

CHOY, Richard T. G. & LEE, William D. H.

A(T) 63-50

cc: Thompson
on 10/29/64

Ref. No. LUG 517

October 29, 1964

Mr. William D. H. Lee
c/o Midpac Lumber Company
1311 Kalani Street
Honolulu, Hawaii

Dear Mr. Lee:

Pursuant to a request by Mr. Kazuhisa Abe, this letter is to inform you that Third Division TMK 7-5-17: 18, located in North Kona, Hawaii and containing an area of 33.00 acres, is classified as Urban under the Land Use District Boundaries.

Should you have further questions, please feel free to contact us.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

STATE OF HAWAII

LAND USE COMMISSION

VOTE RECORD

A(G)63-50

ITEM Richard T. C. Choy & William P. W. LeeDATE 4/24/64PLACE Dept of Health Auditorium
HonoluluTIME 9:30

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

First vote

COMMENTS: Ota - Deny petition based on second reason
 stated in staff report
 Wenchui - Sec

Second vote + Wung - motion to approve -
 Nishimura Sec - near the ^{town} urban district
 close to utilities
 Hardships.
 petition denied

STATE OF HAWAII

LAND USE COMMISSION

VOTE RECORD

ACT 63-50

ITEM Richard T. G. Choy + William D.D. CopeDATE 4/3/64PLACE Idaho Electric Light Co, Idaho, Idaho

TIME _____

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: Ferry moved for deferral. Seconded by Nishimura.

Note: Put on agenda of meeting prior to expiration of action date

dug.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Hilo Electric Light Auditorium

Hilo, Hawaii

7:00 P. M. - April 3, 1964

Commissioners

Present:

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

Absent:

Shelley Mark

Staff

Present:

Raymond Yamashita, Executive Officer
Roy Takeyama, Legal Counsel
Richard Mar, Field Officer
Alberta Kai, Stenographer

The meeting was called to order by Chairman Thompson.

ADOPTION OF MINUTES

The minutes of 1/31/64, 2/29/64 and 3/7/64 meetings and hearings were accepted as circulated. Commissioner Wenkam requested that a more careful review of the minutes be made before distribution or circulation is made for public information.

OLD BUSINESS

The following were discussed:

Nonconforming uses

Because the land use legislation was not clear whether it was permissible or not permissible to allow the same nonconforming use in an agricultural district after it has been destroyed by fire or other means, it was suggested that this matter be deferred and taken up at a later date for further discussion.

One-acre Agricultural Subdivisions

Likewise this matter was deferred for discussion at a later date. The Executive Officer reported that discussions were held with legal counsel,

City Planning personnel and himself on this subject and that more research was needed before any decision could be reached or any progress could be reported.

Petition of Oceanic Properties, Inc.

It was the general consensus of the Commission that an executive dinner meeting be held at 5:30 p.m. at Elliott's Chuck Wagon on April 9, 1964 prior to the Commission's scheduled meeting at 7:00 p.m. to consider and review the petition by Oceanic Properties, Inc. before taking any action on it.

Status of the Stenographer's Position

The Executive Officer provided the Commission with an up-to-date progress report on the status of the Stenographer's position. He stated that the necessary papers to reclassify the present stenographer's position have been processed and that there was nothing further that would require the attention of this Commission.

PETITIONS PENDING ACTION

PETITION OF RICHARD WARFIELD, ET AL (A(T)63-30), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LAND IN KEEI, SOUTH KONA, HAWAII: Described as TMK 8-3-10, 8-3-11 and 8-3-13.

A review and summary of the petition and events that had taken place since the continued hearing in Kailua-Kona on December 7, 1963 were made by the Field Officer, Richard Mar. He stated that the staff's recommendation was for denial on the bases that: (1) the Kona Plan made provisions to retain the area in agriculture; (2) the Harland Bartholomew & Associates Plan for the Land Use Commission did not recommend urban districting for the area; (3) the staff felt that the particular area would tend to increase agricultural land prices; and (4) the staff believes that the urban classification in terms of demand would not be in the interest of the continuous agricultural pursuits in the area.

Commissioner Ota suggested that in the Commission's deliberations of its proposed final district boundaries that it consider this area for a possible Rural classification. He pointed out that this area was typical of a Rural classification.

Commissioner Robert Wenkam moved that the petition be denied on the basis of the staff's recommendation. Commissioner Ferry seconded the motion. The Executive Officer polled the Commissioners.

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

Disapproval: Commissioners Inaba & Wung.

Motion carried.

PETITION OF RICHARD T. G. CHOY AND WILLIAM D. H. LEE (A(T)63-50), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN KAILUA-KONA, HAWAII: Described as TMK 7-5-17: 18

A summary of the petition and events that occurred since the public hearing held on January 31, 1964 in Kailua-Kona, Hawaii was given by the Field Officer, Richard Mar. He stated that the staff's recommendation was for denial on the bases that: (1) urban land needs do not warrant the inclusion of these lands in the Kona urban district at this time; (2) the petitioners have not submitted the necessary proof that the land is required for the use being petitioned for in accordance with the requirements of Act 205; and (3) a liberal amount of land has been placed in the urban district in the adjacent areas and further urban additions would promote scatteration at this time. The Hawaii County Planning and Traffic Commission recommended that the matter be held in abeyance until such time as Kona is zoned by the County. Approval of the petition at this time would not contribute to orderly development as it would throw the area wide open for subdivision into 7,500 square foot lots.

Mr. Raymond Suefuji was sworn in and he stated that the Hawaii Planning & Traffic Commission is presently using its interim zoning ordinance which allows 7,500 sq. ft. lots. He stated that the Planning Commission feels that if this petition is held in abeyance until the master plan is adopted and their comprehensive zoning ordinance is adopted, then there would be better control of their subdivisions. He stated that the Commission was in favor of larger lot-size subdivisions.

Mr. Suefuji anticipated the adoption of the master plan and comprehensive zoning ordinance would be within a few months. He stated that the proposed master plan for this area calls for a low density type residential area. If this request is permitted, a high density development would be permitted within a low density area.

