

STATE OF HAWAII
LAND USE COMMISSION

Approved
JAN 7 1972

Minutes of Meeting

Cooperative Extension Service Office
Kamuela, Hawaii

November 5, 1971 - 2:30 p. m.

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

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

Chairman Inaba swore in persons wishing to testify before the Land Use Commission today.

ADOPTION OF MINUTES - August 7, 1971 and October 8, 1971

Commissioner Napier called attention to the fact that Mr. Peter Sanborn had represented the petitioner, Amfac Communities, Inc. (A71-296) at the October 8th meeting, and not Mr. Earl Stoner as indicated in the minutes of October 8, 1971.

Commissioner Kido moved to approve the minutes of August 7, 1971 and October 8, 1971, as corrected, which was seconded by Vice Chairman Tangen and carried.

HEARINGS

PETITION BY DEPT. OF ACCOUNTING & GENERAL SERVICES (A71-300) TO RECLASSIFY 1.5 ACRES FROM AGRICULTURAL TO URBAN AT KAPAAU, NORTH KOHALA, HAWAII

Mr. Leong, planner, presented the staff report on the subject petition, and described the general location of the site on the maps (see copy of report on file).

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Since there was no testimony from anyone, Chairman Inaba closed the hearing and advised that the Commission would accept additional testimony within 15 days and that a decision will be rendered on the petition within 45 to 90 days.

PETITION BY HARUMI & ASAYO NAKANO (A71-305) TO RECLASSIFY 1.4 ACRES FROM AGRICULTURAL TO RURAL AT KEAUHOU 1st, NORTH KONA, HAWAII.

The staff report was presented by the Executive Officer, Mr. Fujimoto (see copy of report on file).

In response to questions raised by the Commissioners, Mr. Fujimoto pointed to the applicant's dwelling and the industrial area on the map and advised that the minimum agricultural lot size was one acre.

Since there was no further discussion, the hearing on this petition was closed by Chairman Inaba.

ACTION

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

A recommendation for approval of the petition was made by the staff on the bases that it would provide for the present and future needs of the Holualoa School complex, would not contribute to the scatteration of urban development, and over 50 percent of the property's boundaries abut the existing Urban District (see copy of report on file).

Deputy Attorney General Hong ruled that Chairman Inaba's property was sufficiently removed from the subject property to eliminate any conflict of interest.

Vice Chairman Tangen moved that the Commission concur with the staff's recommendation, which was seconded by Commissioner Sakahashi and unanimously passed.

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PETITION BY FIRST HAWAIIAN BANK (AG9-230) TO RECLASSIFY 630 ACRES FROM AGRICULTURAL AND CONSERVATION TO URBAN AT KEAHUOLU, NORTH KONA, HAWAII

Mr. Fujimoto advised that a letter dated October 27, 1971 had been received from Mr. James R. Bell, representing the First Hawaiian Bank, requesting deferment of action on the petition for possibly another 3 months, or until the Hawaii County Council adopts the new General Plan.

Vice Chairman Tangen moved to grant the deferment as requested by the petitioner for 3 months, which was seconded by Commissioner Napier and unanimously carried.

SPECIAL PERMIT APPLICATION BY HAWAIIAN ANTHURIUMS, LTD. (SP71-115) TO ALLOW A TEMPORARY QUARRY SITE AT MT. VIEW, PUNA, HAWAII

It was the staff's recommendation that the special permit request be denied on the bases that it would unreasonably burden public agencies to provide necessary services; adversely affect surrounding property, substantially alter the essential character of the land; and not make the highest and best use of the land involved for the public welfare (see copy of report on file).

Chairman Inaba was counselled by Deputy Attorney General Hong that the Commission could not defer action on this application unless the applicant was present to make this request.

Vice Chairman Tangen moved to deny the special permit on the grounds that the petition, as submitted to the Land Use Commission is inadequate, tentative and too indefinite in nature to justify approval. The motion was seconded by Commissioner Kido and unanimously carried.

SPECIAL PERMIT APPLICATION BY PAN AMERICAN FINANCIAL CORP. (SP71-116) TO ALLOW TEMPORARY SALES OFFICE AT KALAOA 5th, NORTH KONA, HAWAII

Approval of the special permit request recommended by staff was based on its findings that it was in substantial conformance with the guidelines for determining an unusual and reasonable use within the Agricultural District (see copy of report on file).

