

STATE OF HAWAII
LAND USE COMMISSION
HONOLULU, HAWAII

APPROVED
MAY 21 1971

Minutes of Meeting

Highlands Intermediate School Cafetorium
Pearl City, Oahu

February 26, 1971 - 7 p.m.

Commissioners Present: Goro Inaba, Vice Chairman
Alexander Napier
Sunao Kido
Shelley Mark
Eddie Tangen
Leslie Wung
Tanji Yamamura
Stanley Sakahashi

Staff Present: Ramon Duran, Executive Officer
Ah Sung Leong, Planner
Walton Hong, Deputy Attorney General
Jean Soma, Stenographer

Vice-Chairman Inaba called the meeting to order and subsequently swore in persons wishing to testify.

ADOPTION OF MINUTES

Commissioner Kido moved that the minutes of the December 11 and 18, 1970, and January 8, 1971, meetings be adopted as circulated to the Commission membership, seconded by Commissioner Sakahashi, and carried unanimously.

HEARING

PETITION BY THE ESTATE OF JAMES CAMPBELL (A70-268) TO RECLASSIFY APPROXIMATELY 690 ACRES FROM AGRICULTURAL TO URBAN AT HONOULIULI, EWA DISTRICT, OAHU

Mr. Leong, staff planner, presented a detailed description of the area in question and of the surrounding areas. Subsequently, the Executive Officer read the staff report.

Acting-Chairman Inaba asked the secretary to note for the record that Commissioner Napier excused himself from the proceedings of the public hearing because of a possible conflict of interest. Thereafter, Mr. Duran advised that the procedure to be followed for this portion of the meeting would be to call upon the petitioners for their presentation, governmental agencies, and then the general public. Since there were no questions from the Commission, Acting-Chairman Inaba called upon the representatives of The Estate of James Campbell for their presentation.

Mr. Alan S. Davis, Chairman of the Board of Trustees of The Estate of James Campbell, thanked the Commission and those in attendance for the opportunity to present the Estate's development plan. He indicated that Mr. Fred Trotter would present the Estate's plans and objectives and Mr. Randolph would comment on the problem dealing with water.

Mr. Fred Trotter then delivered a slide presentation (see text of presentation on file).

The public hearing was continued after a ten-minute recess. Commissioner Tangen queried the petitioner as to the Estate's position on making lands available for public use. Mr. Alan S. Davis replied that the Estate desires to obtain the "fair market value" of such property at the time of taking, but prior to rezoning to a higher use.

In response to Commissioner Tangen's question on the future of Ewa town, Mr. Trotter replied that the Estate presently does not have any specific plans for Ewa town but that they have formulated some basic ideas. At the present time 340 acres already zoned urban are under lease to Oahu Sugar Company and provides housing for the company's employees. Mr. Trotter stated for the record that the Estate will participate with the residents of Ewa and government agencies in planning the area.

With respect to protecting agricultural enterprises, Mr. Trotter stated that they have executed a new lease in April of this year with American Factors which would provide for the necessary protection of the basic jobs that exist in Oahu Sugar today. However, it is difficult for the Estate to guarantee anything simply because it merely provides the land but does not run the sugar business.

Regarding diversified agriculture, the Estate envisions large corporate farming for at least 25 years and has signed a contract to that end. He stated that the question of diversified farming is complicated and must be further explored. He felt that the Estate would seriously consider agricultural use on its land if it is found to be the best use from a "profitable and successful standpoint".

Open space will be a prime consideration in the total planning of the proposed development and according to their preliminary plan will comprise approximately 202 acres. The first phase consisting of 100 acres for gap-group housing has been planned with several parks located within the area, but the exact acreage has not been determined.

Commissioner Sakahashi questioned Mr. Trotter regarding the acquisition of school sites by the State. Mr. Trotter replied that the Estate will expect to be paid the fair market value of the property existing prior to any rezoning by the government.

Responding to Commissioner Mark's inquiry as to what employment generators would replace the University of Hawaii campus if it is not located in the subject area, Mr. Trotter replied that the project is an outgrowth of some 17 years of planning. Studies indicate that 4,000 jobs associated with an anticipated student enrollment of 15,000 would be eliminated. However, he stated that their feasibility studies also show that the project without the University of Hawaii campus would still be a very good project since employment would be generated by job centers located in and around the property.

If the University of Hawaii site is not located on the subject property, Commissioner Mark wondered whether Mr. Trotter would still consider this to be a "new town" development or whether it would merely be an extension of Waipahu town. Mr. Trotter replied that it can be taken both ways. He felt that they have the mechanics to provide jobs for people living within the area and to that end would encourage business and government to locate within the project area. Other areas under the Estate's ownership were considered but were found unsuitable because of the Navy's flight pattern or problems associated with locating residential development next to an agricultural operation.

Regarding Commissioner Kido's question on the University of Hawaii campus site, Mr. Davis advised that the Trustees of

Campbell Estate do not own the land and therefore do not have the legal right to give it away. However, the land would be made available in an indirect way at no cost to the State, since the Trustees recognize that if the second campus is located within the project, benefits would accrue and the proposed development would be expedited.

