

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Orchid and Hibiscus Room
Outrigger Kauai Beach Hotel
4331 Kauai Beach Drive
Lihue, Kauai

March 14, 1996

COMMISSIONERS PRESENT: Allen K. Hoe
Lloyd Kawakami
Merle A.K. Kelai
JoAnn Mattson
Rupert K. Chun
Eusebio Lapenia, Jr.
Trudy K. Senda

approved
3/27/96

COMMISSIONERS ABSENT: Elton Wada
M. Casey Jarman

STAFF PRESENT: Esther Ueda, Executive Officer
Jon Itomura, Esq., Deputy Attorney
General
Leo Asuncion, Jr., Staff Planner
Darlene Y. Kinoshita, Chief Clerk
Evelyn Miyata, Court Reporter

Chairperson Hoe called the meeting to order.

ACTION

A88-631 - HEMMETER-VMS KAUAI CO. V (Kauai)

Chairperson Hoe announced that the Commission would take action to consider an Order to Show Cause as to whether certain land located at Kalapaki, Lihue, Kauai, and identified at TMK: 3-5-01: Portion 102, should not revert to its former Agricultural Land Classification or be changed to a more appropriate classification due to the landowners failure to perform according to representations made to the Commission in obtaining reclassification of the subject area.

Appearances

Lorna Rosa, Esq., Attorney for Kauai Lagoons
Danny Navarro, Kauai Lagoons
Russ Talvi, Kauai Lagoons

Jonathan Chun, Esq., Deputy County Attorney, County of
Kauai

Keith Nitta, Planning Department, County of Kauai

Ann Ogata-Deal, Esq., Deputy Attorney General, Office
of State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

Trudy K. Senda, Hearing Officer

Leo Asuncion, Jr., staff planner, oriented the
Commission to the area pertaining to the order to show cause on
the Land Use District Boundaries and tax maps.

Trudy K. Senda, Hearing Officer, presented her report
and recommendations to the Commissioners.

A statement in regards to the hearing officer's report
was heard from Ms. Rosa.

Commissioner Kelai moved to adopt the hearing officer's
report and recommendations. The motion was seconded by
Commissioner Lapenia and polled as follows:

Ayes: Commissioner Kawakami, Kelai, Lapenia, Mattson,
Chun, Senda, and Hoe.

A76-418 - MOANA CORPORATION (Kauai)

Pursuant to a notice published in the Garden Island and
Honolulu Advertiser on January 18, 1996 and notices sent to all
parties, a hearing on an Order to Show Cause as to whether
certain land located at Poipu, Kauai, and identified as TMK: 2-8-
14: 08, Por. 19, Por. 26, 28, 30, 32-35 and 2-8-15: 77, should
revert to its former Agricultural Land Classification or be
changed to a more appropriate classification due to the
landowners failure to perform according to representations made
to the Commission in obtaining reclassification of the subject
area.

Appearances

Roy Vitousek, III, Esq., Attorney for First Hawaiian
Bank and Hawaiian Trust Co.

Grace Kido, Esq., Attorney for First Hawaiian Bank and
Hawaiian Trust Co.

Shulammite Kim, Esq., Attorney for Sports Shinko

Ray Okada, Esq., Attorney for ten beneficiaries

Jonathan Chun, Esq., Deputy County Attorney, County of
Kauai

Keith Nitta, Planning Department, County of Kauai

Ann Ogata-Deal, Esq., Deputy Attorney General, Office
of State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

Further arguments on the motion to continue were heard
from Mr. Vitousek, Mr. Chun, Ms. Ogata-Deal, and Mr. Okada.

Chairperson Hoe approved the motion to continue hearing
until appropriate parties are known.

The meeting was adjourned at 10:00 a.m.