

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Kamehameha Ballrooms  
Kona Surf Resort and Country Club  
78-128 Ehukai Street  
Kailua-Kona, Hawaii

approved  
3/1/91

February 8, 1991

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman  
Allen K. Hoe, Vice-Chairman (Portion  
Proceeding)

Karen S. Ahn  
JoAnn N. Mattson  
Elton Wada  
Delmond J.H. Won  
Allen Y. Kajioka

COMMISSIONERS ABSENT: James M. Shinno  
Eusebio Lapenia, Jr.

STAFF PRESENT: Esther Ueda, Executive Officer  
Russell Suzuki, Esq, Deputy Attorney  
General

Steven Tagawa, Staff Planner  
Bert Saruwatari, Staff Planner  
Darlene Kinoshita, Chief Clerk

Holly Hackett, Court Reporter

Chairman Nip called the meeting to order.

CONTINUED HEARING

A88-630 - PALACE DEVELOPMENT CORPORATION AND HAWAII KA'U AINA  
(Hawaii)

This proceeding commenced at 8:30 a.m. and was a continuation of the hearing which was adjourned yesterday at 6:45 p.m.

Appearances

R. Ben Tsukazaki, Esq., Attorney for Petitioner

Steven Lim, Esq., Attorney for Petitioner

William Yuen, Esq., Co-Counsel for Petitioner

Cynthia Charlton, Esq., Co-Counsel for Petitioner

Norman Hayashi, Director, Planning Department, County  
of Hawaii

Keith Kato, Planning Department, County of Hawaii

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

Abe Mitsuda, Land Use Division, Office of State  
Planning

Jean Nishida Souza, Land Use Division, Office of State  
Planning

Alan Murakami, Esq., Attorney for Intervenor, Pa'a  
Pono Milolii

Paul Lucas, Esq., Attorney for Intervenor, Pa'a Pono  
Milolii

Glen Winterbottom, Intervenor

EXHIBITS

1. Petitioner's Exhibit No. 41 was admitted into  
evidence by the Land Use Commission.

2. Intervenor, Glen Winterbottom's Exhibit P through  
U were admitted into evidence by the Land Use Commission.

INTERVENOR, GLEN WINTERBOTTOM'S WITNESS

1. Glen Winterbottom

STATE'S WITNESS

1. Abe Mitsuda

PETITIONER'S WITNESS

1. Karl Hippmann

Chairman Nip instructed all parties of the post-hearing procedures and declared the hearing closed. The proposed findings from the parties are due on March 8, 1991 and the parties have 14 days from that date to respond.

A lunch recess was taken at 12:07 p.m. to reconvene at 1:30 p.m.

- 1:39 p.m. -

Commissioner Hoe was absent from the proceeding at this time.

HEARING

A89-646 - LILIUOKALANI TRUST (Hawaii)

Pursuant to a notice published in the Honolulu Advertiser and Hawaii Tribune Herald on December 27, 1990 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Liliuokalani Trust 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

Lyle Harada, Esq., Attorney for Petitioner

Norman Hayashi, Director, Department of Planning,  
County of Hawaii

Keith Kato, Department of Planning, County of Hawaii

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

Abe Mitsuda, Land Use Division, Office of State  
Planning

Jean Nishida Souza, Land Use Division, Office of State  
Planning

Mark Van Pernis, Esq., Potential Intervenor

Arguments were heard from Mr. Van Pernis, Mr. Kudo,  
Mr. Hayashi, and Mr. Eichor.

Commissioner Kajioka moved to accept the petition to  
intervene filed by Mr. Van Pernis on behalf of the Greater Kona  
Community Council. The motion was seconded by Commissioner  
Wada and unanimously carried by voice votes.

The application for public witnesses and intervention  
request by Joseph Detling was withdrawn by Mr. Van Pernis.

#### EXHIBITS

1. The letter dated November 13, 1990 from Elizabeth  
Stone, letter dated 15, 1991 from Rose A. Fujimori, letter  
dated January 16, 1991 from B.L. Kimball, letter dated January  
17, 1990 from Joanna Gaspar, letter dated January 22, 1991 from  
Mr. and Mrs. Lloyd Soehren, letter dated January 29 1991 from  
Llewellyn and Irma Farden, letter dated February 3, 1991 from  
Mahela and Marcus Rosehill, letter dated February 4, 1991 from  
Jacqueline Hill, letter filed February 8, 1991 from Kona-Kohala  
Chamber of Commerce, letter dated February 8, 1991 from Warren  
Chong, letter filed February 8, 1991 from Tim Newstrom, letter  
filed February 8, 1991 from Irma Petrie Chillingworth, letter  
dated February 8, 1991 from Amy Freitas, letter dated January  
24, 1991 and February 8, 1991 from James Greenwell, and letter  
dated January 24, 1991 and February 8, 1991 from Kailua Village  
Improvement Association.

2. Petitioner's Exhibit Nos. 1 through 15 were  
admitted into evidence by the Land Use Commission.

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

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

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

PUBLIC WITNESSES

1. James Greenwell
2. Llewellyn (Buddy) Farden
3. Irma Farden
4. Mahela Rosehill
5. Irma Petrie Chillingworth
6. Rose Fujimori
7. Tony Hanley
8. James Schleiger
9. Warren Chong
10. Hae Kamakau
11. Llewellyn Farden for Amy Freitas
12. Lei Collins
13. Fannie <sup>(Auhoy)</sup> Ahoi
14. Bill Kawahara
15. Thomas Lincoln Leslie, Jr.

MISCELLANEOUS

1. ADOPTION OF MINUTES

The minutes for the following meeting dates were approved as circulated: January 24, 1991 and January 25, 1991.

2. The Commission appointed Ben Matsubara, Esq., as hearing officer for Docket No. A91-663 - Maui Land and Pineapple Company.

The meeting was adjourned at 3:10 p.m.