

A67-151

TOSHIO NAKAMOTO AND IWA  JYO

Eagle-A
Type-Erase
25% COTTON FIBER

October 16, 1967

Messrs. T. Nakamoto & Iwao Jyo
P. O. Box 244
Kealahou, Hawaii 96750

Gentlemen:

The petition by Toshio Nakamoto and Iwao Jyo (A67-151) to amend the land use district boundaries from an Agricultural District to an Urban District for approximately 3 acres of land at North Kona, Hawaii, identifiable by Tax Map Key 7-7-08: 18, was approved by the Land Use Commission at its meeting on October 13, 1967.

Very truly yours,

RAMON DURAN
Executive Officer

cc: Department of Taxation
Dept. of Land & Nat. Res.
Hawaii Planning Commission

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

Item A67-151 - ;Nakamoto & Jyo

Date October 13, 1967

Place Hilo, Hawaii

Time 3:00 p.m.

Commissioners	Yes	No	Abstain	Absent
BURNS, C.E.S.	✓			
FERRY, J.	✓			
INABA, G.	✓			
MARK, S.	✓			
NISHIMURA, S.	✓			
HIRAKAMI, K. XXXXXXXX	.			✓
CHOI, W. XXXXXXXX	✓			
WUNG, L.	✓			
XXXXXXXXXXXX XXXXXXXXXXXX				

Comments:

Approved

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

County Building
Hilo, Hawaii

October 13, 1967 - 3:00 p.m.

Commissioners Present: C. E. S. Burns, Jr., Chairman
Shelley Mark
Jim P. Ferry
Wilbert Choi
Goro Inaba
Leslie Wung
Shiro Nishimura

Commissioner Absent: Keigo Murakami

Staff Present: Ramon Duran, Executive Officer
Roy Takeyama, Legal Counsel
Ah Sung Leong, Planner III
Dora Horikawa, Stenographer

ADOPTION OF MINUTES

Commissioner Choi moved to approve the minutes of July 28, 1967 as circulated which was seconded by Commissioner Nishimura and unanimously passed.

Chairman Burns swore in all persons, except attorneys, planning on testifying before the Commission.

HEARINGS

PETITION BY KUAKINI INVESTMENT INCORPORATED (A67-157) TO RECLASSIFY APPROXIMATELY 19.4 ACRES FROM AGRICULTURE TO URBAN AT NORTH KONA, HAWAII

A recommendation for denial of the petition based on analysis and field investigation was made in the staff report presented by the Executive Officer. (See copy of report on file.)

Mr. Duran advised that during a study relating to a petition considered previously, the following statistics were brought out:

1. There is a population of approximately 10,000 people in Kona.
2. There are over 3,300 acres of vacant urban lands. On the basis of 10,000 square foot lots, this could accommodate 10,000 dwelling units and a total population of 40,000 people at the ratio of 4 persons per dwelling.
3. In addition, there are 450 acres in the Rural District. At one-half acre per lot, this would add another 900 lots or homes for 3,600 people.

October 13, 1967

4. There are also 850 vacant lots in the non-conforming subdivisions scattered throughout the Kona area.

It was further pointed out that much of petitioner's land exceeded slopes of 20% and that there was nothing unique or unusual about the proposed subdivision.

Mr. Duran advised that the Commissioners would have an opportunity to survey the land during the field trip in Kona tomorrow.

Since there was no testimony, the hearing was closed.

PETITION BY ANNIE K. KAOLOWI (A67-159) TO RECLASSIFY APPROXIMATELY 1.08 ACRES FROM AGRICULTURAL TO URBAN AT LAUPAHOEHOE, HAWAII

Approval of the petition on the basis of staff analysis was recommended as outlined in the staff report (see copy of report on file).

Mr. Leong elaborated that a residence existed on the subject property, and that a map submitted by the petitioner dated February 12, 1964 shows a subdivision of the parcel which, somehow, was never recorded on the tax maps.

Petitioner did not have anything further to add and the hearing was closed.

ACTION

PETITION BY TOSHIO NAKAMOTO AND IWAO JYO (A67-151)

Mr. Leong presented staff memo recommending approval of petition based on the earlier recommendation made during the public hearing (see copy of report on file).

Commissioner Wung moved to approve the petition as recommended by staff. Commissioner Choi seconded the motion and it was passed unanimously.

