

# LAND USE COMMITTEE

Council of the County of Maui

## MINUTES

March 13, 2013

Council Chamber

**CONVENE:** 1:35 p.m.

**PRESENT:** Councilmember Robert Carroll, Chair  
Councilmember Don S. Guzman, Vice-Chair  
Councilmember Gladys C. Baisa  
Councilmember Elle Cochran (in 1:38 p.m.)  
Councilmember Donald G. Couch, Jr.  
Councilmember Stacy Crivello  
Councilmember G. Riki Hokama (in 1:38 p.m.)  
Councilmember Michael P. Victorino  
Councilmember Mike White (in 2:02 p.m.)

**STAFF:** Carla Nakata, Legislative Attorney  
Clarita Balala, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)

Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)

Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

*Seated in the gallery:*

Morris Haole, Executive Assistant to Councilmember Robert Carroll

**ADMIN.:** William Spence, Director, Department of Planning  
Michael J. Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel

**OTHERS:** Mark Hyde, Vice President, Kihei Community Association (Item No. 10)  
John Rapacz, Esq.

Karlynn Fukuda, Executive Vice President, Munekiyo & Hiraga, Inc.  
Nick Nichols, Facility Planner, Facilities Development Branch,  
Department of Education  
Christine Ruotola, Principal, Group 70 International

**PRESS:** *Akaku: Maui Community Television, Inc.*

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**PRESS:** *Akaku: Maui Community Television, Inc.*

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CHAIR CARROLL: . . .(*gavel*). . . This Land Use Committee meeting of March 13, 2013 will come to order. I'm Councilmember Robert Carroll, Chair of the Land Use Committee. First of all, may I request anybody with any cellphones or anything that makes noise, please disconnect it or make it silent. We have with us this morning, Committee Members, Vice-Chair Don Guzman.

VICE-CHAIR GUZMAN: Good afternoon, Chair.

CHAIR CARROLL: And we have our Council Chair, Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR CARROLL: Our Molokai representative, Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good afternoon, Chair.

CHAIR CARROLL: And our Kihei representative, Donald Couch.

COUNCILMEMBER COUCH: Good afternoon and aloha, Chair.

CHAIR CARROLL: And our Wailuku representative, Mr. Victorino.

COUNCILMEMBER VICTORINO: Aloha and good afternoon, Chair.

CHAIR CARROLL: And joining us shortly will be Mr. White, Mr. Hokama, and Ms. Cochran. Department of Corporation Counsel, we have Mike Hopper, Deputy Corporation Counsel. Executive Branch representatives, Mr. Spence will be joining us shortly. Applicant's representatives, Karlynn Fukuda, Munekiyo & Hiraga, Incorporated; Nick Nichols, Facility Planner, Facility Development Branch, Department of Education; Christine Ruotola, Group 70 International. Our Committee Staff, we have Clarita Balala, Committee Secretary and Carla Nakata, our Legislative Attorney. Members, today we have two items on our agenda, LU-55, Conditional Permit for Real Estate and Management Office for Grand Kahana Investments, LLC (Lahaina) and LU-10, Community Plan Amendment and Change in Zoning for the Proposed Kihei High School. We will now accept public testimony. For individuals who will be testifying in the Chamber, please sign up at the desk, and remote locations, please see the Staff member. Testimonies will be limited to under items on the agenda today. Each testifier will be allowed to testify on each item for up to three minutes with one minute to conclude. When testifying please state your name and the name of any organization that you're representing. We have a connection to the district offices so residents from these sites can testify. We will rotate through the sites. Members, please remember that

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participants from the district offices depend on us speaking loudly, clearly and directly into the microphone. Chair will request that the staff identify themselves. Hana Office, is Dawn Lono there?

MS. LONO: Good afternoon, Chair. This is Dawn Lono at the Hana Office.

CHAIR CARROLL: Good afternoon. Lanai Office?

MS. FERNANDEZ: Good afternoon, Chair, this is Denise Fernandez at the Lanai Office.

CHAIR CARROLL: Good afternoon. And Molokai Office?

MS. ALCON: Good afternoon, Chair, this is Ella Alcon on Molokai.

