

CHING, Edward S.T.

SP (T) 62-0

SPECIAL PERMIT CHECK SHEET

LUC File SP(T)- 62-6

Petitioner: CHING, Edward S.T. County HAWAII

Key H-25

Date petition and fee received: 5-19-62

Suspense date for LUC action: _____

Date LUC survey 6/22/62

Notices of hearings

Dates

Publication

_____	_____
_____	_____
_____	_____

Hearings

Date

Place(s)

By

<u>6/27/62</u>	<u>Kailua School - Kona</u>	_____
_____	_____	_____
_____	_____	_____

Actions

Dates

Actions

By

_____	_____	_____
_____	_____	_____
_____	_____	_____

Notes:

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

This space for official use

Date Application and Fee
received by LUC _____

State of Hawaii
LAND USE COMMISSION

APPLICATION FOR SPECIAL PERMIT

(I) (We) hereby request approval of a special permit to use certain property located in the County of S. Kohala, Island of Hawaii, Land Use Commission Temporary District Boundary map number and/or name H-25 Waimea, for the following-described purpose:

Construction of Drive-In, Service Station and Accessory uses.

Description of property: *That certain parcel of land (being a subdivision of a portion of Lot 125, Grant 7965 to Kaehalo, Puu Kapu Homesteads 2nd Series into Lot 125-1 to Lot 125-26 inclusive), with 135.34 ft fronting on Mamalahoa Highway lying and being at South Kohala, Hawaii, State of Hawaii and more particularly described as Tax Key No:6-4-03-(22-41-65), consisting of 28,014 sq. ft.*

Petitioner's interest in subject property:

OWNER

Petitioner's reason(s) for requesting special permit: *The petitioner desires to establish a Service Station and Drive-In food service, as there are four subdivisions surrounding the above mentioned area and no service area within 3 or 4 miles either way. A change in the land use of a small portion of the above land will render a public service and will not detract from the purposes of the Land Use Act.*

Signature(s) _____

Address: _____

Telephone: _____

This space for official use

The property is situated in a(n) Agriculture district, whose regulations adopted by the Land Use Commission prohibit the desired use.

Signature(s) _____

For (agency) _____

WILLIAM F. QUINN
GOVERNOR



LAND USE COMMISSION
DEPARTMENT OF PLANNING AND RESEARCH

STATE OF HAWAII
426 Queen Street
~~155 SOUTH KING STREET~~
HONOLULU 13, HAWAII

FRANK LOMBARDI
DIRECTOR OF PLANNING
PHILIP T. CHUN
DEPUTY DIRECTOR OF PLANNING

CHAIRMAN
RALPH K. AJIFU
VICE CHAIRMAN
LINDSAY A. FAYE
SECRETARY
LEONARD D. Y. WONG
CHARLES C. CROSS
JAMES H. ARMITAGE
W. W. ALDRICH
WILLIS C. JENNINGS
E. H. COOK, EX-OFFICIO
FRANK LOMBARDI, EX-OFFICIO

~~June 5, 1962~~

Planning and Traffic Commission

County of Hawaii

Hilo, Hawaii

Gentlemen:

Attached is a copy of an application for special permit received in this office on May 14, 1962.

The Land Use Commission will hold a hearing on this matter at

Kailua-Kona School, Kailua, Kona, Hawaii

on Wednesday, June 27, 1962 at 8:00 p.m.

The comments and recommendations of your Commission are solicited.

Very truly yours,

R. J. DARNELL
Executive Officer

Attachment

NOTICE OF PUBLIC HEARING
TO CONSIDER APPLICATIONS FOR SPECIAL PERMIT
WITHIN THE COUNTY OF HAWAII BEFORE THE
LAND USE COMMISSION OF THE STATE OF HAWAII

NOTICE IS HEREBY GIVEN of the public hearing to be held by the Land Use Commission of the State of Hawaii in the Board Room of the Hawaii County Board of Supervisors, Hawaii, on June 27, 1962 at 1:00 p.m. and at Kailua-Kona School, Kailua, Kona, Hawaii at 8:00 p.m., or as soon thereafter as those interested may be heard, to consider the applications for Special Permit within the County of Hawaii as provided for in Section 7, Act 187, Session Laws of Hawaii 1961. Special Permit applications to be heard are:

<u>Petitioner</u>	<u>Tax Map Key</u>	<u>Permission Requested</u>
<u>In Hilo:</u>		
HAY, Gilbert	1-4-02-5, 6, 7, & 26	For resort designation so that land may be sold to developers.

<u>In Kona:</u>		
CHING, Edward S. T.	6-4-03-22, 41, 65	Build and operate a food drive-inn, and service station.
JACKSON, J. M.	Por. 7-2-03-1	Continued construction of resort hotel.

