

Action

June 22 to Aug 6

Sked for  
June 26

2 SP Hawaii

✓

June 29, 1970

Hawaii Planning Commission  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji, Planning Director

Gentlemen:

At its meeting on June 26, 1970, the Land Use Commission voted to approve a special permit to Hawaiian Telephone Company (SP70-81) to allow the construction of a communications equipment building on a 3-acre portion of land situated within the State's Agricultural District at Keahuolu, North Kona, Hawaii, identifiable by Tax Map Key 7-4-08: parcel 1, subject to the conditions set forth by the Hawaii Planning Commission.

Enclosed for your information is the staff report.

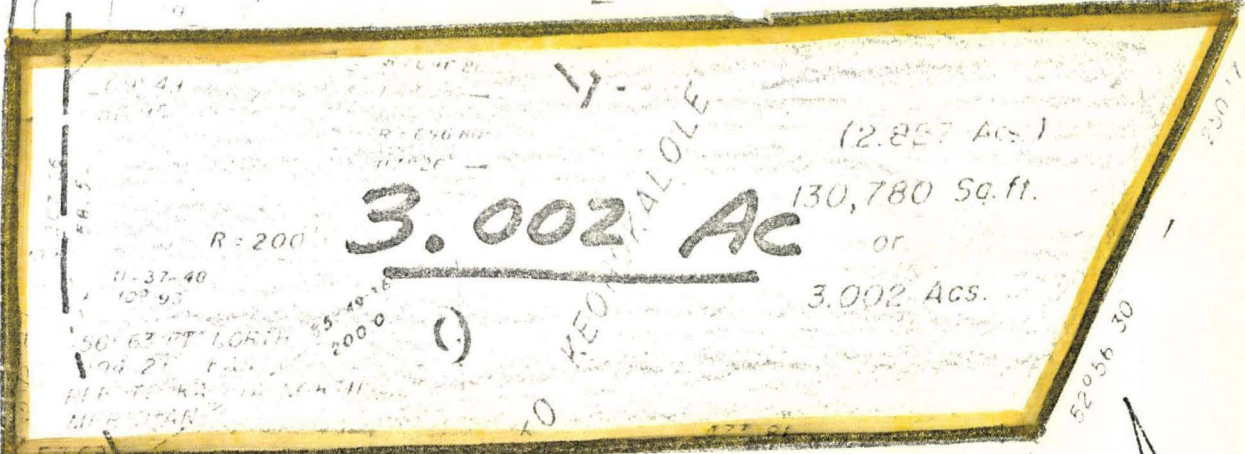
Very truly yours,

RAMON DURAN  
Executive Officer

Enclosures

cc: Hawaiian Telephone Co.  
Hawaii Tax Administrator  
Property Technical Services, Dept. of Taxation  
Tax Maps Branch, Dept. of Taxation

SCALE 1" = 100'  
TRUE NORTH



BRASS PIN  
SET IN CONCRETE  
Kailua - 1955  
Kawailoa Road

SCALE 1" = 100'  
TRUE

ROAD ROAD

APANA  
AGRICULTURE  
8452  
CERTIFICATE OF BOUNDARY NO. 45

URBAN

HEDEMANN  
R. P. 7456, L. C. AW. 8559-B, APANA II TO WM. C. LUNALUO  
CERTIFICATE OF BOUNDARY NO. 25

TMK 7-4-08: 1(P)

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Kamehameha III School Cafetorium  
Lahaina, Maui

June 26, 1970  
7:00 p.m.

*Approved 9-11-70*

Commissioners Present: Wilbert Choi, Chairman  
Goro Inaba, Vice Chairman  
Alexander Napier  
Eddie Tangen  
Tanji Yamamura  
Stanley Sakahashi

Commissioners Absent: Shelley Mark  
Sunao Kido  
Leslie Wung

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

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

HEARING

PETITION BY MAUI LAND & PINEAPPLE CO., INC. (A70-250) TO RECLASSIFY 659  
ACRES FROM AGRICULTURAL AND CONSERVATION TO URBAN AT HONOLUA, LAHAINA, MAUI

The Executive Officer read the staff report recommending that only  
that portion of the petitioner's request situated makai of the haul road  
between the existing Honokohau Urban District and the State owned parcel  
be reclassified from Agricultural to Urban, so that the petitioner may  
proceed with the first stage of his resort development program and include  
the proposed golf course.

Mr. Colin C. Cameron, President of Maui Land and Pineapple Company  
stated that in order to best serve the interests of the community and the  
company he represents, a high quality residential resort development on a  
large scale is necessary. Thus, rezoning the subject area would enable  
them to properly finance and control the development of a total of 1,000  
acres on a continuing basis and avoid a piecemeal, inflexible approach.  
General design studies are now being conducted for the golf course and  
hotel. Rooms for the luxury hotel at Kapalua Bay may range from \$35,000  
to \$45,000 per unit. Also under consideration are resort condominiums,  
off-site improvements, and primary housing developments. With regard to

all of the costs for a water system. However, Mr. Cameron testified that if the State does not implement its water development plan, then water will be developed by the petitioner. Questioned regarding the school and park sites, Mr. Cameron assumed that they will have to be acquired.

In reply to Commissioner Tangen's question regarding the agricultural value of the land for the housing area, Mr. Cameron said that for tax purposes, it ranged from \$1,500 to \$2,500 per acre. Commissioner Tangen then asked the price of raw land which the petitioner would be willing to make available to the workers. Mr. Cameron replied that the price has not been determined since an exchange of land with the State is contemplated.

With regard to parking provisions for the general public in some of the beach areas, the developer's planners felt that automobiles are not desirable inside a high quality resort development. However, there will be a parking area developed in conjunction with the proposed public park at Honolua Bay.

Mr. George Mahoe, resident and property owner in the area, voiced his concern over drainage problems which may be created by the proposed resort.

The Chairman pointed out that this point will have to be covered by the County Engineer and would be but one of many battles the petitioner would have to go through before actual construction can be initiated.

Since there was no further testimony, the hearing on this matter was closed.

#### ACTION

✓ SPECIAL PERMIT REQUEST BY HAWAIIAN TELEPHONE CO. (SP70-81) TO CONSTRUCT A COMMUNICATIONS EQUIPMENT BUILDING TO SERVE THE KONA AREA AT KEAHUOLU, NORTH KONA, HAWAII

Mr. Leong briefly described the area under consideration and presented the staff's analysis and its recommendation for approval of the special permit, subject to the conditions established by the County.

Commissioner Inaba moved that the special permit be approved as recommended by the staff. The motion was seconded by Commissioner Yamamura and was unanimously carried.

#### MISCELLANEOUS

SENATE BILL 1139-70, SHORELINE SETBACK

Mr. Duran advised the Commission that Senate Bill 1139-70 was signed by the Governor as Act 136 on June 22, 1970. He stated that the staff prepared a report which was circulated to the Commission earlier, explaining the legislative intent of that part of the act that provides for the establishment of shoreline setbacks throughout the State. He stated that the bill provides that the Land Use Commission shall establish a shoreline setback of between 20 and 40 feet. The report also contained a summary of each part of the law.

STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM SP70-81 - HAWAIIAN TELEPHONE CO. DATE June 26, 1970

PLACE Lahaina, Maui TIME 7:00 p.m. (9:45 p.m.)

OVER TIME !!

NAME	YES	NO	ABSTAIN	ABSENT
NAPIER, ALEXANDER	✓			
TANGEN, EDDIE	✓			
<del>MARK, SHELLEY</del>				✓
<del>KIDO, SUNAO</del>				✓
M INABA, GORO	✓			
<del>WUNG, LESLIE</del>				✓
SAKAHASHI, STANLEY	✓			
S YAMAMURA, TANJI	✓			
CHAIRMAN CHOI, WILBERT	✓			

COMMENTS:

*Approved*

STATE OF HAWAII  
LAND USE COMMISSION

Kamehameha III School Cafeteria  
Lahaina, Maui

June 26, 1970  
7 p.m.

STAFF REPORT

SP70-81 - HAWAIIAN TELEPHONE COMPANY

A special permit request by Hawaiian Telephone Company to allow the construction of a communications equipment building within the Agricultural District at Keahuolu, North Kona, Hawaii, has been forwarded by the Hawaii County Planning Commission. The petitioners have an agreement to purchase the land, described as a 3-acre portion of TMK 7-4-08: 1 from Liliuokalani Trust upon approval of the special permit.