Commissioner Ferry moved for deferment, which was seconded by Commissioner Nishimura. The Executive Officer polled the Commissioners.

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

Disapproval: None.

Motion carried.

PETITION OF IWAO JYO AND TOSHIO NAKAMOTO (A(T)63-51), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN KEOPUKA, SOUTH KONA, HAWAII: Described as TMK 8-1-15: 1 & 2.

A brief summary of the petition was given by Richard Mar, the field officer. The recommendation of the staff was for approval.

Commissioner Burns moved to approve the petition according to the staff's recommendation; which was seconded by Commissioner Wenkam. The Executive Officer polled the Commissioners.

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

Disapproval: None.

Motion carried.

PETITION OF CHARLES IWAKAWA & TOMMY ISHIMARU (A(T)63-47), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN KAU, HAWAII: Described as TMK 9-5-07: 17

Richard Mar, Field Officer, gave a brief summary of the petition. He stated that the staff's recommendation was for approval of 33.56 acres of petitioners' lands (which takes in the Bendix Trailer Camp) for urban on the bases that: (1) the need for this area is real rather than speculative; (2) the area will contribute to logical and orderly development of Naalehu and Waiohinu; (3) the development indirectly supports economic development in a demonstrable way more so than its continuance in agricultural would; and (4) the County of Hawaii has considered the matter and advocates approval.

Commissioner Inaba moved for approval according to the staff's recommendation and Commissioner Wung seconded the motion. The Executive Officer polled the Commissioners.

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

Disapproval: None.

Motion carried.

PETITION OF COUNTRY CLUB HOMES, INC. (A(T)63-52), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN HILO, HAWAII: Described as TMK 2-5-03: 6 & 55 (47 acres)

An addenda to the staff's earlier report was given by the Executive Officer. The addenda recommended approval of the petition on the following bases: (1) an 8.5 acre parcel, contiguous to and part of the proposed development, is now in the urban district on the basis of an earlier petition. It would not appear reasonable that a portion of the same development should be urban and a portion not.

(2) Although the entire development may be classified as agriculture by this Land Use Commission in fixing the final boundaries, there is no current and reasonable basis to deny this petition and particularly in the face of the existing circumstances. (3) Although this urban area will not be contiguous to other urban districts and does not conform to the Master Plan of Hilo, previous circumstances force recognition of the development. On this basis, the important point appears to be whether or not it would be "practicable and reasonable to maintain existing uses and only permit changes in use that are already in progress..." The area is not as close-in to the urban facilities and services of the Hilo metropolitan area as would be desirable. On the other hand, it is not that far out as to be unreasonable, particularly in view of the circumstances. Whether or not a total area of 47 plus 8.5 or 55 acres is excessive, may be viewed in the same light. While there would otherwise be some serious contentions as to the urban districting of this area, the circumstances indicate that a more liberal conclusion is justifiable.

Commissioner Wung moved to approve the petition as submitted and Commissioner Inaba seconded the motion. The Executive Officer polled the Commissioners.

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

Disapproval: None.

Motion carried.

The meeting adjourned at 8:30 p.m.

Ref. No. LUC 333

May 25, 1964

Mr. Kazuhisa Abe
Attorney At Law
Professional Building
163 Kalakaua Street
Hilo, Hawaii

Dear Mr. Abe:

Your request as expressed in your letter of May 11, 1964 was considered and denied by the Land Use Commission at its meeting on May 15, 1964. However, the Land Use Commission will give your petition its fullest consideration at the time of its deliberations on the final district boundaries, prior to its final adoption which is anticipated sometime in the latter part of June 1964.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Myron Thompson

PHONES: { OFFICE 3418
RESIDENCE 3818

KAZUHISA ABE

ATTORNEY-AT-LAW

PROFESSIONAL BUILDING

163 KALAKAUA STREET - HILO, HAWAII

May 11, 1964

Honorable Myron B. Thompson, Chairman
& Honorable Members
Land Use Commission
426 Queen Street
Honolulu, Hawaii 96813

7-14-C file
Divi Hawaii
Ref. No. LUC 287, Re: Petition A(T)63-50

Gentlemen:

Receipt of letter dated April 28, 1964 notifying that the above stated petition has been denied is hereby acknowledged.

Under Section 98H-4, Revised Laws of Hawaii 1955, as amended, provides that the Commission may approve changes where "the area is needed for use other than that for which the district in which it is situated is classified and either of the following requirements has been fulfilled: (a) the petitioner has submitted proof that the land is usable and adaptable for the use it is proposed to be classified, or (b) conditions and trends of development have so changed since the adoption of the present classification, that the proposed classification is reasonable." In my opinion we have submitted proof that the subject land is needed for urban use and that it is usable and adaptable for the use it is proposed to be classified.

On behalf of the petitioners, I am herewith respectfully requesting a reconsideration of the petition by the full Commission of nine (9) members. Your letter stated that a seven (7) men commission considered the matter and in as much as six (6) votes is necessary to change the classification I feel that my clients were, in a way, prejudiced by not having the matter considered by the full Commission.

If this matter is to be reconsidered I will be happy to appear before the commission and present further evidence and/or to answer questions.

Yours very truly,

Kazuhisa Abe
Kazuhisa Abe

KA:bt

cc: Members of the Land Use Commission

Ref. No. LNC 287

April 28, 1964

Mr. Kazuhisa Abe
Attorney at Law
163 Kalakaua Street
Honolulu, Hawaii

Dear Mr. Abe:

By action taken on April 24, 1964, the Land Use Commission voted to deny your petition A(T)63-30 on behalf of Richard Choy and William Lee for amendment of temporary district boundary.

A motion was made by Commissioner Wong and was seconded by Commissioner Michimura to approve your petition to include Hawaii Trk 7-5-17: 10 (29.345 acres) in the temporary Urban district. With seven (7) commissioners present, the motion was defeated by 4 ayes to 3 nays.

Commissioner Wong's motion to approve your client's petition was based on the grounds that (1) the land was near the temporary Urban district, (2) in close proximity to urban utilities and (3) a creation of a hardship problem.

Enclosed for your information is a copy of the Land Use Commission's staff report.

Should you have any further questions, please feel free to contact this office.

