

Note: All parcels owned by
Sidney K. Kaide & wif.
Terry T. - T/E unless
otherwise noted.

ADVANCE SHEET
SUBJECT TO CHANGE

THIRD DIVISION		
ZONE	SEC.	PLAT
2	3	35
CONTAINING..... PARCELS		

REGISTERED NO. 32502

Value \$ _____ Spec. del'y fee \$ _____

Fee \$ 75¢ Ret. receipt fee \$ 10¢

Surcharge \$ _____ Rest. del'y fee \$ _____

Postage \$ 5¢ Airmail

From _____ Postmaster, By _____

Send use Commission

1426 Queen St. (Hono),

To _____ Mr. G. R. Ewart II

the Sugar Co. Ltd.

Bx 3870

Honolulu



REQUESTED

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HONOLULU
P.M.
1966

MAWAII

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Land Use Commission

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Show to whom, when, and
address where delivered

Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

32502

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

Mr. G. R. Bassett Jr.

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

MAY 12 1966

May 11, 1966

Mr. G. R. Ewart, III
Assistant Secretary
Hilo Sugar Company, Ltd.
P. O. Box 3470
Honolulu, Hawaii

Dear Mr. Ewart:

Transmitted herewith are the findings, conclusions and decision of the Land Use Commission in the matter of your petition (A65-82).

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

Enc1.

cc: Chairman Thompson
Roy Takeyama, Legal Counsel

LAND USE COMMISSION
STATE OF HAWAII

IN THE MATTER OF THE PETITION)
BY HILO SUGAR COMPANY, A65-82)

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND DECISION

The above Petition to amend the Land Use District Boundaries from agricultural to urban having come on for hearing, and the Land Use Commission having duly considered the evidence now finds and concludes as follows:

FINDINGS OF FACT

1. That the Petition encompasses a 2-acre tract and a 5.8-acre tract which is in the Agricultural District, situated at Hilo, Hawaii. Hereafter, the 2-acre tract is referred to as Tract "A" (TMK 2-3-35) and the 5.8-acre tract as Tract "B" (TMK 2-3-44 and 2-3-38).
2. That the Petitioner proposes to develop the subject lands for residential purposes.
3. That all of Tract "A" is owned by the Petitioner and that only a portion of Tract "B" is owned by the Petitioner.
4. That Tract "A" is completely planted to cane and that portions of Tract "B" have about 2 acres planted in cane, and about 3.8 acres partly vacant and partly in pasture.
5. That the soils in Tract "A" are generally of the Hilo silty clay loam 12 to 16 inches thick. Such soils are chiefly used for cane cultivation.

6. That the soils in Tract "B" are of the Hilo family with soils 4 to 12 inches thick in an area with a high proportion of Pahoehoe lava outcrops. The soil is suitable for machine cultivation of cane and for forage crops.

7. That the average annual rainfall in the area is approximately 150 inches.

8. That water service is available to both tracts of land.

9. That the tracts are accessible by urban standard roads and are in close proximity to a high school, a hospital, a library, a police station, and various offices of government agencies and urban facilities of Hilo.

10. That Tracts "A" and "B" do include lands with a high capacity for intensive cultivation.

11. That sufficient reserve areas for a 10-year urban growth have already been provided in Hilo.

12. That the overall density of residential lands in the Hilo Urban District is less than one housing unit for each 1.2 acres. That this density is considerably less than the standard for Rural District lot sizes, indicating that an excessive amount of land has been placed in Urban Districts.

CONCLUSIONS OF LAW

1. That the Petitioner has failed to prove that the land is needed for use other than that for which the district in which it is situated is classified.

2. That sufficient urban areas for foreseeable urban growth in close proximity to the lands under consideration have already been placed in the Urban District.

3. That conditions and trends of development have not changed materially since the adoption of the present classification so as to justify the amendment of the present boundary to permit urban uses of the lands under consideration.

4. While there is evidence that said lands could be developed for urban uses, there is overriding evidence that an agricultural classification is the proper classification of the lands under petition in the interest and welfare of the public.

DECISION

Based on the evidence presented and the findings of facts and conclusions of law, it is the decision of the Land Use Commission that the Petition for change from an Agricultural District to an Urban District be denied.

Dated at Honolulu, Hawaii, this _____ day of April, 1966.

LAND USE COMMISSION
STATE OF HAWAII

By _____
Myron Thompson, Chairman

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

RYT:jhs

12b



1930

CABLE ADDRESS:
ATTGEN

BERT T. KOBAYASHI
ATTORNEY GENERAL

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
HONOLULU, HAWAII 96813

May 2, 1966

RECEIVED

MAY 4 1966

State of Hawaii
LAND USE COMMISSION

MEMORANDUM

TO: Mr. George S. Moriguchi
Executive Officer
Land Use Commission

FROM: Roy Y. Takeyama
Deputy Attorney General

SUBJECT: Approval as to Form
(Land Use Petitions)

The findings of fact, conclusions of law and decision In the Matter of the Petitions by Hilo Sugar Company (A-65-82) and Earl V. Truex (A-64-78) are approved as to form subject to the following:

Whether conclusions of law Nos. 2, 3, 5, 6 and 7 stated In the Matter of the Petition by Molly D. Zimring (A-64-72), with modifications, are applicable in the instant petitions.

A handwritten signature in blue ink that appears to read "Roy Y. Takeyama".
ROY Y. TAKEYAMA
Deputy Attorney General

encls.

5-5-66 ^{for signature}
Returned to Roy, with notation that suggestions have been
incorporated

LAND USE COMMISSION
STATE OF HAWAII

IN THE MATTER OF THE PETITION
BY HILO SUGAR COMPANY, A65-82)

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND DECISION

The above Petition to amend the Land Use District Boundaries from agricultural to urban having come on for hearing, and the Land Use Commission having duly considered the evidence now finds and concludes as follows:

FINDINGS OF FACT

1. That the Petition encompasses a 2-acre tract and a 5.8-acre tract which is in the Agricultural District, situated at Hilo, Hawaii. Hereafter, the 2-acre tract is referred to as Tract "A" (TMK 2-3-35) and the 5.8-acre tract as Tract "B" (TMK 2-3-44 and 2-3-38).
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3. That all of Tract "A" is owned by the Petitioner and that only a portion of Tract "B" is owned by the Petitioner.
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5. That the soils in Tract "A" are generally of the Hilo silty clay loam 12 to 16 inches thick. Such soils are chiefly used for cane cultivation.

6. That the soils in Tract "B" are of the Hilo family with soils 4 to 12 inches thick in an area with a high proportion of Pahoehoe lava outcrops. The soil is suitable for machine cultivation of cane and for forage crops.

7. That the average annual rainfall in the area is approximately 150 inches.

8. That water service is available to both tracts of land.

9. That the tracts are accessible by urban standard roads and are in close proximity to a high school, a hospital, a library, a police station, and various offices of government agencies and urban facilities of Hilo.

10. That Tracts "A" and "B" do include lands with a high capacity for intensive cultivation.

11. That sufficient reserve areas for a 10-year urban growth have already been provided in Hilo.

12. That the overall density of residential lands in the Hilo Urban District is less than one housing unit for each 1.2 acres. That this density is considerably less than the standard for Rural District lot sizes, indicating that an excessive amount of land has been placed in Urban Districts.

CONCLUSIONS OF LAW

1. That the Petitioner has failed to prove that the land is needed for use other than that for which the district in which it is situated is classified.

2. That sufficient urban areas for foreseeable urban growth in close proximity to the lands under consideration have already been placed in the Urban District.

3. That conditions and trends of development have not changed materially since the adoption of the present classification so as to justify the amendment of the present boundary to permit urban uses of the lands under consideration.

4. While there is evidence that said lands could be developed for urban uses, there is overriding evidence that an agricultural classification is the proper classification of the lands under petition in the interest and welfare of the public.

DECISION

Based on the evidence presented and the findings of facts and conclusions of law, it is the decision of the Land Use Commission that the Petition for change from an Agricultural District to an Urban District be denied.

Dated at Honolulu, Hawaii, this _____ day of April, 1966.

LAND USE COMMISSION
STATE OF HAWAII

Certification:

By Myron Thompson
Myron Thompson, Chairman

I do hereby certify that the foregoing is a full, true and correct copy of the original on file in this office.

George S. Moriguchi
George S. Moriguchi
Executive Officer
Land Use Commission

Approved as to form and legality:

Roy Y. Takeyama
Roy Takeyama
Deputy Attorney General

LAND USE COMMISSION
STATE OF HAWAII

IN THE MATTER OF THE PETITION
BY HILO SUGAR COMPANY, A65-82

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND DECISION

The above Petition to amend the Land Use District Boundaries from agricultural to urban having come on for hearing, and the Land Use Commission having duly considered the evidence now finds and concludes as follows:

FINDINGS OF FACT

1. That the Petition encompasses a 2-acre tract and a 5.8-acre tract which is in the Agricultural District, situated at Hilo, Hawaii. Hereafter, the 2-acre tract is referred to as Tract "A" (TMK 2-3-35) and the 5.8-acre tract as Tract "B" (TMK 2-3-44 and 2-3-38).
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5. That the soils in Tract "A" are generally of the Hilo silty clay loam 12 to 16 inches thick. Such soils are chiefly used for cane cultivation.

6. That the soils in Tract "B" are of the Hilo family with soils 4 to 12 inches thick in an area with a high proportion of Pahoehoe lava outcrops. The soil is suitable for machine cultivation of cane and for forage crops.

7. That the average annual rainfall in the area is approximately 150 inches.

8. That water service is available to both tracts of land.

9. That the tracts are accessible by urban standard roads and are in close proximity to a high school, a hospital, a library, a police station, and various offices of government agencies and urban facilities of Hilo.

10. That Tracts "A" and "B" do include lands with a high capacity for intensive cultivation.

11. That sufficient reserve areas for a 10-year urban growth have already been provided in Hilo.

12. That the overall density of residential lands in the Hilo Urban District is less than one housing unit for each 1.2 acres. That this density is considerably less than the standard for Rural District lot sizes, indicating that an excessive amount of land has been placed in Urban Districts.

CONCLUSIONS OF LAW

1. That the Petitioner has failed to prove that the land is needed for use other than that for which the district in which it is situated is classified.

2. That sufficient urban areas for foreseeable urban growth in close proximity to the lands under consideration have already been placed in the Urban District.

3. That conditions and trends of development have not changed materially since the adoption of the present classification so as to justify the amendment of the present boundary to permit urban uses of the lands under consideration.

4. While there is evidence that said lands could be developed for urban uses, there is overriding evidence that an agricultural classification is the proper classification of the lands under petition in the interest and welfare of the public.

DECISION

Based on the evidence presented and the findings of facts and conclusions of law, it is the decision of the Land Use Commission that the Petition for change from an Agricultural District to an Urban District be denied.

Dated at Honolulu, Hawaii, this _____ day of April, 1966.

LAND USE COMMISSION
STATE OF HAWAII

Certification:

By

Myron Thompson, Chairman

I do hereby certify that the foregoing is a full, true and correct copy of the original on file in this office.

George S. Moriguchi
Executive Officer
Land Use Commission

Approved as to form and legality:

Roy Takeyama
Deputy Attorney General

LAND USE COMMISSION
STATE OF HAWAII

IN THE MATTER OF THE PETITION)
BY HILO SUGAR COMPANY, A65-82)

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND DECISION

The above Petition to amend the Land Use District Boundaries from agricultural to urban having come on for hearing, and the Land Use Commission having duly considered the evidence now finds and concludes as follows:

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6. That the soils in Tract "B" are of the Hilo family with soils 4 to 12 inches thick in an area with a high proportion of Pahoehoe lava outcrops. The soil is suitable for machine cultivation of cane and for forage crops.

7. That the average annual rainfall in the area is approximately 150 inches.

8. That water service is available to both tracts of land.

9. That the tracts are accessible by urban standard roads and are in close proximity to a high school, a hospital, a library, a police station, and various offices of government agencies and urban facilities of Hilo.

10. That Tracts "A" and "B" do include lands with a high capacity for intensive cultivation.

11. That sufficient reserve areas for a 10-year urban growth have already been provided in Hilo.

12. That the overall density of residential lands in the Hilo Urban District is less than one housing unit for each 1.2 acres. That this density is considerably less than the standard for Rural District lot sizes, indicating that an excessive amount of land has been placed in Urban Districts.

CONCLUSIONS OF LAW

1. That the Petitioner has failed to prove that the land is needed for use other than that for which the district in which it is situated is classified.

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3. That conditions and trends of development have not changed materially since the adoption of the present classification so as to justify the amendment of the present boundary to permit urban uses of the lands under consideration.

4. While there is evidence that said lands could be developed for urban uses, there is overriding evidence that an agricultural classification is the proper classification of the lands under petition in the interest and welfare of the public.

DECISION

Based on the evidence presented and the findings of facts and conclusions of law, it is the decision of the Land Use Commission that the Petition for change from an Agricultural District to an Urban District be denied.

Dated at Honolulu, Hawaii, this _____ day of April, 1966.

LAND USE COMMISSION
STATE OF HAWAII

Certification:

By

Myron Thompson, Chairman

I do hereby certify that the foregoing is a full, true and correct copy of the original on file in this office.

George S. Moriguchi
Executive Officer
Land Use Commission

Approved as to form and legality:

Roy Takeyama
Deputy Attorney General

George S. Moriguchi
XXXXXX

July 30, 1965

Mr. G. R. Ewart, III
Assistant Secretary
Hilo Sugar Company, Ltd.
P. O. Box 3470
Honolulu, Hawaii

Dear Mr. Ewart:

The petition (A65-82) by the Hilo Sugar Company, Ltd. to incorporate a 2-acre tract (portion of Third Division parcel TMK 2-3-35:1) and a 9-acre tract (Third Division parcels TMK 2-3-39: 3, 4, 5, 6, 8, 9 and 10; portion of Third Division parcel TMK 2-3-38: 3; and portion of Third Division parcel TMK 2-3-44:9) to the Hilo Urban District was denied by the Land Use Commission at its meeting on July 23, 1965.

Prior to taking action on your petition, the enclosed memo was read to the Commission. Mr. Bill Hartmann spoke in favor of the petition, answering questions put to him by members of the Commission.

A motion was made to deny the petition in its entirety. The motion was passed by a vote of 6 to 2.

Should you desire any further information, or have any questions, please feel free to contact us.

Sincerely yours,

GEORGE S. MORIGUCHI
Executive Officer

Encl. - 1

cc: Chairman Thompson
Hawaii Planning Commission
Department of Taxation

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Lihue Police Station

1:30 P.M. - July 23, 1965

Commissioners

Present:

Myron B. Thompson, Chairman
Jim P. Ferry
Shelley Mark
Robert G. Wenkam
Leslie E. L. Wung
Goro Inaba
Charles Ota
Shiro Nishimura

Absent:

C. E. S. Burns

Staff Present:

George S. Moriguchi, Executive Officer
Raymond S. Yamashita
Gordon Soh, Associate Planner
Ah Sung Leong, Draftsman
Roy Takeyama, Legal Counsel
Dora Horikawa, Stenographer

The meeting was called to order by Chairman Thompson.

ADOPTION OF MINUTES

Mr. Yamashita requested that the adoption of the minutes of the meetings held on May 7, 8, 27 and 28, 1965 be taken up first. Chairman asked for corrections, deletions or additions to the minutes. Commissioner Wenkam referred to page 4, paragraph 8, of the May 7th meeting. It was his feeling that Mr. Hansen's intent was not as recorded--but that Mr. Hansen felt an obligation to the stockholders. Commissioner Wenkam suggested and Chairman Thompson ordered that the following addition be made: "He felt he had to be fair to the stockholders as well."

Commissioner Wenkam also referred to page 32 of the May 7th meeting and requested that an omission be inserted in the minutes--between Mr. Hulten and Commissioner Ferry's conversation--namely, the fact that he made a motion to adjourn, which was seconded by Commissioner Mark.

Chairman Thompson approved the minutes as corrected. Since there were no corrections to the minutes of the May 8, 27 and 28, 1965 meetings, they were approved as circulated.

ACTION TAKEN

PETITION OF HILO SUGAR COMPANY (A65-82) TO INCORPORATE A TWO ACRE TRACT (HEREAFTER REFERRED TO AS TRACT A) AND A NINE ACRE TRACT (HEREAFTER REFERRED TO AS TRACT B) INTO THE HILO URBAN DISTRICT FOR AN UNSPECIFIED URBAN USE

Mr. Gordon Soh presented the memorandum prepared by staff on the above petition (see memorandum on file). Staff recommended denial of the petition except for transfer of a 36,000 square foot (0.826 acre) portion of the 5.8 acre tract from an Agricultural to an Urban District on which they recommended approval. The denial was based on the lack of evidence on the need for additional urban lands and the agricultural use and potential of the lands under petition. The reasons for approval of the 36,000 square foot portion were the proximity to "city-like" concentrations, satisfactory topography and drainage and consistency with the County General Plan.

