

PLANNING COMMISSION  
COUNTY OF HAWAI'I

HEARING TRANSCRIPT  
FEBRUARY 20, 2004

A regularly advertised hearing on the application of KEITH F. UNGER (REZ 03-029/SMA 03-017) was called to order at 9:36 a.m. in the King Kamehameha's Kona Beach Hotel, Kamakahonu Ballroom, 75-5660 Palani Road, Kailua-Kona, Hawai'i, with Chair Fred Galdones presiding.

PRESENT: Fred Galdones  
Earl Fujikawa  
Bill Graham  
Florence Kubota  
Jeffrey McCall  
Francis Smith  
Hannah Springer  
Bill Thibadeau

ABSENT AND EXCUSED: Aurelio C. Mina, Jr.

Patricia O'Toole, Esq., Deputy Corporation Counsel  
Christopher J. Yuen, Planning Director  
Norman Hayashi, Planning Program Manager  
Phyllis Fujimoto, Staff Planner  
Jeff Darrow, Staff Planner

Kiran Emler representing Department of Public Works  
Ronald Thiel representing Department of Public Works

And approximately 12 people from the public in attendance.

**KEITH F. UNGER (REZ 03-019/SMA 03-017)**

- a. Change of Zone for 10.0009 acres from an Agricultural 5-acre (A-5a) to a Multiple Family Residential – 4,000 square feet (RM-4) district.
- b. Special Management Area Use Permit to allow the development of a 100-unit condominium project and related improvements. The project will consist of 13 two- and three-story townhouse structures. Twelve of the structures will contain 8 units, and the other will have 4 units.

The property is located along the east (mauka) side of Ali'i Drive, between Ali'i Drive and Kahakai Elementary School, and south of the Ali'i Gardens Marketplace, Puapua`a 2<sup>nd</sup>, North Kona, Hawai'i, TMK: 7-5-20:68 and 69.

GALDONES: Commissioners, we are on Agenda Item No. 2. The Applicant is Keith F. Unger. This is REZ 03-029/SMA 03-017.

- a. This is a Change of Zone for 10.0009 acres from an Agricultural 5-acre (A-5a) to a Multiple Family Residential – 4,000 square foot (RM-4) district. And -,
- b. Special Management Area Use Permit to allow the development of a 100-unit condominium project and related improvements. The project will consist of 13 two- and three-story townhouse structures. Twelve of the structures will contain 8 units, and the other will have 4 units. Jeff?

DARROW: Thank you, Mr. Chairman. To reiterate, this application is for a change of zone from Agricultural 5-acres to Multi-Family Residential – 4,000 square feet, as well as a special management area use permit to allow a 100-unit condominium project and related improvements. The Applicant, Keith F. Unger, is requesting these applications that will be located -, let me just bring you up to the bearing here. The application is going to be mauka of Ali`i Drive. Ali`i Drive is identified in this white line here running north-south. We've had several applications in this area. This area here is known as Kahakai Estates. This shaded green area here is the Kahakai Elementary School. This red dot here is the recent Lehua Lani application that we recently heard. And this last dot here is the application we're looking at today for, again, a change of zone and a special management area use permit.

The -, we have received comments from the Department of Land and Natural Resources, asking that we take no action on these applications because they are requesting that a -, although an archaeological assessment was submitted along with the application, they are requesting that a more detailed inventory survey be submitted and approved by their office prior to us taking action on these applications.

The Planning Director is recommending -, he's withholding the recommendation and is asking for a deferral of these two applications based on the -, waiting for the submittal of an inventory survey report, which will be approved by the DLNR, to be submitted to our office prior to us making -, taking action on these.

We have received several letters. Today we've received one from Jean Thompson as well as Joe Gimpel from the Kona Traffic Safety Committee. And we have received several late -, one comment letter from Department of Land and Natural Resources, as well as a previous letter submitted by Mr. and Mrs. Thompson. Are there any questions?

GALDONES: Commissioners, any questions of Jeff? Commissioner Graham.

GRAHAM: Jeff, I was wondering on that adjoining property, the Lehua Lani one, you said, which I think we took up previously, do you know if there was an archaeological inventory report done on that one or whether that one was just an assessment and the conditions are somewhat different as far as prospective archaeological resources?

DARROW: I have to say that I'm not sure whether or not that was an inventory survey or an assessment. Based on, you know, the way that we do accept these, it should have been an inventory survey that was submitted before we did take action, but again, I'm not sure.

GRAHAM: Thank you.

GALDONES: Commissioners, any further questions of Jeff?

DARROW: I'm sorry, Mr. Chairman.

GALDONES: No, I was asking for questions.

DARROW: Oh.

GALDONES: Hearing no further questions from the Commissioners, could we have the Applicant or the representative of the Applicant please step forward. Mr. Mooers, you have already been sworn in on the previous testimony, and you still are under oath. You have heard the recommendation of Staff to have this application be deferred indefinitely because of a archaeological inventory report that is pending. Do you wish to comment on the deferral?

MOOERS: Yeah, I'd just like to clarify that the Applicant, as Mr. Darrow pointed out, did turn in an archaeological assessment that was done a number of years ago on the property, and their belief was that that would be adequate to process the changes on the SMA with full recognition that an inventory survey would have to be prepared and approved by Historic Preservation Division. That has been the policy in other cases. Historic Preservation Division, in this case, because of possible burials on the site, indicated they'd like to see that inventory survey now. We have solicited proposals and have selected an archaeologist that will begin that work very shortly and we're anticipating, you know, getting that taken care of as soon as possible.

I just wanted to make sure the Commission understood that the Applicant was not trying to be deceptive or negligent in the application and that in other cases assessments have been adequate. It was in this case, the decision by Historic Preservation Division that it was not adequate, and I just wanted to make sure that that was clearly understood. The Applicant has no problem with doing the inventory survey because that is a requirement, and it was just a question of when it would be done.

GALDONES: Thank you very much, Mr. Mooers. Commissioners, any question of Mr. Mooers? Commissioner Graham, McCall, I'm sorry.

MCCALL: Yeah, just a point that in the archaeological assessment from the archaeologist, his recommendation is that an archaeological inventory be done before any development is approved so -.

MOOERS: That's -.

MCCALL: That's in his recommendation.

