

Approved  
JAN 7 1972

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Legislative Auditorium, State Capitol  
Honolulu, Hawaii

September 17, 1971 - 9:30 a.m.

Commissioners Present: Goro Inaba, Chairman  
Eddie Tangen, Vice-Chairman  
Alexander Napier  
Sunao Kido  
Shelley Mark  
Leslie Wung  
Stanley Sakahashi  
Tanji Yamamura

Staff Present: Tatsuo Fujimoto, Executive Officer  
Ah Sung Leong, Planner  
Walton Hong, Deputy Attorney General  
Dora Horikawa, Stenographer

Chairman Inaba called the meeting to order and swore in persons wishing to testify during today's proceedings.

ACTION

PETITION BY OCEANVIEW VENTURES (A71-275) TO RECLASSIFY 227.81 ACRES FROM AGRICULTURAL TO URBAN AT LUALUALEI, WAIANAE, OAHU

Mr. Tatsuo Fujimoto, Executive Officer, presented the staff memo recommending that a 178.6 acre portion of subject petition be reclassified from Agricultural to Urban since the development would not only help to relieve the urgent housing needs of low and moderate income families, but would also relieve some of the pressures to rezone prime agricultural lands on Oahu (see copy of report on file).

Mr. Roy Takeyama, attorney representing the petitioner, submitted that he concurred with the staff's recommendations. In response to Commissioner Sakahashi's question about the cost range of the proposed homes, Mr. Takeyama advised that a 3-bedroom home would cost \$31,500 under the FHA 235 Program, with monthly

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Mr. Moody explained that the petitioner had been unable to contact the City Planning Commission for reconsideration of its recommendation due to the workload and extended vacation of a staff member within the City Planning Department.

In response to a point raised by Mr. Fujimoto, Mr. Moody advised that there would be a fence constructed at the top of the cliff and that shade trees would be planted at the bottom.

Mr. Calvin Ontai, representing the Model Cities Resident Participation Organization voiced his support of the petition.

Commissioner Tangen moved to concur with the staff recommendation to deny the petition, which was seconded by Commissioner Napier, and the Commissioners were polled as follows:

Ayes: Commissioners Kido, Tangen, Napier

Nays: Commissioners Yamamura, Wung, Sakahashi, Mark,  
Chairman Inaba

The motion was not carried.

Commissioner Sakahashi moved to grant the petition, which was seconded by Commissioner Yamamura, and the Commissioners were polled as follows:

Ayes: Commissioners Wung, Yamamura, Sakahashi, Mark, Napier,  
Chairman Inaba

Nays: Commissioners Kido and Tangen

The motion to reclassify the subject area from the Agricultural to the Urban District was carried.

✓ PETITION BY LAND USE COMMISSION (A71-286) TO AFFIRM OR MODIFY THE ZONING OF CERTAIN PARCELS REZONED DURING THE 1969 5-YEAR BOUNDARY REVIEW IN THE CITY & COUNTY OF HONOLULU

Action on the 6 parcels within the City and County of Honolulu rezoned during the 1969 5-year boundary review was considered separately under this petition (see copy of staff memo on file).

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AREA 1 - LAHILAHI POINT

Mr. Leong read the staff memo recommending that the Conservation District be retained in part to include only the area shown in green on the map marked Exhibit B, totaling 7.6 acres. He added that this generally followed the 20 foot contour line and was in keeping with the criteria established in the Commission's Regulations for the Conservation District concerning steep lands and areas containing scenic amenities.

Mr. George Houghtailing, planning consultant, submitted that it was Mr. Waterhouse's intention to preserve the unique quality of Lahilahi Point and the point itself will never be built upon. However, staff's recommendation precluded even the flat areas from development. Mr. Houghtailing felt that it would allow for more flexibility in the development plans if all of the buildable areas were put into Urban, even though some of this may encroach into the 30% slope. The building height would be controlled by the zoning ordinance of the City and County.

Mr. John T. Waterhouse, owner, expressed his desire to develop the whole area as one development, and objected to the staff memo recommending "taking away the cone which was the most valuable asset". He noted that he had done some planting on the top in an effort to beautify the area.