The property in question is situated on the east side of Palani Road approximately 200 feet north of the Kailua-Kawaihae Road. The land is presently vacant, as is the surrounding area. Approximately 800 feet south is an 8 unit apartment building situated within the Kailua Urban District. Available facilities include Palani Road, a 40 foot right-of-way with a 20-foot pavement, a 12-inch watermain along Palani Road, and electricity and telephone services. Land Study Bureau soil classification indicates an "E" or very poor agricultural suitability rating for the property <sup>and</sup> contains slopes of under 20 percent with rainfall

6-23-70 sent to Juriscones, Commissioners

averaging 40 inches annually. The elevation is approximately 160 feet above sea level.

Reasons substantiating this request are as follows:

1. The proposed Kona Switching Center is needed to house new electronically controlled switching equipment to serve local subscribers and to provide new services such as Touch Calling and Automatic Number Identification when direct distance dialing is initiated in 1973. Future plans also include new trunking facilities and a toll operating center.
2. Other sites were investigated and found to be too small, unavailable for sale, too costly or situated outside of the "economic wire center" which would entail additional investments in underground and aerial cable facilities and result in higher service costs to the public.
3. The Kona Switching Center will be architecturally pleasing and compatible with its surroundings.

#### County Recommendation

On June 18, 1970, the Hawaii County Planning Commission voted to recommend approval of the special permit for the following reasons:



- "1. That the proposed communications equipment building is necessary to serve the needs of the Kona area and is to be an integral part of the Hawaii system.
- "2. That the proposed use will not be injurious to improvements or property rights related to property in the surrounding area.
- "3. Although the County General Plan for the subject area is Range Land and Waste, present trends indicate that the area may become desirous for expansion of the existing Kona urban areas."

Approval is subject to the following conditions:

- "1. That the applicant submit building plans together with the grading and drainage plans for approval by the Department of Public Works.
- "2. That the development be substantially according to plans as submitted to the Planning Department.
- "3. That the conditions of 'preliminary plan approval' be complied with before the 'final plan approval' is granted.
- "4. That should the State Land Use Commission grant this special permit, the construction shall begin

within one year of approval date or the special permit shall be deemed null and void."

### Analysis

It is recalled that this special permit application is the result of a request for a declaratory ruling considered by the Land Use Commission on May 8, 1970, <sup>on Kauai</sup> as to whether public utility buildings of the size proposed in this petition are permitted in the Agricultural District under Section 2.14 (g) of the State Land Use District Regulations. At that time the Commission ruled that since the regulations relating to utilities specified "appurtenant small buildings", the proposed facility of 10,000 square feet no longer constitutes a small unobtrusive use of land and therefore is not in conformance with Section 2.14 (g). The petitioners were advised to file a special permit in order to establish the use.

Staff evaluation of this request finds that it is in substantial conformance with the guidelines established by the Land Use Commission for considering "unusual and reasonable" uses within the Agricultural District.

### Recommendation

Therefore, it is recommended that this request be approved subject to the conditions established by the Hawaii

County Planning Commission.

*← Permissible Uses Within the "A" Dist -4-*  
2.14 (g) = Public, private, and quasi public utility lines, transformer stations etc and appurtenant small buildings such as booster pumping stations, but not including offices or yards for equipment, material, vehicle storage, repair or maintenance treatment plants & major storage tanks not ancillary to ag. practices, or corporation yards or other like structures.

June 22, 1970

Mr. E. C. Schoen  
Chief Engineer  
Hawaiian Telephone Co.  
P. O. Box 2200  
Honolulu, Hawaii 96805

Dear Mr. Schoen:

The Land Use Commission next meets at 7:00 p.m. at the Kamehameha III School Cafeteria, Lahaina, Maui, on June 26, 1970.

At that time, your application for a special permit (SP70-81) to construct a communications equipment building at Keahuolu, North Kona, Hawaii will be heard.

Although there is no requirement for you to be present, should you wish to attend, please feel free to do so.

Very truly yours,

RAMON DURAN  
Executive Officer

County of Hawaii  
County Planning Commission

RECEIVED  
JUN 22, 1970

Applicant Hawaiian Telephone Co.  
Date of Public Hearing May 21, 1970  
Date of Decision June 18, 1970  
Meeting Place County Council Room  
Date Decision and Findings Forwarded  
to LUC June 19, 1970

State of Hawaii  
LAND USE COMMISSION SPECIAL PERMIT

The Planning Commission of the County of Hawaii pursuant to consideration required by the provisions of Act 204, SLH 1963, hereby transmits the decision and findings of the above special permit request to use the following described property:

3.002-acre parcel zoned A-1a located in Keahuolu, North Kona, Hawaii,  
Tax Map Key: 7-4-08:1.

for the following purpose(s):

Construction of a communications equipment building to serve the Kona area.

The Commission decided to: recommend approval of this request  
on the basis of the following findings:

1. That the proposed communications equipment building is necessary to serve the needs of the Kona area and is to be an integral part of the Hawaii system.
2. That the proposed use will not be injurious to improvements or property rights related to property in the surrounding area.
3. Although the County General Plan for the subject area is Range Land and Waste, present trends indicate that the area may become desirous for expansion of the existing Kona urban areas.

subject to the following conditions:

1. That the applicant submit building plans together with the grading and drainage plans for approval by the Department of Public Works.
2. That the development be substantially according to plans as submitted to the Planning Department.
3. That the conditions of "preliminary plan approval" be complied with before the "final plan approval" is granted.
4. That should the State Land Use Commission grant this special permit, the construction shall begin within one year of approval date or the special permit shall be deemed null and void.

(Signed)

*Spencer M. Talua*  
Chairman, Planning Commission

PLANNING COMMISSION

Planning Department  
County of Hawaii

May 21, 1970

A regularly advertised public hearing, on the application of Hawaiian Telephone Company was called to order at 3:20 p.m., in the County Council Room, County Building, by Chairman Anthony C. Veriato.

PRESENT: Anthony C. Veriato  
O. W. Efurd  
Masayuki Kai  
Shigeji Kawasaki  
Ed C. Watt  
Skippy T. Yasutake  
Philip I. Yoshimura  
Glenn T. Miyao

ABSENT: Mauricio Valera, Jr.  
Akira Fujimoto, Ex-officio  
Member  
Edward Harada, Ex-officio  
Member

Cho Hen Chun, Public Works  
Richard Masuda, Public Works

and approximately 40 persons in public attendance

NOTICE OF A PUBLIC HEARING

Special Permit: Keahuolu, North Kona, Hawaii

NOTICE IS HEREBY GIVEN of a public hearing to be held in the County Council Room, County Building, Hilo, Hawaii, State of Hawaii, at 3:15 p.m., May 21, 1970 to consider the application of Hawaiian Telephone Company, Optionee, for a Special Permit within the County of Hawaii in accordance with the provision of Section 98H-6, Revised Laws of Hawaii 1955, as amended.

The Special Permit is for the purpose of allowing construction of a communications equipment building to serve the Kona area. Subject structure is to be located on a 3.002-acre lot at Keahuolu, North Kona, Hawaii, being a portion of Tax Map Key 7-4-08:1.

Maps showing the area under consideration for Special Permit and the rules and regulations governing the application for Special Permit are on file in the office of the Planning Department in the County Building at 25 Aupuni Street and are open to inspection during office hours.

All written protests or comments regarding the above Special Permit application may be filed with the Planning Commission before the date of the public hearing or submitted in person at the public hearing or no later than fifteen (15) days following the public hearing.

PLANNING COMMISSION  
OF THE COUNTY OF HAWAII  
ANTHONY C. VERIATO, CHAIRMAN  
By: Raymond H. Suefuji, Director

(Hawaii Tribune-Herald: May 11 and 19, 1970)

CHAIRMAN: We will go on to Item No. 2. Public hearing at 3:15 p.m., on the application of Hawaiian Telephone Company for a special permit to allow the construction of a communications equipment building to serve the Kona area, located on a 3,002-acre lot at Keahuolu, North Kona.

Staff presentation please.

MIYAO: The applicant Hawaiian Telephone Company is requesting a special permit to allow construction of a communications equipment building which will be an integral part of Hawaii's system. The communications equipment building is a permissive use but the applicant has been advised to apply for a special permit because of the size of the building. Phase I of the building is proposed to be approximately 10,000 square feet. Phase II and III will give the total project approximately 97,500 square feet. The size of the subject property is 3,002 acres.

Subject location is to east of Palani Road, 200 feet north of Kailua-Kawaihae Road at Keahuolu, North Kona. This is Kailua wharf area (indicated on the presentation map), this is Palani Road, this is Kailua-Kawaihae Road and this is the 3,002 acres. Tax Map Key is 7-4-8, Parcel 1. The existing County zone is A-1a. The General Plan for the area is Range Land and Waste. State Land Use designation is Agricultural. Right now, there is nothing existing on the land and across the highway towards Palani, to the south is an 8-unit apartment. Existing facilities include Palani Road with a 20-foot pavement on a 40-foot right-of-way; electricity and telephone are available on Palani and water system in the area. The water line runs up to Kailua-Kawaihae intersection - a 12-inch main running up Palani and a 16-inch going down along the Kailua-Kawaihae Road.

