

LAND USE COMMISSION  
MEETING MINUTES

January 21, 2010

Leiopapa A Kamehameha  
Conference Room 204, 2<sup>nd</sup> Floor  
235 S. Beretania St.  
Honolulu, Hawai`i

COMMISSIONERS PRESENT: Duane Kanuha  
Ransom Piltz  
Kyle Chock (arrived at 1:20 p.m.)  
Vladimir Devens (arrived at 9:45 a.m.)  
Thomas Contrades  
Lisa Judge  
Reuben Wong

COMMISSIONERS ABSENT: Nicholas Teves, Jr.  
Normand Lezy

STAFF PRESENT: Orlando Davidson, Executive Officer  
Diane Erickson, Deputy Attorney General  
Bert Saruwatari, Staff Planner  
Scott Derrickson, Staff Planner  
Riley Hakoda, Staff Planner/Acting Chief Clerk

COURT REPORTER: Holly Hackett

AUDIO TECHNICIAN: Walter Mensching

**CALL TO ORDER**

Chair Piltz called the meeting to order at 9:37 a.m.

**APPROVAL OF MINUTES**

Commissioner Judge moved to approve the minutes. Commissioner Wong seconded the motion. The minutes were unanimously approved by voice votes (5-0).

## **TENTATIVE MEETING SCHEDULE**

Executive Officer Davidson provided the following:

- The regular tentative meeting schedule for the calendar year 2010 was distributed in the handout material for the Commissioners.
- The color-coded official State furlough day calendar was explained and details of the furlough's impact on LUC meeting days were discussed.
- Upcoming meetings in March, April and May will involve travel to the Big Island.

Commissioner Judge asked if there might be changes on the schedule for the second half of the calendar year. Mr. Davidson explained that the schedule was for long-range planning purposes and that the meetings for the second half of the calendar year would be updated for furlough days possibly in March. There were no other questions or comments regarding the tentative meeting schedule.

## **HEARING**

### **A07-775 Castle & Cooke Homes Hawaii Inc. (OAHU)**

Chair Piltz announced that this was a hearing on Docket No. A07-775 to amend the Agricultural Land Use District Boundary into the Urban District for approximately 767.649 acres at Waipio and Waiawa, Island of Oahu, State of Hawaii.

## **APPEARANCES**

Ben Matsubara, Esq., Wyeth Matsubara, Esq. and Curtis Tabata, Esq., represented Castle & Cooke Homes Inc.

Laura Kodama, Castle & Cooke Homes, Inc.

Dawn Takeuchi-Apuna Esq., represented City and County of Honolulu  
Department of Planning and Permitting

Matt Higashida, Department of Planning and Permitting

Bryan Yee, Esq., represented State Office of Planning

Abbey Mayer, State Office of Planning

Richard Poirier represented Intervenor-Mililani/Waipio/Melemanu  
Neighborhood Board No.25 (NHB#25)  
Karen Loomis, Intervenor- NHB#25  
Colin Yost, Esq., represented Intervenor-The Sierra Club

PUBLIC WITNESSES

1. William "Buzz" Hong

Mr. Hong stated that his organization, Hawaii Building and Construction Trades Council, supported the Petition and described how granting the Petition would provide economic benefits and affordable housing to the community. There were no questions for Mr. Hong.

2. Ken Sakurai

Mr. Sakurai stated that he was President of Coastal Construction Company and provided the reasons why he supported the Petition. There were no questions for Mr. Sakurai.

3. Leonard Leong

Mr. Leong represented that he was a Royal Contracting employee and expressed his reasons for supporting the Petition. There were no questions for Mr. Leong.

4. Kurt Favella

Mr. Favella testified in support of the Petition and expressed why he felt the Commission should grant the Petition. There were no questions for Mr. Favella.

5. Jim Walsh

Mr. Walsh described his relationship with the Wahiawa General Hospital and expressed why he supported the Petition. He described the medical care benefits that he thought the proposed KoaRidge medical center would bring to the area. There were no questions for Mr. Walsh.

6. Lance Yoshimura

Mr. Yoshimura expressed his support of the Project and provided the reasoning for his position. There were no questions for Mr. Yoshimura.

7. Susan Rich

Ms. Rich stated that she was a Wahiawa General Hospital employee and described how she thought granting the Petition would provide for better medical care in the area. There were no questions for Ms. Rich.

8. Penny Johnson

Ms. Johnson stated that she was an RN at Wahiawa General Hospital and provided her reasons for supporting the Petition.

