

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of ) Docket No. BR94-702  
THE OFFICE OF STATE PLANNING, )  
STATE OF HAWAII ) ORDER DENYING KEALAKEKUA  
 ) DEVELOPMENT CORPORATION'S  
 ) MOTION TO STAY HEARING  
To Amend the State Land Use ) ON OFFICE OF STATE  
Agricultural District Boundary ) PLANNING'S PETITION FOR  
into the Conservation Land Use ) LAND USE DISTRICT BOUNDARY  
District for Approximately 10,895 ) AMENDMENT AND FIRST AMENDED  
Acres of Land at Kealakekua, ) PETITION FOR LAND USE  
South Kona, Hawaii, TMK No.: ) DISTRICT BOUNDARY AMENDMENT  
8-2-12: 1 (por.) and 13 )  
\_\_\_\_\_ )

ORDER DENYING KEALAKEKUA DEVELOPMENT  
CORPORATION'S MOTION FOR STAY HEARING ON  
OFFICE OF STATE PLANNING'S PETITION FOR LAND  
USE DISTRICT BOUNDARY AMENDMENT AND FIRST AMENDED  
PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT

LAND USE COMMISSION  
STATE OF HAWAII  
MAY 31 2 47 PM '94

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )	Docket No. BR94-702
THE OFFICE OF STATE PLANNING, )	ORDER DENYING KEALAKEKUA
STATE OF HAWAII )	DEVELOPMENT CORPORATION'S
To Amend the State Land Use )	MOTION TO STAY HEARING
Agricultural District Boundary )	ON OFFICE OF STATE
into the Conservation Land Use )	PLANNING'S PETITION FOR
District for Approximately 10,895 )	LAND USE DISTRICT BOUNDARY
Acres of Land at Kealakekua, )	AMENDMENT AND FIRST AMENDED
South Kona, Hawaii, TMK No.: )	PETITION FOR LAND USE
8-2-12: 1 (por.) and 13 )	DISTRICT BOUNDARY AMENDMENT
_____ )	

ORDER DENYING KEALAKEKUA DEVELOPMENT  
CORPORATION'S MOTION TO STAY HEARING ON  
OFFICE OF STATE PLANNING'S PETITION FOR LAND  
USE DISTRICT BOUNDARY AMENDMENT AND FIRST AMENDED  
PETITION FOR LAND USE DISTRICT BOUNDARY AMENDMENT

Kealakekua Development Corporation's ("KDC") Motion to Stay Hearing on Office of State Planning's Petition for Land Use District Boundary Amendment and First Amended Petition for Land Use District Boundary Amendment ("Motion to Stay Hearing") filed herein on April 29, 1994, came on for hearing before the Land Use Commission, State of Hawaii ("Commission") on May 19, 1994, at its meeting in Kailua, Kona, Hawaii. The meeting was duly noticed and five commissioners were present constituting a quorum. Rick J. Eichor, Esq., appeared on behalf of Petitioner OSP; Sandra Pechter Schutte, Esq., appeared on behalf of Intervenor Kealakekua Development Corporation ("KDC"); Derek R. Kobayashi, Esq. appeared on behalf of Intervenor Kealakekua


Ranch, Ltd. ("KRL"); and Richard D. Wurdeman, Corporation Counsel for the County of Hawaii, appeared on behalf of the Planning Department, County of Hawaii.

Having considered the oral and written arguments of counsel and the records and files herein and good cause appearing therefore;

IT IS HEREBY ORDERED that KDC's Motion to Stay Hearing be and is hereby DENIED.

Dated: Honolulu, Hawaii, May 31, 1994.

LAND USE COMMISSION  
STATE OF HAWAII

By   
JOANN N. MATTSON  
Chairperson and Commissioner

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of ) Docket No. BR94-702  
THE OFFICE OF STATE PLANNING, )  
STATE OF HAWAII ) CERTIFICATE OF SERVICE  
To Amend the State Land Use )  
Agricultural District Boundary )  
into the Conservation Land Use )  
District for Approximately 10,895 )  
Acres of Land at Kealahou, )  
South Kona, Hawaii, TMK No.: )  
8-2-12: 1 (por.) and 13 )

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Denying Kealahou Development Corporation's Motion to Stay Hearing on Office of State Planning's Petition for Land Use District Boundary Amendment and First Amended Petition for Land Use District Boundary Amendment was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by certified mail:

- CERT. RICK EICHOR, ESQ., Attorney for Petitioner  
Deputy Attorney General  
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425 Queen Street  
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- DEL. HAROLD S. MASUMOTO, Director  
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- CERT. VIRGINIA GOLDSTEIN, Director  
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25 Aupuni Street  
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- CERT. SANDRA PECHTER SCHUTTE, Esq., Attorney for  
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CERT. DEREK KOBAYASHI, ESQ., Attorney for  
Kealakekua Ranch , Ltd.  
Goodsill Anderson Quinn & Stifel  
Ali'i Place, Suite 1800  
1099 Alakea Street  
Honolulu, HI 96813

Dated: Honolulu, Hawaii, this 31st day of May 1994.



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ESTHER UEDA  
Executive Officer