The Planning Commission held a meeting on March 15, 2017, at 1:30 p.m., at the Mission Memorial Conference Room, Mission Memorial Building, 550 South King Street, Honolulu, Hawaii. Chair Dean Hazama presided.

COMMISSIONERS PRESENT: Dean I. Hazama, Chair
Theresa C. McMurdo, Vice Chair
[departed at 3:20 p.m.]
Cord D. Anderson
Kalulani K. Sodaro
Arthur B. Tontiño
Daniel S. M. Young
Ken K. Hayashida

COMMISSIONERS EXCUSED: Wilfred A. Chang, Jr.
Steven S. C. Lim

COMMISSION STAFF: Gloria Takara, Secretary-
Hearings Reporter

DEPUTY CORPORATION COUNSEL: Jennifer D. Waihee-Polk
(Advisory to the Commission)

DPP REPRESENTATIVES: Raymond Young, Staff Planner,
Community Planning Branch (Item No. 1)
Mike Watkins, Staff Planner,
Policy Planning Branch (Item No. 2)

Chairman: Okay. Good afternoon. At this time I call the meeting of the Planning Commission, March 15, 2017 to order. [bangs gavel] First item on the agenda is approval of the regular meeting minutes for February 15th and March 1st, 2017, as well as executive session minutes for March 1st, as previously circulated, to be approved by the Commission. Commissioners, do we have any questions or comments regarding the minutes and executive session minutes? [no response] Seeing none, any corrections? [no response] Okay. Any objections to adopting the minutes? Member Sodaro: None.

Chairman: Any abstentions? [no response] Okay. Seeing none, the minutes are adopted.

Our next order of business on our agenda is--We need a motion to move into executive session at this time, so that the Commission can consult with their attorney on authorities, duties, privileges and immunities pertaining to Section 205-6 of the Hawaii Revised Statutes, as amended, and Chapter 2, Subchapters 4 and 5 of the rules governing Planning Commission in accordance with HRS 92-5.

Member Anderson: Chair, I'll make the motion to move into executive session.

Chairman: So moved.

Member Tontiño: Second.

Chairman: Moved and seconded. Any objections? [no response] Any abstentions? [no response] Okay. At this time, ladies and gentleman we are in executive session. I'll ask for the room to be cleared, please.

[EXECUTIVE SESSION]

[At 1:33 p.m., those not participating in the 8 executive session exited the hearings room. Note: Deputy Corporation Counsel Barry W. Francis remained in the 10 hearings room with the Planning Commissioners and Deputy Corporation Jennifer D. Waihee-Polk]

[The Planning Commissioners reconvened at 1:43 p.m.]

Chairman: Okay. Thank you for your patience. At this time I call the meeting back to order. [bangs gavel] Moving onto our agenda, continued public hearing. Public hearing notice for the following matter regarding Kapolei, Ewa, Oahu, State Special Use Permit, 2016/SUP-1, Gill Ewa Lands, LLC. At the interest of time, I'll call up both Department and applicant. You can come up. Good afternoon, gentlemen. Go ahead.

Mr. Young: Good afternoon, Mr. Chair, members of the Commission. My name is Raymond Young, and I'm representing the Department of Planning and Permitting's position on this Special Use Permit application.
Chairman: Okay.

Mr. Gill: And, I'm Gary Gill, member of the managing committee of Gill Ewa Lands, LLC. I represent the applicant today for the modernization of our permit for Camp Palahuna, formerly known as Camp Timberline.

Chairman: Okay. Department, you have anything to add at this time?

Mr. Young: Yes. Thank you, sir. I assume you folks got the letter from Mr. Gill dated January 13th, 2017. Essentially we had a meeting with Mr. Gill and this letter pretty much summarizes our discussions during the meetings and our amendments to the conditions as was discussed.

Generally, we don't have any problem with this. I would just want to point out that when you defer the Department of Health—I'm sorry, the Condition 1, regarding the submittal of verification from the Department of Health that the applicant has sufficient sewage capacity to accommodate 300 people. When you defer that to the CUP process, and perhaps the applicant can respond to this. There is no deadline for the applicant to apply for the CUP. They don't have one now, and so you might want to consider how that might, you know, play out.

Chairman: Okay. Other than that, you have any other issues?

Mr. Young: No. We're fine with the letter as recommended.

Chairman: Okay. Mr. Gill, do you have any--

Mr. Gill: Thank you. I would like to urge your support for this modernization of the permit. We had some discussion at the last meeting, and I hope you've all had a chance to read the permit application. I think had not been circulated the last time. Worked hard on it. So, I hope you all had a chance to read it. Again, just in summary, all we're trying to do is modernize the existing conditions for the operation of the youth camp, now known as Camp Palahuna.

The original permit dates back to the early 1960s. There's been a lot of changes on Oahu since then. But our intention is to continue as has been taken place for 50 years up there. Primarily a youth camp. We're simply looking to expand in the permit. Some of the allowed uses like teacher retreats and training classes and things like that, which are necessary in order to keep the camp financially viable. So, we hope to have your support, and I'm happy to answer any questions that you may have.

Chairman: Okay. Commissioners, any questions of either the Department or applicant at this time?

Member Sodaro: Raymond, in the applicant's letter for No. 5, I'm wanting to ask, it says other uses under HRS 205, is that, is HRS 205 fully stated as on the agenda under the request where it states to amend the existing SUP and it lists all of those uses or those selected uses by the applicant?

Mr. Young: Let me try to rephrase the question.

Member Sodaro: Yes.

Mr. Young: The applicant has requested a certain number of uses. We generally support most of them, except certain ones. For example, like the celebrations, the wedding receptions, those kind of things. And then, of course, we want to be sure that whatever is being proposed that's already permitted in Chapter 205 is not excluded.

So, I think that was the purpose of that condition.

Member Sodaro: So, can you point me to the page number in the draft findings of facts, and conclusions, the recommendation. Because I know we covered the no weddings before. I'm just trying to fully understand what uses are going to be allowed. Because it's inconsistent.

Mr. Young: I don't recall in our Director's report we called out all the uses that would've been permitted by Chapter 205. That kind of speaks for itself. If you have a specific use in mind that you may want to ask about, we can give you our opinion as to whether or not that would be permitted.

Member Sodaro: So, on the agenda, on the request, it has a lot of stated uses.

Mr. Young: Yes.

Member Sodaro: But is that assume then to all the approved uses? Because my challenge is understanding what the impacts are if we don't know if we're supposed to solve for all of the impacts for a diversity of uses that could be spectator event or teacher and professional training. This is really a long lists of uses. I'm just trying to understand what uses—we're here for a request for an intensity of uses. So, I'm just trying to be really clear on what that intensification is.

Mr. Young: I guess I can refer to our Director's report as to what we are recommending the approve as part of the special use permit.

Member Sodaro: Okay. What page do you want us to go to?

Mr. Young: Let me just read off Condition 5. So, uses permitted by this SUP at the Petition Area shall be as follows: Overnight camping, education, training and conservation programs, and other permitted uses pursuant to Chapter 205. Camp Palahuna including any other operator, i.e., the MLC, who locate operations at the Petition Area will be limited to no more than 300 people, including staff, support personnel and onsite staff. And the Petitioner will maintain a log of the number of people on sight on a daily basis and provide this log to DPP as part of its.
1 annual report until the Director deems the log is no longer necessary. So, what we listed was overnight camping, education, training and conservation programs. And the other uses would be as permitted by Chapter 205.

