

ORIGINAL

CADES SCHUTTE
A Limited Liability Law Partnership

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OCT 07 2021
STATE OF HAWAII
LAND USE COMMISSION

Attorneys for Petitioner
PŪLAMA LĀNAʻI

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

PŪLAMA LĀNAʻI,

To Amend The Agriculture Land Use
District Boundaries Into the Urban Land
Use District for approximately 56.436
acres of land, consisting of a portion of
Tax Map Key No. (2) 4-9-002:061 (por.)
and (2) 4-9-014:001 (por.) at Lānaʻi City,
Island of Lānaʻi, County of Maui, State
of Hawaiʻi.

DOCKET NO. A21-810

**AFFIDAVIT OF CHRISTOPHER T.
GOODIN ATTESTING TO
PUBLICATION OF NOTICE OF
HEARING; EXHIBIT 1**

CERTIFICATE OF SERVICE

**AFFIDAVIT OF CHRISTOPHER T. GOODIN ATTESTING TO
PUBLICATION OF NOTICE OF HEARING ON
A LAND USE DISTRICT BOUNDARY AMENDMENT PETITION**

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

)
)
)
SS.
)

CHRISTOPHER T. GOODIN, being first duly sworn on oath, deposes and says:

1. I am counsel for LĀNA'I RESORTS, LLC dba Pūlama Lāna'i, a limited liability company ("Petitioner"), am duly authorized to make this affidavit on behalf of Petitioner, and I do so upon personal information and belief.

2. This affidavit is made to comply with Section 15-15-51(c), Hawai'i Administrative Rules ("HAR") for the Land Use Commission of the State of Hawai'i ("Commission").

3. On October 7, 2021, Petitioner caused the Notice of Hearing, in the form attached as Exhibit 1, to be published in the Honolulu Star Advertiser, a newspaper of general circulation in the State of Hawai'i and in the City and County of Honolulu, and in the Maui News, a newspaper of general circulation in the County of Maui where the subject property is located.

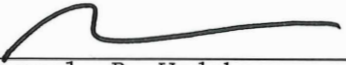
4. Petitioner will file with the Commission the newspapers' affidavits verifying publication once they have been received.

Further, Affiant sayeth naught.

DATED: Honolulu, Hawai'i, October 7, 2021.

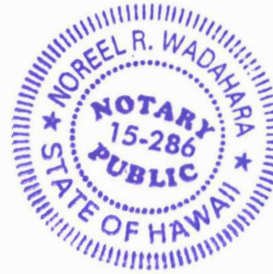

CHRISTOPHER T. GOODIN

Subscribed and sworn to before me this
7th day of October, 2021.



Noreel R. Wadahara

Notary Public, State of Hawaii
My commission expires: August 9, 2023



NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Affidavit of

Christopher T. Goodin Attesting to Publication of
Notice of Hearing

Doc. Date: 10/07/2021 or ☐ Undated at time of
notarization.

No. of Pages: 7 Jurisdiction: First Circuit
Circuit

(in which notarial act is performed)



Signature of Notary

10/07/2021
Date of Notarization and
Certification Statement

Noreel R. Wadahara (Official Stamp or Seal)
Printed Name of Notary Date of notary commission expiration: August 9, 2023



Exhibit 1

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN pursuant to Chapter 91, Hawai'i Revised Statutes ("HRS"), and Sections 15-15-51 and 15-15-97, Hawai'i Administrative Rules ("HAR"), Title 15, Subtitle 3, Chapter 15, as amended, the Land Use Commission ("Commission") will conduct a hearing to consider a petition for a change of district boundaries as provided for in Section 205-4 and Section 201H-38, HRS, as amended:

DATE, TIME AND PLACE

November 10, 2021, 9:00 a.m.

Via ZOOM Virtual Video Conferencing Technology on November 10, 2021, at 9:00 a.m. (Interested parties should look to the LUC Meeting Notice Agenda for November 10, 2021 posted on the LUC website (luc.hawaii.gov) for a final determination of location).

DOCKET NUMBER

A21-810

IDENTIFICATION OF PETITIONER

LĀNA'I RESORTS, LLC dba Pūlama Lāna'i
733 Bishop Street, Suite 1500
Honolulu, Hawai'i 96813

TAX MAP KEY NO.

The subject property is comprised of portions of two separate parcels identified as Tax Map Key Nos. (2) 4-9-002:061 (por.) and (2) 4-9-014:001 (por.) (together, the "Petition Area"). Petitioner is the sole fee owner of both of these parcels.