We have comments from the Department of Public Works which states: "that the applicant should submit building plans together with the grading and drainage plans for their approval." The State Land Use recommended the applicant's applying for the special permit referred to State Land Use Regulations - Part I, Sub-Part C, Paragraph 2.14, Sub-Paragraph G, stating the permitted uses within the Agricultural District as follows:

"Public, private, and quasi-public utility lines, transformer stations, etc., and appurtenant small buildings such as booster pumping stations, but not including offices or yards for equipment, material, vehicle storage, repair or maintenance, treatment plants and major storage tanks not ancillary to agricultural practices, or corporation yards or other like structures."

Then they brought up the point of allowing small buildings. This development calls for very large building.

CHAIRMAN: Any questions to the staff from the Commissioners?

EFURD: Mr. Chairman.

CHAIRMAN: Yes.

EFURD: I have one question relating to the road through this area. This being in the intersection of Palani and Honokohau Road, it is my understanding that the Kuakini Highway would be aligned in the future from the Corps Construction baseyard area to intersect at this junction. Where would that go in relation to this property?

MIYAO: On the subject property, it would be 200 feet north of the property. The proposed Kuakini realignment would be below this subject property.

EFURD: My other question also is in relationship to that. My understanding that the interest either on the part of the County or the State of having the wide corridor for the Kailua-Kawaihae Road, would this property involve the future extension of Kuakini to this intersection?

YOSHIMURA: Rev. Efurd, maybe I can answer that. As the staff pointed out, the 3-acre parcel is situated 200 feet from the center line and we also have accommodated below the center line of the proposed alignment of 150 feet, so there is a corridor established of 300 feet in that area and we have made provision for that when we granted subdivision approval for that 3-acre parcel.

EFURD: So, this is sufficient.

YOSHIMURA: Yes.

EFURD: Is there any possibility of problems in this intersection because of the need for traffic circle, overpass, underpass or anything in the future such as the clover leaves at this intersection with Palani and Kailua-Kawaihae Road.

YOSHIMURA: I don't think we have any of those or clover leaves even in Hilo. I don't think the existing population or existing traffic justifies such an extensive highway intersection design.

CHAIRMAN: Is that all Mr. Efurd?

EFURD: Yes.

CHAIRMAN: Any further questions to the staff?

Is there a company representative here to give testimony?

FRANK CHANG: Hawaiian Telephone Company, Planning Department.

CHAIRMAN: You are recognized.

CHANG: This building that we are building on there, to my knowledge it's labeled as a large building. The reason for the largeness is due to the fact that we anticipate growth in the Kona area. We have an existing small structure, a building which serves the Kona area at the present time; but we have been informed that we have a variance operating under the County, and one of the stipulation that was indicated to them was that we will relocate our structure within a certain period of time and this is a follow up on the relocation of that building.

CHAIRMAN: Since this is a special permit, it is the intent of the company to build, I understand, in three steps up to the year 2000.

CHANG: Yes. It would be about that high, about that large and it is indicated about 97,000 square feet. The reason for the largeness also is the fact that we would like the building to have what you call a tandem switching center which will act as a hub for the majority of the Kona area and this will serve as a hub. In other words, a person calling from Honaunau or Holualoa would take into this center and get anywhere else within a pointed area at a supposedly faster rate and with an economical type of equipment. In fact, we are trying to minimize cost also.

CHAIRMAN: Any questions from the Commissioners. Thank you Mr. Chang.

Any further testimony from the individual for the proposal? If not, is there anybody present wishing to testify against the application?

If not, according to the Rules of Practice under 6.3, we cannot make any decision prior to 15 days after the public hearing is held. Therefore, we will take no action at this particular time.

KAWASAKI: Mr. Chairman.

CHAIRMAN: Yes.

KAWASAKI: I move that the public hearing be closed and the matter taken under advisement.

CHAIRMAN: There is a motion that the public hearing be closed and the matter taken under advisement. Is there any second.

EFURD: Second.

CHAIRMAN: Seconded by Mr. Efurd. All those in favor say aye.

MEMBERS: Aye.

CHAIRMAN: Opposed? Any contrary? Motion carried.

The public hearing was adjourned at 3:30 p.m.

Respectfully submitted,

Lei A. Tsuji  
Lei A. Tsuji, Secretary

A T T E S T :

Anthony C. Veriato

Anthony C. Veriato, Chairman  
Planning Commission



PLANNING COMMISSION

Planning Department  
County of Hawaii

May 21, 1970

The Planning Commission met in regular session at 3:03 p.m., in the County Council Room, County Building, with Chairman Anthony C. Veriato presiding.

PRESENT:	Anthony C. Veriato	ABSENT:	Mauricio Valera, Jr.
	O. W. Efurd		Akira Fujimoto, Ex-officio
	Masayuki Kai		Member
	Shigeji Kawasaki		Edward Harada, Ex-officio
	Ed C. Watt		Member
	Skippy T. Yasutake		
	Philip I. Yoshimura		
	Glenn T. Miyao		

Cho Hen Chun, Public Works  
Richard Masuda, Public Works

and approximately 40 persons in public attendance

MINUTES Because of the workload, there are no minutes available for consideration. The Chairman stated that the action on the minutes will be held in abeyance.

PUBLIC HEARINGS The meeting was recessed at 3:04 p.m. to conduct the following public hearings:

1. Application of Hawaiian Telephone Company for a variance.
2. Application of Hawaiian Telephone Company for a special permit.
3. Application of Francis G. Ruddle for a special permit.

-----

The meeting was reconvened at 5:51 p.m.

ZONING VARIANCE  
HAWAIIAN TELEPHONE CO.  
PAPAIIKOU, SOUTH HILO

After a duly held public hearing, a discussion followed on the application of Hawaiian Telephone Company for a variance from the front yard building setback for the proposed substation addition located in the Silverton Office Subdivision, fronting the old Mamalahoa Highway at Papaikou, South Hilo, and containing an area of 5400 square feet.

The Chairman called for staff recommendation.

The Deputy Director recommended deferral on the application for a variance in Papaikou for further study. He stated that the staff will contact the applicant to reevaluate whether the equipment can be made to bend or to sit straight. As far as the testimony, there seems to be indication that it can bend.

Mr. Yasutake moved to defer this matter as recommended by the staff for further study to see whether the equipment can be modified so as to comply with the minimum setback requirement. The motion was seconded by Mr. Kai and carried unanimously.

LAND USE COMMISSION  
SPECIAL PERMIT  
HAWAIIAN TELEPHONE CO.  
KEAHUOLU, NORTH KONA

A public hearing was held on the application of Hawaiian Telephone Company for a special permit to allow the construction of a communications equipment building to serve the Kona area located on a 3,002-acre lot at Keahuolu,

North Kona.

The action was deferred until the next month's meeting. Act 205 (State Land Use Law) requires the Commission to act on such petition not earlier than 15 days after the public hearing.

LAND USE COMMISSION  
SPECIAL PERMIT  
FRANCIS G. RUDDLE  
WAIAKEA, SOUTH HILO

A public hearing was held on the application of Francis G. Ruddle for a special permit to allow the development of a proposed mobile home park on a 39.34-acre lot located at the southwest corner of Kawailani and Kupulau

Streets in Waiakea Homesteads, South Hilo.

The action was deferred until the next month's meeting. Act 205 (State Land Use Law) requires the Commission to act on such petition not earlier than 15 days after the public hearing.

HOUSE BILL NO. 2162  
PROCEDURES FOR AMENDMENT  
GENERAL PLAN AND  
ZONING ORDINANCES

A copy of the House Bill No. 6162 which provides procedures for the amendment of the General Plan and Zoning Ordinances of all Counties was passed out to the members for their review and study.

The Deputy Director stated that since there are a lot of controversy expressed through the medium of the local newspapers and other means, it was felt feasible to present this matter before the Commission. He suggested that they might form some kind of an opinion so that they can take a position on this particular Bill or come up with some recommendations.

APPOINTMENTS TO  
PLANNING COMMISSION

Mr. Kawasaki inquired about the request to the Mayor to fill the membership of the Planning Commission.

The Chairman explained that the letter to the Mayor was held up because of the recent request by the Republican Party to fill the two vacancies of the Commission. If there are no indications of the appointments in the next month, then he suggested the sending of a letter to the Mayor.

MEETING SCHEDULE

The next meetins is scheduled to be held in Kona on the 28th of May at which time a public meeting regarding the one-way traffic on Alii Drive within the limits of Kailua Village will be discussed. Also, a field trip of historical areas will be taken.