Commissioner Kido noted that by acting favorably on this petition, the Land Use Commission would in effect be adopting a master plan for the total development. In that case, the Land Use Commission would be pre-empting the responsibility of the Board of Regents to establish a site.

Mr. Trotter stated that both the staff and the City Planning Department implied that very thought in saying that no land should be rezoned until the University site has been settled. However, the passage of Act 105 by the legislature emphasizes the critical housing problem. The proposed development will help to resolve this problem, while still recognizing the possibility of a University campus being included in the total concept. He felt that if the University of Hawaii campus is located elsewhere, the proposed new town would still become a reality.

In regard to the area "suitable" for gap-group housing, Mr. Trotter clarified that "the reason we have the word 'suitable' there is because we have yet to see on Oahu a low income housing project that is what it should be, that is, where the people that are buying those homes are getting the dollar value that they should be receiving. And, therefore, the first 100 acres must really prove that you can build suitable housing at a cost that people can afford that can be attractive".

The Executive Officer inquired that if the first 100 acres proposed for gap-group housing is not successful, would the balance of 435 acres proposed for gap housing be ultimately developed. Mr. Trotter answered that from his viewpoint, success would be measured in terms of doing what has never been done in Hawaii before--a planned-unit development of about 7½ to 8½ persons per acre. He added that an agreement has been written "contingent upon the Hawaii Housing Authority joining us as a partner because that land can only be used to supply housing for the gap-group market. If it does not, then the developer has to step aside, and we'll tear up our contract".

Acting-Chairman Inaba then called for testimony from governmental agencies. Mr. George Moriguchi, Deputy Planning Director of the City Planning Department, and Mr. Robert Way, Director of that agency, summarized the City Planning Department's reasons for recommending denial of the petition and noted that the recommendation of the City Planning Commission was for approval of the request (see copy of testimony on file).

Under questioning by Commissioner Kido, Mr. Way elaborated that he felt a General Plan change should be made first since the problems involved should be addressed in the most long range and most comprehensive manner possible. He believed that a General Plan change would be most appropriate at this level.

Following this, the Acting-Chairman called for testimony from the general public.

Speaking in opposition to the proposed reclassification were:

1. Mrs. Clara Hertlein,
- *2. William Atkinson, Jr.,
- *3. David Crear, Zero Population Growth,
- *4. Steve Smith, Life of the Land,
- *5. Frank Johnson, Hawaii Chapter, ASLA, and
- *6. George McLaughlin, Conservation Council for Hawaii.

Speaking in support of the rezoning were:

- *1. Gilbert Sasaki, President, Makakilo Community Association,
- *2. Robert McBroom, President, Pearl City Community Association,
- *3. Fred Murakami, Pearl City Community Association,
4. Stanley Sumida, " " " " ,
5. Bob Kubo, " " " " ,
- *6. George Okano, Waipahu Businessmen's Association, and
- *7. Larry Wakui, resident of Pearl City.

The following also favored the rezoning but did not testify:

- *1. Florida M. Underwood, Ewa Beach Community Association, and
- *2. Julie W. Terrell, President, Ewa Beach Y-Wives Club of the Leeward Area YWCA.

*See copies of above testimony on file.

February 26, 1971

Acting-Chairman Inaba then advised that the Commission will receive testimony in the next 15 days and thereafter closed the hearing.

ACTION

PETITION BY CLYDE & HELEN GRIGGS (A69-229) TO RECLASSIFY APPROXIMATELY 1.7 ACRES FROM CONSERVATION TO URBAN AT MANOA, OAHU

Mr. Ted Tsukiyama, attorney representing the petitioner, waived the reading of the staff memorandum since he had already received a copy.

Pursuant to the Executive Officer's question, Mr. Tsukiyama felt that the subject is not one of rezoning but an interpretation of the Conservation District boundary line. He asked that the Commission review its initial determination of the Conservation District boundary line on the west side of Manoa because an error was made.

Deputy Attorney General Walton Hong advised that Mr. Tsukiyama has some new and valid facts to warrant the boundary interpretation; and, under Section 2.11 (c) of the "State Land Use District Boundaries," the Commission may upon its own motion determine the location of a district line where any doubt exists.

Mr. Tsukiyama provided copies of his presentation to the Commission, and Mr. Hong suggested that the staff review Mr. Tsukiyama's formal presentation and make a finding of whether or not there was an error in determining the Conservation District line and submit such finding to the Commission at its next meeting to be held on Maui.

Mr. Hong advised that a motion would be in order that the Commission has agreed to have the staff review the material and present a finding and conclusion which will be acted upon at the next Land Use Commission meeting. Commissioner Wung so moved, seconded by Commissioner Tangen who further stated that in the event Mr. Tsukiyama is unable to go to Maui, such action will be taken at the next Oahu meeting.

Mr. Tsukiyama formally withdrew the subject petition, since the landowners are seeking a boundary interpretation as a result of an error indicated on the Department of Taxation's records since 1932.

February 26, 1971

The petitioner then agreed to defer this matter until the May 7 meeting to be held on Oahu.

