

STATE OF HAWAII
LAND USE COMMISSION

Adopted 9/3/86

Minutes of Meeting

Resolution Room, Kona Hilton Hotel
Kailua-Kona, Hawaii

July 8, 1986 - 10:30 a.m.

COMMISSIONERS PRESENT: Teofilo Phil Tacbian, Chairman
Frederick Whittemore
Lawrence Chun
Richard Choy
Robert Tamaye

COMMISSIONERS ABSENT: Everett Cuskaden
Toru Suzuki
Winona Rubin
William Yuen

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

ACTION

Chairman Tacbian called the meeting to order.

A86-603 - HUEHUE RANCH (HAWAII)

Chairman Tacbian announced that the Commission will act to consider acceptance of the petitioner's Environmental Impact Statement which was prepared for the petition to reclassify approximately 675 acres of land from the Conservation District into the Urban District at Kukio, North Kona, Hawaii.

Commissioner Tamaye moved to accept the Environmental Impact Statement prepared on behalf of Huehue Ranch. It was seconded by Vice Chairman Whittemore and unanimously carried by voice votes.

A80-487 - LONE STAR HAWAII, INC. (OAHU)

Chairman Tacbian announced that the Commission will act to determine whether the anticipated effects to reclassify approximately 37.8 acres of land currently in the Conservation District into the Urban District at Kailua, Koolaupoko, Oahu for residential use constitute a significant effect pursuant to Chapter 343, HRS.

Vice-Chairman Whittemore moved that the Commission find the proposed petition constitutes no significant effect on the environment, and therefore, the Commission does not require the petitioner to prepare an environmental impact statement. The motion was seconded by Commissioner Chun and unanimously carried by voice votes.

HEARING

A85-599 - KONA BEACH DEVELOPMENT VENTURE, L.P. (Hawaii)

Pursuant to a notice published in the Honolulu Advertiser and Hawaii Tribune Herald on June 6, 1986 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Kona Beach Development Venture, L.P., Docket No. A86-599, to reclassify approximately 470.13 acres of land currently in the Conservation District into the Urban District at Kohanaiki, North Kona, Hawaii, for resort, residential, commercial, golf course and marina uses.

Appearances

James Funaki - Counsel representing the petitioner.

Norman Hayashi - representing the County of Hawaii, Planning Department

Abe Mitsuda - representing the Land Use Division, Department of Planning and Economic Development

Everett Kaneshige - Deputy Attorney General, representing Department of Planning and Economic Development

Chairman Tacbian reported that the Commission had received five untimely requests to appear as witnesses from the following:

1. Elizabeth Ann Stone
2. Owen Miyamoto
3. Tim Newstrom
4. Douglas Blake, Kona Conservation Group
5. H. Foster

Ms. Stone and Mr. Miyamoto were not present.

There being no objection by the Commissioners, Mr. Newstrom, Mr. Blake, and Mr. Foster were allowed to testify. The written testimony of Mr. Newstrom was received and admitted into evidence as Land Use Commission Exhibit #1 and the written testimony of Mr. Blake was received and admitted into evidence as Land Use Commission Exhibit #2. It was also pointed out by Chairman Tacbian that the Commission required written authority from the Kona Conservation Group.

At the start of the hearing and before the testimony of the public witnesses, Mr. Funaki had requested additional time to finish their EIS. Parties having no objections, Chairman Tacbian continued the hearing until the EIS was finished.

A86-601 - RICHARD SMART REVOCABLE PERSONAL TRUST (HAWAII)

Pursuant to a notice published in the Hawaii Tribune Herald and the Honolulu Advertiser on June 6, 1986 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Richard Smart Revocable Personal Trust (Hawaii) to reclassify approximately 404.34 acres of land currently in the Agricultural District into the Urban District at Waimea, South Kohala, Hawaii for residential, commercial, and industrial uses.

Appearances

Tom Yamamoto and Roger Harris - representing
Richard Smart Revocable Personal Trust

David Ramos - Business Manager, Parker Ranch

Norman Hayashi - representing the County of Hawaii,
Planning Department

Abe Mitsuda - representing the Land Use Division,
Department of Planning and Economic Development

Everett Kaneshige - Deputy Attorney General,
representing Department of Planning and Economic
Development

Chairman Tacbian announced that the Commission received one untimely request to appear as a public witness, Elizabeth Ann Stone. At the time of the hearing, she did not appear as a witness.

The representatives for Richard Smart Revocable Personal Trust requested continuance of the hearing until after the middle of September when all of their witnesses would be available. Parties having no objections, Chairman Tacbian continued the hearing until a later date.

CONTINUED HEARING

A85-597 - KAUPULEHU DEVELOPMENTS (HAWAII)

It was announced by Chairman Tacbian that the present matter before the Commission was a continuation of the hearing which had begun on January 31, 1986 and June 17, 1986.

Commissioner Yuen did not participate in these proceedings due to a previously declared conflict of interest.

Appearances

R. Ben Tsukazaki - Attorney, representing Petitioner

Alexander Kinzler - Project Director, Kaupulehu Devs.

Norman Hayashi - representing the County of Hawaii,
Planning Department

Abe Mitsuda, representing the Land Use Division,
Department of Planning and Economic Development

Everett Kaneshige, Deputy Attorney General,
representing the Department of Planning and
Economic Development

EXHIBITS

Petitioner's Exhibits #1 through #23 were admitted
into evidence.

County of Hawaii's Exhibit #1 was admitted into
evidence.

State's Exhibit #1 was admitted into evidence.

Staff Planner, Ray Young, oriented the Commission to
the area being requested for reclassification on the USGS and
tax maps.

PUBLIC WITNESSES

Chairman Tacbian announced that there were five
untimely requests to be public witnesses. Since there were no
objections by the Commissioners, all five untimely requests to
be public witnesses were allowed to testify.

1. Ted Newstrom
2. Roland Higashi, Japanese Chamber of Commerce and
Industry of Hawaii
3. Alfie Fujitani, Kona - Kohala Chamber of Commerce
4. Douglas Blake, Kona Conservation Group
5. Clinton Taylor, Hawaii Island Economic Development
Board (did not appear)

Mr. Newstrom's written testimony was admitted into evidence as Land Use Commission Exhibit #1, The Japanese Chamber of Commerce and Industry of Hawaii's testimony was admitted into evidence as Land Use Commission Exhibit #2, and The Hawaii Island Chamber of Commerce's testimony was admitted into evidence as Land Use Commission Exhibit #3.

Chairman Tacbian requested authorization from the Japanese Chamber of Commerce and Industry of Hawaii and from the Kona-Kohala Chamber of Commerce.

A lunch recess was taken at 12:30 p.m. to reconvene at 1:30 p.m.

- 1:30 p.m. -

PETITIONER'S WITNESSES

1. Alexander Kinzler, Project Director
2. James R. Bell, President of Belt, Collins and Associates.
3. Joseph Vierra, Jr., Director of Engineering, Belt, Collins, and Associates
4. Dr. Paul Rosendahl, Archeologist
5. Dr. David Zieman, The Oceanic Institute
6. Jurgen Moritz, Representative of Princess Hotels
7. Ming Chew
8. Fred Duerr, General Manager, Kona Village Resort
9. Bay K.C. Yee

Chairman Tacbian continued the hearing until July 9, 1986 at 9:00 a.m. The hearing was adjourned at 5:30 p.m.

Minutes - July 8, 1986
Page 7

MISCELLANEOUS

The Commission discussed whether or not a satellite dish would be considered a permitted use in the Agricultural District. It was decided that the satellite dish would come under the definition of a communication building.