Mr. Watt wondered if a special meeting on the mobile home would be in order to discuss with the staff members and someone from the Building

Department. A special meeting to orient the members with all aspects of the proposed development was set for June 5 to begin at 1:30 p.m. in the Highway Safety Conference Room. The matter for decision can then be scheduled at the next regular meeting on June 18.

ADJOURNMENT

It was moved by Mr. Watt, seconded by Mr. Efurc  
and passed unanimously that the meeting be  
adjourned. The Chairman adjourned the meeting at 5:59 p.m.

Respectfully submitted,

*Lei A. Tsuji*  
\_\_\_\_\_  
Lei A. Tsuji, Secretary

A T T E S T :

*Anthony C. Veriato*

\_\_\_\_\_  
Anthony C. Veriato, Chairman  
Planning Commission

COUNTY OF HAWAII

FOR OFFICIAL USE ONLY

COUNTY PLANNING DEPARTMENT

Date petition and fee received by Commission \_\_\_\_\_

RECEIVED

Date petition is scheduled for public hearing \_\_\_\_\_

APR 2 1963

Date Commission took action and its ruling \_\_\_\_\_

PLANNING DEPT.

APPLICATION FOR SPECIAL PERMIT

(I) (We) hereby request approval for a Special Permit to use certain property located at Keahuolu, North Kona, Hawaii in accordance with provisions of Section 98H-6, Act 205, SLH 1963 for the following described purpose.

To construct a communications equipment building which will be necessary to serve the Kona area.

Description of Property:

Portion of Tax Map Key 7-4-08-1, 3rd Division, containing 3,002 acres as outlined in red on the attached subdivision map marked Exhibit A.

Petitioner's interest in subject property:

Agreement to purchase from Liliuokalani Trust upon receipt of Special Permit.

Petitioner's reason(s) for requesting Special Permit:

NOTE: The applicant must show that all of the following conditions exist: 1) that there are unusual or exceptional circumstances applying to the subject property, building or use which do not generally apply to surrounding property or improvements in the same zone district; 2) that the unusual or exceptional circumstances which apply to the subject property, building or use are reasonable and proper and will not be materially detrimental to public health, safety, morals, and general welfare; nor will it be injurious to improvements or property rights related to property in the surrounding area; 3) that the strict enforcement of the zoning regulation would result in practical difficulties and unnecessary hardship inconsistent with the intent and purpose of Act 205; and 4) that the granting of a special permit will not be contrary to the objectives of the Master Plan or Plans of the State and/or County Government.

Please see attached explanation.

The application will be accompanied with a deposit of \$100.00----- to cover publication and administrative costs and a map of the area proposed for change.

*Jim Ferris  
546-3559  
Fred Brewer(?)*

Signature *[Signature]*

Address 1190 Alakea St Honolulu

Telephone 546-3703

This space for official use

The property is situated in a(n) \_\_\_\_\_ District.

REMARKS:

ATTACHMENT TO APPLICATION FOR SPECIAL PERMIT

Petitioner's reason(s) for requesting Special Permit:

It is our understanding the use of the proposed communications equipment building is considered a permissive use under the Comprehensive Zoning Ordinance of the County of Hawaii under Section 30, Sub-Section B Paragraph 10, provided the Director does not find said use hazardous, dangerous or a nuisance to the surrounding area and grants the "Plan Approval". It is further understood that, under the State Land Use District Regulations Part II Sub-Part C Paragraph 2.14 subparagraph (g), a communications equipment building is a permissive use; however, the size of our proposed structure is substantially large and the Regulations allow only a "small" building. The general size of our proposed structure including equipment installation is shown on Exhibit B attached. You will note the exhibit indicates three (3) expansion increment units.

In that the actual function of our proposed communications equipment building is not in violation of the County Comprehensive Zoning Ordinance, nor the State Land Use Regulations, Hawaiian Telephone Company's specific reason for requesting a Special Permit is to provide for an exception under the State's Land Use Regulations Part II subpart C Paragraph 2.14 subparagraph (g) to allow a substantial structure to be constructed on the subject land.

There are a number of reasons which justify this request.

1. The rapid growth and development of the entire Kona area requires that telephone facilities be expanded in order to provide quality service to the residents of these communities. The proposed building will house new electronically controlled telephone switching equipment to serve the local subscribers in Kailua-Kona and to provide new service features such as Touch Calling, and Automatic Number Identification when Direct Distant Dialing is established for Hawaii in 1973. The building will also house switching equipment to permit the most direct and efficient routing of calls between the Kona Switching Center and other telephone switching centers in the Kona area, as well as to the rest of the island of Hawaii. A new microwave radio system will provide increased trunking facilities between Kona and the rest of our State. Trunking facilities connecting the Kona Switching Center to other switching centers in the Kona Coast area will also be increased with new equipment to provide for growing trunk requirements and service improvement. Our planning for the Kona Communications Equipment Building also envisions future installation of a toll operating center, consisting of long distant switching equipment and telephone operators, to process the rapidly growing requirements for long distant calling generated by this area. The Kona Switching Center will be staffed with maintenance and testing personnel to assure the proper and efficient operation of all telephone facilities in the Kona area.
2. The location of this communications equipment building falls within the "economic wire center". In other words we can serve telephone subscribers in the Kona area most economically from the location of the subject property which is to the benefit of the public. In determining the most feasible location for the Kona building a number of alternative

sites were investigated. It was found that other sites were:

- a. Too small to permit the size of building required and still provide adequate space for parking and landscaping.
- b. Unavailable for purchase by Hawaiian Telephone Company because of prior commitments or development plans.
- c. Significantly distant from the "economic wire center" which would entail additional investment, both initially and on a continuing bases, in underground and aerial cable facilities.
- d. Land values in the other suitably zoned areas in Kailua town were two or three times that of the subject location.

Items c and d would force unnecessary additional investment by Hawaiian Telephone Company to provide the same service to Kona residents. This is contrary to Hawaiian Telephone Company's objective of providing the best possible service at the lowest possible cost to our customers.

3. The Kona Switching Center will be Hawaiian Telephone Company's major facility in the Kona area and as such will be the predominant representation of HTCO. to the residents of Kona. It will be architecturally designed to be pleasing in appearance and compatible with the surrounding area as well as a functional equipment building for telephone operations.

PLANNING COMMISSION  
County of Hawaii  
Hilo, Hawaii

June 3, 1970

RECEIVED

JUN 10 1970

State of Hawaii  
LAND USE COMMISSION

Mr. E. C. Schoen  
Chief Engineer  
Hawaiian Telephone Co.  
P. O. Box 2200  
Honolulu, Hi 96805

The Planning Commission has scheduled a public hearing to discuss your application for a special permit to allow construction of a communications equipment building to serve the Keauhou area located on a 1.0-acre lot at Keauhou 2nd North Kona, Hawaii, being a portion of Tax Map Key 7-8-05:47.

Said hearing will be held at 3:00 p.m., on June 18, 1970 at the County Council Room, County Building, Hilo, Hawaii.

The presence of a representative will be appreciated in order that all questions which may be raised relative to the request may be clarified.

A copy of the hearing notice is enclosed for your information.

*Anthony C. Veriato*

Anthony C. Veriato  
Chairman

1at  
Enclosure

cc J. S. Hodgins  
✓ State Land Use Commission  
Adjoining Property Owners

PC: 2/70

NOTICE OF A PUBLIC HEARING

Special Permit: Keauhou 2nd, North Kona, Hawaii

NOTICE IS HEREBY GIVEN of a public hearing to be held in the  
County Council Room, County Building, Hilo, Hawaii  
State of Hawaii, at 3:00 p.m., June 18, 1970  
to consider the application of Hawaiian Telephone Company  
optionee, for a Special Permit within the County of Hawaii  
in accordance with the provision of Section 98H-6, Revised Laws of  
Hawaii 1955, as amended.

The Special Permit is for the purpose of allowing construction  
of a communications equipment building to serve the Keauhou area.  
Subject structure is to be located on a 1.0-acre lot at Keauhou 2nd,  
North Kona, Hawaii, being a portion of Tax Map Key 7-8-05:47

Maps showing the area under consideration for Special Permit  
and the rules and regulations governing the application for Special  
Permit are on file in the office of the Planning Department in the  
County Building at 25 Aupuni Street and are open to inspection during  
office hours.

All written protests or comments regarding the above Special  
Permit application may be filed with the Planning Commission before  
the date of the public hearing or submitted in person at the public  
hearing or no later than fifteen (15) days following the public  
hearing.

PLANNING COMMISSION  
OF THE COUNTY OF HAWAII  
ANTHONY C. VERIATO, CHAIRMAN  
By: Raymond H. Suefuji, Director



PLANNING COMMISSION

Planning Department  
County of Hawaii

Agenda for the Meeting of June 18, 1970  
County Council Room--1:30 p.m.

