

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

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

January 23, 1990

Approved
2/16/90

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Frederick P. Whittemore, Vice-Chairman
Lawrence Chun
Sharon R. Himeno
Elton Wada
Allen Y. Kajioka
Eusebio Lapenia, Jr.
James M. Shinno

COMMISSIONERS ABSENT: Allen K. Hoe

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

Jean McManus, Court Reporter

Chairman Nip called the meeting to order.

ACTION

A89-645 - HASEKO (Hawaii), INC.

Chairman Nip announced that the Commission would take action in the matter of the petition by Haseko (Hawaii), Inc. to consider reclassifying approximately 125.041 acres of land currently in the Agricultural District into the Urban District at Kalaoa, North Kona, Hawaii for residential, commercial, park, and sewage treatment plant uses.

Appearances

Sandra Pechter Schutte, Esq., Attorney for Petitioner
Steven Lim, Esq., Attorney for Petitioner

Kurt Whittle, Project Manager for Petitioner

Norman Hayashi, Department of Planning, County of
Hawaii

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

Abe Mitsuda, Land Use Division, Office of State
Planning

Arguments were heard from Sandy Schutte, Norman
Hayashi, and Ann Ogata-Deal. After hearing arguments,
questions were asked by the Commissioners.

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

Commissioner Lapenia moved to adopt the stipulated
findings of fact as amended. The motion was seconded by
Commissioner Kajioka and unanimously carried by voice votes.

Commissioner Lapenia moved to approve the petition by
Haseko (Hawaii), Inc. subject to fifteen conditions. The
motion was seconded by Commissioner Kajioka and polled as
follows:

Ayes: Commissioner Lapenia, Chun, Shinno, Whittemore,
Wada, Kajioka, Himeno, and Chairman Nip.

Commissioner Lapenia moved to amend Condition Number 1
to read as follows: "Petitioner shall provide housing
opportunities for low, low-moderate, and moderate income Hawaii
residents by constructing and offering for sale or rent a
number of residential units equivalent to at least thirty
percent (30%) of the total residential units within the Project
at prices which families with an income range up to 120 percent
of Hawaii County's median income can afford and at least thirty
percent (30%) of the total residential units within the Project
at prices which families with an income range of 120 to 140
percent of Hawaii County's median income can afford. The
"Project" includes the Property and the adjoining 15 acres.

This affordable housing condition shall be satisfied by construction of housing units on-site. In the event that Petitioner does not receive all the required land use permit approvals from the County of Hawaii which would allow construction in substantial compliance with representations made before the Land Use Commission, then this condition shall be satisfied by the Petitioner by either the construction of on-site or off-site housing units or cash payments, or a combination thereof, that satisfy the then current housing needs, as approved by the State Housing Finance and Development Corporation and the County of Hawaii."

The motion was seconded by Commissioner Chun and unanimously carried by voice votes.

MISCELLANEOUS

1. ADOPTION OF DECISION AND ORDERS

The Decision and Orders of the following dockets were adopted:

SP89-372 - Lanai Company, Inc.

A89-642 - C. Brewer Properties, Inc. (Wailuku & Piihana)

The meeting was adjourned at 12:15 p.m.