

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

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

January 23, 1992

approved
2/13/92

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

COMMISSIONERS ABSENT:

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

Jean McManus, Court Reporter

Vice-Chairman Hoe called the meeting to order.

Chairman Nip was absent from the proceeding at this
time.

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

ACTION

A76-421 - WEST BEACH DEVELOPMENT CORPORATION (Oahu)

Vice-Chairman Hoe announced that the Commission would
take action to consider Petitioner's Motion for Deletion of

Conditions of the Decision and Order dated August 16, 1977 which reclassified approximately 640 acres of land from the Agricultural District into the Urban District at Honouliuli, Ewa, Oahu.

Appearances

David Arakawa, Esq., Attorney for Petitioner

William Blaisdell, for Petitioner

Frances Mossman, Department of General Planning, City and County of Honolulu

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

Abe Mitsuda, Land Use Division, Office of State Planning

Arguments on the motion were from David Arakawa, Rick Eichor, and Frances Mossman. After hearing arguments, questions were asked by the Commissioners.

Commissioner Won moved to approve Petitioner's motion for deletion of conditions of the Decision and Order dated August 16, 1977. The motion was seconded by Commissioner Mattson and polled as follows:

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

Chairman Nip was excused from the next proceeding due to a previously declared conflict of interest.

A91-667 - SMF ENTERPRISE, INC. (Oahu)

Vice-Chairman Hoe announced that the Commission would take action to consider Petitioner SMF Enterprise, Inc.'s Motion to Reopen Contested Case Hearing and to consider reclassifying approximately 326.76 acres of land currently in the Agricultural District into the Conservation District at Waikane, Koolaupoko, Oahu for an 18-hole golf course, ancillary facilities, golf academy, and golf technical institute.

Appearances

Jordan Wagner, Esq., Attorney for Petitioner

Frances Mossman, Department of General Planning, City and County of Honolulu

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

Abe Mitsuda, Land Use Division, Office of State Planning

George Cooper, Esq., Attorney for Waiahole Waikane Community Association

David Chinen, Chairperson, Waiahole Waikane Community Association

Amy Luersen, Chairperson, Kahalu'u Neighborhood Board No. 29

Robert Fernandez, Kahalu'u Neighborhood Board No. 29

John Reppun, Kahalu'u Neighborhood Board No. 29

Vice-Chairman Hoe denied Intervenors' request to have the action meeting at Waiahole Valley due to the Commission's scheduling.

The letter dated December 24, 1991 from William Paty, Board of Land and Natural Resources, was admitted into evidence by the Land Use Commission.

Arguments on the motion to reopen were heard from Jordan Wagner, Frances Mossman, Rick Eichor, George Cooper, and Amy Luersen. After hearing arguments, questions were asked by the Commissioners.

Commissioner Kajioka moved for an executive session to confer with the Commission's attorney to discuss legal matters. The motion was seconded by Commissioner Won and unanimously carried by voice votes.

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Commissioner Mattson moved to deny Petitioner's request to reopen contested case hearing. The motion was seconded by Commissioner Won and unanimously carried by voice votes.

Arguments on the reclassification were heard from Mr. Wagner, Ms. Mossman, Mr. Eichor, Mr. Cooper, Mr. Fernandez, and Ms. Luersen. After hearing arguments, questions were asked by the Commissioners.

It was determined by Vice-Chairman Hoe that all of the Commissioners present were eligible to participate in the action on the petition.

Commissioner Won moved to reclassify approximately 326.76 acres of land from the Agricultural District into the Conservation District at Waikane, Koolaupoko, Oahu. The motion was seconded by Commissioner Mattson and polled as follows:

Ayes: Commissioner Won, Kajioka, Lapenia, Mattson, Wada, and Vice-Chairman Hoe

Nays: Commissioner Ahn

Chairman Nip joined the proceeding at this time. Commissioner Kajioka was excused from the following proceeding due to a declared conflict of interest.

HEARING

A87-609 - MILILANI TOWN, INC. (Oahu)

Pursuant to a notice published in the Honolulu Star Bulletin and notices sent to all parties, a hearing was conducted by the Land Use Commission in the matter of the motion to approve reclassification of the second increment consisting of approximately 477 acres of land currently in the Agricultural District into the Urban District at Waipio, Ewa, Oahu for a residential community.

Appearances

James T. Funaki, Esq., Attorney for Petitioner

Frances Mossman, Department of General Planning, City and County of Honolulu

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

Abe Mitsuda, Land Use Division, Office of State Planning

Lorene Maki, Land Use Division, Office of State Planning

Mr. Bert Yamamoto testified as petitioner's witness on the motion to clarify Phase I and Phase II.

Commissioner Won moved to accept petitioner's boundaries as testified to by petitioner's witness. The motion was seconded by Commissioner Hoe and polled as follows:

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

Bert Saruwatari, staff planner, oriented the commission to the area requested for reclassification on the Land Use District Boundaries and tax maps.

EXHIBITS

1. Petitioner's Exhibit M-1 through M-8 were admitted into evidence by the Land Use Commission.

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

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

PETITIONER'S WITNESS

1. Wallace Miyahira

COUNTY'S WITNESS

1. Frances Mossman

STATE'S WITNESS

1. Abe Mitsuda

Chairman Nip instructed all parties of the post-hearing procedures and declared the hearing closed. The proposed findings of fact from the parties are due on February 24, 1992 and the parties have until March 9, 1992 in which to respond.

MISCELLANEOUS

1. ADOPTION OF MINUTES

The minutes for the following meeting date was approved as circulated: January 9, 1992

The meeting was adjourned at 12:20 p.m.