A65-106
ALEXANDER & BALDWIN, INC.

Land Use Commission

P. O. Box 2359 · Honolulu, Hawaii 96804

July 23, 1969

Mr. W. E. Sheehan
Executive Vice President
Alexander & Baldwin, Inc.
P. O. Box 3440
Honolulu, Hawaii

Subject: Rezoning Request
Kahului (Dream City)

Dear Mr. Sheehan:

Pursuant to your request to the Land Use Commission for an urban designation of the above subject areas, please be advised that in order for the Commission to favorably consider your request, it desires a 5-year development schedule describing in detail your anticipated construction program which the Commission may consider as a condition to rezoning to urban all or portions of your request.

This information should be in writing to the Land Use Commission, P. O. Box 2359, Honolulu, Hawaii 96804, before August 1 or you may submit your statement to the Land Use Commission on August 1, in Kahului, Maui, at which time the Commission will consider adopting the Maui County district boundaries.

A copy of our time performance section is enclosed for your information.

Very truly yours,

RAMON DURAN
Executive Officer

Enclosure

June 21, 1966

Mr. W. E. Sheehan
Executive Vice President
Alexander & Baldwin, Inc.
P. O. Box 3440
Honolulu, Hawaii

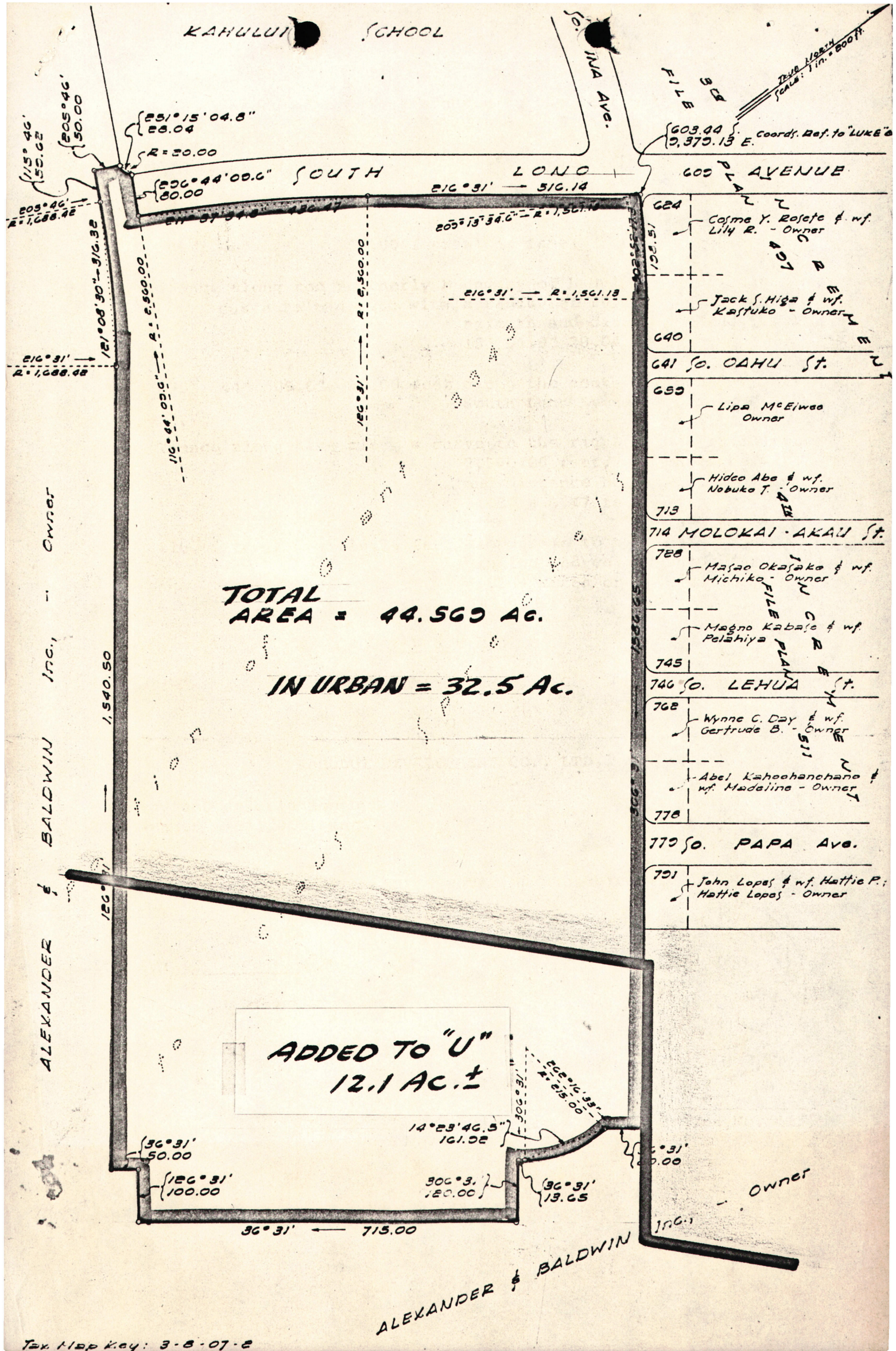
Dear Mr. Sheehan:

The petition by Alexander & Baldwin, Inc., (A65-106), to amend the Land Use District Boundaries from an Agricultural District to an Urban District at Kahului, Maui, identifiable by Tax Map Key 3-8-07: 2, was approved by the Land Use Commission at its meeting on June 17, 1966.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Chairman Thompson
Planning & Traffic Comm., Maui
Department of Taxation
Dept. of Land & Natural Resources



Tax Map Key: 3-8-07-2

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

County Board of Supervisors Chambers

Hilo, Hawaii

10:30 A.M. - June 17, 1966

Commissioners Present:	Myron B. Thompson, Chairman Shelley Mark Jim Ferry Leslie Wung Shiro Nishimura Charles Ota
Commissioners Absent:	C. E. S. Burns, Jr. Robert G. Wenkam Goro Inaba
Staff Present:	George S. Moriguchi, Executive Officer Roy Takeyama, Legal Counsel Ah Sung Leong, Draftsman Dora Horikawa, Stenographer

The meeting was called to order and a short prayer followed. Chairman Thompson apologized for the delay in the meeting. Procedures to be followed during the hearing were outlined and persons testifying were duly sworn in.

It was announced that there would be a change in sequence on the agenda.

ADOPTION OF MINUTES

The minutes of the following dates were approved as circulated:

October 29, 1965, November 5, 1965, November 20, 1965
March 25, 1966, April 14, 1966

ACTION

Upon the request of the petitioners, action on the following petitions were deferred to a later date:

A65-103 - Bishop Estate
A65-105 - Mauna Loa Development Corporation

See page 3

PETITION OF TAKESHI & CHIZUKO KUDO (A65-104) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT AT KEALAKEKUA, HAWAII, identifiable by TMK 8-1-06: 13.

Mr. Moriguchi presented the staff memorandum recommending approval of the petition since all services required on urban lands were available, adjoining areas would not be adversely affected by the boundary change, and lands available for urban expansion in the area appeared to be limited.

Since there was no one present representing the petitioners, and no further discussion on the matter, Commissioner Ferry moved to accept staff's recommendation for approval of the petition, which was seconded by Commissioner Wung. The motion was carried unanimously.

PETITION OF A. C. AND EMILY F. GOUVEIA (A65-108) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT AT LAALOA, NORTH KONA, HAWAII, identifiable by TMK 7-7-07: 18

Staff memorandum presented by the Executive Officer was for denial of the petition due to the lack of any justification for the need of additional urban lands and because the proposed use would contribute toward scattered urban developments.

The area in question was pointed out on the map by Mr. Moriguchi. It was also explained that Mr. Gouveia's property was partially planted in coffee and the surrounding area was of a rural residential nature.

In reply to Commissioner Ferry's question, Mr. Moriguchi advised that the areas colored in green indicated the most thriving agricultural lands in the area. Commissioner Ferry then commented that Mr. Gouveia was requesting an urban classification for a small parcel within a large Agricultural District.

Chairman Thompson observed that during the last meeting a member of the Hawaii Planning Commission had made the statement that the property abutting subject parcel was being considered for boundary change by the County of Hawaii.

Mr. Suefuji was of the opinion that reference was being made here to the study conducted by the Hawaii Planning Commission on future zoning of the area. The Statutes provide that 3-acre parcels may be included in the urban area. Upon survey, the Planning Commission found that both sides of the highway bounding subject parcel were lined with residences and felt that zoning this parcel for single-family dwelling would not constitute scattered zoning.

Mr. Suefuji thought that the Hawaii County Planning Commission would petition for a boundary change in the area within the next five or six months, although he was not certain about the exact acreage since the matter was still under review.

In view of Mr. Suefuji's foregoing testimony and the fact that the petitioner's request was for only a 3-acre parcel, Commissioner Ferry felt it more prudent to deny Mr. Gouveia's petition now and to review the more encompassing petition which will be forthcoming from the County at a later date. Therefore, Commissioner Ferry moved to accept the staff recommendation for denial of the petition, seconded by Commissioner Wung. The motion was carried unanimously.

PETITION OF ALEXANDER & BALDWIN, INC. (A65-106) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT AT KAHULUI, MAUI, identifiable by TMK 3-8-07: 02.

Approval of the above petition was recommended by staff on the basis of the high rate of sales experienced by the Ninth Increment Development and because need for additional urban lands had been established.

There was no discussion on the matter.

Commissioner Ota moved to accept staff's recommendation for approval of the petition which was seconded by Commissioner Nishimura and passed unanimously.

PUBLIC HEARINGS

PETITION OF PARKER RANCH (A66-111) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT AT WAIKOLOA, SOUTH KOHALA, HAWAII, identifiable by TMK 6-7-01: portion of parcel 3.

Staff report was presented by Mr. Ah Sung Leong which recommended disapproval of the petition since the petitioner had not substantiated the need for additional urban lands for U-drive and car rental businesses.

Mr. Leong advised that the terminal area was in the Agricultural District, and that the nearest urban area was approximately one mile away.

Commissioner Ota felt that since Kamuela was tied in with the resort complex, it should be preserved in the rural atmosphere as much as possible. He also cautioned against the possibility of commercial encroachment in the area once the 4-acre parcel was approved for urban uses. Kamuela is one of the last remaining airports with a semblance of open space and beauty, Commissioner Ota observed.

Mr. Suefuji was of the opinion that with proper landscaping, set-backs and planting of trees, the proposed use could be concealed from the highways. He also felt that this type of use would be in support of the tourist industry and should be considered in that light.

