



Store. It's located generally in this area. The application is just north of the Papaikou area. It's identified in a red dot.

Looking at the site plan submitted by the applicant, we have Hawaii Belt Road running in a north-south direction. This way would be to Hilo, this way would be to Waimea. We have access off a private access easement identified as Indian Tree Road. This is a paved road approximately 25 feet in width as far as the pavement. There is an existing warehouse identified in red. The actual property itself is identified in blue which is 24.03 acres in size.

The applicant in this case, Jieyu Shepard, is requesting a special permit to allow the storage of tile, cabinets and home furnishing within a 1,000-square foot area of an existing 4,000-square foot existing warehouse, agricultural warehouse. This particular warehouse is identified on this plot map that has been submitted. The applicant is requesting that the area for the storage would be mainly along the perimeter of the warehouse area. These areas are identified in red. This would be, the remainder of the warehouse would be used for agricultural storage. The applicant currently does utilize the remainder of the property for agricultural purposes.

The reason for the request is that the applicant also has an alternative business enterprise which is a tile, cabinet and home furnishing business. This is located in South Hilo. The applicant has done research to try to locate an available warehouse with an appropriate loading dock and has found that there's none that exists at this time.

We have received several submittals since this application has come before the Planning Commission. One is from the applicant's representative, Tom Yeh. It is dated September 5<sup>th</sup>; and this is in response to the recommendation from the Planning Director. Additionally this morning we've received three letters of support from the applicant which has been distributed to the Planning Commission.

I'd like to make one correction to the recommendation. This would be on page 4, paragraph 4. There's a portion of a, line 3, there's a portion of a sentence that should be deleted. This would be after the left turn lane. It will start with "conditions" and end with "the," if we'll just delete that out of the recommendation. The Planning Director is recommending that the special permit request be denied by the Planning Commission for the reasons stated within the recommendation. Are there any questions?

GRAHAM: Commissioners, do we have any questions for Jeff before we bring the applicant forward?

DOMINGO: I have a question.

GRAHAM: Commissioner Domingo.

DOMINGO: Are they just suppliers of the tile and furniture, or is in the business that would bring in and sell and/or install the tiles or furniture cabinets?

DARROW: I could be wrong on this answer but I believe that the applicant sells the items and that they work with other installers, local installers, to install these items. But if I'm incorrect, maybe the applicant's representative could correct me on that.

GRAHAM: Any other Commissioners have questions for Jeff at this time? All right, would the applicant come forward. We do have public testifiers; and we'll take that after we've finished our discussions with the applicant.

YEH: Thank you, Mr. Chairman. My name is Tom Yeh. I represent the applicant Jieyu, or her nickname is Iris Shepard, might be easier for everyone.

GRAHAM: Tom, could you hold on for a second while I swear you folks in?

YEH: Certainly.

GRAHAM: Do you swear or affirm to tell the truth on this matter before the Planning Commission today?

YEH: Yes, we do.

SHEPARD: Yes, we do.

GRAHAM: Thank you. Go ahead, Mr. Yeh.

YEH: Well, to continue, yeah, my name is Thomas Yeh; and my business address is 85 West Lanikaula Street.

SHEPARD: My name is Jieyu Shepard. My home address is 11D Aikane Road, Hilo.

GRAHAM: Speak more loudly if you could, please.

SHEPARD: So my address is 11D Aikane Road, Hilo 96720.

YEH: And I think for purposes of presentation today, we were going to have Iris speak first, tell you a little about herself, the history of the property, what she's being doing there, her involvement with agriculture. And then I'll go ahead and kind of, I think, get to some of the issues that have been raised. Thank you.

GRAHAM: All right. Go ahead, Ms. Shepard.

SHEPARD: Hi everyone. I want to tell you about my story, how I started my business. I came here in 1994 because I have a Bachelor's Degree in Agriculture and landed a job with Mauna Kea Agrinomic Business. And I worked as a sales person and a

buyer, local buyer, from the farmers. And, well, the agriculture business is very risky, and then my boss growed ginger too and he took a loss. And the profit margin on agriculture pretty small so he can't cope with the loss, and then we have very, very difficult time to pay the farmers on time. As a buyer I feel difficult to work with. So I have an opportunity coming, you know, Michael Zelko, start a business called the Hawaii Agriculture Products and Services. So I went to work with him. So the first year we worked there we did to make it even, to make second year we sell the ginger and the papaya, also sell fertilizers to the farmers. But the ginger and the papaya we took such a huge hit, you know, because when we're buying, the farmers wants his price, but again the market is really, you know, dropped very drastically. So we took a huge loss and then also we couldn't keep the business going because overheads and you had to pay the rent, high rent, you know, the warehouse, everything.

So end of the second year we closed. But because I had to walk away with the farmers and the produce wholesaler, you know, for three years we've been operating good relationship with it. So everybody encourage me to take the part of the produce, to take on by myself. So I got the permission from Mike Zelko so I go ahead, went to. And then one of the farmers had a warehouse, you know, he helps me, you know, the storage stuff and also I help him to distribute the produce, whatever he do, you know, that's how I just continue that business. And, you know, because that warehouse also is temporary. Actually he just put it in the middle of nowhere in the field, then we have to move because the landlord have to take it back. That's why I mortgage my house and got my, the land, at that time we got good price so I can afford. And then that's how I build the warehouse and do the produce. I do, and at that time, you know, between 2002, 2001-2004 I was shipping ginger, you know, shipping ginger, one container to two containers a week. And so by the time I finish my building is end of 2004. And then 2005 because the Chinese Ginger and Thailand Ginger hit the market, very bad. You know, I cannot ship it. It is so cheap, too cheap, like 30 cents a pound. You know, so I didn't ship the whole year, you know. Because ginger season we start end of the year of 2004 until June of 2005, you know. I end up doing nothing with that loading dock and the warehouse. I cannot do anything.

And I have an old friend from China and friend say what you going to do? You know, the furniture business, you know, I just send it to you, don't need the money at this point until you finish sell then you can give me. That's my friend in China, they offer that to me. And then I just, well, maybe it's a god idea and they did that. So, cause I never thought it was illegal, you know, the warehouse, to sell furniture. Because I saw some signs say, you know, advertisement, they say sell stuff in HPP, the house lot over there. I just never thought, you know, that much. So I put the sign out and I sell furniture there and I get cited. Then I, of course, I just have to move. So I found a place, I was looking for a warehouse for the store, but it's really hard to find a combination together. And we were finding the store site. Furniture business is actually can't, turned out very good, it's really hard to move. And then I did just some cabinets, cabinets because the construction business is doing well. So the cabinets take off pretty good, you know, steady, you know, help to pay the warehouse payments, and be able to hire a person to do the job too. So, and it's just, you know, because, I mean, local people are making every, you know,

saying that -. Also I talked with Tom Yeh, you know, he tell me it's illegal to storage there either, even at the selling from there. So that's why I say I have to come forward to apply for the special permit.