In reply to Commissioner Wenkam's query as to whether Hilo Sugar had any master plan of this area, Mr. Soh replied it was part of the County General Plan. Mr. Soh also agreed that the acres being petitioned by Hilo Sugar Company were part of the County General Plan for urban use, but that the staff was recommending urbanization of only a 36,000 square foot portion at this time, in answer to Chairman Thompson's question. To clarify the 36,000 square foot portion in question, Mr. Yamashita pointed out the parcel on the wall map and also stated that all of this parcel was not owned by the Hilo Sugar Company. Commissioner Wung raised the question of legality in the matter of Hilo Sugar Company petitioning for boundary change of land which did not belong to them.

Upon Chairman's invitation, Mr. Bill Hartman of C. Brewer Company testified in behalf of Hilo Sugar Company, after he was duly sworn in by the Chairman. Mr. Hartman proceeded to read a letter addressed to Mr. Martin Black of Hilo Sugar Co., originating from the office of Ushijima and Nakamoto, attorneys in Hilo, in which a firm offer had been made for the parcel under petition. Mr. Hartman continued that there seemed to be a great demand for land in this area. He went on to cite examples of other developments in the vicinity which had been completely sold out. He also pointed out that part of the land was now under planter's lease and assessed at such a high tax rate that the planters could not afford to raise sugar cane to pay the taxes and were about ready to give up this venture.

Following a brief question and answer period, Commissioner Ota moved to deny the petition because the land was being used intensively for agriculture at the present time, and that there were other lands in the Hilo vicinity which could be used for urban purposes. Commissioner Nishimura seconded the motion. The Commissioners were polled as follows:

Ayes: Commissioners Inaba, Ota, Mark, Nishimura, Ferry and Chairman Thompson

Nays: Commissioners Wung and Wenkam

The motion was carried and the total petition was denied.

PETITION OF LIHUE PLANTATION (A64-79) TO AMEND THE URBAN DISTRICT BOUNDARY AT LIHUE SO AS TO PLACE APPROXIMATELY 16.6 ACRES CURRENTLY IN AN AGRICULTURAL DISTRICT INTO AN URBAN DISTRICT, AND APPROXIMATELY 11.1 ACRES CURRENTLY IN AN URBAN DISTRICT INTO AN AGRICULTURAL DISTRICT IN ORDER TO ACCOMMODATE A SPECIFIC PLAN FOR RESIDENTIAL AND INDUSTRIAL DEVELOPMENT: Area described by Fourth Division TMK 3-6 and 3-7 (Portion).

The background and analysis on the above petition were presented by Gordon Soh (copy of report on file). The original staff recommendation of May 7, 1965 to approve petition was revised as follows:

- a) Approve the addition of 16.6 acres to the Lihue Urban District, and
- b) Deny the removal of 11.1 acres from the Lihue Urban District except for that portion petitioned for between the Hoolaka Street extension and the Hanamaulu Cutoff Road alignment.

The revision was based on the petitioner's statement in a letter dated May 13, 1965 to the effect that the petition was merely to accommodate engineering requirements for the development except for the Ahukini triangle; and also on Regulation 2.7 (d) which requires the inclusion of Urban Districts of sufficient reserve areas for urban growth in appropriate locations based on a 10-year projection.

Chairman Thompson opened the floor for discussion. Commissioner Wenkam commented that his familiarity of the Lihue area would lead him to believe that the present Urban District encompassed by the present boundary lines which Lihue Plantation believes will be needed for urban growth over the next five years was a very conservative one. Within the next five years, there would be considerably more land needed in Lihue; that there was a shortage of land in the Lihue area, both fee simple and leasehold. He recommended that we should deny the petition in whole, with the idea that the petitioner will come at a later date to request a more reasonable amount of land to be rezoned in line with the master plan.

Chairman Thompson asked if any representative of the petitioner was present. Mr. Sam Keala, Engineer for Lihue Plantation, was duly sworn in and made the following presentation in behalf of Lihue Plantation.

Mr. Keala pointed out that unlike Oahu and some of the other highly developed islands, which communities have already excelled themselves as far as development is concerned, Kauai was just getting into the development phase. He stated that he believed Lihue Plantation was the only landowner on Kauai who had started such a big development. He felt that urban land presently planted in cane could accommodate the present needs of the people of Kauai. He emphasized that these were in fee simple and not leasehold.

Commissioner Ferry moved that urbanization as recommended by the staff report be accepted. Commissioner Mark seconded the motion. The Commissioners were polled as follows:

Ayes: Commissioners Wung, Wenkam, Mark, Ferry

Nays: Commissioners Nishimura, Inaba, Ota and Chairman Thompson

The motion to accept staff report was not carried.

Chairman Thompson announced that the Commission would now vote on the total petition. Commissioner Wung moved for denial of the petition which was seconded by Commissioner Inaba. The votes were as follows:

Ayes: Commissioners Wung, Inaba, Ota, Wenkam, Nishimura

Nays: Commissioners Mark, Ferry and Chairman Thompson

The motion for denial was carried.

PETITION OF HAWAIIAN HOMES LAND COMMISSION (A64-72) TO AMEND THE KUHIO (PUUKAPU) VILLAGE URBAN DISTRICT BOUNDARY IN KAMUELA TO INCORPORATE A SINGLE LOT OF 0.89 ACRES: Described as a portion of Third Division parcel TMK 6-4-04

Mr. Gordon Soh read the memorandum prepared by staff on the above petition. No additional evidence was submitted to alter original staff findings or recommendations to approve the petition to add a 0.89 acre remnant of an agricultural subdivision to the adjoining Kuhio Urban District. Since there was no further discussion or question, Commissioner Wung moved to accept the staff recommendation, which was seconded by Commissioner Nishimura. The motion was carried unanimously.

PETITION OF EARL V. TRUEX (A64-78) FOR THE CREATION OF A FIFTY ACRE URBAN DISTRICT ALONG PECK ROAD IN THE AGRICULTURAL DISTRICT NEAR MOUNTAIN VIEW: Described as Third Division Parcel TMK 1-8-06: 92

Staff memorandum on the above petition was presented by Mr. Gordon Soh (See copy on file). Mr. Soh also read a letter written by the petitioner dated July 16, 1965, in which he expressed his dissenting views concerning staff's recommendation to deny his petition. Since there was no further discussion, Commissioner Wung moved that the petition by Mr. Earl Truex be denied, seconded by Commissioner Inaba. The Commissioners were polled as follows:

Ayes: Commissioners Wung, Inaba, Ota, Wenkma, Mark, Ferry, Nishimura and Chairman Thompson

Petition was denied.

PETITION OF DILLINGHAM INVESTMENT CORPORATION (A65-80) FOR AN EXTENSION OF THE URBAN DISTRICT BOUNDARIES AT CAPTAIN COOK, IN THE SOUTH KONA DISTRICT ON THE ISLAND OF HAWAII SO AS TO INCORPORATE AN AREA OF APPROXIMATELY NINE ACRES: Described as a portion of Third Division Parcel TMK 8-0-08: 1

Memorandum prepared by staff was read by Mr. Gordon Soh (See copy on file). Staff denial of petition was based on the fact that no evidence had been presented to substantiate a need for the addition of nine acres to the Urban District and that the existing Urban District provided a sufficient reserve area for foreseeable urban growth. The memorandum also pointed out that the proposed development was inconsistent with the plan for Kona, scattered ribbon developments were contrary to the intent and purpose of the Land Use Law and the potential for economic and urban growth near Captain Cook was currently marginal at best.

Commissioner Inaba wondered about development of the civic center which was being planned for the near future in relation to the petitioner's request for extension of the urban district boundary. Mr. Soh replied that he had been unsuccessful in his attempt to contact the architects in Honolulu to get an exact count of agencies involved and people presently employed.

Mr. Tom Peterson, attorney for the petitioner, asked if it would be possible for the Commissioners to look at the file containing supporting evidence which had been submitted by the petitioner. He proceeded to enumerate the several points outlined in file as follows:

1. The land had no agricultural value.
2. Trading and employment facilities stimulate growth in need for residences at location of lot.
3. Close location of every urban service necessary.
4. Lot is adjacent to area already urban.
5. Vicinity does not have reserve of urban land sufficient for the expected growth of the next 5 to 10 years.
6. Good drainage.
7. Compatible with general plans.
8. Kona's urban growth will be in the "highlands".
9. Coffee orchards are a spare time, family garden project.

Chairman Thompson made reference to the public hearing held previously at which time availability of water had been posed as a problem in this area and the reason for the non-development of adjacent lands. In reply, Mr. Peterson stated that he did not think this would be a major problem since he had seen pipe lines that had been recently installed in the area and his belief that they would continue to put the rest of the line all the way through.

Commissioner Inaba moved to approve the petition, which was seconded by Commissioner Wung. The Commissioners voted as follows:

Ayes: Commissioners Wung, Inaba, Ota, Wenkam, Nishimura, Ferry and Chairman Thompson

Nay: Commissioner Mark

Motion to approve petition was carried.

PETITION OF MAUI PINEAPPLE COMPANY (A(T)64-70), FOR A BOUNDARY CHANGE TO ADD ABOUT 178 ACRES PRESENTLY IN AN AGRICULTURAL DISTRICT AND 136 ACRES PRESENTLY IN A CONSERVATION DISTRICT TO THE HONOLUA URBAN DISTRICT FOR RESORT, HOUSING AND OTHER DEVELOPMENTS: Described as a portion of Second Division TMK 4-2-01

Mr. Gordon Soh presented staff memorandum on the above petition. (See copy on file). Staff recommendation was for incorporation of 93 acres into the Urban Districts of Honolua and Napili, which together with the existing 85 acres in the Honolua Urban District, would give a total of 178 acres for urban districting. Mr. Soh pointed out on the map the areas which would remain in conservation if staff recommendation were followed, in answer to Commissioner Wenkam's question.

Commissioner Wenkam expressed his concern over the inaccessibility of beaches and shorelines to the general public whenever a resort hotel was constructed along these areas. He felt that broad public use of the beaches and shoreline should continue to the maximum, and also that the economic well-being of Maui was dependent upon having the shorelines accessible to the general public. He continued that the staff recommendation to conserve the strip of shoreline would not in any way infringe on the plans for the proposed construction by Maui Pineapple Company.

Commissioner Ferry commented that recently the State auctioned several lots, but due to the restrictions imposed by the condition of sale, people were very interested in other available fee simple house lots. He said that these were practically nil in this area. He said that the survival of any business is de-

pendent upon the land prices that prevail, and with urban districting of this particular area, there will be a large portion of the acreage devoted to fee simple residential sale. Commissioner Ferry chose to differ with the impression given that the retention of a portion of the shoreline in conservation would not materially affect the development. He stated that in order for the developer to get the maximum loan possible, the land would have to be unencumbered and free from impediments.

Commissioner Wenkam felt that land was zoned not to create greater market values, but rather in the broad interest of the State and community, and where there was no demonstrated injury to the land owner, he felt the public interest should prevail. He continued that the Land Use Commission was charged with setting up and determining boundaries for conservation to include parks and beaches.

Mr. Colin Cameron, Executive Vice-President of the Maui Pineapple Company, was sworn in by Chairman Thompson. Mr. Cameron opened his testimony with the statement that he wholly agreed with Commissioner Wenkam's views, that he was extremely conscious of the long-term desirability of retaining open areas and that the petitioner's plans called for retention of this area. However, the reason for their request to have the entire area zoned urban was primarily for the purpose of facilitating loan negotiations. The petitioners could not commit large sums of money unless they were fairly certain that they could proceed with the entire development as planned--a plan that would include a well-balanced community of fee simple homes, commercial co-ops, condominium and resort developments, which will be a permanent addition to the welfare of the State. Mr. Cameron stated that the petitioners were looking for long-term improvement and advantages to the community and that they would not think of jeopardizing the long-term plan.

At Chairman Thompson's direction, Mr. Soh pointed out on the map the areas requested for urbanization in the petition, and the areas recommended for urbanization by the staff.

Commissioner Wung wondered whether staff recommendation for urbanization included Kapalua Bay. Mr. Soh replied that staff recommendation was to retain Kapalua Bay in conservation.

Commissioner Mark asked Mr. Cameron how the development would be affected if Kapalua Bay were kept in conservation. Mr. Cameron replied that they had not reached a final agreement with the developer operator and that what they had presented to the Commissioners was just a rough schematic plan.

Chairman Thompson brought up the point that the question before the Commission was the right of way to Kapalua Bay and other beach areas and not one of conservation or urban.

Commissioner Ota responded that accessibility to any piece of property, be it in conservation, urban or agriculture, was important if the land were to be of any use. He felt that there was no problem here if the petitioners agreed with the staff recommendation to keep the beach frontage in conservation.

Mr. Cameron stated that he was not a hotel man and could not say what problems might arise if Kapalua Bay were kept in conservation. However, he pointed out, the success of the proposed development depended upon their being able to proceed with the entire plan. In order to make available reasonably-priced fee simple lots that people could afford, the petitioners had to allocate costs of

major improvements such as water and sewer to other areas. At best it was a slow long-term return project.

Commissioner Ota pointed out that the Commission had granted large areas to petitioners in Kona, Makaha, Kihei without benefit of any proposed plans. However, Maui Pineapple Co. was proposing development of not only a resort area but a growing community for which there was a definite need. He could not see the compatibility of public or semi-public use of Kapalua Bay on which petitioners were proposing to build low-density, high class hotel, and the request to have this area put in urban was not an unreasonable one.

Commissioner Mark wondered about the highway realignment in connection with this petition and when this was going to come about. Commissioner Ferry replied that an appropriation had been made in the last Legislature and, in answer to Chairman Thompson's request for clarification, remarked that this was earmarked for improvement of existing roads. Mr. Cameron interrupted at this point with the information that two appropriations had been made under the 1965 CIP, both affecting the roads in this area--one was for improvement of the present highway and the second was specifically for realignment of the highway.

Mr. Yamashita reminded the Commissioners that about a year ago, the area under discussion was examined by them and it was their conclusion at that time that the land below the highway was appropriately zoned in the Conservation District for reasons of scenic attraction and preservation of recreation and beach facilities. An inquiry was also made as to whether or not the land owners were contemplating any future projects to which they received no reply.

Commissioner Ferry amended the foregoing impression with the statement that the Land Use Commission had zoned this area in conservation at the time the final boundaries were determined, with the thought that the petitioners would wait until this occasion to present their development plans and request a boundary change.

Mr. Yamashita felt that the Land Use Commission had provided more than an adequate amount of land for Urban use in this area. Even the findings of the economic studies made by the petitioners' consultants could only justify the use of approximately 93 acres.

Referring to the staff report that there were adequate reserve urban lands in this area, Commissioner Ota stated that this was not the case and the very reason why prices were going out of hand.

Commissioner Wenkam moved to approve staff recommendations which was seconded by Commissioner Mark. The votes were recorded as follows:

Ayes: Commissioners Wung, Wenkam, Mark

Nays: Commissioners Inaba, Ota, Nishimura, Ferry and Chairman Thompson

The motion was defeated.

Commissioner Ferry moved to grant the petitioners' request, seconded by Commissioner Ota.

Commissioner Mark asked whether Commissioner Ferry would entertain an amendment to the motion to keep the shorelines in the Conservation District.

Commissioner Ferry replied that he would not, for the following reasons. The County of Maui is very well abreast of the development plans of the petitioner and the engineering firm has cooperated with the County in seeing that the scheme of development would not damage any of the conservation areas, a point about which the County is very sensitive.

At this point, Commissioner Mark introduced an excerpt from the Honolulu Star Bulletin which referred to the increasing pressure brought about to turn over the most desirable island areas into tourist resorts, relegating the resident to second-class in his own home land. He wondered if this was not a reference to the petition under discussion.

Commissioner Wenkam made an amendment to the motion to keep the shoreline in conservation, including Kapalua Bay, seconded by Commissioner Mark. Motion to amend was carried by the following votes:

Ayes: Commissioners Wenkam, Inaba, Wung, Mark, Nishimura

Nays: Commissioners Ota, Ferry and Chairman Thompson

Commissioner Ota asked whether he could make another amendment to Commissioner Wenkam's amendment. The Chairman informed him that he could only make an amendment to the original motion which was for urbanization of the total area minus the shoreline.

Commissioner Ota then made a motion to amend the original motion so that it would exclude Kapalua Bay.

At this point, Chairman Thompson called for a short recess.

The meeting resumed in 5 minutes. Chairman Thompson informed Commissioner Ota that his motion was out of order.

Commissioner Nishimura stated that he would like to reconsider his vote on the amendment made by Commissioner Wenkam. Chairman Thompson called for a show of hands to signify approval of Commissioner Nishimura's request. Request was granted.

Chairman Thompson called again for a vote on Commissioner Wenkam's amendment to include all the shoreline in conservation which resulted as follows:

Ayes: Commissioners Wenkam and Mark

Nays: Commissioners Wung, Inaba, Ota, Nishimura, Ferry and Chairman Thompson

Motion to amend did not pass.

