

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Lihue Police Station

10:30 A.M. - November 27, 1965

Commissioners
Present

Myron B. Thompson, Chairman
Robert G. Wenkam
Shiro Nishimura
Goro Inaba
Leslie Wung

Absent:

Jim P. Ferry
C.E.S. Burns
Shelley Mark
Charles Ota

Staff Present:

George S. Moriguchi, Executive Officer
Roy Takeyama, Legal Counsel
Ah Sung Leong, Draftsman

The meeting was called to order by Chairman Thompson, followed by a short prayer. All those testifying during this hearing were sworn in by the Chairman.

PETITION OF GROVE FARM CO., INC. (A65-93) TO CHANGE THE DISTRICT DESIGNATION OF A PORTION OF PARCEL 1, TMK 3-3-03 at Puhi, Kauai, FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT, INVOLVING APPROXIMATELY 44 ACRES

Mr. George Moriguchi, Executive Officer, read the staff recommendation, in which it was recommended that the Commission reclassify the Puhi Village urban area to an agricultural area, and to grant the petitioners' request for an Urban District expansion of 44 acres immediately adjacent the present Puhi service station and post office area. This recommendation was based on the fact that Puhi Village is a dilapidated residential area unfit for continued use as such and also on the fact that the need for additional urban lands could be justified by the need to replace the present Puhi Village.

of Grove Farm Co.,
Mr. Lyle Dreser, Assistant Manager, substituting for Mr. Moragne, pointed out the subject area on the map and the ~~at~~ various amenities located in the

vicinity. Mr. Dreser's testimony included essentially the same points as outlined in the staff report; i.e., the petitioners' intention to raze the present Puhi Village which is opposite the subject lands in order to plant the area to cane. In order to relocate personnel presently living in Puhi Village, urbanization of the subject lands was being requested. Mr. Dreser also pointed out their proposal would evolve in an orderly continuity of ^{present} urban and agricultural lands.

directed at Mr. Dreser
Referring to Commissioner Wung's question/about the petitioner's intent to plant the mauka area back into cane, Mr. Moriguchi explained that Commissioner Wung was asking whether or not the petitioner would agree to an amendment of the petition so that the Commission might consider reclassification. Mr. Dreser replied very definitely not, that he was under the impression the application would call for this, and that they would certainly keep their intention to put it back into agriculture.

Replying to Mr. Takeyama's question about the commercial area, Mr. Dreser stated that Mr. Wong, Director of the Kauai Planning & Traffic Commission, had pointed out the areas that could be developed for commercial purposes. Commissioner Wenkam wondered why Mr. Wong had stretched the commercial area along the highway with all the traffic problems this would introduce. Mr. Wong explained that with the redesign of the commercial area for the entire complex, the entrance was going to be located in the back and therefore the complex would have /its own entrance.

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

PETITION OF GROVE FARM CO., INC. (A65-94) TO CHANGE A PORTION OF PARCEL 3, TMK 2-8-02 AT KOLOA, KAUAI, FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT, INVOLVING APPROXIMATELY 8.5 ACRES

Staff report, presented by Mr. Moriguchi, recommended modification of the Urban District boundaries to accommodate the subdivision designed, as proposed by the petitioner, involving reclassification of approximately 5.5 acres presently within the Urban District to an Agricultural District, and the reclassification of approximately 8.5 acres from an Agricultural District to an Urban District.

Chairman Thompson confirmed the fact that petitioner would be willing to amend the petition to exclude the yellow area on the map. Mr. Moriguchi proceeded to point out on the map the areas included in the staff recommendation, and also the new road being put in by the Grove Farm Co. to the proposed subdivision.

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

DEPARTMENT OF TAXATION RECOMMENDATION - KAUAI TAX OFFICE - TMK 2-6-04, KOLOA

It was pointed out by Mr. Moriguchi that the area under discussion was presently assessed at plus value, i.e., higher than the usual agricultural areas, although not as high as an urban area. The Tax Department was not concerned with what the Commission did as far as boundary was concerned; they just wanted to _____ . The subject lands were presently idle pasture land and assessed at a slightly higher rate because of its proximity to a residential area, giving them a plus value. The Tax Department submitted the argument that if they were put up for sale tomorrow, it would be sold tomorrow.