CHAIR CARROLL: And good afternoon. Committee Staff, could you please call the first testifier, Ms. Nakata.

MS. NAKATA: Mr. Chair, the first testifier is Mark Hyde. He'll be testifying on LU-10.

**...BEGIN PUBLIC TESTIMONY...**

MR. HYDE: Good afternoon. My name is Mark Hyde. I'm the vice-president of the Kihei Community Association. I'm here on behalf of the Board of Directors to express our unanimous approval and support for the Kihei High School. It is clearly going to be an asset to the community and so we support Community Plan Amendment and zoning change that will bring the high school to fruition. I'd like to take off that hat for a moment and put it down and offer a comment as an individual. I live in South Maui. I also support a Community Plan Amendment and zoning change. I have had concerns about children's safety going to and from this campus which is located on a high speed highway, and as you know from the Countywide Policy Plan, it is the policy of this County to encourage bikeability and walkability, and we also know that children in America are becoming more and more obese because of the lack of ability to walk and to ride bikes and do the things that some of us used to do when we were kids. So as you are evaluating this project, I would ask you to consider ways that you might create a walkable and bikeable campus even though its location is on the opposite side of the highway from all the current residence. That might include an access way under the Piilani Highway associated with one of the gulches nearby and if you would do that that would be great. Thank you very much.

CHAIR CARROLL: Thank you. Any questions for the testifier? Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And thank you, Mr. Hyde, for being here. While I agree with you on the children's safety crossing the highway, are you...and I do like the idea of going underneath the highway...are you aware of any safety measures that we could use...I mean, I...have you seen this done elsewhere before where people can go under a highway well lit, where there's enough warning for flash floods and whatnot?

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MR. HYDE: Yes. There are examples where that has been done very successfully and I can supply an example to you.

COUNCILMEMBER COUCH: If you could, that would be fabulous.

MR. HYDE: Yeah, we don't have really in that location of say a homeless issue. It is a bit remote and I think there are ways that we could creatively create some channels for children to get to school other than crossing the highway. You know, not every kid can afford a car.

COUNCILMEMBER COUCH: Right, yeah.

MR. HYDE: And, you know, the logical way to get to this campus is by automobile given its location, but we need to keep in mind all of our citizens and provide them with ready access.

COUNCILMEMBER COUCH: Okay, thank you. Thank you, Mr. Chair.

CHAIR CARROLL: Any further questions for the testifier? Seeing none, thank you.

MR. HYDE: Thank you.

CHAIR CARROLL: I'm now going to ask the Hana Office, is there anyone there waiting to testify?

MS. LONO: The Hana Office has no one waiting to testify, Chair.

CHAIR CARROLL: Thank you. Lanai Office, is there anyone waiting to testify?

MS. FERNANDEZ: The Lanai Office has no one waiting to testify.

CHAIR CARROLL: Thank you. Molokai, do you have anyone waiting to give testimony?

MS. ALCON: No one's here on Molokai waiting to testify.

CHAIR CARROLL: Thank you. Ms. Nakata.

MS. NAKATA: Mr. Chair, there are no further testifiers who have signed up.

CHAIR CARROLL: Is there anyone in the gallery that wishes to give testimony at this time, please come forward. Seeing none, if there is no objection, we will be closing public testimony.

COUNCIL MEMBERS: No objections.

CHAIR CARROLL: Public testimony is now closed.

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*...END OF PUBLIC TESTIMONY...*

CHAIR CARROLL: And we have with us Ms. Cochran and Mr. Hokama, and Mr. White will be joining us shortly.

COUNCILMEMBER COCHRAN: Aloha, Chair. And Mr. Spence.

COUNCILMEMBER COUCH: Mr. Spence.

COUNCILMEMBER COCHRAN: Director Spence.

CHAIR CARROLL: Oh, and Mr. Spence is here with us.

MR. SPENCE: My apologies, Mr. Chair.

CHAIR CARROLL: Thank you, Mr. Spence. I didn't see you over there, you wearing all black, you kind of blend in.

MR. SPENCE: Yeah, I am.