MOOERS: No, that's true but, yeah, the issue of what is development is usually ground disturbing activities, which would not occur until later on. The Applicant was hopeful that we could get through a change of zone, determine if the land use was appropriate in the area before they -, it's obviously an expensive process, and at that point, we'd have to do an inventory survey. The sites have been identified in the assessment. We recognize there are potential burials. What would be done, the difference between the assessment and the inventory survey is in the assessment they have identified the sites. In the inventory survey, those sites are marked in the ground, identified with metes and bounds. They are reviewed by a criteria, set of criteria that are established and to determine what their significance would be, and then in conjunction with Historic Preservation Division would determine the treatment of each of the sites, whether they would be preserved in place, or there would be data recovered, whatever. Clearly, if they were burials, then they would have to go through another process with the Burial Council to talk about the preservation in place, what would the appropriate buffers be. So the process as far as Historic Preservation Division is very clear. The question is simply is when does this land use approval take place? Yeah, but there would never have been a situation in which the land, the land could have been disturbed or sites disturbed prior to approval by Historic Preservation.

GALDONES: Commissioners, any further questions?

YUEN: If I can make a further explanation of why it's my recommendation as well as SHPD is that you have a full inventory survey before you have a vote on allowing the rezoning is that the historic sites should be part of the planning process for the development of the project. And at the stage where there's a public vote taken on the rezoning or on the SMA permit, you should know what sites are going to be preserved and what are not going to be preserved. Otherwise, it gets deferred to a later stage where there isn't any public input and it's really just up to the -. It's ultimately up to the Planning Director at that stage whether even if there's a recommendation that a site be preserved, the -, if it's not stated in the rezoning or the SMA permit, it's up to the Director whether it gets preserved or not, and this is a decision that then would be made absent any public input. Right now, we have -. Aside from the burials, the burials are going to be very well protected in the process, but you have other sites. There's no assessment, are they significant or not, do they have to be preserved or not? And that -, rather than defer that decision to later, we should do that at this stage. And we have done that, as you probably remember in many, many of the applications that we've had, we've made specific decisions like certain sites be preserved when we grant, when this Commission here recommends a rezoning or grants an SMA permit.

GALDONES: Any further questions or discussion? Commissioners, procedurally, we have just received the Background Report, there is no recommendation coming from Staff because of the report, the inventory report that is pending from the DLNR, and the recommendation from Staff is to have the subject matter deferred until such time that we can get the report and deal with it at that time. So there have been -, there are five individuals from the public who have signed up to testify on this matter, so we will hear their testimony and then thereafter, deal with the recommendation from Staff to have this thing deferred, okay. So -.

MOOERS: Mr. Chairman, could I just make a request that I have not seen any of the letters that were provided to you today. If I could, you know, have an opportunity to review those at some point, if they could be forwarded to me.

GALDONES: Staff, please provide Mr. Mooers with copies of those letters. Thank you.

I would like to call on Avis Stafford, Paul W. Thompson, Alison Jones, Jean Thompson, and Joel Gimpel, please come forward. Could you all please raise your right hand. Do you swear or affirm to tell the truth on this matter now before the Hawai`i County Planning Commission?

TESTIFIERS: I do.

GALDONES: Before you begin your testimony, I want you to understand, hopefully you clearly understand the process we will be going through today. We will not be making a decision on the application to accept or reject it until such time we have the complete report submitted to us. However, being that it has been announced, public -, in the papers that there is this subject matter before us, you have the right to testify, and we will be accepting your testimony this morning. Before you begin your testimony, please state your name and your residence address, then you may begin your testimony. Ma'am, I shall start with you.

STAFFORD: My name is Avis Stafford, and I live at 75-6138 Ali`i Drive, which is right across the street from the proposed project. We've owned our property for about 15 years, and lived there fulltime five years.

I apologize today for not having something in writing. I do like to be able to do that, but unfortunately we were not told about this meeting for some reason. And I don't know what the rules are on notification, but we did not receive notification. My husband's the Ali`i Point Homeowners Association president, and he would have like to have been notified because he would like to be here, as well. And we would have liked to have been able to talk to all the people that live where we live.

I have -, I'll be very quick today and succinct, so I know we have so many other people to hear from. I have three major issues that I'd like to discuss today, and they're all around the idea of planned growth. If any of you have been reading the newspapers and know about the issues that we have in Kona about traffic, you can multiply them by a hundred on Ali`i Drive.

I have three ways that I would like to discuss this. The first is a lack of planned infrastructure. Ever since I've been in Hawai`i, we've talked about the Ali`i Highway, the bypass highway that will be between Ali`i Drive and the Queen K Highway, and Kuakini Highway and the Queen K. That, as you know, I think that you know, has not been, there's no funding for that and the planning hasn't be done, so we're years and years and years away from that, unfortunately. We really need it.

Also, we don't have any connecting roads from Ali`i Drive up to the highway, except for Royal Poinciana Drive, which is now -, has bumps all the way up there to slow the traffic. We have,

we haven't considered infrastructure in terms of schools. When we -, there have been five projects that have gone along Ali`i Drive, new projects between Royal Poinciana and town, and only one of them has a turn lane put in, so that's another part of infrastructure in terms of the roads.

And, you know, we -, so the last five years, these five projects have gone up, and yet there is no consideration of the infrastructure issues. So what that creates is bumper to bumper traffic, that's my number two, is traffic.

And the third is safety, and this is an issue that I'm very concerned about because I have a disabled son, and if I have to evacuate, which we've been told on Ali`i Drive twice in the last ten years to evacuate, how are we going to get out? And I know there's lots of time allowed in tsunami evacuations thanks to modern science, however, time might not be enough, that when you consider there's thousands of more people that live between Royal Poinciana Drive and town now, and they're all filling those condos and they're all multiple dwellings. So I have a big, huge concern should something happen and, you know, who is responsible? Is the County responsible? Is the State responsible? Is the public responsible? Is the Planning Department responsible? Who will eventually have to deal with this issue? And if there's only one road out, and there's thousands of cars, I'm very concerned about that.

The USGS had an article in the newspaper, the West Hawaii Today, that said that there's imminent danger for a tsunami on West Hawai`i. It's not a matter of if it will happen, it's a matter of when it will happen. And, hopefully, you know, there will be some consideration in your planning about how you'll help us get off of Ali`i Drive. We've seen what happened to Hilo, and we don't want it to happen to Kona.

That's basically what I have to say, and I would really like to encourage the Planning Department, beg the Planning Department to please think about planned growth in this area, and when you think about it, think about infrastructure and let the public know what will be the plans for the next five years, ten years. Where will the roads be? How will we evacuate? What will our schools look like? What will our turn lanes and our traffic look like? And that's my major consideration and concern for any growth in the area, in the Ali`i Drive quadrant.

GALDONES: Thank you very much, Ms. Stafford. Commissioners, any questions of Ms. Stafford? Commissioner Fujikawa.

FUJIKAWA: Not a question with the testifier but to the Director. There was a talk of the tie-in of Lako Street, Ali`i Drive to Lako Street. What is the status on that?

