

SPECIAL PERMIT	
Petition Received	<u>1/31/79</u>
Maps	
Action Span	<u>1/31/79 - 3/17/79</u>
Action Date	
Recordation	<u>4/26/79</u>

SP79-334 - KE KULA 'O NAWAHIOKALANI 'OPU SCHOOL (HI)

SP79-334 - KE KULA 'O NAWAHIOKALANI 'OPU
SCHOOL fka Henry Opukahala

REQUESTED MAILING LIST:

DOCKET NO./PETITIONER:

SP79-334 - HENRY OPUKAHAIA SCHOOL (HI)

LEGISLATURE:

2nd Senatorial District

Richard M. Matsuura
State Office Tower, Rm. 404
235 S. Beretania St.
Honolulu, HI 96813

3rd Representative District

Eric G. Hamakawa
State Office Tower, Rm. 1105
235 S. Beretania St.
Honolulu, HI 96813

OTHERS:

DOCKET NO./PETITIONER:

SP79-334 - HENRY OPUKAHAIA SCHOOL
(Hawaii)

PAGE NO. 1

DATE

TRANSACTION

7/19/95 Agenda sent to Senator Richard M. Matsuura & Rep. Eric G. Hamakawa. Action set for
7/27/95.

MEMO

TO: FILE

FROM: FAT / June 27, 1995

SUBJECT: LUC PETITION CHECKLIST DATA FOR REVIEW PER SPECIAL PERMIT

DOCKET NO./PETITIONER: SP79-334 / HENRY OPUKAHAIA SCHOOL

DATE OF LETTER FILED FOR REVIEW: JUNE 21, 1995

PROPERTY FEE OWNERSHIP:
'AHA PUANA LEO, INC.

PERSONS W/ CURRENT PROPERTY INTEREST:
NONE

PROPOSED CLASSIFICATION: SPECIAL PERMIT

EXISTING CLASSIFICATION: AGRICULTURAL

CERTIFICATE OF SERVICE ACCURACY: **SATISFACTORY**

Notify Planner X

ACREAGE OF SUBJECT AREA:
APPROX. 10.00 ACRES

LOCATION:
KEAAU, PUNA, HAWAII

ORIGINAL TAX MAP KEY FOR SUBJECT AREA:
1-6-04: 53

CURRENT TAX MAP KEY FOR SUBJECT AREA:
1-6-04: 53

MAPS:
Maps are relatively the same as the original hearing map, except for some new lots.

METES AND BOUNDS LOCATION CHECK:
NONE SUBMITTED WITH LETTER

RECORDATION PER STATE LAND USE MAPS:

04/20/95-----

INSTR-DESC: DEED

TMB:T950014481

INST-DATE: 02/21/95

LC-DOC-NO: 2232476

CERT-NO: 455448

REC-DATE: 04/20/95

AMOUNT: \$2,000,000

AREA: 10.00000 ACRE

STATE-CONV-TAX: \$2,000.00

FROM: HAWAII CHRISTIAN SCHOOLS INC AKA HAWAIIAN CHRISTIAN SCHOOL
ASSOCIATION INC, A HAWAII ELEEMOSYNARY CORP

TO: 'AHA PUNANA LEO INC, A HAWAII NON-PROFIT ORGANIZATION

LOT 8872-D 10.00 AC MAP 221 LCAPP 1053

*** THE FOLLOWING OWNERSHIP IS NOT CURRENT ***

OWNERSHIP: NAME

F TC %-OWNER

TITLE-DESC

F 0011 *'AHA PUNANA LEO INC

MAILING ADDRESS: *'AHA PUNANA LEO, INC

1744 KINOOLE ST

HILO, HI

96720

LAND USE COMMISSION
STATE OF HAWAII
JUN 23 12 14 PM '95

10/07/87-----

OWNERSHIP: NAME

F TC %-OWNER

TITLE-DESC

F 0011 *HAWAII CHRISTIAN SCHOOLS IN

FOR ASSESSMENT YEAR 1995

-PITT: 500	AREA: 10.00000 A	VALUE: 200000	EXEMPT: 200000
-BLDG: 0001	CODE: 131 YB: 1981	VALUE: 33500	EXEMPT: 33500
-BLDG: 0002	CODE: 133 YB: 1981	VALUE: 130700	EXEMPT: 130700
-BLDG: 0003	CODE: 344 YB: 1986	VALUE: 294100	EXEMPT: 294100
-BLDG: 0004	CODE: 233 YB: 1986	VALUE: 577700	EXEMPT: 577700
-BLDG: 0005	CODE: 343 YB: 1987	VALUE: 241300	EXEMPT: 241300
-BLDG: 0006	CODE: 133 YB: 1990	VALUE: 300500	EXEMPT: 300500
BLDG TOTALS-->		VALUE: 1577800	EXEMPT: 1577800

FOR ASSESSMENT YEAR 1994

-PITT: 500	AREA: 10.00000 A	VALUE: 200000	EXEMPT: 200000
-BLDG: 0001	CODE: 131 YB: 1981	VALUE: 34700	EXEMPT: 34700
-BLDG: 0002	CODE: 133 YB: 1981	VALUE: 129400	EXEMPT: 129400
-BLDG: 0003	CODE: 344 YB: 1986	VALUE: 293800	EXEMPT: 293800
-BLDG: 0004	CODE: 233 YB: 1986	VALUE: 577000	EXEMPT: 577000
-BLDG: 0005	CODE: 343 YB: 1987	VALUE: 240900	EXEMPT: 240900
-BLDG: 0006	CODE: 133 YB: 1990	VALUE: 303100	EXEMPT: 303100
BLDG TOTALS-->		VALUE: 1578900	EXEMPT: 1578900

FOR ASSESSMENT YEAR 1993

-PITT: 500	AREA: 10.00000 A	VALUE: 75000	EXEMPT: 75000
-BLDG: 0001	CODE: 000 YB: 2000	VALUE: 500700	EXEMPT: 500700
BLDG TOTALS-->		VALUE: 500700	EXEMPT: 500700

FOR ASSESSMENT YEAR 1992

-PITT: 500	AREA: 10.00000 A	VALUE: 70500	EXEMPT: 70500
-BLDG: 0001	CODE: 000 YB:	VALUE: 500700	EXEMPT: 500700
BLDG TOTALS-->		VALUE: 500700	EXEMPT: 500700

FOR ASSESSMENT YEAR 1991

-PITT: 500	AREA: 10.00000 A	VALUE: 70500	EXEMPT: 70500
-BLDG: 0001	CODE: 000 YB:	VALUE: 500700	EXEMPT: 500700

BLDG TOTALS--> VALUE: 500700 EXEMPT: 500700

TMK: 3 1 6 004 053

PAGE: 2

FOR ASSESSMENT YEAR 1990

-PITT: 500	AREA: 10.00000 A	VALUE: 100000	EXEMPT: 100000
-BLDG: 0001	CODE: 000 YB:	VALUE: 500700	EXEMPT: 500700
	BLDG TOTALS-->	VALUE: 500700	EXEMPT: 500700

FOR ASSESSMENT YEAR 1989

-PITT: 500	AREA: 10.00000 A	VALUE: 100000	EXEMPT: 100000
-BLDG: 0001	CODE: 000 YB:	VALUE: 500700	EXEMPT: 500700
	BLDG TOTALS-->	VALUE: 500700	EXEMPT: 500700

FOR ASSESSMENT YEAR 1988

-PITT: 500	AREA: 10.00000 A	VALUE: 3675	EXEMPT: 3675
-BLDG: 0001	CODE: 133 YB: 1981	VALUE: 18256	EXEMPT: 18256
-BLDG: 0002	CODE: 133 YB: 1981	VALUE: 96602	EXEMPT: 96602
-BLDG: 0003	CODE: 133 YB: 1981	VALUE: 78406	EXEMPT: 78406
-BLDG: 0004	CODE: 199 YB: 1984	VALUE: 9229	EXEMPT: 9229
-BLDG: 0005	CODE: 344 YB: 1931	VALUE: 96542	EXEMPT: 96542
-BLDG: 0006	CODE: 133 YB: 1941	VALUE: 78486	EXEMPT: 78486
-BLDG: 0007	CODE: 133 YB: 1987	VALUE: 123155	EXEMPT:
	BLDG TOTALS-->	VALUE: 500676	EXEMPT: 377521

MAILING ADDRESS: *'AHA PUNANA LEO, INC
1744 KINOOLE ST
HILO, HI

96720

-----SEE PARCEL SHEETS FOR MORE INFORMATION-----

174 23 June 1954

TAX MAPS BRANCH HISTORY SHEET

DATE:

LOCATION: Keaau, Puna

TITLE: Lot 8872-A-3 Map 222 LCApp 1053

DIV

Z	S	PLAT	PAR
---	---	------	-----

1	6	04	11
---	---	----	----

[illegible]

NOTE: INFORMATION ON THIS SHEET IS SUBJECT TO CHANGE

FORM P-19 HISTORY SHEET

TAX MAPS BRANCH HISTORY SHEET

DIV.

DATE:

Z S PLAT PAR

LOCATION: Kaaau, Puna

1 6 04 11

TITLE: lot 64-A-1-A map 171 Ld Ct App 1053

NO.	PAGE 3	GRANTOR, ETC.	AREA OF PARCEL	GRANTEE, ETC.
9	TMB M-354'72-73 3/3 DL 5/10/73			
	R/S: Por lot 64-A-1 with sub-area of		1242.824 ac	W H Shipman, Ltd
	(1222.512 ac) is designated lot 64-A-1-A			
	per map 171 of Ld Ct App 1053. Other lots			
	and sub-areas are O K.			
	F/D: 1-6-04-11, DES. lot 64-A-1-A			
	Ld Ct App 1053 etc			
10	TMB M-355'72-73 1/2 DL 5/24/73			
	R/S: Por lot 37 with sub-area of		1242.824 ac	W H Shipman, Ltd
	(6.216 ac) designated lot 37-A and por lot			
	38 with sub-area of (0.154 ac) designated			
	lot 38-A per map 172 of Ld Ct App 1053.			
	Other lots and sub-areas are O. K.			
	F/D: 1-6-04-11, DES.			
11	TMB M-94'77 RK/ak 5/5/77			
	R/S: Lot 64-A-1A subd into lots 8871 &		1217.555 Ac	do
	8872, tog/E per Map 218, LCAp 1053.			
	To: 1604-50(new) 25.269 ac, Lot 8871			
	F/D: Area, bdry, sub-areas, lot 8872, etc.			
12	TMB M-33'78 WK 3/8/78			
	R/S: Subd of Lot 8872 into Lots 8872-A		1204.999AC	do
	thru 8872-D tog/E per Map 221, LdCtApp 1053.			
	Lots 8872-B thru 8872-D to new parcels			
	1604-51 thru 53.			
	F/D: Area, bdry, Lot 8872-A, etc			

NOTE: INFORMATION ON THIS SHEET IS SUBJECT TO CHANGE

[illegible]

NOTE: INFORMATION ON THIS SHEET IS SUBJECT TO CHANGE

SOURCE:		LOC. & TITLE: Keaau, Puna		1951	
BY: amy	DATE: 3/28/52	DEED, ETC.	T.M. NO. <input checked="" type="checkbox"/> 2005	1	6 04 11
NO.	GRANTOR ETC.	AREA OF PARCEL	GRANTEE ETC.		
1	As shown on Tax Map:	1800.575 ac	Ruddy Fah Fongg		
2	Ownership changed to See Cert #12215 issued to W H Shipman, Ltd. Also, Cert #15492, 15491 & 18311 See 1-6-04-11 TMB 2005'51	1800.575 ac to:	W H Shipman, Limited		
3	TMB #60598 (1604-11 etc) JY 5/25/59 Dr: W H Shipman, Ltd to Hawn Paradise Park Corp. 186.774Ac; 89.155 Ac to 1610-207 to 289 incl & 97.619Ac to 1664-203 to 289 incl Doc 230556 Cert 74189 Cons: \$10. RS: 660. 1/27/59 1/28/59. F/D: 1604-11 Area & bdry Lots 36 etc.	1613.801Ac	do		
4	TMB M-115'64 YK/pl 8/10/64 R/S: Por parcel 1604-11 being Lot 64-A sub'd into Lots 64-A-1 to 64-A-4 incl., as per Map 98, LCApp 1053. F/D: 1604-11, sub'd.	do	do		
5	TMB 3446'64 YK/pl (1604-45, 46) 9/14/64 D: Por 1604-11 (2.091Ac.) to new parcels. 1604-45, new Lot 64-A-2 1.000 Ac. 46, new Lot 64-A-3 1.091 Ac. F/D: 1604-11, area & bdry See page 2	1611.710Ac.	do		
NOTE: LAST AREA & GRANTEE FINAL DATA AS SHOWN ON TAX MAPS.					

SOURCE:		LOC & TITLE:		2005 1951		DIV.			
BY: amy	DATE: 3/28/52	DEED ETC: ORIGINAL		TMB. NO.		1	6	04	11
BY: et	DATE: 3/28/52	CERTIFICATE							

Original Certificate of Title #12215 issued to: **W. H. Shipman, Limited**
Dated: 7/19/33

TAX MAP	pdk
NEW PR.	
TRACING	10.2
SKETCH	
LEASE	
TAX OFF.	
NEW PR.	
FIELD BK.	
LEDGER	
RETURN	
PLATE	

Land situate at Kalaihina, Koaau, Puna, Hawaii

R P 7602 L C Aw 2327 Exception No 11 Ld Ct App 1073 (am)

Des AREA 12.03 ac

FINAL DATA AS SHOWN ON TAX MAPS AS OF 3/28/52

TAX KEY	CHANGE & DESCRIPTION	AREA OF PARCEL	OWNER
	owner	1800.575ac	W H Shipman, Limited

SOURCE: Record		LOC. & TITLE:		1951	DIV.	
BY: et	DATE: 3/28/52	DEED ETC.: LAND COURT ORDER	TMS NO: 2005		1	6	04
BY:	DATE:					11

Ld Ct Ord No 7531 Cert 15492
6/26/47 6/30/47

TAX MAP	
NEW PR.	
TRACING	
SKETCH	
LEASE	
TAX OFF.	
NEW PR.	
FIELD BK.	
LEDGER	
RETURN	
PLATE	

Petition of W^H Shipman, Limited, Owner, to subdivide Lot 64 into
Lots 64-A and 64-B

Ld Ct App 1053 Map 14

Lot 64-A 1226.034 ac
64-B 2.066

FINAL DATA AS SHOWN ON TAX MAPS AS OF

TAX KEY	CHANGE & DESCRIPTION	AREA OF PARCEL	OWNER

SOURCE:		LOC. & TITLE:		1951	DIV			
BY: et	DATE: 3/28/52	DEED ETC.: LAND COURT	TMB. NO.		2005			
BY: amy	DATE: 3/28/52	ORDER # 6376			1	6	04	11

Ld Ct Ord #6376: Cert 15491-92
9/13/45 9/14/45

TAX MAP	pdk	
NEW PR.		
TRACING		
SKETCH		
LEASE		
TAX OFF.		
NEW PR.		
FIELD BK.		
LEDGER		
RETURN		
PLATE		

Petition of W H Shipman, Limited, Owner, to subdivide Lots A-37 and 44 into Lots 53 to 65 inclusive. The Petition stating that Lots 54, 56 and 60 and 62 are indended for roadway purposes.

Lot 59	87,691 ac
60	1.464
61	22.782
62	1.400
63	23.437
64-A	1226.034
64-B	2.066

Ld Ct Ord #7531, Cert 15492 dated 6/26/47, rec 6/30/47. Subdivision of Lot 64 into Lots 64-A and 64-B.

[illegible]

SOURCE:		LOC. & TITLE:		1951		DIV			
BY: amy	DATE: 3/28/52	DEED ETC.: LAND COURT		TMB. NO. 2005		1	6	04	11
BY:	DATE:	ORDER # 3769							

Ld Ct Ord #3769: Cert 18311
 11/29/39 11/30/39

TAX MAP	amy
NEW PR.	
TRACING	
SKETCH	
LEASE	
TAX OFF.	
NEW PR.	
FIELD BK.	
LEDGER	
RETURN	
PLATE	

Petition of W H Shipman, Limited, Owner, to subdivide Lot 35 into Lots 36 to 39, inclusive. (besides other lands) Ld Ct App 1053

Lot 36	366.167 ac
37	6.538
38	0.178
39	0.788

FINAL DATA AS SHOWN ON TAX MAPS AS OF 3/28/52

TAX KEY	CHANGE & DESCRIPTION	AREA OF PARCEL	OWNER

SP FILED: January 31, 1979

Ke Kula 'O Nawahiokalani'opu School
FKA
SP79-334 - HENRY OPUKAHAIA SCHOOL (Hawaii)

Ms. L. Ululani Morales
New Sites Development Coordinator
Hale Kako'o Punana Leo
1744 Kinoole Street
Hilo, HI 96720

Ms. Virginia Goldstein, Director
Planning Dept., County of Hawaii
25 Aupuni Street
Hilo, HI 96720

Richard Wurdeman, Esq.
Corporation Counsel, County of Hawaii
101 Aupuni Street, Ste. 325
Hilo, HI 96720-4262

[illegible]

Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-9615

December 16, 1996

Ms. L. Ululani Morales
1744 Kinoole Street
Hilo, HI 96720-5245

Dear Ms. Morales:

Subject: Punana Leo O Nawahiokalani'opu'u
Request: Establishment of a new preschool
TMK: 1-6-4:53

This is in response to your letter dated November 25, 1996, requesting information regarding the establishment of a new preschool on the grounds of Ke Kula 'O Nawahiokalani'opu'u Intermediate/High School in Keaau.

Special Permit No. **SP79-334** (LUC No. 409), to allow the establishment of a private school serving students from pre-school through high school on approximately 10 acres of land, was issued by the State Land Use Commission on June 1, 1979. According to the State Land Use Amended Ordinance dated December 13, 1995, the Special Permit is still valid and includes the proposed uses to continue the Hawaiian Language Immersion Program under Ke Kula 'O Nawahiokalani'opu'u School. Therefore, a new preschool may be established on the subject property

Please note that prior to the establishment of a pre-school, an application for a Plan Approval shall be submitted to this office. Plan Approval is necessary to ensure that pertinent conditions of previous approvals related to the development have been implemented.

Enclosed for your use is a Plan Approval application. Should you need any assistance with the application, please contact Rodney Nakano of this office.

Dec 18 10 14 AM '96
LAND USE COMMISSION
STATE OF HAWAII

Ms. L. Ululani Morales
Page 2
December 16, 1996

We hope we have adequately responded to your inquiry. Should you have any further questions, please call Phyllis Fujimoto or Susan Gagorik of this department at 961-8288.

Sincerely,

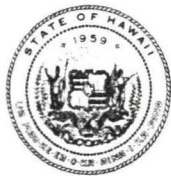

VIRGINIA GOLDSTEIN
Planning Director

PF:dc:pak
F:\WPWIN60\PHYLLIS\LHENRY.PKF

Enclosure

cc: State Land Use Commission

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

December 13, 1995

Ms. Virginia Goldstein
Planning Director
County of Hawaii
25 Aupuni Street, Room 109
Hilo, Hawaii 96720-4252

Dear Ms. Goldstein:

Subject: LUC Docket No. SP79-334/Ke Kula 'O
Nawahiokalani'opu'u School

Enclosed please find a copy of the Amended Order Validating Special Permit issued on December 13, 1995 in the subject docket. This Amended Order supersedes the Order previously issued on September 6, 1995, which did not reflect the new name of the docket, Ke Kula 'O Nawahiokalani'opu'u School, in its caption.

Should you have any questions, please feel free to call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

ESTHER UEDA
Executive Officer

EU:th

encl.

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

December 13, 1995

Ms. L. Ululani Morales
New Sites Development Coordinator
Hale Kako'o Punana Leo
1744 Kinooole Street
Hilo, Hawaii 96720

Dear Ms. Morales:

Subject: LUC Docket No. SP79-334/Ke Kula 'O
Nawahiokalani'opu'u School

Enclosed please find a copy of the Amended Order Validating Special Permit issued on December 13, 1995 in the subject docket. This Amended Order supersedes the Order previously issued on September 6, 1995, which did not reflect the new name of the docket, Ke Kula 'O Nawahiokalani'opu'u School, in its caption.

Should you have any questions, please feel free to call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

ESTHER UEDA
Executive Officer

EU:th

encl.

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

December 13, 1995

Richard D. Wurdeman, Esq.
Corporation Counsel
County of Hawaii
101 Aupuni Street, Suite 325
Hilo, Hawaii 96720-4262

Dear Mr. Wurdeman:

Subject: LUC Docket No. SP79-334/Ke Kula 'O
Nawahiokalani'opu'u School

Enclosed please find a copy of the Amended Order Validating Special Permit issued on December 13, 1995 in the subject docket. This Amended Order supersedes the Order previously issued on September 6, 1995, which did not reflect the new name of the docket, Ke Kula 'O Nawahiokalani'opu'u School, in its caption.

Should you have any questions, please feel free to call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

A handwritten signature in black ink, appearing to read "Esther Ueda".

ESTHER UEDA
Executive Officer

EU:th

encl.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of)
KE KULA 'O NAWAHIOKALANI'OPU'U)
SCHOOL)
For a Special Permit to Establish a)
Private School on Approximately 10)
Acres of Land Situated Within the)
State Land Use Agricultural)
Districts at Keaau, Puna, Hawai'i,)
TMK 1-6-04: 53)

DOCKET NO. SP79-334

AMENDED ORDER VALIDATING
SPECIAL PERMIT

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

DEC 13 1995

by

Executive Director

AMENDED ORDER VALIDATING SPECIAL PERMIT

DEC 13 9 48 AM '95
LAND USE COMMISSION
STATE OF HAWAII

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP79-334
)	
KE KULA 'O NAWAHIOKALANI'OPU'U	)	AMENDED ORDER VALIDATING
SCHOOL	)	SPECIAL PERMIT
)	
For a Special Permit to Establish a)	
Private School on Approximately 10)	
Acres of Land Situated Within the)	
State Land Use Agricultural)	
Districts at Keaau, Puna, Hawai'i,)	
TMK 1-6-04: 53)	
_____)	

AMENDED ORDER VALIDATING SPECIAL PERMIT

This matter came before this Commission on July 27, 1995, in Honolulu, Hawai'i. L. Ululani Morales appeared on behalf of Ke Kula 'O Nawahiokalani'opu'u School, successor to Henry Opukahaia School, and Richard Wurdeman, Esq., appeared on behalf of the County of Hawai'i Planning Department.

This Commission, having considered the entire record in this matter, upon its own motion,

HEREBY ORDERS that the above-entitled special permit is still valid and includes the proposed uses to continue the Hawaiian Language Immersion Program under Ke Kula 'O Nawahiokalani'opu'u School.

Dated: Honolulu, Hawai'i, December 13, 1995.

LAND USE COMMISSION
STATE OF HAWAI'I

By Allen K. Hoe
ALLEN K. HOE
Chairman and Commissioner

P 592 849 433

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Richard D. Wurdeman, Esq.	
Street & Number 101 Aupuni St., #325	
Post Office, State, & ZIP Code Hilo 96720-4262	
Postage	\$.55
Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.75
Postmark or Date	

PS Form 3800, April 1995

SP79-334/Ke Kula 'O Nawahiokalani 'opu'u

Stick postage stamps to article to cover **First-Class postage**, certified mail fee, and charges for any selected optional services (*See front*).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

SENDER: SP79-334/Ke Kula 'O Nawahiokalani 'Opunuu

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Richard D. Wurdeman, Esq.
Corporation Counsel
County of Hawaii
101 Aupuni Street, Suite 325
Hilo, HI 96720-4262

4a. Article Number

P 592 849 433

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |


7. Date of Delivery

DEC 14 1995

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X 

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State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

P 592 849 432

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Virginia Goldstein	
Street & Number 25 Aupuni Street	
Post Office, State, & ZIP Code Hilo 96720	
Postage	\$.55
Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.75
Postmark or Date	

SP79-334/Ke Kula 'O Nawahiokalani 'opu 'u School

PS Form 3800, April 1995



Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

is your RETURN ADDRESS completed on the reverse side?

