

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Rooms A & B
State Building
3060 Eiwa Street
Lihue, Kauai

Approved OCT 7 1980

June 3, 1980 - 9:00 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
Richard Choy
Shinsei Miyasato
Mitsuo Oura
George Pascua (9:18 a.m.)
Edward Yanai (excused at 10:45 a.m.)
William Yuen
Carol Whitesell

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

Ray Russell, Court Reporter

ACTION

SP75-212 - DEPARTMENT OF PARKS & RECREATION

To amend Condition No. 5 of SP75-212 relating to the development of a public drag racing facility at Panaewa, South Hilo, Hawaii

The Chairman called on staff planner to present a summary of the above request. The area under consideration was also pointed out on the maps.

Commissioner Oura moved to amend condition No. 5 of the Special Permit as requested by the Department of Parks & Recreation, County of Hawaii, as recommended by the Hawaii Planning Commission. The motion was seconded by Commissioner Whitesell and carried. Commissioner Pascua abstained from voting since he had not been present during a portion of the discussion.

A79-462 - KOMOHANA INVESTORS

Since both Commissioners Choy and Oura had not attended the hearing on subject petition, they were excused from

participating in the deliberations.

Staff planner pointed out the location of the subject property on the maps and oriented its location with various surrounding landmarks.

Commissioner Pascua moved to approve the reclassification of approximately 212 acres of land from the Agricultural District into the Urban District at Punahoa 1st and Ponahawai, South, Hilo, Hawaii, for residential and commercial subdivision. The motion was seconded by Vice Chairman Nakagawa.

Commissioner Whitesell spoke in favor of the motion. However, she expressed concern over the existence of some 25 acres of prime agricultural land on subject property and the question of drainage and flooding which had been brought up during the hearing.

The motion was carried with the following votes:

Ayes: Commissioners Whitesell, Yanai, Pascua, Nakagawa, Miyasato, Yuen, Chairman Duke

At the Chairman's direction, Mr. Kawada led the Commission in a discussion of the petitioner's proposed findings in arriving at the Commission's true findings. Where appropriate, the County's and DPED's findings were substituted or added.

Commissioner Yuen moved to reconsider and amend the Commission's decision to approve the petition, by imposing the following condition: "That the petitioner shall prepare a drainage and/or hydrologic study of the subject property, to be submitted to the County in conjunction with any proposed request for a zoning change; and that the petitioner shall be required to make any drainage and related improvements within the subject property or on adjacent properties as may be required by the County of Hawaii Public Works Department. The motion was seconded by Commissioner Whitesell. The Commission was polled as follows:

Ayes: Commissioners Nakagawa, Yanai, Yuen, Whitesell, Pascua, Miyasato, Chairman Duke

The motion was carried.

Following the adoption of the findings, Chairman Duke instructed the Deputy Attorney General to prepare the conclusions of law compatible with the findings and to prepare the Commission's Decision and Order.

HEARING

A80-474 - DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Pursuant to a notice published in the Honolulu Advertiser and the Garden Island on April 30, 1980, and notices sent to all parties, a hearing was conducted by the Land Use Commission in the matter of a petition by the Department of Planning and Economic Development to reclassify approximately 784.65 acres presently in the Conservation District into the Urban District at Kalapaki and Hanamaulu, Lihue, Kauai for the expansion of the Lihue Airport, Docket A80-474.

Appearances

Annette Chock - Deputy Attorney General, representing the petitioner

Michael Belles - County Attorney's Office, representing the Kauai Planning Department

Exhibits

Petitioner's Exhibits A through F were admitted into evidence.

County's written testimony was identified as Exhibit 1 and admitted into evidence.

Staff planner pointed out the location of the subject property on the maps and answered questions from the Commission regarding the area under petition.

Requests to appear as Witnesses

Commissioner Pascua moved to deny the untimely request of Ms. Elizabeth Ann Stone to appear as a public witness, including the denial of admitting her written communication into the record. The motion was seconded by Commissioner Oura and unanimously carried.

Commissioner Pascua moved to waive the time requirements and permit Mr. Charles Trembath to appear as a public witness, The motion was seconded by Commissioner Oura and unanimously carried.

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

Public Witness

Charles Trembath - Resident of Koloa, Kauai

Oral Testimony-----63 to 65

Cross examination by Miss Chock-----66

Cross examination by Mr. Belles-----66 to 67

PETITIONER

Robert S. Chun - Acting Chief Engineer, Airports Division,
State Department of Transportation

Direct examination by Miss Chock-----68 to 75

Cross examination by Mr. Belles-----75 to 79

Tsutomu Izumi - Project Manager for the Lihue Airport Project

Direct examination by Miss Chock-----80

Robert S. Chun (cont.)

Direct examination by Miss Chock (cont.)-----81 to 82

Examination by Commissioner Yuen-----82 to 85

Examination by Commissioner Pascua-----85 to 86

COUNTY OF KAUAI

Tom Shigemoto - Staff Planner, Kauai Planning Department

Direct examination by Mr. Belles-----87 to 88

Cross examination by Miss Chock-----89

Examination by Chairman Duke-----89 to 90

Chairman Duke instructed all parties of the post-hearing procedures regarding the filing of proposed findings, etc.

Mr. Tom Shigemoto was recalled by Counselor Belles to provide information to the Commission concerning the inclusion of the lands in the Conservation District and the County's position relative to this matter.

Both the petitioner and the County waived closing arguments.

The hearing was concluded at 12:33 p.m.