YUEN: The County has prepared an environmental assessment to tie in Ali`i Drive to the Ali`i Highway at Lako Street. That wasn't part of the original Ali`i Highway or Ali`i Parkway project. By the way, the Ali`i Parkway project was -, Phase I has been funded by -, its -, the State put in on the statewide traffic improvement system, transportation improvement program, and the County appropriated \$9 million for the County's share in 2003. This would go from Keauhou to Lako Street and exit up to Kuakini along Lako Street, but there wasn't a connection from Ali`i up to Lako, so that's a separate project. The County prepared an

environmental assessment for that. It has not -, it hasn't been finalized yet. The project will need an SMA permit from the County Planning Commission to go forward. The funding for the project is in the administration's CIP budget that will be presented shortly to the Council. Hopefully, if that goes forward, that will relieve -, it's not that close to this area, it's a little bit, the Lako Street Extension comes out south of this area near Hōlualoa Bay, but it would take out, it would provide a way for people in those -, there's a complex of condominiums in that area around the Banyan Surf area, and that would provide an exit for those people to get out to Ali`i Parkway, and people that now would go north to -, and try to get out on Royal Poinciana.

As the testifier said, the second phase of Ali`i Parkway, which is another very expensive proposition, has not been funded, nor has the final planning been completed for that.

STAFFORD: And might I add that that's one of my major concerns, because all the building that has happened in the last five years have happened between Royal Poinciana and town, and that's that area where the Ali`i Parkway -. And Lako, you're right, is going to go down to Keauhou now, not really close to us anymore. They've sort of slanted it down toward the Keauhou area, so it really doesn't help us at all. So we really are in a very congested, very tight, very dangerous place. Thank you very much for your time, appreciate it.

GALDONES: You're welcome. Commissioners, any further questions of Ms. Stafford?

SPRINGER: Mr. Chair?

GALDONES: Commissioner Springer.

SPRINGER: I'm looking at Page 16 of the application and the discussion of circulation. And with regard to the comments made by the testifier on evacuation, where else might we find in this application a discussion of traffic circulation, but in particular as it relates to evacuation in the event of a tsunami? For the Director.

YUEN: Specifically in the application, I don't know. They have a traffic report, but I'm not, I can't give you pages in the application itself.

SPRINGER: And that's what I'm looking at on Page 16, Item 2, proposed traffic and anticipated impacts. Philip Rowell, the project transportation engineer, concludes that there is no change of level of service as a result of project generated traffic. While that discusses service coming into the proposed project, I'm wondering about in the event of a evacuation, where that discussion might occur.

DARROW: Commissioner Springer.

YUEN: I don't know. Maybe when Mr. Mooers comes back, you can ask him.

SPRINGER: Okay. And then my further question is do we take this up in terms of impacts?

YUEN: It's something that definitely has to be discussed when the Commission makes a final decision -, a recommendation on the rezone and a decision on the SMA permit.

SPRINGER: Thank you.

STAFFORD: Could I ask one more question, because my husband did ask me to find out what is the -, what are the rules about notification in terms of how many feet or yards or -, from the area. Was there a reason why we weren't notified?

YUEN: Everyone within 300 feet of a property site is supposed to get written notification, and they use -, it's acceptable to use the property tax records to determine who the owners are. I don't know specifically what happened in your case, but that's -, those are the rules.

STAFFORD: Okay. Thank you very much.

GALDONES: You're welcome. Ma'am?

JONES: My name is Alison Jones. I live at 76-6168 Hōlualoa Beach Road. The owner of the property is my partner, Gabriel Thornton, and I'm here representing him and myself.

I, too, would have liked to have prepared something in writing, but just really simply wanted to just urge my concerns primarily of safety in our neighborhood, and want to first recognize the priorities that are in place on this proposal, really looking at the archaeological impact and preserving that as the first priority.

But secondly, the safety and the congestion that's happening to Ali`i Drive. It's no longer Ali`i Drive, it's Ali`i Highway, and we're not set up currently to handle the traffic that has become of all the development that's happened in the last five years. I have been personally impacted and have witnessed several accidents due to the congestion. It's not set up for all the residents to safely walk. Sometimes there's three abreast,. There's lots of people using this as a coastal access and enjoying the beauty of it, and it's just not set up for that safety. I'm a regular runner on Ali`i Drive, and it's impacted my personal life in the fact that my dog has been hit, and I've watched lots of accidents based on poor planning. So really, my primary concern is safety for the residents of the neighborhood as well as obviously anything that should happen as far as a tsunami and the accesses for the community.

My recommendation is that we propose a halt on any further development in this area until we have a clear picture and a plan for the infrastructure of this immediate area and for Kailua-Kona and the west whole side of Hawai`i, and that that be considered. I'm getting more and more involved, and I'm so surprised to see how the same topics keep on coming up and we're not getting any resolution to help with the infrastructure, and it's growing. So I can just see what the impact of another dwelling would be on Ali`i Drive without that being clarified.

So that's all I really have to say. I have read from other people, what they've submitted on the panel, and I just say that we both support 100 percent all the specifics that they have brought up. That's it.

GALDONES: Thank you, Ms. Jones. Commissioners, any questions of Ms. Jones? Sir?

P.THOMPSON: Oh. My name is Paul Thompson. I live directly on the south side of this project. I've been friends with the Ungers for many years, and find them to be wonderful people, and I'm uncomfortable being in conflict with them over anything. It's just that the development in our area has been overwhelming recently, and it's hard for us to even get out of our driveway. There's been a number of accidents, like Alison said. Unfortunately that poor man that was struck on Ali`i Drive recently, that was directly in front of this property. I don't know how that relates, but it's been overwhelming to the residents there for the increase in traffic for years. I just would like to see more ways to move around this area.

As I understand it, the new Ali`i Highway goes directly on the mauka side of this property, so it would be between that and Kahakai School. That's something that I'd just like you guys look into. My wife is prepared more than I have. Thank you.

GALDONES: Commissioners, any questions of Mr. Thompson? Ms. Thompson.

J.THOMPSON: Thank you. My name is Jean Thompson, and we live at 76-6167 Ali`i Drive, and we have lived in this location for over 20 years.

And this proposed development, when we first moved here, was cow pasture. We had cows on this property. Now I understand that agriculturally feasible property along Ali`i Drive, that is diminished, and the value of that property has changed. Those cows disappeared about five, six years ago.

