

Act
Oct 23 - Dec 7

1st Time Extension

SPECIAL PERMIT	
Petition Received	<u>5/5/77</u>
Maps	
Action Span	<u>5/5/77 - 6/19/77</u>
Action Date	<u>6/13/77</u>
Recordation	



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

August 17, 1978

Mr. Alvin E. Chong
P. O. Box 312
Kamuela, HI 96743

Dear Mr. Chong:

Special Permit 75-244
Time Extension Request
Church of Jesus Christ of the Latter Day Saints
Tax Map Key 7-5-3:2

Your application will be discussed on Thursday, August 31, 1978, by the Planning Commission. The meeting will be held in the Conference Room, First Hawaiian Bank, Kailua, North Kona, Hawaii, and is scheduled to begin at 9:00 a.m.

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

A copy of the agenda is enclosed for your information.

Sincerely,

Sidney M. Fuku
Planning Director

smn

Enclosure

cc: State Land Use Commission
✓ Land Use Division, DPED

COPY

PLANNING DEPARTMENT

25 AUPUNI STREET

COUNTY OF HAWAII

HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII

AUG 9 3 27 PM '78

August 7, 1978

Mr. Alvin E. Chong
P. O. Box 312
Kamuela, HI 96743

Dear Mr. Chong:

Request for Extension of Time
Special Permit 75-224
TMK: 7-5-03:2

We have received your request for a time extension to a condition of approval of the subject Special Permit, regarding the commencement of construction of the proposed improvements. In order for us to evaluate your request, we need to know how long an extension is being requested.

Your request will be placed on the Planning Commission's agenda. We will notify you of the time and place when they are determined. If the Planning Commission finds that an extension is warranted, they will send a favorable recommendation to the State Land Use Commission which has the authority to approve or deny your request. If, on the other hand, the Planning Commission finds that there is not reasonable cause to grant your request, they may deny it. Such a denial would be appealable to the Third Circuit Court.

We would appreciate hearing from you at your earliest convenience regarding the length of the time extension being requested. We will not place your request on the Planning Commission's agenda until we hear from you.

In the meantime, please contact Ilima Piianaia or Keith Kato of our department at 961-8288.

Sincerely,

Sidney Fuke

SIDNEY FUKU
Director

IP:ak

cc: State Land Use Commission

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

CERTIFIED MAIL

July 17, 1978

Mr. Henry A. Y. AhSam
P. O. Box 263
Kapaau, HI 96755

Dear Mr. AhSam:

Special Permit No. 75-224
Establishment of a Church
TMK: 7-5-03:2

This is to acknowledge receipt of your letter of July 3, 1978, regarding the above-mentioned Special Permit.

As you are aware, the State Land Use Commission (SLUC) approved the Special Permit on December 5, 1975, subject to several conditions. Condition No. 1 stated that "Construction of the chapel commence within one (1) yearffrom the date of approval of the Special Permit and be completed within two (2) years thereafter."

As a result of a request filed by Mr. Lester Hawthorne, on June 13, 1977, the SLUC approved a time extension to Condition No. 1 until June 5, 1978, which has since expired.

Per letter dated May 18, 1978, we were informed by the Executive Officer of the SLUC that that body will not approve requests for time extension which are filed after the stipulated commencement or expiration dates. Enclosed for your information is a copy of that letter.

However, since you have already filed a formal request for the extension of the time condition, may we present you with the following alternatives. The first alternative would be to forward your present request to the County Planning Commission for its consideration. Should the Planning Commission recommend approval of your request, it will then be forwarded to the SLUC for approval. Based on its letter, however, the SLUC would have to deny your request. Therefore, since the resultant action would be the denial of your extension request by the SLUC, another alternative would

July 17, 1978

be for you to submit a new Special Permit application, and at the same time, request that the original permit be nullified. Upon receipt of the new application, the Planning Commission will conduct a public hearing on this request within a period of not less than thirty (30) nor more than one hundred twenty (120) days from the receipt of the application. The Planning Commission will then act on the application not earlier than fifteen (15) days after the public hearing but within a reasonable time thereafter. Should the Planning Commission recommend favorably on the request, it will be forwarded to the State Land Use Commission for final action.

The Planning Commission may deny the request if it deems that the proposed use does not meet with the special permit guidelines. In such a circumstance, its decision will be considered final. However, in accordance with the provisions of Chapter 205-6, Hawaii Revised Statutes, a Planning Commission denial may be appealed to the circuit court of the circuit in which the land is situated, in this case, the Third Circuit Court.

Enclosed for your information are copies of the application form and Special Permit procedures.

We would appreciate hearing from you within fifteen (15) days of receipt of this letter as to the route you intend to proceed with. If no word is received within that period, we will assume that you intend to proceed with the time extension and will process such.

For your information, we have requested a meeting with the SLUC to discuss the subsequent procedural requirements for time extensions filed after the commencement or expiration date as a result of its present position. We will inform you of the outcome of that meeting. Should you have any questions in the meantime, please feel free to contact us.

Sincerely,

Sidney M. Fuke
SIDNEY FUCE
Director

NH:gs
Enclosures

cc: ✓ State Land Use Commission
Planning Commission
Corporation Counsel

June 17, 1977

Mr. Lester Hawthorne, Chairman
Church Building Committee
P. O. Box 2227
Kailua-Kona, Hawaii 96740

Dear Mr. Hawthorne:

The original of the attached letter is on file
in the office of the Hawaii Planning Department, 25
Aupuni Street, Hilo, Hawaii.

Sincerely,

GORDAM Y. FURUTANI
Executive Officer

GYF:jj
Encls.

June 17, 1977

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on June 13, 1977, the Land Use Commission voted to approve a time extension request by The Church of Jesus Christ of Latter-Day Saints to allow construction of a church within the State Land Use Agricultural District on approximately seven (7) acres of land situated in North Kona, Hawaii, Tax Map Key 7-5-3: 2 Lot B.

Approval of this Special Permit is subject to the conditions imposed by the Hawaii Planning Commission.

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

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encl.

cc: The Church of Jesus Christ of Latter-Day Saints
Department of Taxation, Hawaii
Tax Map Recorder, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Dept. of Planning & Economic Development
Office of Environmental Quality Control
Division of Land Management, DLNR

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Senate Conference Room No. 6
2nd Floor, State Capitol
Honolulu, Hawaii

Approved
October 13, 1977

June 13, 1977 - 10:30 a.m.

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
James Carras
Charles Duke
Shinsei Miyasato
Mitsuo Oura
Carol Whitesell
Edward Yanai

COMMISSIONER ABSENT: Colette Machado

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Michael Marsh, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Cassie Uyekubo, Court Reporter

ACTION

SP71-118 - AMERON HC&D

SPECIAL PERMIT TO ALLOW A TIME EXTENSION TO CONTINUE OPERATION OF
A CONCRETE BATCHING PLANT AT HONOKOWAI, LAHAINA, MAUI

Mr. Gordan Furutani identified the parcel and described the surrounding uses, and read the conditions imposed by the County Planning Department in recommending approval of the extension request.

It was the consensus of the Commission that any further extension request of the Special Permit for a period not to exceed June 5, 1981 could be handled at the County level; however any extension beyond June 5, 1981 will be subject to the review of the Land Use Commission.

It was moved by Commissioner Duke to approve the extension request, subject to all of the conditions imposed by the Maui Planning Commission, and that any extension request beyond June 5, 1981 be subject also to the approval of the Land Use Commission. The motion was seconded by Commissioner Whitesell and unanimously carried.

✓ SP75-224 - THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
REQUEST TO ALLOW AN EXTENSION OF TIME CONDITION FOR THE CON-
STRUCTION OF A CHURCH AT NORTH KONA, HAWAII

Mr. Yasui, staff planner, summarized the request by the petitioner and located the parcel on the various maps.

Commissioner Duke moved to grant the extension request, subject to the conditions imposed by the Hawaii County Planning Commission. The motion was seconded by Vice Chairman Sakahashi and unanimously carried.

A recess was called at 10:53 a.m., and the meeting resumed at 11:12 a.m.

11:12 a.m.

ACTION

A76-421 - WEST BEACH DEVELOPMENT CORPORATION

In the matter of the boundary amendment petition by West Beach Development Corporation, Docket A76-421, on which hearings were held on April 12 and 13, 1977, the Commission discussed the following documents which had been previously distributed to the Commission members, prior to taking action on the petition:

1. Petitioner's Proposed Findings of Facts and Conclusions of Law
2. Department of General Planning's Response to Petitioner's Proposed Findings of Facts, Conclusions of Law and Order
3. DPED's Proposed Findings of Fact and Conclusions of Law; Response to Petitioner's Proposed Findings of Fact, Conclusions of Law and Decision and Order
4. Ewa Beach Alii's Athletic Club's Objections to Petitioner's Proposed Findings of Facts and Conclusions of Law
5. Ewa Beach Alii's Athletic Club's Proposed Findings of Facts and Conclusions of Law

Miss Jane Howell, Deputy Corporation Counsel, representing the City Department of General Planning, objected to the late submittal of the Proposed Decisions, Objections, etc. from DPED and the Ewa Beach Aliis and requested a deferral of the action meeting until the parties have had sufficient opportunity to review and comment on the documents.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP75-224 - THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS

DATE June 13, 1977

PLACE Senate Conf. Rm. No. 6
2nd Floor, State Capitol
Honolulu, Hawaii

TIME 10:30 a.m.

NAME	YES	NO	ABSTAIN	ABSENT
WHITESELL, CAROL	X			
MACHADO, COLETTE				
OURA, MITSUO	X			
DUKE, CHARLES	X			
MIYASATO, SHINSEI	X			
SAKAHASHI, STANLEY	X			
CARRAS, JAMES	X			
YANAI, EDWARD	X			
TANGEN, EDDIE	X			

Comments: I move that we approve the time extension request, subject to the conditions imposed by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission June 13, 1977
10:30 a.m.

FROM: Staff

SUBJECT: Extension of Time Condition, SP75-224 - The Church
of Jesus Christ of Latter-Day Saints

The petitioner, The Church of Jesus Christ of Latter-Day Saints, is requesting an extension of the time condition included in Special Permit (SP75-224) which was granted by the State Land Use Commission on December 5, 1975.

The Special Permit was approved to allow construction of a church within the State Land Use Agricultural District. The subject property encompasses seven (7) acres and is located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Road and Lamaokeola Street intersection, Keopu 3rd, North Kona, Hawaii, Tax Map Key 7-5-3: 2 Lot B.

Condition No. 1 of the Special Permit states: "That construction of the chapel commence within one (1) year from the date of approval of the Special Permit and be completed within two (2) years thereafter".

Since the permit was granted on December 5, 1975, construction was to have commenced on December 5, 1976.

The letter requesting an 18-month time extension until June 5, 1978 was dated March 24, 1977.

It was determined by the Hawaii County Planning Department that: "Since the Permit was not officially nullified by the Planning Commission and the State Land Use Commission, even if the performance condition has not been met, a time extension request at this particular time is in order".

In support of his request, the petitioner has, in part, stated the following:

"When the above property (TMK 7-5-3: 2 Lot B) was purchased by The Church of Jesus Christ of Latter-Day Saints (Mormons), it was cleared so the surveyors could go in and set all corner markers.

"At the time of purchase, the church members in Kona Hawaii Stake began a program to raise their share of

the total price of the property. In April 1976 this amount was sent to Church Headquarters in Salt Lake City, Utah, which allowed us to begin the design and plans for the new chapel. The plans for the building are underway at this time and it is our sincere hope that we will be able to commence construction of the building early in the fall of 1977.

"The Church of Jesus Christ of Latter Day Saints would like to request an extension of 18 months on the Special Permit to build a church...

"The construction plans are in the process of being drawn now. On completion, we must receive approval of the Church Building Department in Salt Lake City, before we can start construction.

"We therefore feel that the extension should be at least 18 months."

At the time the Special Permit was approved, HPM Development Corporation was the owner of the subject property and thus submitted the application in behalf of the church. However, since that time title to the land transferred to the church. The Church of Jesus Christ of Latter-Day Saints thus requested that the Special Permit be transferred to them. This request was granted by the Hawaii County Planning Commission.

At the public hearing held by the Hawaii County Planning Commission on April 28, 1977, the only person to testify was the applicant.

On April 28, 1977, the Hawaii County Planning Commission voted to recommend approval of the time extension request to the Land Use Commission. The Planning Commission also acted to amend the name of the petition on SP75-224 from HPM Development Corporation to The Church of Jesus Christ of Latter-Day Saints.

The Planning Commission's action was subject to the condition that all other applicable conditions as stated in the Special Permit be complied with. Should the conditions not be met, the Special Permit may be deemed null and void.

The remaining three conditions originally imposed on this Special Permit include:

- "2. That occupancy of the proposed building shall not be granted until final subdivision approval has been given to Subdivision No. 75-124, which is for the Kalani Street extension.
- "3. That a landscaping buffer shall be established along the Kuakini Wall side of the property for the purpose of screening the proposed use from

existing residential uses. This buffer shall be incorporated into plans submitted for Plan Approval and shall be approved by the Planning Director.

- "4. That all other applicable rules and regulations, including the Plan Approval process, shall be complied with."

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

May 27, 1977

Mr. Sidney Fuke
Planning Director
Hawaii Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

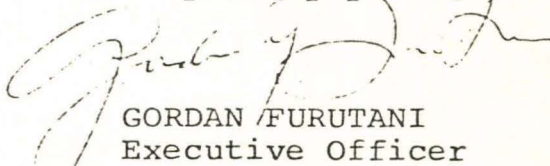
Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petition

SP75-224 - The Church of Jesus Christ of Latter-Day Saints Extension
Request
will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

May 27, 1977

Mr. Lester C. Hawthorne
Chairman Church Building Committee
P. O. Box 2227
Kailua-Kona, Hawaii 96740

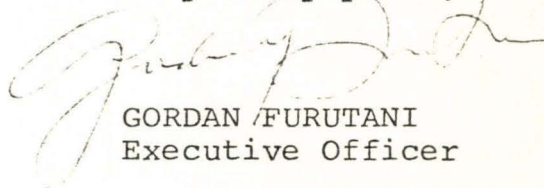
Dear Mr. Hawthorne:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petition
SP75-224 The Church of Jesus Christ of Latter-Day Saints Extension Request
will be acted on at that time.

Should you have any questions on this matter, please contact this office.

Very truly-yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME, & PLACE

June 13, 1977 - 10:30 a.m.
Senate Conference Room No. 6
2nd Floor, State Capitol
Honolulu, Hawaii

A G E N D A

I. ACTION

1. SP71-118 - Ameron HC&D (formerly Concrete Industries - Maui)
To allow a time extension to continue operation of a concrete batching plant on approximately 1 acre of land situated within the State Land Use Agricultural District at Honokowai, Lahaina, Maui.
2. SP75-224 - The Church of Jesus Christ of Latter-Day Saints (formerly HPM Development Corporation)
To allow an extension of the time condition to allow construction of a church within the State Land Use Agricultural District on approximately 7 acres of land situated in North Kona, Hawaii.
3. A76-421 - West Beach Development Corporation
To reclassify approximately 830 acres in the Agricultural District into the Urban District at Honouliuli, Ewa, Oahu, for hotel, marina, golf course, residential and commercial uses.

II. MISCELLANEOUS

1. Adoption of Minutes
2. Meeting Schedule

5/27/77 - A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND ORGANIZATIONS ON THE ATTACHED MAILING LISTS:

1. ALL ISLANDS
2. MAUI
3. HAWAII
4. OAHU



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII

5 9 58 AM '77

HERBERT T. MATAYOSHI
Mayor

May 3, 1977

Mr. Gordan Furutani
Executive Officer
State Land Use Commission
190 South King Street, Suite 1795
Honolulu, HI 96813

Dear Mr. Furutani:

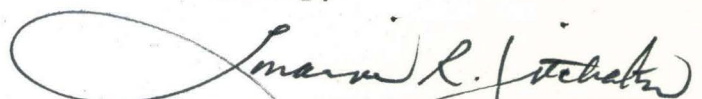
Extension of Time Condition
Petitioner: The Church of Jesus Christ
of Latter-Day Saints
Tax Map Key 7-5-03:2, Lot B

The Planning Commission at its meeting of April 28, 1977 considered the above request for an extension of the time condition stipulated in the special permit which was granted to HPM Development Corporation by the Land Use Commission on December 5, 1975.

The Commission voted to amend the name of petitioner from HPM Development Corporation to The Church of Jesus Christ of Latter-Day Saints, and to recommend the time extension until June 5, 1978, to commence construction of the chapel. The construction plans are presently being drawn, and upon completion, they would still have to be reviewed by the Church Building Department in Salt Lake City, Utah, headquarters of the church. Additional time would be needed to have the construction plans completed, and reviewed and approved by the church's main office. It is therefore determined that the requested time extension is justified.

It is further recommended that the request is subject to the condition that all other applicable conditions as stated in the Special Permit be complied with. Should the conditions not be met, the Special Permit may be deemed null and void.

Sincerely,


(MRS.) LORRAINE R. JITCHAKU
Chairman, Planning Commission

lat:lgv

cc Mr. Lester Hawthorne
Mr. Robert Fujimoto

Corporation Counsel
DPED, Land Use Division

EXHIBITS FOR TIME EXTENSION - THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS

- A. Petitioner's letter (3/24/77)
- B. Departmental acknowledgement letter (4/1/77)
- C. Letter to petitioner (4/12/)
- D. Letter from petitioner (4/26/77)
- E. Letter to petitioner (4/27/77)
- F. Staff background
- G. Staff recommendation
- H. Voting sheet
- I. Minutes (4/28/77)

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

KONA HAWAII STAKE

March 24th, 1977

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

Attention: Mr. Sidney Fuke,
Hawaii County Deputy Planning Director

SUBJECT: Request for Renewal of Special Permit to Build
a Church at TMK 7-5-03-2B Kailua-Kona, Hawaii.

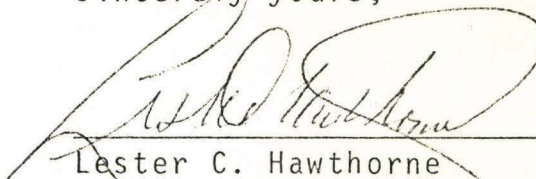
When the above property was purchased by The Church of Jesus Christ of Latter-Day Saints (Mormons), it was cleared so the surveyors could go in and set all corner markers.

At the time of purchase the church members in Kona Hawaii Stake began a program to raise their share of the total price of the property. In April 1976 this amount was sent to Church Headquarters in Salt Lake City, Utah, which allowed us to begin the design and plans for the new chapel. The plans for the building are underway at this time and it is our sincere hope that we will be able to commence construction of the building early in the fall of 1977.

We hereby request that you make application for renewal of this permit from the Land Use Commission.

Thank you for your assistance in this matter. Your continued cooperation in our behalf is appreciated.

Sincerely yours,



Lester C. Hawthorne
Chairman Church Building Committee
P. O. Box 2227
Kailua-Kona, Hawaii 96740
Phone: 329-2966 or 322-2343

EXHIBIT A

April 1, 1977

Mr. Lester Hawthorne, Chairman
Church Building Committee
P. O. Box 2227
Kailua-Kona, HI 96740

Dear Mr. Hawthorne:

Re: HPM Development Corporation
Special Permit 75-224
Establishment of a Latter-Day Saints Church
TMK: 7-5-03:2-B

This is to acknowledge receipt of your letter of March 24, 1977, requesting that the above-described Special Permit granted by the State Land Use Commission on December 5, 1975, be renewed.

Please be informed that since the Permit was not officially nullified by the Planning Commission and the State Land Use Commission, a time extension request to commence construction of the proposed church would be in order. As such, your request will be processed for an extension to the time condition as stipulated within the Permit.

Your request will be forwarded to the County Planning Commission for consideration. Should the Planning Commission recommend favorably on the request, it will then be forwarded to the State Land Use Commission for final action.

