



SPECIAL PERMIT	
Petition Received	<u>OCT 4 1982</u>
Maps	
Action Span	<u>10/4/82 - 11/18/82</u>
Action Date	<u>11/4/82</u>
Recordation	<u>7/21/83</u>

SP82-356 - DEPT. OF PARKS AND
RECREATION, COUNTY OF HAWAII

SEE SP82-352 - COUNTY OF HAWAII

DEPT. OF PARKS & RECREATION

FOR LUC MAP



LAND USE COMMISSION

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

COMMISSION MEMBERS:

Lawrence F. Chun
Everett L. Cuskaden
Shinsei Miyasato
Winona E. Rubin

Teofilo Phil Tacbian
Robert S. Tamaye
Frederick P. Whittemore

GORDAN Y. FURUTANI
Executive Officer

December 3, 1982

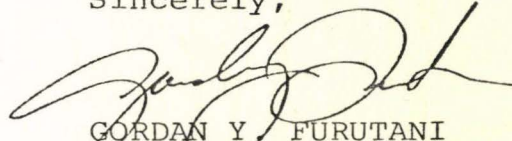
Mr. Sidney Fuke
Planning Director
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

SUBJECT: SP82-356 - DEPT. OF PARKS AND RECREATION,
COUNTY OF HAWAII

In reference to our letter to you dated
November 10, 1982, enclosed is a copy of the
Decision and Order on SP82-356 for your information
and records.

Sincerely,


GORDAN Y. FURUTANI
Executive Officer

Enclosure

cc: Mr. Milton Hakoda, Director
Department of Parks and Recreation
County of Hawaii

In the Matter of the Petition
for Special Permit of

SP82-356 - COUNTY OF HAWAII,
DEPARTMENT OF PARKS
AND RECREATION

For approximately 90 acres of land within the State Land Use Agricultural District at Waiakea, South Hilo, Island of Hawaii, Tax Map Key 2-1-13: Portion of 2

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 03 1982

Date _____

by [Signature]
Executive Officer

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition)
for Special Permit of)
)
COUNTY OF HAWAII, DEPARTMENT OF)
PARKS AND RECREATION)
)
For approximately 90 acres of)
land within the State Land Use)
Agricultural District at Waiakea,)
South Hilo, Island of Hawaii,)
Tax Map Key 2-1-13: Portion of 2)
_____)

SP82-356 - COUNTY OF HAWAII,
DEPARTMENT OF PARKS
AND RECREATION

FINDINGS OF FACT, CONCLUSIONS OF LAW,
DECISION AND ORDER

The Land Use Commission of the State of Hawaii, having duly considered the entire record in the above entitled matter at its action meeting on November 4, 1982 at Wailuku, Maui, makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The Department of Parks and Recreation of the County of Hawaii is requesting a Special Permit to allow the development and operation of a motorcycle training and competition facility on approximately 90 acres of land situated within the State Land Use Agricultural District at Waiakea, in South Hilo, Island of Hawaii.

2. This Special Permit application is the same request that was previously considered and denied by the Land Use Commission on February 2, 1982 under Docket Number SP82-352. The major reason for the denial was that the Hawaii County Planning Commission, in arriving at its decision in favor of approval, did not include sufficient evidence in the record to satisfy each of the five guidelines specified for Special Permits under State Land Use District Regulation 5-2. This resubmittal provides significant new data and reasons which make the record complete relative to the guidelines and substantially strengthens Petitioner's position.

3. The subject property is a portion of Tax Map Key

2-1-13: 2 which totals more than 3,200 acres and is owned by the State of Hawaii. It abuts the South Hilo-Puna District boundary approximately 2 miles east of Kanoelehua Avenue, and adjoins the eastern boundary of the Panaewa Drag Strip Complex which was approved by the Land Use Commission on September 22, 1975 under Special Permit No. 75-212.

4. The subject property is a part of the Panaewa Forest, and is currently unimproved and unused.

5. Access to the subject property is provided by the same temporary road that permits entry to the adjacent drag strip complex. Surrounding land uses include the drag strip, macadamia nut orchards, and vacant lands. The nearest house is located approximately 6,000 feet toward the west within the Hawaiian Homes agricultural subdivision.

6. On the Land Use Pattern Allocation Guide (LUPAG) Map of the County General Plan, the subject property is designated "Orchards" and is currently zoned Agricultural-20 acres.

7. According to the Soil Survey Report (December 1973) published by the U.S. Soil Conservation Service, the soil on the site is of the Papai series which is described as a surface layer of dark brown extremely stony muck about 8 inches thick underlain by fragmented A'a lava. Permeability is rapid, runoff is slow, and the erosion hazard is slight. The Land Study Bureau's master productivity rating for agricultural use is Class "E" or Very Poor.

8. Rainfall in the vicinity averages about 144 inches per year.

9. The proposal to develop a motorcycle training and competition facility on the subject state-owned lands is made by Petitioner, at the request of the Big Island Motorcycle Association (BIMA). The BIMA has been utilizing a privately-owned ranch in Waimea for their activities, however, development of surrounding areas to residential use has prompted the association to seek an alternative site. According to the association, they have been trying to relocate for about ten

years, and 80 percent of its membership reside in Hilo and surrounding areas.

10. The petition proposes the following improvements on the subject property:

- a. Clearing, grubbing, and contour grading of the site;
- b. Extension of a waterline from the drag racing complex;
- c. Grading an area for parking and constructing a pit area and motorcycle track and course; and
- d. Constructing accessory structures, e.g., spectator and concession facilities, comfort stations, etc.

11. On October 13, 1978, the State Board of Land and Natural Resources voted to recommend to the Governor that an executive order be issued setting aside the subject property for a motorcycle training and competition facility to be managed and controlled by the Department of Parks and Recreation of the County of Hawaii.

12. An environmental assessment and negative declaration for the project was published in the November 23, 1981 Environmental Quality Commission Bulletin.

13. Approval of the proposed use would not be contrary to the objectives of the Land Use Law and Regulations which are to preserve, protect, and encourage the development of land within the State for those uses to which these lands are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The proposed motorcycling facility is needed to satisfy the recreational requirements of a segment of the population. The subject property is currently vacant and unused, so its modification for the proposed use will not result in the present loss of agricultural productivity.

14. The desired use would not adversely affect surrounding property because it is proposed for a relatively isolated area surrounded by forest, macadamia orchards, and the drag strip. The nearest residential uses are located more than one mile away toward

the west. To mitigate potential adverse impacts, the forest will be left in its natural state to provide buffer strips at least two hundred feet wide along the west and south boundaries of the proposed project.

15. Approval of the subject request is not expected to place unreasonable burdens on public agencies to provide roads and streets, sewers, water, drainage or school improvements, nor police and fire protection. Roadway access and water are available from the adjacent drag strip. The centralization of such recreational facilities in one general area will facilitate the upgrading of public services should the need ever arise.

16. Unusual trends and conditions have arisen since the enactment of the Land Use Law and Regulations. The sport of motocross riding is of relatively recent inception, but its popularity has in fact been growing. The public health and welfare would be enhanced by diverting motorcycle activities from informal, uncontrolled situations into supervised conditions on the subject property, where participants can receive training to improve safety as well as riding skills.

17. The land upon which the proposed use is sought is generally unsuited for the uses permitted within the Agricultural District. The subject site has a slight soil overlaying A'a lava. Its productivity class, based on the Land Study Bureau Soil Survey, is Class E or very poor. Such soils have very severe limitations which make them generally unsuited to cultivation.

18. The Hawaii County Planning Commission conducted a public hearing on the subject petition on September 16, 1982, in Hilo, Hawaii. The Planning Commission voted to recommend approval of the request subject to the following conditions:

- "1. That the petitioner, the County Department of Parks and Recreation, shall be responsible for complying with all stated conditions of approval.

2. That tentative subdivision approval be secured by the applicant within one (1) year from the date of approval of the Special Permit. Final subdivision approval shall be secured within one (1) year thereafter.
3. That plans shall be submitted and Final Plan Approval secured in accordance with Chapter 8 (Zoning Code), Hawaii County Code, be secured within one (1) year from the effective date of the Permit.
4. That construction of the proposed facility commence within one (1) year from the date of receipt of Final Plan Approval and be completed within three (3) years thereafter.
5. That two buffer zones with a minimum width of 200 feet each be provided on the south and west sides of the facility.
6. That the Department of Parks and Recreation develop and adopt use regulations for the subject facility prior to its occupancy.
7. That the temporary drag strip access road to the facility may be used until the permanent drag strip access is completed. Upon completion of this permanent access, use of the temporary access by the motorcycle facility shall terminate.
8. That all other applicable rules, regulations and requirements, including noise and air quality standards, be complied with.

Should any of the foregoing conditions not be met, this Special permit shall be automatically void."

19. The complete record of the subject Special Permit was received at the Land Use Commission office on October 4, 1982.

CONCLUSIONS OF LAW

The proposed use is an "unusual and reasonable use" as defined by Chapter 205-6, Hawaii Revised Statutes, and State Land Use District Regulation 5-2.

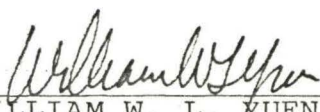
DECISION AND ORDER

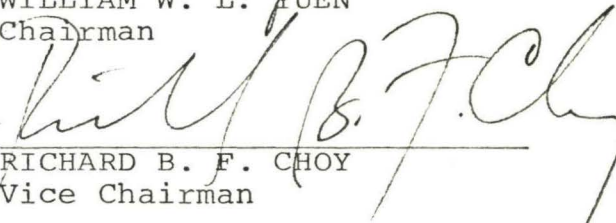
IT IS HEREBY ORDERED that Special Permit 82-356 for the development and operation of a motorcycle training and competition facility on approximately 90 acres of land situated within the State Land Use Agricultural District at Waiakea, South Hilo, Island and County of Hawaii, identified by Tax Map Key 2-1-13: Portion of 2,

and illustrated on Exhibit "A" attached hereto and incorporated by reference herein, be and hereby is approved; SUBJECT, HOWEVER, to the conditions recommended by the Hawaii County Planning Commission as set forth in Paragraph 18 of the Findings of Fact herein.

Done at Honolulu, Hawaii this 2nd day of December, 1982, per motion on November 4, 1982 and December 2, 1982.

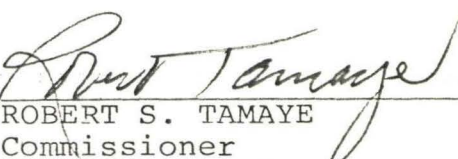
LAND USE COMMISSION
STATE OF HAWAII

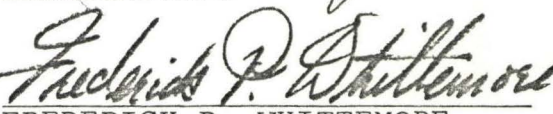
By 
WILLIAM W. L. YUEN
Chairman

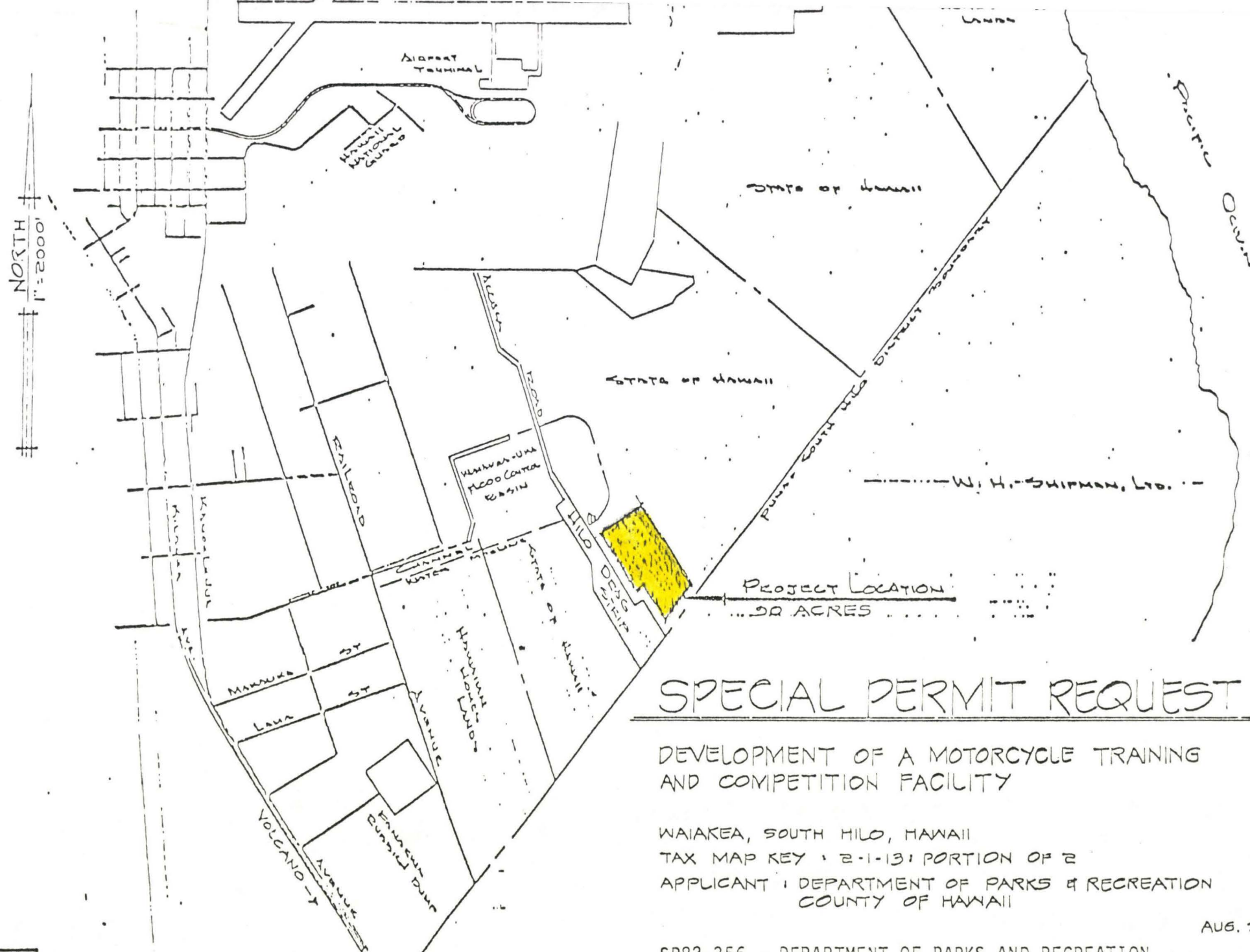
By 
RICHARD B. F. CHOY
Vice Chairman

By 
SHINSEI MIYASATO
Commissioner

BY 
TEOFILO PHIL TACBIAN
Commissioner

By 
ROBERT S. TAMAYE
Commissioner

By 
FREDERICK P. WHITTEMORE
Commissioner



SPECIAL PERMIT REQUEST

DEVELOPMENT OF A MOTORCYCLE TRAINING
AND COMPETITION FACILITY

WAIKAE, SOUTH HILO, HAWAII
TAX MAP KEY : 2-1-13: PORTION OF 2
APPLICANT : DEPARTMENT OF PARKS & RECREATION
COUNTY OF HAWAII

AUG. 24, 1982

SP82-356 - DEPARTMENT OF PARKS AND RECREATION
COUNTY OF HAWAII

EXHIBIT "A"

PO 1 5442799

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SP82-356 - DEPT. OF PARKS & RECREATION-HAWAII

SENT TO				MILTON HAKODA	
STREET AND NO.					
P.O., STATE AND ZIP CODE					
POSTAGE				\$	54¢
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE			15¢
		SPECIAL DELIVERY			¢
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY			¢
		SHOW TO WHOM AND DATE DELIVERED		60	¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY			¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY			¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY			¢	
TOTAL POSTAGE AND FEES				\$	1.89
POSTMARK OR DATE					



**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 on the left portion of the address side of the article, **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 on the left portion of the address side 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, 2, and 3.

Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered.
- ☐ Show to whom, date, and address of delivery.
- ☐ RESTRICTED DELIVERY
Show to whom and date delivered.
- ☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery. \$
- (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

MR. MILTON HAKODA

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	5442799	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

4.

DATE OF DELIVERY

12/6/82

POSTMARK

DEC
6
1982

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

SP82-356 - DEPT. OF PARKS & RECREATION - HAWAII

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

USE CHRISTMAS SEALS



SUPPORT YOUR

MAILING ASSOCIATION

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

(Name of Sender)

State of Hawaii
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813

(City, State, and ZIP Code)

PO1 5442798

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SP82-356 - DEPT. OF PARKS & RECREATION-HAWAII

JEFFREY CHOI, ET AL A81-522

SENT TO

SIDNEY FUKE

STREET AND NO.

