



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In The Matter Of The Petition Of
MAUI ECONOMIC DEVELOPMENT
BOARD, INC.

To Reclassify Approximately 300
Acres Of Land Currently In The
Agricultural District Into The Urban
District At Kihei, Maui, Hawai'i, Tax
Map Key: 2-2-02: Portion Of Parcel 42

DOCKET NO. A84-585

ORDER GRANTING MOTION TO
CONSOLIDATE HEARING AND
CERTIFICATE OF SERVICE

LAND USE COMMISSION
STATE OF HAWAII

2013 JUL 31 P 1:29

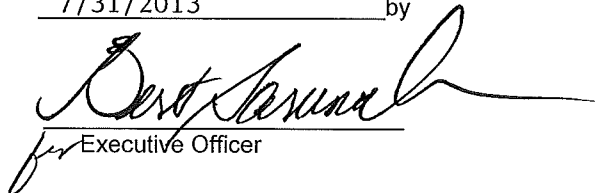
ORDER GRANTING MOTION TO CONSOLIDATE HEARING

AND

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This is to certify that this is a true and correct
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State Land Use Commission, Honolulu Hawai'i

7/31/2013 by


for Executive Officer



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On June 19, 2013, Maui R&T Partners, LLC ("Maui R&T"), successor-in-interest to original Petitioner Maui Economic Development Board, Inc., filed a Motion to Consolidate Hearing, pursuant to sections 15-15-54 and 15-15-70, Hawai'i Administrative Rules ("HAR").

Maui R&T seeks to consolidate the hearings before the State of Hawai'i Land Use Commission ("Commission") on its Motion for Order Amending the Amended Findings of Fact, Conclusions of Law, and Decision and Order filed February 25, 1986, in the above-entitled docket and its Petition for District Boundary Amendment filed June 23, 2010, in Docket No. A10-787 to promote efficiency and judicial economy

as it relates to the evidentiary record for the Maui Research & Technology Park Master Plan Update.

On June 28, 2013, the County of Maui Department of Planning (“DP”) filed a Statement of No Opposition to Motion to Consolidate Hearing filed June 19, 2013.

On July 1, 2013, OP filed a Statement of No Objections to (1) Petitioner’s Motion for Order Amending the Amended Findings of Fact, Conclusions of Law and Decision and Order filed February 25, 1986, and (2) Petitioner’s Motion to Consolidate Hearing.

The Commission considered Maui R&T’s Motion to Consolidate Hearing at its meeting on July 25, 2013, at Kīhei, Maui, Hawai`i. Curtis T. Tabata, Esq., and Steve Perkins appeared on behalf of Maui R&T. James Giroux, Esq., and William Spence appeared on behalf of the DP. Bryan C. Yee, Esq., and Rodney Funakoshi appeared on behalf of the State of Hawai`i Office of Planning (“OP”).¹

At the meeting, Maui R&T provided a background of the docket and the basis for the Motion to Consolidate Hearing. The DP and OP stated that they had no objections to the Maui R&T’s Motion to Consolidate Hearing.

