



Written Testimony for November 8, 2013

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to:

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From: raine712@aol.com

To: luc@dbedt.hawaii.gov,

State of Hawaii

Land Use Commission

November 5, 2013

Aloha Members of the Land Use Commission:

My name is Stacy Ako. I work in Kahuku and was a resident of Kahuku for more than 24 years. I still consider myself a member of the Kahuku Community. Thank you for allowing me to submit written testimony on this matter.

I would like to submit testimony in opposition of down zoning any part of the Turtle Bay Expansion. I believe that to down zone the property from Urban to Agriculture would constitute a "taking" of value for that property. Proponents of this measure feel that, since no building has been done in this particular area, the current owners should lose the ability to do any building on it. However, the truth of the matter is that of nine conditions made in the original order, six have already been met.

While the State is allowed to use "Eminent Domain" to condemn and take personal property that they may have plans for, the state is also required to pay a fair and equitable price for that particular property. I feel the State would open themselves up for lawsuits if said property was down-zoned first and then condemned.

I also believe that the Turtle Bay project will provide much needed jobs and some additional affordable housing for our community, and in light of the recent fire in which the destruction of two homes displaced 28 people, affordable housing is badly needed. The section of property that the proponents want to down zone is ear marked for affordable housing.

Thank you again for allowing my written testimony.

Sincerely,

Stacy Ako