SENDER: SP79-334/Ke Kula 'O Nawahiokalani

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

opu'u
I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Virginia Goldstein
Planning Director
County of Hawaii Planning Dept.
25 Aupuni Street
Hilo, HI 96720

4a. Article Number

P 592 849 432

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery

12-14-95

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

Al. [Signature]

8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

● Print your name, address, and ZIP Code in this box ●

State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET NO. SP79-334
)	
KE KULA 'O NAWAHIOKALANI'OPU'U	)	CERTIFICATE OF SERVICE
SCHOOL)	
)	
For a Special Permit to Establish a)	
Private School on Approximately 10)	
Acres of Land Situated Within the)	
State Land Use Agricultural)	
Districts at Keaau, Puna, Hawaii,)	
TMK 1-6-04: 53)	
)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Amended Order Validating Special Permit was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

CERT. VIRGINIA GOLDSTEIN, Planning Director
Planning Department, County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

CERT. RICHARD D. WURDEMAN, ESQ.
Corporation Counsel
County of Hawaii
101 Aupuni Street, Suite 325
Hilo, Hawaii 96720-4262

CERT. L. ULULANI MORALES, Representing Petitioner
New Sites Development Coordinator
Hale Kako'o Punana Leo
1744 Kinoole Street
Hilo, Hawaii 96720

DATED: Honolulu, Hawaii, this 13th day of December 1995.



ESTHER UEDA
Executive Officer

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of)
HENRY OPUKAHAIA SCHOOL)
For a Special Permit to Establish a)
Private School on Approximately 10)
Acres of Land Situated Within the)
State Land Use Agricultural)
District at Keaau, Puna, Hawai'i,)
TMK 1-6-04: 53)

DOCKET NO. SP79-334

ORDER VALIDATING SPECIAL
PERMIT

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

SEP 06 1995

Date

by

Executive Officer

ORDER VALIDATING SPECIAL PERMIT

SEP 6 8 44 AM '95
LAND USE COMMISSION
STATE OF HAWAII

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP79-334
)	
HENRY OPUKAHAIA SCHOOL	)	ORDER VALIDATING SPECIAL
	)	PERMIT
For a Special Permit to Establish a)	
Private School on Approximately 10)	
Acres of Land Situated Within the)	
State Land Use Agricultural)	
District at Keaau, Puna, Hawai'i,)	
TMK 1-6-04: 53)	
<hr/>		

ORDER VALIDATING SPECIAL PERMIT

This matter came before this Commission on July 27, 1995, in Honolulu, Hawai'i. L. Ululani Morales appeared on behalf of Ke Kula 'O Nawahiokalani'opu'u School, successor to Henry Opukahaia School, and Richard Wurdeman, Esq., appeared on behalf of the County of Hawai'i Planning Department.

This Commission, having considered the entire record in this matter, upon its own motion,

HEREBY ORDERS that the above-entitled special permit is still valid and includes the proposed uses to continue the Hawaiian Language Immersion Program under Ke Kula 'O Nawahiokalani'opu'u School.

DOCKET NO. SP79-334 - HENRY OPUKAHAIA SCHOOL

Done at Honolulu, Hawaii, this 6th day of September 1995,
per motion on July 27, 1995.

LAND USE COMMISSION
STATE OF HAWAII

By Allen K. Hoe
ALLEN K. HOE
Chairperson and Commissioner

By (absent)
EUSEBIO LAPENIA, JR.
Vice Chairperson and Commissioner

By Rupert K. Chun
RUPERT K. CHUN
Commissioner

By M. Casey Jarman
M. CASEY JARMAN
Commissioner

By Lloyd F. Kawakami
LLOYD F. KAWAKAMI
Commissioner

By (absent)
JOANN N. MATTSON
Commissioner

Filed and effective on
September 6, 1995

Certified by:

Esther Lee
Executive Officer

By Trudy K. Senda
TRUDY K. SENDA
Commissioner

By Elton Wada
ELTON WADA
Commissioner

P 592 846 513

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (*See reverse*)

Sent to	L. Ululani Morales
Street & Number	1744 Kinoole Street
	Hilo, HI 96720
Post Office, State, & ZIP Code	

Postage	\$.32
Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.52

Postmark or Date	
------------------	--

PS Form 3800, April 1995

SP79-334/HENRY OPUK AHAIA



Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
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3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:
L. Ululani Morales, Representing
Coordinator
Hale Kako'o Punana Leo
1744 Kinoole Street
Hilo, HI 96720

4a. Article Number
P 592 846 513

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

9/15/95

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Maneta Snow Tolentino

PS Form **3811**, December 1991

☆U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

SP79-334.HENRY OPUKAHAIA
 Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

P 592 846 512

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to

Richard Wurdeman, Esq.

Street & Number

Office of the Corporation Couns
County of Hawaii

Post Office, State, & ZIP Code

25 Aupuni Street

Hilo, HI 96720

Postage

\$

.32

Certified Fee

1.10

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to
Whom & Date Delivered

1.10

Return Receipt Showing to Whom,
Date, & Addressee's Address

TOTAL Postage & Fees

\$

2.52

Postmark or Date

SP79-334/HENRY OPUKAHAIA

PS Form 3800, April 1995



Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
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SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Richard Wurdeman, Esq.
Office of the Corporation Counsel
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

4a. Article Number

P 592 846 512

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

9-7-95

5. Signature (Addressee)

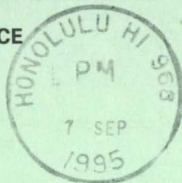
8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)



UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

P 592 846 511

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

SP79-334/HENRY OPUKAHAIA

Sent to	
Virginia Goldstein	
Special Number	
Planning Director	
Plng. Dept., County of Hawaii	
Post Office, State, & ZIP Code	
25 Aupuni Street, Room 109	
Hilo, HI 96720	Postage \$.32
Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.52
Postmark or Date	

PS Form 3800, April 1995



Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
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SENDER:

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- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:
Virginia Goldstein
Planning Director
Plng. Dept., County of Hawaii
25 Aupuni Street, Room 109
Hilo, HI 96720

5. Signature (Addressee)

6. Signature (Agent)

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 592 846 511

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

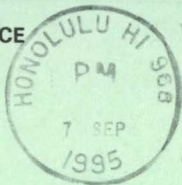
7. Date of Delivery

9-7-95

8. Addressee's Address (Only if requested and fee is paid)

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

State of Hawaii
LAND USE COMMISSION
Rm. 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP79-334
)	
HENRY OPUKAHAIA SCHOOL	)	CERTIFICATE OF SERVICE
)	
For a Special Permit to Establish a)	
Private School on Approximately 10)	
Acres of Land Situated Within the)	
State Land Use Agricultural)	
District at Keaau, Puna, Hawai'i,)	
TMK 1-6-04: 53)	
)	

CERTIFICATE OF SERVICE


I hereby certify that a copy of the Order Validating Special Permit was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

CERT. VIRGINIA GOLDSTEIN, Planning Director
Planning Department, County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

CERT. RICHARD D. WURDEMAN, ESQ.
Corporation Counsel
County of Hawaii
101 Aupuni Street, Suite 325
Hilo, Hawaii 96720-4262

CERT. L. ULULANI MORALES, Representing Petitioner
New Sites Development Coordinator
Hale Kako'o Punana Leo
1744 Kinooole Street
Hilo, Hawaii 96720

DATED: Honolulu, Hawaii, this 6th day of September 1995.



ESTHER UEDA
Executive Officer



STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

August 14, 1995

Virginia Goldstein
Planning Director
Plng. Dept., County of Hawaii
25 Aupuni Street, Room 109
Hilo, HI 96720

Dear Ms. Goldstein:

We are enclosing a copy of the transcript of the Land Use
Commission meeting held on July 27, 1995
in the matter of the petition SP79-334/HENRY OPUKAHAIA SCHOOL

Please be advised that this copy is being provided with the
understanding that it will be made available for use by the
public.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda", written in dark ink.

ESTHER UEDA
Executive Officer

Enclosure

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of)
HENRY OPUKAHAIA SCHOOL)
For a Special Permit to Establish a)
Private School on Approximately 10)
Acres of Land Situated Within the)
State Land Use Agricultural)
District at Keaau, Puna, Hawai'i,)
TMK 1-6-04: 53)
_____)

DOCKET NO. SP79-334

ORDER AMENDING NAME OF
LAND USE COMMISSION
DOCKET

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

AUG 03 1995

Date

by

Ethel Leed
Executive Officer

ORDER AMENDING NAME OF LAND USE COMMISSION DOCKET

Aug 3 2 30 PM '95
LAND USE COMMISSION
STATE OF HAWAII

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP79-334
)	
HENRY OPUKAHAIA SCHOOL	)	ORDER AMENDING NAME OF
	)	LAND USE COMMISSION
For a Special Permit to Establish a	)	DOCKET
Private School on Approximately 10)	
Acres of Land Situated Within the)	
State Land Use Agricultural)	
District at Keaau, Puna, Hawai'i,)	
TMK 1-6-04: 53)	
<hr/>		

ORDER AMENDING NAME OF LAND USE COMMISSION DOCKET

This matter came before this Commission on July 27, 1995, in Honolulu, Hawai'i. L. Ululani Morales appeared on behalf of Ke Kula 'O Nawahiokalani'opu'u School, successor to Henry Opukahaia School, and Richard Wurdeman, Esq., appeared on behalf of the County of Hawai'i Planning Department.

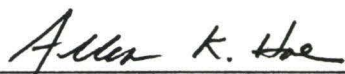
This Commission, having considered the entire record in this matter, upon its own motion,

HEREBY ORDERS that the docket's name in the above-entitled docket shall hereafter be referred to as "Ke Kula 'O Nawahiokalani'opu'u School."

Dated: Honolulu, Hawai'i, August 3, 1995.

LAND USE COMMISSION
STATE OF HAWAI'I

By



ALLEN K. HOE
Chairperson and Commissioner

Z 082 458 085



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

SP79-334/Henry Opuhahaia School

Sent to

L. Ululani Morales

Street and No.

1744 Kinoole St.

P.O., State and ZIP Code

Hilo, HI 96720

Postage

\$.32

Certified Fee

1.10

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing
to Whom & Date Delivered

1.10

Return Receipt Showing to Whom,
Date, and Addressee's Address

TOTAL Postage
& Fees

\$ 2.52

Postmark or Date

PS Form 3800, March 1993



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
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5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-93-B-0218

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

L. Ululani Morales, Representing
Petitioner
New Sites Development Coordinator
Hale Kako'o Punana Leo
1744 Kinoole Street
Hilo, HI 96720

4a. Article Number

Z 082 458 085

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

8/4/95

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Dawn Kalai

8179-334/Henry Opukahia School

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

Z 082 458 084



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

SP79-334/Henry Opukahaia School

Sent to

Richard Wurdeman, Esq.

Street and No.

25 Aupuni Street

P.O., State and ZIP Code

Hilo, HI 96720

Postage

\$.32

Certified Fee

1.10

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing
to Whom & Date Delivered

1.10

Return Receipt Showing to Whom,
Date, and Addressee's Address

TOTAL Postage
& Fees

\$ 2.52

Postmark or Date



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
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6. Save this receipt and present it if you make inquiry.

105603-93-B-0218

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Richard Wurdeman, Esq.
Office of the Corporation Counsel
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

4a. Article Number

Z 082 458 084

4b. Service Type

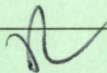
- | | |
|---|---|
| <input type="checkbox"/> Registered | <input type="checkbox"/> Insured |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

8-4-95

5. Signature (Addressee)

6. Signature (Agent)



8. Addressee's Address (Only if requested and fee is paid)

SP79-334/Henry Opukehaia School

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

Z 082 458 083



UNITED STATES
POSTAL SERVICE

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

SP79-334/Henry Opukahaha School

Sent to

Virginia Goldstein

Street and No.

25 Aupuni Street, Room 109

P.O. Box and ZIP Code

Hilo, HI 96720

Postage

\$.32

Certified Fee

1.10

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing
to Whom & Date Delivered

1.10

Return Receipt Showing to Whom,
Date, and Addressee's Address

TOTAL Postage
& Fees

\$ 2.52

Postmark or Date

PS Form 3800, March 1993

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-93-B-0218

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Virginia Goldstein
Planning Director
Plng. Dept., County of Hawaii
25 Aupuni Street, Room 109
Hilo, HI 96720

4a. Article Number

Z 082 458 083

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

8-4-98

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)



SP79-334 / Kapaehaia School

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP79-334
)	
HENRY OPUKAHAIA SCHOOL	)	CERTIFICATE OF SERVICE
)	
For a Special Permit to Establish a)	
Private School on Approximately 10)	
Acres of Land Situated Within the)	
State Land Use Agricultural)	
District at Keaau, Puna, Hawai'i,)	
TMK 1-6-04: 53)	
_____)	

CERTIFICATE OF SERVICE


I hereby certify that a copy of the Order Amending Name of Land Use Commission Docket was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

CERT. VIRGINIA GOLDSTEIN, Planning Director
 Planning Department, County of Hawaii
 25 Aupuni Street
 Hilo, Hawaii 96720

CERT. RICHARD D. WURDEMAN, ESQ.
 Corporation Counsel
 County of Hawaii
 101 Aupuni Street, Suite 325
 Hilo, Hawaii 96720-4262

CERT. L. ULULANI MORALES, Representing Petitioner
 New Sites Development Coordinator
 Hale Kako'o Punana Leo
 1744 Kinoole Street
 Hilo, Hawaii 96720

DATED: Honolulu, Hawaii, this 3rd day of August 1995.



ESTHER UEDA
Executive Officer

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION

Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

July 28, 1995

Mr. James Hochberg
The Henry Opukahaia Academy
P. O. Box 1386
Honolulu, Hawaii 96807

Dear Mr. Hochberg:

Subject: LUC Docket No. SP79-334/Henry Opukahaia School

We have received your letter of July 21, 1995, regarding the use of the name, "Henry Opukahaia School," in reference to the subject docket on the Commission's July 27, 1995, agenda.

Please be advised that at its hearing on July 27, 1995, on the subject matter, the Land Use Commission ordered that the name of the subject docket be amended to reflect the name of the special permit's successor, Ke Kula 'O Nawahiokalani'opu'u School.

The subject docket shall hereafter be referred to as LUC Docket No. SP79-334/Ke Kula 'O Nawahiokalani'opu'u School.

Thank you for your interest in this matter. Should you have any questions, please feel free to call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA
Executive Officer

EU:th

The Henry Opukaha'ia Academy

Post Office Box 1386
Honolulu, Hawaii 96807

JUL 24 1 11 PM '95
LAND USE COMMISSION
STATE OF HAWAII

Headmaster Sam Schwab
(808) 839-4756

July 21, 1995

Rob Burns

Emmet Cheeley

Dean Choy, Esq.

Andrew L. Dupree, MBA

Dottie Gardner, MA (Teaching)

Christopher D. Haig

James Hochberg, Esq.

Austin Imamura, BA
(Finance & Accounting)

Jeff Klett, MA

Richard W. Lipka, MSW, MA

Pamela A. Lipka, MA

Scott A. Makuakane, Esq.

Betty Lou Miura

Ann Morgan

Clark "Skip" Morgan, AIA

Carol R. Reed, BA, MLS,

Leon Siu

Duane E. Stevens, Ph.D.

Philip Young

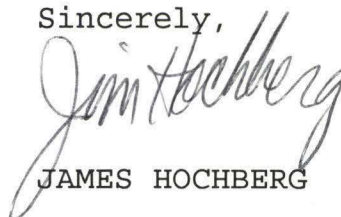
Land Use Commission
State of Hawaii
335 Merchant Street Room 104
Honolulu, Hawaii 96813

Re: The Henry Opukaha'ia Academy

Dear Land Use Commissioners, Executive Officer
and Staff:

The attached Notification of Land Use Commission Meeting for July 27, 1995, refers to SP79-334 - Henry Opukahaia School (Hawaii). As you might know, the Henry Opukahaia school on the island of Hawaii closed several years ago. Please be advised that last year the name was transferred to The Henry Opukaha'ia Academy, a new non profit corporation which will open a private, college preparatory primary and secondary school on Oahu in 1996. In order to avoid confusing the public, we would appreciate you ceasing to refer to the Ke Kula 'O Nawahiokalani' opu'u School as the Henry Opukahaia school on the island of Hawaii. The Henry Opukaha'ia Academy has nothing whatsoever to do with the Ke Kula 'O Nawahiokalani' opu'u School. We prefer that the public not be misled in any way. Thank you for your anticipated cooperation, and if you have any questions, please do not hesitate to contact me at 536-1777.

Sincerely,


JAMES HOCHBERG

:JH

cc: Sammy Schwab

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME AND PLACE

July 27, 1995 - 9:00 a.m.

Conference Room 1310
Leiopapa A Kamehameha Building
State Office Tower
235 South Beretania Street
Honolulu, Hawaii

A G E N D A

I. ACTION

1. SP79-334 - HENRY OPUKAHAIA SCHOOL (Hawaii)

To consider a special permit application to allow the establishment of a private school on 10 acres of land situated within the State Agricultural District at Keaau, Puna, Hawaii. The Commission was requested by Ke Kula 'O Nawahiokalani'opu'u School to determine whether the permit originally approved by the Commission is still valid and if so, whether it covers the proposed uses to continue the Hawaiian Language Immersion Program.

2. BR94-711 - OFFICE OF STATE PLANNING (Oahu)

To consider reclassifying approximately 66.811 acres of land currently in the Agricultural District into the Urban District at Honouliuli, Ewa, Oahu to conform to the existing urban use of the property. (Hawaii Raceway Park)

II. HEARING

1. BR94-712 - OFFICE OF STATE PLANNING (Oahu)

To consider reclassifying approximately 184.1 acres of land from the Agricultural District into the Conservation District at Kahuku, Koolauloa, Oahu for protection of wetland habitat.

III. MISCELLANEOUS

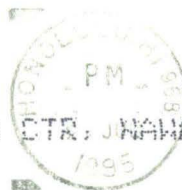
1. Adoption of Minutes
2. Status of Pending Matters

BECK & TAYLOR

ATTORNEYS AT LAW

1188 Bishop Street, Suite 1610
Honolulu, Hawaii 96813

HONOLULU P&D CTR, HAWAII



Land Use Commission
State of Hawaii
335 Merchant Street, Room 104
Honolulu, Hawaii 96813

96813-2921 02



BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

July 19, 1995

MEMORANDUM

TO: Land Use Commission
FROM: Staff *Esther Ueda*
SUBJECT: LUC Docket No. SP79-334/Henry Opukahaia School

Attached for your information is the June 19, 1995, letter from Ms. L. Ululani Morales, New Sites Development Coordinator for Ke Kula 'O Nawahiokalani'opu'u, referenced in Deputy Attorney General Jon Itomura's memorandum of June 28, 1995, regarding the subject docket. We have also attached a copy of the Commission's Decision and Order issued for the subject docket dated June 1, 1979.

Att.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room 1310
Leiopapa A Kamehameha Building
State Office Tower
235 South Beretania Street
Honolulu, Hawaii

July 27, 1995

*approved
8/10/95*

COMMISSIONERS PRESENT:

Allen K. Hoe
Trudy Senda
Elton Wada
Lloyd Kawakami
Rupert K. Chun
M. Casey Jarman

COMMISSIONERS ABSENT:

JoAnn Mattson
Eusebio Lapenia, Jr.

STAFF PRESENT:

Esther Ueda, Executive Officer
Jon Itomura, Deputy Attorney General
Bert Saruwatari, Staff Planner
Leo Asuncion, Jr., Staff Planner
Darlene Y. Kinoshita, Chief Clerk

Cynthia Murphy, Court Reporter

ACTION

* SP79-334 - HENRY OPUKAHAIA SCHOOL (Hawaii)

Chairperson Hoe announced that the Commission would take action to consider a request by Ke Kula 'O Nawahiokalani'opu'u School to determine whether the special permit application to allow the establishment of a private school on 10 acres of land situated within the State Agricultural District at Keauu, Puna, Hawaii originally approved by the Commission is still valid and if so, whether it covers the proposed uses to continue the Hawaiian Language Immersion Program.

Appearances

L. Ululani Morales, Ke Kula 'O Nawahiokalani'opu'u School

Richard Wurdeman, Esq., Corporation Counsel, County of Hawaii

MINUTES - July 27, 1995

Page 2

The letter dated July 21, 1995 from James Hochberg of the Henry Opukahaia Academy was admitted into the record by the Land Use Commission.

Bert Saruwatari, staff planner, oriented the Commission to the special permit area on the Land Use District Boundaries and tax maps and gave a summary report of the special use permit.

Arguments were heard from Mr. Wurdeman and Ms. Morales.

Commissioner Senda moved to approve Ke Kula 'O Nawahiokalani'opu'u School's request that the special use permit is still valid and also moved to approve that the record be amended to reflect the following title SP79-334 - Ke Kula 'O Nawahiokalani'opu'u School formerly known as the Henry Opukahaia School. The motion was seconded by Commissioner Jarman and unanimously approved by voice votes.

BR94-711 - OFFICE OF STATE PLANNING (Oahu)

Chairperson Hoe announced that the Commission would take action to consider reclassifying approximately 66.811 acres of land currently in the Agricultural District into the Urba District at Honouliuli, Ewa, Oahu to conform to the existing urban use of the property. (Hawaii Raceway Park)

Appearances

Benjamin Matsubara, Esq., Hearing Officer

Ann Ogata-Deal, Esq., Deputy Attorney General, Office of State Planning

Robyn Loudermilk, Land Use Division, Office of State Planning

Frances Mossman, Planning Department, City and County of Honolulu

Benjamin Matsubara, Hearing Officer, presented his report and recommendations to the Commissioners.

Arguments on the Hearing Officer's report and recommendations were heard from Ms. Ogata-Deal and Ms. Mossman.

After hearing the hearing officer's report and recommendations, and arguments, questions were asked by the Commissioners.

Commissioner Jarman moved to adopt the hearing officer's report and recommendations in its entirety. The motion was seconded by Commissioner Senda and polled as follows:

Ayes: Commissioners Kawakami, Senda, Wada, Chun, Jarman, and Hoe.

HEARING

BR94-712 - OFFICE OF STATE PLANNING (Oahu)

Pursuant to a notice published in the Honolulu Star Bulletin and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by the Office of State Planning to consider reclassifying approximately 184.1 acres of land currently in the Agricultural District into the Conservation District at Kahuku, Koolauloa, Oahu for protection of wetland habitat.

Appearances

Ann Ogata-Deal, Esq., Deputy Attorney General, Office of State Planning

Rebecca Alakai, Land Use Division, Office of State Planning

Frances Mossman, Planning Department, City and County of Honolulu

Kris Nakagawa, Esq., Attorney for the Estate of James Campbell

Chairperson Hoe announced that the Commission had granted the motion for continuance filed by the Estate of James Campbell at its June 23, 1995 meeting. There were no public witnesses at this time. Chairperson Hoe continued the hearing until a later date.

MINUTES - July 27, 1995
Page 4

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Kawakami moved to approve the minutes for the following meeting dates: June 23, 1995, July 11, 1995, July 11, 1995 (field trip), July 12, 1995, and July 21, 1995. The motion was seconded by Commissioner Chun and unanimously approved by voice votes.

Commissioner Senda moved to go into executive session to discuss personnel matters. The motion was seconded by Commissioner Chung and unanimously carried by voice votes.

The meeting was adjourned at 10:10 a.m.

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME AND PLACE

July 27, 1995 - 9:00 a.m.

Conference Room 1310
Leiopapa A Kamehameha Building
State Office Tower
235 South Beretania Street
Honolulu, Hawaii

A G E N D A

95 JUL 19 P2:31

LIEUTENANT GOVERNOR'S
OFFICE

I. ACTION

1. ✓ SP79-334 - HENRY OPUKAHAIA SCHOOL (Hawaii)

To consider a special permit application to allow the establishment of a private school on 10 acres of land situated within the State Agricultural District at Keaau, Puna, Hawaii. The Commission was requested by Ke Kula 'O Nawahiokalani'opu'u School to determine whether the permit originally approved by the Commission is still valid and if so, whether it covers the proposed uses to continue the Hawaiian Language Immersion Program.

2. BR94-711 - OFFICE OF STATE PLANNING (Oahu)

To consider reclassifying approximately 66.811 acres of land currently in the Agricultural District into the Urban District at Honouliuli, Ewa, Oahu to conform to the existing urban use of the property. (Hawaii Raceway Park)

II. HEARING

1. BR94-712 - OFFICE OF STATE PLANNING (Oahu)

To consider reclassifying approximately 184.1 acres of land from the Agricultural District into the Conservation District at Kahuku, Koolauloa, Oahu for protection of wetland habitat.