Member Sodaro: Okay. So, I have to go and look up 205, then?

Mr. Young: Yes.

Chairman: Any other questions, Commissioners? [no response] So, what uses is the applicant referencing that is not covered under 205?

Mr. Young: As I stated earlier, celebrations, weddings, let me see--we concluded that some of these uses are not supported by the Director. Let me find that page here. Under page 8 and 9 of the Director's report we talk about celebrations, which are personal service under the Land Use Ordinance, and we also talk about on page 9, the cultural practices, events, exhibits, sporting events and other open area type recreation that may attract a large number of participants and the social impacts, that the Director recommends more details be provided during the review of the CUP minor.

Chairman: Okay. But in general--So, you're saying the Department's position is that the use of the permit should be limited to allowable uses under 205, correct, in general?

Mr. Young: In general; yes. So, we're basically adding those other uses as mentioned in Condition 5. And, I guess, the grey area uses we're kind of deferring that to the CUP.

Chairman: Okay.

Mr. Young: So, if the CUP would permit it, then we will not have a problem including it as part of the SUP.

Chairman: Right. But it would be something that was not spoken in 2005, basically. So, the Department's position is if it's in 205, it's an allowable use. If something that's kind of grey area whatever, they will be addressed in the CUP?

Mr. Young: Yes. Because 205 is not specific as to every single use.

Chairman: Correct, correct; right.

Mr. Young: Some of those uses are quite broad, so it might be determined to be open area recreation. But it's really up to the Department to make that call.

Chairman: Okay. Any other questions, Commissioners?

Member Sodaro: So, it's a CUP minor?

Mr. Young: Yes, I believe it is a minor.

Member Sodaro: So, is it at that time a site plan would be provided to you?

Mr. Young: A more detailed one; yes.

Member Sodaro: Okay.

Chairman: And to clarify your concern regarding the submission time frame for the CUP?

Mr. Young: Yes. We had agreed with the applicant that the original requirement which was under Condition 1. It says 60 days after the Decision and Order, the petitioner needs to confirm with the DOH that he has sufficient capacity to handle up to 300 people. So, after our discussions, the applicant agreed to defer this to the time the Conditional Use Permit is submitted. So, as part of the Conditional Use permit, we would expect that confirmation from DOH would be provided along with his application.

Chairman: Correct. So, that's all you're saying is--

Mr. Young: Yes. It's just that there is no deadline as to when the CUP will be submitted.

Chairman: But then applicant cannot proceed with any modification until the CUP is approved. So--

Mr. Young: True. But it's more than that. If the site is overloaded and sewage is not being handled. It may be contamination. That's what we cannot confirm.

Chairman: So, based on current conditions, is what you're saying, not on anything that has been modified.

Mr. Young: Current conditions as the applicant had recommended. It could be up to 300 people. But he's saying on average it's less than that. Somewhere in the neighborhood of 150, is what the current sewage system can handle.

Chairman: Okay. Yes.

Mr. Gill: Yes. I would just like to clarify. As we spoke last time, the question was where did this 300 number come from? And, I said, "well, I made it up." Because I expected you would want to have a maximum number. And I put it at that basically to accommodate future growth. I don't think we ever had 300 people up there. The camp sleeps 128, and we do get that for overnight school groups occasionally. And, for the record, we fully intend to come in as quickly as we can with a CUP. That's the whole point of getting this stuff updated and getting the bureaucratic permitting approved. There has never been to my knowledge, ever, and certainly not in the last two years when we've been managing it, a wastewater overflow from the system that's up there. There are two systems as we discussed. I've already consulted with a wastewater engineer and begun to draw the as built sketch of the wastewater systems. There's two separate systems cut basically in half, and it's proven to be more than adequate for the load and the patronage of camp over the past 20 years.

Chairman: Okay. Thank you. Commissioners, any
1 other questions at this time?
2 Member Sodaro: Wait, I’m confused, Raymond.
3 So, if we go to the top of page 8, and it states that things
4 that are not permitted in AG without an SUP. Will this SUP
5 allow for the things stated in that list? Because some of
6 them overlap with what’s stated in the agenda as requested
7 allowable uses. It says—it has the list of family
8 gatherings, corporate retreats, celebration of life, those
9 sentences. It says it’s not permitted without an SUP.
10 So, does this SUP then allow for those things in AG?
11 Mr. Young: No. The celebrations, which are
12 considered personal services, are not supporting that.
13 Member Sodaro: But exhibitions you are?
14 Mr. Young: Exhibitions, it depends.
15 Member Sodaro: Okay.
16 Mr. Young: For example, let’s say it’s an
17 agricultural education type exhibition. Sure, that’s a
18 permitted use. Corporate retreats you could have a retreat
19 with conservation type of education. We don’t have a problem
20 with that. But just having a celebration for the sake of a
21 celebration; no, we’re not supporting that. And, I think we
22 do state somewhere in the report also that those things are
23 not supported. For example, on page 9, weddings,
24 celebrations, other personal services, are not supported
25 under the SUP.

1 Member Sodaro: Where does it state that because
2 page 9, these are just guidelines are not supportable.
3 Mr. Young: At the very top.
4 Member Sodaro: So, that statement excludes it?
5 Mr. Young: Yes.
6 Member Sodaro: That’s what I’m trying—Okay.
7 Mr. Young: Yes.
8 Member Sodaro: Okay. Thank you.
9 Chairman: Okay. Any other questions? [no
10 response] Okay. Thank you very much.
11 Mr. Gill: Thank you.
12 Chairman: At this time anyone wishing to testify?
13 Gloria, do we have anyone signed up?
14 Hearings Reporter: No, just Gary.
15 Chairman: Okay. Anyone wishing to testify before
16 the Commission on this matter? Anyone at all? [no
17 response] Okay. Seeing none, Commissioners, can I get a
18 motion to close public testimony?
19 Member McMurdo: So moved.
20 Chairman: So moved.
21 Member Anderson: Second.
22 Chairman: Moved and seconded. Any objections?
24 Public testimony period has been closed. Commissioners, do
25 we have a motion or action?
Chairman: Okay. Next item on the agenda North Shore, State Land Use District Boundary Amendment, 15 acres or less, 2016/SU-1, and a zone change request 2016/2-5 (NW), Haleiwa Plantation Village. At this time the Department come up.

Mr. Watkins: Good afternoon, Mr. Chairman and members of the Planning Commission. I’m Mike Watkins, representing the Department of Planning and Permitting. The only news from our standpoint you received a letter from the State Department of Agricultural commenting on this proposed project, and they did not have very much to say. They did not have any problem. So, that’s the only thing you were asking for.

Chairman: Okay. Commissioners, any questions of the Department at this time?

Member Sodaro: Let me ask a question. We received this, but who’s it from? It just said summary of plans submission. I’ll show it to you.

Mr. Watkins: This is from the applicant.

Member Sodaro: Okay. Thanks.

Chairman: Any other questions. In regards to the Agricultural Department’s letter they referenced two conditions. Have you reviewed those conditions and what is the Department’s position?

Mr. Watkins: We are supportive of conditions proposed by other agencies. I don’t believe we had any real control at this point. It goes on, your recommendations and the Council recommendations. So, we’re pretty much done once we made our recommendations. So, I would say we don’t have any specific comments on—just that we support it.

