

# *Hawaiian Paradise Park Owners' Association*

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## SPECIAL MEETING OF THE BOARD OF DIRECTORS

November 9, 2002

Notice is hereby given that there will be a special meeting of the Hawaiian Paradise Park Owners' Association Board of Directors on Saturday, November 9, 2002 at 10:00 AM in the library of the Activity Center on Maku'u Street in Hawaiian Paradise Park Subdivision, Kea'au, HI.

### AGENDA

- I Call to order
- II Roll Call
- III Summary of Special Permit Application  
(SPP 02-031)
- IV Conflict with the Hawaiian Paradise Park  
Community Master Plan
- V Owner Input
- VI Board Discussion and Resolution
- VII Adjournment

**Hawaiian Paradise Park Owner Association**  
**Approved Minutes of the**  
**Special Board of Directors Meeting**  
**of November 9, 2002**

**Call to Order:** The meeting was called to order at 10:07 a.m. by President Payne.

**Board Members Present:** Dan Payne, President; Wayne Graber, Treasurer; Floyd Lundquist, Robert Daley, Gerard Silva, and Jesse Crawford. Suzanne Mayhew, General Manager (GM) was also present.

**Members Absent:** John Vurich, Don Tinker, and Alexa Von Alemann.

**Other Members Present (and those who arrived later):** Gary Jung, Walter Bell, Jeannie Beddow, Don Morris, Vivian Whitney, Ruth Mizuba, John Luchau, and Denise Smith.

It was decided to extend the visitors time to speak, to five minutes each.

**Summary of Special Permit Application** - The GM explained that Whitney Investment Trust/Mango Trust is applying for a five year Special Permit to establish a contractor's base yard for the storage of plumbing supplies and heavy equipment on the property. The property is located between Highway 130 and 33rd Street, and between Paradise Drive and Makuu Drive. The property is currently being used to store pipes and materials for the construction of the waterline project on the highway between Paradise Drive and Pahoa.

The property is owned by Drainpipe Plumbing & Solar, and Big Island Excavating, which are owned by Maureen and John Gapp, Vivian Whitney, Donald Morris, and Joseph Early.

**Conflict with the Hawaiian Paradise Park Community Master Plan** - An HPP Master Plan (MP) was established in 1993 with the light industrial area being on the highway. In 1997, Mayor Yamashiro asked that the light industrial area be moved away from the highway asking that no driveways access from the highway. Another consideration was the visual factor. Gary Jung added Mayor Yamashiro did not want a commercial corridor established along the highway. Director Silva noted the areas that HPP set aside are all owned by the Watamuls, and we have no control over them.

**Owner Input:**

Vivian Whitney explained there would not be excessive traffic, the equipment will go with the material to job sites, where they will stay for the duration of the job. She then read a letter of introduction to the Board. The main points were: Her and her husband, Don Morris have lived on the Big Island 27 years. They have built and lived in over 6 homes in HPP, and are currently building another for their daughter. The business is providing valuable services for the community; the waterline, the Keonepoko Elementary School addition, the U.P.S. Building and the Smithsonian building in Hilo, and numerous home building sites, cesspools, septic systems in and around HPP. The companies employ 7 people who are homeowners in HPP and utilize contractors who work out of their homes in HPP. Originally the warehouse was to be an orchid nursery but was repeatedly vandalized, so we leased it out to use as a staging area for the waterline. According to Councilman Gary Safarik the County would eventually like to designate certain areas along

the highway as light industrial, business. We have not been opposed to other businesses in HPP, and utilize a lot of their services. After living here for over 20 years we have seen no progress on the Master Plan.

Denise Smith explained she was not opposed to the business, but that it conflicted with the Master Plan. The (Hui) membership approved the MP, then the Planning Commission, then the County Council. The MP was to prevent businesses from being in residential areas. She believed it would cause a conflict with the residents and impact the neighborhoods.

Mike McMillian objected on the zoning issue. If one is permitted, there will be no excuse to not allow others.

John Luchau explained that Gary Jung, Walt Bell, Denise Smith, Jeanne Beddow, Mike McMillian, and himself drew up the concept of the MP in 1993. Thirteen public meetings were held and much was changed including moving the light industrial area from the highway to the 20 acre site on Kaloli. Wiki Wiki was not allowed to build on the highway, and churches are now not allowed to build on the highway. He suggested a conglomerate of those wishing to start a business contact the Watamuls and purchase the 20 acres.