My intention actually, you know, it's not good a place for storage because it separate the store. So far, it's not good. But because my business is so small, you know, it not be able to support big warehouse. Meanwhile warehouse for my agriculture business mostly is empty. This agriculture business is slowing down the movement. I can't use all that building actually.

And then my intention, it is trying to use my warehouse, to fully use it, to making money enough to pay whatever my expenses. And then I was working with my neighbors, my neighbors come up to think about to do dracaena right now, and the produce, you know, sweet potatoes and taro. Eventually I am going to make the warehouse to handle dracaena and my produce only. But currently right now I have a hard time to find a warehouse. And sometimes trying to accomplish with them it takes time to make the transit, and the financially, and also feasibility of that too. Right now I'm just trying to see if I get permission for few years to make the transition to when I could fully operate the agriculture, you know, in that premises; and then also give me time to build up my other business to be able to survive on another location, too. So I guess that's all I like to say to you. And thank you.

GRAHAM: Thank you. I think that's very clear. And the Commissioners may have some questions. Do we have any questions from the Commissioners?  
Commissioner Domingo?

DOMINGO: Mr. Yeh, in behalf of your client, she's asking for a few years so that she can, as she has been successful with her other business, she can find a place and develop it so that that function that she's anticipating doing there can be transferred over to the new area. How much time she's asking for?

YEH: Well, that's a very good question. When we, even prior to the time that we submitted the application, she had a difficult time finding the appropriate kind of space that's -. Cause to be honest with you, I mean, finding 1,000 to 1,500 square feet of space with a loading dock is just not a real easy thing to do. When we submitted the application, I did have a chance to talk to Chris, and he said why don't you go ahead and really see what's out there, which we did. We contacted, and Iris did, contacted no less than six brokers, some of the larger brokers in town. The only thing that was really available was 8,000 square feet of space with a loading dock. From a financial feasibility standpoint it really didn't make sense. And what Iris is doing is she is looking; and so she's asking basically to buy some time, not to build her furniture business, but to find an appropriate location that really makes sense. She actually has also recently acquired a piece of property on Kilauea Avenue that she's probably going to come before you to get a recommendation of rezoning to commercial village or commercial neighborhood which might allow her to utilize that space. But as you know, it does take time for her to do

that. And that's what she's asking for, similar to what we saw in this other application that we submitted to you a little bit earlier this week.

GRAHAM: Thank you, Mr. Yeh.

YEH: Thank you.

GRAHAM: Commissioner Siracusa?

SIRACUSA: If we were to grant the temporary special permit for one year, with the option for a one-year renewal, that would give a potential two years. Do you think that that would be adequate time for her to arrange for that property on Kilauea Avenue?

YEH: Quite possibly, with the ability maybe for Chris to provide that additional extension. What I don't want to see is having us to come before you again to go through this same process. But she has been diligently working on that; and she just recently authorized us to start that process, too. So it does take time putting together the environmental background, traffic studies, etc. to get it to the point where we can officially file; and then of course depending on what happens with this body, as well as the Council. But that, certainly, I would say probably two years is probably a safer scenario.

SIRACUSA: Redirect?

GRAHAM: Go ahead, Commissioner Siracusa.

SIRACUSA: Generally when we give a special permit, and I'm not sure, maybe the Director could comment on this, but generally we set a time limit and then the possibilities of extension are issued for the same amount of time. So that if we were to grant you two years then it would be renewable for four; and I would not personally feel comfortable with that, you know, unless that we said two years and no extensions; and I don't know if we could legally do that. Maybe the Director can comment on that.

GRAHAM: I'm sure we can do it if we choose to.

YUEN: Yeah, I was going to say within the body of your discretion you could go two years and give them one year. Because it's not necessarily tied to a renewal, the same renewal period.

SIRACUSA: My other question has to do with if this is granted did you intend to post a signage out front indicating -? I noticed that you had a banner before about a furniture sale; and it seems to me that if you're only delivering from there you don't really need it. So I would feel uncomfortable approving your special permit if there were to be a sign out there. Because one of the things that happens, and we've seen this in Puna along Highway 130, is that people see a sign for a business and they assume that it's okay to open a business on that highway when it may not be. And so I would not want to

vote for you to have the special permit if you were going to indicate that there would be a sign that would be visible from the road.

YEH: Mrs. Siracusa, I can respond to that. We wouldn't have a problem with a prohibition, a condition prohibiting any sort of signage advertising that business. The sole purpose for coming before you with respect to trying to use a portion of the warehouse is really just to store and use it a point source for receipt and delivery of inventory.

GRAHAM: Thank you, Mr. Yeh.

YEH: Thank you.

GRAHAM: Any questions from Commissioners?

SIRACUSA: I had one more. I just had one more -.

GRAHAM: Excuse me, you have another one, follow-up?

SIRACUSA: Yes.

GRAHAM: Go ahead, Commissioner Siracusa.

SIRACUSA: Okay, this is a very short comment; and that is as with regard to your September 5<sup>th</sup> letter, Mr. Yeh, at the very bottom of page 1 you say "It does not make sense for someone to purchase what is in fact expensive agricultural property for the purpose of operating a small warehouse space with the hope that a special permit will be granted." This is to contradict the Director's statement that it would lead to, you know, strip mall development. And I would just like to inform you that it happens all the time. We see that coming before us all the time. And it doesn't make sense, but people do a lot of things that don't make sense. Thank you.

YEH: Thank you. And I appreciate that. I think, you know, obviously, Ms. Shepard's situation is different. That's not why she purchased the property. I think it really speaks well on her part that if you look at that virtually entire 24-acre parcel except for that small portion of the warehouse space it's fully planted in taro and sweet potato. She has invested a great amount of time in supporting agriculture both in the way of farming as well as supporting some 30 to 40 farmers. So I think it can be fairly said that she's doing her part to do that.

