

STATE OF HAWAII  
LAND USE COMMISSION  
HONOLULU, HAWAII

Minutes of Meeting

Discovery Room, Kona Hilton Hotel  
Kailua, Kona, Hawaii

September 2, 1971 - 1:30 p.m.

APPROVED  
NOV 5 1971

Commissioners Present: Goro Inaba, Chairman  
Eddie Tangen, Vice-Chairman  
Sunao Kido  
Shelley Mark  
Stanley Sakahashi  
Alexander Napier  
Tanji Yamamura

Commissioner Absent: Leslie Wung

Staff Present: Tatsuo Fujimoto, Executive Officer  
Ah Sung Leong, Planner  
Walton Hong, Deputy Attorney General  
Jean Soma, Stenographer

ADOPTION OF MINUTES

Commissioner Tangen moved that the minutes of the June 30, July 1, July 16, and August 6, 1971, meetings be approved as circulated to the Commission membership. The motion was seconded by Commissioner Sakahashi and unanimously passed.

HEARING

PETITION BY DEPARTMENT OF ACCOUNTING & GENERAL SERVICES (A71-299)  
TO RECLASSIFY APPROXIMATELY 2.6 ACRES FROM AGRICULTURAL TO URBAN  
AT HOLUALOA, NORTH KONA, HAWAII

The Executive Officer, Mr. Tatsuo Fujimoto, presented the staff report (see copy on file) and outlined the petitioned property on the district map of the area.

Mr. Stanley Shin, representing the Department of Accounting & General Services, stated he had no testimony to present but would answer any questions from the Commission.

Chairman Inaba opened the floor for additional questions or testimony. Since there was none, he advised that the Commission would receive additional testimony during the next 15 days and thereafter closed the public hearing.

#### ACTION

PETITION BY LAND USE COMMISSION (A71-287) TO AFFIRM OR MODIFY THE REZONING OF CERTAIN PARCELS REZONED DURING THE FIVE-YEAR BOUNDARY REVIEW IN THE COUNTY OF HAWAII

#### Area 2

Mr. Leong, staff planner, noted that the two areas under petition have been inverted on the agenda. However, Chairman Inaba advised Mr. Leong to discuss Area 2 (52 acres at Puu Kohola Heiau, Hawaii) first. Therefore, Mr. Leong presented the staff memorandum (see copy on file) recommending that the current Conservation designation be retained for the subject area and that the Commission recommend to the Department of Transportation that a mauka realignment of the Kawaihae Highway be seriously considered in order to preserve and enhance this historically significant site.

In answer to Chairman Inaba's inquiry, Mr. Leong advised that subject area originally comprised 29 acres only. However, pursuant to Mr. James Faries' request (Olohana Corporation), an additional 23 acres were incorporated under Area 2 of this petition. The additional acreage was added before the public hearing and was presented at same hearing.

Mr. James Faries, Olohana Corporation, representing Queen's Medical Center, submitted that Olohana Corporation is the developer for Queen's Medical Center lands at Kawaihae and concurred with the staff's recommendation to include subject area in the Conservation classification.

Commissioner Napier moved that staff recommendation to retain the area in the Conservation District be approved, seconded by Commissioner Sakahashi, and the motion was passed unanimously.

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Area 1

Mr. Leong continued with the staff memorandum (see copy on file), in which staff recommended that the current Urban classification for subject property be retained.

Mr. Jim Ferry, of Land Consultants, Inc., who urged Urban districting for the property during the 1969 review, testified that he concurred with the staff recommendation, in view of the fact that the County Planning Commission and the Land Use Commission's consultants, Eckbo, Dean, Austin & Williams, have recommended that this area be retained in the Urban District.

Mr. Alan S. Tyler, Shoreline Chairman of the Kona Conservation Group, requested that this portion of the petition not be granted--that subject area be retained in the Agricultural District. For the record, the staff informed that the present classification for this area is Urban and not Agricultural as indicated by Mr. Tyler.

Mr. Tyler then read a letter addressed to the Land Use Commission, in which Friends of the Earth and the Kona Conservation Group decided at its board meeting on September 1, 1971, to register a formal complaint relative to the Land Use Commission conducting its meetings during working hours on weekdays when members of the general public are unable to attend. Therefore, it was requested that the Commission hold its future Kona meetings during evenings or on Saturdays (see letter on file).

Commissioner Napier moved that the current Urban designation be retained for the area in question as recommended by staff. This motion was seconded by Commissioner Tangen.

Commissioner Sakahashi then queried Mr. Tyler as to his reason for requesting that the area be reclassified Agricultural. Mr. Tyler answered that Mr. Stewart Udall, Chairman of the Board, Overview, is presently conducting an Open Space Study for the State of Hawaii and that he has recommended nothing more than 50 acres at a time be rezoned to a more intensive use until the study has been completed. Commissioner Sakahashi commented that the Commission is well aware of this study and that open space per se is a concern of the Land Use Commission as well as the Counties.

