

**COUNCIL OF THE COUNTY OF MAUI**  
**LAND USE COMMITTEE**

April 5, 2013

**Committee**  
**Report No.** \_\_\_\_\_

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

Chair and Members:

Your Land Use Committee, having met on March 13, 2013, makes reference to County Communication 13-87, from Councilmember Donald G. Couch, Jr., transmitting a proposed resolution entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO ENACT A COMMUNITY PLAN AMENDMENT AND A CHANGE IN ZONING FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII, TAX MAP KEY NUMBERS (2) 2-2-002:081 (POR.) AND (2) 2-2-002:083 (POR.), FOR THE PROPOSED KIHEI HIGH SCHOOL".

The purpose of the proposed resolution is to refer the following to the Maui Planning Commission:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII, TAX MAP KEY NUMBER (2) 2-2-002:081 (POR.), FOR THE PROPOSED KIHEI HIGH SCHOOL". The purpose of the proposed bill is to amend the Kihei-Makena Community Plan and Land Use Map from Agriculture to Public/Quasi-Public for approximately 29.175 acres situated in Kihei, Maui, Hawaii, to facilitate the development of a new high school on State-owned property fronting Piilani Highway.
  
2. A proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII, TAX MAP KEY NUMBERS (2) 2-2-002:081 (POR.) AND (2) 2-2-002:083 (POR.), FOR THE PROPOSED KIHEI HIGH SCHOOL". The purpose of the proposed bill is to change the zoning from Agricultural District to P-1 Public/Quasi-Public District for approximately 77.182 acres situated in Kihei, Maui, Hawaii, to facilitate

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the development of a new high school on State-owned property fronting Piilani Highway.

According to Christine Ruotola, Principal, Group 70 International, Inc., the two properties are in the process of being consolidated into one lot. Your Committee notes that, upon consolidation of the properties, a new Tax Map Key is expected to be assigned. Your Committee further notes, however, the properties described in the metes and bounds descriptions attached to each proposed bill will remain the same.

Ms. Ruotola noted the State Department of Education (“DOE”) is targeting opening the first phase of the school in 2016, pending funding for the project. The first phase of the project would allow for 800 students and 120 staff, with two classroom buildings, an administrative and student center, a library, cafeteria, elective buildings, and certain athletic facilities. Infrastructure improvements, including improvements to Piilani Highway, would also be included.

Nick Nichols, Facilities Planner, Facilities Development Branch, DOE, noted the DOE is seeking \$130 million in funding from the State this legislative session to develop the first phase of the project.

The second phase of the project would be developed as enrollment increases at the school. The second phase would allow for a total capacity of 1,650 students and 180 staff, and additional buildings and facilities.

Ms. Ruotola further noted the Final Environmental Impact Statement for the project was accepted by Governor Abercrombie on November 9, 2012. A petition for State land use district boundary amendment was filed and accepted for processing on February 20, 2013. The hearing on the proposed district boundary amendment is expected to occur on June 13 and 14, 2013.

The Planning Director stated the Department supports the Community Plan Amendment and Change in Zoning for the project.

Your Committee discussed concerns over the safety of students crossing Piilani Highway, and the need for an underpass or overpass to enhance pedestrian safety. Your Committee requested the issue be addressed as the project progresses.

COUNCIL OF THE COUNTY OF MAUI  
**LAND USE COMMITTEE**

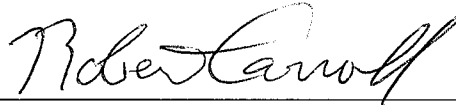
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Your Committee voted 9-0 to recommend adoption of the proposed resolution. Committee Chair Carroll, Vice-Chair Guzman, and members Baisa, Cochran, Couch, Crivello, Hokama, Victorino, and White voted "aye".

