

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Rooms 322 A & B
New State Building
Honolulu, Hawaii

May 6, 1980 - 9:00 a.m.

Approved
SEP 4 1980

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
Richard Choy
Shinsei Miyasato
Mitsuo Oura
George Pascua
Carol Whitesell
Edward Yanai
William Yuen (10:10 a.m. arrival)

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Ray Russell, Court Reporter

ACTION

SP72-132 - OCEAN VIEW INVESTMENT COMPANY, INC.
TO AMEND THE SPECIAL PERMIT, TO ALLOW THE ESTABLISHMENT OF
A REAL ESTATE OFFICE BUILDING AT HAWAII OCEAN VIEW RANCHOS
SUBDIVISION, KAHUKU, KA'U, HAWAII

The staff planner oriented the Commission to the location of the property involved in the subject special permit amendment request, and presented a resume of the staff report relative to this request.

Commissioner Oura moved to approve the amendment request to allow the establishment of a real estate office building at Hawaii Ocean View Ranchos Subdivision, subject to the 5 conditions recommended by the Hawaii County Planning Commission. The motion was seconded by Commissioner Pascua.

Commissioner Whitesell moved to amend condition No. 2 to insert the words "by the Land Use Commission" after the word "approve"; i.e., condition No. 2 would then read "That plans shall be submitted to the Planning Department and final plan approval be secured within one year from the effective date of approval by the Land Use Commission of the amendment request."

The motion to amend condition No. 2 was seconded by Vice Chairman Nakagawa and unanimously carried.

The motion to approve the special permit amendment request, as amended, was approved by the following votes:

Ayes: Commissioners Nakagawa, Miyasato, Pascua, Oura, Whitesell, Choy, Yanai, Chairman Duke

HEARING

A79-469 - MSM & ASSOCIATES, INC.

Pursuant to a notice published in the Honolulu Star Bulletin on April 3, 1980 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by MSM & Associates, Inc. to amend the land use district boundaries for approximately 181 acres from the Agricultural District into the Urban District at Oneula, Honouliuli, Ewa, Oahu for residential use.

Appearances

Harry S. Kim, Attorney, representing the petitioner

Orlando Davidson, Deputy Corporation Counsel, representing the Department of General Planning, City & County of Honolulu

Annette Chock, Deputy Attorney General, representing the Department of Planning and Economic Development

Intervention

Both Harold Nakasone and Karen Holt, representing the Life of the Land, requested permission to withdraw their intervention requests and to appear as DPED's witnesses in lieu thereof. The withdrawal requests were granted by Chairman Duke.

Exhibits

Petitioner's Exhibits A through M were entered into evidence. Petitioner's Exhibit L (County's Zoning Code) was only marked for identification at this time, to be disposed of at a later time.

DPED's Exhibits 1 through 4 were admitted into evidence.

At 10:10 a.m., Chairman Duke noted for the record that the Commission had been joined by Commissioner Yuen. Since there were no objections by any of the parties (DPED waiving all rights only to the extent as allowed under Chapter 91), Commissioner Yuen was permitted to participate in the proceedings.

The location of the subject property was pointed staff planner on the maps.

All of the persons appearing today, having been duly sworn in, testified and were examined as set forth in the transcript on the pages noted.

Public Witnesses

Commander Davidson Luehring, Executive Officer of Naval Air Station

Oral testimony-----43 to 50

Cross examination by Mr. Kim-----50 to 76

Cross examination by Mr. Davidson-----76 to 78

Cross examination by Miss Chock-----78 to 80

Recross examination by Mr. Kim-----81 to 83

Recross examination by Mr. Davidson-----83 to 84

Examination by Commissioner Yuen-----84 to 86

The commission was in recess from 12:00 noon to 1:30 p.m.

1:30 p.m.

Public Witnesses (cont.)

David Parsons - Representing Ewa Beach Community Association and Ewa Neighborhood No. 23

Examination by Chairman Duke-----88 to 90

Oral Testimony-----90 to 93

Examination by Commissioner Whitesell-----94 to 95

PETITIONER

Paul Westhoff - Principal of Pearson & Westhoff

Direct examination by Mr. Kim----- 97 to 106
Slide presentation-----102 to 124
Direct examination by Mr. Kim (cont.)-----124 to 126
Cross examination by Mr. Davidson-----127 to 133
Cross examination by Miss Chock-----134 to 145
Redirect examination by Mr. Kim-----145 to 147
Recross examination by Mr. Davidson-----147
Examination by Commissioner Yuen-----147 to 150
Examination by Vice Chairman Nakagawa-----150 to 151
Reexamination by Commissioner Yuen-----151
Examination by Commissioner Whitesell-----151 to 152

William Whitney - Principal and Part Owner, Williams-Kuebelbeck
& Associates, Inc.

Direct examination by Mr. Kim-----153 to 161
Cross examination by Mr. Davidson-----161 to 165
Cross examination by Miss Chock-----166 to 173

The hearing was recessed until 9:00 a.m. on May 7, 1980.

The meeting was adjourned at 4:55 p.m.