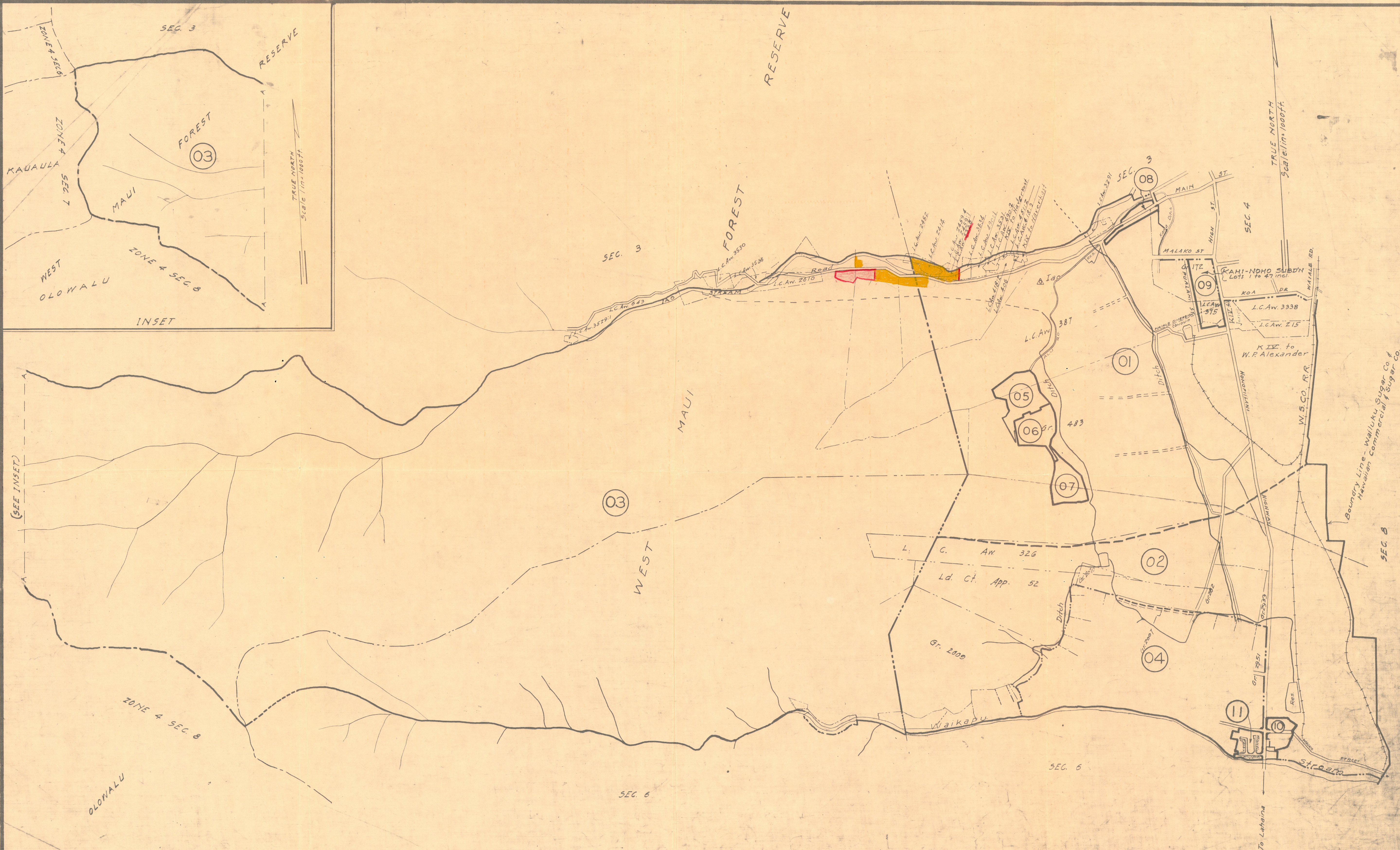
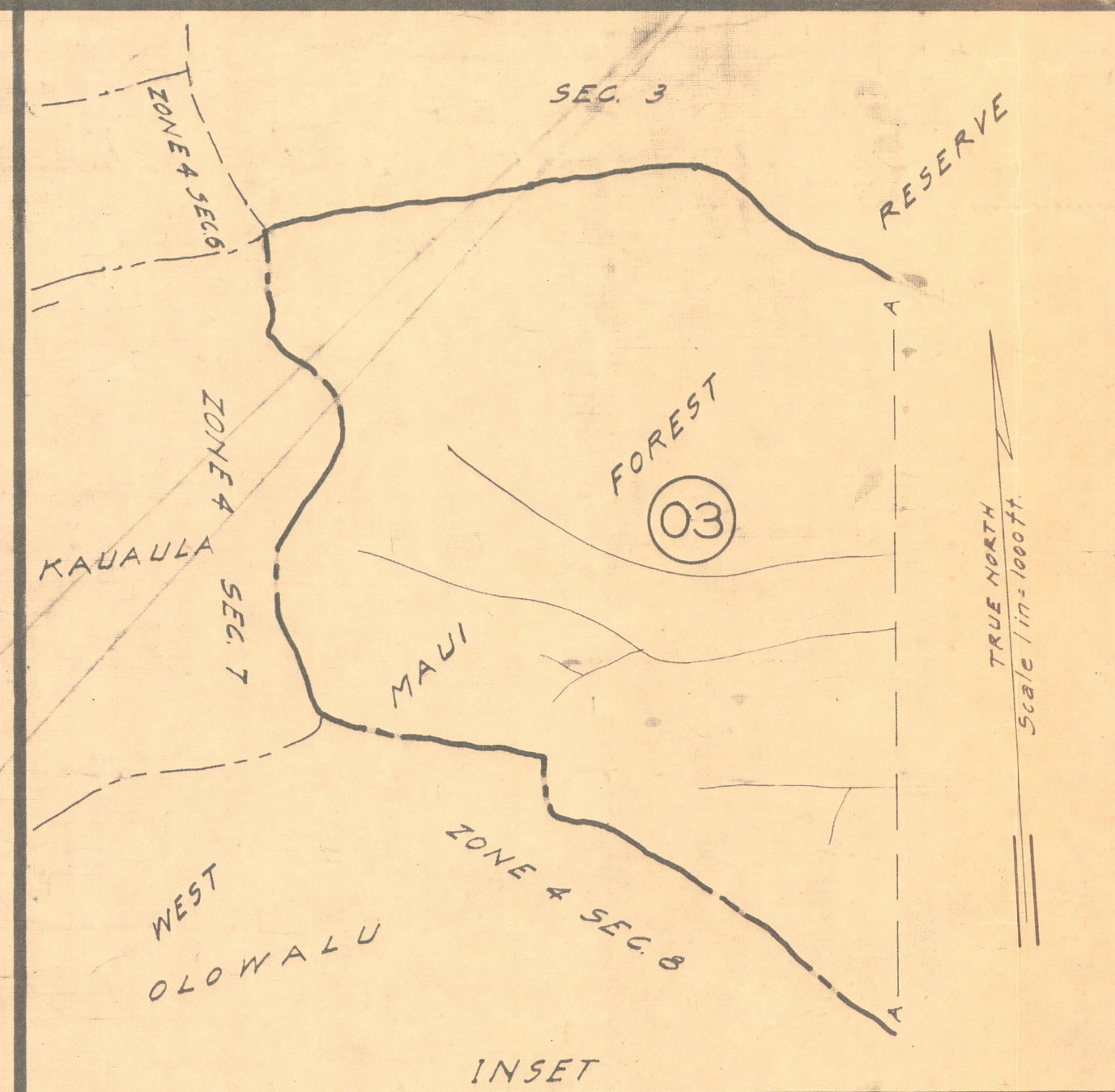


