

Minutes of Meeting

County Council Room
Hawaii County Building
25 Aupuni Street, Room 201
Hilo, Hawaii

Approved
3/23/00

March 3, 2000

COMMISSIONERS PRESENT: P. Roy Catalani
Bruce A. Coppa
Isaac Fiesta, Jr.
Lawrence N.C. Ing
Merle A. K. Kelai
Stanley Roehrig
Peter Yukimura

COMMISSIONER ABSENT: Pravin Desai
M. Casey Jarman

STAFF PRESENT: Esther Ueda, Executive Officer
Presley Pang, Esq., Deputy Attorney
General
Russell Kumabe, Staff Planner
Teri Hee, Chief Clerk

Andrea Vasconcellos, Court Reporter

Chairperson Kelai called the meeting to order at 8:40 a.m.

ACTION

SP00-393 - Kamehameha Schools Bernice Pauahi Bishop Estate (KSBE)
(Hawaii)

Chairperson Kelai announced that this matter before the Commission is an action to consider a special use permit to allow the development of a permanent East Hawaii Campus and related uses on approximately 300 acres of land situated within the Agricultural District at Keaau, Puna, Hawaii.

Appearances

William W. L. Yuen, Esq., for Petitioner

Frank Brandt, PBR Hawaii

Gordon Imata, Imata & Associates

Yukio Takemoto, KSBE

Dr. Rockne Freitas, KSBE

Barbara Robertson, Principal, KSBE East Hawaii Campus

Russell Kokubun, Deputy Director, County of Hawaii Planning
Department

Alice Kawaha, Planner, County of Hawaii Planning Department

Susan Gagorik, Planner, County of Hawaii Planning Department

Russell Kumabe, staff planner, oriented the Commission to the special permit area on the Land Use District Boundaries and tax maps and gave a summary of the special permit request.

PUBLIC WITNESSES

1. Diane Gentry
2. Ann Ogata-Deal

PETITIONER'S WITNESSES

1. Frank Brandt
2. Barbara Robertson

Arguments on the special permit was heard from Mr. Yuen. Questions were asked by the Commissioners.

PUBLIC WITNESS (cont'd.)

3. Marilyn Haymore

Arguments on the special permit was heard from Mr. Kokubun.

Commissioner Roehrig moved to approve the special permit application subject to the conditions agreed to by the parties and in addition, that the Commission review the implementation of the traffic control process in two years so that the Commission can determine whether or not further changes in the traffic control problem will be needed due to the increase in traffic. The motion was seconded by Commissioner Fiesta and polled as follows:

Ayes: Commissioners Roehrig, Coppa, Fiesta, Ing, Yukimura
and Kelai

Nayes: Commissioner Catalani

Executive Officer, Esther Ueda, requested clarification that the conditions are to include LUC conditions as well as the Office of Planning's conditions that Petitioner agreed on as documented in Exhibit C of Petitioner's Memorandum in Support of Application For Special Permit. Commission Roehrig agreed.

BR93-699 - OFFICE OF STATE PLANNING, STATE OF HAWAII (Hawaii)

Chairperson Kelai announced that this matter before the Commission is an action to consider Petitioner's Motion to Release Conditions Imposed in Decision and Order on Reclassification which reclassified approximately 660 acres of land into the Urban District at Keaau, Puna, Hawaii for residential, industrial, commercial, parks and open space, schools, and other government facilities.

Appearances

William W. L. Yuen, Esq., for Petitioner

Russell Kokubun, Deputy Director, County of Hawaii Planning Department

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

Mary Lou Kobayashi, Land Use Division, Office of Planning

Arguments on the motion were heard from Mr. Yuen and Ms. Kobayashi. Questions were asked by the Commissioners.

Commissioner Roehrig moved to approve Petitioner's Motion to Release Conditions Imposed in Decision and Order on Reclassification which reclassified approximately 660 acres of land into the Urban District at Keaau, Puna, Hawaii.

Executive Officer, Esther Ueda, requested clarification that the conditions are to include a condition dealing with the wastewater system which the applicant had agreed to. Commission Roehrig agreed.

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

Ayes: Commissioners Roehrig, Fiesta, Yukimura, Catalani and Kelai

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Fiesta moved to approve the minutes for the meeting date of February 17, 2000. The motion was seconded by Commissioner Yukimura and unanimously approved by voice votes.

2. ADOPTION OF DECISION AND ORDERS

Commissioner Fiesta moved to adopt the Order Granting Motion To Further Amend Or To Approve Of Petitioner's Satisfaction Of Condition No. 1 Contained In Findings Of Fact, Conclusions Of Law, And Decision And Order Dated March 18, 1991, As Amended for Docket No. A90-658 - Amfac/JMB Hawaii. The motion was seconded by Commissioner Catalani and unanimously approved by voice votes.

Commissioner Catalani moved to adopt the Order Granting Petitioner's Request To Modify Condition 3 And Findings Of Fact 21, 69, And 178 Of The Findings Of Fact, Conclusions Of Law, And Decision And Order Issued By The Land Use Commission On September 8, 1999 Regarding Petitioner Housing And Community Development Corporation Of Hawaii's Petition For Land Use District Boundary Amendment Filed March 5, 1999 for Docket No. A99-728 - Housing And Community Development Corporation Of Hawai'i, State of Hawai'i. The motion was seconded by Commissioner Fiesta and unanimously approved by voice votes.

3. LEGISLATIVE MATTERS

The Executive Officer provided a status report of the legislative bills and noted that there are three bills that are still alive that may affect the LUC.

4. OTHER PENDING MATTERS

The Executive Officer discussed a memo received from Julia M. Tsumoto of the Statewide Transportation Planning Office transmitting a figure and tables with respect to the Ewa Highway Master Plan.

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The Executive Officer advised the Commission that she had been informed by Petitioner's attorney that they will be submitting a motion for withdrawal regarding Docket No. A92-684/Department of Transportation.

The meeting was adjourned at 11:00 a.m.