

Aug 5 - Sep 19

Aug 7
(Kamin)

*probable Special Permit
Maui*

NOTICE OF PUBLIC HEARING

LUC SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a public hearing to be held by the Maui Planning Commission on Tuesday, July 20, 1971, at the Chambers of the County Council, Wailuku, Maui, at 1:30 p.m. or as soon thereafter as those interested may be heard to consider the following request for SPECIAL USE PERMIT under provisions of SECTION 205-6 of the HAWAII REVISED STATUTES:

HANA, MAUI

County of Maui by John M. Fernandez, Director of Public Works, requesting approval to establish housing complex for teachers and policemen. The proposed location is on the mauka side of Hana Highway near the Kawaiipapa Stream. The parcel is located in the State Rural District,

TMK 1-3-04:22.

Lot Area: 2.34 acres.

Sketch showing the general location is on file in the office of the County of Maui Planning Department at Naska, Maui, Hawaii, and is open to the public for inspection during office hours.

All testimony regarding the SPECIAL USE PERMIT should be filed in writing to the Planning Department, County of Maui, P. O. Box 1487, Kahului, Maui, Hawaii 96732, before the date of the hearing or presented in person at the time of the hearing.

MAUI PLANNING DEPARTMENT
By Howard K. Nakamura
County Planning Director

(MN: June 29, 1971)

GORO INABA
XXXXXXXXXXXXX

August 9, 1971

EDDIE TANGEN
XXXXXX
TATSUO FUJIMOTO
XXXXXXXXXXXXXXXXX

Mr. John M. Fernandez, Director
Department of Public Works
County of Maui
250 High Street
Wailuku, Maui

Dear Mr. Fernandez:

The original of the attached letter approving the special permit request by the Department of Public Works, County of Maui (SP71-111) to establish a housing complex for teachers and policemen on a 2.35 acre parcel identified by Tax Map Key 1-3-04: 22 at Kawaipapa, Hana, Maui, is on file in the office of the Maui Planning Department, Kahului, Maui.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encl.

GORO INABA
XXXXXXXXXXXX

EDDIE TANGEN
XXXXXX

TATSUO FUJIMOTO
XXXXXXXXXXXX

August 9, 1971

Maui Planning Commission
P. O. Box 1487
Kahului, Maui HI 96732

Attention: Mr. Howard K. Nakamura, Planning Director

Gentlemen:

At its meeting on August 7, 1971, the Land Use Commission voted to approve a special permit to the Department of Public Works, County of Maui (SP71-111) to establish a housing complex for teachers and policemen on a 2.35 acre parcel identified by Tax Map Key 1-3-04: 22 at Kawaipapa, Hana, Maui, subject to the conditions set forth by the Maui Planning Commission.

A copy of the staff report is enclosed for your information.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encl. - Staff Report

cc: Dept. of Public Works, Maui
Maui Tax Administrator
Property Technical Services, Dept. of Taxation
Tax Maps Branch, Dept. of Taxation

STATE OF HAWAII
LAND USE COMMISSION
HONOLULU, HAWAII

Minutes of Meeting

Kauai Public Library
Lihue, Kauai

APPROVED
NOV 5 1971

August 7, 1971 - 10 a.m.

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

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

Chairman Inaba swore in persons wishing to testify during today's proceedings.

ACTION

PETITION BY KAUAI PLANNING COMMISSION (A71-282) TO RECLASSIFY 121 ACRES FROM URBAN TO AGRICULTURAL AT LAWAI, KALAHEO, KAUAI

Mr. Ah Sung Leong, staff planner, presented the staff memorandum recommending approval of the reclassification from Urban to Agricultural based on the steepness of the terrain, inadequate roads, poor drainage, and water service limitations, etc. (see copy of memo on file).

It was again brought out that lots of less than 1 acre comprised only 11 percent of the total area.

Commissioner Sakahashi moved that the staff's recommendation be approved, which was seconded by Commissioner Yamamura and unanimously passed.

LAND USE COMMISSION - MINUTES OF MEETING

August 7, 1971

Page 8

SPECIAL PERMIT APPLICATION BY J. M. TANAKA CONSTRUCTION, INC.
(SP71-103) TO ALLOW THE OPERATION OF A QUARRY SITE AT NORTH
KONA, HAWAII

Mr. Tatsuo Fujimoto, Executive Officer, read the staff report recommending approval of the special permit since it substantially meets the guidelines established in the Regulations for determining an "unusual and reasonable use" within the Agricultural District, subject to the conditions imposed by the Hawaii County Planning Commission. He added that a letter had been received from Dr. Marland of the Office of Environmental Quality Control, dated July 30, 1971 (see copy of letter on file). Chairman Inaba commented that the additional conditions imposed by the Land Use Commission in the staff report adequately covered the concerns posed in Dr. Marland's letter.