Member Sodaro: Could I ask counsel, I think we had asked this question before. There’s two actions before us or one? The district boundary amendment first and then the zone change. So, Chair, we could add those recommendations to the boundary amendment.

Chairman: Yes. I wanted to know if they had any position on it.

Member Sodaro: Well, staff said that it would go to Council on the zone change, but we could put it in ourselves on the boundary amendment.

Chairman: Actually, I believe the boundary amendment also goes to Council, the SLU, I believe it goes to counsel.

Mr. Watkins: Yes, they both go to Council.

Chairman: Yeah, they both go.

Member Sodaro: Okay.

Mr. Watkins: Let me also say that the unilateral agreement is the usual place where the conditions are imposed for a combined State Land Use Boundary amendment and zone change.

Chairman: The only reason I mentioned is because the Director’s—Your report came out before the agricultural sector submitted this. So, I mean you could take a position. We’re interested in knowing what the Department’s position is on the matter since you did not have, I guess, knowledge of their condition prior to you writing your recommendation.

Mr. Watkins: I don’t believe we made an official determination.

Chairman: Okay. Commissioners, any other Department at this time? [no response] Okay. Thank you.

Okay. Call up applicant at this time.

Mr. Wallace: Thank you, Chair Hazama and members of the Planning Commission. My name is Scott Wallace, and I’m the project applicant for Haleiwa Plantation Village. I want to refresh your memory about the project because we will have more testimony today. I want to show you a few boards. Just to refresh your memory, we were here in January, and we had not yet received a letter from the Department of Agricultural for the State of Hawaii regarding their opinion on both the zone change from AG-2 to R-5 and the boundary amendment from a residential to urban district on one of the two parcels. That letter subsequently came in and we provided a package to the Planning Commission which included a copy of that letter. And, as Mr. Watkins indicated, the State of Hawaii took a position of “no concerns and no issues” with respect to our proposed action of both the zone change and the boundary amendment.

I’d like to show you a few charts just to give you a re-agituation of the project. Let me first start with the site plan and for the audience back there. It’s the same one I like the last time essentially. But just to give you a few ideas. This is an infill project in the Haleiwa area, and I’ll show you the aerial in a second. But the basic components to the plan. There is two parcels, one of which is currently in the AG district and we want to convert to urban. The other one is already in the urban district.

It’s an extension of Kelua Place, which is an existing neighborhood of 15 homes, all R-5, and we continue the existing street into a cul-de-sac and have a side street here, all built to City standards. And then we have other components including a wetland. And a lot of discussion will happen today about the wetland. The bottom line is we spent two years working with the US Army Core of engineers to delineate if there was a wetland, and if there was, what was the extent of that wetland in terms of how far it went. And we’ve actually had the Army Core on site, two maybe three times and 26 different soil samples were taken as part of that process. The end result that the Army Core made a conclusion based upon the consultant’s report which they verified that there is a wetland on the property.
1 And there is a wetland on the property you basically can't
2 build on it, you have to stay away from it. And, so they
3 excluded the wetland from the project site. In addition,
4 the yellow area is a park area. Instead of the typical
5 project applicant paying a few and just trying to remove the
6 park requirement, we've actually established a park around
7 the wetland for the people in that area and the public.
8 In addition, there is a detention basin, because
9 unlike in the past when the original Killoe Place was built,
10 I think in '73, I think I was still in high school, there
11 was really no drainage required back in those days. So,
12 today we are required by DPP guidelines to create our
13 detention basin which will collect run off and storm water.
14 So, that's the basic site plan. To give you a few of how
15 this really works in Haleiwa. We call this an infill site.
16 Here's Kamehameha Highway. I've been a resident of Haleiwa
17 for almost 30 years. I live in this neighborhood. This is
18 my hood, so to speak. I know the area thoroughly well. To
19 me Haleiwa begins at Weed Circle, ends what used to be the
20 Chevron gas station and now something happens there, the
21 Surf N Sea.
22 Here's your project. Here's Kamehameha Highway.
23 Here's some markers. Longs, North Shore Marketplace. To me
24 the center point of Haleiwa always been Cholo's restaurant
25 at the North Shore Marketplace. Although there has been

1 activity to the North where the Kamehameha School store lots
2 is. And, I think the important thing that when you at this
3 aerial is that block of project site area, which is about
4 6.9 acres is a continuation of the same pattern of
5 development that's on Killoe Place. And, I'll show you in
6 close-up in a second. And, it's infill. Because when you
7 look at the entire circle area here is, is we're just
8 infilling that one spot. Everything else around it is--It's
9 a close up of the earlier map, and here's Kamehameha
11 Here's your existing Killoe Street of 15 homes and then we
12 are right here and we use the existing Killoe Place to
13 access the property. And you can see we're part of the
14 circulatory of that area of where all these R-5 homes are.
15 So, we're trying to extend the current path of development
16 in the same way that's already there. What's also important
17 is that this project complies not only with the General
18 Plan, but it complies with the North Shore Communities Plan
19 which was recently redone about three years ago and allows
20 for this kind of infill development.
21 This isn't a greenfill development out in the
22 middle of nowhere. It really takes into consideration the
23 existing patterns of development. So, that is the first
24 concept which is the site plan. I think what a lot of
25 neighbors have always been concerned about is drainage and

1 wastewater.
2 So, I'm going to start with the stormwater
3 management drainage plan. And we're sort of trying to give a
4 little more detail then the last time.
5 A lot of people will say, "on my God this area
6 always floods." And to a certain extent, they are correct.
7 It does flood. And the reason it floods is because if you
8 look at this picture right here, that's Kam Highway where
9 North Shore Board Riders club, the surf store is. And
10 Killoe is perpendicular to that street and Killoe goes
11 downward to basically an open 24-inch drainage ditch. And
12 all of the curb drains on Killoe actually empty in into this
13 open drain. And when the original Killoe project was built
14 in 1973, there was no real obligation to have an on site
15 detention basin. So, what our plan calls for is to take
16 this open pipe, connect to it and have all that existing
17 water coming off the hard coverage of Killoe to be collected
18 and ultimately moved to the detention basin. So, that's a
19 little more background on the project in terms of the
20 stormwater. A couple other areas, you can see the way the
21 drainage flows from the lots, gets collected into the
22 underground stormwater drainage system and then it goes into
23 the detention basin. The detention basin is sized at 125%
24 of what's required. So, it's larger then what's necessary
25 to capture the kind of water that might happen including the