**ITEM NO. 55: CONDITIONAL PERMIT FOR REAL ESTATE AND MANAGEMENT OFFICE FOR GRAND KAHANA INVESTMENTS, LLC (LAHAINA) (CC 08-253)**

CHAIR CARROLL: Alright, Members. We have now have...under discussion is LU-55, the Conditional Permit for Real Estate and Management Office for Grand Kahana Investments, LLC (Lahaina). The Committee is in receipt of County Communication 08-253, from the Planning Director, transmitting a proposed bill to grant a request from Grand Kahana Investments, LLC for a five-year Conditional Permit to allow the operation of a Real Estate and Management Office on approximately 4,948 square feet within the H-M Hotel District at 4242 Lower Honoapiilani Highway, Lahaina, Maui, Hawaii. Committee is also in receipt of correspondence dated February 21, 2013, from Douglas Fitch, Grand Kahana Investments, LLC, requesting the application be filed. Is there any discussion? If not, the Chair will give his. . .this is a filing. The applicant has requested that it be withdrawn and filed.

COUNCILMEMBER HOKAMA: So moved. You're asking for a motion, Chair?

CHAIR CARROLL: The Chair will entertain a motion to recommend that the proposed bill entitled, A Bill for an Ordinance Granting Grand Kahana Investments, LLC, a Conditional Permit to Allow the Operation of a Real Estate and Management Office within the County Hotel District for Property Situated at Lahaina, Maui, Hawaii, be filed.

VICE-CHAIR GUZMAN: So moved.

COUNCILMEMBER COUCH: Second.

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COUNCILMEMBER VICTORINO: Second, Chair.

CHAIR CARROLL: Been moved by Mr. Guzman, seconded by Mr. Couch. Any discussion? Hearing none, all in favor of the motion, please signify by saying, "aye".

COUNCIL MEMBERS: Aye.

CHAIR CARROLL: Opposed? Motion carried, eight ayes, no noes, one excused, Mr. White. Thank you.

**VOTE:       AYES:     Chair Carroll, Vice-Chair Guzman, and Councilmembers Baisa, Cochran, Couch, Crivello, Hokama, and Victorino.**

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:    None.**

**EXC.:       Councilmember White.**

**MOTION CARRIED.**

**ACTION:     Recommending FILING of communication.**

**ITEM NO. 10:   COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING FOR THE PROPOSED KIHEI HIGH SCHOOL (CC 13-87)**

CHAIR CARROLL: Moving on. We now have LU-10, Community Plan Amendment and Change in Zoning for the Proposed Kihei High School. Committee is in receipt of County Communication 13-87 from Councilmember Don Couch, Jr., transmitting a proposed resolution entitled, Referring to the Maui Planning Commission Proposed Bills to Enact a Community Plan Amendment and Change in Zoning for Property Situated at Kihei, Maui, Hawaii, Tax 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 two proposed bills to the Maui Planning Commission. The first proposed bill entitled, A Bill for an Ordinance to Amend Kihei Community Plan and Land Use Map from Agricultural to Public/Quasi-Public for Property Situated at Kihei, Maui, Hawaii, Tax Key Number (2) 2-2-002:081 (POR), for the Proposed Kihei High School. Purpose of proposed bill is to amend the Kihei-Makena Community Plan and Land Use Map from Agricultural to Public/Quasi-Public for approximately 29.175 acres situated at Kihei, Maui, Hawaii, to facilitate the development

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of a new high school on State-owned property fronting Piilani Highway. Second, 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 Key Numbers (2) 2-2-002:081 (POR) and (2) 2-2-002:083 (POR) for the proposed Kihei High School. The proposed, purpose for the proposed bill is to change the zoning for approximately 77.182 acres situated at Kihei, Maui, Hawaii, to facilitate the development of a new high school on State property fronting Piilani Highway. Members, we will now receive a PowerPoint presentation from Karlynn Fukuda, Munekiyo & Hiraga, Incorporated. We'll be in recess for two minutes to put down the screen. We now stand in recess. . . .(gavel). . .