Commissioner Wung moved to approve the special permit as recommended by staff, which was seconded by Commissioner Sakahashi and unanimously carried.

✓ SPECIAL PERMIT REQUEST BY THE DEPARTMENT OF PUBLIC WORKS,
COUNTY OF MAUI (SP71-111) TO ESTABLISH A HOUSING COMPLEX AT
HANA, MAUI

Mr. Leong, planner, reported that staff was recommending approval of the subject special permit since its evaluation of the request supports the findings and recommendations of the Maui Planning Commission (see copy of report on file). He further noted that the Department of Planning & Economic Development's CIP Newsletter, dated August 4, 1971, had indicated that the sum of \$64,000 had been released by the Governor for the construction of the teachers' cottages.

Mr. Howard Nakamura, Maui Planning Director, offered the following information to clarify the applicant's interest in the subject request. The Maui Public Works Department, as the applicant, was acting in behalf of the County of Maui for the construction of the police cottages; and on behalf of the Hawaii Housing Authority which agency was responsible for the teachers' cottages. He recommended favorable consideration of the request, emphasizing that a real problem existed in

LAND USE COMMISSION - MINUTES OF MEETING

August 7, 1971

Page 9

Hana to provide living quarters for teachers and police personnel.

Commissioner Kido summarized that since the application was for an additional 5 cottages for a total of 7 cottages (including the 2 existing buildings), the request was really for only 3 additional structures over the allowable density in the Rural District.

In response to a question raised by Commissioner Kido, Mr. Makamura did not feel that the State or County would consider subdividing the property into separate lots, and stated further that at some future date, it was anticipated that the area would be reclassified Urban since this would conform to their General Plan.

Based on its own merits and the fact that subject request was for a public purpose, it was ^{the} consensus of the Commissioners that it was a reasonable request.

Commissioner Yamamura moved to approve the special permit as conditioned by the Maui Planning Commission, which was seconded by Vice Chairman Tangen and unanimously passed.

MISCELLANEOUS

Mrs. Elizabeth Medeiros, owner of one of the properties involved in the Land Use Commission petition (A71-289), stated that she was unable to attend the previous hearing on the matter but concurred with the Agricultural classification for her property.

Since there was no further business, the meeting was adjourned upon motion by Commissioner Yamamura, seconded by Commissioner Sakahashi.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP71-111 - DEPT. OF PUBLIC WORKS DATE August 7, 1971
COUNTY OF MAUI
PLACE Kauai Public Library TIME 10:00 a.m.
Lihue, Kauai

M
S

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

COMMENTS: Move to grant the special permit as conditioned by the County and LUC staff.

STATE OF HAWAII
LAND USE COMMISSION

Kauai Public Library
Lihue, Kauai

August 7, 1971
10 a.m.

STAFF REPORT

SP71-111 - DEPARTMENT OF PUBLIC WORKS, COUNTY OF MAUI

A special permit request has been submitted by Mr. John M. Fernandez, Director of the Maui County Department of Public Works, to establish a housing complex for teachers and policemen within the State's Rural District at Kawaipapa, Hana, Maui. The land is identified as TMK 1-3-04: 22, comprising 2.35 acres and is owned by the State.

In support of his request, the petitioner states the following:

- "1. There is a shortage of housing in Hana.
- "2. Department of Education needs to provide adequate housing in the Hana area to attract and retain competent teachers for the remote area.
- "3. The land parcel is owned by the State and with no land costs, all funds can be applied to the structure.
- "4. Adequate housing is required for Police personnel assigned to the Hana District."

Specifically, the petitioner requests permission to construct a total of 5 three-bedroom cottages. Three of the units will house the teachers, and 2 units will house the police personnel.

8-5-71 Sent to Fernandez

The property under consideration fronts the mauka side of Hana Highway between the State's Hana Houselot Subdivision and Kawaipapa Stream. Two cottages are presently situated on the parcel. Hana Hospital is located about 1,600 feet to the south. Low density residential uses and vacant lands characterize the land uses in the nearby Rural Districts, while extensive pasture lands dominate the land use in the Agricultural District. A vacant 20-acre Urban District abuts the subject property's west boundary. However, this is the area presently under petition by the Hana Ranch for reclassification from Urban to Agricultural. The heart of the Hana community lies about 1 mile to the south.