PETITION BY YASUO KUWAYE AND HIROMU YAMANAKA (A67-153) TO RECLASSIFY 33 ACRES FROM THE AGRICULTURAL TO THE URBAN DISTRICT AT HILO, HAWAII

In view of the new "cluster" concept subdivision proposed by the petitioner, and since public facilities are available and the soil is not conducive for intensive agriculture, it was recommended in the staff memo that the petition be approved. (See copy of report on file.)

Mr. Duran pointed to the new preliminary cluster design as proposed by the petitioners and the original subdivision plan for a comparison. Such a cluster design which provided for a considerable amount of open space would be difficult to develop unless the entire area were considered altogether.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

October 13, 1967

TO: LAND USE COMMISSION
FROM: STAFF
SUBJECT: A67-151 - TOSHIO NAKAMOTO AND IWAO JYO

A public hearing to consider this petition to reclassify approximately 3.2 acres of land situated at Pahoehe, North Kona, from an agricultural designation to an urban designation was held on July 28, 1967. Three sides of the parcel in question abut an Urban District.

It was the recommendation of the Hawaii County Planning Commission and the Land Use Commission staff that the petition be approved since the request is reasonable and not contrary to the objectives of the Land Use Law. It was also noted that the proposed use conforms with both the State and County General Plans.

Further information on the matter has not been received either for or against the petition. Therefore, the original recommendation for approval is maintained.

September 27, 1967

Messrs. T. Nakamoto & Iwao Jyo
P. O. Box 244
Kealahou, Hawaii 96750

Gentlemen:

This is to advise you that the Land Use Commission next meets on October 13, 1967 at 3:00 p.m., at the County Building, 25 Aupuni Street, Hilo, Hawaii.

On or about that time a decision on your petition (A67-151) 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,

RAMON DURAN
Executive Officer

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Hale Halawai Cultural Center
Kona, Hawaii

July 28, 1967 - 1:00 p.m.

Commissioners Present: C. E. S. Burns, Jr., Chairman
Wilbert Choi
Shelley Mark
Leslie Wung
Goro Inaba
Keigo Murakami
Shiro Nishimura

Commissioner Absent: Jim P. Ferry

Staff Present: Ramon Duran, Executive Officer
Roy Takeyama, Legal Counsel
Ah Sung Leong, Planner III
Dora Horikawa, Stenographer

ADOPTION OF MINUTES

The minutes of the meetings of March 31, 1967 and May 26, 1967 were approved as circulated.

Chairman Burns swore in persons planning to testify before the Commission.

HEARINGS

PETITION OF TOSHIO NAKAMOTO & IWAO JYO (A67-51) TO RECLASSIFY 3.2 ACRES OF LAND FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT AT PAHOEHOE 1ST, NORTH KONA, HAWAII, TMK 7-7-08: 18

Mr. Ah Sung Leong presented the staff report recommending approval of the petition on the basis of the statements outlined therein (see copy of report on file).

Since there was no testimony from the petitioners, nor any questions from the Commissioners, the hearing was closed.

PETITION OF YASUO KUWAYE AND HIROMU YAMANAKA TO RECLASSIFY 33 ACRES FROM THE AGRICULTURAL TO THE URBAN DISTRICT, FOR LANDS LOCATED IN HILO, HAWAII, TMK 2-4-22: PARCELS 8, 9, 17 to 30 INCLUSIVE

Mr. Ramon Duran's staff report enumerated the reasons for recommending denial of the petition (see copy of report on file). It was pointed out that

STATE OF HAWAII
LAND USE COMMISSION

Hale Halawai Cultural Center
Kona, Hawaii

July 28, 1967
1:00 P. M.

STAFF REPORT

A67-151 - TOSHIO NAKAMOTO & IWAO JYO

Petitioners' Request and Justification

Messrs. Toshio Nakamoto and Iwao Jyo have petitioned the Land Use Commission for an amendment to the land use district boundaries from an agricultural to an urban designation for approximately 3.2 acres of land situate at Pahoehe 1st, N. Kona, Hawaii, and identified as parcel 18 of TMK 7-7-08.

