87-609 - Mililani Town, Inc. (Oahu)  
SP71-117 - Waikoloa Dev. Corp. (Hawaii)  
A85-594 - Amfac Development Corp. (Oahu)  
A91-673 - Aloha Tower Associates and  
Aloha Tower Dev. Corp. (Oahu)  
A91-668 - Don Karleen And Peggy Karleen  
(Kauai)  
A91-670 - Poipulani Dev. Corp. (Kauai)  
A91-665 - Kamaaina Eight (Kona)  
A91-666 - Kahala Capital Corporation (Kona)  
SP91-379 - Dept. of Public Works, Cty. of HI

This will acknowledge receipt of your letter filed February 11, 1992 regarding the above petitions.

Please be advised that your letter on Docket Nos. A87-609, A91-665, A91-666, and A91-673 will be considered for inclusion into the record on these petitions by the Land Use Commission at its meeting to be scheduled at a later date.

Relative to your comments on Docket No. SP71-117, A85-594, A91-668, A91-670, SP91-379 the hearing on these petitions is closed, therefore your letter cannot be included in the official record on these petitions.

If you have any questions, please do not hesitate to contact me or my staff at 587-3822.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA  
Executive Officer

EU:dyk



January 8, 1991

Dear Members of the Land Use Commission,  
Regarding meeting January 23 and 24th

This is to request to be accepted  
as a witness with an Environmental  
Impact Statement OPPOSING all of the following:

A87-609- Mililani Town 4717 acres proposed  
agricultural ~~to urban~~ areas.

~~SP71-117 - Waikoloa 309 acres quarry Dec 5,~~

A85-594 - Amfac 577.21 acres agriculture to ~~Dec~~  
~~urban~~ at Aiea, Waikaloa, Ewa, Oahu

A91-673 - Aloha Towers 4.485 conservation ~~urban~~  
Dec 5

A91-668 - 6,606 sq ft. agriculture, Waihi, Kauai Dec 5

A91-670 - Poipu Kai 136 acres agriculture Koloa,  
Kauai,

This is to request a contested case  
hearing and the statute of limits for A85-594  
Amfac 577.21 acres as at Aiea, Waikaloa, Ewa,  
Oahu, with and Environmental Impact Statement  
OPPOSING urban traffic, noise, congestion, pollution,  
higher taxes and destruction of scenic value and loss  
of vital ag. watershed area on Oahu.

Happy New Year  
Elizabeth Ann Stone, children  
and endangered species protection



STATE OF HAWAII  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
LAND USE COMMISSION  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813  
Telephone: 587-3822

January 28, 1992

Mr. Ken Melrose  
Vice President/Planning  
Waikoloa Development Company  
P.O. Box 3028  
Waikoloa, Hawaii 96743

Dear Mr. Melrose:

Subject: LUC Special Permit Docket No. SP71-117/  
Waikoloa Development Co.

This is to acknowledge receipt of the the metes and bounds map transmitted by your letter dated January 24, 1992, detailing the area of the subject Special Permit as required by condition no. 11 of the Decision and Order dated December 20, 1991.

Thank you for your cooperation on this matter.

If you have any questions, please call me or Bert Saruwatari at 587-3822.

Sincerely,

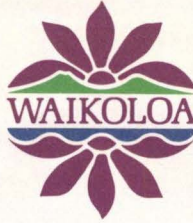
A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA  
Executive Officer

EU:f1

cc: County of Hawaii, Planning Dept.





JAN 27 1 52 PM '92  
LAND USE COMMISSION  
STATE OF HAWAII

January 24, 1992

✓ Ms. Esther Ueda  
Executive Officer  
State Land Use Commission  
State of Hawaii  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813

Mr. Norman Hayashi  
Planning Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

RE: Docket No. SP71-117 (Special Permit No. 197)  
Makai Quarry (Site 3)  
TMK: 6-8-01:Portion of 5

Dear Ms. Ueda and Mr. Hayashi:

As required by Condition No. 11 of amended Special Permit Docket No. SP71-117, which extended the life of the permit three years, or until December 17, 1994, enclosed is a metes and bounds map of the Makai Quarry (Site 3). The permit area, approximately 309 acres, is located along Waikoloa Road, mauka of Queen Kaahumanu Highway, in Waikoloa, South Kohala.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

for Ken Melrose  
Vice President/Planning

ac

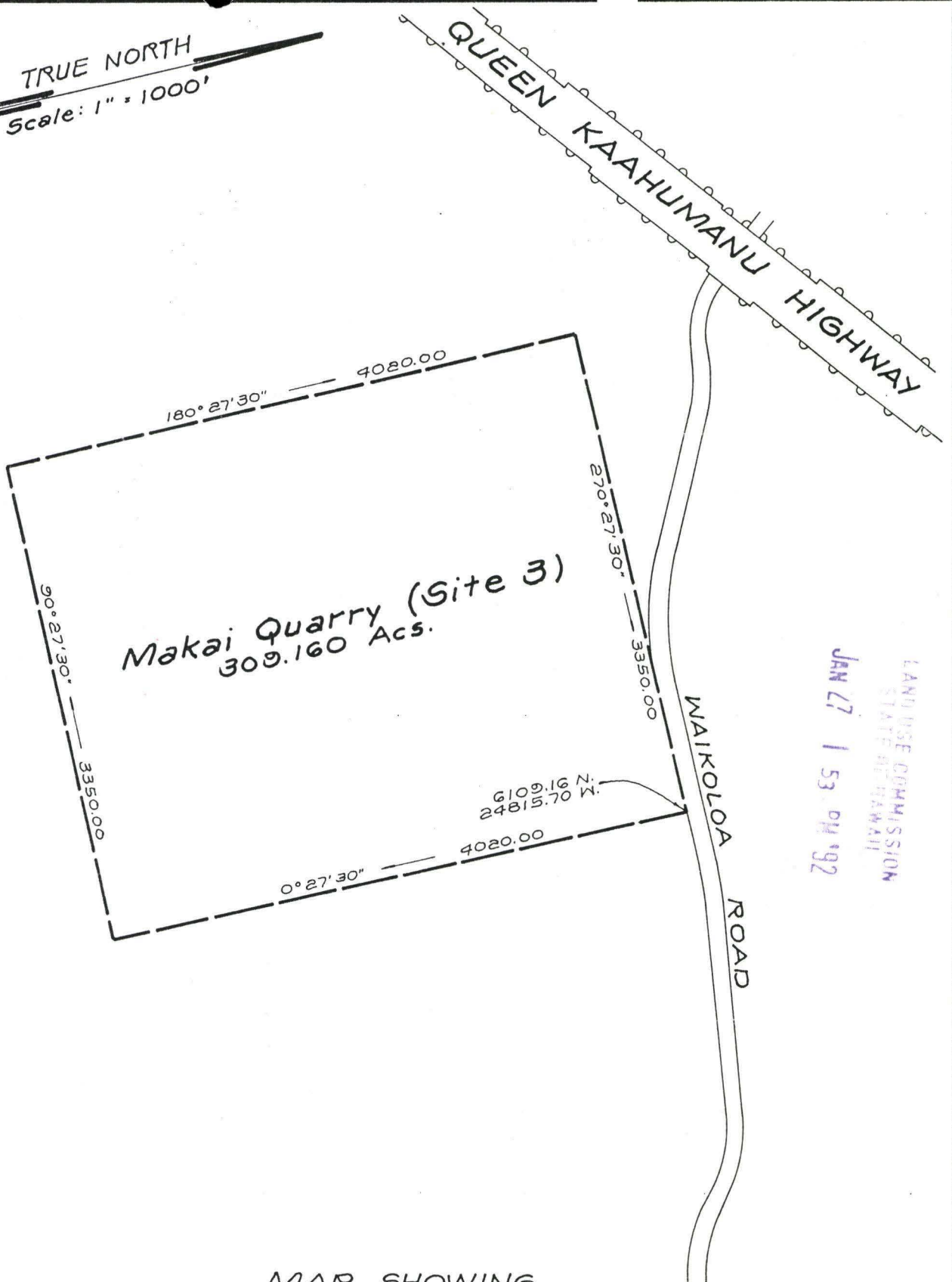
Enclosure

cc w/enclosure:  
Mr. Carl Cordes

HIGHLANDS OFFICE

Post Office Box 383028 Waikoloa, Hawaii 96738 Phone (808) 883-1000 Fax (808) 883-1404

TRUE NORTH  
Scale: 1" = 1000'



MAP SHOWING  
**MAKAI QUARRY (SITE 3)**  
AT WAIKOLOA, SOUTH KOHALA, HAWAII  
Tax Map Key 6-8-01: por. 5  
(Special Permit No. SP71-117)

**BELT COLLINS & ASSOCIATES**  
680 Ala Moana Boulevard  
Suite 200  
Honolulu, Hawaii 96813

**NOTE:**

Coordinates referred to "PUU HINAI" Δ

January 15, 1992

JOB NO. 046.2300

8 1/2" x 13"





STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

LAND USE COMMISSION

Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813  
Telephone: 548-4611

January 15, 1992

NOTIFICATION OF BOUNDARY AMENDMENT AND SPECIAL PERMIT  
DECISIONS FILED BY THE STATE LAND USE COMMISSION

To all concerned agencies:

The Findings of Fact, Conclusions of Law and Decision and Order for the following boundary amendment and special permit petitions have been filed by the Land Use Commission:

| <u>Petition<br/>Docket No.</u>                   | <u>Special Permit Requested</u>                                                                                                                                                       | <u>IUC Action on December 5, 1991</u>                                                                                      | <u>Date of<br/>Decision<br/>and Order</u> |
|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| ✓ SP71-117<br>WAIKOLOA<br>DEVELOPMENT<br>COMPANY | For a Third Amendment to the Special Permit Which allowed the establishment of a Quarry Operation and Allied Uses on Approximately 309 Acres of Land Within the Agricultural District | Approved amendment for approximately 309 acres at Waikoloa, South Kohala, Hawaii, Tax Map Key Number: 6-8-01: portion of 5 | December<br>20, 1991                      |
|                                                  | <u>Boundary Amendment Requested</u>                                                                                                                                                   | <u>IUC Action on December 19, 1991</u>                                                                                     |                                           |
| A91-668<br>DON KARLEEN<br>AND PEGGY<br>KARLEEN   | To reclassify approximately 6,606 square feet from Conservation to Urban at Wainiha, Kauai                                                                                            | Approved approximately 6,606 square feet at Wainiha, Kauai, TMK: 5-8-12: 12 (see map attached)                             | January<br>8, 1992                        |

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA  
Executive Officer

EU:to  
Att.



NOTIFICATION OF BOUNDARY AMENDMENT DECISIONS BY LUC

Concerned Agencies

State (all petitions)

1. Office of State Planning - (1) Harold Masumoto  
(2) LUD-Abe Mitsuda
2. Dept. of Transportation - Office of the Director
3. Board of Land & Natural Resources - Office of the Chairman
4. Dept. of Education - Information Systems Branch
5. Office of Environmental Quality Control
6. USDA Soil Conservation Service - Attention: Nicole Simmons
7. Board of Agriculture - Office of the Chairman
8. C&C, Dept. of Finance - Mapping Section
9. Deputy Attorney General - Rick Eichor, Esq.

City & County of Honolulu (Oahu petitions only)

1. Dept. of General Planning - Chief Planning Officer
2. Dept. of general Planning - Division Head,  
Policy Analysis Division
3. Dept. of Land Utilization - Director
4. Planning Commission - Executive Secretary
5. Board of Water Supply - Manager and Chief Engineer
6. Dept. of Public Works - Director
7. C&C, Dept. of Finance - Property Assessment Section
8. C&C, Dept. of Finance - Property Technical Office

Hawaii County (Hawaii petitions only)

1. Dept. of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works
5. Real Property Tax Office

Maui County (Maui petitions only)

1. Dept. of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works
5. Real Property Tax Division

Kauai County (Kauai petitions only)

1. Dept. of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works
5. Real Property Division

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )  
WAIKOLOA DEVELOPMENT COMPANY )  
For a Third Amendment to Special )  
Permit No. SP71-117 which allowed )  
the establishment of a Quarry )  
Operation and Allied Uses on )  
Approximately 309 Acres of Land )  
Situated Within the State Land )  
Use Agricultural District at )  
Waikoloa, South Kohala, Hawaii, )  
Tax Map Key Number: 6-8-01: )  
portion of 5 )

DOCKET NO. SP71-117

WAIKOLOA DEVELOPMENT  
COMPANY

This is to certify that this is a true and correct  
copy of the Decision and Order on file in the office  
of the State Land Use Commission, Honolulu Hawaii.

DEC 20 1991

Date

by

Executive Officer

FINDINGS OF FACT, CONCLUSIONS OF LAW,  
AND DECISION AND ORDER

DEC 20 10 11 AM '91  
LAND USE COMMISSION  
STATE OF HAWAII

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

|                                     |   |                      |
|-------------------------------------|---|----------------------|
| In the Matter of the Petition of )  | ) | DOCKET NO. SP71-117  |
|                                     | ) |                      |
| WAIKOLOA DEVELOPMENT COMPANY )      | ) | WAIKOLOA DEVELOPMENT |
|                                     | ) | COMPANY              |
| For a Third Amendment to Special )  | ) |                      |
| Permit No. SP71-117 which allowed ) | ) |                      |
| the establishment of a Quarry )     | ) |                      |
| Operation and Allied Uses on )      | ) |                      |
| Approximately 309 Acres of Land )   | ) |                      |
| Situated Within the State Land )    | ) |                      |
| Use Agricultural District at )      | ) |                      |
| Waikoloa, South Kohala, Hawaii, )   | ) |                      |
| Tax Map Key Number: 6-8-01: )       | ) |                      |
| portion of 5 )                      | ) |                      |
| <hr/>                               |   |                      |

FINDINGS OF FACT, CONCLUSIONS OF LAW,  
AND DECISION AND ORDER

Waikoloa Development Company (hereinafter "Applicant" or "Petitioner") initiated this proceeding pursuant to Section 205-6, Hawaii Revised Statutes, as amended, and Subchapter 12 of the Hawaii Land Use Commission Rules. The Land Use Commission (hereinafter "Commission"), having considered the entire record on this matter, hereby makes the following findings of fact, conclusions of law, and decision and order:

FINDINGS OF FACT

Procedural Matters

1. The Third Amendment to Special Use Permit No. SP71-117 (hereinafter "Permit") for a time extension to Condition No. 4 (life of the Permit) was filed by the Applicant with the County of Hawaii Planning Department on June 26, 1991.



