

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

ILWU Union Hall  
840 Ilima Ave.  
Lanai City, Lanai

October 6, 1994

A89-649 ORDER

approved  
10/18/94

COMMISSIONERS PRESENT:

Allen K. Hoe  
JoAnn Mattson (Portion of  
Proceeding)  
Lloyd Kawakami (Portion of  
Proceeding)  
Trudy K. Senda (Portion of  
Proceeding)  
M. Casey Jarman  
Eusebio Lapenia, Jr.  
Elton Wada  
Renton L.K. Nip (Portion of  
Proceeding)

COMMISSIONERS ABSENT:

Allen Kajioka (Excused)

STAFF PRESENT:

Esther Ueda, Executive Officer  
Winfred K.T. Pong, Esq.,  
Deputy Attorney General  
Leo Asuncion, Jr., Staff Planner  
Darlene Kinoshita, Chief Clerk  
  
Holly Hackett, Court Reporter

Commissioner Senda was absent from the proceeding at this time.

Chairperson Hoe called the meeting to order.

HEARING

A89-649 - LANAI RESORT PARTNERS (Manele)

Pursuant to a notice published in the Honolulu Advertiser and Maui News and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the Order to Show cause issued by the Commission on October 13, 1993 and the Order to Show Cause issued by the Commission on August 3, 1994.

Appearances

James T. Funaki, Esq., Attorney for Petitioner

Gary Zakian, Esq., Deputy Corporation Counsel, County  
of Maui

Clayton Yoshida, Planning Department, County of Maui

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

Abe Mitsuda, Land Use Division, Office of State Planning

Alan Murakami, Esq., Attorney for Intervenor

EXHIBITS

1. Petitioner's Exhibit Nos. 1 through 39, 39a through 39m, 40, 40a through 40j, and 41 through 48 were admitted into evidence by the Land Use Commission.

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

3. OSP's Exhibit Nos. 1 through 10 were admitted into evidence by the Land Use Commission.

4. Intervenor's Exhibit Nos. I-1 through I-61, I-62A to I-62G, I-63 to I-65, I-66A to I-66C, I-67A to I-67C, I-68A to I-68B, I-69A to I-69B, I-70A to I-70-C, and I-71 to I-73 were admitted into evidence by the Land Use Commission.

PETITIONER'S WITNESSES

1. Kevin Shaney
2. Ed Sowers
3. Richard Brock

A lunch recess was taken at 11:45 a.m. to reconvene at 1:00 p.m.

- 1:00 p.m. -

Commissioner Senda joined the proceeding at this time.

ACTION

A92-674 - LANAI RESORT PARTNERS (Manele)

Chairperson Hoe announced that the Commission would take action to consider reclassifying approximately 319.447 acres of land currently in the Agricultural and Rural Districts into the Urban Districts at Manele, Lanai, for a single and multi-family residential development.

Appearances

James T. Funaki, Esq., Attorney for Petitioner

Gary Zakian, Esq., Deputy Corporation Counsel, County of Maui

Clayton Yoshida, Planning Department, County of Maui

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

Abe Mitsuda, Land Use Division, Office of State Planning

Alan Murakami, Esq., Attorney for Intervenor

EXHIBITS

1. Letter dated August 15, 1994 from Cynthia Arruiza was admitted into evidence by the Land Use Commission.

2. The Letter dated August 31, 1994 from Councilman Goro Hokama was admitted into evidence by the Land Use Commission.

PUBLIC WITNESS

1. Sam Kealoha

Closing arguments were heard from Mr. Funaki, Mr. Zakian, Mr. Eichor, and Mr. Murakami.

MINUTES - October 6, 1994

Page 4

It was determined by Chairperson Hoe that all Commissioners present were eligible to participate in the action on the petition.

Commissioner Nip moved to approve the petition by Lanai Resort Partners subject to twenty-six conditions. The motion was seconded by Commissioner Mattson and polled as follows:

Ayes: Commissioners Nip, Kawakami, Lapenia, Mattson, Senda, Wada, and Chairperson Hoe

Nays: Commissioner Jarman

Commissioners Mattson, Nip, and Kawakami were absent from the proceedings at this time.

CONTINUED HEARING

A89-649 - LANAI RESORT PARTNERS (Manele)

This matter before the Commission is a continuation of the hearing which was held this morning.

Appearances

James T. Funaki, Esq., Attorney for Petitioner

Gary Zakian, Esq., Deputy Corporation Counsel, County of Maui

Clayton Yoshida, Planning Department, County of Maui

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

Abe Mitsuda, Land Use Division, Office of State Planning

Alan Murakami, Esq., Attorney for Intervenor

PETITIONER'S WITNESSES

3. Richard Brock (Continued)

MINUTES - October 6, 1994  
Page 5

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Senda moved to approve the minutes for the meeting dates of September 22, 1994 and September 22, 1994 (field trip). The motion was seconded by Commissioner Jarman and unanimously approved by voice votes.