

STATE OF HAWAII  
LAND USE COMMISSION

*Approved 10-29-70*

Minutes of Meeting

Kamehameha III School Cafetorium  
Lahaina, Maui

August 28, 1970 - 7 p.m.

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

Commissioner Absent: Wilbert Choi, Chairman

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 swore in persons wishing to testify before the Commission. Subsequently, he called for the first item on the agenda.

HEARINGS

PETITION BY THE DEPARTMENT OF ACCOUNTING & GENERAL SERVICES (A70-254) TO REZONE 37.75 ACRES FROM AGRICULTURAL TO URBAN AT WAKIU, HANA, MAUI

Mr. Leong, staff planner, presented the staff report and oriented the Commission to the subject site by using the maps posted on the wall. In reply to questions from the Commission, Mr. Leong elaborated that the take-off pattern for the nearby Hana Airport is over the sea; that the Hana School District extends from Keanae to beyond Kaupo for a distance of 40 miles; that the Hana Hospital is located almost a mile from the proposed school site; and that during the 1969-70

August 28, 1970

school year, three bus contracts were in effect for the Hana School District totaling \$18,885 which amounted to \$105 per day for school bus transportation.

Lloyd Takahashi, representative from the Department of Accounting & General Services, testified that the sites recommended by the Wilson-Okamoto study were considered before the final selection was made.

The Maui Planning Director, Howard Nakamura, added that the request is in conformance with the County's General Plan. He agreed that presently, the bulk of the population is located near the town center. However, Hana Ranch, who owns most of the land in the town area, has indicated its plans to relocate the homes near the proposed school site. The State proposes to expand the Wakiu houselot subdivision located next to the school. Therefore, the proposed school will ultimately be in a more centralized location. In reply to a question by the Executive Officer, Mr. Duran, regarding the progress of the low cost employee subdivision proposed by Hana Ranch and rezoned by the Land Use Commission several years ago, Mr. Nakamura stated that it has not been initiated as yet.

Since there was no further testimony, the hearing on this matter was closed.

PETITION BY THE LAND USE COMMISSION (A70-256) TO REZONE 202.70 ACRES FROM CONSERVATION AND RURAL TO URBAN AT KALUAAHA-PUKOO, MOLOKAI

Vice-Chairman Inaba asked whether anyone in attendance planned to testify on this petition. He explained that the Commission has received many letters requesting that the proceedings be held on Molokai instead of Maui.

Mr. E. Lloyd Cluney, Molokai representative of the Maui County Council, informed that the Chairman of the Council prefers that the hearing be held on the island of Molokai. Mr. Cluney also requested that the Bishop Museum report concerning fishponds with historical values be brought to the Molokai hearing.

In view of the comments, the Commission felt that a hearing on Molokai would be appropriate. Commissioner Napier moved that the public hearing on this matter be continued on Molokai. Commissioner Wung seconded the motion, and it was unanimously carried.

August 23, 1970

PETITION BY HALE MAHAOLU & THE COUNTY OF MAUI (A70-258) TO REZONE 15 ACRES FROM AGRICULTURAL TO URBAN AT PAIA, MAUI

The staff planner read the staff report and described the area in question.

Mr. Robert Ohata, consultant for the petitioners, explained that Hale Mahaolu is a non-profit organization of several eleemosynary institutions. The County of Maui found this organization to be an ideal vehicle to help carry out its housing program and has subsidized it with staff and money. Final financing is tied into the FHA 235 Program which is a subsidized mortgage program. He advised that the contract for housing is <sup>being</sup> readied as are the engineering plans. There will be 58 three-bedroom units and 12 four-bedroom units for a total of 70 homes. It will cost approximately \$14,000 for the house and \$6,000 for the lot; and, together with other costs, the total will be about \$22,000 to \$23,000.

A buy-back provision and a requirement that the units be owner occupied will preclude speculation. It is hoped that the project will be completed by the end of 1971.

Mr. Ohata added that under the FHA 235 Program, low-income families unable to meet the monthly mortgage will need to pay only 20 percent of their net income; and, the balance will be paid by the federal government. The applicant must meet asset and income limitation requirements in order to qualify for the program, thereby limiting speculation. However, after the mortgage period of 20-25 years, the buyer may divest himself of his interests.

Commissioner Tangen expressed his approval of the proposed project and of Maui County's housing program.

In reply to questions by the Executive Officer, Mr. Ohata stated that negotiations for the land owned by A & B will be started soon. He added that other similar projects are in progress or contemplated at Lahaina, Molokai, Lanai, and Wailuku.

