WOLTERS, James H. A(T) 63-37


P U N A L U U
SEC. 3
Puu Pauao
WAHIAWA
ZONE 7
Kila Peak
Kahana - Punaluu Ridge
Forest Reserve Line
TRUE NORTH
1" = 1000'
01
02
03
04
05
06
C
A
U
Nana
KAHANA BAY
Stream
PUU o MAHIA
KAHANA
K A H A N A
LD. CT. APP. 285
TOTAL AREA OF AHUPUAA OF KAHANA - 5267.0 Acs.
Exceptions & Reservations (1 Ac in error) - 110.18 "
TOTAL AREA OF LD. CT. APP. - 285 5156.82 "
Forest Reserve Line
W A I A N A E
ZONE 1
KOOLAU RANGE
KOOLAULOA EWA DISTRICT BDY
HAUULA FOREST RESERVE
3020.0 ac. Net Forest Reserve
Puu o Kikila
Puu Kaaumakua
WAIPIO
ZONE 7
Waikane - Kahana Ridge
KOOLAULOA - KOOLAUPOKO DISTRICT BDY
Puu Koiele
W A I K A N E
ZONE 4 SEC. 8
WAIAHOLE FOREST RESERVE
Kahana - Kaaawa Ridge
Manamana
K A A A W A
ZONE 5 SEC. 1
Puu OHULEHULE
H A K I P U U
ZONE 4 SEC. 9
Dwg No 271
By: H.T. Oct. 1932
Source: Survey Dept. Ld. Ct. App.
Appr. by:
Revised by:
Appr. by:
Tax Maps Branch
Tax Office Bldg.
Honolulu, Hawaii
FIRST DIVISION
ZONE 5
SEC. 2
CONTAINING PLATS
Scale: 1 in. = 1000 ft.
3971
ADVANCE SHEET
SUBJECT TO CHANGE
PRINTED

LAND USE COMMISSION
STATE OF HAWAII

Minutes of Meeting

LUC Hearing Room

Honolulu, Hawaii

7:30 P. M. - January 17, 1964

Commissioners Present:	C.E.S. Burns James P. Ferry Goro Inaba Shelley Mark Shiro Nishimura Myron B. Thompson Charles S. Ota Robert G. Wenkam Leslie E. L. Wung
Staff Present:	Raymond Yamashita, Executive Officer Roy Takeyama, Legal Counsel Richard Mar, Field Officer

The Land Use Commission, having adjourned at a dinner meeting from 5:00 p.m. to 7:00 p.m. at the Tropics, reconvened at this time and place.

The Chairman called the meeting to order and swore in those persons who would be participating in the matters for action before the Commission.

PETITION OF CADINHA LAND INVESTMENT COMPANY (A(T)62-21), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARIES FROM AGRICULTURAL TO URBAN DISTRICT CLASSIFICATION FOR LANDS IN MAILE: Described as TMK 8-7-03: 10.

The Executive Officer gave a brief summary of the petition before the Commission. He stated that the staff recommended approval of this petition and the County recommended denial. He stated that no additional comments or protests were received since the public hearing. In answer to a question posed by Commissioner Wenkam, the Executive Officer stated that there are no dedicated lands in the immediate vicinity of this request.

Mr. Cadinha stated that the Company would not be developing themselves. He stated that there was no buyer at present because of the long delay on their petition. He was certain though that they would be able to secure buyers as soon as their petition was granted. He informed the Commission that there was sufficient water in the area; a school recently just built; and utilities and facilities that were adequate.

In respond to Commissioner Ferry's question concerning the proposed lines in the area, the staff was requested to make further study on how much of the land in the area should be utilized for urban at this time and to submit its recommendation on a proposed boundary line for the area at the time the Commission considers the proposed final district boundaries.

Commissioner Burns moved to accept the staff's recommendation on the petition; seconded by Commissioner Wenkam. The Executive Officer polled the Commissioners. Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Mark, Ferry and Chairman Thompson. Disapproval: None.

PETITION OF EUGENE AND EVA KENNEDY (A(T)62-37), FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARIES FROM AGRICULTURAL TO URBAN DISTRICT CLASSIFICATION FOR LANDS IN LANIKAI: Described as TMK 4-2-03: Por. 1.

The following background information was submitted by Mr. Yim. Mr. Yim stated that in 1958 the Kennedys, representing a hui of 85 small investors, bought about 88 acres of land in Lanikai. It was hillside land which adjoined an area that had been developed for residential use or 10,000 sq. ft. lots. This land itself was zoned double A residential. They had hoped to develop it into a profit by some day developing it themselves. In October 1961, the Kennedys representing the hui applied to the City Planning Commission to subdivide approximately 28 of those 88 acres into double A residential subdivision. (Mr. Kennedy identified this 28 acres as immediately adjoining the already developed portion of the hillside as Unit I of this Tract.) The Planning Department was supposed to either approve or disapprove this subdivision within the given period of time, but the City wanted more time to study it. There were two extensions of time granted and agreed to between the Kennedys and the Planning Department for acting on this subdivision. In the meantime the Kennedys were asked to redesign some of their roadways in the subdivision and to develop plans for a sewage treatment plant and domestic water service facilities. These were done at a considerable expense, and just when they thought they had everything resolved, they got this letter in May 1962 from the Planning Director that the temporary boundaries had been established and nothing more could be done on this Unit I. It seemed that the temporary boundaries bisected Unit I, although it wasn't clear at the time just where it ran. The Planning Director was very sympathetic because of all the work that had been done, but there wasn't much he could do about it. It was in late 1962 that the Kennedys filed a petition with the Land Use Commission to amend the district boundary which bisected Unit I, making the lower portion urban, and the upper portion agricultural. The Kennedys petitioned the Land Use Commission to take the entire whole 88 acres out of an Agricultural classification and put it in an Urban district. The previous Land Use Commission had a hearing in March of 1963. The Commission was informed that Mr. Kennedy has been a real estate broker and developer for ten years; that there was a shortage of fee simple homesites on the island of Oahu particularly in the area in question; that there was no market for agricultural lands in that

area; that they had consulted with Dr. Nunns, Land Study Bureau of the University of Hawaii, whose staff had surveyed the area and found that the land which they termed as scrubby brush land, was very poor agricultural quality, where not even specialty orchard crop could be grown; that they had checked with the Forestry Division of the Department of Land and Natural Resources and talked with the Assistant Forrester, Mr. Armett, who indicated that there was no involvement of this land for any conservation program of the State; and that in a letter (which was submitted for record) from Chief Engineer of the City, Mr. Kunimoto, he stated that he believed that the land could be made suitable for residential use. Mr. Yim stated that, however, when they attended the hearing they were confronted with a bombshell from Mr. Lee, Director of City Planning Department, in a letter to the Commission which he indicated that he thought that there were enough homesites in the area and recommended that the entire area be classified in a conservation district. Mr. Yim stated that they immediately "ran over" to Mr. Lee in the Planning Department hoping to come up with a reconcilliation. Mr. Lee's explanation was that their (Kennedys) request was for the entire 88 acres to be classified for urban use. Mr. Lee stated that if they had restricted their request merely to those 28 acres for which their petition for subdivision had been submitted earlier to the Planning Department, his recommendation would have been different. Mr. Yim stated that they had asked for a letter from Mr. Lee to this effect to submit to the Commission (Land Use Commission), but Mr. Lee stated that he did not think it was proper for him to volunteer anything. He stated, however, that if the Commission (Land Use Commission) wanted to discuss the matter with him, he would be happy to "come over". But the Land Use Commission wasn't confirmed and now there is a new Commission.

Mr. Yim stated that upon notification that this petition would again be considered by this new Commission, they amended their petition so that it was restricted merely to Unit I, 28 acres of that portion of the 88 acres for which they had submitted for approval for a subdivision with the City Planning Department earlier; and it is that 28 acres of Unit I for which they are seeking for a classification in the urban district. The temporary district lines run somewhere in the middle of Unit I which are outlined in yellow on the map submitted. Mr. Yim stated that where they did not meet with any objections or resistance at the March 1963 hearing, they were met with numerous objections from the people in the area at the November 30th hearing. Some of the objections voiced at the hearing were: (1) there was a flood control problem - everytime it rains water came down from the hillside; (2) if flood control measures were met, it undoubtedly will run out to the ocean and will cause beach erosion; (3) if the subdivision were developed, the sewage disposal facilities would involve sewage outfall into the ocean and this would pollute the beaches; and (4) having land in its natural state was better than having it developed. Mr. Yim stated that their answer to these objections is that they are unwarranted indictments of our city administration. Mr. Yim stated that in approving a subdivision, flood control is considered. If there is a flood control problem, having a portion of the hillside subdivided can only improve the situation. To say that this necessarily will create a pollution problem of the water, is to say there can't be anymore subdivisions on this island, because there is no other place for sewage outfalls to go but into the ocean. To say that sewage outfall into the ocean is going to pollute the water, is to say that the State Department of Health

and County Department of Health
have no consideration for the public interest. In considering the Conservation question, Mr. Yim stated that he did not know whether the area concerned could be used for any of the Conservation purposes which the Act spells out. He stated that the conservation districts are for improving areas necessary for protecting watersheds and water sources - he did not think this would concern this area; preserving scenic areas - he referred to Dr. Nunns description of the area as scrubby brush land and stated that these hillside homesites would improve this land in its natural state and provide a more pleasant view to see. In considering the Agricultural question, Mr. Yim stated that this land isn't useable for any of the established agricultural purposes. Mr. Yim invited the Commissioners to review the area in person and requested a possible continuance in order that they may do this. In considering Mr. Lee's statement that there are enough homesites in the area, Mr. Yim stated that he was sure Mr. Lee was referring to leasehold and fee simple homesites as one package. Mr. Yim stated that he felt that fee simple homesites were more desirable for a community than leasehold and apartment sites.

In reply to a question posed by the Chairman, Mr. Yim stated that they have held two discussions with the City Planning Department on the 28 acres which they are requesting for a boundary change at this time. One discussion was held before the March 1963 public hearing; and another discussion, before the November 30th public hearing in 1963. Mr. Yim stated that during the time of both of these discussions Mr. Lee had indicated that his recommendation would have been different if the petition were restricted to Unit I; that he was willing to work with us on this subdivision; and that he felt that a subdivision was feasible, excluding the pali areas.

In reply to questions posed by Commissioner Ferry, Mr. Yim stated that he was referring to lands in Lanikai which were not on the market and available for new home building. He stated concerning the traffic flow problem, he could not speak intelligently on the matter but would assume that the City Planning Commission in approving a subdivision, would obtain a report and recommendation from the Traffic Engineer's Office.

In reply to questions posed by Commissioner Nishimura, Mr. Yim stated that the area in question is serviced by cesspools, but that they would put in a sewage treatment plant which would meet the requirements of the Board of Health.

Commissioner Ferry stated that the Lanikai area is scheduled to have sewers about now, that they were about 2 years behind. He stated that it would be his guess that the developers of this 28 parcels would not invest in a sewage treatment plant because timing would be such that their development would be just about the time that Lanikai would have their sewers.

Mr. Yim confirmed Commissioner Ferry's statements and stated that in 1962 when they spoke to the City Sewers Department, they told them that they had made a survey in this area and had asked the people if they wanted an improvement district for sewers, and the people's reply was that even though they were having cesspool problems they did not want a sewer improvement district in there. The Kennedys then were willing to put in a permanent sewage treatment plant for their subdivision.

The Executive Officer presented the following communications (for the record) which were received since the hearing:

1. A letter from Mr. Yim summarizing the Kennedys' case.

2. A letter from the Lanikai Association (Mr. Fred W. Bennion, President), opposing to the subdivision and requesting that the Commission reclassify the lands in question to Conservation.

The Executive Officer stated that the staff's recommendation was for denial in concurrence with the County's recommendation for denial. The Executive Officer stated that the recommendation that was received from the County and denying the petitioners' request was for the original petition and the whole 88 acres. The Executive Officer submitted that the staff did not request the County's recommendation on the petitioners' amendment for only the 28 acres. The staff was requested to follow through on this and to communicate with the County.

Commissioner Wenkam who was not in complete accord with Mr. Yim's remarks, asked Mr. Yim if he had gone back to the City (since the November 30th hearing), to discuss with the City the delineated lines in the area which the City felt could be feasible for development? Mr. Yim, who did not know such a statement was made at the hearing, replied that they did not, and requested that this Commission continue this matter, in order that they may follow up on this matter.

Chairman Thompson stated that in all fairness to the petitioners in order that they may have an opportunity to discuss this matter with the City Planning Department, the Commission will defer action on this matter. The Commission will continue this matter on this petition until the petitioners and the City Planning Department can delineate an area that can be agreed upon for resubmittal to this Commission. The petitioners are to keep in close contact with this Commission on this matter.

The action was deferred in the matter of Eugene and Eva Kennedy.

PETITION OF JAMES H. WOLTERS ET AL (A(T)63-37), FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN KAHANA VALLEY: Described as TMK 5-2-01, 02, 03, 04, 05 and 06.

The Executive Officer gave a brief summary on the background of the petition. He stated that the recommendation of the County and the staff was for denial of the petition. He stated that the Land Use proposed lines show the area in Conservation. He presented the following communications all opposing the petition received since the hearing for the record:

1. Letter from the Department of Land & Natural Resources.

2. Letter from Oahu Sugar Company.

3. Letter from the Garden Club.

4. Letter from the Board of Water Supply.

5. Letter from the Mountain and Trail Club.

Chairman Thompson stated that a question was raised at the hearing concerning the appropriateness of this petition submitted by Mr. Wolters. The Chairman stated that Mr. Wolters has signatures of 68% of the owners of this particular area and therefore would assume that Mr. Wolters petition is appropriate. (A letter from the Attorney General's Office confirms this statement which is on file.)

Commissioner Ferry moved to deny the petition which was seconded by Commissioner Nishimura.

Discussion: The following bases for denial were given - This Commission is working for the State; State plans development in this Valley and feels it will be the major park in the State. The present State Park policy is to develop a major park in each County. Kahana Valley will be the major park in the City and County of Honolulu. The area is under extensive planning by the State to the extent where appropriations have been made to carry this Plan out.

This Commission has acted upon the districting of this area for the proposed final district boundaries and has classified the area as Conservation which in itself constitutes a legitimate reason.

The Executive Officer polled the Commission. Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Mark, Ferry and Chairman Thompson. Disapproval: None.

PETITION OF SENSUKE UEUNTEN (A(T)63-35), FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARY FROM AGRICULTURAL DISTRICT TO URBAN DISTRICT CLASSIFICATION FOR LANDS IN KALAHEO, KAUAI: Described as TMK 2-3-2: 42.

A summary of the petition was given by the Executive Officer. The staff recommendation was approval of the petition but not as an endorsement of the petitioner's plans to subdivide. The County's recommendation was for approval. The Commission's proposed lines show the area in Urban.

The Executive Officer stated that there were no communications received since the hearing.

Commissioner Wung moved to approve the staff's recommendation which was seconded by Commissioner Nishimura. The Executive Officer polled the Commissioners. Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Mark, Ferry and Chairman Thompson. Disapproval: None.

PETITION OF THE DEPARTMENT OF LAND & NATURAL RESOURCES (A(T)63-41), FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN WELIWELI, KAUAI: Described as TMK 2-8-22.

A brief summary of the petition was presented by the Executive Officer. He stated that the staff and the County recommended approval of the petition. The Commission's proposed lines show the area in Urban. No additional communications were received since the hearing.

Commissioner Burns moved to accept the staff's recommendation and reasons outlined in its report; seconded by Commissioner Inaba. The Executive Officer polled the Commissioners. Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Mark, Ferry and Chairman Thompson. Disapproval: None.

Request for Additional Per Diem by Commissioner Wenkam

It was the general consensus of the Commission that Commissioner Wenkam request was not in consistent with the policy of the Commission. The Commission's policy in essence encourages that field inspections, investigations or other land use activities be made at the time an official meeting or hearing is scheduled for a particular county by the Commission; and that per diem would be issued. Any other traveling status other than the time an official meeting or hearing is called would not be considered official and basis for per diem.

Motion for Withdrawal by Chairman Thompson

Chairman Thompson stated that he would like to have his statement to withdraw his vote on the motion concerning Pukalani placed on record which had no effect at the time it was stated on 12/20/63 as the Commission was still in executive session. Chairman Thompson stated that the vote on the motion concerning Pukalani still stands 6 to 1, but he would like the record to show that if he were able to vote again, he would withdraw his vote.

Proposed Final District Boundary Maps

The following questions were raised:

When will the proposed final district boundary maps be made available, if not to the public, to the Commissioners themselves? The Executive Officer stated that the staff has set the deadline for the middle or ending of February.

What is the problem? The Executive Officer stated that manpower was the problem.

It was suggested that the Executive Officer inquire at the Land Study Bureau to see if this manpower could be obtained and to look into the problem to see if this additional help is needed or a revision in the time schedule is needed. (This has been done and additional help has been obtained from the Department of Land & Natural Resources; and the staff is planning to meet the deadline as originally set.)

The meeting adjourned at 9:00 p.m.