2. The Hawaii County Planning Commission (hereinafter "Planning Commission") conducted the public hearing on the Permit on October 9, 1991. The Planning Commission did not receive any public testimony on the Permit.

3. On October 9, 1991, the Planning Commission recommended approval of the Permit to the Commission subject to ten conditions. The Commission received the record of the County's proceedings on the Permit on November 1, 1991.

Description of the Property and Surrounding Areas

4. The Permit area is located along the Waikoloa Road and southwest (mauka) of the Queen Kaahumanu Highway, Waikoloa, South Kohala. It is adjacent to the Waikoloa Airstrip. The Permit area, approximately 309 acres, is identified by Tax Key Number 6-8-01: portion of 5 (hereinafter "Quarry").

5. The Quarry, known as Site 3 or the Makai Quarry, is situated at an elevation of 200 feet above sea level and is a portion of a 3,049 ± acre parcel of land (hereinafter "Property"). Access to the Quarry is via Waikoloa Road.

6. Basalt (blue rock) and a'a' cinders are the primary products excavated from the Quarry.

7. The surrounding lands are zoned Unplanned by the County.

8. By Decision and Order issued on March 6, 1991, the Commission approved an amendment to Special Use Permit No. SP70-85, which allowed the operation of the Applicant's two other quarry sites mauka of the Property: Site 1, the Pu'u

Hinai Quarry and Site 2, the Village Quarry, which 1) extended the life of the Special Use Permit for both sites from December 11, 1990 to December 11, 1995; 2) reduced the size of Site 1 from 69 acres to 63.6 acres; and 3) reduced the scope of quarrying activities at Site 2 by deleting rock crushing and asphalt and concrete batch operations as permitted activities and allowing only the removal of existing stockpiled materials and equipment storage and repair, subject to ten conditions. Site 1 would be quarried for cinder and topsoil primarily for the construction and landscaping of the Waikoloa Highlands Golf Course.

#### Permit Background

9. On December 17, 1971, the Commission approved Special Use Permit No. SP71-117 for Boise Cascade Recreation Communities Corporation (hereinafter "BCRCC") to operate a 309 acre quarry site. Related uses such as a portable screening plant, rock crusher and scales were also included under the Permit. The Permit was subject to four conditions:

- "1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.
- "2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- "3. That the operation be confined within the metes and bounds description as submitted.

"4. That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should the agency approve this request. If, at the end of 5 years, the applicant reapplies for the special permit and is denied, or if the applicant fails to reapply for the special permit, then all temporary support facilities, along with the equipment shall be removed. A grading plan will then be done and the natural contours shall be restored. At the end of quarrying operations, the site shall appear as a natural open space, and not as a scar on the landscape."

10. On November 9, 1976, the Commission approved the Applicant's request of a five year extension to the life of the Permit to December 17, 1981. The Commission added a fifth condition that read:

"The Petitioner shall comply with all applicable Department of Health regulations.

Should the stated conditions not be met, the Special Permit shall be deemed null and void."

11. In 1980, the Applicant (BCRCC had since transferred its development holdings and their related permits to Transcontinental Development Co.) requested a ten year extension to the life of the Permit. The Applicant had stated that completion of all three development increments at the Waikoloa Beach Resort would take at least ten more years and would require construction material from the quarry for the duration.

12. On February 25, 1981, the Commission approved the request of the Applicant for a ten year extension to the life of the Permit to December 17, 1991 with the following added condition recommended by the Planning Commission:



"That approval of the extension request is subject to all conditions stipulated in the granting of the original Special Permit, except for those references in Condition Number 4 relating to the five year expiration date, but including compliance with applicable Department of Health regulations. In addition, every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked.

That should the stated conditions not be met, the Special Permit may be deemed null and void."

#### Description of Proposed Amendment to Permit

13. Applicant has requested a three year time extension to the life of the Permit. The Quarry currently provides aggregates and concrete ready-mix products to Waikoloa, including the Waikoloa Village and Highlands development and other projects along the coast.

14. The present yield of the Quarry is approximately 10,000 tons of aggregates per month and 3,000 tons of concrete per month. Applicant states that a production of approximately 2,000 tons per month of asphalt products is anticipated to be added if the amendment is approved.

15. These products are and will be used for both existing and future private and public projects, including resort, residential, and infrastructure developments. The operation of the Quarry would continue to provide developments in the region with cost effective services due to its central location.

16. The Applicant has also undertaken site studies for a new quarry site which would be more spatially and visually separated from existing and on-line development.

17. Applicant states that the amendment to the Permit will accomplish the following:

- "1. Allow for continued operations while the permitting and site development for the proposed new site are completed.
- "2. Allow for an orderly transition of operations between the two sites.
- "3. Allow for the restoration of the present site."

18. The makai portion of the Quarry has been restored and returned to natural contours. A program of boulder disposal and restoration of the natural contours within the rest of the Quarry is also ongoing.

#### State and County Plans and Programs

19. The State Land Use District Map designates the Quarry in the Agricultural District.

20. The Quarry is designated as Urban Expansion Area (UEA) on the Land Use Pattern Allocation Guide (LUPAG) Map of the County General Plan.

21. The Quarry is situated within the County's Unplanned zoned district.

22. The Quarry is not within the Special Management Area (SMA) of the County of Hawaii.

Summary of State and County Agency Comments

23. The County of Hawaii Department of Public Works, Department of Land and Natural Resources, Department of Transportation, Department of Agriculture, Soil Conservation Service, and the Department of Health had no comments or objections to the proposed amendment to the Permit.

Conformance With Special Use Permit Tests

24. In support of the request, the County of Hawaii Planning Department provided the following:

"The State Land Use Commission approved the quarry activity in 1971 as an unusual and reasonable use of land in the State Land Use Agricultural District. The site has been in continual use since that time. Continued use of the site will not affect the agricultural capacity of the subject property of [sic] the surrounding lands.

"The applicant states that the time extension will allow for continued operations while preparations for the development of a new quarry site are carried out. Since crushing, blasting, and batching activities have been eliminated at the mauka quarry site, continued use of the site is necessary to support ongoing construction within the Waikoloa development.

"Continued use of the existing quarry will not adversely affect surrounding properties. The quarry's nearest neighbor is the Waikoloa airstrip. There are currently no other commercial or residential uses in the vicinity of the property.

"Public agencies had no objections to the request. The quarry use will not burden public agencies to provide necessary services.



"The continued quarry use will not be contrary to the General Plan. The site is within the Urban Expansion Area as indicated on the Land Use Pattern Guide Map of the General Plan. Such a designation may allow for industrial uses."

Planning Commission Recommendation

25. At its meeting of October 9, 1991, the Planning Commission recommended approval of the amendment to the Permit to the Commission subject to the following conditions:

- "1. The applicant, successors or assigns shall be responsible for complying with all stated conditions of approval.
- "2. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.
- "3. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- "4. That the operation be confined within the metes and bounds description as submitted.
- "5. This permit shall remain in effect until December 17, 1994.
- "6. The applicant shall submit a Site Restoration Plan for review and approval by the Planning Department, in consultation with the Department of Public Works, one year prior to the expiration date of the permit. All temporary support facilities and equipment shall be removed and the site shall be graded to blend with the surrounding areas prior to the expiration date of the permit.
- "7. Every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows

sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special permit is to be revoked.

- "8. Comply with applicable laws, rules, regulations, and requirements.
- "9. An annual monitoring report shall be submitted to the Planning Director prior to the anniversary date of the approval of this amendment. The report shall include, but not be limited to, the status of compliance with conditions of approval. This condition shall remain in effect until the expiration of the permit.
- "10. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

#### CONCLUSIONS OF LAW

The proposed Third Amendment to the Permit, subject to the conditions in the Order, constitutes an "unusual and reasonable" use as defined in Chapter 205-6, Hawaii Revised Statutes and is not contrary to the objectives sought to be accomplished by the State Land Use Law to preserve, protect and encourage development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare.

#### ORDER

IT IS HEREBY ORDERED that the Third Amendment to Special Permit Docket No. SP71-117 to extend the life of the Permit from December 17, 1991 to December 17, 1994 on land

designated within the State Land Use Agricultural District, Hawaii Tax Map Key No.: 6-8-01: portion of 5 at Waikoloa, South Kohala, Hawaii, and approximately identified on Exhibit "A" attached hereto and incorporated by reference herein, is hereby approved, subject to the following conditions which shall replace the original conditions of approval:

1. The applicant, successors or assigns shall be responsible for complying with all stated conditions of approval.

2. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.

3. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.

4. That the operation be confined within the metes and bounds description as submitted.

5. This permit shall remain in effect until December 17, 1994.

6. The applicant shall submit a Site Restoration Plan for review and approval by the Planning Department, in consultation with the Department of Public Works, one year prior to the expiration date of the permit. All temporary support facilities and equipment shall be removed and the site shall be graded to blend with the surrounding areas prior to the expiration date of the permit.



7. Every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special permit is to be revoked.

8. Comply with applicable laws, rules, regulations, and requirements.

9. An annual monitoring report shall be submitted to the Planning Director prior to the anniversary date of the approval of this amendment. The report shall include, but not be limited to, the status of compliance with conditions of approval. This condition shall remain in effect until the expiration of the permit.

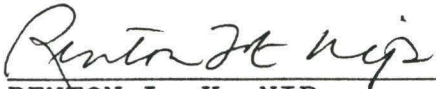
10. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

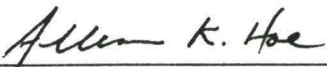
11. The applicant shall submit a metes and bounds map of the Permit area to the County of Hawaii and the Commission.

DOCKET NO. SP71-117 - WAIKOLOA DEVELOPMENT CO.

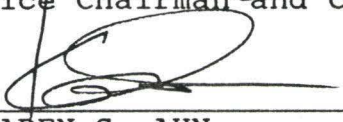
Done at Honolulu, Hawaii, this 20th day of December 1991,  
per motions on December 5, 1991 and December 20, 1991.

LAND USE COMMISSION  
STATE OF HAWAII

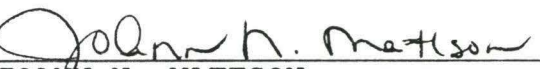
By   
RENTON L. K. NIP  
Chairman and Commissioner

By   
ALLEN K. HOE  
Vice Chairman and Commissioner

By   
ALLEN Y. KAJIOHA  
Vice Chairman and Commissioner

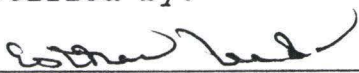
By   
KAREN S. AHN  
Commissioner

By   
EUSEBIO LAPENIA, JR.  
Commissioner

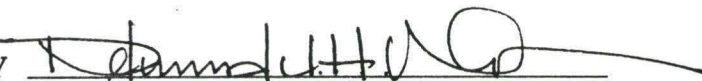
By   
JOANN N. MATTSON  
Commissioner

Filed and effective on  
December 20, 1991

Certified by:

  
Executive Officer

By   
ELTON WADA  
Commissioner

By   
DELMOND J. H. WON  
Commissioner



P 678 611 769



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No Insurance Coverage Provided

Do not use for International Mail

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SP71-117/Waikoloa Development Company

Sent to

Norman Hayashi

Street & No.

25 Aupuni Street

P.O., State & ZIP Code

Hilo 96720

Postage

\$ .98

Certified Fee

1.00

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing  
to Whom & Date Delivered

1.00

Return Receipt Showing to Whom,  
Date, & Address of Delivery

TOTAL Postage  
& Fees

\$ 2.98

Postmark or Date

PS Form 3800, June 1990

USPO

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CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

☆ U.S.G.P.O. 1990-270-153

**SENDER:**

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- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

## 3. Article Addressed to:

Mr. Norman K. Hayashi  
Planning Director  
Hawaii County Planning Dept.  
25 Aupuni Street  
Hilo, HI 96720

## 4a. Article Number

P 678 611 769

## 4b. Service Type

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

## 7. Date of Delivery

12-23-91

## 5. Signature (Addressee)

## 8. Addressee's Address (Only if requested and fee is paid)

## 6. Signature (Agent)

*C. Kobayashi*



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USE, \$300

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State of Hawaii  
LAND USE COMMISSION  
Rm. 104, Old Federal Bldg.  
335 Merchant Street  
Honolulu, Hawaii 96813

P 678 611 770



## Certified Mail Receipt

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(See Reverse)

Sent to

Mr. Ken Melrose

Street & No.

P. O. Box 3028

P.O., State & ZIP Code

Waikoloa 96743

Postage

\$ .98

Certified Fee

1.00

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing  
to Whom & Date Delivered

1.00

Return Receipt Showing to Whom,  
Date, & Address of Delivery

TOTAL Postage  
& Fees

\$ 2.98

Postmark or Date

PS Form 3800, June 1990

SP71-117/Waikoloa Development Company



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

☆ U.S.G.P.O. 1990-270-153



**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:

Mr. Ken Melrose  
Waikoloa Development Company  
P. O. Box 3028  
Waikoloa, HI 96743

4a. Article Number

P 678 611 770

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

12/29/91 *lu*

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

United States Postal Service

Official Business



PENALTY FOR PRIVATE  
USE, \$300

Print your name, address and ZIP Code here

State of Hawaii  
LAND USE COMMISSION  
Rm. 104, Old Federal Bldg.  
335 Merchant Street  
Honolulu, Hawaii 96813

|                                   |   |                      |
|-----------------------------------|---|----------------------|
| In the Matter of the Petition of  | ) | DOCKET NO. SP71-117  |
|                                   | ) |                      |
| WAIKOLOA DEVELOPMENT COMPANY      | ) | WAIKOLOA DEVELOPMENT |
|                                   | ) | COMPANY              |
| For a Third Amendment to Special  | ) |                      |
| Permit No. SP71-117 which allowed | ) |                      |
| the establishment of a Quarry     | ) |                      |
| Operation and Allied Uses on      | ) |                      |
| Approximately 309 Acres of Land   | ) |                      |
| Situated Within the State Land    | ) |                      |
| Use Agricultural District at      | ) |                      |
| Waikoloa, South Kohala, Hawaii,   | ) |                      |
| Tax Map Key Number: 6-8-01:       | ) |                      |
| portion of 5                      | ) |                      |

I hereby certify that a copy of the Findings of Fact, Conclusions of Law, and Decision and Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

DATED: Honolulu, Hawaii, this 20th day of December 1991.

