

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room 322 (B & C)
New State Building
Honolulu, Hawaii

Approved
3/7/78

November 14, 1977 - 10:00 a.m.

COMMISSIONERS PRESENT: Stanley Sakahashi, Chairman
Charles Duke, Vice Chairman
James Carras
Colette Machado
Shinsei Miyasato
Shinichi Nakagawa
Mitsuo Oura
Carol Whitesell
Edward Yanai

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

Ray Russell, Court Reporter

ACTION

SP77-280 - ALFRED AND E. EVELYN LAURETA

Special Permit Application to subdivide a 42,229 square foot parcel within the Rural District at Wailua Homesteads, Kauai

Mr. Daniel Yasui, staff planner, described the subject parcel and presented the staff memo . It was further explained that this particular subdivision is comprised of only the subject parcel and the roadway and the variance requested under this Special Permit would qualify under the provisions of Act 140.

Vice Chairman Duke moved that the application be approved, subject to the conditions imposed by the Kauai Planning Commission, which was seconded by Commissioner Nakagawa and unanimously carried.

A76-425 - REX FINANCIAL CORPORATION (cont.)

Chairman Sakahashi announced that at the last meeting, the Commission had voted to go into a proposed decision on the

subject petition and to render a final decision today.

The Executive Officer briefed the Commission on the background and pertinent facts relative to the subject petition, and gave a detailed description of the parcel and surrounding uses. It was also pointed out that, as discussed during the hearing, the Commission had indicated that it would petition to reclassify the crescent-shaped remnant piece and the Titcomb's Cemetery from the Agricultural District into the Urban District.

For the record, it was noted that Mr. Hong, representing the petitioner had transmitted modifications to the Proposed Decision and Order; Mr. Belles representing the Kauai Planning Department had waived any rights to oral argument; and Mr. Fujimoto representing DPED submitted that he waived any rights to oral argument.

The Commission discussed minor changes in the Proposed Decision and Order in which Mr. Hong participated.

Vice Chairman Duke moved to accept the Proposed Findings of Fact and Conclusions of Law, as modified, and to approve the petition. The motion was seconded by Commissioner Whitesell and the Commissioners were polled as follows:

Ayes: Commissioners Yanai, Carras, Duke, Whitesell,
Nakagawa, Oura, Miyasato, Machado, Chairman Sakahashi

The motion was carried.

A76-426 - MASAICHI & HARUE KIMOTO

In the matter of the boundary amendment petition by Masaichi Kimoto and Harue Kimoto, Docket A76-426, on which a hearing was held on June 7, 1977 by Hearing Officer Benjamin Matsubara, a resume of his report was presented by Mr. Matsubara to the Commission.

A general discussion ensued concerning the surrounding land use designations, status of the abutting subdivision, etc.

Vice Chairman Duke noted for the record that the Hearing Officer's Proposed Findings of Fact, Conclusions of Law had been duly served on all the Commission members who have had adequate opportunity to review the document.

Commissioner Oura moved to accept the Hearing Officer's Report with modifications and approve the petition. The motion was seconded by Commissioner Carras and the Commissioners were polled as follows:

Ayes: Commissioners Whitesell, Machado, Oura, Miyasato,
Nakagawa, Carras, Yanai, Duke, Chairman Sakahashi

The motion was unanimously carried.

A77-428 - MICHAEL & CHARLENE DYER

In the matter of the boundary amendment petition by Michael and Charlene Dyer, Docket A77-428, on which a hearing was held on June 8, 1977 by Hearing Officer Benjamin Matsubara, a summary of the proceedings as contained in his report was presented by Mr. Matsubara.

During the discussion, Mr. Matsubara advised that the findings have established there were sufficient criteria and evidence to justify a change from Agricultural to Urban as requested under this petition. However, the question of the ultimate urban use should properly be left to the county's jurisdiction.

Vice Chairman Duke moved to accept the Hearing Officer's Report, as modified, and approve petition A77-428 from the Agricultural District into the Urban District. The motion was seconded by Commissioner Miyasato and the Commissioners were polled as follows:

Ayes: Commissioners Miyasato, Carras, Nakagawa, Oura, Yanai, Machado, Whitesell, Duke, Chairman Sakahashi

The motion was unanimously approved.

Vice Chairman Duke commended the Hearing Officer for his comprehensive and excellent reporting.

ADOPTION OF MINUTES

The minutes of July 6, 1977 and July 7, 1977 were approved as circulated.

Following a discussion of the tentative meeting schedule, the Chair adjourned the meeting.