

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Chart Room
Sheraton Coconut Beach Hotel
Coconut Plantation
Kapaa, Kauai

November 15, 1990

approved
12/10/90

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Karen S. Ahn
JoAnn N. Mattson
Elton Wada
Delmond J.H. Won
James M. Shinno
Allen K. Hoe
Allen Y. Kajioka

COMMISSIONERS ABSENT: Eusebio Lapenia, Jr.

STAFF PRESENT: Esther Ueda, Executive Officer
Russell Suzuki, Esq, Deputy Attorney
General
Darlene Kinoshita, Chief Clerk
Steven Tagawa, Staff Planner

Holly Hackett, Court Reporter

Chairman Nip called the meeting to order.

ACTION

A89-649 - LILIUOKALANI TRUST (Kona)

Chairman Nip announced that the Commission would take action to consider acceptance of Liliuokalani Trust's Environmental Impact Statement to reclassify approximately 1,135 acres of land currently in the Conservation and Agricultural Districts into the Urban District at Keahuolu, Kailua-Kona, Hawaii for a new urban center consisting of residential, office and commercial, judiciary complex, industrial and business park, financial plaza, hospital, and hotel with exhibition center, cultural facilities, and historic park.

Appearances

Benjamin Kudo, Esq., Attorney for Petitioner

Rick Eichor, Esq., Deputy Attorney General, Office of
State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

The Department of Planning, County of Hawaii, was not
present to the proceeding at this time.

The letter dated November 12, 1990 from David Penn was
admitted into evidence by the Land Use Commission.

Arguments were heard from Ben Kudo and Rick Eichor.

Commissioner Hoe moved that the Environmental Impact
Statement be accepted and included as part of the record. The
motion was seconded by Commissioner Shinno polled as follows:

Ayes: Commissioner Hoe, Kajioka, Mattson, Shinno,
Wada, Won, Ahn, and Chairman Nip.

A83-553 - PRINCEVILLE DEVELOPMENT CORPORATION (Kauai)

Chairman Nip announced that the Commission would take
action to consider Petitioner's Motion for Extension of Time to
Substantially Complete Improvements on the Western Plateau and
to file a petition for the Central Plateau consisting of
approximately 197 acres of land currently in the Agricultural
District into the Urban District at Hanalei and Kalihikai,
Halelelea, Kauai.

Appearances

Walton Hong, Esq., Attorney for Petitioner

Walter Challenger, Petitioner

Tom Shigemoto, Representative for Petitioner

Peter Morimoto, Esq., Deputy County Attorney, County
of Kauai

Bryan Mamaclay, Planner, Department of Planning,
County of Kauai

Rick Eichor, Esq., Deputy Attorney General, Office of
State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

Brad Dewan, Esq., Attorney for Intervenor

Susan Wilson, Intervenor

PETITIONER'S WITNESS

1. Walter Challenger
2. Tom Shigemoto

A lunch recess was taken at 12:30 p.m. to reconvene at
1:30 p.m.

- 1:40 p.m. -

A83-553 - PRINCEVILLE DEVELOPMENT CORPORATION (Kauai) (Cont'd)

Chairman Nip continued the motion and required parties
to file legal briefs addressing affordable housing and other
matters. The briefs are due one week before hearing date set.

A84-538 - MAUD VAN CORTLANDT SCHROLL TRUST (Molokai)

Chairman Nip announced that the Commission would take
action to consider Intervenor's Motion to Amend the Condition
Imposed by the Land Use Commission in the Decision and Order
dated January 15, 1985 which reclassified approximately 32.910
acres of land from the Urban District into the Rural District
at Pukoo, Molokai.

Appearances

Benjamin Kudo, Esq., Attorney for Petitioner

Danny Aranza, Esq., Attorney for Petitioner

Christopher Schroll, Petitioner

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Paul Horikawa, Esq., Deputy Corporation Counsel,
County of Maui

Rick Eichor, Esq., Deputy Attorney General, Office of
State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

George Peabody, Intervenor, was not present to the
proceeding at this time.

Chairman Nip announced that Mr. Peabody was notified
by certified mail and noted that he had called the Land Use
Commission Office on Oahu. There was no notification of
whether he was going to come to Kauai or not.

Arguments were heard from Danny Aranza and Mr. Schroll.

Commissioner Wada moved to go into executive session
to confer with the Commission's attorney on legal matters. The
motion was seconded by Commissioner Mattson and unanimously
carried by voice votes.

Commissioner Hoe moved to deny Intervenor's Motion to
to Amend the Condition Imposed by the Land Use Commission in
the Decision and Order dated January 15, 1985 which
reclassified approximately 32.910 acres of land from the Urban
District into the Rural District at Pukoo, Molokai. The motion
was seconded by Commissioner Won and polled as follows:

Ayes: Commissioner Hoe, Kajioka, Mattson, Shinno,
Wada, Won, Ahn, and Chairman Nip.

HEARING

A90-656 - C & F FARMING, INC. (Kauai)

Pursuant to a notice published in the Garden Island
and Honolulu Advertiser on September 27, 1990 and notices sent
to all parties, a hearing was called by the Land Use Commission
in the matter of the petition by C & F Farming, Inc. to
reclassify approximately 93.972 acres of land currently in the
Agricultural District into the Urban District at Kilauea, Kauai
for single family residential subdivision.

Appearances

Calvin Murashige, Esq., Attorney for Petitioner

Sherwood Conant, Petitioner

Henry Fredericks, Petitioner

Heather Harvey, Project Planner for Petitioner

Peter Morimoto, Esq., Deputy County Attorney, County
of Kauai

Mike Laureta, Planner, Department of Planning, County
of Kauai

Rick Eichor, Esq., Deputy Attorney General, Office of
State Planning

Karen Yamamoto, Land Use Division, Office of State
Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

EXHIBITS

1. Petitioner's Exhibit A through EE-1 were admitted into evidence by the Land Use Commission subject to objections by the Office of State Planning in regards to Exhibit S-1.

2. County's Exhibit Nos. 1 through 7 were admitted into evidence by the Land Use Commission.

3. State's Exhibit No. 1 was admitted into evidence by the Land Use Commission.

4. A folder and slides submitted by the Kilauea Neighborhood Board were admitted into evidence by the Land Use Commission subject to objections by the Petitioner.

Chairman Nip allowed untimely public witnesses to testify.

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PUBLIC WITNESSES

1. Brian Schaefer
2. Beryl Blaich
3. Kenneth Martin.

The meeting was adjourned at 5:00 p.m.