But what we have seen in the last five years is outstanding, it's overwhelming. We had Kailua Hawaiian Village, Ali`ilani, Sea Ridge, Ali`i Park Place, Ali`i Cove, and Hualani all come in in the last few years. We're talking thousands, thousands of people. This has turned in from a nice small community, where our families, our children can cross the street and go to the ocean and play and grow up here to where it is dangerous for them to even walk to school. And there really hasn't been -, what we see is piecemeal rezoning. I think what we're all asking for is long term zoning. Let's take a look at how we really want this town to develop. Do we want to have buffer zones where we have parks and we have low density development rather than keep putting in more timeshares, more condos, more vacation rentals? Pretty soon Ali`i Drive is going to be for visitors only because none of us can afford to live there and can safely access this road. It's not going to be pretty to drive down and it's not going to be a beautiful area that it is now that we can still have parks and go see the ocean and go across and do surfing.

I think that the residents of this town deserve long term planning, and we need to look at the long term zoning and say developers, don't buy ag land and expect to rezone this to high density development. If you want to take, buy ag land because you want to preserve ag land, because you want low density development, that's fine, but to buy ag land at cheaper prices and then go

in for zoning and put in condos and timeshares, this is not what we want, as town residents. This is not where we're going. And my kids are teenagers, they surf, and every day they cross that street, I worry. I worry all the time.

So, I mean, you can read my letter, it just addresses our concerns about buffer zones, about zoning piecemeal, about sprawling development, and ending up just looking like Kīhei. That's not what we're looking at. I would like to see the Planning Department have an idea of just how many residents Ali`i Drive can handle and how many residents we're looking at having increased over the last few years, and what's that limit going to be? Where long term are we going to go on this so that we can all be together on long term planning? Thank you.

GALDONES: Thank you, Ms. Thompson. Commissioners, any questions of Ms. Thompson? Commissioner Graham.

GRAHAM: Thank you, Ms. Thompson. I've been on the Commission not quite a year now. I think one of the issues that we can see the kind of growth and the kind of problem you're talking about. And because again I'm only speaking for myself, but maybe it applies to some others, we try to -, we strive for consistency so that the people who come in to develop as well as the public can kind of know where everything goes. And so, like you say, these things have been approved in the last couple years and all, so one way to deal with it as people, some people have suggested, like a moratorium or something. But aside from that, you know, how, what kind of a consistent policy can we bring into place that really reflects the needs of the community but also is a policy of fairness as -, to me, that's the kind of issue that's hard to get a grip on. But judging that the problem is getting worse and worse, I mean there sure is a real necessity to grip on -, get a grip on that in a hurry. So I just wanted to say I hear you and that's the kind of stuff that runs through my head as I try to figure, you know, what this Commission or what I could ask the Council to do or anything in regards to these kind of issues.

J.THOMPSON: Thank you. I support that. I feel that at this point in Kona's development, we need some long term plans and we need a vision of where we're going to go. And if we get that vision and the town is behind it, we're not going to have this, you know, problem of this because people are going to buy land knowing what they're allowed to build on it and not allowed. And we're going to have a long term plan in terms of infrastructure and tsunami evacuations and all of that, and I feel that it's time to have a vision. Thank you.

GRAHAM: Yeah, I would also say because we're not trained planners here, it's hard for us, or I feel like it's hard for me to try to say, well, this is the kind of policy I want to see happen so I want to, you know, make a big push in that direction. And on rezoning ordinances, the Council takes the action, not us. So our tools are somewhat limited, but it sure does seem like that, you know, we could consider in some point that rather than saying, you know, we don't approve this or we do approve it is that we don't want to move forward any further until we get a long term plan that's -, maybe that's more in line with what you're saying and it's something that's within our realm of possibility. Thank you.

GALDONES: Commissioner Kubota.

KUBOTA: I agree totally with the testifier, but as Commissioner Graham said, our tools are limited. I would like to hear from the Planning Director on this concept of long range planning and views for the Ali`i Drive or West Hawai`i expansion and where we are, what your views are and how you view the input that is being given by the majority of the West Hawai`i residents that feel the crunch.

YUEN: A lot of this is a reaction to -. It's not -. You see, we deal with rezonings and land use changes on a site-by-site basis, but what's driving it is that you have an increase in population that is moving in and there's no ultimate control over the number of people who move in. And if you try to simply -, you can try to control it in some areas by limiting the number of sites for people to go to, that's partially true, but that only works to a certain extent because, okay, you can't buy a condominium here. Say this condominium doesn't get built. Maybe they go to Keauhou and buy a condominium, or they look at -, they go up to Kaloko Mauka and buy a farm lot or a three-acre lot. There's not an ultimate control over the number of -, there's always a site for people to move to. And so by looking at it on a piecemeal basis, you're not really dealing with the overall issue and the overall problem.

If you -, when the new administration came in, we did propose a number of amendments to the General Plan which would remove areas that are presently shown as being Urban or Resort development from the General Plan, partially on a site-specific basis, like these are areas that shouldn't be developed, but it also has the effect of not throwing more fuel on the fire. And that was the -, and though there are a number of initiatives like that, those are still pending at the Council.

Most of the development that you see in West Hawai`i, virtually all of it, is occurring on property that was, has been zoned for many years. In this administration, in the last three years, a number of -, if you look at all -. There have been an increase of roughly 460 units of potential sites, if you take all the rezonings of -, that increase the number of lots or increase -, like rezoned condominium sites, you will -. If you look at all those rezonings in North Kona, you'll have 460 units on the plus side increase, versus really there's tens of thousands that are already, that are unzoned, tens of thousands that are -. You have 29,000 people in North Kona occupying roughly 10,000 residential units. You have a potential for several thousand more home sites that are already zoned but not built on. And so what you're seeing is not being driven by individual rezonings that have happened in the last three years or so. At the same time, we -, if you look at what we did at Kohanaiki in arriving at a compromise with the developer there, he has had a development that actually is several hundred units fewer than allowed by the zoning that was in place at that time.

So, you know, this is something that we're trying to work on, but it's not -, you're not necessarily going to solve the problem by saying that one site doesn't get built on, that this particular site doesn't get built on. And there is a tradeoff between density and sprawl. If you don't want to have people living in a -, if you don't want to have a sprawled development pattern, if you're going to have a certain number of people, you have a choice between putting them in a denser development pattern or spreading them out in a sprawl development pattern. If you have a sprawl development pattern, you need far more highways to accommodate that same number of people.

SPRINGER: Mr. Chair?

GALDONES: Commissioner Springer.

SPRINGER: At this time, as the Director made mention of the Hawai`i County General Plan review and comment is still active up at the County Council, perhaps you would want to find out about hearings on that and testify to the benefits of long term planning and have a look at where the Urban expansion areas are and make your comments specific to that. Thank you for your comments.

