

LAND USE COMMISSION

PUBLIC HEARING

Kailua School

Kailua-Kona, Hawaii

June 27, 1962

Commissioners

Present:

Edward C. Bryan
Stanley C. Friel
Wayne Gregg
Edward Kanemoto
Franklin Y. K. Sunn
Roger T. Williams

Absent:

Yuichi Ige

Ex-Officio Members

Present:

Frank Lombardi

Absent:

E. H. Cook

Staff

Present:

R. J. Darnell, Executive Officer (XO)
Yoshio Shigezawa, Legal Counsel
Alberta Kai

The public hearing was called to order by Chairman Bryan at 8:00 p.m. in the Kailua School, Kailua-Kona, Hawaii.

Chairman Bryan said an opening prayer asking for help and guidance in the work of the Commission.

Chairman Bryan announced that the purpose of this hearing was to hear two applications for Special Permit: that of Edward S. T. Ching and that of J. M. Jackson and wife.

APPLICATION OF EDWARD S. T. CHING FOR SPECIAL PERMIT TO CONSTRUCT A DRIVE-IN, SERVICE STATION AND ACCESSORY USES ON CERTAIN PROPERTY IN WAIMEA, SOUTH KOHALA DISTRICT, HAWAII: Described as TMK 6-4-03-22,41,65.

Chairman Bryan read the legal notice of the hearing; and noted for the record that Mr. Ching, the applicant was present and would represent himself at the hearing.

Upon request of the Chairman the XO explained the location of the applicant's property, and described the request.

Mr. Ching was sworn in and gave a brief resume of reasons for his application as follows: The proposed uses would be a service to the surrounding community; trade would come from several sources, drive-in traffic, residents of Ahualoa, and eventually the people living in the subdivided areas surrounding his site. He felt that the combination being asked for would be a mutually sustaining economic unit, selling gasoline, food staples, and preparation of food to be sold and consumed on the premises.

Chairman Bryan opened the hearing to the Commissioners.

In answer to questions from the Commission Mr. Ching testified that he had not conducted a feasibility study for the site, but anticipated a small-scale operation much like one he was operating in Waimanalo on Oahu. He would lease out the facilities and retain title. Mr. Ching stated that he had a client from the mainland who had asked him to set up a chain of such operations for him. There are three lots combined for purposes of the operation, two lots to be devoted to the business operation and the third lot, in the rear, for the caretakers house. Construction would occur within a year.

The Chairman clarified the area of the three lots under application, which was 28,014 sq. ft.

There were no further questions from the Commission.

Mr. Hiroshi Kasamoto was sworn in, representing the Master Plan Advisory Committee from the Kohala area. He read a communication from that group, signed by H. P. L'Orange, Chairman, recommending that the Commission defer action until the completion of the Bush-Gerakas master plan for North Hawaii. He stated that the preliminary plan for the Waimea area would be completed within a month or two.

In answer to a comment by Commissioner Lombardi to the effect that the highway may eventually by-pass Mr. Ching's area, Mr. Ching replied that this did not upset him, since by the time that this happened the surrounding subdivisions would provide his market.

Mr. Kasamoto said that the principal reason the Master Plan Advisory Committee wants to wait is not because of the highway, but rather to see if the plan recommends commercial uses in Mr. Ching's area.

The XO was sworn in, and read the staff report, which was made part of the record.

In answer to a question by the XO, Mr. Shigezawa stated that the Commission may defer or continue consideration of a matter without consent of the applicant.

The XO recommended that the application be denied without prejudice; and, after discussion, modified that to recommend the matter be continued to a later date pending completion of the preliminary plan for the Waimea section of the Hawaii County Master Plan. Chairman Bryan concurred in the recommendation, noting

that there had been no recommendations received from either the Hawaii County Board of Supervisors or the Planning and Traffic Commission.

