

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kaanapali Ballrooms
Maui Marriott
100 Nohea Kai Drive
Lahaina, Maui

February 23, 1995

*approved
3/24/95*

COMMISSIONERS PRESENT:

Allen K. Hoe
JoAnn Mattson
Trudy K. Senda
Allen Y. Kajioka
Eusebio Lapenia, Jr.
M. Casey Jarman
Lloyd Kawakami (Portion of
Proceeding)

COMMISSIONERS ABSENT:

Elton Wada
Renton L.K. Nip

STAFF PRESENT:

Esther Ueda, Executive Officer
Winfred K.T. Pong, Esq.,
Deputy Attorney General
Kathy Yonamine, Staff Planner
Leo Asuncion, Jr., Staff Planner
Bert Saruwatari, Staff Planner
Darlene Kinoshita, Chief Clerk

Evelyn Miyata, Court Reporter

Chairperson Hoe called the meeting to order.

ACTION

A87-613 - THE TRUSTEES UNDER THE WILL AND OF THE ESTATE OF
JAMES CAMPBELL, DECEASED (Oahu)

Chairperson Hoe announced that consideration of
Petitioner's Motion filed on this petition will be continued
until March 16, 1995 on Oahu.

BR94-713 - OFFICE OF STATE PLANNING (Maui)

Chairperson Hoe announced that the Commission would
take action to consider Petitioner's Motion to Waive
Requirement for Metes and Bounds Description on its petition to
reclassify approximately 932 acres of land currently in the

Agricultural District into the Conservation District at Halehaku and Peahi, Makawao, Maui for preservation of the watershed area.

Appearances

James Nagle, Esq., Deputy Attorney General, Office of State Planning

Marylou Kobayashi, Office of State Planning

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

Arguments on the motion to waive requirement for metes and bounds description were heard from Mr. Nagle and Mr. Zakian.

Commissioner Kajioaka moved to grant Petitioner's motion to waive requirement for metes and bounds description subject to the following condition: "That at any time in the future when an accurate metes and bounds description of any portion of the property is needed, at the request of the Land Use Commission, the Office of State Planning will provide a metes and bounds description and map."

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

BR94-714 - OFFICE OF STATE PLANNING (Kauai)

Chairman Hoe announced that the Commission would take action to consider Petitioner's Motion to Waive Requirement for Metes and Bounds Description on its petition to reclassify approximately 29 acres of land currently in the Urban District into the Conservation District at Hanamaulu, Lihue, Kauai for protection of scenic coastal resources; and

BR94-715 - OFFICE OF STATE PLANNING (Kauai)

Chairman Hoe announced that the Commission would take action to consider Petitioner's Motion to Waive Requirement for Metes and Bounds Description on its petition to reclassify approximately 38 acres of land currently in the Agricultural District into the Conservation District at Homaikawaa and Kamalomaloo, Kawaaihau, Kauai for protection of a scenic coastal region.

Appearances

James Nagle, Esq., Deputy Attorney General, Office of State Planning

Marylou Kobayashi, Office of State Planning

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

Arguments on the motion to waive requirement for metes and bounds description were heard from Mr. Nagle and Mr. Zakian.

Commissioner Kajioka moved to grant Petitioner's motion to waive requirement for metes and bounds description subject to the following condition: "That at any time in the future when an accurate metes and bounds description of any portion of the property is needed, at the request of the Land Use Commission, the Office of State Planning will provide a metes and bounds description and map."

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

A94-708 - OFFICE OF STATE PLANNING (Oahu)

Chairperson Hoe announced that the Commission would take action to consider reclassifying approximately 1,300 acres of land currently in the Agricultural District into the Urban District at Honouliuli, Ewa, Oahu for land exchange, the University of Hawaii-West Oahu Campus, housing, and public facility uses.

Appearances

James Nagle, Esq., Deputy Attorney General, Office of State Planning

Marylou Kobayashi, Office of State Planning

Richard Bertero, for Intervenor, Chevron U.S.A.

Benjamin Matsubara, Hearing Officer

The Commission received a letter dated February 22, 1995 from Cheryl Soon, Chief Planning Officer, Planning Department, C&C of Honolulu, requesting the Commission to defer

action on this docket until the next scheduled meeting on Oahu.

Chairperson Hoe deferred this matter until the next meeting set for March 16, 1995 in Oahu.

A94-705 - COUNTY OF HAWAII, PLANNING DEPARTMENT

Chairperson Hoe announced that the Commission would take action to consider requests for intervention filed by Liliuokalani Trust; Nansay Hawaii, Inc.; Hawaiian Development Corporation; Lanihau Partners; Palani Ranch Co.' E Mau Na Ala Hele; Life of the Land; Tokyo Green Hawaii; John Tommy Rosas, Jr.; Councilman James Rath; Kona Scenic Land, Inc.; Kamehameha Investment Corporation; Office of Hawaiian Affairs; and Lunakanawai Hauanio.

Appearances

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

James Nagle, Esq., Deputy Attorney General, Office of State Planning

Lorene Maki, Land Use Division, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Chairperson Hoe announced that the Commission received a Motion to Declare Petition Defective filed by the Office of State Planning. Chairperson Hoe deferred this motion until the next meeting on the Big Island to meet the public notice requirements.

HEARING

A94-710 - WEST MAUI VENTURE GROUP (Lahaina, Maui)

Pursuant to a notice published in the Honolulu Advertiser and Maui News on December 29, 1994 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by West Maui Venture Group to consider reclassifying approximately 37.742 acres of land currently in the Agricultural District into the Urban District

at Lahaina, Maui for a commercial and light industrial subdivision.

Appearances

Eric Maehara, Esq., Attorney for Petitioner

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

Ann Cua, Planning Department, County of Maui

Jim Nagle, Esq., Deputy Attorney General, Office of State Planning

Lorene Maki, Land Use Division, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Kathy Yonamine, staff planner, oriented the Commission to the area requesting reclassification on the Land Use District Boundaries and tax maps.

EXHIBITS

1. Petitioner's Exhibit A and B, Exhibit Nos. 1 through 8 were admitted into evidence by the Land Use Commission.

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

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

A lunch recess was taken at 11:20 a.m. to reconvene at 12:30 p.m.

- 12:30 p.m. -

PETITIONER'S WITNESSES

1. Christopher L. Hart
2. Warren Unemori
3. Randall Okaneku

4. Susan W.F. Todani
5. John Maxwell Kean

COUNTY'S WITNESSES

1. Ann Cua

STATE'S WITNESSES

1. Abe Mitsuda

Chairperson Hoe instructed all parties of the post-hearing procedures and declared the hearing closed. The proposed findings from the parties are due on March 23, 1995 and the parties have until April 6, 1995 in which to respond.

MISCELLANEOUS

1. ADOPTION OF DECISION AND ORDER

Commissioner Mattson moved to adopt the Decision and Order for Docket No. SP93-383 - County of Maui, Department of Public Works. The motion was seconded by Commissioner Jarman and unanimously carried by voice votes.

2. ADOPTION OF MINUTES

Commissioner Lapenia moved to approve the minutes for the following meeting dates: February 2, 1995 and February 8, 1995. The motion was seconded by Commissioner Mattson and unanimously approved by voice votes.

The meeting was adjourned at 4:00 p.m.