STAFFORD: May I address the group for just a moment in response to what you said? One of my concerns in what you said is that the Ali`i Highway, bypass highway which is not funded, there's been rumors that it's going to be eliminated and they're not going to do it, which would mean that all of these five that Jean listed, new projects that have been built between Royal Poinciana and town are now all going to be forced to go onto Ali`i Highway forever, I mean to Ali`i Drive forever without a highway. And so my request would be to consider if you approve something where is the route out. So if all of these, one of -, to answer your question, Commissioner Graham, if -, one way to control it might be yes, you can build it if there's a highway or a way, another road access that's available to you. The road access is not available to you, then you can't build it. And in that respect, these five huge condos that have just recently been built in the last five years would not have been built because there's no Ali`i Highway, which has been on the books, you know, that I know of for at least 15 years and probably all of you know that it's been on for a lot longer than that. I don't know exactly how long it's been "proposed" but I know for sure it's been at least 15 years, and these all have been done in the last five years. So maybe that would be a way for you to manage the growth is by managing the growth through the infrastructure "roads" that are available. That's just a suggestion of mine. Thank you.

GALDONES: Thank you.

KUBOTA: Mr. Chair?

GALDONES: Commissioner Kubota.

KUBOTA: One more comment I'd like to add to this massive growth that seems uncontrollable sometimes. You know, as the Director said, we act -, we, as Commissioners, act on one application at a time, and along with these applications come the TIAR, the Traffic Impact Analysis Reports. And I'm beginning to wonder how much credence we can give to project engineers who say, and I don't blame them, they look at it as their one project individually, but cumulatively, the impact. Even though the engineers provide us with information and recommendation that says that there's no, what is it, loss of service, LOS, is that what it is called? Yeah, level of service.

YUEN: That's great.

KUBOTA: Okay. Okay. That's a Freudian slip, okay. That's a Freudian slip. Level of service -.

YUEN: We're going to -, from now on we're going to call it loss of service.

KUBOTA: You know, they all say the level of service is not impacted and no mitigating provisions need to be made. That's true, individually but, you know, collectively speaking, cumulatively speaking, I mean it becomes a massive inundation of traffic. And I don't know how to go about it because, as you say, Mr. Yuen, we do consider these applications individually and yet we receive these reports that say there is no, you know, LOS. I won't say the word anymore.

GALDONES: Thank you, Commissioner Kubota.

SPRINGER: Mr. Chair?

GALDONES: Commissioner Springer.

SPRINGER: Yeah, I suppose as Commissioners where we review the chapters and verses under which we do our work we should consider in Chapter 205A-26 of the HRS that no development shall be approved unless the authority or the Director has first found that the development will not have any substantial adverse environmental or ecological effect. Such adverse effect shall include but not be limited to the potential cumulative impact of individual developments, each one of which taken in itself might not have substantial adverse effect. And in recent months, we have been getting into deeper discussion of cumulative impacts, and I think we need to maintain that level of discussion.

GALDONES: Thank you. Any further comments or questions, Commissioners? Otherwise, I would like to give Mr. Gimpel opportunity to make his presentation.

GIMPEL: Thank you. My name is Joel Gimpel. I live at 73-4686 Hina Lani Street, which is not in the neighborhood, but I'm speaking here and appearing on behalf of the Kona Traffic Safety Committee. I serve as Public Affairs Chair.

Our review of these applications revealed the number of traffic issues which you've already heard about that should be carefully considered, including the effect on Ali'i Drive and mauka-makai traffic, school transportation and pedestrian safety along Ali'i Drive. The -, with respect to the Ali'i Drive and mauka-makai traffic issue, the TIAR that was included with the application was prepared based upon a traffic count that was conducted in February 2003, which was before the speed humps were installed on Royal Poinciana. So accordingly, that road, which is not classified as a connector road, shouldn't be considered a viable mauka-makai route, and traffic counts for the intersections of Lunapule and Royal Poinciana with Ali'i Drive should be re-evaluated. And furthermore, although the TIAR attempted to measure the cumulative effect of projected developments along that stretch of Ali'i Drive, and Mrs. Kubota, that is exactly what was attempted to be done, those projections differed in some cases rather significantly from the

projections that were contained in the TIAR that accompanied the Lehua Lani applications, concerning nearby property to the north.

So we recommend that this TIAR be updated and that the developer take into account all other planned and projected developments in the area. We urge also that the TIAR analyze the cumulative effects of closely spaced ingress and egress movements on vehicle and pedestrian safety along Ali`i Drive. There are a number of projects that have been constructed along that section where the egress and egress, ingress from each project are rather close.

Moreover, although some Ali`i Drive traffic may eventually be diverted to the planned Ali`i Parkway, I call it parkway not highway, I think that's the current term, we don't anticipate its completion for some time. And two, access to the Ali`i Parkway will be limited so Ali`i Gardens residents and visitors will still have to use Ali`i Drive, which adds to the safety concerns.

We do note with approval that the TIAR recommends a separate storage lane be provided for left turns into this project from Ali`i Drive, but the developer makes no mention of that recommendation in his -, on Paragraph K(2) on Page 16 of his application. In fact, it merely states no improvements are required to mitigate the impacts of the project.

We also remain concerned about the absence of adequate mauka-makai connectors between Ali`i Drive and Kuakini Highway, especially because of the need, as you've heard, to provide a viable emergency evacuation route in case of tsunami. We're the only place in the world where the tsunami evacuation runs parallel to the ocean. Lunapule, which is far to the north, and Royal Poinciana, the two closest mauka-makai streets, are a mile and a half apart. They are both inappropriate and inconvenient, and although a third mauka-makai route, which you've heard about and know about, the Lako Street Extension, has been planned, its design and the timing of its completion remain quite uncertain, and its junction with Ali`i Drive will be located well south of Royal Poinciana.

Let me touch a bit upon the school transportation issue, which was not covered at all in this application. The nature of this development indicates that there will likely be many school aged children, and although the property's on the makai boundary of the Kahakai Elementary School, the planned Ali`i Parkway will separate the two properties so they won't be able to get across. Accordingly, elementary school students will not have direct access to the school from Ali`i Gardens and will be forced to walk along guess what, Ali`i Drive, which is not safe for pedestrians. Accordingly, we urge that consideration be given to requiring construction of a sidewalk on the mauka side of Ali`i Drive and, if possible, providing direct access to school property from Ali`i Gardens, if that can be worked out.

That takes care, we hope, of the elementary school students, but the high school and intermediate school require busing. They'll have to cross Ali`i Drive at least once a day to get on the bus or exit the bus. It may, therefore, be appropriate to require the developers in the area fund installation of button-activated crosswalk lights for students using buses.

