A67-164 - EDWIN T. IGE

March 4, 1968

Mr. Edwin T. Ige
P. O. Box 7
Kahului, Maui

Dear Mr. Ige:

Your petition (A67-164) to amend the land use district boundaries from an Agricultural District into the Rural District at Waiakoa, Kula, Maui, identifiable by Tax Map Key 2-2-11: 1, was approved by the Land Use Commission at its meeting on March 1, 1968.

Very truly yours,

RAMON DURAN
Executive Officer

cc: Meyer Ueoka, Attorney
Maui Planning Commission
Dept. of Taxation
Dept. of Land & Nat. Res.

Eagle-A
Type-Erase
25% COTTON FIBER

STATE OF HAWAII

LAND USE COMMISSION

VOTE RECORD

ITEM A67-164 - Edwin Ige DATE March 1, 1968

PLACE Land Use Commission Hearing Room TIME 7:00 p.m.

NAME	YES	NO	ABSTAIN	ABSENT
WUNG, LESLIE	✓			
NISHIMURA, SHIRO	✓			
INABA, GORO	✓			
M MURAKAMI, KEIGO	✓			
FERRY, JIM	✓			
MARK, SHELLEY		✓		
NAPIER, ALEXANDER	✓			
S CHOI, WILBERT	✓			
CHAIRMAN BURNS, C. E. S.	✓			

COMMENTS:

Approved

STATE OF HAWAII

LAND USE COMMISSION

MEMORANDUM March 8, 1968

TO: LAND USE COMMISSION

FROM: STAFF

SUBJECT: A67-164 - EDWIN T. IGE

This petition to rezone 58 acres of land from Agricultural to Rural was publicly heard on November 27, 1967 at Kahului, Maui. At that time it was noted that the Maui Planning Commission had voted unanimously to recommend approval of the request. The Land Use Commission staff, however, recommended disapproval of the petition based on the following:

1. The population growth is static or at a minimum.
2. Development of lands within the Rural District for residential purposes has been minimal.
3. There exist extensive vacant or agricultural areas within the Rural District for residential expansion.
4. Recent subdivisions for residential development in the Rural District are substantially vacant.
5. Lands already districted Rural and vacant are more suitable than the land in question.

At the hearing, Meyer Ueoka, attorney for the petitioner, presented a memorandum in which issues relating to soil suitability, demand for rural lands, population projections, County General Plan and zoning, etc., were discussed.

Since the hearing, Mr. Ueoka has submitted the following:

1. A map of the subject property showing a subdivision of 23 lots with a 2-acre (Agricultural) minimum prepared in April, 1963, marked Exhibit A.
2. A map showing a proposed subdivision of 89 rural-sized lots dated November 29, 1967, marked Exhibit B.

3. A list of 63 signatures of persons interested in purchasing lots in the proposed rural subdivision.

4. Photographs of the subject property and surroundings.

Concern over the single narrow access was voiced by Commissioner Nishimura at the hearing. Mr. Ueoka then mentioned the possibility of the purchase of a lot by the petitioner in the adjoining Kealahou Farm Subdivision so that a second access may be provided leading to Kekaulike Road. However, it is noted that only one access to the subject property is shown on the subdivision map which was completed two days after the public hearing. Additionally, the single access serving 89 lots is from the unimproved portion of Copp Road. Thus, the expense of improving approximately 1,200' of road will be that of the government.

It is the staff's opinion that if we were to measure need in terms of signatures of people interested in buying rural lots, then it is a certainty that not enough lands in the Kula area are districted for that use. A more realistic measure of that need is the actual development of existing areas so districted. Vacant land within the Urban and Rural Districts for this area is in abundance.

In a forthcoming petition for boundary change respecting a parcel of land situated less than 2 miles from the subject property, the Maui Planning Commission recommends disapproval for the following reasons:

"At the present time, there appears to be an ample supply of lands in the Kula area classified as urban. Home construction in presently classified urban lands is not proceeding at a rate which would indicate any shortage of such lands within the near future. Kula Kai, with 50 lots sold over a 3 year period, has at the present time 17 homes completed or under construction.

"In addition, the existing character of the surrounding area, even in

those lands designated as urban, appears to be more rural in character."

Although the unfavorable recommendation relates to a change from Rural to Urban, the same rationale would apply to a change from Agricultural to Rural since development of the lands in either case is for single-family residential lots.

It should also be noted that the instant petition is a reconsideration of one that was previously disapproved. This reconsideration was granted on the basis of new evidence submitted by the petitioner. It is the staff's opinion that the additional evidence submitted since the original petition does not warrant a reversal of the original decision. Also, a dangerous trend toward reversal of original decisions of petitions that are reconsidered when no new and significant evidence is submitted may be established.

Therefore, based on the above reasons and those contained in the staff report of November 27, 1967, the staff again recommends that this petition to redistrict 58 acres from Agricultural to Rural be disapproved.

February 27, 1968

Mr. Meyer M. Ueoka
2121 Main Street
Wailuku, Maui, Hawaii

Dear Mr. Ueoka:

Pursuant to your telephone request of today, please be advised that we have scheduled the action on Mr. Edwin Ige's petition (A67-164) for our March 1, 1968 meeting to be held in the Land Use Commission Hearing Room in Honolulu, Hawaii at 7:00 p.m.

A copy of the agenda is enclosed for your information.

Very truly yours,

RAMON DURAN
Executive Officer

Encl.
cc: Mr. Edwin Ige

February 12, 1968

Mr. Edwin T. Ige
P. O. Box 7
Kahului, Maui

Dear Mr. Ige:

The Land Use Commission next meets at 1:00 p.m. at the Kahului Library, Kahului, Maui, on March 8, 1968.

On or about that time a decision on your petition (A67-164) 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

cc: Meyer Ueoka
Attorney

Mr. Edwin T. Ige
P. O. Box 7
Kahului, Maui

Dear Mr. Ige:

The Land Use Commission next meets at 7:00 p.m. at the Land Use Commission Hearing Room, Honolulu, Hawaii, on January 24, 1968.

On or about that time a decision on your petition (A67-164) 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

cc: Meyer Ueoka
Attorney

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kahului Library
Kahului, Maui

November 27, 1967 - 2:30 p.m.

Commissioners Present:	Shiro Nishimura, Chairman Pro tem Leslie Wung Goro Inaba Shelley Mark
Commissioners Absent:	C. E. S. Burns Wilbert Choi Keigo Murakami Jim P. Ferry
Staff Present:	Ramon Duran, Executive Officer Ah Sung Leong, Planner III Dora Horikawa, Stenographer

Acting Chairman Nishimura announced that due to the lack of a quorum the action items on today's agenda will be deferred to a later date.

Persons planning to testify before the hearing were duly sworn in.

ADOPTION OF MINUTES

The minutes of the meetings of September 8, 1967 and October 13, 1967 were approved as circulated.

HEARING

PETITION BY EDWIN IGE (A67-164) TO RECLASSIFY 58 ACRES FROM AGRICULTURAL TO RURAL AT WAIAKOA, KULA, MAUI

It was again recommended in the staff report, presented by Mr. Duran, that the petition be denied because the petitioner had not submitted proof of need and since extensive vacant areas existed within the Rural District for residential expansion. Mr. Duran advised that the Maui Planning Commission's recommendation for approval was based on their previous recommendation. He pointed out that the same data contained in the original petition, denied by the Commission, has again been submitted and that no significant or new information accompanies this re-application. He also stated that unnecessary public expenditures to develop a county road for access to the proposed subdivision would be necessary.

Chairman Nishimura observed that extensive areas were designated Urban in the Kula District which were presently in agricultural use. Mr. Duran reflected

that this may have been due to the fact that residential and commercial uses are scattered all along the highway and the Commission, in determining the boundary, logically followed the property line in the back. However, during the reevaluation of the boundaries in the near future, this area in particular should be more realistically districted.

Petitioner Ige submitted that as a contractor having done most of the construction work in the area, he was thoroughly familiar with the Kula District. He stated that the bulk of the areas in the Jamestown Urban District were impossible to inhabit due to the deep gulches and the growth of tall wattle trees. He felt that denial of his original request was based on an untrue picture of the available urban lands in the Kula area.

Mr. Ige continued that there were a couple of subdivisions adjacent to his property almost completely sold, and that the undeveloped urban areas mentioned in the staff report were locations where people did not wish to buy. He also stated that the accessibility to the main government road and the view from his property made it more attractive to the prospective buyer. Electricity and water were available in the near vicinity and the developer would be responsible for the roadway within the subdivision.

The petitioner envisioned a development of approximately 90 lots on the 58-acre parcel comprised of predominantly ½ acre lots with a few 1, 1½ and 2 acre lots. The majority of the people expressing a desire to purchase within his subdivision were interested in ½ acre lots.

Mr. Meyer Ueoka, attorney representing the petitioner, read a prepared report in support of the petition giving background of the petitioner, description of the parcel of land, arguments in support of the petition, and rebuttal of the staff report (see copy of report on file).

Mr. Ueoka confirmed that the population figure of 49,600 in his rebuttal statement included Molokai, Lanai as well as Maui.

Referring to the available undeveloped urban acres in the Kula District, Mr. Ueoka contended that some of these landowners had no intention of developing their lands and some were unable to because of financing difficulties. In fact much of these lands have been dedicated for agricultural purposes.

Due to the changing economic standards, Mr. Ueoka pointed to the demand for second homes by families.

Chairman Nishimura raised the question of the narrow roads in the vicinity of petitioner's lands and wondered if the County might not be burdened with the expense of widening these roads. In reply, Mr. Ueoka spoke of the possibility of purchasing a parcel that would connect with an adjoining subdivision complete with roads and this, together with an existing road along petitioner's property, would provide 2 accesses. Also, additional tax revenues realized from new property owners in the proposed subdivision could be used by the County for improvements.

Mr. Ige advised that the road leading into his proposed subdivision had a 40' right-of-way. Presently it was in a state of disrepair. However, with the approval of the subdivision, he felt that the County would bring it up to standard since this was the only road leading to the Lower Road.

Chairman Nishimura suggested that the petitioner submit a subdivision plan within 15 days of this public hearing to afford the Commissioners a clearer concept of his proposal.

Mr. Ige submitted that his decision to develop subject property had resulted from the numerous inquiries he had received from people interested in purchasing ½ to 1-acre parcels for vacation and rental homes. The present 2-acre requirement under the agricultural districting would burden a small number of property owners with a heavier assessment for the improvements and would also affect the selling price of the parcels. The fact that roads need not be paved and can remain sub-standard, plus the variance in construction specifications, were pointed to as some of the disadvantages of the 2-acre subdivision.

As a contractor, Mr. Ige was confident that he would be able to develop a subdivision that would be a credit and asset to the County of Maui. He added he would be able to substantiate the demand for his proposed subdivision.

Mr. Ige further advised that the purchaser would be fully protected since the subdivision would have to meet all county standards and the developer would have to be bonded.

Mr. Ueoka reiterated the petitioner's ability and desire to develop his land as compared to some of the others who were merely sitting on their lands and will for generations to come.

Commissioner Mark commented that we were all looking for the right kind of development and wondered if the petitioner could see his way clear to wait another year when a reevaluation of all district boundaries would be undertaken by the Commission. He agreed that the petitioner had presented some valid points that deserved favorable consideration. However, this should take place under an orderly time scheme.

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

NEXT MEETING DATE

December 15, 1967 in Honolulu, Hawaii was decided upon as the next meeting date.

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION	)
	)
OF	)
	)
EDWIN T. IGE	)
	)

ADDITIONAL SUPPORTING INFORMATION

MEYER M. UEOKA
2121 Main Street
Wailuku, Maui, Hawaii

Attorney for Petitioner.

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION	)
OF	)
EDWIN T. IGE	)

ADDITIONAL SUPPORTING INFORMATION

EDWIN T. IGE, Petitioner, submits herewith additional information in support of his petition.

In 1963, plans were drawn to subdivide the subject property into lots of sizes not less than two (2) acres, a copy of which, marked Exhibit A, is attached hereto and by reference made a part hereof. Prospective purchasers, however, had expressed that the lots were too big for their needs, and that smaller lots were desirable.

Accordingly, EDWIN T. IGE filed his petition to rezone his property for Rural districting. At the hearing held on Maui, your Commission requested that a tentative plan for the property be submitted, if the petition were granted. Plans were prepared by Norman Saito, Engineer and Registered Surveyor. Two (2) copies of the plans, marked Exhibit B, are attached hereto. You will note that not all lots are one-half (½) acre in size. The plans were drawn to fit the contour and lay of the land, and yet be attractive with maximum utility.

We respectfully submit that EDWIN T. IGE intends to

proceed with the development immediately. Any further delay will only increase the cost of such development, and price of the land because of concomitant increase of labor and material costs.

Respectfully submitted,

Attorney for Edwin T. Ige

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION	)
OF	)
EDWIN T. IGE	)

ADDITIONAL SUPPORTING INFORMATION

MEYER M. UEOKA
2121 Main Street
Wailuku, Maui, Hawaii

Attorney for Petitioner.

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION OF EDWIN T. IGE	)

ADDITIONAL SUPPORTING INFORMATION

EDWIN T. IGE, Petitioner, submits herewith additional information in support of his petition.

In 1963, plans were drawn to subdivide the subject property into lots of sizes not less than two (2) acres, a copy of which, marked Exhibit A, is attached hereto and by reference made a part hereof. Prospective purchasers, however, had expressed that the lots were too big for their needs, and that smaller lots were desirable.

Accordingly, EDWIN T. IGE filed his petition to rezone his property for Rural districting. At the hearing held on Maui, your Commission requested that a tentative plan for the property be submitted, if the petition were granted. Plans were prepared by Norman Saito, Engineer and Registered Surveyor. Two (2) copies of the plans, marked Exhibit B, are attached hereto. You will note that not all lots are one-half (½) acre in size. The plans were drawn to fit the contour and lay of the land, and yet be attractive with maximum utility.

We respectfully submit that EDWIN T. IGE intends to

proceed with the development immediately. Any further delay will only increase the cost of such development, and price of the land because of concomitant increase of labor and material costs.