Commissioner Kanemoto asked Mr. Ching if the deferral would work a hardship on him, and received a negative answer from Mr. Ching.

Commissioner Lombardi made a motion to defer the matter; seconded by Commissioner Sunn, and carried unanimously.

Chairman Bryan stated that the Commission would advise Mr. Ching of the status of his application following their regular meeting on July 24, 1962.

Legal Counsel requested that all subsequent communications regarding this application be made part of the record. This was so ordered by Chairman Bryan.

Chairman Bryan declared the public hearing in the matter of the application for Special Permit by Edward S. T. Ching closed.

APPLICATION OF J. M. JACKSON AND WIFE FOR SPECIAL PERMIT TO CONTINUE CONSTRUCTION AND TO OPERATE A RESORT HOTEL ON CERTAIN LANDS AT KAUPULEHU, NORTH KONA, HAWAII: Described as Por. TMK 7-2-03-1.

Chairman Bryan opened the public hearing in the matter of application for Special Permit made by J. M. Jackson and wife. The Chairman read the legal notice of the hearing and entered it as part of the record.

The Chairman noted for the record that Mr. and Mrs. Jackson were present and would represent themselves at the hearing.

Chairman Bryan then asked the Chairman of the Hawaii County Board of Supervisors, the Honorable Thomas Cook, and the Director of the Hawaii County Planning and Traffic Commission, Mr. Hiroshi Kasamoto, if their groups had been notified in writing of the hearing, and received replies in the affirmative.

Mr. Jackson was sworn in and asked by Chairman Bryan to explain his reasons for application for Special Permit. Mr. Jackson described the history of the Kona coast, and the Kaupulehu area in particular; his reasons for choosing this particular area; the type of development he envisioned; and the improvements that he had made to date. Mr. Jackson stated that to date he has expended in the neighborhood of \$100,000 in the clearing of land near the beach, blasting a boat harbor, constructing the pilot living unit, restoring historic sites and creating a series of ponds which he stocked with birds and fish.

Chairman Bryan opened the meeting to the Commission.

In answer to questions from the Commission, Mr. Jackson testified that he and his wife hold a 65-year lease from Hualalai Development Company and Bishop

Estate Limited; and that, to his knowledge, he is the first to undertake a commercial venture on this land. Mr. Jackson stated that the quiet, isolated, low-density, type of resort operation that he is building has been highly successful in the Virgin Islands. He stated that he had developed his own water source and that he generated his own power. The resort would cater, in part, to the visitor interested in fishing, he stated, and his operation would enhance, rather than be a detriment to, the local offshore fishing areas. The resort would be supplied by either boat or truck, and the employees would live in the immediate area.

Commissioner Lombardi asked Mr. Jackson if he expected County or State help in his project, and received a negative answer.

Chairman Bryan asked if the acreage on the application was correct; and Mr. Jackson replied that his application had not included the acreage involved in the circumferential road system and that he would like to amend the application to show an acreage of 65.3 acres. The application was ordered amended by Chairman Bryan.

Chairman Bryan asked for the County of Hawaii Board of Supervisors' recommendation. Chairman and Executive Officer Thomas K. Cook read into the record a letter from the Hawaii County Board of Supervisors recommending approval of the Jackson application.

The XO read the staff report which was made part of the record and which recommended approval of the application with certain conditions.

Chairman Bryan referred to the conditions recommended in the staff report and asked Mr. Jackson if the conditions would work a hardship on him; and Mr. Jackson stated that they would not.

Chairman Bryan entered into the record a letter from Bush and Gerakas, recommending approval.

Commissioner Lombardi made a motion to approve the Jackson application as recommended by the staff, seconded by Commissioner Williams.

Mr. Shigezawa asked Chairman Bryan if the conditions recommended in the staff report were part of the motion, and received an affirmative answer from the Chairman.

The motion was passed unanimously.

There was no further discussion; and Chairman Bryan declared the public hearing closed at 9:45 p.m.