So in view of these concerns, we believe that approval of these applications should be delayed until the cumulative effects on traffic volume and safety of this and other nearby projects are

thoroughly evaluated and the necessary infrastructure is provided for. Thanks, and I'll be happy to answer any questions.

GALDONES: Thank you, Mr. Gimpel. Commissioners, any questions of Mr. Gimpel? Hearing none, I would like to thank you for you folks' input and taking the time to be here this morning. Thank you.

TESTIFIERS: Thank you.

GALDONES: Mr. Mooers? Mr. Mooers, any further comments?

MOOERS: Yes, I have several. I know you're not taking action today, but I think it's only fair since these issues were raised that I be allowed to address them. And obviously at subsequent public hearings, there will be additional public testimony, and I'd like the opportunity obviously at that time to address those concerns. And I first of all take some specific issues that were raised and respond to them, and then I'd like to make a couple of general comments.

First of all, Ms. Stafford talked about the lack of planning and other issues related to traffic, talked about schools, turn pockets, etcetera. I will point out that Public Works, in their comments, requested a turn pocket be installed, and in our response, the Applicant agreed to install that turn pocket. There was also a comment that Mr. Gimpel made that we had not made comment about. We did not make comment in the application about it because we respond to what the requirements requested by Public Works are.

As far as the issue of tsunami and safety, I will point out in the Background Report the police speak directly to that and require the Applicant to install an access through the property and be gated, that would be opened at the time of emergency to allow access onto the proposed Ali`i Highway. So, in fact, this project would improve tsunami safety off of Ali`i Drive, so I would refer you to the Background Report on that.

Just in general, the discussion of traffic on Ali`i Drive as being, well, bumper-to-bumper and -, there's certainly some strong anecdotal evidence, but unfortunately if you read the Traffic Impact Analysis Reports, the level of service is still A. And I think one of the things I'd like to ask the Commission now is I've had conversations with Mr. Emler from Public Works and, of course, Public Works reviews these Traffic Impact Analysis Reports, and repeatedly now before this Commission, we get anecdotal evidence provided to you and it overlooks the Traffic Impact Analysis Reports that are prepared and reviewed by the Department of Public Works. I would just make a request that if, in fact, you would like that, and I offered it to -, and Mr. Emler, we'll be more than happy to bring Phillip Rowell here to discuss the process of how these are prepared, and then Mr. Emler could discuss how they review them, because it's a rather extensive process. This is not a situation where the developer goes out and hires a hired guy and then they make up numbers and then no impact. And then you come in here and the public says, oh, there's a terrible impact. Well, which is it? You know, I mean there are traffic counts, there are standards, there are engineering standards that tell you and they establish the level of service. And the Department of Public Works reviews these items, and if they have problems, then they take those back to the traffic engineers and ask them to address it. So I don't want to get into a

situation of providing this -, going to the expense of having these studies done and then have, you know, a number of people stand up and say, well, it's terrible.

I mean we heard in one of the other cases that you made a recommendation on the Nani Kona `Āina, how horrible the traffic was on Nani Kailua Drive. The level of service there is A. It's one of the best streets in Kona. So I would simply like to think that we could have a non-emotional discussion of what the traffic impacts really are, and let's talk about how these things are done, because one of the things they have to do is they have to consider all the cumulative impacts. And in fact, they don't, then they should be amended. If the traffic impact analysis report does not indicate what the level of service would be in addition to all the other projects, it should.

If you look at a Traffic Impact Analysis Report, the first thing they do is they look at what's the existing traffic count today, and they rate the level of service of every moment based on those numbers. And then they look at the background existing zoned properties that are coming on line would be if they were added. And then the final step is if they add whatever the subject property is and its use. So you've got level of services for three different scenarios. And if there's a fault in that, then Public Works should make the traffic impact analysis preparer correct that report, and let's get an accurate understanding of what these impacts really are.

Most of the issues related to traffic and the issue of piecemeal zoning, I'd like to talk about this idea of medium and long range plan. Folks, we have a long range plan, it's called the General Plan, and it gets updated periodically by the County. It's in that process again now. When people buy property, they buy it and they look not only at what the existing zoning is but what is planned for that area. And if you look at the General Plan, it explains how they expect to see that area to develop. And then you look at more regional plans or sub-regional plans, the Kona Regional Plans. And when we prepare an application, we have to discuss this. It's called the institutional considerations. What do our plans that are on the books call to be done for this property? This proposed project is absolutely consistent with every plan for this area. The General Plan does not call for this area to remain for cows, all right. This is a Multi-Family Residential area. That's what it's slated for and that's what this application is for. It's consistent with these plans.

Now the issue of piecemeal, that's the process. The process is that we bring these applications one at a time, all right. The General Plan is the long range guide. The rezoning process, the SMA process, allows you to review a project on a case-by-case basis to say okay, is it consistent with these issues as far as institutional considerations? In this case, I don't think there's any question it absolutely is.

Then the second level of review is the infrastructural considerations. Do we have adequate water? Are there, you know, drainage issues? Do we have archaeological issues? You have traffic issues. How do we address that? And then we have conditions that look at that, and we have reports that are done that address those. But because we have traffic backed up on Queen Ka`ahumanu Highway doesn't mean that the piecemeal planning with a condominium on Ali`i Drive that's absolutely consistent has, you know, is poor planning. It's not poor planning.

The problem we have in Kona is that we don't know how to pay for growth. We don't know how to pay for the infrastructure that we need. People are saying well we don't know where we need the roads. We know where we need the roads, we just don't know how to pay for them. All right.

Now if you talk about moratoriums, moratoriums will not solve the problem, because people are going to continue to come to Kona. There's already plenty of zoning. And the County doesn't have the funds to pay for infrastructural improvements. I mean you look at the budget, you back out salary and wages, the mandates, there's very little money left. The CIP budget is very nominal. You look at State and you talk traffic, I was on O`ahu this week with some friends from Kona and they're saying, gee, we think we have traffic in Kona, look at this traffic in Honolulu. And, of course, we don't want to be like Honolulu, but what we need to understand is we're all competing for the same dollars with Department of Transportation. Are they going to fix our problem or are they going to fix the problem on O`ahu when the vast majority of the legislators are there?

