

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

November 30, 1972 - 10:00 a.m.

Kulana Naauao  
Hilo, Hawaii

*Approved*  
AUG 30 1973

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

COMMISSIONER ABSENT: Shelley M. Mark

STAFF PRESENT: Tatsuo Fujimoto, Executive Officer  
Ah Sung Leong, Planner  
Benjamin Matsubara, Deputy Att. Gen.  
Dora Horikawa, Clerk Reporter

The meeting was called to order by Chairman Inaba and persons testifying during today's proceedings were duly sworn in.

ACTION

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

Mr. Fujimoto presented the staff memo recommending denial of this petition at this time; however, that further evaluation of the Kealakehe Urban District be considered during the 1974 Five-Year Boundary Review (see copy of report on file).

Commissioner Sakahashi observed that although staff's recommendation for denial was based on the existence of substantial undeveloped vacant urban lands in the area, this fact was not brought out in the County's recommendation. Mr. Glenn Miyao of the Hawaii Planning staff agreed that vacant urban lands were available; however, due to the lack of activity in these areas, it was the County's contention that these lands were not available for development.

Mr. Fujimoto advised that petitioner's present projects included 60 units in the first phase and 122 units in the second phase. The 100-acre under petition for 216 units would constitute the third phase.

Chairman Inaba summarized that in terms of acreages involved in the petitioner's projects, there were 20 acres in the first increment fully developed; 40 acres in the second increment, for a total of 60 acres; plus another 70 acres unplanned above the road. Mr. Fujimoto added that the availability of water was a major problem in this area. Mr. Miyao advised that in a memo, the Department of Water Supply had indicated that the petitioner will need to increase the booster pumps along Mamalahoa Highway which lift water from the Water Supply's source at Kahaluu to this area.

Mr. Kenneth Young of Palani Development Company submitted that since water was not available in the upper area, they were requesting the 100 acres in the makai area where water was available.

Chairman Inaba commented that he could see no reason for retaining the undevelopable area above the road not serviced by water. Vice Chairman Tangen remarked that for this reason the staff had recommended that the entire area be reviewed during the 1974 boundary review.

In response to a request by Mr. Young to rebut some of the points raised in the staff's memo, Chairman Inaba advised that no additional testimony was allowed during the action meeting; however, it was within the Commission's prerogative to pose questions to the petitioner.

Mr. Larry Matsuo of Park Engineering advised that the County was presently reviewing plans for the 40-acre area (second increment) and the first occupancy should occur in 6 to 9 months. However, on-site improvement plans have received approval from the County.

Vice Chairman Tangen observed that based on petitioner's past performance for the first increment, it would take approximately 1 1/2 years to completely develop the 40 acres. On this basis, the petitioner will not be ready to develop the subject 100 acres for another 1 1/2 years at which time the 5-year boundary review will be underway. Therefore, even if the Commission downzoned the undevelopable 60 acres mauka of the road, it would still give the petitioner sufficient lead time to develop the makai area.

Mr. Miyao commented that it would be immaterial to the County which 40 acres were approved for reclassification since it had recommended approval for the total 100 acres.

On the basis of the foregoing discussion and his opinion that downzoning the undevelopable 60 acres and approval of 40 acres of the petitioned area will not penalize the petitioner, Vice Chairman Tangen moved that 40 acres of the petitioned area, to be determined, be approved, and special consideration be given to the total 100 acres as well as the entire Kealakehe area during the 5-year boundary review. Further, that the Commission consider downzoning the estimated 65 acres in the mauka area, bearing in mind that during the boundary review, if water becomes available to this area, it will be restored to an Urban designation.

Deputy Attorney General Matsubara recommended that the motion to approve and the motion to downzone be separated into two motions.

Thereupon, Vice Chairman Tangen moved to approve <sup>urban</sup> zoning for the estimated 40 acres of the petitioned area, to be determined, if the motion is carried.

Chairman Inaba called for a 10-minute recess.