P.O., STATE AND ZIP CODE

POSTAGE

\$ 84.15

CERTIFIED FEE

e

SPECIAL DELIVERY

e

RESTRICTED DELIVERY

e

OPTIONAL SERVICES

RETURN RECEIPT SERVICE

SHOW TO WHOM AND
DATE DELIVERED

60

e

SHOW TO WHOM, DATE,
AND ADDRESS OF
DELIVERY

e

SHOW TO WHOM AND DATE
DELIVERED WITH RESTRICTED
DELIVERY

e

SHOW TO WHOM, DATE AND
ADDRESS OF DELIVERY WITH
RESTRICTED DELIVERY

e

TOTAL POSTAGE AND FEES

\$ 22.9

POSTMARK OR DATE



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

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1. The following service is requested (check one).

☒ Show to whom and date delivered. _____ ¢☐ Show to whom, date, and address of delivery. _____ ¢☐ RESTRICTED DELIVERY

Show to whom and date delivered. _____ ¢

☐ RESTRICTED DELIVERY.

Show to whom, date, and address of delivery. \$ _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

MR. SIDNEY FUKE

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

5442798

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee☒ Authorized agent

4.

DATE OF DELIVERY

12/6/82

POSTMARK

DEC
6
1982

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

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- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

(Name of Sender)

State of Hawaii
LAND USE COMMISSION
(Street or P. O. Box)
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition	)	
for Special Permit of	)	
	)	
COUNTY OF HAWAII, DEPARTMENT OF	)	SP82-356 - COUNTY OF HAWAII,
PARKS AND RECREATION	)	DEPARTMENT OF PARKS
	)	AND RECREATION
For approximately 90 acres of	)	
land within the State Land Use	)	
Agricultural District at Waiakea,	)	
South Hilo, Island of Hawaii,	)	
Tax Map Key 2-1-13: Portion of 2	)	
	)	

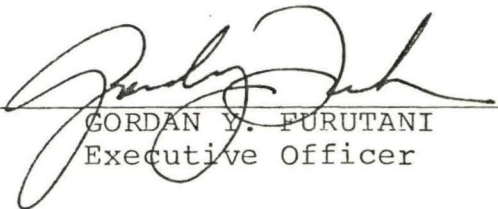
CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use Commission's 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:

SIDNEY FUKU, Planning Director
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

MILTON HAKODA, Director
Department of Parks and Recreation
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

DATED: Honolulu, Hawaii, this 3rd day of December, 1982.



GORDAN Y. FURUTANI
Executive Officer

STATE OF HAWAII
LAND USE COMMISSION

Approved

Minutes of Meeting

JAN 19 1983

Department of Education Board Room
4th Floor, Liliuokalani Bldg.
1390 Miller Street
Honolulu, Hawaii

December 2, 1982 - 9:00 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman
Richard Choy, Vice Chairman
Lawrence Chun
Everett Cuskaden
Shinsei Miyasato
Winona Rubin
Teofilo Tacbian
Robert Tamaye
Frederick Whittemore

STAFF PRESENT: Gordan Furutani, Executive Officer
Carolee Aoki, Deputy Attorney General
Dora Horikawa, Chief Clerk

Ray Russell, Court Reporter

ACTION

A81-516 - GEORGE LEWIS SAGEN

Mr. Gordan Furutani, Executive Officer, reported that petitioner's counsel, Michael Salling, had called the Commission office requesting a continuance of the action on subject petition due to his inability to attend today's meeting. At that time, Mr. Salling was requested to submit a written waiver of the 180-day action period but to date there has been no communication from him to this effect.

It was moved by Commissioner Cuskaden and seconded by Commissioner Tacbian to continue action on subject petition, subject to the receipt of a waiver of the 180-day action period from petitioner.

Commissioner Tacbian amended the motion to state that if the written request for waiver of the 180 days is not received by December 5, 1982, the petition be denied. It was seconded by Commissioner Whittemore. Maker of the original motion had no objections to the amendment.

The Chairman also asked the makers of the foregoing motions whether it was their desire to impose conditions on the sale of the property to employees as a condition for approval.

Commissioner Tacbian moved to insert the following conditions to the approval of Areas 1, 2, 3 and 6: "That the dwelling units shall be offered to the employees of Davies Hamakua Sugar on a priority basis. Secondly, the petitioner shall make provisions for temporary housing for the employees purchasing homes in the proposed housing development, and also provide assistance in relocating employees who do not qualify for financing or are otherwise unable to purchase homes in the proposed development." The motion was seconded by Commissioner Chun.

Commissioner Tacbian amended his motion to include the phrase "A time limit be set for one year where priority will be given to employees of Davies Hamakua Sugar Company." Commissioner Chun, seconder of the motion, agreed with the amendment.

The Commissioners were polled on the motion, as amended, as follows:

Ayes: Commissioners Choy, Chun, Whittemore, Tacbian, Miyasato, Chairman Yuen

Nays: Commissioners Tamaye, Rubin, Cuskaden

The motion was carried.

The Commission was in recess from 12:15 p.m. to 2:00 p.m.

2:00 p.m.

Adoption of Decision and Orders

The following Decision and Orders were approved for adoption:

A81-522 - Jeffrey Choi, et al

A82-528 - Alexander & Baldwin, Inc.

✓ SP82-356 - Department of Parks and Recreation, County of Hawaii

A82-531 - THEODAVIES HAMAKUA SUGAR COMPANY

Reconsideration of Motion on Area 5

Commissioner Cuskaden moved to reconsider the Commission's action on Area 5, Docket A82-531, seconded by Commissioner Chun, and it was unanimously carried.

Owner Kuha's exhibit A was identified and moved into evidence.

Ms. Colette Machado, resident of Molokai, expressed her views regarding the impact of the Urban designation in a predominantly agricultural community.

The Commission went into executive session to receive counsel from the Deputy Attorney General, upon motion by Commissioner Cuskaden, seconded by Commissioner Choy. The Commission was in executive session from 5:16 p.m. to 5:43 p.m.

5:43 p.m.

Chairman Yuen announced that the Commission received counsel regarding the legality of the course of action the Commission may take relative to the order to show cause.

Commissioner Tacbian moved that the hearing be continued until September 1, 1983 to allow the owners of the property time to come up with a more definitive plan and a progress report; however, excluding from the motion those lands represented by Ms. Kuha since the property owner had acted in good faith in trying to pursue its goals. It was seconded by Commissioner Cuskaden and unanimously carried.

The hearing was concluded at 5:52 p.m.

November 10, 1982

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

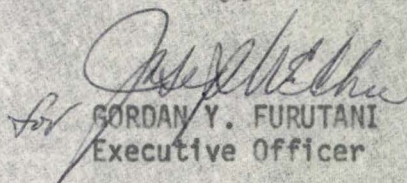
At its meeting on November 4, 1982, the Land Use Commission voted to approve a Special Permit request by the Department of Parks and Recreation, County of Hawaii (SP82-356) to allow the development and operation of a motorcycle training and competition facility on approximately 90 acres of land situated within the State Land Use Agricultural District at Waiakea, South Hilo, Hawaii, Tax Map Key 2-1-13: Portion of 2.

Approval of this Special Permit is subject to the conditions imposed by the Hawaii Planning Commission.

Please be advised that the petitioner's failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

The Land Use Commission's Decision and Order on SP82-356 will be forwarded to you at a later date. Please call me if you have any questions on the above.

Sincerely,


GORDAN Y. FURUTANI
Executive Officer

GYF:dk

Encl.

cc: Mr. Milton Hakoda, Director
Dept. of Parks and Recreation
County of Hawaii

November 10, 1982

Mr. Milton Hakoda
Director
Department of Parks and Recreation
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

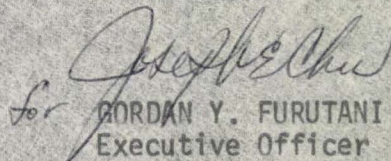
Dear Mr. Hakoda:

The original of the attached letter is on file in the office of the Hawaii County Planning Department, 25 Aupuni Street, Hilo, Hawaii.

Please be advised that failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

The Land Use Commission's Decision and Order on SP82-356 will be forwarded to you at a later date.

Sincerely,


GORDAN Y. FURUTANI
Executive Officer

GYF:dk
Attachment

November 10, 1982

Department of Planning and
Economic Development
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813

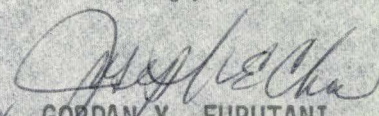
Attention: Mr. Hideto Kono, Director

Gentlemen:

At its meeting on November 4, 1982, the Land Use Commission voted to approve a Special Permit request by the Department of Parks and Recreation, County of Hawaii (SP82-356) to allow the development and operation of a motorcycle training and competition facility on approximately 90 acres of land situated within the State Land Use Agricultural District at Waiakea, South Hilo, Hawaii, Tax Map Key 2-1-13: Portion of 2.

Approval of this Special Permit is subject to the conditions imposed by the Hawaii Planning Commission. A copy of the Land Use Commission's Decision and Order on this matter will be on file at the Commission's office.

Sincerely,


for GORDAN Y. FURUTANI
Executive Officer

GYF:dk
Encl.

cc: Real Property Tax Division, Hawaii
Mapping Section, Department of Finance
Property Technical Office, Department of Finance
Property Assessment, Department of Finance
Office of Environmental Quality Control
Land Management, DLNR

Approved

STATE OF HAWAII
LAND USE COMMISSION

MAR 15 1983

Minutes of Meeting

Civil Defense Agency Conference Room
200 South High Street
Wailuku, Maui

November 4, 1982 - 9:00 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman
Richard Choy, Vice Chairman
Shinsei Miyasato
Winona Rubin
Robert Tamaye
Frederick Whittemore
Teofilo Tacbian

COMMISSIONERS ABSENT: Lawrence Chun
Everett Cuskaden

STAFF PRESENT: Gordan Furutani, Executive Officer
Joseph Chu, Planner
Carolee Aoki, Deputy Attorney General
Dora Horikawa, Chief Clerk
Jean McManus, Court Reporter

CONTINUED HEARINGA82-535 - A & B PROPERTIES, INC.

Acting Chairman Tacbian announced that the hearing being held today was a continuation of the hearings which were held on October 6 and 7, 1982 on the subject petition.

The Commission deferred until later in the day, a request by Mr. Isaac Hall, intervenor's counsel, to subpoena James Dannemiller who was under contract with the County of Maui to prepare a study of the County's housing needs.

Appearances

Paul Mancini, Attorney representing the petitioner

Guy Archer, Deputy Corporation Counsel, representing the
Maui Planning Department

Tatsuo Fujimoto, Head, Land Use Division)
Daniel Yasui, Planner, Land Use Division) - representing
the Department of Planning & Economic Development

Isaac Hall, Legal Aid Society, representing intervenors

PETITIONER (Cont.)

Tatsumi Imada - Assistant Manager, Norman Saito Engineering

Direct examination by Mr. Mancini-----70 to 77

Cross examination by Mr. Archer-----77 to 79

Cross examination by Mr. Fujimoto-----79 to 81

Cross examination by Mr. Hall-----81 to 90

Examination by Commissioner Whittemore-----90 to 91

The Commission was in recess from 12:05 p.m. to 1:45 p.m.

1:45 p.m.

ACTION

At this time, the meeting was turned over to Chairman Yuen to conduct this portion of the proceedings.

✓ SP82-356 - DEPARTMENT OF PARKS AND RECREATION, COUNTY OF HAWAII

Staff planner reported on the background and offered pertinent data relative to the subject special permit request. He also responded to questions which were raised by Commission members regarding the costs involved in making water available to the site, the number of cyclists who will be accommodated on this 90-acre site, etc.

Commissioner Tamaye moved to approve SP82-356, Department of Parks and Recreation, County of Hawaii, subject to the 8 conditions recommended by the Hawaii Planning Commission. It was seconded by Commissioner Tacbian and unanimously carried.

CONTINUED HEARING

A82-535 - A & B PROPERTIES, INC.

Chairman Yuen turned the Chair over to Commissioner Tacbian.

Mr. Hall advised that he had been joined by co-counsel Thomas Matsuda, who will conduct some of the examination of the witnesses.

ADOPTION OF MINUTES

The minutes of March 17, 1982, April 20, 1982, May 25, 1982 and Septebmer 9, 1982 were approved as circulated.

The meeting was recessed at 4:30 p.m.

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME AND PLACE

November 4, 1982 - 9:00 a.m.
Civil Defense Agency Conference Room
First Floor, County Building
200 South High Street
Wailuku, Maui

REC'D. BY
1982 OCT 25 AM 9 46
LT. GOVERNOR'S OFFICE

A G E N D A

I. ACTION

- ✓ 1. SP82-356 - Department of Parks and Recreation, County of Hawaii

To allow the development and operation of a motorcycle training and competition facility on 90 acres of land situated within the State Land Use Agricultural District at Waiakea, South Hilo, Hawaii.

II. CONTINUED HEARING

1. A82-535 - A & B Properties, Inc. (Maui)

To reclassify approximately 680 acres of land currently in the Agricultural District into the Urban District at Wailuku and Kahului, Maui, for a planned residential community.

III. MISCELLANEOUS

1. Adoption of Minutes MAR 17 1982 APR 20 1982 MAY 25 1982 SEP 9 1982
2. Tentative Meeting Schedule

10/22/82 -A copy of this agenda was mailed to all persons and organizations on the attached mailing lists:

1. STATEWIDE 2. OAHU 3. HAWAII 4. MAUI-MOLOKAI-LANAI
5. KAUAI

STATE OF HAWAII
LAND USE COMMISSION
Room 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

October 22, 1982

Mr. Sidney Fuke
Planning Director
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Enclosed is a Land Use Commission meeting agenda.

Please note that petition(s)

SP82-356 - DEPARTMENT OF PARKS AND RECREATION,
COUNTY OF HAWAII

will be _____ acted on _____ at that time.

Should you have any questions on this matter, please
contact this office.

Very truly yours,



GORDAN Y. FURUTANI
Executive Officer

Enclosure: Agenda

STATE OF HAWAII
LAND USE COMMISSION
Room 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

October 22, 1982

Mr. Milton Hakoda, Director
Department of Parks and Recreation
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Hakoda:

Enclosed is a Land Use Commission meeting agenda.

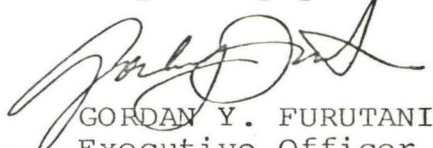
Please note that petition(s)

SP82-356 - DEPARTMENT OF PARKS AND RECREATION,
COUNTY OF HAWAII

will be _____ acted on _____ at that time.

Should you have any questions on this matter, please
contact this office.

Very truly yours,



GORDAN Y. FURUTANI
Executive Officer

Enclosure: Agenda

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP82-356 - DEPT. OF PARKS &
RECREATION, COUNTY OF HAWAII
Civil Defense Agency Conf. Rm.
PLACE 1st Floor County Bldg.,
200 S. High St., Wailuku, Maui

DATE November 4, 1982

TIME 9:00 a.m.

	NAME	YES	NO	ABSTAIN	ABSENT
	CHUN, LAWRENCE F.				X
	WHITTEMORE, FREDERICK	X			
M	TAMAYE, ROBERT S.	X			
	MIYASATO, SHINSEI	X			
	CHOY, RICHARD B. F.	X			
S	TACBIAN, TEOFILO PHIL	X			
	CUSKADEN, EVERETT L.				X
	RUBIN, WINONA E.		X		
	Chairman YUEN, WILLIAM W. L.	X			

Comments:

I move to approve SP82-356, Department of Parks and Recreation, County of Hawaii to allow the development of a motorcycle training and competition facility at Waiakea, South Hilo, Hawaii, subject to the conditions imposed by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission November 4, 1982

FROM: Staff

SUBJECT: SP82-356 - County of Hawaii, Department of Parks
and Recreation

The Department of Parks and Recreation of the County of Hawaii is requesting approval of this Special Permit to allow the development and operation of a motorcycle training and competition facility on 90 acres of land situated within the State Land Use Agricultural District at Waiakea on the Big Island. This Special Permit application is the same request that was previously considered and denied by the Land Use Commission on February 2, 1982. A major reason for the denial is expressed in the Conclusion of Law wherein it is stated that "The record does not indicate the Hawaii County Planning Commission considered sufficient evidence to establish findings that the use is not contrary to the objectives of the Land Use Law; that conditions, trends and needs have arisen since the district boundaries and regulations were established and that the proposed use would not unreasonably burden public agencies to provide public services and facilities."

The subject property is a portion of Tax Map Key 2-1-13: 2 which totals more than 3,200 acres and is owned by the State of Hawaii. It abuts the South Hilo-Puna District boundary approximately 2 miles east of Kanoelehua Avenue, and adjoins the eastern boundary of the Panaewa Drag Strip Complex which was approved by the Land Use Commission on September 22, 1975 under Special Permit No. 75-212.