The petitioners submit the change is warranted because of the following reasons:

1. The 1966 property tax on the parcel amounted to \$283.00 which they regard as being too high for agricultural lands.
2. The parcel is contiguous to urban uses and is within walking distance to the renowned Disappearing Sands Beach.
3. The subject parcel is the only one under the Agricultural District in that area. (This statement should be clarified by the petitioner at the hearing. The staff assumes that the petitioners meant that this is the only small parcel on the mauka side of the road districted for agricultural use in the area.)
4. The proposed county zoning for the surrounding area is for resort use.

County Planning Commission Recommendation

A recommendation for approval of the petition was received from the Hawaii County Planning Commission based on the following findings:

1. The request is reasonable and the property abuts an Urban District.

2. The County General Plan calls for more depth in urban development than exists at present along this shoreline which would result in a more orderly growth.
3. The County Plan designates the area for medium density urban development.
4. The area is not in its highest and best use under the present classification because of soil conditions and proximity to urban developments.

Analysis

The land under consideration is located approximately 3 miles south of Kailua, Kona on the mauka side of Alii Drive. It has a frontage of about 225 feet along this coastal road leading to Keauhou Bay. Urban developments in this area are strung out intermittently along the main road and consists principally of single family residences. However, within a distance of approximately 200 yards of the subject property is the 37-unit Kona Magic Sands Condominium apartment/hotel in operation, and the Kona White Sands Apartment/Hotel is located immediately adjacent on the Kailua-Kona side of the property in question. Kona's Disappearing Sands Beach is across the road from the subject parcel. The land itself is presently vacant with the exception of an old single family dwelling located within 50 yards of Alii Drive.

The soil on the subject land is classified as Waiaka sandy clay loam, very shallow phase over aa lava. It is described as being extremely stony with occasional outcrops of bedrock and is unsuited for machine cultivation. Most of the lands in this series are in grazing use. Median annual rainfall is approximately 26 inches. The basic public utilities are readily available.

All of the reasons presented by the petitioner to justify his request do not address themselves directly to the question of the need for reclassifi-

cation of his land. However, field investigation of the site and evaluation of all data by the staff indicate that the request for reclassification is reasonable and not contrary to the objectives of the Land Use Law. The reasons for this conclusion are as follows:

1. The recently completed (December, 1966) Kona Magic Sands Hotel, together with the previously constructed Kona White Sands Hotel next to the subject property, reflects the changing trend of development in the area.
2. The site is usable and adaptable for the proposed use from the standpoint of topography and drainage. Its proximity to the Disappearing Sands Beach and its frontage on Alii Drive are factors which add to the suitability of urban districting. The frontage on Alii Drive places all utilities within easy access and would result in better utilization of the existing facilities at no additional cost to the government.
3. Unfavorable soil conditions have discouraged any intensive agricultural activities on the subject land. Its value to agriculture at present is inconsequential and minimal. On the other hand, urban districting would permit a more productive use of the land, contributing thereby to the development of the tourist industry and to the public welfare.
4. Since the subject property is bounded on 3 sides by the existing Urban District, the inclusion of the property in question in the Urban District would provide a more logical district boundary and concern over scattered urban developments would not be a factor in this case.
5. Reclassification would incorporate into the Urban District the only

remaining parcel less than 3 acres in size districted for agricultural use on the mauka side of the road. The parcel actually comprises 3.276 acres, but over $\frac{1}{4}$ acre is reserved for the road easement along Alii Drive, thereby leaving a balance of 2.959 acres.

6. The proposed use conforms with the uses prescribed by the County and State General Plans.

Recommendation

On the basis of the statements outlined above, the staff concurs with the Hawaii County Planning Commission in recommending approval of this petition.

July 17, 1967

Messrs. T. Nakamoto & Iwao Jyo
P. O. Box 244
Kealahou, Hawaii 96750

Gentlemen:

This is to advise you of the public hearing on your petition that will be conducted by the Land Use Commission on July 28, 1967 at 1:00 p.m., at the Hale Halawai Cultural Center, Kona, Hawaii.

Very truly yours,

RAMON DURAN, Executive Officer

Modal profile of the Waiaha series:

- A₁ 0 to 5 inches, dark reddish-brown sandy clay loam; well-developed fine crumb structure; very friable when moist and nonplastic when wet; pH 6.0 to 7.0; roots very numerous.
- B 5 to 10 inches, yellowish-red to reddish-brown sandy clay loam; moderately developed medium crumb structure; friable when moist and nonplastic when wet; pH 6.0 to 7.0; roots numerous.
- C 10 to 12 inches, gritty mixture of weathering volcanic ash and fragments of bedrock; pH mainly about 7.0; rests on relatively unweathered lava; free carbonates may occur in crevices of the underlying lava.