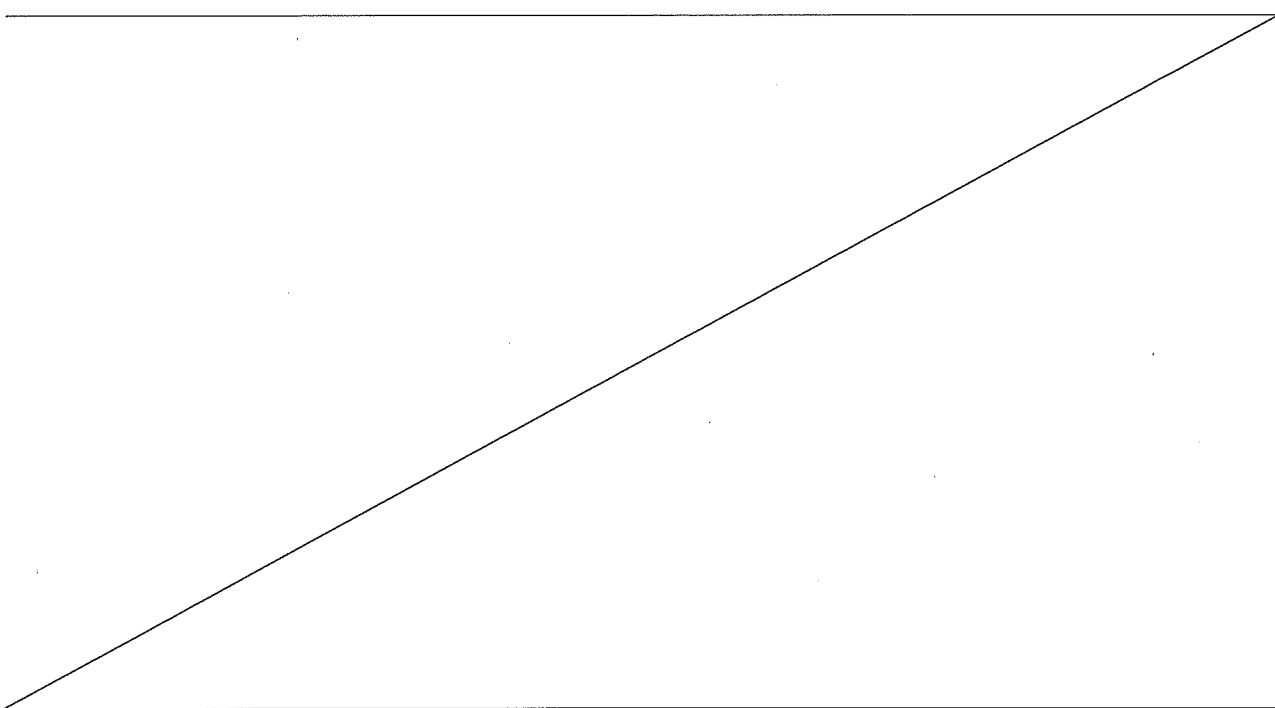
¹ At the beginning of the meeting, Chair Ronald Heller disclosed that he represented several clients on Maui in which the County of Maui was an adverse party. There were no objections by the parties to Chair Heller’s continued participation in this proceeding.

Thereafter, a motion was made and seconded to grant Maui R&T's Motion to Consolidate Hearing. Following discussion by the commissioners, a vote was taken on this motion. There being a vote tally of 7 ayes, 0 nays, and 2 excused, the motion carried.

ORDER

Having duly considered Maui R&T's Motion to Consolidate Hearing and the oral and written arguments of the parties in the proceeding at this Commission's meeting on July 25, 2013, in Kīhei, Maui, Hawai'i, and the motion having received the affirmative votes required by section 15-15-13, HAR, and there being good cause,

IT IS HEREBY ORDERED that Maui R&T's Motion to Consolidate Hearing be GRANTED.



ADOPTION OF ORDER


This ORDER shall take effect upon the date this ORDER is certified by this Commission.

Done at Honolulu, Hawai'i, this 31st, day of July, 2013, per motion on July 25, 2013.


LAND USE COMMISSION

APPROVED AS TO FORM

STATE OF HAWAII



Deputy Attorney General

By 

RONALD HELLER
Chairperson and Commissioner

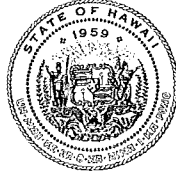
Filed and effective on:

7/31/2013

Certified by:



DANIEL ORODENKER
Executive Officer



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the ORDER GRANTING MOTION TO CONSOLIDATE HEARING 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		
BRYAN YEE, ESQ. Deputy Attorney General Hale Auhau, Third Floor 425 Queen Street Honolulu, Hawai'i 96813		X	

	HAND DELIVERED	REGULAR MAIL	CERTIFIED MAIL
BENJAMIN M. MATSUBARA, Esq. Matsubara-Kotake 888 Mililani Street, Eight Floor Honolulu, HI 96813			X
William Spence Director, County of Maui Planning Department 250 S. High St Kalana Pakui Bldg Ste 200 Wailuku, HI 96793		X	
JAMES GIROUX Esq. Corporation Counsel 200 S. High St. Kalana O Maui Bldg 3rd Flr Wailuku, HI 96793			X

Honolulu, Hawai'i, July 31, 2013.


 DANIEL ORODENKER
 Executive Officer