III. MISCELLANEOUS

1. Adoption of Minutes
2. Status of Pending Matters

Z 082 458 040



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

SP79-334/HENRY OPUKAHAIA SCHOOL

Sent to
Virginia Goldstein
Street and No.
25 Aupuni Street, Room 109
P.O. Box and ZIP Code
Hilo, HI 96720

Postage	\$.32
---------	--------

Certified Fee	1.10
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Special Delivery Fee	
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Restricted Delivery Fee	
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Return Receipt Showing to Whom & Date Delivered	1.10
---	------

Return Receipt Showing to Whom, Date, and Addressee's Address	
---	--

TOTAL Postage & Fees	\$ 2.52
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Postmark or Date	
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PS Form 3800, March 1993



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-93-B-0218

is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Virginia Goldstein
Planning Director
Plng. Dept., County of Hawaii
25 Aupuni Street, Room 109
Hilo, HI 96720

4a. Article Number

Z 082 458 040

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

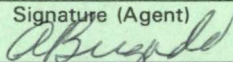
7. Date of Delivery

7/16

5. Signature (Addressee)



6. Signature (Agent)



8. Addressee's Address (Only if requested and fee is paid)

SP29-334/HENRY OPUKAHAIA SCHOOL
Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

July 19, 1995

Ms. Virginia Goldstein, Planning Director
Planning Department, County of Hawaii
25 Aupuni Street
Hilo, HI 96720

Dear Ms. Goldstein:

Enclosed is a Land Use Commission meeting agenda.

Please note that petition (s)

SP79-334/HENRY OPUKAHAIA SCHOOL (Hawaii)

will be acted on or heard at that time. You or your representative should be present at this meeting. If you cannot attend this meeting, please contact our office as soon as possible.

Should you have any questions on this matter, please contact this office at 587-3822.

Very truly yours,

ESTHER UEDA
Executive Officer

EU:fl

Enclosure

P 592 849 434

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
L. Ululani Morales	
Street & Number	
1744 Kinoole Street	
Post Office, State, & ZIP Code	
Hilo 96720	
Postage	\$.55
Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.75
Postmark or Date	

PS Form 3800, April 1995

SP79-334/Ke Kula 'O Nawahiokalani 'opu'u

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
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6. Save this receipt and present it if you make an inquiry.

SENDER SP79-334/Ke Kula 'O Nawahiokalani 'opu'u

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

L. Ululani Morales
 New Sites Development Coordinator
 Hale Kako'o Punana Leo
 1744 Kionoole Street
 Hilo, HI 96720

4a. Article Number

P 592 849 434

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

DEC 14 1995

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Manuela Snow H. Tolentino*

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

● Print your name, address, and ZIP Code in this box ●

State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

Z 082 458 041



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to

Richard Wurdeman, Esq.

Street and No.

25 Aupuni Street

Post Office and ZIP Code

Hilo, HI 96720

Postage

\$.32

Certified Fee

1.10

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing
to Whom & Date Delivered

1.10

Return Receipt Showing to Whom,
Date, and Addressee's Address

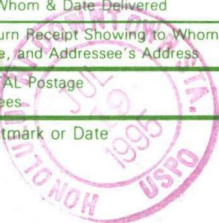
TOTAL Postage
& Fees

\$ 2.52

Postmark or Date

PS Form 3800, March 1993

SP79-334/HENRY OPUKAHAIA SCHOOL



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105603-93-B-0218

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3. Article Addressed to:
 Richard Wurdeman, Esq.
 Office of the Corporation Counsel
 County of Hawaii
 25 Aupuni Street
 Hilo, HI 96720

4a. Article Number

Z 082 458 041

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

7/20

5. Signature (Addressee)

a

8. Addressee's Address (Only if requested and fee is paid).

6. Signature (Agent)

ABugels

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State of Hawaii
LAND USE COMMISSION
Rm 104, Old Federal Bldg.
335 Merchant Street
Honolulu, Hawaii 96813

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

July 19, 1995

Richard Wurdeman, Esq.
Corporation Counsel
County of Hawaii
The Hilo Lagoon Centre
101 Aupuni Street, Suite 325
Hilo, HI 96720

Dear Mr. Wurdeman:

Enclosed is a Land Use Commission meeting agenda.

Please note that petition

SP79-334/HENRY OPUKAHAIA SCHOOL

will be acted on or heard at that time. You or your representative should be present at this meeting. If you cannot attend this meeting, please contact our office as soon as possible.

Should you have any questions on this matter, please contact this office at 587-3822.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Esther Ueda", written over a horizontal line.

ESTHER UEDA
Executive Officer

EU:fl

Enclosure

Z 082 458 050



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SP79-334/HENRY OPUKAHAIA SCHOOL

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Ms. L. Ululani Morales

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Hilo, HI 96720

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PS Form 3800, March 1993

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3. Article Addressed to:

Ms. L. Ululani Morales
New Sites Development Coordinator
Hale Kako'o Punana Leo
1744 Kinoole Street
Hilo, HI 96720

4a. Article Number

Z 082 458 050

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input type="checkbox"/> Insured |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

7/20/95

5. Signature (Addressee)

Ululani Morales

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

SP79-334/HENRY OpuKahaia School
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335 Merchant Street
Honolulu, Hawaii 96813

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

July 19, 1995

Ms. L. Ululani Morales
New Sites Development Coordinator
Hale Kako'o Punana Leo
1744 Kinooles Street
Hilo, Hawaii 96720

Dear Ms. Morales:

Enclosed is a Land Use Commission meeting agenda.

Please note that petition (s)

SP79-334/HENRY OPUKAHAIA SCHOOL (Hawaii)

will be acted on or heard at that time. You or your representative should be present at this meeting. If you cannot attend this meeting, please contact our office as soon as possible.

Should you have any questions on this matter, please contact this office at 587-3822.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Esther Ueda".

ESTHER UEDA
Executive Officer

EU:fl

Enclosure



STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION

Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

June 21, 1995

Ms. L. Ululani Morales
New Sites Development Coordinator
Hale Kako'o Punana Leo
1744 Kinooole Street
Hilo, Hawaii 96720

Dear Ms. Morales:

Subject: LUC Docket No. SP79-334/Henry Opukahaia School

We have received your letter dated June 19, 1995, regarding your request to initiate a review of the subject Special Permit in light of the purchase of Henry Opukahaia School by 'Aha Pūnana Leo Inc. and the proposed uses.

Please be advised that the Commission will take up the matter at its meeting on July 27, 1995, in Honolulu, Hawaii, at the State Office Tower, Conference Room 1310. An agenda of the meeting will be sent to you in future.

Should you have any questions, please feel free to call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

ESTHER UEDA
Executive Officer

EU:th

cc: County of Hawaii Planning Dept.



H a e K ā k o ' o P ū n a n a L e o

Pūnana Leo Project Base / 'Aha Pūnana Leo, Inc.
1744 Kino'ole Street, Hilo, Hawai'i 96720
(808) 959-4979 fax (808) 959-4725

19 June 1995

Ms. Ester Ueda, Executive Officer
State Land Use Commission
104 Old Federal Building
335 Merchant Street
Honolulu, Hawai'i 96813

LAND USE COMMISSION
STATE OF HAWAII
JUN 21 11 35 AM '95

Dear Ester:

This letter is in regards to initiating a review of Special Permit Number 79-334 (SP 409) that was granted to Henry 'Ōpūkaha'ia Christian School on May 30, 1979, in Kea'au, Puna, Hawai'i, TMK# 01-06-04: 53.

Henry 'Ōpūkaha'ia Christian School was recently purchased by the 'Aha Pūnana Leo Incorporated for the purpose of continuing the Hawaiian Language Immersion Program (HLIP) from preschool to grade 12. **Ke Kula 'O Nāwahīokalani'ōpu'u** is the new name of this school.

Henry 'Ōpūkaha'ia School opened in 1986 and closed in 1991. The preschool site reopened in 1994 and is presently being leased to Kamehameha Schools. The main school building has incurred much damage through normal wear, effects of the weather and vandalism that requires a substantial amount of repair. Enclosed for your perusal is a copy of the results of an inspection that was conducted on February 10, 1995. Repairs to the school began in May and is scheduled to be completed by August 15, 1995. Upon completion, Nāwahīokalani'ōpu'u will be leased to the Department of Education (DOE) during the 1995-96 school year. The school is scheduled to open on September 1, 1995.

The first HLIP began at the Pūnana Leo Preschool level in 1984. By 1987, at the request of Pūnana Leo families to have their children continue their education in Hawaiian, the first combined kindergarten/first grade classes began at two (2) DOE schools. Presently, there are eight (8) Pūnana Leo Preschools throughout the State of Hawai'i and nine (9) HLIP in the DOE system with grades that range from kindergarten to grade 9.

Based on the present enrollment, forty (40) children are expected to be enrolled at Nāwahīokalani'ōpu'u in the 1995-96 school year. Staffing will consist of three (3) full time teachers, one (1) part time secretary and one (1) part time janitor. The school schedule will operate the same as DOE schools and acknowledge the same holidays. School hours will be 7:30 a.m. to 3:30 p.m. from Monday through Friday.

Though Ke Kula 'O Nāwahīokalani'ōpu'u will initially begin with the 7th, 8th and 9th grades, the long range plan for this site is to continue Hawaiian immersion/medium education from preschool through high school. Opening a high school boarding facility in the existing apartment-like building is also part of the long range plan. The proposed use of this property by our organization is not intended to be in adverse to the terms and conditions of the approved SP 409. We do not intend to make any new changes to the site at this time or change the original permitted use of the school.

I would greatly appreciate your advice in our attempts to operate Nāwahīokalani'ōpu'u at the former Henry 'Ōpūkaha'ia Christian School site. Your prompt response is very important to us because we **do not** have any other available school sites for the 1995-1996 school year. Please feel free to call me at 959-4979, should you have any questions.

Me ka mahalo nui,



L. Ululani Morales
New Sites Development Coordinator

DRAFT COPY - PAGE 1

INSPECTION OF HENRY OPUKAHAIA SCHOOL FACILITIES

An inspection was conducted of the Henry Opukahaia School facilities on February 10, 1995. The inspection was conducted to check on the condition of the facilities. The inspection involved a walk-through with attention to the roof, lighting, electrical distribution, fire protection, painting, visible structural members, carpeting, windows and door hardware. The inspection was conducted with the following present:

Steven Fernandes	- Central Services Engineer
Henry Nakatani	- Public Works Engineer
William Law	- Central Services Electrical Engineer
Stanley Takamoto	- DAGS, Hawaii District Engineer
Paul Kiyabu	- DOE, Facilities Director
Horace Hara	- DOE, Hawaii Business Specialist

The observations made on the walk-through are presented:

1. Roof:

The roofing material is a combination of metal and plastic panels. The plastic panels are provided to let light into the building. It appears that the plastic has deteriorated resulting in major leaks in over half of the main building and needs to be replaced. The metal portions of the roofs are showing signs of rust and need to be cleaned and painted to prolong it's life.

DRAFT COPY - PAGE 22. Ceiling:

The ceiling is primarily of suspended ceiling construction. Some of the panels are missing and stained due to roof leaks. Although unsightly, this is not a major concern.

3. Windows:

The windows are jalousie type with wooden louvers. The jalousie hardware provided is designed for glass louvers. The wooden louvers provided have been shaved down on the edges to fit the hardware. This has resulted in a weakened window system as evidenced by the many loose and misaligned louvers. Consideration should be given to replacing the existing window hardware and louvers with hardware that is manufactured for wooden louvers.

4. Steel Columns (Grout at Base):

Steel columns along the walkway were not grouted at the base. Due to damage to a wall, the steel column within the wall was observed to have the base grouting missing. It is suspected that all of the steel columns within the walls also do not have the base grouting. However, this should be checked. It would require opening holes in the wall to check the columns. The estimate provided is for grouting only those columns that were confirmed to be missing the grout.

DRAFT COPY - PAGE 35. Masonry Partition Support:

Because of it's height, the masonry partitions should be supported at the top to withstand code forces due to a zone 3 earthquake.

6. Structural Steel:

The structural steel members exposed to the weather are showing rust in may areas. The structural steel members should be cleaned and painted to protect it from further rusting.

7. Electrical Wiring:

The electrical wiring for the facility is a non metallic-sheathed cable. Although an allowed use, this type of wiring is generally used in residential construction. Where the wiring is exposed, it should be protected from physical damage. There are few locations where exposed wiring need to be protected.

8. Lighting:

Generally, the lighting is adequate for the classroom areas. The light fixtures provided for the gym is of concern. The light tubes are not protected and is a safety concern. Consideration should be given to replacing the light fixtures.

DRAFT COPY - PAGE 49. Fire Protection:Fire Hose Cabinet (Gym):

The gym has a floor area in excess of 7,000 square feet resulting in an occupancy load of over 1,000. The occupancy load or the floor area requires that the gym be provided with a wet standpipe. An investigation would need to be conducted to determine if the present water source would be adequate for the installation of a wet stand pipe.

Fire Alarm System:

The fire alarm systems are not operational. There are separate systems for the classroom areas and the dormitory. A new system should be provided to provide a single alarm system for the school that will sound a general alarm.

Fire Exit Signs:

Fire exit signs are provided in the gym. The signs are damaged and need to be replaced. This is not a major concern provided that the wiring to the signs are installed in conduits. This is a concern because the classroom building wiring is not installed in conduits. This is permitted for classroom use but not for the gym.

DRAFT COPY - PAGE 510. Carpets:

Carpets in about a fourth of the spaces have been damaged by water leaks and should be considered for replacement.

Remainder of the carpet should be left in place and repaired as needed.

11. Interior Painting:

The interior of the building should be painted. There are water stains and normal wear and tear scuff marks throughout.

12. Program Bell:

The facility does not have a program bell system.

Consideration should be given to installing a program bell system for the school.

13. Plastic Roofing for Window Awning:

The plastic on the main roofing appears to be deteriorating and failing. Since the plastic roofing used for the awning is also exposed to the same elements, it too should be considered for replacement. This item is not considered a major item.

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII
FEB 21 10 59 AM '80

February 19, 1980

Mrs. Mary Crowley
Henry Opukahaia School
P. O. Box 1717
Hilo, Hawaii 96720

Dear Mrs. Crowley:

Special Permit (SP79-334)
Henry Opukahaia School
TMK: 196-4:53 (LUC 409)

This is to acknowledge receipt of the preliminary plans for the above subject development. The submission of the plans has met with Condition No. 2 of the condition of approval of the subject special permit.

The plans will be reviewed by this office and comments will be transmitted to you.

Sincerely,

Sidney Fuke

SIDNEY FUCE
Director

MO:ak

cc State Land Use Commission

Permanent Record



DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

• • •
LAND USE COMMISSION

GEORGE R. ARIYOSHI
Governor

CHARLES W. DUKE
Chairman

SHINICHI NAKAGAWA
Vice Chairman

Suite 1795, Pacific Trade Center, 190 S. King Street, Honolulu, Hawaii 96813

June 1, 1979

COMMISSION MEMBERS:

James Carras
Colette Machado
Shinsei Miyasato
Mitsuo Oura
George Pascua
Carol Whitesell
Edward Yanai

GORDAN FURUTANI
Executive Officer

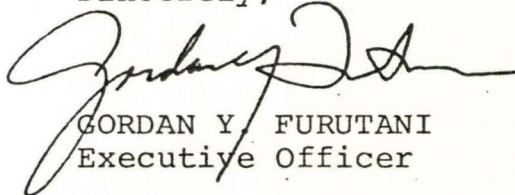
Mr. Sidney Fuke
Planning Director
Hawaii Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Subject: SP79-334 - Henry Opukahaia School

In reference to our letter to you dated
February 23, 1979, enclosed is a copy of the
Decision and Order on SP79-334 for your information
and records.

Sincerely,


GORDAN Y. FURUTANI
Executive Officer

Encl.
cc: The Henry Opukahaia School

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the	)	SP79-334
Petition for Special Permit)	
of HENRY OPUKAHAIA	)	HENRY OPUKAHAIA SCHOOL
SCHOOL)	
)	
)	
)	

This is to certify that this is a true and correct copy of the
Decision and Order on file in the office of the State Land Use
Commission, Honolulu, Hawaii.

JUN 1 1979
Date

by 
Executive Officer

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the	)	SP79-334
Petition for Special Permit)	
of HENRY OPUKAHAIA	)	FINDINGS OF FACT,
SCHOOL	)	CONCLUSIONS OF LAW AND
	)	DECISION AND ORDER
_____)	

The Land Use Commission of the State of Hawaii,
having duly considered the entire record in the above entitled
matter, makes the following findings of fact and conclusions
of law.

FINDINGS OF FACT

1. The Petition for Special Permit was filed by
HENRY OPUKAHAIA SCHOOL to allow the establishment of a private
school on approximately ten (10) acres of land situated within
the State Land Use Agricultural District at Keaau, Puna, Hawaii,
Tax Map Key 1-6-04: portion of 11 (new Tax Map Key: 1-6-04: 53).
2. The subject property is located off the south-
western side of the Keaau-Pahoa Road, in the vicinity of the
Humane Society Compound and the County Rubbish Dump.
3. The proposed school is to include four (4) class-
room buildings, a multi-purpose building including offices, a
gymnasium, a track and game field and other related improvements.
The school would serve students from pre-school through high
school.
4. The granting of this permit would allow the existing
Henry Opukahaia School in Hilo to be relocated to the Keaau
area.

5. The Petitioner had been previously granted a Special Permit for the proposed use by the Land Use Commission on May 1, 1975. However, the Petitioner's failure to comply with a stipulated time condition resulted in the expiration of the permit.

6. The County of Hawaii's General Plan Land Use Pattern Allocation Guide Map designates the area as Orchards. The County's Zoning designation is Agricultural - 20 acres (A-20a).

7. The Land Study Bureau's overall master productivity soil rating for agricultural use is Class "E" or "Very Poor" for the subject site.

8. The site is not designated as Agricultural Lands of Importance to the State of Hawaii by the State Department of Agriculture.

9. The subject property is presently vacant of any use. Surrounding lands uses include the Keaau Solid Waste Transfer Station, the Hawaii Island Humane Society Compound, the Girl Scout Service Center, the proposed fraternal home of the Fraternal Order of Eagles, and vacant lands. Two (2) single family dwellings are situated adjacent to the subject area along the Keaau-Pahoa Road.

10. Access to the site is proposed to be off the Keaau-Pahoa Road via the Girl Scout Services Center access road which has a 20-foot pavement width.

11. The Petitioner has in part stated that the proposed use would not adversely affect surrounding property nor unreasonably burden public agencies to provide services and facilities.

12. The State Department of Transportation noted that access to the property would be limited to the common access roadway along the easterly boundary.

13. The Department of Water Supply commented that water is available from an 8-inch waterline along the Keaau-Pahoa Road.

14. The U.S.D.A. Soil Conservation Service noted that no soil or water problems are anticipated at the subject site.

15. The State Health Department has cited applicable health regulations to which the petitioner must comply.

16. Other cooperating agencies including the County Fire Department, Department of Public Works, Police Department, Department of Parks and Recreation, State Department of Agriculture, Department of Education and Hawaii Electric Light Co., Ltd., had no objections to the permit application.

17. The Hawaii County Planning Department has recommended approval of the application for Special Permit.

18. The Hawaii County Planning Commission conducted a public hearing on the application for Special Permit on November 30, 1978. Two (2) representatives of the Petitioner were the only persons to testify concerning the Special Permit at that time.

CONCLUSIONS OF LAW

1. "Unusual and reasonable" uses other than those which are permitted in an Agricultural District may be permitted by Special Permit pursuant to HRS Chapter 205-6, and State Land Use Commission District Regulation, Part V.

2. The approval of the subject request will be consistent with the Land Use Law and Regulations. The intent of the Land Use Law and Regulations is to preserve, protect, 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 Land Use Regulations state that 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 may be included in the Agricultural District. The area under consideration consists primarily of pahoehoe lava. The Land Study Bureau has classified this land as "E" or "Very Poor". Further, the property in question is not designated as Unique, Important or Other Important Land under the Lands of Agricultural Importance to the State of Hawaii classification system. Although there may be certain agricultural activities which could be undertaken on the subject property, it is determined that the requested use will not be detrimental to the island's agricultural resource base nor will it have an adverse impact on the overall agricultural activity of the region and the island.

3. The proposed use will not unreasonably burden public agencies to provide additional facilities and services. All essential utilities and services are available to the subject area. Although some increase in the need for services may be generated by the proposed use, it is not expected that the increase will be of a substantial nature. In addition, the establishment of the proposed school will aid some public agencies by relieving them of providing certain services. As presented earlier, the proposed school will alleviate some of the pressure on public schools in the area brought about by an increase in population. Other public services such as school transportation which are provided by the government will probably

be undertaken by the petitioner. Further, there are no known problems with the access road, water, or drainage which would require government to provide these additional services.

4. The proposed use will not adversely affect the surrounding properties. The proposed school site is a 10-acre portion of a parcel containing more than 1,000 acres. Surrounding uses include some sugarcane fields, the Hawaii Island Humane Society, the Kea'au Solid Waste Transfer Station site, the Girl Scout Services Center, the recently approved Fraternal Order of Eagles complex and vacant lands. The proposed school use is not anticipated to adversely affect these uses.

5. The use described in the Petition is an unusual and reasonable use pursuant to HRS Chapter 205-6, and State Land Use Commission District Regulation, Part V.

DECISION AND ORDER

IT IS HEREBY ORDERED that Special Permit Number 79-334 for the establishment of a private school on approximately ten (10) acres of land situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii, Tax Map Key 1-6-04: portion of 11 (new Tax Map Key 1-6-04: 53), be approved subject to the following conditions:

1. That the landowner or the petitioner shall submit subdivision plans for the 10-acre area and secure tentative approval within one (1) year from the effective date of approval of the Special Permit. The landowner/petitioner shall also be responsible for securing final subdivision approval. Further, the minimum area of the lot shall be ten (10) acres.

2. That the petitioner or its authorized representative shall submit plans for plan approval within one (1) year from the

date of receipt of final subdivision approval. The petitioner/representative shall also be responsible for securing final plan approval.

3. That construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter.

4. That no direct access will be allowed from the Keaau- Pahoa Road. Access shall be from the existing 80-foot common access roadway located along the easterly boundary.

5. That all other applicable rules, regulations and requirements, including those of the State Department of Health and the County Department of Water Supply shall be complied with.

6. Failure to comply with any of the delineated conditions of approval, particularly those relating to time commencement and expiration, shall be reason for termination of the Special Permit, unless an extension is requested prior to the expiration date and approved.

DATED: Honolulu, Hawaii, May 30, 1979.

LAND USE COMMISSION

By C. W. Duke
C. W. DUKE
Chairman and Commissioner

By James R. Carras
JAMES R. CARRAS
Commissioner

By Shinsei Miyasato
SHINSEI MIYASATO
Commissioner

By *Mitsuo Oura*
MITSUO OURA
Commissioner

By *George R. Pascua*
GEORGE R. PASCUA
Commissioner

By *Carol B. Whitesell*
CAROL B. WHITESELL
Commissioner

No. 179552

RECEIPT FOR CERTIFIED MAIL

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(See Reverse)

SP79-334 - HENRY OPUKAHAIA SCHOOL

SENT TO				
TERRY OVERSTREET				
STREET AND NO.				
P. O. Box 1717				
P.O., STATE AND ZIP CODE				
Hilo, Hawaii 96720				
POSTAGE			\$.41	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		.80¢
		SPECIAL DELIVERY		¢
		RESTRICTED DELIVERY		¢
		RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	.45¢
			SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
			SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢	
TOTAL POSTAGE AND FEES			\$ 1.66	

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CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

- SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered.....¢
☐ Show to whom, date, and address of delivery.....¢
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery. \$____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

TERRY OVERSTREET

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	179552	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



State of Hawaii
LAND USE COMMISSION
Suite 1795, Pacific Trade Center
190 South King Street
Honolulu, Hawaii 96813

(Name of Sender)

(Street or P. O. Box)

(City, State, and ZIP Code)

No. 179548

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO				
SIDNEY FUKE				
STREET AND NO.				
25 Aupuni Street				
P.O., STATE AND ZIP CODE				
Hilo, Hawaii 96720				
POSTAGE			\$ 1.32 ✓	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		.80¢
		SPECIAL DELIVERY		¢
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED		.45¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES			\$ 2.57	
POSTMARK OR DATE				



- SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered. _____ \$
☐ Show to whom, date, and address of delivery. _____ \$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered. _____ \$
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery. \$ _____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

SIDNEY FUKU

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	179548	

(Always obtain signature of addressee or agent)

I have received the article described above.

