

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Discovery Room, Kona Hilton Hotel  
Kailua, Kona, Hawaii

June 2, 1972 - 10:30 a.m.

APPROVED  
JUL 20 1972

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

Commissioner Absent: Shelley Mark

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

After calling the meeting to order, Chairman Inaba swore in all those wishing to present testimony before the Commission today.

LETTER FROM DR. RICHARD E. MARLAND, INTERIM DIRECTOR,  
STATE OFFICE OF ENVIRONMENTAL QUALITY CONTROL

Chairman Inaba acknowledged receipt of a letter dated May 30, 1972 from Dr. Richard E. Marland, Interim Director, Office of Environmental Quality Control, relating to petition A71-314, Land Use Commission (Kahaluu, Oahu) and noted that a copy had been distributed to the Commission membership.

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from Agriculture 3 acres to RS-10. Both the Planning Department and the Planning Commission recommended favorable approval of this request. The development of this area is to be done on the incremental zoning approach, and the County's housing stipulations will apply. The Planning Department and Planning Commission have also recommended approval to the County Council for a 10 acre parcel to be rezoned to RS-15. Therefore, assuming that the petition at hand is granted by the Land Use Commission, it will be possible under the General Plan for Mr. Matsunaga to apply for an RS-10 or RS-15 zoning designation. The necessary improvements for the property will have to be worked out between the petitioner and the County of Hawaii. The County will also stipulate that Mr. Matsunaga conform to the County's housing requirements and that the incremental zoning approach be taken.

Mr. Fuke then assured Commissioner Yamamura that rezoning actions by the Land Use Commission are definitely helping to relieve the housing shortage in Hilo. However, it should be noted that in a recent postal service conducted for the city of Hilo, it was indicated that there is a less than 2 percent vacancy rate respecting single-family dwellings and multiple family residential units. Generally, it is conceded that an approximate 4 to 6 percent vacancy rate is necessary to afford a sufficient residential stability. Nevertheless, a housing shortage does exist in the city of Hilo today.

Chairman Inaba opened the floor for additional questions and testimony. Since there was none, he announced that the Commission would receive additional data during the next 15-day period, then closed the hearing.

ACTION

✓ DEFERRAL REQUEST FROM OCEAN VIEW INVESTMENT CO., INC. (A71-310)

Mr. Fujimoto informed that he was in receipt of a letter from Mr. W. Michael Mullahey, Hawaii Real Estate Research, Inc., on behalf of the petitioner, Ocean View Investment Co., Inc., requesting "an indefinite deferral of action by the Commission because of subsequent events and discussion with the Commission's staff." Therefore, the petitioner has

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reapplied for a special permit with the County of Hawaii. Subsequently, Mr. Fujimoto read the letter into the record (see letter on file).

Commissioner Sakahashi questioned whether this Commission could entertain a boundary amendment petition and a special permit application submitted by this petitioner for the same parcel of land. Mr. Ben Matsubara, Deputy Attorney General, indicated that there would be no conflict in the Commission considering a boundary change and a special permit by Ocean View Investment Co., Inc. However, in regard to the request for an indefinite deferral, a specific date for the action on this petition should be set by the Commission at this meeting allowing the petitioner a reasonable amount of time for the County of Hawaii to process the special permit application.

Relative to the above discussion, Mr. Fujimoto notified that the reason for the deferral request is in re-evaluating the petition, the petitioner decided to go through the special permit route for the proposed development. In the event the petition at hand was withdrawn at this time, the petitioner's position would be jeopardized in terms of not being able to refile a petition within one year as provided for in the Rules and Regulations of the Land Use Commission.

Commissioner Napier moved that the deferral request be granted, and this motion was seconded by Commissioner Yamamura.

At this time Vice-Chairman Tangen stated that an amendment to Commissioner Napier's motion would be in order. He therefore offered that upon final action by the County of Hawaii on the special permit (filed with Hawaii County Planning Department on May 6, 1972), the Land Use Commission set a definite date in the immediate future to take action on the subject petition, as suggested by Deputy Attorney General Ben Matsubara.

Chairman Inaba questioned the staff as to the length of time involved for the processing of a special permit, whereupon Mr. Fujimoto advised that (1) the County Planning Commission must conduct a public hearing within 30 to 120 days after receiving a special permit application, (2) the County Planning Commission must act on the application 15 days after

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the public hearing, and (3) the Land Use Commission must act on the petition within 45 days after receipt of the County agency's approval.

Commissioner Napier amended his motion by stating that action on this petition be deferred until the processing of the special permit request has been completed. The motion was seconded by Commissioner Yamamura and carried.

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PETITION BY DEPARTMENT OF TRANSPORTATION (A71-315) TO RECLASSIFY APPROXIMATELY 289.5 ACRES FROM AGRICULTURAL TO URBAN AT WAIAKEA, SOUTH HILO, HAWAII

Mr. Fujimoto presented the staff memorandum, in which staff recommended that this petition be approved (see copy on file).

Mr. Sykes from the Department of Transportation stated he had no testimony to present before the Commission.

Commissioner Napier moved that the petition be approved as per staff recommendation. The motion was seconded by Vice-Chairman Tangen and unanimously passed.

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PETITION BY HAWAIIAN REAL ESTATE CORPORATION (A71-319) TO RECLASSIFY APPROXIMATELY 18.57 ACRES FROM AGRICULTURAL TO URBAN AT WAIAKAHIULA, PUNA, HAWAII

The staff memorandum recommending denial of this petition since the approval of same would contribute to the proliferation of urban areas, resulting in expensive, yet reduced public services and would also violate a basic principle of the Land Use Law was read by staff planner, Mr. Leong.

Neither the petitioner nor his representative was present to testify. Subsequently, Commissioner Napier moved that the petition be denied, seconded by Commissioner Yamamura. The motion was passed.