

Appearances

Lincoln Ishida, Esq., Attorney for Petitioner

Brian Yahata, For Petitioner

Betsy Marcinkus, Department of General Planning, City
and County of Honolulu

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

Karen Yamamoto, Land Use Division, Office of State
Planning

A stipulation by the Petitioner and the Office of
State Planning to the proposed language was filed on April 11,
1989. There were no objections by the City to the proposed
language.

Commissioner Himeno moved for approval of the proposed
language as stated in the Stipulation. The motion was seconded
by Commissioner Kajioka and carried unanimously by voice votes.

A87-613 - THE TRUSTEES UNDER THE WILL AND OF THE ESTATE OF
JAMES CAMPBELL, DECEASED (Oahu)

Chairman Nip announced that the Commission would take
action to consider Petitioner's Motion for Second Amendment to
Findings of Fact, Conclusions of Law, and Decision and Order
which incrementally reclassifies approximately 890 acres of
land from the Agricultural District to the Urban District for a
secondary urban center at Honouliuli, Ewa, Oahu by
reconfiguring Increment I involving an exchange of
approximately 8.5 acres between Increment I and the Subsequent
Increments and to consider Petitioner's Motion for Order
Approving Executed Agreements Satisfying Petitioner's
Pre-Conditions to Reclassification and Department of Health
Condition in Decision and Order.

Appearances

Ivan Lui-Kwan, Esq., Attorney for Petitioner

Oswald Stender, For Petitioner

Mike Warren, For Petitioner

Betsy Marcinkus, Department of General Planning, City
and County of Honolulu

John Anderson, Esq., Deputy Attorney General, Office
of State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

Arguments on the motion for second amendment to findings of fact, conclusions of law, and decision and order were heard from Ivan Lui-Kwan, John Anderson, Esq., and Betsy Marcinkus. After hearing arguments, questions were asked by the Commissioners.

Commissioner Whittemore moved for approval of Petitioner's motion for second amendment. The motion was seconded by Commissioner Tacbian.

The motion to approve Petitioner's Motion for Second Amendment was unanimously approved as follows:

Ayes: Commissioner Whittemore, Tamaye, Chun, Tacbian, Himeno, Kajioka, and Chairman Nip.

Ivan Lui-Kwan, Attorney for Petitioner withdrew his Motion for Order Approving Executed Agreement Satisfying the Department of Health Condition in the Decision and Order.

Arguments on the Motion For Order Approving Executed Agreements Satisfying Petitioner's Pre-Conditions to Reclassification were heard from Ivan Lui-Kwan, John Anderson, and Betsy Marcinkus. After hearing arguments, questions were asked by the Commissioners.

Commissioner Himeno moved for approval of Petitioner's Motion for Order Approving Executed Agreements Satisfying Petitioner's Pre-Conditions to Reclassification. The motion was seconded by Commissioner Whittemore and unanimously approved as follows:

Ayes: Commissioner Himeno, Kajioka, Chun, Whittemore, Tamaye, Tacbian, and Chairman Nip.

Commissioner Suzuki joined the proceeding at this time and Chairman Nip was absent from the proceeding at this time.

SP89-371 - CHRISTIAN BROADCASTING ASSOCIATION (Maui)

Chairman Nip announced that the Commission would take action on this special use permit to consider continued operation of a radio transmitting facility on approximately 30 acres of land within the Agricultural District at Kaluakoi, Molokai.

Appearances

Del Gibbs, Petitioner

Clayton Yoshida, Planning Department, County of Maui

Raymond Young, Staff Planner, gave a summary report of the special use permit request by Petitioner.

Arguments were heard from Mr. Gibbs and Clayton Yoshida. After hearing arguments, questions were asked by the Commissioners.

Commissioner Whittemore moved for an executive session to consider matters relating to this request. The motion was seconded by Commissioner Tamaye and unanimously carried by voice votes.