1 hard coverage where the water right now just goes into the
2 open lot.
3 So, we have what's called the solution to the
4 unmanaged concentrated flood flow from the open pipe. And,
5 like I said, a good picture of the pipe.
6 And then finally, since a lot of this is a repeat,
7 we have the wastewater plant. And we had this big
8 conversation--I mean, we're all concerned about wastewater,
9 we all know that. So, I think the first thing you have to
10 understand, is wastewater management today is far different
11 then wastewater management of what happened in Waialua or in
12 Pearl City 30 years ago. The Department of Health, State of
13 Hawaii highly regulates these wastewater plants. And the
14 first thing is they've established a no pass line, the blue
15 line. And what they want make sure is that a wastewater
16 plant, in this case, use an injection well, doesn't
17 contaminate the aqua (inaudible). So, they've established a
18 line saying, you need one kind of permit, makai of the line,
19 and one kind of permit mauka of the line. If you notice
20 where our wastewater plant is right here, it's makai of the
21 line. So, it's furtherest away from the ocean and yet we're
22 not into the area where they might be some aquifer issues.
23 More importantly what is a wastewater system do?
24 The wastewater system collects the wastewater then treats
25 the wastewater then treats the wastewater and then injects
1 the wastewater down. But the key is what is the quality of
2 the wastewater before it's injected. And, I think we were
3 sort of confused or we didn't articulate the position
4 clearly last time. The wastewater is treated at R-1. So,
5 the wastewater is an R-1 water which is the highest quality
6 affluent available in terms of today's standards. So, we're
7 not injecting raw sewage or untreated sewage material. It's
8 treated as R-1 which is used for eatable crops, golf courses
9 and irrigation on non-eatable crops. So, that's the concept
10 of the wastewater plant. You can see where the line is and
11 another issue is that we do know that most of the cesspools
12 of the existing 15 homes on Kiloe Place have failed or are
13 in the process of failing because there is high water table.
14
15 One of the things we're offering to do on this
16 project is connect anybody who is currently on Kiloe Place
17 who has had a failed septic system or failed cesspool to
18 connect to our existing wastewater treatment plant.
19 And, you can see the dotted line where that connection can
20 be. It's all gravity fed toward the underground wastewater
21 treatment plan. A few other big picture details about the
22 project is that this project will require affordable
23 component. The affordable component is 30% of the number of
24 homes. I should say of lots because I should have said
25 earlier. This isn't a project where we're building homes.
26 We're basically making lots available to potential buyers.

26 And that's really an important fact to the project. Because
27 the whole idea of providing people a lot is to make the
28 project more reasonable in cost. Because when you provide
29 somebody a lot to purchase they don't have to use Castle &
30 Cooke or Castle & Cooke doesn't come in and build a big
31 project and then a big developers mark up. People can build
32 a smaller house or a larger house based upon our design
33 standards, but they can do it in a way that's more
34 reasonably priced then going out and trying to buy a house
35 from a production, track builder so to speak.
36
37 The affordable component is 30%. So, we're between
38 30 and 35 lots depending upon if we do have some duplex
39 lots. But if you take 30 of 30 lots that's nine lots
40 that will be affordable. An affordable would be up to 140% 
41 of the average medium income. And all those details are
42 really determined by the DPP. I mean, they have the
43 regulations. We have to comply with those regulations and
44 that gives the chance for nine of these lots at 30 lots.
45 And if there's 35 lots, if we have duplex lots, then 30% of
46 35, with DPP always round up, so it would 30% of 35, you'd
47 be at 10 lots. So, there's a good component, and it's
48 certainly in the news everyday about affordability. And the
49 idea of having lots as opposed to houses will allow us to
50 target these to people who are in the work area in Hāleiwā.
51
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53
54 1 situations. That's the idea, not to turn into a big trapped
55 building arrangement. So, the overall concept is 30-35 lots,
56 existing infill in Hāleiwā, solutions to drainage and storm
57 water management based upon existing problems on flooding
58 and putting in a wastewater system that actually goes back
59 to the old Brown and Caldwell study, which was a study of
60 what you do on the North Shore because you don't have a
61 public sewer available, and we're complying in taking their
62 recommendations in how to do a private wastewater treatment
63 plant, which then all the homeowners will become members of
64 and the homeowners on Kīloe if they so chose, and then,
65 like I said, the wastewater and the drainage being dealt
66 with.
67
68 I think--The last point I'll make is about
69 agriculture. You know, there's always talk about "keep the
70 country, country." I live in Hāleiwā. You know, a lot of
71 bumper stickers and you have to address that issue. We've
72 had a farmer on this property who testified at the last
73 hearing. He has been farming his property for over 25 years.
74 He farmed it with Castle & Cooke before he farmed it in my
75 ownership with the property. He is a well-known farmer. He
76 farms over 100 acres in the Hāleiwā, Waiʻū area. He's name
77 is Lon Lavon [phonetic]. He's a Laotian immigrant, who's a
78 farmer, who does a lot of taro. And, he has given up
79 farming on this parcel, and he testified that.
1 one, I'm just trying--I think the way of the agency saying
2 is they're recommending some sort of disclosure to the
3 tenants regarding nearby agricultural uses.
4 Mr. Wallace: I'm familiar. I have a copy of the
5 letter in front of me.
6 Chairman: Do you have any issues with providing
7 disclosure?
8 Mr. Wallace: Absolutely not.
9 Chairman: Okay. Any other questions,
10 Commissioners? [no response] All right, thank you.
11 Mr. Wallace: Thank you.
12 Chairman: At this time we have public testimony.
13 We have several speakers that have signed up. Rachel
14 Achiu.
15 Ms. Rachel: Excuse me. Thank you. My name is
16 Rachel Achiu. I'm from North Shore also, and I have my notes
17 here because the last time I kinda checked without it.
18 You know, I also have ag land out on the North Shore.
19 We use very willfully and it produces well.
20 Approving a zone change for any ag property goes against
21 everything that we've been encouraged today in terms of
22 sustainability, preservation and just providing.
23 If I recall correctly when we here last, one of the
24 statements for example made by Mr. Wallace's own expert was
25 how traffic would not be impacted significantly anyway.

1 That statement alone gives me an indication of how
2 irresponsible and unreliable the research at hand is.
3 Because if you've ever been to the North Shore, like
4 Right now, a weekday, nothing. It's packed. If you can't get
5 to the store early in the morning, you're not going.
6 So it's unrealistic to believe that's an accurate statement.
7 The North Shore it just can't take and shouldn't lose any ag
8 land, prime ag land, especially to be developed. It's
9 significantly overloaded as it is. And we're losing ag
10 lands quickly to projects such as this. There's a lot of
11 people out there. We don't need any more people. We need
12 more land. Everything is buy local, farm, and we're trying
13 to and it's impossible when you have projects that kind of
14 take over the whole aspect of what you're trying to do out
15 there. The water resources absolutely a concern. I don't
16 believe for a minute that a wastewater treatment is not
17 going to affect. There's no way I'm going to be convinced
18 of that. The aquifer is very shallow. It will absolutely
19 compromise the water resource there.
20 A change of zoning of ag lands to residential in
21 any situation but specifically on the North Shore just sets
22 a dangerous precedent. It opens the doors to future ag
23 lands to be pursued, changed and developed. At some point
24 we will run out of lands, then what do we do. Those houses
25 aren't going to supply us with anything. The vast amount of