Access to the subject property is provided by the same temporary road that permits entry to the adjacent drag strip complex. Surrounding land uses include the drag strip, macadamia nut orchards, and vacant lands. The nearest house is located approximately 6,000 feet toward the west, within the Hawaiian Homes agricultural subdivision. (See attached Exhibit A-3)

On October 13, 1978, the State Board of Land and Natural Resources voted to recommend to the Governor that an executive order be issued setting aside the subject area for a motorcycle training and competition facility under the management and control of the County of Hawaii, Department of Parks and Recreation, subject to the following terms and conditions:

1. That the County obtain a Special Permit or District Boundary Amendment prior to the issuance of the executive order;
2. That the County shall be responsible for the subdivision of the parcel; and
3. That prior to the subdivision of said parcel the County shall submit, for review and acceptance of the Board Chairman, a metes and bounds description and a survey map of the designated area.

At the same meeting, the Board granted a right-of-entry for planning and surveying purposes.

The proposal to develop a motorcycle training and competition facility on the subject state-owned lands is made by Petitioner, at the request of the Big Island Motorcycle Association (BIMA). The BIMA has been utilizing a privately-owned ranch in Waimea for their activities, however, development of surrounding areas to residential use has prompted the association to seek an alternative site. According to the association, they have been trying to relocate for about ten years, and 80 percent of its membership reside in Hilo and surrounding areas.

The petition proposes the following improvements on the subject property:

1. Clearing, grubbing, and contour grading of the site;
2. Extension of a waterline from the drag racing complex;
3. Grading an area for parking and constructing a pit area and motorcycle track and course; and
4. Constructing accessory structures, e.g., spectator and concession facilities, comfort stations, etc.

For the Commission's information, the preliminary site layout plan is attached and identified as Exhibit A-4.

In support of the request, the petitioner stated, in part, the following:

"The proposed facility is intended to satisfy recreational motorcycling needs, as expressed by the Big Island Motorcycle Association.

"The proposed site adjoins the County's drag racing complex for which a Special Permit was previously approved. Centralizing these similar type activities would result in maximizing use of existing public services and utilities."

"Since the site is not presently being used for any agricultural use or any other activity, no loss of productivity would occur."

"The motorcycle facility is not expected to have any adverse impact on surrounding land uses because of its location in a relatively isolated area."

On the Land Use Pattern Allocation Guide (LUPAG) Map of the County General Plan, the subject property is designated "Orchards", and is currently zoned Agricultural-20 acres.

According to the Soil Survey Report (December 1973) published by the U.S. Soil Conservation Service, the soil on the site is of the Papai series which is described as a surface layer of dark brown extremely stony muck about 8 inches thick underlain by fragmented A'a lava. Permeability is rapid, runoff is slow, and the erosion hazard is slight. The Land Study Bureau's master productivity rating for agricultural use is Class "E" or Very Poor. Rainfall in the vicinity averages about 144 inches per year.

For the Commissioners' information, an environmental assessment and negative declaration for the project was published in the November 23, 1981 Environmental Quality Commission Bulletin, and is attached as Exhibit A-2.

Pertinent Comments from Governmental Agencies:

1. DEPARTMENT OF WATER SUPPLY

The County Water Department commented:

Water for the proposed motorcycle facility is available from an existing 8-inch waterline with the racing complex.

The applicant is required to submit necessary construction plans for any proposed water service connections and plumbing. Further, all applicable requirements of the Department's Rules and Regulations shall be complied with.

2. DEPARTMENT OF HEALTH

The State Department of Health commented that they "found no Environmental Health concerns with regulatory implications in the submittals."

3. SOIL CONSERVATION SERVICE

The Soil Conservation Service, U.S. Department of Agriculture, stated:

"We do not anticipate any major flooding problems in this area, but there may be problems with the installations of

footings and septic tanks due to the pahoehoe and aa lava being at depths less than 10 inches."

4. DEPARTMENT OF AGRICULTURE, STATE OF HAWAII

"The Department of Agriculture has reviewed the subject application and finds that it is a resubmittal of a Special Permit application on which our Department has previously commented (December 11, 1981 and July 28, 1978). Inasmuch as the proposed use and related circumstances have not, to our knowledge, changed significantly since the previous submittal, our comments remain the same."

In its letter of December 11, 1981, the State Department of Agriculture stated the following:

"The Department of Agriculture has reviewed the subject application and although we do not specifically object to the project at this time, we are enclosing for your information, a copy of our comments to the Board of Land and Natural Resources concerning the request for a State Land Disposition for the Motorcycle Facility at Panaewa."

For the Commission's information, a copy of the July 28, 1978 Department of Agriculture memorandum is attached and identified as Exhibit J-2.

The following cooperating agencies had no comments or objections to the subject request: County of Hawaii Fire Department, Police Department and Department of Public Works.

The Hawaii County Planning Commission held a public hearing on the subject petition on September 16, 1982. A copy of the hearing transcript together with the minutes of the hearing is attached as Exhibits R and Q, respectively.

On September 16, 1982, the Planning Commission voted to recommend approval of the Special Permit request based on the following considerations:

"That the approval of the subject request would not be contrary to objectives of the land use law and regulations. The objective of the land use law and regulations is to preserve, protect, and encourage the development of land within the State for those uses to which these lands are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The subject property is situated within a vast State owned parcel encompassing approximately 3,200 acres of land. The proposed 90-acre parcel upon which the facility would be constructed and operated is not expected to significantly detract from the agricultural potential of the area nor the island. To a degree, it is expected that the establishment of such a facility will in fact aid existing and potential agricultural uses by diverting informal motorcycle activities away from uncontrolled situations in surrounding areas and into controlled

and supervised conditions on the property. Further, by providing training, it should be beneficial in improving rider skills and hopefully thereby increase the safety of these riders. In this way, it is felt that the approval of the request will further the public health and welfare.

That the approval of the subject request is not expected to adversely affect surrounding properties.

The desired use would not adversely affect surrounding property. The proposed site for the requested use is located in an area which is relatively isolated from residential development. It is within the Panaewa forest and the nearest residential uses are approximately 6,000 feet to the west. Other surrounding uses within less than one mile from the proposed site are basically of a public or large-scale agricultural nature. The lands immediately surrounding the site include the drag strip, macadamia orchards and forest.

In essence, the forest within which the proposed facility is to be located covers a vast area. The entire motorcycle facility site consists of 90 acres in a State-owned parcel of 3200+ acres. Not all of the 90 acres will be cleared, as two hundred (200)-foot wide buffers will be provided. The remoteness from areas of residence and other areas where continuous activities occur effectively mitigates adverse impacts which may otherwise occur.

That the approval of the subject request is not expected to place unreasonable burdens on public agencies to provide roads and streets, water drainage, or school improvements nor police or fire protection. The location of the subject property adjacent to the existing drag strip means that many of the required services are already present such as access and water service. Further, the centralization of such facilities in one general area should facilitate the upgrading of such services should the need ever arise.

That unusual trends and conditions have arisen since the enactment of land use law and regulations. The sport of motocross riding is a relatively recent occurrence. While there are not registration statistics which would demonstrate this, since these vehicles are often not registered for use on public roads, the popularity of the sport has in fact been growing.

The land upon which the proposed use is sought is generally unsuited for the uses permitted within the district. The State Land Use Commission's Agricultural designation includes lands which are not suited to agricultural and ancillary activities by reason of topography, soil and other related characteristics. The subject site has a slight soil overlaying a lava. Its productivity class, based on the Land Study Bureau Soil Survey, is Class E or very poor. Such soils have very severe limitations which make them generally unsuited to cultivation.

At the present time, the proposed site is essentially vacant and unused. The 90-acre area would be partially converted from a forest to a public recreational use. Implementing the motorcycle facility proposal will not result in the loss of presently productive land or of a valuable natural area. The land would instead be used for a needed public recreational facility."

The County Planning Commission further recommended that approval of the Special Permit be subject to the following conditions:

1. "That the petitioner, the County Department of Parks and Recreation, shall be responsible for complying with all stated conditions of approval.
2. That tentative subdivision approval be secured by the applicant within one (1) year from the date of approval of the Special Permit. Final subdivision approval shall be secured within one (1) year thereafter.
3. That plans shall be submitted and Final Plan Approval secured in accordance with Chapter 8 (Zoning Code), Hawaii County Code, be secured within one (1) year from the effective date of the Permit.
4. That construction of the proposed facility commence within one (1) year from the date of receipt of Final Plan Approval and be completed within three (3) years thereafter.
5. That two buffer zones with a minimum width of 200 feet each be provided on the south and west sides of the facility.
6. That the Department of Parks and Recreation develop and adopt use regulations for the subject facility prior to its occupancy.
7. That the temporary drag strip access road to the facility may be used until the permanent drag strip access is completed. Upon completion of this permanent access, use of the temporary access by the motorcycle facility shall terminate.
8. That all other applicable rules, regulations and requirements, including noise and air quality standards, be complied with.

Should any of the foregoing conditions not be met, this Special Permit shall be automatically void."

ENVIRONMENT ASSESSMENT
for
MOTORCYCLE RACING FACILITY
WAIAKEA, SOUTH HILO, HAWAII

The County of Hawaii, at the request of the Big Island Motorcycle Association, is proposing to develop a motorcycle training and competition facility on State-owned lands located in Waiakea, South Hilo, Hawaii, TMK: 2-1-13:2(por.). The proposed site, ninety acres in size, abuts the northeast boundary of the Panaewa Drag Racing complex, which was developed and is operated by the County of Hawaii.

On October 13, 1978, the Board of Land and Natural Resources, State of Hawaii, approved and recommended the issuance of an executive order setting aside the subject area for a motorcycle training and competition facility under the management and control of the County of Hawaii, subject to the following conditions:

1. that the County obtain a Special Use Permit or District Boundary Amendment prior to issuance of the executive order;
2. that the County be responsible for the subdivision of said parcel; and
3. that prior to the subdivision of said parcel, the County shall submit for review and acceptance by the Chairman, a metes and bounds description and survey map of the designated area.

The Board also granted a right-of-entry for planning and surveying purposes. A subdivision application has subsequently been filed, with the approval of the Chairman, and is being reviewed by the County Planning Department.

As mentioned earlier, the project is being spearheaded by the Big Island Motorcycle Association (BIMA), and the following improvements have been proposed:

1. clearing, grubbing, and contour grading of the site;
2. extension of a waterline from the drag racing complex;
3. grading an area for parking and constructing a pit area and motorcycle track and course; and

4. constructing accessory structures, e.g., spectator and concession facilities, comfort stations, etc.

According to the BIMA, 80% of its membership reside in Hilo and surrounding areas. For this reason, selection of a site has been concentrated in the South Hilo district. The BIMA has been utilizing a privately-owned ranch in Waimea for their activities, however, development of surrounding residential areas have prompted the association to seek an alternative site.

The site selected for the motorcycle facility is undeveloped and abuts the northeast boundary of the drag racing complex from which vehicular access and water are available. Surrounding land uses include the following (distances measured from center of proposed site):

County skeet range - 7500 ft. NNW

County quarry - 7500 ft. NW

National Guard facilities - $2\frac{1}{2}$ -3 mi. NW

County landfill - $2\frac{1}{2}$ mi. NW

Macadamia orchards - 4000 ft. E and 2000 ft. SSE

Sugar cane - 3000 ft. S

Hawaiian Homes farmlots - $1\frac{1}{2}$ mi. W

Panaewa farmlots - $1\frac{1}{2}$ -2 mi. W

Hawaiian Homes Panaewa residences - $2\frac{1}{2}$ mi. WNW

The State land use designation for the proposed site is agriculture, thus necessitating approval of a special permit from the State Land Use Commission. The County has zoned the area for agricultural uses (A-20a) and the General Plan land use allocation guide map designates the site for orchard type uses.

Vegetation within the site consists of 'ohia, lama, false staghorn, guava, hala, kukui, and tree ferns. Other introduced plants include trumpet trees, melastoma,

melochia, and lantana. There are no known endangered flora or fauna or recorded historical or archaeological sites within the general area.

The proposed site has a thin layer of soil overlaying a pahoehoe and a'a base. Slopes throughout the site are less than 5% and elevation is about two hundred feet. Rainfall averages 144 inches annually, and porosity of the ground provides good drainage conditions. The site is approximately two miles below the Panaewa wells and is of sufficient distance to protect the water table. During the day, prevailing winds are from the northeast and at night, the wind direction reverses. Temperatures range from 63°F to 82°F throughout the year with the mean annual temperature being 73°.

Foreseeable impacts, should this project proceed, include the conversion of a forest environment to a recreational motorcycle complex with support facilities, with parts of the forest remaining as buffer zones. Since the land is not presently being used for agriculture or any other use, no loss of productivity would result.

The location of the facility in a relatively remote area, retention of the natural forest on the perimeters of the facility, and the requirement that mufflers be installed on all motorcycles should minimize and/or eliminate all potential sources of noise pollution. The adjacent drag racing complex poses no significant noise problems and none are expected with the addition of the proposed motorcycle facility.

The County has developed a master plan for a major sports complex in the general area. Potential impacts to this complex cannot, however, be determined at this time since no commitment of land or funds have been made for the sports complex. If the complex does become a reality, potential conflicts can be resolved during the subsequent planning and design phases.

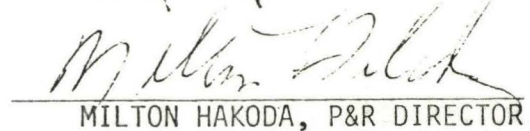
Some air pollution problems may be expected during the construction phase of the project, however, adherence to applicable public health and construction regulations should minimize this impact. All solid wastes from the site preparation and construction phases will be properly disposed of at approved disposal sites. Sewage effluent from future comfort stations will be disposed of directly into the ground and no potential health problems are foreseen.

Based on an analysis of the project's impact to the environment and the conclusion that no significant adverse impacts are anticipated, a negative declaration, pursuant to Chapter 343, HRS, EIS Regulations, is being declared for the project.

Approved by


HERBERT T. MATAYOSHI, MAYOR


SIDNEY FUKU, PLANNING DIRECTOR


MILTON HAKODA, P&R DIRECTOR

[illegible][illegible][illegible][illegible]

DATE: 12/1/50

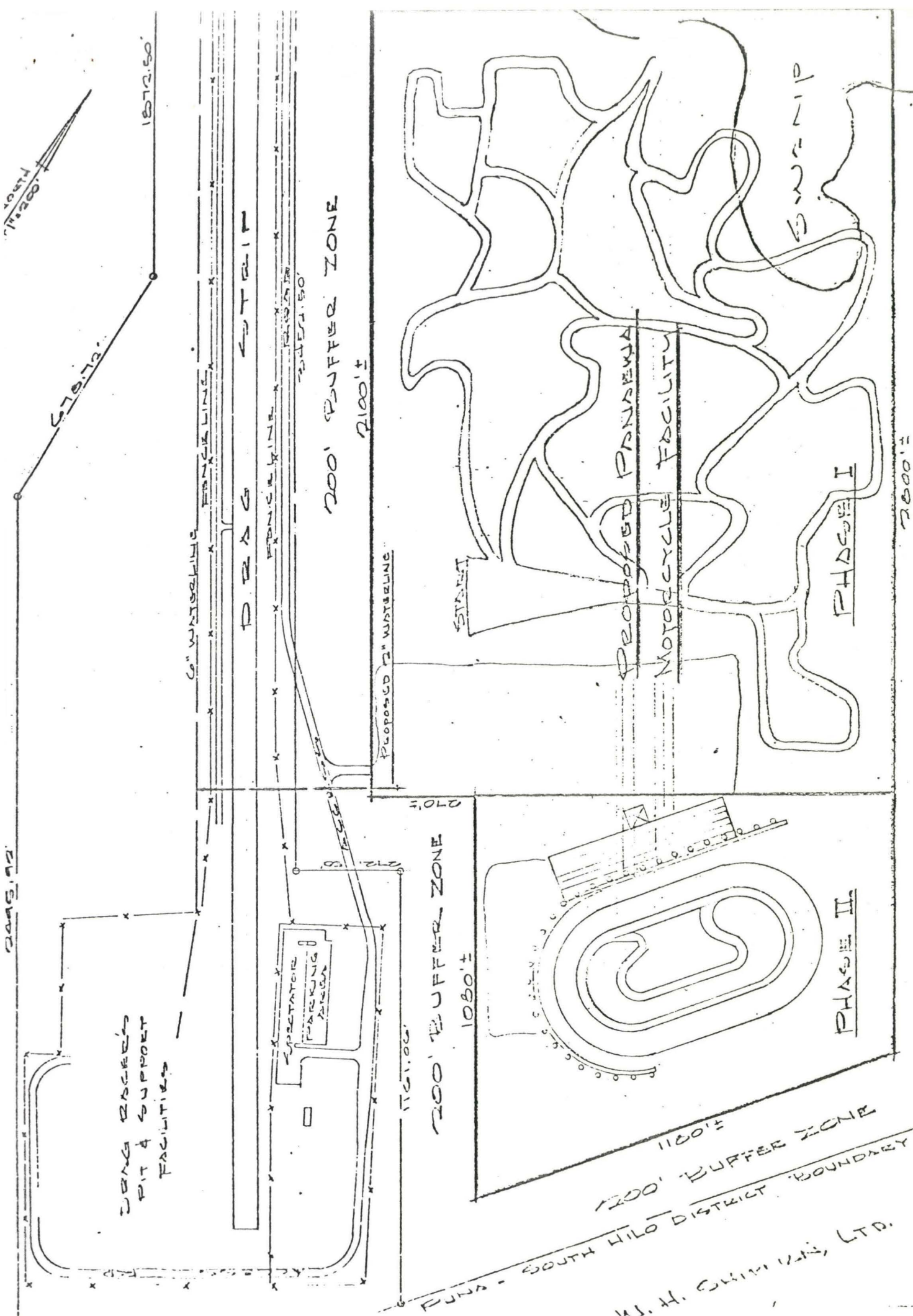


EXHIBIT A-A

July 28, 1978

MEMORANDUM

To: Mr. W. Y. Thompson, Chairman
Board of Land and Natural Resources

Attn: Mr. James Deter, Land Management

Subject: State Land Disposition of Waiakea, South Hilo, Hawaii
Tax Map Key: 2-7-13:02 (por.)
Applicant: ~~Panama~~ County of Hawaii
Intended Use: ~~Motorcycle~~ Facility (PANAREWA)
LUC Zoning: Agriculture
County Zoning: Ag-20

The Department of Agriculture questions the proposed use of the subject parcel. Permissible uses within the Agricultural District in Part III of the Land Use Regulations provide:

"(5) Public and private open area types of recreational uses including day camps, picnic grounds, parks and riding stables, but not including dragstrips, airports, drive-in theaters, golf courses, golf driving ranges, country clubs, and overnight camps."