✓ **Waiaha sandy clay loam, very shallow phase over Aa lava** (5 to 20 percent slopes) (Wd).—This soil is confined to the Kona section on the island of Hawaii; it occurs at elevations less than 850 feet. The soil profile and its variations are those described for the Waiaha series. The soil is extremely stony, has bedrock outcrops in some places, and is unsuited to machine cultivation. Only a few areas are used for hand-cultivated vegetable crops and fruits. Practically all of the soil is grazed.

Many different kinds of shrubs, grasses, and herbs grow on this soil. Most of the grasses normally found are annuals growing in association with Bermudagrass or Natal redtop. In most places the Bermudagrass or redtop forms a perennial cover. Piligrass is particularly prominent. Lantana and various other shrubs occur. The lantana has crowded out almost all other plants in some areas, and one of the main problems of grazing management is that of providing plants that can compete with this aggressive plant. It appears that koahaole may be able to compete with the lantana under restricted grazing, or in some areas replace it. When koahaole is heavily grazed, its ability to compete is greatly decreased. This problem of controlling lantana is intensified because the stoniness of this shallow soil limits use of machinery. Cactus grows on all of this soil; it is generally regarded as a pest but it is an important source of water during dry years and also furnishes some feed.

The forage produced on this soil is seasonal but of exceptionally high quality for fattening cattle. It was noted that a mixed stand of Guineagrass, elephantgrass, and koahaole appeared to be competing effectively with lantana in a few areas. This phase generally supports more productive pasture than the phase over the Pahoe-hoe lava, for it extends into pockets in the broken rough underlying Aa lava and therefore holds more moisture. Information on the carrying capacity of this soil was not obtained, but it should be similar to that of Puu Pa stony very fine sandy loam, moderately steep phase.

Waiaha sandy clay loam, very shallow phase over Pahoehoe lava (5 to 20 percent slopes) (WE).—This shallow soil is only 4 to 10 inches deep over relatively unbroken and slightly weathered Pahoehoe lava. It occurs in the Kona section on Hawaii below elevations of 850 feet,

and near Koloa on the variations are essential. The soil is not so variable here because the surface is unbroken.

The surface is stony of the soil is cultivated is used for pasture, but cane at the time of sugar reported to be fair to extremely difficult, however the soil must be consi-

Areas of this soil
that described for the
grass, Natal redtop,
important grasses nat
grasses are many sh
relatively good. Lan
the more important p
Guineagrass, elephan
the lantana and appe
less productive of for
primarily because it
droughtiness. The
cattle.

Soils of the Pakeia
Hawaii; they appear
The deeper layers con-
sist of silty material that
contains ranging from
clayey material ranging
from 20 to 40% clay.
B. Near sea level
this area may be con-

These soils have characteristic of soils in the carbonate accumulation in reaction through finer textured than group. The finer minerals have undergone

Modal profile of

- | | |
|----------------------------------|---|
| A ₁₁ | 0 to 6 inches developed fine nonplastic w |
| A ₁₂ | 6 to 12 inches developed m |
| B | plastic when structure; fri |
| B ₃ or C ₁ | 32 to 7.5; few root |

RECEIVED

JUN 1967

State of Hawaii
COUNTY OF HAWAII
LAND USE COMMISSION
COUNTY PLANNING COMMISSION

Applicant Messrs. T. Nakamoto and Iwao Jyo
Date petition received by
Planning Commission April 10, 1967
Date of Planning Commission
Meeting
Date petition and recommendations
forwarded to LUC June 1, 1967

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:

from its present classification in a(n) agricultural district
into a(n) urban district.

The Commission decided to recommend:

on the basis of the following findings:

1. Request is reasonable and is contiguous to an existing urban boundary.
2. Present urban district follows a strip along the shoreline from Kailua to Kahaluu; to have such an urban district remain as such will create development to be along the shoreline, thus creating a heavy urban concentration on areas which are the prime natural requisite of Kona. Our County General Plan calls for more depth in urban development along this shoreline for a more orderly and conducive growth.
3. Our County General Plan designates area in medium density urban development.
4. Area is not in the highest and best use to remain in agricultural district because of the stony soil condition and being close to resort and residential developments.