Chairman Thompson asked Mr. Norman Brand, attorney for the petitioner, whether Parker Ranch had considered coming in on a special permit rather than a boundary change, as suggested by Commissioner Nishimura.

Mr. Brand replied that since in either case the ultimate decision will be the same, Parker Ranch would be happy to withdraw the petition for boundary change and come in on a special permit if this approach would be more in keeping with the Commission's wishes. Chairman Thompson advised that the end result would not be the same.

Chairman Thompson continued that it was his personal feeling that the special permit would be more appropriate at this time, since boundary change could constitute spot zoning for this area.

Pursuing the matter along the same lines, Commissioner Ferry commented that it was conceivable that a special permit request would be approved in an Agricultural District for parking purposes. However, a boundary change would place the jurisdiction within the Hawaii County Commission and it was not wholly inconceivable that the parking use would eventually change to a commercial use.

Mr. Brand submitted that the staff report was invalid because he felt the decisions were based on faulty assumptions. He argued that no mention was made of parking stalls in the petition--however, Parker Ranch had been approached by businessmen over the possibility of establishing a base of operation. Kamuela was an actively growing community and although Parker Ranch had no interest in the matter, because of its position as controlling landowner in the district, it would be open to criticism on the grounds of ultra-conservatism or even obstruction should they choose to refuse these requests. Parker Ranch had a moral obligation to see that developments in the area are conducted in a manner harmonious and inoffensive to the community.

On the basis of opinions expressed during this hearing, Mr. Brand asked to withdraw the petition of Parker Ranch for boundary change with the idea of submitting a special permit request at a later date.

Chairman Thompson called for a 5-minute recess at 11:05 a.m.

The hearing was resumed at 11:10 a.m.

Chairman Thompson advised that the following had transpired during a conference with Mr. Brand:

1. Request for withdrawal of petition still stands, with the hope of submitting a special permit request at a later date.

2. Petitioner fully understands that this morning's discussion in no way indicated that a special permit would be considered favorably by this Commission--that all of the facts would have to be considered at the time of the meeting.

Chairman Thompson informed the Commissioners that they had a choice of one of two motions:

1. To deny petitioner's request for withdrawal of petition and proceed with the hearing.

2. Accept the request for withdrawal of petition, subject to a letter in writing making this request, to be submitted at a later date.

In reply to Commissioner Wung's query, Mr. Moriguchi advised that the $50.00 fee for the special permit was strictly a matter between Mr. Brand and the County of Hawaii since special permits are routed to the Land Use Commission through the County Planning Commissions.

Commissioner Ferry wondered whether petitioner would have the option of converting the boundary change petition to a special permit upon submission of necessary data. Mr. Moriguchi advised that this alternative would not be open to the petitioner inasmuch as special permit hearings were conducted by the County Planning Commissions.

Mr. Suefuji commented that the applicant should be made aware of the fact that there was a waiting period of 30 days before the County Planning Commission could conduct a public hearing on the special permit request and another 15 days before the County Planning Commission could render a decision.

Commissioner Wung moved to accept the request to withdraw the petition by Parker Ranch, subject to receipt of a letter from petitioner to this effect. Commissioner Mark seconded the motion and the motion was passed unanimously.

PETITION OF HAWAII COUNTY PLANNING COMMISSION (A66-115) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT INTO AN URBAN DISTRICT AT LALAMILO, SOUTH KOHALA, HAWAII, identifiable by TMK 2 through 14

Mr. Ah Sung Leong presented the staff report in which it was recommended that the petition be approved since the Department of Taxation had included this area in its recommendations for Urban Districts, facilities and services were readily available and the area was contiguous to an Urban District.

Mr. Raymond Suefuji stated that based upon staff investigation of the area under petition, it was felt that this should have been included in the Urban District. This is an area already built up with single family homes. The matter was brought to the attention of the Planning Commission by Mr. Lloyd Kaneshiro who owns a parcel in the affected area.

Mr. Takeyama, legal counsel, brought up a procedural legal point since the subject lands were not owned by the County but by several landowners. He advised that advertisement of a public hearing in a legal notice in a newspaper of general circulation was not sufficient--that each property owner affected by the boundary change should be informed individually of the public hearing to be held. He pointed to the possibility that there may be some objections to the change in boundary.

Chairman Thompson commented that the subject area was already being assessed as an Urban District. Commissioner Ferry felt that a drafting error might have occurred at the time the final boundaries were drawn.

Mr. Takeyama advised that two approaches were available to the Commission to resolve this problem:

1. Defer the public hearing and have the staff send out letters or notices of public hearing to be held at a later date to each landowner affected by the petition.

2. Request the County to obtain signatures from each landowner affected by the petition, assenting to the request for boundary change, and submit them as part of the petition.

Replying to Mr. Suefuji's argument that property owners other than those whose properties were directly involved in the petition in the immediate area were also going to be affected by the boundary change, Mr. Takeyama commented that his concern was for procedural safeguard against any criticisms or complaints that might result from inadequate notification to persons whose properties were being proposed for a boundary change.

Inasmuch as the Commission had 45 days in which to offer a decision on the petition, Commissioner Ferry suggested that the Hawaii County Planning Commission be requested to obtain signatures from those property owners whose properties were directly involved in the petition, assenting to the proposed boundary change. He added that the State was amply represented on this Commission.

Mr. Moriguchi raised the point as to whether this procedure would have to be followed in the future in the event the County or State initiated a boundary change even though it might involve 300 separate property owners.

Mr. Takeyama advised that a letter by mail to each property owner advising him of the public hearing would be adequate.

Chairman Thompson wondered about the legal implications of past decisions rendered by the Land Use Commission, involving petitions initiated by the State or County, on which individual notices had not been served to individual property owners.

Mr. Takeyama replied that as far as he knew all of the government-initiated petitions had been for boundary changes on lands owned by either the State or County.

Mr. Takeyama further advised that there was a technical difference between the drawing of the district boundaries and making a boundary change. In the former instance, the Commission had pursued the matter on the basis of its rule-making powers. In the latter instance, the Commission is exercising a quasi-judicial right on contested cases, and the procedure for contested cases requires personal notices to the parties involved and public advertisement is not adequate.

Referring to Mr. Suefuji's earlier argument, Mr. Takeyama felt that the notice requirements to property owners of adjacent lands may not be the same as the notice requirements to property owners whose lands were subject to change.

Commissioner Ferry moved, seconded by Commissioner Nishimura, to request the Hawaii County Planning Commission to obtain signatures from the affected property owners, consenting to the proposed boundary change from Agricultural to Urban within 15 days of this hearing. The motion was carried unanimously. The hearing was closed thereafter.

PETITION OF HAWAII COUNTY PLANNING COMMISSION (A66-117) TO AMEND THE DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT INTO AN URBAN DISTRICT AT PUNAHOA, HILO, HAWAII, identifiable by TMK 2-3-39: 3, 5, 6, 7 and 8

Staff recommendation, as presented by Mr. Moriguchi, was for approval of the petition since the adjacent areas were presently in intense urban use, all community and utility services were presently available and the lands were adaptable for urban purposes. It was also recommended that parcel four be included for change upon concurrence by the petitioner.

Mr. Suefuji commented that the background on this petition was similar to that of the foregoing petition just heard. He added that the area was presently developed and the Hawaii Planning Commission felt it should be included in the Urban District based on its actual use.

Commissioner Wung moved that the Hawaii County Planning Commission be requested to obtain signatures from the affected property owners consenting to the proposed boundary change from Agricultural to Urban within 15 days of this hearing. Commissioner Nishimura seconded the motion and it was passed unanimously. The hearing was closed thereafter.

DECLARATORY RULING - CONCRETE INDUSTRIES INC.

Staff evaluation of the request by Concrete Industries, Inc. resulted in its recommendation to rule that only the crushing and screening plants were direct accessories to the permitted use within an Agricultural District. (See copy on file.) A letter, dated June 6, 1966, from Concrete Industries, Inc. was also presented by Mr. Moriguchi. (See copy on file.)

Chairman Thompson summarized that the request was to include ready mix plant, asphalt, block, cast concrete and pipe plants as accessories to excavation or extraction of natural building materials.

Mr. Moriguchi commented that the Commission should consider whether these facilities as listed in the staff report were permitted uses, being direct accessories to permitted uses within an Agricultural District.

Mr. John Russell of Concrete Industries, Inc. referred to Section 2.14 (m) of the State Land Use District Regulations "Permissible Uses Within the Agricultural District" and commented that mills, storage and processing facilities were considered direct accessories to the permitted uses. In futher-

ance of this argument, he submitted the following definitions:

Mills - Crushing activities, crushing of rocks

Processing facilities - The ready-mix plant, asphalt plant and other plants needed for processing

Mr. Russell reiterated that it was their feeling that the facilities located at the quarry where the rock was excavated should be considered as processing facilities, which are permitted uses under Section 2.14 (m).

Chairman Thompson observed that there was a difference in definition of permissible uses under Section 2.14 (m), as submitted by Mr. Moriguchi and Mr. Russell.

Mr. Moriguchi commented that the mere fact that the Regulations contained the words "mills" or "storage facilities" did not mean that these were allowed. They had to be part of a permitted use and tied to a basic use.

Mr. Takeyama raised the question of whether requests for declaratory rulings, such as the one under discussion, should not go through the special permit route, wherein notices would be duly publicized to afford interested persons an opportunity to express their views on the matter.

Mr. Moriguchi clarified this by stating that the Concrete Industries had already been advised to this effect, that in fact a special permit had been filed with the Maui County Planning Commission. However, to keep things rolling, a declaratory ruling had also been sought.

Chairman Thompson expressed the concern that if a declaratory ruling were made on the Concrete Industries' request today, it would drastically affect the Land Use Regulations and all state concrete plants.

Commissioner Ferry remarked that he would be hesitant to establish precedents by concurring with the applicant that the proposed activity would fall within the District Regulations, and that he would prefer to evaluate the matter on a special permit application.

Commissioner Ferry moved to accept staff's recommendation in declaring a ruling that the only item falling within the Land Use Regulations as a permissible use be the crushing and screening plant. The motion was seconded by Commissioner Ota and carried unanimously.

The meeting was adjourned at 12:30 p.m.

STATE OF HAWAII

LAND USE COMMISSION

VOTE RECORD

ITEM A + B

DATE 6-17-66

PLACE

TIME

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

COMMENTS: for upper.

