

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

LUC Hearing Room

Honolulu, Hawaii

11:00 A. M. - July 31, 1964

Commissioners

Present:

C.E.S. Burns  
James P. Ferry  
Goro Inaba  
Shelley Mark  
Shiro Nishimura  
Charles S. Ota  
Leslie E. L. Wung

Absent:

Myron B. Thompson  
Robert G. Wenkam

Staff

Present:

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

The meeting was called to order by Acting Chairman Burns.

ADOPTION OF MINUTES

The minutes of 11/1/63 meeting in Honolulu, Hawaii were approved unanimously. The motion was made by Commissioner Nishimura, seconded by Commissioner Inaba, and carried.

The minutes of 2/1/64 meeting and hearing in Hilo were approved as circulated.

The minutes of 4/10/64 hearing in Wailuku were approved with the following correction:

Page 2 - Mr. Jamieson of Ulupalakua Ranch should read Mr. Erdman of Ulupalakua Ranch instead.

The minutes of 4/10/64 hearing in Lahaina were approved unanimously. The motion was made by Commissioner Ota, seconded by Commissioner Nishimura, and carried.

ACTION ON TEMPORARY DISTRICT BOUNDARY CHANGES

PETITION OF FATHERS OF THE SACRED HEARTS (A(T)63-57) FOR AN AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARIES FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT FOR RESIDENTIAL AND INSTITUTIONAL DEVELOPMENT IN KANEOHE, OAHU: Described as TMK 4-5-25: 1, 9, and 20 (approximately 62 acres more or less)

A letter of withdrawal submitted by the petitioner dated July 20, 1964 was read into the record by the Field Officer.

Commissioner Wung moved to accept the petitioner's request to withdraw, which was seconded by Commissioner Mark. The motion was carried unanimously.

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PETITION OF PHILIP MINN (A(T)63-58) FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM A CONSERVATION DISTRICT TO AN URBAN DISTRICT FOR RESIDENTIAL SUBDIVISION AT UPPER KAMANAIKI VALLEY IN KALIHI, OAHU: Described as TMK 1-4-15: 11 (approximately 106 acres)

The Executive Officer informed the Commission that the staff has received an oral request by the petitioner to defer his request for a boundary change until such time that he is able to submit a letter of withdrawal. The Executive Officer explained to the Commission that the petitioner's attorney was away at this time, and this is his reason for making this request. The Commission deferred action on this petition as orally requested by the petitioner.

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PETITION OF CAPITAL INVESTMENT COMPANY (A(T)63-60) TO AMEND THE TEMPORARY DISTRICT BOUNDARIES FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT FOR BEACH, RESIDENTIAL, FARM AND RESORT DEVELOPMENT IN MAKAHA VALLEY, WAIANAE, OAHU FOR ONLY 575.1 ACRES: Described as TMK 8-4-02: 1, 4, 5, 7, 8, 13 and 14 (comprising of approximately 5,210 acres)

The Executive Officer informed the Commission that notification to the petitioner had been made informing them that possible action would be taken on their petition this afternoon at 1:30 p.m. (7/31/64). He stated that inasmuch as the petitioner was requesting approval for their whole request, and this Commission had included only a portion of their request in its adopted urban boundaries, he did not suggest to the petitioner that they withdraw.

The Commission deferred this petition for consideration at 1:30 p.m. (7/31/64).

ACTION ON SPECIAL PERMIT

PETITION OF PEPEEKEO SUGAR COMPANY (SP(T)64-11) FOR A SPECIAL PERMIT TO SUBDIVIDE PROPERTY INTO 8 RESIDENTIAL LOTS ON THE OLD MAMALAHOA HIGHWAY, PEPEEKEO, SOUTH HILO, HAWAII: Described as TMK 2-8-07: 2 and 2-8-07: 6

A letter of withdrawal, dated July 27, 1964, submitted by G. R. Ewart of C. Brewer & Company, Ltd. on behalf of Pepeekeo Sugar Company was read into the record by the Field Officer.

The Executive Officer gave a brief review of the area and the adopted district boundaries for the area as of July 1, 1964.

Commissioner Inaba moved to accept the petitioner's request for withdrawal, which was seconded by Commissioner Wung. The motion was carried unanimously.

PLANNING CONFERENCE ON KAUAI

The Executive Officer briefly reviewed the schedule of the Planning Conference to be held at the Coco Palms on Kauai from 9/10/64 to 9/12/64. He informed the Commission that they were all scheduled to attend this conference, and that all expenses incurred during attendance at this conference will be applied against the Commission's operating budget. The Executive Officer suggested that this Commission may wish to hold a meeting to consider any pending business it may have while attending this Conference on Kauai.

PETITIONS PENDING BEFORE THIS COMMISSION

The Executive Officer informed the Commission that there are four petitions from Hawaii and one from Maui pending before this Commission. He stated that these are all scheduled for hearings in October.

The Executive Officer informed the Commission that the staff has taken upon itself to withdraw a petition (by Pedro & Lucy Oro) for a boundary change and has refunded the petitioner his fee of \$50.00 inasmuch as his petition was not heard by this Commission, or notice of public hearing was not published. The Executive Officer explained to the Commission that the staff has been following this policy: (1) if the petitioner requests a withdrawal and the petition has not been published for a hearing or has not been heard by this Commission, staff has taken upon itself to withdraw the petition and refund the petitioner his \$50.00 fee without it being considered by this Commission; but (2) if the petitioner requests a withdrawal and his petition has been published for a hearing or has been heard by this Commission, staff has placed the petition on the Commission's agenda for its consideration.

