

A67-159 - ANNIE K. K. KAOLOWI

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Hale Halawai Cultural Center
Kona, Hawaii

January 12, 1968 - 1:00 p.m.

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

Commissioner Absent: Shelley Mark

Staff Present: Ramon Duran, Executive Officer
Ah Sung Leong, Planner III
Roy Takeyama, Legal Counsel
George Pai, Attorney General's Office
Dora Horikawa, Stenographer

Persons planning to testify before the Commission were sworn in by Chairman Burns.

HEARING

PETITION BY OLOHANA CORPORATION (A67-166) TO RECLASSIFY APPROXIMATELY 840 ACRES FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT AT KAWAIHAE, HAWAII

A recommendation to approve the petition was presented by Mr. Duran in the staff report, on the basis that the request did not contribute toward scattered urban developments, conformed to the General Plans of the County and of the State of Hawaii, and the area was not suited for any agricultural pursuit.

Mr. Duran advised that staff was in receipt of a letter from the Queen's Hospital, owners of portions of the petitioned area, endorsing and concurring with petitioner's request for the reclassification. However, the signature of Richard Smart, owner of a portion of the area petitioned, supporting the request has not been received.

It was pointed out that since approximately two-thirds of the 400 acres owned by Mr. Smart were presently in golf course use, about 150 acres would be available for residential development.

It was Mr. Duran's understanding that adequate water was available in the Kawaihae District.

January 12, 1968

ACTION

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

Based on the fact that the petitioner's additional data had not provided proof of need for the reclassification and on the staff's analysis of October 13, 1967, it was again recommended that the petition be disapproved (see copy of report on file).

Commissioner Ferry referred to previous discussions involving other petitions in which it was brought out that due to the pattern of ownership, much of the urban-zoned lands were not necessarily available for sale and development. He felt too much emphasis was being placed on undeveloped urban lands.

Mr. Duran agreed that all these points merited consideration and should be discussed at the time of the boundary review later in the year. He also suggested that it might be appropriate at this time to encourage deferral of petitions involving substantial land areas.

Mr. Carlsmith, attorney representing petitioner, advised that Mr. Gouveia had sold 200 acres of land to some developers some years back. Mr. Gouveia himself had only developed a strip of lots in the 50's and another subdivision in the makai area in 1962 which were completely sold. Presently, Mr. Gouveia did not own any urban-zoned undeveloped lands.

Commissioner Ferry moved that the petition be approved on the grounds that it is suitable for urban development, seconded by Commissioner Choi. The motion was carried unanimously.

✓ PETITION BY ANNIE KAOLWI TO RECLASSIFY 1.08 ACRES AT LAUPAHOEHOE, HAWAII FROM AGRICULTURE TO URBAN

A recommendation for approval of the petition was presented by Mr. Ah Sung Leong since it would not contribute to scattered urban development and conforms with the County General Plan (see copy of report on file).

Commissioner Choi moved to accept the staff's recommendation which was seconded by Commissioner Murakami and passed unanimously.

EXTENSION REQUEST BY RICHARD SMART ON SPECIAL PERMIT (SP66-34) TO EXPAND A COMMERCIAL BUILDING INTO AN ADJOINING AGRICULTURALLY ZONED LOT

Mr. Leong read a letter from the Hawaii County Planning Commission to Mr. Roy Nakamoto granting an extension of 6 months to Richard Smart to expand a commercial building into an adjoining agriculturally-zoned lot at South Kohala, Hawaii (see copy of letter on file).

January 15, 1968

Mrs. Annie K. Kaolowi
P. O. Box 46
Laupahoehoe, Hawaii

Dear Mrs. Kaolowi:

Your petition (A67-159) to amend the land use district boundaries from an Agricultural District to an Urban District at Laupahoehoe, Hawaii, identifiable by Tax Map Key 3-5-05: portion of 3, was approved by the Land Use Commission at its meeting on January 12, 1968.

Very truly yours,

RAMON DURAN
Executive Officer

Encl.

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

*Eagle-It
Type-Erase
25% COTTON FIBER*

HIGHWAY

FAP

F-019-2 (3)

Nodoru
Ishizu (2)
Gr. 10253
0.391 AC.