STATE OF HAWAII

LAND USE COMMISSION

VOTE RECORD

(LA) ASV

ITEM A (T) 63-37 (Wolters)

DATE 1/17/63

PLACE LUC Hearing Room

TIME 8:40 p.m.

NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.	✓			
INABA, G.	✓			
OTA, C.	✓			
WENKAM, R.	✓			
BURNS, C.E.S.	✓			
NISHIMURA, S.	✓			
MARK, S.	✓			
FERRY, J.	✓			
THOMPSON, M.	✓			

COMMENTS: Motion by Ferry to deny petition
Sec by Nishimura.

Ref. No. LUC 51

January 22, 1964

Mr. James H. Wolters
110-308 Westwood Plaza
Los Angeles 24, California

Dear Mr. Wolters:

The Land Use Commission voted to deny your petition in action taken on January 17, 1964. In summary, the denial was based on the following:

1. The proposed urbanization of Kahana Valley is not needed at the present time and would therefore be a contribution to scatteration. The petitioner did not submit proof that the area was required for urbanization.

2. The conservation districting is most appropriate in view of the criteria stated in the law. "Conservation districts shall include areas necessary for protecting watersheds and water sources; preserving scenic areas; providing park lands, wilderness and beach reserves; conserving endemic plants, fish and wildlife; preventing floods and soil erosion; forestry; and other related activities; and other permitted uses not detrimental to a multiple use conservation concept." Kahana Valley has been placed in the conservation district on the proposed final district boundary maps.

3. The proposed urbanization is not in conformance with the State General Plan or the proposed Oahu General Plan. Substantial investments have already been made by government towards implementing this portion of the General Plan.

Although the Land Use Commission has denied your petition, you still have an opportunity to submit a written protest during the Oahu public hearings for the deliberation of final district boundaries tentatively scheduled in March 1964. Act 205 specifically states that "interested owners, lessees,

officials, agencies and individuals may appear and be heard" at the public hearing. The law further states that the public may submit "a written protest or other comments or recommendations" within 15 days following the final public hearing held in the specific county. District boundaries will be adopted in final form within 45-90 days from the time of the final public hearing held in the County.

We hoped that most of the questions that you may have concerning your petition have been answered. If there is anything else we can do for you please let us know at your earliest convenience.

Sincerely,

RAYMOND S. YAMASHITA
Executive Officer

cc: Frederick K. F. Lee
Myron Thompson
Roy Takeyama

Ref. No. LUC 11

January 7, 1964

Mr. James H. Wolters
110-308 Westwood Plaza
Los Angeles 24, California

Dear Mr. Wolters:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Oahu on January 17, 1964 in the Land Use Commission hearing room, 426 Queen Street, Honolulu, Hawaii, at 7:00 p.m.

As the waiting period prescribed by SECTION 98H-4 of Act 205 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. YAMASHITA
Executive Officer

ADDRESS REPLY TO
"THE ATTORNEY GENERAL OF HAWAII"
AND REFER TO
INITIALS AND NUMBER

RYT:hmm

689:5b

CABLE ADDRESS:
ATTGEN

BERT T. KOBAYASHI
ATTORNEY GENERAL

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
HONOLULU

December 31, 1963

RECEIVED
DEC 31 1963
State of Hawaii
LAND USE COMMISSION

Mr. Raymond Yamashita
Executive Officer
Land Use Commission
Dept. of Planning & Econ. Dev.
State of Hawaii
Honolulu, Hawaii

Dear Mr. Yamashita:

Based on the letters of principle signed by the heirs and trustees of Hui-O-Kahana, comprising 68% of the undivided ownership interests, it is reasonable to assume that Mr. James H. Wolters has the authority to represent said Hui before the Land Use Commission.

We deem it inadvisable to dwell into the subject of whether Mr. James H. Wolters is representing said Hui in contravention to its by-laws. Members of the Hui who are of this opinion should seek civil action in a court of competent jurisdiction to either enjoin petitioner from proceeding or seek an order nullifying the action of the Land Use Commission, if unfavorable to them.

Very truly yours,

Roy Y. Takeyama

ROY Y. TAKEYAMA
Deputy Attorney General

cc: Mr. Myron Thompson
Chairman
Land Use Commission

824

MICHAEL CULLEN
LAWYER
902 FARMERS & MERCHANTS BUILDING
PINE AT THIRD
LONG BEACH 12, CALIFORNIA

AREA CODE 213
TELEPHONE
437-2828

December 18, 1963

Mr. Roy Y. Takeyama
Legal Counsel
Land Use Commission
State of Hawaii

Re: 658:5b - Kahana Valley

Dear Roy:

In your letter of December 5 to Mr. James H. Wolters, you requested approvals of at least 51 per cent of the interests involved in the Valley of Kahana.

On March 9, 1962, Mr. Wolters invited his co-owners to join with him in presenting a united front to counteract plans for conversion of the Valley into a State park so that the State would cease looking upon Kahana as raw land. Sixty-eight per cent of the undivided ownership interests returned this letter with signatures indicating their approval. Another eighteen per cent forwarded their approval in separate letters. Xerox copies of all of these signatories are enclosed for your file.

In addition, Mr. Wolters has asked me to forward copies of his correspondence to Mrs. Loy Marks and the other co-owners. Your attention is particularly invited to Mr. Wolters' letter of January 13, 1963, wherein he alludes to a counter-proposal of Mrs. Marks. Mr. Wolters advises that Mrs. Marks has not documented any proposal for development of Kahana Valley and that there is no legislation in Congress requesting any portion of Kahana Valley for a National Botanical Garden project.

Thank you for your courtesy.

Cordially,

Michael Cullen

cc: Myron B. Thompson w/o encl.
Raymond Yamashita w/o encl.
Burnham H. Greeley

615

ROBERTSON, CASTLE & ANTHONY

Law Offices
312 Castle & Cooke Building
P. O. Box 3199
Honolulu 1, Hawaii
Telephone: 571941
Wireless "Hermes" Honolulu

December 16, 1963

Land Use Commission
426 Queen Street
Honolulu, Hawaii

Attention: Raymond Yamashita
Executive Officer

Re: Kahana Valley Application
Boundary Change No. A(T) 63-37

Gentlemen:

On behalf of our client, Mrs. A. Lester Marks, one of the shareholders of the Hui of Kahana, we wish to submit the following protest against any change in the land use classification of the above area from agriculture to urban.

OWNERSHIP:

The December 5, 1963, letter of your legal counsel states that the applicant must submit an affidavit showing representation of 51% of the interests involved or whatever arrangements are provided in the hui by-laws.

The by-laws of the Hui of Kahana, on file with Bishop Trust Company, place management and control of the property in the hands of the hui officers, a president, treasurer and secretary, who are authorized to bring or defend all suits or actions at law in the names of the hui members. Daily management is handled by a manager.

No person or group of persons other than these officers is authorized to speak or act for the hui and even leases of hui realty must be approved by the members at a general meeting in order to bind the hui.

We therefore believe that the application presently before the commission is unauthorized and invalid under the by-laws of the hui and Section 98H-6, R.L.H. 1955, as amended.

LAND USE:

Section 98H-6, R.L.H. 1955, further requires a showing that the area is needed for a use not permissible under the existing classification.

Petitions seek to have this land reclassified for urban usage. It is obvious even without extensive study that Kahana Valley lies far beyond the areas of urban growth on windward Oahu and could not possibly be needed for urban development for many years to come.

In addition, petitioner must show that the land is not adaptable for uses permissible under the present agricultural classification. However, the petitioner himself presented exhibits showing that portions of the land which he seeks to reclassify are in fact devoted to agriculture and the State of Hawaii presented plans to condemn a good deal of the area for park purposes, another use permissible under the present agricultural classification.

We therefore request that this petition be rejected by your commission and that Kahana Valley remain designated for conservation and agricultural use in accordance with the report of your staff.

Very truly yours,

ROBERTSON, CASTLE & ANTHONY

By Burnham H. Greeley
Burnham H. Greeley

BHG:ve

(810)

JOHN A. BURNS
GOVERNOR OF HAWAII

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P. O. BOX 621
HONOLULU, HAWAII 96809

December 10, 1963
DEC 13 1963

RECEIVED
DEC 13 1963
State of Hawaii
LAND USE COMMISSION

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

Dear Mr. Yamashita:

SUBJECT: Petition of James H. Wolters, Et Al. to Change Agriculture District Classification to Urban - Kahana Valley, Oahu

On November 30, 1963, the Land Use Commission held a public hearing at Kailua, Oahu, at which time the above petition was discussed, and Mr. R. C. Dunlap of my staff presented verbal testimony on behalf of the Department of Land and Natural Resources.

The following written statement is submitted for the record in compliance with Chairman M. Thompson's request, and is essentially the same information presented at the public hearing.

The State, through its Department of Land and Natural Resources, plans to establish a State park at Kahana Bay and Valley which would encompass the entire drainage basin of some 5,260 acres which includes the area proposed for change in classification by the subject petition. The action of our Department in establishing a State park at Kahana is an implementation of Legislative policy for the development of our State park system in which at least one large comprehensive park would be provided on each major island. As a result of a thorough study and search for a suitable area, Kahana Bay and Valley was recommended to the Legislature as the park site for the island of Oahu. It is the last important remaining opportunity to meet outdoor recreational needs on this island where the heaviest population concentration in the State is located.

In 1963, the Legislature reaffirmed the above mentioned policy by passing H.B. 1099, and creating the State Resort Facility Law - Act 163.

The State's plan for the development of Kahana very briefly is as follows, bearing in mind that this project would not only provide for recreational pursuits, but also conserve the natural features of the most beautiful valley on Oahu as permanent open space.

Kahana Bay and Valley has more recreational interests than any other area of similar size on this island. For example, the bay backed by one-third of a mile of sandy beach offers a safe swimming area, boating, water

skiing, sun bathing, and fishing (except for konohiki rights). There is historical interest in the fish pond, and early land use of the valley. Kahana stream has the heaviest flow of any stream on the island. It offers extensive opportunities for fresh water fishing, swimming, and boating being over a mile in length. Water could be impounded to form a large lake.

The valley bottom of some 500 to 600 acres is level to gently sloping terrain and can be extensively developed for picnicking, camping, open-space play areas and botanical gardens. Riding and hiking trails can be constructed along the lower valley slopes. Organization camps and camp-out activities can be provided. Sight seeing is excellent as the scenic qualities of the bay and valley cannot be matched elsewhere on Oahu. With relocation of the highway along the bay front, extensive water associated activities can be provided. There is an opportunity for concession operations such as a restaurant, snack bars, riding academy, and cabin lodgings. It is not unreasonable to assume that Kahana can be developed to accommodate 20,000 to 30,000 persons a day or over a million visitations on an annual basis.

The National Park Service has recognized the value of Kahana Bay and Valley as a potential public park in the preliminary draft of their "Hawaii Seashore and Recreation Areas Survey" by referring to it as the most important remaining recreational opportunity on Oahu, meriting wide citizen and Legislative support.

The State feels that in view of future outdoor recreational needs on Oahu, where the day to day demands of the bulk of our population must always be met, it is of great importance that Kahana be acquired and developed in a manner to take optimum advantage of its many scenic and recreational assets.

Over the past several years, the State has taken the following actions to implement the Kahana Valley park proposal:

Act 30, 1962 appropriated $300,000 for acquisition of the privately owned bay front lands. A title search has been made, surveys completed, and an appraisal made. In June, 1963, an Open-Space Land Acquisition Application was submitted by this Department to the Housing and Home Finance Agency for a Federal grant for one-third of the cost of the land. This application is still being reviewed; however, the State has received authority from the Housing and Home Finance Agency to start acquisition proceedings on the basis that this would not jeopardize future Federal participation.

Act 201, 1963 appropriated $30,000 for appraisal of all mauka (remaining) lands, and on November 11, 1963, the Board of Land and Natural Resources approved awarding an appraisal contract. The appraisal would include a financial plan for acquisition of the property or property rights. On October 25, 1963, the Board also approved a capital improvement budget

item of $560,000 for Kahana park as a part of the Department of Land and Natural Resources budget recommendations to the Governor for consideration of the 1963 Legislature. The Kahana Valley park project has had No. 1 priority in our State Park capital improvement budget for the past three years.

Very truly yours,

BOARD OF LAND AND NATURAL RESOURCES

Jim P. Ferry

JIM P. FERRY
Chairman and Member

OAHU SUGAR COMPANY
LIMITED

AMERICAN FACTORS, LTD.
AGENT
HONOLULU, HAWAII
SAN FRANCISCO NEW YORK
TELEGRAPHIC ADDRESS
"AMFACTORS"

P. O. BOX "O" WAIPAHU, HAWAII
TELEPHONE 273-577

ADDRESS ALL COMMUNICATIONS TO
THE COMPANY

December 9, 1963

REF:

The Chairman and Members
Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii

Gentlemen:

RE: PETITION A(T) 63-37 KAHANA VALLEY

Because of the limitation of time at your hearing in Kailua on November 30, 1963, we were not able to make our presentation with respect to the subject petition. In lieu thereof, we are presenting these written comments for your consideration.

The mauka portion of Kahana Valley is an important water development segment of the Waiahole water system which supplies water for irrigating sugar cane in central Oahu. The Waiahole Water Company, Limited holds the lease rights to the water above elevation 774 feet in Kahana Valley under agreements with the Hui of Kahana dated December 21, 1912 and April 15, 1929.

The Waiahole Tunnel and Ditch System completed in 1916 represents one of the major agricultural water systems in the State. It has its beginning in Kahana Valley at elevation 790 feet and extends along the windward side of the Koolau mountain range to Waiahole Valley, thence through the Koolau Mountains to the leeward side and continues to the Honouliuli lands on the slope of the Waianae mountain range. The total length of the water conveyance system is approximately 25 miles, comprised of 11 miles of tunnels, 1½ miles of steel and wooden syphons and 12½ miles of ditches and flumes. In addition, there are four development tunnels with a total aggregate length of almost two miles.

The flow of the Waiahole system averages about 35 mgd (million gallons per day), of which some 6 mgd, or approximately 17 percent, is derived from the Kahana Valley section. The Waiahole water is used to irrigate about 4,000 acres of sugar cane in Central Oahu on land that otherwise could not be agriculturally productive because of the low natural

rainfall. This water has an added value, although not directly measurable, of considerable importance. An estimated one-half to two-thirds of this water used for irrigating cane lands percolates downward to the Pearl Harbor basal water table. This addition of low-chloride mountain water to the somewhat brackish basal water acts as a "freshener" and makes possible the pumpage of a greater amount of useable water from the Pearl Harbor basal water supply.

Water is an essential natural resource which makes feasible the growing of sugar cane on Oahu. Every effort should be made to preserve those forest reserves which serve to increase the rainfall in watershed areas from which water is diverted for this agricultural purpose.

The prevailing winds blowing into Kahana Valley from the shoreline are cooled both by the forested land cover and by rising to higher elevation when they impinge on the slopes of the Koolau mountain range. It is this cooling effect that creates the heavy rainfall in the Kahana watershed area - about 240 inches per year at elevation 800 feet. The removal of this forested cover, either below the Waiahole Tunnel or above, would reduce the annual rainfall and, consequently, the amount of water that could be diverted.

In support of the above, we would like to quote an excerpt from a letter to the Waiahole Water Company under date of January 26, 1926 from the late William Crosby, a long time forester for the Territory of Hawaii:

> "1. The extra heating of the air passing over open ground will reduce the amount of cloud formation and precipitation of rainfall, not only over the areas cleared but the adjacent areas above your ditch line. I have not been able to locate any figures on the extent of this influence as it would require long periods of measurement on a given area before and after removal of the forest cover to secure satisfactory figures, but a public realization of this influence has been one of the strong factors in establishment of forestry practices."

OAHU SUGAR COMPANY
LIMITED
WAIPAHU, HAWAII

We respectfully urge, therefore, that Kahana Valley be retained in its present classification of agriculture-conservation, or, at least, that the upper portion above the main cross-valley ridge be maintained in a forest and watershed reserve.

Respectfully submitted,

L. H. Herschler, Superintendent
WAIAHOLE WATER COMPANY, LIMITED

LHH:cla

Sent to Comm.

803

Hawaiian Trail
and Mountain Club
Box 2238
Honolulu 4, Hawaii

December 6, 1963

Land Use Commission
State of Hawaii
Honolulu, Hawaii

Gentlemen:

In connection with your hearing on Kahana Valley held November 30 at Kailua, Oahu, at which we did not speak because of time limitations, we submit the following:

The Hawaiian Trail and Mountain Club is opposed to the granting of Mr. James Wolters' (and others') petition for Urban classification of Kahana Valley.

(1) State Plans: The Division of State Parks has well-developed park plans for the valley. The Division has accorded high priority to this project, recognizing its great value as a natural public asset. This objective must not be side-tracked.

(2) Botanic Garden: Part of the valley is planned for a national tropical botanic garden, which will be admirably complemented by (1) and will be of worldwide significance. Such a facility will be of great scientific value. It will be the only national tropical botanic garden in the United States. It will be one of only two such major gardens in the Pacific area, and will provide excellent supplementary research opportunity for East-West Center students. Kahana has the rare combination of characteristics that makes it well-suited for this purpose. Legislation pending in Congress would grant a national charter for the establishment of the garden. This project should be helped toward early fruition.