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Mr. Leong summarized that the applicant had an agreement with the developers to sell the existing homes and was proposing to use the garage area of an existing model home for a temporary on-site sales office for a period of 6 months. He added that the home was located in a non-conforming subdivision within the Agricultural District.

Commissioner Napier moved to approve the special permit request as recommended by staff, which was seconded by Vice Chairman Tangen and carried.

TENTATIVE SCHEDULE

It was announced by the Executive Officer that the next meeting of the Land Use Commission will be held in Honolulu on November 19, 1971.

MISCELLANEOUS

HR273 - BISHOP ESTATE LAND AT MANOA

It was announced by the Executive Officer that since the deadline for administrative reports from the Department of Planning and Economic Development on all resolutions will be November 15, 1971, this would be an appropriate time to discuss Resolution HR 273 Relating to the Zoning of Land on the Tantalus Slopes of Manoa Valley adopted by the Sixth Legislature earlier this year. He briefly summarized that of the total 187.9 acres of Bishop Estate lands in Manoa, 36.2 acres were in the Urban District and 151.7 acres within the Conservation District; and that about half of the Urban lands were within the 25-30% slope, with the remainder lying within slopes of over 35%.

Commissioner Kido remarked that since there was presently no development on the property, it would be safe to assume that no investment costs had been incurred by Bishop Estate.

Commissioner Napier moved to initiate a boundary change petition for the undeveloped land in the Bishop Estate property on the Tantalus side of Manoa Valley into the Conservation District. The motion was seconded by Commissioner Wung and the Commissioners were polled as follows:

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Ayes: Commissioners Napier, Mark, Kido, Wung, Vice
Chairman Tangen, Chairman Inaba

Absent: Commissioner Yamamura

The motion was carried.

COUNTRY CLUB HOMES, INC.

Mr. Fujimoto informed that he was in receipt of a letter dated October 27, 1971 from Mr. Robert Bjerke representing Mr. Takeshi Yokono, advising that the Country Club Homes property had been purchased by Mr. Yokono, and that Mr. Bjerke would be in a position to appear before the Land Use Commission to offer information and to answer questions early in 1972.

Vice Chairman Tangen directed the Executive Officer to write a letter to Mr. Bjerke and request that he appear before the Commission with a progress report at its Oahu meeting on November 19, 1971.

BOUNDARY INTERPRETATION REQUEST - HAIKU PLANTATIONS

It was explained by the Executive Officer that Mr. Brian Gray, on behalf of United Development Corporation, had requested a boundary interpretation involving lands situated in the Haiku Plantations subdivision at Heeia, Oahu.

It was brought out that a preliminary subdivision approval had been granted by the City in 1963 for a subdivision which conformed substantially to the map marked Exhibit "A". However, when the final districts were established by the Land Use Commission in August of 1964, the area shown in yellow apparently was designated within the Conservation District.

Mr. Fujimoto felt that there was some administrative leeway in interpreting boundaries when transferring the lines from the USGS maps to a larger scale. However, based on the preliminary subdivision approval by the City in 1963, it was his recommendation that the boundary be interpreted as requested by Mr. Gray.

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Commissioner Kido wondered whether there was a serious urgency to resolve the boundary at this time. Mr. Fujimoto replied that the developers were presently initiating a Planned Unit Development in this area.

In response to questions raised by the Commissioners, staff was not able to confirm whether it was the intent of the Commission at the time the line was drawn, to include the area under discussion within an Urban designation.

Since the circumstances surrounding the original establishment of the boundary in 1964 needed to be clarified, Commissioner Mark moved that the matter be deferred until the November 19th meeting on Oahu, which was seconded by Vice Chairman Tangen and unanimously passed.

AGRICULTURAL COORDINATING COMMITTEE

As a matter of information to the Commission, Commissioner Mark announced that the Agricultural Coordinating Committee has been having a series of meetings with the Tax Director and the Chief Tax Assessor to discuss the possibility of an administrative proposal for some legislation with respect to tax assessment procedures in the Agricultural Districts.

ADJOURNMENT

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