Respectfully submitted,

Attorney for Edwin T. Ige

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION	)
	)
OF	)
	)
EDWIN T. IGE	)

ADDITIONAL SUPPORTING INFORMATION

MEYER M. UEOKA
2121 Main Street
Wailuku, Maui, Hawaii

Attorney for Petitioner.

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION	)
	)
OF	)
	)
EDWIN T. IGE	)
	)

ADDITIONAL SUPPORTING INFORMATION

EDWIN T. IGE, Petitioner, submits herewith additional information in support of his petition.

In 1963, plans were drawn to subdivide the subject property into lots of sizes not less than two (2) acres, a copy of which, marked Exhibit A, is attached hereto and by reference made a part hereof. Prospective purchasers, however, had expressed that the lots were too big for their needs, and that smaller lots were desirable.

Accordingly, EDWIN T. IGE filed his petition to rezone his property for Rural districting. At the hearing held on Maui, your Commission requested that a tentative plan for the property be submitted, if the petition were granted. Plans were prepared by Norman Saito, Engineer and Registered Surveyor. Two (2) copies of the plans, marked Exhibit B, are attached hereto. You will note that not all lots are one-half (½) acre in size. The plans were drawn to fit the contour and lay of the land, and yet be attractive with maximum utility.

We respectfully submit that EDWIN T. IGE intends to

proceed with the development immediately. Any further delay will only increase the cost of such development, and price of the land because of concomitant increase of labor and material costs.

Respectfully submitted,

Attorney for Edwin T. Ige

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Lihue District Court Room
Lihue, Kauai

September 8, 1967 - 3:05 p.m.

Commissioners Present:	Shiro Nishimura, Chairman Pro tem Jim Ferry Wilbert Choi Goro Inaba Leslie Wung Keigo Murakami
Commissioners Absent:	C. E. S. Burns Shelley Mark
Staff Present:	Ramon Duran, Executive Officer Roy Takeyama, Legal Counsel Ah Sung Leong, Planner III Dora Horikawa, Stenographer

ADOPTION OF MINUTES

It was moved by Commissioner Wung and seconded by Commissioner Choi that the minutes of the meeting of June 16, 1967 be approved as circulated. The motion was passed unanimously.

Acting Chairman Nishimura swore in persons planning to testify before the Commission.

HEARINGS

PETITION BY TAKATO SOKEI (A67-155) TO RECLASSIFY 2 PARCELS TOTALLING APPROXIMATELY 2.5 ACRES FROM AGRICULTURE TO URBAN AT KAPAA, KAUAI

Mr. Duran presented a staff report recommending approval of the reclassification of the 2.1 acre parcel for Urban and denial of the smaller parcel containing approximately 16,900 square feet, based on staff's analysis (see copy of report on file).

In response to Commissioner Inaba's question, Mr. Duran advised that the reason for recommending denial of the smaller parcel was based on the existing boundary which created a desirable physical feature since it followed the road. Also, that the area was presently in pasture use, part of a large dairy pasture, and was dedicated by the petitioner for agricultural use for the next 10 years. He stated that a dairy operation presently existed on the property and this was not compatible in an Urban District. He added that there was nothing to preclude the petitioner from building a residence on the parcel since the parcel had been subdivided in 1935.

Mr. Tatsuo Asari, attorney representing the petitioner, submitted that the decision to petition for the triangular piece was based on the fact that it was indicated as a separate parcel and, furthermore, the penalty for withdrawing all of the dedicated lands would be prohibitive. It was brought out that Mr. Sokei hoped eventually to build residential rental units on the parcel since he anticipated a demand for such units in the future.

Mr. Asari submitted that the small dairy operators would eventually be forced to phase out since they would not have the capacity nor the willingness to compete with the major operators.

Mr. Brian Nishimoto, Kauai Planning Director, advised Commissioner Inaba that under the county's interim zoning ordinance in the Urban District, Mr. Sokei would be allowed to build only 2 houses on his 16,900 square foot lot.

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

PETITION BY MATSUKO TAGUMA (A67-156) TO RECLASSIFY 4.3 ACRES FROM AGRICULTURAL TO URBAN AT KALAHEO, KAUAI

The Executive Officer recommended in the staff report that the petition be approved since the request is reasonable and a logical extension of the abutting existing Urban District (see copy of report on file).

Since there was neither testimony nor discussion on the petition, the hearing was closed.

REQUEST BY EDWIN T. IGE TO RECONSIDER PETITION TO RECLASSIFY 58 ACRES FROM AN AGRICULTURAL DISTRICT TO A RURAL DISTRICT AT WAIAKOA, KULA, MAUI

Mr. Ah Sung Leong read a letter received by the Land Use Commission from Mr. Edwin T. Ige to "request for reconsideration of the action taken by your commission at its meeting on August 5, 1966" for approximately 58 acres at Waiakoa, Kula, Maui from an Agricultural District to the Urban District. (See copy of letter on file.)

The staff rebutted the data submitted by the petitioner as the bases for requesting reconsideration of the petition as follows:

1. The additional data with reference to the soil classification is essentially the same as that submitted during the hearing of the original petition, except for the source of the information.

2. There is still no evidence to support the statement that there is a great demand for house lots in the Waiakoa District.

3. There was no evidence to support the statement that there is a population increase in the Kula District. This is contrary to the LUC staff report, dated June 17, 1966, which cited a 20% decline in population in the Waiakoa area from 1950-60. A population decline of 6½% was projected for the Makawao District 10 years hence.

4. Only 27% of the lands under petition is contiguous to a Rural District, and not 44% as reported by petitioner.

5. Access to existing county road had been submitted in the earlier petitioner.

Mr. Leong did not feel that an increase in the percentage of petitioner's land abutting the Rural District would alter staff's analysis, since the denial was based on the availability of excessive rural lands in the area to satisfy the projected population.

Commissioner Murakami argued that instead of a population decline in Kula, an increase of 10,000 people had been noted in the last 6 to 7 years.

In response to Commissioner Ferry's contention that inasmuch as the petitioner had filed the $50 fee there was no justification to deny his right to a public hearing, Mr. Duran reviewed the Commission's policy relative to reconsideration of a petition. A petition on which a decision had been previously rendered was considered only if the new petition carried sufficient new evidence which had not been presented at the original hearing to warrant a second hearing. Mr. Ige's new petition contained essentially the same data he submitted with his first application.

Commissioner Murakami moved that the petition be reconsidered based on the additional facts presented, which was seconded by Commissioner Choi.

Mr. Duran stated that all of the points submitted by the petitioner as new evidence had been taken into consideration at the time of the public hearing, including the population projection which was based on staff research and analysis. Therefore, the petitioner's data could not be considered as new evidence.

Commissioner Ferry argued that perhaps the decision to reconsider subject petition should not be based on sufficient additional data but rather on the basis of its acceptability as a legitimate petition for public hearing.

On this point, Mr. Roy Takeyama counseled as follows:

1. Reconsideration of a petition on which a decision had been previously reached by the Commission should not be considered in the same light as a new petition merely because a $50 fee has been filed, since an opportunity had been provided the petitioner to present his request at a public hearing.

2. If this practice were followed, the Commission would be deluged with similar requests.

3. As a matter of practice and procedure, the Commission has adopted the policy that a petition be considered for the second time only if there is sufficient new evidence submitted which was not presented at the time the Commission rendered its decision.

Mr. Duran commented that the purported additional data by the petitioner such as population growth in the Kula area, existing boundaries, existing utilities, the unsuitability of the land for agricultural uses, were all matters that were discussed at the time of the original public hearing. He further stated that staff had been in the Kula area recently to conduct survey of pending Tax Department applications for dedication of urban lands for agricultural purposes for the next 10 years. The Urban and Rural areas were mostly vacant or being used for grazing. From the standpoint of need alone, it would be very difficult to justify urbanization of Mr. Ige's property located farther upland. If a need for home sites existed, why were not the urban-zoned lands being developed rather than being dedicated for agricultural purposes?

In support of the motion pending before the Commission to reconsider the Ige petition, Commissioner Ferry expressed the view that he would like another public hearing conducted, preceded by a field trip by the Commissioners to the subject area. He also pointed to the fact that there were only 4 Commissioners present at the time of the public hearing.

Mr. Duran suggested that if the motion were for approval of a reconsideration, a more appropriate basis might be on the field inspection rather than on new evidence submitted.

The Commissioners were polled as follows:

Ayes: Commissioners Ferry, Inaba, Nishimura, Murakami, Choi

Nay: Commissioner Wung

The motion was carried.

ACTION

PETITION BY LAND USE COMMISSION (A67-152) TO RECLASSIFY APPROXIMATELY 29 ACRES FROM URBAN TO CONSERVATION, AND APPROXIMATELY 1/3 ACRE FROM CONSERVATION TO URBAN AT DIAMOND HEAD, HONOLULU

Staff memo was presented by Mr. Leong recommending approval of the petition (see copy of report on file).

Commissioner Choi moved to approve the petition which was seconded by Commissioner Inaba and passed unanimously.

PROPOSED ADDITION TO KALANI-IKI ESTATES CONDOMINIUM PROJECT BY BISHOP ESTATE

Mr. Duran read a letter from the Trustees of the Bishop Estate requesting the Land Use Commission's reaction to the Trustees' proposed increase in the number of dwelling units from 89 to 107 for the Kalani-iki Estates Condominium Project. (See copy of letter on file.)

Mr. Duran reviewed the circumstances involved at the time of the approval of the petition by the Commission and the present request by the Trustees of

A-300

Associate
JOHN T. VAIL

MEYER M. UEOKA

ATTORNEY AT LAW
WAILUKU, MAUI, HAWAII 96793

2121 MAIN STREET
Post Office Box 433
Phone: 33-761

December 5, 1967

RECEIVED
DEC 6 1967
State of Hawaii
LAND USE COMMISSION

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

Re: Petition of Edwin T. Ige

Gentlemen:

Enclosed herewith please find additional Memorandum in Support of the Petition of Edwin T. Ige.

Very truly yours,

MEYER M. UEOKA

MMU:ldc
Encls.

RACEBASE BOND
SOUTHBURY, CONN. U.S.A.
25% COTTON FIBER

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION OF EDWIN T. IGE, Requesting a change in District Designation	)

RECEIVED
DEC 6 1967
State of Hawaii
LAND USE COMMISSION

ADDITIONAL MEMORANDUM IN SUPPORT OF THE PETITION

MEYER M. UEOKA
2121 Main Street
Wailuku, Maui, Hawaii

Attorney for Petitioner.

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION	)
	)
OF	)
	)
EDWIN T. IGE,	)
	)
Requesting a change in District Designation	)
	)

ADDITIONAL MEMORANDUM IN SUPPORT OF THE PETITION

EDWIN T. IGE filed with the Land Use Commission a Memorandum in Support of his Petition Requesting a change in District Designation. Served separately, an additional Memorandum was filed which contained a proposed subdivision map of the subject property.

EDWIN T. IGE now, in further support of his Petition, submits herewith the names of people who have shown an interest in purchasing one of the one-half acre lots in the proposed subdivision. The names of the people are shown on Exhibit "A", which is attached hereto and by reference made a part hereof.

Dated: December 4, 1967.

Respectfully submitted,

MEYER M. UEOKA, Attorney for
Edwin T. Ige, Petitioner.

We, the undersigned, are interesting in purchasing one of the half acre lot belonging to Edwin T. Ige, situate at Kula, Maui, Hawaii

NAME	ADDRESS
George Kishaba	Wailuku, Maui
Mrs Patsy Nakayama	Kahului, Maui
William Borg	Wailuku Haw.
[illegible]	Wailuku, Hawaii
Karen Kage	Wailuku, Hawaii
John Allen	639 Pio Dr Wailuku, Hi.
Jean Hazama	197 Niihau St., Kahului
Ramona Kamura	Lahaina, Hawaii
Hisao Furukawa	Wailuku, Hawaii.
Annie D. Shimo	260 Naniloa Dr. Wailuku 96793
Nobom Koito	Wailuku, Maui
T. Suzuki	Kahului, Hawaii
R. Rodgers	Wailuku, Hawaii
R K Rogers	Wailuku Maui
Norman M Saito	Wailuku, Maui
Sam S. Hirohata	Wailuku, Maui
Elmer E Davis	Wailuku. Maui
Robert Chin	Kahului
Karen Y. Sherman	Wailuku, Maui
Charles Duarte	Wailuku Maui
Dennis De Mello	Wailuku, Maui
Christopher L. Clayton	WAILUKU, MAUI
Lorraine Lunds	Lahaina Maui
Wm A. Rodger	Honolulu, Hawaii
Patrick V. Caires	Wailuku Maui
Kenneth S. Omoto	Honolulu, Hawaii

(26)

We, the undersigned, are interesting in purchasing one of the half acre lot belonging to Edwin T. Ige, situate at Kula, Maui, Hawaii

NAME	ADDRESS
GEORGE KIM	875 HOOMOANA ST PEARL CITY HONOLULU
JOHN KAIMIKAUA	99-045 NALOPAKA PLACE AIEA HAWAII
JERRY MARN	1341 ALA AOLANI ST HONOLULU
Frances Oba	2353 Komo Mai Dr., P.C.
Richard Lane	2356A Kaneohe Ave Hono.
Joseph Meyer	346-C Manono St, Kailua
Gabriella Kam	644A - Anahu St. Honolulu
Michael K. Lee, Jr	1014 B-2 Morris Ln
Ella Correa	1596 - Laulani St.
John Moniz	45-673 Luluku Road
[illegible]	1305 Akamai St.
George W. Maile	45-651 Apapane St., Kaneohe
A B Brodrick	2501 Malama Pl Honolulu
Richard L. Dutsch	3618 Alani Drive
J. P. Bova	235 Pania St
Wm Chuck See	2408 B. Nottig St Honolulu

16

We, the undersigned, are interesting in purchasing one of the half acre lot belonging to Edwin T. Ige, situate at Kula, Maui, Hawaii

NAME	ADDRESS
David K. Waki	Paia, Maui
Joyce T. Waki	" "
Joshi Nitta	Wailuku, Maui
Masao Shime	" "
Hiroshi Beppu	" "
Barbara Tadakuma	" "
Sue Kaneshina	" "
Naomi Souza	Kahului, Maui
Joseph J Gonzales	Kula, Maui
Eleanor M Tesao	Kahului, Maui
Clarence Hume	
Blas Agrabantes	Wailuku
Bruce Sakamoto	Paia
Inigio Ohaiki	Kahului

(14)

We, the undersigned, are interesting in purchasing one of the half acre lot belonging to Edwin T. Ige, situate at Kula, Maui, Hawaii.