Very truly yours,

RAYMOND S. YAMAMITA
Executive Officer

REMS:ak
Enclosure
cc: Myron Thompson
C.H.S. Burns
Hawaii Planning & Traffic Commission
Department of Transportation

*Copy to
TUPA - Finance*

Ref. No. LUC 246

April 14, 1964

Mr. Kazuhisa Abe
Attorney at Law
163 Kalakaua Street
Hilo, Hawaii

Dear Mr. Abe:

This is to inform you that the Land Use Commission of the State of Hawaii will meet on April 24, 1964 from 7:00 p.m. to 10:00 p.m. in the State Department of Health Auditorium, Room 468, Kinau Hale, 1250 Punchbowl Street, Honolulu, Hawaii.

Your petition on behalf of Richard Choy and William Lee (which action was deferred by the Commission on April 3, 1964 in Hilo) for a boundary change has been placed on the Commission's agenda for consideration at this meeting. Final action may be taken at this time.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Mr. Myron Thompson
Hawaii Planning & Traffic Commission

Ref. No. LUC 240

April 8, 1964

Mr. Kazuhisa Abe
Attorney at Law
163 Keikahu Street
Hilo, Hawaii

Dear Mr. Abe:

The Land Use Commission, in action taken at a meeting held on April 3, 1964 at Hilo, Hawaii, voted to defer action on a petition for a boundary change submitted by Messrs. Richard Choy and William Lee.

Final action on the petition will be taken during the latter part of April, 1964. You will be notified on the exact date in which the action is to be taken.

Should you have any further questions regarding this petition, please feel free to contact this office.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

REM/an

cc: Mr. Myron Thompson
Mr. Roy Takeyama
Hawaii Planning & Traffic Commission

Land Use Commission
426 Queen Street
Honolulu, Hawaii

April 1, 1964

For April 3, 1964 - Hilo, Hawaii

SUMMARY OF RICHARD T. G. CHOY AND WILLIAM D. H. LEE

A(T)63-50 - Richard T. G. Choy & William D. H. Lee - Agriculture

Hearing held and closed on January 31, 1964 at Kailua-Kona, Hawaii

Background

Richard T. G. Choy and William D. H. Lee have petitioned the Land Use Commission for amendment of district **boundaries** so that the property described by Hawaii tax map key 7-5-17: 18 comprised of approximately 29.345 acres would be redistricted from agricultural to urban use.

The property is located from the Kuakini highway and the Kailua-Holualoa Road. This land is vacant and covered with haole-koa. The lands surrounding the parcel are undeveloped and are also covered with haole-koa thickets. On the makai side of Kuakini Highway, two rows of homes front a road connecting the highway with Alii Drive, otherwise the makai side of the highway is sparsely developed.

The Plan for Kona shows petitioners' land to be partly in range land and partly in "low density suburban development." The State General Plan proposes that the general area of petitioners' land be kept as "open land" while the proposed final district maps have designated the subject property as agricultural. The County of Hawaii Planning Commission decided to recommend that the matter be held in abeyance until such time as Kona is zoned with County zoning.

Recommendation

The staff recommends denial of this petition on the following bases:

1. Urban land needs do not warrant the inclusion of these lands in the Kona urban district at this time.
2. Petitioners have not submitted the necessary proof that the land is required for the use being petitioned for in accordance with Act 205.
3. A liberal amount of land has been placed in the urban district in the adjacent areas and further urban additions would promote scatteration at this time.

STATE OF HAWAII
LAND USE COMMISSION

Hale Halawai Cultural Center
Kailua-Kona, Hawaii

7:00 P. M.
January 31, 1964

Defeated
A(T)63-50

RICHARD T. G. CHOY and

WILLIAM D. H. LEE.

*gome
Motion to deny petition*

STAFF REPORT

*1. on the basis of Staff recommendations #2 (not except proof)
2. near urban area
2. Close to utilities*

Temporary District Classification: AGRICULTURAL

Background

Richard T. G. Choy and William D. H. Lee have petitioned the Land Use Commission for amendment of its temporary district boundaries so that the property described by Hawaii tax map key 7-5-17: 18 comprised of approximately 29.345 acres would be redistricted from agricultural to urban use.

The property in question is most easily located from Kuakini highway although it is also accessible from the Kailua-Holualoa Road. Mauka of the junction of Kailua-Keauhou Middle Road with Kuakini highway is a complex of business enterprises dealing with boating and building supplies and A-frame homes. North of this is a small cluster of homes--no more than a handful. Mauka of the homes and businesses is a ~~stretch and strip~~ of land 500 to 600 feet wide and 2300 to 2400 feet long, belonging to the petitioners.

This land is vacant and covered with haole koa (ekoa). It was formerly used as grazing land by Gomes ^{Ranch} ^{1/} ~~Rands~~ but was subsequently transferred to Kapago, Inc. and then to the Kona Land Hui, the partners of which are petitioners in the instant case.^{2/} The particular parcel in question is

^{1/} cf. Plate 8, p. 41, A Plan for Kona, 1960.

^{2/} cf. Petition.

characterized as intermediate soil in terms of its suitability for Kona crops.^{1/} Rainfall averages between 20 to 40 inches a year.^{2/} the slope ranges between 5% and 10%.

Immediately surrounding the parcel on the mauka side of Kuakini Highway, ^{undeveloped.} the lands are typically ~~vacant~~^{undeveloped.} Mauka of the Kailua-Holualoa Road, too, the lands are also ~~vacant~~^{undeveloped.} Haole koa thickets cover these lands, and fencing indicates that the lands are used primarily for ranching.^{3/} On the makai side of Kuakini Highway, two rows of homes front a road connecting the highway with Alii Drive, otherwise the makai side of the highway is sparsely developed.

Analysis

The Plan for Kona shows petitioners' land to be partly in range land and partly in "low density suburban development." The State General Plan proposes that the general area of petitioners' land be kept as "open land." In preparing the ^{proposed} final district maps on a shorter range basis, the staff has felt that this land should be kept in agricultural use.