ESTHER UEDA  
Executive Officer



STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Conference Rooms 322 B & C  
Third Floor, Kalanimoku Building  
1151 Punchbowl Street  
Honolulu, Hawaii

December 5, 1991

approved  
12/11/91

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman  
Allen K. Hoe, Vice-Chairman  
Allen Y. Kajioka  
Karen S. Ahn  
JoAnn N. Mattson  
Elton Wada  
Eusebio Lapenia, Jr.  
Delmond Won

COMMISSIONERS ABSENT:

STAFF PRESENT: Esther Ueda, Executive Officer  
Russell Suzuki, Esq, Deputy Attorney  
General  
Bert Saruwatari, Staff Planner  
Darlene Kinoshita, Chief Clerk  
  
Holly Hackett, Court Reporter

Chairman Nip called the meeting to order.

ACTION

\* SP71-117 -WAIKOLOA DEVELOPMENT COMPANY (Hawaii)

Chairman Nip announced that the Commission would take action to consider a third time extension to SP71-117 which allowed the establishment of a quarry operation and allied uses on approximately 309 acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii.

Appearances

Ken Melrose, for Petitioner

Connie Kiriu, Department of Planning, County of Hawaii

Bert Saruwatari, staff planner, oriented the Commission to the area being considered on the Land Use District Boundaries and tax maps and gave a summary report of the special use permit request by Petitioner.

Arguments on the special use permit were heard from Mr. Melrose.

Commissioner Lapenia moved to approve the third time extension request by Waikoloa Development Co. subject to the ten conditions by the Planning Commission, County of Hawaii. The motion was seconded by Commissioner Won.

Commissioner Kajioka moved to amend the motion to add an additional condition as follows: "The applicant shall submit a metes and bounds map of the Permit area to the County of Hawaii Planning Department, and the Land Use Commission. The motion was seconded by Commissioner Lapenia.

The motion as amended to approve the special use permit subject to eleven conditions was polled as follows:

Ayes: Commissioner Lapenia, Ahn, Hoe, Kajioka, Mattson, Wada, Won, and Chairman Nip.

A85-594 - AMFAC PROPERTY DEVELOPMENT CORPORATION (Oahu)

Chairman Nip announced that the Commission would take action to consider Petitioner's Motion for Partial Release of Conditions involving approximately 17,749 square feet of land of the Decision and Order dated February 28, 1986 which reclassified approximately 577.21 acres of land in the Agricultural District into the Urban District at Aualii, Waikele, Ewa, Oahu.

Appearances

Benjamin Kudo, Attorney for Petitioner

Chris Kanazawa, for Petitioner

Ann Ogata-Deal, Esq., Deputy Attorney General, Office of State Planning



Abe Mitsuda, Land Use Division, Office of State Planning

The Department of Planning, City and County of Honolulu, was not present to the proceeding at this time.

Bert Saruwatari, staff planner, oriented the Commission to the area of concern on the Land Use District Boundaries and tax maps.

Mr. Kudo submitted a letter dated December 3, 1991 from the Department of the Navy and a Waiakele Development Phasing Plan map into evidence as part of exhibits to be attached to his memorandum. Arguments were heard from Mr. Kudo, Mr. Kanazawa, and Ms. Ogata-Deal. After hearing arguments, questions were asked by the Commissioners.

Commissioner Mattson moved that all conditions pertaining to the 17,749 sq. feet of land of the Decision and Order dated February 28, 1986 on Docket No. A85-594 - Amfac Property Development Corporation be released. The motion was seconded by Commissioner Won and polled as follows:

Ayes: Commissioner Mattson, Hoe, Kajioka, Lapenia, Wada, Won, Ahn, and Chairman Nip.

#### HEARING

#### A91-673 - ALOHA TOWER ASSOCIATES AND ALOHA TOWER DEVELOPMENT CORPORATION (Oahu)

Pursuant to a notice published in the Honolulu Star Bulletin on October 24, 1991 and notices sent to all parties, a hearing was conducted by the Land Use Commission in the matter of the petition by Aloha Tower Associates and Aloha Tower Development Corporation to reclassify approximately 4.485 acres of land currently in the Conservation District into the Urban District at the Aloha Tower area and Honolulu Harbor, Honolulu, Oahu for the development of the Aloha Tower Complex.

#### Appearances

James T. Funaki, Esq., Attorney for Petitioner

Andrew Beaman, Esq., Attorney for Petitioner



Ralph Ukishima, Department of General Planning, City  
and County of Honolulu

Ann Ogata-Deal, Esq., Deputy Attorney General, Office  
of State Planning

Abe Mitsuda, Land Use Division, Office of State  
Planning

Karen Yamamoto, Land Use Division, Office of State  
Planning

#### EXHIBITS

1. The letter dated December 2, 1991 from the  
Chinatown Merchants Association was admitted into evidence by  
the Land Use Commission.

2. Petitioners' Exhibit Nos. 1 through 27 were  
admitted into evidence by the Land Use Commission.

3. County's Exhibit No. 1 was admitted into evidence  
by the Land Use Commission.

4. State's Exhibit No. 1 was admitted into evidence  
by the Land Use Commission.

Bert Saruwatari, staff planner, oriented the  
Commission to the area proposed for reclassification on the  
Land Use District Boundaries and tax maps.

#### PETITIONER'S WITNESSES

1. U.J. Rainalter

Commissioner Hoe was absent from the proceeding at  
this time.

The Commission moved to go into executive session to  
receive an annual litigation report presented by the  
Commission's attorney, Benjamin Matsubara, Esq.

A lunch recess was taken at 12:08 p.m. to reconvene at  
1:30 p.m.

- 1:45 p.m. -

Commissioner Kajiooka was absent from the proceeding at this time.

PETITIONER'S WITNESSES (Continued)

2. Daniel Orodenger

3. Calvin Tsuda

4. Paul Rosendahl

5. Earl Matsukawa

The meeting was adjourned at 4:45 p.m.



STATE OF HAWAII  
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME AND PLACE

December 5, 1991 - 9:00 a.m.  
December 6, 1991\*

Conference Rooms 322 B and C  
Third Floor, Kalanimoku Building  
1151 Punchbowl Street  
Honolulu, Hawaii

A G E N D A

NOV 25 2 30 PM '91

LEONARD ROSENBERG  
DIRECTOR

I. ACTION

✓ 1. SP71-117 - WAIKOLOA DEVELOPMENT COMPANY (Hawaii)

To consider a Third Time Extension to SP71-117 which allowed the establishment of a quarry operation and allied uses on approximately 309 acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii.

2. A85-594 - AMFAC PROPERTY DEVELOPMENT CORPORATION (Oahu)

To consider Petitioner's Motion for Partial Release of Conditions involving approximately 17,749 square feet of land of the Decision and Order dated February 28, 1986 which reclassified approximately 577.21 acres of land in the Agricultural District into the Urban District at Aualii, Waikele, Ewa, Oahu.

II. HEARING

1. A91-673 - ALOHA TOWER ASSOCIATES AND ALOHA TOWER DEVELOPMENT CORPORATION (Oahu)

To consider reclassifying approximately 4.485 acres of land currently in the Conservation District into the Urban District at the Aloha Tower area and Honolulu Harbor, Honolulu, Oahu for the development of the Aloha Tower Complex.

III. MISCELLANEOUS

1. Adoption of Minutes
2. Adoption of Decision and Order
3. Tentative Meeting Schedule

\*Meeting will continue on December 6, 1991 if not completed on December 5, 1991.



P 354 687 551

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☆ U.S.G.P.O. 1989-234-555

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Mr. Norman Hayashi,  
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25 Aupuni Street, Room  
Hilo, HI 96720

10  
10

|                                                               |         |
|---------------------------------------------------------------|---------|
| Postage                                                       | \$ .29  |
| Certified Fee                                                 | 1.00    |
| Special Delivery Fee                                          |         |
| Restricted Delivery Fee                                       |         |
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| Return Receipt showing to whom, Date, and Address of Delivery |         |
| TOTAL Postage and Fees                                        | \$ 2.29 |
| Postmark or Date                                              |         |

SP 71-117

PS Form 3800, June 1985



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2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
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6. Save this receipt and present it if you make inquiry.

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- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Norman Hayashi,  
Planning Director  
Hawaii County Planning Department  
25 Aupuni Street, Room 109  
Hilo, HI 96720

4a. Article Number

P 354 687 551

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

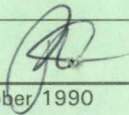
7. Date of Delivery

11/26/91

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)





United States Postal Service



Official Business



PENALTY FOR PRIVATE  
USE, \$300

Print your name, address and ZIP Code here

State of Hawaii  
LAND USE COMMISSION  
Rm. 104, Old Federal Bldg.  
335 Merchant Street  
Honolulu, Hawaii 96813



STATE OF HAWAII  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
LAND USE COMMISSION  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813  
Telephone: 587-3822

November 25, 1991

Mr. Norman Hayashi, Planning Director  
Planning Department, County of Hawaii  
25 Aupuni Street  
Hilo, HI 96720

Dear Mr. Hayashi:

Enclosed is a Land Use Commission meeting agenda.

Please note that petition (s)

SP71-117/WAIKOLOA DEVELOPMENT COMPANY (Hawaii)\*

will be acted on or heard at that time. We request that you or your representative attend this meeting.

Should you have any questions on this matter, please contact this office at 587-3822.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA  
Executive Officer

EU:dyk

Enclosure

P 354 687 550

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

U.S.G.P.O. 1989-234-555

|                                                                  |         |
|------------------------------------------------------------------|---------|
| Sent to<br>Mr. Ken Melrose, Dir.                                 |         |
| Street and No.<br>P.O. Box 3028                                  |         |
| City, State and ZIP Code<br>Waikoloa, HI 96743                   |         |
| Postage                                                          | \$ .29  |
| Certified Fee                                                    | 1.00    |
| Special Delivery Fee                                             |         |
| Restricted Delivery Fee                                          |         |
| Return Receipt showing<br>to whom and Date Delivered             | 1.00    |
| Return Receipt showing to whom,<br>Date, and Address of Delivery |         |
| TOTAL Postage and Fees                                           | \$ 2.29 |
| Postmark or Date                                                 |         |



PS Form 3800, June 1985

SP71-117/Waikoloa Dev. Co.



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Mr. Ken Melrose, Director of Planning  
Waikoloa Development Company  
P.O. Box 3028  
Waikoloa, HI 96743

4a. Article Number

P 354 687 550

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

11/26/91 W

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

W. Hooser

United States Postal Service

Official Business



PENALTY FOR PRIVATE  
USE, \$300

Print your name, address and ZIP Code here

•      **State of Hawaii**      •  
**LAND USE COMMISSION**  
Rm. 104, Old Federal Bldg.  
335 Merchant Street  
Honolulu, Hawaii 96813





STATE OF HAWAII  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
LAND USE COMMISSION  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813  
Telephone: 587-3822

November 25, 1991

Mr. Ken Melrose, Director of Planning  
Waikoloa Development Company  
P.O. Box 3028  
Waikoloa, HI 96743

Dear Mr. Melrose:

Enclosed is a Land Use Commission meeting agenda.

Please note that petition (s)

SP71-117/WAIKOLOA DEVELOPMENT COMPANY (Hawaii):

---

will be acted on or heard at that time. We request that you or your representative attend this meeting.

Should you have any questions on this matter, please contact this office at 587-3822.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA  
Executive Officer

EU:dyk

Enclosure



STATE OF HAWAII  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
LAND USE COMMISSION  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813  
Telephone: 548-4611

November 12, 1991

Mr. Ken Melrose  
Director of Planning  
Waikoloa Development Company  
P. O. Box 3028  
Waikoloa, Hawaii 96743

Dear Mr. Melrose:

Subject: Special Permit No. 71-117/Waikoloa Development Co.

Attached for your information is a copy of the LUC staff summary for the subject special permit which is being transmitted to the Commission members.

If you have any questions, please feel free to contact me or Bert Saruwatari of my staff at 587-3822.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA  
Executive Officer

EU:to

Enclosure



# Planning Commission

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye  
Mayor

## CERTIFIED MAIL

October 24, 1991

Oct 29 12:33 PM '91  
LAND USE COMMISSION  
STATE OF HAWAII

Mr. Ken Melrose  
Waikoloa Development Co.  
PO Box 3028  
Waikoloa, HI 96743

Dear Mr. Melrose:

Time Extension to Condition 4  
of Special Permit No. 197 (71-117)  
Applicant: Waikoloa Development Co.  
TMK: 6-8-1:Portion of 5

The Planning Commission at its duly held public hearing on October 9, 1991, reviewed and acted on your request for a time extension to Condition 4 (life of the permit) of Special Permit No. 197 (71-117), which allowed the establishment of a quarry operation and allied uses on approximately 309 acres of land situated within the State Land Use Agricultural District. The project site is located along the Waikoloa Road and mauka of the Queen Kaahumanu Highway, Waikoloa, South Kohala, Hawaii.

The Commission voted to recommend the approval of the time extension to the State Land Use Commission based on the following considerations:

The State Land Use Commission approved the quarry activity in 1971 as an unusual and reasonable use of land in the State Land Use Agricultural District. The site has been in continual use since that time. Continued use of the site will not affect the agricultural capacity of the subject property of the surrounding lands.

The applicant states that the time extension will allow for continued operations while preparations for the development of a new quarry site are carried out. Since crushing, blasting, and batching activities have been eliminated at the mauka quarry site, continued use of the site is necessary to support ongoing construction within the Waikoloa development.



Mr. Ken Melrose  
October 24, 1991  
Page 2

Continued use of the existing quarry will not adversely affect surrounding properties. The quarry's nearest neighbor is the Waikoloa airstrip. There are currently no other commercial or residential uses in the vicinity of the property.