PETITION BY LANIHAU CORPORATION, TRUSTEES OF PALANI LAND TRUST & L. R. GREENWELL (A70-264) TO RECLASSIFY APPROXIMATELY 64 ACRES FROM AGRICULTURAL TO URBAN AT KAILUA, KONA, HAWAII

Mr. Leong presented the staff memorandum recommending denial of the subject petition (see staff memorandum on file).

Acting-Chairman Inaba suggested that the portion below the Hualalai Road be considered for rezoning. Mr. Leong pointed out that that would encompass the first increment of the proposed development. In addition, the proposed realignment of the Kuakini Highway is scheduled for completion during 1972-1973.

Mr. Robert Jones, Donald Wolbrink & Associates, representing Mr. Greenwell, disclosed that it is the petitioner's intention to sell parcels of 2½ to 4 acres in size. Mr. Greenwell will subdivide the property and put in the streets and other necessary utilities. The County has general planned this area for medium density.

Recently, the legislature expressed a concern for preserving lands of historic significance. In this connection, the Executive Officer questioned Mr. Jones as to whether the petitioner plans to preserve the Kuakini Wall located in this area and whether he believed there was a historic significance relative to this Wall. Mr. Jones replied in the negative.

Mr. Leong confirmed Commissioner Sakahashi's understanding that sufficient undeveloped urban lands exist in the area but that the County Planning Commission recommended approval on the bases that it is abutting an Urban District and conveniently located to shopping and employment centers.

Commissioner Napier moved that the portion below the Hualalai Road be approved, seconded by Commissioner Kido.

The Commissioners were polled as follows:

Ayes: Commissioners Wung, Yamamura, Tangen, Napier, Kido, and Inaba.

Nays: Commissioners Sakahashi and Mark.

The motion was carried.

February 26, 1971

PETITION BY DEPARTMENT OF ACCOUNTING & GENERAL SERVICES (A70-265)
TO RECLASSIFY APPROXIMATELY 20.9 ACRES FROM CONSERVATION TO
URBAN AT HALAWA, OAHU

Mr. Leong read the staff report recommending approval of the petition. Thereafter, Commissioner Kido moved that the petition be approved as recommended by staff, seconded by Commissioner Yamamura. The motion was carried with Commissioner Napier casting the only dissenting vote.

PETITION BY VACATIONLAND ASSOCIATES (A70-267) TO RECLASSIFY
APPROXIMATELY 24 ACRES FROM CONSERVATION TO AGRICULTURAL AT
KAPOHO, PUNA, HAWAII

Mr. Duran read the staff report recommending approval of the request. Commissioner Tangen moved that the request be approved, seconded by Commissioner Wung and unanimously carried.

SPECIAL PERMIT APPLICATION BY HAWAII MEMORIAL GARDENS (SP70-88)
TO ALLOW EXPANSION OF HAWAII MEMORIAL PARK AT KAIEIE HOMESTEADS,
PAPAIKOU, SOUTH HILO, HAWAII

Following a detailed description of the area under petition, the Executive Officer recommended approval of the petition. Commissioner Wung moved that the request be approved as conditioned by the County, seconded by Commissioner Yamamura and carried unanimously.

SPECIAL PERMIT APPLICATION BY HAWAIIAN TELEPHONE COMPANY
(SP70-89) TO ALLOW CONSTRUCTION OF A COMMUNICATIONS EQUIPMENT
BUILDING AT KALAOA, NORTH KONA, HAWAII

Mr. Duran made a presentation of the petitioned area and recommended approval of the special permit as conditioned by the County.

Commissioner Tangen moved that the special permit be approved as conditioned by the County, seconded by Commissioner Wung and unanimously carried.

February 26, 1971

DEFERRAL ACTION ON SP71-90 - COUNTY OF MAUI

Commissioner Kido moved that action on this special permit request be deferred until the Commission's meeting scheduled for March 5 on Maui, as requested by the petitioner, seconded by Commissioner Wung and unanimously carried.

SPECIAL PERMIT APPLICATION BY MARVIN E. BOUDREAU (SP71-91)
TO CONSTRUCT AND OPERATE COMMERCIAL DOG KENNEL AT WAIANAE, OAHU

Mr. Leong presented a detailed account of the subject area and subsequently the staff memorandum recommending approval of the petition as conditioned by the City Planning Commission.

Commissioner Tangen moved that the permit be approved as conditioned by the City Planning Commission, seconded by Commissioner Wung and unanimously carried.

SPECIAL PERMIT APPLICATION BY MAUI CONCRETE & AGGREGATES, INC.
(SP71-93) TO CONSTRUCT AND OPERATE A CONCRETE BATCHING PLANT
AT WAIKAPU, MAUI

The Executive Officer summarized the request and described the area under consideration.

The petitioner reported that the plant height will only be 58 feet and not 85 as indicated in the staff report. Due to a merge, they are now Maui Concrete & Aggregates and not Maui Concrete & Aggregates, Inc. Also, he made reference to a statement that was submitted to the Commission earlier.

Commissioner Yamamura moved that the permit be approved as conditioned by the County, seconded by Commissioner Sakahashi and unanimously carried.

ADJOURNMENT

The meeting was adjourned at 12:25 a.m.