The County of Hawaii Planning and Traffic Commission has "decided to recommend: That the matter be held in abeyance until such time as Kona is zone~~d~~ with County zoning on the basis of the following findings: (that) It would not contribute to orderly development of the area to grant this request at the present time as it would throw it wide open for subdivision into 7,500 square-foot lots."

^{1/} cf. Plate 13, p. 61, A Plan for Kona, 1960.

^{2/} cf. State General Plan and Plate 6, p. 36, A Plan for Kona, 1960.

^{3/} Field sheets of a land use survey in 1958-59 show that the lands are used for grazing. The principal rancher is believed to be Joseph Gomes.

The Land Study Bureau in 1959 has classed the land in question as Class D, unsuited for intensive agriculture but suitable for grazing or tree crops. Hence there is no duty under Act 205 to afford maximum protection to these lands as prime agricultural soils. More specifically, if the lands are retained in agriculture, they would in all probability be used for grazing or tree crops. Historically speaking, the greater probability is that the ^{would} land ^a be used for grazing rather than tree crops.^{1/} If grazing is in fact the only agricultural use to which the particular parcel can practically be put, then petitioners are faced with the ^{real} practical difficulty of earning a reasonable return since the carrying capacity of 29 acres is minimal. (perhaps serves ^{as much as} to ten head on a sustained basis).^{1/}

On the other hand the Land Use Commission is concerned with the orderly development of Kona and has no guide other than the Kona Plan and the State General Plan. More than this, the Commission faces the additional task of achieving this development in ten year stages, comprehensively reviewed every five years. Within this general framework, continual amendments are also made so that at any point in time urban lands can be created when needs are sufficiently real.

Faced with the conflict of Kona planning proposals with the practical use of petitioners' land, the staff next considered whether petitioners' land is in fact needed for urban use. Between 1950 and 1960 the population in

^{1/} The "historical" reason is fact buttressed by meteorological factors. The coffee belt is peculiarly at a high elevation for two principal reasons. The first is higher rainfall. The second is that during the day cloud formations hover over the ~~in~~land areas shielding the coffee trees from overly brilliant sunlight. There may, of course, be other orchard crops which may be feasible nearer the coast line, but staff inquiry into these more speculative possibilities is inhibited by low rainfall and scarce water resources which characterize Kona lowlands.

Kailua-Keauhou increased from 326 to 466. However, the population size should be compared with the present urban district, extending along the coastline from Kailua to Keauhou Bay, a distance of about six miles.^{1/} Within this strip a substantial but undetermined amount of low intensity developments and vacant lands exist.

In the mauka sections virtually no lands have been districted as urban where rainfall becomes progressively higher and agricultural uses predominate. (See file copy of Hawaii TMK 7-5). However, in the vicinity of the junction of Kuakini Highway with the Kailua-Holualoa Road the urban district boundary extends as far mauka as the Wall of Kuakini.^{2/} Yet it must be noted that the mauka margins of the existing urban district boundary are also not fully developed.^{3/}

Because development of Kailua-Keauhou is postulated not on the growth of the existing population alone but on in-migration and on the growth of the visitor industry, the staff emphasizes the vacancy of lands in the urban district as the prime indicator of urban land needs. Your staff concludes from its field observations that the urban pressures are not so great as to warrant further extension of the present district and to justify the urbanization of lands over and beyond the generous recommendations of the Kona Plan.^{4/}

^{1/} This distance is spanned by Alii Drive and water, electric and telephone lines.

^{2/} In this area petitioners' are believed to own or to have owned an interest in about 26.654 acres located makai of the wall. (See Hawaii TMK 7-5-22: 51).

^{3/} It is precisely this observation which led to staff's action in preparing the proposed final district lines to move the coastline district boundary makai to Alii Drive between Kahului Bay and Munuhale a length of about 4400 feet. Closer to Kailua the mauka boundary was sustained even though vacant lands persist.

^{4/} 2068 acres along the coastal area between Kailua and Keauhou Bay alone. At two lots per gross acre for 1868 acres and three persons per family, 1868 acres will provide homesites for 11,200 people. Compared with the 1960 population of 466, the staff concludes that acreage allocations of the Kona Plan for residential use are "generous."

It is readily conceded that the properties under consideration are usable and adaptable for urban purposes / although in the staff's view this point has not been demonstrated by petitioners at the writing of this report. The staff, however, takes exception to any contention that urban classification is reasonable since urban districting in the staff's opinion would be premature at this time. Having reviewed the petitioners' comments on this matter, the staff finds that petitioners have failed to substantiate the need for additional urbanization. Having examined the area in question, the staff has observed vacant lands within the present urban district / attesting to an absence of additional urban land needs.

Having recently reviewed both present and foreseeable urban land needs in Kailua-Kona in preparing the proposed final district boundaries, the staff is satisfied / that sufficient urban reserve areas / have and are being provided without the inclusion of petitioners' lands.

Recommendation

Your staff recommends denial of this petition for the following reasons:

1. Not because of any value petitioners' lands might have to agriculture but because urban land needs do not warrant the inclusion of these lands in the Kona urban district at this time.
2. *Because* The petitioners have not submitted the necessary proof that the land is required for the use being petitioned for / in accordance with the requirement of Act 205.
3. *Because* A liberal amount of land has been placed in the urban district in the adjacent areas, and further urban additions would promote scatteration at this time.

Land Use Commission
426 Queen Street
Honolulu, Hawaii

April 1, 1964

(Open within
90 day tract
29 day limit)

For April 3, 1964 - Hilo, Hawaii

SUMMARY OF RICHARD T. G. CHOY AND WILLIAM D. H. LEE

A(T)63-50 - Richard T. G. Choy & William D. H. Lee - Agriculture

Hearing held and closed on January 31, 1964 at Kailua-Kona, Hawaii

Background

Richard T. G. Choy and William D. H. Lee have petitioned the Land Use Commission for amendment of district boundaries so that the property described by Hawaii tax map key 7-5-17: 18 comprised of approximately 29.345 acres would be redistricted from agricultural to urban use.

The property is located from the Kuakini highway and the Kailua-Holualoa Road. This land is vacant and covered with haole-koa. The lands surrounding the parcel are undeveloped and are also covered with haole-koa thickets. On the makai side of Kuakini Highway, two rows of homes front a road connecting the highway with Alii Drive, otherwise the makai side of the highway is sparsely developed.