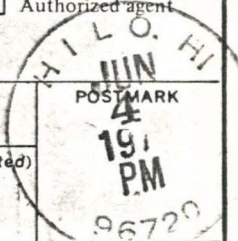
SIGNATURE ☐ Addressee ☐ Authorized agent

4. *L. Osterko*

DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SP79-331, 333, 334, 338

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition)	SP79-334
for Special Permit of)	
)	HENRY OPUKAHAIA SCHOOL
HENRY OPUKAHAIA SCHOOL)	
)	
)	

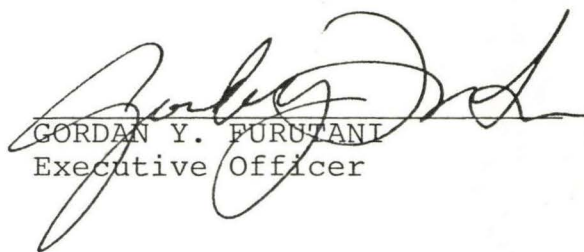
CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use
Commission's Decision and Order was served upon the follow-
ing by certified mail:

SIDNEY FUKU, Planning Director
Hawaii Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

TERRY OVERSTREET, Principal
The Henry Opukahaia School
P. O. Box 1717
Hilo, Hawaii 96720

DATED: Honolulu, Hawaii, this 1st day of June, 1979.


GORDAN Y. FURUTANI
Executive Officer

February 23, 1979

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on February 21, 1979, the Land Use Commission voted to approve a Special Permit request by the Henry Opukahaia School (SP79-334) to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii, Tax Map Key 1-6-04: portion of 11 (new Tax Map Key: 1-6-04: 53).

Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission. Please be advised that the petitioner's failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

A copy of the staff memorandum is herewith enclosed for your information. The Land Use Commission's Decision and Order on SP79-334 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encl.

cc: The Henry Opukahaia School

February 23, 1979

Mr. Terry Overstreet, Principal
The Henry Opukahaia School
P. O. Box 1717
Hilo, Hawaii 96720

Dear Mr. Overstreet:

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

Please be advised that failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

A copy of the staff memorandum is herewith enclosed for your information. The Land Use Commission's Decision and Order on SP79-334 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encls.

February 23, 1979

Department of Planning and
Economic Development
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813

Attention: Mr. Hideto Kono, Director

Gentlemen:

At its meeting on February 21, 1979, the Land Use Commission voted to approve a Special Permit request by The Henry Opukahaia School (SP79-334) to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii, Tax Map Key 1-6-04: portion of 11 (new Tax Map Key: 1-6-04: 53). Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission.

Please note that a copy of the Land Use Commission's Decision and Order on this matter is on file at the Commission's office.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

Encl.

cc: Department of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Office of Environmental Quality Control
Division of Land Management, DLNR

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room, 9th Floor
Kamamalu Building
250 South King Street
Honolulu, Hawaii

Approved
August 2, 1979

February 21, 1979 - 9:30 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
James Carras
Shinsei Miyasato
Mitsuo Oura
George Pascua
Carol Whitesell
Edward Yanai

COMMISSIONER ABSENT: Colette Machado

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Ray Russell, Court Reporter
Benjamin Matsubara, Consultant

Chairman Duke announced that the Commission will go into executive session later today to discuss a personnel matter; also that the order of the agenda will be shifted.

ACTION

A78-442 - MITSUGI & FUSAKO YAMAMURA

In the matter of the boundary amendment petition by Mitsugi and Fusako Yamamura, Docket A78-442, a hearing was held on December 5, 1978 by Mr. Benjamin Matsubara, Hearing Officer. Based on his findings and conclusions, it was recommended by Mr. Matsubara that the petition be approved since the request was reasonable, non-violative of Section 205-2 of the Hawaii Revised Statutes, and consistent with the Interim Statewide Land Use Guidance Policy.

Commissioner Miyasato moved to approve Docket A78-442, which was seconded by Commissioner Carras. The motion was unanimously carried.

✓ SP79-334 - HENRY OPUKAHAIA SCHOOL
APPLICATION TO ALLOW THE ESTABLISHMENT OF A PRIVATE SCHOOL
AT KEAAU, PUNA, HAWAII

Following a report from the staff planner, it was moved by Commissioner Carras and seconded by Commissioner Oura to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission. The motion was carried.

SP78-292 - GARY'S AUTOMOTIVE SERVICE, INC.
APPLICATION TO EXTEND THE LIFE OF THE SPECIAL PERMIT FROM 5 YEARS
TO 10 YEARS TO ALLOW THE ESTABLISHMENT OF AN AUTO BODY REPAIR
SHOP, TRUCK REPAIR AND VEHICLE STORAGE AREA AT SOUTH KOHALA,
HAWAII

The staff memorandum was presented by the Executive Officer. Counselor Kawada recommended that the Commission impose an additional condition to the approval of the Special Permit "that the ten year extension of the Special Permit shall commence on approval of the modification by the Land Use Commission (February 21, 1979)".

Commissioner Carras moved that the petitioner's request for an extension from five to ten years be granted, subject to the conditions imposed by the Hawaii County Planning Commission, and the additional condition as recommended by Counselor Kawada. The motion was seconded by Commissioner Oura and unanimously passed.

ADOPTION OF MINUTES

Upon motion by Commissioner Whitesell, seconded by Commissioner Pascua, the minutes of October 19, 1978 were approved as circulated.

EXECUTIVE SESSION

Commissioner Pascua moved to go into executive session to discuss a personnel matter, which was seconded by Commissioner Oura and carried by voice vote.

The meeting was adjourned at 4:55 p.m.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP79-334 - HENRY OPUKAHAIA SCHOOL DATE February 21, 1979

PLACE DPED Conference Room
Honolulu, Hawaii

TIME 9:30 a.m.

	NAME	YES	NO	ABSTAIN	ABSENT
	NAKAGAWA, SHINICHI				X
S	OURA, MITSUO	X			
	MIYASATO, SHINSEI	X			
M	CARRAS, JAMES	X			
	PASCUA, GEORGE R.	X			
	YANAI, EDWARD				X
	WHITESELL, CAROL	X			
	MACHADO, COLETTE				X
	DUKE, CHARLES	X			

Comments:

I move to approve the request to establish a private school on 10 acres land situated in the State Land Use Agricultural District, subject to the conditions imposed by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission February 21, 1979

FROM: Staff

SUBJECT: SP79-334 - Henry Opukahaia School

The petitioner, Henry Opukahaia School, is requesting a Special Permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii, Tax Map Key 1-6-04: portion of 11 (new TMK: 1-6-04: 53). The subject property is located off the southwestern side of the Keaau-Pahoa Road, in the vicinity of the Humane Society Compound and the County Rubbish Dump (see County Exhibit 0-1).

The petitioner is proposing to subdivide a 10-acre portion of the existing 1,222.5 acre parcel for the school site. If granted, the permit would allow the existing Henry Opukahaia School in Hilo to be relocated to the Keaau area. The school would serve students from pre-school through high school.

The school would more specifically include four (4) classroom buildings, a multi-purpose building including offices, a gymnasium, a track and game field and other related improvements.

The petitioner had been previously granted a Special Permit for the subject school use by the Land Use Commission on May 1, 1975 (SP75-200). At that time, one of the conditions of approval specified that: "Construction of the first building commence within two (2) years from the date of approval of the Special Permit." Since the petitioner was not able to comply with this condition, the permit (SP75-200) expired and a new permit application has been filed.

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

"The special permit granted to The Henry Opukahaia School expired May 7, 1977 after two years.

"We wish to explain why we were unable to build at that time, and to show that we are in a much better position to build now.

"There were two main reasons which caused our inability to build within those two years.

"(1) No banks were willing to loan money to the school because the school did not have possession of a deed for the ten acres.

"(2) The banks were unwilling to lend money because the Board of Directors of The Henry Opukahaia School (owners and operators) were unable to co-sign.

"Both of these hindrances to building on the ten acre site have been eliminated. The school has a twenty-year leasehold at a cost of \$1.00 per year with the W. H. Shipman Company. At the end of twenty years, the school has fee simple ownership. This will help in acquiring the loan.

"The only remaining co-founder of the school and principal owner (Board Member), Dale Crowley, Jr., has agreed to use his own land in Hawaii as collateral for the bank loan. The school has also been given a donation of ten acres in the Glenwood area, which will also be used as collateral.

"One last thought, gentlemen, is that The Henry Opukahaia School has already invested \$10,000 on the ten acre site. A fire hydrant, rough grading of a road, and the base foundation for three school buildings have been worked on and completed.

"The effective ministry of the school has been hindered by the lack of having our own facilities. The public is aware that we plan to build on the Keaau site. We know that our service to the community will be greatly enhanced by the location of The Henry Opukahaia School on these ten acres in Keaau.

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

"(a) The proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. There are allowances and precedents for agriculturally zoned land to be used for educational purposes. Already granted in the same area are non-agricultural facilities for the Hawaii Humane Society and the Girl Scout Camp building.

"(b) The desired use would not adversely affect surrounding property. While there might be residential and business growth in the area in the years to come, the operation of a school on the subject site could not interfere with the lives and activities of those who

live and work in the surrounding area, either now or in the years to come. The site is sufficiently removed from presently congested areas that traffic to and from the school should not generate new problems of congestion in the foreseeable future. The exclusively low-rise architecture envisioned for the school could not adversely affect the surroundings.

- "(c) The proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. The subject site is situated on the main road in rather close proximity to the village of Keaau, making unreasonable demands upon public agencies highly improbable, if not totally unnecessary. To the contrary, the proposed use will provide additional school facilities at private expense. An access road, serving the Girl Scout's facility, the school's ten acres, and properties behind both, is now completed.
- "(d) Unusual conditions, trends and needs have arisen in this case since the district boundaries and regulations were established. The Henry Opukahaia School experienced considerable growth during its first several years of operation, and has sought appropriate sites for expansion within the principal urban areas of Hilo. Such a location, appropriate in terms of size and cost, is not available. Learning of the school's predicament, the W. H. Shipman Co., Ltd. offered the subject site to the school several years ago to meet its needs for expansion.
- "(e) When the land was granted by the Shipman Co., it was not being utilized in any way for agricultural purposes. Just recently, however, the surrounding acreage has begun to be used for agricultural purposes.
- "(f) This assertion can be made, with qualification. The location of a school on the subject site will not alter or change its present peaceful character. The qualification is, however, that to use the subject site for education must be considered a substantial alteration of its present non-use.
- "(g) The proposed use will indeed make the highest and best use of the land involved for the public welfare. The use of the subject site for educational purposes would enhance the community, would provide services and benefits to many more Big Island families, and would in no way be detrimental to the overall planning needs of the area."

The County of Hawaii's General Plan Land Use Pattern Allocation Guide Map designates the area as Orchards. The County's Zoning designation is Agricultural-20 acres (A-20a). Although the minimum lot size in this Agricultural Zoned district is 20 acres, the proposed 10-acre parcel may be allowed through the Special Permit procedure.

The subject site is presently vacant of any use. Surrounding land uses include the Keaau Solid Waste Transfer Station, the Hawaii Island Humane Society Compound, the Girl Scout Service Center, the proposed fraternal home of the Fraternal Order of Eagles, and vacant lands. Additionally, two (2) single family dwellings are situated adjacent to the subject area along the Keaau-Pahoa Road.

The Land Study Bureau's overall master productivity soil rating for agricultural use is Class "E" or "Very Poor" for the subject site. The site is not designated as Agricultural lands of Importance to the State of Hawaii by the State Department of Agriculture.

According to the U.S.D.A. Soil Conservation Service's Soil Survey dated December, 1973, the subject site consists of Pahoe-hoe lava with no soil covering. The area receives approximately 150 inches of rainfall annually.

Access to the site is proposed to be off of the Keaau-Pahoa Road via the Girl Scout Service Center access road which has a 20-foot pavement width to the rear of the property.

All necessary utilities and infrastructure are or will be made available to the subject property.

Pertinent comments from governmental agencies:

1. STATE DEPARTMENT OF TRANSPORTATION

The State Department of Transportation provided the following comments:

- "1. We have no objections on the proposed action.
- "2. Revise the subdivision map to reflect no access permitted off the Keaau-Pahoa Road.
- "3. Access shall be off the common access roadway located along the easterly boundary."

2. DEPARTMENT OF WATER SUPPLY

The County Department of Water Supply had no objection to the permit request but did note that water is available from an 8-inch waterline along the Keaau-Pahoa Road.

3. DEPARTMENT OF PUBLIC WORKS

The County Department of Public Works noted that all necessary permits (building, electrical, and plumbing) shall be secured prior to construction.

4. U.S.D.A. Soil Conservation Service

The Soil Conservation Service noted that they do not anticipate any soil or water problems at the subject site.

5. FIRE DEPARTMENT

The County Fire Department had no objections to the permit request but did note that fire protection is provided by the Keaau Fire Station and that a fire hydrant is located in the vicinity of the site.

6. STATE DEPARTMENT OF HEALTH

The State Department of Health noted the following:

"1. Sanitary facilities required for schools by Public Health Regulation, Chapter One, Sanitation, Section 79.

"2. Sewage treatment and disposal system requirements of Chapter 38, Public Health Regulations.

"If a cafeteria type food operation is also projected, Chapter 1-A, Food Service Sanitation Code is the reference public health regulation."

Other cooperating agencies, including the State Department of Agriculture, Department of Education, Hawaii Electric Light Co., Ltd., Police Department, and Department of Parks and Recreation had no objections to the permit request.

The Hawaii County Planning Commission conducted a hearing on the application for Special Permit on November 30, 1978. At that time, two (2) representatives of the petitioner spoke in support of the request. No other persons testified concerning the Special Permit. For the Commission's information, the hearing transcript of November 30, 1978 has been attached (County Exhibit S).

On January 11, 1979, the Hawaii County Planning Commission voted to recommend approval of the Special Permit to the Land Use Commission based on the following findings:

"1. That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The intent of the

Land Use Law and Regulations is to preserve, protect 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 Land Use Regulations state that 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 may be included in the Agricultural District. The area under consideration consists primarily of pahoehoe lava. The Land Study Bureau has classified this land as 'E' or Very Poor. Further, the property in question is not designated as Unique, Important or Other Important Land under the Lands of Agricultural Importance to the State of Hawaii classification system. Although there may be certain agricultural activities which could be undertaken on the subject property, it is determined that the requested use will not be detrimental to the island's agricultural resource base nor will it have an adverse impact on the overall agricultural activity of the region and the island. Further, the proposed use is consistent with the County Zoning Code. Approval of the proposed use will not be inherently contrary to the spirit and intent of the Zoning Code in that schools are conditionally permitted uses within the County's Agricultural zoned district.

- "2. That the proposed use is consistent with the policy of the County General Plan of providing a variety of educational opportunities for the island's population. Present trends and needs have arisen recently which reflect a desire for private school facilities. In addition, public school enrollments in Puna and some of the Hilo schools have increased drastically over the past few years. The establishment of a private school in this general area may alleviate some of the pressures on the public school system. Further, an increase in enrollment at the existing school facility has forced the school to seek a new site for the purpose of relocation. As such, it is determined that the establishment of the proposed use at the subject location will be in the public interest as it will provide additional educational opportunities for students in the Puna and Hilo areas.
- "3. That the proposed use will not unreasonably burden public agencies to provide additional facilities and services. All essential utilities and services are

available to the subject area. Although some increase in the need for services may be generated by the proposed use, it is not expected that the increase will be of a substantial nature. In addition, the establishment of the proposed school will aid some public agencies by relieving them of providing certain services. As presented earlier, the proposed school will alleviate some of the pressure on public schools in the area brought about by an increase in population. Other public services such as school transportation which are provided by the government will probably be undertaken by the petitioner. Further, there are no known problems with the access road, water, or drainage which would require government to provide these additional services.

- "4. That the proposed use will not adversely affect the surrounding properties. The proposed school site is a 10-acre portion of a parcel containing more than 1,000 acres. Surrounding uses include some sugarcane fields, the Hawaii Island Humane Society, the Kea'au Solid Waste Transfer Station site, the Girl Scout Services Center, the recently approved Fraternal Order of Eagles complex and vacant lands. The proposed school use is not anticipated to adversely affect these uses as the anticipated impacts will be mitigated by conditions of approval."

"Finally, it should be pointed out that circumstances have not changed since the original Special Permit, which lapsed, was approved in 1975."

For the Commission's information, the meeting minutes of January 11, 1979 have been attached (County Exhibit AA).

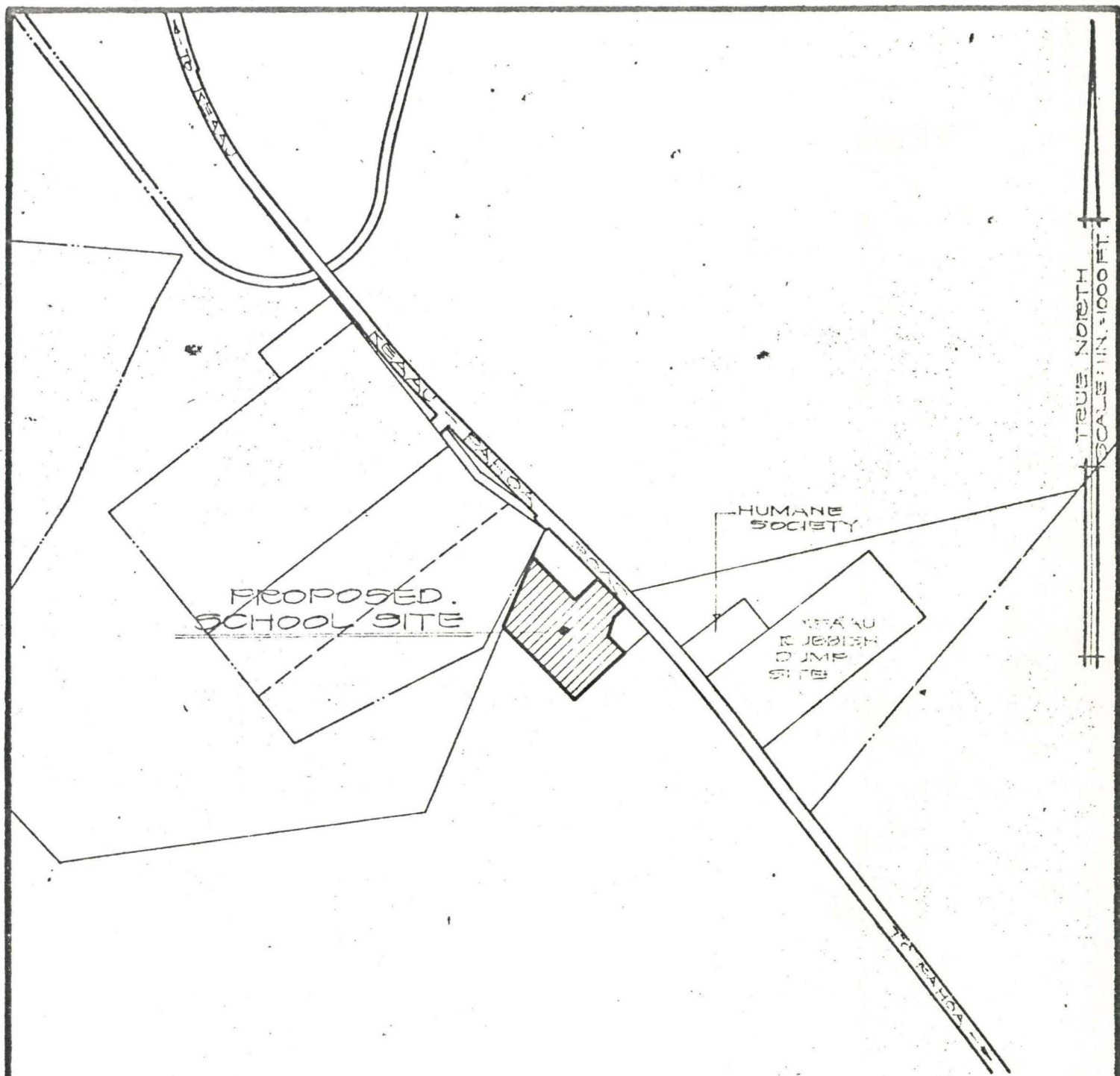
The favorable recommendation was subject to the following conditions:

- "1. That the landowner or the petitioner shall submit subdivision plans for the 10-acre area and secure tentative approval within one (1) year from the effective date of approval of the Special Permit. The landowner/petitioner shall also be responsible for securing final subdivision approval. Further, the minimum area of the lot shall be ten (10 acres).
- "2. That the petitioner or its authorized representative shall submit plans for plan approval within one (1) year from the date of receipt of final subdivision approval. The petitioner/representative shall also be responsible for securing final plan approval.

- "3. That construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter.
- "4. That no direct access will be allowed from the Kea'au-Pahoa Road. Access shall be from the existing 80-foot common access roadway located along the easterly boundary.
- "5. That all other applicable rules, regulations and requirements, including those of the State Department of Health and the County Department of Water Supply shall be complied with."

It was further stated by the Planning Commission that:

"It should be noted that failure to comply with any of the delineated conditions of approval, particularly those relating to time commencement and expiration, shall be reason for termination of the Special Permit, unless an extension is requested prior to the expiration date and approved."



SPECIAL PERMIT REQUEST

CONSTRUCTION OF THE
HENRY OPUKAHAIA SCHOOL

KEA AU, PUNA, HAWAII

TAX MAP KEY: 1-6-04: PORTION OF II
PERMIT REQUEST BY: THE HENRY OPUKAHAIA SCHOOL

EXHIBIT 0-1

JAN. 14, 1979

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
November 30, 1978

A regularly advertised public hearing on the application of the Henry Opukahaia School, was called to order at 5:05 p.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT:	William F. Mielcke	ABSENT:	J. Walsh Hanley
	Shigeru Fujimoto		Lorraine R. Jitchaku
	Haruo Murakami		
	Bert H. Nakano		Ex-officio Member
	Alfredo Orita		Akira Fujimoto
	William J. Paris, Jr.		
	Charles H. Sakamoto		

Sidney M. Fuke, Director
Ilima Piianaia, Planner
Keith Kato, Planner
William Moore, Planner

David Murakami, representing Ex-officio Member Edward Harada

Reginald Minn, Deputy Corporation Counsel

and approximately 6 people in attendance

CHAIRMAN: We'll move on to item two under public hearings. Public hearing on the application of the Henry Opukahaia School for a Special Permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District. The area under consideration is located off the southwestern side of the Pahoa-Kea'au Road in the vicinity of the Humane Society compound and the County rubbish dump, Kea'au, Puna, TMK: 1-6-04:portion of 11.

MOORE: (Presented background on file.)

CHAIRMAN: Commissioners, do you have any questions of the staff's background report on this application for a Special Permit?

ORITA: Mr. Chairman?

CHAIRMAN: Yes.

ORITA: Do they intend to park more so in the driveway where it says driveway and parking, on that particular road?

OVERSTREET: Yes, sir.

MOORE: For the Commissioners' information, the parking will be reviewed at the time of plan approval and will be subject to County's requirements.

EXHIBIT 5

CHAIRMAN: Any further questions for the staff? Okay, are either of you ministers?

OVERSTREET: Lay.

CHAIRMAN: Lay ministers, okay, you may affirm to the oath then.

OVERSTREET: Yes.

WILLIAMS: Yes.

CHAIRMAN: Okay, will you identify yourselves into the microphone please.

OVERSTREET: Terry Overstreet, principal of the Henry Opukahaia School.

WILLIAMS: James Williams, chairman of the board and director of the Henry Opukahaia School.

CHAIRMAN: Gentlemen, you've heard the staff's background report on your application for a Special Permit. Do you have anything to add for the benefit of the Commission?

OVERSTREET: No.

CHAIRMAN: Commissioners, do you have any questions for either Mr. Overstreet or Mr. Williams?

ORITA: Mr. Chairman?

CHAIRMAN: Yes, Commissioner Orita.

ORITA: It says one of the reasons why they couldn't have built this building two years ago was the fact that, they didn't have possession of the deed. Do they have possession of the deed now?

WILLIAMSON: In the process.

ORITA: In the process?

OVERSTREET: In the process. The deed will be given to us when we make our share of the payments for the road, the access road which is shared with the Girl Scouts, Shipman Company and ourselves.

CHAIRMAN: And when do you expect that to happen?

OVERSTREET: Any time now.

CHAIRMAN: Funds are available so you're in the process of getting -?

OVERSTREET: Yes.

CHAIRMAN: Okay, that's what you were concerned about Commissioner Orita?

ORITA: Yes.

CHAIRMAN: Thank you. Further questions?

PARIS: Yes.

CHAIRMAN: You don't see any further delay is asking for any further extension?

OVERSTREET: No, sir, we don't.

PARIS: You don't?

OVERSTREET: No, sir, we don't.

PARIS: Okay.

CHAIRMAN: You believe that you can proceed now in an orderly fashion and go ahead with the construction of the school?