MINUTES

REPORTS

UNFINISHED BUSINESS

1. Application of Hawaiian Telephone Company for a variance from the front yard building setback for the proposed substation addition located in the Silverton Office Subdivision, fronting the old Mamalahoa Highway at Papaikou, South Hilo, and containing an area of 5400 square feet.
2. Application of Hawaiian Telephone Company for a special permit to allow the construction of a communications equipment building to serve the Kona area located on a 3.002-acre lot at Keahuolu, North Kona.
3. Application of Francis G. Ruddle for a special permit to allow the development of a proposed mobile home park on a 39.34-acre lot located at the southwest corner of Kawailani and Kupulau Streets in Waiakea Homesteads, South Hilo.
4. Application of Akona Kona, Inc., for a variance from the parking requirement and from the side yard setback requirement located in Kailua Village, Lanihau 1st, North Kona, and containing an area of 29,708 square feet.
5. Preliminary hearing held on the application of the County of Hawaii for a change of zoning from Resort-Hotel 1,250 square feet (V-1.25) to Open (O) District of about 0.65-acre of land consisting of 3 parcels at Kahaluu, North Kona.

NEW BUSINESS

1. Public hearing at 3:00 p.m., on the application of Hawaiian Telephone Company for a special permit to allow the construction of a communications equipment building to serve the Keauhou area located on a 1.0-acre lot at Keauhou 2nd, North Kona.
2. Preliminary hearing on the application of Kaloko Service Corporation for a variance from the requirement to construct a 20-foot wide paved road with 8-foot shoulders within the Kaloko Mauka Subdivision for the proposed third increment as well as improvements to the existing subdivision roadways, located in Kaloko, North Kona.

3. Request by Land Use Commission for comments and recommendation on the petition of Hiroshi Matsuyama for amendment of land use district boundaries from Agriculture to Urban District in Holualoa 1st and 2nd Partition, North Kona, comprising an area of approximately 7.77 acres for the development of low-cost housing project.
4. Referral from the Planning, Economic Development and Legislative Committee of the County Council for recommendations and request to hold a public hearing on communications received regarding possibility of lowering the height of buildings in the Kailua, Kona area to 3 stories.

May 27, 1970

Mr. Robert Way  
Planning Director  
City Planning Department  
629 Pohukaina Street  
Honolulu, Hawaii 96813

Dear Mr. Way:

We are enclosing herewith a letter request from Hawaiian Telephone Company, a Land Use Commission staff memorandum, and a copy of the decision rendered by the Land Use Commission at its meeting on May 8, 1970, pursuant to a declaratory ruling under Section 1.25 of the Rules of Practice and Procedure to clarify Section 2.14, subsection (g) of the State Land Use District Regulations, for your information and future reference.

Should you desire additional information, please contact the Land Use Commission office.

Very truly yours,

RAMON DURAN  
Executive Officer

Encls.

Type Erase  
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May 27, 1970

Mr. Brian Nishimoto  
Planning Director  
Kauai Planning Department  
P. O. Box 111  
Lihue, Kauai

Dear Mr. Nishimoto:

We are enclosing herewith a letter request from Hawaiian Telephone Company, a Land Use Commission staff memorandum, and a copy of the decision rendered by the Land Use Commission at its meeting on May 8, 1970, pursuant to a declaratory ruling under Section 1.25 of the Rules of Practice and Procedure to clarify Section 2.14, subsection (g) of the State Land Use District Regulations, for your information and future reference.

Should you desire additional information, please contact the Land Use Commission office.

Very truly yours,

RAMON DURAN  
Executive Officer

Encls.

May 27, 1970

Mr. Howard Nakamura  
Planning Director  
Maui Planning Department  
P. O. Box 1487  
Kahului, Maui

Dear Mr. Nakamura:

We are enclosing herewith a letter request from Hawaiian Telephone Company, a Land Use Commission staff memorandum, and a copy of the decision rendered by the Land Use Commission at its meeting on May 8, 1970, pursuant to a declaratory ruling under Section 1.25 of the Rules of Practice and Procedure to clarify Section 2.14, subsection (g) of the State Land Use District Regulations, for your information and future reference.

Should you desire additional information, please contact the Land Use Commission office.

Very truly yours,

RAMON DURAN  
Executive Officer

Encls.

May 27, 1970

Mr. Raymond Suefuji  
Planning Director  
Hawaii Planning Department  
25 Aupuni Street  
Hilo, Hawaii

Dear Mr. Suefuji:

We are enclosing herewith a letter request from Hawaiian Telephone Company, a Land Use Commission staff memorandum, and a copy of the decision rendered by the Land Use Commission at its meeting on May 8, 1970, pursuant to a declaratory ruling under Section 1.25 of the Rules of Practice and Procedure to clarify Section 2.14, subsection (g) of the State Land Use District Regulations, for your information and future reference.

Should you desire additional information, please contact the Land Use Commission office.

Very truly yours,

RAMON DURAN  
Executive Officer

Encls.

Eagle-11  
Type-Erase

May 13, 1970

Mr. E. C. Schoen  
Chief Engineer  
Hawaiian Telephone Company  
P. O. Box 2200  
Honolulu, Hawaii 96805

Dear Mr. Schoen:

Regarding your May 4th letter to the Land Use Commission for an interpretation of the State Land Use Regulations for your communications buildings, please be advised that the Commission on May 8, 1970, at its meeting in Lihue, Kauai, reviewed your request and evaluated your staff's presentation.

The Commission expressed its sympathetic understanding of the problem but was legally unable to grant any relief. It recommended that the processing of the special permit pending before the County of Hawaii Planning Commission be continued and that the Land Use Commission would expedite its action in any way possible.

Enclosed is a copy of the staff report.

Very truly yours,

RAMON DURAN  
Executive Officer

Encl.  
cc: Hawaii Plann. Comm.

- - - filed 2744

# HAWAIIAN TELEPHONE COMPANY

P. O. BOX 2200 • HONOLULU, HAWAII 96805 • TELEPHONE 537-7111 • CABLE: TELHAWAII

May 4, 1970

E. C. SCHOEN  
CHIEF ENGINEER  
State of Hawaii  
Land Use Commission  
P.O. Box 2359  
Honolulu, Hawaii 96804

RECEIVED  
4, 1970  
State of Hawaii  
LAND USE COMMISSION

Attention: Mr. Ramon Duran

Gentlemen:

Would you please include Hawaiian Telephone Company on the agenda for the next meeting of the Commission scheduled for May 8, 1970 to be held on Kauai. It is our desire to appear and discuss Hawaiian Telephone's proposed Communications Equipment Buildings relative to State Land Use Regulations.

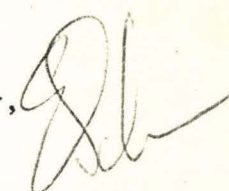
Our intention is to make an appeal before the Commission for a favorable interpretation of the State Land Use Regulation Part 2 Sub-Part C Paragraph 2.14 subparagraph (g) which would allow us to construct buildings to be used for communications equipment within the boundaries of an Agricultural District.

We are immediately concerned with our scheduled plans on the Island of Hawaii. Two (2) Communications Equipment Buildings are scheduled for immediate construction within Agricultural Districts; one in Kona and the other in Keauhou. The Kona Building will contain approximately 10,000 square feet of floor space on a three (3) acre parcel, and the Keauhou building will have 2,800 square feet of floor space on a one (1) acre parcel. An application for a special use permit has been filed for the Kona Building and an application is being prepared for the Keauhou Building. If we are required to delay construction until receipt of the Special Use Permits, we will be behind on an already critical schedule which may affect the activation of new equipment for the entire State. The equipment installed in Kona and Keauhou will be an integral part of the Hawaii system with direct connection to Honolulu and other Islands to permit, among other important new services, direct distance dialing.

Although this request was prompted by our immediate plans on the Big Island we envision the requirements to construct other Communications Equipment Buildings of similar size as those mentioned above within Agricultural Districts. We therefore request that a Communications Equipment Building be interpreted as permissive under State Land Use Regulations as long as the construction and use of said buildings are in accordance with the Comprehensive Zoning Ordinances of each respective Island.

Thank you.

Yours truly,

  
E. C. Schoen  
Chief Engineer



STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

*approved 9-11-70*

State Conference Room  
Lihue, Kauai

May 8, 1970  
1:00 p.m.

