

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room
Kahului Library
Kahului, Maui

*approved
June 29, 1990*

June 19, 1990

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

COMMISSIONERS ABSENT: Renton L.K. Nip, Chairman
James Shinno

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

Commissioner Hoe called the meeting to order.

ACTION

A90-653 - HOUSING FINANCE AND DEVELOPMENT CORPORATION (Oahu)

Commissioner Hoe announced that the Commission would take action to consider reclassifying approximately 58.001 acres of land currently in the Agricultural District into the Urban District at Honouliuli, Ewa, Oahu for a portion of an 18-hole golf course and related uses.

Appearances

James T. Funaki, Esq., Attorney for Petitioner

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

Newman Jackson, Land Use Division, Office of State
Planning

A representative from the Department of General
Planning was not present to the proceeding at this time.

Arguments were heard from Mr. Funaki, and
Ms. Ogata-Deal.

It was determined by Commissioner Hoe 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 eleven
conditions. The motion was seconded by Commissioner Lapenia
and polled as follows:

Ayes: Commissioner Wada, Kajioka, Lapenia,
Whittemore, Chun, Himeno, and Hoe.

SP90-373 - F.B.D. ENTERPRISES USA, INC. (Kauai)

Commissioner Hoe announce that the Commission would
take action to consider Intervenor's Request for
Reconsideration of Land Use Commission's Approval of Special
Permit Application allowing the establishment of an 18-hole
golf course, golf clubhouse, and related accessory uses and
structures on approximately 204.43 acres of land situated
within the State Land Use Agricultural District at Kilauea,
Kauai.

Appearances

Dennis Yamada, Esq., Attorney for Petitioner
Warren Perry, Esq., Deputy County Attorney, County of
Kauai
Michael Laureta, Department of Planning, County of
Kauai
Bradford Dewan, Esq., Attorney for Intervenor
Brian Schaefer, Intervenor
Don Kimura, Intervenor

Arguments were heard from Mr. Dewan, Mr. Perry, and Mr. Yamada. After hearing arguments, questions were asked by the Commissioners.

Commissioner Chun 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.

Commissioner Kajioka moved to deny the motion for reconsideration. The motion was seconded by Commissioner Chun and unanimously carried by voice votes.

Commissioners Himeno and Lapenia were not present to the proceeding at this time.

HEARING

A89-650 - WAIHE'E OCEANFRONT HAWAII, INC. (Maui)

Vice-Chairman Whittemore announced that the present matter before the Commission is a continuation of the hearing which had begun on March 20, 1990.

Appearances

Eric Maehara, Esq., Attorney for Petitioner

Raymond Iwamoto, Esq., Attorney for Petitioner

Don Hidani, Esq., Attorney for Petitioner

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

Ronald Fairbanks, Department Planning, County of Maui

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

Abe Mitsuda, Land Use Division, Office of State
Planning

Jean Nishida, Land Use Division, Office of State
Planning

Isaac Hall, Esq., Attorney for Intervenor, Office of
Hawaiian Affairs

Fred Rohlfing, Esq., Attorney for Intervenor,
Mr. Sakata

Burt Sakata, Intervenor

Arguments on the Motion to Amend Petition filed by
Petitioner were heard from Mr. Maehara. There were no
objections to the amendments heard from the parties.

The Motion to Amend Petition was unanimously approved
by voice votes of the Commission.

The Motion for Defective Filing filed by the County of
Maui was withdrawn without prejudice.

Mr. Isaac Hall, Esq., Attorney for OHA requested to
withdraw as intervenor and submitted three conditions for
consideration by the Commission.

Commissioner Hoe moved to allow OHA to withdraw as
intervenor from the proceeding. The motion was seconded by
Commissioner Chun and unanimously carried by voice votes.

EXHIBITS

1. Petitioner's Ex. B2 was admitted into evidence by
the Land Use Commission.
2. State's Exhibit No. 1 and 2 were admitted into
evidence by the Land Use Commission.
3. The letter dated June 18, 1990 from the Office of
Hawaiian Affairs was admitted into evidence by the Land Use
Commission.
4. The letters received on June 19, 1990 from
Daniel C. Kester, Mercy Kester, Angela Roth, Anita Roth,
Crystal Roth, and Wesley Kono were admitted into evidence by
the Land Use Commission.

4. All public witnesses' letters received before the hearing were admitted into evidence by the Land Use Commission.

PUBLIC WITNESS

1. Charles Keau, Maui Historical Society

PETITIONER'S WITNESSES

1. Joseph Vierra

MISCELLANEOUS

1. A presentation on affordable housing was given by Alice Lee, Councilperson, County of Maui.

The meeting was adjourned at 5:05 p.m.