**RECESS: 1:47 p.m.**

**RECONVENE: 1:50 p.m.**

CHAIR CARROLL: . . .(gavel). . . Land Use Committee meeting of March 13<sup>th</sup> is now back in session. We'll now turn the time over to the applicant. Are you ready? Alright, the applicant will be ready in a moment and we shall entertain ourselves until then. . . .(laughter). . . We're gonna take a short recess. Stand in recess. . . .(gavel). . .

**RECESS: 1:52 p.m.**

**RECONVENE: 1:54 p.m.**

CHAIR CARROLL: . . .(gavel). . . Land Use Committee of March 13<sup>th</sup> is now back in session, and we will turn the time over to the applicant's representative for a presentation. Proceed.

MR. NICHOLS: Good afternoon. My name is Nick Nichols. I'm with Department of Education. I'm a facilities planner. We'd like to thank you for the opportunity to come and meet with you today and ultimately we'd really appreciate your support of these two bills that you just read and addressed. Right away, I think we'll just show you a brief overview of the Kihei proposed high school. . . .Kihei High School and then we'll entertain any questions that you have after that.

MS. RUOTOLA: Good afternoon. I'm Christine Ruotola with Group 70, and as Nick said, we'd like to give an overview and status, and then request your referral to Planning Commission for the Change in Zoning and Community Plan Amendment. As you all are probably very well aware of the idea for a high school, public high school in Kihei, is long in coming and long in people's ideas of these. . . .currently many of the students from Kihei are going to Maui High School and also to Baldwin. The State embarked on a . . .DOE embarked on a site selection study that was completed in 2008 looking at a number of properties in Kihei, identified this current location for the high school. The State then purchased the parcel from Haleakala and Ka'ono'ulu Ranch. That purchase was complete last year. Some subdivision work has occurred, and right now the two parcels that were subdivided out, that were purchased, are currently going in for final subdivisions, so we should be looking at having a single parcel here soon. The method of

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procurement, and Nick can answer questions about this, is intended to be a design-build. So a exercise to do a conceptual plan for the school occurred, a number of focus groups with some community members, school administrators, teachers, students, and this idea. . .this concept was laid out with some classroom houses. The idea, you know, we're looking. . .Piilani Highway is to the top right of the screen, so backing the school off of the highway, providing somewhat of a noise buffer, athletic facilities more towards the highway, kind of more the community interface use of the school towards the highway and the more kind of academics school use offset from the highway were some of the ideas that went into this concept. The school is intended to be funded. . .phased for construction, pending funding. The idea of opening a Phase 1, which largely has all the infrastructure of a school, the offsite improvements, the site work, a capacity for 800 students with the classroom houses and the administrative and other support on campus, the athletic facilities as well. Phase 2 would then as enrollment warranted, bring on other classroom buildings and expand some of the spaces to accommodate another 850 students. So this is the site plan. On your handout you might be able to see it a little easier in terms of phasing. The lighter shaded buildings in this diagram are to the lower part of the screen, lower right, classroom buildings are. . .it's an idea of. . .again this would be the thought is design-build, but it's an idea of how it could be phased to bring in additional growth as enrollment warranted it. In terms of the EIS and Land Use requirements, we've gone through the EIS process. The EIS was accepted by Governor Abercrombie last year, there were no challenges to the EIS. The Land Use boundary. . .District Boundary Amendment petition has been filed, the dates of the hearing will be June 13<sup>th</sup> and 14<sup>th</sup> of this year. We come to you for the referral out of the Change in Zoning, Agriculture to P-1, and for the Community Plan Amendment, also one of the parcels from Ag to Public/Quasi-Public. This indicates just that the Community Plan Amendment Map. . .this is just showing part of the parcel. . .part of the to-be-combined parcel is already in Public/Quasi-Public and part is in Ag, right now. And this exhibit, the Draft, the now adopted Island Plan shows the Urban Growth Boundary, east of the site, encompassing the site, and then the next one. . .the next map indicates a proposed high school at this project site, so consistency with kind of the long-term planning that you all have been embarked on for years. This is our contact information, Karlynn as well is very familiar with the project. Any questions?