(Signed)

[Signature]
Director, County Planning Commission

State Form B14

STATE OF HAWAII

Department of Planning
and Economic Development

Department, Bureau or Commission

OFFICIAL
RECEIPT

No. 176

RECEIVED from

Kona Investment Hui

Fifty and no/100

DOLLARS

LUC - Hearing Fee

\$

50.00

Jean H. Kamitono

Public Accountant

April 7, 1967

Mr. Raymond Suefuji
Planning Director
Planning Commission
Hilo, Hawaii

Dear Mr. Suefuji:

Pursuant to Section 93H-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 Messrs. T. Nakamoto and Iwao Jyo, together with a map is forwarded to you for your comments and recommendations.

Thank you for your cooperation.

Very truly yours,

RAMON DURAN
Executive Officer

Encls.

April 7, 1967

Messrs. T. Nakamoto and Iwao Jyo
P. O. Box 244
Kealahou, Hawaii 96750

Gentlemen:

This is to acknowledge the receipt of your petition to amend the land use district boundaries as shown on Tax Map Key 7-7-08: 18 at Pahoehe 4th, North Kona, Hawaii, and also your check in the amount of \$50.00.

In accordance with Section 98H-4, RLH 1955, 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 Hawaii. 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,

RAMON DURAN
Executive Officer

cc: Hawaii Planning Comm.

STATE OF HAWAII

OFFICIAL
RECEIPT

No. 164

Land Use Commission

Department, Bureau or Commission

RECEIVED from Kona Investment Fund April 6 19 67
Fifty + 00/100 DOLLARS

\$ 50⁰⁰

Don H. Hinkman

Public Accountant

RECEIVED

APR 6 1967

State of Hawaii
LAND USE COMMISSION

A67-151

Kealahou, Hawaii
P.O. Box 244
April 5, 1967

Land Use Commission
426 Queen Street
Honolulu, Hawaii.

Gentlemen:

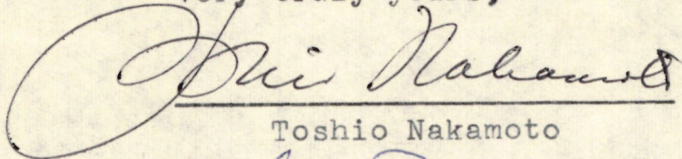
Re: TMK 7-7-08-18, area 2.959 acres
Pahoehoe 4th, North Kona, Hawaii

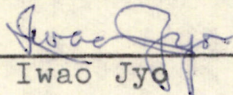
We, the undersigned owners of the above property, which was purchased on Feb. 15, 1967 under the Court auction, request the subject property boundary changed from the present Agricultural district into Urban district, and you will find attached \$50.00 fee and application for this matter.

You will note on map enclosed for your convenience, the subject parcel is the only one under the agricultural district in that area, and furthermore, under the proposed zoning for Kona, the surrounding area is to be zoned, Resort.

For the reasons as above and in our application attached, your kind consideration to our application shall be appreciated.

Very truly yours,


Toshio Nakamoto


Iwao Jyo

Enclosures:
check
application

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

RECEIVED
APR 6 1967
State of Hawaii
LAND USE COMMISSION

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 _____

A67-151

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 Hawaii, Island of Hawaii,

map number and/or name _____ to change the district

designation of the following described property from its present classification

an Agricultural
in ~~a(n)~~ Greenbelt district into a(n) Urban district.

Description of property: That part of the land described in and covered by Royal Patent Grant No. 2034 to Kaupulehe, situate at Pahoehe 4, North Kona, Island, County of Hawaii, State of Hawaii, lying Mauka of Alii Drive, containing an area of ~~2.959~~ 2.959 acres more or less, being Tax Key: 7-7-08-18.

Petitioner's interest in subject property:

Owners.