Public agencies had no objections to the request. The quarry use will not burden public agencies to provide necessary services.

The continued quarry use will not be contrary to the General Plan. The site is within the Urban Expansion Area as indicated on the Land Use Pattern Guide Map of the General Plan. Such a designation may allow for industrial uses.

The Commission further recommended to the State Land Use Commission that approval of the time extension to your Special Permit be subject to the following conditions (new material is underscored and material to be deleted is bracketed):

1. The applicant, successors or assigns shall be responsible for complying with all stated conditions of approval.
- [1]2. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.
- [2]3. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- [3]4. That the operation be confined within the metes and bounds description as submitted.
- [4. That this permit shall expire within 5 years from the date of approval by the State Land Use commission should the agency approve this request. If, at the end of 5 years, the applicant reapplies for the special permit and is denied, or if the applicant fails to reapply for the special permit, then all temporary support facilities, along with the equipment shall be removed. A grading plan will then be done and the natural contours shall be restored. At the end of quarrying operations, the site shall appear as a natural open space, and not as a scar on the landscape.]

Mr. Ken Melrose  
October 24, 1991  
Page 3

5. This permit shall remain in effect until December 17, 1994.
6. The applicant shall submit a Site Restoration Plan for review and approval by the Planning Department, in consultation with the Department of Public Works, one year prior to the expiration date of the permit. All temporary support facilities and equipment shall be removed and the site shall be graded to blend with the surrounding areas prior to the expiration date of the permit.
7. Every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked.
8. Comply with applicable laws, rules, regulations, and requirements.
9. An annual monitoring report shall be submitted to the Planning Director prior to the anniversary date of the approval of this amendment. The report shall include, but not be limited to, the status of compliance with conditions of approval. This condition shall remain in effect until the expiration of the permit.
10. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

Mr. Ken Melrose  
October 24, 1991  
Page 4

Should you have any questions regarding the above, please feel free to contact the Planning Department at 961-8288.

Sincerely,

*Mike Luce*

Mike Luce, Chairman  
Planning Commission

6763d  
jdk

xc: Department of Public Works  
Department of Water Supply  
West Hawaii Office  
✓ State Land Use Commission  
Plan Approval Section





STATE OF HAWAII  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
LAND USE COMMISSION  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813  
Telephone: 548-4611

November 12, 1991

Mr. Norman K. Hayashi  
Planning Director  
County of Hawaii Planning Dept.  
25 Aupuni Street  
Hilo, Hawaii 96720

Dear Mr. Hayashi:

Subject: Special Permit No. 71-117/Waikoloa Development Co.

Attached for your information is a copy of the LUC staff summary for the subject special permit which is being transmitted to the Commission members.

If you have any questions, please feel free to contact me or Bert Saruwatari of my staff at 587-3822.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda", followed by a checkmark.

ESTHER UEDA  
Executive Officer

EU:to

Enclosure



STATE OF HAWAII  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM  
LAND USE COMMISSION  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813  
Telephone: 548-4611

November 12, 1991

MEMORANDUM

TO: Land Use Commission

FROM: Staff *Esther Ueda*

SUBJECT: Summary of Amendment to Special Use Permit No.  
SP71-117/Waikoloa Development Co.

Procedural Matters

The Amendment to Special Use Permit No. SP71-117 (hereinafter "Permit") for a time extension to Condition No. 4 (life of the Permit) filed by Waikoloa Development Co. (hereinafter "Applicant" or "Petitioner") was received by the County of Hawaii Planning Department on June 26, 1991.

The Hawaii County Planning Commission (hereinafter "Planning Commission") conducted the public hearing on the Permit on October 9, 1991 pursuant to notice published in the Hawaii Tribune-Herald and West Hawaii Today on September 27, 1991. The Planning Commission did not receive any public testimony on the Permit.

On October 9, 1991, the Planning Commission recommended approval of the Permit to the Land Use Commission (hereinafter "LUC") subject to ten conditions. The record of the County's proceedings on the Permit was received by the LUC on November 1, 1991.

Permit Background

On December 17, 1971, the LUC approved a Special Use Permit (SP71-117) for Boise Cascade Recreation Communities Corporation (hereinafter "BCRCC") to operate a 309 acre quarry site. Related uses such as a portable screening plant, rock crusher and scales were also included under the Permit. The Permit was subject to four conditions:

- "1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.
- "2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- "3. That the operation be confined within the metes and bounds description as submitted.
- "4. That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should the agency approve this request. If, at the end of 5 years, the applicant reapplies for the special permit and is denied, or if the applicant fails to reapply for the special permit, then all temporary support facilities, along with the equipment shall be removed. A grading plan will then be done and the natural contours shall be restored. At the end of quarrying operations, the site shall appear as a natural open space, and not as a scar on the landscape."

On November 9, 1976, the LUC approved the Applicant's request of a five year extension to the life of the Permit to December 17, 1981. The LUC added a fifth condition that read:

"The Petitioner shall comply with all applicable Department of Health regulations.

Should the stated conditions not be met, the Special Permit shall be deemed null and void."

In 1980, the Applicant (BCRCC had since transferred its development holdings and their related permits to Transcontinental Development Co.) requested a ten year extension to the life of the Permit. The Applicant had stated that completion of all three development increments at the Waikoloa Beach Resort would take at least ten more years and would require construction material from the quarry for the duration.

On February 25, 1981, the LUC approved the request of the Applicant for a ten year extension to the life of the Permit to December 17, 1991 with the following added condition recommended by the Planning Commission:



"That approval of the extension request is subject to all conditions stipulated in the granting of the original Special Permit, except for those references in Condition Number 4 relating to the five year expiration date, but including compliance with applicable Department of Health regulations. In addition, every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked.

That should the stated conditions not be met, the Special Permit may be deemed null and void."

#### Description of the Property and Surrounding Areas

The Permit area is located along the Waikoloa Road and southwest (mauka) of the Queen Kaahumanu Highway, Waikoloa, South Kohala. It is adjacent to the Waikoloa Airstrip. The Permit area, approximately 309 acres, is identified by Tax Key Number 6-8-01: portion of 5 (hereinafter "Quarry"). The Quarry, known as Site 3 or the Makai Quarry, is situated at an elevation of 200 feet above sea level and is a portion of a 3,049 ± acre parcel of land (hereinafter "Property").

Basalt (blue rock) and a'a cinders are the primary products excavated from the Quarry.

The surrounding lands are zoned Unplanned by the County.

Access to the Quarry is via Waikoloa Road.

By Decision and Order issued on March 6, 1991, the LUC approved an amendment to Special Use Permit SP70-85, which allowed the operation of the Applicant's two other quarry sites mauka of the Property: Site 1, the Pu'u Hinai Quarry and

Site 2, the Village Quarry, which 1) extended the life of the Special Use Permit for both sites from December 11, 1990 to December 11, 1995; 2) reduced the size of Site 1 from 69 acres to 63.6 acres; and 3) reduced the scope of quarrying activities at Site 2 by deleting rock crushing and asphalt and concrete batch operations as permitted activities and allowing only the removal of existing stockpiled materials and equipment storage and repair, subject to ten conditions. Site 1 would be quarried for cinder and topsoil primarily for the construction and landscaping of the Waikoloa Highlands Golf Course.

#### Description of Proposed Amendment to Permit

Applicant has requested a three year time extension (amended from the original request of five years) to the life of the Permit. The Quarry currently provides aggregates and concrete ready-mix products to Waikoloa, including the Waikoloa Village and Highlands development and other projects along the coast. According to the Applicant, the present yield of the Quarry is approximately 10,000 tons of aggregates per month and 3,000 tons of concrete per month. Applicant states that a production of approximately 2,000 tons per month of asphalt products is anticipated to be added if the amendment is approved. Applicant adds that these products are and will be used for both existing and future private and public projects, including resort, residential, and infrastructure developments. The operation of the Quarry would continue to provide developments in the region with cost effective services due to its central location.

In addition, site studies for a new quarry site which would be more spatially and visually separated from existing and on-line development have been undertaken by the Applicant.

Applicant states that the amendment to the Permit will accomplish the following:

- "1. Allow for continued operations while the permitting and site development for the proposed new site are completed.
- "2. Allow for an orderly transition of operations between the two sites.
- "3. Allow for the restoration of the present site."

The Applicant further adds that the makai portion of the Quarry has been restored and returned to natural contours. A program of boulder disposal and restoration of the natural contours within the rest of the Quarry is also ongoing.



### State and County Plans and Programs

The State Land Use District Map designates the Quarry in the Agricultural District.

The Quarry is designated as Urban Expansion Area (UEA) on the Land Use Pattern Allocation Guide (LUPAG) Map of the County General Plan. The Quarry is situated within the County's Unplanned zoned district.

The Quarry is not within the Special Management Area (SMA) of the County of Hawaii.

### Summary of State and County Agency Comments

The County of Hawaii Department of Public Works, Department of Land and Natural Resources, Department of Transportation, Department of Agriculture, Soil Conservation Service, and the Department of Health had no comments or objections to the proposed amendment to the Permit.

### Conformance With Special Use Permit Tests

In support of the request, the County of Hawaii Planning Department provided the following:

"The State Land Use Commission approved the quarry activity in 1971 as an unusual and reasonable use of land in the State Land Use Agricultural District. The site has been in continual use since that time. Continued use of the site will not affect the agricultural capacity of the subject property of the surrounding lands.

"The applicant states that the time extension will allow for continued operations while preparations for the development of a new quarry site are carried out. Since crushing, blasting, and batching activities have been eliminated at the mauka quarry site, continued use of the site is necessary to support ongoing construction within the Waikoloa development.

"Continued use of the existing quarry will not adversely affect surrounding properties. The quarry's nearest neighbor is the Waikoloa airstrip. There are currently no other commercial or residential uses in the vicinity of the property.

"Public agencies had no objections to the request. The quarry use will not burden public agencies to provide necessary services.

"The continued quarry use will not be contrary to the General Plan. The site is within the Urban Expansion Area as



indicated on the Land Use Pattern Guide Map of the General Plan. Such a designation may allow for industrial uses."

#### Planning Commission Recommendation

At its meeting of October 9, 1991, the Planning Commission recommended approval of the amendment to the Permit to the LUC subject to the following conditions to supersede all previous conditions imposed on the Permit.

1. The applicant, successors or assigns shall be responsible for complying with all stated conditions of approval.
2. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.
3. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
4. That the operation be confined within the metes and bounds description as submitted.
5. This permit shall remain in effect until December 17, 1994.
6. The applicant shall submit a Site Restoration Plan for review and approval by the Planning Department, in consultation with the Department of Public Works, one year prior to the expiration date of the permit. All temporary support facilities and equipment shall be removed and the site shall be graded to blend with the surrounding areas prior to the expiration date of the permit.
7. Every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather

evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special permit is to be revoked.

8. Comply with applicable laws, rules, regulations, and requirements.
9. An annual monitoring report shall be submitted to the Planning Director prior to the anniversary date of the approval of this amendment. The report shall include, but not be limited to, the status of compliance with conditions of approval. This condition shall remain in effect until the expiration of the permit.
10. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.



## Planning Commission

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye

Mayor

LAND USE COMMISSION  
STATE OF HAWAII  
NOV 1 2 48 PM '91

October 24, 1991

Ms. Esther Ueda, Executive Officer  
Land Use Commission  
Old Federal Building, Room 104  
335 Mervhant Street  
Honolulu, HI 96813

Dear Ms. Ueda:

Time Extension to Condition 4  
of Special Permit No. 197 (71-117)  
Applicant: Waikoloa Development Co.  
TMK: 6-8-1:Portion of 5

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, we are transmitting the decision and findings of the County Planning Commission on the above-referenced request.

The request is for a time extension to Condition 4 (life of the permit) of Special Permit No. 197 (71-117), which allowed the establishment of a quarry operation and allied uses on approximately 309 acres of land situated within the State Land Use Agricultural District. The project site is located along the Waikoloa Road and mauka of the Queen Kaahumanu Highway, Waikoloa, South Kohala, Hawaii.

The Planning Commission at its duly advertised public hearing held on October 9, 1991, at the Department of Hawaiian Home Lands, Kuhio Hale, Mamalahoa Highway, Waimea, South Kohala, Hawaii, discussed the subject request and voted to recommend approval of the time extension to Special Permit No. 71-117 (SP 197) to the Land Use Commission. Enclosed is the entire docket on the request.

Should you have any questions, please feel free to contact Connie Kiriu or Anna Link of the Planning Department at 961-8288.

Sincerely,

*Mike Luce*

Mike Luce, Chairman  
Planning Commission

6764d

jdk

Enclosure (list of exhibits & exhibits)

cc: Mr. Ken Melrose  
West Hawaii Office



LIST OF EXHIBITS  
WAIKOLOA DEVELOPMENT COMPANY  
SPECIAL PERMIT NO. 71-117 (SP 197)

| <u>EXHIBIT NO.</u> | <u>DESCRIPTION</u>                                                                                                                     |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 1.                 | Letter to the Planning Director from Ken Melrose dated June 24, 1991.                                                                  |
| 2.                 | Memodandum to various agencies from the Planning Director dated July 15, 1991.                                                         |
| 3.                 | Letter to Ken Melrose from Planning Director dated July 15, 1991.                                                                      |
| 4.                 | Memorandum to the Planning Director from Robert Taira of the State Department of Transportation-Highways Division dated July 18, 1991. |
| 5.                 | Letter to the Planning Director from William W. Paty of the State Department of Land and Natural Resources dated August 22, 1991.      |
| 6.                 | Letter to Planning Director from Ken Melrose dated September 10, 1991.                                                                 |
| 7.                 | Letter to Ken Melrose from the Planning Director dated September 18, 1991.                                                             |
| 8.                 | Planning Commission County of Hawaii Public Hearing notice.                                                                            |
| 9.                 | Letter to the Planning Director from Ken Melrose dated September 20, 1991.                                                             |
| 10.                | Memorandum to the Planning Director from Robert K. Yanabu of the Department of Public Works dated September 24, 1991.                  |
| 11.                | County of Hawaii Planning Department Background Report.                                                                                |
| 12.                | County of Hawaii Planning Department Recommendation.                                                                                   |
| 13.                | Planning Commission County of Hawaii Record of Voting dated October 9, 1991.                                                           |
| 14.                | Planning Commission County of Hawaii Hearing Transcript dated October 9, 1991.                                                         |
| 15.                | Letter to Ken Melrose from the Planning Commission dated October 24, 1991.                                                             |



RECEIVED

'91 JUN 26 PM 1 22

PLANNING DEPT.  
COUNTY OF HAWAII

June 24, 1991

Mr. Norman Hayashi  
Planning Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

RE: Special Permit No. 71-117  
Amendment to Condition No. 4  
Request for Time Extension  
TMK: 6-8-01:5

Dear Mr. Hayashi:

On behalf of Waikoloa Land & Cattle Co., the land owner, Waikoloa Development Co., its agent, requests a five year time extension to the life of the Special Permit which allows quarrying and related activity on 309 acres within Lot 3B. The \$100 application fee and ten copies of this request, with location map, are enclosed.

