

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Board Room 132, 1st Floor
Department of Land & Natural Resources
1151 Punchbowl Street
Honolulu, Hawaii

Approved

MAY 6 1981

December 9, 1980 - 9:00 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
Richard Choy
Shinsei Miyasato
Mitsuo Oura
George Pascua
Carol Whitesell
Edward Yanai (2:00 p.m.)
William Yuen

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

Ray Russell, Court Reporter

ACTION

SP80-349 - PRINCEVILLE AT HANAIEI

To allow the development of a golf course at Princeville, Hanalei, Kauai

A resume of the staff report was presented by Mr. Furutani, Executive Officer. The location of the subject property was also pointed out on the maps. Mr. Furutani recommended that should the request be approved, an additional condition be imposed as follows: "The construction of the proposed golf course shall commence within 18 months from the date of approval."

A discussion ensued regarding the soil classification of the subject property, the environmental impact statement, the necessity for the golf course in relation to the different phases of development, etc.

Commissioner Pascua moved to approve SP80-349 to allow the development of a golf course on approximately 329.4 acres of land situated within the State Land Use Agricultural District at

Princeville, Hanalei, Kauai, subject to the conditions imposed by the Kauai Planning Commission and the additional condition that construction of the proposed golf course shall commence within 18 months from the date of approval. The motion was seconded by Commissioner Oura.

Commissioners Whitesell, Yuen and Choy expressed concern over the defective record that was transmitted from the County and also questioned whether the request should have been processed under a boundary amendment petition rather than under a special permit procedure.

The motion was carried with the following votes:

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

Nays: Commissioners Yuen, Whitesell, Choy

CONTINUED ACTION

A80-473 - DONALD E. KRAEMER, INC.

Chairman Duke announced that the Commission had acted to deny the subject petition at a previous meeting, and that the continued action today was for the purpose of adopting the Commission's true findings relative to its decision.

Mr. Allan Kawada, Deputy Attorney General, advised that he had prepared proposed findings which had been distributed to Commission members and all parties for their review.

The Commissioners and Mr. Kawada reviewed in detail the aforementioned proposal together with a proposal which had been prepared by Commissioner Whitesell, making appropriate amendments, deletions, additions, etc. in adopting the Commission's true findings.

Mr. Kawada was directed by the Chairman to prepare the Commission's conclusions of law and decision and order based on the findings just adopted.

ACTION (cont.)

SP80-350 - MOLOKAI ELECTRIC COMPANY, LTD.

Special Permit to allow the construction and operation of a power generating facility at Naiwa and Kahanui, Molokai

Staff Planner pointed out the location of the subject property on the maps and oriented its location with various surrounding landmarks. A summary of the staff memo was also presented.

Commissioner Miyasato moved to approve SP80-350 to allow the construction and operation of a power generating facility on approximately 50.099 acres of land situated within the State Land Use Agricultural District at Naiwa and Kahanui, Molokai. It was seconded by Commissioner Pascua.

At Mr. Kawada's suggestion, and since there were no objections from the maker or seconder of the motion, County's condition No. 2 was amended by adding "upon favorable review by the Planning Commission and the State Land Use Commission".

The motion was unanimously carried.

The Commission recessed for lunch at 11:59 a.m. and reconvened at 2:00 p.m.

2:00 p.m.

It was noted for the record that the Commission had been joined by Commissioner Yanai.

A79-469 - MSM & ASSOCIATES, INC.

It was announced by Chairman Duke that action on the petition by MSM & Associates, Inc. will be conducted via the proposed decision route.

Chairman Duke determined from the Commissioners that those who had been absent during any part of the hearing on this petition had read the transcript of those proceedings.

Appearances

Harry Kim, Attorney representing the petitioner

Steven Lim, Deputy Corporation Counsel, representing the City Department of General Planning

Annette Chock, Deputy Attorney General, representing DPED

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

Oral Arguments

All of the parties were given equal time to present their

closing arguments. Mr. Kim was afforded additional time for rebuttal.

Vice Chairman Nakagawa moved that Docket A79-469, MSM & Associates, Inc. to reclassify approximately 181 acres of land presently in the Agricultural District into the Urban District at Oneula, Honouliuli, Ewa, Oahu for residential use be approved. The motion was seconded by Commissioner Miyasato.

Commissioner Yuen spoke in opposition to the motion based on his assessment that the petitioner had not satisfactorily demonstrated the need for the amendment, the inadequacy of public services to support the proposed project, and the lack of evidence to support the petitioner's financial capability to carry out the proposed development. He was also troubled by the conflict with the City & County's proposed development plan. Commissioner Choy expressed similar concerns.

Vice Chairman Nakagawa spoke in favor the petition and added that a project such as that being proposed by the developer would be an improvement of the Ewa Beach area.

Chairman Duke disagreed with the views expressed by Commissioner Yuen and elaborated on his reasons for supporting the petition.

The Commissioners were polled as follows:

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

Nays: Commissioners Yuen, Whitesell

The motion was carried.

The Chairman requested that Mr. Kawada examine all of the proposals and responses that had been filed with the Commission relative to this petition and to consolidate them into one document for the Commission's review tomorrow when it reconvenes to adopt the true findings.

It was announced that the meeting will reconvene at 9:30 tomorrow morning at the same location.

The meeting was adjourned at 3:55 p.m.