The Plan for Kona shows petitioners' land to be partly in range land and partly in "low density suburban development." The State General Plan proposes that the general area of petitioners' land be kept as "open land" while the proposed final district maps have designated the subject property as agricultural. The County of Hawaii Planning Commission decided to recommend that the matter be held in abeyance until such time as Kona is zoned with County zoning.

Recommendation

The staff recommends denial of this petition on the following bases:

1. Urban land needs do not warrant the inclusion of these lands in the Kona urban district at this time.
2. Petitioners have not submitted the necessary proof that the land is required for the use being petitioned for in accordance with Act 205.
3. A liberal amount of land has been placed in the urban district in the adjacent areas and further urban additions would promote scatteration at this time.

Ref. No. LUG 206

March 24, 1964

Messrs. R. T. C. Choy and
W. D. H. Lee
Professional Building
163 Kalakua Street
Hilo, Hawaii

Gentlemen:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Hawaii on April 3, 1964 in the Hilo Electric Light Co. Auditorium, Hilo, Hawaii at 7:00 p.m.

As the waiting period prescribed by SECTION 93B-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.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Mr. Myron Thompson
Mr. Roy Takeyama
Hawaii Planning & Traffic Commission

Ref. No. LUC 118

February 19, 1964

Mr. Kazuhisa Abe
Attorney At Law
163 Kalakaua Street
Hilo, Hawaii

Dear Mr. Abe:

Your letter of February 9, 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

Ref. No. LUC 105

February 11, 1964

MEMORANDUM

TO: All Commissioners
FROM: Raymond S. Yamashita, Executive Officer
SUBJECT: Submittals by petitioners
A(T)63-50 - Richard T. G. Choy & William D. H. Lee
Kailua-Kona

Public hearing held in Hale Malawai on January 31, 1964. Staff report in hands of all Commissioners. Petitioners have submitted additional data (see copy of letter enclosed).

1. Agreement of Sale - Essentially states that land price is \$6,000/AC.
2. Appraisal - Essentially states that 29.349 acres is valued at \$117,500.00.
3. Preliminary Subdivision map shows 136 residential lots about 7,500 sq. ft. each. (copy enclosed for Commissioners on neighbor islands.)

Big job to reproduce Agreement of Sale and Appraisal for all Commissioners. Should any Commissioner specially desire to see instruments, please request or see in office files.

PHONES: { OFFICE 3418
RESIDENCE 3818

961

KAZUHISA ABE

ATTORNEY-AT-LAW
PROFESSIONAL BUILDING
163 KALAKAUA STREET - HILO, HAWAII

February 9, 1964

RECEIVED

FEB 10 1964

State of Hawaii
LAND USE COMMISSION

Hon, Myron B. Thompson
Chairman, Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii

Dear Sir:

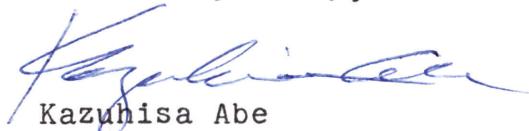
Ref. No. LUC 37

Enclosed herewith please find two copies of
Agreement of Sale covering subject land, one copy
of Appraisal and nine copies of proposed subdivision
plan.

Trusting that you and the other members of the
commission will consider the exhibits being submitted
herewith.

Again, on behalf of the applicants may I express
our appreciation for giving us a fair and impartial
hearing.

Yours very truly,


Kazuhisa Abe

STATE OF HAWAII
LAND USE COMMISSION

Hale Halawai Cultural Center
Kailua-Kona, Hawaii

7:00 P. M.
January 31, 1964

STAFF REPORT

A(T)63-50
RICHARD T. G. CHOY and
WILLIAM D. H. LEE

Temporary District Classification: AGRICULTURAL

Background

Richard T. G. Choy and William D. H. Lee have petitioned the Land Use Commission for amendment of its temporary district boundaries so that the property described by Hawaii tax map key 7-5-17: 18 comprised of approximately 29.345 acres would be redistricted from agricultural to urban use.

The property in question is most easily located from Kuakini highway although it is also accessible from the Kailua-Holualoa Road. Mauka of the junction of Kailua-Keauhou Middle Road with Kuakini highway is a complex of business enterprises dealing with boating and building supplies and A-frame homes. North of this is a small cluster of homes--no more than a handful. Mauka of the homes and businesses is a stretch and strip of land 500 to 600 feet wide and 2300 to 2400 feet long, belonging to the petitioners.

This land is vacant and covered with haole koa (ekoae). It was formerly used as grazing land by Gomes Rands^{1/} but was subsequently transferred to Kapago, Inc. and then to the Kona Land Hui, the partners of which are petitioners in the instant case.^{2/} The particular parcel in question is

^{1/} cf. Plate 8, p. 41, A Plan for Kona, 1960.

^{2/} cf. Petition.

characterized as intermediate soil in terms of its suitability for Kona crops.^{1/} Rainfall averages between 20 to 40 inches a year.^{2/} the slope ranges between 5% and 10%.

Immediately surrounding the parcel on the mauka side of Kuakini Highway, the lands are typically vacant. Mauka of the Kailua-Holualoa Road, too, the lands are also vacant. Haole koa thickets cover these lands, and fencing indicates that the lands are used primarily for ranching.^{3/} On the makai side of Kuakini Highway, two rows of homes front a road connecting the highway with Alii Drive, otherwise the makai side of the highway is sparsely developed.

Analysis

The Plan for Kona shows petitioners' land to be partly in range land and partly in "low density suburban development." The State General Plan proposes that the general area of petitioners' land be kept as "open land." In preparing the final district maps on a shorter range basis, the staff has felt that this land should be kept in agricultural use.

The County of Hawaii Planning and Traffic Commission has "decided to recommend: That the matter be held in abeyance until such time as Kona is zone with County zoning on the basis of the following findings: (that) It would not contribute to orderly development of the area to grant this request at the present time as it would throw it wide open for subdivision into 7,500 square-foot lots."