(3) Water Supply: Ample water supplies are available or readily developable. This undoubtedly has contributed to the favorable evaluations reflected in (1) and (2), but the point bears mentioning.

(4) Entire Valley: On Oahu, where the state's population is concentrated and where adequate outdoor public recreational areas are not yet available, Kahana will be unique: It will be the only example in which a valley is recognized and preserved as a topographical unit for recreational use, including beach, valley and sides, right up to the summit of the mountains.

(5) No Pressure: There is no particular pressure for urbanization in this area. Aside from the loss of the valley itself, this would be a case of throwing priceless treasure under paving without getting a good return on the project, since it would not be meeting a real need in the community. Economic debate aside, however, the desecration must not occur.

(6) Public Interest: The foregoing seem to us to be quite cogent points in the decision not to grant the petition for Urban classification. The best public interest demands such a decision. Kahana must not be put on the block-- not at such a price.

Very truly yours,

David C. Sanford

David C. Sanford
Conservation Chairman
and Vice President

797

THE GARDEN CLUB OF HONOLULU
HONOLULU, HAWAII
MEMBER OF
GARDEN CLUB OF AMERICA

Dec.6,1963

RECEIVED
DEC 6 1963
State of Hawaii
LAND USE COMMISSION

The Honorable Mr. Myron Thompson and
Members of the Land Use Commission
State of Hawaii
Honolulu

Dear Sirs,

The Garden Club of Honolulu wishes to strongly protest the following petitioned changes in land use from Agricultural to Urban:

A (T) 63-37 in Kahana Valley

A (T)62-29 in Kawainui Swamp (1st protest-March,'63)

As Secretary Udall has said,"We need all the space for parks,recreation and open spaces we can,to provide for future population growth.But we must remember that 'ALL WE CAN SAVE NOW IS ALL WE CAN EVER SAVE.'" This is especially true on Oahu.

Sincerely Yours,
Anna Karen Johnson
Mrs. Ralph B. Johnson
President

X-MEN (R&M)

Sent to RW

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 S. BERETANIA STREET
P. O. BOX 3410
HONOLULU, HAWAII 96801

EDWARD J. MORGAN
MANAGER AND CHIEF ENGINEER

402

December 6, 1963

Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii 96813

Gentlemen:

Re: Docket No. A(T) 63-37
Kahana Valley, Oahu
Requesting change of 3,200 acres
to Urban use

In connection with the Public Hearing held in Kailua on November 30, 1963 on the above-captioned Docket, the Board of Water Supply urges that the Petition be denied on the ground that it is a vital portion of a most important watershed of Oahu.

The proposed development described in the Petition would surely have a long-term effect on the island's water resources that in our judgment can only be described as disastrous to our long-range plans for water development for meeting the future water requirements of windward Oahu.

We have worked very closely with the Division of State Parks and are in full accord with their plans for Kahana Valley.

It is again urged that no change be made in the classification of Kahana Valley and that the Petition be denied.

Very truly yours,

E. J. Morgan
Manager and Chief Engineer

ADDRESS REPLY TO
"THE ATTORNEY GENERAL OF HAWAII"
AND REFER TO
INITIALS AND NUMBER

RYT:hmm

658:5b

CABLE ADDRESS:
ATTGEN

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
HONOLULU

RECEIVED
DEC 6 1963
State of Hawaii
LAND USE COMMISSION

December 5, 1963

Mr. James H. Wolters
110-308 Westwood Plaza
Los Angeles 24, California

Dear Mr. Wolters:

Your authority to represent Hui O Kahana in your request for boundary change numbered A(T) 63-37 has been questioned by one of your hui members.

Rule 1.5(d) of Rules of Practice and Procedure of the Land Use Commission empowers said Commission to question your authority and qualifications to act in such a capacity.

We respectfully request, therefore, that you submit affidavits from your hui members authorizing you to represent them in such representative capacity. Approvals must comprise at least 51 per cent of the interests involved or whatever arrangements that are provided for in your by-laws or articles of association.

Your prompt action on this matter will expedite your request for boundary change.

Very truly yours,

Roy Y. Takeyama

ROY Y. TAKEYAMA
Legal Counsel
Land Use Commission

cc Mr. Raymond Yamashita, Exec. Officer
Land Use Commission
Mr. Myron B. Thompson, Chairman
Land Use Commission
Mr. Burnham H. Greeley, Attorney
312 Castle & Cooke Bldg.
Honolulu, Hawaii

[illegible] OF KAHANA

AGENCY [illegible]

Valley of Kahana - Tax Keys 5.2.1. to 5.2.6 - etc.

	B.T.Co.	Robinson Agency	Hawaiian Trust Co.	[illegible]
Lauea N. Au	.00952380			
Cooke Trust Co. Ltd.	.01610020			
Melitta H. Cullom	.01616040			
John Guthrie Heywood	.03282580			
Charles A. McWayne	.05050130			
Frances Mitsue McWayne	.03787590			
Mary E. McWayne	.01262530			
Scott McWayne Trust "A" Marital Deduction Trust	.02525065			
Scott McWayne Trust "B" Residual Trust	.02525065			
Kulamanu M. Nash	.05050130			
Iwalani A. Robinson Test. Tr.	.05050130			
J.L.P. Robinson Test. Tr.	.05050130			
Kulamanu H. Stewart	.01616040			
Randall J. Worthington	.05050130			
Opunui Heirs				
Carnation T. Biven	.00158730			
Violet Feary	.00105820			
Thelma O. Gomes	.00052910			
Victoria H. Hanaiki	.00052910			
Mary A. Helenihi Estate	.00052910			
Louise W. Vincent	.00017630			
Henry Watson	.00017630			
Mitchell M. Watson	.00017630			

	B.T.Co.	Robinson Agency	Hamilton Trust Co.	Waiahole Ditch Co.
Capital Investment Co. Ltd.		.0505013		
Dorothy Vaughan Katz		.0358558		
Paloma J. Kuhn		.0101002		
The Mark A. Robinson Trust (Inter-Vivos)		.1111028		
Mark A. Robinson Trusts (Test)		.0505013		
Pualeilani J. Welch		.0505013		
Bernice J. Wolters		.0101002		
James H. Wolters		.0101002		
H. Kulamanu Ward Estate			.0505013	
Victoria Kathleen Ward Estate			.0505013	
Cenric N. Wodehouse			.0600251	
Mellie E. Hustace Estate				.0503013
Loy Marks				.0166666
	.44304130	.3287631	.1610277	.0678679

= 1.00000630

Notes:

Bishop Trust Co. Ltd. collects 100% of land rentals (which include any taxes collectible).

Bishop Trust Co. Ltd. pays all property taxes.

Waiahole Water Co. has a 6.225/105ths interest in water revenues purchased from L.L.McCandless out of the 100.75/105ths interest of the Heirs of Mary E. Foster

Bishop Trust Co. Ltd. collects all water rentals except for those heirs represented by the Robinson Agency.

affect the property values in the Lanikai area? Mr. Kennedy replied that personally he did think that it would be an asset to the area and it would not harm the values at all.

The public hearing was closed in the matter of Eugene and Eva Kennedy.

November 30, 1963

PETITION OF JAMES WOLTERS, ET AL (A(T)62-37), FOR AMENDMENT TO TEMPORARY DISTRICT BOUNDARY FROM AGRICULTURAL TO URBAN DISTRICT CLASSIFICATION FOR LAND IN KAHANA VALLEY: Described as TMK 5-2-01 through 5-2-06

Denied 1/17/64

Mr. Soh read the petition as submittted by the petitioner, then outlined the area and request involved.

Mr. James Wolters, who was sworn in, stated that their petition was submitted on November 28, 1962 and that his master and zoning plans were prepared by James Puli and Associates together with his knowledge of the area as a resident of Oahu and owner of Kahana Valley. He stated that the vast areas of Kahana would be well worthwhile for developing and that many of his suggestions and ideas are based on the objectives and goals of the State General Plan of Hawaii. These aims are to be accomplished by his proposed plans as submitted with his petition. (He presented his proposed plans in detail.) In verbal discussions with Mr. Lee he stated that he had made it known that these plans were a general interim master plan based on the petition to change the designation of agricultural to urban. He stated that they will survey the area very carefully in order to preserve the contours and magnificent trees in the area and in order to keep the maximum beauty in the area alive. Such a survey would cost approximately $400,000. He stated that it was necessary to have some of the primary agricultural designation changed to urban so that they could go to the City Planning Commission with specific areas showing incremental development, and have a close contact with the City people to know what the current economy is, and what is allowable and not allowable. He stated that the development of this proposal will take 15 to 20 years.

Mr. Wolters stated that he received a letter from Mr. Lee indicating that he recommended to the Land Use Commission to reject his proposal, but that Mr. Lee did not give him any explanation. He stated that he got further word from newspaper articles in the Pali Press. He indicated that he was fully aware of the water sources desire to keep the mauka area in water reserves as he had discussed this in earlier conference wtih them. He stated that however he had no letter on file to so state this and they therefore went ahead and did their planning. He stated that his planners did not think that the water situration would in any way affect their incremental development, if they found that this was absolutely necessary by the water people. A pipeline has been indicated coming through Kahana side which would be taken into consideration if the development got that far before the pipeline got through. He stated that he is convinced that they are not depriving the State of any prime agricultural land in their request for a change in district classification from Agriculture to Urban and he referred to a report put out by the Land Study Bureau of the University of Hawaii called Land Classification. Mr. Wolters concluded his presentation by quoting portions of his petition as submitted to the Land Use Commission.

Mr. Soh presented the staff's recommendation which was for denial.

The following communications were presented for record by the Chairman.

1. Letter from the Windward Oahu Community Association opposing to the granting of any change in classification and informing the Land Use Commission of its position in favoring the Kahana Valley area acquisition by the State for a state park.

2. Letter from the Hawaiian Botanical Garden Foundation, Inc. opposing the petition.

Mr. W.W.G. Moir, President, Hawaiian Botanical Gardens Foundation, Inc., was sworn in. He stated that the petitioner failed to show any way that he was in control of the Hui-O-Kahana and that he speaks for the Hui-O-Kahana. His discussion shows as if he were speaking as the complete owner and petitioner of this valley. Mr. Moir read his society's letter which was submitted to the Land Use Commission for the record.

Mr. Burnham Greeley, an attorney, asked what portion of the owners was the petitioner representing, and whether the petition as submitted was valid? He asked the Land Use Commission legal counsel whether he had voiced an opinion on the submitted petition in question, as he recalled said petition must be submitted by the owner?

Legal Counsel Takeyama stated that if Mr. Wolters represented that particular Hui than there is nothing wrong with the petition. Mr. Greeley replied, "If he is speaking for the entire Hui." (This question was left for discussion among the legal counsels, Mr. Greeley; Mr. Cullen, representing Mr. Wolters; and Mr. Takeyama, representing the Land Use Commission, after conclusion of the hearing on this petition.)

Mr. Richard Dunlap, Director of State Parks, Division of State Parks, Dept. of Land and Natural Resources, was sworn in. He stated that the State has a plan to establish a state park at Kahana which would encompass the entire drainage space of some 5,260 acres which would include the area under discussion. He stated that this was a result of a legislative policy established in 1961; further research and study by the Department to fulfill this intent; and a subsequent Act called, the State Resort Facility Law, which further emphasized this policy. He stated that the development of Kahana Valley for a state park is a long range program which would be designed to meet the public needs over a period of time. He stated that their studies show that the day to day recreational needs on Oahu is the greatest concentration of people which have to be met on this island. Mr. Dunlap gave a brief summary of what actions the State has taken in the last two years to implement this program. Chairman Thompson requested a written report of this from the Division of Parks, Department of Land & Natural Resources (report has now been received and part of record).

Mrs. Lester Marks, who was sworn in, spoke as a citizen and shareholder in Kahana. She stated that she wanted to enter her plea that the area remain master planned for Conservation-Agriculture, and if there is to be any change that it be for Conservation alone. She stated that as publicized the State is intending to utilize the area as a public park; and that the U. S. Congress has a bill requesting a national charter for establishment of a National

Tropical Botanical Garden which she hoped would be in Hawaii. The development of this Garden she stated, would involve approximately $50,000,000. She stated that extensive park facilities are being recommended by the U. S. Department of Agriculture which made a survey of this in the islands. She stated that the U. S. Government is conscious of the need to preserve sufficient open space in the Conservation areas, and that just recently Secretary of the Interior, Udall, published a book urging long range planning for adequate conservation and recreational areas. She stated that we would be defeating our own ends if we did not keep in mind the necessity of preserving adequate sanctuary for our people. She could not find any conceivable need for urbanization of this area in question within any realistically foreseeable future. She stated that there is hardly enough land designated for Conservation to meet the present and future needs of our expanding population. She felt that Hawaii would be best served if the entire Kahana Valley area were designated as Conservation. She was willing to give a portion of her holdings in Kahana as a gift to Hawaii for such projects as a park, botanical garden, migratory bird refuge, and urged that the entire area be left in conservation or on a long range conservation project. Mrs. Marks informed the Commissioners of the number of shareholders involved in the Hui-O-Kahana and named the largest shareholder as a Mrs. Foster. She stated that a good deal of this property is held in judiciary capacity with Hawaiian Trust and other trusts. She stated that she received a copy of this petition in question and undoubtedly all of the other shareholders received similar copies, but yet she saw no other signatures except this group itself.

Mr. William P. Ward, representing the Conservation Council of Hawaii, was sworn in. He asked that the Land Use Commission follow the plans as outlined by the State Division of Parks and the Hawaii Botanical Foundation.

Mrs. Irene S. Collin was sworn in. She stated that she has lived in the islands for over 22 years and had come to the islands to acquire lands for the U. S. Navy. She stated that she has been an officer or member of every association in the Windward area since arriving here. She informed the Commission that she had appeared at the Princess Kaiulani and spoke on the famous "Blue Book" when it was unveiled, and at that time had stated what a mistake the City was making. She stated that the City spent $360,000 for a master plan and unveiled it among a select audience but never once had gone directly to the people who were concerned with the master plan and asked what they wanted. She stated that she was not concerned whether this was a hui or an estate, or how many acres were involved. Her experience with heirs has been traveling through 31 states in the U. S. and trying to round them up because they would not deal with a single government, attorney or said power. She stated that we should "thank God' for this group who wishes to come here and spend their own money to do something for us. She stated that this community should get together and say, "We don't deny this petition." She stated that if every big piece of property were to be for park, there would be no jobs, taxes would be higher, people wouldn't be able to pay these taxes and there would be no revenue coming in. She stated that if necessary, the State should put their own lands into a state park. She urged the Commission to seriously consider this request.

Mr. Cullen, representing Mr. Wolters, stated that there were no owners present at this hearing today, opposing or favoring the petition, except Mrs. Lester Marks.

He stated that the City Planning Commission does not like to review preliminary plot plans for lands zoned as Agriculture or Conservation. He stated that the Land Use Commission in the past did not want to release lands from the Agriculture designation unless the City Planning Commission reviewed the preliminary plot plans. Mr. Cullen submitted that progression supplicates where there is prime agriculture land. He stated that if there is a sufficient number of people supporting for the release of the Agriculture designation, this should be done to include Urban, as they have asked, to Park.

In reply to Mr. Dunlap's statement, Mr. Cullen stated that it really didn't matter what designation the State classified this area as far as the park program was concerned. The designation could be Urban, Conservation or Agriculture. He stated that Mr. Dunlap has stated that the Division of State Park has been active in selecting a site for a state park on Oahu, but it seems that his office has not been the only one active. The City apparently had engaged Harland Bartholomew & Associates because their report as submitted to the City Council has set forth that the State and the City & County should acquire some 7,500 acres in the Waimea Bay and River Valley area for a proposed park for the benefit of Honolulu residents. Mr. Cullen submitted that there is contradiction in the State and County's report.

In reply to remarks concerning a Botanical Garden in the area, Mr. Cullen stated that this project would probably be in the location of a more fertile soil area and really wouldn't contradict with the development plans contemplated at this time.

In reply to statements made by the staff, the following were given:

Petitioners development plans are not in accordance with Oahu's General Plan.

Mr. Cullen stated that he is assuming that the staff refers to the General Plan, just recently put out by the City Planning Department and not the one they address to ("The Blue Book"). He submitted that their development plans are more in consistent with the Oahu General Plan than that of classifying the area as Agriculture. He stated that the City Planning is anticipating that Kahana would be developed.

The Land Use Commission consultant's recommendation that Urbanization of Kahana Valley is not necessary to the growth of Oahu at this time.

Mr. Cullen stated that this development is not a subdivision but rather a custom made development to fit in the beauty of Hawaii. He stated that their principals are prepared to break ground upon approval from the City. He stated that they plan to attract retired people who have accumulated wealth over a life time, and are attracted by the beauty of Hawaii.

Staff's statement concerning fertile soil and flood problem in the area.

Mr. Cullen pointed out that there are hardly any soils in the area that are fertile and referred to the soil quality chart that was on display. He stated that farmers would not want to do farming

in an area that is noted for flooding and submitted that the staff was inconsistent in their report.