Tai Sung Yang
L. T. Kashiwa MD.
T. Izumi MD
S. Ichihara, MD
Kazuo Kishi
Noel Yamamura
Wayne Uemura

Kah. Maui
Wailuku, Maui
Wailuku Maui
Wailuku, Maui
Lahaina, Maui
Wailuku
Kahuku

EXHIBIT "E"



Nearby scenes showing very low density lots and small farm.





Scene showing appearance of land in question.

Associate
JOHN T. VAIL

MEYER M. UEOKA

ATTORNEY AT LAW
WAILUKU, MAUI, HAWAII 96793

2121 MAIN STREET
Post Office Box 433
Phone: 33-761

7298

DBL info

November 30, 1967

RECEIVED
Dec 1 1967
State of Hawaii
LAND USE COMMISSION

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

Re: Petition of Edwin T. Ige

Gentlemen:

Enclosed herewith please find additional information in support of the petition for Edwin T. Ige.

Very truly yours,

MEYER M. UEOKA

MMU:ldc
Encls.

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION	)
	)
OF	)
	)
EDWIN T. IGE	)
	)

ADDITIONAL SUPPORTING INFORMATION

MEYER M. UEOKA
2121 Main Street
Wailuku, Maui, Hawaii

Attorney for Petitioner.

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF THE PETITION	)
	)
OF	)
	)
EDWIN T. IGE	)
	)

ADDITIONAL SUPPORTING INFORMATION

EDWIN T. IGE, Petitioner, submits herewith additional information in support of his petition.

In 1963, plans were drawn to subdivide the subject property into lots of sizes not less than two (2) acres, a copy of which, marked Exhibit A, is attached hereto and by reference made a part hereof. Prospective purchasers, however, had expressed that the lots were too big for their needs, and that smaller lots were desirable.

Accordingly, EDWIN T. IGE filed his petition to rezone his property for Rural districting. At the hearing held on Maui, your Commission requested that a tentative plan for the property be submitted, if the petition were granted. Plans were prepared by Norman Saito, Engineer and Registered Surveyor. Two (2) copies of the plans, marked Exhibit B, are attached hereto. You will note that not all lots are one-half (½) acre in size. The plans were drawn to fit the contour and lay of the land, and yet be attractive with maximum utility.

We respectfully submit that EDWIN T. IGE intends to

proceed with the development immediately. Any further delay will only increase the cost of such development, and price of the land because of concomitant increase of labor and material costs.

Respectfully submitted,

Attorney for Edwin T. Ige

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

In the Matter of the Petition of EDWIN T. IGE Requesting a Change in District Designation.	)

MEMORANDUM IN SUPPORT OF THE APPLICATION

RECEIVED
Nov. 29 1967
State of Hawaii
LAND USE COMMISSION

MEYER M. UEOKA
2121 Main Street
Wailuku, Maui, Hawaii

Attorney for Petitioner.

TABLE OF CONTENTS

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3.	Description of the Parcel of Land	2
4.	Arguments in Support of the Petition	2
5.	Rebuttal of the Staff Report	6
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BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

MEYER'S MEMO

In the Matter of the Petition of EDWIN T. IGE Requesting a Change in District Designation.	)

PETITION

EDWIN T. IGE, a resident of Wailuku, Maui, Hawaii, filed a petition for amendment to the Land Use Commission district boundary in connection with that certain parcel of land situate at Kula, Maui, Hawaii. The Petitioner herein is requesting the district designation of the said property from its present classification of agricultural district into Rural district. A copy of the petition is attached hereto marked Exhibit A.

BRIEF BACKGROUND OF THE PETITIONER

The Petitioner, EDWIN T. IGE, was born on Maui to a modest alien parentage. He was raised and educated on Maui. From his modest background, the petitioner by sheer courage, use of imagination and foresight, worked diligently and for many long hours, until he became the owner and president of E. T. Ige Construction Co., Inc., a leading Maui Contractor.

DESCRIPTION OF THE PARCEL OF LAND

The parcel of land in question is situate at Kula, Maui, Hawaii, containing an area of 58 acres (See general location on Exhibit B, - blue arrow). It is described on the Tax Map of the Second Taxation Division as Tax Key 2-2-11-1 (See Exhibit C, marked in red). A portion of the eastern boundary of the property borders a rural district (See Exhibit D). The northern boundary also borders a rural district (See Exhibit E). The elevation is approximately 3000 feet. There is a gulch that runs through the property. (See the last picture - Exhibit E). There is an abundance of rock outcropping. The Land Study Bureau of the University of Hawaii, in its May 1967 Report, makes the following observation: applying a five class over all productivity rating, it classifies the property D41. (See copy of Aerial photo - Exhibit F). The report further states that the property is stony, and with respect to machine tillability, it is poorly suited. The rainfall annually is 25 to 50 inches.

ARGUMENTS IN SUPPORT OF THE PETITION

The Petitioner, EDWIN T. IGE, has filed a petition requesting for reconsideration of the action taken by your Commission at its meeting held on August 5, 1966, by the filing of a petition for amendment to the Land Use Commission district boundary. On September 8, 1967, the Commission

took action for reconsideration of the petition.

The Petitioner contends that the land is usable and adaptable for the use it is proposed to be classified. A study of the land and surrounding area discloses that the request for rural zoning is in effect an extension of such boundary. Portion of the eastern boundary is surrounded by rural district, and the northern boundary is also surrounded by rural district. Such rural districts which border the land in question include activities or uses as characterized by low density residential lots. Small farms, gardens and flower patches and small orchards are intermixed with such low density residential lots.

Report of the Land Study Bureau shows that the land in question is not suitable for agricultural pursuits because of the topography, slope and general physical characteristics of the land, which are full of exposed rocks. To convert the area for intensive agricultural purposes, it would not be economically feasible. The cost of excavation would be so great that a small return which a farm would derive from the sale of produce would set back the operation financially.

Daniel Shigeta, County Extension Agent, whose operation covers the Kula area and who is knowledgeable in farming operation for said area, states that the parcel of land because of the steep slopes, eroded land, and abundance of rocks is not well suited for efficient and economical agricultural use. Machine tillage of this soil is limited. A copy of the letter

dated September 27, 1967, from Daniel T. Shigeta is attached hereto and marked Exhibit G. The statement of Mr. Shigeta supports the findings of the Land Study Bureau that insofar as machine tillability is concerned, it is poorly suited.

While the land in question may be used for grazing and pasture purposes, such use may be profitable only if used in cultivation in other land in a different farming zone. (See Shigeta's letter). The Land Study Bureau in its report classifies the land for grazing purposes as Class b, having a carrying capacity of 2.5 acres to 5 acres per animal per year. On the average the 58 acre parcel of land would support approximately 14 head of cattle per year, a losing proposition if one were to rely on it for livelihood.

It is interesting to note that in 1966 and 1967, 164.735 acres of land in the Kula area, which were given rural designation, had been dedicated for agricultural purposes. Accordingly, for the next 10 years such land will not be available for one-half acre houselots. In the Makawao district, including the Kula area, approximately 691 acres were dedicated for agricultural use, and likewise such acreage which had been dedicated will not be available for the next 10 years for one-half acre lots. See Exhibit H, which is attached hereto and by reference made a part hereof, which supports the number of acres that have been dedicated for agricultural use.

Mr. Ige is a developer and contractor and is in a position to obtain financing as well as being able to

develop such land if the petition is granted. He would be able to take advantage of the slopes and gulches, and plan his development so as to take full advantage of such features.

The parcel of land is located a short distance away from the urban area where stores are available and is adjacent to a county road system. Utilities, too, are readily accessible. The beautiful Kula Elementary School is also situated a short distance away, and it would not be necessary to transport the students, if any, by public conveyances. Mr. Ige states that he has had a number of inquiries from those who are seeking for homesites, as well as those who are seeking a second home. Because of the afluence of the people in the community, and because of the shorter working hours, more and more people are seeking refuge in the quiet and ideal climatic situation of the Kula area.

Mr. Ige has not solicited sale of the parcel of land because of possible violation of the Real Estate Commission laws, and yet if it were not for the inquiries that he has had, he would not be thinking of developing the land just for the sake of developing.

The Maui County Planning Commission, upon reference, has recommended approval of the petition. The County of Maui, too, is interested in orderly development and good planning. Because it provides different governmental services of local nature, and because of its familiarity with the problems, great weight should be given to the recommendation of the Maui County Planning Commission.

REBUTTAL OF THE STAFF REPORT

The Maui County Planning Commission, upon referral, has recommended approval of the petition. The staff report states that because the Maui County Planning Commission failed to submit any data in support thereof, it implies that such recommendation should be disregarded. In the overall planning of the County of Maui, the Maui Planning Commission has included the particular parcel of land as rural zone. It is fair to conclude that the Maui County Planning Commission is familiar with the needs of the people in the County by classifying the parcel as rural under the County map.

The staff states that in view of the estimate from the Makawao District for 1965, as prepared by the Department of Planning and Economic Development, it can be logically reasoned that the population at Waiakoa today is less than the 416 counted in 1960. The staff fails to take into consideration that the Makawao District includes the Paia, Haiku, Makawao and Kula area, and that a few years ago Libby Cannery had closed and there was an exodus of people who lost their jobs. With the coming of Haserot Pineapple Cannery, however, the exodus of people had been minimized. In the overall report, it shows that while Maui County had a declining population down to 43,759, being the lowest point, the population began to rise until in 1966, there are in the County of Maui approximately 49,667 people. (See Bank of Hawaii Annual Economic Report, August 1967). Accordingly, the reasoning of the staff is fallacious

and without foundation.

The staff report also states that there is approximately 300 acres districted within one mile of Petitioner's land with only approximately 75 acres in actual use under the rural classification. The staff fails to come up with an answer as to why such rural designated lands had not been developed. The answer is not everyone can be a developer, not everyone can have the financing, not everyone has the courage and foresight to meet the needs of people. An examination of the ownership reveals that in most instances, the owners have no desire to develop their land and want to continue as they have done in the past, as disclosed by the large number of petitions for dedications for agricultural use.

Building permits issued by the County may have decreased during the past year, but such decrease may be related to the tight money situation, and lack of availability of financing for construction. Such situation, however, will not affect purchasing of land now, and planning and building in the future.

CONCLUSION

In view of the fact that the parcel of land is not suited for agricultural pursuits, and the fact that the highest and best use of the land is rural classification, and the fact that it is not spot zoning, but merely an extension of the rural boundaries, and the fact that such use as requested, if permitted,

is consistent with the theory of equalizing tax burden, we submit that the petition should be granted.

Respectfully submitted,

MEYER M. UEOKA
and
JOHN T. VAIL
Attorneys for Petitioner

By _____

2121 Main Street
Wailuku, Maui, Hawaii

This space LUC use

Date Petition and Fee received by LUC _____

Date forwarded to County for recommendation _____

Date Petition, and County recommendation received by LUC _____

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

EXHIBIT "A"

Passed for reconsideration 9/5/67 A67-164

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 Tax Map Key 2-2-11-1 to change the district designation of the following described property from its present classification in a(n) Agricultural district into a(n) Rural district.

Description of property:

Tax Map Key 2-2-11-1

Petitioner's interest in subject property:

Owner

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

See attached letter

(1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

(2) The petitioner will attach evidence in support of either of the following statements (cross out one):

(a) The land is usable and adaptable for the use it is proposed to be classified.

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

Signature(s) Edwin T. Ige

Edwin T. Ige

P. O. Box 7, Kahului, Maui

Address: _____

Telephone: 325392-335965-324831

August 1, 1967

RECEIVED
AUG 2 1967
State of Hawaii
LAND USE COMMISSION

Mr. C. E. S. Burns, Chairman,
Land Use Commission
426 So. Queen St.
Honolulu, Hawaii, 96813

Dear Mr. Burns:

This is a request for reconsideration of the action taken by your commission at its meeting on August 5, 1966.

Our original petition (A66-120) was an amendment to the Land Use District Boundries from an Agicultural District to a Rural District for 58 acres at Waiakoa, Kula, Maui, Tax Map Key 2-2-11-1. For your reconsideration, we wish to submit the following:-

1. The land in question is classified by the Land Studies Bureau, University of Hawaii as type C, indicating fair to marginal for agricultural use. As such, at present the land in question is used for grazing. The land is also very rocky with steep slopes.

2. The demand for house lots is in great demand ~~in the Waiakoa District.~~ on Maui

3. Maui County's most recent survey shows an increase in the population in ~~the Kula District.~~ city of Maui

4. As per our map enclosed, you will note that 44% of our land is surrounded by Rural Use Lands.

5. The lot in question is easily accessible to an existing County Road and utilities are readily available.

We are attaching three copies of the Petition for Amendment to the Land Use District Boundries and a colored map of the area in question. Also, for your information and convenience, we are attaching a copy of a letter denying our original request from Mr. George S. Moriguchi, who was Executive Officer of your Commission at that time.

Any consideration you can render our request for reconsideration will be greatly appreciated. We, also stand ready to submit any other data or information that your Commission may require.