Maps showing the areas under consideration for Special Permit and copies of the rules and regulations governing the application for Special Permit are on file in the offices of the Hawaii County Planning and Traffic Commission and the Land Use Commission and are open to the public for inspection during office hours.

All written protests or comments regarding the above Special Permit applications may be filed with the Land Use Commission, 426 Queen Street, Honolulu, Hawaii, before the date of the public hearing, or submitted in person at the time of the public hearing, or up to fifteen (15) days following these public hearings.

LAND USE COMMISSION

Edward C. Bryan , Chairman

R. J. Darnell , Executive Officer

(Legal ad - 2 cols. w/border)
(To appear June 5, 1962)
(HONOLULU STAR-BULLETIN)
(HONOLULU ADVERTISER)
(HILO TRIBUNE HERALD)

WILLIAM F. QUINN
GOVERNOR



CHAIRMAN
EDWARD C. BRYAN

VICE CHAIRMAN
EDWARD KANEMOTO

SECRETARY
YUICHI IGE

STANLEY C. FRIEL
WAYNE D. GREGG
FRANKLIN Y. K. SUNN
ROGER T. WILLIAMS

E. H. COOK, EX-OFFICIO
LAND AND NATURAL RESOURCES

FRANK LOMBARDI, EX-OFFICIO
PLANNING AND RESEARCH

ROWLAND J. DARNELL
EXECUTIVE OFFICER

426 QUEEN STREET
HONOLULU 13, HAWAII

Ref. No. LUC 253

November 26, 1962

MEMORANDUM

TO: LAND USE COMMISSION MEMBERS

FROM: R. J. DARNELL, EXECUTIVE OFFICER

SUBJECT: ATTACHED LETTER

Regarding your request of November 19, 1962 pertaining to the attached letter Mr. Canwright commented orally as follows:

The Commission may, at any time, reconsider an action taken on an item. It is not necessary to hold a new public hearing on the item to be reconsidered. Mr. Canwright urged that the Commission weigh very carefully the possible effect that a motion to reconsider one item may have on other decisions that the Commission has made or may render in the future.

Attachment

THOMAS K. COOK
Chairman and Executive Officer
ISLAND OF HAWAII



Executive Chambers
HILO

370
RECEIVED

OCT 25 1962

State of Hawaii
LAND USE COMMISSION



*To COUNCIL
may the commission
RE-INITIATE AN ACTION*

October 23, 1962

Mr. Rowland J. Darnell
Executive Officer
Land Use Commission
426 S. Queen Street
Honolulu 13

Dear Mr. Darnell:

Re: No. LUC 189

The Board of Supervisors reviewed the copy of your letter to Mr. Edward S. T. Ching dated September 26, 1962, and submits its protest of the Land Use Commission's action on his application for special permission to build and operate a food drive-in, service station, and accessory uses in Waimea, South Kohala District.

Your attention is called to the Planning and Traffic Commission's letter to you on July 18, 1962. It was Hawaii County's recommendation that decision on this particular application be held in abeyance until the Master Plan of Waimea was further along or completed.

Reconsideration of your action is requested in view of this County's recommendation.

Very truly yours,

THOMAS K. COOK
CHAIRMAN & EXECUTIVE OFFICER
COUNTY OF HAWAII

MH:ml

cc: Planning & Traffic Commission
Mr. Edward S. T. Ching, Room 12, 95 Merchant St., Hon.
County Clerk (C-3243)

LAND USE COMMISSION

Minutes of Meeting

Wilcox School

Lihue, Kauai

10:00 P. M. - August 21, 1962

Commissioners

Present:

Edward C. Bryan
Stanley C. Friel
Wayne D. Gregg
Yuichi Ige
Edward Kanemoto
Franklin Y. K. Sunn
Roger T. Williams

Ex-Officio Members

Present:

Frank Lombardi

Absent:

E. H. Cook

Staff

Present:

R. J. Darnell, Executive Officer (XO)
John Canright, Legal Counsel
W. M. Mullahey, Field Officer
Alberta Kai

Meeting of the Land Use Commission continued at 10:30 p.m. in the auditorium of the Wilcox School in Lihue, Kauai.

The following matters were brought to the attention of the Commission:

1. Supervisor Kunimura (Commissioner Sunn presented question in his behalf) expressed the problem faced by the County concerning uses and lot sizes within an Agricultural district, and posed the question whether single family dwellings can be built on subdivided lots.
2. David F. Wong, Planning Director, expressed the same problem. He presented the case where a variance was granted by the Kauai Planning and Traffic Commission for a hotel use in an area which was later classified in an Agricultural district; and he wondered whether this variance was legal now.
3. Chairman Raymond X. Aki expressed the concern of Kauai's economic problem regarding development being hampered by Act 187. He pointed out that there were a lot of developments which had to be stopped because they fell within an Agricultural district. He requested Commissioners look into the matter of district boundary classifications.
4. The people of Anahola Community presented their recommendations to the Commission on their proposed planning and zoning of the Anahola area. A letter stating their recommendations was presented to the Commission for the record.

