

*See Oahu
County
file for
original*

Ref. No. LUC 399

July 15, 1964

Miss Lucille Goderre
59-819 Kamehameha Highway
Haleiwa, Hawaii

Dear Miss Goderre:

In your letter of May 9, 1964, you expressed concern that any boundary changes in the area surrounding Waimea Bay, could result in a hotel, bar and restaurant being built on neighboring property. This result would be working a hardship on you as well as others in the area because the business is incompatible with family living.

Prior to the adoption of the land use district boundaries, the Land Use Commission visited the site and subsequently fully discussed the issues. In the adopted district boundaries, the lower portion of the particular parcel at issue has been designated as part of the urban district while the steep and higher areas have been designated as part of the conservation district. Within the urban districts, the Land Use Commission has no jurisdiction over the specific uses.

Should you have further questions, please do not hesitate to contact us.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

STATE OF HAWAII
Land Use Commission
426 Queen Street
Honolulu, Hawaii

Re: TMC: 5-9-05-21
Waimae Bay Rezoning

Gentlemen:

This is to inform your honorable body that I was distressed by your decision in denying me an "Urban Zoning" up to the Waimae Trig Station in a news article on June 20, 1964.

The previous Land Use Commission granted me a temporary urban zoning up to a 40 per cent mark. By virtue of certain inaccurate statements made by Mr. Robert WENKAM who was not a member of the Commission at the time, Nov. 21, 1962, the previous Land Use Commission (Mr. Ed BRYAN) said it was "leaving the door open" to reconsider my petition should the State Parks Division fail to present plans for the area as Mr. WENKAM claimed.

In talking with Mr. Richard DONLAP, head of the State Parks Division, subsequent to the Nov. 21st decision, he stated the development I have in mind would in no way interfere with the plan of his department.

I wish to mention that I have done everything possible to cooperate with the State or any other governmental agency for the area. Three years ago a \$ 25,000.00 appropriation was granted to make certain improvements for the Puu-O-Mahuka Heiau. Because the State needed a right-of-way through my property as well as through the property of another private owner in order to construct a road leading to the Heiau by a certain date (end of June, 1961), the State was in a precarious position unless an immediate right-of-way given for that project.

I did not hesitate to give the State a right-of-way to prevent the appropriation from dying. I asked for no compensation. I was interested in seeing the area (North Shore) develop and progress. The development I have planned would assist this depressed area. Numerous studies conducted by the State, City & County, and other private research companies have recommended a project such as I have planned.

The area I have requested for urban classification up to the Waimae Trig Station would in no way destroy the setting. My architect, Mr. Jo Paul ROGNSTAD, is in complete agreement with me to design a structure that is aesthetically beautiful, to blend with the terrain. It

1317
June 26, 1964
2742-A Terrace Drive
Honolulu, Hawaii

RECEIVED

JUN 26 1964

State of Hawaii
LAND USE COMMISSION

*Original
in Oahu
County '64
file folder*

would compliment the land. I have mentioned or tried to impress these things to Mr. WENKAM in the past, long before he became a commissioner, without success. In one particular instance, Mr. WENKAM and I ran into each other at Waimea Bay on Nov. 7, 1962. I tried to explain the merits of the project. He was beyond reach and reason. He expressed his belief that even if a private property owner suffers monetary loss for services incurred relating to the property, the government had the right to take over or freeze his land. He was completely unsympathetic for the rights of an individual.

For Mr. WENKAM to assume the role of clearing house is presumptuous, in a news article attributed to him this Sunday past, relating to the action of the Land Use Commission. From the outset of my petition for rezoning, Mr. Robert WENKAM has succeeded in clouding and distorting the issue.

I sincerely request the Land Use Commission reconsider my petition for a permanent boundary up to the Waimea Triangulation Station, and I ~~and~~ appeal to Mr. WENKAM to abstain from voting inasmuch as he has strongly opposed my project, both privately and publicly.

I wish to cite the following reasons why the Land Use Commission should reconsider my petition in granting an urban classification to the Trig Station:

1. MORAL OBLIGATION: The previous Land Use Commission inferred that it would give my project its blessings if it did not conflict with the plans of the State Park Division. It has been definitely established that my plans would not conflict with the State's plans.
2. RECOMMENDATION: The State Economic Development Dept. in Feb. 1960 recommended the Haleiwa-Waimea Bay for a Visitor Destination Area, in a study prepared by Harland Bartholomew and Associates. A private consultant firm of John CHILDS HAWAII has also recommended my property up to the Trig Station be utilized relating to the tourist industry, in a highest and best land use land study. The City & County Planning Dept. and Land Use Commission Staff, too, have recommended urban zoning to the Waimea Trig Station.
3. AESTHETICS: The project I have planned would compliment the land. It would in no way destroy the setting.
4. CONVENIENCE FOR TRAVELERS: It would be a natural location as a half-way spot for travelers taking a trip around the Island of Oahu to stop for refreshments, enjoy the scenery with comfort, or freshen-up.
5. EMPLOYMENT: The North Shore has no industry. The project I have planned would enhance the economy of that part of the island by creating employment.

6. NO ADDED SERVICE: Neither the State or City & County would be burdened with putting in roads, water services, or power lines. These facilities are already available.
7. IMPORTANT TO PROJECT: Because the adjacent property belongs to the Roman Catholic Church, any liquor establishment must be located at least 500 ft. from the church building proper. 500 ft. would be approximately below the Trig Station.

Your further consideration given my petition for an urban zoning to the Waimea Trig Station will be greatly appreciated.

Sincerely,

Philo Owen
Philo OWEN

Detail Topographical
map

Half way to Trig station
intention were ^{at the} to Trig
way of station

Case Phe. Duesen
983369

*Oahu
proposed
file*

*original in
files + Oahu file*

April 10, 1963
2742-A Terrace Dr.
Honolulu 14, Hawaii

State of Hawaii
Land Use Commission
426 Queen Street
Honolulu, Hawaii

5-9-05-21

Gentlemen:

It is requested further consideration be given my petition to have my property, TMK: 5-9-05-21, zoned to Urban classification.

In my conversation with Mr. Samuel LEE of the State Land and Natural Resources Dept. on March 12, 1963, he mentioned the State was negotiating with Market City for exchange of State land with Market City's land surrounding the Heiau Reserve. Mr. LEE stated at that time that my property was not included in the State's plan as part of the park area.

I also conversed with Mr. Richard DUNLAP of the State Park Division on March 13, 1963, and he said the Park Division had no objections to my proposed plans, nor did it plan to enlarge the park system surrounding the Puu-O-Mahuka Heiau, other than with Market City's land.

Also, City Planning has recommended my property be zoned to Urban up to the Waimea Trig Station, and in view of the fact that none of the governmental agencies mentioned have expressed opposition to my petition, it is respectfully requested my case be favorably considered.

Very truly yours,

RECEIVED

APR 10 1963

DEPARTMENT
OF TAXATION
HONOLULU, HAWAII

Philo Owen
Philo OWEN

4/12/63

Waimea Bay, Oahu
January 7, 1963

RECEIVED

JAN 10 1963

State of Hawaii
LAND USE COMMISSION

Land Use Commission
426 Queen Street
Honolulu, Hawaii

Dear Sirs:

At your November 20th, 1962 meeting you made what was to have been your final decision on the zoning change for property owned by Philo Owen and located at Waimea Bay on Oahu. I was at this meeting. I attended to present the wishes and feelings of the resident landowners and some of the non-resident landowners of this area. However, I realized as I listened to proceedings that the time for protesting had passed. Fortunately the decision that the Commission reached in regard to what use the land might be put was satisfactory to me and to the people I represented. But, as I understood it, this disposition was not final. I believe that the restrictions in use were dependent upon whether or not the State of Hawaii bought certain parts of this acreage near the Heiau for a historical site. I thought I heard that the time limit set for the State to purchase the land was six months, but I could be wrong about the length of time given. I understood that at the end of that time, if the State had not acted to purchase the land that Mr. Owen could then petition once more for the re-zoning that would enable him to build a motel-bar-restaurant complex on his property.

In the event that this is true I want to let you gentlemen know that the people in this area who would be affected by this project are not indifferent to what happens. I, in particular, am most vitally concerned since what happens on Mr. Owen's property can, and has in the past, ended up in my lap. My home is located across the road and downhill from his property. I suffered considerable damage and loss of property from the March 17, 1962 flood. The water which came down the hill should have been channeled through the aquaduct under the road and out into the ocean. This is the only channel to service the entire hillside from Pupukea Road to Waimea Bay and it runs through Mr. Owen's property. Several months before the flood this property was bulldozed, and in the process the channel was clogged with roots and rocks and dirt, so that when the flood waters came down from the hills they had no place to go that would regulate their course. The result was that they spread over the whole area between the Sts. Peter and Paul Church and the bay tearing away large chunks of my property and the State's road and inundating a large section of my property with about a foot of mud and rubbish beyond description that it took me well into the summer to clear away. So you can understand that I am particularly alert to any change that Mr. Owen proposes to make on his property. Since I was so concerned I took it upon myself to poll the neighborhood to find out what others thought about it.