Very truly yours,

Edwin T. Ige

Encl: map

ETI:ei

Exhibit "B"

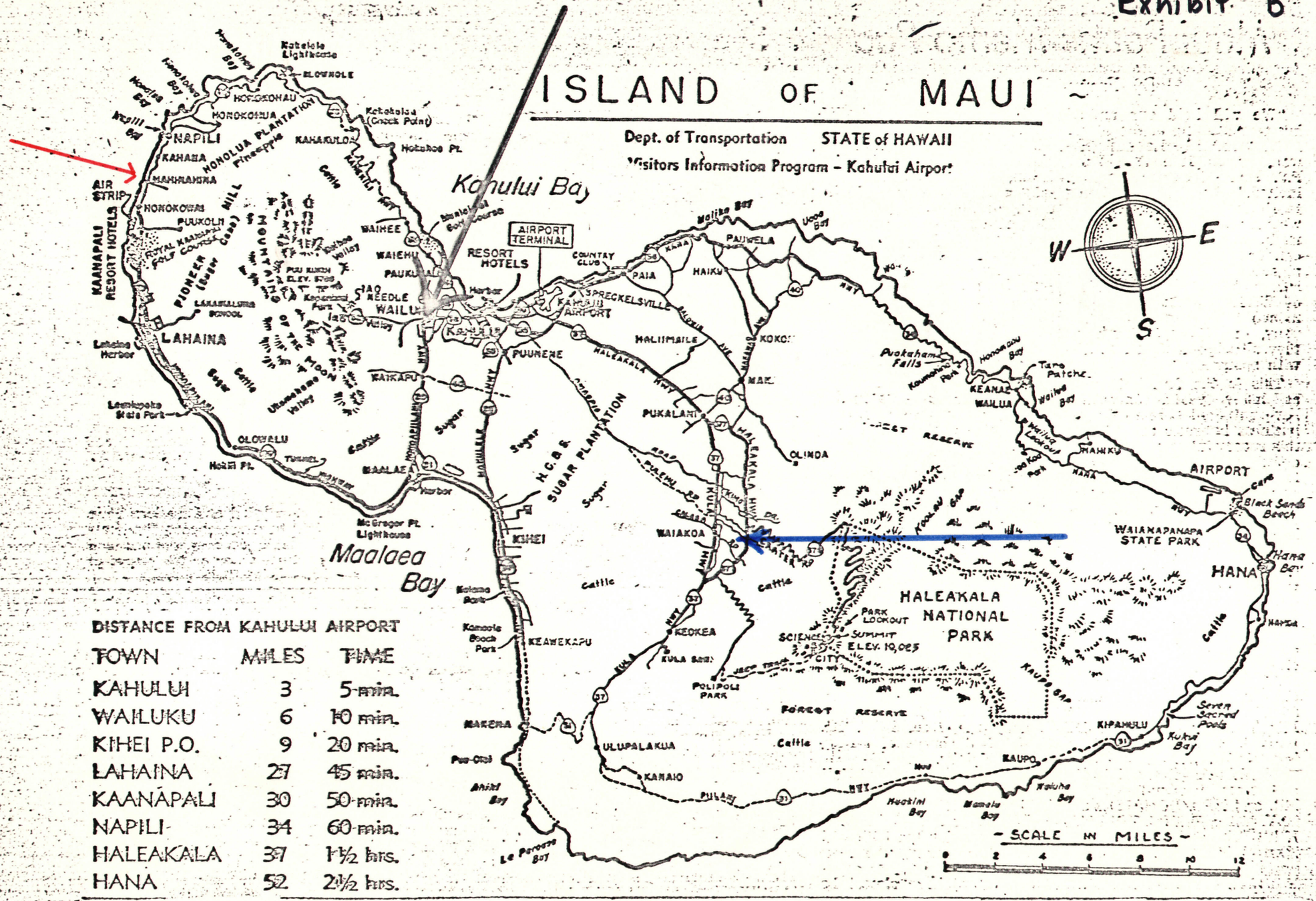
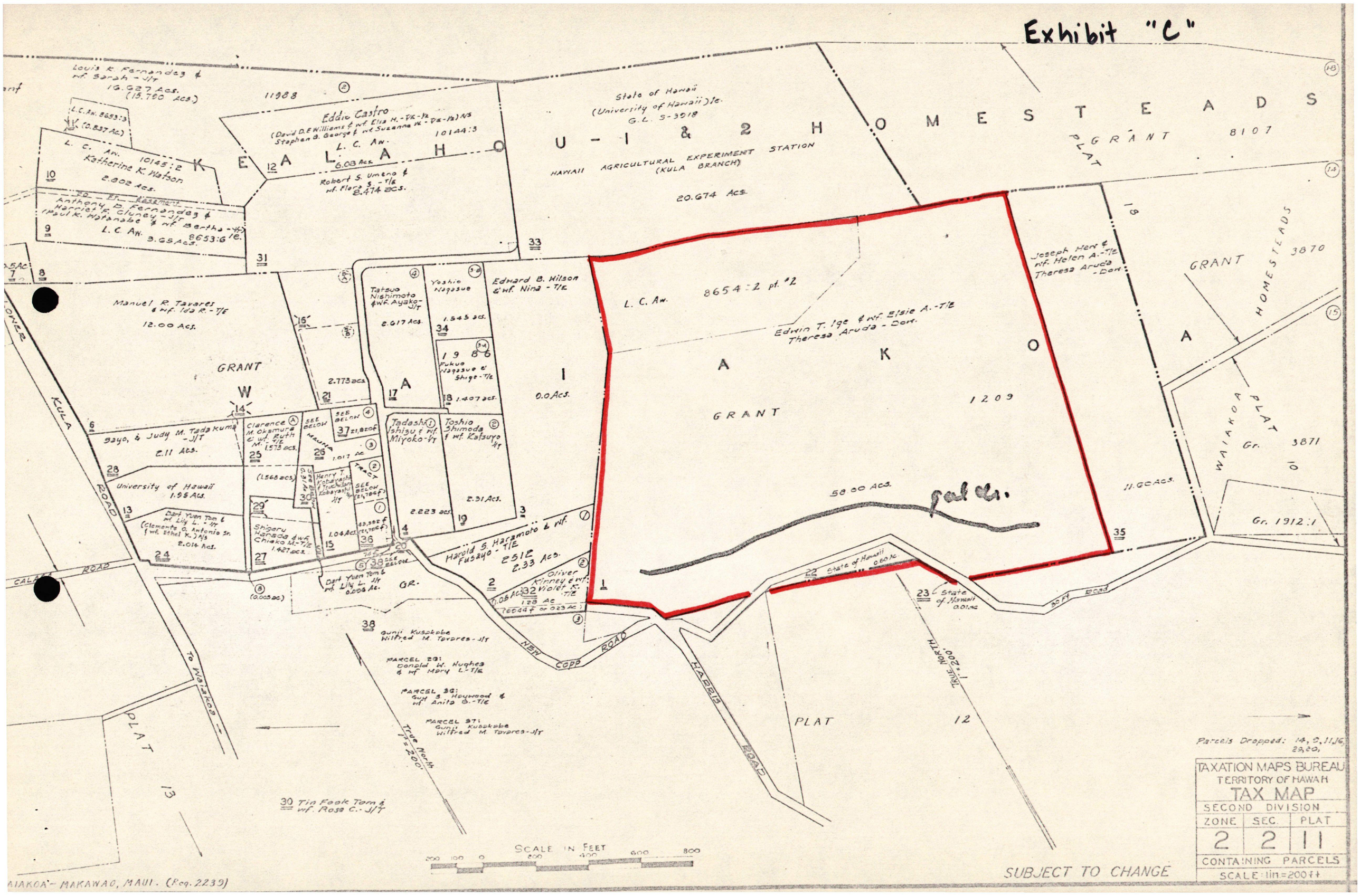

ISLAND OF MAUI
Dept. of Transportation STATE of HAWAII
Visitors Information Program – Kahului Airport
Kahului Bay
Maalaea Bay
AIRPORT TERMINAL
RESORT HOTELS
KAANAPALI RESORT HOTELS
LAHAINA
KAHULUI
WAILUKU
KIHEI
MAKENA
PAIA
HAIKU
PUKALANI
OLINDA
KEANAE
WAILUA
HANA
AIRPORT
HALEAKALA NATIONAL PARK
WAIANAPANAPA STATE PARK
Black Sands Beach
Hana Bay
Pu'uhaim Falls
Tare Patch
Seven Sacred Pools
Kuhai Bay
Honokowai
Napili
Kahana
Mahinahina
Honokohau
Kahakuloa
Waihee
Waiehu
Puukoli
Pioneer Mill
Lahaina Harbor
Lahaina Roads
Lahaina Pali
Lahaina Pali Trail
Lahaina Pali Road
Lahaina Bypass Road
Lahaina Bypass

Exhibit "C"

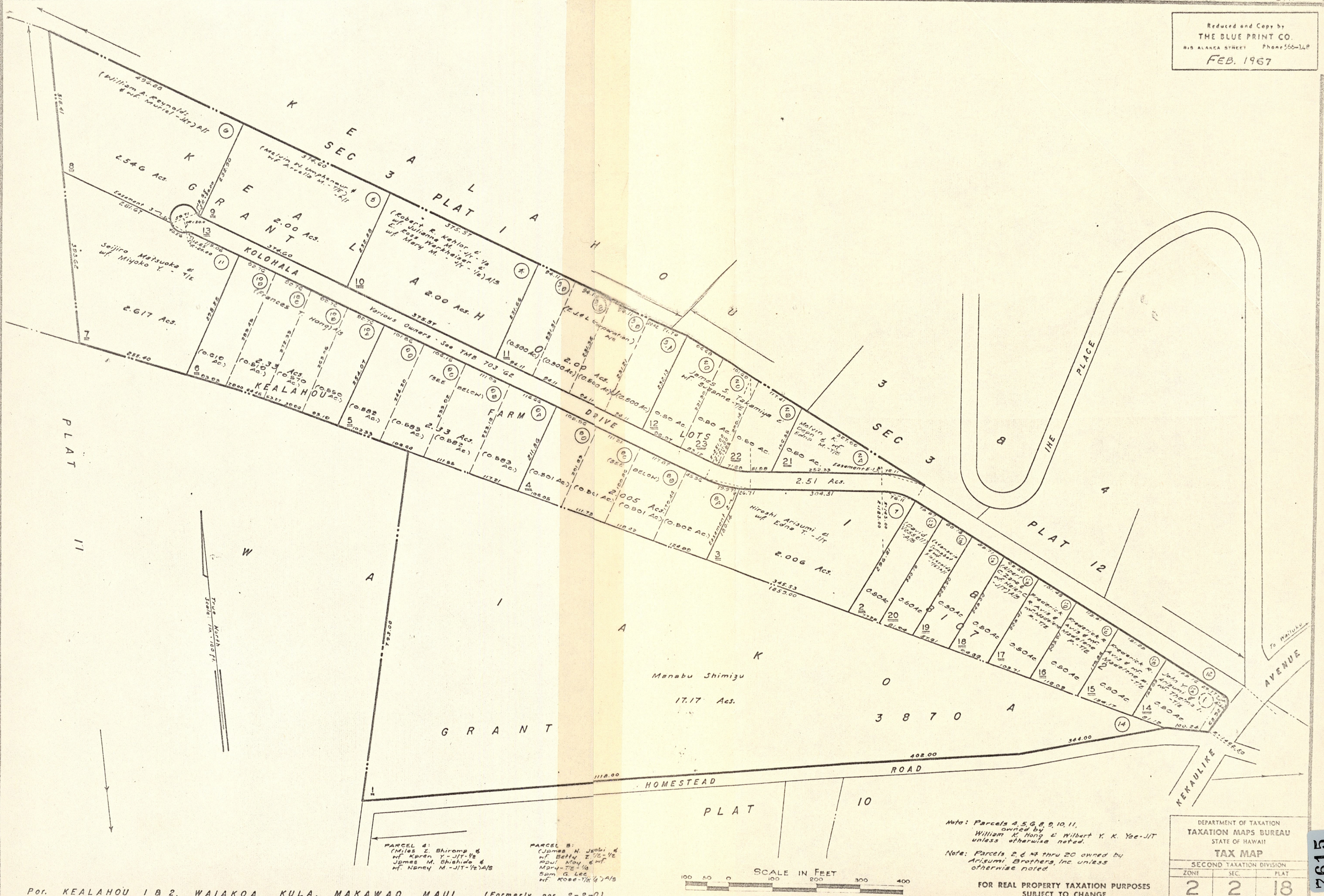


KALAHOU-1 & 2 HOMESTEADS
HAWAII AGRICULTURAL EXPERIMENT STATION (KULA BRANCH)
20.674 Acs.
State of Hawaii (University of Hawaii) Ie. G.L. S-3918
Eddie Castro
Louis K. Fernandez & wf. Sarah - J/T 16.627 Acs. (15.790 Acs.)
L. C. Aw. 10145:2 Katherine K. Watson 2.802 Acs.
Anthony D. Fernandez & Harriet F. Cluney - J/T (Paul K. Watanabe & wf. Bertha - Ie.) L. C. Aw. 8653:6 3.65 Acs.
Robert S. Umeno & wf. Flora S. - T/E 8.474 Acs.
Manuel R. Tavares & wf. Ida R. - T/E 12.00 Acs.
GRANT
Tatsuo Nishimoto & wf. Ayako - J/T 2.617 Acs.
Yoshio Nagasue 1.545 Acs.
Edward B. Wilson & wf. Nina - T/E
Fukuo Nagasue & Shige - T/E 1.407 Acs.
Tadashi Ishizu & wf. Miyoko - J/T
Toshio Shimoda & wf. Katsuyo J/T
Sayo, & Judy M. Tadakuma - J/T 2.11 Acs.
Clarence M. Okamura & wf. Ruth M. - T/E 1.573 Acs.
University of Hawaii 1.95 Acs.
Dart Yuen Tom & wf. Lily L. - J/T (Clemente O. Antonio Sr. & wf. Ethel K.) A/S 2.014 Acs.
Shigeru Hanada & wf. Chiako M. - T/E 1.427 Acs.
Harold S. Haramoto & wf. Fusayo - T/E 2512 2.33 Acs.
Oliver Kinney & wf. Violet K. - T/E
Dart Yuen Tom & wf. Lily L. J/T 0.096 Ac.
Gunji Kusakabe Wilfred M. Tavares - J/T
PARCEL 29: Donald W. Hughes & wf. Mary L. - T/E
PARCEL 36: Guy S. Haywood & wf. Anita G. - T/E
PARCEL 37: Gunji Kusakabe Wilfred M. Tavares - J/T
30 Tin Fook Tom & wf. Rose C. - J/T
L. C. Aw. 8654:2 pt. #2
Edwin T. Ige & wf. Elsie A. - T/E Theresa Aruda - Dow.
Joseph Hew & wf. Helen A. - T/E Theresa Aruda - Dow.
GRANT 1209
58.00 Acs.
11.60 Acs.
State of Hawaii 0.60 Ac.
State of Hawaii 0.01 Ac.
GRANT 8107
GRANT 3870
Gr. 3871
Gr. 1912:1
PLAT 18
PLAT 12
PLAT 13
KULA ROAD
CALAFA ROAD
NEW COPP ROAD
HARRIS ROAD
WAIAKOA HOMESTEADS
WAIAKOA PLAT 10
True North 1" = 200'
SCALE IN FEET
200 100 0 200 400 600 800
Parcels Dropped: 14, 9, 11, 16, 29, 20,
TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP
SECOND DIVISION
ZONE 2 SEC. 2 PLAT 11
CONTAINING PARCELS
SCALE: 1in = 200 ft
SUBJECT TO CHANGE
AIAKOA - MAKAWAO, MAUI. (Reg. 2239)

Exhibit "D"

2 - 2 - 18 2ND. DIV.