Toshio ANSAI

A(T) 63-48

APR 7 1939
OCT 23 1950
MAR 5 '52
SEP 25 '57
SEP 8 '58



Dwg. No. 107
 By: G.A.
 Source: Survey Dept. - U.S.G.S.
 Appr. by: 10/32
 Revised by: 10/32
 Appr. by: 10/32

Por. of Waikapu & Wailuku - Maui

Tax Maps Branch
Tax Office Bldg.
Honolulu, Hawaii

SECOND DIVISION	
ZONE	SEC.
3	5
CONTAINING PLATS	
Scale 1 in. = 1000 ft.	

(T) 13-48 Toshi Ansai
submitted w/ ltr. 2/4/64

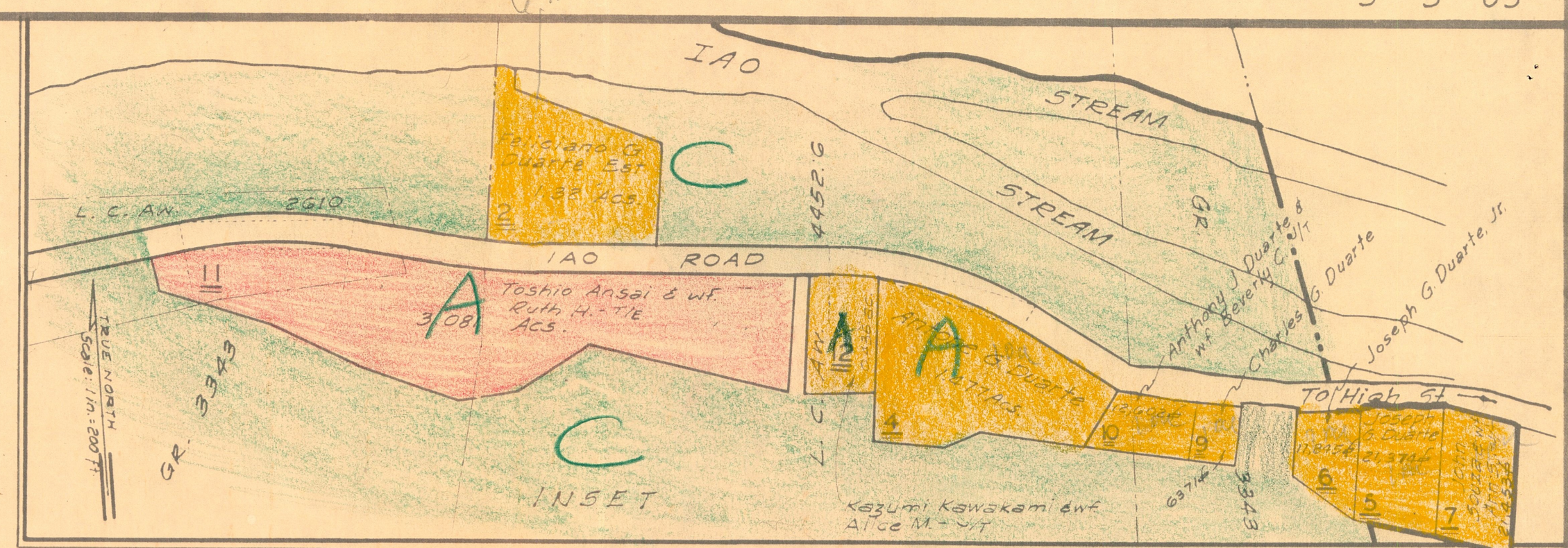
RECEIVED
FEB 6 1964
State of Hawaii
LAND USE COMMISSION

Dwg No. 2
By: H.N. May 1934
Source: Tax Maps Bureau

Revised to

For: WAIKAPU, WAILUKU, MAUI

True North
1" = 1000'



Unlocated in Forest Reserve
3 Kaonolu Ranch Co., Ltd.
41.55 acs.
8 Waikuku Sugar Co.
1.47 acs.
L.C. AW. 460:3

Tax Maps Branch
Tax Office Bldg.
Honolulu, Hawaii

SECOND DIVISION	
ZONE	SEC. PLAT
3	5 03
CONTAINING PARCELS	
SCALE: 1 in. = 1000 ft.	

ADVANCE SHEET
SUBJECT TO CHANGE

3912

PRINTED DEC 30 1933

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM A(T) 63-48 - Aiea
DATE 4/10/64
PLACE Waialua, Maui Bd of Supervisors Chamber
TIME 2:15 pm

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

COMMENTS:

Ferry - Deny Petition
Sec - Burns

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Hearing and Meeting

Board of Supervisors' Chambers

Wailuku, Maui

2:00 P. M. - April 10, 1964

Commissioners

Present:

C.E.S. Burns
James P. Ferry
Charles S. Ota
Goro Inaba
Shiro Nishimura
Myron B. Thompson
Robert G. Wenkam
Leslie E. L. Wung

Absent:

Shelley Mark

Staff

Present:

Raymond S. Yamashita, Executive Officer
Roy Y. Takeyama, Legal Counsel
Richard E. Mar, Field Officer
Alberta L. Kai, Stenographer

Chairman Thompson called the hearing-meeting to order and said a short prayer. The procedures and agenda to be followed throughout the hearing-meeting were outlined, and the introduction of the commission and staff members were made. All persons who would be entering testimonies during the first phase of this hearing-meeting were sworn in by the Chairman.

