

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Discovery Room - Kona Hilton Hotel  
September 20, 1972 - 1:00 p.m.

COMMISSIONERS PRESENT: Goro Inaba, Chairman  
Eddie Tangen, Vice Chairman  
Leslie Wung  
Shelley Mark  
Sunao Kido  
Tanji Yamamura  
Stanley Sakahashi

*Approved*  
JUN 1 1973

COMMISSIONER ABSENT: Alexander J. Napier

STAFF PRESENT: Tatsuo Fujimoto, Executive Officer  
Ah Sung Leong, Planner  
Gordan Furutani, Planner  
Benjamin Matsubara, Deputy Attorney General  
Dora Horikawa, Stenographer

Persons testifying before today's proceedings were duly sworn in by Chairman Inaba.

ACTION

APPLICATION BY OCEAN VIEW INVESTMENT CO. (SP72-132) TO ESTABLISH COMMERCIAL USES ON 25 ACRES AT KA'U, HAWAII

The Executive Officer, Mr. Fujimoto, presented the staff report recommending approval of the special permit request in concurrence with the findings and recommendations of the Hawaii County Planning Commission and the eight conditions imposed by the County.

Commissioner Kido suggested the feasibility of an incremental approach, rather than seeking approval of the total 25 acres, inasmuch there was such a well-defined time schedule. Mr. Earl Younker, Treasurer of Ocean View Investment Co. stated that it would be advantageous for the developer, as well as the total project, to obtain approval for the total area. Moreover, under the conditions imposed by the County, the petitioner's performance would be strictly regulated.

Mr. Glenn Miyao, staff member of the Hawaii Planning Department, elaborated that upon checking with the Water Department, it was felt

that two 20,000 gallon storage water tanks will be sufficient for the area and, therefore, this had been stipulated in their approval of the special permit.

Commissioner Kido moved that the special permit be approved, subject to the eight (8) conditions imposed by the County. The motion was seconded by Commissioner Sakahashi and unanimously carried.

APPLICATION BY MARJORIE CORLEY (SP72-133) TO ALLOW A MEAT PROCESSING OPERATION ON 20 ACRES AT PUNA, HAWAII

In the staff memo presented by Mr. Gordan Furutani, staff planner, it was recommended that the special permit be approved subject to the conditions imposed by the Hawaii County Planning Commission.

Commissioner Mark moved that the special permit be approved subject to the conditions set forth by the County, seconded by Commissioner Kido, and it was unanimously passed.

APPLICATION BY SAMPSON-MILLER ASSOCIATED CO., INC. (SP72-134) TO ALLOW TEMPORARY SALES OFFICE ON 8 ACRES AT NORTH KOHALA, HAWAII

It was the staff's recommendation that the special permit be approved subject to the five (5) conditions established by the County (see copy of memo on file).

For the purpose of consistency, Vice Chairman Tangen recommended that it be additionally stipulated, under the County's condition #5, that the sales office be removed within 30 days upon completion of the lot sales or at the end of 2 years, whichever occurs first.

Commissioner Wung moved to approve the special permit as recommended by staff, with the additional condition recommended by Vice Chairman Tangen. The motion was seconded by Vice Chairman Tangen and unanimously passed.

APPLICATION BY SAMUEL K. SHIMIZU (SP72-135) TO ALLOW EXPANSION OF EXISTING COMMERCIAL FACILITY AT SOUTH KONA, HAWAII

Mr. Leong, staff planner, presented the staff memorandum recommending approval of the special permit subject to the County's condition, with the added condition that no further urban type uses be allowed on the property under consideration, nor shall any existing use be further expanded or enlarged.

Commissioner Wung moved to accept the staff's recommendation for approval, which was seconded by Commissioner Mark and unanimously passed.

#### HEARING

PETITION BY FIRST HAWAIIAN BANK, MANAGING TRUSTEE FOR LILIUOKALANI TRUST (A72-327) TO RECLASSIFY 100 ACRES FROM AGRICULTURAL TO URBAN AT KEAHUOLU, NORTH KONA, HAWAII

The Executive Officer read the staff report relative to the subject petition.

Mr. Kenneth Young of Palani Development Co., one of the joint venture partners, advised that the Hawaii County Planning Commission, at its meeting on September 14, 1973, recommended approval of the petitioner's request, following an extensive discussion over the adequacy of the school facilities. However, the really important issue to consider in this petition was the shortage of low cost housing in Kona which petitioner proposes to make available under the 235 program. Of the first 60 homes presently being constructed, 50 will be for low cost housing at prices ranging between \$27,750 to \$30,250. These are quality type housing for the young families, hotel workers, etc.

Mr. Young further stated that the Board of Water Supply had advised that development on the makai side of the property will not create any problems, and that the petitioner was still paying for the cost of the installation of water lines. Also, as part of the project, petitioner has expended \$100,000 for the development of a swimming pool, community facilities for the people. Mr. Young projected that the potential market for the proposed development would occur among the young people, and as replacements for dilapidated homes.