Your Land Use Committee RECOMMENDS that Resolution \_\_\_\_\_, attached hereto, entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO ENACT A COMMUNITY PLAN AMENDMENT AND A CHANGE IN ZONING FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII, TAX MAP KEY NUMBERS (2) 2-2-002:081 (POR.) AND (2) 2-2-002:083 (POR.), FOR THE PROPOSED KIHEI HIGH SCHOOL", be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



\_\_\_\_\_  
ROBERT CARROLL, Chair

# Resolution

No. \_\_\_\_\_

REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS  
TO ENACT A COMMUNITY PLAN AMENDMENT AND A CHANGE IN ZONING  
FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII,  
TAX MAP KEY NUMBERS (2) 2-2-002:081 (POR.) AND (2) 2-2-002:083 (POR.),  
FOR THE PROPOSED KIHEI HIGH SCHOOL

WHEREAS, the Council wishes to facilitate the construction of a new high school on State-owned property fronting Piilani Highway in Kihei, Maui, Hawaii; and

WHEREAS, the Council is, therefore, considering a Community Plan Amendment from Agriculture to Public/Quasi-Public for approximately 29.175 acres situated at Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Number (2) 2-2-002:081 (por.); and

WHEREAS, the Council is also considering a Change in Zoning from Agricultural District to P-1 Public/Quasi-Public District for the 29.175 acres, in addition to approximately 48.007 acres situated at Kihei, Maui, Hawaii, identified for real property tax purposes by Tax Map Key Number (2) 2-2-002:083 (por.), collectively comprising approximately 77.182 acres; and

WHEREAS, Sections 8-8.4 and 8-8.6 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), require that the appropriate planning commission review proposed land use ordinances and amendments to the General Plan and provide findings and recommendations to the Council; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

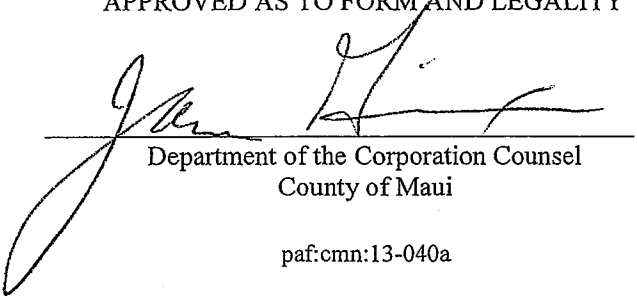
1. That it hereby refers the proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII, TAX MAP KEY NUMBER (2) 2-2-002:081 (POR.), FOR THE PROPOSED KIHEI HIGH SCHOOL", a copy of which is attached hereto as Exhibit "1" and made a part hereof, to the Maui Planning Commission, pursuant to Sections 8-8.4 and 8-8.6 of the Charter;
2. That it hereby refers the proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY

Resolution No. \_\_\_\_\_

SITUATED AT KIHEI, MAUI, HAWAII, TAX MAP KEY NUMBERS (2) 2-2-002:081 (POR.) AND (2) 2-2-002:083 (POR.), FOR THE PROPOSED KIHEI HIGH SCHOOL”, a copy of which is attached hereto as Exhibit “2” and made a part hereof, to the Maui Planning Commission, pursuant to Sections 8-8.4 and 8-8.6 of the Charter;

3. That it respectfully requests that the Maui Planning Commission transmit its findings and recommendations to the Council as expeditiously as possible; and
4. That certified copies of this resolution be transmitted to the Mayor, the Planning Director, and the Maui Planning Commission.

APPROVED AS TO FORM AND LEGALITY



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Department of the Corporation Counsel  
County of Maui

paf:cmn:13-040a

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2013)

A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII, TAX MAP KEY NUMBER (2) 2-2-002:081 (POR.), FOR THE PROPOSED KIHEI HIGH SCHOOL

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapter 2.80B, Maui County Code, the Kihei-Makena Community Plan and Land Use Map is hereby amended from Agriculture to Public/Quasi-Public for property situated at Kihei, Maui, Hawaii, and identified for real property tax purposes by Tax Map Key Number (2) 2-2-002:081 (por.), comprising approximately 29.175 acres, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Community Plan Amendment Map No. CP-\_\_\_\_, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

paf:cmn:13-040b

**EXHIBIT**   1

DESCRIPTION

KAONOULU RANCH-WATER TANK SUBDIVISION  
LOT 1-A-1

Being portions of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 and Royal Patent 4388, Land Commission Award 8452, Apana 19 to A. Keohokalole situated at Kaonoulu, Koheo 1 & 2, Kihei, Island and County of Maui, State of Hawaii.