If I may I wanted to comment a little bit more, but I'm open to questions now, too, unless you want me to go ahead and proceed first.

GRAHAM: Mr. Yeh, we're going to just take questions now, then you all can go back and we'll bring up public testimony. And after the public testimony you come back one more time. If there are any further comments we'll go from there. Okay?

Thank you both. I have four testifiers signed up and we do have four chairs up here. So maybe all four of you could come up at once now. I have W. Schatz, Camille Glenn, David Glenn and Michael Zelko. And I'd like you to, as much as possible be heartfelt but keep your testimony brief and to the point. And first of all I'll swear you all in. So would you raise your right hand, please. And do you swear or affirm to tell the truth on this matter before the Planning Commission today?

TESTIFIERS: I do.

GRAHAM: Thank you. So I'll start here on my right. And if you, be sure to use the microphone because we're transcribing; and start with your name and address and then give your testimony.

SCHATZ: Sure. My name is W. Schatz. I live in the 380 Indian Tree Road, so I am the next door of Iris Shepard. To me as we walk every day past the warehouse, I see no reason for me as a neighbor to have an effect. I think this warehouse temporarily really doesn't make any difference to us. So I'd like to say, yes, we are supportive, I'm supportive.

GRAHAM: Thank you, Ma'am. Any questions or comments from the Commissioners? Ma'am.

C. GLEN: My name is Camille Glen. I also live on Indian Tree Road, 27550, a neighbor of Iris. I'm just here to give her support as well because I don't see any negative impacts by her using the warehouse temporarily. Her background is strong in agriculture. She is using it for agriculture now, but not using it indefinitely and this small space that she's using doesn't impact us at all. We don't see any negatives on traffic or any other use that's going on there. So we support her.

GRAHAM: Thank you very much.

DOMINGO: Mr. Chairman?

GRAHAM: We have a question a question from Commissioner Domingo.

DOMINGO: Good morning. Just one question. You know, has it ever bothered you folks when you folks have seen the advertisement with regards to furniture for sale or furniture sale?

C. GLEN: I remember a sign once. I think it was three years ago or, anyway, quite some time ago. No, it didn't bother me. It was up there briefly and it was gone. And other than that I've just seen, you know, I've mostly seen agriculture and occasionally I see a delivery. But the sign I wouldn't want to see a sign there permanently. I would agree with that.

GRAHAM: Could you mention that again, please.

C. GLEN: I wouldn't want to see a sign showing furniture for sale. But the way she plans on using it, I have no problems with it.

GRAHAM: Thank you. sir, go ahead. Start with your name and address.

D. GLEN: My name is David Glen and we live on Indian Tree Road. Address is 27550. I'm here to support Iris. The years that I've known Iris she has always been above board and discussed things with us. It's, for me, a great joy just to drive up there and see all the agriculture going on. I have no problem with Iris storing her furniture there for a temporary basis. That's what she explained to me when she talked to me. That's fine. I know how difficult it is to start a business, to operate her business and for warehouse space. So it's fine on a temporary basis. As far as the sign goes, the sign was down as quick as it was up. I saw it one day and the next time I went by it was gone. As far as the traffic goes and all that, there's not that much traffic there; and I'm up and down that road all the time. So I'm here to support her. I wish her the best. I hope things go well. I'd love to see dracaenas all the way up the hill towards our place. She's a great neighbor; and that's it, all I have to say.

GRAHAM: Thank you, Mr. Glen. Sir?

ZELKO: I am Mike Zelko. I live Puu Moi Road up in Papaikou which is right down the street from Indian Tree. Obviously Iris has mentioned I've worked with her since 1994 in the Ag business. We've worked with, you know, a thousand plus farmers. She always is promoting agriculture here in Hawaii. But, you know, the last seven years with the people running the Federal government it has been very difficult. And I've talked to her about her warehouse and we've been actually planning to use a bunch of her warehouse for our agricultural purpose, like cacao and taro, and such. It's just a timing thing. And she needs, we all farm and we all have different jobs also, cause farming is a difficult lifestyle. So I support Iris in what she's doing because you would see in a very short period of time that the warehouse is used for just agricultural use. The business she has right now with the furniture is not, you know, a very large profit center either. So it's not going to become something really large. It's just we all need to pay our bills and the warehouse is, you know, fully utilized for agricultural uses but she needs some space to store some things while she attempts to help the community by starting up other businesses. So I support Iris and, you know, I continue to work with her; and I think you would see in a short period of time that the building would go back to probably 100 percent agricultural use.

GRAHAM: Thank you, Mr. Zelko. Any questions? Commissioner Watanabe.

WATANABE: I have a question for the Director. In, I believe that was the last of the testifiers. So in light of the testimony that has been provided what are your comments?

GRAHAM: You folks, I guess if we're -. You didn't have any questions for the testifier?

WATANABE: No.

GRAHAM: Okay, so thank you both, thank you all very much for your testimony. Mr. Yuen?

YUEN: Let me start by talking a little about overall policy. Because the question of special permits, of course, comes constantly before the Planning Commission. And very often we have special permit applications and very often resulting from the Department actually having a complaint about a business in the Ag district, filing a citation, and then seeing a special permit application to legitimate the business. And it gets down to a question, there's sort of an overall policy question of when should nonagricultural businesses be allowed by a special permit, and particularly businesses that normally go into a light industrial zone, and there's quite a bit of interest. And the Department has to give, you know, people come in asking what the Department's position is going to be as far as the recommendation, and so we have to have some overall principles. And so I did a staff memo some time ago for staff to advise, cause it's not always going to be the director, and there's a need to have some kind of consistency. And basically I have to tell you that we generally have a negative attitude towards special permits that have a zoned area, that they typically belong in a zoned, an industrial zoned type area. And, in particular, you're going to see applications or interests in having warehouses. The other typical one that's pretty popular to go into agricultural areas is a trucking baseyard or a contractor's baseyard. And the reason for these is that the zoned areas, say go to Railroad Avenue or the Kanoelehua Industrial area, they tend to either be somewhat expensive or they're on leased land. A lot of people don't like to go on leases, a lot of what's available is on State or DHHL leases. The level of infrastructure that's needed to operate a warehouse or a contractor's baseyard is fairly minimal. And so it can be much less expensive to go out to Paradise Park or Orchidland and buy an agricultural lot, grade it, and put a warehouse or a baseyard on it. And if you make it a practice that this is approved or allowed, this is generally what will happen because you can, you know, and this tends to be less true in Hamakua where the property is much more expensive. But you can get a 3-acre lot in Orchidland, might be \$75,000 to \$80,000, something like that, versus an industrial zoned acre. Actually, an industrially zoned and developed acre lot in Kona may be a million dollars, for example, as a point of comparison.

