

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

July 16, 1980 - 9:00 a.m.
Conference Room 322 A & B
New State Building
1151 Punchbowl Street
Honolulu, Hawaii

Approved JAN 28 1981

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
Richard Choy
Shinsei Miyasato
Mitsuo Oura
George Pascua
Edward Yanai

COMMISSIONERS ABSENT: Carol Whitesell
William Yuen

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

James Filibeck, Court Reporter

ACTION

A79-467 - GROVE FARM COMPANY, INC.

It was announced by Chairman Duke that action on this petition will be taken via the proposed decision route.

The Executive Officer presented a description of the property and oriented its location with various surrounding landmarks.

It was noted that representatives of both the County and the intervenor were not present today.

Mr. Clinton Shiraishi, petitioner's attorney, and Miss Annette Chock, representing DPED, were given equal time to present their closing arguments.

Commissioner Pascua moved to approve A79-467 to reclassify approximately 86 acres of land presently in the Agricultural District into the Urban District at Puhi and Lihue, Kuaai for residential subdivision and light industrial development. The motion was seconded by Vice Chairman Nakagawa.

Commissioner Choy's amendment to the motion to reclassify only the Puhi portion and deny the Lihue portion died for lack of a second.

The original motion was carried as follows:

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

Nay: Commissioner Choy

Utilizing the proposed findings filed by the petitioner, the Commission adopted its true findings relative to this petition. The County's and DPED's comments to the petitioner's proposed findings were also taken into consideration during the discussion. Mr. Kawada was directed to draw up the Commission's conclusions and order.

A79-468 - PACIFIC BASIN RESORTS

Chairman Duke announced that each party will be allowed equal time for closing arguments as permitted under the proposed decision procedure.

Mr. Jon Miho, representing the petitioner; Mr. Duane Kanuha, Deputy Planning Director, representing the County of Hawaii; and Miss Annette Chock, representing the Department of Planning and Economic Development, presented their closing arguments in support of their positions. Mr. Miho was also afforded time to offer a rebuttal.

Commissioner Oura moved to approve Docket A79-468 to reclassify approximately 155.57 acres of land presently in the Agricultural District into the Urban District at North Kona, Hawaii for residential subdivision. The motion was seconded by Commissioner Pascua.

Commissioner Yanai moved to amend the motion to approve the petition without imposing any conditions. The motion was seconded by Commissioner Miyasato. There were no objections to the amendment from the maker nor seconder of the original motion.

Responding to the concern raised by Commissioner Choy about the total elimination of any condition to the approval of the petition, Commissioner ^{Yanai} elaborated that his amendment was directed at the 4 conditions which had been recommended by DPED; i.e. concerning the highway alignment, the sewage problem, the archaeological study, as well as the HHA proposal.

The motion, as amended, was approved with the following votes:

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

It was decided to use the petitioner's proposed findings in arriving at the Commission's true findings relative to this petition and Counselor Kawada led the discussion.

Mr. Kawada agreed to prepare the Commission's conclusions of law and order in line with the findings just adopted.

The proceedings were adjourned at 12:21 p.m.