CHAIR CARROLL: Thank you. We'll now stand in recess for two minutes to put back up the screen and reconvene. Recess. . .(*gavel*). . .

**RECESS:                    2:00 p.m.**

**RECONVENE:            2:02 p.m.**

CHAIR CARROLL: . . .(*gavel*). . . Land Use Committee meeting of March 13<sup>th</sup> is now back in session and all Members are present. We'll now ask for comments from the Department of Planning, Mr. Spence.

MR. SPENCE: Thank you, Mr. Chairman. Nothing much to report to the Committee except that we're supporting the Change in Zoning and the Community Plan Amendment for this. It's a project

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that's been on the books, been needed a very long time, and we're supporting it as it goes through the process.

CHAIR CARROLL: Thank you. And Corporation Counsel, do you have any comment at this time?

MR. HOPPER: Mr. Chair, only that obviously this is a resolution to send this project to the Planning Commission for review. This is obviously not a resolution or ordinance approving the Change in Zoning or Community Plan Amendment, you're sending this along to the Commission for review.

CHAIR CARROLL: Thank you. Members, the floor is now open for discussion. Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

CHAIR CARROLL: Followed by Mr. Hokama.

COUNCILMEMBER COUCH: Thank you very much for bringing this up. This is a much needed facility in South Maui. I wanted to ask probably Corp. Counsel, you know, they're talking about consolidating the lots into one lot so the TMKs will most likely change. The fact that they're in the title of the bill, the bills that are going down, is that a point of. . .I know we have a hard time changing titles of bills when it comes back from Planning Commission. . .is that going to be an issue?

CHAIR CARROLL: Corporation Counsel?

MR. HOPPER: Mr. Chair, we can look into this further, but I do believe, you know, the Tax Map Keys may change but it wouldn't be describing different property with the Tax Map Keys. It would. . .I mean, right now, you have notice of two separate Tax Map Keys, it's describing certain property. I think that if there was a consolidation into one Tax Map Key, you may have a new Tax Map Key but it's the same property. So we may need to look at that, you know, sort of more precisely, but it's not as if the site is actually changing over time. It's a bit different than that. So that may be a problem but in this case, I don't necessarily see that as a potential problem.

COUNCILMEMBER COUCH: I understand that, yeah, that the land isn't going to change. It's our procedures with the title of the bill. When it comes back it might be a completely different Tax Map Key and then, therefore we would have to change it in the title of the bill. Then would it have to go back to Planning Commission? Because every time we've tried to change something in the title of a bill, it's been a big issue.

MR. HOPPER: Well, I mean, you know, we can check. . .I can check this with Staff, but, you know, there's not much else at this point you could do. Your options could be to hold off on sending this to the Commissions and wait until that consolidation happens but right now, there's no new Tax Map Key, so, you know, either. . .I don't know if there's a solution to take the Tax Map Key

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out of the bill entirely somehow out of the title of the bill itself and simply describe certain, you know, a certain area, but at this point, I think you're pretty much limited to these two Tax Map Keys or if there is a, you know, a different exhibit to attach it, but I don't think we would necessarily have a problem as far as notice to the public. Now again, I would like to follow up with Staff on this to see what the . . . how strict that has been in the past. I haven't dealt with very many bills with actual Tax Map Keys in the title.

COUNCILMEMBER COUCH: Right.

MR. HOPPER: So we would. . . I would wanna check that but this is clearly a case that is very different than the site actually changing.

COUNCILMEMBER COUCH: Correct.

MR. HOPPER: You are describing specific land and so everyone in the public has notice that this is the land that is subject to these applications, so I don't think that there's a notice issue there necessarily just because there's a change to the title of the bill. I think normally if it was to change the overall purpose of the bill, that would maybe be a potential issue. So I think that there wouldn't be a problem doing that, because you're not changing the purpose of the bill or the site in this case.

COUNCILMEMBER COUCH: Okay.

MR. HOPPER: So I think we're okay, but again I think we should follow up with Staff on that question as well.

