

Action Plan

June 14 - July 29

EXT. 1 wk

Action Aug 3

August 6, 1973

Mr. A. E. Brum
Vice President
Valley Isle Theaters, Inc.
P. O. Box 67
Kahului, Maui 96732

Dear Mr. Brum:

The original of the attached letter approving a special permit to Valley Isle Theaters, Inc. (SP73-153) to establish and operate a drive-in theater and a golf driving range within the State Land Use Agricultural District on 12.4 acres identified as Tax Map Key 3-8-7: 89, and 9.5 acres identified as Tax Map Key 3-8-7: portion of 73, situated at Wailuku, Maui; subject to the conditions imposed by the Maui County Planning Commission, is on file in the office of the Maui Planning Department, 200 So. High Street, Wailuku, Maui.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encls.

August 6, 1973

Maui Planning Commission
200 S. High Street
Wailuku, Maui 96793

Attention: Mr. Howard K. Nakamura
Planning Director

Gentlemen:

At its meeting on August 3, 1973, the Land Use Commission voted to approve a special permit to Valley Isle Theaters, Inc. (SP73-153) to establish and operate a drive-in theater and a golf driving range within the State Land Use Agricultural District on 12.4 acres identified as Tax Map Key 3-8-7: 89, and 9.5 acres identified as Tax Map Key 3-8-7: portion of 73, situated at Wailuku, Maui; subject to the conditions imposed by the Maui County Planning Commission.

A copy of the staff report is enclosed for your information.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encl.

cc: Valley Isle Theaters,
Inc.

Dept. of Taxation, Maui
Property Technical Office, Dept. of Taxation
Tax Maps Recorder, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation

WAIKAPU CHURCH

WAIKAPU STACK

HONOAPILANI

HIGHWAY

WAIKAPU

ZONE 3 SEC. 5

15 FT. PIPELINE EBMTS
(County of Maui)
DUMP SITE 1e.
30.037 ACS.
92

ACCESS ROAD

3,043
Acres

3152

TRUE NORTH

1" = 1,000'

1470.38

(1237.736 ACS)

1806170
89

(Valley Isle Theatres, Inc.) 1e

GRANT

(R.J.R. Foods, Inc.
242.603 ACS) 1e.

(242.603 ACS)

KUIHELANI

73

To Maalea

Ditch

Access Permitted
KUIHELANI

Access Permitted

Pl.
T. "G" to C.M.
15-ft. wide

permitted for
purposes
used for
purposes only

Camp

GRANT

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

August 3, 1973 - 1:30 p.m.

Queen Liliuokalani Building
Honolulu, Hawaii

Approved
OCT 5 1973

COMMISSIONERS PRESENT: Eddie Tangen, Chairman Pro Tempore
Alexander J. Napier
Sunao Kido
Shelley M. Mark
Stanley Sakahashi
Tanji Yamamura

COMMISSIONER ABSENT: Goro Inaba, Chairman
Leslie Wung

STAFF PRESENT: Tatsuo Fujimoto, Executive Officer
Ah Sung Leong, Planner
Gordan Furutani, Planner
Benjamin Matsubara, Dep. Atty. General
E. John McConnell, Dep. Atty. General
Dora Horikawa, Clerk Reporter

Acting Chairman Tangen called the meeting to order and announced that the agenda will be shifted to discuss the action items prior to the public hearing. Thereafter, all persons testifying during today's proceedings were duly sworn in.

ADOPTION OF MINUTES

Upon motion by Commissioner Kido, seconded by Commissioner Yamamura, the minutes of the meetings of December 1, 1972, December 15, 1972, March 2, 1973, May 4, 1973, May 5, 1973 and May 18, 1973 were approved as circulated.

ACTION

PETITION BY RICHARD R. CLEGG (A73-363) TO RECLASSIFY 5.2 ACRES FROM AGRICULTURAL TO URBAN AT WAIANAE, OAHU

Mr. Clegg, petitioner, requested that action on his petition be deferred to a later date.

✓
APPLICATION BY VALLEY ISLE THEATERS, INC. (SP73-153) FOR A SPECIAL PERMIT TO CONSTRUCT AND OPERATE A DRIVE-IN THEATER AND GOLF DRIVING RANGE WITHIN THE AGRICULTURAL DISTRICT AT WAIKAPU, WAILUKU, MAUI

Approval of the special permit request, subject to the conditions imposed by Maui County Planning Commission, was recommended in the staff memorandum presented by Mr. Leong (see copy of memo on file).

Commissioner Yamamura's motion to approve the special permit as recommended by staff, seconded by Commissioner Sakahashi, was unanimously passed.

Commissioner Mark excused himself from the meeting, due to a prior commitment.

APPLICATION BY TONG WO SOCIETY (SP73-154) FOR A SPECIAL PERMIT FOR THE ADDITION OF A SOCIAL HALL TO AN EXISTING CHURCH WITHIN THE AGRICULTURAL DISTRICT AT HALAWA, NORTH KOHALA, HAWAII

Mr. Gordan Furutani presented the staff memo recommending approval of the special permit request, subject to the conditions set forth by the Hawaii County Planning Commission (see copy of report on file).

Upon motion by Commissioner Sakahashi, seconded by Commissioner Kido, it was unanimously agreed to approve the special permit as recommended by staff.

HEARING

PETITION BY MILILANI TOWN, INC. (A73-364) TO RECLASSIFY APPROXIMATELY 556 ACRES FROM AGRICULTURAL TO URBAN AT WAIPIO, EWA, OAHU

Mr. Tatsuo Fujimoto, Executive Officer, announced that he was submitting the staff report in its entirety for the records but, in the interest of time, will summarize the first 13 pages of the report. He proceeded with a detailed description of the areas involved in the petition, the various uses proposed, the development schedule, surrounding existing developments, the adopted General Plan of the City & County of Honolulu, with the aid of maps and charts.

Letters from the Land Study Bureau, the Board of Water Supply and the Department of Transportation regarding the subject request were also acknowledged by the Executive Officer (see copies of letters on file). Thereafter, the balance of the staff report was presented (see copy on file).

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP73-153 - VALLEY ISLE
THEATERS, INC.
 PLACE Liliuokalani Building
Honolulu, Hawaii

DATE August 3, 1973
 TIME 1:30 p.m.