ACTION

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

Mr. Fujimoto presented the staff memo recommending denial of this petition at this time; however, that further evaluation of the Kealakehe Urban District be considered during the 1974 Five-Year Boundary Review (see copy of report on file).

Commissioner Sakahashi observed that although staff's recommendation for denial was based on the existence of substantial undeveloped vacant urban lands in the area, this fact was not brought out in the County's recommendation. Mr. Glenn Miyao of the Hawaii Planning staff agreed that vacant urban lands were available; however, due to the lack of activity in these areas, it was the County's contention that these lands were not available for development.

Mr. Fujimoto advised that petitioner's present projects included 60 units in the first phase and 122 units in the second phase. The 100-acre under petition for 216 units would constitute the third phase.

Chairman Inaba summarized that in terms of acreages involved in the petitioner's projects, there were 20 acres in the first increment fully developed; 40 acres in the second increment, for a total of 60 acres; plus another 70 acres unplanned above the road. Mr. Fujimoto added that the availability of water was a major problem in this area. Mr. Miyao advised that in a memo, the Department of Water Supply had indicated that the petitioner will need to increase the booster pumps along Mamalahoa Highway which lift water from the Water Supply's source at Kahaluu to this area.

Mr. Kenneth Young of Palani Development Company submitted that since water was not available in the upper area, they were requesting the 100 acres in the makai area where water was available.

Chairman Inaba commented that he could see no reason for retaining the undevelopable area above the road not serviced by water. Vice Chairman Tangen remarked that for this reason the staff had recommended that the entire area be reviewed during the 1974 boundary review.

The meeting was again called to order by Chairman Inaba.

Vice Chairman Tangen moved to approve urban designation for the area in the petitioned land from the north boundary abutting Kealakehe School to the proposed drainage channel as outlined on the archaeological features map dated September 7, 1972 for Queen Liliuokalani Village Unit III, and bounded on the east by Palani Road, an area of approximately 40 acres; the exact area to be determined by the metes and bounds as determined by the staff of the area encompassed within the boundaries just stated. The motion was seconded by Commissioner Wung and unanimously carried.

In another motion, Vice Chairman Tangen recommended that the Commission initiate a petition to amend the boundary for the area east of the presently developed lands referred to as the Liliuokalani Village Units I A & B that are presently unzoned by the County and that are in Urban designation into the Agricultural District. It was seconded by Commissioner Wung and unanimously carried.

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

A recommendation for denial of the petition was made by staff in its memo to the Commission which was presented by Mr. Fujimoto (see copy of report on file).

Commissioner Wung made a motion to disapprove the petition, which was seconded by Commissioner Sakahashi. The motion was unanimously passed.

PETITION BY THE DEPARTMENT OF LAND & NATURAL RESOURCES (A72-331) TO RECLASSIFY 40.16 ACRES FROM AGRICULTURAL TO URBAN AT KAHEI, NORTH KOHALA, HAWAII

Mr. Leong presented the staff memo recommending approval of the petition (see copy of report on file).

Upon motion by Commissioner Kido, seconded by Vice Chairman Tangen, the petition was unanimously approved.

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

STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM A72-327 - FIRST HAW'N BANK, MAN. DATE November 30, 1972  
 TR. FOR LILIUOKALANI TRUST  
 PLACE Kulana Naauao TIME 10:00 a.m.  
Hilo, Hawaii

M

S

NAME	YES	NO	ABSTAIN	ABSENT
TANGEN, EDDIE	X			
NAPIER, ALEXANDER	X			
YAMAMURA, TANJI	X			
KIDO, SUNAO	X			
MARK, SHELLEY				X
SAKAHASHI, STAN	X			
WUNG, LESLIE	X			
INABA, GORO	X			

Comments: I move that we approve urban designation for the area in the petitioned land from the north boundary abutting Kealakehe School to the proposed drain channel as outlined on the archaeological features map dated September 7, 1972 for Queen Liliuokalani Village Unit III, and bounded on the east by Palani Road, an area of approximately 40 acres; the exact area to be determined by the metes and bounds as determined by the staff of the area encompassed within the boundaries just stated.