So that's the basic approach and we have made exceptions for situations where, and particularly in Puna where there's a lot of need for the kind of services that are provided by these businesses; and there's not a zoned location available, there really isn't. And so we've had these short-term permits that with a time limit on them and then now tending to come in for a roll-over. You know, that being said, you know, I don't have a big problem. And let me, this application is a little bit different in that it's a very small operation occupying what is primarily an agricultural use. There is primarily an agricultural use on the property. And I don't have a big problem with a time limit on this

application with the idea that they're going to move to another site when it becomes available; and it's limited to a very small area.

I just want to caution the Commission that as a matter of overall policy we are going to see these applications come in generally with a very nice person, who's the applicant. Generally there's going to be some degree of hardship or a business desirability to locate in a Ag area rather than an Industrial area; and they have to be very careful about approving these kinds of things, or this is what you're going to get in the Ag area.

GRAHAM: Thank you, Mr. Yuen.

YUEN: I also wanted to say if the Commission does, very often, you know -. Because we do have a set of conditions that we would recommend if the Commission is inclined to grant the permit. We sometimes do this when, because we've had situations like this before where the Commission, the Department has been negative and the Commission has been favorable. So we do have a set of conditions that we would be prepared to suggest to the Commission if the Commission wants to grant a permit for some set timeframe.

GRAHAM: I'd like to, just as far as our protocol here, rather than discussing how we might take action, we bring the applicant back at this time; and then we can go into our discussion mode. So Ms. Sheppard and Mr. Yeh, if you'd like to come back. And generally this opportunity is for you to respond to anything you've heard in the public testimony. In this case the public testimony was all supportive, so really it's just the opportunity for you to make any further comments before the Commission, I think.

YEH: Thank you, Mr. Graham. I understand where Chris is coming from and from a, I guess, overall policy standpoint also understand why that position would be. I guess the only thing that I would say is that, you know, the special permit by its nature is intended to be a vehicle by which whether it's, you know, in the Ag land or under the General Plan or the Land Use Commission, under those special kinds of circumstances where it is unusual and reasonable as we find in this case and the circumstances warrant, you make exceptions. And that's by definition, to me, a special permit allows a use other than agriculture in that zone. I don't think probably in your history sitting here as a Planning Commissioner or in any of the Commissions that I've seen have we really ever seen an applicant who has been so far engaged in agriculture as Ms. Sheppard has and who has supported as greatly as she has and who is going to continue to use the same property as it has been and as she intends it to be. And, you know, I think her and Mr. Zelko kind of pointed out to you the difficulties, I mean, we pay -. I shouldn't it call lip service, but we have these policies of trying to maintain this integrity of agricultural lands. And to some extent it's used as an open space concept to preserve it from development. But the practical difficulty of engaging in agriculture, as you can see over the last, just over the last five years, is we have these shifts between ginger, papaya virus, sweet potato, taro. That is just a market force itself aside for the fact that we have weather, and other kinds of forces that play. So we have here someone who's genuinely making a go of it, trying to make a go over it, has some extra space, on a temporary basis,

who wants to do that. It will allow her to continue using the property for agriculture. So to some extent, you know, the two operations that she's proposing kind of complements it. Cause from a financial diversity and stability standpoint it allows her to continue to engage in these kinds of practices.

If we look at the, you know, if we look at the standards for providing a special permit: It unusual and reasonable? Yes. Does it interfere with agriculture? No. Is it an irreversible commitment to some resource or activity other than agriculture? No. Does it create adverse impacts? No. Is it a burden on public agencies? No. Does it utilize space that would otherwise be available? Not at this point in time. She hasn't developed that agriculture business to the point where she needs the entire space. Is it consistent with the General Plan and Chapter 205? Yes. Chapter 205 talks about special permits itself. The General Plan has all kinds of provisions that you can cite either for or against this application. But I think one of the primary ones that it does talk about is the ability to create, you know, financial stability and having uses that complement each other. If special permits were prohibited in agricultural spaces, that's what it would say. If it was prohibited in prime lands, then that's what the prohibition would be. We don't have that here. And so out of these kinds of circumstances, we really feel that if anyone who has come before you deserving of at least a serious consideration for a special permit, Ms. Sheppard is the one. So thank you.

GRAHAM: Any questions for the applicants from the Commission?  
Commissioner Domingo?

DOMINGO: I listened to your reasoning. After listening to Mr. Yuen then I thought it would be best if you just be quiet, because I gather from Mr. Yuen he would be willing to entertain some form of concession. And then you came out very strongly in saying why this is appropriate and a legitimate application. As I read Mr. Yuen's reasonings for a denial, he has strong valid reasons to support his denial, you know. For one thing, as you mentioned, the issues which would contradict what he's doing, he said no, no. But in my, I was thinking what you had not mentioned was the fact that in my mind there is a circumvention of a zoning here. Because for this purpose you would usually find a zoned area which provides for a light industrial use, a storage facility, and all these, where she can do that, you see. So what she is essentially doing there is contradicting the Zoning Code, in my own belief. And, of course, the issue of precedence setting - if we approve this, if we approve this today, and someone else who may be in a similar circumstance applied for a permit, a use permit, a special permit, in this case with the same reasoning, you know, what are we to say? And, thereby, do we follow by many others who find that this is a way to get around finding a place in downtown where you can store your goods out in the country and truck it to the retail outlet and sell it? You know, and that can be done. You'd be in perfect, keeping with the law and the Zoning Ordinance. So this is a precedent that I don't look at it very lightly. But, you know, I understand also as I make a decision this morning, I look at this particular circumstance. I find that an individual has diligently and has dedicated her efforts in trying to promote agriculture and has been successful up till now in doing what she planned to do from the past; and I commend her for that. And then we have people

who come here and attest to her integrity, and her diligence, and dedication in her work; and they respect her for that as a person and as a businesswoman. Now I would look at a similar case in other places like, for instance, you have in Puna. You know, Puna at this time with the demand for growth and demand for spaces which can be found no other place has been in demand; and we find a lot of applications coming in there. And the issue of planning is one of the most important thing in the minds of the Commission and those in the County. How do you regulate growth and provide for growth, you see. And Puna has not totally been proven because we found many people who come and oppose the so-called spot zoning with regards to the special permits and other industrial uses. But in this particular case the scenario is set and you started your presentation with, you know, we don't mind, we're asking for a time, give us some time so that she can establish herself. And it was never something that were imposed by the Commission or the administration. And that's why, you know, I'm listening here and I just, I don't know, hope that others would have the sentiments.

