

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

November 16, 2001

Committee
Report No.

01-227

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

Chair and Members:

Your Land Use Committee, having met on August 15, 2001 and October 29, 2001, makes reference to County Communication No. 01-219, from the Planning Director, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING A CONDITIONAL PERMIT TO CONSTRUCT A NEW HAWAII ARMY NATIONAL GUARD ARMORY, ORGANIZATIONAL MAINTENANCE SHOP, SERVICE, STORAGE, PARKING AND HELIPAD IMPROVEMENTS, AND RELATED IMPROVEMENTS, AND FOR A POST EXCHANGE AND HAWAII AIR NATIONAL GUARD FACILITIES WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT PULEHUNUI, PUUNENE, MAUI, HAWAII".

The purpose of the proposed bill is to grant a Conditional Permit to the State Department of Accounting and General Services (DAGS) to construct facilities for the Hawaii Army National Guard and Hawaii Air National Guard on approximately 30 acres of land located within the County Agricultural District, Pulehunui, Puunene, Maui, Hawaii (TMK: 3-8-008: portion 001). The proposed facilities include a new Armory, an organizational maintenance shop, service, storage, parking, helipad, and other related improvements.

Your Committee notes that the Maui Planning Commission held a public hearing and meeting on the Conditional Permit application on May 22, 2001. After reviewing the findings presented in the documents entitled "MAUI PLANNING DEPARTMENT'S REPORT TO THE MAUI PLANNING COMMISSION MAY 22, 2001 MEETING", and "MAUI PLANNING DEPARTMENT'S RECOMMENDATION REPORT TO THE MAUI PLANNING COMMISSION MAY 22, 2001 MEETING", the Commission voted to recommend approval of the request for a County Conditional Permit subject to the following conditions as indicated in Section 2 of the proposed bill:

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

November 16, 2001
Page 2

Committee
Report No. 01-227

1. That full compliance with all applicable governmental requirements shall be rendered.
2. That the Conditional Permit shall be valid for a period of two (2) years from the effective date of the ordinance or for the period of the State Special Use Permit, whichever is greater; provided that, an extension of this permit may be granted pursuant to Section 19.40.090 of the Maui County Code.
3. That the Conditional Permit may be transferred only if the transfer is approved by ordinance.
4. That the applicant, its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by the Conditional Permit.
5. That the applicant shall develop the property in substantial compliance with the representations made to the Maui County Council in obtaining the Conditional Permit. Failure to so develop the property may result in the revocation of the Conditional Permit pursuant to Section 19.40.080 of the Maui County Code.
6. That, during the project's technical development phase, the applicant shall consult with the U.S. Fish and Wildlife Service and, in particular, the Kealii Wildlife Reserve manager, to mitigate impacts, if any, on the birds in the reserve. The Department of Planning shall be informed of the results of any consultation.
7. That full compliance with the conditions of the State Land Use Commission Special Use Permit, Docket No. SUP2000/0001 shall be rendered.

Your Committee further notes that the recommendation of the Maui Planning Commission was based upon the following conclusions:

1. There is no evidence that the ongoing use will be significantly detrimental to the public interest, convenience, and welfare.

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

November 16, 2001
Page 3

Committee
Report No. 01-227

2. The proposed use will be in harmony with the area.

At its meeting of August 15, 2001, your Committee met with the Planning Director; the Deputy Planning Director; a Staff Planner from the Department of Planning; a Deputy Corporation Counsel; Lance Maja of the DAGS Planning Branch; the project's architect, Richard Miyabara from GYA Architects; the project's engineer, Adrienne Wong from Austin, Tsutsumi and Associates; and the applicant's consultant, Gwen Ohashi Hiraga of Munekiyo & Hiraga, Inc.

Ms. Hiraga presented a computer-generated slide show providing background information on the Conditional Permit application.

The Planning Director transmitted relevant excerpts from the minutes of the Maui Planning Commission's meeting of May 22, 2001.

Your Committee noted that it had several questions regarding the proposed military uses of the subject property and their potential impact on health and safety in the surrounding area. Because National Guard officials were unable to attend your Committee's meeting because of a scheduling conflict, your Committee decided to submit its questions in writing. Your Committee deferred consideration of the proposed bill pending receipt of the applicant's responses to the written questions.

By memorandum dated August 22, 2001, the Chair of your Committee requested consideration of a possible condition to the proposed bill to provide that no certificate of occupancy shall be granted until Mokulele Highway (adjacent to the subject property) has been expanded to four lanes.

By memorandum dated August 24, 2001, the Chair of your Committee transmitted a letter dated August 20, 2001, from the Planning Director, transmitting copy of a letter dated August 6, 2001, from DAGS Public Works Administrator Gordon Matsuoka, regarding a proposed indemnification agreement for public access through the subject property.

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

November 16, 2001
Page 4

Committee
Report No. 01-227

By letter dated October 1, 2001, the Chair of your Committee requested that the National Guard provide responses to the questions that arose during your Committee's meeting of August 15, 2001.