In this immediate vicinity I am the only permanent resident who owns the land he lives on. All other property, excepting for the church which is adjacent to Mr. Owen's property, is owned by people who live elsewhere and have built one or more rental units on their property.

The pastor of the Catholic church could give no opinion on the proposed improvement. He said that all decisions regarding church property and policy was the kulia of the Bishop who was in Rome. I asked if the Bishop had not delegated authority to someone else, but he said that he thought not. I did not check further.

The tenants on the Robert Midkiff property which is next door to mine were against the proposal for various reasons which I will not attempt to report here. Mrs. Harlow, one of the tenants, said that she had been asked to speak against the re-zoning for Mrs. Midkiff in case the opportunity came up. The Midkiffs were on the mainland at that time.

Mr. Kilgo who has built a weekend house and three rental units on his property next to the Midkiffs said that he was against it because he couldn't see that it could possibly improve the neighborhood and would more likely do the opposite. Mr. Kilgo and I both bought our properties from the Territorial Government when the Land Commissioner's Office auctioned off nine lots here in line with their policy of making more fee simple land available for homes. We bought the land in good faith intending to build homes on it- ~~i~~ a permanent home and he a weekend home that might eventually be permanent. The type of complex that Mr. Owen was proposing is not likely to enhance the residential value of neighboring property.

The remaining six lots are farther from the property in question. The owners live elsewhere and their houses are occupied by service personnel who are scarcely interested in the long range development of the area. I thought the owners were equally disinterested until I heard you read a letter from Mr. Lau (I believe that was the name) who now owns five or six rental units on the property that was originally sold to the Goo family for residential use. His speaking out in favor of Mr. Owen's project came as a surprise to me since he is seldom in the neighborhood as far as I can determine. Now I realize that the type of business that Mr. Owen's proposes would have a greater appeal to the transient than to a permanent resident.

The residents of Pupukea who mostly own their land were very vocal in their opposition. Those that I contacted were interested in doing something to stop it to the point where they offered to get up a petition that they guaranteed a majority of their number would sign- if a petition would help at that late hour. Their interest would be served by the State's purchasing the land adjacent to the Heiau since this was the aspect of the development in which they were mainly interested. This was also the feeling of the Hawaiian Civic Club members that I talked to. Since their club was not meeting before the 20th November they could not speak as a group, but individual members assured me that the principle objective of the club was the preservation of historical sites.

Mr. Glen Powell who is, and has been for a number of years, the head of the Flood Control Committee for the Sunset Beach Community Association also had a great deal of feeling about the project. He wrote a letter which he asked me to send to whomever was concerned. I sent this letter to Mr. Wenkam who seemed to be the only voice speaking out against the proposal. This I did because he indicated that he often attended your meetings on behalf of some organizations to which he belongs. I will enclose a copy of Mr. Powell's letter in case you do not have it.

I am sorry that this has turned out to be such a lengthy statement. It may have no use at all. If, however, this request comes up for reconsideration I should like to know that your group knows some of the feeling that exists in this community.

Thank you for your time and patience.

Sincerely

Eileen Weberg

Eileen Weberg
59-821 Kam Hwy.
Haleiwa, Hawaii

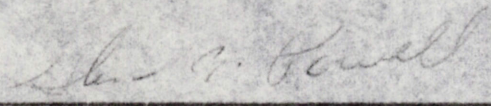
November 8, 1962

TO WHOM IT MAY CONCERN

I, Glen A. Powell, a property owner and resident of Sunset Beach objects to the establishment of the Bar-Restaurant-Hotel complex proposed by Mr. Philo Owen for his Waimea Bay property.

Reasons for this objection are listed below:

1. The proposal requires a zoning variance of existing laws and is not in keeping with desired 'status-quo' prior to adoption of a Master Plan for this area.
2. The type of business proposed is not in keeping with the area. This proposal invades a church-residential area and would bring in an undesirable type trade.
3. The project lacks, apparently, proper planning and engineering in-as-much as access to the property from the Kam Highway by business trade would constitute a serious traffic hazard. Adequate parking on the premises does not seem possible.
4. Construction of cottages on the rim of Waimea Bay would destroy the beauty and view of the State Park now being constructed atop the hill over looking Waimea Bay.
5. Future widening of Kam Highway would virtually eliminate all access to the property. Such widening plans are presently in existence and this proposal is in direct defiance of these plans.



Glen A. Powell
59-012 Holawa St. (Paumalu)
Haleiwa, Hawaii

Refer to

D-1743, D-1846, D-1943 & H-819 (1962)

December 3, 1962

Mr. Stanley Ling
Corporation Counsel
City and County of Honolulu,
Honolulu, Hawaii

Dear Sir:

Please be advised that, at yesterday's meeting, upon the recommendation of the Committee of the Whole, the following communications with reference to Applications to the State Land Use Commission for Special Permits, were received and filed:

- H-819 - From State Land Use Commission soliciting comments and recommendations on a petition for change of Temporary District Boundary by Heile Owen in the Koolauloa district, and that of Dee Gibson's application for Special Permit in Waimanalo, Koolanoke;
- D-1743 - From Plan. Dept., recommending that the application for a special permit to operate a food serving and bar facility within the agricultural zone as an accessory use to the dude ranch operation be issued to Dee Gibson by the Land Use Commission, the special permit to be terminated when the State develops its lands as a State Fair Ground;
- D-1846 - From the City Clerk, enclosing copies of Special Permit granted by the Land Use Commission to Mr. Julian Flores and Mr. Dee Gibson; and
- D-1943 - From Plan. Director, transmitting an ordinance to rezone a portion of Rural Farm District No. 3 to Rural Business District No. 194, for land situated on Peckin Road at Lualaba, Waimanalo, Oahu, Hawaii. (Note: proposed ordinance passed 1st reading on Dec. 4, 1962).

In connection therewith, the Committee further recommended that the Corporation Counsel's Office be directed to furnish the Council with an opinion on the question as to whether when special permits are issued by the State Land Use Commission in agricultural districts, they supersede any action taken by the Council, at Council level.

Respectfully yours,

CITY COUNCIL

By

ROBERT A. HANAFI
City Clerk

lv

cc - State Land Use Commission ✓
Planning Director

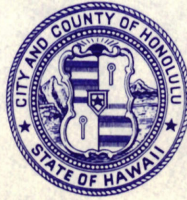
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COUNCILMEN:

Masato Doi, Chairman & Presiding Officer
Ernest N. Heen, Vice-Chairman
Matsuo Takabuki, Floor Leader

Clesson Y. Chikasuye
Richard M. Kageyama
Herman G. P. Lemke

William K. Amona—District A
Yoshiro Nakamura—District B
Ben F. Kaito—District C



EMPEROR A. HANAPI
City Clerk

Refer to
D-1927 (1962)

CITY COUNCIL

CITY AND COUNTY OF HONOLULU

HONOLULU 13, HAWAII

December 5, 1962

Mr. R. J. Darnell
Executive Officer
Land Use Commission
426 Queen Street
Honolulu, Hawaii

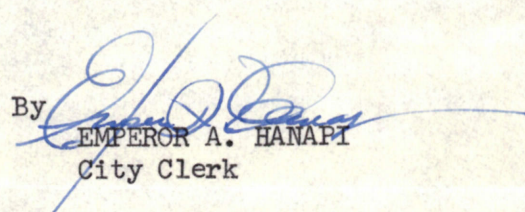
Dear Sir:

Please be advised that at yesterday's meeting upon the recommendation of the Committee of the Whole, your communication of November 28, 1962 enclosing a copy of a petition for Temporary District Boundary Change granted by the Land Use Commission to Philo Owen - A(T) 62-15, was received and filed.

Respectfully,

CITY COUNCIL

By


EMPEROR A. HANAPI
City Clerk

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RECEIVED

DEC 6 1962

State of Hawaii
LAND USE COMMISSION

PUBLIC WORKS, Roads, Bridges, Public Highways, Garbage, Water, Sewers, Automotive Equipment and Traffic.

Richard M. Kageyama, Chairman; Ben F. Kaito, Vice-Chairman; Masato Doi, Member; Ernest N. Heen, Member; Matsuo Takabuki, Member.

FINANCE, Public Expenditure, Police, Fire, Health, Schools, Public Buildings, Parks and Playgrounds.

Herman G. P. Lemke, Chairman; Clesson Y. Chikasuye, Vice-Chairman; William K. Amona, Member; Masato Doi, Member; Yoshiro Nakamura, Member.