PROPOSED RECLASSIFICATION

Petitioner requests to reclassify the Petition Area from the State Land Use Agricultural District to the State Land Use Urban District.

PROJECT DESCRIPTION

Petitioner requests a reclassification of 56.436 acres situated at Lāna'i City, Lāna'i Island, County of Maui, State of Hawai'i, from the State Land Use Agricultural District to the State Land Use Urban District to allow for a sustainable residential development to repurpose and revitalize the Petition Area. The Hōkūao 201H Housing Project ("Hōkūao"), when fully built-out,

will consist of approximately 150 single-family homes for rent. Seventy-six of the units will be available exclusively for rent to households falling within the HUD low-income guidelines, adjusted for Lānaʻi by the County of Maui Department of Housing and Human Concerns. The remaining units will be offered for rent at market rates. Lot sizes will be approximately 8,000-square feet. Hōkūao will also include a one-acre park, pedestrian and bicycle path with three small pocket parks along the edge of the project, a 1,500 square-foot community center for use by the Lānaʻi community, and a 60 stall parking area. Ninth and Twelfth Streets, which are currently dirt roads, will be improved as part of this proposed development. Hōkūao qualifies as an affordable housing project under Chapter 201H, HRS. Petitioner is seeking exemption from State and County land use regulations and is proceeding under the fast-track procedures provided under HRS Section 201H-38.

A copy of the Petition for District Boundary Amendment will be available on the State Land Use Commission's website (luc.hawaii.gov) on or after October 18, 2021. A copy of the petition may also be inspected on or after October 18, 2021, at the offices of the State Land Use Commission, 235 South Beretania Street, Room 406, Honolulu, Hawaiʻi 96813 during office hours from 8:00 a.m. to 4:00 p.m. (except legal holidays), subject to the requirements for entrance to State facilities outlined in the governor's emergency proclamation order.

All persons or individuals wishing to present testimony, orally or in writing, are requested to notify the Commission prior to the commencement of the hearing. Together with other witnesses that the Commission may desire to hear at the hearing, a representative of a citizen or a community group wishing to express the views of such citizen or community group concerning the above matter is requested to notify the Commission prior to the commencement of the hearing and may be requested to submit written evidence of authorization to represent the citizen or community group. It is suggested that such notification be submitted to the Commission by October 21, 2021.

Any party to the proceeding may be represented by legal counsel. An individual may appear on the individual's own behalf, or a member of a partnership may represent the partnership, or an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.

For persons requesting special accommodations due to disabilities, please contact the Commission at 587-3822 or notify the Commission in writing at P.O. Box 2359, Honolulu, Hawaiʻi, 96804-2359, at least 10 days before the scheduled meeting.

LAND USE COMMISSION

JONATHAN LIKEKE SCHEUER, Chairperson

By DANIEL E. ORODENKER, Executive Officer

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

PŪLAMA LĀNA'I,
To Amend The Agriculture Land Use
District Boundaries Into the Urban Land
Use District for approximately 56.436 acres
of land, consisting of a portion of Tax Map
Key No. (2) 4-9-002:061 (por.) and (2) 4-9-
014:001 (por.) at Lāna'i City, Island of
Lāna'i, County of Maui, State of Hawai'i.

DOCKET NO. A21-810

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned hereby certify that on this date, a copy of the foregoing document was duly served on the following persons at their last known address by depositing a copy in the U.S. mail, postage prepaid:

County of Maui Corporation Counsel

MOANA LUTEY
Corporation Counsel
MICHAEL HOPPER
Deputy Corporation Counsel
200 S. High St
Kalana O Maui Bldg, 3rd Fl
Wailuku, HI 96793
Email: michael.hopper@co.maui.hi.us

County of Maui Planning Department

MICHELE McLEAN
Director
2200 Main Street
One Main Plaza, Suite 315
Wailuku, HI 96793
Email: michele.mclean@co.maui.us

State Office of Planning and Sustainable Development

MARY ALICE EVANS
Director
Office of Planning
P.O. Box 2359
Honolulu, HI 96804-2359
Email: maryalice.evans@hawaii.gov

Office of the Attorney General

ALISON KATO
Deputy Attorney General
425 Queen Street
Honolulu, HI 96813
Email: alison.s.kato@hawaii.gov

DATED: Honolulu, Hawai'i, October 7, 2021.

CADES SCHUTTE
A Limited Liability Law Partnership



CALVERT G. CHIPCHASE
CHRISTOPHER T. GOODIN
STACEY F. GRAY
MOLLY A. OLDS
Attorneys for Petitioner
PŪLAMA LĀNA'I