

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

DOE Board Room
4th Floor, Queen Liliuokalani Building
1390 Miller Street
Honolulu, Hawaii

May 14, 1991

*approved
5/30/91*

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

COMMISSIONERS ABSENT: Eusebio Lapenia, Jr. (Excused)
James M. Shinno

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

Jean McManus, Court Reporter

Chairman Nip called the meeting to order.

Commissioner Lapenia was excused from this proceeding due to a previously declared conflict of interest.

ACTION

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

Chairman Nip announced that the Commission would take action to consider reclassifying approximately 2,420 acres of land currently in the Conservation District into the Urban District and approximately 900 acres of land currently in the Agricultural District into the Urban District at Kahuku, Ka'u, Hawaii for a self-contained resort, support community, regional airport, and access road. The Commission would also take action on the Motion for Taking Official Notice by the Land Use Commission filed by Mr. Winterbottom.

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

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

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

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

Glen Winterbottom, Intervenor

There were objections by Petitioner and no objections
by Pa'a Pono Milolii and the State on Mr. Winterbottom's
motion. The County had no comments on the motion at this time.

Commissioner Hoe moved to deny Mr. Winterbottom's
motion for taking of official notice by the Land Use
Commission. The motion was seconded by Commissioner Mattson
and unanimously carried by voice votes.

Arguments on the action of the petition were heard
from Mr. Lim, Mr. Hayashi, Mr. Eichor, Mr. Lucas, and
Mr. Winterbottom. After hearing arguments, questions were
asked by the Commissioners.

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

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

Commissioner Hoe moved to approve the petition by Palace Development Corporation and Hawaii Ka'u Aina subject to thirty-three conditions. The motion was seconded by Commissioner Wada and polled as follows:

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

Nays: Commissioner Kajioka

MISCELLANEOUS

1. ADOPTION OF DECISION AND ORDER

The Decision and Order of the following docket was adopted:

A83-551 - OCEANIC PROPERTIES, INC. (Oahu)

The meeting was adjourned at 12:05 p.m.