

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room
9th Floor, Kamamalu Building
250 South King Street
Honolulu, Kauai

approved
4/12/91

March 12, 1991

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Allen K. Hoe, Vice-Chairman (Portion of
Proceeding)
Karen S. Ahn
Elton Wada
Delmond J.H. Won
Allen Y. Kajioka (Portion of
Proceeding)
James M. Shinno
Eusebio Lapenia, Jr.

COMMISSIONERS ABSENT: JoAnn Mattson

STAFF PRESENT: Esther Ueda, Executive Officer
Russell Suzuki, Esq, Deputy Attorney
General
Steven Tagawa, Staff Planner
Darlene Kinoshita, Chief Clerk
Holly Hackett, Court Reporter

Vice-Chairman Hoe called the meeting to order.

Chairman Nip and Commissioner Shinno were excused from this proceeding due to a previously declared conflict of interest.

ACTION

A90-658 - AMFAC/JMB HAWAII, INC. (Maui)

Chairman Nip announced that the Commission would take action to consider reclassifying approximately 242.19 acres of land currently in the Agricultural District into the Urban District at Hanakaoo, Kaanapali, Lahaina, Maui for estate and single family residential uses, and existing golf course.

Appearances

Benjamin Kudo, Esq., Attorney for Petitioner

Lyle Harada, Esq., Attorney for Petitioner

Guy Archer, Esq., Deputy Corporation Counsel, County
of Maui

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

Arguments were heard from Mr. Kudo, Mr. Archer, and
Ms. Ogata-Deal.

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

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

Commissioner Wada moved to approve the petition by
Amfac/JMB Hawaii, Inc. subject to twenty conditions. The
motion was seconded by Commissioner Lapenia and polled as
follows:

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

Chairman Nip and Commissioner Shinno joined the
proceeding at this time.

A91-665 - KAMAAINA EIGHT, a Hawaii General Partnership (Kona)

Chairman Nip announced that the Commission would take
action to determine whether the anticipated effects discussed
in the petition's Environmental Assessment to reclassify
approximately 70.376 acres of land currently in the
Conservation and Agricultural Districts into the Urban District
at Kohanaiki, North Kona, Hawaii for a commercial/light
industrial development constitute a "significant effect"
pursuant to Chapter 343, H.R.S.

Appearances

Robert Triantos, Esq., Attorney for Petitioner

James Leonard, for Petitioner

Abe Mitsuda, Land Use Division, Office of State
Planning

The County of Hawaii, Planning Department was not present to the proceeding at this time.

Steven Tagawa, Staff Planner, oriented the Commission to the area being considered on the Land Use District Boundaries and tax maps.

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

Commissioner Lapenia moved to go into executive session to confer with the Commission's attorney to discuss legal matters. The motion was seconded by Commissioner Hoe and unanimously carried by voice votes.

Commissioner Lapenia moved in the matter of A91-665 - Kamaaina Eight that an Environmental Impact Statement be required. The motion was seconded by Commissioner Hoe and polled as follows:

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

A83-551 - OCEANIC PROPERTIES, INC. (Oahu)

Chairman Nip announced that the Commission would take action to consider Petitioner's Motion to Amend Condition Number One of the Commission's Decision and Order dated August 6, 1984 to allow the development of the subject property for both technology-intensive uses and commercial/industrial mixed uses at Waipio, Ewa, Oahu.

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

Appearances

James T. Funaki, Esq., Attorney for Petitioner

Lucien Wong, for Petitioner

Peter Simons, for Petitioner

Roland Libby, Deputy Chief Planning Officer,
Department of General Planning, City and County of Honolulu

Gary Okino, Department of General Planning, City and
County of Honolulu

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

Louise Peterson, Land Use Division, Office of State
Planning

Newman Jackson, Student Helper, Land Use Division,
Office of State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

Steve Tagawa, Staff Planner, oriented the Commission
to the subject area on the Land Use District Boundaries and tax
maps.

Arguments were heard from Mr. Funaki, Mr. Okino,
Ms. Ogata-Deal, and Ms. Bunda. Testimony on the motion were
heard from Mr. Lucien Wong and Mr. Peter Simons.

A lunch recess was taken at 12:00 p.m. to reconvene at
1:15 p.m.

- 1:30 p.m. -

Commissioner Hoe moved to grant Petitioner's Motion to
Amend the Commission's Decision and Order dated August 6, 1984
subject to the following condition:

"Petitioner shall develop subject property for high technology-intensive industries provided that no less than 45% of the net marketable acres of the subject property shall be sold or leased to initial buyers or lessees in high technology-intensive industries. The subject property may also be developed for commercial/industrial mixed uses the development of improvements for which conform to the design and density concepts of the subject property as a high technology park development."

The motion was seconded by Commissioner Won and polled as follows:

Ayes: Vice-Chairman Hoe, Shinno, Wada, Won, Ahn, Lapenia, and Chairman Nip.

HEARING

A83-551 - OCEANIC PROPERTIES, INC. (Oahu)

Pursuant to a notice published in the Honolulu Star Bulletin on February 8, 1991 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Oceanic Properties, Inc. to approve reclassification of the Second Increment of the subject docket consisting of approximately 136 acres of land currently in the Agricultural District into the Urban District at Waipio, Ewa, Oahu for an industrial park.

Appearances

James T. Funaki, Esq., Attorney for Petitioner

Lucien Wong, for Petitioner

Peter Simons, for Petitioner

Gary Okino, Department of General Planning, City and County of Honolulu

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

Louise Peterson, Land Use Division, Office of State Planning

Newman Jackson, Student Helper, Land Use Division,
Office of State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

EXHIBITS

1. Petitioner's Exhibit Nos. 1 through 15 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. State's Exhibit No. 1 was admitted into evidence
by the Land Use Commission.

INTERVENOR'S WITNESS

1. Darrlyn Bunda

Commissioner Hoe was absent from the proceeding at
this time.

PETITIONER'S WITNESSES

1. Lucien Wong and Peter Simons

COUNTY'S WITNESS

1. Gary Okino

STATE'S WITNESS

1. Abe Mitsuda

Commissioner Won moved to approve reclassification of
the Second Increment of the petition by Oceanic Properties,
Inc. subject to the thirteen conditions recommended by the
Office of State Planning and clarified that these conditions
supplement the conditions that were applied on the first
increment. The motion was seconded by Commissioner Lapenia and
polled as follows:

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

MISCELLANEOUS

1. ADOPTION OF MINUTES

The minutes for the following meeting dates were
approved as circulated: February 28, 1991 and March 1, 1991.

The meeting was adjourned at 4:30 p.m.