This makai quarry site approved under this Special Permit has been actively quarried since 1971 and supplies aggregates and concrete ready-mix products to Waikoloa and other projects along the coast. Because of the ongoing construction at Waikoloa and in the region, the quarry remains a necessary and integral part of the overall development of Waikoloa. The continuation of the quarrying and related uses will contribute to our compliance with the intent, purpose, and requirements of land use changes previously approved.

Recent actions by the County Planning Commission and the State Land Use Commission on Special Permit 70-85, the mauka quarry, deleted active quarry uses (mining, blasting, crushing, and batching), making continued, uninterrupted activity at the makai site more important. The makai quarry provides approximately 10,000 tons per month of aggregates and 3,000 tons per month of concrete to developments along the Kohala coast and the Waikoloa Village and Highlands. It is anticipated that approximately 2,000 tons per month production of asphalt products may be added if and when the life of the permit is extended. These products are provided for resort, residential (including the upcoming County Housing project), and infrastructure developments. The central location of the quarry is a critical element in providing cost effective services to the region.

EXHIBIT 1

HIGHLANDS OFFICE

Post Office Box 3028 Waikoloa, Hawaii 96743 Phone (808) 883-1000 Fax (808) 883-1404

Mr. Norman Hayashi  
June 24, 1991  
Page Two

Site studies are underway to locate a new quarry site, to be approximately three miles mauka of SP 71-117, roughly equidistant between Queen Kaahumanu Highway and Paniolo Avenue in Waikoloa Village. This new site would be more spatially and visually separated from near term development.

The five year time extension will: Allow for continued operations while the permitting and site development for the proposed new site are completed; allow for an orderly transition of operations between the two sites; and allow for the restoration of the present site. The makai portion of the makai quarry site has been cleaned up and returned to natural contours. A program of boulder disposal and restoration of the natural contours within the active quarry area is ongoing.

Continued quarry operations will neither unreasonably burden public agencies nor adversely affect public health or welfare. We have received no complaints relative to the impact of quarrying activities on surrounding properties.

We hereby respectfully request your favorable consideration of this petition for an extension of the life of the Special Permit, subject to the other conditions of the present permit, until December 17, 1996.

Sincerely,



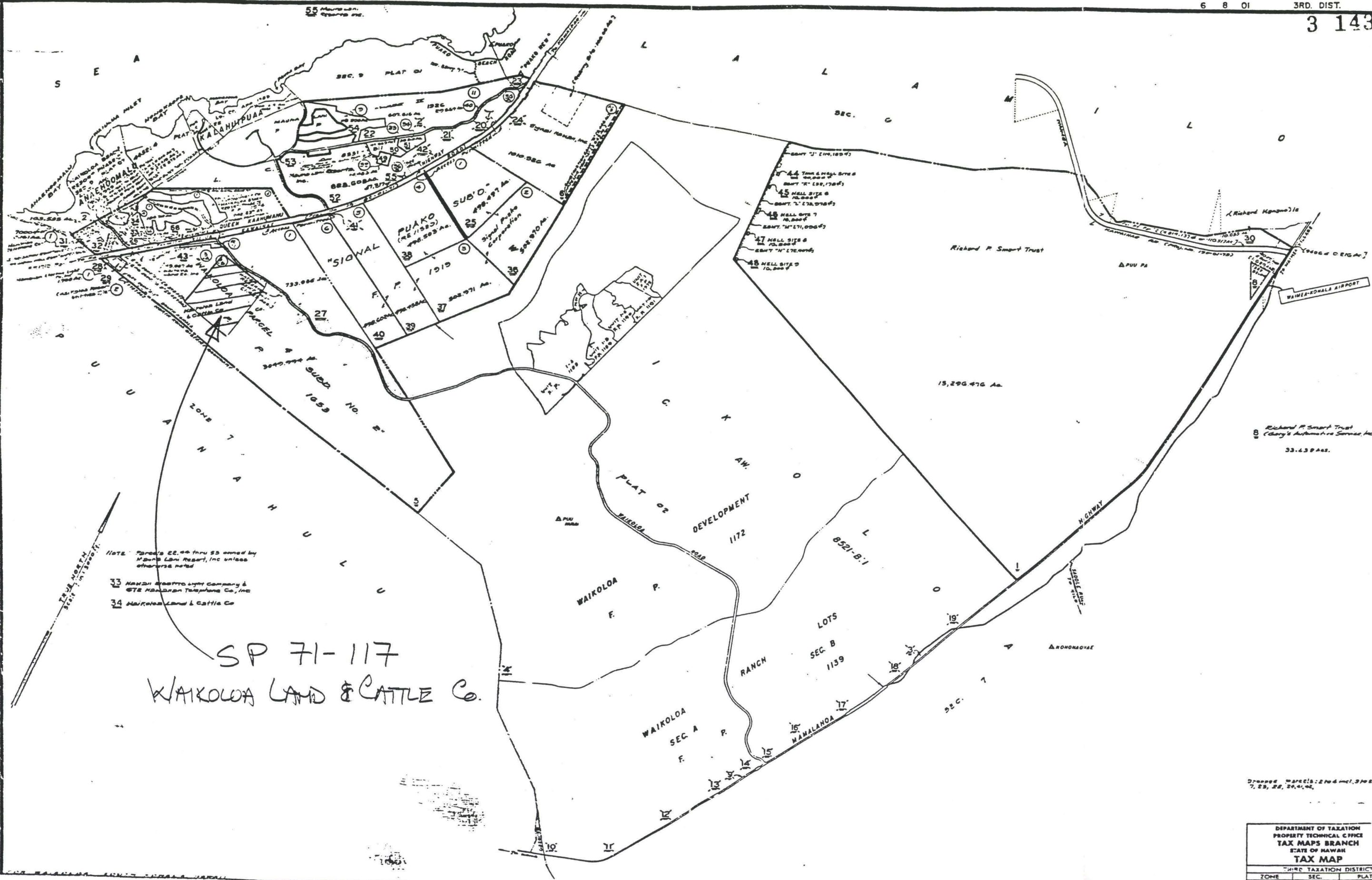
Ken Melrose  
Vice President/Planning

ac

Enclosures

cc: Mr. Carl Cordes  
Mr. Les Melcher  
Mr. Thos Rohr





Dropped warbles: 2 to 4 incl. 3 to 21 incl.  
7, 23, 28, 24, 41, 42.

|                                                                                                             |      |      |
|-------------------------------------------------------------------------------------------------------------|------|------|
| DEPARTMENT OF TAXATION<br>PROPERTY TECHNICAL OFFICE<br>TAX MAPS BRANCH<br>STATE OF HAWAII<br><b>TAX MAP</b> |      |      |
| THIRD TAXATION DISTRICT                                                                                     |      |      |
| ZONE                                                                                                        | SEC. | PLAT |
| 6                                                                                                           | 8    | 01   |

FOR PROPERTY ASSESSMENT PURPOSES  
SUBJECT TO CHANGE

# MEMORANDUM:

PLANNING DEPARTMENT - County of Hawaii, Hilo, Hawaii 96720

To: DPW DOT-HIGHWAYS SCS DOH July 15, 1991  
DLNR DEPT. OF AG. Masa/Royden (See ~~Office~~ File)

From:  Planning Director

Subject: Amendment to Special Permit No. 71-117 (SP 197)  
5-Year Time Extension to Condition No. 4 (Life of Permit)  
Applicant: WAIKOLOA DEVELOPMENT CO.  
Tax Map Key: 6-8-1:5

---

The attached application for a 5-year time extension of the life of the permit is being forwarded for your review. May we please have your written comments by August 12, 1991. Otherwise, we will assume that you have no comments or objections on the request.

Thank you very much.

AL:mra  
2433(2)  
Attachment

cc/attach: West Hawaii Office

EXHIBIT 2

JUL 16 1991

July 15, 1991

Mr. Ken Melrose  
Waikoloa Development Co.  
P.O. Box 3028  
Waikoloa, HI 96743

Dear Mr. Melrose:

Amendment to Special Permit No. 71-117 (SP 197) ✓  
5-Year Time Extension to Condition No. 4 (Life of Permit)  
Applicant: Waikoloa Development Co.  
Tax Map Key: 6-8-1:5

This is to acknowledge receipt on June 26, 1991, of the above described request.

According to the Planning Commission's Rule No. 6 Relating to Special Permit Procedures, the Commission shall conduct a public hearing on the amendment request within a period of not more than sixty (60) days from the receipt of the application. The Commission shall then act on the application within a period of thirty (30) days after the close of the public hearing.

Notice of the time and place of the public hearing shall be forwarded when the application is scheduled for Commission action.

It is your responsibility to notify all owners of properties within 300 feet of the perimeter of the entire parcel that a public hearing has been scheduled to consider your request. Rule 6.5 of the Planning Commission Rules of Practice and Procedure states,

"(b) Promptly after the Commission's fixing a date for the public hearing, the petitioner shall mail a notice of the application and hearing to owners of interests in properties within three hundred feet of the perimeter boundary of the affected property and to owners of interests in other properties which the Planning Commission may find to be directly affected by the proposed request. Such notice shall state:

(1) Name of the petitioner;



Mr. Ken Melrose  
July 15, 1991  
Page 2

- (2) Precise location of the property involved;
- (3) Nature of the request; and
- (4) Date, time, and place of the hearing.

"(c) Prior to the date of the hearing, the petitioner shall file with the Commission, an affidavit or other similar proof of mailing of said notice. The Commission shall not conduct a hearing if this requirement has not been complied with."  
[Emphasis added]

Please be advised that we shall be confirming your notification of owners against our records. Prompt submittal of proof of mailing will ensure that we have adequate time to check the notification.

Should any questions arise, please contact Anna Link of this department at 961-8288.

Sincerely,

  
NORMAN R. HAYASHI  
Planning Director

CRK:mra  
2433(1)

cc: West Hawaii Office

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION

HAWAII DISTRICT  
50 MAKAAALA STREET  
P.O. BOX 4277  
HILO, HAWAII 96720  
TELEPHONE (808) 933-4640 • FAX (808) 933-4738

HWY-H 91-2.0763

July 18, 19 91

TO: ☒ PLANNING DIRECTOR, COUNTY OF HAWAII  
☐ PLANNING BRANCH, HIGHWAYS DIVISION, DOT.

FROM: DISTRICT ENGINEER - HAWAII HIGHWAYS DIVISION

SUBJECT: SEE ADJOINING PAGE (if shown). No. 71-117 (SP 197)  
SPECIAL PERMIT.

Transmitted as follows:

- ☒ Without Comment  
☐ Not Applicable to State Highway System.  
☐ Comments of Letter No. HWY-H \_\_\_\_\_ dated \_\_\_\_\_ will stand.  
☐ For Review and Comment to COH, Planning.  
☐ With Comments shown below.

MORE INFORMATION NEEDED

- ☐ Drainage and flood patterns at existing drainage structures on State highway.  
☐ Drainage plans and calculations  
☐ Drawings showing existing driveways with dimensions.  
☐ Construction plans (for review and approval)  
☐ Drainage plans and calculations  
☐ Traffic Impact Analysis Report (for review and approval)

ACCESS COMMENTS/ CONDITIONS:

- ☐ Channelization of access intersection  
☐ Traffic Signalization at \_\_\_\_\_  
☐ Street Lighting at \_\_\_\_\_  
☐ No Vehicle Access, 10-ft. planting screen easement other than at  
access points \_\_\_\_\_  
☐ Common access driveways for lots \_\_\_\_\_  
☐ No access will be allowed from the State Highway.  
☐ Highway improvements required under this application shall be  
provided at no cost to the State and shall conform to Hawaii  
Statewide Uniform Design Manual for Streets and Highways and  
the Specifications for Installation of Miscellaneous  
Improvements within State Highways.

OTHER COMMENTS/CONDITIONS:

- ☐ No additional storm discharge shall be allowed onto the State's right-of-way.  
☐ Metes and bounds discrepancy, contact State Highways  
☐ Future highway corridor will affect lots: \_\_\_\_\_.  
☐ Show control of access along highway.  
☐ Shall participate in their prorata share of future highway impacts and  
improvements.  
☐ Guardrails for all lots (lower ones) that require protection from  
highway traffic.

EXHIBIT 4

Contact Person: Robert Taira  
State Highway Proj. No.: 19BC-01-71



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 621  
HONOLULU, HAWAII 96809

REF:OCEA:SKK

AUG 22 1991

WILLIAM W. PATY, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

KEITH W. AHUE  
MANABU TAGOMORI  
Dan T. Kochi

AQUACULTURE DEVELOPMENT  
PROGRAM  
AQUATIC RESOURCES  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
PROGRAM  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

FILE NO.: 92-050  
DOC. NO.: 1417E

The Honorable Norman K. Hayashi  
Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Dear Mr. Hayashi:

Subject: Amendment to Special Permit No. 71-117 (SP 197) 5-year  
Time Extension to Condition #4 (Life of Permit)  
TMK: 6-8-1: 5

Thank you for giving our Department the opportunity to comment on  
this matter. We have reviewed the request for a 5-year Time  
Extension and have no objections.

Please feel free to call me or Sam Lemmo at our Office of  
Conservation and Environmental Affairs, at 548-7837, should you  
have any questions.