	NAME	YES	NO	ABSTAIN	ABSENT
	NAPIER, ALEXANDER	X			
	MARK, SHELLEY	X			
	KIDO, SUNAO	X			
	WUNG, LESLIE				X
S	SAKAHASHI, STAN	X			
M	YAMAMURA, TANJI	X			
	INABA, GORO				X
	TANGEN, EDDIE	X			

Comments: I move to approve the special permit as recommended by staff.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

August 3, 1973
1:30 p.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: SP73-153 - VALLEY ISLE THEATERS, INC.

A special permit request to establish and operate a drive-in theater and a golf driving range within the State Land Use Agricultural District at Wailuku, Maui has been forwarded by the Maui County Planning Commission. The land comprises 12.4 acres identified as Tax Map Key 3-8-7: 89, and 9.5 acres described as Tax Map Key 3-8-7: portion 73 or a total of approximately 21.9 acres. The subject properties are owned by Alexander and Baldwin, Inc. and leased to the applicant.

On March 25, 1970, a special permit for a drive-in theater at the same site was granted to Valley Isle Drive-in Theaters, Inc. by the Land Use Commission. However, at that time, a golf driving range was not included in the request. Approval of the special permit was on the condition that the theater be initiated within two years from the date of final approval. This condition was not complied with, therefore the permit expired on March 24, 1972.

The property in question is situated on the North side of Waiko Road approximately 1,000 feet from the Kuihelani Highway intersection. Lands adjacent to the property and the property itself are presently vacant and unused. The Waikapu Urban District lies approximately a mile west of the subject property.

The Land Study Bureau's soil classification rating for the site is "E", indicating that it is very poor for overall agricultural productivity. The mean annual rainfall for the area ranges between 10 to 30 inches and the elevation is at the 200 foot level. A power line easement extends along the front portion of the parcel.

Development plans submitted by the applicant show that the drive-in theater will have accommodations for approximately 450 cars and a concession area. The 14.5 acre golf range will provide 140 parking stalls and include facilities for a golf pro shop, lights for night use, and approximately 48 tee-off stands.

In substantiation of his request, the applicant states that "The Island of Maui has no Drive-in Theater or night golf driving range. The subject land is centrally located in the Island's population center and is not suitable for agricultural purposes. A group of Maui community and business leaders have banded together with the hope of making this project a reality. With the possibility of public stock issue, the people of Maui will have an opportunity to own their own Drive-in Theater. In this respect, this is a community project."

COUNTY RECOMMENDATION

At its meeting of June 5, 1973, the Maui Planning Commission voted to recommend approval of this special permit subject to the following conditions:

- "1. That the project be initiated within two (2) years from date of final approval;
- "2. That the use be restricted to a drive-in theater and golf range operation and accessory uses common to such facilities (snack bar, restrooms, children's play area, golf shop, etc.);
- "3. That adequate street lighting be provided at the intersection of Kuihelani Highway and Waiko Roads, and at the entrances and exits of the facility;
- "4. That a subdivision application be filed and approved for the subject property;
- "5. That the applicant meet the requirements of the State Department of Transportation, Highways Division, with regard to satisfying their requirements at the Waiko Road and Kuihelani Highway intersection;
- "6. That a payment for the proportionate share of the cost of improvements at Waiko Road be made to the County of Maui;
- "7. That the final plans be reviewed and approved by the appropriate agencies with regard to drainage, lighting, sewage disposal, water, landscaping and signs;
- "8. That all other State and County requirements be met."

According to the County Planning Department's staff report, electrical and telephone services are available to the area.

However, there are no facilities to handle sewage and drainage and the Department of Water Supply has indicated that certain requirements will have to be met before water is available to the site. Further, the Highways Division has reviewed the application and suggests the following:

1. Waiko Road will need to be improved because of the anticipated increase in traffic and the poor condition of the present road.
2. A dispute of ownership between Wailuku Sugar Company and the County has recently been referred to the County Attorney's office for a 1/2 mile portion of Waiko Road near Waikapu Town.
3. Existing signs indicating rights of way will need to be changed so as to reduce traffic hazards due to the expected increase in traffic along Waiko Road and change in direction of the major flow of traffic.
4. Street lights will need to be installed at the theater entrance and at the intersection of Kuihelani Highway.

Staff finds that considerations such as the placement of street lights, minor traffic adjustments, and location of the theater entrance, etc. can be resolved at the County level. Further, conditions have been imposed to assure that this development will not unreasonably inconvenience or burden the general public.

The proposed use will not adversely affect the surrounding property since much of the areas are vacant and unimproved. The site is not actively used for agricultural production and is classified as "very poor" for overall agricultural use. Therefore, its proposed use will not remove lands in agricultural production nor lands with high potential for agricultural productivity.

Further, in addition to providing needed recreational activities for the area, the proposed development will open new employment opportunities.

Based on the above findings and discussion, it is the recommendation of the staff that the special permit to construct and operate a drive-in theater and a golf driving range with accessory uses common to such facilities be approved subject to the conditions imposed by the Maui County Planning Commission.



JOHN A. BURNS
GOVERNOR OF HAWAII

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HAWAII 96801

WALTER B. QUISENBERRY, M.P.H., M.D.
DIRECTOR OF HEALTH

WILBUR S. LUMMIS JR., M.S., M.D.
DEPUTY DIRECTOR OF HEALTH

RALPH B. BERRY, M.P.H., M.D.
DEPUTY DIRECTOR OF HEALTH

HENRI P. MINETTE, M.P.H., DR.P.H.
DEPUTY DIRECTOR OF HEALTH

July 18, 1973

In reply, please refer to:
File: EH-SE

RECEIVED

JUL 20 1973

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto
Land Use Commission
State of Hawaii
P. O. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Fujimoto:

Reference is made to your letter of June 20, 1973, regarding proposed boundary amendments and special permits for the following:

A-73-364
A-73-365
A-73-366
SP-73-153

Mililani Town, Inc. (Oahu)
E. F. Kennedy Investment, Inc. (Hawaii)
Amfac Communities, Inc. (Maui)
✓ Valley Isle Theatres, Inc. (Maui)

Please be informed that the proposed developments will have to meet applicable State Public Health Regulations prior to final approval for the project.

Very sincerely,

WALTER B. QUISENBERRY, M.D.
Director of Health

July 13, 1973

Valley Isle Theaters, Inc.
c/o Mr. A. E. Brum
Vice President
P. O. Box 67
Kahului, Maui 96732

Dear Mr. Brum:

The Land Use Commission next meets on August 3, 1973, at 1:30 p.m., in the Queen Liliuokalani Building, 4th Floor Board Room 404, 1390 Miller Street, Honolulu, Hawaii.

At that time the special permit application by Valley Isle Theaters, Inc. (SP73-153) to construct and operate a drive-in theater and golf driving range in the Agricultural District at Waikapu, Maui, will be considered.