So how do we pay for growth? I mean this is the issue that we've been looking at, and there are mechanisms. There's tax increment financing, there's Mello-Roos financing, there's impact related fees, there are ways to do it that have been done in other places, and that's what we need to be looking at here, all right, how we do that. And in the scope of this application, that's not going to get solved, but as a community, that's what we need to do. We need to figure out how we're going to pay for the growth that's created by these things because if we're using the General Plan as our planning document, as we should, then we're going to have growth. People are going to continue to move to Hawai`i, all right, that's a reality, and we're going to go somewhere. As the Director says, if we continue to push them outside, we're going to need more and more roads. We are going to create urban centers, and Ali`i Drive will be an urban center. From Kailua to Keauhou will be urbanized; it is urbanized. Yeah, so all these little pockets of Ag-5 that have not been rezoned yet, they're going to become urbanized, whether it's single-family, multi-family, timeshare, whatever, it will happen. The question is simply how we deal with that.

I guess the question I would have to the Commission is would you like, at the next hearing, for us to bring Phillip Rowell to discuss the traffic impact analysis report?

GALDONES: Mr. Mooers, as you see from the five testifiers that we have this morning, possibly in the next hearing there might be more testifiers, most of the applications that I have sat in, the discussion in any development in Kona has been the traffic problem, and whatever information you can provide to the public and also to us Commissioners regarding the traffic problem would be of great value.

MOOERS: I'll be happy to have Mr. Rowl attend. I think it should be pointed out that, like I said, Public Works does a review of those reports, so perhaps Mr. Emler and his staff could be prepared to discuss how they reviewed the application and the traffic impact analysis report, what they felt, because they obviously came up with a list of proposed conditions after accepting that report, those conditions which the Applicant has accepted as proposed conditions of approval.

GALDONES: Mr. Mooers, will that person also be able to, besides educating us on how they go about making the report, will he be able to give us some solutions in addressing some of the concerns that the public is raising?

MOOERS: The -.

GALDONES: That can be included in his -.

MOOERS: They are included as part of the Traffic Impact Analysis Report. They do make recommendations on what should be done. And, ultimately, what happens is that those recommendations are reviewed by the Department of Public Works, and they formulate those into proposed conditions.

GALDONES: Okay. That is my response to your statement, and I don't know if the other Commissioners have any other comments to make to that. Commissioner Fujikawa.

FUJIKAWA: Yeah, I have a comment on that. When I lived in the mainland, Washington State and California, I got involved with a lot of developers, and their procedures are the city, county, or the state, basically the city or the county, would get federal grant to put in the infrastructure, and then whoever the developers are, they pay their fair share if they want to develop. So the county or the city do charge them what they had cost and yet make the percentage on their profit line.

KUBOTA: So I would like to hear from Ki Emler's department on, you know, how is it that the County is saying it's okay with these conditions and the public is saying, you know, we're being inundated and causing more and more, and I would like to have a balance and hear about that.

GALDONES: Commissioner Kubota, are you expecting Mr. Emler to make the statement today or you would like to hear -?

KUBOTA: Well, I would -.

GALDONES: To give the opportunity to prepare and make the statement at the next -?

KUBOTA: Yes.

GALDONES: Hearing?

KUBOTA: Yes, I think that would be fairer to do.

GALDONES: Okay.

KUBOTA: I mean if he's prepared today, I will accept it, but I think it's fairer to give him time to bring up a report on how things are considered in terms of traffic and compounding traffic.

GALDONES: Mr. Emler is in the audience and he has heard your comments, and I'm sure he will be prepared at the next meeting to make a presentation to us. Commissioner Graham.

GRAHAM: Okay. Did you have something to say first, Jeff?

MCCALL: Go ahead first.

GRAHAM: I wanted to thank Mr. Mooers for his comments which were very candid, and I agree with many, if not most of them. I did want to, not in a contentious tone, but I did want to just bring up a couple other considerations that have come to my mind over the months I've been on the Commission in regard to the basic framework that he sets up as for, you know, how we look at things and determine things.

In regard to the traffic impact analysis, it certainly seems right, what he says, if in fact the study has been prepared and it's been reviewed by the Department of Public Works, we should be able to rely on that study being accurate, notwithstanding testimony that gives us anecdotal evidence that there's more problems than what appear in the study.

However, I know I was personally bothered by an application up on Hōlualoa Road, and the nature of my bother was it felt like the consultants were dealing with level of service, as we see here, but not with safety. And when I listened to the people testifying today, I didn't hear the people saying, well, I was stuck in my car for 20 minutes waiting to get along Ali`i Drive because the level of service is so bad. What I hear is it's very unsafe because of the nature of that road.

So I don't think -, I think in many cases the traffic studies that we're seeing, you know, go to great lengths to deal with level of service probably because it's very measurable for them, but I don't see much acknowledgment of the safety issues or any direction to us of, you know, this is safe and don't worry about it, the way they might say this is level of service A so it's fine. So, you know, even after reading these traffic studies, you know, I am still often left with feelings that, yeah, it is really unsafe and it has not been shown to be otherwise by the traffic study. Did you want to say anything about that or -?

MOOERS: I think that that's an issue that Department of Public Works, they get comments as the Planning Department does from Kona Traffic Safety Council, from the Police Department, to determine this. For example, one of the statements made by Mr. Gimpel regarding this project, I think that he said well, given the nature of the project, clearly there's going to be a lot of kids generated. Well, that statement is absolutely false. I mean what we've found with the condominium projects on Ali`i Drive is that the number of students is dramatically less than they are in residential areas. These projects do not tend to foster large numbers of children, and that's just a fact.

But the other fact is that it is immediately makai of Kahakai School. There is a pedestrian access through the project. They won't be walking along Ali`i Drive, they'll be walking along Ali`i

Parkway when and if it's built. If not, they'll have direct access to the school. But these issues are raised as part of the application review process. The Traffic Impact Analysis Report is a numerical analysis of traffic counts, and you're right, that is not the entire picture. That is an issue that has to be done and those issues to be raised in the Department of Public Works and the Police Department, and community groups need to raise those issues and they need to be evaluated.

GRAHAM: Thanks. And then the other one I wanted to bring up, Greg, was when you were talking about the General Plan and how this is going to be an urban area and how this application is consistent with the General Plan for how this area develops, I personally don't feel like I have a real good grip on this whole area around here that we're talking about with this application. But, you know, recently I was involved, thinking a lot about one going out more towards the airport, and I know when I look in the plans there, the plans include both the land use, this will be Urban or not Urban, but they also include infrastructural stuff. And like out there they were talking about a mid-level collector road in the General Plan. So I kind of wonder if we're not be running into a situation over here, also, where the General Plan does call for Urban but the General Plan also calls for infrastructural improvements. And if, in fact, the infrastructural improvements are not living up to what should be done in the General Plan, then that doesn't really give us carte blanche to continue with everything else in the General Plan perhaps.

