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LAND USE COMMISSION
STATE OF HAWAII

2017 AUG -4 A 8: 21

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Amended Petition of)	DOCKET NO. A05-760
)	
PUKALANI ASSOCIATES, LLC, a Hawaii)	OFFICE OF PLANNING'S AMENDED
limited liability company)	RESPONSE TO PETITIONER'S
)	MOTION FOR EXTENSION OF TIME
To Amend the Agricultural Land Use)	TO COMPLETE CONSTRUCTION OF
District Boundaries for Approximately)	INFRASTRUCTURE IMPROVEMENTS;
87.702 acres of land at Kula, Makawao,)	EXHIBIT 1; CERTIFICATE OF
Maui, Hawaii, Tax Map Key Nos.: (2) 2-3-)	SERVICE
09: 07 and 64)	

OFFICE OF PLANNING'S AMENDED RESPONSE TO
PETITIONER'S MOTION FOR EXTENSION OF TIME TO
COMPLETE CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS

The Office of Planning, State of Hawaii ("OP"), has no objections at this time to Petitioner's Motion for Order to amend Condition Nos. 18 and 19 of the Land Use Commission's Findings of Fact, Conclusions of Law, and Decision and Order filed on July 29, 2009, to allow a five-year extension of time from June 29, 2019 until June 29, 2024, to complete construction of backbone infrastructure improvements.

OP received a letter dated July 14, 2017, from the State Department of Transportation (“DOT”) (Exhibit 1), providing comments on the proposed amendment for extension of time to Conditions 18 and 19. DOT finds that the request for the five-year extension to Conditions 18 and 19 will not trigger any State concerns nor affect Haleakala Highway at this time. Additionally, DOT finds that the previous Revised Traffic Impact Analysis Report (TIAR) submitted by the Petitioner is outdated due to the recent changes in the traffic volumes. DOT has recommended that Petitioner submit a new revised TIAR and a fair share determination acceptable to DOT, which shall address prior DOT concerns, prior to any approval for a change of zoning application. (OP Exhibit 1)

Petitioner’s Annual Report dated March 21, 2017 indicates that the DOT has approved the 2010 TIAR. However, the Annual Report also indicates that the Petitioner is currently updating the 2010 TIAR in preparation for a change in zoning application with the County of Maui Department of Planning. The Petitioner should obtain DOT approval for the updated TIAR prior to the zone change approval, as stated in Condition 2 of the Findings of Fact, Conclusions of Law and Decision and Order.

DATED: Honolulu, Hawaii, August 4, 2017

OFFICE OF PLANNING
STATE OF HAWAII



LEO R. ASUNCION
Director

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

CERTIFICATE OF SERVICE
A05-760 PUKALANI ASSOCIATES, LLC

I hereby certify that a copy of the foregoing was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by regular mail.

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DATED: Honolulu, Hawaii, August 4, 2017.

OFFICE OF PLANNING
STATE OF HAWAII



LEO R. ASUNCION
Director