



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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October 20, 1975

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji
Planning Director

Gentlemen:

This is to advise you that the Special Permit request by Hualalai Memorial Park, Inc. (SP75-218) to allow the establishment of a cemetery and a memorial park including a chapel-office building within the State Land Use Agricultural District at Auhaukeae 1st, North Kona, Hawaii, described as Tax Map Key 7-5-13: 26; was denied by the Land Use Commission at its meeting on October 17, 1975.

Prior to taking action on this request, the enclosed staff report was presented to the Commission.

Should you desire any further information or have any questions, please feel free to contact us.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Encl.

cc: Leo Fleming
Ken Michael
Frank P. Krieger, Jr.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

October 17, 1975
10:00 a.m.

TO: Land Use Commission
FROM: Staff
SUBJECT: SP75-218 - Hualalai Memorial Park

Hualalai Memorial Park, Inc. requests approval of a Special Permit to allow the establishment of a cemetery and a memorial park including a chapel-office building within the State Land Use Agricultural District at Auhaueake 1st, North Kona, Hawaii. The subject property is described as Tax Map Key 7-5-13:26 and consists of approximately 15 acres of land. It is located on the mauka side of Mamalahoa Highway, approximately 2.2 miles North of the junction of Hualalai Road and Mamalahoa Highway. The property is owned by Steve Parker - Hualalai Memorial Park, Inc. Mr. Steve Parker, together with Mr. Ken Michael, Mr. Pat Caires, and Mr. Frank P. Krieger, Jr. are associated in Hualalai Memorial Park, Inc.

The applicant proposes to establish the cemetery and memorial park in several increments. The initial increment will consist of the development of 899 grave-sites and an access road on approximately 1.52 acres of land and is anticipated to be completed by mid-1977. Future development scheduling for the balance of the parcel will be in successive 1 1/4 acre increments every two years thereafter. The chapel-office is programmed to be constructed in the second increment.

In support of the request the applicant has stated that:

- "1. We do not feel that such use will be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The intended use will retain an open land appearance, and with the landscaping planned, will not be detrimental to the agricultural character of the surrounding lands.
- "2. We do not expect any adverse affect to surrounding properties.
- "3. There will not be an unreasonable burden on public agencies to provide roads and streets, water, and police protection. There will be no use of public sewers, drainage, school improvements, and fire protection.
- "4. The proposed use will make the highest and best use of this property for the public welfare, as it will provide a place for those wishing conventional, clean, picturesque, and convenient last-resting places for their family members. As is well known, at present, there is an on-going shortage of such facilities in North and Central Kona.

"Hualalai Memorial Park is planned and will be approved on the conventional and proven garden-type, open space memorial park concept which has been proven in practice and concept throughout the Mainland and in Hawaii.

"A perpetual care trust fund will be established and maintained in accordance with proper practices in the public interest, quaranting the on-going maintenance and preservation of the park in perpetuity. A pre-need trust fund will also be established to quaranty the accommodation of those who have purchased such pre-need facilities.

"This memorial park will be managed and operated under the direction of Mr. Patrick Caires who will be the Chief Executive Officer. Mr. Caires is an officer and director of the Maui Memorial Park, Longview Memorial Park, and General Manager and Director of Maui Funeral Plan, Inc.

"Mr. Caires is also a charter and former member of the Hawaii State Cemetery Board, having served 8 years with that body, participating in the formulation of the Rules, Regulations and Controls enacted by that organization in the protection of public interests.

"As well, Mr. Caires is a director of the American Cemetery Association, the oldest such association in the United States."

The land is presently vacant. The surrounding land uses include cattle grazing and scattered single-family residences. Two other small cemeteries are located near the subject property. One is located approximately 3,000 feet to the north (Waimea side) and the other approximately 3,800 feet to the south (Kealahekua side) of the land in question. The first is the County's Keopu Cemetery and the second is a private Japanese Cemetery at Holualoa. Another proposed cemetery will be located approximately 1.6 miles north of the subject property. The Land Use Commission approved the Special Permit request to establish this cemetery by Sim Wenner (SP75-184) on August 10, 1974. On June 18, 1975 the Hawaii County Council adopted a resolution (Resolution No. 420) allowing the establishment of this cemetery in the County. The proposal under this Special Permit includes the development of 3,000 plots on approximately ten acres of land. The developer of this cemetery is presently proceeding to acquire a subdivision approval from the County.

The soil type of the subject property is Honuauulu extremely stony-silty-clay-loam. The capacity class of the soil is VII. These soils have severe limitations that make them unsuited to cultivation and restrict their use to pasture, range, and woodland. Permeability is rapid, runoff is slow, and the erosion hazard is slight. The annual rainfall of this area is approximately 75 inches. The Planning Commission staff report states that: "There are no historical features or identifiable landforms attributed to the property."

