

COUNCIL OF THE COUNTY OF MAUI

PLANNING AND LAND USE COMMITTEE

May 7, 2004

Committee
Report No.

04-76

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Planning and Land Use Committee, having met on February 23, 2004 (site inspection in Napili) and March 2, 2004, makes reference to County Communication No. 04-40, from Councilmember Jo Anne Johnson, relating to land-use approvals for the proposed Maui Preparatory Academy (MPA) in Napili.

At its site inspection on February 23, 2004, your Committee met with the Planning Director; a Staff Planner, Department of Planning; a Captain, Department of Police; and a Deputy Corporation Counsel. The President of the MPA Board of Trustees also attended the site inspection. Your Committee received a conceptual subdivision map of the proposed site from the Development Manager of Maui Land & Pineapple Company, Inc. (ML&P). Your Committee received public testimony in support of any necessary land-use approvals for the proposed MPA from 12 members of the public. The testifiers noted the absence of and the high demand for a college preparatory school in West Maui. Your Committee noted that the proposed MPA campus was located on property owned by ML&P and used as a baseyard for agricultural operations. The President of the MPA Board of Trustees advised that the site would be appropriate for the proposed MPA campus, in part because of the ability to incorporate agricultural studies into the curriculum. He also informed your Committee of tentative plans and goals for the proposed MPA. The Planning Director advised your Committee that the subject property appeared appropriate for the proposed MPA campus. Your Committee and the Police Captain discussed the likely need for further traffic improvements to ensure public safety, if the proposed MPA occupies the subject property.

Your Committee deferred consideration of the item.

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By correspondence dated February 25, 2004, Councilmember Jo Anne Johnson transmitted the following:

1. A draft bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN FROM AGRICULTURAL TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT NAPILI, MAUI FOR THE PROPOSED MAUI PREPARATORY ACADEMY". The purpose of the draft bill is to approve a Community Plan Amendment for approximately 14.990 acres of property situated at Napili, Maui for the proposed MPA (TMK: (2) 4-03-01:01 (portion)).
2. A draft bill entitled "A BILL FOR AN ORDINANCE TO CHANGE THE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT NAPILI, MAUI FOR THE PROPOSED MAUI PREPARATORY ACADEMY". The purpose of the draft bill is to approve a Change in Zoning for approximately 14.990 acres of property situated at Napili, Maui for the proposed MPA (TMK: (2) 4-03-01:01 (portion)).
3. A draft bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR PROPERTY SITUATED AT NAPILI, MAUI FOR THE PROPOSED MAUI PREPARATORY ACADEMY". The purpose of the draft bill is to approve a State Land Use District Classification Amendment for approximately 14.990 acres of property situated at Napili, Maui for the proposed MPA (TMK: (2) 4-03-01:01 (portion)).
4. A draft resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION BILLS TO, RESPECTIVELY, ENACT A COMMUNITY PLAN AMENDMENT, A CHANGE IN ZONING, AND A STATE LAND USE DISTRICT CLASSIFICATION AMENDMENT FOR PROPERTY SITUATED AT NAPILI, MAUI FOR THE PROPOSED MAUI PREPARATORY ACADEMY". The purpose of the draft resolution is to refer the above-referenced draft bills to the appropriate planning commission.

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Your Committee received written testimony dated March 1, 2004 from Susan Simon in support of the MPA.

At its meeting of March 2, 2004, your Committee met with the Director and Deputy Director of Parks and Recreation; the Chief of Planning and Development, Department of Parks and Recreation; the Planning Director; a Staff Planner, Department of Planning; a Captain, Department of Police; the Deputy Director of Public Works and Environmental Management; and two Deputy Corporation Counsel. The President of the MPA Board of Trustees also attended the meeting.

Your Committee received testimony in support of the draft resolution from 11 members of the public. The testifiers generally spoke in favor of increasing educational opportunities and choices in West Maui. Included among the testifiers were the President of the MPA Board of Trustees; the Vice-President of Marketing for Kapalua Land Company, also a member of the MPA Board of Trustees; and the Executive Director of the West Maui Taxpayers Association.

The Captain with the Department of Police made note of a suggested deceleration lane off the highway.

Your Committee noted concerns with losing prime agricultural land through the change in zoning, but also noted that the inclusion of an agricultural program would ultimately enhance agricultural use in the area. Your Committee further noted the need to address traffic concerns, possibly including various traffic-calming measures. In addition, your Committee noted that traffic and equipment noise would need to be carefully monitored. Your Committee also suggested that potential site contaminants and other public-health concerns be considered in any relevant environmental assessment.

Your Committee voted to recommend adoption of the draft resolution.

Your Committee is in receipt of a revised proposed resolution, incorporating nonsubstantive revisions, approved as to form and legality by the Department of the Corporation Counsel.

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Your Planning and Land Use Committee RECOMMENDS that Resolution No. _____, attached hereto, entitled "REFERRING TO THE MAUI PLANNING COMMISSION BILLS TO, RESPECTIVELY, ENACT A COMMUNITY PLAN AMENDMENT, A CHANGE IN ZONING, AND A STATE LAND USE DISTRICT CLASSIFICATION AMENDMENT FOR PROPERTY SITUATED AT NAPILI, MAUI, HAWAII FOR THE PROPOSED MAUI PREPARATORY ACADEMY" be ADOPTED.

Adoption of this report is respectfully requested.

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WAYNE K. NISHIKI **Chair**

DANNY A. MATEO **Member**

G. RIKI HOKAMA **Vice-Chair**

MICHAEL J. MOLINA **Member**

ROBERT CARROLL **Member**

JOSEPH PONTANILLA **Member**

JO ANNE JOHNSON **Member**

CHARMAINE TAVARES **Member**

DAIN P. KANE **Member**