

Approved
9/12/02

LAND USE COMMISSION
Minutes of Meeting
Conference Room 405
State Office Tower, Leiopapa A Kamehameha
235 South Beretania Street
Honolulu, Hawaii

June 21, 2002

COMMISSIONERS PRESENT: Bruce Coppa
Pravin Desai
Isaac Fiesta
Lawrence Ing
M. Casey Jarman
Merle Kelai
Stanley Roehrig

COMMISSIONERS ABSENT: P. Roy Catalani (portion of the proceedings)
Peter Yukimura

STAFF PRESENT: Diane Erickson, Esq., Deputy Attorney General
Anthony J. H. Ching, Executive Officer
Bert Saruwatari, Staff Planner
Caroline Lorenzo, Secretary
Holly Hackett, Court Reporter

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

A00-734 – CASTLE & COOKE HOMES HAWAII, INC. AND PACIFIC HEALTH
COMMUNITY, INC. (Oahu)

Chair Kelai announced that this was an action meeting to consider the Commission's Proposed Findings of Fact, Conclusions of Law, and Decision and Order regarding the reclassification of approximately 1,247.983 acres of land currently in the Agricultural District into the Urban District at Waipio and Waiawa, Oahu, for residential, school, commercial and medical park complex uses.

APPEARANCES

Dickson Lee, Esq., representing Co-Petitioner Castle & Cooke Homes Hawaii, Inc.

Alan Arakawa, Castle & Cooke Homes Hawaii, Inc.

William Yuen, Esq., representing Co-Petitioner Castle & Cooke Homes Hawaii, Inc.

Rodney Sato, Esq., representing Co-Petitioner Castle & Cooke Homes Hawaii, Inc.

Harry Saunders, Castle & Cooke Homes Hawaii, Inc.

Jane Howell, Esq., Department of Planning and Permitting

Matt Higashida, Department of Planning and Permitting

John Chang, Esq., Land Use Division, Office of Planning

Abe Mitsuda, Land Use Division, Office of Planning

Lorene Maki, Land Use Division, Office of Planning

Jeff Mikulina, Sierra Club, Hawaii Chapter

Bill Blass, Melemanu/Waipio/Mililani Neighborhood Board No. 25

Douglas Thomas, Melemanu/Waipio/Mililani Neighborhood Board No. 25

Commissioner Catalani was excused from this proceeding due to a previously declared conflict of interest.

It was determined by Chair Kelai that all of the Commissioners present were eligible to participate in the action on the petition.

Anthony Ching, Executive Officer, provided a staff report on the amendments to the Proposed Findings of Fact, Conclusions of Law, and Decision and Order. Copies of the affected pages were distributed to the Commission and the parties, as well as the parties' written responses to the document.

All parties presented their final comments to the Proposed Findings of Fact, Conclusions of Law, and Decision and Order.

The Commissioners deliberated and discussed staff's amendments as well as the parties' written responses to the documents.

Commissioner Roehrig moved to adopt the Findings of Fact as amended by staff. Commissioner Coppa seconded the motion and was polled as follows:

Ayes: Commissioners Roehrig, Coppa, Fiesta, Desai, Ing, Jarman, and Kelai

The motion passed with seven ayes, one recused, and one absent.

Commissioner Roehrig moved to amend the Conclusions of Law as recommended by staff. The motion was seconded by Commissioner Ing and polled as follows:

Ayes: Commissioners Roehrig, Ing, Coppa, Desai, Fiesta, Jarman, and Kelai.

The motion passed with seven ayes, one recused, and one absent.

Commissioner Roehrig moved to amend Condition No. 2 with the following:

"No occupancy shall occur for the dwelling units in any increment until such time as reasonable and appropriate public school facility infrastructure has been constructed or has otherwise been provided in the project area to accommodate projected student enrollment from said increment."

Commissioner Fiesta seconded the motion and was polled as follows:

Ayes: Commissions Roehrig, Fiesta, Jarman, Coppa, Desai, Ing, and Kelai

Commissioner Catalani was witness to the proceeding at this time but remained recused from participating in this docket.

Commissioner Jarman voiced her concerns regarding this Petition.

The motion passed with seven ayes, one recused, and one absent.

Commissioner Roehrig moved to amend LUC Condition Nos. 17 and 20 to incorporate the City and County's recommendation as contained in its written commentary on the Commission's Proposed Findings of Fact, Conclusions of Law, and Decision and Order. The motion was seconded by Commission Coppa and polled as follows:

Ayes: Commissioners Roehrig, Coppa, Ing, Jarman, Desai, Fiesta, and Kelai.

The motion passed with seven ayes, one recused, and one absent.

Commissioner Fiesta moved to adopt the entire Findings of Fact, Conclusions of Law, and Decision and Order as amended. Commission Roehrig seconded the motion and was polled as follows:

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

Nays: Commissioner Jarman

The motion passed with six votes, one nay, one recused, and one absent.

The Commissioners expressed their heartfelt thanks to Commissioner Jarman and Chair Kelai for their devoted and dedicated service, strong leadership, and support to the Land Use Commission.

MISCELLANEOUS

1. DISCUSSION OF PENDING MATTERS

a. Tentative Meeting Schedule

There will be no meeting in July 2002. The next meeting is scheduled for August 8-9, 2002.

The meeting was adjourned at 11:10 a.m.