



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In The Matter Of The Petition Of

KA'ONO'ULU RANCH

To Amend The Agricultural Land Use
District Boundary Into The Urban Land
Use District For Approximately 88 Acres
Of Land At Ka'ono'ulu, Makawao-
Wailuku, Maui, Hawai'i, Tax Map Key:
3-9-01: 16, 169, And 170 Through 174

DOCKET NO. A94-706

ORDER TO SHOW CAUSE: AND
CERTIFICATE OF SERVICE

2012 SEP 17 A 11:07

LAND USE COMMISSION
STATE OF HAWAII

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ORDER TO SHOW CAUSE

TO: PI'ILANI PROMENADE SOUTH, LLC; PI'ILANI PROMENADE NORTH,
LLC; AND HONUUA'ULA PARTNERS, LLC

YOU ARE HEREBY COMMANDED, under the authority of section 205-4,
Hawaii Revised Statutes ("HRS"), and section 15-15-93, Hawaii Administrative Rules
("HAR"), to appear before the State of Hawaii Land Use Commission ("Commission"),
at the Courtyard Maui Kahului Airport, Haleakalā Room, 532 Keolani Place, Kahului,
Maui, Hawaii, on November 1, 2012, at 10:00 a.m., to show cause as to why that certain
land at Ka'ono'ulu, Makawao-Wailuku, Maui, Hawaii, Tax Map Key: 3-9-01: 16, 169,
and 170 through 174, covering approximately 88 acres of land, referred to as the Petition

Area, and approximately identified on Exhibit "A," attached hereto and incorporated by reference herein, should not revert to its former land use classification or be changed to a more appropriate classification.

This Commission has reason to believe that you have failed to perform according to the conditions imposed or to the representations or commitments made to the Commission in obtaining the reclassification of the Petition Area.

Section 205-4, HRS, authorizes this Commission to impose conditions necessary to "assure substantial compliance with representations made by the petitioner in seeking a boundary change" and that "absent substantial commencement of use of the land in accordance with such representations, the [C]ommission shall issue and serve upon the party bound by the condition an order to show cause why the property should not revert to its former land use classification or be changed to a more appropriate classification."

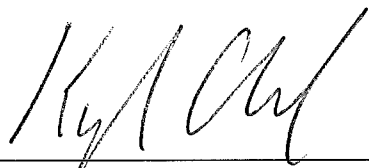
Accordingly, this Commission will conduct a hearing on this matter in accordance with the requirements of chapter 91, HRS, and subchapters 7 and 9 of chapter 15-15, HAR. All parties in this docket shall present testimony and exhibits to this Commission as to whether Pi`ilani Promenade South, LLC; Pi`ilani Promenade North, LLC; and Honua`ula Partners, LLC, as the successors to original Petitioner Ka`ono`ulu Ranch for all purposes under the Findings of Fact, Conclusions of Law, and

Decision and Order filed February 10, 1995, have failed to perform according to representations made in seeking the land use reclassification.

Any party may retain counsel if the party so desires.

Dated: Honolulu, Hawai'i, September 17, 2012

LAND USE COMMISSION
STATE OF HAWAII

By 
KYLE CHOCK
Chairperson and Commissioner



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Makawao-Wailuku, Maui, Hawai'i,
Tax Map Keys: 2-2-02: Por. Of 15 And
3-9-01: 16

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CERTIFICATE OF SERVICE

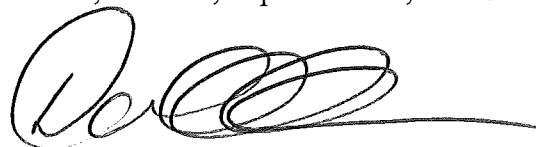
CERTIFICATE OF SERVICE

I hereby certify that a copy of the ORDER TO SHOW CAUSE AND CERTIFICATE OF SERVICE was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by regular or certified mail as noted:

	HAND DELIVERED	REGULAR MAIL	CERTIFIED MAIL
JESSE SOUKI, DIRECTOR Office of Planning 235 S. Beretania Street Rm. 600 Honolulu, Hawai'i 96813	X		

	HAND DELIVERED	REGULAR MAIL	CERTIFIED MAIL
BRYAN YEE, ESQ. Deputy Attorney General Hale Auhau, Third Floor 425 Queen Street Honolulu, Hawai'i 96813		X	
TOM PIERCE PO Box 798 Makawao, Hawaii 96768			X
William Spence Director, County of Maui Planning Department 250 S. High St Kalana Pakui Bldg Ste 200 Wailuku, HI 96793		X	
JANE LOVELL, Esq./MICHAEL HOPPER, Esq. Corporation Counsel 200 S. High St. Kalana O Maui Bldg 3rd Flr Wailuku, HI 96793			X
McCorriston Miller Mukai MacKinnon LLP JONATHAN H. STEINER, Esq Five Waterfront Plaza, 4th Floor 500 Ala Moana Boulevard Honolulu, Hawai'i 96813			X
McCorriston Miller Mukai MacKinnon LLP JOEL KAM, Esq Five Waterfront Plaza, 4th Floor 500 Ala Moana Boulevard Honolulu, Hawai'i 96813			X

Honolulu, Hawai'i, September 17, 2012.



DANIEL ORODENKER
Executive Officer



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This is to certify that this is a true and correct copy of
the document on file in the office of the State Land
Use Commission, Honolulu, Hawai'i.

September 17 2012 by

Executive Officer