STATE OF HAWAII
LAND USE COMMISSION

June 17, 1966
Kahului, Maui

MEMORANDUM

TO: Land Use Commission

FROM: Staff

SUBJECT: Alexander & Baldwin, Inc. (A65-106)

A petition submitted by Alexander & Baldwin, Inc. was heard on April 14, 1966, involving the reclassification of approximately 12 acres of agricultural lands from an Agricultural District to an Urban District. The subject lands are proposed as part of a 44-acre Tenth Increment Development of the New Kahului Town.

On the basis of the high rate of sales experienced by the Ninth Increment Development and the displacement of about 500 lots by the proposed Community College, the staff reported that a need has been established for the additional 12 acres of urban lands and recommended approval on that basis. No additional data has been received since the public hearing and the staff continues its recommendation for approval.

June 1, 1966

Mr. W. E. Sheehan
Executive Vice President
Alexander & Baldwin, Inc.
P. O. Box 3440
Honolulu, Hawaii

Dear Mr. Sheehan:

The Land Use Commission next meets at 9:30 a.m. in the County Board of Supervisors Chambers at Hilo, Hawaii on June 17, 1966.

On or about that time a decision of the petition by Alexander & Baldwin, Inc. (A65-106) will be rendered.

There is no requirement for you to be present. However, should you wish to attend, please feel free to do so.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Chairman Thompson

STATE OF HAWAII
LAND USE COMMISSION

County Board of Supervisors Chambers
Wailuku, Maui

2:00 P.M.
April 14, 1966

STAFF REPORT

A65-106 - ALEXANDER & BALDWIN, INC.

Background

Alexander & Baldwin, Inc. has submitted a petition to change the district boundaries of approximately 12 acres of agricultural lands into urban lands. It is proposed as part of a 44-acre Tenth Increment Development of the Kahului Town Development.

The petitioner has submitted that a need for the additional urban lands is indicated by the sale of 92 out of 97 lots of the Ninth Increment Development, which was opened September, 1965. They also cite that approximately 500 lots within the proposed Urban District will be removed upon development of the proposed community college and other public facilities. Based on the Master Plan prepared for the area, the petitioner feels that the land topography is suitable for land development and can be readily served by existing facilities within the present Kahului town area.

Past sales data and, more recently, the Ninth Increment sales data and the proposed displacement of approximately 500 residential lots to accommodate public facilities, are indications to the staff of adequate proof of need for urbanization of an additional 12 acres, involving approximately 35 residential lots. The staff is quite familiar with the topography and soil conditions of the subject lands, and concur with the petitioner's contention that the lands are suitable for development for urban purposes. Therefore, the staff recommends favorable consideration of this petition by the Land Use Commission.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

County Board of Supervisors Chambers
Wailuku, Maui

April 14, 1966 - 2:25 P.M.

Commissioners Present: Myron B. Thompson, Chairman
C. E. S. Burns
Robert Wenkam
Shelley Mark
Jim P. Ferry
Leslie Wung
Goro Inaba
Charles Ota
Shiro Nishimura

Staff Present: George S. Moriguchi, Executive Officer
Roy Takeyama, Legal Counsel
Ah Sung Leong, Draftsman
Dora Horikawa, Stenographer

A short prayer by Chairman Thompson was followed by the usual introduction of Commissioners and staff members, swearing in of persons testifying during the hearing, and a brief explanation of the procedures to be followed.

PETITION OF ALEXANDER AND BALDWIN, INC. (A65-106), TO AMEND THE URBAN DISTRICT BOUNDARY AT KAHULUI, MAUI, identifiable by Tax Map Key 3-8-07: 02

Staff recommendation was for favorable consideration of the petition since adequate proof had been submitted of the need for urbanization of an additional 12 acres, and the lands were suitable for development for urban purposes.

Commissioner Wenkam asked whether petitioner had entertained the idea of revising the urban line more approximate with the master plan for Maui, and Mr. Moriguchi replied that this had been done, that the petitioner had closely followed the master plan.

Mr. Richard Cox of Alexander and Baldwin stated that the staff had adequately covered the pertinent points. He submitted an additional map showing how the proposed area would tie in with the other developments, pointing out the various existing uses.

Mr. Cox solicited comments from the Commissioners with respect to Alexander and Baldwin's desire to proceed with construction of the 32.5 acres of the 10th increment presently in an Urban District.

Commissioner Ferry advised that this matter would fall under the jurisdiction of the County, inasmuch as it involved urban lands, and that it would not be prudent for the Commissioners to make any comments.

Since there was no further testimony, the hearing was closed.

PETITION OF HONOKAI DEVELOPERS (A65-101), TO AMEND THE URBAN DISTRICT BOUNDARY AT HONOULIULI, OAHU, identifiable by Tax Map Key 9-1-15: 8

Staff memorandum presented by Mr. Moriguchi (see copy on file) maintained the original recommendation made at the time of the public hearing for denial of the petition, since the petitioner had not served to prove that additional urban lands were required, and on confirmation of the fact that sufficient urban lands were available.

Commenting on the hardship factor, Commissioner Burns wondered when the project was started and how much money had been expended. The only expense incurred to date was for the sewage treatment plant, Mr. Moriguchi advised, which was installed around 1962 to serve the existing subdivision in addition to the subject area in anticipation of receiving approval.

Chairman Thompson pointed to the statement in the staff memo referring to the availability of sufficient urban lands in this area. Mr. Moriguchi replied that this was a direct quote taken from the City Planning Commission's recommendation which reads as follows: "Although there are sufficient lands for urban purposes in the Ewa District (i.e. Makakilo City) this is the only fee simple residential subdivision in the immediate area."

Mr. Vincent Yano of Honokai Developers presented additional testimony in support of the petition. At the time the developers submitted the 50-acre plan to the City Planning Commission, the whole area was zoned Rural Protective. Subsequently, the Land Use Commission reclassified it in the Agricultural District. The sewage treatment plant was a City Planning Commission requirement even before the developers could proceed with Unit 1-A. Mr. Yano stressed that he certainly did not mean to imply that they "gambled" $170,000 for a sewage plant to take care of the entire 50-acre subdivision. They were mandated by the City to submit detailed subdivision plans for the entire area before tentative approval could be granted. Although the City did grant tentative approval for the entire subdivision, the developers were advised to seek actual approval on an increment basis at the time their plans materialized. This was the reason they did not have approval for the subject parcel under petition.

Commissioner Ferry felt that the amount of $170,000 for the sewage plant was in line with expenditures required to serve the needs of 250 lots.

Chairman Thompson raised the question of flooding in the 1-A increment resulting from an over-flow of the stream following a big rain. Mr. Yano replied that this was handled by adequate drainage.

Referring to the slow rate of sales in the 1-A increment, Commissioner Ferry submitted that during the latter part of 1959 to the middle of 1961, there was a depressed real estate market, and that some weight should be given this factor

since petitioner was granted approval in 1960. Secondly, the growth of the leeward area has only begun, primarily due to the investment that the government has begun making. One of the stifling growth factors was the lack of proper access, and this was being resolved by construction of better highways. With the projection of 1,185,000 people for 1980 for Oahu alone, it was easy to conceive that a good portion of the increase in population would locate in the leeward area.

Commissioner Ferry continued that staff was not presenting a true picture by drawing comparisons such as that described in page 2, item 4, of the memorandum. Other factors that should be considered in making such comparisons would be the availability of financing, the promotional budget, the number of developed lots, etc.

Commissioner Ferry confirmed that the H-I highway would be completed within the next 10 years.

Commissioner Nishimura observed that the amount of urban lands submitted as being available in the general area was deceiving, in that much of this land was owned by the federal government. Mr. Moriguchi commented that the federal government did develop its own residential subdivisions. He also pointed out that Makakilo is available with a potential for 25,000 persons.

Pursuing the matter a little further, Commissioner Ferry commented that facilities for an additional 25,000 persons in the Makakilo area were hardly sufficient to meet the needs of the 450,000 additional residents anticipated for the Island of Oahu by 1980.

Commissioner Wenkam pointed to the fact that this Commission had previously turned down reclassification of Fort Barrette which had the same potential as the subject area under consideration. To argue for approval of this petition on the basis of population expansion, he felt, was invalid since this would only accommodate such a small percentage of the needs. He felt that the proposed urban reclassification in the Makaha area, on which the Commission will be acting on today, would more than adequately meet the requirements of the population growth within the leeward area.

Commissioner Wenkam continued that he was arguing against this petition because it was typical of the scattering of developments which, to some extent, was responsible for bringing about the establishment of the Land Use Commission. To condone the continuation of this subdivision merely because it had already been started, was akin to agreeing that two wrongs make a right. This was an undesirable projection of an urban area into the center of an Agricultural District and open spaces, and did not contribute to a well-planned and well-organized community.

Mr. Moriguchi submitted that the Commission had denied any number of requests involving indigent citizens wishing to subdivide agricultural lands, even though hardship had been advanced as the major factor. Therefore, in order to be consistent, this fact should be given due consideration.

In addition, a study made by Harlan Bartholomew had recommended keeping the subject area in agriculture and this Commission had seen fit to accept this recommendation and had modified the urban line to its present location.

Commissioner Ota commented that petitioner's lands were not in productive use and some improvements had already been installed. Also, this was one of the few fee simple lands available in the rural area on Oahu.

Commissioner Ferry wondered whether any of the petitions turned down in the past on the neighbor islands abutted an urban area, and Mr. Moriguchi replied that they did not.

Commissioner Ferry then asked if a similar situation had occurred on the neighbor island with all things being equal, would there be much reason to deny extension of an Urban District. Chairman Thompson requested that the discussion be confined to the subject petition without making references to precedents set. Also, circumstances differed on the neighbor islands and on Oahu.

Commissioner Wenkam referred to the hardship factor presented by the petitioner and commented that Fort Barette had also suffered similar difficulties.

Commissioner Ferry replied, as a matter of clarification, that there was a major difference between Fort Barette and the Honokai development. At the time of purchase, Fort Barette had already been zoned agricultural, whereas petitioners had received approval for the subdivision in 1960 and committed their investments.

Commissioner Ferry moved that the application be approved since sufficient justification had been presented by the petitioner for a boundary change from an Agricultural District to an Urban District, seconded by Commissioner Nishimura. The Commissioners were polled as follows:

Ayes: Commissioners Inaba, Ota, Burns, Nishimura, Ferry.

Nays: Commissioners Wung, Wenkam, Mark, Chairman Thompson.

The motion was not carried.