It is also our understanding that the subject property is one of several which C. Brewer and Company, Ltd. is currently investigating for use as a macademia nut orchard, and that Brewer currently has a right-of-entry to the property granted by your Board. In reaching an agreement (signed on March 16, 1977) over the Kilauea lands, the State agreed to assist Brewer obtain land for expanding their macademia nut operations on the Island of Hawaii.

We appreciate the opportunity to comment.

JOHN FARIAS, JR.
Chairman, Board of Agriculture

EXHIBIT J-2

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES

September 16, 1982

The Planning Commission met in regular session at 1:45 p.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman Alfredo Orita presiding.

PRESENT: Alfredo Orita
Glenn Frias
Clyde Imada
Roy Kagawa
Barbara Koi
Bert Nakano
Donald Thompson

ABSENT: Tina Whitmarsh
George Ponte

Ex-officio Member
H. William Sewake
Ex-officio Member
Edward Harada

Sidney M. Fuke, Planning Director
Norman Hayashi, Staff Planner
Brian Nishimura, Staff Planner

Ben Tsukazaki, Deputy Corporation Counsel

and approximately 6 people at 1:45 p.m., 4 people at 2:11 p.m., 4 people at 2:39 p.m., and one person at 4:45 p.m.

All those testifying were duly sworn in.

SMA USE PERMIT
DEPARTMENT OF PARKS
AND RECREATION,
COUNTY OF HAWAII,
WAIAKEA,
SOUTH HILO

Public hearing on the application of the Department of Parks and Recreation, County of Hawaii, for a Special Permit to allow the establishment of a motorcycle training and competition facility on 90+ acres of land situated within the State Land Use Agricultural District. The property involved is located adjacent and to the east of the existing dragstrip facility, Waiakea, South Hilo, TMK: 2-1-13:Portion of 2.

Staff presented background and recommendation for approval with conditions, on file.

The petitioner's representative, Ronald Okamura, stated that they would be able to comply with the conditions as outlined by the staff.

Under public testimony, Glenn Taguchi of the Department of Land and Natural Resources, noted that the Board of Land and Natural Resources did grant C. Brewer a right-of-entry to explore the possibility of utilizing State's lands for macadamia nut orchards; subsequently, however, C. Brewer has informed the Board that they were not interested as there were unsufficient lands to make it economically feasible.

Under public testimony, David Webster, a member of the Big Island Motorcycle Association who has been working for such a facility for eight years, spoke on the need as it will help the children stay out

EXHIBIT Q

of trouble. He noted that they expect to have meets no more than twice a month.

It was moved by Commissioner Imada and seconded by Commissioner Thompson that the public hearing be closed. Motion was carried.

It was moved by Commissioner Kagawa and seconded by Commissioner Frias to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with seven ayes.

SMA USE PERMIT
DEPARTMENT OF PARKS
AND RECREATION
WAIAKEA,
SOUTH HILO

Public hearing on the application of the Department of Parks and Recreation, County of Hawaii, for a Special Management Area (SMA) Use Permit to allow the construction of a 2,280-square foot building and related improvements to serve as a training area for boxing. The property involved is the site of the Waiakea Recreation Center Complex, located adjacent to and along the mauka side of Kamehameha Avenue, Waiakea, South Hilo, TMK: 2-2-32:33.

Staff presented background and recommendation for approval with conditions, on file, noting the building will basically be a wooden structure.

The petitioner's representative, Ronald Okamura, said he did not anticipate any real increase in traffic, and there is parking available. He noted that it will take nine months to a year for completion of this facility, and that some of the \$90,000 appropriated has already been expended for the consultants to draw up the plans. He then stated that they would be able to comply with the conditions as outlined by the staff.

There was no one testifying on the application.

It was moved by Commissioner Kagawa and seconded by Commissioner Nakano that the public hearing be closed. Motion was carried.

It was moved by Commissioner Kagawa and seconded by Commissioner Imada that the application be approved for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with seven ayes.

SMA USE PERMIT
CUTLER-HANLEY
JOINT VENTURE
KUKUAU 2ND,
SOUTH HILO

Public hearing on the application of Cutler-Hanley Joint Venture for a Special Management Area (SMA) Use Permit to allow certain renovations to the existing service station facility which include the installation of new fiberglass non-corrosive storage tanks with fiberglass non-corrosive piping, the installation of electronic automatic self-serve facilities, and to allow the conversion of the existing building into a convenience store operation. The property involved is located on the southern corner of Kamehameha Avenue-Ponahawai Street intersection, Downtown Hilo, Kukuau 2nd, South Hilo, TMK: 2-2-06:27.

Staff presented background and recommendation for approval with conditions, on file.

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
September 16, 1982

A regularly advertised public hearing on the application of the Department of Parks and Recreation, County of Hawaii, was called to order at 1:45 p.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman Alfredo Orita presiding.

PRESENT: Alfredo Orita
Glenn Frias
Clyde Imada
Roy Kagawa
Barbara Koi
Bert Nakano
Donald Thompson

ABSENT: George Ponte
Tina Whitmarsh

Exofficio Member
H. William Sewake
Exofficio Member
Edward Harada

Sidney M. Fuke, Planning Director
Norman Hayashi, Staff Planner
Brian Nishimura, Staff Planner

and approximately 6 people from the audience were in attendance

CHAIRMAN: Public hearing on the application of the Department of Parks and Recreation, County of Hawaii, for a Special Permit to allow the establishment of a motorcycle training and competition facility on 90± acres of land situated within the State Land Use Agricultural District. The property involved is located adjacent and to the east of the existing dragstrip facility, Waiakea, South Hilo, TMK: 2-1-13:Portion of 2. Staff?

NISHIMURA: (Presented background and recommendation for approval with conditions, on file.)

CHAIRMAN: Thank you, Brian. Commissioners, are there any questions for the Department? No questions. Is the applicant present? Will you come forward, please. Will you raise your right hand. Do you solemnly swear or affirm that the testimony you're about to give shall be the truth, the whole truth and nothing but the truth?

OKAMURA: I do.

CHAIRMAN: Will you state your name into the mike for the record, please.

OKAMURA: Ronald Okamura, Department of Parks and Recreation.

CHAIRMAN: Is there any addition or correction to the background report that staff has just read into the record?

EXHIBIT R

OKAMURA: No.

CHAIRMAN: Commissioners, are there any questions you'd like to ask the applicant? No questions? I have a question. I think when staff read the background report, this is more so a resubmittal, am I correct?

OKAMURA: Right.

CHAIRMAN: And one of the reasons it was denied was based on the fact that there was lack of sufficient evidence.

OKAMURA: Based on the criteria that the Land Use Commission set forth.

CHAIRMAN: Is there any reason why it will not be denied again, to your knowledge? Will the same evidence be presented again with the application?

OKAMURA: No. I think the staff added a few to make our case stronger. They added a few statements in the application.

CHAIRMAN: I see. There's another question pertaining to the letter of July 28, 1978, saying "Public and private open area types of recreational uses including day camps, picnic grounds, parks and riding stables, but not including dragstrips, airports, drive-in theaters, golf courses, golf driving ranges, country clubs, and overnight camps." This is from the Board of Agriculture, John Farias. And it states that "It is also our understanding that the subject property is one of several which C. Brewer and Company, Ltd. is currently investigating for use as a macadamia nut orchard...." Is there any truth in that statement?

OKAMURA: I understand the request from C. Brewer went in several years ago; and they have not pursued it since then. Because we were asked by them at one time about the access, when we're going to build a permanent access and we said we don't know yet because of funding restrictions; and nobody contacted us after that as far as C. Brewer is concerned.

CHAIRMAN: Thank you. Commissioners, any questions for the applicant? If not, thank you. You may be seated. This is a public hearing. Is there anyone in the audience that would like to give testimony? Will you come forward, please. Do you solemnly swear or affirm that the testimony you're about to give shall be the truth, the whole truth, and nothing but the truth?

TAGUCHI: Yes, I do.

CHAIRMAN: Will you state your name into the mike for the record, please.

TAGUCHI: My name is Glenn Taguchi. I represent the Department of Land and Natural Resources. In the previous question that you asked Mr. Okamura, what transpired was that there was an agreement between C. Brewer and the State in trying to help them find more macadamia nut lands; and, in fact, the Board did grant them the

right-of-entry to explore the possibility of the 3,000 some odd acres. C. Brewer did go in, they did do an ag study on it; and they found that the lands, there was insufficient area within that parcel to make it economically feasible to go into macadamia on that particular site. And so they informed the Board that they were not interested in that particular piece of property. We have, in fact, allowed certain areas, as well as granting a right-of-entry over 90 acres to the County of Hawaii for this motorcycle training facility. We've also allowed Puna Papaya to go in and develop some areas of papaya in there which they don't need as good a soil condition as the macadamia nut people would. The Board is still, the file is still active and we've recommended approval and submission to the Land Use Commission in accordance to the conditions set forth by the Board.

CHAIRMAN: Thank you. Commissioners? Thank you. You may be seated. Will the applicant come forward again, please. There was one questions I forgot to ask you, sir. The conditions which are being proposed by the Department, have you any objections?

OKAMURA: No. I think we went through the same procedures when we developed the drag strip. So we will comply.

CHAIRMAN: Thank you. You may be seated. Is there anyone else in the audience that would like to give public testimony? Will you come forward, please. Will you raise your right hand. Do you solemnly swear or affirm that the testimony you're about to give shall be the truth, the whole truth and nothing but the truth?

WEBSTER: I do.

CHAIRMAN: Will you state your name into the mike for the record.

WEBSTER: David Webster.

CHAIRMAN: David, you may proceed.

WEBSTER: Yeah. I've been a resident of this State since 1950. I've lived on this island for the last eight years. I've been a member of the Big Island Motorcycle Association for most of that time; and I'd like to go on record as being for this facility. It's a good opportunity for the kids to have some place to go so they aren't running around the canefields, running in cables, getting in, just generally getting into trouble. This facility is badly needed as a recreation facility. And we've been working for, ever since I've been here, eight years trying to get some place like this. I don't know whether you're familiar with it, but we tried to get a place up at Pohakuloa and we tried to get this place; and I do feel it's badly needed. I'd like to answer any questions any of you have concerning the motorcycles.

CHAIRMAN: Thank you, David. Commissioners, any questions?

THOMPSON: I have a question, Mr. Chairman.

CHAIRMAN: Commissioner Thompson.

THOMPSON: About how many times a week do you expect to have meets?

WEBSTER: I would expect no more than twice a month.

THOMPSON: Thank you.

CHAIRMAN: Commissioners, any other questions? Thank you. You may be seated.

WEBSTER: Thank you.

CHAIRMAN: Anyone else from the audience that would like to give public testimony? If none, Commissioners, you have an option to continue the public hearing or close the public hearing.

IMADA: Mr. Chairman, I move to close the public hearing.

CHAIRMAN: Any second?

THOMPSON: Second.

CHAIRMAN: It has been moved and seconded that the public hearing be closed. All those in favor say aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose? The public hearing is closed.

It was moved by Commissioner Kagawa and seconded by Commissioner Frias to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with seven ayes.

The public hearing adjourned at 2:11 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura
Secretary

A T T E S T:

Alfredo Orita
Chairman, Planning Commission



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

October 1, 1982

Mr. Gordan Furutani
Executive Officer
Land Use Commission
Old Federal Building, Room 104
335 Merchant Street
Honolulu, HI 96813

SP82-356

LAND USE COMMISSION
STATE OF HAWAII
OCT 4 11 13 AM '82

Dear Mr. Furutani:

Special Permit Application
Petitioner: Department of Parks and Recreation
County of Hawaii
Motorcycle Training and Competition Facility
TMK: 2-1-13:Portion of 2

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 application.

The special permit request was to allow the establishment of a motorcycle training and competition facility on 90+ acres of land situated within the State Land Use Agricultural District. The property involved is located adjacent and to the east of the existing dragstrip facility, Waiakea, South Hilo, Hawaii.

The Planning Commission at its duly advertised public hearing held on September 16, 1982, in the Councilroom, County Building, South Hilo, Hawaii, discussed the subject request and voted to recommend the approval of the special permit to the Land Use Commission. Enclosed is the entire docket on the application.

For your information, this is the same Special Permit which the State Land Use Commission denied on February 2, 1982, as it had determined that the reasons presented by the Planning Commission did

Mr. Gordan Furutani

Page 2

October 1, 1982

not comply with the Special Permit guidelines. The State Land Use Commission's concerns have been incorporated in the attached reasons for a favorable consideration.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Alfredo Orita". The signature is fluid and cursive, with the first name "Alfredo" written in a larger, more prominent script than the last name "Orita".

ALFREDO ORITA
CHAIRMAN, PLANNING COMMISSION

lgv

Enclosure

cc: Mr. Milton Hakoda

LIST OF EXHIBITS: DEPARTMENT OF PARKS AND RECREATION, SP82-356
COUNTY OF HAWAII
Motorcycle Training and Competition Facility

- A. Application form with memorandum from the applicant (7/15/82)
 - A-1. Applicant's Reasons
 - A-2. Applicant's Environment Assessment
 - A-3. Applicant's location map
 - A-4. Applicant's plot plan map
 - A-5. Applicant's location map
 - A-6. Applicant's written metes and bounds description
- B. Letter to the applicant from the Department acknowledging receipt of the Special Permit application (7/22/82)
- C. Memo to various agencies for their review/comments (7/22/82)
- D. Soil Conservation Service's comments (7/28/82)
- E. Dept. of Health's comments (7/28/82)
- F. Police Department's comments (7/29/82)
- G. Dept. of Water Supply's comments (7/27/82)
- H. Fire Department's comments (8/2/82)
- I. Dept. of Public Work's comments (8/3/82)
- J. Dept. of Agriculture's comments (8/16/82)
 - J-1. Attachment to Dept. of Agriculture's comments
 - J-2. Attachment to Dept. of Agriculture's comments
- K. Letter to surrounding property owners (9/2/82)
 - K-1. Map sent to surrounding property owners
 - K-2. List of surrounding property owners
- L. Letter to applicant from the Department (9/3/82)
 - L-1. Public Hearing Notice
- M. Letter to surrounding property owners (9/9/82)
- N. Background Report
- O. Recommendation Report
- P. Voting Sheet

Q. Minutes, September 16, 1982

R. Transcript, September 16, 1982

S. Presentation Map (please return back to Planning Dept.)

DEPARTMENT OF PARKS & RECREATION,
COUNTY OF HAWAII
HILO, HAWAII

Date July 15, 1982

[Handwritten signature]
[Handwritten initials]

TO: PLANNING DIRECTOR

FROM: HARDY IIDA, DEPUTY DIRECTOR *HI*

SUBJECT: PROPOSED MOTORCYCLE TRAINING AND COMPETITION FACILITY
HILO, HAWAII TMK: 2-1-13:por. of 2

Transmitted for review and action by your Planning Commission are sixteen (16) copies of our application for a special permit for the subject motorcycle facility.

We would appreciate it if you could set the hearing for this request during your commission's August 18, 1982 meeting.

If additional information is needed, please contact Ronald Okamura at Extension 311.

Thank you very much.

