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215

November 9, 1972

Mr. Joseph R. Silva
Gentry-Hawaiiana Associates, J.V.
146 Hekili Street
Kailua, Oahu 96734

Dear Mr. Silva:

The petition by Gentry-Hawaiiana Associates, J.V. (A72-325) to amend the land use district boundaries from the Agricultural District to the Urban District at Kukuau 2nd, South Hilo, Hawaii, was approved in concept on an incremental zoning basis, and approximately 167 acres, as recommended by staff, identifiable by Tax Map Key 2-5-46: portions of 1 and 3, were reclassified into the Urban District by the Land Use Commission at its meeting on November 3, 1972; and upon demonstration of substantial performance by the petitioner within 3 years, the remaining estimated 123 acres will be considered for reclassification into the Urban District.

Prior to taking action on this petition, the enclosed memorandum was presented to the Commission.

For your information, we are enclosing herewith a copy of Section 2.33, "Performance Time", of the Rules and Regulations of the Commission.

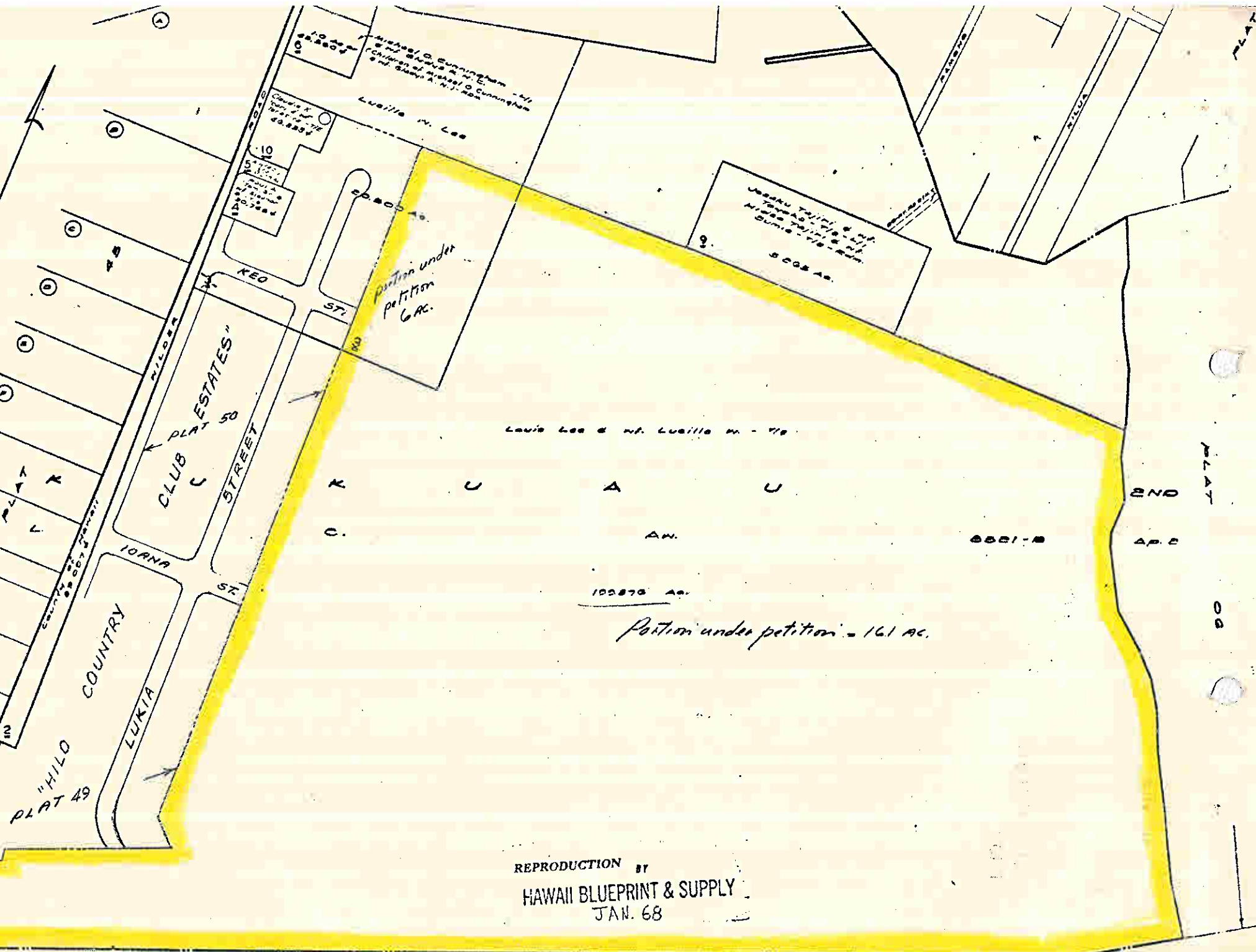
Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encls.

cc: Hawaii Planning Dept.
Dept. of Water Supply, Hawaii
Hawaii District Office, Dept. of Tax.
Property Technical Services, Dept. of Tax.
Tax Maps Branch, Dept. of Tax.
Chairman of the Board, DLNR
Planning Office, DLNR
Facilities & Aux. Svcs. Br., DOE
Director, Dept. of Transp.
Planning Branch, DAGS
Planning Branch, DPED
Land Use Commission

TRUE NORTH
1" = 100'



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STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

November 3, 1972
10:30 a.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: A72-325 - GENTRY HAWAIIANA ASSOCIATES, J.V.

A public hearing was held on August 24, 1972 on this petition by Gentry-Hawaiiana Associates, J.V., to rezone 290 acres of land at Kukuau 2nd, South Hilo, Hawaii, from Agricultural to Urban.