Reduced and Copy by
THE BLUE PRINT CO.
815 ALAKEA STREET Phone 566-148
FEB. 1967



Note: Parcels 4, 5, 6, 8, 9, 10, 11, owned by William K. Hong & Wilbert Y. K. Yee - JT unless otherwise noted.

Note: Parcels 2 & 14 thru 20 owned by Arisumi Brothers, Inc unless otherwise noted.

FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE

DEPARTMENT OF TAXATION
TAXATION MAPS BUREAU
STATE OF HAWAII
TAX MAP
SECOND TAXATION DIVISION

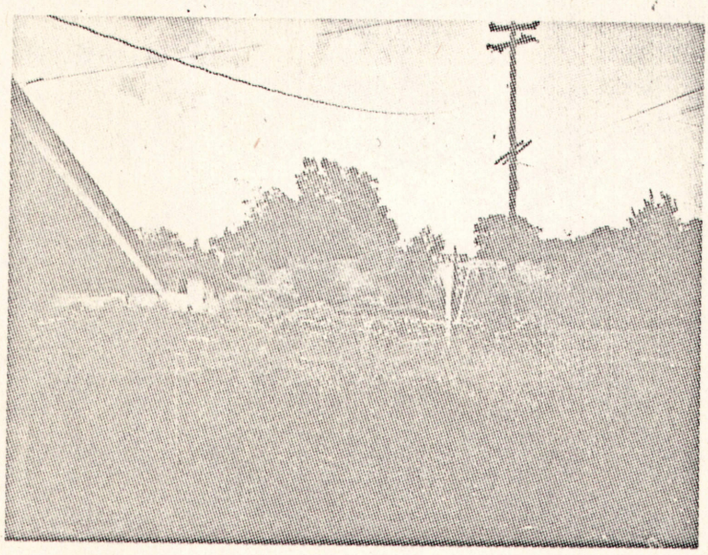
ZONE	SEC.	PLAT
2	2	18

SCALE 1 IN. 100 FT.

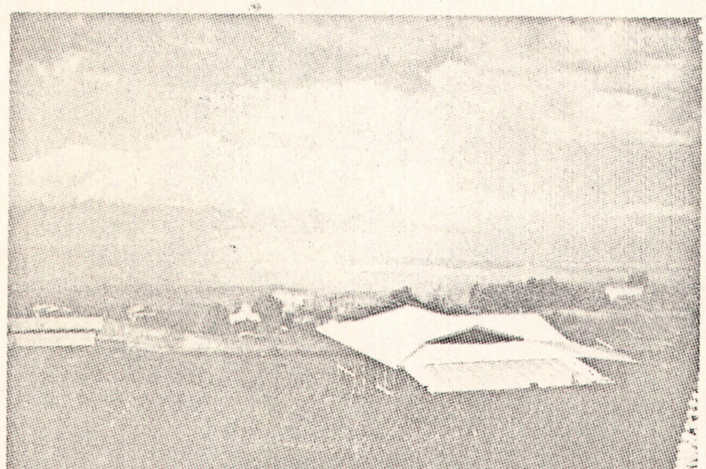
Por. KEALAHOU 1 B 2, WAIAKOA, KULA, MAKAWAO, MAUI (Formerly por. 2-2-01)

7615

Exhibit "E"



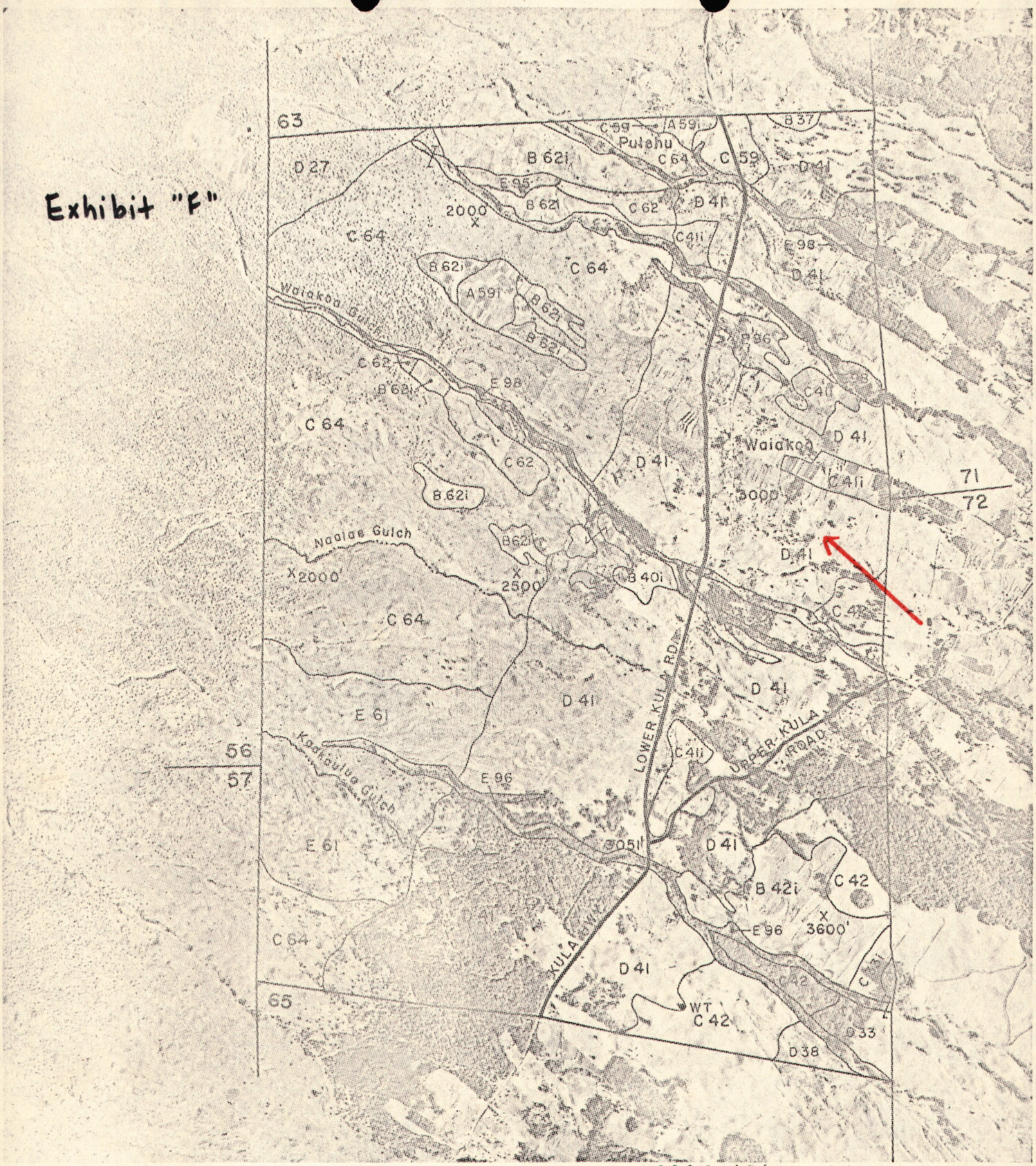
Nearby scenes showing very low density lots and small farm.





Scene showing appearance of land in question.

Exhibit "F"



Land classification data field mapped 1966.

LAND CLASSIFICATION SYMBOL

B 14i
- Master Productivity Rating
- Land Type. Number and letter "i" if irrigated; number only if unirrigated. (See sections of text where land types are defined and rated by selected uses.)

Approx. North

U.S.G.S. Quad. References: Puu o Kali, Kilohana

Approx. Scale (ft./in.) = $\frac{18,100 - \text{Ground Elevation}}{6}$

Aerial Photographs: U.S. Dept. of Agriculture, A.S.C.S.

LAND STUDY BUREAU···UNIVERSITY OF HAWAII

Exhibit "G"

UNIVERSITY OF HAWAII

Cooperative Extension Service · College of Tropical Agriculture

United States Department of Agriculture Cooperating

September 27, 1967

Mr. Meyer Ueoka
2121 Main Street
Wailuku, Maui 96793

Dear Mr. Ueoka:

As requested, the following is an agricultural evaluation of the 58 acre property in Kula owned by E. Ige.

According to the U. S. Soil Conservation Service, the soil in the area is classified as Kula cobbly loam with approximately 20% slopes. There is an abundance of rock outcroppings. The light ashy type soil under the existing steep condition constitutes a very high erosion hazard. There is a gulch that runs down the area in question.

This area, because of the steep slopes, eroded land, and abundance of rocks, is not well suited for efficient and economical agricultural use. Machine tillage of this soil is limited.

If farmed, intensive conservation practices must be adopted to prevent erosion. Portions have been eroded badly in the past. For general vegetable farming, considerable effort and expense must be exerted to remove rocks and develop terraces. For fruit production, similar terracing and ground preparation must be made for efficiency in irrigation, cultivation, spraying and harvesting operations. In addition, a good cover crop must be planted and maintained.

This land may be suited for pasture if used in combination with other land in a different climate zone (example, Haiku) so that forage can be assured during the summer months and other dry periods.

Sincerely,

Daniel T. Shigeta

Daniel T. Shigeta
County Extension Agent Chairman

DTS:hf

cc: Assoc. Dir.

LAND USE DEDICATIONS - 1967

(Petitions received during 1966 [redacted] 1967, for Jan 1, 1967 assessment [redacted])

Exhibit "H"

TAX KEY NO.	PETITION NO.	* AREA DEDICATED		ASS'D VAL IF NOT DEDICATED	ASS'D VAL AS DEDICATED	TAX LIABILITY IF NOT DEDICATED
1-5-009-007	R 148	14.95	Kana	1384	523	2080
2-2-003-006	153	10.900		5483	4205	8226
-008	154	9.671		7760	4095	11670
-016	R 150	2.313		10612	93	15922
-017	R 151	5.023		17403 / 25503	1638 / 1879	37114 / 38018
-046	R 152	2.640	EX	1476	2441	17214
-048	155	1.610		3520	399	5280
-057	R 184	5.150		12076 / 16908	1802	18114 / 25368
2-2-004-012	131	11.090		2604 / 7331	471 / 1374	3910 / 10998
-039	131	.341		1749	15	2720
2-2-006-013	R 209	11.288		33810	3853	50716
-015	R 201	9.160	EX	30920 / 31945	733 / 2104	46455 / 47955
2-2-010-007	159	10.720	EX	8127	4752 / 4622	12183 / 11568
2-2-010-014	159	.580		2521	203	3762
-015	R 160	2.250		10325	788	15488
2-2-011-003	R 110	9.000		24,634	387	36952
-021	R 117	1.773		7,707	621	8178
-021	199	1.000 (2.773)		4830 (5451)	2826 (3447) (1852)	
-031	118	8.474		7,341	2,966	11012
2-2-013-007	170	31.000		8795 / 17795	6807 / 9907	13494 / 19494
-019	R 183	2.770	EX	6884 / 7777 (6804)	1543 / 1225	10326 / 11663
2-2-014-010	208	5.660		4622	1330	6938
-020	207	1.795		7153	M-14-U	
-023	197	.6000			M-15-U	
2-2-015-026	171	5.010		5652	1754	8478
-027	172	7.282		6451	1078	9678
2-2-016-029	R 146	2.000		4904	160	7356
-035	R 147	2.000		9178	1470	13748
-046	R 182	2.340		10138	1087	16108
-047	R 147	1.000		4830	235	7246
-048	R 147	1.720		7693	908	11570
-059	R 149	14.677	EX	15699	2055 / 1764	23550
-081	R 142	1.000		2898	235	4348
28	24					
				288007	48330	432121
30		180937		301272	54928	452026
31						

	TAX KEY NO.		PETITION NO.		AREA DEDICATED		ASS'D VAL IF NOT DEDICATED	ASS'D VAL AS DEDICATED	TAX LIABILITY IF NOT DEDICATED
	2-2-017-018	X	146	X	1.840 ✓		4449	79	6679
	2-3-001-051	X	164	✓	8120	16,240 ✓	4506	9012	
	2-3-001-051	X	186	✓	8120		4506	3758	13518
	-085	X	125	X	5820 ✓		5381	766	8072
	-097	X	126	✓	4960 ✓		6111	1597	9168
	-114	X	180	✓	2.000 ✓		5075	770	7614
	-057	X	179	✓	6.140 ✓		6524	2643	9786
							18045	3774	27068
	2-3-002-009	X	169	✓	4670 X		19521	4855	29205
	-012	X	138	✓	11.950 ✓		7648	3669	11472
	-036	X	145	✓	16980 ✓		8679	5877	13020
	-039	X	139	✓	6000 ✓		2100	2100	3150
	2-3-003-015	X	162	✓	23960 ✓		9653	2146	14480
	-016	X	167	✓	4950 ✓		5653	1631	8480
	-018	X	181	✓	44361 X		19175	3815	28763
	-019		168						
	-027	X	163	✓	4260 ✓		3246	1571	4870
	-029	X	165	X	21140 ✓		8333	7705	12500
	-066	X	165	✓	52600 ✓		12226	11202	18340
	-076	X	166	✓	28210 ✓		8590	8458	12886
	-078	X	198	✓	28.500 ✓		10895	11609	16344
	2-3-002-085	X	202	✓	12400 ✓		6131	5051	9198
	-086	X	181	X	21,000 ✓		38857	818	58286
	2-3-011-001	X	204	✓	14380 ✓		6153	6153	9230
	-002	X	204	X	14380 ✓		6153	6153	9230
	2-3-012-022	X	190	✓	3000 ~~3930~~ ✓		11303	4299	16956
	2-3-013-006		178						
	-007		178						
	-013	X	156	✓	4320 ✓		20658	327	30988
	-019	X	129	✓	3890 ✓		15044	2114	22566
	-021	X	191	✓	5000 X		30825	10220	31238
	-025	X	137	✓	2691 X		13357	8247	20036
	-026	X	144	X	7660 ✓		25706	2102	38560
	-027	X	144	X	7280 ✓		27722	3911	41582
	-028	X	189	✓	7010 ✓		20855	2071	31282
	-042	X	144	X	2778 ✓		14833	971	22250
	-054		141		2960		13391		
	2-3-014-013	X	200	R ✓	1966 ✓		11114	157	16672
							384506 ✓	102964 ✓ ✓	576784 ✓
					398302 ✓		368629	108350	552943