Very truly yours,

*Dan T. Kochi*  
WILLIAM W. PATY





September 10, 1991

SEP 10 PM 1 30  
HAND DELIVER

Mr. Norman Hayashi  
Planning Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

RE: Amendment to Special Permit No. 71-117 (SP 197 - Makai Quarry)  
5-Year Time Extension to Condition No. 4 (Life of Permit)  
Applicant: Waikoloa Development Co.  
Tax Map Key: 6-8-1:5

Dear Mr. Hayashi:

As requested, let this letter serve as our request to revise the time extension to three (3) years, or until December 17, 1994.

We understand that a public hearing on this request has been tentatively scheduled before the Planning Commission on October 9, 1991, in Waimea. Upon receipt of notice of hearing, we will notify adjacent property owners within 300 feet of the perimeter of the entire parcel.

We look forward to your favorable consideration of our amended request for a time extension to the life of this permit.

Sincerely,

Ken Melrose  
Vice President/Planning

ac

cc: Mr. Carl Cordes  
Mr. Les Melcher  
Mr. Thos Rohr

EXHIBIT 6

HIGHLANDS OFFICE

Post Office Box 3028 Waikoloa, Hawaii 96743 Phone (808) 883-1000 Fax (808) 883-1404

September 18, 1991

Mr. Ken Melrose  
Waikoloa Development Co.  
P. O. Box 3028  
Waikoloa, HI 96743

Dear Mr. Melrose:

Amendment to Special Permit No. 71-117 (SP 197)  
Applicant: Waikoloa Development Co.  
Request: Time Extension to life of permit  
TMK: 6-8-1:5

This is to acknowledge receipt of your letter, dated September 10, 1991, revising your time extension request from a 5-year to a 3-year period until December 17, 1994.

Thank you for keeping us informed of your plans.

Should you have any questions, please feel free to contact Anna Link of this office at 961-8288.

Sincerely,  
  
NORMAN K. HAYASHI  
Planning Director

ASL:sk2  
8504J (4)

EXHIBIT 7

SEP 19 1991

PUBLIC HEARINGS  
PLANNING COMMISSION  
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings, among others, to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Chapter 91, Hawaii Revised Statutes, Section 5-4.3 of the Charter of the County of Hawaii, and the Planning Commission's Rules of Practice and Procedures.

PLACE: Department of Hawaiian Home Lands, Kuhio Hale,  
Mamalahoa Highway, Waimea, South Kohala, Hawaii

DATE: Wednesday, October 9, 1991

TIMES: 10:30 a.m. (Item No. 1)  
10:45 a.m. (Item Nos. 2-4)  
2:00 p.m. (Item Nos. 5-7)  
3:00 p.m. (Item No. 8)  
7:00 p.m. (Item No. 9)

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. APPLICANT: KAMUELA P & D, INC.

LOCATION: Across the former CJ'S Farmers Market  
building, Puukapu, Waimea, South Kohala.

TMK: 6-4-24:27

PURPOSE: Continuation of a public hearing on a State  
Land Use boundary amendment for 12.8 acres of  
land from the Agricultural to the Urban  
District and a change of zone for 15.9 acres  
of land from Agricultural-5 acre (A-5a) to  
Neighborhood Commercial-7,500 square foot



within the State Land Use Agricultural District.

4.   APPLICANT:    WAIKOLOA DEVELOPMENT COMPANY  
      LOCATION:     Along the Waikoloa Road and mauka of the Queen Kaahumanu Highway, Waikoloa, South Kohala.  
  
      TMK:         6-8-1:Portion of 5  
      PURPOSE:    Time extension to Condition 4 (life of the permit) of Special Permit No. 197 (71-117), which allowed the establishment of a quarry operation and allied uses on approximately 309 acres of land situated within the State Land Use Agricultural District.
5.   APPLICANT:    KENAI AIR HAWAII, INC.  
      LOCATION:     Portion of Kahua Ranch, located approximately 6,500 feet mauka of Kohala Mountain Road, Kahualiilii, North Kohala.  
  
      TMK:         5-9-02:Portion of 4  
      PURPOSE:    Special Permit to allow the establishment of a helistop and related tour operation improvements on 10,000 square feet of land situated within the State Land Use Agricultural District.
6.   APPLICANT:    MARK AND MALIA NELSON  
      LOCATION:     West side of Pohakea Mauka Road approximately 2.7 miles from Mamalahoa Highway

foot (RS-20), Village Commercial-10,000 square foot (CV-10), Multiple Family Residential-4,000 square foot (RM-4), and Open (O) zoned districts.

9. APPLICANT: RICHARD SMART REVOCABLE PERSONAL TRUST
- LOCATION: Waimea, Lalamilo, Puukapu, Lanikepu, Waikoloa and Ouli, respectively, South Kohala.
- TMK: 6-7-2:9, 15, 17; 6-7-1:Portion of 25; 6-8-1:Portions of 1 & 8; and 6-2-1:9.
- PURPOSE: Continuation of a public hearing on a change of zone for approximately 660± acres of land from an Agricultural-40 acre (A-40a), and Single Family Residential-7,500 square foot (RS-7.5) to Agricultural-3 acre (A-3a), Single Family Residential-20,000/15,000/10,000/7,500 square foot (RS-20/RS-15/RS-10/RS-7.5), Double Family Residential-5,000 square foot (RD-5), Multiple Family Residential-2,000/3,000 square foot (RM-2/RM-3), Village Commercial-7,500 square foot (CV-7.5) and Limited Industrial-20,000 square foot (ML-20) zoned districts. Also requested is a State Land Use boundary amendment for 5.416± acres of land from Agricultural to the Urban District. The three basic areas under consideration are as follows: (1) The 'Waimea



September 20, 1991

RECEIVED  
SEP 23 PM 1 09

PLANNING DIV.  
COUNTY OF HAWAII

Mr. Norman Hayashi  
Planning Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

RE: Affidavit of Notification  
Time Extension to Condition No. 4 (Life of Permit)  
of Special Permit No. 197 (71-117)  
Applicant: Waikoloa Development Co.  
TMK: 6-8-01:15

Dear Mr. Hayashi:

We have received your notification of the scheduling of the public hearing before the Planning Commission on the above subject. Said hearing, among others, will be held beginning at 10:45 a.m. on Wednesday, October 9, 1991, in the Department of Hawaiian Homes Lands, Kuhio Hale, Mamalahoa Highway, Waimea, South Kohala, Hawaii. Our representative will be present.

As required under Rule 6 of the Planning Commission, we mailed notification of this hearing to all property owners within 300 feet of TMK: 6-8-01:15, as listed below, on Friday, September 20, 1991.

|           |                                                                                                                                  |
|-----------|----------------------------------------------------------------------------------------------------------------------------------|
| 6-8-01:28 | Hawaiian Electric Light<br>Company, Inc.<br>Box 1027<br>Hilo, Hawaii 96720                                                       |
| 6-8-02:15 | Waikoloa Village Association<br>P. O. Box 3008<br>Waikoloa, Hawaii 96738                                                         |
| 6-9-03:02 | Waikoloa Homesites Venture<br>Attn: Mr. Larry Hansen<br>Suite 1570, Pauahi Tower<br>1001 Bishop Street<br>Honolulu, Hawaii 96813 |

HIGHLANDS OFFICE

Post Office Box 3028 Waikoloa, Hawaii 96743 Phone (808) 883-1000 Fax (808) 883-1404

EXHIBIT 9



Mr. Norman Hayashi  
September 20, 1991  
Page Two

7-1-03:01 & 02

State of Hawaii  
c/o DLNR-Land Management Division  
P. O. Box 936  
Hilo, Hawaii 96720

F. Newell Bohnett, Lessee  
Puuwaawaa Ranch  
P. O. Box 1536  
Kailua-Kona, Hawaii 96745

Queen Kaahumanu  
Highway

State of Hawaii  
c/o DOT-Highways Division  
P. O. Box 4277  
Hilo, Hawaii 96720

The other adjacent lands are owned either by the County of Hawaii, the various agencies of which we assume have been apprised of the hearing date as part of the application process, or by Waikoloa Development Co. or its affiliated companies, Waikoloa Land & Cattle Co., Waikoloa Resort Utilities, or Waikoloa Airport, Inc.

Sincerely,

WAIKOLOA DEVELOPMENT CO.



Ken Melrose  
Vice President/Planning

ac

Enclosure (Notice)

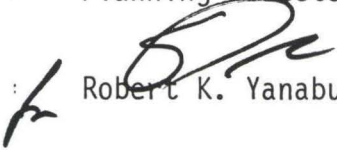
cc w/enclosure:  
Mr. Carl Cordes  
Mr. Thos Rohr

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF HAWAII  
HILO, HAWAII

DATE September 24, 1991

Memorandum

TO : Planning Director

FROM :  Robert K. Yanabu, Division Chief, Engineering Division

SUBJECT: AMENDMENT TO SPECIAL PERMIT NO. 71-117 (SP. 197)  
Applicant: Waikoloa Development Company  
Location: Waikoloa, South Kohala, Hawaii  
Tax Map Key: 6-8-1:5

We have no comments on the five year time extension to condition No. 4 of the subject permit.

TP:thk

*Done -  
Make sure all  
required DPW  
documents for the  
amendment are  
submitted to the*

EXHIBIT 10

COUNTY OF HAWAII PLANNING DEPARTMENT  
BACKGROUND REPORT

WAIKOLOA DEVELOPMENT COMPANY  
AMENDMENT TO SPECIAL PERMIT NO. 197 (71-117)

The applicant, Waikoloa Development Company, is requesting a time extension to Condition 4 (life of the permit) of Special Permit No. 197 (71-117), which allowed the establishment of a quarry operation and allied uses on approximately 309 acres of land situated within the State Land Use Agricultural District. The project site is located along the Waikoloa Road and mauka of the Queen Kaahumanu Highway, Waikoloa, South Kohala, TMK: 6-8-1:por of 5.

GENERAL INFORMATION

1. The Planning Commission, on October 14, 1971, recommended approval of Special Permit No. 197 (71-117) to allow Boise Cascade Recreation Communities Corporation (BCRCC) to operate a 309-acre quarry site, including related uses such as a portable screening plant, rock crusher, and scales. The permit was recommended for approval subject to the following conditions:

- "1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.
- "2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- "3. That the operation be confined within the metes and bounds description as submitted.
- "4. That this permit shall expire within 5 years from the date of approval by the State Land Use commission should the agency approve this request. If, at the end of 5 years, the applicant reapplies for the special permit and is denied, or if the applicant fails to reapply for the special permit, then all



temporary support facilities, along with the equipment shall be removed. A grading plan will then be done and the natural contours shall be restored. At the end of quarrying operations, the site shall appear as a natural open space, and not as a scar on the landscape.

"5. The materials removed from the subject site shall be restricted to use within their own development."

2. Upon a request by BCRCC for reconsideration, the Planning Commission voted to delete Condition No. 5 on November 11, 1971. It was voted to allow the sale of excavated material and not limit the use to their own development. With this allowance, it was recommended that an annual check be made by the staff to see that there is a reasonable control on the excavation.

3. At its meeting on December 17, 1971, the State Land Use Commission (LUC) approved the Special Permit subject to Conditions Nos. 1-4.

4. Pursuant to the Planning Commissions's approval recommendation, the LUC, on November 9, 1976, granted a 5-year extension of the life of the permit until December 17, 1981. The LUC added an additional condition that "the petitioner shall comply with all applicable Department of Health regulations."

5. In 1980, Transcontinental Development Company requested a 10-year extension to the life of the permit. On February 25, 1981, the LUC approved a time extension until December 17, 1991 with the following added condition recommended by the Planning Commission:

"Every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient

cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked."

#### CURRENT REQUEST

6. The applicant is requesting a 3-year time extension to Condition No. 4 (life of permit). It should be noted that the original time extension request has been amended from five to three years.

7. In support of this request, the applicant has submitted the following:

(See attached letters, dated June 24 and September 10, 1991.)

#### STATE AND COUNTY PLANS

8. The property is designated as Urban Expansion Area (UEA) on the Land Use Pattern Allocation Guide (LUPAG) map of the County General Plan. The UEA allows for a mix of high density, medium density, low density, industrial and/or open designations in areas where new settlements may be desirable, but where the specific settlement pattern and mix of uses have not yet been determined.

9. The property is situated within the State Land Use Agricultural District. Since the site is over 15 acres in size, the request is subject to approval by the State Land Use Commission.

10. The property is situated within the County Unplanned zoned district.

11. The property is not within the Special Management Area.

#### DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

12. The quarry site is a portion of a 3,049± acre parcel of land situated mauka of the Queen Kaahumanu Highway and south of the Waikoloa Road.

