


June 3, 1974

Mr. Carl Matsumoto
RR #1, Box 379
Holualoa, Hawaii 96725

Re: Special Permit No. 73-152
TMK: 7-3-5:32

This is to inform you that the above described Special Permit is hereby deemed null and void since the conditions as set forth were not complied with. As stated in our letter of May 23, 1974, a new Special Permit application will have to be filed as the revised plans which you intend to pursue are contrary to the original plans as granted. The necessary application forms have been forwarded along with our previous letter.

Should you have any questions regarding the above, please feel free to contact Norman Hayashi or Royden Yamasato of this department at 961-8288.



RAYMOND H. SUEFUJI
Director

NH:mn

cc: Corporation Counsel
Land Use Commission
Richard Ikeda

} with encls. 1- our letter of 5/8/74
2- Ikeda's letter of 5/21/74
3- Our letter of 5/23/74

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DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT



LAND USE COMMISSION

250 South King St. / Honolulu, Hawaii 96813 / P. O. Box 2359 / Honolulu, Hawaii 96804

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Executive Officer

June 5, 1973

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji
Planning Director

Gentlemen:

At its meeting on June 1, 1973, the Land Use Commission voted to approve a special permit to Mr. Carl Matsumoto (SP73-152) to allow commercial facilities on a 36,920 square foot portion of a 3-acre parcel within the State Land Use Agricultural District situated at Kalaoa, North Kona, Hawaii, identifiable by Tax Map Key 7-3-05: parcel 32; subject to the conditions as set forth by the Hawaii Planning Commission.

A copy of the staff report is enclosed for your information.

Very truly yours,

Tatsuo Fujimoto
TATSUO FUJIMOTO
Executive Officer

Encls.

cc: Mr. Carl Matsumoto
Mr. Herbert I. Kushi
Dept. of Taxation, Hawaii
Property Technical Office, Dept. of Taxation
Tax Maps Recorder, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

June 1, 1973.
10:00 a.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: SP73-152 - CARL MATSUMOTO

A special permit request by Carl Matsumoto to allow the establishment of a commercial facility within the Agricultural District at Kalaoa, North Kona, Hawaii has been transmitted by the Hawaii County Planning Commission. Mr. Matsumoto proposes to construct a steel building on a 36,920 square foot portion of a 3-acre parcel described as Tax Map Key 7-3-05: 32 in order to accommodate a gas station, general store, laundromat, office space, and parking facilities. He feels the request is justified since the site is in close proximity to a budding residential community which has expansion potentials. Petitioner indicated that he has "talked to persons who are interested in leasing the proposed building" for the purposes described.

The site in question is located on the makai side of the Hawaii Belt Road approximately 1,200 feet north of the Kona Palisades subdivision. Palani Junction is 2 miles to the south and Kailua is about 5 1/2 miles from the property.

Presently situated on the property are a single family residence and fruit trees. The makai portion is vacant. Lands in the surrounding Agricultural District include many non-conforming residential subdivisions such as:

Kona Palisades	-	802	lots	with	43	homes
Kona Coastview	-	319	lots	with	36	homes
Kona Wonderview	-	132	lots	with	51	homes
Kona Highlands	-	<u>370</u>	lots	with	<u>25</u>	homes
		1,623	lots	with	155	homes

Hawaii County's General Plan land use allocation guide map designates the area for "orchard" and the existing County zoning is "unplanned".

The Land Study Bureau's classification designates the land as "E", indicating very poor suitability for general agricultural use. The land is slightly stony with frequent outcrops of pahoehoe and ranges in slope from 0 to 35%. Rainfall ranges

from 60 to 80 inches annually and the elevation is approximately 1,700 feet above sea level.

The Departments of Public Works, Health, Parks and Recreation, Education, Police, Fire, Soil Conservation Service, Agriculture and Taxation had no adverse comments on the request. The State Highways Division advised that only 1 access to the Belt Highway will be considered. The Department of Water Supply indicated that a 12-inch water line along the Belt Road will be completed this year. Letters in support of the proposed use were received from Henry K. Boshard, pastor of Mauna Ziona Church and Florence M. Manuel, resident of the area, indicating that the proposed facility is much needed and long overdue. Burt Galvin and Gene Wilhelm also testified in favor of the special permit request at the public hearing held by the Hawaii County Planning Commission on February 23, 1973.

COUNTY RECOMMENDATION

At its May 10, 1973 meeting, the Hawaii County Planning Commission voted to recommend approval of the request since:

- "1. There is a need for limited commercial facilities in the general area. The nearest commercial area is the village of Kailua. There are approximately 155 dwelling units within the immediate vicinity which, when coupled with the potential development of the area, would justify a need for some commercial facilities; and
not
- "2. There would be an unreasonable burden on public agencies to provide the necessary services in the area. The number of dwellings and residential lots in the area already justify the provision of services required of a budding residential-agricultural area. These services, including water and utilities are already provided for in the area."

The recommendation was contingent on the following conditions:

- "1. That the design and construction of the proposed facility be substantially as presented;
- "2. That only one access be provided off the Belt Highway;

- "3. That the proposed development comply with all applicable regulations including the 'plan approval' procedure which shall determine, among other requirements, the exact number of parking stalls and landscaping required; and
- "4. That the petitioner be responsible for securing a building permit and assuring construction started on the commercial facility within one (1) year of the date of approval of the special permit. Construction is defined as the actual placing of construction materials in their permanent position and fastened in a permanent manner."

Staff finds that the many non-conforming residential subdivisions in the general vicinity of the subject property, which were granted tentative approval prior to the establishment of the Land Use Law, have experienced steady growth in actual home construction during the past several years. In July 1970, the Hawaii County Planning Department noted that there were only about 2 dozen homes constructed in these non-conforming subdivisions which now contain 155 homes. This represents an average annual increase of 182% in home construction over the past 3 years. The continued existence and the considerable growth potential remaining in these subdivisions (as represented by the existence of over 1,600 lots) coupled with the lack of urban amenities such as shopping facilities, clearly illustrate the undesirable aspects of these residential subdivisions which are contrary to the basic principles of land use planning.

In order to accommodate the present and future residents of these subdivisions, some form of limited commercial use in the area is reasonable and justified. This would serve to alleviate the hardship, inconveniences and cost on the part of the residents of traveling to established urban centers for goods and services. It would further serve to reduce traffic and congestion on Palani Road and the Belt Highway to Kailua. It is noted that the desired use would not unreasonably burden public agencies to provide services; that certain needs have arisen in the area since the district boundaries were originally established; that the proposed use would not adversely affect surrounding property; and that the land is unsuited for the uses permitted within the Agricultural District.

Based on the above discussion, it is recommended that this petition be approved as conditioned by the Hawaii County Planning Commission.