

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Ekolu Room  
Royal Waikoloan Hotel  
Waikoloa, Hawaii

October 27, 1988

Approved  
11/7/88

COMMISSIONERS PRESENT: Lawrence Chun, Vice-Chairman  
Allen K. Hoe  
Toru Suzuki  
Robert Tamaye  
Allen Kajioka

COMMISSIONERS ABSENT: Renton L.K. Nip, Chairman  
Sharon R. Himeno  
Frederick P. Whittemore  
Teofilo Phil Tacbian

STAFF PRESENT: Esther Ueda, Executive Officer  
Randall Young, Esq, Deputy Attorney  
General  
Raymond Young, Staff Planner  
Darlene Kinoshita, Chief Clerk  
  
Jean Marie McManus, Court Reporter

Vice-Chairman Chun called the meeting to order.

ACTION

A88-630 - PALACE DEVELOPMENT CORPORATION AND HAWAII KA'U AINA

Vice-Chairman Chun announced that the Commission would take action in the matter of the petition by Palace Development Corporation and Hawaii Ka'u Aina to consider acceptance of Petitioner's Environmental Impact Statement to reclassify approximately 2,344 acres of land currently in the Conservation District into the Urban District and approximately 900 acres of land currently in the Agricultural District into the Urban District at Kahuku, Ka'u, Hawaii for a self-contained resort, residential support community, and a regional airport.

Appearances

R. Ben Tsukazaki, Esq., Attorney for Petitioner

Albert Lono Lyman, Director, Planning Department,  
County of Hawaii

Virginia Goldstein, Planning Department, County of  
Hawaii

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

Jean Nishida, Land Use Division, Office of State  
Planning

Commissioner Kajioka moved to go into executive session to discuss legal matters with our Deputy Attorney General regarding Petitioner's environmental impact statement. The motion was seconded by Commissioner Suzuki and unanimously carried by voice votes.

After hearing arguments from Mr. Tsukazaki, Mr. Lyman, and Ms. Ogata-Deal, questions were asked by the Commissioners.

Vice-Chairman Chun allowed public witnesses to testify in regards to Petitioner's environmental impact statement.

PUBLIC WITNESSES

1. Gilbert Kahele
2. Glen M. Winterbottom

Copy of County of Hawaii's Ordinance No. 88-118 and Mr. Winterbottom's Statement of Case and Revised Petition for Declaratory Ruling was admitted into evidence by LUC.

Commissioner Hoe moved to accept Petitioner's Environmental Impact Statement with noted concerns and reservations by the Commission. The motion was seconded by Commissioner Tamaye and unanimously carried by voice votes and the petition was accepted for filing as of October 27, 1988.

CONTINUED HEARING

A88-621 - KAHALA CAPITAL CORPORATION (Awake'e)

Vice-Chairman Chun announced that the present matter before the Commission is a continuation of the hearing which

had begun on July 14, 1988, July 15, 1988, September 29, 1988, and September 30, 1988.

Appearances

Sandra Pechter Schutte, Esq., Attorney for Petitioner  
Glenn Hara, Esq., Attorney for Petitioner  
Virginia Goldstein, Planning Department, County of  
Hawaii

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

Abe Mitsuda, Land Use Division, Office of State  
Planning

Jean Nishida, Land Use Division, Office of State  
Planning

Christopher Yuen, Esq., Attorney for Intervenors

The letter dated October 4, 1988 from Mark Van Pernis  
was admitted into evidence by the Land Use Commission.

PUBLIC WITNESS

1. William S. Kawahara
2. Larry Moses

A lunch recess was taken at 12:20 p.m. to reconvene at  
1:45 p.m.

- 1:51 p.m. -

EXHIBITS

1. Petitioner's Exhibit Nos. 70 through 72 were  
admitted into evidence by the Land Use Commission.

PETITIONER'S WITNESSES

1. Paul Rosendahl
2. Winona Char
3. Thomas F. Nance

MISCELLANEOUS

1. ADOPTION OF DECISION AND ORDERS

The Decision and Order for the following docket  
was adopted:

A88-620 KOHALA JOINT VENTURE

The adoption of the decision and order for  
SP88-369 AINAKO RESORT ASSOCIATES AND GROVE FARM PROPERTIES,  
INC. was deferred until a later date.

2. ADOPTION OF MINUTES

The minutes for the following meeting dates were  
approved as circulated: October 12, 1988 and October 13, 1988.

The meeting was adjourned at 4:39 p.m.