

CERTIFIED MAIL

December 29, 1983

Mr. Willis H. Sanburn  
Financial Plaza of the Pacific  
130 Merchant Street, Suite 1801  
Honolulu, Hawaii 96813

Dear Mr. Sanburn:

Special Permit Application (83-11)  
Applicant: Atpac Land Company  
Tax Map Key 6-8-02:Portion of 14

The Planning Commission at its duly held public hearing on December 21, 1983, voted to approve your application, Special Permit No. 541, at Waikoloa, South Kohala, Hawaii.

Approval of this request is based on the following:

The proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The intent of these statutory provisions is to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people in Hawaii. The subject property is situated within the County's Open and State Land Use "Agriculture" zoned districts. In this particular case, however, a Special Permit is necessitated since the Trap Shooting Range is not a permitted use within the State Land Use Agricultural District. The General Plan Land Use Pattern Allocation Guide (LUPAG) map designates the subject area within the Open classification. Public and open type recreational uses are permitted in the State Land Use Agricultural zoned district. A major objective in the State Land Use Law is that the affected County's General Plan and related planning documents are being complied with when evaluating applications for "Special Permits." Although the subject area is zoned within the Open zone district, open type recreational uses are permitted within the County's Open zoned district and the County

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General Plan has also designated this area as an "Open" area. Thus, we have concluded that the proposed Trap Shooting range facility use would not be circumventing the County's planning efforts for this particular area.

The purpose of the subject request is to allow a Trap Shooting range for the Waikoloa recreational complex. The establishment of another compatible recreational facility will benefit the residents as well as visitors to this district.

On the island of Hawaii, the objectives of the State Land Use Law are translated into the goals, policies, and standards contained within the General Plan. Approval of the subject request would complement the General Plan Open Area classification of the property in the same way that it complements the State Land Use Agriculture District. Approval of the subject request would also complement the General Plan Economic goals which states, "The County of Hawaii shall strive for diversification of its economy by strengthening existing industries and attracting new endeavors."

The County's Open zoned district permits recreational areas that are essentially open and where none of the recreational features are entirely enclosed in a building. The use of the Special Permit procedure is appropriate in view of the direct relationship between the requested use and the uses permitted within the Agricultural districts. We have determined that the requested use will not be detrimental to the underlying district designation, and that it is not such a large scale intrusion that would make it inappropriate for placement within the State Land Use Agriculture district at this location.

Based on the above considerations, we have concluded that the approval of the subject request will not be contrary to the purpose and intent of the Land Use Law and Regulations but rather would promote the effectiveness and objectives of that law.

The approval of the subject request is not expected to adversely affect the surrounding properties. The petitioner intends to utilize the Trap Shooting range in conjunction with the other recreational facilities of the Waikoloa complex. The proposed location of the Trap Shooting Range will be in southwest to northeast orientation on the property. The State Land Use Law rules and regulations permit this type of open

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recreational facility exclusive of any commercial operation. The area surrounding the proposed location is vacant. The nearest residential area is located approximately 3 miles makai of the proposed shooting range in the Waikoloa Village. The nature and scale of the proposed Trap Shooting Range facility is considered minor in terms of its physical and visual impact to any scenic vistas, viewplanes or to the surrounding properties in the area. The subject property is of sufficient size to enable adequate buffers and transition areas to be established for the safety purposes. The petitioner intends to provide a parking area for the facility. Because of the commercial element of the facility, some measure of improved parking surface must be provided to handle this function. These concerns can be addressed through conditions of approval and the "Plan Approval" process established in the Zoning Code. Therefore, the development's size, open type recreational function and the impacts resulting therefrom are not anticipated to be adversely affecting the surrounding lands or properties nor significantly affect the character of the area. Further, recommended conditions of approval include the improvement of the parking area and compliance with the Department of Public Works' requirements relative to grading. These conditions should minimize any adverse impacts to surrounding properties due to noise, odors, and dust.