Should you have any questions regarding this matter, please feel free to contact us.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
P. O. BOX 2359
HONOLULU, HAWAII 96804

July 12, 1973

NOTIFICATION OF BOUNDARY AMENDMENT APPLICATIONS

Please be advised that the following boundary amendment and special permit applications within the City and County of Honolulu, County of Maui, and County of Hawaii respectively, have been filed with the Land Use Commission.

A73-364 - Mililani Town, Inc. (Waipio, Ewa, Oahu)

Approximately 556 acres from the Agricultural District to the Urban District at Waipio, Ewa, Oahu, Tax Map Key 9-4-05: portion of 1 and 11; 9-4-06: portion 1; and 9-5-01: 6 and portion of 35 for residential and related development and employment center.

✓ SP73-153 - Valley Isle Theaters, Inc. (Waikapu, Wailuku, Maui)

Special permit request to construct and operate a drive-in theater and golf driving range on approximately 21.90 acres of land in the Agricultural District at Waikapu, Wailuku, Maui, Tax Map Key 3-8-7: portions of 73 and 89.

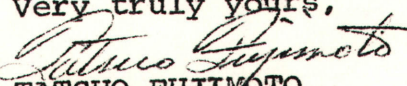
SP73-154 - Tong Wo Society (Halawa, North Kohala, Hawaii)

Special permit request for the addition of a social hall to the existing church on approximately 2 acres of land in the Rural District at Halawa, North Kohala, Hawaii, Tax Map Key 5-3-08: 20.

The public hearing on the above boundary amendment application and action on the special permits are scheduled for August 3, 1973.*

We would appreciate any written comments for or against these requests, or you or your agent may appear at the public hearing. Please do not hesitate to call this matter to the attention of other interested parties.

Should you desire additional information, feel free to contact this office.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

*See enclosed agenda

See Agenda file for mailing list.

3742



JOHN A. BURNS
GOVERNOR

FREDERICK C. ERSKINE
CHAIRMAN, BOARD OF AGRICULTURE

WILLIAM E. FERNANDES
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 SO. KING STREET
HONOLULU, HAWAII 96814

July 9, 1973

RECEIVED

JUL 10 1973

State of Hawaii
LAND USE COMMISSION

MEMORANDUM

To: Mr. Tatsuo Fujimoto, Executive Officer
Land Use Commission

Subject: Boundary Amendments and Special Permit Applications

We have reviewed the subject applications and foresee no significant impact on agricultural activities by the proposed amendments in applications:

A73-365 - Eugene F. Kennedy Investments, Inc.

A73-366 - Amfac Communities, Inc. - Hawaii

✓ SP73-153- Valley Isle Theatres, Inc.

Militari file

The proposed amendment in application A73-364 means loss of prime agricultural lands to urban use and will have both long-range and short-range effects on agriculture. The Department of Agriculture is concerned with the planning for future use of this and similar areas and will prepare testimony against approval of this application at the August 3, 1973 public hearing on this matter.

Thank you for the opportunity to comment on these applications.

FREDERICK C. ERSKINE
Chairman, Board of Agriculture

July 9, 1973

Mr. A. Brum, Vice President
Valley Isle Theaters, Inc.
269 East Papa Place
Kahului, Hawaii 96732

Subject: Valley Isle Theaters, Inc.
(SP73-153)

Dear Mr. Brum:

In response to your letter of June 25, 1973, we wish to advise you that, in our letter to Mr. Freitas, it was indicated that the next meeting of the Land Use Commission will be held on August 3, 1973 in Honolulu, and that we will advise him of the exact time and place at a later date.

Thank you for agreeing to an extension for action on this special permit application.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Valley Isle Theaters, Inc.

269 EAST PAPA PLACE
KAHULUI, HAWAII 96732
PHONE: 877-5595

June 25, 1973

RECEIVED

JUN 28 1973

Mr. Tatsuo Fujimoto
Executive Officer
Land Use Commission
State of Hawaii
P. O. Box 2359
Honolulu, Hawaii

State of Hawaii
LAND USE COMMISSION

Dear Mr. Fujimoto:

Re: Valley Isle Theaters, Inc.
Permit SP 73-153

We have been advised that the Land Use Commission has rescheduled its next meeting, August 3, 1973, for a week later, August 10, 1973. At this meeting our request for your approval on the above subject was to be considered.

Please accept this letter as our acknowledgement and agreement to the change in schedule.

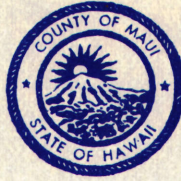
Very truly yours,



A. Brum,
Vice-President

AB/jf

PLANNING COMMISSION
Yoshikazu Matsui, Chairman
G. Alan Freeland, Vice-Chairman
Joseph Franco
Kazuo Kage
Michael Kimura
Richard Mayer
George Murashige
Stanley Goshi, Ex-Officio
Carl Kaiama, Ex-Officio



Elmer F. Cravalho
Mayor

BOARD OF ADJUSTMENT
& APPEALS
Joseph S. Medeiros, Jr., Chairman
Young Whee Chun, Vice-Chairman
William Hong
George Tamura
Thomas Yagi

Howard Nakamura
Planning Director

COUNTY OF MAUI
PLANNING DEPARTMENT
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

June 15, 1973

RECEIVED

JUN 19 1973

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto
Executive Officer
Land Use Commission
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii

Dear Mr. Fujimoto:

Re: LUC Special Permit Application from Valley Isle
Theaters, Inc.

In conjunction with the above request we are transmitting additional information consisting of a listing of officers, directors, committee chairmen and shareholders of Valley Isle Theaters, Inc. The above is transmitted in support of the applicant's contention that the proposed project will be pursued to completion in view of the substantial local participation and investment in the venture.

Should you have any questions, please contact our office.

Yours very truly,

Howard K. Nakamura

HOWARD K. NAKAMURA
Planning Director

cc Mr. Harold Freitas

PATAPAR
ERASABLE
PARCHMENT

VALLEY ISLE THEATERS, INC.
269 E. Papa Place
Kahului, Maui 96732

RECEIVED

JUN 8 1973

DEPT. OF PLANNING
COUNTY OF MAUI

OFFICERS

President	Harold L. Freitas
Vice-President	A. Brum
Secretary	Joan Farren
Asst. Secretary	Wilfred Scales
Treasurer	Tom Shibano

Directors and Shareholders

Edwin T. Ige	Dr. Mamoru Tofukuji
Kazuo Kage	Donald H. Tokunaga
Dr. Harold Kushi	Kanji Wakamatsu
Manuel S. Molina	Earl P. Wick
Dr. Seiya Ohata	William Wilmore
Robert Y. Shimada	Ralph S. Yagi
Ernest Paschoal	Masaru Yokouchi

Committee Chairmans

Finance	Donald Tokunaga
Variance	Tom Shibano
Film Distribution	Ralph Yagi
Stock Sales	E. P. Wick
Over-all Chairman	A. Brum

RECEIVED

JUN 19 1973

State of Hawaii
LAND USE COMMISSION

Submitted by:

VALLEY ISLE THEATERS, INC.

