

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

August 31, 1973 - 10:30 a.m.

County Council Room
Hilo, Hawaii

COMMISSIONERS PRESENT: Eddie Tangen, Acting Chairman
Alexander J. Napier
Sunao Kido
Shelley M. Mark
Stanley Sakahashi
Tanji Yamamura
James R. Carras
Mitsuo Oura

APPROVED
OCT 17 1973

STAFF PRESENT: Tatsuo Fujimoto, Executive Officer
Ah Sung Leong, Planner
E. John McConnell, Dep. Atty. Gen.
Dora Horikawa, Clerk Reporter

Following the swearing in of persons wishing to testify during today's proceedings, Acting Chairman Tangen announced that due to a prior commitment of one of the Commission members, the order of the agenda will be changed to consider the action items first.

He also took this opportunity to introduce two new Commission members, Mr. James R. Carras from East Hawaii and Mr. Mitsuo Oura from West Hawaii, who were appointed by the Governor and duly sworn in to serve on the Land Use Commission. At their request, Acting Chairman Tangen advised that neither Commissioner will be called upon to participate on the action items since they were not present at the public hearing.

ACTION

PETITION BY LAWRENCE & AGNES DENIS (A73-360) TO RECLASSIFY 1.17 ACRES FROM THE AGRICULTURAL TO THE URBAN DISTRICT AT KAUMANA, SOUTH HILO, HAWAII

Mr. Ah Sung Leong, planner, presented the staff memo recommending approval of the request based upon staff's evaluation (see copy of memo on file).

It was moved by Commissioner Napier and seconded by Commissioner Sakahashi to approve the petition as recommended by staff, and the motion was carried unanimously.

PETITION BY RICHARD V. TOLEDO (A73-361) TO RECLASSIFY 23 ACRES FROM THE AGRICULTURAL TO THE URBAN DISTRICT AT HAIKU, NORTH HILO, HAWAII

It was recommended by Mr. Tatsuo Fujimoto, Executive Officer, that the petition be disapproved, based on staff's findings (see copy of memo on file).

In response to questions raised by the Commissioners regarding staff's suggestion that subject request would result in "spot zoning" when, in fact, the proposed development was really adjacent to the Ninole Rural District with existing urban type activities, Mr. Fujimoto reminded the Commission that similar types of urban concentration along the Hamakua Coast in the Rural District had not been recognized by the Commission as Urban on the basis that this would encourage higher density use.

Mr. Glenn Miyao of the Hawaii Planning Department staff informed that the only adverse comment relative to the subject petition was received from the State Department of Transportation regarding the hazardous traffic conditions along the Hawaii Belt Road, which the Planning Department's staff felt could be resolved at the time of the subdivision request and, therefore, the Planning Commission had recommended approval of the request.

With respect to water availability to the site, Mr. Fujimoto advised that the developers were working with the Water Department to make water available to the entire site. Mr. Miyao further noted that rezoning at the County level would be confined only to the areas where water availability is indicated. Mr. E. W. Hohu of the Hawaii Department of Water Supply advised that a selling price for the water source site had been negotiated. However, due to the change of scope in the project and time lapse since the appropriation was made, the funds may not be sufficient.

Commissioner Kido observed that the County General Plan designated the area "Intensive Agriculture". Mr. Miyao explained that the County had designated the Ninole area for urban development but that no specific line had been drawn so that the precise area was subject to interpretation.

Commissioner Napier moved for the approval of the petition, which was seconded by Commissioner Sakahashi, and the Commissioners were polled as follows:

Ayes: Commissioners Sakahashi, Napier, Kido, Acting Chairman Tangen

Nays: Commissioners Mark and Yamamura

The motion to approve the petition was not carried. Acting Chairman Tangen advised, therefore, that the petition by Richard V. Toledo was denied.

HEARING

PETITION BY EUGENE F. KENNEDY INVESTMENTS, INC. (A73-365) TO RECLASSIFY 13.4 ACRES FROM AGRICULTURAL TO URBAN AT WAIAKEA, SOUTH HILO, HAWAII

Mr. Leong presented the staff report on the subject petition (see copy of report on file). He further elaborated that in 1971 when the Commission rezoned 410 acres from the Agricultural to the Urban District in the Waiakea Homesteads area, after allowing ample time for those engaged in farming activities to dedicate their lands, staff had made a recommendation that the chicken and hog farm areas in Camp 6 be reclassified into the Agricultural District during the 1974 review.