1 our community is strongly opposed, and I wish they were all
2 here to be here to show you that. I haven't come across one
3 person that's for it; not one. Our neighborhood board has
4 voted against it. They do not vote to support this project
5 at all. The mention of the farmer earlier. I know that
6 farmer personally. We farm next to each other. And because
7 he never once said that land is no good to farm. It wasn't
8 good for him. He is a majority field farmer. He is not a
9 sole taro farmer. It didn't work for him but it doesn't
10 mean it can't work for other people, schools, youth groups.
11 That land is significant. My family is Achiu family. Achiu
12 Lane is right there. There is significant it cultural
13 meaning to that property and it is useable for the right
14 purposes. So, I'm asking please to consider the impact that
15 this could have. Thank you.
16 Chairman: Thank you. Commissioners, any
18 speaker Malia Evans.
19 Ms. Evans: Aloha. Mahalo for allowing me to
20 testify today. My name is Malia Evans. I'm an executive
21 board member of the Waialua Hawaiian Civic Club, and our
22 club and memberships strongly opposes this project.
23 There are several key points that I want make here
24 regarding this potential project. The developer knew that
25 these were ag lands when he purchased and by allowing people
1 Governor Ige’s sustainable Hawaii initiative that proposes 100% increase in local agriculture production by 2020 is just three years away. You know, if we’re going to make that goal then we need to be peeling these ag lands in ag production and not allowing the improper use and subdivision of agricultural lands. Our most important natural resources beyond our people is the agricultural lands and fresh water. The developers environmental assessment, even states that there are two important aquifers below the parcel, and that there is a potential to contaminate our drinking supply. Ground water is our principle of Oahu’s water supply. The potential of the wastewater treatment and injection wells to contaminate the groundwater resources is potential. I don’t want to drink R-1 water. You know, R-1 water is going into those injection wells and that’s going into our drinking supply. I don’t want to drink that. The parcels also sit on the UT-C line, which is the underground injection control line which indicates that there is an underlying aquifer considered drinking water.

He mentioned the wetlands which are federally protected. The reason they’re wetlands because that is former lo‘i lands. You know, plain and simple, most of our wetlands in Wai‘alua and the North Shore are either former taro farms of fish ponds. So, these are natural resources that we should be protecting. I would urge you all to seriously consider the implications of reclassifying and rezoning agricultural lands that we need to sustain our population for years to come. Mahalo, for my opportunity to testify.


Mr. Shirai: We residents came from a far place called the North Shore just to come to this hearing. So, we gotta fight traffic after this. Good afternoon, everybody. My name is Thomas Shirai. I wear many hats in the community. But I want to say something first. I am a member of the neighborhood board. I don’t have a written statement or testimony because it’s already in your Director’s packet because we took a position to not support this project, the zone change. Bob Justice made the motion and I seconded it, and it was unanimously passed. There is about 24 or 25 members or at our neighborhood board brought up and addressed it. So, I don’t have to elaborate that. And much of it was said already. But, I’m here mainly, although I’m a member of the neighborhood board, I’m here as an individual also. And, this is where my testimony will be coming from.

When we say living in specified area. There are two types of people that live in the Hawaiian culture, Kamaaina and Kupaaina. Kamaaina is you live there long time, right? Kupaaina is you are from there. I am from there. This is from the State Historic Preservation Division recognize me as a lineal descendent of Paalaka, which is where this property is situated. I have a long, long history of my family, and I’m still there after 10 generations. My family still resides through me in the place of my family. I know this is a land commission board, so I brough this to show and highlight. I like Mr. Wallace, whoever you hired that do the title research you never do a complete job. And you going to find out today. You heard Mrs. Achiu. That’s why we get the name Achiu Lane, that’s Kupaaina, okay. I don’t think they never do the research for you.

Kilioe, I don’t think you know what Kilioe means and it is in relation to that place. That’s one farmer from Wai‘alua of that area, that’s why it’s called Kilioe Place. That’s why it’s called Achiu Lane. These are people that are from there that did not build house to make bed-and-breakfast or nice mansions. They farmed the land because they needed food for themselves and the people. And with that comes the stewardship and tenure of taking care of water resources.

R-1 water you cannot farm taro. You cannot do that. There’s a proverb in Hawaiian language that we say because he mentioned the farmer. The land is chief and the people are its servants. Just because that land never work for that farmer. Rachel and I we grew up in that place. I had my van and we used to frequent Achiu Land. That’s (inaudible) family, and I remember there was just taro patches, hasu patches, green vegetable crops, all in the back there, banana patches, even coconut trees. Malia said is correct. The reason why you don’t have, why you have that Haleiwa marsh. There’s no such thing as Haleiwa marsh. It’s because the kupuna from that—You see, those lands go back to the land commission awards, 1850s and as time goes by, you guys know that, you don’t have too much descendancy, people are different or for whatever the reason they don’t work the lands so it turns to weeds and stuff of that sort.

This is the parcel now I going to tell you, Mr. Wallace. This is from the Bureau of Conveyance. It’s dated 1940. It’s a deed all in Hawaiian from my kupuna, John Keahi Paka, that’s also a street name in Haleiwa to my great-grandmother, Clara Kehau, right here. And apana means interest. That’s the hoaole word or the English word for interest. One of your land commissioner awards was my family’s property at one time. That’s land commission award, 7-7-1-3 to Victoria Ramamalu [phonetic]; Princess Victoria Ramamalu. And why I say that why it means a lot because the other parcels that were titled search had...
1 description of a chronological tenure of land ownership, 2 when it came to mine to this 7-7-1-3, you went from Mahele 3 1850 straight to Castle & Cooke. Excuse my language, I 4 don't want to swear, but that's wrong. You get people that 5 own that in between that. In our case our family. It was 6 deeded. I have done these genealogy research and when he 7 said, when that farmer said no good, yet in 1900, in this 8 phone directory that same gentleman, same kupuna of mine, 9 John Keahi Paka listed Paiaalai, his occupation was taro 10 farmer.

11 That land is very productive. There's another 12 point I want to stress and it has to do with Ewa. My family 13 also provided a lot of information about Waialua to the 14 Bishop Museum, and it's featured in their publications. For 15 this purpose right here, land commission, the original 16 Hawaiian planter 1940. There are some things I want to 17 summarize and tell you about in Ewa. A type of taro was 18 grown so good it was named after that place. It's Kahi O 19 Ewa To tie that in that same variety, Kahi was extensively 20 grown in Waialua. The land division where this Kahi O Place 21 is and where he wants to make that project, you figure that 22 out. The name of that, it's not just mauka, maikai in 23 Hawaiian land tenure. It's broken into even taro patches or 24 small parcels of land. That place is Hanu O Ewa [phonetic] 25 or Hanaoewa [phonetic], you figure it out.

1 So, what I want to summarize for you folks. I'm 2 sure you guys can pick up my passion on it impedes on my 3 family's legacy, why not do a good research, and I'm sure 4 you would do the same too. But also we have that too 5 because of the concerns raised, and so that's what I want to 6 share you folks. I'm telling myself because I got to go 7 feed meter.

8 Chairman: Okay. Thank you. Any questions? [no 9 response]

10 Mr. Shirai: Well, thank you very much, Mr. Hama 11 and Commissioners for listening to us. Mahalo.

12 Chairman: Mahalo. Okay. No questions. Our next 13 speaker is Jen Homcy.

14 Ms. Homcy: Aloha, Chairman, Commissioners. Thank 15 you so much for allowing us to testify again. I'm just 16 going to pass around--I didn't make multiple copies, but I'm 17 passing around some pictures of a recent rain, on February 18 6th, 2017 behind the old Waialua Courthouse and adjacent my 19 particular property. So, you get some idea of the shedding 20 of water that comes off of all of these lands that drain 21 into that wetland area and into the area that Mr. Wallace is 22 looking to develop. It definitely is a low lying area and 23 if you look at just the amount here, which I snapped, it 24 think about two hours after it started raining.