In the meantime, please advise us as to the length of time for your extension request. Also, HPM Development Corporation was the original petitioner for this Special Permit request. Please inform us as to that corporation's present role regarding the proposed project. Was the Permit transferred to the Church? If it was, to whom was the transfer made? Submission of the requested information within two weeks would be appreciated.

EXHIBIT B

APR 1 1977

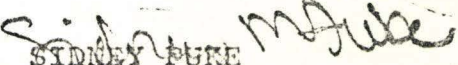
Mr. Lester Hawthorne

Page 2

April 1, 1977

Should you have any questions in the meantime, please feel free to contact Norman Hayashi or Ilima Piianaia of this office at 961-8288.

Sincerely,


SIDNEY PURE
Acting Director

NH:sb

cc: Mr. Robert Fujimoto
SLUC

April 12, 1977

Mr. Lester Hawthorne, Chairman
Church Building Committee
P. O. Box 2227
Kailua-Kona, HI 96740

Dear Mr. Hawthorne:

Extension of Time Condition
Special Permit No. 75-224 (LUC 332)
Petitioner: The Church of Jesus Christ
 of Latter-Day Saints
Tax Map Key 7-5-03:2 Lot B

This is to inform you that your request for an extension of the time condition stipulated within the Special Permit granted by the State Land Use Commission will be discussed on Thursday, April 28, 1977 by the Planning Commission. The meeting will be held at Sgt. Yano Memorial Hall, Captain Cook, South Kona, Hawaii, and is scheduled to begin at 2:30 p.m..

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

A copy of the agenda is enclosed for your information

Sincerely,

Sidney M. Fuke

Sidney Fuke
Acting Director

lat:lgv

Enclosure

cc Mr. Robert Fujimoto
State Land Use Commission
DPED, Land Use Division

EXHIBIT C

APR 15 1977

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
KONA HAWAII STAKE

26 April 1977

Mr. Sidney Fuke, Acting Director
Planning Department
COUNTY OF HAWAII
25 Aupuni St.
Hilo, Hi. 96720

RE: Extension of permit to build a church on
Permit #75-224 (LUC 332)
Tax Map Key 7 - 5 - 03:2 Lot B

ATTN: Mr. Norman Hiyashi

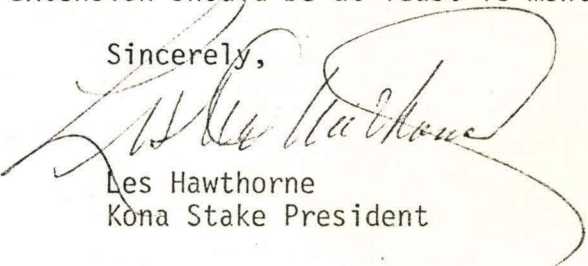
Gentlemen:

The Church of Jesus Christ of Latter Day Saints would like to request an extension of 18 months on the special permit to build a church on above described property.

The construction plans are in the process of being drawn now. On completion, we must receive approval of the Church Building Department in Salt Lake City, before we can start construction.

We therefore feel that the extension should be at least 18 months.

Sincerely,



Les Hawthorne
Kona Stake President

LH:ch

EXHIBIT D

April 27, 1977

Mr. Les Hawthorne
Kona State President
LDS Church
P. O. Box 2227
Kailua-Kona, HI 96740

Dear Mr. Hawthorne:

Special Permit 75-224
Establishment of Church - Time Extension
Tax Map Key 7-5-03:2 Lot B

Thank you for your letter of April 26, 1977 which provides us with additional information regarding the above described request for a time extension. This information will be made a part of the official record and will be presented to the Planning Commission.

Should you have any questions in the meantime, please feel free to contact Norman Hayashi or Ilima Piianaia of this office at 961-8288.

Sincerely,

Sidney Fuke

Sidney Fuke
Acting Director

NH:lgv

EXHIBIT E

APR 28 1977

TIME EXTENSION: THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS,
KONA HAWAII STAKE (HPM DEVELOPMENT CORP.)

The Church of Jesus Christ of Latter-Day Saints, Kona Hawaii Stake, is requesting a time extension to a Special Permit (SP 75-224) which was granted to HPM Development Corporation for the construction of a church within the State Land Use Agricultural District. The property involved, consisting of 7+ acres, is located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street-Lamaoikeola Street Intersection, Keopu 3rd, North Kona, (TMK: 7-5-03:2, Lot B).

At the time of initial approval of the Special Permit, HPM Development Corp. was the owner of the subject property; thus, they submitted the application in behalf of the church. Since that time, however, title of the land has been transferred to the church. As such, The Church of Jesus Christ of Latter-Day Saints is requesting that the Permit be transferred to them.

Condition No. 1 of the Special Permit states "That construction of the chapel commence within one (1) year from the date of approval of the Special Permit and be completed within two (2) years thereafter."

The Permit was granted on December 5, 1975; thus, the commencement date was on December 5, 1976. Procedurally, prior to the expiration date, the Planning Department does inform the petitioner that the expiration date is nearing. In this particular case, however, the department inadvertently failed to notify the petitioner of the expiration date of the performance condition relating to construction of the chapel.

EXHIBIT F

Time Extension

The Church of Jesus Christ of Latter-Day Saints

Page 2

Since the Permit was not^t officially nullified by the Planning Commission and the State Land Use Commission, even if the performance condition has not been met, a time extension request at this particular time is in order.

The letter requesting the extension was dated March 24, 1977. An 18-month time extension until June 5, 1978 is being requested. The petitioner has stated that the construction plans are in the process of being drawn. On completion, the plans must still be approved by the Church Building Department in Salt Lake City prior to construction. In requesting the time extension, the petitioner has further stated the following:

(READ HAWTHORNE'S 3/24 LETTER)

RECOMMENDATION: THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS,
KONA HAWAII STAKE (HPM DEVELOPMENT CORP.)

Staff is recommending that the requested time extension until June 5, 1978, to commence construction of the chapel be given favorable consideration. It is felt that the petitioner has been sincere in its efforts of complying with the construction performance condition. The construction plans are presently being drawn, and upon completion, they would still have to be reviewed by the Church Building Department in Salt Lake City, Utah, headquarters of the church. Additional time would be needed to have the construction plans completed, and reviewed and approved by the church's main office. It is therefore determined that the requested time extension is justified.

It is further recommended that the request be given favorable consideration subject to the condition that all other applicable conditions as stated in the Special Permit be complied with. Should the conditions not be met, the Special Permit may be deemed null and void.

EXHIBIT G

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date April 28, 1977

Petitioner THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS - Special
Permit, time extension req.

 Preliminary hearing Public hearing ✓ Request

ACTION: Approve

 Deny

 Defer

 Continue

 Schedule for public hearing

Other: Transfer SP + time ext.

Commissioners	Aye	No	Absent	Abstain
ASAI, Scott H.	✓			
FUJIMOTO, Shigeru	✓			
HANLEY, J. Walsh	✓			
MARTIN, Arthur W.	✓			
MIELCKE, William F. <i>Moved</i>	✓			
MURAKAMI, Haruo <i>Seconded</i>	✓			
PARIS, William Jr.	✓			
SAKAMOTO, Charles	✓			
JITCHAKU, Lorraine R.	✓			

EXHIBIT H

LUC

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
April 28, 1977

The Planning Commission met in regular session at 2:32 p.m. in the Meeting Room of the Sgt. Rodney J. T. Yano Memorial Hall, Captain Cook, South Kona with Chairman Jitchaku presiding.

PRESENT: Lorraine R. Jitchaku ABSENT: Akira Fujimoto, Ex-officio Member
Scott H. Asai
Shigeru Fujimoto
J. Walsh Hanley
Arthur W. Martin
William F. Mielcke
Haruo Murakami
William J. Paris, Jr.
Charles H. Sakamoto, Jr.

Sidney M. Fuke, Acting Planning Director
Norman K. Hayashi, Planner
Ilima A. Piianaia, Planner

Stephen G. Bess, Acting Corporation Counsel
David Murakami, representing Ex-officio Member Edward Harada

and about 20 people in attendance at 2:00 p.m., about 40 people at 3:30 p.m. and about 50 people at 7:00 p.m.

EXHIBIT I

MINUTES Minutes of April 14, 1977 were approved as circulated, subject to the correction on page five, third paragraph, to read "four" noes instead of five and also to indicate that Commissioner Mielcke was present at the Laupahoehoe hearing.

All those testifying were duly sworn in.

LAND USE COMMISSION
SPECIAL PERMIT
TIME EXTENSION
HPM DEVELOPMENT CORPORATION
(THE CHURCH OF JESUS CHRIST
OF THE LATTER-DAY SAINTS)
KEŌPU, NORTH KONA

Request for a time extension to a Special Permit (SP 75-224) which was granted to HPM Development Corporation by the State Land Use Commission for the construction of a church within the State Land Use Agricultural District. The property involved, consisting of 7+ acres, is located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of

the Kalani Road and Lamaokeola Street intersection, Keopu 3rd, North Kona, TMK: 7-5-03:2 Lot B.

Staff presented background information and recommended favorable consideration to the time extension until June 5, 1978 based on the findings and with the conditions, on file.

Bishop Kenneth Wheeler of The Church of Jesus Christ of the Latter-Day Saints stated that they have contracted the firm of Wimberly, Whisenand, Allison, Tong and Goo Architects to do the design plans. They are hoping to complete the floor plan and the construction plans within the next few months but they must receive approval from the Church Building Department in Salt Lake City, Utah, therefore, some delay is anticipated. He indicated that they are unable to predict the definite date but mentioned that they will begin construction in a few months. He stated that 18 months should give them enough time.

Mr. Mielcke moved to amend the name of the petitioner from HPM Development Corporation to The Church of Jesus Christ of Latter-Day Saints, and to recommend a time extension until June 5, 1978 to commence construction of the chapel for the reasons and with conditions as outlined by the staff; seconded by Mr. Murakami; carried unanimously.

PRELIMINARY HEARING
VARIANCE
WILLIAM BRILHANTE
WAIAKEA, SOUTH HILO

Variance request to allow a 14-foot wide pavement in lieu of the required twenty (20) feet for a proposed 3-lot subdivision. The property involved is located along the south side of Ainaola Drive, approximately 1,000 feet mauka

of the Ainaola Drive-Waikane Road intersection, Waiakea-Uka, South Hilo, TMK: 2-4-07:55.

Staff announced that the petitioner had requested that this item be withdrawn from the agenda.

PRELIMINARY HEARING
VARIANCE
JON GIFFIN/MELVIN HEWETT
AHUALOA, HAMAKUA

Variance request to allow the waiving of the 20-foot wide pavement requirement for a proposed 2-lot subdivision. The properties involved are located along the south side of a 50-foot wide Homestead Road, approximately 3.3 miles mauka of Honokaa Town, Ahualoa Homesteads, Hamakua, TMK: 4-5-11:3 and 11.

Staff presented background information and recommended that the request be denied based on the findings, on file; however, staff was agreeable to a variance request to allow the provision of a 14-foot wide oil-treated surface which would be able to accommodate for two-way vehicular traffic, subject to restrictions, on file, for future resubdivision.

Mr. Jon Giffin pointed out that there are no other paved roads in the area and essentially all the existing dirt roads are accessible by 4-wheel drive vehicles. He agreed that the staff's proposal for a 14-foot wide oil-treated road would be of some relief from the 20-foot pavement requirement. He stated that the land is presently used for cattle grazing, and that sometime in the future, a weekend cabin will be built.

Mr. Melvin Hewett mentioned that if they were to dedicate the roadway, they will pave it to County standards. However, as long as it is in private ownership, they would like to keep it in gravel. He stated that they both have homes in the Waimea area. He added that they have planted 300 trees on two sides of the property along the border for a buffer and have put in citrus and avocado trees. He then requested an opportunity to discuss the proposal of the oil base roadway further with Mr. Giffin before action is taken on their request.

RECESSED & RECONVENED

Chairman declared a short recess at 3:20 p.m. and the meeting was reconvened at 3:27 p.m.

1st Ext Request
MATERIALS SUBMITTED MAY 5, 1977

December 9, 1975

Mr. Robert M. Fujimoto, President
HPM Development Corporation
P. O. Box 337
Hilo, Hawaii 96720

Dear Mr. Fujimoto:

The original of the attached letter is on file
in the office of the Hawaii Planning Department,
25 Aupuni Street, Hilo, Hawaii.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Encls.
cc: Dave Laxson

December 9, 1975

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji
Planning Director

Gentlemen:

At its meeting on December 5, 1975, the Land Use Commission voted to approve a Special Permit to HPM Development Corporation (SP75-224) for the establishment of a Latter Day Saints church within the State Land Use Agricultural District, located at North Kona, Hawaii, identified as Tax Map Key 7-5-03: portion of 2; subject to the conditions imposed by the Hawaii County Planning Commission.

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

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Encl.

cc: HPM Development Corp.
Dave Laxson
Department of Taxation, Hawaii
Property Technical Office, Dept. of Tax.
Tax Maps Recorder, Dept. of Tax.
Real Property Tax Assessor, Dept. of Tax.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEMSP75-224 - HPM DEVELOPMENT CORP. DATE December 5, 1975

PLACE DOE Board Room #404 TIME 1:30 p.m.
Honolulu, Hawaii

NAME	YES	NO	ABSTAIN	ABSENT
YANAI, EDWARD	✓			
CARRAS, JAMES	✓			
DUKE, CHARLES	✓			
WHITESELL, CAROL	✓			
5 SAKAHASHI, STANLEY	✓			
14 OURA, MITSUO	✓			
YAMAMURA, TANJI	✓			
MACHADO, COLETTE				
TANGEN, EDDIE	✓			

Comments:

I move that we approve the Special Permit subject to the conditions imposed by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

December 5, 1975 - 1:30 p.m.

DOE Board Room #404
Queen Liliuokalani Building
Honolulu, Hawaii

Approved
February 13, 1976

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
James Carras
Charles Duke
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

COMMISSIONER ABSENT: Colette Machado

STAFF PRESENT: Ah Sung Leong, Acting Executive Officer
Gordan Furutani, Planner
Michael Marsh, Deputy Attorney General
Benjamin Matsubara, Consultant
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

The meeting was called to order by the Chairman.

Mr. Leong, Acting Executive Officer, requested the Commission's permission to add two items to the agenda for consideration. He elaborated that one item related to the hiring of a consultant to assist the Commission in the administration and implementation of Act 193; and the other concerned the boundary change petitions pending before the Land Use Commission which would fall under the procedures contained in the newly adopted Rules and Regulations.

Commissioner Duke moved to add the two items to the agenda, which was seconded by Commissioner Yamamura and unanimously carried.

Chairman Tangen announced that a question had been raised by some of the people present today on one of the items on the agenda

The ensuing discussion revolved around actual progress on the development since the last extension request, the availability of funding for the project, etc.

It was moved by Vice Chairman Sakahashi and seconded by Commissioner Duke that the extension request be approved as recommended by the Hawaii County Planning Commission. The Commissioners were polled as follows:

Ayes: Commissioners Yamamura, Sakahashi, Oura, Duke,
Chairman Tangen

Nays: Commissioners Carras, Yanai, Whitesell

Absent: Commissioner Machado

The motion was carried.

✓ REQUEST BY HPM DEVELOPMENT CORPORATION (SP75-224) TO ESTABLISH A CHURCH AT KEOPU 3RD, N. KONA, HAWAII

Mr. Gordan Furutani, Planner, read the staff memo concerning the subject Special Permit (see copy on file).

In response to a question by Commissioner Oura, Mr. Furutani advised that the proposed church will include a worship hall with a seating capacity for 350 people, a cultural hall, classrooms, bishop's and president's houses.

Commissioner Oura moved to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission, which was seconded by Commissioner Duke and unanimously carried.

REQUEST BY NOBUE OKADA (SP-75-225) TO ESTABLISH A VEGETABLE PROCESSING PLANT AT LALAMILO, S. KOHALA, HAWAII

The staff memo on the subject Special Permit was presented by Mr. Leong (see copy of report on file).

The motion by Commissioner Oura to approve the Special Permit subject to the conditions imposed by the Hawaii County Planning Commission was seconded by Commissioner Carras and unanimously carried.

REQUEST BY NICHOLS & PAMELA BECK (SP75-226) TO ESTABLISH A RECREATIONAL AND OUTDOOR EDUCATIONAL CAMP AT HANAIEI, KAUAI

Following the presentation of the staff memo (copy on file) by Mr. Leong, it was moved by Vice Chairman Sakahashi and seconded by Commissioner Oura that the Special Permit be approved, subject to the

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission

FROM: Staff

SUBJECT: SP75-224 - HPM Development Corporation

December 5, 1975
1:30 p.m.

The Hawaii County Planning Commission has transmitted a Special Use Permit request for the establishment of a LDS (Latter Day Saints) church on approximately 7.0 acres of land situated within the Agricultural District. The area in question is located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street and Lamaoakeola Street intersection in Keopu 3rd, North Kona (TMK: 7-5-03 portion of 2).

The proposed church will include a worship hall with a seating capacity of 350 people, a cultural hall, classrooms, Bishop's office and President's office. Access to the church site will be via an extension of Kalani Street, to be developed by the church at their expense, and dedicated to the County.

The proposed extension of Kalani Street will require breaking a portion of the Great Wall of Kuakini, which borders the west side of the subject property. This wall was built by Governor Kuakini, second Governor of the Island, for the purpose of fencing cattle. Aside from the wall, there are no known historic or geologically significant features of the property.

Presently, there are no structures situated on the parcel. The land is currently being used for grazing. Surrounding land uses include the adjacent Lono-Kona Subdivision and other pastoral lands.

The General Plan Land Use Pattern Allocation Guide Map designates this area as Orchards and Alternate Urban Expansion. The County's zoning designation is Unplanned. The County zoning code allows churches, as conditionally permitted uses, in all zones, except Industrial and Open districts.

The subject site has soils which are of the Punaluu extremely rocky peat series with a slope of 6 to 20 percent. Rock

In support of the request the applicant has stated the following:

"The Proposed church site is amply large to accommodate the proposed use without significant effect on the adjoining Lono-Kona Subdivision. The Proposed use will not significantly affect the property rights of property owners in the immediate vicinity.

"The subject property is zoned unplanned under the County zoning code and the proposed use is a conditionally permitted use in an unplanned district. If the property was zoned agriculture under the County zoning code, the proposed use would still be a conditionally permitted use, and therefore not in conflict with the zoning code or General Plan for the County of Hawaii."

There is also a pending subdivision application for the creation of a 1,643 square foot parcel which will be part of the Kalani Street extension. A tentative subdivision approval was granted on August 7, 1975 to the owner of this parcel, Arthur Nearon. The granting of this subdivision request will result in providing access to the subject property. Kalani Street has a right-of-way width of forty (40) feet with a 16-foot pavement.

Comments received from the Department of Water Supply were as follows:

"We have no objection to the subject request inasmuch as water was committed through a recent subdivision application involving the same parcel. However, the applicant should be informed that water shall be available only upon completion of the water system per approved construction plans of the said subdivision."

All other commenting agencies had no objections to the request.

In his letter to the Planning Department, N.B. McQuerrey objected to the request and questioned whether all 7 acres will be tax exempt, and what will the church be used for. He pointed out that the church is one of the largest landholders in the State and that he feels churches should only own the land the church sits on.

The Hawaii County Planning Commission held a duly advertised public hearing on the subject request on September 25, 1975.

At the hearing, Robert Carlsmith, representing the applicant, pointed out that the LDS church will be acquiring the property from Keopu Development Company Venture, who is present owner of the property. The application was signed by HPM Corporation on behalf of Keopu Development.

The County Planning Staff pointed out that the State Archaeologist has stated there is no objection to the 40' right-of-way break into the Great Wall of Kuakini for the proposed extension of Kalani Street.

In other testimony it was pointed out that the present chapel in Kailua is in poor condition, has inadequate parking areas, and is at a dangerous site because of its location near a heavy traffic area.