Land Study Bureau soil classification indicates that the land is rocky, well-drained, unsuited for machine tillage and contains 8 to 16 percent slopes, and is "E" or very poor for overall crop use. The rainfall is approximately 75 inches annually.

In October, 1970, the Land Use Commission rezoned a 38-acre area less than 1 mile to the north of the property in question from an Agricultural to an Urban designation in order to allow the development of the new Hana High and Elementary School. The proposed facility is presently under design and construction is expected to begin in July, 1972.

County Recommendation

At its meeting on August 4, 1971, the Maui County Planning Commission voted unanimously to recommend approval of the special permit request based on the following findings of their Planning Director:

- "1. The proposed use is not contrary to the objectives of the Land Use Law and Regulations. The County's General Plan for the area designates the parcel for residential use.
- "2. The proposed use would not adversely affect the surrounding property since the request is for a minimal number of additional houses.
- "3. The use would not be an unreasonable burden to public agencies for services since the request is only for a limited number of additional houses, and water, roads and other utilities are presently available at the site.

It should be noted, however, that there exists a water supply problem in the area, which can be remedied on an interim basis through provision of additional storage.

- "4. The proposed use will not substantially alter or change the character of the land and present use since the proposed use (housing) is unchanged from the existing use of the land.
- "5. The proposed use will be the highest and best use of the land for the public's welfare.

Providing adequate housing for personnel is an integral part of rendering satisfactory educational and police services."

Approval was contingent on the following conditions:

- "1. Construction to be initiated within one year from the date of final approval.
- "2. Applicant to construct additional water storage facilities in accordance with the requirements of the County Department of Water Supply."

An evaluation of the request supports the findings and recommendations of the Maui Planning Commission. Therefore, the staff also recommends favorable consideration of this request subject to the conditions imposed by the County agency.

*We do not have a letter from Dr. Marland on this -
(However,*

*a CIP Newsletter publ. by the DPED dtd
Aug 4 '71 indicated that the sum of
\$64,000 has been released by
the Governor for the construction of the
Wana Teachers' Cottages.*

RECEIVED

AUG 5 1971

State of Hawaii
LAND USE COMMISSION

MAUI PLANNING COMMISSION
PUBLIC HEARING
Tuesday, July 20, 1971

LAND USE COMMISSION
SPECIAL USE PERMIT

The public hearing on the following request for Special Use Permit under provisions of SECTION 98H-6, REVISED LAWS OF HAWAII, 1955, 1961 SUPPLEMENT, AS AMENDED BY ACT 205, SESSION LAWS OF HAWAII 1963, was opened by Vice Chairman Adrian Hussey in the absence of Chairman Yoshikazu Matsui in the Chambers of the Council, County of Maui, Wailuku, Maui, Hawaii, on Tuesday, July 20, 1971.

A quorum of the Commission was in attendance. (See record of attendance).

APPLICATION NO. 53

HANA, MAUI

County of Maui by John M. Fernandez, Director of Public Works, requesting approval to establish housing complex for teachers and policemen. The proposed location is on the mauka side of Hana Highway near the Kawaipapa Stream. The parcel is located in the State Rural District, TMK 1-3-04:22

Lot Area: 2.34 acres

Mr. Ishikawa, Deputy Planning Director, read the notice of public hearing published in the Maui News on June 29, 1971, a copy is attached hereto and made a part hereof.

Mr. Ishikawa explained that the request from the County comes through the LUC for Special Permit. Mr. Ishikawa showed the location of the parcel which is located in the State Rural District. The request is for five additional housing complex for teachers and policemen.

Mr. Ishikawa stated that the Water Department had a comment to make regarding the water but their comment was not received.

There were no letters of approval or protest as of 12:45 p.m. this date.

The Chair opened the hearing to the public.

No one spoke for the granting of the request.

No one spoke against the granting of the request.

The Chair closed the public hearing.

