

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

DOE Board Room
Queen Liliuokalani Building
1390 Miller Street
Honolulu, HI

Approved
5/2/90

April 23, 1990

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Frederick P. Whittemore, Vice-Chairman
Sharon R. Himeno (Portion of
Proceeding
Elton Wada
Allen K. Hoe (Portion of Proceeding)
Lawrence Chun
James Shinno (Portion of Proceeding)
Eusebio Lapenia, Jr.
Allen Y. Kajioka

COMMISSIONERS ABSENT:

STAFF PRESENT: Esther Ueda, Executive Officer
Russell Suzuki, Esq, Deputy Attorney
General
Raymond Young, Staff Planner
Darlene Kinoshita, Chief Clerk
Priscilla Gonzaga, Court Reporter

Chairman Nip called the meeting to order.

Commissioner Hoe was absent from the proceeding at this time.

ACTION

A89-642 - ROBERT S. McCLEAN AS TRUSTEE OF THE ROBERT S. McCLEAN TRUST (Hawaii)

Chairman Nip announced that the Commission would now take action to consider acceptance of the Robert S. McClean as Trustee of the Robert S. McClean Trust's Environmental Impact Statement to reclassify approximately 89.257 acres of land currently in the Conservation and Agricultural Districts into the Urban District at Honokohau, North Kona, Hawaii for industrial uses and general urban expansion.

Appearances

Robert Smolenski, Esq., Attorney for Petitioner

Robert S. McClean, Petitioner

Ann Ogata-Deal, 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 April 12, 1990 from the Department of
Health was entered into evidence by the Land Use Commission.

Arguments on the acceptance of the EIS were heard from
Mr. Smolenski and Ann Ogata-Deal.

Commissioner Lapenia moved to accept the Environmental
Impact Statement. The motion was seconded by Commissioner
Kajioka and unanimously carried by voice votes.

A89-652 - HOUSING FINANCE AND DEVELOPMENT CORPORATION (Maui)

Chairman Nip announced that the Commission would now
take action to consider reclassifying approximately 1,097.765
acres of land currently in the Agricultural District into the
Urban District at Wahikuli, Lahaina, Maui for a planned
community primarily for affordable housing.

Commissioners Kajioka and Shinno were excused from
this proceeding due to a previously declared conflict of
interest.

Appearances:

James Funaki, Esq., Attorney for Petitioner

Guy Archer, Esq., Deputy Corporation Counsel, County
of Maui

Colleen Suyama, Dept. of Planning, County of Maui

Ann Ogata-Deal, Esq., Deputy Attorney General, Office
of State Planning

Karen Yamamoto, Land Use Division, Office of State
Planning

Carolyn Burton, Esq., Attorney for Intervenors

Sally Raisbeck, Intervenor

Arguments were heard from Mr. Funaki, Mr. Archer, Ms. Ogata-Deal, and Ms. Burton. After hearing arguments, questions were asked by the Commissioners.

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

It was determined by Chairman Nip that all of the Commissioners present were eligible to participate in the action on the petition.

Commissioner Wada moved to approve the petition by Housing Finance and Development Corporation subject to twenty-one conditions. The motion was seconded by Commissioner Whittemore and polled as follows:

Ayes: Commissioner Wada, Lapenia, Whittemore, Chun, Himeno, and Chairman Nip.

A lunch recess was taken at 11:55 a.m. to reconvene at 1:30 p.m.

- 1:30 p.m. -

Commissioners Hoe, Shinno, and Kajioka were present to the proceeding at this time. Commissioner Himeno was excused from this proceeding due to a previously declared conflict of interest.

A88-634 - ALEXANDER AND BALDWIN, INC. (Maui)

Chairman Nip announced that the Commission would now take action to consider reclassifying approximately 339.3 acres of land currently in the Agricultural District into the Urban District at Kahului, Maui for an industrial park.

Appearances

Paul Mancini, Esq., Attorney for Petitioner

William Campbell, For Petitioner

Guy Archer, Esq., Deputy Corporation Counsel, County
of Maui

Colleen Suyama, Dept. of Planning, County of Maui

Abe Mitsuda, Land Use Division, Office of State
Planning

Sally Raisbeck, Intervenor

Arguments were heard from Mr. Mancini, Mr. Archer, Mr. Mitsuda, and Ms. Raisbeck. After hearing arguments, questions were asked by the Commissioners.

It was determined by Chairman Nip that all of the Commissioners present were eligible to participate in the action on the petition.

Commissioner Wada moved to approve the petition by Alexander and Baldwin, Inc. subject to fifteen conditions. The motion was seconded by Commissioner Chun and polled as follows:

Ayes: Commissioner Wada, Whittemore, Chun, Hoe, Kajioka, Lapenia, Shinno, and Chairman Nip.

HEARING

A89-651 - HASEKO (HAWAII), INC. (Oahu)

Pursuant to a notice published in the Honolulu Star Bulletin on March 17, 1990 and notices sent to all parties, a

hearing was called by the Land Use Commission in the matter of the petition by Haseko (Hawaii), Inc. to reclassify approximately 389.029 acres of land currently in the Agricultural District into the Urban District at Honouliuli, Ewa, Oahu for specialty hotels and garden suite hotels; an international fitness and conditioning center; a golf course; a tennis complex; and various retail shops, restaurants, and professional offices.

Appearances

Steven Chung, Esq., Attorney for Petitioner

Angela Fong, Esq., Attorney for Petitioner

Betsy Marcinkus, Department of General Planning, City and County of Honolulu

John Anderson, Esq., Deputy Attorney General, Office of State Planning

Jean Nishida, Land Use Division, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Paul Sullivan, Esq., Attorney for potential intervenor, Department of the Navy

Stanley Uehara, Civil Engineer, Department of the Navy

The parties having no objections to the motion for intervention, Chairman Nip granted the motion for intervention and waiver of filing fee by the Navy.

EXHIBITS

1. The letters dated April 23, 1990 received from Representative Crozier, dated April 7, 1990 from Mr. Naylor, dated April 19, 1990 from Mr. Farm, dated April 23, 1990 from Kelly Miyahira, and dated April 23, 1990 from the Ewa Beach Shopping Center Merchants' Association were admitted into evidence by the Land Use Commission.

2. Petitioner's Exhibits A-2 through QQ were admitted into evidence by the Land Use Commission. Exhibits A-1 was replaced by Exhibit Q, Exhibit C and CC were withdrawn.

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

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

PUBLIC WITNESSES

1. Dick Beamer
2. Cynthia Foo
3. Glenn Oamilda
4. Harry Ching
5. Ted Farm

Raymond Young, Staff Planner, oriented the Commission to the area being requested for reclassification on the Land Use District Boundaries and tax maps.

A Motion to Amend Petition was filed by Petitioner. There were no objections by the parties. Commissioner Shinno moved to amend the petition in accordance with the motion. The motion was seconded by Commissioner Whittemore and unanimously carried by voice votes.

The meeting was adjourned at 4:03 p.m.