OVERSTREET: Yes, sir.

MURAKAMI: Mr. Chairman?

CHAIRMAN: Commissioner Murakami.

MURAKAMI: Can you tell me what's the total enrollment you have at the present school?

OVERSTREET: The total enrollment at the moment is 75 students.

MURAKAMI: Seventy-five students?

OVERSTREET: Seventy-five students.

CHAIRMAN: In what grades?

OVERSTREET: Kindergarten through tenth grade.

CHAIRMAN: Kindergarten through tenth?

OVERSTREET: Through tenth.

CHAIRMAN: Okay, Commissioners, further questions? Staff, did you have any questions?

MOORE: Following up on Commissioner Murakami's question, what is the projected enrollment at the school?

OVERSTREET: Our first phase of building would have facilities for 200 students, including the pre-school and going all the way through twelfth grade, including kindergarten.

CHAIRMAN: Go ahead.

MOORE: Upon final development of all the improvements, what is your projected total enrollment?

OVERSTREET: Three hundred students.

MOORE: Thank you.

CHAIRMAN: Okay, further questions? If there are no further questions of the applicant's representatives, gentlemen, you may remain seated there. This is a public hearing and the Chair at this time would like to invite anyone from the audience who wishes to offer testimony either for or against the application to please so indicate by raising your hand. Since there is no one from the audience who wishes to offer testimony, then the Chair will entertain a motion to either continue the public hearing or to close the public hearing.

ORITA: Mr. Chairman?

CHAIRMAN: Commissioner Orita.

ORITA: On the application of the Henry Opukahaia School for a Special Permit, I make a motion that we close the public hearing.

NAKANO: Second.

CHAIRMAN: It has been moved by Commissioner Orita and seconded by Commissioner Nakano that the public hearing be closed. All those in favor so signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose, same sign? Public hearing is closed.

The public hearing adjourned at 5:20 p.m.

Respectfully submitted,

Sharon M. Nomura
Secretary

A T T E S T:

William F. Mielcke
Chairman, Planning Commission

Planning Department
County of Hawaii

MINUTES
January 11, 1979

The Planning Commission met in regular session at 10:04 a.m. in the County Councilroom, County Building, South Hilo, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT: William F. Mielcke
(Left at 1:10 p.m. and
returned at 1:29 p.m.)
J. Walsh Hanley
Bert H. Nakano
Alfredo Orita
William H. Paris, Jr.
Charles H. Sakamoto, Jr.

ABSENT: Ex-officio Member
Akira Fujimoto

Sidney M. Fuke, Director (Left at 1:10 p.m. and
returned at 1:29 p.m.)
Norman Hayashi, Planner
Keith Kato, Planner (Left at 4:27 p.m.)
William Moore, Planner (From 7:02 p.m.)

Stephen Menezes, Deputy Corporation Counsel
(Left at 10:20 a.m.)
Sandra Pechter, Deputy Corporation Counsel
David Murakami, representing Ex-officio Member Edward
Harada (From 1:02 p.m.)

and approximately 16 people in attendance at 10:04 a.m., 3 people at 1:02 p.m., 9 people at 3:33 p.m., and 56 people at 7:02 p.m.

MINUTES: It was moved by Commissioner Sakamoto and seconded by Commissioner Paris that the minutes of November 16, 1978, November 29, 1978, and November 30, 1978, be approved as circulated; motion carried.

All those testifying were duly sworn in.

REPORTS: Planning Director Fuke stated that Jean Madden is appealing the decision made on the variance application. The appeal will be scheduled in February or March when the Planning Board of Appeals has a quorum.

In the reconsideration motion made for the Joan Aanavi variance application, Deputy Corporation Counsel Menezes advised that the Supreme Court holds that in the absence of statutory authority, the Planning Commission, acting in a quasi-judicial capacity, is without power to reconsider a final decision on its own motion. Therefore he advised that the Commission should be very certain of their decision. Another solution was to seek statutory authority permitting reconsideration, but he did not believe that an amendment to the Commission rules and regulations would be sufficient.

The Chair ruled that the motion to reconsider was out of order and that the variance originally granted for the Aanavi application stands.

EXHIBIT AA

SPECIAL PERMIT Application of Stanley S. Shimizu for a Special
STANLEY S. SHIMIZU Permit to allow the establishment of a 50' x 60'
KE'EI, SOUTH KONA freezer/office building on one (1) acre of land
 situated within the State Land Use Agricultural
District. The property involved is located along the makai side of
the Mamalahoa Highway, approximately 300 feet north of Stan's
Fishery Store, Ke'ei 2nd, South Kona, TMK: 8-3-10: portion of 37.

Staff presented recommendation on file.

At this time, the Chair cited the Special Permit process since there were several Special Permit applications to be considered.

It was moved by Commissioner Paris and seconded by Commissioner Sakamoto that a favorable recommendation be sent to the State Land Use Commission based upon the recommendations and conditions outlined by the staff. A roll call vote was taken and motion carried with six ayes.

✓ SPECIAL PERMIT Application of Henry Opukahaia School for a
HENRY OPUKAHAIA Special Permit to allow the establishment of a
SCHOOL private school on ten (10) acres of land situated
KEA'AU, PUNA within the State Land Use Agricultural District.
 The area under consideration is located off the
southwestern side of the Pahoa-Kea'au Road in the vicinity of the
Humane Society compound and the County rubbish dump, Kea'au, Puna,
TMK: 1-6-04: portion of 11.

The Chair ruled that since Commissioner Hanley reviewed the transcript and minutes of the meeting, he was eligible to participate in the decision of this application.

Staff presented recommendation on file.

Staff responded to Commissioner Nakano's question that this is not a rezoning action but through the special permit they are recommending the creation of a 10-acre minimum lot size.

Commissioner Nakano moved and Commissioner Orita seconded that a favorable recommendation be sent to the State Land Use Commission on the application for a special permit. A roll call vote was taken and motion carried with six ayes.

SPECIAL PERMIT Application of Calvary United Pentecostal Church
CALVARY UNITED for a Special Permit to allow the establishment
PENTECOSTAL CHURCH of a church and Sunday school on one acre of
WAIAKEA HOMESTEADS, land situated within the State Land Use Agricul-
2ND SERIES, SOUTH tural District. The property involved is located
HILO off Ainaola Drive at the end of Hale Ho'oko Street,
 Hale Ho'oko Acres Subdivision, Waiakea Homesteads,
2nd Series, South Hilo, TMK: 2-4-33:34.

Reverend Scott, the petitioner's representative, and Mr. Stanley Roehrig, had no objections to Commissioner Hanley's participation in the decision of this application. Commissioner Hanley was not present at the public hearing.

Staff presented recommendation on file.

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

February 13, 1979

Mr. Sidney Fuke, Planning Director
Hawaii County Planning Department
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 petitions

SP79-330 - MINOLU R. CHENG, M.D.

SP79-331 - STATE OF HAWAII, DEPARTMENT OF EDUCATION

SP79-332 - STANLEY S. SHIMIZU

✓ SP79-334 - HENRY OPUKAHAIA SCHOOL

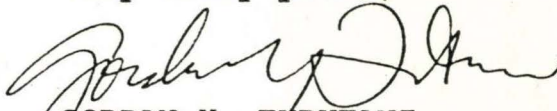
SP78-292 - GARY'S AUTOMOTIVE SERVICE, INC.

A78-441 - PACIFIC HAWAIIAN, LTD.

will be acted on at that time.

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

Very truly yours,


GORDAN Y. FURUTANI
Executive Officer

Enclosure - Agenda

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

February 13, 1979

Mr. Terry Overstreet, Principal
The Henry Opukahaia School
P. O. Box 1717
Hilo, Hawaii 96720

Dear Mr. Overstreet:

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

Please note that petition

SP79-334 - THE HENRY OPUKAHAIA SCHOOL

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

February 13, 1979

W. H. Shipman Co.
Keaau, Hawaii 96749

Dear Sirs:

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

Please note that petition

SP79-334 - THE HENRY OPUKAHAIA SCHOOL

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

February 21, 1979 - 9:30 a.m.
Conference Room, 9th Floor
Kamamalu Building
250 South King Street
Honolulu, Hawaii

A G E N D A

I. ACTION

1. A78-442 - Mitsugi and Fusako Yamamura (Maui) (Hearing Officer)

To reclassify approximately 5.6 acres of land presently in the Agricultural District into the Rural District at Haiku, Maui for a residential subdivision.

2. SP79-329 - Kauai Bible Church (Kauai)

To allow the establishment of a church on approximately 1.25 acres of land situated within the State Land Use Agricultural District at Omao, Koloa, Kauai.

3. SP79-330 - Minolu R. Cheng (Hawaii)

To allow the establishment of a medical office on approximately .934 acre of land situated within the State Land Use Rural District at Keauhou 1st, North Kona, Hawaii.

4. SP79-331 - State of Hawaii, Department of Education (Hawaii)

To allow the continued use of three (3) school sites situated within the State Land Use Agricultural District at Honaunau, Hookena and Kohala for public educational purposes.

5. SP79-332 - Stanley S. Shimizu (Hawaii)

To allow the establishment of a 50' x 60' freezer/office building on one (1) acre of land situated within the State Land Use Agricultural District at Keei 2nd, South Kona, Hawaii.

- ✓ 6. SP79-334 - Henry Opukahaia School (Hawaii)

To allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii.

7. SP78-292 - Gary's Automotive Service, Inc. (Hawaii)

To extend the life of the Special Permit from five (5) years to ten (10) years to allow the establishment of an auto body repair shop, truck repair and vehicle storage area on approximately four (4) acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii.

8. A78-441 - Pacific Hawaiian, Ltd. (Hawaii)

To reclassify approximately 8.0 acres of land presently in the Agricultural District into the Urban District at Ponahawai, South Hilo, Hawaii for a neighborhood shopping center.

II. MISCELLANEOUS

1. Adoption of Minutes
2. Meeting Schedule

2/13/79 - A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND ORGANIZATIONS ON THE ATTACHED MAILING LISTS:

1. STATEWIDE
2. HAWAII
3. MAUI
4. KAUAI



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

January 29 , 1979

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

Dear Mr. Furutani:

Special Permit Application
Petitioner: Henry Opukahaia School

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

The special permit request was to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District at Kea'au, Puna, Hawaii, Tax Map Key 1-6-04:portion of 11.

The Planning Commission at a duly advertised public hearing held on November 30, 1978 in the Councilroom, County Building, South Hilo, Hawaii, discussed the subject request. The Commission on January 11, 1979 voted to recommend the approval of the Special Permit to the Land Use Commission based on the following findings:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The intent of the Land Use Law and Regulations is to preserve, protect 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 Land Use Regulations state that lands surrounded by or contiguous to agricultural lands and which are not

JAN 31 10 42 AM '79
LAND USE COMMISSION
STATE OF HAWAII

suited to agricultural and ancillary activities by reason of topography, soils and other related characteristics may be included in the Agricultural District. The area under consideration consists primarily of pahoehoe lava. The Land Study Bureau has classified this land as "E" or very poor. Further, the property in question is not designated as Unique, Important or other Important Land under the Lands of Agricultural Importance to the State of Hawaii classification system. Although there may be certain agricultural activities which could be undertaken on the subject property it is determined that the requested use will not be detrimental to the island's agricultural resource base nor will it have an adverse impact on the overall agricultural activity of the region and the island. Further, the proposed use is consistent with the County Zoning Code. Approval of the proposed use will not be inherently contrary to the spirit and intent of the Zoning Code in that schools are conditionally and intent of the Zoning Code in that schools are conditionally permitted uses within the County's Agricultural zoned district.

2. That the proposed use is consistent with the policy of the County General Plan of providing a variety of educational opportunities for the island's population. Present trends and needs have arisen recently which reflect a desire for private school facilities. In addition, public school enrollments in Puna and some of the Hilo schools have increased drastically over the past few years. The establishment of a private school in this general area may alleviate some of the pressures on the public school system. Further, an increase in enrollment at the existing school facility has forced the school to seek a new site for the purpose of relocation. As such, it is determined that the establishment of the proposed use at the subject location will be in the public interest as it will provide additional educational opportunities for students in the Puna and Hilo areas.
3. That the proposed use will not unreasonably burden public agencies to provide additional facilities and services. All essential utilities and services are available to the subject area. Although some increase in the need for services may be generated by the proposed use, it is not expected that the increase will be of a

substantial nature. In addition, the establishment of the proposed school will aid some public agencies by relieving them of providing certain services. As presented earlier, the proposed school will alleviate some of the pressure on public schools in the area brought about by an increase in population. Other public services such as school transportation which are provided by the government will probably be undertaken by the petitioner. Further, there are no known problems with the access road, water, or drainage which would require government to provide these additional services.

4. That the proposed use will not adversely affect the surrounding properties. The proposed school site is a 10-acre portion of a parcel containing more than 1,000 acres. Surrounding uses include some sugarcane fields, the Hawaii Island Humane Society, the Kea'au Solid Waste Transfer Station site, the Girl Scout Services Center, the recently approved Fraternal Order of Eagles complex and vacant lands. The proposed school use is not anticipated to adversely affect these uses as the anticipated impacts will be mitigated by conditions of approval.

Finally, it should be pointed out that circumstances have not changed since the original Special Permit, which lapsed, was approved in 1975.

As part of this Special Permit, we are also recommending that the petitioner be allowed to create a 10-acre lot in lieu of the minimum requirement of twenty (20) acres as stipulated within the County's A-20a zoned district.

The favorable recommendation was also subject to the following conditions:

1. That the landowner or the petitioner shall submit subdivision plans for the 10-acre area and secure tentative approval within one (1) year from the effective date of approval of the Special Permit. The landowner/petitioner shall also be responsible for securing final subdivision approval. Further, the minimum area of the lot shall be ten (10) acres.

2. That the petitioner or its authorized representative shall submit plans for plan approval within one (1) year from the date of receipt of final subdivision approval. The petitioner/representative shall also be responsible for securing final plan approval.
3. That construction of the proposed facility shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter.
4. That no direct access will be allowed from the Kea'au-Pahoa Road. Access shall be from the existing 80-foot common access roadway located along the easterly boundary.
5. That all other applicable rules, regulations and requirements, including those of the State Department of Health and the County Department of Water Supply shall be complied with.

It should be noted that failure to comply with any of the delineated conditions of approval, particularly those relating to time commencement and expiration, shall be reason for termination of the Special Permit, unless an extension is requested prior to the expiration date and approved.

Enclosed are copies of the Exhibits from the subject docket.

Sincerely,



William F. Mielcke
Chairman, Planning Commission

WFM:lb

Enclosures

cc: Mr. Terry Overstreet
Land Use Division, DPED

LIST OF EXHIBITS - THE HENRY OPUKAHAIA SCHOOL

- A. Application form
- A-1. Applicant's letter 10/6/78
- A-2. Applicant's reasons
- A-3. Applicant's location map
- A-4. Applicant's plot plan
- B. Departmental acknowledgement letter 10/18/78
- C. Memo to the agencies 10/18/78
- D. Transportation 10/20/78
- D-1. Transportation map
- E. Agriculture 10/24/78
- F. Water Supply 10/25/78
- G. Education 10/25/78
- H. Helco 10/25/78
- I. Public Works 10/26/78
- J. Soil Conservation Service 10/30/78
- K. Police 10/30/78
- L. Fire 11/2/78
- M. Health 11/2/78
- N. P & R 11/8/78
- O. Letter to the surrounding property owners 11/17/78
- O-1. Map sent to the surrounding property owners
- O-2. List of the surrounding property owners
- P. Letter to the applicant 11/17/78
- P-1. Public Hearing Notice
- Q. Voting Sheet - close hearing

- R. Minutes 11/30/78
- S. Transcript 11/30/78
- T. Letter to the applicant 12/1/78
- U. Letter to the applicant 12/19/78
- V. Staff Background
- W. Staff Recommendation
- X. Location Map
- Y. Plot Plan
- Z. Voting Sheet
- AA. Minutes 1/11/79

APPLICATION FOR SPECIAL PERMIT

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: The Henry Opukahaia SchoolAPPLICANT'S SIGNATURE: *Terrell Overstreet* Principal/Board MemberADDRESS: P. O. Box 1717, Hilo, Hawaii 96720TELEPHONE: 935-1220TAX MAP KEY: 1-6-04-11AREA: 10 acres

(Size of Parcel)

OWNER: W. H. Shipman Co., Kilauea, HIOWNER'S SIGNATURE: *K. Levine* Treas.APPLICANT'S INTEREST, IF NOT OWNER: Same as belowREQUESTED USE: School (pre-school, elementary, and secondary)

APPLICANT'S REASON(S) FOR REQUESTING SPECIAL PERMIT: (Please attach)

NOTE: The applicant must show that:

- (a) such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;
- (b) the desired use shall not adversely affect surrounding properties;
- (c) such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
- (d) unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;
- (e) the land upon which the proposed use is sought is unsuited for the uses permitted within the district;
- (f) the proposed use will not substantially alter or change the essential character of the land and the present use; and
- (g) the proposed use will make the highest and best use of the land involved for the public welfare.

THIS APPLICATION MUST BE ACCOMPANIED BY:

- (a) 16 copies of the completed application form with attachments.
- (b) 16 copies of a location map.
- (c) 16 copies of a site plan with existing and proposed uses.
- (d) any additional information.
- (e) \$100.00 processing fee.

For Official Use:

Date received _____
120th day _____
Public Hearing date _____
Action date _____
To Land Use Commission _____

EXHIBIT A

The Henry Opukahaia School

Operated by Hawaii Christian Schools, Inc.

P. O. BOX 1717

HILO, HAWAII 96720

(808) 935-1220



October 6, 1978

County Planning Department
County of Hawaii
Hilo, Hawaii 96720

Gentlemen:

The special permit granted to The Henry Opukahaia School expired May 7, 1977 after two years.

We wish to explain why we were unable to build at that time, and to show that we are in a much better position to build now.

There were two main reasons which caused our inability to build within those two years:

(1) No banks were willing to loan money to the school because the school did not have possession of a deed for the ten acres.

(2) The banks were unwilling to lend money because the Board of Directors of The Henry Opukahaia School (owners and operators) were unable to co-sign.

Both of these hindrances to building on the ten acre site have been eliminated. The school has a twenty-year lease hold at a cost of \$1.00 per year with the W. H. Shipman Company. At the end of twenty years, the school has fee-simple ownership. This will help in acquiring the loan.

The only remaining co-founder of the school and principal owner (Board Member), Dale Crowley, Jr., has agreed to use his own land in Hawaii as collateral for the bank loan. The school has also been given a donation of ten acres in the Glenwood area, which will also be used as collateral.

One last thought, gentlemen, is that The Henry Opukahaia School has already invested \$10,000 on the ten acre site. A fire hydrant, rough grading of a road, and the base foundation for three school buildings have been worked on and completed.

The effective ministry of the school has been hindered by the lack of having our own facilities. The public is aware that we plan to build on the Keaau site. We know that our service to the community will be greatly enhanced by the location of The Henry Opukahaia School on these ten acres in Keaau.

Mahalo,

A handwritten signature in dark ink, appearing to read "Henry O. Opukahaia". The signature is fluid and cursive, written over the word "Mahalo,".

Scholarship, Responsible Citizenship & Individualism On A Christian Foundation

Proverbs 22.6 Train up a child in the way he should go and when he is old he will not depart from it.

EXHIBIT A-1

ADDENDUM A

"Application for Special Permit"

to County of Hawaii, County Planning Department

by The Henry Opukahaia School, on October 6, 1978

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

(a) The proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. There are allowances and precedents for agriculturally zoned land to be used for educational purposes. Already granted in the same area are non-agricultural facilities for the Hawaii Humane Society and the Girl Scout Camp building.

(b) The desired use would not adversely affect surrounding property. While there might be residential and business growth in the area in the years to come, the operation of a school on the subject site could not interfere with the lives and activities of those who live and work in the surrounding area, either now or in the years to come. The site is sufficiently removed from presently congested areas that traffic to and from the school should not generate new problems of congestion in the foreseeable future. The exclusively low-rise architecture envisioned for the school could not adversely affect the surroundings.

(c) The proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. The subject site is situated on the main road in rather close proximity to the village of Keaau, making unreasonable demands upon public agencies highly improbable, if not totally unnecessary. To the contrary, the proposed use will provide additional school facilities at private expense. An access road, serving the Girl Scout's facility, the school's ten acres, and properties behind both, is now completed.

(d) Unusual conditions, trends and needs have arisen in this case since the district boundaries and regulations were established. The Henry Opukahaia School experienced considerable growth during its first several years of operation, and has sought appropriate sites for expansion within the principal urban areas of Hilo. Such a location, appropriate in terms of size and cost, is not available. Learning of the school's predicament, the W. H. Shipman Co., Ltd., offered the subject site to the school several years ago to meet its needs for expansion.

(e) When the land was granted by the Shipman Co., it was not being utilized in any way for agricultural purposes. Just recently, however, the surrounding acreage has begun to be used for agricultural purposes.

(f) This assertion can be made, with qualification. The location of a school on the subject site will not alter or change its present peaceful character. The qualification is, however, that to use the subject site for education must be considered a substantial alteration of its present non-use.

(g) The proposed use will indeed make the highest and best use of the land involved for the public welfare. The use of the subject site for educational purposes would enhance the community, would provide services and benefits to many more Big Island families, and would in no way be detrimental to the overall planning needs of the area.

EXHIBIT

A-2

PROPOSED SITE DEVELOPMENT FOR THE HENRY OPUKAHAIA SCHOOL, KEAAU, HAWAII

October 4, 1978
Scale - 1" = 100'
Prep. By: J.D. Crowley

$\frac{1}{4}$ MILE PER LAP TRACK & GAME FIELD

TRUE NORTH

515.64'

40' wide Road with 20 diagonal Parking Spaces

Classrm. Bldg. #2

Gym.

Classroom Bldg. #4

Multi-purpose

LAV.

Office

Classrm Bldg. #1

Classrm Bldg. #3

* Combined drinking fountain and hose bib.