JEAN A. UEMAE

$$\begin{array}{r} 2.5 \text{ Ac} = 108,900 \text{ \$/} \\ 2.34 \text{ Ac} = 101,930 \text{ \$/} \\ \hline 6,970 \text{ \$/} \end{array}$$

hacking approximately
6,970 \\$/

PLANNING COMMISSION

Yoshikazu Matsui, Chairman
Adrian Hussey, Vice-Chairman
Young Whee Chun
Joseph Franco
G. Alan Freeland
Kazuo Kage
George Murashige
John M. Fernandez, Ex-Officio
Carl Kaiama, Ex-Officio



COUNTY OF MAUI
PLANNING DEPARTMENT
P. O. BOX 1487
KAHULUI, MAUI, HAWAII 96732

Elmer F. Cravalho
Mayor

BOARD OF ADJUSTMENT
& APPEALS
Joseph S. Medeiros, Jr., Chairman
Peter Matsuoka, Vice-Chairman
William Hong
Ralph H. Moltzau
Thomas Yagi

Howard Nakamura
Planning Director

August 4, 1971

RECEIVED

AUG 5 1971

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto
Executive Officer
Land Use Commission
P.O. Box 2359
Honolulu, Hawaii

Dear Mr. Fujimoto:

Re: LUC Special Use Permit No. 53 from the County of
Maui, Hana, Maui.

The Maui Planning Commission at its meeting of August 4, 1971, voted unanimously to recommend approval of the above application for Special Use Permit filed by the County of Maui to permit construction of three additional teachers cottages and two cottages for policemen on 2.34 acres of land within the State Rural District at Hana, Maui. The proposed location is on the mauka side of Hana Highway in the vicinity of Kawaipapa Stream and is identified as TMK 1-3-04:22. At the present time two teachers cottages are existing on the parcel.

In recommending approval the Commission also adopted the conditions as set forth in the staff report, a copy of which is enclosed for your information.

Transmitted are the following:

1. Copy of the application
2. Notice of public hearing
3. Transcript of the public hearing
4. Staff report

Should you have any questions, please feel free to contact us at any time.

Yours very truly,

A handwritten signature in blue ink that reads "Howard K. Nakamura".

HOWARD K. NAKAMURA
Planning Director

cc Public Works, Mayor, Mr. Nii, Mr. Y. Yanagawa, Mr. C. Kaiama

RECEIVED

AUG 2 1971

State of Hawaii
LAND USE COMMISSION

STAFF REPORT

TO: Maui Planning Commission

SUBJECT: Request for Special Use Permit by Department of Public Works, County of Maui to construct housing complex for teachers and policemen.

LOCATION: Hana, Maui
TMK 1-3-04:22

PRESENT ZONING: State Rural District

Area: 2.34 acres

COMMENTS:

1. Presently, 2 houses exist on the subject property which are used for housing teachers serving Hana.
2. The State Rural District permits one dwelling unit for each 1/2 acre. At 2.34 acres, a total of 4 dwelling units are allowed on the property.
3. The Department of Education and Maui County Police Department, Hana District, anticipate a need for 5 additional houses for personnel serving the Hana area.

The application points out that:

- (a) There is a shortage of housing in Hana.
- (b) Department of Education needs to provide adequate housing in the Hana area to attract and retain competent teachers for the remote area.
- (c) The land parcel is owned by the State and with no land costs; all funds can be applied to the structure.
- (d) Adequate housing is required for Police personnel assigned to the Hana District.

RECOMMENDATION:

The staff recommends approval of the petition for a Special Use Permit in that:

- (1) The proposed use is not contrary to the ^{OBJECTIVES} objections of the land use law and regulation. The County's General Plan for the area designates the parcel for residential use.
- (2) The proposed use would not adversely affect the surrounding property since the request is for a minimal number of additional houses.
- (3) The use would not be an unreasonable burden to public agencies for services since the request is only for a limited number of additional houses, and water, roads and other utilities are presently available at the site.

It should be noted, however, that there exists a water supply problem in the area, which can be remedied on an interim basis through provision of additional storage.

Staff Report - 2
Maui Planning Commission

- (4) The proposed use will not substantially alter or change the character of the land and present use since the proposed use (housing) is unchanged from the existing use of the land.
- (5) The proposed use will be the highest and best use of the land for the public's welfare.

Providing adequate housing for personnel is an integral part of rendering satisfactory educational and police services.

Approval should be contingent upon the following:

- (1) Construction to be initiated within one year from the date of final approval.
- (2) Applicant to construct additional water storage facilities in accordance with the requirements of the County Department of Water Supply.

info
Paul Higgins
of W H A

RECEIVED

AUG 2 1971

MAUI PLANNING COMMISSION
PUBLIC HEARING
Tuesday, July 20, 1971

State of Hawaii
LAND USE COMMISSION

LAND USE COMMISSION
SPECIAL USE PERMIT

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Mr. Ishikawa stated that the Water Department had a comment to make regarding the water but their comment was not received.

There were no letters of approval or protest as of 12:45 p.m. this date.