PETITION OF WALTER S. S. ZANE (A(T)63-53) FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN KIHAI, MAUI: Described as TMK 3-9-01: 35

The field officer, Richard Mar, presented the background of the petition and located the area on a map.

Mr. Walter Zane stated that there is a definite need for this type of land use. The Kihei Subdivision which is subdivided into 10,000 sq. ft. lots is presently abutting this land. The distance from Kahului and the airport is only 15 to 20 minutes. The necessary facilities are already in the area and the land is not suited for agriculture. Mr. Zane stated that there were many lands that could be used for agriculture but were vacant. He stated that their proposed one-acre estate subdivision would provide lots averaging \$3,000 to \$4,000 for the people of Maui.

Mr. Arthur Zane stated that the demand for better standards of living has pushed agriculture (pineapple and sugar) to such an extent that these pursuits have been forced to other counties to keep them in operation for the welfare of the State. Mr. Zane stated that their subdivision would meet the present demand for this type of land use and would encourage more small landownership.

The field officer continued with the staff analysis and recommendation. The Maui Planning and Traffic Commission voted unanimously to recommend disapproval of Mr. Zane's petition for a boundary change. The Commission's (Maui County) disapproval was based on the fact that there are ample urban zone in Kihei (2,000 acres with only 371 homes), and that the road to the lot is not paved. The staff, being satisfied (after a review of the Kihei urban land needs) that sufficient urban land areas have been provided without inclusion of the petitioner's land, recommended that the petition be denied for the following reasons:

1. The staff concurs with the recommendation of the Maui Planning and Traffic Commission that there is no need for additional urban lands at this time;
2. The petitioner has not submitted the necessary proof that the land is required for the use being petitioned for in accordance with the requirement of Act 205, Section 98H-4. The staff also can find no evidence that the parcel is required for urban use.
3. A liberal amount of land (2,900 acres) has been placed in the proposed urban district and further urban additions would promote scatteration and therefore violate one of the major tenets in the land use law.

Mr. Warren Shultz, a resident in the area, supported the proposal of the petitioner. He stated that he considered the subject area most valuable to individuals who wish to invest in this type of land use, and of no value or gain to the County.

In response to questions raised by Commissioner Nishimura, Mr. Zane replied that at the time he submitted his petition for a boundary change, he was advised that his petition would fall in the category of an urban zoning. Mr. Zane further stated that the area was a short distance from the town, airport, etc.; and the land was not suitable for prime agriculture. He reiterated that they would be providing lots at a reasonable cost for people to purchase.

The chairman announced that this Commission will receive comments and protests within 15 days from this hearing and will take action on this petition 45 to 90 days from this hearing.

The public hearing was closed in the matter of Walter S. S. Zane.

PETITIONS PENDING ACTION

PETITION OF ANTHONY A. TAM (A(T)63-34) FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT CLASSIFICATION FOR LAND IN KULA, MAUI: Described as TMK 2-3-2: 23

Richard Mar, field officer, presented the summary of the petition involved. The Maui General Plan and the Land Use Commission's proposed final district boundary maps designate the petitioner's land as rural. In examining the general area in which subject land is located, it appears reasonable that the rural classification should be designated for the general area. The staff's recommendation was for approval of the petitioner's request, as amended.

Commissioner Burns moved to accept the petitioner's request based on the staff's recommendation. Commissioner Wung seconded the motion.

The Executive Officer polled the commissioners as follows:

Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Ferry and Chairman Thompson.

Disapproval: None.

The motion for approval was carried.

PETITION OF LUDVINA ALMEIDA, ET. AL. (A(T)63-43) FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN PUKALANI, MAUI: Described as TMK 2-3-30: 4, 41, 42 & 45; and 2-3-31: 16

Richard Mar, Field Officer, gave the summary of the petitioners' request. The area which includes the subject parcels has been a recognized subdivided area for many years. It is contiguous to an urban district and is urban in character. The staff recommended approval of the petition on the basis that the subject parcels are part of an area which is now urban.

Commissioner Inaba moved to accept the petition on the staff's recommendation; which was seconded by Commissioner Nishimura.

The Executive Officer polled the commissioners as follows:

Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Ferry and Chairman Thompson.

Disapproval: None.

The motion for approval was carried.

PETITION OF TOSHIO ANSAI (A(T)63-48) FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL TO RURAL DISTRICT CLASSIFICATION OF 3,081 ACRES IN IAO VALLEY, MAUI: Described as TMK 3-5-03: 11

The field officer, Richard Mar, presented the summary of the petition involved. The Maui Planning and Traffic Commission granted approval to amend the subject property from an agricultural to a rural district classification. The Commission (Maui County) felt that the present residential developments in Iao Valley plus the intermingling of agricultural uses fulfilled the requirements of a rural district. The staff recommended denial of the petition because: (1) there is no apparent basis for a rural classification; and (2) no satisfactory proof has been submitted by the petitioner as required by Act 205.

Mr. Coite, Division of Forestry, Maui Branch, stated that certain areas in the valley should be taken out of the conservation district and designated as urban or agriculture.

Mr. John Duarte (having been sworn in), a long time resident in the area, was opposed to the petition. He stated that he did not wish to see his family (who have lived in the area a long time) driven out of the valley.

Inasmuch as the petition was for a rural classification Commissioner Ferry, who was in favor of an urban districting, moved to deny the petition and Commissioner Burns seconded the motion.

Commissioner Wenkam argued that the area should be retained in conservation and not be changed to rural or urban as the area was one of Maui's most beautiful scenic areas.

The Executive Officer polled the Commissioners as follows:

Approval: Commissioners Wung, Ota, Wenkam, Burns, Ferry and Chairman Thompson.

Disapproval: Commissioners Inaba and Nishimura.

The motion for denial was carried.