	Initials	Date
Prepared By		
Approved By		

LAND USE DEDICATIONS - 1967
(Petitions received during 1966, 1967, 1968 for Jan 1, 1967 assessments)

	1 TAX KEY NO.	2 PETITION NO.	3 AREA DEDICATED	4	5 ASS'D VAL. IF NOT DEDICATED	6 ASS'D VAL AS DEDICATED	7 TAX LIABILITY IF NOT DEDICATED
1	2-2-014-020 ✓	M-14-U	1.795		7153		
2	023 ✓	M-15-U	6.000		12251		
3	2-3-022-003 ✓	M-19-U	5.344		16067	1954	29982
4	2-3-044-037 ✓	M-16-U	1.975		7537		
5	040 ✓	M-16-U	6.080		22612		
6	041 ✓	M-16-U	3.291		6994		
7	042 ✓	M-16-U	3.291		10491		
8	043 ✓	M-16-U	3.291		6994		
9							
10	2-4-006-026 ✓	M-18-U	2.000		1840		
11							
12	2-4-018-016 ✓	M-17-U	1.000		5717		
13	2-7-010-001 ✓	M-20-U	7.69		7868	2431	12236
14	3-5-004-039 ✓	M-13-U	1.780		14112		
15							
16							
17							
18							
19							
20		✓ - approved Petitions					
21							
22							
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40			13034		23935	4385	37220

TAX KEY NO.	PETITION NO.	AR[illegible] DEDICATED	ASS'D VA[illegible] IF NOT DEDICATED	ASS'D VAL AS DEDICATED	TAX LIABILITY IF NOT DEDICATED
2-3-015-008	R 185	2017	11402	161	171 04
-013	R 158	5634	27040	3172	405 60
2-3-016-002	194	3264	11217	261	168 26
-016	124	9201	27370	1936	410 56
-019	168	3044	13041	1331	195 62
2-3-018-005	R 135	2030	~~10423~~ 11475	1910 ~~858~~	172 14 ~~[illegible]~~
2-3-019-001	R 192	4461	22564	2761	338 46
-002	R 132	716	3834 ~~[illegible]~~	251 ~~[illegible]~~	57 52 ~~[illegible]~~
-012	R 196	4034	~~[illegible]~~ 20404	~~[illegible]~~ 2612	~~[illegible]~~ 306 06
-013	R 157	2135 ~~2315~~	12069	747	181 04
-015	R 195	2172	12273	1960	184 10
-027	R 196	2092	8910	732	133 66
2-3-020-014	119	1811	10238	634	153 58
-015	120	1774	~~[illegible]~~ 9500	~~[illegible]~~ 621	142 50 ~~[illegible]~~
-019	121	2178	12312	1762	184 68
-020	122	2180	12323	763	184 86
-021	123	1682	9508	589	142 62
-023	143	931	5817	1526	87 26
-026	143	1895	8456	559	126 84
2-3-021-006	R 203	3011	14332	1908	214 98
~~2-3-022-003~~	~~128~~	~~5344~~	~~16067~~ M-19-4		
2-3-026-003	R 174	1500	6883 ~~9178~~	525 ~~1725~~	103 26 ~~[illegible]~~
-016	140	1349	6190 ~~5940~~	317 ~~1069~~	92 85 ~~[illegible]~~
2-3-032-010	206	2780	2041	1190	30 62
-011	205	2670	2002	1144	30 04
-012	136	2670	2002	1144	30 04
-013	136	2670	2002	1144	30 04
2-3-034-042	R 193	18120	43760	779	656 40
2-3-040-010	R 177	1357	5243	475	78 66
-011	R 175	13840	50804	4402	762 06
-013	R 176	862	4580	301	68 70
-019	R 176	1636	6006	573	90 10
		105716 ~~105896~~	395598 ~~403712~~	38190 ~~47770~~	593415 ~~605586~~

	TAX KEY NO.	PETITION NO.		AREA DEDICATED		ASS'D VAL IF NOT DEDICATED		ASS'D VAL AS DEDICATED		TAX LIABILITY IF NOT DEDICATED
1	2-3-044-037		133	1975		7537				
2	-040		133	6080						
3	-041		133	3291		6994		M-16-U		
4	-042		133	3291		10491				
5	-043		133	3291		6997				
6	2-3-046-003		127	10670		6373		1363		9560
7										
8	2-4-006-026		185	2000				M-18-U		
9										
10	2-4-013-006		178	39760		5375		5334		8064
11	-007		178	10010		2684		1388		9026
12	-008		130	3900		2550		4725		4426
13	-009		130	1800		2996		2855		4474
14	-045		187	21632		4141		3382		6212
15	-114		188	21705		4146		3384		6220
16										
17	2-4-018-016		161	1000		5717		M-17-U		
18										
19	2-7-001-013	R	114	1500		507		65		762
20	-034	R	111	2360		1773		187		2810
21	-037	R	112	3720		3019		160		4560
22	-039	R	113	2330		788		100		1182
23	-059	R	115	9572		2706		376		5770
24										
25	2-7-010-001		173	7690		7868		M-20-U		
26										
27	2-7-014-032		181	17000		647		647		972
28	-033		181	2850		1078		1078		1618
29										
30	2-7-015-018		181	127540		4748		4748		7122
31										
32	2-7-023-004		116	9500		7344		2437		20160
33										
34	2-7-024-019		185	6270		2933		270		44100
35										
36	2-7-025-008		185	5980		2887		257		42332
37										
38	2-8-003-002		109	10000		430		430		6460
39										
40	2-8-008-002		181	5000		109		109		1644
41	-003		181	23500		863		863		12976
42										
43	3-5-004-039	M-13U		409744		19112		M-13-U		76314
44	21	(93) (94)		383744		5219754		3605806		57758
	Parcels 114	Totals	A	Grand Total		12030303		3605806		1605758
		1094204				1417765		2116549		1774320

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kahului Library
Kahului, Maui

November 27, 1967 - 2:30 p.m.

Commissioners Present:	Shiro Nishimura, Chairman Pro tem Leslie Wung Goro Inaba Shelley Mark
Commissioners Absent:	C. E. S. Burns Wilbert Choi Keigo Murakami Jim P. Ferry
Staff Present:	Ramon Duran, Executive Officer Ah Sung Leong, Planner III Dora Horikawa, Stenographer

Acting Chairman Nishimura announced that due to the lack of a quorum the action items on today's agenda will be deferred to a later date.

Persons planning to testify before the hearing were duly sworn in.

ADOPTION OF MINUTES

The minutes of the meetings of September 8, 1967 and October 13, 1967 were approved as circulated.

HEARING

PETITION BY EDWIN IGE (A67-164) TO RECLASSIFY 58 ACRES FROM AGRICULTURAL TO RURAL AT WAIAKOA, KULA, MAUI

It was again recommended in the staff report, presented by Mr. Duran, that the petition be denied because the petitioner had not submitted proof of need and since extensive vacant areas existed within the Rural District for residential expansion. Mr. Duran advised that the Maui Planning Commission's recommendation for approval was based on their previous recommendation. He pointed out that the same data contained in the original petition, denied by the Commission, has again been submitted and that no significant or new information accompanies this re-application. He also stated that unnecessary public expenditures to develop a county road for access to the proposed subdivision would be necessary.

Chairman Nishimura observed that extensive areas were designated Urban in the Kula District which were presently in agricultural use. Mr. Duran reflected

that this may have been due to the fact that residential and commercial uses are scattered all along the highway and the Commission, in determining the boundary, logically followed the property line in the back. However, during the reevaluation of the boundaries in the near future, this area in particular should be more realistically districted.

Petitioner Ige submitted that as a contractor having done most of the construction work in the area, he was thoroughly familiar with the Kula District. He stated that the bulk of the areas in the Jamestown Urban District were impossible to inhabit due to the deep gulches and the growth of tall wattle trees. He felt that denial of his original request was based on an untrue picture of the available urban lands in the Kula area.

Mr. Ige continued that there were a couple of subdivisions adjacent to his property almost completely sold, and that the undeveloped urban areas mentioned in the staff report were locations where people did not wish to buy. He also stated that the accessibility to the main government road and the view from his property made it more attractive to the prospective buyer. Electricity and water were available in the near vicinity and the developer would be responsible for the roadway within the subdivision.

The petitioner envisioned a development of approximately 90 lots on the 58-acre parcel comprised of predominantly ½ acre lots with a few 1, 1½ and 2 acre lots. The majority of the people expressing a desire to purchase within his subdivision were interested in ½ acre lots.

Mr. Meyer Ueoka, attorney representing the petitioner, read a prepared report in support of the petition giving background of the petitioner, description of the parcel of land, arguments in support of the petition, and rebuttal of the staff report (see copy of report on file).

Mr. Ueoka confirmed that the population figure of 49,600 in his rebuttal statement included Molokai, Lanai as well as Maui.

Referring to the available undeveloped urban acres in the Kula District, Mr. Ueoka contended that some of these landowners had no intention of developing their lands and some were unable to because of financing difficulties. In fact much of these lands have been dedicated for agricultural purposes.

Due to the changing economic standards, Mr. Ueoka pointed to the demand for second homes by families.

Chairman Nishimura raised the question of the narrow roads in the vicinity of petitioner's lands and wondered if the County might not be burdened with the expense of widening these roads. In reply, Mr. Ueoka spoke of the possibility of purchasing a parcel that would connect with an adjoining subdivision complete with roads and this, together with an existing road along petitioner's property, would provide 2 accesses. Also, additional tax revenues realized from new property owners in the proposed subdivision could be used by the County for improvements.

Mr. Ige advised that the road leading into his proposed subdivision had a 40' right-of-way. Presently it was in a state of disrepair. However, with the approval of the subdivision, he felt that the County would bring it up to standard since this was the only road leading to the Lower Road.

Chairman Nishimura suggested that the petitioner submit a subdivision plan within 15 days of this public hearing to afford the Commissioners a clearer concept of his proposal.

Mr. Ige submitted that his decision to develop subject property had resulted from the numerous inquiries he had received from people interested in purchasing ½ to 1-acre parcels for vacation and rental homes. The present 2-acre requirement under the agricultural districting would burden a small number of property owners with a heavier assessment for the improvements and would also affect the selling price of the parcels. The fact that roads need not be paved and can remain sub-standard, plus the variance in construction specifications, were pointed to as some of the disadvantages of the 2-acre subdivision.

As a contractor, Mr. Ige was confident that he would be able to develop a subdivision that would be a credit and asset to the County of Maui. He added he would be able to substantiate the demand for his proposed subdivision.

Mr. Ige further advised that the purchaser would be fully protected since the subdivision would have to meet all county standards and the developer would have to be bonded.

Mr. Ueoka reiterated the petitioner's ability and desire to develop his land as compared to some of the others who were merely sitting on their lands and will for generations to come.

Commissioner Mark commented that we were all looking for the right kind of development and wondered if the petitioner could see his way clear to wait another year when a reevaluation of all district boundaries would be undertaken by the Commission. He agreed that the petitioner had presented some valid points that deserved favorable consideration. However, this should take place under an orderly time scheme.

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

NEXT MEETING DATE

December 15, 1967 in Honolulu, Hawaii was decided upon as the next meeting date.

STATE OF HAWAII
LAND USE COMMISSION

Kahului Library
Kahului, Maui

November 27, 1967
2:30 P. M.

STAFF REP. 11/27

STAFF REPORT

A67-164 - EDWIN IGE

The petition before you to rezone 58 acres of pasture land situated in Waiakoa, Kula, Maui, requesting a change in the district designation from Agricultural to Rural, is the same petition denied by the Land Use Commission in June, 1966. The petitioner has requested reconsideration of the past action of the Commission.

The petitioner desires to subdivide the property in question into ½-acre to 2-acre lots.

The lands are located approximately ½ mile mauka of the Waiakoa Urban District below the lower Kula Highway. The land is owned in fee by the petitioner. The Land Study Bureau classifies the area as Type C indicating fair to marginal suitability for intensive agriculture. The elevation of the property in question is approximately 3,000 feet with an average annual rainfall of approximately 35 inches.

The following was submitted in support of the request:

1. The land is presently being used in the lowest form of agriculture, with a carrying capacity of 3 acres to 1 head of cattle.
2. Adjacent properties are all zoned "rural and there is a definite demand for these rural lots".
3. The Soil Conservation Service stated that due to the stony condition and steep slopes, this land is not suited to cultivation of crops and recommended the land be used for pasture, woodland, or orchard. No special problems should be encountered if developed for residential development except for soil erosion during development.

4. The land in question in classified by the Land Study Bureau, University of Hawaii, as Type C, indicating fair to marginal for agricultural use.
5. "The demand for houselots is in great demand in the Waiakoa District."
6. Maui County's recent survey shows an increase in population in the Kula District.
7. 44% of the property in question is surrounded by rural classified lands.
8. Property is easily accessible to an existing county road and utilities are readily available.