Mr. Cullen concluded his presentation with a summary of their development plans as submitted for the record.

Mr. Duran informed the Commissioners that the staff's report to the Commission is correct. The Blue Book that reference has been made is not an official document and has not been adopted as such, which had been submitted in 1960. The document presently being considered, the Proposed Oahu General Plan, indicates all of the Kahana Valley as a park area, including the portion along the beach. Mr. Duran stated that in another statement that was made concerning the Waimea Bay report by Harland Bartholomew and Associates, the General Plan recommends that Waimea Bay Valley be a park. This report does not contradict the fact that Kahana Bay is designated as a park. He stated that the City Planning Department is responsible for planning the Island of Oahu, and are interested in both public and private development. He stated that he did not think that the statement that the Planning Commission does not like to review preliminary plans is true at all. These plans have been reviewed. After that a general plan for the Island of Oahu is prepared. A recommendation to this Commission would be made to have this area rezoned to include the makai section in the conservation district to extend and include all the valley as conservation. He stated that these plans were evaluated in light of anticipated growth. Appropriate land uses have been designated throughout the island in anticipation of this growth. In addition, perhaps 20% or more have been allocated for flexibility. We feel that this development is premature and there is no justification for this extensive growth. Mr. Duran stated that this plan shows extensive commercial areas along the highway, makai the aligned highway, that would be in direct conflict with the purpose and intent of developing the beach for recreational purposes.

The Chairman announced that this Commission will receive additional comments and protests within the next 15 days and action by this Commission on this petition will be from 45 to 90 days from this hearing date.

The public hearing was closed in the matter of James H. Wolters, Et. Al.

PETITION OF CENTEX TROUSDALE COMPANY (A(T)62-29), FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL TO URBAN DISTRICT CLASSIFICATION OF ABOUT 800 ACRES OF KAWAINUI SWAMP, OAHU: Described as TMK 4-2-16: 01 and 4-2-13: 22

Hearing Continued until Feb 28, 1963

(A brief session was held by the Commission members in the hearing room of the Land Use Commission before adjourning and coming to Kailua. The meeting concerned two communications received by the Commission from Centex Trousdale and the City and County of Honolulu requesting a deferment of the hearing on Trousdale's request. The reason given was that negotiations were being held for purchase of property between Trousdale and the City and County of Honolulu.

An argument against Trousdale's request was made by Commissioner Wenkam who couldn't understand why Trousdale was keeping its petition alive with the Land Use Commission instead of withdrawing it.

STATE OF HAWAII
LAND USE COMMISSION

Kailua Intermediate School Cafetorium
145 S Kainalu Drive, Kailua, Oahu

9:00 A.M. to 12:00 Noon
November 30, 1963

STAFF REPORT

A(T)63-37 - JAMES H. WOLTERS, ET AL. Temporary District Classification: AGRICULTURAL

Background

James H. Wolters of Los Angeles, California; Pualeilani Welch of Sonoma, California; Paloma J. Kulen of San Francisco, California; Verginia Cullan Yager and Kulamanu H. Stewart of Oakland, California; Bernice J. Wolters of Newport Beach, California; Kulamanu M. Nash of Lake Forrest, Illinois; and C.N. Wodehouse of Holualoa, Kona, Hawaii have petitioned the Land Use Commission for an amendment of the temporary district boundaries so that "Kahana Valley approximately 5100 acres extending from the Bay to the top of the ridge of the Koolau Range bordering Wahiawa, Waianae Uka, and Waipio; on the west - the ridge bordering Punaluu; on the east - the ridges bordering Waikane, Hakipuu, and Kaaawa" would be changed from conservation and agricultural district classifications to conservation and urban district classifications.

At the present time over 3900 acres of Kahana Valley are classed in a conservation district. These are primarily slopes located on both sides of and behind Kahana Valley. The greater portion of this acreage is mountainous[1/] and much of it is covered with tropical forest growth.[2/]

1/ cf. Beautiful Kahana by Belt, Collins and Associates, Ltd., July 1955.
2/ Observations based on field trip into Kahana Valley, November 28, 1963.

Currently, about 1300 acres are classed in an agricultural district. A substantial portion appears to be in grassland used for grazing. At the foot of the slopes on both sides of the valley are lands planted to papaya and banana; few other crops are planted. Along Kahana Bay is a 2000 feet long sandy beach beach separated from the valley by a highway and a stand of hau trees.

The valley is watered by the confluence of Kahana and Kawa Streams and by intermittent flows from the sides of the valley, amphitheater. Rainfall ranges from 60 inches near the beach to 200 inches annually in the Koolaus. On November 1, 1961 at a point 200 yards above the junction of Kahana Stream with Kawa Stream a discharge of 18,300 cubic feet per second was measured.[3/] Windward of the Koolau crest a system of ditches and tunnels comprising Oahu Sugar Company's Waiahole Tunnel System collects water for transmission to cane fields near leeward Oahu. The Kahana Tunnel is located at an elevation of 800 feet penetrating the head of Kahana Valley and produces an average of 3.4 million gallons per day. In the valley proper approximately 65 people draw water from a well owned by the Foster Estate.[4/]

An unimproved road system constructed by the U.S. Army during World War II loops around the valley starting from the highway skirting Kahana Bay. The loop road system is broken in the vicinity of Kahana Stream, reputedly washed out by flood. The road in other places is impassable to vehicles except jeeps. Gates are located at various points to deter tresspassers and to contain livestock.

3/ An Investigation of Floods in Hawaii, Progress Report No. Five, p. 110, U. S. Geological Survey, 1963.

4/ Oahu Water Plan, p. 26, Honolulu Board of Water Supply, March 1963.

Not a Hearing - no oath required

The City Planning Commission has advised the Land Use Commission that petitioners propose to commit 2,887 acres to residential and commercial uses, 2,037 acres to forest reserve and 276 acres to cultural, recreational and school uses. According to the "Master Plan" submitted with the petition, commercial uses would be chiefly located near the beach on the makai side of the highway, the cultural and recreational area would be located immediately mauka of the highway. Apartment uses would surround the cultural and recreational development and residential uses would fringe the apartments and extend nearly three miles into the valley from the highway.

Analysis

The City Planning Commission at its meeting on April 25, 1963 voted to adhere to the (City) General Plan designation of the area for park and agricultural uses and recommended that the application by Mr. Wolters for urban use be denied. It was further recommended that the Land Use Commission accept the area makai of the Forest Reserve Line which is presently designated as Agricultural to be designated as park use on the Land Use Commission's map in conformity to the adopted General Plan for Koolauloa."[5/]

Your staff has reviewed various publications and has discovered that the petitioner's development plan is:

(1) Not in accord with the Oahu General Plan and the Comprehensive Plan for Hawaii State Parks and is not anticipated by the Oahu Water Plan and the General Flood Control Plan for Hawaii.

(2) Unnecessary to meet the needs of near term urban expansion on Oahu as determined by consultants to the Land Use Commission in their report Land Use Districts for the State of Hawaii.

The staff is aware of a long term program now underway by the State Parks Division

5/ Letter to the Land Use Commission from the City Planning Commission dated May 2, 1962.

to acquire substantial acreage at Kahana Valley for a regional park for recreational and botanical purposes. The staff is also aware of the relative absence of urban pressures in the vicinity of Kahana Valley as indicated by a published report on postwar urban development on Oahu.[6/]

Recommendations

The staff recommends a denial of the petition to redistrict the lower portions of Kahana Valley for urban use.

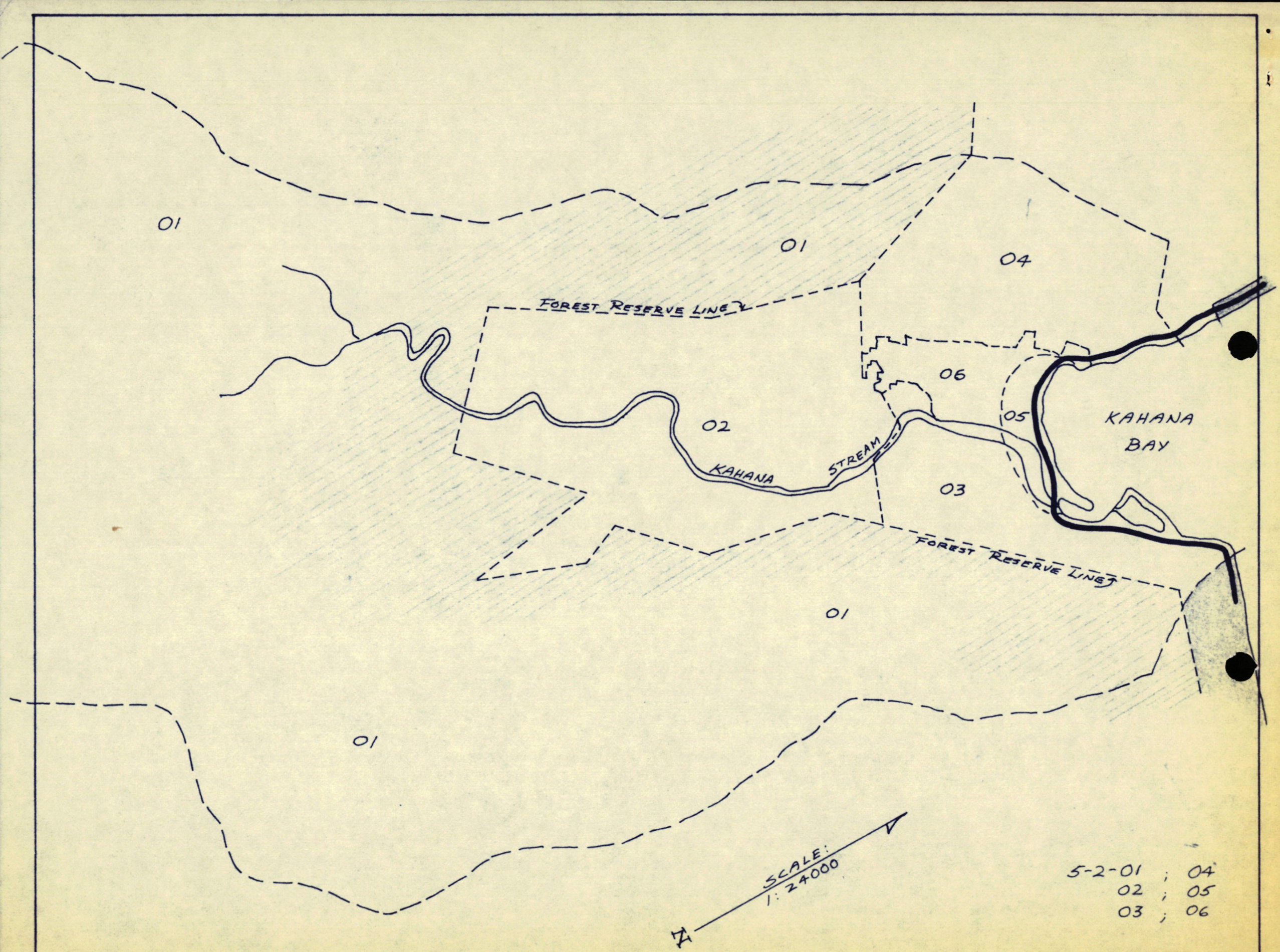
The staff concurs with the Land Use Commission's consultants that the urbanization of Kahana Valley is not necessary to the growth of Oahu at this time and would tend toward the scatteration of overall urban development compelling the municipal government to sustain an inefficient system of public works and to disburse therefore an inordinate amount of public funds.

Because of periodic flood problems in the valley, because of the valley's scenic values and its recreational potential, the staff feels that the proposed uses are inappropriate at this time. Handicapped by flood problems, the valley should be kept in low intensive uses; advantaged with scenery waterways, beaches, hills and good soils; the valley would be ideal for agricultural and park uses.

Even if the proposed uses were to be in complete harmony with the physical conditions of the valley, the petitioner's development plan would suffer from lack of timeliness. The staff concurs with the Land Use Commission's consultants that other areas on Oahu can accommodate residential growth better and more efficiently in the next ten years or so. The conversion of 2,490 acres to residential use and 290 acres to apartment use as indicated by the petitioner's zoning plan[7/]

6/ Urban Development on Oahu, 1946-1962, Louis A. Vargha, October 1962.
7/ Received via City Planning Commission on May 9, 1963.

will not, in the staff's opinion, be fully supported by demands on Oahu over the next ten years, nor is it likely that all the highway, street, water, school, fire and police protection, library, health, flood control and other facilities be supplied by the government within that span of time.


01
01
04
FOREST RESERVE LINE
06
05
02
KAHANA STREAM
KAHANA BAY
03
FOREST RESERVE LINE
01
01
SCALE:
1:24000
5-2-01 ; 04
02 ; 05
03 ; 06

THE OUTDOOR CIRCLE
1839 ANAPUNI STREET
HONOLULU 14, HAWAII

rec'd 11/30/63

(11)

November 30, 1963

Mr. Myron Thompson, Chairman

And Members State Land Use Commission

Honolulu, Hawaii

Gentlemen:

The Outdoor Circle, The Lani-Kailua Outdoor Circle and Kaneohe Outdoor Circle believe the present Land Use classification of Kahana Valley should be retained until such time as the Land Use Commission meets and we can request this area to be designated co nservation under permanent land use.

We have long been on record favoring Kahana Valley for a botanical garden and park use.

Sincerely,

Cynthia A Marnie
Mrs. Jack Marnie, President
The Outdoor Circle

Lucille D Creps
Mrs. Robert Creps, Pres.
Lani-Kailua Outdoor Circle

Mrs Carl C Olson
Mrs. Carl Olson, Pres
Kaneohe Outdoor Circl

HAWAIIAN BOTANICAL GARDENS FOUNDATION, INC.
c/o EXPERIMENT STATION, H.S.P.A.
1527 KEEAUMOKU STREET
HONOLULU 14, HAWAII

23

November 29, 1963

Mr. Myron B. Thompson, Chairman
of the Land Use Commission
Hawaii State
Honolulu

Gentlemen:

The Hawaiian Botanical Gardens Foundation, Inc. stands wholeheartedly behind the plans to obtain, conserve, and utilize the areas of Kahana Valley, Kawainui Swamp, and the Pali slopes for public use and research. Through these processes the maximum benefit to all the people of Hawaii will result.

Our heritage in these areas is worth more to our future than all the urbanization planned. This heritage for research, recreation, preservation of wildlife, conservation and all-around education is priceless.

Statistics on population expansion show clearly that some twenty to thirty years might elapse before these areas might be needed for home sites. But even these estimates are open to question when one considers the terrific expansion that can go towards the sky. Weigh what Hongkong has done in expanding from one half million to nearly four million people by the judicious use of well placed attractive high-rise structures.

Migratory birds are another factor to consider. They are protected by laws in every State of the Union. Are we on Oahu to deny them havens of rest by destroying their last few areas where they can land?

For the world today, Hawaii stands unsurpassed in great potentials for research in Tropical flora, in migratory wildlife and in conservation, matters of great concern to our National Government which matters also are of great concern to Hawaii for they contribute heavily to the welfare and education of our own people. We need the conservation of these few remaining large areas of our island in which to nurture, develop, and record these potentials not only for ourselves but for all mankind and the preservation of these great potentials should not be jeopardized by urbanization.

We join with all the many civic and conservation-minded organizations and people in petitioning the retention of these areas under conservation and agricultural classification and sincerely ask this Commission to prevent any change to urban and allied uses.

Yours sincerely,

W. W. G. Moir

Hawaiian Botanical Gardens Foundation, Inc.
W. W. G. Moir
President

WINDWARD OAHU COMMUNITY ASSOCIATION, INC.

P. O. BOX 803 KANEOHE, HAWAII PHONE 241-763

November 27, 1963

RECEIVED 38
NOV 30 1963
State of Hawaii
LAND USE COMMISSION

Mr. M. Thompson and Members
State Land Use Commission
426 Queen Street
Honolulu, Hawaii

Gentlemen:

The Windward Oahu Council and Associations, at a meeting of its Executive Committee held at Kaneohe on November 26, 1963, considered the requested changes in zoning for three areas within the Windward area, which are scheduled for public hearing at the Kailua Intermediate School on November 30, 1963.

Our Executive Committee recommends the following actions:

1. In the matter of change from Agricultural to Urban district classification of about 50 acres in Lanikai.

   Our group took no action in this matter.

2. On the request for change from Agricultural to Urban district classification of about 3,200 of 5,000 acres in Kahana Valley for purposes of urban development with variety of uses.

   The committee opposes the granting of any change in classification. It has already gone on record on several occasions favoring the acquisition of the Kahana Valley area by the State for a State Park and feels that this valley is the most suitable area for such a purpose.

3. The requested change from Agricultural to Urban district classification of about 800 acres of Kawainui Swamp for purpose of residential and park development.

   The Windward Oahu Council and Associations opposes any change in classification of this area. We have gone on record as approving the acquisition of Kawainui Swamp by the City and County for flood control purposes.

   We understand that this project is now getting underway and feel that any change in classification may jeopardize the entire flood control program.

Cont'd

Your favorable consideration in denying changes in classification for the Kahana Valley and Kawainui Swamp area will be most appreciated.