The proposed use will generate additional traffic along Waikoloa Road serving the subject property. Waikoloa Road has a 20-foot wide pavement. This road will be able to handle the additional traffic based on the existing improvements. However, to mitigate possible traffic impacts from the establishment of the Trap Shooting range, a recommended condition of approval is that the Trap Shooting range be limited to the area shown on the plans submitted. In this way, the potential impacts will remain at an acceptable level.

The approval of the subject request should not unreasonably burden public agencies to provide roads, streets, sewers, water, drainage, and police and fire protection. The subject property is in close proximity to the other recreational areas of the Waikoloa area and these areas have long had these essential services. Additional service to the subject property in view of the scale of the project should not create unreasonable burdens. Water service is available from the Waikoloa Water Company. Fire and Police protection is also available.

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Unusual conditions, trends, and needs have arisen in relation to the subject request since the establishment of the district boundaries and regulations. Since the enactment of the State Land Use Law in 1961, the Waikoloa area has primarily been developed as a recreational and residential complex. The Waikoloa stables, which offer equestrian and rodeo type activities, and the Waikoloa golf course are already existing recreational type facilities for this particular area. A polo field facility which was recently approved by the County Planning Commission will also be added to the recreational inventory for this area. Additionally the recently developed resort facilities along the coastline makai of this area and the growth of the residential community since 1960 has spurred interest in the expansion of the community and districts recreational resource base. The approval of the subject request would complement these trends by providing additional recreational facilities.

The Agricultural district not only includes lands with a high capacity or potential for agricultural uses, but also includes lands which are surrounded by or contiguous to agricultural lands that are not suited to agricultural or ancillary activities by reasons of topography, soils, and other related characteristics. The subject property's dominant soil type is of the Puu Pa (PVD) soil series. This soil is used mainly for pasture purposes and has a Soil Capability Class of VII. The Land Study Bureau's overall master productivity and selected use rating is "D" or "Poor." Furthermore, the subject area has not been included in the State Department of Agriculture's Agricultural Lands of Importance to the State of Hawaii (ALISH) map.

Although it is possible that some form of agricultural activity may be conducted on the subject property, we have determined that the approval of the subject request would not be detrimental to agricultural activities in the area, nor contrary to the objectives of the State Land Use Laws and Regulations given the low agricultural productivity rating for the property.

While it is possible to conduct selected agricultural uses on the property, its use as a Trap Shooting range will not seriously detract from agricultural activity that may result in this area since its soil is not generally well suited for such uses.

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Based on these considerations, we have further concluded that the relinquishment of this land for the proposed use will not diminish or irreversibly deplete the State or County's Agricultural land resource.

The establishment of the proposed use would do more for the benefit of the recreational function of this area than would be possible through grazing land exclusively. As stated earlier, the activity is directly related to and should benefit the recreational opportunities in the South Kohala and West Hawaii district. This would be the only type of public facility of this nature in the West Hawaii area; the only other one being in the City of Hilo. As such, by providing an additional open type recreational facility, future growth opportunities and incentives will exist to maintain the present status of the area and to expand where possible. The open area type of improvements with essentially grassed areas and fencing, etc. will not physically alter or change the essential agricultural character of the land. Thus, the approval of the subject request should benefit the uses intended to be established by the Agricultural District classification and be consistent with the overall purpose of the Land Use Law and Regulations.

Based on the foregoing, we have further determined that the proposed Trap Shooting range use is an unusual and reasonable use of the land within the State Land Use Agricultural District and that the approval of the subject request would promote the effectiveness and objectives of Chapter 205, HRS, as amended.

Approval of this special permit request is subject to the following conditions:

- A. The petitioner, its assigns or successors, shall be responsible for complying with all conditions of approval.
- B. The Trap Shooting range shall be limited to the area as shown on the submitted plans. These plans, including a detailed parking plan, showing a minimum of 20 parking stalls and a signage plan shall be submitted and approved through the Plan Approval process within one year from the effective date of the Special Permit.
- C. Construction of the proposed facility shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.

