STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

January 8, 1971
1 p.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: A70-255 - HIROSHI MATSUYAMA

A public hearing was conducted on September 11, 1970, on this request by Mr. Matsuyama to reclassify 7.8 acres of land at Holualoa, North Kona, Hawaii, from Agricultural to Urban in order to build "low-cost apartment units".

It was reported that the Hawaii County Planning Commission recommended approval of the petition based on the urban character of the neighborhood, close proximity to existing urban areas and conformance with the County's General Plan. However, it was also indicated that further rezoning by the County may be withheld pending a study of the water situation and that the favorable recommendation does not mean concurrence with the proposed apartment use. It was noted by the staff that the petitioner did not submit a feasibility study, market information, estimated cost of the proposed units or a proposed construction schedule.

Since there was a question as to the intent of the Hawaii Planning Commission in regard to its statement on the proposed apartment use, the Land Use Commission directed

the staff to write to the County agency for clarification of its views. A reply was received from Mr. Mauricio Valera, Jr., Vice-Chairman of the Hawaii Planning Commission, (circulated to the Land Use Commission on October 20, 1970) stating in part that:

> "The Planning Commission will not be considering the matter again. The Commission's reason for evaluating Agricultural to Urban requests will not be based on development proposals because the specific use becomes a legislative matter under the County's jurisdiction once the land is changed to an Urban classification. The Commission will continue to make its recommendations to the Land Use Commission for approval only when the applicant's proposal for the specific use does correspond with the County General Plan or the County zoning and when they agree with the petitioner that the area should be redesignated from an Agricultural to an Urban District."

Also received since the hearing is a letter (circulated to the Commission on October 16) from attorney Roy Nakamoto, stating that his client, Mr. Matsumoto will probably abandon his development plan if the multiple dwelling complex is not permitted by the County.

If permitted, and depending on when approval is received, he is prepared to begin construction early next year. Since cost figures are not available, the petitioner is unable to furnish rental figures. However, the rental would have to be competitive with similar units in Kona. It was further stated that he does not expect to sell the fee to the property.

In summary, the staff finds that:

1. The petitioner has not substantiated the need for reclassification of the subject property nor justified the need for the proposed apartment rental units.
2. Reclassification of the property would result in spot zoning and aberrate the Holualoa Urban District boundary since the subject parcel is not contiguous with the existing Urban District.
3. Since the petitioner has indicated that the development of this property is contingent on his receiving apartment zoning by the County, and since the County has not indicated its concurrence with such zoning, reclassification of the property at this time is not in the best interest of all concerned.

It is therefore recommended that this petition be disapproved.