PETITION OF E. B. STEPHENSON (A(T)63-31) FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO A RURAL DISTRICT CLASSIFICATION FOR LANDS IN KULA, MAUI: Described as TMK 2-3-03: 1

The field officer, Richard Mar, summarized the petition involved. The staff recommended denial of the petition on the following bases:

- (1) the subject parcel does not meet the criteria of Act 205 or the standards for a rural district as proposed in the Land Use Commission regulations;

- (2) the subject parcel and adjoining lands are agricultural in character rather than rural;
- (3) the subject parcel is not prime agricultural land; however, consideration must be given whether or not the specific districting imposed will permit a use that serves the welfare of the public.

Mr. Meyer Ueoka, counsel representing the petitioner, stated that the property was bought with the intent of subdividing for residential purposes. The land is not suitable for agriculture and the best use would be for home use.

The Commission's concern centered in the area of insufficient access and incomplete subdivision plans.

Commissioner Ota moved to deny the request on the staff's recommendation; which was seconded by Commissioner Burns.

The Executive Officer polled the commissioners as follows:

Approval: Commissioners Wung, Inaba, Ota, Wenkam, Burns, Nishimura, Ferry and Chairman Thompson.

Disapproval: None.

The motion for denial was carried.

The Chairman called for a 5 minute recess at 3:00 p.m.

STATE OF HAWAII
LAND USE COMMISSION
426 Queen Street
Honolulu, Hawaii
July 10, 1964

Mr. Toshio Ansai
229 Awapuhi Street
P. O. Box 598
Wailuku, Maui, Hawaii

Dear Mr. Ansai:

Your request for a change in the proposed land use district boundaries, ~~dated~~
from Agricultural to Urban for Maui TMK 3-5-03: 11 and as expressed in your
previous petition, was reconsidered during deliberations on the final district
boundaries and designated as Rural

by the Land Use Commission. (Requests that were denied may be reconsidered
by the Land Use Commission upon initiation of a petition for a boundary change
or for a special permit, whichever may be appropriate. Such a petition may be
initiated at any time. However, the outcome of such action cannot be predicted.)

The Land Use Law, Act 187, SLH 1961 as amended by Act 205, SLH 1963, mandates
the Land Use Commission to prepare and adopt land use district boundaries and
regulations not later than July 1, 1964. This legislative mandate has now been
accomplished with the adoption of the land use district regulations, and the
Kauai County and Maui County district boundaries on June 20, 1964; and the Hawaii
County and City and County of Honolulu district boundaries on June 27, 1964. These
adopted regulations and boundaries will become effective 10 days after they are
filed in the Lt. Governor's Office. It is anticipated that the regulations and
boundaries will be ready for filing in about a month and would become effective
some time in August. In the meantime, the temporary regulations and district
boundaries are in effect.

The recently adopted regulations and boundaries will be reviewed in its entirety
every five (5) years. However, any landowner or lessee may, at any time, petition
the Land Use Commission for a boundary change or petition the appropriate County
for a special permit. Information, forms and assistance in initiating a petition
may be obtained by contacting this office or the appropriate County Planning
Agency.

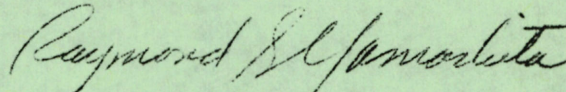
Prior to the adoption, the proposed regulations and boundaries were discussed
with the public at 12 public hearings conducted throughout the State. Further,
additional written comments and specific requests were received from the public
subsequent to the public hearings. Over 300 oral and written requests were
submitted and each request was fully considered by the Land Use Commission prior

to the adoption of the regulations and boundaries. About half of the specific requests were favorably considered, and about half were denied because of inadequate information at this time or because the granting of the request would be contrary to the intent and purpose of the Land Use Law.

The land use district boundary maps, after being filed in the Lt. Governor's office as prescribed by law, will be the official maps in the event that there are any discrepancies in the information transmitted by this letter.

Your participation has been most helpful in implementing the Land Use Law. Should you have further questions about the Land Use Law or the action taken on your request, please feel free to contact us.

Very truly yours,

A handwritten signature in cursive script, reading "Raymond S. Yamashita".

RAYMOND S. YAMASHITA
Executive Officer

Ref. No. LUC 252

April 16, 1964

Mr. Toshio Ansai
229 Awapuhi Street
P. O. Box 598
Wailuku, Maui, Hawaii

Dear Mr. Ansai:

The Land Use Commission at its meeting on April 10, 1964 took action on your petition for a boundary change from agriculture to rural for your property described as TMK 3-5-03: 11 (3.081 acres) in Iao Valley, Maui, Hawaii.

The Land Use Commission voted to deny your petition for a rural district on the basis of the Land Use Commission staff report which is enclosed for your information.

In their deliberations upon the final district boundaries, which are to be adopted no later than July 1, 1964, the Land Use Commission will consider the appropriateness of an urban districting for the subject parcel and other similar areas in the vicinity. This consideration was not then appropriate because your petition was for a rural rather than an urban district and, further, the Land Use Commission could not make any commitment in respect to the final boundaries at this time.

Should there be any questions regarding this matter, please feel free to contact this office.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

REM/an
Encl.

cc: Mr. Myron Thompson
Maui Planning & Traffic Commission

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

✓ (C) R
2
7
17

41.06 acres

17 owners

Date _____

To _____

From _____

Subject _____

3.08 ANSAI
1.32 acres - Duarte Feliciano
6.44 Kawakani

1.48 Dumb antnora

12,602 # Duarte Anthony C. 29 ac

6,371 # Duarte Charles C. 15 ac

11,845 # Joseph Duarte C. 27 ac

21,374 # " " C. 49 ac

21,453 John Sound C. 49 ac

1.1/e

(8.01 acres)

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

Date _____

To _____

From _____

(2)

Subject _____

Wailuku Sugar

27 acres

.18

1.27 acres $\frac{2}{6}$ Wailuku sugar

$\frac{4}{6}$ James Maki

Uluu Teat

28.45 acres

2 owners

41.06 acres

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

4.60 acres

To _____ 7 acres (11R) _____ Date _____
From _____ 4.58 acres _____
Subject _____