25 It was not a flush flood day, it was just a regular rain 1 day, it give you some idea of the actual volume of water 2 that's moving off of only property alone, not to mention all 3 of the adjacent properties that are surrounding this area of 4 development, which is a great concern to a lot of people and 5 which is reason why that area is a marsh and is a wetland 6 because it's a low lying area in which the water from a 7 higher area runs into.

8 There's so much from the last hearing. I just 9 wanted to address four or five things that Mr. Wallace 10 has--I believe his traffic study was grossly manipulated to 11 achieve the D-rating to make this project possible.

12 I don't believe that 1.2 cars per household is a realistic 13 factor even if you (inaudible) deviation to that in 14 determining the amount of traffic that would come out of 15 Killoa Place with the addition of up to 35 new homes, with 16 the 15 that's existing there. In our cul-de-sac, three 17 houses, single family houses, we have nine vehicles and that 18 doesn't include when we have guests visiting from other 19 areas. That's nine cars alone in three houses. --So, the 20 average three cars. So, I believe that traffic study was 21 manipulated to favor Mr. Wallace and to favor DPP's ability 22 to approve this project by giving a traffic report from C to 23 D, rather than C to F.

24 In addition to that, Mr. Wallace you claim that 25 you live in Haleiwa. You don't. He lives in Pupukea, and 37 he has a beach house, but he does not live in Haleiwa. And, 38 do so understand what really goes on in Haleiwa is, I think 39 a misstatement on his part.

4 The idea that this was going to be work force 5 housing and that it will be affordable. The average home in 6 Haleiwa that has been maybe renovated to selling for about 7 800, 850,000. The average home that has not been renovated 8 in Haleiwa, that's anywhere from 60 to 80 or 90 years old 9 that still has the original roof is selling for $750,000 in 10 Haleiwa. So to think that single family lots are going to 11 be available at an affordable price to people who have the 12 ability to actually design and plan and construct their 13 homes in addition to HOA fees is unrealistic expectation for 14 this particular area. This is designed for out-of-state 15 investors to come in, buy properties and (inaudible) and 16 rent them at extremely high rates to people who can barely 17 support their rent while to trying to exist somewhere on the 18 North Shore. And, I'm not speaking to the agriculture. I 19 have 20 years background biology and conservation.

20 But I think that all of the speakers before me have spoke 21 really well to what environment means and how sensitive it 22 is and the idea that field farming with pesticide and 23 herbicide is not the way to go on that but there are 24 multiple other methods of farming that make that land 25 extremely viable including, of course, taro, tree farms.
1 of my knowledge having worked on the project.
2 Number one, I'm not a traffic engineer, however,
3 to my knowledge because I've worked on other projects that
4 require traffic engineers both in urban Honolulu and other
5 places, that the study was done and looking at the premises
6 for the study was done of the standards according to
7 industry standards. So, whether or not one agrees with the
8 assumptions of the traffic study, there was no (inaudible)
9 of standards as the basis for the results.
10 Secondly, in terms of strong storm drainage, I
11 think we all agree that flooding has been issue on this
12 property as has been in most of Haleiwa. In the past, I've
13 worked with the Haleiwa community all the way back to where
14 they put the sidewalks on Kamehameha Highway. And I spoke
15 with many of the engineers that were in the public works
16 department, that are now in other departments in the City
17 about the problem and how it existed for a long time, and
18 how much of Haleiwa was constructed before any real study of
19 drainage, water table or anything like that was done because
20 Haleiwa is a pretty old town. When you look at our site,
21 and I think the graphic that was prepared for you today,
22 attempted to show what's happening is that not only--The
23 site does flood, I agree. And it floods not only from that
24 big old pipe that comes out the end of the Kilino Street
25 because it collects all this drainage and you get a

1 affordable is because I don't believe that housing is
2 affordable in Hawaii. That if you really want to do work
3 force housing, then you know high density is probably the
4 only way to do it, but you know on the North Shore that's
5 not something that the community is going to support as
6 well. But affordable, I really would like to know what that
7 number is. What is affordable? Because my neighbor has a
8 Ph.D. and she's trying to buy a house for $750,000, that is
9 88 years old and has never had the roof replaced. That's
10 not affordable, and that does not support work force
11 housing.
12 And that's adjacent to these properties.
13 So, thank you for your time. I appreciate it.
14 Chairman: Thank you. Any questions? [No
16 Chun.
17 Mr. Chun: Thank you, Chair Hazama and members of
18 the Commission. There are a number of statements made about
19 agricultural today, but rather than my addressing them, we
20 have someone who specialize in agricultural (inaudible).
21 So, I'll defer those issues to him. I actually was going to
22 come up here to just state my views about the project, what
23 the intent was and the way it was done and the results that.
24 There a couple of things, comments that I would like to say
25 about some of the comments that were made today to the best

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1 about doing this.
2 So, in summary as someone who's familiar with the
3 intent of the project. The work that was done to identify
4 all of the elements that had to be taken care of including
5 the wetland. I believe that this project will be a benefit
6 not only to its future owners but to the people around it
7 for this reasons. It does provide home ownership
8 opportunities that are needed by working people and their
9 families. Given the location, I don't see someone with a
10 huge income wanting to live there. We just look at what
11 realtors tell us all the time. It's location, location,
12 location, it's amenity. Well, we got a convenient location
13 for people who want to live in town, people who will
14 actually support existing businesses around them, because
15 they're in walking distance. But not a premium
16 getaway for somebody who wants to have (inaudible)
17 somewhere.
18 Secondly, it offers choices for its buyers to make
19 it more affordable, as I said to build according to budgets.
20 Third, it will reflect and reinforce the existing
21 neighborhood patterns and with its provisions, I will also
22 reinforce important aspects of Haleiwa town. As you seen
23 the access to the project is an extension of Kiloe
24 Street, which ends abruptly at the property line. It's going
25 to be a subdivision with predominantly 5,000 square foot

1 lots. It will reflect the existing development pattern and
2 texture of what's already there. In fact, extended.
3 It will include design provisions that will promote design
4 or design features, in keeping with the scale and important
5 aspects of Haleiwa's architectural character.
6 And, lastly, given its stormwater and its
7 wastewater provisions, it address for itself and its
8 neighbors the ones on Kiloe Place. Two of Haleiwa's
9 long-standing significant issues, wastewater and storm
10 drainage. Because of this, I believe this project deserves
11 your support, and I respectfully ask for it.
12 Chairman: Okay. Thank you. Any questions,
13 Commissioners?
14 Member Sodaro: Mr. Chun, what's your affiliation
15 with the project?
16 Mr. Chun: I was the project planner.
17 Member Sodaro: Okay.
18 Chairman: Okay. Any other questions? [no
19 response] Okay. Thank you, Mr. Chun. Next up, Chad
20 Ventura.
21 Mr. Ventura: Hello. How you guys doing? My name
22 is Chad Ventura. I'm for the project because I was born and
23 raised on the North Shore. Today in this world, the rent is
24 high. Buying a house is high. Everything around Haleiwa town, Waialua is all based