PETITION OF CAPITAL INVESTMENT CO., LTD. (A65-100), TO AMEND THE URBAN DISTRICT BOUNDARY AT MAKAHA, OAHU, identifiable by Tax Map Key 8-4-02

Mr. Moriguchi presented the staff memorandum recommending a modified urban-conservation line, involving 1,370 acres (see copy on file). The modifications and the recommended urban boundaries were pointed out in detail on the map.

Commissioner Burns questioned whether staff's recommendation for approval included the 20% slopes.

Mr. Moriguchi conceded that it did--that denial of the 20% slopes would restrict the development to such an extent that it would be economically difficult for the developers to proceed with their plans. It was also pointed out that staff had recommended urbanization of the remaining Class E lands since most of the prime agricultural lands had already been absorbed in the plans.

In reply to Commissioner Ota's request, Mr. Moriguchi pointed out the proposed uses on the map such as the resort complex, commercial areas, open spaces, residential area, etc. There were provisions for a total of 5,400 dwelling units

if the petition as requested by Capital Investment Co. were approved.

Mr. Moriguchi advised that the modified urban-conservation line was discussed with the petitioner and agreed upon, although petitioner did point out the fact that the City and County had planned on allowing construction on lands over 30% slopes.

Commissioner Wenkam stated that the beauty of the islands was largely dependent upon keeping the hillsides free of developments. However, he felt that construction on slopes up to 30% in this instance was feasible due to the vastness of the area and the tremendous open spaces which allowed for greater flexibility, and that he supported the staff's recommendations.

Commissioner Ota expressed bewilderment over staff's inconsistency in recommending denial of the Honokai petition, acted on earlier, for 32 acres adjacent to an Urban District on grounds that sufficient urban lands were available; and then to recommend approval of this petition involving thousands of acres.

Mr. Moriguchi replied that staff recognized this very point might be brought up. Staff had viewed the Makaha petition from the standpoint of the overall general plan for the island, and the State General Plan's proposal for this area was for a major resort complex, based on future tourist expansion. The petitioner had submitted substantial data along this line. The Honokai petition was for an isolated appendage to an Urban District that should not have been there in the first place, and the State General Plan did not include this area for urban purposes.

Referring back to the statement made earlier by staff, Commissioner Ferry agreed that economic hardship was involved if construction were disallowed on the gentle slopes. However, one could not deny that staff was arguing from the economic standpoint. Yet, in the Honokai petition, the economics involved did not warrant staff's consideration. Commissioner Ferry wondered how this could be rationalized.

It was stressed by staff that economics was not the basis for recommending approval of the Capital Investment petition--that if sufficient justification of need for the complex had not been submitted by the petitioner, staff would have argued against the proposal.

Chairman Thompson agreed that the question raised by Commissioner Ferry required clarification, with respect to the rationale for the Honokai petition. He advised that there were 24 hours in which to reconsider the Honokai petition, but for the moment discussion should be confined to the subject petition.

Commissioner Ferry stated that he was completely in favor of the proposed subdivision by Capital Investment Co. On the basis of 5 persons per unit, the 5,400 units would accommodate 27,000 persons, which would take care of only a fraction of the projected population increase by 1980.

Commissioner Wenkam moved that petition be approved as recommended by staff, which was seconded by Commissioner Ferry. The Commissioners were polled as follows:

Ayes: Commissioners Burns, Ferry, Inaba, Mark, Nishimura, Wenkam, Chairman Thompson.

Nays: Commissioners Ota and Wung

The motion was carried.

Chairman Thompson called for a 5-minute recess.

****

The meeting was resumed at 3:45 p.m.

RECONSIDERATION OF THE HONOKAI DEVELOPERS' PETITION (A65-101)

Chairman Thompson announced that a reconsideration of the Honokai petition was in order based on the conflicting rationale presented on this and the Makaha petition. It was also pointed out that whatever the decision was during this reconsideration, it would be absolutely final.

To enable Chairman Thompson to make the move for reconsideration, Vice-Chairman Burns was requested to chair this portion of the meeting.

Commissioner Thompson moved to reconsider the Honokai petition, which was seconded by Commissioner Ferry. The motion was carried by the following votes:

Ayes: Commissioners Wung, Inaba, Ota, Nishimura, Ferry, Thompson, Chairman Pro-tempore Burns

Nays: Commissioners Wenkam and Mark

The floor was opened for discussion.

Commissioner Wenkam commented that population increase should not be the only consideration for justification of boundary change. Emphasis should also be placed on proper planning, proper location, community services available in keeping with an orderly community.

In answer to Commissioner Thompson's query, Mr. Moriguchi advised that the H-I Highway ended at Barbers Point and cut off before the Honokai development. Completion date for the H-I Highway, according to the Bureau of Public Roads, was set for 1972, and 1974 for the whole defense highway system.

Commissioner Wenkam suggested that perhaps the petitioner could come in and apply for boundary change when the highway system was completed and as the need arose.

Commissioner Ferry argued that if this Commission were to operate as a functional body, it was necessary to look 10 years into the future. He added that the Department of Transportation has moved with acceleration on the road construction project to alleviate the inadequacy of the highway system in the leeward area.

Commissioner Ota submitted that equal emphasis should be placed on good planning and conservation of prime agricultural land. He stated that the Makaha petition involved prime agricultural lands with easy accessibility to water. The Honokai lands involved rocky, uneven terrain, without access to water, with absolutely no agricultural value. He stressed that one of the main purposes of the Commission was the conservation of prime agricultural lands. Yet, the Makaha petition was approved for boundary change while the Honokai development was denied.

Commissioner Ferry remarked that an argument in favor of granting the Honokai petition was the existence of facilities and that this would constitute a normal extension of an existing Urban District.

Referring to the existing facilities, Mr. Moriguchi pointed out that when the petitioners were mandated by the County to install the sewage treatment plant, they had not received approval for the subject parcel. Therefore, the plant could have been built on an increment basis, but instead the petitioners chose to "gamble" in anticipation of receiving approval for the whole development. By the very action of this Commission in pulling the urban line back, they recognized that urbanization of this parcel would constitute spot zoning. In addition, marginal lands did not necessarily have to be reclassified into an urban zone.

Commissioner Thompson wondered what drain it would place on the county and state if this development were approved. Mr. Moriguchi informed that bus services for the children, fire and police protection will need to be provided.

Commissioner Ferry agreed with staff that land that is not in productive agricultural use need not necessarily be put into urban. However, the reason the Puna area, where small lot sizes were zoned agricultural, fell into this category was that there was no physical development on those lots. He contended that had there been a multitude of homesexisting on the lots, this Commission would have seen fit to zone this area as urban. He continued that the Honokai development presented an entirely different situation, in that home were already existing in the first unit and families were living there.

Mr. Moriguchi argued that this was merely conjecture, that even if there had been homes in the Puna area, this was no assurance that the Commission would have zoned it in the Urban District. The criteria for urbanization was not to extend an already existing urban use but rather on the basis of whether this constitutes a good Urban District and is contiguous with facilities ordinarily related to a community. He reiterated that Harlan Bartholomew had concurred with staff's findings.

In reply to Commissioner Thompson's comment that when the Land Use Commission classified the subject area in the Agricultural District, they did not have knowledge of the population expansion, Mr. Moriguchi stated that this should not lead to urbanization anywhere, that instead it should follow a well-developed plan.

Commissioner Ferry moved that the Honokai Developer's petition be granted because ample proof had been submitted, seconded by Commissioner Nishimura. Commissioner Wenkam argued that he did not believe proof had been provided for need of subject parcel, that there were sufficient urban lands in the Waianae area.

The Commissioners were polled as follows:

Ayes: Commissioners Inaba, Ota, Nishimura, Ferry, Thompson, Chairman Pro-tempore Burns.

Nays: Commissioners Wung, Wenkam, Mark.

The motion was carried.

PETITION OF BERNICE P. BISHOP ESTATE (KAPAKAHI RIDGE) A65-97, TO AMEND THE URBAN DISTRICT AT WAIALAE-IKI, OAHU, identifiable by Tax Map Key 3-5-19: 13 and 3-5-24: portion of parcel 1

Staff memorandum, presented by Mr. Moriguchi (see copy on file), recommended denial of the original petition in its entirety and advised the petitioners to come in with an entirely new petition submitted in accordance with the latest plans of the Trustees of the Bishop Estate.

Commissioner Inaba moved to deny the original petition in its entirety on the basis of staff's recommendation which was seconded by Commissioner Wenkam.

Mr. Takeyama, legal counsel, advised that a request for amendment had been made by the petitioner and it was in order to act on this matter before moving on staff's recommendation.

Chairman Thompson reminded the members that the Land Use Commission, in the past, had made it its practice not to extend a boundary for a petition; however, had exercised its prerogative to bring it down. The Makaha petition was the only exception, but it was pointed out that this was done at the time of the hearing.

Mr. Takeyama stated that the petitioner was within his legal rights to come in and request for an amendment to the petition, in this case involving 12 plus acres. The Commission could vote to either deny or approve the request for amendment, and act on the petition separately. In reply to Chairman Thompson's question, Mr. Takeyama advised that there was nothing in the rules and regulations to prohibit the Commission from granting the request for amendment.

Mr. Takeyama continued that approval of the amendment did not remove the necessity for another public hearing. If the request is approved the petitioners would have to come in with a new petition which would be duly advertised. This would put into motion the proceedings for a new hearing. However, if the request for amendment to the petition is denied, the Commission would be acting on the original petition as submitted by the petitioners. If it followed that the Commission voted for denial of the original petition, the petitioners would have to submit substantial grounds of change in condition before they can attempt to file another petition for the subject parcel.

Commissioner Inaba moved to deny petitioner's request for amendment to the original petition, seconded by Commissioner Nishimura. The motion was passed with the following votes:

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

Nays: Chairman Thompson, Commissioner Burns.

Excused: Commissioner Ota

Chairman Thompson then announced that the Commission was now in a position to act on the original petition as submitted.

Commissioner Nishimura moved that the petition be denied as recommended by staff, seconded by Commissioner Wenkam. The Commissioners were polled as follows:

Ayes: Commissioners Wenkam, Inaba, Wung, Nishimura, Mark, Chairman Thompson.

Nays: Commissioner Burns.

