

LAND USE COMMISSION

Minutes of Meeting

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

August 27, 1997

*approved
9/25/97*

COMMISSIONERS PRESENT: Rupert K.Chun, Vice-Chairperson
Casey Jarman
JoAnn Mattson
Roy Catalani
Peter Yukimura

COMMISSIONERS ABSENT: Isaac Fiesta, Jr.
Herbert Kaopua, Sr.
Lawrence N.C. Ing
Merle A.K. Kelai

STAFF PRESENT: Esther Ueda, Executive Officer
Jon Itomura, Deputy Attorney General
Leo Asuncion, Jr., Staff Planner
Bert Saruwatari, Staff Planner
Darlene Kinoshita, Chief Clerk

Rachelle Primeaux, Court Reporter

Vice-Chairperson Chun called the meeting to order.

ACTION

A88-624 - THE LUSK CO. (Oahu)

Vice-Chairperson Chun announced that the Commission would take action to consider Petitioner's Motion for Order to Release and Delete Conditions Set Forth in the Findings of Fact, Conclusions of Law and Decision and Order dated April 24, 1989 which reclassified approximately 26.445 acres of land from the Conservation District into the Urban District at Waiiau, Ewa, Oahu for a residential development.

Appearances

James T. Funaki, Esq., Attorney for Castle & Cooke Homes Hawaii, Inc.

Roland Kim, for Castle & Cooke Homes Hawaii, Inc.

Frances Mossman, Planning Department, City and County of Honolulu

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

Abe Mitsuda, Land Use Division, Office of Planning

Arguments were heard from Mr. Funaki, Ms. Mossman, and Ms. Ogata-Deal.

After hearing arguments, questions were asked by the Commissioners.

Commissioner Mattson moved to grant Petitioner's Motion for Order to Release and Delete Conditions Set Forth in the Findings of Fact, Conclusions of Law, and Decision and Order dated April 24, 1989. The motion was seconded by Commissioner Jarman and polled as follows:

Ayes: Commissioners Mattson, Jarman, Yukimura, Catalani, and Chun

A89-649 - LANAI RESORT PARTNERS (Manele)

Vice-Chairperson Chun announced that the Commission had received a letter on August 26, 1997 from Petitioner's counsel requesting that the action on the above-entitled docket be continued to the next scheduled meeting date of the Commission.

Appearances

James T. Funaki, Esq., Attorney for Petitioner

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

Abe Mitsuda, Land Use Division, Office of Planning

Further comments were heard from Mr. Funaki. There were no objections to the continuance by the Planning Department and Office of Planning.

Vice-Chairperson Chun granted Petitioner's Request for a continuance.

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Jarman moved to approve the minutes for the following meeting date: July 31, 1997. The motion was seconded by

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Commissioner Yukimura and unanimously approved by voice votes.

2. Vice-Chairperson Chun announced that the following items would be continued until the next scheduled meeting date: Election of Officers; Briefing on new LUC Rules and Regulations; and presentation by Deputy Attorney General on Ex Parte Communications.

3. A status report on litigation matters on the following dockets were given by Deputy Attorney General Jon Itomura: A76-418 - Moana Corporation (Kauai); A93-701 - Kaupulehu Devs.; A89-649 - Lanai Resort Partners; and DR97-20 - Pono, et al. (Molokai)

Commissioner Jarman moved to go into executive session to discuss legal matters with our Deputy Attorney General. The motion was seconded by Commissioner Mattson and unanimously approved by voice votes.

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