Mr. Howard Nakamura, Maui Planning Director, added that the County administration wholeheartedly supports the proposal. It will also accommodate many families who will be displaced by the phasing out of the plantation villages in Upper Paia.

Since there was no further testimony, the public hearing on this petition was closed by Vice-Chairman Inaba.

The Vice-Chairman then called for a ten-minute recess.

ACTION

PETITION BY MANUEL & BERTHA SANCHEZ (A70-246) TO REZONE 30 ACRES FROM AGRICULTURAL TO URBAN AT WAILUA HOMESTEADS, WAILUA, KAUAI

Vice-Chairman Inaba reconvened the meeting and announced that any petitioner wishing to defer action on their petition to a later date should do so prior to the staff's presentation.

The Executive Officer proceeded to describe the area under petition but was interrupted by Commissioner Sakahashi who stated that the petitioners may not have heard the announcement regarding deferral.

Attorney Hiroshi Sakai, representing the petitioner, requested a deferral of about 60 days.

Commissioner Tangen asked for the reason for the request since a previous request for deferral of action on this matter was approved by the Commission on Kauai. He added that the representation made in Kauai was that time was needed in order to gather the information requested by the Commission.

Commissioner Sakahashi stated that the petitioners felt they needed more time to prove to the Commission that they are not speculators but that they wanted to put up a package deal.

Commissioner Tangen noted that this matter was heard on May 8, action deferred on August 1 upon the petitioners' request, and he is now requesting another deferral. He suggested that unless the petitioners' reasons are substantial, the request for deferment be denied by the Commission.

Commissioner Mark suggested that in view of the serious deliberations which are in progress for providing additional housing, the petitioners withdraw the petition and come up with a good solid justification for the Commission.

The Vice-Chairman called the petitioners' attention to Commissioner Mark's suggestion. However, since the petitioners

August 28, 1970

were undecided, Commissioner Tangen moved that the request for deferment be denied. This was seconded by Commissioner Wung, and the Commission was polled as follows:

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

Nays: Commissioner Sakahashi

The motion for denial of the deferral request was carried.

The Executive Officer resumed his presentation and summarized the staff's reasons for recommending denial of the petition (see staff memo on file).

Attorney Sakai, representing the petitioners, called on Mr. Clinton Childs to elaborate on the statistical data submitted by the petitioners to substantiate the need for more urban lands (see letter on file from C. Childs dated August 28, 1970).

Commissioner Sakahashi questioned the Executive Officer whether the staff recommendation would have been different if the lands which are being utilized for agricultural purposes within this Urban District were dedicated. Mr. Duran replied that the statistics would not be so overwhelming as far as undeveloped urban lands are concerned but that without knowing the acreage involved he could not say. He pointed out that the lack of water to serve the urban needs in the area should be considered before approving the request.

Mr. Childs stated that \$800,000 have been appropriated for water development in Wailua.

Commissioner Tangen quoted a letter from the Water Department indicating that storage and transmission facilities are inadequate to serve the area if subdivisions continue and advised that the petition be denied. Commissioner Tangen noted that 16 lots can be created within the portion of the petitioners' property which is already zoned Urban.

The motion by Commissioner Tangen for denial was seconded by Commissioner Wung and carried unanimously.

August 28, 1970

PETITION BY MAUI LAND & PINEAPPLE COMPANY, INC. (A70-250)  
TO REZONE 659 ACRES FROM AGRICULTURAL AND CONSERVATION TO  
URBAN SITUATED BETWEEN MAHINAHINA AND HONOLUA, LAHAINA DISTRICT  
MAUI

Commissioner Yamamura was excused from the proceedings on this matter because of a possible conflict of interest.

The staff planner oriented the Commission to the area under petition and read the staff memorandum.

Mr. Colin C. Cameron, President of Maui Land & Pineapple Company, Inc., noted a letter from Mr. Yanagawa, Executive Director of the HHA, dated August 24, 1970, (on file) which indicated that the State will be able to participate with the developer for the construction of the first increment of the proposed low cost housing development under the provisions of Act 105. Mr. Cameron also made it clear that the petitioners will proceed with the development whether or not the land exchange with the State can be effected. He also stated for the record that if the land exchange can be effected, the area rezoned would not have any adverse effect on any exchange as far as the State is concerned. Selling prices for the basic three-bedroom unit have not been finally determined, but he believed that a housing package of \$25,000 (\$12,000 for the lot and \$13,000 for a house) can be worked out. In regard to the golf course area, Mr. Cameron asked the Commission to consider the latest design, which called for development of the golf course up to the proposed realignment of Honoapiilani Highway on the mauka side and within the Conservation District along the shoreline. He emphasized that if any golf course structures are developed along the finalized highway realignment, they would remove it at their own expense. He asked for favorable consideration of the request and for reasonable assurance of further incremental zoning in the future if the Commission decides that incremental zoning is desirable.