GRAHAM: Do we have any other questions for the applicant? Thank you all very much for your presentations. Okay. So we can start talking about how we feel and come up with a motion at the appropriate time. Commissioner Watanabe had something to say?

WATANABE: Yeah. I tend to agree with the Director's original recommendation, especially with regard to the original application. On the other hand, what is proposed before us right now is something different. It's talking about something temporary which implies a definite plan to discontinue that practice at some point in the future. And as the Director indicated, he doesn't have that much of an issue with a small area being used even though it's not in the proper zoning as long as it's not really precedence setting. Along those lines, I'm wondering if the Director can recommend a time period that he would be comfortable with, keeping in mind that, you know, there's going to be a rezoning thing that takes quite a bit of time. It's not that simple. But I'm also thinking that maybe to stress the point that this is truly an exception we should not put in the standard clause for a renewal. You know, if it has to come back to us, it has to come back to us, that's it, not whether at the Director's discretion you're just going to double up that time period. And I'm hoping that that would make it clearer to the public that this is not a means by which you could circumvent the zoning laws. Because obviously if you're going to go and build a warehouse on a temporary timeframe and you've only got three years to use it, it doesn't make any economic sense. Then you keep that door closed, you see. And I'm wondering if you could make a recommendation along those lines.

GRAHAM: Thank you, Commissioner Watanabe. I just wanted to reiterate to the Commissioners, we have closed the public hearing already at this point. You're welcome to stay there if you'd like, Mr. Yeh. And, Mr. Yuen, do you have anything further to say?

YUEN: Well, with that question, if there's no time extension I'd suggest two years, one year goes by pretty quickly.

GRAHAM: Commissioner Siracusa?

SIRACUSA: Yes. You know, this reminds me a lot about some of the special permits that are along Highway 130 but they enter from the side street in Paradise Park. And they're usually for 5 years; and then some of them are starting to come up for renewals. And most of them have not even complied with the Rule 17 so that it's very obvious from the highway that there are industrial uses there where they're not supposed to be. So, you know, I'm thinking about the kind of standard conditions that the Director was referring to and I would have liked to see added those standard conditions. Well, I agree with the two years and no extension. I would also like it to be spelled out very clearly that this is not to be construed as setting a precedent for the area. I would like to see it set out very clearly that the applicant is to maintain Ag use as the primary use of the parcel; and that there be no signage to identify the property as a furniture warehouse or retail outlet. If we can possibly work those into the recommendations then I would be willing to vote for approval. Otherwise, I would not.

GRAHAM: Thank you, Commissioner Siracusa. I might just say myself I feel very supportive of this application. And when I compare it from other ones that I've seen in the other four years I've been on the Commission, I mean to have all the testimony positive, to have nobody speak of any bad effects on the ground, they have an understanding of how we got to this situation, I don't see why we have to put the most stringent requirement possible time wise on the applicant. I feel like we've had other ones we've passed where there was clearly public safety problems, there was, like you say, visibility problems, there are poor roads and everything; and we have on those 5-year timeframes and the Director can give extensions and all. So I'm just personally a little taken aback that the Commission feels so stringent in this particular application which I find very compelling.

SIRACUSA: I'd like to respond to that and say that I am sorry now that I voted for some of those five-year ones.

GRAHAM: All right. Thank you, Commissioner Siracusa. Commissioner Iwashita had something to say also.

IWASHITA: Thank you, Mr. Chair. I agree with the Chair's comments. I'd like to make that a record. And, I, you know, I view this application as a symptom of one -. You know, the lack, undisputed lack, of an appropriate space, you know, for the applicant to maintain a storage place for her business is testimony that, you know, what we have doesn't really work. We talk about planning or we talk about, you know, having an effective policy to implement and have a vibrant economy here. But this applicant, it's undisputed, has tried for months and months to find a place without success. And so we're in this situation. And, you know, so from that perspective, I for one agree with the Chair's comments about, you know, granting this application and giving the normal timeframe in terms of complying. I am concerned that, you know, one of the suggestions here is the applicant has found apparently a residential fee zoned property that

prospectively, is going to try and come here and ask this body to allow a change of zone in order to try and meet this need; and the Commission well knows my view about those kind of applications. And so I'm going to, if you will bear with me for a moment, you know, I have a couple of words about this implementation of our policy and our General Plan, and how really this case is an example of how it doesn't work, it hasn't worked. And even since our adoption of the most recent amendments to the General Plan in the beginning of 05, you know, we're well past 2 1/2 years since that was done, and there really hasn't been a change in how our planning system works. We still do the same things, we still have zoning changes that come in that, as far as I'm concerned, you know, are not really well thought out. It's not really an implementation of policy that the General Plan is supposed to reflect. And I, you know, I'm going to go back to the Envision Presentation earlier this morning and I really think that, you know, when the presenters indicate that they're involved and they are committed to making Downtown Hilo better, that is the scale and that is the process that I see for this whole island we really should be implementing. I'm going to take that back. I'm not going to say should. I believe that if we really want to have this island developed in a manner unlike Oahu, in a manner unlike Maui where the green spaces on Oahu are, you know, pretty much gone, most of it -. You know, Hawaii Kai used to be farms, Kahala used to be farms, the whole Ewa plain was all in agriculture; and they're gone. And it was all planned, all planned. And I just heard a piece on MPRS yesterday afternoon about South Jersey, a place that I am very familiar with because I lived there for three years, and how they're approving subdivisions or developments, you know, 5,000 to 6,000 homes at a time just because of the pressures of urban sprawl. And if we don't start doing things differently in the manner that the Downtown Envision Process is going along, then we don't have any different future to look to, you know. And so when it comes to policy and effective implementation of policy, I don't think this case is an example, or it is one in which we should "set an example," or be fearful because of the precedents that it might have. We have an ineffective process. That's what we have. The applicant should not have to be here. There should be sufficient space available to handle 1500 square feet of commercial storage. Excuse me? Why should that be a problem? That should not be a problem. Why is it a problem? In my humble opinion it's a problem because we have a failed process. We have a failed system. And what we're doing here today is simply, in my mind, I'm recognizing that that's what it is, it's a failed system. We're taking a simple action to grant undisputed efforts of the applicant to sustain her agricultural operations and run this other business. I really don't have a problem with that. I have a problem with the process. I don't think that our current policy set up can be used or should be used, I go back to that, to argue against the granting of this application. What we should be doing is implementing island-wide community development plan steering committees. In my mind at least 13 of them, if not 20, on the smaller scale so that the community can get involved and that we can have an effective process where the community, including the business community, especially the developers, you know, can get in and start marshalling the financial assets that we need in order to, you know, have a better island and protect our agricultural areas and all of that. But it needs to be done on a different level. I speak in favor of approving this application.