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The motion to retain the 112 acres at Kahului, Hawaii, in the Urban District as recommended by staff was carried, with the Commissioners being polled as follows:

Ayes: Commissioners Sakahashi, Yamamura, Tangen, Napier, Mark, Kido, and Inaba.

Absent: Commissioner Wung.

PETITION BY HUGH H. WILLOCKS, ET AL (A71-290) TO RECLASSIFY APPROXIMATELY 8.6 ACRES FROM CONSERVATION TO AGRICULTURAL AT PANAWEA HEIGHTS SUBDIVISION, SOUTH HILO, HAWAII

The Executive Officer, Mr. Fujimoto, presented the staff memorandum (see copy on file) recommending that this petition be approved (subject lands be placed in the Agricultural District) and further that lands surrounding the subject area be re-evaluated during the next five-year boundary review for possible adjustment of abutting lands to the Agricultural classification.

Commissioner Sakahashi then questioned whether the Commission would be bound to the second portion of the staff recommendation. Mr. Fujimoto replied in the negative. Deputy Attorney General Walton Hong advised that the problem could be solved by the wording of the motion, should the Commission decide to approve this petition.

The Chair then entertained a motion, since no one in the audience wished to speak for or against this petition. Commissioner Tangen's motion that the subject area only be reclassified to the Agricultural District was seconded by Commissioner Sakahashi and carried.

PETITION BY BARNEY B. MENOR (A71-292) TO RECLASSIFY APPROXIMATELY 17.55 ACRES FROM AGRICULTURAL TO RURAL AT KANIAHIKU, PUNA, HAWAII

The staff memorandum recommending denial of subject petition was presented by the Executive Officer (see copy on file).

In substantiation of his request, Mr. Menor, petitioner, testified that the County of Hawaii has recommended approval of the petition, as the proposed change conforms to their General Plan, although the consultants to the Land Use Commission, during the five-year boundary review, recommended discouraging

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further reclassifying lands to the Rural District. Also, there exists a real need for one-half acre houselots in and around the Pahoia area. This is based on the amount of interest he has received from Pahoia residents prior to submitting the formal application. Most of these residents are immigrants from the Philippines who formerly worked for the Puna Sugar Company but have been "laid off" because of mechanization processes and have since started their own papaya farms and now possess the resources to invest in property.

Mr. Menor then presented a breakdown of the ownership pattern in Tangerine Acres Unit I as follows:

1. the 40 lots are owned by 26 individuals
2. 4 Honolulu residents own 9 lots
3. of 22 Pahoia residents, 4 own 12 lots; 2 presently overseas own 3 lots; and 16 own 1 lot each.

In addition, 12 of these lots already have houses on them (30 percent developed as indicated by staff), and 4 owners have plans to build houses in the very near future.

Mr. Menor indicated that residents of Pahoia have not expressed an interest in other subdivisions in the area because these are not in close proximity to schools and are too distant from their friends and neighbors.

Upon questioning by Commissioner Sakahashi, Mr. Menor informed that should this petition be approved, the majority of the buyers would be local Pahoia residents. In addition, the petitioned property would be subdivided into 25 lots containing approximately 25,000 square feet each. In 1962 Mr. Menor developed the 40-lot Tangerine Acres Unit I subdivision. However, due to financial difficulties, he was unable to continue with the development of the area presently under petition, which was originally planned to be the second unit of said subdivision.

Mr. Fujimoto advised that existing subdivisions in the Pahoia area include:

1. Hawaiian Beaches & Hawaiian Shores, containing lots ranging from 15,000 to 20,000 square feet in size;
2. Leilani Estates, containing lots of 1 acre in size; and
3. Nanawale Estates, containing lots of 8,000 square feet in size.

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Mr. Stanley Shin of the Department of Accounting & General Services reported that the Department of Education, in attempting to centralize facilities at the high school level, is considering relocating the high school to another area, since the total enrollment at this level is small, in order that better educational facilities may be afforded to the children in the community. A site selection has not yet been made, although money has been appropriated. He added that Pahoa School will remain at its present location. At the present time bus transportation is available to students attending Pahoa School.

Commissioner Napier moved that the petition be approved, seconded by Commissioner Tangen.

At this time Commissioner Kido queried the staff as to the County Zoning. Mr. Fujimoto informed that the County General Plan designation is Rural-Residential.

The motion to approve the petition was carried.

PETITION BY THE DEPARTMENT OF ACCOUNTING & GENERAL SERVICES (A71-297) TO RECLASSIFY 15 ACRES FROM AGRICULTURAL TO URBAN AT KEALAKEKUA, HAWAII

Staff planner, Mr. Leong, read the staff report (see copy on file).

