

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
OBAYASHI HAWAII CORPORATION)
)
To Amend the State Land Use)
Agricultural District Boundary)
into the Urban Land Use District)
for Approximately 57.3 Acres at)
Paumalu, Koolauloa, Oahu, Hawaii,)
TMK No.: 5-9-06: 24 (por.))
_____)

Docket No. A93-700
ORDER DENYING MOTION
FOR CONTINUANCE OF
HEARING ON PETITION

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LAND USE COMMISSION
HONOLULU, HAWAII

ORDER DENYING MOTION FOR
CONTINUANCE OF HEARING ON PETITION

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OF THE STATE OF HAWAII

In the Matter of the Petition of)	Docket No. A93-700
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OBAYASHI HAWAII CORPORATION)	ORDER DENYING MOTION
)	FOR CONTINUANCE OF
To Amend the State Land Use)	HEARING ON PETITION
Agricultural District Boundary)	
into the Urban Land Use District)	
for Approximately 57.3 Acres at)	
Paumalu, Koolauloa, Oahu, Hawaii,)	
TMK No.: 5-9-06: 24 (por.))	
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ORDER DENYING MOTION FOR
CONTINUANCE OF HEARING ON PETITION

On March 8, 1994, Intervenor Kamuela Price filed a Motion for Continuance of Hearing on Petition ("Motion") in this proceeding pursuant to Sections 15-15-60 and 15-15-70, Hawaii Administrative Rules ("HAR"). Attached in support of the Motion was an Affidavit of Intervenor Kamuela Price stating his inability to review Petitioner's exhibits and prepare cross-examination of Petitioner's witnesses as well as to prepare his case and obtain his witnesses by the Commission's March 23, 1994 hearing in this proceeding. Although the Intervenor's status had not yet been determined by the Commission, Maui Loa, Walter R. Schoettle, and the Church of Hawaii Nei, by and through Kamuela Price, appeared and actively participated at a Pre-hearing Conference held on February 22, 1994. Petitioner's witness and exhibit lists were exchanged and discussed at the Pre-hearing Conference.

On March 15, 1994, Obayashi Hawaii Corporation ("Petitioner") opposed the Motion by filing its Memorandum in Opposition to Motion for Continuance.


The Motion came on for hearing at Honolulu, Hawaii, on March 23, 1994. The City and County of Honolulu Planning Department and the Office of State Planning argued that it had no objections to the Motion. Walter R. Schoettle orally moved to join in the Motion on behalf of Intervenor Maui Loa.

This Commission, having considered the arguments presented by all the parties in this proceeding and the record in this proceeding, and there being no good cause shown;

IT IS HEREBY ORDERED that the Motion for Continuance of Hearing on Petition be and is hereby DENIED; provided that Intervenor shall be given a further opportunity during the hearing to complete their respective cross-examination of only Petitioner's witnesses called during the Commission's hearing held on March 23 and 24, 1994.

Dated: Honolulu, Hawaii, May 6, 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. A93-700
OBAYASHI HAWAII CORPORATION) CERTIFICATE OF SERVICE
To Amend the State Land Use)
Agricultural District Boundary)
into the Urban Land Use District)
for Approximately 57.3 Acres at)
Paumalu, Koolauloa, Oahu, Hawaii,)
TMK No.: 5-9-06: 24 (por.))
_____)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Denying Motion For Continuance of Hearing on Petition was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

HAROLD S. MASUMOTO, Director
Office of State Planning
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CERT. ROBIN FOSTER, Chief Planning Officer
Planning Department
City and County of Honolulu
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CERT. LYLE HARADA, ESQ., Attorney for Petitioner
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CERT. KAMUELA PRICE, INTERVENOR
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Haleiwa, Hawaii 96712

CERT. WALTER SCHOETTLE, ESQ., Attorney for Intervenor Maui Loa
Suite 1012
1088 Bishop Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 6th day of May 1994.



ESTHER UEDA
Executive Officer