Commissioner Ota then moved to amend the original motion to include all the shoreline in conservation except for Kapalua Bay, which was seconded by Commissioner Nishimura. The Commissioners were polled as follows:

Ayes: Commissioners Wung, Inaba, Ota, Ferry, Nishimura and Chairman Thompson

Nays: Commissioners Wenkam and Mark

Motion was carried.

Following this, a vote was taken on the original motion as amended, which resulted in the following:

Ayes: Commissioners Wung, Inaba, Ota, Ferry, Nishimura and Chairman Thompson

Nays: Commissioners Wenkam and Mark

Motion was carried.

MEETING

Chairman Thompson commented that he would prefer to defer the dates of the general session meeting which was scheduled for August to September. Since there were no objections, this was agreed upon.

Commissioner Ferry made a few comments regarding the forthcoming Western States Commissioners' Conference. He felt that this would be a very informative meeting which would also provide many opportunities for the members to share views regarding land use laws with the visiting state officials. He also invited the Commissioners to join the group on their island-to-island trek.

All other matters were deferred until the next meeting.

The meeting was adjourned at 4:30 p.m.

MEETING RECONVENED

The meeting was reconvened at 4:45 p.m. at the request of Mr. Clinton Childs of Lihue Plantation for reconsideration of the action on the petition. Mr. Childs appealed to the Commissioners for reconsideration since their decision would impose a great hardship on the petitioner. Commissioner Wung moved that the Commission schedule a special meeting on either Monday, July 26, 1965 or Tuesday, July 27, 1965, at which time Mr. Childs will present additional testimony in behalf of Lihue Plantation. Commissioner Inaba seconded the motion and it was carried unanimously.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM A 65-82 Hilo Sugar

DATE July 23, 1965

PLACE Lihue, Kauai

TIME Afternoon
About 1:30 P.M.

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

COMMENTS:

Motion by ^{Commissioner} Ota to deny petition in its entirety.
seconded by Commissioner Nishimura.

✓ Vote recorded on July 26, 1965 from notes taken July 23, 1965.
✓ Notes filed with A 68-79.

COUNTY OF HAWAII
COUNTY PLANNING COMMISSION

RECEIVED

JUL 21 1965

Applicant Hilo Sugar Company, Ltd.
Date petition received by Planning Commission February 8, 1965
Date of Planning Commission Meeting March 31, 1965
Date petition and recommendations forwarded to LUC July 21, 1965

State of Hawaii
LAND USE COMMISSION
AMENDMENT OF ZONE DISTRICT BOUNDARY

The County Planning 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 Third Division TMK 2-3-35:1; portion of Third Division TMK 2-3-38:3; Third Division TMK: 2-3-39:3, 4, 5, 6, 7, 8, 9, & 10; and portion of Third Division TMK 2-3-44:9.

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

The Commission decided to recommend: Unanimously the approval of the zone change.

on the basis of the following findings:

1. The parcel is bounded by an existing urban zone on three sides.
2. The area is only a few hundred feet away from an intermediate school and a high school.
3. The area surrounding the parcel on three sides is extensively developed by residential uses and this section is highly desirable for said use. This is proven by purchases of subdivision lots created in the near vicinity and the prices paid (90¢ - 95¢ per sq. ft.) Further justification is the number of new homes that have already been completed upon purchase in a relatively short period.
4. It was not the intent of Section 1 of Act 187 to curb the development of subdivisions such as this one. It is not without public services nor is it scattering of developments. It is a known fact that the Halai Hill area and lower Kaumana areas are about the highest priced residential area due to its close proximity to all urban services.
5. The General Plan for the County of Hawaii designates this area for requested purposes.
6. The extension of Komohana Street to join with Puuhonu Street will pass through said parcel. The project is already well under way with funds to be made available from the 1965 CIP.

(Signed)

Raymond H. Dwyer
Acting Director, County Planning Commission

STATE OF HAWAII

LAND USE COMMISSION

July 23, 1965
Lihue, Kauai

MEMORANDUM

TO: LAND USE COMMISSION

FROM: STAFF

SUBJECT: Hilo Sugar Company (A65-82) and Dillingham Investment Corp. (A65-80)

1. Hilo Sugar Company (A65-82)

The public hearing on the petition by Hilo Sugar Company was held in Hilo on May 28, 1965. At that time your staff recommended denial of the petition to transfer:

- a) a two-acre tract near Hilo High School from an Agricultural to Urban District, and
- b) a 5.8 acre tract near the Kaumana Gardens subdivision from an Agricultural to an Urban District;

and approval of the transfer of a 36,000 square foot (0.826 acre) portion of the 5.8 acre tract from an Agricultural to an Urban District.

The recommendation for denial of most of the 7.8 acres was based on the following reasons:

- a) Lack of evidence on the need for additional urban lands.
- b) The surplus of lands in Urban Districts to meet long term needs for urban growth.
- c) The use and potential of lands under petition for agriculture.

The recommendation for approval of the reclassification of 36,000 square feet was based on the following reasons:

- a) Proximity to "city-like" concentrations, to centers of trading and employment facilities and to public facilities.
- b) Satisfactory topography and drainage.
- c) Consistency with the County general plan.
- d) The consensus of the County of Hawaii and the Department of Taxation that this area should now be programmed for urban use.

Subsequent to the public hearing and as a result of petitioner's insistence that other areas under petition were taxed at urban rates, a staff check was made with the Department of Taxation. It was learned that the two-acre tract near Hilo High School was being assessed at a probable market rate of 35 cents a square foot.

Notwithstanding the additional evidence obtained, your staff chooses to adhere to its original recommendation for denial and on the same bases. In the staff's view Section 98H-14, RLH 1955, as amended, provides that "the department of taxation shall, when making assessments of property within a district, give consideration to the use or uses that may be made thereof"; it does not provide that the Commission's districting shall be based on the judgments of the tax assessor.

2. Dillingham Investment Corporation (A65-80)

The public hearing on the petition by Dillingham Investment Corporation was held in Kailua, Kona on May 27, 1965. At that time staff recommended denial of the petition to transfer nine acres from an Agricultural District to the Captain Cook Urban District.

The recommendation for denial was based on the following reasons:

- a) That no evidence has been presented or found to substantiate a need for the addition of nine acres to the Urban District.
- b) That the existing Urban District provides a sufficient reserve area for foreseeable urban growth.

Subsequent to the public hearing, petitioner submitted a file containing twenty-one exhibits in support of his petition. The exhibits make the following case:

- a) That the area under petition is close to commercial facilities, to a proposed civic center, and to places of employment.
- b) That the area under petition is "very poor coffee land with per acre yield much below the farms in its immediate vicinity", and contributes very little to the area economy.
- c) That the area adjoins existing residential developments, and is readily developable from the standpoint of topography and drainage.
- d) That, on the basis of retail sales, the area shows signs of economic growth.

Petitioner has also submitted a letter with the exhibits contending that:

- a) Insufficient lands have been reserved for population growth in the next 5 to 10 years in the immediate vicinity of Captain Cook.
- b) The area under petition offers a better climate for urban growth than the makai areas of Kona.
- c) Topographic, climatic and other natural conditions and development, and employment patterns all militate against urban concentrations in the Kailua area and favor ribbon development.
- d) Urban areas are needed as much to support agricultural development as well as resort development.

- e) There is no known or definite reason for keeping the area under petition in a low intensity use.

However, your staff is obliged to point out that:

- a) The proposed development is inconsistent with the plan for Kona.
- b) Scattered ribbon developments are contrary to the intent and purpose of the Land Use Law.
- c) In the initial stages of developing the Kona Coast it would be wise to concentrate development effort in specific priority areas so long as the containment does not directly or indirectly block or prevent a reasonable flow of capital resources.
- d) The addition of urban areas for residential purposes should be postponed until further development of the economic base.
- e) The potential for economic and urban growth near Captain Cook is currently marginal at best.

Accordingly, your staff chooses to adhere to its original recommendation that the petition be denied.

July 14, 1965

Mr. G. R. Ewart, III
Assistant Secretary
Hilo Sugar Company, Ltd.
P. O. Box 3470
Honolulu, Hawaii

Dear Mr. Ewart:

The Land Use Commission next meets on July 23, 1965, at 10:30 a.m., in the Lihue District Court Room (Police Station), Lihue, Kauai.

At that time the Commission will conduct a hearing on petitions for boundary change. Following this hearing, the Commission will hold a meeting at which time your petition to change the district boundaries from agricultural to urban will be considered and action taken.

Although there is no requirement for you to be present, you may nevertheless wish to attend the meeting.

Very truly yours,

cc: Chairman M. Thompson
Hawaii Planning Commission

RAYMOND S. YAMASHITA
Executive Officer

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Public Hearing and Meeting

County Board Room
County Building, Hilo, Hawaii

May 28, 1965
2:00 P.M.

Commissioners C.E.S. Burns
Present: Clarence Hodge
Goro Inaba
Shiro Nishimura
Charles S. Ota
Leslie E. L. Wung

Absent: James P. Ferry
Myron Thompson
Robert G. Wenkam

Staff Raymond S. Yamashita, Executive Officer
Present: Roy Y. Takeyama, Legal Counsel
Gordon B. H. Soh, Associate Planner

The meeting was called to order by Commissioner Burns, Chairman Pro Tempore, and the commissioners and staff were introduced. All interested persons who would be presenting testimony during this hearing were sworn in.

PETITION OF EARL V. TRUEX (A64-78) FOR THE CREATION OF A FIFTY ACRE URBAN DISTRICT ALONG PECK ROAD IN THE AGRICULTURAL DISTRICT NEAR MOUNTAIN VIEW: Described as Third Division parcel TMK 1-8-06: 92

The background and analysis of the above petition were presented by Mr. Gordon Soh (report on file). The staff pointed out that population decline in the Mountain View area reflects a diminishing need for residential uses in this area. Further, staff reported there are strong reasons for limiting low density residential development to hold down public service costs. Staff also points out that the soil classification indicates agricultural potential and the proposed change to residential use will tend to raise tax assessments and thereby discourage legitimate agricultural enterprise in this area. On these bases, staff recommended denial of the petition.

The staff was asked whether the Hawaii Planning Commission has taken any action in this area in recent years.

Mr. Soh replied that the Planning Commission has proposed zoning maps for the area in question. The basic zoning ordinance is being adopted about this time; the maps, however, would have to be adopted on a case by case basis and this seems

to be yet in the offing. None of the attempts to rezone the area has been fully materialized.

Mr. Soh also informed the Commission of a letter received from Mr. Truex (letter on file) acknowledging and thanking the Commission for advising him of the public hearing and that he will not be able to attend the public hearing because of prior commitments at this time.

Legal counsel pointed out that Mr. Truex wants to petition 50 acres of which he is the owner of only 45 acres and that Mr. Truex advised that the requested change would meet with Mr. Haa's approval. Legal counsel queried whether there is any evidence of Mr. Haa's approval to this change or is the staff merely accepting the petitioner's word for it.

Mr. Soh replied that he had spoken to Mr. Haa while on a field trip to this area two weeks prior and he doesn't think that Mr. Haa is thoroughly advised of the pros and cons on this matter.

Legal counsel emphasized that the question is whether Mr. Truex had the approval of Mr. Haa; if not, he can't make it part of the petition. Mr. Soh replied that it can't be said that Mr. Truex got Mr. Haa's approval.

There were no further questions or testimonies from the public or Commission. The Chairman announced that the Commission will receive additional written testimonies and protests within the next 15 days, and will take action on this petition 45 to 90 days from this hearing.

The public hearing on Earl V. Truex's petition was closed.

PETITION OF HILO SUGAR COMPANY (A65-82) TO INCORPORATE A TWO ACRE TRACT (HEREAFTER REFERRED TO AS TRACT A) AND A NINE ACRE TRACT (HEREAFTER REFERRED TO AS TRACT B) INTO THE HILO URBAN DISTRICT FOR AN UNSPECIFIED URBAN USE: Tract A described as a portion of Third Division parcel TMK 2-3-35: 1, Tract B described as Third Division parcels TMK 2-3-39: 3, 4, 5, 6, 7, and 8, a portion of Third Division parcel TMK 2-3-38: 3 and Third Division parcel TMK 2-3-44: 9

Mr. Gordon Soh presented the background and analysis of the petition. The staff recommended approval of only 36,000 square feet of Tract B which has been assigned a "plus value" by the Department of Taxation. This recommendation is made because the 36,000 square foot area meets most of the standards of the Land Use District Regulations, because the area is vacant and not in agricultural use, and because the area recommended is negligible with respect to any measure of need.

Mr. Claude Moore of C. Brewer and Company asked which area was assigned a "plus value." Mr. Soh pointed to the area on the map. Mr. Moore stated it was economically not feasible to have only a small portion available for residential use. He further pointed out that the Kaumana Gardens Subdivision, mauka of Tract B, has developed rapidly and that this reflects the need for low-priced housing in that area. In reference to Tract A, Mr. Moore indicated that a housing development there is desirable because that area is within walking distance to the elementary, intermediate, and high schools.

A brief discussion ensued regarding certain areas of the subject parcels. There were no additional testimonies or comments made and the Chairman announced that this Commission will receive additional written testimonies or protests within the next 15 days and will take action on this petition 45 to 90 days from this hearing.

The public hearing on this matter was closed.

PETITIONS PENDING ACTION

PETITION OF W. H. SHIPMAN, LTD. (A64-75) TO AMEND THE AGRICULTURAL DISTRICT BOUNDARIES IN THE VICINITY OF KEAAU SO AS TO INCORPORATE 18.4 ACRES WITHIN THE KEAAU URBAN DISTRICT FOR DEVELOPMENT OF VARIOUS URBAN USES: Described as portion of Third Division parcel TMK 1-6-03: 8

Mr. Gordon Soh of the staff presented a memorandum on the petition. The subject area is not only contiguous to an Urban District but is also close to the heart of Keaau and is in various urban uses. The staff recommended approval of the petition on the basis that the lands meet the standards of Regulation 2.7 and that redistricting would genuinely foster urban growth of Keaau.

Mr. Nevels, representing W. H. Shipman, Ltd., was pleased with the staff's recommendation and had no further comments.

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

The Executive Officer polled the commissioners as follows:

Approval: Commissioners Wung, Inaba, Ota, Nishimura, Hodge and Chairman Burns

Disapproval: None

The motion for approval was carried.

At this point Mr. Lumen Nevels brought to the attention of the Commission the fact that he was not informed of this hearing until his client had notified him at 2:45 this afternoon. Mr. Nevels inquired whether his client's petition (SP65-13) would be considered at this time. The Executive Officer notified him that action had already been taken on that petition. Mr. Gordon Soh further informed Mr. Nevels that the minutes of March 19, 1965, concerning his client's petition had been adopted yesterday, May 27, 1965. Mr. Nevels informed the Commission that he will attempt to file a petition again and thanked the Commission for their time.

PETITION OF MOLLY D. ZIMRING (A64-73) FOR AMENDMENT OF THE DISTRICT BOUNDARIES IN THE VICINITY OF THE JUNCTION OF KUPULAU ROAD AND AINALOA DRIVE IN HILO FROM AN AGRICULTURAL DISTRICT BOUNDARY TO AN URBAN DISTRICT BOUNDARY SO AS TO INCORPORATE 25.67 ACRES WITHIN THE HILO URBAN DISTRICT FOR DEVELOPMENT OF A 25 LOT SUBDIVISION: Described as Third Division parcel TMK 2-4-36: 1, containing 25.67 acres 1/

A summary of the MOLLY D. ZIMRING petition as amended was presented by Mr. Soh. Denial of the petition was recommended on the basis that the lands under petition did not meet the standards under Regulation 2.7.

Mrs. Zimring stated that findings of facts of the County Planning and Traffic Commission are directly contrary to those in the staff report and requested that findings of fact be made on whatever action is taken on this petition.

Mrs. Zimring raised a question in regard to land adjacent to the Camp 6 area. She asked if it were reasonable to have a land use boundary which is urban on one side of Kupulau Street and agricultural on the other side of the street. Mrs. Zimring further requested written findings to the following four questions when action is taken:

1. Is the parcel of land in agricultural use?
2. Is the parcel of land adjacent to an urban area?
3. Are the areas surrounding the parcel in question presently in agricultural use?
4. Is the present district boundary a reasonable boundary which provides for urban use on one side of the street and agricultural use on the other side?

Commissioner Wung asked why is there a difference between the County's recommendation and the staff's recommendation. Mrs. Zimring stated she was bothered by the fact that staff's reports are made upon the basis of one examination by a person not familiar with the area, and where facts are conflicting with the local body and with testimonies presented before the Commission, the Commission should be more careful in its decisions.

Mrs. Zimring stated that some of the reasons in the staff's report for denial of the petition were untrue and misleading.

Commissioner Ota informed Mrs. Zimring for the record that at the time of the public hearing, the commissioners made a field trip to the subject parcel and that prior to today's meeting, a number of the commissioners again made an inspection of the parcel and its surrounding area.