EXHIBIT A

APPLICATION FOR SPECIAL PERMIT
COUNTY OF HAWAII
PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: Department of Parks & Recreation, County of Hawaii
APPLICANT'S SIGNATURE: Hardy S. Loke for Director, P&R Dept.
ADDRESS: 25 Aupuni Street
Hilo, Hawaii 96720
TELEPHONE: 961-8311
TAX MAP KEY: 2-1-13:por. of 2 AREA: Ninety (90) acres
(Size of Parcel)
OWNER: State of Hawaii
OWNER'S SIGNATURE: _____
APPLICANT'S INTEREST, IF NOT OWNERS: Executive Order (pending)
REQUESTED USE: Development of Motorcycle Training and Competition
Facility
APPLICANT'S REASON(S) FOR REQUESTING SPECIAL PERMIT: (Please attach)

NOTE: The applicant must show that:

- (a) such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;
- (b) the desired use shall not adversely affect surrounding properties;
- (c) such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
- (d) unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;
- (e) the land upon which the proposed use is sought is unsuited for the uses permitted within the district;
- (f) the proposed use will not substantially alter or change the essential character of the land and the present use; and
- (g) the request will not be contrary to the General Plan and official Community Development Plan and other documents such as Design Plans.

THIS APPLICATION MUST BE ACCOMPANIED BY:

- (a) 16 copies of the completed application form with attachments.
- (b) 16 copies of a location map.
- (c) 16 copies of a site plan with existing and proposed uses.
- (d) any additional information.
- (e) \$100.00 processing fee.
- (f) One (1) copy of full-size site plan drawn to scale. Site plan should include property lines, reference points (roadways, shoreline, etc.), and existing and proposed structures and uses. Site plan shall be 2 feet by 3 feet in size at a minimum.

RECEIVED

'82 JUL 15 PM 1 37

PLANNING DEPT.
COUNTY OF HAWAII
FILE NO

APPLICANT'S REASONS FOR REQUESTING A SPECIAL PERMIT

1. The proposed facility is intended to satisfy recreational motorcycling needs, as expressed by the Big Island Motorcycle Association.
2. The proposed site adjoins the County's drag racing complex for which a special permit was previously approved. Centralizing these similar type of activities would result in maximizing use of existing public services and utilities.
3. Since the site is not presently being used for any agricultural use or any other activity, no loss of productivity would occur.
4. The motorcycle facility is not expected to have any adverse impact on surrounding land uses because of its location in a relatively isolated area.

ENVIRONMENT ASSESSMENT
for
MOTORCYCLE RACING FACILITY
WAIAKEA, SOUTH HILO, HAWAII

The County of Hawaii, at the request of the Big Island Motorcycle Association, is proposing to develop a motorcycle training and competition facility on State-owned lands located in Waiakea, South Hilo, Hawaii, TMK: 2-1-13:2(por.). The proposed site, ninety acres in size, abuts the northeast boundary of the Panaewa Drag Racing complex, which was developed and is operated by the County of Hawaii.

On October 13, 1978, the Board of Land and Natural Resources, State of Hawaii, approved and recommended the issuance of an executive order setting aside the subject area for a motorcycle training and competition facility under the management and control of the County of Hawaii, subject to the following conditions:

1. that the County obtain a Special Use Permit or District Boundary Amendment prior to issuance of the executive order;
2. that the County be responsible for the subdivision of said parcel; and
3. that prior to the subdivision of said parcel, the County shall submit for review and acceptance by the Chairman, a metes and bounds description and survey map of the designated area.

The Board also granted a right-of-entry for planning and surveying purposes. A subdivision application has subsequently been filed, with the approval of the Chairman, and is being reviewed by the County Planning Department.

As mentioned earlier, the project is being spearheaded by the Big Island Motorcycle Association (BIMA), and the following improvements have been proposed:

1. clearing, grubbing, and contour grading of the site;
2. extension of a waterline from the drag racing complex;
3. grading an area for parking and constructing a pit area and motorcycle track and course; and

4. constructing accessory structures, e.g., spectator and concession facilities, comfort stations, etc.

According to the BIMA, 80% of its membership reside in Hilo and surrounding areas. For this reason, selection of a site has been concentrated in the South Hilo district. The BIMA has been utilizing a privately-owned ranch in Waimea for their activities, however, development of surrounding residential areas have prompted the association to seek an alternative site.

The site selected for the motorcycle facility is undeveloped and abuts the northeast boundary of the drag racing complex from which vehicular access and water are available. Surrounding land uses include the following (distances measured from center of proposed site):

County skeet range - 7500 ft. NNW

County quarry - 7500 ft. NW

National Guard facilities - $2\frac{1}{2}$ -3 mi. NW

County landfill - $2\frac{1}{2}$ mi. NW

Macadamia orchards - 4000 ft. E and 2000 ft. SSE

Sugar cane - 3000 ft. S

Hawaiian Homes farmlots - $1\frac{1}{2}$ mi. W

Panaewa farmlots - $1\frac{1}{2}$ -2 mi. W

Hawaiian Homes Panaewa residences - $2\frac{1}{2}$ mi. WNW

The State land use designation for the proposed site is agriculture, thus necessitating approval of a special permit from the State Land Use Commission. The County has zoned the area for agricultural uses (A-20a) and the General Plan land use allocation guide map designates the site for orchard type uses.

Vegetation within the site consists of 'ohia, lama, false staghorn, guava, hala, kukui, and tree ferns. Other introduced plants include trumpet trees, melastoma,

melochia, and lantana. There are no known endangered flora or fauna or recorded historical or archaeological sites within the general area.

The proposed site has a thin layer of soil overlaying a pahoehoe and a'a base. Slopes throughout the site are less than 5% and elevation is about two hundred feet. Rainfall averages 144 inches annually, and porosity of the ground provides good drainage conditions. The site is approximately two miles below the Panaewa wells and is of sufficient distance to protect the water table. During the day, prevailing winds are from the northeast and at night, the wind direction reverses. Temperatures range from 63°F to 82°F throughout the year with the mean annual temperature being 73°.

Foreseeable impacts, should this project proceed, include the conversion of a forest environment to a recreational motorcycle complex with support facilities, with parts of the forest remaining as buffer zones. Since the land is not presently being used for agriculture or any other use, no loss of productivity would result.

The location of the facility in a relatively remote area, retention of the natural forest on the perimeters of the facility, and the requirement that mufflers be installed on all motorcycles should minimize and/or eliminate all potential sources of noise pollution. The adjacent drag racing complex poses no significant noise problems and none are expected with the addition of the proposed motorcycle facility.

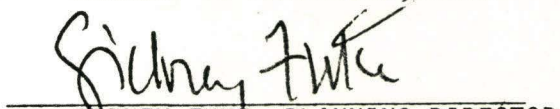
The County has developed a master plan for a major sports complex in the general area. Potential impacts to this complex cannot, however, be determined at this time since no commitment of land or funds have been made for the sports complex. If the complex does become a reality, potential conflicts can be resolved during the subsequent planning and design phases.

Some air pollution problems may be expected during the construction phase of the project, however, adherence to applicable public health and construction regulations should minimize this impact. All solid wastes from the site preparation and construction phases will be properly disposed of at approved disposal sites. Sewage effluent from future comfort stations will be disposed of directly into the ground and no potential health problems are foreseen.

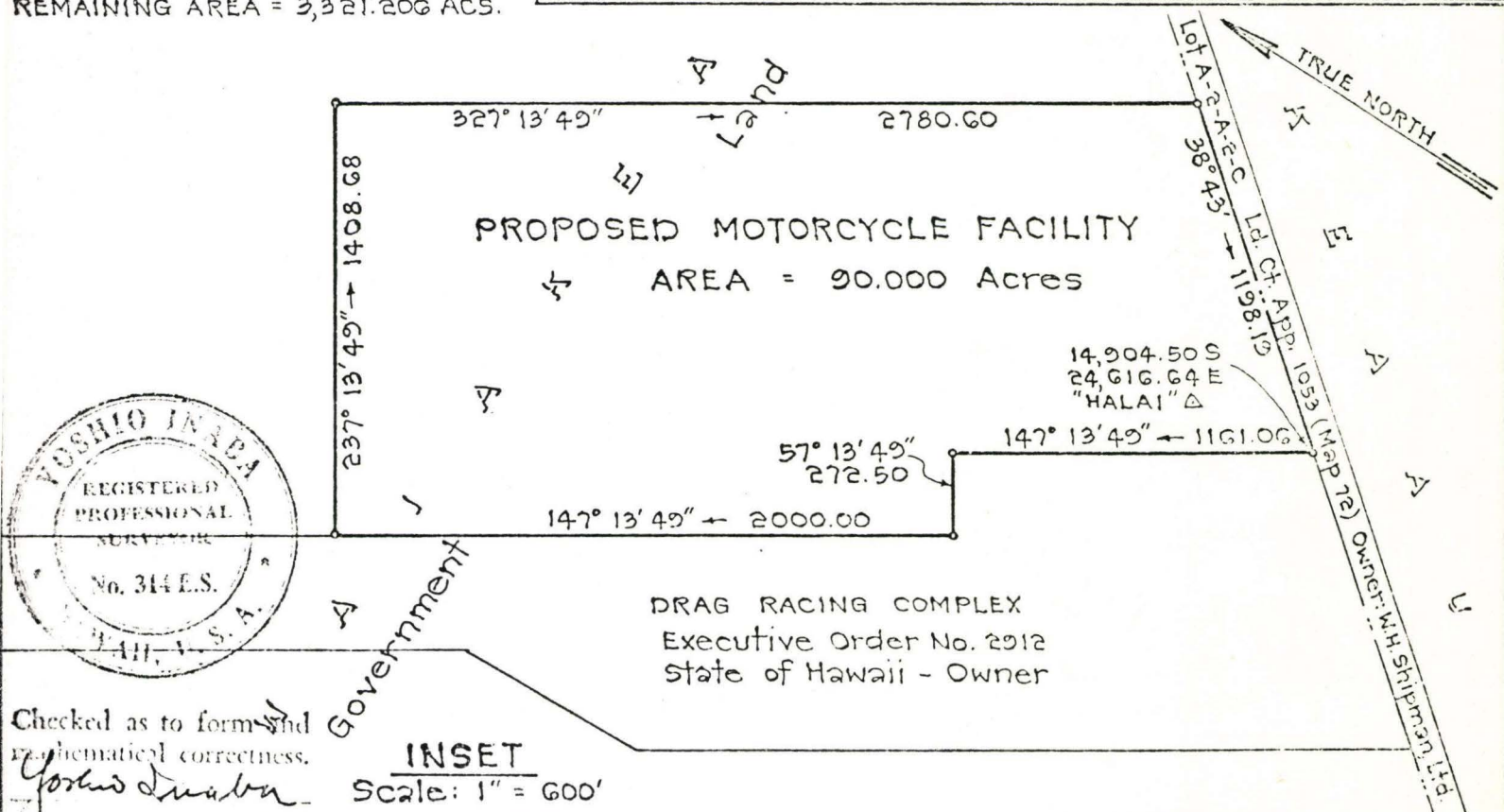
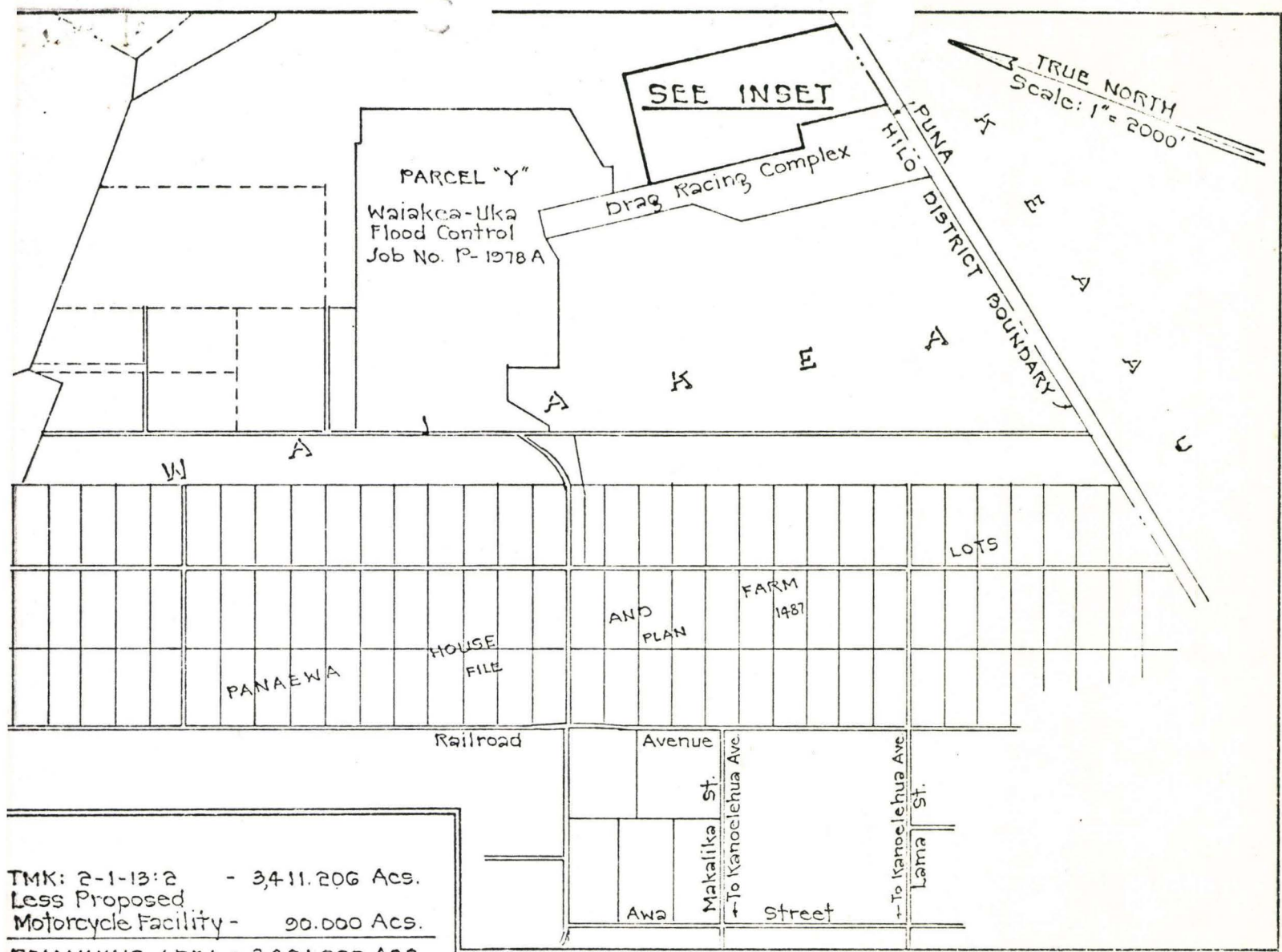
Based on an analysis of the project's impact to the environment and the conclusion that no significant adverse impacts are anticipated, a negative declaration, pursuant to Chapter 343, HRS, EIS Regulations, is being declared for the project.

Approved by


HERBERT T. MATAYOSHI, MAYOR


SIDNEY FUKU, PLANNING DIRECTOR


MILTON HAKODA, P&R DIRECTOR



BUREAU OF PLANS & SURVEYS ~ DEPT. OF PUBLIC WORKS ~ COUNTY OF HAWAII

SUBMITTED BY *Theodore T. Tanaka* DATE *1/2/79*
BUREAU HEAD

APPROVED BY *B. Hansen* DATE *4-1-79*
CHIEF ENGINEER

Plan Showing
PROPOSED MOTORCYCLE FACILITY
Being a portion of the
Government Land of Waiakea
Waiakea, South Hilo, Island of Hawaii, Hawaii

Plan By: B.K. Drawn By: B.K. Date: Dec. 10, 1978

DESCRIPTION

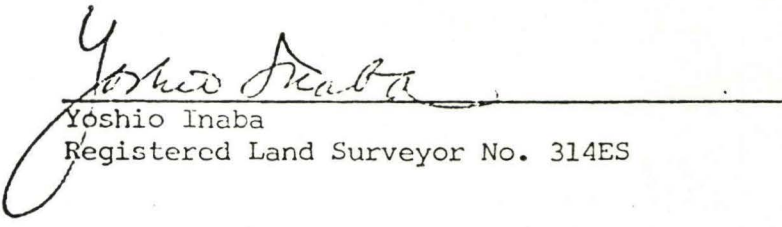
"PROPOSED MOTORCYCLE FACILITY"

Being a portion of the Government Land of Waiakea
Waiakea, South Hilo, Island of Hawaii, Hawaii

Beginning at the south corner of this parcel of land and on the northwest boundary of Lot A-2-A-2-C as shown on map 72 of Land Court Application 1053, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 14,904.50 feet South and 24,616.64 feet East, thence running by azimuths measured clockwise from True South:

1. 147° 13' 49" 1161.06 feet along Drag Racing Complex, Executive Order No. 2912;
2. 57° 13' 49" 272.50 feet along same;
3. 147° 13' 49" 2000.00 feet along same;
4. 237° 13' 49" 1408.68 feet along the remainder of the Government Land of Waiakea;
5. 327° 13' 49" 2780.60 feet along same;
6. 38° 43' 1198.19 feet along Lot A-2-A-2-C as shown on map 72 of Land Court Application 1053 to the point of beginning and containing an area of 90.000 Acres.