On October 16, 1975, the Planning Commission voted to recommend approval of the Special Permit as it was found that:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The area under consideration is classified

as agricultural by the Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soils and other related characteristics. The subject property has soils which are in the Soil Conservation Service's Capability Class VII. Class VII soils have very severe limitations which make them unsuited to cultivation and restrict their use largely to pasture or range, woodland, or wildlife. Class VII soils are the second to the lowest of the Soil Conservation Service's ranking system for agricultural productivity. Although it is possible for the subject property to be used for some agricultural activities, it is determined that approval of the subject request will not be contrary to the objectives of the Land Use Law and Regulations, given the capability class rating of the property for agricultural productivity and the above cited criterion for determining the Agricultural District.

Further, the use of the subject property for non-agricultural purposes is expected to not have an adverse effect on the overall agricultural potential of the region or the island.

In addition, churches and institutions of a religious nature are permitted in the Unplanned and the Agricultural zones by the County Zoning Code.

2. That the proposed use will not adversely affect surrounding properties. Surrounding land uses include the Lono-Kona Subdivision and grazing lands. The Lono-Kona Subdivision, in the area adjacent to the subject property, is zoned for residential duplex uses. This subdivision is fairly built up and is urban in character. The area under consideration is designated for alternate urban expansion on the General Plan Land Use Pattern Allocation Guide Map. Should a need for urban expansion arise in the future, it would be directed to areas designated as such by the General Plan. The pasture lands which surround the subject property on its mauka side could possibly be cut off by the proposed Queen Kaahumanu Highway extension. It is thus determined that approval of the proposed use on the subject property will not have an adverse effect on surrounding properties, be they urban or agricultural in nature.

3. That although the proposed use may alter the essential character of the land, it would not be detrimental to the present use of the subject property. The subject property is a seven-acre portion of a 144-acre parcel. This portion was recently subdivided out of the larger parcel. At the present time it is used for grazing. It is undenyng that the proposed use will alter the character of the land. However, it is determined that the provision of a church on the subject land would be beneficial and well-suited to accommodate the welfare of the public, in this particular case, the members of the church. At the present time, there is an existing meeting place for the members of this denomination. Due to the inconvenient location of the existing facility, however, it has become necessary for the church to relocate. The existing facility is located at an extremely busy intersection in Kailua and is subject to traffic, noise, and other similar nuisances. Aside from the existing facility, which would be phased out of use for worship services, there is no other facility of this denomination available to the residents in the general area of Kailua-Kona. Therefore, the establishment of the proposed use would suit the needs of the residents of the area."

The favorable recommendation was subject to the following conditions:

- "1. That construction of the chapel commence within one (1) year from the date of approval of the Special Permit and be completed within two (2) years thereafter.
- "2. That occupancy of the proposed building shall not be granted until final subdivision approval has been given to Subdivision No. 75-124, which is for the Kalani Street extension.
- "3. That a landscaping buffer shall be established along the Kuakini Wall side of the property for the purpose of screening the proposed use from existing residential uses. This buffer shall be incorporated into plans submitted for Plan Approval and shall be approved by the Planning Director.
- "4. That all other applicable rules and regulations, including the Plan Approval process, shall be complied with.

"Should any of the foregoing conditions not be met,
the Special Permit shall be deemed null and void."

25% COTTON

EXCELERASE

by

FOX RIVER

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission
FROM: Staff
SUBJECT: SP75-224 - HPM Development Corporation

December 5, 1975
1:30 p.m.

The Hawaii County Planning Commission has transmitted a Special Use Permit request for the establishment of a LDS (Latter Day Saints) church on approximately 7.0 acres of land situated within the Agricultural District. The area in question is located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street and Lamaokeola Street intersection in Keopu 3rd, North Kona (TMK: 7-5-03 portion of 2).

The proposed church will include a worship hall with a seating capacity of 350 people, a cultural hall, classrooms, Bishop's office and President's office. Access to the church site will be via an extension of Kalani Street, to be developed by the church at their expense, and dedicated to the County.

The proposed extension of Kalani Street will require breaking a portion of the Great Wall of Kuakini, which borders the west side of the subject property. This wall was built by Governor Kuakini, second Governor of the Island, for the purpose of fencing cattle. Aside from the wall, there are no known historic or geologically significant features of the property.

Presently, there are no structures situated on the parcel. The land is currently being used for grazing. Surrounding land uses include the adjacent Lono-Kona Subdivision and other pastoral lands.

The General Plan Land Use Pattern Allocation Guide Map designates this area as Orchards and Alternate Urban Expansion. The County's zoning designation is Unplanned. The County zoning code allows churches, as conditionally permitted uses, in all zones, except Industrial and Open districts.

The subject site has soils which are of the Punaluu extremely rocky peat series with a slope of 6 to 20 percent. Rock

outcrops occupy 40 to 50 percent of the surface. The surface layer is about 4 inches thick and is underlined with Pahoehoe lava bed-rock. This soil is rapidly permeable, runoff is slow, and the erosion hazard is slight. This soil is used for pasture and has a Capability class of VII. Class VII soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife. Rainfall in the area is generally 30 to 40 inches annually.

In support of the request the applicant has stated the following:

"The proposed church site lies makai of the Kaahumanu Highway extension route and mauka of the Lono-Kona Subdivision. The property is not well-suited for agriculture and with the completion of the Kaahumanu Highway extension will be divided from the remaining agricultural property by a major highway. The present use is for pasture purposes, which use will be difficult and uneconomical to continue after the completion of the Kaahumanu Highway.

"The Proposed church site is amply large to accommodate the proposed use without significant effect on the adjoining Lono-Kona Subdivision. The Proposed use will not significantly affect the property rights of property owners in the immediate vicinity.

"Enforcement of the zoning code would result in the applicant's property being put to a use that it is not suited for physically or economically.

"The subject property is zoned unplanned under the County zoning code and the proposed use is a conditionally permitted use in an unplanned district. If the property was zoned agriculture under the County zoning code, the proposed use would still be a conditionally permitted use, and therefore not in conflict with the zoning code or General Plan for the County of Hawaii."

The Planning Department points out the following:

The seven (7)-acre area in question was a portion of a 144-acre parcel which was granted final subdivision approval on August 7, 1975.

There is also a pending subdivision application for the creation of a 1,643 square foot parcel which will be part of the Kalani Street extension. A tentative subdivision approval was granted on August 7, 1975 to the owner of this parcel, Arthur Nearon. The granting of this subdivision request will result in providing access to the subject property. Kalani Street has a right-of-way width of forty (40) feet with a 16-foot pavement.

Comments received from the Department of Water Supply were as follows:

"We have no objection to the subject request inasmuch as water was committed through a recent subdivision application involving the same parcel. However, the applicant should be informed that water shall be available only upon completion of the water system per approved construction plans of the said subdivision."

All other commenting agencies had no objections to the request.

In his letter to the Planning Department, N.B. McQuerrey objected to the request and questioned whether all 7 acres will be tax exempt, and what will the church be used for. He pointed out that the church is one of the largest landholders in the State and that he feels churches should only own the land the church sits on.

The Hawaii County Planning Commission held a duly advertised public hearing on the subject request on September 25, 1975.

At the hearing, Robert Carlsmith, representing the applicant, pointed out that the LDS church will be acquiring the property from Keopu Development Company Venture, who is present owner of the property. The application was signed by HPM Corporation on behalf of Keopu Development.

The County Planning Staff pointed out that the State Archaeologist has stated there is no objection to the 40' right-of-way break into the Great Wall of Kuakini for the proposed extension of Kalani Street.

In other testimony it was pointed out that the present chapel in Kailua is in poor condition, has inadequate parking areas, and is at a dangerous site because of its location near a heavy traffic area.

On October 16, 1975, the Planning Commission voted to recommend approval of the Special Permit as it was found that:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The area under consideration is classified

as agricultural by the Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soils and other related characteristics. The subject property has soils which are in the Soil Conservation Service's Capability Class VII. Class VII soils have very severe limitations which make them unsuited to cultivation and restrict their use largely to pasture or range, woodland, or wildlife. Class VII soils are the second to the lowest of the Soil Conservation Service's ranking system for agricultural productivity. Although it is possible for the subject property to be used for some agricultural activities, it is determined that approval of the subject request will not be contrary to the objectives of the Land Use Law and Regulations, given the capability class rating of the property for agricultural productivity and the above cited criterion for determining the Agricultural District.

Further, the use of the subject property for non-agricultural purposes is expected to not have an adverse effect on the overall agricultural potential of the region or the island.

In addition, churches and institutions of a religious nature are permitted in the Unplanned and the Agricultural zones by the County Zoning Code.

2. That the proposed use will not adversely affect surrounding properties. Surrounding land uses include the Lono-Kona Subdivision and grazing lands. The Lono-Kona Subdivision, in the area adjacent to the subject property, is zoned for residential duplex uses. This subdivision is fairly built up and is urban in character. The area under consideration is designated for alternate urban expansion on the General Plan Land Use Pattern Allocation Guide Map. Should a need for urban expansion arise in the future, it would be directed to areas designated as such by the General Plan. The pasture lands which surround the subject property on its mauka side could possibly be cut off by the proposed Queen Kaahumanu Highway extension. It is thus determined that approval of the proposed use on the subject property will not have an adverse effect on surrounding properties, be they urban or agricultural in nature.

3. That although the proposed use may alter the essential character of the land, it would not be detrimental to the present use of the subject property. The subject property is a seven-acre portion of a 144-acre parcel. This portion was recently subdivided out of the larger parcel. At the present time it is used for grazing. It is undenying that the proposed use will alter the character of the land. However, it is determined that the provision of a church on the subject land would be beneficial and well-suited to accommodate the welfare of the public, in this particular case, the members of the church. At the present time, there is an existing meeting place for the members of this denomination. Due to the inconvenient location of the existing facility, however, it has become necessary for the church to relocate. The existing facility is located at an extremely busy intersection in Kailua and is subject to traffic, noise, and other similar nuisances. Aside from the existing facility, which would be phased out of use for worship services, there is no other facility of this denomination available to the residents in the general area of Kailua-Kona. Therefore, the establishment of the proposed use would suit the needs of the residents of the area."

The favorable recommendation was subject to the following conditions:

- "1. That construction of the chapel commence within one (1) year from the date of approval of the Special Permit and be completed within two (2) years thereafter.
- "2. That occupancy of the proposed building shall not be granted until final subdivision approval has been given to Subdivision No. 75-124, which is for the Kalani Street extension.
- "3. That a landscaping buffer shall be established along the Kuakini Wall side of the property for the purpose of screening the proposed use from existing residential uses. This buffer shall be incorporated into plans submitted for Plan Approval and shall be approved by the Planning Director.
- "4. That all other applicable rules and regulations, including the Plan Approval process, shall be complied with.

"Should any of the foregoing conditions not be met,
the Special Permit shall be deemed null and void."

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

November 21, 1975

Mr. Robert M. Fujimoto, President
HPM Development Corporation
P.O. Box 337
Hilo, Hawaii 96720

Dear Mr. Fujimoto;

The Land Use Commission next meets on December 5, 1975
, at 1:30 p.m., in the Queen Liliuokalani
Building, 4th Floor, Board Room #404.

At that time the Special Permit application by HPM Development
Corporation (SP 75-224) to establish
a Church
in the Agricultural District at Keopu 3rd, N. Kona, II
Hawaii will be considered.

Should you have any questions regarding this matter, please
feel free to contact us.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

cc: Mr. Dave Laxson



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

RAYMOND H. SUEFUJI
Director

COUNTY OF
HAWAII
October 21, 1975

Mr. Ah Sung Leong
Acting Executive Officer
State Land Use Commission
P. O. Box 2359
Honolulu, HI 96804

RECEIVED
OCT 23 1975

State of Hawaii
LAND USE COMMISSION

SP75-224

Re: Special Permit Application
HPM Development Corporation

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, we are transmitting the findings and decision of the County Planning Commission on the subject application.

The special permit request was to allow the establishment of an LDS church on 7.016 acres of land situated within the State Land Use Agricultural District. The area in question is located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street and Lamaokeola Street intersection, Keopu 3rd, North Kona (TMK: 7-5-03:portion of 02).

The Planning Commission at a duly advertised public hearing held on September 25, 1975 at the Sergeant Yano Memorial Hall in Captain Cook, South Kona, Hawaii, discussed the subject request. The Commission on October 16, 1975 voted to recommend the approval of the special permit to the Land Use Commission as it was found:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as agricultural by the State Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The subject property has soils which are in the Soil Conservation Service's Capability Class VII. Class VII soils have very severe limitations which make them unsuited to cultivation and restrict their use largely to pasture or range, woodland, or wildlife. Class VII soils are the second to the lowest of the Soil Conservation Service's

ranking system for agricultural productivity. Although it is possible for the subject property to be used for some agricultural activities, it is determined that approval of the subject request will not be contrary to the objectives of the Land Use Law and Regulations, given the capability class rating of the property for agricultural productivity and the above-cited criterion for determining the Agricultural District.

Further, the use of the subject property for nonagricultural purposes is not expected to have any adverse effects on the overall agricultural potential of the region or the island.

In addition, churches and institutions of a religious nature are permitted in the Unplanned and the Agricultural zones by the County Zoning Code.

2. That the proposed use will not adversely affect surrounding properties. Surrounding land uses include the Lono Kona Subdivision and grazing lands. The Lono Kona Subdivision, in the area adjacent to the subject property, is zoned for residential duplex uses. This Subdivision is fairly built up and is urban in character. The area under consideration is designated for alternate urban expansion on the General Plan Land Use Pattern Allocation Guide Map. Should a need for urban expansion arise in the future, it would be directed to areas designated as such by the General Plan. The pasture lands which surround the subject property on its mauka side could possibly be cut off by the proposed Queen Kahumanu Highway extension. It is thus determined that approval of the proposed use on the subject property will not have an adverse effect on surrounding properties, be they urban or agricultural in nature.
3. That although the proposed use may alter the essential character of the land, it would not be detrimental to the present use of the subject property. The subject property is a seven-acre portion of a 144-acre parcel. This portion was recently subdivided out of the larger parcel. At the present time, it is used for grazing. It is undenying that the proposed use will alter the character of the land. However, it is determined that the provision of a church on the subject land would be beneficial and well-suited to accommodate the welfare of the public, in this particular case, the members of the church. At the present time, there is an existing meeting place for the members of this denomination. Due to the inconvenient location of the existing facility, however, it has become necessary for the church to relocate. The existing facility is located at an extremely busy intersection in Kailua and is subject to traffic, noise, and other similar nuisances. Aside from the existing facility, which would be phased out

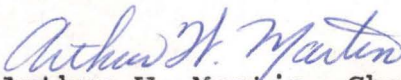
Mr. Ah Sung Leong
Page 3
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of use for worship services, there is no other facility of this denomination available to the residents in the general area of Kailua-Kona. Therefore, the establishment of the proposed use would suite the needs of the residents of the area.

It is further recommended that a favorable recommendation be given subject to the following conditions:

1. That construction of the chapel commence within one (1) year from the date of approval of the Special Permit and be completed within two (2) years thereafter.
2. That occupancy of the proposed building shall not be granted until final subdivision approval has been given to Subdivision No. 75-124, which is for the Kalani Street extension.
3. That a landscaping buffer shall be established along the Kuakini Wall side of the property for the purpose of screening the proposed use from existing residential uses. This buffer shall be incorporated into plans submitted for Plan Approval and shall be approved by the Planning Director.
4. That all other applicable rules and regulations, including the Plan Approval process, shall be complied with.

Should any of the foregoing conditions not be met, the Special Permit shall be deemed null and void.


Arthur W. Martin, Chairman
Planning Commission

NH:rfd
Enclosures

cc: HPM Development Corporation
D. Laxson
K. Wheeler

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
October 16, 1975

The Planning Commission met in regular session at 3:05 p.m., in the State Conference Room, State Building, and held a duly advertised public hearing in the Council Room, Hawaii County Building, in South Hilo with Chairman Martin presiding.

PRESENT: Arthur W. Martin ABSENT: Akira Fujimoto, Ex-officio Member
Scott Asai Edward Harada, Ex-officio Member
Takashi Domingo
Lorraine Jitchaku
Haruo Murakami
Charles Sakamoto, Jr.
Leon K. Sterling, Jr.
Ed C. Watt

Sidney Fuke
Norman Hayashi
Ilima Piianaia
Duane Kanuha
William Moore

Katsuya Yamada, Corporation Counsel
David Murakami, Public Works

and about 52 people in attendance at 3:00 p.m.; and about 20 people at 7:40 p.m.

AGENDA & MINUTES

The agenda was accepted with one change:
Under "Unfinished Business," Item 5 was
advanced to be taken up after Item 3 and before Item 4. Minutes of the
October 2, 1975 meeting were received and placed on file as circulated.

UNFINISHED BUSINESS

LAND USE COMMISSION
SPECIAL PERMIT
HPM DEVELOPMENT CORPORATION
KEOPU 3rd, NORTH KONA

Special permit to allow the establishment
of an LDS Church on seven (7) acres of
land situated within the State Land Use
Agricultural District. The property is
located adjacent to and immediately mauka

of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani
Street - Lamokeola Street intersection, Keopu 3rd, North Kona, TMK 7-5-03:
portion of 02.

Staff again presented background information and recommended favorable consideration with certain conditions for approval set forth.

There being no further discussion, Commissioner Sterling moved to forward this application to the State Land Use Commission with a favorable recommendation, based on staff findings and conditions for approval. Seconded by Commissioner Jitchaku, motion carried unanimously.

LAND USE COMMISSION
SPECIAL PERMIT
EPISCOPAL CHURCH IN HAWAII
KALAOA 4th, NORTH KONA

Special permit to allow the establishment of a Kona Christian School on 1.44 acres of land situated within the State Land Use Agricultural District. The school will be on the former Kalaoa School site

located adjacent and to the south of the Mauna Ziona Church, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona, TMK: 7-3-04:05.

Pursuant to the Diocesan Treasurer's request of October 10 to remove application from the agenda, Commissioners voted to defer action pending word of the election of a new Bishop by the Episcopal Church in Hawaii.

LAND USE COMMISSION
SPECIAL PERMIT
NOBUE OKADA
LALAMILO, SOUTH KOHALA

Special permit to allow the establishment of a vegetable processing plant on a 24.9-acre parcel situated within the State Land Use Agricultural District. The property is located approximately 1.1 miles

west of Mamalahoa Highway and the Parker Ranch Race Track, Lalamilo Farm Lots, Lalamilo, South Kohala, TMK: 6-6-05:13

Staff again gave background information and recommended favorable recommendation subject to certain conditions for approval.

There being no further discussion Commissioner Watt moved to forward this application to the State Land Use Commission with a favorable recommendation, based on staff findings and with the conditions for approval as stipulated. Seconded by Commissioner Murakami, motion carried unanimously.

DRAFT RULES & REGULATIONS
INTERIM SHORELINE
PROTECTION (ACT 176)

Draft rules and regulations to establish special interim management procedures of developments within an area along the shoreline while a coastal zone management

program is being developed.

Staff presented the final changes to the draft rules and regulations being brought up for consideration, further to those made at the last meeting.

Commissioner Sterling expressed concern over the absence of any representatives from the Board of Harbor Commissioners, State Parks, or Planning and Economic Development as well as small boat owners, commercial and others, at any of the public hearings. There was some discussion centered mainly on the "several layers" of government responsibility in carrying out the legislative mandate outlined in Act 176.

Commissioner Murakami moved for the adoption of the draft rules and regulations with the proposed amendments as outlined by staff and Commissioner Jitchaku seconded.

Commissioner Sterling voiced opinion that this seemed to be another case, like the flood control program, of bypassing State and elected officials to place undue responsibility on this Commission to implement what seems to be a good statute. With the observation that this may be creating a rather expensive government which may well stifle future building, Commissioner Sterling called for a vote. Motion carried with six ayes and two abstentions.

EXTENSION OF TIME
LAND USE COMMISSION
SPECIAL PERMIT
HAWAII LAND CORPORATION
KUPAHUA, PUNA

Request for an extension of the time condition stipulated within the Special Permit granted by the State Land Use Commission to commence construction of a resort/residential complex in Kupahua, Puna, TMK: 1-2-02:09, 20, 29, and 31.