Beginning at a 1/2-inch pipe on the Southwest corner of this lot on the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

11,695.40 feet North

21,731.05 feet West

and running by azimuths measured clockwise from True South:

1. Thence along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] on a curve to the right with a radius of 6,935.19 feet, the radial azimuth from the radius point to the beginning of the curve being: 75° 21' 36.2"; the chord azimuth and distance being: 166° 04' 48.1" 174.29 feet to a 1/2-inch pipe;
2. 166° 48' 151.65 feet along same to a 1/2-inch pipe;
3. 256° 48' 615.00 feet along the remainder of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 to a 1/2-inch pipe ;
4. Thence along same on a curve to the right with a radius of 1,000.00 feet, the chord azimuth and distance being: 265° 18' 295.62 feet to a PK nail;
5. 273° 48' 1,330.50 feet along same to a 1/2-inch pipe;
6. 0° 00' 737.29 feet along remainders of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 and Royal Patent 4388, Land Commission Award 8452, Apana 19 to A. Keohokalole;
7. 100° 28' 1,517.10 feet along Grant 9325, Apana 1 to Haleakala Ranch Co.;

8. 95° 59'

656.11 feet along same to the point of beginning and containing an area of 29.175 Acres.

Access will not be permitted into and from Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] over and across Courses 1 and 2 of the above described Lot 1-A-1.

This work was prepared by me  
or under my supervision.



RONALD M. FUKUMOTO ENGINEERING, INC.

A handwritten signature in black ink that reads "M Silva".

Michael E. Silva  
Licensed Professional Land Surveyor  
Certificate Number 12960

1721 Wili Pa Loop, Suite 203  
Wailuku, Hawaii 96793  
January 20, 2011

KR01



ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2013)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII, TAX MAP KEY NUMBERS (2) 2-2-002:081 (POR.) AND (2) 2-2-002:083 (POR.), FOR THE PROPOSED KIHEI HIGH SCHOOL

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapters 19.31 and 19.510, Maui County Code, a change in zoning from Agricultural District to P-1 Public/Quasi-Public District is hereby granted for property situated at Kihei, Maui, Hawaii, and identified for real property tax purposes by Tax Map Key Number (2) 2-2-002:081 (por.), comprising approximately 29.175 acres, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in Land Zoning Map No. L-\_\_\_\_, which is on file at the Office of the County Clerk of the County of Maui, and by reference made a part hereof; and

SECTION 2. Pursuant to Chapters 19.31 and 19.510, Maui County Code, a change in zoning from Agricultural District to P-1 Public/Quasi-Public District is hereby granted for property situated at Kihei, Maui, Hawaii, and identified for real property tax purposes by Tax Map Key Number (2) 2-2-002:083 (por.), comprising approximately 48.007 acres, and more particularly described in Exhibit "B", attached hereto and made a part hereof, and in Land Zoning Map No. L-\_\_\_\_, which is on file at the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

paf:cmn:13-040c

**EXHIBIT** "2"

**DESCRIPTION**

**KAONOULU RANCH-WATER TANK SUBDIVISION**

**LOT 1-A-1**

Being portions of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 and Royal Patent 4388, Land Commission Award 8452, Apana 19 to A. Keohokalole situated at Kaonoulu, Koheo 1 & 2, Kihei, Island and County of Maui, State of Hawaii.

Beginning at a 1/2-inch pipe on the Southwest corner of this lot on the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

11,695.40 feet North

21,731.05 feet West

and running by azimuths measured clockwise from True South:

1. Thence along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] on a curve to the right with a radius of 6,935.19 feet, the radial azimuth from the radius point to the beginning of the curve being: 75° 21' 36.2"; the chord azimuth and distance being: 166° 04' 48.1" 174.29 feet to a 1/2-inch pipe;
2. 166° 48' 151.65 feet along same to a 1/2-inch pipe;
3. 256° 48' 615.00 feet along the remainder of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 to a 1/2-inch pipe ;
4. Thence along same on a curve to the right with a radius of 1,000.00 feet, the chord azimuth and distance being: 265° 18' 295.62 feet to a PK nail;
5. 273° 48' 1,330.50 feet along same to a 1/2-inch pipe;
6. 0° 00' 737.29 feet along remainders of Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56 and Royal Patent 4388, Land Commission Award 8452, Apana 19 to A. Keohokalole;
7. 100° 28' 1,517.10 feet along Grant 9325, Apana 1 to Haleakala Ranch Co.;

8. 95° 59'

656.11 feet along same to the point of beginning and containing an area of 29.175 Acres.

