

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Nahele Room
Sandalwood Clubhouse
2500 Honoapi'ilani Hwy.
Waikapu, Maui

*approved
7/15/93*

June 29, 1993

COMMISSIONERS PRESENT: Allen Y. Kajioka, Chairperson
Renton L.K. Nip
Allen K. Hoe
JoAnn Mattson
Trudy K. Senda
Delmond J.H. Won
Eusebio Lapenia, Jr.
Karen S. Ahn

COMMISSIONERS ABSENT: Elton Wada

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

Holly Hackett, Court Reporter

Presiding Officer Ahn called the meeting to order.

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

ACTION

A92-683 - HALEKUA DEVELOPMENT CORPORATION (Oahu)

Presiding Officer Ahn announced that the Commission would take action to consider reclassifying approximately 504.865 acres of land currently in the Agricultural District into the Urban District, at Hoaeae-Waikele, Ewa, Oahu for single- and multi-family residential, light industrial park, 18-hole golf course, public park, and school uses.

Appearances

Jan Sullivan, Esq., Attorney for Petitioner

Roy Takeyama, Esq., Attorney for Petitioner

Frances Mossman, Planning Department, 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 were heard from Ms. Sullivan, Ms. Mossman,
and Mr. Eichor.

It was determined by Presiding Officer Ahn that all of
the Commissioners present were eligible to participate in the
action of the petition.

Commissioner Mattson moved to go into executive session
to consult with our Deputy Attorney General on legal matters.
The motion was seconded by Commissioner Won and unanimously
carried by voice votes.

Commissioner Senda moved to continue hearing. The
motion was seconded by Commissioner Won and unanimously carried
by voice votes.

Chairman Kajioka joined the proceeding at this time.

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

Presiding Officer Hoe announced that the Commission
would take action to consider Petitioner's Motion to Release
Conditions of Approval Due to Satisfaction of Conditions of the
Decision and Order filed January 8, 1992 which reclassified
approximately 6,606 square feet of land from the Conservation
District into the Urban District at Wainiha, Kauai for
residential use.

Appearances

Walton Hong, Esq., Attorney for Petitioner

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

Abe Mitsuda, Land Use Division, Office of State Planning

The Planning Department, County of Kauai, had indicated by phone that they would not be appearing at this meeting and had no objections to the motion.

Commissioner Senda disclosed her past relationship with Petitioner. There were no objections by the parties to allow Commissioner Senda to participate in this proceeding.

Arguments were heard from Mr. Hong and Mr. Eichor. After hearing arguments, questions were asked by the Commissioners.

Commissioner Ahn moved to go into executive session to consult with our Deputy Attorney General on legal matters. The motion was seconded by Chairman Kajioka and unanimously carried by voice votes.

Commissioner Senda moved to grant Petitioner's Motion to Delete Conditions of Approval Due to Satisfaction of Conditions of the Decision and Order filed January 8, 1992. The motion was seconded by Commissioner Mattson and unanimously carried by voice votes.

A92-676 - HILO ONE, INCORPORATED (Hawaii)

Presiding Officer Hoe announced that the Commission would take action to consider reclassifying approximately 24.659 acres of land currently in the Agricultural District into the Urban District at Paukaa - Pahoehoe, South Hilo, Hawaii for a single-family residential development.

Appearances

Sandra Pechter Schutte, Esq., Attorney for Petitioner

Norman Hayashi, Planning Department, County of Hawaii

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

Lorene Maki, Land Use Division, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Arguments were heard from Ms. Schutte, Mr. Hayashi, and Mr. Eichor. After hearing arguments, questions were asked by the Commissioners.

It was determined by Presiding Officer Hoe that all of the Commissioners present were eligible to participate in the action of the petition.

Commissioner Lapenia moved to approve the petition by Hilo One, Incorporated subject to nineteen conditions. The motion was seconded by Commissioner Mattson and polled as follows:

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

A84-570 - W.H. SHIPMAN, LIMITED (Hawaii)

Presiding Officer Hoe announced that the Commission would take action to consider approving reclassification of the Second Increment of the subject docket consisting of the approximately 176 acres of land currently in the Agricultural District into the Urban District at Keeau, Puna, Hawaii for the W.H. Shipman Industrial Park.

Appearances

Steven Lim, Esq., Attorney for Petitioner

Robert Cooper, for Petitioner

Norman Hayashi, Planning Department, County of Hawaii

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

Abe Mitsuda, Land Use Division, Office of State Planning

Arguments were heard from Mr. Lim, Mr. Hayashi, and Mr. Eichor. After hearing arguments, questions were asked by the Commissioners.

It was determined by Presiding Officer Hoe that all of the Commissioners present were eligible to participate in the action of the petition.

Commissioner Lapenia moved to approve the petition by W.H. Shipman, Limited subject to eight conditions. The motion was seconded by Commissioner Won and polled as follows:

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

A lunch recess was taken at 11:30 a.m. to reconvene at 1:00 p.m.

- 1:30 p.m. -

Commissioners Nip and Lapenia were excused from this proceeding due to a conflict of interest and Commissioner Hoe was absent from this proceeding at this time.

CONTINUED HEARING

A92-684 - STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION,
AIRPORTS DIVISION (Maui)

Presiding Officer Ahn announced that the present matter before the Commission is a continuation of the hearing which was previously held on January 13 and 14, 1993.

Appearances

Lane Ishida, Esq., Attorney for Petitioner

Bruce Matsui, Esq., Attorney for Petitioner

Brian Miskae, Director, Planning Department, County of
Maui

Clayton Yoshida, Planning Department, County of Maui

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

Lorene Maki, Land Use Division, Office of State Planning
Abe Mitsuda, Land Use Division, Office of State Planning
Isaac Hall, Esq., Attorney for Intervenors

EXHIBITS

1. Petitioner's Exhibit Nos. 50 through 53 were admitted into evidence by the Land Use Commission.

2. Intervenor's Exhibit Nos. 9, 10, 13, 49, 53, 54, 98 through 112 were admitted into evidence by the Land Use Commission.

At this time Mr. Hall filed with the Commission a Second Objection to the Processing of this Application on Different Grounds. Presiding Officer Ahn advised Mr. Hall that the motion would be taken up after the opposing parties have an opportunity to review the motion and file memos.

PETITIONER'S WITNESSES

1. Perry White
2. Yoichi Ebisu

The meeting was adjourned at 4:35 p.m.