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

- (a) 1966 Real property tax is \$283.02, high for green belt.
(b) Adjoining Kona White/Apartment on the north, residence on the south and west. Walking distance to Kona Famous disappearing sand about 75 feet away.
(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) _____

Address: _____

Telephone: _____

P.O. Box 244,

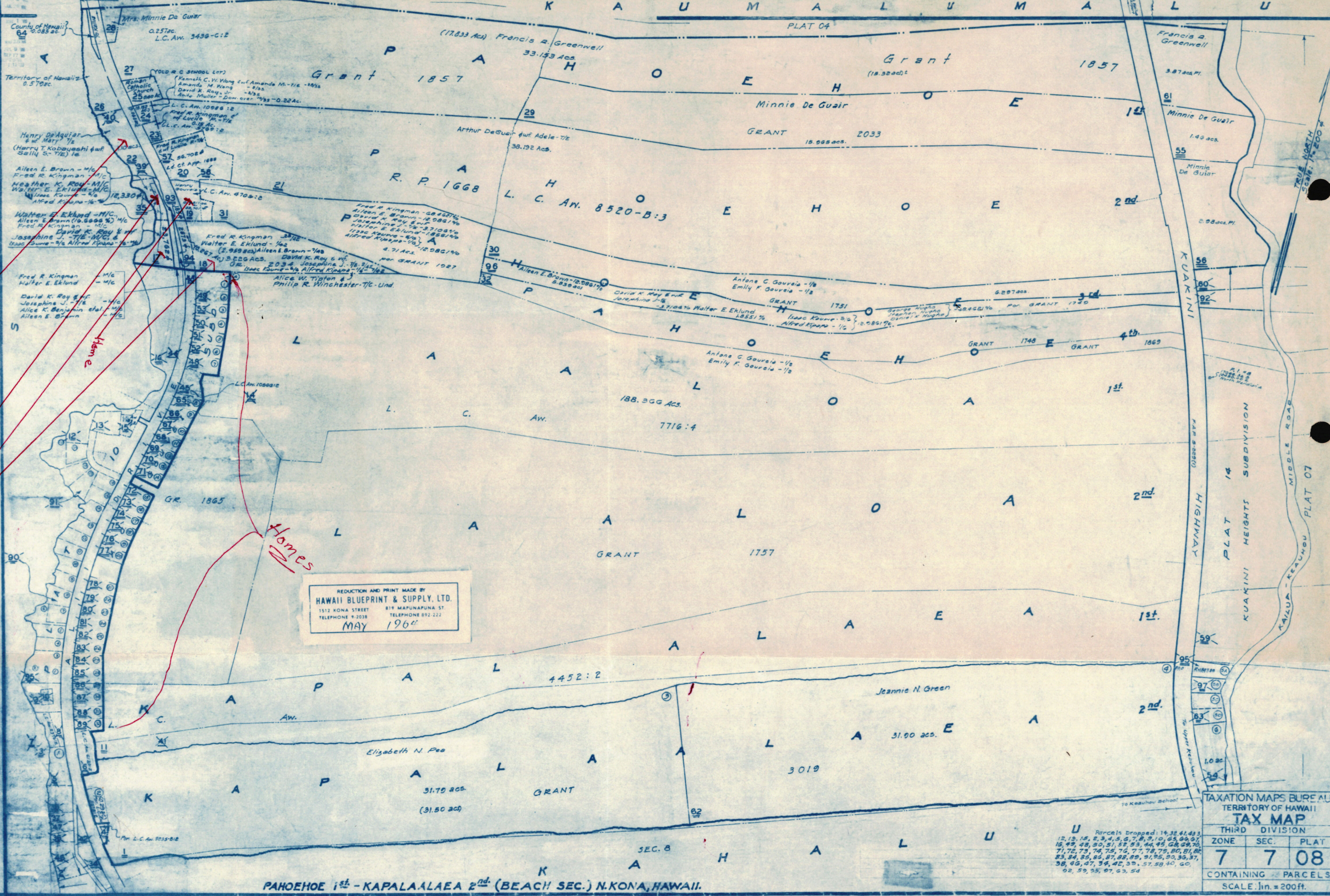
Kealahou, Hawaii 96750

237-252

(Kona Investment (Inc))
over signature on \$50 check

CORRECTED
FEB 27 1939
MAR 29 1939
APR 25 1939
MAY 2 1939

Subject Property
Kona White Sand Apartment
Disappearing Sand
Kona White Sand Condominium



