

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
MAUI ECONOMIC DEVELOPMENT) DOCKET NO. A84-585
BOARD, INC.) MOTION TO CONSOLIDATE
) HEARING
)
To Reclassify Approximately 300)
Acres of Land Currently in the)
Agricultural District into the)
Urban District at Kihei, Maui,)
Hawaii, Tax Map Key: 2-2-02:)
Portion of Parcel 42)
_____)

2013 JUN 19 A 9:09
LAND USE COMMISSION
STATE OF HAWAII

MOTION TO CONSOLIDATE HEARING

AND

CERTIFICATE OF SERVICE

BENJAMIN M. MATSUBARA, #993-0
CURTIS T. TABATA, #5607-0
WYETH M. MATSUBARA, #6935-0
Matsubara – Kotake
888 Mililani Street, 8th Floor
Honolulu, Hawai'i 96813

Attorneys for Petitioner
MAUI R&T PARTNERS, LLC

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

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MOTION TO CONSOLIDATE HEARING

TO THE HONORABLE LAND USE COMMISSION OF THE STATE OF HAWAI'I:

MAUI R&T PARTNERS, LLC, ("Petitioner") by and through its attorneys, MATSUBARA - KOTAKE, respectfully moves the Land Use Commission of the State of Hawai'i ("Commission") pursuant to § 15-15-54 and § 15-15-70 of the Commission's Rules for an order consolidating the hearing and evidentiary records for Docket Nos. A84-585 and A10-787.

There are two (2) separate Land Use Commission ("Commission" or "LUC") dockets that encompass the Maui Research and Technology Park Master Plan Update ("Project"): A84-585 and A10-787. The following is a description of the two (2) dockets.

The Maui Research and Technology Park ("Project") is an existing, operational technology industrial park that sits on 150.032 acres of Urban District lands. The

150.032 acres were reclassified by the Commission in LUC Docket No. **A84-585** for the development of an industrial high technology park. An additional 150 acres were also incrementally approved for the same use, however, Petitioner is not seeking incremental districting pursuant to § 15-15-78(d) of the *Hawai'i Administrative Rules* ("HAR") because the Project being proposed today is different from the project that was proposed in 1984.

Petitioner now seeks to expand the park and to diversify the uses by reclassifying an additional 253.05 acres of adjacent lands in LUC Docket No. **A10-787**. Petitioner has updated the master plan for the project and seeks to transform the project from an industrial park to a multi-use project that will take an existing employment center and create a sustainable and walkable community where people can live, work and play.

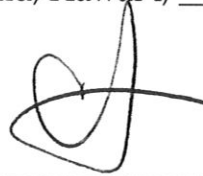
To update the master plan, Petitioner is also seeking to amend the Amended Findings of Fact, Conclusions of Law and Decision and Order dated February 25, 1986 in Docket No. **A84-585** to allow for the change in uses that will include a village center and housing, as well as an expansion of the industrial and employment component.

Accordingly, Petitioner proposes to bring both dockets before the Commission at the same time so that the Commission may have an opportunity to evaluate the Project as a whole. The Final Environmental Impact Statement ("FEIS") for Petitioner's Maui Research & Technology Park Master Plan Update was prepared to address the impacts of the entire Project and applies to both Docket No. **A10-787** and Docket No. **A84-585**.

Procedurally, Petitioner proposes that the two dockets remain separate with separate decisions and orders, however, consolidation of the hearings on Petitioner's motion to amend and petition for district boundary amendment, and the evidentiary record arising therefrom, should be consolidated to promote efficiency and judicial economy.

Based upon the foregoing, Petitioner respectfully requests that the Commission grant this motion.

DATED: Honolulu, Hawai'i, June 19, 2013.



Of Counsel:
MATSUBARA - KOTAKE
A Law Corporation

BENJAMIN M. MATSUBARA
CURTIS T. TABATA
WYETH M. MATSUBARA
Attorneys for Petitioner
MAUI R&T PARTNERS, LLC

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was duly served upon the following by depositing the same in the AS INDICATED BELOW on June 19, 2013:

JESSE SOUKI, Director	(HAND DELIVERY)
Office of Planning, State of Hawai'i	
235 Beretania Street, 6 th Floor	
Honolulu, Hawai'i 96813	

BRIAN C. YEE, ESQ.	(HAND DELIVERY)
Deputy Attorney General	
Department of the Attorney General	
425 Queen Street	
Honolulu, Hawai'i 96813	

WILLIAM SPENCE, Director
Maui County Planning Department
County of Maui, State of Hawai`i
250 South High Street, Suite 200
Wailuku, Maui, Hawai`i 96793

(CERTIFIED MAIL, RETURN
RECEIPT REQUESTED)

Planning Commission
County of Maui, State of Hawai`i
250 South High Street, Suite 200
Wailuku, Maui, Hawai`i 96793

(CERTIFIED MAIL, RETURN
RECEIPT REQUESTED)

JAMES A. Q. GIROUX, ESQ.
Deputy Corporation Counsel
Department of the Corporation Counsel
200 South High Street, 3rd Floor
Wailuku, Maui, Hawai`i 96793

(CERTIFIED MAIL, RETURN
RECEIPT REQUESTED)

DAVID WARREN DWELLE
12970 Earhart Avenue
Auburn, California 95602

(CERTIFIED MAIL, RETURN
RECEIPT REQUESTED)

DATED: Honolulu, Hawai`i, June 19, 2013.



Of Counsel:
MATSUBARA - KOTAKE
A Law Corporation

BENJAMIN M. MATSUBARA
CURTIS T. TABATA
WYETH M. MATSUBARA
Attorneys for Petitioner
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