Mr. Poirier requested clarification on Ms. Johnson's description of the impact that a new facility would have on Wahiawa General Hospital.

Mr. Yost requested clarification on Ms. Johnson's description of how medical services might be impacted if the Petition were granted.

Commissioner Wong requested elaboration on the availability of medical personnel, hospital utilization and areas of the island that were covered by Wahiawa General and the old St. Francis West Hospitals. There were no other questions for Ms. Johnson.

9. Michelle Ogata

Ms. Ogata shared that she was an RN at Wahiawa General Hospital and provided her reasons for supporting the Petition. There were no questions for Ms. Ogata.

The Commission went into recess at 10:31 a.m. and reconvened at 10:44 a.m. (Commissioner Judge returned at 10:46 a.m.)

10. Jessie Weinberger

Ms. Weinberger expressed her concerns over increased traffic, environmental impacts, loss of agricultural lands and increased needs for

educational facilities that the Project could create. There were no questions for Ms. Weinberger.

11. Ann Freed

Ms. Freed provided her concerns on the negative impacts that granting the Petition could have. There were no questions for Ms. Freed.

12. Elmer Cabico

Mr. Cabico testified in support of the Petition. There were no questions for Mr. Cabico.

13. Nicholas Striebich

Mr. Striebich stated that he was a long-time Mililani resident and shared his concerns and recommendations about the Project's development. There were no questions for Mr. Striebich.

14. Roy Doi

Mr. Doi testified in support of the Petition and provided the reasoning for his position. There were no questions for Mr. Doi.

15. Dr. Randall Suzuka

Dr. Suzuka expressed his support of the Petition and described his perception of how granting the Petition could benefit the community and his patients.

Chair Piltz commented that the certificate of need requirements for the medical facility still had not been presented. There were no questions for Dr. Suzuka.

16. Richard Yasukochi

Mr. Yasukochi stated that he was a Pearl City resident and provided his reasons for supporting the Petition. There were no questions for Mr. Yasukochi.

17. Kathy Lau-Best

Ms. Best stated that she and her family members supported the Petition and expressed her reasoning for taking this position. There were no questions for Ms. Lau-Best.

18. Dean Hazama

Mr. Hazama spoke from his submitted written testimony in support of the Petition. There were no questions for Mr. Hazama.

19. Tom Burba

Mr. Burba stated that he was the General Manager for Costco and provided his reasons for supporting the Petition. There were no questions for Mr. Burba.

LUC Staff Planner Bert Saruwatari provided a map orientation of the Project. Commissioner Judge asked him to identify the location of the Wahiawa General Hospital on the map. There were no other questions for Mr. Saruwatari.

PRESENTATION OF EXHIBITS

Petitioner

Mr. Benjamin Matsubara offered Petitioner's Exhibits 1-49 to be accepted for the record and provided a brief description of each exhibit. There were no objections to accepting Petitioner's exhibits.

City and County of Honolulu

Ms. Takeuchi-Apuna offered City's Exhibits 1-5 for the record and described them. There were no objections to accepting the City and County's exhibits.

OP

Mr. Yee offered OP's Exhibits 2-9, 12-17, and 19-23 for the record and described them. There were no objections to accepting OP's exhibits.

The Sierra Club

Mr. Yost stated that he had submitted 5 exhibits but would be withdrawing Exhibit 5 and would be offering only Exhibits 1-4 for the record. He described the exhibits. There were no objections to accepting The Sierra Club's exhibits 1-4.

The Commission recessed at 11:44 a.m. and reconvened at 1:22 p.m.

Mililani/Waipio/Melemanu Neighborhood Board No.25 (NHB#25)

Mr. Poirier offered NHB #25's Exhibits 1-17 for the record and described them. There were no objections to accepting NHB #25's exhibits.

### **PETITIONER'S WITNESSES**

Mr. Matsubara updated his witness list based on stipulations among the parties and stated that it had been agreed by the parties that Reginald David and Steven Montgomery need not be present to testify and that their written testimonies were sufficient (Exh.#36 and #37 respectively).

Mr. Matsubara stated that the parties had also agreed that, contingent upon the approval of the Commission, Wayne Teruya, surveyor, who had prepared Petitioner's maps (Exh. # 2 and 9) and Penny Stroud, who had prepared the medical center planning report (Exh. #11) under the supervision of Don Olden need not appear. The Commission agreed that Mr. Teruya and Ms. Stroud need not appear.

Ms. Takeuchi-Apuna stated that the City's Neighborhood Board Commission had written a letter to NHB#25 to advise them that their participation as an Intervenor was beyond their authority.