Uno Trust

Richard T. Uno	37,073	78ac Masaki	Totokake	
Jack C. Long	15,920	37ac	10,244	24ac
	11,960	28ac	10,346	24ac
	11,347	27ac	Shimada 90	
	10,500	24ac	15,916	37ac
Karane Okamoto	10,500	24ac	10,607	24ac
"	10,500	24ac	10,500	24ac
"	12,021	28ac	10,628	24ac
		Maduro	10,886	25ac
		Itawaru Shit	13,963	32ac

STATE OF HAWAII
LAND USE COMMISSION

Board of Supervisors' Chambers
Wailuku, Maui, Hawaii

1:00 P.M.
January 25, 1964

STAFF REPORT

Subject: Ansai, Toshio, Petition A(T)63-48 for amendment of Temporary District Boundary from Agricultural to Rural for a 3.081 acres in Iao Valley, Maui, Hawaii, described as TMK 3-5-03: 11, Second Division

Background

The petitioner is owner of the property in fee simple. The land is approximately 800' inside the existing forest reserve boundary line. It is located along the existing Iao Valley road and is contiguous to an area where there are already at least a dozen residential structures. Mr. Ansai's property is a narrow piece of land running parallel with the Iao Valley road and, according to the petitioner and confirmed by the staff, the width of the property ranges from 50' to 200' from the road to the base of the mountain. Since the property is too narrow and steep for any type of agricultural use, the petitioner feels that the highest and best use of the land would be for half acre residential lots. The property is vacant of any physical structures and has a verdant growth of vegetation ranging from trees to large guava bushes. Across the Ansai property is an existing single family residence with at least five other small accessory structures. The Ansai property is the last remaining small parcel of vacant land in Iao Valley. Adjacent to and below the petitioner's property are about 17 existing single family dwellings on lot sizes ranging from .15 acre to 1.48 acres. All other land in the area is owned by Wailuku Sugar Company and is presently classified as "Conservation" under the interim boundaries of the Land Use Commission. The land owned by Wailuku Sugar is in verdant forest growth. The Iao Valley stream is across the road from the petitioner's property. Further up the Iao Valley road is Kapaniwai County Park

composing an area of 5 acres. There is an existing 12" waterline to service the area. According to the State General Plan, the rainfall range is 75" to 100" per year. The U. S. Soil Conservation Service has classified the petitioner's property as rough broken land with residual material. This type of land cannot be used for agricultural purposes except for grazing and even the forage used for grazing is of low quality.

Planning and
In a letter from the Maui/Traffic Commission dated September 25, 1963, an approval was given to Mr. Toshi Ansai by the Commission to amend the subject property from an agricultural to a rural district. The Commission felt that the present residential developments in Iao Valley plus the intermingling of agricultural uses fulfilled the requirements of a rural district.

Analysis

The appropriate districting is difficult to determine because good reasons can be found for arguing the applicability of other use districts.

1. Conservation. The existing temporary districting for the subject parcel is agricultural. However, the consultants together with the prior Land Use Commission had districted the area as conservation. This Land Use Commission has also placed the subject area in the conservation district. The basis of districting this area conservation was to include Iao Valley and its watershed areas for the reasons that can be recited in the law. The approach to Iao Valley is by a single road leading from the heart of the Wailuku-Kahului urban areas. It might well be argued that the conservation districting of as much of this approach area would enhance the objectives of such districting. But to reduce this argument to specific lines is difficult. There is a gradual diminishing of the urban scene as

one leaves Wailuku and heads toward Iao Valley.

2. Agricultural. In the immediate vicinity, adjacent lands are unused or in light grazing use. Beyond the valley bottom lands and side slopes of the valley, between the Waihee Ditch and the forest reserve boundary, lie cane fields. Thus, the particular area including the subject parcel may reasonably be considered as agricultural. In respect to agricultural districts, the law states that "These districts may include areas which are not used for, or which are not suited to, agricultural and ancillary activities by reason of topography, soils, and other related characteristics."
3. Rural. There appears to be no firm basis upon which to classify the area, which includes the subject parcel, in the rural district. There are a total of 23 fee simple parcels ranging in size from 3.08 acres (subject parcel) to 6,371 square feet or 0.15 acre, totaling 16 acres. Nineteen of the 23 lots are less than 1/2 acre. Immediately makai of the subject parcel, there are 7 lots which total about 3.6 acres and contain about 17 houses, for a density of about nearly 5 units per acre. There were no "small farm" activities evident in the area. While an urban level of facilities and services may be absent in the limited local area, the full range of such facilities and services are located a little more than a mile away and are fully utilized by the residents in the subject area.
4. Urban. The use of the area appears to be limited solely to residential uses. This relatively dense residential use, while not uniform on all parcels, may be reasonably considered as an urban use. The extent of the use, however, is too small to support commercial uses. Residences in

the area are located little more than a mile from the urban center of Wailuku and therefore fully benefit from the entire range of public services and facilities. In this respect, the subject area may be reasonably considered as a part of the Wailuku urban complex even if it is not contiguous. The area is connected to the urban complex by a paved government road and is serviced by the same utility systems. Such similar non-contiguous areas, including Puuohala Village and Wailuku Heights, have been included in the temporary and proposed final urban districts.

Recommendation

The staff recommends denial of the petition because there is no apparent basis for a rural classification. Further, Act 205 places the burden of proof upon the petitioner and satisfactory proof has not been submitted.

However, the staff further recommends that the Land Use Commission incorporate the subject parcel and all adjoining or virtually adjoining small parcels down to and including the Uno Tract, in the urban district on the final boundary maps. This further recommendation is based upon the discussion in paragraph 4 above.

Ref. No. LUC 226

April 2, 1964

Mr. Toshio Ansei
229 Awapuhi Street
P. O. Box 598
Wailuku, Maui, Hawaii

Dear Mr. Ansei:

This letter is being forwarded to you to correct our letter, dated March 31, 1964, Ref. No. LUC 217.

The Land Use Commission of the State of Hawaii will meet on the Island of Maui on April 10, 1964 in the Board of Supervisors' Chambers, Wailuku, Maui at 1:00 p.m. instead of 10:00 a.m. Your petition for a temporary district boundary change will be considered at that time.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Myron Thompson
Roy Takeyama
Maui Planning & Traffic Commission

Ref. No. LUC 217

March 31, 1964

Mr. Toshio Ansai
229 Awapuhi Street
P. O. Box 598
Wailuku, Maui, Hawaii

Dear Mr. Ansai:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Maui on April 10, 1964 in the Board of Supervisors' Chambers, Wailuku, Maui at 10:00 a.m.