13. The quarry site is adjacent to the Waikoloa Airstrip to the west and Waikoloa Road to the north.

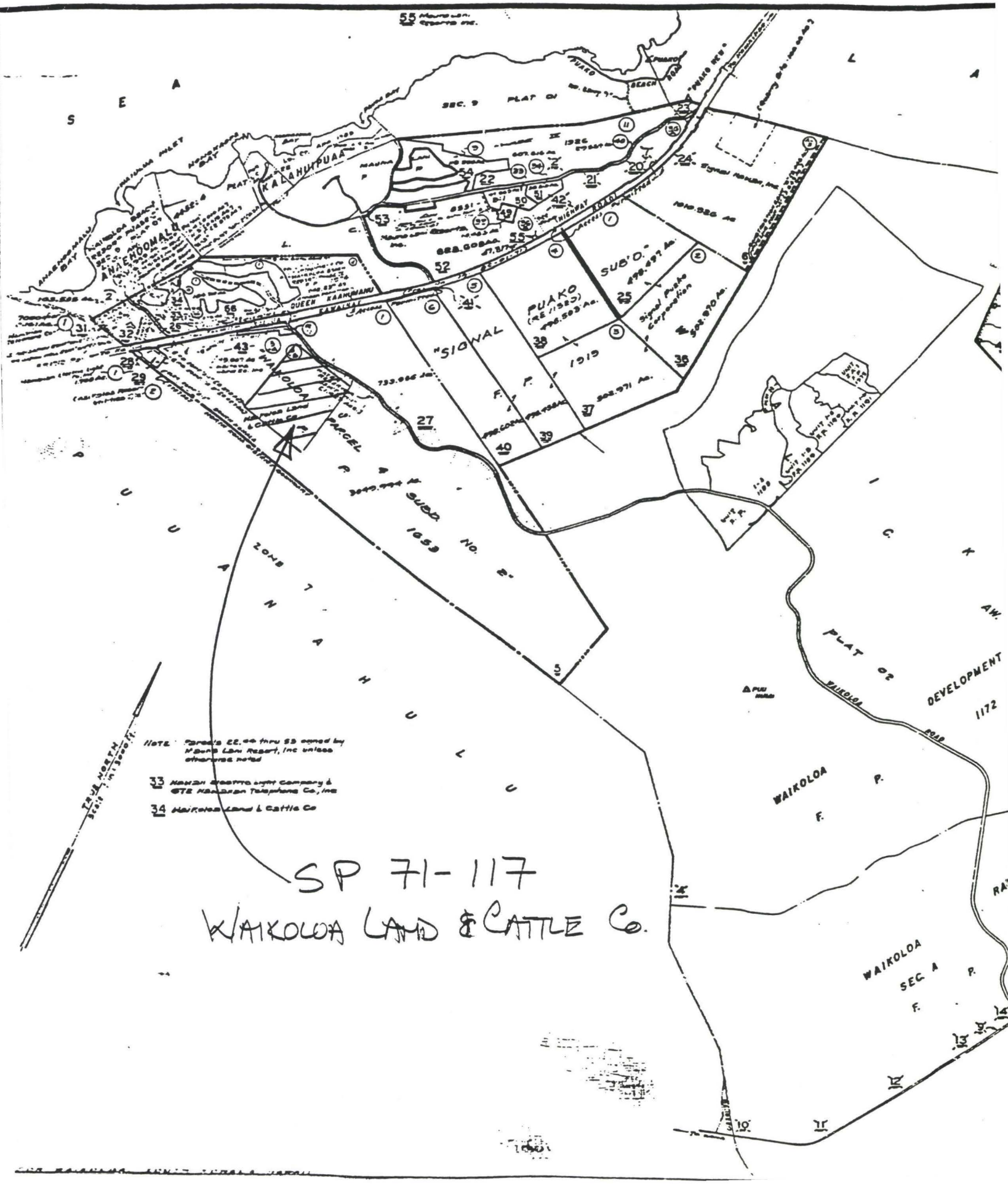
14. Surrounding lands are zoned Unplanned.

15. Special Permit No. 164 (70-85) was granted to the applicant to allow the operation of two other quarry sites in the vicinity of Waikoloa Village. A time extension to Special Permit No. 164 until December 11, 1995 was granted by the State Land Use Commission, effective March 6, 1991. Permitted uses include the quarrying of cinder and topsoil at one site and the removal of stockpiled materials, storage and repair at the second site. Rock crushing, asphalt, concrete batch operations and the use of explosives are not permitted.

#### AGENCIES' COMMENTS

16. No comments or objections: Department of Public Works, Department of Land and Natural Resources, Department of Transportation, Department of Agriculture, Soil Conservation Service, Department of Health.





NOTE: Parcels 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 are owned by Waikoloa Land & Cattle Co., Inc. unless otherwise noted.

33 Hawaiian Electric Light Company & STE Hawaiian Telephone Co., Inc.

34 Hawaiian Land & Cattle Co.

SP 71-117  
WAIKOLOA LAND & CATTLE CO.

COUNTY OF HAWAII PLANNING DEPARTMENT  
RECOMMENDATION

WAIKOLOA DEVELOPMENT COMPANY  
AMENDMENT TO SPECIAL PERMIT NO. 197 (71-117)

Upon review of the request against the guidelines for granting a Special Permit, the Planning Director is recommending that the request for a three-year time extension to the life of the permit be approved. This recommendation does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies. Since this recommendation is made without the benefit of public testimony, the Director reserves the right to modify and/or alter his position based upon additional information presented at the public hearing. The favorable recommendation is based on the following findings:

The State Land Use Commission approved the quarry activity in 1971 as an unusual and reasonable use of land in the State Land Use Agricultural District. The site has been in continual use since that time. Continued use of the site will not affect the agricultural capacity of the subject property of the surrounding lands.

The applicant states that the time extension will allow for continued operations while preparations for the development of a new quarry site are carried out. Since crushing, blasting, and batching activities have been eliminated at the mauka quarry site, continued use of the site is necessary to support ongoing construction within the Waikoloa development.

Continued use of the existing quarry will not adversely affect surrounding properties. The quarry's nearest neighbor is the Waikoloa airstrip. There are currently no other commercial or residential uses in the vicinity of the property.

Public agencies had no objections to the request. The quarry use will not burden public agencies to provide necessary services.



The continued quarry use will not be contrary to the General Plan. The site is within the Urban Expansion Area as indicated on the Land Use Pattern Guide Map of the General Plan. Such a designation may allow for industrial uses.

In consideration of the above, it is recommended that a three-year time extension be granted to the life of the permit.

It is further recommended that the existing conditions of the Special Permit be revised as follows (new material is underscored and material to be deleted is bracketted):

1. The applicant, successors or assigns shall be responsible for complying with all stated conditions of approval.
- [1]2. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.
- [2]3. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- [3]4. That the operation be confined within the metes and bounds description as submitted.
- [4. That this permit shall expire within 5 years from the date of approval by the State Land Use commission should the agency approve this request. If, at the end of 5 years, the applicant reapplies for the special permit and is denied, or if the applicant fails to reapply for the special permit, then all temporary support facilities, along with the equipment shall be removed. A grading plan will then be done and the natural contours shall be restored. At the end of quarrying operations, the site shall appear as a natural open space, and not as a scar on the landscape.]
5. This permit shall remain in effect until December 17, 1994.
6. The applicant shall submit a Site Restoration Plan for review and approval by the Planning Department, in



consultation with the Department of Public Works, one year prior to the expiration date of the permit. All temporary support facilities and equipment shall be removed and the site shall be graded to blend with the surrounding areas prior to the expiration date of the permit.

7. Every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked.
8. Comply with applicable laws, rules, regulations, and requirements.
9. An annual monitoring report shall be submitted to the Planning Director prior to the anniversary date of the approval of this amendment. The report shall include, but not be limited to, the status of compliance with conditions of approval. This condition shall remain in effect until the expiration of the permit.
10. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

PLANNING COMMISSION  
County of HawaiiDate: OCTOBER 9, 1991Petitioner: WAIKOLOA DEVELOPMENT CO.--Time extension to Condition 4 (LUC 197)

\_\_\_\_\_ Public Hearing \_\_\_\_\_ Action

ACTION: ★ Approve  
 \_\_\_\_\_ Deny  
 \_\_\_\_\_ Defer  
 \_\_\_\_\_ Continue

Other: ★ 7-0

| Commissioners       | Aye | No | Excused | Abstain |
|---------------------|-----|----|---------|---------|
| COMER, Jeanne       | ✓   |    |         |         |
| FIESTA, Isaac ②     | ✓   |    |         |         |
| HOLT, Dennis R. ①   | ✓   |    |         |         |
| ISHIMARU, Tommy     |     |    | ✓       |         |
| MANALILI, Donald L. | ✓   |    |         |         |
| MATSUMURA, Lance K. | ✓   |    |         |         |
| RICE, Sally         |     |    | ✓       |         |
| SANCHEZ, Nemesio    | ✓   |    |         |         |
| LUCE, Philip "Mike" | ✓   |    |         |         |

PLANNING COMMISSION  
COUNTY OF HAWAII

6732d

HEARING TRANSCRIPT  
October 9, 1991

A regularly advertised public hearing on the application of WAIKOLOA DEVELOPMENT CO. was called to order at 12:43 p.m. in the Department of Hawaiian Home Lands, Kuhio Hale, Mamalahoa Highway, Waimea, South Kohala, Hawaii, with Chairman Mike Luce presiding.

PRESENT: Mike Luce  
Jeanne Comer  
Isaac Fiesta  
Dennis R. Holt  
Donald Manalili  
Lance Matsumura  
Nemesio Sanchez

ABSENT: Tommy Ishimaru  
Sally Rice  
  
Ex-officio Member  
H. William Sewake

Norman Hayashi, Planning Director  
Connie Kiriū, Staff Planner  
Anna Link, Staff Planner  
Daryn Arai, Staff Planner

Mike Matsukawa, Corporation Counsel  
David Murakami representing Ex-officio Member  
Bruce McClure

And approximately 8 people from the public in attendance

CHAIRMAN: Could I ask, at this time, our next agenda item, the application by Waikoloa Development Company, is there anyone in the public planning on testifying for this? Only the applicant. We have no public testimony. With the Commissioners' permission, I'd like to proceed with this.

COMER: Okay, let's go.

CHAIRMAN: The next item on our agenda before lunch is a request by WAIKOLOA DEVELOPMENT COMPANY for a time extension to Condition 4 (life of the permit) of Special Permit No. 197 (71-117), which allowed the establishment of a quarry operation and allied uses on approximately 309 acres of land situated within the State Land Use Agricultural District. The project site is located along the Waikoloa Road and mauka of the Queen Kaahumanu Highway, Waikoloa, South Kohala, TMK: 6-8-1:Portion of 5. Staff?

LINK: The site of the existing quarry would be in this location here, along the Waikoloa Road at the Queen K intersection. The Waikoloa Airstrip would be in this area right here and the Waikoloa Resort area in this area right here. The quarry permit was originally granted in 1971. They have received two 5-year and a 10-year time extension. The original request was for a 5-year



extension. The applicant has revised his request to three years. The applicant has another quarry site up mauka up here in the Waikoloa Village area, two quarry sites in that area. One of the sites nearest the village is not being used for major quarrying use now. They are planning to relocate their major quarrying activity to a new site. Therefore, they're asking additional time to keep this quarry going until they can get their new site established. We have recommended approval of the request for a 3-year time extension. We have some, recommended some amendments to the conditions of the permit to clarify the process for site restoration as well as asking for an annual monitoring report. I'd like to mention we also have comments here from Department of Public Works stating that they have no comments on the request. Are there any questions?

CHAIRMAN: Commissioners, any questions of staff? There are none. Will the applicant or his representative come forward. Do you swear or affirm to tell the truth on this matter now before the Hawaii County Planning Commission?

MELROSE: I do.

CHAIRMAN: You've received the background report and recommendations of staff. Could you state your name into the microphone and give us your comments.

MELROSE: My name is Ken Melrose, Vice President of Planning for Waikoloa Development Company. We have received the background report and reviewed the revised conditions and find them to be acceptable. We ask for your favorable consideration today on forwarding a favorable recommendation to the State Land Use Commission.

CHAIRMAN: That's right, we're advisory in this. Does the applicant intend to put an asphalt batching plant, hot plant, in here? Would the applicant be uncomfortable if that was excluded as a permitted use?

MELROSE: I wasn't prepared, there is not one in there at this point. There hasn't been one in there since it was used to pave better portions of Queen K in the section there.

CHAIRMAN: It's currently a permitted use and you would like to see that stay open?

MELROSE: I would like to see it for the next three years, the remaining permit, if that's at all possible, the remaining life of the permit. It was deleted as a use in the mauka quarry and with the intent that we would not be duplicating uses, active uses within these two quarry sites when I came before you several months ago on the mauka quarry. So I would hope that we could continue that use, if possible, until the transition, during the life of this permit.

COMER: It's not permitted now.

CHAIRMAN: You said it was not permitted?

COMER: Those are not permitted now.

CHAIRMAN: You said it was not permitted? Show me where it says that.

COMER: Page 4, special permit granted, blah, blah, blah, rock crushing, asphalt, concrete batch operations and the use of explosives are not permitted.

CHAIRMAN: That is in the village quarry. That's not talking about, could you tell me what page you're on?

MELROSE: Page 4, are you at the middle of page 4, item 15, Commissioner Comer?

COMER: Yes.

MELROSE: Those were comments related to the mauka quarry, again, that I just referred to. So they are currently permitted, it is our understanding that they are permitted uses within the existing special permit before you today.

CHAIRMAN: Current special permit, right?

MELROSE: Yes, sir.

CHAIRMAN: Yeah, that's my understanding. I don't think there's a problem. It's just, we don't want any future problems, future troubles in that area.

COMER: Three years.

CHAIRMAN: So it's clear that a hot plant, asphalt batching plant is permitted under the old permit and there's no change in this revised permit.

MELROSE: That's my understanding.

HAYASHI: Mr. Chairman?

CHAIRMAN: Director Hayashi?

HAYASHI: Yes. Mr. Chairman, it's permitted provided the major source of that ingredient comes from that property. So the rocks would have to come from that property.

CHAIRMAN: Yes.

MELROSE: That's our understanding.

CHAIRMAN: Okay, any other questions of the applicant?  
There are none. This is a public hearing. Anyone in the audience  
wishing to testify? There are one.

FIESTA: I move that the public hearing be closed,  
Mr. Chairman.

MANALILI: Second.

CHAIRMAN: Moved by Commissioner Fiesta, seconded by  
Commissioner Manalili, that the public hearing be closed.  
Discussion? All those in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN: Oppose? Public hearing is closed.

HOLT: Mr. Chairman?

CHAIRMAN: Commissioner Holt.

HOLT: I move that this time extension to Condition 4 of  
Special Permit No. 197 (71-117), we're advisory here.

CHAIRMAN: To the Land Use Commission.

HOLT: To the Land Use Commission, that we forward a  
favorable recommendation for the time extension, for the reasons and  
with the conditions outlined by the staff.

FIESTA: Second.

CHAIRMAN: Moved by Commissioner Holt and seconded by  
Commissioner Fiesta that we send a favorable recommendation to the  
Land Use Commission, for the reasons and with the conditions  
outlined by staff. Discussion? Roll call.

LINK: Commissioner Holt?

HOLT: Aye.

LINK: Commissioner Fiesta?

FIESTA: Aye.

LINK: Commissioner Comer?

COMER: Aye.

LINK: Commissioner Manalili?

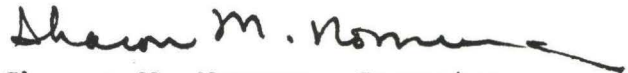
MANALILI: Aye.