Shareholders

1. A. Brum
2. Joan Farren
3. Harold Freitas
4. Edwin T. Ige
5. Kazuo Kage
6. Dr. Harold Kushi
7. Manuel S. Molina
8. Dr. Seiya Ohata
9. Ernest Paschoal
10. Wilfred Scales
11. Tom Shibano
12. Robert Shimada
13. Dr. Mamoru Tofukuji
14. Donald Tokunaga
15. Kanji Wakamatsu
16. Earl P. Wick
17. William Wilmore
18. Ralph S. Yagi
19. Masaru Yokouchi

3727

PLANNING COMMISSION
Yoshikazu Matsui, Chairman
G. Alan Freeland, Vice-Chairman
Joseph Franco
Kazuo Kage
Michael Kimura
Richard Mayer
George Murashige
Stanley Goshi, Ex-Officio
Carl Kaiama, Ex-Officio



Elmer F. Cravalho
Mayor

BOARD OF ADJUSTMENT
& APPEALS
Joseph S. Medeiros, Jr., Chairman
Young Whee Chun, Vice-Chairman
William Hong
George Tamura
Thomas Yagi

Howard Nakamura
Planning Director

COUNTY OF MAUI
PLANNING DEPARTMENT
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

June 15, 1973

RECEIVED

JUN 18 1973

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto
Executive Officer
Land Use Commission
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii

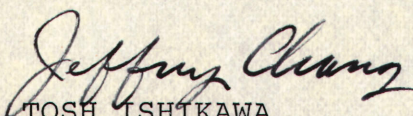
Dear Mr. Fujimoto:

As you requested, we are transmitting a copy of the site plans which was submitted by the applicants for the Valley Isle Theaters, Inc. petition. I trust this will be sufficient for you and your staff.

In addition to the blue prints, we are also transmitting a copy of Maui Land and Pineapple Company's proposed Kapalua Master Plan (an amendment to the Lahaina 701 General Plan). Would you please delineate the land use district boundaries on the photos or on an appropriate copy, if you wish to retain the proposal, and have them sent to us.

Should you have any questions, please call us at any time.

Yours very truly,

for 
TOSH ISHIKAWA
Deputy Planning Director

Transmittal

June 19, 1973

Mr. Harold Freitas, President
Valley Isle Theatres, Inc.
c/o A. E. Brum, Secretary-Treasurer
P. O. Box 67
Kahului, Maui 96732

Dear Mr. Freitas:

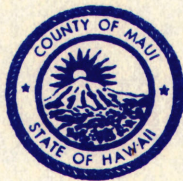
Pursuant to your special permit application (SP73-153) to construct and operate a drive-in theatre and golf driving range at Wailuku, Maui, we would appreciate receiving a letter from you agreeing to a week's extension for action on your application to August 3, 1973, when a Land Use Commission meeting is scheduled in Honolulu.

We will advise you of the exact time and place of this meeting when they are determined.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

PLANNING COMMISSION
 Yoshikazu Matsui, Chairman
 G. Alan Freeland, Vice-Chairman
 Joseph Franco
 Kazuo Kage
 Michael Kimura
 Richard Mayer
 George Murashige
 Stanley Goshi, Ex-Officio
 Carl Kaiama, Ex-Officio



Elmer F. Cravalho
 Mayor

**BOARD OF ADJUSTMENT
 & APPEALS**
 Joseph S. Medeiros, Jr., Chairman
 Young Whee Chun, Vice-Chairman
 William Hong
 George Tamura
 Thomas Yagi

Howard Nakamura
 Planning Director

**COUNTY OF MAUI
 PLANNING DEPARTMENT**

200 S. HIGH STREET
 WAILUKU, MAUI, HAWAII 96793

June 8, 1973

RECEIVED

JUN 14 1973

State of Hawaii
 LAND USE COMMISSION

Mr. Tatsuo Fujimoto
 Executive Officer
 Land Use Commission
 State of Hawaii
 P.O. Box 2359
 Honolulu, Hawaii

SP 73-153

Dear Mr. Fujimoto:

Re: LUC Special Permit from Valley Isle Theatres, Inc.

The Maui County Planning Commission, at its meeting of June 5, 1973, voted to recommend approval of the above application for Special Permit filed by Valley Isle Theatres, Inc., to construct and operate a drive-in theatre and golf driving range including accessory uses at TMK 3-8-7:89 and a portion of 73. At a public hearing on May 15, 1973, aside from the applicant, no one testified for or against the subject request.

Approval of the application is contingent upon the following:

1. That the project be initiated within two (2) years from date of final approval:
2. That the use be restricted to a drive-in theatre and golf range operation and accessory uses common to such facilities (snack bar, restrooms, children's play area, golf shop, etc.);
3. That adequate street lighting be provided at the intersection of Kuihelani Highway and Waiko Roads, and at the entrances and exits of the facility;
4. That a subdivision application be filed and approved for the subject property;
5. That the applicant meet the requirements of the State Department of Transportation, Highways Division, with regard to satisfying their requirements at the Waiko Road and Kuihelani Highway intersection;

Mr. Tatsuo Fujimoto -2-
June 8, 1973

6. That a payment for the proportionate share of the cost of improvements at Waiko Road be made to the County of Maui;

7. That the final plans be reviewed and approved by the appropriate agencies with regard to drainage, lighting, sewage disposal, water landscaping and signs;

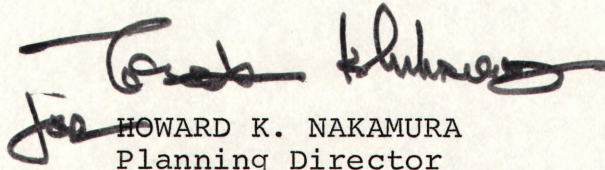
8. That all other State and County requirements be met.

In recommending approval, the Commission concurred with the staff's report that the subject request generally meets the guidelines established by the Land Use Commission in evaluating Special Permits.