XO replied to the problems presented by Supervisor Kunimura and Director David F. Wong in this respect: Legal Counsel has informed the Commission that the proper procedure for the County to follow would be to go to County Attorney to seek his advice; and then for the County Attorney to make a formal request to State Attorney General if problem cannot be resolved.

Chairman Bryan informed Chairman Aki that he would suggest that developers make their petitions to Commission as soon as possible so work can begin right away; but at present the Commission cannot do much until final maps are made.

Chairman Bryan stated that the Commission will look into the recommendations presented by Anahola Community before adopting final preliminary maps; and informed them that the Commission will be holding hearings in January or February of next year for people who wished to be heard on this matter. He also stated he will forward a copy of this letter to Harland Bartholomew and Associates for their consideration in preparation of the final plans. XO suggested also that Anahola Community work with Mr. David Wong, Planning Director, on this problem, and to get a detailed description of this area. He added that if the area is in Urban, the use of the land is entirely up to County.

APPLICATION OF EDWARD S. T. CHING, SP(T) 62-6, FOR SPECIAL PERMIT TO ESTABLISH A SERVICE STATION AND DRIVE-IN FOOD SERVICE USE ON PROPERTY EAST OF KAMUELA: Described as TMK 6-04-03 (22-41-65).

Communications received from County Board of Supervisors and County Planning Commission were in agreement that "Commitments on business use should not be made until the Master Plan of Waimea is further along or completed". Staff's recommendation was for denial of application without prejudice, pending the outcome of the 701 planning project, under study by Bush-Gerakas. One communication was received from a Mr. Hideo Uto requesting Commission grant Mr. Ching's request to rezone his property for business use.

After all of these recommendations were considered by the Commission, Mr. Lombardi made a motion to deny the application, on the basis that the request would not be a proper or suitable use in the area proposed. Commissioner Williams seconded the motion. Chairman polled the Commissioners who objected to this motion. None objected and motion was carried. (Commissioner Gregg was not present during polling, and Commissioner Ige abstained from voting.)

APPLICATION OF EDWARD S. T. CHING, SP(T) 62-15, FOR SPECIAL PERMIT FOR CONSTRUCTION OF DRIVE-IN, SERVICE STATION AND ACCESSORY USES NEAR PAHOA: Described as Third Division, TMK 1-5-03: Portion 3.

Field Officer's report was given and recommendation of Field Officer requested that Commission disapprove application, because the uses applied for were not unusual and reasonable uses for the property in question; and, further, that the general welfare and convenience would not be served by granting of the application.

Commissioner Sunn made a motion to disapprove the application according to staff's recommendation; seconded by Commissioner Friel; and carried unanimously.

PETITION OF LOYALTY ENTERPRISES, LTD., A(T) 62-10, FOR TEMPORARY DISTRICT BOUNDARY CHANGE FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT CLASSIFICATION: Described as TMK 2-1-08: Por. 42.

A brief description of area involved was outlined by XO. Recommendation by staff was for approval inasmuch as request is in conformance with the plans of the County and the State, and the State's Visitor Destination Area Report.

Chairman asked if any Commissioner felt that petition should not be granted and additional information should be obtained. Commissioners showed no disfavor to the petition.

PETITION OF FRANK AND JESSIE MUNOZ, A(T) 62-11, FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT CLASSIFICATION: Described as Third Division TMK 2-3-33: 15, 16, 18, 19; AND PETITION OF MAUI PLANNING AND TRAFFIC COMMISSION, A(T) 62-12, FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT TO AN URBAN DISTRICT CLASSIFICATION: Described as TMK 2-3-11: 20, 73; 2-3-33: Parcels 1-18 inclusive, 20, 21.

Both of these petitions were considered by the Commission at the same time.

Communications received from the Maui County Board, Planning Commission, and Maui Realty Company, stated their recommendations for approval of petition by Frank and Jessie Munoz for change in district boundary classification. These letters were made part of the record.

Mr. Mullahey informed Commissioners that letters were sent to property owners in Pukalani who were affected by the petition made by the Maui Planning and Traffic Commission for a change of temporary district boundary from Agriculture to Urban. He stated six owners have not been heard from. Those that replied were in favor of change except for a Mr. Carl S. Asato.

Chairman Bryan asked what the Commission should do in the case of Mr. Asato.

Commissioner Williams suggested giving him the opportunity to dedicate his land to Agriculture. XO recommended against leaving a "spot" Agricultural district within an Urban area, unless there were a special reason for doing so.

The Chairman suggested that a determination be made as to whether Mr. Asato is planning to put his property in some use or have it dedicated to Agriculture. Commissioner Williams suggested staff make a research on Mr. Asato's land to find out what the present use of the land is, and whether he is planning to dedicate his land to Agriculture.