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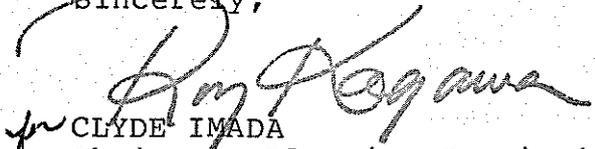
- D. The Trap Shooting Range facilities' related improvements shall be limited to restroom, shelter and concession facilities, which must be submitted for Plan Approval prior to its construction.
- E. The requirements of the Department of Public Works relative to grading shall be complied with.
- F. The access to the facility shall be improved to a minimum width of 16 feet.
- G. That the special permit shall be for a maximum period of 3 years from the date of operation.
- H. All other applicable Federal, State and County rules, regulations and requirements shall be complied with.

*Permitted for in operations*

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

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

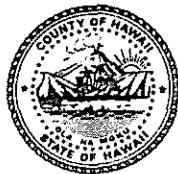
Sincerely,



for CLYDE IMADA  
Chairman, Planning Commission

cc: Chief Engineer  
Building Department  
Department of Water Supply  
Kona Services

bcc: Plan Approval Section



## Planning Commission

STEPHEN K. YAMASHIRO  
Mayor

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

CERTIFIED MAIL

December 17, 1992

Mr. R. W. Giannini, Secretary  
Waikoloa Trap Club  
PO Box 131  
Hawi, HI 96719

Dear Mr. Giannini:

Special Permit No. 541 (83-11)  
Applicant: Waikoloa Trap Club  
Request: Extend Life of Permit to February 15, 1995  
Tax Map Key: 6-8-2:14

The Planning Commission at its duly held public hearing on December 10, 1992, voted to approve the amendment to Condition G of Special Permit No. 541 (Life of Permit) which allowed the establishment of a trap shooting range and related improvements on approximately 14.6 acres of land situated within the State Land Use Agricultural District. The project site is approximately 1,100 feet west or Kona side of Waikoloa Road, 2 miles makai of the Waikoloa Road-Hawaii Belt Highway intersection and about 3 miles mauka of Waikoloa Village, Waikoloa, South Kohala, Hawaii.

Approval of this request is based on the following:

The granting of this request will not be contrary to the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended. The State Land Use Law and Regulations are intended to preserve, protect, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii. According to our files, the existing skeet range has not been a conflicting use nor a point of community dissatisfaction in its 7 years of operation. It has definitely served the needs of this special interest group in West Hawaii.

Lobbying efforts have continued towards establishing a shooting range at a permanent location. The applicant has informed that the Puuanahulu shooting range planned by the County in the vicinity of the new landfill will not be ready for use until 1995, and therefore, they are requesting that the life of the permit be extended to February 15, 1995.

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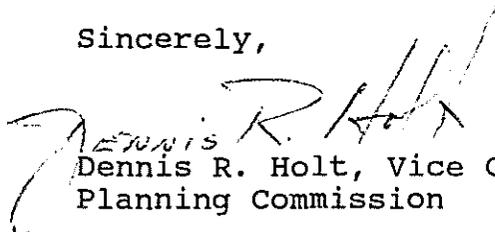
Approval of this request is subject to the following conditions (material to be deleted is bracketted and new material underscored):

- "G. That the special permit shall be extended [for a maximum period of 3 years from the date of operation] until February 15, 1995 or the date of termination/nullification of the Agreement to Further Extend Use permit, whichever occurs first.
- "J. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with, and a detailed listing of public complaints or problems and their disposition. Should a conflict arise, which cannot be mitigated or mediated, the trap shooting range shall cease upon appropriate findings by the Planning Commission that the introduced use will have an adverse impact on surrounding properties. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required."

This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

Should you have any questions, please feel free to contact Rodney Nakano or Susan Gagorik of the Planning Department at 961-8288.

Sincerely,

  
Dennis R. Holt, Vice Chairman  
Planning Commission

RKN/jdk  
xc: Mayor  
Planning Director  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
West Hawaii Office  
State Land Use Commission  
DLNR  
Plan Approval Section

Waikoloa Village Association  
Waikoloa Development Co.