(3)
Gr. 10192
KIHALANI
0.37 AC.

Iaka
Terada (4)
0.361 AC.
21 GR 10426

Shioriichi
Terada & Wf. (5)
Ella Y-T/E
Gr. 10244
HOUSE
22 0.342 AC.

see right.
Gr. 10181
0.325 AC.
23 LOTS

Matsumura &
Wf. (6)
Gr. 10175
24 0.302

19
GOV
Church
lands
Kaiwa-Dower
K. Kaolowi, Jr.
3.08 acs.
6237

MAIN ROAD
Shioriichi
Susan
Masaru
Takashi
Okamura
Okamura
Okamura

1.08 AC
TMK 3-5-05
POR 3
ROAD

SCHOOL

HOMESTEAD

LAUPAHOEHOE

LAUPAHOEHOE

(0.125 acs)

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

Item A67-159 - Annie Kaolowi

Date January 12, 1968

Place Hale Halawai Cultural Center
Kona, Hawaii

Time 1:00 p.m.

Names	Yes	No	Abstain	Absent
WUNG, L.	✓			
INABA, G.	✓			
MURAKAMI, K.	✓			
XXXXXXXXXX OTA, C.				
CHOI, W.	✓			
XXXXXXXXXX WENKAM, R.				
BURNS, C.E.S.	✓			
NISHIMURA, S.	✓			
MARK, S.				
FERRY, J.	✓			
XXXXXXXXXXXX THOMPSON, M.				

Comments:

Approved

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

January 12, 1968

TO: LAND USE COMMISSION
FROM: STAFF
SUBJECT: A67-159 - ANNIE K. K. KAOLOWI

This petition by Mrs. Kaolowi to reclassify 1.08 acres at Laupahoehoe, Hawaii, was publicly heard on October 13, 1967. The reclassification from Agriculture to Urban would permit the petitioner to subdivide the parcel into residential lots for her heirs. A map dated February, 1964 was presented at the hearing showing a proposed subdivision of the parcel into 2 lots.

A recommendation for approval of the petition was received from the Hawaii Planning Commission. The LUC staff also recommended favorable Commission action based on the following reasons:

1. A portion of the land was utilized for residential use prior to the Land Use Law.
2. The parcel is bounded on 3 sides or 70% of its perimeter by the existing Urban District.
3. It would not contribute to scattered urban development.
4. It would not adversely affect surrounding properties.
5. The land is topographically suited for the proposed use.
6. The proposed use conforms with the County General Plan.

Since no further information has been received either for or against the petition, the staff again recommends approval of the petition.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

January 12, 1968

TO: LAND USE COMMISSION

FROM: STAFF

SUBJECT: A67-159 - ANNIE K. K. KAOLOWI

This petition by Mrs. Kaolowi to reclassify 1.08 acres at Laupahoehoe, Hawaii, was publicly heard on October 13, 1967. The reclassification from Agriculture to Urban would permit the petitioner to subdivide the parcel into residential lots for her heirs. A map dated February, 1964 was presented at the hearing showing a proposed subdivision of the parcel into 2 lots.

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4. It would not adversely affect surrounding properties.
5. The land is topographically suited for the proposed use.
6. The proposed use conforms with the County General Plan.

Since no further information has been received either for or against the petition, the staff again recommends approval of the petition.

To refresh your memory, the red line represents the existing inland boundary at Laupahoehoe. The yellow area is the subject of this petition. Directly across the Huala road from Subject property is Laupahoehoe School. On the opposite side of the old main road are 2 svc stations and a general store.

*Kayla. Buy up to 9 acres
Huala Div. and Huala
200 900 sq ft - Arched log is link of just
only 15 ft wide w/ King dom
Grant N.T. 10 ft wide for recently
arches. 8 ft wide. 10 ft wide. 10 ft wide. 10 ft wide.*

*Mr. Sorenson - Historical background
Mr. Joe Sorenson - Parks Div.
Mr. Al Preis - Civil & Engrs
Mr. Bob Wankam - Festival for People by Dev.*

Prieis - entire Bay will be the
stage entire cliff will
be backdrop - vital that
hampd contemp. dev.
be kept out of vision line
Cultural people meaningless
- Environ. & Urban Design
Study - 50000 grant
obj. of study is defin
criteria for scenic rd.
end of April - end of study
result will be recommendation
for road corridor

T.G. - recap -

Ferry - idea of where main Bdry
will be?