Commissioner Nishimura asked Mrs. Zimring if she did not concur with the staff that the area was suitable for grazing. Mrs. Zimring agreed and explained that

1/ Summary of original petition subsequently amended.

she tried to lease the land for grazing to Mr. Yagi who is the only person in that area in agriculture and who has a slaughterhouse and that he was paying Mrs. Zimring only enough to pay taxes of \$87.50 every six months.

Mrs. Zimring further added that during the six years she has owned the land and for 15 years under a previous owner, the land was rarely used for grazing because it is poor grazing land and is therefore economically not feasible.

Commissioner Nishimura further asked if staff's statement that 96 percent of the area is not occupied is correct. Mr. Soh explained that specific subdivisions located in the immediate vicinity of the subject parcel are 96 percent or more unoccupied.

In rebuttal, Mrs. Zimring stated that in a two-year period 15 new houses were added in an area and that only 600 units were added in all of the City of Hilo over a three-year period. She further stated that locally this is a big percentage to add in two years and is a tremendous increase in one area. Mrs. Zimring emphasized the demand for cheaper building lots. She stated that although staff report says there are many lots available at 45 to 50 cents a sq. ft. which are unoccupied, the reason they are unoccupied is that the people's income won't permit them to build small homes. She stated that her reason in wanting to subdivide the area is to permit these people to purchase homes at a reasonable cost.

Although staff report says progress is slow in Hilo, Mrs. Zimring feels it otherwise.

In response to Commissioner Hodge's question asking which portions of the staff report were inaccurate, Mrs. Zimring referred to page 9 of the staff's report "that the land in question is as much if not more so, surrounded by agricultural uses as urban uses." Mrs. Zimring claims this statement to be a misstatement because the land in question is not in agricultural use, but is idle land. In reference to staff observations that the area is not clearly identifiable with the existence of Camp 6, Mrs. Zimring stated that she went over that question earlier in the meeting.

To clarify Mrs. Zimring's concept of an agricultural use the Executive Officer, at Chairman Burns' request reviewed the standards used in districting certain areas in Hilo and throughout the State.

Commissioner Nishimura pointed to subject parcel on map and posed some questions to Mrs. Zimring and she replied.

Legal counsel asked Mrs. Zimring if it would be objectionable to her if page 9, sub-paragraph a, of staff's report be amended to read as follows: "That the land in question is as much if not more so, surrounded by agricultural lands as urban lands." Mrs. Zimring replied that there would be no objection but preferred it to read ... surrounded by lands zoned for agricultural uses ... Legal counsel asked also if the Hawaii Planning Commission has submitted, in writing, to the Land Use Commission any findings of fact. Mrs. Zimring replied in the affirmative.

In discussing the relevance of findings of facts, the Executive Officer informed Mrs. Zimring that there are certain bases upon which the Commission must react in making their decisions as set forth in the Commission's Rules and Regulations whereas, the county's listing of findings of fact need not necessarily follow the same bases that this Commission must consider.

In response to Commissioner Inaba's question as to how it is determined which lands should be in an agricultural district or not, the Executive Officer cited some of the Rules and Regulations.

Mrs. Zimring ended her testimony by reiterating her request for answers to the four questions she mentioned earlier. Chairman Burns informed Mrs. Zimring that after these questions are submitted in writing, the Commission will be happy to give them consideration.

Commissioner Nishimura asked Mrs. Zimring if she considered the area in question to be a rural district more than a densely populated subdivision. Mrs. Zimring responded that she would consider the area, with the exception of the old Camp 6 directly opposite in which the lots average about 5,000 sq. ft. with approximately 46 houses placed there, to be rural. A brief discussion ensued.

Commissioner Ota asked if there were any drainage problems. Mrs. Zimring replied that there has been a drainage problem in one certain area (pointing to map). However, as far as her area was concerned, Mrs. Zimring stated that there is no problem.

When asked by Commissioner Nishimura if Mrs. Zimring would provide the necessary improvements for drainage, she replied that she would as soon as the subject area is redistricted.

Before action is taken, the Executive Officer pointed out the fact that as amended, the petition indicates two separate lots contiguous to each other and to the existing urban district.

Commissioner Hodge had a question in connection with the proximity of the chicken farm to the subdivision. He asked what the health regulation was in connection with the distance in which a new subdivision should be with reference to certain types of activities such as this which creates a health hazard.

The Executive Officer replied that once an area is districted urban, the problem of whether it can or cannot be subdivided and under what restrictions becomes a county responsibility. Commissioner Nishimura added that when urban pressures are applied to an agricultural district, the farmer is compelled to move out.

Commissioner Ota made a motion to deny petition A64-73 as amended, on the basis of staff's recommendation. Commissioner Nishimura seconded the motion.

The Executive Officer polled the commissioners as follows:

Approval: Commissioners Burns, Hodge, Inaba, Nishimura, Ota

Disapproval: Commissioner Wung

The motion to deny the petition was carried.

The meeting was adjourned.

Hilo Sugar

C. Brewer and Company

LIMITED

1591

FOUNDED 1826

POST OFFICE BOX 3470 • HONOLULU, HAWAII 96801

June 14, 1965

RECEIVED

JUN 14 1965

State of Hawaii
LAND USE COMMISSION

State Land Use Commission
426 Queen Street
Honolulu, Hawaii

Gentlemen:

With reference to our land reclassification request which was discussed at the May 28, 1965 public hearing in Hilo, the following additional information is presented after hearing your staff report that was read into the record.

Tract "A" (TMK 2-3-35)

This parcel has been stripped 150 feet deep along Punahele Street and the Tax Office has placed a "plus value" of 24 1/2 cents per square foot (less 50%) for 1965 and 16 cents per square foot (less 50%) for 1964. The present County zoning is residential.

Tract "B" (TMK 2-3-44:9 por. and 2-3-38:3 por.)

Due to the rock and pahoehoe lava in the soil, machine cultivation is extremely limited and only about 30% of the area is now able to be planted to cane. The existing electric, telephone and water service lines within the extension of Omao Street can serve the proposed urban area.

General Comments:

It is felt that there is a definite need for additional residential development in this general area of Hilo which is located in close proximity to existing schools and other municipal services. Lands now classed Urban and zoned Residential under development as Kaumana Gardens is adjacent to Tract "B" and is nearly all sold and the Sidney Kaide development of 12 lots in the vicinity of our Tract "A" has been sold out for some time. The interest expressed by the rapid development and sale of lots in this area has shown the demand and reflects the need for additional urban lands in this area.

Very truly yours,

HILO SUGAR COMPANY, LIMITED

James C. Stopford
James C. Stopford
President

L. Brewer and Company

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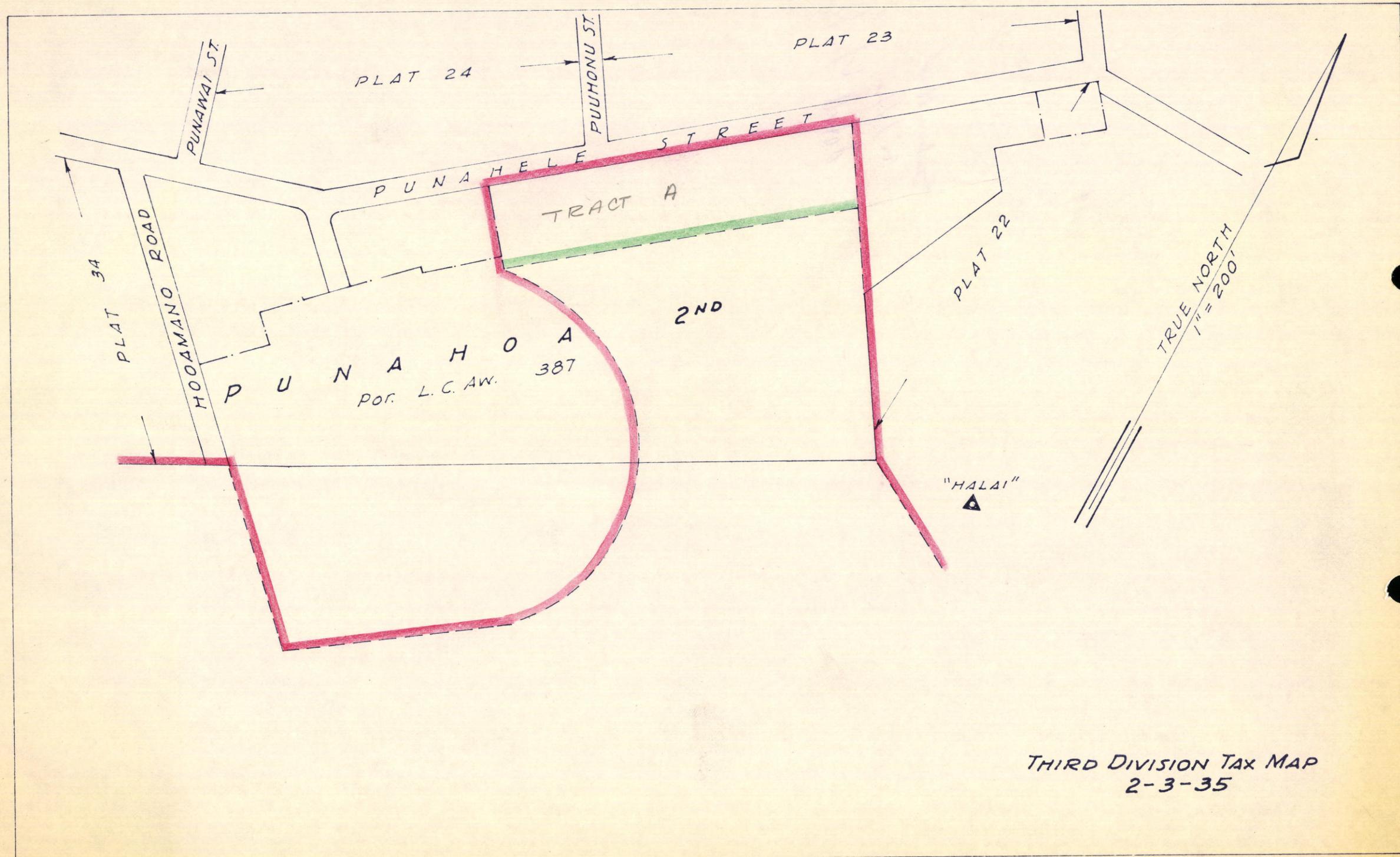
General Comments:

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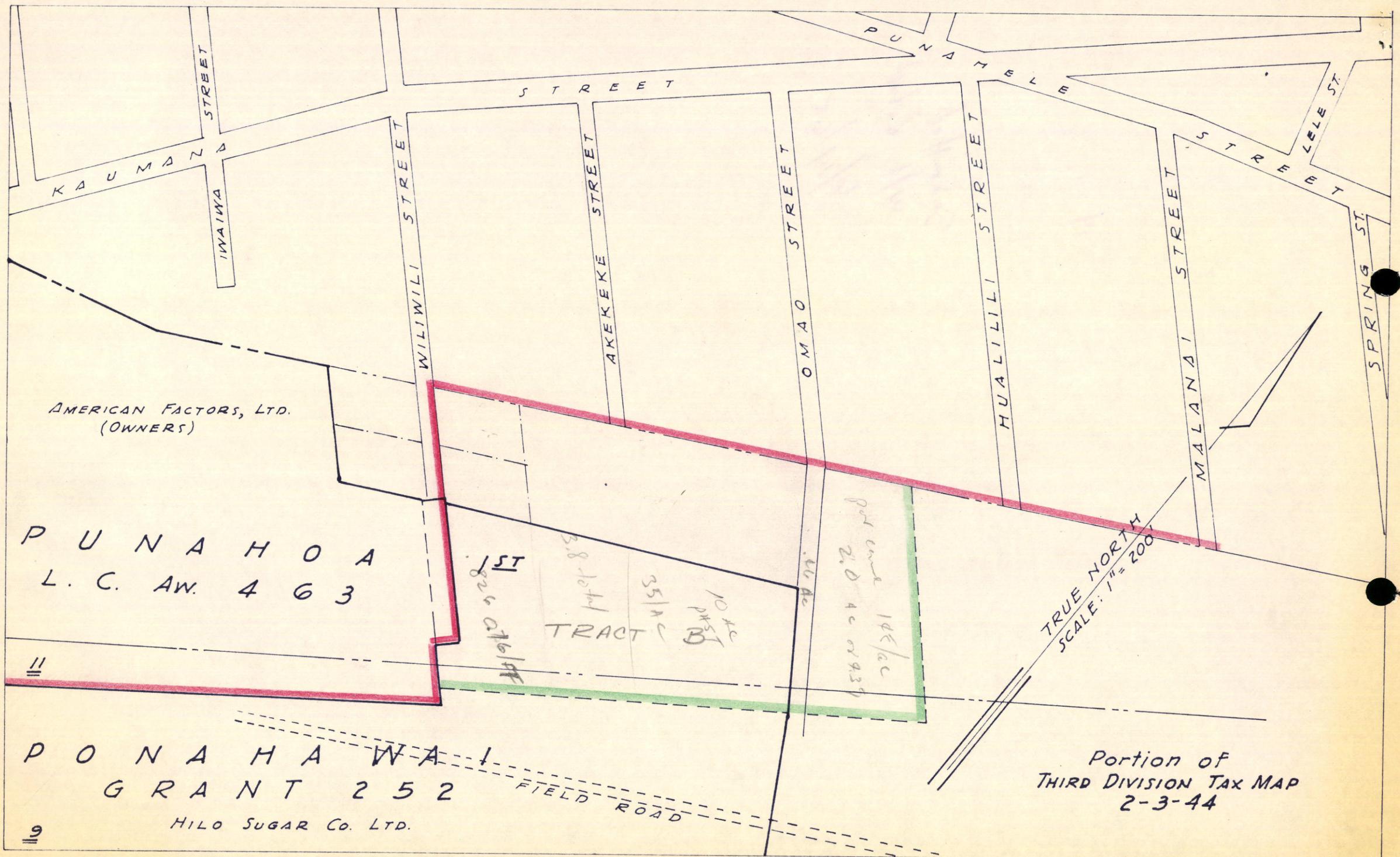


RECEIVED

JUN 14 1965

State of Hawaii
LAND USE COMMISSION

Submitted
w/ tr
dated 6/14/65



RECEIVED

JUN 14 1965

State of Hawaii
LAND USE COMMISSION

Submitted
w/f. dated
6/14/65

STATE OF HAWAII
LAND USE COMMISSION

County Board Room
Hilo, Hawaii

2:00 P.M.
May 28, 1965

STAFF REPORT

A65-82 - HILO SUGAR COMPANY

District Classification: AGRICULTURAL

BACKGROUND

Hilo Sugar Company, Ltd. submits a petition to incorporate a two acre tract (hereafter referred to as Tract A) and a nine acre tract (hereafter referred to as Tract B) into the Hilo Urban District for an unspecified urban use. The petitioner's reason for requesting the change is that the tracts are adjacent to urban uses; are serviced by streets and water lines; are located near the center of Hilo and to schools and major streets; and are assessed at residential tax rates.

Tract A is located near Hilo High School across Punahela Street from the county jail. The tract is identifiable as a portion of Third Division parcel TMK 2-3-35: 1 which is entirely owned by the petitioner. The Department of Taxation has not advised that a "plus value" has been assigned to any portion of Tract A.

Tract A is completely planted to cane. It is in an Agricultural District in a pocket between protrusions of the Hilo Urban District. Makai is Halai hill which is about half developed into residential use; the remainder of the hill appears to be too steep for further development. To the north is the county jail and an intensively developed section of Hilo. Mauka

is the fringe of housing development. To the south are perhaps between 100 and 200 acres of cane.

Tract B is located immediately makai of the Kaumana Gardens Subdivision and about 2000 feet mauka of Tract A. The tract is identifiable as a 3.8 acre portion of Third Division, parcel TMK 2-3-44: 9, a 2.0 acre portion of Third Division parcel TMK 2-3-38: 3 and Third Division parcels TMK 2-3-39: 3,4,5,6,7, and 8. The last six parcels are not owned by the petitioner but lie between petitioner's lands and the Urban District. The Department of Taxation has advised that 36,000 square feet of the first parcel (Third TMK 2-3-44: 9) - vacant land adjoining Wiliwili Street - have been assigned a "plus value." It has also advised that the six parcels adjoining petitioner's land have also been assigned "plus values."

Tract B is now in an Agricultural District but is adjacent to the upper reaches of the Hilo Urban District. One of the six parcels in Tract B but not owned by petitioner is a roadway; two of the remaining five parcels are undeveloped. Of the two parcel fragments owned by petitioner, the two acre fragment is entirely in cane; the 3.8 acre fragment is partly vacant and partly in pasture.

South of Tract B is cane land with pasture and virgin, undeveloped land adjoining it. Mauka is the 102 lot, 22 acre, Kaumana Gardens Subdivision which contains about forty new homes and was begun in about 1962. To the north is the compact older development of the Hilo Urban District. Makai is a cane field of which the two acre fragment under petition is a part.

