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January 26, 1973

Mr. Lester Hawthorne  
Manager, Pacific Division  
Signal Properties, Inc.  
P. O. Box 1217  
Hilo, Hawaii 96720

Dear Mr. Hawthorne:

The petition by Signal Properties (A72-334) to amend the land use district boundaries from the Agricultural District to the Urban District for approximately 57 acres, identifiable by Tax Map Key 6-2-01: parcels 10 and 68, situated at Ouli, Waimea, South Kohala, Hawaii, was approved by the Land Use Commission at its meeting on January 19, 1973.

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,

Encls.

cc: ✓ Hawaii Planning Comm.

TATSUO FUJIMOTO

Executive Officer

Dept. of Water Supply, Hawaii

Hawaii District Office, Dept. of Tax.

Property Technical Services, Dept. of Tax.

Tax Maps Branch, Dept. of Tax.

Planning Branch, DAGS

Planning Office, DLNR

Facilities & Aux. Svcs. Br., DOE

Director, Dept. of Transportation

Planning Division, DPED

Land Use Commission

STATE OF HAWAII  
LAND USE COMMISSION

MEMORANDUM

January 19, 1973  
1:30 p.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: A72-334 - SIGNAL PROPERTIES, INC.

A public hearing was held on November 30, 1972, on a request from Signal Properties, Inc. to amend the district boundaries for approximately 57 acres of land situated at Ouli, Waimea, South Kohala, Hawaii from an Agricultural to an Urban designation. The Urban designation would permit the petitioner to develop a 150-lot subdivision consisting of typical lot sizes of 12,000 square feet. Housing will be developed on the lots in three increments of 50 homes each and sold for about \$29,000 to \$33,000 each.

The Hawaii County Planning Commission has recommended approval of this request.

On December 6, 1972, the Land Use Commission received additional testimony from the petitioner in response to questions raised at the November 30, 1972 hearing. The following is a summary of their testimony:

1. Green Areas or Public Use Areas:

Two green areas or public use areas will be provided. The larger area of approximately 54,000 square feet, located on the western end of the subject property, is identified as a park and sewage treatment plant site. A second area of approximately 26,000 square feet, located on the eastern end of the subject property, is also identified as a green area. The petitioner notes that there is also a possibility of an additional green area to be located in the middle of the subdivision.

2. Additional Traffic on Kawaihae Road:

The petitioner notes that there are plans for the State to construct a new highway from Waimea to Kawaihae which will eliminate at least 75% of the traffic on the present road.

3. The Need for Housing in the Area:

"According to the County of Hawaii's forecast, the population will grow from the present figure of 2,394 to an estimated 3,700 to 5,300 people by 1975. If we continue with our present plans for development, the first increment should be ready for occupancy by late 1973 or early 1974. If the population projection is accurate, by January 1974, there will be a greater need for housing than we will be supplying."

4. Employment Opportunities in the Area:

"At the present time, there are plans for commercial development in the Waimea area: The shopping center is contemplating a large expansion; two savings and loan companies are building new facilities; a new civic center is planned for the near future; the new Waimea-Kawaihae State Highway; new condominiums are planned for the near future in the Puako and Mauna Kea Beach Hotel. All of these have an effect on the employment in the Waimea area."

5. Prices of Signal Properties, Inc. Proposed Homes:

". . . . It is Signal's intention to build the best home for a moderate price that is humanly possible." ".... Construction prices continue to increase . . ." "The longer this subdivision is delayed . . .", it will become more difficult to hold the prices of these homes to a middle income bracket.

The total land area designated as green areas or public use areas is approximately 80,000 square feet, or less than 3.2 percent of the subject area. Since the size of the sewage treatment plant is unknown, the net usable park area is also unknown.

The technical Design Services Office of the State Department of Transportation estimates that a minimum of three years will pass before construction commences on the Waimea-Kawaihae Highway. At this time, the date of completion of the Waimea-Kawaihae Highway has not been estimated. Nevertheless, it appears that the highway should be completed in the near future and alleviate the traffic on Kawaihae Road.

Much of the vacant or less densely developed areas in the Waimea Urban District are unavailable for residential use.

Approximately 200 acres are County zoned A-1a (Agriculture) which designates a minimum lot area of one (1) acre. Approximately 133 acres are County zoned CV-7.5 (Village Commercial) and CN-7.5 (Neighborhood Commercial), both of which have minimum lot areas of 7,500 square feet. Hawaiian Homesteads' Kuhio Village subdivision utilizes approximately 106 acres of the Waimea Urban District.

At present, the Department of Land and Natural Resources does not have any plans to expand their Lalamilo Houselots development. All of the available houselots in the Lalamilo development have been sold. The majority of the houselots have dwellings constructed on them.

Upon evaluation of this petition, the staff finds that the requested change is reasonable in that:

1. It is contiguous to an existing Urban District and conforms to the Hawaii County General Plan.
2. The basic utilities are readily available, or will be made available by the petitioner. The property is convenient to public services and employment centers.
3. The property is not suited for intensive agricultural use. However, reclassification of the property would accommodate the housing needs for moderate income families in the Waimea area.

The staff therefore recommends approval of this request. However, it should be pointed out to the petitioner that his development performance/<sup>and representations</sup> will be assessed during the forthcoming boundary review of 1974

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.