

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. A76-418
	)	
MOANA CORPORATION	)	ORDER GRANTING MOTION TO
	)	ISSUE ORDER TO SHOW
To Amend the Agricultural Land Use	)	CAUSE
District Boundary into the Urban	)	
Land Use District for Approximately	)	
457.54 Acres of Land Situated at	)	
Poipu, Island of Kauai, State of	)	
Hawai'i, TMK: 2-8-14: 05, 07, 08,	)	
por. 19, 20, 21, 26-36; 2-8-15: 77;	)	
2-8-29: 1-94	)	
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ORDER GRANTING MOTION TO ISSUE ORDER TO SHOW CAUSE

On October 3, 1995, at its meeting in Lihue, Kauai, the Land Use Commission ("Commission") orally moved to determine whether Order to Show Cause proceedings, pursuant to section 15-15-93, Hawai'i Administrative Rules ("HAR") should be initiated in LUC Docket No. A76-418/Moana Corporation.

The motion was made based on the unresolved matter as to whether the petitioner is in compliance, substantially or otherwise, or whether the petitioner is in violation of Condition No. 9 imposed in the Decision and Order filed on July 11, 1977 and subsequently amended by Orders filed on July 5, 1978 and December 17, 1979.

On November 2, 1995, the Commission held a meeting in Honolulu, Oahu, to act upon its oral motion.

The current landowners, Sports Shinko (Kauai) Co., Ltd. the First Hawaiian Bank, as Trustee of the Eric A. Knudsen Trust,

and Hawaiian Trust Company, Limited, as Trustee of the Augustus F. Knudsen Trust (collectively "Successor Petitioner"), and the Office of State Planning provided arguments during the meeting. The County of Kauai Planning Department was not present at the meeting.

Based on arguments presented, the Commission clarified its oral motion that the initiation of Order to Show Cause Proceedings would be on lands that are undeveloped and not affect those lands within the reclassified area that are substantially developed.

The Commission, having heard and examined all arguments provided by the parties, and having reviewed the entire record herein, and for good cause shown;

NOW HEREBY ORDERS the issuance of an Order to Show Cause in the subject docket as to why undeveloped portions of the Property reclassified from the Agricultural District into the Urban District should not revert to its former land use classification or be changed to a more appropriate classification, pursuant to section 15-15-93, Hawai'i Administrative Rules.

Dated: Honolulu, Hawai'i November 14, 1995.

LAND USE COMMISSION  
STATE OF HAWAI'I

  
By ALLEN K. HOE  
Chairperson and Commissioner

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAI'I

In the Matter of the Petition of )  
MOANA CORPORATION )  
To Amend the Agricultural Land Use )  
District Boundary into the Urban )  
Land Use District for Approximately )  
457.54 Acres of Land Situated at )  
Poipu, Island of Kauai, State of )  
Hawai'i, TMK: 2-8-14: 05, 07, 08, )  
por. 19, 20, 21, 26-36; 2-8-15: 77; )  
2-8-29: 1-94 )  
\_\_\_\_\_ )

DOCKET NO. A76-418

ORDER GRANTING MOTION TO  
ISSUE ORDER TO SHOW  
CAUSE

This is to certify that this is a true and correct  
copy of the document on file in the office of the  
State Land Use Commission, Honolulu, Hawaii.

NOV 14 1995

Date

by

*Robert Lead*  
Executive Officer

ORDER GRANTING MOTION TO ISSUE ORDER TO SHOW CAUSE

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LAND USE COMMISSION  
STATE OF HAWAII

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAI'I

In the Matter of the Petition of ) DOCKET NO. A76-418  
MOANA CORPORATION ) CERTIFICATE OF SERVICE  
To Amend the Agricultural Land Use )  
District Boundary into the Urban )  
Land Use District for Approximately )  
457.54 Acres of Land Situated at )  
Poipu, Island of Kauai, State of )  
Hawai'i, TMK: 2-8-14: 05, 07, 08, )  
por. 19, 20, 21, 26-36; 2-8-15: 77; )  
2-8-29: 1-94 )

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Motion to Issue Order to Show Cause was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

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4392 Waialo Road  
Eleele, Hawaii 96705

DATED: Honolulu, Hawaii, this 14th day of November 1995.

  
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ESTHER UEDA  
Executive Officer