The soils in Tract A are generally of the Hilo silty clay loam with gentle slopes of less than 10%. The soils are 12 to 16 inches thick and are highly organic. Where soils have washed down from upper areas, the top layer may be as much as 16 inches thick. Chief use of such soils is for raising cane. The soil is also moderately suitable for raising vegetables and can also be used for pastures.

The soils in Tract B are of the Hilo family. Soils are organic but only 4 to 12 inches thick and with a high proportion of Pahoehoe lava outcrops. Machine cultivation of cane is nevertheless possible. The soil is also suitable for large amount of forage crops but is not suitable for cattle fattening. Slopes are less than 10%. Rainfall averages about 150 inches a year.

An 8" main runs along Kaumana drive carrying water from various sources above Hilo such as the Pukamaui, Kahoama, and Lyman Spring intakes. Various lines run along Wiliwili, Akekehe and Omao Streets to carry water from the 8" main to Tract B. A 4" main branches off from the 8" main and runs downhill along Punahela to and beyond Tract A.

Both Tracts A and B are accessible by urban standard roads. Hilo High School, Hilo Memorial Hospital, Hilo Library, the police station, the offices of various government agencies and the urban facilities of Hilo are generally within a mile and a half of Tract B and about three-fourths of a mile from Tract A.

Preliminary measurements indicate that the Hilo Urban District together with its satellite Urban Districts^{1/} total nearly 9,000 acres. The Hilo population was 27,198 in 1950 and 25,966 in 1960.^{2/} Average household size in Hilo in 1960 was 3.9 persons.

There were 6,755 housing units in Hilo in 1960 of which 6,373 were occupied and 3,794 were owned by the occupants. About 3,904 housing units were built prior to 1940. Construction during the quinquennial period of 1955 to 1960 dropped to 554 housing units as compared to 1,016 in the 1950 to 1954 period. In 1960 the median value of owner occupied housing was \$12,000 in Hilo. Median gross rent was \$51 a month. Of the 382 vacant units 83 were dilapidated, 162 were held for various reasons and 137 were available. Of the 137 available, 123 were for rent and only 14 for sale.

In 1961 median family income is estimated to have been \$5,674. Occupancy turnover is estimated to have been nearly a sixth and dilapidated housing over a sixth.

ANALYSIS

The petition at hand can be approved on the basis that it meets several of the standards set forth in Part II of the "State Land Use District Regulations." The petition involves lands abutting lands characterized by "city-like" concentrations.^{3/} The lands under petition are close to centers of trading and employment facilities and are readily serviced by public facilities.^{4/} The topography and drainage conditions of Tracts A

1/ Cf. Official LUC map -- City of Hilo.

2/ Assumes entire population falls in Urban Districts. Census data for Hilo refers to an area of 292.4 square miles.

3/ Cf. Regulation 2.7(a) and 2.7(f)

4/ Cf. Regulation 2.7(b)

and B are satisfactory for development and the tracts are reasonably free from flood danger.^{5/} The tracts are appropriately located for new urban concentrations, and the proposed uses are consistent with plans published for the County of Hawaii.^{6/} The tracts are essentially small in comparison with the Urban District and do adjoin existing urban developments.^{7/} The development of these tracts will not contribute to scattered urban development. Approval of the petition, however, does mean that more lands will be added to the Urban District and will contribute to density problems in Hilo.^{8/} The overall density of the Hilo Urban Districts is less than one housing unit per 1.2 acres. That this density is considerably less than the standard for Rural District lot sizes suggests that an excessive amount of land has been placed in Urban Districts. Existing Urban areas in Hilo could be reduced by a third and still provide substantial areas for urban growth and still accommodate large lot developments common to Hilo.

Moreover, Tracts A and B do include lands with a high capacity for intensive cultivation and there are other lands available which would more than serve urban needs.^{9/} Reserve areas for a ten year urban growth have already been provided in Hilo.^{10/}

Staff examination of housing data has not led to any conclusion of a significant need for additional housing areas. There may be a marginal

5/ Cf. Regulation 2.7(e)

6/ Cf. Regulation 2.7(g)

7/ Cf. Regulation 2.7(i)

8/ Cf. Regulation 2.7(j)

9/ Cf. Regulation 2.7(h)

10/ Cf. Regulation 2.7(d)

need for lower cost and rental housing, but ample low cost areas have already been provided for this purpose. The market for replacement housing, which may in turn increase the availability of lower cost and rental housing has not been gauged, but it is believed that cultivating this market depends not so much on land availability but on income and financing.

The petitioner has not submitted specific evidence as to why the lands under petition are needed for urban use and has not demonstrated that this need cannot be accommodated on available Urban lands. Staff inquiry into this matter has failed to substantiate a need. County Planning Commission has expressed its approval of this petition but has failed to inject into the record proof of need. The Department of Taxation which has assigned a "plus value" to 36,000 square feet of Tract B has also not elaborated on why it has done so.

RECOMMENDATION

Your staff recommends approval of the petition only for the 36,000 square feet of Tract B which has been assigned a "plus value" by the Department of Taxation. This recommendation is made because the 36,000 square *foot* area meets most of the standards of the Land Use District Regulations, because the area is vacant and not in agricultural use, and because the area recommended is negligible with respect to any measure of need. The reclassification of the 36,000 square feet is concurred in by both the Department of Taxation and the County Planning Commission; your staff, therefore, feels compelled to join in this opinion.

Notice of Public Hearing
TO CONSIDER PETITIONS FOR CHANGE
OF DISTRICT BOUNDARY WITHIN THE
COUNTY OF HAWAII BEFORE THE LAND
USE COMMISSION OF THE STATE OF HA-
WAI'I

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 a Change in the District Boundary as provided for in Section 98H-4, Revised Laws of Hawaii 1955, as amended.

TIME AND PLACE

In the Hale Halawai Cultural Center, County of Hawaii, Kailua-Kona, on May 27, 1965, at 3:30 p.m., or as soon thereafter as interested persons may be heard.

(1)	(2)
Docket Number and Petitioner	
A64-72 Hawaiian Homes Land	A65-80 Dillingham Investment Corpora- tion
Tax Map Key Portion of Third Divi- sion TMK 6-4-04	Portion of Third Di- vision TMK 8-1-08: 1
Present District Classification Agricultural	Agricultural
Change Requested To incorporate a 0.89 acre lot to the Kuhio Vil- lage Urban District for the purpose of convert- ing a remnant parcel into a houselot.	To incorporate a 9 acre tract to the Ka- awaloa Urban Dis- trict for the purpose of developing a sub- division containing 20 lots.

TIME AND PLACE

In the County Board Room, County Building, Hilo, Hawaii, on May 28, 1965, at 2:00 p.m., or as soon thereafter as interested persons may be heard.

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Maps showing the areas under consideration for change of District Boundary, and copies of the Rules and Regulations governing the petitions above are on file in the offices of the Planning Commission, County of Hawaii, and the Land Use Commission and are open to the public during office hours from 7:45 a.m. to 4:30 p.m., Monday through Friday.

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
(Hon. Adv.: May 17, 25, 1965)

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LAND USE COMMISSION

M. THOMPSON, Chairman

R. YAMASHITA, Executive Officer

(Hon. Adv.: May 17, 25, 1965)

Ad Comm.

COUNTY PLANNING COMMISSION
County of Hawaii

Agenda for the Meeting of March 31, 1965

1569

ACOS-8-2

MINUTES

1. February 15, 1965

REPORTS

1. Zoning Committee
2. Master Plan Committee
3. Subdivision Committee

RECEIVED

MAY 21, 1965

State of Hawaii
LAND USE COMMISSION

UNFINISHED BUSINESS

NEW BUSINESS

1:00 p.m. - Public hearing on the request of Thomas and Margaret Orlin for a variance to allow the development and construction of a 55' x 55' building to be used as a restaurant. The proposed use will be located on a lot approximately 38,825 square feet in area, being Lot 1, portion of R. P. 68, L. C. Award 4886, portion of R. P. 7395, L. C. Award 4038 and portion of Grant 5975, Waimea Town, South Kohala.

1:15 p.m. - Public hearing on the request of Koichi Kondo for a variance to allow the development and construction of an addition to an existing single-family building for the purpose of a duplex use. The proposed use will be located on a lot approximately 14,914 square feet in area, being Lot 106, a portion of L. C. Award 1120, Map 12, Hawi, North Kohala.

1:30 p.m. - Public hearing on the request of Hideo Naito ^{for a variance} to allow the development and construction of a Drive Inn Fountain. The proposed use will be located on a lot approximately 45,110 square feet in area, portion of Kynnersley Road Tract 1, File Plan 651, portion of Hanaua, North Kohala.

1:45 p.m. - Public hearing on the request of Yoso Ryusaki for a variance to allow the development and construction of a 20' x 40' Dining Room Addition to an existing restaurant. The proposed use will be located on a lot approximately 17,000 square feet in area, being Lot 6-A, portion of Grant 7276, Waimea Homesteads, South Kohala.

2:00 p.m. - Public hearing on the request of Captain Cook Building Supply, Inc., for a variance to allow the development and construction of an addition to the existing service station building. The proposed use will be located on a lot approximately 14,089 square feet in area, being Lot A-1, a portion of Kaawaloa (makai), South Kona.

2:15 p.m. - Public hearing on the request of Island Holidays, Ltd., for a variance to allow the development and construction of a second elevator. The proposed use will be located on a lot approximately 1.616 acres in area, being Lot 1-B, L. C. Application No. 420, portion of Lanihau 2nd, North Kona.

- 2:30 p.m. - Public hearing on the request of American Factors, Ltd., for a variance to allow the development and construction of an enclosure within a building for office use and storage of materials. The proposed use will be located on a lot approximately 0.599 acre in area, being Lot 1, a portion of Land Court Commission 91, Lanihau 1st, North Kona.
- 2:45 p.m. - Public hearing on the request of Shizue Miura for a variance to allow the renovation of a store building and cocktail lounge. The proposed use will be located on a lot approximately 5,533 square feet in area, being Lot 8, a portion of New Pahoa Section, Waiakahiula, Puna.
- 3:00 p.m. - Public hearing on the request of Akeshi and Mitsuko Hashimoto for a variance to allow the development and construction of a 2-story, 16-unit apartment, laundromat, fountain and office building. The proposed use will be located on a lot approximately 27,636 square feet in area, being Lot 23, a portion of L. C. Aw. 11216, Apana 40, Part 2, a portion of Waiakahiula, Puna.
- 3:15 p.m. - Public hearing on the request of Charles Makaweo for a variance to allow the development and construction of a 16-unit apartment hotel complex. The proposed use will be located on a lot approximately 14,376 square feet in area, being Lot C, a portion of Kam IV Deed, Kawaihae Village, Kawaihae 1st, South Kohala.
- 3:30 p.m. - Public hearing on the request of David Ota for a Special Permit to allow the construction of an addition to the existing general retail and restaurant building to be used as a barber shop on a parcel of land containing 13.852 acres, being a portion of L. C. Aw. 7228, Holualoa 4th, North Kona.
- 3:45 p.m. - Public hearing on the request of Kohala Kim Chee, Inc., for a Special Permit to allow a 5' x 18' addition to the existing building on a parcel of land containing approximately 6.447 acres, being a portion of L. C. Aw. 10863, Kokoiki Homesteads, North Kohala.
- 4:00 p.m. - Public hearing on the request of Madeline Leslie and Robert Leslie, Jr., for a Special Permit to allow the development and construction of a general retail store on a parcel of land approximately 7.30 acres, being a portion of Kealia 1st, South Kona.
- 4:30 p.m. - Public hearing on the request of Marie T. Lee, Kiyoko Watanabe, and Eijiro Kaneshiro for a change in zoning of approximately 2½ acres of land situated at Waiakea Homesteads House lots from a portion of Residential Zones "A" and "B" to a Neighborhood Shopping District.
1. Election of Planning Commission Vice Chairman.
 2. Request for approval by Mr. Koga to construct a second dwelling on a one-acre parcel in Kurtistown.
 3. Scheduling of a special meeting in April to discuss amendment to the Planning Commission's rules of practice and procedure.

PLANNING AND TRAFFIC COMMISSION
County of Hawaii

March 22, 1965

The Zoning Committee of the Whole meeting was called to order at 11:47 a.m., in the Conference Room of the Planning and Traffic Commission by Chairman Pro tem. Maxine Carlsmith.

PRESENT: Maxine Carlsmith
Miyoshi Matsushita
Robert M. Yamada
Raymond H. Suefuji

ABSENT: Seiji Aoyagi
John T. Freitas
Walter W. Kimura
Robert J. Santos

MINUTES

The minutes of the meeting held on February 5, 1965, were accepted as circulated.

1. MINIMUM DENSITY STUDY
MULTI-FAMILY DEVELOPMENT
ANCE requests.

At its last meeting, the Commission referred to the Committee for further study on the minimum density requirement for multi-family development under the Interim Zoning Vari-

The Committee recommended that the following be used as the guideline:

1. The variance granted under the Interim Zoning Ordinance is for the use and not a change in requirement.
2. The density stipulated in the proposed Comprehensive Zoning Ordinance shall be upheld and required to comply with the 1,250 square feet per unit.
3. If the density of 1,250 square feet per unit is considered unreasonable, then a variance of not more than 10% shall be granted in cases involving extreme hardship.

2. LAND USE COMMISSION
REZONING REQUEST
HILO SUGAR COMPANY

The Land Use Commission requested comments and recommendations on the application of Hilo Sugar Company for amendment of the Land Use District Boundaries from Agricultural to Urban District on two parcels. One is fronting on

Punahela Street, between Halai and Punawai Streets, situated on the Puna side; and the other is located off Kaumana Drive, between Wiliwili and Hualilili Streets on the Puna side.

The staff reported that the land in question is not being used for growing sugar cane but presently used as a pasture land.

On the basis of the staff report, Mr. Matsushita moved to recommend to the Land Use Commission for change of zone boundaries to Urban District. The motion was seconded by Mrs. Carlsmith, and carried.

3. AMENDMENT
STATE LAND USE LAW

A discussion followed on the Commission's action to amend Ordinance No. 23 (Zoning Ordinance) pertaining to enactment of provisions relating to residential-agricultural and agricultural districts as proposed in the pending Comprehensive Zoning Ordinance. The County Attorney informed the Commission that in order to effectuate the minimum area requirement within the "Greenbelt" area (agricultural zoning under the State Land Use Law) paragraph (b) of Section 98H-5, Revised Laws of Hawaii 1955, relating to the State Land Use Commission, should be amended. There is a question whether the minimum lot

size imposed by County ordinance in 1965 can be given retroactive status as of May 1, 1963, which is used as the cut-off date in the statute. In other words, the County cannot enforce the amendments being considered for incorporation in Ordinance No. 23 because the statute supersedes the County ordinance.

The Committee recommended that the Board of Supervisors be requested to take action to amend the statute by Legislative Act to delete the phrase "existing as of May 1, 1963," on a motion of Mr. Matsushita and second of Mrs. Carlsmith.

4. ZONING PROPOSAL
WAIMEA DISTRICT

The staff recommended a public hearing for zoning proposals of Waimea District instead of a meeting to determine area requirement of the various areas as previously agreed.

The establishment of zoning boundaries will eliminate processing of variances from the Interim Zoning Ordinance. It was felt that undesirable uses will not result when zoning is established for Waimea area.

The date of the public hearing will need to be determined at the Commission meeting.

ADJOURNMENT

The meeting was adjourned at 12:25 p.m.

Respectfully submitted,

(Mrs.) Lei A. Tsuji

A T T E S T :

(Mrs.) Maxine Carlsmith, Chairman Pro tem.
Master Plan Committee of the
Planning and Traffic Commission

PLANNING AND TRAFFIC COMMISSION
County of Hawaii

March 22, 1965

The Master Plan Committee of the Whole meeting was called to order at 11:10 a.m., in the Conference Room of the Planning and Traffic Commission by Chairman Pro tem. Maxine Carlsmith.

PRESENT: Maxine Carlsmith
Miyoshi Matsushita
Robert M. Yamada
Raymond H. Suefuji

ABSENT: Seiji Aoyagi
John T. Freites
Walter W. Kimura
Robert J. Santos

Charles L. Schuster, State Highways Div.

MINUTES

The minutes of the meeting held on February 5, 1965, were accepted as circulated.

Because of the lack of membership on the Master Plan Committee, the Commission Chairman took action to hold a meeting on the basis of a Committee of the Whole.

1. AMENDMENT
WAIMEA MASTER PLAN
INDUSTRIAL SITE

At its last meeting, the Commission went on record to withhold any action on the request to eliminate industrial designation on the Waimea Master Plan until a public hearing is held and the wishes of the people are expressed.

