

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Approved
8/22/91

House Conference Room 310
Third Floor, State Capitol
Honolulu, Hawaii

July 19, 1991

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Allen K. Hoe, Vice-Chairman
Karen S. Ahn (Portion of Proceeding)
JoAnn N. Mattson
Elton Wada
Allen Y. Kajioka (Portion of
Proceeding)
Eusebio Lapenia, Jr.
Delmond Won

COMMISSIONERS ABSENT:

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

Jean McManus, Court Reporter

Chairman Nip called the meeting to order.

Commissioner Kajioka was excused from the proceeding due to a previously declared conflict of interest.

Commissioner Ahn was absent from the proceeding at this time.

CONTINUED ACTION

A86-600 - WAITEC DEVELOPMENT, INC. (Oahu)
A89-640 - HALEKUA DEVELOPMENT CORPORATION (Oahu)

This proceeding was a continuation of the action meeting, on the Department of General Planning's motion for issuance of an order to show cause why the decision and order of the above petitions should not be reversed or nullified, which was adjourned yesterday at 4:20 p.m.

Appearances

Rodney Fujiyama, Esq., Attorney for Petitioners
David Arakawa, Esq., Attorney for Petitioners
Diane Taira, Esq., Attorney for Petitioners
Jan Sullivan, Esq., Attorney for Petitioners
Kellie Sekiya, Esq., Attorney for Royal Oahu Resort
Wendell Fuji, Esq., Attorney for Koei Hawaii, Inc.

Jane Howell, Esq., Deputy Corporation Counsel,
Department of General Planning, City and County of Honolulu

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

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

The Mililani/Melemano/Waipio Neighborhood No. 25 was
not present to the proceeding at this time.

EXHIBITS

1. The letter dated July 17, 1991 from Elizabeth Ann
Stone was admitted into evidence by the Land Use Commission.

PETITIONER'S WITNESSES

1. Albert Chee, Jr.

2. Kenneth Nakamura

Commissioner Ahn joined the proceeding at this time.

3. John Zapotocky

Arguments on the Department of General Planning's
motion for issuance of an order to show cause were heard from
Ms. Howell, Mr. Eichor, and Mr. Fujiyama. Wendell Fuji, Esq.,
Attorney for Koei Hawaii, Inc. and Kellie Sekiya, Esq.,

Attorney for Royal Oahu Resort joined in Petitioner's motion to dismiss. Further arguments were heard from Ms. Howell.

It was noted by the Chairman that the Motion to Dismiss filed by the Petitioner was withdrawn.

Commissioner Mattson moved to deny the Department of General Planning, City and County of Honolulu's request for a motion for issuance of an order show cause. The motion was seconded by Commissioner Lapenia and polled as follows:

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

A lunch recess was taken at 12:23 p.m. to reconvene at 2:00 p.m.

- 2:00 p.m. -

Commissioner Kajioka joined the proceeding at this time.

A presentation on the status of the 5-year boundary review was heard from Mary Lou Kobayashi, Office of State Planning.

MISCELLANEOUS

1. ADOPTION OF DECISION AND ORDER

The Decision and Order of the following was adopted:

SP73-159 - TOYAMA GARDENS HAWAII CORPORATION dba NANI MAU GARDENS, INC. (4th Amendment) (Hawaii)

2. ADOPTION OF MINUTES

The minutes for the following meeting dates were approved as circulated: June 13, 1991, June 27, 1991 and June 28, 1991.

The meeting was adjourned at 3:15 p.m.