Chairman Thompson advised that the matter would be taken up at a later date.

Commissioner Wenkam reminded the Commission of the task of resolving the matter of urban acreage for Lihue Town. At the time the decision was reached, Commissioner

Wenkam had not been present, but previously he had mentioned/that he thought the fact the Commission should initiate boundary changes to meet the actual urban needs of Lihue Town, based upon the facts as brought up during the hearing. He also wondered about the proper procedure in initiating such a change.

Chairman Thompson (couldn't understand his reply).

PETITION OF SHIMIZU ASSOCIATES, INC. TO CHANGE THE DISTRICT DESIGNATIONS OF PORTIONS OF PARCEL 7, TAX MAP KEY 3-05-24 AT WAIALAE-NUI VALLEY FROM A CONSERVATION DISTRICT TO AN URBAN DISTRICT, INVOLVING APPROXIMATELY 7 ACRES.

Mr. Moriguchi read the staff report on the above petition. The staff's recommendation involved two alternates: That the entire petition be denied on the basis of present plans for development of the single-family lots due to the extensive benching; ~~and that~~ ^{or} the portion on the west side of the valley be disapproved and that the 16 lots to the east side of the valley be approved.

Chairman Thompson advised that the Commission was not empowered to impose any qualifications or restrictions on a petitioner, in reply to Commissioner Burns' query.

~~Mr. Moriguchi~~ Referring to the staff's recommendation, Mr. Moriguchi explained ~~that~~ it was his feeling that it seemed a shame to deny the petition in its entirety based on the extensive benching, since he felt that ^{there were} ~~the~~ possibilities for ~~of~~ developing this into a well-designed subdivision ~~was possible~~. It was his suggestion that the Commission check further into this matter with the petitioner, before taking final action, to see ~~how~~ ^{what} ~~the~~ developers might propose in accomplishing this.

Commissioner Ferry commented that it behooved the Commission to try and get the most out of any type of development before the Commission, and that the recommendation which ~~is~~ emanates from the staff or from the Commission has a direct bearing in helping the petitioner to make up his mind.

that
Chairman Thompson requested/the Executive Officer point out the staff's recommendation and the petitioner's request. Mr. Moriguchi explained that the petitioner's were requesting for an area outside of the proposed lot lines, and the staff was recommending keeping to the lot line instead of going beyond.

representing the
Mr. Shimizu, /developers, submitted that they had received tentative approval from the city for the project and ~~that they~~ had expended approximately \$25,000 to install a drainage ditch. Subsequently, the city determined that the land was in a Conservation District and notified the developers to this effect. Mr. Shimizu expressed his preference for the second alternative as presented by the staff and his desire to work with the staff in developing a well-planned subdivision.

Mr. Moriguchi advised that no lot development plans had been submitted, that the developers had merely indicated this as a future subdivision. He also pointed out that there was an area in conservation which the developers did not apply for.

Mr. Shimizu ~~explained~~ clarified this by commenting that he did not believe this area to be in a conservation district since the boundaries followed the outline of the stream. Consequently, these lots were applied for with the City Planning Department at the time of approval.

Mr. Moriguchi added that, with exactly this in mind, the staff had checked with the City Planning Department and neither the subdivision plans as submitted nor the tax maps ~~showed~~ indicated inclusion of these lots.

Mr. Shimizu then asked the Chairman whether it would be possible for them to revise their petition to include these two lots and was given an affirmative answer. Chairman Thompson also ~~added~~ emphasized the desirability of going along with the staff recommendation to delete the west side of the valley and include the fairly flat area, following the lot line.

Replying to Commissioner Wenkam's question, Mr. Moriguchi explained that early in 1965, preliminary plans for the subdivision had been cleared with the Planning

Department and tentative approval had been obtained.

Mr. Shimizu informed the Commissioners that there was an overall plan for the whole area and development was being carried out in units, that the present unit 6 was begun this year and unit 7 was planned for the next year.

Commissioner Burns recommended that the developers submit, in writing, the suggested changes so that there will be a precise record of the developers' plans.

There was no further testimony and the hearing was closed.