

ORIGINAL

CADES SCHUTTE
A Limited Liability Law Partnership

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Attorneys for Petitioner
PŪLAMA LĀNAʻI

LAND USE COMMISSION
STATE OF HAWAII

2021 OCT 21 A 10:36

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 PUBLICATION OF
NOTICE OF HEARING; EXHIBITS
1-2**

CERTIFICATE OF SERVICE

**AFFIDAVITS OF PUBLICATION OF NOTICE HEARING ON
A LAND USE DISTRICT BOUNDARY AMENDMENT PETITION**

CADES SHUTTE, LLP submits the following AFFIDAVITS OF PUBLICATION
of Lisa Sakakida Oahu Publications, Inc., publisher of The Honolulu Star
Advertiser and AFFIDAVIT OF PUBLICATION of Kara

Durr with Maui Publishing Co., Ltd., publisher of The Maui News, newspapers of general circulation within the State of Hawai‘i and County of Maui. See Exhibit 1 (Affidavit of Lisa Sakakida); Exhibit 2 (Affidavit of Kara Durr). These affidavits are submitted to comply with the requirements of Section 15-15-51(c), Hawai‘i Administrative Rules, as amended, regarding the request of Petitioner LĀNA‘I RESORTS, LLC dba Pūlama Lāna‘i, a limited liability company, to amend the Agricultural 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. These affidavits supplement the Affidavit of Christopher T. Goodin Attesting to Publication of the Notice of Hearing on a Land Use District Boundary Amendment Petition, filed October 7, 2021.

DATED: Honolulu, Hawai‘i, October 20, 2021.

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CHRISTOPHER T. GOODIN
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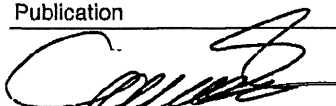
Attorneys for Petitioner
PŪLAMA LĀNA‘I

EXHIBIT 1

AFFIDAVIT OF PUBLICATION

IN THE MATTER OF NOTICE OF HEARING

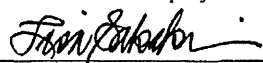
STATE OF HAWAII }
 } SS.
City and County of Honolulu }

Doc. Date:	OCT 07 2021	# Pages:	1
Notary Name:	COLLEEN E. SORANAKA	First Judicial Circuit	
Doc. Description:	Affidavit of Publication		
 Notary Signature		OCT 07 2021 Date	

Lisa Sakakida being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii Tribune-Herald, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the

Honolulu Star-Advertiser	1	times on:
10/07/2021		
MidWeek	0	times on:
The Garden Island	0	times on:
Hawaii Tribune-Herald	0	times on:
West Hawaii Today	0	times on:
Other Publications:	0	times on:

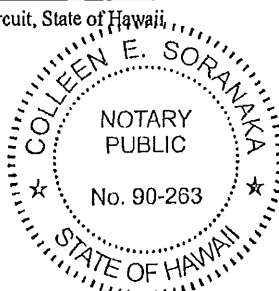
And that affiant is not a party to or in any way interested in the above entitled matter.


Lisa Sakakida

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

Colleen E. Soranaka, Notary Public of the First Judicial Circuit, State of Hawaii
My commission expires: Jan 06 2024

Ad # 0001345169



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:

I. 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).

II. DOCKET NUMBER

A21-810

III. IDENTIFICATION OF PETITIONER

LANA'I RESORTS, LLC dba Puhama Lana'i
733 Bishop Street, Suite 1500
Honolulu, Hawai'i 96813

IV. 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.

V. PROPOSED RECLASSIFICATION

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

VI. PROJECT DESCRIPTION

Petitioner requests a reclassification of 56.436 acres situated at Lana'i City, Lana'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 Hokuao 201H Housing Project ("Hokuao"), 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 Lana'i 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. Hokuao 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 Lana'i 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. Hokuao 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 408, Honolulu, Hawai'i 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, Hawai'i, 96804-2359, at least 10 days before the scheduled meeting.

LAND USE COMMISSION

JONATHAN LIKEKE SCHEUER, Chairperson

By DANIEL E. ORODENKER, Executive Officer

(SA1345189 10/7/21)

EXHIBIT 2

AFFIDAVIT OF PUBLICATION

STATE OF HAWAII, }
County of Maui. } ss.

Kara Durr

being duly sworn
deposes and says, that she is in Advertising Sales of
the Maui Publishing Co., Ltd., publishers of THE MAUI NEWS, a
newspaper published in Wailuku, County of Maui, State of Hawaii;
that the ordered publication as to

NOTICE OF HEARING

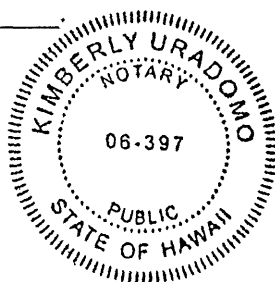
of which the annexed is a true and correct printed notice, was
published 1 time in THE MAUI NEWS, aforesaid, commencing
on the 7th day of October, 2021, and ending
on the 7th day of October, 2021, one day
inclusive), to-wit: on
October 7, 2021

and that affiant is not a party to or in any way interested in the above
entitled matter.

This 1 page NOTICE OF HEARING, dated
October 7, 2021,
was subscribed and sworn to before me this 14th day of
October, 2021, in the Second Circuit of the State of Hawaii,
by Kara Durr

Kimberly Uradomo
Notary Public, Second Judicial
Circuit, State of Hawaii

Kimberly Uradomo
Commission exp: 07/02/2022



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LAND USE COMMISSION
JONATHAN LIKEKE SCHEUER, Chairperson
By DANIEL E. ORODENKER, Executive Officer

(MN: Oct 7, 2021)

2021 OCT 21 A 10:37

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

PŪLAMA LĀNA'I,
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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
RODNEY FUNAKOSHI
Administrator I
Office of Planning
P.O. Box 2359
Honolulu, HI 96804-2359
Email: maryalice.evans@hawaii.gov
rodney.y.funakoshi@hawaii.gov

Office of the Attorney General

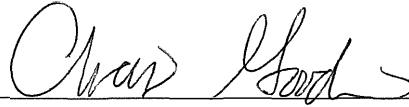
ALISON KATO
Deputy Attorney General
425 Queen Street
Honolulu, HI 96813
Email: alison.s.kato@hawaii.gov

Department of Hawaiian Homelands

CRAIGY. IHA
RYAN KP. KANAKA'OLE
ALYSSA-MARIE KAU
Deputy Attorneys General
425 Queen Street
Honolulu, HI 96813
Email: craig.y.ih@hawaii.gov
ryan.kp.kanakaole@hawaii.gov
alyssamarie.kau@hawaii.gov

DATED: Honolulu, Hawai'i, October 20, 2021.

CADES SCHUTTE
A Limited Liability Law Partnership

A handwritten signature in cursive script, appearing to read "Calvert G. Chipchase", written over a horizontal line.

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