KEAAU to PAHOA ROAD EXHIBIT A-3

692.76'

479.32'

1625'

1243'

1005'

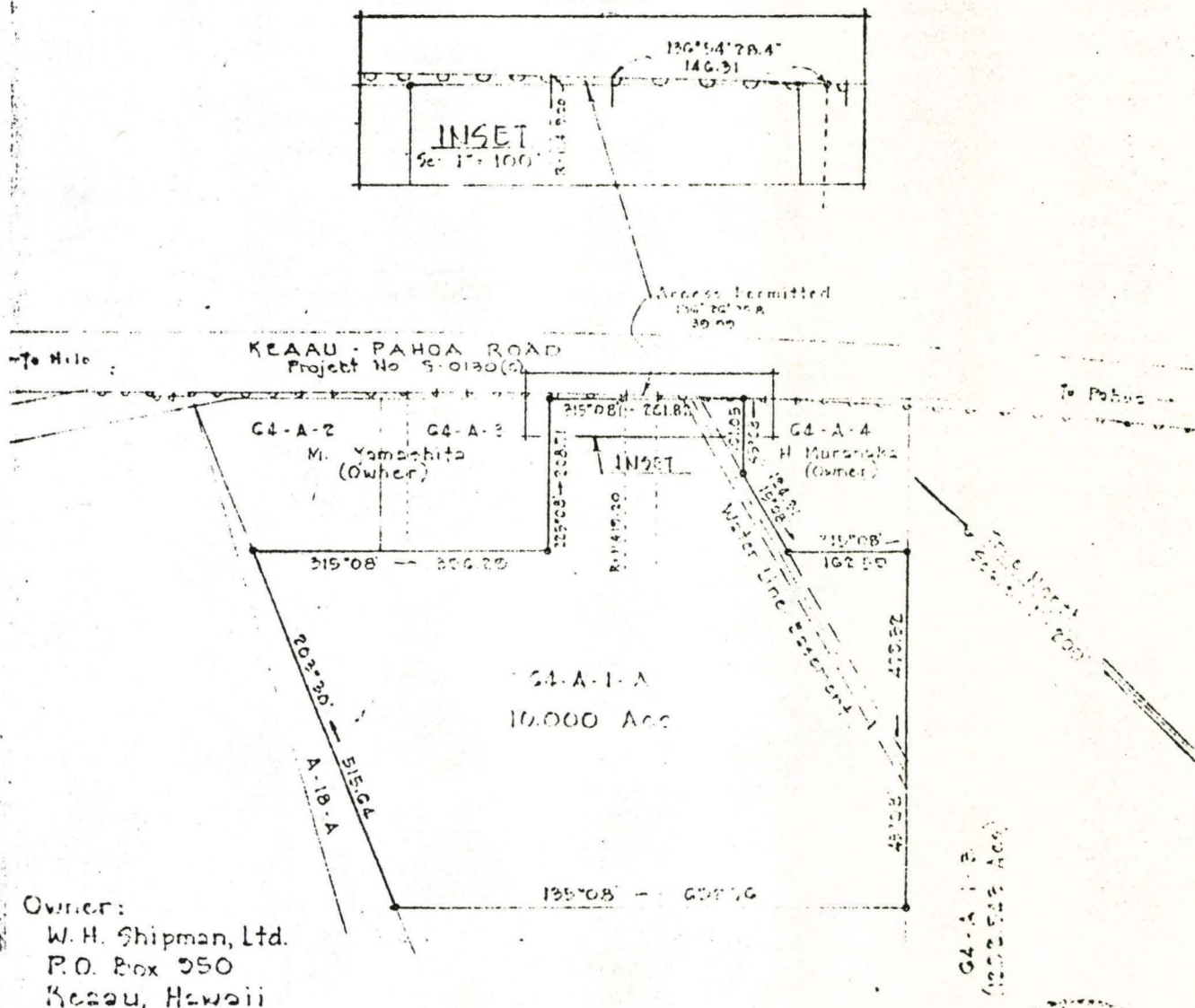
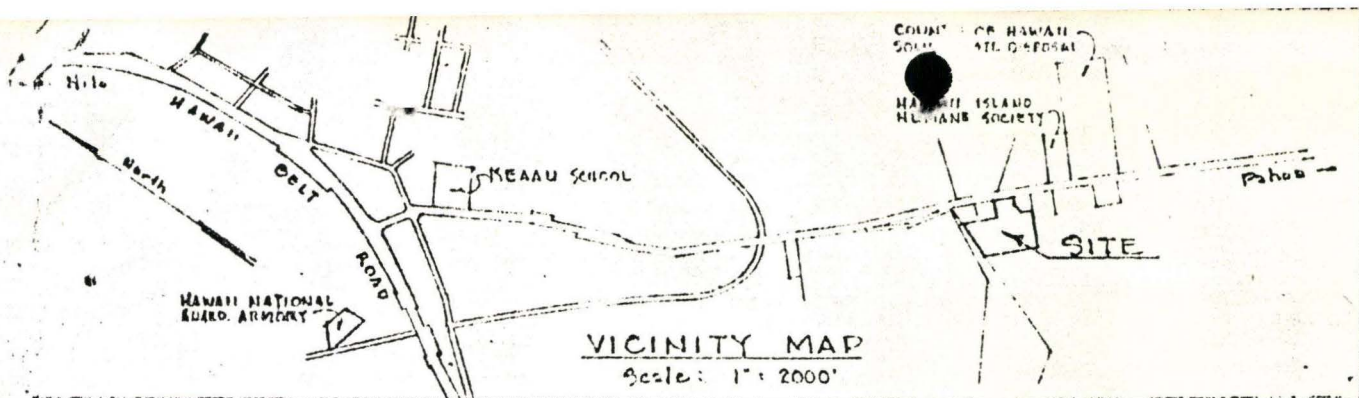
150'

261.82'

35'

396.29'

2087'



Land Court Application 1053
Subdivision of Lot C4-A-1
Into Lots C4-A-1-A and C4-A-1-B
Keauau, Puna, Hawaii
Survey & Plan by Murray, Smith & Assoc., Ltd.
P.O. Box 803

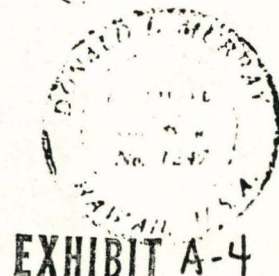


EXHIBIT A-4

THIS: 1-C-04:11

June 29, 1965 Rev. Jan. 22, 1974 Rev. July 15, 1975

Donald James Murray

October 18, 1978

Mr. Terry Overstreet, Principal
The Henry Opukahaia School
P. O. Box 1717
Hilo, HI 96720

Dear Mr. Overstreet:

Special Permit Application
TMK: 1-6-4: portion 11

This is to acknowledge receipt on October 12, 1978,
of the above described special permit application.

The County Planning Commission shall conduct a public hearing on the 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 Ilima Piianaia or Keith Kato of this department at 961-8288.

Sincerely,

Sidney M. Fuke

Sidney M. Fuke
Planning Director

EXHIBIT B

KK:gs

OCT 19 1978

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW R & D Fire
DWS P & R Soil Conservation
Highways DOE Dept. of Ag.
Health Police Helco

From: Planning Director *[Signature]*

Subject: Application for Special Permit
The Henry Opukahaia School
TMK: 1-6-4: portion 11

Date: October 18, 1978

The attached application for a special permit is forwarded for your review. May we have your written comments within two weeks.

Thank you very much.

KK:gs
Attachment

EXHIBIT C

OCT 19 1978



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
HAWAII DISTRICT
50 MAKAALA STREET
P. O. BOX 4277
HILO, HAWAII 96720

IN REPLY REFER TO:

LT-H 78-2.1274

October 20, 1978

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
Henry Opukahaia School
TMK: 1-6-4: portion 11

Our comments on the subject application are as follows:

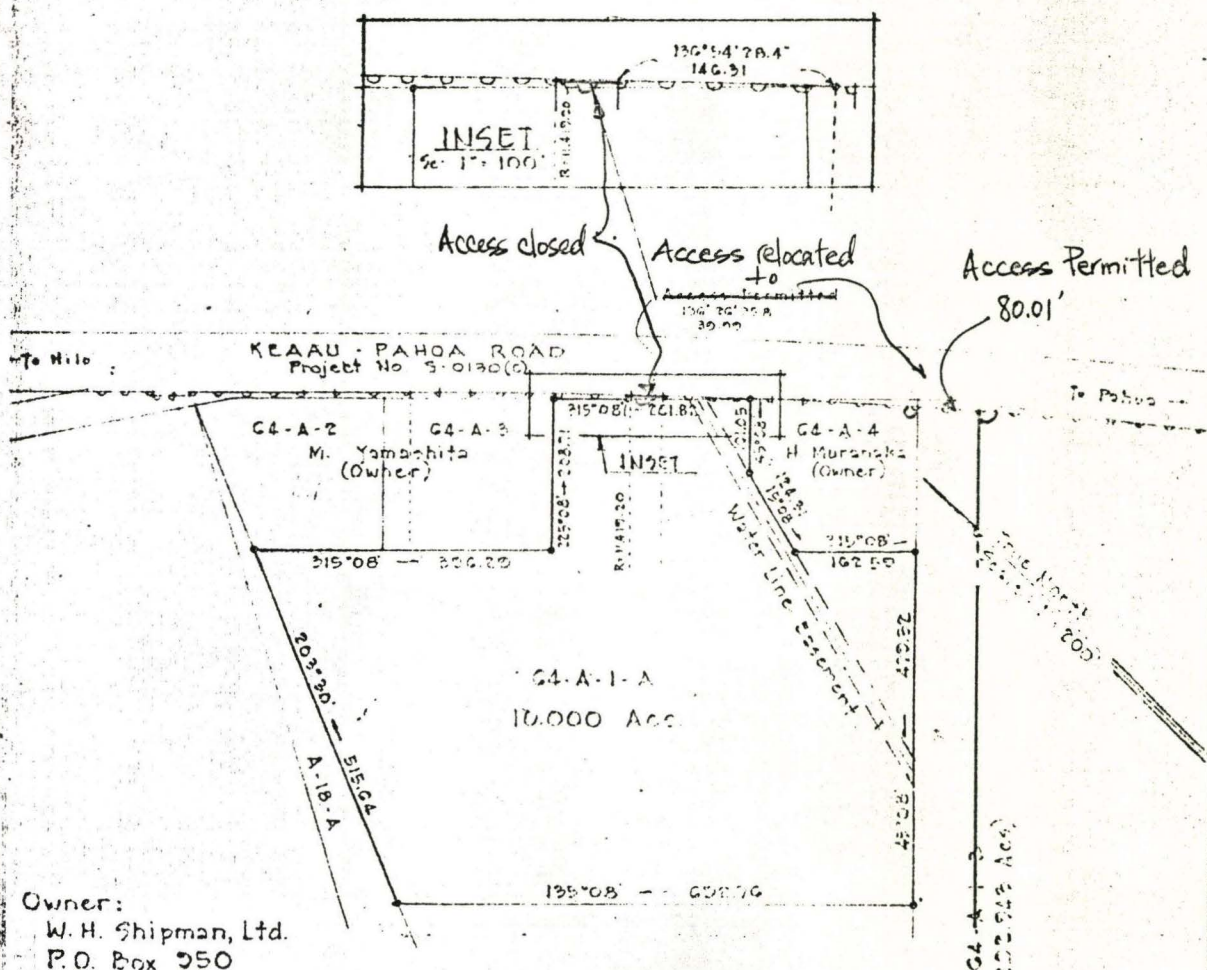
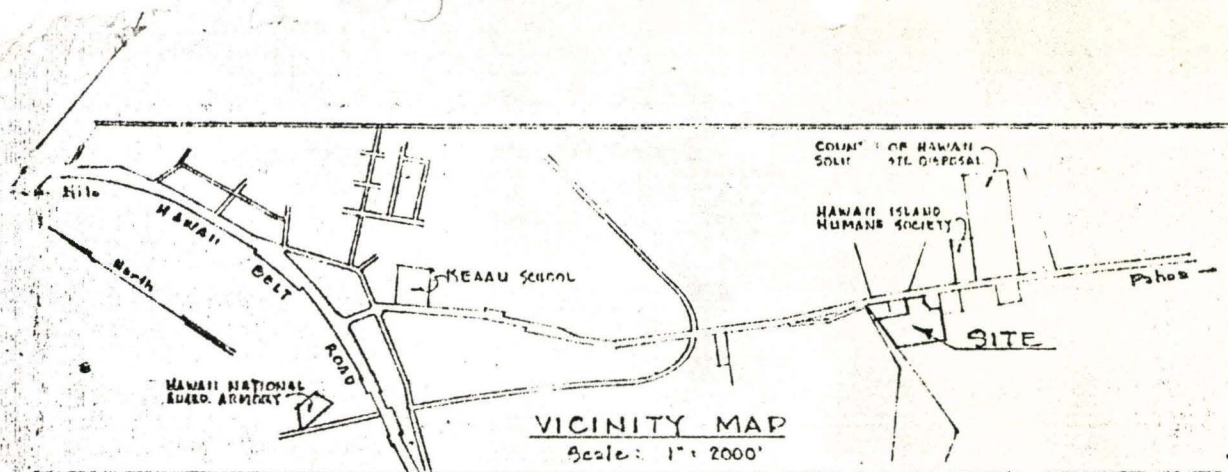
1. We have no objections on the proposed action.
2. Revise the subdivision map to reflect no access permitted off the Keaau-Pahoa Road. See attachment.
3. Access shall be off the common access roadway located along the easterly boundary.

A handwritten signature in cursive script, appearing to read "Chas L. Schuster".

CHAS L. SCHUSTER

Enclosure

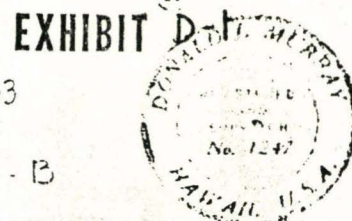
EXHIBIT D



Owner:
W. H. Shipman, Ltd.
P.O. Box 950
Keaau, Hawaii

Land Court Application 1053
Subdivision of Lot G4-A-1
Into Lots G4-A-1-A and G4-A-1-B
Keaau, Puna, Hawaii

Survey & Plan by Murray, Smith & Assoc., Ltd.
P.O. Box 863



TMS: 1-G-04:11

June 29, 1965 Rev. Jan. 22, 1974 Rev. July 15, 1975

THIS SURVEY WAS PREPARED BY ME
ON OCTOBER 1, 1965

Donald James Murray

GEORGE R. ARIYOSHI
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 SO. KING STREET
HONOLULU, HAWAII 96814

JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

BOARD MEMBERS:

Suzanne D. Peterson
MEMBER - AT - LARGE

ERNEST F. MORGADO
MEMBER - AT - LARGE

Sidney Goo
MEMBER - AT - LARGE

Federico Galdones
HAWAII MEMBER

James E. Nishida
KAUAI MEMBER

FRED M. OGASAWARA
MAUI MEMBER

October 24, 1978

MEMORANDUM

To: Mr. Sidney Fuke, Director
Hawaii County Planning Department

Subject: Application for Special Permit
The Henry Opukahaia School
TMK: 1-6-4: portion 11

The Department of Agriculture has reviewed the subject application and has no comments to offer.

We appreciate the opportunity to comment.

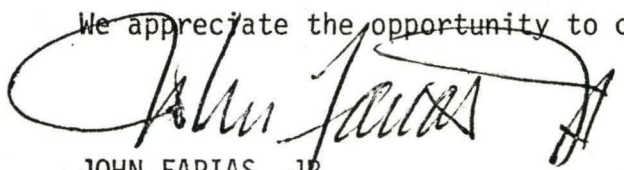
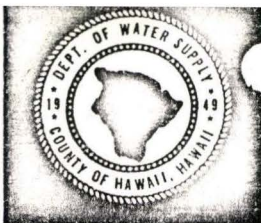

JOHN FARIAS, JR.
Chairman, Board of Agriculture

EXHIBIT E



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

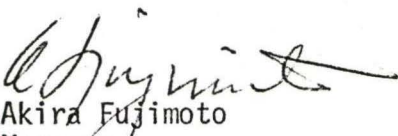
25 AUPUNI STREET

October 25, 1978

TO: Planning Department
FROM: Manager
SUBJECT: APPLICATION FOR SPECIAL PERMIT
APPLICANT - THE HENRY OPUKAHAIA SCHOOL
OWNER - W. H. SHIPMAN, LTD.
TAX MAP KEY 1-6-04:11

We have no objections to the subject request.

Water is available from an 8-inch waterline along Keaau-Pahoa Road.


Akira Fujimoto
Manager
QA

... Water brings progress...

EXHIBIT F

Date: October 25, 1978

EXHIBIT G

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



LIC 2
H-W/R

October 25, 1978

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

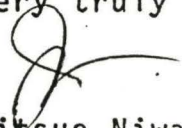
Attention: Mr. Sidney M. Fuke
Director

Gentlemen:

SUBJECT: Application for Special Permit
The Henry Opukahaia School
TMK: 1-6-4: portion 11

We have no comments to the above application as per
your memorandum of October 18, 1978.

Very truly yours,


Jitsuo Niwao, Manager
Engineering Department

JN: cmh

EXHIBIT H

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HAWAII

HILO, HAWAII

DATE October 26, 1978

Memorandum

TO : Planning Department

FROM : Chief Engineer

SUBJECT: Application for Special Permit
Applicant: Henry Opukahaia School
Location: Keaau, Puna, Hawaii
TMK: 1-6-4:Por. 11

We have reviewed the subject application and should this permit be approved, all necessary permits (building, plumbing and electrical) shall be obtained prior to any construction.


EDWARD HARADA, Chief Engineer

EXHIBIT I

UNITED STATES DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

P. O. Box 1361, Hilo, Hawaii 96720

October 30, 1978

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

Dear Mr. Fuke:

Subject: Application for Special Permit
The Henry Opukahaia School
TMK 1-6-4:Portion 11

We have reviewed the application for special permit and do not anticipate any soil or water problems.

It will be difficult to develop the site because it consists of pahoehoe lava. Soil material will be needed for establishment of lawns.

Sincerely,



Larry Soenen
District Conservationist

EXHIBIT J





POLICE DEPARTMENT

COUNTY OF HAWAII
349 KAPIOLANI STREET
HILO, HAWAII 96720



OUR REFERENCE 11870

GUY A. PAUL

YOUR REFERENCE

CHIEF OF POLICE

October 30, 1978

TO : SIDNEY FUKU, PLANNING DIRECTOR
FROM : GUY A. PAUL, CHIEF OF POLICE
SUBJECT: APPLICATION FOR SPECIAL PERMIT-THE HENRY OPUKAHAIA SCHOOL
TMK: 1-6-4: portion 11

The application submitted by the above applicant has been reviewed and from the police standpoint, we can foresee no adverse effects from the requested land use.


GUY A. PAUL
CHIEF OF POLICE

AAH/RLP/k

EXHIBIT K

DATE November 2, 1978

Memorandum

TO : Planning Department

FROM : Hiroshi Shishido, Deputy Fire Chief

SUBJECT: APPLICATION FOR SPECIAL PERMIT
THE HENRY OPUKAHAIA SCHOOL
TMK: 1-6-4: PORTION 11

The Fire Department has no objections to this application.

Fire protection is provided by Keaau Fire Station. Hydrant is located in the vicinity.

Hiroshi Shishido

HIROSHI SHISHIDO
DEPUTY FIRE CHIEF

HS/mo

EXHIBIT L

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To DPW R & D Fire
DWS P & R Soil Conservation
Highways DOE Dept. of Ag.
✓ Health Police Helco

Date: October 18, 1978

From: Planning Director *[Signature]*

Subject: Application for Special Permit
The Henry Opukahaia School
TMK: 1-6-4: portion 11

The attached application for a special permit is forwarded for your review. May we have your written comments within two weeks.

Thank you very much.

KK:gs
Attachment

Department of Health
Hilo, Hawaii
November 2, 1978

COMMENTS

Environmental Health concern are:

1. Sanitary facilities required for schools by Public Health Regulation, Chapter One, Sanitation, Section 79,
2. Sewage treatment and disposal system requirements of Chapter 38, Public Health Regulations.

If a cafeteria type food operation is also projected, Chapter 1-A, Food Service Sanitation Code is the reference public health regulation.

Harold
HAROLD MATSUURA
Chief Sanitarian, Hawaii

EXHIBIT M

DEPARTMENT OF PARKS & RECREATION
COUNTY OF HAWAII

Date: Nov. 8, 1978

TO: PLANNING DEPARTMENT

FROM: DEPARTMENT OF PARKS & RECREATION

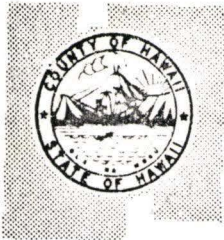
RE: () CHANGE OF ZONE APPLICATION
(x) SPECIAL PERMIT APPLICATION - School Complex
() USE PERMIT APPLICATION
() VARIANCE
()

FOR: Henry Opukahaia School TMK 1-6-04:11

We have no adverse comments to offer on the request to develop a school complex on the subject area.

Milton T. Hakoda
Director

EXHIBIT N



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

November 17, 1978

Dear Property Owner: TMK:

Special Permit Application
Keaau, Puna, Hawaii
Tax Map Key 1-6-04:portion of 11

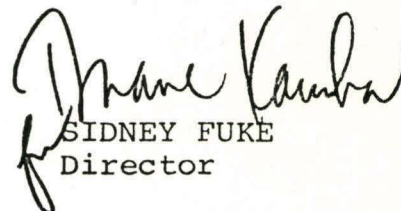
You are hereby notified that a request for a special permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District and the revocation of Special Permit 75-200 which allowed the proposed use but which has lapsed has been submitted by the petitioner, The Henry Opukahaia School.

The property is situated off the southwestern side of the Pahoa-Keaau Road, in the vicinity of the Humane Society compound and the County rubbish dump, Keaau, Puna, Hawaii.

A public hearing on the subject among others will be held beginning at 4:00 p.m. on Thursday, November 30, 1978 in the Councilroom, County Building, South Hilo, Hawaii.

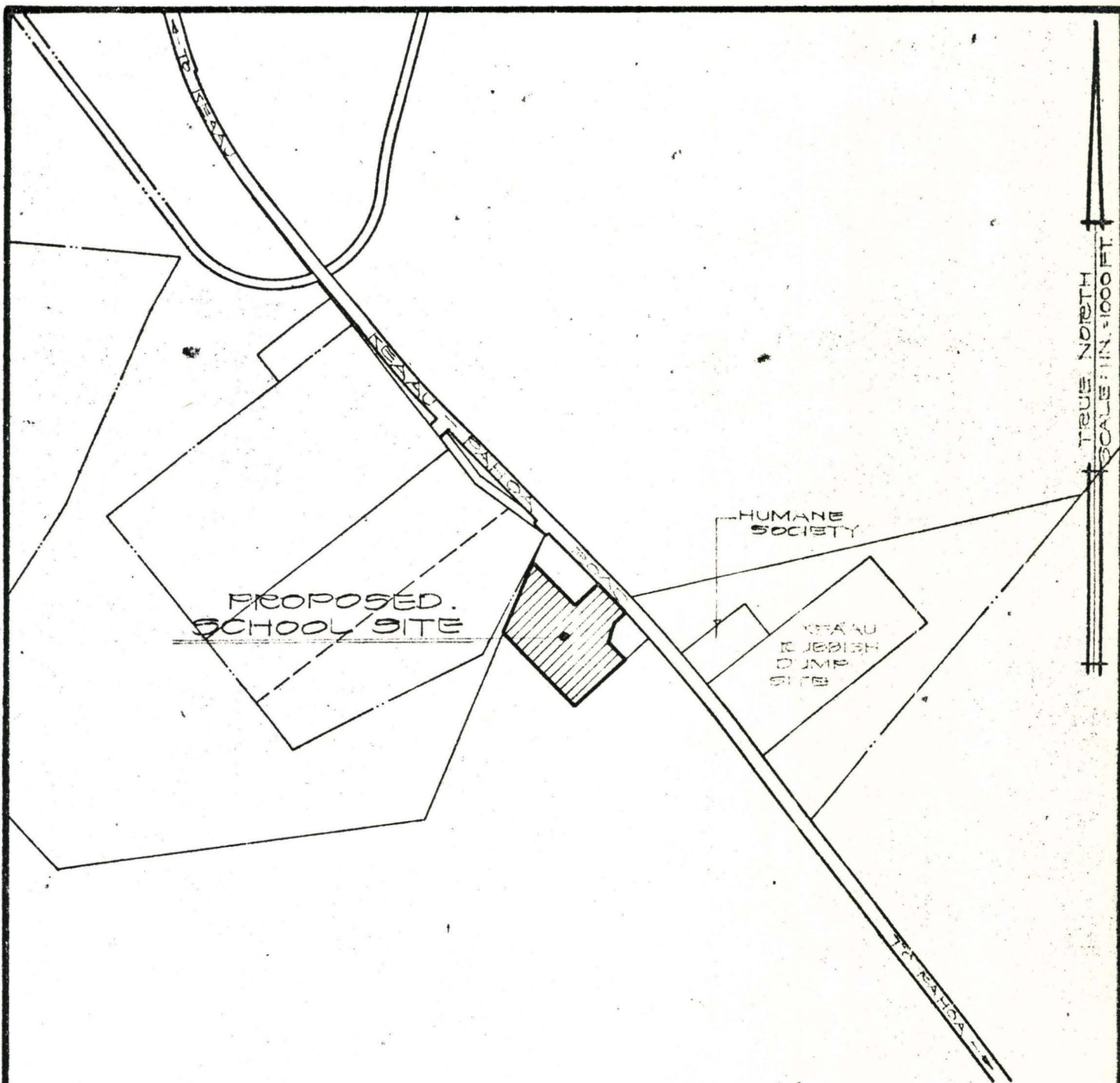
You are invited to comment on the application at the hearing or submit written comments prior to the hearing.

Sincerely,


SIDNEY FUKU
Director

lgv
Enclosure

NOV 17 1978
EXHIBIT O



SPECIAL PERMIT REQUEST

CONSTRUCTION OF THE
HENRY OPUKAHAIA SCHOOL

KEA'AU, PUNA, HAWAII

TAX MAP KEY: 1-6-04: PORTION OF II
PERMIT REQUEST BY: THE HENRY OPUKAHAIA SCHOOL

EXHIBIT 0-1

JAN. 14, 1975

SPECIAL PERMIT
HENRY C. KAHALIA SCHOOL
CONSTRUCTION OF A SCHOOL
1-6-04: por II (10,000 ACRES)

(5)

1-6-04:45 Masaru Yamashita

Box 702, Keaau, Hi 96749

47 Hideo Muranaka

Box 703, Keaau, Hi 96749

1-6-03: 9 ~~Warren Yee~~ Robert M. Lougher
Bishop Trust Co POBx 2390 HNL 96864

~~4 1009 Kakaia St., Waimanalo, Hi 96795~~

11 W. H. Shipman Ltd.

Box 950, Keaau, Hi 96749

74 Hawaii Island Humane Soc.

SR 16 870 Keaau, HI 96749

~~Box 1777, Hilo, Hi 96720~~

November 17, 1978

Mr. Terry Overstreet, Principal
The Henry Opukahaia School
P. O. Box 1717
Hilo, HI 96720

Dear Mr. Overstreet:


Notice of a Public Hearing
Special Permit Application
Tax Map Key 1-6-4: portion of 11

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 4:00 p.m. on Thursday, November 30, 1978, in the Councilroom, County Building, South Hilo, 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.