As the waiting period prescribed by SECTION 98H-4 of Act 205/63 will have expired, your petition for change of temporary district boundary has been placed on the Commission's agenda for consideration at this meeting. Final action may be taken on your petition at this time.

Please be advised that this notice is simply to inform you as to the status of your petition before the Land Use Commission. It is not necessary for you to be at the meeting. Should it be convenient for you to attend, of course, you may do so at your own discretion.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Myron Thompson
Roy Tekeyama
Maui Planning & Traffic Commission

Ref. No. LUC 117

February 19, 1964

Mr. Toshio Anzai
229 Awapuhi Street
P. O. Box 598
Wailuku, Maui, Hawaii

Dear Mr. Anzai:

Your letter of February 4, 1964 is acknowledged and will be given full consideration by the Land Use Commission prior to their taking action on your petition. As soon as the meeting in which action is to be taken on your petition is scheduled, we shall inform you.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Mr. Myron Thompson
Mr. Roy Takeyama
Mr. Charles Ota

RECEIVED

25043-20671
14-07003

901

February 4, 1964

RECEIVED
FEB 6 1964
State of Hawaii
LAND USE COMMISSION

Mr. Raymond Yamashita
Executive Officer
Land Use Commission
State of Hawaii
Honolulu, Hawaii

Dear Mr. Yamashita:

Upon my return from Honolulu where I was attending the pre-session departmental budgetary meetings, I found your letter together with the Land Use Commission Staff report on my petition for amendment of temporary district boundary of my property in Iao Valley from Agricultural to Rural.

I regret that I was not present at the Hearing for I feel that had I been present, I would have probably cleared some of the points brought out in your report or in the minds of the commissioners. I do hope that the meeting can be arranged so that I can be present when the final action on my petition will take place.

When the request was first made for a change in district, I considered most of the points outlined in your report. While this area is presently districted as Agricultural, it cannot be used for any productive or economical agricultural operations. This is because of the topography and type of soil found in this area. The attached map shows that this is a narrow slopy strip of land with the steep mountain bluff on one side and the road on the other side. No agricultural equipment or machinery of any kind can be used effectively in this type of terrain. I am sure that anyone knowing the land will agree that this land is not agricultural and does not serve the purpose of conserving agricultural land for agricultural purposes.

If my request to have this area changed to "Rural" is granted, I know that the land can be put to some use rather than leaving it idle. The lots will be at least $\frac{1}{2}$ acre in size and this area can be developed for a home site with the least amount of destruction of trees and vegetation. I believe the purpose of creating a new category in agricultural district is to make use of the land with the least

Mr. Raymond Yamashita

-2-

February 4, 1964

hardship caused to land owners when such lands are not at all suitable for agricultural purposes. There are presently over 20 fee simple parcels and most of them are less than $\frac{1}{2}$ acre units. My property borders one of these parcels with another directly across the road. There is an existing 12" water line and power line along the road to service this area.

I have no objection in having this area be changed to "Urban" if the Commission feels this is a more appropriate category. This area is located about a mile from the urban center of Wailuku and therefore benefits fully from the entire range of public services and facilities. It is connected by a paved road and is serviced by the same utility systems. There are presently several small non-contiguous areas in the Wailuku urban district. These are Puuohala Village, Wailuku Heights, Waiehu, Waikapu and others; therefore, this change will not be setting a precedence.

I hope that I have established sufficient reasons to justify the change of classification of this area from Agricultural to Rural or Urban.

Sincerely,


Toshio Ansai

Enclosure

Ref. No. LUC 68

January 28, 1964

Mr. Toshio Anzai
229 Waiapuhi Street
P. O. Box 398
Wailuku, Maui, Hawaii

Dear Mr. Anzai:

The Land Use Commission held a public hearing on your petition on January 23, 1964, at the Maui County Board Room in Wailuku, Maui.

Your absence was noted and there was an unconfirmed remark by someone present that you were not well and unable to attend. The hearing was held, however. We are enclosing the Land Use Commission's staff report for your information. Although the hearing was tape recorded, it will be sometime yet before the tape will be transcribed. Should you desire to, we would suggest your contacting Mr. Chata, who was present, for further information on comments made. We would like to remind you that additional comments on your petition may be submitted to the Land Use Commission up to 15 days subsequent to the hearing date. The Land Use Commission will take action on your petition no sooner than 45 days but no later than 90 days from January 23, 1964 as mandated by law.

In the event you have been ill, we hope you are now better. Should you have further questions, please feel free to contact us.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

Enclosure

cc: Robert Chata
M. Thompson
C. Burns
C. Ota
R. Takeyama

NOTICE OF PUBLIC HEARING
TO CONSIDER PETITIONS FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY WITHIN
THE COUNTY OF MAUI, BEFORE THE LAND USE COMMISSION OF THE STATE OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held in the County of Maui by the Land Use Commission of the State of Hawaii to consider petitions for Change of Temporary District Boundary as provided for in Section 98H-4, Revised Laws of Hawaii 1955, as amended.

1. At the Community Center, Kaunakakai, Molokai, on January 24, 1964 at 7:00 p.m., or as soon thereafter as interested persons may be heard in considering:

<u>Docket Number and Petitioner</u>	<u>Tax Map Key</u>	<u>Change Requested</u>
A(T)63-39 Wendell F. Brooks, Sr.	5-2-16: 6 and 16	Change from an Agricultural to an Urban district classi- fication.
A(T)63-49 Park Engineering, Inc.	5-2-16: 47	Change from an Agricultural to an Urban district classi- fication.

2. In the Chambers of the Board of Supervisors, County of Maui in Wailuku, Maui on January 25, 1964 at 1:00 P.M., or as soon thereafter as interested persons may be heard in considering:

<u>Docket Number and Petitioner</u>	<u>Tax Map Key</u>	<u>Change Requested</u>
A(T)63-43 Ludvina Almeida, Et Al.	2-3-30: 4, 41, 42 & 45; and 2-3-31: 16	Change from an Agricultural to an Urban district classi- fication
A(T)63-48 Toshio Ansai	3-5-03: 11	Change from an Agricultural to an Urban district classi- fication.

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 Maui Planning and Traffic Commission and the Land Use Commission and are open to the public during office hours.