MOOERS: Well, I think that was the statement I made. I said there's two issues or two criterion which are reviewed in these applications. The first is the institutional considerations, which is the consistency with plans. The second part is the infrastructural issue, and that's the issue that we're talking about today. That's why we do the Traffic Impact Analysis Report and make improvements that are recommended by the Department of Public Works. They are looking at the project related to the infrastructure. So I'm talking about two levels. One that we kept hearing there's no planning; well, there is planning. The question is where's the implementation of the plan, and I think that's the issue of how do you address the infrastructure issues? And that's why the departments make recommendations to what those conditions should be so that the infrastructure will accommodate the proposed project. So that's -, it's two different issues. So is it consistent with the General Plan? Yes. Then the question is, okay, infrastructurally, what needs to be done in order to handle the impacts of the project? So it's a two part thing. It's not just one. If it's in the General Plan, okay, go ahead and do it. It's okay, is it consistent with what we want to see as far as land use? Yes. Okay, then what do we need to do to accommodate the infrastructure concerns of the area? So it's a two part review.

GRAHAM: Okay. Thank you.

GALDONES: Commissioner McCall.

MCCALL: Yeah, just if you are going to be bringing your transportation engineer over, you might -, I haven't reviewed it, but Mr. Gimpel said that there were some discrepancies between his TIAR and a previous one, and you might have him take a look at it and see what, if there is a problem or not so -.

MOOERS: Yeah, having just received those comments today, I will certainly forward them to Mr. Rowell and have him review them and also obviously the Department of Public Works because Ki's the one that gets to see all these different reports coming in, and he's in a position to identify the discrepancies and what might cause them, but certainly they have to be resolved.

MCCALL: Thank you.

GALDONES: Mr. Yuen.

YUEN: Yeah, if I can just jump in with another comment here. Part of the issue is road construction infrastructure. We're -, in the long run, we're not going to build our way out of the problem. In the short run, both the State and County are trying to implement road infrastructure improvements that have been planned for a long time but for one reason or another either have not -, typically that they've not been funded, have not been built. I mean to build something, you got to get the construction funding.

The Ali`i Parkway, the prior administration did much of the planning. There was a -, there were a lot of community meetings and a lot of community input on the design concept of the road. It finally achieved a degree of consensus, I think. And then the present administration got it, got the State's funding side through the Federal money, and the County funding side through the County Council.

The major regional transportation bottleneck is the north-south commute. You have -, and this is the quall that people make from Kainaliu to Keahōle, heading north in the morning and then heading back south in the afternoon. This is the traffic tie-up. There's -, it's not a big mystery. There's one lane, roughly, essentially one lane of traffic that goes in each direction. At a certain point, once you add a certain number of cars, you get from the point where people can do this, it's busy but makeable, to completely jammed up. That point happened sometime in the last few years.

There are -, the projects that would relieve that I can take in turn. You have the Hōkūlia Bypass Highway, which is 60 percent built and is currently under injunction prohibiting further construction within the boundaries of the Hōkūlia project.

You have Ali`i Parkway from the County which is fully funded and had all the approvals, but then now as has been reported in the paper, we do have one snag with a burial that has to go back to the Burial Council, and that will be -. There was a meeting on it yesterday, and I think there'll be another meeting on it in March.

The State -, the County also has a Kuakini widening project, which is fully funded and should move ahead.

Finally, the State has their Phase I widening of Queen Ka`ahumanu from Henry Street to Kealakehe Parkway.

Now, cumulatively, the State park is something like -, the State highway is something like \$35 million, Kuakini is \$13 million, Ali`i Parkway is \$45 million, Hōkūlia Bypass, their estimate -, that's privately funded, their estimate is \$50 million. That's \$145 million of projects that are in the works to happen.

I think that shows you though that when you get to the next level of when that doesn't become enough, what kind of money you're talking about to support a heavily commuter driven growth pattern, and you just can't do it. You just cannot do it, pay to keep having more -. If you start, if you divide the number -, the cost of building highways by the number of people that can actually use it, you get this huge figure. We've been spoiled because we live -, you had enough road capacity to absorb a certain new population, and then in certain -, in a lot of areas, that road capacity got absorbed and now you have to spend a huge amount of money to build out of that.

So, I mean, it's happening, but there's some underlying issues. One of the things I always say is that you have to have affordable housing closer to where people work so that people don't have to drive from Honoka`a, Ocean View and the like to get to where they work, because then they're taking 50 miles of highway instead of maybe five miles of highway. So those are some of things that, you know, I don't want to leave the impression that nothing is happening, you know, there are -, there have been major funding commitments made in the last few years to try and improve the situation here. There are some snags though with almost all of the projects that have been planned.

GALDONES: Thank you for the information, Mr. Yuen. Commissioners, any further questions? If not, Commissioners, there is a recommendation by Staff to have this application be deferred till such time that we have the archaeological inventory report submitted. A motion in order to incorporate the -, to accept the recommendation.

KUBOTA: To defer?

GALDONES: To defer.

KUBOTA: Mr. Chair, I move that the Applications REZ 03-029 and SMA 03-017 be deferred as recommended by the Planning Department.

FUJIKAWA: I second it.

GALDONES: It has been moved by Commissioner Kubota and seconded by Commissioner Fujikawa that Application REZ 03-029 and SMA 03-017, Applicant being Keith F. Unger, be deferred. Further discussion?

FUJIKAWA: Yeah.

GALDONES: Commissioner Fujikawa.

FUJIKAWA: How long will this be deferred to, another month?

KUBOTA: Well, Mr. Chair, it's an indefinite deferral pending the archaeological inventory being submitted.

FUJIKAWA: So you don't know.

KUBOTA: Is my understanding.

GALDONES: That is correct. That is the -.

FUJIKAWA: Until they're ready.

GALDONES: Staff's recommendation.

FUJIKAWA: Okay.

GALDONES: Commissioners, any further questions or discussion? Jeff?

DARROW: Thank you, Mr. Chairman. Commissioner Kubota?

KUBOTA: Aye.

DARROW: Commissioner Fujikawa?

FUJIKAWA: Aye.

DARROW: Commissioner Graham?

GRAHAM: Aye.

DARROW: Commissioner McCall?

MCCALL: Aye.

DARROW: Commissioner Smith?

SMITH: Aye.

DARROW: Commissioner Springer?

SPRINGER: Yes.

DARROW: Commissioner Thibadeau?

THIBADEAU: Aye.

DARROW: And Mr. Chairman?

GALDONES: Aye.

DARROW: The motion passes eight to zero.

GALDONES: Thank you, Jeff. Mr. Mooers, you will be informed in writing of today's action.

MOOERS: Thank you.

GALDONES: Thank you.

The discussion ended at 10:59 a.m.

Respectfully submitted,

Janet L. Kama, Transcriber