Sincerely,



for

Sidney M. Fuke
Director

gs

Enclosure

cc: State Land Use Commission
Land Use Division, DPED

EXHIBIT P

NOV 17 1978

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: Councilroom, County Building, South Hilo

DATE: Thursday, November 30, 1978

TIME: Items #1-3: 4:00 p.m.
Items #4-~~6~~₅: 7:00 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. PETITIONER: JOHN TAIRA

LOCATION: Along the south side of Puainako Street across from the Waiakea Elementary & Intermediate School complex, Waiakea Homesteads, 1st Series, Waiakea, South Hilo.

TMK: 2-4-09:89

PURPOSE: Request for an extension of time to a condition of Variance Permit No. 459 relative to securing tentative subdivision approval. Variance Permit No. 459 allows the creation of an 11,980-square foot lot within the Single Family Residential-15,000 square foot (RS-15) zoned district.

2. PETITIONER: THE HENRY OPUKAHAIA SCHOOL

LOCATION: Off the southwestern side of the Pahoa-Keaau Road, in the vicinity of the Humane Society compound and the County rubbish dump, Keaau, Puna.

EXHIBIT P-1

TMK: 1-6-04:portion of 11
PURPOSE: Special Permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District. Also consideration of the revocation of Special Permit 75-200 which allowed the proposed use but which has lapsed.

34. PETITIONER: CALVARY UNITED PENTECOSTAL CHURCH
LOCATION: Off of Ainaola Drive at the end of Hale Hooko Street, Hale Hooko Acres Subdivision, Waiakea Homestead, 2nd Series, South Hilo.

TMK: 2-4-33:34
PURPOSE: Special Permit to allow the establishment of a church and sunday school on one acre of land situated within the State Land Use Agricultural District.

45. Public hearing on proposed amendments to the City of Hilo Zone Map initiated by the Planning Director. The proposed amendments are: a) delete the proposed 120-foot wide right-of-way primary arterial along Kamehameha Avenue and Silva Street from the Kamehameha Avenue-Kalaniana'ole Street intersection to the Silva Street-Kalaniana'ole Street intersection to 90 feet; and c) reduce the proposed right-of-way width of Kalaniana'ole Street from the Kalaniana'ole Street-Silva Street intersection to the Kionakapahu Pond area from 120 to 90 feet.

58. Public hearing on proposed amendment to Rule 6 of the Planning Commission relating to Special Permit procedures.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed development and the proposed amendments to the City of Hilo Zone Map and Rule 6 of the Planning Commission are on file in the office of the Planning Department 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
WILLIAM F. MIELCKE, Chairman
By SIDNEY M. FUKU
Planning Director

(Hawaii Tribune-Herald: November 20 and 28, 1978)

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date November 30, 1978

Petitioner the Henry Opukahaia School - Special Permit

 Preliminary hearing / Public hearing Request Action

ACTION: Approve

 Deny

 Defer

 Continue

 Schedule for public hearing

Other: Close

Commissioners	Aye	No	Excused	Abstain
FUJIMOTO, Shigeru	/			
HANLEY, J. Walsh			✓	
JITCHAKU, Lorraine R.			✓	
MURAKAMI, Haruo				
NAKANO, Bert H. <i>2nd</i>				
ORITA, Alfredo <i>M</i>				
PARIS, William Jr.				
SAKAMOTO, Charles				
MIELCKE, William F.				

EXHIBIT Q

PLANNING COMMISSION

Planning Department
County of Hawaii

EXHIBIT R

MINUTES
November 30, 1978

The Planning Commission met in regular session at 10:00 a.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT:	William F. Mielcke	ABSENT:	Ex-officio Member
	Shigeru Fujimoto		Akira Fujimoto
	J. Walsh Hanley (Left at 3:30 p.m.)		
	Lorraine R. Jitchaku (Left at 5:00 p.m.)		
	Haruo Murakami		
	Bert H. Nakano		
	Alfredo Orita		
	William J. Paris, Jr.		
	Charles H. Sakamoto		

Sidney M. Fuke, Director
Norman Hayashi, Planner (Left at 10:30 a.m.)
Gerald Hay, Planner (Left at 10:30 a.m.)
Ilima Piianaia, Planner (From 2:30 p.m.)
Keith Kato, Planner
William Moore, Planner

David Murakami, representing Ex-officio Member Edward Harada
Reginald Minn, Deputy Corporation Counsel

and approximately 4 people in attendance at 10:00 a.m.,
8 people at 10:30 a.m., 6 people at 2:30 p.m., 9
people at 5:00 p.m. and 14 people at 7:00 p.m.

It was moved by Commissioner Orita and seconded by Commissioner Fujimoto that the request be approved.

For clarification, Mrs. Hale pointed out that just one lot has 11,980 square feet and that they now have a grant of easement which has been recorded so there should be no further delay.

A roll call vote was taken on the motion that the request be approved; motion carried with seven ayes.

X SPECIAL PERMIT
HENRY OPUKAHAIA
SCHOOL
KEA'AU, PUNA

Public hearing on the application of the Henry Opukahaia School for a Special Permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District. The area under consideration is located off the southwestern side of the Pahoa-Kea'au Road in the vicinity of the Humane Society compound and the County rubbish dump, Kea'au, Puna, TMK: 1-6-04: portion of 11.

Staff presented background on file.

Staff pointed out that the parking requirements will be reviewed at the time of plan approval and will be subject to the County's requirements.

The petitioner's representatives, Terry Overstreet and James Williams, were in attendance. Mr. Overstreet pointed out that they are in the process of obtaining the deed and did not foresee any further delays. He noted that the present enrollment is 75 students from kindergarten through 10th grade; that their first phase of the building would have facilities for 200 students which would be from pre-school through 12th grade; and that their projected total enrollment is 300 students.

There was no one from the public wishing to testify on the application.

It was moved by Commissioner Orita and seconded by Commissioner Nakano that the public hearing be closed; motion was carried.

SMA USE PERMIT
NO. 21
TIME EXTENSION
COUNTY OF HAWAII
DEPARTMENT OF
PUBLIC WORKS
MANOWAIOPAE-
WAIPUNALEI,
NORTH HILO

Public hearing on the request of the County of Hawaii Department of Public Works for a 2-year time extension to Special Management Area (SMA) Use Permit No. 21 which allows the construction of improvements to the Laupahoehoe Point Access roads, Manowaiopae-Waipunalei, North Hilo, TMK: 3-6-01, 02, 04, 10 and 11.

Public Works' representative, David Murakami, commented that although this project is not of a high priority, if funding becomes available they will proceed with the project.

Planning Director Fuke pointed out that funding for this project was appropriated in 1975 and will lapse in 1980; therefore, if this project does not get off the ground in two years, there can be no additional time extension requests.

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
November 30, 1978

A regularly advertised public hearing on the application of the Henry Opukahaia School, was called to order at 5:05 p.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman William F. Mielcke presiding.

PRESENT:	William F. Mielcke	ABSENT:	J. Walsh Hanley
	Shigeru Fujimoto		Lorraine R. Jitchaku
	Haruo Murakami		
	Bert H. Nakano		Ex-officio Member
	Alfredo Orita		Akira Fujimoto
	William J. Paris, Jr.		
	Charles H. Sakamoto		

Sidney M. Fuke, Director
Ilima Piianaia, Planner
Keith Kato, Planner
William Moore, Planner

David Murakami, representing Ex-officio Member Edward Harada
Reginald Minn, Deputy Corporation Counsel

and approximately 6 people in attendance

CHAIRMAN: We'll move on to item two under public hearings. Public hearing on the application of the Henry Opukahaia School for a Special Permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District. The area under consideration is located off the southwestern side of the Pahoa-Kea'au Road in the vicinity of the Humane Society compound and the County rubbish dump, Kea'au, Puna, TMK: 1-6-04:portion of 11.

MOORE: (Presented background on file.)

CHAIRMAN: Commissioners, do you have any questions of the staff's background report on this application for a Special Permit?

ORITA: Mr. Chairman?

CHAIRMAN: Yes.

ORITA: Do they intend to park more so in the driveway where it says driveway and parking, on that particular road?

OVERSTREET: Yes, sir.

MOORE: For the Commissioners' information, the parking will be reviewed at the time of plan approval and will be subject to County's requirements.

EXHIBIT 5

CHAIRMAN: Any further questions for the staff? Okay, are either of you ministers?

OVERSTREET: Lay.

CHAIRMAN: Lay ministers, okay, you may affirm to the oath then.

OVERSTREET: Yes.

WILLIAMS: Yes.

CHAIRMAN: Okay, will you identify yourselves into the microphone please.

OVERSTREET: Terry Overstreet, principal of the Henry Opukahaia School.

WILLIAMS: James Williams, chairman of the board and director of the Henry Opukahaia School.

CHAIRMAN: Gentlemen, you've heard the staff's background report on your application for a Special Permit. Do you have anything to add for the benefit of the Commission?

OVERSTREET: No.

CHAIRMAN: Commissioners, do you have any questions for either Mr. Overstreet or Mr. Williams?

ORITA: Mr. Chairman?

CHAIRMAN: Yes, Commissioner Orita.

ORITA: It says one of the reasons why they couldn't have built this building two years ago was the fact that, they didn't have possession of the deed. Do they have possession of the deed now?

WILLIAMSON: In the process.

ORITA: In the process?

OVERSTREET: In the process. The deed will be given to us when we make our share of the payments for the road, the access road which is shared with the Girl Scouts, Shipman Company and ourselves.

CHAIRMAN: And when do you expect that to happen?

OVERSTREET: Any time now.

CHAIRMAN: Funds are available so you're in the process of getting -?

OVERSTREET: Yes.

CHAIRMAN: Okay, that's what you were concerned about Commissioner Orita?

ORITA: Yes.

CHAIRMAN: Thank you. Further questions?

PARIS: Yes.

CHAIRMAN: You don't see any further delay in asking for any further extension?

OVERSTREET: No, sir, we don't.

PARIS: You don't?

OVERSTREET: No, sir, we don't.

PARIS: Okay.

CHAIRMAN: You believe that you can proceed now in an orderly fashion and go ahead with the construction of the school?

OVERSTREET: Yes, sir.

MURAKAMI: Mr. Chairman?

CHAIRMAN: Commissioner Murakami.

MURAKAMI: Can you tell me what's the total enrollment you have at the present school?

OVERSTREET: The total enrollment at the moment is 75 students.

MURAKAMI: Seventy-five students?

OVERSTREET: Seventy-five students.

CHAIRMAN: In what grades?

OVERSTREET: Kindergarten through tenth grade.

CHAIRMAN: Kindergarten through tenth?

OVERSTREET: Through tenth.

CHAIRMAN: Okay, Commissioners, further questions? Staff, did you have any questions?

MOORE: Following up on Commissioner Murakami's question, what is the projected enrollment at the school?

OVERSTREET: Our first phase of building would have facilities for 200 students, including the pre-school and going all the way through twelfth grade, including kindergarten.

CHAIRMAN: Go ahead.

MOORE: Upon final development of all the improvements, what is your projected total enrollment?

OVERSTREET: Three hundred students.

MOORE: Thank you.

CHAIRMAN: Okay, further questions? If there are no further questions of the applicant's representatives, gentlemen, you may remain seated there. This is a public hearing and the Chair at this time would like to invite anyone from the audience who wishes to offer testimony either for or against the application to please so indicate by raising your hand. Since there is no one from the audience who wishes to offer testimony, then the Chair will entertain a motion to either continue the public hearing or to close the public hearing.

ORITA: Mr. Chairman?

CHAIRMAN: Commissioner Orita.

ORITA: On the application of the Henry Opukahaia School for a Special Permit, I make a motion that we close the public hearing.

NAKANO: Second.

CHAIRMAN: It has been moved by Commissioner Orita and seconded by Commissioner Nakano that the public hearing be closed. All those in favor so signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose, same sign? Public hearing is closed.

The public hearing adjourned at 5:20 p.m.

Respectfully submitted,

Sharon M. Nomura
Secretary

A T T E S T:

William F. Mielcke
Chairman, Planning Commission

December 1, 1978

Mr. Terry Overstreet, Principal
The Henry Opukahaia School
P. O. Box 1717
Hilo, HI 96720

Dear Mr. Overstreet:

Special Permit Application
Tax Map Key 1-6-04:portion of 11

The Planning Commission at its meeting of November 30, 1978 held a duly advertised public hearing on your application for a special permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District at Kea'au, Puna, Hawaii.

In accordance with the provisions of Rule 6 of the Planning Commission, 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.

Sincerely,



WILLIAM F. MIELCKE
Chairman, Planning Commission

lgv

cc State Land Use Commission
Land Use Division, DPED

EXHIBIT

T

December 19, 1978

Mr. Terry Overstreet, Principal
The Henry Opukahaia School
P. O. Box 1717
Hilo, HI 96720

Dear Mr. Overstreet:

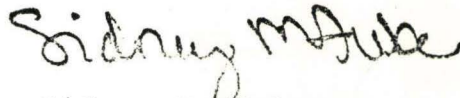
Special Permit Application
Tax Map Key 1-6-04:portion of 11

Your application will again be discussed on Thursday, January 11, 1979, by the Planning Commission. The meeting will be held in the County Councilroom, County Building, South Hilo, Hawaii, and is scheduled to begin at 10:00 a.m.

You will be notified of the Commission's decision.

A copy of the agenda is enclosed for your information.

Sincerely,



Sidney M. Fuke
Planning Director

smn

Enclosure

CC: State Land Use Commission
Land Use Division, DPED

EXHIBIT U

DEC 20 1978

SPECIAL PERMIT: HENRY OPUKAHAIA SCHOOL

The Henry Opukahaia School is requesting a Special Permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District. The area under consideration is located off the southwestern side of the Pahoa-Kea'au Road in the vicinity of the Humane Society Compound and the County Rubbish Dump, Kea'au, Puna (TMK: 1-6-04: portion of 11).

More specifically, the petitioner is proposing to subdivide a 10-acre portion of the existing 1,222.5 acre parcel owned by W. H. Shipman Ltd. for the school site. This would allow the existing Henry Opukahaia School to be relocated from its present site in Hilo to the Kea'au area. This school is intended to serve students from pre-school through high school.

The proposed improvements include 4 classroom buildings, a multi-purpose building including offices, gymnasium, track and game field and other related improvements.

In support of this request, the petitioner submitted the following:

(READ PETITIONER'S REASONS)

For the Commissioners' information, Special Permit 75-200 was granted on May 1, 1975, allowing the establishment of a private school on the 10-acre subject area. One of the conditions of

EXHIBIT V

approval of this Special Permit was that "Construction of the first building shall commence within two years from the date of approval of the Special Permit." The petitioner was not able to comply with this condition which expired on May 1, 1977, and consequently, is reapplying for the Special Permit. In this regards, the petitioner further stated:

(READ PETITIONER'S OCTOBER 6, 1978 LETTER)

The General Plan Land Use Pattern Allocation Guide Map designates this area as Orchards. The County zoning designation is Agricultural - 20 acre (A-20a). The proposed private school is a conditionally permitted use within the County's Agricultural zoned district.

For the Commissioners' information, although the minimum lot size in this Agricultural zoned district is 20 acres, through this Special Permit procedure, the proposed 10-acre parcel may be created.

The 10-acre subject area is presently vacant of any use. Surrounding land uses include the Kea'au Solid Waste Transfer Station, the Hawaii Island Humane Society Compound, the Girl Scout Service Center, the proposed fraternal home of the Fraternal Order of Eagles and vacant lands. In addition, there are two single family dwellings situated adjacent to the subject area along the Pahoa-Kea'au Road.

According to the U. S. Department of Agriculture Soil Conservation Service Soil Survey dated December 1973, the land involved consists of Pahoe-hoe lava with no soil covering. The area receives 150 inches of rainfall annually. The Land Study Bureau Master

Productivity rating of the soil on the subject area is "E" or "Very Poor". The property in question is not designated as Unique, Important or other Important Agricultural Lands by the State Department of Agriculture.

Access to the subject area is proposed to be off the Pahoa-Kea'au Road via the Girl Scout Service Center access road which has an 80-foot right-of-way and a 20-foot pavement to the rear of their property.

All necessary utilities and infrastructures are or will be available to the subject area.

Upon review of the subject request, the Department of Public Works stated, "We have reviewed the subject application and should this permit be approved, all necessary permits (building, plumbing and electrical) shall be obtained prior to any construction."

The Department of Water Supply had no objections to this request, commenting that "Water is available from an 8-inch water line along Keaau-Pahoa Road".

The County Fire Department also had no objections to this request stating that "Fire protection is provided by Keaau Fire Station. Hydrant is located in the vicinity".

The Soil Conservation Service commented:

"We have reviewed the application for Special Permit and do not anticipate any soil or water problems.

"It will be difficult to develop the site because it consists of pahoe-hoe lava. Soil material will be needed for establishment of lawns."

The State Department of Health indicated that the environmental health concerns of the proposed school are:

- "1. Sanitary facilities required for schools by Public Health Regulation, Chapter One, Sanitation Section 79.
- "2. Sewage treatment and disposal system requirements of Chapter 38, Public Health Regulations.

"If a cafeteria type food operation is also projected, Chapter 1-A, Food Service Sanitation Code is the referenced Public Health Regulation."

The State Department of Transportation commented as follows:

- "1. We have no objections on the proposed action.
- "2. Revise subdivision map to reflect no access permitted off the Keaau-Pahoa Road.
- "3. Access shall be off the common access roadway located along the easterly boundary".

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

RECOMMENDATION: HENRY OPUKAHAIA SCHOOL

Upon careful review of the subject request staff recommends that it be given favorable consideration based on the following findings:

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The intent of the Land Use Law and Regulations is to preserve, protect 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 Land Use Regulations state that 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 may be included in the Agricultural District. The area under consideration consists primarily of pahoehoe lava. The Land Study Bureau has classified this land as "E" or very poor. Further, the property in question is not designated as Unique, Important or other Important Land under the Lands of Agricultural Importance to the State of Hawaii classification system. Although there may be certain agricultural activities which could be undertaken on the subject property it is determined that the requested use will not be detrimental to the

EXHIBIT W

island's agricultural resource base nor will it have an adverse impact on the overall agricultural activity of the region and the island. Further, the proposed use is consistent with the County Zoning Code. Approval of the proposed use will not be inherently contrary to the spirit and intent of the Zoning Code in that schools are conditionally permitted uses within the County's Agricultural zoned district.

2. That the proposed use is consistent with the policy of the County General Plan of providing a variety of educational opportunities for the island's population. Present trends and needs have arisen recently which reflect a desire for private school facilities. In addition, public school enrollments in Puna and some of the ^{Hilo}~~high~~ schools have increased drastically over the past few years. The establishment of a private school in this general area may alleviate some of the pressures on the public school system. Further, an increase in enrollment at the existing school facility has forced the school to seek a new site for the purpose of relocation. As such, it is determined that the establishment of the proposed use at the subject location will be in the public interest as it will provide additional educational opportunities for students in the Puna and Hilo areas.
3. That the proposed use will not unreasonably burden public agencies to provide additional facilities and services. All essential utilities and services are available to the subject

area. Although some increase in the need for services may be generated by the proposed use, it is not expected that the increase will be of a substantial nature. In addition, the establishment of the proposed school will aid some public agencies by relieving them of providing certain services. As presented earlier, the proposed school will alleviate some of the pressure on public schools in the area brought about by an increase in population. Other public services such as school transportation which are provided by the government will probably be undertaken by the petitioner. Further, there are no known problems with the access road, water, or drainage which would require government to provide these additional services.

4. That the proposed use will not adversely affect the surrounding properties. The proposed school site is a 10-acre portion of a parcel containing more than 1,000 acres. Surrounding uses include some sugarcane fields, the Hawaii Island Humane Society, the Kea'au Solid Waste Transfer Station site, the Girl Scout Services Center, the recently approved Fraternal Order of Eagles complex and vacant lands. The proposed school use is not anticipated to adversely affect these uses as the anticipated impacts will be mitigated by conditions of approval.

Finally, it should be pointed out that circumstances have not changed since the original Special Permit, which lapsed, was approved in 1975. ^{Ch} As part of this Special Permit, we are also

recommending that the petitioner be allowed to create a 10-acre lot in lieu of the minimum requirement of twenty (20) acres as stipulated within the County's A-20a zoned district.

It is further recommended that the request be given favorable consideration subject to the following conditions:

1. That the landowner or the petitioner shall submit subdivision plans for the 10-acre area and secure tentative approval within one (1) year from the effective date of approval of the Special Permit. The landowner/petitioner shall also be responsible for securing final subdivision approval. Further, the minimum area of the lot shall be ten (10) acres.
2. That the petitioner or its authorized representative shall submit plans for plan approval within one (1) year from the date of receipt of final subdivision approval. The petitioner/representative shall also be responsible for securing final plan approval.
3. That construction of the ^{proposed building} classroom buildings shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter.
4. That no direct access will be allowed from the Kea'au-Pahoa Road. Access shall be from the existing 80-foot common access roadway located along the easterly boundary.
5. That all other applicable rules, regulations and requirements, including those of the State Department of Health and the County Department of Water Supply shall be complied with.

~~And if any of the foregoing conditions not be met, the~~

~~Special Permit may be deemed null and void.~~

It should be noted that failure to comply with any of the delineated conditions of approval, particularly those relating to time commencement and expiration, shall be reason for termination of the Special Permit, unless an extension is requested prior to the expiration date and approved.

Date January 11, 1979

Petitioner HENRY OPUKAHAIA SCHOOL - Special Permit

 Preliminary hearing Public hearing Request ☒ Action

ACTION: ☒ Approve

Deny

Defer

Continue

Schedule for public hearing

Other: _____

Commissioners	Aye	No	Excused	Abstain
HANLEY, J. Walsh	✓			
NAKANO, Bert H. M	✓			
ORITA, Alfredo 2nd	✓			
PARIS, William Jr.	✓			
SAKAMOTO, Charles Jr.	✓			
MIELCKE, William F.	✓			

EXHIBIT 2

Every O

MINUTES
January 11, 1979

PRESENT: William F. Mielcke
(Left at 1:10 p.m. and
returned at 1:29 p.m.)
J. Walsh Hanley
Bert H. Nakano
Alfredo Orita
William H. Paris, Jr.
Charles H. Sakamoto, Jr.

ABSENT: Ex-officio Member
Akira Fujimoto

Stephen Menezes, Deputy Corporation Counsel
(Left at 10:20 a.m.)
Sandra Pechter, Deputy Corporation Counsel
David Murakami, representing Ex-officio Member Edward
Harada (From 1:02 p.m.)

and approximately 16 people in attendance at 10:04 a.m., 3 people at 1:02 p.m., 9 people at 3:33 p.m., and 56 people at 7:02 p.m.

MINUTES: It was moved by Commissioner Sakamoto and seconded by Commissioner Paris that the minutes of November 16, 1978, November 29, 1978, and November 30, 1978, be approved as circulated; motion carried.

All those testifying were duly sworn in.

REPORTS: Planning Director Fuke stated that Jean Madden is appealing the decision made on the variance application. The appeal will be scheduled in February or March when the Planning Board of Appeals has a quorum.

In the reconsideration motion made for the Joan Aanavi variance application, Deputy Corporation Counsel Menezes advised that the Supreme Court holds that in the absence of statutory authority, the Planning Commission, acting in a quasi-judicial capacity, is without power to reconsider a final decision on its own motion. Therefore he advised that the Commission should be very certain of their decision. Another solution was to seek statutory authority permitting reconsideration, but he did not believe that an amendment to the Commission rules and regulations would be sufficient.

The Chair ruled that the motion to reconsider was out of order and that the variance originally granted for the Aanavi application stands.

EXHIBIT AA

SPECIAL PERMIT
STANLEY S. SHIMIZU
KE'EI, SOUTH KONA Application of Stanley S. Shimizu for a Special Permit to allow the establishment of a 50' x 60' freezer/office building on one (1) acre of land situated within the State Land Use Agricultural District. The property involved is located along the makai side of the Mamalahoa Highway, approximately 300 feet north of Stan's Fishery Store, Ke'ei 2nd, South Kona, TMK: 8-3-10: portion of 37.

Staff presented recommendation on file.

At this time, the Chair cited the Special Permit process since there were several Special Permit applications to be considered.