All written protests and 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 filed up to fifteen (15) days following the hearing.

LAND USE COMMISSION

M. B. THOMPSON, Chairman

R. YAMASHITA, Executive Officer

(Legal ad - 2 cols. w/border to appear:)
(January 4, 1964 - THE HONOLULU STAR-BULLETIN)
(January 4, 1964 - THE MAUI NEWS)

12 " lin
Ref. No. LUC 5

January 2, 1964

Mr. Toshio Ansai
229 Awapuhi Street
P. O. Box 598
Wailuku, Maui, Hawaii

Dear Mr. Ansai:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii on January 25, 1964, at 1:00 p.m., in the Chambers of the Board of Supervisors, County of Maui, Wailuku, Maui. Your petition for Change of Temporary District Boundary from an Agricultural district to a Rural district classification will be heard at that time.

Publication of Legal Notice will appear in the Honolulu Star-Bulletin and the Maui News on January 4, 1964.

Sincerely,

R. YAMASHITA
Executive Officer

Eagle-3
Type-Erase
25% COTTON FIBER

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

JOSEPH S. MEDEIROS, JR., Chairman
KAZUO KAGE, Vice-Chairman
WILLARD ELLER, Member
WILLIAM HONG, Member
YOSHIKAZU MATSUI, Member
MASAO NAGASAKO, Member
ROBERT UEOKA, Member



KOICHI HAMADA, Ex-Officio
HIDEO HAYASHI, Ex-Officio
JEAN R. LANE, Ex-Officio
MASAO SONE, Ex-Officio
ROBERT O. OHATA, Planning Director
MRS. EYA M. DUPONTE, Secretary

PLANNING AND TRAFFIC COMMISSION
COUNTY OF MAUI

P. O. BOX 1487
KAHULUI, MAUI, HAWAII 96732

September 25, 1963

RECEIVED

SEP 26 1963

State of Hawaii
LAND USE COMMISSION

753

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

Gentlemen:

The Maui Planning and Traffic Commission, at its meeting of September 24, 1963, considered the Petition for Amendment of Temporary District Boundary from Toshi Ansai of 3.081 acres in Iao Valley from Agricultural District to Urban, which was subsequently changed to Rural District. The vote to approve the Rural District was as follows: 6 ayes; none dissenting; 1 absent.

The Commission feels that because of the present residential developments in Iao Valley which intermingles with agricultural use, this petition fulfills the requirements under a rural district.

Very truly yours,

Robert O. Ohata

ROBERT O. OHATA
Planning Director

TOSHIO ANSAI
WAILUKU, MAUI, HAWAII

Sept. 18, 1963

RECEIVED

19
SEP 21 1963

State of Hawaii
LAND USE COMMISSION

Mr. W. M. Mullahey
Acting Executive Officer
State Land Use Commission
Honolulu, Hawaii

Dear Mr. Mullahey:


I have your letter informing me that you have forwarded my petition for change of temporary district boundry of my Iao property to the Planning Director of the County of Maui for his comments and recommendation.

In reviewing the petition, I discovered my error in requesting the change from Agricultural to Urban. It should have read "from Agricultural to Rural".

Since you have already referred my petition to the Planning Director of the County of Maui, I am sending them a copy of this letter to inform them of this correction.

Thank you for your consideration.

Sincerely,


TOSHIO ANSAI

WAILUKU SUGAR COMPANY

To

Mrs. Mullahey

Sorry for my negligence
in not signing one of the
copies of application
L. Davis

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 9/6/63

Date forwarded to ^{County} LUC
with recommendation 9/10/63

Date ~~Petition, Fee and~~
~~County/DLNR recommen-~~
dation received by LUC 9/26/63

PETITION FOR AMENDMENT OF TEMPORARY DISTRICT BOUNDARY

(I) (We) hereby request an amendment of Land Use Commission Temporary District Boundary respecting the County of Maui, Island of Maui, map number and/or name Tax Key: 3-5-03-11 to change the district designation of the following described property from its present classification in a(n) Agricultural district into a(n) Urban district.

Description of property:

Tax Key: 3-5-03-11

Petitioner's interest in subject property:

Change of district boundary.

Would like to subdivide approximately 3.081 acres for residential use.

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

The only use of this area is residential. Strip of land from base of mountain to road is too narrow and limited in terrain for any agricultural use.

(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.

RECEIVED

SEP 6 1963

State of Hawaii
LAND USE COMMISSION

Signature(s) Lo Fuis Anson

Address: 229 Awapulu St

Telephone: 328254

John A. Burns
XXXXXXXXXXXX

September 10, 1963

Ref. No. LUC 651

Mr. Robert O. Ohata
Planning Director
Planning and Traffic Commission
County of Maui
Kahului, Maui

Dear Mr. Ohata:

Enclosed is the petition of Senator Toshio Ansai for change of temporary district boundary which I am forwarding for your comments and recommendations pursuant to Act 187/61 as amended.

Very truly yours,

W. M. Mullahey
Acting Executive Officer

Enc.

John A. Burns
XXXXXXXXXXXX

September 10, 1963

Ref. No. LUC 650

Senator Toshio Ansai
P. O. Box 598
Wailuku, Maui

Dear Senator Ansai:

This will acknowledge receipt of your filing fee and petition for change of temporary district boundary, which I have forwarded to the Planning Director of the County of Maui for his comments and recommendations.

I have enclosed one of the three petition forms which you sent to us without a signature, this will not delay the initial processing of your request but it is necessary that one of these forms be signed for our file.

You will be notified of any meeting at which your petition will be considered. There will be a delay, however, to the extent that new members have not yet been appointed to the State Land Use Commission. In the absence of commission members no hearings or decisions may be undertaken.

Very truly yours,

W. M. Mullahey
Acting Executive Officer

State Form B14

STATE OF HAWAII

LAND USE Commission
426 Queen St.

Department, Bureau or Commission

OFFICIAL
RECEIPT

Nº

63

Sept 6

19 63

RECEIVED from

TOSHIO AUSA

Eighty 1/100

DOLLARS

filing fee for petition to change temporary
District Boundary

\$ 50.00

First Nat. Bank check

W. M. Mullady

Public Accountant

TOSHIO ANSAI
SENATOR, STATE OF HAWAII
WAILUKU, HAWAII

RECEIVED

SEP 6 1963

August 29, 1963

State of Hawaii
LAND USE COMMISSION

Mr. Michael Mullahey
Acting Executive Officer
State Land Use Commission
Honolulu, Hawaii

Mr.
Dear Mullahey:

Attached herewith is a check for \$50 and my petition for change of Classification from Agricultural to Urban of approximately three acres of land located in Iao Valley.