Ref. No. LUC 262

November 28, 1962

Mr. Emperor A. Hanapi
City Clerk
City and County of Honolulu
Honolulu Hale
Honolulu, Hawaii

Dear Mr. Hanapi:

Enclosed is a copy of a petition for Temporary District Boundary Change
granted by the Land Use Commission to:

Philo Owen - A(T) 62-15

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Enclosure

Ref. No. LUC 262

November 28, 1962

Mr. Frederick Lee, Planning Director
City Planning Department
City and County of Honolulu
Honolulu Hale
Honolulu, Hawaii

Dear Mr. Lee:

Enclosed is a copy of a petition for Temporary District Boundary Change
granted by the Land Use Commission to:

Philo Owen - A(T) 62-15

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Enclosure

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

November 28, 1962

Mr. Philo Owen

2742-A Terrace Drive

Honolulu, Hawaii

Dear Sir:

With reference to your petition A(T) 62-15 to reclassify that property
described as First Division 5-9-05: 21 & 23, from a Temporary Agricultural District
to a Temporary Urban District, may I inform you of the following:

A public hearing was held on this matter by the Land Use Commission of
the State of Hawaii in the Land Use Commission's Hearing Room, 426 Queen
Street, Honolulu, Hawaii, at 8:00 p.m., September 19, 1962.

Notice of the hearing appeared in the Honolulu Star-Bulletin, on Aug.
30, 1962; and in the _____, on _____.

The Land Use Commission, at its meeting in the Land Use Commission Hearing
Room, Honolulu, Hawaii, beginning at 9:30 p.m., November 20, 1962,
amended Temporary District Boundary map 0-3 (Waimea)

_____ as follows:

To include within the Temporary Urban District that western portion
of TMK 5-9-05: 21 adjacent to Kamehameha Highway and the existing
Temporary Urban District boundary having a natural ground slope
of less than 40%.

Very truly yours

R. J. DARNELL
EXECUTIVE OFFICER

LAND USE COMMISSION

Minutes of Meeting

Hearing Room

Honolulu, Hawaii

November 20, 1962 - 9:00 P.M.

Commissioners

Present:

Edward C. Bryan
Stanley C. Friel
Wayne D. Gregg
Yuichi Ige
Edward Kanemoto
Franklin Y. K. Sunn
Roger T. Williams

APPROVED 1/28/63

Ex-Officio Members

Absent:

E. H. Cook
Frank Lombardi

Staff

Present:

R. J. Darnell, Executive Officer (XO)
W. M. Mullahey, Field Officer (FO)
John Canright, Legal Counsel

Chairman Bryan called the meeting to order.

ITEM FOR ACTION

APPLICATION OF MINNIE TAVARES (SP(T) 62-8), FOR SPECIAL PERMIT TO SUBDIVIDE A 1.05 ACRE PARCEL INTO SIX LOTS FOR DISTRIBUTION AMONG THE MEMBERS OF HER FAMILY, ON PROPERTY LYING ALONG AN UNIMPROVED ROAD WHICH IS THE EXTENSION OF KUMUHAU STREET IN THE NORTHWEST CORNER OF WAIMANALO VALLEY, OAHU: Described as First Division, TMK 4-1-10: 42.

The XO outlined the area under consideration and gave the background of the item. He further stated that in view of previous staff recommendation given at the public hearing immediately preceding this item) in which the staff stated that they would withhold comment until such time as the Harland Bartholomew recommendations were received), it might be inferred that the staff would make the same recommendation in this instance. However, due to the lack of adequate road as utilities the original staff recommendation for denial would still hold.

Chairman Bryan stated that, while the hearing could not be reopened, he felt that due to the fact that Mrs. Tavares was present and was not able to testify at the original hearing he would ask if she or a member of the family wished to make additional comment. The Commission concurred.

Mr. Manuel Tavares stated that utilities were available and that on the five acres surrounding his property 23 homes presently existed. He further stated

that the City Planning Commission had issued moving permits to his neighbor after the "Greenbelt Law" went into effect and had refused permits to his family. Mr. Tavares stated that he felt that his family had been treated unjustly.

Commissioner Sunn asked if Mr. Tavares understood that even if the Land Use Commission granted approval of the Special Permit, the City Planning Commission could still deny the construction or moving of houses on his lot.

Mr. Tavares answered yes, that he realized this; but said that he did not see how they could withhold permission after they had granted six other permits for homes in this area while denying them the same right.

Chairman Bryan asked if the primary purpose of this request was to divide the land.

Mr. Tavares said that primarily they wished to build five houses on the property.

Chairman Bryan stated that it was his feeling that there might be some facts that had not been explained in the case.

Commissioner Sunn asked that a staff investigation be made into the points raised by Mr. Tavares. He moved that action be deferred until the next meeting so that the staff might present the facts regarding the points raised and so that a discussion may be had with the County people on this matter. Commissioner Williams seconded the motion which was approved unanimously.

*11/20/62
Oahu meeting*

PETITION OF PHILO OWEN (A(T) 62-14), FOR CHANGE OF DESIGNATION FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT CLASSIFICATION, FOR TWO PARCELS OF LAND ON THE NORTHERNSIDE OF WAIMEA BAY, OAHU: Described as First Division, TMK 5-9-05: 21 & 23.

The FO outlined the area, pointed out the location on the map, and described the request briefly. The FO stated that the staff's recommendation was for approval of the extension of the urban boundary to the foot of the pali, 20% slope, with the remainder of parcel 21, and the undeveloped areas left in the agricultural district.

Chairman Bryan asked if there were additional correspondence received since the hearing, to which the FO replied in the affirmative and presented the following:

1. Letter from E. H. Cook, Director of Land and Natural Resources, giving a description of the area and informing of the State Parks Division's interest in the area and their opposition to rezoning of the area.
2. Letter from Mr. Sanford, Hawaiian Trail and Mountain Club, informing that the Waimea Bay-Puu-O-Mahuka Heiau area is an area of great recreational value and agricultural importance; and recommending against the rezoning.
3. Letters from Mrs. Charles H. Davies of the Outdoor Circle recommending against the rezoning.
4. Letter from D. A. Seeley, Director of Parks and Recreation, giving the parks plan for the area and stating there is no justification that the area be put in an urban designation and that it is the public interest that the area remain in an agricultural district.
5. Letter from Philo Owen, petitioner, giving his reasons for his request and what he envisions through development of the area. He also gave examples of various natural scenic and historic settings around which resort development has been built on other islands.
6. Letter from Mr. Watson, President of the Conservation Council for Hawaii, requesting disapproval of the request for rezoning for the reason that the Council believes that the natural beauty of the islands should be preserved.
7. Letter from the City Council, dated October 17, 1962, from Emperor Hanapi, City Clerk, informing that the Committee of the Whole motion to adopt the recommendations of the Planning Commission to designate such property for urban use failed to carry by virtue of a tie vote, therefore the Committee of the Whole recommended that no action be taken by the Council on said matter.

The FO informed that the recommendation of the City Planning Commission was for the extension of the urban line to the triangulation station on the nose of the pali at an elevation of 250 feet.

8. Letter from Mrs. Sunn Hing Lim, property owner in the area (staff received letter through Mr. Owen at hearing; letter not in record), as follows:

"Gentlemen:

"Please place me on record as being in support of action which will favor Mr. Philo Owen's petition for rezoning. I believe Mr. Owen's development plans for his property as described in the news is just what has been needed in this area a long time. It is a natural halfway stop for local and tourist travelers. Mr. Owen's project seems bold, farsighted and feasible. If it is allowed to materialize, it could be a definite economic as well as visual asset to the entire community and the state as are the inns and hotels served by cable cars throughout the European Alps and other places. Much of the northshore section has been neglected too long and could easily be considered an economically depressed area. Its most obvious asset is its natural beauty. Private and government initiative should be encouraged in opening to the general public those scenic areas which are difficult to reach. Waimea Bay raised vistas are too beautiful to be enjoyed solely by a handful of residents, photographers, nature lovers, and mountain climbers. It should be made duly accessible to all. Besides, the economic outlook of this area could be greatly brightened. The existing agricultural zoning on Pupukea Heights plateau and the ridge overlooking Waimea Bay seems no longer justified. For a long period agricultural activity in this area has been spotted, and of little importance to the State's economic substance. I believe that the zoning change such as requested is in order. I would like to point out that Mr. Owen is a complete stranger to me, nor do my views represent any organization. I am a property owner at nearby Pupukea Beach and have always had a deep interest and concern in things affecting our area. I have actively encouraged City Councilmen to acquire Waimea Bay as a park site; extensive sand removal which nearly destroyed Waimea Bay beach a short time ago was stopped, following persistent protests by a few of us.

"Because of an earlier commitment, I regret that I cannot personally appear to present my views but I hope that you will give Mr. Owen a chance to realize his project by approving his request.

"Thank you for your consideration.

"Very truly yours,

MRS. SUNN HING LIM"

Commissioner Gregg asked, "This proposal that had a tie vote, what would the area amount to?" The FO replied by outlining the area on the map for Commissioner Gregg.

Commissioner Friel asked what the intentions of the Land Department are in regard to this area and whether they have reached any decision. Mr. Jean Bernard of the Parks Division informed that they have made some study of the area in regard to land exchange, and have proposed plans for the area; but that they were not completed as yet. Commissioner Friel questioned whether Mr. Owen has been approached or informed on these actions. Mr. Bernard stated that he is not involved in negotiations but knows there have been discussions.

