

Minutes of Meeting

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

June 15, 2000

Approved
7/07/00

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

COMMISSIONERS ABSENT: Pravin Desai
Isaac Fiesta, Jr.
M. Casey Jarman

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

Holly Hackett, Court Reporter

Chairperson Kelai called the meeting to order at 9:30 a.m.

STATUS REPORT

A92-679 - WHITE HAT DEVELOPMENT, CORP. (Hawaii)

Chairperson Kelai announced that this is a meeting to receive information on the status of development for LUC Docket No. A92-679 - White Hat Development, Corp. (Hawaii), which reclassified approximately 23.926 acres of land from the Agricultural District into the Urban District at Makaula, Hawaii for a single-family residential subdivision.

Chairperson Kelai announced that the County of Hawaii Planning Department would not be present to the proceeding.

On June 13, 2000, the Commission received a letter dated June 9, 2000, from William G. Boyle stating that due to a family emergency, he will not be able to attend today's meeting and is

requesting that this matter be delayed until his return to Hawaii.

Commissioner Roehrig moved that this matter be deferred. The motion was seconded by Commissioner Yukimura and unanimously approved by voice votes.

STATUS REPORT

A92-676 - HILO ONE, INCORPORATED (Hawaii)

Chairperson Kelai announced that this is a meeting to receive information on the status of development for LUC Docket No. A92-676 - Hilo One, Incorporated (Hawaii), which reclassified approximately 24.659 acres of land from the Agricultural District into the Urban District at Paukaa - Pahoehoe, South Hilo, Hawaii a single-family residential development.

Chairperson Kelai announced that the County of Hawaii Planning Department would not be present to the proceeding.

Appearances

Roland Higashi, President, Hilo One, Incorporated

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

Abe Mitsuda, Land Use Division, Office of Planning

Bert Saruwatari, staff planner, oriented the Commission to the subject area on the Land Use District Boundaries and tax maps and gave background information of the petition.

At this time, a disclosure was made by Commissioner Roehrig. There were no objections by the State.

A status report was given by Mr. Higashi. After hearing the status report, Mr. Higashi answered questions by Ms. Ogata-Deal. Mr. Higashi submitted a map of the proposed subdivision.

ACTION

A91-665 - KAMAAINA EIGHT, a Hawaii general partnership (Hawaii)

Chairperson Kelai announced that this matter before the Commission is an action meeting to consider Petitioner Kamaaina

Eight's Motion to Release, Discharge and Delete All Conditions in the Land Use Commission's Findings of Fact, Conclusions of Law, and Decision and Order Filed April 6, 1992 which reclassified approximately 70.65 acres of land from the Conservation and Agricultural Districts into the Urban District at Kohanaiki, North Kona, Hawaii for a commercial and light industrial development.

Chairperson Kelai announced that the County of Hawaii Planning Department would not be present to the proceeding.

Chairperson Kelai entered the late filings received on June 13, 2000, of the County of Hawaii Planning Department's Statement of No Objection and the Office of Planning's Response to the motion into the record.

Appearances

Steven S.C. Lim, Esq., Attorney for Petitioner

Burke Matsuyama, Manager of Kamaaina Eight Properties,
L.L.C.

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

Abe Mitsuda, Land Use Division, Office of Planning

Russell Kumabe, staff planner, oriented the Commission to the subject area on the Land Use District Boundaries map and tax maps and gave background information on the motion.

Chairperson Kelai noted Commissioner Roehrig's request to receive an up-to-date status report from the Department of Transportation, Highways Division, with respect to efforts to improve the highways because of the number of projects which seem to impact Queen Kaahumanu highway.

Arguments were heard from Mr. Lim and Ms. Ogata-Deal. Mr. Lim passed around two photos showing the landscaping of the frontage of Kohanaiki.

Questions were asked by the Commissioners. Argument was heard from Mr. Mitsuda.

Commissioner Roehrig moved to defer this matter to give the Petitioner an opportunity to consult with the Department of

Transportation and Department of Health on the issues that have been raised. Petitioner will contact staff when they are ready to finalize this matter. Petitioner requested a response deadline of 30 days from the Department of Transportation and Department of Health. The motion was seconded by Commissioner Coppa and unanimously approved by voice votes.

A00-732 - TSA INTERNATIONAL, LIMITED (Hawaii)

Chairperson Kelai announced that this matter before the Commission is an action meeting to determine whether the anticipated effects discussed in Petitioner's Draft Environmental Assessment to reclassify approximately 102.3 acres of land currently in the Conservation District into the Urban District at Kaloko, North Kona, Hawaii for the development of a mix of light industrial and industrial-commercial uses constitutes a "significant effect" pursuant to Chapter 343, H.R.S.

Chairperson Kelai announced that the County of Hawaii Planning Department would not be present to the proceeding.

Appearances

Nathan T. Natori, Esq., Attorney for Petitioner

Rodney Funakoshi, Project Manager, Wilson Okamoto & Associates

Gary Okamoto and Frances Yamada of Wilson Okamoto & Associates

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

Abe Mitsuda, Land Use Division, Office of Planning

Russell Kumabe, staff planner, oriented the Commission to the subject area on the Land Use District Boundaries map and tax maps and gave background information on the motion.

Rodney Funakoshi gave a power point presentation on Phases III & IV of the Kaloko Industrial Park which included illustrations as well as technical and scientific studies conducted. He also briefed the Commission on the significance criteria for EIS determination.

Arguments were heard from Mr. Natori and Ms. Ogata-Deal.

Questions were asked by the Commissioners.

Commissioner Roehrig moved that Petitioner prepare an Environmental Impact Statement. The motion was seconded by Commissioner Catalani and polled as follows:

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

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Roehrig moved to approve the minutes for the meeting date of June 1, 2000. The motion was seconded by Commissioner Coppa and unanimously approved by voice votes.

2. ADOPTION OF DECISION AND ORDER

Commissioner Roehrig moved to adopt the Order Granting In Part And Denying In Part Petitioner's Motion For First Amendment To The Findings Of Fact, Conclusions Of Law And Decision And Order, Filed On February 19, 1998 for Docket No. A97-721 - Makena Resort Corp. The motion was seconded by Commissioner Yukimura and unanimously approved by voice votes.

3. OTHER PENDING MATTERS

a) LUC Tentative Meeting Schedule

- i) Next meeting on July 6-7, 2000 in Lahaina - status report on Docket No. A92-686 - Amfac Property Investment Corp. and the Housing Finance and Development Corporation and field trip to see Amfac projects in the area.
- ii) July 20-21, 2000 field trip at Kapalawai and hearing in Poipu.
- iii) Cancellation of August 3-4 meeting.
- iv) August 16-17 meeting (overnight in Kona) - status report on Kohala Joint Ventures and White Hat Development Corp., action on C. Brewer.

The meeting was adjourned at 11:15 a.m.