^{1/} cf. Plate 13, p. 61, A Plan for Kona, 1960.

^{2/} cf. State General Plan and Plate 6, p. 36, A Plan for Kona, 1960.

^{3/} Field sheets of a land use survey in 1958-59 show that the lands are used for grazing. The principal rancher is believed to be Joseph Gomes.

The Land Study Bureau in 1959 has classed the land in question as Class D, unsuited for intensive agriculture but suitable for grazing or tree crops. Hence there is no duty under Act 205 to afford maximum protection to these lands as prime agricultural soils. More specifically, if the lands are retained in agriculture, they would in all probability be used for grazing or tree crops. Historically speaking, the greater probability is that the land be used for grazing rather than tree crops.^{1/} If grazing is in fact the only agricultural use to which the particular parcel can practically be put, then petitioners are faced with the practical difficulty of earning a reasonable return since the carrying capacity of 29 acres is minimal (perhaps serves to ten head on a sustained basis).

On the other hand the Land Use Commission is concerned with the orderly development of Kona and has no guide other than the Kona Plan and the State General Plan. More than this, the Commission faces the additional task of achieving this development in ten year stages, comprehensively reviewed every five years. Within this general framework, continual amendments are also made so that at any point in time urban lands can be created when needs are sufficiently real.

Faced with the conflict of Kona planning proposals with the practical use of petitioners' land, the staff next considered whether petitioners' land is in fact needed for urban use. Between 1950 and 1960 the population in

^{1/} The "historical" reason is fact buttressed by meteorological factors. The coffee belt is peculiarly at a high elevation for two principal reasons. The first is higher rainfall. The second is that during the day cloud formations hover over the inland areas shielding the coffee trees from overly brilliant sunlight. There may, of course, be other orchard crops which may be feasible nearer the coast line, but staff inquiry into these more speculative possibilities is inhibited by low rainfall and scarce water resources which characterize Kona lowlands.

Kailua-Keauhou increased from 326 to 466. However, the population size should be compared with the present urban district, extending along the coastline from Kailua to Keauhou Bay, a distance of about six miles.^{1/} Within this strip a substantial but undetermined amount of low intensity developments and vacant lands exist.

In the mauka sections virtually no lands have been districted as urban where rainfall becomes progressively higher and agricultural uses predominate. (See file copy of Hawaii TMK 7-5). However, in the vicinity of the junction of Kuakini Highway with the Kailua-Holualoa Road the urban district boundary extends as far mauka as the Wall of Kuakini.^{2/} Yet it must be noted that the mauka margins of the existing urban district boundary are also not fully developed.^{3/}

Because development of Kailua-Keauhou is postulated not on the growth of the existing population alone but on in-migration and on the growth of the visitor industry, the staff emphasizes the vacancy of lands in the urban district as the prime indicator of urban land needs. Your staff concludes from its field observations that the urban pressures are not so great as to warrant further extension of the present district and to justify the urbanization of lands over and beyond the generous recommendations of the Kona Plan.^{4/}

^{1/} This distance is spanned by Alii Drive and water, electric and telephone lines.

^{2/} In this area petitioners' are believed to own or to have owned an interest in about 26.654 acres located makai of the wall. (See Hawaii TMK 7-5-22: 51).

^{3/} It is precisely this observation which led to staff's action in preparing the proposed final district lines to move the coastline district boundary makai to Alii Drive between Kahului Bay and Munuhale a length of about 4400 feet. Closer to Kailua the mauka boundary was sustained even though vacant lands persist.

^{4/} 2068 acres along the coastal area between Kailua and Keauhou Bay alone. At two lots per gross acre for 1868 acres and three persons per family, 1868 acres will provide homesites for 11,200 people. Compared with the 1960 population of 466, the staff concludes that acreage allocations of the Kona Plan for residential use are "generous."

It is readily conceded that the properties under consideration are usable and adaptable for urban purposes although in the staff's view this point has not been demonstrated by petitioners at the writing of this report. The staff, however, takes exception to any contention that urban classification is reasonable since urban districting in the staff's opinion would be premature at this time. Having reviewed the petitions' comments on this matter, the staff finds that petitioners have failed to substantiate the need for additional urbanization. Having examined the area in question, the staff has observed vacant lands within the present urban district attesting to an absence of additional urban land needs.

Having recently reviewed both present and foreseeable urban land needs in Kailua-Kona in preparing the proposed final district boundaries, the staff is satisfied that sufficient urban reserve areas have and are being provided without the inclusion of petitioners' lands.

Recommendation

Your staff recommends denial of this petition for the following reasons:

1. Not because of any value petitioners' lands might have to agriculture but because urban land needs do not warrant the inclusion of these lands in the Kona urban district at this time.
2. The petitioners have not submitted the necessary proof that the land is required for the use being petitioned for in accordance with the requirement of Act 205.
3. A liberal amount of land has been placed in the urban district in the adjacent areas and further urban additions would promote scatteration at this time.

NOTICE OF PUBLIC HEARING

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

NOTICE IS HEREBY GIVEN of public hearings to be held in the County of Hawaii 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 Hale Halawai Cultural Center in Kailua-Kona at 7:00 p.m., or as soon thereafter as those interested may be heard, on January 31, 1964 to hear the following petitions:

<u>Docket Number and Petitioner</u>	<u>Tax Map Key</u>	<u>Change Requested</u>
A(T)63-50 Richard T. G. Choy and William D. H. Lee	7-5-17: 18	Change from an Agricultural to an Urban district classification.
A(T)63-51 Iwao Jyo and Toshio Nakamoto	8-1-15: 1 & 2	Change from an Agricultural to an Urban district classification.

2. In the Chambers of the Board of Supervisors, County of Hawaii, at 1:00 p.m., or as soon thereafter as those interested may be heard, on February 1, 1964 to hear the following petitions:

<u>Docket Number and Petitioner</u>	<u>Tax Map Key</u>	<u>Change Requested</u>
A(T)63-47 Charles M. Iwakawa and Tommy Ishimaru	9-5-07: 17	Change from an Agricultural to an Urban district classification.
A(T)63-52 Country Club Homes, Inc.	2-5-03: 6 and 55	Change from an Agricultural to an Urban district classification.