GRAHAM: Thank you, Commissioner Iwashita. Commissioner Woodward.

WOODWARD: Thank you, Mr. Chairman. I would like to echo a lot of what Commissioner Iwashita said and also second your remarks. I think, you know, as Mr. Yuen candidly stated, most of the time we get special permit requests, it's because somebody has done something and the complaint is filed or somebody is sent out and they have a complaint lodged. In this case, I would say the fact that Ms. Sheppard is even here speaks volumes about her integrity. She from a pragmatic standpoint could have just done this. She has no objections from any of neighbors. She could have stored furniture in that place for 2 or 3 years and they would have no objections, nobody would have even known. So I think it's ludicrous for us to deny her this since, again, none of the neighbors object, it doesn't amount of building anything new, it's a temporary use of an existing structure and it doesn't affect the agricultural character of the property. And I think we ought to treat it as we do in the other special permits, and I don't think there's a need for a particularly restrictive time limit.

GRAHAM: Thank you, Commissioner Woodward. Anything further? Well, then, I guess we're open for a motion to deal with this application. Commissioner Iwashita?

IWASHITA: I move that regarding SPP 07-000045, Special Permit to allow the use of an existing agricultural warehouse building for storage of tile, cabinets and home furnishing on approximately 1,000 square feet of land in the State Land Use Agricultural district, property is located in the Onomea Bay Ranch Subdivision, mauka of the Hawaii Belt Road approximately .3 miles north of the 8 mile marker, Mokuohiki, South Hilo, Hawaii, TMK: 2-7-39: 1 be approved with the standard -.

GRAHAM: Commissioner Iwashita, yeah, we might have a list of standard conditions that Mr. Yuen will give us.

IWASHITA: Standard conditions to include that the applicant shall be responsible in complying with all stated conditions of the approval; that no exterior signs identifying or advertising the proposed operation will be permitted on the subject property or any of its structures; that the applicant continue to make good faith effort to find a suitable alternative site; that, I guess, the annual progress report requirement be included, be supplied to the Director; and that the time allowed for, or the time limitation on the permit would be 5 years, so that the life of the permit shall not exceed a period of 5 years from the effective date of the permit, with the normal adminis -. Let's see, I think that's it as far as conditions.

WOODWARD: Second.

GRAHAM: And seconded by Commissioner Woodward. Mr. Yuen, can I ask you at this point if there's any particular issues with regard to the conditions that Commissioner Iwashita put forth that you would like to address?

YUEN: Well, I'll leave it to the Commission to discuss the timeframe and whether there would be a time extension clause or not. Commissioner Siracusa mentioned a condition about the applicant maintain agriculture as a primary use of the property during the life of the permit. In our list that we would have recommended, if the Commission was inclined to grant this, we also said no commercial sales or pick up of materials by customers shall be allowed. In other words, the applicant conducts all pick up and deliveries to and from the property. Otherwise, it's hard to distinguish it from a retail sales outlet, that we wanted to limit hours of delivery to 7:30 a.m. to 4:30 p.m. Mondays through Fridays. There's a standard condition on remains of historic sites in the area, but maybe that's not necessary given that the building has already been built; comply with all applicable County, State and Federal laws. Should any of the conditions not be met or substantially complied with in a timely fashion the Director may initiate procedures to revoke the permit. And one point of possibly, besides the timeframe, one point of possible discussion would be landscaping. Normally we have a landscaping requirement attached to these permits that are basically commercial or industrial in character. The twist here is that the building is legitimate as is, as an agricultural building, and under the terms of the permit is primarily in use as an agricultural building. So that would be the consideration of not putting in the landscaping requirement.

GRAHAM: Hold a second, Rene'. Commissioner Iwashita and Commissioner Woodward, are you okay with the specifics that Mr. Yuen has introduced?

IWASHITA: Yeah, I really don't see a need for the historic sites condition because there's no construction that's involved here. We're approving an existing structure, a use of an existing structure and there's not going to be any renovations or anything. So other than that, that's fine.

WOODWARD: Yeah, I would agree. If we eliminate the historic provision and the landscaping condition, those are fine.

GRAHAM: Yes, Commissioner Siracusa.

SIRACUSA: I have no problem eliminating the landscaping conditions, seeing as how the property is already planted in agriculture and, you know, fields of taro and that sort of things. I'm having trouble with the five years timeframe though.

DOMINGO: Mr. Chairman?

GRAHAM: Yes, Commissioner Domingo.

DOMINGO: I, too, have a problem with the five-year time extension; and it's because of this: Ordinarily on the basis of the Planning Director's comments submitted with this recommendation for denial, it's very strong with regards to a zoning aspect and the use that's being proposed there. Whereas this can be done at another location. I'm concerned of public perception with regards to their thoughts on how much concern we have with regards to the action that we're taking today. To extend this to five years

would not seem to put so much importance with regards to the zoning aspect of the Zoning Code. It's very important. I regard the Zoning Code as a very important document which governs the growth of our island. It can go either ways. And I think for me if I would say yes within five years or even extend this, it would be against what I have longed, what has long been my philosophy with regards to the zoning designations, General Plan procedures and everything. It's very important that, for me it's very important that I uphold this because it involves the planning and growth of this island, the direction that we take, you know, you know. Imagine if there is no zoning for the lands on this island, and everyone is granted the freedom to do whatever they want to do when they have lands available. You know, it would be chaos in a whole community when we find different contrasting uses on our neighbor's lands and even to some extent objectionable uses. So that's why we have zoning. And I think I'm concerned about perception of what people would think with regards to our action today if we give them five years.

GRAHAM: Thank you, Commissioner Domingo. Is there a, go ahead Commissioner Watanabe.