Greenwell - overall dev. will be by
K. Ranch

Major hotel operators
won't commit themselves.
other parties - funding -
getting commission approved

January 2, 1968

Mrs. Annie K. Kaolowi
P. O. Box 46
Laupahoehoe, Hawaii

Dear Mrs. Kaolowi:

The Land Use Commission next meets at 1:00 p.m. at the Hale Halawai Cultural Center, Kona, Hawaii, on January 12, 1968. On or about that time, a decision on your petition (A67-159) 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

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

County Building
Hilo, Hawaii

October 13, 1967
3:00 P. M.

STAFF REPORT

A67-159 - ANNIE K. K. KAOLOWI

Background

Mrs. Annie Kaolowi has submitted a petition for boundary amendment from an Agricultural District into an Urban District for approximately 1.08 acres of land located at Laupahoehoe, Hawaii, and described by Tax Map Key 3-5-05: portion of parcel 3. The petitioner desires to subdivide the parcel into residential lots for her heirs. — possibly 4 lots if 10,000 sq ft zoning

The proposed reclassification of the 1.08 acres involves that portion of an 8.08-acre parcel owned by the petitioner which is already in residential use. An old dwelling, surrounded by wild growth and miscellaneous items of equipment, presently occupies the site. The balance of 7 acres is entirely in cane. Laupahoehoe Elementary and High School is located across the road south of the subject land. Nearby land uses include a church, a cemetery and a few single family dwellings located between the old government road and the new Mamalahoa Highway. Two service stations and a general store are within a stone's throw of the subject land. The Laupahoehoe Police Station and Post Office are located about a half mile to the west. Hilo lies 22 miles to the south. — Map Honolulu about 17 miles away

A master productivity rating of C, indicating fair suitability for overall agricultural use, has been given the subject lands by the Land Study Bureau. Soils are described as being non-stony, well drained but moist, with 11 to 20% slopes, and is moderately suited for machine tillage. The rainfall in this area approximates 124 inches and the elevation is between 350 to 400 feet.

Basic public utilities are available.

County Recommendation

The Hawaii County Planning Commission recommends approval of the change for the following reasons:

1. The General Plan designates the area for urban development.
2. The lot is utilized for urban purposes.
3. The lot is suitable for urban use.

Staff Analysis

Staff evaluation of the request ; indicates that it is reasonable and not contrary to the objectives of the Land Use Law and regulations for the following reasons:

1. A portion of the land under petition has been utilized for residential purposes before the establishment of the Land Use Law.
2. The subject parcel is bounded on 3 sides, or approximately 70% of its perimeter, by the existing urban boundary.
3. The subdivision of this area will not contribute to scattered urban developments nor overburden public agencies to provide added services.
4. The proposed use would not adversely affect surrounding properties.
5. The land is suited topographically for the proposed use and is free from the danger of floods.
6. The proposed use is in conformance with the County General Plan.

Staff Recommendation

Therefore, on the basis of the above findings, it is recommended that this petition be approved.

Hamakua Popul. - 7,600 in mid '66

September 27, 1967

Mrs. Annie K. Kaolowi
P. O. Box 46
Laupahoehoe, Hawaii

Dear Mrs. Kaolowi:

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. At that time, your application (A67-159) to amend the land use district boundaries at Laupahoehoe, Hawaii will be heard.

Very truly yours,

RAMON DURAN
Executive Officer

RECEIVED

AUG 23 1967

State of Hawaii
LAND USE COMMISSION
COUNTY OF HAWAII

COUNTY PLANNING COMMISSION

Add to file

Applicant Mrs. Annie K. K. Kaolowi
Date petition received by
Planning Commission July 26, 1967
Date of Planning Commission
Meeting August 18, 1967
Date petition and recommendations
forwarded to LUC August 21, 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:

TMK: 3-5-05-3; Portion of Parcel 3 containing 47,147 square feet of land.