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 Planning and Traffic Commission, County of Hawaii 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 the hearing.

LAND USE COMMISSION

M. THOMPSON, Chairman

R. YAMASHITA, Executive Officer

(Legal ad - 2 cols. w/border to appear:)
(January 11, 1964 - THE HONOLULU STAR-BULLETIN)
(January 11, 1964 - HILO TRIBUNE HERALD)
(January 25, 1964 - HILO TRIBUNE HERALD)

COUNTY OF HAWAII
PLANNING AND TRAFFIC COMMISSION

875

Applicant Richard T.G. Choy and William D.H. Lee
Date petition received by
Planning Commission October 15, 1963
Date of Planning Commission
Meeting November 18, 1963
Date petition and recommendations
forwarded to LUC January 22, 1964

AMENDMENT OF ZONE DISTRICT BOUNDARY

The Planning and Traffic Commission of the County of Hawaii pursuant to consideration required by the provisions of Act 204, SLH 1963, hereby transmit the petition, comments, and recommendations of the above request for amendment of zone district boundary of the following described property:

Portion of Land Patent (Grant) 5327 to Waiaha, situate at Kailua-Kona on the old Kailua Holualoa Road and Kuakini Highway, containing an area of 29.34 acres. Tax Map Key: 7-5-17-18.

from its present classification in a(n) Agricultural Zone district
into a(n) Urban Zone district.

The Commission decided to recommend: That the matter be held in abeyance until such time as Kona is zoned with County zoning.

on the basis of the following findings: It would not contribute to orderly development of the area to grant this request at the present time as it would throw it wide open for subdivision into 7,500 square-foot lots.

RECEIVED
JAN 23 1964
State of Hawaii
LAND USE COMMISSION

(Signed) Gregg Abramson
Director, Planning and Traffic Commission

January 20, 1964

Mr. Edgar A. Hansen, Planning Director
Planning and Traffic Commission
County of Hawaii
Honolulu, Hawaii

Dear Mr. Hansen:

This is to advise you of hearings to be held by the Land Use Commission in the County of Hawaii for the weekend of January 31 and February 1, 1964. A copy of the public notice is enclosed to apprise you of the specific cases to be heard.

Enclosed, too, are abstracts of all communications to and from the Land Use Commission between November 22, 1963 and January 15, 1964. Review of these abstracts indicates that no comments have been received from your commission in connection with:

A(T)63-50 - Richard T. G. Choy and William B. H. Lee
A(T)63-51 - T. Nakamoto and Iwao Jyo
A(T)63-52 - Country Club House, Inc.

Pursuant to Section 98B-4, Revised Laws of Hawaii 1955, these matters were referred to your commission for comment on October 15, 1963.

As ninety days have elapsed since these were forwarded to you, we are anxious for your replies. The value which the Land Use Commission attaches to your comments and recommendations impel us to make this request despite our appreciation of your heavy workload. May we have your comments and recommendations soon?

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

Enclosures
cc: N. Thompson
R. Takeyama

Ref. No. LUC 37

January 15, 1964

Messrs. R. T. G. Choy and
W. D. H. Lee
Professional Building
163 Kalakaua Street
Hilo, Hawaii

Gentlemen:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii on January 31, 1964, at 7:00 p.m., in the Hale Halawai Cultural Center, County of Hawaii, Kailua-Kona, Hawaii. Your petition for Change of Temporary District Boundary from an Agricultural district to an Urban district classification will be heard at that time.

Publication of Legal Notice has appeared in the Honolulu Star-Bulletin and the Hilo Tribune Herald on January 11, 1964 and will appear again on January 29, 1964 in the Hilo Tribune Herald.

Sincerely,

RAYMOND S. YAMASHITA
Executive Officer

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

October 22, 1963

*Country deferred
11/18/63
until January goes into effect
Passed 1st reading.*

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 Thompson
MYRON B. THOMPSON
Chairman, Pro Tempore

Ref. No. LUC 677

October 15, 1963

Planning and Traffic Commission
County of Hawaii
Hilo, Hawaii

Attention: Mr. Edgar A. Hamasu, Planning Director

Gentlemen:

Pursuant to Section 98H-4, RLH 1955, as amended, a copy of the Petition for Amendment of Temporary District Boundary submitted by Mr. Kazuhisa Abe on behalf of Richard T. G. Choy and William D. H. Lee is forwarded for your comments and recommendations.

Sincerely,

CLARENCE L. HODGE
Acting Director
Department of Planning and
Economic Development

Enclosure

Ref. No. LUC 676

October 15, 1963

Messrs. Richard T. G. Choy
and William D. H. Lee
c/o Mr. Kazuhisa Abe
Professional Building
163 Kalakaua Street
Hilo, Hawaii

Gentlemen:

This is to acknowledge receipt of your petition for amendment
of temporary district boundaries established by the Land Use
Commission.

A date has not yet been set for a hearing of your petition, but
we will advise you as soon as a date has been determined.

Sincerely,

CLARENCE L. HODGE
Acting Director
Department of Planning and
Economic Development

State Form B14

STATE OF HAWAII

Land Use Commission
426 Queen St., Honolulu, Hawaii
Department, Bureau or Commission

OFFICIAL
RECEIPT

NO.

66

Sept. 23, 1963

RECEIVED from Betty Denton for Robert T. C. Choy & William D. Lee
Fifteen ~~no/nd~~ DOLLARS
for public hearing by the Land Use Comm for temporary Boarding
Charge from A to Z for looks in Kailua, Hawaii &

\$ 50.00

Alberta L. Lee

Public Accountant

Ch. #56 - Central Pacific Bank

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 AUG 19 1963

Date forwarded to LUC
with recommendation _____

Date Petition, Fee and
County/DLNR recommen-
dation 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 Hawaii, Island of Hawaii, map number and/or name H-7, Kailua 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:

Portion of Land Patent (Grant) 5327 to Waiaha, situate at Kailua-Kona on the old Kailua Holualoa Road & Kuakini Highway, containing an area of 29.34 Acres, Tax Map Key 7-5-17-18.