It was the general consensus of the Commission that this would be the best way to handle this matter administratively, and favorably accepted this administrative procedure that the staff has been following.

## OTHER BUSINESS

### Schedule of Meetings and Hearings

Chairman Burns requested that the staff prepare a schedule of this Commission's forthcoming hearings and meetings. He further requested that the staff arrange a meeting for this Commission with each County Planning Commission that would coincide with this Commission's schedule of hearings and meetings. He suggested that an agenda be prepared and circulated to each County Planning Commission prior to this meeting. He suggested that a meeting be arranged with the Hawaii County Planning Commission at the same time this Commission is scheduled to hold a hearing on Hawaii in October.

### Citizens Group Participation

Chairman Burns informed the Commission that on July 23, 1964 a meeting was held to discuss the possibility of having a citizens committee group formed in each county as a medium of communication between the people and the Land Use Commission. Chairman Burns stated that he, Mr. Thompson, Mr. Yamashita, Mr. Alfred Preis and Mr. Aaron Levine were the people who participated in this meeting. Chairman Burns stated that from this meeting they learned that there were about 8 to 10 committees of this sort already in existence. They further learned that the State General Plan was up for reconsideration and review in 1965, and Mr. Levine suggested that the Land Use Commission combine this citizen group committee with the State General Plan Citizens Committee Group. Chairman Burns stated that two questions were raised: (1) whether this group should be appointed by the Governor or each respective County; and (2) whether this group should be appointed after the November elections.

The Executive Officer stated that one of the programs in the revision of the State General Plan is the formation of a Citizens Committee Group. Because the Land Use District Boundaries as set up by the Land Use Commission is recognized as the tool which implements the State General Plan and is closely related to the State General Plan, the Executive Officer felt that this Commission should be a part of this Citizens Committee Group for the State General Plan. Chairman Burns stated that Mr. Levine made the same suggestion.

Commissioner Mark explained that Chairman Thompson had spoken to him earlier and felt that if a Committee of this sort was formed, it would lessen the work of each individual on this Commission. Commissioner Mark stated that this Committee would be assisting this Commission in its work by providing information to this Commission and would be carrying information to the public from this Commission. Commissioner Mark stated that Chairman Thompson felt that a Committee of this sort should be formed in each County. He suggested that this Committee could be the Committee that makes up the State General Plan Citizens Group Committee, which the Executive Officer of this Commission could be one of the members comprising this Committee.

The Commission was generally in favor of participating in the Revision of the 1965 State General Plan and in forming a Citizens Group Committee. The Commission

also recommended that upon appointment of a State General Plan Citizens Group Committee that the Executive Officer be considered as a participant or included in the Committee.

The meeting recessed at 12:00 noon.

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The meeting was called to order at 1:45 p.m. after a brief recess.

PETITION OF CAPITAL INVESTMENT COMPANY (A(T)63-60) TO AMEND THE TEMPORARY DISTRICT BOUNDARIES FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT FOR BEACH, RESIDENTIAL FARM AND RESORT DEVELOPMENT IN MAKAHA VALLEY, WAIANAE, OAHU FOR ONLY 575.1 ACRES: Described as TMK 8-4-02: 1, 4, 5, 7, 8, 13 and 14 (comprising of approximately 5,210 acres)

The Field Officer, having been sworn in, gave a brief review of the petition and area involved. The Field Officer stated that in the Commission's adopted district boundaries as of July 1, 1964, the Commission has included all of the areas of petitioner's request except for the golf course and the mauka subdivision. The staff's recommendation was for approval of those areas as adopted by the Land Use Commission in its final district boundaries.

Commissioner Ferry asked Mr. Morio Omori whether he was satisfied with this Commission's decision as a result of its July 1, 1964 adopted district boundaries. Mr. Omori replied in the negative.

Mr. Morio Omori, attorney for Capital Investment Company, informed the Commission that while the present City and County of Honolulu General Plan does not include their proposed development as indicated in their petition, the City Planning Commission did recommend to this Commission that their whole request be approved. Mr. Omori stated that he was certain that their proposal will be included in the City and County's General Plan. Mr. Omori referred to their supplemental letter of May 28, 1964 to support his presentation. He stated that, through past experiences, they have learned it would not be economically feasible to go ahead with such a project if this Commission would be limiting their proposed development shown by the adopted district boundary lines.

Commissioner Ferry did not concur with Mr. Omori. He stated that from studies that have been made, the boundaries as adopted for Makaha by this Commission would not hamper the development as proposed by the petitioner. He stated that it would be economically feasible to go ahead with such a project.

The Executive Officer pointed out to the petitioner that the Land Use Commission is primarily districting urban lands for the purpose of providing lands for the present and foreseeable urban needs and particularly with respect to resort development in this issue. He stated that the emphasis of the arguments seems to be on residential developments - the need for which has already been considered in the adopted district boundaries.

Commissioner Ferry made a motion to approve that portion which was included in the adopted urban district boundary. The motion was seconded by Commissioner Wung and defeated by a vote of 4 ayes and 3 noes.

Commissioner Ferry then made a motion to deny the petition which was seconded by Commissioner Wung. The motion was defeated by a vote of 4 ayes to 3 noes.

Commissioner Ferry then moved for deferral which was seconded by Commissioner Wung and carried unanimously.

#### REVIEW OF LAND USE DISTRICT BOUNDARIES

A review of the land use district boundaries before filing with the Lt. Governor's Office was made by the Commission. The Commission completed reviewing the land use district boundaries for Honolulu and Kauai before adjourning.

The meeting adjourned at 5:30 p.m.