LINK: Commissioner Matsumura?  
MATSUMURA: Aye.  
LINK: Commissioner Sanchez?  
SANCHEZ: Aye.  
LINK: Chairman Luce?  
CHAIRMAN: Aye.  
LINK: Mr. Chairman, motion carried with seven aye votes.  
CHAIRMAN: You'll be notified in writing of the Commission's  
action.

The discussion ended at 12:51 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sharon M. Nomura", with a long horizontal flourish extending to the right.

Sharon M. Nomura, Secretary  
Planning Commission



# Planning Commission

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye  
Mayor

## CERTIFIED MAIL

October 24, 1991

Mr. Ken Melrose  
Waikoloa Development Co.  
PO Box 3028  
Waikoloa, HI 96743

Dear Mr. Melrose:

Time Extension to Condition 4  
of Special Permit No. 197 (71-117)  
Applicant: Waikoloa Development Co.  
TMK: 6-8-1:Portion of 5

The Planning Commission at its duly held public hearing on October 9, 1991, reviewed and acted on your request for a time extension to Condition 4 (life of the permit) of Special Permit No. 197 (71-117), which allowed the establishment of a quarry operation and allied uses on approximately 309 acres of land situated within the State Land Use Agricultural District. The project site is located along the Waikoloa Road and mauka of the Queen Kaahumanu Highway, Waikoloa, South Kohala, Hawaii.

The Commission voted to recommend the approval of the time extension to the State Land Use Commission based on the following considerations:

The State Land Use Commission approved the quarry activity in 1971 as an unusual and reasonable use of land in the State Land Use Agricultural District. The site has been in continual use since that time. Continued use of the site will not affect the agricultural capacity of the subject property of the surrounding lands.

The applicant states that the time extension will allow for continued operations while preparations for the development of a new quarry site are carried out. Since crushing, blasting, and batching activities have been eliminated at the mauka quarry site, continued use of the site is necessary to support ongoing construction within the Waikoloa development.

EXHIBIT 15

Mr. Ken Melrose  
October 24, 1991  
Page 2

Continued use of the existing quarry will not adversely affect surrounding properties. The quarry's nearest neighbor is the Waikoloa airstrip. There are currently no other commercial or residential uses in the vicinity of the property.

Public agencies had no objections to the request. The quarry use will not burden public agencies to provide necessary services.

The continued quarry use will not be contrary to the General Plan. The site is within the Urban Expansion Area as indicated on the Land Use Pattern Guide Map of the General Plan. Such a designation may allow for industrial uses.

The Commission further recommended to the State Land Use Commission that approval of the time extension to your Special Permit be subject to the following conditions (new material is underscored and material to be deleted is bracketed):

1. The applicant, successors or assigns shall be responsible for complying with all stated conditions of approval.
- [1]2. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of operation, 24 hours a day.
- [2]3. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- [3]4. That the operation be confined within the metes and bounds description as submitted.
- [4. That this permit shall expire within 5 years from the date of approval by the State Land Use commission should the agency approve this request. If, at the end of 5 years, the applicant reapplies for the special permit and is denied, or if the applicant fails to reapply for the special permit, then all temporary support facilities, along with the equipment shall be removed. A grading plan will then be done and the natural contours shall be restored. At the end of quarrying operations, the site shall appear as a natural open space, and not as a scar on the landscape.]



5. This permit shall remain in effect until December 17, 1994.
6. The applicant shall submit a Site Restoration Plan for review and approval by the Planning Department, in consultation with the Department of Public Works, one year prior to the expiration date of the permit. All temporary support facilities and equipment shall be removed and the site shall be graded to blend with the surrounding areas prior to the expiration date of the permit.
7. Every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked.
8. Comply with applicable laws, rules, regulations, and requirements.
9. An annual monitoring report shall be submitted to the Planning Director prior to the anniversary date of the approval of this amendment. The report shall include, but not be limited to, the status of compliance with conditions of approval. This condition shall remain in effect until the expiration of the permit.
10. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

Mr. Ken Melrose  
October 24, 1991  
Page 4

Should you have any questions regarding the above, please feel free to contact the Planning Department at 961-8288.

Sincerely,

A handwritten signature in dark ink that reads "Mike Luce". The signature is written in a cursive, slightly slanted style.

Mike Luce, Chairman  
Planning Commission

6763d  
jdk

xc: Department of Public Works  
Department of Water Supply  
West Hawaii Office  
State Land Use Commission  
Plan Approval Section



## Planning Department

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye  
Mayor

Norman K. Hayashi  
Director

Tad Nagasako  
Deputy Director

### CERTIFIED MAIL

Mr. Ken Melrose  
Waikoloa Development Co.  
P. O. Box 3028  
Waikoloa, HI 96743

Dear Mr. Melrose:

Time Extension to Condition 4  
of Special Permit No. 197 (71-117)  
Applicant: Waikoloa Development Co.  
TMK: 6-8-1:Portion of 5

This is to inform you that the above time extension to Condition 4 of Special Permit No. 197 has been scheduled for a public hearing by the Planning Commission. Said hearing, among others, will be held beginning at 10:45 a.m. on Wednesday, October 9, 1991, in the Department of Hawaiian Home Lands, Kuhio Hale, Mamalahoa Highway, Waimea, South Kohala, Hawaii. The presence of a representative will be appreciated in order that all questions relative to the request may be clarified. A copy of the hearing notice and agenda are attached for your information.

According to the Planning Commission Rule 6 (Special Permits), you are required to notify all owners of interests in properties within 300 feet of the perimeter boundary of the entire property of the hearing. The notice shall include the date, time, and place of the hearing and the specific request. The Hawaii County Department of Finance, Real Property Tax Division's records shall be used to determine the affected surrounding property owners. The Commission shall not conduct a hearing if this requirement has not been complied with.

Prior to the date of the hearing, the applicant shall file with the Planning Commission an affidavit or other similar proof of mailing of said notice. Such proof shall include the name of the landowner, tax map key identification, and a copy of the notice sent to the surrounding property owner. Please be advised that we shall be confirming your notification of owners against our records. Prompt submittal of proof of mailing will ensure that we have adequate time to check the notification.

Should you have any questions, please feel free to contact us at 961-8288.

Sincerely,

  
Norman K. Hayashi  
Planning Director

6690d  
Atts.

xc: ✓ State Land Use Commission

SEP 19 1991  
LAND USE COMMISSION  
STATE OF HAWAII  
39 PM '91



REQUESTED MAILING LIST:

LEGISLATURE:

3rd Senatorial District

Senator Malama Solomon  
235 South Beretania St.  
Suite 505  
Honolulu, HI 96813

DOCKET NO./PETITIONER:

SP71-117 - WAIKOLOA DEVELOPMENT CO. (HAWAII)  
(THIRD TIME EXTENSION)

6th Representative District

Representative Mike O'Kieffe  
235 South Beretania St.  
Suite 1108  
Honolulu, HI 96813

OTHERS:



DOCKET NO./PETITIONER:

PAGE NO. 1

SP71-117 - WAIKOLOA DEVELOPMENT CO. (Hawaii)  
(THIRD TIME EXTENSION)

DATE

TRANSACTION

11/25/91 - Agenda sent to Senator Malama Solomon & Rep. Mike O'Kieffe.  
Action set for 12/5,6/91.

LUC PETITION CONTENTS AND PROCEDURES CHECKLIST  
FOR SPECIAL USE PERMIT

DOCKET NO./PETITIONER: SP71-117 WAIKOLOA DEVELOPMENT CO. (Hawaii)

DATE FILED: November 1, 1991

Please check off your areas of concern and initial your station before passing this form to the next station.

RECEPTIONIST FL

- ☒ Time stamp
- ☐ Assign docket number and open file
- ☐ Send acknowledgment letter
- ☒ Gives to Chief Clerk to prepare file
- ☐ After Planner prepares staff report, send report and designated copies of file to LUC
- ☐ Gives copy of report and designated copies of file to Executive Officer and Planner

PLANNER AS

- ☒ Checks for complete record and conditions
- ☒ Check for notice of public hearing
- ☒ Sends to Drafting Technician for maps, etc.
- ☒ Prepares staff report

DRAFTING TECHNICIAN \_\_\_\_\_

Confirms petitioner's accuracy with respect to:

- |                                      |                                                      |
|--------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> ownership   | <input type="checkbox"/> location and size           |
| <input type="checkbox"/> lessees     | <input type="checkbox"/> land use district           |
| <input type="checkbox"/> tax map key | <input type="checkbox"/> map and its accuracy w/text |
|                                      | <input type="checkbox"/> check acreage of use        |

☐ Gives file to Receptionist to send designated copies of file to LUC

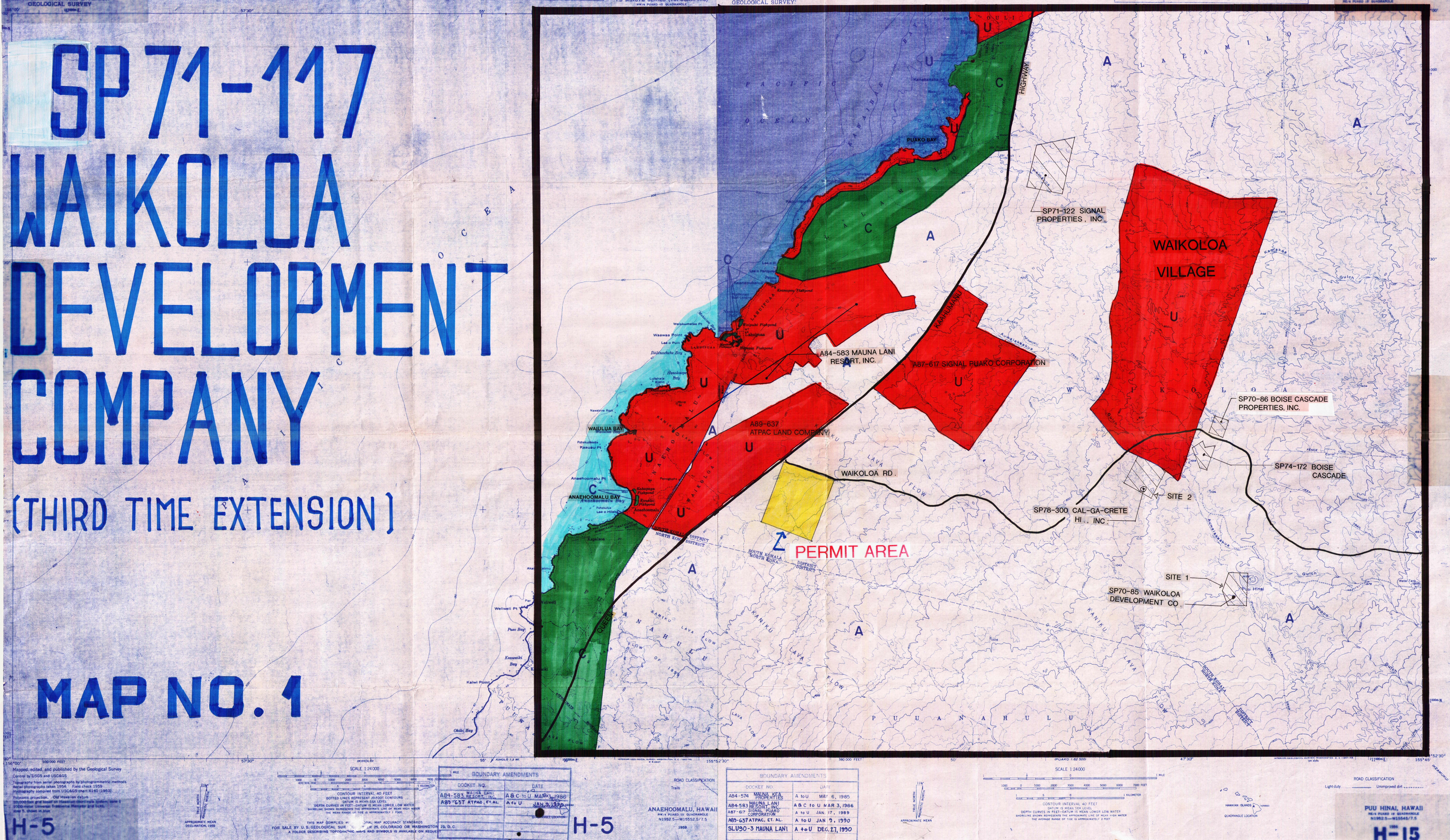


SP71-117 - WAIKOHIA DEVELOPMENT CO.  
(Third Time Extension)  
LUC M A P S



# MAP NO. 1

PUU HINAI QUADRANGLE  
HAWAII— ISLAND AND COUNTY OF HAWAII  
7.5 MINUTE SERIES (TOPOGRAPHIC)  
NE-4 QUAD IN QUADRANGLE







DWG. NO. 0003  
DATE MARCH 3, 1971  
BY H.N. R.T.  
SOURCE F.P. 1130 & 1172

TRUE NORTH  
Scale 1 in. = 2000 ft.

NOTE: Parcels 1, 7, 10, 12, 16, 17, 21 owned by First Hawaiian Bank Trustee for Atpac Land Co.  
NOTE: Easements E-1, E-2, E-3, E-4, E-5, E-6, E-7 are for ELEC. & TEL. purposes.  
Easements A, E-8, E-9 are for ELEC. SUB-STATION purposes.

Owner's, lessee's & vendee's names recorded on this tax map print may not be current. Please refer to ownership history sheets and field books for current owners.

NOV 15 1991  
Parcels Dropped: 24, 23, 34, 35,

| DEPARTMENT OF TAXATION<br>PROPERTY TECHNICAL OFFICE<br>TAX MAPS BRANCH<br>STATE OF HAWAII<br>TAX MAP |      |      |
|------------------------------------------------------------------------------------------------------|------|------|
| THIRD TAXATION DISTRICT                                                                              |      |      |
| ZONE                                                                                                 | SEC. | PLAT |
| 6                                                                                                    | 8    | 02   |
| SCALE: 1 IN. = 2000 FT.                                                                              |      |      |

FOR PROPERTY ASSESSMENT PURPOSES  
SUBJECT TO CHANGE

POR. WAIKOLOA, SOUTH KOHALA, HAWAII, (Formerly por. 6 & 8 01)

SUP71-117 / WAIKOLOA DEV. CO.