Very truly yours,

WINDWARD OAHU COUNCIL AND ASSOCIATIONS, INC.

Thomas K. Beveridge
Executive Secretary

TKB:kh

Hawaiian Botanical Society

c/o DEPARTMENT OF BOTANY
UNIVERSITY OF HAWAII
HONOLULU 14, HAWAII

November 29, 1963

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

Gentlemen:

The Hawaiian Botanical Society, at its meeting on November 4, voted unanimously to oppose the petition to change the district classification of Kahana (0-11) from Agriculture - Conservation to Urban - Conservation.

The Society's reasons for this opposition are:

1. The State has already announced its intention to develop a major state park in the valley.

2. Plans are underway for the development of a National Tropical Botanical Garden in the valley. This garden has received the support of a large number of national and local organizations, including the Hawaiian Botanical Society. Kahana Valley, on the basis of a number of independent studies, seems to be the ideal place to develop such a garden.

3. We feel that the petitioner has not demonstrated that the property is <u>needed</u> for urban use.

Therefore, the Society requests that the Land Use Commission deny the petition.

Respectfully submitted,

Charles H. Lamoureux

CHL:hk

Charles H. Lamoureux
for Maxwell S. Doty, President
Hawaiian Botanical Society

Ref. No. LUC 765

November 27, 1963

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

Dear Mr. Lee:

The Land Use Commission of the State of Hawaii cordially invites you to attend their public hearings scheduled for November 30, 1963 at 8:00 a.m. to 8:30 a.m. in the Land Use Commission Hearing Room, 426 Queen Street; and at 9:00 a.m. to 12:00 noon in the Kailua Intermediate School Cafetorium.

Enclosed for your information are the agendas for these hearings.

Sincerely,

R. YAMASHITA
Executive Officer

Enclosures

Ref. No. LUC 765

November 27, 1963

Eagle-A
Type-Erase
25% COTTON FIBER

Mr. Richard C. Dunlap
State Parks Director
Department of Land and Natural Resources
State Office Building
Honolulu, Hawaii

Dear Mr. Dunlap:

The Land Use Commission invites you to attend a public hearing on November 30, 1963 at the Kailua Intermediate School Cafetorium from 9:00 a.m. to 12:00 noon.

On the agenda will be a petition to change Kahana Valley from an agricultural to urban classification for purpose of urban development with variety of uses.

Since your division has some related interest in Kahana Valley, it is hoped that you or your representative can attend the public hearing.

Sincerely,

R. YAMASHITA
Executive Officer

State Form B14

STATE OF HAWAII

LAND USE COMMISSION
426 Queen St., Honolulu, Hawaii
Department, Bureau or Commission

OFFICIAL RECEIPT No. 29

Nov. 28, 1962

RECEIVED from James K. Wolters

Fifty + no/100 ——— **DOLLARS**

for Public Hearing by Land Use Commission for Change of District Boundary on Oahu.

$ 50.00

#9-1836 Cashier Check
City National Bank

Roberta L. Kai
Public Accountant

Ref. No. LUC 750

November 14, 1963

Mr. James H. Wolters
110-308 Westwood Plaza
Los Angeles 24, California

Dear Mr. Wolters:

This is to inform you of the change in the time and place of the public hearing called by the Land Use Commission of the State of Hawaii at which time your petition for Change of Temporary District Boundary from Agricultural and Conservation district classifications to Urban and Conservation district classifications will be heard.

The public hearing will be held on November 30, 1963 from 9:00 a.m. to 12:00 noon, at the Kailua Intermediate School Cafetorium, 145 S. Kainalu Drive, Kailua, Oahu.

Attached is a copy of the Legal Notice which will be published in the Honolulu Star-Bulletin tomorrow, November 15, 1963.

Very truly yours,

R. YAMASHITA
Executive Officer

Attachment

Ref. No. LUC 735

November 7, 1963

Mr. Thomas K. Beveridge
Executive Secretary
Windward Oahu Community Association, Inc.
P. O. Box 803
Kaneohe, Hawaii

Dear Mr. Beveridge:

Thank you for directing our attention to holding a public hearing within the Windward area of Oahu.

However, the November 30th public hearing has already been announced and advertised in the daily newspapers. It would be quite difficult to change geographical locations for the November 30th hearing since there are other petitions to be heard on the same day.

In the future we will give every consideration to scheduling a public hearing in your area.

Sincerely yours,

R. YAMASHITA
Executive Officer

WINDWARD OAHU COMMUNITY ASSOCIATION, INC.

P. O. BOX 803 KANEOHE, HAWAII PHONE 24-2135

November 5, 1963

RECEIVED
NOV 6 1963
State of Hawaii
LAND USE COMMISSION

767

Mr. Raymond Yamashita
Executive Officer
State Land Use Commission
426 Queen St.
Honolulu 13, Hawaii

Dear Sir:

We have been informed that the State Land Use Commission will be holding a public hearing on November 30, 1963 to consider applications for the subdividing of certain parcels of land located on Oahu.

In as much as most of the land involved is located within the Windward Oahu area, we request that this hearing be held at Kailua, Oahu as a convenience to interested people living in this area and suggest the Kailua Intermediate School as an appropriate place.

We feel certain that a great many Windward people will be interested in attending this hearing and holding it at Kailua will be of great service to them.

Our organization plans to give this hearing wide publicity. Any help you can give in arranging to have the hearing held in this area will be most appreciated.

Very truly yours,

Thomas K. Brundage

Thomas K. Brundage
Executive Secretary

TKB:kh

Ref. No. LUC 718

November 6, 1963

Mr. James H. Wolters
110-308 Westwood Plaza
Los Angeles 24, California

Dear Mr. Wolters:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii, on November 30, 1963, at 8:00 A.M., in the Land Use Commission Hearing Room, 2nd Floor, 426 Queen Street, Honolulu, Hawaii. Your petition for Change of Temporary District Boundary from Agricultural and Conservation district classifications to Urban and Conservation district classifications will be heard at that time.

Publication of Legal Notice will appear in the Honolulu Star-Bulletin on November 7, 1963.

Sincerely,

R. YAMASHITA
Executive Officer

NOTICE OF PUBLIC HEARING

TO CONSIDER PETITIONS FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY 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 November 30, 1963, at 8:00 A.M., or as soon thereafter as those interested may be heard, to consider petitions for change of Temporary District Boundary within the County of Honolulu as provided for in Section 98H-4, Revised Laws of Hawaii 1955, as amended.

Petitions for Change of Temporary District Boundary to be heard:

Docket Number and Petitioner	Tax Map Key	Change Requested
A(T)62-21 Cadinha Land Investment Company	8-7-03: 10	Change from an Agricultural district classification to an Urban district classification.
A(T)62-27 Eugene F. and Eva Lum Kennedy	4-3-02: 1	Change from an Agricultural district classification to an Urban district classification.
A(T)62-29 Centex-Trousdale Company	4-2-16: 1 & 4-2-13: 22	Change from an Agricultural district classification to an Urban district classification.
A(T)63-37 James H. Wolters, Et Al.	5-2-01; 5-2-02; 5-2-03; 5-2-04; 5-2-05; & 5-2-06	Change from Agricultural and Conservation district classifications to Urban and Conservation district classifications.

Maps showing the area under consideration for change of Temporary District Boundary and copies of the rules and regulations governing the petitions 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 petitions 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

M. THOMPSON, Chairman, Pro Tempore

R. YAMASHITA, Executive Officer

(Legal ad - 2 cols. w/border)
(To appear November 7, 1963)
(THE HONOLULU STAR-BULLETIN)

State of Hawaii
LAND USE COMMISSION
426 Queen Street
Honolulu 13, Hawaii

October 22, 1963

MEMORANDUM TO ALL PETITIONERS CONCERNED

The Land Use Commission at its meeting on October 18, 1963 has asked me to assure you of its awareness of your petition before the Commission.

As of October 11, 1963 the Commission was fully constituted, and it is now in the process of scheduling hearings for petitions not heard by the previous Commission and of scheduling new hearings for petitions heard prior to May 3, 1963 on which the previous Commission took no action. Upon completion of these schedules, notification concerning when your petition will be heard will be forwarded to you.

Mr. Raymond Yamashita is the Commission's new executive officer, and he will begin his duties on November 1, 1963.

Sincerely,

Myron B. Thompson

MYRON B. THOMPSON
Chairman, Pro Tempore

Ref. No. LUC 639

August 15, 1963

Mr. James H. Wolters
110-308 Westwood Plaza
Los Angeles 24, California

Dear Mr. Wolters:

This is to bring you up to date on the status of your petition for Change of Temporary District Boundary.

It now appears that a new Land Use Commission will be appointed on or before September 1, 1963. Allowing time for their orientation, I would estimate that a public hearing on your petition should occur within 6 weeks of the appointment of the commission.

There is nothing further required of you prior to the public hearing.

I would like to thank you for your patience shown thus far. You will be notified in advance of any hearing where your request will be heard.

Very truly yours,

W. M. MULLAHEY
ACTING EXECUTIVE OFFICER

NOTE TO FILE —

BE SURE & Notify Les
WATSON OF Board of Water
Supply of any hearing
ON this PETITION.

(695)

CITY AND COUNTY OF HONOLULU

PLANNING DEPARTMENT
HONOLULU HALE ANNEX
HONOLULU 13, HAWAII

May 2, 1963

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

Gentlemen:

This is in reference to a petition filed by Mr. James H. Wolters, et al, for amendment of the temporary district boundary respecting the County of Honolulu, Island of Oahu, 0-11 Kahana, to change the district designation from Agricultural-Conservation to Urban-Conservation district, for area of land comprising approximately 5,000 acres at Kahana Valley, Koolauloa, Oahu.

This matter has been pending submission of more detailed information from the applicant. The Planning Director reported that the applicant has submitted the following information, accompanied by a map of Kahana Valley, outlining the specific acreage requested for urban designation:

270	acres	- Cultural and Recreational
2,490	"	- Residential
290	"	- Apartment
107	"	- Business
6	"	- School
3,163	acres	- Total Urbanization
2,037	"	- Forest Reserve area
5,200	acres	- Total Area of the Valley

The Planning Commission at its meeting on April 25, 1963, voted to adhere to the General Plan designation of the area for park and agricultural uses and recommended that the application by Mr. Wolters for urban use be denied. It was further recommended that the Land Use Commission accept the area makai of the Forest Reserve line which is presently designated as Agricultural to be designated as park use on the Land Use Commission's map in conformity to the adopted General Plan for Koolauloa.

Attached for your information are the applicant's economic acreage justification and a copy of their Kahana Valley master plan.

Very truly yours,

PLANNING COMMISSION

By Frederick K. F. Lee
Frederick K. F. Lee
Planning Director

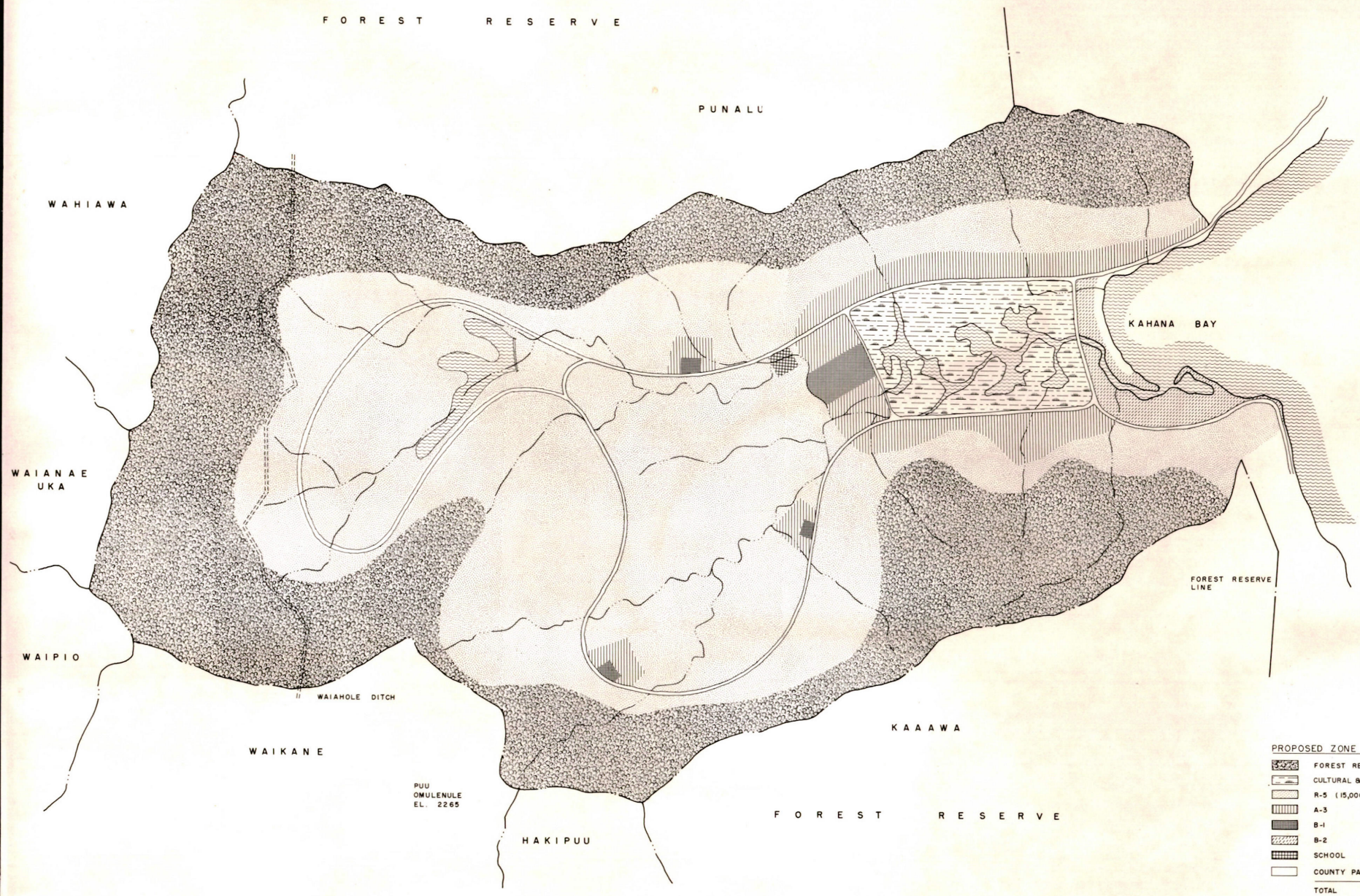
RT:da
Encls

TRANSMITTED BY:

Managing Director

Mayor

cc: City Council



PROPOSED ZONE	ACRES
FOREST RESERVE	2,037
CULTURAL & RECREATIONAL	280
R-5 (15,000 SQ.FT.)	2,490
A-3	280
B-1	32
B-2	67
SCHOOL	6
COUNTY PARK	8
TOTAL	5,200

NORTH

SCALE

0' 2000' 4000'

JAMES G. PULLIAM & ASSOCIATES
Architecture / Planning
LOS ANGELES, CALIFORNIA

KAHANA VALLEY

KOOLAULOA, OAHU
STATE OF HAWAII

Prepared For
BERNICE JAEGER WOLTERS and JAMES HERMANN WOLTERS
HEIRS TO HUI O'KAHANA & MARY E. FOSTER ESTATE

ZONING PLAN

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

This space for County or DLNR use

Date Petition and Fee received by County or DLNR _____

Date forwarded to LUC with recommendation _____

Date Petition, Fee and County/DLNR recommendation received by LUC _____

PETITION FOR AMENDMENT OF TEMPORARY DISTRICT BOUNDARY

~~(I)~~ (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 O-11 KAHANA, to change the district designation of the following described property from its present classification in a(n) Agriculture-Conservation district into a(n) Urban-Conservation district.

Description of property:

SEE ATTACHED

Petitioner's interest in subject property:

We, the undersigned are owners of this property

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

SEE ATTACHED

(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) James H. Wolters

James H. Wolters

Address: Box 110, 308 Westwood Plaza
Los Angeles 24, California

Telephone: GRanite 2-1506

STATE LAND USE PETITION
O-11
Kahana

Description of Property:

Kahana Valley approximately 5100 acres extending from the Bay to the top of the ridge of the Koolau Range bordering Wahiawa, Waianae Uka, and Waipio; on the west - the ridge bordering Punaluu; on the east - the ridges bordering Waikane, Hakipuu, and Kaaawa. Its characterization is non-intensive agriculture and forest reserve.

STATE LAND USE PETITION
0-11
Kahana

Petitioner's Reason(s) for requesting Boundary Change

To improve on the utilization of land use - see attached interim master plan.

Presently the area is in non-intensive agriculture and conservation. Under such an agricultural designation it is limiting because there is a lack of extensive suitable land of similar make-up for any large scale enterprise. There are additional limitations caused by rainfall, high water table, and excessive weed growth which hinders the early growth of any planting. To counter some of the latter conditions would be at enormous costs without any guarantee that an agricultural developer would recover his initial outlay in view of attendant labor costs, strikes and market values. Presently Kahana Valley is sort of a truck or backyard agriculture, the income from which does not always meet the taxes. Therefore we feel that under an Agricultural-Conservation designation the land falls far short of its usefulness.