1 anywhere from $600,000 to $700,000 more. And where I'm
2 renting today I try to buy and I can't afford it. This is
3 an opportunity for me to, you know, at least get some place
4 that I can own. It's some place true to home. I mean, I
5 was born and raised here, grew up in Haleiwa town. I was
6 there when they had the theatres. I was there when they had
7 everything of old culture. Today, everything is modernized.
8 There is more people, more traffic, more food, placed to
9 eat. So, Hawaii is a place; it is Aloha. I mean, granted,
10 we have every type of people coming here to Hawaii. It's a
11 visitor's place to come Hawaii today.
12 Me, as a local boy, born and raise, I look
13 everywhere around. I'm a lawai fisherman. I do everything,
14 farming wise, growing things, just to survive. I do a lot of
15 fishing. It's a community where, I think would help
16 everybody as a home grown kind of person that works hard and
17 tries to do everything day to day and to get something of my
18 own to just have. Because today Haleiwa town there's not
19 really much places to buy anymore, unless you have million
20 of dollars. And, today I look at it as an opportunity for
21 this place to have a small community of just people who is
22 willing to work together as a team and make things happen.
23 Have the local people have a place to stay versus having
24 these outsiders come, buy it all up and push us out. All of
25 a sudden we get homeless, we cannot even live in our own
1 What if you don't have money to have a dryer, you know. Not everybody can afford a dryer. Electric bill is going up. I mean, we gotta be thinking about the long-term, about us.
2 Yes, the community is against it, but we got to look at the longevity from it all. Haleiwa town is not Haleiwa town as it used to be. I was born there. I grew up there. I went to Haleiwa Elementary. I seen that place get renovated two times. And then now we come up to a situation where there's opportunity for the local people. I hope the local people can understand let's try to get something that we can own, that's affordable. There's a lot things about storm drainage, the sewer injection. Give you an example, everybody on Kiloi Street everybody has a cesspool or a septic tank. What happens when it does rain, flood, their water is not treated. It overflows, it goes into the marahal. Then what? They're talking about the drinking the water, they're already drinking the water.
3 So, look at this way, it's just a point where we can help it out by--Obviously, that drain we can put in a detention center. Me, I oppose the drainage everywhere because I fish. I see drainage do damage to the ocean. I dive every weekend. That's my life. Drainage is bad. I see everything. Everybody say, "oh, don't throw nothing into the ocean", but then again everybody else does it. The City does it and they just pour it into the ocean. Everything comes from the mountain, straight down the drain and into the ocean. For us, what we have? As local people born and raised here. We get pushed out because why? We can't afford it no more. Back in the days used to pay $800 rent. Today single family, one bedroom you're paying at least $1,200 rent. And, I can put that $1,200 to buy this piece of land. If I want to put a tent for me meanwhile, at least I have a place where I can call home versus being kicked out and having nothing. Right now, the money coming through is not much, you know. Everything today is very hard, very hard for working people everyday. You know, unless you was inherited something, great. But if you work day for day, eight hours of day, you got to beat traffic, you got to come home, you still got to cook. We got to work it out here and be just understanding about the situation what we can have it. I mean, a lot of people are against it, but how about for us who wants something. I realize something what's going on here. It is kind of what is in the what they say, in the Kupaalina land, but then again, how come if that was the case, why they never keep on doing the tradition.
4 Me, I'm not Hawaiian, but I live Hawaii. I lived in Hawaii all my life, you know. I worked at Waimea Falls Park. We did the night show everything like that. Then again today we don't have it because why nobody holds the culture no more. And today is--Taro, we can do it in the yard. I mean everybody can do it in the yard. Be self sustainable. Everybody stated to make their own little green houses at home, which is good, I think. So, why not everybody can make a garden and make it work for everything.
5 And just owning a piece of land for me. I think it's a good thing, and I support it. I can deal with everything else because everything is clear what you see on the map.
6 Chairman: Can I ask you to summarize, please, real fast.
7 Mr. Venture: Okay. That's basically it for me. I mean, I support the project, and I'm for it.
8 Chairman: Okay. Thank you.
10 Mr. Bebb: Thank you, Mr. Chairman and committee for letting me give testimony. I've been living at the North Shore for on and off for over 50 years. And, in fact, starting when I got out of high school in 1965, and I've lived out there. I used to promote surf meets at the old Haleiwa Theatre, which is now McDonald's.
11 And, I'm very familiar with Haleiwa and the North Shore. We used to live in Waialua too. And my feeling, I'm very much for the same. We say North Shore, keep the country, country. I really think we need to keep the country country.
12 I think certain areas in Hawaii need to be where people can live. In other areas devoted to agricultural, other areas [inaudible], but we need areas where to live. And this is Haleiwa. This is a town, Haleiwa town. And, if you look at Haleiwa, it's got houses all the around the circle on the center. And over here is where people been building houses and building houses, Achi Lane. There's like 30 houses on Achi Lane. And the houses where other people lived have testified where the 15 houses are, these were all agricultural lands at one time. And if everyone wanted to build these houses in Haleiwa town, none of these houses would have ever been built. So, I am pretty much in favor that right next these 15 houses that more houses are being built. I know a lot of people in Waialua and Haleiwa. A few years ago, a house was $600,000.
13 Now, they are $800,000. Lots 4,000 square foot lot if they're available in Haleiwa will be maybe a $250,000. You can built a house for $250,000, $300,000. That's $500,000, $600,000 for working people. That's affordable.
14 This isn't in a neighborhood where there's going to be high end luxury vacation rentals. This isn't Haleiwa town. And, so I just really think that we need more housing. We need housing for the working people in this area.
15 This is something that we look forward.
16 Chairman: Okay.
17 Thank you. Commissioners, any questions? [no response]
Okay. Next is Bruce Plasch.

Mr. Plasch: Hi. My name is Bruce Plasch. I'm president of economic and consulting firm, called Planned Pacific, and I prepared the agricultural report for this project, and in January I testified due to the fact that project site is suited for typical commercial field farming. And the reasons for that just to quickly review them is that there's only about 4 acres of useable farm land there that northern part of the property which was the ag area is mostly covered in large trees. And the southern part of the property, which is in the urban district is where the good farm land is located. Also the soils are difficult to work because they're sticky when wet and hard to compact when dry. The waters is from the Board of Water Supply which means it's expensive. Taro is mentioned. It has to grow in there in the path. But now the water supply coming from the City. Taro requires a large volume of very cheap water to be commercially viable. The water source is now from the City and County of Honolulu, the Board of Water Supply, and that's an expensive water source. It's also the flooding problem during heavy rain storms. There's a problem with snails, which is a problem for taro again. And the property about homes, so you have a problem with noise or chemical spraying. So, it's not the best land for typical farming.

And, I have to testify about the current tenant 1 years land and diversified crops move slowly but for the last 25 years the growth has been very slow. 3 So enormous amount of land has been released. Diversified 4 crops. Most of those current crops are from export. They're 5 macadamia nuts, c-crops, flowers, coffee, etc. When we talk 6 about growing food for the local market, most people are 7 thinking in terms of saving land to grow fresh vegetables, fresh fruits, fresh melons.

And Hawaii, we're about 1/3 self sufficient in those crops, and we use about 15,000 acres. Goal would be to increase our food production to about 50% self sufficiency. We would need about 7,500 acres which is less than tick. In the meantime, we have about 200,000 acres available currently for food production. That's 20 small ticks.

The proposed project has about 4 acres of useable land, most of which is in the urban district and a 4,000 acre lots of useable land. It's just too small to make a difference in food production. It wouldn't even show up on this graph. And that's my main point. The loss of 4 acres just will not affect food production in Hawaii.