Transmitted for your review are copies of the application, staff reports, and other pertinent data of the subject request.

Should you have any questions with regard to the matter, please call us anytime.

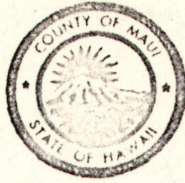
Yours very truly,


HOWARD K. NAKAMURA
Planning Director

Attachments

cc Valley Isle Theatres, Inc.
cc Mr. Harris Suyama, Highways Division
cc Finance Director
cc Public Works Director

PLANNING COMMISSION
Yoshikazu Matsui, Chairman
G. Alan Freeland, Vice-Chairman
Joseph Franco
Kazuo Kage
Michael Kimura
Richard Mayer
George Murashige
Stanley Goshi, Ex-Officio
Carl Kalama, Ex-Officio



Elmer F. Cravalho
Mayor

BOARD OF ADJUSTMENT
& APPEALS
Joseph S. Medeiros, Jr., Chairman
Young Whee Chun, Vice-Chairman
William Hong
George Tamura
Thomas Yagi

Howard Nakamura
Planning Director

COUNTY OF MAUI
PLANNING DEPARTMENT
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

June 4, 1973

TO: Maui Planning Commission

FROM: Planning Department Staff

SUBJECT: Request by Harold Freitas of Valley Isle Theatres, Inc., for a Special Permit to use TMK 3-8-7:89 and Portions of 73 for commercial purposes (a drive-in theatre and a golf driving range).

Comments:

1. The public hearing to consider the subject request was held by the Maui Planning Commission at its meeting of May 14, 1973.

2. Briefly, the analyses of the request covered the following items:

a. Plans submitted by the applicant show accommodations 450 cars at the drive-in theatre and approximately 14.5 acres for a golf range.

b. The site is ideally situated and the proposed facilities will not adversely affect the adjacent lands.

c. With the rise of population within the central area, there seems to be a need for entertainment and recreational facilities.

d. Communications received from the various departments and agencies indicate that:

(1) A private sewer system will have to be utilized.

(2) Certain requirements will have to be met before water is available to the site.

(3) State Highways suggested that street lights be installed at the Waiko and Bypass Road intersection. They

WAIKAPU CHURCH

WAIKAPU STACK

HONOAPIILANI

HIGHWAY

WAIKAPU

ZONE 3 SEC. 5

15 FT. PIPELINE EIGHTS
(County of Maui)
DUMP SITE
30.037 ACS.
92

ACCESS ROAD

5,043
AFS.

3152

TRUE NORTH

1" = 1,000'

1479.38

(123,736 ACS)

1204 AC.
89

(Valley Isle Theatres, Inc.)

GRANT

73

(R.J.R. Foods, Inc.
242.603 ACS) le.

(242.603 ACS.)

KUIHELANI

GRANT

Pl.
"G" to C.M.
(5-ft. wd.)

ROAD

To Maalaea

Ditch

Access Permitted
KUIHELANI

Access

Permitted for
Purposes

Permitted for
Purposes only

Camp

also suggested that alteration of the intersection geometrics be made and that the entrance to the theatre be as far away as possible from the Bypass Road.

3. Since the public hearing, our department has received a letter from the Department of Public Works with the following comments:

a. About 1/2 mile of Waiko Road near Waikapu Town is unpaved. With the added traffic resulting from the proposed development, there will be a pressing need to improve this section also. Presently there is a dispute of ownership of this 1/2 mile section between Wailuku Sugar Company and the County. This matter has been referred to the County Attorney's Office.

b. A cane haul road crosses Waiko Road at the end of the paved section. At present existing signs give the cane haul road, a private road, the right of way. The anticipated increase in traffic on Waiko Road may cause inconvenience to motorists to stop and in effect cause a traffic hazard.

c. Waiko Road lacks street lights. Especially important is to have lights at the theatre entrance and at the intersection of Kuihelani Highway.

4. The subject request meets the following guidelines established by the State Land Use Commission for Special Permits:

a. The proposed use would not adversely affect the surrounding property since much of the surrounding areas are vacant, unimproved lands.

b. Aside from the lack of sewerage, the proposed use would not create an unreasonable burden on public services.

c. The land in question is classified E by the Land Study Bureau and is best suit for purposes other than agriculture.

Recommendations:

Staff recommends approval of the request subject to the following conditions:

1. That the project be initiated within two (2) years from date of final approval;

2. That the use be restricted to a drive-in theatre and golf range operation and accessory uses common to such facilities (snack bar, restrooms, children's play area, golf shop, etc.);

3. That adequate street lighting be provided at the intersection of the Bypass and Waiko Roads, and at the entrances and exits of the facility;

4. That a subdivision application be filed ^{and approved} for the subject property;

5. That the applicant ^{meet the requirements of} ~~consult with~~ the State Department of Transportation, Highways Division, with regard to satisfying their requirements at the Waiko and Bypass Road intersection;

6. That a payment for the proportionate share of the cost of improvements completed at Waiko Road be made to the County of Maui;

7. That the final plans be reviewed and approved by the appropriate agencies with regard to drainage, lighting, sewage disposal, water, landscaping and signs;

8. That all other State and County requirements be met.

May 14, 1973

TO: Planning Commission
FROM: Planning Department Staff

EXPLANATION OF REQUEST:

Applicant: VALLEY ISLE THEATERS, INC.

Location: On Waiko Road between the Waikapu Urban District and the Bypass Road.

TMK: 3-8-7:89 and por. of 73.

Area: 21.90 acres (89 - 12.40 acres; 73 - 9.50 acres)

Zoning: State Agricultural District

Request: The applicant requests approval of use of the subject properties for commercial purposes (a drive-in theater and golf driving range). This request is similar to a request made on February 3, 1970, and granted approval by the State LUC on March 25, 1970.