Because Kahana Valley has tremendous natural beauty we all concer it should be preserved. With this format in mind, we have laid out for Kahana Valley an urbanized situation which will maintain and amplify this beauty by means of a compatible complex of commercial, residential, and recreational developments controlled by an association.

A large Recreational Area of approximately 250 acres is centered on the valley floor near the Bay. In this area are planned picnic and camping facilities around fingers of water interspersed with tropical displays. Playgrounds and ball fields will be situated in designated open areas. A Hawaiiana Museum, band concert stand, pageant pavillion, tea gardens, and other concessions that will include boat rentals and stables, etc. will be located within this Recreational Area. Locks and/or a dam will control the run-off from the rains. Again the format is maintained to keep and develop the natural beauty inherent to these Islands.

Overpasses will connect this Recreational Area with the City and County Public Beach Park allowing the commercial zone containing hotels, shops, services, etc., for the general public, tourists and other residents, to develop between these two areas. The balance of the beach front from the Beach Park to the point bordering Kaaawa will become a private Beach-Bay Yacht Club containing all the needed facilities for the Kahana Valley residents and other individuals as decided by the board of governors.

This private Beach-Bay Yacht Club will afford the valley residents and individuals an area to have the type of recreation they might desire. Much of the social life of this valley will probably initiate out of this area. The hotels, etc. will of course augment this.

You will note there are multi-family designations surrounding the Recreational Area. On the Punaluu side the apartments will be a compact lanai type structure for summer or vacation rentals which will be geared to an Island clientele rather

than the tourist, for the most part, who would use the hotels, etc. in the commercial zone. These rentals would help to sustain a continuing usefulness of the Beach Park, Recreational Area, and open areas, thus justifying a capital outlay of some magnitude. It is disappointing to read where beach parks suffer from lack of users. The Kailua Beach Park is a good example. I read where it was one of the finest swimming beaches and yet on crowded days it falls far short of its capacity. One of the causes may be due to the lack of commercial development adjacent to it.

Our commercial zone, as mentioned before, is predicated on the users from the Beach Park, Recreational Area, and tourist. All structures would be kept low-lying so as not to create a Waikiki skyline and limited to a modest size with the architecture in keeping with Polynesia. Entertainment would be provided by the hotels, restaurants, etc.

On the Kaaawa side of the Recreational Area we envision garden apartments for a moderate income bracket or possibly a senior citizens development.

Mauka of the Recreational Area begins the "prestige" residential estate community controlled by an association. Here would be a self-contained entity which would include a shopping plaza, civic center, educational and religious facilities, recreational facilities, attendant public services, etc., for "prestige" estate development to re-vitalize the atmosphere of gracious living "Hawaiian style" which is found no other place in the world and is disappearing. I was alarmed to see how many of the stately old landmarks of Hawaiian heritage have been torn down or become multi-resident dwellings. Thus it is our desire to recapture a setting to prompt such an atmosphere again.

We begin this community with a garden-lanai apartment complex mauka of the Recreational Area and bordering the shopping plaza. This will act as a buffer between the two sections. Beyond these apartments begins the residential estate clusters. (Our interim master plan shows only the general basic layout of these clusters, as it does with the other areas. Enclosed is an article from the Sunset Magazine which illustrates somewhat our "cluster" idea.) Inside each of these clusters is a small apartment, neighborhood shopping - civic section. These are to afford the "cluster" resident, dwellings for their senior citizens and a last-minute or emergency food, drug, or liquor shops. Finally, the open areas would contain recreational facilities and be maintained for the most part by the association.

To summarize briefly, we have devised a master plan which encompasses all phases of a community from the public users to the private users within a continuous self-contained area uninhibited by previous urban development. We fully realize that people must have areas in which to relax. However, we understand only too well that it takes capital to develop and maintain anything. The public dollar comes from the people and industry. The private dollar spent helps lower the public dollar paid by its citizens.

Our development in Kahana Valley is predicated on combining the urbanization and conservation to its most fruitful use. We have areas of recreation for the public, we have commercial areas to support and be supported by the public users. We have residential facilities for the users of these areas, we have an additional residential area which will become one of the show places of the Pacific, and we have open areas for the conservation of natural beauty, water and resources.

Hawaii will have a land use area which will bring in income to the State and County, provide its citizens recreational and living facilities, afford the tourist additional pleasures, and be magnificent to behold.

May I say in passing that I and the undersigned are proud to have a Hawaiian heritage. Some of us have had members of our families in public service; two of mine were A.S. Cleghorn (father to Kaiulani) in the service of their Majesties King Kalakaua and Queen Liliuokalani, and A.G.M. Robertson, chief justice of the Hawaiian Supreme Court.

And so it is in this spirit of public service that we the undersigned submit this petition to you the State of Hawaii Land Use Commission to pray for a land designation from

Agriculture-Conservation

to

Urbanization-Conservation

as so indicated generally by the attached master plan for Kahana Valley, Koolauloa, Oahu, State of Hawaii.

Petition for Amendment of Temporary District Boundary

Signatures (cont.)

Pualeilani J Welch

Name Pualeilani J Welch

Address Box 356
Sonoma
Calif

Bernice J. Wolters

Name BERNICE J. WOLTERS

Address 1101 - Berkshire Lane
Newport Beach
California

Paloma J Kuhn

Name Paloma J. Kuhn

Address 1160 Arguello Blvd.
San Francisco 18
California

Name

Address

Virginia Cullom Yager

Name VERGINIA CULLOM YAGER

Address 1093 Longridge Rd.
Oakland 10
California

Name

Address

Kulamanu H Stewart

Name KULAMANU-H-STEWART

Address 81 Montell Street
Oakland
California

Name

Address

Petition for Amendment of Temporary District Boundary

Signatures (cont.)

Kulamanu M. Nash

Name Kulamanu M. Nash

Address 1060 Meadow Lane

Lake Forest

Illinois

Name

Address

Name

Address

Name

Address

Name

Address

Name

Address

Name

Address

Petition for Amendment of Temporary District Boundary

Signatures (cont.)

C N Wodehouse

Name C. N. WODEHOUSE

Address RR#1, Box 260
Holualoa, Kona
Hawaii

Name

Address

Name

Address

Name

Address

Name

Address

Name

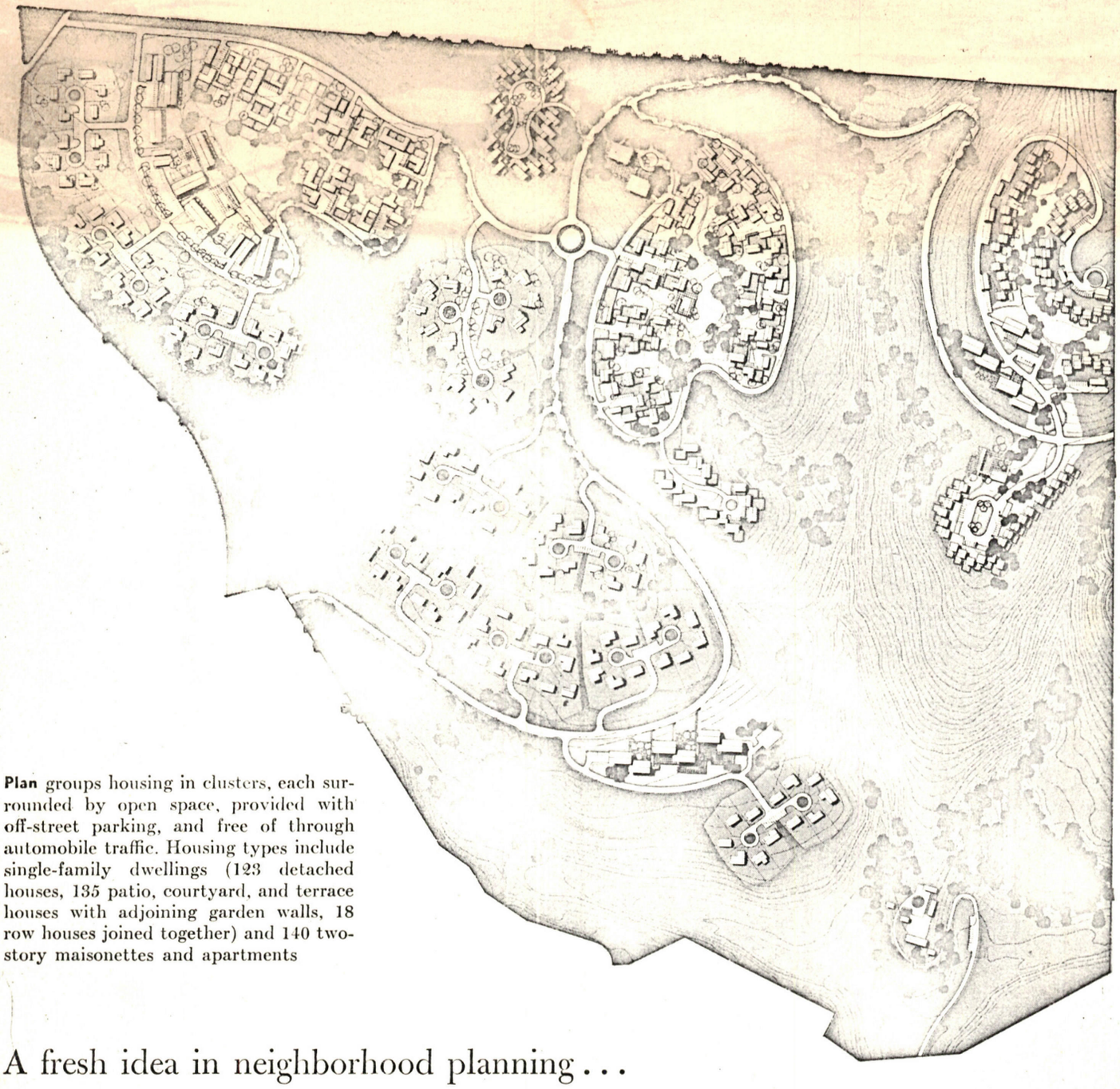
Address

Name

Address

Name

Address



Plan groups housing in clusters, each surrounded by open space, provided with off-street parking, and free of through automobile traffic. Housing types include single-family dwellings (123 detached houses, 135 patio, courtyard, and terrace houses with adjoining garden walls, 18 row houses joined together) and 140 two-story maisonettes and apartments

A fresh idea in neighborhood planning . . .

Houses in clusters . . . open green space between

This development plan for a 245-acre site adjoining Carmel, California, won a top Honor Award in the 1961-62 Western Home Awards program (see the October 1961 *Sunset*).

It achieves the same overall population density as the land would have yielded if it had been divided in the conventional way into same-size lots.

It does more: It leaves 65 per cent of the land in its natural state, contributing benefits of openness in which all buildings share. (Much of this land is steep and would require costly building methods.) And the plan puts only half as much land into streets as a conventional subdivision would require.

The jury felt such a plan does much to preserve the diminishing resource of land by not covering it uniformly or calling for the grading scars on hillsides produced by the typical kind of development. They also noted that the variety of housing types avoids the monotony of living where not only the houses tend to be alike but the people tend to reflect this uniformity. They felt the generous provision of open space makes sense economically and provides unusual amenity for residents.

Because such an unusual plan did not fit existing subdivision law, a new "special treatment zone" ordinance had to be passed, under which the development plan won approval from the county planning commission.

Architects and planners were Hall and Goodhue; civil engineers were Gilbert A. Fitch, Design Associates, Inc.; landscape architect was Georg Hoy.

The "cluster" neighborhood...

You'll probably be hearing more and more about related ideas of the common green and the cluster in the future. Here are some of their features; others are sketched at right, through courtesy of the Planning Department of Santa Clara County, California.

Subdivision designs that contain clusters of housing units with open space between are usually best explained by comparison with conventional subdivisions. For example, "quarter-acre zoning" requires all of the land except streets to be divided into lots of no less than about 10,000 square feet each. In common green planning, lot size might be reduced to, say, 8,500 square feet. The difference, or "saving," is lumped into common open space.

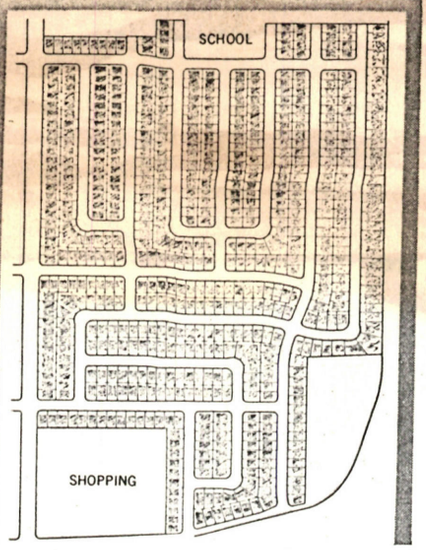
This smaller lot size, proponents say, simply means you have less ground to take care of around your house. You can still enclose some area for private outdoor living, but with open space beyond your property you feel less need for complete perimeter fencing. Often the open space is available for more expansive outdoor activities such as games and picnics. And you don't have to fence in your young children to keep them from playing on congested streets.

If properly planned, the common green subdivided area ends up with about the same number of people per acre as conventional zoning would have produced. This serves the main intent of zoning. Planners call this idea "density control," as opposed to plain zoning control.

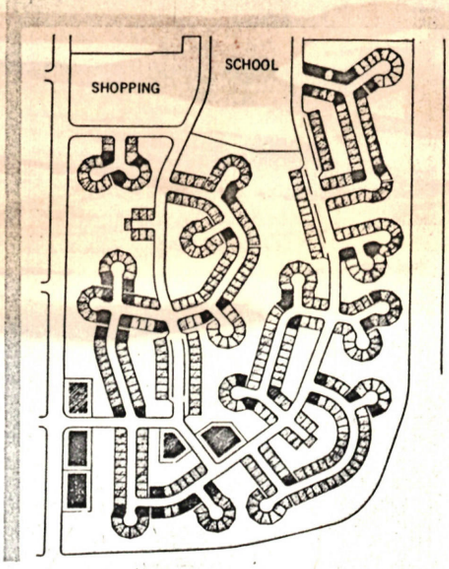
Varying housing types—single-family houses, duplexes, row houses, apartments, and others—may be included. The higher-density dwellings can group more people in smaller area, so even more land can go to open space while a given population density for the area is maintained. And less land need be wasted in paving for streets.

The open area can be many things. In hilly areas it can simply be wild country, where homes are placed on the easiest building sites and the most precipitous terrain is left untouched. We have also seen subdivisions where the open space is a golf course or a lagoon for boating. Often it may be park, play area, and landscaped pedestrian pathways.

The chief hindrance to the spread of the common green idea has been working out who shall be legally responsible, and who shall maintain the open space. But this does get worked out. Sometimes city or county government may accept it as park land (usually only if it is accessible to the public). Other devices include homeowners' associations, cooperatives, or private ownership together with lease or rental housing.

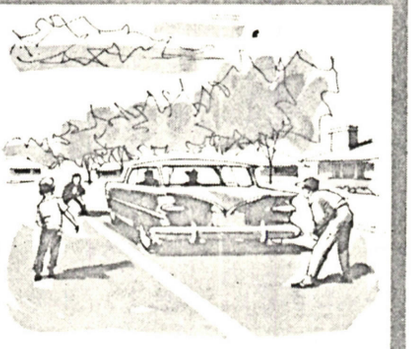


Conventional subdivision



Cluster subdivision

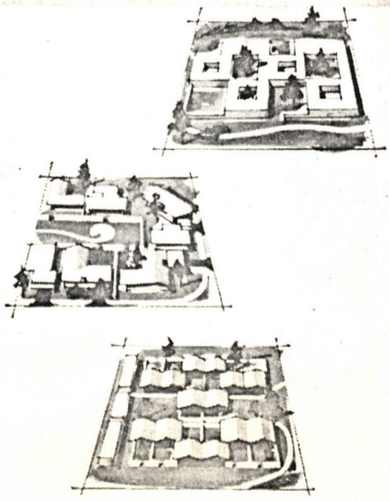
32	Acres in streets	24
22,500	Linear feet of street	16,055
29	Per cent of site in streets	19
80	Acres in building sites	41
590	Dwelling units	604
0	Acres of usable open space	51



Streets for playgrounds, *in absence of open space. When back yards are small, the only walkways are streets*

Safety *when children can congregate on common green. Traffic-free paths can lead to schools, park, shopping*

Uniform *dwellings imposed by regimented lots. The usual result: look-alike houses and little social variety*



Choice. *Varied orientation gives similar houses individuality; varied types make for more stimulating community*

FOREST RESERVE

PUNALUU

WAHIAWA

WAIANAE

UKA

WAIPIO

WAIKANE

PUU
OMULENUE
EL. 2265

HAKIPUU

KAAAWA

FOREST RESERVE

FOREST RESERVE LINE

KAHANA BAY

FUTURE LAKE

FUTURE DAM

KAHANA

FUTURE HOUSING

TABLES

GARDEN APARTMENTS

TOWN - PLAZA
SHOPS, PUBLIC BLDGS.

