

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Public Hearing
and Meeting

Hale Hawalai Cultural Center, Kailua-Kona, Hawaii

May 27, 1965
3:30 P.M.

Commissioners C.E.S. Burns
Present: Goro Inaba
Shiro Nishimura
Charles S. Ota
Leslie E. L. Wung

Absent: James P. Ferry
Shelley M. Mark
Myron Thompson
Robert G. Wenkam

Staff Raymond S. Yamashita, Executive Officer
Present: Roy Takeyama, Legal Counsel
Gordon Soh, Associate Planner

The public hearing was called to order by Commissioner Burns, Chairman Pro Tempore. The commissioners and staff were introduced and the procedures to be followed throughout the public hearing were outlined. All persons presenting testimony during this day's hearing were sworn in by the Chairman.

PETITION OF HAWAIIAN HOMES LAND COMMISSION (A64-72) TO AMEND THE KUHIO (PUUKAPU) VILLAGE URBAN DISTRICT BOUNDARY IN KAMUELA TO INCORPORATE A SINGLE LOT OF 0.89 ACRES: Described as a portion of Third Division parcel TMK 6-4-04

Mr. Gordon Soh presented the background and analysis of the above petition (see report on file). The staff recommended that the petition be approved on the basis that:

1. the matter is of such a marginal nature that no strong arguments can be mustered against the change,
2. the issue involved is merely a matter of boundary adjustment rather than a significant change of the boundary,
3. it poses no serious threat or precedent militating against agricultural uses and is consistent with Regulation 2.7g.

Since there were no questions from the Commission or the public, the public hearing on this matter was closed.

PETITION OF DILLINGHAM INVESTMENT CORPORATION (A65-80) FOR AN EXTENSION OF THE URBAN DISTRICT BOUNDARIES AT CAPTAIN COOK, IN THE SOUTH KONA DISTRICT ON THE ISLAND OF HAWAII SO AS TO INCORPORATE AN AREA OF APPROXIMATELY NINE ACRES: Described as a portion of Third Division parcel TMK 8-1-08: 1

Following staff presentation of the background and analysis of the above petition (see report on file), staff recommended denial of the petition on the following bases:

1. There is no evidence yet presented nor has staff found evidence, that "the area is needed for a use other than that for which the district in which it is situated is classified ..."
2. The existing urban district does provide "a sufficient reserve area for foreseeable urban growth."

Mr. John Weeks, surveyor for the Dillingham Investment Corporation, testified that the report made no mention of a County Civic Center which is going up near the Captain Cook area. He pointed out that all the lots in the first subdivision are taken but are not developed because there is no water. He further related that by adding the second subdivision, water service would be made possible not only to them but to the existing subdivision as well.

Chairman Burns did not understand how the water situation tied in with the second increment. He asked if the county would be obliged to furnish water if the second subdivision is approved. Mr. Weeks replied that Dillingham Investment Corporation will bring in a water line from the present Belt Road up to the county road that will service both subdivision areas.

He reiterated the fact that the Civic Center will be built in the very near future just 1/2 mile away from the subdivision and that firemen and others will be seeking homes in that area.

Mr. David Frazier, General Manager of Dillingham Investment Corporation, explained that coffee was never grown on the land under petition for quite some time because this particular land is agriculturally very poor. He stated that they are not making any money on this parcel and that it will be a matter of time when it will be abandoned as coffee land.

The Executive Officer stated that when this petition was received, there were no data or facts to go on. He indicated that it would help the petition at hand if additional, more detailed information is submitted. Mr. Frazier agreed to do so.

Commissioner Ota asked Mr. Frazier if there are any lots available in the general vicinity which are comparable in size to their proposed lots. Mr. Frazier replied that to his knowledge none are available.

Commissioner Wung inquired whether there were any definite plans as to how the lot would be subdivided or how the streets would run. He was informed there are definite plans.

Mr. Frazier questioned page 3 of the staff's report which read, "When water is brought to this subdivision, presently without water, will also be serviced." The Executive Officer corrected the sentence to read, "When water is brought to this subdivision, the adjacent subdivision presently without water, will also be serviced."

There were no additional testimonies or comments from the public or the Commission. The Chairman announced that this Commission will receive additional written testimonies or protests within the next 15 days and will take action on this petition 45 to 90 days from this hearing.

The public hearing on Dillingham Investment Corporation was closed.

ADOPTION OF MINUTES

The following minutes were adopted as circulated:

1. March 19, 1965 Meeting in Hilo, Hawaii
2. March 19, 1965 Public Hearing and Meeting in Hilo, Hawaii

COMMISSION'S NEXT MEETING

The Executive Officer informed the Commission that H.B. 1070, (now known as Act 32, Session Laws of Hawaii 1965) which adjusts the processing schedule for petitions, was signed by the Governor and has been effective as of May 5, 1965. On legal counsel's advice the Commission may process those petitions which were received prior to May 5th in accordance with Act 32. Considering the new time limitations under Act 32, staff recommended the next meeting be held on June 25, 1965, in Honolulu, and the following meeting to be held on July 23, 1965, on Kauai. The Commission agreed to this schedule.

REPORT ON DIAMOND HEAD AREA

The Executive Officer informed the Commission that staff's report on the Diamond Head Area is not completed as yet.

LEGISLATIVE BILLS

Commissioner Ota raised a question inquiring the status of legislative bills amending the Land Use Law, etc. The Executive Officer pointed out that most of the bills were filed but that the rules were suspended in which case the filed bills can be reinstated. The Commission was informed that S.B. 84 passed both houses. The bill as amended reads, "all planning directors shall be made non-voting ex-officio members."

The meeting was adjourned.