Petitioner's interest in subject property:

Petitioners, as general partners, of Kona Land Hui, a limited partnership, acquired interest in said premises under an A/S executed by and between the Petitioners, as Buyers, & Kapago Incorporated, as Sellers, dated 10/1/59 and Petitioner's reason(s) for requesting boundary change: recorded in the Office of the Registrar of Conveyances in Liber 3708, Page 75.

(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.

RICHARD T. G. CHOY and
WILLIAM D. H. LEE, General
Partners of KONA LAND HUI,
Signature(s) a limited partnership

By Kapago Incorporated
Their Attorney

Address: Professional Bldg.
163 Kalakaua St., Hilo, Hawaii
Telephone: 3418

RECEIVED

SEP 23 1963

State of Hawaii
LAND USE COMMISSION

RECEIVED REPORT

At 8:15, Standard Oil Company of Hawaii, Inc. filed the following application for

(1) Modification of the zoning of land located and described as follows:

RECEIVED REPORT OF PLANS

(2) The plans for use and/or occupancy for the acreage of the

property (located out out):

(3) The following will occur on the property or within the following

objectives to which the plans are directed:

The plans described in section (2) are as follows from top to bottom:

(1) The following will occur on the property or within the following:

(1) Description:

The property described in section (1) is located in the City and County of Honolulu, State of Hawaii, in the Ward of Kalihi, Section of Kalihi, Block 10, Lot 10. The property is bounded on the north by Kalihi Street, on the south by Kalihi Street, on the east by Kalihi Street, and on the west by Kalihi Street. The property is approximately 100 feet wide by 100 feet deep, totaling 10,000 square feet. The property is currently zoned R-1, Residential, and is used as a single-family dwelling. The property is located in a residential area with other single-family dwellings in the vicinity. The property is located in the Kalihi Ward, which is a residential area of the City and County of Honolulu.

(2) Description of plans:

The plans described in section (2) are as follows from top to bottom:

(1) The following will occur on the property or within the following:

(2) The following will occur on the property or within the following:

RECEIVED REPORT OF PLANS FOR THE CITY AND COUNTY OF HONOLULU, HAWAII

RECEIVED REPORT OF PLANS

RECEIVED REPORT OF PLANS</

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

The land in question was purchased by the limited partnership for the of subdividing the property into house lots and the purchase price paid was approximately \$6,000.00 an acre. Petitioners honestly feel that the land in question is more adaptable for urban use then for agricultural use.

- (1) The subject property is needed for urban use with the continued development of Kailua-Kona as a resort area. Said property is located in a close proximity to the Kailua-Kona resort area and the development of the subject property into house lots will compliment the development of Kailua-Kona.
- (2) The subject property is located mauka of Kuakini Highway and the adjoining parcels of land, Tax Map Key 7-5-17-16 and 7-5-17-17 are zoned for business use. Then the proximity of the property to the Kailua-Kona resort area makes the subject land adaptable to urban use. Further, the zoning of the subject land for urban use will be consistent with the adjacent areas and then this parcel will become a contiguous part of the urban area or district. Furthermore, all utilities are easily accessible to the subject land.

RECORDED IN THE
KAILUA-KONA
RECORDS
BY HONOLULU
COUNTY
CLERK'S OFFICE
ON APRIL 10, 1986
AT 10:00 AM
FOR THE
RECORD
ONLY
AND NOT FOR
CONVECTION
PURPOSES
OR FOR
EXHIBITION
OR FOR
SEARCH
PURPOSES.

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SEP 23 1963

State of Hawaii
LAND USE COMMISSION

PO PUNA PROTECTION BILL
OLYMPIAN VOLCANOES BILL: THE STATE OF HAWAII REQUESTS THE
STATEMENT OF INTERESTS OF GOVERNMENTAL ENTITIES WHICH MAY BE
AFFECTED BY THE PROPOSED STATE LAND USE COMMISSION BILL
RE: PUNA PROTECTION BILL AND THE STATE LAND USE COMMISSION BILL
RE: VOLCANOES BILL. THE STATE LAND USE COMMISSION
SELECTED THE FOLLOWING ENTITIES TO PREPARE STATEMENT OF INTERESTS
(1) THE VOLCANOES PROTECTION PROJECT, INC. OF HONOLULU, HAWAII

COMMITTEE ON THE PROTECTION OF THE VOLCANOES
THE VOLCANOES COMMITTEE FOR VOLCANO PROTECTION HAD THE FOLLOWING STATEMENT
TOGETHER WITH OTHER VOLCANO PROTECTION ACTIVISTS TO THE
GOVERNMENT OF HAWAII: HAWAII VOLCANOES NATIONAL PARK PROJECT IS
(1) UNPREDICTABLE AND UNPREDICTABLE HAZARDS ARE UNPREDICTABLE

STATEMENT OF INTERESTS
THE STATEMENT OF INTERESTS IS MADE BY VOLCANOES PROTECTION PROJECT, INC. OF HONOLULU, HAWAII
THE VOLCANOES COMMITTEE FOR VOLCANO PROTECTION PROJECT, INC. OF HONOLULU, HAWAII
AND VOLCANOES PROTECTION ACTIVISTS WHO ARE UNPREDICTABLE HAZARDS ARE UNPREDICTABLE

STATEMENT OF INTERESTS FOR THE STATE LAND USE COMMISSION

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FEB 10 1964
State of Hawaii
LAND USE COMMISSION

Richard T. G. Chey
William D. Lee
ACD 63-50

RECEIVED

FEB 10 1964

State of Hawaii
LAND USE COMMISSION

William D. Wallace

Richard T. S. Choy

AG 63-50

Richard T. S. Choy
William D. Wallace
AG 63-50

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FEB 10 1964

State of Hawaii
LAND USE COMMISSION

FEB 10 1964

LAND USE COMMISSION

Richard T. G. Choy
William D. W. Lee

ACT 63-50

Richard T. G. Choy
William D. W. Lee

ACT 63-50

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FEB 10 1964
State of Hawaii
LAND USE COMMISSION

Richard T. G. Ch
+ William D. Lee
ACT 6350