Excused: Commissioner Ota

LALAMILO HOUSE LOTS

Mr. Moriguchi reviewed that during the previous meeting on March 25, 1966 at Kona, staff had been instructed by the Commission to investigate whether there might be substantiating evidence to indicate Commission's intent when the permanent boundaries were established for the subject area. However, staff was not able to locate any concrete evidence in this respect. Therefore, it was the staff's recommendation that this Commission, on its motion, initiate a boundary change for the subject area, along with the Honokaa lands, sometime in the future.

Following a brief discussion, Commissioner Wung moved that the Commission initiate a boundary change for the Lalamilo House Lot area, which was seconded by Commissioner Nishimura, and the motion was passed unanimously.

NEXT MEETING DATE AND PLACE

Tentative meeting schedule was presented by staff. It was pointed out that this was to inform the Commissioners of tentative dates and to give them an opportunity to voice their preferences.

Staff-recommended date of May 13, 1966 for the next meeting was changed to May 6, 1966 to be held in Hilo. The action items were eliminated.

SENATE RESOLUTION NO. 97

Chairman Thompson referred to Senate Resolution No. 97, a certified copy of which had been distributed to each Commissioner. This involved a request for the State Land Use Commission and the Department of Planning and Economic Development to study the feasibility of the arrangements for the conveyance of lands in rural or agricultural districts as outlined and to report their findings and recommendations to the Legislature not later than 20 days preceding the convening of the 1967 session of the Legislature.

Chairman Thompson expressed concern over the fact that the already limited staff time would be taxed with this additional responsibility. However, it was determined that staff would find time to complete its findings before the next Legislature.

LETTER FROM MAUI COUNTY ATTORNEY GENERAL (KAANAPALI BATCHING PLANT)

Chairman Thompson referred to a letter received from Mr. Kase Higa, Maui County Attorney, regarding the application for a special permit by Pioneer Mill Company involving a concrete batching plant at Kaanapali, Maui. In effect, the letter suggested that no further action be taken in this matter, but that the County Attorney would be willing to pursue this matter further if the Commission felt strongly enough and if the legal counsel could find adequate legal grounds.

Commissioner Burns advised that, as an officer of Pioneer Mill Company, he would have to abstain from making any comments.

Chairman Thompson wondered how it was possible that Pioneer Mill Company had not consulted with its attorneys prior to negotiating with the Kahului Railroad Company.

Commissioner Burns thought that this might have merely been a letter of agreement between the two firms; whereas, had it been funneled through the legal office, they might have checked into the matter of proper zoning for such an installation.

Commissioner Wung moved to accept the letter from the Maui County Attorney and take no further action on this matter. Commissioner Wenkam seconded the motion and it was passed unanimously. Commissioner Burns abstained from voting.

ALLISON PETITION

A point for clarification was brought up by Mr. Moriguchi on the Allison petition. He wondered whether the Allison petition was acceptable as submitted despite the absence of signatures of a few of the landowners involved in the petition.

Mr. Takeyama, legal counsel, suggested that the Land Use Commission, on its own motion, could initiate petition for those people who did not sign the petition so that the whole area might be considered as one contiguous parcel. He further advised that this action would not imply that the Commission was in favor of the petition, but was merely to clear the way for a public hearing. If this is not done, Mr. Takeyama advised that the Commission could not consider those 3 or 4 parcels on which there was no request for boundary change, at the time of the hearing.

Mr. Moriguchi stated that the request from the petitioners was for reclassification of the entire area, in response to Chairman Thompson's question.

Mr. Takeyama further clarified his earlier suggestion with the statement that it was specifically provided in the law that the Land Use Commission could, on its own motion, initiate a boundary change. This provision was set up to enable the Land Use Commission to open up other lands.

Commissioner Wenkam felt that a broad discussion on the reasonableness, the moral implications, etc., should precede any motion by the Commission.

Chairman Thompson stated that the motion was merely to expedite and facilitate proceedings for the hearing, and that interested parties could voice their feelings at the time of the hearing.

Commissioner Inaba moved that the Land Use Commission initiate a boundary change for those people who did not sign the Allison petition, which was seconded by Commissioner Ota. The motion was carried with the following votes:

Ayes: Commissioners Inaba, Ota, Burns, Nishimura, Chairman Thompson.

Nays: Commissioners Wung, Wenkam, Mark

LITIGATION

Mr. Takeyama, legal counsel, advised that he was meeting with Judge Felix in Hilo tomorrow to discuss the case of Tamura vs. Land Use Commission. He was also appearing in court next week on the motion to dismiss appeal of the Nuuanu Valley Community Association.

ADOPTION OF MINUTES

Minutes of the meetings of October 1, 1965 and October 2, 1965 were adopted as circulated.

The meeting was adjourned at 5:10 p.m.

March 31, 1966

Mr. W. E. Sheehan
Executive Vice President
Alexander & Baldwin, Inc.
P. O. Box 3440
Honolulu, Hawaii

Dear Mr. Sheehan:

The Land Use Commission next meets on April 14, 1966, at 2:00 p.m., in the County Board of Supervisors Chambers at Wailuku, Maui. At that time the petition by Alexander & Baldwin, Inc. (A65-106) for amendment of the Urban District boundary at Kahului, Maui will be heard.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

File

1847

JOSEPH S. MEDEIROS, JR., CHAIRMAN
KAZUO KAGE, VICE-CHAIRMAN
G. ALAN FREELAND, MEMBER
WILLIAM HONG, MEMBER
YOSHIKAZU MATSUI, MEMBER
PETER MATSUOKA, MEMBER
MOTOHISA UNEMORI, MEMBER

KOICHI HAMADA, EX-OFFICIO
HIDEO HAYASHI, EX-OFFICIO
JEAN R. LANE, EX-OFFICIO
MASAO SONE, EX-OFFICIO
ROBERT O. OHATA, PLANNING DIRECTOR
MRS. EVA M. DUPONTE, ADM. ASST.

PLANNING & TRAFFIC COMMISSION
COUNTY OF MAUI
POST OFFICE BOX 1487
KAHULUI, MAUI, HAWAII 96732

RECEIVED
JAN 10 1966
State of Hawaii
LAND USE COMMISSION

January 6, 1966

Mr. George S. Moriguchi
Executive Officer
State Land Use Commission
426 Queen Street
Honolulu, Hawaii 96813

Dear Mr. Moriguchi:

The Maui Planning and Traffic Commission, at its meeting of January 4, 1966, unanimously voted to recommend approval of a petition for amendment to the land use district boundaries submitted by Alexander & Baldwin, Inc. in Kahului, Maui.

The approval is based on the fact that the land is not needed for agricultural purposes, and that the proposed change conforms with the general plan of the County of Maui.

Yours very truly,

Robert O. Ohata

ROBERT O. OHATA
Planning Director

ROO:ko

cc. Alexander & Baldwin, Inc.

State Form B14

STATE OF HAWAII

OFFICIAL RECEIPT No. 94

Planning & Econ. Dev
Department, Bureau or Commission

Dec. 22, 1965

RECEIVED from Ah Kau Young

Fifty and no/100 DOLLARS

Public Hearing Fee - Land Use Commission

$ 50.00

Henry K. Dukas
Public Accountant

For Alexander & Baldwin

December 20, 1965

Mr. Robert O. Ohata, Director
Planning & Traffic Commission
County of Maui
P. O. Box 1487
Kahului, Maui

Dear Mr. Ohata:

Pursuant to Section 98H-4, RLH 1955, as amended, and Act 32/SLH 1965, a copy of a petition for amendment to the land use district boundaries, submitted by Alexander & Baldwin, Inc., together with supporting data and maps, is forwarded to you for your comments and recommendations.

Thank you for your cooperation.

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

Encls. - Petition, etc.

State Form B14

STATE OF HAWAII

OFFICIAL RECEIPT No. 122

Land Use Commission
Department, Bureau or Commission

December 16, 1965

RECEIVED from Alexander & Baldwin, Inc.

Fifty & no/100 DOLLARS

Land Use Commission hearing for boundary change

$50.00

Don Y. Horikawa
Public Accountant

December 20, 1965

Mr. W. E. Sheehan
Executive Vice President
Alexander & Baldwin, Inc.
P. O. Box 3440
Honolulu, Hawaii

Dear Mr. Sheehan:

This is to acknowledge the receipt of a check in the amount of $50.00 for an application by Alexander and Baldwin, Inc. to amend the land use district boundaries as shown on Tax Map Key 3-8-08: 2, Kahului, Maui.

In accordance with Section 98H-4, RLH 1953, as amended, and Act 32/SLH 1965, this Commission must schedule a public hearing on your petition no sooner than 60 days and no more than 120 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 Maui. We will inform you of the date of the hearing as soon as it is determined.

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

Very truly yours,

GEORGE S. MORIGUCHI
Executive Officer

cc: Chairman Thompson
Planning & Traffic Commission,
Maui

1837.

KAHULUI DEVELOPMENT CO., LTD.

POST OFFICE BOX 1527 :: KAHULUI, MAUI, HAWAII

156

No.

December 16, 1965

RECEIVED
DEC 20 1965
State of Hawaii
LAND USE COMMISSION

Mr. George S. Moriguchi, Executive Officer
State of Hawaii, Land Use Commission
426 Queen Street
Honolulu, Hawaii 96813

Dear Sir:

TENTH INCREMENT - KAHULUI TOWN DEVELOPMENT: Enclosed is one copy of our Tenth Increment construction plans * as promised by our Mr. Taylor.

Very truly yours,

KAHULUI DEVELOPMENT CO., LTD.

G. H. Ivey, Jr.
Administrative Assistant

GHI:b
encl.

cc:A&B-Honolulu Land

* See reference file for this.

1830

ALEXANDER & BALDWIN, INC.
822 BISHOP STREET • HONOLULU, HAWAII 96801 • PHONE 563-941
P. O. BOX 3440 TELEGRAPH "ALEXBALD"

December 16, 1965

RECEIVED
DEC 16 1965
State of Hawaii
LAND USE COMMISSION

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

Gentlemen:

Alexander & Baldwin, Inc. and its predecessor, Hawaiian Commercial and Sugar Company, Limited, have been developing Kahului in accordance with a general development plan prepared by Harland Bartholomew & Associates in 1947. Fee simple residential lots have been sold by Kahului Development Company, Limited in a planned development adjacent to the port and the central business district. Nine increments totaling 1900 lots have been developed to date. The Tenth Increment, containing 164 residential lots and 44.569 acres, is the next planned development and is immediately adjacent to the southeasterly side of the Kahului School. Streets and utilities are all extensions of existing facilities within portions of Kahului already developed. A portion of this increment is within the agricultural district. This area is part of the sand hills surrounding Kahului is covered with scrub keawe and has never been used for a higher agricultural use than poor pasture. Topography is suitable for residential development and the proposed plan follows the original Bartholomew proposal of 1947.