Mr. Leong also noted that Mr. Kennedy's property was in closer proximity to the farmers than the Matsunaga property which was reclassified from Agricultural to Urban in 1972. Commissioner Kido wondered about the status of Mr. Matsunaga's development. Mr. Leong referred to the staff report in which it had been noted that during a preliminary hearing for a zoning change before the Hawaii Planning Commission, Mr. Matsunaga had indicated his intention to transfer his property to a land development company to subdivide the 40 acres. Mr. Miyao of the Hawaii Planning Department staff added that Mr. Matsunaga's request was presently before the County Council for final action.

As a point of interest, Mr. Fujimoto recalled that at the time the Land Use Commission was deliberating on the reclassification of 790 acres in Waiakea from the Agricultural to the Urban District in 1971, Mr. Katsumi Nii, representing the farmers in the area, had protested the proposed amendment. Now, Mr. Nii has filed a petition with the Commission to amend the boundary for his property in Waiakea from the Agricultural to the Urban District. Commissioner Sakahashi requested that staff include Mr. Nii's earlier testimony when preparing the report for the public hearing.

Mr. Gilbert Hara, representing Mr. Kennedy, submitted that a package deal was contemplated for the development in line with the

County's requirement that a minimum of 25% be built up with homes. Mr. Miyao advised that, following a reevaluation of their policies, the Planning Department was now recommending a 40% build-up within the Hilo District, and 25% in the other areas. Mr. Hara agreed that they would comply with the County's requirements.

Mr. Eugene Kennedy, petitioner, added that his engineers will complete plans for the improvements as soon as possible so that the construction of homes can commence. He advised that these homes will be sold within the \$35,000/\$40,000 range on 15,000 square foot lots.

Commissioner Yamamura expressed his feeling that rather than change the land use designation in piecemeal fashion for the Waiakea area, it might be wiser to review the whole area during the 5-year review, which would also allow the hog and small truck farmers to continue with their operations for a longer period. Still, others felt that a general urbanization of the area may run contrary to some of the farmers who had dedicated their lands for farm use. In this respect, Mr. Fujimoto advised that all those wishing to continue with their farm operations had an opportunity to dedicate their lands, and most of the area was in open pasture with the exception of some vegetable and poultry farm operations.

In response to Commissioner Kido's request, Mr. Glenn Miyao advised that from their rough survey, it was found that there were approximately 2,400 subdivided lots in the Waiakea area, which were 20/25% vacant. Mr. Leong added that staff's survey conducted in 1971 had found there were 26 homes on a 103-lot subdivision comprising 43 acres; a 93-lot subdivision and a 73-lot subdivision on which the house count was not available. Acting Chairman Tangen directed staff to update this information when preparing the memo for the action meeting.

Since there was no further testimony, the hearing on A73-365 was concluded.

MISCELLANEOUS

HAWAII LABORERS' HOUSING CORPORATION

Mr. Yoshio Yanagawa, Executive Director of the Hawaii Housing Authority, requested that the Commission defer any action on the lands owned by the Hawaii Laborers' Housing Corporation in Hauula for approximately 60 days, to allow the Housing Authority sufficient time to determine whether the State can participate in a housing project. He explained that they had not been able to arrive at some of the cost factors involved.

Commissioner Napier moved that the matter be deferred for 60 days, which was seconded by Commissioner Yamamura and carried.

APPRECIATION TO FORMER CHAIRMAN INABA AND COMMISSIONER WUNG

On behalf of the Land Use Commission, Acting Chairman Tangen expressed his deep appreciation to former Chairman Goro Inaba and Commissioner Leslie Wung for their many years of unselfish devotion while serving on the Commission, in the interest of the State and the people of Hawaii. He commended both for their untiring efforts and time and energy expended, sometimes in the face of criticism and abuses, in discharging their responsibilities.