Staff gave background information leading up to this second request for an extension. Read into record were letters from eight organizations and individuals as well as two petitions. Staff recommended favorable consideration of the request for another year's extension with certain conditions for approval.

Recognizing that there were many people in the gallery expressing interest, Chairman Martin decided, with no objections from Commissioners, to open the meeting for public testimony although there was no such requirement. Speakers were cautioned to discuss the extension question, not the merits or otherwise of the rezoning itself. Speaking for the extension was just one; against were the eight other testifiers.

The request for a year's extension was approved with a vote of six ayes and two noes.

NEW BUSINESS

PRELIMINARY HEARING
USE PERMIT
KAMEHAMEHA DEVELOPMENT CORP.
KEAUHOU 2nd, NORTH KONA

Use Permit to allow the construction of a championship tennis complex as Phase Ia of a residential condominium project located within the Multiple Family Residential - 2,000 square foot (RM-2) zoned

district. The property is located within the area surrounded by the Keauhou Golf and Country Club, Keauhou 2nd, North Kona, TMK: 7-8-10:portion of 34. More specifically, it is bordered by the 2nd and 8th fairways and the No. 4 green.

Staff presented background information and recommended that this application be set up for a public hearing.

Speaking as an officer of the Corporation, Guido Giacometti stated that this proposal is one that is being envisioned as a promotional program, and sure to be beneficial not only to the company but also for the whole State of Hawaii. He confirmed that every precaution will be taken to safeguard the two petroglyph sites, from the time of construction to the limited public viewing that will be permitted.

Commissioner Sterling moved to set this up for a public hearing. Seconded by Commissioner Jitchaku, motion carried unanimously.

RECESS

Chairman called for a recess at 6:30 p.m., until the scheduled public hearings at 7:15 p.m.

* * * * *

RECONVENED FOR
PUBLIC HEARINGS

Meeting was reconvened at 7:40 p.m., to continue with the following public hearings.

LAND USE COMMISSION
SPECIAL PERMIT
MAUNA ZIONA CHURCH
KALAOA 4th, NORTH KONA

A duly advertised public hearing was held for a Special Permit to allow construction of restroom facilities for the existing church situated within the State Land Use Agricultural District. Property is the

present Mauna Ziona Church site adjacent and to the north of the former Kalaoa School, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona, TMK: 7-3-04:06.

Staff presented background data.

Norman Keeanaaina, representative, pointed out that approval would greatly help the health and welfare of the church and community. Restroom facility must be housed in separate building because of a retaining wall in the back of the existing building which would necessitate expensive supportive measures before any kind of renovation may be made on the building.

Commissioner Domingo moved and Commissioner Sakamoto seconded to close the public hearing. Chairman explained that since this is a Special Permit, the Commission is required by law to wait fifteen days before coming to any decision. Motion was passed with all ayes except for Commissioner Sterling who had asked to be excused because of any possibility of conflict of interest.

LAND USE COMMISSION
SPECIAL PERMIT
LOCAL SPIRITUAL ASSEMBLY
OF THE BAHAI'S OF PUNA, INC.

A duly advertised public hearing was held for a Special Permit to allow establishment of a Baha'i Community Center within the State Land Use Agricultural District.

The property is situated along 34th Avenue, approximately 500 feet from the Aulii Drive - 34th Avenue intersection and 1,600 feet southeast of the Pahoa Government Road, within the Orchid Land Estates Subdivision, Keaau, Puna, TMK: 1-6-09:347.

Staff presented background information and read into record a letter of protest from Mrs. M. Bailey Jacobs of Honolulu whose reason that it might tend to raise tax assessment on surrounding properties generated some discussion.

James Sadelik testified for the Assembly briefly, then, at the suggestion of staff, conferred with another member of the Assembly, then returned to ask that the request be changed to say "intends to construct ... building of approximately 3,000 square feet ..." instead of the 1,050 square feet now specified.

Mrs. Evelyn Musacchia was the only other person presenting testimony, and it was in support of the request.

Commissioner Sterling moved to close the public hearing. Seconded by Commissioner Watt, motion carried unanimously.

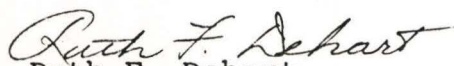
NEXT MEETING

The next meeting will be held in Kona on November 6.

ADJOURNMENT

Meeting was adjourned at 8:30 p.m.

Respectfully submitted,


Ruth F. Dehart
Secretary Pro Tem

A T T E S T:


Arthur W. Martin, Chairman
Planning Commission

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
September 25, 1975

A regularly advertised public hearing on the application of the HPM Development Corporation was called to order at 6:55 p.m., in the meeting room of the Sergeant Yano Memorial Hall, Captain Cook, South Kona, by Chairman Martin.

PRESENT: Arthur W. Martin
Scott H. Asai
Lorraine Jitchaku
Haruo Murakami
Charles Sakamoto, Jr.
Leon K. Sterling, Jr.
Ed C. Watt

ABSENT: Takashi Domingo
Akira Fujimoto, Ex-officio Member
Edward Harada, Ex-officio Member

Raymond Suefuji
Ilima Piianaia
Duane Kanuha
William Moore

Earl Nakasato, Deputy Corporation Counsel
Richard Nishimura, Public Works
Gary Kawasaka, Water Supply
Quirino Antonio, Water Supply

and about 40 people in attendance.

CHAIRMAN: Next is Item No. 3, which is a public hearing on the application of the HPM Development Corporation for a Special Permit request to allow the establishment of an LDS Church on seven acres (I take it this is meant the Church of Latter Day Saints) of land situated within the State Land Use Agricultural District. The property is located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street and Lamaokeola Street intersection, Keopu 3rd, North Kona, TMK: 7-5-03:portion of parcel 02. Staff?

PIIANAIA: (Gave background information)

CHAIRMAN: Is there any question of the staff?

JITCHAKU: Can I get a clarification on the HPM Corporation? What does that stand for?

PIIANAIA: I believe that a representative of the applicant is here.

CARLSMITH: My name is Robert Carlsmith and I am representing the applicant. Actually the applicant should properly be called Keopu Development Company Venture. HPM Development Corporation is one of the ventures and Capital Investment is ... (inaudible) ... You will note that the application is signed by HPM Corporation for Keopu Development Company Venture. Mrs. Jitchaku, what was your question?

JITCHAKU: What the HPM stands for.

CARLSMITH: That is the name of the company; it does not have any particular^{meaning} ... (inaudible) ... Keopu Development happens to be the owner of the property.

Property will be transferred to the Latter-Day Saints Church but under the regulations at the present time, since the property is still under the Venture Company, they must be the applicant. Now, the Latter-Day Saints Church ... (inaudible) ... tonight, Mr. Les Hawthorne, who will be available to answer any questions with respect to the proposed development. I would be happy to answer any questions ... (inaudible) ...

CHAIRMAN: Any further questions? Would you like to comment on the staff presentation?

CARLSMITH: Staff presentation seemed to be complete and ... (inaudible) ...

CHAIRMAN: As I understand what you said earlier that actually the Church of Jesus Christ Latter-Day Saints will be buying the property from the Keopu Development.

CARLSMITH: That's right. They will ultimately own it. I might say one thing more ... (inaudible) ...

CHAIRMAN: So you are really representing the present landowner and the building itself will be built by the Church after they have taken over the land.

CARLSMITH: Yes.

STERLING: To answer the letter, Mr. Carlsmith, one of the letters written against this, the property if this all goes through and according to what is hoped for, actually it's a church, or chapel as you call it, so it should quiet that letter.

CARLSMITH: That is correct.

STERLING: It will be basically a church.

CARLSMITH: ... (inaudible) ...

STERLING: The application itself is for the establishment of a church. It is not going to be used for any other purpose.

CARLSMITH: No. I might turn the mike over to Mr. Les Hawthorne ... (inaudible) ...

HAWTHORNE: Mr. Chairman, my name is Les Hawthorne and I am a member of the Church of Jesus Christ of Latter-Day Saints. Probably it's more commonly known as the Mormon Church. We have for many years looked for a suitable site here in Kona to build a new chapel. Our present chapel is located on Kuakini Highway at Hualalai, a small chapel there that is standing ... (inaudible) ... difficult time finding a suitable piece of property to build a new chapel ... (inaudible) ... We think this is a fine piece of property and we are very happy with the location and we hope ... (inaudible) ... I will be happy to answer any questions.

STERLING: Mr. Hawthorne, just to give us ... (inaudible) ... and should go on the record. Approximately what would be the capacity of your new chapel?

HAWTHORNE: The chapel itself will seat 350 people. Then there is the cultural hall, classrooms, and the Bishop's office and the state president's office in the same building.

STERLING: What kind of traffic pattern are we going to be looking at that will be generated in that area?

HAWTHORNE: At the present time, the Church is planning on making the continuation of Kalani Road, coming up into here, establishing our own road. At the present time until this proposed highway does go through and then, all the traffic will come off the new Kaahumanu Highway.

STERLING: If that new road comes through, is it the proposal of the Church, just for clarification, to make the extension themselves or will they be petitioning the State for someone else to hook up the road?

HAWTHORNE: We will do that ourselves and we will dedicate it to the County.

STERLING: I can't remember whether that original subdivision plan, maybe Mr. Suefuji knows, that original subdivision plan, would that road be extended to the new highway when and if that thing went through, Raymond?

SUEFUJI: Is your question whether it will be extended to the ...

STERLING: I didn't know whether it was in the original subdivision plan or not because the church is going to extend a portion of it for their own traffic and Mr. Hawthorne just made the statement that if and when that new Kaahumanu realignment goes in, then they would be willing to extend it. My question was, is it in the original subdivision that it will be hooked up to the proposed extension? Or is it a moot question as far as Lono Kona is concerned?

SUEFUJI: In the original Lono Kona Subdivision plan, there was no possible Kuakini Highway. So it wasn't envisioned to be extended beyond the point where it ends at the present time. However, looking at the traffic circulation of this area, it would be desirable in the future. But not knowing where the firm alignment is going to be, it's very difficult to extend it anywhere right now, not until a permanent alignment is decided upon.

STERLING: Thank you very much. I was interested in getting an idea of the traffic that would be generated and how many people would be involved.

ASAI: Mr. Hawthorne, on this proposed new church, your members will come from both North and South Kona?

HAWTHORNE: No, just from the area itself. As a matter of fact, we have another chapel right down the road about another three miles, Keei. Bishop Wheeler could tell us the exact boundaries of the area, ... (inaudible) ... in the immediate Kailua District.

CHAIRMAN: Mr. Hawthorne, I notice that bounding the property is Kuakini Wall. I am just curious, does extension of Kuakini mean breaking down part of that wall?

PIIANAIA: Mr. Chairman, I think I can answer that question. We discussed this with the State Department of Land and Natural Resources and the state archaeologist has permitted a 40' right-of-way break into the wall. There is now a cattle guard or fence there but it is only 40' wide.

CHAIRMAN: The cattle fence is at this point?

CARLSMITH: The Kuakini Wall in this area has been previously broken down for the purposes of cattle and also for the purpose of having a gate. There is an existing jeep road that is as you face mauka on the righthand side. There is roughly a 15' gate in there. A small section of the wall on the lefthand side, again facing mauka, and then there is a cattle chute and guard in that area. In totaling up the wall not in its original shape, you

get roughly 30 to 40 feet not existing in map shape in any way. A portion of the wall, in talking with the State people, they feel, it looks like maybe it was taken down and rebuilt. So a portion of it is already altered.

CHAIRMAN: To clarify in my mind for the record, there is a part that has been already torn down in the past.

CARLSMITH: It has already been altered in the past. And there may be a small portion of the wall that might have been the original wall, but again, it is unknown.

CHAIRMAN: Mr. Hawthorne, you call this a chapel, not a church. Could you explain to us?

HAWTHORNE: Actually the hall building is designated as a meeting house. We call the chapel where the worship service is held. This is the chapel wing over here. These are the classroom wing around here for our Sunday school classes and our young people where the ladies' society ... (inaudible) ... Right in the middle is the cultural hall. The Mormon Church features all of our people in their church all of the culture, the drama speech, for the very sportsminded this would be a full-sized basketball court in there. It's a youth-oriented cultural hall. The area in the chapel itself is called, you call it a meeting house.

CHAIRMAN: How would this differ from a church?

HAWTHORNE: The church is three and a half million people and only 650 people will meet in this one. The church is the entire body of the church all over the world. That is how we designate it.

CHAIRMAN: In other words, what you are saying is the building you go to are chapels; the church is not a building.

HAWTHORNE: The church is the people.

CHAIRMAN: I am just now seeing how that interpretation reflects one letter we got. You mentioned another chapel, and you said standing room only. Are you saying you are going to replace that chapel?

HAWTHORNE: This will be a new chapel.

CHAIRMAN: How about that other one?

HAWTHORNE: We don't know what will happen to it. It's right down on Kuakini and probably the noisiest corner in the whole town of Kailua, and when you are going to hold a sacred service in the morning and evening, with motor-cycles and buses, it's almost impossible.

CHAIRMAN: How many chapels do you have now in the Kona area?

HAWTHORNE: We have five. No, only one in Kona, one in Keeli, Waimea, Kohala, and one on the other side, in Naalehu. It's called the Kona Hawaii State, there are five chapels.

CHAIRMAN: Your Kona area is larger than our Kona District.

HAWTHORNE: That is right.

CHAIRMAN: Will all you people supporting this chapel stand up? For the record, let's say about 100. And this many more outside, I guess. We are

very appreciative when we have a hearing where many people come to it because usually it's the other way around.

MURAKAMI: I want to ask staff: we are talking about the 40' right-of-way. Let's say Kaahumanu goes through and you connect that. If they would dedicate to the public, does this 40' requirement meet our Zoning Code?

PIIANAIA: It was already subdivided and originally required to be 60' wide. Kalani Street is presently 40' wide and we are still trying to work out the problem of the Kuakini Wall encroachment situation with the State archaeologist.

CHAIRMAN: Mr. Hawthorne, thank you very much for coming up. Anyone would like to come up to offer testimony? We do have a workshop to go to and time is running short here, but we would like to hear from you people.

WHEELER: My name is Kenneth Wheeler and I am bishop of the Kona ward. ... (inaudible) ... because of the situation Les Hawthorne spoke about, the traffic condition and the noise at the corner. We have a membership totaling about 650 in the Kona area and attendance is about 175. Parking area is inadequate so we made arrangements with Bank of Hawaii so that we use their parking for Sunday and they use ours during the week for their employees. It's a temporary situation. Many of the people, I'm afraid, are not coming because there just isn't room to park or to sit down, and it's so noisy that it's impossible. We really need ... (inaudible) ...

CHAIRMAN: Anyone else would like to come up?

(Next testimony completely inaudible except the fact that he is "president of the state, Hawaii State ... This will be a beautiful building projected to be about \$1,420,000 for the building itself... But it will also be available for civic activities ... whatever needs of the community...)

CHAIRMAN: May I ask where most of this money will be coming from?

State President: Of the total, 70% will be coming from the Church of Hawaii; the other 30% from the members.

CHAIRMAN: Anyone else?

AUNA: My name is John Auna. I am a member of the church and I am always anxious for the youth program. The new proposed location will help us in one area because of our youth program. The existing chapel site at the corner in Kailua is a very dangerous one because of the children's program, starting with day care all the way up to high school youth program. Moving to the new site will eliminate the danger and exposure to traffic which is becoming very heavy and almost ... (inaudible) ... I am in favor of this application.

McINTOSH: I am Bob McIntosh. I am a surveyor by trade and Mormon by conviction. I have surveyed in 37 different states and been in all but four, and of all the chapels of the other denominations I've been to since being converted to Baptist ... (inaudible) I think that I have not found any other chapel in such poor condition. They do need a new chapel.

CHRISTIAN (?): My name is Charlie Christian (?). As I listened, I think there is one item that has not been brought up and that is one of those ... (inaudible) ...

AH SAM (?): My name is Henry Ah Sam (?). I am the bishop of the membership that is located north end of the Big Island, Kohala, and I represent about 350 members from Kohala, and we would like to have you Commissioners vote

in favor of this application.

ISBELL: My name is Donald Isbell and I would like to assure you that several hundred prayers are being made and I assure you there are going to be several hundred more prayers made tonight for ... (inaudible) ...

CHAIRMAN: And may I say to you that my prayers are also with you and your enterprise.

HUMUKINI: I know we have been having all the men up here and ... (inaudible) ... and my name is Althea Humukini and I am a teacher at Kealakehe and mauka member of the church of Jesus Christ of Latter-Day Saints and I am also the primary president for the church which encounters children from three years old to eleven, and I am also a cub scout den mother, and I feel that as a mother with seven youngsters it is important to have a more safety area. We service a lot of boys from Kealakehe Kuaina cub scouts and if we are to stress safety and build characters in the boys as well as lots of our youths in the church, I would really appreciate it if we can have something worth our while for our youngsters. Thank you.

CHAIRMAN: It is not my policy to shut things off at a public hearing but unless someone wants to say something different I feel, in view of the workshop, we must halt after this.

STERLING: Mr. Chairman, I move to close the public hearing.

CHAIRMAN: I didn't know I was going to be taken so literally.

MURAKAMI: I second.

CHAIRMAN: It has been moved by Commissioner Sterling and seconded by Commissioner Murakami that the public hearing be closed. Any discussion? If not, all those in favor please say aye.

COMMISSIONERS: Aye.

CHAIRMAN: Opposed? Motion carried. According to the rules and regulations we cannot vote until fifteen days have passed. We will let you know when we're holding our vote. Thank you.

Respectfully submitted,

Ruth L. Dehart
for Lei A. Tsuji, Secretary
per rfd

A T T E S T:

Arthur W. Martin
Arthur W. Martin, Chairman
Planning Commission

SPECIAL PERMIT: HPM DEVELOPMENT CORP.

The applicant, HPM Development Corporation, is requesting a special permit to allow the establishment of an LDS church on 7.016 acres of land situated within the State Land Use Agricultural District. The area in question is located adjacent to and immediately mauka of Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street -- Lamakela Street intersection, Keolu 3rd, North Kona (TMK: 7-5-03:portion of 2).

The General Plan Land Use Pattern Allocation Guide Map designates this area as Orchards and Alternate Urban Expansion. The County's zoning designation is Unplanned. The County zoning code allows churches, as conditionally permitted uses, in all zones, except Industrial and Open district.

Presently, there are no structures situated on the parcel. The land is currently being used for grazing. Surrounding land uses include the adjacent Lono-Kona Subdivision and other pastoral lands.

The proposed site has soils which are of the Punaluu extremely rocky peat series with a slope of 6 to 20 percent. Rock outcrops occupy 40 to 50 percent of the surface. ~~In a representative profile~~ The surface layer is about 4 inches thick and is underlined with Pahoehe lava bedrock. This soil is rapidly permeable, runoff is slow, and the erosion hazard is slight. This soil is used for pasture and has a Capability class of VII. Class VII soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife. Rainfall in the area is generally 30 to 40 inches annually.

In support of the request the applicant has stated the following:

"The proposed church site lies makai of the Kaahumanu Highway extension route and mauka of the Lono-Kona Subdivision. The property is not well suited for agriculture and with the completion of the Kaahumanu Highway extension will be divided from the remaining agricultural property by a major highway. The present use is for pasture purposes, which use will be difficult and uneconomical to continue after the completion of the Kaahumanu Highway.

"The proposed church site is amply large to accommodate the proposed use without significant effect on the adjoining Lono-Kona Subdivision. The proposed use will not significantly affect the property rights of property owners in the immediate vicinity.

"Enforcement of the zoning code would result in the applicant's property being put to a use that it is not suited for physically or economically.

"The subject property is zoned unplanned under the County zoning code and the proposed use is a conditionally permitted use in an unplanned district. If the property was zoned agriculture under the County zoning code, the proposed use would still be a conditionally permitted use, and therefore not in conflict with the zoning code or General Plan for the County of Hawaii."

