

LAND USE COMMISSION
NOTIFICATION OF LAND USE COMMISSION MEETING
DATE, TIME AND PLACE

April 6, 2006 – 10:00 a.m.

April 7, 2006 – 8:30 a.m.

**Maui Beach Hotel
Elleair Ballroom
170 Kaahumanu Avenue
Kahului, Maui, Hawaii**

A G E N D A

I. CALL TO ORDER

II. ADOPTION OF MINUTES

March 2, 2006 and March 3, 2006

III. TENTATIVE MEETING SCHEDULE

IV. ACTION

1. DR04-30 KULEANA KU'IKAHI, LLC (Maui)
Adoption of Order
2. A04-753 AINA NUI CORPORATION (Oahu)
Adoption of Order
3. A06-763 KAPOLEI PROPERTY DEVELOPMENT, LLC (Oahu)
 - To determine whether the Land Use Commission is the appropriate accepting authority pursuant to Chapter 343, Hawaii Revised Statutes, for the reclassification of approximately 331.674 acres of land currently in the Agricultural District to the Urban District at Ewa, Oahu, Hawaii.
 - To determine whether the proposed action may have a “significant effect” to warrant the preparation of an Environmental Impact Statement pursuant to Chapter 343, Hawaii Revised Statutes.
4. A00-734 CASTLE & COOKE HOMES HAWAII, INC. and PACIFIC HEALTH COMMUNITY, INC. (Oahu)
To Vacate the Land Use Commission Decision and Order issued on June 27, 2002, pursuant to Supreme Court opinion filed in S. C. No. 26174 on January 27, 2006, which affirmed the September 23, 2003, Final Judgment of the Circuit Court.

IV. ACTION (continued)

5. A00-730 LANIHAU PROPERTIES, LLC (Hawaii)

To consider Petitioner's request for a time extension to comply with Condition Nos. 1c, 3b, and 8 of the Findings of Fact, Conclusions of Law, and Decision and Order dated September 26, 2003.

V. WITHDRAWAL OF MOTION AND OTHER RELATED MATTERS

1. A04-746 WAIKAPU 28 INVESTMENT, LLC (Maui)

- Withdrawal of Petitioner's Motion To Amend Findings Of Fact, Conclusions Of Law, And Decision And Order For A State Land Use District Boundary Amendment filed December 14, 2004.
- Subpoena to Patricia Hamamoto, Superintendent of Education, State of Hawaii, or her designee, or authorized representative to appear before the Land Use Commission to be examined under oath regarding: the statements and allegations relating to the Department of Education and the Department of Education's fair share contribution calculations raised in that certain motion: Waikapu 28 Investment, LLC's Motion to Amend Findings of Fact, Conclusions of Law, and Decision and Order For a State Land Use District Boundary Amendment filed December 14, 2004, filed with the Land Use Commission by Waikapu 28 Investment, LLC, on November 25, 2005; and other matters relating thereto.

VI. CONTINUED HEARING

1. A04-751 MAUI LAND & PINEAPPLE COMPANY, INC. (Maui)

To consider the reclassification of approximately 310.440 acres of land currently in the Agricultural District to the Urban District at Mahinahina and Kahana, Lahaina, Maui, Hawaii, for residential, commercial, elementary school site, and park uses.

The Commission may elect to consult with counsel in executive session pursuant to Section 92-5, HRS. Persons with disabilities who need accommodation should call (808) 587-3822 no later than 12:00 noon, 2 business days before the date of the meeting. The mailing address for the Land Use Commission is P.O. Box 2359, Honolulu, Hawai'i, 96804-2359. Some materials for these agenda items may be available on our website at <http://luc.state.hi.us>.