COUNCILMEMBER COUCH: Okay, yeah, I just don't want any delays on the way back where things happen to change. I know it's done on other parcels, but I just want to make sure that we're . . . we have smooth sailing. So if we could with Staff.

CHAIR CARROLL: Thank you, Mr. Couch. Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. I'm sure they're gonna go by surveyors marks and everything else down the road, so once we get the metes and bounds squared away as an attachment, I can. . . I'm assured that we won't have issues with the zoning down the road. My question, Chairman, is maybe for the . . . our State representatives here. I'm looking at page, of your handout, Page 3, which is your first. . . Page 4, conceptual rendering. Is this the whole school built out or this is Phase 1 of your project?

MR. NICHOLS: I believe that's showing the . . .

CHAIR CARROLL: Please identify yourself at . . . excuse me, please identify yourself at the microphone.

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MR. NICHOLS: Yeah, my name is Nick Nichols. I think that shows the entire build out. I know it's high and it's sort of hard to see the detail, but basically like Christine said in the presentation, the academic would be to the left, those bluish buildings and then more the athletic and the. . .for example, the gymnasium is that blue and right through this area right of the track and field, and then under the bleachers on the ocean side would be the athletic locker showers, and then you can see the baseball and the softball and some of the fields below.

COUNCILMEMBER HOKAMA: Okay.

MR. NICHOLS: Perhaps the next page. . .

COUNCILMEMBER HOKAMA: One of the things that would help us is maybe we can have all of your renderings be consistent, I mean, this the only one we have Piilani on the right side of your diagram, everything Piilani is on the left side.

MR. NICHOLS: I think one that should be noted is that, you know, this is just a conceptual layout. If we go with the design-build method, you know, the actual proposers will narrow it down to three and then they will be presenting their interpretation of what we should have. So it may not look like this in our criterion documents, though we will describe the kind of adjacent season functional relationships that we want, but one way we're hoping if it does go design-build that they will perhaps find the more cost effective way to build the school so that we can stay within ultimately our budget and spend more of the money towards the buildings and the amenities like that rather than site cost.

COUNCILMEMBER HOKAMA: Okay, I understand what you're trying to do and we're well aware of your success with your other Kihei School --

MR. NICHOLS: Well, thank you.

COUNCILMEMBER HOKAMA: --the Dowling, you know, Dowling Company did. Simultaneously the State did King Kekaulike so we got to see two schools being built with two different approaches and --

MR. NICHOLS: Right.

COUNCILMEMBER HOKAMA: --you know, we saw which approach worked better for this island. So Director. . .for Planning Department, how far is this from our regional park, Kihei Regional Park, this facility?

CHAIR CARROLL: Mr. Spence?

MR. SPENCE: Thank you, Mr. Chairman. I didn't bring a map with me. It's. . .for the Regional Park is further south by Welakahao.

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COUNCILMEMBER HOKAMA: I mean, if you don't have the information, that's alright, I was just trying to, you know, envisioning the County's investment in the Regional Park. I want...looking at this school which is a State Department investment regarding athletic recreational facilities, you know, I'm just calculating how, you know, we might make an adjustment in how we approach certain funding for certain things now.

MR. SPENCE: I don't disagree. If you look on there, page...it doesn't have a page number that...it says Draft Maui Island Plan: Directed Growth Boundary. You can see where the project site is and then further south on the map, and you can see where Piilani Highway is, then further south there's a kind of a bright green area, that's where the regional park is located.

COUNCILMEMBER VICTORINO: Only about three miles. About three, four miles only.

MR. SPENCE: Yeah, it's...

COUNCILMEMBER VICTORINO: It's quite a distance away.

MR. SPENCE: It's not next door.

COUNCILMEMBER BAISA: No.

COUNCILMEMBER COUCH: It's a mile.

MR. SPENCE: Okay.

COUNCILMEMBER HOKAMA: Okay, it's in a reasonable proximity, right?

MR. SPENCE: Well, we're in Kihei.

COUNCILMEMBER HOKAMA: Okay.

COUNCILMEMBER COUCH: It's about 5,000 feet.