The State Highway representative attended the meeting to request the retention of the industrial designation because the Department may want to expand its facilities in the near future without increasing the area for the use. The representative mentioned that the Department would like to maintain the present operation for the purpose of highway maintenance. He pointed out that it is located centrally and at the hub of their operation which makes it impractical for them to situate at Kawaihae. The people working for the baseyard all live in Waimea and the relocation will inconvenience them. The representative also spoke in behalf of the Hilo Electric Light Company which has its power generating unit, switching station, and the pole yard adjacent to the State's baseyard. The utility company is proposing to expand their operation and had expressed the desire to remain at the present site.

The Committee recommended no action until after the public hearing.

2. AMENDMENT
KAILUA-MONALO
KONA MASTER PLAN

The members considered the following requests for amendment of the Kailua-Monalo Kona Master Plan from single-family residential to multi-family residential situated along Alii Drive:

2-a. MULTI-FAMILY RES.
IWAO JYO, ET AL.

The property owned by Iwao Jyo, et al., is located on the mauka side of Alii Drive and in the vicinity of Holualoa Bay. The request is to change the .741-acre parcel from single-family residential to multi-family residential.

The property in question abuts the two-family residential designation on the Master Plan. The staff recommended that the Master Plan be amended to reflect multi-family residential from the end of the two-family residential designation and extending north to align with the multi-family residential shown makai of Alii Drive.

Mr. Matsushita moved to recommend the staff's suggestion for amendment to the Master Plan. The motion was seconded by Mrs. Carlsmith, and carried.

2-b. MULTI-FAMILY RES.

T. D. WOO

family residential.

The property owned by T. D. Woo is located makai of Alii Drive about a mile from Kailua Village. The request is for a change from single-family residential to a multi-

The Committee recommended approval since the parcel is located within the recently extended multi-family area.

ADJOURNMENT

The meeting was adjourned at 11:47 a.m.

Respectfully submitted,

(Mrs.) Lei A. Tsuji

A T T E S T :

Maxine Carlsmith, Chairman Pro tem.
Master Plan Committee of the
Planning and Traffic Commission

PLANNING AND TRAFFIC COMMISSION
County of Hawaii

March 22, 1965

The Subdivision Committee of the Whole meeting was called to order at 1:22 p.m., in the Conference Room of the Planning and Traffic Commission by Chairman John T. Freitas.

PRESENT: John T. Freitas
Walter W. Kimura
Miyoshi Matsushita
Robert M. Yamada
Raymond H. Suefuji
Mary F. Hara

ABSENT: Seiji Aoyagi
Maxine Carlsmith
Robert J. Santos

Howard Ogi, Big Island Engineers
Thomas Nakahara

MINUTES

The minutes of the meeting held on February 5, 1965, were approved as circulated on a motion of Mr. Kimura, second of Mr. Matsushita, and carried.

DISCUSSION

The following subdivision matters on Item Nos. 33 and 36 were discussed with their respective representatives present:

- a. Thomas T. Nakahara, et al.
- b. Harold S. Tanouye & Associates

1. EXTENSION REQUEST
ALOHA ESTATES SUBDIV.
ALOHA DEVELOPMENT INCORP.

At its last meeting the Commission deferred action to give the staff an opportunity to study the report on the sales and also on the Road Maintenance Escrow Fund.

To date, the subdivider has not submitted an amended Road Construction Escrow Fund Agreement to conform with a moratorium on the road construction deposit for 13 months.

It was moved by Mr. Freitas, seconded by Mr. Kimura, and carried that a withdrawal of the moratorium on the road construction deposit be recommended if the subdivider fails to submit the amended Road Construction Escrow Fund Agreement within 30 days.

2. RESTRICTED ACCESS
KUAKINI HOUSE LOTS
BISHOP ESTATE

North Kona, Hawaii. The request was based on the problem of the terrain which makes it impossible to gain access to each lot from the old Government Road.

The members next discussed the request for reconsideration of restricted access to Kuakini Highway imposed on Kuakini House Lots, extension No. 2 subdivision, Kehalani,

The staff reported that an on-site inspection of the area showed that the entrance of Lot 4 was feasible. The Committee recommended the construction of a service road parallel to Kuakini Highway with one entrance at Lot 4 to serve Lots 3 to 7 inclusive.

3. PUUEO, KIOLOKAA-
KEAA, KAU
NORMAN N. INABA, ET AL.
TMK: 9-4-04:1

all over 3.00 acres.

Preliminary approval of the proposed "Kamaca Haven Subdivision," Lot 12 of Kiolokaa-Keaa Homesteads Lots, Land Patent (Grant) No. 11,084, Puueo, Kicolokaa-Keaa, Kau, Hawaii, into 32 lots

The Committee recommended preliminary approval to the proposed subdivision provided a revised plan is submitted showing two lateral roads from the South Point Government Road in order to conform to the block length and subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified as follows:

1. The usual modifications on sidewalks and sewers.
2. Base course shall be constructed according to Section 25 of Hawaiian Highway Department Standard Specifications for Road and Bridge Construction, edition of May, 1957, and oil-treated surface as described in said book and subject to the following conditions:
 - a. Engineered plan, profile, and section approved by the Chief Engineer.
 - b. Consideration given in design for proper drainage.
3. Portions of road where grades are 8% or greater must be paved with cold-mix or better.
4. Roadways within the subdivision shall be kept in private ownership and perpetual right-of-way for ingress and egress to a public highway shall be granted to all the lots.

As a condition of approval, the subdivider is required of the following:

1. Construction of two lateral roads in order to comply with the block length requirement.
2. All lot corners shall be marked by one-half ($\frac{1}{2}$) inch galvanized pipe, or equal, firmly set on the ground.
3. Submission of a Road Maintenance Escrow Fund Agreement according to the Commission's requirement.
4. Subdivider shall notify buyers of land in this subdivision about the use of oil-treated surface and the present lack of water, sewer systems, and electric power. All advertising shall call attention to the modifications of standards and the lack of facilities.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

Construction drawings for roadway shall be submitted to the Department of Public Works and the Planning Commission, and construction work started upon the approval thereof.

Final approval for recordation shall be granted upon 1) submission of final plat plans, 2) posting of surety bond to pay for the full cost of construction of road or completion of the aforementioned improvement, and 3) submission of a signed Road Maintenance Escrow Fund Agreement.

3. DRIVEWAY PAVEMENT
REQUIREMENT

A discussion ensued on the type of surface pavement to be required of subdivisions serving five or less number of lots. For urban-sized lots, it was recommended that the subdivider be required to pave with cold-mix or better and that no road maintenance be required of the subdivider. Subdivisions with more than five lots shall be constructed to applicable standards. Agricultural lots shall be required to install oil-treated surface pavement and that road maintenance by the subdivider shall be imposed.

The minimum road right-of-way for subdivisions up to five lots shall be as follows:

- a. Roadway serving 1 lot - 12 feet with 8-foot pavement
- b. Roadway serving 2 lots - 14 feet with 10-foot pavement
- c. Roadway serving 3 lots - 16 feet with 12-foot pavement
- d. Roadway serving 4 lots - 18 feet with 14-foot pavement
- e. Roadway serving 5 lots - 20 feet with 16-foot pavement

4. SIDEWALK
CRITERIA

The Commission recommended to the Board of Supervisors in October of last year to require sidewalks on all newly created subdivision falling (1) within the Urban District as established by the State Land Use Commission for the city of Hilo and (2) within the County Zoning Districts of Class B, C, D Residential, Hotel and Apartment, Restrictive Business, Neighborhood Shopping, Business, Waterfront Business, Light Industrial, General Industrial, and Noxious Industrial. The construction of sidewalks shall be in accordance with specifications of the Department of Public Works.

Mr. Freitas moved to reconsider and to recommend that the requirement of sidewalk be based on (a) urban district, (b) zoned areas, and (c) adequate drainage. The motion was seconded by Mr. Kimura, and carried.

5. SIDEWALK
SPECIFICATIONS

The Department of Public Works submitted their recommendation for sidewalk specifications showing various types applicable according to location as follows:

Type I - All urban and rural minor streets (streets generally not exceeding 1,300 feet in length) and cul-de-sac (dead end street) in residential subdivisions located within a radius of 3 miles from any school. Minimum thickness shall be 1½ inch a.c.

Type II - All urban and rural collector streets in residential subdivisions located within a radius of 3 miles from any school. Minimum thickness shall be 1½ inch a.c.

Type III & IV - All urban streets fronting commercial, industrial, schools and points of heavy pedestrian traffic or other special circumstances where the need is indicated. Concrete thickness shall be 4 inches.

On a motion of Mr. Freitas and second of Mr. Kimura, the Committee went on record to recommend adoption of the sidewalk specifications as submitted by the Department of Public Works.

C. PAVEMENT WIDTH
DEDICABLE ROADWAY

all subdivisions. The County Engineer requested consideration of a wider width requirement of 20 feet because the wider cars now in use have a tendency to break up roadways along the shoulders.

Mr. Kimura moved to recommend an amendment to the Subdivision Ordinance to require the minimum pavement width of 20 feet. The motion was seconded by Mr. Matsushita, and carried.

6-a. OLAA, PUNA
HARRY MATHEWSON
TMK: 1-9-054

Final plan approval of the proposed subdivision, portion of Grant 5721, Olaa Summer Lots, Olaa, Puna, Hawaii, into 3 lots all over 8,529 square feet.

At its last meeting, the Commission deferred action until a public hearing is held in Volcano on the minimum area allowable for single-family districts. The staff felt that a hearing was not warranted at this time and that a determination of the area requirement should be recommended for approval of the subdivision.

The area requirement of 20,000 square feet under the proposed zoning was considered unrealistic for the surrounding parcels, therefore, the Committee recommended the granting of a variance from Ordinance No. 183, as amended, to subdivide into lots less than 1 acre for single-family dwelling use.

The Committee recommended final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified as follows:

1. The usual modifications on sidewalks and sewers.
2. Installation of a 10-foot pavement of cold-mix or better within the road right-of-way.
3. The roadway shall be kept in private ownership and perpetual right-of-way for ingress and egress to a public highway shall be granted to all the lots.

As a condition of approval, the following are required of the subdividers:

1. All lot corners shall be marked by one-half ($\frac{1}{2}$) inch galvanized pipe, or equal, firmly set on the ground.
2. Removal or relocation of structure straddling the boundary.
3. Submission of a written document showing perpetual right-of-way access to the interior lots.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

Final approval for recordation shall be granted upon 1) completion of the access roadway and submission of a written notification thereof to the Planning Commission or upon posting of a deposit to pay for the full cost of installing the 10-foot pavement built to Commission's requirement, 2) the removal or relocation of the structure straddling the boundary and a written notification by the owner so stating and the inspection thereof by the staff of the Planning Commission, and 3) submission of a written document on the perpetual right-of-way access over the private roadway.

7. WAIMEA, S. KOHALA
NELSON DOI, ET AL.
TMK: 6-5-02

Homesteads, Waimea, South Kohala, Hawaii, into 40 lots all in excess of 10,000 square feet.

On a motion of Mr. Kimura and second of Mr. Freitas, the Committee recommended the granting of a variance from Ordinance No. 183, as amended, to subdivide into lots less than 1 acre for single-family dwelling use and preliminary approval to the proposed consolidation and resubdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sewers and sidewalks.

As a condition of approval, the following are required of the subdivider:

1. All lot corners shall be marked by one-half ($\frac{1}{2}$) inch galvanized pipe, or equal, firmly set on the ground.
2. Submission of topographic map and hydraulic study calculation with road construction plan.

Land shall not be offered for sale, lease, or rent until the recordation of the final subdivision map.

Construction drawings for roadways and water system shall be submitted to the Department of Public Works, Board of Water Supply, and the Planning Commission and construction work started upon the approval thereof.

Final approval for recordation shall be granted upon 1) submission of final plat plans and 2) posting of a surety bond to pay for the full cost of construction of roads and water system or completion of the aforementioned improvements and acceptance thereof by the Department of Public Works and the Board of Water Supply.

8. OLAA, PUNA, HAWAII
KEAHILOA BRADLEY BRAUN
TMK:

Preliminary approval of the proposed subdivision of Lot 12, Block "B," Olaa Summer Lots, Olaa, Puna, Hawaii, into 6 lots all in excess of 0.732 acres.

The Committee recommended the granting of a variance from Ordinance No. 183, as amended, to subdivide into lots less than 1 acre for single-family dwelling use and preliminary approval to the proposed subdivision, upon submission of revised maps showing a 14-foot roadway and subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified as follows:

1. The usual modifications on sewers and sidewalks.
2. Installation of a 10-foot pavement of cold-mix or better within the 14-foot road right-of-way.
3. The 14-foot roadway shall be kept in private ownership and perpetual right-of-way for ingress and egress to a public highway shall be granted to Lots 3 and 4.

As a condition of approval, the following are required of the subdivider:

1. All lot corners shall be marked by one-half ($\frac{1}{2}$) inch galvanized pipe, or equal, firmly set on the ground.
2. Submission of revised maps showing a 14-foot road right-of-way.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

Final approval for recordation shall be granted upon completion of the access roadway and submission of a written notification thereof to the Planning Commission or upon posting of a deposit to pay for the full cost of installing the 10-foot pavement built to Commission's requirement.

9. PUUA, PUNA
HAWAII
NANAWALE ESTATES CO.

Final plan approval of the proposed "Nanawale Estates Subdivision," Unit III-A, being a portion of R. P. 7788, L.C. Aw. 8452, Apana 15, being also portions of

File Plan 644 and File Plan 780, Puua, Puna, Hawaii, into 580 lots all in excess of 7,999 square feet.

The Committee recommended final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified and the conditions listed in the letter of approval, dated January 23, 1962.

As an additional condition of approval, the subdivider is required of the following:

1. Submission of a Road Maintenance Escrow Fund Agreement under the new policy based on the deposit with a depository acceptable to the Planning Commission an amount equal to \$5,000 per mile of roadway at the time the request of final approval for recordation is made.
2. Completion of Roads A, B, C, and D within Units I and II with A. C. pavement by June 30, 1965, as stipulated in our letter of time extension, dated December 22, 1964.
3. Completion of road construction and A. C. Paving within Unit III at the time of approval request on Unit IV.
4. Within one year, final plat plans and construction drawings for Units III-B and IV shall be submitted.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

Final approval for recordation shall be granted upon 1) submission of a signed Road Maintenance Escrow Fund Agreement based under the new requirement, 2) submission of a signed Road Construction Escrow Fund Agreement, 3) submission of a signed Agreement between the County of Hawaii and the subdivider, and 4) submission of a signed Road Construction Contract between the subdivider and the contractor.

10. PUUKAPU HMSTDs,
WAIIMEA, S. KOHALA
HOMEA CORPORATION
TMK: 6-4-02:8

Final plan approval of the proposed "Puu Nani Subdivision," Units II & III, Grant 7475 and being a portion of Puukapu Homesteads, Waimea, South Kohala, Hawaii, into 154 lots all in excess of 8,250 square feet.

It was moved by Mr. Kimura, seconded by Mr. Matsushita, and carried that final plan approval to the proposed subdivision be recommended, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified and the conditions listed in the letter of preliminary approval, dated April 3, 1962.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

The subdivider is requested to submit street names for approval at the time of request for final approval for recordation.

Final approval for recordation shall be granted upon completion of the necessary improvements as set forth in the preliminary approval and upon the acceptance thereof by the appropriate County Agencies or upon posting of a surety bond or other guarantee acceptable to the County Attorney for the full cost of the required improvements.

11. KALAOA 3rd,
NORTH KOHALA
KONA SCENIC LAND, INC.
TMK: 7-3-03

Final plan approval of the proposed "Kona Coastview Subdivision," Units IV, V, and VI, being a portion of Grant 1606 and Grant 4842, Kalaoa 3rd, North Kona, Hawaii, into 213 lots all in excess of 14,819 square feet.

The Committee recommended final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified and the conditions listed in the letter of preliminary approval, dated January 22, 1962.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

The subdivider is requested to submit street names for approval at the time of request for final approval for recordation.

Final approval for recordation shall be granted upon completion of the necessary improvements as set forth in the preliminary approval and upon the acceptance thereof by the appropriate County Agencies or upon posting of a surety bond or other guarantee acceptable to the County Attorney for the full cost of the required improvements.

12. WAIAKEA HOMESTEADS
BOB YANAZAKI
TMK: 2-2-46:6

Final plan approval of the proposed subdivision of Grant 11074, Lot 14-D of Block 801, Waiakea Homesteads, South Kona, Hawaii, into 9 lots all over 10,000 square feet. Extension of 90 days requested for completion of all improvements.

The Committee recommended final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified and the conditions listed in the letter of preliminary approval, dated March 17, 1964.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

The subdivider is requested to submit street name for approval at the time of request for final approval for recordation if he plan to dedicate the roadway to the County.

Final approval for recordation shall be granted upon completion of the necessary improvements as set forth in the preliminary approval and upon the acceptance thereof by the appropriate County Agencies or upon posting of a surety bond or other guarantee acceptable to the County Attorney for the full cost of the required improvements.

The Committee also recommended extension of 90 days for completion of all improvements.