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

The Commission decided to recommend: Approval

on the basis of the following findings:

1. General Plan indicates area as urban development.
2. Lot utilized as urban use.
3. Lot suitable for urban use as sandwiched between school and urban development.

(Signed) Raymond H. Deegan
Director, County Planning Commission

State Form B14

STATE OF HAWAII

Department of Planning
and Economic Development

Department, Bureau or Commission

OFFICIAL
RECEIPT

No.

198

RECEIVED from

Bank of Hawaii

Levy

and no \$ 00

L. U. C. fees

Mrs. Annie K. K. Kaolowai

DOLLARS

\$

50.00

Jean H. Kamitani

Public Accountant

July 25, 1967

Planning Commission
County of Hawaii
Hilo, Hawaii

Attention: Mr. Raymond Suefuji, Planning Director

Gentlemen:

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 Mrs. Annle K. K. Kaolowi, together with a map, is forwarded to you for your comments and recommendations.

Act 32 provides that within 45 days after receipt of the petition the Commission of the County wherein the land is located shall forward its comments and recommendations to the Land Use Commission. It also provides that upon written request by the County Planning Commission, the Land Use Commission may grant an extension of not more than 15 days for the receipt of such comments and recommendations.

Thank you for your cooperation.

Very truly yours,

RAMON DURAN
Executive Officer

Encl.

State Form B14

STATE OF HAWAII

OFFICIAL
RECEIPT

No. 172

Land Use Commission

Department, Bureau or Commission

RECEIVED from Mrs. Annie K. Koolahi

July 24

1967

Fifty + 00/100

DOLLARS

Petition for Boundary Change

\$ 50⁰⁰

Don L. Horkman

Public Accountant

July 25, 1967

Mrs. Annie K. K. Kaolowi
P. O. Box 46
Laupahoehoe, Hawaii

Dear Mrs. Kaolowi:

This is to acknowledge the receipt of a check in the amount of \$50.00, and your petition to amend the land use district boundaries as shown on Tax Map Key 3-5-05: portion of parcel 3, North Hilo, Hawaii.

In accordance with Section 98H-4, RLH 1955, as amended, and Act 32, SLH 1965, this Commission must schedule a public hearing on this 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 this 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 have any questions, please feel free to contact us.

Very truly yours,

RAMON DURAN
Executive Officer

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

RECEIVED

JUL 24 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 _____

A67-159

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
in a(n) AGRICULTURAL district into a(n) URBAN district.

Description of property:

TMK: 3-5-03: 05 Portion of Parcel 3 containg 47,147 square feet of land.

Petitioner's interest in subject property:

Owner

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

1. Area is contiguous of an existing urban district
2. Applicant would like to subdivide land into residential parcels for her heirs.

(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)