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JEAN A. UEMAE

RECEIVED

JUL 28 1971

NOTICE OF PUBLIC HEARING
LUC SPECIAL USE PERMIT

State of Hawaii
LAND USE COMMISSION

NOTICE IS HEREBY given of a public hearing to be held by the Maui Planning Commission on Tuesday, July 20, 1971, at the Chambers of the County Council, Wailuku, Maui, at 1:30 p.m. or as soon thereafter as those interested may be heard to consider the following request for SPECIAL USE PERMIT under provisions of SECTION 205-6 of the HAWAII REVISED STATUTES:

HANA, MAUI

County of Maui by John M. Fernandez, Director of Public Works, requesting approval to establish housing complex for teachers and policemen. The proposed location is on the mauka side of Hana Highway near the Kawaipapa Stream. The parcel is located in the State Rural District, TMK 1-3-04:22.

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Sketch showing the general location is on file in the office of the County of Maui Planning Department at Naska, Maui, Hawaii, and is open to the public for inspection during office hours.

All testimony regarding the SPECIAL USE PERMIT should be filed in writing to the Planning Department, County of Maui, P.O. Box 1487, Kahului, Maui, Hawaii 96732, before the date of the hearing or presented in person at the time of the hearing.

MAUI PLANNING DEPARTMENT
By Howard K. Nakamura
County Planning Director

MN--June 29, 1971)

cc Mr. Fernandez
cc Mayor Cravalho
cc Land Use Commission
cc Mr. Andy Nii
cc Hana Community Association

AFFIDAVIT OF PUBLICATION

STATE OF HAWAII, }
County of Maui. } ss.

.....Suzette Yoshioka.....being duly sworn
deposes and says, that he is ~~.....Advertising Traffic.....~~ of the
Maui Publishing Co., Ltd., publishers of the MAUI NEWS, a newspaper
published in Wailuku, County of Maui, State of Hawaii; that the or-
dered publication as toNOTICE OF PUBLIC HEARING.....

.....
of which the annexed is a true and corrected printed notice, was
published1..... times in the MAUI NEWS, aforesaid, commencing
on the29th..... day ofJune....., 19.....71....., and ending
on the29th..... day ofJune....., 19.....71....., (both days
inclusive), to-wit: on

.....June 29, 1971.....

and that affiant is not a party to or in any way interested in the above
entitled matter.

Suzette Yoshioka
.....

Subscribed and sworn to before me this
29th day of June..... A. D. 1971..

Manoah Ota
.....

Notary Public, Second Judicial
Circuit, State of Hawaii.
My commission expires August 31, 1971

NOTICE OF PUBLIC HEARING
LUC SPECIAL USE PERMIT

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County of Maui by John M. Fernandez, Director of
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Hawaii 96732, before the date of the hearing or presented
in person at the time of the hearing.

MAUI PLANNING DEPARTMENT
By Howard K. Nakamura
County Planning Director

(MN: June 29, 1971)

Maui News; 8-12-71

Hana Housing For Teachers, Police To LUC

A special use permit request from the County to construct a housing complex for teachers and policemen in Hana is in the final stages of consideration by the State Land Use Commission.

The County Planning Commission recommended to the LUC last week that the request from the County Public Works Department be approved.

Involved is 2.34 acres of land used for the present teacher housing complex in Hana. There are presently two houses on the property. Five additional houses would be constructed under the County proposal.

The Planning Commission recommended approval, based on a staff report from the Planning Department which contained the following observation:

- 1—The proposed use is not contrary to the objectives of the land use law, and the County's general plan designates the area for residential use.
- 2—The proposal would not adversely affect surrounding property.
- 3—The use would not be an unreasonable burden on public facilities (though it will be necessary to provide additional water storage).
- 4—The proposal would not substantially alter the present character of the area.
- 5—The proposal would be the highest and best use of the land for the public's welfare.

\$70,000 For Hana Teachers' Cottages And Furnishings

Maui News - 8-17-71

A total of \$70,000 has been released by the State for construction of three teachers' cottages in Hana and for furniture and equipment for them.

The release of funds was noted in the August 4 issue of the State Department of Planning and Economic Development's CIP Newsletter.

Bids for furnishing, delivering and installing furniture at the Hana teachers' cottages will be accepted until 2 p.m. on August 18, according to the Hawaii Housing Authority. The "invitation for bids" was published, as a legal notice, in the last issue of The Maui News.

Funds were also released for two other Maui projects. They are \$6,075 for construction of a drain on Wailuku's Main Street, from High Street to Market Street, and \$8,800 for construction of guardrails along Wahikuli Park near Lahaina.

The State has also given authorization to call for bids on the gymnasium for Lanai High and Elementary School.