13. MAKAPALA, KOHALA
KOHALA SUGAR CO./
WALTER RODENHURST/
ETHEL P.H. NELSON
TMK: 5-2-09

Final plan approval of the proposed sub-division of portions of R.P. 4276, L.C. Aw. 10353, Makapala, North Kohala, Hawaii. Lots 5, 7, and 8 for road widening purposes and Lot 3 to be consolidated with adjoining parcel.

The Committee recommended deferment until a corrected map is submitted showing metes and bounds of Lot 8-A (4.062 acres), which is not complete.

14. PAAUILO, HAMAKUA
TATSUNIKO ARAKI
TMK: 4-3-12-4

Final approval for recordation of the proposed subdivision of a portion of Lot 26 of the Paauilo Homesteads, 2nd Series, Paauilo, Hamakua, Hawaii, into 4 lots all in excess of 4.2654 acres.

The Committee recommended deferment until a revised map is submitted showing the entrance to the driveway within the owner's lot. The easement as shown on Lot "C" encroaches on Frank de Luz, Jr.'s property.

15. WAIIMEA,
SOUTH KOHALA
NORMAN GREENWELL
TMK: 6-6-04

Final plan approval of the proposed sub-division of Lot 18, Grant 13413, Lalamilo House Lots, Second Series, Lalamilo, Waiimea, South Kohala, Hawaii, into 3 lots all in excess of 10,000 square feet.

The Committee recommended the granting of a variance from Ordinance No. 183, as amended, to subdivide into lots less than 1 acre for single-family dwelling use and final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified as follows:

1. The usual modifications on sewers and sidewalks.
2. Realignment and installation of a 10-foot pavement of cold-mix or better within the 14-foot Road basement.
3. The 14-foot Road basement shall be kept in private ownership and perpetual right-of-way for ingress and egress to a public highway shall be granted to Lots 18-B and 18-C.

As a condition of approval, all lot corners shall be marked by one-half ($\frac{1}{2}$) inch galvanized pipe, or equal, firmly set on the ground.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

Final approval for recordation shall be granted upon completion of the realigned access roadway and submission of a written notification thereof to the Planning Commission.

16. WAIAKEA HOUSELOTS
PETER HAYASHI
TMK: 2-2-34-42

Final approval for recordation of the proposed subdivision of Lot 4, Block 13, Grant 8736, Waiakea Houselots, South Kona, Hawaii, into 2 lots of 11,050 square feet and 11,450 square feet.

The Committee recommended final approval for recordation to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sewers and sidewalks.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

17. WAIKEA HOUSELOTS
PETER HAYASHI
TMK: 2-2-37-22

and 12,300 square feet.

Final approval for recordation of the proposed subdivision of Lot 3, Block 38, Grant 11669, Waiakea Houselots, South Kona, Hawaii, into 2 lots of 10,000 square feet

The Committee recommended final approval for recordation to the proposed subdivision, subject to each and every provision of Ordinance of Ordinance No. 24, excepting those provisions which are specifically modified on sewers and sidewalks.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

18. PAHOEHOE 1ST,
NORTH KONA
MINNIE De GUAIR
TMK: 7-7-07-9

Final approval for recordation of the proposed subdivision of a portion of Grant 2033, Pahoehoe 1st, North Kona, Hawaii, into 2 lots of 3.936 acres and 6.653 acres.

The Committee recommended final approval for recordation to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sewers and sidewalks.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

19. KALAOA, NORTH
KONA
KALOLO PUNIHIAOLE
7-3-05:12 (TMK)

Final plan approval of the proposed subdivision of a portion of Grant 1607, Kalaca, North Kona, Hawaii, into 2 lots of 4.00 acres and 21.757 acres.

The Committee recommended final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sewers and sidewalks.

As a condition of approval, the subdivider is required of the following:

1. All lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.
2. Clearance from the State Highways Division on the access rights.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

Final approval for recordation shall be granted upon submission of a written notification on the clearance of access rights from the State Highways Division.

20. KEEI 1ST,
SOUTH KONA
B.P. BISHOP ESTATE
TMK: 8-3-04

rubbish dump site.

Final approval for recordation of the proposed subdivision of a portion of R.P. 7733, L.C. Aw. 5368:4, being all of Lot E-1 and a portion of Lot E-2-A, Keei 1st, South Kona, Hawaii, for the proposed Keei

The Committee recommended final approval for recordation to the proposed subdivision for the purpose of a County of Hawaii rubbish dump site in Keesi, Lot 22, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sewers and sidewalks.

As a condition of approval, all lot corners shall be marked by one-half (1/2) inch galvanized pipe, or equal, firmly set on the ground.

21. PONAHAWAI
SOUTH HILO
MANUEL LAWRENCE
TMK: 2-5-06

Final approval for recordation of the proposed subdivision of a portion of Lot 22, Grant 4601, Ponahawai Homesteads, Ponahawai, South Hilo, Hawaii, into 2 lots of 4.913 acres and 5.964 acres.

The Committee recommended final approval for recordation to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sewers and sidewalks.

As a condition of approval, all lot corners shall be marked by one-half (1/2) inch galvanized pipe, or equal, firmly set on the ground.

22. WAIMEA
SOUTH KOHALA
HENRY B. CLARKE
TMK: 6-5-07

Final approval for recordation of the proposed subdivision of a portion of Grant 6286, Waimea Homesteads, South Kohala, Hawaii, into 2 lots of 1,104 square feet and 20,896 square feet. Parcel 1 of 1,104 square feet is to be consolidated with adjoining Lot "B."

The Committee recommended final approval for recordation to the proposed subdivision for the purpose of consolidating Parcel 1 with the adjoining Lot "B," subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sewers and sidewalks.

As a condition of approval, all lot corners shall be marked by one-half (1/2) inch galvanized pipe, or equal, firmly set on the ground.

23. PAAUAU, KAU
HAWN AGRICUL. CO.
TMK: 9-6-05

Final approval for recordation of the proposed consolidation and resubdivision of Lots 23 and 24, Block "M," Pahala Village, Third Series, being portions of Grant 3533, Peauau, Kau, Hawaii, into 3 lots all in excess of 12,447 square feet.

The Committee recommended final approval for recordation to the proposed consolidation and resubdivision for commercial purposes, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sidewalks and sewers.

As a condition of approval, all lot corners shall be marked by one-half (1/2) inch galvanized pipe, or equal, firmly set on the ground.

24. WAIAKEA
SOUTH HILO
R.T. NISHIMOTO
TMK: 2-4-43

Final approval for recordation of the proposed consolidation and resubdivision of Lots 28, 29 and 30 of the Haihai Heights Subdivision, being portions of Lot 817, Grant 11638, Waiakea Homesteads, Waiakea, South Hilo, Hawaii, into 2 lots of 10,014 square feet and 12,820 square feet.

The Committee recommended final approval for recordation to the proposed consolidation and resubdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sidewalks and sewers.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

25. PUUALAEA
NORTH HILO
STATE OF HAWAII
TMK: 3-6-11

Final approval for recordation of the proposed subdivision of a portion of the Government Land of Puualaea, North Hilo, Hawaii into 2 lots of 34,229 square feet and a remnant.

The Committee recommended final approval for recordation to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified as follows:

1. The usual modifications on sidewalks and sewers.
2. The 20-foot Road basement shall be kept in private ownership and perpetual right-of-way for ingress and egress to a public highway shall be granted to the remnant Government Land.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

26. HOLUALOA
NORTH KONA
EDITH A. SMITH
TMK: 7-6-05:12

44,855 square feet. Parcel "A" is to be consolidated with Parcel 1.

Final approval for recordation of the proposed subdivision of a portion of Lots 4, B-1, & 9, Holualoa 1 & 2 (Hui Land) Subdivision, Holualoa, North Kona, Hawaii, into 2 lots of 25,864 square feet and

The Committee recommended final approval for recordation to the proposed subdivision for the purpose of consolidating Parcel "A" with Parcel 1, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sidewalks and sewers.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

27. MOEAUOA 1ST.
NORTH KONA
ROSALIND KAILI/
KALIKO B. CHUN
TMK: 7-5-04-20

Final approval for recordation of the proposed subdivision of Lot 3, Land Court Application 1787, Moeaouoa 1st, North Kona, Hawaii, into 2 lots of 19,620 square feet and 112,047 square feet.

The Committee recommended final approval for recordation to the proposed subdivision for business use, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on the construction of sidewalks.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

28. ONOULI 1ST.
SOUTH KONA
W. H. GREENWELL
TRUST ESTATE
TMK: 8-1-04
- Final approval for recordation of the proposed consolidation and resubdivision of Lot 6, portion of Grant 4386 and 7146, L.C. Aw. 8452:11, Onouli 1st, South Kona, Hawaii, into 2 lots of 4.246 acres and 7.069 acres.

The Committee recommended final approval for recordation to the proposed consolidation and resubdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sidewalks and sewers.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

29. KEAAU, PUNA
W. H. SHIPMAN
TMK: 1-6-02 & 03
- Final approval for recordation of the proposed subdivision of Lot A-23-P as shown on Map 94, Lot A-22-A as shown on Map 99, and abandonment of Road "F," Land Court

Application 1053, Keau, Puna, Hawaii, into 5 lots all in excess of 2,600 square feet. Lot A-23-P-2 and A-22-A to be consolidated with adjoining Lot A-23-M to be used as the new location of the police and fire station facilities for Keau Village.

The Committee recommended final approval for recordation to the proposed subdivision for the purpose of consolidation Lots A-23-P-2 and A-22-A-2 with the adjoining Lot A-23-M to be used as the new location of the police and fire station facilities for Keau Village, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on the installation of sewers.

lot

As a condition of approval, all/corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

30. HONALO
NORTH KONA
POLLY P. HOOPER
TMK: 7-9-03 por. 17
- Final approval for recordation of the proposed subdivision of portions of Grant 1173, Honalo, North Kona, Hawaii, into 7 lots all in excess of 3.00 acres.

The Committee recommended final approval for recordation to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified as follows:

1. The usual modifications on sidewalks and sewers.
2. Roadways within the subdivision shall be kept in private ownership and perpetual right-of-way for ingress and egress to a public highway shall be granted to all the lots.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

31. WAIMEA
SOUTH KOHALA
JULIA RODENHURST
TMK: 6-5-04
- Final plan approval of the proposed subdivision of Lot "A," being a portion of Lot 9, Block 2, Grant 6290, Waimea Homesteads, Waimea, South Kohala, Hawaii, into 5 lots all in excess of 11,500 square feet.

The Committee recommended the granting of a variance from Ordinance No. 183, as amended, to subdivide into lots less than 1 acre for single-family dwelling use and final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sidewalks and sewers.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

Final approval for recordation shall be granted upon installation of water service laterals to Lots A-1, A-3, A-4, and A-5 and submission of a written notification thereof to the Planning Commission or upon posting of a deposit to pay for the full cost of installing said improvements with the Board of Water Supply.

32. WAIAKEA HOMESTEADS,
SOUTH HILO
NOBORU YAMANE
TMK: 2-4-15:1

Final plan approval of the proposed subdivision of Lot 613-A (Grant 11033), Waiakea Homesteads, 1st Series, Waiakea, South Hilo, Hawaii, into 5 lots all over 22,404 square feet.

The Committee recommended final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sidewalks and sewers.

As a condition of approval, all lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.

Land shall not be offered for sale, lease or rent until recordation of the final subdivision map.

Final approval for recordation shall be granted upon installation of water service laterals to Lots 1, 2, and 4 and submission of a written notification thereof to the Planning Commission or upon posting of a deposit to pay for the full cost of installing said improvements with the Board of Water Supply.

33. WAIAKEA HOMESTEADS
HOUSELOTS, S. HILO
THOS. T. NAKAHARA, ETAL.
TMK: 2-2-45:1

Final approval for recordation of the proposed "Hale Pua Subdivision," being portions of Grant 10533, Lot 12, Block 701 of Waiakea Homesteads House Lots, Waiakea, South Hilo, Hawaii, into 28 lots all in

excess of 9,600 square feet.

The Committee recommended final approval for recordation when the necessary documents are submitted, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified and the conditions listed in the letter of preliminary approval, dated December 28, 1964.

The requirement to construct sidewalks has been waived by the Board of Supervisors at its meeting of February 3, 1965.

Final approval for recordation shall be granted upon submission of three signed copies of the Agreement between the subdivider and the County of Hawaii and three signed copies of the contract between the subdivider and the contractor for the construction of road and water system.

34. WAIAKEA
SOUTH HILO
ELROY OSORIO
TMK: 2-1-14:63

Final plan approval of the proposed subdivision, being portions of Grants 10156 and 10157, Waiakea, South Hilo, Hawaii, into 2 lots of 8,492 square feet and 7,550 square feet.

The Committee recommended final plan approval to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified on sidewalks and sewers.

As a condition of approval, the subdivider is required of the following:

1. All lot corners shall be marked by one-half (½) inch galvanized pipe, or equal, firmly set on the ground.
2. Relocation of the structure straddling the boundary.
3. The Commission shall recommend to the Board of Supervisors that the subdivider consider the installation of sidewalks in accordance with the specifications of the Department of Public Works.

Land shall not be offered for sale, lease, or rent until the recordation of the final subdivision map.

Final approval for recordation shall be granted upon relocation of the structure straddling the boundary and a written notification by the owner so stating and the inspection thereof by the staff of the Planning Commission or upon posting of a deposit to pay for the full cost of relocating the house.

(Note: Sidewalk requirement not discussed in Committee.)

35. EXTENSION REQUEST
HILO COUNTRY CLUB
ESTATE/LOUIS LEE

The request was considered for an extension until May, 1965 for the legal attorney to appear to explain the extension request until November 20, 1965, to complete construction of all roadways and water system for the "Hilo Country Club Estates" subdivision, Unit I, Kukuau 2nd, South Hilo, Hawaii.

The previous extension of 60 days to submit definite plans on the completion of the construction of all roadways within Unit I expired on January 16, 1965.

Since the legal attorney is presently tied up with the legislative session, the Committee recommended the granting of the extension until May, 1965.

36. EXTENSION REQUEST
HAROLD S. TANOUYE &
ASSOC.

water system for the proposed subdivision of Lot 103, Grant 7192, Puukapu Homesteads, 2nd Series, Puukapu, South Kohala, Hawaii.

The request was considered for an extension of 6 to 9 months on the preliminary approval and to submit final plat plans and construction drawings for roads and

Mr. Freitas moved to refer this matter to the Commission as a whole in order for the developer to appear at the meeting and to assure the Commission that the plans will be completed within the time requested. The motion was seconded by Mr. Kimura, and carried.

37. WAIVER ON SETBACK
SUBDIVISION OF
WAIAKEA HOMESTEADS
STATE OF HAWAII
TMK: 2-4-12

The request was considered for a waiver on the provision of a 10-foot road reserve along Kawaiilani Street for future roadway widening purposes which was imposed on the proposed subdivision of Lot 617-A, Waiakea Homesteads, 1st Series, Waiakea, South Hilo, Hawaii.

Since the State had already sold the first tier of lots fronting on Kawaiilani Street without the 10-foot reserve, the Committee recommended the waiver on the requirement.

37-a. WAIAKEA HOMESTEADS
SOUTH HILO
STATE OF HAWAII
TMK: 2-4-12
of 14,793 square feet.

Final approval for recordation of the proposed subdivision of portions of Lots 617-A, 716-B, 717-A, and 717-B, Waiakea House Lots, 4th Series, Waiakea, South Hilo, Hawaii, into 40 lots all in excess

The Committee recommended final approval for recordation to the proposed subdivision, subject to each and every provision of Ordinance No. 24, excepting those provisions which are specifically modified as follows:

1. The usual modifications on sidewalks and sewers.
2. Minor variance to Lot 19 (Board of Supervisors approved the variance, 2-21-62)

As a condition of approval, all lot corners shall be marked by one-half ($\frac{1}{2}$) inch galvanized pipe, or equal, firmly set on the ground.

38. SIDEWALK REQUIREMENT
LANAKILA HTGS. RES.
STATE OF HAWAII

Street, Waiakea, South Hilo, Hawaii.

The request was considered for elimination of sidewalk requirement for the proposed subdivision of Job No. 31-L-10, Lanakila Heights Residential Subdivision, Popolo

The Committee recommended that the subdivider be required to construct sidewalk on both sides of Popolo Street under Type II of the specifications submitted by the Department of Public Works.

39. RECONSIDERATION
SIDEWALK REQUIREMENT
CAMPS 2-B and 2-C
STATE OF HAWAII

A verbal request was received by a State Board of Land official to reconsider the sidewalk requirement within the proposed subdivision of Camps 2-B and 2-C, Waiakea, South Hilo, Hawaii.

The Committee recommended that the request be reconsidered on the requirements stipulated and that inasmuch as new standards have been obtained on the criteria set forth by the Department of Public Works, the subdivider be required to construct under Type II specification of the Department of Public Works instead of a concrete type of sidewalk originally stipulated. The motion was moved by Mr. Freitas, seconded by Mr. Kimura, and carried.