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

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

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

HEARING

PETITION BY LAND USE COMMISSION (A70-243) TO RECLASSIFY 12 ACRES FROM AGRICULTURAL TO URBAN AT NAWILIWILI, KAUAI

The Executive Officer read the staff report recommending retaining Area "A" in the agricultural designation in view of the deteriorated condition of the existing dwellings and since the land is unsubdivided and unimproved and part of a large parcel under one ownership; however, recommending that properties fronting on Hulemalu Road and all of the smaller parcels generally bordered by Puali Stream be included within the Urban District.

There was no county representation, no testimony from anyone and the hearing was closed.

PETITION BY MANUEL AND BERTHA SANCHEZ (A70-246) TO RECLASSIFY 30 ACRES FROM AGRICULTURAL TO URBAN AT WAILUA HOMESTEADS, WAILUA, KAUAI

The Executive Officer read the staff report recommending denial of the petition on the bases of the reasons outlined in staff report (see copy on file).

He added that the applicant just submitted a memo statement (copies were circulated to each Commissioner).

MISCELLANEOUS

REQUEST FROM HAWAIIAN TELEPHONE COMPANY

A letter from Hawaiian Telephone Co. dated May 4, 1970 and a report by the staff were circulated to the Commission (see file). The staff recommended against the Telephone Co.'s request.

Mr. Fred Brezee from the Hawaiian Telephone Co. explained that their interpretation of permitted uses within the Agricultural District, Section 2.14 (g), wherein the Regulations read "public, private and quasi-public utility lines, transformer stations, etc." included their proposed construction of telephone central offices or switching centers within the agricultural area. He explained they have a major switching center proposed in Kailua-Kona at the intersection of Palani and Kawaihae Road junction which is scheduled to be completed by February, 1971. They also propose to construct another switching center to serve Keauhou Bishop Estate development.

The purpose of this equipment is to facilitate the direct distance dialing program to the United States and the rest of the world.

Mr. Brezee objected to processing of a special permit as recommended by the staff which would put them 120 days behind schedule. Mr. Chang from the Hawaiian Telephone Co. also stated they were two months behind schedule already. They felt that their facility was permitted and did not agree with the staff's interpretation that only small buildings for utility purposes were permitted in the Agricultural District as stated in the staff report.

Mr. Brezee pointed out that the Telephone Co. has already filed a request for a special permit for the Kailua-Kona site. The Commissioners expressed sympathy and interpreted the regulations to include only small buildings housing utilities as a permitted use in the Agricultural District, and recommended that the Telephone Co. process their large facility requests, such as the 10,000 square foot building proposed at Kailua-Kona and the 2,000 square foot building at Keauhou under the special permit procedure.

Regarding Chairman Choi's question on an exception to the rule, Mr. Walton Hong, Deputy Attorney General, replied that the Commission cannot make exceptions to the rule. If the Commission desires to retain control over the use of agricultural land, the Commission cannot justify approving a 10,000 square foot building for Hawaiian Telephone Co. and denying another public utility, whatever the use may be, from putting up another 10,000 square foot building. He suggested that for consistency, the Commission take a firm line one way or the other.

Mr. Tangen moved that the Commission advise the Hawaiian Telephone Co. that they pursue the special permit course for relief, seconded by Commissioner Mark. The motion was passed unanimously.

STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM REQUEST FROM HAWAIIAN TEL. CO. DATE May 8, 1970

PLACE State Conference Room TIME 1:00 p.m.  
Lihue, Kauai

NAME	YES	NO	ABSTAIN	ABSENT
MARK, SHELLEY	✓			
NAPIER, ALEXANDER	✓			
KIDO, SUNAO	✓			
YAMAMURA, TANJI	✓			
TANGEN, EDDIE	✓			
SAKAHASHI, STAN	✓			
WUNG, LESLIE	✓			
INABA, GORO	✓			
CHOI, WILBERT	✓			

COMMENTS:

*Agreed with staff report & recommendation - denied declaratory ruling that large utility facilities for monog uses ~~are~~ are permitted under 214(g). Recommend Special Permit procedures be followed - carried*

May 5, 1970

MEMORANDUM

TO: Mr. Howard Altman

FROM: Ramon Duran

SUBJECT: Utility uses within the State's Agricultural District

Attached herewith is a letter from the Hawaiian Telephone Company. The subject matter is self explanatory.

It seems to me that we designed our Agricultural District regulations to provide for the pump stations, lift stations, and other small (?) utility type facilities. Anything as large as 3,000 sq. ft. (3 small single-family residences) or 10,000 sq. ft. on an acre or three-acre parcel should be processed via the special permit route.

I would appreciate your comments on this matter.

Encl.

May 5, 1970

Mr. Fred Brezee:

Thought you were going to submit your letter on Thursday so we would not have time to prepare a recommendation.

Encl.

May 4, 1970

MEMORANDUM

TO: Mr. Walton Hong, Deputy Attorney General

FROM: Ramon Duran, Executive Officer

SUBJECT: Utility uses within the State's Agricultural District

Attached herewith is a letter from the Hawaiian Telephone Company on the above subject matter. We will include this letter on the May 8 LUC meeting agenda. The LUC may ask some questions of a legal nature in this regard, so I thought you may want to review this before the meeting.

Encl.



STATE OF  
HAWAII

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT  
**LAND USE COMMISSION**

P. O. BOX 2359 • HONOLULU, HAWAII 96804

JOHN A. BURNS  
Governor

SHELLEY M. MARK  
Director Department  
of Planning and Economic  
Development

WILBERT H. S. CHOI  
Commission Chairman

Goro Inaba  
Vice Chairman

RAMON DURAN, AIP, ASLA  
Executive Officer

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

May 8, 1970

MEMORANDUM

TO: Land Use Commission  
FROM: Ramon Duran, Executive Officer  
SUBJECT: Hawaiian Telephone Company's Letter of May 4  
regarding Communications Equipment Buildings  
in Agricultural Districts

The above subject letter was received in the Land Use Commission office last Monday, May 4, and circulated to the Commission in advance of this meeting for informational purposes.

Hawaiian Telephone Company desires that the Land Use Commission make a declaratory ruling under Section 1.25 of the Rules of Practice and Procedure of the Land Use Commission to terminate a controversy or to remove an uncertainty regarding Section 2.14 subsection (g).

Subsection (g) lists one of the permitted uses within the Agricultural District and states as follows:

"Public, private, and quasi-public utility lines, transformer stations, etc., and appurtenant small buildings such as booster pumping stations, but not including offices or yards for equipment, material, vehicle storage, repair or maintenance, treatment plants and major storage tanks not ancillary to agricultural practices, or corporation yards or other like structures."

Hawaiian Telephone Company desires that the Commission interpret "appurtenant small buildings" under this section to include their proposed communications buildings because:

1. This would eliminate the time-consuming processing through the County (public hearing) and the State Land Use Commission for a special permit (about 2½ to 3½ months).
2. There would be important time and expenses saved if a special permit is not necessary for the Kona and Keauhou sites.
3. It will remove an uncertainty in the Land Use Commission Regulations regarding the meaning of "small" in subsection 2.14 (g).

In reviewing the Land Use District Regulations during the five year regulations and districts boundary review project, there was considerable discussion on the intent of the legislature in the creation of the Agricultural District. Our consultants, Eckbo, Dean, Austin & Williams, pointed out that certain uses which have been permitted in the Agricultural District appeared to work in opposition to the legislative intent of the Land Use Law. Examples used were schools, universities, colleges, and churches. The legislation did not refer to these uses as desirable permitted uses in the Agricultural District. The consequences of permitting such uses in the Agricultural District have the potential to remove large areas of agricultural land from production. However, more significant is that these uses often generate a competition for the surrounding land areas for other urban purposes. Our consultants recommended at the time that "only those public institutions, buildings, and utilities that are necessary for the pursuit of agricultural practices should be permitted in the Agricultural District. Such uses not related to agricultural practices should be approved only after specific consideration has been given to each case under the special permit process".