WATANABE: I don't know whether 5 years or 2 years. I would suggest that we compromise and just put it in at 3 years or something like that. I think everyone here agrees that it's not an issue about this particular application. And whether you want to say that our planning system has failed in the past, it doesn't matter if you said today we're going to change it and start community development plans. We could start 50 of them tomorrow, it still wouldn't resolve anything that we're working on now, not for the next 2, 3 years. So I would suggest that if, you know, we be able to compromise, find some timeframe and get this thing done.

GRAHAM: Yeah, okay, that certainly sounds reasonable. So a compromise position might be that the permit runs for three years and the Planning Director at his option can renew for another three years, and that's all? Is that what you're thinking?

WATANABE: That, or actually with what they're planning to do is sounds like within 3 years they'll be done, they shouldn't have any need. And I'm not particularly concerned, like I said, about this application when you're talking about only 1,000 or 1,500 square feet. That's not the issue here, I don't think. Yeah? So I'll leave it to the people that made the motion and seconded the motion. You know, they can determine what it is they want.

GRAHAM: Commissioner Ogata, do you have anything to offer on this one, is your sense of the feeling as we talk about different time frames and all for this application?

OGATA: I'm still trying to figure out for myself, but I think the three years might be a good compromise. I mean, as far as the extension, I'm not sure if that's necessary in this case or if maybe we should drop that to maybe a one year extension. I don't know.

GRAHAM: I understand where you're coming from. Thank you. So, Commissioner Iwashita would you, on the basis of what you've heard here, care to change the motion at all?

IWASHTIA: As far as the time, I am happy to go to the three years with a possible or any extension up to two years thereafter to be administratively placed, done by the Director.

GRAHAM: Thank you. Commissioner Woodward?

WOODWARD: I agree.

GRAHAM: All right. Well, it seems like we've hit a middle ground with the three years life of the permit with the two-year extension which can be or cannot granted by the Planning Director at his discretion. Any further comments?

DOMINGO: Mr. Chairman?

GRAHAM: Commissioner Domingo.

DOMINGO: As I indicated, you know, the Planning Director's reasons for denial are valid and strong; and I really subscribe to it. And what we're doing right now is, for my part, I'm just relinquishing to it to give the parties two years so that they find a place and start to develop it and move their goods. To go beyond three years I certainly have a problem. And, you know, I stated my reasons. And, in fact, rather to even have the Planning Director to consider whether or not he should grant further extension is beyond what I think is appropriate for me.

WATANABE: May I comment?

GRAHAM: Commissioner Watanabe.

WATANABE: I understand your point, Commissioner Domingo. My point here is if anybody is going to make a huge investment, and you're worried about this precedent setting, then whether it's two years, three years or five years, they're not going to get a return of their investment. So it's just not going to happen. The main point is that you make it very clear that it's a short, very short time period; and then it will truly be an exception and a special permit, as opposed to circumvention of the Zoning Code. So I think you're going to be all right, as long as it's very clear that it's a definite timeframe.

GRAHAM: Thank you. Mr. Yeh, we have closed the public hearing; and we do have a motion before us, which is for a three-year life permit and two-year time extension. Unless there is something urgent you need to say as far as our understanding, I'd rather just carry on with the motion. Thank you.

YEH: Okay.

GRAHAM: Thank you. Yes, Commissioner Siracusa. Let's try to clean this up. I think we're beating this one.

SIRACUSA: Yeah, I am not happy with the three year permit and then a three year extension. I'm willing to, you know, compromise in terms of agreeing to three years if there's no extension. Because what we've seen often is we start giving five years and then they start really figuring, oh, we've got all this time, we don't have to start looking right away, you know. And so possible opportunities will pass them by; and they won't jump on them simply because they're feeling that, oh, well, we can go for another extension. And I think that's bad planning. And so although I like the original motion, I have trouble going with it if it allows for more than three years.

GRAHAM: Mr. Torigoe, as a matter of procedure, if in fact we were to vote on this motion as it is now, and it failed, could we then go forward and following Commissioner Siracusa's lead maybe drop the administrative extension, or have we foreclosed any options by having the initial vote?

TORIGOE: No, no, you can always have another motion.

GRAHAM: Thank you. Okay.

YEH: Mr. Chairman? Mr. Chairman?

GRAHAM: Mr. Yeh.

YEH: And I apologize. I realize it's closed but I think the three years is good because if you account for zoning, plus construction and buildout, and being able to move in, that should be okay. The only thing is I think maybe another year extension in case the applicant runs into some other issues. I can't perceive them but just to leave that option to the Director. I think that's something that the applicant can live with; but if two years extension is fine, that's okay, too, obviously.

GRAHAM: I'd like to move to a vote. But, Commissioner Woodward, do you have something else you needed to say?

WOODWARD: I was just going to ask Mr. Yeh if that was acceptable; and he explained his position.

DOMINGO: What's the motion again?

GRAHAM: The motion is for a three-year permit with a possible two-year administrative extension by the Planning Director. Is that correct, Commissioner Iwashita?

IWASHITA: Three and two, is that what you said?

GRAHAM: Yes.

IWASHITA: Yes.

GRAHAM: All right, thank you. Can we go with the vote, or do you have something else you'd like to say?

IWASHITA: Well, you know, my concern is that there are some assumptions being made here or, you know, expectations. I don't know what you want to call them, right, in terms of what the applicant is going to be able to do. And frankly from my side, you know, you're talking about a zoning change and a buildout for light industrial. You know, they can have this storage facility and loading dock, that kind of stuff. I don't see that there's a guarantee, you know, that that's going to happen. And the reason I favor a longer period of time is because the reality is on the ground in terms of what the applicant may be able to get other than this rezoning, right, which to me if you're going to say that we want to support our zoning laws and the Zoning Code and how it's implemented then we should be really looking at what's already there. Because every time we do another rezoning, right, we actually are dishing what we already have, we are. Every time we say, okay, we'll change the zone, right, well developers expect that to happen then. And then our existing Zoning Code which I agree with Commissioner Domingo, we should be implementing that. The effective way to implement that is to say what we have is what we have and is what we should develop. It's not to say, well, it's where we have commercial/industrial being developed now is not being developed so we're going to allow more because somebody bought a piece of land and now they want to do that. So you know, that's fine if the applicants want three years and is agreeable to three years, I'll change the motion. Just make it three years, with a one year extension, that's fine, I'll do that. But as far as I'm concerned, you know, that's based on some expectations that might not pan out. But -.

