

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

House Conference Room 310
Third Floor, State Capitol
Honolulu, Hawaii

Approved
11/22/83

October 5, 1983 - 9:00 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman (9:45 a.m.)
Richard Choy, Vice Chairman
Lawrence Chun
Shinsei Miyasato
Winona Rubin
Robert Tamaye
Frederick Whittemore

COMMISSIONERS ABSENT: Everett Cuskaden
Teofilo Tacbian

STAFF PRESENT: Gordan Furutani, Executive Officer
Raymond Young, Planner
Carolee Aoki, Deputy Attorney General
Dora Horikawa, Chief Clerk

Phyllis Kushiner, Court Reporter

ACTION

A82-542 - KALUA KOI CORPORATION

Chairman Choy announced that the matter before the Commission was a reconsideration of the action taken yesterday; i.e., to reopen the hearing on the 23.8 acre parcel under docket A82-542, Kalua Koi Corporation, for the purpose of receiving additional information.

Commissioner Rubin moved that the petition to reclassify 23.8 acres located at Kaluakoi, Molokai from the Agricultural District into the Urban District be denied. It was seconded by Commissioner Chun. The Commissioners were polled as follows:

Ayes: Commissioners Rubin, Whittemore, Tamaye, Miyasato, Chun

Nay: Chairman Choy

The motion did not carry.

Commissioner Rubin moved that the petition to reclassify 23.8 acres located at Kaluakoi, Molokai from the Agricultural District into the Urban District be approved. It was seconded by Commissioner Chun.

A short executive session was called by the Commission to receive counsel regarding the motion before the Commission.

Commissioner Rubin stated that she had made the foregoing motion merely to facilitate procedures and it was not an indication of her approval of the 23.8 acre parcel. However, since she had been advised that she would have to support her motion, she was withdrawing it at this time. Commissioner Chun, seconder of the motion, also withdrew his second.

Commissioner Whittemore moved to approve the petition for the 23.8 acres at Kaluakoi under docket A83-542. It was seconded by Commissioner Tamaye and the Commissioners were polled as follows:

Ayes: Commissioner Whittemore, Vice Chairman Choy

Nays: Commissioners Chun, Rubin, Miyasato, Tamaye

The motion to approve the 23.8 acre parcel did not carry.

Chairman Yuen joined the Commission to conduct the proceedings at this point.

CONTINUED HEARING

A83-551 - OCEANIC PROPERTIES, INC.

PETITIONER (cont.)

Julian Ng - Traffic Engineer & Transportation Planner, Parsons Brinckerhoff Quade & Douglas, Inc.

Direct examination by Mr. Funaki-----12 to 21

Cross examination by Mr. Lim-----21 to 23

Cross examination by Miss Chock-----23 to 24

Cross examination by Mr. Lee-----25 to 29

Redirect examination by Mr. Funaki-----29 to 32

Julian Ng (cont.)

Examination by Commissioner Rubin-----32 to 34
 Examination by Vice Chairman Choy-----34 to 35
 Examination by Chairman Yuen-----35 to 36
 Examination by Commissioner Chun-----36

Bay Yee - President and Owner, Environment Capital Engineers, Inc.

Direct examination by Mr. Funaki-----37 to 41
 Cross examination by Mr. Lim-----41 to 44
 Cross examination by Mr. Lee-----44 to 50
 Examination by Commissioner Whittemore-----51 to 52
 Examination by Vice Chairman Choy-----52 to 53
 Examination by Chairman Yuen-----53 to 57

CITY DEPARTMENT OF GENERAL PLANNING

Keith Kurahashi - Staff Planner, DGP

Direct examination by Mr. Lim-----57 to 66
 Cross examination by Mr. Funaki-----67 to 78
 Cross examination by Miss Chock-----78 to 81
 Redirect examination by Mr. Lim-----82 to 83
 Examination by Chairman Yuen-----84 to 85
 Examination by Commissioner Chun-----85 to 87

Commissioner Whittemore excused himself from the proceedings at 11:27 a.m.

The Commission was in recess from 11:58 a.m. to 1:30 p.m.

1:30 p.m.

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Kent Keith - Director, DPED

Direct examination by Miss Chock-----88 to 94

Kent Keith (cont.)

- Cross examination by Mr. Lim----- 94 to 107
- Cross examination by Mr. Lee-----107 to 114
- Examination by Commissioner Rubin-----115 to 116
- Examination by Vice Chairman Choy-----116 to 118

Carl E. Swanholm - Science and Technology Officer, DPED

- Direct examination by Miss Chock-----119 to 128
- Cross examination by Mr. Lim-----129 to 132
- Cross examination by Mr. Lee-----132 to 135
- Examination by Commissioner Rubin-----135 to 137

INTERVENOR - Neighborhood Board No. 25

Daniel Mallory - President, Home Owners' Association of Waikalani Woodlands

- Direct examination by Mr. Lee-----137 to 148
- Cross examination by Mr. Funaki-----148 to 156
- Redirect examination by Mr. Lee-----157 to 158
- Examination by Vice Chairman Choy-----158 to 160
- Examination by Commissioner Rubin-----160 to 166

Mr. Francis McMillen, an associate of Mr. Lee, conducted the examination for the Intervenors at this point.

Samuel S. H. Lee - Chairman, Mililani/Waipio/Melemanu Neighborhood Board

- Direct examination by Mr. McMillen-----167 to 183
- Cross examination by Mr. Funaki-----184 to 191

Intervenor's exhibit 7, a set of slides depicting violations of the restrictive covenants of Mililani Town was admitted into evidence by the Chairman. Mr. Lee proceeded with the slide presentation accompanied by his narrative.

At the conclusion of the presentations by all parties, Chairman Yuen announced post-hearing procedures regarding the submittal of proposed findings of fact, conclusions of law, etc., and responses.

The Chairman also advised that unless there is a request from the Commission to reopen the hearing relevant to the additional data which will be submitted by the petitioner regarding traffic accidents at Kipapa Gulch, the hearing was concluded.

The meeting adjourned at 4:55 p.m.