Gary Jung explained this business was in operation prior to when the permit was sought. The proper way is to get the permit before the business is built. This is disregarding the law. We need to stop it now. The County Council passes a Resolution to use the MP as a planning guide for the County of Hawaii. He believed if the Permit is approved it would go against the law and against the intent of the Resolution. In February 2003 the amendments to the County General Plan will change the designation of HPP to rural, which will allow home businesses but not commercial development.

Jeanne Beddow advised that Robert's Auto Repair on Illima in Orchidland is also applying for a Special Permit. She owns two lots in HPP near him. His business is one lot in, but he owns the lot on the highway too.

Don Morris explained nothing is being done with the MP, when will it take effect, how many more years? Their warehouse looks the same as others along the highway, the only difference is the others are in the agricultural business. They only have access to the highway while doing the highway job, after that they will be using 33rd street.

Vivian Whitney advised there are hundreds of businesses in HPP, Mike's Repair (owned by Mike McMillian,) Curlee's Auto Repair Permit was approved, and J & J Storage (owned by John Vurich.) Excavation Tech is on the highway in Orchidland. There are maintenance, road, water, and other businesses that are not home businesses scattered throughout HPP. Plumbers coming from Hilo charge a portal fee, we need services out here. She explained she was part of the group that cleared the land for the park behind the office and has done a lot for HPP. She watches for illegal activities and reports it to the police, sometimes chasing them down. She is current in all fees. The nearby lot owners all received notification of the Special Permit application, and no one has objected.

Ruth Mizuba noted the structure was consistent with others in agriculture businesses. We count on people from other areas to service our needs. She would like to see properties developed into some kind of business that would service HPP. Other businesses have been grandfathered in all over HPP. They are already in business. What are the checks and balances on Special Permits? J & J Self Storage has not abided by maintaining what was agreed upon, do we have any recourse. What can be done about that? If

WIT/MT keeps their agreement, why not let them operate. They are working on the pipeline that will bring water to HPP now. Putting the light industrial two and a half miles from the highway will cause added burden to our roads. She recommended to approved this Special Permit, then review the property annually.

Jeanne Beddow agreed that their business is constructive to HPP. She noted that Mayor Yamashiro did not want entrances and exits on the highway, however, it is like a speedway, she would like to see driveways to slow the traffic down. We need businesses here to employ people and keep them in HPP and off the highway.

John Luchau added he had no objection to the business but to the location.

#### **Board Discussion and Resolution -**

Gerard Silva advised the light industrial was originally to be on the highway but changed in 1997. Businesses will go where there is water.

Vivian Whitney added they looked into purchasing property in the 20 acre parcel, but there is no water there now and no way to get it there. She plans to plant around the entire property. The water pipes are almost all installed, they are now working on cleaning up and planting the property. The County has directed them to close the highway access when the waterline project is over. If she has to move the business, she would move it to property she owns on 16th street.

Jesse Crawford explained that businesses are put along the highway for access to the highway. He believed the MP was over planned with light industrial area two miles off the highway with no utilities. We should make decisions based on where the businesses decide to be, it is a business decision. If the Special Permit is approve he would like 33rd street to be paved to the business. We need to be business friendly and have businesses coming in to improve the community.

Robert Daley is not anti-business, but advised we need to set a guideline or have a one by one consideration of every business. He was aware there are no utilities at the 20 acre parcels.

Dan Payne noted the designation of special areas is wonderful, but they are all owned by Watamul, who won't develop them until there is complete infrastructure in place.

Gerard Silva added since we don't own the property, we cannot direct it. The Watamuls want one million for the property on Makuu Drive.

Wayne Graber related that we either go with the MP saying that it is a very good document, or go with Special Permits on a case by case basis, saying it is not workable in all cases.

The GM noted the County General Plan is reviewed every ten years, perhaps we should review the Master Plan more often.

Jesse Crawford added that with Watamul owning all of the land for light industrial it gives them a monopoly on the future industrial development in HPP.

Gerard Silva noted that going through the Special Use Permit process would cover the checks and balances, and we can deny the ones we don't want, and approve the ones we want.

**Jesse Crawford moved to approve the Special Permit Application for the Contractor's Warehouse located on the highway between Paradise and Makuu Drive subject to visual appeal by planting and that their driveway and 33rd street be paved to Makuu street. Wayne Graber seconded. The vote was 3 in favor, 1 opposed, the motion carried.**

**Adjournment - Jesse Crawford moved to adjourn, Wayne Graber seconded, the motion carried. The meeting adjourned at 11:20 a.m.**

Submitted by:



Lori Miner, Recording Secretary



Don Tinker, Corporate Secretary

## MOTIONS LOG

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