

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Public Hearing

Hale Halawai Cultural Center

Kailua-Kona, Hawaii

10:00 A.M. - April 4, 1964

Commissioners

Present:

James P. Ferry
Goro Inaba
Shiro Nishimura
Charles S. Ota
Myron B. Thompson
Robert G. Wenkam
Leslie E. L. Wung

Absent:

C.E.S. Burns
Shelley Mark

Staff

Present:

Raymond S. Yamashita, Executive Officer
Roy Y. Takeyama, Legal Counsel
Richard E. Mar, Field Officer
Alberta L. Kai, Stenographer

The public hearing was called to order by Chairman Thompson who said a short opening prayer. He introduced the commission and staff members, and explained the purpose of the public hearing. The agenda for the public hearing was outlined and the procedures to be followed throughout the public hearing were explained. Staff members and persons giving testimonies during the public hearing on the petition of B. P. Bishop Estate (A(T)63-56) were sworn in.

PETITION OF B. P. BISHOP ESTATE (A(T)63-56) FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL TO AN URBAN DISTRICT CLASSIFICATION FOR A PROPOSED SUBDIVISION KNOWN AS KEEI SHORELOTS LOCATED IN HONAUNAU, HAWAII:
Described as TMK 8-3-05 and 8-3-06 (23.15 Acres)

The Field Officer presented the background on the petition and located the area involved on a map. There being no question from the petitioner, the Executive Officer proceeded with the staff's analysis and recommendation. The recommendation of the staff was for disapproval based on the fact that: (1) there were substantial and adequate areas already placed in the urban district; (2) there is now only limited urban uses in the area which produce little pressure for governmental services and facilities now absent; (3) the remoteness of the area would make it expensive and inefficient for government to provide a decent level of services

and facilities; and (4) there is no evidence that a sufficient demand for urbanization exists which can result in an urban area that can support a decent level of services and facilities at reasonable cost to the taxpayers at this time. The staff further recommended that the retention of the conservation designation as proposed in the final district boundaries be made to best promote the effectiveness and objectives of the Land Use Law in respect to: (1) the intent of Conservation districts to preserve scenic areas and provide parklands, wilderness and beach reserves; (2) the prevention of scatteration which would eventually bring pressures for expensive, yet reduced public services; and (3) the preservation, protection and encouragement of development of lands in the State for those uses to which they are best suited for the public welfare.

Mr. Herbert Jackson (who was sworn in earlier) representing the petitioner, Bishop Estate, protested the recommendation of the staff and made the following comments in relation to scatteration and substantial lands already zoned for urban use. Mr. Jackson stated that scatteration does not apply to this area. The government must furnish the services of government facilities to the residences on both sides of their proposal. The County of Hawaii has rerouted its water lines down in this direction upon the premise that they were going to be supported by the consumers in this area. He stated in relation to sufficient urban lands already provided, he knew of none on the beach areas.

In response to questions posed by Commissioner Ferry, Mr. Jackson replied that the Bishop Estate intends to lease these lands with "no package deal". He stated that it is the Estate's intention that they would make arrangements with someone like Captain Cook Lumber to provide these services (if it were wanted), but that the Estate wouldn't do it. They could not.

There were no further questions from the Commission, floor or county agency. The Chairman announced that this Commission will receive comments and protests on this petition within 15 days from this public hearing and will take action on this petition 45 to 90 days from this public hearing.

The public hearing was closed in the matter of B. P. Bishop Estate.

THE LAND USE COMMISSION'S PROPOSED FINAL DISTRICT BOUNDARIES AS THEY APPLY TO THE COUNTY OF HAWAII

The procedures to be followed during this phase of the public hearing were outlined by the Chairman, who performed a mass swearing in of everyone entering testimonies and comments during this hearing. Commissioner Inaba of Kona presented the Land Use Commission's rough draft of the proposed final district boundaries as they applied to the County of Hawaii.

The following persons presented their testimonies:

Mr. Herbert Jackson of Bishop Estate made the following requests (letter

on file):

- (1) extend the urban lines to include the Estate's proposed resort development in the Keauhou Bay area;
- (2) extend the urban lines to include the Estate's Kuakini houselots;
- (3) extend the urban lines to include the Estate's Puuloa subdivision;
- (4) include portion of land in the Kahaluu forest reserve presently being used as grazing in the agriculture district;
- (5) exclude the Waiaha Spring area from the conservation district;
- (6) designate the Kahuwai Bay area as urban;
- (7) classify the Volcano Golf Course area as urban;
- (8) designate the Pualoa area as agriculture; and
- (9) designate the Honokane area in Kohala as agriculture.

