

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN of public hearings to be held by the Hawaii Community Development Authority (“HCDA”), a body corporate and a public instrumentality of the State of Hawaii, pursuant to the provisions of Hawaii Administrative Rules (“HAR”) Chapters 15-219 and 15-217 and Hawaii Revised Statutes Section 206E-5.6.

DATES: October 7, 2015 Hearing
1:00 p.m.

October 8, 2015 Hearing
9:00 a.m.

December 2, 2015 Decision-Making Hearing
1:00 p.m.

PLACE: 547 Queen Street, 2nd Floor
Honolulu, Hawaii 96813

or as soon thereafter as those interested may be heard to consider the following items:

Petition Filing Date: August 5, 2015

Affected Development Permit No.: KAK 12-109 (801 South Street, Building A)

Petitioner: Downtown Capital, LLC

Affected Tax Map Key(s): (1) 2-1-047: 003

Affected Address: 801 South Street, Honolulu, Hawaii 96813

Description: Pursuant to HAR § 15-219-98, Petitioner Downtown Capital, LLC requests that the HCDA amend Development Permit No. KAK 12-109 by waiving or permanently suspending the requirement of HAR § 15-217-55(k)(2) for the 801 South Street, Building A project and that such waiver or permanent suspension be retroactive to December 5, 2012.

Interested persons may move to intervene and be made a party to this proceeding by filing a timely written motion with 30 copies at the HCDA office at 547 Queen Street, Honolulu, Hawaii 96813, in accordance with HAR § 15-219-49, by no later than 4:30 p.m. on September 14, 2015, with copies served on the Petitioner at 215 North King Street, Suite 1000, Honolulu, Hawaii 96817. The Authority will act on any motions to intervene on October 7, 2015 at which point all the parties to this proceeding will be established.

The purpose of the October 7, 2015 and October 8, 2015 hearings is to allow the Petitioner to present its Petition for waiver and suspension of HAR § 15-217-55(k)(2), allow any intervening parties to present their respective cases, and afford the public the opportunity to comment on the Petition.

The purpose of the December 2, 2015 decision-making hearing is to allow for public testimony on the above-listed Petition prior to decision-making by the Authority. If the Authority adopts a proposed decision and order which is adverse to a party to the proceeding at the December 2, 2015 hearing, the parties to the proceeding will be allowed to file written comments or exceptions to the proposed decision and order and the Authority will engage in final decision-making at a hearing to be held on January 6, 2016.

Any party may retain counsel or appear on his/her own behalf or send a representative if the party is a partnership, corporation, trust, or association.

Copies of the Petition are available for inspection during regular business hours at the office of the HCDA, at 547 Queen Street, 5th Floor, Honolulu, Hawaii 96813 or will be mailed to anyone who requests a copy after payment has been made for copying and postage costs. To request a copy of the Petition or submit written comments or testimony, please contact the HCDA. Written public testimony will be accepted through the HCDA website at www.hcdaweb.org up to 12:00 p.m. the day before the respective public hearing dates (herein "Written Testimony Deadline"). Persons wishing to submit public testimony after the Written Testimony Deadline are encouraged to appear in person at the public hearing to present oral testimony, as the HCDA cannot guarantee that any written testimony submitted after the Written Testimony Deadline will be incorporated into the record. Persons who intend to present oral testimony on the Petition shall sign-up at the beginning of each public hearing. Persons who intend to submit written testimony shall submit 30 copies of their statements up to 12:00 p.m. the day before the public hearing date. Please be advised that any written public testimony submitted to the HCDA will be treated as a public record and, as such, any contact information contained therein may be available for public inspection and copying. The Chairperson may limit public oral testimony to three minutes per speaker and speakers may be subject to questioning by the members of the Authority or by any other representative of the Authority. For questions or concerns, please call the office of the HCDA at 594-0300.

Individuals who need auxiliary aids for effective communication are invited to contact Ms. Lindsey Doi, HCDA's ADA Compliance Coordinator at 594-0300, or by facsimile at 587-0299 at least five working days prior to the date required.

HAWAII COMMUNITY DEVELOPMENT AUTHORITY
JOHN WHALEN, CHAIRPERSON