PETITION OF EAST MAUI IRRIGATION COMPANY, LTD., A(T) 62-1, FOR TEMPORARY DISTRICT BOUNDARY CHANGE FROM A CONSERVATION DISTRICT TO AN AGRICULTURAL DISTRICT CLASSIFICATION: Described as TMK 2-8-08, Por. 7.

The following letters were received and read by XO:

1. Maui County Board of Supervisors, recommending approval of the petition.
2. East Maui Irrigation Company, expressing their desire for change and the problems created through delay of action on request
3. Department of Land and Natural Resources, suggesting Land Use Commission defer action until completion of consultant contract. (A telephone call was also received from Paul Tajima of the Department of Land and Natural Resources, asking for extension of time to submit this letter, which was granted by XO.)

The XO stated that he would like the right to move to revise his recommendation. Chairman asked what does Mr. Cook's letter say. XO replied under Act 234 the Land Department is required to subzone for this area. Legal Counsel pointed out the difference between this Commission and the Land Office: This Commission does rezoning and the Land Office subzoning in order to retain certain controls over the method under use.

Commissioner Williams suggested the staff write letter to find out why Land Department wants to retain land in a Conservation district. XO explained that Act 234 of SLH 1957 was originally empowered to the Territorial Department of Agriculture and Forestry; but during reorganization under the State, that power was given to the Department of Land and Natural Resources.

The Commission discussed contacting the Department of Land and Natural Resources, to clarify their reasons for recommending deferral of action. The XO stated that he would ask for more definite recommendation from that Department.

Commissioner Sunn suggested having a conference with County attorneys and County officials to go over rules and see what objections they have. Mr. Lombardi also suggested that legislators' views on matter be included, as the Governor would like to have a collective opinion before the session opens in February.

Chairman suggested having County attorneys, County officials, XO and department staff present. XO suggested Harland Bartholomew & Associates be included. Commissioner Ige asked if it were necessary to have HB&A present. Chairman stated Commission will gather information from HB&A and use it for presentation in this conference. Chairman suggested XO pick a date, invite these people and get together with Legal Counsel on this matter.

Commissioner Kanemoto suggested staff let Special Permit applicants know 15 days after hearing what the outcome of their application is. He suggested a formal letter be sent to each applicant after an action has been taken.

XO stated that staff has drafted a form and has submitted this to Attorney General's Office and has been awaiting answer to this matter.

Commissioner Sunn suggested that staff not wait for decision from Attorney General's Office and the Commission agreed that notification should be sent to each applicant, as to whether his request has been granted or denied.

ITEMS PENDING

Mr. Mullahey presented all applications received up to time of meeting and pending for the Commission's consideration.

Chairman Bryan stated that applications on Hilo, Maui & Oahu pending before the Commission will be heard at next meeting scheduled for the 18th and 19th of September. Those to be heard are the following:

HAWAII:

TESHIMA, Fumio, A(T) 62-6

HAWAIIAN HOMES COMMISSION, A(T) 62-15

HILO COUNTRY CLUB, LIMITED, A(T) 62-7

MCKEE, Harry F., SP(T) 62-21

GILLESPIE, J. I., A(T) 62-8

HAWAII COUNTY PLANNING AND TRAFFIC COMMISSION, A(T) 62-9

MAUI:

TAKASAKI, Maurice, A(T) 62-13

OAHU:

OWEN, Philo, A(T) 62-15
GIBSON, Dee, SP(T) 62-20

Commissioner Sunn asked whether all inspection trips will be taken also. XO replied that the Commissioners have inspected only the Takasaki matter, although the areas of the McKee and Owen's items had been seen during the orientation trips.

Meeting adjourned at 12:00 midnight.

Respectfully submitted,

YUICHI IGE
SECRETARY

September 26, 1962

Mr. Edward S. T. Ching
Room 12, 95 Merchant Street
Honolulu, Hawaii

Dear Mr. Ching:

This letter will confirm the information transmitted to you by telephone on August 28, 1962, as follows:

The Land Use Commission of the State of Hawaii, at its meeting at Wilcox School, Lihue, Kauai, August 21, 1962, pursuant to hearings and consideration required by the provisions of Act 187, SLH 1961, reached a decision not to approve your two applications (SP(T) 62-6 and SP(T) 62-15) for special permission to build and operate a food drive-in, service station, and accessory uses in the Waimae, South Kohala District, and Pahoa, Puna District, respectively, County of Hawaii.

The following reasons were given in each case:

1. Waimae, South Kohala district:

The requested uses would not be proper or suitable in the area proposed for development of same.

2. Pahoa, Puna district:

The requested uses are not unusual and reasonable for the property, and the general welfare and convenience would not be served.