It was noted at the public hearing that the subject property presently comprises a non-conforming residential subdivision of approximately 950 lots containing a minimum area of 10,000 square feet. However, rezoning to an urban classification would enable the petitioner to establish a mixture of uses and housing types and still maintain the overall density proposed in the original conventional subdivision plan.

Approval of the petition was recommended by the Hawaii County Planning Commission on the bases that the land would ultimately be urban in character because of its non-conforming status; that the area is in close proximity to centers of trade and employment; that the basic facilities and utilities are available; that the proposal conforms to the Hawaii General Plan designation of alternate urban expansion; and that there are no adverse physical and drainage problems. However, the favorable recommendation was conditioned upon the petitioner's applying for zoning change within a year after the boundary change is approved; that upon submission of the zoning request, the areas previously given tentative approval would be deemed null and void; and that the recommendation in no way means total endorsement of the development concept by the County.

Since the public hearing, we have received a letter from Mr. Paul Tajima, petitioner's planning and economic consultant transmitting additional supporting evidence as follows:

1. The estimated annual demand for unsubsidized housing for Hawaii County residents is 600 units, of which 20% would be in the apartment category. 50% of the demand falls within the \$30,000/\$40,000 price range.

2. The existing conventional subdivision provides for single-family units only in the \$40,000-\$50,000 price range and will relate to only 27% of the total price spectrum. However, the revised plan will permit a variety of housing types from \$30,000-\$50,000 and will address 77% of the total price range.
3. The 1970 census revealed that the median income for families and unrelated individuals within Hawaii County in 1969 was \$10,189 based on 4 persons per household. The proposed planned development would have a market demand base of over 55%, or nearly twice that of the original plan.

Mr. Tajima concluded that: "It can be concluded that, insofar as the market is concerned, the proposed revised plan as envisioned will offer a diversity of quality housing with open space and community amenities to a greater number of families at a lower price than the approved detached single family residential development plan."

Under the provisions dealing with non-conformance contained in the Land Use District Regulations, the petitioner presently has the right to develop the subject property into 953 residential-sized lots of 10,000 square feet minimum. About two-thirds of the lots in the first increment are presently under development with prices ranging from \$42,000 to \$47,000 for a house and lot package. Under this conventional subdivision plan, there are no provisions for shopping or school facilities. Other than two neighborhood parks totaling 9.5 acres in area, there are no provisions for open space amenities to relieve the monotony of tier upon tier of single-family lots.

Taking the above factors into consideration, the staff finds that favorable consideration of the request would alleviate some of the housing needs of the moderate income families within the Hilo District and, at the same time, provide a range of choices in the types of housing units which will be made available to these families. The petitioner has represented that cluster housing will be available at \$38,000 to \$43,000, and townhouses at \$34,000 to \$39,000, based on 1972 cost figures. Smaller units, equivalent to a 2-bedroom 2-bath residential unit with a 2-car garage and patio would be priced at \$39,000 to \$42,000 for a single-family dwelling; \$36,000 to \$39,000 for a cluster unit; and \$33,000 to \$36,000 for a townhouse unit.

Another desirable result would be a 20 to 25% increase in the areas devoted to open space which can be achieved under the proposed planned development, while still maintaining the overall density. Further, the provision of an 8-acre commercial area and a 14-acre school and park site, as proposed in the revised plan will add greatly to the convenience and well being of the community's residents.

The petitioner has presented data showing that the land is usable and adaptable for the uses proposed. Electricity and telephone services are available, and the petitioner has agreed to provide the necessary improvements to assure an adequate water system and proper access.

Therefore, the staff recommends that a 167-acre portion of the subject property, as shown on Exhibit A, be reclassified from the Agricultural to the Urban District in order that the petitioner may be allowed to develop cluster and townhouse units to accommodate the housing needs of moderate income families; to construct a commercial area; to enable him to dedicate a 14-acre school and park site to the state or county; and to accomplish the open space and bikeways as represented at the public hearing. It is further recommended that the remaining area containing approximately 123 acres which is proposed strictly for single-family residential units be retained within the existing Agricultural designation since the use is similar to that of the original plan.

2.33 Performance Time.

Petitioners requesting amendments to District Boundaries shall make substantial progress in the development of the area rezoned to the new use approved within a period specified by the Commission not to exceed five (5) years from the date of approval of the boundary change. The Commission may act to reclassify the land to an appropriate District classification upon failure to perform within the specified period according to representations made to the Commission; provided that the Commission, in seeking such a boundary reclassification, complies with the requirements of Section 205-4, Hawaii Revised Statutes.

2.34 Notice and Hearing.

After 60 days but within 120 days of the original receipt of a petition, the Commission shall advertise that a public hearing will be held in the County in which the land is situated. Notice of the time and place of such hearing shall be published in the same manner as notices required for public hearings by the Planning Commission of the appropriate County.

2.35 Decision.

Within a period of not more than 90 days and not less than 45 days after such hearing, the Commission shall act upon the petition for change. The Commission may approve the change with six affirmative votes.

2.36 Amendments to Regulations.

By the same methods set forth in Rule 2.30, a petition may be submitted to change, or the Commission may initiate a change in, these Regulations. No such change shall be made unless a hearing is held in each of the Counties. Within not less than 45 and not more than 90 days after the last of such hearings, the Commission shall act to approve or deny the requested change. Such petition for a change shall be based upon proof submitted that conditions exist that were not present when the Regulations were adopted or that the Regulations do not serve the purposes of the Land Use Law.