Chairman Bryan asked whether Mr. Bernard could inform this Commission as to what areas their plans include, whether this includes the lower portion or just the area where the heiau is involved. Mr. Bernard replied that they are talking about the top of the pali, including the heiau and that general area. He stated though that the County has plans for the Waimea Bay area and discussions have been going on, no definite plans have been set.

Mr. Wenkam stated that the State is trying to acquire this area in exchange for some of their own lands and that the land is presently being appraised.

Mr. Nakamura spoke in behalf of Mr. Owen. He pointed out that from all indications everyone seems to agree that the area below the triangulation station could be put into urban use, except for the LUC staff who indicates it should go up to 20% slope, and beyond that slope should be left in agriculture. He indicated that though Mr. Owen would like to have his whole request approved he would go along with the recommendation of the people for the betterment of the community and the State.

Chairman Bryan asked for a description of the 20% slope and the triangulation station. Both the XO and the FO gave a picture of the difference of the County's recommendation and the staff's recommendation through drawings and map demonstration.

Commissioner Sunn moved to approve the staff's recommendation with the exception that the boundary line be extended up towards the triangulation station to the 40% slope point rather than the 20%. Commissioner Friel seconded the motion. The FO polled the Commissioners. Approved: Commissioners Kanemoto, Williams, Friel, Sunn, Ige, Gregg, and Chairman Bryan. Disapproved: None.

The meeting was adjourned at 11:30 p.m.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM Philo Owen ACT 62-15
DATE Nov. 20, 1962
PLACE LUC Hearing Room
TIME 9:45

NAMES	YES	NO	ABSTAIN	ABSENT
KANEMOTO, E.	✓			
WILLIAMS, R.	✓			
② FRIEL, S.	✓			
① SUNN, F.	✓			
IGE, Y.	✓			
GREGG, W.	✓			
LOMBARDI, F.				
COOK, E. H.				
BRYAN, E.	✓			

COMMENTS:

Approve STAFF rec. (except now) to 40% slope

2114 Manoa Road
Honolulu, Hawaii
November 20, 1962

To: Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii

Re: WAIMEA BAY ZONING CHANGE

Gentlemen:

Please place me on record as being in support of action which would favor Mr. Philo Owen's petition for re-zoning.

I believe that Mr. Owen's development plans for his property (as described in the news) is just what has been needed in this area for a long time. It is a natural halfway stop for local and tourist travelers.

Mr. Owen's project seems bold, far-sighted and feasible. If it is allowed to materialize, it could be a definite economic as well as visual asset to the entire community and the State as are the inns and hotels served by cable cars throughout the European Alps and other places.

Much of the north shore section has been neglected too long and could easily be considered an economically depressed area. It's most obvious asset is its natural beauty.

Private and government initiative should be encouraged in opening to the general public those scenic areas which are difficult to reach. The Waimea Bay ridge vista is too beautiful to be enjoyed solely by a handful of residents, photographers, nature lovers and mountain climbers. It should be made easily accessible to all. Besides, the economic outlook for this area could be greatly brightened.

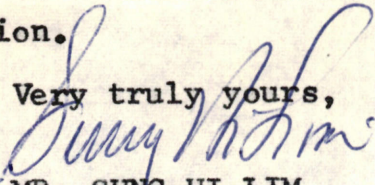
The existing agricultural zoning of the Pupukea Heights plateau and the ridge overlooking Waimea Bay seems no longer justified. For a long period, agricultural activity in this area has been spotty and of little importance to the State's economic sustenance. I believe that a zoning change such as has been requested, is in order.

I would like to point out that Mr. Owen is a complete stranger to me nor do my views represent any organization. I am a property owner at nearby Pupukea Beach and have always had a deep interest and concern in things affecting our area. I have actively encouraged city councilmen to acquire Waimea Bay as a parksite. Extensive sand removal which nearly denuded Waimea Bay beach a short time ago was stopped following persistent protests by a few of us.

Because of an earlier commitment, I regret that I cannot personally appear to present my views, but I hope that you will give Mr. Owen a chance to realize his project by approving his request.

Thank you for your consideration.

Very truly yours,


MR. SUNG HI LIM

STATE OF HAWAII
LAND USE COMMISSION

Land Use Commission Hearing Room
426 Queen Street, Honolulu, Hawaii

8:00 P. M.
September 19, 1962

STAFF REPORT

A(T) 62-15

Temporary District Classification: AGRICULTURAL

PETITION OF PHILO OWEN (A(T) 62-15), for change of Temporary District Boundary to reclassify certain property at Waimea, Koolauloa District, Oahu, from an Agricultural district to an Urban district classification: Described as TMK 5-9-05: 21 & 23.

The petitioner is the owner of the two parcels of land, containing 11.22 acres, more or less, located on the mauka side of Kamehameha Highway, above the east shore of Waimea Bay on the North Coast of Oahu. Parcel 21, comprised of 10.1 acres, more or less, is best visualized by its two distinct topographical divisions: (1) the low-sloping portion of parcel 21, containing approximately 1 acre, along Kamehameha Highway and adjoining the Roman Catholic Church property, to the north (the elevation of this portion runs from 40 feet at the highway to an approximate elevation of 80 feet at the base of the pali). This portion of parcel 21 is directly adjacent to the Land Use Commission Temporary Urban boundary; (2) the pali land portion of parcel 21, which continues up the face of Pupukea bluff to the Waimea triangulation station (elevation 251 feet), then continues along the northeastern rim of Waimea valley, then drops to the foot of the valley wall and continues along the bottom of the wall to close with the front low-sloping portion.

Parcel 23 is an undeveloped easement to the top portion of parcel 21, and contains 1.12 acres, more or less. This easement starts at the junction of Pupukea Road and the newly constructed access road to Puu-O-Mahuka heiau. Parcel 23 roughly approximates the alignment of the heiau access road. Three portions of this parcel

have been offered to the State and are presently undergoing preparation for transfer.

The northeastern side of Waimea Bay and the area to the north along the highway is already built-up in residential use and is serviced by water and power, with existing fire protection facilities in the immediate vicinity.

The State General Plan shows the petitioner's property under 'open land' use. The City and County of Honolulu has master planned this area for park and open use, this being an extension of the proposed Waimea Valley Park. Finance Realty Company has plans for a subdivision of one-acre farm lots on their flat land on top of Pupukea ridge.

Extensive damage from flooding caused by rainfall run-off from upper Pupukea was reported in 1957 and 1962. After the March 23, 1962 storm and flood, the lower portion of parcel 21 was covered with boulders and debris. Water was reported 2-3 feet high next door around the Catholic Church and two homes on the makai side of the highway were washed away.

The staff cannot recommend approval of reclassification, to Urban, of the larger portion of the subject property, for the reason that such a cliff is not believed to be suitable for urban development. With special precaution against storm damage (not the province of this Commission in an Urban district), the low-slope area adjacent to the highway could serve some urban use. The staff accordingly recommends that the Temporary Urban district boundary adjacent to the property be changed to include the lower portion of parcel 21, of less than 20% slope, in the Temporary Urban district; and that the remainder of Parcel 21 and all of Parcel 23 (the upland easement) remain in the Temporary Agricultural district.

40% COMM ACTION



4 Groups Oppose Waimea Pali Proposal

A proposal to reclassify Waimea Bay pali lands so that commercial development would be permitted is opposed by four Hawaii conservation organizations, a spokesman said today.

Robert G. Wenkam listed the organizations as the Federation of Western Outdoor Clubs, of which he is vice-president, the Conservation Council for Hawaii, the Outdoor Circle, and the Hawaiian Trail and Mountain Club.

He said the groups have gone on record with the State Land Use Commission opposing a change in classification of the lands near Waimea Bay from "agriculture" to "urban."

Phil Owens had requested a change in classification so

that a hotel, aerial tramway, restaurant and bar might be developed on his cliffside property bordering Waimea Bay.

In stating their position, the organizations noted that the City-County Board of

Public Parks and Recreation has included in its 1963 budget a request to acquire lands for a beach park in the area.

The Conservation Council said it understood that the State Park Division is planning a park surrounding the Puu O Mahuka Heiau which has already been acquired by the State.

Both the City and State park would adjoin the Owens land.

Wenkam said that "urban development in the area would be incompatible

with park use of lands and unique scenic qualities of the area."

4 Groups Oppose Waimea Bay Plan

Four Island conservation organizations have gone on record as opposing the proposed reclassification of the Waimea Bay pali lands to commercial urban development, Robert Wenkam, vice president of the Federation of Western Outdoor Clubs, said yesterday.

THE FOUR organizations are the Conservation Council for Hawaii, Outdoor Circle, Honolulu Trail and Mountain Club, and the Federation of Western Outdoor Clubs.