Since no request was received from you prior to August 29, 1962, for review of the decision respecting your Pahoa application, by its full Commission at either of its meetings in the County of Hawaii on September 18, 1962, the second action stands as made on August 21, 1962.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

cc: Hawaii Planning and Traffic Commission
Hawaii Board of Supervisors

August 28,
~~September 12~~, 1962

MEMORANDUM TO FILES

8/23/62 - Called Mr. Ching to notify of LUC actions of 8/21/62 re: Pahoa
and Waimea (Hawaii) - Mr. Ching not there, will return call.

8/28/62 - Mr. Ching didn't return call of 8/23/62. Called him again. Contacted
him and informed him of actions to deny. Also that he could, on or
before 8/29, request in writing review (at Hilo or Kona hearing 9/18)
of Pahoa item.

LUC
RD:ak

9/14/62

STATE OF HAWAII
LAND USE COMMISSION

Board of Supervisors Chambers
County Building - Hilo, Hawaii

1:00 P.M.
June 27, 1962

NOTICE TO THE PUBLIC
and AGENDA

This hearing was called to consider an application for special permission for variance in the Land Use Commission's interim regulations.

The item concerns the application of Gilbert Hay, for development of resort uses on property described as Third Division TMK 1-4-02-5,6,7, & 26, situated near Isaac Hale Beach Park, at the point where the newly-improved Kaimu-Kapoho Road leaves the beach area and runs inland to the former Kapoho Village site.

Kailua-Kona School
Kailua, Kona, Hawaii

8:00 P.M.
June 27, 1962

NOTICE TO THE PUBLIC
and AGENDA

This hearing was called to consider two applications for special permission for variance in the Land Use Commission's interim regulations.

The first item concerns Edward S. T. Ching, for Special Permit to establish a service station and drive-in food service on property containing approximately 38,000 sq. ft., described as TMK 6-04-03(22-41-65), located approximately 4-5 miles east of Kamuela, on the northside of Hawaii Belt Highway.

The second item concerns the application of J. M. Jackson for Special Permit to use certain property at Kaupulehu for resort purposes. The property is described as a portion of TMK 7-2-03-1, and consist of approximately 62 acres of beach frontage half way between Kailua-Kona and Puako.

STATE OF HAWAII
LAND USE COMMISSION

Kailua School
Kailua-Kona, Hawaii

8:00 P.M.
June 27, 1962

STAFF REPORT

SP(T) 62-~~1~~ ⁶

Temporary District Classification: AGRICULTURAL

APPLICATION OF EDWARD S. T. CHING, for Special Permit to establish a service station and drive-in food service use on property east of Kamuela.

The applicant is the owner of the property, containing approximately 28,000 square feet, described as follows: TMK 6-04-03(22-41-65)

Staff inspected the subject property, 6/22/62, but not in company with any member of the LUC, nor with County personnel; although the matter has been discussed with County staff and with Mr. Robert Bush, whose planning firm has the contract in the Federal-State-County 701 project to prepare a comprehensive plan for the northern third of the Big Island (including the northern portion of North Kona, all of North and South Kohala, Hamakua and North Hilo Districts). Recommendations from the County and from Mr. Bush are expected to be presented at the hearing.

The subject property is situated in the Puukapu Homesteads area, some 4-5 miles east of Kamuela, and a short distance to the west of the junction of the present road to Honokaa and the new (under construction) "Mud Lane" realigned connection to Honokaa and the Hamakua Coast Highway.

The property is in the largest single area of small-ownership, high-capacity agricultural land on the Island of Hawaii; and the original proposal to classify even the westernmost portion of Puukapu Homesteads into the temporary Urban classification brought forth strong protests and petitions for Agricultural classification from the farmers in the area. There were several protests from landowners and

would-be developers in the eastern portion, which includes the Ching property in question (stated by County planning staff to be a portion of an illegal subdivision), and which was not proposed for Urban classification, although there has been considerable subdivision activity (but no home construction) in the area. The State General Plan implies that some of the western portion of Puukapu on the north side of the highway would be expected to develop after the combined Kohala districts reach a population of some 15,800, considerably beyond the present 5,000.

In consideration of the high quality of the land; of the lack of actual development in the vicinity and of planning work underway (to be in a state of near-completion by the end of 1962); staff recommends denial of the application without prejudice, pending the outcome of the 701 planning project.

SP(T) 62-2

Temporary District Classification: AGRICULTURAL

APPLICATION OF J. M. JACKSON, for Special Permit to use certain property at Kaupulehu for resort purposes.

The applicant is the lessee of the property, containing some 62 acres, described as follows: TMK 7-2-03-1

Staff inspected the property with Mr. Bush and with Mr. Kasamoto of the Hawaii County planning staff. It is understood that Mr. Bush's recommendation, and that of the County, will be presented at the hearing.