DEPARTMENT OF PUBLIC WORKS
Bureau of Plans & Surveys
County of Hawaii


Yoshio Inaba
Registered Land Surveyor No. 314ES

Hilo, Hawaii

January 10, 1979

TMK: 2-1-13:2

Owner: State of Hawaii

July 22, 1982

Mr. Milton Hakoda, Director
Department of Parks & Recreation
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

Dear Mr. Hakoda:

Special Permit Application (Docket SP 82-12)
Motorcycle Training & Competition Facility
Tax Map Key 2-1-13:portion of 2

This is to acknowledge receipt on July 15, 1982, of the above described special permit application.

According to the Planning Commission's Rule No. 6 Relating to Special Permit Procedures, the Commission shall conduct a public hearing on the request within a period of not more than ninety (90) 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.

Should any questions arise, please contact Keith Kato, Brian Nishimura or Royden Yamasato of this department at 961-8288.

Sincerely,



SIDNEY FUCE
Director

for

KK:gs

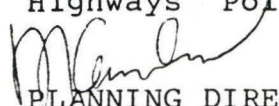
EXHIBIT B

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW Health Fire
DWS R & D Soil Conserv.
Highways Police Masa

Date: July 22, 1982

From:  PLANNING DIRECTOR

Subject: Special Permit Application (SP 82-12)
Applicant: County of Hawaii, Dept. of Parks & Recreation
Tax Map Key 2-1-13:portion of 2

The attached application for a Special Permit is forwarded for your review. May we have written comments within two weeks.

Thank you very much.

KK:gs
Attachment

EXHIBIT

C
JUL 25 1982

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: Department of Agriculture

Date: July 22, 1982

From: *Donna K. K.*
PLANNING DIRECTOR

Subject: Special Permit Application (SP 82-12)
Applicant: County of Hawaii, Dept. of Parks & Recreation
Tax Map Key 2-1-13:portion of 2

The attached application for a Special Permit is forwarded for your review. May we have written comments within two weeks, if possible.

Thank you very much.

KK:gs
Attachment

EXHIBIT C
JUL 23 1982



United States
Department of
Agriculture

Soil
Conservation
Service

P. O. Box 1361
Hilo, HI 96720

July 28, 1982

Mr. Sidney Fuke, Director
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

Dear Mr. Fuke:

REFERENCE: Special Permit Application (SP82-12)
County of Hawaii, Dept. of Parks & Recreation
TMK: 2-1-13:Por. of 2

We do not anticipate any major flooding problems in this area, but there may be problems with the installations of footings and septic tanks due to the pahoehoe and aa lava being at depths less than 10 inches.

Sincerely,

Larry R. Soenen
District Conservationist



The Soil Conservation Service
is an agency of the
Department of Agriculture

EXHIBIT D

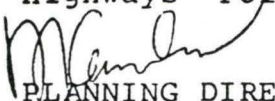
SCS-AS-1
10-79

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW ✓Health Fire
DWS R & D Soil Conserv.
Highways Police Masa

Date: July 22, 1982

From:  PLANNING DIRECTOR

Subject: Special Permit Application (SP 82-12)
Applicant: County of Hawaii, Dept. of Parks & Recreation
Tax Map Key 2-1-13:portion of 2

The attached application for a Special Permit is forwarded for your review. May we have written comments within two weeks.

Thank you very much.

KK:gs
Attachment

7/28/82
Found no Environmental Health
concerns with regulatory implications
in the submittals.



EXHIBIT E



POLICE DEPARTMENT

COUNTY OF HAWAII
349 KAPIOLANI STREET
HILO, HAWAII 96720



OUR REFERENCE

YOUR REFERENCE

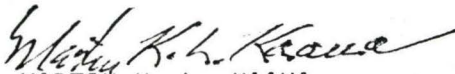
July 29, 1982

GUY A. PAUL
CHIEF OF POLICE

MARTIN K. L. KAAUA
DEPUTY CHIEF

TO : SIDNEY FUKU, PLANNING DIRECTOR
FROM : MARTIN K. L. KAAUA, DEPUTY CHIEF OF POLICE
SUBJECT: SPECIAL PERMIT APPLICATION (SP 82-12)
COUNTY OF HAWAII, DEPARTMENT OF PARKS & RECREATION
TMK: 2-1-13:PORTION OF 2

The application submitted by the above applicant has been reviewed and from the police standpoint, we can foresee no adverse effects from the requested land use.


MARTIN K. L. KAAUA
DEPUTY CHIEF OF POLICE

cc: Patrol

EXHIBIT F



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

25 AUPUNI STREET • HILO, HAWAII 96720

July 27, 1982

TO: Planning Department
FROM: H. William Sewake, Manager
SUBJECT: SPECIAL PERMIT APPLICATION (SP 82-12)
APPLICANT - COUNTY OF HAWAII, DEPT. OF PARKS AND RECREATION
TAX MAP KEY 2-1-13:PORTION OF 2

Water for the proposed motorcycle facility is available from an existing 8-inch waterline with the racing complex.

The applicant is required to submit necessary construction plans for any proposed water service connections and plumbing. Further, all applicable requirements of the Department's Rules and Regulations shall be complied with.

William Sewake

H. William Sewake
Manager

QA

cc - Department of Parks and Recreation

... Water brings progress...

EXHIBIT G

DATE August 2, 1982

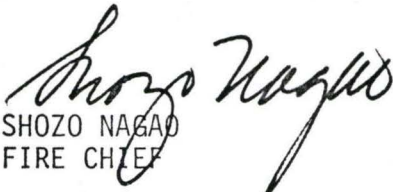
Memorandum

TO : Planning Department

FROM : Shozo Nagao, Fire Chief

SUBJECT: SPECIAL PERMIT APPLICATION (SP 82-12)
APPLICANT: COUNTY OF HAWAII, DEPT. OF PARKS & RECREATION
TAX MAP KEY 2-1-13:PORTION OF 2

We have no comments on this application.


SHOZO NAGAO
FIRE CHIEF

SN/mo

EXHIBIT H

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE August 3, 1982

Memorandum

TO : Planning Department

FROM : Chief Engineer

SUBJECT: Application for Special Permit
Applicant: County of Hawaii, Dept. of Parks & Recreation
Location: South Hilo, Hawaii
TMK: 2-1-13:por. of 2

We have reviewed the subject application and we have no comments to offer.

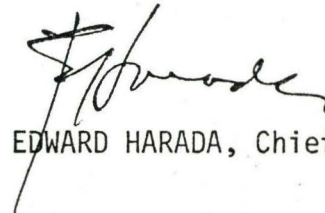

EDWARD HARADA, Chief Engineer

EXHIBIT I

GEORGE R. ARIYOSHI
GOVERNOR



JACK K. SUWA
CHAIRMAN, BOARD OF AGRICULTURE

SUZANNE D. PETERSON
DEPUTY TO THE CHAIRMAN

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 So. King Street
Honolulu, Hawaii 96814

Mailing Address:
P. O. Box 22159
Honolulu, Hawaii 96822

August 16, 1982

MEMORANDUM

To: Mr. Sidney M. Fuke, Director
Planning Department, County of Hawaii

Subject: Special Use Permit Application (SP82-12)
County of Hawaii, Department of Parks and Recreation
TMK: 2-1-13: por. 2 Panaewa, Hawaii

The Department of Agriculture has reviewed the subject application and finds that it is a resubmittal of a Special Permit application on which our Department has previously commented (December 11, 1981 and July 28, 1978). Inasmuch as the proposed use and related circumstances have not, to our knowledge, changed significantly since the previous submittal, our comments remain the same. We have enclosed copies of our previous responses for your information.

Thank you for the opportunity to comment.


JACK K. SUWA
Chairman, Board of Agriculture

Enclosures

December 11, 1981

MEMORANDUM

To: Mr. Sidney M. Fuke, Director
Planning Department
County of Hawaii

Subject: Special Permit Application (SP81-21)
County of Hawaii Department of Parks & Recreation
Panaewa Motorcylce Facility
TMK: 2-1-13: por of 2 - Panaewa

The Department of Agriculture has reviewed the subject application and although we do not specifically object to the project at this time, we are enclosing for your information, a copy of our comments to the Board of Land and Natural Resources concerning the request for a State Land Disposition for the Motorcycle Facility at Panaewa.

Thank you for the opportunity to comment.


JACK K. SUWA
Chairman, Board of Agriculture

Encl.

EXHIBIT J-1

2-1-13:02
J-1
July 28, 1978

MEMORANDUM

To: Mr. W. Y. Thompson, Chairman
Board of Land and Natural Resources

Attn: Mr. James Deter, Land Management

Subject: State Land Disposition of Waiakea, South Hilo, Hawaii
Tax Map Key: 2-1-13:02 (por.)
Applicant: County of Hawaii
Intended Use: ^{Panarewa} Motorcycle Facility (PANAREWA)
LUC Zoning: Agriculture
County Zoning: Ag-20

The Department of Agriculture questions the proposed use of the subject parcel. Permissible uses within the Agricultural District in Part III of the Land Use Regulations provide:

"(5) Public and private open area types of recreational uses including day camps, picnic grounds, parks and riding stables, but not including dragstrips, airports, drive-in theaters, golf courses, golf driving ranges, country clubs, and overnight camps."

It is also our understanding that the subject property is one of several which C. Brewer and Company, Ltd. is currently investigating for use as a macademia nut orchard, and that Brewer currently has a right-of-entry to the property granted by your Board. In reaching an agreement (signed on March 16, 1977) over the Kilauea lands, the State agreed to assist Brewer obtain land for expanding their macademia nut operations on the Island of Hawaii.

We appreciate the opportunity to comment.

JOHN FARIAS, JR.
Chairman, Board of Agriculture

EXHIBIT J-2



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

September 2, 1982

Dear Property Owner: TMK:

Special Permit Application
Waiakea, South Hilo, Hawaii
Tax Map Key 2-1-13:Portion of 2

You are hereby notified that a request for a special permit to allow the establishment of a motorcycle training and competition facility on 90+ acres of land within the State Land Use Agricultural District has been submitted by the petitioner, Department of Parks and Recreation, County of Hawaii.

The property involved is located adjacent and to the east of the existing dragstrip facility, Waiakea, South Hilo, Hawaii.

A public hearing on the subject among others will be held beginning at 1:45 p.m. in the Councilroom, County Building, South Hilo, Hawaii.

You are invited to comment on the application at the hearing or submit written comments prior to the hearing.

Sincerely,

Sidney M. Fuku
Planning Director

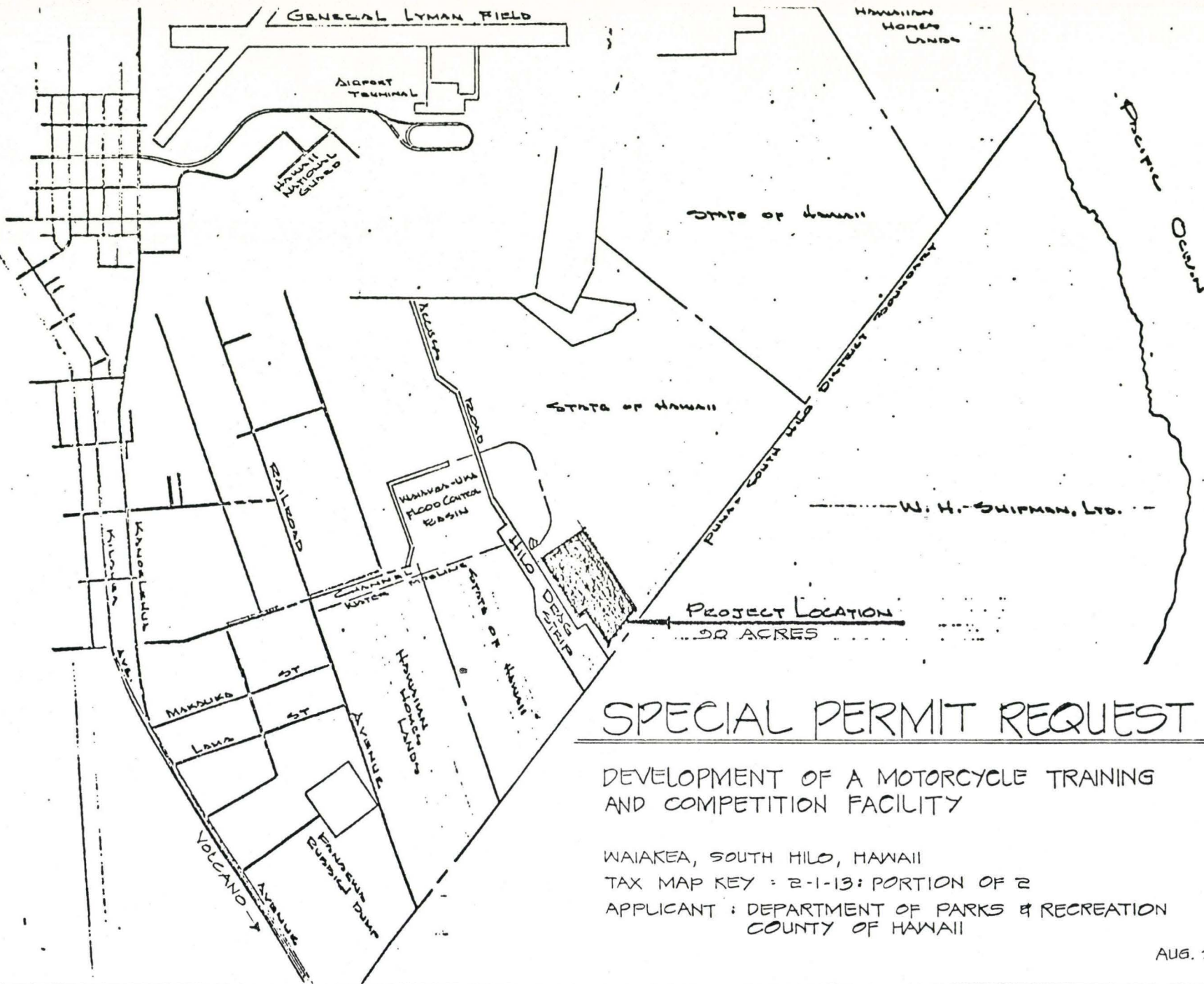
smn

Enclosure

EXHIBIT K

SEP 2 1982

NORTH
1" = 2000'



SPECIAL PERMIT REQUEST

DEVELOPMENT OF A MOTORCYCLE TRAINING
AND COMPETITION FACILITY

WAIKAE, SOUTH HILO, HAWAII

TAX MAP KEY : 2-1-13: PORTION OF 2

APPLICANT : DEPARTMENT OF PARKS & RECREATION
COUNTY OF HAWAII

AUG. 24, 1982

DEPT OF PUBLIC WORKS
COUNTY OF HAWAII
MUNICIPALITY
2-1-13: POK 2 (90 Sinos)

9

1-6-01=	142	W.H. Shipman Ltd. P.O. Box 950 Keeau, HI 96749	2-1-13: 148, 152	County of Hawaii Chief Engineer
2		Same as 1	152	Same as 148
20		Maunaloa Macadamia Nut Corp. SR. Box 3 HILO 96720	153	Same as 2-1-12 1
2-1-12=	1+3,	STATE, DLNR P.O. Box 621 Honolulu 96809	154	" "
2-1-13:	9, 10, 11,	29 and 142, 143, 153, 154, 155	154, 155	Phua Pappan Box 210 KEEAU 96749
3		Same as 1	155	Same as 2-1-12
29		" " "	155	Same as 154
2-1-13=	1,	Hawaiian Home Lands P.O. Box 1879 Honolulu 96805		
12				
4		B.P. Bishop Trust Ltd. P.O. Box 3462 HON. 96801		
4		Yamada & Sons, Inc. P.O. Box 4029 HILO 96720		
9		Same as 2-1-12:1		
10		" " "		
11		" " "		
17		" " 2-1-13:1		
142		" " 2-1-12:1		
143		" " "		
143		Dept. of Transportation 869 Honolulu St Hon. 96813		

~~EXHIBIT L-2~~

EXHIBIT K-2

September 3, 1982

Mr. Milton Hakoda, Director
Department of Parks and Recreation
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Hakoda:

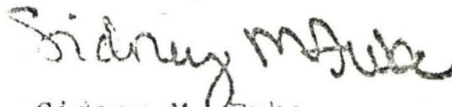
Notice of a Public Hearing
Special Permit Application
Tax Map Key 2-1-13:Portion of 2

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 1:45 p.m. on Thursday, September 16, 1982, in the Councilroom, County Building, South Hilo, 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 the agenda are enclosed for your information.

Sincerely,



Sidney M. Fuke
Director

smn

Enclosures

EXHIBIT L

SEP 3 1982

PUBLIC HEARINGS
PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii.

PLACE: Councilroom, County Building, South Hilo, Hawaii

DATE: Thursday, September 16, 1982

TIME: 1:45 p.m. (Item No. 1)

2:30 p.m. (Item Nos. 2-3)

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

1. PETITIONER: DEPARTMENT OF PARKS AND RECREATION, COUNTY OF HAWAII

LOCATION: Adjacent and to the east of the existing dragstrip facility, Waiakea, South Hilo.