They took the stand on reclassification after land owner Phil Owens filed an application with the State

Land Use Commission asking that the Waimea Bay pali lands be changed from "agricultural" to "urban" use so that a hotel, aerial tramway, restaurant and bar might be developed on his cliffside property.

The property borders the windward bay.

OPPOSING SUCH reclassification, the conservation organizations noted that the City has budgeted 1963 funds for acquiring land for beach park recreational facilities, and that the State anticipates major park development and heiau restoration on adjacent lands.

Ref. No. LUC 242

November 15, 1962

Mr. Philo Owen
2742-A Terrace Drive
Honolulu, Hawaii

Dear Mr. Owen:

The Land Use Commission of the State of Hawaii will hold a meeting in Honolulu on November 20, 1962, in the Hearing Room of the Land Use Commission, 2nd Floor, 426 Queen Street, directly following a public hearing which is scheduled for 7:00 p.m.

As the 45-day waiting period after public hearing, prescribed by SECTION 2, Sec. 6, Act 187, will have expired, your petition for change of temporary district boundary has been placed on the Commission's agenda for consideration at this meeting; and final action may be taken at that time.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

PHILO OWEN

THE OUTDOOR CIRCLE
1839 ANAPUNI STREET
HONOLULU 14, HAWAII

The Outdoor Circle was very pleased when Act 187 was passed by the legislature.

Now we are anxious that as few variances or reclassifications as possible be granted. If this area has been planned as a park by the State or the City and County, we feel it should be retained for that purpose.

The Waimea Bay Cliffs are a scenic asset that should not be deprived of natural beauty by buildings and cable cars.

As there are not many such easily accessible and unspoiled spots on Oahu, we feel that this area should be open to the general public and should be allowed to retain its innate scenic qualities.

Virginia L. Davis
(President Outdoor Circle)

REC: 10-24-62

RECEIVED

OCT 18 1962

State of Hawaii
LAND USE COMMISSION

Refer to
M-819 (1962)

October 17, 1962

State Land Use Commission
426 Queen Street
Honolulu 13, Hawaii

Attention: W. H. Mullahey,
Executive Officer

Gentlemen:

In connection with the request made by Philo Owen to your body for change in the district designation of his property at Wainae from agricultural to urban use, at yesterday's meeting, a motion was made in Committee of the Whole to adopt the recommendation of the Planning Commission to designate said property for urban use, however, said motion failed to carry by virtue of a Tie Vote, therefore, the Committee of the Whole recommended that no action be taken by the Council on said matter.

In connection with the application from Dee Gibson for a special permit to construct and operate a food-serving and bar facility on his premises in Waimanalo, the Committee of the Whole recommended that action on said matter be deferred, pending a report from the Planning Director.

Respectfully yours,

CITY COUNCIL

By

EMPEROR A. HANAPI
City Clerk

lv

cc - Planning Director

PUBLIC WORKS: Roads, Bridges, Public Highways, Canals, Water, Sewers, Adaptive Equipment and Traffic

Richard M. Kapronka, Chairman; Ben F. Hein, Vice-Chairman; Mark D. ... Member; ... Member.

FINANCE: Public Expenditure, Budget, Public Buildings, Parks and Playgrounds

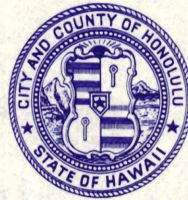
Norman C. F. ... Chairman; ... Member; ... Member; ... Member.

COUNCILMEN:

Masato Doi, Chairman & Presiding Officer
Ernest N. Heen, Vice-Chairman
Matsuo Takabuki, Floor Leader

Clesson Y. Chikasuye
Richard M. Kageyama
Herman G. P. Lemke

William K. Amona—District A
Yoshiro Nakamura—District B
Ben F. Kaito—District C



CITY COUNCIL

CITY AND COUNTY OF HONOLULU

HONOLULU 13, HAWAII

October 17, 1962

EMPEROR A. HANAPI
City Clerk

34/
RECEIVED

OCT 18 1962

Refer to
M-819 (1962)

State of Hawaii
LAND USE COMMISSION

State Land Use Commission
426 Queen Street
Honolulu 13, Hawaii

Attention: W. M. Mullahey,
Executive Officer

Gentlemen:

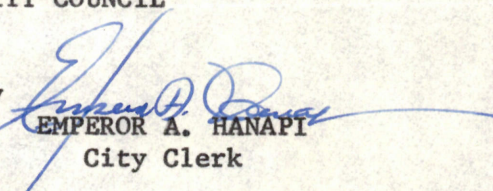
In connection with the request made by Philo Owen to your body for change in the district designation of his property at Waimea from agricultural to urban use, at yesterday's meeting, a motion was made in Committee of the Whole to adopt the recommendation of the Planning Commission to designate said property for urban use, however, said motion failed to carry by virtue of a Tie Vote, therefore, the Committee of the Whole recommended that no action be taken by the Council on said matter.

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Respectfully yours,

CITY COUNCIL

By


EMPEROR A. HANAPI
City Clerk

lv

cc - Planning Director

PUBLIC WORKS, Roads, Bridges, Public Highways, Garbage, Water, Sewers, Automotive Equipment and Traffic.

Richard M. Kageyama, Chairman; Ben F. Kaito, Vice-Chairman; Masato Doi, Member; Ernest N. Heen, Member; Matsuo Takabuki, Member.

FINANCE, Public Expenditure, Police, Fire, Health, Schools, Public Buildings, Parks and Playgrounds.

Herman G. P. Lemke, Chairman; Clesson Y. Chikasuye, Vice-Chairman; William K. Amona, Member; Masato Doi, Member; Yoshiro Nakamura, Member.

THE CONSERVATION COUNCIL FOR HAWAII

FOUNDED IN
1950

BISHOP MUSEUM
HONOLULU 17, HAWAII

October 3, 1962

Chairman and Members
Land Use Commission
State of Hawaii
Honolulu, Hawaii

Attention: Mr. Rowland J. Darnell,
Executive Officer

Gentlemen:

The Executive Board of the Conservation Council for Hawaii urges the Land Use Commission to disapprove the request of Mr. Philo Owens for a change in the land use classification of his lands at and near Waimea Bay from "Agriculture" to "Urban".

The Council firmly supports your objectives and our laws providing for the reasonable regulation of the use of private lands to protect the natural beauty and historical sites of our State.

The Waimea Bay area now before you for study is one of the few remaining areas of shoreside cliff and beach scenic attractions suitable for park development of ready access and it is most important that nothing be permitted to commercialize or otherwise mar its beauty.

The City and County Board of Public Parks and Recreation has included in its 1963 budget a request for funds to acquire lands in the area under discussion and we understand that the State Park Division is now planning a major park in the area surrounding the important Puu O Mahuka Heiau which has already been acquired by the State.

Both the proposed City and County park and State park adjoin the petitioner's land. The commercial and hotel development now contemplated would cause irreparable harm to public enjoyment of the area and to our "around the island" drive.

327
Letter sent to all
Commissioners
OCT 3 1962
State of Hawaii
LAND USE COMMISSION

Chairman and Members
Land Use Commission

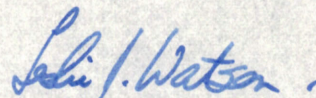
- 2 -

October 3, 1962

We think it most important that every reasonable effort be made to preserve the natural beauty afforded by the bay and the surrounding slopes and cliffs. In our evaluation your disapproval of the petition now before you would be, not only amply justified in this case, but would also establish precedent that would do much to strengthen your future actions in carrying out the splendid objectives of your Commission.

Respectfully submitted,

CONSERVATION COUNCIL FOR HAWAII



By Leslie J. Watson
President

LJW:mmc

346
Sent to Comm.
RECEIVED

OCT 8 1962

State of Hawaii
LAND USE COMMISSION

2742-A Terrace Drive
Honolulu 14, Hawaii
October 3, 1962

State of Hawaii
Land Use Commission
426 Queen Street
Honolulu 13, Hawaii

Dear Sirs:

I submit the following four pages of comments for consideration by the Land Use Commission for petition for change of zoning from Agricultural to Urban.

Sincerely,

Philo Owen

Philo OWEN

The project which I have planned for my property will compliment and enhance the scenic beauty of the land rather than destroy it. The buildings will be low rise and the grounds will be professionally landscaped and will blend with the surrounding terrain. It will not conflict with the setting. The structure will be an asset to the area.

The present abandoned quarry tower adjacent to my property is an eye sore. A proper development will obliterate that eye sore.

For the proponents against any modern structure, any building could be considered marring in an undeveloped rural setting. But this is progress! If all the lands were left barren and idle in a truly beautiful setting, then where would one build?....in a setting with no atmosphere or an area which offers no beauty?....in an area that is plain and unattractive?

In order to enjoy the scenic and panoramic beauty of the area, a person must be situated on my property to take in all of the beauty of Waimea Bay and Valley and miles of the north shoreline beyond. By viewing my property from the opposite side of the bay, my property does not have scenic and panoramic beauty.