Mrs. Annie K. K. Kaolow

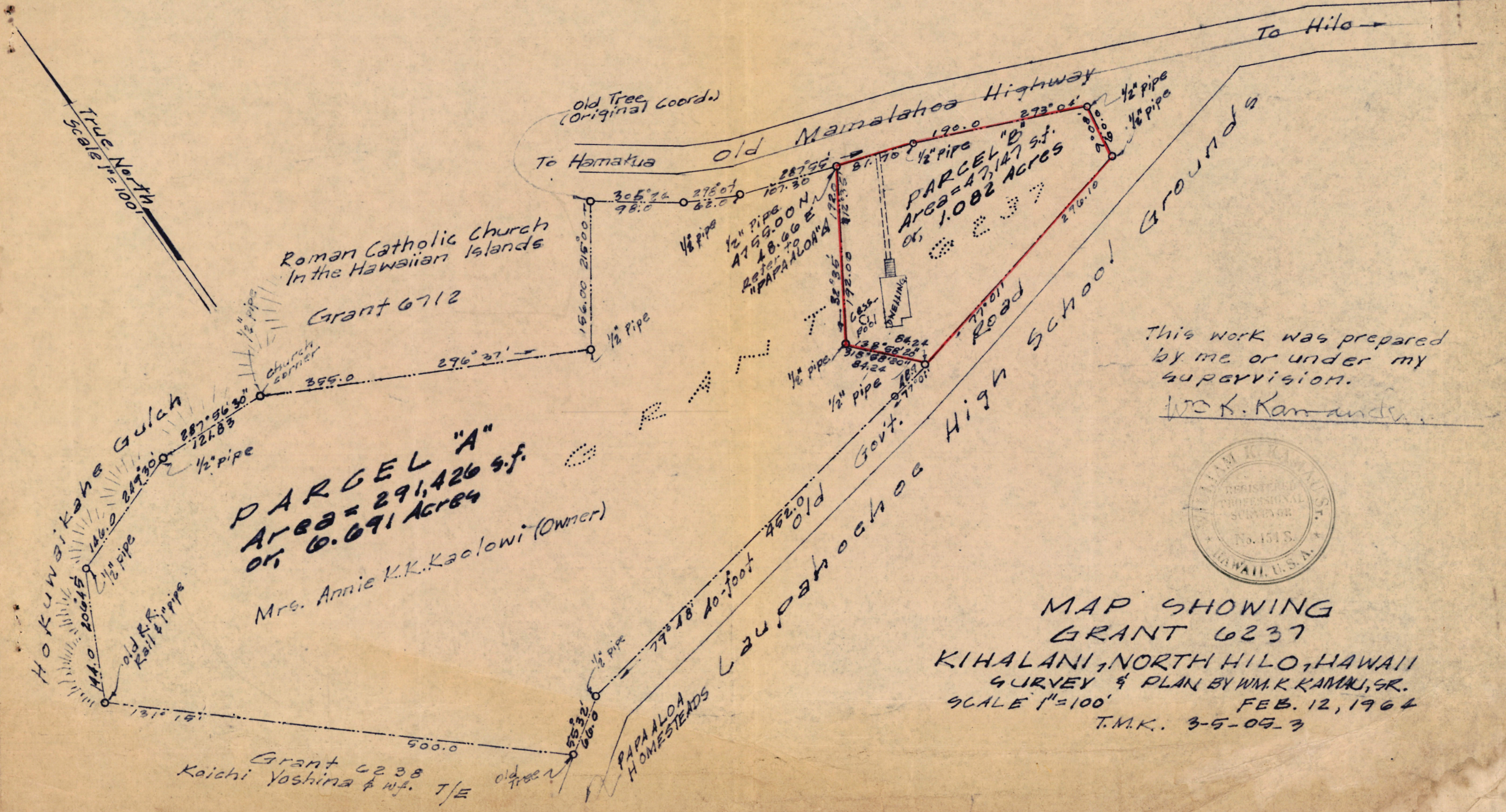
Address:

P.O. Box 46, Laupahoehoe Hawaii

Telephone:

Laup. 624-054

True North
Scale 1"=100'



Being a portion of Grant 6237 situate in the
land of ^KNihalani, North Hilo, Hawaii

PARCEL "B"

Beginning at the north corner of this parcel, the coordinates
of said point referred to Government Survey Triangulation
Station "PAPAALOA" being 4755.00 feet north and 48.66 feet
East, thence running by azimuths measured clockwise from
true South:

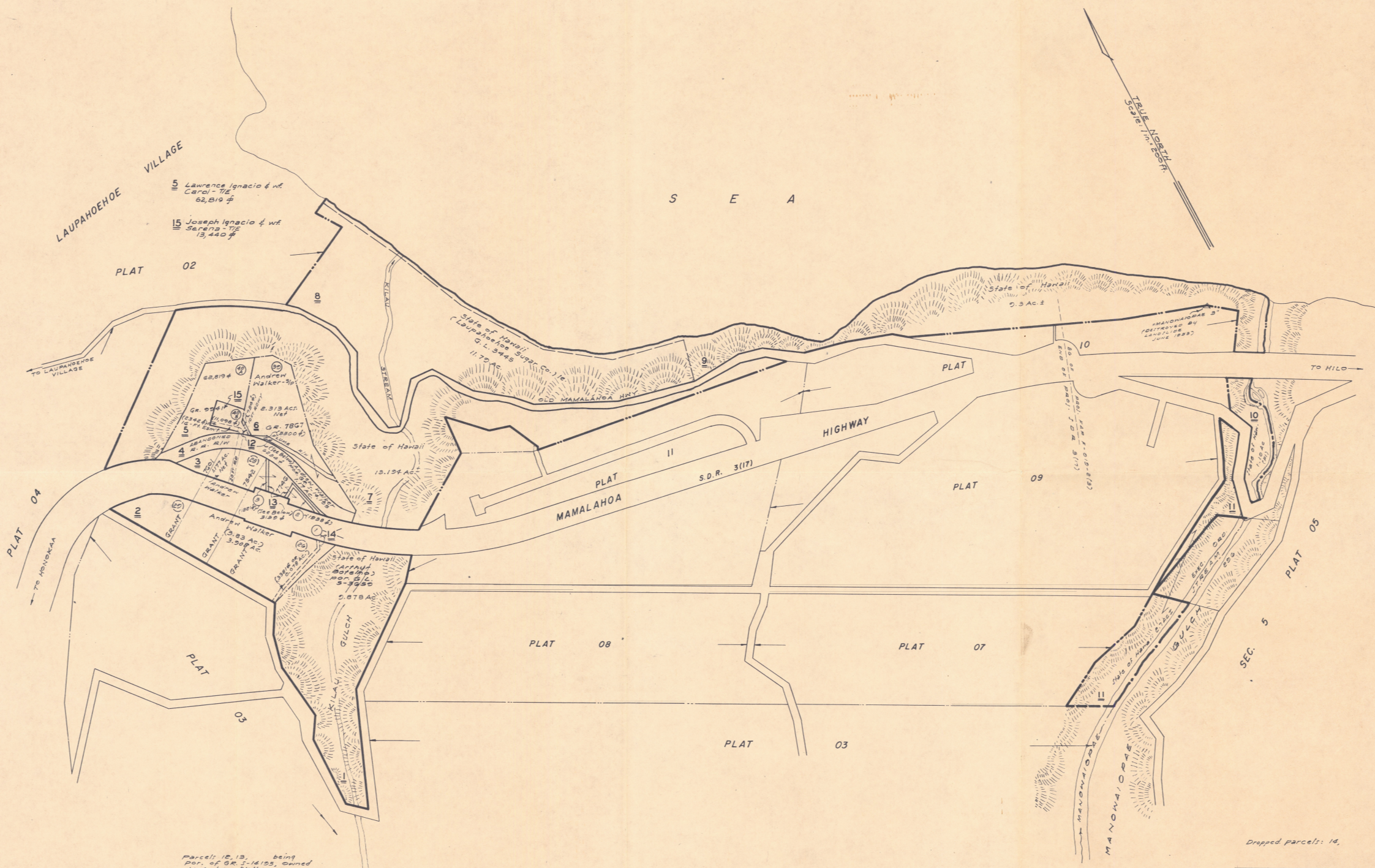
- | | | |
|----|------------|---|
| 1. | 287°55' | 81.70 feet along Mamalahoa Highway; |
| 2. | 293°04' | 190.00 feet along Mamalahoa Highway; |
| 3. | 9°08' | 60.00 feet along Mamalahoa Highway; |
| 4. | 77°01' | 296.10 feet along Papaaloa Homestead road; |
| 5. | 138°58'20" | 84.24 feet along Parcel A; |
| 6. | 212°35' | 192.00 feet along Parcel A, to the point
of beginning and containing an area
of 47,147 square feet, or 1.082 acres. |

RECEIVED

JUL 24 1967

State of Hawaii
LAND USE COMMISSION





DWG. NO. 2290 (REVISED)
SOURCE: TAX MAPS BRANCH
BY: MN-BU DATE MAY 9, 1963

POR. MANOWAIOPAE HOMESTEADS, N. HILO, HAWAII.

FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE AUG. 4 1967

DEPARTMENT OF TAXATION
PROPERTY ASSESSMENT DIVISION
TAX MAPS BRANCH
STATE OF HAWAII
TAX MAP
THIRD TAXATION DIVISION

ZONE	SEC.	PLAT
3	6	01

SCALE: 1 IN. = 200 FT.