TMK: 2-1-13:Portion of 2

PURPOSE: Special Permit to allow the establishment of a motorcycle training and competition facility on 90+ acres of land situated within the State Land Use Agricultural District.
2. PETITIONER: MINORU SHIGEOKA

LOCATION: Between Kilauea Avenue and the KTA Complex, approximately 500 feet Puna side of the

EXHIBIT L-1

Kilauea Avenue-Puainako Street intersection,
Waiakea Homestead House Lots, South Hilo.

TMK: TMK: 2-2-40:09

PURPOSE: Continuation of a public hearing on the
petition for an appeal filed by Minoru
Shigeoka on the Planning Director's denial
action on a change of zone application for 1
acre of land from a Single-Family Residential
- 10,000 square foot (RS-10) to a Neighborhood
Commercial - 10,000 square foot (CN-10) zoned
district.

3. PETITIONER: SYLVIA CABRAL HESSLER

LOCATION: Western corner of the Hawaii Belt Highway-Kula
Kai Boulevard intersection, approximately
3,200 feet Kona side of the Ocean View General
Store, Kula Kai View Estates Subdivision,
Kahuku, Kau.

TMK: 9-2-184:4, 5 & 6

PURPOSE: Continuation of a public hearing on the
application filed by Sylvia Cabral Hessler for
a Special Permit to allow the establishment of
a preschool day care center, French
bakery-deli, garden shop and gas station on 9
acres of land situated within the State Land
Use Agricultural District.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date, or in person at the public hearing.

PLANNING COMMISSION,
Alfredo Orita, Chairman
By Sidney M. Fuke
Planning Director

(Hawaii Tribune Herald: September 3, 1982)



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

September 9, 1982

Dear Property Owner: TMK:

Special Permit Application
Waiakea, South Hilo, Hawaii
Tax Map Key 2-1-13:Portion of 2

Please refer to our letter dated September 2, 1982, regarding a public hearing on a special permit request by the Department of Parks and Recreation, County of Hawaii, to allow the establishment of a motorcycle training and competition facility on 90+ acres of land within the State Land Use Agricultural District.

This is to inform you that the date of that public hearing is Thursday, September 16, 1982, and will begin at 1:45 p.m. in the Councilroom, County Building, South Hilo, Hawaii.

You are invited to comment on the application at the hearing or submit written comments prior to the hearing.

Sincerely,

Sidney M. Fuku
Planning Director

smn

EXHIBIT M

SPECIAL PERMIT: COUNTY OF HAWAII - DEPARTMENT OF PARKS & RECREATION

The petitioner, the County of Hawaii Department of Parks and Recreation, is requesting a Special Permit to allow the development of a motorcycle training and competition facility on 90 acres of land situated within the State Land Use Agricultural District. The area involved abuts the northeast boundary of the Panaewa Drag Strip Complex, Waiakea, South Hilo, TMK: 2-1-13:portion of 2.

For the Commission's information, it should be noted that this is the same request that was previously heard by the Planning Commission on December 17, 1981. After taking testimony during the public hearing, the Planning Commission voted to send a favorable recommendation to the State Land Use Commission.

On February 2, 1982, the State Land Use Commission considered the request and it failed to receive the necessary 5 votes for approval. The application was thus denied in a Decision and Order dated April 8, 1982. The basis for this action was State Land Use Commission's finding the lack of sufficient evidence to establish that the Special Permit guidelines were met by the application.

The property under consideration is a portion of a 3,200+-acre parcel owned by the State of Hawaii. On October 13, 1978, the Board of Land and Natural Resources approved of and voted to recommend to the Governor the issuance of an executive order setting aside the subject area under the management and control of the County of Hawaii, Department of Parks & Recreation, subject to the following terms and conditions:

EXHIBIT N

1. That the County obtain a Special Permit or District Boundary Amendment prior to the issuance of the executive order;
2. That the County shall be responsible for the subdivision of the parcel; and
3. That prior to the subdivision of said parcel the County shall submit, for review and acceptance of the Board Chairman, a metes and bounds description and a survey map of the designated area.

At the same meeting, the Board granted a right-of-entry for planning and surveying purposes.

For the commissioners' information, an environmental assessment and negative declaration for the project was published in the November 23, 1981, Environmental Quality Commission Bulletin.

The property under consideration is designated as Orchards by the General Plan Land Use Pattern Allocation Guide Map and zoned Agricultural-20 acre (A-20a).

According to the Soil Conservation Service Soil Survey Report dated December 1973, the soil on the subject property is "Papai extremely stony muck." In representative profile this soil has a surface layer of dark brown extremely stony muck about 8 inches thick underlain by fragmental A'a lava. Permeability is rapid, runoff is slow and the erosion hazard is slight. The Soil Study Bureau classification of this soil is class E or very poor.

Rainfall in the vicinity averages about 144 inches per year.

The environmental assessment states, in part, the following:

"Vegetation within the site consists of 'ohia, lama, false staghorn, guava, hala, kukui, and tree ferns. Other introduced plants include trumpet trees, melastoma, melochia, and lantana. There are no known endangered flora or fauna or recorded historical or archaeological sites within the general area.

"The project is being spearheaded by the Big Island Motorcycle Association (BIMA), and the following improvements have been proposed:

1. clearing, grubbing, and contour grading of the site;
2. extension of a waterline from the drag racing complex;
3. grading an area for parking and constructing a pit area and motorcycle track and course; and
4. constructing accessory structures, e.g., spectator and concession facilities, comfort stations, etc.

"Foreseeable impacts, should this project proceed, include the conversion of a forest environment to a recreational motorcycle complex with support facilities, with parts of the forest remaining as buffer zones. Since the land is not presently being used for agriculture or any other use, no loss of productivity would result.

"The location of the facility in a relatively remote area, retention of the natural forest on the perimeters of the facility, and the requirement that mufflers be installed on all motorcycles should minimize and/or eliminate all potential

sources of noise pollution. The adjacent drag racing complex poses no significant noise problems and none are expected with the addition of the proposed motorcycle facility.

"The County has developed a master plan for a major sports complex in the general area. Potential impacts to this complex cannot, however, be determined at this time since no commitment of land or funds have been made for the sports complex. If the complex does become a reality, potential conflicts can be resolved during the subsequent planning and design phases."

Access to the proposed facility would be via the drag strip's temporary access road.

Surrounding land uses include the drag strip, macadamia nut orchards, and vacant lands. The nearest house is located within the Hawaiian Homes agricultural subdivision approximately 6,000 feet from the proposed motorcycle facility.

In support of the request the petitioner stated, in part, the following:

"The proposed facility is intended to satisfy recreational motorcycling needs, as expressed by the Big Island Motorcycle Association.

"The proposed site adjoins the County's drag racing complex for which a special permit was previously approved. Centralizing these similar type activities would result in maximizing use of existing public services and utilities."

Upon review of the subject request the Soil Conservation Service stated, "We do not anticipate any major flooding in this area but there may be problems with the installations of footings and sceptic tanks due to pahoe hoe and aa lava being at depths of less than 10 inches."

The Water Department stated, "Water for the proposed motorcycle facility is available from an 8-inch waterline with the racing complex. The applicant is required to submit construction plans for any proposed water service connections and plumbing. Further, all applicable requirements of the Department's Rules and Regulations shall be complied with."

The State Department of Health commented, "Found no Environmental Health concerns with regulatory implications in the submittals."

(Read DOA comments)

None of the other cooperating agencies had any comments on or objections to the subject request.

RECOMMENDATION: COUNTY OF HAWAII, DEPARTMENT OF PARKS AND RECREATION

Upon careful review of the subject request, staff recommends that the request be given favorable consideration based on the following findings:

That the approval of the subject request would not be contrary to objectives of the land use law and regulations. The objective of the land use law and regulations is to preserve, protect, and encourage the development of land within the State for those uses to which these lands are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The subject property is situated within a vast State owned parcel encompassing approximately 3,200 acres of land. The proposed 90-acre parcel upon which the facility would be constructed and operated is not expected to significantly detract from the agricultural potential of the area nor the island. To a degree, it is expected that the establishment of such a facility will in fact aid existing and potential agricultural uses by diverting informal motorcycle activities away from uncontrolled situations in surrounding areas and into controlled and supervised conditions on the property. Further, by providing training, it should be beneficial in improving rider skills and hopefully thereby increase the safety of these riders. In this way, it is felt that the approval of the request will further the public health and welfare.

That the approval of the subject request is not expected to adversely affect surrounding properties.

The desired use would not adversely affect surrounding property. The proposed site for the requested use is located in an area which is relatively isolated from residential development. It is within the Panaewa forest and the nearest residential uses are approximately 6,000 feet to the west. Other surrounding uses within less than one mile from the proposed site are basically of a public or large-scale agricultural nature. The lands immediately surrounding the site include the drag strip, macadamia orchards and forest.

In essence, the forest within which the proposed facility is to be located covers a vast area. The entire motorcycle facility site consists of 90 acres in a State-owned parcel of 3200+ acres. Not all of the 90 acres will be cleared, as two hundred (200)-foot wide buffers will be provided. The remoteness from areas of residence and other areas where continuous activities occur effectively mitigates adverse impacts which may otherwise occur.

That the approval of the subject request is not expected to place unreasonable burdens on public agencies to provide roads and streets, water drainage, or school improvements nor police or fire protection. The location of the subject property adjacent to the existing drag strip means that many of the required services are already present such as access and water

service. Further the centralization of such facilities in one general area should facilitate the upgrading of such services should the need ever arise.

That unusual trends and conditions have arisen since the enactment of land use law and regulations. The sport of motocross riding is a relatively recent occurrence. While there are not registration statistics which would demonstrate this, since these vehicles are often not registered for use on public roads, the popularity of the sport has in fact been growing.

The land upon which the proposed use is sought is generally unsuited for the uses permitted within the district. The State Land Use Commission's Agricultural designation includes lands which are not suited to agricultural and ancillary activities by reason of topography, soil and other related characteristics. The subject site has a slight soil overlaying a'ala lava. Its productivity class, based on the Land Study Bureau Soil Survey is class E or very poor. Such soils have very severe limitations which make them generally unsuited to cultivation.

At the present time, the proposed site is essentially vacant and unused. The 90-acre area would be partially converted from a forest to a public recreational use. Implementing the motorcycle facility proposal will not result in the loss of presently productive land or of a valuable natural area. The land would instead be used for a needed public recreational facility.

It is further recommended that approval of the special permit request be subject to the following conditions:

1. That the petitioner, the County Department of Parks and Recreation, shall be responsible for complying with all stated conditions of approval.
2. That tentative subdivision approval be secured by the applicant within one (1) year from the date of approval of the special permit. Final subdivision approval shall be secured within one (1) year thereafter.
3. That plans shall be submitted and Final Plan Approval secured in accordance with Chapter 8 (Zoning Code), Hawaii County Code, be secured within one (1) year from the effective date of the Permit.
4. That construction of the proposed facility commence within one (1) year from the date of receipt of Final Plan Approval and be completed within three (3) years thereafter.
5. That two buffer zones with a minimum width of 200 feet each be provided on the south and west sides of the facility.
6. That the Department of Parks and Recreation develop and adopt use regulations for the subject facility prior to its occupancy.

7. That the temporary drag strip access road to the facility may be used until the permanent drag strip access is completed. Upon completion of this permanent access, use of the temporary access by the motorcycle facility shall terminate.
8. That all other applicable rules, regulations and requirements, including noise and air quality standards, be complied with.

Should any of the foregoing conditions not be met, this Special Permit shall be automatically void.

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date September 16, 1982

Petitioner County, P&R - Special Permit/Motorcycle training & competition facility

 Preliminary hearing Public hearing Request ☒ Action

ACTION: ☒ Approve

 Deny

 Defer

 Continue

 Schedule for public hearing

Other: _____

Commissioners	Aye	No	Excused	Abstain
FRIAS, Glenn <i>2nd</i>	☒			
IMADA, Clyde (Vice Chairman)	☒			
KAGAWA, Roy <i>M</i>	☒			
KOI, Barbara Ann	☒			
NAKANO, Bert	☒			
PONTE, George			<i>Absent</i>	
THOMPSON, Donald	☒			
WHITMARSH, Tina			<i>Absent</i>	
ORITA, Alfredo (Chairman)	☒			

EXHIBIT *P*

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
September 16, 1982

The Planning Commission met in regular session at 1:45 p.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman Alfredo Orita presiding.

PRESENT: Alfredo Orita
Glenn Frias
Clyde Imada
Roy Kagawa
Barbara Koi
Bert Nakano
Donald Thompson

ABSENT: Tina Whitmarsh
George Ponte

Ex-officio Member
H. William Sewake
Ex-officio Member
Edward Harada

Sidney M. Fuke, Planning Director
Norman Hayashi, Staff Planner
Brian Nishimura, Staff Planner

Ben Tsukazaki, Deputy Corporation Counsel

and approximately 6 people at 1:45 p.m., 4 people at
2:11 p.m., 4 people at 2:39 p.m., and one person at
4:45 p.m.

All those testifying were duly sworn in.

SMA USE PERMIT
DEPARTMENT OF PARKS
AND RECREATION,
COUNTY OF HAWAII,
WAIAKEA,
SOUTH HILO

Public hearing on the application of the Department of Parks and Recreation, County of Hawaii, for a Special Permit to allow the establishment of a motorcycle training and competition facility on 90+ acres of land situated within the State Land Use Agricultural District. The property involved

is located adjacent and to the east of the existing dragstrip facility, Waiakea, South Hilo, TMK: 2-1-13:Portion of 2.

Staff presented background and recommendation for approval with conditions, on file.

The petitioner's representative, Ronald Okamura, stated that they would be able to comply with the conditions as outlined by the staff.

Under public testimony, Glenn Taguchi of the Department of Land and Natural Resources, noted that the Board of Land and Natural Resources did grant C. Brewer a right-of-entry to explore the possibility of utilizing State's lands for macadamia nut orchards; subsequently, however, C. Brewer has informed the Board that they were not interested as there were unsufficient lands to make it economically feasible.

Under public testimony, David Webster, a member of the Big Island Motorcycle Association who has been working for such a facility for eight years, spoke on the need as it will help the children stay out

EXHIBIT Q

of trouble. He noted that they expect to have meets no more than twice a month.

It was moved by Commissioner Imada and seconded by Commissioner Thompson that the public hearing be closed. Motion was carried.

It was moved by Commissioner Kagawa and seconded by Commissioner Frias to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with seven ayes.

SMA USE PERMIT
DEPARTMENT OF PARKS
AND RECREATION
WAIAKEA,
SOUTH HILO

Public hearing on the application of the Department of Parks and Recreation, County of Hawaii, for a Special Management Area (SMA) Use Permit to allow the construction of a 2,280-square foot building and related improvements to serve as a training area for boxing. The property involved is the site of the Waiakea Recreation Center Complex, located adjacent to and along the mauka side of Kamehameha Avenue, Waiakea, South Hilo, TMK: 2-2-32:33.

Staff presented background and recommendation for approval with conditions, on file, noting the building will basically be a wooden structure.

The petitioner's representative, Ronald Okamura, said he did not anticipate any real increase in traffic, and there is parking available. He noted that it will take nine months to a year for completion of this facility, and that some of the \$90,000 appropriated has already been expended for the consultants to draw up the plans. He then stated that they would be able to comply with the conditions as outlined by the staff.

There was no one testifying on the application.

It was moved by Commissioner Kagawa and seconded by Commissioner Nakano that the public hearing be closed. Motion was carried.

It was moved by Commissioner Kagawa and seconded by Commissioner Imada that the application be approved for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with seven ayes.

SMA USE PERMIT
CUTLER-HANLEY
JOINT VENTURE
KUKUAU 2ND,
SOUTH HILO

Public hearing on the application of Cutler-Hanley Joint Venture for a Special Management Area (SMA) Use Permit to allow certain renovations to the existing service station facility which include the installation of new fiberglass non-corrosive storage tanks with fiberglass non-corrosive piping, the installation of electronic automatic self-serve facilities, and to allow the conversion of the existing building into a convenience store operation. The property involved is located on the southern corner of Kamehameha Avenue-Ponahawai Street intersection, Downtown Hilo, Kukuau 2nd, South Hilo, TMK: 2-2-06:27.

Staff presented background and recommendation for approval with conditions, on file.

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
September 16, 1982

A regularly advertised public hearing on the application of the Department of Parks and Recreation, County of Hawaii, was called to order at 1:45 p.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman Alfredo Orita presiding.