Mr. Stanley Shin, representing the Department of Accounting & General Services, stated he had no further testimony at this time.

Commissioner Mark's motion to approve the petition as recommended by staff was seconded by Commissioner Tangen, and carried.

SPECIAL PERMIT APPLICATION BY AUDREY'S LITTLE GRASS SHACK, INC. (SP71-108) TO ALLOW SELLING OF PAPAYA PRODUCTS AND OTHER AGRICULTURAL PRODUCTS PROCESSED IN THE STATE OF HAWAII AT KAUAEA, PUNA, HAWAII

Pursuant to delivering the staff memorandum (see copy on file), Mr. Leong acknowledged receipt of a letter from Dr. Richard Marland, Interim Director, Office of Environmental Quality Control, by reading it into the record. In his letter, Dr. Marland raised the question of waste disposal relative to this application (see letter on file).

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Mr. Larry Sparks, petitioner, testified that papaya products are presently being processed on the property and have been since the first of the year under another permit. Approval of subject application is being sought today in order that the products now being processed may be sold at retail in addition to others such as Kona coffee.

As to the disposal of waste material, Mr. Sparks submitted the following: that approximately 95 percent of solid waste material goes to hog farmers; drainage water and some liquid waste empty into the septic tank; and the volume of waste material when operating full time is about 6 to 8 barrels.

At the present time, under a lease, one-sixth of the building is being utilized for the operation. In the event subject request is granted, another 1,000 feet or so of floor space would be desirable. Petitioner intends to open a coffee shop to educate people on how to use the products with other foodstuffs, e.g., papaya relish with hamburgers.

Commissioner Napier's motion to approve this request was seconded by Commissioner Tangen.

Concern over the operation of the proposed coffee shop was voiced by Commissioner Sakahashi. Deputy Attorney General Walton Hong added that the special permit request is to process, store, and market agricultural and other food products in the plant (as per staff report), and it was not intended to include a coffee shop operation. Mr. Leong affirmed that there was no mention made of said operation on the special permit application nor in any correspondence transmitted by the Hawaii County Planning Commission to the Land Use Commission.

In response to Chairman Inaba's inquiry, Mr. Larry Sparks stated that the petitioner had indicated to the Hawaii County Planning Commission that he was proposing to establish a coffee shop in conjunction with the processing operation.

At the suggestion of Mr. Hong, Commissioner Napier amended his motion as follows, since no mention of a coffee shop was ever made prior to Mr. Sparks' testimony: the special permit be approved as submitted by the petitioner to the Hawaii County Planning Commission, as transmitted by the County to the Land Use Commission, and subject to the conditions as set forth by the County. Commissioner Tangen seconded this motion.

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Commissioner Napier's motion to grant this permit was carried with the Commissioners being polled as follows:

Ayes: Commissioners Kido, Napier, Yamamura, Tangen, Sakahashi, and Inaba.

Absent: Commissioners Mark and Wung.

SPECIAL PERMIT APPLICATIONS BY PAN AMERICAN FINANCIAL CORPORATION (SP71-109) TO ALLOW CONSTRUCTION OF COMMUNITY LONGHOUSE AND PARKING AREA TO SERVICE ADULT RECREATIONAL AREA & (SP71-110) TO ALLOW CONSTRUCTION OF COMMUNITY LONGHOUSE AND PARKING AREA TO SERVICE YOUTH RECREATIONAL AREA AT WAIAKAHIULA, PUNA, HAWAII, RESPECTIVELY

Commissioner Tangen moved that the two special permit applications by Pan American Financial Corporation be consolidated as recommended by staff, seconded by Commissioner Sakahashi and carried.

Mr. Leong, staff planner, read the staff report recommending approval of both special permits as conditioned by the County of Hawaii (see staff report on file). He then noted for the record that the County in their recommendation apparently left out the word "best" ("that the proposed use will make the best use of the land involved for the public welfare"). Since the writing of the staff report, a letter has been received from Dr. Richard Marland encouraging Hawaii County to insist that all improvements being considered by the developer be of dedicable standards and quality.

Commissioner Tangen's motion to approve the special permits as conditioned by the County was seconded by Commissioner Napier.

Mr. Ralph Stean, representing the petitioner, testified that the adult and youth recreational areas will be maintained and supervised by the firm (Pan American Financial Corporation) until such time as the community association is large enough to maintain the facilities.

The motion to approve both special permits as conditioned by the County was carried, and the Commissioners were polled as follows:

Ayes: Commissioners Napier, Tangen, Kido, Sakahashi, Yamamura, and Inaba.

Absent: Commissioners Mark and Wung.



TENTATIVE SCHEDULE

The Commission decided that it will hold its next meetings on September 17 at the State Capitol, Honolulu, Oahu; and October 8 on Molokai.

ADJOURNMENT

The meeting was adjourned shortly thereafter.