RECREATIONAL AREA

PICNIC AREA

MUSEUM

FUTURE HOUSING

VACATION RENTALS

DOCK

PUBLIC BEACH

HOTEL, MOTEL

CLUBHOUSE

SCHOOL

PARK

TROPICAL DISPLAY GARDEN

FUTURE HOUSING

WAIAHOLE DITCH

2200 2000 1800 1600 1400 1200 1000 800 600 400 200

LEGEND

- SINGLE FAMILY
- MULTIPLE FAMILY
- PUBLIC OR CIVIC
- COMMERCIAL
- RECREATION - OPEN SPACE

NORTH

SCALE
0' 2000' 4000'

JAMES G. PULLIAM & ASSOCIATES
Architecture Planning
LOS ANGELES, CALIFORNIA

KAHANA VALLEY
KOOLAULOA, OAHU
STATE OF HAWAII

Prepared For
BERNICE JAEGER WOLTERS and JAMES HERMANN WOLTERS
HEIRS TO HUI O'KAHANA & MARY E. FOSTER ESTATE

MASTER PLAN

1

64-2

110-308 Westwood Plaza
Los Angeles 24,
California

May 1, 1963

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

Att: Mr. W.M. Mullahey

Dear Mr. Mullahey:

I received notice that the City Planning Commission recommended against the zoning change on our petition for Kahana to urban, however, suggested that lands makai of the forest reserve line be made allowable for park use.

Please keep me informed as to the resultant actions of your Land Use Commission.

Enclosed are stamps to cover the mailing of any communiques post haste.

Sincerely yours,

James H. Wolters

JHWrkg
Encl: 2 special delivery stamps
6 8¢ air mail stamps

Ref. No. LUC 525

April 5, 1963

Mr. James H. Wolters
110-308 Westwood Plaza
Los Angeles 24, California

Dear Mr. Wolters:

Your cablegram concerning the Land Use Commission's Proposed Final District Boundary public hearings arrived this morning. You are correct in assuming that these hearings were not scheduled for the purpose of considering your formal petition for Change of Temporary District Boundary.

This office is awaiting a recommendation from the City & County Planning Commission on your petition, as you will note in SECTION 2, Section 6, 187/61 this recommendation must be received by us before the Land Use Commission may consider the formal petition.

I will notify you of the Land Use Commission's public hearing on your petition as soon as I am able to set a date.

Very truly yours,

W. M. MULLAHEY
FIELD OFFICER

APR 5 1963

OA483 OX628 LH635

L LLS555 INTL LOS ANGELES CALIF 70 4 920P PST

LT STATE LAND USE COMMISSION

426 QUEEN ST HONOLULU (HAWAII)

I HAVE JUST TODAY RECEIVED YOUR MARCH 11 MEMO TO INTERESTED PEARSON CONCERNING MEETING ON MARCH 28 ON FINAL BOUNDRIES AM I CORRECT TO ASSUME THIS MEETING HAS NO BEARING ON MAY PETITION LUC75 SUBMITTED ON NOVEMBER 28 1962 AT A 50 DOLLAR FEE FOR A PUBLIC HEARING PLEASE ADVISE

JAMES H WALTERS 110-308 WESTWOOD PLAZA LOS ANGELES 24 CALIFORNIA

11 28 LUC75 28 1962 50 110-308 24.

Kahana Jll

CITY AND COUNTY OF HONOLULU

PLANNING DEPARTMENT
HONOLULU HALE ANNEX
HONOLULU 13, HAWAII

March 7, 1963

603

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

ATTENTION: Mr. R. J. Darnell
Executive Officer

Gentlemen:

Reference is made to the application by Mr. James H. Wolters for a temporary district boundary change for area of land comprising approximately 5,000 acres at Kahana Valley, Koolauloa, Oahu.

Please be advised that the matter is pending before the Planning Commission. The Commission had discussed this application on several different occasions and had visited the site to familiarize themselves with the subject property. However, the Commission is desirous of obtaining a more detailed information on the specific acreage requested for the various urban uses as delineated on the applicant's master plan of the valley and a definite boundary of the area requested for urbanization before formal recommendation can be made. Therefore, this office is writing to the applicant for further information as requested by the Planning Commission.

You will be notified of any future action that may be taken by the Commission.

Very truly yours,
PLANNING COMMISSION

By Frederick K. F. Lee
Frederick K. F. Lee
Planning Director

RT: da

Ref. No. LUC 261

November 28, 1962

City Planning Commission
City and County of Honolulu
Honolulu Hale Annex
Honolulu, Hawaii

Attention: Mr. Frederick Lee, Planning Director

Gentlemen:

Enclosed find application for temporary district boundary change from Mr. James H. Wolters of Los Angeles, California, forwarded for your study and recommendation.

Please be advised that this office has retained filing fee ($50.00) and a copy of the application.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Enclosures

Box 110
308 Westwood Plaza
Los Angeles 24,
California

November 26, 1962

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

Att: Mr. Rowland J. Darnell
Past ref. no. LUC 75

Dear Mr. Darnell:

Enclosed is a Land Use Petition for the Valley of Kahana, O-11, and a draft for $50.00 for the filing fee.

Because we feel this situation concerning Kahana is somewhat different and more involved, we have "attached" the reasons for this request at length on separate sheets and so have not followed the format of the petition's questions exactly. We also wish to state that the attached color copy of our interim master plan represents the basic general areas of development and will vary in specific shapes upon the actual engineering forthcoming.

We realize that much is happening in terms of development now that Hawaii is a state, which makes your Commission one of the busiest. However, if at all possible, could an informal meeting with you or you and some of the Commission be arranged for Monday, December 10th, or early in the week? I have to be in Honolulu that week on business and would appreciate discussing the project in Kahana Valley even though I realize there will not be much time to look over this petition.

Also enclosed is a copy of the interim master plan, a copy of a summary of our ideas for the development of Kahana, and a copy of the Sunset Magazine article which you may wish to send to Harland Bartholomew and Associates.

We appreciate the fact that you have shown interest in hearing from us and will process our petition. I am looking forward to meeting you personally.

Yours sincerely,

James H. Wolters

James H. Wolters

JHWrkg

Extract from Land Use Petition

Summary of Ideas for Kahana Valley

Because Kahana Valley has tremendous natural beauty, we all concur it should be preserved. With this format in mind, we have laid out for Kahana Valley an urbanized situation which will maintain and amplify this beauty by means of a compatible complex of commercial, residential, and recreational developments controlled by an association.

A large Recreational Area of appoximately 250 acres is centered on the valley floor near the Bay. In this area are planned picnic and camping facilities around fingers of water interspersed with tropical displays. Playgrounds and ball fields will be situated in designated open areas. A Hawaiian Museum, band concert stand, pageant pavilion, tea gardens, and other concessions that will include boat rentals and stables, etc. will be located within this Recreational Area. Locks and/or a dam will control the run-off from the rains. Again the format is maintained to keep and develop the natural beauty inherent to these Islands

Overpasses will connect this Recreational Area with the City and County Public Beach Park allowing the commercial zone containing hotels, shops, services, etc., for the general public,tourists and other residents, to develop between these two areas. The balance of the beach front from the Beach Park to the point bordering Kaaawa will become a private Beach-Bay Yacht Club containing all the needed facilities for the Kahana Valley residents and other individuals as decided by the board of governors.

This private Beach-Bay Yacht Club will afford the valley residents and individuals an area to have the type of recreation they might desire. Much of the social life of this valley will probably initiate out of this area. The hotels, etc., will of course augment this.

You will note there are multi-family designations surrounding the Recreational Area. On the Punaluu side the apartments will be a compact lanai type of structure for summer or vacation rentals which will be geared to a Island clientele rather than the tourist, for the most part, who would use the hotels, etc., in the commercial zone. These rentals would help to sustain a continuing usefulness of the Beach Park, Recreational Area, and open areas, thus justifying a capital outlay of some magnitude.

Our commercial zone, as mentioned before, is predicated on the users from the Beach Park, Recreational Area, and tourist. All structures would be kept low-lying so as not to create a Waikiki skyline and limited to a modest size with the architecture in keeping with Polynesia. Entertainment would be provided by the hotels, restaurants, etc.

On the Kaaawa side of the Recreational Area we envision garden apartments for a moderate income bracket or possibly a senior citizens development.

Mauka of the Recreational Area begins the "prestige" residential estate community controlled by an association. Here would be a self-contained entity which would include a shopping plaza, civic center, educational and religious facilities, recreational facilities, attendant public services, etc., for "prestige" estate development to re-vitalize the atmosphere of gracious living "Hawaiian style" which is found in no other place in the world and is disappearing. I was alarmed

to see how many of the stately old landmarks of Hawaiian heritage have been torn down or become multi-resident dwellings. Thus it is our desire to re-capture a setting to prompt such an atmosphere again.

We begin this community with a garden-lanai apartment complex mauka of the Recreational Area and bordering the shopping plaza. This will act as a buffer between the two sections. Beyond these apartments begins the residential estate clusters. (Our interim master plan shows only the general basic layout of these clusters, as it does with the other areas. Enclosed is an article from the Sunset Magazine which illustrates somewhat our "cluster" idea.) Inside each of these clusters is a small apartment, neighborhood shopping - civic section. These are to afford the "cluster" resident dwellings for their senior citizens and a last minute emergency food, drug, or liquor shops. Finally, the open areas would contain recreational facilities and be maintained for the most part by the association.

To summarize briefly, we have devised a master plan which encompasses all phases of a community from the public users to the private users within a continuous self-contained area uninhibited by previous urban development.

Box 110
308 Westwood Plaza
Los Angeles 24, Calif.

September 18, 1962

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

Gentlemen:

The copy of the "Key Map" O-11 sent C.O.D. arrived on Tuesday September 11th--thank you.

I requested petition blanks which have not arrived as yet. Is it possible to obtain same shortly.

Sincerely yours,

James H. Wolters

Mike

Box 110
308 Westwood Plaza
Los Angeles 24
California

September 2, 1962

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

Att: Mr. Rowland J. Darnell

Re: Ref. No. LUC 75

Dear Mr. Darnell:

Thank you very much for your prompt and informative letter of July 10, 1962. I have been out of state so please excuse the delay in acknowledgment. We appreciate the fact you brought the communication to the attention of Harland Bartholomew & Associates. Our plan, we feel, is well within the general concepts of keeping as much open areas as possible so as not to choke off the beauty of the Islands. The revised master plan for the Valley of Kahana(I enclosed a copy of the previous plan with my letter of July 9th to you)with its accompanying economic report will be completed shortly.

In the mean time would you have your department send me some petitioning forms to have on hand and a copy of the "Key Map" O-11, if possible. Please bill me at the above address for any expenses incurred.

I will be in contact with you again, Mr. Darnell, if I may, as our project progresses. Thank you very much for you attention and courtesies.

Sincerely yours,

James H. Wolters

JHW:rg

TELEPHONE OLIVE 3-3641

WILLIAM H. BROWNYARD
REAL ESTATE DEVELOPMENT
6363 WILSHIRE BOULEVARD
LOS ANGELES 48, CALIFORNIA

Bernice J. & James H. Wolters
Heirs to Hui O'Kahana
Kahana Valley Project
July 20, 1962

III Acreage Justification and Explanation

On the Bay-front property east of the County's Kahana Beach Park, we recommended that a development consisting of a Resort Hotel, Boat Club, Beach Club, a view restaurant or similar establishments be developed. As shown in section II, (general information) there are obvious demands for a resort hotel and recreational accomodations. In both cases, the Polynesian atmosphere, which will give the tourist the feeling of tranquility and relaxation away from the "high-use" atmosphere and city-fied conditions, should be incorporated.

This demand is amply borne out by the fact, as surveyed by the tourist industry, that an increasingly large number of repeat visitors to Hawaii are stopping just long enough on the Island of Oahu to await another plane destined elsewhere. This includes to the outer Islands such as Maui and Hawaii with their resort hotels now springing up.

We believe the owners of Kahana should insist that (1) no high-rise buildings be permitted on the Bay-front, and (2) any hotel or resort development in this area be so designed and conceived as to provide a "pacifica" atmosphere and, further, to retain and blend with the natural beauty contained within the Valley of Kahana.

This will provide vacationers (both visiting and local) with the quiet beauty they seek,but within a 45 minute drive to Honolulu and Waikiki where they can enjoy additional attractions and night life which will be missed on the outer islands. Proposed highway improvements and relocations would reduce the driving time to 30 minutes or less. A well-planned and well-handled resort development, offering the tourist the optimum in services, will be an economic boon to the windward side of Oahu and to the County of Oahu. This will keep the tourist dollar in the County of Oahu, thus reinforcing the economic justification of additional development in the Valley of Kahana, and, in fact, the whole windward area.

The Beach and Boat clubs should be private enterprises, and, through membership, could be available to others. The prime purpose of these clubs, etc., are to provide private beach and boating facilities to the residents of the valley.

Contrary to your initial reactions, we believe that having a public beach is actually an asset. A public beach brings additional people to this area which justifies establishment of commercial areas. Your hotel guests are accomodated with their own facilities as would your private residents be, if they wished, in the area established for them. Another point to be brought out, is that these Beach and Boat clubs, available to the vallet residents, could become centers for their social life. This gives stability to an area because of the feeling of being in one's own exclusive section. We again stress the continuance of development that conforms to and reflects the Hawaiiana theme.

The areas immediately inland of the Bay-front development lend themselves properly

TELEPHONE OLIVE 3-3641

WILLIAM H. BROWNYARD
REAL ESTATE DEVELOPMENT
6363 WILSHIRE BOULEVARD
LOS ANGELES 48, CALIFORNIA

to commercial, recreational, cultural, and civic uses. These properties should be easily accesible from all parts of the valley and bay-front, and also, by means of a circum-insular highway, be available to the entire windward area, residents of the Islands, and the variable tourist industry.

Particular care must be exercised in the development of commercial properties. At all costs, a "strip" type development must be avoided. An architectural format must be maintained with tight controls to assure that nothing will detract from the concept of keeping the inherent beauty that exists.

As mentioned before, these commercial establishments would be supported by the users of the adjacent areas within the valley confines and Windward Oahu, and by visitors both local and abroad. Statistics prove that any good recreational area has support facilities such as food and drug stores, sporting and clothing shops, repair services, etc. We would imagine that the Kahana Beach Park suffers from the lack of users because of the absence of support facilities. A boat ramp is only one of the many needs of a sport fisherman and his boat.

The commercial areas designated in the interior of the valley would primarily serve the needs of the valley residents, however, they should be of such caliber that they would attract shoppers from the windward area. The major one should be called the Central Shopping Plaza and the others would be small neighborhood shopping areas. Both must conform to "Hawaiiana" to maintain continuity.

Any development in the areas designated for multiple dwelling should fall into several general categories: permanent residential, seasonal residential, and vacation or week-end rentals. The "permanently" and "seasonally" occupied apartments may be developed as rental units, cooperatives, or condominiums.

Again these areas should contain restrictions and required architectural controls with the inclusion of ample open space around structures for relaxation and appropriate landscaping, the object being to avoid any feeling of city dwelling. Easy and safe accessibility to the recreational areas should be carefully worked out.

The vacation and week-end rentals should become very attractive to the Island residents, especially those from the outer islands who wish to visit Honolulu and Waikiki. A possible senior citizen area might be welcomed and profitable to be included in the total picture.

Reports note that in recent years, the "prestige" residential areas in and around Honolulu are rapidly being devoured by the development of super highways, commercial and multifamily projects. Many long-time residents and non-residents deplore the passing of opportunities to live on the Island of Oahu in the time-honored Hawaiian manner. And as you have mentioned, this mode of gracious living and social life is the basis of a true Hawaiian atmosphere.

TELEPHONE OLIVE 3-3841

WILLIAM H. BROWNYARD
REAL ESTATE DEVELOPMENT
6363 WILSHIRE BOULEVARD
LOS ANGELES 48, CALIFORNIA

We think it is apropos and economically feasible to consider such an area to provide again the opportunities and advantages of this kind of living. Mainland interest for such an area type could be generated, we feel, to satisfy the basic economies.

Although the designation of 15,000 square feet is indicated, it is probably wise to consider parcels containing a minimum of one-half acre and probably go to parcels of 2 acres or even 5 acres to provide "estate" type homes. A "prestige" type community can demand homes and adjacent settings of the highest quality.

We recommend the use of cluster type planning that conforms to the natural contours of the valley which would offer a wide variety of housing approaches. This method helps avoid the monotony of having to live within a limited number of floor plans and exteriors if the economics so rule. Here on the mainland almost endless materials are easily available, whereas in the Islands, this is not the case. The reasons are quite obvious.

Provisions for generous open-space can be made economically sensible, and provide unusual amenity for the residents. Safety for children, traffic-free paths can lead to schools, shopping areas, recreational areas, and a whole phase of other ideas, more than justifies its existence in a development.

We also advise having such restrictions in this area to prohibit the removal of any large trees or natural formations. Defacing the countryside by indiscriminate bulldozing, etc., to make large plateaus for housing would be unpardonable. Architectural restrictions would prohibit construction of any improvements which would also detract from the valley's beauty. This also maintains a level of quality which has much bearing economically to prospective developers.