PRESENT: Alfredo Orita
Glenn Frias
Clyde Imada
Roy Kagawa
Barbara Koi
Bert Nakano
Donald Thompson

ABSENT: George Ponte
Tina Whitmarsh

Exofficio Member
H. William Sewake
Exofficio Member
Edward Harada

Sidney M. Fuke, Planning Director
Norman Hayashi, Staff Planner
Brian Nishimura, Staff Planner

and approximately 6 people from the audience were in attendance

CHAIRMAN: Public hearing on the application of the Department of Parks and Recreation, County of Hawaii, for a Special Permit to allow the establishment of a motorcycle training and competition facility on 90± acres of land situated within the State Land Use Agricultural District. The property involved is located adjacent and to the east of the existing dragstrip facility, Waiakea, South Hilo, TMK: 2-1-13:Portion of 2. Staff?

NISHIMURA: (Presented background and recommendation for approval with conditions, on file.)

CHAIRMAN: Thank you, Brian. Commissioners, are there any questions for the Department? No questions. Is the applicant present? Will you come forward, please. Will you raise your right hand. Do you solemnly swear or affirm that the testimony you're about to give shall be the truth, the whole truth and nothing but the truth?

OKAMURA: I do.

CHAIRMAN: Will you state your name into the mike for the record, please.

OKAMURA: Ronald Okamura, Department of Parks and Recreation.

CHAIRMAN: Is there any addition or correction to the background report that staff has just read into the record?

EXHIBIT R

OKAMURA: No.

CHAIRMAN: Commissioners, are there any questions you'd like to ask the applicant? No questions? I have a question. I think when staff read the background report, this is more so a resubmittal, am I correct?

OKAMURA: Right.

CHAIRMAN: And one of the reasons it was denied was based on the fact that there was lack of sufficient evidence.

OKAMURA: Based on the criteria that the Land Use Commission set forth.

CHAIRMAN: Is there any reason why it will not be denied again, to your knowledge? Will the same evidence be presented again with the application?

OKAMURA: No. I think the staff added a few to make our case stronger. They added a few statements in the application.

CHAIRMAN: I see. There's another question pertaining to the letter of July 28, 1978, saying "Public and private open area types of recreational uses including day camps, picnic grounds, parks and riding stables, but not including dragstrips, airports, drive-in theaters, golf courses, golf driving ranges, country clubs, and overnight camps." This is from the Board of Agriculture, John Farias. And it states that "It is also our understanding that the subject property is one of several which C. Brewer and Company, Ltd. is currently investigating for use as a macadamia nut orchard...." Is there any truth in that statement?

OKAMURA: I understand the request from C. Brewer went in several years ago; and they have not pursued it since then. Because we were asked by them at one time about the access, when we're going to build a permanent access and we said we don't know yet because of funding restrictions; and nobody contacted us after that as far as C. Brewer is concerned.

CHAIRMAN: Thank you. Commissioners, any questions for the applicant? If not, thank you. You may be seated. This is a public hearing. Is there anyone in the audience that would like to give testimony? Will you come forward, please. Do you solemnly swear or affirm that the testimony you're about to give shall be the truth, the whole truth, and nothing but the truth?

TAGUCHI: Yes, I do.

CHAIRMAN: Will you state your name into the mike for the record, please.

TAGUCHI: My name is Glenn Taguchi. I represent the Department of Land and Natural Resources. In the previous question that you asked Mr. Okamura, what transpired was that there was an agreement between C. Brewer and the State in trying to help them find more macadamia nut lands; and, in fact, the Board did grant them the

right-of-entry to explore the possibility of the 3,000 some odd acres. C. Brewer did go in, they did do an ag study on it; and they found that the lands, there was insufficient area within that parcel to make it economically feasible to go into macadamia on that particular site. And so they informed the Board that they were not interested in that particular piece of property. We have, in fact, allowed certain areas, as well as granting a right-of-entry over 90 acres to the County of Hawaii for this motorcycle training facility. We've also allowed Puna Papaya to go in and develop some areas of papaya in there which they don't need as good a soil condition as the macadamia nut people would. The Board is still, the file is still active and we've recommended approval and submission to the Land Use Commission in accordance to the conditions set forth by the Board.

CHAIRMAN: Thank you. Commissioners? Thank you. You may be seated. Will the applicant come forward again, please. There was one questions I forgot to ask you, sir. The conditions which are being proposed by the Department, have you any objections?

OKAMURA: No. I think we went through the same procedures when we developed the drag strip. So we will comply.

CHAIRMAN: Thank you. You may be seated. Is there anyone else in the audience that would like to give public testimony? Will you come forward, please. Will you raise your right hand. Do you solemnly swear or affirm that the testimony you're about to give shall be the truth, the whole truth and nothing but the truth?

WEBSTER: I do.

CHAIRMAN: Will you state your name into the mike for the record.

WEBSTER: David Webster.

CHAIRMAN: David, you may proceed.

WEBSTER: Yeah. I've been a resident of this State since 1950. I've lived on this island for the last eight years. I've been a member of the Big Island Motorcycle Association for most of that time; and I'd like to go on record as being for this facility. It's a good opportunity for the kids to have some place to go so they aren't running around the canefields, running in cables, getting in, just generally getting into trouble. This facility is badly needed as a recreation facility. And we've been working for, ever since I've been here, eight years trying to get some place like this. I don't know whether you're familiar with it, but we tried to get a place up at Pohakuloa and we tried to get this place; and I do feel it's badly needed. I'd like to answer any questions any of you have concerning the motorcycles.

CHAIRMAN: Thank you, David. Commissioners, any questions?

THOMPSON: I have a question, Mr. Chairman.

CHAIRMAN: Commissioner Thompson.

THOMPSON: About how many times a week do you expect to have meets?

WEBSTER: I would expect no more than twice a month.

THOMPSON: Thank you.

CHAIRMAN: Commissioners, any other questions? Thank you. You may be seated.

WEBSTER: Thank you.

CHAIRMAN: Anyone else from the audience that would like to give public testimony? If none, Commissioners, you have an option to continue the public hearing or close the public hearing.

IMADA: Mr. Chairman, I move to close the public hearing.

CHAIRMAN: Any second?

THOMPSON: Second.

CHAIRMAN: It has been moved and seconded that the public hearing be closed. All those in favor say aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose? The public hearing is closed.

It was moved by Commissioner Kagawa and seconded by Commissioner Frias to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with seven ayes.

The public hearing adjourned at 2:11 p.m.

Respectfully submitted,

Sharon M. Nomura

Sharon M. Nomura
Secretary

A T T E S T:

Alfredo Orita
Chairman, Planning Commission

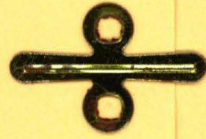
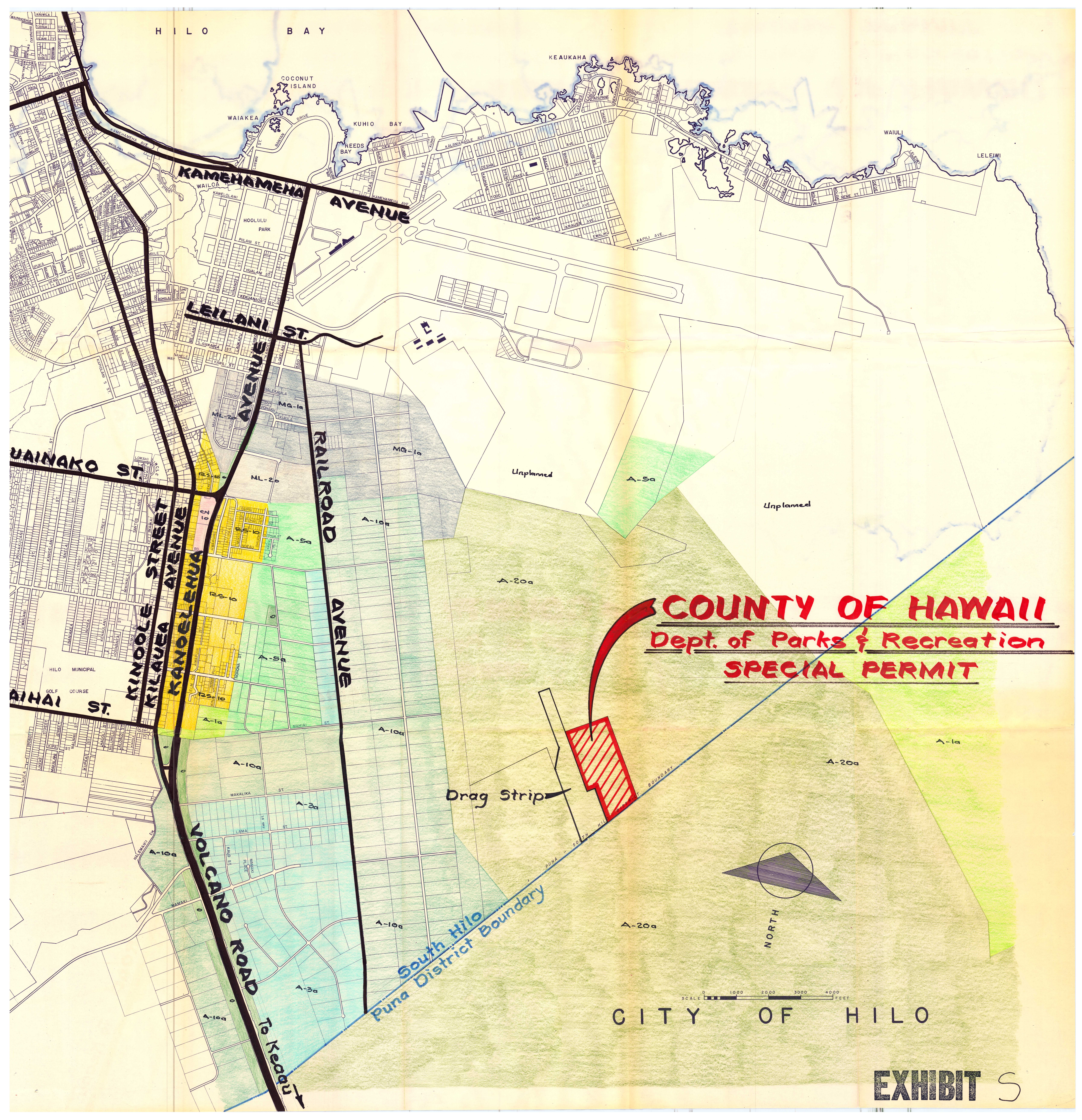


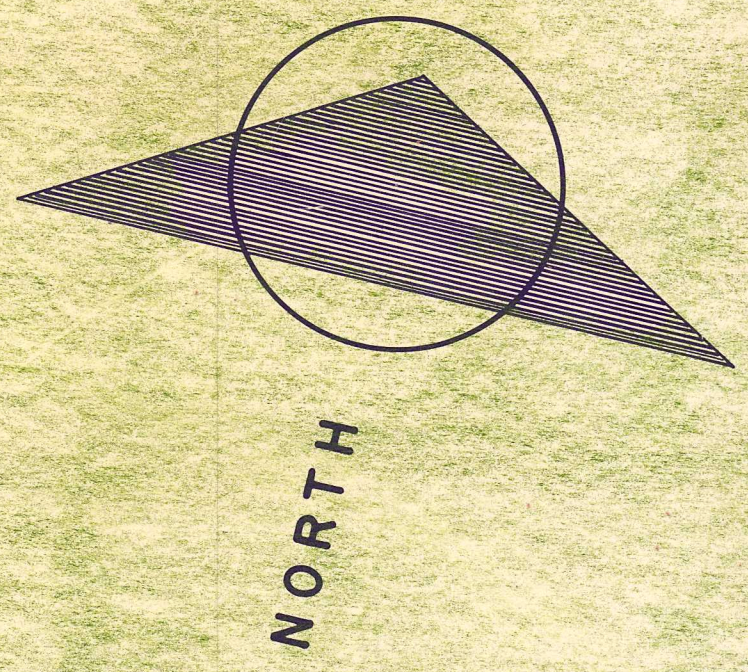
EXHIBIT "S"



COUNTY OF HAWAII
Dept. of Parks & Recreation
SPECIAL PERMIT

Drag Strip

South Hilo
Puna District Boundary



SCALE 0 1000 2000 3000 4000 FEET

CITY OF HILO

EXHIBIT S



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

CERTIFIED MAIL

September 17, 1982

Mr. Milton Hakoda, Director
Department of Parks and Recreation
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

Dear Mr. Hakoda:

Special Permit Application
Motorcycle Training and Competition Facility
TMK: 2-1-13:Portion of 2

SEP 27 11 52 AM '82
LAND USE COMMISSION
STATE OF HAWAII

The Planning Commission at its duly held public hearing on September 16, 1982, considered your application, Special Permit No. 520, to allow the establishment of a motorcycle training and competition facility on 90+ acres of land situated within the State Land Use Agricultural District. The property involved is located adjacent and to the east of the existing dragstrip facility, Waiakea, South Hilo, Hawaii.

The Commission voted to recommend the approval of your Special Permit request to the Land Use Commission, based on the following considerations:

That the approval of the subject request would not be contrary to objectives of the land use law and regulations. The objective of the land use law and regulations is to preserve, protect, and encourage the development of land within the State for those uses to which these lands are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The subject property is situated within a vast State owned parcel encompassing approximately 3,200 acres of land. The proposed 90-acre parcel upon which the facility would be constructed and operated is not expected to significantly detract from the agricultural potential of the area nor the island. To a degree, it is expected that the establishment of

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such a facility will in fact aid existing and potential agricultural uses by diverting informal motorcycle activities away from uncontrolled situations in surrounding areas and into controlled and supervised conditions on the property. Further, by providing training, it should be beneficial in improving rider skills and hopefully thereby increase the safety of these riders. In this way, it is felt that the approval of the request will further the public health and welfare.

That the approval of the subject request is not expected to adversely affect surrounding properties.

The desired use would not adversely affect surrounding properties. The proposed site for the requested use is located in an area which is relatively isolated from residential development. It is within the Panaewa forest and the nearest residential uses are approximately 6,000 feet to the west. Other surrounding uses within less than one mile from the proposed site are basically of a public or large-scale agricultural nature. The lands immediately surrounding the site include the drag strip, macadamia orchards and forest.

In essence, the forest within which the proposed facility is to be located covers a vast area. The entire motorcycle facility site consists of 90 acres in a State-owned parcel of 3200+ acres. Not all of the 90 acres will be cleared, as two hundred (200)-foot wide buffers will be provided. The remoteness from areas of residence and other areas where continuous activities occur effectively mitigates adverse impacts which may otherwise occur.

That the approval of the subject request is not expected to place unreasonable burdens on public agencies to provide roads and streets, water drainage, or school improvements nor police or fire protection. The location of the subject property adjacent to the existing drag strip means that many of the required services are already present such as access and water service. Further the centralization of such facilities in one general area should facilitate the upgrading of such services should the need ever arise.

That unusual trends and conditions have arisen since the enactment of land use law and regulations. The sport of motocross riding is a relatively recent occurrence. While there are not registration statistics which would demonstrate this, since these vehicles are often not registered for use on public roads, the popularity of the sport has in fact been growing.

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The land upon which the proposed use is sought is generally unsuited for the uses permitted within the district. The State Land Use Commission's Agricultural designation includes lands which are not suited to agricultural and ancillary activities by reason of topography, soil and other related characteristics. The subject site has a slight soil overlaying a'a lava. Its productivity class, based on the Land Study Bureau Soil Survey is class E or very poor. Such soils have very severe limitations which make them generally unsuited to cultivation.

At the present time, the proposed site is essentially vacant and unused. The 90-acre area would be partially converted from a forest to a public recreational use. Implementing the motorcycle facility proposal will not result in the loss of presently productive land or of a valuable natural area. The land would instead be used for a needed public recreational facility.

The Commission further recommended to the Land Use Commission, that approval of your Special Permit request be subject to the following conditions:

1. That the petitioner, the County Department of Parks and Recreation, shall be responsible for complying with all stated conditions of approval.
2. That tentative subdivision approval be secured by the applicant within one (1) year from the date of approval of the special permit. Final subdivision approval shall be secured within one (1) year thereafter.
3. That plans shall be submitted and Final Plan Approval secured in accordance with Chapter 8 (Zoning Code), Hawaii County Code, be secured within one (1) year from the effective date of the Permit.
4. That construction of the proposed facility commence within one (1) year from the date of receipt of Final Plan Approval and be completed within three (3) years thereafter.
5. That two buffer zones with a minimum width of 200 feet each be provided on the south and west sides of the facility.
6. That the Department of Parks and Recreation develop and adopt use regulations for the subject facility prior to its occupancy.

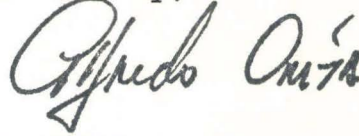
Mr. Milton Hakoda, Director
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7. That the temporary drag strip access road to the facility may be used until the permanent drag strip access is completed. Upon completion of this permanent access, use of the temporary access by the motorcycle facility shall terminate.
8. That all other applicable rules, regulations and requirements, including noise and air quality standards, be complied with.

Should any of the foregoing conditions not be met, this Special Permit shall be automatically void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



ALFREDO ORITA
CHAIRMAN, PLANNING COMMISSION

lgv

cc: State Land Use Commission
Department of Public Works
Department of Water Supply