21.9
14.5
7.4

EXISTING CONDITIONS:

1. The subject properties are situated on the Kahului side of Waiko Road. Parcel 89 is under an assignment of lease between Valley Isle Theaters, Inc., and James T. Emerson. Mr. Emerson initially leased the subject property from A & B, Inc. for a period of 35 years commencing May 1, 1970, and ending April 30, 2005. The applicant has received permission from A & B, Inc. to utilize a portion of parcel 73 for a golf driving range.
2. Electrical, telephone and water service are available to the area. There are no facilities to handle sewerage or drainage. A powerline easement extends along the front of the subject site.
3. Waiko Road is the only access to the subject properties. The Waikapu side of the access road is an unpaved dirt road up to the cane haul road. This portion of Waiko Road is quite rough and rather dusty. The distance between the Waikapu Urban District and the cane haul road is approximately .4 miles. Access from the Bypass Road is improved with treated gravel base course which ends at the cane haul road .8 miles away. The average width of the unpaved and paved sections are 20 and 22 feet respectively. The subject site is located about 700 ft. from the Bypass Road.
4. According to the Land Study Bureau, soils in the area are classified as "E", indicating poor use for agriculture. The subject properties are vacant and fairly level. The area has been previously cleared but regrowth has taken place. Lands adjacent to the subject area are presently vacant. However, a small area at the intersection of the Waiko and Bypass Road is presently used to raise flowers. A cattle operation is also located between the subject property and cane haul road along Waiko Road.

ANALYSIS OF THE REQUEST:

1. The applicant proposes to construct a drive-in theater and golf driving range on the subject properties. Plans submitted by the applicant show accommodations for 450 cars at the drive-in theater and approximately 14.5 acres for a golf range.

2. The site is ideally situated away from the urban districts of Central Maui, yet within easy access of the populated areas of Maui. The proposed facilities will not adversely affect the adjacent lands.
3. Aside from water, utility services available are adequate to serve the proposed facilities. A private sewer system will have to be utilized. The Department of Water Supply has indicated that certain requirements will have to be met before water is available to the site. The access road to the proposed site from the Bypass Road seems to be capable of handling the anticipated traffic, but the Waikapu side is inadequate and hazardous at times. The Highways Division has reviewed the application, and suggest the following for consideration:
 - a. That street lights be installed by the applicant at the Waiko Road and Bypass Road intersection.
 - b. That alteration of the intersection geometrics be made by the applicant.
 - c. That the entrance to the theater be as far away as possible from the Bypass Road.
4. With the rise of population within the Central Area, there seems to be need for entertainment and recreational facilities. The island of Maui does not have a drive-in theater; the few theaters remaining are seriously inadequate because of their poor conditions. Although practice ranges are available at the various golf courses on Maui, the proposed range would be centralized, and provide facilities for night activity. The applicant states in his application that a group of Maui community and business leaders have banded together with the hope of making the project a reality.
5. As of this date, the Planning Department has not received any letters or protest or approval.

LUC

MAUI PLANNING COMMISSION
PUBLIC HEARING
May 15, 1973

The public hearing on the following request for SPECIAL USE PERMIT under provisions of Section 98H-6, REVISED LAWS OF HAWAII 1963, was opened by Chairman Yoshikazu Matsui in the Hearing Room 6th Floor, of the County Building, Wailuku, Maui, Hawaii at 1:30 p.m. on Tuesday, May 15, 1973.

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

1. VALLEY ISLE THEATRES, INC. by Mr. Harold Freitas, requesting approval of a LUC Special Permit to use certain property along Waiko Road, Waikapu, Maui, as a Drive-in Theater and golf driving range. The subject property is located between the Kuihelani Highway (Wailuku Bypass) and Waikapu Town, and is further identified as TMK 3-8-7: Portion of 73. The area of the subject property is 12.041 + acres.
2. STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, requesting approval of a LUC Special Permit to construct and operate a baseyard in conjunction with the road improvements program to Kahekili Highway. The baseyard is proposed to be located on property identified as Kahakuloa Homesteads, TMK 3-1-01:1 and is approximately one acre in size.

Mr. Ishikawa read the notice of public hearing which was published in the Maui News on April 26, 1973, a copy of which is attached hereto and made a part hereof.

VALLEY ISLE THEATERS, INC.

Mr. Chang explained the request from the staff report, a copy of which is attached hereto and made a part hereof.

Mr. Kage: What's the present status of the permit that was issued in 1970?

Mr. Chang: That has expired.

Mr. Nakamura: There was a time limit.

Mr. Freeland: It mentioned something about unpaved and paved section -- Where is the bypass?

Mr. Chang showed the location of the bypass from the map.

Mr. Freeland: Then you have 700 feet of paved road going to Waikapu?

Mr. Chang: The subject property is located here and pavement ends here.

Mr. Freeland: The subject property is within the paved area?

Mr. Chang: Yes.

Mr. Matsui: What entrance will he use?

Mr. Chang showed the location from the map.

Mr. Freeland: What's the capacity they are talking about?

Mr. Chang: 450 cars for the drive-in theater.

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

The Chair opened the hearing to the public.

Mr. Harold Freitas: The gentlemen already explained everything as to the boundary and setup and group. I don't know to what extent I can add to it except we feel it is a needed project. We feel with the present group we can push it through.

Mr. Kage: When do you expect to get started?

Mr. Freitas: Some 60 to 90 days from such a date -- approval by the Land Use Commission.

Mr. Matsui: Is this going to be similar to the one we had on Kaahumanu Avenue?

Mr. Freitas: Very similar.

Mr. Nakamura: You would proposed to have a snack bar?

Mr. Freitas: Oh yes, the normal accommodations.

Mr. Nakamura: You already hold a lease on parcel 89 which expires in the year 2000. On the other portion you have an option. The lease will be running for the same period of time?

Mr. Freitas: Yes. In fact A & B has been kind enough to extend it to that time.

No one esle spoke for the granting of the request.

No one spoke against the granting of the request.

The Chair closed this portion of the hearing and advised the applicant that there is a 15 day waiting period before the Commission could take action.

STATE OF HAWAII DEPARTMENT OF TRANSPORTATION

Mr. Chang explained the request from the staff report, a copy of which is attached hereto and made a part hereof.

Mr. Freeland: What happened to the camp? Prison camp?

Mr. Chang: The present baseyard is further on to Kahakuloa. The idea is to shift the baseyard to this area. Relocate.

Mr. Kage: Why at such a god foresaken place?

Mr. Chang: It is going to be a temporary field baseyard....

Mr. Fred Cheatham: It is not economically feasible to run equipment back and forth. We need a baseyard closer to where we are going to work. We are pretty well through from Honokahua to Kahakuloa. When work is completed it will be abandoned.

Mr. Kage: Whenever we speak of a baseyard, we speak of a baseyard like the one we have here. I would call that a baseyard and I would have that as an idea. In your particular case it is more in the case of a field baseyard. Is that correct?

Mr. Cheatham: Yes, The servicing, repair, maintenance only of the equipment used by Olinda Honor Camp Personnel.

Mr. Nakamura: The existing baseyard, is that to be given up?

Mr. Cheatham: It will be abandoned.

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

The Chair opened the hearing to the public.

