

Approved
6/15/00

Minutes of Meeting

Conference Room 405
State Office Tower, Leiopapa A Kamehameha
235 South Beretania Street
Honolulu, Hawaii

June 1, 2000

COMMISSIONERS PRESENT: P. Roy Catalani
Bruce Coppa
Pravin Desai
Isaac Fiesta, Jr.
M. Casey Jarman
Merle A. K. Kelai
Peter Yukimura

COMMISSIONER ABSENT: Lawrence N.C. Ing
Stanley Roehrig

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

Holly Hackett, Court Reporter

Chairperson Kelai called the meeting to order at 10:30 a.m.

ACTION

A97-721 - MAKENA RESORT CORP. (Maui)

Chairperson Kelai announced that this matter before the Commission is an action meeting to consider Petitioner Makena Resort Corp.'s Motion for First Amendment to the Findings of Fact, Conclusions of Law and Decision and Order, Filed on February 19, 1998 which reclassified approximately 145.943 acres of land from the Agricultural District into the Urban District at Makena, Maui for multi-family residential, hotel, and existing golf course uses.

Appearances

Eric Maehara, Esq., Attorney for Petitioner

Roy Figueiroa, General Manager, Makena Resort Corp.

Abe Mitsuda, Land Use Division, Office of Planning

Elton Teshima, Department of Transportation

Bert Saruwatari, staff planner, oriented the Commission to the subject area on the Land Use District Boundaries map and tax maps.

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

Questions were asked by the Commissioners and addressed by Mr. Teshima, Mr. Maehara and Mr. Mitsuda.

Commissioner Jarman moved to approve Petitioner's motion as amended to read:

"12. Petitioner shall participate in the pro rata funding and construction of local and regional transportation improvements and programs, including the dedication of rights of way as determined by the State Department of Transportation (DOT) and the County of Maui. Agreement between Petitioner and DOT as to the level of funding and participation shall be obtained within two (2) years from June 1, 2000."

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

Ayes: Commissioners Jarman, Catalani, Coppa, Desai, Fiesta, Yukimura and Kelai

AR&R98-14

Chairperson Kelai announced that this matter before the Commission is a meeting on AR&R98-14 to discuss status of amendments to Chapter 15 of Title 15, Hawaii Administrative Rules of the Land Use Commission and possible further amendments.

Commissioner Fiesta moved to go into executive session to discuss legal matters with our deputy attorney general. The motion was seconded by Commissioner Coppa and unanimously moved by voice votes.

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PUBLIC WITNESSES

1. Jeff Mikulina, Sierra Club
2. Dan Davidson, LURF
3. Henry Curtis, Life of the Land

Chairperson Kelai reported that the rules signed by Governor Cayetano on April 24, 2000, filed at the Lt. Governor's office on April 28, 2000 and effective May 8, 2000 stands as is.

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Fiesta moved to approve the minutes for the meeting date of May 4, 2000. The motion was seconded by Commissioner Jarman and unanimously approved by voice votes.

2. OTHER PENDING MATTERS

The Executive Officer reported that the Commission received a May 5, 2000 letter from Governor Cayetano to David Blane regarding Land Use Conditions.

The meeting was adjourned at 11:30 a.m.