Several of the well known hotels in Hawaii are built in such areas:

- (1) The Prince Kuhio Hotel on Kauai adjoins the Prince Kuhio Park
- (2) The King Kamehameha Hotel in Kona is next to a heiau
- (3) The Coco Palms Lodge at Wailua, Kauai, is next to a State Park
- (4) The Kauai Surf on Kauai fronts a bay
- (5) Hanalei Plantation House on Kauai is built on a sloping land similar to mine. There is a cable car from the bottom of the section next to the Wailua River to the "House of Happy Talk" up a slope that is even steeper than my property. It is believed there isn't a single person who has visited the Hanalei Plantation House and criticized the construction of the hotel there. Only favorable comments are expressed of the spectacular view from the Plantation House. Because of the presence of the Hanalei Plantation House, it has afforded thousands of people the opportunity to view such spectacular, inspiring, panoramic beauty.

I believe that my property can offer the same spectacular and inspiring, panoramic beauty for the people here on Oahu. One cannot enjoy the same beauty from my property unless a development takes place. The heiau site at Pupukea offers some opportunity to view a sight of panorama but only after the land is developed can it give access to the public to enjoy such breath taking beauty.

It is my intent to create, not to destroy. It is only right that if a sight is beautiful, as many people as possible be given the benefit of enjoying its beauty. The benefit of that beauty can be enjoyed only through development.

I will not condone a development that does not conform to my convictions of retaining the natural assets of my property. The project I have in mind will enhance the setting, not diminish it. The most inspiring view of Waimea Bay and miles of the north shoreline is from the Waimea Triangulation Station. This spot can be developed in such a manner where the public can enjoy the scenery. Access to that section is presently difficult. However, by developing the area, the public can have access to that section to view the wonderful scenery beyond it.

Numerous people have approached and phoned me to comment that the project I have proposed is a wonderful thing for that part of the island. The consensus is "just what we need." The opinion is that there is nothing on the North Shore of the island and it would be a "perfect spot" for stopping over as a mid-way point on an island trip, to rest, freshen up, partake refreshment s, or layover.

Neither the State or the City have taken steps to develop the area for a park, nor have they expressed their interest to acquire the property.

I am open and receptive to offer and negotiation if the State or City is truly interested in preserving my property for a park site. However, it is to be noted that the City has started condemnation proceedings at Waimea Bay for 28 acres of land. Also, in 1961 the State Legislature has mandated a site up at Pupukea for park development. Those two park sites are within an immediate vicinity of my property.

There are also parks at Haleiwa, Sunset Beach next to the Sunset Beach Fire Station, and another one on Ke-Nui Road, Sunset Beach. Those parks are also within close proximity. Out of a total of 5 parks within 3 or 4 miles, only Haleiwa Beach Park is improved. Rather than condemn more land for park sites in that area, the present parks should be improved with picnic facilities, comfort stations, pavilions, etc.

I am a proponent of aesthetic beauty, preservation of natural setting, and against the concept of desecrating anything sacred. I am an individual who strongly believes in free enterprise ... a small man with an idea and plan believing a truly worthwhile project can be developed with the property. I have been offered many times the price of the land for which I paid for, but it is not my wish to sell the land to see it ruined by shoddy development. The hopes, plans, and dreams I have for the land is something for the entire State to be proud of and to enjoy.

It is believed that the proponents for retaining the land for aesthetic values should not enter into the argument. The Land Use Commission is not an agency to carrying the argument for the Parks Board or the advocates of preserving natural beauty. The question should be decided whether or not the land is suitable for agricultural purposes. The land has not been ever used for agricultural purposes, is not being used for such purposes, and can never be used for agricultural purposes.

The Staff Report prepared by the Land Use Commission comments that the greater portion of the land is not suitable for urban use. That contention is subject to argument. But the suitability for agricultural use is even less.

In a report prepared by Harland Bartholmew and Associates, and Belt, Collins and Associates, Ltd, in 1960, in accordance with a contract given them by the State Planning Office to study "Visitor Destination Areas in Hawaii" (Part 3 Study), the recommendation for the Haleiwa-Waimea area is for a Resort region.

The State of Hawaii is doing everything possible to promote the tourist industry as the leading industry. It has expended millions of dollars for public improvements for that purpose. With the facts being as such, I feel encouragement should be given in that direction to promote facilities for tourism. Some of the facilities for tourism in this area are the Kahuku Golf Course, Waimea Valley and falls - for swimming, hiking, horseback, picniking, and fishing at Sunset Beach. Other points of interests are the Wailua Sugar Mill tour, the Heiau (historical site) located atop Pupukea, Laie Polynesian Village, and the Mormon Tabernacle.

There are no facilities to accommodate our local residents to spend a weekend or vacations here on Oahu, other than Waikiki. Of over 300,000 people living in Honolulu, the majority of them cannot afford to take outside island trips for vacations. But the land I have is within driving distance for all of them.

The project I have in mind will not be haphazard. It will be first class but not high class.

The study made by John F. CHILD HAWAII, recommends the land be developed in one entirety, that it should not be divided or separated.

In no way will any of the cottages or buildings obstruct anyone's view. The cottages will be situated in a manner where the view from the pāhi adjoining the heiau will be attractive that will blend with the atmosphere.

My original plan was to move unto the property second-hand houses and quonsets, charging low rentals as I considered my property remote and of little use. However, I have studied the location and have hired professional services to make preliminary studies of the property. The recommendation of the professionals and my conclusion is that there is a great potentiality for the property. Planning must be skillful and approached cautiously.

I pondered the question....what is the best usage for my property? How can the property best serve myself and the public? What should be the prime consideration of and for the property? Is the State and City & County truly interested in the property, and do they have the necessary funds to purchase it to develop and improve the land? If so, how soon can they start? Or will the issue fade away after the proponents of beauty and aesthetic values expressed their sentiments; thus leaving the land barren and idle in its present state?

It is interesting to know what plan the proponents of aesthetic values would choose, my original plan, or the plan I have proposed before the Land Use Commission.

With imagination and purpose of mind, the development of my land can be truly an accomplishment. The ultimate result can have far reaching effects for the good and benefit for everyone.

I believe the Land Use Commission should judge and decide the issue between Agricultural and Urban. The merits should be weighed between the two zonings mentioned.

I place my faith and trust with the Commission that it will decide fairly, honestly, and without bias.



BOARD OF PUBLIC PARKS AND RECREATION

CITY AND COUNTY OF HONOLULU

CITY HALL ANNEX

HONOLULU 13, HAWAII, U.S.A.

October 3, 1962

10 A(1) 62-15
344
Sent to
Commissioner
RECEIVED
OCT 5 1962
State of Hawaii
LAND USE COMMISSION

State Land Use Commission
426 Queen Street
Honolulu, Hawaii

Gentlemen:

Subject: Proposed Zoning Change (Owen
Petition) at Waimea Bay, Oahu

It is our understanding that your commission is now considering a petition, filed by Mr. Philo Owen, for a change in the interim zoning boundaries of land overlooking the Waimea Bay beach.

Please be advised that the City and County of Honolulu has begun acquisition of the beach area for public park purposes and is currently proceeding with planning of this major recreation facility which would constitute another important link in our "round-the-island" chain of beach parks. As such, it would complement the State's park and historic preservation plans for the adjacent upland area.

Please be advised that this department feels that the future desirable land use for the Waimea Bay area is for public park and recreational purposes, and that such development should desirably include the entire Owen parcel.

It is our feeling that there is no justification for an urban district for the Owen parcel and that it is in the public interest for the area to remain in the interim agricultural district.


Yours very truly,

DAS/jf

cc: City Planning Department


D. A. SEELEY, Director
Planning & Construction Division

APPROVED:


HARRY S. KUWADA, Deputy Director
Department of Parks & Recreation

THE OUTDOOR CIRCLE
1839 ANAPUNI STREET
HONOLULU 14, HAWAII

Do not reproduce
to A(7)62-15-113-11
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OCT 5 1962
State of Hawaii
LAND USE COMMISSION

October 4, 1962

Mr. Edward C. Bryan, Chairman
State Land Use Commission
426 Queen Street
Honolulu, Hawaii

Dear Mr. Bryan:

The Outdoor Circle was most gratified in 1961 with the passage of Act 187 relating to the protection and zoning of land for conservation, agriculture and urban uses. We felt then, and still feel that it was a much needed step forward in the preservation of Hawaii.

Now we are concerned about the proposed reclassification of the cliffs above Waimea Bay, requested by Mr. Philo Owen. It is one of our most beautiful and unique scenic areas with the beach and cliffs, as well as the nearby heiau. There are only a limited number of attractive places still easily available around the Island for parks, and they should all be preserved rather than marred by commercial developments.

Therefore, The Outdoor Circle urges that you disapprove the petition for reclassification, or, at least, delay it until the State Parks Department and the City and County Parks and Recreation Department have had an opportunity to explain and publicize their plans for the area.