In response to Commissioner Wung's concern that although Mr. Waterhouse may have the welfare of the Waianae residents in mind, the developer may not share the same views, Mr. Waterhouse assured that he would make certain this did not happen.

Mr. Raphael Christ, Chairman of the WDNPC, presented a prepared testimony recommending denial of any urbanization of Lahilahi Point (see copy on file). He emphasized that the Commission should consider the broader scopes and implications of the proposal as it affects other such requests that may come before the Commission affecting the Waianae coast. He spoke of his fear that a compromising proposal like the one presently before the Commission would tend to support similar requests and there was no guarantee that this would remain an isolated case. He generally agreed with Commissioner Sakahashi that compromises were necessary for special situations but still had reservations about the impact of the proposed use.

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Mr. Calvin Ontai, representing the Waianae Model Cities Resident Participation Organization submitted that his basis for opposing the Lahilahi Point reclassification was essentially the same as those expressed previously by Mr. Christ. Moreover, petitioner had not appeared before the Model Cities group to discuss the details of the proposed use. He felt that the Waianae residents should be given an opportunity to voice their viewson such an important issue, and that they were now participating more actively in matters concerning the community.

Vice Chairman Tangen felt it was presumptuous of Mr. Ontai to imply that any petition for reclassification affecting the Waianae area should first be presented to the Model Cities group. He questioned whether an invitation had been extended to the property owner to appear at one of its meetings. Mr. Ontai replied that they conducted monthly open meetings which were publicized in the Newsletter, inviting anyone to come before the Model Cities group to present any problems.

Mr. Russell Blair, citizen, concurred with the testimony presented by Mr. Christ (see prepared statement on file).

Mr. Leong, staff planner, emphasized that the staff's recommendation is a refinement of the Conservation District boundary line based on the availability of a detailed topographic map submitted by the petitioner, and was definitely not a compromise as implied by Messrs. Christ and Blair. Vice Chairman Tangen agreed and added that to his knowledge, there had been no protest when the entire area was in the Urban District, prior to 1969. Furthermore, the petitioner had indicated his willingness to maintain the steep area in Conservation with the further commitment that no construction would take place in this area. Therefore, he moved that the area above the dotted brown line be retained in the Conservation District and the area below the 40 foot contour line be reclassified into the Urban District. The motion was seconded by Commissioner Sakahashi and the Commissioners were polled as follows:

Ayes: Commissioners Napier, Yamamura, Kido, Sakahashi,  
Wung, Vice Chairman Tangen, Chairman Inaba

Nay: Commissioner Mark

The motion was carried.

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AREA 2 - 130 ACRES AT KAHUKU

Mr. Leong continued with the staff report recommending retention of the Conservation classification for the subject area. He explained that the Conservation line varied approximately from 200 to 500 feet in depth, and in some cases followed the jeep trail and in others the shoreline.

Commissioner Napier felt that the comparative statistics cited in the staff report regarding the shorelines within the Conservation District for the other counties was misleading because most of these areas were pali lands. He added that since a 40 foot shoreline setback had been established for the whole State, the existing Conservation line for the subject property would seem to penalize the landowner.

Commissioner Kido commented that it would be more logical to follow some physical boundary. Mr. Leong advised that approximately two-thirds of the setback followed the jeep trail.

Mr. Wade McVay, Executive Officer of Campbell Estate, submitted that it was the Trustees' feeling that the Commission's action affecting their property was discriminatory and that if it were the Commission's intent to preserve the beach areas, the same line should be drawn through Waikiki and other beach areas within the Urban and Agricultural Districts. However, the Trustees would not be opposed to establishing a 150 foot setback on 3 miles of the shoreline, if the Commission would then follow up and direct the staff to make a study of the area together with the Trustees' planners with the idea of refining the line.

Deputy Attorney General Walton Hong advised that the Commission would have to establish a definite line. Any deviation from the line established today would have to be the subject of another petition, either by the Commission or the property owner. He added that he would research the applicable ruling concerning re-application by a petitioner.