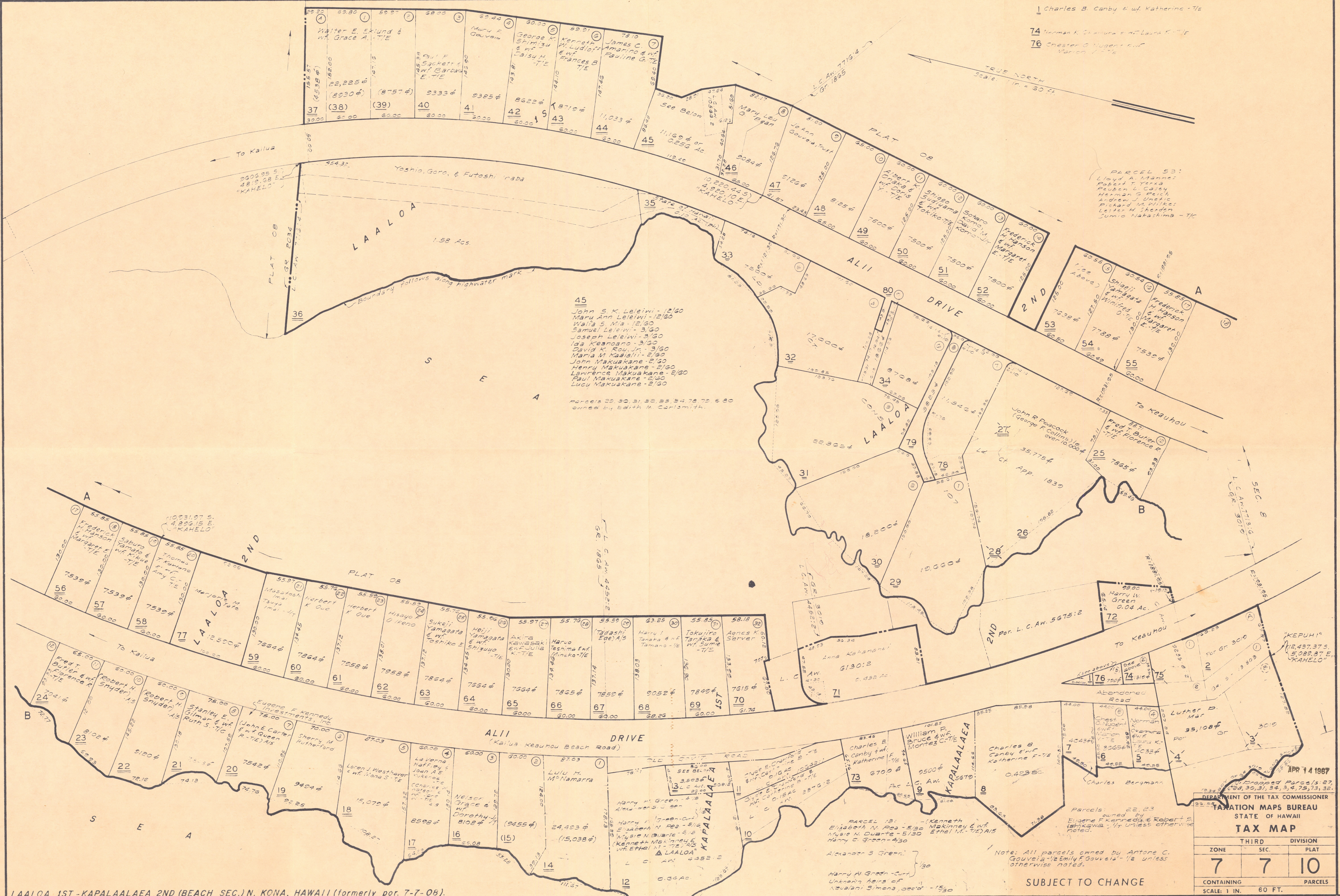
REDUCTION AND PRINT MADE BY
HAWAII BLUEPRINT & SUPPLY, LTD.
1512 KONA STREET 819 MAPUNAPUNA ST.
TELEPHONE 9-2038 TELEPHONE 892-222
MAY 1964

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
THIRD DIVISION		
ZONE	SEC.	PLAT
7	7	08
CONTAINING PARCELS		
SCALE 1 in. = 200 ft.		



Fred Y. Fujimoto
0.45 Ac.
L.C. Am. 5561-D

DWG. NO. 1
SOURCE: TAXATION MAPS BUREAU
FEBRUARY 5, 1960
BY: JLS



APR 14 1967
DEPARTMENT OF THE TAX COMMISSIONER
TAXATION MAPS BUREAU
STATE OF HAWAII
TAX MAP

ZONE	SEC.	PLAT
7	7	10

CONTAINING 60 PARCELS
SCALE: 1 IN. = 60 FT.