County Recommendation

The Maui Planning Commission, at its meeting of September 19, 1967, again voted unanimously to recommend approval of the request.

Analysis

The major land classification in the Waiakoa area is agricultural. The Waiakoa Urban District and its fringing Rural Districts along the lower Kula Highway and along the upper Kula Road are in the vicinity of the property in question. The lower boundary is contiguous to a Rural District. The remaining 3 boundaries of the subject lands are bordered by lands classified as Agricultural. However, the northeastern corner of the parcel is adjacent to an existing Rural District. Petitioner's statement that 44% of the land is abutting a Rural District is incorrect. The boundary of the property in question abuts the Rural District for only 27%.

Land use in the entire surrounding area of the subject lands involves agricultural pursuits. Major portions of the existing Rural and Urban Districts also involve agricultural uses notwithstanding its district classification. The predominant scene throughout the Waiakoa area under all classes

of land use districting is agricultural in nature with very low density occupancies. With the exception of the new lower Kula Highway and the upper Kula Road, all other access roads are narrow and generally only in fair condition.

The petitioner has indicated that there is a definite demand for rural lots in the Waiakoa area but he has not provided any evidence to support his statement. In recommending approval of the petition, the Maui Planning Commission has not submitted any data relating to the question of need for additional rural lands in the area. Therefore, the need for additional rural lands has not been substantiated as required by the Land Use District Regulations.

It is interesting to note that the population in the Waiakoa area declined by approximately 20% during the decade from 1950 to 1960, with the U. S. Census showing a population of 416 in 1960. In view of the estimates from the Makawao District for 1965 as prepared by the Department of Planning and Economic Development, it can be logically reasoned that the population at Waiakoa today is less than the 416 counted in 1960. The population projection for 1975 indicates that rather than an increase a decline is probable, and not until 1985 will there be a 5.4% increase over 1965's population. Population figures released by the DPED and Health Department indicate that the Island of Maui lost approximately 700 in population during the first 6 months of this year.

Evaluation of the existing land uses within the Rural Districts surrounding the petitioner's land for a radius of approximately 1 mile indicates that the extent of rural development is extremely low. Approximately 300 acres are districted as Rural within 1 mile of the subject lands, with only approximately 75 acres in actual use as rural areas. The 75-acre figure is a generous estimate since it includes parcels of land 4 acres in size with

1 dwelling unit, whereas ½-acre lots are permitted within the Rural District. The remaining 225 acres within the Rural District are in use as pasture lands, diversified farm lands, wooded lands, vacant lands, and lands generally in agricultural use rather than in rural residential use. In essence, 225 acres of land within the present Rural District, surrounding the property in question, have not been developed as a rural area. This is also true of the character of the nearby Urban Districts. Some of the more recent rural subdivisions at Waiakoa which were initiated about 1962 are generally vacant.

Examination of the Rural District surrounding the "Jamestown" Urban District located about 1½ to 2 miles north of the subject lands, also indicate extensive areas undeveloped. Approximately 645 acres of the 915-acre Rural District in the Kimo Road area have not been developed to date as rural lands. On the basis of these data relating to extensive lands within the Rural District which have not been developed for rural purposes to date, it is extremely difficult to accept any statement that would suggest that additional rural districting is needed.

Another item of considerable significance is the building permit count for the Kula area which indicated that less than 16 building permits per year on an average were issued. This data, evaluated in the light of more than 1,000 acres of undeveloped Rural District lands in the Kula area, establishes without any doubt that there has been no construction boom in the Kula area.

The Maui County General Plan designates this area for rural use. The General Plan is a "broad brush" (long range) plan which designates some 11,000 acres for rural use in the Kula area. On the basis of minimum ½-acre lots and necessary streets, a population of over 50,000 persons can be accommodated in this area alone or <u>all of the population anticipated in the County of Maui by 1975</u>.

Recommendation

The staff finds that the need has not been justified on the following basis:

1. The population growth is static or at a minimum.
2. Development of lands within the Rural District for residential purposes has been minimal.
3. There exists extensive vacant or agricultural areas within the Rural District for residential expansion.
4. Recent subdivisions for residential development in the Rural District are substantially vacant.
5. Lands already districted Rural and vacant are more suitable than the land in question.

Therefore, it is recommended that the petition again be denied.

November 16, 1967

Mr. Edwin T. Ige
P. O. Box 7
Kahului, Maui 96732

Dear Mr. Ige:

The Land Use Commission next meets on November 27, 1967 at 2:30 p.m. at the Kahului Library, Kahului, Maui. At that time, your application (A67-164) to amend the Land Use district boundaries at Kula, Maui, will be heard.

Very truly yours,

RAMON DURAN
Executive Officer

2250

ROBERT O. OHATA
PLANNING DIRECTOR

EVA M. DUPONTE
ADMINISTRATIVE ASSISTANT

PLANNING COMMISSION
COUNTY OF MAUI

POST OFFICE BOX 1487
KAHULUI, MAUI, HAWAII 96732

RECEIVED
SEP 21 1967
State of Hawaii
LAND USE COMMISSION

September 20, 1967

Mr. Ramon Duran
Executive Officer
Land Use Commission
State of Hawaii
426 Queen Street
Honolulu, Hawaii 96813

Dear Mr. Duran:

The Maui Planning Commission at its meeting of September 19, 1967, voted unanimously to recommend approval of the request for amendment to the land use district boundaries, submitted by Edwin T. Ige.

In taking this action, the Commission reaffirms its original recommendation of May 3, 1966.

Very truly yours,

Howard K. Nakamura

HOWARD K. NAKAMURA
Planner

cc: Edwin T. Ige

State Form B14

STATE OF HAWAII

OFFICIAL RECEIPT No. 209

Department of Planning and Economic Development
Department, Bureau or Commission

Sept. 15 19 67

RECEIVED from Edwin L. Lge

Fifty and no/100 DOLLARS

LUC fees Edwin & Elsie Lge

$ 50 00

Jean H. Kamitono
Public Accountant

September 11, 1967

Planning & Traffic Commission
County of Maui
P. O. Box 1487
Kahului, Maui

Attention: Mr. Robert Ohata, 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 Edwin T. Ige, 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

Encls.

State Form B14

STATE OF HAWAII

OFFICIAL RECEIPT No. 177

Land Use Commission
Department, Bureau or Commission

August 7 1967

RECEIVED from Edwin T. Ige

Fifty & no/100 **DOLLARS**

Petition for Boundary Change

$ 50.00

Dora Y. Hirahara
Public Accountant

September 11, 1967

Mr. Edwin T. Ige
P. O. Box 7
Kahului, Maui, Hawaii 96732

Dear Mr. Ige:

Your request for reconsideration of your petition to amend the land use district boundaries as shown on Tax Map Key 2-2-11: 1 at Waiakoa, Kula, Maui was approved by the Land Use Commission at its meeting on September 8, 1967 at Lihue, Kauai.

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 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 have any questions, please feel free to contact us.

Very truly yours,

RAMON DURAN
Executive Officer

cc: Maui Planning Commission

STATE OF HAWAII

LAND USE COMMISSION

VOTE RECORD

Item Reconsideration of IGE Petition Date September 8, 1967

Place Lihue District Court Room Time 3:00 p.m.

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

Comments: DH Approve

2 2 11

KEALAHOU - 3 & 4

SEC. 3

KEALAHOU - 1 & 2 HOMESTEADS

PLAT 14

PLAT 13

PLAT 12

PLAT 15

PLAT 10

GRANT 8107

GRANT 3670

GRANT 1209

GRANT W 14

Louis K. Fernandez
20.417 Acs.
(18.780 Acs.)

11988

Eddie Castro
6.08 Acs.
L. C. Aw.: 10144:3

Robert S. Umeno & wf. Flora S. - T/E
8.474 acs.

L.C. Aw. 8653:3
(0.837 Ac.)

L. C. Aw. 7644:2
Mrs. Katherine K. Nakamatsu et al
2.61 acs.
(3.79 Acs.)
L. C. Aw. 8653:3

Christine N. Tavares
0.5 Ac.

Tde L. Tavares
12.0 Acs.

Par-2
(0.442 ac.)

Edward B. Hilson & wf. Nina - T/E

Yoshio Nakamatsu & wf. Ayako - JT.
2.617 ac.

Par-A
(0.187 ac.)

Par-B
(0.269 ac.)

2.775 acs.

Par-4
(0.348 ac.)

Par-3
(0.268 ac.)

Robert S. Sugahara & wf. Barbara S. - T/E
1.573 Ac.

Kaan Park Tenants
2.118 ac.

Yin Yoon Yam & wf. Rose C. - T/E
(2.38 ac.)

Henry Yin Fabrication (Hawaii) Co., Ltd. - T/E
2.67 Acs.

Sayo & Judy M. Tada Kuma - JT
2.11 Acs.

University of Hawaii
1.96 Ac.

Carl Yuen Yam & wf. Lily L. - JT
(Clemente O. Antonio et al & wf. Pilar K. Ah)
2.014 Ac.

Shoji Nakada & wf. Emiko A. - T/E
1.827 acs.

1.06 Acs.

Ichishi (Ishisu) & wf. Miyoko - T/E
2.32 Acs.

Toshio Shimada & wf. Katsuye - T/E
2.31 Acs.

Harold S. Nakamoto & wf. - T/E
2.512 Acs.
2.35 Acs.

Kamuchi & Nakamoto & wf. Tadeko - T/E
1.08 Ac.

Various Owners
See T.M.B. 985'30

State of Hawaii
21.916 Ac.
(20.674 acs.) Par-1

L. C. Aw. 8654:2 pt. #2
70.57 Acs.

Theresa Arvda - Dow.
Alfred Arvda - 2/6
Elias Arvda - 2/6
Joseph Nera & wf. Helena - 1/6
Edwin T. Ige & wf. Elsie A. - 1/6

Not included in petition

EDWIN T. IGE
ELSIE A. IGE

Gr. 3871

Gr. 1912:1

State of Hawaii 0.60 Ac.

State of Hawaii 0.01 Ac.

0.07 Acs.

(0.009 ac.)

Dard Yuen Yam & wf. Lily L. - JT
0.006 Ac.

OR.

To Kahului

To Waiakoa

Old Kula Road

Kula Road

Calaba Road

Old Copp Road

New Copp Road

Soft Road

Waiakoa Road

Harris Road

True North

1"=200'

Scale in Feet
200 100 0 2000 400 600 800

Parcels Dropped: 14, 9, 11, 16, 29

SUBJECT TO CHANGE

TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP
SECOND DIVISION

ZONE	SEC.	PLAT
2	2	11

CONTAINING PARCELS
SCALE 1 in. = 200 ft.

...ion of KEALAHOU HOMESTEADS - WAIAKOA - MAKAWAO, MAUI. (Reg. 2239)

August 8, 1967

Mr. Edwin T. Ige
P. O. Box 7
Kahului, Maui

Dear Mr. Ige:

This is to acknowledge receipt of your check in the amount of $50.00 to cover the cost of another hearing.

As we explained in our letter to you of August 3, 1967, this matter will be considered at our next Land Use Commission hearing. Therefore, pending action on your request by the Commission, we will retain your check in our files and advise you as soon as a decision is rendered.

Very truly yours,

RAMON DURAN
Executive Officer

August 3, 1967

Mr. Edwin T. Ige
P. O. Box 7
Kahului, Maui

Dear Mr. Ige:

This is to acknowledge the receipt of your letter of August 1, 1967 requesting a reconsideration of the action taken on your petition (A66-120) by the Land Use Commission at its meeting on August 5, 1966.

Your request will be presented to the Commission during its next meeting tentatively scheduled for September 8, 1967 on the Island of Kauai. It has generally been the policy of this Commission to accept reconsideration of a petition only on the basis of additional pertinent information that had not been available or presented during the initial hearing.

We will notify you of the action of the Commission, and should they vote in favor of your request, you may forward the $50 filing fee to cover the cost of another hearing.

Very truly yours,

RAMON DURAN
Executive Officer

August 1, 1967

RECEIVED
AUG 2 1967
State of Hawaii
LAND USE COMMISSION

Mr. C. E. S. Burns, Chairman,
Land Use Commission
426 So. Queen St.
Honolulu, Hawaii, 96813

Dear Mr. Burns:

This is a request for reconsideration of the action taken by your commission at its meeting on August 5, 1966.

Our original petition (A66-120) was an amendment to the Land Use District Boundries from an Agicultural District to a Rural District for 58 acres at Waiakoa, Kula, Maui, Tax Map Key 2-2-11-1. For your reconsideration, we wish to submit the following:-

1. The land in question is classified by the Land Studies Bureau, University of Hawaii as type C, indicating fair to marginal for agricultural use. As such, at present the land in question is used for grazing. The land is also very rocky with steep slopes.

2. The demand for house lots is in great demand in the Waiakoa District.

3. Maui County's most recent survey shows an increase in the population in the Kula District.

4. As per our map enclosed, you will note that 44% of our land is surrounded by Rural Use Lands.

5. The lot in question is easily accessible to an existing County Road and utilities are readily available.

We are attaching three copies of the Petition for Amendment to the Land Use District Boundries and a colored map of the area in question. Also, for your information and convenience, we are attaching a copy of a letter denying our original request from Mr. George S. Moriguchi, who was Executive Officer of your Commission at that time.

Any consideration you can render our request for reconsideration will be greatly appreciated. We, also stand ready to submit any other data or information that your Commission may require.

Very truly yours,

Edwin T. Ige

Encl: map

ETI:ei

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 _____

Passed for reconsideration 9/8/67 A67-164

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 Tax Map Key 2-2-11-1 to change the district designation of the following described property from its present classification in a(n) Agricultural district into a(n) Rural district.

Description of property:

Tax Map Key 2-2-11-1

Petitioner's interest in subject property:

Owner

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

See attached letter

(1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

(2) The petitioner will attach evidence in support of either of the following statements (cross out one):

(a) The land is usable and adaptable for the use it is proposed to be classified.