Acting as the hub of interest and perpetual activity is the acreage designated as "cultural and recreational"use. We believe that this area fully developed along the lines we have discussed, would someday draw from all the corners of the globe.

Provide a series of lakes within this area for a two-fold purpose. First, a control for your water draining down from the inner valley by way of the Kahana stream. If an engineer found this series of basins inadequate, an upper lake could be constructed. This would also make additional recreational pastimes. Second, to provide lakeside development of either recreational or residential sites. Recreational development would serve a greater purpose in view of the fact that this valley is so large.

The key attraction to this area is your idea for a Museum-Academy. We believe that your panoramic presentation of Hawaiiana and Poylnesian arts, crafts, history

TELEPHONE OLIVE 3-3641

WILLIAM H. BROWNYARD
REAL ESTATE DEVELOPMENT
6363 WILSHIRE BOULEVARD
LOS ANGELES 48, CALIFORNIA

culture, etc. coupled with its research and study program, could act as an anchor to your whole development of the Valley of Kahana.

However, we recommend that included within this area there is space provided for other attractions. One type would be "live" pageants, musical and dance festivals, programs, etc. Another type (these should be carefully worked out in terms of control) would be picnic grounds, public recreation (baseball, tennis, golf, boating, riding, etc.) as well as tea houses, international food shops, unique restaurants, gift shops, etc. These additional lake side ideas should be incorporated to make this large an area economically feasible. We need not elaborate the fact that this type of undertaking needs a great deal of imagination and careful planning, and then handling.

Surrounding these areas of attractions, you can make full use of the abundance of tropical flora of Hawaii. Incorporated Tropical and Botanical Gardens which will enhance and derive additional interest of this cultural and recreational area.

One last category to cover briefly is your forest preserve areas. We can conceive that these areas are most conductive for good equestrian and hiking trails. The panoramic display of the beauty of Kahana Valley would make this attraction another "must".

In conclusion let us point out that this presentation is a recommended outline to approach the development of Kahana Valley. You must expect changes in ideas as you submit and receive proposals. Also zoning restrictions, economic feasibility, lack of interest will cause changes. However, may we say that you owners own one of the most beautiful natural contiguous pieces of property we have yet to work on. Anything short of a development so described in master plans and reports would be gross violation of the best land use.

Ltr Corr

Ref. No. LUC 75

July 10, 1962

Mr. James H. Wolters
Box 110
308 Westwood Plaza
Los Angeles 24, California

Dear Mr. Wolters:

Thank you for your letter, received on July 9, calling attention to your proposals for developing Kahana Valley. Please be assured that I shall present these to the Land Use Commission at their next meeting.

In setting the temporary district boundaries last April 4, the Commission (composed of different members, except for the two ex-officio members, at that time) was required by the provisions of Act 187, SLH 1961 (SECTION 2, Sec. 5) to determine districts "so far as practical and reasonable to maintain existing uses and only permit changes in use that are already in progress until the district boundaries are adopted in final form." Since the use of Kahana Valley was, in general, characterized by non-intensive agriculture, the entire valley was placed in a Temporary Agricultural district; except for the portions which were previously in Forest Reserve, and these were zoned into a Temporary Conservation classification.

The firm of Harland Bartholomew and Associates is under contract to provide assistance to the Commission in determining standards, regulation and boundaries as required by the Act to be prepared by January 11, 1963, and hearings held and the final regulations and boundaries adopted by July 11, 1963. I shall also call HB&A's attention to your communication, since their work is now in progress.

Enclosed, for your information, is a booklet which includes Act 187, SLH 1961, and the rules, interim regulations and an index to the temporary district boundary maps adopted and effective as noted in the booklet.

It is possible for any property owner to petition for district boundary change (see SECTION 2, Sec. 6 of Act 187/61). Such a petition should be filed with the Honolulu City Planning Department, for forwarding to the Land Use Commission along with the City's recommendations. Petition blanks are available in this office or in the office of the City Planning Commission, Honolulu Hale Annex, Honolulu. The filing fee is $50.00, payable to the State of Hawaii Land Use Commission.

If I may be able to provide any further information or clarification, I shall be happy to do so.

Very truly yours,

R. J. DARNELL
Executive Officer

RJD:ak
Enclosure

11432

[redacted]2 Chenault Street
L[redacted] Angeles 49, California

March 27, 1962

Land Use Commission
426 South Queen Street
Honolulu 13, Hawaii

Gentlemen:

Pursuant to the public laws in the State of Hawaii concerning the right of protest by land owners, we, James H. Wolters and Bernice Jaeger Wolters, heirs of fractional interest in the Hui O'Kahana (5155 acres) and the Mary E. Foster properties (93 acres) which includes the water and fishery rights, located at Kahana, Oahu, tax key zone 5 sec 2 plats 01-02-03-04-05-06, hereby submit a formal protest to the designation in the proposed General Plan of the State of Hawaii of the Kahana area as a developed park with a small area designated as residential and resort.

We will attempt in the ensuing pages to set down our reasons for this protest and suggest alternate zoning classifications.

No one will deny that the valley of Kahana is one of the most beautiful and lush of nature's creations on the Islands. A song "Beautiful Kahana" by the immortal Charles King perpetuates this. The immense tropical vegetation attracts people interested in arboreta and botanical gardens. Then the inviting settings for picnic areas, camping, riding trails, and natural recreation facilities interest still another group of planners.

When Hawaii became a state in 1959, the State and City governments started looking towards the future and of course came up with General Plans. It was stated that the parks are to be selected to provide a wide range of recreational opportunities for residents and visitors, to preserve mountain and beach areas, or particular historical or scenic sites. However, it also cautions not to acquire lands with high economic potentials.

Development has flourished profusely since the advent of Statehood and jet travel. Tourism has been sort of a blockbuster with the sudden expansion it created. On one hand it has been a tremendous stimulus to the economy, on the other hand it is squashing the old Kamaaina residents out and turning much of their inherited realm into an atmosphere of suffocation. Many of Oahu's old Kamaaina families have moved to the other Islands. The magnificent old estates with the missionary traditions are becoming a thing of the past. We are eroding the bedrock tradition of Oahu away.

Yes, we need facilities such as parks, but let us not overlook the fact that we need to somehow preserve a bit of the way of living so dear to Hawaii. The rough artists sketch of Kahana Valley as a park, appearing in the Star Bulletin's Progress Edition, is appealing. The stated aims are logical as being what many people would like. Its conception is possible, but we think it is not entirely plausible. We feel it is too immense in some respects and too confining in others to make a really ideal park. The unusually heavy rains, we think, would provide many knotty problems if such an area is left in its natural condition.

Just in passing, we think your Keaiwa area is far superior in its terrain than Kahana for extended camping, picnicking, hiking, riding, etc. Kuaokala has equally fine scenic areas and could have the same general facilities with less rain problems. With the growth of Makaha it would be advantageous for both parties. Even Bellows or Pupukea-Waimea have better total beach and water facilities. All these mentioned areas are now partially owned by the State and expanded facilities could get under way, we feel, far sooner than Kahana, which is all privately owned. From the taxpayer's point of view, we would think they would be happier to have a little less beauty in place of higher taxes. This digression is merely to show that we feel from a purely economic standpoint, Kahana is not as perfect a site for a park of the magnitude so presented.

Perhaps your department is unaware that the development process was started in 1955, when a land use master plan was drawn up for Kahana. Since then we have had a number of interested parties with ready development capital looking at Kahana. None of these offers has been accepted pending finalization among the owners of terms relating to a development program.

Professional planners and developers have drawn up for the undersigned individuals a scheme incorporating the development of ideas utilizing the natural contours and beauty of the Kahana Valley with a Polynesian architectural influence.

When a firm development program has been established, it is our intention that a formal master plan be submitted to the proper commission. For the present, here are the basic elements of a plan for your consideration.

The beach front area, with the exception of the public beach, extending back for a reasonable distance, to be zoned as a resort. Included in this area would be such developments as a resort hotel; providing accommodations, dining and banquet rooms, bars, dancing, entertainment, etc. for the public, Windward Oahu residents, valley residents, and tourists. A private yacht club, beach clubs, and the like, with membership automatic for the permanent valley residents. All the structure to be kept low-lying so as not to create a Waikiki skyline, and with emphasis on Polynesia.

Next, an area on the flat lands behind the resort zone and behind part of the public beach to be zoned commercial. Here would be established all the usual stores, professional services, utilities, etc., serving both the private and public customers. Again, the architecture would be in keeping with Polynesia and limited to a modest size.

Directly in back of the public beach, an area to facilitate a Museum-Academy structure, tropical foliage displays surrounding it and extending for some distance beyond, and parking areas for both it and the public beach. This area should be so zoned to allow these types of structures. The Museum-Academy has been in the planning stages for some time now, and its purpose is to establish a historical center for the perpetuation of Hawaiian history, lore, and way of life, by means of a different and exciting approach. It also will be designed to have a research center in conjunction with it, called the Academy.

Then an area somewhere between the 100 ft. to 400 ft. level, on the western slopes, to be zoned for residential apartment structures of limited height. These would nestle against the slopes affording a beautiful view of valley and ocean to the apartment dwellers without hindering the views of other valley residences.

An area on the eastern slopes extending from the northernmost point of the proposed highway to be zoned for estates, and possibly in the first few acres special apartments. Here the homes would be under street building restrictions to conform to the total concept of Polynesia. Additional restrictions such as no trees larger than 8", for example, be removed for building purposes unless the valley commission OK's it. The estate lots would be so laid out as to keep out any feeling of tract development.

On the valley floor in back of the commercial zone and including the Kahana stream at that point, zoning for recreational areas. This would contain picnic grounds, recreation parks, boat landings, etc., a festival area, bandstand, etc. It is hoped that Hawaiian pageantry can be produced by the students of the Museum-Academy.

We are very much in favor of the proposed highway through Kahana. A number of scenic stops could be arranged at the crest and on the descent through the valley. Of course, any final master plan would have to be altered when the exact highway route is established.

The area in back or south of the highway and north of Puuokila Peak would be zoned residential, with a portion near the highway as apartments, neighborhood stores and service station.

The area southwest of plat-02 and at the base of the steep slopes would be additional estate zoning.

Then, the area below the Waiahole ditch would be dammed at the narrowest point between the western slopes and Puuokila. This would control the run-off into the valley and make a very beautiful private lake with natural recreational facilities such as fishing, hiking, riding, etc.

The general development of the valley would be "prestige" estate type residential, controlled by a commission in order to preserve as much natural beauty and "Hawaiiana" as possible. We and our consultants envision a magnificent development which will contain all the elements anyone could desire. We predict that it will become one of the most valuable pieces of real estate in the Islands, if not in the States. The taxes paid now amount to practically nothing. If it were to become a park, there would be no property taxes. But if it became the type of development outlined, we believe it would bring in much tax revenue.

Thus in conclusion, Bernice Wolters and I feel as do our consultants, that Kahana can and will become one of the show places of the Pacific, and will reestablish a residential area for the Kanaaina Oahuans. It will bring back some of the traditional style of living which has been lost in the scramble during the past few years.

It is with these ideas in mind that we respectfully submit this protest.

Very truly yours,

James H. Wolters

Bernice J. Wolters

Box 110
308 Westwood Plaza
Los Angeles 24, Calif.

Mr. Rowland J. Darnell
State Land Use Commission
426 So. Queen St.
Honolulu 13, Hawaii

Dear Mr. Darnell:

Bernice Jaeger(Mrs. Wm Wolters) and I as owners of the Kahana, which has figured in various public hearings of the Windward Oahu sector and as a possible regional park site, presented a master plan for its development before the City Council's June 19th public hearing on their general plan for the Koolaupoko and Koolauloa districts.

This master plan presents a development of the Kahana Valley in a comprehensive utilization of lands for both the public and private users. It is presently undergoing further refinements and will be completed for a formal presentation later this year.

While in Hawaii I started contacting various public agencies to discuss our proposed development plans but had to return to the mainland before completing my contacts. Therefore I am enclosing a copy of the plan presented before the Council for your perusal.

An article by Judy Bridgford on June 27th in the Pali Press states that, "James H. Wolters presented a commercial subdivision for the Kahana Valley". We would like to point out that our master plan is more than just a subdivision. We plan a 200 acre plus recreational area(camp sites - water & land sport facilities - walking trails through tropical display gardens - museums - etc.) and equestrian and hiking trails on the slopes of the open areas. In either area there is ample room for Tropical or Botanical gardens. A commercial area would service the City and County's Kahana Beach Park and the recreation area. Surrounding this area are vacation apartments and multifamily units. The balance of the Valley would be used for residential clusters with a shopping center, school, public service buildings, etc.

We sent a protest on March 27th to the former Land Use Commission so stating our feelings. Enclosed is a copy of the protest for your files.

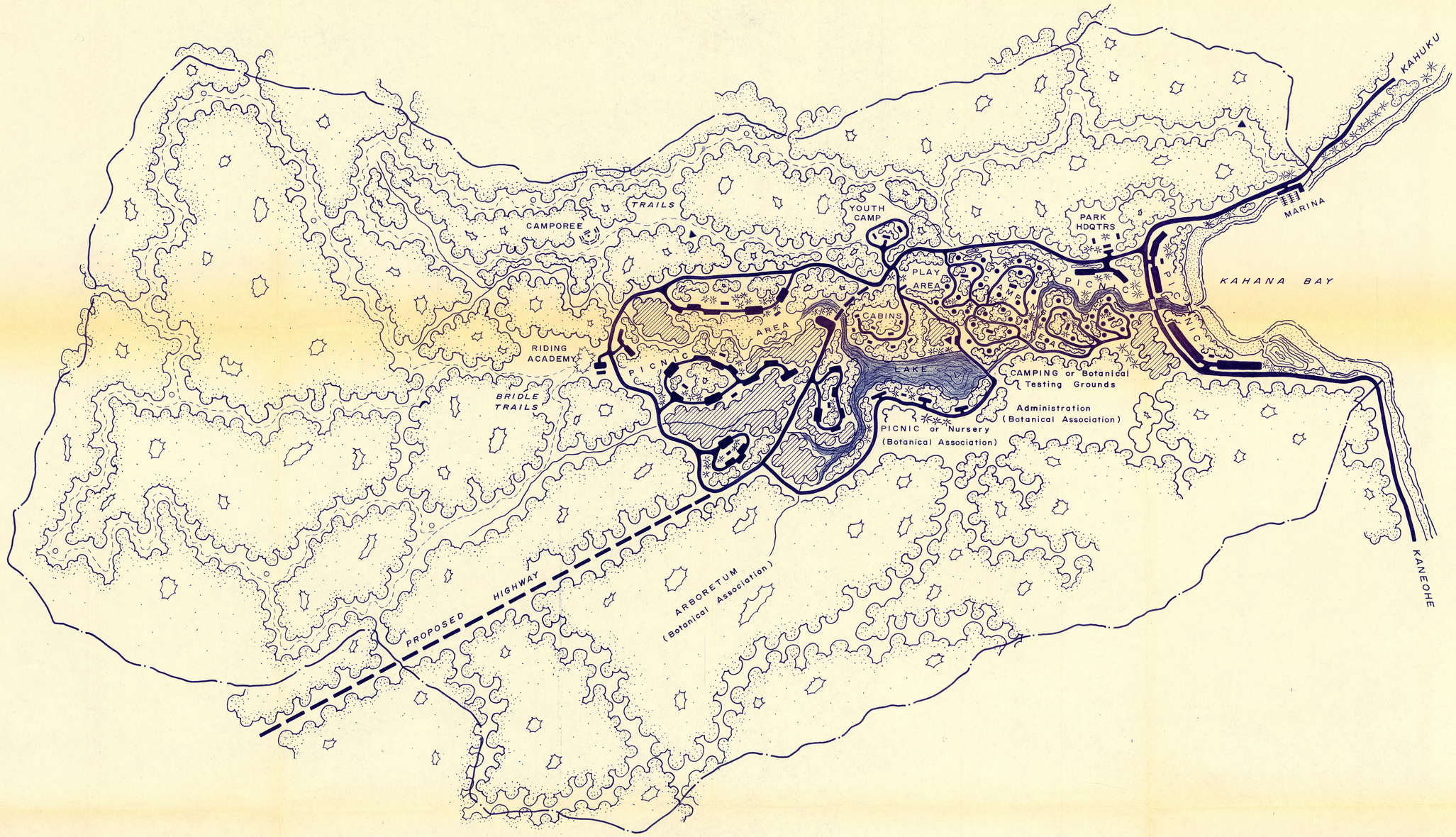
As stated at the City Council hearing, we plan to coordinate with the planning departments on this project to attain the best for Oahu and the State of Hawaii. It is hoped that we may do so with your group.

Thank you for your time.

Sincerely yours,

James H. Wolters

EXHIBIT B



LEGEND

- LANDSCAPE (Botanical Society)
- ROAD & PARKING AREA
- LOOKOUT
- STRUCTURES
- CAMPSITES
- SHELTERS

ISLAND OF OAHU

PROPOSED DEVELOPMENT PLAN

KAHANA BAY PARK

NORTH

1000 0 1000 2000
SCALE IN FEET

3972