

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

January 19, 1973 - 1:30 p.m.

Kona Hilton Hotel
Kona, Hawaii

Approved
AUG 30 1973

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

STAFF PRESENT: Tatsuo Fujimoto, Executive Officer
Ah Sung Leong, Planner
Dora Horikawa, Stenographer

ADOPTION OF MINUTES

Upon motion by Commissioner Sakahashi, seconded by Vice Chairman Tangen, the minutes of November 16, 1972 were adopted as circulated.

HEARING

Chairman Inaba swore in persons testifying during today's public hearing.

PETITION BY JOHN M. MAHI (A72-347) TO RECLASSIFY 3.3 ACRES FROM AGRICULTURAL TO RURAL AT NORTH KONA, HAWAII

The staff report was presented by Mr. Fujimoto, Executive Officer. (See copy of report on file.) He explained that under the County zoning of Agricultural 1-acre for the subject lands, the 3.3 acres could not be subdivided into 4 lots as desired by the petitioner.

Commissioner Napier felt that this placed the petitioner in a difficult position, especially since they merely wanted to subdivide the land for the family members without any intent to sell. Mr. Fujimoto replied that this could set a precedent for other

In response, Mr. Takasaki submitted that 19 years ago, 5 families had joined together and installed their own pipeline from the spring water, and had never experienced any water shortage even during the dry spells. It was also planned to build some reserve tanks to meet the County requirements.

The hearing on A72-350 was closed, and Chairman Inaba advised that the Commission will receive additional data within the next 15 days.

ACTION

PETITION BY SIGNAL PROPERTIES, INC. (A72-334) TO RECLASSIFY 57 ACRES FROM AGRICULTURAL TO URBAN AT SOUTH KOHALA, HAWAII

Upon its evaluation, it was recommended by staff that the petition be approved; however, that the development performance be assessed during the boundary review in 1974 (see copy of report on file). Mr. Fujimoto also advised that no communication had been received from the Department of Education regarding the adequacy of the school facility in the area.

Commissioner Napier's motion to approve the petition as recommended by staff was seconded by Commissioner Yamamura and unanimously carried.

PETITION BY C. BREWER & CO.'S VARIOUS SUGAR COMPANIES (A72-338, A72-339, A72-340, A72-341, A72-343) TO RECLASSIFY LANDS IN THE COUNTY OF HAWAII

It was recommended by staff that Areas 2, 3 and 4, be approved for reclassification from the Urban to the Agricultural District; and that only a 69.5 acre portion of the 224.6 acres petitioned under Area 5 be reclassified from Agricultural to Urban (see copy of report on file).

In view of the staff's recommendation, Mr. B. W. Baldwin, Manager of Kau Development Company, Inc., requested that action on Areas 2, 3 and 4 be deferred until the decision on Area 5 is rendered. Vice Chairman Tangen agreed that this was a valid request.

In response to an inquiry by Commissioner Mark, Mr. Leong explained that an estimated 96 acres will be restored to cane when the scattered camp sites are relocated under the proposed plan. Also, a land exchange had been proposed by the petitioner with the Department of Education to relocate the existing school to the area under petition.

Commissioner Mark wondered whether petitioner was prepared to bear the cost of relocating the school. Mr. Claude Moore, staff member of Kau Development Company, maintained it was their position that the DOE should either buy the land for the new school site or enter into a land exchange with the petitioner.

Mr. Fujimoto advised that although staff's recommendation involved only 69.5 acres, approval of the total concept had been implied. This would allow for the development of the first phase and at the time of the boundary review, the total area could be studied.

Chairman Inaba noted that in fairness to the petitioner, he should have some assurance that he will be allowed to pursue with the total project in view of the substantial expense involved in the development of the necessary amenities.

Commissioner Kido remarked that from the staff's analysis, it seemed incremental zoning had been implied. Mr. Fujimoto replied that the 69 acres will provide enough urban zoning to meet the employee housing needs and the Commission would have an opportunity to assess the total area during the 1974 review.

Mr. Moore admitted that their total request involved much more than was immediately needed to take care of the employee housing. However, in order to support the necessary public facilities such as neighborhood community center, school, the installation of sewage treatment plant, approximately 750 families will have to be located here. Additionally, construction of other urban amenities such as service stations, stores, church, fire station, etc., will be contingent on the size of the development. He submitted that approximately \$40,000 had been expended for the plans, and petitioner would find it difficult to plan for the roads, sewer, water development unless they were assured the total project would be approved.

Commissioner Sakahashi agreed that substantial front money was involved in any development, and since the need had been established, it was unreasonable to hold the petitioner to only a small portion of the total project.

Vice Chairman Tangen wondered whether the petitioner was in agreement with the conditions imposed by the County that the owner or lessee of the subject area be responsible for submitting a rezoning application to the County within one year from the date of approval; and that the plantation camp involved in the relocation be converted to some form of viable agricultural use; and that the

petitioner apply for rezoning upon the completion of the project within 5 years; and also abide by the incremental zoning requirements in the Land Use Regulations. Mr. Baldwin replied that they had no objections to these requirements.

Commissioner Sakahashi moved that Area 5 under petition be approved with the understanding that the petitioner be put on notice that unless there is satisfactory compliance with the development time schedule by July 31, 1974, the Land Use Commission will consider initiating a petition to restore the undeveloped property to an Agricultural designation. The motion was seconded by Commissioner Wung and carried with Commissioner Mark casting the only dissenting vote.

Commissioner Sakahashi moved for the reclassification of Areas 2, 3 and 4 as recommended by staff, which was seconded by Commissioner Wung and unanimously passed.

PETITION BY BISHOP ESTATE (A72-343) TO RECLASSIFY 15.4 ACRES FROM AGRICULTURAL TO URBAN AT NORTH KONA, HAWAII

Mr. Fujimoto read the staff memorandum recommending that the petition be denied, based on staff analysis and findings (see copy of report on file).

Mr. Guido Giacometti, representing the Kamehameha Development Corporation, reiterated a statement made during the public hearing, that the 7-acre parcel in the general area which had been reclassified in 1970 was under lease to Arakaki and Rietfors, who were experiencing financial and marketing problems.

Vice Chairman Tangen moved to accept the staff's recommendation, which was seconded by Commissioner Wung and the motion was carried with the following votes:

Ayes: Commissioners Mark, Kido, Yamamura, Sakahashi,
Vice Chairman Tangen, Chairman Inaba

Abstain: Commissioner Napier

NEXT MEETING DATE

It was announced by the Executive Officer that the next meeting of the Land Use Commission will be held on Oahu on February 2, 1973.

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