Commissioner Himeno moved that the Land Use Commission approve SP89-371 with the conditions set forth by the County. Commissioner Himeno also moved that in the Conformance With Special Permit Test section, item number 1C relating to the Land Use Commission's determination not be included in the Commission's Decision and order on this special permit. The motion was seconded by Commissioner Tacbian and unanimously carried by voice votes.

Chairman Nip and Commissioner Hoe joined the proceeding at this time.

M074-4 - PUAHALA ENTERPRISES (Amendment) (Molokai)

Chairman Nip announced that the Commission would now take action to consider Petitioner's Motion to Amend Decision and Order which reclassified approximately 35.5 acres of land

from the Urban District into the Conservation District at Puaahala, Molokai.

Appearances

Paul A. Lynch, Esq., Attorney for Petitioner

Leroy Austin, Petitioner

Clayton Yoshida, Department of Planning, County of Maui

John Anderson, Esq., Deputy Attorney General, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Raymond Young, Staff Planner, oriented the Commission to the area reclassified on the USGS and tax maps and presented background information on the reclassification of the area.

Commissioner Himeno was absent from the proceeding at this time.

Arguments were heard from Mr. Lynch, Mr. Yoshida, and Mr. Anderson. After hearing arguments, questions were asked by the Commissioners.

Commissioner Hoe moved to accept Petitioner's Exhibit No. 7, R.M. Towill's survey map, and amend the decision and order to reflect an acreage of 20.76 for the reclassified Puaahala fishpond. The motion was seconded by Commissioner Kajioka and unanimously approved as follows:

Ayes: Commissioner Hoe, Tacbian, Tamaye, Whittemore, Suzuki, Chun, Kajioka, and Chairman Nip.

A lunch recess was taken at 12:10 p.m. to reconvene at 2:00 p.m.

- 2:17 pm. -

Commissioner Kajioka was absent from the proceedings at this time. Commissioner Himeno joined the proceeding at this time.

A83-557 - PRINCEVILLE DEVELOPMENT CORPORATION (Kauai)

Chairman Nip announced that the Commission would now take action to consider Petitioner's Motion to Clarify, Amend or Delete, if necessary, condition of approval to reclassify approximately 390 acres of land currently in the Agricultural District at Hanalei, Kauai, Hawaii, only for golf course purposes.

Appearances

Walton Hong, Esq., Attorney for Petitioner

Lorna Nishimitsu, Esq., Deputy County Attorney, County of Kauai

Bryan Mamaclay, Department of Planning, County of Kauai

John Anderson, Esq., Deputy Attorney General, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Teresa Tico, Esq., Attorney for Intervenor

Mr. Hong verbally amended his motion to reflect two motions. A motion to clarify the conditions to permit the golf clubhouse with the restaurant and a motion to amend the decision and order to include a tennis complex.

Arguments on the first motion were heard from Mr. Hong, Ms. Nishimitsu, Mr. Anderson, and Ms. Tico. After hearing arguments, questions were asked by the Commissioners.

Commissioner Tacbian moved for clarification of the condition that the clubhouse and restaurant is part of a golf course use. The motion was seconded by Commissioner Suzuki and unanimously carried by the following votes:

Ayes: Commissioner Tacbian, Chun, Hoe, Tamaye, Himeno, Whittemore, Suzuki, and Chairman Nip.

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Chairman Nip allowed witnesses to testify on Petitioner's motion to amend the decision and order to include a tennis complex.

EXHIBITS

1. Petitioner's Exhibit AA, BB, and CC were admitted into evidence by the Land Use Commission.

PETITIONER'S WITNESSES

1. Michael Loo

MISCELLANEOUS

1. ADOPTION OF DECISION AND ORDERS

The Decision and Order for the following docket was adopted:

A88-624 - THE LUSK COMPANY (Oahu)

A88-627 - GENTRY DEVELOPMENT COMPANY (Oahu)

The meeting was adjourned at 4:25 p.m.