

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Ginger Room
Kauai Hilton and Beach Villas
4331 Kauai Beach Drive
Lihue, Hawaii

approved
11/9/92

December 19, 1991

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Allen Y. Kajioka
Karen S. Ahn
JoAnn N. Mattson
Eusebio Lapenia, Jr.
Delmond Won

COMMISSIONERS ABSENT: Allen K. Hoe, Vice-Chairman
Elton Wada

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

Holly Hackett, Court Reporter

Chairman Nip called the meeting to order.

ACTION

A91-668 - DON KARLEEN AND PEGGY KARLEEN (Kauai)

Chairman Nip announced that the Commission would take action to consider reclassifying approximately 6,606 sq. ft. of land currently in the Conservation District into the Urban District at Wainiha, Kauai for residential use.

Appearances

Walton Hong, Esq., Attorney for Petitioner

Don Karleen, Petitioner

James Tagupa, Esq., Deputy County Attorney, County of
Kauai

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

Abe Mitsuda, Land Use Division, Office of State
Planning

The letter dated October 8, 1991 from Dorothy Bekeart,
Deputy Director, Department of Finance, County of Kauai, was
admitted into evidence by the Land Use Commission.

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

Commissioner Kajioka moved to approve the petition by
Don Karleen and Peggy Karleen subject to eight conditions.
Conditions 1 and 2 as stipulated by the Petitioner and the
County of Kauai. Conditions 3 through 8 as proposed by the
Commission. The motion was seconded by Commissioner Won and
polled as follows:

Ayes: Commissioner Kajioka, Lapenia, Mattson, Won,
Ahn, and Chairman Nip.

HEARING

A91-670 - POIPULANI DEVELOPMENT CORPORATION (Kauai)

Pursuant to a notice published in the Honolulu
Advertiser and the Garden Island and notices sent to all
parties, a hearing was conducted by the Land Use Commission in
the matter of the petition by Poipulani Development Corporation
to reclassify approximately 136 acres of land currently in the
Agricultural District into the Urban District at Koloa, Kauai
for an 18-hole golf course and accessory buildings.

Appearances

Lorna Nishimitsu, Esq., Attorney for Petitioner

Loren Baxter, Petitioner

Jay Murobayashi, Esq., Deputy County Attorney, County
of Kauai

Peter Nakamura, Director, Department of Planning,
County of Kauai

Ann Ogata-Deal, 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 M were admitted
into evidence by the Land Use Commission.

2. County's Exhibit Nos. 1 through 4 were admitted
into evidence by the Land Use Commission.

3. State's Exhibit Nos. 1 and 2 were admitted into
evidence by the Land Use Commission.

Steven Tagawa, Staff Planner, oriented the Commission
to the area proposed for reclassification on the Land Use
District Boundaries and tax maps.

A motion for reduction of petition area was filed by
Petitioner today. Arguments on this motion were heard from Ms.
Nishimitsu. There were no objections to the motion by the
County of Kauai and the Office of State Planning. Chairman Nip
moved to approve the motion and amended the petition area
accordingly.

PUBLIC WITNESSES

1. Fred Jaeger
2. Councilman James Tehada
3. Louis Abrams
4. Dorothy Tao

PETITIONER'S WITNESS

1. Loren Baxter

At this time, Petitioner withdrew its petition. There were no objections by the County of Kauai, Office of State Planning. There were no objections by the Commission.

MISCELLANEOUS

1. ADOPTION OF MINUTES

The minutes for the following meeting dates were approved as circulated: December 5, 1991 and December 6, 1991.

2. ADOPTION OF DECISION AND ORDER

The Decision and Order of the following was adopted:

SP71-117 - WAIKOLOA DEVELOPMENT COMPANY (Hawaii)