The seven (7) acre area in question was a portion of a 144-acre parcel which was granted final subdivision approval on August 7, 1975.

There is also a pending subdivision application for the creation of a 1,643 square foot parcel which will be part of the Kalani Street extension. A tentative subdivision approval was granted on August 7, 1975 to the owner of this parcel, Arthur Nearon. The granting of this subdivision request will result in providing access to the subject property. Kalani Street has a right-of-way width of forty (40) feet with a 16-foot pavement.

The west side of the property in question is presently bordered by the Great Wall of Kuakini. This wall was built by Governor Kuakini, the second Governor of the Island, for the purpose of fencing cattle. Aside from this wall, there are no other historical or geological features attributed to the property.

Upon review of the request, the Department of Water Supply stated the following:

"We have no objection to the subject request inasmuch as water was committed through a recent subdivision application involving the same parcel. However, the applicant should be informed that water shall be available only upon completion of the water system per approved construction plans of the said subdivision."

All other cooperating agencies had no objections or comments on the subject request.

*The following letter was received from N.B. McQuerry:
(Re: McQuerry's letter)*

RECOMMENDATION: HPM DEVELOPMENT CORPORATION

It is recommended that the request for a Special Permit to allow the establishment of ^{an LDS temple chapel} ~~a church~~ within the State Land Use Agricultural District be given a favorable recommendation, based on the following considerations:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as agricultural by the State Land Use Commission. The Agricultural District includes lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soils and other related characteristics. The subject property has soils which are in the Soil Conservation Service's Capability Class VII. Class VII soils have very severe limitations which make them unsuited to cultivation and restrict their use largely to pasture or range, woodland, or wildlife. Class VII soils are

the second to the lowest of the Soil Conservation Service's ranking system for agricultural productivity. Although it is possible for the subject property to be used for some agricultural activities, it is determined that approval of the subject request will not be contrary to the objectives of the Land Use Law and Regulations, given the capability class rating of the property for agricultural productivity and the above cited criterion for determining the Agricultural District.

Further, the use of the subject property for non-agricultural purposes is expected to not have an adverse effect on the overall agricultural potential of the region or the island.

In addition, churches and institutions of a religious nature are permitted in the Unplanned and the Agricultural zones by the County Zoning Code.

2. That the proposed use will not adversely affect surrounding properties. Surrounding land uses include the Lono Kona Subdivision and grazing lands. The Lono Kona Subdivision, in the area adjacent to

the subject property, is zoned for residential duplex uses. This subdivision is fairly built up and is urban in character. The area under consideration is designated for alternate urban expansion on the General Plan Land Use Pattern Allocation Guide Map. Should a need for urban expansion arise in the future, it would be directed to areas designated as such by the General Plan. The pasture lands which surround the subject property on its mauka side could possibly be cut off by the proposed Queen Kaahumanu Highway extension. It is thus determined that approval of the proposed use on the subject property will not have an adverse effect on surrounding properties, be they urban or agricultural in nature.

3. That although the proposed use may alter the essential character of the land, it would not be detrimental to the present use of the subject property. The subject property is a seven-acre portion of a 144-acre parcel. This portion was recently subdivided out of the larger parcel. At the present time it is used for grazing. It is undenying that the proposed use will alter the character of the land. However, it is determined that the provision of a church on the subject land would be beneficial and well suited to accommodate the welfare

of the public, in this particular case the members of the church. At the present time, there is an existing meeting place for the members of this denomination. Due to the inconvenient location of the existing facility, however, it has become necessary for the church to relocate. The existing facility is located at an extremely busy intersection in Kailua and is subject to traffic, noise, and other similar nuisances. Aside from the existing facility, which would be phased out of use for worship services, there is no other facility of this denomination available to the residents of the general area. ^{Kailua-Kona.} Therefore, the establishment of the proposed use would suit the needs of the residents of the area.

It is further recommended that a favorable recommendation be given subject to the following conditions:

1. That construction of the ^{chapel} ~~temple~~ commence within one (1) year from the date of approval of the Special Permit. ^{and be completed w/in two (2) years thereafter.}
2. That occupancy of the proposed building shall not be granted until final subdivision approval has been given to Subdivision No. 75-124, which is for the Kalani Street extension.

3. That a landscaping buffer shall be established along the Kuakini Wall side of the property for the purpose of screening the proposed use from existing residential uses. This buffer shall be incorporated into plans submitted for Plan Approval and shall be approved by the Planning Director.
4. That all other applicable rules and regulations, including the Plan Approval process, shall be complied with.

Should any of the foregoing conditions not be met, the Special Permit shall be deemed null and void.

PUBLIC HEARINGS
PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii.

PLACE: Sgt. Yano Memorial Hall, Captain Cook, South Kona,
Hawaii

DATE: Thursday, September 25, 1975

TIME: 6:00 p.m.

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. APPLICANT: NOBUE OKADA

LOCATION: Approximately 1.1 mile west of Mamalahoa Highway and the Parker Ranch Race Track, Lalamilo Farm Lots, Lalamilo, South Kohala.

TMK: 6-6-05:13

PURPOSE: Special Permit request to allow the establishment of a vegetable processing plant on a 24.9-acre parcel situated within the State Land Use Agricultural District.

2. APPLICANT: THE EPISCOPAL CHURCH IN HAWAII

LOCATION: Former Kalaoa School site located adjacent and to the south of the Mauna Ziona Church, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona.

TMK: 7-3-04:5

PURPOSE: Special Permit request to allow the establishment of a Kona Christian School on 1.44 acres of land situated within the State Land Use Agricultural District.

3. APPLICANT: HPM DEVELOPMENT CORPORATION

LOCATION: Adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street-Lamaokaola Street intersection, Keopu 3rd, North Kona.

TMK: 7-5-03:portion of 2

PURPOSE: Special Permit request to allow the establishment of a LDS Church on seven (7) acres of land situated within the State Land Use Agricultural District.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date, or in person at the public hearing.

PLANNING COMMISSION
ARTHUR W. MARTIN, Chairman
By RAYMOND SUEFUJI
Planning Director

(Hawaii Tribune-Herald: September 15 and 23, 1975)

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
September 25, 1975

The Planning Commission met in regular session at 3:36 p.m., in the Meeting Room of the Sgt. Rodney J. T. Yano Memorial Hall, Captain Cook, South Kona, with Chairman Martin presiding.

PRESENT:	Arthur W. Martin	ABSENT:	Takashi Domingo
	Scott H. Asai		Akira Fujimoto, Ex-officio Member
	Lorraine Jitchaku		Edward Harada, Ex-officio Member
	Haruo Murakami		
	Charles Sakamoto, Jr.		
	Leon K. Sterling, Jr.		
	Ed C. Watt		

Raymond H. Suefuji
Ilima A. Piianaia
William Moore
Duane Kanuha

Earl Nakasato, Deputy Corporation Counsel
Richard Nishimura, Public Works
Gary Kawasaka, Water Supply
Quirino Antonio, Water Supply

and about 10 people in attendance at 3:30 p.m., 40 people at 6:00 p.m. and 125 at 7:00 p.m.

LAND USE COMMISSION
SPECIAL PERMIT
EPISCOPAL CHURCH IN HAWAII
KALAOA, NORTH KONA

A duly advertised public hearing was held for a special permit to allow the establishment of a Kona Christian School on 1.44 acres of land situated within the State Land Use Agricultural District. The school will be on the former

Kalaoa School site located adjacent and to the south of the Mauna Ziona Church, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona, TMK: 7-3-04:5.

The staff presented the attached background information at the hearing.

There was a question whether the existing catchment tanks will supply the water adequately for the school. The Department of Water Supply stated that County water may not be available until completion of Kahaluu Shaft in September 1976.

Public hearing closed.

Action was deferred for the same reason as the foregoing item.

LAND USE COMMISSION
SPECIAL PERMIT
HPM DEVELOPMENT CORP.
KEOPU, NORTH KONA

A duly advertised public hearing was held for a special permit to allow the establishment of a LDS Church on seven (7) acres of land situated within the State Land Use Agricultural District. The property is located adjacent

to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street-Lamaoakeola Street intersection, Keopu 3rd, North Kona, TMK: 7-5-03:portion of 2.

The staff presented attached background information at the hearing. Public hearing closed.

Action was deferred for the same reasons as the last two items.

RECESS

The Chairman called for a recess at 7:32 p.m.

RECONVENED

The meeting was reconvened at 7:40 p.m.

WORKSHOP ON INTERIM
SHORELINE PROTECTION

its presentation.

A workshop was held on the draft rules and regulations relating to Interim Shoreline Protection (Act 176), where the staff made

September 23, 1975

Mr. N. B. McQuerrey
McQuerrey Realty Co.
Suite 419, Bishop Insurance Bldg.
33 S. King Street
Honolulu, Hawaii 96813

Re: Special Permit Application
HPM Development Corporation
TMK: 7-5-03:por. 2

This is in reply to your letter dated September 16, 1975, in which you expressed your concern on the subject application. We will try to respond to the questions which you raised.

The purpose of the Special Permit application is to allow the construction of a church in the State Land Use Agricultural District. Approval was granted on August 7, 1975 for the subdivision of a 7-acre lot from a larger parcel consisting of 144 acres. The 7-acre lot is where the church is proposed to be located. The land is presently owned by the applicant, HPM Development Corporation. If the Special Permit application is approved, the LDS church will purchase the lot from the applicant.

In regards to your questions concerning the tax exempt status of the property involved, we refer you to Section 246-32(b)(3) of the Hawaii Revised Statutes. This section of the Real Property Tax Law of the State relates to exemptions for "charitable, et., purposes". Under this section, property which is owned in fee simple, leased or rented for a period of one year or more is exempt from real property taxes when used for "church purposes, including incidental activities, parsonages, and church grounds...." whether the entire 7-acre lot will be exempt from real property taxes will have to be determined by the Tax Office.

We hope that the above answers some of the questions you raised. Thank you for expressing your concern.


Raymond Suefuji
Director

IAP:lgv

SEP 24 1975

McQuerry Realty Co.

SUITE 419 • BISHOP INSURANCE BLDG.
33 S. KING STREET
HONOLULU, HAWAII 96813

Sept 16, 1975

Planning Dept.
Hilo Hawaii

Dear Sirs:

Re: regard to special application

Kropf 3rd, North Kona, Hawaii Tax Key 7-5-03 Par
of of 2.

Will all seven acres be tax exempt?
What will the church use it for? They
are already one of the states largest
land holders and I feel churches should
own the land the church sits on.

Personally I am against it.

Mahalo

N. B. McQuerry.

October 6, 1975

Mr. Robert M. Fujimoto, President
HPM Development Corporation
P. O. Box 337
Hilo, Hawaii 96720

Re: Special Permit Application
Tax Map Key 7-5-03:Portion of 2

This is to inform you that your application will be considered on Thursday, October 16, 1975 by the Planning Commission. The meeting will be held in the State Conference Room, State Building, Hilo, Hawaii, and is scheduled to begin at 3:00 p.m.

We shall notify you of the Commission's action.

A copy of the agenda is enclosed for your information.

Sidney M. Aue

for Raymond Suefuji
Director

lat:jac

Enclosure

cc Mr. Dave Laxson
Mr. Kenneth Wheeler
State Land Use Commission

OCT 8 1975

September 26, 1975

Mr. Robert M. Fujimoto, President
HPM Development Corporation
P. O. Box 337
Hilo, HI 96720

Re: Special Permit Application
Tax Map Key 7-5-03:portion of 2

The Planning Commission at its meeting of September 25, 1975, held a duly advertised public hearing on your application for a special permit to allow the establishment of a LDS Church on seven (7) acres of land situated within the State Land Use Agricultural District at Keopu 3rd, North Kona, Hawaii.

In accordance with the provisions of Section 205-6, Hawaii Revised Statutes, the Commission shall act on such petition not earlier than fifteen (15) days after the said public hearing.

We shall notify you when the Commission is ready to take action on your request.



Arthur W. Martin
Chairman

lat:sk

cc Dave Laxson
Kenneth Wheeler
State Land Use Commission

SEP 26 1975



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

RAYMOND H. SUEFUJI
Director

COUNTY OF
HAWAII

September 11, 1975

Dear Property Owner: (TMK:

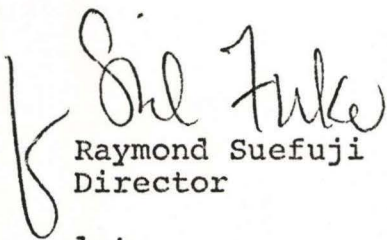
Re: Special Permit Application - Keopu 3rd, North Kona, Hawaii
Tax Map Key 7-5-03:portion of 2

You are hereby notified that a request for a special permit to allow the establishment of a LDS Church on seven (7) acres of land situated within the State Land Use Agricultural District has been submitted by the HPM Development Corporation.

The proposed church is to be located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street-Lamaokaola Street intersection, Keopu 3rd, North Kona, Hawaii.

A public hearing on the subject among others will be held beginning at 6:00 p.m. on Thursday, September 25, 1975 in the Meeting Room of the Sgt. Rodney J. T. Yano Memorial Hall, Captain Cook, South Kona, Hawaii.

You are invited to comment on the application at the hearing or submit written comments prior to the hearing.


Raymond Suefuji
Director

lat

Enclosure

SPECIAL PERMIT
HFM DEVELOPMENT CORP.
CHURCH

7-5-02:2 (P.O.B.) (7-016 No.)

KOMO BROTHERS INC.

7-5-03:1 % DILLINGHAM INVESTMENT

P.O.B. 147

CAPT. COOK 96704

MR. & MRS. CLARENCE NAKAHARA

3 P.O.B. 337

KAILUA KONA 96740

BURGESS, ALEXANDER EST.

4 % MANUEL FREITAS

P.O.B. 83, HOLULOA 96725

MR. & MRS. FRANCIS Foo

12 KAILUA-KONA 96740

13 EMILY KEANAINA

KAILUA-KONA 96740

14 LUCY DAMO, P.O. Box 291

KAILUA-K. 96740

15 ELIZABETH Aiu, P.O.B. 141

WAIANAE, 96792

HILDA HAYNES % ALEXANDER BURGESS

16 86-631 Puhukuli Rd.

WAIANAE HI 96792

7-5-22:100 FELLOWSHIP OF CHRISTIAN PILGRIMS, INC - KAILUA-KONA 96740

MR. & MRS.

101 HAROLD CONNROY, 745 FORT ST. 2000 HI. BLDG, Hon. 96813

102

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MR. & MRS.

103 ARTHUR NEARON, 941 CHARLESTON Rd., PALO ALTO, CA 94303

127 MR. & MRS. NORTON B. McQuerrey, 1122 ALEWA DR. Hon. 96817

129 MR. & MRS. CHARLES FANKBONER

MR. & MRS. JAMES PARISH

Box 666

KAILUA KONA

96740

September 10, 1975

Mr. Robert M. Fujimoto, President
HPM Development Corp.
P. O. Box 337
Hilo, HI 96720

Re: Notice of a Public Hearing
Special Permit Application
Tax Map Key 7-5-03:portion of 2

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 6:00 p.m. on Thursday, September 25, 1975 at the Sgt. Yano Memorial Hall, Captain Cook, South Kona, Hawaii.

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

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

Sidney M. Aue

for Raymond Suefuji
Director

lat:sb

Enclosure

cc: Dave Laxson
Kenneth Wheeler

SEP 10 1975

LUC

September 8, 1975

Mr. Christopher Cobb
Chairman and Member
Board of Land & Natural Resources
P. O. Box 621
Honolulu, HI 96809

Re: Special Permit Application (church site)
HPM Development Corporation
TMK: 7-5-03:02

Attached is an application of HPM Development Corporation for a special permit. Inasmuch as the request will involve portions of the Kuakini Wall, we would appreciate your review. May we have your comments within one week from the above date.

Thank you very much.

Sidney M. Aue
RAYMOND SUEFUJI
Director

NH:rfd
Enclosure

SEP 8 1975

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF STATE PARKS
P. O. BOX 621
HONOLULU, HAWAII 96809

DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

FILE NO. _____

September 18, 1975

Mr. Raymond Suefuji
Director
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Suefuji:

Subject: Special Permit Application-HPM Develop-
ment Corp. TMK:7-5-03:02

This project involves Kuakini Wall, 10-28-7276, a site of historical merit which is now being prepared for submission to the Hawaii Historic Places Review Board.

Our records indicate that this permit may be connected with another review request for a subdivision. A copy of the earlier request is enclosed for your information.

Certain questions arise. Do indeed the two projects overlap or is this request for another breach in the wall? Is there any change in the width estimate as given in Mr. Carlsmith's letter? Who's property is the actual wall?

We reaffirm our request that all reasonable care be exercised to not damage the remaining integrity of Kuakini Wall.

Sincerely yours,

Jane L. Silverman
Historic Preservation Officer
State of Hawaii

BW:jsm

Encl.

- file

May 23, 1975

Mr. Robert W. Carlsmith
Carlsmith, Carlsmith, Wichman and Case
Attorneys-at-Law
P. O. Box 686
Hilo, Hawaii 96720

Dear Mr. Carlsmith:

SUBJECT: Subdivision of Certain Land at Keopu,
North Kona, Hawaii and effects on
Great Wall of Kuakini

The opening of the Great Wall at the point indicated and in the manner described in your letter of May 1, 1975, will not have an adverse effect on the historic or archaeological character of the wall. The cattle chute already in place has altered that section of the wall to the point of removing its historic integrity.

I will request, however, that you exercise great care so that damage to the unaltered sections of the Great Wall does not occur.

I appreciate your interest in preserving the Great Wall of Kuakini. If you need further information, please contact my staff.

Very truly yours,

Christopher Cobb
CHRISTOPHER COBB
Historic Preservation Officer
State of Hawaii

gfc
GTC:hk

cc: Planning Dept., Hawaii County

C. WENDELL CARLSMITH
JAMES H. CASE
CHARLES R. WICHMAN
DONNA R. CARLSMITH
ROBERT E. BETHEA
JAMES W. BOYLE
DEAN D. GRUBBS
J. A. HALLIN
F. M. C. HOLLOUE
DAVID L. JONES
FELIX A. MAJ. SZEWSKI
J. THOMAS VAN WINKLE
CARLOS J. LARSON
F. M. C. LEUTENERER
F. M. C. WELCH JR.
ROBERT W. CARLSMITH
MICHAEL J. MEEDEHOS
HOWARD R. GREEN

JAMES H. LARSEN
GERALD A. TUMUA
JAMES R. REEDMAN
JOSEPH T. AEFER
JAMES M. LUI SWAN
WILLIAM J. MONOIL
TERENCE J. STOOLE
PETER STARN
LAWRENCE S. OKINAGA
ARNOLD Y. SHIGETANI
ROBERT E. STRAND
RAYMOND S. IWAMOTO
ALAN M. ROODHOUSE
RAYMOND R. HASEGAWA

CARLSMITH, CARLSMITH, WICHMAN AND ASSOCIATES
ATTORNEYS AT LAW
P. O. Box 686
HILO, HAWAII 96720

DIVISION OF
STATE PARKS

MAY 8 10 46 AM '75

MERRILL L. CARLSMITH
OF COUNSEL

HILO OFFICE:
121 WAIANUENUE AVENUE
(808) 935-8644

CABLE ADDRESS
CARLSMITH HILO

HONOLULU OFFICE
2200 PACIFIC TRADE CENTER
(808) 524-5112

KONA OFFICE:
P. O. BOX 768
CAPTAIN COOK
(808) 323-2611

May 1, 1975

Department of Land and
Natural Resources
State of Hawaii
75 Aupuni Street
Hilo, HI 96720

Attention: Historical Sites Division

Gentlemen:

Re: Subdivision of Certain Land at
Keopu, North Kona, Hawaii

We represent RMF Associates, Inc., general partner for Keopu Investment Company, a Hawaii limited partnership, which is seeking to subdivide certain property in North Kona, County and State of Hawaii. In order to subdivide the property, access must be provided across the Great Wall of Kuakini. At the point in which the access road will cross the Great Wall, there is a gate and a cattle chute which have been in use for many years.