Comments on the subject request were received as follows:

DEPARTMENT OF WATER SUPPLY

"At this time, we have no adverse reaction to this prepared Special Permit application for cemetery use. However, insofar as to the water service that may be required, applicant should be advised that because of the water availability situation for the Kona areas that water service may not be available until after the completion of our Kahaluu Shafts and Pump Installations which is scheduled to be completed during 1977. Applicant should also be advised that the current water pressure zone may become a problem."

DEPARTMENT OF AGRICULTURE

"The Department of Agriculture has reviewed the subject application and has no objection to this Special Permit. The land involved is classed as C-52 (good for orchard and grazing) by the Land Study Bureau."

Other cooperating agencies had no objections or comments on the subject request.

The General Plan Land Use allocation guide map designates the area for Orchards and alternate Urban expansion. The County's zoning designation for this parcel is Agriculture five-acres.

COUNTY RECOMMENDATION

The Hawaii County Planning Commission held a duly advertised public hearing on the subject request on July 31, 1975. On August 28, 1975 the Planning Commission voted to recommend approval of the Special Permit as it was found:

- "1. That the proposed use will make the highest and best use of the land involved for the welfare of the general public. The proposed use will be implementing the County General Plan's Public Facilities - Health and Sanitation element. Under this element, a course of action for the Kona District is that new cemetery sites to serve future needs shall be sought. The proposed cemetery will provide additional burial sites in an area where existing cemeteries are almost completely used. The establishment of the proposed use will therefore serve and meet the future needs of the region;
- "2. That the proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The intent of the Land Use Law and Regulations is to preserve, protect, and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people of the State of Hawaii.

The area under consideration is classified as agricultural by the State Land Use Commission. The Land Use Regulations state that lands surrounded by or contiguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soils and other related

characteristics may be included in the Agricultural District. According to the Soil Conservation Service's 1973 soil survey of this island, the agricultural capability class for the area under consideration is VII, which is next to the lowest of the Service's capability class rankings. Although certain agricultural activities can be conducted on the subject property, it is determined that the requested use for the land under consideration will not be contrary to the Land Use Law and Regulations, given the guidelines set forth for determining the Agricultural District as well as the area's capability classification for agricultural productivity. Further, the proposed use of the subject area is determined not to have any adverse impact on the overall agricultural activity of the region and the island. It is also acknowledged that the proposed use will still perpetuate a form of open space.

- "3. That unusual needs have arisen since the district boundaries and regulations were established. In the public cemetery at Keopu, there is a total of ten (10) unused plots as of this time. The other cemetery in the area is a private Japanese one. On August 10, 1974 a special permit was granted Sim Wenner for the creation of a 3,000-plot cemetery on ten acres of land. This latter cemetery, has recently been approved by the County Council and its development is expected to begin shortly. Even with this latter cemetery, however, it is felt that the provision of additional burial plots is still reasonable in order to assure that future needs will be served;
- "4. That approval of the proposed use will not place an unreasonable burden on public agencies to provide services and facilities. The applicant will not be using public sewers and drainage systems nor any variety of other public services and facilities which other types of land uses demand. In addition, the proposed use is not expected to generate a large volume of traffic, and what traffic is generated will be occasional. The roadways of the on-site infrastructure exceed the County's minimum requirements.

The favorable recommendation was subject to the following conditions:

- "1. That the applicant, Hualalai Memorial Park, Inc., comply with all the rules and regulations as outlined in Chapter 4, Article 1 (relating to cemeteries) of the Hawaii County Code within one year from the official date of approval;
- "2. That a landscaping plan be submitted to be approved by the Planning Director prior to the clearing of the land. Said plan shall include the preservation of large trees on the property wherever possible;
- "3. That all grave markers shall be designed to meet the standards of the General Plan's Public Facilities - Health and

Sanitation element which encourages the use of plaques installed flush with the ground;

- "4. That there shall be adequate assurance, as determined by the Corporation Counsel, for maintenance by the developers and/or association of the memorial park by recorded covenant running with the land;
- "5. That development of the cemetery complex shall proceed incrementally and conform substantially with the representations made by the applicant. The first increment shall consist of 1.52 acres to include approximately 899 grave sites and approximately 0.23 acre of access roadway. Subsequent increment shall consist of 1.25 acres each. The chapel-office building shall be constructed in the second increment;
- "6. That a hydrologic/drainage study shall be submitted to and approved by the Planning Director and the Chief Engineer, Public Works Department, prior to commencement of the site development;
- "7. That the roadway easement shall have a 50-foot right-of-way with a 32-foot pavement as shown in the site development plan submitted with the special permit application;
- "8. That adequate on-site parking shall be provided. The applicant shall submit a parking scheme which shall be approved by the Planning Director prior to development;
- "9. That all other applicable rules and regulations shall be complied with, including the County Cemetery Code."