

LAND USE COMMISSION  
MEETING MINUTES  
December 3, 2025 – 10:15 a.m.

Pursuant to Hawai'i Revised Statutes, HRS §92 as amended, the Commission conducted its meeting hybrid. Interested persons submitting written testimony were recommended to submit their written statements 24 hours in advance of the meeting to allow for distribution to the Commission prior to the meeting.

LOCATION: Courtyard by Marriott King Kamehameha's Kona Beach Hotel  
75-5660 Palani Rd, Kailua-Kona, HI 96740

YOUTUBE RECORDING: <https://youtu.be/vkx-3ELIpYA>

COMMISSIONERS PRESENT:

Brian Lee  
Ken Hayashida  
Mel Kahele  
Michael Yamane  
Myles Miyasato  
Nancy Carr Smith (zoom)

STAFF PRESENT:

Daniel Orodenker, Executive Officer  
Scott Derrickson, Chief Planner (zoom)  
Martina Segura, Staff Planner  
Ariana Kwan, Chief Clerk  
Miranda Steed, Esq. Deputy Attorney General  
(zoom)

COMMISSIONERS ABSENT:

Bruce U'u  
Dan Giovanni  
Kuike Kamakea-Ohelo

COURT REPORTER:

Naegeli Deposition and Trial  
(Via Zoom Recording)

**CALL TO ORDER** (YouTube: 00:00:00 - 00:03:31)

Chair Lee called the meeting to order at 10:15 a.m.

**A02-737 UNIVERSITY OF NATIONS, KONA INC. (HAWAII)** (YouTube: 00:03:32 - 2:48:32)

To consider the Petitioner's 2020 Master Plan Update and Second Final Environmental Impact Statement ("FEIS") that was filed on November 17, 2025 pursuant to HAR § 11-200.1-28. Files pertaining to this docket are available at: <https://luc.hawaii.gov/a02-737>

Parcel information: Tax Map Key: (3) 7-5-010:85 and (3) 7-5-017:006. Approximately 62 acres located in Wai'aha, Kailua-Kona, Island of Hawai'i, State of Hawai'i.

**Appearances**

**Petitioner: University of Nations, Kona Inc. ("UNK")**

Derek Simon, Esq., Counsel  
Katherine Garson, Esq., Counsel  
David Hamilton, President of UNK  
Jeffery Overton, G70 Planner

**Office of Planning and Sustainable Development ("State" or "OPSD")**

Alison Kato, Esq. Deputy Attorney General  
Mary Alice Evans, Director  
Leodoloff Asuncion, LUD Program Administrator

**County of Hawai'i, Department of Planning  
("County" or "COH")**

Jean Campbell, Esq. Corporation Counsel (zoom)  
Michelle Ahn, Deputy Director

**Public Testimony**

David de Carvalho - Support  
Leinā'ala Kekuhaupi'o Fruean - Support  
Janice Palma Glenn - Oppose  
Sammy McMichael - Oppose  
Charles Flaherty (zoom) - Oppose  
Cindy Freitas (zoom) - Oppose  
Claire Loprinzi (zoom) - Oppose

## **Disclosures and Conflicts of Interest**

Commissioner Hayashida disclosed that his office works with Jeff Overton from G70.

## **Presentations**

Staff explained that the petitioner's second FEIS submitted meets the minimum content and acceptability requirements under HRS Chapter 343, although some details may still need clarification when the motion to amend returns. The presentation emphasized that the current request is only to accept or reject the final EIS for a substantially different UNK project than what was approved in 2003, and that any later motion to amend will require new findings, conclusions, and conditions, but will not change the existing urban district boundary. Commissioner's questions focused on the timeline for a future motion to amend, the adequacy and depth of analysis in the EIS, whether there is enough information to accept the EIS, and how different the amended motion and supporting information will be from the original 2003 approval.

Mr. Simon presented UNK's background, mission, and reasons for seeking a campus expansion, emphasizing its nonprofit status, global training model, community services, and need for additional on-campus housing to avoid impacts to local housing. Mr. Hamilton provided an overview of the university's educational programs, volunteer model, cultural commitments, and international accreditation. Mr. Overton then summarized the final EIS, including the updated master plan, technical studies, archaeological preservation measures, infrastructure planning, consistency with county and state policies, and responses to agency comments. Commissioners questioned the university about the number of housing units in the 2003 plan versus the new plan, the extent of community outreach, burial site protections, contractor qualifications, cultural impact concerns, accreditation and degree transferability.

## **Public Testimony**

The LUC received eleven written testimonies in opposition from Cory Harden, Maki Morinoue, Janice Glennie, Simmy McMichael, Deirdre Roney, Cindy Freitas x 2, Breon Michel, Chuck Flaherty, Simmy McMichael and Clare Loprinzi

During oral testimony, two speakers supported the project and five opposed it. Supporters emphasized the UNK's long-standing service to the Kona community, free Hawaiian language instruction, and volunteer contributions. Opposing testifiers raised concerns about inadequate infrastructure, cultural and archaeological impacts, alleged deficiencies in the FEIS and Ka Pa'akai analysis, removal of cultural commitments, questions about the organization's nonprofit status and tuition practices, and risks to historic sites. Two Native Hawaiian practitioners also stated they would seek a contested case if the project were approved.

## **Executive Session**

The Commission voted to enter executive session under HRS §92-5(a) to consult with legal counsel, with LUC staff invited to participate. The motion passed with 6 ayes, 0 nays and 3 absent. The Commission entered executive session at 12:37 p.m. and exited at 1:25 p.m. Returning to open session at 1:35 p.m., where Chair Lee noted that the discussion focused on the legal requirements for accepting an EIS.

## **Deliberations**

The Commission agreed the petitioner had met the minimum requirements for accepting the second final EIS. Commissioner's encouraged the petitioner to work on addressing community concerns before returning with their motion to amend.

The motion was made to accept the petitioners 2020 Master Plan Update, Second FEIS filed on November 17, 2025, pursuant to HAR § 11-200.1-28. The motion was moved by Commissioner Carr Smith and seconded by Commissioner Miyasato. The motion passed with 6 ayes, 0 nays and 3 absent.

### **Contested Case Hearing Request**

The Chair invited those who had requested a contested case to speak. Cindy Freitas explained her request, citing cultural concerns and an incomplete Ka Pa'akai analysis. The Chair confirmed she identified no property interest tied to EIS acceptance, the Commission moved to deny the request. Commissioner Miyasato made the motion and Commissioner Hayashida seconded. The motion passed with 6 ayes, 0 nays and 3 absent.

### **APPROVAL OF MINUTES FOR NOVEMBER 19, 2025** (YouTube: 02:48:33 - 02:49:33)

The next agenda item was the approval of the November 19, 2025, Minutes. There was no written testimony, or members of the public who wished to testify to the approval of the Minutes.

Commissioner Hayashida moved to adopt the minutes, and Commissioner Carr Smith seconded the motion. The minutes were approved with 5 ayes, 0 nays, 1 recused and 3 absent.

### **TENTATIVE MEETING SCHEDULE** (YouTube: 02:49:34 - 02:50:04)

The Executive Officer provided the following tentative meeting dates:

January 7, 2026: Commissioner Training Tentative (O'ahu)  
February 12, 2026: DR21-73 Honoipu Hideaway, LLC (Hawai'i)

### **ADJOURNMENT** (YouTube: 02:50:05 - 02:50:20)

With no further business, the Chair adjourned the meeting at 2:17 p.m.