We ask that the portion of the Tenth Increment within the agricultural district be included within the urban district, to help orderly development continue in Kahului. There is an immediate demand for these lots.

The Ninth Increment was opened in September, 1965 and of the 97 lots 92 are under contract of sale or have been deeded.

The design of the Tenth Increment has been completed and construction plans are awaiting approval by the County Engineer. We believe that all those lots will be needed to meet the demand in Kahului in 1966. The Eleventh Increment to be developed in 1967 is now being designed.

ALEXANDER & BALDWIN, INC.

#2--Land Use Commission December 16, 1965

It should be noted that the original Bartholomew plan included residential development between Baldwin High School and Kahului Harbor. While two subdivisions were developed on the northerly corner of this tract, the remainder is presently proposed for Community College and other public purposes. This will remove about 500 residential lots from the original Bartholomew plan. Alexander & Baldwin is cooperating with the State in making available this land for these public purposes.

We earnestly solicit your early and favorable action on the attached application. We enclose:

(1) A map of the general plan for Kahului prepared by Bartholomew & Associates with the Tenth Increment outlined in red and the developed areas outlined in green (contours are shown).

(2) Preliminary plan for the subdivision of the Tenth Increment.

We believe you have a copy of the Bartholomew report "The Report Upon The General Development Plan For A New Town Of Kahului, T. H.". The Maui Land Department is mailing you a copy of the proposed construction plans for your information.

Very truly yours,

W. E. Sheehan,
Executive Vice President

Encls.

RHC-RHT:McL

cc: Maui Land Dept.

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

This space for LUC use

Date Petition and Fee received by LUC_____

Date forwarded to County for recommendation_____

Date Petition, and County recommendation received by LUC_____

A65-106

PETITION FOR AMENDMENT TO THE LAND USE COMMISSION DISTRICT BOUNDARY

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

Description of property: PORTION TENTH INCREMENT KAHULUI TOWN DEVELOPMENT Tax Key: 3-8-07-02, being the portion within the Agricultural District (see attached map).

Petitioner's interest in subject property:

See attached letter

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

(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.

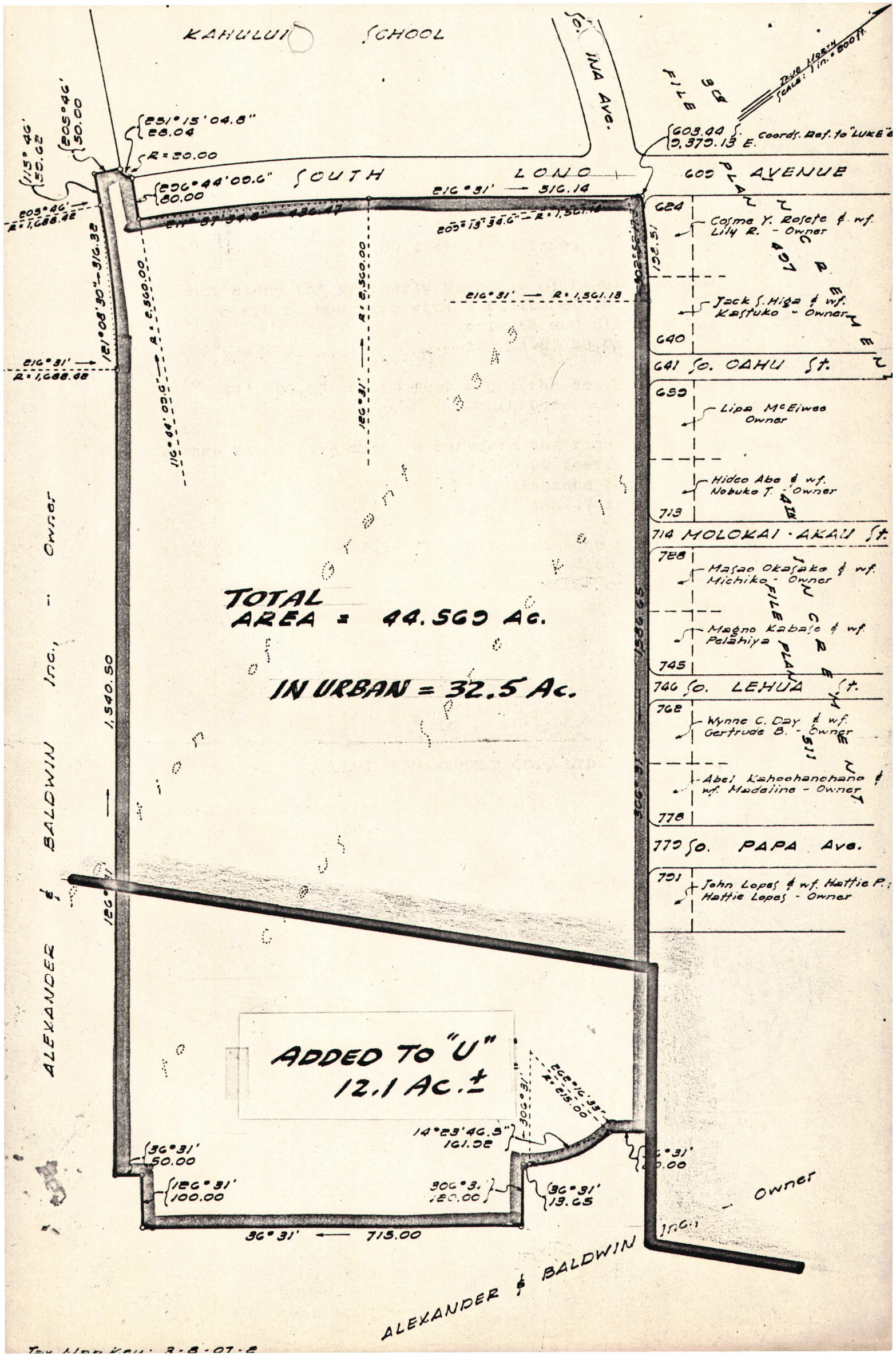
(b) Conditions and trends of development have so changed since adoption of the present classification, that the proposed classification is reasonable.

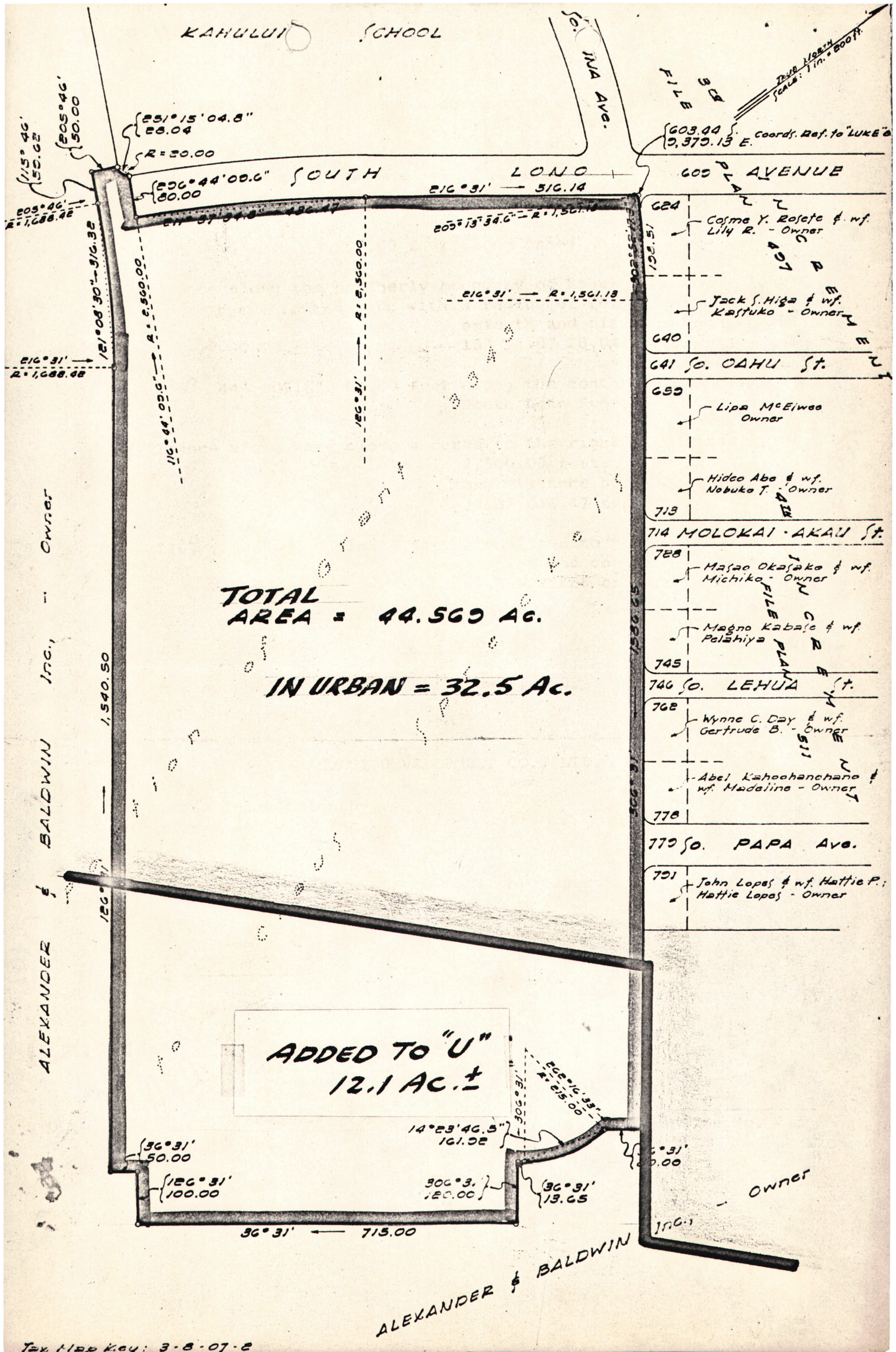
Signature(s) ALEXANDER & BALDWIN, INC.