The property is situated some 35-50 minutes (by power launch or motorboat) north of Kailua-Kona, or nearly an hour's drive over rough-graded jeep trail downhill from Mamalahoa Highway near the northwest side of Hualalai mountain. The setting is an attractive, fairly-well-sheltered bay with a beach, in an area liberally surrounded with evidences of pre-Cook settlement. The lessee has been involved in a significant amount of site preparation, and development of water supply and emergency land access to inhabited areas. There is an existing single-family vacation home in use near the beach. In addition, a crew of artisans and workmen were occupied at preliminary work on the first units of a hotel development when the Land Use Commission adopted its regulations in April of this year. The applicant and his Attorney, Mr. Vitousek, had met informally with the Commission prior to the adoption; and the members of the Commission at that time made the statement that although the proposed development could not, in itself, be considered "urban" or "urbanizing"; they would look with favor on such an application for Special Permit as Mr. Jackson has submitted.

There are a considerable number of small, isolated, yet attractive areas in the Hawaiian Islands which, as recognized in the 1960 Visitor Destination Area study, "will contribute significantly to the tourist industry," although they are so numerous and scattered that they could not constitute "destination areas" in themselves to qualify for the massive governmental assistance program outlined and recommended by that study. However, a major highway running near the coast, connecting Kailua-Kona, Honokahau, the projected airport at Keahole Point (a short distance from Kaupulehu), and Kawaihae, will pass close to this property, according to the Destination Area study and the State General Plan. Revision of the State General Plan to include areas for small, individual resort development, in the coastal area between Honokahau and Puako, awaits study of the recommendations to be made pursuant to the 701 project for which Mr. Bush is responsible.

Staff recommends that the Commission approve the use requested to the extent that it may be considered a "resort hotel," subject to the following conditions, in the interests of proper resort development for the area, community appearance, convenience and safety:

1. That approval of the County of Hawaii be secured for all uses, which may, if the County approves, include visitor accommodations, residential uses, and incidental resort-type commercial uses;
2. That approval of the County of Hawaii be secured for all structures and improvements, and for siting, arrangement and exterior design of same; for design of vehicular access, egress, circulation and parking layout; and for landscaping; and
3. That the County of Hawaii may require and specify allowable upper limits of density of occupancy, maximum building heights, minimum setbacks and distances between buildings, adequate utilities and adequate offstreet parking to serve the approved uses; and may require that the property be landscaped in keeping with resort use and surrounding area, and to screen unsightly areas from public view.

Note: In the event of Commission approval of Mr. Jackson's application, it should be made clear that such approval is given with the understanding that public facilities and services, in the form of roads, domestic water, police and fire protection, etc., may not be made available to this area for a number of years in the future.

Ref. No. LUC 128

August 16, 1962

Mr. Edward S. T. Ching
Room 12
95 Merchant Street
Honolulu, Hawaii

Dear Mr. Ching:

This letter is to inform you of the meeting to be held by the Land Use Commission at 12:00 noon, August 21, 1962 in its Hearing Room, Second Floor, 426 Queen Street, Honolulu, Hawaii at which time your applications for drive-in food service establishment, service station and accessory uses in Waiman, S. Kohala and Pahoe, Hawaii will be discussed and action may be taken on your petitions.

Although your presence is not required, you are cordially invited to attend the meeting.

Sincerely,

R. J. DARNELL
EXECUTIVE OFFICER

Ref. No. LUC 128

August 16, 1962

Mr. Edward S. T. Ching
Room 12
95 Merchant Street
Honolulu, Hawaii

Dear Mr. Ching:

This letter is to inform you of the meeting to be held by the Land Use Commission at 12:00 noon, August 21, 1962 in its Hearing Room, Second Floor, 426 Queen Street, Honolulu, Hawaii at which time the August 1, 1962 public hearing held in Wilo on your application for drive-in food service establishment, service station and accessory uses in Pahoa, Hawaii will be reported to the Commission. Any comments or additional support you may care to present to me before the meeting will be considered in my report.

Your attention is called to SECTION 2, Sec. 11 of Act 187, which provides that "The recommendations of the field officer shall be submitted to the commission at its next meeting, and any recommendation, or rulings by the commission as a result of this recommendation, shall be subject to a review of the full commission at the next hearing date scheduled for the county in which the land concerned is located, if either the commission or the applicant notified the other party at least 20 days prior to this date."

The Commission may also, at the same meeting, take action on your application for Special Permit for the same uses in Puukapu Homesteads, east of Waimaa (North Kohala), Hawaii.

Although your presence is not required, you are cordially invited to attend the meeting.

Sincerely,

B. J. DARNELL
EXECUTIVE OFFICER



OFFICE OF THE COUNTY CLERK
COUNTY OF HAWAII
HILO, HAWAII

August 2, 1962

119
RECEIVED

AUG 6 1962

State of Hawaii
LAND USE COMMISSION

IN REPLY REFER
TO: C-2754/C-2804
Refer Your:
LUC 66 & LUC 79

Mr. Rowland J. Darnell
Executive Officer
Land Use Commission
426 S. Queen Street
Honolulu 13, Hawaii

Dear Mr. Darnell:

This is in reply to your letters with regard to the application to your Commission of Edward S. T. Ching for drive-in food service establishment, service station and accessory uses in Waimea, S. Kohala and Pahoa, Hawaii.