Yours sincerely,

Virginia L. Davis

Mrs. Charles H. Davis
President

Hawaiian Trail
and Mountain Club
Box 2238 Honolulu 4
Hawaii

339
Sent to Commissioner
to Owens file
17

Oct. 4, 1962

State Land Use Commission
426 South Queen Street
Honolulu 13, Hawaii

Att: Mr. R. J. Darnell

Gentlemen:

The Hawaiian Trail and Mountain Club considers the Waimea Bay-Puu O Mahuka Heiau area of great recreational, aesthetic and cultural importance, an area where no land uses or projects should be permitted that would tend to impair its value and best use as a scenic park area.

With regard to the project proposed by Mr. Philo Owens it appears that impairment of the value of the surrounding area for park purposes, chiefly from the aesthetic standpoint, would result. The integrity of this entire Bay-Heiau area for its park values should certainly be maintained.

The Club therefor urges disapproval of Mr. Owens' request for changing the classification of his land at Waimea Bay from "Agricultural" to "Urban".

Very truly yours,

David C. Sanford

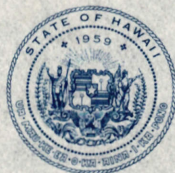
David C. Sanford
Conservation Chairman

RECEIVED

OCT 4 1962

State of Hawaii
LAND USE COMMISSION

WILLIAM F. QUINN
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P. O. BOX 621
HONOLULU 9, HAWAII

October 4, 1962

Mr. R. J. Darnell, Executive Officer
Land Use Commission
426 Queen Street
Honolulu 13, Hawaii

Dear Mr. Darnell:

With reference to the petition of PHILO OWEN (A(T) 62-15), for change of Temporary District Boundary to reclassify certain property at Waimea, Koolauloa District, Oahu, from an Agricultural district to an Urban district classification, the State of Hawaii, through its Department of Land and Natural Resources, being an adjacent owner, wishes to make the following statement:

The State Parks Division considers the Puu O Mahuka State Historic Site to be one of the most important prehistoric areas on Oahu, being the largest heiau on the island, of great importance in past history, and yet in a remarkable state of preservation. It is vital to public enjoyment and appreciation of this site that there be no uses of adjacent lands that unduly disturb its setting.

An important aspect contributing to the value of this site, second in importance to the qualities of the site itself, is the open character of the surrounding land, being that area visible from and in the near vicinity of the heiau. This aspect is important because it resembles the land character which probably prevailed centuries ago and is thus essential to adequate public appreciation of the full historic value of the site. It is assumed that this open character is fairly adequately protected by its present classification as Agricultural district, and that a change to Urban district would allow development of an intensity and character that could seriously depreciate the public value of the heiau site.

The Parks Division, therefore, opposes any change in classification allowing a land use which might adversely effect the desirable open aspects of the lands in the immediate vicinity and comprising the general setting of the Puu O Mahuka historic site.

Very truly yours,

E. H. COOK
Director

338
Letter sent to Commission
to Owen file

DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

RECEIVED
OCT 4 1962

LAND USE COMMISSION

September 10, 1962
2742-A Terrace Dr.
Honolulu 14, Hawaii

State of Hawaii
Land Use Commission
426 Queen Street
Honolulu 13, Hawaii

Dear Sirs:

This letter is to explain what I plan to do with my property at Waimea-Pupukea of Tax Map Key 5-9-05-21.

For the lower section below the Waimea Trig Station, I plan to put up a motel, possibly 50 to 60 units of 3 stories, with all of the rooms overlooking Waimea Bay. A swimming pool would be situated between the 3 story building and the highway, also overlooking the bay.

To the rear of the motel structure next to the Catholic Church property would be the parking area.

Fronting Kam Hiway next to the church would be shops, consisting of photo & camera shops, clothing shop, flower shop, gift shop, etc.

At the Waimea Trig Station would be a restaurant and cocktail lounge overlooking Sunset Beach, Waimea Bay, and miles of shoreline towards Haleiwa and Kaena Point. Access to the Trig Station would be by means of a cable car from the parking lot area.

Along the top of the property extending toward Waimea Valley would be single cottages situated along the pali. All of these single cottages placed alongside each other would offer a panoramic and incomparable view overlooking Waimea Bay & Valley. Access to these cottages along the pali would also be by means of a cable car running to the rear of the cottages. (Similar to Hanalei Plantation House on Kauai)

The plan which I have expressed are solely my own, in that I have not consulted an architect or engineer as yet.

Because the land cost to me is nominal, I feel that it would be practical to expend capital towards improvement of the land for such a project. If the land cost was high, then I believe the project which I have in mind would be prohibitive.

Your favorable consideration given my request for rezoning from agricultural to urban would be greatly appreciated.

Sincerely,

Phil Owen
Philo OWEN

county

COUNCIL MEMBERS

Maeda Del. Chairman of Planning Office
Ernest N. Haen, Vice Chairman
Matsuo Takahashi, Town Leader

Clason Y. Chikashige
Richard M. Kageyama
Harman C. P. Loeke

William K. Amodeo—District 1
Yoshio Nakamura—District 2
Ben F. Kelle—District 3

EMPEROR A. HANAPI
City Clerk

Refer to
M-819 (1962)

CITY COUNCIL

September 12, 1962

Mr. R. J. Darnell
Executive Officer
Land Use Commission
426 Queen Street
Honolulu 13, Hawaii

Dear Sir:

Your communication of August 29, 1962 requesting comments and recommendations on matters within the County of Honolulu pending before the Commission, and scheduled for public hearing on September 19, 1962, at 8:00 p.m. in the Land Use Commission Hearing Room, and enclosing copies of a petition for change of Temporary District Boundary and an application for Special Permit, respectively: that of Philo Owen in the Koolauloa District, and that of Dee Gibson in Waimanalo, Koolauloko, was referred to the Committee of the Whole at yesterday's meeting.

Respectively,

CITY COUNCIL

By

EMPEROR A. HANAPI
City Clerk

ert

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SEP 13 1962

State of Hawaii
LAND USE COMMISSION

PUBLIC WORKS: Roads, Bridges, Public Buildings, Water, Sewer, Automotive Equipment and Traffic

Richard M. Kageyama, Chairman; Ben F. Kelle, Vice Chairman; Maeda Del. Member; Ernest N. Haen, Member; Matsuo Takahashi, Member

FINANCE: Public Development, Public Health, Public Safety, Public Buildings, Parks and Recreation

Harman C. P. Loeke, Chairman; Clason Y. Chikashige, Vice Chairman; William K. Amodeo, Member; Matsuo Del. Member; Yoshio Nakamura, Member

NEAL S. BLAISDELL
MAYOR



CITY AND COUNTY OF HONOLULU

PLANNING DEPARTMENT
HONOLULU HALE ANNEX
HONOLULU 13, HAWAII

August 8, 1962

PLANNING COMMISSION
GEORGE F. CENTEIO, CHAIRMAN
THOMAS N. YAMABE, II, VICE-CHAIRMAN
FRANK W. HUSTACE
WILLIAM R. NORWOOD
CYRIL W. LEMMON
BUDGET DIRECTOR, EX-OFFICIO
MANAGING DIRECTOR, EX-OFFICIO
ZONING BOARD OF APPEALS.
R. GIBSON RIETOW, CHAIRMAN
HENRY C. H. CHUN-HOON, VICE-CHAIRMAN
HAROLD K. KOMETANI
PLANNING DIRECTOR
FREDERICK K. F. LEE

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AUG 9 1962

State of Hawaii
LAND USE COMMISSION

Land Use Commission
State of Hawaii
426 So. Queen Street
Honolulu 13, Hawaii

Gentlemen:

SUBJECT: Petition for Amendment of Temporary
District Boundary
Koolauloa - Pupukea, Paumalu
Tax Map Key: 5-9-05: 21 & 23
Applicant: Philo Owen

Transmitted herewith is a petition for the amendment of temporary district boundary respecting the County of Honolulu, Island of Oahu, to change the district designation from agricultural to urban district, for parcels of land situated at Pupukea, Paumalu, District of Koolauloa.

The Planning Commission at its meeting on Thursday, August 2, 1962, after considering the Planning Director's report and recommendation, voted to recommend approval to the application with the following modifications:

1. Area - Tax Map Key: 5-9-05: 21

Portion of the area westerly of Waimea Triangulation Station be designated Urban and the remaining area be retained for agriculture;

August 8, 1962


2. Area - Tax Map Key: 5-9-05: 23

A strip of land 20 feet wide for a roadway, containing 1.12 acres, be retained in agriculture.

The Planning Director reported to the Commission, after investigation of the area, that the front portion of said parcel is fairly level and can be utilized for urban use. The back portion, however, is too steep and not suitable for urban use, and therefore, should be retained in agricultural designation. Although no general plan exists for the area this portion of the property is proposed for park use.