By transmittal letter dated October 16, 2001, Glenn Tadaki of Munekiyo & Hiraga, Inc. transmitted a letter dated October 12, 2001, from DAGS Public Works Administrator Gordon Matsuoka, responding to your Committee's questions.

At its meeting of October 29, 2001, your Committee met with the Planning Director; a Staff Planner from the Department of Planning; a Deputy Corporation Counsel; Ralph Morita of the DAGS Planning Branch; Deputy Adjutant General Clarence Agena, Hawaii Army National Guard; Colonel Vern Miyagi, Hawaii Army National Guard; Colonel Richard Young, Hawaii Army National Guard; Major Rodney Graham, Hawaii Army National Guard; Colonel Mike Rawlins, Hawaii Army National Guard; Colonel Gary Hara, Hawaii Army National Guard; Lieutenant Colonel Daniel Oshiro, Hawaii Army National Guard; the project's architect, Richard Miyabara from GYA Architects; the project's engineer, Adrienne Wong from Austin, Tsutsumi and Associates; and the applicant's consultants, Gwen Ohashi Hiraga and Michael Munekiyo of Munekiyo & Hiraga, Inc.

The applicant's consultants and the National Guard representatives summarized the information provided in the responses to your Committee's questions:

- County and other emergency helicopters will be allowed to use the subject property as a refueling site.
- Should funding for the proposed Maui military museum become available, an investigation can be conducted to determine whether there is sufficient space at the subject property to house the museum.
- "C" Company, 2/299th Infantry Battalion will be housed at the subject property. "C" Company is an infantry unit whose mission is to protect the United States from foreign and domestic enemies. This infantry unit will

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

November 16, 2001
Page 5

Committee
Report No. 01-227

also be available to provide support to civil-defense authorities. In addition, activities in support of the United States Air Force (including relating to a mobile satellite downlink system) are possible. Machine guns, grenade launchers, assault rifles, and pistols will be stored at the subject property. Hazardous materials at the subject matter will primarily include grease, oils, and lubricants typical of any service-station-type operation.

- Once the new Armory facility is constructed at the subject property, the Kahului Armory and the Paukukalo Organizational Maintenance Shop will be vacated and returned to the State Department of Land and Natural Resources.
- The subject property will include one helipad, which will facilitate training missions, primarily on weekends.
- Helicopters are better suited than airplanes to maneuver in the sometimes-windy conditions of the Puunene area.
- Air routes into and out of the Armory would be developed to avoid the flow of commercial traffic arriving or departing Kahului Airport.
- If helicopter uses were prohibited at the subject property, valuable training time would be lost (because Company "C" would have to travel to the Armory from Kahului Airport), and the National Guard would be less effective in providing civil-defense support to Maui County.
- DAGS will maintain a temporary intersection facilitating access to the Armory from Mokulele Highway until the State Department of Transportation completes a permanent intersection.
- Traffic at the intersection is expected to increase 0.4 percent and 0.3 percent for the morning and afternoon peak hours, respectively. Only seven personnel will be commuting to the subject property during weekdays. Once a month, weekend operations may involve up to 150 personnel.

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

November 16, 2001
Page 6

Committee
Report No. 01-227

- A County-issued Certificate of Occupancy for the Armory is necessary to ensure access to Federal funds.

Your Committee thanked the National Guard representatives for their service, particularly during the current national crisis. Your Committee voted to recommend approval of the proposed bill and filing of the communication.

Your Committee is in receipt of a revised proposed bill, incorporating technical revisions.

Your Land Use Committee **RECOMMENDS** the following:

1. That Bill No. _____ (2001), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE GRANTING A CONDITIONAL PERMIT TO CONSTRUCT A NEW HAWAII ARMY NATIONAL GUARD ARMORY, ORGANIZATIONAL MAINTENANCE SHOP, SERVICE, STORAGE, PARKING AND HELIPAD IMPROVEMENTS, AND RELATED IMPROVEMENTS, AND FOR A POST EXCHANGE AND HAWAII AIR NATIONAL GUARD FACILITIES WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT PULEHUNUI, PUUNENE, MAUI, HAWAII" PASS FIRST READING and BE ORDERED TO PRINT; and
2. That County Communication No. 01-219 be FILED.

Adoption of this report is respectfully requested.

COUNCIL OF THE COUNTY OF MAUI
LAND USE COMMITTEE

November 16, 2001
Page 7

Committee
Report No. 01-227

ALAN M. ARAKAWA **Chair**

DAIN P. KANE **Member**

PATRICK S. KAWANO **Vice-Chair**

MICHAEL J. MOLINA **Member**

ROBERT CARROLL **Member**

WAYNE K. NISHIKI **Member**

G. RIKI HOKAMA **Member**

CHARMAINE TAVARES **Member**

JO ANNE JOHNSON **Member**