

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Rooms 322 B and C
Third Floor, Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii

December 3, 1992

COMMISSIONERS PRESENT: Allen Kajioka, Chairman (Portion of Proceeding)

Allen K. Hoe
Renton L.K. Nip
Karen S. Ahn
Elton Wada
Trudy Senda (Portion of Proceeding)
Delmond Won (Portion of Proceeding)

COMMISSIONERS ABSENT: Eusebio Lapenia, Jr.
JoAnn Mattson

STAFF PRESENT: Esther Ueda, Executive Officer
Russell A. Suzuki, Esq.,
Deputy Attorney General
Leo Asuncion, Staff Planner
Bert Saruwatari, Staff Planner
Darlene Kinoshita, Chief Clerk
Fred Talon, Drafting Technician

Holly Hackett, Court Reporter

Chairman Kajioka called the meeting to order.

Commissioner Senda was absent from the proceeding at this time.

ACTION

DR92-16 - JOHN HUNT AND DEBRA HUNT (Oahu)

Chairman Kajioka announced that the Commission would take action to consider Petitioners' request for declaratory ruling regarding the location of the Urban District boundary situated at Niu Valley, Honolulu, Oahu.

Appearances

Roy Vitousek, III, Esq., Attorney for Petitioners

Lynn Hiatt, Esq., Attorney for Petitioners

Debra Hunt, Petitioner

Scott Ezer, Consultant for Petitioner

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

Abe Mitsuda, Land Use Division, Office of State
Planning

Bert Saruwatari, staff planner, oriented the
Commission to the area being requested for declaratory ruling
on the Land Use District Boundaries and tax maps and gave
background information on the subject area.

Arguments were heard from Mr. Vitousek and Mr. Mitsuda.

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

Mr. Vitousek, Petitioner's attorney, announced that
Petitioner will withdraw its request for declaratory ruling at
this time and will submit a boundary amendment petition.

Chairman Kajioka granted Mr. Vitousek's motion to
withdraw the request for declaratory ruling.

A lunch recess was taken at 10:30 a.m. to reconvene at
12:30 p.m.

- 12:30 p.m. -

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

ACTION

A89-649 - LANAI RESORT PARTNERS (Manele)

Vice-Chairwoman Ahn announced that the Commission would take action to consider Petitioner's Motion for Order Amending Condition No. 13 of Decision and Order dated April 16, 1991 which reclassified approximately 110.243 acres from the Rural District into the Urban District and 28.334 acres from the Agricultural District into the Urban District at Manele, Lanai for single and multi-family residential, 18-hole golf course and accessory use.

Appearances

James Funaki, Esq., Attorney for Petitioner

Keone Fairbanks, Department of Planning, County of Maui

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

Karen Yamamoto, Land Use Division, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Alan Murakami, Esq., Intervenor's Attorney, was not present to the proceeding at this time.

Arguments were heard from Mr. Funaki, Mr. Fairbanks, Mr. Eichor. Comments were also made by Mr. Eichor on behalf of Mr. Murakami who was present earlier this morning.

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

Commissioner Senda joined the proceeding at this time.

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Commissioner Wada moved on Docket No. A89-649 - Lanai Resort Partners that Petitioner's motion be granted and subject to condition #13 as stipulated by the parties as follows: "Petitioner shall fund the design and construction of all transportation improvements necessitated by the proposed development identified by and to the satisfaction of the State Department of Transportation."

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

Ayes: Commissioner Wada, Hoe, Nip, Won, and Vice Chairwoman Ahn.

Abstain: Commissioner Senda

Commissioner Kajioka was excused from this proceeding due to a previously declared conflict of interest. Commissioner Won joined the proceeding at this time.

A92-683 - HALEKUA DEVELOPMENT CORPORATION (Oahu)

Pursuant to a notice published in the Honolulu Star Bulletin on October 22, 1992 and notices sent to all parties, a hearing was conducted by the Land Use Commission to consider reclassifying approximately 504.865 acres of land currently in the Agricultural District into the Urban District at Hoaeae-Waikele, Ewa, Oahu for single and multi-family residential, light industrial park, 18-hole golf course, public park, and a school site.

Appearances

Jan Sullivan, Esq., Attorney for Petitioner

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

Jim Nagle, 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

Bert Saruwatari, staff planner, oriented the
Commission to the area being requested for reclassification on
the Land Use District Boundaries and tax maps.

EXHIBITS

1. The letter dated November 30, 1992 from the
Department of the Navy was admitted into evidence by the Land
Use Commission.

2. The letters dated December 3, 1992 from C.O.
Anderson, Annette Yamaguchi, Cal Kawamoto, and Allan McAngus
were admitted into evidence by the Land Use Commission.

3. Petitioner's Exhibit Nos. 1 through 33 were
admitted into evidence by the Land Use Commission.

4. County's Exhibit Nos. 1 and 2 were admitted into
evidence by the Land Use Commission.

5. State's Exhibit Nos. 1 through 3 were admitted
into evidence by the Land Use Commission.

PUBLIC WITNESSES

1. C.O. "Andy" Anderson
2. Cal Kawamoto
3. Allan McAngus

PETITIONER'S WITNESSES

1. Albert Chee
2. John Chapman

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