Very truly yours,

PLANNING COMMISSION

By 
Frederick K. F. Lee
Planning Director

RT: da

Encls - Petition
Check (\$50.00)

Ref. No. LUC 146

August 29, 1962

The Honorable Members of the City Council
City and County of Honolulu
Honolulu Hale
Honolulu, Hawaii

Attention: The Honorable Masato Doi, Chairman
and Presiding Officer

Gentlemen:

I have been asked by the Land Use Commission to solicit your comments and recommendations on matters within the County of Honolulu pending before the Commission, and scheduled for public hearing on September 19, 1962, at 8:00 p.m. in the Land Use Commission Hearing Room, 2nd Floor, 426 Queen Street, Honolulu, Hawaii.

Enclosed are copies of a petition for change of Temporary District Boundary and an application for Special Permit, respectively: that of Philo Owen in the Koolauloa district, and that of Dee Gibson in Waimanalo, Koolauloko.

The Land Use Commission would appreciate your written recommendations and/or comments prior to the proposed date of the hearing or up to fifteen days following the date of the hearing. Further, the Commission invites your attendance at the hearing.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Enclosures
WM:ak

Ref. No. LUC 145

August 29, 1962

The Honorable Neal S. Blaisdell, Mayor
City and County of Honolulu
Honolulu Hale
Honolulu, Hawaii

Dear Mayor Blaisdell:

I have been asked by the Land Use Commission to solicit your comments and recommendations on matters within the County of Honolulu pending before the Commission, and scheduled for public hearing on September 19, 1962 at 8:00 p.m. in the Land Use Commission Hearing Room, 2nd Floor, 426 Queen Street, Honolulu, Hawaii.

Enclosed are copies of a petition for change of Temporary District Boundary and an application for Special Permit, respectively: that of Philo Owen in the Koolauloa district, and that of Dee Gibson in Waimanalo, Koolauloko.

The Land Use Commission would appreciate your written recommendations and/or comments prior to the proposed date of the hearing or up to fifteen days following the date of the hearing. Further, the Commission invites your attendance at the hearing.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Enclosures
WM:ak

other

STATE OF HAWAII
DEPARTMENT OF PLANNING & RESEARCH
HONOLULU, HAWAII
MEMORANDUM

Date _____

To OWEN FILE

From _____

Subject _____

AGENCIES NOTIFIED AUG. 29, 1962

1. Land and Natural Resources
2. Department of Transportation
3. Department of Health



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY BUILDING
869 PUNCHBOWL ST., HONOLULU 13, HAWAII

3.5857

Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii

Attention: Mr. R. J. Darnell, Executive Officer

Gentlemen:

This is in reply to your communication to our department dated August 29, 1962.

We deeply appreciate your invitation to attend the hearings or to transmit any pertinent comments and/or recommendations that we may have.

Please be informed that we have no comments or recommendations to make relative to the parcels listed in the above-referenced communication but certainly would like to be informed of future applications for changes in land classification inasmuch as they may affect our highways, harbors or airport plans.

Very truly yours,

A. A. SOUSA
Property Management and
Acquisition Officer

Ref. No. LUC 154

August 30, 1962

Mr. Philo Owen
2742-A Terrace Drive
Honolulu, Hawaii

Dear Mr. Owen:

This is to inform you of a public hearing called by the Land Use Commission of the State of Hawaii on September 19, 1962 at 8:00 p.m. in the Land Use Commission Hearing Room, 2nd Floor, 426 Queen Street, Honolulu, Hawaii. Your petition for change of Temporary District Boundary will be heard at that time.

Publication of Legal Notice of hearing appeared in the Honolulu Star-Bulletin on August 30, 1962.

Very truly yours,

R. J. DARNEILL
EXECUTIVE OFFICER

WM:ak

NOTICE OF PUBLIC HEARING

TO CONSIDER PETITION FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY AND
APPLICATION FOR SPECIAL PERMIT WITHIN THE COUNTY OF HONOLULU, BEFORE
THE LAND USE COMMISSION OF THE STATE OF HAWAII

NOTICE IS HEREBY GIVEN of the public hearing to be held by the Land Use Commission of the State of Hawaii in the Land Use Commission Hearing Room, 2nd Floor, 426 Queen Street, Honolulu, Hawaii, on September 19, 1962, at 8:00 p.m., or as soon thereafter as those interested may be heard, to consider a petition for change of Temporary District Boundary and an application for Special Permit within the County of Honolulu as provided for in SECTION 2, Sec. 6, Act 187, Session Laws of Hawaii, 1961.

Application for Special Permit to be heard:

<u>Docket Number and Applicant:</u>	<u>Tax Map Key</u>	<u>Permission Requested</u>
SP(T) 62-20	4-1-13: 2	Construct and operate food-serving and bar facility.

Petition for Change of Temporary District Boundary to be heard:

<u>Docket Number and Petitioner</u>	<u>Tax Map Key</u>	<u>Permission Requested</u>
A(T) 62-14 Philo Owen	5-9-05: 21 & 23	Change from an Agricultural district to an Urban district classification.

Maps showing the area under consideration for change of Temporary District Boundary and the area under consideration for Special Permit and copies of the rules and regulations governing the application for the above are on file in the offices of the City and County Planning Commission of Honolulu and the Land Use Commission and are open to the public during office hours. All written protests or comments regarding the above petition and application may be filed with the Land Use Commission, 426 Queen Street, Honolulu, Hawaii before the date of public hearing, or submitted in person at the time of the public hearing, or up to fifteen (15) days following this hearing.

LAND USE COMMISSION

(Legal ad - 2 cols. w/border)
(To appear August 30, 1962)
(THE HONOLULU STAR-BULLETIN)

E. C. BRYAN, Chairman
E. C. BRYAN

R. J. DARNELL, Executive Officer
R. J. DARNELL

LUC File A(T)- 15

Petitioner: Philo Owen County Honolulu

Date petition and fee
received from County
with recommendation: 8-9-62

Suspense date for LUC action: 12-6-62

Publication of hearings

Dates

Newspaper

Aug 30/62 Honolulu STAR-Bulletin

Hearings

Date

Place(s)

By

Sept. 19, 1962 LUC Hearing Room LUC

Actions

Dates

Actions

By

11-20-62 APPROVE STAFF recommendation LUC

Notes:

LUC Survey: 9-6-62

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

RECEIVED
CITY PLANNING COMM.

1962 JUN 21 PM 3 41

This space for County or DLNR use

Date Petition and Fee received
by County or DLNR June 21, 1962

Date forwarded to LUC
with recommendation Aug. 8, 1962

Date Petition, Fee and
County/DLNR recommen-
dation received by LUC 8-9-62

PETITION FOR AMENDMENT OF TEMPORARY DISTRICT BOUNDARY

(We) hereby request an amendment of Land Use Commission Temporary District Boundary respecting the County of Honolulu, Island of Oahu, map number and/or name Waimea, 0-3 to change the district designation of the following described property from its present classification in a(n) agricultural district into a(n) URBAN district.

That parcel of land described in and covered by Land
Description of property: Patent Grant No. 6789 to Theodore Baumann, situate at Pupukea-Paumalu, District of Koolauloa, Oahu, containing area of 10.1 acres, together with a strip of land 20 feet wide for a roadway, containing 1.12 acres. (Tax Map Keys 5-9-05-21 and 23 respectively)

Petitioner's interest in subject property:

Purchaser under Agreement of Sale from Kong Him Au and Chang Shee Au, dated July 6, 1960, recorded in Bureau of Conveyances in Liber 4078, page 1.

Petitioner's reason(s) for requesting boundary change:

The land is completely incapable of being put to agricultural use. It consists mostly of rocks and the bulk of the property is a steep slope. It is, however, suitable for resort development.

- (1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

- (2) The petitioner will attach evidence in support of either of the following statements (cross out one):

(a) The land is not usable or adaptable for use according to its present district classification.

(~~b~~) Conditions and trends of development have so changed since adoption of the present classification, that the present classification is unreasonable.

Signature(s) Phil Owen

Address: 2742-A Tanager Dr. Honolulu

Telephone: 983369

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AUG 9

1962

State of Hawaii
LAND USE COMMISSION

Telephone:

Address:

Signature(s)

Introduction:

(1) The Board of Land and Natural Resources, hereinafter referred to as the Board, has the honor to acknowledge the receipt of your letter of the 1st day of July, 1962, regarding the proposed subdivision of the land described in the attached plat.

(2) The Board has considered the application and the plat and has determined that the same comply with the requirements of the Land Use Commission Act.

(3) The Board has also considered the comments of the public and has determined that the same do not require further action.

(4) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(5) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(6) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(7) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(8) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(9) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(10) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(11) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(12) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(13) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

(14) The Board has determined that the proposed subdivision is in accordance with the provisions of the Land Use Commission Act and the rules and regulations of the Board.

LETTER FOR APPROVAL OF SUBDIVISION PLAT

1962

STATE OF HAWAII

1962

August 9

1962

Received from Philo Owen

Seventy & 10/100

Dollars

100

For Bal. Hearing by LHC for

Temporary Brooklyn Charge

\$

50.00

Debit to the

Made in U. S. A.