During our deliberations of permitted uses within the Agricultural District, our consultants recommended that all



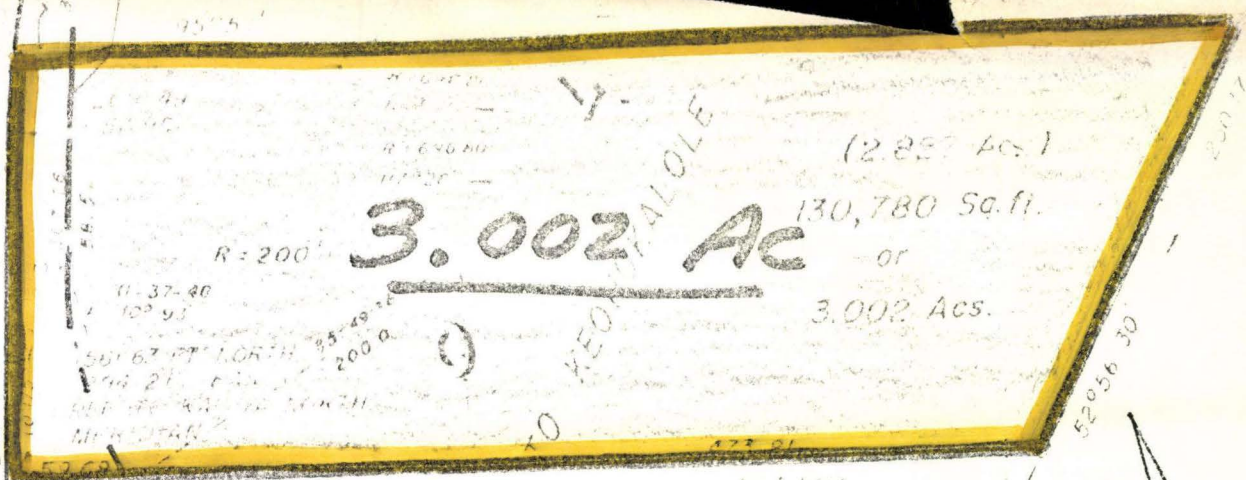
Land Use Commission  
May 8, 1970  
Page 3

reference to public utilities be stricken as a permitted use. However, it was pointed out that to require public, private, and quasi-public utility companies to seek a special permit to locate a water storage tank; to drill a well; or to locate a lift station, pump station, or a small transformer site which often requires less than a 5,000 square foot site with perhaps a 20' x 20' storage structure at the most would overburden County and State agencies to process special permits. These "small" innocuous uses even if not landscaped would go unnoticed.

The proposed uses by the Hawaiian Telephone Company, if of the size and magnitude described in the letter, i.e., a 10,000 square foot building on a three-acre site or 3,000 square foot structure on a one-acre site, is no longer a "small" unobtrusive use of land. An earlier letter from the Hawaiian Telephone Company indicates the approximately 3,000 square foot building could be enlarged to 8,138 square feet by 1977. The three acres of land in another area might be prime agricultural land. The use might in some instances adversely affect the surrounding area. Such an interpretation must apply to all public, private, and semi-private utilities, not just Hawaiian Telephone Company. A structure on a three-acre parcel without appropriate safeguards to protect the public interest could seriously affect the general welfare. The possibility of guarding against any adverse affects can be guaranteed through the special permit procedures by imposing necessary conditions.

It is therefore the staff's recommendation that the Land Use Commission's declaratory interpretation of Section 2.14 (g) not conform to the request and that the special permit procedure be continued in such cases.

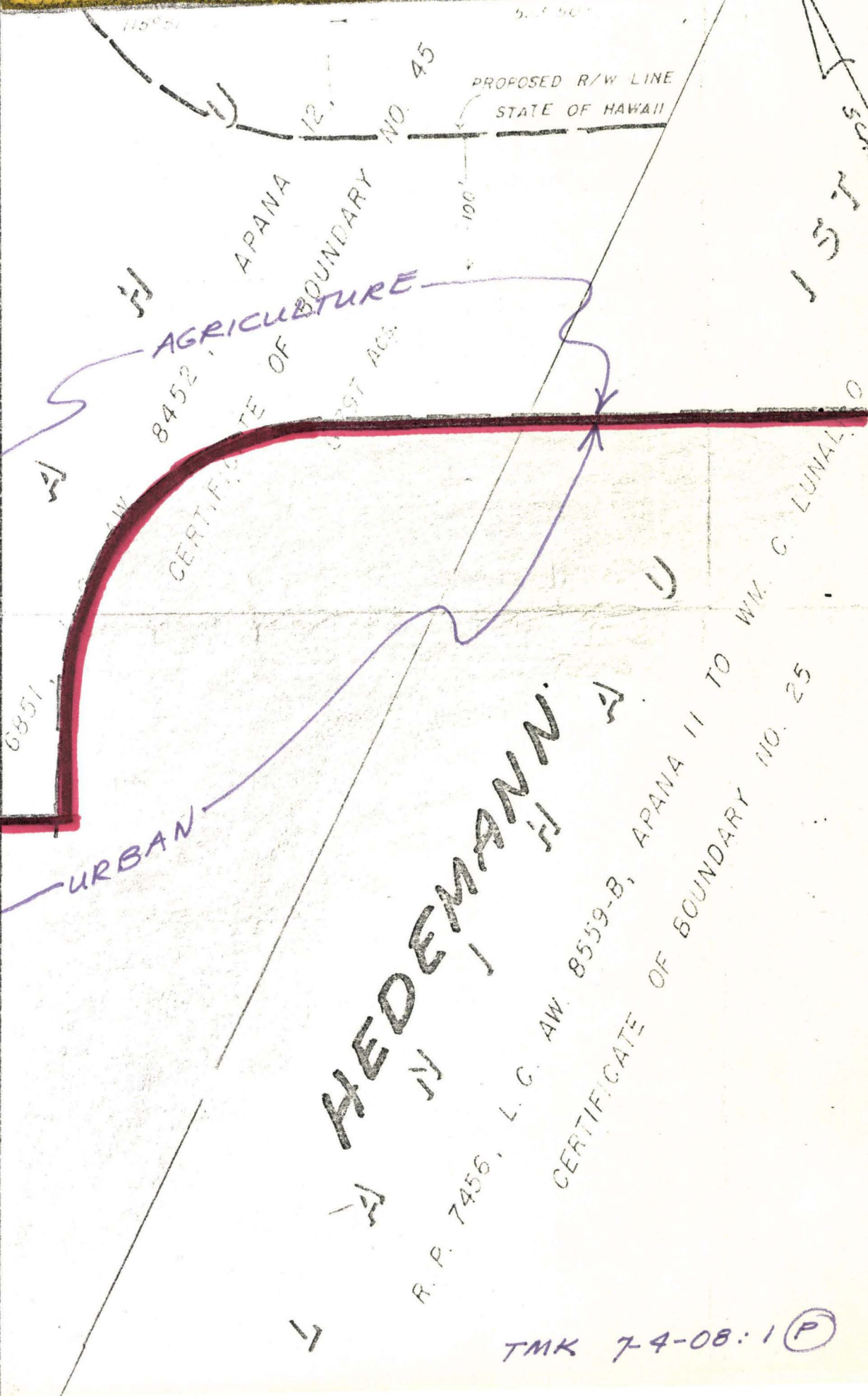
SCALE NORTH  
1" = 100'



BRASS PIN  
SET IN CONCRETE  
Kailua  
Kawaihōe Road

ROAD

PARAN I



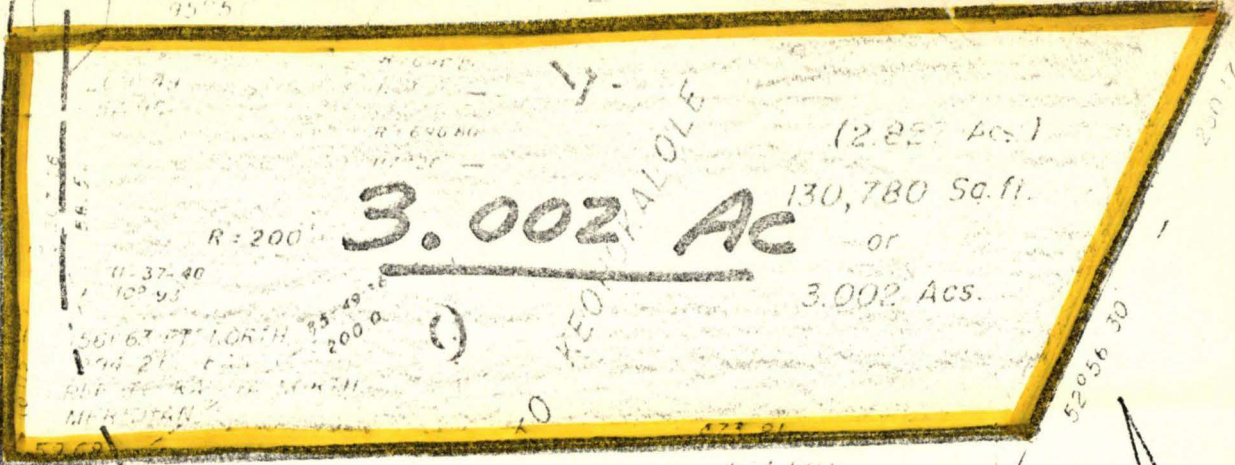
SCALE  
1" = 100'

WEDDEMANN

R. P. 7456, L. C. AW. 8559-B, APANA II TO WM. G. LUNAL. O  
CERTIFICATE OF BOUNDARY NO. 25

TMK 74-08:1 (1)

SCALE NORTH 1"=100'