Vice Chairman Tangen moved that the Conservation line be set 150 feet from the upper reaches of the waves, which was seconded by Commissioner Yamamura, and the Commissioners were polled as follows:

Ayes: Commissioners Yamamura, Napier, Kido, Sakahashi,  
Vice Chairman Tangen, Chairman Inaba

Nays: Commissioners Wung and Mark

The motion was carried.

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AREAS 4 AND 5 - MAKIKI HEIGHTS, HONOLULU, HAWAII

It was moved by Commissioner Mark and seconded by Commissioner Sakahashi that the subject area be retained in the Conservation District as recommended by staff. The motion was carried unanimously.

AREA 6 - LAGOON AT KALIA, WAIKIKI, HONOLULU, HAWAII

Upon motion by Commissioner Napier, seconded by Commissioner Yamamura, the Conservation classification was retained for the subject area as recommended by staff.

SPECIAL PERMIT APPLICATION BY KUNIO KOBAYAKAWA (SP71-112) TO CONSTRUCT A NEW DWELLING TO REPLACE AN EXISTING DILAPIDATED HOME AT HOLUALOA, NORTH KONA, HAWAII

It was moved by Commissioner Mark and seconded by Vice Chairman Tangen that the subject special permit be deferred until 2:00 p.m. when the meeting will be resumed. The motion was carried.

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Chairman Inaba called the meeting to order at 2:00 p.m.

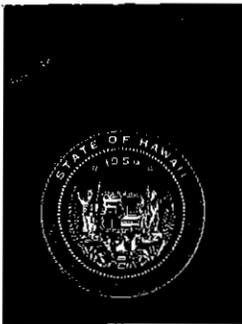
Mr. Leong, staff planner, presented the staff report on the subject special permit recommending approval of the request subject to the conditions set forth by the Hawaii County Planning Commission.

Commissioner Napier moved to approve the special permit as recommended by staff, which was seconded by Commissioner Yamamura, and the motion was carried unanimously.

PETITION BY THE ESTATE OF JAMES CAMPBELL (A70-268) TO RECLASSIFY 690 ACRES FROM AGRICULTURAL TO URBAN AT HONOULIULI, EWA, OAHU

Commissioner Napier was excused from the proceedings on this petition due to a conflict of interest.

Vice Chairman Tangen addressed the Chair to offer a suggestion before proceeding with the discussion on the subject petition. He prefaced his remarks with the statement that this



STATE OF HAWAII

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT
LAND USE COMMISSION

P. O. BOX 2359 • HONOLULU, HAWAII 96804

September 20, 1971

JOHN A. BURNS
Governor

SHELLEY M. MARK
Director Department
of Planning and Economic
Development

GORO INABA
Commission Chairman

EDDIE TANGEN
Vice Chairman

TATSUO FUJIMOTO
Executive Officer

COMMISSION MEMBERS
Alexander J. Napier
Shelley M. Mark
Sunao Kido
Eddie Tangen
Leslie E. L. Wung
Tanji Yamamura
Stanley S. Sakahashi

TO WHOM IT MAY CONCERN:

At its meeting on September 17, 1971, the Land Use Commission considered petition A71-286 initiated by the Commission and voted to affirm and modify the zoning of the following parcels that were rezoned during the 1969 5-year boundary review, which are located within the City and County of Honolulu.

The areas described below were subject to this action:

Table with 4 columns: TAX MAP KEY, OWNER, ACRES, LOCATION. It lists various parcels under three categories: A. RETAINED IN THE URBAN DISTRICT, B. RETAINED IN THE CONSERVATION DISTRICT, and C. RECLASSIFIED INTO THE URBAN DISTRICT THE AREA BELOW THE 40 FOOT CONTOUR LINE & RETAINED IN THE CONSERVATION DISTRICT THE AREA ABOVE THE 40 FOOT CONTOUR LINE (See Map).



To Whom it may Concern:

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cc: Board of Water Supply  
Water Sales Division, Bd. of Water Supply  
Planning Division, DPED  
Planning Branch, DAGS  
Land Use Commission  
Office of Ombudsman  
Building Department, C & C of Honolulu