

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

House Conference Room 310
Third Floor, State Capitol
Honolulu, Hawaii

July 18, 1991

Approved
8/22/91

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Allen K. Hoe, Vice-Chairman
Karen S. Ahn
JoAnn N. Mattson
Elton Wada
Allen Y. Kajioka (Portion of
Proceeding)
Eusebio Lapenia, Jr.
Delmond Won (Portion of Proceeding)

COMMISSIONERS ABSENT:

STAFF PRESENT: Esther Ueda, Executive Officer
Russell Suzuki, Esq, Deputy Attorney
General
Benjamin Matsubara, Esq.
Steven Tagawa, Staff Planner
Bert Saruwatari, Staff Planner.
Leo Asuncion, Student Helper
Darlene Kinoshita, Chief Clerk

Jean McManus, Court Reporter

Chairman Nip called the meeting to order.

ACTION

A87-617 - PUAKO HAWAII PROPERTIES FKA SIGNAL PUAKO CORPORATION
(Hawaii)

Chairman Nip announced that the Commission would take action to consider Petitioner's Motion to Clarify and/or Modify Conditions of the Amended Decision and Order which reclassified approximately 1,060 acres of land currently in the Agricultural District into the Urban District at Waikoloa, South Kohala, Hawaii.

Appearances

Jan Sullivan, Esq., Attorney for Petitioner
Gregory Mooer, for Petitioner

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

Jean Nishida Souza, Land Use Division, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

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

A Stipulation to Motion to Clarify and/or Modify Conditions of the Amended Decision and Order and Amendment to Motion to Clarify and/or Modify Conditions of the Amended Decision and Order was filed by the Petitioner and the Office of State Planning on July 16, 1991.

There were no further comments by the parties. Questions were asked by the Commissioners in regards to the stipulation.

Commissioner Lapenia moved to approve amended conditions number 8 and 11 as stipulated by the Petitioner and the Office of State Planning. The motion was seconded by Commissioner Hoe and polled as follows:

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

A90-659 - STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION,
AIRPORTS DIVISION (Lanai)

Chairman Nip announced that the Commission would take action to consider reclassifying approximately 509.282 acres of land currently in the Agricultural District into the Urban District at Lanai, Maui for expansion of the Lanai Airport Facilities.

Appearances

Derwin Hayashi, Esq., Deputy Attorney General,
Department of Transportation

Reginald Suzuka, for Petitioner

of Maui Guy Archer, Esq., Deputy Corporation Counsel, County
Phil Ohta, Department of Planning, County of Maui

of State Planning Hal Schofield, Esq., Deputy Attorney General, Office
of State Planning

Planning Karen Yamamoto, Land Use Division, Office of State
Planning

The letter dated May 2, 1991 from Councilmember Goro Hokama was admitted into evidence by the Land Use Commission.

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

Derwin Hayashi, Esq, Deputy Attorney General, Department of Transportation moved for a continuance of this matter until August 22, 1991 to clarify the agreement between Castle and Cooke and the Department of Transportation.

Commissioner Hoe moved to grant Petitioner's motion for continuance. The motion was seconded by Commissioner Won and unanimously carried by voice votes.

A86-600 - WAITEC DEVELOPMENT, INC. (Oahu)
A89-640 - HALEKUA DEVELOPMENT CORPORATION (Oahu)

Chairman Nip announced that the Commission would take action on the following:

A. To consider the Department of General Planning, City and County of Honolulu's Amended Motion for Issuance of an Order to Show Cause Why the Decision and Order in Docket No. A89-600 which reclassified approximately 547.5 acres from the Agricultural District into the Urban District at Hoaeae and Waikele, Ewa, Oahu Should Not Be Reversed or Nullified.

B. To consider Petitioner's Motion to Dismiss Department of General Planning's Motion for Issuance of an Order to Show Cause Why the Decision and Order in Docket No. A89-600 Should Not Be Reversed or Nullified.

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

Appearances

Rodney Fujiyama, Esq., Attorney for Petitioners

David Arakawa, Esq., Attorney for Petitioners

Diane Taira, Esq., Attorney for Petitioners

Jan Sullivan, Esq., Attorney for Petitioners

Kellie Sekiya, Esq., Attorney for Royal Oahu Resort

Wendell Fuji, Esq., Attorney for Koei Hawaii, Inc.

Jane Howell, Esq., Deputy Corporation Counsel,
Department of General Planning, City and County of Honolulu

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

Jean Nishida Souza, Land Use Division, Office of State
Planning

The Mililani/Melemano/Waipio Neighborhood No. 25 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.

COUNTY'S WITNESS

1. Mayor Frank Fasi

PUBLIC WITNESSES

1. Ken Munechika
2. Milton Shishido

3. Cal Kawamoto
4. Goro Arakawa
5. Macario Flores
6. Annette Yamaguchi

A lunch recess was taken at 12:00 p.m. to reconvene at 1:30 p.m.

- 1:30 p.m. -

EXHIBITS

1. The letter dated June 27, 1991 from Elizabeth Ann Stone was admitted into evidence by the Land Use Commission.

2. City and County of Honolulu's Exhibit M-1 through M-9 were admitted into evidence by the Land Use Commission.

3. Petitioner's Exhibits A, A-1 through A-3, B, B-1 through B-5, C, C-1, D, D-1, E through G, H-1, I, I-1 through I-5 were admitted into evidence by the Land Use Commission.

4. OSP's Exhibit M-1 through M-2 were admitted into evidence by the Land Use Commission.

COUNTY'S WITNESSES

2. Michael Scarfone
3. Donald Clegg

Commissioner Won was absent from the proceeding at this time.

4. Benjamin B. Lee
5. Albert Chee, Jr.

STATE'S WITNESS

1. Abe Mitsuda

The meeting was adjourned at 4:20 p.m.