The Board of Supervisors at its meeting of August 1, 1962, by motion recommended the disapproval of the application for Pahoa, as the area is now in residential use and the Board feels that the application is incompatible with its present use.

With regard to the Waimea application, the Board is in agreement with the recommendation of the Planning and Traffic Commission in its letter to you dated July 18 that "commitments on business use should not be made until the Master Plan of Waimea is further along or completed".

Very truly yours,

(Mrs.) Margaret M. Kaaua
COUNTY CLERK

w:y

August 6, 1962

224
74
RECEIVED

AUG 7 1962

State of Hawaii
LAND USE COMMISSION

State of Hawaii
Land Use Commission
Honolulu, Hawaii

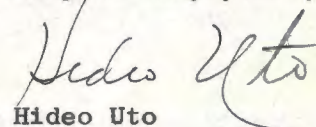
Gentlemen:

It has just come to my attention that there is a request before your body for rezoning into business use certain parcels of land owned by Edward S. T. Ching and situated in Kamuela, Waimea, Hawaii.

I am the legal owner of a property situated in the general area and described as tax key 6-4-003-055, Puukapu Homesteads, and will benefit immensely by the grant of the request. At the present, the nearest business area is within Kamuela proper, which is several miles away. In an area where public transportation is not adequate, I feel that the grant of the request will immeasurably help in the hastening of the development of the affected area.

In view of the above, may I respectfully request that the commission grant the request of Edward S. T. Ching to rezone his properties into business use.

Respectfully yours,


Hideo Uto

HU:ln

August 6, 1962

224
RECEIVED

AUG 7 1962

State of Hawaii
LAND USE COMMISSION

State of Hawaii
Land Use Commission
Honolulu, Hawaii

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Respectfully yours,

Hideo Uto

HU:in

UTO LISTED AS OWNER OF LOT IN SUBDIVISION TO BE
SERVED BY CHING'S PROPOSAL.



OFFICE OF THE COUNTY CLERK
COUNTY OF HAWAII
HILO, HAWAII

July 19, 1962

03
RECEIVED

JUL 23 1962

State of Hawaii
LAND USE COMMISSION

IN REPLY REFER
TO: C-2804

Your: LUC 79

Mr. R. J. Darnell
Executive Officer
Land Use Commission
State of Hawaii
426 Queen Street
Honolulu 13, Hawaii

Dear Mr. Darnell:

Re: Application of Edward S. T. Ching
Drive-In Food Service Establishment,
Service Station & Accessory Uses
Waimea, South Kohala, Hawaii

In reply to your letter of July 12, 1962, regarding the
above, the Board of Supervisors referred your letter to its
Committee on Public Works.

We will advise you further of the Board's action on your
request.

Very truly yours,

(Mrs.) Margaret M. Kaaua
COUNTY CLERK

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RECEIVED

JUL 19 1962

State of Hawaii
PLANNING AND TRAFFIC COMMISSION LAND USE COMMISSION
COUNTY OF HAWAII
HILO, HAWAII, U. S. A.

July 18, 1962

Mr. Rowland J. Darnell
Executive Officer
Land Use Commission
426 S. Queen Street
Honolulu 13, Hawaii

Dear Mr. Darnell:

The Planning and Traffic Commission, at its regular meeting of July 16, 1962, considered the special use permit application submitted by Edward S. T. Ching for a proposed drive-in, service station, and accessory use in Pahoa, Puna, Hawaii and Waimea, South Kohala, Hawaii.

The property in Pahoa is in a location proposed for residential and agricultural use in the Pahoa Development Plan. The Commission recommended against commercial use since there is no demand for it and existing business districts are nearby in both directions.

In regard to the Waimea proposal, the Commission feels that commitments on business use should not be made until the Master Plan of Waimea is further along or completed. Recommendations on future land use and circulation are due from the consultants in a few weeks.

Sincerely,

PLANNING AND TRAFFIC COMMISSION

Hiroshi Kasamoto
Director

lat

cc H. Peter L'Orange

RECEIVED

JUL 19 1962

State of Hawaii
LAND USE COMMISSION

Ching - 10/1/62

Ref. No. LUC 80

July 12, 1962

Planning and Traffic Commission
County of Hawaii
Hilo, Hawaii

Attention: Mr. Hiroshi Kasamoto, Director

Subject: Regarding Application to the Land Use Commission
of Edward S. T. Ching for Drive-In Food Service
Establishment, Service Station and Accessory Uses,
Waimoa, South Kohala, Hawaii (TRK 6-4-63: 22, 41, 65)

Gentlemen:

The Land Use Commission held a hearing on this matter at Kailua-Kona School on the evening of June 27, 1962; and adjourned after taking the matter under advisement.