Mr. Robert Greenwell asked whether an area classified as conservation can be removed to another classification. Mr. Greenwell was answered in the affirmative.

Mr. Roy Vitousek representing the McCandless and Kealakekua Ranches requested that (letter on file):

- (1) the Kealakekua Ranch lands adjacent to Napoopoo town be designated urban; and
- (2) the urban lines be extended north to include the beach area and flat lands behind the beach. He also requested that the conservation lines, mauka portion of the Kealakekua Ranch, be raised to a 7,500 foot level, as ranch lands now proposed as conservation are presently being used as pasture lands.
- (3) the McCandless Ranch presently in pasture and ranching be classified as agriculture; and
- (4) the conservation lines be raised to a 7,500 foot level.

Mr. Alex Smith of Queen's Hospital requested that the area adjoining the Rockefeller development in Kawaihae be designated urban (letter on file).

Mr. Walter Collins requested that the urban lines be extended to include 60 acres of land which would be the boundary extending mauka of Spencecliff Park, mauka of Kawaihae Road-Paiko Highway, along the southern boundary to tie-in with the Mauna Kea Beach hotel project (letter on file).

Mr. Sumio Nakashima speaking for Clarence Nakahara requested that 7-5-03: 3 consisting of 24 to 26 acres be classified as urban. He stated that Mr. Norton McQuerrey was the developer for this proposed subdivision by Mr. Nakahara (letter on file).

Mr. Patrick North and Mr. William Hooper requested that 7-5-09: 48 consisting of 4.115 acres be classified as urban (letter on file).

Mr. Roy Vitousek speaking on behalf of Mr. J. M. Jackson requested permission to submit a written testimony within 15 days (letter on file).

Mr. Sumio Nakashima representing Mr. Antone Gouveia and Mr. Lloyd A. Mannes requested that 7-7-08: Por. 11 & 30 in North Kona, consisting of 196 acres more or less be designated urban (letter on file).

Mr. Mervin Gilliland of American Factors requested that areas mauka of present Hawaii Belt Road and the Old North Kona Highway be designated as urban (letter on file).

Mr. Harry Tanaka requested that 7-9-10: 48 consisting of 2.068 acres mauka of Hawaii Belt Road be urban.

Mr. Don Carlsmith, Dillingham Kona Development Corporation, requested that areas lying in Holualoa and Puapuaanui, North Kona be classified as rural (letter on file).

Mr. Weinrich supported this request.

Mr. Pete Kuwahara objected to this request.

Mr. Robert Lau representing Mr. and Mrs. Joseph Duarte requested that 7-6-6: 29 consisting of 4.70 acres be rezoned to rural (letter on file).

Mrs. Wanda Hedemann representing Mr. and Mrs. Joseph Duarte requested that lands in the Kaawaloa-Kealakekua Bay area be designated rural (letter on file).

Mrs. Hedemann speaking in behalf of Mr. John Gouveia requested that 7-5-10: 4 comprising of 60.8 acres and 7-5-10: 20 comprising of 7.44 acres near Aloha Kona subdivision be designated urban (letter on file).

Mr. Nelson Ahuna representing Yee Hop, Limited requested that 8-8-2: 14, 13, 17 & 22, Alika, South Kona be classified as agriculture (letter on file).

There were no further comments or protests from the public, county or commission. The Chairman announced that the Commission will receive additional comments and protests within the next 15 days from this hearing date and will take action 45 to 90 days from this hearing date.

The public hearing on the Land Use Commission's proposed final district boundaries for the County of Hawaii was closed.

THE LAND USE COMMISSION'S PROPOSED FINAL DISTRICT REGULATIONS AS THEY APPLY TO THE STATE OF HAWAII

There were no comments from the floor on the above subject.

The Chairman announced that the Commission will receive additional comments and protests on the proposed land use district regulations and will take action sometime in the latter part of June 1964.

The public hearing was closed at 12:30 p.m.