COUNCILMEMBER HOKAMA: I appreciate that, Director Spence. Chairman, I would say, you know, it's kind of hard to give comment because as the representative said, this is a conceptual, it's very fluid, we...the roads that we see may not be even there as they move toward closer to construction drawings. So I'd be interested in seeing what is reported back from the Planning Commission since they'll be receiving more detailed. I think the testimony gave already a good, you know, statement about concern of traffic safety and pedestrian safety and so, you know, for those traffic advisory reports we're gonna see from the Commission's scrutiny, I'm sure we'll be able to make better informed decisions. So I'll await the process to continue to move forward, Chairman. Thank you.

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CHAIR CARROLL: Assuming that this passes and we send it to the Planning Commission, I will put correspondence in there indicating your concerns and the Council's concerns.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

CHAIR CARROLL: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Chair. And thank you for being here and I think this is, oh boy, this is. . .once this is completed, this is gonna be a beautiful campus, which back in 1998, we had put this together if you remember, and we were that close to having it approved, but it's here nor there, you know, 1998, some 15 years later in 2013, we finally see the reality and I'm happy to see that. And the school that Mr. Hokama was referring to was Kamalii and that was the school that. . .

COUNCILMEMBER HOKAMA: Yes, thank you.

COUNCILMEMBER VICTORINO: Don't worry, I was there. I went through all of this stuff so and I agree that Dowling did an excellent job and I hope someone like Dowling can come along and do this, because I think design-build is a much preferred method than the State doing. . .and if you see the difference between Kamalii and King Kekaulike, you'll understand the whole thing and I think you've been a part of all of this so you have a pretty good understanding of all this.

MR. NICHOLS: Yes, thank you.

COUNCILMEMBER VICTORINO: Yeah, so my question, saying everything goes right and you get all the necessary approvals and permits, how many phases and how long are the different phases for completion of the campus itself?

MR. NICHOLS: Well, again that goes back to the amount of funding. If we get the full 130 million that we're asking for this session, we would build all of Phase 1 in that. . .so that would be two houses. We'd be able to accommodate up to 800 students. We would have the full admin, library, media center, a cafeteria, they would have the football field and track, and I think half the bleachers, the bleachers on one side, and it would have a practice field. It may not. . .may or may not have. . .we'd have to see. . .does it fully have the softball and the baseball field and the athletic locker showers. Those might be sort of on the fringe. So I like the Corp. Counsel's comment of that if you do have a park. . .I'm involved in our Statewide athletic master plan that we've just embarked on for about three or four months now, and we do appreciate. . .we would like to ideally have on every site all the practice and game level facilities, but we know that that's just not possible for all 44 high schools Statewide. So we know sometimes for baseball or softball they have to go offsite and use, you know, practice. So that might be something that initially, again depending on how it's built out. Ultimately we'd like to have the softball and baseball on the site at the bottom there, wherever it ends up being located. Now, if we do not get the full amount, we'll have to go back and rethink how we move forward, but we won't know, I

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think, what actually comes out of the Legislative Session until probably like early May or so, we'll have a pretty good indication of what comes out.

COUNCILMEMBER VICTORINO: Well, my concern there is, you know, three things you just mentioned. Number one, you left out gym and gym facilities.

MR. NICHOLS: Oh, the gym we hope to have in the first phase.

COUNCILMEMBER VICTORINO: Yeah, because that's the only community in this whole County that there's not one gym available for usage.

MR. NICHOLS: Yeah, that was made very clear when we talked with like Susan Scofield and Randy Yamanuha, so we would definitely from the educational perspective, like to have the gym in the very first phase.

COUNCILMEMBER VICTORINO: Yeah, and if the gym comes before the ball fields, that, in my mind, it'd be preferable. Maybe somebody else was thinking differently.

MR. NICHOLS: Sure.