GRAHAM: Okay, well, we do have a motion before us. Maybe we can, we have three years of a two-year extension and I'd like to go ahead and try to bring this to an end.

IWASHITA: Right now it's three years and two.

GRAHAM: That's what I said, three years with a two-year extension is what we have before us.

IWASHITA: Okay, well, I'm willing to do it, three years and one if that helps any of the other Commissioners, that it's a shorter period of time.

GRAHAM: I think Mr. Torigoe told us we could go ahead and vote; and if we don't get the vote we can change. Commissioner Woodward, would you -?

IWASHITA: Well, if Commissioner Woodward is agreeable to the amendment then -.

WOODWARD: I actually would prefer we just vote on what we have and then if that doesn't pass -.

IWASHITA: Okay, fine.

WOODWARD: And then we'll renew it.

IWASHITA: Thank you.

DOMINGO: Mr. Chairman? Mr. Chairman?

GRAHAM: Commissioner Domingo, do we need to keep going?

DOMINGO: Yeah. For further discussion, I'd just like to make it clear that they have zoning over there and it's agriculture zoning, and that she has utilized that zoning, that land to a great advantage and to her credit because she has been successful. But what's happening now is that she has come here and she's asking for dispensation in regards to the use of the property and she wants to use a part of the property for a storage facility. Okay? Now what I was saying is that in my opinion that's contrary to what's being zoned there. And the question of we have a zoning there, let's use it and utilize it and go on with it -. But she's asking for a different use of the property. And that's what I'm concerned about. And that's what the Planning Director is concerned about, if you would reflect upon his recommendation. And, you know, I take it very seriously with what we're doing. It's a very important thing because it will reflect on our future deliberations and actions that we take. Now as Commissioner Iwashita has suggested, he's willing to go to three and one. I can go with that. That's a compromise position. And my original position was two years; but other than that, I just will vote no for this measure.

WOODWARD: Then I would be willing to accept the amended motion from Commissioner Iwashita, three and one.

IWASHITA: Yes.

GRAHAM: Okay. So we do have an amended motion for the vote then, which is a permit granted for three years with a one year extension, administratively, at the discretion of the Planning Director possible. Okay, Jeff, can we take a vote on that.

DARROW: Okay. If you can give me a little time here, I'm going to just go through these conditions briefly.

Number 1 will be our standard condition, “The applicant shall be responsible for complying with all stated conditions of approval.”

No. 2 will state “The life of the permit shall not exceed a period of three years from the effective date of this permit.”

No. 3 will state “No commercial sales or pick up of materials by customers shall be allowed. The applicant shall conduct all pick ups and deliveries to and from the property.”

No. 4 will state no signs, “No exterior signs identifying or advertising the proposed operation will be permitted on the subject property or any of its structures.”

No. 5 will state “Operation of deliveries to and from the property for the proposed use shall be limited to the hours between 7:30 a.m. and 4:30 p.m. Mondays through Fridays.”

No. 6 will state “The applicant shall continue to make a good faith effort to find a suitable alternative site.”

There was a question regarding Commissioner Siracusa’s condition regarding “maintain agricultural -.” You want to keep that within?

SIRACUSA: Yes.

DARROW: No. 7 will state “The applicant shall retain agriculture as the primary use of the property.”

No. 8 will be our standard annual progress report.

No. 9 will be “The applicant shall comply with all applicable County, State and Federal laws, rules, regulations and requirements.”

No. 10 will be our standard administrative extension of time. But it will read a little differently. It will state “An initial extension of time of one year for Condition 2 may be granted by the Planning Director upon the following circumstances.” We’ll have our standard circumstances and we’re going to delete Item No. D which usually states “The time extension shall be granted for a period not to exceed the period originally granted.” We’ll delete that.

Lastly, “Should any of these conditions however not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke the permit.”

WOODWARD: There was a question of signage, too, that was one of the conditions.

DARROW: That was condition -.

SIRACUSA: Yeah.

WOODWARD: Oh, we got that?

DARROW: Correct.

WOODWARD: Okay. Okay, sorry.

GRAHAM: Mr. Yuen, did you have something further?

YUEN: Yes, I thought there was a condition about the applicant continuing to make a good faith effort to find a suitable alternative site.

IWASHITA: Yeah.

DARROW: Correct, I'm sorry. That also is included.

DOMINGO: I think that's one of the most important conditions I consider to be valid right now because that is why we're giving her an extension of time so that she could find a place to relocate and develop it. So without that, the condition would not mean anything at all.

GRAHAM: Thank you, Mr. Darrow, you've done a very diligent job of pulling this together for us. I appreciate it.

SIRACUSA: Was there also -?

GRAHAM: Commissioner Siracusa.

SIRACUSA: Was there also something about that the since the land is already in agriculture that Rule 17 will not be applicable?

DARROW: It will just not be placed in as a condition. So it won't be applicable. So we have a total of 10 conditions. With that, the motion before us is to approve with these amended conditions. With that I'll take the roll. Commissioner Iwashita?

IWASHITA: Yes.

DARROW: Commissioner Woodward?

WOODWARD: Aye.

DARROW: Commissioner Domingo?

DOMINGO: Aye.

DARROW: That is aye?

DOMINGO: Aye.

DARROW: Commissioner Ogata?

OGATA: Aye.

DARROW: Commissioner Siracusa?

SIRACUSA: Aye.

DARROW: Commissioner Watanabe?

WATANABE: Aye.

DARROW: And Mr. Chairman?

GRAHAM: Aye.

DARROW: The motion passes seven to zero.

GRAHAM: Hold on. We have one thing from Mr. Torigoe.

TORIGOE: Thank you, Mr. Chairman. I just wanted to check for the record since there are no intervenors, no formal contested case, Mr. Yeh, are you and your client okay with just having the Chairperson work with staff to issue the final written decision in the usual letter type of form?

YEH: Yes, I think that's fine. The only thing I would want to do is just make sure that I maybe see a draft first, and we can work with the Chairman.

GRAHAM: Fine. Thank you, Mr. Yeh.

YEH: Thank you.

GRAHAM: Okay. So you'll be notified in writing of our decision today.

YEH: Thank you very much. I appreciate your consideration.

GRAHAM: Thank you, all.

The discussion ended at 11:08 a.m.

Respectfully submitted,

Sharon M. Nomura, Secretary