BRASS PIN SET IN CONCRETE  
Kaliua - users  
Kawaihae Road

SCALE 1"=100'

ROAD

PAALANI

APANA  
CERTIFICATE OF BOUNDARY NO. 45

URBAN

8452  
CERTIFICATE OF BOUNDARY NO. 25

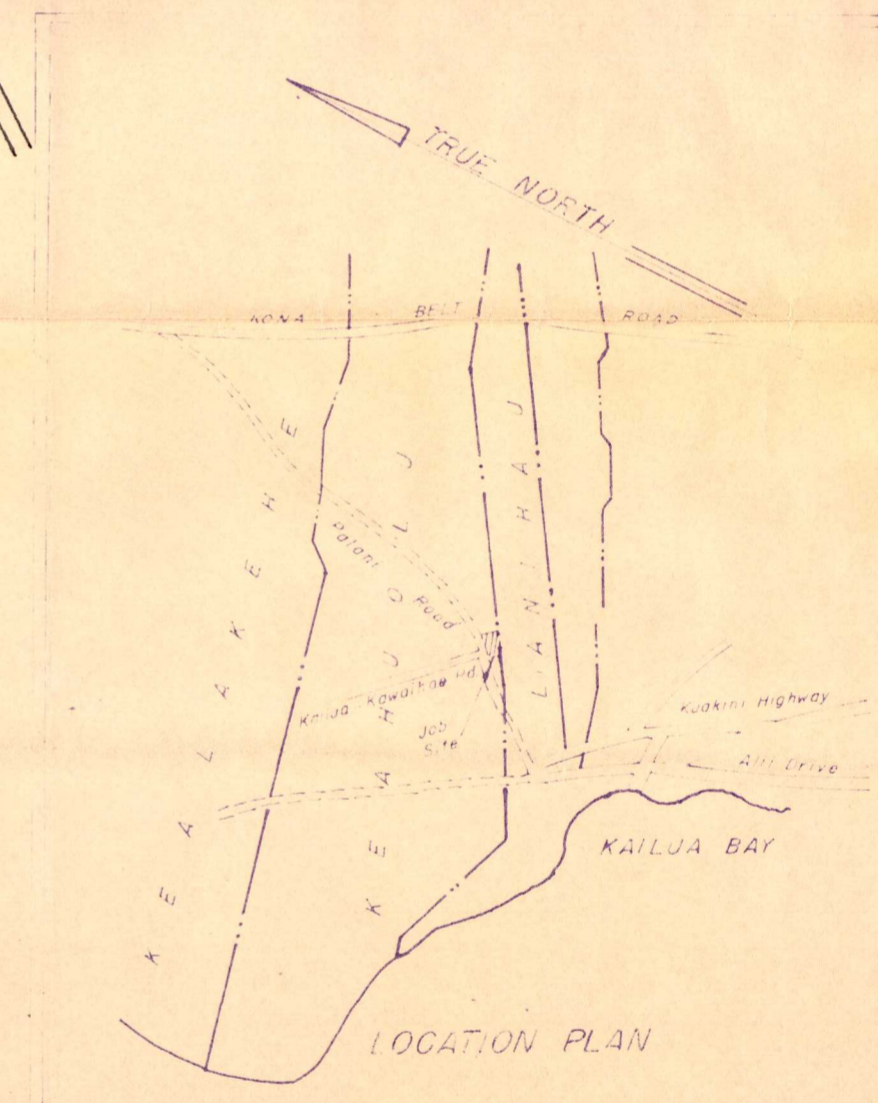
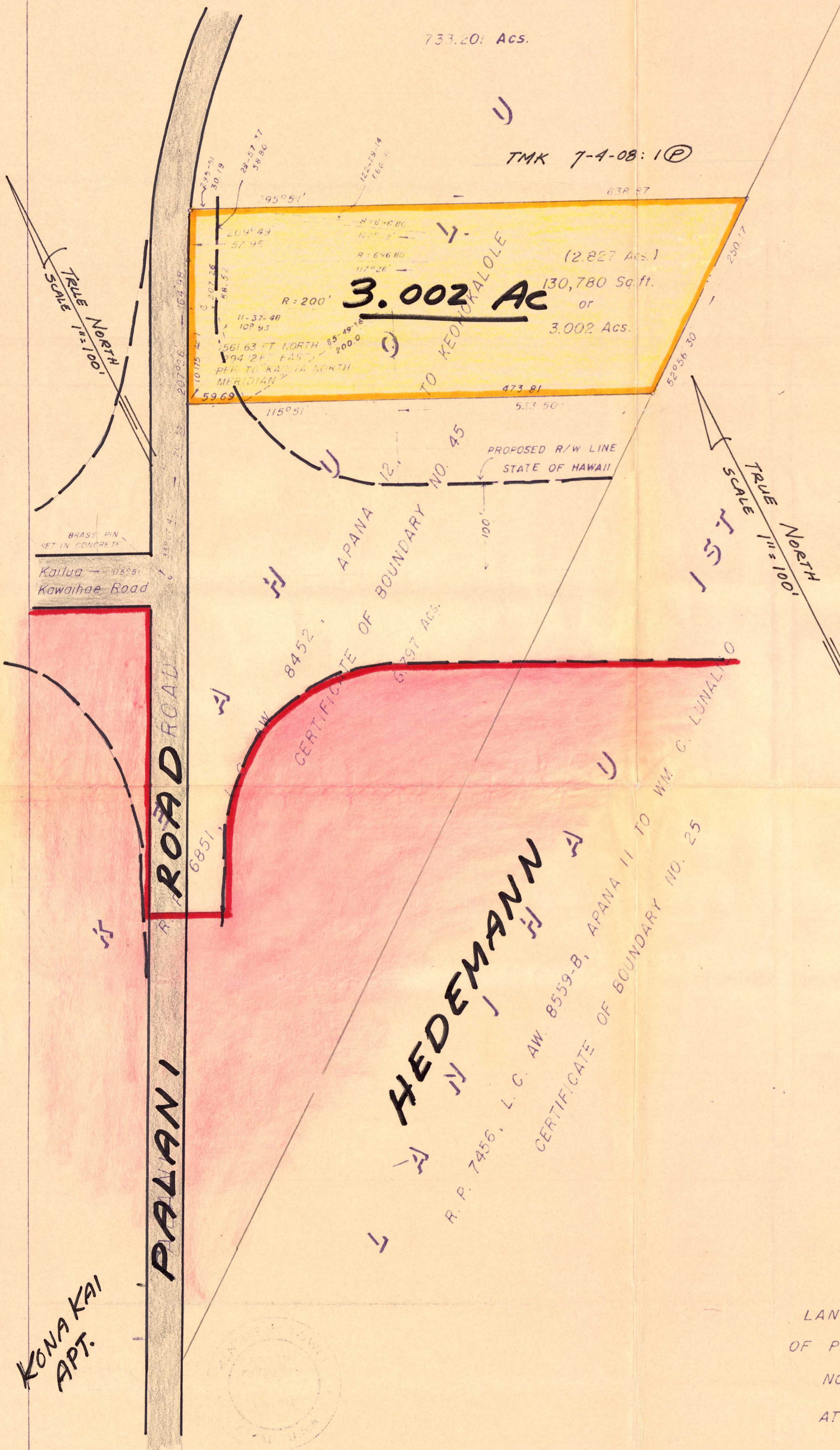
HEDERMANN

R. P. 7456, L. C. AW. 8559-B, APANA II TO WM. C. LUNAL. O  
CERTIFICATE OF BOUNDARY NO. 25

TMK 74-08:1 (P)



# SP70-81 HAWAIIAN TELEPHONE CO.



## PLAN SHOWING

LAND SITUATED ON THE EAST SIDE OF PALANI ROAD AND TWO-HUNDRED FEET NORTH OF KAILUA-KAWAIHAE ROAD AT KEAHUOLU, NORTH KONA, HAWAII

TAX MAP KEY: 7-4-08-1 THIRD DIVISION

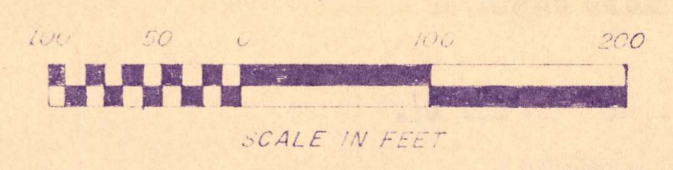


EXHIBIT "A"

This work was prepared by me or under my direct supervision

By *Henrietta F. Towill*  
Registered Professional Surveyor  
Certificate Number 518

# SP70-81 HAWAIIAN TELEPHONE CO.

HONOKOHAU BAY

KEALAKEHE

KONA AIRPORT

KAILUA BAY

HOLUALOA