This parcel of land adjoins the area where there are already at least a dozen homes. It is a narrow piece of land running parallel with the road and the distance from the base of the mountain to the road is about 50 to 200 feet at places.

This land is too narrow and too steep for any kind of agricultural use and I feel that its best and only use would be for residential purposes.

I would appreciate your decision on this application as soon as you can.

Sincerely yours,

T. Ansai

Toshio Ansai

*Box 598
Wailuku, Maui*

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 recommen-
dation received by LUC _____

PETITION FOR AMENDMENT OF TEMPORARY DISTRICT BOUNDARY

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RECEIVED

SEP 6 1963

State of Hawaii
LAND USE COMMISSION

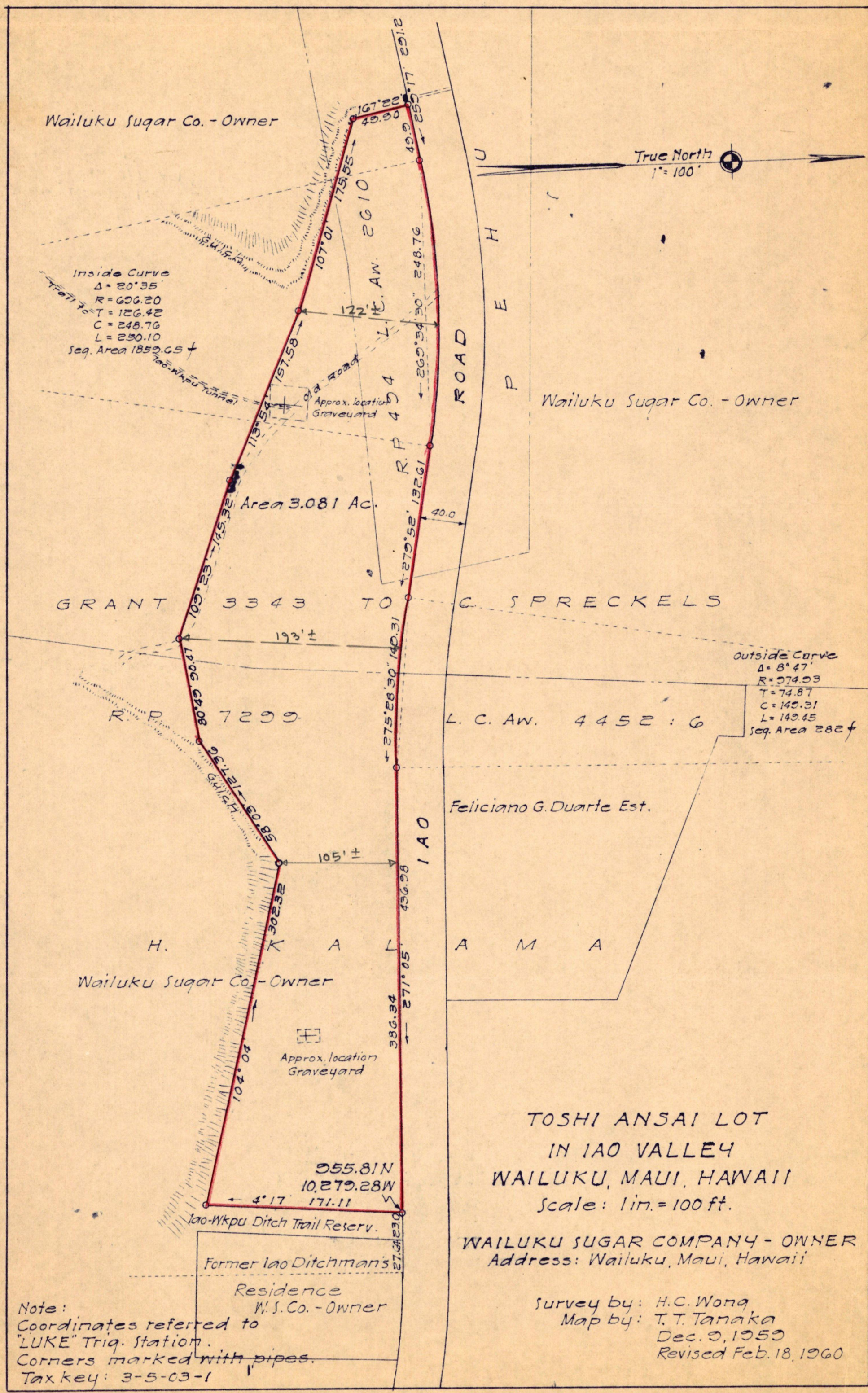
Signature(s) _____

Address: _____

Telephone: _____

P.O. 598

WAILUKU, MAUI



Wailuku Sugar Co. - Owner

Inside Curve
 $\Delta = 20^\circ 35'$
 $R = 606.20$
 $T = 126.42$
 $C = 248.76$
 $L = 230.10$
Seq. Area 1852.65 ±

Area 3.081 Ac.

GRANT 3343 TO C. SPRECKELS

R. P. 7299

L. C. Aw. 4452:6

Outside Curve
 $\Delta = 8^\circ 47'$
 $R = 574.93$
 $T = 74.87$
 $C = 149.31$
 $L = 149.45$
Seq. Area 282 ±

Feliciano G. Duarte Est.

Wailuku Sugar Co. - Owner

Approx. location
Graveyard

TOSHI ANSAI LOT
IN IAO VALLEY
WAILUKU, MAUI, HAWAII
Scale: 1 in. = 100 ft.

WAILUKU SUGAR COMPANY - OWNER
Address: Wailuku, Maui, Hawaii

Survey by: H.C. Wong
Map by: T.T. Tanaka
Dec. 9, 1959
Revised Feb. 18, 1960

Note:
Coordinates referred to
"LUKE" Triq. Station.
Corners marked with pipes.
Tax key: 3-5-03-1

A(+) 63-48 — Toshi Ansai
submitted
w/ ltr. 2/4/64

RECEIVED
FEB 6 1964
State of Hawaii
LAND USE COMMISSION