Very little of the Great Wall would have to be altered to accomodate the new roadway. I estimate that the existing gate and cattle chute cover about a 35- to 45-foot section of the wall at the point where the proposed road would be located.

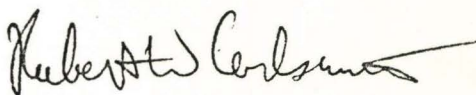
I would appreciate your reviewing this matter and if there is no intent to condemn the property mentioned, I would like to have you sign in the space provided to so indicate and return a copy of this letter to me. We would like to have notification as to any intended action as soon as possible so that we can complete the subdivision and sale of the property within the closing time specified in the DROA.

Department of Land and
Natural Resources
Page -2-
May 1, 1975

For your reference, I am enclosing a copy of the Hawaii County Planning Department's letter in which we were requested to contact you and a copy of the subdivision map showing the proposed lot with my notation. This letter and attachment will serve as our request for permission to proceed with construction pursuant to § 6-11, Hawaii Revised Statutes.

Very truly yours,

CARLSMITH, CARLSMITH, WICHMAN AND CASE



Robert W. Carlsmith

RWC:lym

Enclosures

Permission for construction according to subdivision plan dated January 10, 1975 is hereby granted.

Department of Land and Natural Resources
State of Hawaii

By _____

C. WENDELL CARLSMITH
JAMES H. CASE
CHARLES P. WICHMAN
DONN W. CARLSMITH
ROBERT E. BETHEA
JAMES W. POTLE
GEORGE G. GRUBB
JACK HALPIN
TOM C. INOLEQUE
DAVID L. IRONS
FELIX A. MACISZEWSKI
J. THOMAS VAN WINKLE
DAVID C. LAXSON
TOM C. LEUTENKER
THOMAS D. WELCH, JR.
ROBERT W. CARLSMITH
MICHAEL J. MEDEIROS
HOWARD R. GREEN

JAMES H. LAWHN
GERALD A. SUMIDA
JAMES R. KEEGAN
JOSEPH T. KIEFER
IVAN M. LUI-KWAN
WILLIAM J. ROSDIL
TERENCE J. OTOOLE
PETER STARN
LAWRENCE S. OKINAGA
RONALD Y. SHIGETANI
ROBERT E. STRAND
RAYMOND S. IWAMOTO
ALAN M. ROODHOUSE
RAYMOND K. HASEGAWA

CARLSMITH, CARLSMITH, WICHMAN AND CASE

ATTORNEYS AT LAW

P. O. Box 686

HILO, HAWAII 96720

MERRILL L. CARLSMITH
OF COUNSEL

HILO OFFICE
121 WAIANUENUE AVENUE
(808) 935-6644

CABLE ADDRESS
CARLSMITH HILO

HONOLULU OFFICE
2200 PACIFIC TRADE CENTER
(808) 524-5112

KONA OFFICE
P. O. BOX 768
CAPTAIN COOK
(808) 323-2611

May 1, 1975

Department of Land and
Natural Resources
State of Hawaii
75 Aupuni Street
Hilo, HI 96720

Attention: Historical Sites Division

Gentlemen:

Re: Subdivision of Certain Land at
Keopu, North Kona, Hawaii

We represent RMF Associates, Inc., general partner for Keopu Investment Company, a Hawaii limited partnership, which is seeking to subdivide certain property in North Kona, County and State of Hawaii. In order to subdivide the property, access must be provided across the Great Wall of Kuakini. At the point in which the access road will cross the Great Wall, there is a gate and a cattle chute which have been in use for many years.

Very little of the Great Wall would have to be altered to accomodate the now roadway. I estimate that the existing gate and cattle chute cover about a 35- to 45-foot section of the wall at the point where the proposed road would be located.

I would appreciate your reviewing this matter and if there is no intent to condemn the property mentioned, I would like to have you sign in the space provided to so indicate and return a copy of this letter to me. We would like to have notification as to any intended action as soon as possible so that we can complete the subdivision and sale of the property within the closing time specified in the DROA.

Department of Land and
Natural Resources

Page -2-

May 1, 1975

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Very truly yours,

CARLSMITH, CARLSMITH, WICHMAN AND CASE



Robert W. Carlsmith

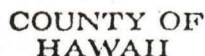
RWC:lym

Enclosures

Permission for construction according to subdivision plan dated January 10, 1975 is hereby granted.

Department of Land and Natural Resources.
State of Hawaii

By _____



25 AUPUNI STREET • HILO, HAWAII 96720

2 HERBERT T. MATAYOSHI
Mayor
RAYMOND H. SUEFUJI
Director

March 31, 1975

Mr. Robert Carlsmith
Carlsmith, Carlsmith, Wichman
and Case
P. O. Box 686
Hilo, Hawaii 96720

Re: Proposed subdivision of a portion of R. P. 4475
L. C. Aw. 7713, Apana 5
Keopu 3rd, North Kona, Hawaii
TMK: 7-5-03:02 (75-32)

[illegible]

Please be informed that we are deferring action on the subdivision application in order that you may meet with the following:

1. Revise subdivision plans to follow the proposed Kuakini Highway Alignment (Project No. 11A-03-69) Alternate Line No. 1 as recommended by the Highways Division. Please confer with the Highways Division on the alignment plan and also access to the proposed highway alignment since they recommended the access to the development be through the existing Kalani Road in the Lono Kona Subdivision.
2. Submit proof of access over an existing easement situated continuously between the Kalani Road right-of-way and proposed Road Lot A.
3. The "Great Wall of Kuakini" is situated across of the accessway to the subdivision. Demolition of the wall for roadway purpose may pose a problem due to its historical significance. It is recommended that you confer with the Department of Land and Natural Resources on this matter.

For your information, listed below are some of the requirements affecting the subdivision:

1. Elevation agreement with the Department of Water Supply must be signed due to insufficient water pressure.

Mr. Robert Carlsmith
Page 2
March 31, 1975

2. You will be required to deposit a \$150 water storage fee with the Department of Water Supply.
3. Should further subdivision occur, the subdivider will be required to provide a water system for each lot.
4. A 20-foot wide pavement of dedicable or agricultural standard will be required in the Road Lot A. Construction drawings will be required for this purpose.

We will appreciate it if the required information will be submitted before May 30, 1975 in order that we may proceed with the subdivision application. However, if no word is received by the due date, pursuant to the Subdivision Ordinance, appropriate action will be considered.

If you have any questions, please do not hesitate to contact this office.

Sidney Fuke
Raymond Suefuji
Director

KN:mh

cc RMF, Inc.
Chief Engineer
Manager-DWS
Env. Engineer
District Engineer
Island Survey, Inc.

EXHIBIT A

TAX MAP KEY 7-5-3-2

LOT "B"

7.772 Acres

Great Wall = 000
gate = 0—0
chute = dl6

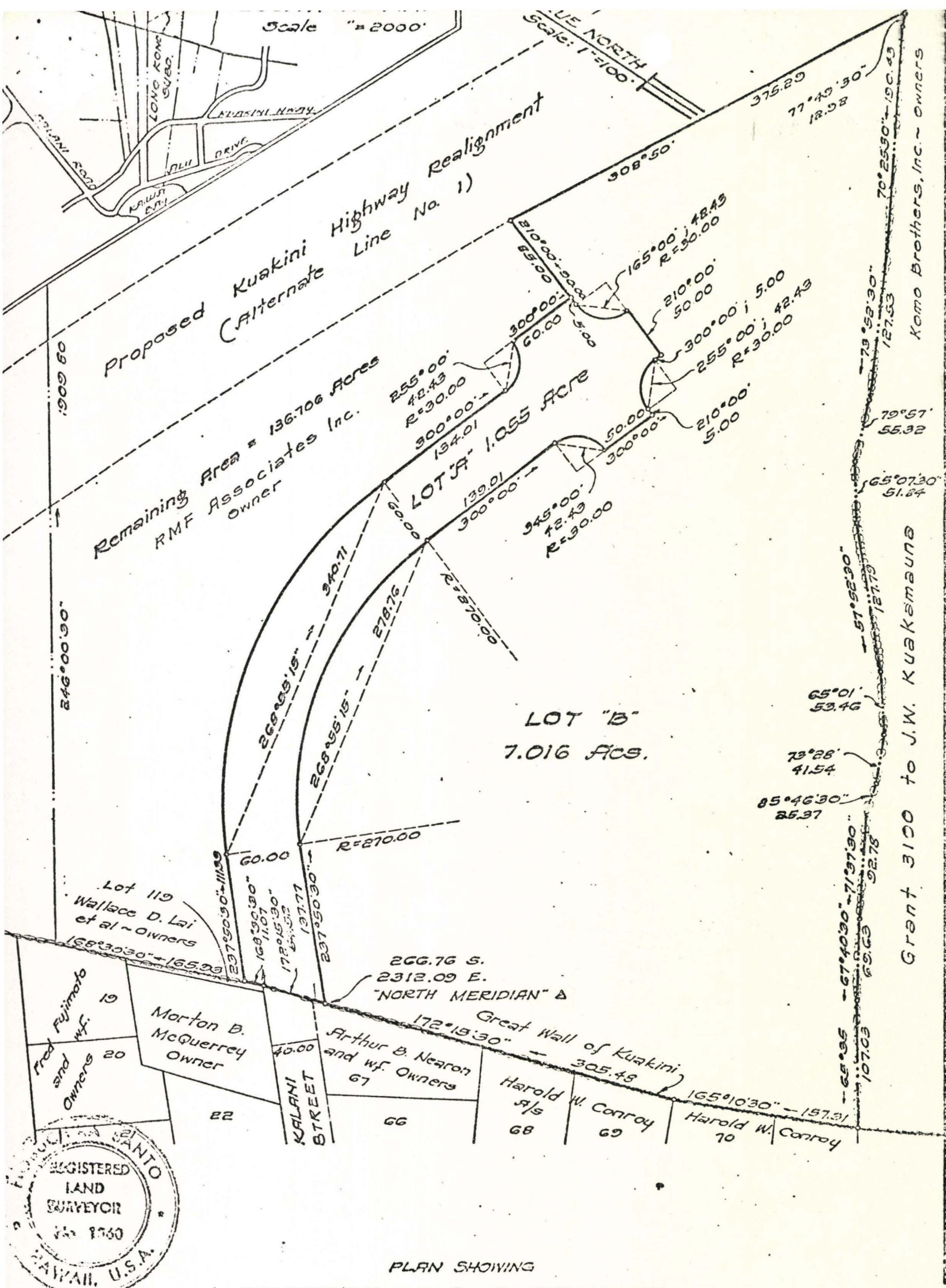
57-44-505-1A-5

SUPERVISORY POSITION OF

[illegible]

Spreads of 1900-1901, 1902-1903, 1904-1905, 1906-1907, 1908-1909, 1910-1911, 1912-1913, 1914-1915, 1916-1917, 1918-1919, 1920-1921, 1922-1923, 1924-1925, 1926-1927, 1928-1929, 1930-1931, 1932-1933, 1934-1935, 1936-1937, 1938-1939, 1940-1941, 1942-1943, 1944-1945, 1946-1947, 1948-1949, 1950-1951, 1952-1953, 1954-1955, 1956-1957, 1958-1959, 1960-1961, 1962-1963, 1964-1965, 1966-1967, 1968-1969, 1970-1971, 1972-1973, 1974-1975, 1976-1977, 1978-1979, 1980-1981, 1982-1983, 1984-1985, 1986-1987, 1988-1989, 1990-1991, 1992-1993, 1994-1995, 1996-1997, 1998-1999, 2000-2001, 2002-2003, 2004-2005, 2006-2007, 2008-2009, 2010-2011, 2012-2013, 2014-2015, 2016-2017, 2018-2019, 2020-2021, 2022-2023, 2024-2025, 2026-2027, 2028-2029, 2030-2031, 2032-2033, 2034-2035, 2036-2037, 2038-2039, 2040-2041, 2042-2043, 2044-2045, 2046-2047, 2048-2049, 2050-2051, 2052-2053, 2054-2055, 2056-2057, 2058-2059, 2060-2061, 2062-2063, 2064-2065, 2066-2067, 2068-2069, 2070-2071, 2072-2073, 2074-2075, 2076-2077, 2078-2079, 2080-2081, 2082-2083, 2084-2085, 2086-2087, 2088-2089, 2090-2091, 2092-2093, 2094-2095, 2096-2097, 2098-2099, 2100-2101, 2102-2103, 2104-2105, 2106-2107, 2108-2109, 2110-2111, 2112-2113, 2114-2115, 2116-2117, 2118-2119, 2120-2121, 2122-2123, 2124-2125, 2126-2127, 2128-2129, 2130-2131, 2132-2133, 2134-2135, 2136-2137, 2138-2139, 2140-2141, 2142-2143, 2144-2145, 2146-2147, 2148-2149, 2150-2151, 2152-2153, 2154-2155, 2156-2157, 2158-2159, 2160-2161, 2162-2163, 2164-2165, 2166-2167, 2168-2169, 2170-2171, 2172-2173, 2174-2175, 2176-2177, 2178-2179, 2180-2181, 2182-2183, 2184-2185, 2186-2187, 2188-2189, 2190-2191, 2192-2193, 2194-2195, 2196-2197, 2198-2199, 2200-2201, 2202-2203, 2204-2205, 2206-2207, 2208-2209, 2210-2211, 2212-2213, 2214-2215, 2216-2217, 2218-2219, 2220-2221, 2222-2223, 2224-2225, 2226-2227, 2228-2229, 2230-2231, 2232-2233, 2234-2235, 2236-2237, 2238-2239, 2240-2241, 2242-2243, 2244-2245, 2246-2247, 2248-2249, 2250-2251, 2252-2253, 2254-2255, 2256-2257, 2258-2259, 2260-2261, 2262-2263, 2264-2265, 2266-2267, 2268-2269, 2270-2271, 2272-2273, 2274-2275, 2276-2277, 2278-2279, 2280-2281, 2282-2283, 2284-2285, 2286-2287, 2288-2289, 2290-2291, 2292-2293, 2294-2295, 2296-2297, 2298-2299, 2300-2301, 2302-2303, 2304-2305, 2306-2307, 2308-2309, 2310-2311, 2312-2313, 2314-2315, 2316-2317, 2318-2319, 2320-2321, 2322-2323, 2324-2325, 2326-2327, 2328-2329, 2330-2331, 2332-2333, 2334-2335, 2336-2337, 2338-2339, 2340-2341, 2342-2343, 2344-2345, 2346-2347, 2348-2349, 2350-2351, 2352-2353, 2354-2355, 2356-2357, 2358-2359, 2360-2361, 2362-2363, 2364-2365, 2366-2367, 2368-2369, 2370-2371, 2372-2373, 2374-2375, 2376-2377, 2378-2379, 2380-2381, 2382-2383, 2384-2385, 2386-2387, 2388-2389, 2390-2391, 2392-2393, 2394-2395, 2396-2397, 2398-2399, 2400-2401, 2402-2403, 2404-2405, 2406-2407, 2408-2409, 2410-2411, 2412-2413, 2414-2415, 2416-2417, 2418-2419, 2420-2421, 2422-2423, 2424-2425, 2426-2427, 2428-2429, 2430-2431, 2432-2433, 2434-2435, 2436-2437, 2438-2439, 2440-2441, 2442-2443, 2444-2445, 2446-2447, 2448-2449, 2450-2451, 2452-2453, 2454-2455, 2456-2457, 2458-2459, 2460-2461, 2462-2463, 2464-2465, 2466-2467, 2468-2469, 2470-2471, 2472-2473, 2474-2475, 2476-2477, 2478-2479, 2480-2481, 2482-2483, 2484-2485, 2486-2487, 2488-2489, 2490-2491, 2492-2493, 2494-2495, 2496-2497, 2498-2499, 2500-2501, 2502-2503, 2504-2505, 2506-2507, 2508-2509, 2510-2511, 2512-2513, 2514-2515, 2516-2517, 2518-2519, 2520-2521, 2522-2523, 2524-2525, 2526-2527, 2528-2529, 2530-2531, 2532-2533, 2534-2535, 2536-2537, 2538-2539, 2540-2541, 2542-2543, 2544-2545, 2546-2547, 2548-2549, 2550-2551, 2552-2553, 2554-2555, 2556-2557, 2558-2559, 2560-2561, 2562-2563, 2564-2565, 2566-2567, 2568-2569, 2570-2571, 2572-2573, 2574-2575, 2576-2577, 2578-2579, 2580-2581, 2582-2583, 2584-2585, 2586-2587, 2588-2589, 2590-2591, 2592-2593, 2594-2595, 2596-2597, 2598-2599, 2600-2601, 2602-2603, 2604-2605, 2606-2607, 2608-2609, 2610-2611, 2612-2613, 2614-2615, 2616-2617, 2618-2619, 2620-2621, 2622-2623, 2624-2625, 2626-2627, 2628-2629, 2630-2631, 2632-2633, 2634-2635, 2636-2637, 2638-2639, 2640-2641, 2642-2643

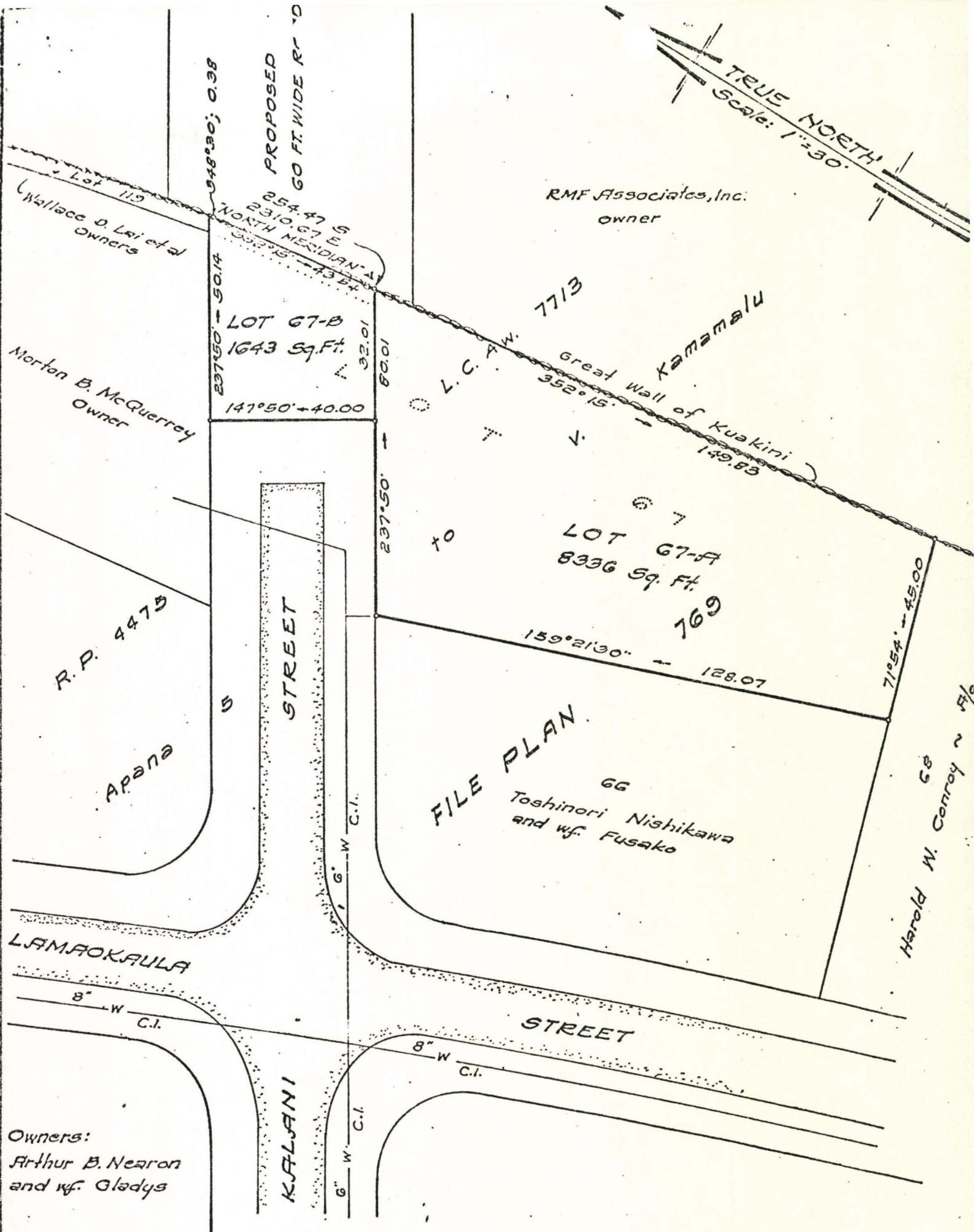
Survey and Plot to John, P. & Co., Inc.