Mr. Cheatham: We need the use to support the grading work done by the Olinda Camp workers.

Mr. Nakamura: About how many more miles to you have to go? That is unpaved?

Mr. Cheatham: 7½ on this end. There is a proposal from the end of services of Poilua.....It is about 7½ miles to the end of the existing pavement to the edge of Kahakuloa Gulch.

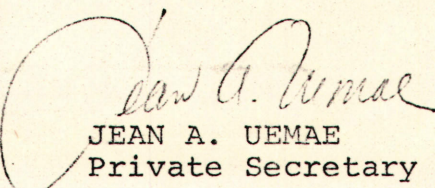
Mr. Kage: I heard you mention that the laborers will be from the Honor Camp. If I am not mistaken, I heard that they were going to abandon or lessen the amount of guards. Is it correct?

Mr. Cheatham: ...insofar as we know, this is going to continue.

No one else for the granting of the request.

No one spoke against the granting of the request.

The Chair closed the public hearing and advised the applicant that there is a 15 day waiting period before the Commission could take action.


JEAN A. UEMAE
Private Secretary

RECORD OF ATTENDANCE

Present: Y. Matsui
K. Kage
G. A. Freeland
R. Mayer

Excused: G. Murashige
S. Hokama
M. Kimura
C. Kaiama
S. Goshi

Others: H. Nakamura
T. Ishikawa
J. Chang
C. Longo
R. Williams
Eva Duponte
Joe Abreu
Warren Unemori
T. Shibano
Bill Wilmore
Walter Shimoda
G. Ezaki
Haruo Fujitomo
Harold Freitas
Manuel Silva
Fred Cheatham
Harry Olson

INSTRUCTIONS:

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

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

APPLICATION FOR SPECIAL PERMIT
 Special Permit is hereby requested:

DO NOT WRITE IN THIS SPACE

Appl. & fee received _____
 Notice published _____
 Public hearing _____
 Recommendation to LUC _____
 Action by State LUC _____
 County & Appl. notified _____

A. Description of Property: (1) Tax Map Key No. 3-8-7-73 (por.) & 89 por.
 (2) Lot Area 21.90 acres (3) Location Wailuku

B. Ownership: (1) Owner's name A & B, Inc.
 (2) Lessee's name Valley Isle Theatres Inc. (3) Unexpired term 35 years

C. Request: (1) State request briefly and exactly: Applicant requests approval of use of subject land for commercial purposes.

(2) Reasons justifying granting of request: The Island of Maui has no or night golf driving range Drive-In Theatre. The subject land is centrally located in the Island's population center and is not suitable for agricultural purposes. A group of Maui community and business leaders have banded together with the hope of making this project a reality. With the possibility of a public stock issue, the people of Maui will have an opportunity to own their own Drive-In Theatre. In this respect, this is an community project.

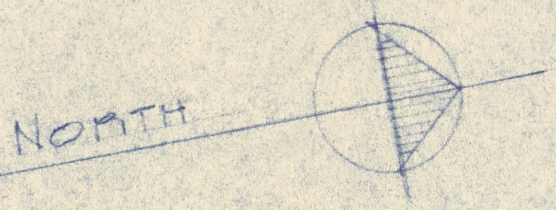
D. Applicant: (1) Name VALLEY ISLE THEATRES INC.
c/o A.E. Brun, Secretary-Treasurer
 (2) Address P.O.Box 67, Kahului, Maui, HI. (3) Telephone 877-3853
 (4) Signature Harold J. Freitas (H. Freitas)
 (PRESIDENT)

E. Planning Commission action: _____ Date _____ Vote: _____
 ayes noes

Reasons: _____

F. State Land Use Commission's action: _____ Date: _____

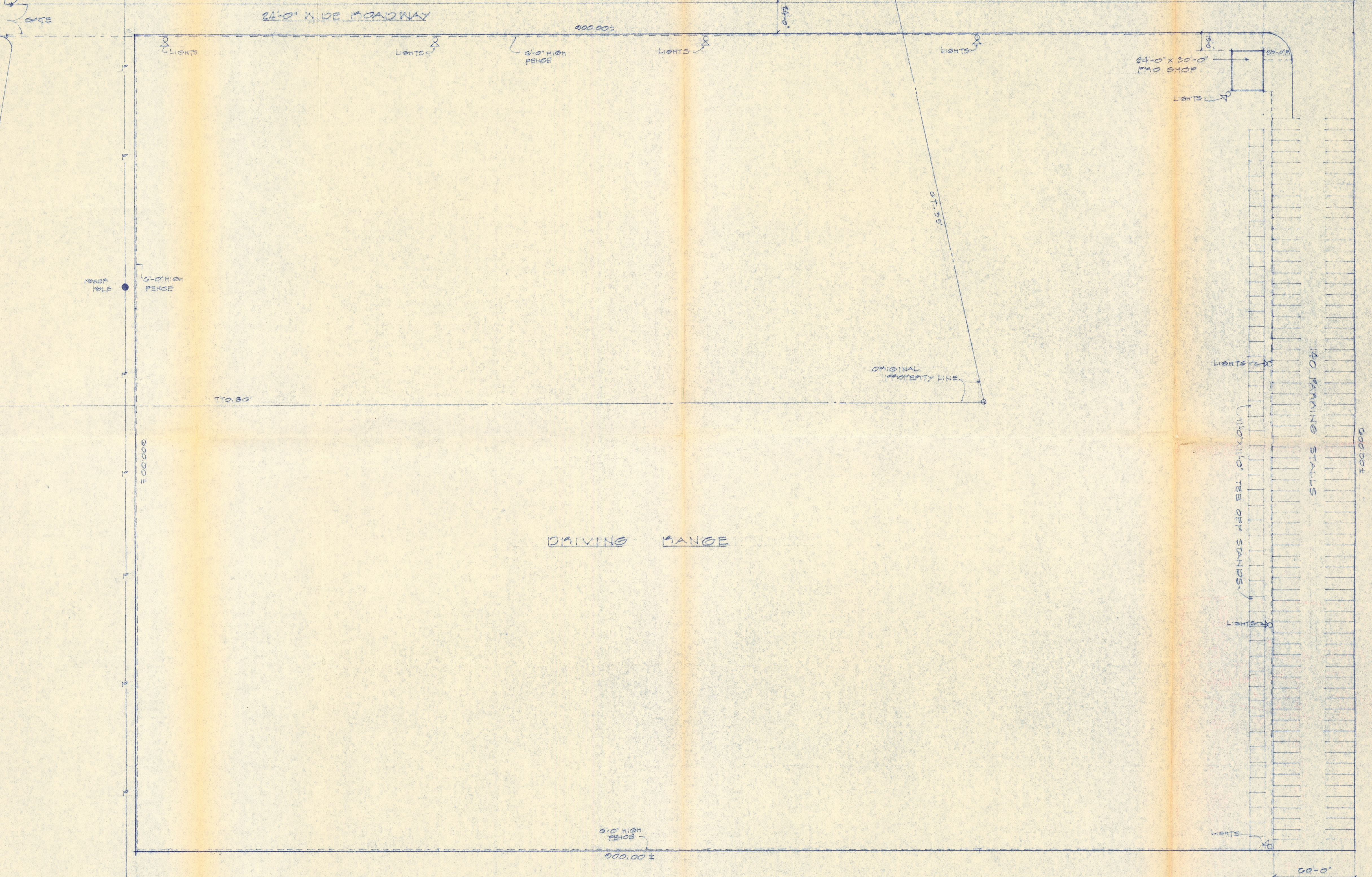
G. Copies to: State LUC ___ Supervisors ___ Applicant ___ Owner & Lessee ___