Under questioning by Vice-Chairman Inaba, Mr. Cameron stated that most of the 100 families now living in the Pineapple Hill area can be accommodated in the first increment of the new housing area and still have 150 units available for other West Maui housing needs. The completed development will contain 500-600 units.

Commissioner Tangen asked whether the off site development costs for the full 90 acres proposed for low cost housing will be borne by residents of the first increment

only or whether it will be prorated over the entire development. Mr. Cameron replied that off site improvement costs will be prorated over the 600 units contemplated.

Again, in reply to Commissioner Tangen, Mr. Cameron stated that pineapple lands will be replaced as they are taken out of production since they have every intention of remaining in the pineapple business.

Commissioner Kido inquired whether the Department of Education was consulted regarding the location of the new school. Mr. Cameron answered in the affirmative and added that the County was also consulted.

Mr. Howard Nakamura, Maui Planning Director, reiterated the Maui Planning Commission's recommendations for approval of a portion of the request. With regard to the area at Lipoa Point, the Commission's position was that no commitment be made since the land is essentially all in pineapple and designated Agricultural on the County General Plan.

Mr. Duran asked Mr. Cameron whether the school site was included when he stated that no appreciable value would accrue to the land through rezoning if purchased or exchanged by a government agency. Mr. Cameron replied that he would make a similar commitment.

Commissioner Tangen moved that the petitioners' plan be approved in concept with the exception of the Lipoa Point area and that the 90 acre housing and school site and the golf course area as shown on the petitioners' revised plan be changed from Agricultural to Urban.

Upon questioning, Commissioner Tangen clarified his motion to state that approval in concept be given only for the area makai of the proposed Honoapiilani Highway, but excluding the area south of Alaeloa Point, the Lipoa Point area and the Conservation area along the shoreline. It was estimated that the area to be reclassified at the present time contains approximately 300 acres.

The motion was seconded by Commissioner Sakahashi and carried as follows:

Ayes: Commissioners Tangen, Napier, Kido, Mark,  
Sakahashi, Wung, and Inaba

Abstention: Commissioner Yamamura.

August 28, 1970

SPECIAL PERMIT APPLICATION BY HAWAIIAN TELEPHONE COMPANY  
(SP70-83) TO CONSTRUCT AND OPERATE A COMMUNICATIONS EQUIPMENT  
BUILDING AT KEAUKOU 2nd, NORTH KONA, HAWAII

Executive Officer, Mr. Duran, referred to a letter from Alan Tyler, Co-Chairman of the Kona Citizens Planning Council, requesting that this matter be considered at the Land Use Commission's meeting in Kona. After a short discussion, Commissioner Tangen moved that the matter be considered in Kona. Commissioner Yamamura seconded the motion, and it was unanimously carried.

SESSION WITH BILL COOK ON STATE HOUSING PROJECT

Mr. Duran introduced Mr. Bill Cook from the Governor's office.

Mr. Cook stated that Act 105 allows his agency to bypass the County but not the Land Use Commission in implementing the objectives of the act. Since some of the sites being considered for housing are located in the State's Agricultural District, he felt that an informal meeting with the Land Use Commission is desirable in order to assess the Commission's feelings and to expedite matters.

Commissioner Napier suggested holding such an informal meeting before the Land Use Commission meeting in Kona.

Commissioner Tangen moved that the Oahu members of the Commission meet with Mr. Cook as a subcommittee to preliminarily discuss the issues before the Kona meeting. Commissioner Yamamura seconded the motion, and it was carried unanimously.

DEFERRAL REQUEST FROM SHUZO IKENO (A70-252)

Mr. Duran informed the Commission that a letter was received from Mr. Ikeno requesting deferral of action on the above petition until another petition for an adjoining parcel can be processed and acted on at the same time.

Commissioner Tangen's motion for deferral of action on the subject petition was seconded by Commissioner Wung and unanimously carried.

ADJOURNMENT

The meeting was adjourned at 10:20 p.m.