Mr. Yost argued that the City had not objected to NHB #25's Petition to Intervene and questioned the City's remark. Ms. Takeuchi-Apuna clarified that the Dept. of Planning and Permitting did not object to the intervention and she was speaking on behalf of the City in regards to NHB #25's actions.

Mr. Matsubara advised the Commission that the order of witnesses list would be modified to reflect the excused appearances.

## 1. Laura Kodama

Ms. Kodama stated that she was Director of Planning and Development for Castle & Cooke Homes and had submitted prior written testimony (Exh.#29). Ms. Kodama used a PowerPoint presentation and referred to portions of Exh.#29 and #30 to provide a background of Castle & Cooke and its history in the Hawaii marketplace and a description of the proposed development.

Ms. Kodama described how Castle & Cooke had prepared for its proposed Project and described the details that had been included in their community planning process.

Mr. Yee requested elaboration on the Project's plan for infrastructure development in its incremental districting phasing and for building an extended stay hotel. Ms. Kodama explained how the Petitioner would complete the various portions of the project within 10 years.

Mr. Yost requested clarification on how traffic/transportation issues would be resolved and how conditions mentioned in the Exh.#20 Sustainability Plan would be met.

Commissioner Chock requested clarification on the references to the Bridge/Waiawa access extension and the Ka Uka Boulevard extension plan.

Commissioner Judge requested clarification on how the proposed sewer lines depicted in Exh.#15 would be funded and if the 10 year completion plan for infrastructure applied only to the Koa Ridge Makai portion. Ms. Kodama acknowledged that the 10 year time frame applied only to Koa Ridge Makai.

Commissioner Judge requested clarification on the Koa Ridge Makai access points and what the time frame and triggers were for their completion.

There were no further questions for Ms. Kodama.

Commissioner Judge excused herself at 2:18 p.m. and returned at 2:21 p.m.

## 2. Rodney Funakoshi

Mr. Funakoshi was qualified as an expert witness in environmental assessment and land use planning and had submitted prior written testimony (Exh.#30) as Senior Project Mgr. for Castle & Cooke Homes.

Mr. Funakoshi used his portion of the PowerPoint program to present information in regards to land area and infrastructure needs for the proposed Project and described how the Project's impacts and concerns had been handled by Petitioner.

Mr. Benjamin Matsubara requested clarification on how Castle & Cooke and Waiawa Ridge Development would each be financially responsible for the various proposed improvements to the area's infrastructure.

Ms. Takeuchi-Apuna requested clarification on the location of the four proposed off-site water detention basins, and how the ownership of the facilities might be determined under different circumstances.

Mr. Yee requested clarification on the proposed ownership of the detention basins and how future maintenance responsibilities for the water detention basins would be determined.

The Commission went into recess at 3:00 p.m. and reconvened at 3:13 p.m.

Mr. Yost requested clarification on the Phase I and II Incremental Development Plans and their provisions for water usage and groundwater runoff impacts.

Mr. Poirier requested clarification on the proposed number of houses along Kamehameha Highway and the H2 Freeway, the State DOT Highways Modernization Plan, the traffic studies conducted for the Petition Area, how Land Use District Standards applied to the proposed Increment I and II developments and whether the Central Mauka Road would be constructed.

Commissioner Kanuha requested clarification on Affordable Housing considerations in the proposed development.

Commissioner Judge requested clarification on the number of traffic access points for the proposed project, access connectivity for the Mililani area, and how the “Heat Island” effect and details for the FEIS Table 2-6 were calculated. Mr. Funakoshi offered to re-examine and report on how the FEIS figures were arrived at.

Commissioner Chock requested clarification on proposed interchange improvements and the costs, timetable and triggers for their construction; the spectrum of proposed affordable housing offerings, and consideration for sustainable “green” building and water conservation efforts.

Commissioner Judge requested clarification on DOE considerations for area schools and/or supplying adequate classrooms for the proposed development.

Commissioner Kanuha excused himself at 4:02 p.m. and returned at 4:04 p.m.

Commissioner Devens requested clarification on the focus and methodologies used to conduct the traffic studies.

Commissioner Wong requested clarification on how affordable housing would be provided for by the Petitioner.

Commissioner Piltz requested clarification on how the affordable housing “buyback” program would be implemented to keep housing affordable.

There were no further questions for Mr. Funakoshi. The hearing was adjourned at 4:11 p.m. and set to resume at 09:00 a.m., January 22, 2010, in Room 405, 4<sup>th</sup> Floor of the Leiopapa A Kamehameha Building.