PLAN SHOWING
SUBDIVISION OF A PORTION OF
R.P. 4475, L.C. 7713, APANA 5 TO V. KAMAMALU
Situate at Keolu and N. Kona, Hawaii
Survey and Plan by Island Survey, Inc.
May 14, 1975

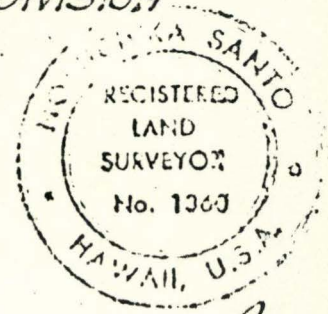
This work was prepared by me
or under my supervision

Holmes and

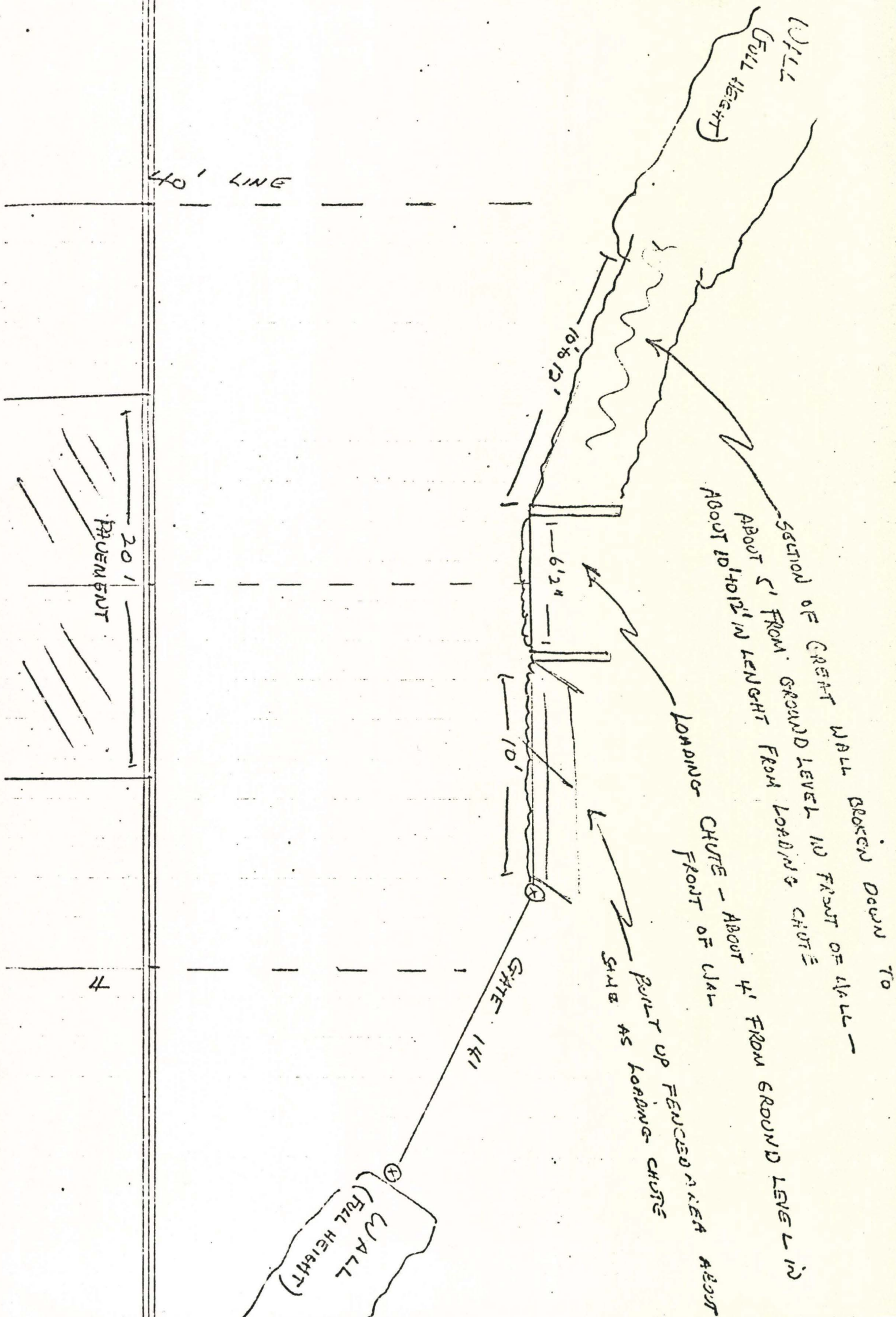


PLAN SHOWING
SUBDIVISION OF LOT 67 OF LONO KONA SUBDIVISION
INTO LOTS 67-A AND 67-B
SITUATED AT KEOPU 353,
NORTH KONA, HAWAII

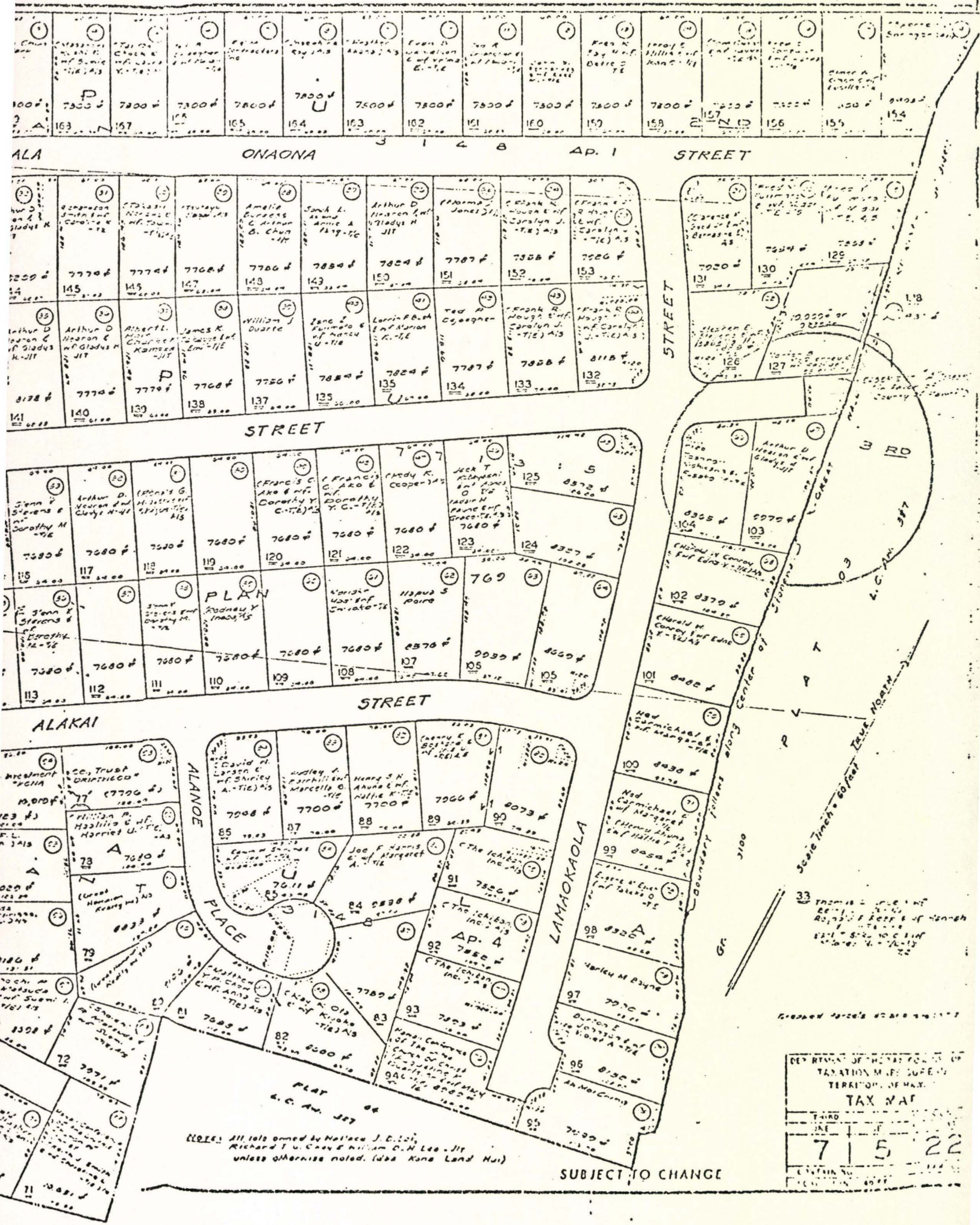
Survey and Plan by Island Survey, Inc.
Hilo, Hawaii
May 14, 1975



Nobuhiko Panto







DEPT. OF REVENUE OF THE TERRITORY OF HAWAII
TAX MAP
7 1 5 22

SUBJECT TO CHANGE



COUNTY OF
HAWAII

15th - comments, p. 2

RECEIVED

7306
9/15/75 pm
bc

PLANNING DEPARTMENT

25 SEP 11 AM 8:04

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

RAYMOND H. SUEFUJI
Director

SEP 11 1 23 PM '75

DIVISION OF
STATE PARKS

September 8, 1975

Mr. Christopher Cobb
Chairman and Member
Board of Land & Natural Resources
P. O. Box 621
Honolulu, HI 96809

Re: Special Permit Application (church site)
HPM Development Corporation
TMK: 7-5-03:02

Attached is an application of HPM Development Corporation for a special permit. Inasmuch as the request will involve portions of the Kuakini Wall, we would appreciate your review. May we have your comments within one week from the above date.

Thank you very much.

Raymond Suefuji
RAYMOND SUEFUJI
Director

NH:rfd
Enclosure

*March 1975
See also Carl Smith
cc to Planning*

FROM _____

TO:	FOR:
☒ SOUZA, J. M.	☐ ACTION
☐ SUE, R.	☐ APPROVAL & SIGNATURE
☐ KANAYAMA, R.	☐ CIRCULATION
☒ GORST, W.	☒ COMMENTS & RECOMMENDATIONS
☐ PYO, J.	☐ DRAFT REPLY
☐ RENARD, G.	☐ INFO
☐ SATO, J.	☐ FILE
☐ SERIZAWA, A.	☐ SEE ME
☐ TAMAYORI, J.	☐
☐ YAMASHIRO, J.	☐
☐ CLERICAL STAFF	☐
☒ HISTORIC SITES SECTION	☐

NOTES _____

August 13, 1975

Mr. Dave Laxson
P. O. Box 686
Hilo, Hawaii 96720

Re: HPM Development Corporation
Special Permit - LDS Church
TMK: 7-5-3: por 2

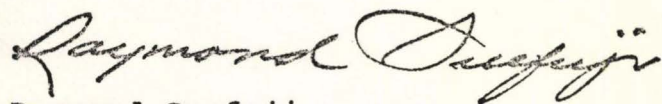
This is to acknowledge receipt on August 11, 1975 of the above described special permit application.

The County Planning Commission shall conduct a public hearing on request within a period of not less than thirty (30) nor more than one hundred twenty (120) days from the receipt of the application. The Planning Commission shall then act on the application not earlier than fifteen (15) days after the public hearing but within a reasonable time thereafter. Should the Planning Commission recommend favorably on the request, it will then be forwarded to the State Land Use Commission for final action.

However, the Planning Commission may deny the request if it is found that the proposed use does not meet the special permit guidelines. In this case, their decision is final. In accordance with the provisions of Chapter 205-6, Hawaii Revised Statutes, a denial by the Planning Commission may be appealable to the Circuit Court of the circuit in which the land is situated, in this case, the Third Circuit Court.

Notice of the time and place of the public hearing shall be forwarded when the application is scheduled for Commission action.

Should any questions arise, please contact Norman Hayashi or Ilima Piianaia of this department at 961-8288.



Raymond Suefuji
Director

AUG 14 1975

MEMORANDUM:

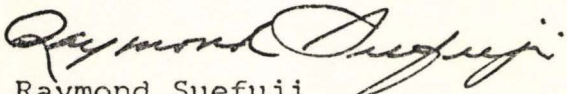
PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW, DWS, Highway, Health, R&D, Police,
Fire, Soil Conserv., Dept. of Ag., Helco, Date: August 13, 1975
Corporation Counsel, Virginia

From: Planning Director

Subject: Special Permit - LDS Church
HPM Development Corporation
TMK: 7-5-3: por 2

Attached is an application of HPM Development for a special permit.
Please review and send us any comments within two weeks from the
above date. Thank you very much.


Raymond Suefuji
Director

lgv
Encl.

AUG 14 1975
AUG 17 1975

GEORGE R. ARIYOSHI
GOVERNOR



JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1426 SO. KING STREET
HONOLULU, HAWAII 96814

August 27, 1975

MEMORANDUM

To: Mr. Raymond Suefuji, Director
Hawaii County Planning Department

Subject: Special Permit - LDS Church
HPM Development Corporation
TMK: 7-5-3: por 2

The Department of Agriculture has reviewed the subject application
for a special permit and has no objection to the request.

Thank you for the opportunity to comment.

John Farias, Jr.
John Farias, Jr.
Chairman, Board of Agriculture

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

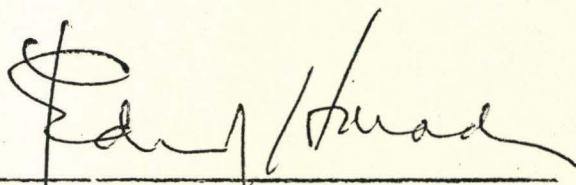
MEMORANDUM

Date August 27, 1975

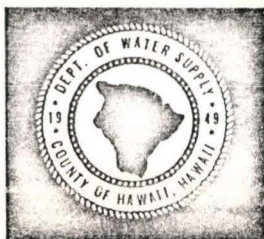
TO: Planning Department
FROM: Chief Engineer
SUBJECT: Application for Special Permit
Applicant: LDS Church
Location: Keopu 3rd, No. Kona, Hawaii
TMK: 7-5-3:por. 2

We have reviewed the subject application and our comments are as follows:

The plans for the improvements of the roadways have been completed but no bond has as yet been posted nor has the construction started.



EDWARD HARADA, Chief Engineer



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

25 AUPUNI STREET

August 27, 1975

TO: Planning Department
FROM: Department of Water Supply
SUBJECT: SPECIAL PERMIT - LDS CHURCH
HPM DEVELOPMENT CORPORATION
TMK: 7-5-3:POR. 2

We have no objection to the subject request inasmuch as water was committed through a recent subdivision application involving the same parcel. However, the applicant should be informed that water shall be available only upon completion of the water system per approved construction plans of the said subdivision.


Akira Fujimoto
Manager

QA

cc: HPM Development Corporation

... Water brings progress...



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
HAWAII DISTRICT
50 MAKALA STREET
P. O. BOX 276
HILO, HAWAII 96720

IN REPLY REFER TO:

HWY-H
75-2.864

August 22, 1975

MEMORANDUM:

TO: Director, Planning Department
County of Hawaii

FROM: District Engineer, Hawaii

SUBJECT: () Change of Zone Application
() Variance Application
() Subdivision Application No.
(x) Special Permit Application
LDS Church, HPM Development Corp.
TMK 7-5-3: por 2

We have no objections on the proposed action but landscaping should be provided for in the development of subject plans.

Chas L. Schuster
for CHAS L. SCHUSTER



COUNTY OF HAWAII
DEPARTMENT OF POLICE
HILO, HAWAII



OUR REFERENCE

YOUR REFERENCE

ADDRESS ALL
COMMUNICATIONS TO:
ERNEST J. FERGERSTROM
CHIEF OF POLICE
HILO, HAWAII

August 22, 1975

TO : RAYMOND SUEFUJI, PLANNING DIRECTOR
FROM : GEORGE IRANON, INSPECTOR, ADMINISTRATIVE DIVISION
SUBJECT: SPECIAL PERMIT APPLICATIONS

The special permit applications submitted by the applicants listed below were reviewed and from the police standpoint, we can foresee no adverse effects from the requested changes.

1. HPM Development Corporation - LDS Church
TMK: 7-5-3: por 2
2. Honolulu Poi Co., Ltd. - Vegetable Processing Plant
TMK: 6-6-5:13
3. Girl Scout Council of the Pacific, Inc. - Service Center
TMK: 1-6-4:11 (por)

GEORGE IRANON
INSPECTOR

GI/k

MEMORANDUM:

PLANNING DEPARTMENT

- County of Hawaii,

Hilo, Hawaii 96720

To: *Dept of Health*

Date: August 13, 1975

From: Planning Director

Subject: Special Permit - LDS Church
HPM Development Corporation
TMK: 7-5-3: por 2

Attached is an application of HPM Development for a special permit. Please review and send us any comments within two weeks from the above date. Thank you very much.

Raymond Suefuji
Raymond Suefuji
Director

lgv
Encl.

August 20, 1975
Department of Health, Hilo

We have no objections to the proposed uses.

Andre Toth
ANDRE TOTH, P.E.
Environmental Engineer, Hawaii

HAWAII ELECTRIC LIGHT COMPANY, INC.
P. O. BOX 1027 HILO, HAWAII-96720



75-20-8A9

August 20, 1975

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

Attention: Mr. Raymond Suefuji

Subject: Application for Special Permits

Gentlemen:

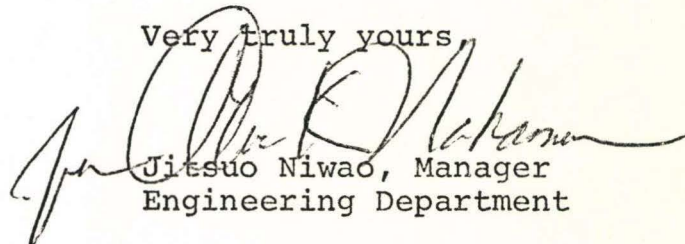
We have no comments to the following applications:

/ LDS Church - Special Permit
HPM Development Corporation
TMK: 7-5-3: por 2

Girl Scout Council of the Pacific, Inc.
Special Permit - Girl Scout Service Center
including offices and Training Facilities
TMK: 1-6-4:11 (por)

Honolulu Poi Co., Ltd.
Special Permit - Vegetable Processing Plant
TMK: 6-6-5:13

Very truly yours,


Jiesuo Niwao, Manager
Engineering Department

JN:bk

HAWAII COUNTY FIRE DEPARTMENT

TO: Mr. Raymond Suefuji, Director
Planning Director

DATE: August 21, 1975

FROM: Inspector Teruichi Kohashi

SUBJECT: Special Permit - LDS Church
HPM Development Corporation
TMK: 7-5-3: por 2

Kailua fire station is located 7 miles distant. There is one
fire hydrant within the subdivision.

Teruichi Kohashi
Fire Inspector

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To:

Virginia

Date: August 13, 1975

From: Planning Director

Subject: Special Permit - LDS Church
HPM Development Corporation
TMK: 7-5-3: por 2

Attached is an application of HPM Development for a special permit. Please review and send us any comments within two weeks from the above date. Thank you very much.

Raymond Suefuji
Raymond Suefuji
Director

lgv
Encl.

8/14/75

Looks like the developer will breach the Pukini wall.

Would suggest
that they consult the state register people for comments.
The site is not in the register yet. my understanding
is that it will be.