LAALO A 1ST - KAPALAAALAEA 2ND (BEACH SEC.) N. KONA, HAWAII (formerly por. 7-7-08).



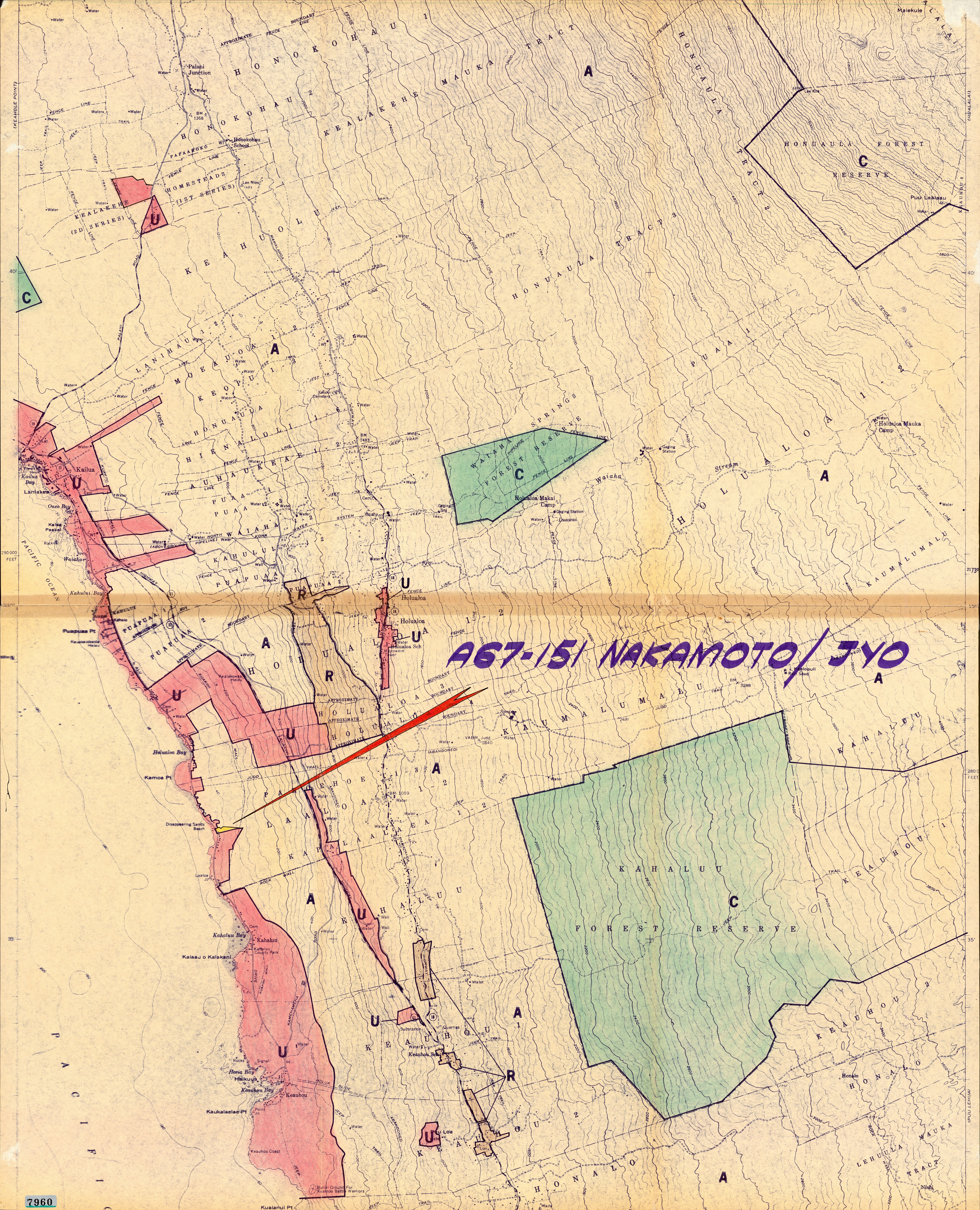
VACANT

VACANT

VACANT

A67-151 NAKAMOTO & JYO

1"=200'



A67-151 NAKAMOTO/340