It was moved by Commissioner Paris and seconded by Commissioner Sakamoto that a favorable recommendation be sent to the State Land Use Commission based upon the recommendations and conditions outlined by the staff. A roll call vote was taken and motion carried with six ayes.

✓ SPECIAL PERMIT
HENRY OPUKAHAIA
SCHOOL
KEA'AU, PUNA Application of Henry Opukahaia School for a Special Permit to allow the establishment of a private school on ten (10) acres of land situated within the State Land Use Agricultural District. The area under consideration is located off the southwestern side of the Pahoa-Kea'au Road in the vicinity of the Humane Society compound and the County rubbish dump, Kea'au, Puna, TMK: 1-6-04: portion of 11.

The Chair ruled that since Commissioner Hanley reviewed the transcript and minutes of the meeting, he was eligible to participate in the decision of this application.

Staff presented recommendation on file.

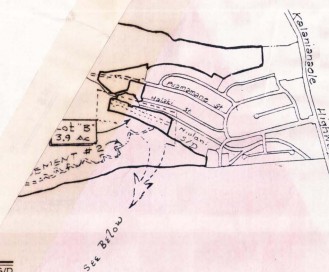
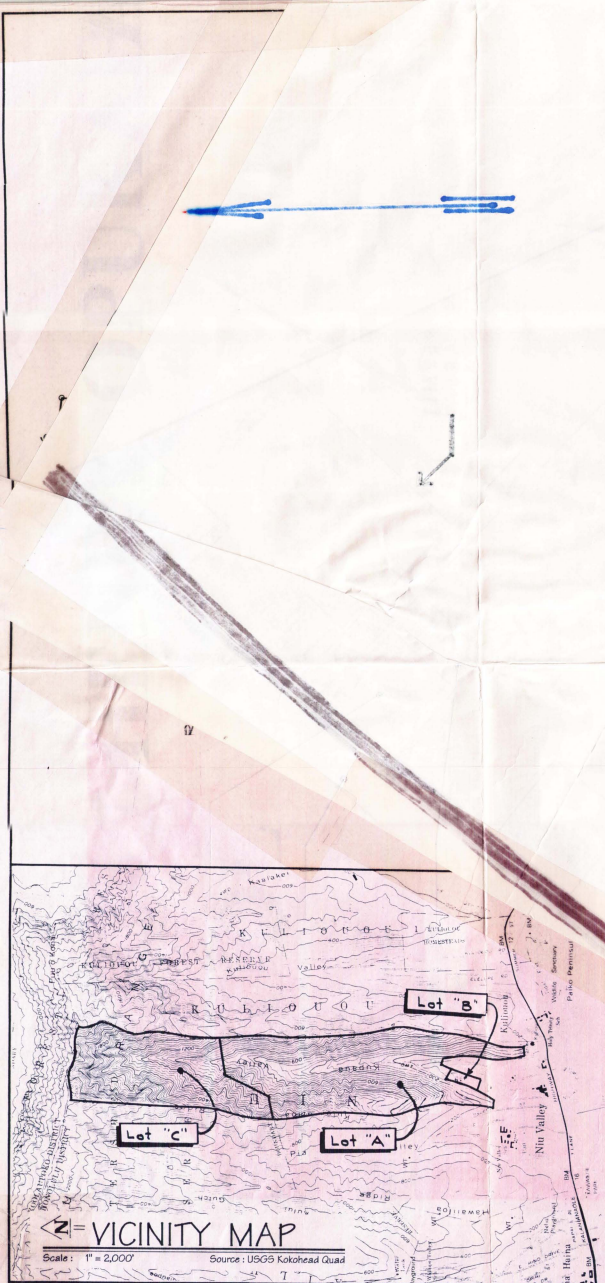
Staff responded to Commissioner Nakano's question that this is not a rezoning action but through the special permit they are recommending the creation of a 10-acre minimum lot size.

Commissioner Nakano moved and Commissioner Orita seconded that a favorable recommendation be sent to the State Land Use Commission on the application for a special permit. A roll call vote was taken and motion carried with six ayes.

SPECIAL PERMIT
CALVARY UNITED
PENTECOSTAL CHURCH
WAIAKEA HOMESTEADS,
2ND SERIES, SOUTH
HILO Application of Calvary United Pentecostal Church for a Special Permit to allow the establishment of a church and Sunday school on one acre of land situated within the State Land Use Agricultural District. The property involved is located off Ainaola Drive at the end of Hale Ho'oko Street, Hale Ho'oko Acres Subdivision, Waiakea Homesteads, 2nd Series, South Hilo, TMK: 2-4-33:34.

Reverend Scott, the petitioner's representative, and Mr. Stanley Roehrig, had no objections to Commissioner Hanley's participation in the decision of this application. Commissioner Hanley was not present at the public hearing.

Staff presented recommendation on file.



AREAS

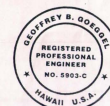
Lot "A" = 408.918 Acres
 Less Easement # 1 = 210.4 Acres
 Less Easement # 3 = 31.4 Acres
 Net Area Lot A = 408.918 Acres

Lot "B" = 3.922 Acres
 Less Easement # 1 = .02 Acres
 Net Area Lot B = 3.902 Acres

Lot "C" = 263.0 Acres

June 5, 1995

Engineer: Professional Engineering, Inc.
 737 Bishop - Suite 2850
 Honolulu, Hawaii, 96813
 Tel: 531-0709



Geoffrey B. Goeckel

Owners: Tiana Partners & Hawaiian Humane Society
 440 Puamane Street 2700 Wai'ale'ale Avenue
 Honolulu, Hawaii, 96821 Honolulu, Hawaii, 96825

TMK: 3-7-04:1 & 2

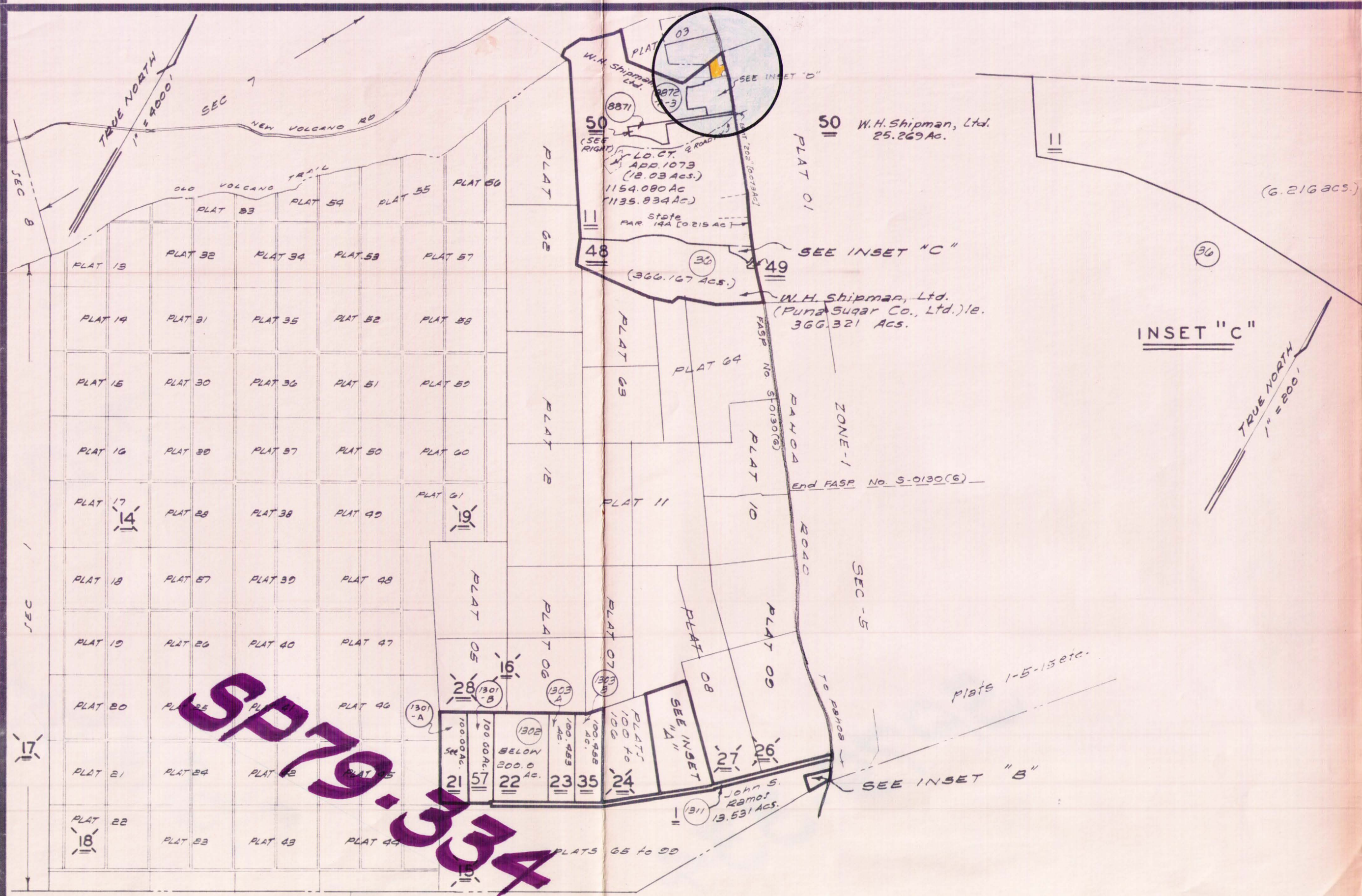
Zoning: Mixed - R-7.5 and Conservation

Total Lot Area: 675.73 Acres

Preliminary Map of Proposed Thompson Subdivision

Subdivision of Lot 1
 into
 Lots A, B and C
 and
 Designation of Easements
 #1, #2 and #3
 at
 Niu Valley, Niu, Oahu, Hawaii

1963
H-67



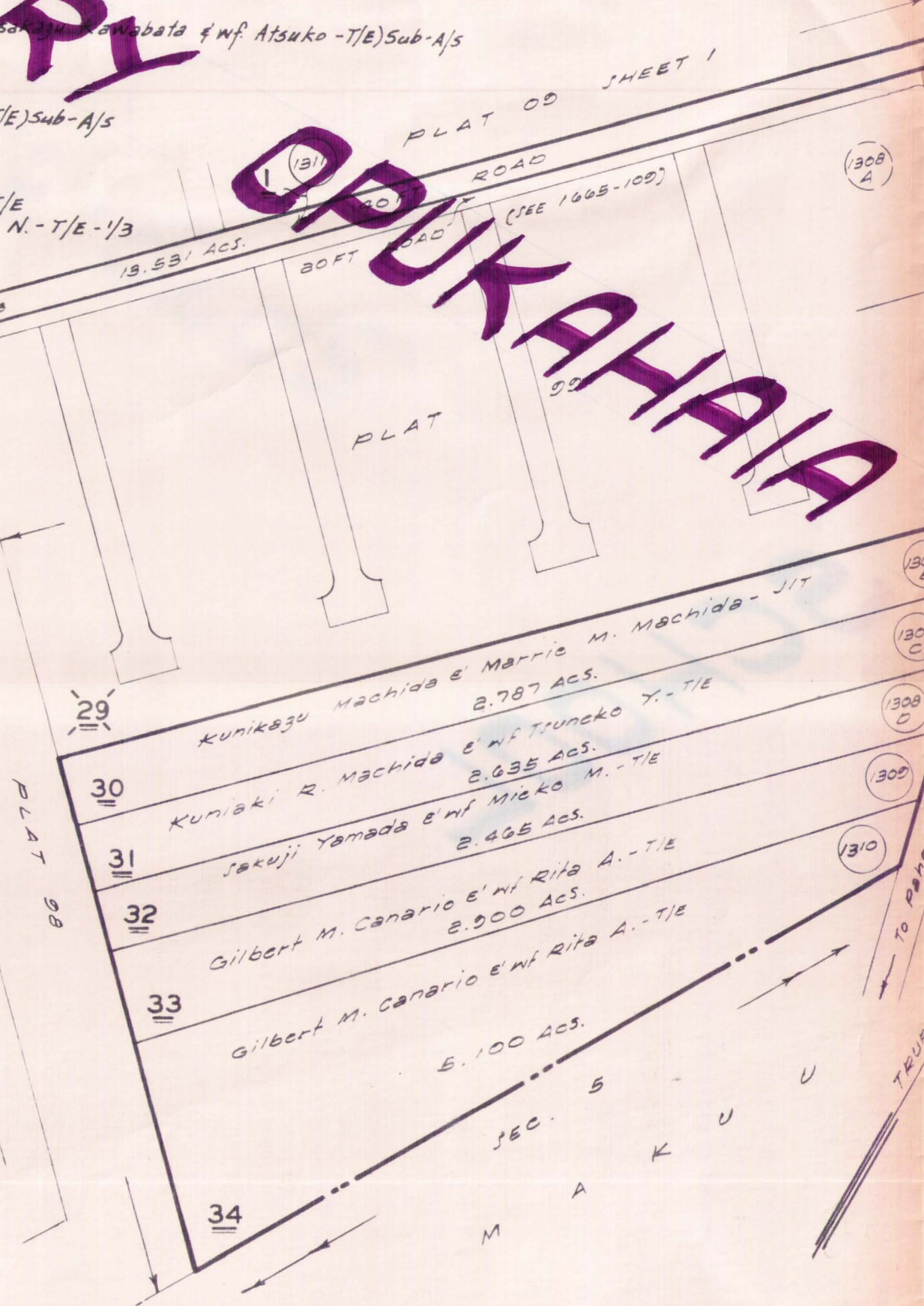
57 Sakuji Yamada & wife Miko M. T/E
(Ronald S. Onoha & wife Loraine N. T/E - 1/3
Charles K. C. Chang - 2/3) A/S

22 Kuniaki R. Machida & wife Miko M. T/E
23 Kuniaki R. Machida & wife Miko M. T/E
35 Kuniaki R. Machida & wife Miko M. T/E
(Ronald S. Onoha & wife Loraine N. T/E - 1/3
Charles K. C. Chang - 2/3) A/S

21 Sakuji Yamada & wife Miko M. T/E
(Ronald S. Onoha & wife Loraine N. T/E - 1/3
Charles K. C. Chang - 2/3) A/S

44 John L. Ashley & wife Sandra J. T/E
(Ernest W. Robinson, Jr. & wife
Gordon M. Ishii, Jr. T/E) A/S
20.001 Acs.
43 William T. Kane & wife
Beatrice R. T/E
20.001 Acs.
42 Joseph C. Dickson & wife
Joan M. T/E
20.001 Acs.
41 Ernest W. Robinson, Jr. & wife
John W. Brown & wife Mary W.
Lloyd C. Hanson & wife Mary W.
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3 Ernest W. Robinson, Jr. & wife
John W. Brown & wife Mary W.
Lloyd C. Hanson & wife Mary W.
20.001 Acs.
2 Ernest W. Robinson, Jr. & wife
John W. Brown & wife Mary W.
Lloyd C. Hanson & wife Mary W.
20.001 Acs.
1 Ernest W. Robinson, Jr. & wife
John W. Brown & wife Mary W.
Lloyd C. Hanson & wife Mary W.
20.001 Acs.

INSET "A"



INSET "B"



INSET "D"

NOTICE: Owner's, lessee's and vendee's names recorded on this tax map print may not be current. Refer to Administrative Directive 24-68 (Rev. 1 dated November 21, 1968, as amended by RPP Procedure 4-76, dated July 2, 1976).

PART DROPPED: 2 to 10, 18 to 20, 24, 26 to 28, 46,

DEPARTMENT OF TAXATION PROPERTY ASSESSMENT DIVISION TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
THIRD TAXATION DIVISION		
ZONE	SEC.	PLAT
1	6	04
SCALE: 1 IN. = AS NOTED		

por. LD. CT. APP. 1053, KEAAU, PUNA, HAWAII.

FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE



SP79-334 HENRY OPUKAHAIA SCHOOL

SP10-297-Hawaii Humane Society (dog pound)
SP15-223-Girl Scout Service Center
SP10-311-Fraternal Order of Eagles (fraternal home)
Waipahoe

SP10-328 Kenneth Fujiyama (botanical garden)

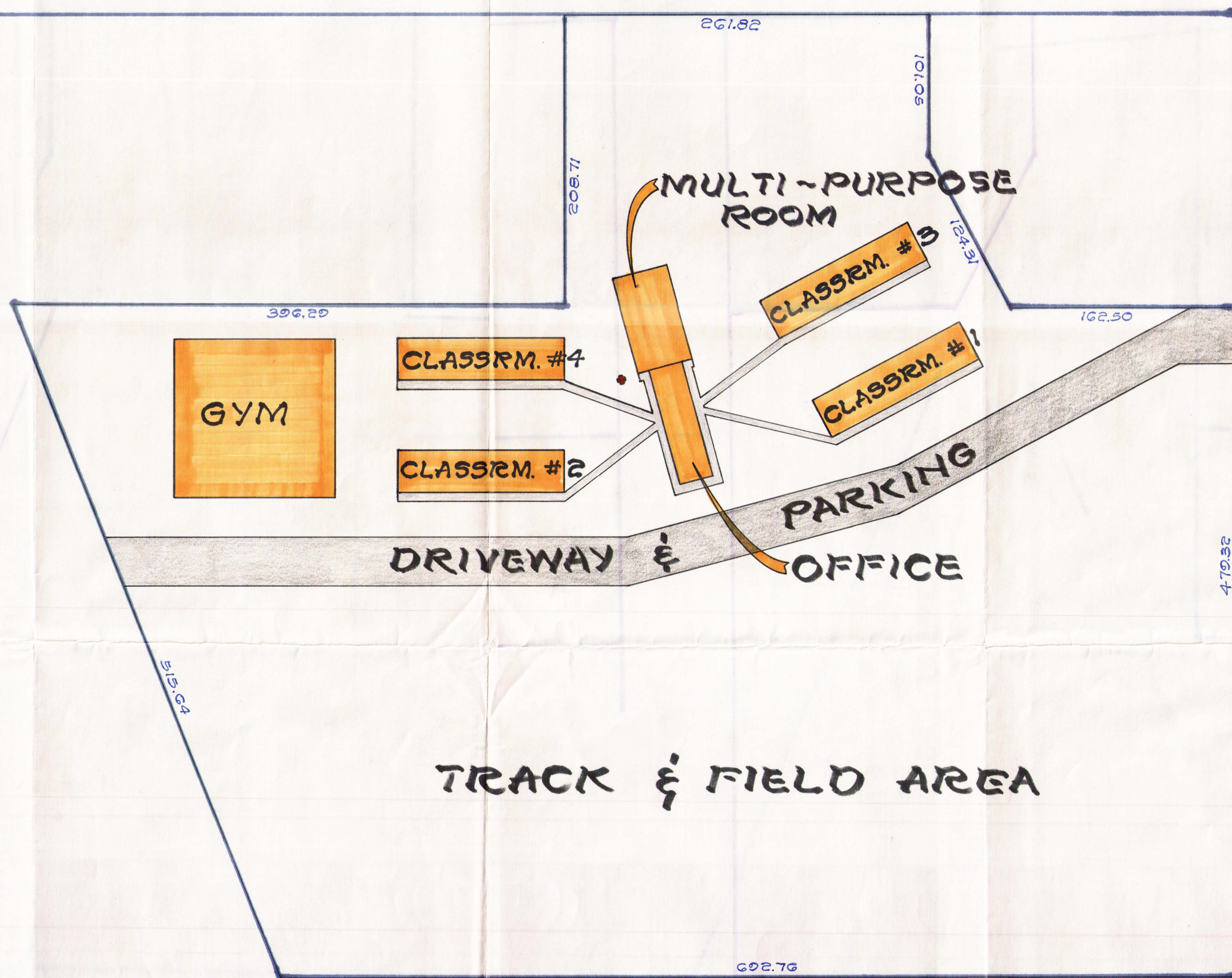
SP77-264-Charles W. H. (store)

SP17-268 Ni Iyleria Ni Iyleria (church)

← To Keaau

KEAAU ~ PAHOA ROAD

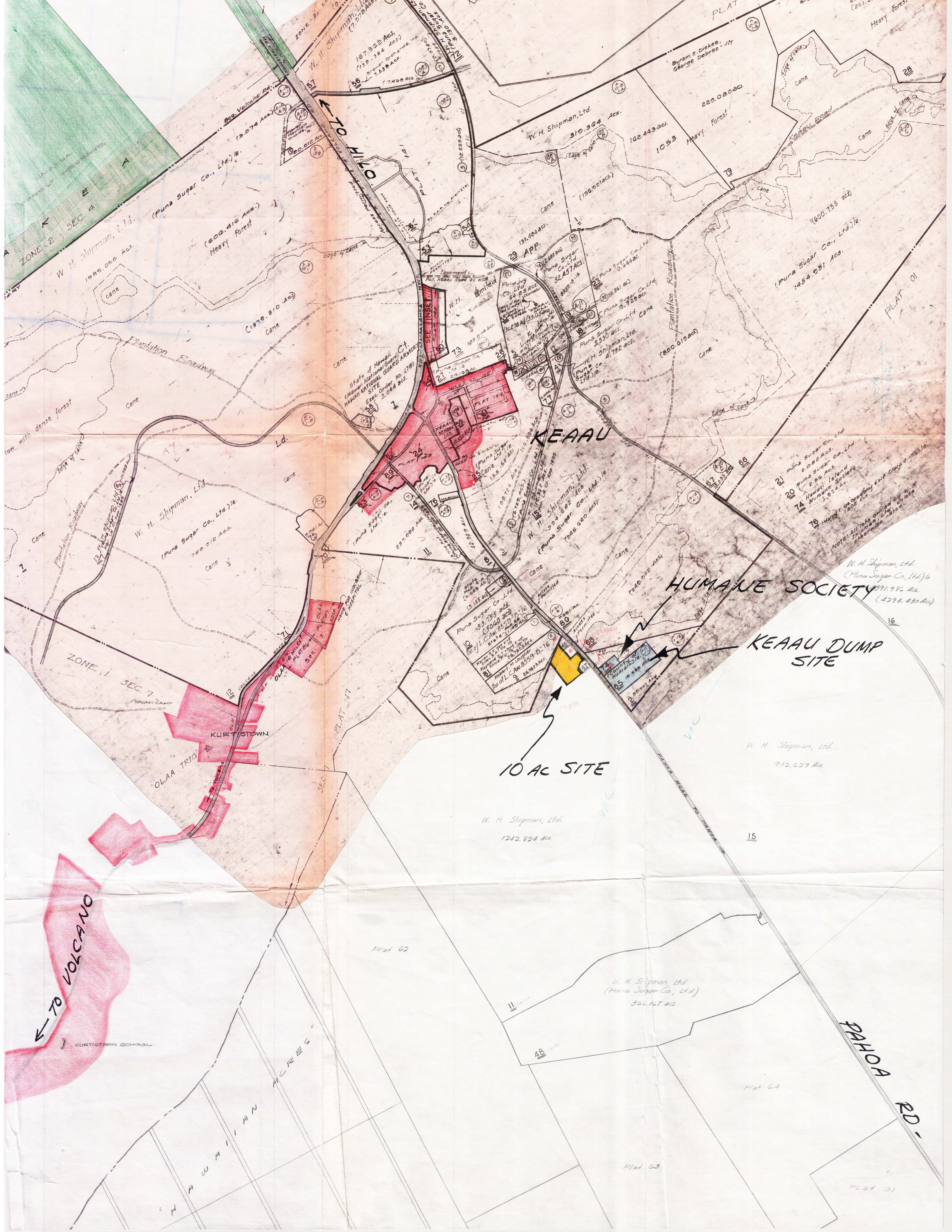
To Pahoa →



Girl Scouts
Service Center

Fraternal Order
of Eagles

EXHIBIT Y



ZONE 2 SEC. 4
W. H. Shipman, Ltd.
1925.000 Acs.
Heavy Forest
(606.416 Acs.)
Cane
(1370.910 Acs.)
Plantation Roadway

W. H. Shipman, Ltd.
167.332 Acs.
(159.384 Acs.)
(7.400 Acs.)
Heavy Forest
(606.416 Acs.)
Cane
(1370.910 Acs.)
Plantation Roadway

W. H. Shipman, Ltd.
319.364 Acs.
162.443 Acs.
1053
Heavy Forest
(600.735 Acs.)
(1454.931 Acs.)
Plantation Roadway

W. H. Shipman, Ltd.
1925.000 Acs.
Heavy Forest
(606.416 Acs.)
Cane
(1370.910 Acs.)
Plantation Roadway

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W. H. Shipman, Ltd.
1925.000 Acs.
Heavy Forest
(606.416 Acs.)
Cane
(1370.910 Acs.)
Plantation Roadway