DRIVE-IN THEATER

24'-0" WIDE ROADWAY

WALDO ROAD



DRIVING RANGE

24'-0" x 30'-0"
PAO SHOP

140 PARKING STALLS

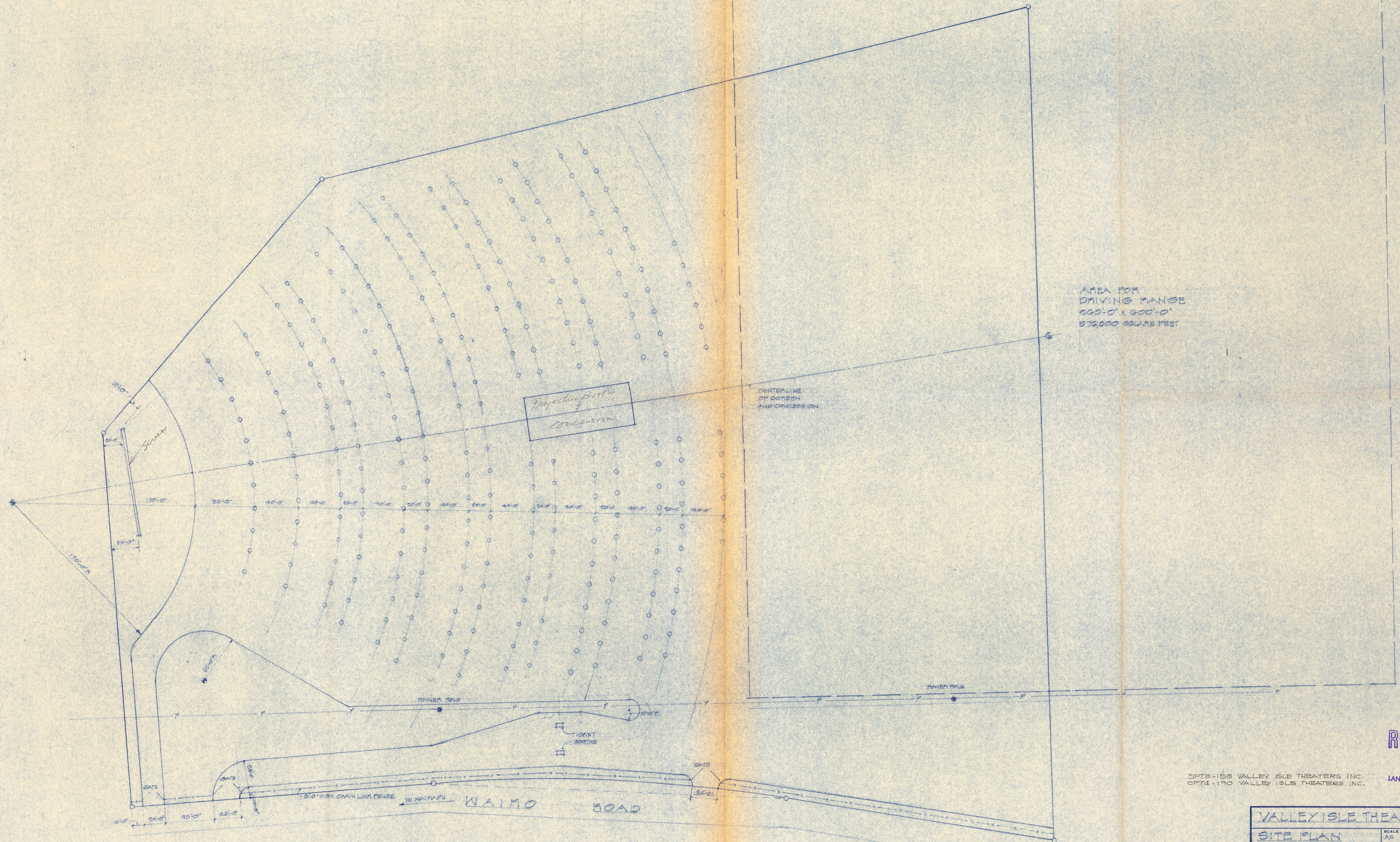
RECEIVED
JUN 18 1973

SP73-153 VALLEY ISLE THEATERS, INC.
SP74-190 VALLEY ISLE THEATERS, INC.

State of Hawaii
LAND USE COMMISSION

VALLEY ISLE THEATERS, INC.			
SITE PLAN		SCALE 1"=40'	DRAWN BY M.A.
DRIVING RANGE SITE PLAN		REVISED	
DATE 4-28-73	APPROVED BY P.	DRAWING NUMBER C-B	

Parking & Tree Off Stands



AREA FOR DRIVING RANGE
900'-0" x 600'-0"
540,000 SQUARE FEET

Projection Booth
Concession

CENTERLINE
OF SCREEN
AND CONCESSION

RECEIVED
JUN 18 1973

SPT3-153 VALLEY ISLE THEATERS INC.
SPT4-190 VALLEY ISLE THEATERS INC.
State of Hawaii
LAND USE COMMISSION

SPEAKER LOCATION AND PLOT PLAN
SCALE: 1" = 40'-0"

VALLEY ISLE THEATERS, INC.			
SITE PLAN		SCALE AS SHOWN	DRAWN BY KVA
PARKING LAYOUT & ENTRANCES		REVISED	
DATE 3-2-73	APPROVED BY [Signature]	DRAWING NUMBER C-2	