August 7, 1975

Mr. Arthur D. Nearon
941 Charleston Road
Palo Alto, California

Re: Proposed subdivision and consolidation
of TMK: 7-5-3:2 and 7-5-22:103
TMK: 7-5-22:103 (75-124)

Please be informed that tentative approval to the above proposed subdivision and as reflected on the attached map is hereby granted.

Before final approval for recordation can be granted, you are required to meet the following conditions:

1. Show existing structures and cesspool in plat map.
2. Include address of owners of Lot 67-A.
3. Identify existing easement over Lot 67-B.
4. Submit vicinity maps.
5. Place property markers in accordance with the final plat map. Surveyor shall submit certification upon completion.
6. Denote a 10-foot wide road widening setback in Lot 67-A in order to provide for a future road right-of-way of 60 feet.

Lot 67-B shall be created as a road lot extension of the adjacent Kalani Street. Improvements within the road lot as proposed by the adjacent property owner, RHF Associates in TMK: 7-5-03:2 shall be coordinated in accordance with their approved plans showing pavement and ancillary improvement beginning from the edge of the existing pavement and ending at the terminus of their road lot within the subdivision.

Mr. Arthur L. Pearson

Page 2

August 7, 1975

You should be aware that if at any time during the fulfillment of the foregoing conditions that environmental problems emerge - problems which were earlier overlooked or not anticipated/accounted for in data/reports available to date - this should be sufficient cause to immediately cease and desist from further activities on the proposed subdivision. The Planning Director shall confer with members of the Subdivision Technical Review Committee or other concerned agencies to resolve the problem.

No final approval for recordation shall be granted until all the above conditions have been met.

Land shall not be offered for sale, lease or rent until final approval for recordation of the subdivision.

Should you have any questions, please feel free to contact Maoru Nagai or Dennis Abigaoka of this office.

Raymond Satojiri
Director

RN:ah

Attach.

cc County Council
Chief Engineer
Manager-LTS
Env. Engineer
District Engineer
Island Survey, Inc.

RECORDATION REQUESTED BY:

AFTER RECORDATION, RETURN TO:

Carlsmith, Carlsmith, Wieman & Case
P. O. Box 686
Hilo, Hawaii 96720

RETURN BY: MAIL () PICKUP ()

THE ORIGINAL OF THE DOCUMENT
RECORDED AS FOLLOWS:
STATE OF HAWAII
OFFICE OF

BUREAU OF CONVEYANCE

received for record this 7
day of July, A.D., 1975
at 10:54 o'clock A.M. or
recorded in Liber _____
at _____

SPACE ABOVE THIS LINE FOR REGISTRAR'S USE

GRANT OF EASEMENT

THIS GRANT OF EASEMENT made this 2nd day
of July, 1975, by and between ARTHUR D.
NEARON and GLADYS H. NEARON, husband and wife, whose
residence and post office address is 941 Charleston Road,
Palo Alto, California, hereinafter called the GRANTORS,
and CAPT. COOK INVESTMENT COMPANY, INC., a Hawaii
corporation, RMF ASSOCIATES, INC., a Hawaii corporation,
General Partner of Keopu Investment Company, a Hawaii
limited partnership, and HPM DEVELOPMENT CORP., a Hawaii
corporation, doing business as KEOPU DEVELOPMENT VENTURE,
a joint venture, whose business address is 380 Kanoelehua
Avenue, Hilo, Hawaii, and whose post office address is
P. O. Box 337, Hilo, Hawaii, hereinafter called the
GRANTEES,

W I T N E S S E T H:

That the Grantors, for and in consideration of
the sum of ONE DOLLAR (\$1.00) and other valuable consideration,
receipt of which is hereby acknowledged by the Grantees, do
hereby grant unto the said Grantees, their successors and
assigns, a perpetual easement of way over, along and across
that certain parcel of real property described in Exhibit A

attached hereto and made a part hereof, appurtenant to and for the benefit of that certain parcel of real property described in Exhibit B attached hereto and made a part hereof, for the purpose of roadway, water and utility purposes, including access for the construction and maintenance thereof.

TOGETHER with all and singular the rights, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining so as to vest the said Grantees with all rights necessary for the full and complete use, occupation and enjoyment of the easement hereby granted and all rights and privileges incident thereto, together with the right to make improvements and to correct any conditions or obstructions which may injure or interfere with the Grantees' use, occupation or enjoyment of the easement hereby granted.

TO HAVE AND TO HOLD the said appurtenant easement unto the said Grantees, their successors and assigns, in perpetuity.

IN WITNESS WHEREOF the said Grantors have hereunto set their hands on the day and year first above written.

Approved as to Form

CARLSMITH, CARLSMITH, WICHMAN & CASE

By

DI
7-1-75

Arthur D. Nearon
Arthur D. Nearon

Gladys H. Nearon
Gladys H. Nearon

STATE OF HAWAII)
COUNTY OF HAWAII)

SS:

Jmc
N.P.

On this 2nd day of July, 1975,
before me personally appeared ARTHUR D. NEARON and GLADYS
H. NEARON, to me known to be the persons described in and
who executed the foregoing instrument, and acknowledged
to me that they executed the same as their free act and
deed.

Jane K. McIntosh
Notary Public, THIRD JUDICIAL
CIRCUIT, STATE OF HAWAII

Jmc
N.P.

My Commission Expires: 3-5-79

DESCRIPTION

LOT 67-B

Being a Portion of Lot 67 of File Plan 769
(Portion of R.P. 4475, L.C. Aw. 7713, Apana 5 to V. Kamamalu)

Situated at Keopu 3rd, North Kona, Hawaii

Beginning at a point at the southeast corner of this parcel of land in the Great Wall of Kuakini, the coordinates of said point of beginning referred to Government Survey Triangulation Station "NORTH MERIDIAN" being 254.47 feet South and 2310.67 feet East and running by azimuths measured clockwise from True South:

- | | |
|-------------|---|
| 1. 57° 50' | 32.01 feet along the remainder of Lot 67 of File Plan 769; |
| 2. 147° 50' | 40.00 feet along the easterly end of Kalani Street; |
| 3. 237° 50' | 50.14 feet along Exclusion 1 and along Lot 119 of File Plan 769; |
| 4. 348° 30' | 0.38 feet along the Great Wall of Kuakini; |
| 5. 352° 15' | 43.54 feet along the Great Wall of Kuakini to the point of beginning and containing an area of 1,643 Square Feet. |

EXHIBIT A

DESCRIPTION

LOT "B"

Being a Portion of R.P. 4475,
L.C. Aw. 7713, Apana 5 to V. Kamamalu

Situated at Keopu 3rd, North Kona, Hawaii

Beginning at a pipe at the northwest corner of this parcel of land, in the Great Wall of Kuakini, the coordinates of said point of beginning referred to Government Survey Triangulation Station "NORTH MERIDIAN" being 266.76 feet South and 2312.09 feet East and running by azimuths measured clockwise from True South:

1. 237° 50' 30" 137.77 feet along proposed sixty (60) feet wide road to a pipe;
2. Thence along proposed sixty (60) feet wide road, along a curve to the right with a radius of 270.00 feet, the chord azimuth and distance being:
268° 55' 15" 278.76 feet to a pipe;
3. 300° 00' 139.01 feet along proposed sixty (60) feet wide road to a pipe;
4. Thence along a proposed cul-de-sac, along a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
345° 00' 42.43 to a pipe;
5. 300° 00' 50.00 feet along a proposed cul-de-sac to a pipe;
6. 210° 00' 5.00 feet along a proposed cul-de-sac to a pipe;
7. Thence along a proposed cul-de-sac, along a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
255° 00' 42.43 feet to a pipe;
8. 300° 00' 5.00 feet along a proposed cul-de-sac to a pipe;
9. 210° 00' 50.00 feet along a proposed cul-de-sac to a pipe;
10. Thence along a proposed cul-de-sac, along a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
165° 00' 42.43 feet to a pipe;

EXHIBIT B

101 D

11. 210° 00' 90.00 feet along a proposed cul-de-sac and along the remainder of R.P. 4475, L.C. Aw. 7713, Apana 5 to V. Kamamalu to a pipe;

12. 308° 50' 375.29 feet along the remainder of R.P. 4475, L.C. Aw. 7713, Apana 5 to V. Kamamalu to a pipe;

thence along stonewall along the northwest side of the Land of Honuaula (Grant 3100 to J.W. Kuakamauna) for the next twelve (12) courses, the azimuths and distances between points being;

13. 77° 49' 30" 12.92 feet to a nail in concrete;

14. 70° 25' 30" 190.43 feet to a nail in concrete;

15. 73° 52' 30" 127.53 feet to a nail in concrete;

16. 79° 57' 55.32 feet to a nail in concrete;

17. 65° 07' 30" 51.84 feet to a nail in concrete;

18. 57° 52' 30" 127.79 feet to a nail in concrete;

19. 65° 01' 53.46 feet to a nail in concrete;

20. 73° 28' 41.54 feet to a nail in concrete;

21. 85° 46' 30" 25.37 feet to a nail in concrete;

22. 71° 37' 30" 92.78 feet to a nail in concrete;

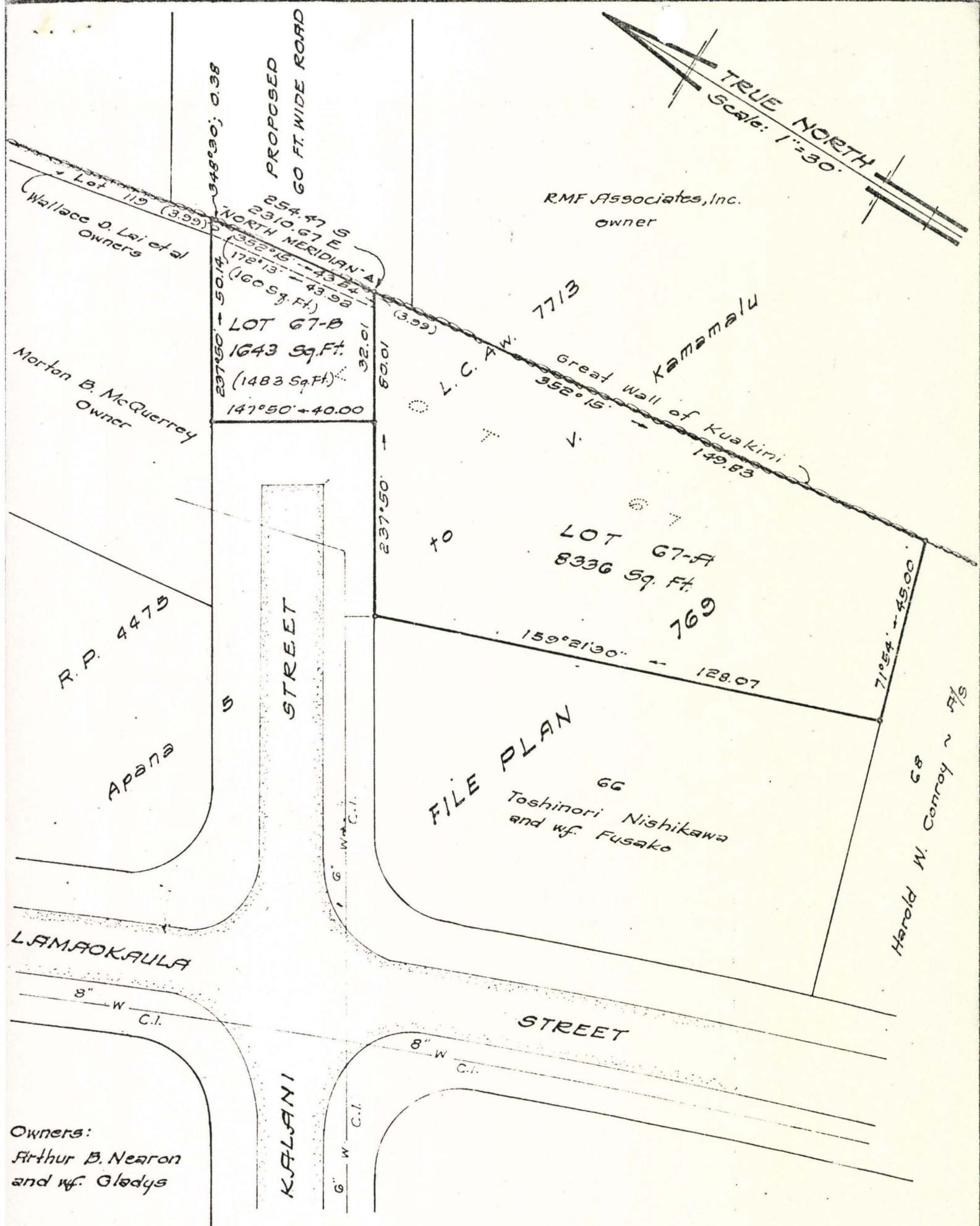
23. 67° 40' 30" 69.63 feet to a nail in concrete;

24. 65° 35' 107.03 feet to a pipe in concrete in the Great Wall of Kuakini;

thence along the Great Wall of Kuakini for the next two (2) courses, the azimuths and distances between points being:

25. 165° 10' 30" 157.31 feet to a pipe in concrete;

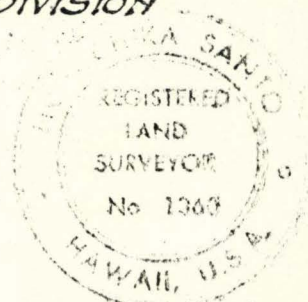
26. 172° 15' 30" 305.48 feet to the point of beginning and containing an area of 7.016 Acres.



PLAN SHOWING
SUBDIVISION OF LOT 67 OF LONO KONA SUBDIVISION
INTO LOTS 67-A AND 67-B

SITUATED AT KEOPU 3rd,
NORTH KONA, HAWAII

Survey and Plan by Island Survey, Inc.
Hilo, Hawaii
May 14, 1975



Nobukite Smith

COUNTY OF HAWAII

COUNTY PLANNING DEPARTMENT

FOR OFFICIAL USE ONLY

Date petition and fee received by
Commission _____

Date petition is scheduled for public
hearing _____

Date Commission took action and its
ruling _____

APPLICATION FOR SPECIAL PERMIT

(I) (We) hereby request approval for a Special Permit to use certain property located at Keolu 3d, North Kona, County and State of Hawaii in accordance with provisions of Section 98H-6, Act 205, SLH 1963 for the following described purpose.

The property described in this application is to be used as a church site.

Description of Property:

The property involved is Lot B, 7.016 acres in area, as shown on the subdivision map attached hereto.

Petitioner's interest in subject property:

Owner

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.

See attachment.

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.

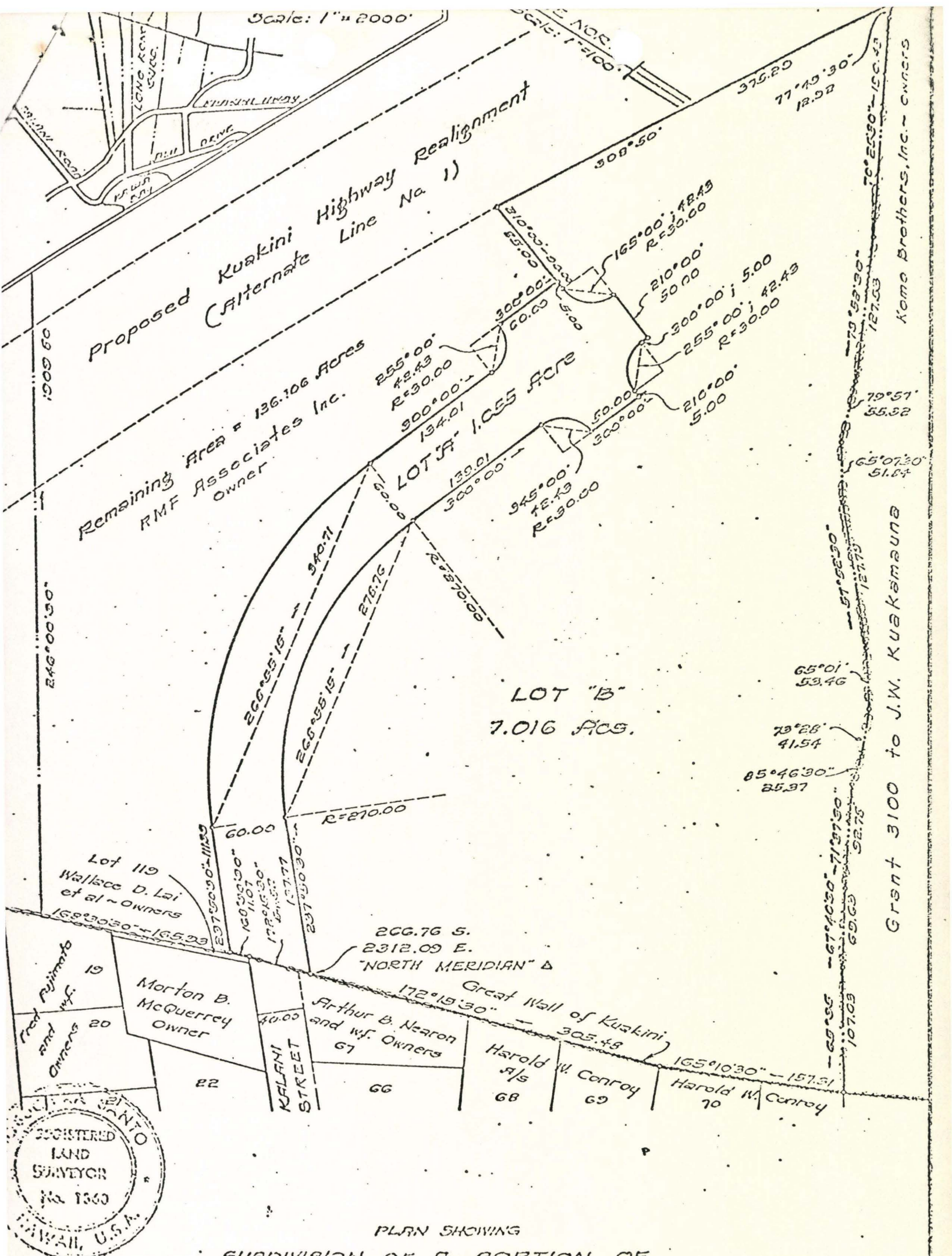
HPM DEVELOPMENT CORP., a Hawaii corporation, on behalf of Keolu Development Venture, a Hawaii partnership

Signature [Signature]
Signature [Signature]
Address P. O. Box 337, Hilo, Hawaii 96720
Telephone 935-0875

This space for official use

The property is situated in a(n) _____ District.

REMARKS:



PLAN SHOWING
SUBDIVISION OF A PORTION OF
R.P. 4475, L.C. 7713, APANA 5 TO V. KAMAMIALU
Situate at Keolu and N. Kona, Hawaii
Survey and Plan by Island Survey, Inc.
May 14, 1975

My work was prepared by me
or under my supervision

Island Survey, Inc.

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

The proposed church site lies makai of the Kaahumanu Highway extension route and mauka of the Lono-Kona Subdivision. The property is not well suited for agriculture and with the completion of the Kaahumanu Highway extension will be divided from the remaining agricultural property by a major highway. The present use is for pasture purposes, which use will be difficult and uneconomical to continue after the completion of the Kaahumanu Highway.

The proposed church site is amply large to accommodate the proposed use without significant effect on the adjoining Lono-Kona Subdivision. The proposed use will not significantly affect the property rights of property owners in the immediate vicinity.

Enforcement of the zoning code would result in the applicant's property being put to a use that it is not suited for physically or economically.

The subject property is zoned unplanned under the County zoning code and the proposed use is a conditionally permitted use in an unplanned district. If the property was zoned agriculture under the County zoning code, the proposed use would still be a conditionally permitted use, and therefore not in conflict with the zoning code or General Plan for the County of Hawaii.

ALBANY
DEVELOPMENT
SCALE 1" = 40'

PARKING

PARKING

PARKING