Chairman: Okay. Thank you. Any questions, Commissioners? [no response] Those are all the speakers that have signed up. Is there anyone else wishing to testify who hasn't signed up yet? [no response] Okay. Seeing none, Commissioners, can I get a motion to close?
1 Chairman: All right. Go ahead. Motion.
2 Member Tolentino: I'd like to go into executive
3 session. Make a motion for that.
4 Chairman: Okay. Motion on the floor for executive
5 session. Seconded. Any objections?
6 Member Sodaro: I object. Is it or don't we need
7 to say why we're going into executive session.
8 Counsel Waihee-Polk: Yes.
9 Chairman: So, we go into executive session to
10 consult with Commission's attorney on the authority, duties,
11 privileges and immunities pertaining to Section 205-5 of the
12 Hawaii Revised Statutes as amended and Chapter, subchapters
13 4 and 5 of the Rules of the Planning Commission in
14 accordance with HRS 92-5.
15 Counsel Waihee-Polk: I don't think this is 205
16 (inaudible). Because I don't know what you folks are going
17 to talk about.
18 Chairman: Well, we'll just include it, that's
19 fine.
20 Counsel Waihee-Polk: 205-6 is a Special Use
21 Permit (inaudible). It doesn't apply to this.
22 Chairman: Okay. It doesn't apply to Section
23 205-6. It only applies to Special Use Permit. Okay. We
24 will consult with Commission's attorney, authorities,
25 duties, privileges and immunities--

1 Counsel Waihee-Polk: Of the Commission.
2 Chairman: ...pertaining to Chapter Subchapters 4
3 and 5 of the Rules of the Planning Commission in accordance
4 with HRS 92-5. Okay. Any objections?
5 Member Sodaro: No.
7 We will move to executive session. If we can clear the
8 room.
9 [EXECUTIVE SESSION]
10 [3:32 p.m. - 3:44 p.m.]
11 Chairman: Okay. I call the meeting back to order.
12 [bangs gavel]. Okay. Motion, Commissioners or discussion.
13 [no response] Okay. Motion then.
14 Member Sodaro: I'll offer a motion. I would like
15 to offer a motion to not recommend the North Shore Stand
16 Land Use District Boundary Amendment and zone change request
17 2016/8-7, Haleiwa Plantation Village.
18 Chairman: Okay. So moved. So, the motion is to
19 disapprove--
20 Member Sodaro: Or not recommend--
21 Chairman: Not recommend approval; okay. Motion.
22 Do we have a second?
23 Member Tolentino: I'll second the motion.
24 Chairman: Moved and seconded. Then we are now in
25 discussion. Any further discussion? Department, come up,

1 please.
2 Mr. Takahashi: For the record, my name is Eugene
3 Takahashi, Acting Division Chief, Planning Division,
4 Department of Planning and Permitting.
5 Chairman: Question is, regarding the affordable
6 housing requirement for the project. I'm not sure--And, I
7 know I asked the question the last meeting. I'm not exactly
8 sure and I wasn't comfortable, I guess, with Department's
9 answer how you guys plan to enforce the 30% requirement
10 since this particular project only involves property and not
11 actual structure.
12 Mr. Takahashi: Under the City's current affordable
13 housing rules as required by per unilateral agreement, 14
14 there's a requirement to either provide either 30% of the
15 proposed units for sale as affordable, 30% of the units as
16 proposed for rent at affordable rate or they could provide
17 land with utilities up to the property line to the City.
18 Chairman: At the same percentage?
19 Mr. Takahashi: The value will be determined upon
20 an assessment, and it will be done through an executed
21 affordable agreement between the declarant and the City. So,
22 in this particular case, we'll be looking at the lots but we
23 will make sure that the lots are comparable to the other
24 lots being provided within the project. So, the City from
25 there can either in some situations, but we have not done it

1 in the past, because the developers have always provided the
2 homes, either for sale, rent, but there is a possibility
3 through the City's affordable housing initiative, go to
4 affordable housing non-profit provider as determined or that
5 could represent the City. Or in other situations land has
6 been provided, it has bee--The Department of Community
7 Services have executed an RFP for projects go on those lands
8 in fulfilling the intent of the unilateral agreement
9 condition.
10 Chairman: An RFP would include the purchase of
11 the land along--
12 Mr. Takahashi: No. The land is conveyed to the
13 City.
14 Chairman: Oh, it's conveyed to you?
15 Mr. Takahashi: Yes.
16 Chairman: Oh, okay.
17 Mr. Takahashi: So, the land is conveyed to the
18 City in those situations or if it is a for sale, then we
19 will need to make sure that those rates are affordable and
20 then we need to look at what are the rates that the property
21 owner is proposing to sell the lands at.
22 Chairman: So, this will be done under a
23 unilateral agreement or will it require a development
24 agreement or something different?
25 Mr. Takahashi: It will be
1 request for 2016/2-7.
2 Chairman: Okay. All those in favor of the motion
3 say aye.
4 Member Sodaro: Aye.
5 Member Tolentino: Aye.
6 Member Young: Aye.
7 Member Hayashida: Aye.
8 Member Anderson: For the record, Chair, I'd like
9 to say I'm in opposition to the motion.
10 Member Sodaro: He didn't call opposition yet.
11 Chairman: Yes, not yet.
12 Member Anderson: Apologies.
13 Chairman: Okay. All those oppose?
14 Member Anderson: Aye.
16 So, the motion carries 5:1. And the project has been
17 recommended for disapproval--
18 Member Sodaro: Not recommended.
19 Chairman: Not recommended for approval. Okay.
20 This will then go forward to the City Council with the
21 Planning Commission's recommendation.
22 Okay. Before we adjourn this is our counsel's
23 last meeting. Unfortunately, she is leaving us and we thank
24 you on behalf of the Commission for her service over the
25 last couple of years. I know you're going to the Attorney

1 part of a UA condition.
2 Chairman: Okay. Any questions of the Department?
3 Member Sodaro: No.
4 Chairman: No. Okay. Thank you.
5 Mr. Takahashi: Okay.
6 Chairman: Okay. Any discussion? [no response]
7 I guess on one hand I understand and I support the
8 preservation. It's just that this particular case, I find
9 it highly unusual that State agriculture district in this
10 case was actually included in an urban growth boundary of a
11 communities plan. We rarely, at least I haven't anyway,
12 seen too many of those what you have an actual state
13 agricultural district that's included in any kind of any
14 urban growth boundary. Highly unusual as far as I know.
15 However, in this case, it's kind of a situation that we
16 have. I understand, so I'm a little conflicted a little bit
17 on this particular issue because it's in a growth boundary,
18 I typically say that's, you know, that's the planning for
19 the growth model, so we typically follow it generally, but I
20 also understand the concern about agricultural land and
21 preserving it. So, this is my comments. Any other comments
22 or concerns? [no response] Okay. So, just to clarify
23 restoring the motion is to--
24 Member Sodaro: Not recommend the North Shore
25 State Land Use District Boundary Amendment and zone change

1 General's office, so wish you well and look forward to your
2 continued success in working for the public.
3 Okay. Can I get a motion to adjourn.
4 Member Tolentino: So moved.
5 Member Sodaro: Second.
6 Chairman: Moved and seconded. Any objections?
8 meeting is adjourned. Thank you very much. [bangs gavel]
9 [This meeting was adjourned approximately
10 3:44 p.m.]

Adopted on April 12, 2017