By W. E. Alexander
EXECUTIVE VICE PRESIDENT

Address: P.O.Box 3440, Honolulu, Hawaii

Telephone: 563-941


KAHULUI SCHOOL
SO. INA Ave.
FILE PLAN 3 CR
True North
Scale: 1 in. = 200 ft.
603.44 S.
9,379.13 E.
Coords. Ref. to "LUKE"
SOUTH LONO AVENUE
251° 15' 04.8"
28.04
R = 20.00
296° 44' 09.6"
80.00
216° 31' → 516.14
209° 13' 34.6" → R = 1,561.13
216° 31' → R = 1,561.13
205° 46'
50.00
115° 46'
50.62
205° 46'
R = 1,688.42
121° 08' 30" → 316.32
216° 31'
R = 1,688.42
116° 44' 09.6" → R = 2,560.00
126° 31' → R = 2,560.00
1,540.50
126° 31'
TOTAL AREA = 44.569 Ac.
IN URBAN = 32.5 Ac.
ADDED TO "U"
12.1 Ac. ±
36° 31'
50.00
126° 31'
100.00
14° 23' 46.5"
161.92
306° 31'
120.00
36° 31'
13.65
36° 31' ← 715.00
ALEXANDER & BALDWIN Inc. - Owner
ALEXANDER & BALDWIN Inc. - Owner
624
Cosme Y. Rosete & wf. Lily R. - Owner
Jack S. Higa & wf. Kastuko - Owner
640
641 So. OAHU St.
659
Lipa McElwee Owner
Hideo Abe & wf. Nobuko T. - Owner
713
714 MOLOKAI - AKAU St.
728
Masao Okasako & wf. Michiko - Owner
Magno Kabase & wf. Pelahiya
745
746 So. LEHUA St.
762
Wynne C. Day & wf. Gertrude B. - Owner
Abel Kahoohanohano & wf. Madeline - Owner
778
779 So. PAPA Ave.
791
John Lopes & wf. Hattie P.; Hattie Lopes - Owner
1586.65
306° 31'
198.51
Tax Map Key: 3-8-07-2


KAHULUI SCHOOL
So. HINA Ave.
FILE 3C8
Texas Highway Scale: 1 in. = 800 ft.
603.44
9,379.13 E.
Coords. Ref. to "LUKE"
SOUTH LONO AVENUE
215° 46' 150.62
205° 46' 50.00
251° 15' 04.8" 28.04
R = 30.00
200° 44' 00.6" 80.00
216° 31' — 316.14
209° 46' R = 1,088.48
209° 13' 34.6" — R = 1,561.13
121° 08' 30" — 316.32
216° 31' R = 1,088.48
110° 44' 06.6" — R = 2,560.00
126° 31' — R = 2,560.00
216° 31' — R = 1,561.13
192.51
624 Cosme Y. Rosete & wf. Lily R. - Owner
640 Jack S. Higa & wf. Kastuko - Owner
641 So. OAHU St.
650 Lipa McElwee Owner
713 Hideo Abe & wf. Nobuko T. - Owner
714 MOLOKAI - AKAU St.
728 Masao Okasako & wf. Michiko - Owner
745 Magno Kabasa & wf. Pelahiya
746 So. LEHUA St.
762 Wynne C. Day & wf. Gertrude B. - Owner
778 Abel Kahoohanohano & wf. Madeline - Owner
779 So. PAPA Ave.
701 John Lopes & wf. Hattie P.; Hattie Lopes - Owner
TOTAL AREA = 44.560 Ac.
IN URBAN = 32.5 Ac.
1,540.50
ALEXANDER & BALDWIN — Owner — Inc.,
126° 31'
ADDED TO "U" 12.1 Ac.±
226° 16' 39" R = 215.00
216° 31' 505.35
14° 23' 46.3" 161.52
36° 31' 50.00
126° 31' 100.00
306° 31' 100.00
36° 31' 13.65
36° 31' — 715.00
ALEXANDER & BALDWIN — Owner — Inc.,
Tax Map Key: 3-8-07-2

KAHULUI HARBOR

PREPARED FOR THE
HAWAIIAN COMMERCIAL & SUGAR CO., LTD.
MAUI AGRICULTURAL CO., LTD.
KAHULUI RAILROAD CO.

97 Ac. VACANT U
(PROP. INDUSTRIAL)

KAHULUI SCHOOL

32.5 Ac

12.1 Ac

285 Ac - VACANT U
(PROP. RESIDENTIAL)

LUC URBAN-AGRICULTURAL BOUNDARY

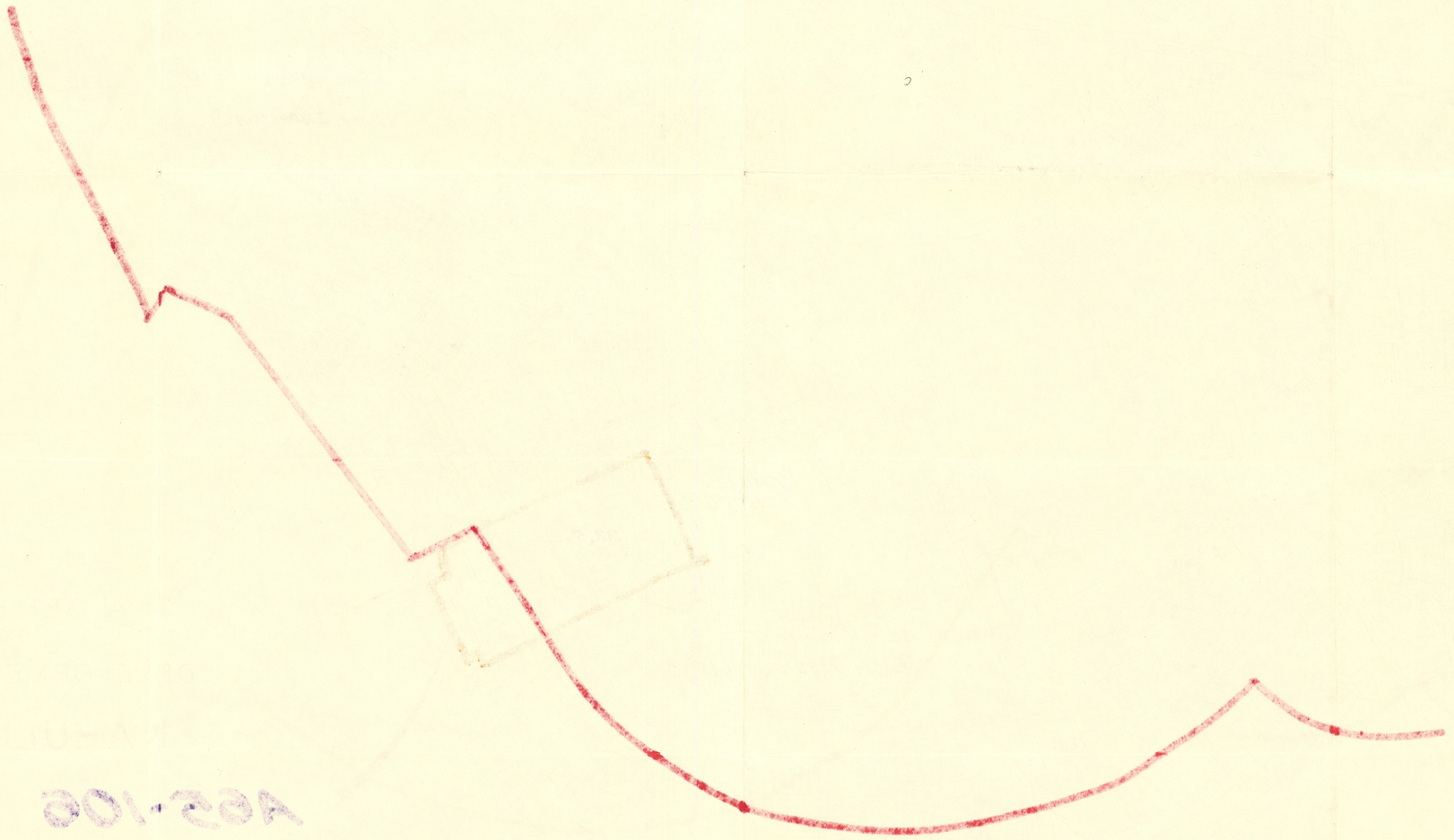
GRAPHIC SCALE
0 300 1200 1500 IN FEET

A GENERAL PLAN
FOR THE
DEVELOPMENT OF A NEW TOWN
AT
KAHULUI, MAUI, T.H.

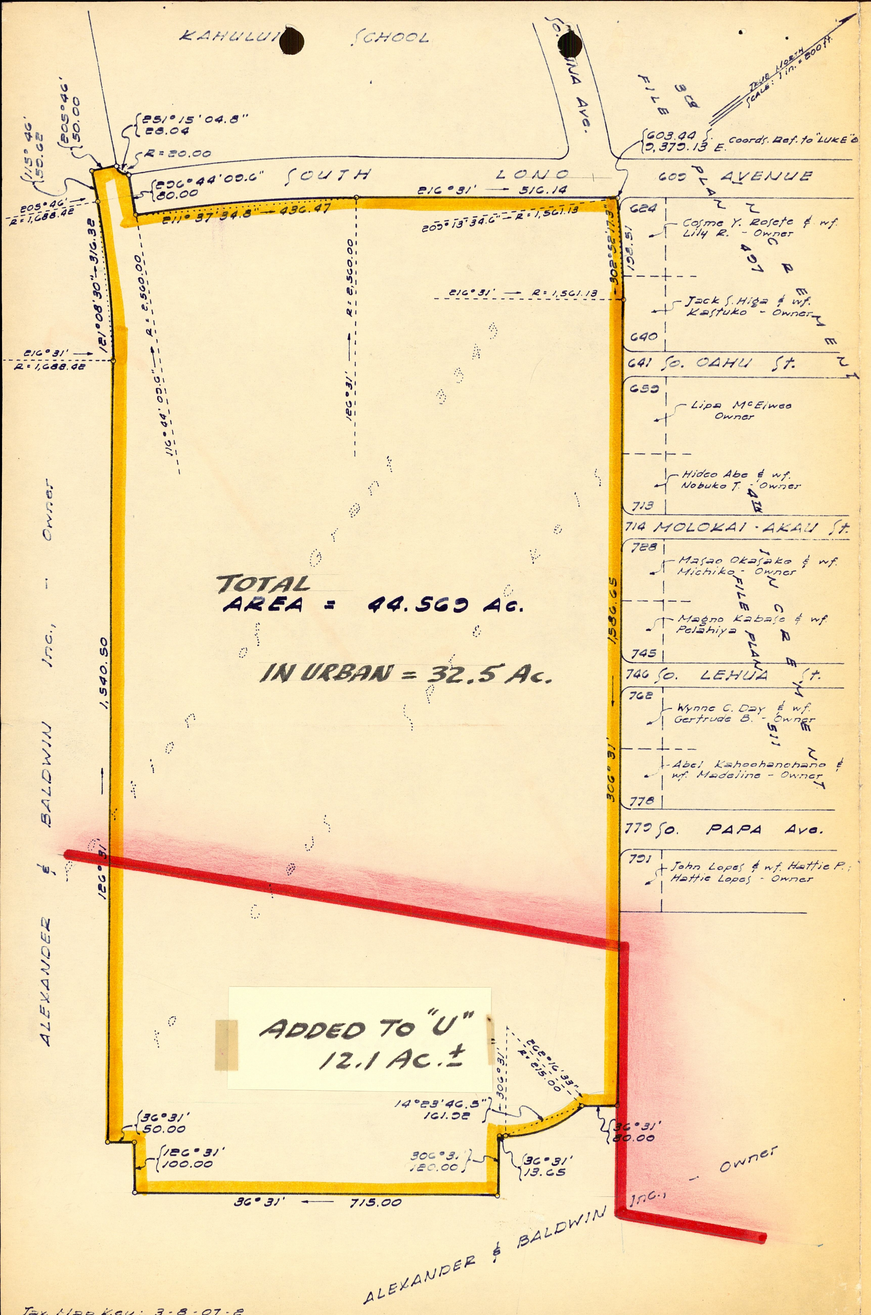
A65-106 A & B, INC.

