

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

County Council Chambers
Lihue, Kauai
July 12, 1979 - 9:30 a.m.

Approved
JAN 8 1980

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
Shinsei Miyasato
Mitsuo Oura
Carol Whitesell
William Yuen

COMMISSIONERS ABSENT: James Carras
George Pascua
Edward Yanai

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

Ray Russell, Court Reporter

ACTION (continuation)

A76-418 - MOANA CORPORATION

It was announced by the Chairman that this meeting today was a continuation of action on a motion filed by Moana Corporation to amend conditions originally imposed in the Decision and Order of the Land Use Commission, Docket A76-418.

COUNTY OF KAUAI (cont.)

Eugene Jiminez - Housing Administrator for County of Kauai

Direct examination by Mr. Belles-----110 to 111
Cross examination by Miss Chock-----112 to 114
Cross examination by Miss Tico-----114 to 119
Redirect examination by Mr. Belles-----119 to 120
Examination by Commissioner Yuen-----120 to 124

Avery Yoon - Deputy Planning Director, Kauai Planning Dept.

Direct examination by Mr. Belles-----125

Examination by Commissioner Whitesell-----125 to 128

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Esther Ueda - Planner

Cross examination by Mr. Belles-----130 to 132

Cross examination by Miss Tico-----132 to 135

INTERVENORS (cont.)

Charles Russell - Koloa Resident

Direct examination by Miss Tico-----137 to 144

Cross examination by Mr. Hong-----144 to 152

Cross examination by Mr. Belles-----152 to 153

Cross examination by Miss Chock-----153 to 154

Examination by Commissioner Yuen-----154 to 156

Dorothy Tao - Board Member, Koloa Community Association

Direct examination by Miss Tico-----157 to 164

Examination by Commissioner Yuen-----165 to 166

County's Exhibit F was admitted into evidence at this time, with the previous evening's objections by the intervenors noted.

CLOSING ARGUMENTS

Mr. Hong for Petitioners-----169 to 170

Mr. Belles for County of Kauai-----170 to 171

Miss Chock for DPED-----171 to 172

Miss Tico for Intervenors-----172 to 179

The Commission went into executive session at 12:08 a.m. and also adjourned for lunch and reconvened at 1:45 p.m.

1:45 p.m.

Chairman Duke explained that during the executive session the Commission received counsel regarding the legality of the County's unsigned ordinance, marked Exhibit F, and whether the Commission could condition amendments to the original conditions.

Commissioner Yuen moved to amend condition No. 9 by substituting the words "from March 23, 1979, the date of granting of the rezoning of the subject site by the County of Kauai" in lieu of the words "from the date of the Decision and Order". It was seconded by Vice Chairman Nakagawa and unanimously carried.

Commissioner Yuen moved to defer action on petitioner's proposed amendment to conditions 1, 2, 3 and 4 for a period of 60 days. It was seconded by Vice Chairman Nakagawa and passed. Commissioner Whitesell cast the only dissenting vote.

There being no further business, the meeting was adjourned at 2:33 p.m.