

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Resolution Room
Kona Hilton Hotel
Kailua, Kona, Hawaii

Approved
11/13/81

July 22, 1981 - 10:00 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman
Carol Whitesell, Vice Chairman
Richard Choy
Charles Duke
Shinsei Miyasato
Teofilo Tacbian
Robert Tamaye

COMMISSIONERS ABSENT: Everett Cuskaden
Edward Yanai

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

Ray Russell, Court Reporter

HEARING

A81-505 - COLONY ASSOCIATES

Pursuant to a notice published in the Honolulu Advertiser and the Hawaii Tribune Herald on June 3, 1981 and notices sent to all parties, a hearing was held by the Land Use Commission in the matter of a petition by Colony Associates to amend the land use district boundaries for approximately 39 acres of land from the Agricultural District into the Urban District at Puaa 3, North Kona, Hawaii, Docket A81-505.

Appearances

Roy Takeyama, Attorney representing the petitioner

Sidney Fuke, Planning Director, representing Hawaii
Planning Department

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

A description of the property was presented by staff Planner with the aid of the posted USGS and Tax maps.

Exhibits

Petitioner's Exhibits 1 through 9 were identified and admitted into evidence.

County's Exhibits 1 through 9A were identified and admitted into evidence.

DPED's Exhibits 1 and 2 were admitted into evidence.

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

Public Witness

Upon motion by Vice Chairman Whitesell, seconded by Commissioner Tamaye, Ron Graybeal was admitted as a public witness.

Ron Graybeal - Resident of Kailua-Kona

Oral Testimony-----11 to 14

Cross examination by Mr. Takeyama-----15 to 16

Cross examination by Miss Chock-----16 to 17

PETITIONER

Francis S. Oda - Architect and Physical Planner

Direct examination by Mr. Takeyama-----18 to 32

Cross examination by Mr. Fuke-----32 to 37

Cross examination by Miss Chock-----37 to 53

Mr. Takeyama requested that the name of Gerald Daly be replaced with that of Leo Fleming in the records with respect to any reference by the above witness regarding the drainage and roads.

Leo Fleming - Civil Engineer

Direct examination by Mr. Takeyama-----54 to 59

Cross examination by Mr. Fuke-----60 to 63

Cross examination by Miss Chock-----64 to 66

The Commission was in recess from 12:30 p.m. to 1:20 p.m.

1:20 p.m.

Gerald P. Daly - Market Analyst and Economic Planner

Direct examination by Mr. Takeyama-----68 to 80

Cross examination by Mr. Fuke-----80 to 86

Cross examination by Miss Chock-----86 to 95

Examination by Vice Chairman Whitesell-----95 to 96

Examination by Chairman Yuen-----96 to 100

During Mr. Takeyama's examination of Mr. Daly, references were made to population projections, visitor trends, and estimated housing demands. Since the figures quoted were not reflected in any one exhibit, Chairman Yuen suggested that these figures be charted on separate exhibits and the required copies submitted to the Commission and parties.

Mr. Takeyama advised that these charts will be marked as Exhibits 10 (population projections), Exhibit 11 (visitor trends) and Exhibit 12 (estimated housing demands). They were admitted into evidence.

Chairman Yuen noted that Commissioner Duke had excused himself from the meeting at 2:35 p.m. due to a prior commitment.

Michael J. MacFarland - Real Estate Developer

Direct examination by Mr. Takeyama-----101 to 110

Cross examination by Mr. Fuke-----110 to 113

Cross examination by Miss Chock-----113 to 124

Examination by Vice Chairman Whitesell-----124 to 126

Examination by Commissioner Tacbian-----126 to 128

Examination by Chairman Yuen-----128 to 129

HAWAII PLANNING DEPARTMENT

Brian Nishimura - Planner, Hawaii Planning Department

Direct examination by Mr. Fuke-----130 to 141

Cross examination by Miss Chock-----141 to 148

Sidney Fuke - Planning Director

Examination by Vice Chairman Whitesell-----149 to 152

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Tatsuo Fujimoto - Head, Land Use Division

Direct examination by Miss Chock-----152 to 153

Cross examination by Mr. Takeyama-----155 to 158

Cross examination by Mr. Fuke-----159 to 167

Redirect examination by Miss Chock-----167 to 168

All parties waived closing arguments in view of the proposed decision procedure the Commission will follow at the time of the action meeting.

Chairman Yuen instructed all parties of the post-hearing requirements and closed the hearing 4:59 p.m.