COUNCILMEMBER VICTORINO: The second thing is, you know, as far as the softball and baseball field, do not forget I am the Chairman of the Gender Commission and you will do the softball field before you do the baseball field, remember that, okay. So there's some things I'm gonna go right at, at you. I wear different hats in this world. The third thing and most importantly on this whole thing is the fact is the accessibility and traffic, I guess, is something that you not know and understand until you really start doing it. I do agree for safety purposes either a tunnel or some kind of. . .and I've always. . .and I get very upset at this. . .the people out there that don't like overpasses. I want something that our kids are safe crossing the road. I could care less which way we did it, because when you tell me you can't have an overpass because some people think it's ugly, well, you know what, I could live with ugly versus safety and that's the bottom line in that one. So underpass, overpass, I don't care but we need to have something done so that the students crossing over from the. . .especially for the residential districts that are adjacent to this community, I mean, to the school, I should say, it's gonna be very paramount. So I think that was my concerns. I like the picture, beautiful picture, and I think if design-build and we can get that what you said along with the gym, I think it's so important for the community at large. I think Kihei really needs that because our Regional Park is not gonna have that for a few more years and I think this could be done before our Regional Park gym is done. So whatever can be done working collaboratively, I can support. Thank you, Mr. Chair.

CHAIR CARROLL: Thank you. Any further discussion to the. . .before I give my recommendation?

COUNCIL MEMBERS: Recommendation, Chair.

CHAIR CARROLL: Mr. Hokama.

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COUNCILMEMBER HOKAMA: I just was curious since I have a nephew that goes to Baldwin. How is the impact on our existing schools then? I mean, I'm sure, you know, you're gonna have some relief for Baldwin High School. Anything for Maui High School and other schools?

MR. NICHOLS: Yes, my understanding that probably there's more relief for Maui High School. I think the greater portion of the Kihei students are attending Maui than Baldwin. So hopefully it'd give relief to both, yes.

COUNCILMEMBER HOKAMA: I'm sure it's gonna give relief to morning and afternoon school traffic.

MR. NICHOLS: Yeah, that's what we're hoping, yeah.

COUNCILMEMBER HOKAMA: You know, that we know is a benefit. So thank you. Thank you very much.

MR. NICHOLS: Thank you.

CHAIR CARROLL: Any further discussion before I give my recommendation?

COUNCILMEMBER VICTORINO: Recommendation.

CHAIR CARROLL: Members, the Chair will entertain a motion to recommend that the proposed resolution entitled, Referring to the Maui Planning Commission Proposed Bills to Enact the Community Plan Amendment and Change in Zoning for Property Situated at Kihei, Maui, Hawaii, Tax Key Number (2) 2-2-002:081 (POR) and (2) 2-2-002:083 (POR) for the proposed Kihei High School, be adopted.

COUNCILMEMBER COUCH: Mr. Chair, I move to approve the proposed resolution.

VICE-CHAIR GUZMAN: Second, Chair.

CHAIR CARROLL: Been moved by Mr. Couch, seconded by Mr. Guzman. Discussion, Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And I'm looking forward to hearing what the Planning Commission has to say and looking forward to getting this thing through and moving forward. Thank you. Thank you for bringing it up.

CHAIR CARROLL: Any further discussion? Seeing none, all in favor of the motion on the floor, please signify by saying, "aye".

COUNCIL MEMBERS: Aye.

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CHAIR CARROLL: Opposed? Motion carried, nine, zero.

**VOTE: AYES: Chair Carroll, Vice-Chair Guzman, and Councilmembers Baisa, Cochran, Couch, Crivello, Hokama, Victorino, and White.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

**EXC.: None.**

**MOTION CARRIED.**

**ACTION: Recommending ADOPTION of resolution.**

CHAIR CARROLL: Members, that brings us to the end of our meeting today.

COUNCILMEMBER HOKAMA: Good meeting.

CHAIR CARROLL: Thank you. Thank you for attending and thanks, too, to all those people out there who are on television land today. This Land Use Committee meeting of March 13, 2013, now stands adjourned. . . .(*gavel*). . .

**ADJOURN: 2:20 p.m.**

APPROVED:



ROBERT CARROLL, CHAIR  
Land Use Committee

lu:min:130313

Transcribed by: Michelle Balala

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**CERTIFICATE**

I, Michelle Balala, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 5<sup>th</sup> of April, 2013, in Kahului, Hawaii.



Michelle Balala