STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission

August 31, 1973
10:30 a.m.

FROM: Staff

SUBJECT: A73-361 - RICHARD V. TOLEDO

A public hearing was held on June 1, 1973 on a request by Richard V. Toledo to amend the State Land Use District Boundary for approximately 23 acres of land located in Haiku, North Hilo, Hawaii from an Agricultural to an Urban District. The property is described as Tax Map Key 3-2-02: parcel 3 and is owned by the petitioner. 03

The petitioner proposes to develop a 63-lot residential subdivision consisting of 10,000 square foot typical lot sizes.

Since the public hearing, the following testimonies have been received:

1. Letter dated June 12, 1973 from Mr. Philip Yoshimura reiterating the testimony he presented at the public hearing in support of the petition.

2. Letter dated April 26, 1973 from Yutaka Imata of Imata & Associates, Inc. to the petitioner indicating that:

   a. The Department of Water Supply's share of improvement cost, involving a reservoir and 8" water line, is estimated to be $116,000.

   b. The developer's share of improvement cost, involving reservoir storage fees, hydrants, valves, 4" lines, drainage, electricity, roadways, engineering and survey, amounts to an estimated $285,610. This is based on road improvements without curbs, gutters, etc.

3. Letter dated June 12, 1973 from petitioner stating that:

   a. The North Hilo Community Council Housing Committee originally approached him to help with their housing problems and that his reputation would be jeopardized if that organization is not involved in the planning of the project after rezoning.

   b. He has worked closely with the Department of Water Supply and that agency proposes to locate the tank at the top of the subdivision "so that we could develop the whole acreage and surrounding areas for house lots".

   c. It is very difficult to quote the cost for the lots since prices for construction and materials are unstable.

   d. The facilities which are existing and proposed in the North Hilo area would be properly utilized in line with the goals of the North Hilo Community Council. These include the neighborhood store, post office, 2 service stations, 2 churches, and 2 parks at Ninole and nearby development which are planned or in being.

4. Letter dated June 13, 1973 from Fred Toledo, President of the North Hilo Community Council, supporting Richard V. Toledo's rezoning request and rebutting the staff's report on the following:

   a. The reasons for the 31% decrease in population in North Hilo from 1960-70 is due to lack of available lands for houselots and the relocation of a plantation camp by Pepeekeo Sugar Co.

   b. Both Plantations have opened subdivisions but limit the residents to plantation employees only.

   c. People desiring rural living cannot find housing available.

   d. Continuation of the trend would adversely affect businesses and existing public facilities such as Laupahoehoe School and Library.

5. Letter dated June 13, 1973 from Dorothy Hirowatari generally reiterating the testimony she presented in support of the request at the public hearing.

ANALYSIS

The staff finds that the establishment of a 23-acre spot-zone of Urban on lands presently used for agricultural purposes and located in the middle of an extensive agricultural belt would be directly contrary to the findings and purposes of Act 187 in preventing the shifting of productive agricultural lands into non-revenue producing residential uses when other lands are available that could serve adequately the urban needs. The General Plan of the County of Hawaii also designates the area for "Intensive Agriculture".

The desires of the North Hilo Community Council and the petitioner to revitalize the Ninole community by encouraging residential development is well taken. However, the Commission should consider the appropriateness of the subject location for the establishment of an urban concentration of 60 homes capable of accommodating a total of 210 persons at an average density of 3.5 persons per household, and that, as noted by the Department of Transportation, approval of this proposed action would generate the following hazardous traffic conditions along the Hawaii Belt Road: 1) Limited sight distance due to access located on a sharp horizontal curve with high banks fronting the subject parcel; and 2) concentration of residential vehicular traffic into a high speed highway.

Presently, the only urban amenities present in the Ninole area are a neighborhood store, a post office, and several churches and parks. To establish a 23-acre Urban "spot-zone" in this rural setting would be to encourage the proliferation of urban type uses in an area lacking in basic amenities and services and jeopardize the continuation of agricultural uses on the surrounding properties. The prospects for further urbanization requests are not as remote as one may think when we consider the petitioner's statement that the County Department of Water Supply proposes to locate the water tank at the top of the subdivision "so that we could develop the whole acreage and surrounding areas for houselots".

Other lands, more appropriately situated with respect to centers of trade and employment, have been provided for by this Commission to accommodate projected urban growth. The downward trend in population in the North Hilo District in the last decade does not indicate that more urban lands are needed in this area.

For the foregoing reasons, staff recommends that this petition be disapproved and that the present Agricultural designation be retained.