Access will not be permitted into and from Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] over and across Courses 1 and 2 of the above described Lot 1-A-1.

This work was prepared by me  
or under my supervision.



RONALD M. FUKUMOTO ENGINEERING, INC.

A handwritten signature in black ink that reads "M. Silva".

Michael E. Silva  
Licensed Professional Land Surveyor  
Certificate Number 12960

1721 Wili Pa Loop, Suite 203  
Wailuku, Hawaii 96793  
January 20, 2011

KR01

**DESCRIPTION**

**ANAWIO SUBDIVISION  
LOT 2-A**

Being a portion of Grant 9325, Apana 1 to Haleakala Ranch Co. situated at Waiohuli, Kihei, Island and County of Maui, State of Hawaii.

Beginning at a 1/2-inch pipe on the Northwest corner of this lot on the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being:

11,695.40 feet North

21,731.05 feet West

and running by azimuths measured clockwise from True South:

1. 275° 59' 656.11 feet along Royal Patent 7447, Land Commission Award 3237, Part 2 to H. Hewahewa, Certificate of Boundaries No. 56;
2. 280° 28' 1,517.10 feet along Royal Patent 4388, Land Commission Award 8452, Apana 19 to A. Keohokalole;
3. 00° 00' 975.13 feet along the remainder of Grant 9325, Apana 1 to Haleakala Ranch Co. to a PK nail;
4. 102° 30' 804.53 feet along same to a 1/2-inch pipe;
5. 86° 30' 200.00 feet along same to a 1/2-inch pipe;
6. 70° 42' 02" 739.62 feet along same to a 1/2-inch pipe;
7. 160° 42' 02" 791.42 feet along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] to a 1/2-inch pipe;
8. 250° 42' 02" 20.00 feet along the Southerly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] to a 1/2-inch pipe;
9. 160° 42' 02" 120.53 feet along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] to a 1/2-inch pipe;

10. Thence along same on a curve to the right with a radius of 6,920.19 feet, the radial azimuth from the radius point to the end of the curve being:  $72^{\circ} 05' 01''$ ;  
the chord azimuth and distance being:  
 $161^{\circ} 23' 31.5''$                       167.04 feet to a 1/2-inch pipe;
11. Thence along same on a curve to the right with a radius of 6,920.19 feet, the radial azimuth from the radius point to the beginning of the curve being:  $72^{\circ} 05' 01''$ ;  
the radial azimuth from the radius point to the end of the curve being:  $72^{\circ} 44' 47''$ ;  
the chord azimuth and distance being:  
 $162^{\circ} 24' 54''$                       80.05 feet to a 1/2-inch pipe;
12. Thence along same on a curve to the right with a radius of 6,920.19 feet, the radial azimuth from the radius point to the beginning of the curve being:  $72^{\circ} 44' 47''$ ;  
the radial azimuth from the radius point to the end of the curve being:  $72^{\circ} 49' 28''$ ;  
the chord azimuth and distance being:  
 $162^{\circ} 47' 07.5''$                       9.43 feet to a 1/2-inch pipe;
13.  $72^{\circ} 49' 28''$                       15.00 feet along the Northerly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] to a 1/2-inch pipe;
14. Thence along the Easterly side of Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] on a curve to the right with a radius of 6,935.19 feet, the radial azimuth from the radius point to the beginning of the curve being:  $72^{\circ} 49' 28''$ ;  
the radial azimuth from the radius point to the end of the curve being:  $75^{\circ} 21' 36.2''$ ;  
the chord azimuth and distance being:  
 $164^{\circ} 05' 32.1''$                       306.89 feet;  
to the point of beginning and containing an area of 48.007 Acres.

Access will not be permitted into and from Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] over and across Courses 7 through 10, inclusive and Courses 12 through 14, inclusive of the above described Lot 2-A.

Access will be permitted into and from Piilani Highway [Federal Aid Project No. F-RF-031-1(5)] over and across Course 11 of the above described Lot 2-A.

This work was prepared by me  
or under my supervision.



RONALD M. FUKUMOTO ENGINEERING, INC.

A handwritten signature in black ink that reads "M Silva".

Michael E. Silva  
Licensed Professional Land Surveyor  
Certificate Number 12960

1721 Wili Pa Loop, Suite 203  
Wailuku, Hawaii 96793  
January 20, 2011

HRC01