Mr. Young continued that construction for the 216 units on the makai side will begin in 1974. According to their contract with Liliuokalani Trust, they were required to provide 50 units a year. Liliuokalani Trust was offering a very favorable lease rent at \$80 a year. An additional fee of \$6.41 will be assessed to maintain the common areas.

In response to Chairman Inaba's inquiry, Mr. Young replied that the Act 108 program was an experimental program which had been favored by the Mayor in an attempt to reduce the cost of housing, and could be continued for the new increment if the County so desired. However, Mr. Young observed that the 235 program had suffered some reverses and that there had been some foreclosures. He was not even certain that this program will continue to be available to the County.

Mr. Young noted that the federal government had recommended integrating some higher cost housing with the low cost homes.

Chairman Inaba wondered whether additional units were planned beyond the first and second increments and Mr. Young replied that this may occur at some future date as dictated by the demands.

Mr. Fujimoto read into the records the communication received from the Hawaii Planning Commission recommending approval of the subject petition on the basis of their findings (see copy of recommendation on file).

Mr. Kenneth Asato, Manager of the Kona Educational Complex, submitted that he had been instructed by Mr. Harry Chuck, District Superintendent, to express the department's concern which had been adequately covered in the staff report. However, it was also the department's position that it did not wish to deter Palani Development's proposal to develop low income housing, and the department will pursue the school problem further with the County Planning Commission.

Mr. Asato spoke of the problems of overcrowding at Kealakehe School resulting from people moving into the area from other schools at Holualoa and Konawaena. There were some plans, in the discussion stage, to resolve the overcrowding at Kealakehe by possible redistricting. Mr. Asato also acknowledged that there were some State lands available for future school sites.

Commissioner Sakahashi requested that the Department of Education submit information regarding plans for additional school facilities in the area within the next 15 days to the Commission.

Mr. James Clark, staff member of the Department of Land and Natural Resources, advised that his office was presently working on a master plan of the State lands below the school to the highway. He felt there was ample land for a school site.

Mrs. Wattie Mae Hedeman, realtor, spoke in support of the petition.

Thereafter, the hearing on A72-327 was closed by Chairman Inaba, who advised that the Commission will accept additional testimony within 15 days.

PETITION BY ESTATE OF HANNAH H. FUKUSHIMA (A72-329) TO RECLASSIFY  
3.03 ACRES FROM AGRICULTURAL TO URBAN AT WAIMEA, SOUTH KOHALA,  
HAWAII

The staff report was presented by Mr. Gordan Furutani, staff planner. He also advised that urban amenities such as water and electricity were available along the old Mamalahoa Highway and the area was presently zoned Ag-1 acre by the Hawaii County.

Mr. William Chillingworth, representing Mr. Robert Takahashi, Executor of the Estate, submitted that the boundary amendment was being sought to enable the Estate to carry out the terms of the will which stipulated that the subject property be subdivided into smaller lots for distribution to persons named in the will. This was not possible under the present Land Use classification. It was further noted that the will was dated October 3, 1967. In the event the petition is denied, the two existing lots will be distributed as follows:

1. One lot will be distributed to a named heir.
2. The remaining lot will be sold and proceeds divided among the other heirs.

Since there was no further testimony, the hearing was closed.

PETITION BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES (A72-331)  
TO RECLASSIFY 40 ACRES FROM AGRICULTURAL TO URBAN AT KAHEI, NORTH  
KOHALA, HAWAII

The staff report relative to this petition was read by Mr. Leong, staff planner.

Since there was no discussion, the hearing on this petition was closed.

MISCELLANEOUS

A71-283 - TRUSTEES OF B. P. BISHOP ESTATE

Vice Chairman Tangen observed that action on the petition by the Trustees of the B. P. Bishop Estate (A71-283) was scheduled to take place on September 29, 1972. He expressed concern that if the Commission acts on the petition as scheduled, it would be bound to make a decision based on evidence and testimony presented in May of 1971, and that far too many developments have occurred since that time for the Commission to render a just decision without benefit of updated information. As examples he pointed

to the Central Oahu Planning Study presently being conducted by the Department of Planning and Economic Development which would include the subject area, and the final report on the campus site selection which was due very shortly. He said it was important for the Commission to take these studies, and any others affecting the Central Oahu area, into consideration before it makes a final decision on the petition by Bishop Estate. Vice Chairman Tangen felt that this petition was of sufficient magnitude to warrant a close study of every possible updated data and evidence available to enable the Commission to judiciously discharge its responsibility in the best interests of the people of Hawaii. For these reasons, Vice Chairman Tangen moved that the Commission reopen the public hearing on the petition by the Trustees of the B. P. Bishop Estate (A71-283) for the purpose of receiving new evidence from not only the petitioner, but from the public and all interested parties; further, that the Commission notify the petitioner of this action and that a public hearing be conducted within 120 days after duly published legal notice and notification to all parties concerned. The motion was seconded by Commissioner Wung and unanimously carried.

Since there was no further business, the meeting was adjourned.