HARLAND BARTHOLOMEW & ASSOCIATES
CITY PLANNERS
SAINT LOUIS MISSOURI

7545



RECEIVED
DEC 16 1965
State of Hawaii
LAND USE COMMISSION



DESCRIPTION

LAND SITUATE AT WAILUKU COMMONS, KAHULUI, District of Wailuku, Island and County of Maui, State of Hawaii, being a portion of Grant 3343 to Claus Spreckels lying southwesterly of Third Increment Kahului Town (File Plan 497) and Fourth Increment Kahului Town (File Plan 511), and more particularly described as follows:

BEGINNING at a point at the northerly corner of this tract of land on the southeasterly boundary of Lot 609 (South Lono Avenue) of File Plan 497, Third Increment, Kahului Town Development, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being 603.44 feet South and 9,379.13 feet East, and running thence by azimuths measured clockwise from true South:-

1. Along Lots 609 (South Lono Avenue), 624 and 640 of File Plan 497, along a curve to the right with a radius of 1,561.13 feet, the chord azimuth and distance being: 302° 52' 17.3" 198.51 feet;

2. 306° 31' 1,586.65 feet along Lots 640, 641 (South Oahu Street) and 659 of File Plan 497 and Lots 713, 714 (Molokai Akau Street), 728, 745, 746 (South Lehua Street), 762, 778, 779 (South Papa Avenue) and 791 of File Plan 511, and along the remaining portion of Grant 3343 to Claus Spreckels, along land owned by Alexander & Baldwin, Inc.;

3. 36° 31' 80.00 feet along the remaining portion of Grant 3343 to Claus Spreckels, along land owned by Alexander & Baldwin, Inc.;

4. Thence along same, along a curve to the right with a radius of 215.00 feet, the chord azimuth and distance being: 14° 23' 46.5" 161.92 feet;

5. 36° 31' 13.65 feet along same;

6. 306° 31' 120.00 feet along same;

7. 36° 31' 715.00 feet along same;

8. 126° 31' 100.00 feet along same;

9. 36° 31' 50.00 feet along same;

10. 126° 31' 1,540.50 feet along same;

11. Thence along same, along a curve to the left with a radius of 1,688.42 feet, the chord azimuth and distance being: 121° 08' 30" 316.32 feet;

12. 115° 46' 59.62 feet along same;

13. 205° 46' 50.00 feet along same;

14. Thence along the southerly boundary of Kahului School, along a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being: 251° 15' 04.8" 28.04 feet;

15. 296° 44' 09.6" 80.00 feet along the southerly boundary of South Lono Avenue;

16. Thence along same along a curve to the right with a radius of 2,560.00 feet, the chord azimuth and distance being: 211° 37' 34.8" 436.47 feet;

17. 216° 31' 516.14 feet along same to the point of beginning and containing an area of 44.569 acres or more or less.

D E E D

ALEXANDER & BALDWIN, INC.

TO

KAHULUI DEVELOPMENT CO., LTD.

Survey and description by
Alexander & Baldwin, Inc.
Maui Land Department

November 2, 1965

This work was prepared by me or under my supervision.

Field:_____

Office: M. O.

RICHARD H. TAYLOR
REGISTERED LAND SURVEYOR
NO. 415
HAWAII, U.S.A.

R. H. Taylor

Registered Land Surveyor No. 415

7547

ME
11/16-z

PRELIMINARY
SUBDIVISION PLAN
KAHULUI TOWN - 10TH INCREMENT

DATE:

SCALE: 1 in. = 50 ft.

LUC URBAN BOUNDARY

Number of Lots = 164
Lot Areas = 1,407,706 ☐'
Road Areas = 523,800 ☐'
Total Area = 1,931,506 ☐' = 44.341 Ac.

LEGEND
Ex'tg. Sewer
" Water
Proposed Sewer
" Water

7548

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7549

3 8 06

Waiale Pasture
PLAT 07

KAHULUI TOWN
ZONE 3 SEC. 7

Hawaiian Association of Seventh-Day Adventists 1.733 acs.

Honpa Hongwanji Mission of Hawaii 1.309 acs.

Hawaii Baptist Convention (2.300 Ac.) 3.032 acs.

Camp 7 ditch

Field L

PLAT 05

GRANT 3152 KAPULU

Field K

Pump 7

SOUTH BASE

1253.40 Acs (1252.57 Acs.)

FIELD H

3343

Camp

163.328 acs. (162.088 acs.)

(Hawaiian Pineapple Co., Ltd.)le. 2.521 Ac.

(Leong Construction Co., Ltd.)le. 0.815 Ac.

See 4-9-07

2.093 Ac.

(Leong Construction Co., Inc.)le.

Maui Electric Co., Ltd. 52.043 ft

Theo H. Davies Co. Ltd. % le.

511.532 Acs

State of Hawaii 1.205 Acs. PUUNENE TEACHER'S COTTAGE

FIELD G

Pump 5

Camp 1

(1.09 Supply, Inc.)le 0.034 Ac.

Alexander & Baldwin, Inc. (F & M Contractors, Inc)le. 68,135 ft

(1.00 Ac.)

(0.22 Ac.)

52 (Arisumi Brothers, Inc.) le.

PARCEL 46: (welding & industrial products)le.

PARCEL 49:

PARCEL 51: (Graciano P. Beltran, Casiano T. Ibaga, Juan J. Ramos, Casiano Tagatac)le.

Note: All lots owned by Alexander & Baldwin, Inc. unless otherwise noted.

Parcels Dropped: 33, 14, 6, 20, 35, 40, 27,

Owners of Parcel 41 (Assemblies of God in the Hawaiian Islands)le.

(Shimoda Brothers, Ltd.)le. over 0.70 ac.

748.833 Acs.

FIELD F

304.730 Acs. (801.072 Acs.)

Green Camp

Roman Catholic Ch 0.52 Ac. CEMETERY

Alabama Camp

Young Hee Camp

Spanish Camp

Sam Sing Camp

Roman Catholic Church 1.58 acs.

State of Hawaii 10.0 Ac. PUUNENE SCH.

Joseph Rodeo Soares & Sons, Inc.

Pump 6

Field 1

Field 2

Field 4

PLAT 03

PLAT 01

Field D

Field E

KULA ROAD

HANSEN ROAD

WAIKO ROAD

MOKULELE ROAD

PUUNENE AVENUE

Camp 7

Camp 3

Camp 2

Camp 8

(0.046 Ac.) (H.S.P.A.-12)

INSET A

MOKULELE HIGHWAY

PUUNENE AVENUE

Alexander & Baldwin, Inc. (Kenneth L. Hensley)le 18,912 ft (16.9626)

Road 681 m.f.

37 1878 M

INSET "A"

TRUE NORTH 1/A = 100 FT.

0.093 Ac 12

INSET B

TRUE North 1" = 1000'

Dwg. No. 2-8-06 (Sugar Plan Map)
Source: H.S.P.A. Co. (Sugar Plan Map)
By: D.S.C. & H.N. May 1939

POR. WAIKAPU - WAILUKU, MAUI

SUBJECT TO CHANGE

TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP

SECOND DIVISION		
ZONE	SEC.	PLAT
3	8	06

CONTAINING PARCELS

SCALE: 1 in. = 1000 ft.

APR 1 1966

7550



3 8 07
INSET "C"
INSET "B"
ENLARGEMENT
INSET "A"
TO LAHAINA
HONOAPIILANI HIGHWAY
WAIKAPU CHURCH
WAIKAPU STACK
ZONE 3 SEC. 5
ZONE 3 SEC. 4
HALEKOA TRACT
DUMP SITE
Waiale Reservoir
County of Maui
HENRY PERRINE BALDWIN HIGH SCHOOL
State of Hawaii
Virgil E. Walrath
Parcel 68 (Texaco Inc.)
EAST MAIN STREET
KAHULUI HARBOR
KAHULUI TOWN
HAUMANU AVENUE
Maui Pineapple Co. Ltd.
Roman Catholic Church
Wailuku Sugar Co.
PUUNENE AVENUE
PLAT 06 Field H
WEST HAWAII
PLAN 476
FILE PLAN ST.
Tatsuo Hiranaga
Akira Tadaki
Kenso Seno
Shigue Nakamura
Kengo Tagomori
Masao Sakuma
George Kondo
Mac Masato Okada
Stephen A. Yap
Janet H. Yap
Mary C. Yap
Parcel 59 & 60:
(Kahului Railroad Co.)
(Elmer L. Davis) sub-le
78 National Division of the Board of Missions of the Methodist Church
Owners of Parcel 11: Maui Publishing Co. Ltd.
Note: All parcels owned by Alexander & Baldwin, Inc. unless otherwise noted.
SUBJECT TO CHANGE
DROPPED PARCELS
TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP
SECOND DIVISION
ZONE 3 SEC. 8 PLAT 07
CONTAINING PARCELS
SCALE: 1 in. = 1000 ft.
APR 1 1966
POR. WAILUKU MAUI
Dwg. No. 343
Source: H.C.&S. Co. Ltd. (Sug. Plt. Map)
By: D.S.C.&N. June 1939
7551