I have since been instructed to request a recommendation from your Commission regarding the matter, which is familiar to your Director, Mr. Kasamoto. I will notify the members of the Land Use Commission of your answer immediately upon its receipt. Thank you very much for your attention to this matter.

Very truly yours,

R. J. DARNELL
Executive Officer

WJ:ak

enclosed letter

Ref. No. LUC 79

July 12, 1962

The Honorable Members of the
Board of Supervisors
County of Hawaii
Hilo, Hawaii

Attention: The Honorable Thomas K. Cook, Chairman
and Executive Officer

SUBJECT: Regarding Application to Land Use Commission of
Edward S. T. Ching for Drive-In Food Service
Establishment, Service Station and Accessory
Uses, Waimea, South Kohala, Hawaii (TRK 6-4-03;
22, 41, 63)

Gentlemen:

The Land Use Commission held a hearing on this matter in the Kailua-Kona School on June 27, 1962; and adjourned after taking the matter under advisement.

I have since been instructed to request a recommendation from your Board regarding the matter, which is familiar to your Planning Commission and its director, Mr. Hiroshi Kasamoto, who have been asked for a recommendation.

I will notify the members of the Land Use Commission of your answer immediately upon its receipt. Thank you very much for your attention to this matter.

Yours respectfully,

R. J. DARNELL
Executive Officer

WM:ak

Enclaved Boston

426 Queen Street Ref. No. LUC 21

XXXXXXXXXXXXXXXXXXXX

June 5, 1962

Mr. Edward S. T. Ching
Room 12, 95 Merchant Street
Honolulu, Hawaii

Dear Mr. Ching:

This is to notify you that your applications for special permit will be heard on Tuesday, June 26, 1962 at 8:00 p.m. in the Board Room of the Maui County Board of Supervisors, Wailuku, Maui, Hawaii; and on Wednesday, June 27, 1962 at 8:00 p.m. at Kailua-Kona School, Kailua, Kona, Hawaii.

Legal notice regarding the public hearing will be published in the Maui News and the Hilo Tribune Herald on Tuesday, June 5, 1962; and in the Honolulu Star-Bulletin, and the Honolulu Advertiser on Wednesday, June 6, 1962.

Very truly yours,

R. J. DARNELL
Executive Officer

WM:ak



PLANNING AND TRAFFIC COMMISSION
COUNTY OF HAWAII
HILO, HAWAII, U. S. A.

June 26, 1962

Mr. Rowland J. Darnell
Executive Officer
Land Use Commission
Dept. of Planning & Research
426 S. Queen Street
Honolulu 13, Hawaii

Dear Mr. Darnell:

The Planning and Traffic Commission requests that the Land Use Commission schedule public hearings on special permits in this County about one week before the Commission's regular meetings so that we can make recommendations and suggestions after obtaining as much information as possible and within the 15-day period set by your rules and regulations. Normally, our regular meetings are held on the middle or third Monday of each month.

In regard to applications submitted by J. M. Jackson, Gilbert Hay, and Edward S. T. Ching for a special use permit, the Commission at its last meeting went on record to recommend the areas in question as being not suitable for agricultural purposes.

Sincerely,

PLANNING AND TRAFFIC COMMISSION

Hiroshi Kasamoto
Director

lat

CARCERED
 NOV 8 1947
 FEB 27 1948
 JUL 15 1948
 MAR 18 1949
 JUN 3 1949
 DEC 1 1949
 APR 1 1950
 SEP 1 1950
 JUN 8 1951
 JAN 10 1952
 FEB 7 1947
 COLL 19

MAY 6 1951
MAY 7 1951

JUN 25 1950

Reduced and Copy by
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88 S. QUEEN STREET Phone 66148
DEC. 1959

Dwg. No: 2464
Source: Tax Maps Bureau of Survey Department
By: L.K.H. - June, 1935

KOHALA FOREST RESERVE
SEC. 3

Location For Drive In
* Station
Kamuela Lake

Note: All lots owned by Edward S. T. Ching & w/f. Elsie H. - T/E, unless otherwise noted.

mama La Hoa itwy
INSET

~~ADVANCE SHEET
SUBJECT TO CHANGE~~

THIRD DIVISION		
ZONE	SEC.	PLAT
6	4	03
CONTAINING PARCELS		
SCALE: 1 in. = 500 ft.		

PRINTED

Por. of PUUKAPU HOMESTEADS, WAIMEA S. KOHALA, HAWAII.

Ed. Ching
95 Merchant St.
506660

Waikeko

Kaniakiku Homestead, Puna
Keahialeka

1-5-03-3p.m.

Puna Dist.