ADJOURNMENT

The meeting was adjourned at 4:55 p.m.

Respectfully submitted,

/s/ LEI A. TSUJI

(Mrs.) Lei A. Tsuji, Secretary

May 13, 1965

Mr. G. R. Ewart, III
Assistant Secretary
Hilo Sugar Company, Limited
P. O. Box 3470
Honolulu, Hawaii

Dear Mr. Ewart:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii on May 28, 1965, at 2:00 p.m., in the County Board Room, County Building, Hilo, Hawaii. Your petition for change of district boundary from an Agricultural district classification to an Urban district classification for portion of Third Division, TMK 2-3-35: 1; portion of Third Division, TMK 2-3-38: 3; Third Division, TMK 2-3-39: 3-10; and portion of Third Division, TMK 2-3-44: 9, will be heard at that time.

Publication of Legal Notice will appear in the Honolulu Star-Bulletin and the Honolulu Advertiser on May 17 and 25, 1965, and will appear in the Hawaii Tribune-Herald on May 19 and 26, 1965.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Chairman M. Thompson
Hawaii Planning Commission
Hilo Sugar Company

NOTICE OF PUBLIC HEARING
TO CONSIDER PETITIONS FOR CHANGE OF DISTRICT BOUNDARY WITHIN THE COUNTY
OF HAWAII BEFORE THE LAND USE COMMISSION OF THE 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 a Change in the District Boundary as provided for in Section 98H-4, Revised Laws of Hawaii 1955, as amended.

TIME AND PLACE

In the Hale Halawai Cultural Center, County of Hawaii, Kailua-Kona, on May 27, 1965, at 3:30 p.m., or as soon thereafter as interested persons may be heard.

(1)

(2)

<u>Docket Number and Petitioner</u>	A64-72 Hawaiian Homes Land	A65-80 Dillingham Investment Corporation
<u>Tax Map Key</u>	Portion of Third Division TMK 6-4-04	Portion of Third Division TMK 8-1-08: 1
<u>Present District Classification</u>	Agricultural	Agricultural
<u>Change Requested</u>	To incorporate a 0.89 acre lot to the Kuhio Village Urban District for the purpose of converting a remnant parcel into a houselot.	To incorporate a 9 acre tract to the Kaawaloa Urban District for the purpose of developing a subdivision containing 20 lots.

TIME AND PLACE

In the County Board Room, County Building, Hilo, Hawaii, on May 28, 1965, at 2:00 p.m., or as soon thereafter as interested persons may be heard.

(1)

(2)

<u>Docket Number and Petitioner</u>	A64-78 Earl Truex	A65-82 Hilo Sugar Company
<u>Tax Map Key</u>	Third Division TMK 1-8-06: 92, 129 & 130	Portion of Third Division TMK 2-3-35: 1; portion of Third Division TMK 2-3-38: 3; Third Division TMK 2-3-39: 3, 4, 5, 6, 7, 8, 9, & 10; and portion of Third Division TMK 2-3-44: 9.
<u>Present District Classification</u>	Agricultural	Agricultural
<u>Change Requested</u>	To establish a 50 acre Urban District in the Agricultural District near Mt. View for the purpose of developing a subdivision containing one acre lots.	To incorporate a 2 acre tract and a 9 acre tract to the Hilo Urban District near Kaumana Drive for an unspecified Urban use.

Maps showing the areas under consideration for change of District Boundary, and copies of the Rules and Regulations governing the petitions above are on file in the offices of the Planning Commission, County of Hawaii, and the Land Use Commission and are open to the public during office hours from 7:45 a.m. to 4:30 p.m., Monday through Friday.

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:)
(May 17 and 25, 1965 - HONOLULU STAR-BULLETIN)
(HONOLULU ADVERTISER)
(May 19 and 26, 1965 - HAWAII TRIBUNE-HERALD)

Two Brewer plantations to merge, take new name

H.S.B.
5/12/65

Directors of Onomea Sugar Company and Hilo Sugar Company voted yesterday to recommend to stockholders of both firms that they merge.

The new company will be known as Mauna Kea Sugar Company.

Approval was certain because C. Brewer and Company owns more than 99 percent of the outstanding shares of Hilo Sugar and more than 98 percent of the outstanding shares of Onomea Sugar.

The two Brewer subsidiaries adjoin on the Hilo coast of the Big Island.

Stockholders meeting will be held at the earliest possible date to effect the merger, James C. Stopford, president of both plantations and executive vice-president of Brewer, said

today.

The new company would have an annual production of about 65,000 tons of raw sugar.

Hilo last year produced 32,012 tons and Onomea had a record crop of 34,776 tons.

The last merger of Brewer's plantation subsidiaries occurred December 31, 1962, when Pepeekeo Sugar Company and Hakalau Sugar Company were combined with Pepeekeo the surviving company.

February 4, 1965

Ref. No. LUC 582

Mr. G. R. Ewart, III
Assistant Secretary
Hilo Sugar Company, Limited
P. O. Box 3470
Honolulu, Hawaii

Dear Mr. Ewart:

This is to acknowledge the receipt of your \$50.00 check for an application to amend the land use district boundaries as shown on TMK 2-3-35 & 44, Third Division.

In accordance with Section 98H-4 of Act 205, this Commission must schedule a public hearing on your petition no sooner than 100 days nor more than 210 days. After 45 but within 90 days following the public hearing, the Land Use Commission is obliged to render a decision on your petition.

A hearing schedule will be determined at a later date to consider the several pending petitions, including yours, in the County of Hawaii. We will inform you of the date of the hearing as soon as it is determined.

Should we develop questions in the meantime, we will contact you. And, should you have any questions, please feel free to contact us.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

cc: Chairman M. Thompson

February 4, 1965

Ref. No. LUC 581

Planning and Traffic Commission
County of Hawaii
Hilo, Hawaii

Attention: Mr. Raymond Suefaji
Acting Planning Director

Gentlemen:

Pursuant to Section 98H-4, SLH 1955 (1961 Supplement), a copy of a petition for an amendment to the Land Use District Boundaries, submitted by G. R. Ewart, III on behalf of Hilo Sugar Company, Limited, is forwarded to you for comments and recommendations.

Thank you for your cooperation in this and other matters.

Very truly yours,

RAYMOND S. YAMASHITA
Executive Officer

Enclosure - 1 (petition w/maps)

E. Brewer and Company,
LIMITED

FOUNDED 1826

POST OFFICE BOX 3470 • HONOLULU, HAWAII 96801

February 2, 1965

RECEIVED

FEB 4 1965

State of Hawaii
LAND USE COMMISSION

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

Gentlemen:

On behalf of Hilo Sugar Company, Limited, we herewith file a Petition for Amendment to the Land Use Commission boundary as shown in green on the attached maps, the present boundary between Agricultural and Urban classifications being shown in red on the same maps.

Both of these parcels abut existing paved streets, with water supply lines, where the property on the other side of the street is already in urban use. They are near the center of the city of Hilo, near schools and major streets. The parcels also are assessed at residential tax rates which are too high for economic agricultural use.

Accompanying this petition is our check for fifty dollars (\$50.00) as required by the Commission's general provisions.

Very truly yours,

HILO SUGAR COMPANY, LIMITED



G. R. Ewart, III
Assistant Secretary

WAH:vw
Encl.

RECEIVED

This space for LUC use

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

Date Petition and Fee received
by LUC

FEB 4 1965
State of Hawaii
LAND USE COMMISSION

Date forwarded to County
for recommendation

Date Petition, and County
recommendation received
by LUC

PETITION FOR AMENDMENT TO THE LAND USE COMMISSION DISTRICT BOUNDARY

(We) hereby request an amendment to the Land Use Commission

District Boundary respecting the County of Hawaii, Island of Hawaii,
map number and/or name T.M.K. 2-3-35 & 44 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:

See attached maps

Petitioner's interest in subject property:

Owner

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

See attached letter

(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 usable and adaptable for the use it is proposed to
be classified.

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

Signature(s) HILO SUGAR COMPANY, LIMITED

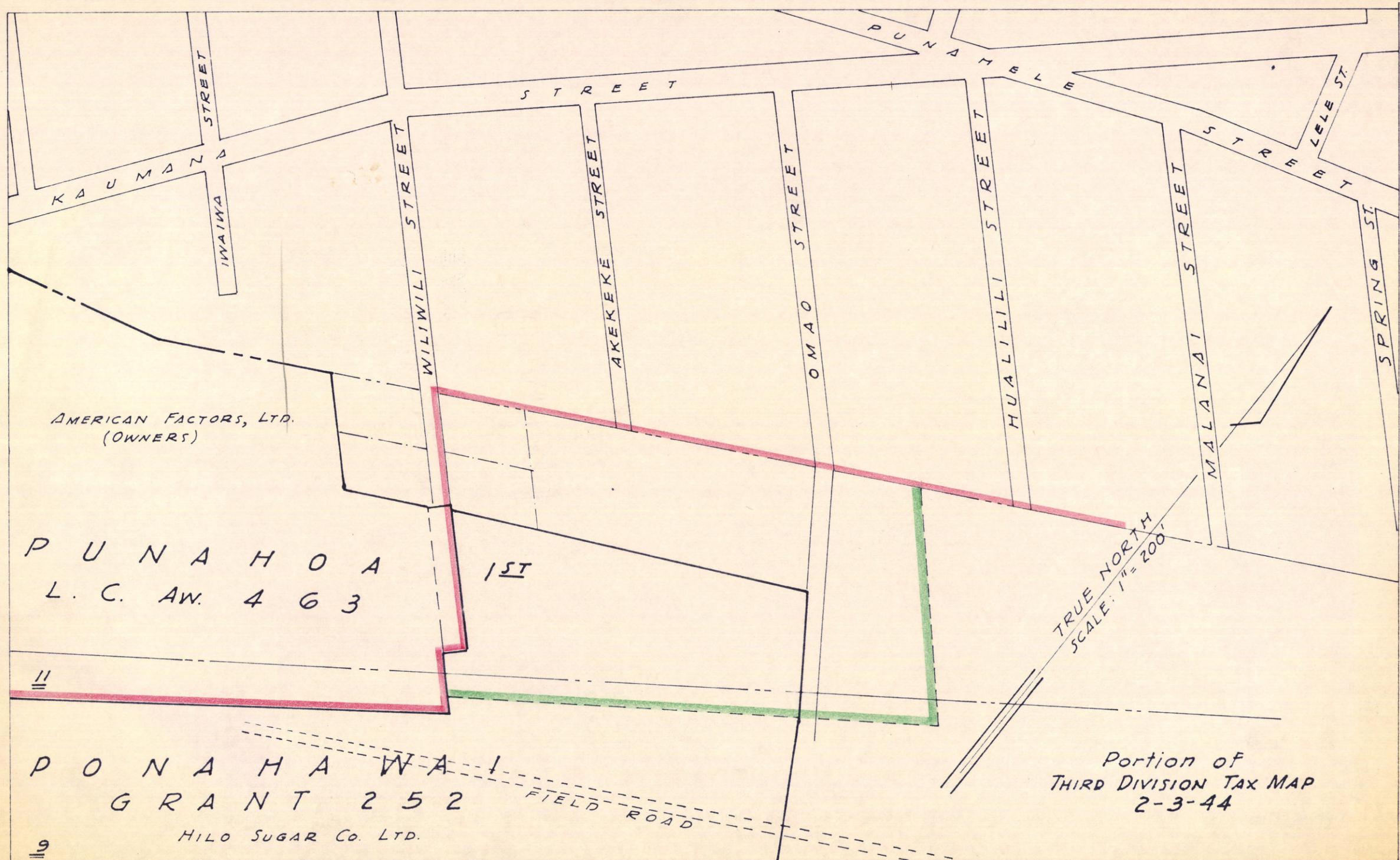
By:

G.R. Stewart III

Assistant Secretary

Address: P. O. Box 3470, Honolulu

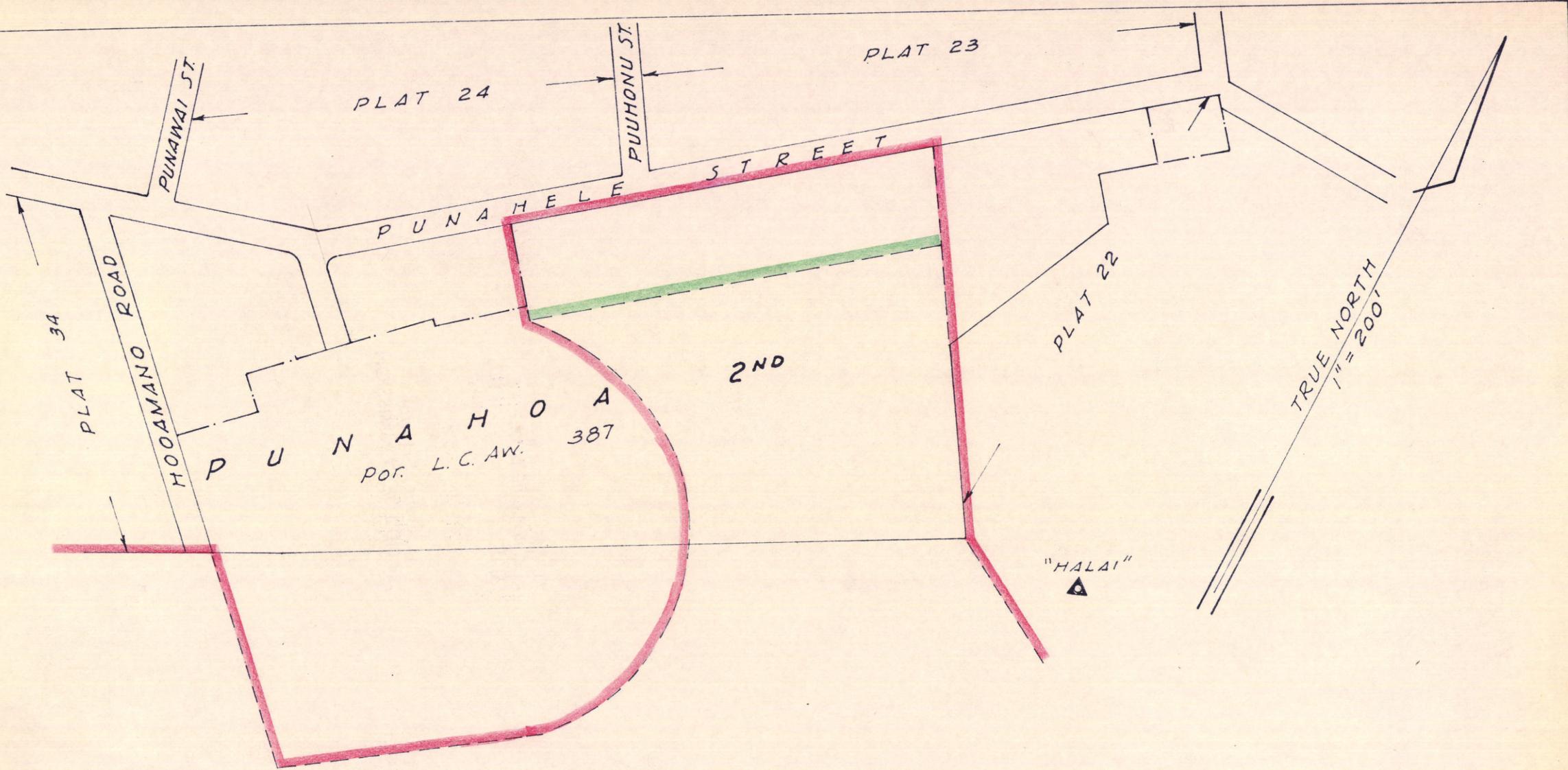
Telephone: 564-461



RECEIVED

FEB 4 1965

State of Hawaii
LAND USE COMMISSION



THIRD DIVISION TAX MAP
2-3-35

RECEIVED

FEB 4 1965

State of Hawaii
LAND USE COMMISSION

State Form B14

STATE OF HAWAII

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

OFFICIAL
RECEIPT

No. 20

Department, Bureau or Commission

Alberta Kai

2/5/65

19

RECEIVED from

~~st 4~~ 4% of G. Brewster & Co., Ltd.

Fifty and 00/100

DOLLARS

For petitioners - Geo. Ewart III for Hilo Sugar Co.
for temporary change

\$50⁰⁰

Alex N. Wono

Public Accountant

State Form B14

STATE OF HAWAII

A64-82

LAND USE Commission
426 Queen St., Honolulu, Hawaii

Department, Bureau or Commission

OFFICIAL
RECEIPT

NO.

98

February 4, 1965

RECEIVED from C. R. Ewart, III for Wile Sugar Co., Ltd.
Fifty and 00/100 DOLLARS
for public hearing by the Land Use Commission for
a boundary change from Agriculture to Urban for
Land on Hawaii.

\$50.00

Audita L. tri

Public Accountant

Ch. #53473 PNC