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

Signature(s) Edwin T. Ige

Edwin T. Ige

P. O. Box 7, Kahului, Maui

Address: _____

Telephone: 325392-335965-324831

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 _____

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

Signature(s) Edwin T. Ige

Edwin T. Ige

P. O. Box 7, Kahului, Maui

Address: _____

Telephone: 325392-335965-324831

A67-164 EDWIN T. IGE

1"=2000'

VON TEMPSKY

ZABRISKIE

KAMEHAMEHA AVENUE

KEKAULIKE AVENUE

KOLOHALA DRIVE

KULA HIGHWAY

KULA ROAD

KEALAHOU

KEALAIKE

KEALAHA

KEALAHOU

KEALAHOU

KEALAHOU

A67-164 EDWIN T. IGE

VON TEMPSKY

ZABRISKIE

KAMEHAMENUI

KEAALAHOU

KEALAHOU

KEAALAKAILIKE AVENUE

KOLOHALA DRIVE

KULA HIGHWAY

KULA ROAD

BALDWIN ROAD

MAUKA ALAE

PLAT 01

PLAT 05

PLAT 13

Plat 02

Plat 06

SCHOOL

PASTURE

ACRES

GRANT 3870

GRANT 3871

GRANT 3872

GRANT 3869

GRANT 3882

GRANT 3883

GRANT 3860

GRANT 3861

GRANT 3526

GRANT 1208

GRANT 1209

GRANT 1210:1

GRANT 1210:2

GRANT 1211

GRANT 1212:1

GRANT 1207:1

GRANT 6690

GRANT 6920

GRANT 7616

GR. 3853

GR. 626

GR. 12.07:1

GR. 12.07:2

L.C.Aw. 8462:3

L.C.Aw. 8462:4

L.C.Aw. 8462-B:2

L.C.Aw. 8462-B:7

L.C.Aw. 2383

L.C.Aw. 8654:2 pt. #2

L.C.Aw. 8664:4 Part 1

L.C.Aw. 10482:3

L.C.Aw. 10145:2

L.C.Aw. 10482:6 Part 2

L.C.Aw. 2383:2

L.C.Aw. 8462:4

L.C.Aw. 10144:3

L.C.Aw. 10145:1

L.C.Aw. 8655:2

L.C.Aw. 8654:2

L.C.Aw. 8462:B:2

L.C.Aw. 8462:B:7

L.C.Aw. 8462:3

L.C.Aw. 8462:4

L.C.Aw. 10482:3

L.C.Aw. 10482:6

L.C.Aw. 10145:2

L.C.Aw. 2383:2

7612

PACIFIC OCEAN

Spartan Reef

KAHULUI AIRPORT

AIRPORT

Papaula Point

Waiyu

MAUI COUNTRY CLUB

Kaunoa Sch

Hawaiian Village

Russian Village

Japanese Village 1

Spreckelsville

Spreckelsville School

Cod Fish Village

Puu Nene

Lower Village 3

Middle Village 3

Upper Village 3

Village 2

Village 4

Sam Sing Village

Alabama Village

Puunene (RM 76)

Yung Hee Village

Village 5

Village 8

Village 10

Reservoir

Kuau

Lower Paia (TBM 17)

Kapukaulua

Paia (RM 290)

Hawaiian-Spanish Village

Store Village

School Village

Paia School

Orphanage Village

Kanaiwa Village

Kaheka Village

Maui High Sch

Hamakuapoko

Puu o Urii

Maui Cemetery & Home

Maunaolu College

Baldwin Memorial Home

Puu o Kala

Kailua Village

Keahua

Kailua

Pahoiki

Kamole

Haliimaile

Pukalani

Filipino Camp

Corn Mill Camp

Puu Koa

Pauwela Point

Puniawa Pt

Opana Pt

Papanui o Kane

Kuiaha

Kapuaaaka

Manawai

Uuoa Bay

Haiku School

Pauwela

HAIKU

Haiku Reservoir

Pauwela Rec

Haiku

Kuiaha Gulch

Kaupakulua Reservoir

Opaeplau

Ulumalu

Kapuai o Kamehameha

Kahikoa

Puu o Malei

Kokomo

Puu Kii

Puu Enu Gulch

Maui Veterans Cemetery

MAKAWAO

Makawao (RM 1639)

Watchiset Flats

MAKAWAO FOREST RESERVE

MAKAWAO HOMESTEADS

Kaupakulua

Kaupakuluaa

Kaupakuluaa Gulch

Kaupakuluaa Reservoir

Peahi Reservoir

Kaupakuluaa Gulch

Ulumalu Gulch

Opaeplau Gulch

Kuiaha Gulch

Pauwela Gulch

Kahikoa Gulch

Kaupakuluaa Gulch

Peahi Gulch

Waiohuli Gulch

Kaupakuluaa Gulch

Kaupakuluaa Gulch

Kaupakuluaa

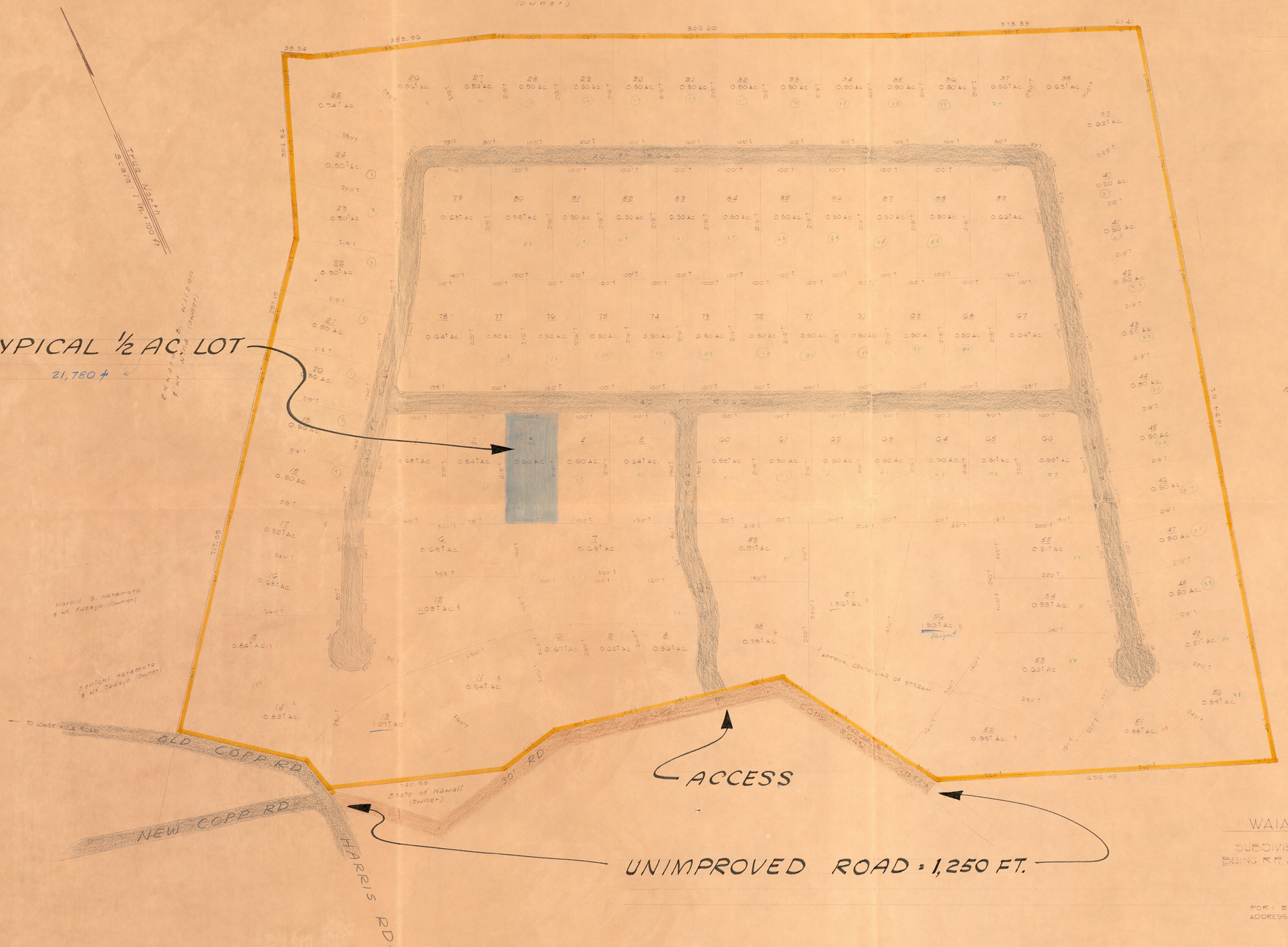
Exhibit B.

EXHIBIT 'B'

DATED NOV 29 '67

89 LOTS

LOT SIZE RANGE = ½ Ac to 1½ Ac
- 49 LOTS (55%) = ½ Ac. in SIZE
- 4 LOTS = OVER 1 Ac. "
- 10 LOTS = OVER ¾ Ac. "



PRELIMINARY

WAIAKOA FARM LOTS SUBDIVISION

SUBDIVISION OF LOT B INTO LOT 1 TO (89) INCLUSIVE
BEING R.P. 2204 L.C. AW. 8634:2 END PART TO KAPAOLE & PORTION OF GRANT 1209 TO KAPAI
WAIAKOA, KULA, MAUI, HAWAII

FOR: E. IGE
ADDRESS: WAILUKU, MAUI

SCALE: 1 IN. = 100 FT.
DATE: NOV. 29, 1967

PREPARED BY: NORMAN M. SAITO
CONSULTING ENGINEER
90 CHURCH STREET
WAILUKU, MAUI, HAWAII

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. Norman M. Saito DATE: 7/Nov 67

A67-164 EDWIN IGE

TAX MAP KEY: 2-2-11:1

7613

Exhibit "A"

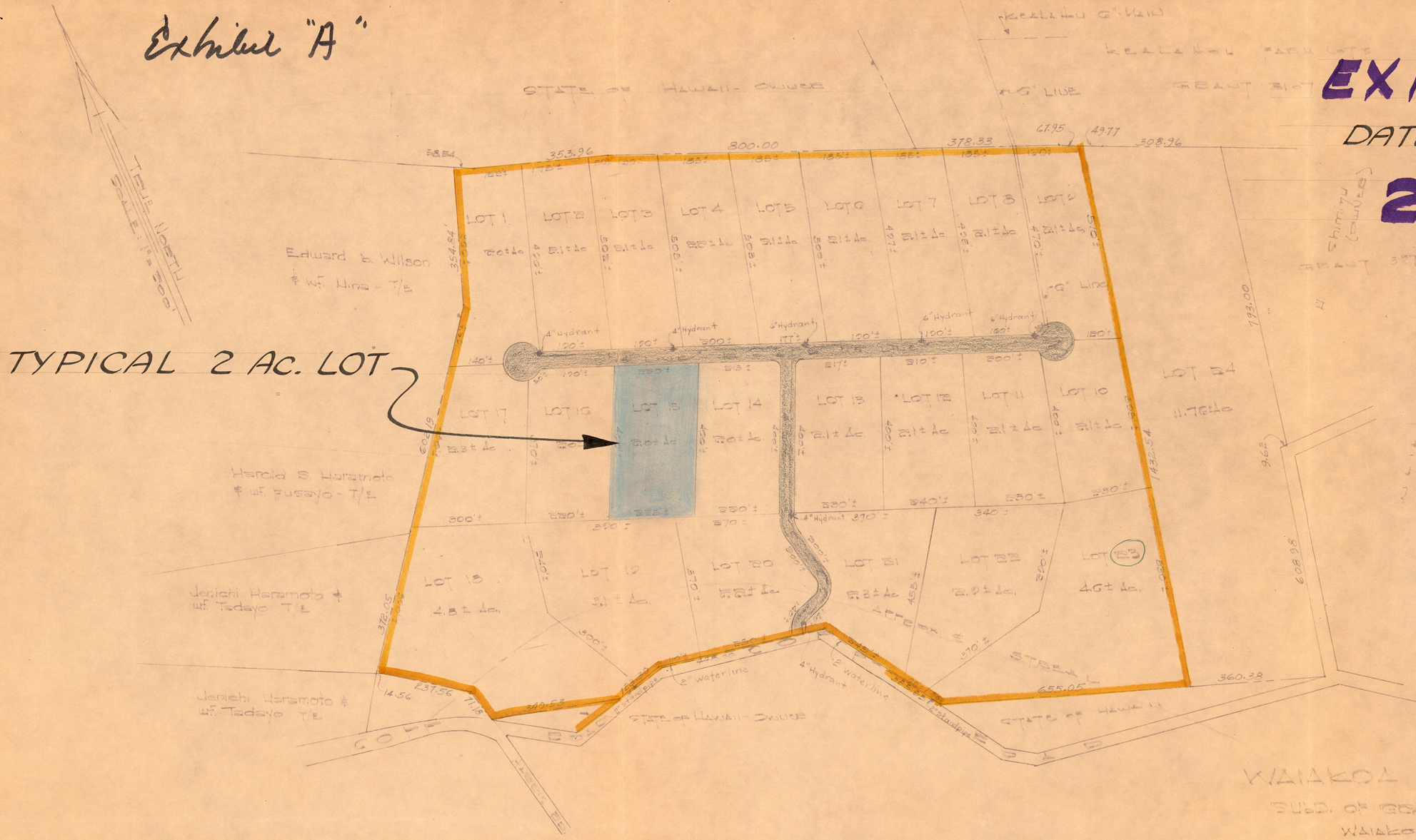
Amended for Board of Water Supply 4/14/63

EXHIBIT 'A'

DATED APR 16 '63

23 LOTS

2.0 Ac to 4.8 Ac



Note: 5-Ft. Easements will be provided for pipelines in lots.
A reservoir lot will be reserved in Lot 2 when necessary.

23 lots

WAIAKOA FARM LOTS SUBD.

SUBD. OF GRANT 1809 - INTO 24 LOTS

WAIAKOA, KULA, MAUI, HAWAII

TOTAL AREA = 70.57 ± Ac. AV. LOT AREA = 2.1 ± Ac.

PREP. E.T. IGE SCALE: 1 in. = 800 ft

ADDRESS: WAILUKU, MAUI DATE: APR. 16, 1963

A67-164 EDWIN IGE

Tax Key: 3-2-11-01

7614